



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

POR/SUM Culverts FY2019 PID 101572

Environmental Document Level: C2

Approved: 2/7/2019

Prepared By: District 4

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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 11, 2015, and executed by FHWA and ODOT.

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PID: 101572
Project Sponsor: DISTRICT 4-PLANNING
ODOT District: 4
Funding Source: Federal
Private Funding: No

Project Description:

The Ohio Department of Transportation (ODOT) proposes culvert replacement/maintenance on State Route (SR) 700 in Freedom Township, Portage County, and Interstate Route (IR) 77 in the city of Fairlawn and Copley Township, Summit County. See additional project description information in the Project File/General/Project information subfolder as Project Description - Supplemental Information.pdf.

Mapping that depicts the proposed project locations on United States Geological Survey (USGS) 7.5-Minute Topographic Quadrangle Maps is included in the Project File/General/Project Information subsection as USGS Quadrangle Topographic Map.pdf.

See maintenance of traffic (MOT) information for the project in the Project File/General/Project information subsection as Project Description - Supplemental Information.pdf.

The project will acquire 0.053 acre of new permanent right-of-way from one parcel to extend the existing POR-700-1.01 culvert. All other proposed improvements will be constructed within the existing highway rights-of-way. Final right-of-way plan information is available in the Project File/General/Project Information subsection as Final Right of Way Plans.pdf.

Existing utilities will not be permanently removed to construct the project. Coordination with affected utility owners is ongoing for the project.

ODOT-OES determined the project is a type of undertaking with "minimal potential to cause effects" to historic properties and is not a part of a larger undertaking. Project related decision documentation concerning cultural resources coordination for the project is in the Project File/Cultural Resources/Coordination subsection.

Regulated Materials Review (RMR) forms were completed for the project and no further environmental site assessment or special material management is warranted for the project. RMR forms and project related decision documentation for the project are in the Project File/ESA section.

The project will impact a total of approximately 299 linear feet of stream channel and 100.41 linear feet of ditch. Removal of approximately 0.17 acre of suitable wooded habitat (SWH) for federally listed and protected Indiana Bat and Northern Long-eared Bat will occur as a part of this project. See additional ecological information in the Project File/General/Project information subsection as Project Description - Supplemental Information.pdf.

The project will not impact any other environmentally sensitive resources within the project study areas.

Project, MOT and plan information was submitted by letter, dated December 18, 2018, to the affected property owner at the POR-700-1.01 culvert location. Project comments were requested, however, comments were not received from



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the public involvement activity conducted for the project. See the affected property owner notification documentation in the Project File/Public Involvement/Project Information subsection.

On December 18, 2018, a news release was issued about the project and project MOT information was provided to local emergency and public services in the project study areas. The news release information was also posted to the ODOT District 4 website. Comments were not received from these public involvement activities conducted for the project. See the news release, emergency/public services notification and website posting documentation for the project in the Project File/Public Involvement/Project Information subsection.

The environmental document and associated studies, as applicable, were approved using the Stage 3 Design Plans for the project. A copy of the Stage 3 Design Plans for the project can be found in the Project File/General/Project Information subsection as Stage 3 Design.pdf.

The estimated total project cost specified in Ellis is 9.1% greater than the total project cost specified in the ODOT Fiscal Year (FY) 2018-2021 Statewide Transportation Improvement Project (STIP) State Line Item (SLI) Grouped Project Report as of 11/21/2018. However, based on this project being listed in the SLI Grouped Project Report, fiscal constraint is maintained by fiscal year per SLI Group and not on the individual projects utilizing the SLI Group. Therefore, an individual project utilizing a Statewide Line Item does not require a STIP/TIP amendment.

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, 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:

Nationwide Permit

Waterways Permit Approval Date

01/24/2019

Isolated Wetland Permit

No



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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	09/29/2017
Endangered Species - Critical Habitat Present/Impacted	
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:	01/17/2019
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/SHPO Concurrence Date	12/12/2018

Tribal Consultation Summary/Remarks:

The Miami Tribe of Oklahoma offers no objection to the project as it is not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, as this site is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence are discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. See Miami Tribe of Oklahoma correspondence, dated January 7, 2019, with comments for the project in the Project File/Cultural Resources/Coordination subsection.

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



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Noise:	Studies Not Required
Noise Coordination - OES Approval Date:	
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	12/31/2018
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

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- 1) The Project Designer shall identify all stream and wetlands features in the construction plan and develop protective plan notes to avoid/minimize impacts to streams and wetlands areas present within or in proximity to the project construction limits.
- 2) The project is located within the known habitat ranges of the federally listed and protected Indiana Bat and Northern Long-eared Bat. The designer shall incorporate a plan note prohibiting tree removal from April 1 through September 30. All necessary tree removal at the specified bridge locations shall occur from October 1 through March 31. This requirement is necessary to avoid and minimize impact 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 a note into the plans for avoidance of wetlands at the POR-700-1.01/CFN 1847100 culvert location



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Preparers and Approvals

Form Preparer

District 4
Contact: Edward Deley
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Supporting Form Preparer(s):

Brian Peck
Matthew Chaney

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	2/7/2019



Appendix

General

County Map.pdf
Final Right of Way Plans.pdf
Project Description - Supplemental Information.pdf
USGS Quadrangle Topographical Map.pdf

ESA

Project Related ODOT Decision - ESA.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B
Records Check.pdf
Tribal Comments.pdf

Ecological

Consult Form - SUM-77-20.43.pdf
Coordination with ODNR and USFWS - SUM-77-20.43.pdf
Coordination with ODNR and USFWS 2.pdf
Coordination with ODNR and USFWS.pdf
OES Approval - No ODNR and USFWS Notification.pdf
USFWS Comments Consult Form SUM-77-23.18 PID 101572.pdf
USFWS Comments Consult Form SUM-91_480 PID 101572.pdf

Underserved Populations

Census Mapping.pdf
Underserved Populations Documentation Form.pdf

Public Involvement

Comments Received.pdf
District Website Posting Screen Shot.pdf
Press Release.pdf
Property Owner Notification Letter - POR SR700.pdf
Property Owner Notification Letter - SUM SR91.pdf
Property Owner Notification Letter Mailing List.pdf



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Public and Emergency Services Project Notification List.pdf

Public and Emergency Services Project Notification UPDATE.pdf

Public and Emergency Services Project Notification.pdf

Response to Stakeholder Comments.pdf

Permits

Coordination with Local Floodplain Administrator.pdf

District Determination - No Floodplain Impacts.pdf

FEMA FIRM.pdf

Floodplain Impact Public Explanation.pdf.pdf