



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 04
2088 SOUTH ARLINGTON RD. • AKRON, OH 44306 • 614-995-7904

Environmental Document

for

MAH Culverts FY2018 Various PID 99797

Environmental Document Level: C2

Approved: 12/26/2017

Prepared By: District 4

Edward Deley
Phone: 330-786-4930
E-mail: Edward.Deley@dot.ohio.gov

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 11, 2015, and executed by FHWA and ODOT.

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PID: 99797
Project Sponsor: DISTRICT 4-PLANNING
ODOT District: 4
Funding Source: Federal
Private Funding: No

Project Description:

The Ohio Department of Transportation (ODOT) plans to improve State Routes (SR) 45 and 165 in Jackson and Beaver Townships, Mahoning County, Ohio. The project proposes to replace two (2) culverts, Structure No. MAH-45-9.07/Culvert File Number (CFN N/A) and Structure No. MAH-165-16.31/CFN 501650410, along SR 45 and SR 165 as follows:

MAH-45-9.07 (unnamed tributary to Meander Creek): The project proposes to replace the existing 18" reinforced concrete culvert carrying a drainage conveyance under SR 45. The existing structure will be removed and replaced with a 30" Type A culvert with half-height headwalls. Type C rock channel protection (RCP) will be placed on the outlet side of the new structure to protect the structure against scour/erosion.

MAH-165-16.31 (unnamed tributary to East Branch Middle Fork of Little Beaver Creek): The project proposes to replace the existing twin 42" corrugated metal culvert carrying an unnamed tributary to the East Branch Middle Fork of Little Beaver Creek under SR 165. The existing structure will be removed and replaced with a twin 48" Type A culvert with half-height headwalls. Type B RCP will be placed on the inlet and outlet sides of the new structure to protect the structure against scour/erosion.

A minimum of one bidirectional lane of traffic shall be maintained at all times along SR 45, except when necessary to close/detour SR 45 for a maximum of ten (10) consecutive days to replace the culvert at MAH-45-9.07. The official detour route for this closure will utilize U.S. Route (USR) 224, SR 46 and Mahoning Avenue (County Road 18). Additionally, a minimum of one bidirectional lane of traffic shall be maintained at all times along SR 165, except when necessary to close/detour SR 165 for a maximum of five (5) consecutive days to replace the culvert at MAH-165-16.31. The official detour route for this closure will utilize USR 62, SR 446 and SR 46. No substantial traffic disruptions are anticipated to construct the project.

A total of 0.065 acre of new permanent standard highway easement will be acquired from one (1) property to replace the culvert at MAH-45-9.07. Additionally, a total of 0.061 acre of new permanent warranty deed right-of-way and a total of 0.038 acre of temporary right-of-way will be acquired from two (2) properties to replace the culvert at MAH-165-16.31. Right-of-Way plans can be found in the Project File/General/Project Information subsection as Final Right-of-Way Plans.pdf.



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Existing utilities have been identified within the project study areas. Any utility relocations required by the project will be conducted within the existing and/or proposed roadway rights-of-way and no utilities will be permanently removed to construct the project.

The maximum impacts to an unnamed tributary to Meander Creek and an unnamed tributary to East Branch of Middle Fork Little Beaver Creek below the Ordinary High Water Mark (OHWM) by the MAH-45-9.07 and MAH-165-16.31 culvert replacements are anticipated to be a total of 139 linear feet. Additionally, a total of 0.030 acre of Category 2 wetlands (Identified as Wetland 1) and 0.009 acre of Ditch 1 will be impacted by the MAH-165-16.31 culvert replacement. Moreover, a total of 0.192 acre of suitable wooded habitat (SWH) for the Federally-listed Indiana Bat (*Myotis sodalis*) and Northern Long-Eared Bat (*Myotis septentrionalis*), 0.030 acre of habitat for the Eastern Massasauga Rattlesnake (*Sistrurus catenatus*) and 0.030 acre of habitat for the Northern Harrier (*Circus cyaneus*) will be impacted by the project. The explanation of Federal and State listed species impacts can be found in the Level 1 Ecological Survey Reports (ESR) in the Project File/Ecological/Reports subsection. The explanation of impacts to the stream(s), wetlands and ditch(s) can be found in the Permit Determination Request in the Project File/Permits/Waterways subsection as Permit Determination Request.pdf.

ODOT-District 4 conducted various public involvement activities including a news release, District website posting, property owner notification(s) and emergency/public service notification(s). Public comments were not received as a result of the public involvement activities conducted for the project. All public involvement documentation for the project can be found in the Project File/Public Involvement/Project Information subsection.

Stage 3 Plans were utilized to evaluate environmental impacts by and obtain NEPA approval for the project and these plans can be found in the Project File/General/Project Information subsection as Stage 3 Design.pdf.

STIP Reference #

Statewide Line Item (SLI) Number 32
and is fiscally constrained.

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 -
a. Acquisition of more than a minor amount of right-of-way b. Residential or non-residential displacements c. A Coast Guard, Individual Section 404 and/or a Section 10 permit d. A Section 106 finding of Adverse Effect e. A Section 4(f) Programmatic or Individual Evaluation f. A finding of May Affect, Likely to Adversely Affect to Threatened and Endangered Species g. Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions h. Changes in access control 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) 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 k. No minor public or agency controversy on environmental grounds (no opposition from any organized groups or agencies and no unresolved environmental coordination) l. If an EJ Analysis Report is required, the project must be processed as a D-level CE or higher level document For certification purposes,



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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.

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
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect
Endangered Species - Coordination	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	08/31/2017
Endangered Species - Critical Habitat Present/Impacted	
Eastern massasauga	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	No
100-Year Floodplain:	Encroachment Within the SFHA is a Functionally Dependent Use
EO 11988/NFIP Coordination and Documentation Completed:	Yes
NFIP Local Floodplain Coordinator Notification Date:	12/19/2017
Section 4(f):	Not present
Section 6(f):	Not present
Cultural Resources:	Present; No Finding of Adverse Effect
Cultural Resources Coordination:	Minimum Potential to Cause Effect - Appendix B
Cultural Resources Coordination - ODOT Approval Date:	10/31/2017
Projects that meet C2 criteria are not anticipated to have impacts to the following environmental resources. If resources are present, documentation is only required if there is a potential for impacts.	
Air Quality:	Studies Not Required
Air Quality - Coordination with OES:	No
Noise:	Studies Not Required



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Noise Coordination - OES Approval Date:	12/20/2017
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	07/28/2017
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted
Farmland:	Non-Urbanized Area; No Impacts in Accordance With the Farmland MOU, 7 CFR 658, and ORC 929.05
Scenic Rivers	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area
Projects that meet C2 criteria must be in accordance with ODOT's UP Guidance and activities conducted for Public Involvement are commensurate to the project's type and scope of work.	
Underserved Populations	Does Not Exceed UP Guidance Criteria; No UP Analysis Report Required and No UP Issues Raised During Public Involvement
Public Involvement:	Minimum PI Requirements Met; No Minor Public or Agency Controversy on Environmental Grounds
Environmental Commitments	Yes



Environmental Commitments

C2

1) The project designer shall incorporate the following note into the plans: MATERIALS REMOVED FROM DITCHES, STREAMS AND/OR WETLANDS: THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO PREVENT ANY INCIDENTAL DISCHARGES ASSOCIATED WITH THE EXCAVATION AND HAULING OF MATERIAL FROM STREAMS AND DITCHES. THIS PERTAINS TO ANY EXCAVATION OPERATION SUCH AS, FOUNDATION PIER OR ABUTMENT EXCAVATION, CHANNEL CLEAN OUT, EXCAVATION FOR ROCK CHANNEL PROTECTION AND REMOVAL OF ANY TEMPORARY FILL ASSOCIATED WITH CONSTRUCTION OPERATIONS. ALL MATERIALS REMOVED FROM THE DITCHES, STREAMS AND/OR WETLANDS MUST BE IMMEDIATELY REMOVED TO AN UPLAND SITE AND STABILIZED (I.E., SEEDED) TO PREVENT REDISTRIBUTION INTO ANY WATERS OF THE UNITED STATES. IMMEDIATE REMOVAL IS DEFINED BY THE UNITED STATES ARMY CORPS OF ENGINEERS AS DEPOSITING THE REMOVED MATERIALS DIRECTLY INTO A TRUCK AND REMOVING THE MATERIAL FROM THE SITE; PLACEMENT OF REMOVED MATERIALS INTO A WETLAND OR ON THE BANKS OF A STREAM EVEN TEMPORARILY IS CONSIDERED A FILL AND REQUIRES A PERMIT ACTION. ANY AREAS DISTURBED BY EQUIPMENT ACTIVITIES MUST BE SEEDED WITH NATIVE SPECIES TO PREVENT EROSION OF SEDIMENTS INTO WATERS OF THE UNITED STATES.

2) The project designer shall incorporate the following note into the plans: ENDANGERED SPECIES HABITAT-INDIANA BAT/NORTHERN LONG-EARED BAT: THE MAH-45-9.07 AND MAH-165-16.31 STRUCTURES ARE LOCATED WITHIN THE KNOWN HABITAT RANGES OF THE FEDERALLY LISTED AND PROTECTED INDIANA BAT AND NORTHERN LONG-EARED BAT. NO TREES SHALL BE REMOVED AT THESE LOCATIONS 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: MECHANICAL EQUIPMENT OPERATION AT STREAM CHANNEL: THE MECHANICAL EQUIPMENT USED TO EXECUTE THE WORK AUTHORIZED HEREIN SHALL BE OPERATED IN SUCH A WAY AS TO MINIMIZE TURBIDITY THAT COULD DEGRADE WATER QUALITY AND ADVERSELY AFFECT AQUATIC PLANT AND ANIMAL LIFE.

4) The project designer shall incorporate the following note into the plans: CONSTRUCTION AND DEMOLITION DEBRIS: THE CONTRACTOR SHALL TAKE PRECAUTIONS TO AVOID AND/OR LIMIT CONSTRUCTION AND DEMOLITION DEBRIS FROM ENTERING DITCHES, WETLANDS AND/OR STREAM(S). ANY DEBRIS THAT DOES FALL INTO DITCHES, WETLANDS AND/OR STREAM(S) SHALL BE REMOVED AS SOON AS POSSIBLE WITHIN 72 HOURS, AND IN SUCH A WAY AS TO MINIMIZE TURBIDITY THAT COULD DEGRADE WATER QUALITY AND ADVERSELY AFFECT AQUATIC PLANT AND ANIMAL LIFE.

5) The project designer shall incorporate the following note into the plans: PAINTING AND SEALING OPERATIONS: THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO PREVENT EPOXY-URETHANE SEALER, PAINT, OR OTHER STRUCTURAL MATERIALS USED TO REPAIR, CLEAN, SEAL, OR TREAT ANY STRUCTURE FROM ENTERING ANY STREAMS, WETLANDS OR OTHER WATERS OF THE UNITED STATES AND TAKE THE APPROPRIATE ACTIONS IN THE EVENT OR A RELEASE.



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6) The project designer shall incorporate the following note into the plans: WETLAND/DITCH IMPACTS/AVOIDANCE: THE STRUCTURE REPLACEMENT AT MAH-165-16.31 WILL IMPACT AN ESTIMATED 0.030 ACRE OF WETLANDS AND 0.002 ACRE OF JURISDICTIONAL DITCH. THE FOLLOWING WETLANDS/DITCH(S) WILL BE IMPACTED: WETLAND 1 - 0.030 ACRE (STATION 140+84 TO STATION 141+75) DITCH 1 - 0.009 ACRE (STATION 140+83 TO STATION 141+50) UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR IMPACT THE REMAINING AREA OF WETLAND 1 AND DITCH 1 DELINEATED BEYOND THE PROJECT CONSTRUCTION LIMITS AND DEPICTED IN THE ECOLOGICAL/WATER RESOURCES MAP AND THE MAH-165-16.31 PLAN AND PROFILE/CULVERT DETAIL SHEETS. THE ECOLOGICAL RESOURCES MAP IS AVAILABLE FOR INSPECTION AT THE ODOT DISTRICT 4 OFFICE, 2088 SOUTH ARLINGTON, AKRON, OHIO 44306. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR STORE EQUIPMENT AND/OR MATERIALS WITHIN THESE RESOURCES. TO PROTECT AND DELINEATE THE BOUNDARY OF THE EXISTING REMAINING AREA OF WETLAND 1 AND DITCH 1, A FILTER FABRIC FENCE AND TEMPORARY CONSTRUCTION FENCE, PER SUPPLEMENTAL SPECIFICATION 832, SHALL BE INSTALLED AT THE PROPOSED CONSTRUCTION LIMITS BY THE CONTRACTOR, MAINTAINING A ONE-FOOT BUFFER BETWEEN THE FENCE AND THE WETLAND/DITCH BOUNDARIES (WHEN PRACTICABLE), PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES, INCLUDING ANY NECESSARY CLEARING AND GRUBBING ACTIVITIES, AND MAINTAINED BY THE CONTRACTOR THROUGHOUT PROJECT CONSTRUCTION.



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Preparers and Approvals

Form Preparer

District 4
Contact: Edward Deley
330-786-4930
Edward.Deley@dot.ohio.gov

Supporting Form Preparer(s):

Matthew Chaney
Sean Carpenter

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	12/26/2017



Appendix

Environmental Justice

Underserved Populations Documentation.pdf

Census Mapping.pdf

General

USGS Quadrangle Topographical Map.pdf

Final Right of Way Plans.pdf

ESA

OES Recommendations - No Further Studies Required.pdf

Cultural Resources

Minimal Potential to Cause Effects - A or B.pdf

Ecological

USFWS Consultation - MAH-45-9.07.pdf

Coordination with ODNR and USFWS.pdf

Wetland Finding.pdf

USFWS Consultation - MAH-165-16.31.pdf

Other Resources

Water Source Protection Area Map.pdf

Public Involvement

Property Owner Notification Letter.pdf

District Website Posting.pdf

Press Release.pdf

Public Notification Mailing List.pdf

Emergency and Public Services Notification.pdf

Emergency and Public Services Notification Update.pdf

Emergency and Public Services Notification List.pdf

News Article - WKBN.pdf

Permits

FEMA FIRM.pdf

Public Explanation of Floodplain Impacts.pdf



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Project Manager Floodplain Notification.pdf