



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

POR SR 0044 00.00 PID 96555

Environmental Document Level: C2

Approved: 8/10/2021

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 14, 2020, and executed by FHWA and ODOT.

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C2

PID:	96555
Project Sponsor:	DISTRICT 4-PLANNING
ODOT District:	4
Funding Source:	Non-Federal
Does this project require a Federal permit or approval?	Yes
Private Funding:	No
Project Description:	

The Ohio Department of Transportation (ODOT) proposes to mill/resurface approximately 8.37 miles of State Route (SR) 44 from the Portage County/Stark County Line, Straight Line Mile (SLM) 0.00, to Interstate Route 76, SLM 8.37, in Randolph and Rootstown Townships, Portage County. Additional improvements proposed by this project include full/partial depth pavement repairs, catch basin/manhole/inlet/monument box adjustments to grade, edge line/center line rumble stripe installations, new curb ramp installations in compliance with Americans with Disabilities Act (ADA) standards, install new traffic signal loop detectors, new center line/edge line/lane line/channelizing line/stop line/crosswalk line/other pavement markings applications, raised pavement marker removal and replacement and SR 44/Bower Road intersection shoulder reconstruction to improve the turning radius in the northwest quadrant of the intersection. The mill/resurfacing limits do not include the SR 44/U. S. Route 224 intersection and the SR 44/County Road 18-Tallmadge Road intersection because the existing SR 44 pavement sections within these intersections were replaced as part of prior intersection safety improvement projects and are not deficient. Moreover, the project also proposes maintenance on four (4) bridge structures along SR 44 within the mill/resurfacing limits. These proposed structure maintenance activities are summarized below.

1. POR-44-0240/Structure File Number (SFN) 6701396: resurface the existing bridge deck, seal exposed concrete surfaces of the headwalls and wing walls, remove above ground vegetation within 15 feet of the structure and install new structure identification signs.
2. POR-44-0277/SFN 6701426: resurface the existing bridge deck, seal exposed concrete surfaces of the headwalls and wing walls, remove above ground vegetation within 15 feet of the structure, repair erosion along the top of the wingwall at forward/rear left and rear right of the bridge, repair voids under the pavement at all four corners of the bridge, clean-out the inlet and outlet channel within the right-of-way and install new structure identification signs.
3. POR-44-0503/SFN 6701450: patch the concrete substructure and seal patched areas and other exposed concrete surfaces with Epoxy Urethane sealer, replace the existing bridge and approach railing, clean-out the stream channel, remove above ground vegetation within 15 feet of the structure and install new structure identification signs.
4. POR-44-0822/SFN 6701485: resurface the existing bridge deck, pave the existing structure corrugated metal pipe (CMP) invert with concrete and treat rusted areas of CMP above the invert, repair erosion at the CMP inlet and outlet, remove above ground vegetation within 15 feet of the structure and install new structure identification signs.



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

A minimum of one ten-foot bidirectional lane of traffic shall be maintained on the existing pavement or completed pavement during project construction. Detours are not proposed to construct the project. Construction and lane restriction/reduction information will be posted within the project construction limits prior to the start of project construction. Access shall be maintained to all adjacent properties, businesses and intersecting side streets for the duration of the project. Substantial traffic disruptions are not expected during project construction.

The project will be constructed within the existing roadway right-of-way.

Existing utilities within the project study area will not be impacted/relocated to construct the project.

Based on the project scope of work, its Path 1 Project Development Process (PDP) Classification and the proposed maintenance of traffic measures, emergency/public services contact activities were not conducted for the project.

The proposed SR 44 pavement and structure maintenance activities will focus on existing operational right-of-way. All work areas are considered to have been previously disturbed by the existing modern roadway and pedestrian facilities. Review of the Ohio State Historic Preservation Office (SHPO) on-line mapping system and the 2009 Ohio DOT Historic Bridge Inventory (accepted April 28, 2010) identified historic properties within proximity of the project. However, the project will not remove or alter any buildings or features of the NRHP/NRHP-eligible properties and the project is not located in proximity to any historic district.

Moreover, the bridges with proposed maintenance activities are of a type and date of construction determined not eligible for inclusion on the NRHP pursuant to the 2009 Ohio DOT Historic Bridge Inventory (accepted April 28, 2010). In accordance with Stipulation V(C)(1) and Appendix A of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319), amended on July 11, 2019, ODOT determined the project is a type of undertaking that has 'minimal potential to cause effects' to historic properties and is not a part of a larger undertaking. See the cultural resources documentation for the project in the Project File/Cultural Resources/Project Information subsection and the Cultural Resources Tab.

Based on the information in the Regulated Materials Review (RMR) Form completed for the project, further RMR activities or special materials management are not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports subsection.

The proposed structure maintenance activities will permanently impact approximately 210 linear feet of stream channel and 0.01 acre of a Modified Category 2 wetlands. Moreover, the project will remove approximately 0.013 acre of potential suitable wooded habitat (SWH) for federal/state listed threatened and endangered bat species. See the ecological documentation for the project in the Project File/Ecological/Reports subsection.

The project is located within the Special Flood Hazard Areas (SFHA) established for Randolph Ditch, Congress Lake Outlet, Breakneck Creek, Hudson Ditch and Reed Ditch. The proposed pavement and structure maintenance activities are considered maintenance that does not change the alignment, grade or hydraulic capacity of the existing structures. Therefore, the project is exempt from the normal permit process required for work encroaching on a SFHA. Floodplain coordination is not required for the project. However, a letter was sent to the local floodplain coordinator as a courtesy notification of the proposed bridge maintenance activities within the designated SFHAs. See the floodplains documentation for the project in the Project File/Permits/Floodplains subsection.

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

The environmental document and associated studies, as applicable, were approved using the Stage 2 Design plans for the project. A copy of the Stage 2 Design plans for the project is included in the Project File/General/Project Information subsection as Stage 2 Design.pdf.

The estimated total project cost specified in Ellis agrees with the total project cost specified in the ODOT



State Fiscal Years 2021 - 2024 Statewide Transportation Improvement Program (STIP).

STIP Reference #:

102394: 21-24 STIP/SLI Group Project. Fiscal constraint is at SLI Group level.

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.

Waterways: Present; No Coast Guard, Individual 404, and/or Section 10 Permit required

Waterways Permit Type: Permit Determination and/or Permit Application Approval Pending

Isolated Wetland Permit No

Will any wetlands be impacted? Yes

Endangered Species: Present; No finding of May Affect, Likely to Adversely Affect



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Endangered Species - Coordination	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	07/21/2021
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:	04/16/2021
Section 4(f):	Present; No Impacts and/or Access Restrictions
Section 6(f):	Not present
Cultural Resources:	Present; No Finding of Adverse Effect
Cultural Resources Coordination:	Minimum Potential to Cause Effect Appendix A
Cultural Resources Coordination - ODOT Approval/SHPO Concurrent Date	05/25/2021
Since no Tribe was interested in this project based on their customized preferences, no further Tribal consultation was conducted.	
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:	
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	05/25/2021
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

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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



Ecological

Wetlands

ESR Name:	Wetland ID:	Hydrologic connection:	Wetland category:	Estimated total size (ac.):	Total estimated impact area by alternative (ac.):
POR-44-050 3	Wetland A	Adjacent	Modified Category 2	13.0	0.01

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

Total impact to all wetlands (ac.): 0.01

Total acres of non-isolated wetlands impacted: 0.01

Total acres of isolated wetlands impacted: 0

In accordance with Executive Order 11990 - USDOT Order 5660.1A, this Wetland Finding has been prepared to document that wetlands have been avoided to the extent possible to minimize the long and short term adverse impacts associated with the destruction or modification of wetlands, and to document that there are no practicable alternatives to avoid construction in wetlands.

An analysis of the 'Do Nothing' alternative indicates that it is not practicable because (check all that apply):

It Would Not Correct Existing Condition and Maintenance Problems.

An analysis of improvements that avoid all wetland impacts indicates that they are not practicable because (check all that apply):

They Will Substantially Increase Project Costs.

They Will Result in Substantial Social, Economic, or Environmental Impacts.

They Will Not Meet the Identified Needs of the Project.

Include justification supporting the decisions noted above:

The No Build alternative does not meet the project's Purpose & Need to address the existing deteriorated bridge structure conditions. Avoidance of wetlands impact may result in structure deterioration that may result in preventable structure deterioration, shortened structure life and unsafe conditions for the traveling public. Moreover, construction of an alternative bridge feature will result in a substantive increase in environmental and right-of-way impacts, and project cost.

All practicable measures have been considered and incorporated into the project design to avoid,



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minimize, wetland impacts. The wetland impact minimization measures that will be followed for the project are documented in the environmental commitments for the project. Wetland mitigation for unavoidable impacts will be provided if required by the Clean Water Act or Ohio isolated wetland law, as regulated by the US Army Corps of Engineers and Ohio EPA regulations (33 CFR parts 325 and 332 and 40 CFR part 230, and OAC 3745-01-54), and (ORC 6111.027). No practicable alternatives exist for the proposed construction in wetlands, and the proposed action includes all practicable measures to minimize harm to the wetlands that may result from such use.

Remarks:

The Contractor shall demarcate all aquatic resources in the field per SS 832. Areas marked for avoidance will be protected during project construction accordingly.



Environmental Commitments

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1) Mussels are present at Bridge No. POR-44-0503 within the project construction footprint. Proposed stream channel clean-out operations will be performed in Stream 1 (Unnamed Tributary of Potter Creek) at Bridge No. POR-44-0503. To avoid impacts to mussels, a relocation of the mussels will be conducted prior to the start of instream construction activities in Stream 1 (Unnamed Tributary of Potter Creek) at Bridge No. POR-44-0503.

2) The project designer shall incorporate the following note into the plans.

ENDANGERED SPECIES HABITAT - INDIANA BAT/NORTHERN LONG-EARED BAT - STRUCTURE NO. POR-44-0822 -

THE PROJECT IS LOCATED WITHIN THE KNOWN HABITAT RANGES OF THE FEDERALLY LISTED AND PROTECTED INDIANA BAT AND NORTHERN LONG-EARED BAT. NO TREES SHALL BE REMOVED FROM APRIL 1 THROUGH SEPTEMBER 30 AT THE POR-44-0822 BRIDGE STRUCTURE LOCATION. ALL NECESSARY TREE REMOVAL TO BE PERFORMED AT THE POR-44-0822 BRIDGE STRUCTURE LOCATION 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.



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Preparers and Approvals

Form Preparer

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Supporting Form Preparer(s):

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Mark Andrasik

Approvals & Electronic Signatures

Approved & Electronically Signed By:	Approval Date:
Edward Deley (PROGRAM ADMIN 3)	8/10/2021



Appendix

General

County Map.pdf

USGS Quadrangle Topographical Map.pdf

Cultural Resources

Records Check.pdf

Ecological

ODNR Scenic River MOA Conditions

USFWS/ODNR Ecological MOA Conditions

Underserved Populations

Census Mapping.pdf

Underserved Populations Documentation Form.pdf

Public Involvement

Correspondence with Stakeholders.pdf

Permits

Correspondence with Local Floodplain Administrator.pdf

District Determination - No Floodplain Impacts.pdf

FEMA FIRM.pdf