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Statutory Authority: R.C. 6111.041

Rule Amplifies: R.C. 6111.041

Prior Effective Dates: 4/4/1985, 8/19/1985, 9/20/1988, 5/1/1990, 7/5/1991, 7/1/1992, 4/26/1997, 3/29/2001, 7/21/2002

Division of Surface Water

# Ohio 2010 Integrated Water Quality Monitoring and Assessment Report

*Prepared to fulfill the requirements of  
Sections 303(d), 305(b), and 314 of the Clean Water Act*



**Final Report  
March 8, 2010**

Ted Strickland, Governor  
Chris Korleski, Director

Ohio 2010 Integrated Report

## Section L

**Summary Tables  
of Waterbody  
Conditions, List  
of Prioritized  
Impaired Waters,  
and Monitoring  
and TMDL  
Schedules**

Section L contains tables showing the 303(d) listing details for each of the assessment unit types:

Section L1: Status of Watershed Assessment Units

Section L2: Status of Large River Assessment Units

Section L3: Status of Lake Erie Assessment Units

Section L4: Section 303(d) List of Prioritized Impaired Waters (Category 5)

Section L5: Monitoring and TMDL Schedules for Ohio's Watershed and Large River Assessment Units

Section L6: Category 4B Demonstrations Contained in Approved Ohio TMDLs to Date

In Sections L1 through L5, there are four columns labeled, in order, "Human Health," "Recreation," "Aquatic Life" and "PDW Supply." These four columns represent each beneficial use included in the 303(d) list of impaired waters, and the numbers in the columns represent the category for that assessment unit for that beneficial use. The categories are defined below.

**Category definitions for the 2010 Integrated Report and 303(d) list**

Category <sup>1</sup>		Subcategory	
0	No waters currently utilized for water supply		
1	Use attaining	h	Historical data
		x	Retained from 2008 IR
2	Not applicable in new (2010) Ohio system		
3	Use attainment unknown	h	Historical data
		i	Insufficient data
		x	Retained from 2008 IR
4	Impaired; TMDL not needed	A	TMDL complete
		B	Other required control measures will result in attainment of use
		C	Not a pollutant
		h	Historical data
		n	Natural causes and sources
		x	Retained from 2008 IR
5	Impaired; TMDL needed	M	Mercury
		h	Historical data
		x	Retained from 2008 IR

<sup>1</sup> Shading indicates categories defined by U.S. EPA; additional categories and subcategories are defined by Ohio EPA.

## Section L1. Status of Watershed Assessment Units

Assessment Unit	Assessment Unit Name	Sq. Mi. in Ohio	Human Health	Recre- ation	Aquatic Life	PDW Supply	Priority Points	Next Field Monitoring	Projected TMDL
05040001 07 02	Irish Creek	18.9	3	3	3x	0	0	2012	2015
05040001 07 03	Dining Fork	14.8	3	3	3x	0	0	2012	2015
05040001 07 04	Headwaters Middle Conotton Creek	15.2	3	3	3x	0	0	2012	2015
05040001 07 05	North Fork McGuire Creek	26.7	3	3	3x	0	0	2012	2015
05040001 07 06	McGuire Creek	23.0	3	3	3x	0	0	2012	2015
05040001 07 07	Headwaters Lower Conotton Creek	29.5	3	3	3x	0	0	2012	2015
05040001 08 01	Cold Spring Run-Indian Fork	32.9	3	3	3x	0	0	2012	2015
05040001 08 02	Pleasant Valley Run-Indian Fork	37.5	3	3	3x	1	0	2012	2015
05040001 08 03	Thompson Run-Conotton Creek	25.0	3	3	3x	0	0	2012	2015
05040001 08 04	Huff Run	13.9	3	3	5	0	1	2012	2015
05040001 08 05	Dog Run-Conotton Creek	35.2	3	3	3x	0	0	2012	2015
05040001 09 01	Little Sugar Creek	18.2	3	4Ax	4Ax	0	0	2017	2020
05040001 09 02	Town of Smithville-Sugar Creek	28.2	3	4Ax	4Ax	0	0	2017	2020
05040001 09 03	North Fork Sugar Creek	18.0	3	4Ax	4Ax	0	0	2017	2020
05040001 09 04	Town of Brewster-Sugar Creek	33.1	3	4Ax	4Ax	0	0	2017	2020
05040001 10 01	Upper South Fork Sugar Creek	35.0	3	4Ax	4Ax	0	0	2017	2020
05040001 10 02	East Branch South Fork Sugar Creek	28.2	3	4Ax	4Ax	0	0	2017	2020
05040001 10 03	Indian Trail Creek	16.4	3	4Ax	4Ax	0	0	2017	2020
05040001 10 04	Walnut Creek	31.7	3	4Ax	4Ax	0	0	2017	2020
05040001 10 05	Lower South Fork Sugar Creek	26.5	3i	4Ax	4Ax	0	0	2017	2020
05040001 11 01	Headwaters Middle Fork Sugar Creek	27.7	3	4Ax	4Ax	0	0	2017	2020
05040001 11 02	Misers Run-Middle Fork Sugar Creek	19.5	3	4Ax	4Ax	0	0	2017	2020
05040001 11 03	Beach City Reservoir-Sugar Creek	17.6	3i	4Ax	4Ax	0	0	2017	2020
05040001 11 04	Broad Run	19.7	3	4Ax	4Ax	0	0	2017	2020
05040001 11 05	Brandywine Creek-Sugar Creek	36.9	3	4Ax	4Ax	0	0	2017	2020
05040001 12 01	Pigeon Run	9.6	3	4A	4A	0	0	2017	2020
05040001 12 02	City of Massillon-Tuscarawas River	14.3	5	4A	4A	0	2	2017	2020
05040001 12 03	Wolf Creek-Tuscarawas River	52.1	5	4A	4A	0	3	2017	2020
05040001 12 04	Wolf Run-Tuscarawas River	37.2	5	4A	4A	0	3	2017	2020
05040001 13 01	Spencer Creek	24.0	3	3	3x	0	0	2012	2015
05040001 13 02	Headwaters Stillwater Creek	13.6	3	3	3x	0	0	2012	2015
05040001 13 03	Boggs Fork	36.7	3	3	3x	0	0	2012	2015
05040001 13 04	Buttermilk Creek-Stillwater Creek	48.0	3	3	3x	0	0	2012	2015

## Section L4. Section 303(d) List of Prioritized Impaired Waters

Assessment Unit	Assessment Unit Name	Sq. Mi. in Ohio	Human Health	Recreation	Aquatic Life	PDW Supply	Priority Points	Next Field Monitoring	Projected TMDL
05040001 10 05	Lower South Fork Sugar Creek	26.5	3i	4Ax	4Ax	0	0	2017	2020
05040001 11 01	Headwaters Middle Fork Sugar Creek	27.7	3	4Ax	4Ax	0	0	2017	2020
05040001 11 02	Misers Run-Middle Fork Sugar Creek	19.5	3	4Ax	4Ax	0	0	2017	2020
05040001 11 03	Beach City Reservoir-Sugar Creek	17.6	3i	4Ax	4Ax	0	0	2017	2020
05040001 11 04	Broad Run	19.7	3	4Ax	4Ax	0	0	2017	2020
05040001 11 05	Brandywine Creek-Sugar Creek	36.9	3	4Ax	4Ax	0	0	2017	2020
05040001 12 01	Pigeon Run	9.6	3	4A	4A	0	0	2017	2020
05040001 13 01	Spencer Creek	24.0	3	3	3x	0	0	2012	2015
05040001 13 02	Headwaters Stillwater Creek	13.6	3	3	3x	0	0	2012	2015
05040001 13 03	Boggs Fork	36.7	3	3	3x	0	0	2012	2015
05040001 13 04	Buttermilk Creek-Stillwater Creek	48.0	3	3	3x	0	0	2012	2015
05040001 16 01	Laurel Creek	28.7	3	3	3x	0	0	2012	2015
05040001 16 02	Crooked Creek	19.0	3	3	3x	0	0	2012	2015
05040001 16 03	Weaver Run-Stillwater Creek	16.1	3	3	3x	0	0	2012	2015
05040001 16 04	Town of Uhrichsville-Stillwater Creek	29.0	3	3	3x	3	0	2012	2015
05040001 17 01	Stone Creek	38.5	3	4A	4A	0	0	2017	2020
05040001 17 02	Oldtown Creek	19.3	3	4A	4A	0	0	2017	2020
05040001 17 03	Beaverdam Creek	22.0	3	4A	4A	0	0	2017	2020
05040001 18 01	Dunlap Creek	25.4	3	4A	4A	0	0	2017	2020
05040001 18 03	Buckhorn Creek	23.3	3	4A	4A	0	0	2017	2020
05040001 19 01	Evans Creek	24.2	3	4A	4A	0	0	2017	2020
05040001 19 02	West Fork White Eyes Creek	21.0	3	4A	4A	0	0	2017	2020
05040001 19 03	White Eyes Creek	33.1	3	4A	4A	0	0	2017	2020
05040002 02 02	Seymour Run-Black Fork	21.6	1	3	3	0	0	2023	2011
05040002 08 04	Sigafoos Run-Mohican River	28.5	3i	3	3	0	0	2023	2011
05040003 09 01	Mohawk Creek	25.6	3	3	1hx	1	0	2010	2013
05040003 09 03	Beaver Run	14.1	3	3	1hx	0	0	2010	2013
05040003 09 04	Simmons Run	16.5	3	3	1hx	0	0	2010	2013
05040003 09 05	Darling Run-Walhonding River	16.0	3i	3	1hx	0	0	2010	2013
05040003 09 06	Headwaters Mill Creek	26.9	3	3	1hx	0	0	2010	2013
05040003 09 07	Spoon Creek-Mill Creek	24.3	3	3	1hx	0	0	2010	2013
05040004 01 04	Jug Run-Wakatomika Creek	36.5	1	4Ax	4Ax	0	0	2018	2021
05040004 02 04	Town of Frazesburg-Wakatomika Creek	18.9	1	4Ax	4Ax	0	0	2018	2021

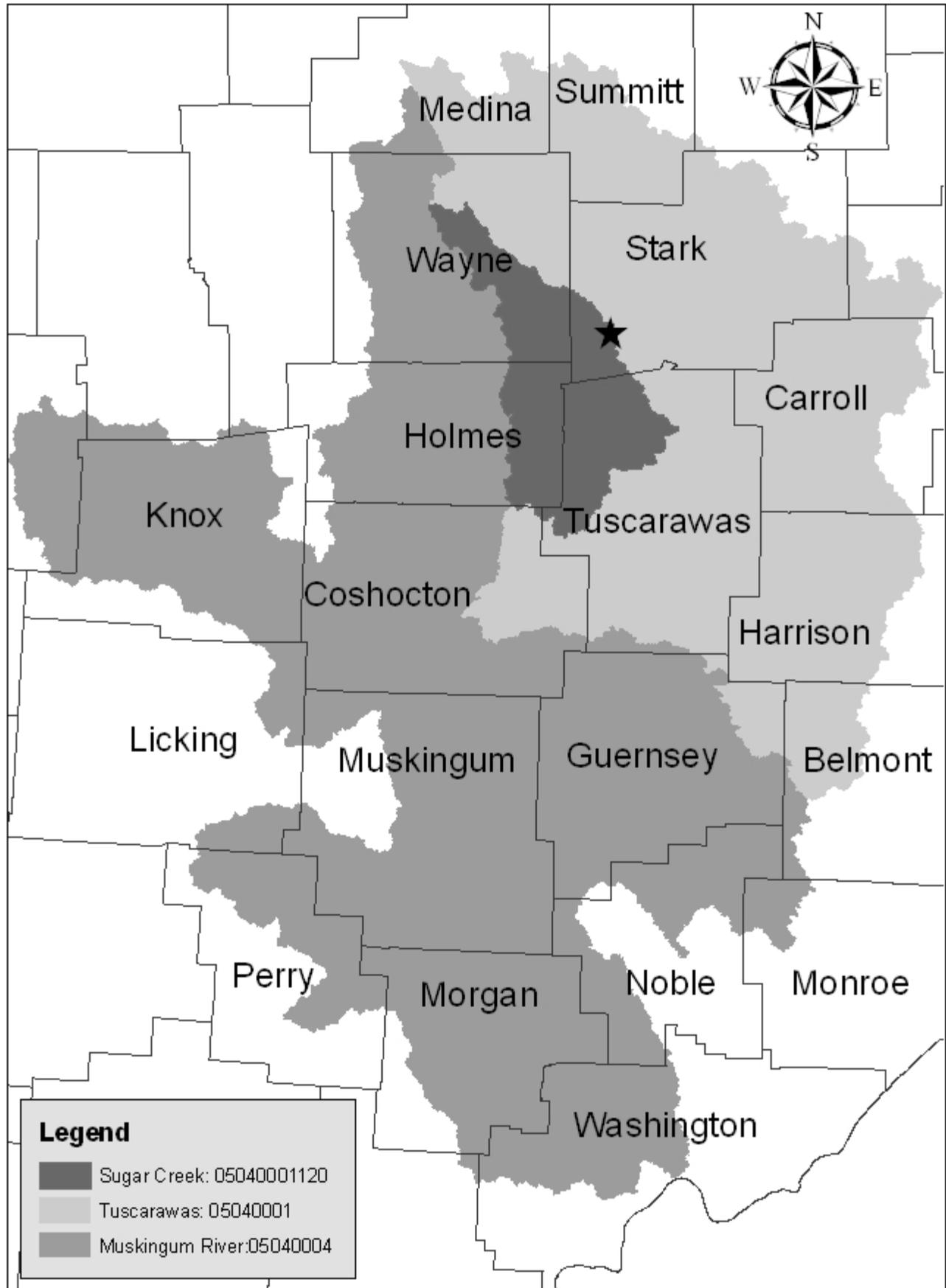
## Section L5. Monitoring and TMDL Schedules for Ohio's Watershed and Large River Assessment Units

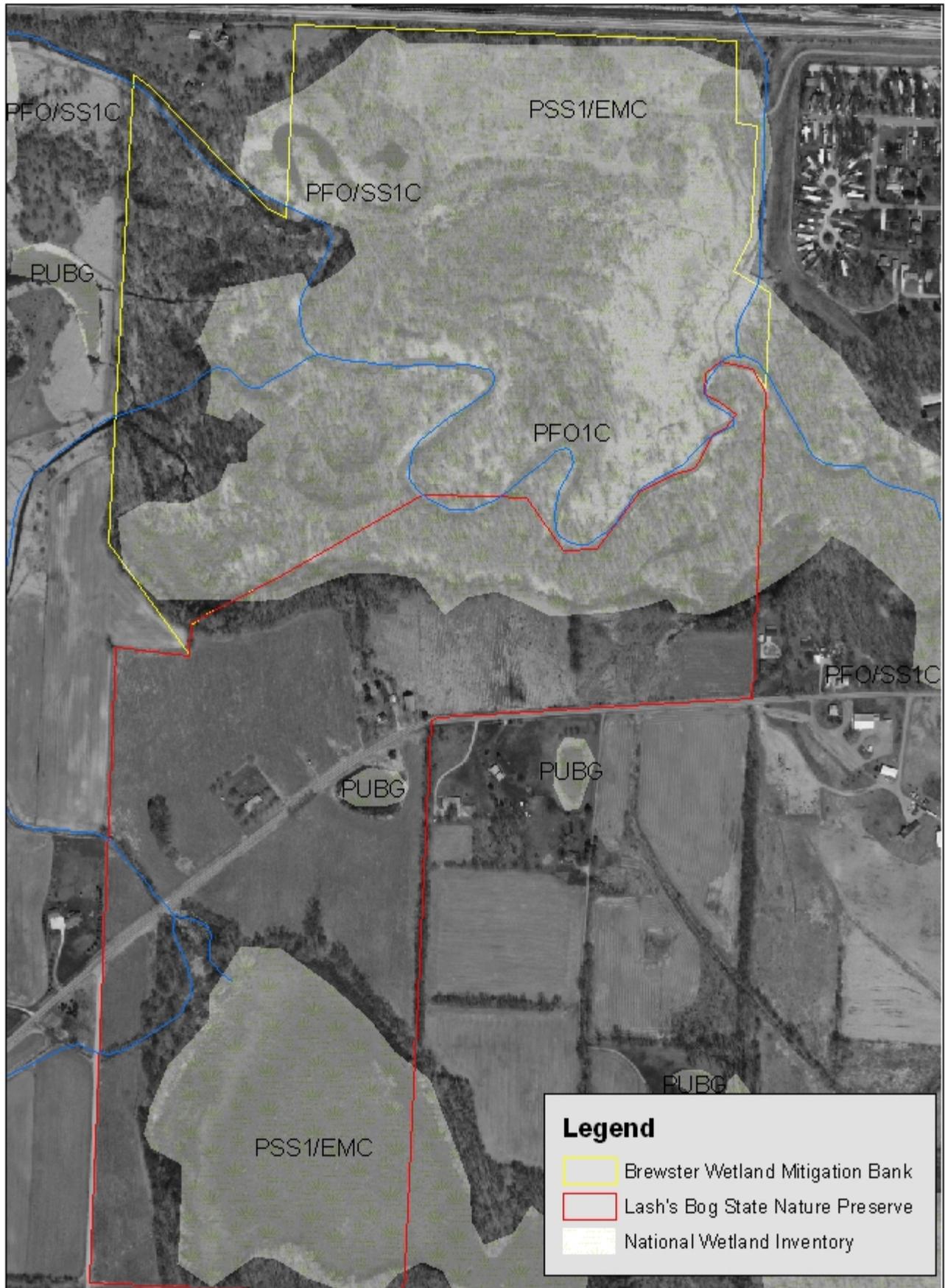
Assessment Unit	Assessment Unit Name	Sq. Mi. in Ohio	Human Health	Recre- ation	Aquatic Life	PDW Supply	Priority Points	Next Field Monitoring	Projected TMDL
05040001 05 03	West Branch Nimishillen Creek	46.7	5h	4A	5	0	3	2017	2009
05040001 05 04	City of Canton-Middle Branch Nimishillen Creek	26.0	5	4A	5	0	3	2017	2009
05040001 05 05	Sherrick Run-Nimishillen Creek	22.8	5h	4A	5	0	3	2017	2009
05040001 05 06	Town of East Sparta-Nimishillen Creek	20.6	5h	4A	5	0	3	2017	2009
05040001 09 01	Little Sugar Creek	18.2	3	4Ax	4Ax	0	0	2017	2020
05040001 09 02	Town of Smithville-Sugar Creek	28.2	3	4Ax	4Ax	0	0	2017	2020
05040001 09 03	North Fork Sugar Creek	18.0	3	4Ax	4Ax	0	0	2017	2020
05040001 09 04	Town of Brewster-Sugar Creek	33.1	3	4Ax	4Ax	0	0	2017	2020
05040001 10 01	Upper South Fork Sugar Creek	35.0	3	4Ax	4Ax	0	0	2017	2020
05040001 10 02	East Branch South Fork Sugar Creek	28.2	3	4Ax	4Ax	0	0	2017	2020
05040001 10 03	Indian Trail Creek	16.4	3	4Ax	4Ax	0	0	2017	2020
05040001 10 04	Walnut Creek	31.7	3	4Ax	4Ax	0	0	2017	2020
05040001 10 05	Lower South Fork Sugar Creek	26.5	3i	4Ax	4Ax	0	0	2017	2020
05040001 11 01	Headwaters Middle Fork Sugar Creek	27.7	3	4Ax	4Ax	0	0	2017	2020
05040001 11 02	Misers Run-Middle Fork Sugar Creek	19.5	3	4Ax	4Ax	0	0	2017	2020
05040001 11 03	Beach City Reservoir-Sugar Creek	17.6	3i	4Ax	4Ax	0	0	2017	2020
05040001 11 04	Broad Run	19.7	3	4Ax	4Ax	0	0	2017	2020
05040001 11 05	Brandywine Creek-Sugar Creek	36.9	3	4Ax	4Ax	0	0	2017	2020
05040001 12 01	Pigeon Run	9.6	3	4A	4A	0	0	2017	2020
05040001 12 02	City of Massillon-Tuscarawas River	14.3	5	4A	4A	0	2	2017	2020
05040001 12 03	Wolf Creek-Tuscarawas River	52.1	5	4A	4A	0	3	2017	2020
05040001 12 04	Wolf Run-Tuscarawas River	37.2	5	4A	4A	0	3	2017	2020
05040001 17 01	Stone Creek	38.5	3	4A	4A	0	0	2017	2020
05040001 17 02	Oldtown Creek	19.3	3	4A	4A	0	0	2017	2020
05040001 17 03	Beaverdam Creek	22.0	3	4A	4A	0	0	2017	2020
05040001 17 04	Pone Run-Tuscarawas River	21.4	5	4A	4A	0	3	2017	2020
05040001 18 01	Dunlap Creek	25.4	3	4A	4A	0	0	2017	2020
05040001 18 02	Mud Run-Tuscarawas River	52.4	5	4A	4A	0	3	2017	2020
05040001 18 03	Buckhorn Creek	23.3	3	4A	4A	0	0	2017	2020
05040001 18 04	Blue Ridge Run-Tuscarawas River	22.7	5	4A	4A	0	3	2017	2020
05040001 19 01	Evans Creek	24.2	3	4A	4A	0	0	2017	2020
05040001 19 02	West Fork White Eyes Creek	21.0	3	4A	4A	0	0	2017	2020
05040001 19 03	White Eyes Creek	33.1	3	4A	4A	0	0	2017	2020

**ATTACHMENT 11**

Mitigation Plan

# Brewster Wetland Mitigation Bank Service Area





0 375 750 1,500 Feet

Map Created: 10/13/2011



Warrant #                      Date                      Amount  
386032                      9/15/2011                      560.00

Pay Exactly:  
\*\*\*\* FIVE HUNDRED SIXTY DOLLARS AND 00/100

**VOID**

PAY                      THE WILDERNESS CENTER INC.  
TO THE                      PO BOX 202  
ORDER                      WILMOT                      OH 44689  
OF

*Larry Lindberg*  
Auditor

VOID AFTER 30 DAYS

⑈ 386032 ⑈ ⑆ 041215032⑆ 01120266011⑈

The attached warrant is issued in payment of the below items. Detach before depositing.

Vendor #                      21851                      THE WILDERNESS CENTER INC.

**VOID**

Check #                      386032  
Check Date                      9/15/2011  
Check Amount                      560.00

Customer Account #	Inv Amt	Inv #	Inv Date	PO #
	560.00	MIT.CREDITS	9/15/2011	928127
WETLAND MITIGATION CREDITS-CO.ENGINEER				
Fund/Acct      K00      E-1200-K000-K29		CONTRACTS-SERVICES		560.00

**OPTION TO PURCHASE WETLAND MITIGATION CREDITS**

WHEREAS, The Wilderness Center, Inc., an Ohio not-for-profit corporation, of P.O. Box 202, 9877 Alabama Avenue, S.W., Wilmot, Ohio 44689 ("TWC") can offer for sale Wetland Mitigation Credits in The Wilderness Center's Sugar Creek Wetland/Watershed In Lieu Fee Mitigation Initiative ("mitigation credits"); and

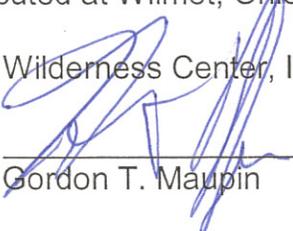
WHEREAS, Tuscarawas County Engineers Office located at 832 Front Avenue, SW New Philadelphia, Ohio 44683 seeks an option to consider the purchase of mitigation credits.

NOW, THEREFORE, UPON THE MUTUAL CONSIDERATION AS SET FORTH HEREIN, THE PARTIES AGREE AS FOLLOWS:

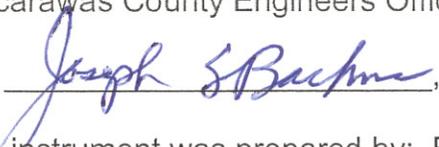
1. TWC hereby grants an option to Tuscarawas County Engineers Office to purchase 0.2 mitigation credits, offered for sale at the price of \$28,000.00 per mitigation credit, for a total price of \$5,600.00.
2. The price for this option is \$560 (10% of total) all of which will be applied to the purchase price, if this option is exercised by the Tuscarawas County Engineers Office on or before March 30, 2012.
3. If this option is not exercised by Tuscarawas County Engineers Office on or before March 30, 2012, then this option will expire.
4. If this option is exercised by Tuscarawas County Engineers Office on or before March 30, 2012, Tuscarawas County Engineers Office will then notify TWC, in writing and, at the same time, transmit the balance of the purchase price (\$5,040.00) to TWC.

Executed at Wilmot, Ohio, this 27 day of Sept., 2011.

The Wilderness Center, Inc.

By:  \_\_\_\_\_, its Executive Director  
Gordon T. Maupin

Tuscarawas County Engineers Office

By:  \_\_\_\_\_, its County Engineer

This instrument was prepared by: Robert J. Shedlarz, Attorney at Law, 4 E. Wooster St., P.O. Box 2, Navarre, OH 44662-0002  
Tel: (330) 879-2719  
FAX: (330) 879-3160  
E-Mail: RJSLEDLARZ@aol.com

**ATTACHMENT 12**

Final Categorical Exclusion Document Level 2



**CATEGORICAL EXCLUSION DOCUMENT  
LEVEL 2**

**WAYNE TOWNSHIP ROAD 62  
BRIDGE REPLACEMENT PROJECT  
TUS-TR 62-3.05 (PID 75580)**

**WAYNE TOWNSHIP,  
TUSCARAWAS COUNTY, OHIO**

**October 31, 2011**

**Prepared for:  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, Ohio 43223**

**Prepared by:  
BHE Environmental, Inc.  
11733 Chesterdale Rd.  
Cincinnati, Ohio 45246-4131  
Phone: 513.326.1500  
[www.bheenvironmental.com](http://www.bheenvironmental.com)**

**Notice: This report has been prepared by BHE Environmental, Inc., solely for the benefit of its client in accordance with an approved scope of work. BHE assumes no liability for the unauthorized use of this report or the information contained in it by a third party.**

# Table of Contents

<b>I. Categorical Exclusion – Level 2 Document.....</b>	<b>1-22</b>
---	-------------

## **II. Attachments**

### **Attachment A: Project Information**

Attachment A1 – Location: Street Map.....	23
Attachment A2 – Location: USGS 7.5 Minute Quadrangle Topographical Map.....	24
Attachment A3 – Location: Aerial Imagery Mapping.....	25
Attachment A4 – Photo Log.....	26-41

### **Attachment B: Project Plans**

Attachment B1 – Project Plans.....	42-49
------------------------------------	-------

### **Attachment C: Ecological Resources**

Attachment C1 – Ecological Resource Map Illustrating Wetlands and Streams....	50
Attachment C2 – ODOT-OES Agency Coordination.....	51-54
Attachment C3 – Agency Responses.....	55-63
Attachment C4 – Ecological Resource Map Illustrating Vegetation Communities..	64
Attachment C5 – Ohio Biodiversity Database Search.....	65-67

### **Attachment D: Drinking Water Resources**

Attachment D1 – OEPA Drinking Water Resources Map.....	68
Attachment D2 – ODNR Water Well Log and Drilling Report.....	69

### **Attachment E: Floodplain Resources**

Attachment E1 – FEMA Map of Project Area.....	70
---	----

### **Attachment F: Farmland Resources**

Attachment F1 – FPPA Screening Sheet.....	71
---	----

### **Attachment G: Cultural Resources**

Attachment G1 – ODOT-OES IOC Clearance for Cultural Resources.....	72-74
--	-------

### **Attachment H: Section 4(f) and Section 6(f) Resources**

Attachment H1 – OWJ Section 4(f) Concurrence (ODNR & MWCD).....	75-78
Attachment H2 – Land and Water Conservation Fund Properties.....	79

### **Attachment I: Air Quality**

Attachment I1 – Ohio Air Quality Areas (PM2.5).....	80
---	----

### **Attachment J: Community Impacts**

Attachment J1 – US Census Bureau Wayne Township Poverty.....	81-82
Attachment J2 – US Census Bureau Wayne Township Minorities .....	83-84
Attachment J3 – US Census Bureau Wayne Township Disabled.....	85
Attachment J4 – US Census Bureau Tuscarawas County Poverty.....	86-87
Attachment J5 – US Census Bureau Tuscarawas County Minorities .....	88-89
Attachment J6 – US Census Bureau Tuscarawas County Disabled .....	90-91
Attachment J7 – USEPA EnviroMapper EJ Map, Low Income.....	92
Attachment J8 – USEPA EnviroMapper EJ Map, Minorities.....	93

## Table of Contents

### **Attachment K: Public Involvement**

Attachment K1 – Letter to Property Owner.....	94
Attachment K2 – Newspaper Notice (Times Reporter).....	95
Attachment K3 – Newspaper Notice (Bargain Hunter).....	96
Attachment K4 – Tuscarawas County Public Notice Press Release.....	97

### **Attachment L: Hazardous Materials**

Attachment L1 – OES IOC Clearance for Environmental Site Assessment.....	98
--	----

### **Attachment M: Permits**

Attachment M1 – ODOT-OES Permit Determination Email.....	99
Attachment M2 – USACE Preliminary Jurisdictional Determination .....	100-107

Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

CATEGORICAL EXCLUSION DOCUMENT

Part I - General Project Identification, Description, and Design Information

Sponsor of the Project: Tuscarawas County Engineer's Office ODOT District: 11
Local Name of the Facility: Sugar Creek Bridge/TR 62 Bridge

Program: CEAO Funding Source: [X] Federal [ ] State [X] Local [ ] Private

PROJECT DESCRIPTION:

County and Township: Tuscarawas County, Wayne Township
Municipality: N/A

Limits of Proposed Work:
Start: Station 9+20.00 / SLM 0.736 End: Station 11+70.00 / SLM 0.780
Total Work Length: 0.076 km or ( 0.047 mi).

Is an Interchange Modification Study / Interchange Justification Study (IMS/IJS) required? [ ] Yes\* [X] No
If yes, when did FHWA grant a conditional approval for this project? Date: [ ]

\*If yes, for CE 2 or CE 3 projects a copy of the approved document must be submitted to FHWA with a request with for final approval of the IMS/IJS.

The project proposes to improve approximately 0.047 mile (250 feet) of Wayne Township Road 62 (TR 62) (Kaylor Road), in Tuscarawas County (County) (Attachments A1-A4, pp. 23-41) by replacing the existing two span continuous steel beam bridge with a corrugated steel deck bridge, overlaid with asphalt (Attachment B1, pp. 42-49). The existing bridge (SFN 7931581) was built in 1910 to carry Kaylor Road over South Fork Sugar Creek. The project area is located approximately 0.750 miles north of the intersection of TR 62 and State Route 93.
The proposed project will replace the existing bridge with a 28 foot (ft) wide single-span, non-composite, pre-cast, pre-stressed reinforced concrete box beam bridge on steel capped-pile pier and masonry, sandstone and steel capped abutments, each with a single row of H-beam piling (Attachment B1, pp. 42-49). The existing bridge is a one lane structure, while the proposed new bridge will be a two-lane structure. The existing bridge covers a total span of 55 ft 6 inches (in) and the new bridge will have a c/c bearing span of 90 ft 0 in (Attachment B1, pp. 42-49).
Approximately 60 linear feet of South Fork Sugar Creek will be permanently impacted by the proposed project. These impacts will occur through the installation of approximately 60 cubic yards of rock channel protection (RCP) at the base of each of the new bridge support structures, one at each side of the stream (total 120 cubic yards) (Attachment B1, pp. 42-49).
Portions of two Category 3 wetlands will be permanently filled as a result of the proposed project, resulting in the loss of approximately 0.010 and 0.012 acres of these wetlands respectively. Filling of these wetlands is necessary to allow for the installation of the new wider, longer bridge structure, and for construction of the associated roadside drainage and new roadway approaches.
Traffic will be detoured throughout the duration of construction (approximately 60 days). Small amounts of strip right-of-way will be required to facilitate the bridge replacement project. It is anticipated that construction will begin in the summer of 2012. This project will involve 80% federal funding, and 20% local funding. The project is listed on the 2012-2015 Statewide Transportation Improvement Program (STIP) with STIP reference #2012stipID32G4FDCO.

This is page 1 of 22 , which is part of: Categorical Exclusion, Level 2 Date: 10-31-11

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

### **PURPOSE AND NEED FOR THE PROJECT:**

The purpose of the proposed project is to replace a deteriorated and structurally deficient bridge in order to maintain a safe route of travel. The need for the proposed work is based on the County's past inspections of the bridge, the last of which was conducted on April 3, 2010, at which time the bridge exhibited the following deficiencies:

- Superstructure: The stringers, floor beams and end posts are experiencing severe rust and scaling. Because of the rusting severe section loss has occurred;
- Substructure: The steel abutments and wing walls and the steel back walls are rusting, scaling and showing section loss;
- Deck: The corrugated steel deck is rusted/corroded.

Based on this inspection the bridge was assigned a general appraisal rating of 4 (poor condition) and a sufficiency rating of 24.9 (structurally deficient). Bridge sufficiency ratings serve as a composite index for measuring bridge conditions over time and are indicative of a bridge's sufficiency to stay in service. The rating is based on a formula representing an overall judgment of the condition of a bridge from 0 (worst) to 100 (best), where 100 would represent an entirely sufficient bridge and 0 would represent an entirely insufficient or deficient bridge (USDOT Bridge Inspector's Reference Manual 2006). Bridges with a sufficiency rating score of less than 50 points and either functionally obsolete or structurally deficient require replacement in order to provide safe passage for the traveling public (USDOT Bridge Inspector's Reference Manual 2006). Therefore, based on the bridge structure rating of 24.9, the bridge is deficient and needs to be replaced. Additionally, the existing bridge is a one-lane structure located on a two-lane road.

In summary, the current appraisal rating, sufficiency rating, and lane constraint of this bridge fall below the requirements of current design standards, and therefore the County Engineer has determined that the proposed replacement of the bridge is warranted. Current design standards are dictated by the Load and Resistance Factor Design (LRFD) Specifications 4<sup>th</sup> Edition (as adopted by the American Association of State Highway and Transportation Officials [AASHTO], including the 2009 Interim Specifications), and the 2007 ODOT Bridge Design Manual.

The logical termini for the proposed project were established based on the scope of the problems identified by the County's inspections of the subject bridge. The project will begin at TR 62 (Kaylor Road) straight line mileage (SLM) 0.736 and terminate at TR 62 SLM 0.780. These termini limit the footprint of the project to the greatest extent possible while still allowing for the project to physically address the needs identified in the past bridge inspections.

### **ALTERNATIVES:**

Two alternatives were considered for this project: Alternative 1 is the build alternative described above, and Alternative 2 is the no-build alternative.

**Alternative 1:** This alternative includes the removal of the existing bridge structure, construction of a new bridge and associated roadway approaches, installation of new bridge supports and in-stream bank stabilization (i.e. RCP) around the new structures. Alternative 1 will address the defined purpose and need, and will therefore correct the deterioration and structural deficiency issues that currently exist. The implementation of Alternative 1 will result in current design standards being met in full. Alternative 1 was considered as the Preferred Alternative and progressed into detailed design. This alternative is fully described in the Project Description section of this document.

**Alternative 2:** No-Build alternative; the existing bridge would not be removed, and construction of a new bridge and associated improvements would not take place. The No-Build alternative does not address the deterioration and structural deficiency issues that currently exist, and this alternative therefore does not meet the defined purpose and need. However it represents a baseline for comparison of impacts for the Build Alternative (Alternative 1) and in accordance with the requirements of the National Environmental Policy Act (NEPA) regulations, the No-Build alternative was carried through the environmental studies.

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

**The Do Nothing Alternative is not feasible, prudent or practicable** (Mark all that apply):

It would not correct existing capacity deficiencies;

It would not correct existing safety hazards;

It would not correct the existing roadway geometric deficiencies;

It would not correct existing deteriorated conditions and maintenance problems, or

It would result in serious impacts to the motoring public and general welfare of the economy.

**Yes                  No**

X	
X	
	X
X	
	X

### ROADWAY CHARACTER:

Functional Classification: Rural, local road  
 Current ADT: 46 vpd 20( 08 ) Design Year ADT: 83 vpd (20 28 )  
 DHV: 8 Trucks, 45 %  
 Designed Speed: 55 mph Legal Speed: 55 mph

<b>Existing</b>	<b>Proposed</b>
-----------------	-----------------

Number of Lanes: <u>1</u>	Number of Lanes: <u>2</u>
Type of Lanes: <u>Through</u>	Type of Lanes: <u>Through</u>
Pavement Width: <u>16</u> ft.	Pavement Width: <u>28</u> ft.
Shoulder Width: <u>1</u> ft.	Shoulder Width: <u>4-6</u> ft.
Median Width: <u>N/A</u> ft.	Median Width: <u>N/A</u> ft.
Sidewalk Width: <u>N/A</u> ft.	Sidewalk Width: <u>N/A</u> ft.

Setting:  Urban       Suburban       Rural  
 Topography:  Level       Rolling       Hilly

### DESIGN CRITERIA FOR BRIDGES:

Structure File Number(s): 7931581 Sufficiency Rating: 24.9

<b>Existing</b>	<b>Proposed</b>
-----------------	-----------------

Bridge Type: <u>Continuous steel beam</u>	Bridge Type: <u>Pre-stressed concrete box beams, cast-in-place concrete abutments and wingwalls and h-beam piling</u>
Number of Spans: <u>2</u>	Number of Spans: <u>1</u>
Weight Restrictions: <u>6</u> ton	Weight Restrictions: <u>40</u> ton
Height Restrictions: <u>N/A</u> ft.	Height Restrictions: <u>N/A</u> ft.
Curb to Curb Width: <u>16</u> ft.	Curb to Curb Width: <u>28</u> ft.
Shoulder Width: <u>1</u> ft.	Shoulder Width: <u>4-6</u> ft.
Under Clearance: <u>N/A</u> ft.	Under Clearance: <u>N/A</u> ft.

Will the structure be rehabilitated or replaced as part of the project?

If Yes, has an asbestos inspection been completed?

<b>Y</b>	<b>N</b>
X	
X	

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

### MAINTENANCE OF TRAFFIC DURING CONSTRUCTION:

	Y	N
Is a temporary bridge proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a temporary roadway proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project involve the use of a detour or require a ramp closure?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for access by local traffic and so posted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for through-traffic dependent businesses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made to accommodate any local special events or festivals.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the proposed MOT substantially change the environmental consequences of the action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there substantial controversy associated with the proposed method for MOT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks: During construction, local traffic on northbound and southbound TR 62 will be temporarily detoured, and appropriately posted signage will be utilized. Traffic traveling northbound along TR 62 would be detoured as follows: From the south end of Wayne TR 62 (Kaylor Road) at the junction with SR 93, head north on SR 93 to junction with US 250 (3.4 miles); head northwest on US 250/SR 93 to junction with Tuscarawas County Road 97 (Chestnut Ridge Road) (1.0 mile); head west on County Road 97 (Chestnut Ridge Rd.) to junction with TR 447 (Soehnlén Road) (0.6 mile); head south on TR 447 (Soehnlén Rd.) to junction with TR 62 (Kaylor Road) (1.3 miles); and then south on TR 62 (Kaylor Road) to project site (1.0 mile). Traffic traveling southbound along TR 62 would be detoured by the reverse directions. The detour will add an additional approximate 7.3 miles to the route, costing roughly an additional 13 minutes travel time.

TR 62 will be closed to traffic for approximately 60 days during construction. Road closed signage will be installed as indicated in the project plans (Attachment B1, p. 43). It is anticipated that the detour will remain in place throughout construction activities. Devices in conformance with the Ohio Manual of Uniform Traffic Control Devices and flaggers may be used during construction activities. All Maintenance of Traffic will conform to the Ohio Manual of Traffic Control for Construction and Maintenance Operations.

Upon project completion there will be no permanent alteration to the local traffic pattern.

To ensure that the public is notified of construction activities, the following plan note will be added to the project plans: The Contractor will advise the Project Engineer a minimum of fourteen (14) days prior to the following: the start of construction activities, lane closures, and or road closures. The Project Engineer will forward this information to the County and any other local officials responsible for public notification. That official will, in turn, notify the public, the local emergency services, affected schools and businesses, and any other impacted local public agency of any of the above mentioned items, via media sources.

### ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 67,494 Right-of-Way: \$ 0 Construction: \$ 540,000  
 Anticipated Start Date of Construction: July 1, 2012

### RIGHT OF WAY AND UTILITY INVOLVEMENT:

Number of parcels to be affected for temporary ROW: 2  
 Number of parcels to be affected for permanent ROW: 2  
 Approximate area of temporary right-of-way needed: 0.03 acre  
 Approximate area of permanent right-of-way needed: 0.16 acre

Has Utility Coordination been completed?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Are large scale transmission facilities located within the project area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Are there any private utility easements within the project area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, will it be impacted by the project?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

This is page 4 of 22 , which is part of: Categorical Exclusion, Level 2 Date: 10-31-11

**Ohio Department of Transportation**

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

Remarks:

Current locations of the known buried and aboveground utilities are shown in the attached Project Plans (Attachment B1, p. 44). Utilities located within the project's construction limits are:

- Range Resources (Natural Gas)

All utilities shown on the project plans (Attachment B1, p. 44), or located during project construction, will be relocated or adjusted by the owner of the utility.

All utility work shall be coordinated by the Contractor in such a way as to avoid and/or minimize any inconvenience to potentially affected customers. All utility work not included in this contract shall be performed by the affected utility owner or its contractor and will be compliant with ODOT roadway design standards. Utility work will be ongoing throughout construction of the project. Upon the contract award, the coordination of all necessary work with the utilities shall become the responsibility of the Contractor.

Should utility service interruptions be anticipated, individual utility companies will be responsible for further coordination with the Contractor, and with any potentially affected customers. At least two working days prior to commencing construction in an area which may involve underground utility facilities, the Contractor will notify the Project Engineer, Ohio Utilities Protection Service, and the owner of each underground utility.

**Ohio Department of Transportation**

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

**Part II – Identification and Evaluation of Impacts of the Proposed Action**

**SECTION A – ECOLOGICAL RESOURCES**

	Presence		Impacts	
	Y	N*	Y***	N**
<b>Streams, Rivers &amp; Watercourses</b>	X		X	
National Scenic River		X		
State Wild, Scenic or Recreational River		X		
Commercial				
Non-Commercial				
OEPA Aquatic Life Use Designation (e.g. WWH)				

South Fork Sugar Creek (WWH)

Remarks:

Ecological survey for rivers and streams was completed by BHE Environmental, Inc. (BHE) on November 1, 2010. Field survey identified a single perennial stream, South Fork Sugar Creek, within the project limits (Attachment A4, pp. 26-41; Attachment C1, p. 50). The existing bridge crosses South Fork Sugar Creek approximately 3.6 miles upstream of Beach City Reservoir. Sugar Creek flows out of Beach City Reservoir and empties into the Tuscarawas River (a Traditional Navigable Water [TNW]) approximately 12 miles downstream of the reservoir. Within the project area, South Fork Sugar Creek drains approximately 160 mi<sup>2</sup>, and is located within the 14-digit Hydrologic Unit Code (HUC) 05040001-110-060 (South Fork Sugar Creek below Walnut Creek to Sugar Creek).

South Fork Sugar Creek flows very slowly from southwest to northeast through the project area. This stream was observed to have a predominantly silty substrate and incised banks which appear to indicate that the stream has been channelized at some point in the past. No pools or riffles were evident either within, or immediately adjacent to, the project area.

The County has estimated that approximately 60 linear feet of South Fork Sugar Creek (Warmwater Habitat, Relatively Permanent Water [Perennial]) will be permanently impacted by the proposed project. Because the project involves installation of a single-span structure, the location of the permanent impacts will be restricted to the areas immediately surrounding the new bridge's support structures. The support structures consist of cast-in-place reinforced concrete abutments and wingwalls, one on each bank of the stream. Current project plans (Attachment B1, pp. 42-49) indicate that the support structures themselves will be located beyond the Ordinary High Water Mark (OHWM) of South Fork Sugar Creek and therefore these structures will not permanently impact the stream. However, rock channel protection (RCP) will also be installed at the base of each of these structures. The riprap, which consists of 30-inch RCP with filter fabric, is required to protect the new support structures from flood debris damage, and to prevent erosion of the stream banks and channel. Approximately 120 cubic yards of RCP will be placed in the stream channel (approximately 60 cubic yards on each bank). The permanent installation of the RCP will result in direct minor permanent impacts to the stream habitat in these areas.

Temporary impacts to South Fork Sugar Creek will result from removal of the in-stream pier structures which support the existing bridge. Some short-term siltation and sedimentation may result from these disturbances, and the stream habitat in these areas may be temporarily impacted. However, these impacts are expected to be minor and will be minimized through the use of standard sediment and erosion controls. All work will be completed from the existing banks, and construction will not will require the use of any temporary cofferdams, access causeways, and/or work pads.

The Level 2 Ecological Survey Report (ESR) documenting this stream, and impacts to the stream, was prepared for the subject project by BHE in March of 2011, and submitted to ODOT for agency coordination on May 11, 2011. Agency coordination was initiated on June 3, 2011 through ESR distribution to the U.S. Fish and Wildlife Service (USFWS), Ohio Department of Natural Resources (ODNR), U.S. Army Corps of Engineers (USACE), and the Ohio Environmental Protection Agency (OEPA) (see ODOT-Office of Environmental Services' [OES] Project Notification package as submitted for agency review in Attachment C2, pp. 51-54).

In correspondence dated July 15, 2011 (Attachment C3, pp. 55-57), the ODNR commented that:

1. The DOW recommends sufficient mitigation is provided, as necessary, for stream and wetland impacts that occur as a result of this project.
2. The DOW recommends no in-water work April 15 to June 30 to reduce impacts to aquatic species and their habitat.

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

3. The QHEI sheet submitted for the South Fork of Sugar Creek is mostly blank. Please resubmit a properly completed form for us to review

4. Will ODOT be using hydro demolition to remove the road bed of the bridge? Please explain what best management practices will be employed to eliminate the runoff of silt laden water from getting into the South Fork of Sugar Creek and the large Category 3 wetland?

The appropriate mitigation for stream impacts will be determined and provided as part of the Section 404 and 401 permit application process for the proposed project. The noted in-stream work restrictions will be covered in the plan by the waterway permit special provisions. The QHEI sheet provided in the project's ESR provides adequate information to assess the project and its impacts. A new QHEI is not required. Hydro demolition will not be used to remove the bridge deck.

In correspondence dated August 15, 2011 (Attachment C3, p. 58), the OEPA had no comments regarding streams, rivers, and watercourses.

In correspondence dated August 18, 2011 (Attachment C3, pp. 59-60), the USFWS had no comments regarding streams, rivers, and watercourses.

In correspondence dated September 9, 2011 (Attachment C3, pp. 61-63), the USACE commented that coffer dam details (dimensions, material, duration, etc.) should be included in the project's 404 permit application.

Cofferdams most likely will not be utilized on this project. There is a general note in the plan that addresses cofferdams should the need arise. The existing steel structure and sandstone abutments will be removed from the existing banks. The existing pier h-piles will be vibrated loose and removed. The new piling and abutments will be constructed outside of the existing waterway limits. There will not be a work pad within the stream channel. All work will be done from the existing banks.

A complete copy of the project's ESR is located in ODOT District 11's environmental project file. A copy of the project's ecological coordination correspondence is provided in Attachments C2 and C3 (pp. 51-63).

**Other Surface Waters**

- Reservoirs
- Lakes
- Farm Ponds
- Detention Basins
- Storm Water Management Facilities
- Other: \_\_\_\_\_

Presence		Impacts	
Y	N*	Y***	N**
	X		

**Remarks:**

Ecological survey for rivers and streams was completed by BHE on November 1, 2010. Based on the fieldwork conducted in preparation of the ESR, no other surface waters are present within the project area. No impacts to other surface waters are expected. These findings were documented in the Level 2 ESR prepared for the subject project by BHE in March of 2011, and submitted to ODOT for agency coordination on May 11, 2011.

A complete copy of the project's ESR is located in ODOT District 11's environmental project file. A copy of the project's ecological coordination correspondence is provided in Attachments C2 and C3 (pp. 51-63).

*\*If the resource is not present, the remainder of this subject section will not be completed*  
*\*\*If the resource is present but no impacts are anticipated, the reason why is described under Remarks.*  
*\*\*\*Any impacts, mitigation, and agency coordination are described under Remarks and coordination letters are attached.*

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

Presence		Impacts	
Y	N****	Y***	N**
X		X	

**Wetlands**

Total wetland area impacted: 0.022 acre(s)

(If a determination has not been made for non-isolated/isolated wetlands, fill in the total wetland area impacted above.)

<p><b>Non-isolated Wetland</b></p> <p>OEPA Wetland Category: <u>Category 3</u></p> <p>Size of Area Impacted: <u>0.022</u> acre(s)</p>	<p><b>Isolated Wetland</b></p> <p>OEPA Wetland Category: <u>N/A</u></p> <p>Size of Area Impacted: <u>N/A</u> acre(s)</p>
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**Wetlands**

**Documentation**

	Y	N
Wetland Determination	X	
Wetland Delineation Report		X
Individual Wetland Finding		X
<b>Improvements that will not result in any wetland impacts are not practicable because such avoidance would result in (Mark all that apply and explain):</b>		
Substantial adverse impacts to adjacent homes, business or other improved properties;		X
Substantially increased project costs;		X
Unique engineering, traffic, maintenance, or safety problems;		X
Substantial adverse social, economic, or environmental impacts, or		X
The project not meeting the identified needs.	X	
USACOE Isolated Waters Determination		X
Mitigation Plan		X

*Measures to avoid, minimize and mitigate wetland impacts need to be discussed in the remarks section*

**Remarks:**

Ecological survey for wetlands was completed by BHE on November 1, 2010. Field survey identified two Category 3 wetlands (Wetlands A and B) within the project limits (Attachment A4, pp. 26-41; Attachment C1, p. 50). The portions of Wetlands A and B within the project area drain into South Fork Sugar Creek approximately 3.6 miles upstream of Beach City Reservoir. Sugar Creek flows out of Beach City Reservoir and empties into the Tuscarawas River (a TNW) approximately 12 miles downstream of the reservoir.

Wetland A is a large, complex, high quality wetland area, the main body of which is located to the southwest of the proposed project area. The portion of Wetland A within the project area appears to be a regularly maintained ditch which drains southeast into South Fork Sugar Creek. This ditch portion of Wetland A empties into South Fork Sugar Creek within the project area. The portion of Wetland A within the project area is located adjacent to, and parallels, the existing roadway (Attachment C1, p. 50). This ditched portion of Wetland A is hydrologically connected to the main body of Wetland A outside of, and to the northwest of, the project area, (Attachment C1, p. 50). In this area, located approximately 200 ft northwest of the existing bridge, several openings in the sidecast materials, and topographical flattening, allow water to drain into the ditch from the main portion of Wetland A (Chris Staron, ODOT-OES, pers. comm.). Therefore, when water levels are high, water drains from the main body of Wetland A into the ditched area, and then southeast through the ditch before emptying into South Fork Sugar Creek (Chris Staron, ODOT-OES, pers. comm.). The main portion of Wetland A contains a mosaic of emergent and forested wetland communities dominated by facultative wetland species such as silver maple (*Acer saccharinum*), green ash (*Fraxinus pennsylvanica*), silky dogwood (*Cornus amomum*), reed canary grass (*Phalaris arundinacea*), and goblet aster (*Aster lateriflorus*). The ditched portion of Wetland A located within the project area is primarily emergent wetland dominated exclusively by reed canary grass.

Wetland B is a large, complex, high quality wetland area, the main body of which is located to the northeast of the proposed project area. The portion of Wetland B within the project area appears to be a regularly maintained ditch which drains southeast into South Fork Sugar Creek. This ditch portion of Wetland B empties into South Fork Sugar Creek within the project area. The portion of Wetland B within the project area is located adjacent to, and parallels, the existing roadway. This ditched portion of Wetland B is hydrologically connected to the main body of Wetland B outside of, and to the northwest of, the project area, (Attachment C1, p. 50). In this area, located approximately 200 ft northwest of the existing bridge, several openings in the sidecast materials, and topographical flattening, allow water to drain into the ditch from the main portion of

**Ohio Department of Transportation**

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

Wetland B (Chris Staron, ODOT-OES, pers. comm.). Therefore, when water levels are high, water drains from the main body of Wetland B into the ditched area, and then southeast through the ditch before emptying into South Fork Sugar Creek (Chris Staron, ODOT-OES, pers. comm.). The main portion of Wetland B contains a mosaic of emergent and forested wetland communities dominated by facultative wetland species such as silver maple (*Acer saccharinum*), green ash (*Fraxinus pennsylvanica*), reed canary grass (*Phalaris arundinacea*), and goblet aster (*Aster lateriflorus*). The ditched portion of Wetland B located within the project area is primarily emergent wetland dominated exclusively by reed canary grass.

Portions of these two Category 3 wetlands will be permanently filled as a result of the proposed project, resulting in the loss of approximately 0.010 acres (Wetland A) and 0.012 acres (Wetland B) respectively.

Both Wetland A and Wetland B, noted as ditches on the project plans (Attachment B1, p. 44), will be permanently impacted (filled) as a result of the proposed project. To accommodate the new bridge structure and roadways approaches, current project plans indicate that new ditches will be excavated to the southwest and northeast of the existing ditch portions of Wetlands A and B respectively (Attachment B1, p. 44). The entire area (0.010 acres) of Wetland A within the construction limits of the project area will be filled, beginning where Wetland A empties into South Fork Sugar Creek, and ending at station number 11+45 (see project plans, Attachment B1, p. 44). The entire area (0.012 acres) of Wetland B within the construction limits of the project area will be filled, beginning where Wetland B empties into South Fork Sugar Creek, and ending at station number 11+46 (see project plans, Attachment B1, p. 44).

This project involves work in wetlands covered by and that satisfy the conditions of a USACE Nationwide or Regional permit issued by the USACE for waters of the United States. This finding of no practical alternatives to construction in wetlands is in accordance with the Wetland Findings for Federal Aid Projects covered under the Programmatic Categorical Exclusion Agreement signed by the Federal Highway Administration on September 13, 2010.

The Level 2 ESR documenting the wetlands, and impacts to the wetlands, was prepared for the subject project by BHE in March of 2011, and submitted to ODOT for agency coordination on May 11, 2011. Agency coordination was initiated on June 3, 2011 through ESR distribution to the USFWS, ODNR, USACE, and OEPA (see ODOT-OES's Project Notification package as submitted for agency review in Attachment C2, pp. 51-54).

In correspondence dated July 15, 2011 (Attachment C3, pp. 55-57), the ODNR commented that:

1. The DOW recommends sufficient mitigation is provided, as necessary, for stream and wetland impacts that occur as a result of this project
2. Wetlands A and B combined are greater than 100 acres and both are considered Category 3. ODNR suggests that they not be scored separately. According to the Ohio Rapid Assessment Method guidance (Section 5.3) "Wetlands that are divided by artificial boundaries such as roads should be scored without regard to the existence of the artificial barriers within the project site." As a result, these wetlands should be scored together, especially if there is a culvert connection and the riparian connection to the South Fork of Sugar Creek.
3. DSWR is concerned that ODOT is proposing to fill in 0.22 acres of the Category 3 wetlands and then ditch additional drainage paths through the Category 3 wetlands, further expanding the impacts to this wetland. Why is this ditching necessary?
4. The ORAM submitted for Wetland A is inaccurate because it includes 5 extra points in Metric 5 for Lake Erie Coastal/Tributary wetland/restricted hydrology. Potentially, the score should be increased by 10 for Old Growth Forest or 5 points for Mature Forested Wetland.
5. Will ODOT be using hydro demolition to remove the road bed of the bridge? Please explain what best management practices will be employed to eliminate the runoff of silt laden water from getting into the South Fork of Sugar Creek and the large Category 3 wetland.

The appropriate mitigation for wetland impacts will be determined and provided as part of the Section 404 and 401 permit application process for the proposed project. Changing the way the involved wetlands are scored on the project's ORAM sheets as noted by ODNR will not change their Category 3 status and hence is a moot point. The proposed ditching is necessary to provide/maintain roadway drainage. Hydro demolition will not be used to remove the bridge deck.

In correspondence dated August 15, 2011 (Attachment C3, p. 58), the OEPA had the following comments regarding wetlands:

Since the impacts include Category 3 wetlands (A and B), the impacts will require individual 401 certification and a public hearing. Also, compensatory mitigation will be necessary. For example, the wetlands will require

**Ohio Department of Transportation**

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

restoration/creation as a component of the mitigation. Since most wetland banks do not handle Category 3 wetlands, the applicant will have to prepare a mitigation proposal.

The County has noted the OEPA's comments and will address them accordingly during the 401 permit process.

In correspondence dated August 18, 2011 (Attachment C3, pp. 59-60), the USFWS had the following comments regarding wetlands:

The Service supports the avoidance, minimization, and mitigation of Category 3 wetlands as required under Section 3745-1-54 of the Ohio Administration Code (OAC). If the Category 3 wetland cannot be avoided, in accordance with the OAC, the Service strongly recommends that any and all measures be taken before, during, and after construction to ensure that impacts to the involved area of the Category 3 wetland do not affect the larger wetland area that falls outside the project footprint. In addition, it should be noted that the wetland area to be impacted is described as two separate Category 3 wetlands in the ESR. However, it appears that a surface water connection may join these two areas and/or Kaylor Road (TR-62) serves as an artificial boundary, dividing a single wetland. If either of these statements is true, the wetland area should have been scored as a single wetland, in accordance with the Ohio Rapid Assessment Method v. 5 Manual (section 5.3). Therefore, another assessment may be required to obtain an accurate ORAM score prior to submitting an application for an individual 401 water quality certification.

ODOT responded as follows via email: Upland areas exist on each side of the road beyond the road and the road embankment. These upland areas present a non-artificial barrier between the road and the wetlands. This office (OES) does not believe the road is an artificial boundary that separates the wetlands. Nor do we believe this is a functional surface water connection in hydrology between the two wetlands. The road may be at this location because historically this may have been a natural high spot between these two wetlands. The road is built up on fill at the bridge location and ditches have been dug at this location to keep water away from the embankment, no other embankment is found in the project area.

With this information, we believe that scoring the two wetlands separately, in this case, is appropriate and consistent with the ORAM manual.

In correspondence dated September 9, 2011 (Attachment C3, pp. 61-63), the USACE requested that the following details regarding wetlands be included in their 404 permit application for the project:

Since the unauthorized impacts (unrelated to the subject project) have converted wetlands into uplands, the mitigation plan should include removal of the unauthorized material for restoration of wetlands A and B outside of the project limits.

The County will address this comment via the 404 permit application for the project.

A complete copy of the project's ESR is located in ODOT District 11's environmental project file. A copy of the project's ecological coordination correspondence is provided in Attachments C2 and C3 (pp. 51-63).

	<u>Presence</u>		<u>Impacts</u>	
	<u>Y</u>	<u>N****</u>	<u>Y***</u>	<u>N**</u>
<b>Terrestrial Habitat</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unique or High Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: No unique or high quality terrestrial habitat areas were noted by BHE personnel during the ecological surveys completed on November 1, 2010.

Existing habitats within the project study area include floodplain forest and upland forest (Attachment A4, pp. 26-41; Attachment C4, p. 64). Generally, the upland forest located to the south of South Fork Sugar Creek slopes steeply upward away from the project area, with a mix of larger canopy trees (Attachment A4, pp. 26-41; Attachment C4, p. 64). The understory is fairly open, with small areas of rocky outcrop observed both within, and outside of, the project area. The floodplain forest located to the east of South Fork Sugar Creek also contains a mix of larger canopy trees, although the understory is less open, with a mix of shrubs and larger herbs (Attachment A4, pp. 26-41; Attachment C4, p. 64). In the northern portion of the project area, regular clearing of the wetlands appears to occur (see wetland section above) to facilitate stormwater runoff from the existing bridge's roadway approaches.

Minor impacts to both the floodplain forest community (approximately 0.69 acres on the north bank of South

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

Fork Sugar Creek) and the upland forest community (approximately 0.67 acres on the south bank of South Fork Sugar Creek) will result from the proposed project. However, the proposed project will not result in the removal of any trees. The permanent loss of habitat associated with this project will be limited to the very small areas of floodplain forest and upland forest on each side of the stream, as required for installation of the bridge deck, supports, and roadway approaches (new shoulders) (see project plans in Attachment B1, pp. 42-49). Additionally, temporary losses to both these vegetation communities may occur during clearing, grading and other construction activities required for project completion. However, both the floodplain forest and upland forest communities are expected to recover quickly following the temporary disturbance associated with construction activities.

The Ohio Biodiversity Database (OBD) search (Attachment C5, p. 65-67) did not identify any high quality vegetation communities within the project area.

No impacts to unique or high quality terrestrial habitats will result from the proposed project. Impacts to terrestrial habitat for access and other construction activities will be relatively minor.

The Level 2 ESR documenting the terrestrial habitat, and impacts to terrestrial habitat, was prepared for the subject project by BHE in March of 2011, and submitted to ODOT for agency coordination on May 11, 2011. Agency coordination was initiated on June 3, 2011 through ESR distribution to the USFWS, ODNR, USACE, and OEPA (see ODOT-OES's Project Notification package as submitted for agency review in Attachment C2, pp. 51-54).

In correspondence dated July 15, 2011 (Attachment C3, pp. 55-57), the ODNR had no comments regarding these impacts.

In correspondence dated August 15, 2011 (Attachment C3, p. 58), the OEPA had no comments regarding these impacts.

In correspondence dated August 18, 2011 (Attachment C3, pp. 59-60), the USFWS had the following comments regarding terrestrial habitat:

In the *Vegetative Community and Land Cover Impacts* section of the ESR, BHE indicated that approximately 0.69 acres of floodplain forest and 0.67 acres of upland forest were expected to be impacted by the project. However, BHE then stated, in the same section of the ESR, that the project will not result in the removal any trees "because of the recent removal of all trees (prior to the field visit associated with this report) within the area." The Service requested additional information from ODOT to clarify the circumstances of the tree removal, as no coordination between ODOT and the Service had occurred for the tree clearing activity at this site. During recent email exchanges with Karen Hallberg (in our office), on 16 and 17, 2011, Michael Pettegrew (OES) and Thomas Stratton (ODOT District 11), explained that the tree removal within the current project area was part of a larger, separate project carried out by the Wayne Township Trustees to clear trees within the entire road right-of-way of Kaylor Road (TR-62). We understand that ODOT had no involvement in the right-of-way project; therefore, consultation with the Service was not required.

As noted, this comment was clarified/resolved via email.

In correspondence dated September 9, 2011 (Attachment C3, pp. 61-63), the USACE commented that the location, duration, and purpose/need for the 0.69 acre of floodplain forest impact should be identified in the project's 404 permit application.

The County will clarify these impacts in future permit application correspondence.

A complete copy of the project's ESR is located in ODOT District 11's environmental project file. A copy of the project's ecological coordination correspondence is provided in Attachments C2 and C3 (pp. 51-63).

*\*\* If the resource is present but no impacts are anticipated, describe the reason why in the Remarks section.*  
*\*\*\*Any impacts, mitigation and agency coordination are described under Remarks and coordination letters are attached.*  
*\*\*\*\*If "no", discuss in the Remarks details how this determination was made.*

	<b>Presence</b>		<b>Impacts</b>	
	<b>Y</b>	<b>N****</b>	<b>Y***</b>	<b>N</b>
<b>Threatened or Endangered Species</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Within the known range of and federal species?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal species found in project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State species found in project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

Is the project in accordance with the Letter of Agreement on Endangered Species Coordination? [X] [ ] [ ] [ ]

Remarks:

The project falls within the known range of several federally endangered and threatened species in Tuscarawas County. Surveys for suitable habitat for federally listed species were conducted by BHE during the November 1, 2010 field investigations. No federally listed species were observed during these field studies. The following federally threatened or endangered species are known from Tuscarawas County. Indiana Bat (Myotis sodalis, federally-endangered). Wintering habitat for hibernating Indiana bats comprise caves and mines possessing a narrow, stable, range of temperature and humidity. Suitable Indiana bat summer roosting or brood-rearing habitat comprises living or standing dead trees or snags with exfoliating bark, or trees with split trunks and/or branches, or cavities. Field survey for suitable Indiana bat habitat was completed on November 1, 2010. No caves or mines were identified during the field survey, and therefore no suitable Indiana bat winter habitat is present within the project area. All vegetation within the project area was examined for the presence of suitable Indiana bat summer roost tree characteristics, as described above. No trees exhibiting these requisite characteristics were identified within the project construction limits and therefore no Indiana bat summer habitat is present within the project area. OBD did not have records of Indiana bat capture locations within five miles of the study area or hibernacula within 10 miles of the study area (Attachment C5, p. 65-67). No impacts to the Indiana bat are expected from implementation of the proposed project. Eastern Hellbender (Cryptobranchus alleganiensis alleganiensis, species of concern). Habitat for eastern hellbenders includes medium to large, fast flowing, cold water streams that are not excessively silty, and which have plentiful supplies of the eastern hellbenders' primary food source, i.e. crayfish (ODNR 2010; Ohio Amphibians 2010). Important physical characteristics for eastern hellbender habitat include riffle areas with many large flat rocks, logs, or boards which are used for cover and nesting sites (New York Department of Environmental Conservation 2011). Field survey for suitable eastern hellbender habitat was completed on November 1, 2010. Although a large stream (South Fork Sugar Creek) was identified within the project area, this stream was heavily silted, was slow flowing with an absence of pools and riffles, and did not contain quantities of large rocks, logs, or boards. Within the vicinity of the project area, South Fork Sugar Creek does not contain habitat suitable for the eastern hellbender, and therefore no suitable eastern hellbender habitat exists within the project area. OBD did not identify any records of the eastern hellbender within one mile of the study area (Attachment C5, p. 65-67). No impacts to the eastern hellbender are expected from implementation of the proposed project. Bald Eagle (Haliaeetus leucocephalus, species of concern). Bald eagles typically nest in stands of old-growth trees near large water bodies. The nests are typically constructed in large trees with an open view of the surrounding environment. Snags and dead topped live trees may be important in providing perch and roost sites within territories. Bald eagles winter along rivers, lakes, and reservoirs that support adequate fish or waterbird prey and which have mature trees or large snags available for perch sites (Jones and Stokes 2006). Winter roost areas are usually isolated from human disturbance (Jones and Stokes 2006). Field survey for suitable bald eagle habitat was completed on November 1, 2010. No potential habitat for the bald eagle was identified during this field survey. OBD did not report any known occurrences of this species within one mile of the study area (Attachment C5, p. 65-67). No impacts to the bald eagle are expected from implementation of the proposed project. According to the OBD, the following state-endangered species are known from within one mile of the project site (Attachment C5, p. 65-67). Surveys for suitable habitat for these species were conducted by BHE during the November 1, 2010 field investigations. No state listed species were observed during these field studies. Sprengel's Sedge (Carex sprengeii, state-threatened). This species can be found in a variety of habitats including stream terraces, hummocks in buttonbush swamps, sandstone rocks, sandy soils in oak woods, and mesic forests often associated with limestone rocks and soils (ODNR 2011). Field survey for suitable Sprengel's sedge habitat was completed on November 1, 2010. Although suitable habitat for this species was observed within the project area, no individuals of this species were identified during the field survey. Rock-harlequin (Corydalis sempervirens, state-potentially threatened). Habitat for this species includes full sun or semi-shade in a variety of well-drained openings and clearings; often on sandstone exposures; usually found on slightly acidic substrates (ODNR 2011). Field survey for suitable rock-harlequin habitat was

**Ohio Department of Transportation**

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

completed on November 1, 2010. Suitable habitat for this species was not identified within the project area. No impacts to the rock-harlequin are expected from implementation of the proposed project.

As documented above, ecological surveys were completed by BHE on November 1, 2010, and no federal or state listed species were observed during these field studies. The Level 2 ESR documenting potential impacts to federal and state listed species and their habitats was prepared for the subject project by BHE in March of 2011, and submitted to ODOT for agency coordination on May 11, 2011. Agency coordination was initiated on June 3, 2011 through ESR distribution to the USFWS, ODNR, USACE, and OEPA (see ODOT-OES's Project Notification package as submitted for agency review in Attachment C2, pp. 51-54).

In correspondence dated July 15, 2011 (Attachment C3, pp. 55-57), the ODNR commented that:

The project is within the range of the Indiana bat (*Myotis sodalis*), a state and federally endangered species. The following species of trees have relatively high value as potential Indiana bat roost trees: Shagbark hickory (*Carya ovata*), Shellbark hickory (*Carya laciniosa*), Bitternut hickory (*Carya cordiformis*), Black ash (*Fraxinus nigra*), Green ash (*Fraxinus pennsylvanica*), White ash (*Fraxinus americana*), Shingle oak (*Quercus imbricaria*), Northern red oak (*Quercus rubra*), Slippery elm (*Ulmus rubra*), American elm (*Ulmus americana*), Eastern cottonwood (*Populus deltoides*), Silver maple (*Acer saccharinum*), Sassafras (*Sassafras albidum*), Post oak (*Quercus stellata*), and White oak (*Quercus alba*). Indiana bat habitat consists of suitable trees that include dead and dying trees of the species listed above with exfoliating bark, crevices, or cavities in upland areas or riparian corridors and living trees of the species listed above with exfoliating bark, cavities, or hollow areas formed from broken branches or tops. If suitable trees occur within the project area, these trees must be conserved. If suitable habitat occurs on the project area and trees must be cut, cutting must occur between September 30 and April 1. If suitable trees must be cut during the summer months of April 2 to September 29, a net survey must be conducted in May or June prior to cutting. If no tree removal is proposed, the project is not likely to impact this species.

No tree removal will be carried out as part of the proposed project.

In correspondence dated August 15, 2011 (Attachment C3, p. 58), the OEPA had no comments regarding threatened or endangered species.

In correspondence dated August 18, 2011 (Attachment C3, pp. 59-60), the USFWS commented that:

This project lies within the range of the Indiana bat (*Myotis sodalis*), a federally endangered species and the bald eagle (*Haliaeetus leucocephalus*) and eastern hellbender (*Cryptobranchus a. alleganiensis*), both federal species of concern. In your June 3 ODOT stated that this will have *no effect* on any of these federally listed species. Therefore, consultation under section 7(a)(2) of the Endangered Species Act is not required.

In correspondence dated September 9, 2011 (Attachment C3, pp. 61-63), the USACE had no comments regarding threatened or endangered species.

A complete copy of the project's ESR is located in the ODOT District 11's environmental project file. A copy of the project's ecological coordination correspondence is provided in Attachments C2 and C3 (pp. 51-63).

	<u>Coordination</u>		<u>Approval</u>	
	Y	N	Y	N
<b>Agency Coordination ***</b>				
Ohio Department of Natural Resources (ODNR)	X		7-15-11	
United States Fish and Wildlife Service (USFWS)	X		8-18-11	
Ohio Environmental Protection Agency (OEPA)	X		8-15-11	
United States Army Corps of Engineers (USACE)	X		9-12-11	
ODNR State Scenic River		X		
National Park Service (NPS) National Scenic River		X		

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

**Remarks:**

The Level 2 ESR documenting potential impacts to ecological resources was prepared for the subject project by BHE in March of 2011, and submitted to ODOT for agency coordination on May 11, 2011. Agency coordination was initiated on June 3, 2011 through ESR distribution to the USFWS, ODNR, USACE, and OEPA (see ODOT-OES's Project Notification package as submitted for agency review in Attachment C2, pp. 51-54).

Agency responses to the ESR submittal are provided in Attachment C3 (pp. 55-63). Details of agency comments are provided above in each of the respective ecological resource sections.

A complete copy of the project's ESR is located in ODOT District 11's environmental project file. A copy of the project's ecological coordination correspondence is provided in Attachments C2 and C3 (pp. 51-63).

*\*If the resource is not present, the remainder of this section will not be completed.*

*\*\*If the resource is present but no impacts are anticipated, the reason why is described under Remarks.*

*\*\*\*Any impacts, mitigation, and agency coordination are described under Remarks and coordination letters are attached.*

*\*\*\*\*If "no", discuss in the Remarks details how this determination was made.*

### SECTION B – OTHER RESOURCES

	<u>Presence</u>		<u>Impacts</u>	
	Y	N*	Y	N
<b>Drinking Water Resources</b>		X		
Sole Source Aquifer		X		
Source Water Protection Area(s)		X		
Public Water System(s)		X		
Groundwater Source				
Surface Water Source				
Residential Well(s)		X		

**Remarks:**

The OEPA did not identify any drinking water source protection areas, public water system supply wells, public water system surface intakes, or sole source aquifers within or adjacent to the project area (Attachment D1, p. 68).

A search of the ODNR residential water well log database indicated that there is one property within 2,000 ft of the project area that has a water well on their property (Attachment D2, p. 69). However, this well is located approximately 1400 ft north of the project's construction limits and therefore no project impacts to residential wells are anticipated.

This project will not impact drinking water resources.

	Y	N*	Y	N
<b>Flood Plains</b>		X		
Longitudinal Encroachment		X		
Transverse Encroachment	X			
Is the project located in a regulated floodplain?	X			
Will the proposed project result in an encroachment in the designated floodway?	X			
Will the proposed project result in an increase in the 100-year base flood elevation discharge?		X		
Does the project conform to the local flood plain standard?	X			

**Remarks:**

According to FEMA mapping the entire project area lies within the mapped 100-year flood plain of South Fork Sugar Creek (Attachment E1, p. 70). Prior to plan file, a Special Flood Hazard Area Development Permit will be required from the Tuscarawas County Floodplain Administrator (see environmental commitments section below).

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

	Y	N*	Y	N
<b>Farmland</b>				
Active Agricultural Lands		X		
Agricultural District		X		
Project in compliance with ORC 929.05(a)	X			
FPPA Project Screening Sheet	X			
Farmland Conversion Impact Rating Sheet		X		

Remarks: The project area has been identified as a bridge replacement project requiring less than one acre of new right-of-way. On June 16, 2011, ODOT District 11 approved the Farmland Protection Policy Act Project Screening Sheet, indicating the project will not affect farmland (Attachment F1, p. 71).

\* If the resource is not present, the remaining boxes for this subject section will not be completed. State how and who made this determination.

### SECTION C – CULTURAL RESOURCES

	<u>Results of Research</u>		<u>Project Effect</u>		
	Eligible and/or Listed Resource Present	No Historic Properties Affected	No Adverse Effect	Adverse Effect	
	Y	N			
Prehistoric Archaeology		X	X		
Historic Archaeology		X	X		
History/Architecture		X	X		
NRHP Buildings/Sites		X	X		
NRHP Districts		X	X		
NRHP Bridges		X	X		

	<u>Results of Research</u>		<u>Project Effect</u>		
	Eligible and/or Listed Resource Present	No Historic Properties Affected	No Adverse Effect	Adverse Effect	
	Y	N			
<b>Documentation</b>			SHPO / OES / FHWA Approval Dates		
Phase I Short Report	X		OES: 4-17-09		
Phase I Cultural Resources Survey Report					
Phase I History/Architecture Survey Report					
Phase I Archaeology Survey Report					
Phase II Cultural Resources Survey Report					
Phase II History/Architecture Survey Report					
Phase II Archaeology Survey Report					
Phase III Archaeology Data Recovery					
Documentation for Consultation / MOA					
HABS / HAER Documentation					

Remarks: Cultural resources for the proposed project were documented through a photolog prepared by ODOT District 11 and a literature search and review completed by ODOT-OES.

On April 17, 2009, in accordance with Stipulation 4A(1) and Appendix A of the *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office, and the State of Ohio, Department of Transportation regarding the implementation of the Federal-aid highway program (Agreement No. 12642)* executed July 17, 2006 and in compliance with 36 CFR Section 800.3 (a)(1), ODOT OES determined that “the proposed undertaking is a type of activity which does not have the potential to cause effects to historic properties assuming such historic properties were present. In accordance with Appendix A, the proposed undertaking is a deemed exempt and requires no further review under this Agreement” (Attachment G1, pp. 72-74).

Furthermore, ODOT-OES determined that “this completes the Section 106 review and no further cultural resource investigations are required” (Attachment G1, pp. 72-74).

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

### SECTION D – SECTION 4(F) RESOURCES

	<u>Presence</u>		<u>Impacts</u>		<u>FHWA / OES</u> <u>approval dates</u>
	Y	N****	Y***	N**	
<b>Parks &amp; Other Recreational Land</b>		X			
Publicly owned park					
Publicly owned recreation area					
National Wild & Scenic River					
Section 4(f) Determination of No-Use					
Programmatic Section 4(f) Evaluation					
Individual Section 4(f)					
Section 6(f) involvement					
Other (school, state/national forest, bikeway, etc.)					

	<u>Presence</u>		<u>Impacts</u>		<u>FHWA / OES</u> <u>approval dates</u>
	Y	N****	Y***	N**	
<b>Natural &amp; Wildlife &amp; Waterfowl Refuges</b>					
<b>Federal</b>		X			
National Wildlife Refuge					
National Natural Landmark					
<b>State</b>		X			
State Wildlife Area					
State Natural Preserve					
Section 4(f) Determination of No-Use					
Programmatic Section 4(f)					
Individual Section 4(f) Evaluation					
Section 6(f) involvement					

	Y	N**	Y***	N**	<u>FHWA / OES</u> <u>approval dates</u>
<b>Cultural Resources Areas</b>					
Sites eligible and/or listed for the NRHP		X			
Section 4(f) Determination of No-Use					
Programmatic Section 4(f)					
Individual Section 4(f) Evaluation					

Remarks:

To ensure compliance with existing Section 4(f) regulations (23 CFR, Part 774 - Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites), ODOT-OES was consulted regarding the lands impacted by the proposed project. On July 29th, 2011, ODOT-OES staff determined that the land to be impacted by the proposed project is not subject to Section 4(f) based on the following:

- the land to be acquired as part of the proposed project is not significant for recreation;
- the land to be acquired as part of the proposed project is not within a designated wildlife area or part of an approved Management Plan; and
- the proposed project will not restrict or deny access to existing activities such as hunting, fishing, canoeing, etc. that are associated with the Beach City Reservoir Area.

ODOT District 11 requested concurrence on this determination from the officials with jurisdiction (OWJ) over the impacted lands through emails dated August 15, 2011. The OWJs for the proposed project are ODNR and the Muskingum Watershed Conservancy District (MWCD). The OWJs from both ODNR and MWCD concurred with this determination through emails dated August 17, 2011 and August 16, 2011, respectively. Copies of their concurrence correspondence are attached in Attachment H1 (pp. 75-78).

On April 17, 2009, in accordance with Stipulation 4A(1) and Appendix A of the *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the Ohio Historical Society, State Historic Preservation Office, and the State of Ohio, Department of Transportation regarding the implementation of the Federal-aid highway program (Agreement No. 12642)* executed July 17, 2006 and in compliance with 36 CFR Section 800.3 (a)(1), ODOT OES determined that "the proposed undertaking is a type of activity which does not have the potential to cause effects to historic properties assuming such historic properties were present. In accordance with Appendix A, the proposed undertaking is a deemed exempt and

## Ohio Department of Transportation

County TUS Route TR 62 Section 3.05 PID 75580 SJN 515540

requires no further review under this Agreement” (Attachment G1, pp. 72-74). No historic sites or historic bridges will be affected by construction, and therefore there is no Section 4(f) with respect to cultural resources.

BHE reviewed the U.S. Department of the Interior’s list of properties within Tuscarawas County that have received funding through the Land and Water Conservation Fund (Attachment H2, p. 79). None were identified in the vicinity of the project area.

The project does not involve Section 4(f) or Section 6(f) resources.

*\*\* If the resource is present but no impacts are anticipated, the reason why is described under Remarks.  
 \*\*\* Any impacts, mitigation and agency coordination are described under Remarks and coordination letters are attached.  
 \*\*\*\*If “No”, discuss in the remarks section details about how this determination was made.*

**SECTION E – AIR QUALITY & NOISE**

Will the project move the travel lanes closer to sensitive land uses? 

Y	N
	X

**Air Quality**

	Y	N
<b>Conformity Status of the Project</b>		
Is the project in an air quality non-attainment or maintenance area?		X
Criteria pollutant in non-attainment or maintenance		X
PM 2.5 _____ PM 10 _____ Ozone _____ CO _____		
Is this project in the STIP?	X	
Is this project in the most current MPO air quality conforming TIP?	N/A	
If NO, is this project exempt from conformity analysis?		
Is a project-level PM 2.5 conformity determination required for this project		X
If YES, has FHWA issued a conformity determination?		
<b>Project-Level Analysis and Impacts</b>	Y	N
Has the project scope changed substantially since the conformity analysis?		X
If YES, will this change require a reevaluation of the MPO TIP conformity?		
Is a PM 2.5 hotspot analysis required for this project?		X
Is an air toxics (MSAT) analysis required for this project?		X
Type of Analysis: Qualitative _____ Quantitative _____		

Remarks: The proposed project is listed on the 2012-2015 STIP and therefore Particulate Matter (PM2.5), Ozone (O3), Carbon Monoxide (CO), and Mobile Source Air Toxics (MSATs), are considered as follows:

Because the proposed project is not located within a PM2.5 nonattainment or maintenance area (Attachment I1, p. 80), no further PM2.5 analysis is required.

Because the proposed project is listed on the STIP, and the current project description (see above) continues to reflect that of the STIP, O3 issues have already been addressed and no further action relating to O3 is required.

Because the proposed project will not result in an ADT increase of more than 10,000 vehicles within 10 years of project completion date, and because the project does not involve a new road on new right-of-way that will have an ADT increase of more than 20,000 vehicles within 10 years of construction, the project is exempt from project level conformity analysis for CO per the ODOT/OEPA Air Quality Agreement.

Because no sensitive land uses (e.g. residences, hospitals, churches, etc.) exist within 500' of the project area no MSAT analysis is required.