

# Bridging The Gap: Multimodal Connections On I-35 Over The Oklahoma River

Oklahoma Department of Transportation

**Multimodal Project Discretionary Grant Application**

May 6, 2024



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## Project Readiness

### Environmental Risk Assessment

As shown in **Figure 1**, the Project is transitioning from preliminary study into a more advanced stage with the survey update and design process being started. The Project designer has been selected by ODOT and the NEPA process will begin in late 2024 with 60 percent right-of-way plans commencing in early 2025. Right-of-way acquisition is scheduled to begin at the start of 2026 and utility relocations are scheduled to be completed in early 2027. A final Plans, Specifications, and Estimates (PS&E) submittal is scheduled for February 2027.

*Figure 1: Project Schedule*

TASK DESCRIPTION	2024	2025	2026	2027	2028	2029	2030
Notice to Proceed	█						
Independent Path Bridge & Trail Connection Concept	█						
Survey (Surface)	█	█					
Preliminary Plan Review Submittal (30%)		█					
Right-of-Way and Utility Review Meeting Submittal (60%)		█	█				
Public Involvement		█	█	█			
Final Right-of-Way Submittal (65%)			█	█			
NEPA Document		█	█	█			
Final Field Review Submittal (90%)			█	█			
PS&E Submittal				█			
Auth. & Letting				█	█		
Construction					█	█	█

ODOT obligates all required construction funding prior to advertising a project for construction and again prior to awarding a contract for construction. In addition, ODOT has consistently seen a contract growth of less than 3 percent, which is covered by other formulas federal funds or Oklahoma State Rebuilding Oklahoma Access and Driver Safety (ROADS) funds. ODOT intends to authorize the Project in early 2027 and let the Project shortly thereafter in early-mid 2027. Construction is anticipated to begin in the summer of 2027 and be completed in spring 2030. The Project is sufficiently advanced to begin plan development in a timely manner and construction completed within the funding deadlines for the MPDG program. MPDG funds are in little danger of expiring prior to the obligation and expenditure deadline. As described in the **Environmental Permits and Review** section, ODOT has sought input on the Project through public involvement, which included features of meaningful public involvement identified in U.S. DOT’s *Promising Practices for Meaningful Public Involvement in Transportation Decision-making* to engage the underrepresented communities adjacent to the Project area.

### Required Approvals

#### Environmental Permits and Reviews

ODOT will apply for NEPA approval from FHWA Oklahoma Division to construct the Project once preliminary plans have been approved in spring 2026.

A Documented Categorical Exclusion (DCE) will be developed to obtain environmental clearance for this Project. A Section 4F statement will be required for the multimodal bridge since it connects to existing trails, but since it is an enhancement to those facilities ODOT is not anticipating any conflicts with this improvement. The NEPA process will begin in late 2024 and

all the NEPA documents will be completed by winter 2026. The NEPA documents will include a biological assessment, a cultural resources survey, an initial site assessment for hazardous waste, a detailed noise study, and a socioeconomic and environmental justice review.

#### **Access Justification Report (AJR)**

The Project is modifying access in an interstate-to-interstate system interchange; therefore, an AJR is anticipated to be required. ODOT has extensive experience working with FHWA on these types of documents. If required, the AJR process would initiate at 30 percent Preliminary Design stage and be completed before the 60 percent Preliminary Design Plan submittal.

#### **Section 404 Permitting**

The Project is anticipated to require Section 404 permitting. Permitting for this project is expected to fall under Nationwide Permit 14. The United State Army Corps of Engineers (USACE) is familiar with ODOT's efforts and expectations within the I-35 and I-40 corridors. ODOT has agency liaisons in place at the USACE, which accelerate and improve the consistency of permitting reviews.

#### **Right-of-Way Acquisition and Relocation Plan**

Relocations will not be required for this Project. Minor right-of-way acquisitions are identified in the on-going preliminary study. All right-of-way acquisitions will be completed according to the Uniform Relocation Act and applicable regulations.

#### **Public Engagement**

ODOT has performed preliminary stakeholder engagement in the early concept development for this Project. ODOT initially presented the Project to key stakeholders in 2016 and then reinitiated stakeholder engagement in 2022 as part of the preliminary engineering study. The 2016 meeting presented three I-35 bridge concepts for spanning the Oklahoma River. After years of concept development, two additional stakeholder meetings were held in 2022 to confirm the feasibility of the concepts and receive feedback. Additional stakeholder meetings were conducted in 2023 to finalize the bridge aesthetics and funding partnerships with the City of Oklahoma City. The public engagement will follow the ODOT Public Involvement Plan (PIP) and include features of meaningful public involvement identified in U.S. DOT's *Promising Practices for Meaningful Public Involvement in Transportation Decision-making*.

#### **State and Local Approvals**

The Project is currently programmed in ODOT's, [Eight-Year Construction Work Plan](#) and construction is scheduled in 2028 (JP Number 30444(04)). Preliminary meetings with the City of Oklahoma City have been held to review the bridge concepts and funding commitments. The Project has widespread community support.

#### **Federal Transportation Requirements Affecting State and Local Planning**

**ACOG Regional Active Transportation Plan (RATP):** The ACOG RATP, [Encompass 2045](#), includes the I-35 River Bridge Project, which aligns with the 2045 goals related to safety, infrastructure condition, congestion, freight movement and economic vitality, and environmental viability and resilience.

**Statewide Transportation Improvement Program (STIP):** The current 2024-2027 [ODOT STIP](#) incorporates the first four years of the ODOT Eight-Year CWP. If this Project receives MPDG funding, ODOT will include it in the 2026-2029 STIP showing construction beginning in 2027.

**Oklahoma Freight Transportation Plan (OFTP):** The [2023-2030 OFTP](#) identifies the section of I-35 over the Oklahoma River as a truck bottleneck in proximity to identified freight generators. ODOT considered a range of factors for the allocation of federal freight formula funds for Oklahoma's freight projects including level of annual funding, corridor focus, geographic diversification, stakeholder priorities, project size, and designation of critical candidate rural freight corridors. The resulting set of 173 projects include the I-35 NB and SB bridge placements.

**Long Range Transportation Plan (LRTP):** The [ODOT LRTP 2020-2045](#) is a policy document that provides a strategic direction for the development of the Oklahoma multimodal transportation system. This Project aligns with ODOT's long-range strategic direction. The Project improves system resilience and reliability and is consistent with the goals set out in ODOT's [2019-2028 Transportation Asset Management Plan \(TAMP\)](#) with the intent of maintaining and preserving Oklahoma's transportation network.

**National Electric Vehicle Infrastructure Plan:** The [Oklahoma National Electric Vehicle Infrastructure Plan](#) was completed in August 2022. The Federal Highway Administration designated I-35 in Oklahoma as a compressed natural gas fuel corridor and electric vehicle (EV) charging corridor. This special designation is aimed at improving the mobility of passenger and commercial vehicles that run on alternative fuels.

## Technical Capacity

ODOT has the technical capacity to successfully complete this Project. ODOT has a close partnership with the FHWA Oklahoma Division through which it receives its federal aid allocation and discretionary grant funding. ODOT has been awarded several discretionary grants from various programs and is familiar with developing grant agreements, administering the funding, and providing the necessary reporting. ODOT has the technical expertise and resources dedicated to the project to provide quality control over all aspects of design and construction, ensure the project meets all federal requirements, and keep the public informed of the project's progress. ODOT's Contract Compliance Division oversees the Department's Disadvantaged Business Enterprise (DBE) program and ensures that ODOT and all its consultants and contractors comply with applicable Civil Rights requirements.

## Civil Rights and Title VI

Title VI of the Civil Rights Act of 1964 is the main legal authority for ODOT's external nondiscrimination programs. 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. ODOT complies with Title VI by conducting internal and external compliance reviews, conducting training for staff, suppliers, vendors,

contractors, local governments, and other ODOT sub-recipients of federal funds, and developing Title VI compliance information for internal and external dissemination.

## Assessment of Project Risks and Mitigation Strategies

Potential Project risks and mitigation strategies to minimize the potential impact of the risks are summarized in **Table 1**. References to other sections of this application are included.

Environmental and right-of-way related risks are significantly reduced given that minimal right-of-way acquisition is required, and the Oklahoma River is a controlled waterway. Meaningful public involvement is anticipated to engage the environmental justice and disadvantaged communities affected by the Project.

ODOT has sufficient capacity to implement the proposed activities according to the schedule presented in **Figure 1**. ODOT and the City of Oklahoma City have committed state and local matching funds. This match will ensure ODOT can begin construction in a timely manner until grant funds are reimbursed.

*Table 1. Project Risk and Mitigation Strategies*

Project Risk (Probability of Occurrence)	Mitigation Strategies
<p><b>Cost Increases (High)</b></p>	<p>1) ODOT has included the Project in its Eight-Year Work Plan and remains committed to adjusting as needed to meet all MPDG and statutory deadlines for funding obligation and expenditure.</p> <p>2) Construction estimates are complete to a 30 percent level and contain 30 percent contingency, allowing for a margin of increase.</p>
<p><b>Delays Securing Right-of-Way (Minimal)</b></p>	<p>1) Minimal Right-of-Way acquisitions are required. No relocations are anticipated. 2) Retaining Walls are needed to minimize required acquisitions.</p>
<p><b>Section 404 Permitting Delays (Moderate)</b></p>	<p>1) The Project is anticipated to fall under a Nationwide Permit. Work in the Oklahoma River will be required for the construction of the bridge piers and superstructure.</p> <p>2) ODOT has a liaison in place at the USACE to accelerate and streamline approvals if needed.</p>
<p><b>Weather Related Construction Delays (Moderate)</b></p>	<p>1) ODOT collaborates closely with contractors to renegotiate project time while still meeting project commitments.</p>

<p style="text-align: center;"><b>Issues with City of Oklahoma City Maintenance Agreement (Low)</b></p>	<p>1) The City of Oklahoma City has its own Maintenance Department, and it maintains 3,592 miles of roadway and manages 12,580 traffic signals within the city limits. The City of Oklahoma has a long history of managing its transportation infrastructure assets and the city will maintain the multimodal bridge in a state of good repair.</p> <p>2) ODOT and City of Oklahoma City have negotiated numerous maintenance agreements on previous projects and have standard language and terms.</p>
<p style="text-align: center;"><b>Public Opposition (Low)</b></p>	<p>1) ODOT has initiated key stakeholder involvement through the preliminary study process. ODOT will continue to follow the features of meaningful public involvement identified in U.S. DOT’s <i>Promising Practices for Meaningful Public Involvement in Transportation Decision-making</i>.</p> <p>2) The Project will provide additional connectivity and mobility to the Oklahoma River Trail system, which will directly benefit the local community.</p> <p>3) Stakeholder involvement participants have been extremely supportive of the Project.</p>
<p style="text-align: center;"><b>Contamination from Industrial Use/Underground Storage Tanks (Moderate)</b></p>	<p>1) ODOT has a well-defined, successful approach for addressing potential contamination and Leaking Underground Storage Tanks (LUST) sites. Locations where these issues may arise are identified and included within the construction plans as “Areas of Environmental Concern” to put the contractor and their employees on alert that the potential exists for encountering contamination.</p>
<p style="text-align: center;"><b>Earthquakes (Low)</b></p>	<p>1) Oklahoma’s altered drilling practices have reduced the number of earthquakes in the state. All structures have seismic designs.</p>