



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **STA TR 281 (Farber St Bridge) PID 109592**

**Environmental Document Level: C2**

**Approved: 7/21/2022**

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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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**C2**

<b>PID:</b>	109592
<b>Project Sponsor:</b>	STARK COUNTY ENGINEER
<b>ODOT District:</b>	4
<b>Funding Source:</b>	Federal
<b>Private Funding:</b>	No
<b>Project Description:</b>	

The Stark County Engineer's Office (SCEO) proposes to remove the existing Bridge Number PI-26-1/Structure File Number (SFN) 7632398 bridge that carries Township Road (TR) 281/Farber Street over Nimishillen Creek and replace it with a new structure along a modified alignment in the village of East Sparta and Pike Township, Stark County. The existing bridge is a 120-foot two-span continuous steel beam bridge on reinforced concrete and stone substructures, built in the 1890's and rehabilitated in 1969. The proposed structure is a 150-foot single span galvanized welded steel plate girder superstructure with composite deck supported on semi-integral abutments along a modified alignment with its proposed centerline that varies between approximately 50 feet southwest and approximately 90 feet southwest of the existing bridge centerline. It will provide two 12-foot lanes and 4-foot shoulders. The project will realign approximately 250 feet of Farber Street to the west of the proposed structure; and approximately 280 feet of Farber Street to the east of the proposed structure. The realigned sections of Farber Street will be constructed with two 12-foot lanes and 4-foot shoulders with 2-foot curbs. Additional improvements proposed by this project include drive approach construction, waterline replacement, sanitary sewer adjustments, guardrail replacement, rock channel protection placement, new traffic sign installations and new center line/edge line pavement markings applications within the project construction limits. 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 majority of the embankment and structural work will be completed while maintaining traffic on the existing bridge. However, Farber Street will be completely closed to construct tie-ins to the existing pavement. A detour route will be posted utilizing Main Avenue, Westbrook Street and State Route 800/Cleveland Avenue. Construction, lane restriction, closure and detour information will be posted within the project 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.

A total of 1.003 acres of new permanent right-of-way will be acquired from 7 parcels and a total of 0.103 acre of temporary right-of-way will be acquired from 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 *Final Right of Way Plan Sheets.pdf*.

Minor relocations of existing utilities within the project study area will be necessary to construct the project. During the preliminary design phase, it was determined that utility work will include: a short length of waterline replacement including a new hydrant; aerial utility relocations; sanitary sewer adjustments and minor gas and communications relocations. 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. Concurrent with this project, the Stark County Sanitary Engineer will be replacing a forced water main and replacing the pump station located adjacent to the project. Coordination with the Stark County Sanitary Engineer is ongoing.

The project will replace the existing steel beam bridge (SFN 7632398). The bridge is of a type and age determined not eligible for inclusion in the National Register of Historic Places (NRHP) in accordance with the Ohio DOT Historic Bridge Update and Evaluation (accepted April 28, 2010) and the Section 106 Programmatic Agreement (No. 19319) executed November 8, 2017 and amended July 11, 2019. One National Register listed resource - the Town Pump of East Sparta (Ref. No. 09000172) - is located approximately 240 feet northwest of the area of potential effects. In summary, archaeological and history/architecture investigations found no evidence that the replacement of the Farber Street bridge will involve or negatively impact any substantive cultural resource. In accordance with the Section 106 Programmatic Agreement (No. 19319) executed November 8, 2017, and amended July 11, 2019, ODOT-OES has determined a finding of 'no historic properties affected' is applicable to the 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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A Regulated Materials Review (RMR) Screening form was completed for the project and no further environmental site assessment, or special material management is warranted for the project. See the RMR documentation for the project in the Project File/ESA section.

The project proposes to impact approximately 217 linear feet of a perennial stream, Nimishillen Creek, and 0.01 acre of wetlands, Wetland A, and result in removal of approximately 0.37 acre of suitable wooded habitat (SWH) for the federally-listed Indiana bat and northern long-eared bat, and state-listed little brown bat and tricolored bat species. In addition, the project is expected to impact 0.01 acre of potentially suitable habitat (i.e., Wetland A) for the state-listed spotted turtle. See the ecological documentation for the project in the Project File/Ecological/Reports subsection and the Ecological tab.

Environmental personnel of the project consultant, Clune Consulting Services determined the project is located within a special flood hazard area (Zone A floodplain associated with Nimishillen Creek) and an existing U.S. Army Corps of Engineer (USACE) Flowage Easement. A coordination email about the project was sent to Designated Floodplain Administrator. Project information was also provided to the USACE. The USACE confirmed the project is located within an existing Bolivar Dam Flowage Easement area. Therefore, USACE Real Estate Department approval is needed for the proposed project. The Project Designer shall ensure the project is designed to comply with all applicable Local, State, and Federal floodplain protection standards. Moreover, USACE project approval shall be obtained prior to the start of project construction. See the floodplains and flowage easement documentation for the project in the Project File/Permits/Floodplains subsection.

The SCEO conducted various public involvement activities for the project, including mailing property owner right-of-entry notification letters to adjacent property owners requesting comments and performance of a virtual open house public involvement event to present information to local public officials, emergency, and public services, affected property owners and the general public. Virtual open house public involvement notification and activities included:

- issuing a virtual open house public involvement event press release
- posting a newspaper ad announcing a virtual open house public involvement event for the project in the Canton Repository
- mailing meeting notification letters to local public officials, emergency, and public services, affected property owners
- social media posts and a virtual public open house hosted on a project website (<https://publicinput.com/P2651>)
- performance of an in-person meeting with the Village of East Sparta Council in response to received public comments
- posting of public comment and response information on the project website

Project comments were solicited by these public involvement activities. A narrated project PowerPoint presentation, project exhibits, including preliminary plan and typical section information and public comment form were provided on the project website throughout the public comment period. The SCEO responded to all project comments and all comment and response information was made available on the project website. 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 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.

The estimated total project cost specified in Ellis is 0.28% 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 greater than \$3,000,000 and less than \$5,000,000 and the additional project cost not exceeding 50%, a STIP amendment is not necessary for the project.

**STIP Reference #:**

109592: 21-24 STIP \$3,010,640.49

**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 -**

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



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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.**

<b>Waterways:</b>	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
<b>Waterways Permit Type:</b>	Permit Determination and/or Permit Application Approval Pending
<b>Isolated Wetland Permit</b>	No
<b>Will any wetlands be impacted?</b>	Yes
<b>Endangered Species:</b>	Present; No finding of May Affect, Likely to Adversely Affect
<b>Endangered Species - Coordination</b>	May Affect, Not Likely to Adversely Affect
<b>Endangered Species - Coordination Date</b>	11/30/2021
<b>Endangered Species - Critical Habitat Present/Impacted</b>	
Indiana bat	
Northern long-eared bat	
<b>Endangered Species - Other Critical Habitat Present/Impacted:</b>	No
<b>100-Year Floodplain:</b>	Encroachment Within the SFHA is a Functionally Dependent Use
<b>EO 11988/NFIP Coordination and Documentation Completed:</b>	Yes
<b>NFIP Local Floodplain Coordinator Notification Date:</b>	08/16/2021
<b>Section 4(f):</b>	Not present
<b>Section 6(f):</b>	Not present



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**Cultural Resources:** Present; No Finding of Adverse Effect

**Cultural Resources Coordination:** No Historic Properties Affected

**Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date** 05/26/2022

**Tribal Consultation Summary/Remarks:**

The Delaware Tribe of Oklahoma, Peoria Tribe of Indians of Oklahoma and Seneca Nation of Indians were notified per ODOT's Tribal Consultation process on May 11, 2022. The Delaware Tribe of Oklahoma did not provide comments on the project. The Peoria Tribe of Indians of Oklahoma responded on May 19, 2022 stating the Tribe had no objection to the project. The Seneca Nation of Indians responded on May 19, 2022 stating that they concur with the 'no historic properties affected' determination.

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:** 11/16/2021

**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.

**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)
157932	0.01	0.24	0.18	0.0

**Underserved Populations Remarks**



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The project will replace the bridge carrying TR 281 Farber Street over Nimishillen Creek. No changes in access will occur other than a temporary detour route during construction.

A review of the ODOT Transportation Information Mapping System (TIMS) indicated Underserved Populations (UP) within the proposed project area. UPs identified included Minority, Low Income, and Older Adults. No businesses or residences will be acquired or relocated as part of the project.

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 based upon the table above, the attached mapping, and the answers to the questions above. 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.

The proposed project will have no substantial impacts to Limited English Proficiency, and Individuals with Disabilities Populations based upon the table above, the attached mapping, and the answers to the questions above. 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.

Census mapping is saved in the Project File/Underserved Populations/Project Information

**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.):
STA-TR 281 (Farber St Bridge)	Wetland A	Adjacent	Category 2	4	0.01

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

Total impact to all wetlands (ac.): 0.01

Total acres of non-isolated wetlands impacted: 0.01

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:**

The No Build alternative does not meet the project's Purpose & Need to improve deteriorated and deficient bridge structure conditions. The project footprint has been reduced to the maximum extent practicable. Implementation of additional measures to further reduce the impact footprint is not feasible or warranted based on: the purpose and need of the project; the location of the aquatic resource relative to the project location; and the overall minor impacts of the project as currently designed.

**All practicable measures have been considered and incorporated into the project design to avoid,**



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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:

See wetlands and other ecological resource impact information in ecological reports and agency coordination provided in the project File/Ecological/Reports and Coordination subsections.



## Environmental Commitments

### C2

1) The project is located in Special Flood Hazard Area and a US Army Corps of Engineers (USACE) Flowage Easement area. The project designer shall ensure the project is designed to comply with applicable local flood plain protection standards and USACE Flowage Easement area requirements. The Stark County Engineer's Office (SCEO) shall obtain an appropriate flood plain permit and USACE Flowage Easement approval(s) prior to the start of project construction.

2) In-water work restriction dates are applicable to this project. Unless a waiver has been obtained from ODNR and the USACE, the restrictions apply, and will be included in the Waterway Permit for the project. The project designer shall incorporate a plan note into the plans detailing in-water work restriction dates for Nimishillen Creek.

#### IN-WATER WORK RESTRICTION DATES:

NO IN-STREAM WORK SHALL BE PERFORMED WITHIN NIMISHILLEN CREEK FROM APRIL 15 THROUGH JUNE 30. IN-STREAM WORK IS DEFINED AS THE PLACEMENT AND/OR REMOVAL OF FILL MATERIALS (TEMPORARY OR PERMANENT) BELOW ORDINARY HIGH WATER OF THE CREEK. EXAMPLES OF "FILL" INCLUDE, BUT ARE NOT LIMITED TO: BRIDGE PIERS, ABUTMENTS, CULVERTS, ROCK CHANNEL PROTECTION, SCOUR PROTECTION, AND TEMPORARY ACCESS FILLS. FILLS PLACED WITHIN THE WEST BRANCH OF NIMISHILLEN CREEK CAN CONTINUE TO BE WORKED FROM/DURING THE WORK RESTRICTION DATES, BUT CANNOT BE EXPANDED, REMOVED, OR OTHERWISE MODIFIED (BELOW ORDINARY HIGH WATER) UNTIL ONCE AGAIN OUTSIDE OF THE WORK RESTRICTION DATES.

3) 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 TO CONSTRUCT THE 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.

4) Public comment provided for the project identified potential public use/kayak and canoe traffic on Nimishillen Creek at the Farber Street bridge location. The project designer shall develop and include plan notes in the construction plan to ensure public safety and require the contractor to place closure signage upstream and downstream of the construction limits restricting recreational boat/canoe traffic on Nimishillen Creek through the project construction zone.



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### **Preparers and Approvals**

**Form Preparer:**

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**Supporting Form Preparer(s):**

Brian Peck  
Joshua Sturges  
Brooke Heid  
Nicole Clune

### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Edward Deley (PROGRAM ADMIN 3)	7/21/2022



## Appendix

### General

Aerial Map.pdf

Correspondence Related to Utility Coordination.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

### Air

District Determination - No Air Analysis Required.pdf

### Noise

District Determination - No Noise Analysis Required.pdf

### ESA

OES Recommendations - Screening.pdf

### Cultural Resources

Records Check.pdf

SHPO Comments

Transmittal 2 - Effect Determination

Tribal Consultation

Tribal Response - Peoria Tribe.pdf

Tribal Response - Seneca Nation.pdf

### Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

### Other Resources

Census Bureau Urbanized Area Map.pdf

Water Source Protection Area Map.pdf

### Underserved Populations

Census Mapping.pdf

### Public Involvement

E. Sparta Mtg. Sign In Sheet - Response to Public Comments.pdf

Facebook Website Snap Shot.pdf



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Open House Public Involvement Comment Form.pdf  
Open House Public Involvement Handout.pdf  
Open House Public Involvement Notification Letter.pdf  
Open House Public Involvement Notification Mailing List.pdf  
Open House Public Involvement Paid Ad.pdf  
Open House Public Involvement Presentation Slides.pdf  
Paid Ad - Canton Repository 3-13-2022.pdf  
Press Release.pdf  
Property Owner Right of Entry Letter\_2.pdf  
Response to Public Comments.pdf  
Virtual Open-House Presentation Slides.pdf  
Website Snap Shot 3-14-2022.pdf  
Website Snap Shot 6-16-2022.pdf  
YouTube Website Snap Shot.pdf

**Permits**

Coordination with US Army Corps of Engineers.pdf  
Coordination with USACE - Flowage Easement 7-8-2022.pdf  
Coordination with USACE - Flowage Easement.pdf  
Correspondence with Local Floodplain Administrator.pdf  
FEMA FIRM.pdf  
USACE Response - Flowage Easement.pdf