

OPEN HOUSE EXECUTIVE SUMMARY REPORT

**Meeting Held On:
October 29, 2019**

**WIDEN, RESURFACE & BRIDGE US-59: FROM .25 MILES SOUTH OF
SH-51 JCT., EXTEND NORTH 5.25 MILES**

**ADAIR COUNTY
J/P No. 30570(04); Project No. J3-0570(004)**

Prepared for:



**OKLAHOMA DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION**

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March 15, 2020

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1.0 PUBLIC OPEN HOUSE OVERVIEW

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

1.1 MEETING DATE & TIME

Tuesday, October 29, 2019
5:00 pm to 7:00 pm

1.2 MEETING LOCATION

Peavine Elementary School
77943 US-59 North
Stilwell, OK 74960

1.3 PURPOSE OF MEETING

The purpose of the Open House meeting is to inform the public of the proposed improvements, solicit input, and answer questions regarding construction activities, sequencing, and scheduling.

1.4 PROJECT BACKGROUND

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), proposes to make safety improvements to US-59 from approximately 0.25 mile south of SH-51 in Maryetta and extending north 5.25 miles in Adair County, Oklahoma. This segment of US-59 is a two-lane, open section, principal arterial facility with 12-foot wide driving lanes and varying-width shoulders. There are two bridges and several roadway-sized drainage structures associated with this section of highway. Current traffic volumes are estimated at 10,000 vehicles per day (VPD) from the beginning of the project to one mile north of Maryetta, and 4,800 VPD to the end of the project. The purpose of the proposed improvements is to correct roadway deficiencies, enhance safety, and efficiently accommodate traffic.

1.5 PROJECT DESCRIPTION

ODOT is developing design plans for improving this segment of US-59 while taking into consideration the cost of construction, right-of-way and utilities impacts, and environmental constraints. The proposed improvements include widening and resurfacing the highway to create two, 12-foot wide, paved driving lanes with 8-foot wide paved shoulders on existing alignment. Some roadway sections will be curb and gutter, and some segments will have a dedicated passing lane. Turning lanes will be added at some intersections and at the Peavine School to accommodate high traffic counts. The existing bridges and structures will be widened. The proposed design will meet current standards. Highway access would remain open during construction, and access to residences, businesses, and schools would be maintained throughout the project duration.

1.6 PUBLIC NOTICES

- ODOT mailed open house invitations to property owners on September 27, 2019.
- ODOT mailed solicitation letters to various agencies on November 25, 2019.
- Public meeting invitation letters were mailed to various political entities, interested parties and public on September 27, 2019.
- ODOT sent out a press release and general media announcements on August 13, 2019.
- ODOT distributed flyers to interested parties near the project area on October 11, 2019

1.7 MEETING FORMAT

At the public open house, attendees were asked to add their name and contact information to a sign-in sheet. A handout was available to everyone, which described the project and illustrated the proposed project alignment. Presentation boards were set up, and personnel from ODOT, including the engineering design team, Division 1, and Environmental Programs Division, were available to answer questions and take comments from the public. Attendees were encouraged to write their specific questions or concerns related to the project on the available Comment Form.

2.0 SUMMARY OF COMMENTS & RESPONSES

2.1 PUBLIC COMMENTS

2.1.1 Pre-Meeting Public Comments

Some property owners and potentially affected community members responded to the proposed project prior to the Open House. Some of the businesses north of Maryetta including the Northside Animal Clinic, Sallisaw Overhead Door, and Doyle’s Country Gardens were concerned with how much right-of-way would be taken and how roadway construction may affect their business. Sallisaw Overhead Door was concerned over the possible loss of some of their buildings nearer the existing roadway. Multiple community members working in businesses in Maryetta stated that they traveled the project area daily for work and were interested in learning more about the specific project plans at the public meeting. Residents with property/homes along the proposed project were mostly curious whether lanes were being added and what would happen to their mailboxes and fence lines. There was no opposition expressed regarding the project prior to the public meeting. Residents were encouraged to attend the public open house. The comments are summarized in Table 1.

Table 1: Property owners, local residents and citizens pre-meeting comments.

PRE-MEETING PUBLIC COMMENTS	
GENERAL COMMENT CONTEXT	INPUT
Concern over right-of-way take and traffic access for business operations	<ul style="list-style-type: none"> Some business owners north of Maryetta expressed concern over how much right-of-way would be acquired and how construction activities planned to allow access to businesses.
Construction activities effect on travel to- and from work	<ul style="list-style-type: none"> Some community members who work in Maryetta travel the project area daily for work and were generally positive about planned roadway work but were interested in timing and duration of construction activities.
Private mailbox and fence line relocation	<ul style="list-style-type: none"> Multiple residents with homes along the project corridor were interested in what ODOT planned to do about their mailboxes and fence lines if the roadway was to be widened.

2.1.2 Oral Comments During Public Meeting

During the public meeting, several individuals commented on the project. In general, there was no opposition to the project; however, many expressed concerns about impacts to their properties. Most individuals had questions about the improvements and the schedule for completion, and shared input regarding their experiences with the roadway deficiencies and what they would like to see done to correct them. The comments are summarized in Table 2.

Table 2: Property owners, local residents and citizens’ oral comments noted during public meeting

ORAL COMMENTS DURING PUBLIC MEETING	
GENERAL COMMENT CONTEXT	INPUT
Private Property & Building Concerns	<ul style="list-style-type: none"> • A few property owners expressed concerns over the proximity of the new right-of-way line in relation to their property. • Property owner pointed out that a driveway was missed at Station 144+60 Lt. • An owner discussed the concrete block garage shown on the presentation at RW Station 169+00 Lt., and was informed that it would be removed during construction. • An owner discussed the dilapidated building at Station 175+00 Lt., and was informed that it would be removed using a temporary construction easement and a proposed drive and structure would be removed from the plans. • An owner discussed the property at 308+00 Lt., and was informed it would be a total take. • An owner discussed the property at Station 313+00 Rt., and was informed that most likely this property would be a total take because of utility and right-of-way needs. • A resident commented that the building at Station 328+00 Lt. is a functioning church.
Project Support	<ul style="list-style-type: none"> • The overall consensus of the meeting was that the improvements would greatly improve the safety of this area. • Property owners were pleased with the construction requirements. Even owners whose property would be total takes support the project and would like to be purchased.
ODOT RESPONSES	
The written responses were summarized and generically grouped into general categories; each of which are presented below. Next to each item is ODOT’s response.	
ISSUE/COMMENT/CONCERN	RESPONSE
Private Property & Building Issues	The Department of Transportation strives to minimize the impacts to the local residents and businesses. Property owners who are affected will be contacted by an ODOT representative to negotiate their compensation, and/or any drive or fence concerns.

2.1.3 Public Written Comments

Several property owners responded in writing to the proposed project. In general, there was no strong opposition to the project in concept, but individuals expressed concerns over the current road conditions, and impacts to personal property. Many people want a 4-lane facility rather than a 2-lane highway. The comments are presented in Table 3.

Table 3: Property owners, local residents and citizens written comments

PUBLIC WRITTEN COMMENTS	
INDIVIDUAL	INPUT
Respondent 1	<ul style="list-style-type: none"> States that the project needs to be a four-lane improvement instead of the "Super Two" lane as proposed. Says four lanes are needed to connect Stilwell to US-412 and NW Arkansas. Understands Schwans may be interested in expanding in Stilwell, and may need a four-lane road for transportation.
Respondent 2	<ul style="list-style-type: none"> Thinks the project is a bad idea. The road needs to be four lanes and follow the railroad.
Respondent 3	<ul style="list-style-type: none"> Commented that the people with ODOT were very informative, courteous, and helpful with questions.
Respondent 4	<ul style="list-style-type: none"> Property is located at approximately STA 338 on the project map. There are two driveways on the property, but there is only one showing on the map. The other drive is in front of the concrete building on the property.
Respondent 5	<ul style="list-style-type: none"> Would like to know what ODOT is planning to acquire from her property, and if they know for sure what will be acquired.
Respondent 6	<p>STA. 345 Left:</p> <ul style="list-style-type: none"> The electric lines are already close. If they were to be moved, they would be too close to property owners' house and would not be good for health or the value of the property. The septic to the property is close to the front, and the lateral lines run toward the road. The stretch of highway in front of the house is where cars can pass, and it's dangerous to pull in our out. There have been wrecks and deaths. The culvert on the north side does not drain correctly, causing water to back up and stand in it. <p>STA. 161 Right:</p> <ul style="list-style-type: none"> The electric lines are already close. If they were to be moved, they would be too close to property owners' house and would not be good for health or the value of the property. The septic lines go toward the road. <p>STA. 166.50 Left:</p> <ul style="list-style-type: none"> There is a house site in this area. There is a well and septic lines.
Respondent 7	<ul style="list-style-type: none"> Has concerns with the idea of a "super-two-lane" highway that does not benefit the county. Thinks it is alarming that the state would even consider a project like this after spending enormous amounts of money to convert Highway 59 north of Westville to a four-lane, only to narrow it to a two-lane south of Westville. Realizes the importance of a new highway and the possible economic value it may contribute, but only if it makes sense, and this project does not.

Respondent 8	<ul style="list-style-type: none"> Disappointed that the proposed widening will not result in a four-lane highway like that just north of Westville. At the very least, the two proposed bridges should be constructed to allow a four-lane highway in the future. Pleased to see the turn off to England Hollow Road, at approximately 175 on the map, is being addressed, and that no more right-of-way is called for on the south side of the intersection.
Respondent 9	<ul style="list-style-type: none"> Disappointed that the proposed widening will not result in a four-lane. Only wants to see a 4-lane highway. Asks that ODOT not waste infrastructure money on widening the road. Thinks that constructing a three-lane or widening a two-lane road is a waste of money and prolongs the eventual construction of a four lane. Would like ODOT to either make US-59 a four-lane highway or leave it alone.
ODOT RESPONSES	
The written responses were summarized and generically grouped into general categories; each of which are presented below. Next to each item is ODOT's response.	
ISSUE/COMMENT/CONCERN	RESPONSE
Two-Lane Facility vs. Four Lanes	Current traffic does not warrant the need for a full four lane design at this time, but it is a priority of the State in increase the safety factor of the roads we currently have with the fiscal restraints of being good stewards of the taxpayers' money.
Private Property Concerns	Private property owner concerns are noted. They will be contacted by an ODOT representative if Right-of-Way is required. Utilities are placed within ODOT's Right of Way.

2.2 BUSINESS COMMENTS

No responses were received from businesses potentially affected by the project not previously addressed above. The comments are summarized in Table 4.

Table 4: Businesses written comments

BUSINESS WRITTEN COMMENTS	
BUSINESS	INPUT
	No business comments received.
ODOT RESPONSES	
The written responses were summarized and generically grouped into general categories; each of which are presented below. Next to each item is ODOT's response.	
ISSUE/COMMENT/CONCERN	RESPONSE
	N/A

2.3 AGENCY COMMENTS

Five agency comments were received. Individual comments are summarized in Table 5.

Table 5: Federal, state, & local agency written responses to the solicitation letter.

AGENCY COMMENTS	
AGENCY	INPUT
Oklahoma Water Resources Board Floodplain Management	<ul style="list-style-type: none"> The existing lanes of the project do not appear in the 100-yr (1%-chance) floodplain, though it comes close in a few places. Questioned how much the lanes and shoulders would be widened. Requested that ODOT check the project plans to determine if any work will be in the floodplain, and if it is, a Floodplain Development Permit for State-owned Property will need to be issued.
	ODOT RESPONSE
	<ul style="list-style-type: none"> Comments noted ODOT evaluates floodplain impacts and the need for a floodplain development permit as part of general design process.
Bureau of Land Management (BLM) Realty Specialist	<ul style="list-style-type: none"> The BLM reviewed the project information and has no concerns or objections to the proposal. File searches show no impact to federal minerals or federal lands managed by the BLM. There are no BLM administered mineral interests near or within the project area.
	ODOT RESPONSE
	<ul style="list-style-type: none"> Comments noted
Bureau of Indian Affairs (BIA) Acting Regional Director	<ul style="list-style-type: none"> Has no comments at this time. Five Federally recognized tribes have been provided copies of the solicitation letter. As they 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.
	ODOT RESPONSE
	<ul style="list-style-type: none"> ODOT coordinated with the following tribes: Caddo Nation, Cherokee Nation, Osage Nation, United Keetoowah Band of Cherokee, and Wichita & Affiliated Tribes. ODOT contacted the tribes on May 21, 2018 as part of the initial NEPA process to inform and solicit input. After the cultural resources study was completed, ODOT provided the final report.

<p>Oklahoma Aeronautics Commission Aviation Program Manager</p>	<ul style="list-style-type: none"> • There does not appear to be any potential hazards to the safe and efficient use of airspace. • Recommends using FAA's notice criteria tool to determine if a 7460-1 form needs to be completed with the FAA. • If form 7460-1 is required, the Commission requests to be notified, as a tall structure permit may be required. • Would like to remind ODOT of the need to comply with CFR Title 14 Part 77.13, which states that certain projects are required to notify the Administrator of the FAA.
	ODOT RESPONSE
	<ul style="list-style-type: none"> • ODOT will contact the FAA during the design phase to determine if Form 7460-1 needs to be completed.
<p>Oklahoma Department of Environmental Quality (DEQ) General Counsel</p>	<ul style="list-style-type: none"> • No environmental concerns under DEQ jurisdiction are anticipated. • DEQ Recommended ODOT obtain a construction storm water permit (OKR10). • Any burning associated with land clearing operations must be conducted in accordance with OAC 252:100, Subchapter 13. • As environmental risks posed by the project are assessed, refer to DEQ Land Protection GIS data layers.
	ODOT RESPONSE
	<ul style="list-style-type: none"> • The DEQ stated that ODOT should obtain a construction storm water permit authorization under OKR10. ODOT is aware of the permitting requirements and the process involved. ODOT requires construction contractors to obtain an OKR10 permit authorization (when applicable) prior to starting any construction activities.

2.4 MEDIA COMMENTS

Following an announcement regarding amendments to the project to improve US-59, one comment from a local newspaper was received. The comment is summarized in Table 6.

Table 6: Media response

AGENCY COMMENTS	
AGENCY	INPUT
Stilwell Democrat-Journal / Westville Reporter	<ul style="list-style-type: none"> Inquired as to how the project would be different from what ODOT announced at the Public Meeting. Has the project been pushed back, gotten smaller or larger?
	<p style="text-align: center;">ODOT RESPONSE</p> <ul style="list-style-type: none"> As projects are more fully engineered, we will make adjustments to the program to match what is being designed. This validates the reports we present publicly showing the work done each year. As estimates are presented from a more fully engineered design, we have to make adjustments to the STIP to inform FHWA of our anticipated costs, and their expected contribution. This informs them of our budgeted needs and our requirement for Federal funding. We will do a STIP amendment or adjustment on almost every project we do at some point. The project mentioned is the funding projects set aside for the Right of Way & Utility funding. The Construction project 30570(04) is the same as was presented at the Peavine Elementary School Open House on 10/29/2019. These projects allow us to begin the process of talking to the home owners to enact the purchases we had indicated we anticipated purchasing. Until this funding and STIP was adjusted, we cannot begin that process.