



Programmatic/Individual Categorical Exclusion

	PCE	X	ICE
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Date	October 5, 2021	Project Number	J2-7108(004)PM
County	Muskogee	State Job Piece No:	27108(04)
NEPA Project Manager	Andrew Ward	Phone Number	(405) 521-2325
ODOT Field District	1	Bridge NBI No. <i>(For County & State Projects)</i> & Location No. <i>(County Projects Only)</i>	12806 12788
Project Description from JPINFO	GRADE, DRAIN, BRIDGE & SURFACE: US-69: Begin 0.48 miles north of US-64 E (Peak Boulevard) and extend north 2.5 miles		
This project is included in: <i>(Check all applicable ones)</i>	X	State 8 Year Construction Program	
		County 5 Year Construction Program	
	X	State Transportation Improvement Program	
This project has potential for federal funds: <i>(Check applicable one)</i>	X	YES	
		NOT APPLICABLE	
This project is in the Metropolitan Transportation Improvement Program (If applicable) <i>(Check applicable one)</i>		YES	
	X	NOT APPLICABLE	

The Oklahoma Department of Transportation (ODOT) has completed the environmental analysis and review of the referenced project. ODOT has determined that this project does not individually or cumulatively have a significant impact of the environment as defined by the National Environmental Policy Act (NEPA) or involve unusual circumstances as defined in 23 CFR 771.117(b) and is therefore excluded from the requirements to prepare an Environmental Assessment or Environmental Impact Assessment.

Existing Conditions:
<p>The existing US-69 roadway in the City of Muskogee has two typical roadway sections. From the beginning of the project near Haddock Drive north approximately 1.50 miles to Border Avenue there are four (4) 12ft wide driving lanes with 4ft wide inside and 10ft wide outside shoulders with no sidewalks. From Border Avenue north approximately 1 mile to Okmulgee Avenue there are four (4) 12ft wide driving lanes with 8ft wide outside shoulders with inside raised medians and a curb and gutter system with no sidewalks. In the project limits there are four signalized intersections at Hancock Street, Border Avenue, Arline Avenue and Okmulgee Avenue.</p> <p>There are two bridge structures within the project area. The existing pedestrian bridge (NBI 12806) over US-69 is 99.08 feet long with an approach roadway of 56 feet. The bridge has a sufficiency rating of -2.0 and is not structurally deficient. The pedestrian path width on the bridge is 13 feet and is an abandoned railroad structure converted into a trail/pathway. The existing reinforced concrete box (NBI 12788) over Coody creek is 106 feet long with an approach roadway of 64 feet. The bridge has a sufficiency rating of 67.0 and is not structurally</p>

deficient.

The current Annual Average Daily Traffic (AADT) is 23,710 vehicles per day (vpd) with a future 20-year AADT of 33,870 vpd.

The pedestrian overpass bridge, located 14.7 miles northeast of the county line, is associated with the city of Muskogee's Centennial Trail Path. Section 4(f) regulations of the U.S. Department of Transportation Act of 1966 affords protection to publicly owned recreation areas including city, state, and national parks, wildlife refuges and management areas and historic sites. Due to recreational use at the pedestrian overpass bridge for the Centennial Trail Path, which is open to the public, the property is Section 4(f) protected.

Purpose & Need

To provide operational improvements and a wider roadway, optimization of signalized intersections, and replace a pedestrian overpass bridge.

The existing US-69 highway is a primary commuter and truck route, and the proposed project is a continuation of ODOT's commitment to safety and operational efficiency.

Alternatives considered & Proposed Improvement

A design study completed in 2020, focused on a one-mile area from Border Avenue to Okmulgee Avenue, to evaluate the feasibility of three design options while taking into consideration construction costs, right-of-way and utility costs, and environmental constraints. The three design options are listed below for the approximate 1-mile project area from Border Avenue to Okmulgee Avenue:

- Option 1: construction of 6-lane curb & gutter with raised median.
- Option 2: construction of 6-lane curb & gutter with continuous two-way left turn lane.
- Option 3: reconstruct the existing 4-lane curb & gutter with raised median.

Based on the input received and coordination with the City of Muskogee, the proposed improvement selected for Border Avenue north approximately 1 mile to Okmulgee Avenue consists of (Option 2) reconstruction of US-69 to provide six (6) 12 to 13ft wide driving lanes, a 16ft wide center median (with either continuous two-way left turn lane or raised medians) with a curb and gutter system plus 6ft wide paved sidewalks on the left and right. From Haddock Drive north approximately 1.5 miles to Border Avenue the roadway will be reconstructed to provide four (4) 12ft wide driving lanes, 10ft wide outside shoulders, 4ft wide inside shoulders with a grass median.

Intersection improvements will be provided at all signalized intersections. Hancock Street will be provided a dedicated right turn lane in the west bound direction. Border Avenue will be provided left turn lanes in both the east and west bound directions. Sidewalks will be added at Arline Avenue and turn bays will be added at Okmulgee Avenue.

The pedestrian overpass bridge will be replaced with a 200 ft long span bridge. The Coody Creek reinforced concrete box will be extended to provide a 137 ft clear roadway width.

The construction will be on existing alignment and the road will be open to traffic during construction.

During the construction of the new pedestrian bridge, US-69 will be closed to demolish the pedestrian bridge. The anticipated closure time is 10 days, with incentives to reduce that time, then traffic will be shifted on alternating sides during construction of the new bridge. District 1 will coordinate with the City regarding the temporary road closure and detour prior to construction. The Centennial Trail will be closed in this area for

approximately 120 days during the construction of the new pedestrian bridge.

A stakeholder meeting was held November 2, 2020, via Zoom with the City of Muskogee and elected officials to present the proposed project, including the proposed design options for the 1-mile project area and obtain input. Four (4) elected officials and seven (7) City of Muskogee personnel attended the meeting. No written comments were received, although the City of Muskogee indicated all their comments were addressed in the presentation and question and answer session.

A public meeting was held December 18, 2020, through January 18, 2021, by live website for public access to present the proposed project, including the design options for the 1-mile project area and allow the public to submit input. Attendee participation included 1,230 users with 3,690 views. Sixty-one (61) people signed in for the meeting on the webpage. Seven (7) phone call messages, forty-four (44) webpage comments and fourteen (14) written comments were received. Of the comments received nine (9) commenters supported Option 1, twenty-four (24) commenters supported Option 2, two (2) commenters supported Option 3, and ten (10) commenters supported improvements to US-69. Other comments made included acquisition questions, opposed to any continued expansion of US-69, property impact questions, support for pedestrian bridge, truck comments, traffic signalization, bypass comments both pro and against, add new intersections/interchanges, add trails, bike lanes, crosswalks / improve other city streets, add passenger rail and streetcar service to Muskogee, shrubs, and grass in median.

Agency solicitation letters were mailed out for the project December 16, 2020. The letter was sent to thirty-nine (39) State and Federal agencies. Three (3) agency letter responses were received. The Oklahoma Aeronautics Commission stated that the project does not appear to pose a hazard to the safe and efficient use of navigable airspace. The Oklahoma Department of Environmental Quality (DEQ) stated no adverse environmental impacts under DEQ jurisdiction are anticipated; however, regulatory requirements were provided. The Bureau of Indian Affairs provided the names and addresses of five Federally recognized tribes.

Through coordination with the City of Muskogee (owner), a de minimis finding in regard to impacts to the Centennial Trail Path and pedestrian bridge replacement has been applied to the project. The public has been given the opportunity to review and comment on the effects of the project to the 4(f) property by a notice posted in the Muskogee Phoenix newspaper, the City of Muskogee Webpage, and the local cable channel from March 20, 2017, to April 20, 2017. Also, ODOT posted the notice on ODOT's Facebook page from March 23, 2017 to April 23, 2017. No citizen comments were received. Also, a virtual open house was held by live website access by ODOT December 18, 2020, through January 4, 2021. The pedestrian bridge is considered to be not eligible for inclusion in the NRHP.

New right-of-way will be required.

Did the project have public involvement (Check the applicable items and include public involvement summary and supporting documents in the appendix)

<input checked="" type="checkbox"/>	Property Owner Notification	<input type="checkbox"/>	Road Closure Letter	<input checked="" type="checkbox"/>	Public/Stakeholder Meeting
<input checked="" type="checkbox"/>	Legal Notice/Website Posting	<input checked="" type="checkbox"/>	Small City Letter	<input type="checkbox"/>	None

All documentation, analyses, and agency coordination regarding this Categorical Exclusion are attached to this document and maintained in the project file at the Oklahoma Department of Transportation, Environmental Programs Division.

Criteria Identified in Section IV.A.1.b. of the 2019 FHWA/ODOT Programmatic Agreement for Processing Categorical Exclusions that would require Individual Review and Approval by FHWA:

Check Yes or No below. If the answer to any of the questions below is Yes, an Individual CE will be required.

Description/Question	Yes	No
i. Does the project result in capacity expansion of a roadway by addition of through lanes?		X
ii. Does the project involve any permanent changes limits of access control or to the operation of an Interstate highway, associated interchanges or ramps or requires an Access Justification Report (AJR)?		X
iii. Is the project not include in or is inconsistent with the statewide transportation improvement program, and in applicable urbanized areas, the transportation improvement program?		X
iv. Does the project involve acquisition of more than minor right-of-way not adjacent to the existing facility?		X
v. Does the project involve residential or commercial relocation?		X
vi. Does the project include acquisition of land for hardship or protective purposes, or early acquisition pursuant to Federal acquisition project (23 U.S.C. § 108(d))		X
vii. Does the project have potential for disproportionately high and adverse impact on minority or low-income populations, based on known demographics in the project vicinity, extent of R/W, relocations, and other identified impacts?		X
viii. Does the project involve property in which another Federal Agency or Federally Recognized Tribe has ownership, oversight or any other encumbrance?		X
ix. Does the project involve a determination of adverse effect by Oklahoma State Preservation Office (SHPO) or a designated Tribal Historic Preservation (THPO) in accordance with Section 106?		X
x. Does the project involve a Programmatic Section 4(f) or de minimis finding which has not been previously approved by FHWA?	X	
xi. Requires the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act of 1965 (54 U.S.C. § 200305), the Federal Aid in Sport Fish Restoration Act (16 U.S.C. 777-777k, 64 Stat. 430), the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669-669i; 50 Stat. 917), or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property		X
xii. Does the project involve any impact on Noise Abatement Criteria (NAC) Category A, B, C or D receptors?		X
xiii. Does the project involve a finding of “may effect, likely to adversely affect” determination under Section 7 of the Endangered Species Act or the Bald and Gold Eagle Protection Act and can be processed as under programmatic agreement?		X
a. Does the project involve a Section 7 Formal Consultation Process prior to start of construction?		X
xiv. Does the project require an Individual Section 404 Permit (This is generally for major River Crossings, waters or wetlands impact greater than 3.0 AC, Projects with Formal Consultation, structures on new alignment or others as determined by USACE.)?		X
xv. Does the project involve construction across or adjacent to a river designated as a component in the National System of Wild and Scenic Rivers?		X
xvi. Does the project require a Coast Guard Permit?		X
xvii. Does the project involve an adverse impact on prime farmland where Natural Resources Conservation Agency (NRCS) has required consideration of alternatives and measures to avoid and minimize impacts?		X
xviii. Does the project involve increase to the base 100 Year floodplain in a regulatory floodway (Zone A-E in a FEMA Map) that will require a flood map revision as determined by the appropriate state or local authority?		X
xix. Does the project not conform to the State Implementation Plan which is approved or promulgated by the U.S. Environmental Protection Agency in air quality non-attainment areas		X
xx. Does the project involve any known Superfund site?		X

Criteria Identified in Section IV.A.1.b. of the 2019 FHWA/ODOT Programmatic Agreement for Processing Categorical Exclusions that would require Individual Review and Approval by FHWA: Check Yes or No below. If the answer to any of the questions below is Yes, an Individual CE will be required.

Description/Question	Yes	No
xxi. If the project involves road or bridge closure or ramp closure, do any of the following conditions apply? (Check the boxes ONLY if the project involves road closure)		
a. No Access will be provided to local traffic or posted		X
b. Through traffic dependent businesses will be affected		X
c. The detour or closure will substantially alter the environmental consequences of the action, such as by creating unsafe conditions on the detour route or requiring additional work or expansion to detour routes to carry the additional traffic.		X
d. There is a public controversy associated with the detour or closure		X
e. The detour closure will interfere with special events or activities		X
xxii. Does the project have substantial public or agency controversy on environmental grounds?		X

Explanation for Individual CE (If any of the answers above are YES):

Item for which the answer is YES

Explanation that CE Classification is appropriate

A Section 4(f) de minimis finding has been completed as part of this project. The finding was developed in coordination with the City of Muskogee (owner). With concurrence from the city and based on the avoidance, minimization and mitigation measures implemented, the proposed bridge replacement will not adversely affect the activities, features, or attributes of Centennial Trail Path. The city provided written concurrence June 15, 2021.

The public has been given the opportunity to review and comment on the effects of the project to the 4(f) property by a notice posted in the Muskogee Phoenix newspaper, the City of Muskogee Webpage, and the local cable channel from March 20, 2017, to April 20, 2017. Also, ODOT posted the notice on ODOT's Facebook page from March 23, 2017, to April 23, 2017. No citizen comments were received during that time. A Virtual Open House was held December 18, 2020, through January 4, 2021, in which there were two comments in support of the pedestrian bridge replacement and four comments concerning trails, bike lanes, crosswalks.

The following measures are proposed to enhance and mitigate impacts to Centennial Trail Path and pedestrian bridge replacement:

1. The City of Muskogee was acceptable to a two-sided arched steel through-truss proposed for the pedestrian overpass bridge as presented at the Preliminary Plan Review meeting held on September 15, 2016, and in the stakeholder meeting held November 2, 2020.
2. The Centennial Trail pedestrian bridge will be constructed as a shared use path to accommodate bicycles and pedestrians. The new pedestrian overpass structure over US-69 will be 12 feet wide and connect with the existing 10-foot-wide asphalt path on existing alignment.
3. The replacement of the pedestrian bridge allows for more room to accommodate the roadway improvements on US-69 and will improve drainage on the US-69 roadway. Because of comments to the city from adjacent landowners near the bridge, the city expressed concerns early in the process concerning drainage and erosion. Erosion control measures will be adhered to during construction and US-69 is being raised approximately 5 feet at the overpass to improve drainage. This will be accomplished by use of phased construction and work potentially completed during the closure for removal of the existing pedestrian bridge structure.

4. The new approach trail and pedestrian bridge will meet all American Disability Act (ADA) pedestrian requirements.
5. To construct the new pedestrian bridge, the trail will need to be closed during construction for approximately three to four months. Incentives will be offered to the contractor to reduce that time. ODOT and the contractor will work closely with the city to provide advanced notification of the trail closure.
6. The City of Muskogee will provide a decision on whether to include lighting and lettering/gateway signage attached to the pedestrian bridge with the bridge construction contract. Lighting and lettering/gateway signage will be a non-participating pay item and will require a written project funding agreement with the city prior to letting.

Item for which the answer is YES	
Explanation that CE Classification is appropriate	

Pre-Construction Commitments:	
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The ISA recommended additional investigations (SSI) be conducted if the sites identified cannot be avoided or if additional RW is acquired. Plan notes and contaminated materials management plans may be required pending further investigations by ODOT which may include soil and groundwater sampling and the preparation of a contaminated material management plan (CMMP) and plan notes.

The City of Muskogee will provide a decision on whether to include lighting and lettering/gateway signage attached to the pedestrian bridge with the bridge construction contract. Lighting and lettering/gateway signage will be a non-participating pay item and will require a written project funding agreement with the city prior to letting.

District 1 will coordinate with the City regarding the temporary road closure and detour prior to construction.

The action may involve work in potentially jurisdictional waters and potentially jurisdictional wetlands. The 404-permit application form needs to be submitted by the Designer through Project Management Division to Environmental Programs Division at the time of Right-of-Way submittal for evaluation and determination of the appropriate Clean Water Act Section 404 permit application for the project.

The Davis Airport is located within 4 miles of this project. This action may require notifying the Federal Aviation Administration (FAA) of proposed construction via FAA Form 7460-1 prior to construction.

Right-of-Way and Utility Commitments	
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The following Construction Commitments requiring avoidance, restrictions or minimization of natural and human resources during Right-of-Way clearance and Utility relocation activities will be discussed with the Right-of-Way and Utility Owners at the start of Right-of-Way and Utility Process.

Construction Commitments

ODOT Commitment:

All operators, employees, and contractors will be made aware of all environmental commitments, including the following Plan Notes.

ABB Commitment:

Minimize habitat loss by reducing the amount of ground disturbance of suitable ABB habitat within the construction footprint to only what is necessary for project construction and document in the monitoring reports to the Service. Following construction, areas of ground disturbance outside of the safety clear zone will be revegetated with native plant species where applicable and practicable. Areas where revegetation with native plant species is not practicable will be revegetated with more traditional plantings such as solid slab sodding.

Tree Removal & Clearing and Grubbing Minimization Commitment:

In order to avoid impacts to listed bat species, and to both tree nesting and ground nesting USFWS Birds of Conservation Concern, the removal of trees and shrubs and ground disturbance will be restricted to areas within the actual limits of construction, and all aspects of the project (e.g. temporary work areas, alignments) will be modified to avoid tree removal / ground disturbance, if possible, during the design of the project. Tree removal and ground disturbance will be limited to that specified in the project plans provided to contractors.

The following plan notes requiring avoidance, restrictions or minimization of natural and human resources in the project and off-site project areas will be added to the final project plans under "Environmental Mitigation Notes" per policy Directive C-201-2.

Non-Compliance: Failure to implement the commitments specified in the Plan Notes can result in non-compliance issues on the project. Work activities may be suspended on the project, for an undetermined duration, while working with regulators to bring the project back into compliance. The contractor will not be compensated for time lost.

Water Quality Conservation: Appropriate Best Management Practices to minimize impacts from storm water discharges and sedimentation in streams, as established by the Oklahoma Department of Environmental Quality, shall be conscientiously implemented throughout the proposed construction periods, in order to minimize any potential impacts to any listed species. The effectiveness of erosion controls shall be maintained for the duration of construction activities. Hazardous materials, chemicals, fuels, lubricating oils, and other such substances shall be stored at least 100 feet outside of the ordinary high water mark (OHWM). Refueling of construction equipment shall also be conducted at least 100 feet from the OHWMs. Sediment and erosion controls shall be installed around staging areas to prohibit discharge of materials from these sites. Construction waste materials and debris shall be stockpiled at least 25 feet outside of the OHWMs, and these materials shall be removed and disposed of properly following completion of the project. Preventative measure must be taken to prohibit the discharge of contaminants into any surface waters.

American Burying Beetle Note: The American Burying Beetle is a large carrion burying beetle that occurs within the project limits. Artificial lighting may be used during construction for night activities if the equipment specifications outlined in Special Provision 656-5(a-b)19 for ABB are adhered to and measures to minimize use of artificial lighting have been implemented. Carcasses and all food trash shall be removed from the permanent and temporary right-of-way throughout the duration of project activities. Pollution Prevention Requirements as specified by the Oklahoma Department of Environmental Quality General Permit OKRI0 for Storm Water Discharges shall be implemented when appropriate. Additionally, all equipment will be fueled, and all fuel and motor vehicle oil will not be stored within areas of native vegetation (ie. outside of ABB habitat).

Bat Culvert Seasonal Restriction Note: The gray bat and the northern long-eared bat are listed bat species

that occur within the project’s action area. In order to avoid and minimize adverse impacts to listed bat species, culvert repair, retrofit, maintenance, rehabilitation or demolition shall be permitted only between November 16, and March 31 (when bats are hibernating in caves). If culvert repair, retrofit, maintenance, rehabilitation or demolition during the active season (between April 1, and November 15) cannot be avoided, the Resident Engineer shall contact the ODOT Biologist to schedule a visual bat bridge inspection, prior to any bridge work. Inspection surveys can only be conducted between May 15, and August 15. If the inspection finds that bats are using the structures, all culvert repair, retrofit, maintenance, rehabilitation or demolition shall only be permitted between November 16, and March 31 (when bats are hibernating in caves).

Bat Lighting Note: All temporary lighting, if used, will be directed away from suitable bat habitat during the active season for bats (April 1- November 15). If any permanent lighting is installed or replaced, downward-facing full cut-off lens lights shall be installed and directed away from wooded areas and streams.

Migratory Bird Note: Migratory birds are protected by the federal Migratory Bird Treaty Act. Many birds commonly use bridges and culverts for nesting. The nesting season for most migratory bird species extends from March 1 to August 31. Migratory bird nesting use of the US-69 Coody Creek bridge (NBI:12788) was observed. Painting, repair, retrofit, rehabilitation or demolition of the existing bridge shall be conducted between September 1, and February 28, when migratory bird nests are not occupied. If painting, repair, retrofit, rehabilitation or demolition cannot be completed between September 1 and February 28, the bridge shall be protected from new nest establishment prior to March 1, by means that do not result in bird death or injury. Options include the exclusion of adult birds from suitable nest sites on or within a structure by the placement of weather-resistant polypropylene netting with 0.25-inch or smaller openings, prior to March 1. Methods other than netting must be pre-approved by the ODOT Biologist.

Although no nests were observed on all other structures, the birds may occupy the structures in the future. The Resident Engineer shall contact the ODOT Biologist if any bird use of these structures is observed. If birds are observed then painting, repair, retrofit, rehabilitation or demolition of the existing bridges and culverts shall be conducted between September 1, and February 28 (when migratory bird nests are not occupied).

Species (choose those that apply)	Seasonal Restriction Period
Bats	April 1 – November 15
Migratory Birds: Swallows and Phoebes (NESTS PRESENT)	March 1 – August 31

The Environmental Programs Division shall provide **the final plan sheet with the mitigation notes** to the Designer for inclusion in Final Plans and keep a copy for the project records. The mitigation measures above should be discussed at all Pre-work conferences per Policy Directive C-201-2.

All documentation, analyses, and agency coordination regarding this Categorical Exclusion are contained in a Supporting Appendix maintained in the project file at the Oklahoma Department of Transportation, Environmental Programs Division.

Development of the project including coordination and assessment of potential social, economic and environmental impacts has been considered in accordance with DOT ORDER 5610.1C, and CEQ REGULATIONS 40 CFR 1500 -1508 as amended, 23 CFR 771.117 and the 2019 FHWA/ODOT Programmatic Agreement for processing of categorical exclusions. Implementation of this action as a “Categorical Exclusion” will satisfy the requirements of the National Environmental Policy Act.

Preparer/Reviewer Signatures

		
Environmental Consultant Project Manager (If Applicable)	Date	
Able Consulting, LLC	October 5, 2021	
Environmental Consultant Firm Name (If Applicable)	Date	
County Commissioner or City Manager (For Local Government Projects)	Date	
William Ward	 Digitally signed by William Ward Date: 2021.10.05 15:40:11 -05'00'	
ODOT Environmental Project Manager	Date	
N/A		
Assistant Environmental Programs Division Engineer	Date	
Joe Brutsché	 Digitally signed by Joe Brutsché Date: 2021.10.06 06:41:48 -05'00'	
FOR Environmental Programs Division Engineer	Date	
CONCLUSION:		
ODOT has reviewed the conditions identified in Section IV.A.1.b of Federal Highway Administration 2019 (FHWA)/ODOT Programmatic Agreement for Processing Categorical Exclusions (CE) and determined that an Individual CE must be submitted to FHWA for approval.	X	YES
		NO

For Individual CEs requiring FHWA Approval:

Concurrence that this project qualifies for a Categorical Exclusion:

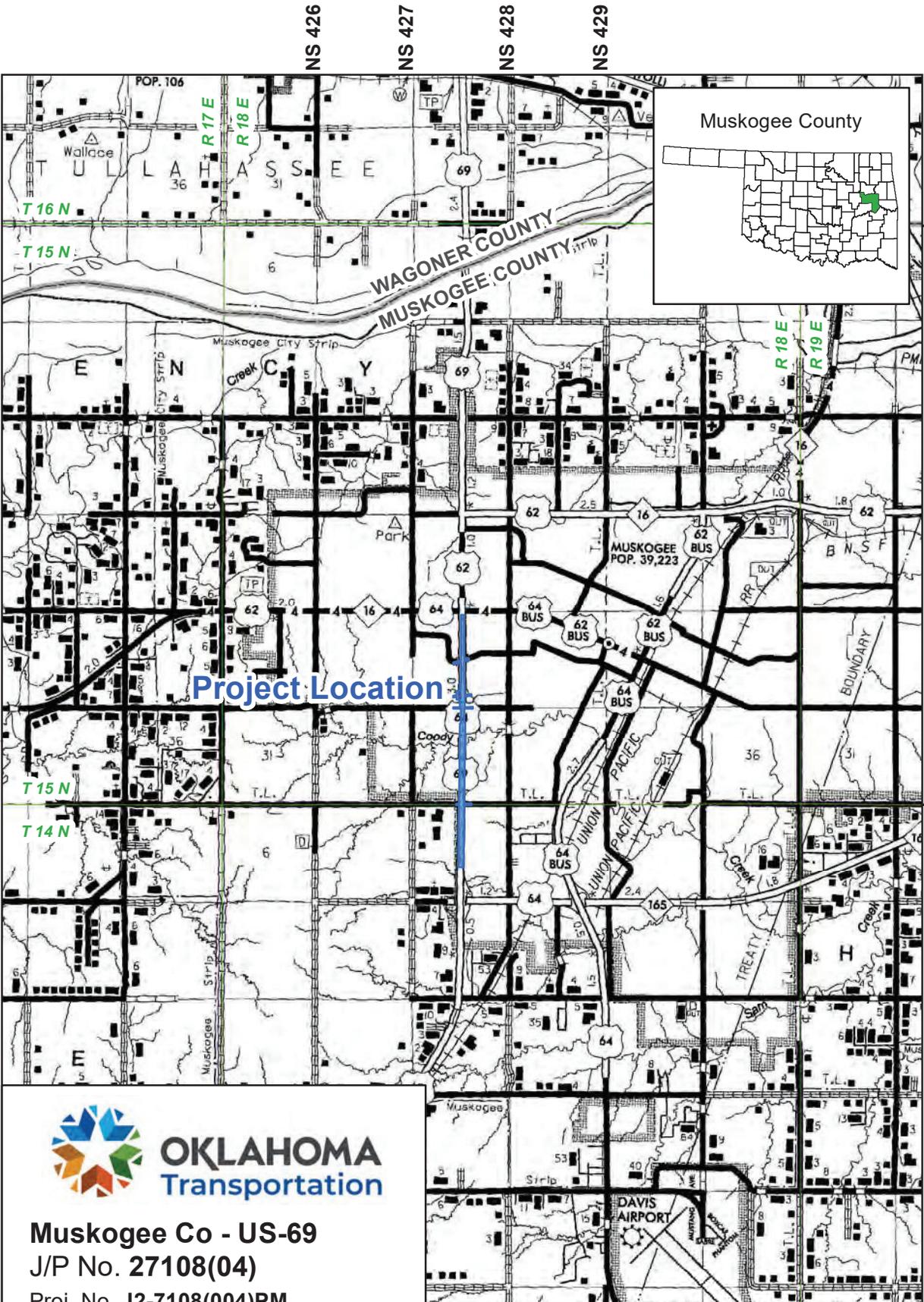
Ralph Nguyen	 Digitally signed by Ralph Nguyen Date: 2021.12.20 15:39:19 -06'00'
Environmental Programs Manager, FHWA	Date

Attachments:

- | | |
|--------------------------------------|---|
| 1. Location Map | 5. Public Involvement |
| 2. Current Plans and Study Footprint | 6. Other Section – Initiation and Inspection Reports/NEPA Submittal Checklist, NEPA Oracle Status Report, QA/QC Checklist |
| 3. Early Coordination | |
| 4. Studies and Coordination | |

Distribution List (Check Applicable Ones)

X	Project Management Division (All State Projects)
X	Roadway Design Division (All State projects with the exception of projects from Traffic Division and Special Projects)
	Bridge Division (All State Bridge Projects)
	Traffic Division (For projects from Traffic Division)
	Local Government Division (County, City, TAP or Special Projects)
X	Field Division Engineer (All Projects)
X	Right-of-Way Division (All Projects)
X	FHWA (Distribute ICE Documents to FHWA, Only. For All Projects, Place Copy of Complete Document in the Document Vault)



EW 87
EW 88
EW 89
EW 90

T 16 N
T 15 N
T 14 N

NS 426
NS 427
NS 428
NS 429

R 17 E | R 18 E | R 19 E



Muskogee Co - US-69
J/P No. 27108(04)
Proj. No. J2-7108(004)PM

Location Map

December 15, 2020

US-69: from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in City of Muskogee.

**RIGHT-OF-WAY PLANS
AND
NEPA STUDY FOOTPRINT**

RIGHT-OF-WAY PLANS

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

PLAN OF PROPOSED

U.S. HIGHWAY

FEDERAL AID PROJECT NO. J2-7108(004)
GRADE, DRAIN, SURFACE, AND BRIDGE PLANS
U.S. HIGHWAY NO. 69

MUSKOGEE COUNTY

STATE JOB NO. 27108(04)
CONTROL SECTION NO. 69-51-56

INDEX OF SHEETS

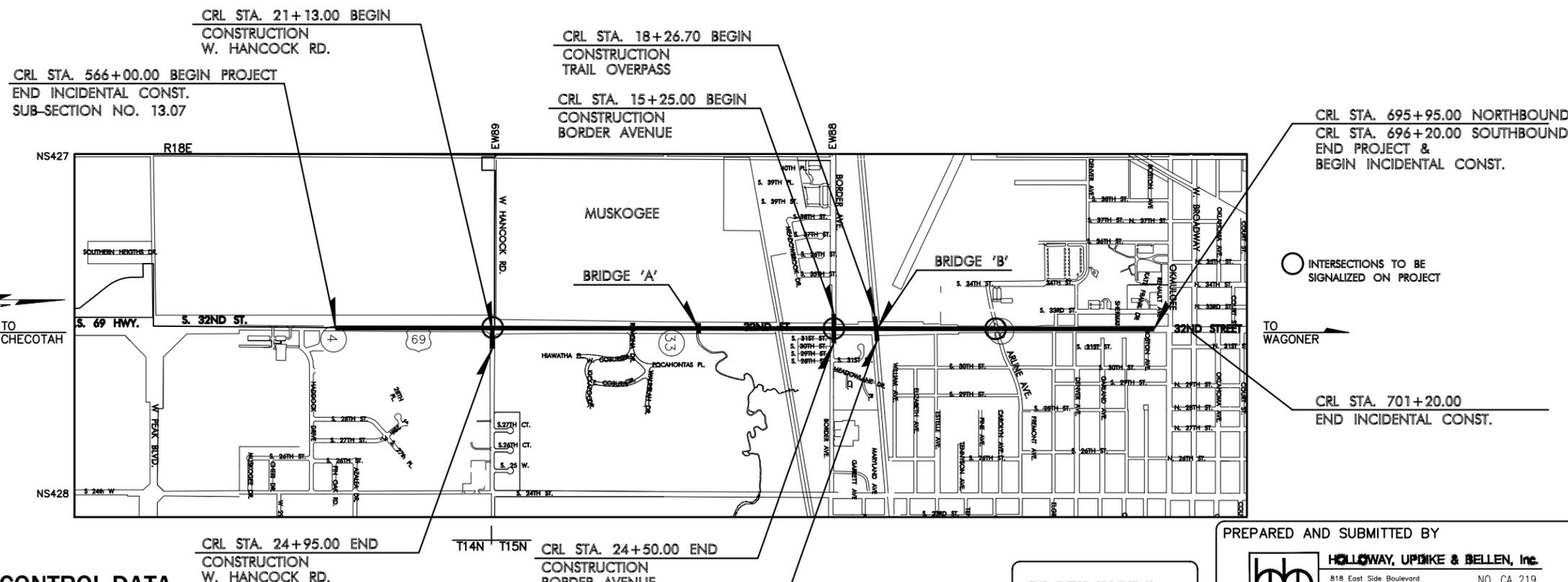
TITLE SHEET0001
TYPICAL SECTIONS0002
GENERAL PLAN AND ELEVATION-BRIDGE 'A' & 'B'B001-B002
PLAN AND PROFILE SHEETSR001-R017
SURVEY DATA SHEETSS1-S17
CROSS SECTIONS (MAINLINE)X001-X070
CROSS SECTIONS (HANCOCK AVE)X071-X074
CROSS SECTIONS (BORDER AVE)X075-X080

BRIDGE "B"
BEGIN BRIDGE STA. 18+99.83
BRIDGE LENGTH = 200.33'
END BRIDGE STA. 21+00.17
OLD NBI NO. 12806
NEW NBI NO. _____
LOCATION 5156 1470X

BRIDGE "A"
BEGIN BRIDGE STA 624+76.54
BRIDGE LENGTH = 42.33'
END BRIDGE STA 625+18.87
OLD NBI NO. 12788
NEW NBI NO. _____
LOCATION 5156 1418X

DESIGN DATA	US-69
ADT 2021	= 23,710
ADT 2046	= 33,870
K (DHV/ADT)	= 9%
D	= 54%
T(%DHV)	= 22%
T(%ADT)	= 25%
T3(%ADT)	= 20%
V	= 35 MPH & 55 MPH
FLEX ESALS (20 YR.)	= 82.1 M

FOR ADDITIONAL TRAFFIC INFORMATION
SEE DESIGN TRAFFIC SHEETS.



○ INTERSECTIONS TO BE SIGNALIZED ON PROJECT

TO WAGONER

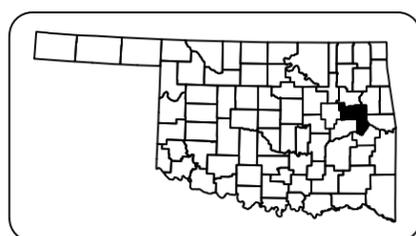
SCALES
1" = 20' & 1" = 50'
1" = 20' & 1" = 50'
1" = 5'

CONVENTIONAL SYMBOLS

- PROPOSED ROAD
- RAILROADS
- RANGE & TOWNSHIP SECTION LINES
- QUARTER SECTION LINES
- FENCES
- GROUND LINE
- EXISTING ROADS
- BASE LINE
- GRADE LINES
- TELEPHONE & TELEGRAPH
- POWER LINES
- BUILDINGS
- OILWELL
- DRAINAGE STRUCTURES - IN PLACE
- DRAINAGE STRUCTURES - NEW
- RIGHT-OF-WAY LINES - EXISTING
- RIGHT-OF-WAY LINES - NEW
- CONTROLLED ACCESS
- RIGHT-OF-WAY FENCE

SURVEY CONTROL DATA

SEE SURVEY DATA SHEETS



LOCATION MAP

PROJECT LENGTH BASED ON C.R.L. STATIONING

STATE JOB NO. 27108(04)

NORTHBOUND ROADWAY LENGTH	12995.00 FT.	2.461 MILES
SOUTHBOUND ROADWAY LENGTH	13020.00 FT.	2.465 MILES
BRIDGE LENGTH	43.33 FT.	0.008 MILES
PROJECT LENGTH		2.463 MILES

W. HANCOCK RD. INCIDENTAL CONSTRUCTION		
ROADWAY LENGTH	382.00 FT.	0.072 MILES
BRIDGE LENGTH	0.00 FT.	0.000 MILES
PROJECT LENGTH		0.072 MILES

BORDER AVE. INCIDENTAL CONSTRUCTION		
ROADWAY LENGTH	925.00 FT.	0.175 MILES
BRIDGE LENGTH	0.00 FT.	0.000 MILES
PROJECT LENGTH		0.175 MILES

CENTENNIAL TRAIL INCIDENTAL CONSTRUCTION		
TRAIL LENGTH	249.67 FT.	0.047 MILES
BRIDGE LENGTH	200.33 FT.	0.038 MILES
PROJECT LENGTH		0.085 MILES

EQUATIONS : NONE
EXCEPTIONS : NONE

EQUATIONS : NONE
EXCEPTIONS : NONE

EQUATIONS : NONE
EXCEPTIONS : NONE

THE ENTIRE PROJECT IS LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MUSKOGEE



PREPARED AND SUBMITTED BY

HOLLOWAY, UPHIKE & BELLEN, Inc.
818 East Side Boulevard
Post Office Box 1543
Muskogee, Oklahoma 74402
(918) 682-7811

NO. CA 219
EXPIRES 06/21

DATE _____
WES STEWART
P.E. NO. 24031

DATE _____
C. EDWARD GRINSTEINER
P.E. NO. 19993

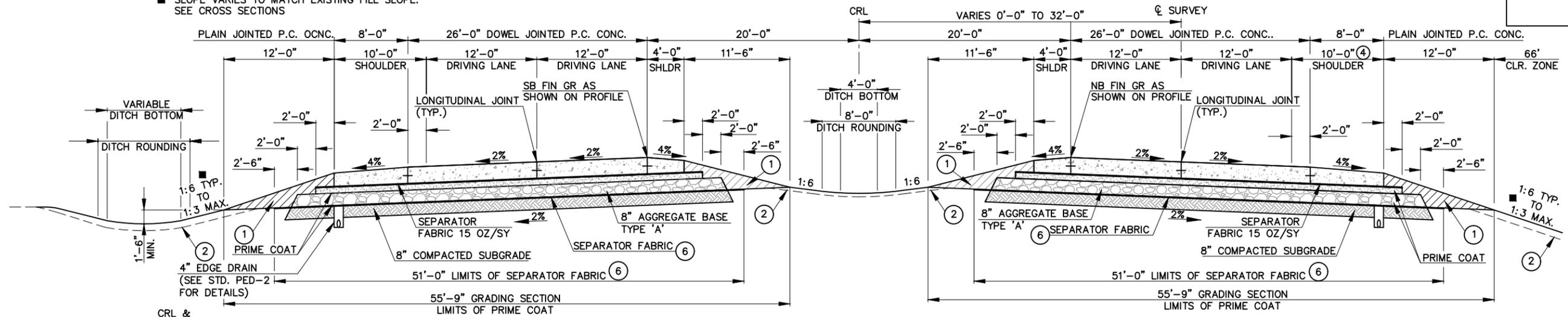
WHITE ENGINEERING ASSOCIATES, INC.

DATE _____



OKLAHOMA DEPARTMENT OF TRANSPORTATION	OKLAHOMA DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION
DATE APPROVED _____	DATE APPROVED _____
BY _____ CHIEF ENGINEER	BY _____ DIVISION ADMINISTRATOR
SWO 4933(1)	SHEET NO. 1

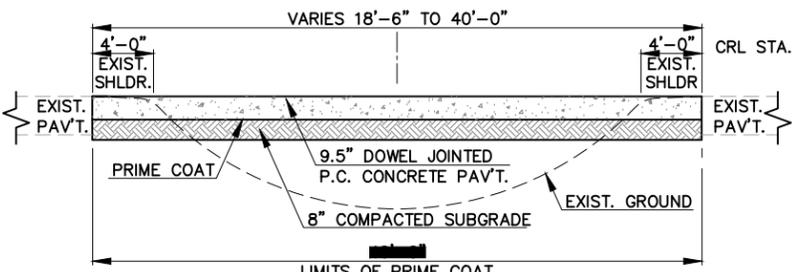
■ SLOPE VARIES TO MATCH EXISTING FILL SLOPE. SEE CROSS SECTIONS



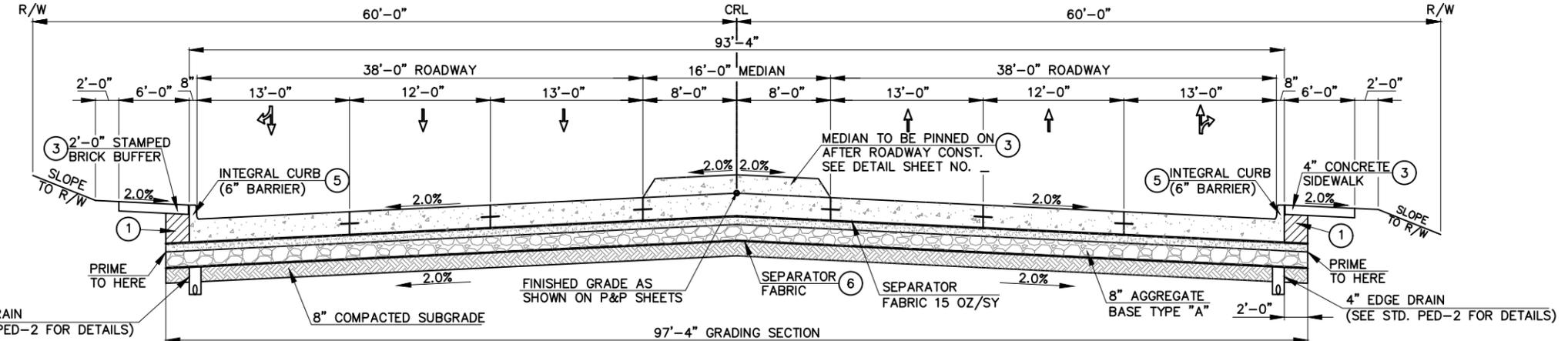
TYPICAL SECTION NO. 1
U.S. 69 SOUTHBOUND

TYPICAL SECTION NO. 2
U.S. 69 NORTHBOUND

PAVEMENT REQUIREMENTS			
MAINLINE			
16.5" PAVT. STRUCTURE	4' INSIDE SHOULDER	12' DRIVING LANES	10' OUTSIDE SHOULDER
SURFACE COURSE	12.5" TO 9.5" PLAIN JOINTED P.C. CONC.	12.5" DOWEL JOINTED P.C. CONC.	12.5" TO 10.5" PLAIN JOINTED P.C. CONC.
BASE COURSE	4" CEMENT TREATED BASE	4" CEMENT TREATED BASE	4" CEMENT TREATED BASE

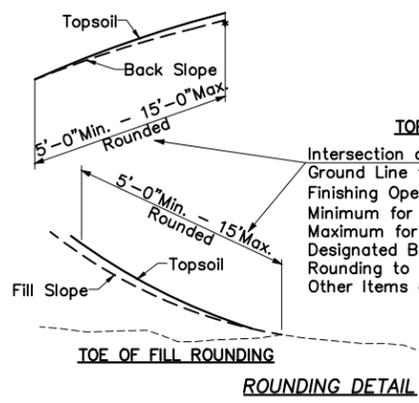


TYPICAL SECTION NO. 4
MEDIAN CROSSOVER 'A'



TYPICAL SECTION 3
U.S. HWY. 69

PAVEMENT REQUIREMENTS			
MAINLINE			
16.5" PAVT. STRUCTURE	13' INSIDE DRIVING LANE	12' DRIVING LANES	13' OUTSIDE DRIVING LANE
SURFACE COURSE	12.5" DOWEL JOINTED P.C. CONC.	12.5" DOWEL JOINTED P.C. CONC.	12.5" DOWEL JOINTED P.C. CONC.
BASE COURSE	4" CEMENT TREATED BASE	4" CEMENT TREATED BASE	4" CEMENT TREATED BASE



TOP OF CUT ROUNDING
Intersection of Cut and/or Fill Slopes with Ground Line to be Rounded as Part of the Finishing Operations. Rounding Shall Be 5' Minimum for Smaller Cuts and Fills to 15' Maximum for Larger Cuts and Fills or as Designated By The Engineer. Cost of Rounding to be Included in Price Bid for Other Items of Work.

- TO BE BACKFILLED AND COMPACTED AS PART OF THE FINISHING OPERATIONS. COST TO BE INCLUDED IN PRICE BID FOR UNCLASSIFIED BORROW.
- THE CONTRACTOR SHALL STRIP ALL OF THE AVAILABLE TOPSOIL WITHIN THE LIMITS OF CONSTRUCTION, APPROXIMATELY 5" DEEP, STOCKPILE THE MATERIAL AND REPLACE THE TOPSOIL ON THE FINISHED SLOPES OF THE GRADING SECTION. ALL ADDITIONAL COSTS NOT COVERED IN OTHER ITEMS SHALL BE INCLUDED IN THE LUMP SUM TOPSOIL ITEM AS FOLLOWS:

THE GRADING LINE AS SHOWN ON THE TYPICAL AND CROSS SECTIONS IS TO THE TOP OF THE TOPSOIL EARTHWORK QUANTITIES WERE NOT ADJUSTED FOR SALVAGE AND THE TOPSOIL QUANTITY IS INCLUDED IN THE MASSLINE BALANCE.
- THE FOLLOWING LOCATIONS SHALL RECEIVE A COLONIAL RED BRICK RUNNING BOND PATTERN SURFACE FINISH:
1. SIDEWALKS AND ROADSIDE DIVIDING STRIPS. 2' WIDE PATTERN ADJACENT TO CURB
2. DIVIDING STRIPS AND MEDIANS IN ROADWAY. DECORATIVE PATTERN THE ENTIRE SURFACE.

SEE MISCELLANEOUS DETAILS SHEET NO. ■ FOR DECORATIVE PATTERN.
- VARIES AT HANCOCK STREET FOR RIGHT TURN LANE.
- 1/2" EXPANSION JOINT FILLER SHALL BE PLACED BETWEEN BACK OF CURB AND SIDEWALKS/DIVIDING STRIPS AND SEALED WITH SILICONE JOINT SEALER. COST OF SILICONE JOINT SEALANT AND EXPANSION JOINT FILLER TO BE INCLUDED IN COST OF SIDEWALK.
- SEPARATOR FABRIC ON SUBGRADE TO BE R5580i OR APPROVED EQUAL.
- BASED ON THE FINDINGS OF THE PAVEMENT AND SUBGRADE GEOTECHNICAL REPORT PROVIDED BY TERRACON, THERE ARE SOFT SOLIDS WITHIN THE PROJECT AREA (SOILS WITH SPT N-VALUES OF 5 BLOWS OR LESS). THESE SOILS MAY REQUIRE EITHER PROOF ROLLING, UNDERCUT, OR GEOGRID REINFORCEMENT IN ORDER TO MITIGATE THESE ISSUES PRIOR TO PAVEMENT CONSTRUCTION. SPECIAL CARE SHOULD BE CONSIDERED IN THESE AREAS. FOR MORE SPECIFIC INFORMATION ON THE LOCATIONS OF THE SOFT SOILS DISCOVERED DURING THE INVESTIGATION, PLEASE REFER TO THE PAVEMENT AND SUBGRADE REPORT PROVIDED BY TERRACON.

HUB E n o i n e s s 3/18 RW SHS HERSHOUTER
 Z:\Projects\2014\40071569\ESIGN\Production Plans\2108.txd
 - Carlton Zang

PROPOSED R/W

JUNE 2021

DESIGN DATA

CONCRETE CLASS AA
 REINFORCING STEEL (GRADE 60) $f_c = 4$ K.S.I.
 $f_y = 60$ K.S.I.

LOADING:
 HL-93 OR OKLAHOMA OVERLOAD TRUCK

DESIGN:
 AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, 7TH EDITION

HL-93 INVENTORY RATING FACTOR: $x.xx$
 HL-93 OPERATING RATING FACTOR: $x.xx$

INDEX OF SHEETS

ABO1 SUMMARY OF PAY QUANTITIES & GENERAL NOTES (BRIDGE)
 BOO1 GENERAL PLAN AND ELEVATION

STANDARDS

SBI-5-0

HYDRAULIC DATA

TOTAL DRAINAGE AREA = 5.86 SQ. MILES
 CONTROLLED DRAINAGE AREA = 0.00 SQ. MILES
 EFFECTIVE DRAINAGE AREA = 5.86 SQ. MILES

Q2 = 882 C.F.S.
 V2 = 2.56 F.P.S.
 Q2 COMPUTED HIGHWATER ELEVATION = 567.74 FT.

Q5 = 1700 C.F.S.
 V5 = 4.10 F.P.S.
 Q5 COMPUTED HIGHWATER ELEVATION = 569.27 FT.

Q10 = 2470 C.F.S.
 V10 = 5.41 F.P.S.
 Q10 COMPUTED HIGHWATER ELEVATION = 570.40 FT.

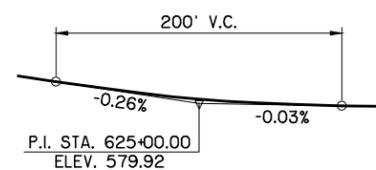
Q25 = 3750 C.F.S.
 V25 = 7.39 F.P.S.
 Q25 COMPUTED HIGHWATER ELEVATION = 572.20 FT.

Q50 = 4580 C.F.S.
 V50 = 8.59 F.P.S.
 Q50 COMPUTED HIGHWATER ELEVATION = 573.50 FT.

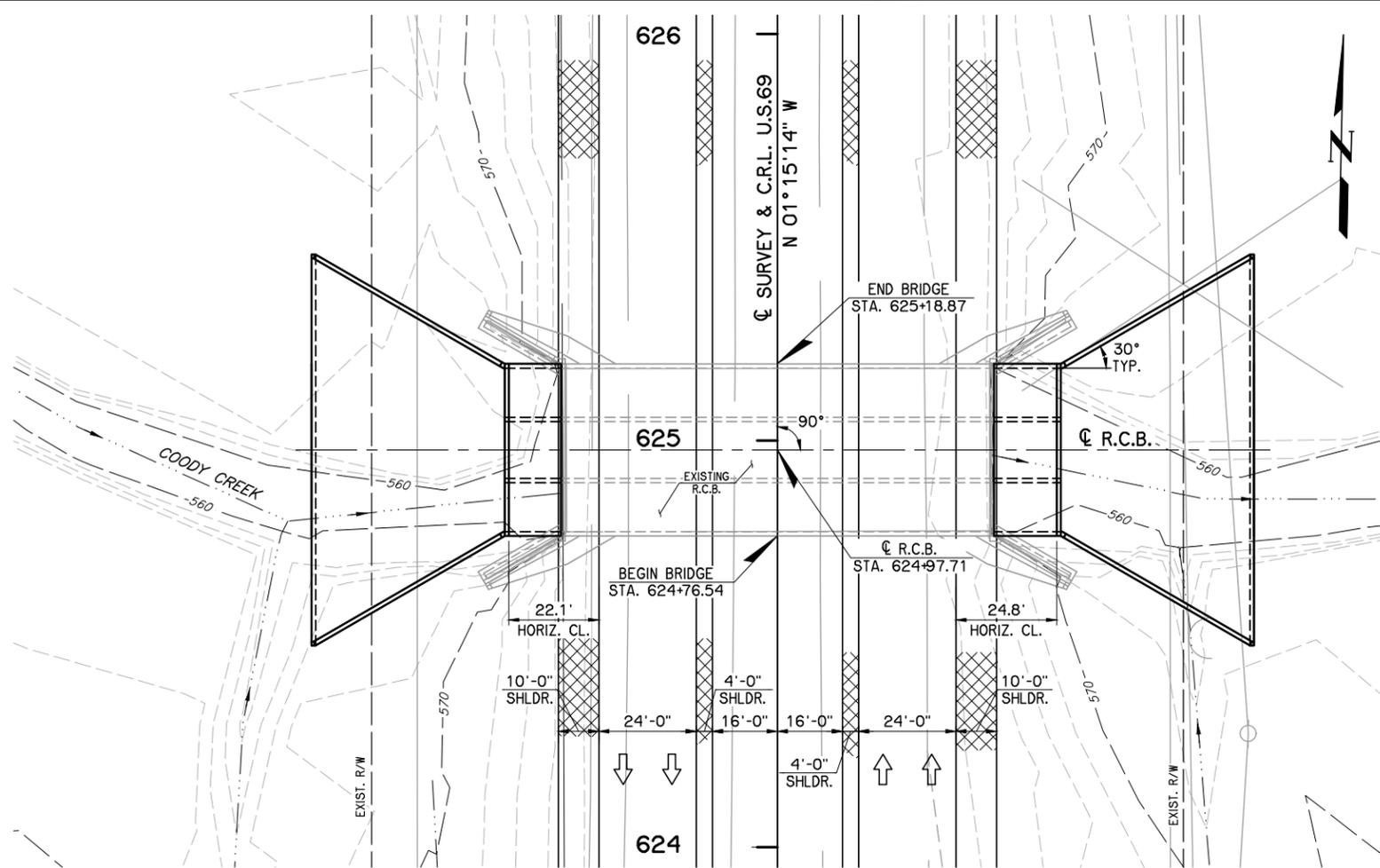
Q100 = 5600 C.F.S.
 V100 = 10.03 F.P.S.
 Q100 COMPUTED HIGHWATER ELEVATION = 575.30 FT.

Q500 = 8320 C.F.S.
 V500 = 13.67 F.P.S.
 Q500 COMPUTED HIGHWATER ELEVATION = 580.01 FT.

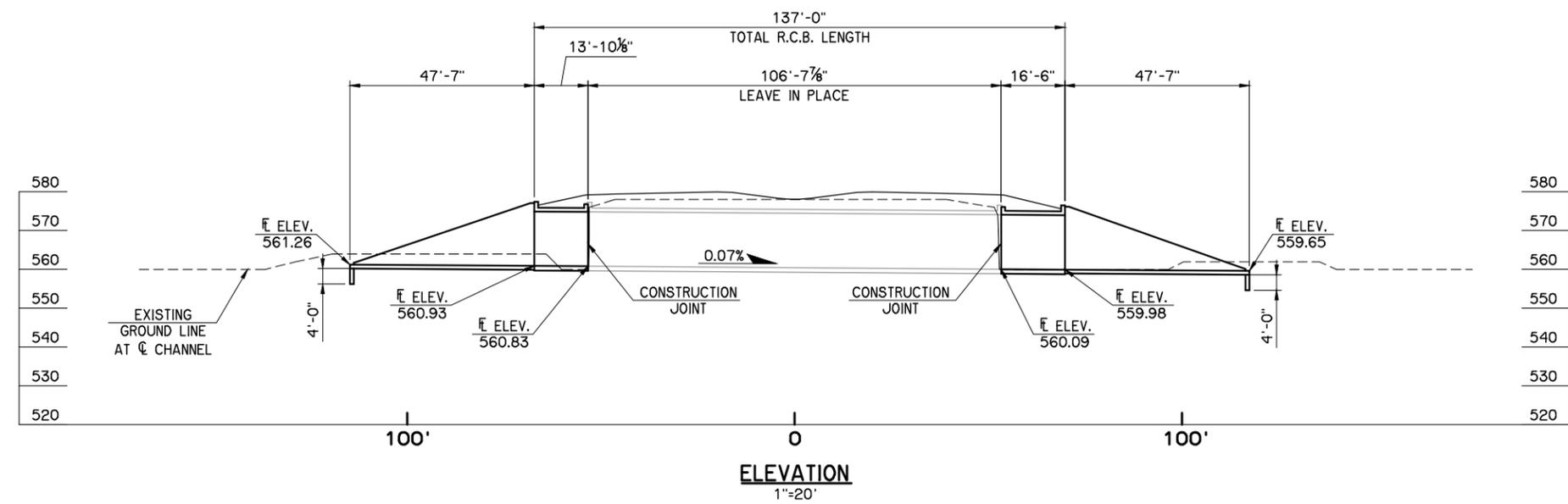
Q0T = Q400 = 7645 C.F.S.
 V400 = 12.77 F.P.S.
 Q400 COMPUTED HIGHWATER ELEVATION = 579.56 FT.



VERTICAL CURVE DATA
 U.S.69



PLAN
 1"=20'



ELEVATION
 1"=20'

SUMMARY OF QUANTITIES - BRIDGE "A"		
ITEM	UNIT	TOTAL
UNCLASSIFIED EXCAVATION	C.Y.	
STRUCTURAL EXCAVATION UNCLASSIFIED	C.Y.	
CLSM BACKFILL	C.Y.	
CLASS AA CONCRETE	C.Y.	
REINFORCING STEEL	LB.	

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

U.S.69 OVER COODY CREEK		MUSKOGEE COUNTY	
BRIDGE "A"		Design	CEG
GENERAL PLAN AND ELEVATION 12'-14'-12' x 14' x 137' R.C.B. C. STA. 624+97.71, 0° SKEW		Detail	DRB
		Check	
STATE OF OKLAHOMA		WHITE ENGINEERING ASSOCIATES	
		DEPARTMENT OF TRANSPORTATION	
JOB PIECE NO. 27108(04)		SHEET NO. BOO1	

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PROPOSED R/W

JUNE 2021

DESIGN DATA

CONCRETE CLASS A
REINFORCING STEEL (GRADE 60)

f'c = 3 K.S.I.
fy = 60 K.S.I.

DESIGN:
AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, 7TH EDITION, 2014
AASHTO LRFD GUIDE SPECIFICATIONS FOR THE DESIGN OF
PEDESTRIAN BRIDGES, 2009
ANSI/AASHTO/AWS D1.5 BRIDGE WELDING CODE

INDEX OF SHEETS

AB01 SUMMARY OF PAY QUANTITIES & GENERAL NOTES (BRIDGE)
BO02 GENERAL PLAN AND ELEVATION

STANDARDS

HP1-2-01E

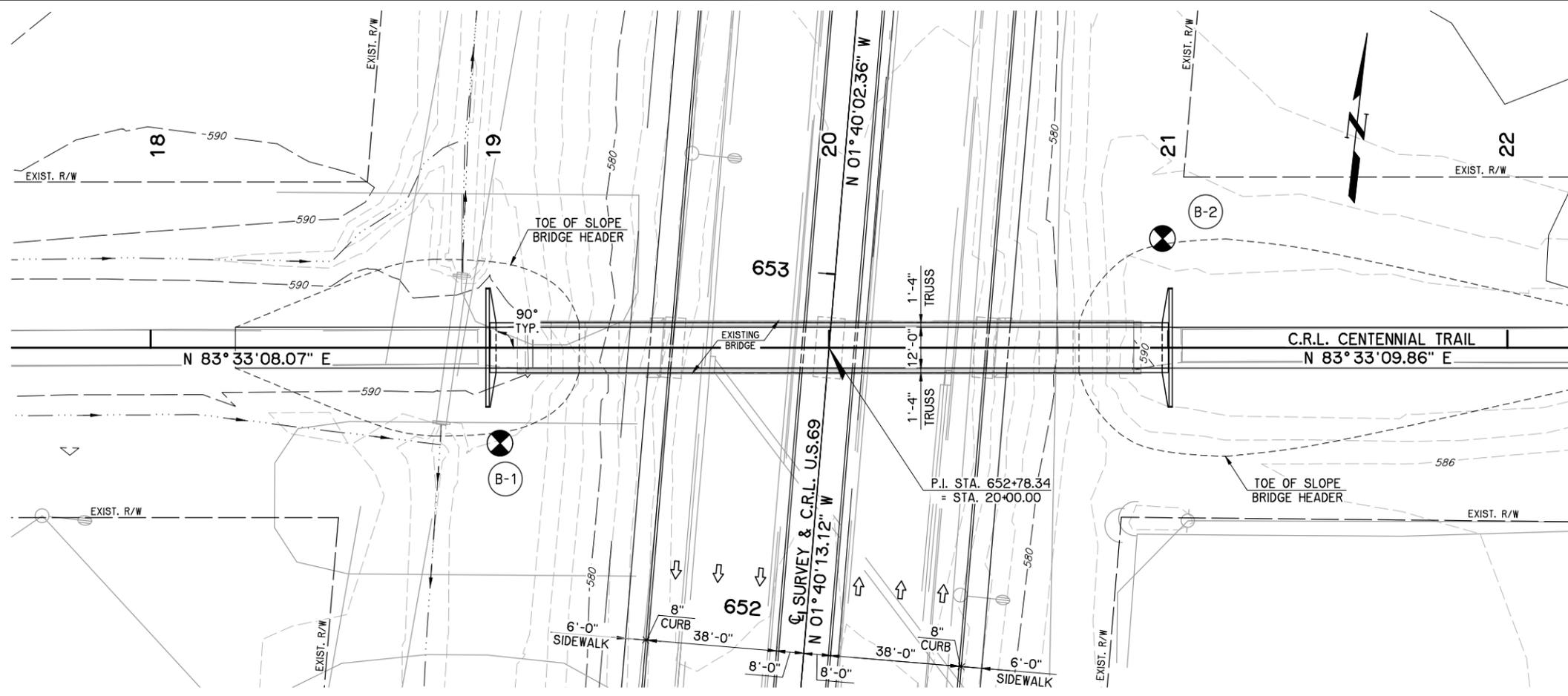
FOUNDATION DATA

ABUTMENTS (HP 10x42 PILING)

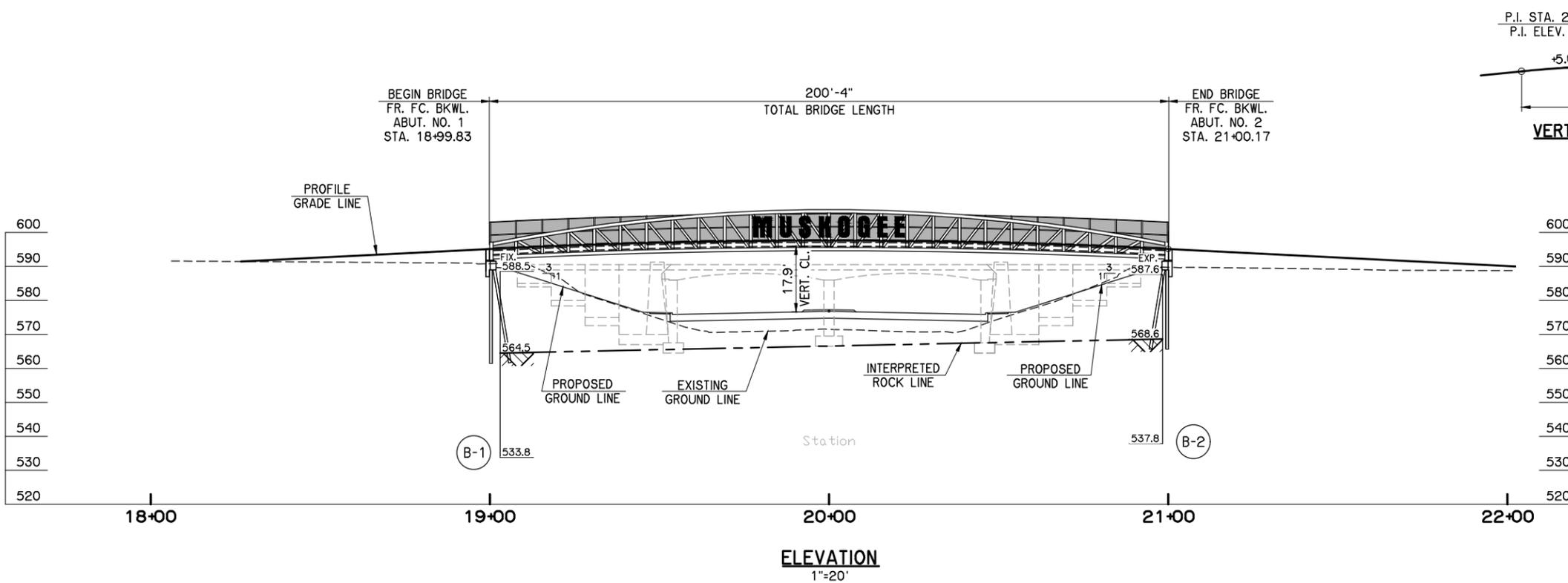
FACTORED PILE REACTION

= XXX.X TON / PILE

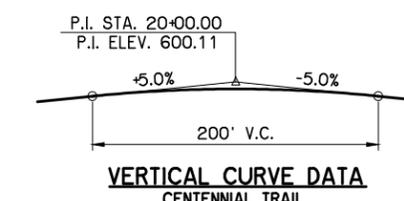
FACTORED PILE RESISTANCE:
DRIVE PILING THROUGH THE COMPACTED FILL AND TO A POINT BEARING
ON SOLID FOUNDATION MATERIAL AT THE APPROXIMATE ELEVATION SHOWN
ON THE PLANS. IF A FACTORED AXIAL LOAD RESISTANCE EQUAL TO OR
GREATER THAN THE FACTORED PILE REACTION IS NOT OBTAINED AT THIS
ELEVATION, CONTINUE DRIVING UNTIL SUCH IS OBTAINED. THE LENGTH OF
STEEL PILING SHOWN ON THE PLANS IS FOR ESTIMATING PURPOSES ONLY.



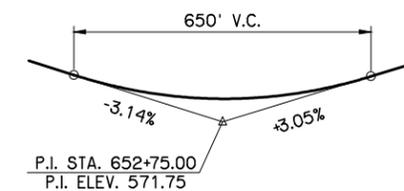
PLAN
1"=20'



ELEVATION
1"=20'



VERTICAL CURVE DATA
CENTENNIAL TRAIL



VERTICAL CURVE DATA
U.S.69

THIS DOCUMENT
IS PRELIMINARY
IN NATURE AND
IS NOT A FINAL,
SIGNED AND
SEALED
DOCUMENT

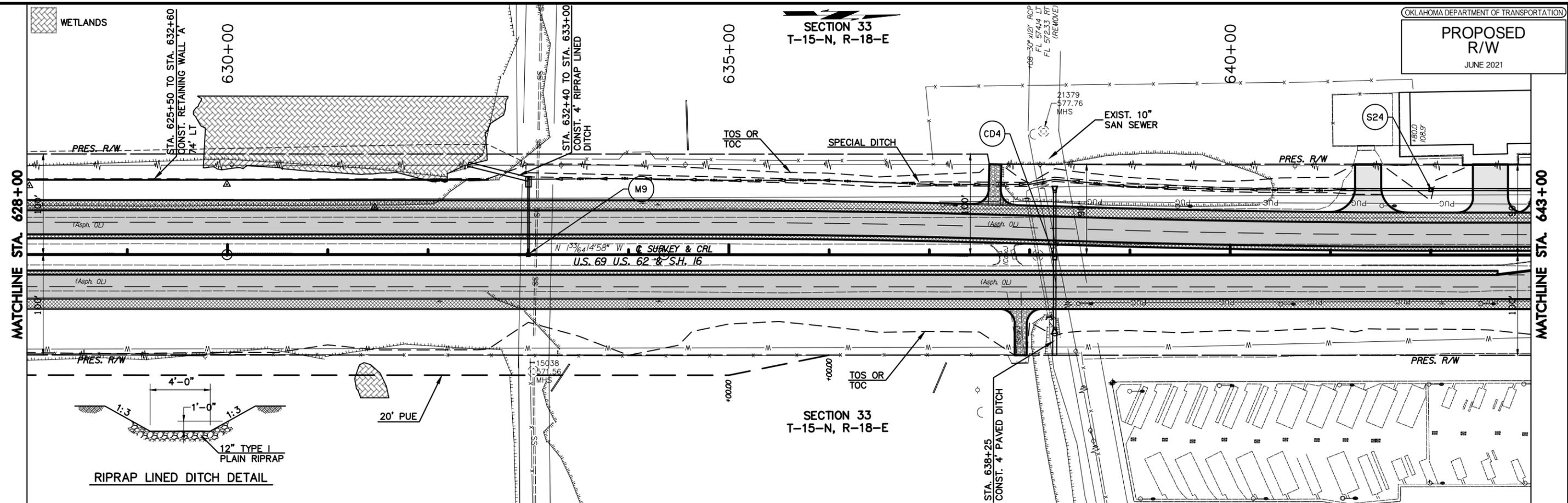
CENTENNIAL TRAIL OVER U.S.69		MUSKOGEE COUNTY	
BRIDGE "B"		Design	CEG
		Detail	DRB
		Check	
GENERAL PLAN AND ELEVATION		WHITE ENGINEERING ASSOCIATES	
		STATE OF OKLAHOMA DEPARTMENT OF TRANSPORTATION	
JOB PIECE NO. 27108(04)		SHEET NO. BO02	

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SECTION 33
T-15-N, R-18-E

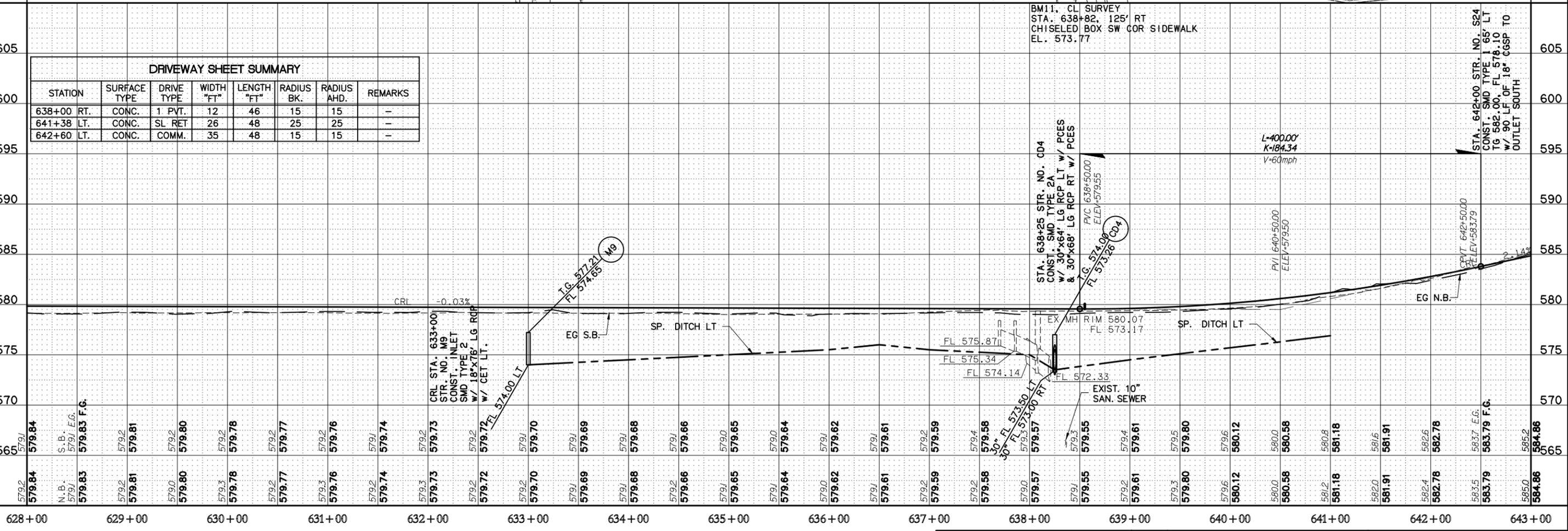
MATCHLINE STA. 628+00

MATCHLINE STA. 643+00



RIPRAP LINED DITCH DETAIL

SECTION 33
T-15-N, R-18-E



DRIVEWAY SHEET SUMMARY

STATION	SURFACE TYPE	DRIVE TYPE	WIDTH "FT"	LENGTH "FT"	RADIUS BK.	RADIUS AHD.	REMARKS
638+00	RT. CONC.	1 PVT.	12	46	15	15	-
641+38	LT. CONC.	SL RET	26	48	25	25	-
642+60	LT. CONC.	COMM.	35	48	15	15	-

HUB E 1017 7.9.9 347 PM Pkg. Sigs. HUBM/ALF/CTB
 Z:\Projects\2014\001\05\05\SSW\Production Plans\27108_BASE Option 2.dwg

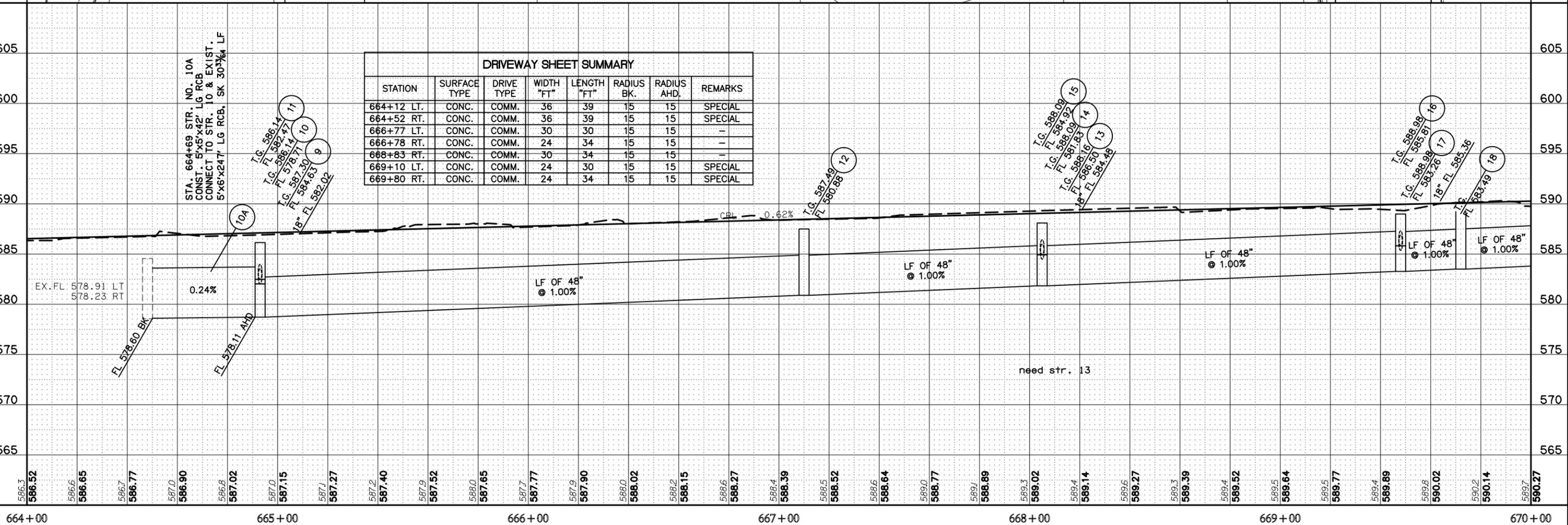
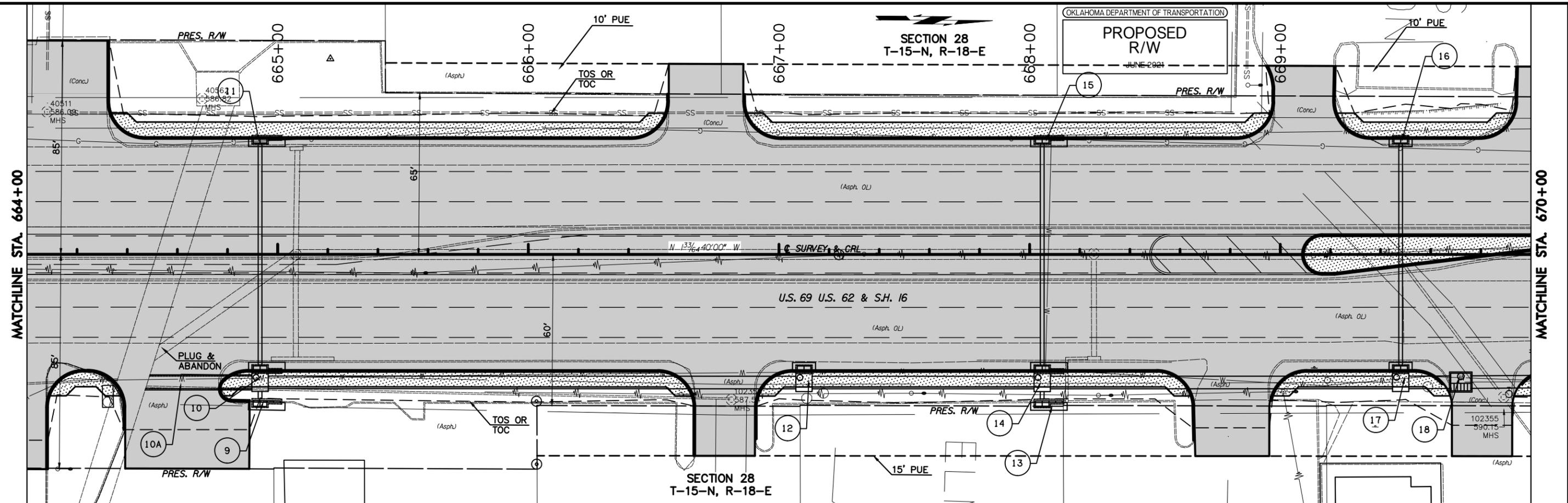


SECTION 28
T-15-N, R-18-E

PROPOSED R/W
JUNE 2024

MATCHLINE STA. 664+00

MATCHLINE STA. 670+00



DRIVEWAY SHEET SUMMARY

STATION	SURFACE TYPE	DRIVE TYPE	WIDTH "FT"	LENGTH "FT"	RADIUS BK.	RADIUS AHD.	REMARKS
664+12 LT.	CONC.	COMM.	36	39	15	15	SPECIAL
664+52 RT.	CONC.	COMM.	36	39	15	15	SPECIAL
666+77 LT.	CONC.	COMM.	30	30	15	15	-
666+78 RT.	CONC.	COMM.	24	34	15	15	-
668+83 RT.	CONC.	COMM.	30	34	15	15	-
669+10 LT.	CONC.	COMM.	24	30	15	15	SPECIAL
669+80 RT.	CONC.	COMM.	24	34	15	15	SPECIAL

STA. 664+69 STR. NO. 10A
CONST. 5'x5'x42" LG RCB
CONNECT TO STR. 10 & EXIST.
5'x6'x24" LG RCB, SK 30 3/4 LF

565
566.3
566.52
566.6
566.65
566.7
566.77
567.0
566.90
566.8
567.02
567.0
567.15
567.1
567.27
567.2
567.40
567.9
567.52
568.0
567.65
567.7
567.9
567.9
568.02
568.2
568.15
568.6
568.27
568.4
568.39
568.5
568.52
568.6
568.64
569.0
568.77
569.1
568.89
569.3
569.02
569.4
568.14
569.6
568.27
569.3
568.39
569.4
568.52
569.5
568.64
569.5
568.77
569.4
568.89
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569.7
590.27

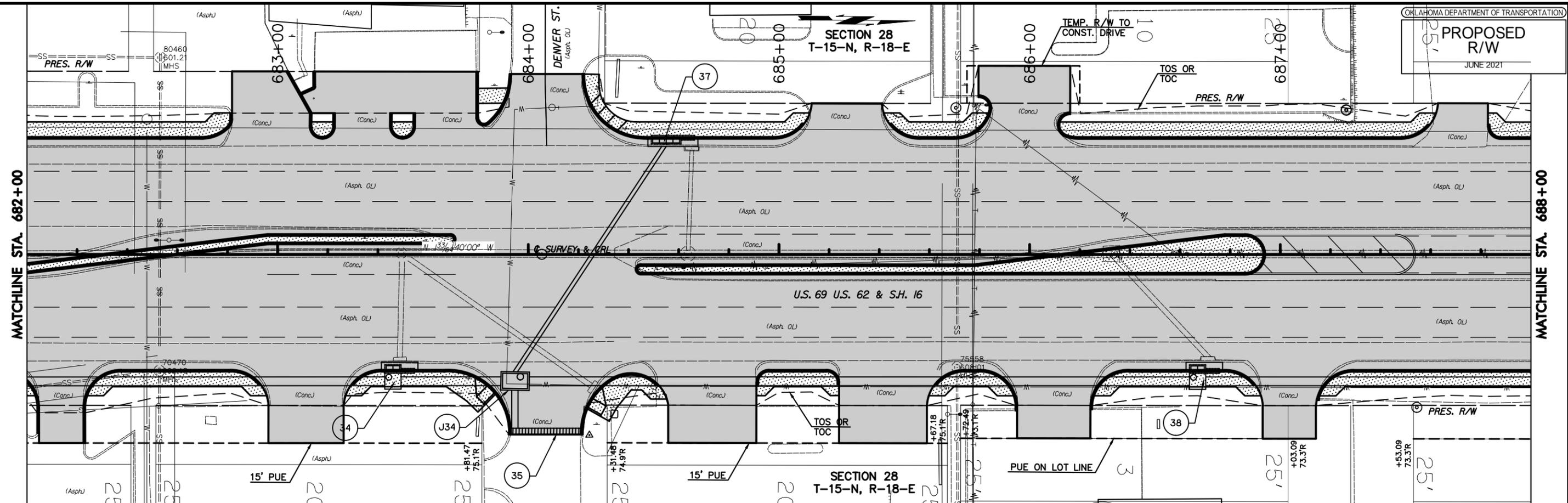
664+00 665+00 666+00 667+00 668+00 669+00 670+00



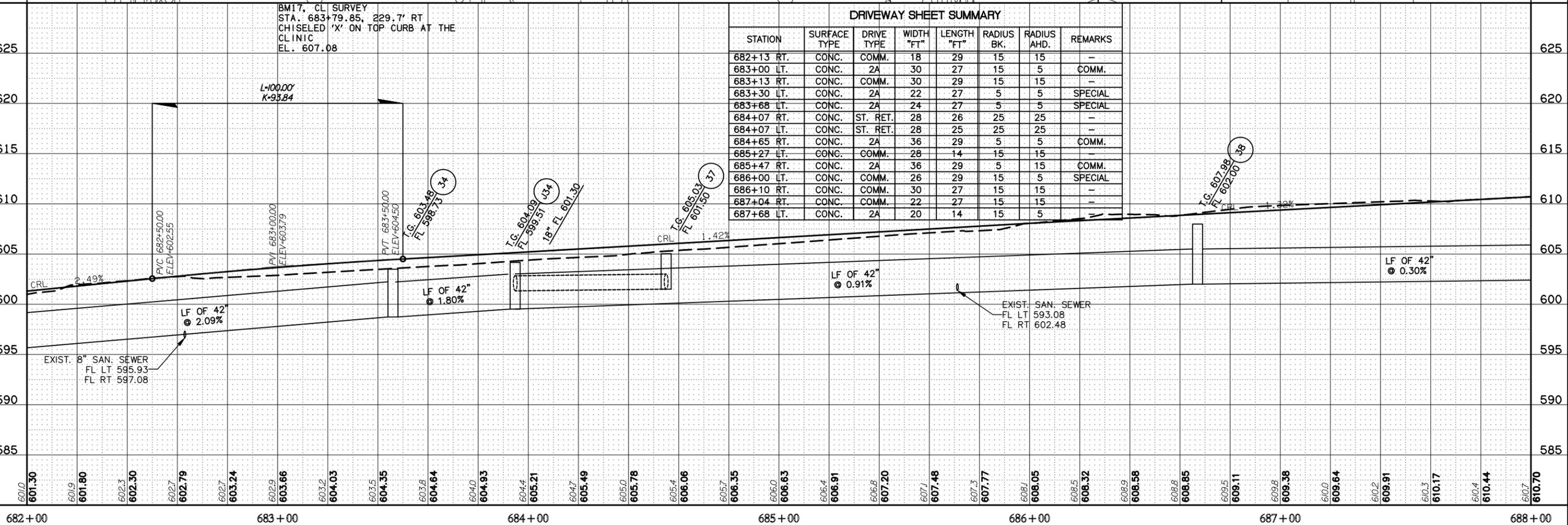
SECTION 28
 T-15-N, R-18-E

MATCHLINE STA. 682+00

MATCHLINE STA. 688+00



SECTION 28
 T-15-N, R-18-E



DRIVEWAY SHEET SUMMARY

STATION	SURFACE TYPE	DRIVE TYPE	WIDTH "FT"	LENGTH "FT"	RADIUS BK.	RADIUS AHD.	REMARKS
682+13 RT.	CONC.	COMM.	18	29	15	15	-
683+00 LT.	CONC.	2A	30	27	15	5	COMM.
683+13 RT.	CONC.	COMM.	30	29	15	15	-
683+30 LT.	CONC.	2A	22	27	5	5	SPECIAL
683+68 LT.	CONC.	2A	24	27	5	5	SPECIAL
684+07 RT.	CONC.	ST. RET.	28	26	25	25	-
684+07 LT.	CONC.	ST. RET.	28	25	25	25	-
684+65 RT.	CONC.	2A	36	29	5	5	COMM.
685+27 LT.	CONC.	COMM.	28	14	15	15	-
685+47 RT.	CONC.	2A	36	29	5	15	COMM.
686+00 LT.	CONC.	COMM.	26	29	15	5	SPECIAL
686+10 RT.	CONC.	COMM.	30	27	15	15	-
687+04 RT.	CONC.	COMM.	22	27	15	15	-
687+68 LT.	CONC.	2A	20	14	15	5	-

HUB E 1 7 9 9 3 01 PM R/W SHY HIGHWAY 69
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P.O.T. Sta. 652+78.34
 C/L U.S. 69 = P.O.T. Sta. 20+00.00
 CHISLED "X"

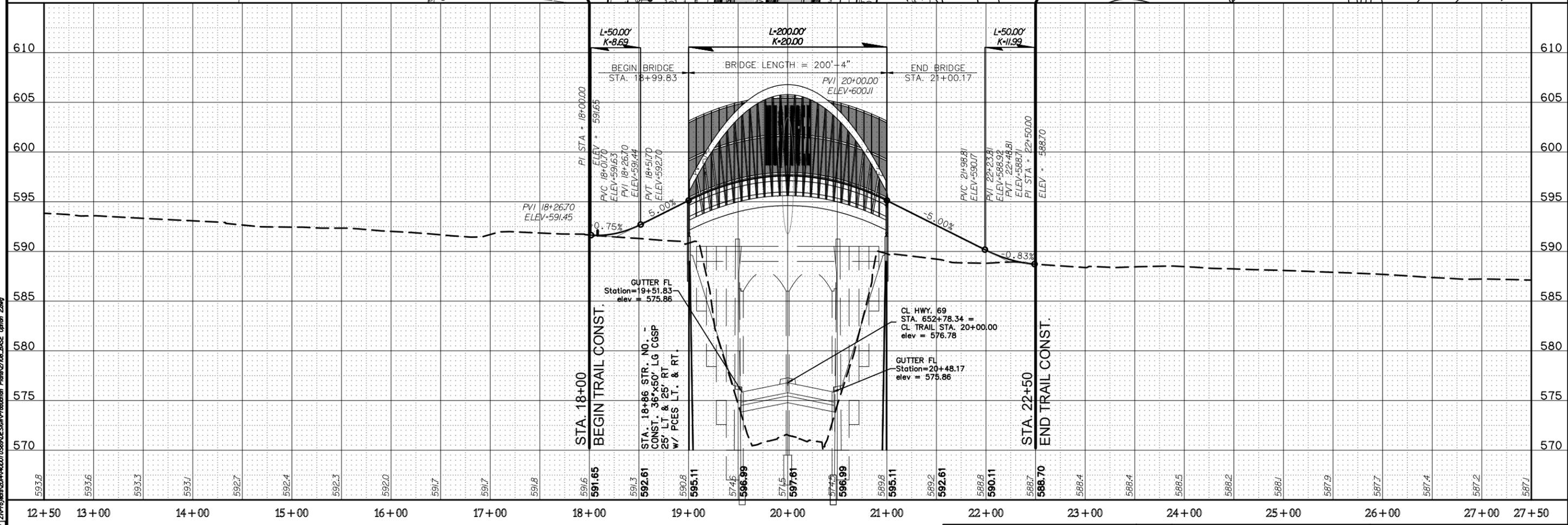
00+999
 20' TEMP. R/W &
 PERP. U/E

SECTION 28
 T-15-N, R-18-E
 12' TEMP. R/W &
 PERP. U/E

SECTION 28
 T-15-N, R-18-E
 20' TEMP. R/W &
 PERP. U/E

OKLAHOMA DEPARTMENT OF TRANSPORTATION
PROPOSED R/W
 JUNE 2021

HUB E 10/17/2021 3:05 PM Plot Style: HUB-AULECTR
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Sec 36
T17N-R15E

Sec 25
T17N-R15E

Begin Study approx. 30ft South of
ODOT Maintenance Station Driveway

MATCHLINE PANEL 2

160ft 100ft

100ft

Sec. 04
T14N-R18E

Sec. 33
T15N-R18E

Haddock Dr

Hiawatha Pl

W Coburn Cir

S 30th

75ft

E Coburn Cir

Haddock Dr

S 28th St

S 28th

Sec 31
T17N-R16E

S 27th St



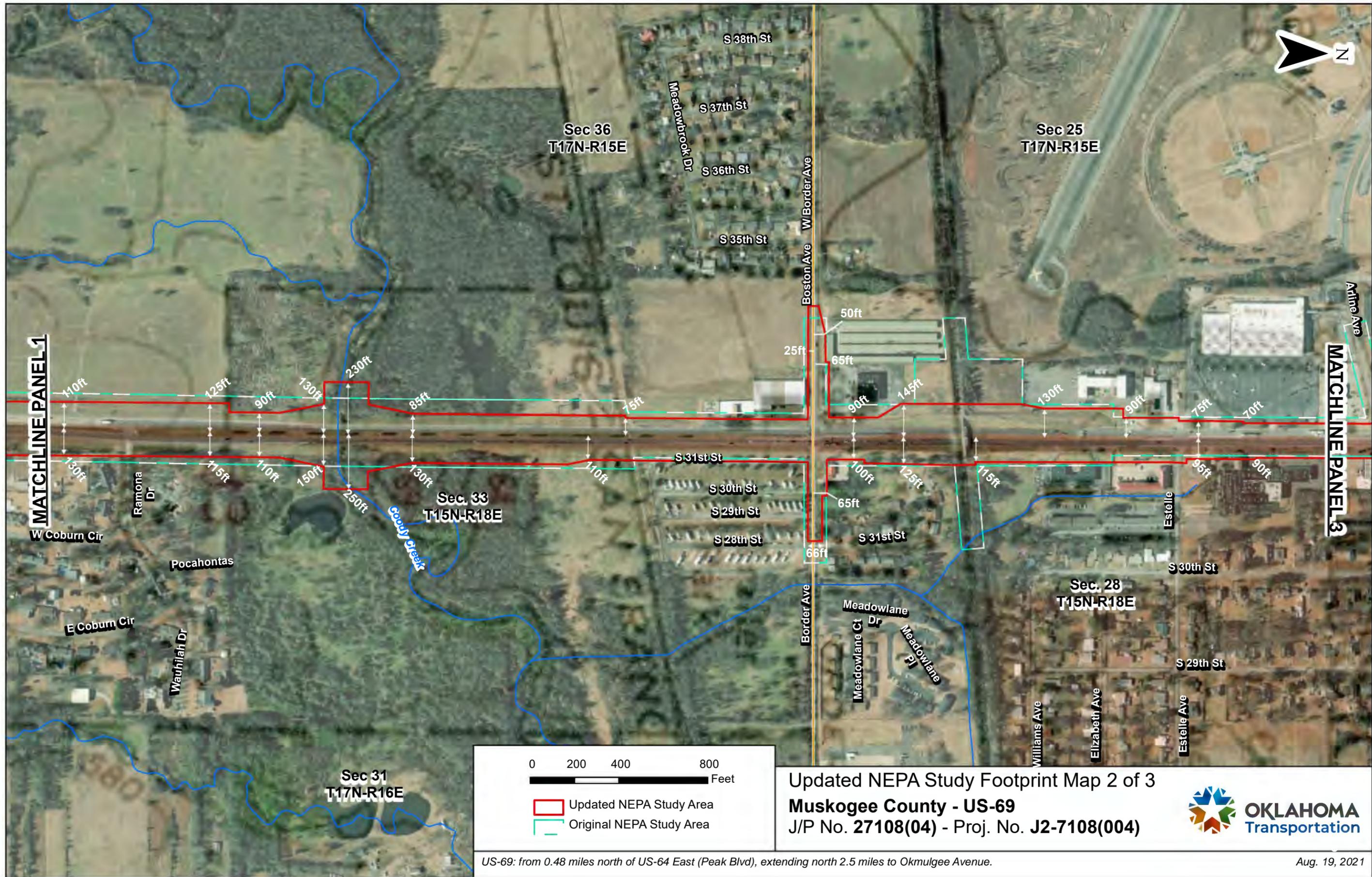
Updated NEPA Study Area
Original NEPA Study Area

Updated NEPA Study Footprint Map 1 of 3
Muskogee County - US-69
J/P No. 27108(04) - Proj. No. J2-7108(004)



US-69: from 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles to Okmulgee Avenue.

Aug. 19, 2021



Updated NEPA Study Footprint Map 2 of 3
Muskogee County - US-69
 J/P No. 27108(04) - Proj. No. J2-7108(004)

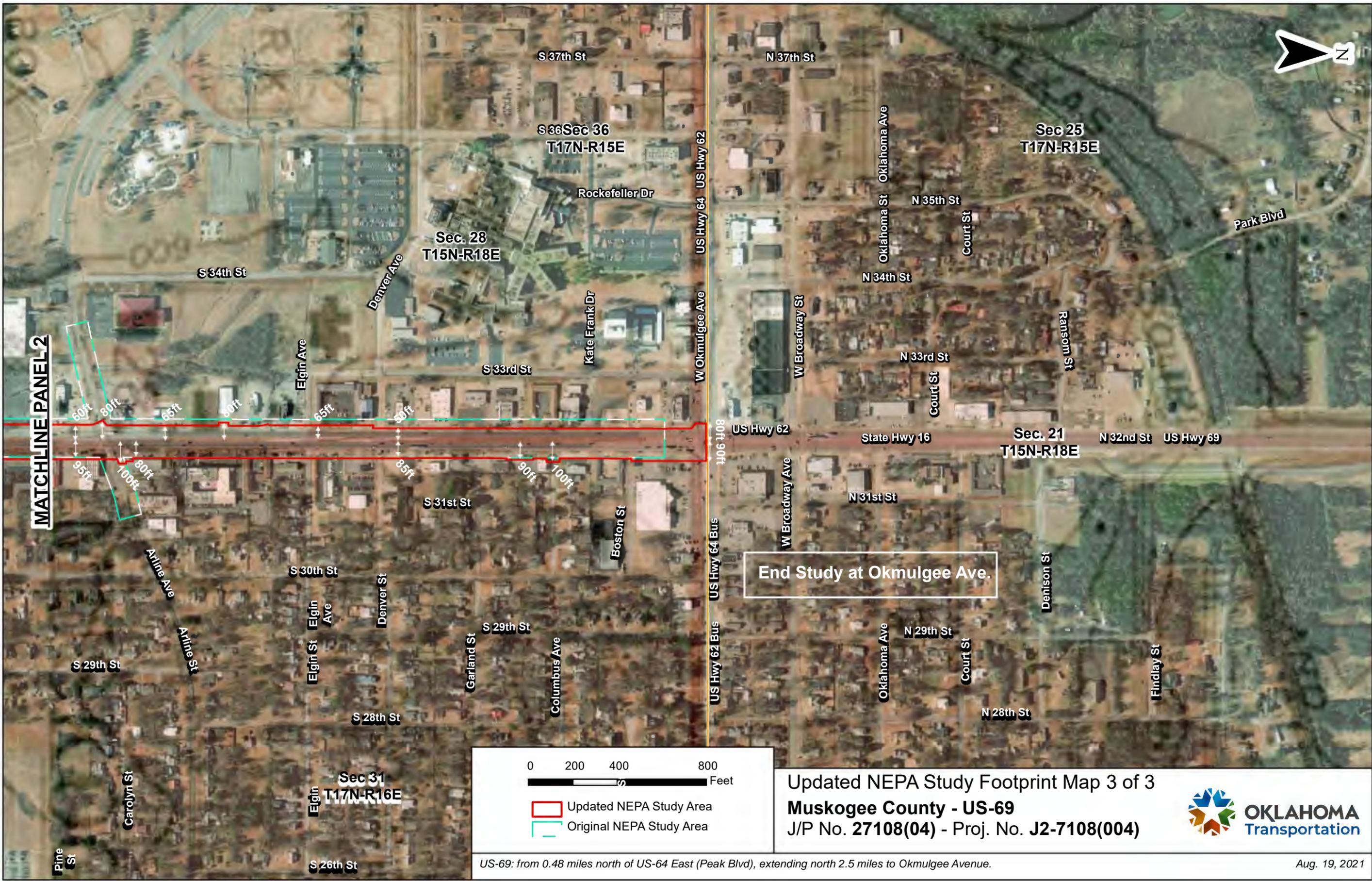


US-69: from 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles to Okmulgee Avenue.

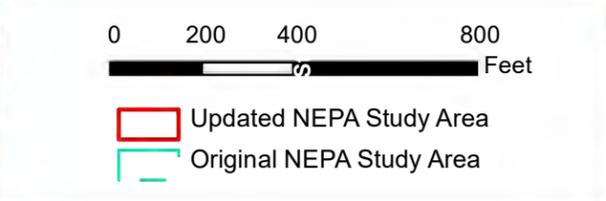
Aug. 19, 2021



MATCHLINE PANEL 2



End Study at Okmulgee Ave.



Updated NEPA Study Footprint Map 3 of 3
Muskogee County - US-69
J/P No. 27108(04) - Proj. No. J2-7108(004)



US-69: from 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles to Okmulgee Avenue.

Aug. 19, 2021

**EARLY COORDINATION LETTERS
AND RESPONSES**

April 30, 2021

Subject: US-69 roadway improvements from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in City of Muskogee, Muskogee County, Job Piece # 27108(04), State Project # J2-7108(004).

Dear Property Owner:

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), is continuing studies to prepare an environmental document on a proposal to provide roadway improvements to US-69. The project is scheduled for construction in 2024 in the current 8 Year Construction Program and ODOT is early in the project development process. The exact project scope and requirements will be clarified through the planning, environmental review, and design process. Issues that will be analyzed in the document include the project's effects to noise, water quality, cultural and natural resources, and other effects to the environment. In accordance with the National Environmental Policy Act, the National Historic Preservation Act, and FHWA policy, ODOT requests any information or specific concerns you have regarding this project's potential impact on the resources listed above. If you have reason to believe that there are resources such as underground oil or gas storage tanks, contaminated soil, archaeological or historic sites, human graves, places of religious or cultural importance to Native American tribes, or other sensitive resources, please respond to the contact provided below.

In accordance with Oklahoma Statute 69-702, employees or authorized agents of ODOT may enter your property for the purpose of surveying for the environmental considerations listed above. A copy of Oklahoma Statute 69-702 is provided with this letter. The results of the studies for cultural resources, biological resources, noise, and hazardous materials will be incorporated into the environmental document being prepared for this project. Minor hand digging on your property may be necessary as part of the survey. Any test holes will be filled in and cleaned up afterwards.

If you are currently leasing this property, please notify your lessee of our planned work.

Should you have any information or specific concerns, or if you have resources listed above that may be located on your property, please contact Andrew Ward, ODOT Environmental Project Manager at 405-521-2325 or WWard@odot.org or our authorized agent Jennifer Koscelny with Able Consulting, LLC at 918-272-4282 or jkoscelny@ableconsulting.net. If your concerns are related to places of traditional cultural or religious importance to Native American tribes or to burials or cemeteries affiliated with tribes, please contact Dr. Rhonda Fair, ODOT Director of Tribal Coordination, at 405-517-5670 or rfair@odot.org. As always, your input is greatly appreciated.

Respectfully,

Sivaniya S Sundaram

Siv Sundaram, P.E.
Environmental Programs Division Engineer

SS/AW/Able

Enclosures: Location Map, Copy of Statute 69-702

Copy to:	Project Management	Field Division Engineer
	Survey Division	Materials Division
	Right-of-Way Division	ODOT Cultural Resources Specialist
	Tribal Coordination	Specialists

USA Barn Realty
3201 W Hancock
Muskogee, OK 74401

JC/DC LLC
105 Ramona Dr
Muskogee, OK 74401

Joseph & Jackie Newton
PO Box 38
Okmulgee, OK 74447

Tri City Development
PO Box 832
Stigler, OK 74462

James & Vanessa Stewart
8209 N 50th St W
Porter, OK 74454

Star Mart
2300 S 32nd St
Muskogee, OK 74401

Early's Country RV
2601 S 32nd St
Muskogee, OK 74401

Rick & Judy Berkenbile
PO Box 1211
Fort Gibson, OK 74434

Don Jacobs et al
PO Box 555
Pea Ridge, AR 72751

John & Judy Davis
701 Independence
Muskogee, OK 74403

Thomas & Ginger Blackmon
12 Edgemoor Rd
Little Rock, AR 72207

Muskogee Creek Nation
6200 W 103rd St S
Okmulgee, OK 74450

Muskogee Creek Nation Complex
PO Box 580
Okmulgee, OK 74447

Michael & Jannie Rankin
1215 S 32nd St
Muskogee, OK 74401

Charles & Tina Copeland
1898 County Rd 4515
Whitewright, TX 75491

Edwin & Frances Thayer
901 S 32nd
Muskogee, OK 74401

Continental Overseas
712 N Aster Ave
Broken Arrow, OK 74012

Shyama Hotels
900 S 32nd St
Muskogee, OK 74401

Cornelia Ann McClain
17816 W Running Springs Dr
Park Hill, OK 74451

Tommy Allen et al
& Virginia Reheard
1507 S 24th St W
Muskogee, OK 74401

McClain Furniture
c/o Ben McClain
1305 S 32nd St
Muskogee, OK 74401

Tommy Allen
2510 W 37th St S
Muskogee, OK 74401

Tim Wheeler
8 Beckman Dr
Muskogee, OK 74401

George Seibold III
PO Box 1197
Oklahoma City, OK 73101

Lifepoint Church
2200 S 32nd St
Muskogee, OK 74401

Don L Younger
7001 E Smith Ferry Rd
Muskogee, OK 74403

City of Muskogee
PO Box 1927
Muskogee, OK 74402

MPI Muskogee
120 Broadway Ave S, Ste 50
Wayzata, MN 55391

B&B Truck Repair
2701 S 32nd St
Muskogee, OK 74401

OKL Enterprises
703 S Western Rd
Stillwater, OK 74074

Jim Estates
5138 S Birmingham Pl
Tulsa, OK 74105

J E Weaver
5901 Rolling Oaks Dr
Muskogee, OK 74401

Muskogee Grand Hotel
PO Box 5523
Edmond, OK 73083

Muskogee County
PO Box 2307
Muskogee, OK 74402

Yu Lin & Yan Ping Jiang
20978 Cornerstone Dr
Walnut, CA 91789

Yee See Ong & Ann Barker
350 S 40th
Muskogee, OK 74401

O DennyBoyChick
c/o Paul Berg, PhD
800 The Mark Lane #2901
San Diego, CA 92101

Great Life Investments
212 S B
Muskogee, OK 74403

Umesh & Kalpana Patel
514 S 32nd St
Muskogee, OK 74401

OKL Enterprises
703 S Western Rd
Stillwater, OK 74074

Devadatt LLC
540 S 32nd St
Muskogee, OK 74401

JRC Self Storage
719 N 41st St
Muskogee, OK 74403

JKJ Corner Stores
7910 S 101st E Ave
Tulsa, OK 74133

Maria Molina
710 S 32nd St
Muskogee, OK 74401

Muskogee Grand Hotel
PO Box 5523
Edmond, OK 73083

Del Rey Investors
200 Uecker
Spring Branch, TX 78070

Braums Addition
701 S 32nd St
Muskogee, OK 74401

Johnson Enterprises Holding Co.
715 S 32nd St
Muskogee, OK 74401

Penelope Cowles Payne
100 Ramona Dr
Muskogee, OK 74401

Rick J Martin
PO Box 2363
Muskogee, OK 74402

Quanah & Gwendale Fryar
2100 S 32nd St
Muskogee, OK 74401

Oswaldo & Maria Tinajero
2120 S 32nd St
Muskogee, OK 74401

John & Judy Davis
701 Independence
Muskogee, OK 74403

Muskogee at the Woods Holdings
c/o Atlas Property Management
701 W Queens, Ste 400
Broken Arrow, OK 74012

Landmark Venture Properties
16613 E 47th St
Tulsa, OK 74134

William Gilbert
6033 W Okmulgee
Muskogee, OK 74401

Kevin Roy Gilbert
6033 W Okmulgee
Muskogee, OK 74401

Loretta Hickman
c/o Denise Hickman
PO Box 2089
Muskogee, OK 74402

Cornelia Ann McClain
17816 W Running Springs Dr
Park Hill, OK 74451

Bobbie & Maggie Cook
3104 Border Ave
Muskogee, OK 74401

Johnson Investments
c/o Ryan LLC
15 West 6th St, Ste 2400
Tulsa, OK 74119

Susan Sandelman
c/o Ryan LLC
15 West 6th St, Ste 2400
Tulsa, OK 74118

American Bank of Oklahoma
PO Box 7009
Muskogee, OK 74402

Sachi Lodging
200 S 32nd St
Muskogee, OK 74401

Tu Dinh Nguyen
1217 E Okmulgee
Muskogee, OK 74403

Raymond & Carol Elam
201 S 33rd St, Apt 605
Muskogee, OK 74401

Joy B Gandhi
4108 Stone Creek Dr
Muskogee, OK 74403

ROU Realty
8769 S Circle E Dr
Farwell, MI 48622

Tam Bar
4113 Cobblestone
Muskogee, OK 74401

Jalil & Lisa Mortazavi
11077 S 51 W Ave
Sapulpa, OK 74066

Hulbert Properties
20705 Hwy 16
Siloam Springs, AR 72761

Series B Choat Properties
25116 S 4150 Rd
Claremore, OK 74017

Tambar 4
211 N 12th
Muskogee, OK 74401

Sangal Family
6281 E 140th St S
Bixby, OK 74008

Tigerlily Properties
29801 Santa Margarita Pkwy
Rancho Santa Margarita, CA 92688

Sai Mira
407 S 32nd St
Muskogee, OK 74401

National Retail Properties
450 S Orange Ave, Ste 900
Orlando, FL 32801

JKJ Corner Stores
7910 S 101st E Ave
Tulsa, OK 74133

Archland Property
c/o M C Baldwin
PO Box 329
Morris, OK 74445

Purab Motels
2240 S 32nd St
Muskogee, OK 74401

Ronald Hornback
2400 S Country Club Rd
Muskogee, OK 74403

Chanden Hotel
2220 S 32nd St
Muskogee, OK 74401

Great Phoenix
2226 S 32nd St
Muskogee, OK 74401

Jehovah's Witnesses
c/o Walton, McGee & Simmons
PO Box 2285
Muskogee, OK 74402

Crowl Oil Co
PO Box 1627
Muskogee, OK 74402

Carroll Wood Goff Forth
27 Gladstone St
London, England
SE1 6EY (Great Britain)

Ernie & Dorothy Sykora
c/o Ernie's Pharmacy
410 S 32nd St
Muskogee, OK 74401

E-Z Pay Used Cars
1809 Nightingdale Cir
McAlester, OK 74501

Diajeff LLC
c/o Ryan LLC
15 West 6th St, Ste 2400
Tulsa, OK 74119

Johnson Investments
c/o Ryan LLC
15 West 6th St, Ste 2400
Tulsa, OK 74119

Sachi Lodging
200 S 32nd St
Muskogee, OK 74401



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Oklahoma Field Office
7906 E. 33rd Street, Suite 101
Tulsa, Oklahoma 74145
www.blm.gov/nm



In Reply Refer To:

ODOT Project Response 041515
1785 (040)

April 15, 2015

Ms. Dawn Sullivan
Environmental Programs Division Engineer
Oklahoma Department of Transportation
200 N. E. 21st Street
Oklahoma City, OK 73105-3204

RECEIVED
APR 27 2015
ENVIRONMENTAL
PROGRAMS DIV.

Dear Ms. Sullivan:

We wish to thank you for extending the opportunity to the Bureau of Land Management (BLM) Oklahoma Field Office in Tulsa, Oklahoma, to provide comments on the following proposed projects:

- 3 1. Cleveland County
 - a. Bridge/Approaches on SH-9 over Little River (JP 24760(04), STP-114B(206)SS)
- 3 2. Lincoln County
 - a. Bridge/Approaches on SH-99 over Salt Creek (JP 29543(04), J2-9543(004))
- 1 3. Muskogee County
 - a. Improvements to US-69 (JP 27108(04), J2-7108(004))
- 4 4. Oklahoma County
 - a. Improvements to SH-66 (JP 26423(04), SSP-155C(712)SS)
- 3 5. Okfuskee County
 - a. Bridge on SH-56 over Brier Creek and Tributary (JP 10465(04), J1-0465(04))
- 5 6. Tillman County
 - a. Bridge/Approaches on US-70 over Bottle Creek and Suttle Creek (JP 29514(04), J2-9514(004))
 - b. Bridge on SH-5 over the North Fork of the Red River and Overflow (JP 29516(04), J2-9516(004))
- 1 7. Wagoner County
 - a. Improvements on SH-72 (JP 20916(04), J2-0916(004))

Our office has reviewed the information provided in your letters and has no concerns or objections to these proposals. A search of our files shows no impact to Federal or Indian minerals in the project areas, nor any Federal land managed by the BLM.

Sincerely,

Janine Book
Resource Program Manager
Oklahoma Field Office

cc:
NM (441, Central File)
NM (044, L. Levesque)



OKLAHOMA DEPARTMENT OF TRANSPORTATION

200 N. E. 21st Street

Oklahoma City, OK 73105-3204

January 12, 2015

Mr. Richard Fields
Assistant Field Office Manager - Multi Resources
Oklahoma Field Office
Bureau of Land Management
7906 E. 33rd Street, Suite 101
Tulsa, Oklahoma 74145-1352

Subject: Operational roadway improvements on US-69 beginning 0.1 miles north of US-64 East and extending north 2.5 miles in Muskogee County, Job Piece Number 27108(04), Project Number J2-7108(004).

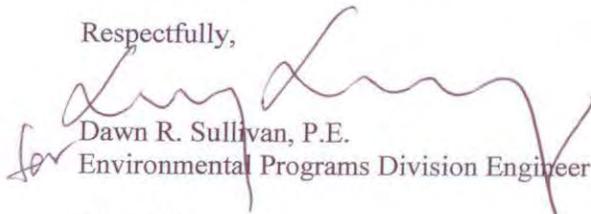
Dear Mr. Fields:

We are pleased to inform you the Oklahoma Department of Transportation (ODOT) is considering improvements to US-69 in the City of Muskogee. The exact project scope and requirements will be clarified through the planning, environmental review, and design process. We have enclosed a location map and the environmental study area.

This project is in the early developmental stages and any comments relative to the social, economic, or environmental effects of this proposal will be appreciated. To allow adequate time for evaluation of your comments, we would appreciate receiving a response within fifteen days from the date of this letter. Your written comments should be directed to the Environmental Program Division Engineer, Oklahoma Department of Transportation, 200 N. E. 21st Street, Oklahoma City, Oklahoma 73105.

Should you have any questions, please contact Laurie Effinger, Environmental Project Manager at 405-521-2535 or LEffinger@odot.org or please contact our authorized agent Jennifer Koscelny with Able Consulting at 918-272-4282 or jkoscelny@cox.net. As always, your cooperation is greatly appreciated.

Respectfully,


Dawn R. Sullivan, P.E.
Environmental Programs Division Engineer

DRS/LE

Enclosures: Location Map, Study Area Map

Copy to: Project Management Division
Field Division Engineer
Right-of-Way Division
ODOT Cultural Resources

"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."

AN EQUAL OPPORTUNITY EMPLOYER



OKLAHOMA DEPARTMENT OF TRANSPORTATION

200 N. E. 21st Street

Oklahoma City, OK 73105-3204

January 12, 2015

Mr. Robert Impson, Regional Director
Eastern Oklahoma Regional Office
Bureau of Indian Affairs
3100 W. Peak Boulevard
Muskogee, Oklahoma 74401

Subject: Operational roadway improvements on US-69 beginning 0.1 miles north of US-64 East and extending north 2.5 miles in Muskogee County, Job Piece Number 27108(04), Project Number J2-7108(004).

Dear Mr. Impson:

We are pleased to inform you the Oklahoma Department of Transportation (ODOT) is considering improvements to US-69 in the City of Muskogee. The exact project scope and requirements will be clarified through the planning, environmental review, and design process. We have enclosed a location map and the environmental study area.

This project is in the early developmental stages and any comments relative to the social, economic, or environmental effects of this proposal will be appreciated. To allow adequate time for evaluation of your comments, we would appreciate receiving a response within fifteen days from the date of this letter. Your written comments should be directed to the Environmental Program Division Engineer, Oklahoma Department of Transportation, 200 N. E. 21st Street, Oklahoma City, Oklahoma 73105.

Should you have any questions, please contact Laurie Effinger, Environmental Project Manager at 405-521-2535 or LEffinger@odot.org or please contact our authorized agent Jennifer Koscelny with Able Consulting at 918-272-4282 or jkoscelny@cox.net. As always, your cooperation is greatly appreciated.

Respectfully,

A handwritten signature in dark ink, appearing to read "Dawn R. Sullivan", is written over the typed name and title.

Dawn R. Sullivan, P.E.
Environmental Programs Division Engineer

DRS/LE

Enclosures: Location Map, Study Area Map

Copy to: Project Management Division
Field Division Engineer
Right-of-Way Division
ODOT Cultural Resources

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AN EQUAL OPPORTUNITY EMPLOYER



OKLAHOMA DEPARTMENT OF TRANSPORTATION

200 N. E. 21st Street

Oklahoma City, OK 73105-3204

January 12, 2015

The Honorable Bob Coburn
Mayor of City of Muskogee
P.O. Box 1927
Muskogee, Oklahoma 74402-1927

Subject: Operational roadway improvements on US-69 beginning 0.1 miles north of US-64 East and extending north 2.5 miles in Muskogee County, Job Piece Number 27108(04), Project Number J2-7108(004).

Dear Mayor Coburn:

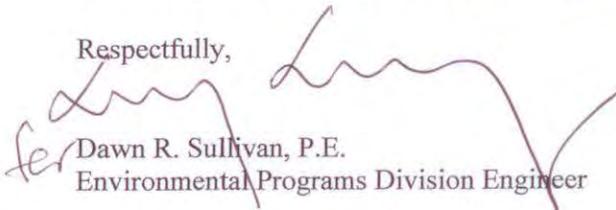
We are pleased to inform you the Oklahoma Department of Transportation (ODOT) is considering improvements to US-69 in the City of Muskogee. The exact project scope and requirements will be clarified through the planning, environmental review, and design process.

At this time, we are interested in obtaining your input regarding local priorities for the Department to consider, the construction timing, the local social, economic, and environmental implications of our project and other specific concerns of your community we should consider as we proceed. Your active participation in the project development process is essential to help ensure your concerns are considered while at the same time addressing broader state and national needs. In addition, we are also interested in finding out if this improvement might affect any historic sites or publicly owned parks or recreation areas. Please submit your input to the Environmental Project Manager identified in this letter.

Your participation in this process will also allow you to fully understand any local financial obligations which may be associated with this project, potentially including utility relocation, removal of structures currently encroaching on highway right-of-way within your city limits, and possible future maintenance of the completed facility. As the exact project scope and requirements are clarified through the environmental review and design process, our Right of Way Division will be contacting you with further details. If you have any questions specific to right-of-way or utilities, please contact Mr. Kevin Stout, Assistant Chief of Right-of-Way.

Should you have any questions, please contact Laurie Effinger, Environmental Project Manager at 405-521-2535 or LEffinger@odot.org or please contact our authorized agent Jennifer Koscelny with Able Consulting at 918-272-4282 or jkoscelny@cox.net. As always, your cooperation is greatly appreciated.

Respectfully,


Dawn R. Sullivan, P.E.
Environmental Programs Division Engineer

DRS/LE

Enclosures: Location Map

Copy to: Project Management Division

Field Division Engineer

Right of Way Division

ODOT Cultural Resources

The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."

AN EQUAL OPPORTUNITY EMPLOYER



OKLAHOMA DEPARTMENT OF TRANSPORTATION

200 N. E. 21st Street

Oklahoma City, OK 73105-3204

January 12, 2015

Subject: Operational roadway improvements on US-69 beginning 0.1 miles north of US-64 East and extending north 2.5 miles in Muskogee County, Job Piece Number 27108(04), Project Number J2-7108(004).

Dear Property Owner:

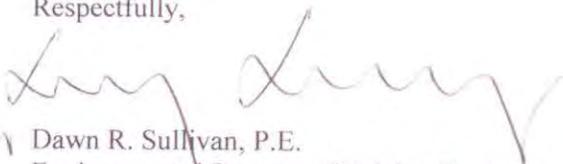
We are pleased to inform you the Oklahoma Department of Transportation (ODOT) is considering roadway improvements to US-69 in the City of Muskogee, beginning 0.1 miles north of US-64 East and extending north 2.5 miles, in Muskogee County. The exact project scope and requirements will be clarified through the planning, environmental review, and design process. In accordance with the National Environmental Policy Act, the National Historic Preservation Act, and Federal Highway Administration policy, the Department is requesting any information or specific concerns you may have regarding this project's potential impact on the human environment, the natural environment, and historic properties.

Additionally, in the near future, employees or authorized agents of ODOT may be entering your property for the purpose of surveying environmental considerations, such as cultural resources, biological resources, and hazardous materials. Results from these studies will be incorporated into the environmental document being prepared for this project. It may be necessary to do minor hand digging in your property as part of the survey. Any test holes will be filled in and cleaned up afterwards.

Oklahoma Statute 69-702 provides for the Department of Transportation, through its agents and employees, to enter the property and make the necessary surveys and other examinations related to the proposed highway project. A copy of Oklahoma Statute 69-702 is provided with this letter.

If you are currently leasing this property, please notify your lessee of our planned work. Should you have any information or specific concerns, please contact our authorized agent Mrs. Jennifer Koscelny with Able Consulting at 918-272-4282 or jkoscelny@cox.net. As always, your cooperation is greatly appreciated.

Respectfully,


for Dawn R. Sullivan, P.E.
Environmental Programs Division Engineer

DRS/LE/Able Consulting

Enclosures: Location Map, Copy of Statute 69-702

Copy to: Project Management
Field Division Engineer
Survey Division
Materials Division
Right-of-Way Division
ODOT Cultural Resources Specialist
Specialists

"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."

AN EQUAL OPPORTUNITY EMPLOYER

BILL & BETTY ACORD
2503 HIAWATHA PLACE
MUSKOGEE, OK 74401

GERALD EDWARD AGEE
PO BOX 771
GORE, OK 74435

BILLY J. AGUIRRE
1231 S 31ST STREET
MUSKOGEE, OK 74401

TOMMY L. ALLEN
2510 W 37TH STREET S
MUSKOGEE, OK 74401

THERESE MARIE AMIGO
105 RAMONA DRIVE
MUSKOGEE, OK 74401

ARBY'S
502 S. 32ND STREET
MUSKOGEE, OK 74401

GREG ARCHER
700 W. OKMULGEE AVENUE
MUSKOGEE, OK 74401

EVANGEL ASSEMBLY OF GOD
INC
2200 S 32ND STREET
MUSKOGEE, OK 74401

MUSKOGEE BAPTIST ASSOC.
360 S. 33RD STREET
MUSKOGEE, OK 74401

O'REILLY AUTOMOTIVE INC.
PO BOX 06116
CHICAGO, IL 60606-0116

ARVEST BANK
111 W 5TH STREET, SUITE 700
TULSA, OK 74103

GEORGE J. BARKES
PO BOX 569
WEBBERS FALLS, OK 74470

RICKY D. & JUDY F. BERKENBILE
PO BOX 1211
FT. GIBSON, OK 74434-1211

THOMAS JR. & GINGER
BLACKMON
12 EDGEHILL ROAD
LITTLE ROCK, AR 72207

KIM'S BLESSING, INC.
326 S. 32ND STREET
MUSKOGEE, OK 74401

MICHIKO BRIGGS
1809 NIGHTINGALE CIRCLE
MCALESTER, OK 74501

32ND & BROADWAY LP SD
2913 W. BROADWAY AVENUE
MUSKOGEE, OK 74401

JUDIE BYRUM
4500 DENISON STREET
MUSKOGEE, OK 74401

LA VERIA J. CALDWELL
PO BOX 1121
MUSKOGEE, OK 74402-1121

NANCY ANN CALHOUN
3102 GARLAND STREET
MUSKOGEE, OK 74401

DENVER & CHARLEAN CALLAHAN
1730 TURNER STREET
MUSKOGEE, OK 74403

BOSTON AVE BAPTIST CHURCH
201 S. 30th STREET
MUSKOGEE, OK 74401

BOBBIE G. & MAGGIE I. COOK
3104 BORDER AVENUE
MUSKOGEE, OK 74401

38TH ST INVESTMENT CORP
1401 S BOULDER AVE., SUITE 20
TULSA, OK 74119

EARL'S COUNTRY RV, INC
2601 S 32ND STREET
MUSKOGEE, OK 74401

MUSKOGEE COUNTY
220 STATE STREET
MUSKOGEE, OK 74401

JAMES C. & PENELOPE L. COWLES
100 RAMONA DRIVE
MUSKOGEE, OK 74401

JOHN B. & JUDY K. DAVIS
701 INDEPENDENCE STREET
MUSKOGEE, OK 74403

RAYMOND C. DAWSON JR.
5025 SE 3000
ANDREWS, TX 79714

CACO DEVELOPMENT CO. LLC.
3303 W. OKMULGEE AVENUE
MUSKOGEE, OK 74401

TRI CITY DEVELOPMENT INC
PO BOX 832
STIGLER, OK 74462

MELISSA L DILLARD
1204 S 31ST STREET
MUSKOGEE, OK 74401

RAYMOND & CAROL ELAM
219 S. 32ND STREET
MUSKOGEE, OK 74401

MUSKOGEE ENTERPRISE LLC.
534 S. 32ND STREET
MUSKOGEE, OK 74401

ELAM ENTERPRISES INC.
219 S. 32ND STREET
MUSKOGEE, OK 74401

RICHARD & DEBORA. ERDMAN
5881 E 60TH AVENUE
COMMERCE CITY, CO 80022

SANGAL FAMILY, LLC.
6281 E. 140th STREET S.
BIXBY, OK 74008

LINDA HUFF FITE
309 BAYOU ROAD
FT. GIBSON, OK 74434

LARRY D. FLEMING
10610 E. 26th CIRCLE N.
WICHITA, KS 67226

JERE J. FRISKE
3020 GARLAND AVENUE
MUSKOGEE, OK 74401

QUANA B. & GWENDALE FRYAR
2100 S 32ND STREET
MUSKOGEE, OK 74401

TIM & SHALYN GALLAWAY
4100 SALLY BROWN ROAD
MUSKOGEE, OK 74403

JOY B. GANDHI
4108 STONE CREEK DRIVE
MUSKOGEE, OK 74403

EMMA M. GATLIN
6110 S. 1ST STREET W.
MUSKOGEE, OK 74401

DEREK L. & MARTHA E. GIBSON
2409 W COBURN CIRCLE
MUSKOGEE, OK 74401

KEVIN ROY GILBERT
6033 W OKMULGEE AVENUE
MUSKOGEE, OK 74401

CHRISTOPHER R. GOFF
408 S. 32ND STREET
MUSKOGEE, OK 74401

EDNA M. GOTO
3006 HADDOCK DRIVE
MUSKOGEE, OK 74401

JOHN & ELIZABETH GROSS
3021 COLUMBUS AVENUE
MUSKOGEE, OK 74401

JIMMIE L. HARRIS
3325 W. OKMULGEE AVENUE
MUSKOGEE, OK 74401

LORETTA HICKMAN
1201 S 31ST STREET
MUSKOGEE, OK 74401

DORIS L. HOFFMAN
2407 W COBURN CIRCLE
MUSKOGEE, OK 74401

JOHNSON ENTERPRISES
HOLDING
1310 S. YORK STREET
MUSKOGEE, OK 74403

MUSKOGEE HOLDINGS, LLC
400 W. CAPITOL AVENUE,
SUITE 400
LITTLE ROCK AR 72201

CHANDEN HOTEL LLC
2220 S 32ND STREET
MUSKOGEE, OK 74401

SHYAMA HOTELS LLC
900 S 32ND STREET
MUSKOGEE, OK 74401

LARRY M. HYTCHE
44981 E 191ST STREET
PORTER, OK 74454

JOHNSON INVESTMENTS
3336 E. 32ND STREET, SUITE 217
TULSA, OK 74135

GREAT LIFE INVESTMENTS,
LLC.
212 S. B STREET
MUSKOGEE, OK 74403

PATRICIA SUE JACKSON
1219 S 31ST STREET W
MUSKOGEE, OK 74401

DON & MARY JACOBS
2541 S 32ND STREET W
MUSKOGEE, OK 74401-0000

STEVE & BRENDA JONES
608 S 10TH STREET
BROKEN ARROW, OK 74012

NAOMI KELLY
2926 W. BROADWAY
MUSKOGEE, OK 74401

WILLIE M. LAMBERT, JR
2905 ELIZABETH AVENUE
MUSKOGEE, OK 74401

STEPHEN LANGFORD
16064 S. 276th E. AVENUE
COWETA, OK 74429

JAMIE L. LASTER
1235 S 31ST STREET
MUSKOGEE, OK 74401

JEFFREY HOMER LEAKE
533 N 12TH STREET
MUSKOGEE, OK 74401

KYUNG S. LEE
3 SPRING CREEK ROAD
MUSKOGEE, OK 74401

JC/DC, LLC
105 ROMONA DRIVE
MUSKOGEE, OK 74401

SANDCO, LLC
2250 S 32ND STREET
MUSKOGEE, OK 74401

DEVADATT LLC.
540 S. 32ND STREET
MUSKOGEE, OK 74401

O DENNYBOYCHICK LLC
389 30TH STREET, SUITE 101
OAKLAND, CA 94609

DIAJEFF, LLC.
3336 E. 32ND STREET, SUITE 217
TULSA, OK 74135

MARGARET LUTHER
3015 COLUMBUS AVENUE
MUSKOGEE, OK 74401

JAMES H. MADDEN
RR 2 BOX 190
MCCLOUD, OK 74851

EKE PROPERTY MANAGEMENT
PO BOX 203
WAGONER, OK 74477-0203

STAR MART INC
2300 S 32ND STREET
MUSKOGEE, OK 74401

RICK J. MARTIN
PO BOX 2363
MUSKOGEE, OK 74402-2363

JACK RAY MCCALL
2400 W COBURN CIRCLE
MUSKOGEE, OK 74401

BEN & ANN MCCLAIN
1305 S 32ND STREET
MUSKOGEE, OK 74401

IR & SANDRA. MENDELL
2929 W. BROADWAY AVENUE
MUSKOGEE, OK 74401

JAMES W. MILLER
PO BOX 2667
MUSKOGEE, OK 74402

FREDA & BEVERLY ANN MILLER
10010 N. 151st E. AVENUE
OWASSO, OK 74055

SAI MIRA, LLC.
407 S. 32ND STREET
MUSKOGEE, OK 74401

CHRISTOPHER M. MITCHELL
1705 W. GENTRY AVENUE
CHECOTAH, OK 74426

MARIA E. MOLINA
710 S. 32ND STREET
MUSKOGEE, OK 74401

JAIL MORTAZAVI
11069 S. 51st W. AVENUE
SAPULPA, OK 74066

PURAB MOTELS LLC
2240 S 32ND STREET
MUSKOGEE, OK 74401

CITY OF MUSKOGEE
PO BOX 1927
MUSKOGEE, OK 74402-1927

TU DINH NGUYEN
1217 E. OKMULGEE AVENUE
MUSKOGEE, OK 74403

NORCO OIL CO.
PO BOX 310
FAYETTEVILLE, AR 72702-0310

CROWL OIL CO., INC.
PO BOX 1627
MUSKOGEE, OK 74402-1627

MEDPROP PARTNERS LLC
3330 W OKMULGEE AVENUE
MUSKOGEE, OK 74401

UMESH I. & KALPANA U. PATEL
514 S. 32ND STREET
MUSKOGEE, OK 74401

HEMANT & USHA PATEL
200 S. 32ND STREET
MUSKOGEE, OK 74401

RUSSELL & KATHY PRATT
3003 W. OKMULGEE AVENUE
MUSKOGEE, OK 74401

LANDMARK VENTURE
2200 W BORDER STREET
MUSKOGEE, OK 74401

HULBERT PROPERTIES I LLC.
1409 SADDLEBROOK DRIVE
FT.GIBSON, OK 74434

UNITED COMM PROPERTIES INC.
1805 N YORK, SUITE B
MUSKOGEE, OK 74403

N & J PROPERTIES, LLC.
2010 ROOSEVELT, SUITE 6
JOPLIN, MO 64804

USA BARN REALTY LLC
3201 W HANCOCK ROAD
MUSKOGEE, OK 74401

SRC REALTY, INC.
6750 WESTWON PARKWAY 235
WEST DES MOINES, IA 50266

RICE & ROU REALTY INC.
122 S. LEO LANE
FT.GIBSON, OK 74434

NORTH AMERICAN RENTALS
3420 RIVER BEND ROAD
MUSKOGEE, OK 74403

B&B TRUCK REPAIR
2700 S 32ND STREET
MUSKOGEE, OK 74401

ROBINSON RESTAURANTS INC.
14515 S. 209th E. AVENUE
COWETA, OK 74429

SUSAN SANDELMAN
3336 E. 32ND STREET, SUITE 217
TULSA, OK 74135

DAVID B. & MADELYN F. SEALS
2925 W. BROADWAY AVENUE
MUSKOGEE, OK 74401

GEORGE W. SEIBOLD III
PO BOX 1197
OKLAHOMA CITY, OK 73101

JEANNETTE L SMITH
1215 S 31ST STREET
MUSKOGEE, OK 74401

TIMOTHY L. STEPHENSON
1227 S 31ST STREET
MUSKOGEE, OK 74401

GENE F. SULLIVAN PARTN. LP
3711 CLUB ESTATES DRIVE
MUSKOGEE, OK 74403

VICKIE A. SURRY
1216 S 31ST STREET
MUSKOGEE, OK 74401

HARVEY SWEET
2405 W COBURN CIRCLE
MUSKOGEE, OK 74401

ERNIE & DOROTHY SYKORA
410 S. 32ND STREET
MUSKOGEE, OK 74401

EDWIN R. & FRANCES THAYER
901 S 32ND STREET
MUSKOGEE, OK 74401

NORMAN & SHERYL THYGESEN
1502 N. 79th STREET W.
MUSKOGEE, OK 74401

J.E. WEAVER
3007 ARLINE AVENUE
MUSKOGEE, OK 74401

SECURITY BANK & TRUST 2
SOUTH MAIN STREET
MIAMI, OK 74354

JAMES R. & LINDA TYE
2120 S 32ND STREET
MUSKOGEE, OK 74401

VANESSA A. WITHERSPOON
3101 GARLAND STREET
MUSKOGEE, OK 74403

ALICE ANN WHITE
PO BOX 14470
TULSA, OK 74159

THOMAS E. YADON
3020 COLUMBUS AVENUE
MUSKOGEE, OK 74401

DON L. YOUNGER
7001 E SMITH FERRY ROAD
MUSKOGEE, OK 74403

LIN YU
8331 S. 100TH E. PLACE
TULSA, OK 74133

BRAUM'S ADDITION
701 S 32ND STREET
MUSKOGEE, OK 74401

ACCOTEL PROPERTY INVESTORS
903 SOUTH 32ND STREET
MUSKOGEE, OK 74401

MUSKOGEE CREEK NATION
PO BOX 580 HWY 75 & LOOP 56
OKMULGEE, OK 74447

JEHOVAH'S WITNESSES
2740 S 32ND STREET
MUSKOGEE, OK 74401

HOMER & ELINOR SELF
1205 S 31ST STREET
MUSKOGEE, OK 74401

HOMER & ELINOR SELF
101 S 32ND STREET
MUSKOGEE, OK 74401

Muskogee County
US-69
JP 27108(04)

131 mailing labels
180 property cards

SECTION 106
CULTURAL RESOURCES STUDIES

OKLAHOMA DEPARTMENT OF TRANSPORTATION CULTURAL RESOURCES PROJECT REEVALUATION REPORT

County:	Muskogee	Request Date:	April 8, 2021
JP Number:	27108(04)	Completion Date:	May 11, 2021
Original CR Report Date:	March 23, 2015	Consultant:	Jen Koscelny – Able Consulting
State Historic Preservation		Staff CRP Reviewer:	Mike McKay
Office's (SHPO) File #:	<u>1200-15</u>	ODOT Division:	Div. 1

Project Description: GRADE, DRAIN, BRIDGE, & SURFACE – US-69: BEGINNING 0.48 MILES NORTH OF US-64 (PEAK BLVD.), EXTENDING 2.5 MILES NORTH.

RESULTS OF PREVIOUS CULTURAL RESOURCES SURVEY:

- No Historic Properties Identified in Project Area of Potential Effect (APE)
- Historic Properties Identified in Project APE
- Historic Properties Adjacent to APE
- Off Project Avoidance Areas
- Historic Property Mitigation Commitments

CULTURAL RESOURCES REVIEW FOR PREVIOUSLY RECORDED HISTORIC PROPERTIES:

Archival Review:

- National Register of Historic Places (NRHP) List (Properties that have been listed on the NRHP)
- SHPO's Determination of Eligibility (DOE) List (Properties that have been determined eligible for listing on the NRHP)
- State Archaeological Site Files

Reevaluation Results:

- No Additional Cultural Resources Recorded in Project APE
- Additional Cultural Resources Recorded in Project APE
 - Not NRHP eligible NRHP eligible Non-assessed for NRHP eligibility
- Additional Off Project Avoidance Areas
- Original Cultural Resources Study Adequate for Project APE**
- Additional Survey Conducted
- Historic Property Mitigation Measures: Complete Not Complete
- No further Cultural Resources Concerns**

Comments:

The footprint for the cultural resources assessment of this project was originally surveyed and reported on March 23, 2015. Consultation with SHPO (File #1200-15) and the State Archaeologist resulted in a "no historic properties affected" determination. The current re-evaluation of the project is due to time lapse since completion of the initial cultural resources study and is based on Revised Plans dated July 2020. The new project boundaries were georeferenced and compared to historic maps and photos and compared to the original 2015 cultural resources assessment. The proposed project was reviewed by an archaeologist who meets the Secretary of Interior Qualifications. Additionally, the project was reviewed during Covid-19 response and was conducted with the best available information.

Changes to the proposed project footprint include extensions along W. 23rd St. S for its resurfacing both east and west of the US-69 junction. The extension west of US-69 is approximately 300 feet long and the extension east of US-69 is approximately 600 feet long. While this portion of the project will be constrained primarily to existing pavement lines, it was noted during field review that all W. 23rd St. S right-of-way has been extensively disturbed by past roadway construction and drainage maintenance and by more recent industrial construction with multiple wide entry drives tying in to W. 23rd St. S both east and west of US-69.

Additional changes to the proposed project footprint include the addition of temporary right-of-way on both sides of existing US-69 where it crosses Coody Creek. New study area is 200 feet wide straddling the existing creek channel and it extends 90 feet beyond the original 2015 study area on both sides of US-69. Currently, the location is a wetland or low-lying slough setting so temporary right-of-way associated with the creek is necessary to channelize the location to improve hydraulic flow away from the highway. Field review of the proposed project modifications did not reveal any intact surface or subsurface artifact deposits or features. It is our opinion that, pursuant to 36 CFR 800.4(d)(1), the undertaking has no potential to affect historic properties. There are no further cultural resources concerns.



Oklahoma Historical Society

Founded May 27, 1893

State Historic Preservation Office

Oklahoma History Center • 800 Nazih Zuhdi Drive • Oklahoma City, OK 73105-7917
(405) 521-6249 • Fax (405) 522-0816 • www.okhistory.org/shpo/shpom.htm

April 27, 2015

Mr. Scott Sundermeyer, Director
ODOT Cultural Resources Program
111 East Chesapeake, Rm. 102, OU
Norman, OK 73019

RE: File #1200-15; US-69 Roadway Improvements & Bridge Replacements over US-69 & Coody Creek, #JP-27108(04)

Dear Mr. Sundermeyer:

We have received and reviewed the documentation concerning the referenced project in Muskogee County. Additionally, we have examined the information contained in the Oklahoma Landmarks Inventory (OLI) files and other materials on historic resources available in our office. We concur with your opinion that there are no historic properties affected by the referenced project.

Thank you for the opportunity to comment on this project. We look forward to working with you in the future.

If you have any questions, please contact Catharine M. Wood, Historical Archaeologist, at 405/521-6381.

Should further correspondence pertaining to this project be necessary, please reference the above underlined file number. Thank you.

Sincerely,

Melvena Heisch
Deputy State Historic
Preservation Officer

MH:pm



Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

April 7, 2015

Scott Sundermeyer
Assistant Director
Cultural Resources Program
Oklahoma Department of Transportation
111 East Chesapeake
University of Oklahoma
Norman, OK 73019-5111

Re: Proposed bridge replacements on US-69 over Coody Creek and US-64. Legal
Description: North-South Centerline Sections 28 & 33 T15N R18E and North-
South Centerline Section 4 T14N R18E, Muskogee County, Oklahoma.
J/P # 27108 (04)

Dear Mr. Sundermeyer:

I have received a report documenting the results of a cultural resource inventory for the above referenced action. Diane Cargill and associates performed this work on February 5, 2015. The field inspection of some 89 acres representing the area of potential effect resulted in the documentation of a bridge type that had not been previously assessed. **I defer opinion on the potential eligibility of this bridge type and project effect to the Historical Archaeologist with the State Historic Preservation Office.**

This review has been conducted in cooperation with the State Historic Preservation Office, Oklahoma Historical Society. You must also have a letter from that office to document your consultation pursuant to Section 106 of the National Historic Preservation Act

Sincerely,

Robert L. Brooks
State Archaeologist

Cc: SHPO





**OKLAHOMA DEPARTMENT OF TRANSPORTATION
CULTURAL RESOURCES PROGRAM**

111 E. Chesapeake, Room 102, University of Oklahoma
Norman, OK 73019-5111
Phone: 405-325-7201/325-8665; FAX: 405-325-7604

April 7, 2015

Ms. Melvena Heisch
Deputy State Historic Preservation Officer
Oklahoma History Center
800 Nazih Zuhdi Drive
Oklahoma City, Oklahoma 73105

Dear Ms. Heisch:

Re: Muskogee County Federal Highway Administration Project: J/P 27108(04); proposed roadway reconstruction of US-69 to include roadway widening and bridge replacements over US-69 and over Coody Creek.

Attached is a cultural resources report completed by Cargill Archaeological Services. During the investigations, on concrete rigid frame bridge, constructed in 1952 (Structure 5156 1470X; NBI 12806), was documented. Structures of this type are not included in the Program Comment for common concrete and steel bridge constructed after 1945. A context has been developed for structures of this type, however. Structures of this type are identified in *A Context for Common Historic Bridge Types, NCHRP Project 25-25, Task 15* as possessing significance if constructed between 1920 and 1950, retain character-defining features, or were built on parkways. The significance of the referenced structure was evaluated using the NCHRP study. It is our opinion that the structure has been sufficiently altered and does not fall within the primary period of significance, as defined in the NCHRP study. Pursuant to 36 CFR 60.4, it is our opinion that the structure does not retain sufficient integrity inclusion in the National Register of Historic places.

Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, it is our opinion that the proposed undertaking will have no effect to historic properties. We appreciate any comments you may have to the proposed undertaking. If you have any questions regarding this project, please contact me at 325-7201.

Sincerely,

Scott Sundermeyer
ODOT Cultural Resources Program Director
cc: State Archeologist

"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."

AN EQUAL OPPORTUNITY EMPLOYER

OKLAHOMA DEPARTMENT OF TRANSPORTATION CULTURAL RESOURCES SURVEY REPORT

Prepared by: Cargill Archaeological Services, Inc.

County:	Muskogee	Principal Investigator:	Diane A. Cargill
		Prime Consultant	Able
J/P Number:	27108(04)		
Surveyed By:	Diane Cargill, Michael Myers & Rose Botone	Prepared By:	Diane A. Cargill and Dr. Michael D. Myers
Survey Date:	February 5, 2015	Report Date:	March 23, 2015

1. PROJECT DESCRIPTION:

This report documents background research and fieldwork for a cultural resources survey in Muskogee County for a proposed reconstruction and widening of US-69, including bridge replacements, within the City of Muskogee. The study area begins approximately 200 feet south of Okmulgee Avenue and extends south 2.62 miles to Southgate Rd., located approximately 1,800 feet north of the US-64 interchange. The existing facility includes four 12-foot lanes with median with 10-foot paved outside shoulders with portions in curb and gutter and sidewalk. The proposed work will add lanes to complete 6 and 7, 12-foot lanes for the northern mile and will reconstruct the four lanes for the southern extent. The completed lanes will include 10-foot paved outside shoulders again with portions in curb and gutter and sidewalk. Vertical corrections will be made at the location of a pedestrian overpass bridge (Centennial Trail). The existing pedestrian bridge will be replaced along with a second bridge-length culvert over Coody Creek. The road will remain open to through traffic through a phased construction.

The length of the study area is 13,835 feet (2.62 miles). The width varies, with the southern 1.5 miles at 150 feet both east and west of the existing US-69 centerline, and with the northern mile at 85 feet either side of centerline, with varied widths near the center of the project. The varied widths include 100 feet, 130 feet, and 140 feet from centerline over distances not exceeding 800 feet, with one 500-foot distance on the west extending to 340 feet from centerline. The study area also extends along two intersecting roads and along one of two former railroads. Each of those bump-outs extends between 500 and 600 feet east and west of the existing US-69 centerline at widths of 100 feet centered on the intersecting features. The total acreage of the study area is approximately 89 acres.

The existing pedestrian bridge over US-69 (ODOT Structure #5156 1470 X [NBI 12806]) is a reinforced concrete Continuous Rigid Frame Spans bridge with two 43.6-foot spans constructed in 1952. Documentation regarding the bridge was submitted to the Oklahoma Department of Transportation Cultural Resources Program and the bridge is considered to be **not eligible** for inclusion in the NRHP.

The existing bridge over Coody Creek (ODOT Structure #5156 1418 X [NBI 12788]) is a two-cell Reinforced Concrete Box (RCB) bridge-length culvert constructed in 1952. The bridge was identified as a type listed in the ACHP Program Comment for post-1945 concrete and steel bridges, and was not documented.

Legal Location:

The W 85 feet of the NE/4, the E 85 feet of the NW/4, the W 85 - 600 feet of the SE/4, and the E 85 - 550 feet of the SW/4 of Section 28; the W 85 - 600 feet of the NW/4, the E 85 - 550 feet of the NE/4, the W 150 feet of the SE/4, and the E 150 feet of the SW/4, Section 33 (T15N R18E); the W 150 feet of the NE/4 and of portions of the NW/4 SE/4, and the E 150 feet of the NW/4 and of portions of the NE/4 SW/4 of Section 4, (T14N R18E), Indian Meridian, Muskogee County, Oklahoma.

U.S.G.S. Quadrangle:

Northwest Muskogee & Southwest Muskogee, Oklahoma (1974) 7.5-min.

2. TOPOGRAPHY AND VEGETATION:

The study area is located within north-central Muskogee County within the Prairie Plains Geographic Region and the Claremore Cuesta Plains Geomorphic Province of Oklahoma. The Claremore Cuesta Plains consist of resistant Pennsylvanian sandstones and limestones dipping gently westward, forming cuestas (tilted ridges) between broad shale plains. The local rock types for the study area are listed first as Pennsylvanian shale followed by sandstone, implying areas more associated with the shale plains than the higher-elevation cuestas. All study area soils are listed as silt loams. The generalized natural vegetation for the study area is mapped as tall grass prairie. Local soil types list tall grass prairie for all but the floodplains which are described as lowland deciduous forest with an understory of grasses. At the time of survey, land use and vegetation cover included hay fields to the south, mostly on the west side, and landscaped right-of-way and yard grasses for businesses. A wide area of lowland forest stretched from Coody Creek for approximately 800 feet to the north over saturated floodplain soils. Drainage for the study area is generally central and eastward toward Coody Creek and its tributaries. Coody Creek runs approximately seven linear miles east to join the Arkansas River. Elevation for the study area begins on the north in the built environment of Muskogee near a 611-ft amsl benchmark, descends gradually to the Coody Creek crossing at just under 570-ft amsl, then crosses gently sloping terrain over a low hill above 600-ft amsl and then descends slightly toward a tributary drainage ending at approximately 595-ft amsl at the southern study area terminus.

Vegetation Coverage:

	0-25%	
<u>XXX</u>	25-50%	Areas within the built environment with eroded soil.
<u>XXX</u>	50-75%	Short-grass right-of-way with patchy exposed surface soil.
<u>XXX</u>	75-100%	Short-grass right-of-way (except where patchy); hay fields.

General Soils Observations: Brown silt loam; dark grayish brown silt loam over grayish brown or brown silty clay loam.

3. PROJECT METHODOLOGY:

A. Background Research:

- XXX State Site Files at Oklahoma Archeological Survey
- XXX SHPO NRHP and DOE Files
- XXX Native American Tribes and Nations Consulted by Procedures Established with FHWA and ODOT: Caddo Nation, Cherokee Nation, Kialegee Tribal Town, Muskogee (Creek) Nation, Osage Nation, Thlopthlocco Tribal Town, United Keetoowah Band of Cherokees. Wichita & Affiliated Tribes.
- XXX Other sources: 1898 GLO Township map.
Muskogee, Oklahoma (1898) 30' USGS quadrangle map.
Muskogee County (1936) General Highway and Transportation map.
1941, 1952, 1964, 1971, 1973, 1979, 1984, 1995, 2003, 2004, 2008, 2013,
& 2014 aerial photographs; Googleearth™ aerial & ground-level imagery.
ODOT kml bridge inventory.
Morris, John, W., C. R. Goins, and E. C. McReynolds (1986) *Historical Atlas of Oklahoma*. University of Oklahoma Press, Norman.
<https://soilseries.sc.egov.usda.gov/osdname.asp>.
<http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.
Oklahoma Geological Survey (1979) *Geology and Earth Resources of Oklahoma*.

[http://onlinepubs.trb.org/onlinepubs/archive/NotesDocs/25-25\(15\)_FR.pdf](http://onlinepubs.trb.org/onlinepubs/archive/NotesDocs/25-25(15)_FR.pdf)
(*Historic Context for Common Historic Bridge Types*).

As-built plans for ODOT Structure #5156 1470 X (NBI 12806). ca. 1952

RESULTS OF BACKGROUND RESEARCH:

There are no previously recorded archaeological sites or Determinations of Eligibility (DOE) listed properties within the study area or within one mile of the study area boundaries. There is one General Land Office (1898 GLO) structure depicted within the study area. That was replaced by an early to mid-20th century farmstead and after 1952 by the US-69 highway/right-of-way. There are no National Register of Historic Places (NRHP) listed properties located within the study area; however, there are three NRHP properties and one NRHP historic district located within one mile of the study area within the City of Muskogee. These are the Andrew Robb House, J. C. Welch House, Grant Foreman House, and the Kendall Place Historic District. With each of these being located nearly one mile from the study area, the properties will not be impacted by the proposed project. Being located within the city limits they will also not be impacted by off-project activities such as borrow pits or staging areas.

As depicted on the 1941 aerial photograph, the study area was primarily rural but crossed into the edge of the Muskogee built landscape, containing private residences and a few businesses. Landuse was mostly agricultural in the central and southern portions, and mixed agricultural and residential/commercial in the northern portion. In 1952, the swath of disturbance for the US-69 route is clearly visible. Portions of the highway crossed overland including all but a 1,200 foot section in the area of the northernmost bump-out. That was along a half-section line road connecting residential districts. The amount of overland disturbance was due to the consistent route of the new highway along the N/S half-section lines. Post 1952, there was a steady increase in residential and especially business development through the north and central portions of the study area along US-69, although the south mile remains relatively rural today. Buildings that are, or would be greater than 45 years of age today, are either at the edge or well outside of the study area boundaries and will not be impacted by construction, or they are gone and located under pavement or modern buildings.

Prior to the first available aerial photograph from 1941, two railroad crossings were established and provide linear features still visible on the landscape. The northernmost railroad is labeled on the Southwest Muskogee, Oklahoma (1974) 7.5-min USGS quadrangle map as both "Missouri Pacific" and "Texas and Pacific." The southern is labeled on the same map as the "St Louis-San Francisco." Neither railroad appears on the 1898 GLO Township map; both railroads appear, but are unlabeled, on the Muskogee County (1936) General Highway and Transportation map. Both appear to be extant (with tracks) in 1979 but appear to be in disuse by 1995. They appear on the most recent (2014) aerial photograph to still have a remnant presence within the study area at least in the partial survival of their former berms. The northernmost has been converted to a pedestrian trail, the Centennial Trail, and is now covered with asphalt and concrete; the Centennial Trail crosses US-69 over a former railroad bridge converted to a pedestrian bridge. The bridge was built in 1952 as an overpass to cross US-69 and is not part of the original railroad. The second railroad, the one to the south, did not cross US-69 on a bridge; rather, its tracks crossed directly on the highway.

Two-additional 20th century landuse areas occur in the vicinity that are greater than 45 years of age but have not been previously recorded as cultural resources. These are the former Hatbox Field Airport and Hatbox Field Park (which now includes the former airfield). Together, that combined property is located immediately to the west of the study area, along portions of the northern mile; however, the boundary for that property does not cross within the study area boundary and will not be impacted by the project. Being part of the City of Muskogee public lands for the park, they will also not be used for off-project facilities. Although the Centennial Trail does cross the study area, over the former railroad bridge, the asphalt and concrete that form the trail are very recent additions to the landscape as part of the Rails to Trails program and therefore the trail, although a public resource, is not considered a cultural resource as it does not meet the 45 year age requirement. There are also no plans to impact the trail; rather, a new pedestrian bridge is to be constructed for the purpose of continuing the use and access of the trail over US-69.

Previously recorded archaeological sites within the larger, general vicinity are distant. They include numerous prehistoric and historic sites two to three miles to the north on terraces and ridges overlooking the Arkansas River. Prehistoric sites include unassigned prehistoric camps, and Archaic, Village Farming, Gibson, and Fulton Period sites. One site located to the northwest of the study area consists of petroglyphs of human footprints pecked into the sandstone rock. Nineteenth century sites include the remains of Confederate Fort Davis (adjacent to a large Caddoan burial mound), a trading post, and Creek Indian sites.

B. Field Investigation Methodology:

_____ 100% Windshield Survey

_____ Windshield survey with sample pedestrian survey

XXX 100% pedestrian survey

XXX Subsurface Testing. Describe methodology of testing under comments, below:

GENERAL COMMENTS:

A windshield survey was conducted for the northern 3,200 feet of the modern built environment except for pedestrian survey of the northernmost set of bump-outs. The windshield survey area, all along US-69, consists entirely of previously graded ground for the 1952 construction of the highway. It is covered today either in paved lanes, curb and gutter, sidewalk, parking areas, or grassed areas underlain by buried utilities. A 100% pedestrian survey was conducted for the remaining 2.0 miles of the study area to the south. Ground surface visibility within the pedestrian survey area ranged widely, including 50% or better within short cut grasses where the ground was eroded. This included areas with tire ruts, areas where the grass had been cut too short exposing soil, and where the ground sloped more steeply toward right-of-way ditches. There were also areas of gullying. Some gullies had been filled with rip rap and covered with soil, which had also partially eroded. Poor ground surface visibility, at 20% or less, was common across much of the southern mile in hay fields. Visibility there was aided by rodent mounds which were frequent though clustered. Shovel testing was performed where surface visibility was poor if the ground was not clearly disturbed by right-of-way grading or other activities. Other types of disturbance included landscaping and parking areas, especially on the east, and areas used for dumping construction material including piles of broken concrete, and where concrete had been bulldozed and covered by earth. One large dumping area covered the field approaching Coody Creek from the south for a distance of 500 feet. North of Coody Creek the ground was in low, saturated floodplain for a distance of approximately 800 feet before rising again to the level of the highway. Most of the relatively undisturbed areas of the bump-outs were in short, mowed grasses with a mosaic of ground surface visibility that varied from 50% to less than 10%. All bump-out areas were somewhat disturbed including grading for drainage purposes in the approach to the highway, crossroads, or former railroad grades.

Overall, the study area was considered of relatively low potential for finding prehistoric sites, given no previously recorded sites within one mile, and given that the context of sites in the larger, general vicinity is almost entirely overlooking the Arkansas River. However, given that Coody Creek crosses the study area, it was considered possible that conducive landforms for occupation might be found. In the field, areas near the creek proved to be disturbed or low-laying and the more-elevated areas were only at the elevation of the roadway and on relatively level ground. Shovel testing on those surfaces revealed no artifacts. The half-section line route of the study area along US-69 was also thought to be an unlikely context for 20th century sites and the one 1898 GLO structure appeared likely destroyed by the highway. From recent aerial photographs, the two railroad crossings were anticipated to be recorded as localities, or as possible sites if more significant features were found. Prior to survey, the project engineers had determined that no standing buildings were to be impacted by the proposed project, all being located at the edge or outside of the study area boundary; therefore, no buildings required recording.

4. RESULTS OF INVESTIGATION:

_____ No archeological sites or buildings recorded in study area.

XXX Resources recorded in study area assessed as **not NRHP eligible**. Forms being submitted for agency review.

_____ Oklahoma Archeological Site Survey Form(s) for State Archeologist files.

_____ Historic Preservation Resource Identification Form(s) for SHPO files.

XXX Oklahoma Bridge Survey and Inventory Form.

_____ **NRHP-eligible properties** recorded in study area. Forms being submitted for agency review.

_____ Oklahoma Archeological Site Survey Form(s) for State Archeologist files.

_____ Historic Preservation Resource Identification Form(s) for SHPO files.

_____ Oklahoma Bridge Survey and Inventory Form.

_____ Archeological sites requiring further assessment (i.e. evaluative testing)

COMMENTS AND DESCRIPTION OF FINDINGS:

One 1952 bridge and two remnant railroad berms were identified during the archaeological inspection. The remnant railroad berms were recorded as Localities 1 and 2. The 1952 bridge was converted from a railroad bridge to a modern pedestrian bridge for the public Centennial Trail. That trail runs along the berm recorded as Locality 1. The bridge, as discussed below, is considered not eligible for the NRHP. The two railroad localities lack physical integrity and are considered too limited of representations of the former railroads to be recorded as archaeological sites. Overall, none of these resources exhibit characteristics that qualify them for listing in the NRHP (pursuant to 36 CFR 60.4).

The existing bridge over US-69, a pedestrian bridge for Centennial Trail on a former grade of the Missouri Pacific/Texas & Pacific Railroad (ODOT Structure #5156 1470 X [NBI 12806]), is a reinforced concrete Continuous Rigid Frame Spans bridge with two 43.6-foot spans constructed in 1952. The bridge, originally for the railroad overpass of US-69, is not original to the railroad and has been altered by the modern Centennial Trail asphalt path and safety fencing. Documentation regarding the bridge was submitted to the Oklahoma Department of Transportation Cultural Resources Program and the bridge is considered to be not eligible for inclusion in the NRHP.

Within the National Cooperative Highway Research Program (NCHRP) study (Task 15) *Historic Context for Common Historic Bridge Types*, the significance assessment guidance makes clear that this particular bridge, especially in its current state, should not be considered NRHP eligible. According to the guidance, such bridges are considered significant rather than highly significant, and therefore must retain a high level of integrity including character-defining features, one of which is a parapet railing. This particular bridge was designed without a distinctive parapet railing but instead utilized a low, solid concrete curb. The as-built plans label the feature as a "curb" with no mention of "parapet" or "railing." Moreover, the space between the curbs has since been filled with poured concrete for the completion of the modern pedestrian trail, and a tall chain-link safety fence was anchored within the new concrete. That fence is now a major visual component of the bridge elevation. The bridge is therefore not particularly exemplary of the concrete rigid frame bridge type and the modern trail has compromised its visual integrity. The bridge was also not

originally built as part of the railroad, which pre-dates 1936, but was built for the railroad in 1952 when US-69 was constructed overland, requiring the railroad bridge to be an overpass where it was not previously required. The use of the bridge as a pedestrian bridge is post-1995 and the railroad was still depicted as active on the 1974 USGS quadrangle. Therefore, the bridge has no authentic association with the original development of the railroad, and was not built for its current purpose as a pedestrian bridge. The most important consideration from the guidance, is that the period of significance for the rigid frame bridge type is identified as pre-1950 ("1920 - 1950") with the most significant time period being the decade of the 1920s. The bridge does not meet these temporal qualifications for significance. Two additional considerations for the significance assessment would be if US-69 was designed as a Parkway, with the bridge an original element, or if it could be documented as having been built according to a State DOT standard plan, and as being exemplary of that standard design. However, US-69 was not planned as a Parkway and the bridge is not exemplary of a standard DOT design. Overall, the guidance supports the assessment of the bridge as **not eligible** for the NRHP.

Locality 1 is a remnant railroad berm that can still be seen as a linear feature crossing the study area. The 1952 bridge, discussed above, connects an eastern and a western extent of the berm. That bridge was used for the railroad from 1952 until abandonment, but the railroad was much older. The railroad does not appear on the 1898 GLO Township map but does appear, unlabeled, on the Muskogee County (1936) General Highway and Transportation map. The railroad is labeled on the Southwest Muskogee, Oklahoma (1974) 7.5-min USGS quadrangle map as both "Missouri Pacific" and "Texas and Pacific." The railroad appears to be in use with cleared tracks in a 1979 aerial photograph but appears to be in disuse by 1995. The railroad berm is now the location of the Centennial Trail, the public pedestrian trail built for the City of Muskogee as part of the Rails to Trails program. The trail has added asphalt and concrete to the berm and has converted the 1952 railroad bridge to a pedestrian bridge. In the field, very little evidence of the former use of the berm for the railroad was found within the study area, excepting several rotting railroad ties on the north slope of the berm east of the bridge within a forested area. Overall, given the conversion of the berm to a modern trail and with little evidence of the former railroad remaining in the area, Locality 1 is considered to lack physical integrity. It is also considered too limited a representation of the railroad to be recorded as an archaeological site. As such, no additional documentation was submitted for the locality. It is considered **not eligible** for the NRHP.

Locality 2 is a remnant railroad berm, partially leveled, that can still be seen as a linear feature crossing the study area. The 1952 construction of US-69 has left a remnant pathway through the median where the tracks used to cross on the highway. There are curbs and gutters on each side of the separation in the median. The separation in the median was used for the railroad from 1952 until abandonment, but the railroad itself was much older. The railroad does not appear on the 1898 GLO Township map but does appear, unlabeled, on the Muskogee County (1936) General Highway and Transportation map. The railroad is labeled on the Southwest Muskogee, Oklahoma (1974) 7.5-min USGS quadrangle map as "St Louis-San Francisco." The railroad appears to be in use with cleared tracks in a 1979 aerial photograph that also shows tracks across US-69, but appears to be in disuse with tracks covered by asphalt by 1995. In the field, there was no additional evidence of the former use of the berm for the railroad such as railroad spikes or ties. The berm appears to be leveled on the west side of US-69 and resembles a partially forested pasture, and it has been converted to a private, gated farm road on the east side. Overall, given the conversion of the berm to field and farm road and with no additional evidence of the railroad remaining in the area, Locality 2 is considered to lack physical integrity. It is also considered too limited a representation of the railroad to be recorded as an archaeological site. As such, no additional documentation was submitted for the locality. It is considered **not eligible** for the NRHP.

5. RECOMMENDATIONS:

_____ **Plan Notes** requiring avoidance of cultural resources in off-project areas

_____ **XXX Approval to proceed** with the proposed project as planned with no additional research. If

subsurface archaeological materials are exposed during construction, the Contractor and Resident Engineer shall notify the Department Archaeologist in accordance with Section 202.04(a), Standard Specifications for Highway Construction.

_____ **Approval NOT Recommended**, until one or more of the following measures are completed.

_____ **Additional consultation with SHPO** regarding Standing Structures or Bridges

_____ **Revise design** to avoid/protect resources (If prudent or feasible)

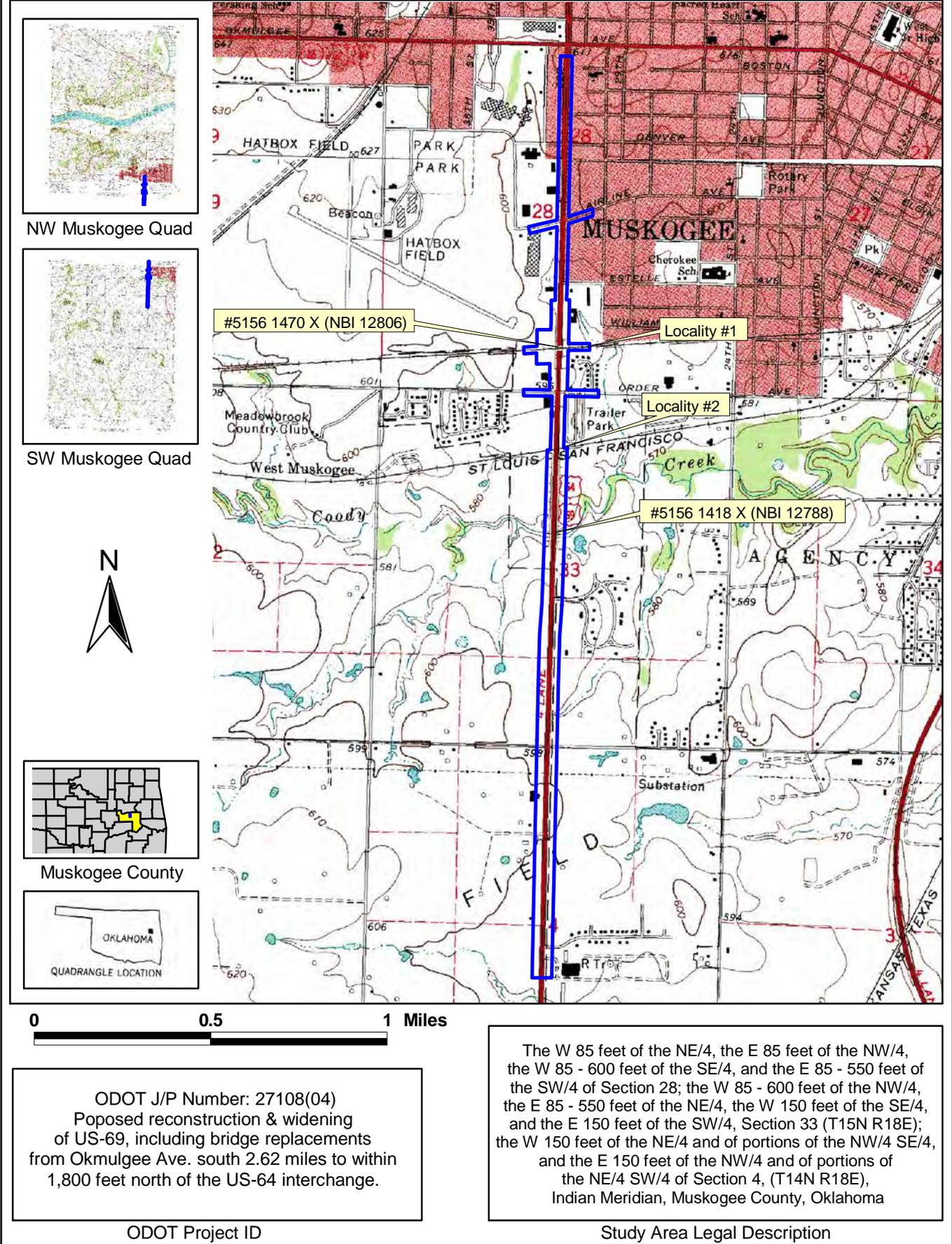
_____ **NRHP Eligibility Archaeological Test Excavations** as determined by Department Archaeologist and State Archaeologist

_____ **Implementation of MOA** with SHPO regarding Mitigation of Adverse Effects to NRHP-eligible cultural resources

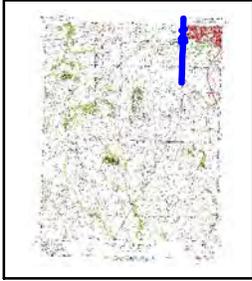
COMMENTS REGARDING RECOMMENDATIONS:

The 1952 bridge and the two remnant railroad localities identified during the archaeological inspection are considered not eligible for the NRHP. The two railroad localities lack physical integrity and are too limited of representations of the railroads to be recorded as archaeological sites. The bridge, as discussed above, is also considered not eligible for the NRHP. None of these resources exhibit characteristics that qualify them for listing in the NRHP (pursuant to 36 CFR 60.4).

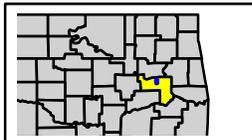
Figure 1: Copy of the NW Muskogee (1974) and SW Muskogee (1974), Oklahoma 7.5' USGS quadrangle maps (top/bottom) at 1:24,000 showing the study area in blue with cultural resources labeled.



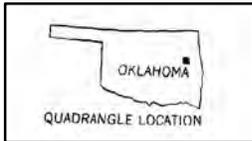
NW Muskogee Quad



SW Muskogee Quad



Muskogee County



QUADRANGLE LOCATION

0 0.5 1 Miles

ODOT J/P Number: 27108(04)
 Poposed reconstruction & widening
 of US-69, including bridge replacements
 from Okmulgee Ave. south 2.62 miles to within
 1,800 feet north of the US-64 interchange.

ODOT Project ID

The W 85 feet of the NE/4, the E 85 feet of the NW/4,
 the W 85 - 600 feet of the SE/4, and the E 85 - 550 feet of
 the SW/4 of Section 28; the W 85 - 600 feet of the NW/4,
 the E 85 - 550 feet of the NE/4, the W 150 feet of the SE/4,
 and the E 150 feet of the SW/4, Section 33 (T15N R18E);
 the W 150 feet of the NE/4 and of portions of the NW/4 SE/4,
 and the E 150 feet of the NW/4 and of portions of
 the NE/4 SW/4 of Section 4, (T14N R18E),
 Indian Meridian, Muskogee County, Oklahoma

Study Area Legal Description

December 7, 2021

To: ODOT Cultural Resources Program

From: Rhonda S. Fair, Director – Tribal Coordination

Re: Summary of tribal consultation for Muskogee County JP# 27108(04) - Improvements (bridge, signalization, pavement reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Boulevard) and extending north 2.5 miles

A file search conducted on 12/15/2015 and found no known potentially sensitive areas in the project area or its vicinity.

The following tribes were consulted on 12/15/2014 and 4/16/2015:

- Alabama Quassarte Tribal Town
- Caddo Nation
- Cherokee Nation
- Kialegee Tribal Town
- Muscogee (Creek) Nation
- Osage Nation
- Thlopthlocco Tribal Town
- United Keetoowah Band of Cherokee Indians
- Wichita & Affiliated Tribes

The following comments were received:

- Caddo Nation: Does not affect sites of interest to the Caddo Nation, proceed as planned (4/16/2015).
- Osage Nation: Most likely will not adversely affect properties significant to the Osage Nation, no properties (5/8/2015).
- United Keetoowah Band of Cherokee Indians: No comments or concerns (12/17/2014, 4/22/2015).

November 2, 2021

Alabama Quassarte Tribal Town
Attn: Chief Wilson Yargee
P.O. Box 187
Wetumka, OK 74883

Dear Chief Yargee:

Pursuant to 36 CFR Part 800.2(c)(2), the Oklahoma Department of Transportation is conducting Section 106 consultation on behalf of the Federal Highway Administration regarding historic properties that may be affected by the following Federal-Aid undertaking.

County	Muskogee	Job Piece #	27108(04)	Anticipated Let Date	2024
Project description	Improvements (bridge, signalization, pavement reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Boulevard) and extending north 2.5 miles				

In accordance with 36 CFR Part 800.4, the proposed project area was surveyed for cultural resources in order to identify historic properties that may be affected by the undertaking. A copy of this report is enclosed.

This investigation documented one bridge that lacks sufficient integrity for inclusion in the National Register of Historic Places. Ongoing tribal consultation has not identified any areas of concern. Pursuant to 36 CFR 800.4(d)(1) and based on the results of this study, our opinion is that the proposed undertaking will have no effect to historic properties.

If this undertaking may affect properties of religious and cultural significance to your tribe or tribal trust land, please notify me as soon as possible. In order to provide the most thorough consideration of these properties in the planning process, we appreciate receiving your response to this request within 30 days. Please rest assured that we will respect your wishes regarding the confidentiality of any information that you provide.

If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.517-5670 or email at rfair@odot.org.

Sincerely,



Rhonda S. Fair, Ph.D.
Director - Tribal Coordination

cc: Ben Yahola



**OKLAHOMA DEPARTMENT OF TRANSPORTATION
CULTURAL RESOURCES PROGRAM**

111 E. Chesapeake, Room 102, University of Oklahoma
Norman, OK 73019-5111
Phone: 405-325-7201/325-8665; FAX: 405-325-7604

December 15, 2014

Caddo Nation
Attn: Chairperson
P.O. Box 487
Binger, OK 73009

Dear Chairperson:

Re: Muskogee County proposed improvements (bridge improvements, signalization, pavements reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Blvd.) and extending north 2.5 miles (existing alignment); JP# 27108(04)

Pursuant to §800.2(c)(2) of the Rules and Regulations implementing Section 106 of the National Historic Preservation Act, the Oklahoma Department of Transportation is initiating consultation on behalf of the Federal Highway Administration regarding historic properties that may be affected by the above referenced Federal-Aid undertaking.

Enclosed, please find a map of the project location. If this undertaking is likely to affect properties of religious and cultural significance to your tribe, please notify me as soon as possible. In order to provide the most thorough consideration of properties in the planning process, we would greatly appreciate your response to this request within 30 days. When responding, please include the county in which the project is taking place and the Job Piece number (JP#) on all correspondence. If the information that you are providing is of a sensitive nature, please rest assured that we will respect your wishes regarding the confidentiality of information provided in response to this request.

The Oklahoma Department of Transportation's Cultural Resources Program, or an independent consulting firm working on our behalf, will conduct a cultural resources survey of the proposed project area. The goal of this survey is to make a reasonable and good faith effort to identify historic properties within the area of potential effect, in accordance with §800.4. The survey will be performed in consultation with the Oklahoma State Historic Preservation Office and other consulting parties as appropriate. You will be provided a copy of the cultural resources report to review upon its completion.

If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.325.8665 or by email at rsfair@ou.edu.

Sincerely,

Rhonda S. Fair, Ph.D.
Tribal Liaison
ODOT Cultural Resources Program

cc: Robert Cast, THPO

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OKLAHOMA DEPARTMENT OF TRANSPORTATION

Director – Tribal Coordination

200 N.E. 21st Street, Room 1-C1a
Oklahoma City, OK 73105-3204
www.odot.org

April 16, 2015

Caddo Nation
Attn: Chairman Tamara Francis-Fourkiller
Post Office Box 487
Binger, OK 73009

Dear Chairman Francis-Fourkiller:

Re: Muskogee County proposed reconstruction and widening of U.S. 69 in the City of Muskogee; JP# 27108(04)

Pursuant to §800.2(c)(2) of the Rules and Regulations implementing Section 106 of the National Historic Preservation Act, the Oklahoma Department of Transportation is continuing consultation on behalf of the Federal Highway Administration regarding historic properties that may be affected by the above referenced Federal-Aid undertaking.

The Oklahoma Department of Transportation's Cultural Resources Program, or an independent consulting firm working on our behalf, conducted a cultural resources survey of the proposed project area. A copy of this report is enclosed and describes our efforts to identify historic properties that may be affected by the proposed undertaking.

During the investigations, one concrete rigid frame bridge, constructed in 1952, was documented. Our opinion is that the structure does not retain sufficient integrity for inclusion in the National Register of Historic Places. Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, our opinion is that the proposed undertaking will have no effect to historic properties.

If this undertaking is likely to affect properties of religious and cultural significance to your tribe, please notify me as soon as possible. In order to provide the most thorough consideration of properties in the planning process, we would greatly appreciate your response to this request within 30 days. When responding, please include the county in which the project is taking place and the Job Piece number (JP#) on all correspondence. If the information that you are providing is of a sensitive nature, please rest assured that we will respect your wishes regarding the confidentiality of information provided in response to this request.

If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.521.3632 or by email at rfair@odot.org.

Sincerely,

Rhonda S. Fair, Ph.D.
Director
ODOT Tribal Coordination

cc: Tribal Historic Preservation Office

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Caddo Nation of Oklahoma

P.O. Box 487 Binger, OK 73009-0487
Phone: (405) 656-2344 ~ FAX (405) 656-2892

Date:	<u>April 16, 2015</u>	Check #	<u>NA</u>
Company:	<u>ODOT</u>		
TCNS #:	<u>JP# 27108(04)</u>		
County/State:	<u>Muskogee County, Oklahoma</u>		
Description:	<u>Proposed reconstruction and widening of U.S. 69 in the City of Muskogee</u>		

To Whom It May Concern:

The Caddo Nation received correspondence regarding the above referenced project. Our office is committed to protecting sites important to tribal heritage, culture and religion. Furthermore, the tribe is particularly concerned with archaeological sites that may contain human burial remains, and associated funerary objects.

As described in your correspondence and upon research of our database(s) and files, we find that this project is in the Caddo Nation area of interest. However, it does not impact sights fo interest to the Caddo Nation. Please proceed with the project as planned keeping the Caddo Nation informed of any changes or discoveries.

Please note the Caddo Nation of Oklahoma is the only Federally Recognized Caddo entity in the United States and consultation must be made only with designated staff of this tribe. We appreciate your cooperation in contacting the Caddo Nation to conduct proper Section 106 consultation. Should you have any questions, feel free to contact myself by phone at the Caddo Nation Headquarters at 405-656-2344.

Tamara Francis-Fourkiller
Caddo Nation Chairman/THPO

Chairman Francis- Fourkiller has been temporarily assigned the duties of THPO by Tribal Resolution on March 5, 2015 and will retain those duties until otherwise re-assigned. Please address all correspondence and Administrative fees to the Caddo Nation.



**OKLAHOMA DEPARTMENT OF TRANSPORTATION
CULTURAL RESOURCES PROGRAM**

111 E. Chesapeake, Room 102, University of Oklahoma
Norman, OK 73019-5111
Phone: 405-325-7201/325-8665; FAX: 405-325-7604

December 15, 2014

Cherokee Nation
Attn: Principal Chief Bill John Baker
P.O. Box 948
Tahlequah, OK 74465

Dear Principal Chief Baker:

Re: Muskogee County proposed improvements (bridge improvements, signalization, pavements reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Blvd.) and extending north 2.5 miles (existing alignment); JP# 27108(04)

Pursuant to §800.2(c)(2) of the Rules and Regulations implementing Section 106 of the National Historic Preservation Act, the Oklahoma Department of Transportation is initiating consultation on behalf of the Federal Highway Administration regarding historic properties that may be affected by the above referenced Federal-Aid undertaking.

Enclosed, please find a map of the project location. If this undertaking is likely to affect properties of religious and cultural significance to your tribe, please notify me as soon as possible. In order to provide the most thorough consideration of properties in the planning process, we would greatly appreciate your response to this request within 30 days. When responding, please include the county in which the project is taking place and the Job Piece number (JP#) on all correspondence. If the information that you are providing is of a sensitive nature, please rest assured that we will respect your wishes regarding the confidentiality of information provided in response to this request.

The Oklahoma Department of Transportation's Cultural Resources Program, or an independent consulting firm working on our behalf, will conduct a cultural resources survey of the proposed project area. The goal of this survey is to make a reasonable and good faith effort to identify historic properties within the area of potential effect, in accordance with §800.4. The survey will be performed in consultation with the Oklahoma State Historic Preservation Office and other consulting parties as appropriate. You will be provided a copy of the cultural resources report to review upon its completion.

If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.325.8665 or by email at rsfair@ou.edu.

Sincerely,

Rhonda S. Fair, Ph.D.
Tribal Liaison
ODOT Cultural Resources Program

cc: Richard Allen

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OKLAHOMA DEPARTMENT OF TRANSPORTATION

Director – Tribal Coordination

200 N.E. 21st Street, Room 1-C1a
Oklahoma City, OK 73105-3204
www.odot.org

April 16, 2015

Cherokee Nation
Attn: Principal Chief Bill John Baker
Post Office Box 948
Tahlequah, OK 74465

Dear Principal Chief Baker:

Re: Muskogee County proposed reconstruction and widening of U.S. 69 in the City of Muskogee; JP# 27108(04)

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The Oklahoma Department of Transportation's Cultural Resources Program, or an independent consulting firm working on our behalf, conducted a cultural resources survey of the proposed project area. A copy of this report is enclosed and describes our efforts to identify historic properties that may be affected by the proposed undertaking.

During the investigations, one concrete rigid frame bridge, constructed in 1952, was documented. Our opinion is that the structure does not retain sufficient integrity for inclusion in the National Register of Historic Places. Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, our opinion is that the proposed undertaking will have no effect to historic properties.

If this undertaking is likely to affect properties of religious and cultural significance to your tribe, please notify me as soon as possible. In order to provide the most thorough consideration of properties in the planning process, we would greatly appreciate your response to this request within 30 days. When responding, please include the county in which the project is taking place and the Job Piece number (JP#) on all correspondence. If the information that you are providing is of a sensitive nature, please rest assured that we will respect your wishes regarding the confidentiality of information provided in response to this request.

If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.521.3632 or by email at rfair@odot.org.

Sincerely,

Rhonda S. Fair, Ph.D.
Director
ODOT Tribal Coordination

cc: Tribal Historic Preservation Office

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111 E. Chesapeake, Room 102, University of Oklahoma
Norman, OK 73019-5111
Phone: 405-325-7201/325-8665; FAX: 405-325-7604

December 15, 2014

Kialegee Tribal Town
Attn: Mekko Jeremiah Hobia
P.O. Box 332
Wetumka, OK 74883

Dear Mekko Hobia:

Re: Muskogee County proposed improvements (bridge improvements, signalization, pavements reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Blvd.) and extending north 2.5 miles (existing alignment); JP# 27108(04)

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Tribal Liaison
ODOT Cultural Resources Program

cc: Historic Preservation Office

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Director – Tribal Coordination

200 N.E. 21st Street, Room 1-C1a
Oklahoma City, OK 73105-3204
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April 16, 2015

Kialegee Tribal Town
Attn: Mekko Jeremiah Hobia
Post Office Box 332
Wetumka, OK 74883

Dear Mekko Hobia:

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ODOT Tribal Coordination

cc: Historic Preservation Office

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Norman, OK 73019-5111
Phone: 405-325-7201/325-8665; FAX: 405-325-7604

December 15, 2014

Muscogee (Creek) Nation
Attn: Principal Chief George Tiger
P.O. Box 580
Okmulgee, OK 74447

Dear Principal Chief Tiger:

Re: Muskogee County proposed improvements (bridge improvements, signalization, pavements reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Blvd.) and extending north 2.5 miles (existing alignment); JP# 27108(04)

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Sincerely,

Rhonda S. Fair, Ph.D.
Tribal Liaison
ODOT Cultural Resources Program

cc: Emman Spain, THPO

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OKLAHOMA DEPARTMENT OF TRANSPORTATION

Director – Tribal Coordination

200 N.E. 21st Street, Room 1-C1a

Oklahoma City, OK 73105-3204

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April 16, 2015

Muscogee (Creek) Nation
Attn: Principal Chief George Tiger
Post Office Box 580
Okmulgee, OK 74447

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If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.521.3632 or by email at rfair@odot.org.

Sincerely,

Rhonda S. Fair, Ph.D.
Director
ODOT Tribal Coordination

cc: Emman Spain, THPO

"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."

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**OKLAHOMA DEPARTMENT OF TRANSPORTATION
CULTURAL RESOURCES PROGRAM**

111 E. Chesapeake, Room 102, University of Oklahoma
Norman, OK 73019-5111
Phone: 405-325-7201/325-8665; FAX: 405-325-7604

December 15, 2014

Osage Nation
Attn: Principal Chief Geoffrey Standing Bear
627 Grandview
Pawhuska, OK 74056

Dear Principal Chief Standing Bear:

Re: Muskogee County proposed improvements (bridge improvements, signalization, pavements reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Blvd.) and extending north 2.5 miles (existing alignment); JP# 27108(04)

Pursuant to §800.2(c)(2) of the Rules and Regulations implementing Section 106 of the National Historic Preservation Act, the Oklahoma Department of Transportation is initiating consultation on behalf of the Federal Highway Administration regarding historic properties that may be affected by the above referenced Federal-Aid undertaking.

Enclosed, please find a map of the project location. If this undertaking is likely to affect properties of religious and cultural significance to your tribe, please notify me as soon as possible. In order to provide the most thorough consideration of properties in the planning process, we would greatly appreciate your response to this request within 30 days. When responding, please include the county in which the project is taking place and the Job Piece number (JP#) on all correspondence. If the information that you are providing is of a sensitive nature, please rest assured that we will respect your wishes regarding the confidentiality of information provided in response to this request.

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If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.325.8665 or by email at rsfair@ou.edu.

Sincerely,

Rhonda S. Fair, Ph.D.
Tribal Liaison
ODOT Cultural Resources Program

cc: Historic Preservation Office

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OKLAHOMA DEPARTMENT OF TRANSPORTATION

Director – Tribal Coordination

200 N.E. 21st Street, Room 1-C1a
Oklahoma City, OK 73105-3204
www.odot.org

April 16, 2015

Osage Nation
Attn: Principal Chief Geoffrey Standing Bear
627 Grandview
Pawhuska, OK 74056

Dear Principal Chief Standing Bear:

Re: Muskogee County proposed reconstruction and widening of U.S. 69 in the City of Muskogee; JP# 27108(04)

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Sincerely,

Rhonda S. Fair, Ph.D.
Director
ODOT Tribal Coordination

cc: Historic Preservation Office

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TRIBAL HISTORIC PRESERVATION OFFICE

Date: May 8, 2015

File: 1415-1169OK-1

RE: ODOT JP# 27108(04) Proposed improvements on U.S. 69 beginning 0.1 mile north of U.S. 64E and extending north 2.5 miles in Muskogee County, Oklahoma

Oklahoma Department of Transportation
Rhonda S. Fair
200 N.E. 21st Street, Room 1-C1a
Oklahoma City, OK 73105-3204

Dear Dr. Fair ,

The Osage Nation Historic Preservation Office has evaluated your submission regarding the proposed ODOT JP# 27108(04) Proposed improvements on U.S. 69 beginning 0.1 mile north of U.S. 64E and extending north 2.5 miles in Muskogee County, Oklahoma and determined that the proposed project **most likely will not adversely affect any sacred properties and/or properties of cultural significance to the Osage Nation.** For direct effect, the finding of this NHPA Section 106 review is a determination of "No Properties" eligible or potentially eligible for the National Register of Historic Places.

In accordance with the National Historic Preservation Act, (NHPA) [54 U.S.C. § 300101 et seq.] 1966, undertakings subject to the review process are referred to in 54 U.S.C. § 302706 (a), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969). **The Osage Nation concurs that the U.S. Department of Transportation fulfilled NHPA compliance by consulting with the Osage Nation Historic Preservation Office in regard to the proposed project referenced as ODOT JP# 27108(04) Proposed improvements on U.S. 69 beginning 0.1 mile north of U.S. 64E and extending north 2.5 miles in Muskogee County, Oklahoma.**

The Osage Nation has vital interests in protecting its historic and ancestral cultural resources. We do not anticipate that this project will adversely impact any cultural resources or human remains protected under the NHPA, NEPA, the Native American Graves Protection and Repatriation Act, or Osage law. **If, however, artifacts or human remains are discovered during project construction, we ask that work cease immediately and the Osage Nation Historic Preservation Office be contacted.**

Should you have any questions or need any additional information please feel free to contact me at the number listed below. Thank you for consulting with the Osage Nation on this matter.

Andrea A. Hunter, Ph.D.
Director, Tribal Historic Preservation Officer

Zuzana Chovanec, Ph.D.
Archaeologist

Rhonda Fair

From: Johnnie Jacobs <johnnie.jacobs.ctr@osagenation-nsn.gov>
Sent: Tuesday, February 16, 2021 3:40 PM
To: Rhonda Fair
Subject: [EXTERNAL] ODOT, Job Piece #27108(04), Solicitation for US-69 roadway improvements, City of Muskogee, Muskogee County, OK

Date: February 16, 2021

File: 2021-3001OK-1

RE: ODOT, Job Piece #27108(04), Solicitation for US-69 roadway improvements from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Ave.) in City of Muskogee, Muskogee County, Oklahoma.

Oklahoma Department of Transportation
Rhonda Fair
200 NE 21st Street, Room 3A8
Oklahoma City, OK 73105-3204

Dear Dr. Fair,

The Osage Nation Historic Preservation Office has received notification and accompanying information for the proposed project **ODOT, 30459(04), Improvements (Grade, Drain, Bridge, Surface) County Road EW-128 (Amber Road), Grady County, Oklahoma**. There are no known Osage resources within the project area. This office looks forward to reviewing the final report.

The Osage Nation requests that the report include a project site plan map indicating the locations of screened shovel tests labeled by their field identification numbers and a table listing shovel test locations, width (cm), actual depth (cm) of each level, soils of each level, and results. Shovel test minimum width is 30 cm. Shovel test minimum depth is to 50 cm or sterile soil, whichever is encountered first. If terminated before sterile soil is reached, please provide an explanation either in the text or in the shovel test log.

Should you have any questions or need any additional information, please feel free to contact me at the email listed above. Thank you for consulting with the Osage Nation on this matter.

Thank you,

Ms. Johnnie Jacobs
Historic Preservation Specialist
Osage Nation Historic Preservation Office
627 Grandview Avenue
Pawhuska, OK 74056



**OKLAHOMA DEPARTMENT OF TRANSPORTATION
CULTURAL RESOURCES PROGRAM**

111 E. Chesapeake, Room 102, University of Oklahoma

Norman, OK 73019-5111

Phone: 405-325-7201/325-8665; FAX: 405-325-7604

December 15, 2014

Thlopthlocco Tribal Town
Attn: Mekko George Scott
P.O. Box 188
Okemah, OK 74859

Dear Mekko Scott:

Re: Muskogee County proposed improvements (bridge improvements, signalization, pavements reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Blvd.) and extending north 2.5 miles (existing alignment); JP# 27108(04)

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If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.325.8665 or by email at rsfair@ou.edu.

Sincerely,

Rhonda S. Fair, Ph.D.
Tribal Liaison
ODOT Cultural Resources Program

cc: Charles Coleman, THPO

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OKLAHOMA DEPARTMENT OF TRANSPORTATION

Director – Tribal Coordination

200 N.E. 21st Street, Room 1-C1a
Oklahoma City, OK 73105-3204
www.odot.org

April 16, 2015

Thlopthlocco Tribal Town
Attn: Mekko George Scott
Post Office Box 188
Okemah, OK 74859

Dear Mekko Scott:

Re: Muskogee County proposed reconstruction and widening of U.S. 69 in the City of Muskogee; JP# 27108(04)

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If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.521.3632 or by email at rfair@odot.org.

Sincerely,

Rhonda S. Fair, Ph.D.
Director
ODOT Tribal Coordination

cc: Charles Coleman, THPO

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**OKLAHOMA DEPARTMENT OF TRANSPORTATION
CULTURAL RESOURCES PROGRAM**

111 E. Chesapeake, Room 102, University of Oklahoma
Norman, OK 73019-5111
Phone: 405-325-7201/325-8665; FAX: 405-325-7604

December 15, 2014

United Keetoowah Band of Cherokees
Attn: Chief George Wickcliffe
P.O. Box 746
Tahlequah, OK 74465

Dear Chief Wickcliffe:

Re: Muskogee County proposed improvements (bridge improvements, signalization, pavements reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Blvd.) and extending north 2.5 miles (existing alignment); JP# 27108(04)

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Sincerely,

Rhonda S. Fair, Ph.D.
Tribal Liaison
ODOT Cultural Resources Program

cc: Lisa C. Baker

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Fair, Rhonda S.

From: Lisa LaRue-Baker - UKB THPO <ukbthpo-larue@yahoo.com>
Sent: Wednesday, December 17, 2014 12:04 PM
To: Fair, Rhonda S.
Cc: verna; eberry@unitedkeetoowahband.org
Subject: Re: Muskogee County JP# 27108(04) initial consultation

Happy holidays, Rhonda!

The United Keetoowah Band of Cherokee Indians in Oklahoma has reviewed your project under Section 106 of the NHPA, and at this time, we have no comments or concerns. However, we reserve the right to re-enter consultation at any time. Should any human remains be inadvertently discovered, please cease all work and contact us immediately.

Thank you,

Lisa C. Baker
Acting THPO
United Keetoowah Band of Cherokee Indians in Oklahoma
PO Box 746
Tahlequah, OK 74465

c 918.822.1952
ukbthpo-larue@yahoo.com

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On Monday, December 15, 2014 12:57 PM, "Fair, Rhonda S." <rsfair@ou.edu> wrote:

Hi Lisa!!!

Please see the attached project notification. Just let me know if you have any questions.

Thanks!

Rhonda



OKLAHOMA DEPARTMENT OF TRANSPORTATION

Director – Tribal Coordination

200 N.E. 21st Street, Room 1-C1a
Oklahoma City, OK 73105-3204
www.odot.org

April 16, 2015

United Keetoowah Band of Cherokee
Attn: Chief George Wickcliffe
Post Office Box 746
Tahlequah, OK 74465

Dear Chief Wickcliffe:

Re: Muskogee County proposed reconstruction and widening of U.S. 69 in the City of Muskogee; JP# 27108(04)

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If you have any questions or would like to meet regarding this project, please contact me by telephone at 405.521.3632 or by email at rfair@odot.org.

Sincerely,

Rhonda S. Fair, Ph.D.
Director
ODOT Tribal Coordination

cc: Lisa C. Baker

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Rhonda Fair

From: Lisa LaRue-Baker - UKB THPO <ukbthpo-larue@yahoo.com>
Sent: Wednesday, April 22, 2015 12:29 PM
To: Rhonda Fair
Cc: Holly Noe
Subject: Re: Muskogee County JP# 27108(04) CR report

The United Keetoowah Band of Cherokee Indians in Oklahoma has reviewed your project under Section 106 of the NHPA, and at this time, have no comments or objections. However, should any human remains be inadvertently discovered, please cease all work and contact us immediately.

The UKB reserves the right to re-enter consultation at any time regarding this project.

Thank you,

Lisa C. Baker
Acting THPO
United Keetoowah Band of Cherokee Indians in Oklahoma
PO Box 746
Tahlequah, OK 74465

c 918.822.1952
ukbthpo-larue@yahoo.com

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

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On Thursday, April 16, 2015 12:41 PM, Rhonda Fair <RFair@odot.org> wrote:

Dear Lisa,

Please see the attached project information and cultural resources report. Just let me know if you have any questions.

Thanks!



**OKLAHOMA DEPARTMENT OF TRANSPORTATION
CULTURAL RESOURCES PROGRAM**

111 E. Chesapeake, Room 102, University of Oklahoma
Norman, OK 73019-5111
Phone: 405-325-7201/325-8665; FAX: 405-325-7604

December 15, 2014

Wichita and Affiliated Tribes
Attn: President Terri Parton
P.O. Box 729
Anadarko, OK 73005

Dear President Parton:

Re: Muskogee County proposed improvements (bridge improvements, signalization, pavements reconstruction) on U.S. 69 beginning 0.1 mile north of U.S. 64E (Peak Blvd.) and extending north 2.5 miles (existing alignment); JP# 27108(04)

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Sincerely,

Rhonda S. Fair, Ph.D.
Tribal Liaison
ODOT Cultural Resources Program

cc: Historic Preservation Office

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OKLAHOMA DEPARTMENT OF TRANSPORTATION

Director – Tribal Coordination

200 N.E. 21st Street, Room 1-C1a
Oklahoma City, OK 73105-3204
www.odot.org

April 16, 2015

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Attn: President Terri Parton
Post Office Box 729
Anadarko, OK 73005

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Sincerely,

Rhonda S. Fair, Ph.D.
Director
ODOT Tribal Coordination

cc: Historic Preservation Office

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SECTION 4(F)
RECREATIONAL RESOURCES

Dated: August 16, 2021

To: Memo to File

From: Jennifer Koscelny, Able Consulting

SUBJECT: Section 4(f)

The Oklahoma Department of Transportation (ODOT) in conjunction with the Federal Highway Administration (FHWA) is preparing environmental documentation on the proposed Federally aided roadway improvement on US-69 in the City of Muskogee from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in the City of Muskogee. There is a pedestrian bridge that crosses over the US-69 roadway within this extent owned by the City of Muskogee that is part of the city owned Centennial Trail Path that is 7.3 miles long and extends into a City Park called Love Hatbox Sports Complex. The City of Muskogee has been identified as the owner of record for the pedestrian bridge over US-69 which is a publicly owned recreational resource. Part of the project design is to replace the pedestrian bridge that has been identified as a recreational resource, therefore, Section 4(f) regulations of the U.S. Department of Transportation Act of 1966 apply to the project.

The replacement of this pedestrian bridge will enhance the Centennial Trail Path system and the US-69 roadway entrance into the City of Muskogee. Coordination with the City has taken place during the preliminary design process that will continue through construction. The city has been a vital stakeholder throughout project development.

ODOT is proposing to apply a de minimis finding regarding impacts to Centennial Trail Path and pedestrian bridge replacement. De minimis applies to projects that do not adversely affect the projected activities, features, or attributes of the Section 4(f) resource (Centennial Trail Path). The following measures are proposed to enhance and mitigate impacts to Centennial Trail Path and pedestrian bridge replacement:

1. The City of Muskogee was acceptable to a two-sided arched steel through-truss proposed for the pedestrian overpass bridge as presented at the Preliminary Plan Review meeting held on September 15, 2016 and in the stakeholder meeting held November 2, 2020 and Virtual Open House held December 18, 2020 through January 4, 2021.
2. The Centennial Trail pedestrian bridge will be constructed as a shared use path to accommodate bicycles and pedestrians. The existing Centennial Trail consists of a 10-foot-wide asphalt path on a 100 feet wide right-of-way owned by the city. The new pedestrian overpass structure over US-69 will be 12 feet wide and connect with the existing 10-foot-wide asphalt path on existing alignment.
3. The replacement of the pedestrian bridge allows for more room to accommodate the roadway improvements on US-69 and will improve drainage on the US-69 roadway. Because of comments to the city from adjacent landowners near the bridge, the City

US-69 Muskogee
27108(04)
Summary for Section 4(f)
Page 2 of 3

expressed concerns early in the process concerning drainage and erosion. Erosion control measures will be adhered to during construction and US-69 is being raised approximately 5 feet at the overpass to improve drainage. This will be accomplished by use of phased construction and work potentially completed during the closure for removal of the railroad structure.

4. The new approach trail and pedestrian bridge will meet all American Disability Act (ADA) pedestrian requirements.
5. To construct the new pedestrian bridge, the trail will need to be closed during construction for approximately three months. Incentives will be offered to the contractor to reduce that time. As the pedestrian structure replacement is critical to the US-69 roadway improvements, the pedestrian bridge reconstruction will be completed in the first phase of construction. ODOT and the contractor will work closely with the city to provide advanced notification of the trail closure. As requested, ODOT will work with the city to minimize the time the trail is unusable.
6. The City of Muskogee will provide a decision on whether to include lighting and lettering/gateway signage attached to the pedestrian bridge with the bridge construction contract. Lighting and lettering/gateway signage will be a non-participating pay item and will require a written project funding agreement with the city prior to letting.

The public has been given the opportunity to review and comment on the effects of the project to the 4(f) property by a notice posted in the Muskogee Phoenix newspaper, the City of Muskogee Web Site and the local cable channel from March 20, 2017 to April 20, 2017. Also, ODOT posted the notice on ODOT's Facebook page from March 23, 2017 to April 23, 2017. No citizen comments were received. Also, a virtual open house was held by live website access by ODOT December 18, 2020 through January 4, 2021. The Centennial Trail overpass bridge was discussed in the virtual meeting as being replaced with a steel truss bridge to compliment other recent aesthetic enhancements made by the city of Muskogee in recent years with signage is to be approved by the City of Muskogee. It was also disclosed that US-69 is being raised approximately 5 feet at the overpass to improve drainage. No comments were received concerning the Centennial Trail Path pedestrian overpass.

Based on the coordination, enhancements and mitigation measure described above, the proposed bridge replacement will not adversely affect the activities, features, or attributes of Centennial Trail Path (the Section 4(f) resource).

US-69 Muskogee
27108(04)
Summary for Section 4(f)
Page 3 of 3

A summary of coordination is listed below:

- June 15, 2021 - Concurrence letter signed by City of Muskogee.
 - June 1, 2021 – Section 4(f) concurrence letter mailed to City.
- Virtual Open House Public Meeting held December 18, 2020 through January 4, 2021 - trail and bridge were discussed.
- November 2, 2020 (through Teams) - City participated in Stakeholder Meeting and trail and bridge were discussed.
- March 31, 2017, to April 31, 2017 Public Notice Posted:
 - ODOT Website.
 - City of Muskogee Website.
 - No comments received from Public Notice.
- September 14, 2016 – City attended plan in hand in Muskogee Division Office and trail and bridge were discussed.
- July 27, 2015 – City of Muskogee Response.
 - Confirmation that no LWCF used.
 - Documentation of UP abandonment of railroad.
- May 26, 2015 – City attended plan in hand in Muskogee Division Office and trail and bridge were discussed.
- May 14, 2015 - Initial Section 4(f) letter to City.

The existing pedestrian bridge for Centennial Trail is an abandoned railroad from Missouri Pacific/Texas & Pacific Railroad and is a reinforced concrete Continuous Rigid Frame Spans bridge with two 43.6-foot spans constructed in 1952. The bridge, originally for the railroad overpass of US-69, is not original to the railroad and has been altered by the modern Centennial Trail asphalt path and safety fencing. Documentation regarding the bridge was submitted to the Oklahoma Department of Transportation Cultural Resources Program and the bridge is considered to be not eligible for inclusion in the NRHP.



June 1, 2021

Mr. Mark Wilkerson, Director
Parks and Recreation Department
City of Muskogee
P.O. Box 1927
Muskogee, Oklahoma 74402



Subject: US-69 Roadway Improvements from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) and involvement with Centennial Trail Path pedestrian overpass in City of Muskogee, Muskogee County. ODOT Job Piece Number 27108(04).

Dear Mr. Wilkerson:

The Oklahoma Department of Transportation (ODOT) in conjunction with the Federal Highway Administration (FHWA) is preparing environmental documentation on the proposed roadway improvement on US-69 in the City of Muskogee from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in the City of Muskogee. After input received from a stakeholder meeting (11/2/2020) and virtual open house (12/18/2020 – 1/4/2021) ODOT is moving forward with re-construction of a seven-lane curb & gutter typical section with a continuous two-way left turn lane, although raised medians will be provided at select locations. From Haddock Drive north to Border Avenue the roadway will be reconstructed to provide a divided 4-lane roadway open section, as exists today.

There is a pedestrian bridge that crosses over the US-69 roadway within this extent owned by the City of Muskogee that is part of the City owned Centennial Trail Path that is 7.3 miles long and extends into a City Park called Love Hatbox Sports Complex. We have coordinated with your office in the past and you provided a response letter in July of 2015. The City of Muskogee has been identified as the owner of record for the pedestrian bridge over US-69 which is a publicly owned recreational resource. Section 4(f) regulations of the U.S. Department of Transportation Act of 1966 affords protection to publicly owned recreation areas including city, state, and national parks, wildlife refuges and management areas and historic sites. Due to the recreational use on Centennial Trail Path, it is Section 4(f) protected. Part of the project design is to replace the pedestrian bridge.

The replacement of this pedestrian bridge will enhance the Centennial Trail Path system and the US-69 roadway entrance into the City of Muskogee. Coordination with the City has taken place during the preliminary design process that will continue through construction. The City was a vital part of the stakeholder meeting held November 2, 2020 via Zoom to discuss the alternatives options for the roadway.

After consultation with your office, ODOT is proposing to apply a de minimis finding regarding impacts to Centennial Trail Path and pedestrian bridge replacement. De minimis applies to projects that do not adversely affect the projected activities, features, or attributes of the Section 4(f) resource (Centennial



Page 2
JP 27108(04)

Trail Path). The following measures are proposed to enhance and mitigate impacts to Centennial Trail Path and pedestrian bridge replacement:

1. The City of Muskogee was acceptable to a two-sided arched steel through-truss proposed for the pedestrian overpass bridge as presented at the Preliminary Plan Review meeting held on September 15, 2016 and in the stakeholder meeting held November 2, 2020 and Virtual Open House held December 18, 2020 through January 4, 2021.
2. The Centennial Trail pedestrian bridge will be constructed as a shared use path to accommodate bicycles and pedestrians. The existing Centennial Trail consists of a 10-foot-wide asphalt path on a 100 feet wide right-of-way owned by the City. The new pedestrian overpass structure over US-69 will be 12 feet wide and connect with the existing 10-foot-wide asphalt path on existing alignment.
3. The replacement of the pedestrian bridge allows for more room to accommodate the roadway improvements on US-69 and will improve drainage on the US-69 roadway. Because of comments to the City from adjacent landowners near the bridge, the City expressed concerns early in the process concerning drainage and erosion. Erosion control measures will be adhered to during construction and US-69 is being raised approximately 5 feet at the overpass to improve drainage. This will be accomplished by use of phased construction and work potentially completed during the closure for removal of the pedestrian bridge.
4. The new approach trail and pedestrian bridge will meet all American Disability Act (ADA) pedestrian requirements.
5. To construct the new pedestrian bridge, the trail will need to be closed during construction for approximately three months. Incentives will be offered to the contractor to reduce that time. As the pedestrian structure replacement is critical to the US-69 roadway improvements, the pedestrian bridge reconstruction will be completed in the first phase of construction. ODOT and the contractor will work closely with the City to provide advanced notification of the trail closure. As requested, ODOT will work with the City to minimize the time the trail is unusable.
6. The City of Muskogee will provide a decision on whether to include lighting and lettering/gateway signage attached to the pedestrian bridge with the bridge construction contract. Lighting and lettering/gateway signage will be a non-participating pay item and will require a written project funding agreement with the City prior to letting.

The public has been given the opportunity to review and comment on the effects of the project to the 4(f) property by a notice posted in the Muskogee Phoenix newspaper, the City of Muskogee Web Site and the local cable channel from March 20, 2017 to April 20, 2017. Also, ODOT posted the notice on ODOT's Facebook page from March 23, 2017 to April 23, 2017. No citizen comments were received. Also, a



Page 3
JP 27108(04)

virtual open house was held by live website access by ODOT December 18, 2020 through January 4, 2021. The Centennial Trail overpass bridge was discussed in the virtual meeting as being replaced with a steel truss bridge to compliment other recent aesthetic enhancements made by the city of Muskogee in recent years with signage is to be approved by the City of Muskogee. It was also disclosed that US-69 is being raised approximately 5 feet at the overpass to improve drainage. No comments were received concerning the Centennial Trail Path pedestrian overpass.

Based on the coordination, enhancements and mitigation measure described above, the proposed bridge replacement will not adversely affect the activities, features, or attributes of Centennial Trail Path (the Section 4(f) resource). Completion of the Section 4(f) consultation is a required component of the environmental document to obtain FHWA approval and concurrence. Final design plans, right-of-way process, and construction cannot begin until environmental document is completed.

We look forward to working with your office to achieve an improved transportation system while protecting and enhancing the Centennial Trail Path and the US-69 roadway within the City of Muskogee.

Your concurrence in the determination of this finding is hereby respectfully requested. Should you have any questions, please contact our authorized agent Jennifer Koscelny with Able Consulting at 918-272-4282 or jkoscelny@ableconsulting.net or Andrew Ward, ODOT Environmental Project Manager at 405-521-2325 or WWard@odot.org. As always, your cooperation is greatly appreciated.

Respectfully,

Sivaniya S Sundaram

Siv Sundaram, P.E.
Environmental Programs Division Engineer

SS/AW/Able

Concur

Mark Wilkerson

Mr. Mark Wilkerson, Director
City of Muskogee
Parks and Recreation Department

Date: 6/15/21

From: [Laurie Effinger](#)
To: [Jennifer Koscelny](#)
Subject: FW:Muskogee US-69 FB Post
Date: Friday, March 31, 2017 5:17:29 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

FYI

From: Rhonda Spain
Sent: Friday, March 31, 2017 3:58 PM
To: Siv Sundaram
Cc: Laurie Effinger
Subject: RE: Siv, will you approve please? FB Post

It has been published!

<https://www.facebook.com/OKDOT>

From: Siv Sundaram
Sent: Friday, March 31, 2017 3:28 PM
To: Rhonda Spain
Cc: Laurie Effinger
Subject: RE: Siv, will you approve please? FB Post

Looks good. Thanks

From: Rhonda Spain
Sent: Friday, March 31, 2017 3:18 PM
To: Siv Sundaram
Cc: Laurie Effinger
Subject: Siv, will you approve please? FB Post

In shortening the language on the post, I got the map (with the new logo) to upload. May I have your approval to publish this Siv?



Oklahoma Department of Transportation

Written by Rhonda Spain (?) · 4 mins ·

ODOT is planning to improve US-69 in the City of Muskogee from the intersection of US-62 (Okmulgee Street) and extending south approximately 2.0 miles to the intersection of SH-165 (Peak Boulevard). There is a pedestrian bridge that crosses over US-69 within this extent. The bridge is part of the City owned Centennial Trail which extends into the Love Hatbox Sports Complex. Plans are to replace this overpass with a new structure designed specifically for bicycle and pedestrian traffic. The City of Muskogee is supportive of the planned improvements by ODOT.

If you would like to review the complete public notice which details the improvements and impacts please access the following link:

http://www.okladot.state.ok.us/.../Muskogee_JP_27108_04_Publi...

ODOT welcomes your comments on the effects of the projected activities, features and attributes of Centennial Trail Path. Please mail or email any comments by April 17, 2017 to:

Environmental Programs Division Engineer

Oklahoma Department of Transportation

200 N.E. 21st Street

Oklahoma City, OK 73105

Odot-environmental@odot.org



From: Laurie Effinger

Sent: Friday, March 31, 2017 2:58 PM

To: Rhonda Spain

Subject: FW: Public Notice US-69 - Centennial Trail Path Facebook Post-DRAFT FOR APPROVAL

Let's see if this will work.

From: Rhonda Spain
Sent: Friday, March 31, 2017 2:38 PM
To: Laurie Effinger
Subject: RE: Public Notice US-69 - Centennial Trail Path Facebook Post-DRAFT FOR APPROVAL

ODOT is **planning** to improve US-69 in the City of Muskogee from the intersection of US-62 (Okmulgee Street) and extending south approximately 2.0 miles to the intersection of SH-165 (Peak Boulevard). There is a pedestrian bridge that crosses over US-69 within this extent. The bridge is part of the City owned Centennial Trail which extends into the Love Hatbox Sports Complex. **Plans are to replace this overpass with a new structure designed specifically for bicycle and pedestrian traffic. The City of Muskogee is supportive of the planned improvements by ODOT.**

If you would like to review the complete public notice which details the improvements **and** impacts please access the following link:

http://www.okladot.state.ok.us/.../Muskogee_JP_27108_04_Publi...

ODOT welcomes your comments on the effects of the projected activities, features and attributes of Centennial Trail Path. Please mail or email any comments by April 17, 2017 to:

Environmental Programs Division Engineer
Oklahoma Department of Transportation
200 N.E. 21st Street
Oklahoma City, OK 73105
Odot-environmental@odot.org

From: Rhonda Spain
Sent: Friday, March 31, 2017 2:14 PM
To: Laurie Effinger; Siv Sundaram
Subject: RE: Public Notice US-69 - Centennial Trail Path Facebook Post-DRAFT FOR APPROVAL

I just noticed the map (attached) has the OLD ODOT logo on it anyway. We can't use it. If we can get a map with the current ODOT logo, I will try again and/or get with the MPR staff on the upload issues.

From: Rhonda Spain
Sent: Friday, March 31, 2017 2:07 PM
To: Laurie Effinger; Siv Sundaram
Subject: Public Notice US-69 - Centennial Trail Path Facebook Post-DRAFT FOR APPROVAL
Importance: High

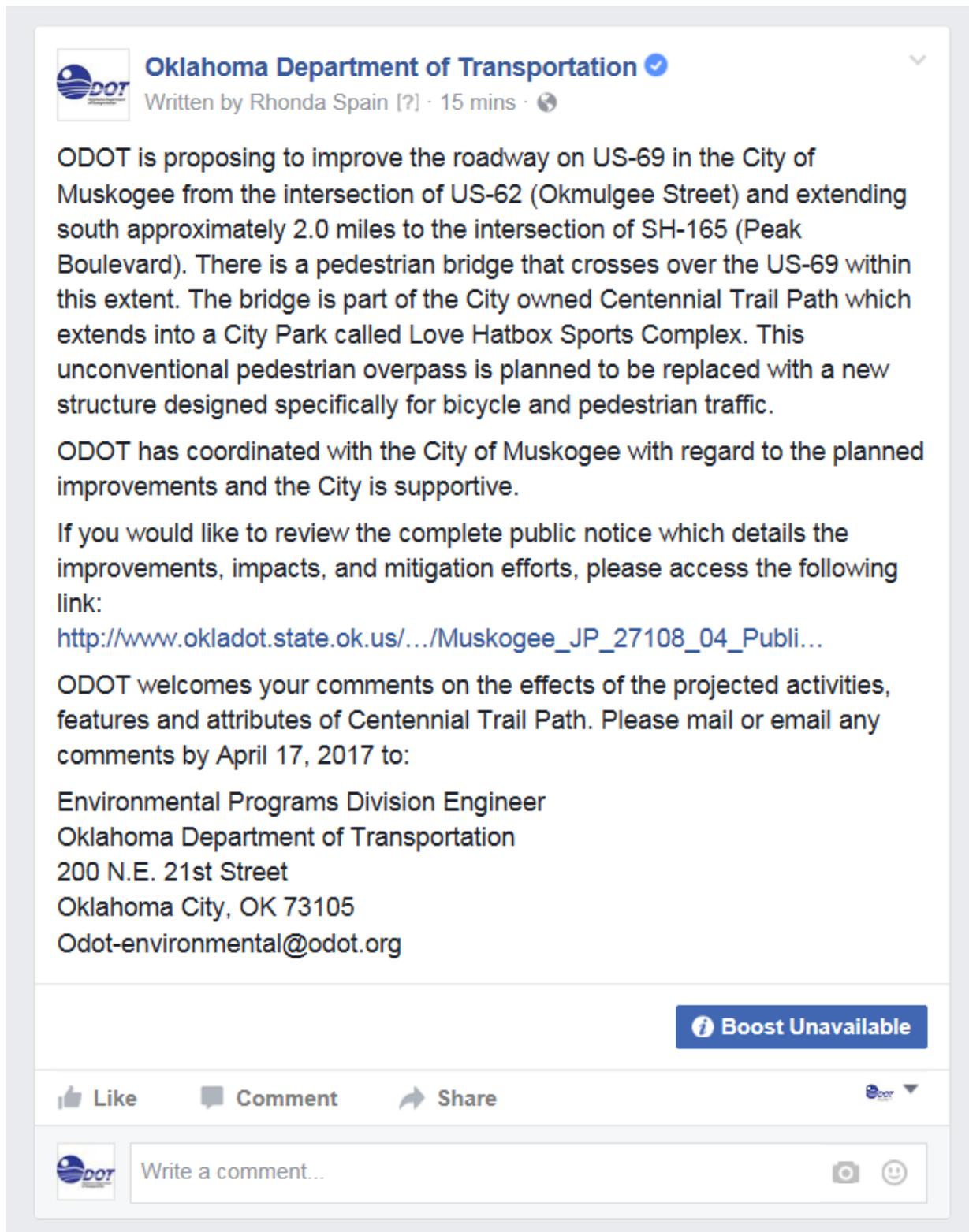
Laurie, please review and let me know if this is adequate information for the FB post. For some reason, it does not like the image of the map. Could be the size, not sure. Without photo editing software, not much I can do.

DRAFT BELOW:

This is a static snip so clicking on the link does not work, but the link will take the public here:

http://www.okladot.state.ok.us/ok-gov-docs/programs-and-projects/environmental/Muskogee_JP_27108_04_Public_Notice.pdf

I know we need to get this published quickly to give a good two weeks exposure.



Oklahoma Department of Transportation ✓
Written by Rhonda Spain [?] · 15 mins · 🌐

ODOT is proposing to improve the roadway on US-69 in the City of Muskogee from the intersection of US-62 (Okmulgee Street) and extending south approximately 2.0 miles to the intersection of SH-165 (Peak Boulevard). There is a pedestrian bridge that crosses over the US-69 within this extent. The bridge is part of the City owned Centennial Trail Path which extends into a City Park called Love Hatbox Sports Complex. This unconventional pedestrian overpass is planned to be replaced with a new structure designed specifically for bicycle and pedestrian traffic.

ODOT has coordinated with the City of Muskogee with regard to the planned improvements and the City is supportive.

If you would like to review the complete public notice which details the improvements, impacts, and mitigation efforts, please access the following link:
http://www.okladot.state.ok.us/.../Muskogee_JP_27108_04_Publi...

ODOT welcomes your comments on the effects of the projected activities, features and attributes of Centennial Trail Path. Please mail or email any comments by April 17, 2017 to:

Environmental Programs Division Engineer
Oklahoma Department of Transportation
200 N.E. 21st Street
Oklahoma City, OK 73105
Odot-environmental@odot.org

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Write a comment...

Rhonda G. Spain, CPO
Environmental Programs, Office Manager

From: [Laurie Effinger](#)
To: [Jennifer Koscelny](#); [Chris Wallace](#); [Jamie Malmstrom](#)
Subject: FW: Link to Public Notice-City of Muskogee for Facebook
Date: Thursday, March 23, 2017 10:45:47 AM
Attachments: [image002.png](#)
[image003.png](#)

From: Robert Heskamp
Sent: Thursday, March 23, 2017 10:43 AM
To: Rhonda Spain
Cc: Laurie Effinger
Subject: RE: Link to Public Notice-City of Muskogee for Facebook

Hi Rhonda,

I just got back in town, and posted your file. The link is below. Have a great day! ☺

http://www.okladot.state.ok.us/ok-gov-docs/programs-and-projects/environmental/Muskogee_JP_27108_04_Public_Notice.pdf

Thanks ... Bob

Robert M. Heskamp
Web Master
OMES @ ODOT
405.521.4185
Robert.Heskamp@omes.ok.gov



From: Rhonda Spain
Sent: Tuesday, March 21, 2017 12:14 PM
To: Robert Heskamp
Cc: Laurie Effinger
Subject: Link to Public Notice-City of Muskogee for Facebook

Hi, Robert.

I was told we wouldn't have many of these, but here is another one. Could you please also save this document to the ENV Storage location and send me the link?

Much appreciated!!!!!!
Rhonda

PS I have attached your last email with the storage location and have already shortened the file name.

From: Laurie Effinger
Sent: Tuesday, March 21, 2017 11:56 AM
To: Rhonda Spain
Subject: RE: Public Notice-City of Muskogee

I'll look for a map and get back to you.

From: Rhonda Spain
Sent: Tuesday, March 21, 2017 11:49 AM
To: Laurie Effinger
Cc: Siv Sundaram
Subject: Public Notice-City of Muskogee

Laurie,

Do you have the PDF of the Public Notice and a corresponding map with the new logo (like David sent me)? I will need to get with Robert Heskamp to create a temporary location to the file so the link can be provided to the full document.

Rhonda G. Spain, CPO
Environmental Programs, Office Manager
200 N.E. 21st Street, Room 3D-2a
Oklahoma City, OK 73105
Direct Line: (405) 521-2672
rspain@odot.org
<https://www.facebook.com/OKDOT>





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PUBLIC NOTICE

CITY OF MUSKOGEE US-69 ROADWAY IMPROVEMENTS SECTION 4(F) DE MINIMIS IMPACTS TO CENTENNIAL TRAIL PATH

The Oklahoma Department of Transportation (ODOT) in coordination with the Federal Highway Administration (FHWA) is proposing to improve the roadway on United States Highway 69 (US-69) in the City of Muskogee from the intersection of US-62 (Okmulgee Street) and extending south approximately 3.0 miles to the intersection of SH-165 (Peak Boulevard). There is a pedestrian bridge that crosses over the US-69 within this extent. This bridge is part of the City owned Centennial Trail Path that is 7.3 miles long and extends into a City Park called Love Hatbox Sports Complex.

The existing US-69 roadway within this corridor has two lanes in each direction with dedicated turn lanes in places, varying shoulder widths and deteriorating pavement conditions. The proposed roadway improvements would reconstruct US-69 to provide for two driving lanes in each direction with a dedicated center turn lane from near US-62 (Okmulgee Street) south to Border Avenue approximately one mile. From Border Avenue south to near SH-165 (Peak Boulevard) for approximately 2.0 miles, US-69 will be reconstructed to provide two driving lanes in each direction with 10 foot wide shoulders.

The Centennial Trail Path pedestrian bridge over US-69 was originally a railroad bridge built in 1952 by the Missouri Pacific railroad. After the railroad track was abandoned, the City of Muskogee claimed ownership of the abandoned railroad right of way in 1996 for public use. The City converted the railroad track bridge to accommodate pedestrian traffic with the addition of asphalt paving and safety fencing in 1998. This unconventional pedestrian overpass is planned to be replaced with a new structure designed specifically for bicycle and pedestrian traffic. The entire Centennial Trail path consists of asphalt, 10 foot wide on right-of-way that is 100 feet wide. The new pedestrian overpass structure will be 12 feet wide in width and connect with the existing 10 foot wide asphalt path. The replacement of this structure allows for more room to accommodate the roadway improvements on US-69 and will improve drainage on the roadway.

Due to the proposed impact to this recreational trail, Section 4(f) regulations of the U.S. Department of Transportation Act of 1966 apply to the project. Section 4(f) affords protection to publicly-owned recreation areas including city, state, and national parks, wildlife refuges and management areas and historic sites. ODOT has coordinated with the City of Muskogee with regard to the planned improvements and the City is supportive of these improvements. The Centennial Trail is being constructed as a shared use path (bicycles and pedestrians) and will meet all American Disability Act (ADA) pedestrian requirements. In order to construct the new structure, the trail will need to be closed during construction for approximately three months. Incentives will be offered to the contractor to reduce that time.

Based on the cooperatively-developed plan, ODOT, in coordination with FHWA, and the City of Muskogee is proposing a *de minimis* impact finding with regard to Section 4(f) of the U.S. Department of Transportation Act (1966). A *de minimis* impact is one that, after taking into account avoidance, minimization, mitigation and enhancement measures, results in no adverse effect to the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f). ODOT welcomes your comments on the effects of this project on the projected activities, features, and attributes of Centennial Trail Path (the Section 4(f) resource). Please mail or e-mail any comments you have by **April 17, 2017** to:

Environmental Programs Division Engineer
Oklahoma Department of Transportation
200 NE 21st Street
Oklahoma City, Oklahoma 73105
Odot-environment@odot.org



July 27, 2015

Dawn Sullivan, P.E.
Environmental Programs Division Engineer
200 N.E. 21st Street
Oklahoma City, Ok 73105-3204

RECEIVED
AUG 04 2015
ENVIRONMENTAL
PROGRAMS DIV.

Dear Ms. Sullivan:

We are in receipt of your correspondence of May 14, 2015, regarding certain operational roadway improvements on U.S. Highway 69 as they intersect with the Centennial Trail pedestrian overpass. We understand you seek information on the following questions, set forth in bold below. Our response to each of your questions is set forth there under.

Question No. 1: The owner(s) of record of pedestrian overpass bridge (abandoned railroad overpass) and the official(s) with jurisdiction over the Centennial Trail Path?

Answer: The City of Muskogee, Oklahoma, by letter dated July 11, 1996 claimed ownership of the subject property under a right of reversion of abandoned railroad right of way. We are attaching two letters which we believe address this question more fully: a letter from the City of Muskogee to the Oklahoma Department of Tourism dated July 11, 1996; a letter from Union Pacific Railroad to The Secretary of Surface Transportation Board dated April 18, 1996.

Question No. 2: The size, in acres, of the Centennial Trail Path. Also, can the City provide the length and width of trail?

Answer: Centennial Trail is a 10 foot asphalt trail located on an abandoned railroad right of way that is 100 feet wide and 7.3 miles long. It is comprised of 91 acres.

Question No. 3: Were any Land and Water Conservation Fund Act (LWCFA) funds used for the purchase or improvement of the Centennial Trail Path?

Answer: No.

Question No. 4: If any LWCFA funds were used, please identify the portion of the property where these funds were used on the detailed map.

Answer: N/A

Question No. 5: Please provide a copy of the LWCFA grant application, if available.

Answer: N/A

Question No. 6: Are there any other Federal-agency encumbrances on the Centennial Trail Path?

Answer: Yes. Centennial Trail has been built in phases. The first phase, the Hatbox Loop, was built in 1998, the City of Muskogee Centennial Anniversary, hence the name Centennial Trail. Funds were provided by the Oklahoma Recreation Trail Program, from the Federal Highway Administration as part of the Intermodal Surface Transportation Efficiency Act (ISTEA). Phases II and III were built with funding support from the STP-Transportation Enhancement Funds Program administered by the Oklahoma Dept of Transportation.

Question No. 7: What is the approximate number of present and future land users of the Centennial Trail Path?

Answer: We estimate that between 18,000 and 20,000 individuals use Centennial Trail annually.

Question No. 8: What are measures that could minimize potential impacts to the features of the Centennial Trail Path pedestrian overpass over US-69 from the proposed transportation improvement project? Because the Department is in the early stages of project development, concerns and any ideas of mitigation measures to minimize potential harm are welcome.

Answer: Based on a review of the file for this project, many of the adjoining landowners expressed some concern over erosion problems with their property. Thus, we ask that appropriate drainage measures be placed to avoid having those issues. Additionally, because of the volume and diversity of users of the Centennial trail, and in particular those who cross the pedestrian bridge, we ask that during the project, you work to minimize the time when the trail is unusable and that you consider reducing any necessary slope of the bridge approach ramps to continue to meet our multiple use and ADA pedestrian requirements.

Question No. 9: Can you clarify the location where LWCFA funds were used within the City and/or adjacent to U.S.-69?

Answer: The original plan for the Centennial Trail System was for the City to utilize LWCFA funds to acquire a corridor along Coody Creek from Gulick Street to U.S. Highway 69 / 32nd Street; however, due to changes in the political climate, that particular acquisition project ended near 10th Street and has never been revisited.

We appreciate the opportunity to work with you on this project. If you require additional documentation, we are happy to provide you with an open view of our files relating to the original Centennial Trail Project. While fairly antiquated, we have kept those files in an electronic format for ease of access.

Sincerely,



Mark Wilkerson, Director
Muskogee Parks and Recreation



City of Muskogee
OFFICE OF THE CITY ATTORNEY
P. O. BOX 1927
MUNICIPAL BUILDING
MUSKOGEE, OKLAHOMA 74402
918-682-6602

July 11, 1996

Ms. Susan Henry
Planning Division
Oklahoma Department of Tourism
and Recreation
2401 North Lincoln Boulevard
Oklahoma City, OK 73105

Re: Grant Application for funding through the Oklahoma
Recreation Trail Fund, Centennial Trail Project for the City of
Muskogee, Oklahoma.

Dear Ms. Henry:

The City of Muskogee has submitted an application to the Surface Transportation Board seeking an order for interim trail use for certain railroad corridors located within the City of Muskogee, previously known as the Missouri Pacific Railroad, successor to the Midland Valley Railroad, and the Texas Pacific Railroad, successor to the K.O. & G. Railroad. The interest of these entities were subsequently acquired by the Union Pacific Railroad, dba Missouri Pacific Railroad Company. The proceedings pending before the Surface Transportation Board are Abandonment ICC Docket Nos. AB-3 (Sub-No. 66), AB-3 (Sub-No. 90X) and Finance Docket No. 31506. The rail banking application covers the Texas Pacific corridor commencing at Milepost 130.00 to Milepost 133.38 and the Missouri Pacific Corridor commencing at Milepost 97.5 and ending at Milepost 101.2. See Exhibit A. The City filed its request for trail use condition March 27, 1996. The Missouri Pacific concurs with the City's request for interim trail use. See a copy of letter from Missouri Pacific enclosed. We have been advised that a ruling will be forthcoming from the Surface Transportation Board within a month.

The corridor sections which pertain to this grant application are those portions which begin at the intersection of 32nd Street-U.S. 69 Highway and the Missouri Pacific Railroad and end at the intersection of Columbus Avenue and the Texas Pacific Railroad. See Exhibit B.

Notwithstanding the outcome of the application for interim trail use condition, the City claims title to the relevant portion of the corridors either as adjoining landowner through

right of reversion of abandoned railroad right of way or under its right of title under the Act of Congress of April 26, 1906, Chap. 1876.--An Act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes. (34 Stat. 137). Section 14 of the Act provides that abandoned railroad land within a municipality shall vest in the municipality.

Should you need additional information or assurances regarding title, please do not hesitate to contact me.

Sincerely,

Steve Cousparis
Steve Cousparis
City Attorney

Enclosures

cc: Mark Wilkerson, Parks and Recreation Director

UNION PACIFIC RAILROAD COMPANY

1416 DOODGE STREET
ROOM 1830
OMAHA, NEBRASKA 68173-0001
FAX (402) 271-5610



April 18, 1996

VIA FAX 1-202-927-6419

Mr. Vernon Williams
Secretary
Surface Transportation Board
12th & Constitution Ave., NW
Suite 1324
Washington, DC 20423

ATTN: Andrea Bahlis

RE: Missouri Pacific Railroad Company -- Abandonment
ICC Docket Nos. AB-3 (Sub-No. 66), AB-3 (Sub-No. 90X)
and F.D. No. 31506

Dear Mr. Williams:

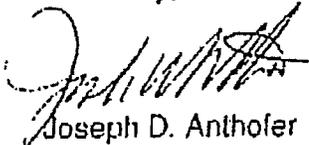
This is Missouri Pacific Railroad Company's reply to the request for trail use condition dated March 27, 1996 which has been filed in these proceedings by the City of Muskogee, Oklahoma.

This is to advise that Missouri Pacific Railroad Company agrees with the City of Muskogee's request. With respect to whether MP has fully consummated abandonment of these lines, MP did discontinue operation over the trackage shortly after the effective dates of the abandonment authorization in these proceedings. However, since that time in the late 1980's MP representatives have been negotiating with the City of Muskogee for conveyance of the right of way and track structure to the

City for public use. A notice of interim trail use previously has been imposed in the Docket No. AB-3 (Sub-No. 90X) proceeding, and the NITU expired May 17, 1991. All the track structure remains in place between the mileposts identified in the City's March 27, 1996 letter with the exception of trackage between mileposts 131.4 and 130.00. As a result of my discussion this morning with the City Attorney for the City of Muskogee, I understand that he will forward a letter to the Board advising of the City's position that a trail use condition may also be imposed on the line between mileposts 131.4 and 130.00.

I will be pleased to provide any additional information which the Board might require to progress the City of Muskogee's request.

Sincerely,



Joseph D. Anthofer
General Attorney
402-271-4315

cc: Mr. Steve Cousparis
City Attorney
P.O. Box 1927
Muskogee, OK 74402

VIA FAX 1-918-684-6278

CLAIM OF PUBLIC USE RIGHT OF WAY OR REVERSION

Comes now the City of Muskogee, Oklahoma, and claims by reversion or under the public use provisions of the Oklahoma Constitution, Article 9, § 6, all right, title and interest in and to the right of way and appurtenances previously owned and operated by the Union Pacific Railroad Company (previously the Missouri Pacific Railroad Company as described and depicted on Exhibits A and B attached hereto and made a part hereof which will be maintained as a historic railroad corridor in accordance with the requirements of a Transportation Enhancement Project Agreement, by and between the City of Muskogee, Oklahoma and the Oklahoma Department of Transportation, dated August 8, 1994.

Dated this 21st day of November, 1997.

CITY OF MUSKOGEE, OKLAHOMA

By Steve Cousparis
Steve Cousparis
City Attorney

2491 194
BOOK PAGE

STATE OF OKLAHOMA
MUSKOGEE COUNTY
FILED OR RECORDED
Nov 21 10 58 AM 1997
FILED IN REVISION
COUNTY CLERK



CLAIMED BY THE CITY OF MUSKOGEE
 FROM UNION PACIFIC RAILROAD COMPANY
 Muskogee, Muskogee County, Oklahoma
 Oklahoma Subdivision - M.P. 129.50 to M.P. 131.40

EXHIBIT "A"

All right, title and interest in and to the right of way and appurtenances of the Union Pacific Railroad Company (previously Missouri Pacific Railroad Company) Oklahoma Subdivision as said line extends in a westerly direction within the City of Muskogee, Muskogee County, Oklahoma from a line drawn at right angles to the centerline of the abandoned main track of said subdivision, at a point thereon that is 4,176.0 feet distant westerly, as measured along said centerline, from the east line of Section 23, Township 15 North, Range 18 East of the Indian Meridian, said point being at approximate Railroad Engineering Station 34+35.5, in and over and across the following legal subdivisions:

<u>Subdivision</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Meridian</u>
W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	23	15 N.	18 E.	Indian
SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	"	"	"
S $\frac{1}{2}$ N $\frac{1}{2}$	22	"	"	"
S $\frac{1}{2}$ NE $\frac{1}{4}$	21	"	"	"
N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$	"	"	"	"

BOOK PAGE

2491 195

Including all right, title and interest in and to the right of way and appurtenances of aforesaid Oklahoma Subdivision of aforesaid railroad situate in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 15 North, Range 18 East of the Indian Meridian within Muskogee, Muskogee County, Oklahoma as said line extends in a southwesterly direction from the east line of said SW $\frac{1}{4}$ of said Section 21 to a line drawn at right angles to aforesaid centerline of said abandoned main track at a point thereon that is 50.00 feet distant northeasterly, measured along said centerline, from the centerline of 34th Street grade crossing, said crossing centerline being at Railroad Engineering Station 137+93.

Excepting therefrom a parcel of land situate in the W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 15 North, Range 18 East of the Indian Meridian lying northerly of a line 150.0 feet distant northerly, as measured at right angles, from aforesaid centerline of aforesaid abandoned main line.

November 18, 1997

muskogee.ok1
 1338-58

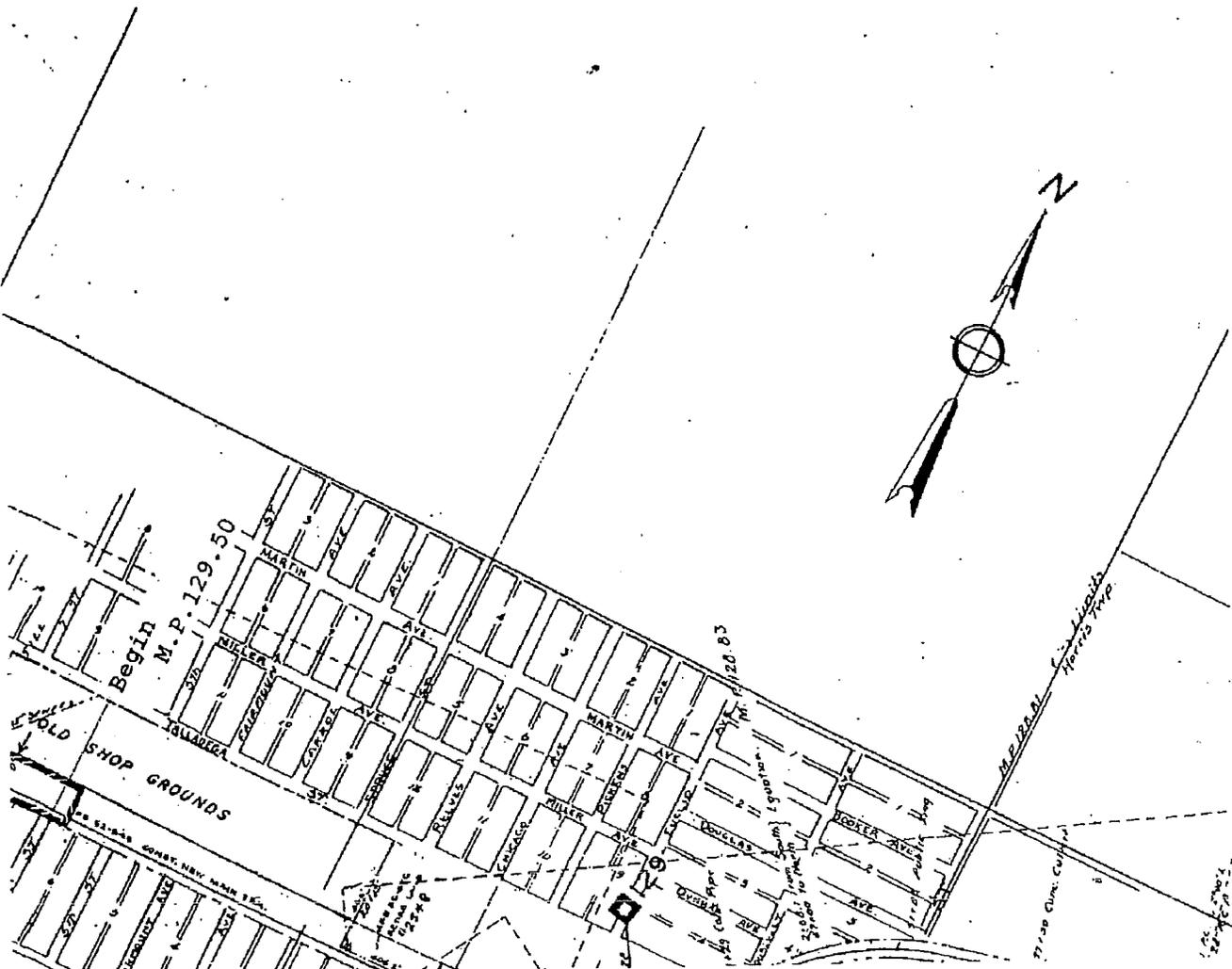


EXHIBIT "B"
CITY OF MUSKOGEE
Muskogee County, Oklahoma
M.P. 129.50 to M.P. 131.40 - Oklahoma Subdivision

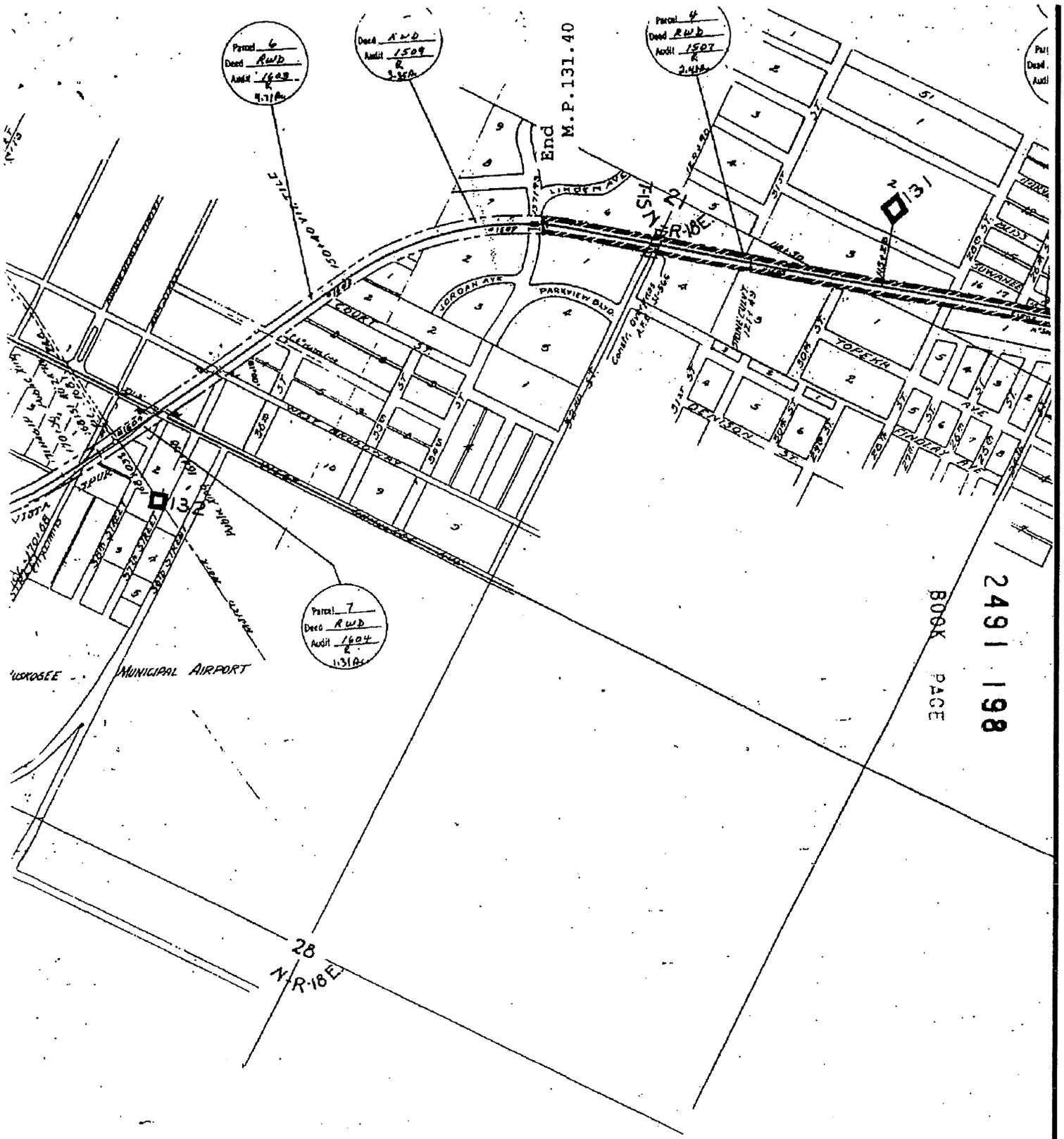
claim of property in Muskogee.

Scale: 1" = 800'

November 18, 1997

**** LEGEND ****

Property to be
 claimed shown outlined.....



M



OKLAHOMA DEPARTMENT OF TRANSPORTATION

200 N. E. 21st Street

Oklahoma City, OK 73105-3204

May 14, 2015

Mr. Mark Wilkerson, Director
Parks and Recreation Department
City of Muskogee
P.O. Box 1927
Muskogee, Oklahoma 74402

Re: Operational roadway improvements on US-69 in the City of Muskogee and involvement with Centennial Trail Path pedestrian overpass on US-69 and potential Land and Water Conservation Fund use in Muskogee County. ODOT Job Piece Number 27108(04), Federal-aid Project Number J2-7108(004).

Dear Mr. Wilkerson:

The Oklahoma Department of Transportation (ODOT) is preparing environmental documentation on the proposed Federally-aided roadway improvements on US-69 beginning 0.1 miles north of SH-165(Peak Boulevard) and extending north 2.5 miles to south of the intersection of US-69/US-62(Okmulgee Street) in Muskogee, Oklahoma (see attached map). One element of the transportation improvements on US-69 includes improvements to the existing pedestrian bridge over US-69 (abandoned railroad overpass) used on the Centennial Trail Path. Also, Land and Water Conservation Fund Act (LWCFA) funds may have been used adjacent to US-69 near Coody Creek which would enact Section 6(f) provisions.

Due to the proposed transportation use of property used for recreational purposes, Section 4(f) regulations of the U.S. Department of Transportation Act of 1966 apply to the project. Section 4(f) affords protection to publicly-owned recreation areas (resources) including city, state, and national parks, wildlife refuges, management areas and historic sites. Section 6(f) of the LWCFA has a provision that no property acquired or developed under Section 6(f), without approval of the Secretary of Interior, can be converted to other than public outdoor recreational uses. ODOT is requesting the following information to assist in determining project effects on the Centennial Trail Path pedestrian overpass over US-69 (abandoned railroad overpass), potential LWCFA use and to assist in the preparation of the Section 4(f) and 6(f) documentation.

1. The owner(s) of record of pedestrian overpass bridge (abandoned railroad overpass) and the official(s) with jurisdiction over the Centennial Trail Path?
2. The size, in acres, of the Centennial Trail Path. Also, can the City provide the length and width of trail?
3. Were any Land and Water Conservation Fund Act (LWCFA) funds used for the purchase or improvement of the Centennial Trail Path?
 - b) If any LWCFA funds were used, please identify the portion of the property where these funds were used on the detailed map.

"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."

AN EQUAL OPPORTUNITY EMPLOYER

City of Muskogee
JP 27108(04)
Section 4(f) &6(f)

- c) Please provide a copy of the LWCFA grant application, if available.
4. Are there any other Federal-agency encumbrances on the Centennial Trail Path?
 5. What is the approximate number of present and future land users of the Centennial Trail Path?
 6. What are measures that could minimize potential impacts to the features of the Centennial Trail Path pedestrian overpass over US-69 from the proposed transportation improvement project? Because the Department is in the early stages of project development, concerns and any ideas of mitigation measures to minimize potential harm are welcome.

Can you clarify the location where LWCFA funds were used within the City and/or adjacent to US-69? According to the Oklahoma Tourism and Recreation Department (OTRD), in the mid-1970s, LWCFA funds were used along Coody Creek. The OTRD referenced project number 40-00336 City of Muskogee land acquisition with a matching program from the LWCFA on the east side of Hwy 69. Details include a 100 feet to 200 feet strip on each side of the center line of Coody Creek from 32nd Street (HWY 69) to Gulick Street. If avoidance of acquisition of new right-of-way at Coody Creek is not possible, the conversion to non-recreational use must be mitigated with a location of equal and equivalent usefulness.

ODOT is preparing environmental documentation for this project and we appreciate your cooperation in this request. If it is determined that there is a Section 4(f) or Section 6(f) use we anticipate further coordination, including a public involvement component concerning the 4(f) use, as planning and design proceeds.

If you have any questions concerning this request, please contact our authorized agent Ms. Jennifer Koscelny with Able Consulting at (918) 272-4282 or jkoscelny@cox.net or Laurie Effinger, ODOT Environmental Project Manager at (405) 521-2535 or leffinger@odot.org.

Sincerely,



Dawn R. Sullivan, P.E.
Environmental Programs Division Engineer

DRS/LE

Attachment

cc: Darin Saliba, ODOT Division One Engineer

NOISE STUDIES

TRAFFIC NOISE ANALYSIS RE-EVALUATION

PROPOSED US-69 ROADWAY IMPROVMENTS IN THE CITY OF MUSKOGEE
FROM 0.1 MI. NORTH OF US-64 EAST (PEAK BLVD.) EXTENDING NORTH 2.5 MILES
MUSKOGEE COUNTY, OKLAHOMA
J/P 27108(04)

OKLAHOMA DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PROGRAMS DIVISION
200 NE 21ST STREET
OKLAHOMA CITY, OK 73105-3204
MAIN PHONE: (405) 521-3050 // FAX: (405) 522-5193



Prepared by:

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Alexander Peta

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Noise Specialist

Reviewed by:

Kevin M Larios

Kevin Larios, P.E.
Senior Noise Specialist

July 27, 2021

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2.0 FUNDAMENTALS OF NOISE AND SOUND THEORY	1
3.0 ANALYSIS METHODS	2
4.0 TRAFFIC NOISE DATA, ANALYSIS, AND IMPACTS	4
5.0 CONSIDERATION OF ABATEMENT	7
6.0 CONSTRUCTION NOISE	9
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LIST OF TABLES

1	Federal Highway Administration Noise Abatement Criteria
2	Existing Year (2015) Traffic Volumes
3	Future Design Year (2040) Traffic Volumes
4	Verification of Modeled to Measured Sound Levels
5	Comparative Noise Levels – Impacted Receivers

APPENDIX

Figure 1: Project Location Map

Figure 2: Noise Model Receiver Sites

EXECUTIVE SUMMARY

This traffic noise study evaluation examines the potential noise impacts associated with the proposed improvement of US-69 from 0.1 miles north of US-64 East (Peak Blvd.) extending north 2.5 miles in Muskogee County, Oklahoma. The proposed improvements consist of reconstructing the existing 4-lane facility to a 6-lane divided section and a four-lane divided section from Border south to near the ODOT District 1 office. Other improvements include constructing a pedestrian bridge, extending the bridge at Coody Creek and signalization at Hancock Road, Border Avenue and Arline Avenue intersections.

A noise analysis was initially completed for this project in 2016 based on the conceptual design plans dated January 2010. This noise analysis re-evaluation serves as an update utilizing the preliminary design plans (Option No. 2) dated July 2020 and was performed using the current Traffic Noise Model version 2.5 in accordance with the ODOT Noise Policy dated July 13, 2011 consistent with FHWA 23 CFR 772.

The project land use is described as developed land consisting of small businesses, restaurants, motels, a medical facility, an RV Park, two (2) places of worship, single-family and multifamily residential, apartments, a non-motorized foot/bicycle trail crossing. The traffic noise analysis for the proposed action predicts the greatest noise levels to occur at noise sensitive sites near the proposed action comprising of forty-nine (49) model receivers. Based on the future condition, (design year 2040), fourteen (14) receivers are impacted. The first group consists of six (6) single-family residential, one (1) apartment complex, 2-RV Park sites and the trail crossings will have noise levels approaching, meeting, or exceeding the 67.0 dB(A) Leq (h) for NAC Activity Categories B and C. The second group of impacts include one (1) motel and two (2) restaurants that will have noise levels that approach, meet or exceed 72 dB(A) for NAC Activity Category E. No receivers will experience a substantial increase (15 dB) with the highest increase at 2.7 dB. An interior analysis of two places-of-worship identified as Jehovah's Witnesses and Life Point Church and one (1) urgent care facility evaluated as NAC Activity Category D had determined no future noise level impacts or substantial increase will occur.

The proposed project will result in noise impacts; however, noise abatement measures are not feasible.

The field measurement data, sound level meter instrument certificate of calibration, and the FHWA TNM 2.5 results analysis are on file with the ODOT Environmental Programs Division and are available upon request.

TRAFFIC NOISE ANALYSIS RE-EVALUATION

PROPOSED US-69 ROADWAY IMPROVEMENTS IN THE CITY OF MUSKOGEE FROM 0.1 MI. NORTH OF US-64 EAST (PEAK BLVD.) EXTENDING NORTH 2.5 MILES MUSKOGEE COUNTY, OKLAHOMA J/P #27108(04)

1.0 INTRODUCTION

The Oklahoma Department of Transportation (ODOT) is proposing to improve US-69 in the City of Muskogee beginning 0.1 miles north of US-64 East (Peak Blvd.) extending north 2.5 miles in Muskogee County, Oklahoma. The project location is depicted on **Figure 1** in the Appendix. The proposed improvements consist of reconstructing the existing 4-lane facility to a 6-lane divided section and a four-lane divided section from Border south to near the ODOT District 1 office. Other improvements include constructing a pedestrian bridge, extending the bridge at Coody Creek and signalization at Hancock Road, Border Avenue and Arline Avenue intersections.

A noise analysis was initially completed for this project in 2016 based on the conceptual design plans dated January 2010. This noise analysis re-evaluation serves as an update utilizing the preliminary design plans (Option No. 2) dated July 2020. The analysis was conducted in accordance with Federal Highway Administration (FHWA) 23 CFR 772, *Procedures for Noise Abatement of Highway Traffic Noise and Construction Noise*, and the ODOT *Policy Directive Highway Noise Abatement C-201-3* dated July 13, 2011 (ODOT Noise Policy). This report identifies locations where noise impacts are predicted to occur and then examines and evaluates abatement measures for reducing the noise impacts.

2.0 FUNDAMENTALS OF NOISE AND SOUND THEORY

Noise is defined as unwanted or excessive sound that interferes with normal activities such as sleep, work, and recreation. Sound is created when objects vibrate, resulting in a minute variation in surrounding atmospheric pressure called sound pressure. The human response to sound depends on the magnitude of a sound as a function of its frequency and time pattern (EPA, 1974). Magnitude measures the physical sound energy in the air. The range of magnitude from the faintest to the loudest sound the ear can hear is so large that sound pressure is expressed on a logarithmic scale in units called decibels (dB). For example, the 0 dB has a sound intensity of one (1) where a 140 dB sound has a sound intensity of one hundred trillion. The human ear cannot detect a subtle difference of 1 dB and 2 – 3 dB is barely noticeable while a 5 dB change would be detected as clear and noticeable by most people with normal hearing. A decibel level of 50 dB is considered to be a quiet environment whereas levels above 70 dB are considered to be an intrusive environment.

Traffic noise is dependent on several factors including traffic volume, vehicle type and speed, and roadway surface materials. Vehicle noise originates from a variety of sources. Typically for most cars, this primary noise source is the tires on the roadway surface; for trucks the primary noise source may be attributed to the engine and exhaust systems. Secondary sources may include the brakes, loose body components, and faulty exhaust systems.

An ideal sound source (non-directional source) will spread uniformly in all directions from the source of the sound, like ripples on the water in a pond when a stone is tossed in. However, when multiple stones are tossed in there is an effective increase of three (3) decibels for each doubling of sound energy. Traffic noise is considered to be a line source rather than a point source. The sound will spread both laterally and vertically from the road surface. The rate at which the sound energy will decrease is dependent upon several factors, including atmospheric conditions, distance, buildings, berms, fences, landscaping, topography, and ground cover.

The sound is composed of many frequencies measured in Hertz (Hz). The healthy young adult ear generally responds to sound in the range of 20 to 20,000 Hz. The human ear is not equally sensitive to all frequencies; therefore, the sound levels are adjusted or weighted that approximates the frequency response of the human ear. We identify this weighted sound level as dB(A) or the “A-weighted” scale. Because traffic noise varies over time, an equivalent sound level is used to represent a single (average) sound level over time. We identify this by the term LEQ (h) to indicate an equivalent average sound level over an hour’s time period. The noise analysis presents the traffic noise levels as Leq (h).

3.0 ANALYSIS METHODS

Traffic noise analysis consists of a comparison of physically measured or modeled noise levels for existing conditions with projected noise levels for future conditions. The analysis was performed using the FHWA’s Traffic Noise Model version 2.5 (TNM v2.5) in modeling existing and future noise levels based on traffic data, roadway geometry, and receiver site locations. Preliminary design plans (Option No. 2) dated July 2020 were utilized in TNM v2.5. Along with existing and proposed roadway alignments, the modeling included terrain lines surrounding the trail and roadway intersection. Receiver input locations represents a dwelling unit where frequent exterior human activity occurs and evaluated for noise impacts. Average pavement surface was utilized for both existing and future conditions. For this analysis, the peak hour volumes and corresponding speeds for automobiles, medium trucks and heavy trucks result in the noisiest conditions. During all other periods, the noise levels are expected to be less than indicated in this report.

The FHWA has seven (7) noise activity categories based on land use and sound levels, each of which has its own Noise Abatement Criteria (NAC). The NAC categories are listed in Table 1. This noise analysis includes an interior analysis of two (2) places-of-worship and one (1) urgent care facility where no frequent outside activity area exists. All the structures are of building type described as Masonry with at least single glazed windows. Interior sound level meter measurements were not performed; however, in accordance with the ODOT Noise Policy the interior sound level predictions were computed by subtracting a 25 dB noise reduction factor from the predicted exterior levels for the building type involved. For either exterior or interior evaluations, an impact occurs when, at a given receiver, future noise levels approach by one dB(A), meet or exceed the FHWA NAC for its activity category. If a project would result in higher Leq (h) values than the NAC values for a given location, then noise abatement or mitigation measures must be evaluated. An impact also occurs when the future noise levels exceed existing

noise levels by 15 dB at a given receptor. Once an impact is identified, then noise abatement is considered for the impacted area. Only those areas for which mitigation is determined to be feasible and reasonable as defined by ODOT Noise Policy will be recommended.

TABLE 1: FHWA Noise Abatement Criteria (NAC) <i>Hourly A-Weighted Sound Level, decibels dB(A)</i>		
Activity Category	Activity Criteria ¹ Leq (h) ²	Activity Description
A	57 (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B ³	67 (Exterior)	Residential
C ³	67 (Exterior)	Active sport areas, amphitheatres, auditoriums, campgrounds, cemeteries, day care centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, recreational areas, Section 4(f) sites, schools, television studios, trails, and trail crossings.
D	52 (Interior)	Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public or nonprofit institutional structures, radio studios, recording studios, schools, and television studios
E ³	72 (Exterior)	Hotels, motels, offices, restaurants/bars, and other developed lands, properties or activities not included in A-D or F.
F	--	Agriculture, airports, bus yards, emergency services, industrial, logging, maintenance facilities, manufacturing, mining, rail yards, retail facilities, shipyards, utilities (water resources, water treatment, electrical), and warehousing
G	--	Undeveloped lands that are not permitted

¹ The Leq(h) Activity Criteria values are for impact determination only, and are not design standards for noise abatement measures.

² The equivalent steady-state sound level which in a stated period of time contains the same acoustic energy as the time-varying sound level during the same time period, with Leq(h) being the hourly value of Leq.

³ Includes undeveloped lands permitted for this activity category.

4.0 TRAFFIC NOISE DATA, ANALYSIS, AND IMPACTS

4.1 TRAFFIC DATA

Traffic noise calculations for the existing year 2015 and predicted design year 2040 were performed using the FHWA TNM v2.5. Traffic data from ODOT was used to develop the model. The unit of measure for roadway traffic is the average annual daily traffic (AADT), which is defined as the estimate of traffic volumes in vehicles per day on a roadway, averaged from the seven annual average days of the week, for a calendar year. Annual average daily traffic (AADT) data was used to determine the Design Hourly Volume (DHV) for the noise study. TNM utilizes the DHV to determine the existing traffic noise levels and calculates the predicted traffic noise impacts which occur when the highest traffic volume for an hour is combined with the highest speeds and considered as “the worst hour for noise”. DHV data is based on the percentage of hourly vehicular traffic present on the facility at the design capacity consisting of cars, medium trucks and heavy trucks. Noise modeling of all vehicle types used posted speed limits of 35, 45 and 55 mph for both existing and future conditions.

Table 2 provides a breakdown of the Traffic Volumes, DHV, and quantities of vehicle types used for the existing conditions in TNM.

Table 2					
Existing Year 2015 Traffic Volumes					
Facility	AADT	DHV	Cars	Medium Trucks	Heavy Trucks
US-69	23,710	2,134	1,664	94	376

Table 3 provides a breakdown of the traffic volume, DHV, and quantities of vehicle types used for the predicted conditions (2040) in TNM v2.5.

Table 3					
Future Design Year 2040 Traffic Volumes					
Facility	AADT	DHV	Cars	Medium Trucks	Heavy Trucks
US-69	33,870	3,048	2,378	134	537

4.2 MODEL VALIDATION

For purposes in validating the noise model, noise measurements were performed using a Larson-Davis Model LxT2 Sound Level Meter (S/N 0004412, Calibration Certificate dated 02/02/2021). Three (3) noise readings were conducted July 20, 2021 and collected for 15 minutes at one (1) location. **Figure 2** in the Appendix depicts the location of the field measurement sites. A traffic

count, by vehicle type, was collected simultaneously. The existing roadway and collected traffic data were inputted into TNM 2.5 in calculating the noise levels for each site. The modeled noise levels were then compared with the field recorded noise levels in determining the accuracy of the model (see Table 3). The model is considered validated when the difference between measured and predicted noise levels are within +/- 3.0 dB(A) of each other. Based on all field readings are within +/-3.0 dB of the predicted sound levels the TNM 2.5 model is considered validated in calculating sound levels for the existing and future conditions.

Table 4				
Comparison of Modeled to Measured Sound Levels				
Model Validation Receiver	Distance from existing centerline	Measured Noise Level <i>dB(A) Leq (h)</i>	TNM Predicted Noise Level <i>dB(A) Leq (h)</i>	Difference (dB) <i>(/Measured-TNM/)</i>
MV-2A	W-	68.8	69.3	-0.5
MV-2B	W-	69.6	69.8	-0.2
MV-2C	E-	69.8	70.9	-1.1

4.3 EXISTING CONDITIONS

Existing traffic sound levels were determined based on year 2015 traffic volumes to establish a baseline for sound level comparison with the future condition. Using the traffic data and existing roadway features, the existing sound levels were modeled for forty-nine (49) receivers as summarized in **Table 5** and depicted in **Figures 2.1-2.4**. As indicated, six (6) of the receivers are impacted in the existing condition.

4.4 FUTURE NOISE ANALYSIS RESULTS

Noise impacts were determined based on the degree to which the project noise levels approach, meet or exceed the established noise level activity category criteria. The future noise analysis was conducted with all vehicles traveling at speeds ranging from 35 to 55 mph. Using the 2040 predicted traffic data and the proposed roadway design and alignment, the future sound levels were modeled for the same selected receivers identified in the existing condition. **Table 5** shows the modeled sound level comparison of the existing and future conditions. Receivers that approach, equal or exceed the NAC are indicated with bold type. As indicated, fourteen (14) of the receivers are impacted in the future condition consisting of six (6) single-family residential, one (1) apartment complex, two (2) RV Park sites, the trail crossings, one (1) motel, and two (2) restaurants.

**Table 5
Sound Levels Comparison between Existing & Future Conditions
& Noise Impact Determination**

Receiver (1)	NAC	Description / Receiver Type	Distance from Center of Roadway Facility (ft)	Existing Sound Level dB(A) L _{EQ} (h)	Future Sound Level dB(A) L _{EQ} (h)	Change (dB)	Noise Impact?
E-1	D	Place-of-Worship	207'	40.5	42.5	2.0	No
E-2	E	Motel	303'	62.9	64.4	1.5	No
E-3	E	Motel	206'	66.2	67.8	1.6	No
E-4	D	Place-of-Worship	435'	35.1	36.4	1.3	No
E-5	B	Residential	259'	64.3	65.9	1.6	No
E-6	B	Residence	342'	62.1	63.3	1.2	No
E-7	B	Residence	354'	61.9	63.0	1.1	No
E-8	B	Residence	354'	61.9	63.0	1.1	No
E-9	B	Residence	239'	65.2	66.7	1.5	Yes
E-10	B	Residence	191'	67.3	68.9	1.6	Yes
E-11	B	Residence	351'	61.7	62.9	1.2	No
E-12	C	RV Park Site	160'	65.1	67.2	2.1	Yes
E-13	C	RV Park-Office	290'	60.2	61.9	1.7	No
E-14	C	RV Park Site	144'	66.1	68.0	1.9	Yes
E-15	E	Restaurant	114'	68.2	70.1	1.9	No
E-16	B	Residence	300'	60.0	61.5	1.5	No
E-17	B	Residence	170'	64.4	65.7	1.3	No
E-18	B	Residence	167'	64.4	66.0	1.6	Yes
E-19	B	Residence	245'	61.2	62.7	1.5	No
E-20	C	Foot/Bike Trail	139'	67.2	68.9	1.7	Yes
E-21	B	Apartment	136'	67.4	68.7	1.3	Yes
E-22	E	Motel	189'	63.5	66.0	2.5	No
E-23	E	Restaurant	79'	70.4	72.9	2.5	Yes
E-24	B	Residence	274'	60.5	63.0	2.5	No
E-25	E	Motel	82'	70.1	72.6	2.5	Yes
E-26	E	Motel	114'	67.8	70.0	2.2	No
E-27	B	Residence	200'	63.0	65.6	2.6	No
E-28	B	Residence	246'	61.2	63.8	2.6	No
E-29	E	Restaurant	111'	67.8	70.1	2.3	No
E-30	B	Apartments	263'	60.8	63.3	2.5	No
E-31	B	Residence	226'	61.9	64.4	2.5	No
E-32	B	Residence	175'	64.0	66.7	2.7	Yes
E-33	B	Residence	177'	63.9	66.6	2.7	Yes
E-34	E	Restaurant	87'	69.5	72.0	2.5	Yes
E-35	B	Residence	183'	63.8	66.4	2.6	Yes
E-36	E	Motel	125'	67.0	69.2	2.2	No

Table 5 Sound Levels Comparison between Existing & Future Conditions & Noise Impact Determination							
Receiver (1)	NAC	Description / Receiver Type	Distance from Center of US-69 Facility (ft)	Existing Sound Level dB(A) L _{EQ} (h)	Future Sound Level dB(A) L _{EQ} (h)	Change (dB)	Noise Impact?
W-1	C	Foot/Bike Trail	121'	68.2	68.9	0.7	Yes
W-2	E	Motel	200'	63.3	65.3	2.0	No
W-3	E	Restaurant	169'	64.3	66.6	2.3	No
W-4	E	Restaurant	113'	67.6	69.5	1.9	No
W-5	E	Restaurant	152'	65.4	67.7	2.3	No
W-6	E	Restaurant	138'	66.2	68.3	2.1	No
W-7	E	Motel	189'	63.4	65.6	2.2	No
W-8	E	Restaurant	131'	66.4	68.4	2.0	No
W-9	D	Urgent Care	174'	39.1	41.2	2.1	No
W-10	E	Restaurant	125'	66.7	68.8	2.1	No
W-11	E	Motel	158'	64.9	67.0	2.1	No
W-12	E	Restaurant	153'	65.2	66.9	1.7	No
W-13	E	Restaurant	96'	68.7	70.3	1.6	No

(1) E=Eastside of US-69; W=Westside of US-69

4.5 TRAFFIC NOISE IMPACTS

Based on future condition, the results of modeling indicate fourteen (14) of the receivers are impacted consisting of six (6) single-family residential, one (1) apartment complex, two (2) RV Park sites, the trail crossings, one (1) motel, and two (2) restaurants. No receivers will experience an increase of 15 dB future noise levels over the current condition, which is considered to be a substantial increase for noise impact determination.

5.0 CONSIDERATION OF ABATEMENT

The ODOT Noise Policy was used as the traffic-noise impact guideline for this study. This policy states that predicted noise levels attributed to roadway modifications resulting in increased traffic levels require an evaluation of measured noise impact and possible mitigation measures. Noise mitigation must meet two requirements to be recommended for design and construction: one is "feasibility" and the other is "reasonableness."

"Feasibility" refers to the combination of acoustical and engineering factors considered in the evaluation of a noise abatement measure. The engineering considerations include whether it is possible to build an abatement measure given site constraints (drainage, safety, utilities) and acoustical considerations include whether the abatement measure provides an acceptable reduction in noise levels.

“Reasonableness” refers to the many factors to be considered to determine if mitigation is fair and affordable. The following are the reasonableness criteria that are specified in the ODOT Noise Policy:

1. The property owners’ and residents’ desire for mitigation.
2. The ODOT noise reduction design goal of 7 dB(A) must be achieved for at least 75 percent of the benefitted receptors identified within the first row of receptors.
3. The cost not to exceed \$30,000.00 per benefitted residential receptor. A benefitted residential receptor receives at least a 5 dB(A) reduction when compared to no mitigation and includes all residential receptors (not only first row receptors).

These three criteria were used to evaluate the reasonableness of noise abatement. Noise abatement measures were considered for the impacted receivers identified within the proposed US-69 project area. Noise mitigation in the form of a free-standing noise wall placed within the project right-of-way is considered the most appropriate form of noise abatement measure for these impacted receivers. Nine (9) of the fourteen (14) impacted receivers identified as E12, E14, E21, E23, E25, E32, E33, E34 and E35 have direct driveway access onto US-69 or are in close proximity with street intersections or cross drainage. Without access control, the gap that would be required for driveway connections would make noise abatement measures ineffective and, therefore, noise mitigation would not prove feasible. With regards to the NAC Category C trail receivers W1 and E20, only that portion that spans across US-69 within the project right-of-way extent is impacted and thus noise mitigation is not feasible.

For the remaining three (3) impacted residential receivers (E9, E10 and E18), two different noise barriers were evaluated at a location just inside the project right-of-way.

Barrier #1

A barrier was analyzed in consideration of abatement for receivers E9 and E10. It was found that a barrier 475-ft in length and 22-ft tall was not able to achieve a 7-dB reduction for either E9 (Residential) or E10 (Residential). Therefore, consideration of abatement is not acoustically feasible. Additionally, there is a water line and drainage ditch running parallel to the barrier at this location that would likely make constructing a barrier not feasible.

Barrier #2

A barrier was analyzed in consideration of abatement for receiver E18. It was found that a barrier 575-ft in length and 22-ft tall was not able to achieve a 7-dB reduction for E18 (Residential). Therefore, consideration of abatement is not acoustically feasible. Additionally, there is a water line and drainage structure crossing at this location that would most likely make constructing a barrier not feasible.

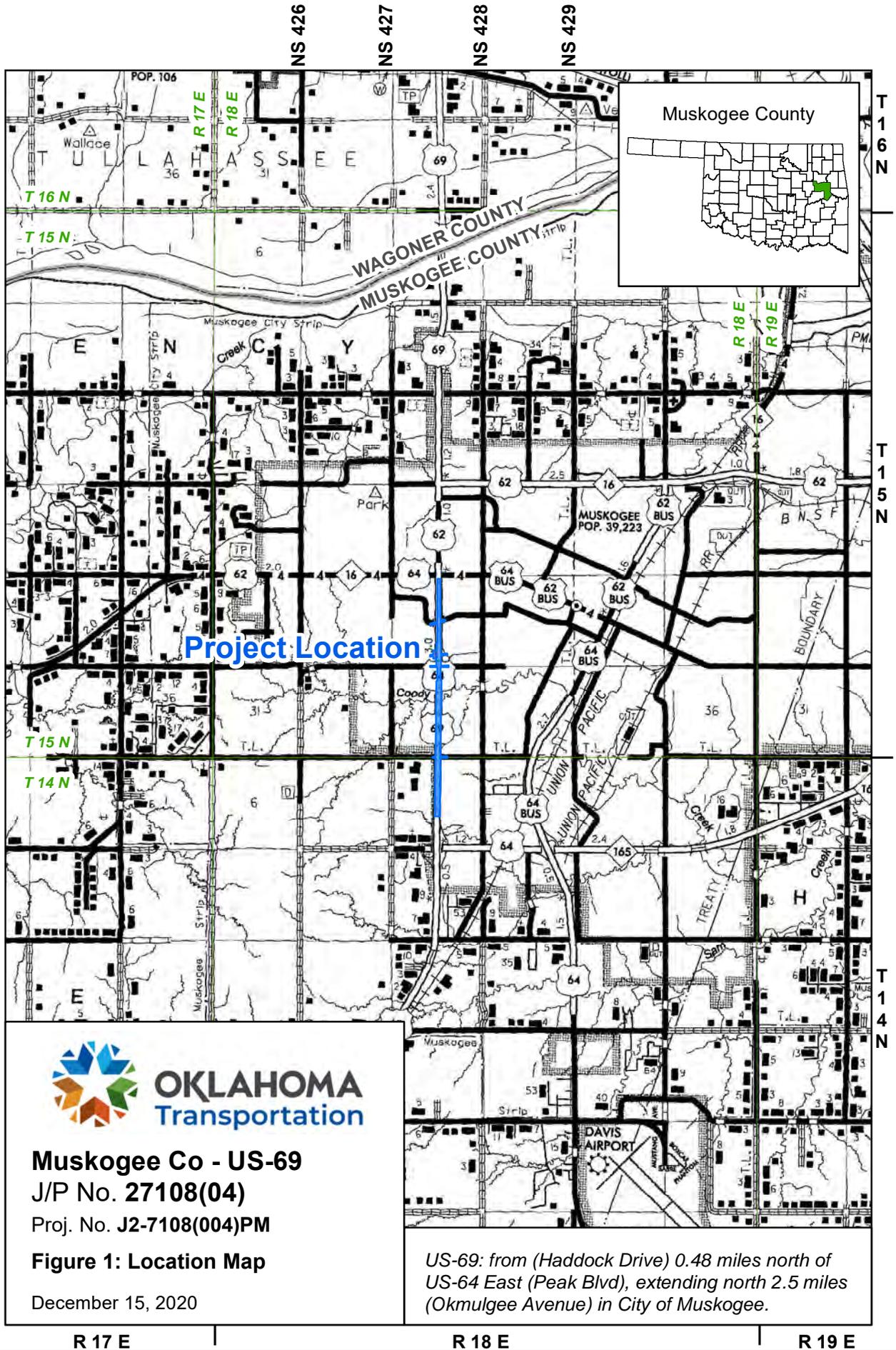
6.0 CONSTRUCTION NOISE

In general, construction noise related to highway projects is not a significant issue. Sources of noise include heavy machinery such as backhoes, scrapers, cranes, pile drivers and trucks transporting materials. Typically, construction noise can be minimized by implementing time of day restrictions for construction operations adjacent to noise sensitive areas. The ODOT is concerned of any special noise-sensitive land uses or activities which may be affected by construction noise from the proposed project, and any special measures which are feasible and reasonable will be added to the project plans and specifications. No special noise sensitive land uses or activities that may be affected by construction noise are in proximity to the project.

7.0 COORDINATION WITH LOCAL OFFICIALS

Traffic noises that approach, meet or exceed the sound levels specified in the ODOT Noise Policy resulting from the proposed US-69 operational improvement project have been identified. To aid in noise compatible land use planning, using TNM v2.5, the distance from the center of the new roadway was used to determine the 66 dB(A) Leq (h) future contour line referred as the impact zone. For the future use condition with vehicle speeds ranging from 35 to 55 mph the impact zone was modeled to be approximately 140 feet to a maximum of 240 feet from the centerline of the new facility. Residential (NAC Activity Category B) and all NAC Activity Category C land uses are discouraged within the designated impact zone due to anticipated future noise levels. **Figures 2.1-2.4** depict the approximate location of the 66 dB(A) contour lines.

APPENDIX



EW 87
EW 88
EW 89
EW 90

T 16 N
T 15 N
T 14 N

NS 426
NS 427
NS 428
NS 429

R 17 E | R 18 E | R 19 E



Muskogee Co - US-69
J/P No. 27108(04)
 Proj. No. J2-7108(004)PM

Figure 1: Location Map

December 15, 2020



US-69: from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in City of Muskogee.

Figure 2.1

Receiver Locations



Figure 2.2

Receiver Locations

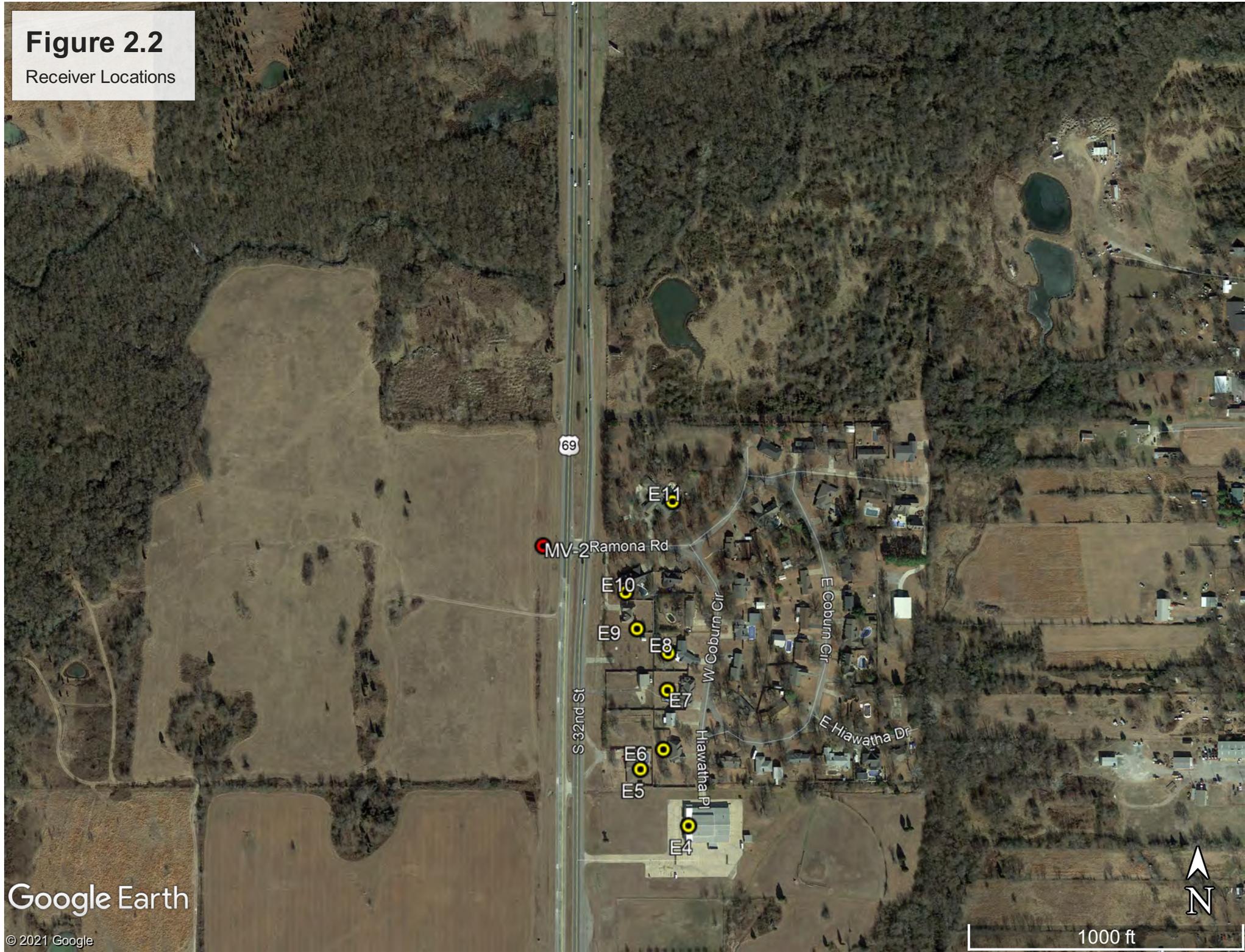


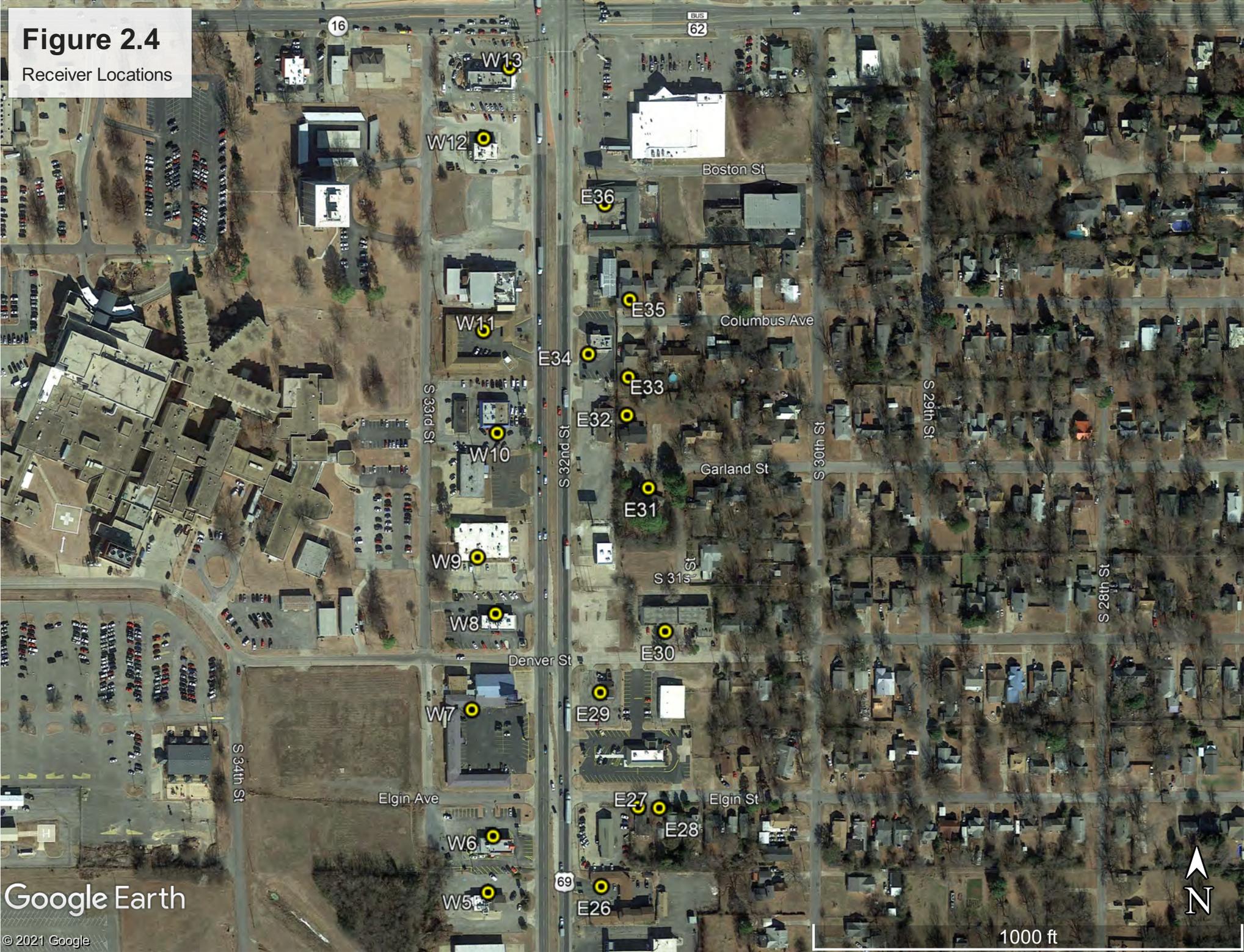
Figure 2.3

Receiver Locations



Figure 2.4

Receiver Locations



Google Earth

1000 ft



BIOLOGICAL STUDIES

REQUEST FOR PRELIMINARY 404 REVIEW

Submit to 404@odot.org, With Subject "Preliminary 404 Review Request: COUNTY JP #####(##)"
Preliminary Plans (30%) and Biological must be available to complete review.

Name of Requestor:	Date Requested: 8/30/21
Requestor's Phone Number:	Date Needed By:
Field Division Number:	Meeting Date:
County Name: Muskogee	PSE Submission Date:
JP Number: 27108(04)	Target Let Date:
Highway Number: US-69	
Project Description from JP Info or IMS: US-69: BEGIN 0.48 MI N OF US-64 E (PEAK BLVD) & EXT N 2.5 MILES	

WATERS/WETLANDS IN PROJECT AREA:

- Streams exceed 0.1 acres of impact per structure
(Channel Change and/or value from 404 Notification form)

- Wetlands exceed 0.1 acres total in biological report.

Preliminary (30%) Plans

- Attached Preliminary (30%) Plans

- On ProjectWise

Additional Project Information As Needed:

For 404 Program Use Only:

Determination Based on Preliminary (30%) Plans

Wetlands:

- | | |
|---|---|
| <input checked="" type="checkbox"/> None Impacted | <input type="checkbox"/> Wetland impacts ≤ 0.1 acre; Mitigation likely not required |
| <input type="checkbox"/> Wetland impacts > 0.1 acre; Mitigation may be required | |

Streams:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Stream Impacts ≤ 0.1 acre; mitigation likely not required | <input type="checkbox"/> None Impacted |
| <input type="checkbox"/> Stream impacts >0.1 acre; mitigation may be required | Other: _____ |

Type of Permit Application (Preliminary Determination)

- | | |
|---|--|
| <input checked="" type="checkbox"/> No PCN Required | <input type="checkbox"/> PCN with Mitigation |
| <input type="checkbox"/> PCN Only | <input type="checkbox"/> Individual Permit |

The purpose of this form is to determine the appropriate Clean Water Act Section 404 permit application.

* Below 0.1 acres of impact for streams:	Pre-construction Notice (PCN) to the USACE <u>IS NOT</u> required.
* Below 0.1 acres of impact for wetlands:	PCN to the USACE <u>IS</u> required. Compensatory mitigation for wetland impacts <u>may</u> be required.
* 0.1 to 0.5 acres of impact:	PCN to the USACE <u>IS</u> required. Compensatory mitigation for impact to wetlands <u>IS</u> required. Compensatory mitigation for stream impacts <u>may</u> be required.
* Above 0.5 acres of impact:	An Individual Permit <u>IS</u> required. Compensatory mitigation <u>IS</u> required.

Comments: The wetlands are avoided with a retaining wall. Impacts to Coody Creek from RCB are under 0.1 acres. Will be a No PCN Nationwide Permit 14. An individual Permit will not be required.

JBB 8/30/21

BIOLOGICAL STUDIES TRACKING FORM

NEPA Project Manager	Jennifer Koscelny / Andrew Ward
State or Local Government Project	State
USFWS TAILS #	02EKOK00-2021-SLI-2131 (previously 02EKOK00-2015-SLI-0829)
Original IPaC List	3/24/2015
Email used to request IpaC official species list	Elizabeth.nichols@ou.edu
Last Updated Species List Date	7/1/2021
ROW	11/1/2021
Let Date	Not provided
90 Day Prior to Let IpaC List	Click here to enter a date.
Duration expected	Click here to enter text.
Original Biological Assessment and Waters and Wetlands Report Prepared By:	Enercon
Most Recent Field Date:	3/9/2015
Original Report Date:	3/15/2015
USFWS Consultation Submittal:	6/1/2015
USFWS Concurrence:	7/7/2015
Original Tracking Form Prepared by:	Elizabeth Nichols
Original Tracking Form date:	7/20/2015
Update Reason	Change in footprint and scope
Updated By Whom:	Elizabeth Nichols
Amended USFWS Consultation Submittal:	7/1/2021
Amended USFWS Concurrence:	8/5/2021
Tracking Form Updated By Whom:	Elizabeth Nichols
Tracking Form Updated Date:	8/9/2021
<i>ADD MORE LINES AS NEEDED FOR EACH TIME PROJECT IS UPDATED</i>	

Form Date: June 2021

Project Name from Oracle

UW-69, beginning 0.3 mile north of US-64 East junction (Peak Blvd), extending north 2.5 miles to US-62 (Okmulgee Ave.) in city of Muskogee, OK

Project Description

Grade, Drain, Surface and Bridge

Check if any of the following is expected as part of the proposed action

- Work within the OHWM is expected
- Project is OFF-SET alignment
- Project is NEW alignment
- Project involves **NO OFF EXISTING PAVEMENT** work
- Project requires new ROW (permanent &/or temporary)

2. FEDERALLY LISTED SPECIES AND DESIGNATED CRITICAL HABITAT

Species	Listing Status	IPaC	Effect Determination for IPaC listed species
		Check if Yes	
Red-cockaded Woodpecker	Endangered	<input type="checkbox"/>	Choose an item.
Whooping Crane	Endangered	<input checked="" type="checkbox"/>	No Effect
Gray Bat	Endangered	<input checked="" type="checkbox"/>	May Affect, Not likely to adversely affect
Indiana Bat	Endangered	<input type="checkbox"/>	Choose an item.
Ozark Big-eared Bat	Endangered	<input type="checkbox"/>	Choose an item.
Neosho Mucket	Endangered	<input type="checkbox"/>	Choose an item.
Ouachita Rock Pocketbook	Endangered	<input type="checkbox"/>	Choose an item.
Scaleshell Mussel	Endangered	<input type="checkbox"/>	Choose an item.
Winged Mapleleaf	Endangered	<input type="checkbox"/>	Choose an item.
Harperella	Endangered	<input type="checkbox"/>	Choose an item.
American Burying Beetle	Threatened	<input checked="" type="checkbox"/>	Final Effect Analysis and Determination covered in the BO for the final 4(d) rule
Eastern Black Rail	Threatened	<input type="checkbox"/>	Choose an item.
Piping Plover	Threatened	<input checked="" type="checkbox"/>	No Effect
Red Knot	Threatened	<input checked="" type="checkbox"/>	No Effect
Northern Long-eared Bat	Threatened	<input checked="" type="checkbox"/>	Final Effect Analysis and Determination covered in the BO for the final 4(d) rule
Arkansas River Shiner	Threatened	<input type="checkbox"/>	Choose an item.
Leopard Darter	Threatened	<input type="checkbox"/>	Choose an item.
Neosho Madtom	Threatened	<input type="checkbox"/>	Choose an item.
Ozark Cavefish	Threatened	<input type="checkbox"/>	Choose an item.
American Alligator	Threatened	<input type="checkbox"/>	Choose an item.
Rabbitsfoot Mussel	Threatened	<input type="checkbox"/>	Choose an item.
Rattlesnake-master Borer Moth	Candidate	<input type="checkbox"/>	Choose an item.
Peppered Chub	Proposed	<input type="checkbox"/>	Choose an item.
Whooping Crane Critical Habitat	Designated	<input type="checkbox"/>	Choose an item.
Arkansas River Shiner Critical Habitat	Designated	<input type="checkbox"/>	Choose an item.
Leopard Darter Critical Habitat	Designated	<input type="checkbox"/>	Choose an item.
Neosho Mucket Critical Habitat	Designated	<input type="checkbox"/>	Choose an item.
Rabbitsfoot Critical Habitat	Designated	<input type="checkbox"/>	Choose an item.
Peppered Chub Critical Habitat	Proposed	<input type="checkbox"/>	Choose an item.

	NEPA Footprint	Construction Footprint
Number of acres within the NEPA Study Footprint & Construction Footprint (if known)	89	70.27
Number of acres of perennial plant vegetation (ABB habitat) within the NEPA Footprint & Construction Footprint (if known)	5.49	2.98
Number of acres of forested/wooded area (Ibat and NLEB habitat) within the NEPA Footprint & Construction Footprint (if known)	5.49	3.00

ABB Conservation Lands adjacent	NO
Gray Bat Cave Buffer	Outside any known cave buffer

Bald Eagle Assessment	Not expected to impact
Migratory Bird Assessment of Transportation Structures	Migratory birds found nesting on transportation structures
Assessment	nesting habitat for migratory birds will be impacted
Birds of Conservation Concern	Listed BCC may be impacted
Interior Least Tern (MBTA)	not expected to impact

Species (choose those that apply)	Seasonal Restriction Period
Bats	April 1 – November 15
Migratory Birds: Swallows and Phoebes (NESTS PRESENT)	March 1 – August 31

Conservation Commitments

ODOT Commitment: All operators, employees, and contractors will be made aware of all environmental commitments, including the following Plan Notes.

ABB Commitment: Minimize habitat loss by reducing the amount of ground disturbance of suitable ABB habitat within the construction footprint to only what is necessary for project construction and document in the monitoring reports to the Service. Following construction, areas of ground disturbance outside of the safety clear zone will be revegetated with native plant species where applicable and practicable. Areas where revegetation with native plant species is not practicable will be revegetated with more traditional plantings such as solid slab sodding.

Tree Removal & Clearing and Grubbing Minimization Commitment: In order to avoid impacts to listed bat species, and to both tree nesting and ground nesting USFWS Birds of Conservation Concern, the removal of trees and shrubs and ground disturbance will be restricted to areas within the actual limits of construction, and all aspects of the project (e.g. temporary work areas, alignments) will be modified to avoid tree removal / ground disturbance, if possible, during the design of the project. Tree removal and ground disturbance will be limited to that specified in the project plans provided to contractors.

Species Plan Notes

Non-Compliance: Failure to implement the commitments specified in the Plan Notes can result in non-compliance issues on the project. Work activities may be suspended on the project, for an undetermined duration, while working with regulators to bring the project back into compliance. The contractor will not be compensated for time lost.

Water Quality Conservation: Appropriate Best Management Practices to minimize impacts from storm water discharges and sedimentation in streams, as established by the Oklahoma Department of Environmental Quality, shall be conscientiously implemented throughout the proposed construction periods, in order to minimize any potential impacts to any listed species. The effectiveness of erosion controls shall be maintained for the duration of construction activities. Hazardous materials, chemicals, fuels, lubricating oils, and other such substances shall be stored at least 100 feet outside of the ordinary high water mark (OHWM). Refueling of construction equipment shall also be conducted at least 100 feet from the OHWMs. Sediment and erosion controls shall be installed around staging areas to prohibit discharge of materials from these sites. Construction waste materials and debris shall be stockpiled at least 25 feet outside of the OHWMs, and these materials shall be removed and disposed of properly following completion of the project. Preventative measure must be taken to prohibit the discharge of contaminants into any surface waters.

American Burying Beetle Note: The American Burying Beetle is a large carrion burying beetle that occurs within the project limits. Artificial lighting may be used during construction for night activities if the equipment specifications outlined in Special Provision 656-5(a-b)19 for ABB are adhered to and measures to minimize use of artificial lighting have been implemented. Carcasses and all food trash shall be removed from the permanent and temporary right-of-way throughout the duration of project activities. Pollution Prevention Requirements as specified by the Oklahoma Department of Environmental Quality General Permit OKR10 for Storm Water Discharges shall be implemented when appropriate. Additionally, all equipment will be fueled, and all fuel and motor vehicle oil will not be stored within areas of native vegetation (ie. outside of ABB habitat).

Bat Culvert Seasonal Restriction Note: The gray bat and the northern long-eared bat are listed bat species that occur within the project's action area. In order to avoid and minimize adverse impacts to listed bat species, culvert repair, retrofit, maintenance, rehabilitation or demolition shall be permitted only between November 16, and March 31 (when bats are hibernating in caves). If culvert repair, retrofit, maintenance, rehabilitation or demolition during the active season (between April 1, and November 15) cannot be avoided, the Resident Engineer shall contact the ODOT Biologist to schedule a visual bat bridge inspection, prior to any bridge work. Inspection surveys can only be conducted between May 15, and August 15. If the inspection finds that bats are using the structures, all culvert repair, retrofit, maintenance, rehabilitation or demolition shall only be permitted between November 16, and March 31 (when bats are hibernating in caves).

Bat Lighting Note: All temporary lighting, if used, will be directed away from suitable bat habitat during the active season for bats (April 1- November 15). If any permanent lighting is installed or replaced, downward-facing full cut-off lens lights shall be installed and directed away from wooded areas and streams.

Migratory Bird Note: Migratory birds are protected by the federal Migratory Bird Treaty Act. Many birds commonly use bridges and culverts for nesting. The nesting season for most migratory bird species extends from March 1 to August 31. Migratory bird nesting use of the US-69 Coody Creek bridge (NBI:12788) was observed. Painting, repair, retrofit, rehabilitation or demolition of the existing bridge shall be conducted between September 1, and February 28, when migratory bird nests are not occupied. If painting, repair, retrofit, rehabilitation or demolition cannot be completed between September 1 and February 28, the bridge shall be protected from new nest establishment prior to March 1, by means that do not result in bird death or injury. Options include the exclusion of adult birds from suitable nest sites on or within a structure by the placement of weather-resistant polypropylene netting with 0.25-inch or smaller openings, prior to March 1. Methods other than netting must be pre-approved by the ODOT Biologist.

Although no nests were observed on all other structures, the birds may occupy the structures in the future. The Resident Engineer shall contact the ODOT Biologist if any bird use of these structures is observed. If birds are observed then painting, repair, retrofit, rehabilitation or demolition of the existing bridges and culverts shall be conducted between September 1, and February 28 (when migratory bird nests are not occupied).

Waters and Wetlands Delineation Status

Delineation updated June 2021 by Able Consulting

Wetlands and Ponds

Total Number of Sites	Water Body Type	Potential Jurisdiction Status	Acres within the NEPA Footprint
1	Herbaceous Wetland	Likely Jurisdictional	0.10
1	Forested Wetland	Unlikely Jurisdictional	0.005
Total Wetlands			0.105

Streams and Drainages

Total Number of sites	Water body name	USGS Designation	Potential Jurisdictional Status	Acres within the NEPA Footprint	Liner Feet within the NEPA Footprint
1	Coody Creek	mapped perennial	Likely Jurisdictional	0.19	508
1	Tributary to Coody Creek	mapped intermittent	Likely Jurisdictional	0	0
1	Tributary to Coody Creek	unmapped intermittent	Likely Jurisdictional	0.03	194
Total Likely Jurisdictional				0.22	702
10	drainages	unmapped ephemeral drainages	Unlikely Jurisdictional	N/A	1,820

Nichols, Elizabeth

From: Echo-Hawk, Patricia <Patricia_Echo-Hawk@fws.gov>
Sent: Thursday, August 5, 2021 4:22 PM
To: Amber McIntyre
Cc: Nichols, Elizabeth
Subject: 02EKOK00-2021-SLI-2131_20210701_ODOT Muskogee JP 27108(04) Amended Consultation Review Package Submittal

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Greetings Amber,

The Service has reviewed the amended consultation package 02EKOK00-2021-SLI-2131_20210701_ODOT Muskogee JP 27108(04)

Based on the information provided, the project will occur within the range of the **American burying beetle** (*Nicrophorus americanus*; ABB) and you have concluded that the project may affect the species. The Service agrees with this determination. Any take that may occur as a result of the project is not prohibited under the Endangered Species Act of 1973 (Act; 87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), Section 4(d) rule adopted for this species at 50 CFR 17.47(d) (85 FR 65241). The Service asks that the conservation measures as articulated in the assessment, and in conjunction with the guidelines set forth by the Federal Highway Administration, be implemented and maintained.

Furthermore, potential impacts to the northern long-eared bat (*Myotis septentrionalis*: NLEB) have been addressed using the biological opinion on the Act's Section 4(d) rule pertaining to that species (81 FR 1900). You have concluded that the project may affect the Bat. The Service agrees with this determination and has verified that the appropriate conservation measures have been included in the consultation submission, and ODOT shall ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all environmental commitments on this project.

You have concluded that the project may affect, but is not likely to adversely affect the endangered gray bat (*Myotis grisescens*) The Service concurs with the determination. The Service asks that the conservation/mitigation measures as articulated in the assessment and in conjunction with the guidelines set forth by the Federal Highway Administration, be implemented and maintained.

You have determined that the project will have no effect on the threatened piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*) and endangered whooping crane (*Grus americana*).

Additionally, based on the observations of migratory birds/ nests on structures involved in this project, the Services asks that ODOT proceed in conjunction with guidance set forth by the Federal Highway Administration as well as the conservation measures in the assessment to avoid and minimize potential impacts to migratory birds, nests, and/or eggs.

In order to avoid impacts to Bald Eagles, if Bald Eagles or their habitat are observed during the biological assessment, a survey for eagles and their nests will be conducted within 660 feet of the work zone, during the winter prior to, and within one year of, the start of construction. If a nest is found, appropriate conservation measures based on the National Bald Eagle Management Guidelines will be implemented.

The online project review concurrence letter signed by the Field Supervisor is now valid, and the project may proceed accordingly. The Service asks that, within 90 days prior to construction, a new species list be obtained to see if any changes have occurred. If changes have occurred, please verify with the Oklahoma Ecological Services Field Office to determine if further consultation is needed. If you have any questions, please contact the Field Office.

Best Regards,

Patricia

Patricia D. Echo-Hawk
Fish and Wildlife Biologist
IR 6, New Mexico and Arizona Dive Officer

U.S. Fish and Wildlife
Oklahoma Ecological Services Field Office
9014 E. 21st Street
Tulsa, OK, 74129
phone # 918-382-4505

Only when the last tree has died, the last river poisoned and the last fish caught, will we realize we can't eat money. -Cree Proverb

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United States Department of the Interior



FISH AND WILDLIFE SERVICE
Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129-1428
Phone: (918) 581-7458 Fax: (918) 581-7467
<http://www.fws.gov/southwest/es/Oklahoma/>

In Reply Refer To:

July 01, 2021

Consultation code: 02EKOK00-2021-TA-2131

Event Code: 02EKOK00-2021-E-06001

Project Name: JP 27108(04) US-69 Reconstruction in Muskogee

Subject: Verification letter for 'JP 27108(04) US-69 Reconstruction in Muskogee' project under the October 15, 2020, Programmatic Biological Opinion on Final 4(d) Rule for the American burying beetle and Activities Excepted from Take Prohibitions (50 CFR § 17.47(d), Federal Register Citation 85 FR 65241).

Dear Elizabeth Nichols:

The U.S. Fish and Wildlife Service (Service) received on **July 01, 2021** your effect determination(s) for the 'JP 27108(04) US-69 Reconstruction in Muskogee' (the Action) using the American burying beetle (*Nicrophorus americanus*) determination key within the Information for Planning and Consultation (IPaC) system.

This determination key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's October 15, 2020, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from incidental "take"^[1] prohibitions applicable to the American burying beetle under the Endangered Species Act of 1973 (Act) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the American burying beetle; however, any incidental take that may occur as a result of the Action is not prohibited under the Act Section 4(d) rule adopted for this species at 50 CFR §17.47(d). **Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under Act Section 7(a)(2) with respect to the American burying beetle.**

Please report any changes to the information about the Action that you submitted in IPaC, the results of any American burying beetle surveys conducted in the Action area, and any dead, injured, or sick American burying beetles that are found during Action implementation. If the

Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

This IPaC-assisted determination allows you to rely on the PBO for compliance with Act Section 7(a)(2) only for the American burying beetle.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct (Act, Section 3(19)).

This letter covers only the American burying beetle. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Gray Bat *Myotis grisescens* Endangered
- Northern Long-eared Bat *Myotis septentrionalis* Threatened
- Piping Plover *Charadrius melodus* Threatened
- Red Knot *Calidris canutus rufa* Threatened
- Whooping Crane *Grus americana* Endangered

If your project may affect additional listed species, you must evaluate additional DKeys for other species, or submit a request for consultation for the additional species to your local Ecological Services Field Office.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

JP 27108(04) US-69 Reconstruction in Muskogee

2. Description

The following description was provided for the project 'JP 27108(04) US-69 Reconstruction in Muskogee':

This project was originally studied under IPAC 02EKOK00-2015-SLI-0829 in 2015. In 2019 the JP was changed and the project changed to a simple resurfacing and the work for that was completed in 2020 under the original IPAC # above.

Therefore, in order to study JP 27108(04), a new IPAC was generated to distinguish it from the completed resurfacing project.

THIS project will reconstruct US-69 from the US-64 East junction, north to the US-62 junction in Muskogee.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.73552515,-95.40253872385595,14z>



Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?

Yes

2. Have you determined that the proposed action will have “no effect” on the American burying beetle? (If you are unsure select "No")

No

3. Will your activity **purposefully take** American burying beetles?

No

4. Is your project wholly inside the 4d rule Analysis Area? For areas of your project occurring inside the Analysis Area (New England, Northern Plains, Southern Plains), your project may qualify for exemptions. For areas of your project occurring outside the Analysis Area, all incidental take is exempted according to the ABB 4d Rule.

Automatically answered

Yes

5. Is American burying beetle [suitable habitat](#) present within the action area?

Yes

6. Will suitable habitat be affected by the proposed action? Suitable habitat may be impacted if the action involves soil disturbance, use of vehicles or heavy equipment, artificial lighting, vegetation removal, use of herbicides, pesticides, other hazardous chemicals.

Yes

Project Questionnaire

Please select the activity that best matches your proposed action.

8. Soil disturbance related to road construction and maintenance

If you chose 13 above, please describe below. If you did not choose 13 above, please type "0".

0

Estimate the total acres of suitable American burying beetle habitat that may be affected.

2.98

Please estimate the total number of acres of **temporary impacts** to American burying beetle habitat. See definitions

2.98

Please estimate the total number of acres of **permanent impacts** to American burying beetle habitat. See definitions

2.98

August 2015



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Division of Ecological Services
9014 East 21st Street
Tulsa, Oklahoma 74129
918/581-7458 / (FAX) 918/581-7467



Online Project Review Concurrence Letter

To:

Project Name:

'Eqpuwncvkqp'Eqf g<

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Oklahoma Ecological Services Field Office (ESFO) online project review process. By providing this letter in conjunction with your complete project review package, you are certifying that you have accurately completed the online project review process for the referenced project in accordance with all instructions provided, using the best available information to reach your conclusions. Concurrence with “not likely to adversely affect” determinations does not provide any exemption for violations of section 9 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA) or “take” of federally-listed species. The Federal action agency is ultimately responsible for ensuring compliance with the ESA and any take that occurs due to your proposed action would be considered a violation under section 9 of the ESA.

This letter and the enclosed project review package complete the review of your project in accordance with the ESA. This letter also provides information for your project review under the National Environmental Policy Act (National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C.4321-4347, 83 Stat. 852), as amended.

A copy of this letter and the project review package must be emailed to **okprojectreview@fws.gov** for this certification to be valid. This letter and the project review package will be maintained in Service records. **Please allow the Oklahoma ESFO 60 days to review your information. If the Oklahoma ESFO determines that the package is not complete, or that additional coordination is necessary, we will contact your office. If, after 60 days from the date of your email submittal of your project review package, the Oklahoma ESFO has not contacted your office, consider your section 7 consultation complete.**

The proposed action consists of:

Project start and completion dates:

Federal agency or federal program providing a permit, funding, grant, authorization, loan, etc. associated with the proposed project and how that agency is associated with your project:

Federal Agency/Program Point of contact (Name, phone, and email address):

The species conclusions table in the enclosed project review package summarizes your ESA conclusions. These conclusions resulted in “not likely to adversely affect/modify” determinations for listed species and critical habitat in relation to potential effects of your proposed project. We certify that the use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with determinations of “not likely to adversely affect” for listed species and critical habitat reached by proper use of this process. For projects where this particular determination is reached, additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages efforts to avoid or minimize adverse impacts to them from project effects. Some federal agencies have standing policies that grant limited protections to candidate species. Conservation of candidate species now may preclude future needs to federally list them as endangered or threatened, at which point their legal protection would become required. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of listed species or critical habitat becomes available, this determination may be reconsidered. You should re-visit the Service's Information, Planning, and Conservation (IPaC) website at <http://ecos/fws.gov/ipac/> within 90 days of project initiation to ensure species information is correct. If new species or critical habitat is identified, this letter is no longer valid and a new project package should be submitted to the Oklahoma ESFO.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Oklahoma is available at our website: <<http://www.fws.gov/southwest/es/oklahoma/>>. If you have any questions, please call 918-581-7458 or send an email message to OKProjectReview@fws.gov.

Sincerely,
/s/ Jonna Polk
Field Supervisor
Oklahoma Ecological Services Field Office

Enclosures:

- 1) ENTIRE PROJECT REVIEW
PACKAGE: Species Conclusion Table
IPaC Species List and Action Area map
This letter (Online Concurrence Letter)
(Optional) Additional maps
- 2) Other relevant project data/documents

USFWS TAILS Number:	02EKOK00-2021-SLI-2131 (Elizabeth.nichols@ou.edu)
ODOT County JP & Description:	Muskogee JP 27108(04) Grade, Drain, Bridge and Surface UW-69, beginning 0.3 mile north of US-64 East junction (Peak Blvd), extending north 2.5 miles to US-62 (Okmulgee Ave.) in city of Muskogee, OK
Let Date:	November 2021
Preparer:	Elizabeth Nichols, ODOT NHP at OBS
Report Date:	7/1/2021

Form Date: February 2021

The ODOT, acting as the duly authorized agent for the Federal Highway Administration, is initiating Section 7 consultation for the above mentioned project as a component of the agency's implementation of the procedural provisions of the National Environmental Policy Act. The information contained in this submission constitutes ODOT's biological assessment on the proposed project site, and the following effect determinations are based upon this information.

Project Description: The project was originally studied by a consultant in 2015 (under IPaC 02EKOK00-2015-SLI-0829) with USFWS concurrence 7/7/2015. The project exceeds the original study area in a number of locations, including along Coody Creek and plans to clean out the channel upstream and downstream of the culvert. This change in footprint and scope will result in additional impacts to species habitat. Conservation measures for some species have changed as well. The project is being updated based on plans dated July 2020.

The existing US-69 roadway in the City of Muskogee has two typical sections. From the beginning of the project at Haddock Drive north to Border Avenue there are four (4) 12ft wide driving lanes with 4ft wide inside and 10ft wide outside shoulders. From Border Avenue north to Okmulgee Avenue there are four (4) 12ft wide driving lanes with 8ft wide outside shoulders with inside raised medians and a curb and gutter system. There are four signalized intersections at Okmulgee Avenue, Arline Avenue, Border Avenue and Hancock Street in the project limits. The existing Centennial Trail pedestrian span bridge over US-69 has a width of 13 feet. The existing reinforced concrete box over Coody Creek is 104 feet long with an approach roadway of 32 feet. The bridge has a sufficiency rating of 75.9 and is not structurally deficient. The current Annual Average Daily Traffic (AADT) is 23,710 vehicles per day (vpd) with a future 20-year AADT of 33,870 vpd.

The proposed improvements from Haddock Drive north to Border Avenue will consist of reconstructing the roadway in its current configuration consisting of 4-12ft wide driving lanes, 10ft wide outside shoulders, and 4ft wide inside shoulders with a grass median. From Border Avenue to Okmulgee Avenue the roadway will be reconstructed into a 7-lane curb & gutter with 4-12ft wide driving lanes and a continuous two-way left turn lane, although raised medians will be provided at select locations. Intersection improvements will be provided at all signalized intersections, including turn bays at Okmulgee Avenue, sidewalks added at Arline Avenue, left turn lanes at Border Avenue in the east and west bound directions, and a dedicated right turn lane at Hancock Street in the west bound direction. The proposed improvements include replacing the pedestrian bridge where the Centennial Trail crosses over US-69 at STA.652+78, with a 200 ft long span bridge. The reinforced concrete box at Coody Creek will be extended to provide a 137 ft clear roadway width and the channel opened and cleared to improve drainage. The road will be open to traffic during phased construction with lane closures. During the construction of the Centennial Trail overpass, one-lane detours will be constructed on each side of the roadway. The trail will be closed for approximately 120 days during this phase of construction. New right-of-way will be required.

Species Conclusion Table (Check which apply)

SPECIES / DESIGNATED CRITICAL HABIT <u>Address all species individually</u>	CONCLUSION	ESA SECTION 7	NOTES AND DOCUMENTATION Check <input checked="" type="checkbox"/> all that apply			
	Indicate whether habitat occurs within the action area and describe the specific actions and impacts to the habitat. Discuss in relation to sources as well (ie. occurrences within 5 miles, watersheds, etc.). <u>Do not use the work “take” unless there is no way to avoid take and formal consultation for calculating take will be required.</u> <u>DO NOT DISCUSS AMMs HERE</u>	Indicate the appropriate effect determination (no effect, may affect not likely to adversely affect, or may affect likely to adversely affect.	Field Studies	ONHI database review / ABB	USFWS occupied water bodies and associated watersheds maps	Whooping Crane Migration Corridor
American Burying Beetle	Suitable foraging and reproductive habitat are present within the study area in the form on unmaintained rights-of-way and fence lines, as well as pastures and wooded areas providing cover and comprised of predominantly native species. Clearing and grading activities will result in permanent loss of habitat if converted into regularly mowed and maintained right-of-way, as well as permanent and temporary cover change. There are numerous occurrences of the species within 5 miles.	Final Effect Analysis and Determination covered in the BO for the final 4(d) rule: May Effect	X	X		
Northern long-eared bat	Suitable foraging and roosting habitat are present within riparian zones, wood lots and the Coody Creek RCB. Potential maternity trees with loose or flaking bark or snags are present within the study area and could be removed within areas of new right-of-way, such as along Coody Creek.	Final Effect Analysis and Determination covered in the BO for the final 4(d) rule: May Affect	X			
Gray bat	The project does not occur within a foraging buffer of a known maternity cave. However, riparian foraging habitat is present along Coody Creek and the RCB could provide temporary roosting if any cracks or crevices are present. Work to extend the RCB and clean the channel for improved drainage would result in loss of foraging habitat and could lead to sedimentation within Coody Creek, negatively impacting aquatic invertebrates the bats feed on.	May Affect, not likely to adversely affect	X	X		
Whooping Crane	The project does not occur within the 95% migration corridor. No habitat present.	No Effect	X			100%
Piping Plover	No habitat present	No Effect	X			
Red Knot	No habitat present	No Effect	X			

CONCLUSIONS

No Effect	Whooping Crane, Piping Plover, Red Knot
May Affect	American Burying Beetle, Northern long-eared bat
May affect, not likely to adversely affect	Gray bat
May affect, likely to adversely affect	
Appropriate Effect Determination for ABB has been made under the BO for the final 4(d) rule	<input checked="" type="checkbox"/>
Appropriate Effect Determination has been made under the FHWA NLEB/Ibat Programmatic BA & BO	<input type="checkbox"/>
Appropriate Effect Determination for NLEB has been made under the BO for the final 4(d) rule	<input checked="" type="checkbox"/>

RECOMMENDED AVOIDANCE AND MINIMIZATION MEASURES

Suitable habitat for the **American Burying Beetle** occurs within the immediate vicinity of the proposed project. In order to minimize adverse impacts to the ABB, the following conservation measures will be implemented:

- a) The areas of suitable habitat will be field mapped.
- b) The amount of ground disturbance to suitable ABB habitat within the construction footprint will be minimized to only what is necessary for project construction.
- c) Following construction, areas of ground disturbance outside of the safety clear zone will be revegetated with native plant species where applicable and practicable. Areas where revegetation with native plant species is not practicable will be revegetated with more traditional planting such as solid slab sodding.
- d) Pollution Prevention Requirements as specified by the Oklahoma Department of Environmental Quality General Permit OKR10 for Storm Water Discharges shall be implemented. Additionally, all equipment will be fueled, and all fuel and motor vehicle oil will be stored outside ABB habitat.
- e) The use of artificial lighting will be minimized. If night construction is necessary, direct light will be shielded to the work area and prevent light from projecting upwards. A special provision will be included in the project contract which outlines approved lighting for use during night work.
- f) Carcasses and trash will continuously be removed from any permanent and temporary construction rights-of-way, throughout the duration of the project.

If **culvert removal or modification** will occur between April 1, and November 15, the ODOT Environmental Programs Division will inspect the culverts to ensure bats are not using the structures, within two years prior to construction, between May 15, and August 15. If evidence of use by listed bat species is determined, extension, removal or modification of the culverts will occur between November 16, and March 31. If culvert extension, removal or modification must occur between April 1 and November 15, the ODOT will re-initiate consultation with the USFWS. If bridge inspection and/or survey is positive, all culvert extension, removal or modification will be limited to the bat’s inactive season.

Potential impacts to water quality affecting the prey species of foraging **gray bats**, has been identified in the project’s action area. Hazardous materials, chemicals, fuels, lubricating oils, and other such substances shall be stored at least 100 feet outside of the ordinary high water mark (OHWM). Refueling of construction equipment shall also be conducted outside of the OHWM. Sediment and erosion controls shall be installed around these staging areas to prohibit discharge of materials from these sites. Construction waste materials and debris shall be stockpiled at least 25 feet outside of the OHWM, and these materials shall be removed and disposed of properly following completion of the project. Appropriate Best Management Practices to minimize impacts from storm water discharges, as established by the Oklahoma Department of Environmental Quality, shall be conscientiously implemented throughout the proposed construction periods. The effectiveness of erosion controls shall be maintained for the duration of construction activities.

Suitable **riparian foraging habitat** for threatened and endangered bat species occurs within the proposed project’s action area. The removal of trees and shrubs will be restricted to areas within the actual limits of construction, and all aspects of the project (e.g. temporary work areas, alignments) will be modified to avoid tree removal, if possible. Tree removal will be limited to that specified in the project plans provided to contractors.

All **temporary lighting**, if used, will be directed away from suitable habitat during the active season for bats (April 1 – November 15). If any **permanent lighting** is installed or replaced, downward-facing full cut-off lens lights shall be installed and directed away from suitable bat habitat.

BALD EAGLE ASSESSMENT

The Bald Eagle (*Haliaeetus leucocephalus*) is a large predatory bird protected by the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. Activities that would disturb eagles are prohibited under the Bald and Golden Eagle Protection Act. “Disturb” means to agitate an eagle to the degree that causes or is likely to (1) cause injury, (2) interfere with breeding, feeding or sheltering behavior, or (3) nest abandonment.

Potential Bald Eagle Habitat Present	w/in NEPA Footprint	w/in 660 ft Buffer of NEPA Footprint	DO NOT LEAVE BLANK
Presence of Cottonwood, Sycamore, Pecan or Pine	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cottonwood, sycamore and pecan likely within the study area along Coody Creek and within 660-ft.
Open foraging areas with large trees	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are a few patched of open fields with large trees near Coody Creek. However, Coody Creek does not provide foraging due to overstory blocking access to the creek.
Distance to closest perennial water body	River or Lake	3 miles	Coody Creek is a mapped perennial stream that will be directly impacted by the project. The Arkansas is within 3 to 5 miles of the project north and east.
	Stream or Pond	crosses	
Potential Bald Eagle Nests Observed	<input type="checkbox"/>	<input type="checkbox"/>	Numerous active nests within 5miles along the Arkansas River.

Potential Bald Eagle Habitat Present	w/in NEPA Footprint	w/in 660 ft Buffer of NEPA Footprint	DO NOT LEAVE BLANK
Bald Eagles Observed in the general vicinity	<input type="checkbox"/>	<input type="checkbox"/>	None
General Description of Bald Eagle Nesting Habitat and Impact Determination, within the NEPA Footprint and within 660-ft of the NEPA Footprint	While potential nesting habitat may be present within a small area just south of Coody Creek, the area does not provide good foraging opportunities and is located along the periphery of the city of Muskogee. It is likely any eagles would choose better locations along the Arkansas River. Or due to the density of eagle nesting along the Arkansas, it is likely that eagles would choose an open perennial stream providing foraging opportunities within the stream and nearby agricultural lowlands. No survey is suggested.		
Station #s for Buffered Bald Eagle Habitat	NA		
Date of assessment:	3/9/2015; GoogleEarth review		

MIGRATORY BIRD ASSESSMENT

Cliff Swallows (*Petrochelidon pyrrhonota*) and Barn Swallows (*Hirundo rustica*) are small colonial and semi-colonial nesting birds protected by the federal Migratory Bird Treaty Act. Barn Swallows use man-made structures for nesting and live in close association with humans. Both species commonly use bridges and culverts in Oklahoma for nesting. Other migratory birds can also nest on transportation structures.

Identify <u>ALL</u> structures including pipe culverts and whether positive or negative for migratory birds (identify named streams where possible rather than just FS#). Provide shapefiles and map of structures identifying pos/neg swallow structures.	Approx. Number of Cliff Swallow Nests	Approx. Number of Barn Swallow Nests	Approx. Number of Eastern Phoebe Nests
US-69 Coody Creek RCB (NBI;12788)	2		
NBI:12806			
NIB:12955			
Pedestrian bridge	Not assessed		
Other MB Nests Observed on Transportation Structures	None		
Date of assessment:	3/9/2015		
Based on existing plans, no work on suitable structures will occur	<input type="checkbox"/>		
In order to avoid impacts to migratory birds, if structures are being used by these birds, any activities that may destroy active nests, eggs or birds shall be completed between September 1, and February 28, when nests are not occupied. If seasonal avoidance cannot be accomplished, structures shall be protected from new nest establishment prior to March 1, by means that do not result in death or injury to these birds.			

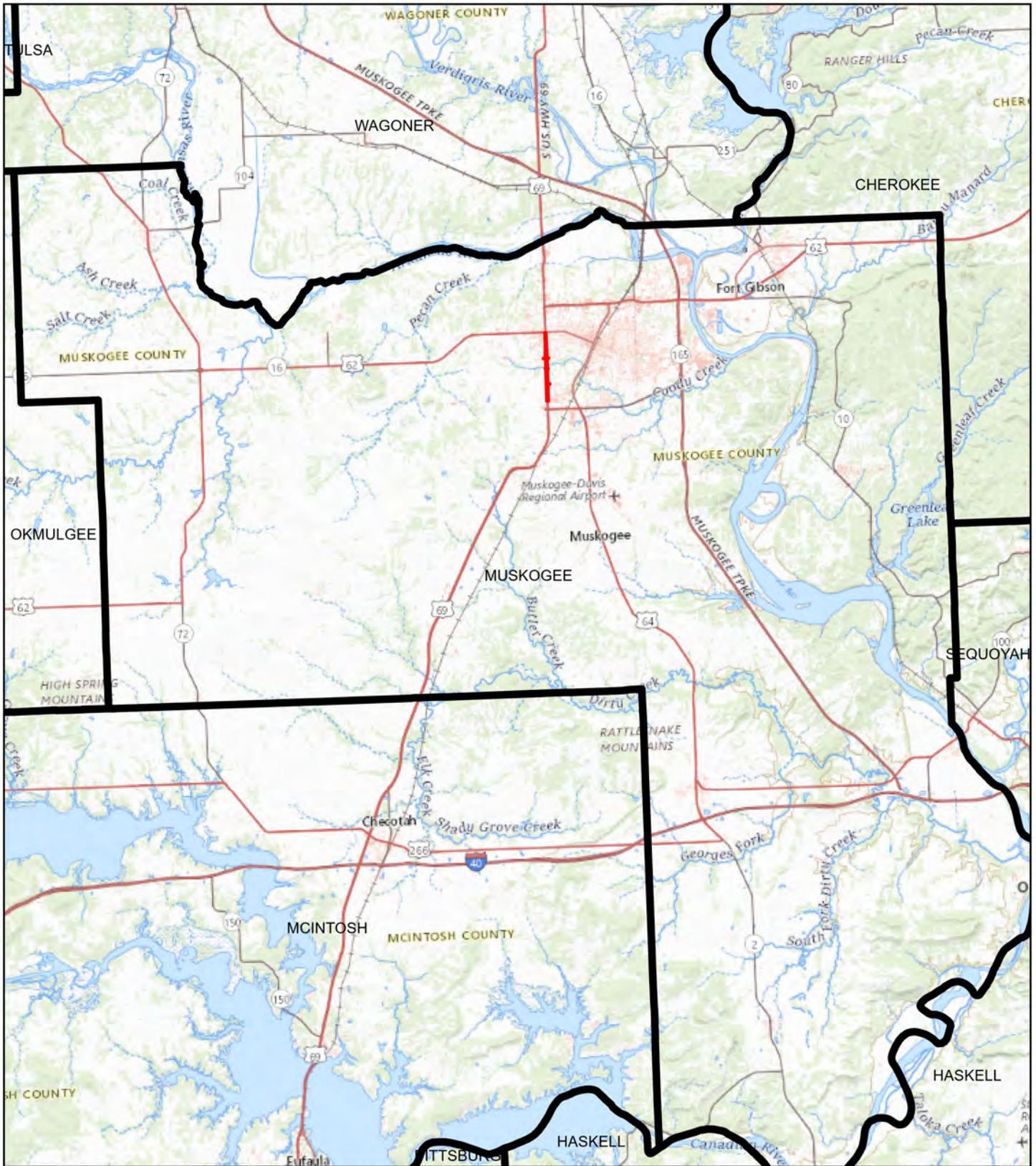
Birds of Conservation Concern

<u>Species Identified on IPaC list</u>	<u>Breeding Season</u>
Eastern Whip-poor-will	May 1 to August 20
Rusty Blackbird	Breeds elsewhere
Eastern Whip-poor-will nest in leaf litter in deciduous forest with little undergrowth. Potential habitat for this species is within the study area, particularly in the wooded area adjacent to Coody Creek. Tree removal and clearing and grubbing in this wooded area could result in loss of nesting habitat, if work were to occur during the summer nesting season.	
In order to avoid impacts to ground nesting and tree nesting USFWS Birds of Conservation Concern, ground disturbance and/or the removal of trees and shrubs will be restricted to areas within the actual limits of construction, and all aspects of the project (e.g. temporary work areas, alignments) will be modified to avoid ground disturbance and/or tree removal, if possible..	

Interior Least Tern

Sparsely vegetated islands or sandbars along large rivers, with nearby areas of shallow water, occur within the 0.25 miles of the NEPA Environmental Study Footprint.	<input type="checkbox"/>
No habitat present	

FIGURES



Legend

Project Location

Fig 1. Project Location

USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S.

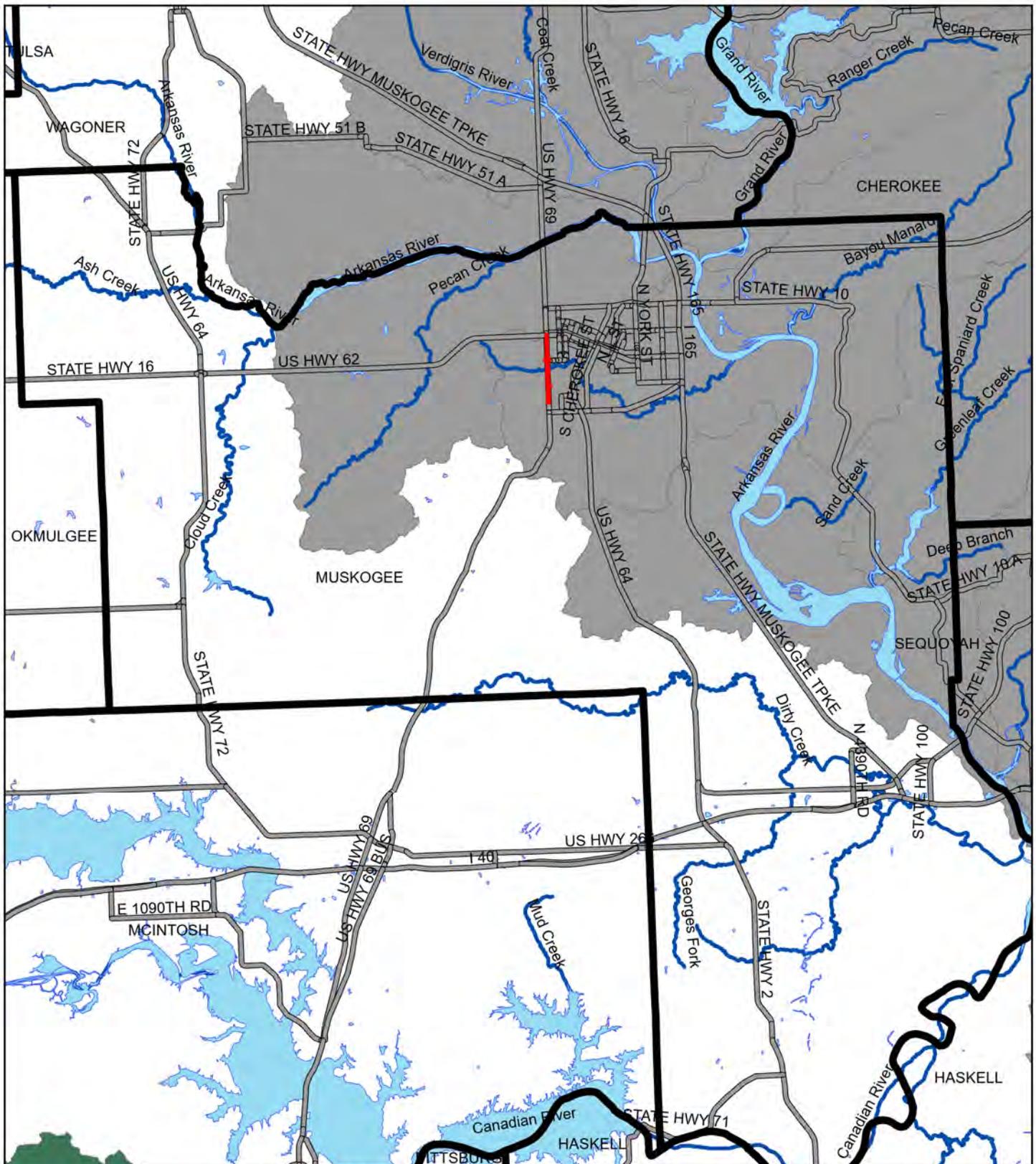
**Muskogee
27108(04)**

Coordinate System: NAD 1983 UTM Zone 14N 6/24/2021

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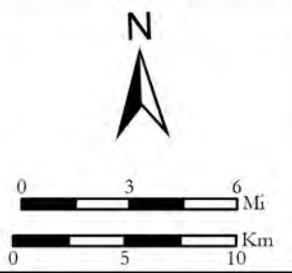
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- Legend**
- Project Location
 - Highways
 - Gray bat
 - Arkansas River shiner (ARS)

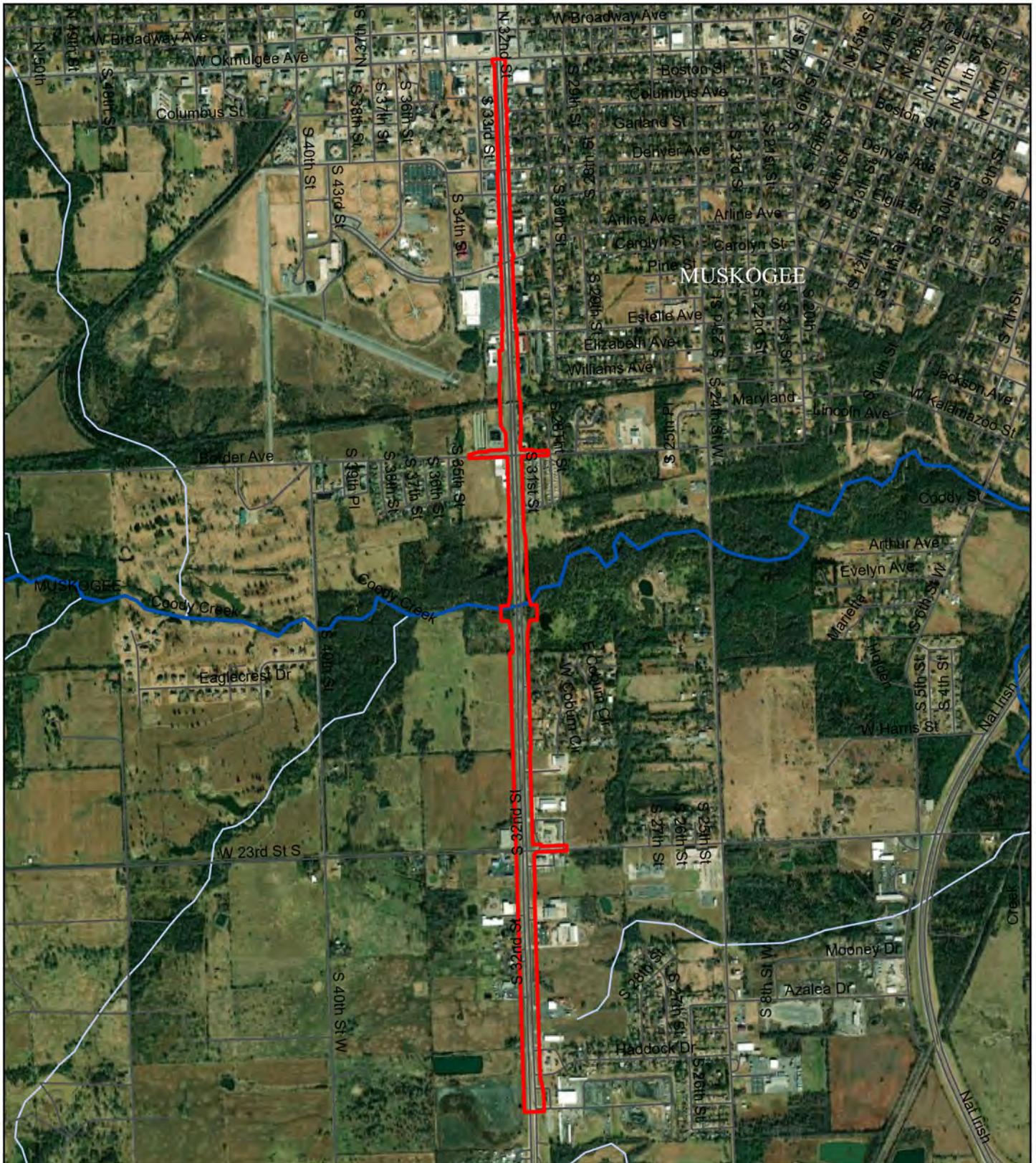
Fig 3. Watersheds for Listed Species

Muskogee
27108(04)



Coordinate System: NAD 1983 UTM Zone 14N

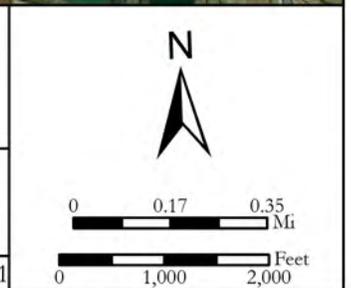
6/24/2021



Legend	
	Updated Study Area
	Roads
	World Imagery
	Low Resolution 15m Imagery
	High Resolution 60cm Imagery
	High Resolution 30cm Imagery
	Citations

Fig 4. Updated NEPA Study Footprint

Maxar	Muskogee 27108(04)
Coordinate System: NAD 1983 UTM Zone 14N	
6/24/2021	



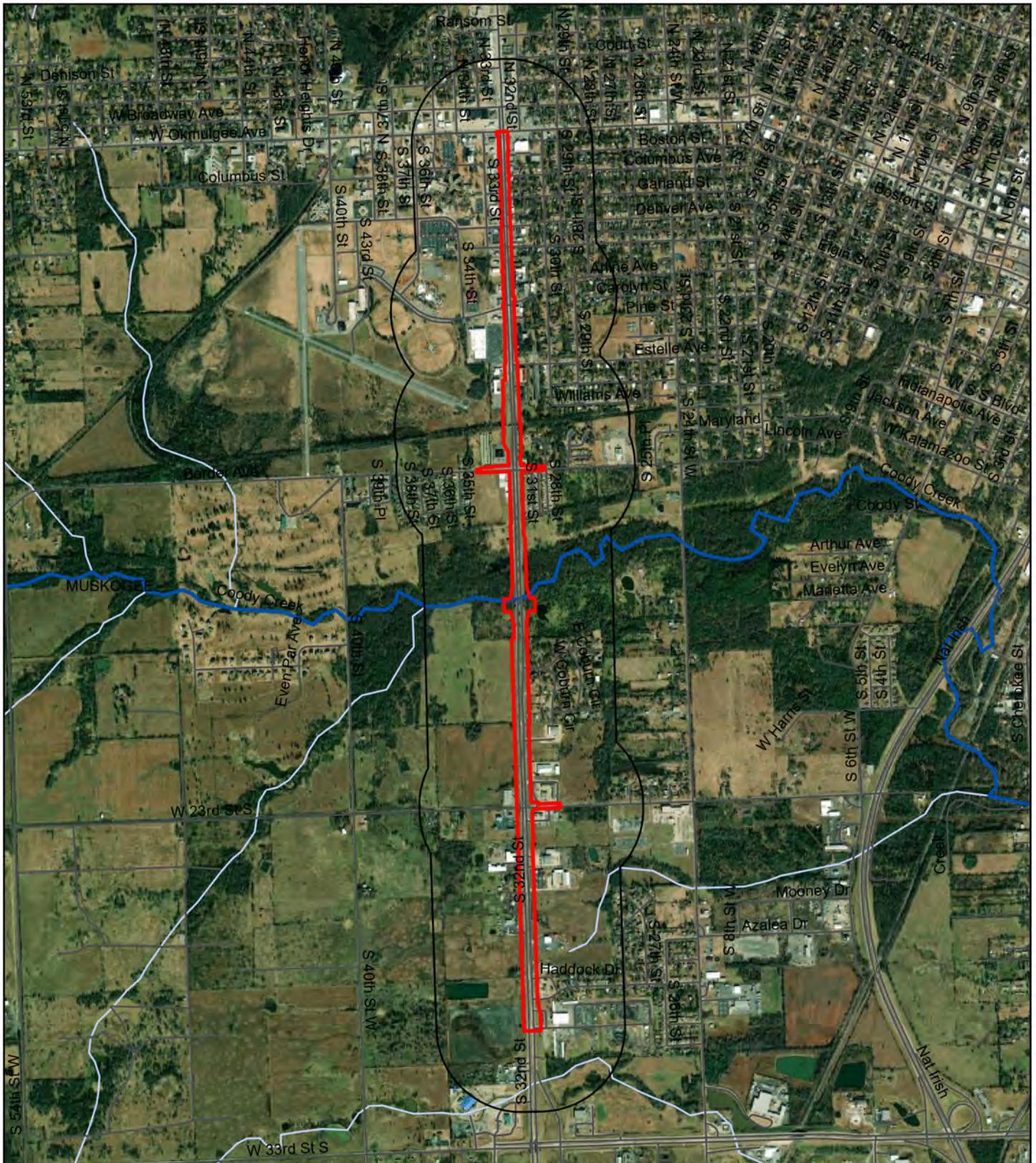
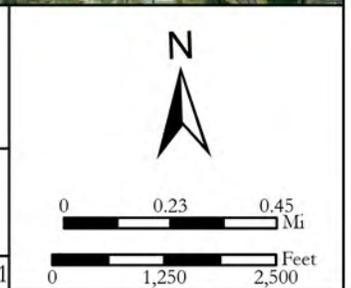
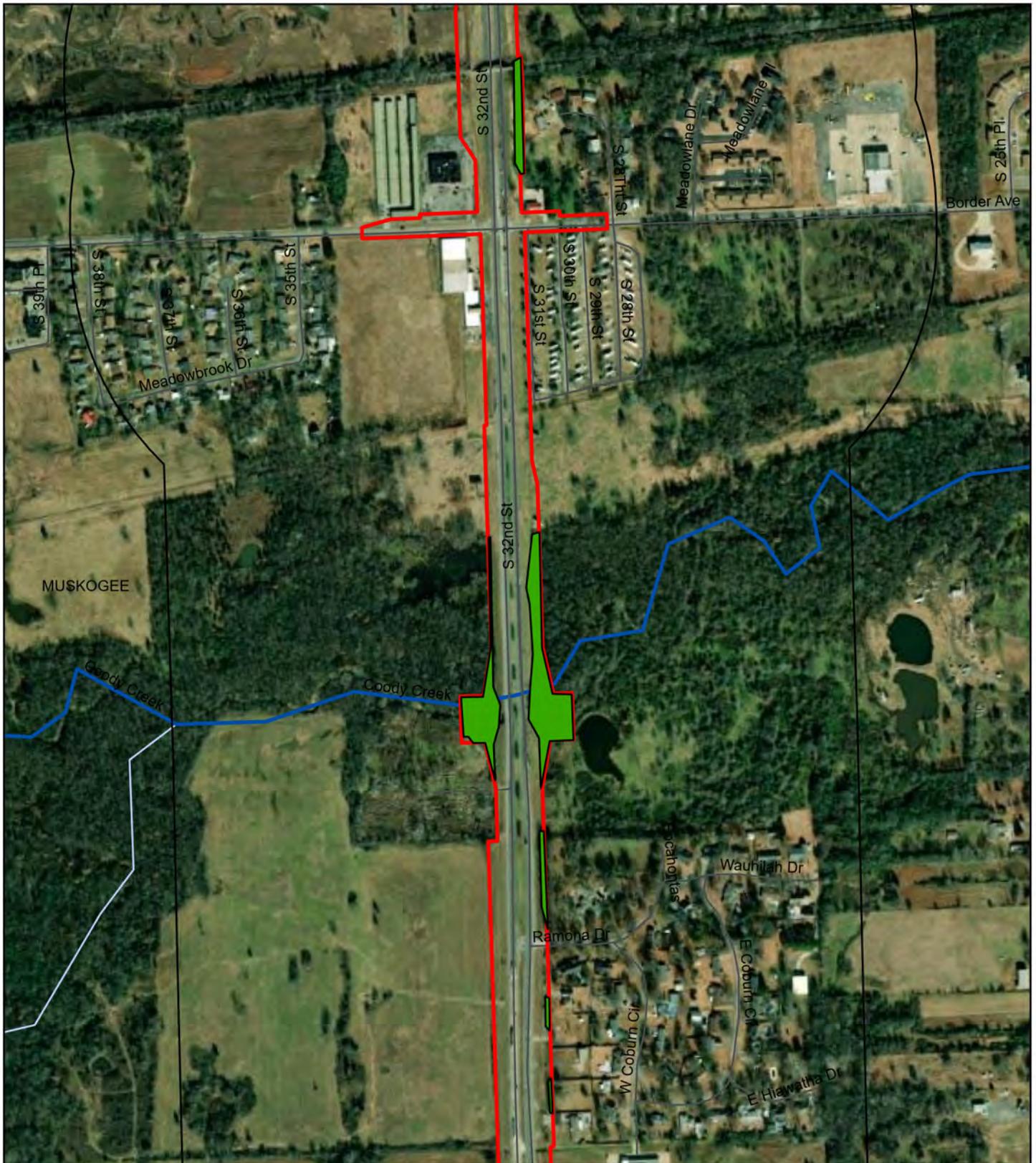


Fig 5. Bat Travel Corridors

	Action Area
	Updated Study Area
	Roads
	World Imagery
	Low Resolution 15m Imagery
	High Resolution 60cm Imagery
	High Resolution 30cm Imagery

Maxar	Muskogee 27108(04)
Coordinate System: NAD 1983 UTM Zone 14N	6/24/2021





Legend	
	Bat habitat
	Action Area
	Updated Study Area
	Roads
	World Imagery
	Low Resolution 15m Imagery
	High Resolution 60cm Imagery

Fig 6. Bat Habitat	
Maxar	Muskogee 27108(04)
Coordinate System: NAD 1983 UTM Zone 14N	6/24/2021

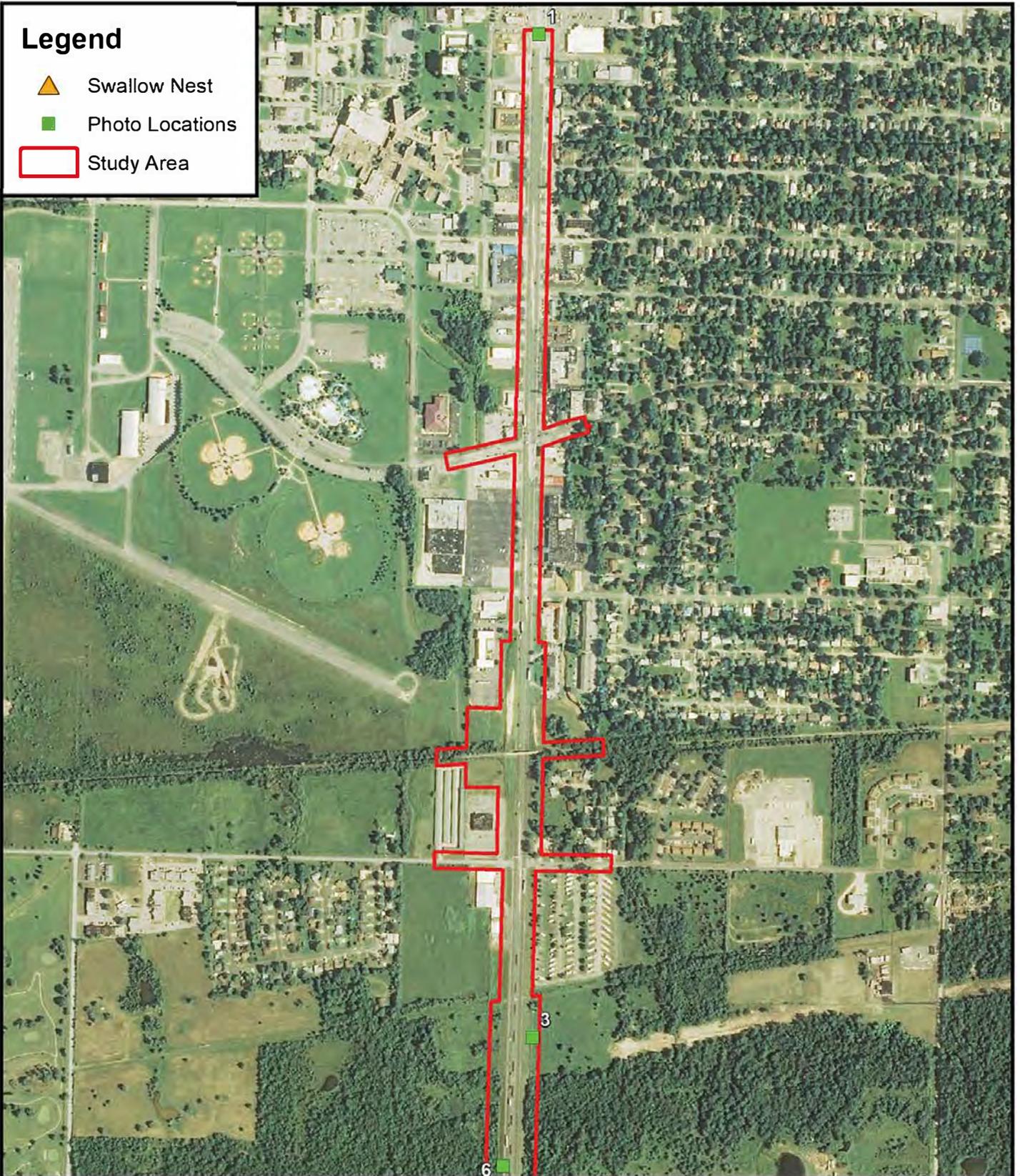


Legend	
■	ABB Habitat
□	Updated Study Area
—	Roads
World Imagery	
Low Resolution 15m Imagery	
High Resolution 60cm Imagery	
High Resolution 30cm Imagery	

Fig 7. ABB Habitat	
Maxar, Microsoft	
Muskogee 27108(04)	
Coordinate System: NAD 1983 UTM Zone 14N	6/24/2021

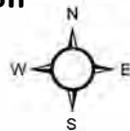
Legend

- ▲ Swallow Nest
- Photo Locations
- Study Area



Prepared for:
Oklahoma Department of Transportation

Subject Property:
US 69 Road Project
J/P# 27108(04)
Sections 28 & 33, T15N R18E
Muskogee County, Oklahoma

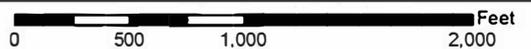


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Figure 8a: Site Map

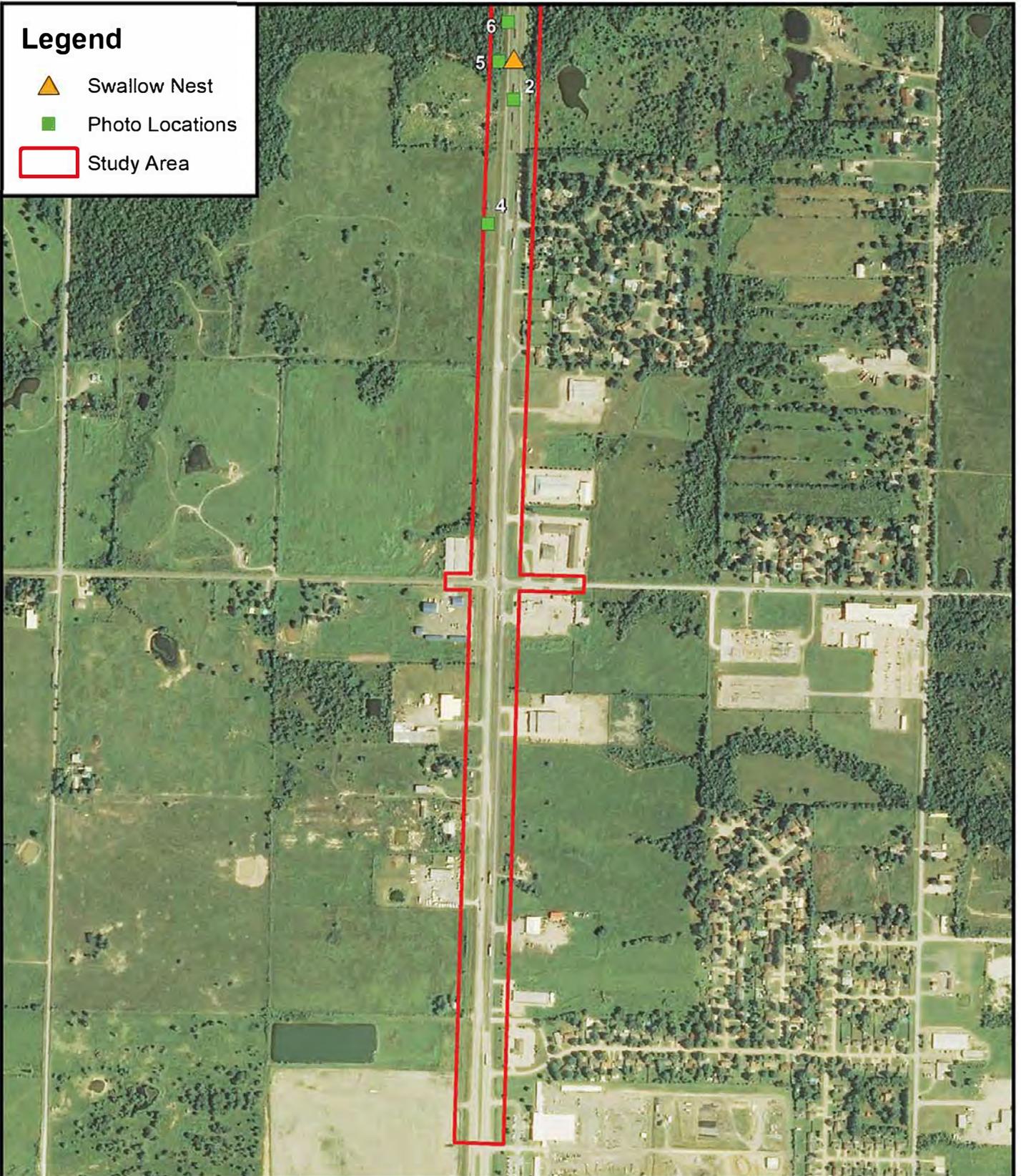
Source: 2013 USDA NAIP
Muskogee County, Oklahoma

Prepared by: A. Couch; May 13, 2015



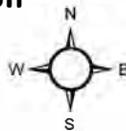
Legend

- ▲ Swallow Nest
- Photo Locations
- Study Area



Prepared for:
Oklahoma Department of Transportation

Subject Property:
US 69 Road Project
J/P# 27108(04)
Section 33, T15N R18E; Section 4, T14N R18E
Muskogee County, Oklahoma

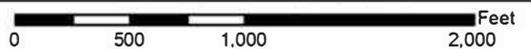


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Figure 8b: Site Map

Source: 2013 USDA NAIP
Muskogee County, Oklahoma

Prepared by: A. Couch; May 13, 2015





United States Department of the Interior



FISH AND WILDLIFE SERVICE
Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129-1428
Phone: (918) 581-7458 Fax: (918) 581-7467
<http://www.fws.gov/southwest/es/Oklahoma/>

In Reply Refer To:

July 01, 2021

Consultation Code: 02EKOK00-2021-SLI-2131

Event Code: 02EKOK00-2021-E-05996

Project Name: JP 27108(04) US-69 Reconstruction in Muskogee

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Non-federal entities conducting activities that may result in take of listed species should consider seeking coverage under section 10 of the ESA, either through development of a Habitat Conservation Plan (HCP) or, by becoming a signatory to the General Conservation Plan (GCP) currently under development for the American burying beetle. Each of these mechanisms provides the means for obtaining a permit and coverage for incidental take of listed species during otherwise lawful activities.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

[http://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit through our Project Review step-wise process <http://www.fws.gov/southwest/es/oklahoma/OKESFO%20Permit%20Home.htm>.

Attachment(s):

- Official Species List
-

- USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Oklahoma Ecological Services Field Office

9014 East 21st Street

Tulsa, OK 74129-1428

(918) 581-7458

Project Summary

Consultation Code: 02EKOK00-2021-SLI-2131

Event Code: 02EKOK00-2021-E-05996

Project Name: JP 27108(04) US-69 Reconstruction in Muskogee

Project Type: TRANSPORTATION

Project Description: This project was originally studied under IPAC 02EKOK00-2015-SLI-0829 in 2015. In 2019 the JP was changed and the project changed to a simple resurfacing and the work for that was completed in 2020 under the original IPAC # above. Therefore, in order to study JP 27108(04), a new IPAC was generated to distinguish it from the completed resurfacing project.

THIS project will reconstruct US-69 from the US-64 East junction, north to the US-62 junction in Muskogee.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.73552515,-95.40253872385595,14z>



Counties: Muskogee County, Oklahoma

Endangered Species Act Species

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

Insects

NAME	STATUS
<p>American Burying Beetle <i>Nicrophorus americanus</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/66</p>	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 20
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the

FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

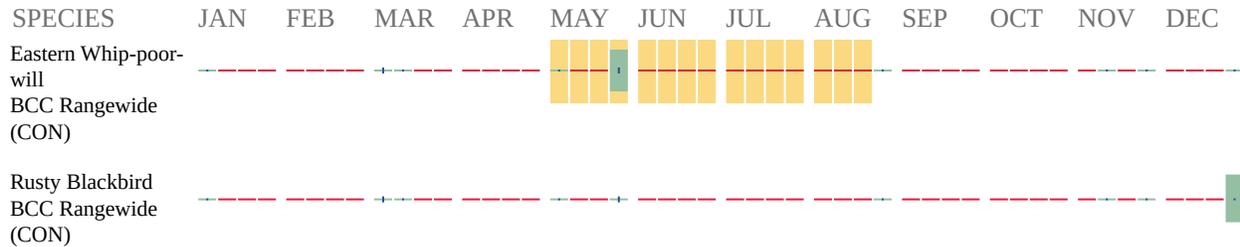
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides

birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- [PEM1A](#)
- [PEM1C](#)

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1/SS1A](#)
- [PFO1/SS1C](#)
- [PFO1A](#)
- [PFO1C](#)

FRESHWATER POND

- [PUBFx](#)
- [PUBHh](#)
- [PUBHx](#)

RIVERINE

- [R2UBH](#)
 - [R4SBC](#)
 - [R4SBCx](#)
 - [R5UBF](#)
-

WATERS AND WETLANDS EVALUATION REPORT

For

County	Muskogee	JP Number	27108(04)	Project Number	J2-7108(004)
Road Number	US-69	Water Body Name		Coody Creek	
ROW Date	Nov 2021	Let Date		Project Length	2.5 miles
Project General Location		US-69 from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in City of Muskogee			
Project Statement		Roadway improvements			

**Updated Report - Due to time and areas of increased right-of-way.
Original Report Dated 5/18/2015**

Prepared for:
Oklahoma Department of Transportation
Environmental Programs Division
200 NE 21st Street
Oklahoma City, OK 73105

Prepared by:

Biologist Name	Jason Schmidt
Company/Agency Name	Able Consulting, LLC
Address	9225 North 133rd East Avenue
City, State Zip	Owasso, OK 74055

Report Date:	6/17/2021
Field Date:	6/8/2021

Form Date: January 24, 2017

PROJECT OVERVIEW

Project Type (Choose one)	Check ✓
Bridge and Approaches or bridge widening/structure extension	
Grade, Drain, Surface and Bridge	
Grade, Drain and Surface	
Asphalt Overlay Resurfacing	
Widen and Resurface existing lanes	
Pavement Reconstruction or rehabilitation	
Bridge Rehabilitation	
Safety Improvements (Cable Barrier, Guardrail, signage)	
Intersection Modifications	
Safe Routes to School (Describe)	
Enhancements (Describe) Construction of 7-lane curb & gutter with continuous two-way left turn lane	✓
Other (Describe)	

Description of the **existing** bridge/roadway

The existing US-69 roadway in the City of Muskogee has two typical sections. From the beginning of the project at Haddock Drive north to Border Avenue there are four (4) 12ft wide driving lanes with 4ft wide inside and 10ft wide outside shoulders. From Border Avenue north to Okmulgee Avenue there are four (4) 12ft wide driving lanes with 8ft wide outside shoulders with inside raised medians and a curb and gutter system.

There are four signalized intersections at Okmulgee Avenue, Arline Avenue, Border Avenue and Hancock Street in the project limits.

The existing pedestrian span bridge over US-69 has a width of 13 feet. The bridge has a sufficiency rating of -2 and is not structurally deficient. The existing reinforced concrete box over Coody Creek is 104 feet long with an approach roadway of 32 feet. The bridge has a sufficiency rating of 75.9 and is not structurally deficient.

The current Annual Average Daily Traffic (AADT) is 23,710 vehicles per day (vpd) with a future 20-year AADT of 33,870 vpd.

The pedestrian overpass is associated with the Centennial Trial Path and is Section 4(f)

protected.

Description of proposed improvements SPECIFIC TO THIS PROJECT

Three design options were considered from Border to Okmulgee Avenue:

Option 1: construction of 6-lane curb & gutter with raised median.

Option 2: construction of 7-lane curb & gutter with continuous two-way left turn lane.

Option 3: reconstruct the existing 4-lane curb & gutter with raised median.

ODOT is moving forward with Option 2 - Construction of 7-lane curb & gutter with continuous two-way left turn lane, although raised medians will be provided at select locations.

From Haddock Drive north to Border Avenue the roadway will be reconstructed in its current configuration consisting of 4-12ft wide driving lanes, 10ft wide outside shoulders, 4ft wide inside shoulders with a grass median.

Intersection improvements will be provided at all signalized intersections by providing turn bays at Okmulgee Avenue, sidewalks will be added at Arline Avenue, Border Avenue will be provided left turn lanes in the east and west bound directions and Hancock Street will receive a dedicated right turn lane in the west bound direction.

The proposed improvement consists of replacing the pedestrian bridge with a 200 ft long span bridge. A Section 4(f) de minimus finding needs to be completed with the City of Muskogee for Centennial Trail.

The proposed improvement consists of extending the Coody Creek reinforced concrete box to provide a 137 ft clear roadway width.

The road will be open to traffic during construction. During the construction of the Centennial Trail overpass, one-lane detours will be constructed on each side of the roadway. The trail will be closed for approximately 120 days during this phase of construction.

New right-of-way will be required.

Project Environmental Study Footprint

The original study footprint waters and wetlands as delineated by Enercon in the report dated May 15, 2015, has been modified. The following provides updated length and area delineations based on 60% preliminary plans dated July of 2020.

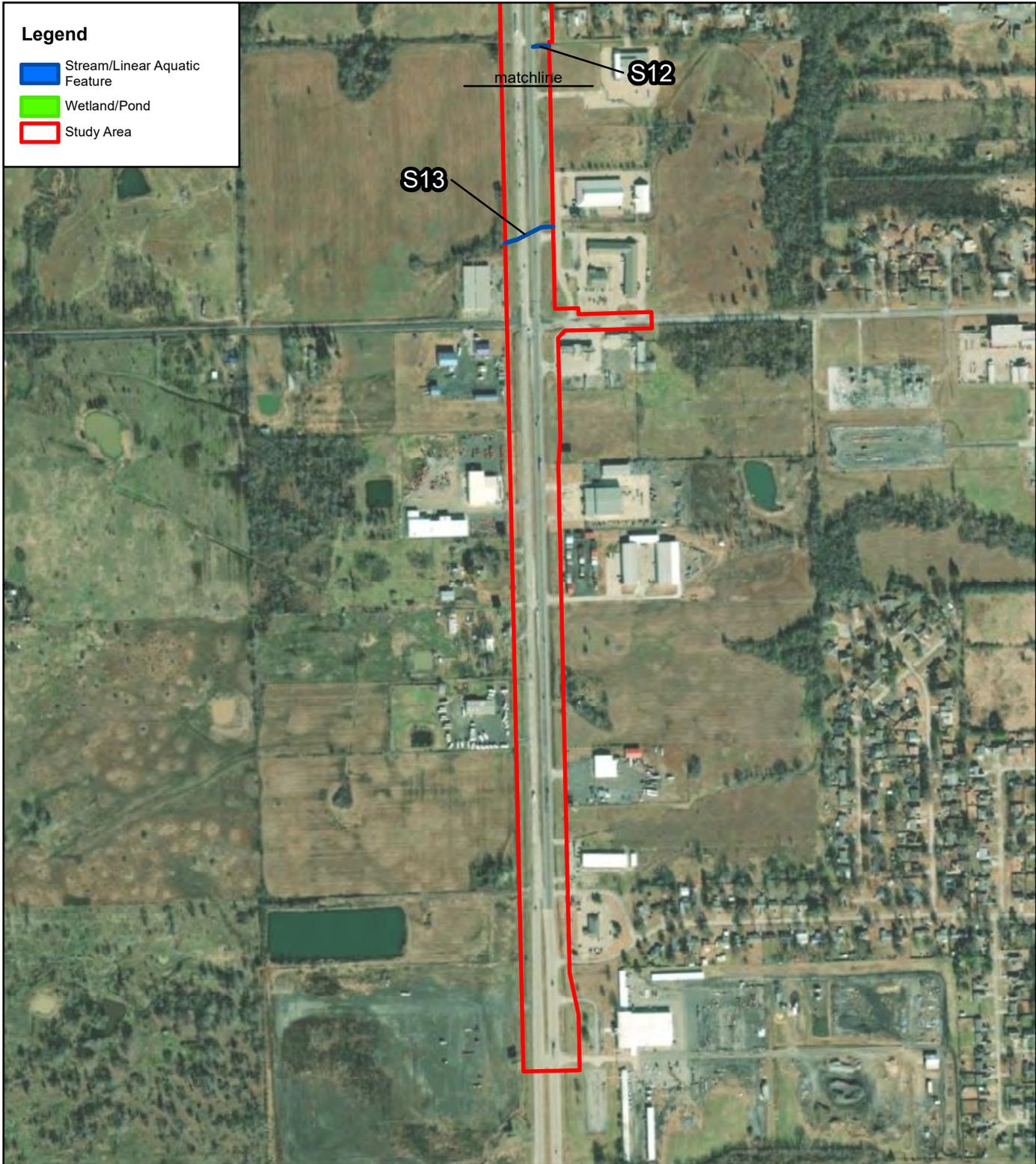
WATERS AND WETLANDS EVALUATION

Wetlands and Ponds:

Total Field Sites	Type	Cowardin Classification	Potential Jurisdictional Status	Acres within study footprint
1	Emergent Wetland	PEM1A	Likely	0.1
1	Forested Wetland	PFO1A	Unlikely	0.005
Total				0.105

Streams and Drainages:

Total Field Sites	Water Body Name	USGS Designation	Potential Jurisdictional Status	Acres within study footprint	Linear Feet within study footprint
1	Coody Creek	Mapped perennial	Likely	0.19	508
1	Tributary to Coody Creek	Mapped intermittent	Likely	0.0	0.0
1	Tributary to Coody Creek	Unmapped intermittent	Likely	0.03	194
Total Likely Jurisdictional				0.22	702
10	Ephemeral drainages	Unmapped	Unlikely	N/A	1,820



Prepared for:
Oklahoma Department of Transportation

Subject Property:

US-69: Begin 0.48 miles north of US-64 E (Peak Blvd)
 and extend north 2.5 miles.

J/P No. 27108(04)

Section 4 of T14N-R18E and 28 & 33 of T15N-R18E
 Muskogee County, Oklahoma

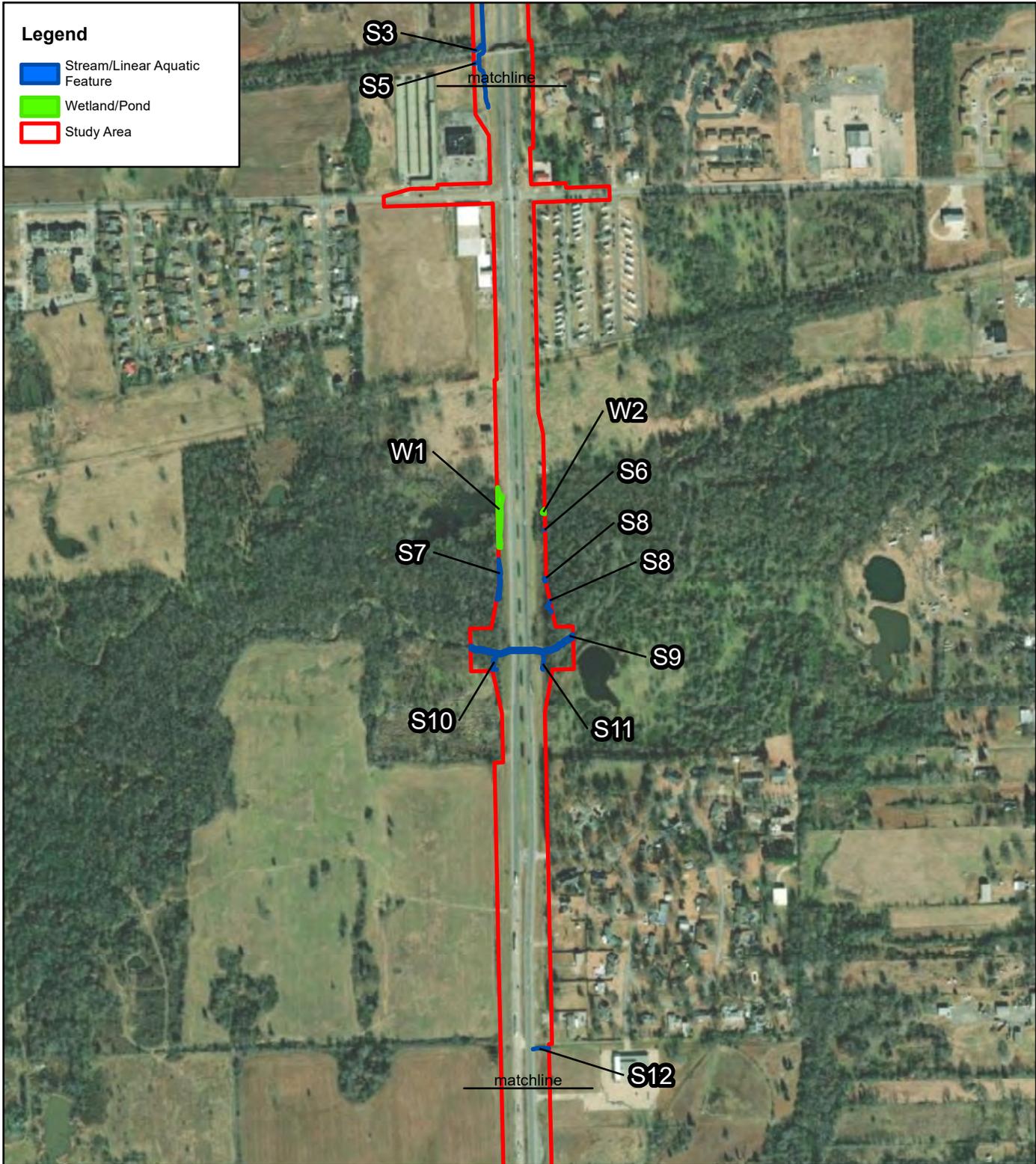
**Figure 1a: Aquatic Resources
 Addendum Map**



Source:
 ESRI World Imagery Basemap

1:8,000





Prepared for:
Oklahoma Department of Transportation

Subject Property:

US-69: Begin 0.48 miles north of US-64 E (Peak Blvd) and extend north 2.5 miles.

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Section 4 of T14N-R18E and 28 & 33 of T15N-R18E
 Muskogee County, Oklahoma

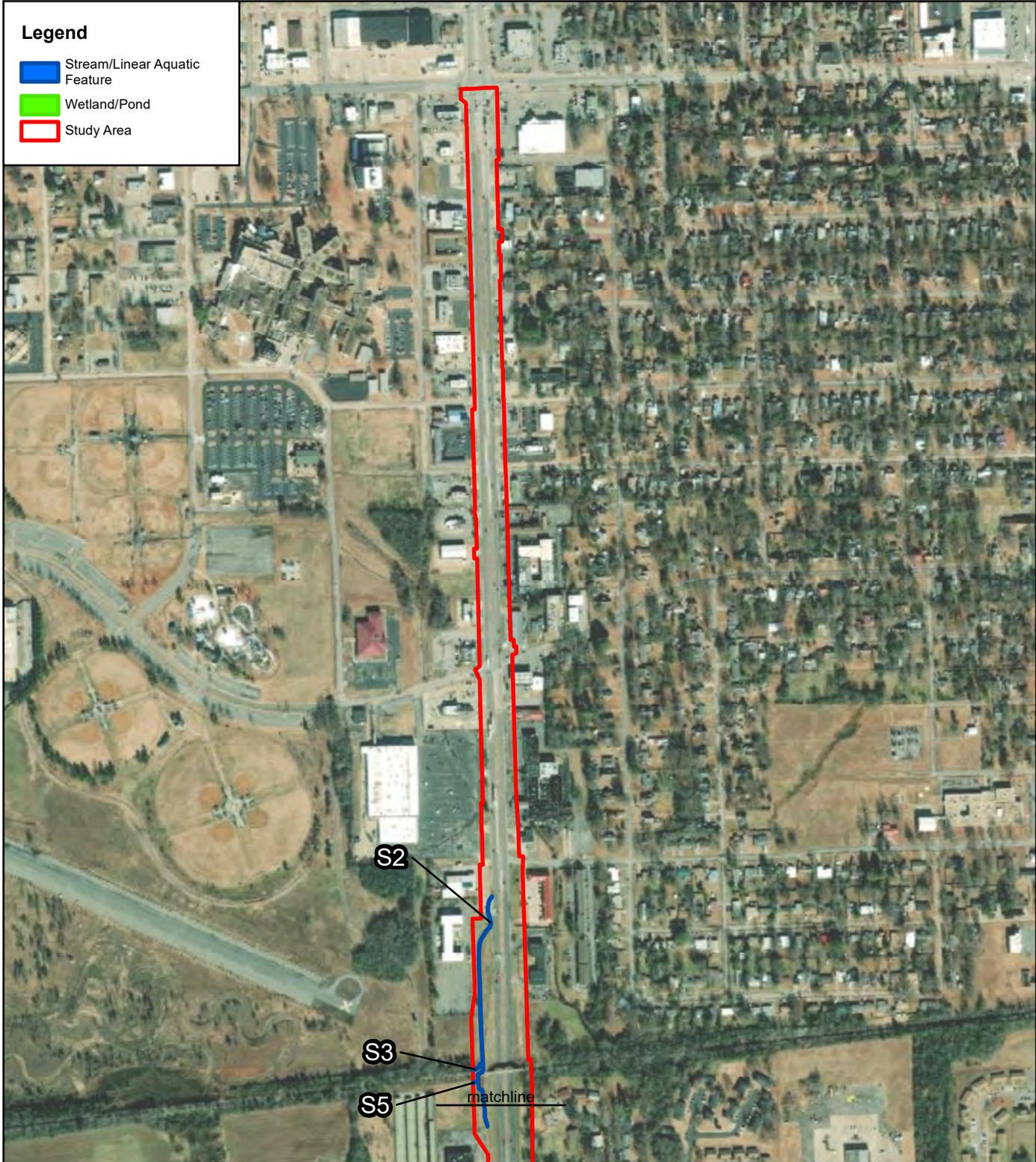
Figure 1b: Aquatic Resources Addendum Map



Source:
 ESRI World Imagery Basemap

1:8,000





Prepared for:
Oklahoma Department of Transportation

Subject Property:

US-69: Begin 0.48 miles north of US-64 E (Peak Blvd) and extend north 2.5 miles.

J/P No. 27108(04)

Section 4 of T14N-R18E and 28 & 33 of T15N-R18E
 Muskogee County, Oklahoma

Figure 1c: Aquatic Resources Addendum Map



Source:
 ESRI World Imagery Basemap

1:8,000



FLOOD PLAIN INFORMATION

From: Wes Stewart <wstewart@hubengineers.com>
Sent: Monday, August 30, 2021 2:13 PM
To: jkoscelny@ableconsulting.net
Subject: FW: Final hydraulics after - RW/UT 60% Plan Review for 27108(04) Muskogee Co. US-69 GDB&S
Attachments: 27108_OWRB Permit App.pdf; 27108_FIRMETTE_COODY CREEK.pdf

See attached. There is a no-rise statement included in the OWRB permit.

-Wes

Wesley Stewart, P.E. | Senior Project Manager
Office: 918-682-7811 | Mobile: 918-650-3595
Holloway, Updike and Bellen, Inc.
818 East Side Boulevard, Muskogee, OK 74403
www.hubengineers.com

From: Wes Stewart
Sent: Wednesday, July 7, 2021 2:01 PM
To: Leslie Lewis <LLEWIS@ODOT.ORG>
Subject: RE: Final hydraulics after - RW/UT 60% Plan Review for 27108(04) Muskogee Co. US-69 GDB&S

Leslie,

Attached is the permit app and firmette.

-Wes

Wesley Stewart, P.E. | Senior Project Manager
Office: 918-682-7811 | Mobile: 918-650-3595
Holloway, Updike and Bellen, Inc.
818 East Side Boulevard, Muskogee, OK 74403
www.hubengineers.com

From: Leslie Lewis <LLEWIS@ODOT.ORG>
Sent: Monday, June 7, 2021 3:42 PM
To: Wes Stewart <wstewart@hubengineers.com>
Cc: Brian Linam <BLINAM@ODOT.ORG>; Patty Defranco <pdefranco@odot.org>; Justin Hernandez <JHERNANDEZ@ODOT.ORG>
Subject: Final hydraulics after - RW/UT 60% Plan Review for 27108(04) Muskogee Co. US-69 GDB&S

All,

There were no changes that affect hydraulics at 60% Right of Way & Utility meet so the preliminary report will stand as final. I will update the document vault and project wise with a copy of this email and rename the file as final. If changes do occur after this that will affect hydraulics ie: change in span arrangement, change in profile grade, please let me know so that we can rerun hydraulics. Thanks

Wes,

At this time please submit an OWRB Permit application with a firmette attached and location circled in red by Jul 1, 2021. This is in zone AE please include a zero rise statement in the project description.

Please do not hesitate to contact me with any questions you may have in regards to hydraulics for this

project.

Leslie Lewis PE, CFM
State Bridge Hydraulic Engineer
llewis@odot.org
TELEWORKING Please use cell
cell 405-822-6009

From: Brian Linam <BLINAM@ODOT.ORG>
Sent: Friday, May 14, 2021 10:15 AM
To: Chris Wallace <CWALLACE@ODOT.ORG>; Jamie Malmstrom <JMALMSTROM@ODOT.ORG>; Jon Arps <JARPS@ODOT.ORG>; Caleb Austin <CAUSTIN@ODOT.ORG>; Mohamed A. Elyazgi <MAElyazgi@odot.org>; Eduardo Elder <EELDER@ODOT.ORG>; Justin Hernandez <JHERNANDEZ@ODOT.ORG>; Patty Defranco <pdefranco@odot.org>; Leslie Lewis <LLEWIS@ODOT.ORG>; Chad Pendley <CPENDLEY@ODOT.ORG>; Lauren Parrish <LParrish@odot.org>; Ryan Campbell <RCCAMPBELL@ODOT.ORG>; Siv Sundaram <SSUNDARAM@ODOT.ORG>; Leslie Novotny <LNOVOTNY@ODOT.ORG>; Andrew Ward <WWard@odot.org>; Daniel Nguyen <DNGUYEN@ODOT.ORG>; Christa Sawyer <CSawyer@odot.org>; Jeff King <JKING@ODOT.ORG>; Barry Orendorff <BORENDORFF@ODOT.ORG>; Keith Martin <KMARTIN@ODOT.ORG>; Justin Mullins <JMULLINS@ODOT.ORG>; Jeff Ellison <JELLISON@ODOT.ORG>; Simon Winlock <SEWINLOCK@ODOT.ORG>; Mike Perrault <MPERRAULT@ODOT.ORG>
Cc: Michael Kimbro <MKIMBRO@ODOT.ORG>
Subject: Minutes Distribution - RW/UT 60% Plan Review for 27108(04) Muskogee Co. US-69 GDB&S

All,
Attached are the draft 60% Right of Way & Utility meeting minutes for the above mentioned project. Please provide me with your comments by 05/28/2021. If no comments are received, these minutes will stand as final. They have also been placed in the following locations:

Doc Vault - <http://plansrv1/osd/JP2710804/PSEDevelopment/ProjectMeetings>
ProjectWise – 2021.05.14-HUB-2710804 60% Plan Review minutes.pdf

Thank you,

Brian Linam, PMP®
Preconstruction Manager, District 1
Project Management
Oklahoma Department of Transportation
200 NE 21st ST, 1-C6
Oklahoma City, OK 73105
Office (405) 522-7600 / Cell (405) 212-8043
blinam@odot.org

National Flood Hazard Layer FIRMMette



95°24'28"W 35°43'25"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

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95°23'51"W 35°42'56"N

National Flood Hazard Layer FIRMMette



95°24'28"W 35°43'52"N



95°23'51"W 35°43'23"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



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National Flood Hazard Layer FIRMMette



95°24'28"W 35°44'18"N



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/27/2021 at 4:32 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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National Flood Hazard Layer FIRMMette



95°24'28"W 35°44'45"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, A99
	With BFE or Depth Zone AE, AO, AH, VE, AR
	Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee. See Notes. Zone X
	Area with Flood Risk due to Levee Zone D

OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard Zone X
	Effective LOMRs
	Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation
	Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature

MAP PANELS	Digital Data Available
	No Digital Data Available
	Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

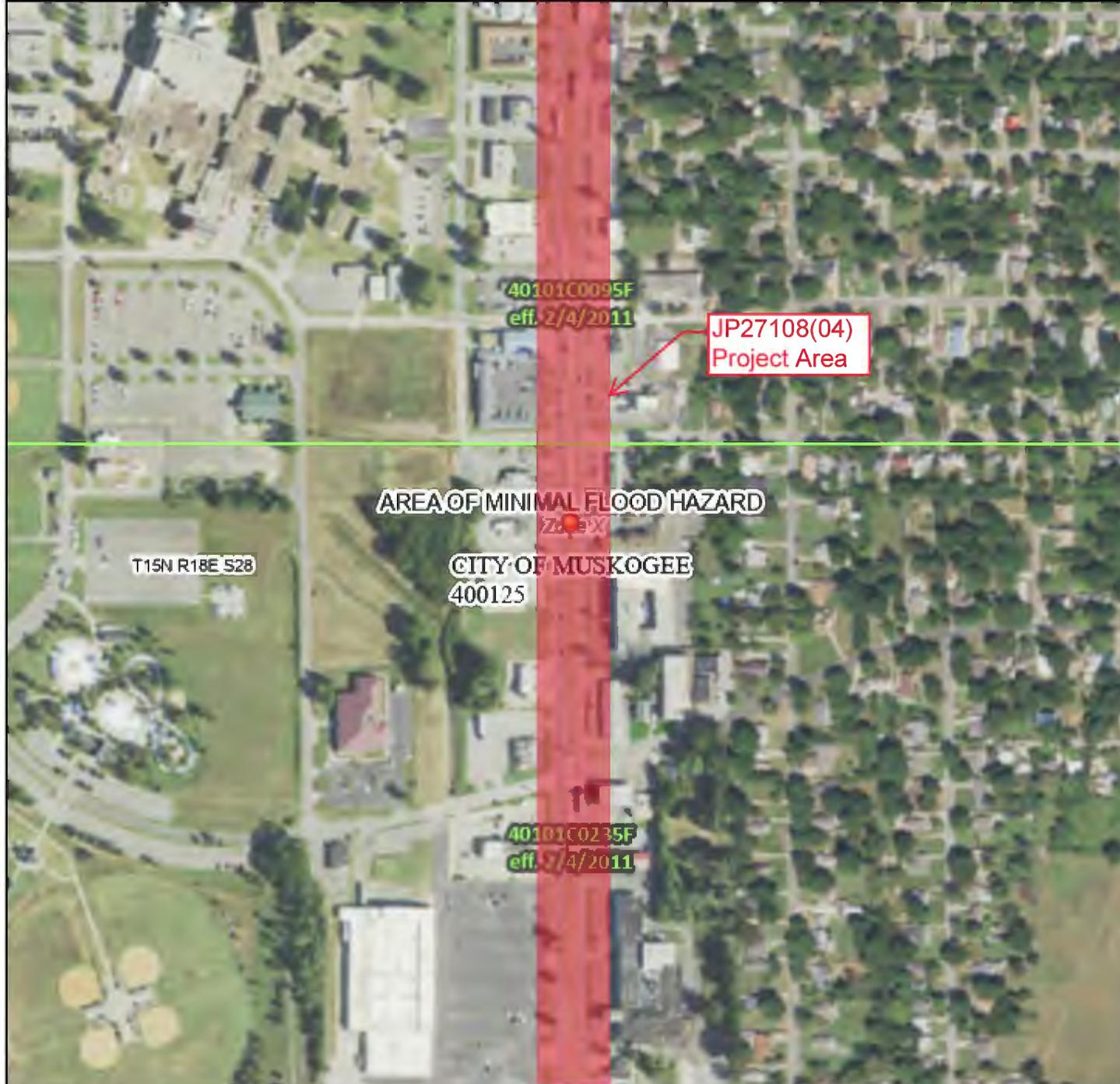
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/27/2021 at 4:33 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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National Flood Hazard Layer FIRMMette



95°24'28"W 35°45'12"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, A99
	With BFE or Depth Zone AE, AO, AH, VE, AR
	Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee. See Notes. Zone X
	Area with Flood Risk due to Levee Zone D

OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard Zone X
	Effective LOMRs
	Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation
	Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature

MAP PANELS	Digital Data Available
	No Digital Data Available
	Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

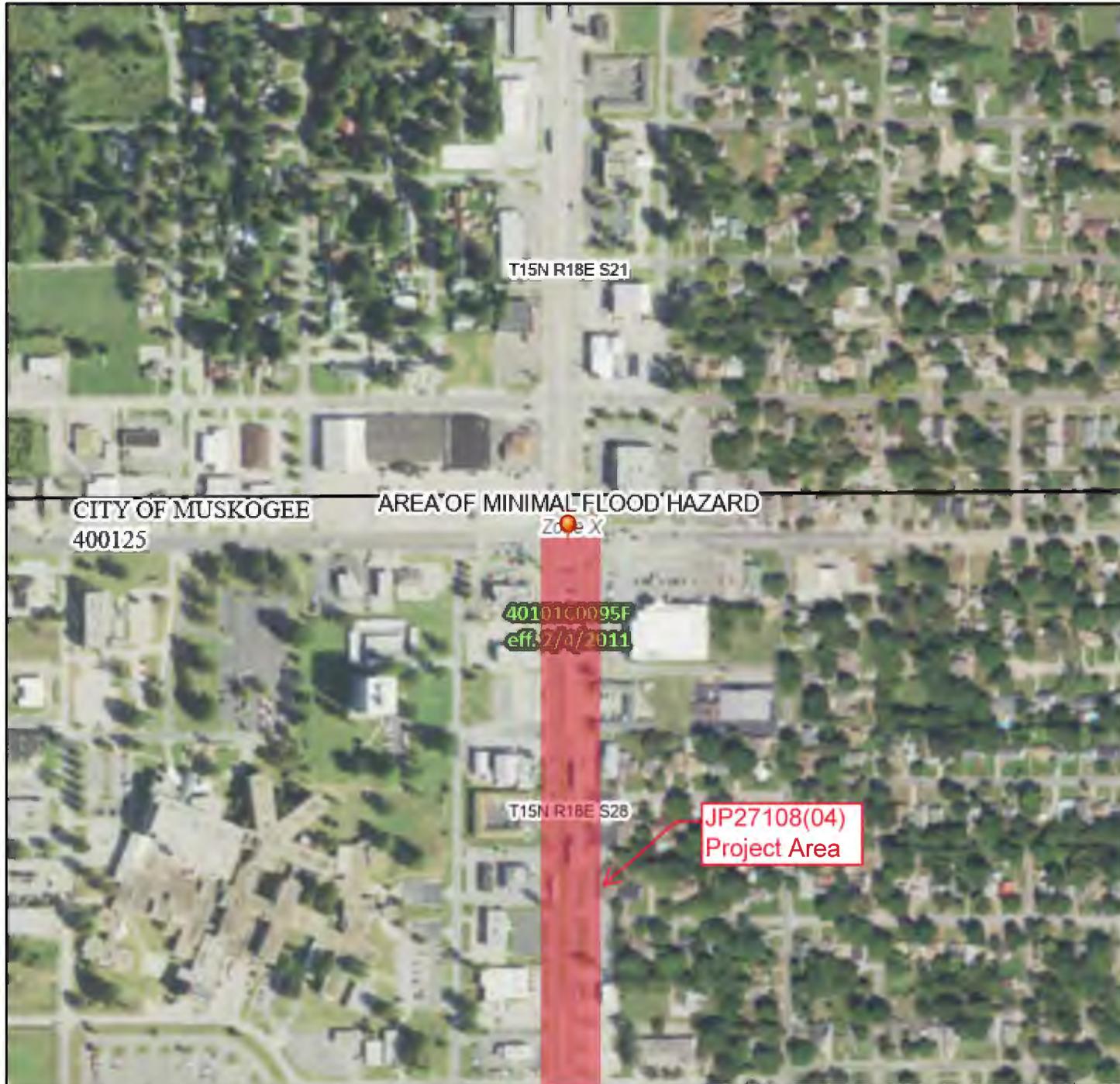
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/27/2021 at 4:34 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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National Flood Hazard Layer FIRMeTte



95°24'28"W 35°45'32"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/27/2021 at 4:35 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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0 250 500 1,000 1,500 2,000 Feet 1:6,000

95°23'50"W 35°45'3"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

HAZARDOUS WASTE STUDIES

OKLAHOMA DEPARTMENT OF TRANSPORTATION CONSULTANT REPORT REVIEW – HAZARDOUS WASTE

Reviewed By: David Edwards
Review Date: 08/17/2021
Consultant: Able Consulting

County: Muskogee
Project No.: J2-7108(004)PM
J/P Number: 27108(04)

1. PROJECT DESCRIPTION: GRADE,DRAIN,BRIDGE & SURFACE: US-69: BEGIN 0.48 MI N OF US-64 E (PEAK BLVD) & EXT N 2.5 MILES

2. LEVEL OF INVESTIGATION: Assessment Sampling

3. SUMMARY OF INVESTIGATION

- A. Relative risk of contamination in study footprint: Low Moderate High
B. Potential for contamination, if present, to affect project: Low Moderate High
C. Did Consultant recommend additional work? No Yes (describe below):

The Updated ISA recommended soil and groundwater testing may be needed at the RECs identified as high risk to the project.

4. RECOMMENDATIONS*:

- Approval to Proceed (No Further Action)
 Approval to Proceed, Pending:
 Avoidance of described site(s)
 Plan Notes regarding described site(s) (See Section 5)
 Additional investigation by ODOT
 Approval NOT Recommended

* - If different from Consultant, explain in Section 6 General Comments

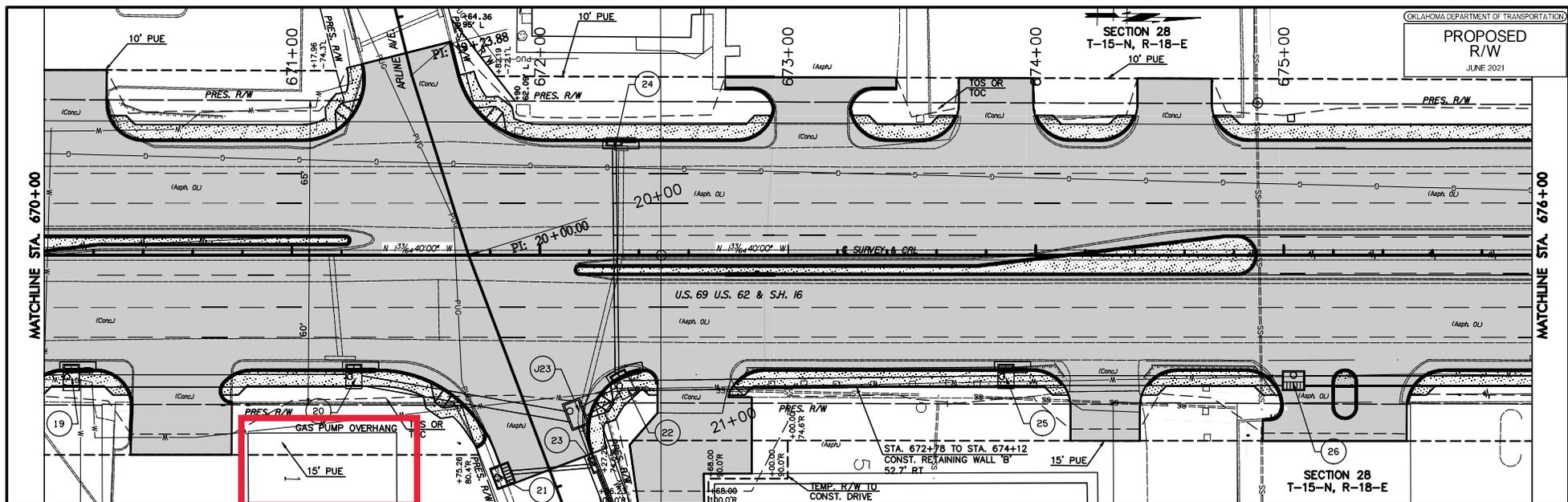
5. PLAN NOTES: Plan notes may be needed pending further investigations.

6. GENERAL COMMENTS: This Updated ISA is a follow up to the original ISA dated October 13, 2016. The updated ISA identified the Kum & Go, 702 S 32nd Street, the Star Mart, 2300 S 32nd Street, and the Former Holiday Gulf, 806 S 32nd Street as potential RECs to the project. The ISA recommended additional investigations (SSI) be conducted if the sites identified cannot be avoided or if additional RW is acquired. 65% RW/Utility Plans were available for this review.

Plan notes and contaminated materials management plans may be required pending further investigations by ODOT which may include soil and groundwater sampling and the preparation of a contaminated material management plan (CMMP) and plan notes.

ATTACH EXCERPTS FROM REPORT, AS APPROPRIATE.*

*The full document is on file with ODOT's Environmental Programs Division. Please contact David Edwards at (405) 521-2673 or daedwards@odot.org for more information.

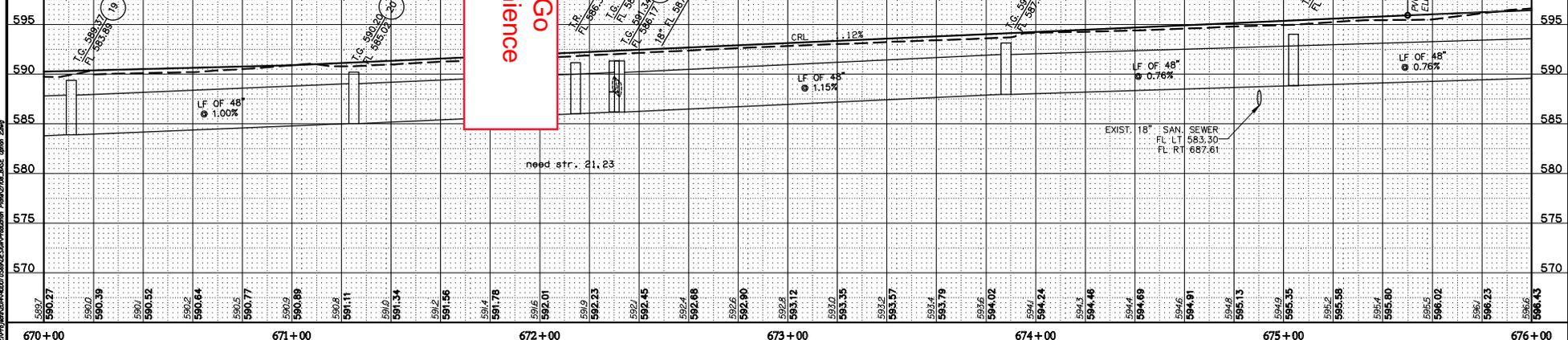


DRIVEWAY SHEET SUMMARY

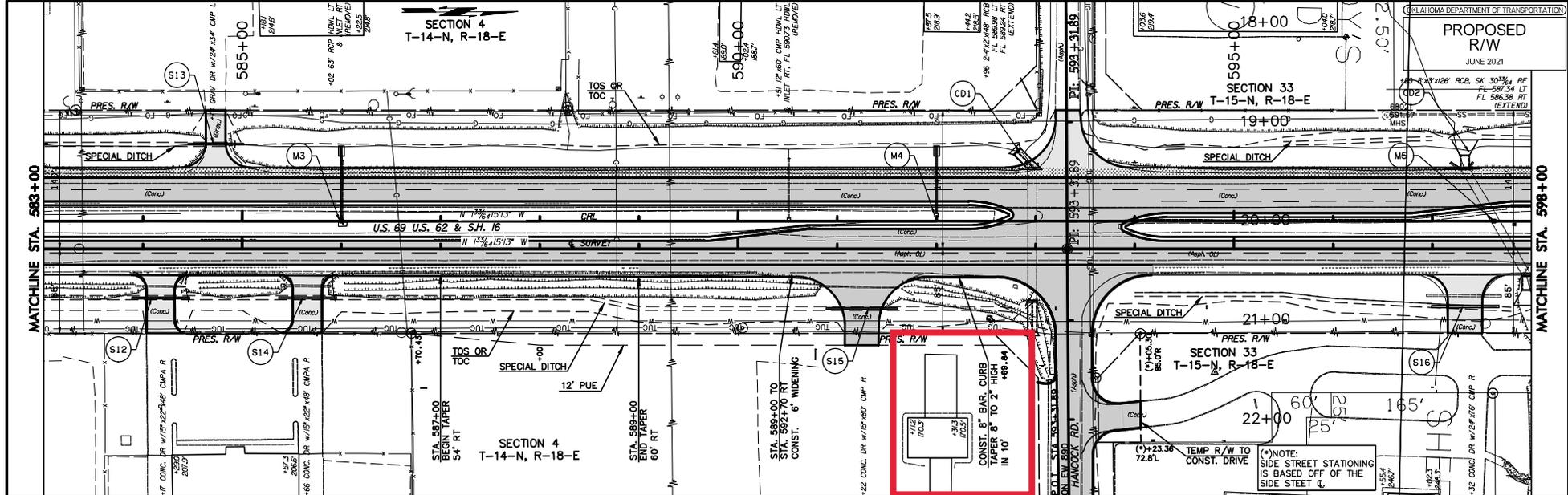
STATION	SURFACE TYPE	DRIVE TYPE	WIDTH 'FT'	LENGTH 'FT'	RADIUS BK.	RADIUS AHD.	REMARKS
670+11	LT. CONC.	COMM.	30	29	15	15	SPECIAL
670+58	RT. CONC.	COMM.	41	34	15	15	SPECIAL
671+48	LT. CONC.	ST. RET.	36	36	25	35	
672+03	RT. CONC.	ST. RET.	36	42	50	25	
672+80	RT. CONC.	ZA	28	34	5	13	COMM.
673+10	LT. CONC.	COMM.	30	25	15	15	SPECIAL
673+83	LT. CONC.	COMM.	30	25	15	15	
674+28	RT. CONC.	COMM.	28	29	15	15	
674+66	LT. CONC.	COMM.	30	25	15	15	
675+23	RT. CONC.	COMM.	50	29	15	15	CHANNELIZED

BM15, CL SURVEY
 STA. 670+24.2, 166.9' RT.
 CHISELED BOX ON SE COR SIDEWALK
 AT KUM AND GO
 ELEV. 593.61

Kum & Go
 Convenience
 Store



DRAWN BY: J. L. ...
 CHECKED BY: ...
 DATE: ...



DRIVEWAY SHEET SUMMARY									
STATION	SURFACE TYPE	DRIVE TYPE	WIDTH FT	LENGTH FT	RADIUS BK.	RADIUS AHD.	REMARKS	NO.	NO.
584+15	RT.	CONEC.	28	59	15	15	SPECIAL	584+15	STR. NO. S12
584+75	LT.	CONEC.	20	58	25	25	SPECIAL	584+75	STR. NO. S12
585+65	RT.	CONEC.	28	59	15	15	SPECIAL	585+65	STR. NO. S12
591+20	RT.	CONEC.	34	57	50	50	SPECIAL	591+20	STR. NO. S12
593+31	89 LT.	CONEC.	28	58	50	50	SPECIAL	593+31	STR. NO. S12
593+31	89 RT.	CONEC.	36	69	60	60	SPECIAL	593+31	STR. NO. S12
597+33	RT.	CONEC.	35	59	25	25	SPECIAL	597+33	STR. NO. S12

Star Mart

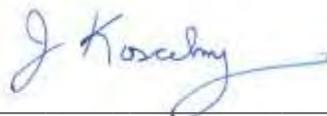
UPDATED INITIAL SITE ASSESSMENT

US-69

From 0.1 Miles North of Junction US-64 Extend North
2.5 Miles
Muskogee County, Oklahoma

Project No: J2-7108(004)
State Job No: 27108(04)

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental professional as defined in §312.10 of 40 CFR § 312” and 12.13.2 “We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.”



Jennifer Koscelny
Project Scientist



Matt Flynn
Environmental Specialist

First ISA Dated: October 13, 2016 | Updated July 8, 2021

UPDATED ISA

The Oklahoma Department of Transportation (ODOT) requested an updated Initial Site Assessment (ISA) for a proposed roadway improvement project, located along US-69 in Muskogee County, Oklahoma. The purpose of this updated assessment is to identify any changes in potential environmental concerns by reviewing updated database information in comparison to the October 2016 ISA, within an updated area of investigation (AOI) derived from US-69 right-of-way (ROW) plans.

The ODOT is proposing improvements to US-69 that will entail two different typical sections. Phase 1 is from Haddock Drive north to Border Avenue, the roadway will be reconstructed in its current configuration consisting of 4-12ft wide driving lanes, 10ft wide outside shoulders, 4ft wide inside shoulders with a grass median (all within existing right-of-way). Phase 2 is from Border Avenue north to Okmulgee Avenue/SH-16/US-62/US-64 a 7-lane curb and gutter section will be constructed, along with six-foot sidewalks. The proposed improvement consists of replacing the pedestrian bridge with a 200 ft long span bridge and Coody Creek bridge replacement.

Most of the project will be completed within existing right-of-way as originally intended. Based on the updated plans there are some new areas of right-of-way or utility easement needed as noted in the bullets below:

- ✓ Border Street was studied with 50 feet each side of centerline. There may be a relocation of a mini storage due to utility conflicts on Border Street, but the designer is trying to avoid the relocation.
- ✓ New right-of-way for Coody Creek bridge replacement (140 feet from centerline) was studied in 2016. Temporary right-of-way to open the channel another 100 feet has been added to the plans.
- ✓ Pedestrian bridge replacement has temporary right-of-way that has been studied in 2016.
- ✓ Temporary right-of-way and perpetual utility easement have been added to the plans in Phase 2.

An updated environmental records search was conducted by EDR dated May 12, 2021. Based on the updated EDR records search, updated OCC documentation and the existing 2016 ISA, the following conclusions are provided:

Additional Investigation/Plan Notes Warranted:**Kum & Go, 702 S 32nd St (Station 671+00)**

- Utility relocation is needed at this location. This site will require 15 feet of temporary right-of-way to move a water line. The canopy of the gas station is just inside these 15 feet. Although testing is not warranted for the utility relocation since it will most likely be bored. If additional right-of-way is needed, testing will be warranted.
- This service station is currently in use. Two LUST cases have been initiated and closed for this site, one of which occurred in 2017—after the 2016 ISA—and one which occurred in 1992. Although updated plans show less total property area will be impacted than was expected from preliminary plans at the time of the 2016 ISA, the updated plans show that temporary ROW / perpetual utility easement will extend approximately 5 feet further into the portion of the property bordering US-69. Updated plans indicate that the area of the 2017 release will be avoided; however, the potential for environmental impacts has increased because the excavated tank pit associated with the 1992 release and its immediate vicinity will potentially be impacted by the expanded temporary ROW / perpetual utility easement.
- Further investigation, including testing for soil and groundwater contamination, may be required if the property cannot be avoided.

Star Mart, 2300 S 32nd St (Station 593+00)

- This service station is currently in use. Two LUST cases have been initiated for this site, including one confirmed release in 2001 and one suspicion of release in 2012. The cases were closed by the OCC in 2005 and 2012, respectively.
- Updated plans indicate a decrease in risk as compared with 2016 preliminary plans, due to a reduction in the amount of ROW required at this location. However, because this site is partially located within and up-gradient from the AOI, the risk of encountering contaminated soils remains high.
- Further investigation, including testing for soil and groundwater contamination, may be required if the property cannot be avoided.

Former Holiday Gulf, 806 S 32nd St (Station 663+25)

- This former service station is located at the northeast corner of US-69 and Estelle Ave. The coordinates provided by EDR showed this site north of the actual location, appearing to be associated with the hotel there. Further investigation of the site through OCC digital records revealed that the site is located as described above – a site that was referred to in the 2016 ISA as an unlisted former service station.

- Risk of environmental impacts has increased because the updated plans indicate that a greater area of the property will be taken and because a confirmed release of gasoline has been discovered onsite in 2015, which was not included in the records available at the time of writing the 2016 ISA.
- An OCC letter, dated May 2018 (attached), states, “Based on the data in this [case closure] report, the chemicals of concern at this site do not pose harm to human health, safety or the environment — accordingly this case is approved for closure as recommended by your consultant.” The proposed design would impact an area of the property down gradient from and near MW-3, where soil testing results showed contamination levels that slightly exceed OCC action levels (see March 2018 OCC letter, attached).
- Further investigation, including further testing for soil and groundwater contamination, may be required if the property cannot be avoided.

Moderate to Low Potential for Issues:

Sinclair #35203 - 737 S 32nd St (Station 665+75)

- A former service station, subject of a closed LUST case, where tanks and structures have been removed. Located in the southeast corner of the OK Department of Human Services parking lot.
- Updated plans indicate that impacts from the proposed project will now remain within existing ROW, no longer taking property and reducing the risk of encountering contaminated soils or groundwater relative to 2016 preliminary plans. The OCC closure letter, dated May 29, 2007, states that, “Although some samples taken at the time of closure exceeded our action levels, they were under the site-specific target levels established for a previous LUST case [064-2029] closed at this location [in 2001].”
- Because this site is located outside of and down-gradient from the AOI, the risk of encountering contaminated soils or groundwater is low. No further investigation is required at this time.

Al's Texaco – 332 S 32nd St (Station 687+00)

- A former service station with no history of leaking tanks and where all tanks have been removed.
- Will require 15 feet of temporary right-of-way to relocate utilities. Testing is not warranted for the utility relocation, since it will most likely be bored; however, if additional right-of-way is needed testing will be warranted.

Dexter's Quality Lube – 627 S 32nd St (Station 674+00)

- An active auto repair shop with no history of leaking tanks. Four (4) tanks have been closed in place and one (1) tank has been removed, according to available OCC records. Updated plans indicate that less of the property will be taken, so risk level has reduced since the original ISA.
- Because this site is located outside of and down gradient from the AOI, the risk of encountering contaminated soils or groundwater is relatively low. No further investigation is required at this time. Should more ROW be required at this site, further investigation may be required.

Fina Oil & Chemical Company – 701 S 32nd St (Station 669+60)

- Formerly the site of a service station, now occupied by a Braum's restaurant, with no history of leaking tanks. All tanks have been removed.
- Because this site is located outside of and down gradient from the AOI, and because all tanks have been removed, the risk of encountering contaminated soils or groundwater is relatively low. No further investigation is required at this time. Should more ROW be required at this site, further investigation may be required.

Taylor #3203 (#3802 on Previous EDR Report) – 508 S 32nd St (Station 680+00)

- Former service station with no history of leaking tanks and where all tanks have been removed.
- Because this site is located outside of the AOI and tanks have been removed the risk of encountering contaminated soils or groundwater is relatively low. No further investigation is required at this time. Should more ROW be required at this site, further investigation may be required.

Table of Low-Risk Sites for Which No Further Investigation is Required

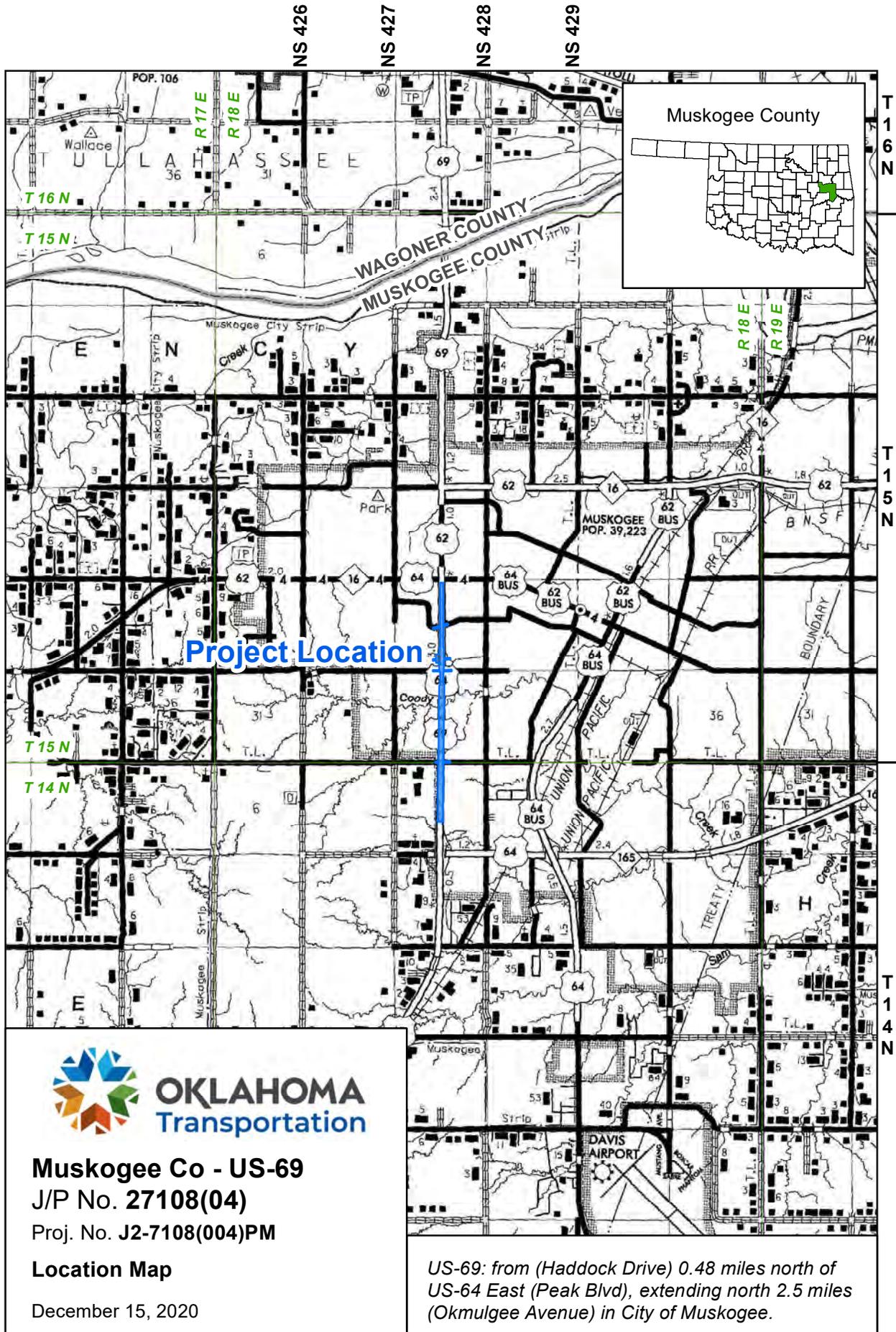
The following sites (Table 1) were listed on the EDR report but identified as sites that pose a low risk to human health and the environment, because of the character of the site and/or because of the site's distance from the AOI. The EDR report included no orphan sites which pose a risk to the proposed action.

TABLE 1: Low Risk Sites

Site Name	Category	Location	Comment	Change in Risk Level	Reasoning
(Present Owner Unknown) Texaco	UST	3325 W Okmulgee Ave	UST - 1 POOU Tank Removed	Same	Outside AOI
Advance Warnings	RCRA NonGen / NLR, FINDS	2500 S 32nd	In compliance since 2004. This is currently the address for United Rentals	Reduced	Less take
Air Evac EMS 083	AST	500 S 36th St	No record of leaks	New (2021 EDR Report)	Outside AOI
American Technical Institute	RCRA NonGen / NLR, FINDS	2509 S 32nd	EPA records show no history of violations.	Reduced	Less take
Apartment Complex	US CDL	950 S 32nd 205A	Clandestine Drug Lab location - property seized for meth lab.	Reduced	Less take
Apartment Complex	US CDL	952 S 32nd 28	Clandestine Drug Lab location - property seized for meth lab.	Reduced	Less take
Archer Cleaners & Shirt Laundry	Drycleaners	3323 W Okmulgee Ave	Drycleaners	Same	Outside AOI
B&B Truck Repair	EDR Hist Auto Stations	2700 S 32nd	EDR Hist Auto Station - Appears to be a commercial truck repair shop	Reduced	Less take
Conoco #1 (AKA Charlies Conoco)	LUST, UST, Hist UST	112 N 32nd	LUST - Conoco #1 - 4 POOU Tanks Removed	Reduced	Outside AOI
El Dorado Motors	LUST, Hist UST	3913 W Okmulgee Ave	LUST - 4 POOU Tanks Closure Type Not Listed	Same	Outside AOI
Ez Go #50	LUST, UST, Hist UST	3201 W Okmulgee	LUST - 4 POOU Tanks Removed	Same	Outside AOI
Fatso's	RCRA-CESQG, FINDS	1215 S 32nd	Formerly C&K Equipment, now a western dance club. No history of violations.	Reduced	Less take
Former Sanders Texaco (AKA Wright WM E)	LUST, UST, Hist UST	201 N 32nd	LUST - 5 POOU Tanks Removed	Same	Outside AOI

Former Speed Break Conoco (AKA Bias 66 Station)	LUST, UST, Hist UST	101 N 32nd	LUST - 7 POOU Tanks Removed	Same	Outside AOI
Gary's Gas & Oil AKA Hudson Oil Co	LUST, UST, Hist UST	3303 W Okmulgee	LUST - 2 POOU Tanks Removed	Same	Outside AOI
Harold Dealy Texaco	UST	3402 W Okmulgee Ave	UST - Harold Dealy Texaco - 4 POOU Tanks Removed	Same	Outside AOI
Harris Charles E AKA MC Goffin Loyola H L	EDR Hist Auto Stations	102 S 32nd	Hist Auto - Listed in 2021 EDR Report - 2 separate records	New (2021 EDR Report)	Potentially within AOI
Kwik Stop	LUST, UST, Hist UST	3602 W Broadway	LUST - Kwik Stop - 2 POOU Tanks Removed	Same	Outside AOI
Lee W T	EDR Hist Auto Stations	224 N 32nd	Hist Auto - Listed in 2021 EDR Report	New (2021 EDR Report)	Outside AOI
MC Dowell CJ	EDR Hist Auto Stations	3333 W Okmulgee	Hist Auto - Listed in 2021 EDR Report	New (2021 EDR Report)	Outside AOI
MCNC Travel Plaza	Indian LUST, UST, ICIS, FINDS, ECHO	3420 1/2 W Peak Blvd	Currently in Use	New (2021 EDR Report)	Outside AOI
Mullins Floyd W	EDR Hist Auto Stations	300 N 32nd	Hist Auto - Listed in 2021 EDR Report	New (2021 EDR Report)	Outside AOI
Muskogee Auxiliary AF	FUDS	Immediately adjacent to the AOI.	Closed airport, former USAF auxiliary airfield. Owned by the City.	Same	Outside AOI
Muskogee Bone and Joint Clinic	RCRA-CESQG, FINDS	209 South 36th	No violations found.	Same	Outside AOI
Muskogee Regional Medical Center	UST	300 Rockefeller Dr	UST - 2 Currently in Use Diesel	Same	Outside AOI
ODOT-DIV 1 Headquarters	Tier II	2800 S 32nd	Tier II Listing - ODOT Facility with Gas, Diesel, Paint, & Ashpalt Emulsion	Same	ODOT
OG&E Muskogee Dist Service Center	LUST, UST, Hist UST	2301 S 24th St W	LUST - 2 POOU Tanks Removed	Same	Outside AOI

Okla DOT	RCRA- CESQG, ERNS, FINDS	3200 S 32nd	ODOT facility. No history of violations.	Same	ODOT
Okla. Dept of Transportation	UST	3400 S 32nd	UST - 3 POOU - 1 Closed in Place, 2 Removed - 2 Currently In Use	Same	Outside of AOI
O'Reilly Auto Parts	SWRCY	220 N 32nd	State listed recycling facility. Accepts used oil & batteries.	Same	Outside AOI
Parifian Cleaners	EDR Hist Cleaners	3303 W Broadway		New (2021 EDR Report)	Outside AOI
Peak X Press	LUST	2320 W Peak Blvd	LUST - Peak X Press - 6 POOU Tanks Removed	Same	Outside AOI
Pop-N-Go	LUST, UST, Hist UST	2401 W Okmulgee Ave	LUST - 2 POOU - 1 Tank Removed, 1 Closed in Place	Same	Outside AOI
RSC Equipment Rental #335 (United Rentals)	Tier II	2500 S 32nd	Tier II Listing - Heavy Construction Equipment Rental	Same	Same address as Advance Warnings
Sheets Oil Co	UST, Hist UST	326 N 32nd	Hist UST - Listed in 2021 EDR Report - 2 POOU Tanks	New (2021 EDR Report)	Outside AOI
Snacker's Conv Store	LUST, UST	3116 W Broadway	UST - 1 POOU Tank Removed, 1 Currently in Use	Same	Outside AOI
Sun & Suds	EDR Hist Cleaners	2922 W Okmulgee Ave	EDR Hist Cleaners - Appears to be an operating laundromat	Same	Outside AOI
Triple S Inc #8456	UST	111 S 32nd	Closed UST - 3 POOU Tanks Removed	Reduced	Less take



Muskogee Co - US-69
J/P No. 27108(04)
Proj. No. J2-7108(004)PM

Location Map

December 15, 2020

US-69: from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in City of Muskogee.

R 17 E

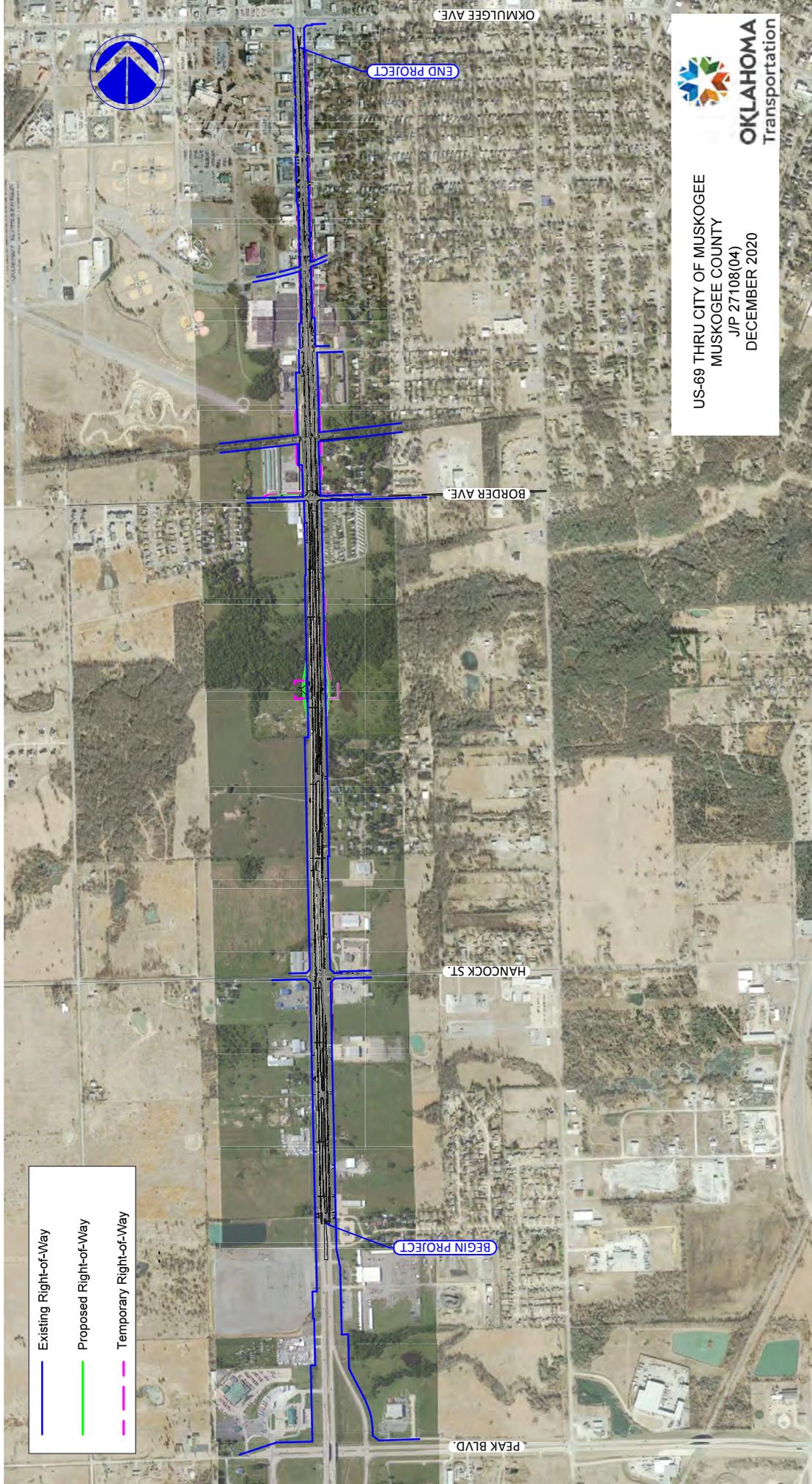
R 18 E

R 19 E

US-69 THRU CITY OF MUSKOGEE

US-69 roadway improvements from 0.48 miles north of US-64 East (near Haddock Drive), extending north 2.5 miles to just south of Okmulgee Avenue in City of Muskogee, Muskogee County, Job Piece # 27108(04), State Project # J2-7108(004)

Existing Right-of-Way
Proposed Right-of-Way
Temporary Right-of-Way



US-69 THRU CITY OF MUSKOGEE
MUSKOGEE COUNTY
J/P 27108(04)
DECEMBER 2020



OKLAHOMA
Transportation

PUBLIC INVOLVEMENT

Virtual Open House Meeting Summary United States Highway 69

**US-69 roadway improvements from 0.48 miles north of US-64 East
(near Haddock Drive), extending north 2.5 miles to just south of
Okmulgee Avenue in City of Muskogee**

Muskogee County / Job Piece # 27108(04)

OKLAHOMA DEPARTMENT OF TRANSPORTATION

**Held December 18, 2020 through January 4, 2021
(extended to January 18th at request of City)**

www.odot.org/US69Muskogee

Prepared by:



9225 North 133rd East Ave.
Owasso, OK 74055

February 11, 2021

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1.0 EXECUTIVE SUMMARY

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), solicited comments to improve US-69 from 0.48 miles north of US-64 East (near Haddock Drive), extending north 2.5 miles within the City of Muskogee. Due to ongoing concerns about COVID-19, a Virtual Public Open House was originally scheduled to be a live website for public access from December 18, 2020 to January 4, 2021 at www.odot.org/US69Muskogee; however, the website was maintained live and accessible to the public until January 18, 2021 at the request of the City of Muskogee. The virtual public open house presented the design alternatives for the project and allow the public to submit input.

The purpose and need for this project is to provide operational improvements, including improvements to a pedestrian bridge (abandoned railroad overpass), extension of an existing bridge over Coody Creek, and reconstruction of the existing pavement. The existing US-69 highway is a primary commuter and truck route, and the proposed project is a continuation of ODOT's commitment to safety and operational efficiency. ODOT has tasked a Consultant to develop alternatives for correcting the roadway deficiencies while taking into consideration construction costs, right-of-way and utility costs, and environmental constraints. Now that the virtual open house has concluded, the meeting material can be found at: <http://www.odot.org/publicmeetings>.

Regarding the interactive maps, comments were provided on the three options. For Option 1, one comment was regarding the walking trail and having the road level, and three other comments were in support of Option 1. For Option 2, one comment was regarding the green line on map (represents temporary right-of-way), and two other commenters in support of Option 2. For Option 3, one comment was for a city partnership on traffic signalization, a question on acquisition and concern about the entrance to a business.

Attendee participation included 1,230 users with 3,690 views. The top engagement city was Muskogee with 464, followed by Boston with 162. Sixty-one (61) signed in for the meeting on the webpage. Seven (7) phone call messages, forty-four (44) webpage comments and fourteen (14) written comments were received. The comments were grouped into general categories as listed below:

<u># of Comments</u>	<u>General Category</u>
2	Acquisition questions
1	Opposed to any continued expansion of US-69 in super highway
5	Property impact questions
1	Support both 6-lane divided and 7-lane proposals with 35mph speed limit
2	Support pedestrian bridge
2	Truck comments
1	Traffic signalization on US-69
9	Bypass comments both pro and against
1	Add new intersections/interchanges
4	Add trails, bike lanes, crosswalks / improve other city streets
1	Add passenger rail and streetcar service to Muskogee
9	Support Figure 2 / Option 1 - construction of 6-lane curb & gutter with raised median

24	Support Figure 3 / Option 2 - construction of 7-lane curb & gutter with continuous two-way left turn lane
2	Support Figure 4 / Option 3 - reconstruct the existing 4-lane curb & gutter with raised median
10	Support improvements to US-69
2	Comments on presentation
1	Other roadway improvements
1	Shrubs and grass in median
1	Questions

Based on the comments received and discussions with the City of Muskogee, ODOT is moving forward with Option 2 - construction of 7-lane curb & gutter with continuous two-way left turn lane, although raised medians will be provided at select locations.

2.0 INTRODUCTION

This document summarizes a Virtual Open House conducted for US-69 through the City of Muskogee from 0.48 miles north of US-64 East (near Haddock Drive), extending north 2.5 miles to just south of Okmulgee Avenue in Muskogee County. The purpose of the virtual open house was to present the proposed design alternatives for this highway segment and receive public input to aid ODOT in moving forward with the completion of the environmental studies, design, and construction. ODOT has tasked a consultant to determine the best alternative for correcting the roadway deficiencies while taking into consideration construction costs, right-of-way and utility costs, and environmental constraints.

The purpose and need for this project is to provide operational improvements, including improvements to a pedestrian bridge (abandoned railroad overpass), extension of an existing bridge over Coody Creek, and reconstruction of the existing pavement. The existing US-69 highway is a primary commuter and truck route, and the proposed project is a continuation of ODOT's commitment to safety and operational efficiency. The existing roadway through the project corridor consists of two different typical sections. From the beginning of project to Border Avenue is an open section divided 4-lane roadway consisting of 12 foot wide lanes with 4 foot wide outside and 10 foot wide inside shoulders. From Border Avenue to the end of project is a curb and gutter with raised median 4-lane roadway consisting of 12 foot wide lanes with 8 foot wide outside shoulders. There are four signalized intersections on US-69 within the project corridor: Okmulgee Avenue, Arline Avenue, Border Avenue and Hancock Street. The current (2020) traffic on this segment is 23,710 vehicles per day (vpd) with a 2040 projected traffic of 33,870 vpd.

ODOT proposes to reconstruct the open section divided 4-lane roadway from the beginning of the project (Haddock Drive) to Border Avenue in its current configuration consisting of 12 foot wide lanes with 4 foot wide inside and 10 foot wide outside shoulders. From Border Avenue to Okmulgee Avenue, three alternate typical sections have been investigated. These typical sections include a 6-lane curb and gutter with raised median, 7-lane curb and gutter with continuous two-way left turn lane, and reconstruction of existing 4-lane curb and gutter with raised median. Traffic signals at Hancock Street, Border Avenue, Arline Avenue, and Okmulgee Avenue will be updated to optimize traffic operations.

3.0 VITURAL OPEN HOUSE

3.1 MEETING NOTIFICATION

Due to concerns over the spread of COVID-19, a virtual open house was held that was a web-based format (no in-person meeting). The information was available December 18, 2020 to January 4, 2021. At the request of the City of Muskogee the meeting was extended to January 18, 2021. Now that the virtual open house has concluded, the meeting material can be found at: <http://www.odot.org/publicmeetings>.

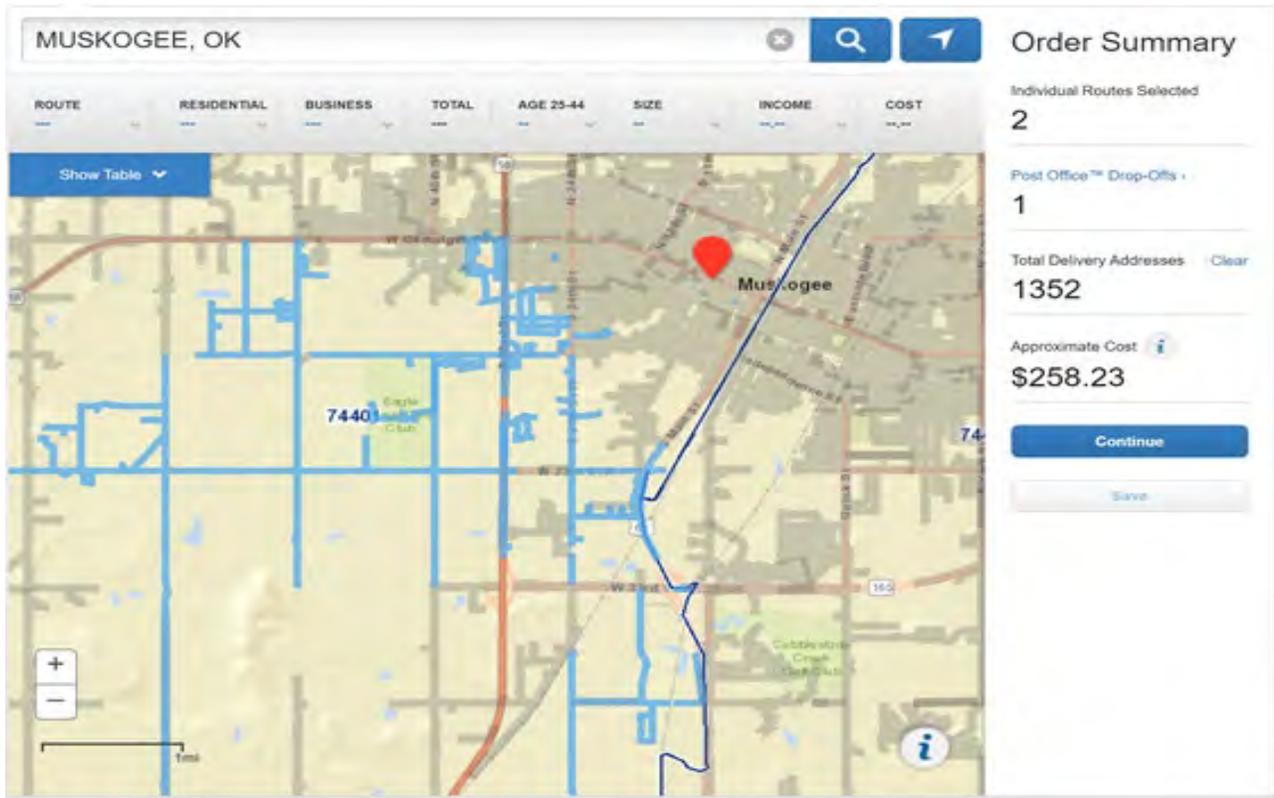
In addition to the notification provided via the agency solicitation letters (see Section 4.0), notice of the virtual open house was sent by pamphlet to the Governor's office, elected officials (federal and state), Federal Highway Administration (FHWA), Oklahoma Transportation Commissioner, Muskogee County Commissioners, City of Muskogee, Muskogee Public Schools, and emergency service providers in the project area. The pamphlet provided a brief description of the purpose and need for the project, purpose of the meeting, and an invitation to the virtual open house. The pamphlet was accompanied with a map, comment form and property rights brochure. Thirty-three (33) letters were mailed on December 17, 2020. A copy of the pamphlet and the mailing list is included in **Appendix A**. Notice of the virtual open house was sent by pamphlet to the 2017 Freight Advisory Committee. Fifty-one (51) people were mailed the pamphlet on December 17, 2020. A copy of the mailing list is included in **Appendix A** that includes, railroads, private companies, Tribal Nations, oil and gas companies, FHWA, planning agencies, U.S. Army Corps of Engineers, state agencies, port authorities, and United Postal Service.

Notice of the virtual open house was also sent by pamphlet to all property owners in the study area. Ninety-one (91) property owners were mailed the pamphlet on December 17, 2020. A copy of the mailing list is included in **Appendix A**.

3.2 OUTREACH

Outreach was provided by a direct mailing by the post office to two (2) mail delivery routes along the project area as noted in blue in Figure 1 on page 5. One-thousand-three-hundred-and fifty-two (1,352) pamphlets, comment forms, right-of-way brochures and self-addressed stamped envelopes were printed and mailed by Mercury Press Plus and direct mailed to Muskogee Post Office for distribution to routes 74401-C015 and 744-1-R010. Direct mailing of pamphlets helps to ensure that individuals who are leasing property within the study area will get the information, as well as the property owners receiving notification through the mail. As the postal route serves a larger area, more people who use the US-69 roadway received the information, increasing the opportunity for input.

Figure 1: Direct Mail Route



3.3 MEETING INFORMATION AND FORMAT

The virtual open house was held from December 18, 2020 to January 4, 2021 to present the information on this project. At the request of the City of Muskogee the meeting was extended to January 18, 2021. Garver hosted a website that included tabs for sign in and handout, virtual project presentation, project history, an interactive project map, right-of-way information, frequent questions, and submit a comment. Copies of these materials can be found in **Appendix B**.

All comments were requested to be received on or before January 4, 2021. The City of Muskogee requested the time period be extended for both the website and comment submittal to January 18, 2021. Written comments could be submitted by mail, email, or online comment form as described on the submit a comment page. Comments could also be added to the interactive map.

4.0 COMMENTS

4.1 PHONE CALL COMMENTS

Seven (7) phone call messages were received from the virtual open house. These phone calls were provided from the (405)-521-3050 number provided in the brochure and provided to the NEPA consultant to return. Each phone

call was returned by the NEPA consultant, Able Consulting. A summary of each phone call is listed below along with the date the phone call was returned.

Caller 1: 12/21/2020. Owns a Mini Storage (Access Storage 3300 W Border) at Border in northwest corner. Wanted to know what green line was (temporary right-of-way) and if ODOT would be taking the building. It was explained that the temporary right-of-way could be for drainage or utilities and that temporary means that that piece of land is needed during construction, then would be returned to landowner. Caller requested further information, so the designer contact information was provided. Caller did not understand why improvements to Border Avenue went to west so much.

Caller 2: 12/22/2020. Owns Denny’s property (635 S 32nd St, Muskogee, OK 74401). Caller wanted to know what the yellow line represented. It was explained that the yellow line represents a utility easement that is needed. No loss of parking or buildings taken. Owner wanted to know if the tenant’s operation would be affected. It was explained that access will be maintained during construction. The US-69 roadway just had an overlay on it, so construction would be like that. Owner asked how to determine the fair market value for a utility easement. It was stated to speak to a realtor.

Caller 3: 12/28/2020. Message was received from Cotty Foods. Call was returned and a message left.

Caller 4: 1/4/2021. Lives in the Coburn housing addition near Border Avenue. Caller liked the idea of having a shoulder to be able to pull off and does not support the bypass. Likes the seven lanes with turn lane as well. Overall caller wants the safest option that keeps US-69 in town.

Caller 5: 1/4/2021. Caller in support of widening and approves of US-69 highway to be six lanes and redone. Caller liked Figure 1 and Figure 2. Caller stated there is a lot of traffic on US-69 and has lived in Muskogee for 65 years.

Caller 6: 1/10/2021. Caller stated they do not want the extra two lanes. Likes Option Number 3.

Caller 7: 1/10/2021. Caller lives at corner of Ramona and US-69. Wanted to be certain their property would not be impacted.

4.2 WEB-PAGE COMMENTS

Forty-four (44) web-page comments were received from the virtual open house. These comments received from the virtual open house are from citizens who left a comment on the webpage. These comments were then forwarded to the NEPA consultant by E-mail. These comments have been grouped into general categories for ease of reading. An ODOT response has been added at the end of each general category.

US-69 MUSKOGEE WEBPAGE COMMENTS	
Acquisition Questions	
1a	Could you please confirm if the City of Muskogee or Department of Transportation (ODOT) is buying part or all the properties needed for the Hwy 69 expansion in Muskogee?
6b	Will right of way be purchased on the east side or the west side? The east side has a lot of dilapidated structures and may be easier to acquire

ODOT Response: From our current plans, ODOT will only have to acquire easements and hopefully not have to buy any full properties. ODOT will have a better understanding of the right-of-way needs once a determination of how many lanes are to be constructed. The vast majority of right-of-way impacts include temporary construction easements and utility easements. Permanent right-of-way acquisitions are currently shown at the Coody Creek bridge, Border Avenue and NW corner of Arline Avenue. ODOT is hoping that no buildings will be acquired for the roadway improvements.

Opposed To Any Continued Expansion of US 69 Into Superhighway

I am opposed to any continued expansion of US 69 into a Superhighway, that is currently traveling thru a 'residential district' of City of Muskogee, OK. I am very disappointed with the "Lack of Public Information", "NOT being distributed by the local Muskogee newspaper", "Phoenix" or the Area TV. This important issue, if lucky, will receive, intentionally, only 'one printing' to avoid feedback from concerned citizens. The City of Muskogee operates by endorsing short term schemes, and it appears, the less said plays better when seeking ODOT project money to boost local economy. Avoiding the hard questions regarding excessive Air Pollution from increased Auto Traffic and Semi-Trailer Traffic, resulting in Medical Harm (cancer. etc.) to citizens of Muskogee, increased risk to senior citizen drivers, delays in travel for emergency vehicles, ambulances, appointments locally, a proposed widening of Highway 69 actually resulting in losing additional unsustainable businesses, dangerous drivers access/egress to State Highway 69 (not a street), the risk of a traffic accident blocking, stopping or closing 'ALL' North/South 69 Traffic, because of "CITY BOTTLENECK". { The Oklahoma Department of Transportation (O.D.O.T) in 2020 Plan/Graph admits over 5,000 Semi-Trailers 'travel this corridor daily'; meaning approximately "1,825,000 SEMI'S use Highway 69. Yearly"} This they assert is "only 25 % of total auto/truck traffic", which adds up to 5,475,000 vehicles/auto/trucks Traveling Across A City Street. {Total= "6,300,000- 6 Million Three Hundred Thousand Vehicles" a Year.} How about telling the Citizens 'all' the facts on City/State Television Broadcasts? State/Local Newspapers, Virtual Internet, etc.? The PEOPLE should Be Informed, not Ignored. Covering over a problem does not address finding an intelligent solution. Pouring Millions of Dollars "DOWN A HOLE" just creates a bigger hole to deal with in the future. We all want the City of Muskogee, OK. to move toward a better future for "ALL CITIZENS" by planning beyond today. This will only be done when CITY HALL/ Municipal Government looks beyond short-term fixes and quick-money schemes to address failing economy, lost businesses and unemployment, especially during a Covid-19 Pandemic. The City of Muskogee building 50 - (5&10) discount businesses, 50 dope houses, 50 convenience stores, 20 unsupported restaurants and 10 empty motels will not save Muskogee financially. Support realistic future development by investing in "NEW MUSKOGEE" - WEST OF 70TH Street. A great location for the "BIGGEST SEMI-TRAILER/TRUCK STOP IN OKLAHOMA", the City of Muskogee", Muskogee County, U.S.A. A good site for new school, new housing, business development, industry, manufacturing and a "SUPER WALMART" to support City of MUSKOGEE". Plus, it will be away from the Arkansas River Flooding, O.D.O.T can make that happen by splitting Route 69 into a 'Business Route 69 SOUTH' for tourist/visitor/local/area use and by intelligently developing a 'Semi/Traffic Bypass Route 69 WEST'; around the City of Muskogee. An ongoing continuing legacy focused on the Development of 'Future Muskogee', a growing WIN-WIN, financially and economically FOR ALL: Muskogee Citizens, Children, Families and Area Residents, the City of Muskogee, Muskogee County and the State of Oklahoma. "STOP CHASING A LOST CAUSE", "THE PROBLEM, over the last 50 years, IS THE TRAFFIC ITSELF". "NO SOLUTION HAS BECOME A CITY TRADEMARK". My question is Why waste Millions of Dollars altering a City Street in the City of Muskogee, if all you end up with is the same problem? Lastly, a few more question? Are you sure the proposed 69 changes are not on Native American Land? Creek Indian Territory? Without any Historic Value? THANK YOU. O.D.O.T for INFO. *note: Recently Mayor of Muskogee commented ODOT spent a Million\$ widening 69 Border to Peak- 'actually adding rumble strips'. No mention of Route 69 Proposal - Border to Okmulgee St????

2a

ODOT Response: The purpose and need for this project is to provide operational improvements, including improvements to a pedestrian bridge (abandoned railroad overpass), extension of an existing bridge over Coody Creek, and reconstruction of the existing pavement. ODOT provided a public media release of this meeting but cannot guarantee who will pick up the release.

Property Impacts

3a I own Access Storage, 3300 W Border Ave, Muskogee. I am supportive of the HW69 expansion. I am not supportive of any plan to expand Border Ave which impacts my facility buildings. I am not adjacent to HW69 and there is no justification expand Border AVE, no traffic study to justify this. I spoke to the design engineer and the proposed turning lane on Border is a city of Muskogee request and not part of the HW69 project expansion. Per the designer, the proposed easement through my front building is unnecessary and can be modified to avoid impact to any of my front buildings. My expectation is that the plan will be modified to not impact Access Storage. I will fight any attempt to impact my buildings.

ODOT Response: ODOT has been in contact with this property owner. The preliminary design shows a utility easement that goes through one building that is a climate-controlled structure. ODOT understands this owner does not want to lose the building. During final design, the designer will try to work around the building with a design/right-of-way exception or possibly bore under the building.

Support Both 6-lane Divided and 7-lane Proposals With 35mph Speed Limit

4a I like both the 6-lane divided and the 7-lane proposals as long as the 35mph speed limit is maintained from Border to Okmulgee, otherwise only the 6-lane would be feasible.

ODOT Response: The speed limit is and will remain 55 mph from the beginning of project to South of Border. From there north to Okmulgee the posted speed limit is 35mph and that will remain the same after the improvements.

Support Pedestrian Bridge

4b I love the concept of updating the pedestrian bridge and making it look more like the recent improvements to other structures around town. I only wish it was to begin sooner than 4 years.

9a The old railroad overpass replacement is long overdue, great ideas!

ODOT Response: ODOT has been and will continue to work with the City on the pedestrian bridge to have it “fit in” with other City improvements. If additional funding becomes available, this project could be advanced.

Truck Comments

5a I try to avoid traveling on US69 as much as possible. Way too many trucks. I make better time traveling 24th st at a slower speed limit, and the road up til lately has been smoother. It would be nice to be able to see the businesses on either side of the road while traveling US69, but the trailer trucks block vision as well causing you to have to pay close attention to them. The drivers don't always see you and can cut you off easily. I sometimes feel intimidated because of the congestion. The idea of re-directing trucks sound great to me.

21a Perhaps to make the widening project most beneficial, there should be a law that the semi-trailer traffic should be required to use right lines only. Otherwise widening won't improve the flow due to these rigs occupying all lanes.

ODOT Response: Currently US-69 has 25% trucks. ODOT understands that vision can be impaired by the trucks. It would not be possible to enforce a truck right lane policy.

Traffic Signalization on US-69

6a How will the city and ODOT work together on the light synchronization part of the project?

ODOT Response: The traffic signals will be synchronized to prioritize the US-69 corridor and minimize congestion. ODOT will have control and maintenance of these signals.

Bypass Comments in Favor or Against

7a Option 1 is the best out of these 3 options. It would be even better if we made a bypass or build 69 around Muskogee, but not where they wanted to put it before. The reason the bypass was voted down before is because they chose to put it thru private property, which was a very bad idea. They should have re-evaluated the position so that it would not go thru peoples' property. I just want a way to get thru or around Muskogee FASTER!!!! I do not care how. I just need to get from the North side of Muskogee to the South side faster. If a bypass has no chance of ever being built, please consider making 69 into an Interstate/Freeway by adding bridges at every intersection and service roads along 69 so drivers have the option of getting on and off easily, get to nearby businesses, or pass thru Muskogee at a fast speed. Shawnee Bypass can easily be turned into a freeway with service roads. It is horrible as is and literally begging to be constructed correctly!!!

13a This proposal is far better than destroying the businesses now on highway 69 with a bypass. We have seen what happened to Tucumcari, N.M. when it was bypassed.

22a Build the bypass

23a In my opinion. Project B would be the best in least impact for the future expansions of Muskogee and increased traffic of the future.

28a I am still in favor of the bypass and regret that city leaders responded without, apparently, researching the impact of bypasses in other cities and states regarding their economic impact - and especially seeing your data on the 2050 level of service we will have even after spending these millions.

37a Is there a drawing of where it reroutes? Will landowners be paid a fair price for their property? Will it bring more business south?

39a I would vote to do the bypass. Having managed Weldon Truck Parts for 20 years before I retired, I understand the trucking industry but having said that I have lost three friends from wrecks on 69. My thoughts are you cannot put a monetary value on human life. I would be in favor of an elevated highway like the ones in Texas. Thank you

ODOT Response: Based on public feedback, ODOT and FHWA refocused attention on updating the existing US-69 corridor and tasked a consultant to look at alternatives to improve the existing US-69 facility through Muskogee in early 2020. There are no options for a bypass route that do not involve purchasing new right of way for the extents of the project.

Add New Intersections/Interchanges

7b The new type of intersections that bigger cities are slowly building, are helping alleviate traffic, get more cars thru an intersection in less time, and preventing accidents from happening. These intersections include: Dogbone interchange (also called bowtie). It has a double roundabout. Diverging Diamond Interchange (this is probably my favorite because pedestrians walk down the sidewalk in the center). Some cities have added tunnels under each end of this intersection so drivers can have the option of going straight thru, while

	still being on the exit/entrance ramp or service road. Single-point Interchange (Tunnels can also be implemented here to go straight thru without stopping at a traffic light on a normal intersection) Simple, 2 or 3 lane roundabout 3. Please add more of the new-style traffic lights with 4 or 5 lights in a row that features a flashing yellow arrow. These are the best traffic lights ever made!
--	---

	ODOT Response: The interchanges and intersection types mentioned would require extensive amounts of new right-of-way and create numerous relocations.
--	--

Add Trails, Bike Lanes, Crosswalks / Improve Other City Streets

7c	Please add more trails, buffered bike lanes, and add proper pedestrian/trail crosswalks with either the new-style crossing light that has 3 bulbs in a square or flashing yellow signs in the grass and flashing lights built into the road (both will stop traffic properly and will help drivers see pedestrians). 5. Improve the streetscape of downtown and along highways. This will bring more businesses to Muskogee, make Muskogee look better, make people want to stop, and make people want to walk in those areas. Add sidewalks, benches, crosswalks, trees, gardens, plants, plant a tree in every few parking spaces and build a curb around it (especially in areas that have too much parking, but not enough cars using it).
----	--

38a	As a taxpayer I do not approve of this project because the streets in this town are in way worse shape than this section of road. Fix the city streets first and let the state worry about the state highways. MY VOTE IS NOOOOOOOOOOOO!!!!
-----	---

44b	Sidewalks along the reconstructed highway need to have an adequate buffer strip between them and the curb/vehicle lanes.
-----	--

	ODOT Response: ODOT is responsible for the U.S. and State highways. The streetscape improvements mentioned for downtown and city street improvements that are not designated as state highways would need to be funded by the City.
--	--

Passenger Rail and Streetcar Service to Muskogee

7d	This is the most important of all! Please, I beg of you, PLEASE build or find a way to get passenger rail service to Muskogee. We need something like Amtrak that goes to other towns/cities, but we also need a commuter train going around Muskogee too. Muskogee needs more options for transportation. We need to get people into Muskogee by train, then let them get on a city train to go around Muskogee. Not everyone can afford a car, but everyone can afford \$8 to get there and \$4 to go halfway around the city. It makes no sense for thousands of people to all drive separate cars and all go to the exact same place. Why not put 500+ people on 1 train to get to Muskogee instead, then 50 or 100 people on the commuter train. 7. Finally, we need a streetcar going around downtown or all-around Muskogee if we can't get a commuter train. This will alleviate traffic wherever it goes and will be affordable. It will also help Muskogee look better, bring more customers to businesses, and bring in more businesses. It will go great with the streetscape. The streetscape and streetcar can triple the benefits, if done right. Please implement as many of these as possible. The more you invest in rail transportation, the less you will waste on roads and highways.
----	--

	ODOT Response: The Heartland Flyer is the only passenger rail service operating in Oklahoma from Oklahoma City to Fort Worth Texas.
--	--

Support Figure 2 / OPTION 1 - CONSTRUCTION OF 6-LANE CURB & GUTTER WITH RAISED MEDIAN

8a	Option 1 makes the most sense. Less accident impact, better longevity and options for both local and semi traffic. Option 3 is a complete waste of time and resources with no benefits to the community.
----	--



15a	My initial pick was Option 2 with a continuous two-way left turn lane. However, after reviewing the many driveways along this stretch, I feel Option 1 would be a safer choice especially if left turn lanes were included. I would also hope the crepe myrtle bushes in the median south of Border Avenue would not be removed as they greatly enhance the aesthetic beauty entering the city.
18a	In the three proposed layouts, I like the idea of having 6 lanes, just like we have going N. on 69 highway from Broadway N. to Shawnee. I would like to see no or less left turn lanes however. If there is a center left turn lane (which I would do away with) people needing to turn N or S from a side street would be crossing four lanes of traffic to make a left turn. I see people all the time use a left turn lane as a merge into traffic lane. With all the semi traffic we have on 69 highway, limiting left turns, in my opinion is both a safety issue and traffic flow issue, maybe a center median, like we have going S. out of town would be an in town option. Just to alleviate left turns in this small area. I realize emergency vehicles need easy access though. Thank you.
24a	I favor option1 with turn lanes at all intersections.
25a	The 6 lane, elevated median highway would be the safest.
	ODOT Response: Based on the comments received and discussions with the City of Muskogee, ODOT is moving forward with Option 2 - construction of 7-lane curb & gutter with continuous two-way left turn lane, although raised medians will be provided at select locations.
Support Figure 3 / OPTION 2 - CONSTRUCTION OF 7-LANE CURB & GUTTER WITH CONTINUOUS TWO-WAY LEFT TURN LANE	
9b	My opinion to the alternate sections of highway sections would be figure 3 . Several roads in Tulsa and Broken Arrow are using this type and it seems to be working fine. Controlled traffic speed with proper signal lighting, flashing lights, speed signs, and police patrol could curb accidents immensely. When I have traveled in the Tulsa area , I have found the turning lane in the middle to be helpful as a haven for me when turning left into traffic. I look at it as a safe zone. I think proper painting on road and maybe some small vibration strips could be helpful (in certain places) I know that this type also gives a much more modern look with less upkeep.
10a	Figure 3 Option 2- Construction of 7 lane curb and gutter with continuous two way left turn lane. That will bring Muskogee more business. People will stop and shop.
17a	I am in favor of option 2 from BOP to Arline. I am unsure whether this same option would be safe enough for the higher density of driveways between Arline and Okmulgee.
19a	As a resident of Muskogee who lives west of the 69 Border area, I prefer the 7-lane proposal.
20a	I am in favor of option 2 from BOP to Arline. I am unsure whether this same option would be safe enough for the higher density of driveways between Arline and Okmulgee.
26a	I support option 2. I believe that providing dedicated turn lanes would be safer for those who use those lanes and would also prevent rear end accidents or other type of accidents if no turn lanes were provided.
27a	The seven lane is by far the best, to encourage retail development.
29a	I as well as many other citizens of Muskogee want south 69 in Muskogee road improvements to be just like the north end as far as being 7 lanes with no median. This will help with traffic flow as well as an economic benefit. We need this to help Muskogee grow and now is a perfect time for this to happen.
30a	Finish the highway in the same manner as was done in front of Quick Trip.
34a	I prefer 7 lanes with no center median so businesses may better develop on both sides of the highway.

35a	Highway 69 is the main corridor through Muskogee. I believe that figure number 3 (7 lanes) represents what's in the best interest for the city and economic growth.
36a	I think the 7-lane proposal would be the best. The continuous center turn lane helps with efficiency and traffic flow
41a	I'm in support of the 7-lane option.
43a	I use HY 69 and Muskogee roads every day. I believe the Figure 3 option 2, (Construction of 7 lane curb and gutter with continuous two way left turn lane) from the Muskogee Phoenix dated Jan. 9-10 is the best option to solve the congestion and delays currently experienced in this area.
	ODOT Response: Based on the comments received and discussions with the City of Muskogee, ODOT is moving forward with Option 2 - construction of 7-lane curb & gutter with continuous two-way left turn lane, although raised medians will be provided at select locations.
Support Figure 4 / OPTION 3 - RECONSTRUCT THE EXISTING 4-LANE CURB & GUTTER WITH RAISED MEDIAN	
28b	My 'vote' is for Option 3 (four-lane)
	ODOT Response: Based on the comments received and discussions with the City of Muskogee, ODOT is moving forward with Option 2 - construction of 7-lane curb & gutter with continuous two-way left turn lane, although raised medians will be provided at select locations.
Support Improvements to US-69	
11a	As a lifelong citizen of Muskogee, I feel this project is vital for our city. The growth due to the project from West Okmulgee to Shawnee was a huge improvement for our businesses and welcomes travelers to our city.
12a	Would love to see this happen.
14a	I believe this to be a must, that area is more congested, and it would help clean up that area making Muskogee more presentable and people may want to stop and see what we are about if we look nice. I have been living in Muskogee since the 90's, graduated High School here, raised my children here also. Makes me sad to see the old empty buildings. Makes Muskogee look poor, giving a negative vibe. When you update that area, it will be so nice. I am really glad you did not do the bypass; it would have hurt Muskogee really. Clean up the problem, do not build around it. Thank you.
31a	I am in favor of the project. I believe this will be beneficial to our city in order to attract business, as well as updating our aesthetics that will improve visitation and events. Whether with a median or without, this change is greatly needed for the growth of our community.
32a	I completely support the widening project for HWY 69. This will be beneficial for businesses and traffic flow.
33a	I would prefer ODOT expand the existing Highway 69 versus a complete reroute. The economic impact for our already low-income City could be catastrophic. Please consider widening versus re-routing.
40a	I would think this would be a great upgrade to the city and surrounding areas. Thank you.
42a	I concur with the expansion of US 69 through Muskogee to enhance the flow of traffic.
44a	Whichever option is selected should be the one that is safest for all users, including pedestrians and motor vehicles. Narrower and fewer lanes would slow traffic down, likely improving safety for all users, as well as accessibility in and out of businesses along the corridor.

	ODOT Response: Thank you for your comments.
Comments on Presentation	
15b	Thank you ODOT staff who put this presentation together.
16a	Nice Presentation.
	ODOT Response: Thank you for your comments.

4.3 INTERACTIVE MAPS COMMENTS

From the three design options, interactive map comments have been received that are listed below with each map. An ODOT response is provided as well.

OPTION 1

Fill in the walking trail underpass and make it a walking trail overpass. Level out the road.
Please use Option 1.
I think option 1 is the best for Muskogee
I like the raised median look and plan one

ODOT Responses:

The road will be raised 5 feet under the pedestrian trail.

Thank you for your input.

OPTION 2

What do these green lines on the entrance of our driveway mean for our business?
Option 2 is best. It ties in with the enhancement made north of Okmulgee.
Option 2 which is the 7-lane option with a continuous turn lane is the best option and provides for the best traffic flow

ODOT Responses:

The green line represents temporary right-of-way that will be needed by the Department to construct a new driveway during construction.

Thank you for your input.

OPTION 3

The City would like a defined partnership role in the signal coordination part of this project
The presentation seemed to indicate right of way acquisition on the west side of U.S. 69. Why wasn't the east side considered? The east side has more dilapidated structures and would seem cheaper to acquire. Was that considered?
I am concerned if I am retaining the entrance onto my parking lot in front of my business off of Border Ave.?

ODOT Responses:

The traffic signals will be synchronized to prioritize the US-69 corridor and minimize congestion. ODOT will have control and maintenance of these signals.

From our current plans, ODOT will only have to acquire easements and hopefully not have to buy any full properties. ODOT will have a better understanding of the right-of-way needs once a determination of how many lanes are to be constructed. The vast majority of right-of-way impacts include temporary construction easements and utility easements. Permanent right-of-way acquisitions are currently shown at the Coody Creek bridge, Border Avenue and NW corner of Arline Avenue. ODOT is hoping that no buildings will be acquired for the roadway improvements.

Access will be maintained to business during construction. If ODOT removes access from a property, then that will be compensated for during right-of-way acquisition.

4.4 WRITTEN COMMENTS

Fourteen (14) written comments were received that are summarized below. Copies of the written citizen comments (comment forms) are included in **Appendix C**. An ODOT response is provided as well.

US-69 MUSKOGEE WRITTEN COMMENTS	
Other Roadway Improvements	
1a	Not only those areas are in need of improvements as other roads in the inner areas need improvements as well. Meadow Brooks Apartment off of Border Ave.
	ODOT Response: Improvements to City streets would be the responsibility of the City of Muskogee.
Support Figure 2 / OPTION 1 - CONSTRUCTION OF 6-LANE CURB & GUTTER WITH RAISED MEDIAN	

2a	I would like to see HWY 69 updated and have a 6 lane to drive on would be safer for all of us that live in the era. Figure 2 would be my preference.
7a	I like the proposal of Figure 2 - Option 1
12b	Proposed improvements It appears Option 1 will be the safest and will provide the best level of service for the existing mix of traffic. Offset left turn bays and constructed with 12' reinforced concrete.
	ODOT Response: Based on the comments received and discussions with the City of Muskogee, ODOT is moving forward with Option 2 - construction of 7-lane curb & gutter with continuous two-way left turn lane, although raised medians will be provided at select locations.
Support Figure 3 / Option 2 - CONSTRUCTION OF 7-LANE CURB & GUTTER WITH CONTINUOUS TWO-WAY LEFT TURN LANE	
3a	We proposed. Figure 3: Option 2 - construction of 7 lane curb and gutter with continuous two way left turn lane to US-69 in Muskogee
4a	Option 2 - Figure 3. Thanks
5a	I favor Figure 3: option 2
6c	I do not know why anybody would think any choice other than Figure 3- option 2. This would save on maintenance cost and gas of residence not always going down and make a U-turn every time you go somewhere.
8a	Option 2 - Figure 3.
9a	I like Figure 3 (Option2) because there are more opportunities with it. If this goes through the traffic flow will be better. The cars won't have to go make a left turn to enter a business. Cars that are turning won't interrupt traffic flow.
10a	On behalf of Shyama Hotels we like Option 2 - Figure 3. The rationale is that making an open street divided rather a raised divided will create more accessibility for those traveling through who want to visit businesses along both side of the highway.
11a	I have chosen Figure 3 because of truck and traffic lights.
13a	Our family likes Figure 3 - Option 2. There needs to be thru lanes in the middle.
14b	As to options, I vote for the one to have the least negative effect on ingress and egress as possible. I believe that would be Option 2.
	ODOT Response: Based on the comments received and discussions with the City of Muskogee, ODOT is moving forward with Option 2 - construction of 7-lane curb & gutter with continuous two-way left turn lane, although raised medians will be provided at select locations.
Sidewalks	
6a	The current design does not serve the needs of a growing city. There are no sidewalks, crosswalks, or turn lanes. People are forced to walk and operate their wheelchair in the street because of lack of sidewalks. There are just a few breaks in the center median and none have crosswalks. Any business or street on the left side can only be accessed by going way down the road and make a U-Turn and backtrack. I live on Arline only 100 ft east of Highway and see lots and lots of people in wheel chairs and waling in the highway.

	ODOT Response: Sidewalks will be provided on both sides of the US-69 roadway from Border to Okmulgee Avenue.
Shrubs and Grass in Median	
6b	The shrubs and grass in the median not good. The grass and shrubs in the center median are not taken care of properly and always look shaggy and neglected.
	ODOT Response: The plantings in the median are the responsibilities of the City to maintain.
Questions	
10b	Can you provide us with the exact measurement and dimensions of the 1. lanes, 2. inside and outside shoulders, 3. curb, 4. gutter, 5. medians or 2-way left turn lane. And 6. sidewalks for each of the 3 proposed options? This will allow property owners such as us to better gauge what impacts the new construction will have on our respective properties.
	ODOT Response: This commenter was contacted by the designer to answer these specific questions.
Bypass	
12a	For the record: The west bypass should be built with three connection roads into Muskogee.
	ODOT Response: Based on public feedback, ODOT and FHWA refocused attention on updating the existing US-69 corridor and tasked a consultant to look at alternatives to improve the existing US-69 facility through Muskogee in early 2020.
Property Impacts	
14a	I am 85 years old and difficult to travel long distances (California to Oklahoma). I am worried about impact to my property and its tenant. The little income I get from this is important me. I am only asking for as little impact on property and tenant as possible and as much reasonable compensation as is possible.
	ODOT Response: From our current plans, ODOT will only have to acquire easements and hopefully not have to buy any full properties. ODOT will have a better understanding of the right-of-way needs once a determination of how many lanes are to be constructed. The vast majority of right-of-way impacts include temporary construction easements and utility easements. Permanent right-of-way acquisitions are currently shown at the Coody Creek bridge, Border Avenue and NW corner of Arline Avenue. ODOT is hoping that no buildings will be acquired for the roadway improvements.

5.0 AGENCY SOLICITATION LETTERS

Agency solicitation letters were dated December 16, 2020 and were mailed during the virtual open house. These letters provided a short project description, website link, and enclosed project location and aerial maps. The letter requested recipients provide input by January 4, 2021 and included a link to the project presentation information. This letter was sent to thirty-nine (39) State and Federal agencies including the US Army Corps of Engineers, Tribal Nations and numerous State agencies. A copy of the solicitation letter and the mailing list is included in **Appendix D**, while **Appendix E** contains the written agency comments received.

5.1 AGENCY COMMENTS AND ODOT RESPONSES

Three (3) agency letter responses were received and are summarized below along with an ODOT response.

- 1) The **Oklahoma Aeronautics Commission** stated that based on the limited information provided and our cursory review, the potential project does not appear to pose a hazard to the safe and efficient use of navigable airspace.

ODOT Response: This comment is noted and appreciated.

- 2) The **Oklahoma Department of Environmental Quality (DEQ)** stated no adverse environmental impacts under DEQ jurisdiction are anticipated for the project; however, please be aware of the following regulatory requirements:

A. Prior to beginning any construction activity disturbing more than one acre, you must submit an NOI and obtain authorization under OKR10, construction stormwater. If you need assistance, please contact DEQ's Stormwater Unit at (405) 702-6100.

B. It is unclear if water and wastewater utilities will need to be relocated as part of this project. Water and wastewater infrastructure projects that will require a construction permit from DEQ's Water Quality Division include the following:

- Construction of new water and wastewater treatment facilities;
- Modifications and upgrades to existing facilities;
- Construction of new water distribution and wastewater collection lines;
- Relocation of existing water distribution and wastewater collection lines.

Projects that do not require a construction permit include:

- Replacement of existing equipment with same type and size equipment;
- Replacement of existing water and wastewater lines with the same size line in the same location.

ODOT Response:

These comments are noted and ODOT will obtain authorization under OKR10, construction stormwater prior to construction.

-
- 3) The **Bureau of Indian Affairs** stated there are five Federally recognized tribes within the project area and provided the names and addresses.

ODOT Response:

The five tribes mentioned in the response letter were also provided a solicitation letter and an opportunity to comment on the project.

6.0 DATA ANALYTICS AND SIGN IN

Appendix F contains the data analytics from the US-69 webpage virtual public input page. Attendee participation included 1,230 users with 3,690 views. The top engagement city was Muskogee with 464, followed by Boston with 162. Sixty-one (61) signed in for the meeting on the webpage and that list can be found in **Appendix G**.

APPENDIX A - MAILING

PAMPHLET

COMMENT FORM

PROPERTY RIGHTS BROCHURE

PUBLIC OFFICIALS & PROPERTY MAILING LISTS

VIRTUAL PUBLIC OPEN HOUSE

*December 18, 2020 to
January 4, 2021*

US-69 thru City of Muskogee

US-69 roadway improvements from 0.48 miles north of US-64 East (near Haddock Drive), extending north 2.5 miles to just south of Okmulgee Avenue in City of Muskogee, Muskogee County, Job Piece # 27108(04), State Project # J2-7108(004)

*Join
Us!*

www.odot.org/US69Muskogee



VIRTUAL OPEN HOUSE

The Oklahoma Department of Transportation (ODOT) will host a virtual open house to present the proposed design alternatives to US-69 thru the City of Muskogee. This meeting will present the design alternatives for the project and allow the public to submit input. Due to concerns over the spread of COVID-19, this will be a web-based format (no in-person meeting). The information will be available beginning December 18, 2020, and comments are requested by January 4, 2021.



Purpose

The purpose of the Virtual Open House is to present the proposed design alternatives for this highway segment and receive public input to aid ODOT in moving forward with the completion of the environmental studies, design, and construction.



Join

www.odot.org/US69Muskogee



**OKLAHOMA
Transportation**

December 14, 2020

Dear Stakeholders, Property Owners and Utility Owners:

RE: Virtual Public Open House for US-69 from 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles in City of Muskogee, Muskogee County, Job Piece # 27108(04), Project # J2-7108(004)

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), is proposing roadway and bridge improvements on US-69 from 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles in City of Muskogee. The purpose and need for this project is to provide operational improvements, including improvements to a pedestrian bridge (abandoned railroad overpass), extension of an existing bridge over Coody Creek, and reconstruction of the existing pavement.

Due to ongoing concerns about COVID-19, ODOT will host a virtual open house from December 18, 2020 through January 4, 2021 to present the design alternatives for the project and allow the public to submit input. Results of the environmental studies conducted in 2015 for the project will also be available to view. This pamphlet contains additional information about the virtual open house and a handout describing our right-of-way acquisition process. This property rights brochure is for information purpose only as your property may or may not be affected by the proposed project.

ODOT has tasked a Consultant to determine the best alternative for correcting the roadway deficiencies while taking into consideration construction costs, right-of-way and utility costs, and environmental constraints. Following the virtual open house, the meeting material can be found at: <http://www.odot.org/publicmeetings>.

If you are currently leasing this property, please notify your lessee of our Virtual Open House.

Should you have questions regarding the project, please call (405) 521-3050 and leave a detailed message or email environment@odot.org.

Sincerely,



Siv Sundaram, P.E.
Environmental Programs Division Engineer

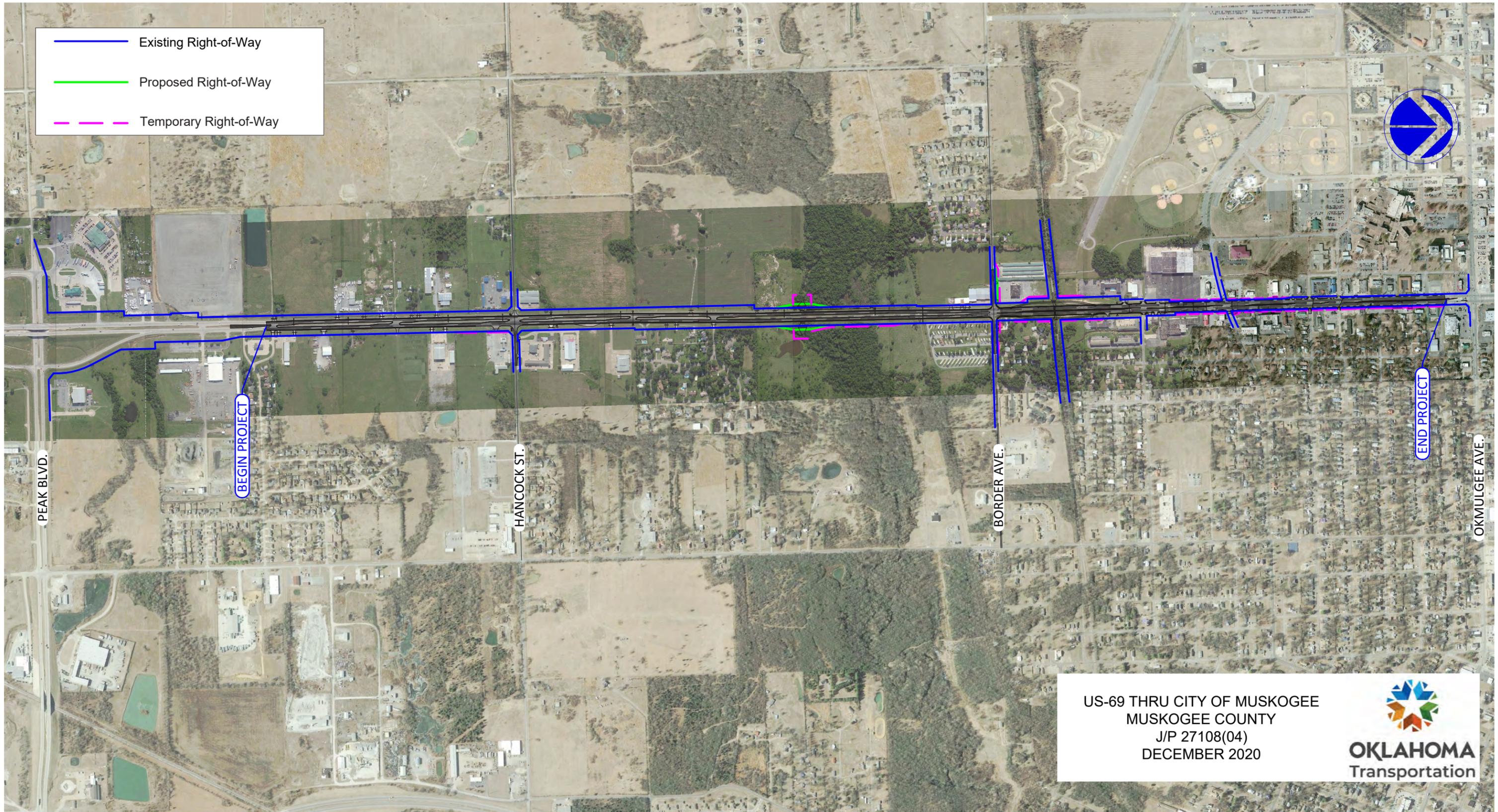
The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors. To request an accommodation please contact the ADA Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353, no later than 72 hours before any scheduled event. If you have any ADA or Title VI questions email ODOT-ada-titlevi@odot.org.

"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce, and communities of Oklahoma."

AN EQUAL OPPORTUNITY EMPLOYER

US-69 THRU CITY OF MUSKOGEE

US-69 roadway improvements from 0.48 miles north of US-64 East (near Haddock Drive), extending north 2.5 miles to just south of Okmulgee Avenue in City of Muskogee, Muskogee County, Job Piece # 27108(04), State Project # J2-7108(004)



Project Background

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), is proposing roadway and bridge improvements on US-69 roadway improvements from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in City of Muskogee, Muskogee County.

The purpose and need for this project is to provide operational improvements, including improvements to a pedestrian bridge (abandoned railroad overpass), extension of an existing bridge over Coody Creek, and reconstruction of the existing pavement.

The existing highway consists of four (2) 12-foot wide driving lanes with 4-foot wide inside and 10-foot wide outside paved shoulders. The current traffic (2020) on US-69 is 23,710 vehicles per day (vpd) with a 2040 projected traffic of 33,870 vpd. Both projects include 25% trucks. There are four signalized intersections at Okmulgee Avenue, Arline Avenue, Border Avenue and Hancock Street.

Project Description

ODOT proposes to reconstruct the open section divided 4-lane roadway from the beginning of the project (Haddock Drive) to Border Avenue in its current configuration consisting of 12' lanes with 4' inside and 10' outside shoulders. See Figure 1 for details. From Border Avenue to Okmulgee Avenue, three alternate typical sections have been investigated. These typical sections include a 6-lane curb and gutter with raised median, 7-lane curb and gutter with continuous two-way left turn lane, and reconstruction of existing 4-lane curb and gutter with raised median. See Figures 2-4 for details. Traffic signals at Hancock Street, Border Avenue, Arline Avenue, and Okmulgee Avenue will be updated to optimize traffic operations.

The enclosed map shows the design of the preferred alternative. The public may view the project design on the virtual open house website and read more about how the project will affect homes and businesses.

PROPOSED ALTERNATE TYPICAL SECTIONS

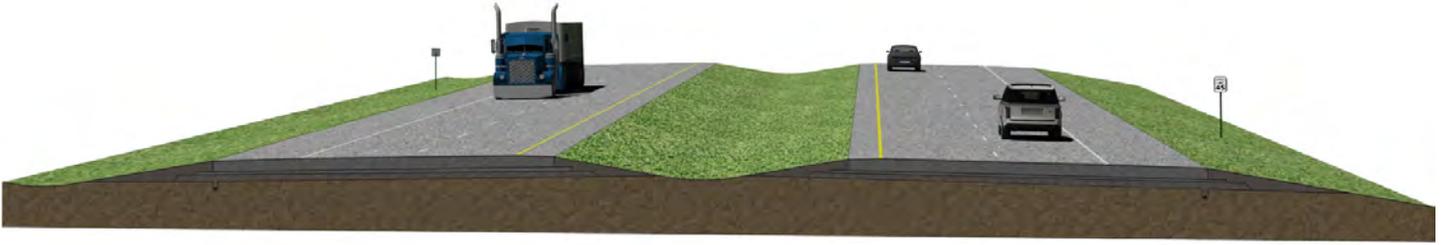


FIGURE 1: OPEN SECTION DIVIDED FOUR LANE TYPICAL SECTION FROM BEGINNING OF PROJECT TO BORDER AVENUE

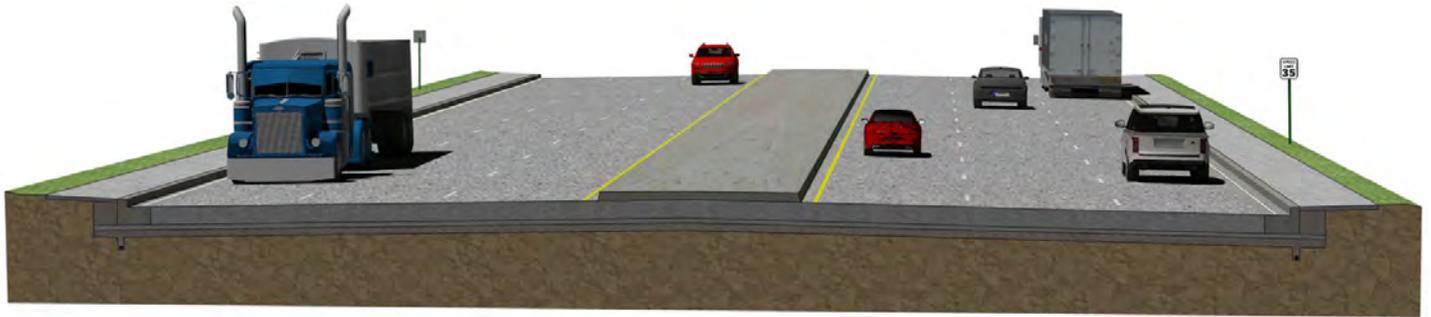


FIGURE 2: OPTION 1 - CONSTRUCTION OF 6-LANE CURB & GUTTER WITH RAISED MEDIAN.

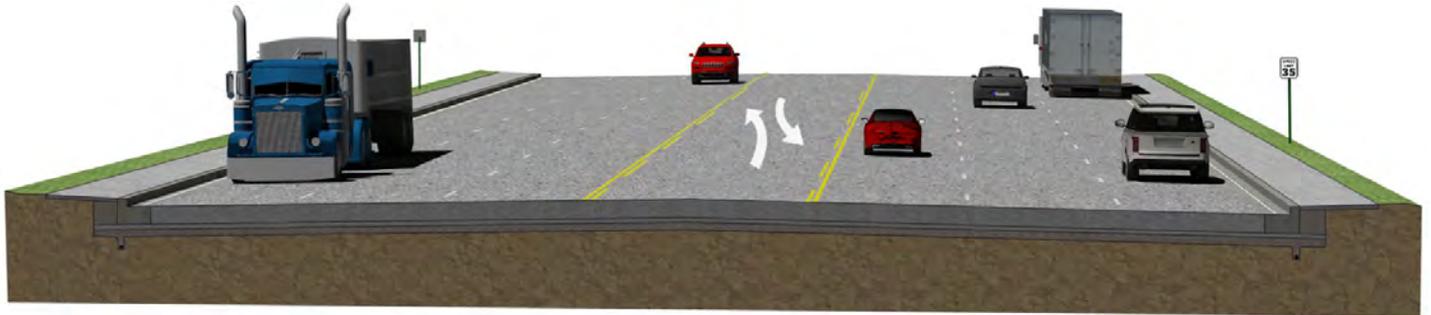


FIGURE 3: OPTION 2 - CONSTRUCTION OF 7-LANE CURB & GUTTER WITH CONTINUOUS TWO-WAY LEFT TURN LANE.

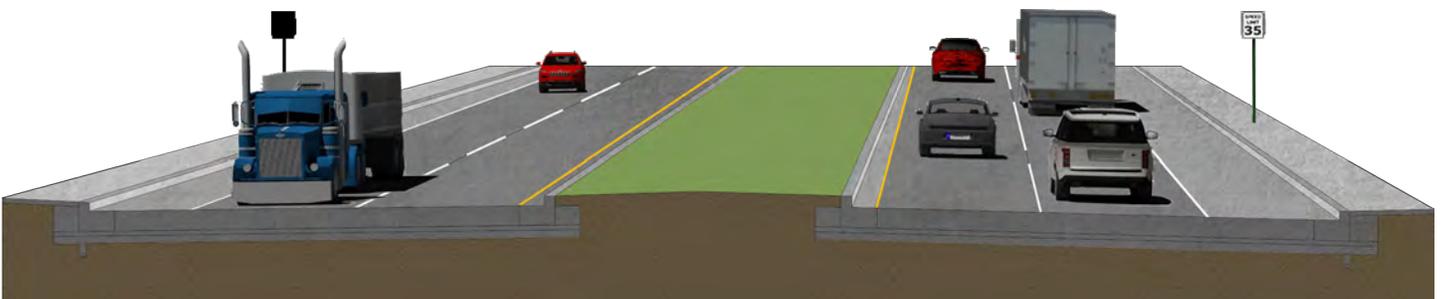
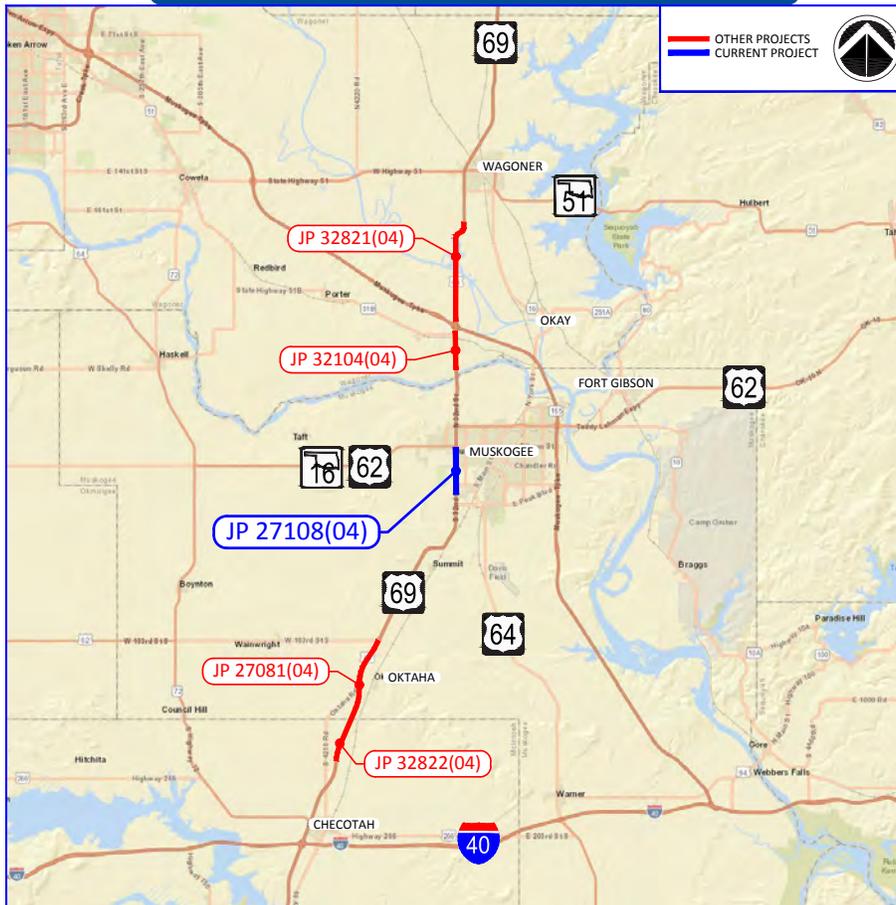


FIGURE 4: OPTION 3 - RECONSTRUCT THE EXISTING 4-LANE CURB & GUTTER WITH RAISED MEDIAN.

PROJECTS ON US-69



PROJECT INFORMATION SUMMARY

- Total Estimated Construction Cost of Project: Option 1 **\$35.926 Million**
Option 2 **\$35.607 Million**
Option 3 **\$27.277 Million**
- Right-of-Way Acquisition and Utility Relocation Anticipated to Start in: **Summer 2022**
- Construction Anticipated to Start in: **Summer 2024**
- Current Annual Average Daily Traffic (AADT) in year 2015: **23,100 vehicles per day**
- Future Estimated AADT by Year 2040: **33,800 vehicles per day**

*Totals DO NOT include Toll Roads

DIVISION 1 ENGINEER: CHRIS WALLACE, P.E.

**Totals DO NOT include County Bridges

***Total Road Miles:**
1,109.50

***Total Interstate Miles:**
97.27

****Total Bridges:**
706

Counties: Adair, Cherokee, Haskell, McIntosh, **Muskogee**, Okmulgee, Sequoyah, Wagoner



PLEASE PROVIDE YOUR COMMENTS BY January 4, 2021

**For more information
about the project**

(405) 521-3050
environment@odot.org

If you would like interpretation of documents please contact odot.
Si desea interpretar los documentos, pongase en contacto con odot.

<http://www.odot.org/publicmeetings>



The Constitution of the United States and the Constitution of the State of Oklahoma ensure that private property shall not be taken or damaged for public use without just compensation.

It is with these provisions in mind that the Oklahoma Department of Transportation (ODOT) pursues the acquisition of right-of-way. This brochure provides the property owner(s)/authorized agent(s) with general information as to how this process works. A right-of-way agent will provide the property owner(s)/authorized agent(s) with additional specific information as it relates to the owner's legal and property rights.

APPRAISAL

Before the initiation of negotiations for the purchase of real property, an amount is established by ODOT which is reasonably believed to be just compensation for the value of the part taken and the damages to the remaining property, if any. In cases involving the purchase of real property by ODOT with a fair market value of \$10,000 or less, no approved appraisal report will be required. Generally, real property is first appraised by a State-licensed or certified appraiser, and the property owner(s), or their designated representative(s), are given the opportunity to accompany the appraiser during the physical inspection of the subject property. The completed appraisal report is then reviewed by a separate review appraiser to ensure accuracy, completion and the proper use and full compliance with recognized appraisal principles and standards. Finally, an authorized amount is established by ODOT based upon the appraisal review for presentation to the property owner(s)/designated representative(s).

NEGOTIATION

A right-of-way agent presents the property owner(s)/designated representative(s) with a written offer letter containing the amount established as just compensation for the subject property to be acquired with the amount for damages, if any, separately set out. The option to waive the appraisal process and donate the subject property to ODOT is available if the property owner(s)/designated representative(s) wish to do so. A right-of-way agent will present the property owner(s)/designated representative(s) with an available set of plans for the project and will explain how much property must be acquired and what effect the acquisition will have on the remainder of the property, if any. The right-of-way agent is not authorized to alter the amount established as just compensation. No current abstract of the subject property will be requested or required from the subject

property owner(s)/designated representative(s). The right-of-way agent will periodically request that the property owner(s) or their designated representative(s) confirm the current surface ownership of the property regarding individual owners of record, liens, mortgages and tenants, if any. If a current mortgage exist on any property acquired the right-of-way agent will request a mortgage release from the mortgage company. A mortgage release must be obtained to complete the acquisition process. The property owner(s)/designated representative(s) are encouraged to advise the right-of-way agent when and if any actual or pending surface title changes occur.

Upon written notice, property owners may elect to retain the ground water rights, if any, that are attached to the property to be acquired. If the property owner elects to retain the ground water rights, the acquisition will be for surface rights only and will exclude any ground water rights. A property owner that chooses to retain the ground water rights shall have no right to use or occupy the surface rights to the property nor will the property owner have any right to construct, maintain or operate any water well, drilling equipment or lines on or under the surface without the express written permission of the Oklahoma Department of Transportation.

ACCEPTANCE OF OFFER

If the property owner(s)/designated representative(s) agree to accept the offer presented, the right-of-way agent will prepare the deed(s) or easement(s), claim form(s) and other documentation necessary to transfer ownership of the subject property. No formal closing is required as the property owner(s)/designated representative(s) will simply be asked to execute and convey to the right-of-way agent the aforementioned documentation. After these documents have been properly executed, they will be forwarded to ODOT's Oklahoma City office for review, processing and the issuance of a State warrant (check). After the required processing period, normally 25 to 30 business days, the check will be mailed to the property owner(s)/designated representative(s). If there is a mortgage on the subject property, the check may take longer to be processed due to the mortgage holder agreeing to and executing a partial mortgage release or discharge of the mortgage. In the event the negotiation is contingent on the basis of the property owner(s)/designated representative(s) retaining and removing improvements from the right-of-way limits, a specific date will be established for the property owner(s)/designated representative(s) to remove the improvements. On projects where the lead time permits, the Department may be able to lease the improvement(s) to the property owner(s)/designated representative(s) on a month-to-month basis, until such time as the right-of-way must be cleared for utility relocations and/or construction.

EMINENT DOMAIN

Should the property owner(s)/designated representative(s) decline to accept ODOT's offer of compensation, or should the title to the subject property be defective, it will be necessary for ODOT to acquire property for public use upon the payment of just compensation. The legal process by which the power of eminent domain is exercised is known as "condemnation".

Condemnation proceedings are commenced by filing a Petition in the District Court for the county in which the subject property is located. The property owner(s) will be served with a copy of the Petition. The first step taken in the condemnation process is for a District Judge to appoint three unbiased, disinterested freeholders, or "commissioners", to decide the amount of compensation that they believe the property owner(s) should receive.

The commissioners will be appointed at a hearing which will be held at the county courthouse, and the property owner(s) will be provided written notice at least ten (10) days prior to the aforementioned hearing. By law, the District Judge has the authority to select all three commissioners, however, in some instances the District Judge may ask the affected parties for suggestions as to whom to appoint. The property owners have the right to attend the hearing, but are not required to do so.

Three court-appointed commissioners will then inspect the subject property and assess the amount of compensation they believe ODOT should pay. Compensation awarded by the commissioners (known as the commissioners' award) will include the value of the property actually acquired as well as damages, if any, by way of reduction in value to the remaining portion of the property not acquired.

Any special and direct benefits to the part of the property not acquired may be offset against any injury (damage) to the property not acquired. The commissioners will then file a written Report of Commissioners with the Court Clerk detailing their findings.

Subsequent to the filing of the Report of Commissioners, ODOT will deposit the amount awarded by the commissioners with the Court Clerk. State law provides that upon such deposit, ODOT acquires the right to take possession of the subject property. If the property owner(s) wishes to do so, an application may be made to the Court for disbursement of the commissioners' award to the owner(s) (or at least a portion of the award to which they are entitled). The withdrawal of the commissioners' award in no way affects the property owner(s) right to pursue further legal action as detailed below.

If either party believes there has been an error or omission in the Report of Commissioners, or if the property owner(s) wish to challenge ODOT's legal power to take possession of the subject property, a **written exception** to the Report of Commissioners must be filed within thirty (30) days of the filing of the Report of Commissioners. The written exception must be filed with the Court Clerk and the Court may then accept or reject the written exception. If the Court accepts the written exception, it may order a new appraisal. In that event, ODOT will have a continuing right of possession acquired via the first Report of Commissioners, unless and until the Court rules that ODOT does not have the power to condemn the subject property.

If either party desires to challenge only the amount awarded by the commissioners, it must do so by filing a Demand for Jury Trial with the Court Clerk within sixty (60) days of the filing of the Report of Commissioners.

In the event of a jury trial and a jury verdict which exceeds the amount awarded by the court-appointed commissioners, ODOT would then have to deposit an amount equal to the difference between the jury verdict and the commissioners' award with the Court Clerk. Similarly, should the jury verdict be for an amount less than the commissioners' award, the property owner(s) would be required to return that portion of the commissioners' award which exceeds the amount of the jury verdict. Should the amount of the jury's verdict exceed the amount of the commissioners' award by ten percent (10%) or more, then ODOT must reimburse the property owner(s) for their reasonable attorney, appraisal and engineering fees, that were incurred in connection with the condemnation proceedings. Either party may appeal the action taken by the District Court to the Oklahoma Supreme Court.

INCIDENTAL EXPENSES

A real property owner may qualify for the reimbursement of expenses incurred for items such as recording fees, transfer taxes and similar expense incidental to conveying such real property to ODOT. The extent of reimbursement must be incurred by the property owner(s) and shall be determined and pre-approved by ODOT. Penalties for prepayment of any existing recorded mortgages are also included. If the property owner(s) is/are refused an incidental expense payment or believes the payment offered is not adequate to cover incurred expenses, they have the right file a written appeal to:

Chairman, Board of Appeals
Oklahoma Department of Transportation, Office of the General Counsel
200 N.E. 21st Street, Oklahoma City, Oklahoma 73105

The appeal must be filed within sixty (60) days of the date ODOT assumes legal possession of the subject property being acquired. This appeal procedure is provided in relation to incidental expenses only. If the property owner(s) are not satisfied with the fair market value offer for the subject property, they can consult the right-of-way agent for information regarding their rights to court proceedings. The "fair market value offer" to buy is a separate offer and is not subject to review by the Board of Appeals.

If the property owner(s) wish to review the plans on the project, or if they decide to accept ODOT's offer after the right-of-way agent has completed their attempts to negotiate, they are asked to contact:

Oklahoma Department of Transportation
Right-of-Way and Utilities Division
200 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 521-2651

It is the sincere desire and hope of the Oklahoma Department of Transportation (ODOT) to be fair and to successfully negotiate with each property owner. ODOT complies with Title VI of the Civil Rights Act of 1964, which requires that no person in the United States shall, on the basis of race, color, religion, sex, disability, age or national origin, be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity for which ODOT received Federal Financial Assistance.

If a property owner(s) believes that they have been discriminated against, they have the right to file a Title VI complaint with the Oklahoma Department of Transportation's Title VI Coordinator at (405) 521-3379 or email kfire@odot.org.

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients and contractors. To request an accommodation, please contact the ADA Coordinator at (405) 521-4140 or the Oklahoma Relay Service at 1 (800) 722-0353. For ADA or Title VI questions, email ODOT-ada-tit/evi@odot.org.

Title	First Name	Last Name	Salutation	Job Title	Organization	Address	City	State	ZIP
Commissioner	V. Gene	McKown	Commissioner McKown	At-Large Member	OK Transportation Commission	1320 N. Porter	Norman	OK	73071
Commissioner	Bob	Coburn	Commissioner Coburn		OK Transportation Commission, District I	3420 Riverbend Road	Muskogee	OK	74403
			Commissioners	Muskogee County	Board of County Commissioners	300 North Street	Muskogee	OK	74403
The Honorable	Markwayne	Mullin	Representative Mullin		U.S. House of Representatives	2421 Rayburn House Office Building	Washington	D.C.	20515
The Honorable	Markwayne	Mullin	Representative Mullin		U.S. House of Representatives	811-A N. York St.	Muskogee	OK	74403
The Honorable	Dewayne	Pemberton	Senator Pemberton		Oklahoma State Senate	2300 N. Lincoln Blvd. Room 429	OKC	OK	73105
Representative	Chris	Sneed	Representative Sneed		Oklahoma House of Representatives	2300 N. Lincoln Blvd. Room 346.1	OKC	OK	73105
Representative	Avery	Frix	Representative Frix		Oklahoma House of Representatives	2300 N. Lincoln Blvd. Room 405.1	OKC	OK	73105
The Honorable	Jim	Inhofe	Senator Inhofe		U.S. Senate	3817 NW Expressway #780	Oklahoma City	OK	73112
The Honorable	Jim	Inhofe	Senator Inhofe		U.S. Senate	205 Russell Senate Office Building	Washington	D.C.	20510
The Honorable	James	Lankford	Senator Lankford		U.S. Senate	316 Hart Senate Office Building	Washington	D.C.	20510
The Honorable	James	Lankford	Senator Lankford		U.S. Senate	1015 N. Broadway Ave. Suite 310	Oklahoma City	OK	73102
Mr.	Ernie	Moore	Mr. Moore	Executive Director	Eastern Oklahoma Development District	1012 North 38th Street, P.O. 1367	Muskogee	OK	74402
Ms.	Samantha	Davidson Guinn	Ms. Davidson Guinn	Policy Director	Oklahoma State Governor's Office	2300 N. Lincoln Blvd., Suite 212	Oklahoma City	OK	73105
The Honorable	Marlon	Coleman	Mayor Coleman	Mayor	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Ms.	Evelyn	Hibbs	Ms. Hibbs	City Council Ward 1	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Ms.	Stephanie	Morgan	Ms. Morgan	City Council Ward 1	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Ms.	Jaime	Stout	Ms. Stout	City Council Ward 2	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Mr.	Alex	Reynolds	Mr. Reynolds	City Council Ward 2	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Mr.	Derrick	Reed	Mr. Reed	City Council Ward 3	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Mr.	Ivory	Vann	Mr. Vann	City Council Ward 3	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Dr.	Tracy	Hoos	Dr. Hoos	City Council Ward 4	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Ms.	Traci	McGee	Ms. McGee	City Council Ward 4	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Mr.	Mike	Miller	Mr. Miller	City Manager	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Mr.	Gary	Garvin	Mr. Garvin	Assistant City Manager	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Mr.	Mike	Stewart	Mr. Stewart	Public Works Director	City of Muskogee	P.O. Box 1927	Muskogee	OK	74402
Dr.	Jarod	Mendenahll	Dr. Mendenhall	Superintendent	Muskogee Public Schools	202 W Broadway	Muskogee	OK	74401
Chief	Derrell	Jones	Chief Jones		Muskogee Fire Department	505 Columbus Ave	Muskogee	OK	74401
Chief	Johnny	Teehee	Chief Teehee		Muskogee Police Department	112 S 3rd Street	Muskogee	OK	74401
Sheriff	Terry	Freeman	Sheriff Freeman		Muskogee County Sheriff Dept.	220 State Street	Muskogee	OK	74401
			Administrator	Administrator	Saint Francis Hospital Muskogee	300 Edna M. Rockefeller Drive	Muskogee	OK	74401
			Administrator	Administrator	Eastern Oklahoma VA Health Care System	2414 East Shawnee Bypass	Muskogee	OK	74403
			Administrator	Administrator	Jack C Montgomery VA Medical Center	1011 Honor Heights Drive	Muskogee	OK	74401

USA Barn Realty
3201 W Hancock
Muskogee, OK 74401

JC/DC LLC
105 Ramona Dr
Muskogee, OK 74401

Joseph & Jackie Newton
PO Box 38
Okmulgee, OK 74447

Tri City Development
PO Box 832
Stigler, OK 74462

James & Vanessa Stewart
8209 N 50th St W
Porter, OK 74454

Star Mart
2300 S 32nd St
Muskogee, OK 74401

Early's Country RV
2601 S 32nd St
Muskogee, OK 74401

Rick & Judy Berkenbile
PO Box 1211
Fort Gibson, OK 74434

Don Jacobs et al
PO Box 555
Pea Ridge, AR 72751

John & Judy Davis
701 Independence
Muskogee, OK 74403

Thomas & Ginger Blackmon
12 Edgemoor Rd
Little Rock, AR 72207

Muskogee Creek Nation
6200 W 103rd St S
Okmulgee, OK 74450

Muskogee Creek Nation Complex
PO Box 580
Okmulgee, OK 74447

Michael & Jannie Rankin
1215 S 32nd St
Muskogee, OK 74401

Charles & Tina Copeland
1898 County Rd 4515
Whitewright, TX 75491

Edwin & Frances Thayer
901 S 32nd
Muskogee, OK 74401

Continental Overseas
712 N Aster Ave
Broken Arrow, OK 74012

Shyama Hotels
900 S 32nd St
Muskogee, OK 74401

Cornelia Ann McClain
17816 W Running Springs Dr
Park Hill, OK 74451

Tommy Allen et al
& Virginia Reheard
1507 S 24th St W
Muskogee, OK 74401

McClain Furniture
c/o Ben McClain
1305 S 32nd St
Muskogee, OK 74401

Tommy Allen
2510 W 37th St S
Muskogee, OK 74401

Tim Wheeler
8 Beckman Dr
Muskogee, OK 74401

George Seibold III
PO Box 1197
Oklahoma City, OK 73101

Lifepoint Church
2200 S 32nd St
Muskogee, OK 74401

Don L Younger
7001 E Smith Ferry Rd
Muskogee, OK 74403

City of Muskogee
PO Box 1927
Muskogee, OK 74402

MPI Muskogee
120 Broadway Ave S, Ste 50
Wayzata, MN 55391

B&B Truck Repair
2701 S 32nd St
Muskogee, OK 74401

OKL Enterprises
703 S Western Rd
Stillwater, OK 74074

Jim Estates
5138 S Birmingham Pl
Tulsa, OK 74105

J E Weaver
5901 Rolling Oaks Dr
Muskogee, OK 74401

Muskogee Grand Hotel
PO Box 5523
Edmond, OK 73083

Muskogee County
PO Box 2307
Muskogee, OK 74402

Yu Lin & Yan Ping Jiang
20978 Cornerstone Dr
Walnut, CA 91789

Yee See Ong & Ann Barker
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Muskogee, OK 74401

O DennyBoyChick
c/o Paul Berg, PhD
800 The Mark Lane #2901
San Diego, CA 92101

Great Life Investments
212 S B
Muskogee, OK 74403

Umesh & Kalpana Patel
514 S 32nd St
Muskogee, OK 74401

OKL Enterprises
703 S Western Rd
Stillwater, OK 74074

Devadatt LLC
540 S 32nd St
Muskogee, OK 74401

JRC Self Storage
719 N 41st St
Muskogee, OK 74403

JKJ Corner Stores
7910 S 101st E Ave
Tulsa, OK 74133

Maria Molina
710 S 32nd St
Muskogee, OK 74401

Muskogee Grand Hotel
PO Box 5523
Edmond, OK 73083

Del Rey Investors
200 Uecker
Spring Branch, TX 78070

Braums Addition
701 S 32nd St
Muskogee, OK 74401

Johnson Enterprises Holding Co.
715 S 32nd St
Muskogee, OK 74401

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Muskogee, OK 74403

Muskogee at the Woods Holdings
c/o Atlas Property Management
701 W Queens, Ste 400
Broken Arrow, OK 74012

Landmark Venture Properties
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Tulsa, OK 74134

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Muskogee, OK 74401

Kevin Roy Gilbert
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Muskogee, OK 74401

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Park Hill, OK 74451

Bobbie & Maggie Cook
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Muskogee, OK 74401

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Tulsa, OK 74119

Susan Sandelman
c/o Ryan LLC
15 West 6th St, Ste 2400
Tulsa, OK 74118

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PO Box 7009
Muskogee, OK 74402

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200 S 32nd St
Muskogee, OK 74401

Tu Dinh Nguyen
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Muskogee, OK 74403

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Muskogee, OK 74401

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ROU Realty
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Farwell, MI 48622

Tam Bar
4113 Cobblestone
Muskogee, OK 74401

Jalil & Lisa Mortazavi
11077 S 51 W Ave
Sapulpa, OK 74066

Hulbert Properties
20705 Hwy 16
Siloam Springs, AR 72761

Series B Choat Properties
25116 S 4150 Rd
Claremore, OK 74017

Tambar 4
211 N 12th
Muskogee, OK 74401

Sangal Family
6281 E 140th St S
Bixby, OK 74008

Tigerlily Properties
29801 Santa Margarita Pkwy
Rancho Santa Margarita, CA 92688

Sai Mira
407 S 32nd St
Muskogee, OK 74401

National Retail Properties
450 S Orange Ave, Ste 900
Orlando, FL 32801

JKJ Corner Stores
7910 S 101st E Ave
Tulsa, OK 74133

Archland Property
c/o M C Baldwin
PO Box 329
Morris, OK 74445

Purab Motels
2240 S 32nd St
Muskogee, OK 74401

Ronald Hornback
2400 S Country Club Rd
Muskogee, OK 74403

Chanden Hotel
2220 S 32nd St
Muskogee, OK 74401

Great Phoenix
2226 S 32nd St
Muskogee, OK 74401

Jehovah's Witnesses
c/o Walton, McGee & Simmons
PO Box 2285
Muskogee, OK 74402

Crowl Oil Co
PO Box 1627
Muskogee, OK 74402

Carroll Wood Goff Forth
27 Gladstone St
London, England
SE1 6EY (Great Britain)

Ernie & Dorothy Sykora
c/o Ernie's Pharmacy
410 S 32nd St
Muskogee, OK 74401

E-Z Pay Used Cars
1809 Nightingdale Cir
McAlester, OK 74501

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15 West 6th St, Ste 2400
Tulsa, OK 74119

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c/o Ryan LLC
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Dolese
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OKC, OK 73103

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CoMark Equity Alliance
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Enid, OK 73703

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DeDe Smith
Arkansas Waterways Commission
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Oklahoma City Chamber of
Commerce
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OKC, OK 73102

Sec James Reese
Oklahoma Department of Agriculture
900 N. Stiles Ave.
OKC, OK 73104

Lt. Ron Jenkins
Oklahoma Highway Patrol
200 NE 38th Terrace
OKC, OK 73105

Oklahoma Turnpike Authority
PO Box 11357
OKC, OK 73111

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Port of Muskogee
River Center - Three Forks Harbor
5201 Three Forks Road
Ft. Gibson, OK 74434

Brad Beam
Tinker Air Force Base
7535 5th Street Building 400
Tinker AFB, OK 73145

Rich Kincade
UPS, Operations Mgr
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Atlanta, GA 30328

5 – ODOT sent by E-mail

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OKC, OK 73104

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Oklahoma Railroad Association
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Norman, OK 73070

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Tulsa, OK 74115

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OKC, OK 73105

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ODOT Bridge
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OKC, OK 73105

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PO Box 528804
OKC, OK 73152

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OKC, OK 73105

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Catoosa, OK 74015

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US Army Corps of Engineers
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Tulsa, OK 74128

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North Little Rock, AR 72114

Kyle Weaver
Walmart 277-Market Office
501 SW 19th St
Moore, OK 73160

Thabdabus Babb
ODOT Waterways
4002 N. Mingo Valley Exwy
Tulsa, OK 74116

Matthew Swift
ODOT Asset & Performance Mgmt
200 NE 21st St.
OKC, OK 73105

APPENDIX B

PRESENTATION MATERIALS

HANDOUT TAB AND WEBSITE

PRESENTATION

FREQUENT QUESTIONS

US-69 in Muskogee

From 0.5 miles north of US-64 E (Peak Blvd.), extending north 2.4 miles

Sign In & Handout

[Learn More](#)

Presentation

[Learn More](#)

Project History

[Learn More](#)

Interactive Maps

[Learn More](#)

Right-of-Way Information

[Learn More](#)

Frequent Questions

[Learn More](#)

Submit a Comment

[Learn More](#)

Welcome to the Virtual Public Open House for US-69 in the City of Muskogee, Muskogee County, Oklahoma. This meeting will present proposed alternatives to improve US-69 from 0.5 miles north of US-64 East (Peak Boulevard), extending north 2.4 miles.

Virtual Open House: December 18, 2020 - January 4, 2021

Due to concerns about the spread of COVID-19, this open house will be a web-based format (no in-person meeting). The information will be available beginning December 18, 2020 and comments are requested by January 4, 2021.

Phone Number

This best way to leave a comment or ask a question is to submit a written comment at the Submit a Comment page, or email environment@odot.org. If you would like more information on the project, you may call (405) 521-3050.

Special Accommodations

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors. To request an accommodation please contact the ADA Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353. If you have any ADA or Title VI questions email ODOT-ada-titlevi@odot.org.

US-69 in Muskogee County

SIGN IN

Sign In & Handout

[◀ Homepage](#)

[Next: Presentation ▶](#)

Thanks for attending this virtual open house. Take a moment to:
1. Fill out the sign-in sheet
2. View the pamphlet

Pamphlet



Sign-In Sheet

Scroll down to answer form fields and then click **Submit**.

US-69 in Muskogee County Sign-In

Highway Improvements [JP 27108(04)]
Virtual Open House Sign-In Sheet

1. Salutation
 - Mr.
 - Ms.
 - Mrs.
2. Name
3. Email
4. Address, City, State, Zip Code
5. Phone Number
6. Business/Organization
7. How did you hear about the meeting?
 - Pamphlet in the Mail
 - Facebook
 - Twitter
 - Newspaper

US-69 in Muskogee County

PRESENTATION

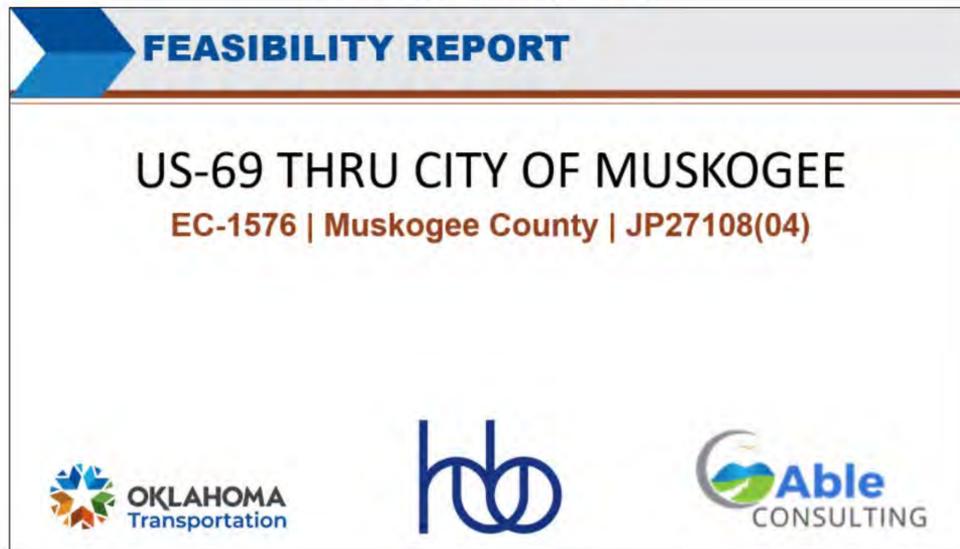
Presentation

[◀ Homepage](#)

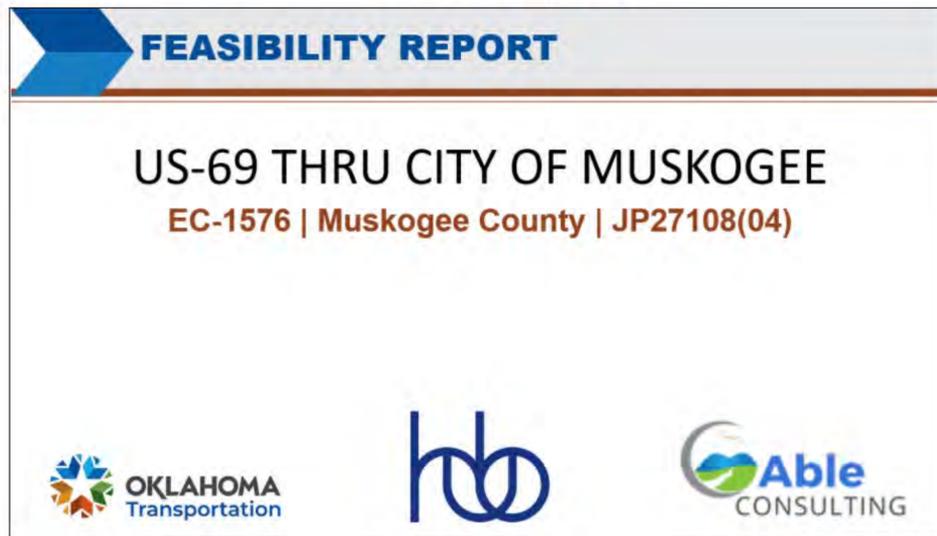
[Next: History ▶](#)

Project Staff have prepared a presentation regarding the project. Click on the images below to view or download the presentation slides.

Presentation (video)



Presentation (PDF)





US-69 in Muskogee County

HISTORY

Project History

[◀ Homepage](#)

[Interactive Maps ▶](#)

Project History.

Visit the Stakeholder Meeting website for more background information on this project: [20201102 \(oklahoma.gov\)](#)

US-69 in Muskogee County

MAP Interactive Maps

[◀ Homepage](#)

[Right-of-Way Information ▶](#)

Use the map options to enhance your viewing:

-  View the map legend
-  Change the map background
-  Print a copy of the map
-  Measure a distance on the map
-  Add a comment to the map

+/- to zoom in and out

Type in an address to find a specific location

Option 1



Option 2



Option 3



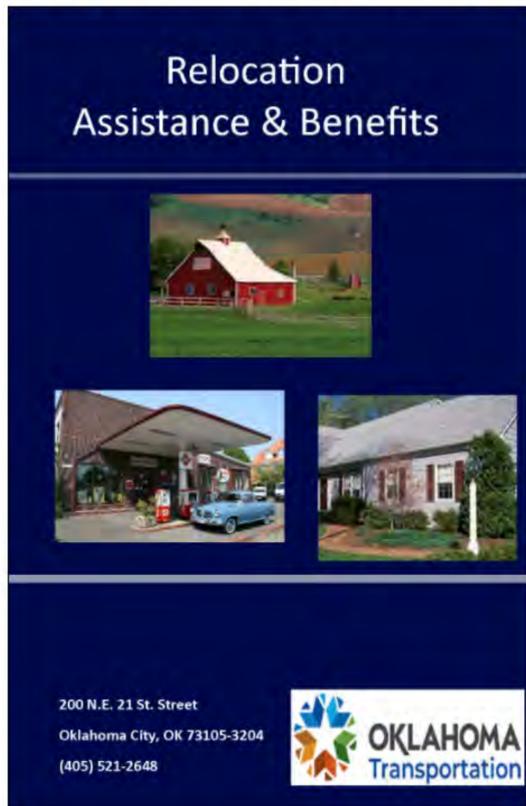
US-69 in Muskogee County

Right-of-Way Information

[◀ Homepage](#)

[Next: FAQ ▶](#)

ODOT Relocation Brochure



Relocation Assistance & Benefits

200 N.E. 21 St. Street
Oklahoma City, OK 73105-3204
(405) 521-2648



ODOT Property Rights Brochure



OKLAHOMA Transportation PROPERTY RIGHTS BROCHURE

The Constitution of the United States and the Constitution of the State of Oklahoma ensure that private property shall not be taken or damaged for public use without just compensation.

It is with these provisions in mind that the Oklahoma Department of Transportation (ODOT) pursues the acquisition of right-of-way. This brochure provides the property owner(s)/authorized agent(s) with general information as to how this process works. A right-of-way agent will provide the property owner(s)/authorized agent(s) with additional specific information as it relates to the owner's legal and property rights.

APPRAISAL

Before the initiation of negotiations for the purchase of real property, an amount is established by ODOT which is reasonably believed to be just compensation for the value of the part taken and the damages to the remaining property, if any. In cases involving the purchase of real property by ODOT with a fair market value of \$10,000 or less, no approved appraisal report will be required. Generally, real property is first appraised by a State-licensed or certified appraiser, and the property owner(s), or their designated representative(s), are given the opportunity to accompany the appraiser during the physical inspection of the subject property. The completed appraisal report is then reviewed by a separate review appraiser to ensure accuracy, completion and the proper use and full compliance with recognized appraisal principles and standards. Finally, an authorized amount is established by ODOT based upon the appraisal review for presentation to the property owner(s)/designated representative(s).

NEGOTIATION

A right-of-way agent presents the property owner(s)/designated representative(s) with a written offer letter containing the amount established as just compensation for the subject property to be acquired with the amount for damages, if any, separately set out. The option to waive the appraisal process and donate the subject property to ODOT is available if the property owner(s)/designated representative(s) wish to do so. A right-of-way agent will present the property owner(s)/designated representative(s) with an available set of plans for the project and will explain how much property must be acquired and what effect the acquisition will have on the remainder of the property, if any. The right-of-way agent is not authorized to alter the amount established as just compensation. No current abstract of the subject property will be requested or required from the subject.

Rev. 11/2020

US-69 in Muskogee County

Frequently Asked Questions

[◀ Homepage](#)
[Comment ▶](#)
[Will there be a bypass of Muskogee?](#)
[Why spend money to reconstruct the US-69 roadway and not increase capacity?](#)
[When will ODOT select a preferred alternative?](#)
[What will the pedestrian bridge look like?](#)
[What is the difference between the six and seven lane option on crash data?](#)
[How will I know if ODOT plans to acquire my property?](#)
[What is the process if ODOT needs some of my property? What if ODOT needs to buy my house or business?](#)
[What if ODOT needs temporary access for construction or a maintenance easement?](#)
[When will ODOT start buying property?](#)
[When is construction scheduled to begin?](#)
[How will the project be built?](#)
[Will there be access to my home and property during construction?](#)
[The existing and future traffic numbers should be higher?](#)
[Will noise walls be included in the project?](#)

Will there be a bypass of Muskogee?

In early 2020, ODOT and FHWA refocused attention on updating the existing US-69 corridor and tasked a consultant to look at alternatives to improve the existing US-69 facility through Muskogee.

[Top ^](#)

Why spend money to reconstruct the US-69 roadway and not increase capacity?

The roadway is worn out. To maintain a drivable surface, ODOT must mill and re-surface the US-69 roadway every three years through Muskogee. This is expensive and causes driver delay due to construction. This project is needed to reduce the maintenance requirements and provide a new subgrade and roadway surface that will last 20-25 years.

[Top ^](#)

When will ODOT select a preferred alternative?

Once ODOT has received and reviewed all the comments from the public meeting a preferred alternative will be selected.

[Top ^](#)

What will the pedestrian bridge look like?

ODOT will work with the City of Muskogee to provide signage on the new pedestrian bridge. The new structure will be designed specifically for bicycle and pedestrian traffic. The new pedestrian bridge will be 12 feet wide in width and connect to the existing 10-foot-wide asphalt path. The bridge will be about 5 feet higher than the existing structure. The replacement of this structure allows for more room to accommodate the roadway improvements on US-69 and will improve drainage on the roadway. To construct the new bridge structure, the trail will need to be closed during construction for approximately three months.

[Top ^](#)

What is the difference between the six and seven lane option on crash data?

Average crash rates are 30% less with a median (based on Transportation Research Board report) versus a turning lane. The open turning lane and the existing driveway density would cause increased crash rates due to turning movements.

[Top ^](#)

How will I know if ODOT plans to acquire my property?

There will be little permanent new right-of-way required for any of the alternatives. Although utility and construction easements will be needed in some areas. The proposed right-of-way is preliminary and will be refined as the design and construction plans are developed. If your property will be affected, an ODOT- authorized agent will contact you in the future. It is anticipated that right-of-way acquisition for this project will begin in 2022, although this schedule is dependent on funding and subject to change.

[Top ^](#)

What is the process if ODOT needs some of my property? What if ODOT needs to buy my house or business?

ODOT will obtain an independent appraisal and present a fair market value offer for your property. Owners of affected homes or business will be provided with additional relocation assistance.

[Top ^](#)

What if ODOT needs temporary access for construction or a maintenance easement?

Sometimes ODOT will need temporary access or an easement to maintain the highway and drainage structures. Owners will be compensated for temporary right-of-way and for maintenance easements. In these cases, you will maintain ownership of the property. If your property will be affected, an ODOT-authorized agent will contact you.

[Top ^](#)

When will ODOT start buying property?

Right-of-way acquisition for this project is anticipated to start in 2022. However, the schedule is dependent on funding and subject to change.

[Top ^](#)

When is construction scheduled to begin?

Construction is anticipated to begin in 2023. However, the schedule is dependent on funding and subject to change.

[Top ^](#)

How will the project be built?

US-69 will remain open during construction and phased construction will be utilized to maintain traffic. One lane of traffic in each direction will be maintained throughout construction. Although to build the new pedestrian bridge a shoo-fly will be required.

[Top ^](#)

Will there be access to my home and property during construction?

Yes, access to homes, businesses, and property adjacent to the project will be maintained during all phases of construction. In some cases, temporary drives may be required until permanent drives can be restored.

[Top ^](#)

The existing and future traffic numbers should be higher?

Traffic counts are taken every two years on state highways. The existing traffic numbers reflect the current condition. The future traffic numbers are projected based on a multiplier based upon area.

Annual average daily traffic (AADT) is a measure used primarily in transportation engineering. Traditionally, it is the total volume of vehicle traffic of a highway or road for a year divided by 365 days. Therefore, there are days when there is more traffic, but this is an average. AADT is a simple, but useful, measurement of how busy the road is.

[Top ^](#)

Will noise walls be included in the project?

When the design is further along ODOT will conduct a Traffic Noise Study according to Federal Highway Administration (FHWA) and ODOT policies and procedures using FHWA Traffic Noise Model version 2.5. This study will identify any anticipated noise impacts and the feasibility and reasonableness of noise walls, if necessary. However, due to the multiple access points along US-69, it is unlikely that noise walls would be able to be constructed and still maintain access to side streets and driveways.

[Top ^](#)

US-69 in Muskogee County

Submit a Comment

[← Homepage](#)

Thank you for participating. Comments on this project can be submitted in several ways, including but not limited to mail, email, and the online form.

All written comments must be received on or before January 4, 2021.

ODOT will post responses to comments on its [Public Meetings and Hearings Page](#) for the US-69 projects in February 2021.

Please be aware that all information that you submit on these forms is subject to public disclosure under the Oklahoma Public Information Act.

Comment Form (Online)

Scroll down to answer form fields and then click *Submit*.

US-69 in Muskogee County Comment Form

Highway Improvements JP 27108(04)
Please submit your comments by January 4, 2021.

Thank you for your interest in this project and taking the time to provide us with your written comments. Putting your comments in writing is one of the most effective ways to have your concerns addressed.

1. Name

2. Business/Organization

3. Address, City, State, Zip Code

4. Phone Number

5. Email Address

6. "I have the following comment(s) and/or question(s) about the proposed "US-69 in Muskogee County" project:"

Never give out your password. [Report abuse](#)

This content is created by the owner of the form. The data you submit will be sent to the form owner. Microsoft is not responsible for the privacy or security practices of its customers, including those of this form owner. Never give out your password.
Powered by Microsoft Forms | [Privacy and cookies](#) | [Terms of use](#)

Comment Form (PDF)

You may email or mail to the addresses provided below.

environment@odot.org

Environmental Programs Division
Oklahoma Department of Transportation
200 N.E. 21st St.
Oklahoma City, OK 73105-3204





FEASIBILITY REPORT

US-69 THRU CITY OF MUSKOGEE

EC-1576 | Muskogee County | JP27108(04)



The slide features three logos at the bottom: the Oklahoma Department of Transportation logo (a colorful starburst), the 'hb' logo (stylized blue letters), and the Able Consulting logo (a green and blue globe icon).

Welcome to the Oklahoma Department of Transportation’s virtual Open House for the United State Highway 69 improvement project located in Muskogee County.

As part of our efforts to keep the public informed about transportation improvements, we developed this slide presentation. Normally, we would host an in-person Open House, but due to ongoing concerns about COVID-19, we opted to host a virtual Open House to protect public safety.

Please take a moment to review this presentation, and feel free to contact us with questions, concerns, and comments. If you would like to view the project in more detail, please visit the Interactive Map on the virtual Open House webpage.

PURPOSE OF THE VIRTUAL OPEN HOUSE

End Project just south of Okmulgee Ave.

PROJECT LOCATION

Begin Project near Haddock Drive (Southgate Addition).

Shawnee Bypass

City of Muskogee

Peak Blvd.

PURPOSE OF THE OPEN HOUSE
TO PRESENT THE FINDINGS OF THE US-69 FEASIBILITY REPORT AND OBTAIN STAKEHOLDER INPUT.



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Project Location:

The project begins north of the US-69/Peak Boulevard Interchange near Haddock Drive and extends approximately 2.5 miles north to Okmulgee Avenue. Review the map on this slide for a depiction of the general project location.

Purpose of the Virtual Open House:

- The purpose of this virtual Open House is to provide an update on the proposed highway improvements. Specifically we wanted to:
- Present the findings of the US-69 Feasibility Report & proposed improvements;
- Describe the potential environmental impacts;
- Obtain public input; and
- Outline the next steps and the proposed project schedule.

PURPOSE OF THE PROJECT

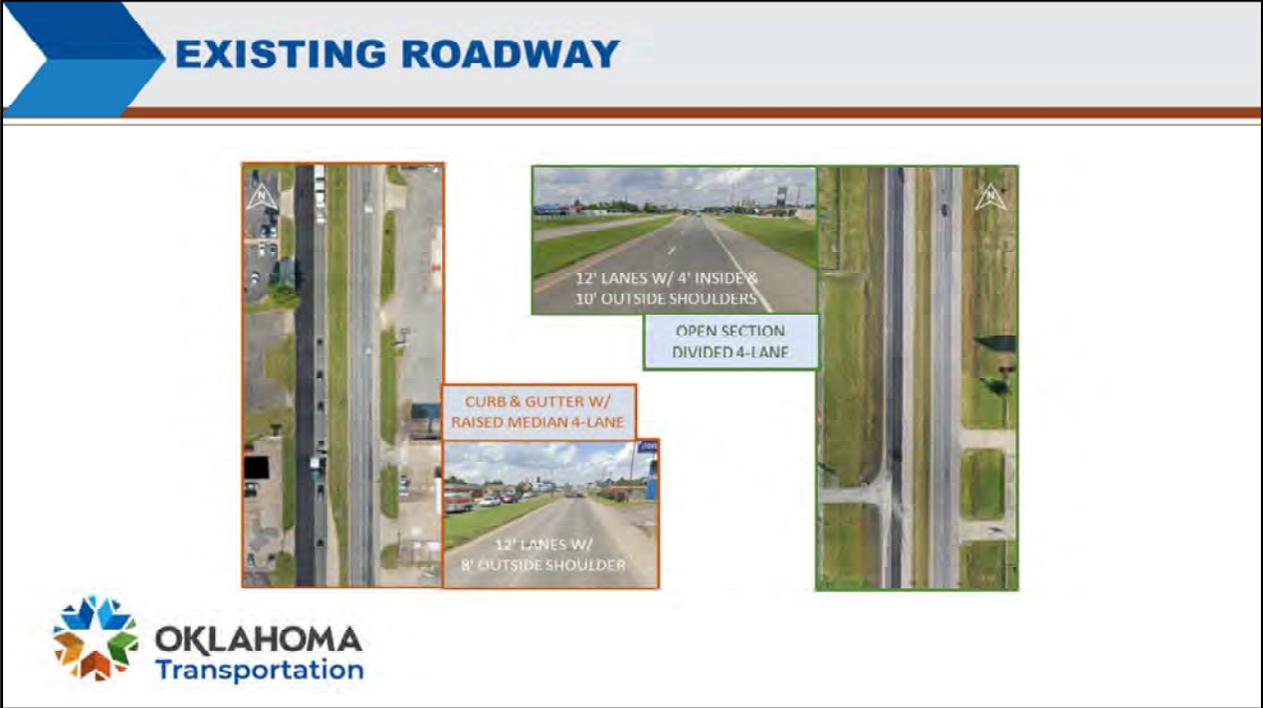
THE PURPOSE & NEED FOR THIS PROJECT IS TO PROVIDE OPERATIONAL IMPROVEMENTS INCLUDING:

- IMPROVEMENTS TO A PEDESTRIAN BRIDGE (ABANDONED RAILROAD OVERPASS)
- EXTENSION OF AN EXISTING RECTANGULAR CONCRETE BOX BRIDGE OVER COODY CREEK
- RECONSTRUCTION OF PAVEMENT
- OPTIMIZATION OF SIGNALIZED INTERSECTIONS



The purpose and need for this project is to provide operational improvements including:

- Improvements to a pedestrian bridge, the abandoned railroad overpass;
- The extension of an existing rectangular concrete box bridge over Coody Creek;
- Reconstruction of pavement; and
- The optimization of signalized intersections.



The existing roadway through the project corridor consists of two different typical sections.

From the beginning of project to Border Avenue is an open section divided 4-lane roadway consisting of 12' lanes with 4' outside and 10' inside shoulders.

From Border Avenue to the end of project is a curb & gutter with raised median 4-lane roadway consisting of 12' lanes with 8' outside shoulders.

INTERSECTIONS

- CURRENTLY THERE ARE FOUR SIGNALIZED INTERSECTIONS ON US-69 WITHIN THE PROJECT EXTENTS AT:
 - OKMULGEE AVENUE
 - ARLINE AVENUE
 - BORDER AVENUE
 - HANCOCK STREET



The slide features a header with a blue arrow graphic pointing right, followed by the word "INTERSECTIONS" in bold blue text. Below the header is a list of four signalized intersections on US-69, each preceded by a right-pointing chevron. To the right of the list are four aerial photographs arranged in a 2x2 grid, each showing a different intersection with the street name labeled in white text: "OKMULGEE AVE", "ARLINE AVE", "BORDER AVE", and "HANCOCK ST.". At the bottom left of the slide is the Oklahoma Transportation logo, which consists of a colorful starburst icon and the text "OKLAHOMA Transportation".

There are four signalized intersections on US-69 within the project corridor:

- Okmulgee Avenue
- Arline Avenue
- Border Avenue
- Hancock Street

TRAFFIC VOLUMES

CURRENT TRAFFIC CONDITIONS
APPROX 25% ARE TRUCKS

YEAR	LOCATION			
	SOUTH OF PROJECT	BEGINNING OF PROJECT	END OF PROJECT	NORTH OF PROJECT
	S. OF PEAK BLVD (SH-165)	NEAR HADDOCK DRIVE (SOUTHGATE ADDITION)	OKMULGEE AVENUE (US-62/SH-16)	DENISON STREET (NEAR BANK OF OK)
	VEHICLES PER DAY	VEHICLES PER DAY	VEHICLES PER DAY	VEHICLES PER DAY
2019	20,100	23,000	20,600	23,700
2018	19,600	21,000	20,900	25,800
2017	19,800	20,800	23,900	25,600
2016	19,200	20,100	23,200	24,800
2015	18,600	19,600	22,500	24,000

DATA GATHERED FROM ODOT'S ONLINE PUBLIC DATABASE.



The table is comprised of data gathered from ODOT's online public database from 2015 to 2019. Approximately 25% of the vehicles are trucks.



COLLISION DATA

FEBRUARY 1, 2014 THRU DECEMBER 31, 2019

Three fatalities in the study period were found:

- Pedestrian collision near Inman Street, 4-13-2014
- Right angle collision (front to side) with vehicle crossing median near Arline Avenue, 5-7-2016
- Head-on collision (front to front) near Haddock Drive, 11-17-2019

Collisions from Border Ave. to Okmulgee Ave. (CS 56, MP 14.61 to CS 18, MP 0.00)					
Location	Collisions	Possible Injury	Non-Incapitating Injury	Suspected Serious Injury	Fatality
Denver	18	4	1	-	-
Elgin	4	1	1	-	-
Estelle	9	1	-	1	-
Okmulgee	54	4	4	-	-
Arline	36	5	4	-	1
Border	30	6	2	-	-
US-69	50	5	4	2	-

* This data is dependent on various local and state agency incident reports and descriptions.



OKLAHOMA
Transportation

Collision data from February 1, 2014 thru December 31, 2019 is shown in the table. It is important to note that this data is dependent on various local and state agency incident reports and descriptions.

Three fatalities in the study period were found:

- Pedestrian collision near Inman Street, 4-13-2014
- Right angle collision (front to side) with vehicle crossing median near Arline Avenue, 5-7-2016
- Head-on collision (front to front) near Haddock Drive, 11-17-2019

PROJECT BACKGROUND

- > 2014 - HOLLOWAY, UPDIKE & BELLEN, INC. (HUB) WAS TASKED WITH DESIGNING UPGRADES TO THE CORRIDOR INCLUDING WIDENING PORTIONS TO 6 LANES, REPLACING THE RAILROAD PEDESTRIAN BRIDGE AND UPDATING TRAFFIC SIGNALS TO MATCH ASPECTS ALONG US-69 FROM OKMULGEE AVE. NORTH TO SHAWNEE BYPASS, WHICH WAS COMPLETED IN 2006.
- > 2017 - HUB WAS DIRECTED TO CEASE DESIGN WORK AS THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) DECIDED TO EXPLORE REALIGNMENT OF US-69 TO LOOP AROUND THE WEST SIDE OF MUSKOGEE. THIS REALIGNMENT CAME WITH OPPOSITION FROM THE CITY OF MUSKOGEE, AS WELL AS NUMEROUS RESIDENTS AND PROPERTY OWNERS ALONG THE EXISTING CORRIDOR.
- > 2020 - ODOT HAS REFOCUSSED ATTENTION ON UPDATING THE EXISTING CORRIDOR AND TASKED HUB TO RESUME DESIGN WORK.



Project Background:

- 2014 - Holloway, Updike & Bellen, Inc. (HUB) was tasked with designing upgrades to the corridor including widening portions to 6 lanes, replacing the railroad pedestrian bridge and updating traffic signals to match aspects along US-69 from Okmulgee Ave. North to Shawnee Bypass, which was completed in 2006.
- 2017 - HUB was directed to cease design work as the Oklahoma Department of Transportation (ODOT) decided to explore realignment of US-69 to loop around the west side of Muskogee. This realignment came with opposition from the city of Muskogee, as well as numerous residents and property owners along the existing corridor.
- 2020 - ODOT has refocused attention on updating the existing corridor and tasked HUB to resume design work.



PROJECT STAKEHOLDER MEETING

A Stakeholder meeting was held November 2, 2020 via Zoom including a slideshow presentation by HUB and Able Consulting. After the slide presentation a question-and-answer session was held. Below is a list of attendees.

<p>Elected Officials ODOT Commissioner Bob Coburn State Representative Avery Frix County Commissioner Ken Doke County Commissioner Kenny Payne</p> <p>City of Muskogee Mr. Mike Miller, City Manager Mr. Gary Garvin, Assistant City Manager Mr. Mike Stewart, Public Works Director Mr. Marlon Coleman, Mayor Ms. Jaime Stout, City Council Ward 2 Mr. Alex Reynolds, City Council Ward 2 Ms. Traci McGee, City Council Ward 4</p>	<p>ODOT Chris Wallace, ODOT District 1 Kathy Koon, ODOT Environmental Siv Sundaram, ODOT Environmental Steven Gauthier, ODOT Environmental Leslie Novotny, ODOT Environmental Brian Linam, ODOT Project Management Jenny Droscher, ODOT Environmental Kenna Mitchel, ODOT Media Cody Hamblin, ODOT Traffic Montie Smith, ODOT Legislative Liaison Jamie Malmstrom, ODOT District 1 Lauren Ludwig, ODOT Traffic Kevin Burns, ODOT Traffic</p>	<p>Consultants Wes Stewart, HUB Jennifer Koscelny, Able Consulting</p>
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A Stakeholder meeting was held November 2, 2020 via Zoom including a slideshow presentation by HUB and Able Consulting. After the slide presentation a question and answer session was held.

BYPASS INVESTIGATION

- THE PROPOSED BYPASS WOULD BEGIN SOUTH OF MUSKOGEE AND TIE BACK INTO US-69 JUST SOUTH OF THE ARKANSAS RIVER CROSSING.
- THERE WOULD BE LIMITED ACCESS ALONG THE NEW CORRIDOR WITH INTERCHANGES AT THE TIE-IN POINTS, OKMULGEE AVE.(US-62) AND POTENTIALLY PEAK BLVD (SH-165).



The proposed bypass would begin south of Muskogee and tie back into US-69 just south of the Arkansas River crossing. There would be limited access along the new corridor with interchanges at the tie-in points, Okmulgee Ave.(US-62) and potentially Peak Boulevard (SH-165).

DESIGN OPTIONS BEING CONSIDERED

- HUB WAS TASKED WITH EVALUATING THE FEASIBILITY OF THREE DESIGN OPTIONS
- OPTION 1: CONSTRUCTION OF 6-LANE CURB & GUTTER WITH RAISED MEDIAN.
- OPTION 2: CONSTRUCTION OF 7-LANE CURB & GUTTER WITH CONTINUOUS TWO-WAY LEFT TURN LANE.
- OPTION 3: RECONSTRUCT THE EXISTING 4-LANE CURB & GUTTER WITH RAISED MEDIAN.
- ALL OPTIONS WOULD MAINTAIN THE EXISTING ARRANGEMENT FROM THE BEGINNING OF PROJECT TO BORDER AVENUE CONSISTING OF AN OPEN SECTION DIVIDED 4-LANE ROADWAY



HUB was tasked with evaluating the feasibility of three design options:

- Option 1: Construction of 6-lane curb & gutter with raised median.
- Option 2: Construction of 7-lane curb & gutter with continuous two-way left turn lane.
- Option 3: Reconstruct the existing 4-lane curb & gutter with raised median.
- All options would maintain the existing arrangement from the beginning of project to Border Avenue consisting of an open section divided 4-lane roadway

TYPICAL OPEN ROADWAY SECTION

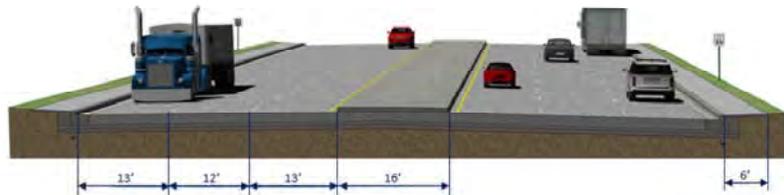
FROM HADDOCK DRIVE (SOUTHGATE ADDITION) NORTH TO BORDER AVENUE THE ROADWAY WILL BE RECONSTRUCTED IN ITS CURRENT CONFIGURATION. THE ROADWAY WILL FEATURE 2-12' DRIVING LANES, 4' INSIDE SHOULDERS AND 10' OUTSIDE SHOULDERS FOR NORTHBOUND AND SOUTHBOUND DIRECTIONS.

 **OKLAHOMA**
Transportation

From Haddock Drive (Southgate Addition) north to Border Avenue the roadway will be reconstructed in its current configuration. The roadway will feature 2-12' driving lanes, 4' inside shoulders and 10' outside shoulders for northbound and southbound directions.

OPTION 1: 6-LANE WITH RAISED MEDIAN

- COMPLETE RECONSTRUCTION OF OPEN SECTION DIVIDED 4-LANE ROADWAY FROM BOP TO BORDER AVE. AND CONSTRUCTION OF 6-LANE CURB & GUTTER WITH RAISED CONCRETE MEDIAN FROM BORDER AVE. TO EOP.
- THE CONSTRUCTION, RIGHT-OF-WAY, AND UTILITY COST ESTIMATE FOR THIS ALTERNATIVE IS \$35,926,000.

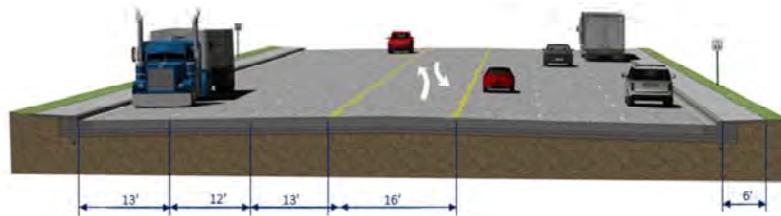


Option 1: 6-Lane with raised median:

- Complete reconstruction of open section divided 4-lane roadway from beginning of project to Border Ave. and construction of 6-lane curb & gutter with raised concrete median from Border Ave. to end of project.
- The construction, right-of-way, and utility cost estimate for this alternative is \$35,926,000.

OPTION 2: 7-LANE W/CONTINUOUS TWLTL

- COMPLETE RECONSTRUCTION OF OPEN SECTION DIVIDED 4-LANE ROADWAY FROM BOP TO BORDER AVE. AND CONSTRUCTION OF 7-LANE CURB & GUTTER WITH CONTINUOUS CENTER TURN LANE FROM BORDER AVE. TO EOP.
- THE CONSTRUCTION, RIGHT-OF-WAY, AND UTILITY COST ESTIMATE FOR THIS ALTERNATIVE IS \$35,607,000.

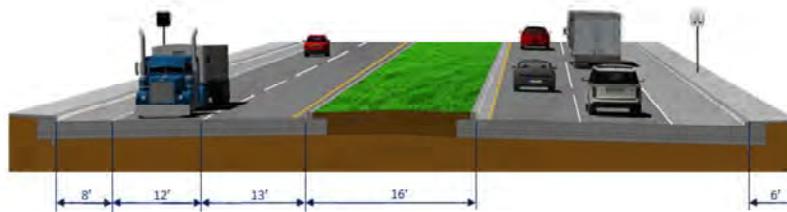


Option 2: 7-lane with continuous two-way left turn lane:

- Complete reconstruction of open section divided 4-lane roadway from beginning of project to Border Ave. and construction of 7-lane curb & gutter with continuous center turn lane from Border Ave. to end of project.
- The construction, right-of-way, and utility cost estimate for this alternative is \$35,607,000.

OPTION 3: 4-LANE WITH RAISED MEDIAN

- COMPLETE RECONSTRUCTION OF OPEN SECTION DIVIDED 4-LANE ROADWAY FROM BOP TO BORDER AVE. AND RECONSTRUCTION OF EXISTING 4-LANE CURB & GUTTER WITH RAISED MEDIAN FROM BORDER AVE. TO EOP.
- THE CONSTRUCTION, RIGHT-OF-WAY, AND UTILITY COST ESTIMATE FOR THIS ALTERNATIVE IS \$27,277,000.



Option 3: 4-lane with raised median:

- Complete reconstruction of open section divided 4-lane roadway from beginning of project to Border Ave. and reconstruction of existing 4-lane curb & gutter with raised median from Border Ave. to end of project.
- The construction, right-of-way, and utility cost estimate for this alternative is \$27,277,000.

ALTERNATIVE COST COMPARISON

ALTERNATIVE COST COMPARISON			
	OPTION 1 (6-Lane)	OPTION 2 (7-Lane)	OPTION 3 (4-Lane)
ROADWAY	\$ 22,850,000	\$ 22,350,000	\$ 19,400,000
BRIDGE A	\$ 385,000	\$ 385,000	\$ 385,000
BRIDGE B	\$ 880,000	\$ 880,000	\$ 880,000
CONST. TRAFFIC CONTROL	\$ 750,000	\$ 750,000	\$ 750,000
SIGNING & STRIPING	\$ 150,000	\$ 155,000	\$ 150,000
TRAFFIC SIGNALS	\$ 1,450,000	\$ 1,450,000	\$ 1,450,000
TRAFFIC LIGHTING	\$ 600,000	\$ 600,000	\$ 600,000
STAKING	\$ 220,000	\$ 220,000	\$ 220,000
MOBILIZATION	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
CONSTRUCTION TOTAL	\$ 28,285,000	\$ 27,790,000	\$ 24,835,000
RIGHT-OF-WAY	\$ 5,642,000	\$ 5,818,000	\$ 443,000
UTILITIES	\$ 1,999,000	\$ 1,999,000	\$ 1,999,000
TOTAL	\$ 35,926,000	\$ 35,607,000	\$ 27,277,000



The alternative cost comparison is shown in the table. Options 1 & 2 have similar pavement typical sections and construction footprints, therefore they also have similar overall construction costs. Option 3, has considerably less right-of-way impacts, and thus it will also have a lower overall cost.

LEVEL OF SERVICE COMPARISON

- LEVEL OF SERVICE(LOS) IS A TERM USED TO QUALITATIVELY DESCRIBE THE OPERATING CONDITIONS OF A ROADWAY BASED ON FACTORS SUCH AS SPEED, TRAVEL TIME, MANEUVERABILITY, DELAY AND SAFETY. FACILITIES ARE DESIGNATED WITH A LEVEL OF SERVICE RATING RANGING FROM A TO F, WITH A REPRESENTING THE BEST OPERATING CONDITIONS AND F THE WORST.
- SINCE THE INITIAL ANALYSIS, THE 7-LANE OPTION WAS INTRODUCED. BECAUSE OF THIS, ODOT TRAFFIC DIVISION WAS TASKED WITH UPDATING ANALYSIS COMPARING THE THREE OPTIONS.
- DESIGN TRAFFIC FOR THE CORRIDOR FOR YEARS 2018 AND 2050 WERE PROVIDED BY ODOT'S STRATEGIC ASSET AND PERFORMANCE MANAGEMENT DIVISION FROM 2018. THESE YEARS AND VOLUMES ARE THE BASIS OF ODOT'S OPERATIONAL ANALYSIS.
- KEY DATA AND RESULTS GLEANED FROM THE ANALYSIS ARE ILLUSTRATED IN TABLES 6, 7, 8 AND 9. TABLES 6 AND 7 SHOW ARTERIAL LEVEL OF SERVICE INFORMATION WHILE TABLES 8 AND 9 INCLUDE INTERSECTION LEVEL OF SERVICE INFORMATION. NOTE THAT THE 6-LANE AND 7-LANE OPTIONS ARE REPORTED AS THE SAME COLUMN IN THE TABLES.
- FROM AN OPERATIONS/ANALYTICAL PERSPECTIVE THERE IS LITTLE DIFFERENCE BETWEEN THESE OPTIONS.
- THE V/C RATIO IN TABLES 8 AND 9 IS DERIVED BY THE VOLUME OF TRAFFIC DIVIDED BY THE CAPACITY OF THE ROADWAY. V/C RATIOS BELOW 0.95 ARE IDEAL, BUT V/C ≤ 1.05 DURING OUT YEAR PEAK IS LIKELY ACCEPTABLE SINCE DESIGN TRAFFIC NUMBERS USUALLY REPRESENT WORST-CASE CONDITIONS.



Level of service(LOS) is a term used to qualitatively describe the operating conditions of a roadway based on factors such as speed, travel time, maneuverability, delay and safety. Facilities are designated with a level of service rating ranging from A to F, with A representing the best operating conditions and F the worst.

Since the initial analysis, the 7-lane option was introduced. Because of this, ODOT Traffic Division was tasked with updating analysis comparing the three options.

Design traffic for the corridor for years 2018 and 2050 were provided by ODOT's strategic asset and performance management division from 2018. These years and volumes are the basis of ODOT's operational analysis.

Key data and results gleaned from the analysis are illustrated in tables 6, 7, 8 and 9 to follow. Tables 6 and 7 show arterial level of service information while tables 8 and 9 include intersection level of service information. Note that the 6-lane and 7-lane options

are reported as the same column in the tables.

From an operations/analytical perspective there is little difference between these options.

The V/C ratio in tables 8 and 9 is derived by the volume of traffic divided by the capacity of the roadway. V/C ratios below 0.95 are ideal, but $v/c \leq 1.05$ during out year peak is likely acceptable since design traffic numbers usually represent worst-case conditions.

ARTERIAL LEVEL OF SERVICE

Several signals were identified with malfunctioning or broken loops. They are being repaired now(10-14-2020).

Table 6. 2018 Arterial Level of Service / Arterial Speed (mph) / Travel Time (min' sec)

Direction	Period	Repaired Signals	4-Lane Divided Option	6- and 7-Lane Options
NB	AM Peak	B / 28 / 09' 27	B / 29 / 09' 06	B / 29 / 09' 00
SB	AM Peak	B / 30 / 08' 33	B / 30 / 08' 24	B / 31 / 08' 13
NB	PM Peak	C / 27 / 09' 41	C / 27 / 09' 31	C / 28 / 09' 25
SB	PM Peak	C / 28 / 09' 05	B / 29 / 08' 48	B / 29 / 08' 42

Table 7. 2050 Arterial Level of Service / Arterial Speed (mph) / Travel Time (min' sec)

Direction	Period	Maintained Signals	4-Lane Divided Option	6- and 7-Lane Options
NB	AM Peak	E / 13 / 20' 02	E / 14 / 18' 48	E / 16 / 16' 31
SB	AM Peak	E / 15 / 17' 10	E / 16 / 16' 11	E / 19 / 13' 20
NB	PM Peak	F / 11 / 22' 53	F / 12 / 21' 47	E / 14 / 19' 17
SB	PM Peak	F / 10 / 25' 00	F / 11 / 22' 51	E / 15 / 16' 58



Several signals were identified with malfunctioning or broken loops. They were repaired during the recent pavement maintenance project on the corridor (October 2020).

The “Direction” columns are northbound or southbound traffic.

The “Period” columns are morning peak traffic and evening peak traffic.

The data in “Repaired Signals”, “4-lane divided option” & “6 and 7-lane options” is level of service rating, arterial speed in miles per hour, and travel time through the corridor in minutes and seconds.

Table 6 illustrates minimal improvements with the 6 and 7-lane options for current traffic volumes.

Table 7 illustrates a substantial improvement with the 6 & 7-lane options for future 2050 traffic volumes.

INTERSECTION LEVEL OF SERVICE

Table 8. 2018 Intersection LOS – Maximum v/c Ratio for All Options

Intersection	2018 AM Repaired	2018 PM Repaired	2018 AM 4-Lane	2018 PM 4-Lane	2018 AM 6-/7-Lane	2018 PM 6-/7-Lane
US-69 & Fern Mountain/Harris	D - 0.88	D - 0.94	D - 0.88	D - 0.94	D - 0.88	D - 0.94
US-69 & Shawnee	D - 0.98	E - 1.05	D - 0.98	E - 1.05	D - 0.98	D - 1.05
US-69 & Military/ Tablequah	B - 0.74	B - 0.79	B - 0.74	B - 0.79	B - 0.74	B - 0.79
US-69 & Broadway	C - 0.97	C - 0.94	C - 0.97	C - 0.94	C - 0.98	C - 0.94
US-69 & Okmulgee	D - 0.96	D - 1.04	D - 0.96	D - 1.04	C - 0.91	D - 0.95
US-69 & Arline	B - 0.77	C - 0.99	B - 0.77	C - 0.98	B - 0.63	C - 0.74
US-69 & Border	C - 0.89	C - 0.91	B - 0.77	C - 0.78	B - 0.74	B - 0.61
US-69 & Hancock	C - 0.78	C - 0.83	B - 0.74	C - 0.80	B - 0.55	B - 0.78

Table 9. 2050 Intersection LOS – Maximum v/c Ratio for All Options

Intersection	2050 AM Maintained	2050 PM Maintained	2050 AM 4-Lane	2050 PM 4-Lane	2050 AM 6-/7-Lane	2050 PM 6-/7-Lane
US-69 & Fern Mountain/Harris	F - 1.37	F - 1.52	F - 1.37	F - 1.52	F - 1.37	F - 1.52
US-69 & Shawnee	F - 1.37	F - 1.56	F - 1.37	F - 1.56	F - 1.37	F - 1.56
US-69 & Military/ Tablequah	B - 0.98	D - 1.07	B - 0.98	D - 1.07	B - 0.98	D - 1.07
US-69 & Broadway	F - 1.27	F - 1.31	F - 1.27	F - 1.31	F - 1.27	F - 1.31
US-69 & Okmulgee	F - 1.32	F - 1.50	F - 1.32	F - 1.50	F - 1.20	F - 1.33
US-69 & Arline	F - 1.33	F - 1.41	F - 1.33	F - 1.41	C - 0.93	F - 1.09
US-69 & Border	F - 1.37	F - 1.52	F - 1.32	F - 1.34	D - 0.97	C - 1.00
US-69 & Hancock	D - 1.21	F - 1.30	C - 1.04	D - 1.18	C - 0.89	C - 0.91



These tables illustrate level of service and V/C ratios for 2018 and 2050 traffic volumes. Again, V/C is volume divided by capacity. So as volume of traffic increases and capacity of the roadway stays constant then the V/C ratio will increase.

The lower half of each table are the intersections in the project corridor: Okmulgee Avenue, Arline Avenue, Border Avenue and Hancock Street.

Table 8 with 2018 traffic volumes shows good level of service and V/C ratios in the project corridor with minimal changes between the different options.

Table 9 with 2050 traffic volumes we start to see level of service issues with current and 4-lane configurations. The 6 and 7-lane options deviate from the 4-lane and offer much better performance for future traffic.



ACCESS REVIEW

THE SECTION BETWEEN BORDER AVENUE AND OKMULGEE AVENUE CONTAINS 29 DRIVEWAYS ON THE WEST SIDE AND 31 DRIVEWAYS ON THE EAST SIDE, APPROXIMATELY 1 DRIVEWAY EVERY 70 FEET.



The blue dots represent commercial or private driveway entrances. The section between Border Avenue and Okmulgee Avenue contains 29 driveways on the west side and 31 driveways on the east side, approximately 1 driveway every 70 feet



ACCESS REVIEW

THE SECTION BETWEEN OKMULGEE AVENUE AND SHAWNEE CONTAINS 18 DRIVEWAYS ON THE WEST SIDE AND 10 DRIVEWAYS ON THE EAST SIDE, APPROXIMATELY 1 DRIVEWAY EVERY 189 FEET. SOME OF THESE DRIVEWAYS ARE RESTRICTED BY THE CENTER MEDIAN. THE DRIVEWAY DENSITY FOR THE SECTION WITH THE TWO-WAY LEFT TURN LANE IS 1 DRIVEWAY EVERY 175 FEET.



The section between Okmulgee Avenue and Shawnee contains 18 driveways on the west side and 10 driveways on the east side, approximately 1 driveway every 189 feet. Some of these driveways are restricted by the center median. The driveway density for the section with the two-way left turn lane is 1 driveway every 175 feet.

FEDERAL HIGHWAY ADMINISTRATION (FHWA) ACCESS MANAGEMENT

ACCESS MANAGEMENT SHOULD ADDRESS:

- FACILITY HIERARCHY
- TRAFFIC SIGNAL SPACING
- TURNING & AUXILIARY LANES
- INTERSECTION/INTERCHANGE SPACING
- MEDIAN TREATMENTS/OPENINGS
- STREET CONNECTIONS
- DRIVEWAY SPACING



The Federal Highway Administration stipulates that access management should address facility hierarchy, traffic signal spacing, turning/auxiliary lanes, intersection/interchange spacing, median treatments or openings, street connections and driveway spacing.

The graphic illustrates facility hierarchy and associates that with increased mobility or increased access.

US-69 is categorized as a major arterial roadway.



CORRIDOR SAFETY

FACTS TO CONSIDER WHEN CHOOSING ALTERNATIVES REGARDING THE CORRIDOR FROM BORDER AVE. TO OKMULGEE AVE ARE AS FOLLOWS:

- AS ACCESS DENSITY INCREASES CRASH RATES INCREASE.
- ROADWAYS WITH NON-TRAVERSABLE MEDIANS ARE SAFER THAN UNDIVIDED ROADWAYS OR THOSE WITH CONTINUOUS TWO-WAY LEFT-TURN LANES (TWLTL) PER NCHRP REPORT 420, 1999 (TRANSPORTATION RESEARCH BOARD – NATIONAL COOPERATIVE HIGHWAY RESEARCH PROGRAM)
- HIGHWAY FACILITIES WITH NON-TRAVERSABLE MEDIANS HAD AN OVERALL ACCIDENT RATE OF 5.2 PER MILLION VEHICLES MILES TRAVELED (VMT) COMPARED WITH 7.3 PER MILLION VMT ON FACILITIES WITH TWLTLs. AVERAGE CRASH RATES ARE 30% LESS WITH MEDIAN.
- AS TRAFFIC VOLUMES RISE BEYOND 20,000 VEHICLES PER DAY, TWLTLs BEGIN TO DECREASE IN FUNCTIONALITY, RESULTING IN SAFETY PROBLEMS.



Facts to consider when choosing alternatives regarding the corridor from Border Avenue to Okmulgee Avenue are as follows:

- As access density increases crash rates increase.
- Roadways with non-traversable medians are safer than undivided roadways or those with continuous two-way left-turn lanes (TWLTL) per NCHRP Report 420, 1999 (Transportation Research Board – National Cooperative Highway Research Program)
- Highway facilities with non-traversable medians had an overall accident rate of 5.2 per million vehicles miles traveled (VMT) compared with 7.3 per million VMT on facilities with TWLTLs. Average crash rates are 30% less with median.
- As traffic volumes rise beyond 20,000 vehicles per day, TWLTLs begin to decrease in functionality, resulting in safety problems.

INTERSECTION IMPROVEMENTS OKMULGEE AVE & US-69



The construction project will end just south of the Okmulgee Avenue intersection. Physical improvements at this location will consist of extending the left bays for additional vehicle storage.

INTERSECTION IMPROVEMENTS ARLINE AVE. & US-69



Left turn lanes are already implemented at the Arline Avenue intersection. Improvements here will include sidewalks with wheelchair ramps at pedestrian crossings.

INTERSECTION IMPROVEMENTS BORDER AVE. & US-69, HANCOCK ST. & US-69

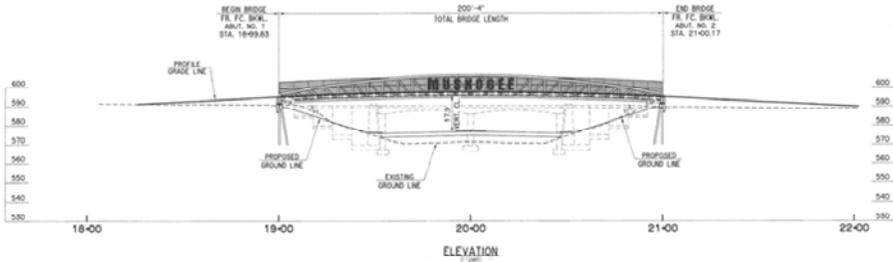


The Border Avenue intersection will receive left turn lanes in the east and west bound directions.

Hancock Street will receive a dedicated right turn lane in the west bound direction.

CENTENNIAL TRAIL OVERPASS BRIDGE

- "MUSKOGEE" SIGNAGE TO BE APPROVED BY CITY OF MUSKOGEE AND COMPLEMENT OTHER SIGNAGE THROUGHOUT CITY
- US-69 GRADE BEING RAISED APPROXIMATELY 5'.
- SECTION 4(F) NEEDS TO BE COMPLETED, TIMELINE TBD



The Centennial Trail Overpass Bridge will be replaced with a steel truss bridge with to compliment other recent aesthetic enhancements made by the city of Muskogee in recent years. Signage is to be approved by the city of Muskogee.

US-69 is being raised approximately 5' at the overpass to improve drainage.

Section 4(f) will need to be completed prior to construction.

CENTENNIAL TRAIL OVERPASS BRIDGE AESTHETICS



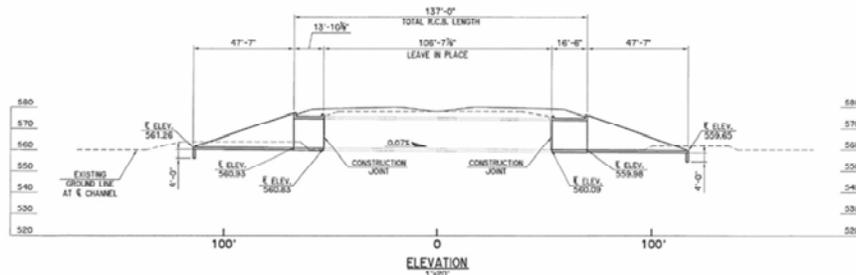
Keystone® Pedestrian Truss



The aesthetic design of the overpass will be the Keystone Pedestrian Truss from Contech Construction Products. This was selected by the city of Muskogee to compliment other features around town. The Keystone Pedestrian Truss also performs well on the long span needed to cross US-69.

COODY CREEK BRIDGE EXTENSION

- THE EXISTING STRUCTURE IS SOUND AND DOES NOT REQUIRE REPLACEMENT.
- THE SECTION OF ROADWAY IN THE VICINITY OF COODY HAS A NARROW MEDIAN THAT WILL BE WIDENED.
- THE VERTICAL GRADE WILL BE RAISED SLIGHTLY TO MAINTAIN MINIMUM COVER OVER THE BRIDGE.
- THIS WILL REQUIRE THE BRIDGE TO BE EXTENDED 13.8' LEFT AND 16.5' RIGHT.



The Coody Creek bridge is sound and does not require replacement; however, the new roadway will be slightly wider than existing requiring the structure to be extended on each end. The vertical grade of US-69 will be raised slightly to maintain minimum cover over the bridge.

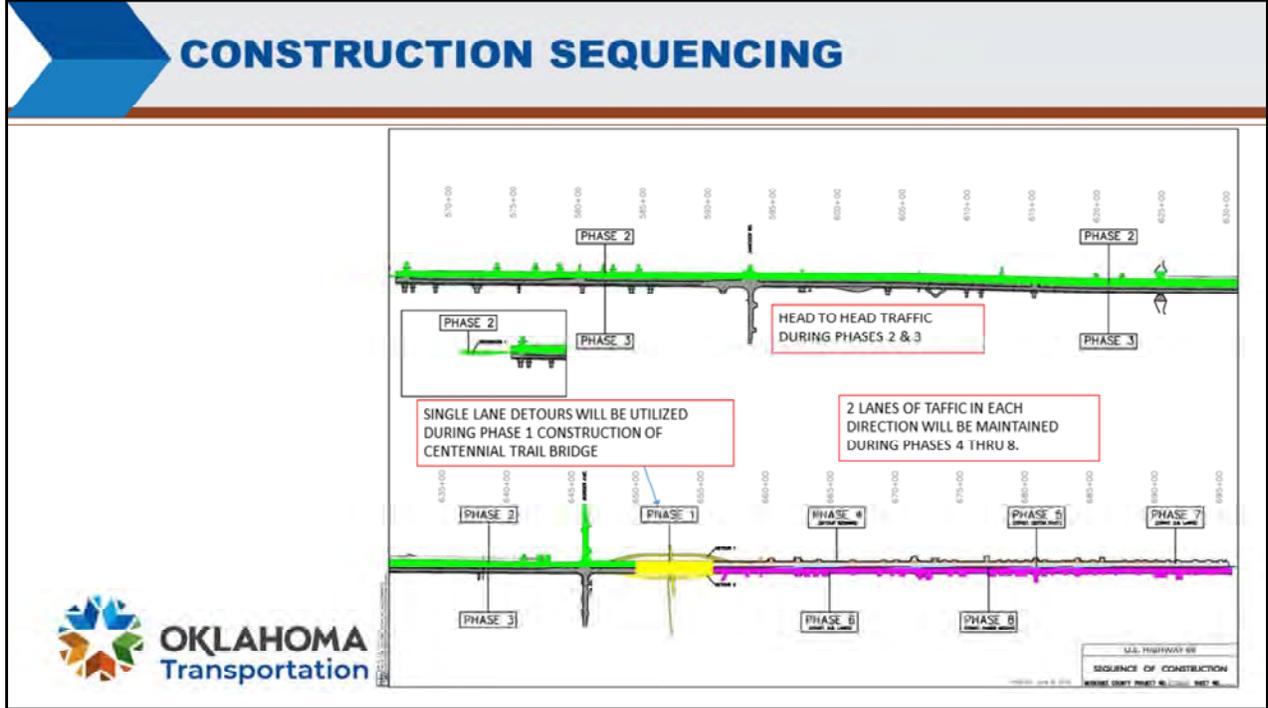
CONSTRUCTION SEQUENCING



- A SMART WORKZONE WITH MESSAGE BOARDS WILL BE UTILIZED DURING CONSTRUCTION.
- THE ROADWAY PROJECT WILL CONSIST OF VARIOUS CONSTRUCTION PHASES,
- RESIDENTIAL & BUSINESS ACCESS DURING CONSTRUCTION WILL BE MAINTAINED BY SEQUENCING DRIVEWAY RECONSTRUCTION TO MINIMIZE DISTURBANCE.



The project will be sequenced in various construction phases. A smart workzone with message boards will be utilized to notify traffic. Residential and business access during construction will be maintained by sequencing driveway reconstruction to minimize disturbance.



Proposed Construction Sequencing is as follows:

Phase 1 will include reconstruction of the Centennial Trail Overpass. One-lane detours will be constructed on each side. The trail in the vicinity will be closed during this phase. It is estimated to 120 days to complete Phase 1.

Phase 2 and 3 will consist of reconstruction from beginning of project to the overpass location. Traffic will be shifted to one side and be head-to-head 2-way traffic during these phases.

Phase 4 will consist of a temporary widening along the extreme west edge the roadway from the overpass location to end of project near Okmulgee Avenue.

Phase 5 will include paving of the existing raised median. Traffic will be restricted to one lane in each direction and moved to the outside lanes.

Phase 6 will be the construction of the northbound lanes. Traffic will shifted to the newly paved center median and southbound lanes. 2 lanes of traffic in each direction will be utilized.

Phase 7 will be the construction of the southbound lanes. Traffic will shifted to the paved center median and newly paved northbound lanes. 2 lanes of traffic in each direction will be utilized.

Phase 8 currently consists of the construction of the raised center median.

This sequencing is not final and the construction contractor may have alternative suggestions.

Environmental Studies

Environmental Studies Were Completed in 2015 and Will Be Updated For:

- Cultural Resources (Historic and Archaeological)
 - Waters and Wetlands
 - Threatened and Endangered Species
 - Hazardous Materials Assessment
 - Traffic Noise
 - Floodplains Assessment
- Commitments to avoid and/or minimize impacts to the environment will be included in the project in accordance with the National Environmental Policy Act (NEPA).



ODOT will complete updated detailed environmental studies of the proposed improvement and will consult with the appropriate agencies for approval. Studies of cultural resources, waters and wetlands, threatened and endangered species, hazardous materials, floodplains assessment and traffic noise will be updated. Based on the results of these studies, additional commitments to avoid and/or minimize impacts to the environment will be added to the project. In order to authorize construction of the project, ODOT will complete a Documented Categorical Exclusion for Federal Highway Administration approval.

 **Environmental Studies**

Cultural Resources (Section 106) completed in 2015 Resulted In:

- No effect on Historic Properties.
- The existing pedestrian bridge (built in 1952) was documented and was found to be sufficiently altered and not eligible for inclusion in the National Register of Historic Places.
- No previously recorded archaeological sites or Determination of Eligibility (DOE) sites.
- The study and report was provided to the State Historic Preservation Office and the State Archaeologist.
 - Both agencies agreed with the results that there is no effect on cultural resources.
- The following Tribes were consulted: Caddo Nation, Cherokee Nation, Kialegee Tribal Town, Muscogee Nation, Osage Nation, Thlopthlocco Tribal Town, United Keetoowah Band of Cherokees and Wichita & Affiliated Tribes.

These findings will be confirmed in the study update.

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For cultural resources, field studies and reporting to the State Historic Preservation Office (SHPO) and the State Archaeologist (OAS) were completed that resulted in concurrence from both agencies. There is no effect on historic properties for this segment.

The existing pedestrian bridge, built in 1952, was documented and was found to be sufficiently altered and not eligible for inclusion in the National Register of Historic Places. No previously recorded archaeological sites or Determination of Eligibility (DOE) sites. The study and report was provided to the State Historic Preservation Office and the State Archaeologist and both agencies agreed with the results that there is no effect of cultural resources.

The following Tribes were consulted: Caddo Nation, Cherokee Nation, Kialegee Tribal Town, Muscogee Nation, Osage Nation, Thlopthlocco Tribal Town, United Keetoowah Band of Cherokees and Wichita & Affiliated Tribes.

These findings will be confirmed in the study update.

Environmental Studies

Threatened and Endangered Species Study - 2015

- Threatened and Endangered Species completed in 2015 found:
 - Impacts to the American Burying Beetle
 - Impacts to the Northern Long-eared Bat
- Migratory Birds

These findings will be confirmed in a biological study update



An updated biological study will be completed.

In 2015 impacts to American Burying Beetle and Northern long eared bat were found.

Migratory birds are protected by the federal Migratory Bird Treaty Act. Migratory birds were found to be nesting on transportation structures in 2015 and this will be confirmed in the study update.

Environmental Studies

Waters and Wetlands

- Impacts to Waters and Wetlands will be coordinated with the US Army Corps of Engineers.
- The appropriate Clean Water Act Section 404 permit will be obtained for the project.
- Wetlands are located at Coody Creek and its Tributaries

Hazardous Materials

- No further action.

These findings will be confirmed in the study updates.



Impacts to waters and wetlands will occur at several streams and drainages within this segment. Any impacts will be coordinated with the U.S. Army Corps of Engineers and ODOT will obtain a Clean Water Act Section 404 permit for the project. Jurisdictional wetlands were identified in the project area at Coody Creek and its tributaries.

ODOT completed an Initial Site Assessment for hazardous materials and found there is low risk for impacts. The Initial Site Assessment tries to identify the presence of hazardous waste or soil / groundwater pollution within or adjoining to the proposed project area to avoid or minimize project delays and escalated construction costs.

These findings will be confirmed in the study updates.

Environmental Studies

Noise Study will be updated

- Land use is described as developed land consisting of small businesses, motels, an RV Park with some residential lots, two (2) places-of-worship, a non-motorized foot/bicycle trail and single-family residential dwellings.
- Those considered as noise sensitive receivers include the hospital, residential dwellings, the places-of-worship, the RV Park, and the trail.



A noise study will be updated for the project. Land use is described as developed land consisting of small business, motels, an RV Park with some residential lots, two (2) places-of-worship, a non-motorized foot/bicycle trail and single-family residential dwellings.

Those considered as noise sensitive receivers include the hospital, residential dwellings, the places-of-worship, the RV Park, and the trail.

Environmental Studies

Section 4(F) will be completed for the Pedestrian Bridge

- The pedestrian bridge is part of the City owned Centennial Trail Path that is 7.3 miles long and extends into a city park - Love Hatbox Sports Complex.
- Due to the proposed impact to this recreational trail, Section 4(f) regulations of the U.S. Department of Transportation Act of 1966 apply to the project.
- Section 4(f) affords protection to publicly-owned recreation areas including city, state, and national parks, wildlife refuges and management areas, and historic sites.
- ODOT has coordinated with the City of Muskogee regarding the planned improvements and the City is supportive of these improvements.
 - Initial letter to City May of 2015
 - Response from City July of 2015



Section 4(F) will be completed for the Pedestrian Bridge. The pedestrian bridge is part of the City owned Centennial Trail Path that is 7.3 miles long and extends into a City Park - Love Hatbox Sports Complex.

Due to the proposed impact to this recreational trail, Section 4(f) regulations of the U.S. Department of Transportation Act of 1966 apply to the project.

Section 4(f) affords protection to publicly-owned recreation areas including city, state, and national parks, wildlife refuges and management areas and historic sites.

ODOT has coordinated with the City of Muskogee regarding the planned improvements and the City is supportive of these improvements.

Initial letter to City May of 2015

Response from City July of 2015

Environmental Studies

Section 4(F) will be completed for the Pedestrian Bridge

- It has been confirmed that no Land and Water Conservation Funds were used for the bridge.
- In order to complete Section 4(f)
 - 30-day public notice
 - Written concurrence from City
- The Centennial Trail is being constructed as a shared use path (bicycles and pedestrians) and will meet all Americans with Disabilities Act (ADA) pedestrian requirements.
- In order to construct the new structure, the trail will need to be closed during construction for approximately three months. Incentives will be offered to the contractor to reduce that time.



It has been confirmed that no Land and Water Conservation Funds were used for the Bridge.

In order to complete Section 4(f)

30-day public notice

Written concurrence from City

The Centennial Trail is being constructed as a shared use path (bicycles and pedestrians) and will meet all American Disability Act (ADA) pedestrian requirements.

In order to construct the new structure, the trail will need to be closed during construction for approximately three months. Incentives will be offered to the contractor to reduce that time.

US-69 ALTERNATIVES MATRIX

	No Build	Option 1 (2 Lanes)	Option 2 (2 Lanes)	Option 3 (2 Lanes)
New Right of Way Required (Acres)	0	0.937 (Permanent) 4.73 (Temp. Perm. & PUE*)	0.937 (Permanent) 4.73 (Temp. Perm. & PUE)	0.936 (Permanent) 3.06 (Temp. Perm. & PUE)
Historic Properties	None	None	None	None
Archaeological Sites	None	None	None	None
Cemeteries	None	None	None	None
UST Sites within Proposed ROW	None	1 UST Site, PODOU	1 UST Site, PODOU	2 UST Sites Closed
UST Sites 100ft of Proposed ROW	None	2 UST Sites, Closed	2 UST Sites, Closed	None
Oil and Gas Wells	None	None	None	None
303d Impaired Streams (Linear Ft)**	0	277.5 (Perm R/W) 498.2 (Temp & Perm R/W)	277.5 (Perm R/W) 498.2 (Temp & Perm R/W)	277.5 (Perm R/W) 498.2 (Temp & Perm R/W)
Potential Wetlands (Acres)	0	0.559 (Perm R/W) 0.78 (Temp & Perm R/W)	0.559 (Perm R/W) 0.78 (Temp & Perm R/W)	0.559 (Perm R/W) 0.78 (Temp & Perm R/W)
Blue Line Streams (Linear Ft)	0	381.7 (Perm R/W) 602.4 (Temp & Perm R/W)	381.7 (Perm R/W) 602.4 (Temp & Perm R/W)	381.7 (Perm R/W) 602.4 (Temp & Perm R/W)
Threatened & Endangered Species	Same	Same	Same	Same
Critical Habitat	None	None	None	None
Migratory Birds	Same	Same	Same	Same
Floodplains (Acres)	0	2.0 (Perm R/W) 3.05 (Temp & Perm R/W)	2.0 (Perm R/W) 3.05 (Temp & Perm R/W)	2.0 (Perm R/W) 3.05 (Temp & Perm R/W)
Tribal Property	None	None	None	None
Section 4(f) Centennial Trail (Linear Ft)	0	795.2	795.2	795.2
Section 4(f) Public Parks / Refuges	None	None	None	None
Noise	No Change	Same	Same	Same
Residential/Building Impacts	None	1 Impact but can be avoided w/design exception	1 Impact but can be avoided w/design exception	1 Impact but can be avoided w/design exception
Level of Service	No Change	Best, increased capacity w/ reduced delays	Increased capacity with higher crash rates	Poor, no change
Non-Traversable Median	Yes	Yes	No	Yes
No Median (TWLTL)	No	No	Yes	No
Total Costs (\$Millions)	50	\$35-\$25	\$55-\$67	\$27-\$77

Sources: Oklahoma Corporation Commission, EPA, ODEQ, USGS, USFWS, FEMA, Reconnaissance Report, and MUB survey.
 *Permanent Utility Easement (PUE)
 **Waterbody: Cuddy Creek. Cause of Impairment: Enterococcus Bacteria; Bathing/Recreation Use Class (B. Class)



The US-69 Alternative Matrix outlines the differences between each option.

Right-of-way and environmental impacts are very similar for each option.

NEXT STEP

- STAKEHOLDER MEETING (NOVEMBER 2020)
- VIRTUAL OPEN HOUSE (DECEMBER 2020)
- SELECT PREFERRED ALTERNATIVE
- RIGHT-OF-WAY PLANS (SUMMER 2021)
- COMPLETE ENVIRONMENTAL (TBD)
- RIGHT-OF-WAY ACQUISITION (SUMMER 2022)
- UTILITY RELOCATION (FOLLOWING R-O-W ACQUISITION)
- CONSTRUCTION (SUMMER 2024)



Next Step & Schedule:

This slide shows the next steps for the project. We ask that you submit your comments by January 4, 2021 so that we may incorporate your feedback and finalize the design plans. If your property is affected by the project, you can expect to hear from ODOT right-of-way agents beginning in summer of 2022.

Currently, construction of the project is anticipated to begin in summer of 2024.

 **Thank You!**

Thank You for Participating in ODOT's Virtual Open House

- **Please visit other areas of the website for more information.**
 - **Interactive Map** - view the design on an aerial photograph, zoom in & out, find your property, etc.
 - **Right-of-Way Acquisition** - information for right-of-way acquisition & relocations
 - **Environmental Studies** - more information about the studies and environmental commitments
 - **Frequently Asked Questions** - for common questions and answers about the project
 - **Submit a Comment** - submit your comments or questions on this page or send by email or US mail

The best way to leave a comment or ask a question is to submit a written comment at the "Submit a Comment" page, or via email environment@odot.org

For more information on this project call (405) 521-3050

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Please go to www.odot.org/US69MUSKOGEE for more information.

Thank you for participating! Please visit the other areas of this website for more information. This concludes the presentation portion of the Virtual Open House.

Frequently Asked Questions

US-69 from 0.48 miles north of US-64 East, extending north 2.5 miles in City of Muskogee Muskogee County, Job Piece # 27108(04)

Will this project construct a bypass of Muskogee?

No, based on public feedback, ODOT and FHWA refocused attention on updating the existing US-69 corridor and tasked a consultant to look at alternatives to improve the existing US-69 facility through Muskogee in early 2020.

Why spend money to reconstruct the US-69 roadway?

The roadway is worn out. To maintain a drivable surface, ODOT must patch, mill and re-surface the US-69 roadway frequently through Muskogee. This is expensive and causes driver delay due to maintenance and construction. This project is needed to reduce the maintenance requirements and provide a new subgrade and roadway surface that will last 20-25 years. A new subgrade and surface will be more durable with the daily truck traffic.

When will ODOT select a preferred alternative?

Once ODOT has received and reviewed all the comments from the virtual open house meeting a preferred alternative will be selected.

What will the pedestrian bridge look like?

ODOT will work with the City of Muskogee to provide signage on the new pedestrian bridge. The new structure will be designed specifically for bicycle and pedestrian traffic. The new pedestrian bridge will be 12 feet wide in width and connect to the existing 10-foot-wide asphalt path. The bridge will be about 5 feet higher than the existing structure. The replacement of this structure allows for more room to accommodate the roadway improvements on US-69 and will improve drainage on the roadway. To construct the

new bridge structure, the trail will need to be closed during construction for approximately three months. You can see a graphic of it in the presentation.

What is the difference between the six and seven lane option on crash data?

Average crash rates are 30% less with a median (based on Transportation Research Board report) versus a turning lane. The open turning lane and the existing driveway density would cause increased crash rates due to turning movements.

How will I know if ODOT plans to acquire some of my property?

There will be little permanent new right-of-way required for any of the alternatives. Although utility and construction easements will be needed in some areas. The proposed right-of-way is preliminary and will be refined as the design and construction plans are developed. If your property will be affected, an ODOT- authorized agent will contact you in the future. It is anticipated that right-of-way acquisition for this project will begin in summer of 2022, although this schedule is dependent on funding and subject to change.

What is the process if ODOT needs some of my property? What if ODOT needs to buy my house or business?

ODOT will obtain an independent appraisal and present a fair market value offer for your property. Owners of affected homes or business will be provided with additional relocation assistance.

What if ODOT needs temporary access for construction or a maintenance easement?

Sometimes ODOT will need temporary access or an easement to maintain the highway and drainage structures. Owners will be compensated for temporary right-of-way and for maintenance easements. In these cases, you will maintain ownership of the property. If your property will be affected, an ODOT-authorized agent will contact you.

When will ODOT start buying property?

Right-of-way acquisition for this project is anticipated to start in Summer of 2022. However, the schedule is dependent on funding and subject to change.

When is construction scheduled to begin?

Construction is anticipated to begin in Summer of 2024. However, the schedule is dependent on funding and subject to change.

How will the project be built?

US-69 will remain open during construction and phased construction will be utilized to maintain traffic. One lane of traffic in each direction will be maintained throughout construction. Although to build the new pedestrian bridge a shoo-fly detour will be required. [\(add link to presentation to phasing\)](#)

Will there be access to my home and property during construction?

Yes, access to homes, businesses, and property adjacent to the project will be maintained during all phases of construction. In some cases, temporary drives may be required until permanent drives can be restored.

The existing and future traffic numbers should be higher?

Traffic counts are taken every two years on state highways. The existing traffic numbers reflect the current condition. The future traffic numbers are projected based on a multiplier based upon area.

Annual average daily traffic (AADT) is a measure used primarily in transportation engineering. Traditionally, it is the total volume of vehicle traffic of a highway or road for a year divided by 365 days. Therefore, there are days when there is more traffic, but this is an average. AADT is a simple, but useful, measurement of how busy the road is.

Will noise walls be included in the project?

When the design is further along ODOT will conduct a Traffic Noise Study according to Federal Highway Administration (FHWA) and ODOT policies and procedures using FHWA Traffic Noise Model version 2.5. This study will identify any anticipated noise impacts and the feasibility and reasonableness of noise walls, if necessary. However, due to the multiple access points along US-69, it is unlikely that noise walls would be able to be constructed and still maintain access to side streets and driveways.

APPENDIX C

CITIZEN WRITTEN COMMENTS



OKLAHOMA
Transportation

US-69 THRU CITY OF MUSKOGEE
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MUSKOGEE COUNTY, JOB PIECE # 27108(04),
STATE PROJECT # J2-7108(004)

PLEASE SUBMIT YOUR COMMENTS BY: 1/4/2021

Personal information is optional

(Please print clearly)

Name: <u>Leta Brown</u>		Business / Organization: <u>N/A</u>	
Address: <u>1311 So. 39th Pl. Apt 99</u>		City: <u>Muskogee</u>	State: <u>OK</u> Zip Code: <u>74410</u>
Phone Number: <u>918-310-3422</u>		Email Address:	
<p><i>"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County</i></p> <p><u>Not only those areas are in need of improvement as other roads in the inner areas need improvements as well. Meadow Brooks Apartment off of Border Ave.</u></p>			
<p>comment 1a</p>			



Comments on this project can be submitted in several ways, including but not limited to:

By US Mail Using Pre-Paid Envelope Provided:
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Environmental Programs Division
200 N.E. 21st Street
Oklahoma City, OK 73105

By Email:
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PLEASE SUBMIT YOUR COMMENTS BY: 1/4/2021

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(Please print clearly)

Name: David McKee		Business / Organization:	
Address: 2729 Arline St		City: Muskogee	State: OK
Phone Number: 918-840-4649		Zip Code: 74401	
Email Address:			
<p>"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County</p> <p>I would like to see Hwy 69 updated and have a lane to drive on. would be safer for all of us that live in the area. figure 2 would be my preference</p> <p>comment 2a</p>			

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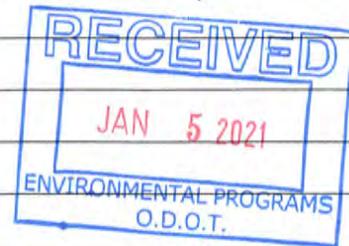
Name:	Business / Organization:		
	Sai Mira LLC		
Address:	City:	State:	Zip Code:
	407 S. 32nd St Muskogee	OK	74401
Phone Number:	Email Address:		
	naikrj@gmail.com		

"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County

We proposed

Figure 3: Option 2 - Construction of 7-lane curb & gutter with continuous two-way left turn lane to US-69 in Muskogee in Muskogee County.

comment 3a



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STATE PROJECT # J2-7108(004)

PLEASE SUBMIT YOUR COMMENTS BY: 1/4/2021

Personal information is optional

(Please print clearly)

Name: Joy Gandhi	Business / Organization: Travel inn		
Address: 321, South 32ND	City:	State:	Zip Code:
Phone Number: 918.348.6896	Email Address:		

"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County

Option 2, Figure (3)

comment 4a

Thanks.



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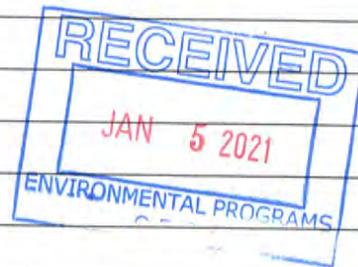
Personal information is optional

(Please print clearly)

Name: DR. JOHN DUANE CROTTY		Business / Organization: RETIRED DOCTOR	
Address: 2421 E. COBURN CIRCLE		City: MUSKOGEE	State: Zip Code: OK 74401
Phone Number: 918-682-9760		Email Address: NONE	

"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County

I FAVOR FIGURE 3: OPTION 2



comments 5a

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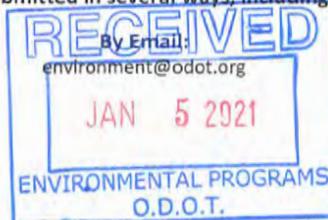
Name: MIKE HOBBS		Business / Organization: APARTMENT MANAGER	
Address: 3028 ARLINE APT. 201		City: MUSKOGEE	State: OK Zip Code: 74401
Phone Number: 918-352-1822		Email Address:	

"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County

THE CURRENT HIGHWAY DESIGN DOES NOT SERVE THE NEEDS of a GROWING CITY. THERE ARE NO SIDEWALKS, CROSSWALKS or TURN LANES. PEOPLE are FORCED TO WALK and OPERATE THERE WHEEL CHAIR in the STREET BECAUSE of LACK of SIDEWALKS. THERE are JUST a FEW BREAKS in the CENTER MEDIA and NONE HAVE CROSWALKS. ANY BUSINESS or STREET on THE LEFT SIDE of YOU CAN ONLY be ACCESD BY GOING WAY DOWN The ROAD and MAKE A U-TURN and BACKTRACK. THE SHRUBS and GRASS in the MEDIA NOT GOOD.

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comment 6a

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THE GRASS AND SHRUBS in THE CENTER MEDIA are NOT TAKEN CARE of PROPERLY and always LOOK SHAGGY and NEGLECTED.

I DONT KNOW WHY ANY BODY WOULD THINK ANY CHOICE OTHER THAN FIGURE 3, OPTION 2. THIS WOULD SAVE on MAINTANANCE COST and GAS of RESIDENCE NOT always going DOWN and MAKE A U-TURN EVERY TIME YOU GO SOMEWHERE.

I LIVE on ARLINE only 100ft EAST of HIGHWAY AND SEE LOTS and LOTS of People in wheel chairs and WALKING in THE HIGHWAY.

MAKE THE CORRECT CHOICE
FIGURE 3 - OPTION 2 - 7 LANE HIGHWAY

comment 6b, 6c

Mike Hall



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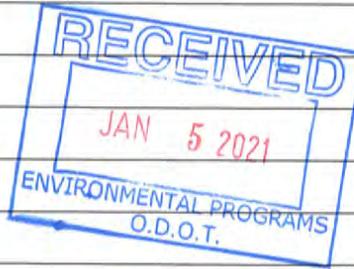
(Please print clearly)

Name:		Business / Organization:	
Address:		City:	State: Zip Code:
Phone Number:		Email Address:	

"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County

I like the proposal of figure 2, option 1

comment 7a



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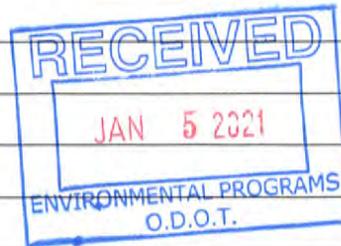
(Please print clearly)

Name: Joy Gandhi		Business / Organization: Travel Inn	
Address: 321, S. 32 ND St.		City: Muskogee	State: OK Zip Code: 74401
Phone Number: 918-682-7558		Email Address:	

"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County

Option 2 Figure 3

comment 8a



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(Please print clearly)

Name: <i>Bhagirath Jinwala</i>		Business / Organization: <i>Catalina Motel</i>	
Address: <i>540 S32nd St;</i>		City: <i>Muskogee</i>	State: <i>OK</i> Zip Code: <i>74401</i>
Phone Number: <i>973-769-1140</i>		Email Address: <i>bhagirathjinwala@yahoo.com</i>	

"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County

I like Figure 3 (OPTION 2) because there are more opportunities with it. If this goes through the traffic flow will be better. The cars won't have to go make a "Left" turn enter a business - Cars that are turning won't interrupt traffic flow.

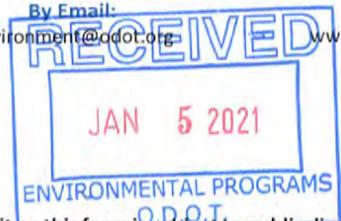
comment 9a

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(Please print clearly)

Name: <u>[Signature]</u>		Business / Organization: Shyama Hotels	
Address: 900 S 32nd St. & 321 S 32nd St.		City: Muskogee	State: Zip Code: OK 74401
Phone Number: <u>[Signature]</u>		Email Address: daysinnmuskogee@aol.com	

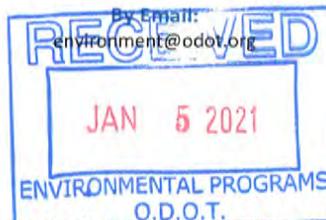
"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County

I have the following comments about the proposed improvements to US-69 in Muskogee County. Regarding the "Proposed Alternate Typical Sections" diagram sent to us properly answered, we would choose on behalf of Shyama Hotels, Option 2, Figure 3. The rationale is that making an open street divider rather than a raised divider will create more accessibility for those traveling through who wish to visit businesses along both sides of the highway.

I also have the following questions. Please can you provide us with the exact measurements and dimensions of the

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- ① lanes, ② inside and outside shoulders, ③ curbs, ④ gutters, ⑤ medians or 2-way left turn lane (as applicable), and ⑥ sidewalks, for each of the 3 ~~proposed~~ proposed options?

This will allow property owners such as us to better gauge what impacts the new ~~prop~~ construction will have on our respective properties.

Many thanks, and we look forward to hearing from you.

comments 10a and 10b



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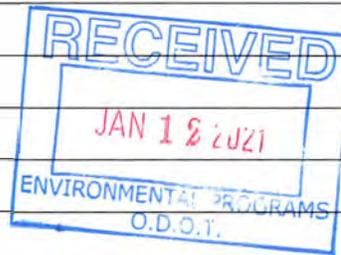
(Please print clearly)

Name: RICKY D UPTON		Business / Organization: RETIRO	
Address: 2707 ESTELLE AVE.		City: MUSKOGEE	State: Zip Code: OK 74401
Phone Number: 918-682-9751		Email Address:	

"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County

I HAVE CHOSEN FIG 3 BECAUSE OF TRUCK AND TRAFFIC LIGHTS.

comment 11a



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STATE PROJECT # J2-7108(004)

PLEASE SUBMIT YOUR COMMENTS BY: 1/4/2021

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(Please print clearly)

Name: <i>James G. Dixon</i>		Business / Organization: <i>ODOT (Retired)</i>	
Address: <i>4204 Eagle Crest Dr.</i>		City: <i>Muskogee</i>	State: Zip Code: <i>OK 74401</i>
Phone Number: <i>(918) 687-3155</i>		Email Address:	
<p>"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County</p>			
<p><i>For the record: The west Bypass should be built with three connecting roads into Muskogee!!!</i></p>			
<p>comments 12a</p>			
<p><i>Proposed Improvements: It appears option 1 will be the safest and will provide the best level of service for the existing mix of traffic offset left turn bays and constructed with 12" reinforced concrete.</i></p>			
<p>comment 12b (over)</p>			

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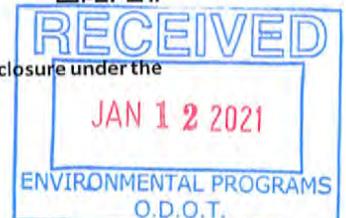
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PLEASE SUBMIT YOUR COMMENTS BY: 1/4/2021

Personal information is optional

(Please print clearly)

Name: <i>Garrett & Lyndie Davis</i>		Business / Organization:	
Address: <i>7110 West 20th Street South Muskogee</i>		City: <i>Muskogee</i>	State: <i>OK</i>
Phone Number: <i>405-615-8673</i>		Zip Code: <i>74401</i>	
Email Address: <i>gwadsworth@yahoo.com</i>			
<p>"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County</p> <p><i>Our family like figure 3 option 2. There needs to be turn lanes in the middle.</i></p> <p style="text-align: center;">comment 13a</p>			

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 Environmental Programs Division
 200 N.E. 21st Street
 Oklahoma City, OK 73105

By Email:
 environment@odot.org

On the Web:
www.odot.org/publicmeetings



Please be aware that all information that you submit on this form is subject to public disclosure under the Oklahoma Public Information Act.



OKLAHOMA
Transportation

US-69 THRU CITY OF MUSKOGEE
US-69 ROADWAY IMPROVEMENTS FROM 0.48 MILES
NORTH OF US-64 EAST (NEAR HADDOCK DRIVE),
EXTENDING NORTH 2.5 MILES TO JUST SOUTH
OF OKMULGEE AVENUE IN CITY OF MUSKOGEE,
MUSKOGEE COUNTY, JOB PIECE # 27108(04),
STATE PROJECT # J2-7108(004)

PLEASE SUBMIT YOUR COMMENTS BY: 1/4/2021

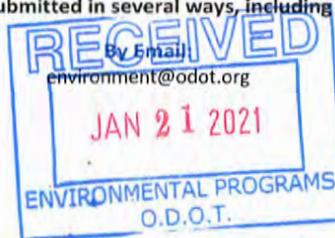
Personal information is optional

(Please print clearly)

Name: Paul S. D. Berg		Business / Organization: O Denny Boy Chick	
Address: 500 The Mark Lane #2901		City: San Diego	State: Zip Code: Ca 92101
Phone Number: (619) 795-1800		Email Address: PSYBERG@DORIANBERG.COM	
"I have the following comment(s) and/or question(s) about the proposed improvements to US-69 in Muskogee in Muskogee County"			
<p>I am 85 years old + difficult to travel long distances (Calif to OK). I am worried about impact to my property and its tenant. The little income I get from this is important to me. I am only asking @ for as little impact on property + tenant as possible and @ as much reasonable compensation as is possible.</p> <p style="text-align: center;">comment 14a</p>			
<p>As to options, I vote for the one to have the least negative effect on ingress + egress as possible.</p> <p>I believe that would be Option 2</p> <p style="text-align: center;">comment 14b</p>			

Comments on this project can be submitted in several ways, including but not limited to:

By US Mail Using Pre-Paid Envelope Provided:
OKLAHOMA DEPARTMENT OF TRANSPORTATION
Environmental Programs Division
200 N.E. 21st Street
Oklahoma City, OK 73105



On the Web:
www.odot.org/publicmeetings



Please be aware that all information that you submit on this form is subject to public disclosure under the Oklahoma Public Information Act.

APPENDIX D

AGENCY SOLICITATION LETTER & LIST

December 16, 2020

Mr. Eddie Streater
Regional Director, Eastern Oklahoma Region
Bureau of Indian Affairs
P.O. Box 8002
Muskogee, Oklahoma 74402-8002

RE: Solicitation for US-69 roadway improvements from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in City of Muskogee, Muskogee County, Job Piece # 27108(04), State Project # J2-7108(004).

Dear Mr. Streater:

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), is soliciting comments to improve US-69 from 0.48 miles north of US-64 East (Peak Boulevard), extending north 2.5 miles within the City of Muskogee. Please see the enclosed figures which depict the areas associated with the improvements to US-69 in the City of Muskogee.

ODOT has tasked a Consultant to develop alternatives for correcting the roadway deficiencies while taking into consideration construction costs, right-of-way and utility costs, and environmental constraints. The purpose and need for this project is to provide operational improvements, including improvements to a pedestrian bridge (abandoned railroad overpass), extension of an existing bridge over Coody Creek, and reconstruction of the existing pavement. The existing US-69 highway is a primary commuter and truck route, and the proposed project is a continuation of ODOT's commitment to safety and operational efficiency.

Due to ongoing concerns about COVID~19, a Virtual Public Open House will be held from December 18, 2020 to January 4, 2021 at www.odot.org/US69Muskogee. The virtual public open house will present the design alternatives for the project and allow the public to submit input. Results of environmental studies conducted in 2015 for the project will also be available, although updated studies will be completed once a preferred alignment is selected.

To allow adequate time for evaluation of your comments, we would appreciate receiving your response by **January 4, 2021**. Your written comments may be submitted on the Virtual Public Open House website or in writing to the Environmental Programs Division Engineer, Oklahoma Department of Transportation, 200 NE 21st Street, Oklahoma City, OK 73105, or email to environment@odot.org.

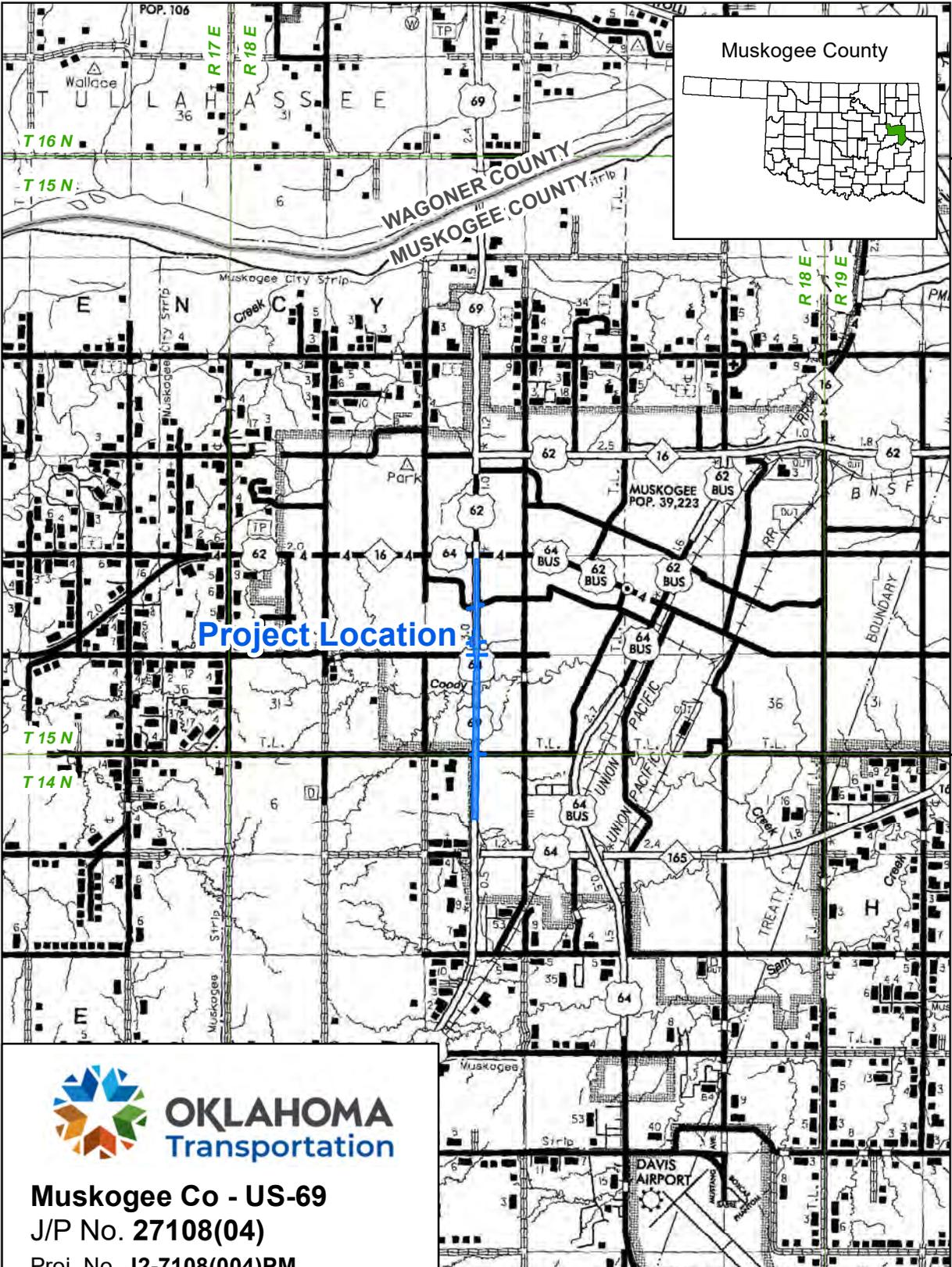
Should you have any questions regarding the project, please contact our consultant Ms. Jennifer Koscelny, Able Consulting, LLC, at (918) 272-4282, jkoscelny@ableconsulting.net.

Sincerely,



Siv Sundaram, P.E.
Environmental Programs Division Engineer
SS/KK/Able
Copy: Rhonda Fair, ODOT Tribal Liaison
Enclosures: Location & Study Area Maps

"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."



EW 87
EW 88
EW 89
EW 90

T 16 N
T 15 N
T 14 N

NS 426
NS 427
NS 428
NS 429

R 17 E | R 18 E | R 19 E



Muskogee Co - US-69
J/P No. 27108(04)
Proj. No. J2-7108(004)PM

Location Map

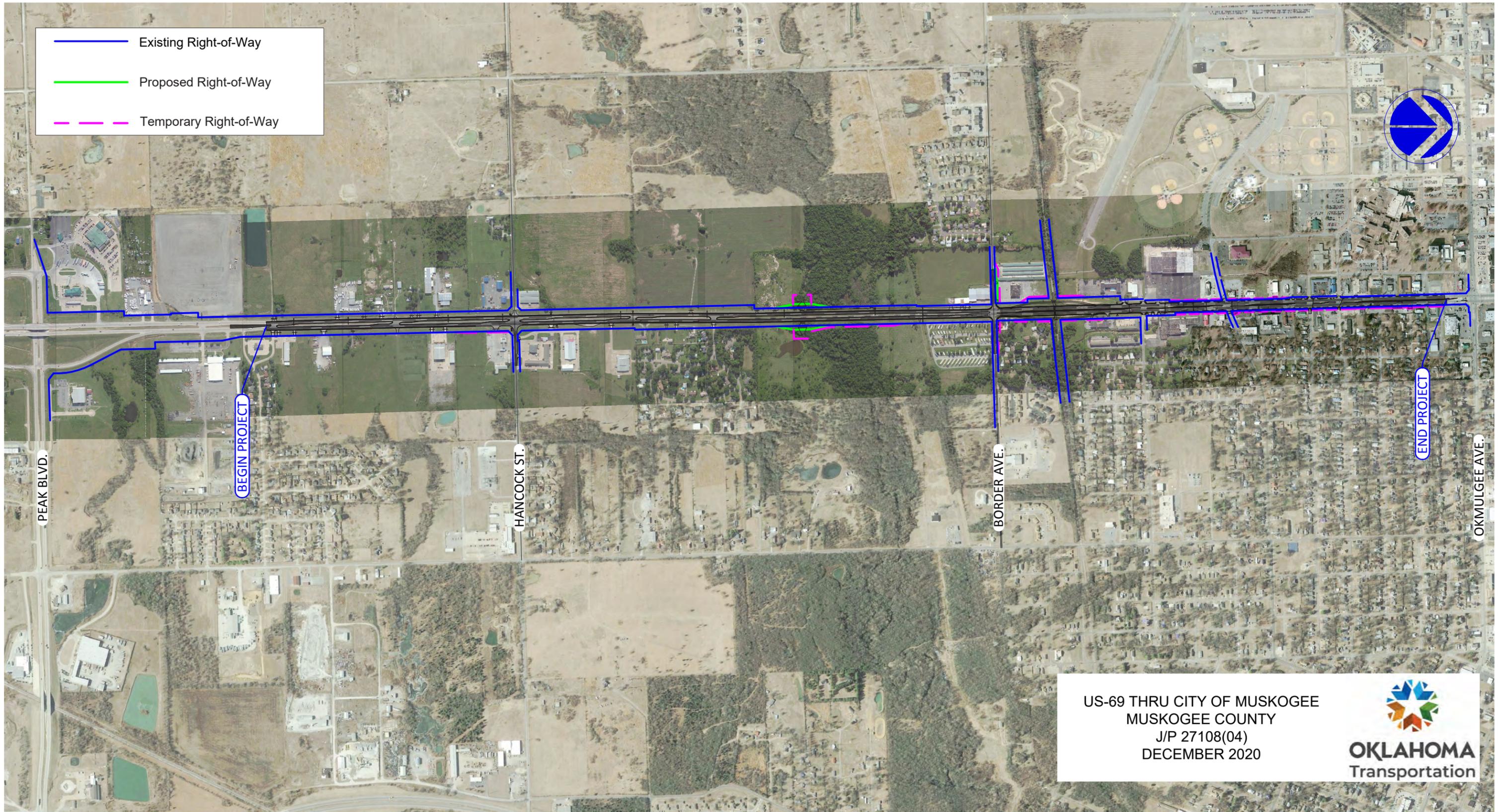
December 15, 2020



US-69: from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in City of Muskogee.

US-69 THRU CITY OF MUSKOGEE

US-69 roadway improvements from 0.48 miles north of US-64 East (near Haddock Drive), extending north 2.5 miles to just south of Okmulgee Avenue in City of Muskogee, Muskogee County, Job Piece # 27108(04), State Project # J2-7108(004)



Ms. Carolyn Russell
Realty Specialist - Oklahoma Field Office
Bureau of Land Management
201 Stephenson Parkway, Suite 1200
Norman, OK 73072-2037

Captain Mehran Massoudie
Regional Health Administrator
Health & Human Services Region 6
1301 Young Street, Ste.124
Dallas, TX 75202

Mr. Andrew Commer
Regulatory Branch Chief
Tulsa District Corps of Engineers
2488 E. 81st Street
Tulsa, OK 74137-4290

Colonel Scott Preston
Commander & District Engineer
Tulsa District Corps of Engineers
2488 E. 81st Street
Tulsa, OK 74137-4290

Mr. Steve Nolen
PER Division
Tulsa District Corps of Engineers
2488 E. 81st Street
Tulsa, OK 74137-4290

Mr. Greg Estep
Chief - Hydraulics & Hydrology Branch
Tulsa District Corps of Engineers
2488 E. 81st Street
Tulsa, OK 74137-4290

Mr. Scott Henderson
Chief - Water Management
Tulsa District Corps of Engineers
2488 E. 81st Street
Tulsa, OK 74137-4290

Ms. Michelle Lay
Chief - Civil Design Section
Tulsa District Corps of Engineers
2488 E. 81st Street
Tulsa, OK 74137-4290

Mr. David Blackmore
Engineering Branch
Tulsa District Corps of Engineers
2488 E. 81st Street
Tulsa, OK 74137-4290

Mr. Eddie Streater
Regional Director, Eastern OK Region
Bureau of Indian Affairs
P.O. Box 8002
Muskogee, OK 74402-8002

Mr. George Carman
County Executive Director
Natural Resources Conservation Service
3001 Azalea Park Dr, Suite 2
Muskogee, OK 74401

Ms. Sharon Gordon-Ribeiro

U.S. Housing & Urban Development
301 W. 6th Street, Suite 200
Oklahoma City, OK 73102

Via email: IMRextrev@nps.gov

Mr. Steve Spencer
Regional Environmental Officer
U.S. Department of the Interior
1001 Indian School NW, Suite 348
Albuquerque, NM 87104

Mr. Grayson Ardies, Director
Oklahoma Aeronautics Commission
110 N. Robinson, Suite 200
Oklahoma City, OK 73102

Via email: brad.ice@occ.ok.gov

Via email: envreviews@deq.ok.gov

Mr. Sean Kouplen
Sec. of Commerce and Workforce Dept.
900 North Stiles
Oklahoma City, OK 73104

Mr. Matt Pinnell
Oklahoma Department of Commerce
900 North Stiles
Oklahoma City, OK 73104

Mr. J.D. Strong, Director
Department of Wildlife Conservation
P.O. Box 53465
Oklahoma City, OK 73152

Mr. Trey Lam, Executive Director
Oklahoma Conservation Commission
2800 North Lincoln Blvd., Ste. 160
Oklahoma City, OK 73105

Commissioner Blayne Arthur
Department of Agriculture
P.O. Box 54298
Oklahoma City, OK 73105-4298

Ms. Julie Cunningham, Director
Oklahoma Water Resources Board
3800 North Classen
Oklahoma City, OK 73118

Dr. David Brown, Director
Oklahoma Geological Survey
100 East Boyd, Room N-131
Norman, OK 73019-0628

Ms. Joy Hofmeister, State Superintendent
State Department of Education
2500 North Lincoln Blvd., Rm. 121
Oklahoma City, OK 73105-4599

Ms. Kristina S. Marek, Director
OK Tourism & Recreation Department
123 Robert S. Kerr, Suite 900
Oklahoma City, OK 73102

Chairperson Tamara Francis
Caddo Nation
P.O. Box 487
Binger, OK 73009

Principal Chief Bill John Baker
Cherokee Nation
P.O. Box 948
Tahlequah, OK 74465

Mekko Jeremiah Hobia
Kialegee Tribal Town
P.O. Box 332
Wetumka, OK 74883

Principal Chief James Floyd
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447

Principal Chief Geoffrey Standing Bear
Osage Nation
627 Grandview
Pawhuska, OK 74056

Mekko Ryan Morrow
Thlopthlocco Tribal Town
P.O. Box 188
Okemah, OK 74859-0188

Chairperson Russell Martin
Tonkawa Tribe Of Oklahoma
1 Rush Buffalo Road / P.O. Box 70
Tonkawa, OK 74653

Chief Joe Bunch
United Keetoowah Band Of Cherokee
Indians In Oklahoma
P.O. Box 746
Tahlequah, OK 74465

President Terri Parton
Wichita And Affiliated Tribes
P.O. Box 729
Anadarko, OK 73005

Ms. Lynda Ozan
Deputy Historic Preservation Officer
Oklahoma Historical Society
800 Nazih Zuhdi Drive
Oklahoma City, OK 73105-7917

Dr. Kary Stackelbeck
Oklahoma State Archeologist
111 East Chesapeake, Building 134
Norman, OK 73019-5111

APPENDIX E

AGENCY WRITTEN RESPONSES

December 21, 2020

Siv Sundaram, P.E.
Environmental Programs Division Engineer
Oklahoma Department of Transportation
200 Northeast 21st Street
Oklahoma City, OK 73105-3204

Re: Solicitation for US-69 roadway improvements from (Haddock Drive) 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles (Okmulgee Avenue) in City of Muskogee, Muskogee County, Job Piece# 27108(04), State Project# J2-7108(004).

Dear Ms. Sundaram,

This is in reference to your December 16, 2020 letter concerning the US-69 roadway improvements in Muskogee, OK Job Piece# 27108(04), State Project# J2-7108(004). The Commission would like to draw your attention to the CFR Title 14 Part 77.9, which states that any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA:

- any construction or alteration exceeding 200 ft above ground level
- any construction or alteration:
 - within 20,000 ft of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 ft
 - within 10,000 ft of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 ft
 - within 5,000 ft of a public use heliport which exceeds a 25:1 surface
- any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
- when requested by the FAA
- any construction or alteration located on a public use airport or heliport regardless of height or location

Based on the limited information provided in your letter and our cursory review, the potential project **does not** appear to pose a hazard to the safe and efficient use of navigable airspace. However, sometimes the most critical items affecting navigable

airspace can be construction equipment (cranes, etc.), light poles and fixtures. Because of this, the Commission recommends that you use FAA's notice criteria tool (at the web address given below) to determine if a 7460-1 form needs to be filed with the FAA.

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

If a 7460-1 form is required for any permanent structure with this project please inform the Commission as soon as possible. You could be required to file a tall structure permit, under the rules of the Aircraft Pilot and Passenger Protection Act, with the Commission. Should you have any questions in the matter, please do not hesitate to contact me at tgalloway@oac.ok.gov or (405) 604-6904.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Galloway". The signature is written in a cursive style with a large, prominent initial "T".

Thomas Galloway, C.M.
Aviation Program Manager
Oklahoma Aeronautics Commission

From: Jon Roberts <Jon.Roberts@deq.ok.gov> on behalf of DEQ EnvReviews
<EnvReviews@deq.ok.gov>
Sent: Tuesday, December 29, 2020 9:53 AM
To: ODOTWeb-environment
Cc: jkoscelny@ableconsulting.net
Subject: Environmental Impact Review

Dear Ms. Sundaram:

In response to your request, we have completed a general environmental impact review for the project listed below.

Project

Letter dated December 16, 2020 – US Hwy 69 Improvements from Haddock Drive to Okmulgee Avenue, Job Piece No. 27108(04), Project No. J2-7108(004), City of Muskogee, Muskogee County, OK [35.740, -95.402]

Comments

No adverse environmental impacts under DEQ jurisdiction are anticipated; however, please be aware of the following regulatory requirements.

A. Prior to beginning any construction activity disturbing more than one acre, you must submit an NOI and obtain authorization under OKR10, construction stormwater. If you need assistance, please contact DEQ's Stormwater Unit at (405) 702-6100.

B. It is unclear if water and wastewater utilities will need to be relocated as part of this project. Water and wastewater infrastructure projects that will require a construction permit from DEQ's Water Quality Division include the following:

- Construction of new water and wastewater treatment facilities;
- Modifications and upgrades to existing facilities;
- Construction of new water distribution and wastewater collection lines;
- Relocation of existing water distribution and wastewater collection lines.

Projects that do not require a construction permit include:

- Replacement of existing equipment with same type and size equipment;
- Replacement of existing water and wastewater lines with the same size line in the same location.

Please contact DEQ's Water Quality Division (Construction Permitting Section) if you have specific questions about these projects or need further clarification. Rocky Chen is the Manager of this section and can be reached at (405) 702-8140 or rocky.chen@deq.ok.gov.

Additionally, as you assess environmental risks posed by the project, please refer to DEQ Land Protection GIS data layers available for download at <https://deq.maps.arcgis.com/home/index.html>.

Additional recommendations to consider may be found at <https://go.usa.gov/xf96W>.

Thank you for the opportunity to provide our comments. If you have any questions or need clarification, please contact me.

Regards,

Jon A. Roberts, Senior Manager
Oklahoma Department of Environmental Quality
Office of External Affairs
P. O. Box 1677
707 N. Robinson Ave.
Oklahoma City, OK 73101-1677
Ph: (405) 702-7111



IN REPLY REFER TO:

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS

Eastern Oklahoma Region
Eastern Oklahoma Regional Office
P.O. Box 8002
Muskogee, OK 74402-8002

Division of Environmental and
Cultural Resources Management

JAN 04 2021

Ms. Siv Sundaram, P.E.
Environmental Programs Division Engineer
Oklahoma Department of Transportation
200 N.E. 21st Street
Oklahoma City, OK 73105

Dear Ms. Sundaram:

On December 30, 2020, the Bureau of Indian Affairs (BIA), Eastern Oklahoma Regional Office, received solicitation for information or comments from the Oklahoma Department of Transportation (ODOT), concerning US-69 roadway improvements from 0.48 miles north of US-64 East, extending north 2.5 miles in the City of Muskogee, Muskogee County. This office has no comments regarding the project at this time.

Five Federally recognized Tribes have been provided the notice by copy of this letter. As the Tribes may have environmental and/or cultural resources concerns relating to this action, it is recommended that ODOT coordinate directly with the Tribes on any of their concerns. The contact addresses are enclosed.

If additional information is required, please contact Mr. Mosby Halterman, Division Chief, Division of Environmental and Cultural Resources Management, at (918) 781-4660.

Respectfully,

Regional Director

Enclosure

cc: Muskogee (Creek) Nation, Osage Nation
Alabama-Quassarte Tribal Town,
Kialegee Tribal Town, Thlopthlocco Tribal Town



Dr. Andrea Hunter
THPO, Osage Nation
627 Grandview Avenue
Pawhuska, OK 74056
Phone: (918) 287-5432
Fax: (918) 287-2257

Raelynn Butler
THPO, Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447
Phone: (918) 732-7600
Fax: (918) 756-2911

Nelson Scott Harjo, Chief
Alabama-Quassarte Tribal Town
P.O. Box 187
Wetumka, OK 74883
Phone: (405) 452-3987
Fax: (405) 452-3968

Brian Givens, Town King
Kialegee Tribal Town
P.O. Box 332
Wetumka, OK 74883
Phone: (405) 452-3262
Fax: (405) 452-3413

Ryan Morrow, Interim Town King
Thlopthlocco Tribal Town
P.O. Box 188
Okemah, Ok 74859
Phone: (918) 560-6198
Fax: (918) 560-6196

APPENDIX F

DATA ANALYTICS

Attendee Participation

New users
1,230

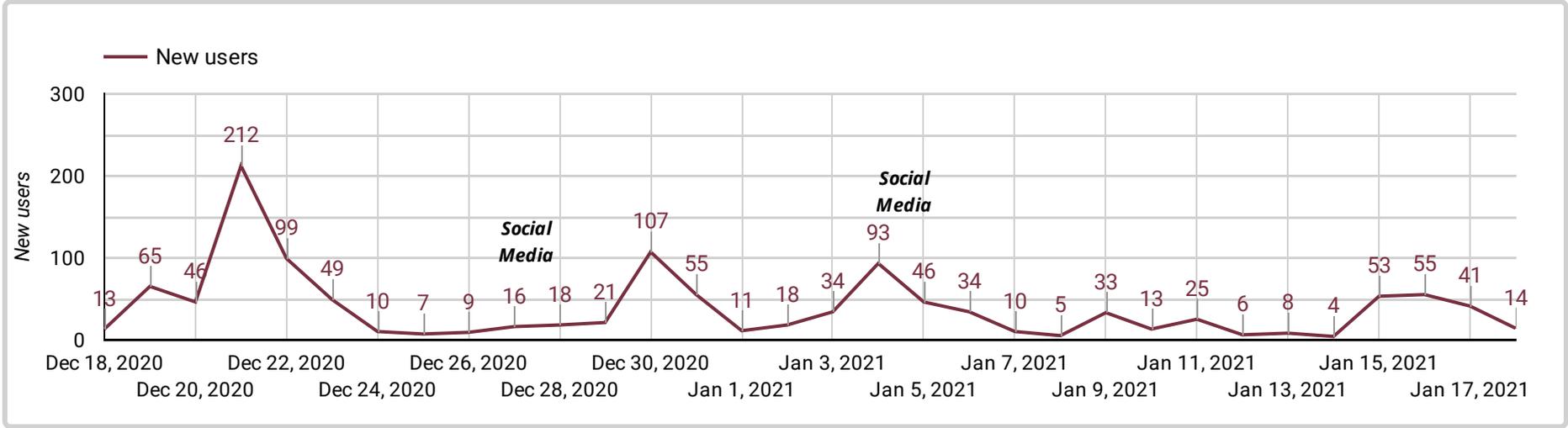
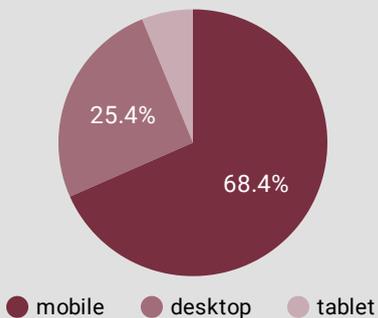
Views
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Sessions
1,531

Sessions per user
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User engagement
22:59:21

Devices



Top Pages

Page title	Views	Views	User engagement
1. US-69 Roadway Improvements in Muskogee County - US-69 Roadway Improvements in Muskogee County	1,919	52.01%	09:27:23
2. Interactive Maps - US-69 Roadway Improvements in Muskogee County	575	15.58%	03:01:08
3. Presentation - US-69 Roadway Improvements in Muskogee County	508	13.77%	03:55:28
4. Sign In & Handout - US-69 Roadway Improvements in Muskogee County	174	4.72%	00:57:35
5. Project History - US-69 Roadway Improvements in Muskogee County	141	3.82%	01:13:22
6. Right-of-Way Information - US-69 Roadway Improvements in Muskogee County	124	3.36%	00:43:49
7. Frequently Asked Questions - US-69 Roadway Improvements in Muskogee County	121	3.28%	03:10:37
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Engagement by City

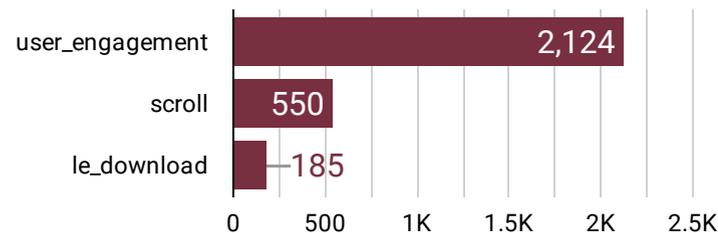
(IP Address)

City	New users
1. Muskogee	464
2. Boston	162
3. (not set)	85
4. Dallas	61
5. Roseville	49
6. Oklahoma City	41
7. Tulsa	37
Grand total	1,230

1 - 10 < >

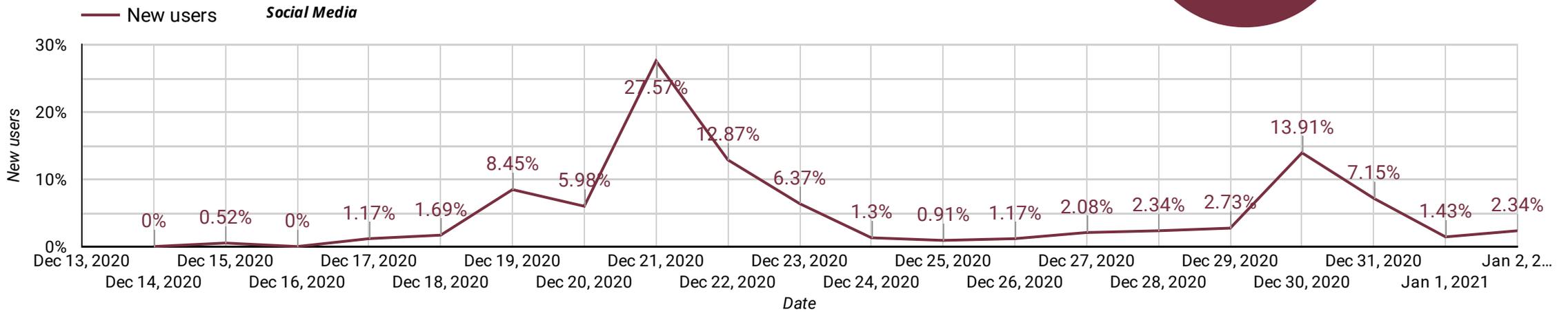
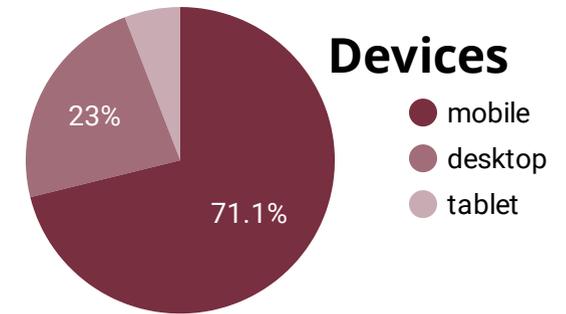
Events

user_engagement: Active website use for more than 10 seconds, or two or more pages viewed
file_download: Clicking on a link to view a file
scroll: Times a page was scrolled to the bottom



Audience Overview

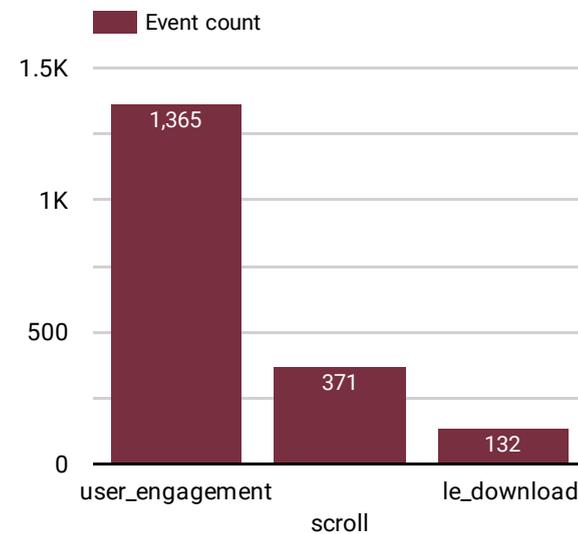
New users: 100.00%
 Views: 100.00%
 Sessions: 966
 Sessions per user: 1.26
 User engagement: 13:50:52



Top Pages

Page title	Views	User engagement
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2. Interactive Maps - US-69 Roadway Improvements in Muskogee County	16.51%	02:07:23
3. Presentation - US-69 Roadway Improvements in Muskogee County	14.77%	01:32:50
4. Sign In & Handout - US-69 Roadway Improvements in Muskogee County	4.94%	43:14
5. Project History - US-69 Roadway Improvements in Muskogee County	3.76%	43:07
6. Right-of-Way Information - US-69 Roadway Improvements in Muskogee County	3.24%	32:13
7. Frequently Asked Questions - US-69 Roadway Improvements in Muskogee County	2.95%	01:59:54
Grand total	100%	13:50:52

Events



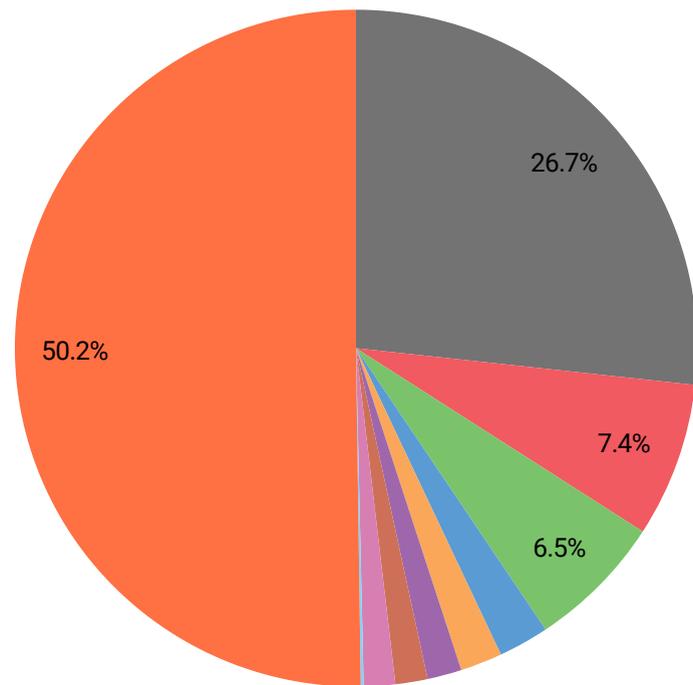
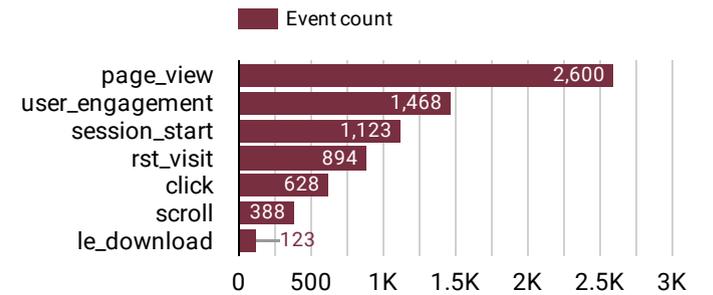
user_engagement: Active website use for more than 10 seconds, or two or more pages viewed
file_download: Clicking on a link to view a le
scroll: Times a page was scrolled to the bottom

Engagement by City

(IP Address)

City	New users
1. Muskogee	38.75%
2. Boston	17.69%
3. (not set)	6.89%
4. Dallas	5.98%
5. Oklahoma City	3.12%
6. Tulsa	3.12%
7. Broken Arrow	2.34%
8. Fort Gibson	2.08%
9. Chicago	1.56%
...	...
Grand total	100%

User engagement
15:28:48



- US-69 Roadway Improvements in Muskogee County - US-69 Roadway Improvements in...
- Interactive Maps - US-69 Roadway Improvements in Muskogee County
- Presentation - US-69 Roadway Improvements in Muskogee County
- Sign In & Handout - US-69 Roadway Improvements in Muskogee County
- Project History - US-69 Roadway Improvements in Muskogee County
- Frequently Asked Questions - US-69 Roadway Improvements in Muskogee Coun...
- Right-of-Way Information - US-69 Roadway Improvements in Muskogee County
- Submit a Comment - US-69 Roadway Improvements in Muskogee County
- Noise - SH-99 Seminole Co.
- others

APPENDIX G

SIGN IN SHEETS FROM WEBPAGE

Salutation	Name	Email	Address, City, State, Zip Code	Phone Number	Business/Organization	How did you hear about the meeting?	Gender/Race [Optional]
Mr.	James Winner	jrwinner@suddenlink.net	1205 N. Edmond St. Muskogee, OK. 74403	9183108097	USN Vet., Retired Resident	ODOT Website	Male;
Mr.	Oswaldo Tinajero	tinajerosmarket@gmail.com	2120 S 32ND st Muskogee,OK 74401	479-651-4512	Home	Pamphlet in the Mail	Hispanic;
Mrs.	Trudy Sudberry	tps1@sbcglobal.net	2701 N 64th St W Muskogee OK 74401	918-869-6995	None	Newspaper	Female;
Mr.	Umesh Patel	patelu68@yahoo.com	514 S 32nd Street Muskogee,OK 74401	918 351 8912	Economy Inn Motel	Pamphlet in the Mail	Male;
Mr.	Bobby Allen	bbbyln@yahoo.com	2332 West Shawnee Street Muskogee Oklahoma 74401	918-682-0033	Allen Furniture	Newspaper	Male;White;
Ms.	Traci McGee	tracilmcgee@gmail.com	2406 Chicago St Muskogee Oklahoma 74401	918 781-9094	City Of Muskogee	City/County Website	Female;Black;
Mrs.	Brooke Hall	Hallbrooke@hotmail.com	1184 N 94th St West Muskogee, OK. 74401	918-869-8766	City of Muskogee	Facebook	Female;
Mrs.	Cheryl Dubry	cheryl.dubry@gmail.com	3515 Chandler Rd Muskogee, ok 74403	9183481354		Newspaper	Female;White;
Mr.	Timothy Miller	tjdc82@yahoo.com	6912 south 4th street west Muskogee, OK 74401	9188409335		Newspaper	Male;
Mr.	Jeffrey Rowsey	Jeffrey@jcrexplor.com	2315 N 60th W Muskogee, OK 74401	918-682-8200		Facebook	Male;
Ms.	Marsha Wiseman	ahw1982@att.net	2724 Robin Ln, Muskogee OK 74403	9186810250		Other	Female;White;
Mr.	Larry	lfennel@suddenlink.net					
Mr.	Rocky parks	Parks_r_t@yahoo.com	3018 Columbus street, muskogee,oklahoma,74401	9184413484	Resident close to highway	Newspaper	Male;
Mr.	Justin Stout	Justin@WSWLaw.com	3600 Country Club Dr Muskogee, OK 74403	918-869-2315		Newspaper	Male;
Mrs.	Thelma Freeman	Tsfreeman@odot.org	2800 s. 32nd St. Muskogee, OK 74401	9186875407	ODOT	Other	Female;Black;
Mr.	Gregg Matthiesen	gmatthiesen@cox.net	16613 E 47th St, Tulsa OK 74134	918-527-3518	Landmark Venture Properties Inc	Pamphlet in the Mail	Male;
Mrs.	Cheryl Branch	Cheryl.Branch@live.com	4302 Columbus St., Apt. 704 Muskogee, OK 74401	405-443-8777		Other	Female;
Mr.	Jeremy Barnes	jbarnes@odot.org		918-685-1113	ODOT	Other	
Mr.	Jim Winner	jrwinner@suddenlink.net	1205 N. Edmond St Muskogee, OK. 74403	9186837804	Muskogee, OK. Resident/USN Vet	ODOT Website	Male;
Mr.	Alan Smith	okwa76@gmail.com	4302 Columbus St Apt 702 Muskogee, OK 74401	(918)351-3595		Facebook	Male;White;
Mr.	Gerald R Miller	grmok1@swbell.net	112 N 7th ST, Muskogee, OK 74401	9188692746	Law office	Newspaper	Male;
Ms.	Jaime stout	Jaime.stout@gmail.com	319 kingsway muskogee,ok	9188698930	City of muskogee	City/County Website	Female;
Mr.	Ron Dean	appraiser_orange@yahoo.com	101 S 23rd Street, Muskogee, OK, 74401	918-616-3893	Muskogee County Assesor	Word of Mouth	Male;White;
Mr.	Marvin White	marvw@hotmail.com	201 Honor Heights Drive, Muskogee, OK 74401	2534950126		Facebook	Male;Other;
Mr.	Jackson Hurst	ghostlightmater@yahoo.com	4216 Cornell Crossing, Kennesaw, Georgia 30144	678/628/4232		ODOT Website	Male;White;
Mr.	Mike Miller	mmiller@muskogeeonline.org	229 W. Okmulgee Muskogee, OK 74401	9186846201	City of Muskogee	Other	Male;Native American;
Mrs.	Perline Boyattia-Craig	rebob@suddenlink.net	4207 EagleCrest Dr	9188692081		Pamphlet in the Mail	Female;Black;
Mr.	Michael Gauden	dagaulden@yahoo.com	4011 Eaglecrest dr. Muskogee Oklahoma 74401	918 348-1195	Na	Pamphlet in the Mail	Male;Black;
Mr.	Terry Miller	terrymarkmiller@suddenlink.net	4210 Eagle Crest Drive Muskogee Ok 74401	918-781-3331	retired auto dealer	Pamphlet in the Mail	Male;White;
Ms.	Michelle Behrens	maeve2@suddenlink.net	104 Windsor Dr. Muskogee, OK 74403	9183482137	NA	Facebook	
Mr.	Dale Boots Jr.	Trunkmonkeycustoms@yahoo.com	2603 s 27th street, Muskogee okla.74401	918 441 2789	Officer of the Courts	Facebook	Male;Hispanic;
Ms.	Sheila Harrison	Miqbeauty@gmail.com	8411 S 55th st E Muskogee Oklahoma 74403	9183604413		Facebook	Female;White;
Mrs.	Dena Wilson	dwilson@muskogeeconomytransit.org	PO Box 2973 Muskogee, OK 74402	918-682-1721	Muskogee County Public Transit /	City/County Website	White;
Mr.	Dharmesh Patel	deeshiker@gmail.com	5010 W 6th Ave Stillwater Ok 74074	405-612-2631	OKL Enterprise LLC	Pamphlet in the Mail	Asian;
Mr.	H. Harvey Hill, III	hhill@firststar-bank.com	510 N. Main Muskogee,OK. 74401	918-689-8010	Chamber of Commerce member	Other	Male;White;
Mr.	Mark Maples	markmaples@hotmail.com	1924 East 110th St. South Muskogee, OK 74403	918-441-0783	Muscogee Staffing Solutions	Other	Male;White;
Mr.	Alan Dawson	rolldice_99@yahoo.com	3005 Arline st.		Home owner	Pamphlet in the Mail	Male;
Mr.	Ronn Rowland	rowland@muskogeeconomy.com	214 Wall St., Muskogee, OK, 74401	918-684-2932	Muskogee Phoenix	Other	Male;
Mr.	Matt Adams	mdadams@saintfrancis.com	300 Rockefeller Dr	918.684.2357	Saint Francis Health System	Pamphlet in the Mail	
Ms.	Jackie	jax620@yahoo.com	3001 Hilltop Ave, Muskogee, Ok., 74403	918-869-2801		City/County Website	Female;Native American;
	Sherri Jackson	Phd709@live.com	1316 Solomon Street	918-869-1995		City/County Website	Female;
Mr.	Robert Carter	rcarterjr@gmail.com	631 N 15th St Muskogee Ok 74401	580-222-5569	Carter Enterprises	Other	Male;Black;
Mr.	Bret smith	bretsmith@sbcglobal.net	11879 s 144 w Council hill, ok 74428	9188697224	Ok judiciary	City/County Website	Male;
Mrs.	Jere Harris	jharris@eols.org	1614 N. Aberdeen Muskogee, OK 74403	918 869 7281	Muskogee Public Library	Other	Female;White;
Mrs.	Perline Boyattia-Craig	rebbp@suddenlink.net	4207 EagleCrest Dr	9188692081	Retired	Pamphlet in the Mail	Female;Black;
Ms.	Nancy Perry	perryn.tulsa@sbcglobal.net	147 Windsor Dr Muskogee OK 74403	9183107688		Newspaper	Female;
Mr.	Ronn Rowland	rowland@muskogeeconomy.com	214 Wall St., Muskogee, 74403	918-684-2932	Muskogee Phoenix	Newspaper	Male;
Mr.	Darren Wimmer	dkwimmer80@gmail.com	P. O. Box 1254 Muskogee, Ok. 74402-1254	918-680-0666		Other	Male;White;
Mr.	Edgar Boyd	Emboyd@icloud.com	4104 Cobblestone Dr Muskogee, OK. 74403	918-348-4607	Self	Newspaper	Male;

Mr.	Timothy J Miller	tjdc82@yahoo.com	6912 s 4th street w Muskogee, OK 74401	9188409335		Newspaper	Male;
Mr.	Bob Buckley	Rwbuckley2800@att.net	2800 Fort Davis Dr. Muskogee Ok. 74403	918-781-3196		Newspaper	White;
Mr.	Rick Berkenbile	bacarick@sbcglobal.net	PO Box 1211. Fort Gibson Ok 74434 2300 North 59th Street West Muskogee OK 74401	9187819555	C&L RV	Newspaper	Male;White;
Mrs.	Crotty	jencrotty2@yahoo.com				Facebook	
Ms.	Julie Macomb	juliemacomb@gmail.com	2734 Arline, Muskogee, OK, 74401	9182314790		Other	Female; Female;Native American;
Ms.	Jackie Cragg	jax620@yahoo.com	3001 Hilltop Ave, Muskogee, OK 74403	9188692801			
Ms.	Leslie Arnold	leslie.arnold28@yahoo.com	307 N. Edmond St. Muskogee, OK 74403	918-869-6312	City of Muskogee	Word of Mouth	Female;
Mr.	Weldon Stout	Weldon74@suddenlink.net	4000 North Country Club Circle, Muskogee, Ok. 74403	918-869-8308	University Heights, LLC; 69 & Sha	Newspaper	Male;
Mr.	Marlon J. Coleman	marlonj@me.com	11 oak park lane	9185770746	Temple of Hope Church	Word of Mouth	Male;Black;
Mr.	Carlos W Wagner	cwarwag@sbcglobal.net	600 N 54th. Muskogee , OK. 74401	918 683 4065	Retired	Facebook	Male;
Mr.	Christopher Cruce	chris.d.cruceok2a@gmail.com	3051 East 133rd Street South Muskogee, OK 74403	719-299-8917		Word of Mouth	Male;Native American;
Mrs.	B. J. Charbonneau	bjcharb@gracemuskogee.org	P.O. Box 66, Okay, OK 74446	918-260-3517	Grace Episcopal Church, Muskogee	Newspaper	Female;White;

Stakeholder Meeting Summary

US-69

**US-69 from 0.48 miles north of US-64 East
(Peak Blvd), extending north 2.5 miles in City
of Muskogee, Muskogee County
Job Piece # 27108(04)**

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Held November 2, 2020 via Zoom

Prepared by:



9225 North 133rd East Ave.
Owasso, OK 74055

November 16, 2020

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1.0 EXECUTIVE SUMMARY

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to improve US-69 from 0.48 miles north of US-64 East (Peak Boulevard), extending north 2.5 miles within the City of Muskogee. Due to concerns over the spread of COVID-19, a Zoom meeting was held (no in-person meeting). The purpose of this meeting was to present the proposed design options for this highway segment and obtain input from stakeholders. The presentation was made available one week prior the meeting, so the material could be reviewed by the stakeholders (City of Muskogee and elected officials).

The purpose and need for this project is to provide operational improvements, including improvements to a pedestrian bridge (abandoned railroad overpass), extension of an existing bridge over Coody Creek, and reconstruction of the existing pavement. The existing US-69 highway is a primary commuter and truck route, and the proposed project is a continuation of ODOT's commitment to safety and operational efficiency.

During the question and answers session two people asked how to submit comments. There was discussion on the difference between the 6 and 7 lane option relating to crashes. There was interest in conducting an economic study of the 6 vs 7 lane option. Regarding the pedestrian bridge, the pavement surface elevation at the bridge, to north, then south was discussed. ODOT will look at that and see if reducing elevation at Border 3-4 feet would create impacts or cause the need for retaining walls.

No written comments were received. The City of Muskogee was contacted, and they indicated all their comments were addressed in the presentation and question and answer session.

2.0 INTRODUCTION

This document summarizes a Zoom stakeholder meeting conducted for US-69 from 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles in City of Muskogee, Muskogee County. The purpose of the meeting was to present the proposed design options for this highway segment and obtain input from stakeholders (City of Muskogee and elected officials).

The purpose and need for this project is to provide operational improvements, including improvements to a pedestrian bridge (abandoned railroad overpass), extension of an existing bridge over Coody Creek, and reconstruction of the existing pavement. The existing US-69 highway is a primary commuter and truck route, and the proposed project is a continuation of ODOT's commitment to safety and operational efficiency.

ODOT has tasked a Consultant to develop alternatives for correcting the roadway deficiencies while taking into consideration construction costs, right-of-way and utility costs, and environmental constraints.

3.0 STAKEHOLDER MEETING

3.1 MEETING NOTIFICATION

Due to concerns over the spread of COVID-19, a stakeholder Zoom meeting was held (no in-person meeting). The presentation was made available one week prior the meeting, so the material could be reviewed by the City of Muskogee and elected officials.

Notice of the stakeholder meeting was sent by mail and E-mail to Transportation Commissioner Coburn, State Senator Pemberton, State Representative Sneed, State Representative Frix, Muskogee County Commissioners, Cherokee Nation Principal Chief Floyd, Mayor of Muskogee, all the Muskogee City Council. In addition, Muskogee city staff including the City Manager, Assistant City Manager, Public Works Director were invited. The letter provided a brief description of the purpose and need for the project, purpose of the meeting, and an invitation to the meeting. Twenty (20) letters were mailed and E-mailed on October 25, 2020. A copy of the letter and the mailing list is included in **Appendix A**.

3.2 ATTENDEE LIST

The list below provides the stakeholders who attended the meeting along with ODOT staff.

Elected Officials

ODOT Commissioner Bob Coburn

State Representative Avery Frix

County Commissioner Ken Doke

County Commissioner Kenny Payne

City of Muskogee

Mr. Mike Miller, City Manager

Mr. Mike Stewart, Public Works Director

Ms. Jaime Stout, City Council Ward 2

Ms. Traci McGee, City Council Ward 4

Mr. Gary Garvin, Assistant City Manager

Mr. Marlon Coleman, Mayor

Mr. Alex Reynolds, City Council Ward 2

ODOT

Chris Wallace, ODOT District 1

Siv Sundaram, ODOT Environmental

Leslie Novotny, ODOT Environmental

Jenny Droscher, ODOT Environmental

Cody Hamblin, ODOT Traffic

Jamie Malmstrom, ODOT Traffic

Kevin Burns, ODOT Roadway

Kathy Koon, ODOT Environmental

Steven Gauthe, ODOT Environmental

Brain Linam, ODOT Project Management

Kenna Mitchel, ODOT Media

Monty Smith, ODOT

Lauren Ludwig, ODOT Roadway

Consultants

Wes Stewart, HUB

Jennifer Koscelny, Able Consulting

3.3 MEETING INFORMATION AND FORMAT

The purpose of the meeting was to present the proposed findings of the feasibility report for this highway segment and obtain input. ODOT will take stakeholder comments for seven (7) days, then proceed with public meeting. A slide presentation was presented by HUB and Able. After the slide presentation and question and answer session was held.

The presentation provided information on the existing roadway, four signalized intersections, traffic volumes, collision data, project background, bypass investigation, and design options being considered. There will be a divided section that is the same for all options from Haddock Drive north to Border Avenue. The three options then were presented. Level of service was explained and presented for the mainline and intersections. Access review, access management and corridor safety slides were presented. Intersection improvements at Okmulgee, Arline, Border Ave., and Hancock Street were presented. The two bridges Centennial Pedestrian Overpass bridge and Coody Creek bridge were reviewed. Construction sequencing consisting of 8 phases was explained in detail. Able Consulting presented the environmental issues and explained that updated studies will be required. The matrix was reviewed and the next steps.

4.0 QUESTION AND ANSWER SESSION

4.1 QUESTION AND ANSWER SESSION

Below is a summary of the question and answer session. The answer was provided by ODOT or the design consultant.

1. Mike Miller, City Manager – To submit comments or question what is best way? Please provide a place to submit comments.

Answer – ODOT will provide an E-mail address. The E-mail address of environment@odot.org was provided to all November 5, 2020..

2. Mayor Coleman – Same question, wants to know where to submit questions and comments.

Answer – ODOT will provide an E-mail address. Able explained that this is a forum to ask your questions and provide comment as well.

3. District One Engineer – An in person public meeting cannot be conducted at this time. ODOT will have a virtual public meeting and show this same presentation. There will be an interactive map as well. ODOT is getting a lot of interaction from the public through this form of public engagement. ODOT must mill and re-surface the US-69 roadway every three years. This project is needed to reduce the maintenance requirements.

4. ODOT Commissioner Coborn – What is the difference between the 6 and 7 lane option on crash data?

Answer - Average crash rates are 30% less with a median (Transportation Research Board report). Hub explained the difference in more detail. The driveway density would cause increased crash rate due to turning movements. Collision data was explained that it is dependent on various local and state agencies reporting.

5. Commissioner Payne – This data is from a 1999 study, that is 20 years old, is that the most recent data?

Answer - Data was provided by TEC. That is the data we are using.

Does the crash data include parking lots as well?

Answer – Depends on how the accident report was written, most accident data is on US-69 or a side street. Traffic Division tries to exclude parking lots.

6. Mayor Coleman – Does the study account for technology?

Answer - Do not know if it factors in technology. Traffic signal spacing is used. HUB focused its research on medians. HUB would need to review the report further to get a specific answer.

What is the economic impact of using 6 or 7 lanes? Is there a study for that?

Answer - We can reach out to ASHTO or other transportation partners.

7. State Representative Frix – Commented that he would also like to see an economic study on 6 or 7 lanes. Maybe work with Department of Commerce.

8. State Representative Frix – Will the taking of additional right-of-way reduce the number of driveway openings?

Answer - There is little permanent right-of-way going to be taken. Mostly utility and construction easements.

9. ODOT Commissioner Bob Coburn - On the pedestrian bridge, what is the pavement surface elevation at the bridge, to north, then south? Can we cut the north and south elevation, there is a hump at Border, to lessen the visual impact?

Answer – Elevation at existing bridge on road is 571.7, designed for 576.8. At Border elevation is 590, not changing due to other design impacts. ODOT will look at that and see if reducing elevation at Border 3-4 feet would create impacts or cause the need for retaining walls.

10. Mayor Coleman – Do we know if more repeat traffic is coming from the north or south on US-69? The Mayor spoke of a meeting with Q-Trip in which they had the numbers.

Answer – ODOT has baseline counts; we will not know if the same vehicles.

5.0 WRITTEN COMMENTS

No written comments were received.

APPENDIX A

Invitation Letter and Mailing

October 23, 2020

Commissioner Bob Coburn
Oklahoma Transportation Commissioner
3420 Riverbend Road
Muskogee, OK 74403
Via email: bcoburn@suddenlink.net

RE: ODOT Zoom Meeting with the City of Muskogee and Elected Officials regarding roadway improvements on US-69 from 0.48 miles north of US-64 East (Peak Blvd), extending north 2.5 miles in City of Muskogee, Muskogee County, Job Piece # 27108(04), Project # J2-7108(004).

Dear Commissioner Coburn:

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to improve US-69 from 0.48 miles north of US-64 East (Peak Boulevard), extending north 2.5 miles within the City of Muskogee. The purpose and need for this project is to provide operational improvements, including improvements to a pedestrian bridge (abandoned railroad overpass), extension of an existing bridge over Coody Creek, and reconstruction of the existing pavement. The existing US-69 highway is a primary commuter and truck route, and the proposed project is a continuation of ODOT's commitment to safety and operational efficiency.

ODOT has tasked a Consultant to develop alternatives for correcting the roadway deficiencies while taking into consideration construction costs, right-of-way and utility costs, and environmental constraints. You are invited to join a Zoom meeting that has been scheduled for **Monday, November 2, 2020 at 1:30 p.m.** Use the link below to join the Zoom meeting:

<https://us02web.zoom.us/j/81931273132>

The purpose of this meeting is to present the proposed design options for this highway segment and obtain input. We request your input and comments be provided within 7 days from this meeting. These meeting materials will be posted on the ODOT Public Meeting Website at www.odot.org/publicmeetings.

Following the meeting and incorporation of your input, a virtual open house public meeting will be held to present the material to the public. Should you have questions regarding the project, please contact me at (918) 687-5407 or cwallace@odot.org.

Sincerely,

Chris Wallace, P.E.
District One Engineer
CW/KK/Able

Commissioner Bob Coburn
Oklahoma Transportation Commissioner
3420 Riverbend Road
Muskogee, OK 74403

Senator Dewayne Pemberton
Oklahoma State Senate
2300 N. Lincoln Blvd. Room 429
OKC, OK 73105

Representative Chris Sneed
Oklahoma House of Representatives
2300 N. Lincoln Blvd. Room 346.1
OKC, OK 73105

Representative Avery Frix
Oklahoma House of Representatives
2300 N. Lincoln Blvd. Room 405.1
OKC, OK 73105

Commissioner Ken Doke
Muskogee County Commission
3000 North Street
Muskogee, OK 74403

Commissioner Stephen Wright
Muskogee County Commission
3000 North Street
Muskogee, OK 74403

Commissioner Kenny Payne
Muskogee County Commission
3000 North Street
Muskogee, OK 74403

Principal Chief James Floyd
Muskogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447

The Honorable Marlon Coleman
Mayor, City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Ms. Evelyn Hibbs
City Council Ward 1
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Ms. Stephanie Morgan
City Council Ward 1
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Ms. Jaime Stout
City Council Ward 2
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Mr. Alex Reynolds
City Council Ward 2
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Mr. Derrick Reed
City Council Ward 3
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Mr. Ivory Vann
City Council Ward 3
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Dr. Tracy Hoos
City Council Ward 4
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Ms. Traci McGee
City Council Ward 4
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Mr. Mike Miller
City Manager
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Mr. Gary Garvin
Assistant City Manager
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

Mr. Mike Stewart
Public Works Director
City of Muskogee
P.O. Box 1927
Muskogee, OK 74402

APPENDIX B

Presentation

APPENDIX C

Written Comments - None Received

OTHER

EC-1576
US-69 Muskogee JP 27108(04)
Dated 3/19/2021

Notes:

- Get existing 60% Plans from HUB
- Need a relocation plan – wait for actual 60% plans.- need to have.
- Get preliminary plans, request specialists to say if/what additional coordination is needed – ask specialists.
 - Request specialists tell what required for re-evaluation what needs to be updated and are additional field studies needed.
 - ODOT-CRP can they help with that, as Arch has retired – can they complete in house.
- EJ & Residential or Commercial Displacements
 - Able to take Garver info and SEA.
- Cost estimate after reaching out to specialist.
- Need new letters – put in estimate
- Are updated field studies needed:
 - BIO by Enercon – update by Able
 - ISA by Able – update by EWI (add B forms to contract)
 - CR by Cargill – need new Arch or have ODOT-CRP handle in-house
 - Noise by Enercon – update by Able
- Supplement task order if needed.
- Complete Section 4(f).
- R/W submittal September 2021
- NEPA scheduled for November 2021

Project Description

ODOT is moving forward with Option 2 - Construction of 7-lane curb & gutter with continuous two-way left turn lane, although raised medians will be provided at select locations. All options would maintain the existing arrangement from the beginning of project to Border Avenue consisting of an open section divided 4-lane roadway.

The purpose & need for this project is to provide operational improvements including:

- improvements to a pedestrian bridge (abandoned railroad overpass)
- extension of an existing rectangular concrete box bridge over Coody Creek
- reconstruction of pavement
- optimization of signalized intersections at Okmulgee, Arline, Border and Hancock

The existing roadway through the project corridor consists of two different typical sections.

- From the beginning of project to Border Avenue is an open section divided 4-lane roadway consisting of 12' lanes with 4' outside and 10' inside shoulders.
- From Border Avenue to the end of project is a curb & gutter with raised median 4-lane roadway consisting of 12' lanes with 8' outside shoulders.

Property Letters

- Mailed in January of 2015 to property owners, BLM, BIA, and City

EJ & Residential or Commercial Displacements

- No relocations

Tribal and Federal Properties

- Avoided to the south.

Cultural Resources (completed 4/27/15) – Diane Cargill

- Section 106 completed (Tribal, SHPO and OAS)
- The pedestrian bridge is not historic due to being altered.

Section 4(f)

- Had draft letter in 2017.
- Will have to complete a de minimus letter for City concurrence for the Trail impacts.
- New bridge.
- 90 days (3 months) Trail closure
- The City of Muskogee was acceptable to a two-sided arched steel through-truss proposed for the pedestrian overpass bridge.
- Public involvement component – does City have a webpage we can use.
- Have agreement with Oklahoma Tourism Department that Coody Creek has no Section 6(F) use.
- Response from City July 27, 2015
- Initial letter sent to City May 14, 2015

Noise - Enercon

December of 2016 noise study approved that was completed by Enercon.

Noise measurements were performed at three (3) locations along existing US-69 within the project limits for the purpose in validating the noise model which proved satisfactory. Land use is described as developed land consisting of small business, motels, an RV Park with some residential lots, two (2) places-of-worship, a non-motorized foot/bicycle trail and single-family residential

dwellings. The traffic noise analysis for the proposed action predicts the greatest noise levels to occur at noise sensitive sites near the proposed action comprising of twenty-seven (27) model receivers. Those considered as noise sensitive receivers include the hospital, residential dwellings, the places-of-worship, the RV Park, and the t ail. For the existing condition (2015), one residential and the trail crossing experience noise levels that approach or meet 67. 0 dB(A) Leq (h) for Noise Abatement Criteria (NAC) for Activity Categories B and C. Based on the future condition, (design year 2040), two (2) residential receivers, one place of worship (Jehovah's Witnesses) and the trail crossing will experience noise impacts with future noise levels approaching, meeting or exceeding the 67. 0 dB(A) Leq (h) for NAC Activity Categories B and C. However, no receivers will experience a substantial increase (15 dB) over the existing noise levels, with the highest increase at 3. Noise mitigation in the form of a fee standing noise wall placed within the project right-of-way was considered for the impacted receivers. The two (2) residential receivers and the place-of-worship receiver have direct driveway access onto US-69. Without access control, the gap that would be noise mitigation would not prove feasible. With regards to the trail crossing, only that portion within the project right-of-way that spans across US-69 is impacted, and thus, noise mitigation is not feasible.

Biological Resources (approved 7/20/2015) Enercon

Wetlands

FS 6 Emergent Wetland	0.50 acres likely jurisdictional - NW of Coody Creek
FS 7 Forested Wetland	0.02 acs likely not –jurisdictional – NE of Coody Creek

Species

ABB

Gray Bat & Northern long-eared bat

No effect finding for least tern, whooping crane, piping plover, red knot.

Bald Eagle – may impact - Survey

Swallow – notes

Floodplain

Public Meeting held

Held December 18, 2020 through January 4, 2021 (extended to January 18th at request of City)

ISA (approved 12/15/2016) Able

The ISA recommended that in the event the project scope changes or additional ROW is acquired further investigation may be needed at the location of the Kum & Go (702 S. 32nd Street) and Al's Texaco (located at the corner of 32nd and Denver).



Oklahoma Department of Transportation

Project Management Division (405)522-7601 Fax (405) 522-7612 Room 3C9

DATE: November 14, 2013
TO: Distribution List
FROM: Project Management Division
SUBJECT: Draft - Final Project Initiation

J/P Number: 27108(04) County: Muskogee Highway: US-69 Division: One
PS&E Date: FY-2020 R/W Date: FY-2018 Drive-out Date: May 30, 2013
Programmed Estimate: \$ 16,700,000.00
Project Description: US-69: BEGIN 0.1 MI N OF US-64 E (PEAK BLVD) & EXT N 2.5 MILES

FUNCTIONAL CLASSIFICATION

Area Type: Urban Suburban Rural
Terrain Type: Flat Rolling Mountainous
Access Control: Full Partial None
Highway Type: Freeway Principal Arterial Minor Arterial Collector
 NHS Non-NHS STRAHNET Scenic Hwy

EXISTING INFORMATION

Current ADT: 17,200 % Trucks: 30 Number of Lanes: 4 Lane Width: 12'
Outside Shoulder Width: 10' Inside Shoulder Width:
 Open Section Curb & Gutter Divided, median width: 32'
 Other (describe):
Pavement Type: P.C. Conc. Pavement Condition: Good Fair Poor
Shoulder Type: Paved Shoulder Condition: Good Fair Poor
Storm Sewer No Yes Storm Sewer Condition: Good Fair Poor
Sidewalks No Yes Sidewalk Width:
Bridge One Description: 12'x 14'x 12'x 14'x 104' R.C. Box
Bridge Two Description: 2- 43.6' CONT RIGID FRAM SPANS
Bridge Three Description: 3-10'x 4'x 242' R.C. Box

	Bridge One	Bridge Two	Bridge Three
Feature Intersected:	Coody Creek	Ped. Path(US-69 Under)	Creek
NBI Number:	12788	12806	12955
Location Number:	5156 1418X	5156 1470X	5156 1283X
Sufficiency Rating:	75.9	-2	79.3
Year Built:	1952	1952	1953
Bridge Width:	42'		33.1'
Bridge Length:	104'	99.1'	242'
Posted Clearance:			
Posted:			
Health Index:	97.7	-1	99.3

Steel Beam Bridge:

ENVIRONMENTAL CONSIDERATIONS

- Historic Properties, list: N/A
- Archeological Sites, list: N/A
- Cemeteries, list:
- Hazardous Waste / LUST Sites, list: Numerous potential sites including FATSOS, Advance Warnings, American Technical Institute, ODOT, Sinclair, Kum & Go, Star Mart, Muskogee Dist. Service Center
- Endangered Species, list: ABB, American Peregrine Falcon, Bald Eagle, Gray Bat, Least Tern, Piping Plover, Whooping Crane
- Section 4F or 6F Properties, list: Centennial Trail & 6(f) at Coody Cr.
- Farmland Wetlands (potential) Scenic and Protected Aquifers 100 Year Flood Plain

ALTERNATIVE IMPACTS

- Other Agencies List: City of Muskogee, Muskogee County
- Turnpike Involvement
- Metropolitan Planning Organizations List: N/A

PERMIT INFORMATION

Design Exception Anticipated: No As required by design Yes, type:
Maintenance Agreements (Lighting, Signals, etc.): No Yes, type: UT Agreement
Permits required: FAA USACE OWRB Railroad Other, type:
Additional:

PROPOSED IMPROVEMENT

Project Intent: Improve Facility to Design Criteria

Special Considerations: During const. one lane traffic near pedestrian trail will be needed and near Cody Creek possible consider 6(f). Design plans needed to determine impacts. New signals requirements at intersections and traffic analysis will be required.

Description of Proposed Improvements: Construct 7 lane Curb and Gutter from Borders St. Intersection north to Okmulgee St., Standard 4 lane divided section south to pavement change near Division One Headquarters. Adjustment of vertical clearance at pedestrian bridge will be a min 17'9" clearance. Division request to consider not have a center pier for Ped. Bridge.

Design Speed: 45/55 mph

Potential to transfer steel bridge beams to County (Oklahoma Statute Title 69 subsection 1001)

- Yes
- No Fully document specific reasons preventing transfer:
- NA

Project Termini

Beginning of Project: Begin at pavement change, approx. 2500' north of US-64

End of Project: Intersection of US-64/SH16/US-62 (Okmulgee St.)

Limits of Survey: Survey Limits: From 500 feet North of SH 165 East, (at the South edge of Muskogee) the survey will extend North, along the existing US 69, to the Centerline of Okmulgee Avenue. Survey length approximately 3 miles. Survey width will be 300 feet Right and Left, widening to 1000 feet Right and Left from 200 feet South of the Railroad Bridge, to 200 feet North of the Railroad Bridge. Flowline profiles on all bridge sized structures will extend 1000 feet upstream and downstream.

Limits of NEPA Survey Area: 200' Lt. & 200' Rt. Of centerline of US-69, Same length as survey limits

Typical Section

- Open Section
- Other (describe):
- Curb & Gutter
- Divided, median width: 14' 16'
- Number of Lanes: 7, 6
- Lane Width: 12'
- Outside Shoulder Width: ' Inside Shoulder Width: '
- Storm Sewer No Yes Sidewalks No Yes, width: 6'(1 side only)
- Overlay No Yes, thickness:
- Coldmill No Yes, thickness:
- Add Shoulders No Yes, width: 10'
- Bridge Width: existing will be extended to clearzone

Alignment

- Existing
- New, located North or South or East or West of existing
- Parallel Lanes, located North or South or East or West of existing
- Spot Improvements
- Horizontal, Description:
- Vertical, Description: Sag vertical curve correction at pedestrian bridge (old RR), minimum 6' to 10' adjustment.

Detour

- Shoo-fly, located North or South or East or West of existing
- Widening, located North or South or East or West of existing
- Crossovers
- Close Road
- Signed Detour, Route Description:
- Phased Construction, Description: Construction will be done allowing two lane both directions, transition to one lane at existing pedestrian crossing.

Traffic Items

- Traffic Management Plan No Yes
- Median Barrier No Yes
- New Guardrail No Yes
- End Treatment No Type:
- Highway Lighting No Outside or Median
- Traffic Signals No Location(s): As determined

Right-of-Way

- Additional RW Required No Yes, describe: for construction
- Utility Conflicts No Yes, describe: for construction

Miscellaneous

- Channel Re-Alignment No Yes, describe:

INITIATION ESTIMATE

Roadway:	\$ 8,500,000.00	Total Construction:	\$
Bridge:	\$		
Traffic Control:	\$ 181,000.00	Right-of-Way:	\$ 5,727,233(programed)
Signing and Striping:	\$ 119,000.00	Utility:	\$ 3,363,504(programed)
Highway Lighting:	\$ 660,000.00*		
Traffic Signals:	\$ 190,000.00	Total Estimate:	\$
Mobilization:	\$		
Staking:	\$		
E & C:	\$		

*NOTE: The lighting estimate includes using staggered single luminaires along the entire stretch of the project with 200' spacing, any conduit, conductors, pull boxes, and footing the new lights would need as well as removal of the existing lighting.

PROGRAM REVISIONS

Estimate: \$ Letting Date: Project Length:

Work Type:

Description:

Attachments (Aerial with Preliminary RW)

Distribution List:

- Director of Engineering
- Director of Capital Projects and Information Management
- Bridge Division
- Environmental Programs Division
- FHWA
- Field Division
- Project Management Division
- Right-of-Way Division
- Roadway Design
- Survey Division
- Planning Division
- Traffic Engineering

Oklahoma Dept. of Transportation - Bridge Inspection Report

NBI No.: 12788	Structure No.: 5156 1418 X	Local ID: -1	Suff. Rating: 67.00	ND
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<p>Bridge Description: IDENTIFICATION (12ft.-14ft.-12ft.)X 14ft.X 106ft. R.C.BOX</p> <p>1. State: Oklahoma 2. Division: Division 1 3. County: MUSKOGEE 4. City: MUSKOGEE Admin Area: Unknown 5a. On/Under: Route On Structure 5b. Kind of Hwy: U.S. Hwy 5c. Lvl of Svc: Mainline 5d. Route No.: 00069 5e. Dir. Sufx: N/A (NBI)</p> <p>7. Facility Carried : U.S. 69 6. Feat. Intersect: COODY CREEK 9. Location: 14.1 MI NE C/L 11. Mile Post: 14.177 mi 13. LRS Inv. / Sub Rte: 5100056HX / 00 16. Latitude: 35° 44' 04.71" 17. Longitude: 095° 24' 08.44" 98. Border Brdg: Unknown (P) % Responsible: 0.00 99. Border Brdg #: Unknown</p>	<p style="text-align: center;">INSPECTION</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Type</th> <th>Insp. Req.</th> <th>Insp. Done</th> <th>Freq.</th> <th>Insp. Date</th> <th>Next Insp.</th> </tr> </thead> <tbody> <tr> <td>NBI:</td> <td></td> <td>1</td> <td>24 months</td> <td>6/10/2021</td> <td>06/10/2023</td> </tr> <tr> <td>FC:</td> <td>N</td> <td>0</td> <td></td> <td>NA</td> <td>NA</td> </tr> <tr> <td>UW:</td> <td>N</td> <td>0</td> <td></td> <td>NA</td> <td>NA</td> </tr> <tr> <td>OS:</td> <td>N</td> <td>0</td> <td></td> <td>NA</td> <td>NA</td> </tr> </tbody> </table> <p style="text-align: center;">CLASSIFICATION</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>12. Base Hwy Net.: On Base Network</td> <td>101. Parallel Str.: No bridge exists</td> </tr> <tr> <td>20. Toll Facility: On free road</td> <td>102. Traffic Dir.: 2-way traffic</td> </tr> <tr> <td>21. Custodian: State</td> <td>103. Temp. Str.: Not Applicable (P)</td> </tr> <tr> <td>22. Owner: State</td> <td>104. Hwy System: On the NHS</td> </tr> <tr> <td>26. Function Class: 02 Rural Other Princ</td> <td>105. Fed Land Hwy: N/A (NBI)</td> </tr> <tr> <td>37. Historical Sig.: Not eligible for NRHP</td> <td>110. Defense Hwy: Not a STRAHNET hwy</td> </tr> <tr> <td>100. Def. Hwy: Not a STRAHNET hwy</td> <td>112. NBIS Length: Long Enough</td> </tr> </table>	Type	Insp. Req.	Insp. Done	Freq.	Insp. Date	Next Insp.	NBI:		1	24 months	6/10/2021	06/10/2023	FC:	N	0		NA	NA	UW:	N	0		NA	NA	OS:	N	0		NA	NA	12. Base Hwy Net.: On Base Network	101. Parallel Str.: No bridge exists	20. Toll Facility: On free road	102. Traffic Dir.: 2-way traffic	21. Custodian: State	103. Temp. Str.: Not Applicable (P)	22. Owner: State	104. Hwy System: On the NHS	26. Function Class: 02 Rural Other Princ	105. Fed Land Hwy: N/A (NBI)	37. Historical Sig.: Not eligible for NRHP	110. Defense Hwy: Not a STRAHNET hwy	100. Def. Hwy: Not a STRAHNET hwy	112. NBIS Length: Long Enough
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<p style="text-align: center;">STRUCTURE TYPE AND MATERIALS</p> <p>43a/b. Main Span: Concrete / Culvert 44a/b. Appr. Span: Unknown / Unknown (P) 45. # of Main Spans: 3 46. # of Appr. Spans: 0 107. Deck Type: N/A (NBI) 108a. Wearing Surface: N/A (no deck (NBI)) 108b. Membrane: None 108c. Deck protection: None</p>	<p style="text-align: center;">CONDITION</p> <p>58. Deck: N/A (NBI) 59. Sup.: N N/A (NBI) 60. Sub: N N/A (NBI) 62. Culvert: 6 Deterioration 61. Chan./Chan. Prot.: 6 Bank Slumping</p> <p>Flowline Notes</p> <p>06/10/2021 - Upstream and downstream channel flowlines are above the channel flowline.</p>
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<p style="text-align: center;">AGE AND SERVICE</p> <p>19. Detour Length: 18.0 mi 106. Year Reconst.: 27. Year Built: 1952 109. Truck ADT: 7%</p> <p>28a/b. Lanes on/und: 4 / 0 29. ADT: 17,200 30. Year of ADT: 2019 42a/b. Type of Svc on/und: Highway / Waterway</p>	<p style="text-align: center;">LOAD RATING AND POSTING</p> <p>31. Design Load: MS 18 (HS 20) Date Rated: 01/01/1901 41. Post. Status: A Open, no restriction 70. Posting: 5 At/Above Legal Loads 63. Op / 65. Inv. Rating Meth.: 1 LF Load Factor / 1 LF Load Factor</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th></th> <th>H</th> <th>HS</th> <th>3-3</th> <th>EV3</th> <th>SHV</th> </tr> </thead> <tbody> <tr> <td>64. Operating Rating (tons):</td> <td>32.96</td> <td>49.05</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>66. Inventory Rating (tons):</td> <td>19.95</td> <td>36.05</td> <td>-1.00</td> <td>-1.00</td> <td></td> </tr> </tbody> </table>		H	HS	3-3	EV3	SHV	64. Operating Rating (tons):	32.96	49.05	0.00	0.00	0.00	66. Inventory Rating (tons):	19.95	36.05	-1.00	-1.00	
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<p style="text-align: center;">GEOMETRIC DATA</p> <p>10. Vert. Clearance: 99.99 ft 50a. Curb/Sdwk Width L: 0.00 ft 32. Appr Rwy Width: 64.00 ft 50b. Curb/Sdwk Width R: 0.00 ft 33. Median: Closed Med w/o Barri 51. Width Curb to Curb: 0.00 ft 34. Skew: 0.00° 52. Width Out to Out: 0.00 ft 35. Struct. Flared: No flare Deck Area: 0.00 sq. ft 47. Horizontal Clr: 64.00 ft 53. Min. Vert. Cl. Ovr Brg: 99.99 ft 48. Length Max Span: 14.11 ft 54a. Min. Vt. Undclr. Ref.: N Feature not hwy c 49. Struct. Length: 42.00 ft 54b. Min. Vert. Undclr.: 0.00 ft 55a. Min. Lat. Undclr. Ref.: N Feature not hwy 55. Min. Lat. Underclr. R: 0.00 ft 56. Min. Lat. Underclr. L: 0.00 ft</p>	<p style="text-align: center;">APPRAISAL</p> <p>36a. Brdg Rail: 0 Substandard 68. Deck Geom.: Not applicable (NBI) 36b. Transition: 0 Substandard 69. Vert./Horiz. Undclr: Not applicable (NB) 36c. Appr. Rail: 0 Substandard 71. Waterway Adeq: 7 Above Minimum 36d. Appr. Rail Ends: 0 Substandard 72. Appr. Alignment: 8 Equal Desirable Crit 67. Str Evaluation: 6 Equal Min Criteri 113. Scour Critical: 8 Stable Above Footin</p>
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<p style="text-align: center;">OKLAHOMA ITEMS</p> <p>200c. Temperature: 75 200d. Weather: Cloudy 201. Struc. Stl. ASTM Desig.: -1 / -1 202. Waterprf. Membrane: -1 Date Installed: 01/01/1901 203. Type Exp. Device: - 204. Type of Railing: N/A 205. Material Quantity: -1.00 208a. Type of Abutment: Other b. Type of Found.: Bears on Natural Found. 209. Type of Pier/Found.: - / 210. Foundation Elev.: -1.00 -1.00 -1.00 -1.00 -1.00 -1.00 211. Wear. Surf. Prot. Sys: None Date Installed: 01/01/1901 211c. Silane Reapplied 211d. Date : 213. Utilities Attached:</p>	<p style="text-align: center;">PROPOSED IMPROVEMENTS</p> <p>94. Bridge Cost: \$336,368 75. Type of Work: 33 Widen w/o Deck Rel 95. Roadway Cost: \$555,007 76. Lngth of Improvement: 42.0 ft 96. Total Cost: \$941,830 114. Future ADT: 27,520 97. Yr. of Cost Est.: 2015 115. Yr. of Future ADT: 2039</p> <p style="text-align: center;">NAVIGATION DATA</p> <p>38. Nav. Control: Permit Not Required 39. Vert. Clearance: 0.0 ft 111. Pier Protect.: 1 Not Required 40. Horiz. Clearance: 0.0 ft 116. Lift Bridge Vert. Clr.: 0.0 ft</p>
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<p>214a. Posted Weight Limit: NR b. Posted Speed Limit: N c. Narrow/1way Brdg Sign: No d. Vertical Clr. Sign: No Adv. Warning Sign: No e. Navigation Lights?: NA Working/Not Working: NA 215. Overpass: U.S. HIGHWAY 218. Functionally Obsolete: - 220. Bridge Redecked: - 221. Substr. Cond. (U/W): 222. Fill Over RCB: 3 223. Appr. Slab/Rwy Cond.: 2 225. Paint Type/Ovrct: N/A 226. Date Painted: 227. Paint Color: -1 233. Deck Forming: 238. School Bus Rte.: Current & Desired route 240. Appr. Rwy Type.: Asphalt/Bituminous 243. Grdr Spacing/No.: /</p>	<p>244. Span Lengths: 12 14 12 245. Girder Depth: 246a. Type of Overlay: NA b. Overlay Thickness: c. Overlay Date: 01/01/1901 d. Ovlv Depth Changed >1": - 247. Protective Systems: 248. # Field Splices w/ Corrosion: 249. Scour Crit. POA Exists?: - 250. Headwall: 104.00 258. Plans w/Found.in ODOT File: - 259. Scour Eval. in ODOT File: - 263. Interchange at Intersection: No 264. Interstate Milepoint: -1.00</p>
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Oklahoma Dept. of Transportation - Bridge Inspection Report

NBI No.: 12806	Structure No.: 5156 1470 X	Local ID:	Suff. Rating: -2.00	ND
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<p>Bridge Description: <u>IDENTIFICATION</u></p> <div style="border: 1px solid black; padding: 2px;">2-43.6ft. CONT RIGID FRAM SPANS</div> <p>1. State: Oklahoma 2. Division: Division 1 3. County: MUSKOGEE 4. City: MUSKOGEE Admin Area: Utility/Ped. 5a. On/Under: One Route Under 5b. Kind of Hwy: U.S. Hwy 5c. Lvl of Srvc: Mainline 5d. Route No.: 00069 5e. Dir. Sufx: N/A (NBI)</p> <p>7. Facility Carried : PED. PATH/ UP R.R. 6. Feat. Intersect: U.S. 69 UNDER 9. Location: 14.7 MI NE C/L 11. Mile Post: 23.652 mi 13. LRS Inv. / Sub Rte: 5100056HX / 00 16. Latitude: 35° 44' 32.37" 17. Longitude: 095° 24' 08.54" 98. Border Brdg: Unknown (P) % Responsible: 0.00 99. Border Brdg #: Unknown</p>	<p style="text-align: center;"><u>INSPECTION</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Type</th> <th>Insp. Req.</th> <th>Insp. Done</th> <th>Freq.</th> <th>Insp. Date</th> <th>Next Insp.</th> </tr> </thead> <tbody> <tr> <td>NBI:</td> <td></td> <td>1</td> <td>24 months</td> <td>6/8/2021</td> <td>06/08/2023</td> </tr> <tr> <td>FC:</td> <td>N</td> <td>0</td> <td></td> <td>NA</td> <td>NA</td> </tr> <tr> <td>UW:</td> <td>N</td> <td>0</td> <td></td> <td>NA</td> <td>NA</td> </tr> <tr> <td>OS:</td> <td>N</td> <td>0</td> <td></td> <td>NA</td> <td>NA</td> </tr> </tbody> </table> <p style="text-align: center;"><u>CLASSIFICATION</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>12. Base Hwy Net.: On Base Network</td> <td>101. Parallel Str.: No bridge exists</td> </tr> <tr> <td>20. Toll Facility: On free road</td> <td>102. Traffic Dir.: 2-way traffic</td> </tr> <tr> <td>21. Custodian: State</td> <td>103. Temp. Str.: Not Applicable (P)</td> </tr> <tr> <td>22. Owner: State</td> <td>104. Hwy System: On the NHS</td> </tr> <tr> <td>26. Function Class: 12 Urban Fwy/Expwy</td> <td>105. Fed Land Hwy: N/A (NBI)</td> </tr> <tr> <td>37. Historical Sig.: Not eligible for NRHP</td> <td>110. Defense Hwy: Not a STRAHNET hwy</td> </tr> <tr> <td>100. Def. Hwy: Not a STRAHNET hwy</td> <td>112. NBIS Length: Long Enough</td> </tr> </table>	Type	Insp. Req.	Insp. Done	Freq.	Insp. Date	Next Insp.	NBI:		1	24 months	6/8/2021	06/08/2023	FC:	N	0		NA	NA	UW:	N	0		NA	NA	OS:	N	0		NA	NA	12. Base Hwy Net.: On Base Network	101. Parallel Str.: No bridge exists	20. Toll Facility: On free road	102. Traffic Dir.: 2-way traffic	21. Custodian: State	103. Temp. Str.: Not Applicable (P)	22. Owner: State	104. Hwy System: On the NHS	26. Function Class: 12 Urban Fwy/Expwy	105. Fed Land Hwy: N/A (NBI)	37. Historical Sig.: Not eligible for NRHP	110. Defense Hwy: Not a STRAHNET hwy	100. Def. Hwy: Not a STRAHNET hwy	112. NBIS Length: Long Enough
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<p style="text-align: center;"><u>STRUCTURE TYPE AND MATERIALS</u></p> <p>43a/b. Main Span: Concrete / Frame 44a/b. Appr. Span: Unknown / Unknown (P) 45. # of Main Spans: 2 46. # of Appr. Spans: 0 107. Deck Type: Concrete-Cast-in-Place 108a. Wearing Surface: Other 108b. Membrane: Unknown 108c. Deck protection: Unknown</p>	<p style="text-align: center;"><u>CONDITION</u></p> <p>58. Deck: N/A (NBI) 59. Sup.: N N/A (NBI) 60. Sub: N N/A (NBI) 62. Culvert: 6 Deterioration 61. Chan./Chan. Prot.: N/A (NBI)</p> <p>Flowline Notes</p> <div style="border: 1px solid black; padding: 2px;">NOT OVER WATERWAY VERT. CLEARANCE ONLY</div>
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<p style="text-align: center;"><u>AGE AND SERVICE</u></p> <p>19. Detour Length: 13.0 mi 106. Year Reconst.: 27. Year Built: 1952 109. Truck ADT: 7%</p> <p>28a/b. Lanes on/und: 4 / 4 29. ADT: 19,100 30. Year of ADT: 2019 42a/b. Type of Svc on/und: Ped.-bicycle / Highway</p>	<p style="text-align: center;"><u>LOAD RATING AND POSTING</u></p> <p>31. Design Load: Railroad Date Rated: 01/01/1901 41. Post. Status: Not Applicable (P) 70. Posting: 0 >39.9% below 63. Op / 65. Inv. Rating Meth.: Not Applicable (P) / Not Applicable (P)</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td></td> <td>H</td> <td>HS</td> <td>3-3</td> <td>EV3</td> <td>SHV</td> </tr> <tr> <td>64. Operating Rating (tons):</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>66. Inventory Rating (tons):</td> <td>0.00</td> <td>0.00</td> <td></td> <td></td> <td></td> </tr> </table>		H	HS	3-3	EV3	SHV	64. Operating Rating (tons):	0.00	0.00	0.00	0.00	0.00	66. Inventory Rating (tons):	0.00	0.00			
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66. Inventory Rating (tons):	0.00	0.00																	

<p style="text-align: center;"><u>GEOMETRIC DATA</u></p> <p>10. Vert. Clearance: 14.92 ft 50a. Curb/Sdwk Width L: 1.25 ft 32. Appr Rwy Width: 56.00 ft 50b. Curb/Sdwk Width R: 1.25 ft 33. Median: No median 51. Width Curb to Curb: 56.00 ft 34. Skew: 5.00° 52. Width Out to Out: 15.00 ft 35. Struct. Flared: No flare Deck Area: 1,486.22 sq. ft 47. Horizontal Clr: 28.00 ft 53. Min. Vert. Cl. Ovr Brg: 99.99 ft 48. Length Max Span: 42.98 ft 54a. Min. Vt. Undclr. Ref.: H Hwy beneath stru 49. Struct. Length: 99.08 ft 54b. Min. Vert. Undclr.: 14.92 ft 55a. Min. Lat. Undclr. Ref.: H Hwy beneath str 55. Min. Lat. Underclr. R: 8.00 ft 56. Min. Lat. Underclr. L: 8.00 ft</p>	<p style="text-align: center;"><u>APPRAISAL</u></p> <p>36a. Brdg Rail: 0 Substandard 68. Deck Geom.: Not applicable (NBI) 36b. Transition: 0 Substandard 69. Vert./Horiz. Undclr: 2 Intolerable - Repl 36c. Appr. Rail: 0 Substandard 71. Waterway Adeq: N Not applicable 36d. Appr. Rail Ends: 0 Substandard 72. Appr. Alignment: 67. Str Evaluation: 113. Scour Critical: N Not Over Waterway</p>
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<p style="text-align: center;"><u>OKLAHOMA ITEMS</u></p> <p>200c. Temperature: 95 200d. Weather: Clear 201. Struc. Stl. ASTM Desig.: -1 / -1 202. Waterprf. Membrane: -1 Date Installed: 01/01/1901 203. Type Exp. Device: - 204. Type of Railing: Metal Railing (other) 205. Material Quantity: -1.00 208a. Type of Abutment: b. Type of Found.: 209. Type of Pier/Found.: - / 210. Foundation Elev.: -1.00 -1.00 -1.00 -1.00 -1.00 -1.00 211. Wear. Surf. Prot. Sys: None Date Installed: 01/01/1901 211c. Silane Reapplied 211d. Date: 213. Utilities Attached:</p>	<p style="text-align: center;"><u>PROPOSED IMPROVEMENTS</u></p> <p>94. Bridge Cost: \$377,000 75. Type of Work: 31 Repl-Load Capacity 95. Roadway Cost: \$565,500 76. Lngth of Improvement: 99.1 ft 96. Total Cost: \$1,095,120 114. Future ADT: 30,560 97. Yr. of Cost Est.: 2015 115. Yr. of Future ADT: 2039</p> <p style="text-align: center;"><u>NAVIGATION DATA</u></p> <p>38. Nav. Control: NA-no waterway 39. Vert. Clearance: 0.0 ft 111. Pier Protect.: 1 Not Required 40. Horiz. Clearance: 0.0 ft 116. Lift Bridge Vert. Clr.: 0.0 ft</p>
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<p>214a. Posted Weight Limit: NR b. Posted Speed Limit: N c. Narrow/1way Brdg Sign: No d. Vertical Clr. Sign: Yes Adv. Warning Sign: No e. Navigation Lights?: NA Working/Not Working: NA</p> <p>215. Overpass: PEDESTRIAN 218. Functionally Obsolete: - 220. Bridge Redecked: - 221. Substr. Cond. (U/W): 222. Fill Over RCB: 1 223. Appr. Slab/Rwy Cond.: 1 225. Paint Type/Ovrct: N/A 226. Date Painted: 227. Paint Color: -1 233. Deck Forming: 238. School Bus Rte.: Not Desired/Current rte. 240. Appr. Rwy Type.: Asphalt/Bituminous 243. Grdr Spacing/No.: /</p>	<p>244. Span Lengths: 245. Girder Depth: 246a. Type of Overlay: NA b. Overlay Thickness: 0.00 c. Overlay Date: 01/01/1901 d. Ovlv Depth Changed >1": - 247. Protective Systems: 248. # Field Splices w/ Corrosion: 249. Scour Crit. POA Exists?: - 250. Headwall: 15.00 258. Plans w/Found. in ODOT File: - 259. Scour Eval. in ODOT File: - 263. Interchange at Intersection: No 264. Interstate Milepoint:</p>
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OKLAHOMA DEPARTMENT OF TRANSPORTATION
PROJECT STATUS SYSTEM

Logout
Project

Home > List Projects > [Edit Project](#)

- [Environmental](#)
- [Design](#)
- [Related Projects](#)
- [Project Cost](#)
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- [Commitments](#)
- [Right-of-Way](#)
- [DOCUMENT VAULT](#)
- [Local Government](#)
- [FHWA Project Status Justification](#)
- [Survey](#)

Edit PROJECT

[Cancel](#)

Job Piece: 2710804
 Status Report: AP Project: VE Project: Calculated Status: Prepare NEPA Document

Production Targets	Planned Finish	Actual Finish	Status	Cond	Consultant Evaluations
Reconnaissance Data	11/01/2016	05/29/2013	Completed		
Project Initiation	01/31/2017	11/14/2013	Completed		
Design Resource	Holloway Updike and Bellen Inc.				
EC Solicitation	06/09/2014				
EC Contract	01/09/2015	EC No 1576			
Survey	04/26/2017	07/27/2016	Completed		SWO 4933(1)
Hydraulics	07/31/2017	10/31/2013	Completed		
Preliminary Field Review	11/27/2017	09/16/2016	Completed		
RW & Utility Meeting	04/30/2021	04/30/2021	Completed		
Plans Submitted to R/W	09/30/2021	06/30/2021	Completed		
NEPA Document	11/30/2021		On-Time		
R/W Phase	N/A				
Legal Entry	03/30/2023		N/A		
Prepare Traffic Plans	02/28/2023		On-Time		
Final Field Review	02/28/2023		On-Time		
Utility Out	06/30/2023		N/A		
404 Permit	04/30/2023		On-Time		
Plans Complete	06/30/2023		On-Time		
Ready to Let	06/30/2023		On-Time		

[Edit Resource and Comments](#)

Utility Information (from the Estimated Comp Date out of Utility Relocation system)

Latest Date ↑ ▾
-

Project Information

JP No.	Proj. ID	County	Div.	Maint.	HWY	Work Desc
2710804	J2-7108(004)PM	51 MUSKOGEE	1	1	US069	07 GRADE,DRAIN,BRIDGE & SURFACE

Project Legislative Districts

Ctrl.	Start	End	Lgth	Cong	Senate	House
056	13.340	15.840	2.500	2	09	013

Project Location

Location
US-69: BEGIN 0.48 MI N OF US-64 E (PEAK BLVD) & EXT N 2.5 MILES

Project Status

Status	8Year CWP	NHS Sys.	FHWA Oversight	Comm Appr.	Fhwa Auth	Auth FFY	Let Date	FFY	Award Date	RW JP No.	RW Let
Programmed	Yes	Yes		09/2009	-		NoDate	2024	NoDate	-	-

STIP & NEPA Information

STIP FY	STIP Page	Pub Date	ODOT Appr.	TIP FY	TIP Page	MPO Appr.	NEPA Type	NEPA Appr	NEPA Re-Eval
-	-	-	-	-	-	-	ICE	-	//

Project Budget

Award Exist	Advanced	Federal	State	Other	Total
N	0.00	5,400,000.00	21,600,000.00	0.00	27,000,000.00

ODOT/FHWA Resources Assigned

PMD	Field	FHWA	NEPA	Survey	Materials	Roadway	Bridge	Traffic	RW	Rail	Nepa Consultant
Linam	Wallace	Emamian	Ward	-	-	Elyazgi	DeFranco	Maarouf	-	-	Able Consulting, LLC

Comments

no data found

Bridge Information [Proposed Bridge](#)

NBI#	Status	Co	Ctl	Milept	Sd
12806	State Bridge	51	056	14700	
1-1					



OKLAHOMA DEPARTMENT OF TRANSPORTATION
PROJECT STATUS SYSTEM

Logout
Project

Home > List Projects > Edit Project > Edit Environmental Data > Edit NEPA Document

Edit Original NEPA Document

Job Piece 2710804

Initial

Initiation Report from PMD

Footprint Review Prior to Start of Studies

Consultant Notice To Proceed 11/20/2014

Property Owner Notification 01/16/2015

BLM Notification 01/13/2015

BIA Notification 01/13/2015

Consultant CR/Tribal Initiation 12/15/2014

Studies

Farmland NRCS Requested

Farmland NRCS Complete

CR Studies Requested 02/25/2015

CR Studies Due 05/14/2015

CR Studies Recd 04/27/2015

Biological Studies Requested 05/18/2015

Biological Studies Due 05/14/2015

Biological Studies Recd 07/07/2015

Meeting with 404 Permit Coordinator for Delineation

Haz Waste Studies Requested 10/13/2016

Haz Waste Studies Due 05/14/2015

Haz Waste Studies Recd 12/15/2016

Noise Studies Requested 09/21/2016

Noise Studies Due 03/31/2016

Noise Studies Recd 12/09/2016

Relo Studies Requested

Relo Studies Due

Relo Studies Recd

NEPA Document Preparation

NEPA On Hold Memo Sent Date

R/W Submittal Plans Recd 07/21/2017

Draft Document Target Date

Draft Document Actual Date

CE Review

Draft CE Review by ODOT

Comments To Consultant

Revised CE from Consultant

CE to FHWA (if applicable)

Date of FHWA / ODOT Approval of CE

CE Distribution

EA Review

Draft EA Review by ODOT

Draft EA Review by FHWA

Comments to Consultant

Revised EA from Consultant

Draft EA to FHWA

Draft EA Approval by FHWA

Final EA from Consultant

Final EA Reviewed

Final EA to FHWA

FONSI from FHWA

FONSI Distribution

- NEPA Document Navigation**
- Recon
 - Section 4F
 - Public Involvement
 - Re-Evaluation

CE Document Checklist (Updated 11/24/2020)

Should be included in the Other Section of all projects

JP No:	27108(04)	Prepared by	Koscelny
County:	Muskogee	Checked by	Flynn
Date Checked:	8/30/2021		
No	Description		Checked?
1	Project Information		
1.1	Correct Project No? (Check against Oracle info)		yes
1.2	Correct NBI No.? - Check against initiation report, Oracle, and plans		yes
1.3	Location No. for County projects only?		no
1.4	Correct Field District and County?		1
1.5	Correct Project Description? (Check against Oracle info and make sure it matches project extent on the plans. If it doesn't match, get the PM to fix the Oracle)		matches oracle
1.6	Construction Program/STIP/TIP Checked?		J2
2	Existing Conditions		
2.1	If it is a roadway project, is the roadway described first, then mention any bridges mentioned within the project extent		yes
2.2	Are the existing bridge type (span or box), width for span bridges (or length for box) and structural conditions for each bridge correct ? Check against Bridge Report.		yes
2.3	Correct approach roadway width?		yes
2.4	Any roadway geometric deficiencies?		no
2.5	Traffic data from plans - existing and projected?		yes
3	Purpose & Need		
3.1	Why is the project needed (NEVER what is proposed – REPLACE BRIDGE or WIDEN ROADWAY or ADD SHOUDERS is NOT the Purpose & Need)		yes
4	Alternatives & Proposed improvement		
4.1	Proposed roadway and bridge width		yes
4.2	Existing or offset alignment – reason for offset		existing
4.3	Replacement, Rehab, Removal or new bridge where there was none. Removal of bridge or widening of bridge.		replacement and extension

4.4	Road open to traffic during construction (If there is a shoofly, it is considered open to traffic. Closed to traffic is only if there is a posted detour on a different route)	road open / ped bridge closed
4.5	Mention if everything is within existing R/W	
4	Public Involvement	
4.1	Check appropriate public involvement box. Include Road Closure letter, Early Coordination letters, Public Notices and Public/Stakeholder Meeting material in the appropriate Appendixes	Stakeholder and public meeting
5	CE Questions & Studies	
5.1	Is the NEPA on Hold Memo included?	no
5.2	Are the R/W submittal or Final Plans with DATE STAMP included in the Plans & Footprint Section?	yes
5.3	Did the preparer verify that the plans were within study limits?	yes
5.4	Is the offset alignment far enough away so that R/W not immediately adjacent to existing R/W is needed?	no
5.5	Are the following early coordination letters and responses included in Early coordination section ? (1) Property owner letter with list of property owners or letter from County Commissioner with list of property owners, (2) BLM Letter and for state projects, (3) BIA Letters, (4) Small City Letter, (5) Department of Mines	yes
5.6	Were there Tribal or Federal properties identified (from plans and recon data)? If there are tribal, include all the tribal consent letters, signed permission letters and any other related permission information. If there are federal properties identified, include complete coordination information. If there are federal properties identified as a 4(f) property, this information will be included in the 4(f) appendix instead. If there are BIA properties, the project is in Osage Nation or there are federal properties, it will be an ICE.	none
5.7	Are the studies arranged in the same order as the CE Questions?	yes
5.8	CR Report complete & arranged in the chronological order from latest to oldest- includes letter to and from SHPO & OAS, CR report, Initial letters to and responses from Tribes, Final letters to and responses from Tribes? Do the CR Notes match the report? Are the notes checked in commitment and included at the end of the CE	corrected Tribal letters
5.9	Have the 4(f) properties been identified (from Recon, county map, and plans)? If there are 4(f) properties, is the complete Section 4(f) coordination included in the Section 4(f) section?	Yes for 4f
5.10	Was Section 6(f) properties verified with Dept. of Tourism for any parks?	no
5.11	Is a noise study needed (offset alignments, capacity increase, or major vertical grade change)? If yes, is it included in the Noise Section and any commitments listed in the CE	yes for noise study
5.12	Is the biological studies included and any notes for species included in the commitments.	yes

5.13	Was there a Preliminary 404 Review done by the 404 permit coordinator for any projects which had > 0.1 streams or > 0.5 AC of wetlands in the initial study? Is the 404 permit box checked (should be yes for all projects involving a bridge crossing a blue line).	JP provided 8/30/21 - needed
5.14	Does the project involve navigable waters (check USACE Section 10 waters and then verify with Coastguard) and requires Coastguard coordination? If so, is it listed in the Commitment?	no
5.15	Does the project involve one of the scenic rivers or streams (Check Oklahoma Scenic Rivers website)? If so, include coordination with Scenic Rivers in the "Other Section"	no
5.16	Was there coordination done with NRCS for projects involving new R/W and not in an urban area? Letter to NRCS, AD-1066 Form completed partially (if no response from NRCS) or completely (if NRCS completed their portion), and statement of no response from NRCS if applicable	none - urban area
5.17	Is the project location circled on the FEMA map or printout from FEMA site saying no map is available included? If the project is in zone A-E, is the coordination with the Designer to determine the need for map revision included?	design memo and maps provided
5.18	Is the haz waste note mentioned and included at the end of the CE if applicable? If the haz waste specialist required plans to complete studies, were the plans provided and a revised memo obtained?	may need Phase II
5.19	Were the plans checked for road closure? Include sheets (Round Robin) which say road will not be closed for bridge joint, paint, etc. projects, letters sent and any responses. If there is road closure, were letters sent out and all the comments addressed by Field Division?	not certain about road closure for 10 days
5.20	Does the "Other Section" include (1) initiation report for state projects or NEPA Checklist for Local Govt. projects, (2) Any additional project coordination, (3) bridge reports, (4) Project Oracle information sheet with NEPA document information, (5) Completed CE Review Checklist	need oracle reports and checklist