



# OHIO DEPARTMENT OF TRANSPORTATION

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

## **Environmental Document**

for

### **STA TR 303 3.940 (Lawndell Rd) PID 119133**

**Environmental Document Level: C2**

**Approved: 11/19/2024**

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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>	119133
<b>Project Sponsor:</b>	STARK COUNTY ENGINEER
<b>ODOT District:</b>	4
<b>Funding Source:</b>	Federal

### C2 Section

#### Project Description:

The Stark County Engineer's Office, partnering with ODOT, proposes to replace the Lawndell Road (TR 303) bridge (Structure File Number [SFN] 7632509) spanning Sugar Creek in Sugar Creek Township, Stark County, Ohio. The project is located approximately 0.5 mile east of State Route (SR) 93 (Manchester Avenue), south of the Village of Brewster, and proposes to replace the existing steel truss bridge with a new 3-span continuous concrete slab bridge with new structure approach slab, rock channel protection and guardrail installations. The project will also include approach roadway work, surface drainage improvements and new center line/edge line pavement markings applications and 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*. During project construction, Lawndell Road will be closed to traffic between Justice Avenue and SR 93 for approximately 180 consecutive calendar days with work being performed before and after the road closure duration. The official detour route will utilize SR 93, U.S. Route 62 (Navarre Road), Mount Eaton Street, and Justus Avenue. All construction and roadway closure/detour information will be posted within the project construction limits, at all intersecting side roads, and on the project webpage prior to the start of project construction. Access shall be maintained to all adjacent properties for the duration of the project. Substantial traffic disruptions are not expected with the project.

The project will acquire approximately 0.428 acre of new permanent right-of-way (channel easement) from two (2) parcels and 0.032-acre of new temporary right-of-way from one (1) parcel to construct the project.

Minor relocations of existing overhead utilities within the project study area will be necessary to construct the project. Minor overhead utility relocations will occur within the existing and proposed right-of-way. Coordination with the utility companies affected by proposed construction activities was conducted for the project during its preliminary engineering phase and will continue during its detailed design phase. Utilities will not be permanently removed to construct the project.

The project proposes to impact approximately 100 linear feet of Sugar Creek, a perennial stream, and eliminate approximately 0.04 acre of jurisdictional wetlands. Mussel Reconnaissance Survey performed for the project did not identify any living, fresh dead, weathered or subfossil mussels in the project study area. See the ecological documentation for the project and the Level 1 Ecological Survey Report in the Project File/Ecological/Reports 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 2 Design plans for the project. A copy of the Stage 2 Design plans 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 35% greater than the total project cost specified in the ODOT State Fiscal Years 2024 - 2027 Statewide Transportation Improvement Program (STIP). Fiscal constraint is at the Statewide Line Item (SLI) Group level. 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	119133: 24-27 STIP
CO	119133: 24-27 STIP
DD	119133: 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	11/05/2024
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	11/05/2024
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	11/05/2024

**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	11/05/2024
Eastern Massasauga	<i>Sistrurus catenatus</i>	Threatened	11/05/2024

**Endangered Species Remarks:**

The project proposes to remove approximately 0.48 acre of Suitable Wooded Habitat (SWH) 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*). All tree removal required for the project will occur between October 1 and March 31 to protect these species during their summer roosting period. 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:**

11/12/2024

**Floodplain Remarks**



Approved: 11/19/2024

The project is located within a special flood hazard area., Zone A floodplain associated with Sugar Creek. Floodplain coordination was initiated with the Stark County Floodplain Administrator on November 12, 2024. On November 12, 2024, the Stark County Floodplain Administrator sent correspondence with the non-residential structures floodplain regulation requirements for this project. The Project Designer shall ensure the project is designed to comply with all applicable Local, State, and Federal floodplain protection standards. The Stark County Engineer's Office shall obtain any required flood plain permit(s)/approval(s) prior to project construction. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

The project is also located within an existing U.S. Army Corps of Engineer (USACE) Bolivar Dam Flowage Easement area. Therefore, USACE Real Estate Department approval is needed for the proposed project. The Project Designer shall ensure the project is designed to comply with all applicable flowage easement requirements and protection standards. Moreover, USACE Real Estate Department project approval shall be obtained prior to the start of project construction. See USACE flowage easement documentation for the project in the Project File/Permits/Floodplains subsection.

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

**Section 4(f):**

Not present

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

No publicly owned recreational properties and/or historic sites are located within and/or immediately adjacent to the project study area. Section 4(f) coordination is not required in accordance with 23 CFR 774 and the OES Section 4(f) Manual.

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

**Section 6(f):**

Not present

#### **Cultural Resources**

**Cultural Resources:**

Not Present

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

06/04/2024

#### **Cultural Resources Remarks**

A review of OSHPO data and online mapping 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 7632509) is a Type 402N Steel Continuous Multi-beam structure on concrete abutments built in 1956. The existing bridge is not historic, and not considered eligible for the National Register (N.R.) based on the Ohio DOT Historic Bridge Inventory (accepted April 28, 2010). The replacement of non-historic bridges and minor roadway rehabilitation projects requiring additional right-of-way measuring less than the width of a full travel lane are activities which are exempt from further cultural resource consideration by the 6/29/23 Cultural Resource PA (Agreement 38503), if the project is not within the boundaries of any historic property or N. R. district.

The STA-TR 303-3.94 project is not a part of a larger undertaking and is a project type that has minimal potential to cause effects to historic properties in accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on June 29, 2023 (Agreement No. 38503). See cultural resources documentation for the project in the Project File/Cultural Resources/Coordination 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**

Project meets 40 CFR 93.126 as "Projects that correct, improve, or eliminate hazardous locations or features". Air quality studies or coordination are not required 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:** 06/04/2024

### **Regulated Materials Review Remarks:**

Based on the information in the Regulated Materials Review (RMR) Screening 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
391517148016	2	26
391517148015	5	35

### **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 project will not change access to shopping, bus stops, schools, jobs, recreational resources, community centers or diminish or completely restrict, either temporary or permanent to Environmental Justice communities. No man-made dividers such as an overpass, bridge, 4-lane or greater roadway or railroad negatively impact the extent to which a community feels connected or cohesive for an Environmental Justice population. Access to or use of the transportation improvement will not be denied to any Environmental Justice population.

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. 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 Stark County Engineer's Office conducted various public involvement activities for the project including a press release, website posting and mailing notification letters to property owners/stakeholders (public officials and local emergency and public service providers) that contained roadway closure and detour information. Comments were requested by all public involvement activities conducted for the project. One (1) news article about the project was posted online by the Canton Repository and on the Canton Repository's Facebook page on October 15, 2024. One (1) comment was received as a result of the public involvement activities performed for the project. The Stark County Engineer's Office responded directly to the commenter via email on October 22, 2024. See the public involvement documentation for the project 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.):
STA-TR 303-3.94 (Lawndell Rd)	Wetland A	Adjacent	Category 2	0.57	0.04

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

Total impact to all wetlands (ac.): 0.04

Total acres of non-isolated wetlands impacted: 0.04

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 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 improve deteriorated and deficient bridge structure conditions. 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.



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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. See wetlands and other ecological resource impact information in ecological reports and agency coordination provided in the Project File/Ecological/Reports and Coordination subsections.



## Environmental Commitments

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- 1) The Stark County Engineer's Office shall obtain all appropriate waterway permits prior to any work performed within the jurisdictional boundary of any waterway, including wetlands, and all applicable waterway permits shall be included in the plans and adhered to during project construction.
- 2) The project is located within an existing U.S. Army Corps of Engineer (USACE) Bolivar Dam Flowage Easement area. Therefore, USACE Real Estate Department approval is needed for the proposed project. The Project Designer shall ensure the project is designed to comply with all applicable easement requirements and protection standards. Moreover, USACE project approval shall be obtained prior to the start of project construction.
- 3) The Project Designer shall ensure the project is designed to comply with all applicable Local, State, and Federal floodplain protection standards. The Stark County Engineer's Office shall obtain any required flood plain permit(s)/approval(s) prior to project construction.
- 4) Approximately 0.48 acres of Suitable Wooded Habitat (SWH) and four (4) trees that provide potential bat roosting habitat within 100 ft of Edge of Pavement were identified within the project construction limits. All tree removal will occur between October 1 and March 31 to protect these species during their summer roosting period. The project designer shall incorporate the following environmental commitment plan not information 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.

- 5) In-water work restriction dates are applicable to this project at Sugar Creek. The project designer shall incorporate the following note into the plans.

IN-WATER WORK RESTRICTION DATES - SUGAR CREEK: NO IN-STREAM WORK SHALL BE PERFORMED WITHIN SUGAR CREEK FROM APRIL 15 THROUGH JUNE 30. IN-STREAM WORK IS DEFINED AS THE PLACEMENT AND/OR REMOVAL OF FILL MATERIALS (TEMPORARY OR PERMANENT) BELOW THE ORDINARY HIGH WATER OF THE CREEK. EXAMPLES OF "FILL" INCLUDE, BUT ARE NOT LIMITED TO: BRIDGE PIERS, ABUTMENTS, CULVERTS, ROCK CHANNEL PROTECTION, SCOUR PROTECTION, AND TEMPORARY ACCESS FILLS. FILLS PLACED WITHIN SUGAR CREEK CAN CONTINUE TO BE WORKED FROM/DURING THE WORK RESTRICTION DATES, BUT CANNOT BE EXPANDED, REMOVED, OR OTHERWISE MODIFIED (BELOW ORDINARY HIGH WATER) UNTIL ONCE AGAIN OUTSIDE OF THE WORK RESTRICTION DATES.



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### **Preparers and Approvals**

**Form Preparer:**

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### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Brian Peck (ENV SPEC 3)	11/19/2024



## **Appendix**

### **General**

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

### **RMR**

ODOT Review - 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

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

Wilderness Center Property Status - Website Snapshot.pdf

### **Environmental Justice**

Census Mapping.pdf

### **Public Involvement**

News Article - Canton Repository 10-15-24.pdf

News Article - Canton Repository Facebook Post 10-15-24.pdf

Press Release.pdf

Property Owner Notification Letter Detour Map Exhibit.pdf

Property Owner Notification Letter Mailing List.pdf

Property Owner Notification Letter.pdf

Public Comment Received and Response.pdf

Public Notification Mailing List.pdf

Public and Emergency Services Notification Mailing List.pdf

Right-of-Entry Letter 12-12-2023.pdf



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**Permits**

FEMA FIRM.pdf

USACE Flowage Easement Coordination.pdf