

# **PUBLIC INVOLVEMENT SUMMARY REPORT**

**BANK PROTECTION ALONG SH-10 ON THE ILLINOIS RIVER  
CHEROKEE COUNTY  
JOB PIECE NUMBER 28969(04)**

Prepared for:



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Prepared by:

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## EXECUTIVE SUMMARY

This document summarizes the virtual open house and public involvement conducted for the Bank Protection along SH-10 on the Illinois River, in Cherokee County. The purpose of the virtual open house was to present information about the proposed bank stabilization project and obtain information from the public to further assist in the identification of critical social, economic, and environmental effects that may result from the project.

Due to concerns about the spread of COVID-19, ODOT held a virtual open house. The open house was held on-line between November 1 and November 15, 2021. Five (5) members of the public signed in to the open house through the website, although sign-in was not required. Of the fifteen (15) public comments received, eight (8) comments were submitted as comment forms, three (3) comments were submitted through the website, two (2) comments were submitted as an email, and two (2) comments were submitted as voicemails.

Six (6) agencies provided responses to our solicitation of comments, and below is a summary of their comments:

- The Oklahoma Aeronautics Commission (OAC) commented that ODOT should refer to the CFR Title 14 Part 77.13 in regard to navigable airspace.
- The Oklahoma Conservation Commission (OCC) commented that although some disturbance to the Illinois River will be unavoidable, the OCC requests special consideration on both the design and scope of this project for water quality and stream protection, aesthetics, and future infrastructure needs based on population and recreational growth dynamics.
- The Oklahoma Corporation Commission commented that there are no oil or gas related issues at the proposed project site.
- The Oklahoma Department of Environmental Quality (ODEQ) commented that no adverse environmental impacts under DEQ jurisdiction are anticipated, and a Notice of Intent will need to be submitted for authorization by Construction General Permit OKR10.
- The Oklahoma Tourism and Recreation Department commented that the project will have no significant adverse impact on any federally funded park or recreation area or state park.
- The National Park Service (NPS) stated they have no resources impacted by the proposal.

Public commenters often commented on multiple topics. The received public comments have been grouped together by topic and summarized below, and responses follow each topic. A summary of the received public comments is included as Table ES.

**Table ES – Summary of Public Comments**

| Public Comment Topic*                        | Tally |
|--|-------|
| Approves of the Project                      | 5     |
| Disapproves of the Project                   | 2     |
| Safety for Highway Users                     | 4     |
| Multi-use Trail                              | 3     |
| Cable Barriers                               | 2     |
| Project Design Comments                      | 7     |
| Grand River Dam Authority (GRDA) Involvement | 1     |
| Safety for River Users                       | 1     |
| Wildlife                                     | 4     |
| Bank Stabilization                           | 3     |
| Scenic River and Highway Designation         | 2     |
| Economic Impact                              | 5     |
| Traffic Concerns                             | 2     |
| Project Timetable                            | 1     |

\*Some public comments addressed multiple topics

**Topic – Approves of the Project**

**Topic Summary:** Multiple commenters stated their approval of the proposed project, and some noted how they think it will increase safety and reduce erosion of the bank.

**Response:** *ODOT appreciates your input. Thank you for taking part in the public involvement process for this project.*

**Topic – Disapproves of the Project**

**Topic Summary:** Two commenters stated they disapprove of the proposed project, with one noting it seems too expensive and an alternative that may be less expensive would be blowing up the bluff to move the road further away from the riverbank. A second commenter stated the proposed retaining wall may be more invasive than adding boulders like what has been done previously.

**Response:** *ODOT appreciates your input. Thank you for taking part in the public involvement process. Blowing up the bluff and constructing a new road is not considered a viable option at this time due to the higher financial costs associated with that undertaking. The proposed project is intended for bank protection, and a cable barrier is proposed adjacent to the shoulder; however, the existing pavement of SH-10 is not proposed to be replaced as part of this project. In regard to the placement of additional boulders or riprap along the bank to prevent erosion, that has been done previously as a temporary solution until a more permanent solution is in place. This proposed project is the permanent solution for long-term stability.*

### **Topic – Safety for Highway Users**

**Topic Summary:** Multiple commenters had various concerns regarding the safety of the existing road, which included concerns about blind curves, its regular use by pedestrians and motorists, and the potential for falling rocks from the bluff.

**Response:** *ODOT is proposing the usage of traffic control flaggers during construction of the proposed project to help facilitate the safe movement of traffic through the project area. The scaling of the bluff, which is the process of removing loose or potentially unstable material, was conducted within the past few years, but it is not part of this proposed project. No modifications or impacts to the bluff known as Hanging Rock are proposed as part of this project.*

### **Topic – Multi-use Trail**

**Topic Summary:** Multiple comments were received about incorporating a multi-use trail along the proposed project area. One specifically recommended a 4- to 6-foot-wide walking/bicycling trail behind the proposed barrier rail and having it extend along the entire SH-10 corridor for safety purposes and accommodation of bicyclists, joggers, and other non-vehicular uses.

**Response:** *The proposed project is focused on bank stabilization within the confines of a relatively narrow space between the existing road and the Illinois River. Incorporation of a multi-use trail within this area would require additional impacts to the Illinois River or movement of the existing road that is restricted by the bluff.*

### **Topic – Cable Barriers**

**Topic Summary:** Two commenters recommended not using cable barriers along the proposed project and instead use a guardrail system. One commenter recommended utilizing a guardrail with a distressed/rust-looking system that some state or national parks use.

**Response:** *ODOT currently utilizes cable barriers along SH-10, as it is a common form of safety barrier to redirect wayward vehicles back to the roadway. ODOT prefers to use the same type of barrier for this proposed project as what is currently being utilized and proposed adjacent to this proposed project in order to stay consistent throughout the roadway corridor.*

### **Topic – Project Design Comments**

**Topic Summary:** Various comments were received with specific questions or recommendations on the proposed design. One commentor asked how tall the retaining wall would be. One recommended imprinting a natural looking mold into the surface of the proposed walls. One recommended having public service reminders imprinted on the paved surface with messages like wearing life vests and seat belts, anti-litter slogans, and how certain containers are prohibited on the river. One commenter asked if the engineering/design team is the same as the Combs Bridge project. One commenter asked if the road would be moved out from under the bluff. One commenter asked why the project extents were chosen.

**Response:** *In regard to the height of the proposed retaining wall, the wall height varies from approximately 6 feet to 15 feet above the toe of the slope, which would be approximately 3 to 9 feet above the normal water surface elevation at elevation 770 feet above mean sea level. In regard to the recommendation of adding an imprint of a natural looking mold to the surface of the wall, ODOT proposes to add a rock-like imprint on the wall. In regard to imprinting public service messages within the project area, ODOT will consider with the input of the GRDA or other agencies the usage of signage or imprints to highlight safety messages. In regard to the Combs Bridge project, ODOT District 1 oversees all State projects within*

*Cherokee County, although the engineering design consultants are not the same as the Combs Bridge project. The proposed project does not include moving the existing SH-10 lanes. The proposed project extents were selected based on where the river bank needs protecting in order to protect SH-10 from bank erosion and instability.*

### **Topic – Grand River Dam Authority (GRDA) Involvement**

**Topic Summary:** One commenter suggested reaching out to the GRDA because they have been involved with the river for years and would potentially have input.

**Response:** *ODOT coordinated with GRDA and included their representatives in design plan meetings throughout multiple phases of project design. GRDA's comments and suggestions were considered and incorporated into multiple aspects of project design.*

### **Topic – Safety for River Users**

**Topic Summary:** One commenter stated that jumping off structures into the river is one of the more dangerous risks in the area and the retaining wall could be something people try to jump off.

**Response:** *ODOT will consider the usage of signage and safety messages for the proposed project area to highlight how jumping from a retaining wall is dangerous and prohibited.*

### **Topic – Wildlife**

**Topic Summary:** Multiple comments were received regarding wildlife and their habitat. One commenter had concerns about fish habitat being impacted. One commenter recommended adding large boulders to the project area to help attract baitfish to promote the fishery. One commenter requested that information on endangered species be posted. One commenter requested information about federally listed threatened and endangered species and other wildlife that will be affected.

**Response:** *ODOT conducted biological evaluations and habitat surveys to consider the potential for the project to impact protected species, and then ODOT completed Formal Section 7 Consultation with the U.S. Fish and Wildlife Service (USFWS). This resulted in the USFWS submitting Biological Opinions based on their review of the effects of the proposed project on the federally-listed endangered Neosho mucket (*Lampsilis rafinesqueana*), its designated critical habitat, the threatened rabbitsfoot (*Quadrula cylindrica cylindrica*), federally listed northern long-eared bat (*Myotis septentrionalis*), Ozark big-eared bat (*Corynorhinus townsendii ingens*), gray bat, and American burying beetle pursuant to Section 7(a)(2) of the Endangered Species Act. Conservation commitments based on the USFWS consultation recommendations included reasonable and prudent measures to minimize the potential impacts to species. Based on the proposed project design and conservation measures, the USFWS anticipates incidental take of some species, including the Neosho mucket and rabbitsfoot. The USFWS has determined that this level of anticipated take is not likely to result in jeopardy of the species, including the Neosho mucket, nor adverse modification to its critical habitat, nor jeopardy to the rabbitsfoot, because most of the impacts associated with the project are temporary in nature and are expected to occur within a very limited extent of the overall known occupied range of the species. ODOT will incorporate the conservation commitments into the Design Plan Notes.*

*In regard to placement of boulders to attract baitfish to promote the fishery, ODOT will consider this recommendation as it relates to approved conservation commitments.*

### **Topic – Bank Stabilization**

**Topic Summary:** Two commenters questioned if the project is needed to stabilize the bank, and one requested that documentation be provided that demonstrates the project area is experiencing erosion and instability.

**Response:** *ODOT District 1 personnel tasked with maintenance of the SH-10 corridor have observed bank erosion and instability along the proposed project area. The rock riprap on the embankment can be moved and undermined during high flood events, requiring placement of additional rock riprap to temporarily protect the bank from additional erosion. As recently as 2018, ODOT needed to place rock riprap at various locations along the bank as an interim measure until a more permanent bank protection structure can be constructed.*

### **Topic – Scenic River and Highway Designations**

**Topic Summary:** One commenter stated the Illinois River is 1 of 6 state-designated scenic river areas which receive the state's best protection. One commenter stated that it is a historic/scenic highway.

**Response:** *ODOT has considered the scenic designations of the area, and the project intent is to maintain operation of SH-10 in its current configuration while minimizing the potential impact to the river. Protection of the bank is needed to prevent failure of the highway.*

### **Topic – Economic impact**

**Topic Summary:** Multiple commenters had questions or comments about the economic impact of the project. One commenter stated that the river is utilized by the public for outdoor activities during all four seasons and provides \$9 to \$15 million of direct economic benefits to Cherokee County annually. Two commenters stated their concern for Hanging Rock Camp and other river outfitters that are dependent on tourism of the area. One commenter suggested that Hanging Rock Camp should maintain access to the Illinois River through the Peavine Hollow Creek stream bed during construction. One commenter asked if an Oklahoma-based construction business would be hired to complete the project.

**Response:** *Recreational activities within the Illinois River will remain open adjacent to the restricted construction work area, and a buoy system is proposed to identify the restricted construction area within the river. The gravel bar that makes up the confluence of Peavine Hollow Creek and the Illinois River is within the restricted construction area where construction workers and equipment will be in operation, so it cannot be utilized by the public during construction due to safety concerns. Approximately 1,200 feet from Hanging Rock Camp is the Peavine Hollow Public Access Area, and this public access area is outside the proposed restricted construction area and can remain open to the public for river access during construction. In regard to selection of the construction contractor and whether or not it will be an Oklahoma-based business, the bid opening process has not begun and must meet state and federal bidding requirements for public projects.*

### **Topic – Traffic Concerns**

**Topic Summary:** Two commenters stated their concern about the projected increases in traffic along SH-10 related to the high rate of growth of the area, and one of them recommended re-directing traffic away from the river and limiting semi-trailer trucks from using it.

**Response:** *ODOT is aware of the projected traffic increases through the area. The proposed project is not intended to address traffic flows through the project area; rather, the proposed project is intended to*

*protect the river bank so the existing road can maintain operation. Regional planning to provide alternative routes is ongoing, and the suggestion of limiting semi-trailer trucks will be considered.*

**Topic – Project Timetable**

**Topic Summary:** One commenter asked when in 2023 is the project scheduled to begin construction.

**Response:** *The proposed project is tentatively scheduled to be awarded in Spring 2023, although the project is still in the design phase so the specific timing of construction has not been finalized.*