



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

SUM CR 0046 00.66 (Ira Rd) PID 117488

Environmental Document Level: C2

Approved: 12/22/2022

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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

PID: 117488
Project Sponsor: SUMMIT COUNTY ENGINEER
ODOT District: 4
Funding Source: Federal
Private Funding: No

Project Description:

The Summit County Engineer (SCE) proposes a design-build project to replace the structure that carries Ira Road (CR 46) over the North Fork of Yellow Creek located in Bath Township, Summit County, Ohio. The existing triple corrugated metal pipe arch, Structure File Number (SFN) 7732120, was built in 1959 and is approximately 60-foot long and 27-foot wide. The Bridge Inventory and Appraisal form dated 8/1/2022 lists the structure's sufficiency rating as 42.9 out of 100, a deficiency rating as Structurally Deficient, and posting for 50% of the legal load. The structure will be replaced with a four-sided precast concrete box culvert. The barrel length will be determined during the design build process. The project may also require minor approach work, roadway widening, signage updates, and guardrail replacements.

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*.
Construction and Maintenance of Traffic: Construction is estimated to begin in June 2023 and be completed by June 2024; and may require closure of Ira Road for a period of time not to exceed 75 consecutive days. Project work may be performed before and after the closure duration. A detour route will be posted utilizing Cleveland Massillon Rd (CR 17) to Everett Rd (CR 47) to Hametown Rd (CR 253). Construction, lane restriction, roadway closure and detour information will be posted prior to the start of project construction. Access shall be maintained to all adjacent properties for the duration of project construction. Substantial traffic disruptions are not expected with the project.

Right-of-Way and Utilities: This design-build project is in preliminary development and will require minor right-of-way acquisition from approximately 4 parcels to perform construction activities. Minor relocations of existing utilities within the project study area will be necessary to construct the project. These utility relocations will require additional roadway right-of-way. Utility coordination for the project will be performed during the design-build plan development process.

Cultural: The undertaking is a design-build bridge replacement project in Bath Township, Summit County, Ohio. The modern bridge-size steel culvert carries Ira Road over the North Fork of Yellow Creek one miles west of Bath, Ohio. The existing culvert will be removed and replaced with a four-sided concrete box culvert. The project may also require minor approach work, roadway widened, signage updates, and guardrail replacements. The new structure will be placed on the existing line and grade. Strip right-of-way will be needed to provide construction access to the disturbed stream crossing. Construction efforts will focus on the existing operational right-of-way. No buildings will be involved in the work and no relocations will be required. The literature search concluded there are no known sites (OAI), no inventoried buildings (OHI), and no listed or eligible historic properties found in the project area or in the area of potential effects (APE). About 50% of the APE was previously surveyed for cultural resources with negative results. The existing bridge (SFN 7732120) is a modern Type 319N Steel Culvert Filled structure installed in 1959. This bridge is not considered eligible for the National Register based on the Ohio DOT Historic Bridge Inventory (accepted April 28, 2010). Non-historic bridge replacements and minor roadway widening projects 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 N. R. 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.

Regulated Materials: Based on the information in the Regulated Materials Review (RMR) Screening 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/Coordination and Reports subsections.



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Ecological: The project proposes to permanently impact approximately 112 linear feet of perennial stream, North Fork of Yellow Creek, and 0.0002 ac of wetland, Wetland A, within the proposed construction limits. Approximately 0.07 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 will also be removed to construct the project. See the ecological and threatened/endangered species documentation for the project in the Project File/Ecological/Reports subsection and in the Ecological tab.

Floodplains: Environmental personnel of the project consultant, Clune Consulting Services, reviewed the FEMA FIRM mapping for the project study area and determined the project is not located within a flood hazard area, Zone X, associated with the North Fork of Yellow Creek. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

Public Involvement: The SCE and consultant staff conducted various public involvement activities for the project, including mailing property owner right-of-entry notification letters to adjacent property owners and issuing a Press Release with project information that was posted on the Summit County Engineer's website. Additionally, the SCE emailed the press release to local public officials and emergency/public services that contained roadway closure and detour information. Public comments were requested with all public involvement activities performed for the project. The SCE did not receive any comments as a result of 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.

Section 4(f) and Section 6(f): The proposed improvement is expected to require approximately 0.057 acre of permanent right-of-way from the Bath Nature Preserve and temporary closure of the trailhead to North Fork Trail, located on the Preserve. The trailhead will be temporarily relocated to a parking lot within the preserve during construction. A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff. Based upon review of the DRF, it was determined a de minimis impact will occur to Bath Nature Preserve in accordance with 23 CFR 774. The determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ) regarding the assessment of impacts that are included in the DRF. The Bath Nature Preserve received Land and Water Conservation funds; however, the Section 6(f) boundary is set as the 3-acre area within the park that received the funding. As the proposed project lies outside of the 3-acre area, Section 6(f) does not apply. See the Section 4(f) and Section 6(f) documentation for the project in the Project File/Section 4(f) and Section 6(f) sections.

The environmental document and associated studies, as applicable, were approved using the study area and construction limits for the project. A copy of these limits is shown in the Aerial Map included in the Project File/General/Project Information subsection. The estimated total project cost specified in Ellis is 14% 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 #:

117488: 21-24 STIP/SLI Group
Project. Fiscal constraint is at SLI
Group level.

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
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



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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	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	10/13/2022
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	No
100-Year Floodplain:	No Encroachment Within a Special Flood Hazard Area (SFHA)
Section 4(f):	Present; No Programmatic Evaluation or Individual Evaluation Required
Section 4(f) Determination:	
de minimis	
Section 4(f) Determination Date - de minimis	11/23/2022



Section 6(f): Present; No Impacts and/or Access Restrictions

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 11/01/2022

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: 11/29/2022

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.

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)
391535323013	1	3	15	0

Underserved Populations Remarks



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The project will replace the bridge carrying Ira Rd (CR 46) over the North Fork of Yellow 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.):
SUM-CR 46-0.66 (Ira Rd)	Wetland A	Adjacent	Category 1	0.24	0.001

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

Total impact to all wetlands (ac.): 0.001

Total acres of non-isolated wetlands impacted: 0.001

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 Not Meet the Identified Needs of the Project.

Include justification supporting the decisions noted above:

To replace the structurally deficient structure carrying the North Fork of Yellow Creek under Ira Rd (CR 46) at mile marker 00.66, work within a portion of Wetland A must occur. The wetland boundary extends past the construction limits; therefore, portions of Wetland A beyond construction limits will not be impacted, minimizing the overall impacts to the wetland.

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,



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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 wetland 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 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.
- 2) The Summit County Engineer will obtain all necessary waterway permits prior to the project construction.
- 3) The following measures to minimize harm will be added by the project designer as project plan notes to address impacts to Bath Nature Preserve:
 - a. ACCESS TO BATH NATURE PRESERVE AT THE IRA RD VEHICULAR ENTRANCE SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION ACTIVITIES.
 - b. THE CONTRACTOR SHALL INSTALL APPROPRIATE SIGNAGE TO ALERT USERS OF THE NORTH FORK TRAIL OF CONSTRUCTION ACTIVITIES, ACCESS RESTRICTIONS OR CLOSURES, AND TO DIRECT USERS TO SECONDARY ACCESS POINTS.
 - c. THE CONTRACTOR SHALL BE REQUIRED TO CLOSELY COORDINATE THE CONSTRUCTION SCHEDULE WITH ODOT, THE SUMMIT COUNTY ENGINEER, AND BATH TOWNSHIP PARKS PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.
 - d. THE STAGING AND/OR STORAGE OF CONSTRUCTION EQUIPMENT OR MATERIALS SHALL NOT TAKE PLACE OUTSIDE PROPOSED CONSTRUCTION LIMITS THAT ARE WITHIN THE DEFINED BOUNDARIES OF BATH NATURE PRESERVE.
- 4) The project designer shall incorporate the following note into the plans: WATERWAY PERMIT COMPLIANCE: THE CONTRACTOR IS NOT AUTHORIZED TO PLACE ANY FILL OR WORK WITHIN ANY WATERWAY BELOW THE ORDINARY HIGH WATER MARK ELEVATION DURING CONSTRUCTION UNTIL THE PERMIT(S) ARE OBTAINED FOR THE PROJECT.



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Preparers and Approvals

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Supporting Form Preparer(s): Joshua Sturges
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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	12/22/2022



Appendix

General

Aerial Map.pdf

Correspondence with Emergency and Public Services.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

Air

Flow Chart Determination - No Air Analysis Required.pdf

Noise

Flow Chart Determination - No Noise Analysis Required.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

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

Section 4(f)

OES Recreational 4(f) Determination.pdf

Section 6(f)

OES Determination - No 6(f).pdf

Underserved Populations

Census Mapping.pdf

Public Involvement

Press Release on SCE Website and Twitter.pdf

Property Owner Notification Letter and Mailing List.pdf

Permits

FEMA FIRM.pdf