



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

TRU SR 0005 11.95 Slide PID 111998

Environmental Document Level: C2

Approved: 7/5/2023

Prepared By: District 4

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

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C2

Project Information

PID: 111998

Project Sponsor: DISTRICT 4-MAINTENANCE

ODOT District: 4

Funding Source: Federal

Project Description:

The Ohio Department of Transportation (ODOT) proposes to reconstruct a total of 200 linear feet of roadway embankment within a roadway embankment failure area along eastbound State Route (SR) 5/82 in Champion Township, Trumbull County. This project proposes to reconstruct the existing roadway embankment from Station (Sta.) 609+50 to Sta. 611+50 by regrading and then installing a slope reinforcement system by driving steel piles into the slope. Additional improvements proposed by the project include installation of erosion control matting and shoulder pavement restoration.

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.

A minimum of one 10-foot lane of traffic in each direction shall be maintained on the existing pavement during project construction. The duration of lane closures/restrictions shall be prescribed by the permitted lane closure chart. Construction and lane restriction/reduction information will be posted within the project construction limits prior to the start of project construction. Substantial traffic disruptions are not expected during project construction.

The project will be constructed within the existing highway right-of-way.

Existing utilities within the project study area will not be impacted/relocated to construct the project.

The project proposes to eliminate a total of 0.041-acre of jurisdictional wetlands due to regrading of the slope. See the wetlands impact information for the project in the Permit Determination Request in the Project File/Permits/Waterways subsection and the Ecological Tab.

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

The environmental document and associated studies, as applicable, were approved using the Stage 3 Design plans for the project. A copy of the Stage 3 Design plans for the project is included in the Project File/General/Project Information subsection as *Stage 3 Design.pdf*.

The estimated total project cost specified in Ellis is 9.42% 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.

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

Ellis STIP Details

Phase	Current STIP Reference
ENV	
CO	111998: 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:



(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph I of this section. **Examples include: Joint or limited use of right-of-way where the proposed use would have minimal or no adverse social (including highway safety), economic or environmental impacts; Installation of new noise walls and other new noise mitigation projects; Construction of highway safety and truck escape ramps; Construction of bicycle lanes and pedestrian walkways, sidewalks, shared-use paths, or facilities and trailhead parking that do not otherwise qualify for a C1 designation; Beautification or facility improvement projects (i.e. landscaping, curb and gutter installation and replacement, ADA ramps/curb ramps, installation of park benches, decorative lighting, etc.); Construction of alternative energy facilities (fuel tank farms, wind turbines, etc.)**

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:

Regional General Permit

Waterways Permit Approval Date

05/16/2023



Isolated Wetland Permit	No
Will any wetlands be impacted?	Yes
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect
Endangered Species - Coordination	No Effect
Scenic Rivers	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area
Scenic Rivers Remarks	N/A.
Floodplains	
100-Year Floodplain:	No Encroachment Within a Special Flood Hazard Area (SFHA)
Floodplain Remarks	
ODOT District 4 Environmental Section personnel reviewed the FEMA FIRM for the project study area and determined the project is not located within a special flood hazard area. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.	
Section 4(f)	
Section 4(f):	Not present
Section 4(f) Remarks	N/A.
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 A
Cultural Resources Coordination - ODOT Approval/SHPO Concurrence Date	04/24/2023
Cultural Resources Remarks	



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A Cultural Resources Records Check was performed by district environmental 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 A 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

N/A.

Noise Remarks

N/A.

The project involves ROW acquisition, Deep Excavation, or OEPA 513 Landfill Authorization: No

Hazardous Materials - OES Approval Date:

04/17/2023

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.

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
391559308004	5	30
391559212001	23	55

Environmental Justice Remarks



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A review of the ODOT Transportation Information Mapping System (TIMS) indicated 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. Therefore, in accordance with the protections of Executive Order 12898 and FHWA Order 6640.23A, no further analysis is required. See Environmental Justice documentation for the project in the Project File/Environmental Justice/Project Information subsection.

Public Involvement

Public Involvement:

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

Public Involvement Remarks

Based on the project scope of work, its Path 1 Project Development Process (PDP) Classification and the proposed maintenance of traffic measures, emergency/public services contact activities were not conducted for the project. The project has met the minimum public involvement requirements.

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

Total impact to all wetlands (ac.): 0.062

Total acres of non-isolated wetlands impacted: 0.062

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.

Include justification supporting the decisions noted above:

The No Build alternative does not meet the project's Purpose & Need to address the failing roadway embankment slope area. To avoid the wetlands with the use of retaining walls and/or other structures would substantively increase project cost and maintenance responsibilities. The project footprint has been reduced to the maximum extent practicable. Implementation of additional measures to further reduce the 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



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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 the Level 1 Ecological Survey Report 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:

WETLANDS AVOIDANCE:

NO EXCAVATION, GRADING, OR FILLING OPERATIONS SHALL BE PERFORMED IN THE WETLANDS DELINEATED BEYOND THE PROJECT CONSTRUCTION LIMITS AND DEPICTED IN THE PROJECT PLANS AND/OR THE ECOLOGICAL RESOURCES MAPPING AVAILABLE FOR VIEWING AT THE ODOT DISTRICT 4 OFFICE LOCATED AT 2088 SOUTH ARLINGTON ROAD, AKRON, OH. THE CONTRACTOR SHALL ALSO TAKE ALL PRECAUTIONS NECESSARY TO PREVENT ANY INCIDENTAL DISCHARGES INTO THESE WETLANDS. TO PREVENT ANY INCIDENTAL DISCHARGES, A FILTER FABRIC FENCE AND TEMPORARY CONSTRUCTION FENCE PER SUPPLEMENTAL SPECIFICATION 832, SHALL BE INSTALLED, MAINTAINING A ONE-FOOT BUFFER BETWEEN THE FENCE AND THE WETLAND BOUNDARIES, WHEN PRACTICABLE, PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES, INCLUDING ANY NECESSARY CLEARING AND GRUBBING ACTIVITIES, AND BE MAINTAINED BY THE CONTRACTOR THROUGHOUT PROJECT CONSTRUCTION. IF DEBRIS ENTER WETLANDS UNAUTHORIZED FOR IMPACT DURING CONSTRUCTION, THE CONTRACTOR SHALL REMOVE THE DEBRIS IMMEDIATELY UTILIZING EQUIPMENT STAGED OUTSIDE THE BOUNDARY OF THE WETLANDS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR STORE EQUIPMENT (LIFT, SCAFFOLDING, BACKHOE, EARTH MOVING EQUIPMENT, ETC.) AND/OR MATERIALS IN ANY WETLANDS, ETC. ODOT CONSTRUCTION AND MATERIALS SPECIFICATIONS SECTION 107.10 (PROTECTION AND RESTORATION OF PROPERTY) PROHIBIT THE CONTRACTOR FROM CREATING STAGING AREAS NEAR STREAMS AND/OR WETLANDS.

2) The project designer shall incorporate the following note into the plans:

WESTERN RESERVE GREENWAY BIKE TRAIL:

THE PROJECT IS LOCATED ADJACENT TO THE WESTERN RESERVE GREENWAY BIKE TRAIL. THE CONTRACTOR SHALL MAINTAIN A SAFE OPEN TRAIL AT ALL TIMES DURING PROJECT CONSTRUCTION AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO ENSURE PUBLIC SAFETY. THE CONTRACTOR SHALL CONTACT AND PROVIDE OPERATION AND CONSTRUCTION SCHEDULE INFORMATION TO THE TRUMBULL COUNTY METROPARKS - ZACHARY SVETTE (330-675-3072 OR ZACHARY.SVETTE@TRUMBULLMETROPARKS.ORG) A MINIMUM 14 DAYS IN ADVANCE OF PROJECT CONSTRUCTION.



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Preparers and Approvals

Form Preparer

District 4
Contact: Edward Deley
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Supporting Form Preparer(s):

Sean Carpenter
Thomas Powell

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	7/5/2023



Appendix

General

USGS Quadrangle Topographical Map.pdf

Cultural Resources

Records Check.pdf

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Other Resources

Urbanized Area Map.pdf

Environmental Justice

Census Mapping.pdf

Permits

FEMA FIRM.pdf