



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

MAH CR 90 00.34 (Berlin Station) PID 118999

Environmental Document Level: C2

Approved: 11/7/2024

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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

PID:	118999
Project Sponsor:	MAHONING COUNTY ENGINEER
ODOT District:	4
Funding Source:	Federal

C2 Section

Project Description:

The Mahoning County Engineer proposes to replace the Berlin Station Road (CR 90) Bridge (Structure File Number 5034140) over Turkey Broth Creek/Berlin Lake between Bedell Road and Pricetown Road in Berlin Township, Mahoning County. The existing bridge was constructed in 1943 and has never undergone a major rehabilitation. The project proposes to replace the existing two-lane, 92-ft, 4-span concrete bridge with a new two-lane, 75.33-ft, single-span steel beam bridge with reinforced concrete deck on semi-integral type abutments on drilled shafts. The bridge will also have a 4-foot shoulder on each side. Additional work includes the replacement of 100-ft of roadway approach with asphalt pavement, shoulders, and guardrail.

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, Berlin Station Road at the project site will be closed to traffic for a maximum of 180 consecutive calendar days. The official detour route will utilize Bedell Road (CR 31), West Akron-Canfield Road (U.S. Route 224), and South Pricetown Road (State Route 534), but a local traffic detour will also be established to maintain access for emergency/public services. All construction and roadway closure/detour information will be posted within the project construction limits, all intersecting side roads and on the project webpage, prior to the start of project construction. Access shall be maintained to all properties, businesses, etc., within and adjacent to the project construction limits for the duration of project construction. Substantial traffic disruptions are not expected during project construction.

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

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 roadway right-of-way. Coordination with the utility companies affected by the 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 83 linear feet of Turkey Broth Creek by removal of the existing center pier and abutments and the removal and replacement of a portion of the existing retaining walls. A Mussel Reconnaissance Survey, completed in September 2023, identified mussels in the project area. A Mussel Survey was conducted in August 2024 and identified live mussels within the study area and their relocation upstream. ODNR concurred with the survey findings on September 10, 2024. 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 less than the total project cost specified in the ODOT State Fiscal Years 2024 - 2027 Statewide Transportation Improvement Program (STIP).

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

Yes



Ellis STIP Details

Phase	Current STIP Reference
ENV	118999: 24-27 STIP
CO	118999: 24-27 STIP
DD	118999: 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? No

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	08/14/2024
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	08/14/2024
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	08/14/2024

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	08/14/2024
Eastern Massasauga	<i>Sistrurus catenatus</i>	Threatened	08/14/2024

Endangered Species Remarks:

The project proposes to remove approximately 0.04 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*). 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 No

Floodplain Remarks



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Environmental personnel of the project consultant 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 Turkey Broth Creek/Berlin Lake. Floodplain coordination was initiated with the Mahoning County Floodplain Administrator on September 25, 2024. On September 30, 2024, the Mahoning County Floodplain Administrator sent correspondence stating Mahoning County has the minimum floodplain standards for Ohio and there are no local standards that would exceed normal federal requirements for this project. See the floodplain documentation for the project in the Project File/Permits/Floodplains subsection.

Section 4(f)

Section 4(f):

Present; No Impacts and/or Access Restrictions

Section 4(f) Remarks

The land on the south side of the bridge is owned by the USACE but ODNR manages it as part of the Berlin Lake Wildlife Area. There will be no permanent impact to either the USACE's Berlin Lake Recreation Area or ODNR's Wildlife Area and Public Hunting Land. During construction, access to this land will be maintained and there will be no restricted access besides the detour route that may change how users travel to these areas.

Coordination between ODOT District 4 and OES from July 18, 2024, to August 2, 2024, confirmed that there will be no permanent or temporary impacts to either Berlin Lake Recreation Area or ODNR's Wildlife Area and Public Hunting Land. Additionally, there are no recreational boating resources in the area, therefore, coordination with ODNR is not required. See the Project Related OES Decision - Section 4(f).pdf for the project in the Project File/Section 4(f)/Project Information subsection.

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 Cultural Resources Records Check was performed using the SHPO GIS online database to determine if historic properties might be found in proximity to the area of potential effects (APE), the footprint of the project. The literature search concluded there are no inventoried buildings (OHI), no known archaeological sites (OAI), and no listed or eligible historic properties found within and/or immediately adjacent to the APE. TIMS mapping indicates the bridge is not historic and the structure was not considered eligible for the National Register based on the Ohio DOT Historic Bridge Inventory (accepted April 28, 2010). The project is not part of a larger undertaking and is a 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), therefore, no further coordination is required for the project. 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

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: Yes - Screening

Regulated Materials Review Screening:

No Further Regulated Materials Review

Regulated Materials Review Screening - DEC/OES Approval Date: 06/05/2024

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
390998129002	3	22
390998129001	1	19

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



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Public Involvement Remarks

The Mahoning County Engineer's Office conducted various public involvement activities for the project including a press release, a website posting and notifications to property owners/business owners/stakeholders (public officials and emergency/public service providers). Comments were requested by all public involvement activities conducted for the project. Three (3) news articles about the project were posted to the local media websites. No comments were received as a result of the public involvement activities performed for the project. 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 LPA 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 LPA will obtain a FEMA floodplain permit prior to plan file.
- 3) 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.
- 4) 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 Army Corps Berlin Lake Resource Manager, and the Mahoning County Engineer's Office prior to the start of construction activities.
- 5) The LPA will hire a state permitted malacologist to complete a mussel salvage and relocation in accordance with the most recent version of the Ohio Mussel Survey protocol prior to the initiation of construction activities below the ordinary high-water mark of Turkey Broth Creek. The mussel survey must occur after May 1 and before October 1 either within the same season as the instream work or the season prior to the instream work. The LPA will submit the results of the mussel survey, salvage work, or both to the ODOT District 4 Environmental Specialist, Mr. Sean Carpenter, at Sean.Carpenter@dot.ohio.gov. The LPA will obtain approval from the Department prior to performing work below the ordinary high-water mark of Turkey Broth Creek.
- 6) The Contractor shall not work below the ordinary high-water mark of Turkey Broth Creek, or install, modify, or remove any existing instream fills during the ODNR instream work restriction period of March 15-June 30.



Preparers and Approvals

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Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	11/7/2024



Appendix

General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

RMR

OES Review - Screening.pdf

Regulated Materials Review Form.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Records Check.pdf

Ecological

Coordination with ODNR - Mussel Survey email.pdf

ODNR Concurrence - Mussel Survey.pdf

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Other Resources

Water Source Protection Area Map.pdf

Section 4(f)

Project Related OES Decision - Section 4(f).pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

MCEO Website Posting - Press Release 08-28-2024.pdf

News Article - WFMJ 08-29-2024.pdf

News Article - WKBN 08-29-2024.pdf

News Article - WYTV 08-29-2024.pdf

No Public Comments Received Email 09-30-2024.pdf

PONL and Mailing List 12-18-2023.pdf

Press Release 08-28-2024.pdf



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Press Release Recipients List 08-28-2024.pdf

Public Notification Letter and Mailing Lists 08-28-2024.pdf

Stakeholder Coordination (USACE).pdf

Permits

Correspondence with Local Floodplain Administrator.pdf

FEMA FIRM.pdf

Statement of Findings.pdf