Environmental Programs Division Office 405 - 521-3050

Programmatic/Individual Categorical Exclusion

X	PCE		ICE

Date	**May 4, 2020**	Project Number	**J2-9829(004)**
County	**Creek**	State Job Piece No:	**29829(04)**
NEPA Project Manager	**Erin Faulkner**	Phone Number	**405-521-2315**
ODOT Field District	**VIII**	Bridge NBI No. *(For County & State Projects)* & Location No. *(County Projects Only)*	**NBI# 15863**
Project Description from JPINFO	**BRIDGE & APPROACHES: SH-99 OVER THE CIMARRON RIVER, 4.4 MILES E S PAYNE C/L**		

This project is included in: *(Check all applicable ones)*	**X**	**State 8 Year Construction Program**
		County 5 Year Construction Program
	X	**State Transportation Improvement Program**
This project is in the Metropolitan Transportation Improvement Program (If applicable) *(Check applicable one)*		**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

The existing SH-99 bridge has a clear roadway width of 28 ft. and an approach roadway consisting of two 12 ft. wide driving lanes and 10 ft. wide outside shoulders. The bridge has a sufficiency rating of 61.4 and is at-risk of becoming structurally deficient. The current Annual Average Daily Traffic (AADT) is 2,600 vehicles per day (vpd) with a future 20-year AADT of 3,600 vpd.

Purpose & Need

To correct a bridge that is at-risk of becoming structurally deficient.

Alternatives Considered & Proposed Improvement

The proposed improvement consists of replacing the SH-99 bridge on the existing alignment. The new bridge will have a 44 ft. wide clear roadway and an approach roadway with two 12 ft. wide driving lanes and 10 ft. wide outside shoulders. The bridge will be constructed one-half at a time in order to keep the road open to traffic during construction. The project will be constructed within the existing right-of-way.

Did the project have public involvement *(Check the applicable items and include public involvement summary and supporting documents in the appendix)*							
	Property Owner Notification			Road Closure Letter			Public/Stakeholder Meeting
	Legal Notice/Website Posting			Small City Letter		**X**	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 involve acquisition of more than minor right-of-way not adjacent to the existing facility?		**X**
ii. Does the project involve residential or commercial relocation?		**X**
iii. Results in capacity expansion of a roadway by addition of through lanes		**X**
iv. 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		
b. Through traffic dependent businesses will be affected		
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.		
d. There is a public controversy associated with the detour or closure		
e. The detour closure will interfere with special events or activities		
v. 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**
vi. 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**
vii. Does the project involve a Programmatic Section 4(f) or de minimis finding which has not been previously approved by FHWA?		**X**
viii. 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**
ix. Does the project require an Individual Section 404 Permit (This is 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**
x. Does the project require a Coast Guard Permit?		**X**
xi. 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**
xii. 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**
xiii. Does the project involve any impact on Noise Abatement Criteria (NAC) Category A, B,		**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**
	C or D receptors?		
xiv.	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**
xv.	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**
xvi.	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**
xvii.	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**
xviii.	Does the project involve property in which another Federal Agency or Federally Recognized Tribe has ownership, oversight or any other encumbrance?		**X**
xix.	Does the project involve any known Superfund site?		**X**
xx.	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**
xxi.	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**
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	
Item for which the answer is YES	
Explanation that CE Classification is appropriate	

Pre-Construction Commitments:

ODOT Commitment: A representative from ODOT NR Program will be notified and present for all project development meetings. All operators, employees, and contractors will be made aware of all environmental commitments, including the following Plan Notes.

American Burying Beetle Commitment: The American Burying Beetle is protected by the Endangered Species Act. Suitable habitat for this species occurs within the immediate vicinity of the proposed project. In order to avoid adverse impacts to the ABB, the Designer needs to submit Microstation or shapefiles to the

ODOT Biologist immediately. ODOT can either purchase mitigation credits, or the ODOT Biologist will survey the proposed project construction footprint within one year prior to initial ground disturbance as currently listed in the 8 Year Construction Program. The survey season is May 26 – July 27 for projects with ground disturbance during the active season (May 26-September 14) and it is July 28- September 14 for projects with ground disturbance during the inactive season (September 15 –May 25). If required, native seed mix will be planted in areas of ABB habitat in an area outside of clear zone as a separate project after the construction is complete. The ODOT biologist will determine if re-vegetation with natives is necessary. If the project schedule should change, it is the responsibility of the Project Manager to contact the ODOT Biologist in writing to request a survey in time for the let date.

The action may involve work in potentially jurisdictional waters and potentially jurisdictional wetlands. For State Projects, 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. For Local Government Projects or Special Projects, a copy of the 404 permit obtained by the County/City should be submitted by Local Government Division or Special Projects to Environmental Programs Division for the Project File.

Right-of-Way and Utility Commitments

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

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.

Locations outside the project area in the following area must not be utilized for borrow, equipment staging, haul roads, spoil dumps or any off-site project-related activity.

T19N R7E
Section 28: NW ¼ SW ¼ SE ¼

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: 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 100 feet 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.

American Burying Beetle Note: The American Burying Beetle is a large carrion burying beetle that occurs within the project limits. No artificial lighting shall be used during construction without prior consultation

with USFWS thru ODOT Environmental Programs Division. DO NOT PROCEED WITH ANY USE OF ARTIFICIAL LIGHTING WITHOUT WRITTEN CONSENT FROM ODOT ENVIRONMENTAL PROGRAMS DIVISION. Carcasses and all food trash shall be removed from the permanent and temporary right-of-way throughout the duration of project activities.

Interior Least Tern Note: Suitable habitat for Interior Least Terns is present and downstream of the Cimarron River within the project area.

- **The ODOT Natural Resources program must be notified prior to construction, in order to complete a pre-construction nesting survey during the month of June; surveys are valid for that nesting season only.**
- **If construction activities will occur during the active nesting season for this species (May 1 through August 31), a 0.25 mile no-work-zone buffer from the Ordinary High Water Mark of the Cimarron River will be established until the nesting survey can be completed. If the survey finds Interior Least Terns nesting in the area, all work within 0.25 miles of any nesting colonies will be postponed until after September 1 (the end of nesting season) and be completed by April 30, the following year.**
- **If construction and demolition activities will continue into the following tern nesting season, the ODOT Natural Resources Program must be notified in order to schedule a biologist who will monitor the project area to make sure ongoing construction activities do not prevent terns from nesting at the site.**
- **Once terns begin nesting, all construction and demolition activities shall be kept outside of a 0.25 mile buffer zone around the active nesting colony for the duration of the nesting season.**
- **Limited construction activities outside of the river, but within 0.25 miles of an active nest, may be permitted subject to approval from the US Fish and Wildlife Service (USFWS). The contractor shall submit DETAILED AND EXPLICIT description of all proposed work activities and timeframes to the ODOT Biologist, through the Resident Engineer. Consultation with the USFWS may take up to 30 days from the submittal of complete information. No work shall occur within 0.25 miles of an active nest until approval has been obtained in writing from the USFWS. Approval, however, is not guaranteed. Any delay due to this will not be compensated.**
- **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 100 feet 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. This commitment will be addressed on the Storm Water Management Plan Sheet and/or the 404 Detail Plan Sheet.**
- **The Resident Engineer will invite the ODOT Biologist to the pre-work meeting for this project.**

Bald Eagle Note: Suitable nesting, roosting or foraging habitat for the Bald Eagle occurs within the project's action area. The Bald Eagle nesting season in Oklahoma extends from September 16, through May 31. The Resident Engineer shall contact the ODOT Biologist to schedule a nest survey. Nest search surveys can only be conducted when leaves are not on the trees typically between December 1st and February 28th. No work may occur within suitable Bald Eagle habitat, located the full extent of the project area, during the nesting season (September 16, through May 31) until the completion of the survey by the ODOT Biologist. If nests are observed, a no-work buffer up to a distance of 660 feet shall be placed around the nest. The exact distance of the buffer zone shall be established by the ODOT Biologist in consultation with US Fish and Wildlife Services. If the buffer cannot be maintained, all clearing, external construction and landscaping activities, within the buffer, shall be conducted between June 1 and

September 15 (outside the nesting season).

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 bird species extends from March 1 to August 31. The project was surveyed for migratory bird nests in *July 2019*. Although no nests were observed, the survey is valid only until the start of the 2020 nesting season (beginning March 1). The Resident Engineer shall contact the ODOT Biologist if any bird use of the existing structures is observed. If birds are observed then 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. The bridge may 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.

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

Scott Stegmann Digitally signed by Scott Stegmann DN: cn=Scott Stegmann, o=CP&Y, ou, email=sstegmann@cpyi.com, c=US Date: 2020.05.04 14:01:50 -05'00'	
Environmental Consultant Project Manager (If Applicable)	Date
CP&Y	
Environmental Consultant Firm Name (If Applicable)	Date
County Commissioner or City Manager (For Local Government Projects)	Date
Erin Faulkner Digitally signed by Erin Faulkner Date: 2020.05.04 17:50:06 -05'00'	
ODOT Environmental Project Manager	Date
Steven Gauthe Digitally signed by Steven Gauthe Date: 2020.05.05 11:28:10 -05'00'	
Assistant Environmental Programs Division Engineer	Date
Sivanuja Sundaram Digitally signed by Sivanuja Sundaram Date: 2020.05.05 12:51:25 -05'00'	
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.		**YES**
	X	**NO**

For Individual CEs requiring FHWA Approval:

Concurrence that this project qualifies for a Categorical Exclusion:

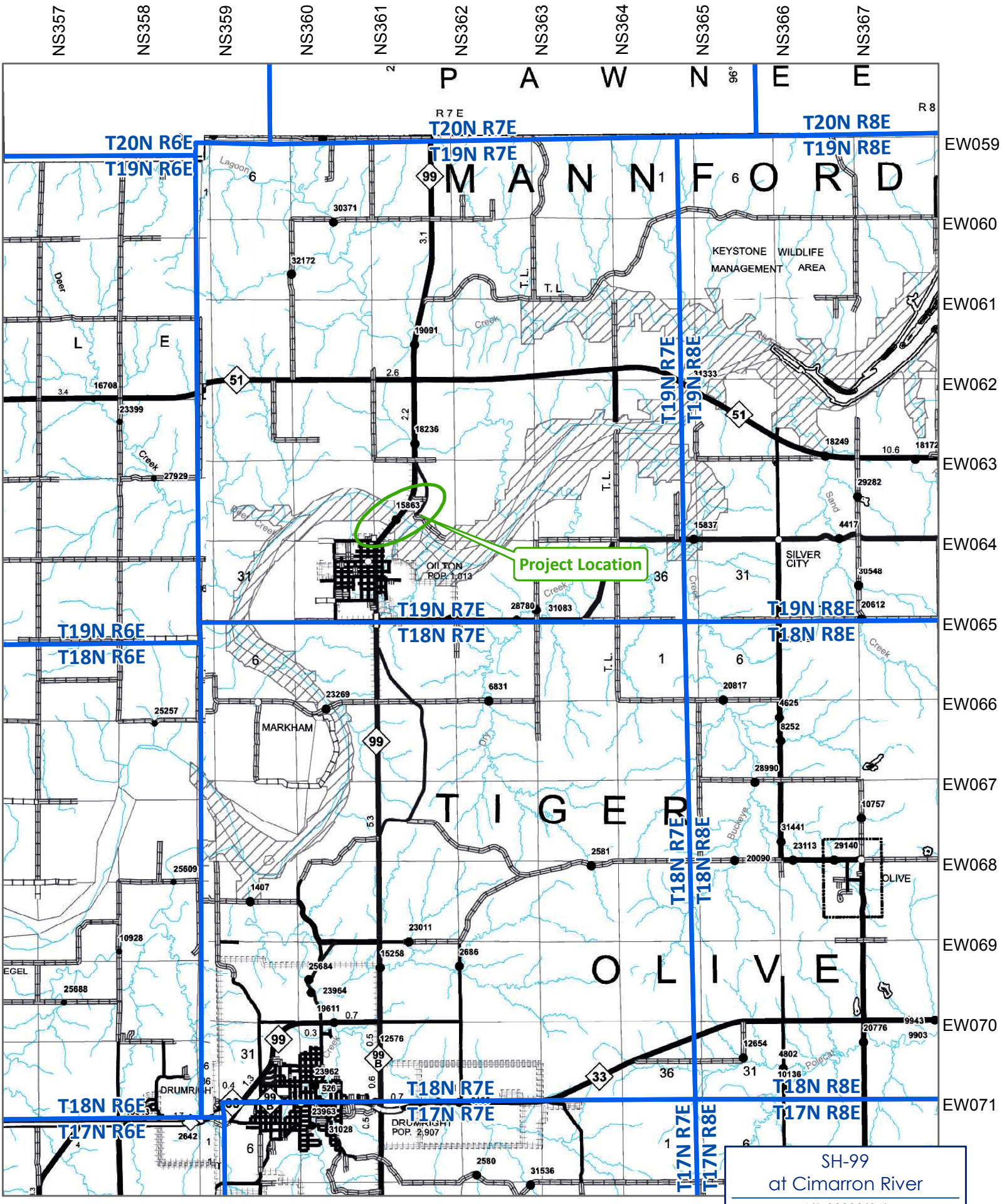
Environmental Programs Manager, FHWA	Date

Attachments:

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

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)
X	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	Office Engineer Division (All Projects)
	FHWA (Distribute ICE Documents to FHWA, Only. For All Projects, Place Copy of Complete Document in the Document Vault)



Project Location

Township & Range Boundary

Basemap: ODOT

Miles

0 0.75 1.5

1 inch = 1.5 miles

SH-99
at Cimarron River

J/P 29829(04)

Creek County

ODOT

Project Location Map

PLANS OR FOOTPRINTS

FED. ROAD DIST. NO.	STATE	PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
6	OKLA.	29829(04)	2018	1	27

PROPOSED R/W
2/17/2020

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

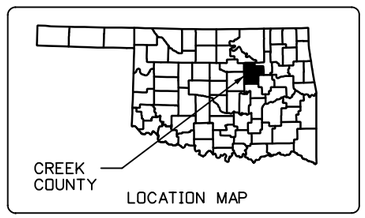
PLAN OF PROPOSED

STATE HIGHWAY

FEDERAL AID PROJECT NO. J2-9829(04)
BRIDGE AND APPROACHES
STATE HIGHWAY 99

CREEK COUNTY

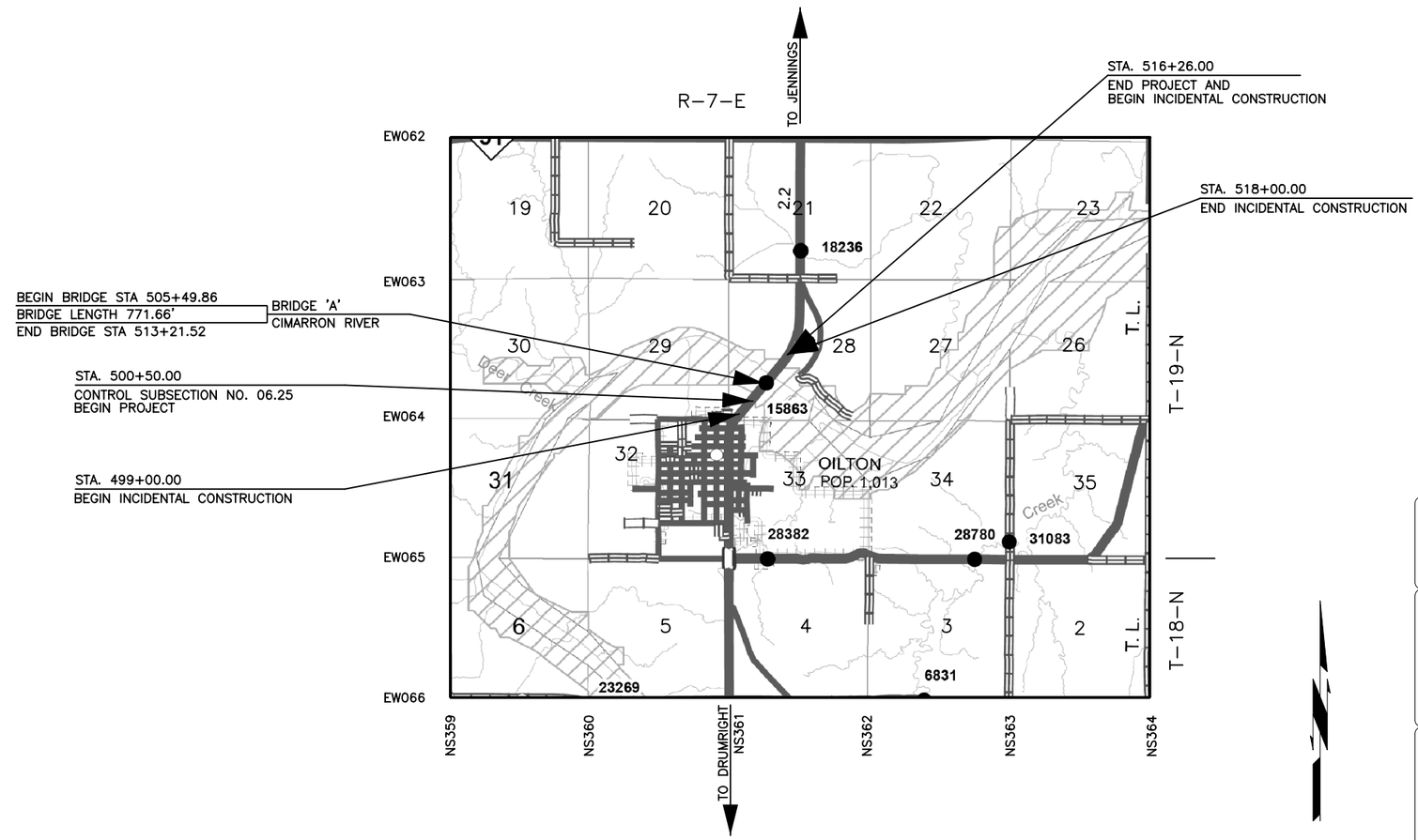
CONTROL SECTION NO. 99-19-35
STATE JOB NO. 29829(04)
SWO NO. 5132(1)
BRIDGE "A" LOCATION NO. 1935-0635-X
EXISTING NBI NO. 15863 ; NEW NBI NO. 32599



LOCATION MAP

INDEX OF SHEETS

FOR SURVEY CONTROL DATA,
SEE SURVEY DATA SHEETS.



BEGIN BRIDGE STA 505+49.86
BRIDGE LENGTH 771.66'
END BRIDGE STA 513+21.52
BRIDGE 'A'
CIMARRON RIVER

STA. 500+50.00
CONTROL SUBSECTION NO. 06.25
BEGIN PROJECT

STA. 499+00.00
BEGIN INCIDENTAL CONSTRUCTION

STA. 516+26.00
END PROJECT AND
BEGIN INCIDENTAL CONSTRUCTION

STA. 518+00.00
END INCIDENTAL CONSTRUCTION

DESIGN DATA		
ADT 2018	=	2600
ADT 2038	=	3600
DHV (2–WAY)	=	504
K (DHV/ADT)	=	11%
D	=	57%
T (% DHV)	=	14%
T (% AADT)	=	17%
T3 (% AADT)	=	11%
V	=	55 MPH
20yr FLEX ESALS	=	2.73M

* SCALES 1"
PLAN 1" = 50'
PROFILE HOR. 1" = 50'
VER. 1" = 5'
LAYOUT MAP 1" = 2640'
* UNLESS OTHERWISE NOTED

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
- PRES. R/W – RIGHT–OF–WAY LINES – EXISTING
- R/W – RIGHT–OF–WAY LINES – NEW
- CONTROLLED ACCESS
- RIGHT–OF–WAY FENCE

2009 OKLAHOMA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION–ENGLISH GOVERN, APPROVED BY THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, JANUARY 4, 2010.

PROJECT LENGTH BASED ON CL SURVEY STATIONING

ROADWAY LENGTH	804.33 FT.	0.152 MI.
BRIDGE "A" LENGTH	771.66 FT.	0.146 MI.
PROJECT LENGTH		0.298 MI.

EQUATIONS : NONE
EXCEPTIONS : NONE

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

CP&Y
OKLA. REG. NO. 4006

PREPARED BY:
CP&Y, INC.
2000 N. CLASSEN BLVD., SUITE 1410
OKLAHOMA CITY, OK 73106
405–848–2346

DATE _____ DAVID M. NEUHAUSER, P.E.
OKLA. REG. NO. 19980

DATE _____ MICHAEL J. KNAPIK, P.E.
OKLA. REG. NO. 24952

THE FOLLOWING SHEETS ARE INTENDED TO BE AUTHENTICATED BY MY SEAL:
0002, R001–R002, X001–X011

OKLAHOMA DEPARTMENT OF TRANSPORTATION	DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION
DATE APPROVED	DATE APPROVED
BY	BY
CHIEF ENGINEER	DIVISION ADMINISTRATOR

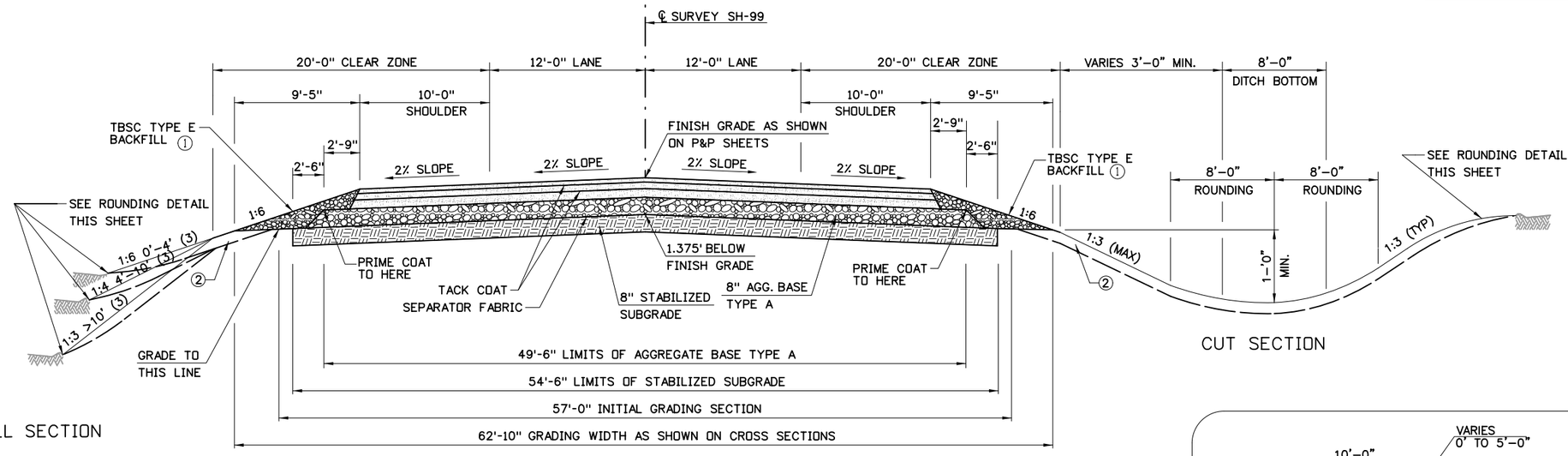
SWO 5132(1) PROJECT NO. 29829(04) SHEET NO. 0001

CREEK COUNTY SH–99

2/18/2020 5:27:00 PM bhuckleberry pw:/Active Projects/ODOT1700793.00/8.00 Plans and Drawings/8.30 Cut Sheets/8.3.01 General/1700793GNtitle.dgn

FED. ROAD DIST. NO.	STATE	PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
6	OKLA.	29829(04)	2018	2	27

PROPOSED R/W
2/17/2020



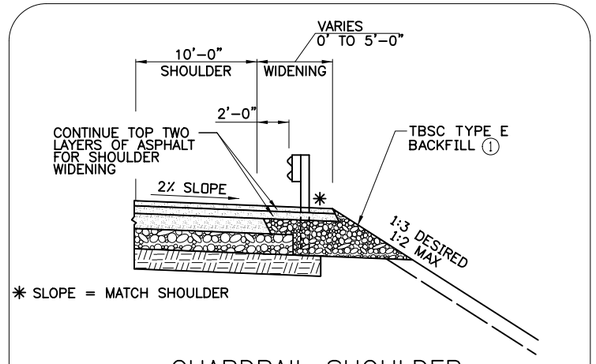
FILL SECTION

CUT SECTION

TYPICAL SECTION NO. 1
PROPOSED SH 99

STA 500+50.00 TO STA 505+19.85
STA 513+51.52 TO STA 516+26.00

	12'-0" DRIVING LANES	10'-0" PAVED SHOULDERS
SURFACE COURSE	2" SUPERPAVE TYPE S4 (PG 70-28 OK)	2" SUPERPAVE TYPE S4 (PG 64-22 OK)
INTERMEDIATE COURSE	3" SUPERPAVE TYPE S3 (PG 70-28 OK)	3" SUPERPAVE TYPE S3 (PG 64-22 OK)
BASE COURSE	3.5" SUPERPAVE TYPE S3 (PG 64-22 OK)	3.5" SUPERPAVE TYPE S3 (PG 64-22 OK)



GUARDRAIL SHOULDER WIDENING DETAIL

TYPICAL GAURDRAIL SHOULDER WIDENING

STA 500+50.00 TO 505+19.85 RT
STA 500+50.00 TO 505+19.85 LT
STA 513+51.52 TO 516+26.00 RT
STA 513+51.52 TO 517+60.00 LT

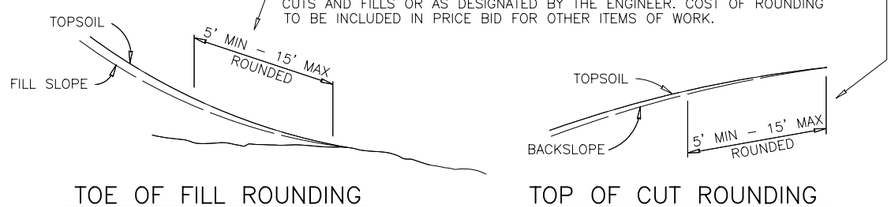
(1) BACKFILL NOTE:
TO BE BACKFILLED AND COMPACTED AS PART OF THE FINISHING OPERATIONS. COST TO BE INCLUDED IN TBSC TYPE E.

(2) TOPSOIL NOTE:
THE CONTRACTOR SHALL STRIP ALL OF THE AVAILABLE TOPSOIL, STOCKPILE IT, AND PLACE IT BACK ON THE SECTION IN ACCORDANCE WITH SECTION 205 OF THE STANDARD SPECIFICATIONS. RESERVED TOPSOIL SHALL BE SPREAD FIRST ON THE COMPLETED SLOPES OF THE CUT SECTIONS AND THE REMAINDER ON COMPLETED FILL SLOPE OR OTHER PRIORITY AREAS LOCATED BY THE ENGINEER. ALL ADDITIONAL COSTS ASSOCIATED WITH OPERATIONS SHALL BE INCLUDED IN THE PAY ITEM FOR SALVAGED TOPSOIL, LUMP SUM. 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 MASS LINE BALANCE.

(3) DISTANCE MEASURED VERTICALLY FROM EDGE OF FINISHED GRADE SHOULDER

ROUNDING DETAIL

INTERSECTION OF CUT AND/OR FILL SLOPE 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.



TOE OF FILL ROUNDING

TOP OF CUT ROUNDING

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

DESIGN:	CPY	2018
DRAWN:	CPY	2018
CHECKED:	CPY	2018
APPRVD:	CPY	2018

CP&Y

SH-99 OVER CIMARRON RIVER — CREEK COUNTY

TYPICAL SECTIONS

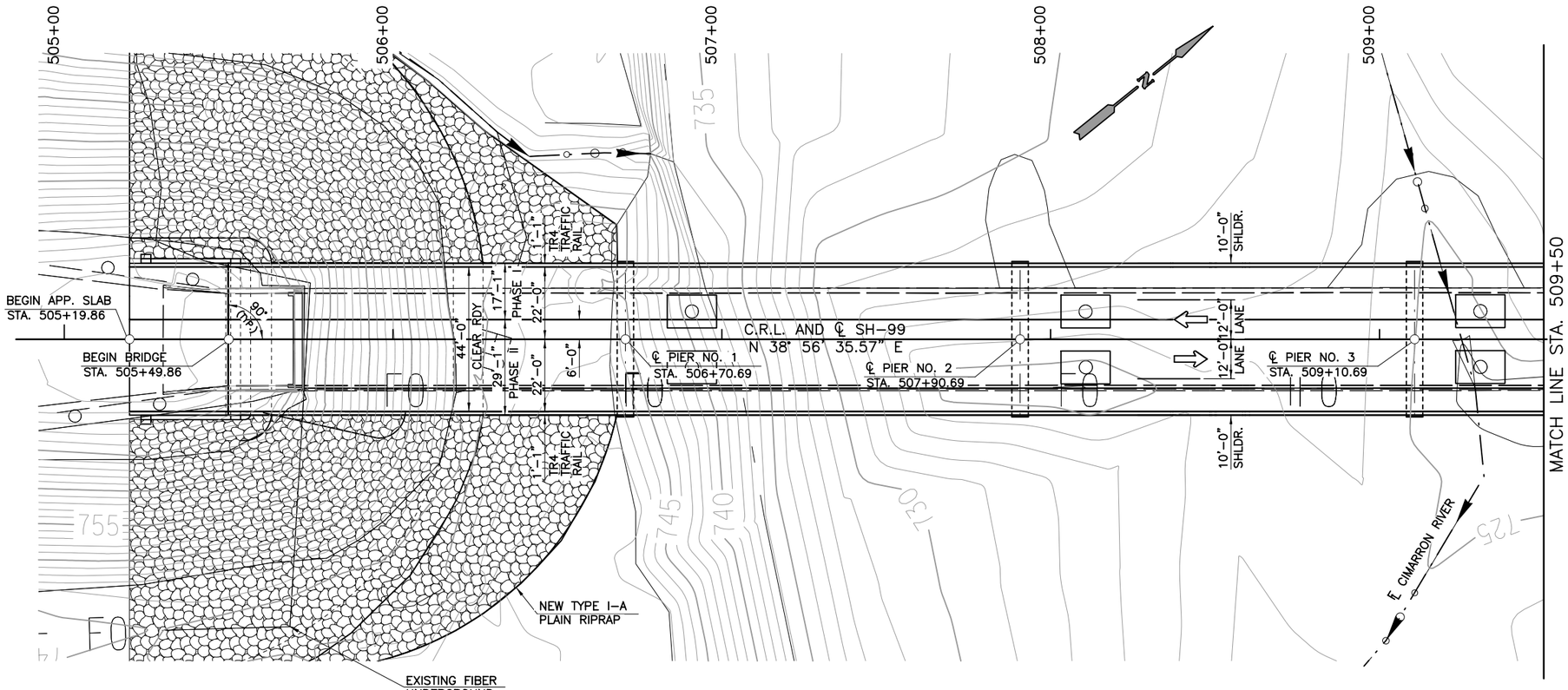
SHEET 1 OF 1

STATE JOB PIECE NO: 29829(04) — SHEET NO. 0002

buckleberry 2/17/2020 4:53:32 PM
cpybw_ANSIB.tbl cpydf_ANSIB.pltcfg
pw:/Active Projects/ODOT1700793.00/8.00 Plans and Drawings/8.30 Cut Sheets/8.3.01 General/1700793typ01.dgn

FED. ROAD DIST. NO.	STATE	PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
6	OKLA.	29829(04)	2018	B001	27

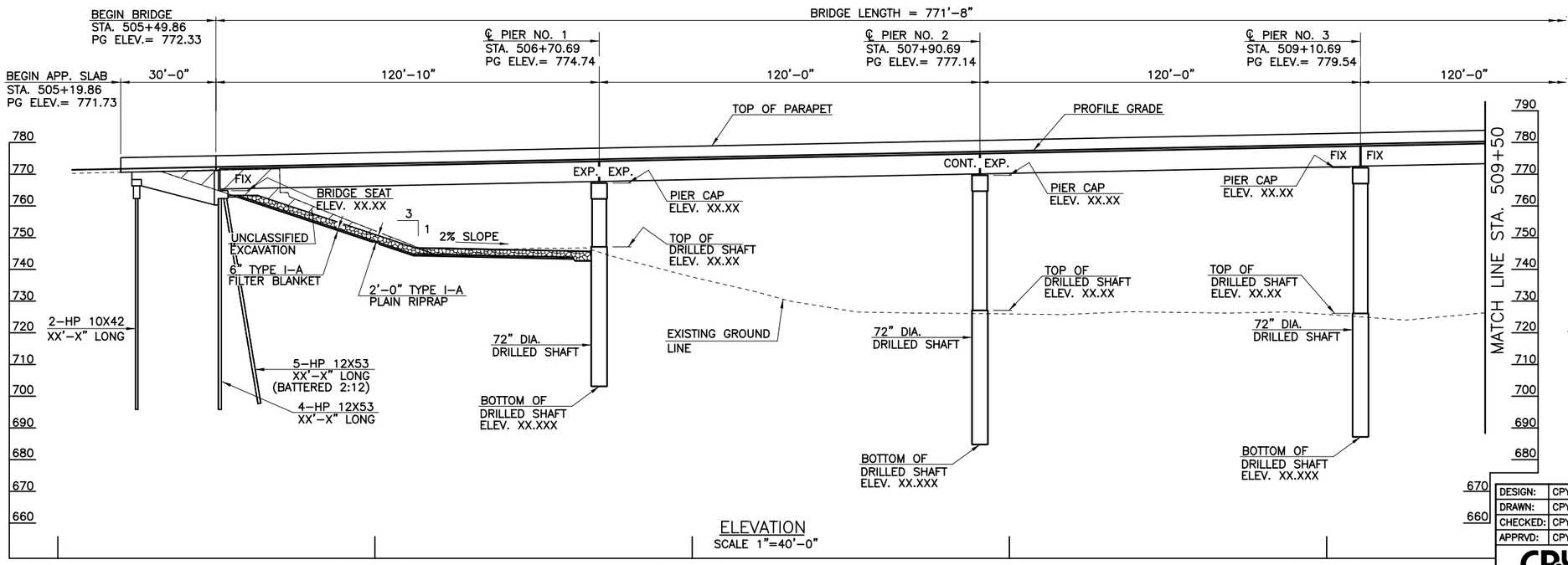
PROPOSED R/W
2/17/2020



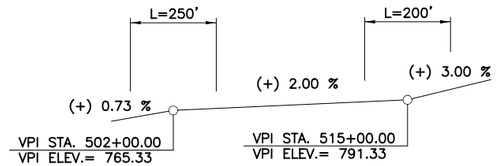
PLAN
SCALE 1"=40'-0"

B.M. 2
"[ ]" ON S.E. CORNER OF BRIDGE-15' RT.
STA. 505+50 ELEV. 772.18

B.M. 3
"[ ]" ON S.E. CORNER OF BRIDGE-15' LT.
STA. 513+11 ELEV. 787.54



ELEVATION
SCALE 1"=40'-0"



VERTICAL GRADE DATA

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

DESIGN:	CPY	2018
DRAWN:	CPY	2018
CHECKED:	CPY	2018
APPRVD:	CPY	2018

CP&Y

SH-99 OVER CIMARRON RIVER — CREEK COUNTY

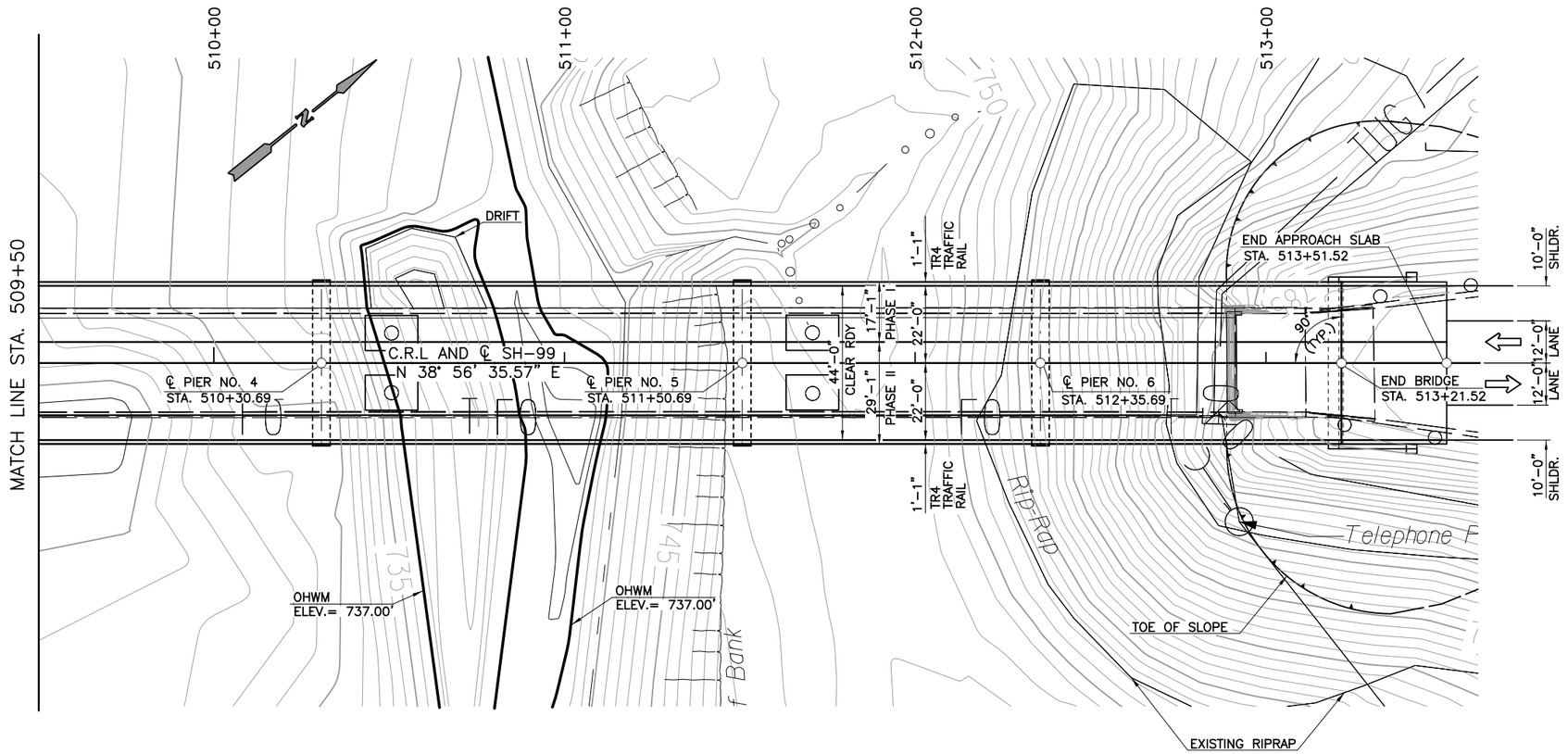
GENERAL PLAN AND ELEVATION
5-120' TYPE J, AND 2-85' TYPE IV PC BM.
44'-0" CLR RDY-TR-4 TRAFFIC RAILS

SHEET 1 OF 3

STATE JOB PIECE NO: 29829(04) — SHEET NO. B001

FED. ROAD DIST. NO.	STATE	PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
6	OKLA.	29829(04)	2018	B002	27

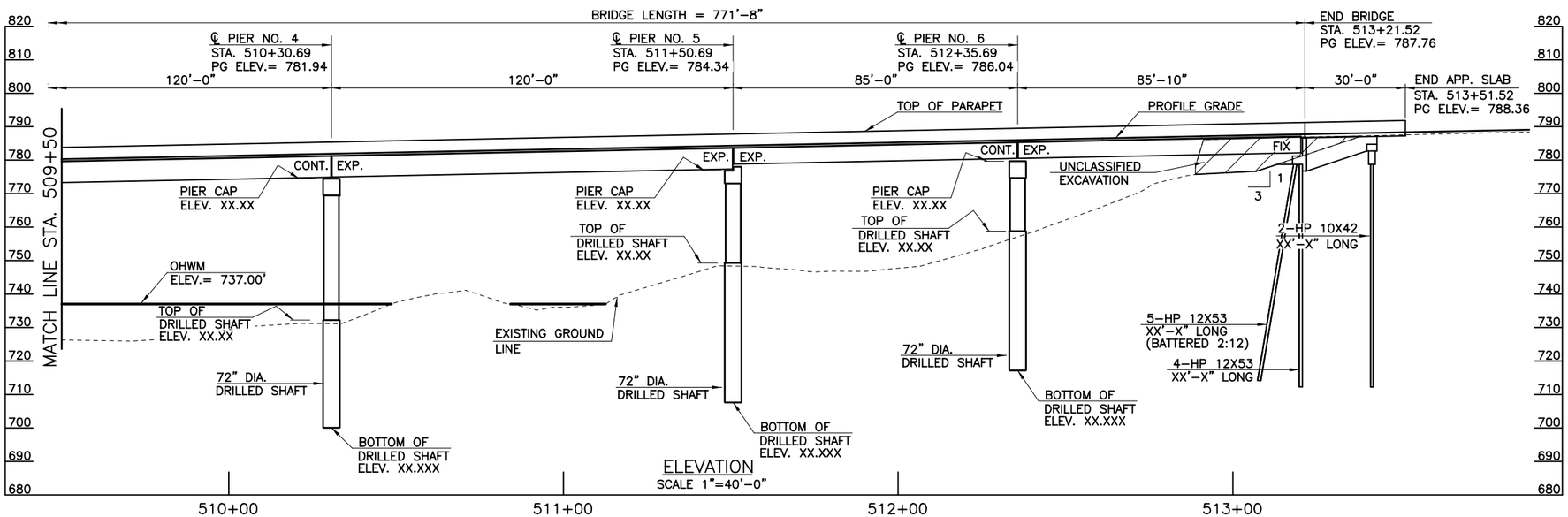
PROPOSED R/W
2/17/2020



PLAN
SCALE 1"=40'-0"

B.M. 2
"[ ]" ON S.E. CORNER OF BRIDGE-15' RT.
STA. 505+50 ELEV. 772.18

B.M. 3
"[ ]" ON S.E. CORNER OF BRIDGE-15' LT.
STA. 513+11 ELEV. 787.54



ELEVATION
SCALE 1"=40'-0"

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

DESIGN:	CPY	2018
DRAWN:	CPY	2018
CHECKED:	CPY	2018
APPRVD:	CPY	2018

CP&Y

SH-99 OVER CIMARRON RIVER CREEK COUNTY

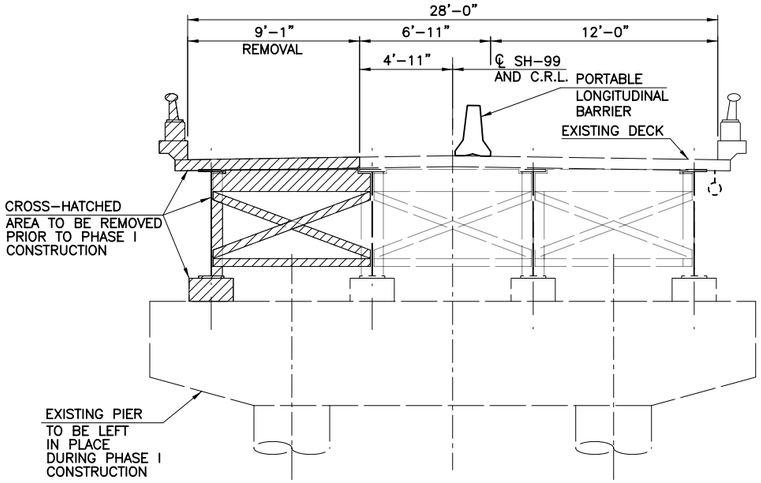
GENERAL PLAN AND ELEVATION
5-120' TYPE J, AND 2-85' TYPE IV PC BM.
44'-0" CLR RDY-TR-4 TRAFFIC RAILS

SHEET 2 OF 3

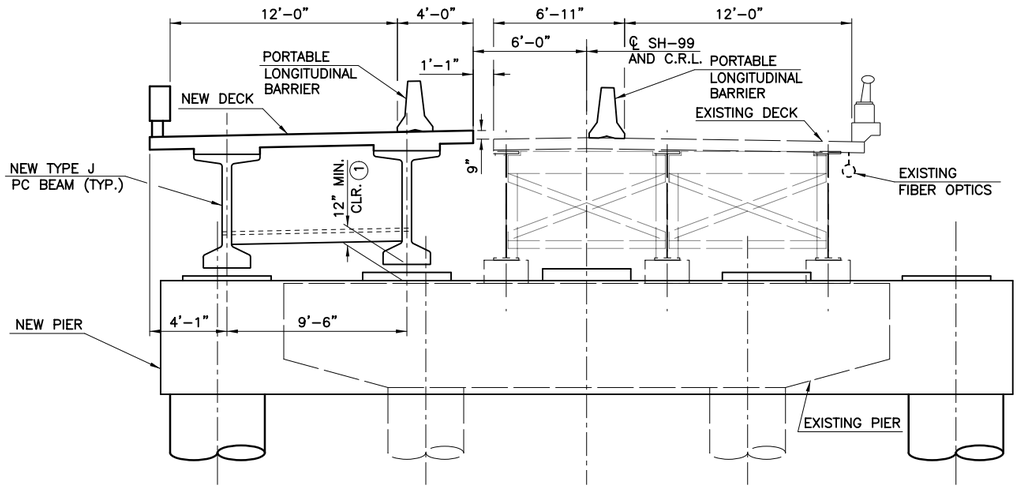
STATE JOB PIECE NO: 29829(04) SHEET NO.B002

FED. ROAD DIST. NO.	STATE	PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
6	OKLA.	29829(04)	2018	B004	27

PROPOSED R/W
2/17/2020

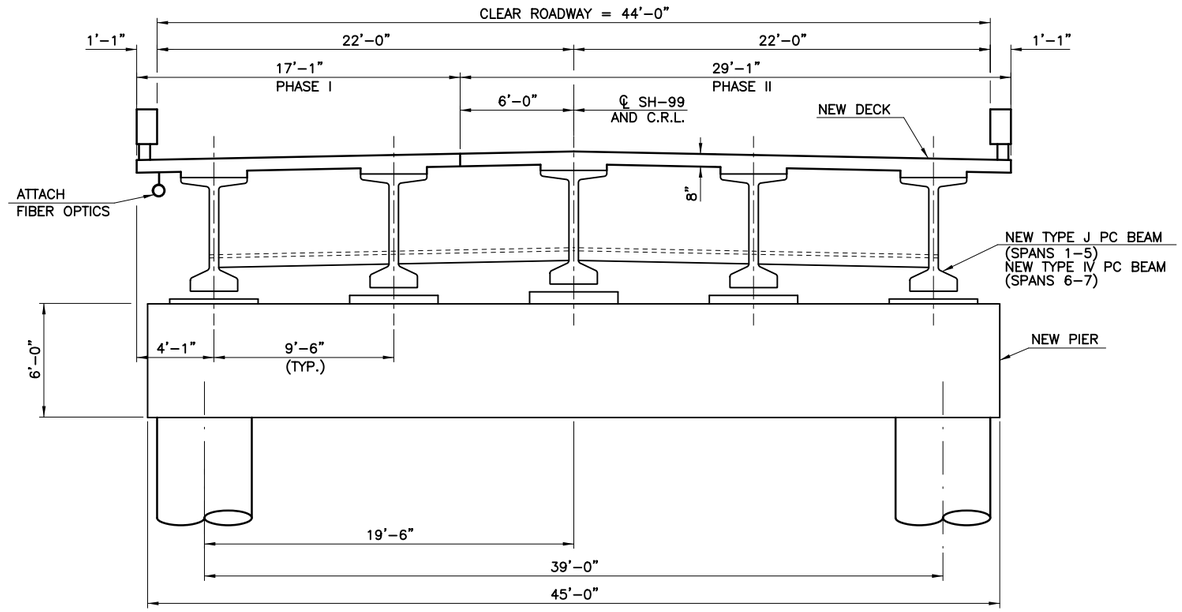


PHASE I REMOVAL



PHASE I

(1) BOTTOM OF BEAM TO TOP OF EXISTING PIER CAP.



FINAL CONSTRUCTION

BRIDGE SEQUENCE OF CONSTRUCTION NOTES:

PHASE I

1. REMOVE PHASE I (DECK, CURBS, TRAFFIC RAILS, BEAMS, DIAPHRAGMS, ABUTMENT BACKWALL, WING, PIER PEDESTAL) EXISTING PIER CAPS, COLUMNS, AND FOOTINGS SHALL BE LEFT IN PLACE DURING PHASE I CONSTRUCTION.
2. CONSTRUCT PHASE I ACCORDING TO THE PLANS.

PHASE II

1. PLACE BEAM PROTECTION ON BOTTOM OF NEW PHASE I BEAMS OVER THE EXISTING PIERS (10 BEAM LOCATIONS).
2. REMOVE PHASE II (EXISTING DECK, CURBS, TRAFFIC RAILS, BEAMS, DIAPHRAGMS, ABUTMENTS, PIERS). ABUTMENT AND PIERS SHALL BE REMOVED 1 FOOT BELOW EXISTING GROUND LINE.
3. CONSTRUCT PHASE II ACCORDING TO THE PLANS.

DESIGN:	CPY	2018
DRAWN:	CPY	2018
CHECKED:	CPY	2018
APPRVD:	CPY	2018

CP&Y

SH-99 OVER CIMARRON RIVER — CREEK COUNTY

CONSTRUCTION SEQUENCE

SHEET 1 OF 1

STATE JOB PIECE NO: 29829(04) — SHEET NO.B004

UTILITY	OWNER	CONTACT
FIBER-OPTIC	AT&T	(800)845-5359
TELEPHONE	AT&T	(800)845-5359
FIBER-OPTIC	COMMUNTIY CABLE AND BROADBAND	(918)396-3019

FED. ROAD DIST. NO.	STATE	PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
6	OKLA.	29829(04)	2018	R001	27

PROPOSED R/W
2/17/2020

50 25 0 50 100
SCALE FEET

SEC. 28
T-19-N, R-7-E

500+00 505+00

TOP OF CUT OR TOE OF SLOPE
Gravel
PRES. R/W
24 Strand Fiber AT&T
300 Pr. AT&T
STA. 501+15 BEGIN GUARDRAIL TAPER
STA. 501+40 BEGIN 5'0" GUARDRAIL WIDENING
Scattered Rip-Rap
STA. 505+19.86 BEGIN APPROACH SLAB
CONST. GUARDRAIL
24' Conc. Pvmt. with Asph. overlay and Shoulders
℄ SURVEY SH-99 N38°56'36"E
BM #1
BM # 2
STA. 505+49.86 BEGIN BRIDGE
72 Strand Fiber AT&T
24 Strand Fiber Community Cable & Broadband
Heavy Timber & Brush
TOP OF CUT OR TOE OF SLOPE
P.O.T. Sta. 505+50.04 - Begin of 28.00' X 761.24' long conc. bridge rdy. Rt. 14.05' & rdy. Lt. 13.95'
Cimarron River
EXISTING BRIDGE TO BE REMOVED NBI NO. 15863 ℄ STA. 509+30.66 6-120' CONT. PLATE GIRDER SPANS x 28'-0" RDWY AND 2-18" S.W.
MATCHLINE STATION 509+00

BM # 1
RAILROAD SPIKE IN ASPHALT SHOULDER
STA. 500+22 15' LT.
ELEV. = 763.86

BM # 2
"[]" ON S.E. CORNER BRIDGE
STA. 505+50 15' RT
ELEV. = 772.18

HYDRAULIC DATA - BRIDGE "A"

CHW2	= 751.11	CHW25	= 764.65
Q2	= 34039 cfs	Q25	= 132176 cfs
V2	= 3.53 ft/s	V25	= 7.52 ft/s
CHW5	= 756.79	CHW50	= 767.70
Q5	= 66343 cfs	Q50	= 165041 cfs
V5	= 5.13 ft/s	V50	= 8.44 ft/s
CHW10	= 760.28	CHW100	= 770.83
Q10	= 92972 cfs	Q100	= 200968 cfs
V10	= 6.21 ft/s	V100	= 9.24 ft/s
QOT23		Q100 SCOUR	
CHWOT	= 763.94	CONTRACTION SCOUR = 3.88 FT.	
QOT	= 125700 cfs	PIER SCOUR = 11.16 FT.	
VOT	= 7.32 ft/s	TOTAL SCOUR = 21.94 FT.	

BEGIN INCIDENTAL CONSTRUCTION ℄ SURVEY STA 499+00.00
BEGIN PROJECT ℄ SURVEY STA 500+50.00
K = 197
L= 250.00'
VPC STA. 500+75.00 ELEV.=764.41
VPT STA. 503+25.00 ELEV.=767.83
PROP GRADE AT ℄ SURVEY
EXISTING GRADE AT ℄ SURVEY
(+) 0.733%
(+) 2.000%
BEGIN PROFILE STA. 500+50.00 EL.= 764.23
VPI STA. 502+00.00 EL.= 765.33
SUBGRADE STA. 505+32.46 ELEV. 770.61
PROPOSED BRIDGE "A" ℄ STA. 509+35.69 5-120' TYPE J, 2-85' TYPE IV PC BEAM SPANS 44'-0" CLEAR RDWY W/ TR4 RAILS

771.66' BRIDGE 'A'
BEGIN BRIDGE STA. 505+49.86

780 770 760 750 740

764.23 764.61 765.11 765.73 766.47 767.35 768.33 769.33 770.33 771.33 772.33

773.33 774.33 775.33 776.33 777.33 778.33 779.33

499+00 500+00 501+00 502+00 503+00 504+00 505+00 506+00 507+00 508+00

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

DESIGN:	CPY	2018
DRAWN:	CPY	2018
CHECKED:	CPY	2018
APPRVD:	CPY	2018

SH-99 OVER CIMARRON RIVER CREEK COUNTY

PLAN AND PROFILE

SHEET 1 OF 2

STATE JOB PIECE NO: 29829(04) SHEET NO. R001

CP&Y

bhuckleberry 2/17/2020 4:53:51 PM
cpybw_ANSIB.tbl cpypdf_ANSIB.pltcfg
pw:/Active Projects/ODOT1700793.00/8.00 Plans and Drawings/8.30 Cut Sheets/8.3.04 Roadway/1700793PP01.dgn

FED. ROAD DIST. NO.	STATE	PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
6	OKLA.	29829(04)	2018	R002	27

PROPOSED R/W
2/17/2020

SCALE 50 25 0 50 100 FEET

SEC. 28
T-19-N, R-7-E

MATCHLINE STATION 509+00

510+00 515+00 520+00

BM # 4A

BM # 3

BM # 4

Rock Outcrop

Heavy Timber & Brush

Fiber goes overhead here

4-W Barbwire

Gravel

300 Pr. AT&T

24 Strand Fiber AT&T

24 Strand Fiber Comm.Cable & Broadband

Scattered Timber & Brush

PRES. R/W

120'

180'

140'

CONST. GUARDRAIL

TOP OF CUT OR TOE OF SLOPE

STA. 513+51.52
END APPROACH SLAB

STA. 517+05
END 5'-0" GUARDRAIL WIDENING LT.

STA. 517+30
END 5'-0" GUARDRAIL WIDENING LT.

24' Conc. Pvmt. with Asph. overlay and shoulders

℄ SURVEY SH-99
CURVE 1

℄ SURVEY SH-99
N38°56'36"E

PC514+66.70

10' 5' 24' 10' 5'

Cimarron River

Rip-Rap

Top of Bank

Telephone Pole

STA. 513+21.52
END BRIDGE

STA. 515+75
END 5'-0" GUARDRAIL WIDENING RT.

TOP OF CUT OR TOE OF SLOPE

STA. 516+00
END GUARDRAIL TAPER RT.

72 Strand Fiber AT&T

Field Rd.

50 Pr. AT&T

P.O.T. Sta.509+30.66 - C/L 28.00'
X 76.24' long conc.bridge - rdy.
Rt.14.05' & rdy.Lt.13.95'
(Over Cimarron River)

P.O.T. Sta.513+11.28 - End of 28.00'
X 76.24' long conc.bridge - rdy.
Rt.13.91' & rdy.Lt.14.09'

SEC. 28
T-19-N, R-7-E

CROSS SLOPE TABLE

LEFT TRAVEL LANE		RIGHT TRAVEL LANE	
STATION	e (%)	STATION	e (%)
500+50.00	2.00	500+50.00	2.00
		513+66.00	2.00
		514+17.00	0.00
514+68.00	2.00	514+68.00	-2.00
515+19.00	4.00	515+19.00	-4.00
516+26.00	4.00	516+26.00	-4.00

NOTE: SHOULDERS TO MATCH TRAVEL LANE CROSS SLOPE

CURVE 1 DATA

PI STATION	= 525+01.80	RADIUS	= 2,864.79'
DELTA	= 39+'53"(LT)	PC STATION	= 514+66.70
DEGREE OF CURVE	= 02°00'00"	PT STATION	= 534+53.27
TANGENT	= 1,035.10'	e	= 6.0%
LENGTH	= 1,986.57'	V	= 55 MPH

BM # 3	BM # 4A	BM # 4
"[]" ON N.W. CORNER BRIDGE STA. 513+11 15' LT ELEV. = 787.54	80d SPIKE IN N. SIDE 15" POST OAK STA. 515+38 16' LT. ELEV. = 806.99	RAILROAD SPIKE IN ASPHALT SHOULDER STA. 515+38 16' LT ELEV. = 791.57

END PROJECT
STA. 516+00.00

END INCIDENTAL CONST.
℄ SURVEY STA 517+50.00

K = 200
L= 200.00'

771.66'
BRIDGE 'A'

END BRIDGE
STA. 513+21.52

VPC STA. 514+00.00
ELEV.=789.33

PROP GRADE
AT ℄ SURVEY

(+) 2.000%

(+) 3.000%

VPI STA. 515+00.00
EL.= 791.33

VPT STA. 516+00.00
ELEV.=794.33

END PROFILE
STA. 516+26.00
EL.= 795.11

EXISTING GRADE
AT ℄ SURVEY

SUBGRADE
STA. 513+35.65
ELEV. 786.67

780.33 781.33 782.33 783.33 784.33 785.33 786.33 787.33 788.33 789.33 790.39 791.58 792.89 794.33

810 800 790 780 770

510+00 511+00 512+00 513+00 514+00 515+00 516+00 517+00 518+00 519++00 520+00

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

DESIGN:	CPY	2018
DRAWN:	CPY	2018
CHECKED:	CPY	2018
APPRVD:	CPY	2018

CP&Y

SH-99 OVER CIMARRON RIVER — CREEK COUNTY

PLAN AND PROFILE

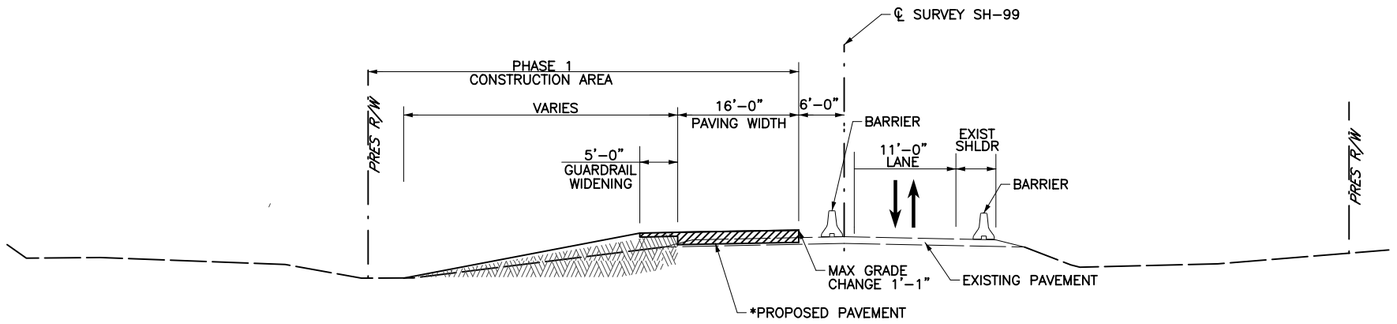
SHEET 2 OF 2

STATE JOB PIECE NO: 29829(04) — SHEET NO.R002

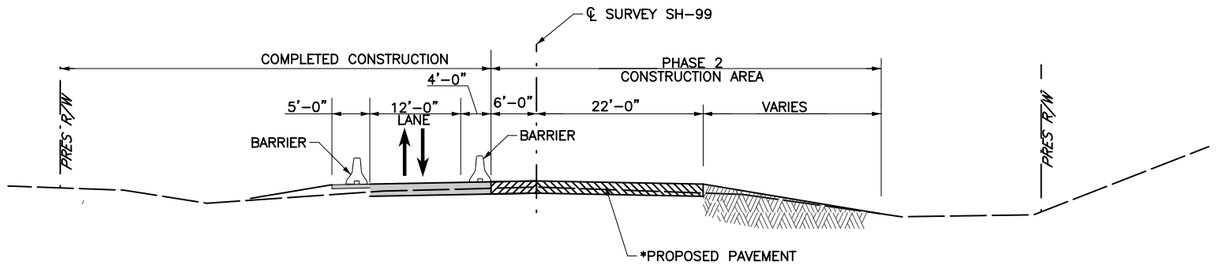
bhuckleberry
cpybw_ANSIB.tbl
pw:/Active Projects/ODOT1700793.00/8.00 Plans and Drawings/8.30 Cut Sheets/8.3.04 Roadway/1700793PP02.dgn
2/17/2020 4:53:54 PM
cpydf_ANSIB.pltcfg

FED. ROAD DIST. NO.	STATE	PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
6	OKLA.	29829(04)	2018	T001	27

PROPOSED R/W
2/17/2020



PHASE 1



PHASE 2

* FINAL LIFT OF ASPHALT TO BE PLACED AT THE END OF PHASE 2 UNDER TRAFFIC.

LEGEND

- EXISTING PAVEMENT
- PERMANENT CONSTRUCTION THIS PHASE
- COMPLETED CONSTRUCTION PREVIOUS PHASE

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

DESIGN:	CPY	2018
DRAWN:	CPY	2018
CHECKED:	CPY	2018
APPRVD:	CPY	2018

CP&Y

SH-99 OVER CIMARRON RIVER — CREEK COUNTY

TCP TYPICAL SECTIONS

SHEET 1 OF 1

STATE JOB PIECE NO: 29829(04) — SHEET NO. T001

bhuckleberry 2/17/2020 4:54:04 PM
cpybw_ANSIB.tbl cpydf_ANSIB.pltcfg
pw:/Active Projects/ODOT1700793.00/8.00 Plans and Drawings/8.30 Cut Sheets/8.3.03 TCP/1700793SOCTYP.dgn

29-T19N-R7E

28-T19N-R7E

28-T19N-R7E

240'

120'

120'

NBI#15863

180'

140'

320'

99

99

Cimarron River

28-T19N-R7E

CREEK COUNTY

NEPA Study Area

Bridge

Dimensions

Section

Feet

0 50 100 200

1 inch = 200 feet

Basemap: ESRI World Imagery (Vivid 2016)

SH-99
at Cimarron River
J/P 29829(04)
Creek County ODOT

NEPA Study Area

CULTURAL RESOURCES STUDIES

Oklahoma Department of Transportation
Environmental Programs Division, Office 405.521.3050 / Fax 405.522.5193

DATE: October 25, 2019

TO: Scott Stegmann, Environmental Project Manager

FROM: Nicholas Beale, Cultural Resources Program

SUBJECT: Creek County Project JP 29829(04): Proposed bridge replacement on SH-99 over the Cimarron River, 4.4 miles east and south of the Payne county line.

ODOT completed Section 106 consultation on behalf of FHWA Creek proposed bridge replacement on SH-99 over the Cimarron River, 4.4 miles east and south of the Payne county line.; 10 acres were surveyed. ODOT determined the proposed project will have no effect on historic properties.

No cultural resources were identified within the NEPA study area. The bridge over Cimarron River (ODOT Structure #1935 0635X; NBI 15863) is a steel I-beam stringer/girder bridge constructed in 1963. The bridge is of the type discussed in the Program Comment for post-1945 concrete and steel bridges and was not documented.

Consultation with the State Historic Preservation Office (File #2923-19) and the State Archaeologist (File #FY19-3245) resulted in concurrence with our assessment and determination.

ODOT-CRP also consulted with the following tribes: Alabama Quassarte Tribal Town, Kialegee Tribal Town, Muscogee (Creek) Nation, Osage Nation, Thlopthlocco Tribal Town, United Keetoowah Band of Cherokee, and Wichita & Affiliated Tribes.

An avoidance memo is included for off-project facilities.

NB

Oklahoma Department of Transportation
Environmental Programs Division, Office 405.521.3050 / Fax 405.522.5193

DATE: October 25, 2019

TO: Project Management Division

FROM: Environmental Programs Division

SUBJECT: Creek County FHWA Project JP 29829(04): Proposed bridge replacement on SH-99 over the Cimarron River, 4.4 miles east and south of the Payne county line.

There are potentially significant cultural resources within the general vicinity of the referenced project. Please have the following note added to a section of the project plans entitled "Environmental Mitigation Notes" per Policy Directive C-201-2D(2):

> **Locations outside the project area in the following area must not be utilized for borrow, equipment staging, haul roads, spoil dumps or any off-site project-related activity.**
>
> **T19N R7E**
> **Section 28: NW ¼ SW ¼ SE ¼**

SAS

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

October 22, 2019

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

RE: File #2923-19; Cimarron River Bridge Replacement on SH-99: JP #29829(04)

Dear Mr. Sundermeyer:

We have received and reviewed the documentation concerning the referenced project in Creek 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. Please remember that per regulation, the 30-day review period starts on the day we receive documents in our office, not the date they were mailed. 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,

Lynda Ozan
Deputy State Historic
Preservation Officer

LO:jr

Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

September 26, 2019

Scott Sundermeyer, Director
ODOT Cultural Resources Program
111 E. Chesapeake, Rm 102
University of Oklahoma
Norman, OK 73019-5111

Re: OAS FY19-3245: FHWA Project JP 29829(04): Proposed Bridge Replacement on SH-99 over the Cimarron River
Legal Location: Section 28, T19N, R7E
Creek County

Dear Mr. Sundermeyer,

This agency received the submitted ODOT cultural resources survey report of investigations regarding the above-referenced undertaking for review and comment. From the information provided, I understand that Raba Kistner staff surveyed the 24.74-acre study area on July 11-12, 2019. No cultural resources were documented in the study area. As such, ODOT recommends that the project as proposed will have no effect on historic properties.

I concur with the findings and recommendations as they pertain to prehistoric archaeological resources and defer opinion on the overall project effects 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,

Kary L. Stackelbeck, Ph.D.
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

August 22, 2019

Ms. Lynda Ozan
Deputy State Historic Preservation Officer
State Historic Preservation Office
Oklahoma Historical Society
800 Nazih Zuhdi Drive
Oklahoma City, Oklahoma 73105-7917

Dear Ms. Ozan:

Re: Creek County FHWA Project JP 29829(04): Proposed bridge replacement on SH-99 over the Cimarron River, 4.4 miles east and south of the Payne county line; submittal for comment under Section 106 of the National Historic Preservation Act.

Attached is a cultural resources survey report for the referenced project prepared by Raba Kistner. The proposed undertaking includes the replacement of the bridge on SH-99 over the Cimarron River and overly the existing roadway and replacement of approach guardrails. The current facility consists of two 12-foot lanes and two 10-foot shoulders with a concrete curb and guardrails; the existing right-of-way is 120 feet from the centerline of SH-99. The proposed facility would consist of a new bridge with two 12-foot lanes and two 10-foot shoulders built on the existing alignment. The area of potential effect (APE) as defined by 36 CFR 800.16(d) is the NEPA study area, which is described in the report.

During this investigation, no cultural resources were identified. The existing bridge over Cimarron River (ODOT Structure #1935 0635X; NBI 15863) is a steel I-beam stringer/girder bridge constructed in 1963. The bridge is of the type discussed in the Program Comment for post-1945 concrete and steel bridges and does not need to be documented.

Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, it is our opinion that the project, as proposed, will have no effect on historic properties. We respectfully request your concurrence or comments to our opinion.

If you have any questions regarding this project, please contact me at 325-7201.

Sincerely,

Scott Sundermeyer
Director, ODOT Cultural Resources Program

cc: State Archaeologist

OKLAHOMA DEPARTMENT OF TRANSPORTATION

CULTURAL RESOURCES SURVEY REPORT

Road Reconstruction and Bridge Replacement along SH-99 over the Cimarron River, J/P 29829(04), Creek County.

Preparer(s): Charles D. Neel, Andrew Gourd, and Meredith Anderson

Principal Investigator: Antonio Padilla

Date: 19 August 2019

Lead Federal Agency: Federal Highway Administration (FHWA)

County:	Creek
J/P#:	29829(04)
Surveyed by:	Charles D. Neel
Survey Date:	July 11-12, 2019
Prime Consultant:	CP&Y

MANAGEMENT SUMMARY:
Raba Kistner Inc. (RKI) conducted a Phase I cultural resources survey for Oklahoma Department of Transportation (ODOT) project J/P 29829(04) along SH-99 in Creek County for road reconstruction and bridge replacement over the Cimarron River. The National Environmental Policy Act (NEPA) study area for this project begins 500 feet southwest of the bridge and extends 305 feet northeast of the bridge for a total distance of 1,576 feet and comprises 9.5 acres of new and existing right of way (ROW). The NEPA study area extends 125 feet north and 125 feet south of the SH-99 roadway centerline expanding to 175 feet north and 150 feet south at the north bank of Cimarron River. RKI conducted a 100 percent pedestrian survey of the NEPA study area. Due to the disturbed nature of the study area and the T-1 terrace being underwater at the time of the survey, no shovel tests were excavated and no cultural resources were documented.

1. PROJECT DESCRIPTION:

This report documents the results of the cultural resources survey for the proposed project for roadway improvements and bridge replacement of State Highway 99 (SH-99), J/P 29829(04), Creek County.

The project is the replacement of the bridge and approaches on SH-99 over Cimarron River located immediately northeast of the Town of Oilton and 2.4 miles east of the Payne County line. The existing bridge consists of two 12-feet-wide drive lanes with concrete curb and railing. The bridge will be replaced with a new bridge of two 12-feet-wide drive lanes and 8 feet-wide shoulders.

The bridge over Cimarron River (ODOT Structure #1935 0635X; NBI 15863) is a steel I-beam stringer/girder bridge constructed in 1963. The bridge is of the type discussed in the Program Comment for post-1945 concrete and steel bridges and does not need to be documented.

The NEPA study area for this project begins 500 feet southwest of the bridge and extends 305 feet northeast of the bridge for a total distance of 1,576 feet and comprises 9.5 acres of new and existing right of way. The NEPA study area extends 125 feet west and 125 feet east of the SH-99 roadway centerline expanding to 175 feet west and 150 feet east at the north approach to Cimarron River. The project area was arbitrarily divided into survey quadrants based on the intersection of SH-99 and the Cimarron River bridge.

Legal Location:	T19N R7E Section 28
U.S.G.S. Quadrangle:	Oilton, Okla. (1978)

2. ENVIRONMENTAL SETTING:

Geomorphic/Physiographic Region:

The study area lies in the Sandstone Hills physiographic unit as defined by Fenneman (1938:616-617). Between Kansas and Texas, the Sandstone Hills appear where the limestone formations of the southern Flint Hills gradually fade into the sandstones that give the physiographic region its name. It is a narrow band 50 to 60 miles in width and extends across the central portion of Oklahoma. It is bordered on the east by the Prairie Plains and on the south by the Arbuckle Uplift, where it continues southward to the uplift to the Red River Valley. A strict north-south delineation of the Prairie Plains and Sandstone Hills is not easily made due to the sandstone formation crossing diagonally across the north central Oklahoma region toward the Ouachita Mountains where it widens slightly.

Geology and Soils:

The underlying geology of the project area is mapped as the Ada Group of Lower Pennsylvanian shale, limestone, and sandstone units. This bedrock outcrop has been exposed by erosion on the top of the cuesta and a deep cut for the SH-99 roadbed has exposed the layered rock units on the north side of the Cimarron River. Immediately below the Ada Group is an unnamed shale (Pva) 5 to 10 feet thick but was covered by the talus slope of the upper Ada Group. Quaternary Terrace (Qt) deposits of sand, silt, clay, and gravel are mapped on the T-1 terrace on the south side of the Cimarron River (Bingham and Bergman 1980).

Three mapped soil units are located within the study area: Yahola very fine sandy loam (Yb); Konawa gullied land complex (Bd); and Collinsville and Talihina soils, 12 to 20 percent slopes (Cf) (CSRL 2019a, 2019b, 2019c).

The Yahola very fine sandy loam soil unit was restricted to the T-1 terrace on the south side of the Cimarron River. This unit and portion of the study area was inundated with water or comprised of mudflats where the water level had recently receded. No areas could be shovel tested due to water inundation and deep mudflats.

The Konawa gullied land complex consists of the steep talus slope on the north side of the Cimarron River which ranged from 30 percent slope on the western side to 50 percent slope on the eastern side of the bridge approach.

The talus slope was comprised of large boulders to cobbles with small exposures of yellowish brown to dusky red B horizon soils and were unsuitable for shovel testing due to small exposures and steep slopes.

The Collinsville and Talihina soils, 12 to 20 percent slopes comprise a cuesta at the northern edge of the study area and was comprised primarily of exposed bedrock. As with the talus slope, the cuesta top was scattered with boulders and cobbles in addition to the exposed bedrock layer. Exposures of yellowish brown to dusky red B horizon soils were observed between areas of bedrock outcrop and were too small or unsuitable for shovel testing.

Archaeological sites and artifacts within this environment would most likely be found on the surface or within the upper plow zone of the T-1 terrace or possibly as Isolated Finds on the bedrock cuesta outcrop. No steep exposed bank exposures were available for profiling.

Vegetation:

The majority of the study area was wooded with immature overstory vegetation of white oak, cottonwood, willow, hackberry, and juniper. The understory vegetation consisted of Johnsongrass, grapevine, mixed grasses, aster, greenbriar, and sumac thickets.

Surface Visibility:

XXX	0-25%	woodland
_____	25-50%	
_____	50-75%	
XXX	75-100%	mudflats, top of cuesta

---

3. CULTURAL BACKGROUND:

Background Research:

XXX State Site Files at Oklahoma Archeological Survey (OAS)

XXX SHPO NRHP and DOE, and OLI Files

There are no previously recorded archaeological sites within the NEPA study area. There are two previously recorded archaeological sites and two previous archaeological surveys within one mile of the NEPA study area. A search was conducted of the National Register of Historic Places (NRHP) and Determinations of Eligibility (DOE) listings, and there are no NRHP sites or Districts or DOE listings located within the NEPA study area or within 1 mile of the study area. A review of the Oklahoma Landmarks Inventory (OLI) indicates there are no recorded OLI structures located within the NEPA study area or within 1 mile of the study area.

Previously Recorded Archaeological Sites:

Site 34CR8 is located approximately 1,300 ft southwest of the north bridge abutment. The site was recorded in 1952 by Brighton on a small hillock above the Cimarron River during the Keystone Lake survey. “Flint chips, a sandstone abrader, biface fragment and blade fragment and bone” were reported from the site. No indication of excavations is discussed and the site was not assessed for inclusion to the NRHP.

Site 34CR243 is located approximately 4,400 ft southwest of the south end of the study area in the town of Oilton. The site was recorded in 2018 by Dyle on a dissected ridge during the survey for an FCC cell tower. The site is described as an early to mid-twentieth century trash dump located in a highway borrow pit. Artifacts of glass, whiteware sherds, and stoneware were documented. The site was assessed as not eligible for inclusion in the NRHP.

Previous Archaeological Surveys:

In 2005, Peregrine Environmental conducted a survey for the Oilton cell tower located 4,640 ft southwest of the south end of the NEPA study area. No archaeological sites were recorded during the survey.

In 2018, Stone Point Archaeology completed a survey for an FCC cell tower located 4,400 ft southwest of the south end of the NEPA study area. Site CR243 was recorded during this survey and is discussed above.

Prehistoric sites in the general region of the project, as recorded on the Oilton, Okla. quadrangle map are located on upper bluffs of the Cimarron River, interfluves and terraces of side channels, and ridge lines; these landform types do not occur within the study area.

Creek County is one of 24 counties that comprise Region 5, the Southern Tall Grass Prairie and Cross Timbers Region of east-central Oklahoma. Creek County consists entirely of rolling uplands of Permian age bedrock covered in post oak and blackjack oak forest with some tall grass prairie. As of 2005, 184 sites have been recorded for Creek County (Brooks 2005). Of these 184 sites, 89 sites have been identified for temporal placement and are: Paleo-Indian (2), Archaic Period (15), Woodland Period (4), Village Farming Period (9), and Historic Period (59). Data for Region 5 sites has been assembled sporadically from early WPA excavations at Lake Eufaula and Lake Texoma and later excavations at Heyburn Reservoir, Keystone Reservoir, Lake Thunderbird, Lake of the Arbuckles, Albany Reservoir, Parker Reservoir, Arcadia Reservoir, and most recently at McGee Creek Reservoir in Atoka County. Paleo-Indian sites are primarily known from surface finds of Clovis, Folsom, and Hell Gap points from Marshall, Murray, and Garvin counties. Early Archaic sites are known from surface finds of Plainview, Scottsbluff, Meserve, and Dalton points and indicate considerable prairie may have existed within the Cross Timbers at that time. The distinctive Calf Creek point is found throughout the region but primarily in mixed contexts. Later Archaic occupations are known from open settings containing middens, rock hearths, and roasting ovens. Woodland Period sites for Region 5 with distinctive cordmarked conical base pottery are widespread and contain trash pits, burials, sheet middens, and scattered post molds. Village Farming Period sites attest to the emergence of Caddoan settlers primarily located along the Red River in Bryan County. Numerous Plains Village farmsteads, hamlets, and villages are located along the Washita and South Canadian rivers and their major tributaries (Wyckoff and Brooks 1988:75-79). These sites are sometimes buried in deep deposits of Washita River terraces. Early historic period sites of Fort Washita (1842-1868) in Bryan County, Old Camp Holmes (1834-1837) in Hughes County, and Honey Springs Battlefield (1863) in McIntosh County have been extensively investigated. Later Historic Period sites are generally represented by Territorial Period and Statehood Period farmsteads located on ridge lines, ridge toes and terrace edges, and along early wagon and vehicular roadways.
Historic and modern imagery of maps and aerial photographs were reviewed for 1898 (GLO); 1995 (HistoricAerials); 1936, 1940 (OSHD); 1915 and 1978 (USGS); and 1995 (Google Earth Timeline). The GLO Township 19N map of 1898 depicts the project area as mostly wooded with a few large prairies on uplands and adjacent to the river. Several areas of plowed and fenced fields are depicted connected by winding wagon roads. No cultural improvements are indicated within the study area. No structures are depicted on any of the other historic or modern imagery within the study area. The project area spans a lowland flat T-1 terrace of the Cimarron River that is frequently flooded, a steep scarp slope, and the cuesta top to the north. The project area appears to have been primarily unutilized due to the rocky terrain and frequent flooding from the river.

---

4. METHODOLOGY:

Field Investigation Methodology: (must outline STP interval used in the project area and on sites)

Due to the conditions and landforms of the study area, a 100 percent pedestrian survey without shovel testing was completed for the NEPA study area. After extensive pedestrian survey, no areas suitable for shovel testing were identified. All portions of the study area were covered by ponded water, mudflats, rocky scarp slopes or bedrock outcrop. Extensive pedestrian survey was completed on the Questa top in an attempt to locate surface artifacts or Isolated Finds. The NEPA study area was documented with representative

photographs.

---

5. RESULTS OF INVESTIGATION:

XXX No archeological sites or buildings recorded in study area.

_____ Resources recorded in study area assessed as **not eligible** for the NRHP. 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.

_____ **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:

No archaeological sites or resources of the built environment were documented.

The south side of the Cimarron River study area is comprised of a T-1 terrace and was inundated with water or comprised of deep mudflats and shovel testing could not be performed in these areas.

The north side of the Cimarron River study area is comprised of a steep talus slope of boulders and cobbles that extend to the cuesta top of exposed and decomposing bedrock. No areas were identified where shovel testing could be performed. Due to the lack of ability to perform shovel testing within the study area, extensive time was spend on a pedestrian survey of the cuesta top in search of exposed prehistoric artifacts or Isolated Finds. No cultural material was documented.

---

6. RECOMMENDATIONS:

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

XXX **Approval Recommended** 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 NRHP-eligible Properties

_____ **Revise design** to avoid/protect resources

_____ **NRHP Eligibility Archaeological Test Excavations**

_____ **Implementation of MOA** with SHPO regarding Mitigation of Adverse Effects to Historic Properties

SUMMARY AND COMMENTS REGARDING RECOMMENDATIONS:

No archaeological sites or resources of the built environment were documented.

Bridges:

The bridge over Cimarron River (ODOT Structure #1935 0635X; NBI 15863) is a steel I-beam stringer/girder bridge constructed in 1963. The bridge is of the type discussed in the Program Comment for post-1945 concrete and steel bridges and does not need to be documented.

Pursuant to 36 CFR 800.4, it is our opinion that no historic properties will be affected and the proposed project is recommended to proceed as planned. In the event that subsurface archaeological materials are exposed during construction activities the ODOT-CRP staff and other appropriate agencies must be notified.

In order to avoid non-NRHP assessed cultural resources in the project vicinity by off-project activities the following areas are recommended to be avoided for all off-project facilities:.

T19N R7E
Section 28:
NW ¼ SW ¼ SE ¼

REFERENCES

Bingham, Roy and DeRoy Bergman
1980 *Reconnaissance of the Water Resources of the Enid Quadrangle, North-Central Oklahoma*. Hydrologic Atlas of Oklahoma No. 7, Oklahoma City Sheet, Map 1. Electronic document available at http://ogs.ou.edu/docs/hydrologicatlases/HA4P1.pdf, accessed 18 July 2019. Oklahoma Geological Survey, Norman, Oklahoma.

Brooks, Robert L.
2005 *Atlas of Archaeological Sites and Management Activities*. Electronic document available at http://www.ou.edu/content/dam/archsurvey/docs/archsur-ok-atlas-of-sites.pdf, accessed 25 March 2019.

California Soil Resource Lab (CSRL)
2019a Yahola very fine sandy loam, frequently flooded. Electronic document available at https://casoilresource.lawr.ucdavis.edu/gmap/, accessed 10 July, 2019.

2019b Konawa gullied land complex. Electronic document available at https://casoilresource.lawr.ucdavis.edu/gmap/, accessed 10 July 2019.

2019c Collinsville and Talihina soils, 12 to 20 percent slopes. Electronic document available at https://casoilresource.lawr.ucdavis.edu/gmap/, accessed 10 July 2019.

Fenneman, Nevis
1938 *Physiography of Eastern United States*. McGraw-Hill, New York.

General Land Office (GLO)
1898 *Township 19 North Range 7 East of the Indian Meridian* [map]. Electronic document available at

https://glorecords.blm.gov/details/survey/default.aspx?dm_id=20866&sid=oq0gzlz3.cwr&surveyDetailsTabIndex=1, accessed 10 July 2019.

HistoricAerials
2019 Oilton, Oklahoma 1995. Electronic document available at https://www.historicaerials.com/viewer, accessed 10 July 2019.

Oklahoma Archeological Survey (OAS)
2014 ODOT Cultural Resource Program Reconnaissance Review for J/P 29829(04), Creek County. Oklahoma Archeological Survey, Norman, Oklahoma.

Oklahoma State Highway Department (OSHD)
1936 Creek County highway map. Electronic document available at https://dc.library.okstate.edu/digital/collection/OKMaps/search/searchterm/Creek%20County, accessed 10 July 2019.

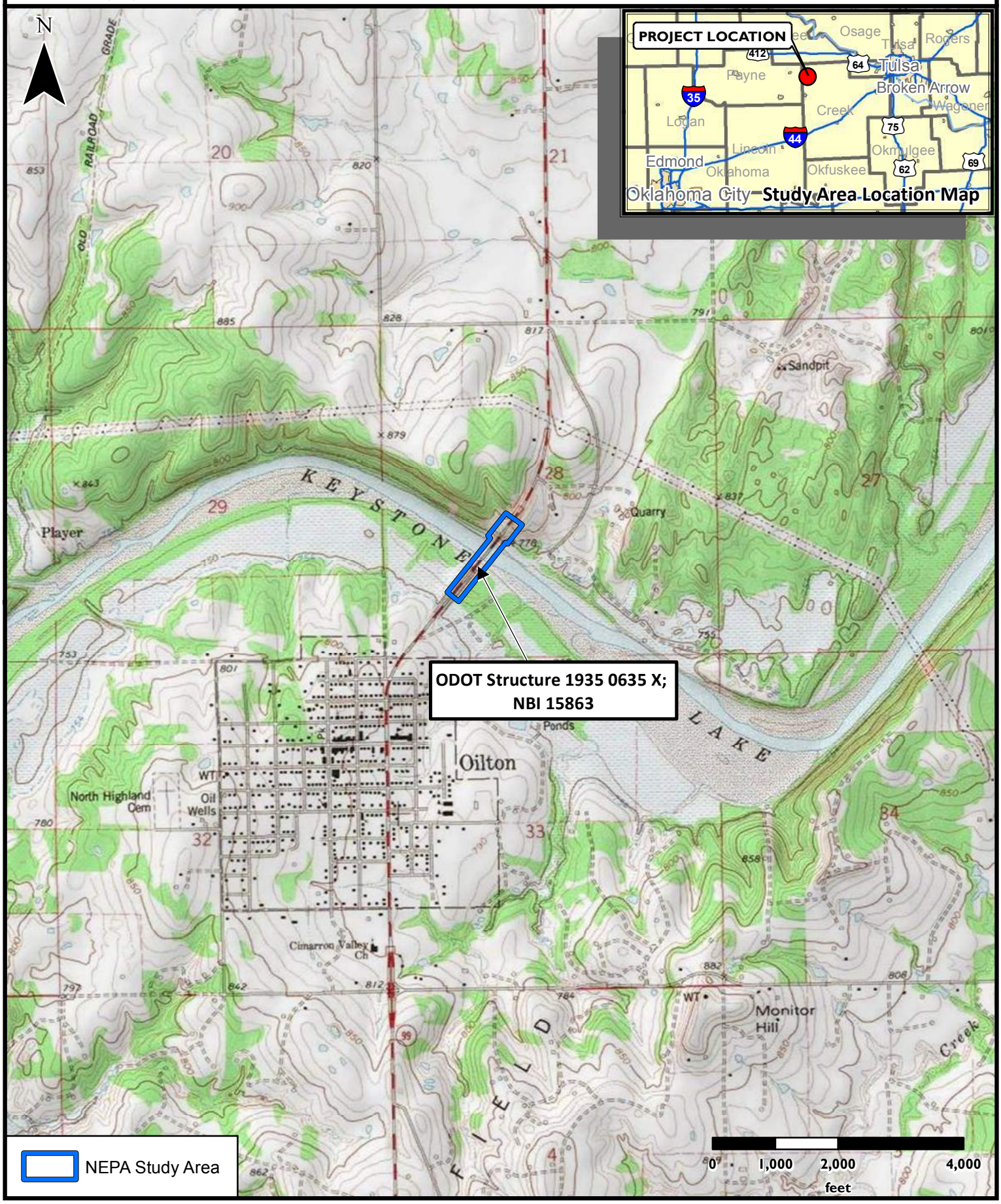
1940 Creek County highway map. Electronic document available at https://dc.library.okstate.edu/digital/collection/OKMaps/search/searchterm/Creek%20County, accessed 10 July 2019.

United States Geological Survey (USGS)
1915 Yale, Okla. 15′ topographic quadrangle map. Washington D.C.

1978 Oilton, Okla. 7.5′ topographic quadrangle map. Washington D.C.

Figure 1. Cultural resources located within the NEPA study area of J/P 29829(04), Creek County.

Source: Oilton, OK (1978)



Rhonda Fair

From: Section106 <Section106@mcn-nsn.gov>
Sent: Thursday, September 5, 2019 1:09 PM
To: Rhonda Fair
Subject: RE: Corrected letter: Creek County OK / ODOT JP# 29829(04) cultural resources report

Rhonda S. Fair, Ph. D.
Director
ODOT Tribal Coordination
ODT
200 N. E. 21st Street, Room3A8
Oklahoma City, OK 73105-3204

Dr. Fair;

Thank you for contacting the Muscogee (Creek) Nation concerning the Cultural Resources Report for the proposed bridge replacement over the Cimarron River northeast of Oilton, Creek Co., OK. This project is located within our area of interest and is of importance to us. After reviewing the material provided, it has been determined that the Muscogee (Creek) Nation has no objections to the proposed project. Please consider this letter as our concurrence to your request and findings of **no historic or traditional cultural properties affected**. However, should cultural material or human remains be encountered during ground disturbance, construction or demolition, we request to be notified. If there are any additional updates, we ask to be informed of these. Should further information or comment be needed, please do not hesitate to contact me at (918) 732-7852 or by email at djproctor@mcn-nsn.gov.

David J. Proctor
Historic and Cultural Preservation Department, Traditional Cultural Advisor
Muscogee (Creek) Nation
P.O. Box 580 / Okmulgee, OK 74447
T 918.732.7852
F 918.758.0649
djproctor@mcn-nsn.gov
http://www.muscogeenation-nsn.gov/

From: Rhonda Fair [mailto:RFair@odot.org]
Sent: Friday, August 30, 2019 9:15 AM
To: Section106
Subject: Corrected letter: Creek County OK / ODOT JP# 29829(04) cultural resources report

Dear David,

Please disregard the previous email for this project. I made a mistake in the letter.

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

Thanks!

Rhonda

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

August 30, 2019

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

Dear Principal Chief Standing Bear:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

Pursuant to 36 CFR Part 800.2(c)(2), the Oklahoma Department of Transportation is consulting on behalf of the Federal Highway Administration regarding historic properties that may be affected by the following project.

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton REVISED REPORT				

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.

During this investigation, no cultural resources were identified. Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, our opinion is that the project, as proposed, will have no effect on 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 405.521.3632 or by email at rfair@odot.org.

Sincerely,

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

cc: Tribal Historic Preservation Office

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

August 30, 2019

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

Dear President Parton:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

Pursuant to 36 CFR Part 800.2(c)(2), the Oklahoma Department of Transportation is consulting on behalf of the Federal Highway Administration regarding historic properties that may be affected by the following project.

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton REVISED REPORT				

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.

During this investigation, no cultural resources were identified. Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, our opinion is that the project, as proposed, will have no effect on 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 405.521.3632 or by email at rfair@odot.org.

Sincerely,

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

cc: Mary Botone, THPO

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

August 30, 2019

Thlopthlocco Tribal Town
Attn: Mekko Ryan Morrow
P.O. Box 188
Okemah, OK 74859

Dear Mekko Morrow:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

Pursuant to 36 CFR Part 800.2(c)(2), the Oklahoma Department of Transportation is consulting on behalf of the Federal Highway Administration regarding historic properties that may be affected by the following project.

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton REVISED REPORT				

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.

During this investigation, no cultural resources were identified. Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, our opinion is that the project, as proposed, will have no effect on 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 405.521.3632 or by email at rfair@odot.org.

Sincerely,

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

cc: Janet Maylen, THPO

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

August 30, 2019

United Keetoowah Band of Cherokee
Attn: Chief Joe Bunch
P.O. Box 746
Tahlequah, OK 74465

Dear Chief Bunch:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

Pursuant to 36 CFR Part 800.2(c)(2), the Oklahoma Department of Transportation is consulting on behalf of the Federal Highway Administration regarding historic properties that may be affected by the following project.

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton REVISED REPORT				

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.

During this investigation, no cultural resources were identified. Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, our opinion is that the project, as proposed, will have no effect on 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 405.521.3632 or by email at rfair@odot.org.

Sincerely,

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

cc: Charlotte Wolf

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

August 30, 2019

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

Dear Chief Harjo:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

Pursuant to 36 CFR Part 800.2(c)(2), the Oklahoma Department of Transportation is consulting on behalf of the Federal Highway Administration regarding historic properties that may be affected by the following project.

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton REVISED REPORT				

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.

During this investigation, no cultural resources were identified. Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, our opinion is that the project, as proposed, will have no effect on 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 405.521.3632 or by email at rfair@odot.org.

Sincerely,

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

cc: Janice Lowe

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

August 30, 2019

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

Dear Principal Chief Floyd:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

Pursuant to 36 CFR Part 800.2(c)(2), the Oklahoma Department of Transportation is consulting on behalf of the Federal Highway Administration regarding historic properties that may be affected by the following project.

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton REVISED REPORT				

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.

During this investigation, no cultural resources were identified. Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, our opinion is that the project, as proposed, will have no effect on 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 405.521.3632 or by email at rfair@odot.org.

Sincerely,

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

cc: Tribal Historic Preservation Office

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

August 30, 2019

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

Dear Mekko Hobia:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

Pursuant to 36 CFR Part 800.2(c)(2), the Oklahoma Department of Transportation is consulting on behalf of the Federal Highway Administration regarding historic properties that may be affected by the following project.

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton REVISED REPORT				

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.

During this investigation, no cultural resources were identified. Pursuant to 36 CFR 800.4(d)(1), and based upon the results of this study, our opinion is that the project, as proposed, will have no effect on 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 405.521.3632 or by email at rfair@odot.org.

Sincerely,

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

cc: Historic Preservation Office

Osage Nation Historic Preservation Office

Date: July 26, 2019 **File: 1819-4308OK-6**

RE: ODOT, 29829(04), Bridge Replacement and Approach Improvements on SH-99 over Cimarron River, Creek 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, 29829(04), Bridge Replacement and Approach Improvements on SH-99 over Cimarron River, Creek County, Oklahoma**. The proposed undertaking is located approximately one mile south of the Osage Cimarron Trail. Expedient graves and temporary hunting camps may be located along this trail. I understand that the cultural resources survey is scheduled to be performed in the near future. 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 of in the shovel test log.

In accordance with the National Historic Preservation Act, (NHPA) [16 U.S.C. 470 §§ 470-470w-6] 1966, undertakings subject to the review process are referred to in S101 (d) (6) (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 has a vital interest in protecting its historic and ancestral cultural resources, which are protected under the NHPA, NEPA, the Native American Graves Protection and Repatriation Act, and Osage law, and appreciates your consideration of the provided information in the planning process.

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.

Sincerely,

James Munkres
Archaeologist

627 Grandview Ave. * Pawhuska, OK 74056 Telephone 918-287-5328 * Fax 918-287-5376
HistoricPreservation@osagenation-nsn.gov

Rhonda Fair

From: Section106 <Section106@mcn-nsn.gov>
Sent: Tuesday, June 18, 2019 2:46 PM
To: Rhonda Fair
Subject: RE: Creek County OK / ODOT JP# 28929(04) initial consultation

Rhonda S. Fair, Ph. D.
Director
ODOT Tribal Coordination
ODT
200 N. E. 21st Street, Room3A8
Oklahoma City, OK 73105-3204

Dr. Fair;

Thank you for contacting the Muscogee (Creek) Nation concerning the Proposed Bridge Replacement and Approach Improvements JP# 29829(04) on SH 99 over the Cimarron River, Oilton, Creek Co., OK. The project area is located within our area of interest and is of importance to us. We look forward to receiving additional information as it becomes available so we may review this project. If there are any additional updates, we ask to be informed of these. Should further information or comment be needed, please do not hesitate to contact me at (918) 732-7852 or by email at djproctor@mcn-nsn.gov.

David J. Proctor
Historic and Cultural Preservation Department, Traditional Cultural Advisor
Muscogee (Creek) Nation
P.O. Box 580 / Okmulgee, OK 74447
T 918.732.7852
F 918.758.0649
djproctor@mcn-nsn.gov
http://www.muscogeenation-nsn.gov/

From: Rhonda Fair [mailto:RFair@odot.org]
Sent: Monday, June 10, 2019 11:43 AM
To: Section106
Subject: Creek County OK / ODOT JP# 28929(04) initial consultation

Dear David,

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

Thanks!

Rhonda

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

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

June 10, 2019

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

Dear Chief Harjo:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

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

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton				
Location	Sec 28 T19N R7E. See enclosed map.				
Additional information	This project is on a new alignment: ☐ yes ☒no This project will require new or temporary right of way: ☒ yes ☐no This project involves ground disturbance: ☒ yes ☐no				

If this undertaking may affect burials, cemeteries, or properties of religious and cultural significance to your tribe, please notify me as soon as possible. Likewise, if this undertaking occurs on land held in trust for the tribe and the tribe has 101(d)(2) status from the National Park Service, please make this office aware of the location of the trust property. 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.

The proposed project area will be subject to a cultural resources survey. 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 36 CFR Part 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 upon its completion.

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

Sincerely,

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

cc: Janice Lowe

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

June 10, 2019

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

Dear Mekko Hobia:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

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

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton				
Location	Sec 28 T19N R7E. See enclosed map.				
Additional information	This project is on a new alignment: ☐ yes ☒no This project will require new or temporary right of way: ☒ yes ☐no This project involves ground disturbance: ☒ yes ☐no				

If this undertaking may affect burials, cemeteries, or properties of religious and cultural significance to your tribe, please notify me as soon as possible. Likewise, if this undertaking occurs on land held in trust for the tribe and the tribe has 101(d)(2) status from the National Park Service, please make this office aware of the location of the trust property. 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.

The proposed project area will be subject to a cultural resources survey. 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 36 CFR Part 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 upon its completion.

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

Sincerely,

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

cc: Historic Preservation Office

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

June 10, 2019

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

Dear Principal Chief Floyd:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

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

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton				
Location	Sec 28 T19N R7E. See enclosed map.				
Additional information	This project is on a new alignment: ☐ yes ☒no This project will require new or temporary right of way: ☒ yes ☐no This project involves ground disturbance: ☒ yes ☐no				

If this undertaking may affect burials, cemeteries, or properties of religious and cultural significance to your tribe, please notify me as soon as possible. Likewise, if this undertaking occurs on land held in trust for the tribe and the tribe has 101(d)(2) status from the National Park Service, please make this office aware of the location of the trust property. 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.

The proposed project area will be subject to a cultural resources survey. 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 36 CFR Part 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 upon its completion.

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

Sincerely,

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

cc: Tribal Historic Preservation Office

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

June 10, 2019

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

Dear Principal Chief Standing Bear:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

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

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton				
Location	Sec 28 T19N R7E. See enclosed map.				
Additional information	This project is on a new alignment: ☐ yes ☒no This project will require new or temporary right of way: ☒ yes ☐no This project involves ground disturbance: ☒ yes ☐no				

If this undertaking may affect burials, cemeteries, or properties of religious and cultural significance to your tribe, please notify me as soon as possible. Likewise, if this undertaking occurs on land held in trust for the tribe and the tribe has 101(d)(2) status from the National Park Service, please make this office aware of the location of the trust property. 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.

The proposed project area will be subject to a cultural resources survey. 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 36 CFR Part 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 upon its completion.

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

Sincerely,

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

cc: Tribal Historic Preservation Office

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

June 10, 2019

Thlopthlocco Tribal Town
Attn: Mekko Ryan Morrow
P.O. Box 188
Okemah, OK 74859

Dear Mekko Morrow:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

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

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton				
Location	Sec 28 T19N R7E. See enclosed map.				
Additional information	This project is on a new alignment: ☐ yes ☒no This project will require new or temporary right of way: ☒ yes ☐no This project involves ground disturbance: ☒ yes ☐no				

If this undertaking may affect burials, cemeteries, or properties of religious and cultural significance to your tribe, please notify me as soon as possible. Likewise, if this undertaking occurs on land held in trust for the tribe and the tribe has 101(d)(2) status from the National Park Service, please make this office aware of the location of the trust property. 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.

The proposed project area will be subject to a cultural resources survey. 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 36 CFR Part 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 upon its completion.

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

Sincerely,

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

cc: Janet Maylen, THPO

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

June 10, 2019

United Keetoowah Band of Cherokee
Attn: Chief Joe Bunch
P.O. Box 746
Tahlequah, OK 74465

Dear Chief Bunch:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

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

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton				
Location	Sec 28 T19N R7E. See enclosed map.				
Additional information	This project is on a new alignment: ☐ yes ☒no This project will require new or temporary right of way: ☒ yes ☐no This project involves ground disturbance: ☒ yes ☐no				

If this undertaking may affect burials, cemeteries, or properties of religious and cultural significance to your tribe, please notify me as soon as possible. Likewise, if this undertaking occurs on land held in trust for the tribe and the tribe has 101(d)(2) status from the National Park Service, please make this office aware of the location of the trust property. 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.

The proposed project area will be subject to a cultural resources survey. 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 36 CFR Part 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 upon its completion.

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

Sincerely,

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

cc: Charlotte Wolfe

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Tribal Coordination
200 N.E. 21st Street, Room 3A8
Oklahoma City, OK 73105-3204
www.odot.org

June 10, 2019

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

Dear President Parton:

Re: Section 106 consultation for proposed Federal-Aid undertaking in Creek County, Oklahoma; JP# 29829(04)

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

County	Creek	**Job Piece #**	29829(04)	**Anticipated Let Date**	2024
Project description	Bridge replacement and approach improvements on State Highway 99 over Cimarron River, northeast of Oilton				
Location	Sec 28 T19N R7E. See enclosed map.				
Additional information	This project is on a new alignment: ☐ yes ☒no This project will require new or temporary right of way: ☒ yes ☐no This project involves ground disturbance: ☒ yes ☐no				

If this undertaking may affect burials, cemeteries, or properties of religious and cultural significance to your tribe, please notify me as soon as possible. Likewise, if this undertaking occurs on land held in trust for the tribe and the tribe has 101(d)(2) status from the National Park Service, please make this office aware of the location of the trust property. 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.

The proposed project area will be subject to a cultural resources survey. 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 36 CFR Part 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 upon its completion.

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

Sincerely,

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

cc: Gary McAdams, THPO

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: Erin Faulkner	Date Requested: April 21, 2020
Requestor's Phone Number: 405.521.2315	Date Needed By:
Field Division Number: 8	Meeting Date:
County Name: Creek	PSE Submission Date:
JP Number: 29829(04)	Target Let Date: FFY 2024
Highway Number: SH-99	

Project Description from JP Info or IMS:
Bridge and Approaches: Sh-99 over the Cimarron River, 4.4 miles E S Payne C/L

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:

☐ None Impacted

☐ Wetland impacts ≤ 0.1 acre; Mitigation likely not required

☒ Wetland impacts > 0.1 acre; Mitigation may be required

Streams:

☒ Stream Impacts ≤ 0.1 acre; mitigation likely not required

☐ None Impacted

☐ Stream impacts >0.1 acre; mitigation may be required

Other:_____

Type of Permit Application (Preliminary Determination)

☐ No PCN Required

☒ PCN with Mitigation

☐ PCN Only

☐ 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 IS NOT required.
* Below 0.1 acres of impact for wetlands:	PCN to the USACE IS required. Compensatory mitigation for wetland impacts may be required.
* 0.1 to 0.5 acres of impact:	PCN to the USACE IS required. Compensatory mitigation for impact to wetlands IS required. Compensatory mitigation for stream impacts may be required.
* Above 0.5 acres of impact:	An Individual Permit IS required. Compensatory mitigation IS required.

Comments:

There are approximately 0.98 acres of forested wetlands being impacted by this project. It appears that there will also be fill within the flood control pool. This will likely be a GP-17 404 Permit with mitigation. An Individual Permit will not be required because we can use GP-17. We will of course have to confirm this wetland and these impacts with the Corps.

JBB 4/24/20

BIOLOGICAL STUDIES TRACKING FORM

NEPA Project Manager	Scott Stegman / Erin Faulkner
State or Local Government Project	State
USFWS TAILS #	**2EKOK00-2019-SLI-2394**
Original IPaC List	8/6/2019
Email used to request IpaC official species list	mcross@cpyi.com
Last Updated Species List Date	1/27/2020
ROW	7/1/2020
Let Date	2022
90 Day Prior to Let IpaC List	Click here to enter a date.
Duration expected	560 days.
Original Biological Assessment and Waters and Wetlands Report Prepared By:	CP&Y
Most Recent Field Date:	7/22/2019
Original Report Date:	8/14/2019 Revised 10/7/2019
USFWS Consultation Submittal:	3/3/2020
USFWS Concurrence:	4/2/2020
Original Tracking Form Prepared by:	Elizabeth Nichols & Alexis Miller
Original Tracking Form date:	4/8/2020
Update Reason	Click here to enter text.
Updated By Whom:	Click here to enter text.
Amended USFWS Consultation Submittal:	Click here to enter a date.
Amended USFWS Concurrence:	Click here to enter a date.
Tracking Form Updated By Whom:	Click here to enter text.
Tracking Form Updated Date:	Click here to enter a date.
ADD MORE LINES AS NEEDED FOR EACH TIME PROJECT IS UPDATED	

Form Date: June 2019

Project Name from Oracle

SH-99 over the Cimarron River, 4.4 miles east of the Payne County line

Project Description

Bridge and Approaches or bridge widening/structure extension

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 ☐ or NEW alignment ☐

Project involves **NO OFF EXISTING PAVEMENT** work ☐

Project requires new ROW (permanent &/or temporary) ☐

Tree removal is expected 0 to 100’ from edge of existing pavement 1.7

100 to 300’ from edge of existing pavement 0

>300’ from edge of existing pavement 0

2. FEDERALLY LISTED SPECIES AND DESIGNATED CRITICAL HABITAT

Species	Listing Status	IPaC Check if Yes	Effect Determination for IPaC listed species
Interior Least Tern	Endangered	☒	May Affect, Not likely to adversely affect
Red-cockaded Woodpecker	Endangered	☐	Choose an item.
Whooping Crane	Endangered	☐	Choose an item.
Gray Bat	Endangered	☐	Choose an item.
Indiana Bat	Endangered	☐	Choose an item.
Ozark Big-eared Bat	Endangered	☐	Choose an item.
Neosho Mucket	Endangered	☐	Choose an item.
Ouachita Rock Pocketbook	Endangered	☐	Choose an item.
Scaleshell Mussel	Endangered	☐	Choose an item.
Winged Mapleleaf	Endangered	☐	Choose an item.
American Burying Beetle	Endangered	☒	Final Effect Analysis and Determination covered in the Programmatic BA&BO
Harperella	Endangered	☐	Choose an item.
Piping Plover	Threatened	☒	May Affect, Not likely to adversely affect
Red Knot	Threatened	☒	No Effect
Northern Long-eared Bat	Threatened	☐	Choose an item
Arkansas River Shiner	Threatened	☐	Choose an item.
Leopard Darter	Threatened	☐	Choose an item.
Neosho Madtom	Threatened	☐	Choose an item.
Ozark Cavefish	Threatened	☐	Choose an item.
American Alligator	Threatened	☐	Choose an item.
Rabbitsfoot Mussel	Threatened	☐	Choose an item.
Rattlesnake-master Borer Moth	Candidate	☐	Choose an item.
Whooping Crane Critical Habitat	Designated	☐	Choose an item.
Arkansas River Shiner Critical Habitat	Designated	☐	Choose an item.
Leopard Darter Critical Habitat	Designated	☐	Choose an item.
Neosho Mucket Critical Habitat	Designated	☐	Choose an item.
Rabbitsfoot Critical Habitat	Designated	☐	Choose an item.

	NEPA Footprint	Construction Footprint
Number of acres within the NEPA Study Footprint & Construction Footprint (if known)	21.15	Click here to enter text.
Number of acres of perennial plant vegetation (ABB habitat) within the NEPA Footprint & Construction Footprint (if known)	8.5	Click here to enter text.
Number of acres of forested/wooded area (Ibat and NLEB habitat) within the NEPA Footprint & Construction Footprint (if known)	NA	NA

Bald Eagle Assessment	May impact
Migratory Bird Assessment of Transportation Structures	no migratory birds observed nesting on transportation structures
Migratory bird habitat assessment	nesting habitat for migratory birds will be impacted
Birds of Conservation Concern	No impacts to listed BCC

Conservation Commitments

ODOT Commitment: A representative from ODOT NR Program will be notified and present for all project development meetings. All operators, employees, and contractors will be made aware of all environmental commitments, including the following Plan Notes.

American Burying Beetle Commitment: The American Burying Beetle is protected by the Endangered Species Act. Suitable habitat for this species occurs within the immediate vicinity of the proposed project. In order to avoid adverse impacts to the ABB, the Designer needs to submit Microstation or shapefiles to the ODOT Biologist immediately. ODOT can either purchase mitigation credits, or the ODOT Biologist will survey the proposed project construction footprint within one year prior to initial ground disturbance as currently listed in the 8 Year Construction Program. The survey season is May 26 – July 27 for projects with ground disturbance during the active season (May 26-September 14) and it is July 28- September 14 for projects with ground disturbance during the inactive season (September 15 –May 25). If required, native seed mix will be planted in areas of ABB habitat in an area outside of clear zone as a separate project after the construction is complete. The ODOT biologist will determine if re-vegetation with natives is necessary. If the project schedule should change, it is the responsibility of the Project Manager to contact the ODOT Biologist in writing to request a survey in time for the let date.

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: 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 100 feet 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.

American Burying Beetle Note: The American Burying Beetle is a large carrion burying beetle that occurs within the project limits. No artificial lighting shall be used during construction without prior consultation with USFWS thru ODOT Environmental Programs Division. DO NOT PROCEED WITH ANY USE OF ARTIFICIAL LIGHTING WITHOUT WRITTEN CONSENT FROM ODOT ENVIRONMENTAL PROGRAMS DIVISION. Carcasses and all food trash shall be removed from the permanent and temporary right-of-way throughout the duration of project activities.

Interior Least Tern Note: Suitable habitat for Interior Least Terns is present and downstream of the Cimarron River within the project area.

- The ODOT Natural Resources program **must be notified prior to construction**, in order to complete a pre-construction nesting survey during the month of June; surveys are valid for that nesting season only.
- If construction activities will occur during the active nesting season for this species (May 1 through August 31), a 0.25 mile no-work-zone buffer from the Ordinary High Water Mark of the Cimarron River will be established until the nesting survey can be completed. If the survey finds Interior Least Terns nesting in the area, all work within 0.25 miles of any nesting colonies will be postponed until after September 1 (the end of nesting season) and be completed by April 30, the following year.
- If construction and demolition activities will continue into the following tern nesting season, the ODOT Natural Resources Program must be notified in order to schedule a biologist who will monitor the project area to make sure ongoing construction activities do not prevent terns from nesting at the site.
- Once terns begin nesting, all construction and demolition activities shall be kept outside of a 0.25 mile buffer zone around the active nesting colony for the duration of the nesting season.
- Limited construction activities outside of the river, but within 0.25 miles of an active nest, may be permitted subject to approval from the US Fish and Wildlife Service (USFWS). The contractor shall submit DETAILED AND EXPLICIT description of all proposed work activities and timeframes to the ODOT Biologist, through the Resident Engineer. Consultation with the USFWS may take up to 30 days from the submittal of complete information. No work shall occur within 0.25 miles of an active nest until approval has been obtained in writing from the USFWS. Approval, however, is not guaranteed. Any delay due to this will not be compensated.
- 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 100 feet 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. This commitment will be addressed on the Storm Water Management Plan Sheet and/or the 404 Detail Plan Sheet.
- **The Resident Engineer will invite the ODOT Biologist to the pre-work meeting for this project.**

Bald Eagle Note: Suitable nesting, roosting or foraging habitat for the Bald Eagle occurs within the project's action area. The Bald Eagle nesting season in Oklahoma extends from September 16, through May 31. The Resident Engineer shall contact the ODOT Biologist to schedule a nest survey. Nest search surveys can only be conducted when leaves are not on the trees typically between December 1st and February 28th. No work may occur within suitable Bald Eagle habitat, located the full extent of the project area, during the nesting season (September 16, through May 31) until the completion of the survey by the ODOT Biologist. If nests are observed, a no-work buffer up to a distance of 660 feet shall be placed around the nest. The exact distance of the buffer zone shall be established by the ODOT Biologist in consultation with US Fish and Wildlife Services. If the buffer cannot be maintained, all clearing, external construction and landscaping activities, within the buffer, shall be conducted between June 1 and September 15 (outside the nesting season).

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 bird species extends from March 1 to August 31. The project was surveyed for migratory bird nests in *July 2019*. Although no nests were observed, the survey is valid only until the start of the 2020 nesting season (beginning March 1). The Resident Engineer shall contact the ODOT Biologist if any bird use of the existing structures is observed. If birds are observed then 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. The bridge may 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.

Waters and Wetlands Delineation Status

Original delineation

Wetlands and Ponds

Total Number of Sites	Water Body Type	Potential Jurisdiction Status	Acres within the NEPA Footprint
1	Forested Wetland	Likely Jurisdictional	1.67
Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.

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	Cimarron River	mapped perennial	Likely Jurisdictional	2.42	240
Click here to enter text.	Click here to enter text.	Choose an item.	Choose an item.	Click here to enter text.	Click here to enter text.

Thanks!

Amber McIntyre
ODOT Natural Resources Program Manager
Oklahoma Biological Survey
111 E. Chesapeake Ave
Norman, OK 73019
Office: (405) 325-7850
Cell: (405) 210-3671

From: Kreisler, Skye E <skye_kreisler@fws.gov>
Sent: Thursday, April 2, 2020 11:31 AM
To: Miller, Alexis J. <alexis.miller@ou.edu>
Cc: Amber McIntyre <AMCINTYRE@ODOT.ORG>; Nichols, Elizabeth <elizabeth.nichols@ou.edu>
Subject: [External] Re: 02EKOK00-2019-SLI-2922_ODOT Creek County JP 29829(04)

Consultation Code: 02EKOK00-2019-I-2922

Hello Alexis,

The Service has reviewed the consultation package on the following project:

Creek Co JP 29829(04) as revised March 16, 2020

Based on the information you have submitted, the project occurs within suitable habitat of the federally-listed endangered American burying beetle (*Nicrophorus americanus*; Beetle), and you have determined that the project may affect and is likely to adversely affect the Beetle, if present. If, after conducting appropriate surveys the Beetle is documented from within your proposed action area, or if presence is assumed, the project shall proceed in accordance with the Service's June 15, 2017, programmatic consultation regarding Oklahoma transportation projects to address any impacts to the Beetle that may occur from the proposed action.

Based on the information you have submitted, the action area of the above-listed project occurs in potentially-suitable habitat of the federally-listed endangered least tern (*Sterna antillarum)* and the threatened piping plover *(Charadrius melodus).* Based upon the implementation of all conservation measures articulated in the consultation submission, the Service agrees with your effect determinations for these migratory bird species.This concludes your section 7 consultation pursuant to the Endangered Species Act of 1973 (Act; 87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) related to the interior least tern, piping plover, and the Beetle.

The Service also asks that the following measures be incorporated where applicable:

- Review and incorporate all applicable Best Management Practices.
- Within 90 days prior to start of construction, request a current species list to determine if any changes to federally-listed species have occurred. If changes have occurred, verify with the Service to determine if further consultation is required.

The online project review concurrence letter (dated March 3, 2020) signed by the Field Supervisor is now valid, and the project may proceed accordingly. If you have any questions concerning this matter, please contact the Oklahoma Ecological Services Field Office.

Sincerely,

Skye Kreisler
Fish and Wildlife Biologist (Transportation Liaison)
U.S. Fish and Wildlife Service
Oklahoma Ecological Services Field Office
9014 E 21st Street
Tulsa, OK 74129

(918) 581-7458 Main
(918) 382-4527 Direct
(918) 581-7467 Fax

From: Alexis Miller <AlMiller@odot.org>
Sent: Monday, March 16, 2020 12:32 PM
To: OK Project Review, FWS <OKProjectReview@fws.gov>
Cc: Amber McIntyre <AMCINTYRE@ODOT.ORG>; Nichols, Elizabeth <elizabeth.nichols@ou.edu>; Kreisler, Skye E <skye_kreisler@fws.gov>
Subject: [EXTERNAL] 02EKOK00-2019-SLI-2394_20200303_ODOT Creek County JP 29829(04) Consultation Review Package Submittle

Good Afternoon,

Attached is the Consultation Review Package for Creek County JP 29829(04). Please contact me with any questions or if any additional information is needed.

Best,
Alexis Miller
Highway Biologist
Oklahoma Department of Transportation
Oklahoma Biological Survey
111 E Chesapeake St
Norman, Oklahoma, 73019
Tel- 405.325.1412
Fax- 405.325.7702
Cell- 918.849.8978
alexis.miller@ou.edu

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

March 3, 2020

Online Project Review Concurrence Letter

To: Amber McIntyre
ODOT Natural Resources Program Manager
111 E. Chesapeake St.
Norman, OK 73019

Project Name: Creek County JP 29829(04), SH-99 Bridge Replacement over the Cimarron River.

Consultation Code: 02EKOK00-2019-SLI-2394

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Oklahoma Ecological Services Field Office online project review process. By providing this letter in conjunction with your 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 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 Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (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 OKESFO 35 days to review your information. If the OKESFO determines that the package is not complete, or that additional coordination is necessary, we will contact your office. If after 35 days from the time you emailed your project review package the OKESFO has not contacted your office, consider your section 7 consultation complete.**

The proposed action consists of

Replace the existing bridge with a 44’ wide (2-12’ lanes with 10’ shoulders) bridge on the existing horizontal alignment. Replace guardrail, and the roadway portion will be milled overlaid with asphalt 5” to the extents of the new guardrail, then tapered down to existing pavement. A shoofly detour will be constructed at approximately a 40’ offset to the west, with a one lane temporary bridge that is controlled by a signal. All fill and associated items with the detour will be removed after construction and returned to previous conditions.

The project is expected to be completed:

2023

This project review is needed for:

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.

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 OKESFO. 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/ Jontie Aldrich
Acting 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

Briefly describe the other relevant project data/documents you are providing.

THREATENED, ENEDANGERED AND CANDIDATE SPECIES, DESIGNATED CRITICAL HABITAT, BALD EAGLE AND SWALLOW ASSESSMENTASSESSMENT

For

USFWS TAILS #		**2EKOK00-2019-SLI-2394**			
Email used to request IPaC official species list		mcross@cpyi.com			
County	Creek	JP Number	29829(04)	Project Number	J2-9829(004)
Road Number	SH-99	Water Body Name		Cimarron River	
ROW Date	July 2020	Let Date	2022	Project Length	0.7 miles
Project General Location		4.4 miles east of South Payne County Line, just north of Oilton, OK			
Project Description & Statement From Oracle		SH-99 Bridge Replacement over the Cimarron River			

Prepared for:
Oklahoma Department of Transportation
Environmental Programs Division
200 NE 21st Street
Oklahoma City, OK 73105

Prepared by:

Biologist Name	Melissa Cross
Company/Agency Name	CP&Y, Inc.
Address	2000 N. Classes Blvd
City, State Zip	Oklahoma City, OK 73106

Report Date:	August 14, 2019; Revised 10/7/2019
Field Survey Date	July 22, 2019
Field Survey Biologist(s)	M. Cross & K. Fiddler (CP&Y, Inc.)

1. PROJECT OVERVIEW

1.1 Federal Nexus

This biological assessment, prepared by the above named Company/Agency for the Oklahoma Department of Transportation (ODOT), addresses the above named project in compliance with Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended. Section 7 of the ESA requires that, through consultation with the U.S. Fish and Wildlife Service (Service), federal actions do not jeopardize the continued existence of any threatened, endangered, or proposed species or result in the destruction or adverse modification of critical habitat. This assessment evaluates the potential effects of the proposed transportation project on species that are federally listed under the ESA. Specific project design elements are identified that avoid or minimize adverse effects of the proposed project on listed species and designated critical habitat.

1.2. Project Description

Bridge and Approaches or bridge widening/structure extension

Description of the **existing** bridge/roadway facility and reason for proposed project

The existing SH-99 has two 12-foot wide asphalt travel lanes with 10-foot wide asphalt shoulders. The total bridge length is 771.66 feet, and there are six existing piers to support the bridge. The existing bridge over the Cimarron River is 28 ft wide continuous steel stringer girder span bridge and is "at-risk" of becoming structurally deficient. The current Annual Average Daily Traffic (AADT) is estimated at 2,590 vehicles per day (VPD). The 20-year projected AADT is 3,550 VPD.

Description of **proposed** improvements

The proposed project will replace the existing narrow bridge with a 44-foot wide bridge on the existing horizontal alignment. The length of the bridge will not change. The new bridge with consist of one 12-foot lane with a 10-foot shoulder in each direction. The project would include the replacement of the guardrails, and the roadway portion will be milled overlaid with asphalt 5 inches to the extents of the new guardrail, then tapered down to existing pavement. The new bridge will be built one-half at a time in order to maintain through traffic during construction. Six new piers will be used to support the new bridge at the location of the previous piers, except new columns spaced 39 feet apart will be constructed and the existing columns removed to a depth of approximately 1ft below grade. Removal of the columns will require the use of heavy construction equipment to cut, chisel, and remove the concrete. The new piers will consist of concrete drilled shaft foundations, drilled through the soil and into the rock below. All construction will occur within casing that will be driven into the soil and rock, then dewatered for drilling and pouring concrete. New or temporary right-of-way (ROW) will not be required.

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

Work within OHWM is expected			☒
Project is OFF-SET alignment	☐	or NEW alignment	☐
Project involves **NO OFF EXISTING PAVEMENT** work			☐
Project requires new ROW (permanent &/or temporary)			☐
Tree removal is expected 0-100' from edge of existing pavement			**1.7 ac**
100-300' from edge of existing pavement			**0 ac**

>300' from edge of existing pavement **0 ac**

1.3. Project Area and Setting

Project Location		**Environmental Study Footprint**		**Ecoregion & Game Type**	
Section Range & Township	Lat/Long NAD 83)	Dimensions	Acreage	Level IV Ecoregion (Woods et al. 2005)	Game Type (Duck and Fletcher 1943)
S28, T19N, R7E	Start: 36.092°N, -96.581°W End: 36.101°N, -96.575°W	0.67 mi long, width varies between 180ft and 320 ft	21.15	29a Northern Cross Timbers	Postoak-Blackjack Oak Forest

Action Area:
The Action Area includes the NEPA Study Footprint as well as a 0.25mi buffer, due to the presence of suitable foraging and nesting habitat for the Interior Least Tern.

2. FEDERALLY LISTED SPECIES AND DESIGNATED CRITICAL HABITAT

Species Range and Occurrence Evaluation (Check √ all that apply)

Species	**IPaC[1]**	**Watershed[2]**	**Water Body[3]**	**Records[4]**
	Check if Yes	**Check if YES**	**Check if Yes**	**Check if Yes**
Interior Least Tern	☒	☒	☒	☐
Red-cockaded Woodpecker	☐			☐
Whooping Crane	☐	☐		☐
Gray Bat	☐	☐		☐
Indiana Bat	☐			☐
Ozark Big-eared Bat	☐			☐
Neosho Mucket	☐	☐	☐	☐
Ouachita Rock Pocketbook	☐	☐	☐	☐
Scaleshell Mussel	☐	☐	☐	☐
Winged Mapleleaf	☐	☐	☐	☐
American Burying Beetle	☒			☒
Harperella	☐			☐
Piping Plover	☒			☐
Red Knot	☒			☐
Northern Long-eared Bat	☐			☐
Arkansas River Shiner	☐	☐	☐	☐
Leopard Darter	☐	☐	☐	☐

Species	IPaC[1]	Watershed[2]	Water Body[3]	Records[4]
	Check if Yes	Check if YES	Check if Yes	Check if Yes
Neosho Madtom	☐	☐	☐	☐
Ozark Cavefish	☐	☐		☐
American Alligator	☐			☐
Rabbitsfoot Mussel	☐	☐	☐	☐
Rattlesnake-master Borer Moth	☐			☐

[1]Species is on the Proposed Project's IPaC List
[2]Action Area is within a watershed associated with occupied water bodies
[3]Action Area includes an occupied water body
[4]Project site within 5 miles of known records

Designated or Proposed Critical Habitat	Action Area includes Designated Critical Habitat (Check √ if Yes)
Whooping Crane	☐
Arkansas River Shiner	☐
Leopard Darter	☐
Neosho Mucket	☐
Rabbitsfoot	☐

All or part of the action area is within an **American Burying Beetle** Conservation Priority Area ☐

All of part of the action area is within the 10 mile **gray bat** buffer zone (ODOT will check) ☐
All of part of the action area is within the 2 mile **gray bat** priority area (ODOT will check) ☐

IPaC Special Conditions Identified (wind energy projects or cell towers) for **Interior Least Terns** ☐
IPaC Special Conditions Identified (wind energy projects or cell towers) for **Piping Plovers** ☐

Action area is within what percentage **Whooping Crane** migratory corridor Choose an item.
Action area is within 15 miles of Salt Plains NWR, Hackberry Flat, or Foss Reservoir. ☐

Action area is within the historic range of the **Red-cockaded Woodpecker** ☐
Action area is within 10 miles of the McCurtain County Wilderness Area ☐
Action area is within 10 miles of the Pushmataha Wildlife Management Area ☐

3. ENVIRONMENTAL BASELINE

3.1. Ecological Processes and Conditions

Soils (Use Soil Map of Oklahoma by Carter and Gregory 2008)

Soil Class	Sand Hills
Soil Name	Eufaula-Dougherty-Konawa
Soil Type	Alfisol
Soil Characteristics	Very deep, loamy and sandy, well-drained, and slightly acid soils on moderately steep slopes (up to 11%).

Climate (Use Woods et al. 2005)

Precipitation	Mean annual inches	36-46
Growing Season	Number of days	195 in north, 225 in the south, 235 in the east
Mean Temperatures	Summer min/max	70/94
	Winter min/max	23/46 in the north, 26/49 in the south and east

River System

The action area includes the Cimarron River located within the Arkansas River basin.

Land Use and Land Ownership

From Woods et al. 2005	Woodland, grassland, rangeland, pastureland, and limited cropland. The main crops are small grains, grain sorghum, hay, and soybeans. Abandoned farmland is common. Fire suppression and passive land use have allowed the woodland distribution to greatly expand. Extensive, but declining, oil fields occur, associated brine, drilling mud, and petroleum waste products have increased salinity in many streams. Small impoundments are common.
From Field investigation	The project area consists of undeveloped woodland and disturbed prairie. Properties adjacent to the study area were residential developments and one commercial business.

Terrestrial and Aquatic Community Descriptions (based on field site visit)

Two plant communities dominated the study footprint: riparian woodland, disturbed prairie, and maintained grassland. The maintained grassland characterized the areas directly adjacent to the roadway. Dominant species included bermudagrass (*Cynodon dactylon*), and perennial rye grass (*Lolium perenne*). The riparian wooded areas were present along both sides of the Cimarron River. These areas were primarily dominated by trees such as cottonwoods (*Populus deltoides*), box edlers (*Acer negundo*), hackberries (*Celtis occidentalis*), and green ash (*Fraxinus pennsylvanica*). Woody vines such as greenbriar (*Smilax spp*.), poison ivy (*Toxicodendron radicans*), summer grape (*Vitis aestivalis*), and muscadine grape (*Vitis rotundifolia*) were also present.

Areas of disturbed prairie were present at the northern extent of the project area. These areas may possibly have been used historically for agriculture, but now contained species such as switchgrass (*Panicum virgatum*) and bermudagrass and was heavily dominated by eastern redcedar (*Juniperus virginiana*). Greenbriar and summer grape vines were also observed in these areas.

The Cimarron River was observed within the project area. This river flowed from west to east, and both sides of the river were vegetated by wooded riparian areas. Forested wetlands were observed on the southwest edge of the river and typified by the species described in the wooded riparian area described above.

3.2 Species Habitat Analysis

Pedestrian survey of entire NEPA study footprint (including 300-foot work zone buffer in karst areas) ☒
Bridge/Structure inspected for bat use (Complete the Bridge Inspection Form) ☐

SPECIES	HABITAT	
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**.	☒
American Burying Beetle	Number of acres of native perennial plant vegetation (where native perennial vegetation is the dominant vegetation) within the **NEPA Environmental Study Footprint** (include shapefiles).	8.5
Piping Plover	Sparsely vegetated sandy or gravelly shorelines and islands associated with the major river systems occur within the **0.25 miles of the NEPA Environmental Study Footprint.**	☒
	Salt flats and mudflats associated with reservoirs occur within the **0.25 miles of the NEPA Environmental Study Footprint.**	☐
Red Knot	Mudflats associated with reservoirs occur within the **0.25 miles of the NEPA Environmental Study Footprint.**	☐

4. Project Details

4.1. Proposed Bridge Construction

The new bridge will be 771'-8" long and 46'-2" wide, consisting of 5-120' and 2-85' prestressed concrete beam spans. Each span will be supported by interior structural supports (bridge piers). These piers consist of a concrete pier cap with two concrete columns, one on each end, extended to the channel and founded on concrete drilled shafts embedded into rock. It is anticipated that the construction of the drilled shafts will require installation of steel casing to remove soil and water from the hole prior to pouring concrete. The removed material will be captured, transferred to trucks, and hauled away from the channel. The new columns will be located outside of the existing bridge footprint and will likely be constructed in the first phase, prior to partial removal of the existing structure.

The new bridge will be constructed in multiple phases in order to maintain at least one lane of traffic along SH-99 throughout the entire construction process. This is further described in sections below. The existing deck and beams will be removed on one side of the bridge with traffic shifted to the other half of the bridge. Once new substructure is constructed and beams erected, new concrete deck will be formed and poured. Traffic will be shifted to the newly constructed half of the bridge, and the process of superstructure removal and construction will be repeated on the remaining portion of the bridge. In both phases, the beams will be erected by cranes from temporary work roads or from floating barges. The concrete deck will be cast-in-place on temporary formwork that will be removed upon final curing.

4.2. Site Preparation

The existing right-of-way line varies from 120 ft. to 180 ft. on the west (upstream) side of SH-99 centerline and varies from 120 ft. to 140 ft. on the east (downstream) side of the highway. All construction and the final completed section will remain within the existing right-of-way limits. In order to facilitate concurrent demolition and reconstruction operations, temporary work roads on both sides of the bridge will be constructed adjacent to the structure, within the right-of-way limits, to access the spans and supports as necessary for reconstruction. The work roads will be wide enough to accommodate large construction equipment and dump trucks for removal of existing bridge items as well as trucks and equipment necessary to construct the new structure. The work roads are anticipated to be 30 ft wide and consist of a crushed, non-erosive rock material that is free of any fines, clay or silts and of sufficient size to prevent downstream movement. Work roads will be constructed across no more than half of the channel at one time. Clearing and grubbing of the area will be minimized to construct the work roads and provide clearances for crane operations. 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 300 feet from the Ordinary High Water Mark (OHWM). Refueling of construction equipment shall also be conducted at least 300 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 300 feet outside of the OHWMs, and these materials shall be removed and disposed of properly following completion of the project. Preventative measures must be taken to prohibit the discharge of contaminants into any surface waters.

The intent of the project is to minimize modification of the existing footprint. As such, disturbance of topsoil is expected to be minimal; however, any topsoil removed will be stripped, stockpiled and stabilized. A Storm Water Management Plan (SWMP) will be required with Best Management Practices (BMP). Prior to any soil disturbing activities, all perimeter temporary sediment controls specified in the SWMP will be installed. Silt fence will be installed and maintained along work roads and OHWM boundaries to prevent silt and debris from entering the river. Cut/fill slope stabilization procedures are not anticipated due to the nature of the construction project. The limits of the work zone will be marked by the biological monitor and impacts to vegetation outside of the work zone will be limited.

4.3. Existing Bridge Removal.

The concrete deck will be removed using mechanical equipment to break up the concrete and drop it into netting or other approved temporary falsework to catch and collect removed concrete from the deck. Removed concrete will be transferred into dump trucks by loaders, and hauled off the site. Steel plate girders and braces will be removed by either cutting through gusset plates or removing connections and disassembling pieces. These plate girder units will be dropped into netting or other approved falsework, similar to deck removal, to prohibit entry into channel. Concrete pier caps, columns, and web walls will be removed using mechanical equipment and disposed of offsite in a similar manner to the deck concrete removal detailed above. The piers will be removed to a minimum of two feet below the proposed ground level or channel bottom. The existing concrete footings will remain in place. All elements will be removed from the bridge in pieces as large as possible to facilitate cleanup and expedite removal durations.

4.4. Construction Access and Staging Area

SH-99 will remain open to traffic for the duration of the project. Staging areas will be located within existing right-of-way on the north and south ends of the bridge at a minimum of 300 feet beyond the OHWM and outside any designated critical habitat. These areas will be used for the temporary storage of materials, including, but not limited to, temporary formwork, reinforcing steel, and prestressed concrete beams as needed. It is anticipated that the staging areas will also be utilized to temporarily store project equipment while not in use. Final staging and access areas will be selected by the contractor(s) and submitted by the ODOT EPD to the USFWS for concurrence prior to commencement of work activities.

4.5. In-Water Work

There will be minimal construction activities within the OHWM. Concrete columns and concrete drilled shafts will be constructed below the OHWM for interior structural supports (bridge piers). Construction of the drilled shafts and columns below the water line will likely require driving steel casing into the founding layer and removal of water and cuttings by slurry method. All elements of the drilling process will be in accordance with the ODOT Standard Specifications. It is anticipated that in-water activities will also include the construction of temporary work roads and any additional concrete pads required to provide stable bases for crane work. Work roads required to be placed within the OHWM will not extend across more than 50% of the flowing channel at any given time, up and downstream fish passage will be maintained throughout the duration of work activities. Also, no isolated pools will be allowed to develop. All such work roads and concrete pads will be completely removed following construction. Placement and removal of work roads will only happen once. Prior to the placement of any work roads below the OHWM, ODOT EPD will provide a diagram illustrating the location of the work roads to USFWS for review and approval. The timing of all work within the channel will correspond with the preferred work timing guidelines established by the USFWS for minimization of impact to protectedspecies..

4.6. Project Time-line and Sequencing

The bridge replacement will be constructed in multiple phases while maintaining at least one lane of traffic along SH-99 through entire construction process. The suggested sequence of construction is as follows:

Phase 1: Construct new concrete drilled shafts and columns for new bridge piers. This will require the construction of temporary work roads for access to pier locations. The construction of the new drilled shafts and columns are only permanent structures below OHWM.

Phase 2: Install one-way traffic signal system and portable median barrier; shift traffic to west side of bridge. Remove east portion of existing concrete bridge deck, steel girders, and end supports (concrete abutments). Construct concrete pier caps between pier columns and east portion of new concrete abutment, which will include driven steel piles as foundation elements. Erect prestressed beams; form and pour new concrete deck and approach slabs

Phase 3: Shift traffic to newly constructed east side of bridge. Remove west portion of existing concrete bridge deck, steel girders, and concrete abutments. Remove existing concrete pier supports. Construct west portion of new concrete abutment, which will include driven steel piles as foundation elements. Erect prestressed beams; form and pour new concrete deck and approach slabs, extending from previous construction in Phase 2. Finalize all earthwork and paving needed to match existing roadway alignment. Phase 4: Remove temporary one-way traffic signal system and portable median barrier. Perform final paving and striping. Open bridge to two-way traffic.

The total construction duration is estimated at 560 days.

Phase 1: 60 days Phase 2: 270 days Phase 3: 220 days Phase 4: 10 day

4.7. Post-project site restoration

At the completion of construction need, the temporary work roads will be removed. The disturbed areas will be restored to original grades, and all previously vegetated areas will be re-vegetated. Re-vegetation areas within designated critical habitat will consist of USFWS approved native plantings. Areas outside of designated critical habitat will be covered with solid slab sod.

5. ANALYSIS OF EFFECTS

5.1 Direct Effects

Species/ Resource	Habitat impacts expected from project activities	Describe specific ACTIONS of the project and the results of those actions on species habitats, including indirect impacts to prey or drinking water, as well as improvements to habitat as a result of specific actions. If habitat within the action area identified above will not be impacted, describe why.
Interior Least Tern	☒	The proposed project will occur within the Cimarron River, an occupied waterbody for this species within the project area. The bridge replacement will occur within the horizontal alignment of the existing bridge, and all fill will be removed after construction and the area returned to previous conditions. There is the largest potential for noise impacts related with construction activities to act as a deterrent or cause adults to flush or abandon nests, exposing eggs to unnecessary heat, cold, or predators. Terns nesting within sight distance of the work may also be deterred or stressed from the visual appearance of increased human presence and the presence of heavy equipment within the channel. This impact would be temporary and resolve itself once construction is completed. Water quality should only be impacted during the placement of the casings around the columns, as all other construction activities will be performed after the water has been flushed from the areas inside the casings. These casings are likely to increase the turbidity within the water downstream of the bridge, but the Cimarron River is already described as a poor water quality stream due to its natural high turbidity and salinity. A temporary increase in turbidity in small portions of the river (depending how many casings are being drilled at a time) would therefore be not likely to impact the Tern's prey fish species which are adapted to these turbid conditions. The sand bars within the NEPA study area may be temporarily impacted by noise, visual deterrence, and increased water turbidity, but no permanent or long-term negative effects are anticipated to occur following the completion of the project. There are numerous sandbars along the Cimarron River located outside of the action area that could provide suitable habitat and foraging areas for this species during the construction period. Beginning construction prior to the nesting season for Interior Least Terns could help reduce the chance of nest abandonment as the Terns would likely be deterred from the action area. Any necessary drilling or chiseling required for the new project, would best be completed outside of the nesting season, when

		possible, to help avoid noise impacts on Terns that may be in the area.
Piping Plover	☒	The bridge replacement will occur within the horizontal alignment of the existing bridge, and all fill will be removed after construction and the area returned to previous conditions. This species could be a potential migrant in the vicinity of the project area. The abundance of other suitable habitat along the Cimarron River for stop-over foraging makes it unlikely that this species would be impacted by the proposed project.
American Burying Beetle	☒	There are approximately 8.5 acres of perennial vegetation within the NEPA environmental footprint; however, only 5.8 acres of that are suitable habitat due to shallow soils over riprap and the presence of hydric soils within the wetland boundaries. Clearing of trees and topsoil scraping may be necessary within the Environmental Study Footprint, but the majority of these areas are within the 2.7 acres of perennial vegetation determined to be unsuitable to ABB based off the lack of available topsoil and hydric soils. The amount of tree clearing has been minimized by designing the side slopes to be as steep as allowable and extending guardrails, but any ABBs present in the topsoil at areas where heavy equipment is present for tree removal or the soil is to be scraped could be subject to "incidental take". This project may temporarily impact habitat that could be utilized by this species. All temporary fills within the project area will be removed after construction and the area returned to previous conditions, and all topsoil will be redistributed. Therefore, the 5.8 acres potential habitat would continue to be potential ABB habitat following the completion of the proposed project.

5.2 Indirect Effects

Long-term habitat alterations

Species/ Resource	Identify long-term, permanent changes in habitat
Interior Least Tern	No long-term effects or permanent impacts are anticipated to the sand bar habitat within the river for this species. All fills will be removed at the end of the project and the area returned to its previous conditions. The larger piers that would be put in place would not affect the overall hydrology of the river and should not limit downstream flow or sediment deposition (for the creation of sand bars). This species would not be permanently negatively impacted by the proposed project.
Piping Plover	No long-term effects or permanent impacts are anticipated to the sand bar habitat within the river for this species. All fills will be removed at the end of the project and the area returned to its previous conditions. This species would not be negatively impacted by the proposed project.
American Burying Beetle	The topsoil within the vicinity of the bridge is to be scraped and piled, then redistributed at the end of construction. The habitat of this species is to be restored when the topsoil is redistributed on all disturbed areas. The areas where new pavement will be placed to taper the new bridge to existing pavement is considered urbanized and already consists of scattered rip rap and fill material, which is not potential habitat for the ABB. Due to no permanent loss of existing habitat, the habitat of this species is not anticipated to have any long-term, permanent changes.

Indirect land use impacts

No land use change is anticipated from the proposed project.

5.3 Interrelated and Interdependent Actions and Activities

The project involves safety related improvements and the reconstruction of an existing bridge that will increase capacity. No new ROW is anticipated, and all work will occur within existing ROW.

USFWS TAILS Number:	**2EKOK00-2019-SLI-2394**
ODOT Project JP Number:	**19314(04)**

Species Conclusion Table (Check √ which apply)

SPECIES / DESIGNATED CRITICAL HABIT	CONCLUSION		ESA SECTION 7			NOTES AND DOCUMENTATION Check √ all that apply			
	Species Habitat present within the action area	Project Activities expected to impact habitat	No Effect	May affect, not likely to adversely affect	May affect, Likely to adversely affect	Field Studies	database review[1]	USFWS Review[2]	Other[3]
American Burying Beetle	☒	☒	Final Effect Analysis and Determination covered in the Programmatic BA&BO			☒	☒	☐	☐
Interior Least Tern	☒	☒	☐	☒	☐	☒	☒	☒	☐
Piping Plover	☒	☒	☐	☒	☐	☒	☒	☒	☐
Red Knot	☐	☐	☒	☐	☐	☒	☒	☒	☐

[1]ONHI rare species / ABB
[2]USFWS occupied water bodies and associate watershed maps
[3]Whooping Crane Migration Corridor Map; LPC Habitat Model

CONCLUSIONS (include determinations for Programmatic Species, if known)

No Effect	Red Knot
May affect, not likely to adversely affect	Interior Least Tern, Piping Plover
May affect, likely to adversely affect	American Burying Beetle
Not likely to jeopardize the continued existence of the species – Candidate species only	
Appropriate Effect Determination has been made for the ABB in the Programmatic BA & BO	☒
Appropriate Effect Determination has been made under the FHWA NLEB/Ibat Programmatic BA & BO	☐
Appropriate Effect Determination for NLEB has been made under the BO for the final 4(d) rule	☐

RECOMMENDED AVOIDANCE AND MINIMIZATION MEASURES

Suitable habitat for the **American Burying Beetle** occurs within the immediate vicinity of the proposed project. In order to avoid adverse impacts to the ABB, mitigation credits may be purchased or a survey to detect presence of the ABB may be conducted. If chosen, the survey will be conducted within one year prior to construction. If the survey is negative, the project will proceed with restriction of the use of artificial lighting and requirement to remove all trash and carcasses from within the ROW. The following conservation measures will be followed if there is a positive survey or if presence is assumed and mitigation credits are purchased.

1. The areas of suitable habitat will be field mapped and verified.
2. The amount of ground disturbance to suitable ABB habitat within the construction footprint will be minimized to only what is necessary for project construction,
3. Construction requiring artificial lighting will require further consultation with USFWS. If permitted, 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.
4. Carcasses and trash will continuously be removed from the new permanent, and any construction temporary, ROW.
5. If required, native seed mix will be planted in areas of ABB habitat in an area outside of clear zone as a separate project after the construction is complete. The ODOT biologist will determine if re-vegetation with natives is necessary.
6. The final acreage of suitable ABB habitat impacts will be categorized as temporary, permanent cover change or permanent. Mitigation ratios for impacts to ABB habitat will be as follows:

Impact duration	Within the Consultation Range but not within a conservation priority area
Temporary	1:0.25
Permanent Cover Change	1:0.5
Permanent	1:1

Interior Least Terns habitat occurs within and downstream of the Cimarron River within the project area.

- A pre-construction nesting survey will be conducted during the month of June.
- If construction activities will occur during the active nesting season for this species, a 0.25 mile no-work-zone buffer from the Cimarron River will be established until the nesting survey can be completed.
- If the survey finds Interior Least Terns nesting in the area, all work within 0.25 miles of any nesting colonies will be postponed until after September 1 (the end of nesting season) and be completed by April 30, the following year.
- If construction and demolition activities will continue into the following tern nesting season, the ODOT Natural Resources Program will schedule a biologist who will monitor the project area to make sure ongoing construction activities do not prevent terns from nesting at the site.
- Once terns begin nesting, all construction and demolition activities shall be kept outside of a 0.25-mile buffer zone around the active nesting colony for the duration of the nesting season. Further consultation with USFWS will be conducted before any construction activities can occur within 0.25 miles of an active interior least tern nesting colony.
- 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. This commitment will be addressed on the Storm Water Management Plan Sheet and/or the 404 Detail Plan Sheet.

6. BALD EAGLE AND SWALLOW ASSESSMENT

6.1. 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	☒	☒	Riparian areas with large cottonwood trees are present within and immediately adjacent to the NEPA study area.
Open foraging areas with large trees	☐	☒	Open pastureland surrounded the NEPA study area, and the Cimarron River provided large areas of open water suitable for foraging.
Distance to closest perennial water body	River or Lake	w/in	The Cimarron River is within the NEPA study area.
	Stream or Pond	N/A	
Potential Bald Eagle Nests Observed	☐	☐	No potential bald Eagle nests were observed.
Bald Eagles Observed in the general vicinity	☐	☐	No Bald Eagles were observed within the general vicinity of the project.
General Description of Bald Eagle Nesting Habitat and Impact Determination, within the NEPA Footprint and within 660-ft of the NEPA Footprint	Bald Eagles nest in large trees that are dominant in the canopy cover, typically near bodies of water. Both of these habitat requirements are present within the NEPA study area and within 660-ft of the NEPA study area. No ROW acquisition is anticipated for the proposed project, and all work will occur within the existing horizontal structure of the bridge. Tree removal may be deemed necessary on each side of the bridge in order to accommodate the grade slope and rip-rap fill. This potential tree removal could occur within approximately 1.7 acres of the NEPA Study Area. If tree removal is deemed necessary, then the proposed project may affect, but not adversely affect Bald Eagle nesting habitat. If no tree removal is necessary, deterrence may still occur during the construction phase of the project due to noise and the presence of heavy machinery. This could cause the eagles to abandon nests and eagles may be less likely to use this area of the Cimarron River for foraging. This deterrence affect is anticipated to be temporary, therefore the project is not anticipated to adversely impact the Bald Eagle or impact its habitat.		
Station #s for Buffered Bald Eagle Habitat	The full extent of the project area.		
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.			

6.2 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 ALL 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
SH-00 Bridge over the Cimarron River (NBI# 15863)	0	0	0
Other MB and Nests Observed	No other migratory bird nests were observed within the Action Area. Migratory bird species such as Great Blue Heron and Great Egrets were observed foraging in the forested wetland to the northwest of SH-99 on the south side of the Cimarron River.		
Based on existing plans, no work on suitable drainage structures will occur	☐		
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.			

6.3 Birds of Conservation Concern

Species Identified on IPaC list	Breeding Season
Harris's Sparrow	Breeds elsewhere
The Harris's Sparrow typically is found in open habitats such as backyards, shrubby pastures, or agriculture fields, and are rarely found in dense woods. These habitat types are not found within the NEPA study area, and no work outside of the existing horizontal alignment is proposed for the project. Therefore, this species is likely to not be affected from the proposed project.	

7. REFERENCES:

Carter and Gregory. Soil Map of Oklahoma. 2008.

Duck, L. G., & Fletcher, J. B. (1943). The Game Types of Oklahoma. Oklahoma City: Oklahoma Game and Fish Commission, Division of Wildlife Restoration and Research.

OBS. (2019, March 1). Oklahoma Natural Heritage Inventory. Retrieved from Oklahoma Biological Survey.

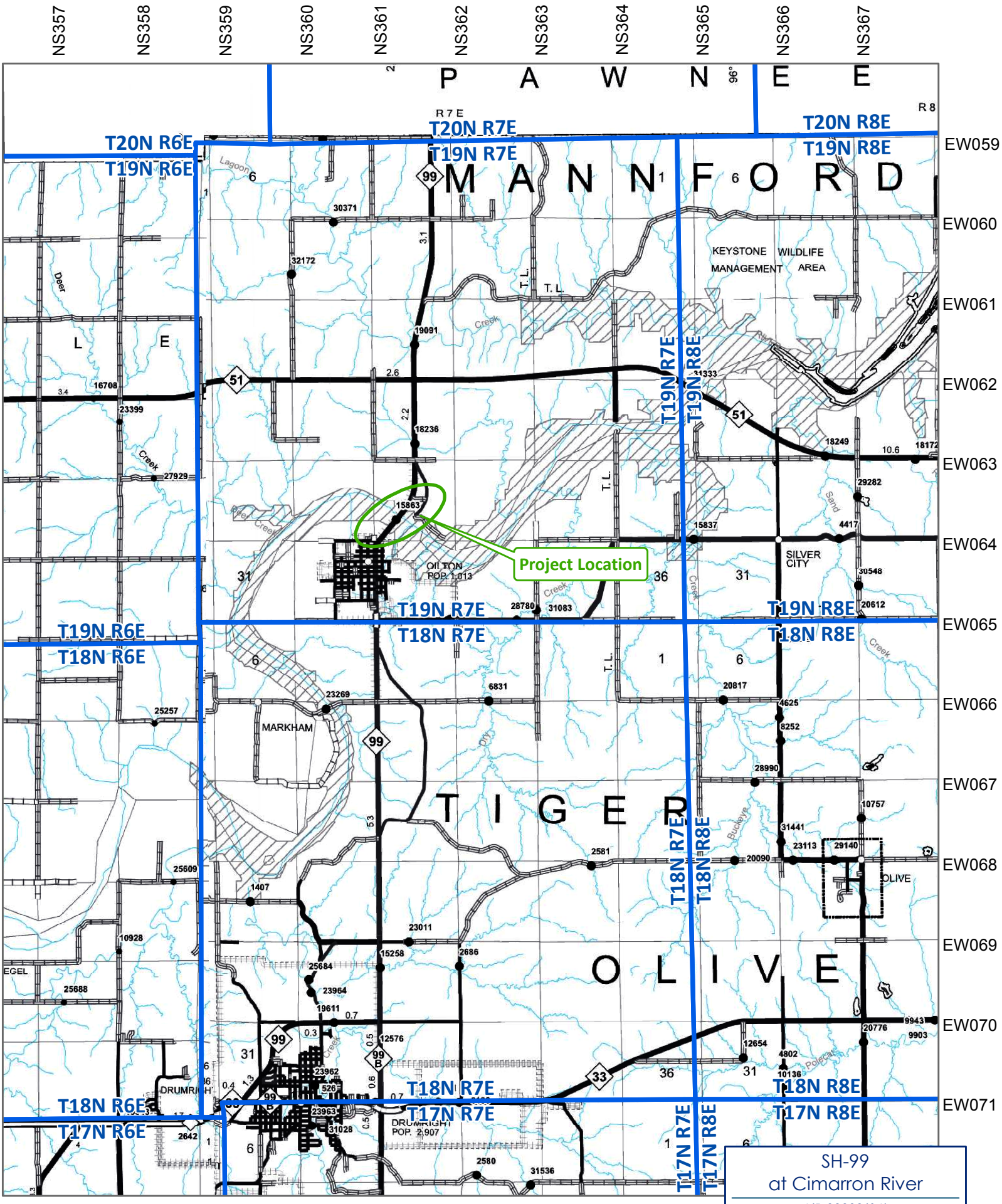
USFWS. (n.d.). IPaC -Information, Planning, and Conservation System. Retrieved February 28, 2019 from

USFWS (2018) American Burying Beetle (Nicrophorus americanus) Range-wide Presence/Absence Survey Guidance. Retrieved on October 2, 2019 from https://www.fws.gov/southwest/es/oklahoma/Documents/ABB/Surveying%20final/ABB%20Rangewide%20Survey%20Guidance_Final8May2018.pdf

Woods, A. J., Omernik, J. M., Butler, D. R., Ford, J. G., Henley, J. E., Hoagland, B. W., et al. (2005). Ecoregions of Oklahoma (color poster with map, descriptive text, summary tables, and photographs). Reston, VA: U.S. Geological Survey (map scale 1:1,250,000).

USFWS: http://ecos.fws.gov/ipac/

8. FIGURES



Project Location

Township & Range Boundary

Basemap: ODOT

Miles

0 0.75 1.5

1 inch = 1.5 miles

SH-99
at Cimarron River

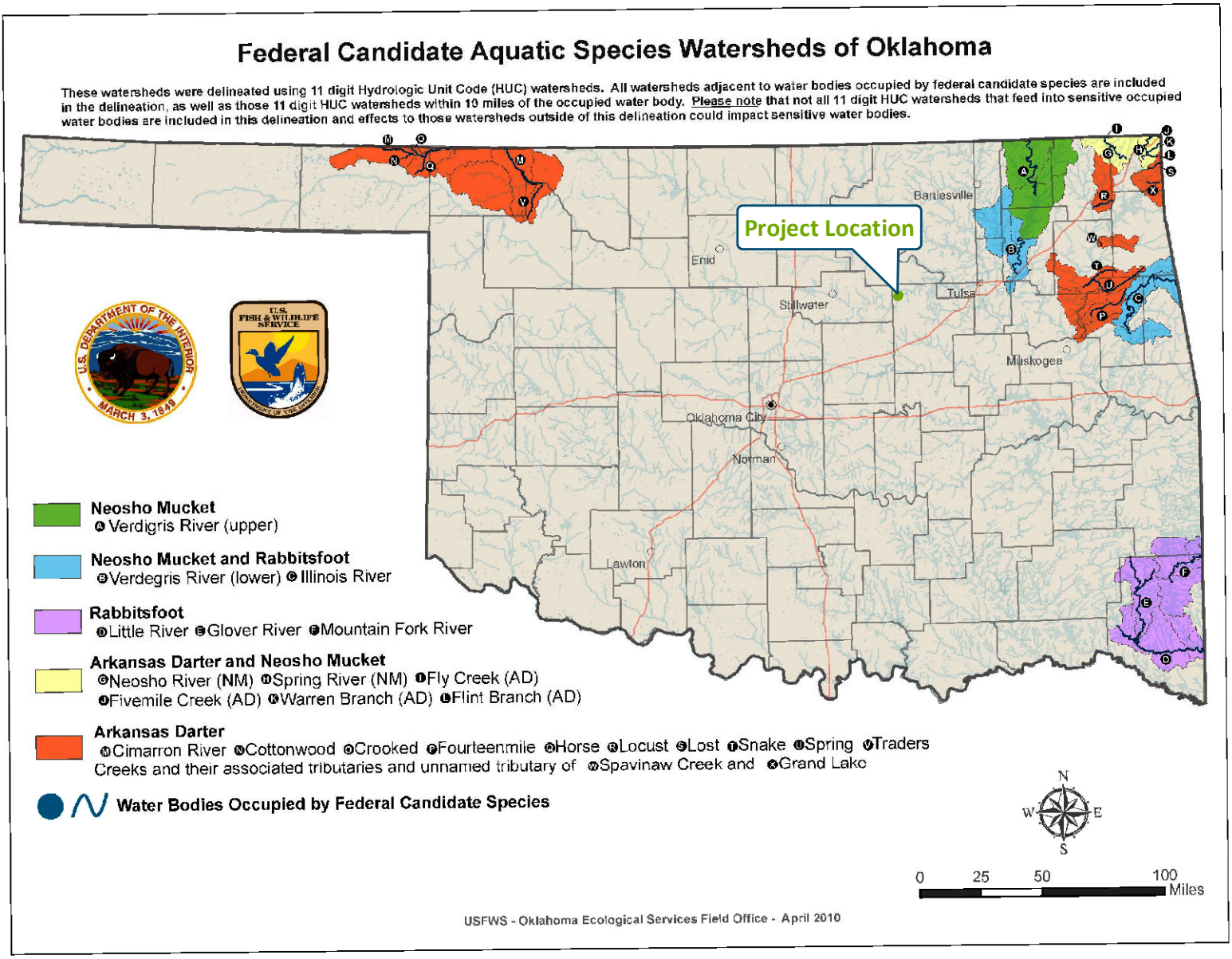
J/P 29829(04)

Creek County

Figure 1 - Project Location Map

SH-99
at Cimarron River
J/P 29829(04)
Creek County

Figure 2 - Action Area Map



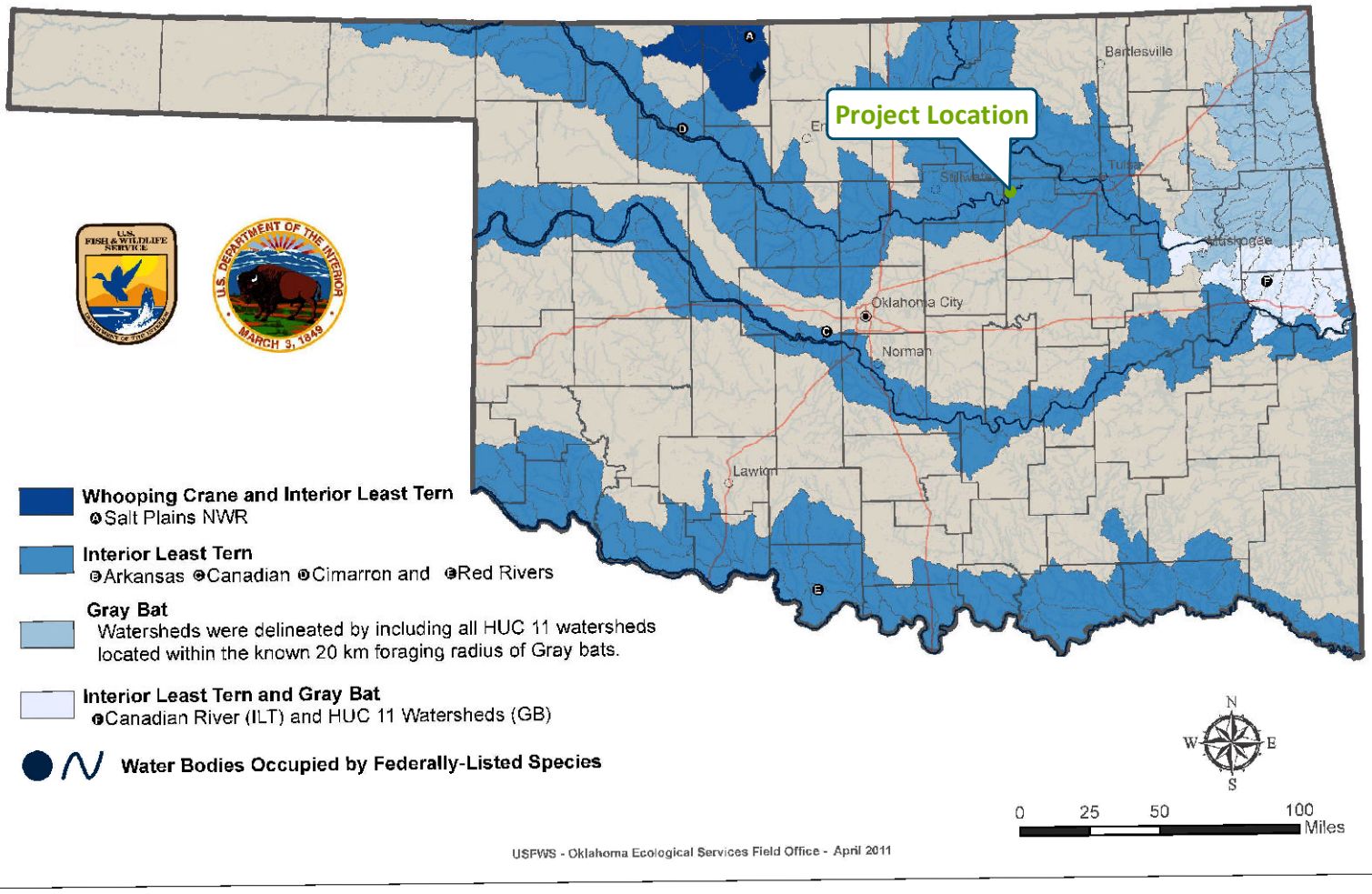
Project Location

SH-99
at Cimarron River
J/P 29829(04)
Creek County

Figure 3A

Federally-Listed Aquatic Dependent Species Watersheds of Oklahoma

These watersheds were delineated using 11 digit Hydrologic Unit Code (HUC) watersheds. All watersheds adjacent to water bodies occupied by federally-listed species are included in the delineation, as well as those 11 digit HUC watersheds within 10 miles of the occupied water body. Please note that not all 11 digit HUC watersheds that feed into sensitive occupied water bodies are included in this delineation and effects to those watersheds outside of this delineation could impact sensitive water bodies.



USFWS - Oklahoma Ecological Services Field Office - April 2011

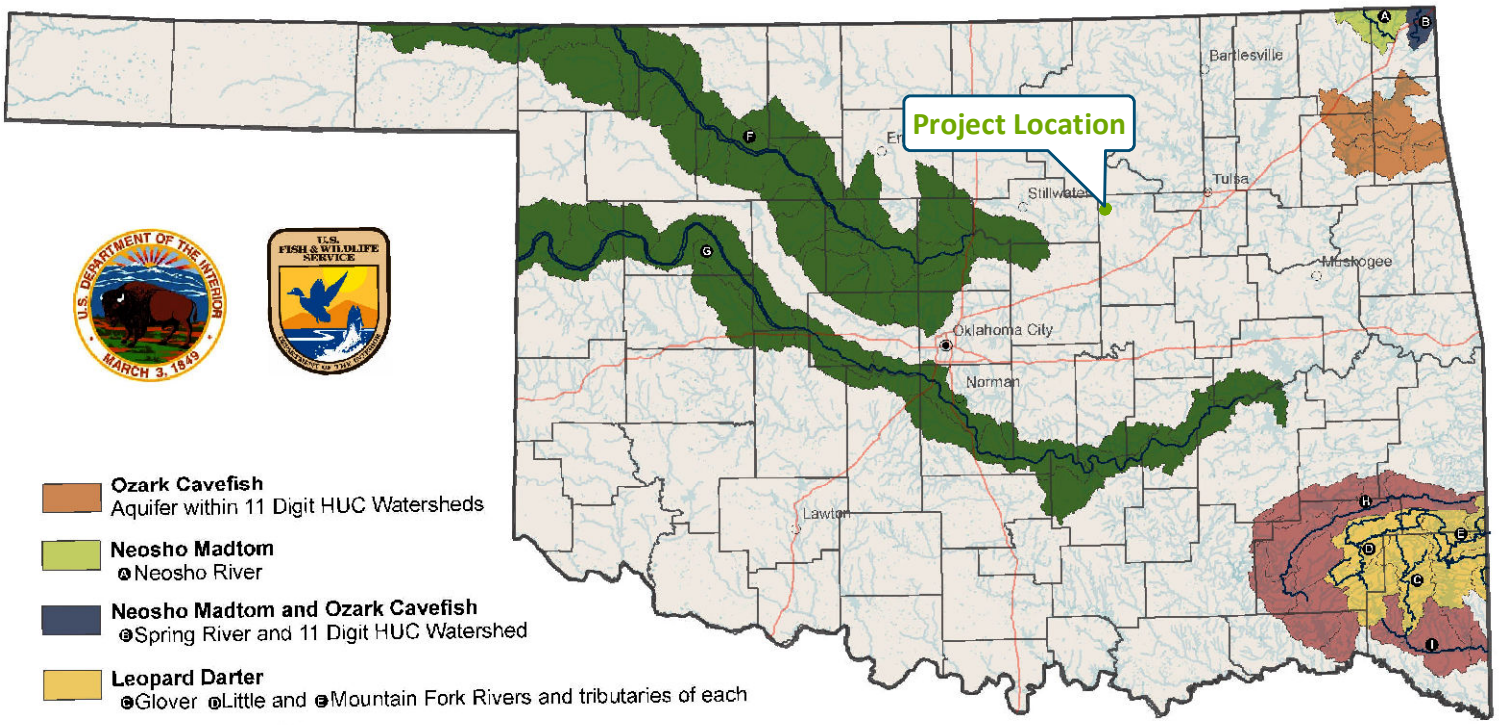
Project Location

SH-99
at Cimarron River
J/P 29829(04)
Creek County

Figure 3B

Federally-Listed Aquatic Species Watersheds of Oklahoma

These watersheds were delineated using 11 digit Hydrologic Unit Code (HUC) watersheds. All watersheds adjacent to water bodies occupied by federally-listed species are included in the delineation, as well as those 11 digit HUC watersheds within 10 miles of the occupied water body. Please note that not all 11 digit HUC watersheds that feed into sensitive occupied water bodies are included in this delineation and effects to those watersheds outside of this delineation could impact sensitive water bodies.



Ozark Cavefish
Aquifer within 11 Digit HUC Watersheds

Neosho Madtom
ⒶNeosho River

Neosho Madtom and Ozark Cavefish
ⒷSpring River and 11 Digit HUC Watershed

Leopard Darter
ⒸGlover ⒹLittle and ⒺMountain Fork Rivers and tributaries of each

Arkansas River Shiner
ⒻCimarron and ⒼCanadian Rivers

Ouachita Rock Pocketbook, Scaleshell, and Winged Mapleleaf
ⒽKiamichi and ⒾLittle Rivers

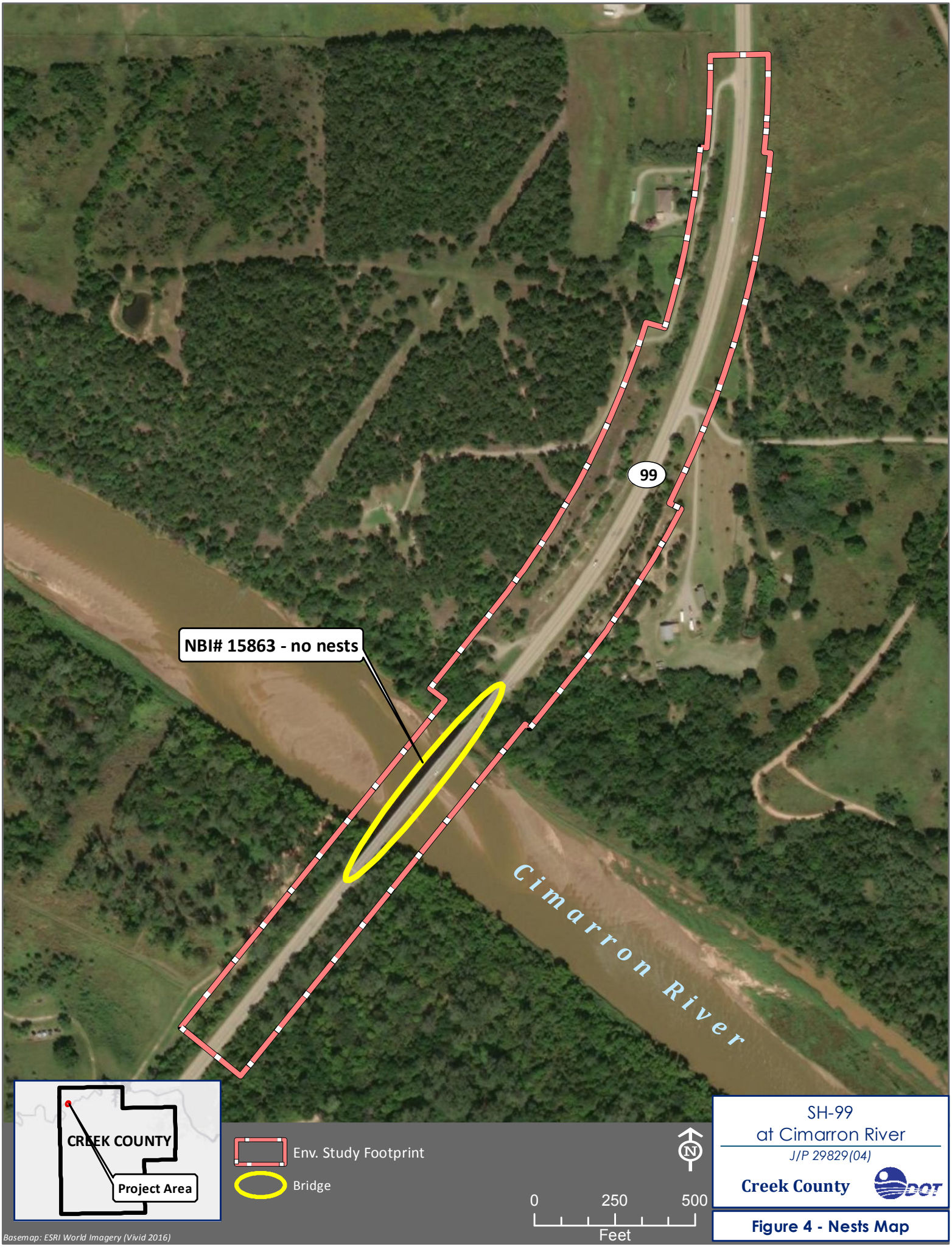
Water Bodies Occupied by Federally-Listed Species

USFWS - Oklahoma Ecological Services Field Office - April 2010

Project Location

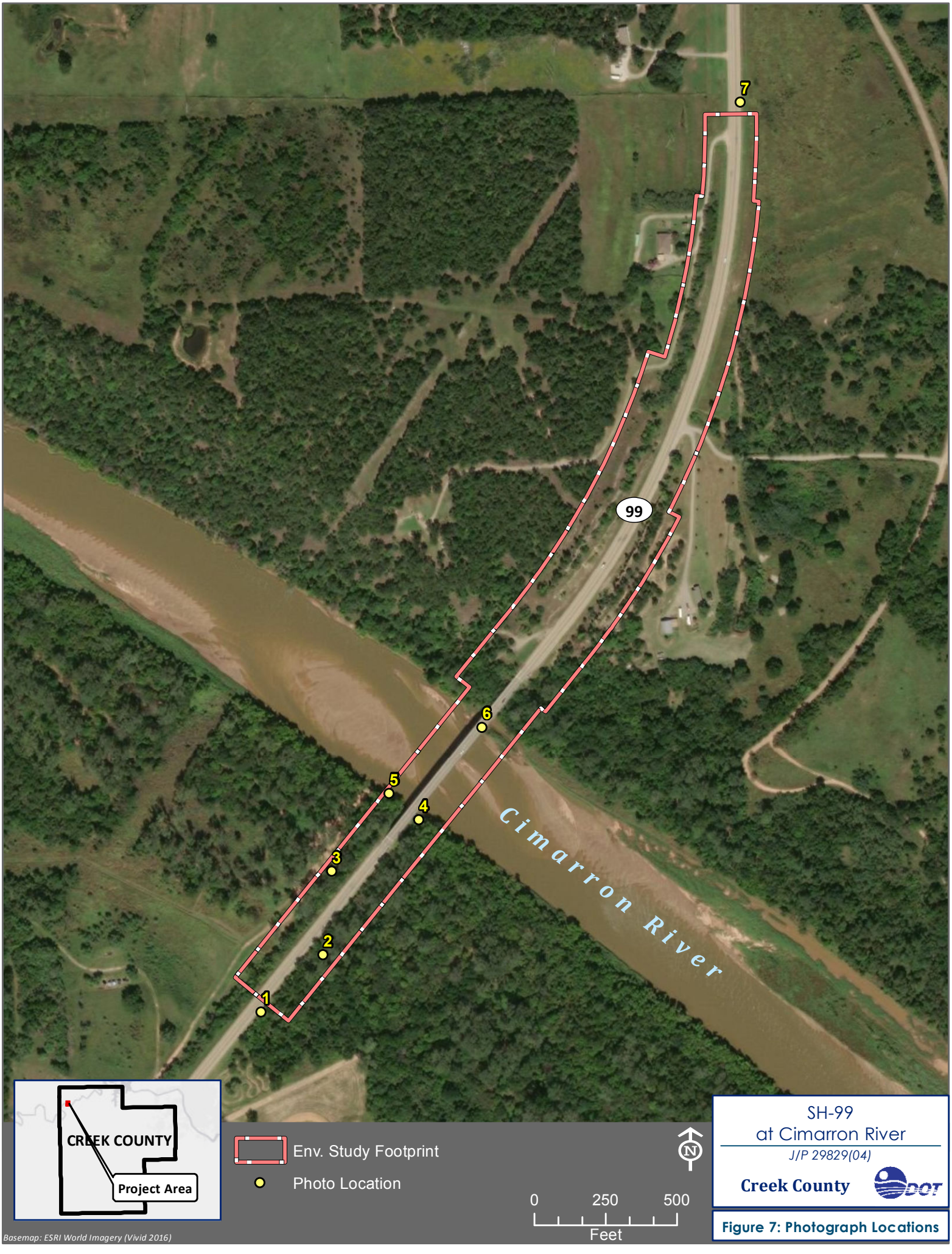
SH-99
at Cimarron River
J/P 29829(04)
Creek County

Figure 3C



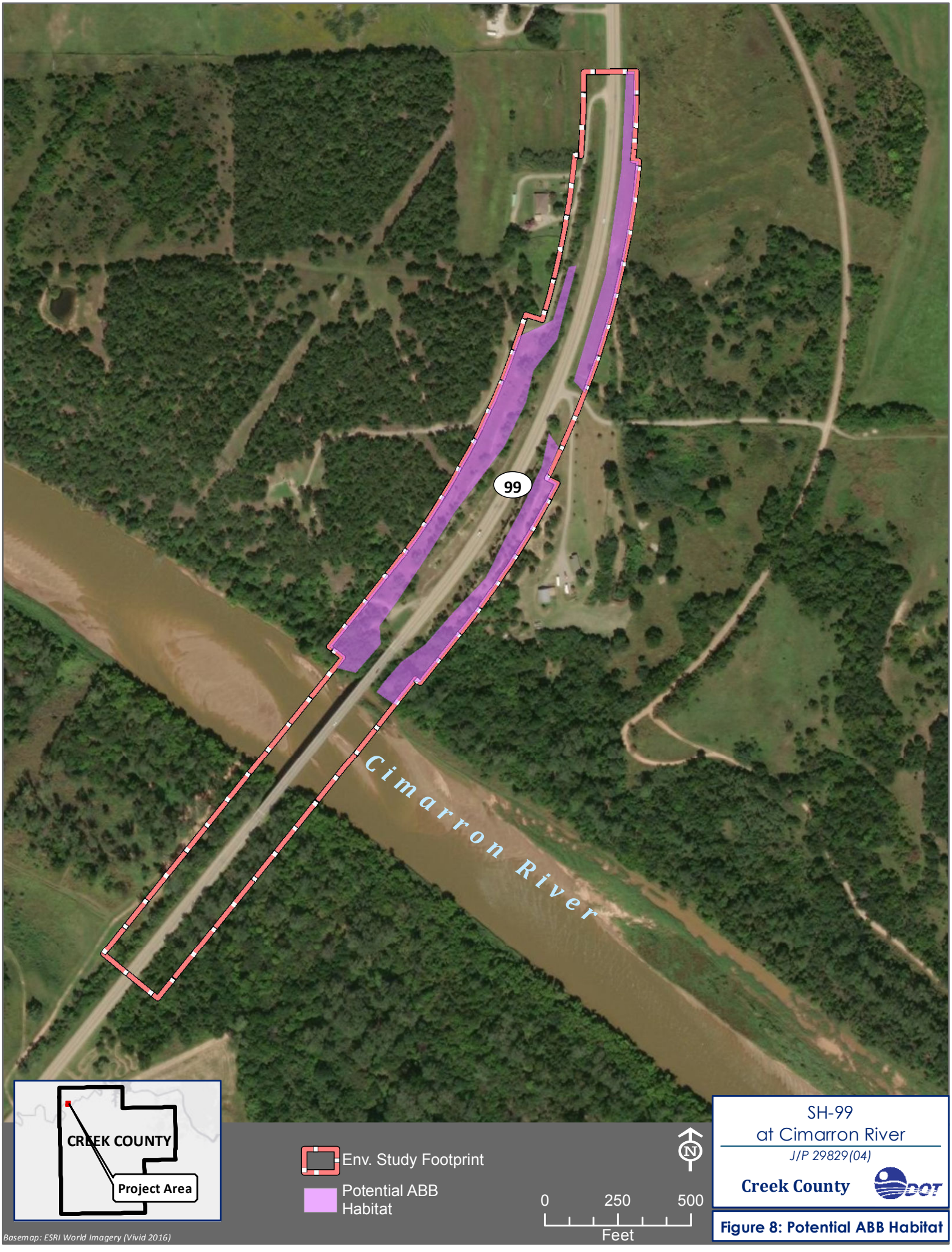
SH-99
at Cimarron River
J/P 29829(04)
Creek County

Figure 4 - Nests Map



SH-99
at Cimarron River
J/P 29829(04)
Creek County

Figure 7: Photograph Locations



SH-99
at Cimarron River
J/P 29829(04)
Creek County

Figure 8: Potential ABB Habitat

Photograph 1: A view of the NEPA study area facing north.

Photograph 2: A northeast-facing view of Wetland A, a forested wetland, along the southside of SH-99 within the study area.

Photograph 3: A view of Wetland A within the project study area.

Photograph 4: A view looking north along the SH-99 bridge across the Cimarron River.

Photograph 5: A view looking east along the SH-99 bridge across the Cimarron River.

Photograph 6: A view looking southeast from the SH-99 bridge at sandbars within the Cimarron River.

Photograph 7: A view looking southwest at the ROW within the NEPA study area.

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: January 27, 2020
Consultation Code: 02EKOK00-2019-SLI-2922
Event Code: 02EKOK00-2020-E-02014
Project Name: Creek Co Bridge Replacement

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/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://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: 02EKOK00-2019-SLI-2922

Event Code: 02EKOK00-2020-E-02014

Project Name: Creek Co Bridge Replacement

Project Type: BRIDGE CONSTRUCTION / MAINTENANCE

Project Description: Bridge replacement project over the Cimarron River in Creek Co, OK.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/36.09659232722993N96.57693060325138W

Counties: Creek, OK

Endangered Species Act Species

There is a total of 4 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 Fisheries[1], 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.

Birds

NAME	STATUS
Least Tern *Sterna antillarum* Population: interior pop. No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8505	Endangered
Piping Plover *Charadrius melodus* 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. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot *Calidris canutus rufa* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Insects

NAME	STATUS
American Burying Beetle *Nicrophorus americanus* 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	Endangered

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 Act[1] and the Bald and Golden Eagle Protection Act[2].

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
Harris's Sparrow *Zonotrichia querula* 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:

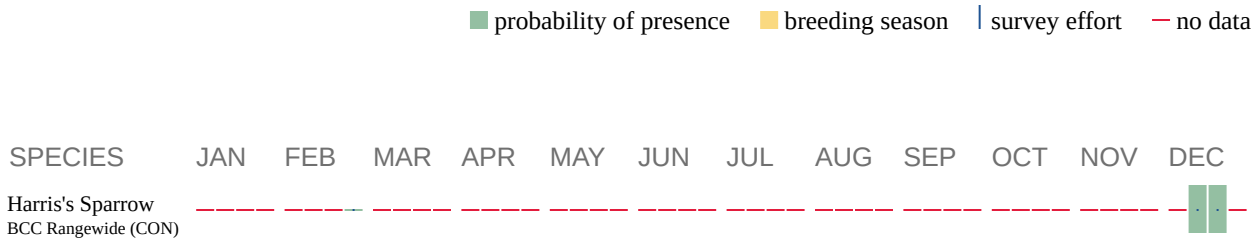
1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability 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 and/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 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 FORESTED/SHRUB WETLAND

- PFO1A

RIVERINE

- R2UBH

WATERS AND WETLANDS EVALUATION REPORT

For

County	Creek	JP Number	29829(04)	Project Number	J2-9829(004)
Road Number	SH-99	Water Body Name		Cimarron River	
ROW Date	July 2020	Let Date	2022	Project Length	0.7 miles
Project General Location		4.4 miles east of South Payne County Line, just north of Oilton, OK			
Project Statement		SH-99 Bridge Replacement over the Cimarron River			

Prepared for:
Oklahoma Department of Transportation
Environmental Programs Division
200 NE 21st Street
Oklahoma City, OK 73105

Prepared by:

Biologist Name	Melissa Cross
Company/Agency Name	CP&Y, Inc.
Address	2000 N. Classen Blvd
City, State Zip	Oklahoma City, OK 73106

Report Date:	August 14, 2019; Revised 10/7/2019
Field Date:	July 22, 2019

PROJECT OVERVIEW

Project Type (Choose one)	**Check √**
Bridge and Approaches or bridge widening/structure extension	X
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)	
Other (Describe) Interstate Ramp Modification	

Description of the **existing** bridge/roadway

The existing SH-99 has two 12-foot wide asphalt travel lanes with 10-foot wide asphalt shoulders. The total bridge length is 771.66 feet, and there are six existing piers to support the bridge. The existing bridge over the Cimarron River is 28 ft wide continuous steel stringer girder span bridge and is "at-risk" of becoming structurally deficient. The current Annual Average Daily Traffic (AADT) is estimated at 2,590 vehicles per day (VPD). The 20-year projected AADT is 3,550 VPD.

Description of **proposed** improvements **SPECIFIC TO THIS PROJECT**

The proposed project will replace the existing narrow bridge with a 44-foot wide bridge on the existing horizontal alignment. The length of the bridge will not change. The new bridge with consist of one 12-foot lane with a 10-foot shoulder in each direction. The project would include the replacement of the guardrails, and the roadway portion will be milled overlaid with asphalt 5 inches to the extents of the new guardrail, then tapered down to existing pavement. The new bridge will be built one-half at a time in order to maintain through traffic during construction. Six new piers will be used to support the new bridge at the location of the previous piers, except new columns spaced 39 feet apart will be constructed and the existing columns removed to a depth of approximately 1ft below grade. Removal of the columns will require the use of heavy construction equipment to cut, chisel, and remove the concrete. The new piers will consist of concrete drilled shaft foundations, drilled through the soil and into the rock below. All construction will occur within casing that will be driven into the soil and rock, then dewatered for drilling and pouring concrete. New or temporary right-of-way (ROW) will not be required.

Project Environmental Study Footprint

Project Location		**Environmental Study Footprint**	
Section Range & Township	Lat/Long (NAD 83)	Dimensions	Acreage
S28, T19N, R7E	Start: 36.092°N, -96.581°W End: 36.101°N, -96.575°W	0.67 mi long; width varies between 180 ft and 320 ft	21.15

Environmental Study Footprint Soils (NRCS Soil Survey Map)

Map Unit Name	**Percent Slope**	**Drainage Class**	**Hydric Rating**		**Description**
			YES	**NO**	
Konawa-Gullied land complex (Bd)	3 to 8	Well drained		X	Not prime farmland. Loamy and sandy alluvium derived from sedimentary rock and clayey and loamy residuum weathered from sandstone and shale.
Collinsville and Talihina soils (Cf)	12 to 20	Somewhat excessively drained to moderately well drained		X	Not prime farmland. Residuum weathered from sandstone and clayey residuum weathered from shale.
Reinach very fine sandy loam, rarely flooded (Ra)	0 to 1	Well drained		X	All areas are prime farmland. Calcareous loamy alluvium derived from sedimentary rock.
Teller silt loam (Ta)	3 to 5	Well drained		X	All areas are prime farmland. Loamy alluvium derived from sedimentary rock.
Teller silt loam (Tc)	5 to 8	Well drained		X	Not prime farmland. Loamy alluvium derived from sedimentary rock.
Yahola very fine sandy loam, occasionally flooded (Yb)	0 to 1	Well drained		X	All areas are prime farmland. Calcareous loamy alluvium derived from sedimentary rock.

Environmental Study Footprint General Description and Vegetation Present

Three plant communities dominated the study footprint: riparian woodland, disturbed prairie, and maintained grassland.

The maintained grassland characterized the areas directly adjacent to the roadway. Dominant species included bermudagrass (*Cynodon dactylon*), and perennial rye grass (*Lolium perenne*).

The riparian wooded areas were present along both sides of the Cimarron River. These areas were primarily dominated by trees such as cottonwoods (*Populus deltoides*), box edlers (*Acer negundo*), hackberries (*Celtis occidentalis*), and green ash (*Fraxinus pennsylvanica*). Woody vines such as greenbrier (*Smilax spp*.), poison ivy (*Toxicodendron radicans*), summer grape (*Vitis aestivalis*), and muscadine grape (*Vitis rotundifolia*) were also present.

Areas of disturbed prairie were present at the norther extent of the project area. These areas may possibly have been used historically for agriculture, but now contained species such as switchgrass (*Panicum virgatum*) and bermudagrass and was heavily dominated by eastern redcedar (*Juniperus virginiana*). Greenbrier and summer grape vines were also observed in these areas.

The Cimarron River was observed within the project area. This river flowed from west to east, and both sides of the river were vegetated by wooded riparian areas. Forested wetlands were observed on the southwest edge of the river and typified by the species described in the wooded riparian area described above.

WATERS AND WETLANDS EVALUATION

Data Sources Reviewed (list)

USGS 7.5 minute Quad	**NWI Map**	**USACE Wetland Regional Supplement**	**Additional Resources Reviewed**
Oilton	Digital NWI data for Creek County	Great Plains	NHD Data for Oklahoma

Wetlands and Ponds Summary Table

Field Sites	Type of Wetland or Pond	Cowardin Classification	Potential Jurisdictional Status	Acres within Environmental Study Footprint
Wetland A	Forested Wetland	Freshwater emergent	Likely	1.67

Streams and Drainages Summary Table

Field Sites	Stream Name	USGS Mapped Status	Potential Jurisdictional Status	Acres within Environmental Study Footprint	Linear Feet within Environmental Study Footprint
Stream 1	Cimarron River	Perennial	Likely	2.42	240

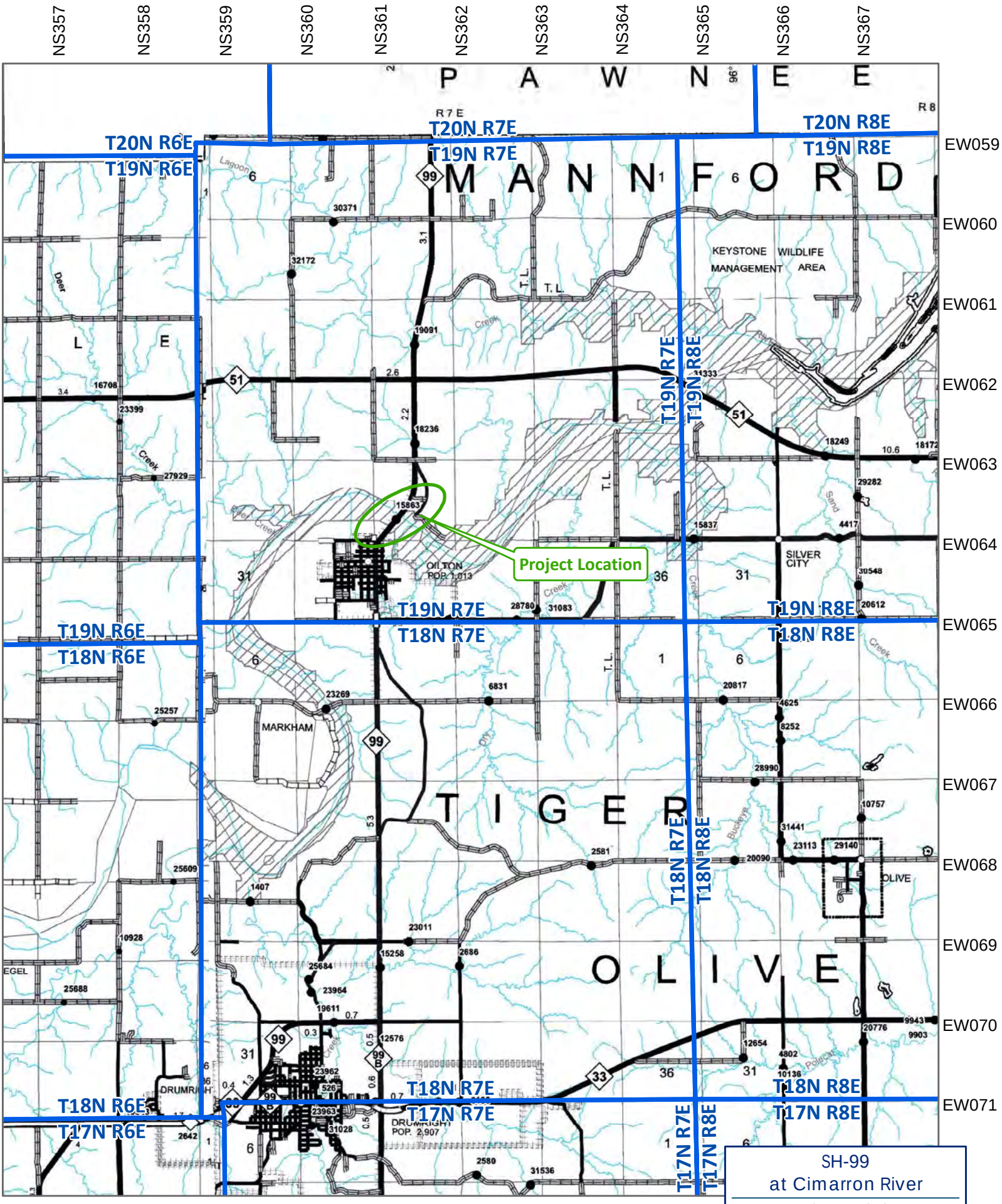
Streams and other linear aquatic features

Stream 1 is mapped on the USGS topographic map as the Cimarron River, a perennial river, and is mapped within the NHD. The stream eventually flows to the Arkansas River. As observed in the field, the feature flowed from northwest to southeast and had flowing water present. The acreage of the feature within the environmental study footprint was 2.42 acres, the average width was approximately 434 feet, and it flowed for approximately 240 linear feet within the study area. Vegetation along this stream consisted mainly of large woody vegetation. A complete description of the vegetation present is provided in the riparian woodland vegetation description above. This stream is likely to be considered jurisdictional but USACE due to the fact that it is a USGS and NHD-mapped perennial feature.

Wetlands and Ponds

Wetland A was observed as a forested wetland adjacent to Stream 1 on the southern bank of the river. The wetland was observed on both the west and east side of SH-99. This feature is mapped on the NWI as a Forested Freshwater/Shrub Wetland. Field investigations determined that this Cowardin class is correct. The feature exhibited all three indicators for wetland sites per USACE guidelines: the area was dominated by hydric vegetation, the soil indicator fit the loamy mucky mineral indicator per the USACE Great Plains Supplement for Wetland Delineation, and there was standing water, high water table, saturation, sediment deposits, algal mats, water-stained leaves, inundation and saturation visible on aerial imagery, drainage patterns, sparsely vegetated concave surface, had Geomorphic position, and passed the FAC-neutral test at the sample point. Dominant vegetation at the site includes cottonwoods, box elder, and smooth alder (*Alnus serrulata*). The acreage of this wetland within the study footprint totaled 1.67 acres. This feature is likely jurisdictional due to its direct hydrological connectivity with a mapped USGS stream.

FIGURES



Project Location

Township & Range Boundary

Basemap: ODOT

Miles

0 0.75 1.5

1 inch = 1.5 miles

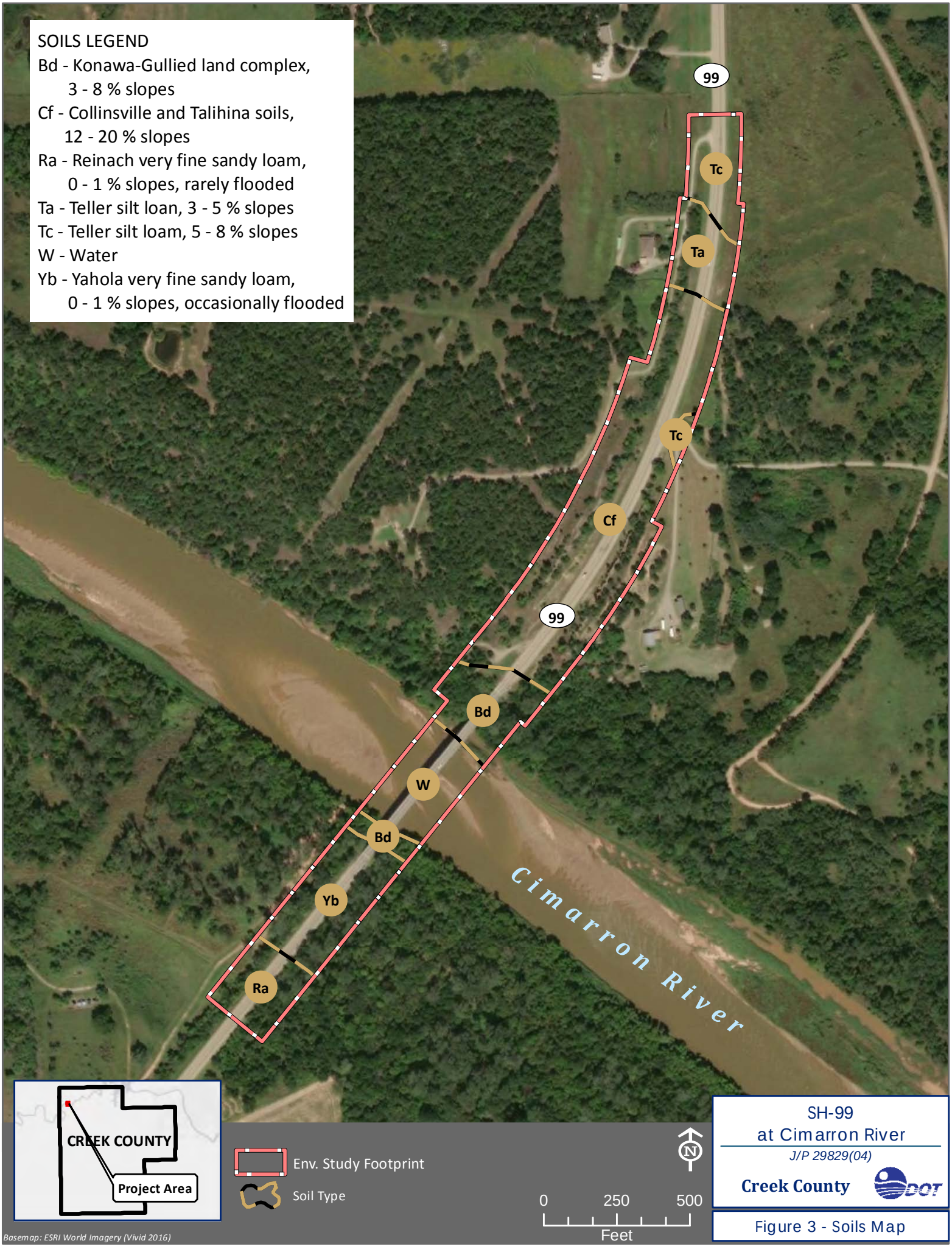
SH-99
at Cimarron River

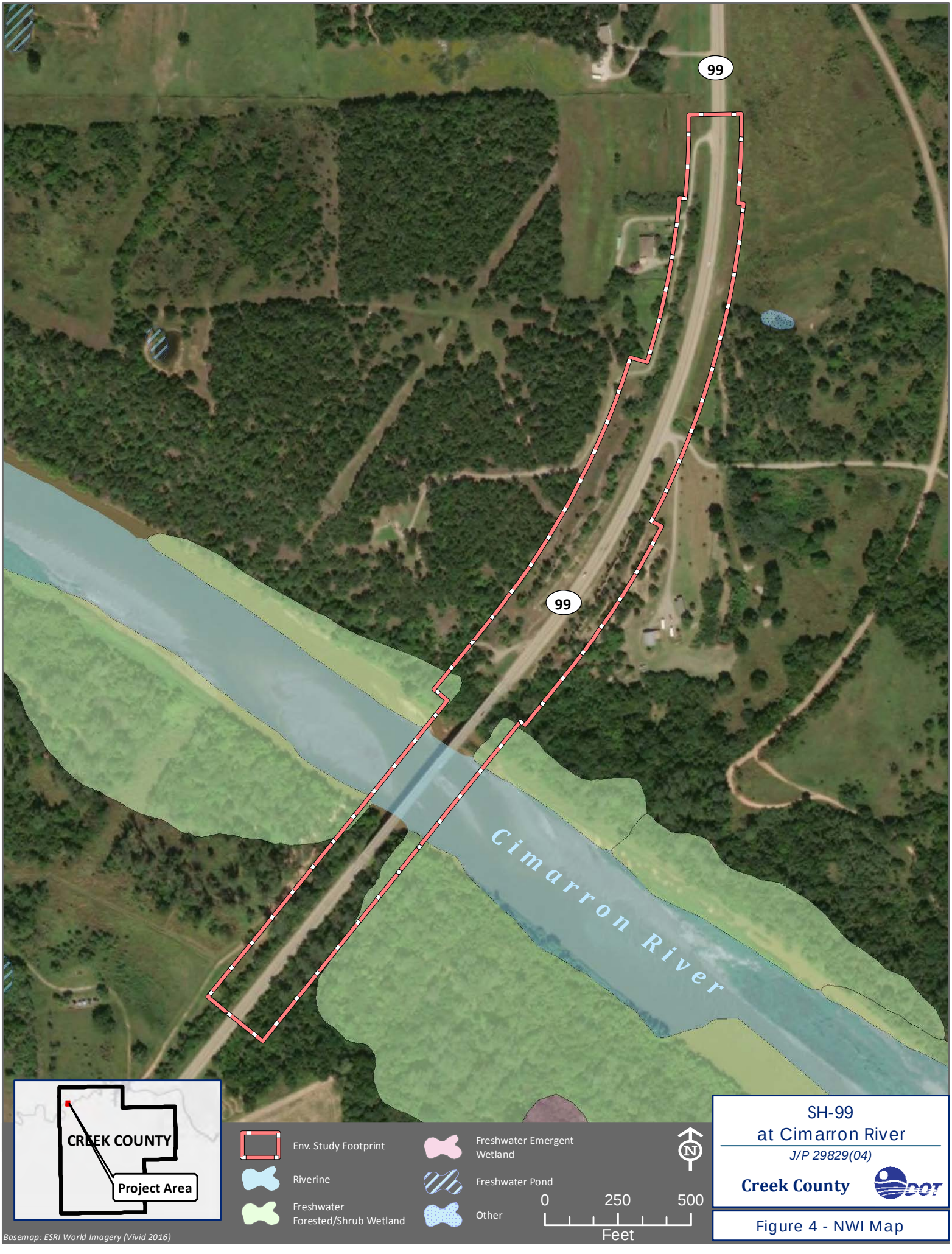
J/P 29829(04)

Creek County

Figure 1 - Project Location Map


99
99
KEYSTONE
LAKE
Oilton
Sandpit
Quarry
Sewage Disposal Ponds
Oil Wells
Cimarron Valley Ch
CREEK COUNTY
Project Area
Env. Study Footprint
N
0
0.25
0.5
Miles
Basemap: USGS Topographic Map
SH-99
at Cimarron River
J/P 29829(04)
Creek County
Figure 2 - Topographic Map


SOILS LEGEND
Bd - Konawa-Gullied land complex, 3 - 8 % slopes
Cf - Collinsville and Talihina soils, 12 - 20 % slopes
Ra - Reinach very fine sandy loam, 0 - 1 % slopes, rarely flooded
Ta - Teller silt loan, 3 - 5 % slopes
Tc - Teller silt loam, 5 - 8 % slopes
W - Water
Yb - Yahola very fine sandy loam, 0 - 1 % slopes, occasionally flooded
99
Tc
Ta
Tc
Cf
99
Bd
W
Bd
Yb
Ra
Cimarron River
CREEK COUNTY
Project Area
Env. Study Footprint
Soil Type
N
0
250
500
Feet
Basemap: ESRI World Imagery (Vivid 2016)
SH-99
at Cimarron River
J/P 29829(04)
Creek County
Figure 3 - Soils Map

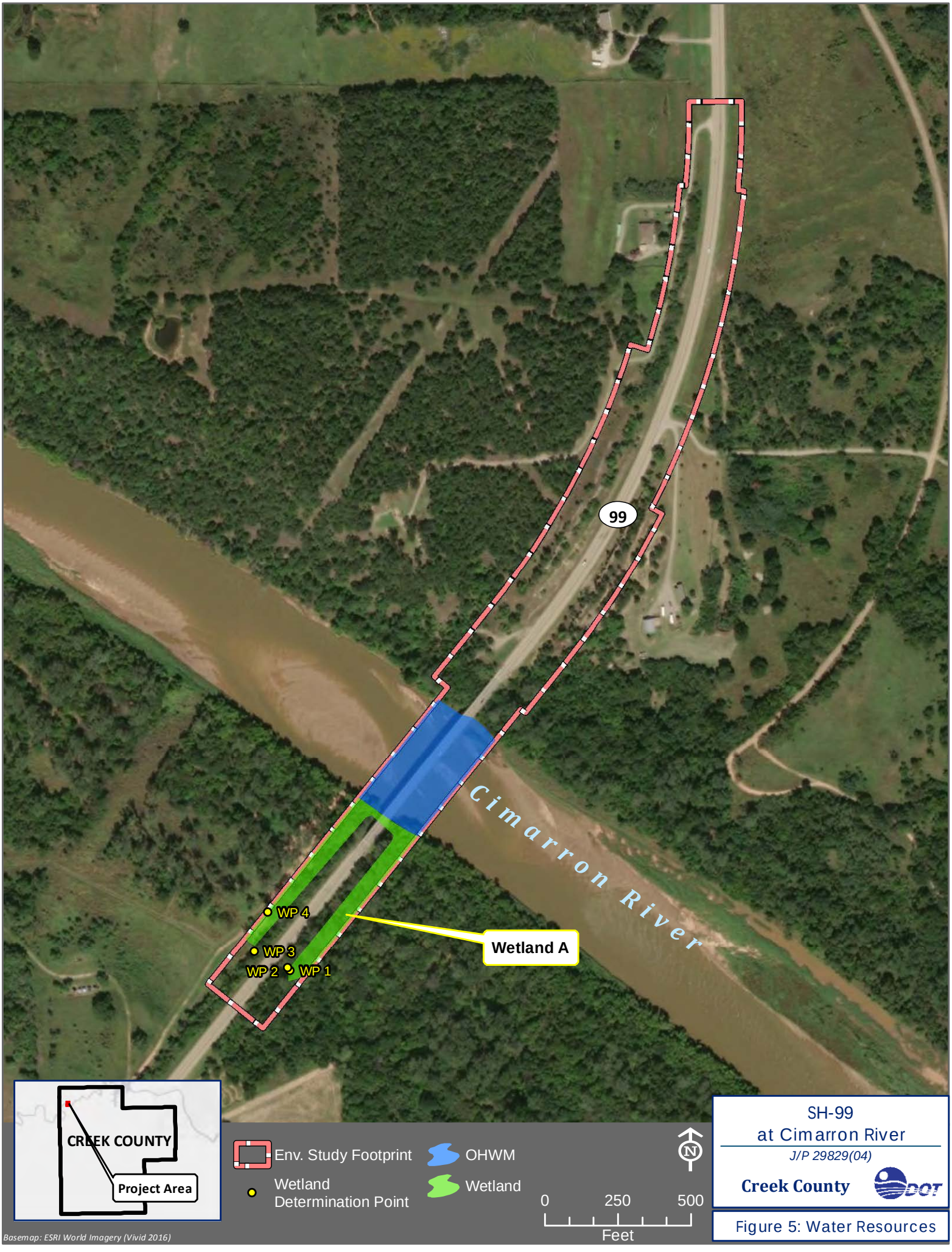


SH-99
at Cimarron River

J/P 29829(04)

Creek County

Figure 4 - NWI Map



SH-99
at Cimarron River
J/P 29829(04)
Creek County

Figure 5: Water Resources

Photograph 1: A view of the NEPA study area facing north.

Photograph 2: A northeast-facing view of Wetland A, a forested wetland, along the southside of SH-99 within the study area.

Photograph 3: A view of Wetland Determination Point (WP) 1 within Wetland A. This location did meet the three criteria necessary to be considered a wetland.

Photograph 4: A view of WP 2. This location did not meet the three criteria necessary to be considered a wetland.

Photograph 5: A view of Wetland A, a forested wetland, within the project study area.

Photograph 6: A view of WP 3. This location did not meet the three necessary criteria to be considered a wetland.

Photograph 7: A view looking at WP 4. This sampled location did meet the three necessary criteria to be considered a wetland.

Photograph 8: A view looking north along the SH-99 bridge across the Cimarron River.

Photograph 9: A view looking east along the SH-99 bridge across the Cimarron River.

Photograph 10: A view looking southeast from the SH-99 bridge at sandbars within the Cimarron River.

Photograph 11: A view looking southwest at the ROW within the NEPA study area.

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: SH-99 Bridge Replacement City/County: Oilton, Creek County Sampling Date: 7/22/19

Applicant/Owner: ODOT State: OK Sampling Point: 1

Investigator(s): M. Cross (CP&Y), K. Fiddler (CP&Y) Section, Township, Range: S28, T19N, R7E

Landform (hillslope, terrace, etc.): Bottomland Local relief (concave, convex, none): Concave Slope (%): 0

Subregion (LRR): LRR H Lat: 36.092988 Long: -96.580736 Datum: NAD 1983

Soil Map Unit Name: Reinach very fine sandy loam, 0 - 1 % slopes, rarely flooded NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✔ No _____ (If no, explain in Remarks.)

Are Vegetation _____ Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✔ No _____

Are Vegetation _____ Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✔ No _____	**Is the Sampled Area within a Wetland?** Yes ✔ No _____
Hydric Soil Present?	Yes ✔ No _____	
Wetland Hydrology Present?	Yes ✔ No _____	

Remarks: Hydrophytic vegetation, hydric soils, and wetland hydrology were present. Therefore, the sampled area is within a wetland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 15 ft x 15 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. Populus deltoides	15	Yes	FAC
2. Acer negundo	30	Yes	FAC
3. Alnus serrulata	10	No	OBL
4.			
	55 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft x 15 ft)			
1.			
2.			
3.			
4.			
5.			
	_____ = Total Cover		
Herb Stratum (Plot size: 15 ft x 15 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	_____ = Total Cover		
Woody Vine Stratum (Plot size: 15 ft x 15 ft)			
1.			
2.			
	_____ = Total Cover		

% Bare Ground in Herb Stratum 100

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

___ 1 – Rapid Test for Hydrophictic Vegetation

✔ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✔ No _____

Remarks: (Include photo numbers here or on a separate sheet.)

The sampled location was in a sparsely vegetated concave surface that was dominated by a tree stratum and no understory or shrub cover. Hydrophytic vegetation was present at the sampled location.

SOIL

Sampling Point: WP 1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-6	7.5 YR 3/3	93					Loam	Silt present
	7.5 YR 2.5/1	7					Muck	Mucky organic material
6-10	7.5 YR 3/3	80					Loam	Dual matrix
	5 YR 4/6	20					Loam	
10-16	5YR 4/6	50					Sandy loam	Dual matrix
	7.5 YR 3/3	50					Sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✔ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRRI, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRRH outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✔ No ____

Remarks:

Hydric soil was present at the sampled location.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✔ Surface Water (A1)
- ✔ High Water Table (A2)
- ✔ Saturation (A3)
- ✔ Water Marks (B1)
- ✔ Sediment Deposits (B2)
- ✔ Drift Deposits (B3)
- ✔ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ✔ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ✔ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ✔ Sparsely Vegetated Concave Surface (B8)
- ✔ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✔ Geomorphic Position (D2)
- ✔ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present? Yes ✔ No ____ Depth (inches): 1

Water Table Present? Yes ✔ No ____ Depth (inches): 12

Saturation Present? (includes capillary fringe) Yes ✔ No ____ Depth (inches): 0

Wetland Hydrology Present? Yes ✔ No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Wetland hydrology was present at the sampled location.

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: SH-99 Bridge Replacement City/County: Oilton, Creek County Sampling Date: 7/22/19

Applicant/Owner: ODOT State: OK Sampling Point: 2

Investigator(s): M. Cross (CP&Y), K. Fiddler (CP&Y) Section, Township, Range: S28, T19N, R7E

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): None Slope (%): 30

Subregion (LRR): LRR H Lat: 36.092828 Long: -96.580351 Datum: NAD 1983

Soil Map Unit Name: Reinach very fine sandy loam, 0 to 1% slopes NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✔ No _____ (If no, explain in Remarks.)

Are Vegetation _____ Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✔ No _____

Are Vegetation _____ Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____ No ✔	**Is the Sampled Area within a Wetland?** Yes _____ No ✔
Hydric Soil Present?	Yes _____ No ✔	
Wetland Hydrology Present?	Yes _____ No ✔	

Remarks: Hydrophytic vegetation, hydric soil, and wetland hydrology were not observed at the sampled location. Therefore, the sampled area is not within a wetland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 15 ft x 15 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. Celtis occidentalis	10	Yes	FACU
2. Morus rubra	5	Yes	FACU
3.			
4.			
	15 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft x 15 ft)			
1. Populus deltoides	5	Yes	FAC
2. Morus rubra	10	Yes	FACU
3.			
4.			
5.			
	15 = Total Cover		
Herb Stratum (Plot size: 15 ft x 15 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	0 = Total Cover		
Woody Vine Stratum (Plot size: 15 ft x 15 ft)			
1. Vitis rotundifolia	10	Yes	FAC
2.			
	10 = Total Cover		

% Bare Ground in Herb Stratum 75

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): 2 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 40 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

___ 1 – Rapid Test for Hydrophictic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✔

Remarks: (Include photo numbers here or on a separate sheet.)

Hydrophytic vegetation was not observed at the sampled location.

SOIL

Sampling Point: WP 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Redox Features Type[1]	Redox Features Loc[2]	Texture	Remarks
0-1	7.5 YR 3/3	100					Silty Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRRI, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRRH outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: Riprap

Depth (inches): 1

Hydric Soil Present? Yes ____ No ✔

Remarks:

A soil pit could not be dug due to the amount of riprap present from roadway fill. Hydric soil was not observed at the sampled location.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ✔ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present? Yes ____ No ✔ Depth (inches): ____

Water Table Present? Yes ____ No ✔ Depth (inches): ____

Saturation Present? (includes capillary fringe) Yes ____ No ✔ Depth (inches): ____

Wetland Hydrology Present? Yes ____ No ✔

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Wetland hydrology was not present at the sampled location.

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: SH-99 Bridge Replacement City/County: Oilton, Creek County Sampling Date: 7/22/19

Applicant/Owner: ODOT State: OK Sampling Point: 3

Investigator(s): M. Cross (CP&Y), K. Fiddler (CP&Y) Section, Township, Range: S28, T19N, R7E

Landform (hillslope, terrace, etc.): Bottomland Local relief (concave, convex, none): Concave Slope (%): 0

Subregion (LRR): LRR H Lat: 36.092988 Long: -96.580736 Datum: NAD 1983

Soil Map Unit Name: Reinach very fine sandy loam, 0 to 1% slopes NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✔ No ____ (If no, explain in Remarks.)

Are Vegetation ____ Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ✔ No ____

Are Vegetation ____ Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✔ No ____	**Is the Sampled Area within a Wetland?** Yes ____ No ✔
Hydric Soil Present?	Yes ____ No ✔	
Wetland Hydrology Present?	Yes ✔ No ____	

Remarks: Though hydrophytic vegetation and wetland hydrology were observed at the sampled location, hydric soil was not. Therefore, the sampled area is not within a wetland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 15 ft x 15 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. Acer negundo	20	Yes	FAC
2. Fraxinus pennsylvanica	25	Yes	FAC
3. Alnus serrulata	10	No	OBL
4.			
	55 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft x 15 ft)			
1. Acer negundo	10	Yes	FAC
2.			
3.			
4.			
5.			
	10 = Total Cover		
Herb Stratum (Plot size: 15 ft x 15 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	0 = Total Cover		
Woody Vine Stratum (Plot size: 15 ft x 15 ft)			
1. Toxicodendron radicans	10	Yes	FACU
2.			
	10 = Total Cover		

% Bare Ground in Herb Stratum 100

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 75 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:

___ 1 – Rapid Test for Hydrophictic Vegetation

✔ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✔ No ____

Remarks: (Include photo numbers here or on a separate sheet.)

There was no herbaceous cover in the sampled location. Hydrophytic vegetation was observed at the sampled location.

SOIL

Sampling Point: WP 3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-1	5 YR 3/4	100					Clay	
1-7	5 YR 3/4	35					Clay Loam	Dual Matrix
	5 YR 3/2	65						
7-16	5 YR 3/2	100					Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRRI, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRRH outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ____ No ✔

Remarks:

Hydric soil was not observed at the sampled location.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ✔ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ✔ Surface Soil Cracks (B6)
- ✔ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✔ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present? Yes ____ No ✔ Depth (inches): _____

Water Table Present? Yes ____ No ✔ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes ✔ No ____ Depth (inches): 9

Wetland Hydrology Present? Yes ✔ No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Wetland hydrology was present at the sampled location.

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: SH-99 Bridge Replacement City/County: Oilton, Creek County Sampling Date: 7/22/19

Applicant/Owner: ODOT State: OK Sampling Point: 4

Investigator(s): M. Cross (CP&Y), K. Fiddler (CP&Y) Section, Township, Range: S28, T19N, R7E

Landform (hillslope, terrace, etc.): Bottomland Local relief (concave, convex, none): Concave Slope (%): 0

Subregion (LRR): LRR H Lat: 36.093356 Long: -96.580571 Datum: NAD 1983

Soil Map Unit Name: Yahola very fine sandy loam, 0 to 1% slopes, occasionally flooded NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✔ No _____ (If no, explain in Remarks.)

Are Vegetation _____ Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✔ No _____

Are Vegetation _____ Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✔ No _____	**Is the Sampled Area within a Wetland?** Yes ✔ No _____
Hydric Soil Present?	Yes ✔ No _____	
Wetland Hydrology Present?	Yes ✔ No _____	

Remarks: Hydrophytic vegetation, hydric soils, and wetland hydrology were present. Therefore, the sampled area is within a wetland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 20 ft x 20 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. Populus deltoides	10	Yes	FAC
2.			
3.			
4.			
	10 = Total Cover		
Sapling/Shrub Stratum (Plot size: 20 ft x 20 ft)			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
Herb Stratum (Plot size: 20 ft x 20 ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	0 = Total Cover		
Woody Vine Stratum (Plot size: 20 ft x 20 ft)			
1.			
2.			
	0 = Total Cover		

% Bare Ground in Herb Stratum 100

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

___ 1 – Rapid Test for Hydrophictic Vegetation

✔ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✔ No _____

Remarks: (Include photo numbers here or on a separate sheet.)

The sampled location was in a sparsely vegetated concave surface that was dominated by a tree stratum and no understory or shrub cover. Hydrophytic vegetation was present at the sampled location.

SOIL

Sampling Point: WP 4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Redox Features Type[1]	Redox Features Loc[2]	Texture	Remarks
0-4	7.5 YR 3/3	93					Loam	Silt present
	7.5 YR 2.5/1	7					Muck	Mucky organic material
4-9	7.5 YR 3/3	85					Loam	Dual matrix
	5 YR 4/6	15					Loam	
9-16	5YR 4/6	60					Sandy loam	Dual matrix
	7.5 YR 3/3	40					Sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ✔ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRRI, J)**
- ___ Coast Prairie Redox (A16) **(LRR F, G, H)**
- ___ Dark Surface (S7) **(LRR G)**
- ___ High Plains Depressions (F16) **(LRRH outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ✔ **No** ____

Remarks:

Hydric soil was present at the sampled location.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ✔ High Water Table (A2)
- ✔ Saturation (A3)
- ✔ Water Marks (B1)
- ✔ Sediment Deposits (B2)
- ✔ Drift Deposits (B3)
- ✔ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ✔ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ✔ Sparsely Vegetated Concave Surface (B8)
- ✔ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ✔ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present? Yes ____ No ✔ Depth (inches): _____

Water Table Present? Yes ✔ No ____ Depth (inches): 12

Saturation Present? (includes capillary fringe) Yes ✔ No ____ Depth (inches): 0

Wetland Hydrology Present? **Yes** ✔ **No** ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Wetland hydrology was present at the sampled location.

N R C S COORDINATION

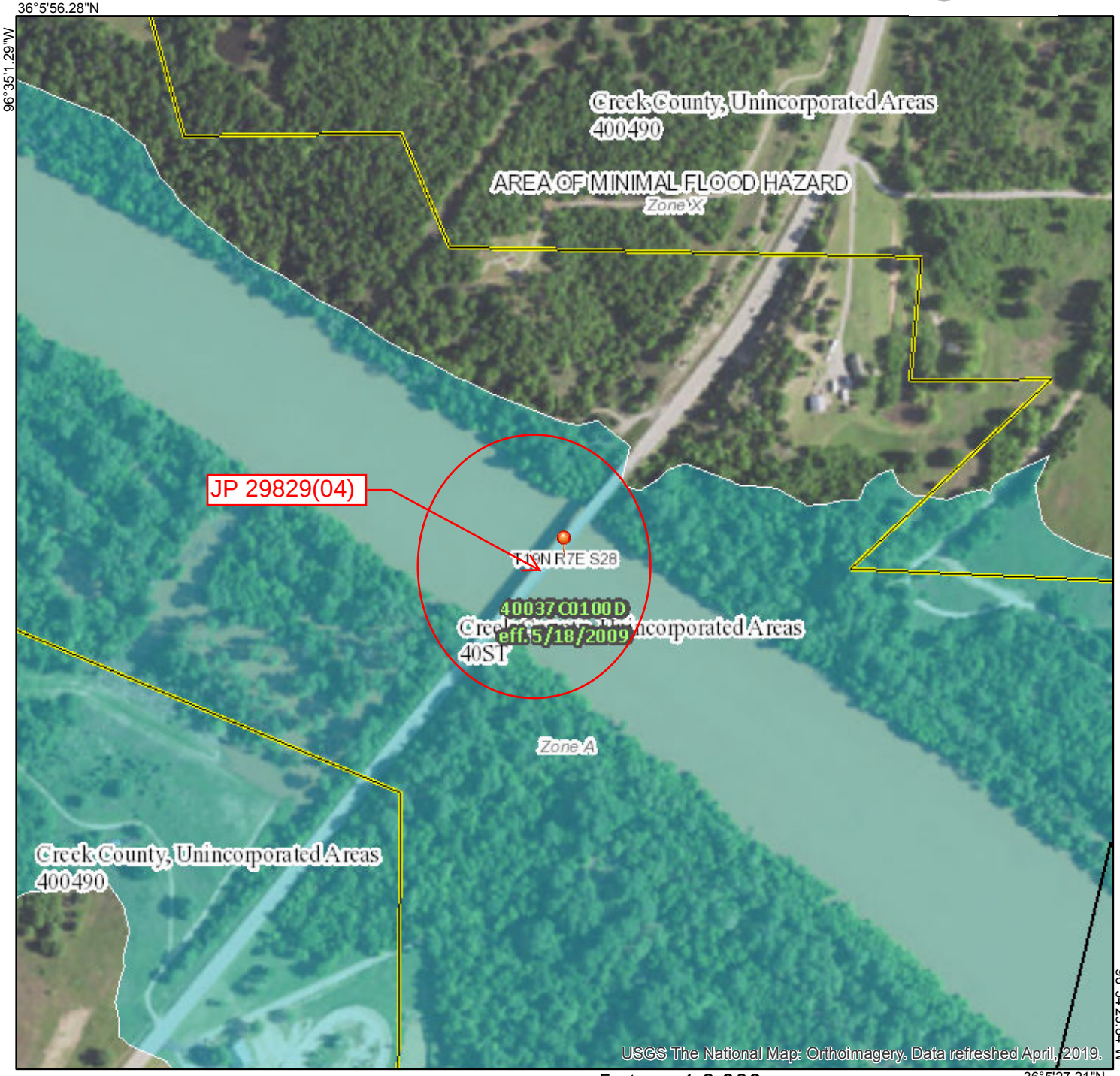
NRCS Coordination

The project is located completely within existing the ROW used for transportation and therefore no NRCS coordination was required.

FLOOD PLAIN INFORMATION

National Flood Hazard Layer FIRMette

FEMA



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 / 17.5 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

N

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 10/9/2019 at 11:59:11 AM 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.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

HAZARDOUS WASTE STUDIES

OKLAHOMA DEPARTMENT OF TRANSPORTATION
CONSULTANT REPORT REVIEW – HAZARDOUS WASTE

Reviewed By: Evan Mace
Review Date: 7/30/2019
Consultant: Enercon
County: Creek
Project No.: J2-9829(004)
J/P Number: 29829(04)

1. PROJECT DESCRIPTION: BRIDGE & APPROACHES: SH-99 OVER THE CIMARRON RIVER, 4.4 MILES E S PAYNE C/L

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):

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: None needed.

6. GENERAL COMMENTS: An ISA was performed by Enercon in July 2019 which found utilities within the project area. These will be handled via standard ODOT procedure and are not considered RECs to the project.

There are no hazardous waste environmental concerns associated with this project.

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.

INITIAL SITE ASSESSMENT

SH-99: CIMARRON RIVER BRIDGE

CREEK COUNTY, OKLAHOMA

JP No. 29829(04) –Subconsultant Agreement
CP&Y Job Number: ODOT1800513.02
ENERCON PROJECT NO. CP&Y~00002

Prepared For:

Oklahoma Department of Transportation
Environmental Programs Division
Oklahoma City, OK

Prepared By:

ENERCON
An Employee Owned Company

1601 NW Expressway, Suite 1000
Oklahoma City, OK 73118
(405) 722-7693
Fax: (405) 722-7694

July 2019

INITIAL SITE ASSESSMENT

SH-99: CIMARRON RIVER BRIDGE

CREEK COUNTY, OKLAHOMA

JP No. 29829(04) –Subconsultant Agreement
CP&Y Job Number: ODOT1800513.02
ENERCON PROJECT NO. CP&Y~00002

Prepared For:

Oklahoma Department of Transportation
Environmental Programs Division
Oklahoma City, OK

Prepared By:

ENERCON
An Employee Owned Company

1601 NW Expressway, Suite 1000
Oklahoma City, OK 73118
(405) 722-7693
Fax: (405) 722-7694

Lauran Drummond
Environmental Specialist

Reviewed by:

Jefferson Laughlin, P.G.
Senior Project Manager
Environmental Consultant License #0384

INITIAL SITE ASSESSMENT

SH-99: CIMARRON RIVER BRIDGE

CREEK COUNTY, OKLAHOMA

JP No. 29829(04) –Subconsultant Agreement
CP&Y Job Number: ODOT1800513.02
ENERCON PROJECT NO. CP&Y~00002

1.0 EXECUTIVE SUMMARY

CP&Y requested an Initial Site Assessment (ISA) along a segment of State Highway 99 (SH-99) covering northeast bound and southwest bound sides of the bridge crossing the Cimarron River. The segment begins approximately 0.2 miles northeast of East 6th Street in Oilton and stretches northeast approximately 0.35 miles to the northeast along SH-99 across the Cimarron River Bridge. The Area of Investigation (AOI) is generally characterized by native grass and tree covered undeveloped land, the Cimarron River, and a boat launch ramp. The Oklahoma Department of Transportation (ODOT) requested the ISA realizing the potential for presence of hazardous waste or soil / groundwater pollution within or adjoining to the proposed project area could lead to project delays and escalated construction costs.

The purpose of this assessment was to identify potential environmental concerns by reviewing historical data, regulatory information, and by performing interviews and a visual inspection of the site and surrounding area.

The potential environmental concerns were developed from the available historical information and site work. A list of contacts (**Table 1**) and a summary of potential environmental hazards (**Table 2**) are provided in **Exhibit A**. Topographic, geologic, and site maps are provided in **Exhibit B**. Site photographs are available in **Exhibit C**.

Sites with Recognized Environmental Conditions (RECs) determined by this supplemental ISA to present a low, moderate, or high environmental risk to the AOI are listed below.

- Utility lines located within the AOI.

2.0 INVESTIGATIVE METHODS AND EVALUATION CRITERIA

2.1 Purpose

CP&Y requested an ISA along a segment of State Highway 99 (SH-99) covering northeast bound and southwest bound sides of the bridge crossing the Cimarron River. The segment begins approximately 0.2 miles northeast of East 6th Street in Oilton and stretches northeast approximately 0.35 miles to the northeast along SH-99 across the Cimarron River Bridge. The AOI is generally characterized by native grass and tree

by land subject to inundation. Beneath this land are primarily Terrace Sand (Qts) and Dune Sand (Qds). The Terrace Sand consists of mostly unconsolidated sand, silt, and clay, with little to no gravel-sized material. This unit former at several levels alone former courses of present-day streams. The Dune Sand generally consists of windblown, fine- to very fine-grained, unconsolidated sand formed into definite dune structure and ridges. Deposits of the Dune Sand most likely derived from Aeolian reworking of modern and older alluvial and terrace deposit. An unconformity separates the underlying Cenozoic from the Paleozoic Formations. The underlying Paleozoic Formation is the Vamoosa (IPvg). The Vamoosa consists of locally calcareous, gray-green, blue-green, and maroon shale; siltstone; fine- to coarse-grained sandstone; and thin limestones.

Mean annual precipitation of the AOI area is approximately 36 inches per year with the wet seasons recognized as May - June and September - October.

A Geologic Map map of the subject area is included in **Exhibit B, Figure 3**. A Soil Map of the subject area is included in **Exhibit B, Figure 4**.

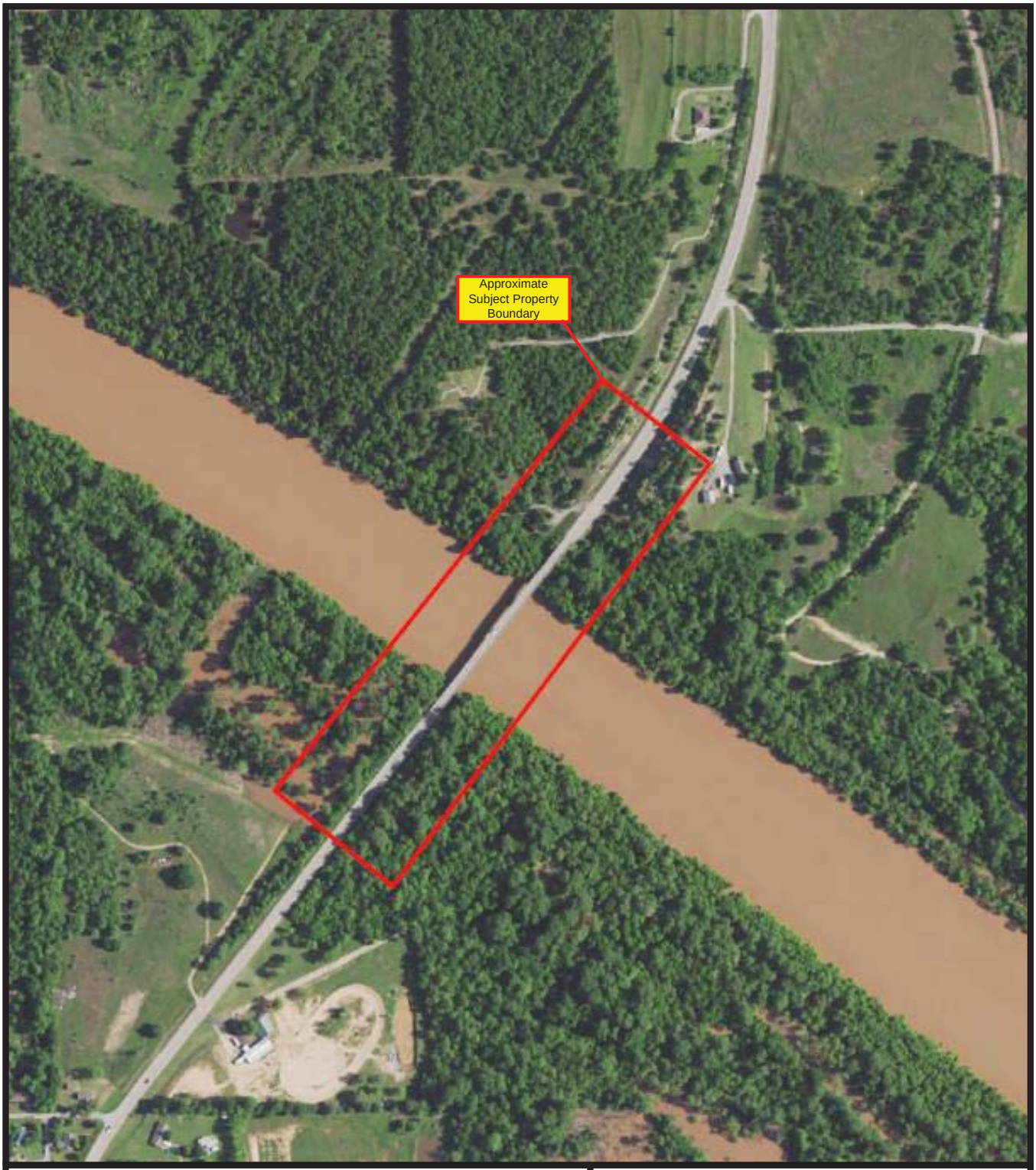
5.0 FINDINGS AND RECOMMENDATIONS

Summarized below are the major findings from this Initial Site Assessment and appropriate recommendations.

Utility Lines in Corridor

Overhead electrical lines and associated pole-mounted transformers were observed within the AOI.

> ***Recommendation –*** *ENERCON considers the utilities in the corridor to be a low environmental concern to the AOI. No further investigation is recommended at this time.*



Enercon Services, Inc.
1601 NW Expressway, Ste. 1000
Oklahoma City, OK 73118
www.enercon.com
405.722.7693 405.722.7694 (fax)

Prepared for: ODOT
Project: CP&Y~00002

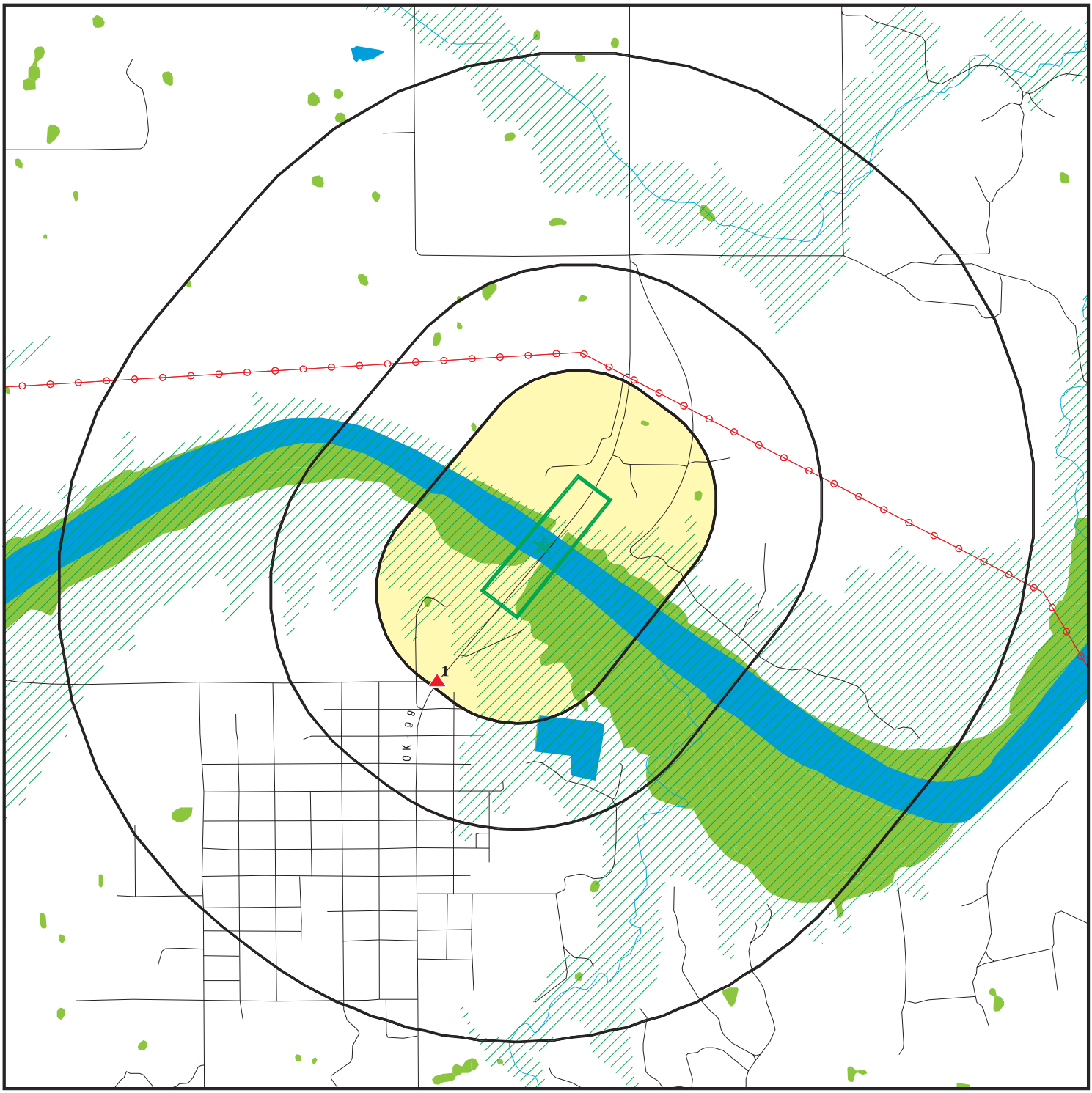
Site Map

SH-99 CIMARRON RIVER BRIDGE

Creek County, Oklahoma

Figure 1

OVERVIEW MAP - 5701588.2S



0 1/4 1/2 1 Miles

- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites
- Indian Reservations BIA
- Power transmission lines
- 100-year flood zone
- 500-year flood zone
- National Wetland Inventory

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME:	CP&Y SH-99 CIMARRON RIVER	CLIENT:	Enercon Services, Inc.
ADDRESS:	SH-99 and Cimarron River Drumright OK 74030	CONTACT:	Lauran Drummond
LAT/LONG:	36.09478 / 96.578825	INQUIRY #:	5701588.2s
		DATE:	June 27, 2019 7:30 pm

OTHER

Project Management Division (405)522-7601 Fax (405) 522-7612 Room 1-C6

DATE: **July 28, 2016**

TO: **Distribution List**

FROM: **Joe Brutsché, Project Management Division**

SUBJECT: **Final Project Initiation**

J/P Number: 29829(04) County: Creek Highway: SH-99 Division: 8
PS&E Date: 2022 R/W Date: 2019 Drive-out Date: September 29, 2014
Programmed Estimate: $ 6,993,600.00
Project Description: SH-99 over Cimarron River, 4.4 miles E S Payne C/L

EXISTING INFORMATION

Reconnaissance Information Available

■ Yes Location - http://plansrv1/osd/JP2982904/PSEDevelopment/DataReconnaissance/
□ No

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 Condition

Current ADT: 2400 % Trucks: 15% Number of Lanes: 2 Lane Width: 12’
Outside Shoulder Width: 10’ Inside Shoulder Width: 10’
■ Open Section □ Curb & Gutter □ Divided, median width:
□ Other (describe):
Pavement Type: Asphalt overlay on PC Conc.
Pavement Condition: □ Good ■ Fair □ Poor
Shoulder Type: Asphalt overlay on PC Conc.
Shoulder Condition: □ Good ■ Fair □ Poor
Storm Sewer ■ No □ Yes Storm Sewer Condition: □ Good □ Fair □ Poor
Sidewalks ■ No □ Left Width: ' □ Right Width: '

Bridges within Project extents: SEE ATTACHED INSPECTION REPORTS
Bridge One NBI #: 15863
Bridge Two NBI #:

CONSIDERATIONS

Environmental/Right-of-Way

■ Historic Properties, list: 15 low NRHP buildings in recon corridor (in Oilton)
□ Archeological Sites, list:
□ Cemeteries, list:
■ Hazardous Waste Sites/ AST's/ Coal Mines/LUST Sites, list: 2 inactive petroleum tanks, NE of 41st Street (in Oilton)
■ Threatened & Endangered Species, list with seasonal restrictions: ABB, Interior Least Tern, Piping Plover
□ Aquatic Species, list with seasonal restrictions:
■ Section 4F or 6F Properties, list: 4(f) Keystone Wildlife Management Area both east and west
□ Farmland ■ Wetlands □ Scenic Rivers and Protected Aquifers □ Critical Resource/ Sensitive Waters/Impaired Waters (type of impairment), List: Small area of wetlands associated with the river bank.
■ FEMA Flood Zone ■ A □ AE □ X
■ Compensatory Flood Storage (possible)
□ Indian/Tribal/Federal/Wetland Reserve Program Properties, List:
□ Scenic Byway/Route 66

Alternative Impacts

■ Other Agencies List: USACE, ODWC
□ Turnpike Involvement
□ Metropolitan Planning Organizations List:

Right-of Way/Utilities

■ Additional RW Anticipated Describe: Possible Temp R/W for detour bridge tie-in
■ Utility Conflicts Describe: Telephone and Fiber Optic attached to bridge

Permit Information

Design Exception Anticipated: ■ No □ As required by design □ Yes, type:
Maintenance Agreements (Lighting, Signals, etc.): ■ No □ Yes, type:
Permits required: ■ FAA ■ USACE □ OWRB □ Railroad □ Other, type:
Comments for required permits: (Name and distance to airport, anticipated USACE permit type, Railroad owner, active or abandoned rail line, etc.)
Hilltop Airport 2.1 miles NE of bridge; 404 permit will be required for potential jurisdictional waters and wetlands impact.

Special Considerations

Utilities are attached to the existing bridge. (Telephone & Fiber Optic)
Impacts outside of present R/W will require Section 4(f) coordination with ODWC and USACE due to Keystone Wildlife Management Area surrounding the existing bridge.

.....

PROPOSED IMPROVEMENT

Project Intent:
Replace the narrow bridge.

Description of Proposed Improvements:
Replace the existing bridge with a 44’ wide (2-12’ lanes with 10’ shoulders) bridge on the existing horizontal alignment. Replace guardrail, and the roadway portion will be milled overlaid with asphalt 5” to the extents of the new guardrail, then tapered down to existing pavement. A shoofly detour will be constructed at approximately a 40’ offset to the west, with a one lane temporary bridge that is controlled by a signal. All fill and associated items with the detour will be removed after construction and returned to previous conditions.

Design Speed: Remain as currently posted
Potential to transfer steel bridge beams to County
□ No ■ Yes □ N/A
Fully document specific reasons preventing transfer:

Project Termini
Beginning of Project: Approximately 400’ south of the southern end of the existing bridge.
End of Project: Approximately 400’ north of the northern end of the existing bridge.
Limits of Survey: From 600’ south of the southern end of the existing bridge, extending north along SH-99 to a point 600’ north of the northern end of the existing bridge; 200’ RT & LT
Limits of NEPA Survey Area: Same extents as survey and 200’ RT & LT

Typical Section
■ Open Section □ Curb & Gutter □ Divided, median width:
□ Other (describe):
Number of Lanes: 2 Lane Width: 12'
Outside Shoulder Width: 10' Inside Shoulder Width: 10'
Storm Sewer ■ No □ Yes
Sidewalks ■ No □ Left Width: ' □ Right Width: '
Sidewalk decision comments:

Overlay □ No ■ Yes, thickness: 5” minimum to the extent of new guardrail
Coldmill □ No ■ Yes, thickness: TBD
Add Shoulders ■ No □ Yes, width: '
Bridge Width 44'

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
Alignment decision comments:
□ Spot Improvements
□ Horizontal, Description:
□ Vertical, Description:

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 □ Round Robin Approved
□ Signed Detour, Route Description:
Anticipated duration of Detour:
□ Public Meeting Required □ Agreement Required
□ Phased Construction, Description:

Aesthetics ■ No □ Yes
Description of proposed aesthetic treatments:

Traffic Items

Traffic Management Plan	□ No	■ Yes	
Median Barrier	■ No	□ Yes	
New Guardrail	□ No	■ Yes	
End Treatment	□ No	■ Type: GET	
Highway Lighting	■ No	□ Outside or	□ Median
Traffic Signals	■ No	□ Location(s):	

Miscellaneous

Channel Work ■ No □ Relocation □ Re-Alignment □ Cleanup
Public Involvement ■ No □ Road Closure Letters
□ Public Meeting
□ Stakeholder Meeting

.....

PROGRAMMING INFORMATION

RW Project Needed	□ No	■ Yes	
Utility Project Needed	□ No	■ Yes	

Initiation Estimate

Roadway:	$ 300,000.00	Total Construction:	$ 7,602,920.00
Bridge:	$ 5,840,000.00		
Traffic Control:	$ 1,000,000.00	Right-of-Way:	$ 0.00
Signing and Striping:	$ 100,000.00	Utility:	$ 10,278.00
Highway Lighting:	$ 0.00		
Traffic Signals:	$ 0.00	Total Estimate:	$ 7,613,198.00
Mobilization:	$ 354,920.00		
Staking:	$ 8,000.00		
E & C:	$		

Program Revisions

Estimate: $ Letting Date: Project Length:
Work Type:
Description:

Attendee Name	Representing
Jerry Ragsdale	Field Division Eight
Mark Zishka	Field Division Eight
Mohamed Elyazgi	Bridge Division
Caleb Austin	Roadway Design Division
Steven Bowen	Roadway Design Division - Geometrics
Ben Mazloompour	Roadway Design Division
Randy Woods	Roadway Design Division
Jeffrey Hamilton	Roadway Design Division
Joe Brutsché	Environmental Programs Division
Jack Claxton	Right-of-way Division
Leroy Tackett	Survey Division
Ray Sanders	Project Management Division
Shelly Moody	Project Management Division

Attachments (Aerial with Preliminary RW)

Distribution List:

Director of Engineering
Director of Capital Programs
Bridge Division
Environmental Programs Division
FHWA
Field Division
Project Management Division
Right-of-Way Division
Roadway Design Division
Survey Division
Strategic Asset & Performance Management Division
Traffic Engineering Division

OKLAHOMA DEPARTMENT OF TRANSPORTATION - Bridge Inspection Report

Suff. Rating: 61.4 Health Index : 72.0

NBI No.: **15863** Structure No.: 1935 0635 X Local ID:-1 ND

IDENTIFICATION

Description:
6-120' CONT. PLATE GIRDER SPANS WITH 2-18' SAFETY CURBS

1. State: Oklahoma 2. SHD District: Division 8
3. County Code: CREEK 4. Place Code: Unknown
Admin. Area: Unknown
5. Inventory Route (Route On Structure) : 1 - 3 - 1 - 00099 - 0
6. Feature Intersected: CIMARRON RIVER
7. Facility Carried: S.H. 99 S.H. 99
9. Location: 4.4 MI E S PAYNE C/L 11. Mile Post: 6.349 mi
13. LRS Inv. Route./ Subroute.: 1935 0000 01
16. Latitude: 36 05 38.14 17. Longitude: 096 34 45.94
98. Border Br. Code: Unknown (P) % Resp. : 0 99. Border Br. #: Unknown

INSPECTION

Type	Insp Req.	Insp Done	Freq:	Insp. Date:	Next Insp.:
NBI:		Y	24	4/28/2015	4/28/2017
FC Freq.:	N	N	NA	**NA**	**NA**
UW Freq.:	N	N	NA	**NA**	**NA**
OS Freq.:	N	N	NA	**NA**	**NA**

CLASSIFICATION

12. Base Hwy Network : On Base Network
20. Toll Facility: 3 On free road
21. Custodian: 01 State Highway Agency
22. Owner: 01 State Highway Agency
26. Functional Class: 06 Rural Minor Arteri
37. Historical Sig.: 5 Not eligible for NRHP
100. Defense Highway: 0 Not a STRAHNET h
101. Parallel Structure: No || bridge exists
102. Dir. of Traffic: 2 2-way traffic
103. Temp. Structure: Not Applicable (P)
104. Highway System: 0 Not on NHS
105. Fed. Land Hwy 0 N/A (NBI)
110. National Truck Network: 0 Not part of na
112. NBIS Length: Long Enough

STRUCTURE TYPE AND MATERIALS

43. Main Span Material and Design Type
Steel Continuous Stringer/Girder
44. Approach Span Material and Design Type
Unknown (NBI) Unknown (P)
45. No. of Spans Main Unit: 6 46. No. of Approach Spans: 0
107. Deck Type: 1 Concrete-Cast-in-Place
108A. Wearing Surface: 6 Bituminous
108B. Membrane: 8 Unknown
108C. Deck Protection: 8 Unknown

CONDITION

58. Deck: 5 Fair 59. Super.: 5 Fair 60. Sub.: 5 Fair
62. Culvert: N N/A (NBI) 61. Channel/Channel Protection: 6 Bank Slumping
Flowline Notes:
@ S.2, E. SIDE, DOWN STR., TOP OF RAIL, 48' 6"

AGE AND SERVICE

27. Year Built: 1963 106. Year Reconstructed: Unknown
28A. Lanes on: 2 28B. Lanes Under: 0 19. Detour Length: 26.1 mi
29. ADT: 2300 30. Year of ADT: 2013 109. Truck ADT %: 16
42A. Type of Service on: 1 Highway
42B. Type of Service under: 5 Waterway

LOAD RATING AND POSTING

31. Design Load: 4 M 18 (H 20)
41. Posting status: A Open, no restriction
63. Op. Rating Method: 1 LF Load Factor-Ton
Alt. Op. Rating Meth.: 1 LF Load Factor-To

64. Operating Rating (H / HS / 3-3):	32.2	52.9	65.7
66. Inventory Rating (H / HS / 3-3) :	19.3	31.7	39.3

65. Inv. Rating Method: 1 LF Load Factor-Tor
Alt. Inv. Rating Meth.: 1 LF Load Factor-To
70. Posting: 5 At/Above Legal Loads
Date Rated : 10/19/2010

GEOMETRIC DATA

10. Inv. Rte. Min. Vert. Clr.: 328.1 ft
32. Approach Roadway Width (W/ Shoulders): 44.0 ft
Deck Area: 23,659.1 sq. ft 33. Median: 0 No median
34. Skew: 0 35. Structure Flared: 0 No flare
47. Inv. Rte. Total Horiz. Clr.: 28.0 ft
48. Length Maximum Span: 120.0 ft 49. Structure Length: 763.0 ft
50A. Curb/Sdwlk Wdth L: 1.5 ft 50B. Curb/Sidewalk Width R: 1.5 ft
51. Width Curb to Curb: 28.0 ft 52. Width Out to Out: 31.0 ft
53. Minimum Vertical Clearance Over Bridge: 328.1 ft
54A/54B. Min. Vert. Underclearance : N Feature not hwy or RR 0.0 ft

	N/E			S/W		
Meas.	-1	-1	-1	-1	-1	-1
Post.	DO NOT U	DO NOT U	DO NOT U	DO NOT U	DO NOT U	DO NOT U

55A/55B. Minimum Lateral Undrclearance R: N Feature not hwy or RR 0.0 ft
56. Minimum Lateral Undrclearance L: 0.0 ft

PROPOSED IMPROVEMENTS

94. Bridge Cost: $1,653,965
75. Type of Work: 31 Repl-Load Capacity
95. Roadway Cost: $2,729,042
76. Lgth. of Improvment: 763.1 ft
96. Total Cost: $4,631,102
114. Future ADT: 3680
97. Year of Cost Est.: 2009
115. Year of Future ADT: 2033

NAVIGATION DATA

38. Navigation Control: Permit Not Required
39. Vertical Clearance: 0.0 ft
40. Horizontal Clearance: 0.0 ft
111. Pier Protection: 1 Not Required
116. Lift Bridge Vert. Clear.: 0.0 ft

APPRAISAL

36A. Bridge Rail: 0 Substandard
36C. Approach Rail: 0 Substandard
36B. Transition: 0 Substandard
36D. Approach Rail Ends: 0 Substandard
67. Str. Evaluation: 5 Above Min Tolerable
68. Deck Geometry: 4 Tolerable
69. Underclearance, Vertical and Horizontal: N Not applicable (NBI)
71. Waterway Adequacy: 6 Equal Minimum
72. Approach Alignment: 6 Equal Min Criteria
113. Scour Critical: 8 Stable Above Footing

200c. Temperature: 50
200d. Weather: CLOUDY
201. Structural Steel ASTM Desig.: A373 18
202. Waterproof Membrane : -1
Date Installed : 1/1/1901
203. Type Exp. Dev. : Pourable
Pourable
204. Type of Handrail: Type B Steel Handrail
205. Material and Quantity : 4088.0
208. Type of Abutment : Skeleton
Type of Foundation : Steel Piling
209. Type of Pier / Found.: 2 Piers Yes
No Piling or Drilled Shaft
210. Foundation Elev. 7060.0 7020.0 7380.0 7450.0 -1.0
211. Wear. Surf. Prot. System : None
Date Installed : 1/1/1901
213. Utilities Attached : Communication
-1 -1 -1
-1 -1 -1

214a. Posted Weight Limit: NR
b. Posted Speed Limit : 55
c. Narrow/One Lane Bridge sign : -1
d. Vertical Clearance Sign: _
Advanced Warning Sign : _
Min. Measured Clearance : -1
Max. Measured Clearance : -1
e. Navigation Lights : NO
Working/Not Working : _
215. Overpass : B - State Highway
221. Substructure Cond. (U/W) : -
222. Fill over RCB: -1
223. Appr. Slab/Rdwy Cond.: Satisfactory
224. Critical Feature Type: 771
225. Paint Type : Red Lead Ready
Overcoat : 0
226. Date Painted: 6301
227. Paint Coloring: Silver
233. Deck Forming: Conventional Forming
236. Deck Cleaning : -1
238. School Bus Rte: Current and Desired Route
240. Appr. Roadway Type: Asphalt/Bituminous

243. Girder Spacing/Number : -1.0 / 4
244. Span Lengths :
120 120 -1
120 120 -1
120 120
245. Girder Depth : -1.000
246. Type of Overlay : AC Over
246. Overlay Thickness : 1.0
246. Overlay Date : 1/1/1901
246. Overlay Depth Changed > 1"? No
247. Protective Systems : 1: _
2: _ 3: _
4: _ 5: _
248. No. of Field Splices w/ Corrosion : 0
249. Scour Crit. POA exists?: No
250. Culvert Headwall Dist.: -1.0
254. Thru Truss Type : _
256. Chan. Profile Up/Down Stream?: _
257a. OkiePROS Auto. Truck Routing Yes
258. Plans w/ found. are in file at ODOT
259. Scour Eval. is in file at ODOT
263. Interchange at Intersection N
264. Interstate Milepoint -1.00

OKLAHOMA Transportation

OKLAHOMA DEPARTMENT OF TRANSPORTATION

PROJECT STATUS SYSTEM

Logout

Project

Home > List Projects > Edit Project

Environmental | Design | Related Projects | Project Cost | Project Revision | Commitments | Right-of-Way | DOCUMENT VAULT | Local Government | FHWA Project Status Justification | Survey

Edit PROJECT

Cancel

Job Piece: 2982904

Status Report: ☑ AP Project: ☐ VE Project: ☐ Calculated Status: Prepare NEPA Document

Production Targets	Planned Finish	Actual Finish	Status	Cond	Consultant Evaluations
Reconnaissance Data	09/02/2016	03/20/2014	Completed		
Project Initiation	12/01/2016	07/28/2016	Completed		
Design Resource	CP&Y, Inc.				
EC Solicitation	06/06/2011	07/07/2017			
EC Contract	01/06/2012	01/24/2018 EC No 1919A			
Survey	10/06/2017	07/21/2015	Completed		SWO 5132(1)
Hydraulics	01/16/2018	07/30/2018	Completed		
Preliminary Field Review	08/10/2018	02/28/2019	Completed		
RW & Utility Meeting	01/07/2019	12/03/2019	Completed		
Plans Submitted to R/W	02/03/2020	04/01/2020	Completed		
NEPA Document	04/03/2020		Behind		
R/W Phase					
Legal Entry	10/27/2020		On-Time		
Prepare Traffic Plans	10/18/2021		On-Time		
Final Field Review	11/17/2021		On-Time		
Utility Out	02/19/2021		On-Time		
404 Permit	12/04/2020		On-Time		
Plans Complete	03/23/2022		On-Time		
Ready to Let	03/23/2022		On-Time		

Edit Resource and Comments

Utility Information

Latest Utility Out Date
-

Project Information

JP No.	Proj. ID	County	Div.	Maint.	HWY	Work Desc
2982904	J2-9829(004)	19 CREEK	8	8	SH099	11 BRIDGE & APPROACHES

Project Legislative Districts

Ctrl.	Start	End	Lgth	Cong	Senate	House
035	6.350	6.450	0.100	3	12	035

Project Location

Location
SH-99 OVER THE CIMARRON RIVER, 4.4 MILES E S PAYNE C/L

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			09/2012	-		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
		-	-			-	-	-	//

Project Budget & Plan Resource

Advanced	Federal	State	Other	Total	Design Consultant	NEPA Consultant
$0	$0	$8,000,000	$0	$8,000,000	CP&Y, Inc.	CP&Y, Inc.

ODOT/FHWA Resources Assigned

PMD	Field	FHWA	NEPA	Survey	Materials	Roadway	Bridge	Traffic	RW	Rail
Brutsche	White	Lairet	Saulsberry	-	-	Murphy	Brown	-	-	-

Comments

no data found

Bridge Information

Proposed Bridge

NBI#	Status	Co	Ctl	Milept	Sd
15863	State Bridge	19	035	06350	

1-1

OKLAHOMA Transportation

OKLAHOMA DEPARTMENT OF TRANSPORTATION

PROJECT STATUS SYSTEM

Logout

Project

Home > List Projects > Edit Project > Edit Environmental Data > Edit NEPA Document

Edit Original NEPA Document Cancel Save NEPA Document

Job Piece 2982904

Initial

Initiation Report from PMD	
Footprint Review Prior to Start of Studies	
Consultant Notice To Proceed	05/07/2019
Property Owner Notification	
BLM Notification	
BIA Notification	
Consultant CR/Tribal Initiation	06/10/2019

Studies

Farmland NRCS Requested	
Farmland NRCS Complete	
CR Studies Requested	07/22/2019
CR Studies Due	12/04/2019
CR Studies Recd	10/25/2019
Biological Studies Requested	07/22/2019
Biological Studies Due	12/04/2019
Biological Studies Recd	02/13/2019
Meeting with 404 Permit Coordinator for Delineation	
Haz Waste Studies Requested	07/22/2019
Haz Waste Studies Due	10/20/2019
Haz Waste Studies Recd	07/30/2019
Noise Studies Requested	
Noise Studies Due	
Noise Studies Recd	
Relo Studies Requested	
Relo Studies Due	

NEPA Document Preparation

NEPA On Hold Memo Sent Date	
R/W Submittal Plans Recd	
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 4/13/2020)

Should be included in the Other Section of all projects

JP No:	29829(04)	Prepared by	S. Stegmann
County:	Creek	Checked by	T. Raines
Date Checked:	4.22.2020		
No	Description		Checked?
1	**Project Information**		
1.1	Correct Project No? (Check against Oracle info)		X x
1.2	Correct NBI No.? - Check against initiation report, Oracle, and plans		X x
1.3	Location No. for County projects only?		N/A N/A
1.4	Correct Field District?		X x
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)		X x
1.6	Construction Program/STIP/TIP Checked?		X x
2	**Existing Conditions**		
2.1	If it is a roadway project, is the roadway described first, then mentiona any bridges mentioned within the project extent		N/A N/A
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 GRIP info		X x
2.3	Correct approach roadway width?		X x
2.4	Any roadway geometric deficiencies?		N/A N/A
2.5	Traffic data from plans - existing and pojected?		X x
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)	X x
4	**Alternatives & Proposed improvement**	
4.1	Proposed roadway and bridge width	X x
4.2	Existing or offset alignment – reason for offset	X x
4.3	Replacement, Rehab, Removal or new bridge where there was none. Removal of bridge or wideing of bridge.	X x
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)	X x
4.5	Mention if everthing is within existing R/W	X x
4	**Public Involvement**	
4.1	Check appropriate public involvement box. Include Road Closure letters in the "Public Involvement" section and Property Owner letters in the "Other Section".	X x
5	**CE Questions & Studies**	
5.1	Are the R/W submittal or Final Plans with DATE STAMP included in the Plans & Footprint Section?	X x
5.2	Did the preparer verify that the plans were within study limits?	X x
5.3	Are the studies arranged in the same order as the CE Questions?	X x
5.4	Is the NEPA on Hold Memo included?	N/A N/A
5.5	Is the offset alignment far enough away so that R/W not immediately adjacent to existing R/W is needed?	N/A N/A
5.6	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	X x
5.7	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?	N/A (project within R/W), N/A

5.10	Was Section 6(f) properties verified with Dept. of Tourism for any parks?	N/A N/A
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	N/A N/A
5.12	Is the biological studies included and any notes for species included in the commitments.	X x
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).	in process, wetlands over 1.5 acres in footprint x
5.14	Does the project involve navigable waters (check USACE Section 10 waters and then verify wih Coastguard) and requires Coastguard coordination? If so, it it listed in the Commitment?	N/A N/A
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"	N/A N/A
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	N/A (project within R/W), N/A
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?	X x
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?	N/A N/A
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?	N/A N/A
5.20	Are the following early coordination letters and responses included? (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	no new R/W, no letters sent, N/A
5.21	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 properites, it will be an ICE.	N/A N/A

5.22	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 info from GRIP, (4) Project Oracle information sheet with NEPA document information, (5) Completed CE Review Checklist	X x

Monthly Status Report

NEPA Consultant: CP&Y Eng Contract/Task Order: EC 2016F TO 2

Project: CREEK
29829(04)
SH-99 OVER THE CIMARRON RIVER, 4.4 MILES E S PAYNE C/L

Step ID		Duration in Calendar days	Target Start from Task Order	Target Completion Date from Task Order:	Actual Start Date:	Actual Completion	Responsible Party	Comments
1.1	Scope Clarification	0	3/8/2019	3/8/2019	3/8/2019	3/8/2019	Contract Administrator	
1.2	Task Order Request	30	3/8/2019	4/7/2019			Contract Administrator	
1.3	Task Order Approval	30	4/7/2019	5/7/2019			Contract Administrator	
1.4	Notice to Proceed Date	1	5/7/2019	5/8/2019	5/7/2019	5/7/2019	Contract Administrator	
2.1	Provide NEPA Study Footprint	10	5/8/2019	5/18/2019	5/7/2019	5/9/2019	Designer	Provided NEPA study area and location maps to ODOT for review on 5/9/19
2.2	Approved Study Footprint and Location Map	5	5/18/2019	5/23/2019	5/9/2019	5/31/2019	EPD	
3.1	Send out Property Owner Notification	10	5/23/2019	6/2/2019			Consultant	N/A within ROW
3.2	Tribal Property Notification	0	5/23/2019	5/23/2019	5/31/2019	5/31/2019	Consultant	
4.1	Cultural Resources & Tribal Coordination Initiation	15	5/23/2019	6/7/2019	5/31/2019	6/10/2019	Consultant	
4.2	Tribal Coordination 30 Day Waiting Period prior to Start of Specialist Studies	45	6/7/2019	7/22/2019	6/10/2019	7/10/2019	Consultant	Tribal letters sent 6/10/19
5.1	Cultural Resources Studies	30	7/22/2019	8/21/2019	7/10/2019	7/26/2019	Consultant	
5.2	T&E & Wetland Studies	30	7/22/2019	8/21/2019	7/10/2019	8/14/2019	Consultant	
5.3	Hazardous Waste Studies	30	7/22/2019	8/21/2019	7/10/2019	7/26/2019	Consultant	
5.4	NRCS coordination	60	5/23/2019	7/22/2019			Consultant	N/A within ROW
6.1	Receive Preliminary Plans	0	8/15/2018	8/15/2018	8/15/2018	8/15/2018	PMD	
6.2	Review Plans with Footprint	15	8/15/2018	8/30/2018			Consultant	
7.1	ODOT Review of Cultural Resources Studies	60	8/21/2019	10/20/2019	7/26/2019	8/16/2019	ODOT Specialists	final report email/mailed 8/20/19
7.2	ODOT Review of Biological Studies	60	8/21/2019	10/20/2019	8/14/2019	4/10/2020	ODOT Specialists	sent revised reports to ODOT biological 9/11/19
7.3	ODOT Review of Haz Waste Studies	60	8/21/2019	10/20/2019	7/26/2019	7/30/2016	ODOT Specialists	
8.1	USFWS	45	10/20/2019	12/4/2019	4/10/2020	4/10/2020	ODOT Specialists	under formal consultation
8.2	SHPO Coordination	45	10/20/2019	12/4/2019	8/16/2019	10/25/2019	ODOT Specialists	CR avoidance memo
9.1	Initial Section 4(f) Coordination	0	5/23/2019	5/23/2019			ODOT Specialists	No R/W from Section 4(f) Property needed
9.2	Section 4(f) Public Involvement	0	12/4/2019	12/4/2019			ODOT Specialists	
9.3	Section 4(f) Coordination	0	10/20/2019	10/20/2019			ODOT Specialists	
10.1	Receive R/W & Utility Meeting Plans	0	3/15/2019	3/15/2019	7/29/2019	7/29/2019	PMD	Needs to be revised
10.2	Review Revised Plans with Footprint	15	3/15/2019	3/30/2019	7/29/2019	7/29/2019	Consultant	
10.3	Attend Plan In Hand	15	3/30/2019	4/14/2019	12/3/2019	12/3/2019	Consultant	
11.1	Receive R/W Submittal Plans	0	6/15/2019	6/15/2019	2/17/2020	2/17/2020	PMD	Needs to be revised
11.2	Review R/W Submittal Plans with Footprint	5	6/15/2019	6/20/2019	2/17/2020	2/17/2020	Consultant	
12.1	Draft CE Preparation	15	12/4/2019	12/19/2019	4/10/2020	4/22/2020	Consultant	
12.6	ODOT Review	15	12/19/2019	1/3/2020	4/22/2020		ODOT Environmental Contract Manager	
12.7	Final CE Preparation	5	1/3/2020	1/8/2020			Consultant	
12.8	FHWA Review of CE Document	15	1/8/2020	1/23/2020			FHWA	
12.9	Distribution of CE Document	5	1/23/2020	1/28/2020			ODOT Environmental Contract Manager	