

OPEN HOUSE EXECUTIVE SUMMARY REPORT

**Meeting Held On:
June 1, 2017**

**WIDEN, RESURFACE & BRIDGE US-62: FROM 3.38 MILES EAST OF
SH-82 JCT, NE 2.6 MILES**

**CHEROKEE COUNTY
J/P No. 27111(04); Project No. J2-7111(004)**

Prepared for:



**OKLAHOMA DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION**

Prepared by:



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AUGUST 2017

1.0 PUBLIC OPEN HOUSE OVERVIEW

As part of the Oklahoma Department of Transportation's (ODOT) efforts to keep the public informed and involved in the decision-making process, a public open house was held. The following is a generic summary of the information provided and the comments received. ODOT responses to comments are also presented in this document.

1.1 MEETING DATE & TIME

Thursday, June 1, 2017

5:00 pm to 7:00 pm

1.2 MEETING LOCATION

Briggs Elementary School

17210 S. 569 Rd.

Tahlequah, OK 74464

1.3 PURPOSE OF MEETING

To inform the public and solicit input regarding the Oklahoma Department of Transportation's (ODOT) proposed improvements to US-62 through Briggs in Cherokee County, Oklahoma.

1.4 PROJECT BACKGROUND

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), is planning safety improvements to this portion of US-62 through Briggs, Oklahoma. This section of US-62 has steep side slopes, poor sight distances at an intersection, a narrow width, and no shoulders. These factors contribute to a high accident rate. The existing highway, through this extent, is a two-lane, open section, minor arterial facility with 12-foot wide driving lanes and no shoulders. At the east end of the project there is a 24-foot long reinforced concrete box (RCB) over East Branch of Briggs Creek which is deteriorating and has severe channel scouring. Current traffic volumes are estimated at 3,978 vehicles per day (vpd) and are projected to increase to 5,610 vpd by 2036. The purpose of this project is to improve the safety of this segment of roadway.

ODOT tasked a consultant to develop design plans for improving this segment of highway while taking into consideration the cost of construction, right-of-way, and utilities, as well as the identified environmental impacts.

1.5 PROJECT DESCRIPTION

The proposed improvements would constitute widening the existing alignment to meet a 55-mph design speed. This includes constructing two, 11-foot wide driving lanes with 3½-foot wide paved shoulders and an 11-foot wide center turn lane. The box bridge over East Branch of Briggs Creek will be replaced with a 120-foot long RCB. Along this segment of US-62, the side slopes will be improved, shoulders and a center turn lane will be added, and the intersection at North Oakdale Drive will be reconfigured to provide better sight distances. Where needed, the alignment will be shifted and the width of the shoulders narrowed to minimize and avoid environmental impacts. The box bridge replacement will be on off-set alignment to the north. The proposed design would meet current standards. The highway would remain open during construction, and access to residences and businesses would be maintained during and after construction.

1.6 PUBLIC NOTICES

- ODOT mailed open house invitations to property owners on May 9, 2017.
- Letters to various agencies, regulators, and potentially interested parties were mailed on May 9, 2017 in an effort to solicit their input.
- Public meeting invitation letters were mailed to various political entities, interested parties and public on May 9, 2017.
- ODOT sent out a press release and general media announcements on May 18, 2017

1.7 MEETING FORMAT

At the public open house, attendees were asked to add their name and contact information to a sign-in sheet. A handout was available to everyone, which described the project and illustrated the proposed project alignment. Presentation boards were set up, and a looping PowerPoint slideshow repeatedly narrated the project scope and objectives of the proposed improvements. Personnel from ODOT and the engineering design team were available to answer questions and take comments from the public. Attendees were encouraged to write their specific questions or concerns related to the project on the available Comment Form.¹

(Presentation and meeting materials are available at https://www.ok.gov/odot/Programs_and_Projects/Public_Meetings_and_Hearings/20170601.html)

2.0 SUMMARY OF COMMENTS & RESPONSES

2.1 PUBLIC COMMENTS

2.1.1 Public Written Comments

Seven property owners, local residents, and/or citizens made phone inquiries or responded in writing to the proposed project. In general, there was no voiced opposition to the project in concept; however, individuals expressed concerns over individual property impacts, restricted lines-of-sight at specific locations, and aesthetics and drainage issues. Individual comments are summarized in Table 2.

Table 2: Property owners, local residents and citizens written comments

PUBLIC WRITTEN COMMENTS	
The written responses were summarized and generically grouped into general categories; each of which are presented below. Next to each item is ODOT's response.	
ISSUE/COMMENT/CONCERN	RESPONSE
Right-of-Way, Residential & Business Impacts	Adverse effects to property owners are weighed heavily by ODOT during the roadway design process. The designers looked at several alternatives to minimize impacts and balanced that with the primary purpose of improving highway safety. Any properties being impacted by the proposed right-of-way of this project may be eligible for compensation benefits. The eligibility of each property impacted will be determined through the right-of-way process. Any displaced businesses, residential occupants, and personal property relocations identified will be given all applicable benefits according to the 49 CFR Part 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs as required by the Uniform Relocation Act of 1970.
Cobb Cemetery Impacts	Impacts to the Cobb Cemetery were purposefully avoided by shifting the alignment to the north.
Line-of-Sight Safety Concerns	Intersections were evaluated and improved, as necessary, to provide safer access on and off of US-62. However, additional assessment will be made to determine if additional modifications or improvements are needed at Cary Lane or County Road NS-573.
Drainage Concerns	As part of the design phase, the hydrology of the project and surrounding area was evaluated. Drainage structures and ditches are designed appropriately for anticipated flows to prevent flooding, pooling and erosion.
Aesthetics of Area	Aesthetic concerns associated with private property or businesses are outside of ODOT's jurisdiction. Concerns related to visual impacts of business (e.g., salvage yard) are sometimes addressed by local ordinances or the Department of Environmental Quality.

2.2 BUSINESS COMMENTS

No responses were received from the businesses potentially affected by the project not previously addressed above.

2.3 AGENCY COMMENTS

Seven agency comments were received. Individual comments are summarized in Table 3.

Table 3: Federal, state, & local agency written responses to the solicitation letter

AGENCY COMMENTS	
AGENCY	INPUT
Bureau of Land Management (BLM) John Ledbetter Realty Specialist	<ul style="list-style-type: none"> The BLM reviewed the project information and has no concerns or objections to the proposal. File searches show no impact to federal minerals or federal lands managed by the BLM. There are BLM administered mineral interests near and within the project area, but the project, as proposed, would not impact them.
	<p style="text-align: center;">ODOT RESPONSE</p> <ul style="list-style-type: none"> Comments noted
Oklahoma Aeronautics Commission (OAC) Jennifer Scanlan Aviation Program Manager	<ul style="list-style-type: none"> There does not appear to be any potential hazards to the safe and efficient use of airspace. Recommends using FAA's notice criteria tool to determine if a 7460-1 form needs to be completed with the FAA. If form 7460-1 is required, the Commission requests to be notified, as a tall structure permit may be required. Would like to remind ODOT of the need to comply with CFR Title 14 Part 77.13, which states that certain projects are required to notify the Administrator of the FAA.
	<p style="text-align: center;">ODOT RESPONSE</p> <ul style="list-style-type: none"> ODOT will contact the FAA during the design phase to determine if Form 7460-1 needs to be completed.
Oklahoma Conservation Commission (OCC) Brooks Tramell	<ul style="list-style-type: none"> Expressed concerns regarding impacts to streams and potential impacts on wetlands.

<p>Director of Monitoring, Assessment & Wetlands Programs</p>	<p style="text-align: center;">ODOT RESPONSE</p> <p>The OCC's concerns were summarized into four general areas as outlined below.</p> <ul style="list-style-type: none"> • The concerns regarding impacts to potential wetland areas were addressed as part of the water and wetlands study performed by ODOT/OBS staff in 2015. Any jurisdictional water impact will be addressed as part of the Clean Water Act Section 404 permitting process currently underway. • The concerns regarding siltation will be addressed as part of the storm water permitting process. The construction contractor will be required to obtain a Department of Environmental Quality (DEQ) OKR10 construction storm water permit and maintain a storm water pollution prevention plan (SWP3). The SWP3 specifically requires erosion and sediment controls that will address erosion and siltation. • The concerns regarding channel disturbance will be addressed as part of the Clean Water Act Section 404 permitting process. There is no intent to modify, redesign or significantly alter the stream bed at the bridge crossing. • The comments/concerns regarding impacts from poorly calculated hydraulic and hydrology (H&H) for the existing bridge were assumed to be generic in nature. However, the proposed bridge design would meet modern standards and criteria, and will be designed to convey anticipated flows.
<p>Oklahoma Department of Commerce (DOC) Donald R. Hackler Deputy Director</p>	<ul style="list-style-type: none"> • The DOC is very supportive of the proposed project. • US-62 is very important to recreational and commercial activities in Cherokee County. <p style="text-align: center;">ODOT RESPONSE</p> <ul style="list-style-type: none"> • Comments noted
<p>Oklahoma Department of Environmental Quality (DEQ) Jon Roberts General Counsel</p>	<ul style="list-style-type: none"> • DEQ Recommended ODOT obtain a construction storm water permit (OKR10). • Attached DEQ Fact Sheet Recommendations for General Construction/Improvement Projects. <p style="text-align: center;">ODOT RESPONSE</p> <ul style="list-style-type: none"> • The DEQ stated that ODOT should obtain a construction storm water permit authorization under OKR10. ODOT is aware of the permitting requirements and the process involved. ODOT requires construction contractors to obtain an OKR10 permit authorization (when applicable) prior to starting any construction activities.

<p>Oklahoma Department of Wildlife Conservation (ODWC) Kurt Kuklinski Fisheries Research Supervisor</p>	<ul style="list-style-type: none"> • There are two known aquatic species of state concern at or near the project location—Neosho Mucket and Arkansas Darter. • ODWC recommends the use of RCB crossings do not present vertical barriers to the stream, which would make it impassable for aquatic species. • ODWC requests that caution be used when working near stream corridors where habitats and riparian zones are present. • ODWC urges ODOT to consult with the Tulsa Ecological Service Office of the U.S. Fish and Wildlife Service (USFWS) for more information on federally listed species. <p style="text-align: center;">ODOT RESPONSE</p> <ul style="list-style-type: none"> • The issue regarding impacts to state “species of concern” were specifically addressed during the biological assessment study performed by ODOT/OBS staff in 2015. The assessment revealed a “no-effect” finding for the Neosho Mucket and the Arkansas Darter. This determination was confirmed by the USFWS on December 1, 2015. Consequently, this project will have minimal impact on these species. • ODOT appreciates the importance of maintaining connected stream corridors. The current design of the RCB will not create a barrier to fish or other aquatic species. • The concerns regarding stream crossings and siltation will be addressed as part of the storm water permitting process. The construction contractor is required to obtain a DEQ OKR10 construction storm water permit and maintain a storm water pollution prevention plan (SWP3). The plan specifically requires erosion and sediment controls that will address stream siltation. • The concerns regarding impacts to federally listed species was also addressed during the biological assessment study performed by ODOT/OBS staff in 2015. The assessment revealed a “no-effect” finding or a “not likely to adversely affect” finding for all listed species. These determinations were confirmed by the USFWS on December 1, 2015. Consequently, this project will have minimal impact on these species.
<p>Oklahoma State Parks – Oklahoma Tourism and Recreation Department Eve L. Atkinson Planner II</p>	<ul style="list-style-type: none"> • There are no state parks or LWCF funded projects in this area. <p style="text-align: center;">ODOT RESPONSE</p> <ul style="list-style-type: none"> • Comments noted
<p>Oklahoma Water Resources Board (OWRB) Cathy L. Poage, CFM</p>	<ul style="list-style-type: none"> • OWRB recommends ODOT contact the local floodplain administrator for possible permit requirements. • If the project is on state owned or operated property, ODOT would need a floodplain development permit from OWRB. • Project should be completed to ensure it is reasonably safe from flooding and that it does not flood adjacent property.

	ODOT RESPONSE
	<ul style="list-style-type: none">• There are no floodplains within the construction footprint. Consequently, no floodplain development permit is required.• The proposed bridge was designed considering the hydrology associated with the creek system. Also, the roadway drainage system was designed to convey anticipated flows. Consequently, the proposed project should not create a situation where flooding occurs.

