



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

STA IR 0077 08.40/VAR PID 90973

Environmental Document Level: C2

Approved: 1/15/2019

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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C2

PID:	90973
Project Sponsor:	DISTRICT 4-PLANNING
ODOT District:	4
Funding Source:	Federal
Private Funding:	No
Project Description:	

The Ohio Department of Transportation (ODOT) proposes to improve 1.5 miles of Interstate Route 77 (IR 77) from approximately the IR 77/State Route (SR) 800 interchange in Canton Township to the IR 77 bridges spanning 9th Street and rehabilitate or replace 19 bridges located in proximity to the IR 77/US Route (USR) 30/USR 62 interchange. Project construction limits include 1.5 miles of IR 77, the IR 77/USR 30/USR 62 interchange, 0.75 mile of USR 30 east of the interchange and a spot bridge location of the Deuber Road overpass on USR 30 0.5 mile west of the IR 77/USR 30/USR 62 interchange in the city of Canton and Canton Township. See additional project description information in the Project File/General/Project Information subsection as *Project Description - Supplemental Information.pdf*.



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

The project will maintain two lanes of traffic in each direction on IR 77/USR 62 and USR 30 during the duration of this estimated 4-year construction project. However, some construction activities may warrant IR 77/USR 62 and/or USR 30 to be reduced to a single lane. Any reduction to single lane condition on either IR 77/USR 62 or USR 30 would occur outside of peak travel times. Two-way traffic will be maintained on local streets during construction except for a 7-day closure expected on both 15th Street and Market Avenue to accommodate bridge maintenance operations in the IR 77/US Route 30/US Route 62 interchange area. See additional maintenance of traffic (MOT) information in the Project File/General/Project Information subsection as *Project Description - Supplemental Information.pdf*.

Approximately 2.55 acres of new permanent right-of-way will be acquired from 4 parcels and 0.542 acre of temporary right-of-way will be acquired from 2 parcels to construct the proposed project. See additional right-of-way information in the Project File/General/Project Information subsection as *Project Description - Supplemental Information.pdf*.

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

Environmental Site Assessment (ESA) screening, Phase I and Phase II ESA investigations and Regulated Materials Review (RMR) investigations were conducted for the project. See the ESA documentation for the project in the Project File/ESA section and additional ESA information in the Project File/General/Project Information subsection as *Project Description - Supplemental Information.pdf*.

The project will impact approximately 995 linear feet of stream channel and remove accumulated sand/gravel bar resulting in the elimination of approximately 0.2 acre of in-stream wetlands. See additional ecological information in the Project File/Ecological section and additional ecological resource information in the Project File/General/Project Information subsection as *Project Description - Supplemental Information.pdf*.

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

Project MOT and right-of-way plan information was submitted by letter correspondence, dated April 24, 2018, to Graber Mills, Inc., an affected property owner. Further, stakeholder meetings were conducted for the project on December 14, 2017, and March 7, 2018. All stakeholder comments received for the project have been addressed accordingly. On August 29, 2018, a news release about the project was issued to local media outlets. Moreover, the news release information was also posted to the ODOT District 4 website. No public comments were received as a result of the public involvement activities conducted for the project. Additional public involvement information is provided in the Project File/Public Involvement section and in



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the Project File/General/Project Information subsection as *Project Description - Supplemental Information.pdf*.

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 agrees with the project funding specified in the Stark County Area Transportation Study (SCATS) Fiscal Year (FY) 2018 - FY 2021 Transportation Improvement Program (TIP) Update (January 2019).

STIP Reference #

2018stipID0240FDRW/2018AM10ID
0281FDCO and is fiscally
constrained.

Select the appropriate project type:

(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph (e) of this section. ***Examples include: Joint or limited use of right-of-way where the proposed use would have minimal or no adverse social (including highway safety), economic or environmental impacts; Installation of new noise walls and other new noise mitigation projects; Construction of highway safety and truck escape ramps; Construction of bicycle lanes and pedestrian walkways, sidewalks, shared-use paths, or facilities and trailhead parking that do not otherwise qualify for a C1 designation; Beautification or facility improvement projects (i.e. landscaping, curb and gutter installation and replacement, ADA ramps/curb ramps, installation of park benches, decorative lighting, etc.); Construction of alternative energy facilities (fuel tank farms, wind turbines, etc.)***

(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.



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Waterways:	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
Waterways Permit Type:	Nationwide Permit
Waterways Permit Approval Date	03/09/2018
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	06/29/2018
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:	05/11/2018
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	02/22/2018
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 is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. See correspondence, dated December



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18, 2018, with the Miami Tribe of Oklahoma comments on 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
Noise:	Studies Not Required
Noise Coordination - OES Approval Date:	01/30/2018
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	07/11/2014
Phase I ESA Warranted Based on Coordination with OES:	Yes
Phase II ESA Warranted Based on Coordination with OES:	Yes
Hazardous Materials - Coordination Results	No Further Studies Warranted
Hazardous Materials - OES Approval Date - Phase I:	03/12/2018
Hazardous Materials - OES Approval Date - Phase II:	01/14/2019
Farmland:	Urbanized Area; No Impacts in Accordance With the Farmland MOU and 7 CFR 658
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 designer shall incorporate a plan note requiring excess excavated material from the Graber Mills, Inc., property, 802 Navarre Road SW, that cannot be reused on the project to be disposed by the contractor in a solid waste landfill according to a petroleum contaminated soils (PCS) plan note.

2) Bridge Structure No. STA-77-8.40L/R (SFN: 7603338/7603363) and STA-77-8.88L/R (SFN: 7603452/7603487) to be rehabilitated by the project are 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 at these bridge locations 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 is located within a FEMA flood zone and will be designed to comply with all applicable Local, State, and Federal floodplain protection standards. Appropriate floodplain permitting shall be obtained prior to the start of project construction.

4) In-water work restriction dates (April 15 to June 30) are applicable to this project. Unless a waiver has been obtained from ODNR and USACE, the restrictions apply to the West Branch of Nimishillen Creek and Nimishillen Creek, and will be included in the Waterway Permits Conditions Special Provisions for the project.



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Preparers and Approvals

Form Preparer

District 4
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Supporting Form Preparer(s):

Brian Peck
Laura Beese

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	1/15/2019



Appendix

General

Project Description - Supplemental Information.pdf

Alternatives

District 4 Acceptance - Feasibility Study.pdf

OES Acceptance - Feasibility Study.pdf

Noise

OES Approval - No Analysis Required.pdf

ESA

OES Recommendations - Phase I 90973 Sanitary Sewer Addition.pdf

OES Recommendations - Phase I 90973.pdf

OES Recommendations - Screening 90973 Revised .pdf

OES Recommendations - Screening 90973.pdf

Phase II 90973 - Revised 8-9-2018.pdf

Phase II 90973.pdf

Project Related Correspondence 90973.pdf

Project Related Correspondence Containing OES Decision 90973.pdf

Project Related ODOT District 4 Decision - ESA 107321.pdf

Project Related OES Decision - ESA 90973.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

OES Section 106 Effect Determination.pdf

Ecological

Coordination with ODNR and USFWS PID 107321.pdf

Coordination with ODNR PID 90973.pdf

Coordination with USFWS PID 90973.pdf

ODNR Comments PID 90973.pdf

ODOT Disposition of Agency Comments - 107321.pdf

ODOT Disposition of Agency Comments - 90973.pdf

OES Approval - No ODNR and USFWS Notification PID 90973.pdf



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USFWS Comments Consult Form STA-77-8.40 PID 107321.pdf

USFWS Comments Consult Form STA-77-8.88 PID 107321.pdf.pdf

USFWS Comments PID 90973.pdf

Wetlands Finding.pdf

Underserved Populations

Census Mapping.pdf

Underserved Populations Documentation Form.pdf

Public Involvement

Press Release.pdf

Project Website Posting.pdf

Public Notification Letter.pdf

Stakeholder Contact List.pdf

Stakeholder Meeting Exhibits 3-7-2018.pdf

Stakeholder Meeting Minutes or Notes - 3-7-2018.pdf

Stakeholder Meeting Minutes or Notes 12-14-2017.pdf

Stakeholder Meeting Minutes or Notes 3-7-2018 .pdf

Stakeholder Meeting Sign In Sheet 3-7-2018.pdf

Stakeholder Notification.pdf

Permits

Coordination with Local Floodplain Administrator - 107231.pdf

Coordination with Local Floodplain Administrator - 90973.pdf

Local Floodplain Administrator Approval - 90973.pdf

Local Floodplain Administrator Approval Final - 107231.pdf

Local Floodplain Administrator Approval Final - 90973.pdf

Recoordination with Local Floodplain Administrator - 90973.pdf

Summary of Flood Plain Impacts - Website Posting.pdf