

## Scope of Services for Environmental Assessment for Projects

The Consultant shall submit a Scope and Fee for completion of all required studies, and final documentation in compliance with the National Environmental Policy Act (NEPA) as outlined below for the projects in the attached list. Based on the scope of the project, the anticipated document for this project will be an Environmental Assessment as described below.

Additional information on EA can be found at

<http://www.environment.fhwa.dot.gov/projdev/docuea.asp>

This scope will be based on the approved hourly rate with a not to exceed amount. The attached cost estimate form shall be used.

1. Consultant shall **identify a Project Manager and provide contact information to Environmental Programs Division.** Any change of Consultant Project Manager must be approved by Environmental Programs Division in writing prior to the change occurring. Prior to start of the NEPA studies, the Consultant Project Manager shall schedule a meeting with the ODOT NEPA Project Manager to review the scope of work.
2. **The consultant shall follow the attached schedule with a milestone date for each of the major tasks/studies.**
3. The Consultant Project Manager shall provide **monthly status reports to Environmental Programs Division on the 15<sup>th</sup> of every month.** The Monthly Status Report shall include information on the status of all studies.
4. The Department will provide the Consultant with a marked up NEPA study footprint and a copy of the initiation report for the NEPA studies if applicable.
5. The Consultant shall attend Plan-In-Hand Meetings, R/W Meetings, and other Meetings as required for the Project.
6. If a Section 4(f) or Section 6(f) property is involved, the preparation of Section 4(f) document shall be a separate Task Order or Supplemental Agreement unless otherwise specified in this Task Order or Contract.

The following steps shall be followed in the preparation of the NEPA document in accordance with the Procedures set in CEQ Regulations and 23 CFR 771.

## STEP 1

Based on the NEPA study area established by ODOT, the Consultant Project Manager shall:

- Draw the footprint on an aerial meet the following requirements:
  1. 1-Meter GSD Aerial/Satellite Ortho Imagery of study area.
  2. Aerial shall be to a 400'=1" scale with Section Line, State Highway and County Section Line Road Numbers, Township and Range, North Arrow, Scale, Bridge NBI numbers and Dimensions of the Study Area. County, Project Number, and State Highway number shall be shown in a box at the bottom right hand corner with an ODOT Logo.
  3. Provide GIS shapefiles used or generated in USA Contiguous Albers Equal Area Conic (NAD83) or NAD83 UTM Zone.
  4. Adobe PDF Version which can be printed on 11 "x17" paper. The file shall be sized for 11 "x17" prints with a 400:1 scale.
  5. This footprint shall be reviewed and approved by the NEPA Project Manager prior to start of any specialist studies.
- The Consultant shall create project location maps for the projects identified in the attached list to meet the following requirements:
  - a. A location map created using ODOT County / City Maps from the ODOT Website:  
[www.okladot.state.ok.us/hqdiv/p-r-div/maps](http://www.okladot.state.ok.us/hqdiv/p-r-div/maps).
  - b. The location map shall have a North Arrow and have the Project Location Circled. County, Project Number, and State Highway number shall be shown in a box at the bottom right hand corner with an ODOT Logo. The location maps need not include the entire County, but should include a sufficient amount of the surrounding area to allow the location to be easily identified within the County.
  - c. This location map shall be reviewed and approved by the NEPA Project Manager prior to being sent out with Property Owner Notification.
- Identify the Purpose and Need for the Project – A detailed Traffic Analysis Report or Accident History may be required to justify the purpose and need for the project.
- Identify how the Project fits in with the State's Long Range Plan
- Establish the Logical Termini for the Environmental Studies
- Identify alternatives considered and
- Identify any Section 4(f) or 6(f) eligible properties. If Section 4(f) or Section 6(f) coordination and documentation is deemed necessary, a separate Task Order or Supplemental Agreement will be issued for such coordination and documentation unless otherwise specified in the Task Order or Contract.

## STEP 2

The Consultant shall request the Initial Tribal Coordination and Establishment of Scope for Cultural Studies by completing the form to REQUEST TO INITIATE TRIBAL COORDINATION & ESTABLISH SCOPE FOR CULTURAL RESOURCES STUDY with the necessary attachments and submitting it to the ODOT Cultural Resources Coordinator and copy the ODOT Environmental Project Manager for processing. The Cultural Resources and Tribal Coordination will be in accordance with the attached guidelines. **No Specialist Studies shall commence until the initial Tribal Coordination has been requested and completed by ODOT's Tribal Liaison, the 30 day response period for the Tribes is complete,** and the scope of Cultural Resources study established by the ODOT Cultural Resources Coordinator.

## STEP 3

Property owner contact prior to Specialist Field Studies and a letter to the Bureau of Land Management (BLM) shall be done during the time the Consultant is waiting on the completion of Tribal Coordination. **No Specialist Studies shall start until the property owner notification is complete.**

- The Consultant Project Manager shall be responsible for obtaining property owner addresses and send notification letters to property owners at least 10 days prior to Specialist Studies.
- Attached Sample Form Letters for Property Owner Notification and BLM shall be used for notification. The Word files for these documents are available from the ODOT Environmental Project Manager. The original form letter for property owner notification will be signed by the Environmental Division Engineer on a plain white paper for each project and the Consultant shall make necessary copies on ODOT letterhead. Letters should be sent via regular mail. The BLM letter should be signed on an ODOT Letterhead. **Letters should be mailed from within the State of Oklahoma.**
- The Consultant is responsible for distributing the copies to ODOT Divisions and other parties on the copy list.
- The Consultant Project Manager shall provide their Specialists with a copy of the notification letter and a list of the notified property owners to take to the Field.
- If property owner resistance is encountered, the Consultant shall send a certified mail with a permission form to the property owner. The Consultant shall contact the ODOT Environmental Project Manager to get the sample letter and form.
- The Consultant Project Manager shall provide a list of Property owners along with the Parcel Information to the ODOT Environmental Project Manager. The purpose of this information is for ODOT's R/W Division to identify any potential problem parcels.

## STEP 4

The Consultant shall send Solicitation Letters to all local, State, Tribal, and Federal officials that may have an interest in the proposed project or are located in the project area. **The most current list and sample NEPA Solicitation letter should be obtained from the ODOT Environmental Project Manager.** This step shall be done simultaneously with Steps 2 and 3. The Consultant Project Manager shall prepare summarize any response received from the solicitations regarding the project to be included in the EA document

## STEP 5

### INITIAL ENVIRONMENTAL DATA

The Consultant shall identify initial environmental constraints and prepare reconnaissance level constraints map to present to the public. The environmental constraints can be obtained from previous planning level studies done for the project and supplemented with the following information:

#### 5.1 PROPERTY IDENTIFICATION

Within the study area, identify the following properties and the general location of their boundaries:

##### A. Potential Business and Residential Relocations

This information can be obtained using the property cards and aerials. The Property Cards can be obtained through the one of the commercially available websites.

##### B. Indian & Tribal Ownership

Trust Land within any particular county will generally not have any recorded documents at the courthouse. All documents affecting trust property will be recorded with the agency of the Bureau of Indian Affairs (BIA) overseeing that property. Once determination is made that the property is trust land, an ownership report can be requested from the BIA, such as a "Title Status Report" (TSR) from the BIA. This has information on whether the land is a tribal or allottee tract. This information is sometimes available from the Tribe, depending on which Tribe is involved.

##### C. Any Federal Properties and Easements within the Study area

The properties owned by Federal Government are shown as "USA" ownership on the property cards. Identify the federal agency which owns the property. The following websites may be of use:

- The USGS's NHSS (Natural Hazards Support System) has a Federal Lands Layer that has all federal lands owned or managed by a Federal Agency mapped at <http://nhss.cr.usgs.gov/>
- The USDA / NRCS easements can be found at <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/nra/dma/?&cid=stelprdb1043930>

D. Any Wetland Restoration Program (WRP) Sites within the Study Area. This information can be obtained in GIS format from the local NRCS office via phone at (405) 742 1236 or email.

E. Public parks and recreational areas within the Study area  
For information regarding public parks and recreational areas contact the Director of the Division of Research and Development of the Oklahoma Department of Tourism. Additional information can be found at their website: [www.oklatourism.gov/](http://www.oklatourism.gov/). In addition, property ownership cards would identify properties owned by Cities. Check to see if it is a public park.

F. Any wildlife and waterfowl refuges within the study area  
For information regarding Wildlife Refuges and Management Areas refer to the Oklahoma Department of Wildlife Conservation Website:  
[www.wildlifedepartment.com](http://www.wildlifedepartment.com)

G. Any cemeteries within the study area

H. Any active or abandoned Rail Roads within the Study Area  
Identify the owner of the Rail Road. Identify any Military Properties within the Study Area.

## 5.2 CULTURAL RESOURCES

The Consultant shall request the following cultural resource information located within the study area from ODOT Cultural Resource Specialist. Include the location map, an aerial with the study limits, the shape files for the study limits, and a copy of the existing bridge information data from GRIP or the SI & A sheet for all bridge structures within the recon area.

1. *Historic Properties/Structures/Landscapes*
2. *Properties and districts listed in the National Register of Historic Places (NRHP).*
3. *Properties and districts eligible to be listed in the NRHP.*
4. *Segments of Route 66 eligible to be listed in the NRHP.*
5. *Historic Bridges listed in the NRHP*
6. *Historic Bridges eligible to be listed in the NRHP.*
7. *Archaeological Sites*
8. *Prehistoric and historic archaeological sites recorded with the Office of the Oklahoma Archaeological Survey (OAS).*
9. *Early historic "GLO" sites recorded with the OAS*
10. *Previously surveyed cultural resource site.*
11. *Historic Cemeteries*

The Consultant Project Manager shall submit a Cultural Resources Recon Form to the ODOT Cultural Resource Specialist through the ODOT NEPA Project Manager to request all cultural resource data. All historic properties

identified during this process shall be shown on study maps as “culturally sensitive sites”. The public disclosure of the location of some types of historic properties is a violation of Federal laws and regulations. **Allow minimum 60 days for the ODOT Cultural Resources Specialist to provide the information.**

### 5.3 HAZARDOUS WASTE/LUST SITES

The Consultant shall identify the following within the study area:

- A. Hazardous Waste Sites located in the proximity of the study area (using ASTM E1527-00 radius guidelines). This consists of a database search of both the federal and state environmental records.
- B. Identify Above Ground Storage Tanks (AST), Underground Storage Tanks (UST), Leaking Underground Storage Tanks (LUST) Sites and oil wells located within 1/8th of a mile of the study area. This consists of a file review from the Oklahoma Corporation Commission (contact the appropriate District Office) for any past or present Oil and Gas activity – including salt water disposal. This includes any information regarding the location of drilled wells, records of completion and plugging, field inspection reports, reported leaks, spills or violations of any kind
- C. Current and abandoned coal mines within the study area. This information can be found from historic aerial photos and topographical maps.

### 5.4 NATURAL RESOURCES

The Consultant shall identify the following within the study area:

- A. *Any Designated Critical Habitats* for federally-listed endangered, threatened or candidate species located within the study area. For a list of federally-listed endangered, threatened or candidate species that could be found within the county of interest, refer to the U.S. Fish & Wildlife Service Website: [www.fws.gov/southwest/es/Oklahomaiendsp.htm](http://www.fws.gov/southwest/es/Oklahomaiendsp.htm). For Designated Critical Habitats, refer to: [www.crithab.fws.gov/](http://www.crithab.fws.gov/)
- B. *Any potential jurisdictional wetlands* located within the study area. This consists of any wetlands or playa lakes indicated on the latest version of the National Wetlands Inventory (NWI) maps. In addition, a natural resource specialist shall perform a visual identification of any other potential jurisdictional wetlands located within the study area. Refer to the Oklahoma Water Resources Board Website, [www.owrb.ok.gov/learn/wetlands/nwimaps.php](http://www.owrb.ok.gov/learn/wetlands/nwimaps.php).
- C. *Scenic Rivers & Protected Aquifers* located within the study area. Refer to the Oklahoma Scenic River Commission Website. [www.oklahomascenicrivers.net](http://www.oklahomascenicrivers.net) Refer to the Oklahoma Water Resources Board Website. [www.owrb.ok.gov/studies/groundwater/arbuckle\\_simpson/arbuckle\\_study.php](http://www.owrb.ok.gov/studies/groundwater/arbuckle_simpson/arbuckle_study.php)

- D. *Any Oklahoma Sensitive Waters and Watersheds Harboring Endangered and Threatened Species and Their Critical Habitat of Concern required for the Storm Water Permit Conditions.* This information can be obtained from Appendix A of the GENERAL PERMIT OKR10 - FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES WITHIN THE STATE OF OKLAHOMA available at [http://www.deq.state.ok.us/wqdnew/stormwater/construction/okr10\\_final\\_permit\\_13\\_sep\\_2007.pdf](http://www.deq.state.ok.us/wqdnew/stormwater/construction/okr10_final_permit_13_sep_2007.pdf)
- E. *Any Oklahoma's 2010 303(d) list of impaired waters.* This information can be obtained from the Flex Viewer map located in the Oklahoma Department of Environmental Quality's Website at <http://www.deq.state.ok.us/mainlinks/gis/index.html>
- F. *Any Critical Resource Waters, Section 10 Waters, Scenic Rivers & Arbuckle Simpson Aquifer and associated streams* located within the study area.

For Critical Resource Waters: Refer to USACE website.  
[www.swt.usace.army.mil/permits/npp.cfm](http://www.swt.usace.army.mil/permits/npp.cfm)

For Section 10 Waters: Refer to USACE website.  
[www.swt.usace.army.mil/permits/permits/permits.cfm](http://www.swt.usace.army.mil/permits/permits/permits.cfm)

Refer to the Oklahoma Scenic River Commission Website.  
[www.oklahomascenicrivers.net](http://www.oklahomascenicrivers.net)

Refer to the Oklahoma Water Resources Board Website  
[www.owrb.ok.gov/studies/groundwater/arbuckle\\_simpson/arbuckle\\_study.php](http://www.owrb.ok.gov/studies/groundwater/arbuckle_simpson/arbuckle_study.php)

## STEP 6

### INITIAL PUBLIC MEETING (AND ADDITIONAL PUBLIC MEETINGS IF SPECIFIED IN THE SCOPE)

This meeting is held early in the NEPA development process. The purpose of this meeting is to inform public of the purpose and need of the project and offer the public an opportunity to participate in the initial studies and offer suggestions for alternatives. The process for the Public meeting is as follows: Public meetings are required for projects involving capacity expansion or new alignment. Public meetings may also be required for road closure.

- The Consultant shall submit a Public Involvement Plan to Environmental Programs Division which identifies stakeholders which at a minimum include property owners within the project extent, nearest city/town emergency services (police, fire, hospitals, etc.), schools within the district, post office, and local and appropriate Agencies and Officials. **the Consultant Project**

**Manager should obtain the latest NEPA Public Meeting list and sample Public Meeting Notice from the ODOT Environmental Project Manager.**

The list will have to be supplemented with project specific invitees by the Consultant.

- Once the Public Involvement Plan is approved, the Consultant Project Manager shall coordinate a Public Meeting date with ODOT and have a Pre-Public Meeting with ODOT. Pre-meeting shall be held at least 4 weeks prior to the Public Meeting and prior to meeting notices being sent out.
- The Consultant shall be responsible for finding an appropriate location for the Public Meeting and making all arrangements for the meeting.
- At the Pre-Public meeting, the Consultants shall provide a copy of the Public Meeting notice, Agenda/Format for the Public Meeting, Displays or Presentation for the Public Meeting and a list of invitees to the Public Meeting which shall include the list from the Public Involvement Plan along with the Agency and Official Contacts provided by ODOT.
- After the Pre-meeting, the Consultant Project Manger shall send out public meeting notice letters to the stakeholders and appropriate Agencies and Officials on ODOT letterhead under ODOT signatures. Any media notice will be done by ODOT.
- The Consultant shall be responsible for presenting the NEPA issues and asking for input at the Public Meeting.
- After the meeting, the Consultant shall coordinate with the ODOT Environmental Project Manager to get responses for any verbal or written issues brought up by the public at the Public Meeting.
- The Consultant Project Manager shall prepare a report summarizing what was presented at the meeting, how many attendees, any verbal or written concerns or feedback received from the public regarding the project, and the response from ODOT to such concerns. The Consultant Project Manager shall also prepare draft response letters from ODOT for written comments.
- The meeting summary report, copies of meeting notice, agenda, written comments and written responses shall be included in the NEPA document.

In addition separate Stakeholder meetings prior to the Public Meetings will be required for some projects if specified in the scope. The process for the Stakeholder meeting is as follows:

- The Consultant shall submit a list of stakeholders to invite prior to the Pre-Public meeting.



- Once the stakeholder list is approved, the Consultant Project Manager shall coordinate a stakeholder meeting date with ODOT.
- The Consultant shall be responsible for finding an appropriate location for the stakeholder meeting and making all arrangements for the meeting.
- At the Pre-Public meeting, the Consultants shall provide a copy of the stakeholder list, Agenda/Format for the stakeholder meeting, Displays or Presentation for the stakeholder meeting, and Examples of meeting Handouts.
- After the Pre-meeting, the Consultant Project Manger shall send out stakeholder meeting notice letters to the stakeholders.
- The Consultant shall make presentation about the project at the stakeholder meeting.
- The Consultant Project Manager shall prepare summarize any concerns or feedback received from the stakeholders regarding the project and prepare responses to the comments with ODOT's input. This information will be included in the EA.

## STEP 7

### DEVELOPMENT OF ALTERNATIVES

The Consultant shall develop alternatives based on previous planning studies, initial environmental data, solicitation letter responses, and initial public input. The Consultant shall develop a matrix showing this information to assist in selecting the alternative(s) for further consideration. In some cases, preliminary engineering and traffic studies may be required for the development of the alternatives. These alternatives will be narrowed down to alternative(s) to be considered for further studies. Additional Public Meeting(s) may be required prior to the elimination of some alternatives. Additional Public Meetings will follow the same scope as the Initial Public Meeting and the original invitees to the Initial Public Meeting and other additional interested parties identified later in the process will be invited to these additional meetings. The selection of preferred alternative may occur after the completion of the Specialist studies in some cases.

## STEP 8

### Specialist Studies

Prior to start of Specialist Studies, the Consultant Specialists shall contact the ODOT Specialists to clarify any scope questions related to the specialist studies. Once the studies are completed, **the Consultant shall complete the SPECIALIST REVIEW REQUEST FORM with the necessary attachments and specialist report** and submit it to the ODOT Environmental Project Manager and the ODOT Specialists in accordance with the requirements for each study.

If the scope calls for any of the studies to be done by ODOT Specialists, **the Consultant shall complete the SPECIALIST REVIEW REQUEST FORM with the necessary attachments** and submit it to the ODOT Environmental Project Manager and the appropriate ODOT Specialist. Once the studies and applicable coordination are complete, the ODOT Specialist will send the completed studies to the Consultant and copy the ODOT Environmental Project Manager along with copies of any coordination. These will be included as supporting documents in the CE Document.

#### A. Cultural Resources Studies

**The Cultural Resources Studies and submittal will be in accordance with the attached guidelines and the Scope established by the ODOT Cultural Resources Specialist in Step 2. The Consultant shall not contact SHPO or other Agencies directly.** Once the report is finalized and approved and all SHPO coordination completed, the ODOT Cultural Resources Specialist will send the final package back to the Consultant and copy the ODOT Environmental Project Manager. The package will include: Copies of SHPO Correspondence, Final Cultural Resources Report, Copies of Initial Tribal Coordination and any responses from the Tribes, Copies of Final Tribal Coordination and any responses from the Tribes and a copy of the memo sent to the Local Government or Project Management Division summarizing any mitigation measures. These will be included as supporting documents in the CE Document.

If specified in the scope, the Cultural Resources Studies will include Historic American Engineering Record (HAER) Level II documentation in accordance with the attached scope.

#### B. Threatened & Endangered Species and Wetland Studies

The Threatened & Endangered Species and Wetland Studies will be in accordance with the attached guidelines. **The Consultant shall not contact USFWS or other Agencies directly.** Once the study is completed, the Consultant shall contact the ODOT Biologist prior to preparing the reports in order to get the current report format. **Once the report is complete the SPECIALIST REVIEW REQUEST FORM with the necessary attachments and specialist report and submit it electronically to the Biologist and copy the ODOT Environmental Project Manager for processing.** Once the report is finalized and approved and all the coordination are complete, the ODOT Biologist will send the final memo back to the Consultant through the ODOT Environmental Project Manager along with the letter to and from USFWS (if applicable). These will be included as supporting documents in the CE Document.

#### C. Hazardous Waste Studies

The Specialist Studies for Hazardous Waste Studies shall be in accordance with the attached guidelines. **Once the study is completed, the Consultant shall complete the SPECIALIST REVIEW REQUEST FORM with the**

**necessary attachments and specialist report and submit it electronically to the ODOT Hazardous Waste Specialist and copy the Environmental Project Manager for processing.** Once the report is finalized and approved, the ODOT Hazardous Waste Specialist will prepare and send the Hazardous Waste & LUST Report Form back to the Consultant and copy the ODOT Environmental Project Manager. If Plan Notes or recommendations for further action are necessary, the ODOT Hazardous Waste Specialist will prepare and send a Memo to the appropriate Divisions and provide a copy to the Consultant Project Manager through ODOT Environmental Project Manager. These will be included as supporting documents in the CE Document.

#### D. Farmland Impact

The Consultant shall perform NRCS Coordination for determination for Farmland Impact in accordance with the following steps.

Complete the Form AD 1006 and send with the cover letter to NRCS. These forms can be sent either by mail or email to NRCS. If NRCS does not respond within 45 days, then Farmland Impact is considered not applicable.

If the NRCS responds, complete the rest of Form AD1006 in accordance with the NRCS instructions found at the website.

- The Form and Instructions for Completing the can be found at [http://www.nrcs.usda.gov/programs/fppa/pdf\\_files/AD1006.PDF](http://www.nrcs.usda.gov/programs/fppa/pdf_files/AD1006.PDF) and the FHWA regulations relating to Farmland Impact can be found at <http://www.environment.fhwa.dot.gov/guidebook/chapters/v1ch5.asp>
- The Consultant shall use the attached Sample Letter for the NRCS Coordination.

#### E. Flood Plain Impact

The Consultant shall obtain current Flood Plain Maps from the FEMA website to identify whether the project falls within the regulated flood plain extents (Zone A-E) and create a firmette. If the project falls within Zone A-E, the NEPA Consultant shall contact the Designer through the Environmental Project Manager to check if a FEMA map revision is anticipated as a result of the proposed project.

#### F. Noise Studies (*Applicable to Capacity Expansion projects or projects on new alignments*)

The Specialist Studies for Noise Studies shall be in accordance with the attached guidelines. The Consultant Project Manager shall consult the ODOT Noise Specialist to determine whether a study is needed. If a study is required, the ODOT Noise Specialist will provide the project specific scope prior to the start of studies. **Once the study is completed, the Consultant shall complete the SPECIALIST REVIEW REQUEST FORM with the necessary attachments and specialist report and submit it to the ODOT**

**Noise Specialist electronically and copy ODOT Environmental Project Manager for processing.** Once the report is finalized and approved, the ODOT Noise Specialist will provide a summary language to be included in the main body of the NEPA document to the Consultant Project Manager through ODOT Environmental Project Manager. The noise studies will be included as supporting documents in the CE Document.

#### G. Identification of Required Permits

The Consultant shall identify the need for any 404 permits based on the biological studies and FAA Permits if the project is within 4 miles of a public airport. If the project is over any known navigable waters such as Arkansas/Vedigiris River, the Consultant shall contact the Coast Guard to determine the need for permit. This can be done via letter, email or phone call. Contact name for the Bridge Specialist can be found at <http://www.uscg.mil/d8/WesternRiversBridges/> . Phone calls require memo to file with a summary of the conversation. The actual permit coordination will be done by ODOT during plan development. Coastguard permits are required for Section 10 Waters or Navigable Waters. Section 10 Waters can be identified at <http://www.swt.usace.army.mil/Missions/Regulatory/Section10Waters.aspx>

#### H. Identification of Wild and Scenic Rivers

If the project involves any state Wild and Scenic Rivers, the Consultant shall coordinate with the ODOT Environmental Project Manager to send a solicitation letter to the Scenic River Commission. Response to any comments from the Scenic River Commission shall be coordinated through the ODOT Environmental Project Manager.

#### G. Other Environmental Considerations

Section 4(f) or 6(f) Issues – Summarize impacts to Section 4(f) or 6(f) properties in accordance with Section 4(f) of the Department of Transportation Act and Section 6(f) of the Land and Water Conservation Act and attach the Section 4(f) document in the Appendix.

Wild & Scenic Rivers – The EA shall identify any state or national wild & scenic rivers and coordination with agencies with jurisdictions including the Oklahoma Scenic Rivers Commission and propose measures to avoid, minimize or mitigate impacts to the rivers in accordance with the Wild & Scenic Rivers Act.

Consultation with US Coast Guard – The EA shall identify the need for any Coast Guard Bridge Permits through correspondence with US Coast Guard for projects over navigable waters.

Water Quality Issues – The EA shall identify any protected or sensitive waters or aquifers and discuss avoidance, minimization and mitigation to the waters.

Access Control – The EA shall discuss any impacts of change in access control to the project and the impacts of the change.

Land Use – The EA shall discuss the existing and any proposed land use, land use growth patterns, and other economic elements.

Relocations – The EA shall discuss the number and type of relocations such as commercial, public agencies, farms, residential, etc. for each alternative. Information on whether equivalent housing is readily available shall be discussed. The EA shall mention that relocations are to be done in accordance with the Uniform Relocation and Real Property Acquisition Act of 1970.

Environmental Justice – The EA shall include information on environmental justice issues. More information can be found at [http://environment.transportation.org/environmental\\_issues/environmental\\_justice/](http://environment.transportation.org/environmental_issues/environmental_justice/)

Secondary and Cumulative Effect– The EA shall discuss any secondary and cumulative effect of the proposed project.

Temporary Construction Impacts - The EA shall discuss any temporary impacts such as effects of road closure on businesses, through traffic, etc. during the construction of the proposed project.

Bicycle/Pedestrian Issues – The EA shall discuss any existing Trail/Bicycle Plans and the need for bicycle and pedestrian use facilities.

Air Quality Impacts – The EA shall identify air quality impacts for projects in urban areas in accordance with the Clean Air Act.

Airport Impacts – The EA shall identify the need for coordination with FAA or need for FAA permits due to proximity of airports.

Visual Impacts – The EA shall identify any visual impacts as a result of the project.

## STEP 9

The draft EA shall be prepared in accordance with Technical Advisory T6640.8A found at

<http://environment.fhwa.dot.gov/projdev/impTA6640.asp#ea>.

In addition to the guidelines given in the Technical Advisory, the EA format shall include the following:

- Cover Sheet with concurrence Lines (Example will be provided)
- Table of Contents
- Introduction
- Location (Including Discussion of Logical Termini)
- Purpose & Need for the Project (Discussion of existing conditions and the identification with long range plans)
- Alternatives considered (Identify and discuss any previous planning studies and the public input on such studies as part of this)
- Impacts (Discussion of the Specialist Studies including any mitigation commitments)
- Comments and Coordination (Summary of Public Involvement and Solicitations)
- Summary of Commitments
- List of Preparers and brief description of their Qualifications

- Appendices (all specialist studies)
- Section 4(f) Evaluation (if applicable)

The Consultant shall provide 2 hard copies of the EA document including the appendix in 3 ring binders and a CD for concurrent review by ODOT and FHWA. Once the draft review is completed, the Consultant shall provide 2 copies of the final pre-hearing EA document including appendices in a 3 ring binder for ODOT and FHWA signatures and the complete document on a CD.

#### STEP 10

Once the EA is signed by FHWA, the Consultant shall schedule a Public Hearing to present the EA document to the Public. ODOT may choose to do a Notice of Availability for the EA and make the EA documents available at various locations in lieu of a Public Hearing. If the Public Hearing Option is chosen, the Consultant shall follow the following steps for the Public Hearing. The purpose of the hearing is to inform public of the findings of the EA.

- The Consultant shall coordinate a Public Hearing date with ODOT and have a Pre-Public Hearing meeting with ODOT at least 5 weeks prior to the Public Hearing.
- The Consultant shall be responsible for finding an appropriate location for the Public Meeting and making all arrangements for the meeting.
- The Consultant shall send the legal ad of the public hearing to the local news media to be published at least twice – 21 days before the hearing and 7 days before the hearing. The consultants shall make copies of the signed and bound EA with the appendices (*except for cultural resources studies – This section will be replaced with a notice that these studies are available on written request. This is necessary to protect some sensitive cultural resources*) to be available to the public at least 15 days prior to the hearing. These copies will be made available at the following locations: local ODOT Field Division Office, and 2 or 3 additional public locations agreed upon by ODOT and the Consultant . The document will also be made available at ODOT website by ODOT. The public hearing notice shall contain information on where the document is available and the web address.
- At the Pre-Public Hearing meeting, the Consultants shall provide a copy of the Public Hearing notice, Agenda/Format for the Public Hearing, Displays or Presentation for the Public Hearing, Examples of Hearing Handouts, and a list of invitees to the Public Hearing which shall include the list from the initial Public Meeting along with the updated Agency and Official Contacts provided by ODOT.

- After the Pre-meeting, the Consultant Project Manger shall send out public meeting notice letters to the stakeholders and appropriate Agencies and Officials on ODOT letterhead under ODOT signatures. Any media notice will be done by ODOT.
- The Consultant shall make presentation about the findings of the EA and any tentative construction dates. ODOT's R/W Division will make presentations about the acquisition and relocation program.
- The Consultant shall prepare a public hearing affidavit to be approved by ODOT. This affidavit will become part of the final EA. The public hearing affidavit must include:
  - Certificate that a hearing has been held (including time and place hearing was held)
  - Report on the Social, Economic and Environmental Effect of the Project
  - Verbatim Transcript of the hearing
  - Attendance roaster
  - Copies of all written comments received
  - Copies of legal notices, postings, and press releases

#### STEP 11

At the end of the public comments period after the hearing (usually 15 days after the hearing), the consultant shall prepare responses to the public comments from the hearing with ODOT's input to be included in the final EA, revise the final EA if necessary, and present 2 copies of the final post hearing EA in a 3 ring binder, an electronic copy of the final EA, and the signed hearing affidavit to ODOT. If the EA determines the action will result in no significant impact to the human and natural environment, it will be submitted to FHWA with a request for Finding of No Significance (FONSI).

#### STEP 12

If the FONSI is issued by FHWA, a copy of the signed FONSI will be returned to the Consultant and the Consultant Project Manager will prepare a transmittal letter from Environmental Programs Division to Project Management Division. This transmittal letter will have to be reviewed by the NEPA Coordinator prior to being sent to Project Management Division. The transmittal letter will list the following (Sample can be provided):

- The environmental mitigation commitments. This will include information from the Summary of Commitments in the EA and any other additional commitments stated in the FONSI. Reference can be made to the appropriate Specialist Studies for Plan notes or Special Provisions.
- List of Permits which may be required such as 404 Permit, FAA Permit, OWRB Permit or FEMA Map Revisions, Coast Guard Permit, etc.

- Summary of public input for projects with road closures.
- Request for copies of plans or list of Special Provisions for project records to ensure the appropriate mitigation has been included in the project.