



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 04  
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## **Environmental Document** for **TRU Warren Mahoningside PID 92055**

**Environmental Document Level: D1**

**Approved: 8/28/2018**

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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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## **Project Type**

**Please check all of the following actions that apply (Must check at least one):**

(4) Transportation corridor fringe parking facilities.



## General Project Information

### Project, Cost Schedule and Work Limits

Environmental Document Level:	D1
PID:	92055
Project Name:	TRU Warren Mahoningside
Project Sponsor:	Warren, City of
ODOT District:	4
Funding Source:	Federal
Private Funding:	No
Local Public Funding:	Yes
STIP Reference #:	Statewide Line Item (SLI) Number 9 and is fiscally constrained.
The next phase of the proposed project is listed on the STIP	Yes
The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications	Yes
Planning and Engineering:	\$70,646.00
Right of Way:	\$2,000.00
Construction:	\$131,934.00
Other:	\$0.00
An Interchange Modification/Justification/Operations Study (IMS/IJS/IOS) was completed	No

### Project Description:

The city of Warren proposes to construct a new trailhead for residents to access the existing state recognized Mahoning River Water Trail (1/2 mile north of the project) and the Warren Riverwalk (just across the river). The project proposes a walkway overlooking the Mahoning River, a riverfront patio on the lower spillway, landscaping, a small parking lot and other amenities. This project is located in an urban setting.

Roadway closure, detours or maintenance of traffic measures will not be necessary to construct the project. Therefore, substantial traffic disruptions are not anticipated during project construction.

The project will be constructed on a 6.5 acre parcel owned by the city of Warren. Therefore, new permanent and/or temporary rights-of-way will not be acquired to construct this project.

Currently, the project has not been fully designed, therefore, the proposed features are based on the conceptual design. The proposed project will include a parking lot with a capacity between 20 and 30 vehicles and adhere to the city of Warren codes/standards for parking lot dimension (i.e. isle width, stall spaces, etc), as



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applicable. Walkways and/or paths within the proposed trailhead shall be at least 5-feet wide and also designed to meet Warren city codes/standards, as applicable.

All proposed trailhead features will comply with Americans with Disabilities Act (ADA) requirements.

Utility coordination with all service providers in proximity to the project will be conducted during the detailed design phase of the project and completed prior to the proposed improvements.

The property, owned by Warren, is a former coal/hydroelectric power plant from the early 1900s to 1977 to generate electricity. Several commitments/notes will be incorporated into the project plans to address any environmental concerns associated with this Voluntary Action Program (VAP) site.

The project proposes to impact 125 linear feet of the Mahoning River below the Ordinary High Water Mark (OHWM) elevation to repair an existing concrete wall and to backfill an existing concrete coffer to install the proposed waterfront patio.

Various public involvement activities, including a press release and city of Warren website posting, were conducted for the project by the city of Warren. Comments were not received as a result of the public involvement activities conducted for the project. All public involvement documentation for the project may be found in the Project File/Public Involvement/Project Information subsection.

The environmental document and associated studies, as applicable, were approved using the preliminary scope of work for the project. When available, the project plans will be reviewed by ODOT District 4 Environmental Section personnel and uploaded to the Project File/General/Project Information subsection as Stage 3 Design.pdf.

<b>Limits of Proposed Work:</b>	Mahoningside
<b>Start (SLM):</b>	N/A
<b>End (SLM):</b>	N/A
<b>Total Work Length (Miles):</b>	0.01

No roadway data for PIDs associated with this CE Form

No bridge data for PIDs associated with this CE Form

#### **Maintenance of Traffic During Construction**

<b>A roadway, bridge or ramp closure is required</b>	No
<b>A temporary bridge or roadway is proposed</b>	No
<b>A detour is required for the proposed project</b>	No
<b>The proposed MOT substantially impacts sensitive environmental resources</b>	No
<b>Substantial controversy is associated with the proposed MOT</b>	No
<b>Coordination has been initiated and/or completed with local emergency services, schools, public institutions/facilities, etc.</b>	No

**Remarks:**



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Roadway closure, detours or maintenance of traffic measures will not be necessary to construct the project. Therefore, substantial traffic disruptions are not anticipated during project construction.

**Are there any Environmental Commitments?** No

**Right of Way and Utility Involvement**

**The project requires Permanent Right-of-Way** No

**The project requires Permanent Easement(s)** No

**The project requires Temporary Right-of-Way** No

**Number of parcels impacted by Permanent Right-of-Way:** 0

**Right of Way and Utility Involvement**

**Number of parcels impacted by Temporary Right-of-Way:** 0

**Approximate acreage of Permanent Right-of-Way needed:** 0

**Approximate acreage of Temporary Right-of-Way needed:** 0

**Electrical lines, gas lines, water lines, sewer lines, phone lines or other utilities exist in the project area** Yes

**Large scale transmission facilities are located within the project area** No

**Private utility easements are located within the project area** No

**Coordination with identified utilities has been initiated and/or completed** No

**Please explain why utility coordination has not been initiated and/or completed**

FirstEnergy/Ohio Edison maintains various existing utility poles with overhead electric lines and Columbia Gas of Ohio has natural gas pipelines adjacent to the project study area. Utility coordination with all service providers in proximity to the project will be conducted during the detailed design phase of the project and completed prior to the proposed improvements. Existing utility conflicts with the project, if any, will warrant temporary or permanent utility relocations in proximity to the proposed improvements.

**Remarks:**

The project will be constructed on a 6.5 acre parcel owned by the city of Warren. Therefore, new permanent and/or temporary rights-of-way will not be acquired to construct this project.



## Purpose & Need

### Purpose & Need

#### Project History:

The 23-mile Mahoning River Water Trail maintains its natural quality as it winds through wooded, rural and urban areas in Trumbull County. Beginning at Foster Metro Park in Newton Township and ending at Packard Park in the city of Warren, approximately 0.2 mile upstream from the proposed project, this water trail includes long deep pools, riffles and scenic views. Opportunities abound for wildlife viewing and fishing. Flowing by forested groves, corn and wheat fields, suburban streets and beautiful wetland complexes, this trail is full of natural beauty as well as history. Points of interest include the Newton Falls Covered Bridge, the 2nd oldest covered bridge in Ohio, and remnants of the Pennsylvania and Ohio Canal. Proximity to the Western Reserve Greenway Trail and Bicycle Route J makes this Ohio Water Trail an ideal paddle/pedal destination.

The Warren Riverwalk, a five-mile long trail on the opposite site of the Mahoning River, serves as a strategic connector in the Lake-to-River Greenway Trail. A fundamental resource for the community, the Riverwalk coordinates outdoor recreation and cultural enrichment opportunities for a diverse cross-section of residents and visitors.

#### Purpose Statement:

The purpose of the transportation improvement is to establish safer, convenient and dedicated access from the city of Warren's Mahoningside property to the Mahoning River Water Trail and Warren Riverwalk.

#### Need Element(s):

The city of Warren's desires to provide a safer, convenient and dedicated vehicular parking area for canoe/kayak users traversing the Mahoning River Water Trail and for walkers, joggers and cyclists accessing the existing Warren Riverwalk trail located south of Summit Street/State Route (SR) 45. Currently, a dedicated vehicular parking facility does not exist for the Warren Riverwalk. Along the Mahoning River Water Trail, the existing vehicular parking facilities at Foster Metro Park, Rotary Park, Thomas A. Swift Metro Park, Canoe City Metro Park, Burbank Park and Packard Park with designated canoe/kayak launch areas to this water trail are located between 0.38 river mile and 23.05 river miles upstream of the existing dam located in proximity to the Mahoningside property and Summit Street/SR 45. Therefore, these dedicated vehicular parking facilities with designated canoe/kayak launch areas do not enable canoe/kayak users to portage out of the river, then immediately return to the river downstream of the dam near the Mahoningside property and Summit Street/SR 45. Consequently, canoe/kayak users and walkers, joggers and cyclists are often forced to park their motor vehicles at unsafe, unauthorized locations along the Mahoning River, such as the roadway shoulders and private properties, to access the Warren Riverwalk and/or the Mahoning River Water Trail.

The desired condition for the Mahoningside property is a safer, convenient and dedicated vehicular parking area for Mahoning River Water Trail and Warren Riverwalk users who travel via motor



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vehicles to access the Mahoning River near the end of the Mahoning River Water Trail and at the beginning of the Warren Riverwalk. The difference between the existing condition at the Mahoningside property without a safe, convenient and dedicated vehicular parking area and the desired condition with a safer, convenient and dedicated vehicular parking area is the ability to safely and conveniently accommodate canoe/kayak users and walkers/joggers/cyclists who travel via motor vehicles to access the Mahoning River Water Trail and Warren Riverwalk, respectively. The transportation improvement will provide another safe, convenient and dedicated vehicular parking area for the public to park motor vehicles and access the Mahoning River Water Trail and the Warren Riverwalk. If the transportation improvement is not built, the canoe/kayak users and walkers/joggers/cyclists who travel via motor vehicle to access the Mahoning River Water Trail and the Warren Riverwalk, respectively, will not have access to a safe, convenient and dedicated vehicular parking area and will be forced to continue to park at unsafe, unauthorized locations along the Mahoning River, such as the roadway shoulders and private properties, to access the Warren Riverwalk and/or the Mahoning River Water Trail.

**Goals and Objectives:**

Not applicable.

**Summary Statement:**

In summary, the purpose of the transportation improvement is to establish safer, convenient and dedicated access from the city of Warren's Mahoningside property to the Mahoning River Water Trail and Warren Riverwalk based on the absence of a safe, convenient and dedicated access to accommodate canoe/kayak and trail users who travel along Summit Street/SR 45 via motor vehicles to access the Mahoning River Water Trail and Warren Riverwalk.

**Logical Termini and Independent Utility:**

The logical termini for the project is established on the basis to construct vehicular parking and river/trail access facilities of sufficient capacity on the city of Warren's Mahoningside property. The project does not depend on any other transportation improvement to meet the established Purpose and Need. Additionally, this project is independent of any other transportation improvement in the area and is not part of any system linkage or long range development or transportation plan. Therefore, independent utility is established for the project.



## Alternatives

### Alternatives

#### Discuss No Build Alternative:

The No-Build Alternative does not establish any access at Summit Street/State Route (SR) 45 in proximity to the existing Mahoning River Water Trail and the existing Warren Riverwalk trail in the city of Warren for trail users who travel to the Mahoning River Water Trail and Warren Riverwalk by motor vehicles. With this alternative, many trail users who travel to the Water Trail and Riverwalk in Warren by motor vehicles would continue to park their motor vehicles at unsafe, unauthorized locations, i.e. roadway shoulders and private property, along the Warren section of the Water Trail, the Riverwalk and also at the nearest existing dedicated access for motor vehicles during peak times. The No-Build Alternative does not satisfy the purpose and need for the project. Consequently, it was dismissed from further consideration.

Was a Feasibility Study completed?

No

Was an Alternative Evaluation Report (AER) completed?

No

#### Alternatives Considered

Name	Description	Reason Dismissed	Preferred Alternative
Build Alternative 1	Construct a dedicated access parking facility, connector trail, informational kiosks, and other attendant features.	Not Dismissed	Yes
No Build	The No-Build Alternative does not establish any access at Summit Street/State Route (SR) 45 in proximity to the existing Mahoning River Water Trail and the existing Warren Riverwalk trail in the city of Warren for trail users who travel to the Mahoning River Water Trail and Warren Riverwalk by motor vehicles.	The No-Build Alternative does not satisfy the purpose and need for the project.	No



**Discuss Reasons Alternative Identified as Preferred was selected:**

The Build Alternative was selected as the preferred alternative because it:

1. Proposes to construct a dedicated access parking facility at Summit Street/State Route (SR) 45 in proximity to the existing Mahoning River Water Trail and the existing Warren Riverwalk trail in the city of Warren for trail users who travel to the Mahoning River Water Trail and Warren Riverwalk by motor vehicles;
2. Eliminates the need for trail users who travel to the Mahoning River Water Trail and Warren Riverwalk by motor vehicles to park their motor vehicles at unsafe, unauthorized locations, i.e. roadway shoulders and private property, along the Warren section of the Water Trail, the Riverwalk and also at the nearest existing dedicated access for motor vehicles during peak times; and
3. Satisfies the purpose and need for the project.



## Air

### Mobile Source Air Toxics (MSATs)

Sensitive Areas are located within approximately 500' of the proposed project area Yes

The proposed project is listed as a C1 in ODOT's CE Guidance and/or falls under 40 CFR 93.126 Yes

#### Remarks:

MSAT analysis is not required for the project because the project does not involve adding capacity, adding a new interchange, constructing a new road on new alignment, relocating travel lanes closer to sensitive areas or expanding an intermodal facility. The project is exempt from air quality analysis under 40 CFR 93.126 under pedestrian facilities.

### Particulate Matter 2.5 (PM2.5)

The proposed project is in an air quality non-attainment or maintenance area No

#### Remarks:

Trumbull County is not in a PM 2.5 non-attainment or maintenance area. Therefore, this project does not require a PM 2.5 analysis.

### Carbon (CO)

The State of Ohio is in attainment for CO at this time and no coordination or analysis is required

### Ozone

The proposed project is in an Ozone non-attainment or maintenance area No

The proposed project is listed on the TIP Yes

#### Remarks:

The project is listed in the ODOT STIP/Eastgate Regional Council of Governments TIP. Therefore, ozone is addressed for this project.

### Environmental Commitments

Are there any environmental commitments? No



## **Noise**

### **Noise**

**Noise Sensitive Areas located within approximately 500' of the proposed project area** Yes

**Noise Analysis conducted** No

**The proposed project is a Type I project** No

**The proposed project is a Type II project** No

### **Remarks:**

The proposed project will not cause an increase in vehicular traffic volumes; will not change the vehicle mix or speed; will not involve new roadways or substantially change the geometric or shielding effects of existing roadways. Therefore, this project is unrelated to increase traffic noise and does not require a traffic noise analysis.

### **Environmental Commitments**

**Are there any environmental commitments?** No



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## ESA

Does the project require any Permanent ROW or Easement?: No  
Does the project require any temporary ROW?: No

### ESA

ESA Screening Report was completed by District Staff No

#### Remarks:

Since the project area only included one property, no Environmental Site Assessment (ESA) Screening Report was conducted as part of this project and the first step in the ESA process was to conduct a Phase I ESA. The Phase I ESA, TRU-Warren Riverwalk (Mahoningside) Project, dated February 23, 2016, was prepared by Environmental Design Group. A copy of this report is uploaded as Phase I.pdf in the Project File/ESA/Reports subsection. Based on the findings of the Phase I ESA, ODOT-OES had the following recommendations;

1. For any soils that are removed under the 2-foot cap, it is recommended that they be reused on the site to fullest possible extent. However, if any of this material can't be reused, then it should be disposed as a solid waste.
2. A plan note for PCBs should be placed in the plans for any material excavated under the 2-foot cap and can't be reused.
3. A plan note for asbestos monitoring should be place in the plans for any excavation below the 2-foot cap.
4. The areas of the 2-foot soil cap that are disturbed are to be restored as per the Remediation Mitigation Plan.
5. The VAP Phase I, VAP Phase II, Remedial Mitigation Plan and the No Further Action Plan should be provided as reference material as part of the project's letting. These documents are to be provided in full including all figures, tables and appendices. In addition, these documents are to be provided in fully legible. The subject report is not to be included as part of the reference materials.

The ODOT-OES IOC, dated March 11, 2016, concerning the Phase I ESA for the project can be found in the Project File/ESA/Coordination subsection as OES Recommendations - Phase I.pdf.

According to the IOC from OES does the project require any Environmental Commitments (plan notes and/or other coordination)? Yes



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## Cultural Resources

### Cultural Properties Present

**Please describe all of the efforts made to identify Historic Properties (including lit review, field investigation, etc.):**

ODOT, District 4 Environmental Section personnel prepared and submitted a Section 106 Request for Review package for the project in February 2017. See the Section 106 Request for Review.pdf for the project in the Project File/Cultural Resources/Project Information subsection. The Area of Potential Effect (APE) is considered to include only areas of modern disturbance where construction will occur. The review considered this APE, adjoining street rights-of-way and areas along the course of the Mahoning River. An electronic records check was completed to review on-line data provided by the Ohio Historic Preservation Office and Buckeye Asset Mapper to determine if previously recorded cultural resources are located within the APE for the project. No known or inventoried architectural or archaeological resources will be impacted by the proposed construction activities. No Historic Properties (resources listed on or eligible for the National Register of Historic Places) or National Historic Landmarks are known within the APE. Relocation projects and construction of new pedestrian walkways, sidewalks, shared-use paths, amenities and other facilities requiring land beyond the boundary of any Historic Property, that have the natural soils removed, are exempt for further cultural resources consideration.

**Based on the letter or IOC you received from OES, is there an eligible or listed NRHP Historic Property in the Area of Potential Effects Pursuant to 36 CFR part 800?** No

**OES/OSHPO Concurrence Date:** 02/28/2017

### Remarks:

In accordance with Stipulation 4A and Appendix B of the Section 106 Programmatic Agreement approved on November 30, 2011 (Agreement No. 16734) and amended on June 7, 2016, ODOT-OES has determined that the proposed project is a type of undertaking with "minimal potential to cause effects" and is not a part of a larger undertaking. This completes the Section 106 review and no further cultural resource investigations are required at this time. The ODOT-OES Cultural Resource Coordination - Stipulation 4(A) - Appendix B - Undertaking with Minimal Potential to Cause Effects IOC, dated February 28, 2017, for the project can be found in the Project File/Cultural Resources/Coordination subsection as OES Section 106 Effect Determination.pdf.

**What is the Section 106 effect determination in the OES letter or IOC?** Minimal Potential to Cause Effect - B

### Archaeological Resource Adverse Effect

### History/Architecture Adverse Effect

### Environmental Commitments



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**Are there any Environmental Commitments?**

No



## Ecological

### ESR

Has an ESR been completed? Yes

Date ESR was completed: 02/06/2018

### Wetlands

Are Wetlands Present? No

### Remarks:

Based on the results of the Level 1 Ecological Survey Report (ESR) prepared by Environmental Design Group in February 2018, wetlands were not identified within the project study area. The project will not impact any wetlands.

The Level 1 ESR for the project can be found in the Project File/Ecological/Reports subsection as Level 1 Ecological Survey TRU-Warren Mahoningside PID 92055.pdf.

### Streams & Rivers

	Present:	Impacted:
Streams and Rivers:	Yes	Yes
National Scenic River:	No	
State Scenic River:	No	
Sec 9:	No	
Sec 10:	No	

### Impacted Streams and Rivers

Stream Name	Total Linear feet Impacted	QHEI	Aquatic Life Use Designation
Mahoning River	125	NA	Warm Water Habitat (WWH)

Total Linear feet Impacted: 125

### Remarks:

Based on the results of the Level 1 Ecological Survey Report (ESR) prepared by Environmental Design Group in February 2018, one (1) stream, the Mahoning River, is located within the project study area. A concrete wall exists along the west bank of the Mahoning River within the study area. An intake structure comprised



of a concrete coffer with an intake gate and an outlet (associated with the former land use, a power plant) is present beyond the concrete wall along the west bank within the project study area. As part of the project, the concrete wall would be repaired and the concrete coffer would be backfilled. A waterfront patio would be installed at the location of the former coffer. The dam within the Mahoning River directly east of the study area will not be impacted by the project. The project proposes to impact 125 linear feet of the Mahoning River below the Ordinary High Water Mark (OHWM) elevation to complete the aforementioned work.

The Level 1 ESR for the project can be found in the Project File/Ecological/Reports subsection as Level 1 Ecological Survey TRU-Warren Mahoningside PID 92055.pdf.

**Other Surface Waters**

	<b>Present:</b>	<b>Impacted:</b>
Reservoirs:	No	
Lakes:	No	
Ponds:	No	
Storm Water Management Facility:	No	
Jurisdictional Ditch:	No	
Other (If selected please explain in remarks):	No	

**Remarks:**

Based on the results of the Level 1 Ecological Survey Report (ESR) prepared by Environmental Design Group in February 2018, other surface waters were not identified within the project study area. The project will not impact any other surface waters.

The Level 1 ESR for the project can be found in the Project File/Ecological/Reports subsection as Level 1 Ecological Survey TRU-Warren Mahoningside PID 92055.pdf.

**Terrestrial Habitat**

	<b>Present:</b>	<b>Impacted:</b>
Terrestrial Habitat:	Yes	Yes
Unique or high Quality:	No	

**Remarks:**

Based on the results of the Level 1 Ecological Survey Report (ESR) prepared by Environmental Design Group in February 2018, the project will impact the following terrestrial habitats identified in the project study area:

Developed Open Space: 4.28 acres to be impacted by the project;



Open Water: 0.07 acre to be impacted by the project;

No unique or high quality terrestrial habitats were found within the project study area. All of the habitats are common to the project area and throughout Ohio. This project will not cause substantive local declines in these common habitats or the plant and animal species found in these areas.

The Level 1 ESR for the project can be found in the Project File/Ecological/Reports subsection as Level 1 Ecological Survey TRU-Warren Mahoningside PID 92055.pdf.

### Threatened or Endangered Species

	Present:	Impacted:
Within the known range of a Federal Species?	Yes	No
Federal Species/habitat found within the project area?	No	
Within the known range of a State Species?	Yes	No
State Species/habitat found within the project area?	No	

### Remarks:

Based on the results of the Level 1 Ecological Survey Report (ESR) prepared by Environmental Design Group in February 2018, the project is within the known range of six (6) Federally-listed species. ODOT-OES made the following effect determinations for the Federally-listed species:

Indiana Bat/Northern Long Eared Bat - A visual survey of the study area did not identify any portals, openings, cracks, or crevices in rock outcrops that may be an entrance to a cave or mine that would be considered suitable winter hibernacula habitat for the bats. No bridges or culverts will be impacted by the project. Additionally, no trees or human-made structures possessing potentially suitable roosting habitat for the bats will be impacted or removed for the project. According to a response from the USFWS for a request for information, dated January 17, 2018, the study area is not located in a bat buffer. Since no suitable habitat for the Indiana and Northern Long-Eared Bats will be impacted by the proposed project, the project should have no effect on the species.

Bald Eagle - A survey of the project area did not identify any potential bald eagles nest within or adjacent to the project area. According to a response from the ODNR for a request for a NHDB search, dated January 18, 2018, no known bald eagle nests are reported within 0.5 mile of the project. No mature trees will be removed during the course of the proposed project. Since no suitable habitat for the Bald Eagle will be impacted by the proposed project, the project should have no effect on the species.

Clubshell - Based on coordination between ODOT-OES and ODNR Division of Wildlife, dated February 8, 2017, neither a mussel reconnaissance nor a mussel survey are required due to site conditions (i.e. potentially unsafe conditions due to dam and potentially contaminated sediment from former land use). The Mahoning River within and adjacent to the project is a large river. No runs or riffles are located along the Mahoning River within or adjacent to the study area. The Mahoning River in Trumbull County is a Group 1 Stream per the Ohio Mussel Survey Protocol, indicating it is a small to mid-sized stream, federally listed species not expected. Since no suitable habitat for the Clubshell will be impacted by the proposed project, the project should have no effect on the species. The ODOT-OES TRU-Warren Mahoningside (PID 92055) - Freshwater



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Mussel Survey Waiver Request email, dated February 8, 2017, for the project can be found in the Project File/Ecological/Coordination subsection as Coordination with ODNR - Freshwater Mussel Survey Waiver.pdf.

Eastern Massasauga Rattlesnake - Per the USFWS response, dated January 18, 2018, the project study area is located within an eastern massasauga range polygon. However, the project study area does not include wet low-lying areas along the Mahoning River. Outside of the Mahoning River, the study area is composed of regularly mowed turf grass considered to be unsuitable habitat according to literature published by the USFWS. Since no suitable habitat for the Eastern Massasauga will be impacted by the proposed project, the project should have no effect on the species.

Eastern Hellbender - The Mahoning River within and adjacent to the project is a relatively deep, slow moving river. Since no suitable habitat for the Eastern hellbender will be impacted by the proposed project, the project should have no effect on the species.

Based on the results of the Level 1 Ecological Survey Report (ESR) prepared by Environmental Design Group in February 2018, the project is within 1 mile of the State-listed Creek Heelsplitter (*Lasmigona compressa*), a species of concern. Due to the distance from the study area, Environmental Design Group determined neither the recorded species nor location of the species will be impacted by the project.

## Agency Coordination

	Coordination Required:	Comments Received Date:
Ohio Department of Natural Resources (ODNR):	No	
United States Fish and Wildlife Service (USFWS):	No	
Ohio Environmental Protection Agency (OEPA):	No	
United States Army Corps of Engineers (USACE):	No	
ODNR State Scenic River:	No	
National Park Service (NPS) National Scenic River:	No	

## Remarks:

Based on the review of the Level 1 Ecological Survey Report (ESR) prepared by Environmental Design Group in February 2018, ODOT-OES determined in an email, dated February 28, 2018, the project meets the Non-Notifying Project type in accordance with Section IIB2 of the Ecological MOA with regard to ODNR and USFWS coordination and do not require review by ODNR and USFWS. This project will have minimal impacts to waters of the United States or isolated wetlands and will not impact state or federally listed species or Unionid mussels based on an ecological resource investigation of the project study area. This project will not result in any actions that violate ORC Chapters 1518 or 1531, and ORC Section 1533.324. Project considered Non-Notifying to the ODNR and/or USFWS will not require project specific coordination/notification or consultation under Section 7 of the Endangered Species Act (ESA), or to fulfill the coordination requirements of the Fish and Wildlife Coordination Act. The ODOT-OES February 2018 Ecological Coordination - Grouped Consultation Notification email, dated February 28, 2018, for the project



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can be found in the Project File/Ecological/Coordination subsection as OES Approval - No ODNR and USFWS Notification.pdf.

**Are there any environmental commitments?**

No



### Other Resources

#### Farmlands

#### Farmlands

The proposed project is located within an Urbanized Area Yes

The proposed project is located in an area that is in or committed to urban development or water storage and is therefore not subject to the Farmland Policy Protection Act (FPPA) in accordance with 7 CFR 658. No further coordination is required.

#### Remarks:

The project is not located in an agricultural area. Therefore, the project does not require completion of the Farmland Conversion Impact Rating Form nor coordination with the Ohio Department of Agriculture, Natural Resources Conservation Service.

Are there any environmental commitments? No

#### Drinking Water

The proposed project is wholly or partially located within the USEPA designated boundaries of a Sole Source Aquifer No

	Present:	Impacted:
The proposed project is wholly or partially located within the OEPA designated boundaries of a Source Water Protection Area	No	

Coordination with the Local Public Water Administrator is required No

	Present:	Impacted:
Residential Wells are present	No	

#### Remarks:

The Ohio EPA's Source Water Assessment and Protection (SWAP) Program mapping was reviewed to determine if public water systems, Water Source Protection Areas or other drinking water resources are located within or adjacent to the project study area. Based on the Ohio EPA's online Source Water Protection Areas map, public water systems, Drinking Water Source Protection Areas or other drinking water resources are not located within or adjacent to the project study area. Furthermore, the project study area is not located over a federally-designated sole source aquifer. A review of the Ohio Department of Natural Resources (ODNR) Division of



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Water Resources online records indicated residential water wells are not located within the project study area. Therefore, the project will not impact known drinking water resources.

Appropriate drinking water resources mapping for the project study area is located in the Project File/Other Resources/Drinking Water subsection as Water Source Protection Area Map.pdf and Sole Source Aquifer Mapping.pdf.

**Are there any environmental commitments?**

No



## **Section 4(f)**

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

**Section 4(f) properties are within and/or adjacent to the proposed project area**

No

### **Identified Section 4(f) Properties**

#### **Remarks:**

Based on a field review and review of available mapping of the project study area by Environmental Design Group, public parks, recreation areas, wildlife/waterfowl refuges or properties listed on or eligible for listing on the National Register of Historic Places are not located within or adjacent to the project study area. The project will be constructed on a 6.5 acre parcel owned by the city of Warren. Therefore, new permanent and/or temporary rights-of-way will not be acquired to construct this project. The Mahoning River Water Trail, approximately 1/2 mile north of the project study area, and the Warren Riverwalk trail, located on the opposite side of the Mahoning River and south of Summit Street/SR 45, are not located within nor adjacent to the project study area and will not be impacted by the project during project construction. Therefore, the project will not impact any Section 4(f) resources.

**Are there any environmental commitments?**

No



## Section 6(f)

### Section 6(f) Determination

	Present:	Impacted:
6(f) Properties:	No	

### Remarks:

Based on a review of the United States Department of the Interior - National Park Service (USDA - NPS) Land and Water Conservation Fund (L&WCF) index (<https://www.lwcfcoalition.com/tools>), Section 6(f) properties are not located within and/or adjacent to the project study area. Therefore, the project will not impact any Section 6(f) resources.

**Are there any environmental commitments?**

No



## Community Impacts

### Community Impacts

**Will the proposed action comply with the local/regional development patterns for the area?** Yes

**Remarks:**

The proposed improvement complies with the local/regional development patterns for the area. The project will positively benefit walkers, joggers and cyclists who travel via motor vehicle to access the Mahoning River Water Trail and Warren Riverwalk by providing a safer, convenient and dedicated vehicular parking area.

**Will the proposed action result in substantial negative impacts to community cohesion?** No

**Remarks:**

The project will provide a safer, convenient and dedicated vehicular parking area for walkers, kayak/canoe, joggers and cyclists who travel via motor vehicle to access the Mahoning River Water Trail and Warren Riverwalk, thereby increasing community cohesion.

**Will the proposed action result in indirect or cumulative impacts?** No

**Remarks:**

The project will not result in any indirect or cumulative impacts.

**Will the proposed action result in substantial impacts on health and educational facilities, public utilities, fire, police, emergency services, religious institutions, public transportation, pedestrian and bicycle facilities?** No

**Remarks:**

The project will not impact any health and educational facilities, public utilities, fire, police, emergency services, religious institutions, public transportation or pedestrian/bicycle facilities. Lane closures will not occur during project construction. Traffic will be maintained at all times during project construction. Construction of the project will positively trail users with a safer, convenient and dedicated vehicular parking area to access the Mahoning River Water Trail and Warren Riverwalk.

**Will the proposed action displace residents, businesses, institutions or farms?** No

**Remarks:**

The project will not result in the displacement of residents, businesses, institutions or farms.

**Are there any Environmental Commitments?** No



## Underserved Populations

### Underserved Populations

#### Identified Underserved Populations

Census Block Group #	% Minority	% Low Income
391559208001	35	81

Are Underserved Populations located within and/or adjacent to the proposed project area? Yes

Are there any relocations? No

Will there be changes to access? No

Will the proposed project result in unanticipated additional impacts to any Underserved Populations? No

Were any concerns related to impacts on Environmental Justice Populations or any other unique factors that could result in a disproportionately high and adverse effect raised during public involvement? No

Were any concerns related to impacts on Title VI Populations or any other unique factors that could result in a disparate impact raised during Public Involvement? No

Were any concerns or any other unique factors that could result in an impact to any of the other Underserved Populations (Limited English Proficiency, Older Adults, or Individuals with Disabilities) raised during Public Involvement? No

#### Remarks:

Although the project is located in a low income area, the project will have no disproportionately high and adverse impacts to underserved populations based upon the table above, the attached mapping and the answers to the questions above. No concerns related to impacts on underserved populations or Title VI populations were raised as a result of public involvement activities conducted for the project. Therefore, in accordance with the protections of Executive Order 12898, FHWA Order 6640.23A and Title VI of the Civil Rights Act of 1964, no further analysis is required for the project. The Census Mapping for the project can be found in the Project File/Underserved Populations/Project Information subsection as Census Mapping.pdf.

Are there any Environmental Commitments? No



## Public Involvement

### Public Involvement

**Please provide a summary of the Public Involvement activities that have been conducted for this project. (For example press releases, letters to affected property owners and residents, meetings, special purpose meetings, newspaper articles, etc)**

On February 24, 2017, the city of Warren issued a press release and posted the press release along with a schematic to the city of Warren website to announce the project and solicit public comments. The city of Warren allowed for a 30-day comment period, requesting that questions and comments about the project be directed to the city by March 27, 2017. See files of these items, entitled Press Release.pdf, Press Release Schematic.pdf and City of Warren Website Posting.pdf, for the project in the Project File/Public Involvement/Project Information subsection.

Based on the project scope of work and the proposed maintenance of traffic measures, emergency/public services contact activity was not conducted for the project.

**Was Public Involvement conducted in compliance with Title VI requirements?** Yes

**Is there any substantial environmental controversy on environmental grounds?** No

**Please summarize the Public Involvement responses received.**

Public comments were not received as a result of the public involvement activities conducted for the project.

**Are there any Environmental Commitments?** No



## Permits

### Waterway Permits

<b>Are Waterway Permits required?</b>	Yes
<b>Is the Waterway Permits Determination Complete?</b>	No
Army Corps of Engineers	
<b>Regional General Permit (RGP):</b>	No
<b>Nationwide Permit (NWP):</b>	Yes
<b>Section 404 Individual Permit:</b>	No
<b>Section 10 Permit:</b>	Yes
Ohio EPA	
<b>Section 401 Water Quality Certification:</b>	No
<b>Level 1 General Isolated Wetland Permit:</b>	No
<b>Level 2 Individual Isolated Wetland Permit:</b>	No
<b>Level 3 individual Isolated Wetland Permit:</b>	No
US Coast Guard	
<b>Section 9 Coordination:</b>	No
<b>Section 9 Bridge Permit:</b>	No
ODNR	
<b>Shore Structure Permit :</b>	No

### Remarks:

Based upon proposed impacts to the Mahoning River, a Traditional Navigable Water (TNW), by the project, a Nationwide permit and Section 10 permit will be required from the United States Army Corps of Engineers (USACE) to construct the project.

<b>Are there any environmental commitments?</b>	No
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### Storm Water Permits

<b>NPDES Construction General Permit for Stormwater (NOI):</b>	Yes
<b>Watershed Specific NPDES Construction General Permit for Stormwater (NOI):</b>	No



Approved: 8/28/2018

**Remarks:**

The project proposes to disturb greater than 1.0 acre of earthen area to construct the project. Therefore, an Ohio EPA National Pollutant Discharge Elimination System (NPDES) General Construction Permit for storm water is required and shall be obtained prior to project construction. A storm water pollution prevention plan for the project shall be developed and implemented prior to project construction in accordance with ODOT Construction and Materials Specifications.

**Are there any environmental commitments?**

No

**Floodplains**

**The proposed project involves encroachment within a Special Flood Hazard Area (SFHA)**

No

**Remarks:**

The project will not encroach within a Special Flood Hazard Area (SFHA). Therefore, the project does not require flood plain coordination. The FEMA Firm map for the project can be found in the Project File/Permits/Floodplains subsection as FEMA Firm.pdf. Please also see the attached letter from the city of Warren acknowledging the project is not located within a special flood hazard area.

**Are there any environmental commitments?**

No

**Landfills**

**Is a 2713 Permit required?**

No

**Remarks:**

During February 2016, a Phase I Environmental Site Assessment (ESA) was completed by Environmental Design Group for the project. The Phase I ESA did not identify any existing or historic landfills within the project study area. The project will not impact any existing or historic landfills. Therefore, the project does not require an Ohio EPA Rule 2713 Permit.

**Are there any environmental commitments?**

No



## Environmental Commitments

### ESA

- 1) The Project Designer shall design for the reuse of material removed under the 2-foot cap to the fullest possible extent. If any of this material cannot be reused, then it shall be disposed as a solid waste.
- 2) The Project Designer shall incorporate the following note into the plans: Any material excavated under the 2-foot cap on the property that cannot be reused on the site shall be properly characterized for PCBs prior to offsite disposal.
- 3) The Project Designer shall incorporate the following plan note: THE CONTRACTOR SHALL MONITOR SOILS AND MATERIALS ENCOUNTERED BELOW THE TWO-FOOT CLEAN SOIL CAP FOR ASBESTOS CONTAINING MATERIALS (ACM). IF SUSPECT ACM ARE ENCOUNTERED DURING WORK, THE CONTRACTOR SHALL STOP WORK AND ASSESS, MANAGE, ABATE AND DISPOSE ALL ACM IN A MANNER CONSISTENT WITH ALL APPLICABLE OHIO DEPARTMENT OF HEALTH AND OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION REQUIREMENTS. NO ADDITIONAL WORK SHALL BE CONDUCTED IN THE IMMEDIATE VICINITY OF THE ACM UNTIL ABATEMENT IS DEEMED COMPLETE VIA CONFIRMATION AIR SAMPLE RESULTS AND VISUAL INSPECTION RECORDS.
- 4) The Project Designer shall include the restoration of the 2-foot cap as per the Remediation Mitigation Plan in the project design.
- 5) The VAP Phase I, VAP Phase II, Remedial Mitigation Plan and No Further Action Plan, including all figures, tables and appendices in fully legible format, that were completed for the property will be publicly available at the city of Warren offices as reference material for bidders.

### Ecological

- 1) The project designer shall incorporate the following note into the plans: THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO PREVENT AND INCIDENTAL DISCHARGES ASSOCIATED WITH THE EXCAVATION AND HAULING OF MATERIAL FROM THE MAHONING RIVER. 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 MAHONING RIVER 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: 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.
- 3) The project designer shall incorporate the following note into the plans: THE CONTRACTOR SHALL TAKE PRECAUTIONS TO AVOID AND/OR LIMIT CONSTRUCTION AND DEMOLITION DEBRIS FROM ENTERING THE MAHONING RIVER. ANY DEBRIS THAT DOES FALL INTO THE RIVER SHALL BE REMOVED WITHIN 72 HOURS.



**Environmental Document Level: D1**  
PID 92055 TRU Warren Mahoningside

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### **Preparers and Approvals**

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### **Approvals & Electronic Signatures**

<b>Approved &amp; Electronically Signed By:</b>	<b>Approval Date:</b>
Edward Deley (PROGRAM ADMIN 3)	8/28/2018



## **Appendix**

### **General**

USGS Quadrangle Topographical Map.pdf

### **Purpose and Need**

ODOT Decision - Purpose and Need Approval.pdf

### **ESA**

OES Recommendations - Phase I.pdf

### **Cultural Resources**

Minimal Potential to Cause Effects - A or B.pdf

### **Ecological**

OES Approval - No ODNR and USFWS Notification.pdf

Coordination with ODNR-Freshwater Mussel Survey Waiver.pdf

### **Other Resources**

Water Source Protection Area Map.pdf

Sole Source Aquifer Mapping.pdf

### **Underserved Populations**

Census Mapping.pdf

### **Public Involvement**

Press Release .pdf

Press Release Schematic.pdf

City of Warren Website Posting.pdf

### **Permits**

FEMA FIRM.pdf

Local Floodplain Administrator Approval.pdf