



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **POR/TRU SR 305/VAR 0.72/VAR PID 111184**

**Environmental Document Level: C2**

**Approved: 10/11/2023**

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ODOT 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

### Project Information

<b>PID:</b>	111184
<b>Project Sponsor:</b>	DISTRICT 4-PLANNING
<b>ODOT District:</b>	4
<b>Funding Source:</b>	Federal
<b>Project Description:</b>	

The Ohio Department of Transportation (ODOT) proposes to replace three (3) bridge structures and perform maintenance on two (2) additional bridge structures located on state routes in Portage and Trumbull Counties. Proposed structure location and work operation information is summarized below.

- POR-305-0.72/Structure File Number (SFN) 6704530/State Route (SR) 305 spanning Silver Creek between State Route 700 and Udall Road in Hiram Township, Portage County. The existing concrete slab/T-Beam/concrete substructure bridge will be replaced with new twin 4-sided i-Series concrete box structures (16-foot by 8-foot) with new concrete headwalls and wingwalls. The contractor will place new rock channel protection (RCP) at the inlet and out ends and excavated streambed material will be placed within the newly installed i-Series box culverts, restoring the Silver Creek stream bed to near-natural conditions. This structure replacement also proposes sealing of exposed concrete surfaces with an epoxy-urethane sealer, shoulder and embankment reconstruction/widening, installation of new storm sewer conduit and catch basins, guardrail replacement, pavement resurfacing, new center/edge/other pavement marking applications within the structure construction limits and installation of new structure identification signs.
- TRU-5-29.09/SFN 7801416/SR 5 spanning an Unnamed Tributary (UT) of Sugar Creek located between Bushnell-Campbell Road and Mayburn Corners-Barclay Road in Vernon Township, Trumbull County. The project proposes to replace the existing 40-foot long by 16-foot wide concrete slab/concrete abutment bridge structure with a new 41-foot long, 8-foot tall by 16-foot wide, four-sided concrete box culvert with new concrete headwalls and wingwalls and inlet and outlet RCP. This structure replacement also proposes sealing of exposed bridge concrete surfaces with an epoxy-urethane sealer, shoulder and embankment reconstruction/widening/grading, guardrail replacement, pavement resurfacing, new center/edge/other pavement marking applications within the structure construction limits and installation of new structure identification signs.
- TRU-45-14.55/SFN 7802161/SR 45 spanning an UT of Center Creek (Stream 3), between Airport Road and Prentice Road in Champion Township, Trumbull County. The existing 44-foot wide, 10-foot long concrete slab top/concrete substructure bridge will be replaced with a new 57-foot long, 10-foot wide by 6-foot tall box structure (Type A Conduit) with new concrete headwalls and wingwalls, and inlet and outlet RCP. This structure replacement also proposes sealing of exposed concrete surfaces with an epoxy-urethane sealer, shoulder and embankment reconstruction/grading, guardrail replacement, full depth pavement repairs, pavement resurfacing, new center/edge/other pavement marking applications and installation of new structure identification signs within the structure construction limits.
- TRU-87-3.20/SFN 7805144/SR 87 spanning an UT of Swine Creek (Stream 2), between SR 534 and Brigden Road, in Mesopotamia Township, Trumbull County. The existing structure is a 20-foot by 7-foot, precast 3-sided box with 5-foot long concrete box inlet/outlet extensions. The project will remove the existing asphalt deck overlay, repair the concrete portions of the existing center precast 3-sided box and remove and replace the existing 5-foot long box inlet and outlet ends with new precast 3-sided box sections with new RCP. The project will attempt to preserve the existing inlet and outlet concrete wingwalls. If this is not feasible, the project will replace the concrete wingwalls in-kind. The project will also seal exposed concrete surfaces of the structure with an epoxy-urethane sealer, overlay the structure with new asphalt, replace guardrail, perform full depth pavement repairs and pavement resurfacing, and install new center/edge/other pavement marking applications within the structure construction limits and install new structure identification signs.



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- POR-44-21.98/SFN 6701663/SR 44 spanning the State Scenic Upper Cuyahoga River, between Mats Road and Orchard Street, in the village of Mantua, Portage County. The project will clean, repair and encase one (1) existing deteriorated bridge pier pile with concrete, paint each end of the superstructure steel beams, clean and seal the pier-pile caps with an epoxy-urethane sealer, clear the river channel of debris and excess silt to restore the channel bottom, and remove above ground vegetation within 15-feet of the existing 129-foot-long by 41.5-foot-wide 3-span steel beam bridge structure. Access to the bridge may require placement of permanent earthen fill and non-erodible rock fill at each corner along the toe of the roadway embankment, below the ordinary high water mark of the State Scenic Upper Cuyahoga River.

Mapping that depicts the project locations on United States Geological survey (USGS) 7.5-minute topographic quadrangle maps is included in the Project File/General/Project Information subsection as *USGS Quadrangle Topographical Map.pdf*. A minimum of one bi-directional lane will be maintained on the existing SR 44 pavement at the POR-44-21.98 bridge location in the village of Mantua during project construction. Road closures ranging from 21-days to 30-days will be required at all other bridge locations to construct the project. Structure location and detour information is summarized below:

- POR-305-0.72/Detour Route will be posted utilizing State Route 700, State Route 82 and State Route 88
- TRU-5-29.09/ Detour Route will be posted utilizing State Route 88 and State Route 7
- TRU-45-14.55/Detour Route will be posted utilizing State Route 305, State Route 534 and State Route 88
- TRU-87-3.20/ Detour Route will be posted utilizing State Route 534, State Route 88 and State Route 45

Construction, lane closure and/or road closure and detour information will be posted at each structure location 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 to construct the project.

Construction activities will be conducted within the existing roadway rights-of-way at the POR-44-21.98, TRU-5-29.09, TRU-45-14.55 and TRU-87-3.20 structure locations. The project will acquire 0.044-acre of new temporary right-of-way from two (2) parcels at the POR-305-0.72 structure location. No permanent right-of-way acquisition is required for the project. See the right-of-way plans for the project in the Project File/General/Project Information subsection.

Minor relocations of existing utilities will be necessary to construct the project. These minor utility relocations will occur within the existing 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.

The project proposes to impact approximately 329 linear feet of stream channel (4 streams and the State Scenic Upper Cuyahoga River) at the five (5) bridge structure locations and impact/eliminate a total of 0.013 acre of wetlands from six (6) jurisdictional wetlands present at four (4) structure locations. All proposed stream and wetlands impacts are associated with proposed bridge structure replacement and maintenance operations. See the stream and wetlands information for the project in the Level 1 Ecological Survey Reports and agency coordination documentation in the Project File/Ecological/Reports and Coordination subsections, the Ecological Tab and the Project File/Permits/Waterways subsection.

The project also proposes to remove approximately 0.28-acre of suitable wooded habitat (SWH) for the federally-listed Indiana Bat (*Myotis sodalis*), Northern Long-eared Bat (*Myotis septentrionalis*) and Tri-colored Bat (*Perimyotis subflavus*) and state-listed Little Brown Bat (*Myotis lucifugus*) species at the POR-305-0.72 bridge structure location. According to the USFWS, the TRU-5-29.09, TRU-45-14.55 and TRU-87-3.20 bridge structure project areas are located within Eastern Massasauga range polygons and the project may impact suitable wetlands habitat for the Eastern Massasauga. Based on coordination performed with USFWS and ODNR, the project may affect but is not likely to adversely affect threatened/endangered bat and Eastern Massasauga species. See the threatened and endangered species information for the project in the Level 1 Ecological Survey Reports and agency coordination documentation in the Project File/Ecological/Reports and Coordination subsections.

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

The environmental document and associated studies, as applicable, were approved using the Stage 3 Design plans and final Right-of-Way plans for the project. Stage 3 Design and final right-of-way plan information for the project is included in the Project File/General/Project Information subsection.

The estimated total project cost specified in Ellis is 2.38% greater than the total project cost specified in the ODOT State Fiscal Years 2024 - 2027 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.

**The next phase of the proposed project is listed on the STIP:**

**Yes**

**Ellis STIP Details**



Phase	Current STIP Reference
ENV	111184: 24-27 STIP
RW	On Previous STIP
CO	111184: 24-27 STIP
DD	

The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications: Yes

**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 ROW (exceeds strip takes)
2. **b.** Residential or non-residential displacements
3. **c.** A U.S. Coast Guard permit or an Individual Section 404 permit under the Clean Water Act
4. **d.** A Section 106 finding of *Adverse Effect*
5. **e.** Section 4(f) impacts greater than de minimis
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.** A full Environmental Justice Analysis Report (EJAR) is required (the project must be processed as a D-level CE or higher-level document). If a memo-to-file/letter/IOC-format EJAR Short Report is determined to be the appropriate level of documentation, contact OES regarding NEPA document level.

**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.**

**Ecological**

**Waterways:**

Present; No Coast Guard, Individual 404, and/or Section 10 Permit required



Approved: 10/11/2023

<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>	03/02/2023
<b>Endangered Species - Critical Habitat Present/Impacted</b>	
Eastern massasauga	
Indiana bat	
Northern long-eared bat	
<b>Endangered Species - Other Critical Habitat Present/Impacted:</b>	Yes
<b>Endangered Species - Other Description:</b>	
The project proposes to remove 0.28-acre of suitable wooded habitat for Tri-colored Bat.	
<b>Scenic Rivers</b>	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area
<b>Scenic Rivers Remarks</b>	
The Upper Cuyahoga River is a State Scenic River. However, this project is located entirely within the village of Mantua municipal limits. Therefore, this project is not subject to Scenic River coordination as per the Ohio Department of Natural Resources (ODNR) Memorandum of Agreement between ODOT and ODNR (Division of Watercraft) for Project Coordination on Ohio's State Wild, Scenic and Recreational Rivers.	
<b>Floodplains</b>	
<b>100-Year Floodplain:</b>	Encroachment Within the SFHA is a Functionally Dependent Use
<b>EO 11988 Compliance Met</b>	Yes
<b>NFIP Coordination and Documentation Completed</b>	Yes
<b>NFIP Local Floodplain Coordinator Notification Date:</b>	09/06/2023
<b>Floodplain Remarks</b>	



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ODOT District 4 Environmental Section personnel reviewed the FEMA FIRMs for the project and determined the project encroaches within mapped special flood hazard areas (SFHAs) at the POR-44-21.97 and POR-305-0.72 bridge locations. The project designer shall design the project to comply with all applicable Local, State, and Federal floodplain protection standards. The project will be administered by ODOT and is therefore subject to ODOT's self-permit process in compliance with ORC 1521.13.D and ODOT L&D Vol. 2, 1005.1.4. See the floodplains mapping and coordination documentation for the project in the Project File/Permits/Floodplains subsection.

**Section 4(f)**

**Section 4(f):**

**Present; No Programmatic  
Evaluation or Individual Evaluation  
Required**

**Section 4(f) Determination:**

Temporary No Use Exception - 774.13(d)

**Section 4(f) Determination Date - 774.13(d)**

**07/25/2023**

**Section 4(f) Remarks**



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The POR-44-21.98 bridge spans the State Scenic Upper Cuyahoga River (designated in 1974), a National Heritage Corridor (Ohio & Erie Canalway, 1996), and an American Heritage River (1998), which became a dedicated Water Trail (2019) providing public paddling access. Maintenance will be performed on the POR-44-21.98 bridge structure during low flow conditions (*i.e.*, August October) in 2024. Channel cleanout, pier-pile encasement and other maintenance work will require access within the Upper Cuyahoga River for approximately 14 days. Performance of daily construction operations will be dependent on river water levels. The construction contractor will likely use temporary access fill (TAF) to dewater for the proposed pier-pile encasement work. Ladders and/or other equipment may also be used under the bridge to facilitate construction access. The project will maintain canoe and kayak traffic throughout the project construction duration, except for temporary access restriction periods associated with installation/removal of a TAF and/or other short duration construction activities that may potentially pose risk to paddlers/boaters. A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff on July 7, 2023. Based upon review of the DRF, ODOT-OES determined the proposed project can be processed as an Exception to the requirement for Section 4(f) approval. In accordance with 23 CFR 774.13(d), the temporary occupancy of land and/or access will not constitute a use upon the protected recreational activities, features, or attributes associated with the State Scenic Upper Cuyahoga River. This determination was made based on the proposed scope of work and concurrence received from ODNR, the Official with Jurisdiction (OWJ) regarding the assessment of impacts to the river. The following environmental commitments related to measures to minimize harm and/or resulting mitigation were established for the project:

- Recreational boating access within the project area shall be maintained at all times during construction activities, except for the time needed for temporary access restrictions associated with construction activities.
- Temporary access restrictions will be less than the time needed for overall project construction and will only occur when construction activities are deemed unsafe for paddlers/boaters.
- The Project Engineer or Contractor shall notify ODNR Parks and Watercraft at [Natalie.Foos@dnr.ohio.gov](mailto:Natalie.Foos@dnr.ohio.gov) 48 hours in advance when restrictions lasting longer than a day will occur. The use of flaggers or other means will be used to alert paddlers/boaters when short-term restrictions (e.g., 15-30 minutes intervals) are needed.
- The Contractor shall place appropriate signage/buoys/markers 300 feet upstream and 300 feet downstream of the project area to alert paddlers/boaters of construction activity and for wayfinding purposes.
- The Contractor shall be provided contact information for local canoe liveries that use the waterway within the project area and provide written notification to the liveries 14 calendar days prior to any changes affecting recreational boating traffic. Copies of the notification shall be provided to the Project Engineer.
- The Project Engineer or Contractor shall notify ODNR Parks and Watercraft [Natalie.Foos@dnr.ohio.gov](mailto:Natalie.Foos@dnr.ohio.gov), 14 calendar days prior to the start of construction activities to allow ODNR to post notice of the impending project construction on the appropriate ODNR webpages and associated online boating maps. As part of notification efforts, the Project Engineer shall also provide plans that indicate signage location along the waterway and any additional planned notification efforts with ODNR that will take place during or after construction.
- The Contractor shall closely coordinate the construction schedule (including access restrictions) with the Village of Mantua and ODNR prior to the start of construction activities.

See the Section 4(f) documentation for the project in the Project File/Section 4(f)/Project Information, Reports and Coordination subsections.

**Section 6(f)**

**Section 6(f):**

Not present

**Cultural Resources**

**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**

01/12/2023



Approved: 10/11/2023

## Cultural Resources Remarks

The undertaking is limited to the replacement of three bridges and rehabilitation of two additional bridge structures at five locations in Portage and Trumbull Counties. Work efforts will focus on the existing operational rights-of-way. However, minor temporary right-of-way will be needed at the POR-305-0.72 bridge location. No buildings will be involved in construction and no relocations will be required for the project. Literature search concluded there are no inventoried buildings (OHI), no known archaeological sites (OAI), and no listed or eligible historic properties found in the five separate project areas or in the area of potential effects (APE). The review of bridge data found that none of the structures involved in the project are eligible for the National Register of Historic Places. Non-historic bridge replacements and bridge repair work projects are exempt from further cultural resource consideration by the June 29, 2023 Cultural Resource PA (Agreement 38503), since the five locations are not within the boundaries of any historic property or National Register (N.R.) district. In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on June 29, 2023 (Agreement No. 38503), 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. See the cultural resources documentation for the project in the Project File/Cultural Resources/Project Information subsection and the Cultural Resources Tab

## Environmental Resources Considered

**The following environmental resources are present and have been studied for potential impacts:**

Regulated Materials

Farmland

### Air Remarks

Air quality studies/coordination are not required for this project. Project is under 40CFR93.126 under "Projects that correct, improve, or eliminate hazardous locations or features".

### Noise Remarks

The project does not qualify as a Type I project for noise (*i.e.*, not adding capacity, not moving thru travel lanes equal to or greater than 50% closer to noise sensitive areas) and a noise analysis is not required for the project under 23 CFR 772.

**The project involves ROW acquisition, Deep Excavation, or OEPA  
513 Landfill Authorization:**

Yes - Screening

### Regulated Materials Review Screening:

No Further Regulated Materials Review

**Regulated Materials Review Screening - DEC/OES Approval Date:**

01/18/2023

### Regulated Materials Review Remarks:

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.



**Farmland:**

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

**Environmental Justice**

Projects that meet C2 criteria must be in accordance with ODOT's EJ Guidance and activities conducted for Public Involvement are commensurate to the project's type and scope of work.

**Environmental Justice Populations**

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

**Identified Environmental Justice Populations**

Census Block Group #	% Minority	% Low Income
391336002001	2	22
391336001021	18	16
391336001022	3	14
391559301014	1	50
391559308002	3	7
391559308001	3	6
391559305001	2	61

**Environmental Justice Remarks**

A review of the ODOT Transportation Information Mapping System (TIMS) indicated Environmental Justice populations within the Census Block Groups for the project study areas.

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 based upon the table above and attached mapping. No concerns related to impacts on Environmental Justice 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 and FHWA Order 6640.23A, no further analysis is required.

Based on the above findings an Environmental Justice Analysis Report is not required for the project.

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

**Public Involvement**

**Public Involvement:**

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

**Public Involvement Remarks**



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ODOT District 4 conducted various public involvement activities for the project, including a news release, website posting, project maintenance of traffic/schedule information mailed/electronic mailed to local emergency and public services in each project location vicinity, and project notification letters mailed to affected/abutting property owners. Project comments were requested with all public involvement activities. The Village of Mantua contacted ODOT, District 4 requesting construction schedule clarification. In response to the Village of Mantua inquiry, ODOT District 4 responded to the inquiry and released an updated news release and posted updated project completion information on the project website. The Village of Hiram Fire Department requested project update information that was provided accordingly. No other comments or questions were received as a result of the public involvement activities conducted for the project. 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.

**Environmental Commitments**

**Environmental Commitments**

**Yes**



## Ecological

### Wetlands

ESR Name:	Wetland ID:	Hydrologic connection:	Wetland category:	Estimated total size (ac.):	Total estimated impact area by alternative (ac.):
POR-305-00.71	Wetland A	Adjacent	Category 3	89	0
POR-44-21.98	Wetland G	Adjacent	Category 3	150	0.005
TRU-45-14.55	Wetland E	Adjacent	Category 2	3.0	0.018
	Wetland F	Adjacent	Category 2	0.05	0.002
TRU-5-29.09	Wetland A	Adjacent	Modified Category 2	0.09	0.001
	Wetland B	Adjacent	Modified Category 2	0.7	0.001
TRU-87-3.20	Wetland C	Adjacent	Category 1	0.1	0.001
	Wetland D	Adjacent	Category 1	0.7	0.0

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

Total impact to all wetlands (ac.): 0.028

Total acres of non-isolated wetlands impacted: 0.028

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.

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 Not Meet the Identified Needs of the Project.



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**Include justification supporting the decisions noted above:**

The No Build alternative does not meet the project's Purpose & Need to improve deteriorated and deficient structure conditions. Each bridge replacement/maintenance operation project footprint has been reduced to the maximum extent practicable. Implementation of additional measures to further reduce each 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, 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) Mussel salvage and relocation must be performed at the POR-44-2198 Bridge location in accordance with the most recent version of the Ohio Mussel Survey Protocol prior to the initiation of construction activities below the ordinary high water mark (OHWM) of the State Scenic Upper Cuyahoga River. The mussel survey must occur after May 1 and before October 1 either within the same season as the instream work or the season prior to the instream work and ODOT shall obtain approval from the Ohio Department of Natural Resources prior to the contractor performing any work below the OHWM of State Scenic Upper Cuyahoga River.

2) According to the USFWS, the TRU-5-29.09, TRU-45-14.55 and TRU-87-3.20 project areas are located within an Eastern Massasauga range polygon and the project may impact suitable habitat for the eastern massasauga. The project designer shall incorporate avoidance/protection notes into the plans.

#### ENDANGERED SPECIES - STATE-ENDANGERED EASTERN MASSASAUGA RATTLESNAKE (SISTRURUS CATENATUS)

THE TRU-5-29.09/TRU-45-14.55/TRU-87-3.20 STRUCTURE LOCATIONS ARE WITHIN THE RANGE OF THE EASTERN MASSASAUGA RATTLESNAKE (SISTRURUS CATENATUS) A STATE ENDANGERED AND FEDERALLY LISTED AND PROTECTED SPECIES. HABITAT FOR THIS SPECIES IS PRESENT AT THE TRU-5-29.09, TRU-45-14.55 AND TRU-87-3.20 BRIDGE LOCATIONS. IF EASTERN MASSASAUGA RATTLESNAKE ARE ENCOUNTERED IN A BRIDGE WORK AREA DURING CONSTRUCTION, NO PERSON SHALL HARM OR KILL THE SNAKES OR ATTEMPT TO HANDLE THE EASTERN MASSASAUGA RATTLESNAKE. ALL CONSTRUCTION OPERATIONS AT BRIDGE WORK AREA SHALL TEMPORARILY CEASE AND ODOT DISTRICT 4 ENVIRONMENTAL SECTION (330-786-4931) AND THE OHIO DEPARTMENT OF NATURAL RESOURCES DIVISION OF WILDLIFE (614-265-6300) SHALL BE IMMEDIATELY CONTACTED.

NO SNAKES SHALL BE HARMED DURING PROJECT CONSTRUCTION.

3) The project may result in removal of suitable wooded habitat for threatened and endangered bat species at the POR-305-0.72/SFN 6704530 bridge location. The project designer shall incorporate the following note into the plans for the POR-305-0.72 Bridge location:

#### 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.



Approved: 10/11/2023

4) The POR-44-21.98 bridge spans the State Scenic Upper Cuyahoga River (designated in 1974), a National Heritage Corridor (Ohio & Erie Canalway, 1996), and an American Heritage River (1998), that became a dedicated Water Trail (2019) that provides public paddling access. The project designer shall incorporate the following notes into the plans to address environmental commitments related to Section 4(f) measures to minimize harm and/or resulting mitigation established for the project:

**RECREATIONAL BOATING ACCESS - UPPER CUYAHOGA RIVER (BRIDGE NO. POR-44-21.98):**

THE UPPER CUYAHOGA RIVER IS A STATE SCENIC RIVER. RECREATIONAL BOATING ACCESS WITHIN THE PROJECT AREA SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION ACTIVITIES. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO MAINTAIN SAFE ACCESS UNDER THE BRIDGE FOR PADDLERS/BOATERS AT ALL TIMES DURING THE PROJECT CONSTRUCTION DURATION.

RECREATIONAL BOATING ACCESS MAY BE TEMPORARILY RESTRICTED UNDER A PORTION OF THE BRIDGE WHEN CONSTRUCTION ACTIVITIES ARE DEEMED UNSAFE FOR PADDLERS/BOATERS. THE USE OF FLAGGERS AND OTHER MEANS WILL BE USED TO ALERT PADDLERS/BOATERS WHEN SHORT-TERM RESTRICTIONS (E.G., 15-30 MINUTES INTERVALS) ARE NEEDED. THE PROJECT ENGINEER OR CONTRACTOR SHALL NOTIFY ODNR PARKS AND WATERCRAFT AT NATALIE.FOOS@DNR.OHIO.GOV, 48 HOURS IN ADVANCE WHEN RESTRICTIONS LASTING LONGER THAN A DAY WILL OCCUR.

THE CONTRACTOR SHALL PLACE APPROPRIATE SIGNAGE/BUOYS/MARKERS 300 FEET UPSTREAM AND 300 FEET DOWNSTREAM OF THE PROJECT AREA TO ALERT PADDLERS/BOATERS OF CONSTRUCTION ACTIVITY AND FOR WAYFINDING PURPOSES. AT A MINIMUM, THE CONTRACTOR SHALL PROVIDE A 36-INCH X 48-INCH ORANGE FLAT SHEET SIGN, WITH MINIMUM 10-INCH LETTERS THAT READS AS FOLLOWS:

CAUTION BRIDGE  
CONSTRUCTION  
AHEAD

ALL SIGN INFORMATION AND INSTALLATION LOCATIONS MUST BE APPROVED BY THE PROJECT ENGINEER IN ADVANCE OF INSTALLATION. SIGNAGE MUST BE INSTALLED PRIOR TO THE START OF CONSTRUCTION ACTIVITIES AT THE POR-44-21.98 BRIDGE LOCATION.

**PRECONSTRUCTION COORDINATION - UPPER CUYAHOGA RIVER (BRIDGE NO. POR-44-21.98):**

THE CONTRACTOR SHALL BE PROVIDED CONTACT INFORMATION FOR THE VILLAGE OF MANTUA, PORTAGE COUNTY PARK DISTRICT AND LOCAL CANOE LIVERIES THAT USE THE WATERWAY WITHIN THE PROJECT AREA. THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AND PROVIDE WRITTEN NOTIFICATION TO THE VILLAGE OF MANTUA, PORTAGE COUNTY PARK DISTRICT AND LOCAL LIVERIES A MINIMUM OF 14 CALENDAR DAYS PRIOR TO ANY CHANGES AFFECTING RECREATIONAL BOATING TRAFFIC. COPIES OF THE NOTIFICATION SHALL BE PROVIDED TO THE PROJECT ENGINEER.

THE PROJECT ENGINEER OR CONTRACTOR SHALL ALSO NOTIFY ODNR PARKS AND WATERCRAFT NATALIE.FOOS@DNR.OHIO.GOV, A MINIMUM OF 14 CALENDAR DAYS PRIOR TO THE START OF CONSTRUCTION ACTIVITIES TO ALLOW ODNR TO POST NOTICE OF THE IMPENDING PROJECT CONSTRUCTION ON THE APPROPRIATE ODNR WEBPAGES AND ASSOCIATED ONLINE BOATING MAPS. AS PART OF NOTIFICATION EFFORTS, THE PROJECT ENGINEER SHALL ALSO PROVIDE PLANS THAT INDICATE UPSTREAM AND DOWNSTREAM WARNING SIGNAGE LOCATIONS ALONG THE WATERWAY AND ANY ADDITIONAL PLANNED NOTIFICATION EFFORTS WITH ODNR THAT WILL TAKE PLACE DURING OR AFTER CONSTRUCTION.

THE CONTRACTOR SHALL CLOSELY COORDINATE THE CONSTRUCTION SCHEDULE (INCLUDING ACCESS RESTRICTIONS) WITH THE VILLAGE OF MANTUA AND ODNR PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.

5) It is yet to be determined as to whether stream and/or wetland mitigation will be required for the project. If necessary, mitigation will be completed for the project and the appropriate documentation will be included in the project file.



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6) In-water work restriction dates are applicable to this project at the State Scenic Upper Cuyahoga River (Bridge No. POR-44-21.98) and Silver Creek (Bridge No. POR-305-0.72) and will be included in the Waterway Permit Conditions (WPC) Special Provisions for the project. The project designer shall incorporate the following note into the plans.

**IN-WATER WORK RESTRICTION DATES:**

NO IN-STREAM WORK SHALL BE PERFORMED WITHIN THE STATE SCENIC UPPER CUYAHOGA RIVER (BRIDGE NO. POR-44-21.98) AND/OR SILVER CREEK (BRIDGE NO. POR-305-0.72) FROM APRIL 15 THROUGH JUNE 30. IN-STREAM WORK IS DEFINED AS THE PLACEMENT AND/OR REMOVAL OF FILL MATERIALS (TEMPORARY OR PERMANENT) BELOW THE ORDINARY HIGH WATER OF THE RIVER/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 UPPER CUYAHOGA RIVER/SILVER 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.



### Preparers and Approvals

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### Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	10/11/2023



## Appendix

### Underserved Populations

Census Mapping.pdf

### General

County Map.pdf

USGS Quadrangle Topographical Map.pdf

### Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

### Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

### Section 4(f)

OES Recreational 4(f) Determination.pdf

### Public Involvement

Correspondence with Stakeholders - Mantua 8-16-2023.pdf

Correspondence with Stakeholders - Mantua Council 8-16-2023.pdf

Correspondence with Stakeholders - ODNR Scenic Rivers.pdf

Correspondence with Stakeholders 1-30-2023.pdf

Correspondence with Stakeholders 8-24-2023.pdf

Emergency and Public Services Notification Email.pdf

Press Release - Updated 5-9-2023.pdf

Press Release.pdf

Project Notification US Mail and Email Addresses.pdf

Project Website Snap Shot - 5-9-2023.pdf

Property Owner Notification - Project Flyer.pdf

Property Owner Notification Letter - POR-305-0.72.pdf

Public Comments Received.pdf

Response to Public Comments.pdf

### Permits



**Environmental Document Level: C2**  
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Approved: 10/11/2023

District Determination - Floodplain Coordination Required .pdf

FEMA FIRM.pdf

Letter of Compliance - ODOT Form LD-51.pdf

Letter of Notification - ODOT Form LD-52.pdf

Letter of Notification SFHA Exemption - ODOT Form LD-52.pdf

Public Explanation - Flood Plain Impacts.pdf