



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

ATB SR 84/VAR 21.80/VAR PID 96551

Environmental Document Level: C2

Approved: 1/19/2022

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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C2

PID:	96551
Project Sponsor:	DISTRICT 4-PLANNING
ODOT District:	4
Funding Source:	Federal
Private Funding:	No

Project Description:

The Ohio Department of Transportation (ODOT) is proposing various roadway and bridge repairs in rural Ashtabula County. In Kingsville, Sheffield, and Monroe Townships, pavement resurfacing is planned for 6.7 miles of State Route (SR) 84 between Brydle Road/Straight Line Mile (SLM) 21.80 and the Ohio/Pennsylvania state line/SLM 28.56 and minor maintenance is proposed at the ATB-84-25.98 bridge over Ashtabula Creek involving paving the wearing surface and substructure concrete repairs. The intersection corner radius will also be improved at the northeast quadrant of the SR 84/SR 7 intersection to better accommodate vehicles turning with trailers, that will require 0.008 acre of temporary right-of-way to be acquired from one adjacent property owner.

The pavement on SR 85 in the Village of Andover will be resurfaced between SR 7/SLM 0.00 and the eastern corporation limit/SLM 0.47 for a distance of 0.47 mile. Construction on SR 85 will not occur before September 6, 2022 and work will only take place between Monday and Thursday with no weekend work.

On SR 167 in Jefferson and Denmark Townships, 5.5 miles of pavement resurfacing is proposed between SLM 2.17 and SLM 7.69 along with replacement of the ATB-167-4.40 bridge over a small unnamed stream located 225 feet west of Brown/Clay Road. The existing concrete slab bridge at ATB-167-4.40 over an unnamed tributary to Griggs Creek, built in 1948, is 15 feet long and 36 feet wide, while the proposed structure is a 14 foot by 7 foot concrete conduit that is 32 feet wide. A total of 0.128 acre of permanent right-of-way will be needed from two adjacent property owners for construction of the proposed bridge and installation of rock channel protection.

Mapping that depicts the project locations is included in the Project File/General/Project Information subsection. Traffic will be maintained with one bidirectional lane during the pavement resurfacing activities on SR 84, SR 85 and SR 167. For the bridge replacement on SR 167, traffic will be detoured for up to 21 days along SR 11, SR 307 and SR 193. Construction and road closure/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 during project construction. 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.

The cultural resources literature search concluded there are no inventoried buildings (OHI), no known archaeological sites (OAI), and no listed or eligible historic properties found in the project area or in the area of potential effects (APE). The involved bridge along SR 84 (SFN 0403482) is a Type 201N Concrete Continuous Slab structure built in 1955. The second bridge along SR 167 (SFN 0404985) is a Type 101N simple Concrete Slab structure built in 1948. Neither are considered eligible for the National Register of Historic Places (NRHP) based on the Ohio DOT Historic Bridge Inventory (accepted April 28, 2010). Non-historic bridge rehabilitation projects and general highway maintenance work limited to the existing operational right-of-way are exempt from further cultural resource consideration by the 11/8/17 Cultural Resource PA (Agreement 19319), if the project is not within the boundaries of any historic property or NRHP district. 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 ATB-167-4.40 bridge replacement will result in 121 feet of impact to a small perennial stream, 0.007 acre of impact to two Category 1 wetlands, 0.002 acre of impact to two potentially jurisdictional ditch and approximately 0.01 acre of suitable wooded



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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.

ODOT District 4 Environmental Section personnel reviewed the FEMA FIRM mapping for the project study areas and found some of the proposed construction activities are located within designated Special Flood Hazard Area (SFHA) Zone AE floodplains.

ODOT District 4 determined the proposed construction activities are considered maintenance and, therefore, are exempt from the normal permit process required for work encroaching on a SFHA. Floodplain coordination 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.

ODOT District 4 conducted various public involvement activities for the project, including a news release, website posting and project notifications sent to affected residents/property owners and emergency/public services. Project comments were requested with all public involvement activities. No public 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 Stage 3 Design plans for the project. A copy of the Stage 3 Design plans for the project is included in the Project File/General/Project Information subsection as Stage 3 Design.pdf.

The estimated total project cost specified in Ellis is 5.7% greater than the total project cost specified in the ODOT State Fiscal Years 2021 - 2024 Statewide Transportation Improvement Program (STIP). However, fiscal constraint is at the Statewide Line Item (SLI) Group level. Therefore, an individual project utilizing a SLI does not require a STIP/TIP amendment.

STIP Reference #:

96551: 21-24 STIP \$4,393,276.00

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.)***

(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
6. f. A finding of *May Affect, Likely to Adversely Affect* to Threatened and Endangered Species



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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?	Yes
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect
Endangered Species - Coordination	No Effect
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:	01/12/2022
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	12/10/2021

Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.



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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: 12/30/2021

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)
390070012002 SR 84	9	51	11	0
390070012003 SR 84	3	41	24	0
390070012004 SR 84	4	34	22	12
390070011021 SR 167	4	37	19	0
390070012006 SR 167	9	20	13	0
390070013021 SR 85	4	44	18	0
390070013013 SR 85	1	38	33	1

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.



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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.):
ATB-84/VAR ESR	Wetland 1	Adjacent	Category 1	0.005	0.005
	Wetland 2	Adjacent	Category 1	0.002	0.002

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

Total impact to all wetlands (ac.): 0.007

Total acres of non-isolated wetlands impacted: 0.007

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 Result in Substantial Adverse Community Impacts to Adjacent Homes, Businesses, or Other Improved Properties.

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 culvert that needs to be replaced. The Do Nothing alternative would result in the roadway being closed due to the condition of the



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culvert 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 immediately adjacent to the deteriorated culvert to be replaced. Avoidance of impacts does not meet the identified need of the project (replacing the deteriorated culvert) and will result in substantial social and economic impacts resulting from the roadway being closed due to the condition of the culvert.

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 construct the project. These impacts will be accounted for in the CWA waterway permitting process and necessary impact minimization measures implemented during construction.



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Environmental Commitments

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1) The Project Designer shall incorporate the following note into the plans: Tree Cutting Restrictions at ATB-167-0440: 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 at ATB-167-0440 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

District 4
Contact: Edward Deley
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Edward.Deley@dot.ohio.gov

Supporting Form Preparer(s):

Matthew Chaney
Robert Lang

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	1/19/2022



Appendix

General

Aerial Map.pdf

County Map.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

Underserved Populations

Census Mapping.pdf

Underserved Populations Documentation Form.pdf

Public Involvement

ODOT Project Website.pdf

Press Release.pdf

Public Notification Flyer.pdf

Public Notification Mailing List.pdf

Permits

Correspondence with Local Floodplain Administrator.pdf

District Determination - No Floodplain Impacts.pdf

FEMA FIRM.pdf