



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

## **TRU Packard Park Bridge Repl. PID 116867**

**Environmental Document Level: C2**

**Approved: 10/29/2024**

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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>             | 116867          |
| <b>Project Sponsor:</b> | Warren, City of |
| <b>ODOT District:</b>   | 4               |
| <b>Funding Source:</b>  | Federal         |

**C2 Section**

**Project Description:**

The city of Warren proposes to replace the existing superstructure of the Packard Park Pedestrian Bridge over the Mahoning River. The existing bridge is a 280-foot, 3-span thru truss that was constructed in 1980. Both existing abutments and the two piers in the Mahoning River are in good condition and do not need to be replaced. The existing steel truss superstructure will be removed and a new pre-fabricated superstructure of the same width will be installed on the existing abutments and piers. Additional improvements proposed by this project include asphalt path/walk reconstruction. The city intends to replace the bridge superstructure using the design-build procurement method, therefore, detailed construction plans are not available.

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. This project will be constructed on city-owned properties. Permanent and/or temporary right-of-way acquisition is not required for the project.

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

The project proposes to impact approximately 0.03 acre of Wetland F. See the ecological documentation for the project in the Level 1 Ecological Survey Report in the Project File/Ecological/Reports subsection and the Ecological tab.

A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff on May 13, 2024, and resubmitted June 14, 2024. Based upon review of the DRF, it was determined that the proposed project can be processed as a Maintenance Type Project in accordance with Section B(1) of the Section 6(f) Memorandum of Understanding executed July 11, 2018. Access to the Section 6(f) properties, Packard Park and Bullhead Park, will be maintained at all times during construction activities. Furthermore, the type of work is designed to enhance the property and will not change the use of land from recreational to transportation. No further Section 6(f) coordination is required at this time. See the Section 6(f) documentation for the project in the Project File/Section 6(f)/Coordination and Project Information subsections.

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 Project Site Plan for the project. A copy of the Project Site Plan for the project is included in the Project File/General/Project Information subsection as Project Site Plan.pdf. The estimated total project cost specified in Ellis is 0.53% greater than the total project cost specified in the ODOT State Fiscal Years 2024-2027 Statewide Transportation Improvement Program (STIP). However, based on the estimated total project cost being less than \$3,000,000 and the additional project cost not exceeding \$1,500,000, 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   | On Previous STIP       |
| CO    | 116867: 24-27 STIP     |
| DD    | 116867: 24-27 STIP     |



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? | Yes                                                                        |



The following Federally Listed Species received an effect determination of May Affect, Not Likely to Adversely Affect:

| Species Common Name     | Species Scientific Name       | Listing Status      | Most Recent Coordination Date |
|-------------------------|-------------------------------|---------------------|-------------------------------|
| Indiana Bat             | <i>Myotis sodalis</i>         | Endangered          | 04/01/2024                    |
| Northern Long-eared Bat | <i>Myotis septentrionalis</i> | Endangered          | 04/01/2024                    |
| Tricolored Bat          | <i>Perimyotis subflavus</i>   | Proposed Endangered | 04/01/2024                    |

The following Federally Listed Species received an effect determination of No Effect:

| Species Common Name | Species Scientific Name         | Listing Status      | Most Recent Coordination Date |
|---------------------|---------------------------------|---------------------|-------------------------------|
| Bald Eagle          | <i>Haliaeetus leucocephalus</i> | Species of Concern  | 04/01/2024                    |
| Clubshell           | <i>Pleurobema clava</i>         | Endangered          | 04/01/2024                    |
| Eastern Massasauga  | <i>Sistrurus catenatus</i>      | Threatened          | 04/01/2024                    |
| Round Hickorynut    | <i>Obovaria subrotunda</i>      | Threatened          | 04/01/2024                    |
| Salamander Mussel   | <i>Simpsonia ambigua</i>        | Proposed Endangered | 04/01/2024                    |

**Endangered Species Remarks:**

The project proposes to remove approximately 0.17 acre of habitat for the federally endangered Indiana Bat (*Myotis sodalis*) and Northern Long-eared Bat (*Myotis septentrionalis*) and the federally proposed endangered Tri-colored Bat (*Perimyotis subflavus*) as well as the state-listed Little Brown Bat (*Myotis lucifugus*). See the threatened and endangered species documentation for the project in the Level 1 Ecological Survey Report and agency coordination documentation provided in the Project File/Ecological/Reports and Coordination subsections and the Ecological Tab.

**Scenic Rivers**

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

**Scenic Rivers Remarks**

National or state wild and scenic rivers are not present within 1,000 feet of the project limits.

**Floodplains**

**100-Year Floodplain:**

Encroachment Within the SFHA is a  
 Functionally Dependent Use

**EO 11988 Compliance Met**

Yes

**NFIP Coordination and Documentation Completed**

Yes

**NFIP Local Floodplain Coordinator Notification Date:**

04/15/2024

**Floodplain Remarks**

A review of the FEMA FIRM mapping for the project study area determined the project is located within a special flood hazard area, Zone AE floodplain associated with the Mahoning River. Floodplain coordination was initiated with Mr. Chris Taneyhill, city of Warren's Floodplain Administrator, on February 23, 2024. On April 15, 2024, Mr. Taneyhill issued a determination that the project will not include development activities that would require a floodplain development permit from the city of Warren. See the floodplain 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)

Transportation Enhancement Exception - 774.13(g)

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

06/26/2024

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

06/24/2024

**Section 4(f) Remarks**

Packard Park and Bullhead Park: A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff on May 13, 2024, and resubmitted June 14, 2024. Based upon review of the DRF it was 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(g), the proposed project will preserve and/or enhance Packard Park and Bullhead Park and will not adversely affect the protected recreational activities, features, or attributes. This determination was made based on the proposed scope of work and concurrence received from the Official with Jurisdiction (OWJ). No further Section 4(f) coordination is required at this time. See the Section 4(f) Determination for the project in the Project File/Section 4(f) 6(f)/Coordination subsection.

Mahoning River Water Trail: A Section 4(f)/6(f) Determination Request Form for Recreational Properties (DRF) was submitted to ODOT-OES Policy Staff on May 13, 2024, and resubmitted June 14, 2024. Based upon review of the DRF it was 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 Mahoning River, designated as a recreational Water Trail by ODNR. 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. No further Section 4(f) coordination is required at this time. See the Section 4(f) Determination for the project in the Project File/Section 4(f) 6(f)/Coordination subsection.

**Section 6(f)**

**Section 6(f):**

Present; No 6(f) Conversion  
Required

**Section 6(f) Determination:**

Maintenance

**Section 6(f) Determination Date:**

06/24/2024

**Cultural Resources**

**Cultural Resources:**

Not Present

**Cultural Resources Coordination - ODOT Approval/SHPO  
Concurrence Date**

03/12/2024

**Cultural Resources Remarks**



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A Cultural Resources Records Check was performed using the SHPO GIS online database to determine if previously recorded cultural resources are located within the project Area of Potential Effects (APE), the footprint of the project. The search concluded that the proposed project is located adjacent to several DOE and OHI resources.

The proposed undertaking is limited to the replacement of the non-historic Packard Park Pedestrian Bridge superstructure (constructed in the 1980s) where no new permanent right-of-way will be acquired, and no contributing DOE components (including stone walls near the eastern bridge abutments) will be removed or altered. Additionally, no buildings will be involved in construction and no relocations will be required by the project. District environmental staff coordinated with OES Cultural Resources Staff on March 12, 2024, and in accordance with Stipulation V(C)(1) and Appendix A of the Section 106 Programmatic Agreement executed June 29, 2023 (*Agreement No. 38503*), the TRU-Packard Park Bridge Replacement; PID 116867 project has 'Minimal Potential to Cause Effects' to Historic Properties and is not 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/Coordination and Project Information subsections 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**

This project does not require air quality studies or coordination as it is exempt under the Clean Air Act pursuant to 40 CFR 93.126.

**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: No**

**Hazardous Materials - OES Approval Date: 02/01/2024**

**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/RMR/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 |
|----------------------|------------|--------------|
| 391559211005         | 21         | 65           |
| 391559210005         | 62         | 69           |



## **Environmental Justice Remarks**

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 for the project. 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**

The city of Warren conducted various public involvement activities for the project including a press release, a website posting and notifications to stakeholders (public officials and emergency/public service providers). Comments were requested by all public involvement activities conducted for the project. One (1) written comment was received as a result of the public involvement activities performed for the project. The comment was responded to directly via email. See the public involvement documentation for the project, including the received comment and the response to comment, 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.): |
|-------------------------|-------------|------------------------|---------------------|-----------------------------|---------------------------------------------------|
| TRU Packard Park Bridge | Wetland A   | Adjacent               | Category 2          | 0.42                        | 0                                                 |
|                         | Wetland B   | Adjacent               | Category 2          | 0.05                        | 0                                                 |
|                         | Wetland C   | Adjacent               | Category 2          | 3.89                        | 0                                                 |
|                         | Wetland D   | Adjacent               | Category 2          | 0.5                         | 0                                                 |
|                         | Wetland E   | Adjacent               | Category 2          | 0.18                        | 0                                                 |
|                         | Wetland F   | Adjacent               | Modified Category 2 | 0.03                        | 0.03                                              |

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

Total impact to all wetlands (ac.): 0.03

Total acres of non-isolated wetlands impacted: 0.03

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 Safety Hazards.

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 Result in Unique Engineering, Traffic, Maintenance, or Safety Problems.

They Will Not Meet the Identified Needs of the Project.

Include justification supporting the decisions noted above:



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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 and the limited available space; 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:**

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 limited available space; the location of the aquatic resource relative to the project location; and the overall minor impacts of the project as currently designed.



## Environmental Commitments

### C2

- 1) The City of Warren will obtain all appropriate waterway permits prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all applicable waterway permits will be included in the plans and adhered to during construction.
- 2) The project designer shall incorporate the following note into the plans: ENDANGERED SPECIES HABITAT - INDIANA BAT/NORTHERN LONG-EARED BAT/TRI-COLORED BAT: THE PROJECT SITE IS LOCATED WITHIN THE KNOWN HABITAT RANGES OF THE FEDERALLY LISTED AND PROTECTED INDIANA BAT, NORTHERN LONG-EARED BAT AND TRI-COLORED BAT. NO TREES SHALL BE REMOVED AT THIS LOCATION 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) The project designer shall incorporate the following note into the plans: On the west side of the river, the Contractor will do tree removal by hand cutting and the stumps of all removed trees will be left in place after tree cutting. No heavy machinery will be used for tree removal within Wetland E.
- 4) The project designer shall incorporate the following note into the plans: Access to Packard Park and Bullhead Park will be maintained throughout project construction.
- 5) The project designer shall incorporate the following note into the plans: Appropriate signage shall be installed to alert users of Packard Park and Bullhead Park of construction activities, if in proximity to recreational facilities or features.
- 6) The project designer shall incorporate the following note into the plans: The contractor shall be required to closely coordinate the construction schedule with ODOT, the City of Warren, and ODNR prior to the start of construction activities.
- 7) The project designer shall incorporate the following note into the plans: The contractor shall install temporary construction fencing along proposed construction limits prior to the start of construction activities to protect the Section 4(f) properties and the public.
- 8) The project designer shall incorporate the following note into the plans: The parking lot being used temporarily for construction staging on the east side of the river shall be fully restored to a condition which is at least as good as that which existed prior to the project.
- 9) The project designer shall incorporate the following note into the plans: The recreational trail through Bullhead Park being used temporarily for crane access on the west side of the river shall be resurfaced when the project is complete.
- 10) The project designer shall incorporate the following note into the plans: 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 demolition and construction activities. During bridge demolition and erection, the waterway will be closed except for summer weekends and holidays.
- 11) The project designer shall incorporate the following note into the plans: 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.



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- 12) The project designer shall incorporate the following note into the plans: The Project Engineer or Contractor shall notify [kyla.maunz@dnr.ohio.gov](mailto:kyla.maunz@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 minute intervals) are needed.
- 13) The project designer shall incorporate the following note into the plans: The contractor shall place appropriate signage at the Burbank Park and Packard Park access points to alert boaters of the closure, except for summer weekends and holidays, during the bridge construction.
- 14) The project designer shall incorporate the following note into the plans: The Project Engineer or Contractor shall notify [kyla.maunz@dnr.ohio.gov](mailto:kyla.maunz@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.
- 15) The project designer shall incorporate the following note into the plans: The Contractor shall closely coordinate the construction schedule (including access restrictions) with ODOT and ODNR prior to the start of construction activities.
- 16) The project designer shall incorporate the following note into the plans: The contractor shall be required to closely coordinate the construction schedule with ODOT and the City of Warren prior to the start of construction activities.
- 17) The project designer shall incorporate the following note into the plans: If on-the-water law enforcement is needed during any portion of the construction activities, the Project Engineer or Contractor shall contact the ODNR Division of Parks and Watercraft Law Enforcement Supervisor (Lt. Chris Desh, [Christopher.Desh@dnr.ohio.gov](mailto:Christopher.Desh@dnr.ohio.gov) or 419-341-4010).



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### **Preparers and Approvals**

**Form Preparer:** Rachel Pohnan  
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David Galloway  
Karel Cubick  
Mark Fedosick

### **Approvals & Electronic Signatures**

| <b>Approved &amp; Electronically Signed By:</b> | <b>Approval Date:</b> |
|-------------------------------------------------|-----------------------|
| Edward Deley (PROGRAM ADMIN 3)                  | 10/29/2024            |



## **Appendix**

### **General**

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

### **Air**

District Determination - No Air Analysis Required.pdf

### **Cultural Resources**

Minimal Potential to Cause Effects - A or B.pdf

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 - Packard Park.pdf

Water Source Protection Area Map.pdf

### **Section 4(f)**

OES Recreational 4(f) Determination - Water Trail.pdf

OES Recreational 4(f) Determination.pdf

### **Section 6(f)**

OES Approval - Maintenance.pdf

### **Environmental Justice**

Census Mapping.pdf

### **Public Involvement**

City of Warren Website Posting.pdf

Press Release.pdf

Public Comment Received.pdf

Response to Public Comment.pdf

Stakeholder Contact List.pdf



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Stakeholder Notification Letter.pdf

**Permits**

Coordination with Local Floodplain Administrator.pdf

Correspondence with Local Floodplain Administrator.pdf

FEMA FIRM.pdf