



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

TRU TR 123 0.31 Barclay-Messerly PID 119203

Environmental Document Level: C2

Approved: 11/21/2024

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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: 119203
Project Sponsor: TRUMBULL COUNTY ENGINEER
ODOT District: 4
Funding Source: Federal

C2 Section

Project Description:

The Trumbull County Engineer proposes to replace the bridge carrying Barclay Messerly Rd (TR 123) over Eagle Creek in Braceville Township, Trumbull County, Ohio. The project proposes to replace the existing 70-foot-long, single span, narrow steel pony truss bridge with an 88-foot-long, single span pre-stressed concrete box beam bridge with a composite reinforced concrete deck and abutments. Proposed bridge width is 24-foot face to face of bridge railing. Additional work proposed by the project includes the replacement of approach pavement, new guardrail installations and pavement markings applications. 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, Barclay Messerly Road at the bridge site will be closed to traffic for a maximum of ninety (90) consecutive calendar days. The official detour for this closure will utilize Eagle Creek Road, Newton Falls Braceville Robinson Road and Nelson Moser Road. All construction and bridge closure/detour information will be posted along Barclay Messerly Road, all intersecting side roads and on the Trumbull County Engineer webpage prior to the start of construction activities. Access to all adjacent properties within the construction limits will be maintained at all times during construction of the project. Substantial traffic disruptions are not expected during project construction.

The project will be constructed within the existing roadway right-of-way.
 No utilities within the project study area will be impacted/relocated to construct the project.
 The project proposes to impact approximately 60 linear feet of Eagle Creek by Type C rock channel protection placement and 0.02 acre of Wetland B by earthwork activities. See the stream and wetlands impact information for the project in 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 17.71% 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	119203: 24-27 STIP
CO	119203: 24-27 STIP
DD	119203: 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	10/18/2024
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	10/18/2024
Eastern Massasauga	<i>Sistrurus catenatus</i>	Threatened	10/18/2024
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	10/18/2024

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	10/18/2024
Clubshell	<i>Pleurobema clava</i>	Endangered	10/18/2024
Round Hickorynut	<i>Obovaria subrotunda</i>	Threatened	10/18/2024
Salamander Mussel	<i>Simpsonia ambigua</i>	Proposed Endangered	10/18/2024

Endangered Species Remarks:

The project proposes to impact approximately 0.06-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*). Additionally, the project proposes to impact approximately 0.02-acre of habitat for the federally threatened Eastern Massasauga (*Sistrurus catenatus*). 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:

09/03/2024

Floodplain Remarks



Based on a review of the FEMA FIRM mapping for the project study area, the proposed project is located within a Special Flood Hazard Area Zone A floodplain associated with Eagle Creek. A notification (Letter of Compliance LD-51) letter was sent to the Trumbull County Environmental Coordinator (Local Floodplain Administrator) on September 3, 2024. The project is designed to comply with all applicable Local, State and Federal floodplain protection standards. On November 6, 2024, the Flood Hazard Development Permit was issued for the project. 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

No recreational properties and/or historic sites are located within and/or immediately adjacent to the project study area.

Section 6(f)

Section 6(f):

Not present

Cultural Resources

Cultural Resources:

Not Present

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

08/21/2024

Cultural Resources Remarks

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. 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. The project is not part of a larger undertaking and is limited to a bridge replacement. The work activities will focus on the existing operational right-of-way and no permanent right-of-way is required. The work only involves a relatively modern (1950) Type 310N, Steel Welded Pony Truss. District environmental staff coordinated with ODOT-OES Cultural Resources Staff on July 19, 2024. ODOT-OES Cultural Resources staff determined that such structures are not considered to be historic properties, therefore, the undertaking is a type that has minimal potential to cause effects to historic properties in accordance with Stipulation V(C)(1) and Appendix A of the Section 106 Programmatic Agreement executed on June 29, 2023 (Agreement No. 38503) and no further coordination is required. See the cultural resources documentation for the project in the Project File/Cultural Resources/Project Information and Coordination 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

Air quality studies or coordination are not required for this project. Project meets the requirements of 40CFR93.126 - Exempt Projects. See the Air Quality documentation for the project in the Project File/Air/Project Information subsection.

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: 06/25/2024

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 and Coordination subsections.

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
391559337002	16	21

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 and no concerns related to impacts on Environmental Justice 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 for the project. See Environmental Justice documentation for the project in the Project File/Environmental Justice/Project Information subsection and public involvement documentation for the project in the Project File/Public Involvement/Project Information subsection.

Public Involvement

Public Involvement:

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

Public Involvement Remarks



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The Trumbull County Engineer's Office (TCEO) conducted various public involvement activities for the project including a press release, website posting and notifications to property owners/stakeholders (public officials and emergency/public service providers). Comments were requested by all public involvement activities conducted for the project. Two (2) written comments were received from the Trumbull County Planning Commission's (TCPC) Floodplain Administrator, Andrew Cvetkovich, and the Trumbull County Emergency Management Agency's (EMA) Director, John Hickey, as a result of the public involvement activities performed for the project. The comment from TCPC requested that a Floodplain Development Permit Application be completed for the bridge replacement within a Zone A special flood hazard area of Eagle Creek. The Trumbull County Engineer's Office responded to the comment with a complete permit application package. The comment from Trumbull County EMA was to ensure that safety forces in Braceville, Southington, Warren Township, and Trumbull County Sheriff's Office were notified of the closure. The TCEO responded to this comment via letter indicating that the TCEO will coordinate the closure through the Commissioner's office, and referenced entities, once a project schedule is determined. See the public involvement documentation for the project, including the received comments and the responses to comments, 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 TR 123 0.31	Wetland A	Adjacent	Category 2	6	0
	Wetland B	Adjacent	Category 2	0.07	0.02

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

Total impact to all wetlands (ac.): 0.02

Total acres of non-isolated wetlands impacted: 0.02

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 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:

The No Build alternative does not meet the project's Purpose & Need to improve deteriorated and deficient 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 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.



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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:

See wetlands and other ecological resource impact information for the project in the Level 1 Ecological Survey Report in the Project File/Ecological/Reports subsection.



Environmental Commitments

C2

1) Trumbull County Engineer 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 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: ENDANGERED SPECIES -EASTERN MASSASAUGA RATTLESNAKE - THE PROJECT SITE IS WITHIN THE RANGE OF THE EASTERN MASSASAUGA RATTLESNAKE (SISTRURUS CATENATUS) A STATE ENDANGERED AND FEDERAL THREATENED SPECIES. IF EASTERN MASSASAUGA RATTLESNAKES ARE ENCOUNTERED IN THE WORK AREA(S) DURING CONSTRUCTION, NO PERSON SHALL HARM OR KILL THE SNAKES OR ATTEMPT TO HANDLE THE EASTERN MASSASAUGA RATTLESNAKE. ALL CONSTRUCTION OPERATIONS AT THE WORK AREA(S) SHALL TEMPORARILY CEASE AND ODOT OFFICE OF ENVIRONMENTAL SERVICES (OES) - ECOLOGICAL SECTION (614-466-5129 OR 614-466-5112) AND THE UNITED STATES FISH AND WILDLIFE SERVICE (USFWS) COLUMBUS FIELD OFFICE (614-416-8993) WILL BE IMMEDIATELY CONTACTED. CONSTRUCTION OPERATIONS WILL NOT RESUME UNTIL COORDINATION WITH ODOT OES AND USFWS HAS BEEN CONCLUDED.

4) Trumbull County Engineer will coordinate the schedule with the Trumbull County EMA, Braceville, Southington and Warren Townships and the Trumbull County Sheriff's Office prior to the closure and detour of Barclay Messerly Road.

5) Trumbull County Engineer 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 Eagle 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 Trumbull County Engineer will submit the results of the mussel survey, salvage work, or both to the ODOT District Environmental Coordinator, Mr. Ed Deley, at Edward.Deley@dot.ohio.gov. The LPA will obtain approval from the Department prior to performing work below ordinary high water mark of Eagle Creek.

6) The Project Designer shall incorporate the following note into the plans: IN-STREAM WORK RESTRICTIONS:
NO IN-WATER WORK (EXCAVATION, FILLING, ETC.) SHALL OCCUR IN EAGLE CREEK FROM MARCH 15 THROUGH JUNE 30 TO MINIMIZE IMPACTS TO INDIGENOUS AQUATIC SPECIES AND THEIR HABITAT.



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7) The Project Designer shall incorporate the following note into the plans: WETLAND 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, OHIO. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR STORE EQUIPMENT (LIFT, BACKHOE, EARTH MOVING EQUIPMENT, ETC.) AND/OR MATERIALS IN ANY WETLANDS, ETC. ODOT CONSTRUCTION AND MATERIALS SPECIFICATIONS SECTION 107.10 (PROTECTION OF PROPERTY) PROHIBIT THE CONTRACTOR FROM CREATING STAGING AREAS NEAR STREAMS AND/OR WETLANDS.



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Preparers and Approvals

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Mark Fedosick

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	11/21/2024



Appendix

General

Aerial Map.pdf

County Map.pdf

USGS Quadrangle Topographical Map.pdf

Air

District Determination - No Air Analysis Required.pdf

RMR

OES Review - Screening.pdf

Cultural Resources

Minimal Potential to Cause Effects - A or B.pdf

Records Check.pdf

Ecological

ODNR Comments

ODNR Scenic River MOA Conditions

USFWS Concurrence

USFWS/ODNR Ecological MOA Conditions

Other Resources

Urbanized Area Map.pdf

Environmental Justice

Census Mapping.pdf

Public Involvement

Press Release.pdf

Response to Stakeholder Comment - Tru Co Planning Commission.pdf

Response to Stakeholder Comment - Trumbull County EMA.pdf

Right-of-Entry Notification.pdf

Stakeholder - Property Owner Notification Letter.pdf

Stakeholder - Property Owner Notification Mailing List.pdf

Stakeholder Comment - Trumbull County EMA.pdf

Stakeholder Comment - Trumbull County Planning Commission.pdf



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Trumbull County Engineer Website Posting.pdf

Permits

FEMA FIRM.pdf

Letter of Compliance - ODOT Form LD-51.pdf

Local Floodplain Administrator Approval.pdf

No Rise Certification - ODOT Form LD-50.pdf