



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

POR TR 0136 01.24 (Jones Rd) PID 117211

Environmental Document Level: C2

Approved: 12/28/2022

Prepared By: Brooke Heid

Clune Consulting Services, LLC

Phone: 614-570-5771

E-mail: Brooke@cluneconsult.com

District Contact: Edward Deley

Phone: 330-786-4930

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

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2020, and executed by FHWA and ODOT.

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C2

PID:	117211
Project Sponsor:	PORTAGE COUNTY ENGINEER
ODOT District:	4
Funding Source:	Federal
Private Funding:	No

Project Description:

The Portage County Engineer (PCE) proposes a design-build project to remove the existing bridge that carries Jones Road (TR 136) over Kale Creek and replace it with a new structure to be determined during the design-build process in Palmyra Township, Portage County, Ohio. The existing bridge, Structure File Number (SFN) 6732909, is an approximately 40-foot long, 16-foot wide single-span steel bridge on concrete and stone substructures, built in 1978 and deemed structurally deficient based on recent inspection. Additional improvements proposed by this project include approach slab replacements, approach roadway pavement replacement, new center line/edge line pavement marking applications and new traffic sign installation 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*.

The bridge replacement work will require closure of Jones Road for a period of time not to exceed 90 consecutive days. Project work may be performed before and after the closure duration. A detour route will be posted utilizing Whippoorwill and Milton-Newton Road. 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.

This design-build project is in preliminary development and the proposed new structure will be designed within the existing roadway right-of-way to avoid impacts to surrounding properties and minimize impacts to Kale Creek.

Minor relocations of existing utilities within the project study area will be necessary to construct the project. These minor utility relocations will occur within the existing roadway right-of-way. Utilities will not be permanently removed to construct the project. Utility coordination for the project will be performed during the design-build plan development process.

The undertaking is a design-build bridge replacement in rural Palmyra Township, Portage County, Ohio. The 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 existing bridge (SFN 6732909) is a modern Type 302N simple Steel Multi-beam structure built in 1978. The structure 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 improvements focused on the 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 National Register (NR) 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



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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) 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. The project proposes to permanently impact approximately 65 linear feet of perennial stream, Kale Creek within the project study area. Approximately 0.16 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. In addition, the project proposes to permanently impact 0.02 acre of potentially suitable habitat for the state-listed spotted turtle (*i.e.*, Kale Creek). However, the project is not likely to impact the spotted turtle. See the ecological and threatened/endangered species documentation for the project in the Project File/Ecological/Reports subsection and in the Ecological tab.

Environmental personnel of the project consultant, Clune Consulting Services, reviewed drinking water source protection area and sole source aquifer mapping for the project study area and determined the project is located within a Inland Surface Water Management Zone. The Project Designer shall ensure the project is designed to comply with all applicable Local, State, and Federal surface water protection standards and detailed design plan and construction schedule information shall be coordinated with the Newton Fall City Water Department prior to project construction. The proposed bridge replacement will not result in impacts to drinking water resources.

Environmental personnel of the project consultant, Clune Consulting Services, reviewed the FEMA FIRM mapping for the project study area and determined the project is located within a special flood hazard area, Zone A floodplain associated with Kale Creek. The Project Designer shall ensure the project is designed to comply with all applicable Local, State, and Federal floodplain protection standards.

Floodplain permitting will be obtained for the project prior to the start of project construction. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

The PCE conducted various public involvement activities for the project, including mailing property owner notification letters to adjacent property owners, issuing a Press Release with project information, posting project information on the Portage County Engineer website and mailing Press Release information to local public officials, emergency/public services and adjacent property owners. Public comments were requested with all public involvement activities performed for the project. The PCE 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.

The environmental document and associated studies, as applicable, were approved using the suggested study area and existing right-of-way limits for the project. A copy of the Study Area Map for the project is included in the Project File/General/Project Information subsection.

The estimated total project cost specified in Ellis is approximately 8% 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 #:

117211: 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
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:	Nationwide Permit
Waterways Permit Approval Date	11/30/2022
Isolated Wetland Permit	No
Will any wetlands be impacted?	No
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	10/17/2022
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	



Endangered Species - Other Critical Habitat Present/Impacted:	No
100-Year Floodplain:	Encroachment Within the SFHA is a Functionally Dependent Use
EO 11988/NFIP Coordination and Documentation Completed:	No
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	09/23/2022

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:	09/26/2022
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)
391336007061	2	12	22	0

Underserved Populations Remarks

The project will replace the bridge carrying TR 136 Jones Road over Kale 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



Environmental Commitments

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1) The Project Designer shall incorporate the following note into the plans: THE PROJECT IS LOCATED WITHIN A FEMA FLOOD ZONE AND THE PROJECT DESIGNER SHALL ENSURE THE PROJECT IS DESIGNED TO COMPLY WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL FLOODPLAIN PROTECTION STANDARDS. APPROPRIATE FLOODPLAIN PERMITTING SHALL BE OBTAINED BY THE PORTAGE COUNTY ENGINEER'S OFFICE PRIOR TO THE START OF CONSTRUCTION.

2) 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.

3) OES-WPU reviewed the subject project and determined that it will meet the criteria for USACE Nationwide Permit (NWP) 3 (Maintenance). OES-WPU made this permit determination based upon experience with the USACE Huntington District Ohio Regulatory Transportation Office (ORTO). All conditions of the NWP 3 shall be adhered to during construction. A reevaluation of the project is necessary if impacts to waterways change or if the project will not be completed by March 14, 2026.

The Project Designer shall incorporate the following note into the plans: THE CONTRACTOR SHALL READ THE USACE NATIONWIDE PERMIT INFORMATION AND COMPLY WITH ALL APPLICABLE PERMIT CONDITIONS AND REQUIREMENTS. MOREOVER, A COPY OF THE WATERWAY PERMIT INFORMATION SHALL BE KEPT ONSIGHT DURING PROJECT CONSTRUCTION. ALL WORK PERFORMED WITHIN ANY WATERWAY BELOW THE ORDINARY HIGH WATER MARK ELEVATION DURING CONSTRUCTION SHALL BE PERFORMED AS DETAILED IN THE PROJECT CONSTRUCTION PLAN.

4) The Project Designer shall ensure the project is designed to comply with all applicable Local, State, and Federal surface water protection standards and detailed design plan and construction schedule information shall be coordinated with the Newton Fall City Water Department prior to project construction. Moreover, the Project Designer shall incorporate the following note into the construction plans:

THIS PROJECT IS LOCATED IN OR NEAR THE SOURCE OF A PUBLIC DRINKING WATER SUPPLY. IN ORDER TO MINIMIZE THE POTENTIAL TO CONTAMINATE THIS WATER SUPPLY, PROJECT RELATED REFUELING AND MAINTENANCE ACTIVITIES SHALL NOT BE PERFORMED FROM MILE MARKER 1.06 TO 1.43. THE CONTRACTOR SHALL IMMEDIATELY TAKE STEPS TO MITIGATE ANY EVENT, SUCH AS A SPILL OF FUELS, OILS, OR CHEMICALS, THAT COULD THREATEN TO CONTAMINATE THE DRINKING WATER SUPPLY. ANY SUCH SPILL OR EVENT SHALL BE REPORTED IMMEDIATELY TO SUPERINTENDENT JEFF HAWKINS OF CITY OF NEWTON FALLS WATER TREATMENT PLANT AT 330-872-1808. IF THE SPILL IS A REPORTABLE AMOUNT, THE CONTRACTOR SHOULD CONTRACT THE PALMYRA TOWNSHIP FIRE DEPARTMENT AT 330-654-4098 AND THE OHIO EPA'S SPILLS HOTLINE 1-800-282-9378 FOR CLEAN-UP OF THE SPILL.



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Preparers and Approvals

Form Preparer:

Brooke Heid
Clune Consulting Services, LLC
P.O. Box 103, Minster OH 45865
614-570-5771
Brooke@cluneconsult.com

Supporting Form Preparer(s):

Brian Peck
Christine Surma
Brooke Heid
Brian Mitch
Madeline Wellman
Nicole Clune

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	12/28/2022



Appendix

General

Aerial Map.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

ESA

OES Recommendations - Screening.pdf

Regulated Materials Review Form.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

Ecological

ODNR Comments - Mussel Report accepted.pdf

ODNR Coordination - Mussel Survey email.pdf

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

PCE Project Related Decision - No Public Comments Received.pdf

PCEO Project Website Snap Shot 10-3-2022.pdf

Press Release.pdf

Property Owner Notification - Press Release Mailer.pdf



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Property Owner Notification - Press Release Mailing List.pdf

Property Owner Notification Letter Mailing List.pdf

Property Owner Notification Letter.pdf

Public Official and EMS and Public Services Notification.pdf

Permits

FEMA FIRM.pdf