



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

POR Sunrise Blvd Bridge (Kent) PID 114417

Environmental Document Level: C2

Approved: 6/20/2023

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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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Project Information

PID:	114417
Project Sponsor:	Kent, City of
ODOT District:	4
Funding Source:	Federal
Project Description:	



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The City of Kent proposes to rehabilitate the existing 43-foot long single-span steel beam bridge structure (Bridge Number POR-SUNRI-2.5; SFN: 6760015) carrying Sunrise Drive over Fish Creek by replacing the existing composite concrete deck superstructure, reconstructing/resurfacing the Sunrise Drive roadway approaches, patching the existing concrete abutments and sealing exposed concrete surfaces on the bridge. Additional improvements proposed by this project include storm water drainage catch basin and conduit reconstruction, and pavement striping and signage replacement within the project construction limits. The POR-SUNRI-2.5 bridge is located between Gale Drive and Colleen Drive in the City of Kent, Portage County, Ohio.

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*.

During construction, at least one lane of traffic in each direction will be maintained at all times. Access shall be maintained to all properties within and adjacent to the project construction limits for the duration of project construction. Road closures and detours are not proposed to construct the project. A 2-year construction duration is anticipated and necessary to maintain access to private properties. Substantial traffic disruptions are not expected during project construction.

The project will be constructed entirely within the existing Sunrise Drive roadway right-of-way.

No above ground or subsurface utility relocations are necessary to construct the project. Coordination with the utility companies in proximity to the proposed construction activities was conducted for the project during its preliminary engineering phase and will continue during its detailed design phase.

The project will not impact any environmentally sensitive resources within the project study area as detailed in the narrative below and the resource-specific subsections and tabs.

Based on the information in the Regulated Materials Review (RMR) Form completed for the project, no further RMR activities or special materials management are warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports subsection.

A Level 1 Ecological Survey Report was completed by Lawhon ecological personnel for the project. The project will remove approximately 0.04-acre of potential suitable wooded habitat (SWH) for the federally listed Indiana bat and northern long-eared bat, and the federally proposed for listing tricolored bat species and the state listed little brown bat. The project will not result in impacts to Fish Creek. No wetlands or other ecological resources are present within the project construction limits. See the ecological resource and threatened/endangered species documentation for the project in the Project File/Ecological/Project Information and Reports subsections and the Ecological tab.

The environmental document and associated studies, as applicable, were approved using the Stage 2 Design Plans. A copy of the Stage 2 Plan for the project is included in the Project File/General/Project Information subsection as *Stage 2 Design.pdf*.

The estimated total project cost specified in Ellis is approximately 8.7% greater than the total project cost specified in the ODOT State Fiscal Years 2021 - 2024 Statewide Transportation Improvement Program (STIP). However, based on the additional project cost not exceeding 20% of the total project cost in the STIP, a STIP amendment is not necessary for the project.

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

Ellis STIP Details

Phase	Current STIP Reference
ENV	
CO	On Previous STIP
DD	

The next phase of project development is outside of the current STIP/TIP or not federally funded: Yes

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
Waterways Permit Type:	Permit Determination and/or Permit Application Approval Pending
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

03/30/2023

Endangered Species - Critical Habitat Present/Impacted

Indiana bat

Northern long-eared bat

Endangered Species - Other Critical Habitat Present/Impacted:

No

Scenic Rivers

No National Wild and Scenic River
Within 1000 Feet of the Proposed
Project Area

Scenic Rivers Remarks

There are no national or state-listed wild and scenic rivers within 1,000 feet of the project area. The project will not impact any scenic river.

Floodplains

100-Year Floodplain:

Encroachment Within the SFHA is a
Functionally Dependent Use

EO 11988 Compliance Met

No

NFIP Coordination and Documentation Completed

No

Floodplain Remarks

Lawhon NEPA personnel reviewed the FEMA FIRM mapping for the project study areas and found the proposed construction activities are located within a designated Special Flood Hazard Area (SFHA) Zone AE floodplain. The City of Kent will obtain all relevant floodplain permits, if required, prior to project construction. See the floodplain mapping and documentation for the project in the Project File/Permits/Floodplains subsection.

Section 4(f)

Section 4(f):

Not present

Section 4(f) Remarks

A review of maps and property ownership by Lawhon & Associates did not identify any Section 4(f) properties within the project area. The project will not impact any Section 4(f) resources.

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**

03/21/2023

Cultural Resources Remarks

A Cultural Resources Records Check was performed by Lawhon cultural staff using the SHPO GIS online database. No Cultural Resources listed on or determined eligible for listing on the National Register of Historic Places were identified within and/or immediately adjacent to the proposed project area. Therefore, 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 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. No further coordination is required in accordance with the Section 106 Programmatic Agreement. 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

Air Remarks

The project will not impact air quality. No air quality studies or coordination are needed for this project.

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:

02/21/2023

Regulated Materials Review Remarks:

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/Reports subsection.

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
391336013004	53	69

Environmental Justice Remarks

A review of the ODOT Transportation Information Mapping System (TIMS) indicated there are Environmental Justice populations within the proposed project area. 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. Census mapping is saved in the Project File/Environmental Justice/Project Information.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

The City of Kent conducted various public involvement activities for the project, including a website posting and project notification letters to property owners, stakeholders and emergency/public service providers dated May 1st, 2023. The City emailed the letter to the members of City Council as well on April 28, 2023. No comments were received as a result of the public involvement activities. See the public involvement documentation for the project in the Project File/Public Involvement/Project Information subsection.

Environmental Commitments

Environmental Commitments

Yes



Environmental Commitments

C2

1) The project may result in removal of suitable wooded habitat for threatened and endangered bat species. 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 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.

2) The project designer shall incorporate the following note into the plans. STREAM AVOIDANCE: UNDER NO CIRCUMSTANCES SHALL ANY MECHANICAL EQUIPMENT (LIFT, BACKHOE, CRANE, ETC.) AND/OR MATERIALS ENTER THE STREAM. NO FILL MATERIAL (INCLUDING ROCK, COFFERDAMS, ACCESS/WORK PADS, ETC.) SHALL BE PLACED BELOW THE IDENTIFIED ORDINARY HIGH WATER MARK (OHWM) OF THE STREAM (OHWM IS THE ELEVATION AT WHICH THE VEGETATION ON THE STREAM BED ENDS DUE TO THE FLOW OF THE STREAM). THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO PREVENT ALL CONSTRUCTION MATERIALS, WASTE MATERIALS, WATER CHEMICALS, OR OTHER SUBSTANCES USED TO CONSTRUCT THE PROJECT FROM ENTERING THE STREAM.

3) The project is located within a FEMA flood zone and will be designed to comply with all applicable Local, State, and Federal floodplain protection standards. Appropriate floodplain permitting, or documentation of exemption, shall be obtained prior to the start of project construction.



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Preparers and Approvals

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Supporting Form Preparer(s): Cassandra Austin
Greg Bowman

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Brian Peck (ENV SPEC 3)	6/20/2023



Appendix

General

Aerial Map.pdf
Correspondence Related to Utility Coordination.pdf
County Map.pdf
USGS Quadrangle Topographical Map.pdf

ESA

ODOT Recommendations - RMR Screening.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B
Records Check.pdf

Ecological

ODNR Scenic River MOA Conditions
USFWS/ODNR Ecological MOA Conditions

Other Resources

Census Bureau Urbanized Area Map.pdf
Water Source Protection Area Map.pdf
Well Log Data.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

20230428 City Council Notification.pdf
City Website Posting - Capital Improvement Project List.pdf
Project Listing Website Snap Shot.pdf
Project Notification Letter Mailing List - Property Owners.pdf
Project Notification Letter.pdf
Project Notification Mailing List - Public Services and EMS.pdf
Project Related Email - Public Involvement.pdf

Permits

Coordination with LPA - Floodplain Coordination.pdf



FEMA FIRM.pdf

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