

# VIRTUAL OPEN HOUSE EXECUTIVE SUMMARY REPORT

Open House Dates:  
October 7 - 21, 2020

SH-28 IMPROVEMENTS “**WEST OF US-69**” PROJECT: FROM JUST  
EAST OF THE I-44/SH-28 INTERCHANGE, EXTENDING EAST  
APPROXIMATELY 5.5 MILES TO ADAIR

MAYES COUNTY  
J/P No. 28891(04); Project No. J2-8891(004)

Prepared for:



**OKLAHOMA**  
Transportation

**OKLAHOMA DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION**

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## **1.0 EXECUTIVE SUMMARY**

As part of the Oklahoma Department of Transportation's (ODOT) efforts to keep the public informed and involved in the decision-making process, a Virtual Open House was held. Due to ongoing concerns over the spread of COVID-19, the Virtual Open House was hosted in a web-based format, and no in-person meeting was held. The following is a generalized summary of the public involvement effort, the information provided as part of the outreach, and the comments and input received. ODOT responses to comments are also presented in this document.

### **1.1 OPEN HOUSE DATES**

October 7 through 21, 2020

### **1.2 MEETING WEBSITE**

[www.odot.org/SH28Mayes](http://www.odot.org/SH28Mayes)

### **1.3 PURPOSE OF VIRTUAL OPEN HOUSE**

The purpose of the Virtual Open House was 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 SH-28 from roughly the east end of the I-44 interchange, extending east approximately 5.5 miles to William Penn Street in the town of Adair, Mayes County, Oklahoma. This segment of SH-28 is a two-lane paved highway with 12-foot wide driving lanes and 4-foot wide shoulders. There are nine bridges within the project extent, five of which will be addressed as part of this project. Current traffic volumes are currently estimated at 4,284 vehicles per day (vpd) and are projected to increase to 5,916 vpd by 2040. This section of SH-28 has deteriorating pavement, limited sight distances, steep slopes and narrow shoulders. 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 SH-28 while taking into consideration the cost of construction, right-of-way and utilities impacts, and environmental constraints. To increase safety, ODOT proposes to improve driving surfaces, reconfigure skewed driveways and entrances, realign county road intersections, widen shoulders, and extend and/or replace roadway structures and the five reinforced concrete box bridges. The rural portion of the highway will be widened to create two 12-foot wide paved driving lanes with 10-foot wide paved shoulders on existing alignment. Eastbound and westbound left-hand turning lanes will be added at the intersection of County Road NS-429 and SH-28. In the town of Adair, the highway will be widened to create a curb and gutter section with two 12-foot wide driving lanes and a 14-foot wide center turning lane. Americans with Disabilities Act (ADA) compliant sidewalks will be added on both sides of road. The highway will remain open during construction, and access to residences and businesses will be maintained throughout the project. In town, a temporary lane shift on a north offset alignment will be used to keep the road open during construction.

## 1.6 PUBLIC NOTICES

- ODOT mailed Virtual Open House pamphlets via Direct Mail to property and business owners on four mailing routes along the project area on October 5, 2020.
- Virtual Open House pamphlets were also mailed to various political entities, interested parties and the public on October 5, 2020.
- ODOT mailed Virtual Open House pamphlets to property owners, utility owners, and other stakeholders on October 6, 2020.
- ODOT mailed solicitation letters to various state and federal agencies and Native American Tribes on October 8, 2020. These letters provided a short project description and included information about the Open House and requested that recipients provide input by October 21, 2020. Enclosed with the letter was a copy of the project location and overview maps.
- ODOT sent out a press release and general media announcements on October 8, 2020.

## 1.7 VIRTUAL OPEN HOUSE FORMAT

The Virtual Open House was available for public access online at [www.odot.org/SH28Mayes](http://www.odot.org/SH28Mayes) between October 7 and 21, 2020. The Open House combined the SH-28 “West of US-69” project (JP 28891(04)) and the “East of US-69” project (JP 24382(04) and JP 23270(04)) in Mayes County. On the Virtual Open House home page, the user could choose which project to view. Once the user was directed to the project page for SH-28 “West of US-69” project, the user could select from the following pages for detailed information:

- Sign-In and Handout – This page included a PDF form for signing in and a PDF copy of the virtual Open House pamphlet.
- Project Presentation – This page contained a narrated video of the project presentation, as well as a PDF of the project presentation with script.
- Interactive Project Map – This page contained an interactive online diagram that showed the proposed project in detail, and allowed users to comment on specific areas of the map.
- Environmental Studies – This page compiled the findings of the detailed environmental studies.
- Right of Way Information – This page included a copy of the ODOT Relocation Brochure and the ODOT Property Rights Brochure to give users more information regarding relocations and right-of-way issues.
- Frequently Asked Questions – This page included a list of frequently asked questions regarding the project and their answers.
- Submit a Comment – The public was encouraged to participate in the public outreach process, and were provided several methods for submitting comments regarding the project. This page provided the deadline and contact information for providing comments.

## 1.8 SUMMARY OF COMMENTS & RESPONSES

In total, one hundred eight-seven (187) users visited the “West of US-69” project webpage as part of the Virtual Open House process, and ODOT received input from three (3) agencies and one (1) tribe, along with comments/questions from eleven (11) responders, including one (1) phone call, one (1) emailed comment, one (1) interactive mapper comment, two (2) website comments, and six (6) paper comments forms received by mail.

The comments and responses associated with each media are presented in the following sections.

### 1.8.1 Website Analytics

VIRTUAL OPEN HOUSE WEBSITE ANALYTICS	
VIRTUAL OPEN HOUSE WEBSITE PAGE	TOTAL
Users / Visitors	187
Sign-In & Handout	50 views
Attendees Who Signed Electronic Sign-In Sheet	33
Interactive Project Map	63 views
Comments on Interactive Map	1 commentor / 5 comments
Project Presentation	52 views
Environmental Studies	6 views
Right of Way Information	14 views
Frequently Asked Questions	19 views
Attendees Who Filled Out Electronic Comment Form	11 reported/ 1 received

### 1.8.2 Public Comments

COMMENTS	
GENERAL COMMENT CONTEXT	INPUT
Respondent 1	<ul style="list-style-type: none"> <li>• Received the information packet and reviewed the on-line map</li> <li>• Wanted to know if her and her neighbors' pond would be impacted; she wants ODOT to avoid it.</li> <li>• Wanted to speak with someone from ODOT specifically about the right-of-way impacts.</li> </ul>
Respondent 2	<ul style="list-style-type: none"> <li>• Commented regarding several areas on SH-28 between NS-433 Rd. &amp; Cherokee St.:               <ul style="list-style-type: none"> <li>○ ~STA 706: Wanted to know about stream bank impact. Concerned that once the trees are taken there will be erosion. Wants to know if ODOT is going to put riprap in or some other type of control. Claims that lots of water comes down stream at times.</li> <li>○ ~STA 705 Left: Wanted to know about a turn-lane for his driveway/entrance. He has a semi that comes and goes out that driveway at different times of day and night. Claims it is a necessity.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ ~STA 665.5: Claims the NS-433 Rd/SH-28 is a very dangerous intersection. Lots of people live north and south of NS-433 Rd. Turning lanes are needed.</li> <li>○ ~STA 709 Left: Outside of project footprint, due north of STA 709 there is a pond. He claims there is good borrow material for the roadway construction on his property if needed.</li> <li>○ ~STA 707 Right: Concerned about possibility of flooding the RV park. Requested that someone from ODOT contact him.</li> </ul>
Respondent 3	<ul style="list-style-type: none"> <li>• Commented about traffic impacts on US-69. He requested that ODOT wait until something is finished further south on US-69 to start on this project.</li> </ul>
Respondent 4	<ul style="list-style-type: none"> <li>• Stated she was in favor of improving SH-28.</li> <li>• Requested that ODOT look at improving US-69 to Big Cabin and US-69 to Pryor.</li> <li>• Requested there be an on/off ramps on the Turnpike to Vinita and Miami.</li> <li>• Commented on the importance of knowledgeable road builders. She included some suggestions, and praised a past county commissioner for his road building prowess.</li> </ul>
Respondent 5	<ul style="list-style-type: none"> <li>• (Note: Commentor's property appears to be west (outside) of project start on the north side SH-28.)</li> <li>• She owns the land at the west end of what was the old Osage Golf Course. It has been in her family since 1939 and has become a generational legacy.</li> <li>• In 2011-2012 ODOT/OTA bought frontage and other property along the Will Rogers Turnpike from her father. She now owns the land</li> <li>• She has a large investment in her home/property (over \$50,000)</li> <li>• She implores ODOT not to take any more of her property.</li> </ul>
Respondent 6	<ul style="list-style-type: none"> <li>• Owns ~1.5 miles of SH-28 frontage between NS-431 and NS-432. (Appears to own from ~STA 560-573 Left &amp; right &amp; ~STA 573-613 Left.) Would like to know the following:                         <ul style="list-style-type: none"> <li>○ what kind of bridge project is planned?</li> <li>○ will existing fences will be replaced?</li> <li>○ what will be the status of the house, barns and corrals located close to the road at the NS-431 intersection?</li> </ul> </li> <li>• Requests that turn lanes be constructed on county roads NS-431, NS-432, and NS-433—local residents have to deal with lake traffic. Making turns off of SH-28 is very dangerous.</li> <li>• Requests that the road be as safe as possible and account for agricultural equipment.</li> <li>• Claims there is good borrow material for roadway construction on his property if needed. (Willing to sell.)</li> <li>• Requested an ODOT response to his listed concerns and comments.</li> </ul>
Respondent 7	<ul style="list-style-type: none"> <li>• (Note: Commentor's property appears to be outside of the project footprint.)</li> <li>• Owns 3-acres next to the turnpike entrance</li> <li>• Offering to sell his property.</li> </ul>
Respondent 8	<ul style="list-style-type: none"> <li>• Requested the driving surface on SH-28 be improved (e.g., potholes, "bumps" at the bridges, and the pavement cracks at the stop light at the Adair).</li> </ul>

<p>Respondent 9</p>	<ul style="list-style-type: none"> <li>• Comments from an outdoor advertising company:                     <ul style="list-style-type: none"> <li>○ Requested information about installing a billboard along SH-28 immediately east of Adair.</li> <li>○ Wanted more detailed information about the setbacks and other requirements.</li> </ul> </li> </ul>
<p>Respondents 10 &amp; 11</p>	<ul style="list-style-type: none"> <li>• Comments from a local utility provider:                     <ul style="list-style-type: none"> <li>○ Had a design question about how the project would impact their driveway.</li> <li>○ Requested driveway changes. Would like a second drive constructed along with turning lanes. The current drive is shared with a neighbor.</li> <li>○ Wants to make highway access safer for customers.</li> <li>○ Requested a turning lane be constructed in front of their business given daily truck traffic.</li> <li>○ Concerned about their infrastructure located at the intersection of NS-429/SH-28 (~STA 454.5); there is a pump house and several hydrants, lines &amp; valves.</li> <li>○ Requested that a copy of the proposed plans be sent to their engineer.</li> </ul> </li> </ul>

### 1.8.3 ODOT Responses to Public Comments

The responses received were summarized and generically grouped into categories, each of which are presented below. Next to each comment is ODOT’s response.

<b>ODOT RESPONSES TO ALL PUBLIC COMMENTS</b>	
<b>ISSUE/COMMENT/CONCERN</b>	<b>RESPONSE</b>
<p>Property Impacts &amp; Right-of-Way Questions</p>	<ul style="list-style-type: none"> <li>• Some responder’s properties were outside of the proposed project limits. These did not specifically apply to the project.</li> <li>• In general, an agent from ODOT’s Right-of-Way Division will contact all affected landowners to discuss their specific situation and affected property.</li> <li>• The right-of-way process is currently underway, and an ODOT agent will be contacting property owners in the coming months.</li> <li>• More information, along with ODOT’s Property Rights Brochure, can be found at ODOT’s website.</li> </ul>
<p>Business Impact: Request for an Additional Driveway &amp; Turning Lane</p>	<ul style="list-style-type: none"> <li>• The current set of plans has addressed the locations of concern                             <ul style="list-style-type: none"> <li>○ Driveways have been added at STA 474+30 and 475+54.</li> <li>○ The existing drive at STA 476+50 will remain.</li> <li>○ Current traffic volumes and turning movements do not warrant a dedicated turning lane.</li> </ul> </li> <li>• An ODOT right-of-way agent will be contacting affected property owners to discuss the specific improvements.</li> </ul>
<p>Erosion Control Concerns</p>	<ul style="list-style-type: none"> <li>• As part of the bridge design process, the bridge will have erosion control protection. This includes stream bank protection and erosion control measures.</li> <li>• A Department of Environmental Quality (DEQ) storm water construction permit (OKR10) will be obtained and implemented for the entire project length. Erosion and sediment controls and best management practices will be implemented throughout the construction process.</li> </ul>
<p>Flooding Concerns</p>	<ul style="list-style-type: none"> <li>• As part of the bridge design process, the hydraulics were analyzed to size the structure to better accommodate drainage. There will also be a storm sewer added in this area.</li> <li>• This project will not increase the likelihood of flooding at the RV park.</li> </ul>
<p>Turning Lanes</p>	<ul style="list-style-type: none"> <li>• Current traffic volumes and turning movements do not warrant a dedicated turning lane at NS-433 Road. The intersection will be re-evaluated, as needed, in the future.</li> </ul>

	<ul style="list-style-type: none"> <li>• There is a dedicated center turning lane planned for the section of SH-28 associated with the landowner's driveway. However, a dedicated right turn lane is not warranted.</li> <li>• As part of the entire corridor improvement process, ODOT considers the need to improve intersections based on the latest highway safety design standards.</li> <li>• Current traffic volumes and turning movements do not warrant dedicated turning lanes at NS-431, NS-432 and NS-433 Roads. These intersections will be re-evaluated, as needed, in the future.</li> </ul>
Offer of Construction Borrow Material	<ul style="list-style-type: none"> <li>• Comment noted. Property owners can work directly with ODOT's construction contractor.</li> </ul>
US-69 Traffic Impacts	<ul style="list-style-type: none"> <li>• Comment noted.</li> </ul>
Billboard Design Impacts/Constraints	<ul style="list-style-type: none"> <li>• Comments noted, information was provided, and concerns addressed independently of the public involvement process.</li> </ul>
Offer to Sell Property to ODOT	<ul style="list-style-type: none"> <li>• Comment noted.</li> <li>• The proposed property is outside of the design limits of this project.</li> </ul>

### 1.8.4 Agency Comments

After the start of the Virtual Open House, several agencies were mailed solicitation letters requesting comments on the proposed project. Four (4) agency and tribal comments were received. Individual comments are summarized below.

AGENCY COMMENTS	
AGENCY	INPUT
<b>Oklahoma Department of Environmental Quality (DEQ)</b> General Counsel	<ul style="list-style-type: none"> <li>• No environmental concerns under DEQ jurisdiction are anticipated.</li> <li>• DEQ Recommended ODOT obtain a construction storm water permit (OKR10).</li> <li>• Any burning associated with land clearing operations must be conducted in accordance with OAC 252:100, Subchapter 13.</li> </ul>
	<p style="text-align: center;"><b>ODOT RESPONSE</b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>
<b>OK Aeronautics Commission (OAC)</b> Aviation Program Manager	<ul style="list-style-type: none"> <li>• OAC wanted to remind ODOT of the obligation to comply with 14 CFR Part 77.13 regarding construction activity near federal airports.</li> <li>• OAC did state that the potential project does not appear to pose a hazard to safe and efficient use of navigable airspace.</li> </ul>
	<p style="text-align: center;"><b>ODOT RESPONSE</b></p> <ul style="list-style-type: none"> <li>• Comments noted.</li> <li>• No FAA airports are located within 4 miles of the proposed project.</li> </ul>

<b>OK State Parks</b> Planning Coordinator II – Tourism and Recreation	<ul style="list-style-type: none"> <li>There are no LWCF funded parks along this highway. In addition, the LWCF park in Adair is a few blocks north of SH-28, along US-69 and 4<sup>th</sup> St. as the south boundary.</li> <li>The project proposal will have no significant adverse impacts on any federally funded park or recreation area or state park, regarding the LWCF Act 54 U.S.C. 200305(f)(3) no land may be permanently used for private or non-outdoor recreation purposes (defined by the program).</li> </ul>
	<b>ODOT RESPONSE</b>
	<ul style="list-style-type: none"> <li>Comments noted.</li> </ul>
<b>Osage Nation Historic Preservation Office</b> Historic Planning Specialist	<ul style="list-style-type: none"> <li>There are no known Osage resources within the project area.</li> <li>Requests a cultural resources survey is completed and that they are provided the opportunity to review the survey for NHPA Section 106 compliance.</li> <li>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.</li> <li>Shovel test minimum width is 30 cm.</li> <li>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 test or in the shovel test log.</li> </ul>
	<b>ODOT RESPONSE</b>
	<ul style="list-style-type: none"> <li>ODOT's Tribal Liaison provided the Osage Nation with the field study report and Section 106 documentation packet.</li> </ul>

### 1.8.5 Overall Comment Summary

All comments were compiled below. The table is designed to provide an overall summary of the input received with respect to project approval and the major issues of concern.

<b>SUMMARY OF ALL COMMENTS</b>	
<b>ISSUE / COMMENT / CONCERN</b>	<b>NUMBER OF COMMENTS/RESPONSES</b>
Total Number of Individual Commenters / Responders	14
Residential & Business Comments	11
Agency and/or Tribal Comments	4
Specifically Approve of Project / Provided Support for Project	1
Specifically Disapprove of Project	0
General Comment Categories	-
o Property Impacts / Right-of-Way Concerns	4
o Safety Concerns	2
o Design Questions & Speed Limits	2
o Turning Lane Request	2



○ Requests for Specific Property Improvements	2
○ Flooding Concerns	1
○ Creek Erosion & Erosion Control	1
○ Borrow Material Available for Construction Use	2
○ Property Available for Purchase	1
○ Driving Surface Improvements	1
○ Unrelated/Miscellaneous Comments	2