



OHIO DEPARTMENT OF TRANSPORTATION

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

Environmental Document

for

SUM IR 0077 24.18 PID 97536

Environmental Document Level: C2

Approved: 3/3/2021

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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.

Table of Contents

C2.....	3
Environmental Commitments.....	8
Preparers and Approvals.....	9
Appendix.....	11



C2

PIDs:	97536, 111404, 111405
Project Sponsor:	DISTRICT 4-PLANNING
ODOT District:	4
Funding Source:	Federal
Private Funding:	No

Project Description:

The Ohio Department of Transportation (ODOT) proposes to increase lane capacity along Interstate Route (IR) 77 from southwest of the Cleveland-Massillon Road Bridge at Straight Line Mile (SLM) 24.12 to IR 80/Ohio Turnpike in the city of Fairlawn, village of Richfield and Bath and Richfield Townships, Summit County. The project study area consists of an existing four-lane divided highway, two lanes in each direction, with service/system interchanges. The project proposes to widen approximately 9.47 miles of IR 77 to six lanes, three lanes in each direction. Additional improvements proposed by the project include ramp widening/turn lane addition at the existing IR 77/Ghent Road interchange and the IR 77/Wheatley Road interchange, bridge rehabilitation/widening, noise barrier construction, drainage improvements, culvert replacement/rehabilitation, lighting improvements, pavement marking applications and new traffic sign installations. The project will be constructed by two separate construction contracts. The first construction contract will be constructed as SUM IR 77 - 24.12; PID 111404; from the IR 77/Ghent Road interchange to Everett Road/SLM 28.75 while the second construction contract will be constructed as SUM IR 77 - 28.75; PID 111405; from Everett Road to the IR 77/IR 80-Ohio Turnpike interchange.

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.

Based on the preliminary plans, minor strip right-of-way will be required to accommodate the necessary culvert replacement/rehabilitation activities. The proposed widening will occur within the existing highway median for the entire project. The project will not displace any residences, businesses, institutions or farms.

The extent of construction required beyond the existing IR 77 right-of-way will be determined during Stage 1 plan development for the project.

Two lanes of traffic in each direction will be maintained on the existing pavement or completed pavement at all times during project construction. However, short-term, temporary ramp closures will be necessary to construct the project. Construction, lane restrictions and ramp closure/detour information will be posted within the project limits prior to the start of construction and this information will be updated and posted prior to each change in construction phase/travel pattern during project construction. Substantial traffic disruptions are not expected to construct the project.

Minor relocations of existing utilities within the project study area will be necessary to construct the project. These minor utility relocations will occur within the existing highway/roadway rights-of-way. Utilities will not be permanently removed to construct the project. Coordination with the utility companies affected by the proposed construction activities was conducted for the project during its preliminary engineering phase and will continue during its detailed design phase.

The original literature search and the current study determined that no historic properties are found in the project construction area or the project area of potential effects (APE). Highway modernization project



Environmental Document Level: C2

PID 97536 SUM IR 0077 24.18

Approved: 3/3/2021

including pavement upgrades and maintenance on non-historic bridges are exempt from further cultural resource consideration by the 11/8/2017 Cultural Resource PA (Agreement 19319 and amended on July 11, 2019), if the project is not within the boundaries of any Historic Property or National Register of Historic Places listed District. In accordance with Stipulation V(C)(1) and Appendix B of the Section 106 Programmatic Agreement executed on November 8, 2017 (Agreement No. 19319), amended on July 11, 2019, ODOT Office of Environmental Services (OES) 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.

A Qualitative Mobile Source Air Toxic (MSAT) analysis was prepared for the project in July 2015. Upon review of the initial MSAT analysis, Ohio Environmental Protection Agency (EPA) stated the project qualifies as a project of "Low Potential for Meaningful MSAT Effects" according to the FHWA Interim Guidance Update on Mobile Source Air Toxic Analysis in NEPA (December 6, 2012). A reevaluation of the MSAT analysis was conducted for the project in August 2020 to verify and document any appreciable difference in overall MSAT emissions under the 'Build' or 'No Build' alternative for this project. The updated traffic volumes for the 'No Build' and 'Build' alternatives in the updated Year 2024 and Year 2048 yield no appreciable increase in overall MSAT emissions compared to the initial Year 2020 and Year 2040 'No Build' and 'Build' alternatives. Since there are only minor increases in Existing and Design Year ADT since 2015, no further MSAT air quality coordination is required for the project. See the MSAT air quality documentation for the project in the Project File/Air/Reports and Coordination subsections.

Additionally, a PM 2.5 Project Level Conformity Determination Request for Nonexempt Projects was also provided to Ohio EPA and the U. S. EPA. Both the Ohio EPA and the U. S. EPA concurred the proposed project is not of air quality concern and that a PM 2.5 hot spot analysis is not required for the project. See the PM 2.5 air quality documentation for the project in the Project File/Air/Coordination subsection and the Project File/Air and Noise/Coordination subsection.

Highway traffic noise was evaluated for the project by two separate traffic noise analyses. The section of the project from southwest of the Cleveland-Massillon Road Bridge to the IR 77/SR 21-Brecksville Road Interchange was included in the September 2016 traffic noise analysis completed for SUM IR 77 -24.18; PID 97536; while the section of the project from the IR 77/SR 21-Brecksville Road Interchange to the IR 77/IR 80-Ohio Turnpike interchange was included in the traffic noise analysis for CUY/SUM IR 77 -0.00/32.73; PID 79671. The results of these traffic noise analyses determined one recommended noise barrier located in the southeast quadrant of the IR 77/Ghent Road interchange, adjacent to the Lenox Village Apartments, to be both feasible and reasonable. Consequently, an approximately 1,200-foot long noise barrier with an average height of 14 feet is recommended to proceed into the noise public involvement phase as a result of the project. Based on a four-year lapse from completion of the traffic noise analyses for the project, a re-evaluation of the noise sensitive areas (NSAs) along the project study area was conducted to identify any newly planned or constructed development with noise sensitive land uses. The results of the re-evaluation found no evidence of any new or planned noise sensitive land uses. Subsequently, ODOT OES determined no further noise analysis is needed for the SUM IR 77 - 24.18; PID 97536; project and stated the next step is to move the recommended noise barrier into the noise public involvement phase. See the noise documentation for the project in the Project File/Noise/Reports, Project Information and Coordination subsections.

Based on the information in the Regulated Materials Review (RMR) Screening completed for the project, ODOT OES determined further RMR activities or special material management are not warranted for the project. See the RMR documentation for the project in the Project File/ESA/Reports and Coordination subsections.

Thirty-two (32) streams and twenty-three (23) wetlands are located within the project study area, comprising 13,128 linear feet of stream channel and 3.396 acres of wetlands. The project will impact a total of approximately 6,261 linear feet of stream channel and a total of approximately 1.81 acres of wetlands to be



Environmental Document Level: C2

PID 97536 SUM IR 0077 24.18

Approved: 3/3/2021

classified as single/complete impacts by the U. S. Army Corps of Engineers. Therefore, the project will not require an Individual Section 404/Section 401 waterway permit. See the ecological resources documentation for the project in the Level 1 Ecological Survey - Revised Jan 2021.pdf and agency coordination in the Project File/Ecological/Reports and Coordination subsections.

The project will impact a total of approximately 14.26 acres of Suitable Wooded Habitat (SWH) for the Federal-listed Indiana bat (*Myotis sodalis*) and Northern Long-eared Bat (*Myotis septentrionalis*) during construction. All of the impacted SWH is located within 100 feet of the edge of IR 77 pavement. The project may affect, not likely to adversely affect these species. The project will have no effect on any other Federal-listed species. Moreover, the project will have no impact and will not likely to impact any state-listed threatened/endangered species or their habitats. See the threatened/endangered species documentation for the project in the Level 1 Ecological Survey - Revised Jan 2021.pdf and agency coordination in the Project File/Ecological/Reports and Coordination subsections.

See continuation of the project description in the Project File/General/Project Information subsection as Project Description Continued.pdf.

STIP Reference #:

111404: 21-24 STIP/111405: 21-24 STIP.

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.



Environmental Document Level: C2

PID 97536 SUM IR 0077 24.18

Approved: 3/3/2021

Waterways:	Present; No Coast Guard, Individual 404, and/or Section 10 Permit required
Waterways Permit Type:	Permit Determination and/or Permit Application Approval Pending
Isolated Wetland Permit	No
Endangered Species:	Present; No finding of May Affect, Likely to Adversely Affect
Endangered Species - Coordination	May Affect, Not Likely to Adversely Affect
Endangered Species - Coordination Date	06/30/2020
Endangered Species - Critical Habitat Present/Impacted	
Indiana bat	
Northern long-eared bat	
Endangered Species - Other Critical Habitat Present/Impacted:	No
100-Year Floodplain:	No Encroachment Within a Special Flood Hazard Area (SFHA)
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 Concurrent Date	08/26/2020
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 and Coordination Conducted; No Impacts
Air Quality - Agency Coordination:	Qualitative MSAT
Air Quality - OEPA Approval Date:	08/20/2015
Noise:	Studies and Coordination Conducted; No Impacts
Noise Coordination:	Noise Analysis Completed



Environmental Document Level: C2

PID 97536 SUM IR 0077 24.18

Approved: 3/3/2021

Noise Coordination - OES Approval Date:	09/14/2016
Hazardous Materials - ESA Screening Conducted	Yes
Hazardous Materials - OES Approval Date:	08/31/2016
Phase I ESA Warranted Based on Coordination with OES:	No Further Studies Warranted
Farmland:	Non-Urbanized Area; No Impacts in Accordance With the Farmland MOU, 7 CFR 658, and ORC 929.05
Scenic Rivers	No National Wild and Scenic River Within 1000 Feet of the Proposed Project Area
Projects that meet C2 criteria must be in accordance with ODOT's UP Guidance and activities conducted for Public Involvement are commensurate to the project's type and scope of work.	
Underserved Populations	Does Not Exceed UP Guidance Criteria; No UP Analysis Report Required and No UP Issues Raised During Public Involvement
Public Involvement:	Minimum PI Requirements Met; No Minor Public or Agency Controversy on Environmental Grounds
Environmental Commitments	Yes



Environmental Commitments

C2

1) ODOT shall obtain all appropriate waterway permits for the project prior to any work within the jurisdictional boundary of any waterway, including wetlands, and all Waterway Permit Conditions for the project shall be incorporated into the project plans as Special Provisions.

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

ENDANGERED SPECIES HABITAT - INDIANA BAT/NORTHERN LONG-EARED BAT: 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. ALL NECESSARY TREE REMOVAL SHALL OCCUR FROM OCTOBER 1 THROUGH MARCH 31. THIS REQUIREMENT IS NECESSARY TO AVOID AND MINIMIZE IMPACTS TO THESE SPECIES AS REQUIRED BY THE ENDANGERED SPECIES ACT. FOR THE PURPOSES OF THIS NOTE, A TREE IS DEFINED AS A LIVE, DYING, OR DEAD WOODY PLANT, WITH A TRUNK THREE INCHES OR GREATER IN DIAMETER AT A HEIGHT OF 4.5 FEET ABOVE THE GROUND SURFACE, AND WITH A MINIMUM HEIGHT OF 13 FEET.

3) ODOT shall conduct the noise public involvement phase for the recommended noise barrier located in the southeast quadrant of the IR 77/Ghent Road interchange, adjacent to the Lenox Village Apartments.



Environmental Document Level: C2

PID 97536 SUM IR 0077 24.18

Approved: 3/3/2021

Preparers and Approvals

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Approvals & Electronic Signatures

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



Appendix

General

County Map.pdf

Project Description Continued.pdf

USGS Quadrangle Topographical Map.pdf

Air

Conformity Determination Request - PM 2.5.pdf

OEPA Approval - Qualitative MSAT.pdf

OES Approval - Air Quality Re-Evaluation_083120.pdf

Noise

OES Approval - Noise Re-evaluation_083120.pdf

ESA

OES Recommendations - Screening.pdf

Cultural Resources

Minimal Potential to Cause Effect - Appendix B

Minimal Potential to Cause Effects - A or B.pdf

Section 106 Request for Review.pdf

Ecological

consultation letter.docx

Coordination with Agencies - Level 2 Ecological Survey.msg

Coordination with ODNR and USFWS.pdf

Coordination with OEPA.pdf

Coordination with USACE.pdf

Eco Coordination 4.msg

Level 1 Ecological Survey PID 97536.pdf

Level 1 Ecological Survey revised 8-13-2020 With Effect Call.pdf

Level 2 Ecological Survey.pdf

ODNR Comments.pdf

OEPA Comments.pdf

updated ODNR Comments.pdf



Environmental Document Level: C2

PID 97536 SUM IR 0077 24.18

Approved: 3/3/2021

USFWS Comments - Signed Consult Form.pdf

Wetland Finding.pdf

Other Resources

Census Bureau Urbanized Area Map.pdf

Underserved Populations

Census Mapping 2.pdf

Census Mapping.pdf

Underserved Populations Documentation Form.pdf

Public Involvement

News Article Akron Beacon Journal.pdf

News Article Akron.com.pdf

News Article Cleveland.com 2.pdf

News Article Cleveland.com.pdf

ODOT Project Websites.pdf

Press Release.pdf

Public Comments Received.pdf

Response to Public Comments.pdf

Permits

FEMA FIRM 2.pdf