

Documented Categorical Exclusion (DCE) for
I-44 and US-75 Interchange, Work Packages 2 through 5
Tulsa County
Project No. J3-3788(008)(009)(010)(011)PM
JP# 33788(08)(09)(10)(11)

Existing Conditions and Purpose and Need for the Action

The I-44/US-75 interchange is located approximately 5 miles south of downtown Tulsa (**Figure 1**). A study area overview map is provided in **Figure 2**. **Figures 3-6** depict the existing lane configurations within the study area – showing the ramp configurations, number of lanes, and intersection traffic control. These figures do not show the recent completion of the widened I-44 bridges over 33rd W. Avenue, or the construction of the I-44/US-75 Interchange Work Package 1 (WP1) which is currently underway. The figures are described in more detail as follows:

- **Figure 3** shows the west end of the study area. I-44 carries two lanes in each direction east of I-244. I-44 intersects I-244/Gilcrease Expressway at a system interchange that features six direct connect ramps and a button-hook ramp to W. 51st Street. No ramp connections are provided from the Gilcrease Expressway to eastbound I-244 or from westbound I-244 to the Gilcrease Expressway. The eastbound ramp from Gilcrease to I-44 provides a left side merge.
 - Construction is currently underway to reconstruct the Gilcrease Expressway from a four-lane arterial route that crosses W. 51st Street at an at-grade, signalized intersection to a tolled freeway from I-44 to US-412 with a grade separated interchange at W. 51st Street.
- **Figure 4** shows the central portion of the study area from 33rd W. Avenue to the Arkansas River. As shown, I-44 carries two lanes in each direction west of US-75 and picks up a third lane in each direction east of US-75.
 - I-44 is paralleled by two-way arterials through this section – W. 51st Street to the north and W. Skelly Drive to the south. W. 51st Street does not extend across the US-75 interchange while a connection to W. Skelly Drive on either side of US-75 is provided.
 - I-44 spans 33rd W. Avenue with diamond-style interchange ramps provided in the westbound direction connecting directly to S. 33rd W. Avenue and button-hook style ramps provided on W Skelly Drive just east of S. 33rd Avenue. The bridges on I-44 over 33rd W. Avenue were recently replaced to accommodate the future widening of I-44.
 - Union Avenue spans I-44 with traffic signals provided at W. 51st Street and W. Skelly Drive. West of the interchange, access to I-44 is provided with button-hook style ramps connecting W. 51st Street and W Skelly Drive to the Collector/Distributor (C/D) ramps linking I-44 to US-75. Replacement of the Union Avenue bridge is currently underway with WP1.
 - The C/D ramps parallel I-44 and provide access to the cloverleaf interchange at US-75.

- East of US-75, button-hook style access is provided via the C/D ramps for eastbound exiting traffic and westbound entering traffic.
 - Additional ramps (westbound exiting, eastbound entering) connect the parallel arterials and Elwood Avenue directly to I-44.
- **Figure 5** depicts the interchanges on US-75 north (W. 41st Street) and south (W. 61st Street) of the I-44 interchange. US-75 features two lanes in each direction through this area with a diamond interchange at W. 61st Street. At W. 41st Street, the interchange features three diamond style ramps with a button-hook ramp provided in the northeast quadrant.
 - **Figure 6** shows I-44 at the east end of the study area east of the Arkansas River. I-44 features three lanes in each direction through this area with entrance and exit ramps provided in both directions between S. Peoria Avenue and Riverside Drive. East of the Arkansas River, the parallel arterial routes are one-way only with E. 51st Street providing eastbound access and E. Skelly Drive providing westbound access (note – the naming convention of the parallel arterials is swapped on either side of the river).

The existing US-75 roadway has two 12-foot driving lanes in each direction (four lanes total) divided with a 30-foot grass median with two four-foot inside shoulders and two 10-foot outside shoulders. The US-75 roadway has average annual daily traffic (AADT) volumes ranging from 54,630 to 68,315 vehicles per day (vpd), with a future projected AADT (2045) of 81,240 to 90,140 vpd. The current and future traffic volumes on US-75 require additional capacity to provide an adequate and safe level of service (LOS). There are several vertical curves in the corridor that do not meet design standards and do not allow for adequate sight distance for vehicles to reduce speed at critical moments.

The existing I-44 roadway has two 12-foot driving lanes in each direction (four lanes total) divided with a 30-foot grass median with two four-foot inside shoulders and two 10-foot outside shoulders. This portion of I-44 has a high accident rate, the latest 10-year average number being 4 times the statewide average for similar highways. Rear end collisions account for almost half of the accidents, which is indicative of congested conditions. The I-44 roadway has AADTs ranging from 59,911 vpd to 81,673 vpd, with a future projected AADT of 78,352 to 101,000 vpd. In the I-44 corridor the current and future traffic volumes also require additional capacity to provide an adequate and safe LOS.

The existing I-44/US-75 interchange is a cloverleaf design, which no longer functions adequately with the volume of traffic. There are 19 existing bridges throughout the study area, including the interchange ramps at I-44/US-75 interchange. The decks, substructures and superstructures of all bridges have relatively low condition ratings, some with deficient horizontal and vertical curves, and six of the bridges are rated either structurally deficient or functionally obsolete.

The purpose of the project is to accommodate existing and future growth and traffic demand, decrease congestion, and improve safety, access, and mobility. The outdated geometric design and poor physical condition of the existing roadways contribute to these needs. Anticipated traffic growth will exceed the current capacity of the roadway, resulting in worsening congestion. Geometric deficiencies and high traffic volumes also contribute to a substantial accident history. Additionally, this is the final segment of I-44 within the City of Tulsa that has not been improved since its original construction.

Prior Planning & Alternatives Considered

A Major Investment Study (MIS) was completed for the US-75 corridor in August 1999. This MIS evaluated alternatives to improve geometric and operational deficiencies. Based on an evaluation of cost, transportation benefits, safety, and environmental considerations, and with the input of local stakeholders

and the public, the MIS recommended adding travel lanes to US-75 based on the travel demand. Improvements to existing I-44/US-75 interchange and adding new interchanges on US-75 were also recommended. Based on the findings of the MIS, functional design plans were developed for the corridor and were used to develop the EA.

The Oklahoma Department of Transportation (ODOT) completed an Environmental Assessment (EA) dated June 17, 2002, for US-75 from State Highway (SH) 67 (151st Street) to I-44 in Tulsa County, a distance of approximately 10 miles, including the I-44/US-75 interchange. The EA evaluated widening of US-75 from 4 to 6 lanes (with ultimate build to 8 lanes), replacement of bridges within the corridor, and reconfiguration of the I-44/US-75 interchange to direct connection/fly-over ramps – except for the eastbound to northbound movement which will remain in its existing loop configuration.

A preliminary engineering (PE) study was completed in 2017 for the I-44 corridor from I-244 to the Arkansas River, including the I-44/US-75 interchange. The PE study considered two alternatives for ultimate corridor and interchange improvements. The PE study evaluated the 2002 EA alternative and a second alternative that included minor modifications to the horizontal alignment of ramps and access roads in order to minimize impacts to new development in the area and to be consistent with current design criteria. Upon completion of the 2017 PE study and report, ODOT selected this modified “Alternative 2” as the preferred corridor and interchange alternative and held a public meeting to present the preferred alternative to the public.

Separate environmental studies and NEPA documentation have been completed for two bridge and approach projects within the current reevaluation study area:

- 1) I-44 over 33rd West Avenue; NEPA completed August 13, 2019; construction completed in 2021.
- 2) Union Avenue over I-44; NEPA completed September 7, 2017; construction underway (with WP1) and scheduled to be completed in early 2023.

A Reevaluation dated June 9, 2020, authorized construction of the first of five Work Packages (Work Package 1) to reconstruct the I-44/US-75 interchange, including replacement of the bridges on US-75 over I-44 and Mooser Creek, and widening of I-44 from Union Avenue to the Tulsa-Sapulpa Union (TSU) Railroad. Work Package 1 also included construction of piers for future ramp bridges.

Description of Proposed Action

The proposed improvement along US-75 will be reconstructing the mainline beginning at the full width pavement section approximately 3,000 feet north of W. 71st Street, extending 2.0 miles north through the I-44 interchange with four 12-foot-wide concrete driving lanes in each direction (eight lanes total) on the existing alignment with concrete median barrier and 13-foot-wide inside shoulders and 12-foot-wide outside shoulders. Initially, US-75 will be striped for 3 lanes in each direction until such time as the remainder of the corridor is widened to 8 lanes. The US-75 interchange with W. 61st Street will be modified, and a two-way frontage road will be constructed with two 12-foot driving lanes on the east side of US-75 extending north from W. 61st Street approximately 0.85-mile intersecting with W. Skelly Drive.

The proposed improvement along I-44 will reconstruct the mainline beginning east of the junction of I-244, extending approximately 2.85 miles east through the US-75 interchange to just east of the Arkansas River, with three 12-foot-wide concrete driving lanes in each direction (six lanes total) on the existing alignment, widening to the inside with concrete median barrier and 13-foot-wide inside shoulders and 12-foot-wide outside shoulders. In addition, 12-foot-wide auxiliary lanes will be constructed on each highway to provide exit or entry lanes to and from interchange ramps. W. Skelly Drive will be reconstructed with two 12-foot-wide driving lanes on an offset alignment to the south to accommodate the additional highway width and new ramp configuration. W. 51st Street will be extended east and constructed across US-75 with

a new span bridge overpass, with two 12-foot driving lanes with curb and gutter and will be constructed on a slight offset alignment to the south from Olympia Avenue to Indiana Avenue to better align with intersections.

The project will construct or reconstruct 22 bridges in order to correct structural and/or geometric deficiencies, and to accommodate the widened highways and new interchange. Specific design details will be provided with authorization requests for each work package. The roadways will remain open during construction and traffic will be adjusted utilizing construction phasing and temporary crossovers or pavement widening as needed.

The I-44/US-75 interchange project will be constructed in five work packages. As discussed, WP1 is currently under construction, which was authorized by a Reevaluation completed June 9, 2020. Final plans for WP 2, 3, 4, and 5 are in progress. This Re-evaluation document discusses impacts of WP 2-5. Each WP is described in more detail as follows.

Work Package 2 [ODOT JP 33788(08)]

- Widening of US-75 from approximately 3,000 feet north of W. 71st Street to I-44 to eight lanes (four lanes in each direction). Initially, US-75 will be striped for 3 lanes in each direction until the remainder of the corridor is widened to 8 lanes.
- Reconstruct the interchange at US-75 and W. 61st Street to include a new bridge on W. 61st Street over US-75 and reconfigured ramps. The new ramps will be relocated just outside the existing ramps. The northbound US-75 on-ramp will be relocated to the new frontage road.
- Reconstruct the I-44 eastbound to US-75 southbound ramp. This includes a new bridge over Skelly Drive and Mooser Creek.
- Reconstruct the I-44 westbound to US-75 northbound ramp. This will include a new bridge over the extension of W. 51st Street.
- Reconstruct the I-44 westbound to US-75 southbound ramp. This will be a flyover ramp bridge that will span over US-75 and I-44. The existing loop ramp will be removed.
- Reconstruct Skelly Drive from west of Union Avenue to US-75.

Work Package 3 [ODOT JP 33788(09)]

- Widening of I-44 to eight lanes (including auxiliary lanes) from just west of the TSU Railroad to Riverside Drive. This will include a new bridge over the TSU Railroad and widening of the existing bridge over the Arkansas River.
- Reconstruct the US-75 northbound to I-44 eastbound ramp. This will include a new bridge over Skelly Drive and Mooser Creek.
- Construct a two-lane, two-way frontage road on the east side of US-75 from W. 61st Street to Skelly Drive. This will include a new bridge-class reinforced concrete box (RCB) over Mooser Creek.
- Reconstruct Skelly Drive from west of US-75 to the Arkansas River. This will include a new pedestrian bridge over the TSU Railroad and sidewalk on the south side from west of US-75 to the Pepsi Plant.
- Reconstruct W. 51st Street from the Arkansas River to east of S. Indian Avenue. This will include a new pedestrian bridge over the TSU Railroad and sidewalk on the north side.
- Construct a connection from Skelly/W. 51st Street under I-44 to the River Parks trail system.

Work Package 4 [ODOT JP 33788(10)]

- Widening of I-44 to six lanes from just east of I-244 to Union Avenue.
- Reconstruct the westbound on and off ramps on I-44 at 33rd W. Avenue.

- Reconstruct the existing I-44 eastbound on and off ramps from Skelly Drive just east of 33rd W. Avenue.
- Reconstruct the I-44 westbound on ramp and eastbound off ramp just west of Union Avenue.
- Reconstruct Skelly Drive from 33rd W. Avenue to Union Avenue.

Work Package 5 [ODOT JP 33788(11)]

- Widening of US-75 from north of the I-44 bridges to just south of W. 41st Street to eight lanes (four lanes in each direction). Initially, US-75 will be striped for 3 lanes in each direction until the remainder of the corridor is widened to 8 lanes. This will include new bridges over the new W. 51st Street extension, W. 49th Street, and W. 46th Street.
- Reconstruct the I-44 westbound to US-75 northbound ramp.
- Reconstruct the US-75 southbound to I-44 eastbound ramp. This will be a flyover ramp bridge that will span over I-44 and US-75. The existing loop ramp will be removed.
- Reconstruct the US-75 southbound to I-44 westbound ramp. This includes a new bridge over the new extension of W. 51st Street.
- Reconstruct the US-75 northbound to I-44 westbound ramp. This will be a flyover ramp bridge that will span over I-44 and US-75. The existing loop ramp will be removed.
- Reconstruct the I-44 eastbound to US-75 northbound loop ramp.
- Reconstruct and extend W. 51st Street from Tacoma Avenue east under US-75 to just east of Indian Avenue.

Public Involvement & Agency Solicitations

There was a public meeting held on November 2, 2017 that presented Alternative 2 from the PE Study as the preferred alternative for the I-44 corridor and I-44/US-75 interchange. Invitations to this meeting were mailed to the Governor's office, elected officials (federal and state), Tulsa County Commissioners, the cities of Tulsa, Jenks, Sapulpa, and Glenpool, the Indian Nations Council of Governments (INCOG), the Tulsa Regional Chamber of Commerce, River Parks Authority, Oklahoma Trucking Association, local school districts, emergency service providers, churches, and medical facilities in the study area. The letter provided a brief description of the purpose and need for the study and an invitation to the public meeting. The letter was accompanied by a project location map. Letters were mailed on October 11, 2017. Notice of the public meeting was also sent by letter to all property and utility owners in the study area on October 11, 2017. A flyer announcing the meeting was hand-delivered to all homes and businesses within the study area on October 17, 2017.

Comments and questions from the meeting were primarily related to construction timeframes and impacts to homes and businesses. People expressed concern about increased traffic, noise, and speeds. Others were concerned about changes in access, both during and after construction with the proposed changes to the I-44 ramps. There were questions about the timeline of the project and ODOT's 8-year Construction Work Plan. A desire for aesthetics similar to the east side of the river was also expressed. Eighteen (18) written comments from the public were received both during and after the public meeting. These comments expressed concerns with ramp closures, and how these closures would affect access to businesses and neighborhoods. There were also concerns about traffic noise, pedestrian and bicycle accommodations, and impacts to private property including acquisitions and relocations. There were several comments related to W. 51st Street including traffic signals, drainage, speed limits and traffic volumes. There were questions about interim repairs to the interchange ramps, future maintenance, construction staging areas, and lighting. Several individuals commented that the project is needed, and there were requests for additional public meetings as the projects are advanced.

Initial agency solicitation letters were mailed on October 11, 2017. These letters provided a short study description, the purpose of the study, and a brief description of the study process along with an enclosed

project location map and preferred alternative map. The letter requested recipients provide input by November 16, 2017 and included an invitation to the public meeting to be held on November 2, 2017. This letter was sent to federal and state resource agencies and Indian Tribes. Several entities provided responses and feedback. The Cherokee Nation stated that it did not anticipate impacts to cultural resources of importance to the tribe. The Oklahoma Department of Environmental Quality (ODEQ) stated that a Notice of Intent (NOI) must be submitted and authorization under OKR10, construction stormwater, must be obtained. The Oklahoma Aeronautics Commission (OAC) recommended that ODOT use the Federal Aviation Administration (FAA) notice criteria tool to determine if a 7460-1 form needs to be filed with FAA due to proximity to R. L. Jones Airport. The City of Tulsa requested that ODOT consider powder-coated black light posts to be consistent with I-44 on the east side of the Arkansas River.

An additional public open house was held on January 30, 2020 to present the updated design and proposed construction information for WP1. Notice of the public open house was sent by letter to the Governor's office, elected officials (federal and state), Tulsa County Board of Commissioners, the Cities of Tulsa, Jenks, Sapulpa, and Glenpool, local school districts, churches, emergency service providers, and medical facilities in the study area. The letter provided a brief description of the purpose and need for the project, the proposed improvements, and an invitation to the public open house. The letter was accompanied by a project location map. Letters were mailed on December 30, 2019. Notice of the public open house was also sent by letter to all property owners and utility owners in the study area (as previously defined for the I-44/US-75 interchange project during the preliminary engineering study). Letters were mailed on December 30, 2019. In addition, flyers were hand delivered to businesses and residents within and adjacent to the study area on January 20, 2020. Comments received from the public were primarily related to future work packages. Comments on WP1 requested that 33rd W. Avenue and Union Avenue not be closed simultaneously, to limit closures on Sundays, and to consider active transportation plans in project design.

Agency solicitation letters for WP1 were mailed on February 6, 2020. These letters provided a short description of the project and the purpose of improving the corridor. A project location map was enclosed, and the letter included a link to the project website where agencies could view the materials presented at the public open house. The letter requested recipients provide input by February 20, 2020. This letter was sent to resource agencies, the State Department of Education, and Indian Tribes. The Oklahoma Department of Environmental Quality (ODEQ) provided a response stating that while no adverse environmental impacts under DEQ jurisdiction are anticipated, there are regulatory requirements that must be considered in obtaining the permit.

Due to ongoing concerns about the spread of COVID-19, a virtual public open house was held from June 9 – June 30, 2021 on ODOT's website. This virtual open house presented the updated design for Work Packages 2-5. Notice of the virtual open house was done through the mailing of an informational pamphlet to the Governor's office, elected officials (federal and state), Tulsa County Board of Commissioners, the Cities of Tulsa, Jenks, Sapulpa, and Glenpool, local school districts, churches, emergency service providers, medical facilities, and all property and utility owners in the study area. The pamphlet was accompanied by a project map, a comment form, and a stamped return envelope. The pamphlet and accompanying materials were also sent via USPS Every Day Direct Mail (EDDM) to 4,367 residential and business addresses within the study area. EDDM provides an additional assurance that all residents and businesses, whether they own the property or not, received notice of the virtual open house. The pamphlets were mailed on June 8, 2021 (regular mail) and June 9, 2021 (EDDM).

Almost two-thirds (55%) of the comments received during the virtual open house fell into one of four categories: 1) in favor of the project, 2) concerns or questions about noise, 3) concerns or questions about right-of-way acquisition, or 4) concerns about WP1 construction. The remaining 35% of the comments were classified as "other", not fitting into general topics. These comments included several requests for

specific items to be considered or included in the project. ODOT responded to the noise questions with information about the noise study conducted and general noise policy and procedure. Right-of-way questions were answered with the specific property owners.

Agency solicitation letters for the Work Package 2-5 virtual open house were mailed on June 25, 2021. These letters provided a short description of the project and the purpose of improving the corridor. A project location map was enclosed, and the letter included a link to the virtual open house website. This letter was sent to resource agencies and tribes. The Bureau of Indian Affairs (BIA) asked if tribes had received information about the project and if so, which tribes. The Oklahoma Aeronautics Commission (OAC) indicated that the project does not appear to pose a hazard to safe and efficient use of navigable airspace. The Tulsa River Parks Authority requested that the Turkey Mountain Master Plan be considered in project planning and design. Specifically, room for a trail under US-75 along Mooser Creek was requested.

The project does not have any substantial public controversy on environmental grounds. Additional public meetings will be held prior to the start of construction of each work package. These meetings will present the proposed construction sequence and discuss any proposed closures and/or detours.

Social, Economic and Environmental Impacts & Agency Coordination

Right-of-Way and Relocations

The Department completed a Relocation Plan for WP 2-5. The results of each plan are summarized below. Work Package 3 has no relocations.

Work Package 2

The Relocation Plan for WP 2 identified 16 potential residential relocations, including two multi-family apartment buildings containing four apartments each, three multi-family duplexes with two residences each, and two single family homes. The Plan also identified three potential commercial relocations, two of which are the apartment buildings identified above. The third commercial relocation is the Red Fork Masonic Lodge.

Work Package 4

The Relocation Plan for WP 4 identified 7 potential residential relocations, all single-family homes. The Plan also identified 5 commercial relocations (three office, one retail business, and one with unknown function) and 4 personal property relocations.

Work Package 5

The Relocation Plan for WP 5 identified 7 potential residential relocations consisting of single-family homes, one potential commercial relocation (West Bank Storage), and 180 personal property relocations consisting of the individual units within West Bank Storage. Advanced acquisition procedures have begun on West Bank Storage.

Acquisition and relocation assistance will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, effective February 3, 2005. Housing of last resort may be required and will be provided if sufficient comparable decent, safe and sanitary replacement housing is not available within the financial means of displacees. A review of available real estate listings found that suitable replacement residential and commercial properties are limited, but available in the vicinity for possible displaced units. If a residential or commercial property is occupied when the project begins, full relocation benefits and relocation advisory assistance will be offered to all affected displacees. Replacement dwellings are off the market extremely fast; the project may need to add 12 months to accommodate new construction for replacement dwellings.

Environmental Justice

The project is situated within the Tulsa city limits. The City of Tulsa as a metropolitan area is more racially diverse than the State of Oklahoma as a whole. There is a higher percentage of Hispanic, African American and Asian population in the City. The Native American population is 55 percent less in Tulsa compared to the State. Census data show a relatively large proportion of the study area and local community populations comprising persons who identify with two or more races. The Hispanic and African American populations in portions of the project area are higher than the percentage in the State of Oklahoma as a whole but are proportionally lower than that of the City of Tulsa. The area south of I-44 has an African American population of 26.6 percent. This is greater than three times that of the State and almost double the percentage of the City of Tulsa African American population.

Under EO 12898 on Environmental Justice, groups defined as “Low-income” populations include those people whose household income falls below the annual statistical poverty thresholds used by the Census Bureau, which are based on the poverty guidelines developed by the Department of Health and Human Services. Estimates compiled as part of the Census Bureau’s 2013-2017 American Community Survey 5-year estimates indicate lower and modest income levels and relatively high poverty rates in the census tracts composing the project area. The project area has higher poverty rates and lower median household incomes than the State or City as a whole. Particularly notable, the poverty rate for the area south of I-44 is nearly 20 percent higher than for the City, while annual median household income is approximately \$14,500 lower in this tract than for the City. There are three low-income housing communities in this area. A review of the Oklahoma Department of Education 2017-2018 Low-Income Report reveals that there are four public schools within the project area with greater than 90 percent of the students considered low-income with half of or more of the students receiving Supplemental Nutritional Assistance Program (SNAP) benefits. Therefore, it can be noted that the project study area indicates the presence of a substantial low-income population, particularly south of I-44.

When specifically looking at minority populations living below the poverty level, the estimated poverty rate for the Black or African American population is relatively high, particularly south of I-44. African Americans comprise 26.6 percent of the population in this tract, but 39.6 percent of the population below the poverty level are African Americans. Impacts of the project would likely be shared with the White non-Hispanic population in relative proportion to the occurrence of these populations in the total project study area and in Tulsa County. Poverty rates for other minority populations in the project area are lower than that of the City or State. Evaluation of the locations of residential displacements and the census tract and block group data do not indicate that relocation impacts from the proposed improvement would be predominantly borne by minority populations or by the below-poverty population.

The proposed improvements will be on existing alignment and would not create a new barrier that would divide neighborhoods or communities, although it will enlarge the footprint of I-44 and US-75 as an existing barrier. The proposed construction will improve community cohesion and access and travel patterns with the reduction of the US-75 barrier currently dividing the Carbondale and Winnetka Heights neighborhoods at W. 51st Street. The newly constructed portion of W. 51st Street across US-75 will serve as a local east/west connection between the two neighborhoods and allow for greater access to businesses and services across the previous barrier. Connections at W. 46th Street and W. 49th Street will be maintained. New sidewalks will be constructed on W. 51st Street and Skelly Drive which will accommodate non-vehicular travel modes. A new pedestrian bridge will be constructed adjacent to W. 51st Street over the TSU Railroad, and a new connection between Skelly/51st and the River Parks Trail will be added. The proposed improvements will enhance access and will reconnect neighborhoods previously separated by highway construction. Work Packages 2-5 have included significant investment in non-vehicular travel modes and in enhancing neighborhood cohesion.

The proposed improvements will change access and travel patterns in the corridor. Along I-44, the proposed improvements include the removal of four existing access ramps either to or from W. 51st Street or W. Skelly Drive. These removals are needed to allow safe spacing between I-44 entrances and exits once the interchange is reconfigured. In addition, the existing collector-distributor roads will no longer be needed and will be removed. Some additional changes in access and travel patterns will be the result of the new W. 51st Street extension and the proposed frontage road on the east side of US-75 between W. 61st street and W. Skelly Drive. The primary reason for these changes is for the safety of the traveling public, and to improve the functionality of the interchange and the adjacent local roads.

Impacts to traffic-dependent businesses are anticipated to be minor, and generally positive, based on the anticipated redistribution of traffic with the completed project. While some businesses may experience a decline in traffic, most will see an increase between 3 and 10%. Those experiencing a decline were not identified as traffic-dependent. The complete analysis is available in the Socioeconomic Report.

Public outreach efforts included several methods to inform and engage low-income and minority populations in project input opportunities. All three public meetings (held in 2017, 2020, and 2021) included targeted outreach to local minority churches, community centers offering services to low-income populations, and the Tulsa Housing Authority which operates the Parkview Terrace Apartments, a low-income housing complex at US-75 and 61st Street within the project area. Project information was also sent to all addresses within the study area via hand delivered flyers (in 2017) or by USPS Every Day Direct Mail (in 2020 and 2021 due to COVID-19). This ensured that every dwelling unit (including apartments and rental homes) received notification of public meetings. While the Limited English Proficient population did not meet ODOT's threshold for translation of project materials, handouts at the first two public meetings were provided in Spanish, Chinese, and Vietnamese in addition to English.

Based on this analysis, WP 2-5 will not have disproportionately high or adverse impacts on low-income or minority populations in accordance with the provisions of E.O. 12898 and FHWA Order 6640.23A. No further environmental justice analysis is required.

Cultural Resources

ODOT completed Section 106 consultation on behalf of FHWA for proposed road improvements to the I-44 and US-75 interchange in Tulsa; 645.24 acres were surveyed. The proposed undertaking includes widening I-44 to 6 lanes, widening of US-75 to 6 lanes, replacements of the existing bridges (n=22) in the corridor, and reconfiguration of the I-44/US-75 interchange to direct connection/fly-over ramps – except for the eastbound to northbound movement which will remain in its existing loop configuration. ODOT determined the proposed project will have **no adverse effect** on historic properties.

The cultural resources survey resulted in identification of three previously unrecorded historic-era archeological sites (34TU215, 34TU216, and 34TU217) and 38 buildings or building complexes (consisting of a total of 47 built environment resources). Sites 34TU215, 34TU216, and 34TU217 are late 19th to mid-20th century farmsteads consisting of a diffuse scatter of artifacts and limited potential to yield significant information. Each of the sites is recommended not eligible for listing in the National Register of Historic Places (NRHP).

A total of 38 buildings or building complexes (consisting of a total of 47 built environment resources) were documented and included single-family dwellings, multi-family dwellings, commercial buildings, industrial warehouses, and one agricultural outbuilding. The built environment resources identified by the survey possess no known significance, are not part of an historic district, and do not represent noteworthy examples of their architectural style. Each of the 47 built environment resources is recommended not eligible for the NRHP.

In addition to the above documented cultural resources, the northernmost portion of the project area along US-75 (approximately 0.22 miles) extends into the mapped boundary of NRHP-eligible Red Fork Neighborhood Historic District. The district boundary extends from W. 43rd Street S. northward to the junction of I-244/US-75 and westward to S. 33rd W. Avenue. The district is bounded on the east by the US-75 corridor but does not include the US-75 roadway. The State Historic Preservation Officer (SHPO) requested to review the 65% and 90% project plans to determine the potential impacts to the district. The 65% plans were provided.

In consultation with the SHPO to prevent any adverse impacts to the Red Fork Neighborhood Historic District, ODOT has committed to:

1. No new right-of-way (R/W) acquisition within the Red Fork Neighborhood Historic District boundary.
2. US-75 will remain on existing alignment and at existing grade.
3. ODOT will provide a copy of 90% project plans to the SHPO, once available, for review.
4. ODOT will include an avoidance note in the final project plans that prohibits any off-site facilities, equipment or personnel staging, storage, or other project-related activities within the boundary of the district.

Through consultation and as a result of these commitments, the SHPO (File #1654-20) and the State Archaeologist (OAS FY20-#2269) have concurred with our determination of no adverse effect, conditioned upon SHPO review of the 65% and 90% project plans.

An avoidance note for inclusion in the final project plans is attached.

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

Section 4(f) and Section 6(f) Involvement

There are two park properties within the I-44/US-75 interchange project vicinity. Bales Park is owned by the City of Tulsa and is open to the public and is protected by Section 4(f) of the Department of Transportation Act (49 U.S.C. 303). This property will be avoided and there will be no use of Bales Park under Section 4(f).

Turkey Mountain Urban Wilderness is also within the project vicinity. The portion of Turkey Mountain Urban Wilderness adjacent to the proposed project is owned privately, with one parcel owned by the City of Tulsa. The City of Tulsa parcel is not designated as park property. Therefore, these lands are not protected by Section 4(f) of the Department of Transportation Act (49 U.S.C. 303). There will be no use of Turkey Mountain Urban Wilderness under Section 4(f). A portion of one informal dirt trail within existing ODOT right-of-way will be affected by the project. This trail connects to the large number of informal and ad-hoc trails that currently cross Turkey Mountain Urban Wilderness. This trail is not part of the future trail network shown in the Turkey Mountain Master Plan and would not be protected under Section 4(f).

Correspondence with Oklahoma State Parks determined that neither of these properties was funded with Land and Water Conservation Funds (LWCF) and are not considered Section 6(f) properties. There is property east of the study area that is replacement property for impacts to Mitchell Park (a different LWCF park). That property will not be affected.

Waters and Wetlands

Work Packages 2-5 will involve work in the Arkansas River, Cherry Creek and its tributaries, and Mooser Creek and its tributaries which exhibit the characteristics of jurisdictional waterways (and potentially jurisdictional wetlands). The proposed construction activities will be evaluated to ensure that the appropriate Clean Water Act Section 404 permit application is made.

Threatened & Endangered Species, Bald Eagles, and Migratory Birds

A biological field review was performed for the referenced project. ODOT has consulted with the U.S. Fish and Wildlife Service (USFWS) on the impacts of Work Packages 2-5. The Department has determined that the project, as proposed, will have no effect on the red knot. The project, as proposed, is unlikely to adversely affect the piping plover. Effects to the American burying beetle and northern long-eared bat are covered in the Biological Opinion for the final 4(d) rule and impacts do not require further exemption. The USFWS has concurred with the Department's findings.

The project, as proposed, may affect the bald eagle. There will be a plan note for the bald eagle added to the plans and a bald eagle survey will be conducted during the winter prior to the start of construction.

The project, as proposed, could adversely affect nesting habitat for migratory birds, species protected by the Migratory Bird Treaty Act (MBTA) if construction activities occur during the nesting season of these species. A Migratory Bird Plan note requiring avoidance of demolition or construction of any existing structures with migratory bird use during the nesting season will be added to the construction plans.

Floodplains

The project is located in the regulatory floodways of Mooser Creek and the Arkansas River. The project is not anticipated to require a flood map revision. Compensatory storage for any floodplain impacts will be provided per City of Tulsa requirements.

Farmlands

The project does not pass through any areas containing prime, unique, or farmlands of statewide importance.

Hazardous Waste

ODOT reviewed the Initial Site Assessment (ISA) completed for the project on July 2, 2019 and the 65 percent plans for the project. Two Recognized Environmental Conditions (RECs) were identified and plan notes will be added to the project. No RECs requiring further work were identified in WP2 or WP5. The RECs requiring notes include:

Work Package 3 [JP 33788(09)]

The ISA identified the former Becco Facility (currently YMCA) as a low-risk REC to the project. The former Becco Facility is an underground storage tank (UST) site registered with the Oklahoma Corporation Commission (OCC Facility No. 7212312). During the tank removal process, it was found that a leak had occurred, but the levels were not high enough to open an OCC case and there is no evidence the contamination left the site. If contamination is present, it is not expected to affect project construction; however, a cautionary plan note will be included in the final plans to warn of the possibility of encountering contamination.

Work Package 4 [JP 33788(10)]

The ISA identified Power Train at 2442 W. Skelly Drive as a low-risk REC to the project. After an interview with the owner of Power Train it was suggested that tanks may still be present on site. This site is not registered with the OCC. Ground penetrating radar (GPR) was used to determine if tanks and/or

pipings are still present. Upon completion of the GPR it was determined that the tanks are most likely not present and the tank pit is outside the current proposed permanent utility easement. However, it was indicated that the piping may be present and that the piping and the former pump islands are within the work area. A Secondary Site Investigation (SSI) will be completed prior to letting the project and will determine if any additional plan notes, Health and Safety Plan (HASp), and/or Contaminated Materials Management Plan (CMMP) will be required.

Changes to Access or Access Control

The current traffic congestion along I-44 is due to many factors, primarily insufficient capacity for the existing traffic volumes. It is anticipated that traffic volumes will increase with the future growth and with the completion of the adjacent Gilcrease Expressway Turnpike just west of the project area, which is scheduled to open in 2022. Another contributor to traffic congestion along the corridor is the multiple access points (on and off ramps) along I-44 from northern W. 51st Street and southern W. Skelly Drive. These existing access points also present safety concerns with dangerous weaving movements of vehicles entering and exiting the highway.

After a traffic analysis as part of the 1999 MIS, a functional set of conceptual design plans of the interchange including the I-44 and US-75 approach corridors was produced which recommended the removal of selected access points. Traffic analysis was updated as part of the 2017 PE study and the access point change recommendations were confirmed with the updated data. Therefore, the majority of the changes in access and travel patterns are as a result of the removal of these selected access points and the addition of two new roads as described in the following paragraphs.

Along I-44, the proposed improvements include the removal of four existing access ramps either to or from W. 51st Street or W. Skelly Drive.

- Removal – The I-44 eastbound (EB) C/D road on-ramp from W. Skelly Drive, just west of the intersection of Union Avenue.
 - Result 1 – Travelers on EB or WB W. Skelly Drive will no longer be able to enter EB I-44 at this location in order to take the US-75 SB or NB exit ramps.
 - Result 2 – The next nearest EB I-44 entrance off W. Skelly Drive will be east of the US-75 interchange near the Arkansas River bridge.

- Removal – The W. Skelly Drive off ramp from EB I-44 just west of the Arkansas River bridge.
 - Result – Travelers on I-44 EB will no longer have access to W. Skelly Drive beyond the exit just west of Union Avenue.

- Removal – The I-44 WB C/D road on ramp from W. 51st Street, just west of the Arkansas River bridge.
 - Result 1 – Travelers on WB or EB W. 51st Street will no longer be able to enter WB I-44 in order to take the US-75 NB or SB exit ramps.
 - Result 2 – The next nearest WB I-44 entrance off W. 51st Street will be west of the US-75 interchange just past the Union Avenue intersection.

- Removal – The W. 51st Street off ramp from WB I-44 just west of Union Avenue.
 - Result 1 – Travelers on WB I-44 will no longer have access to W. 51st Street or the adjacent Union Avenue intersection.
 - Result 2 – The next nearest WB I-44 access to W. 51st Street will be at the 33rd West Avenue exit. Alternatively, travelers can exit WB I-44 at Elwood Avenue to W. 51st Street, just west of the Arkansas River.

- Removal – The separated C/D roads on the outside of both EB and WB I-44, which currently provide access to the four loop (cloverleaf) ramps.
 - Result – Since three of the four loop ramps will be replaced with fully directional ramps these separated roads are no longer needed. The C/D roads will be removed and replaced with the appropriate exit ramps to support the more efficient design and prevent unsafe weaving movements of entering and exiting traffic.

Some additional changes in access and travel patterns will be the result of two newly constructed roadways, one along the north side of I-44 on W. 51st Street, and one along the east side of US-75 between W. 61st Street and W. Skelly Drive.

- New Construction – A new segment W. 51st Street will be constructed underneath a new US-75 bridge to reconnect the eastern and western portions of this arterial city street which was divided when the original interchange was constructed in the 1960's.
 - Result 1 – Travelers on EB and WB W. 51st Street will have complete through access across the I-44 & US-75 interchange.
- New Construction – The US-75 interchange with W. 61st Street will be reconstructed with the addition of a new two-way frontage road east of and along US-75 from W. 61st Street, extending north to W. Skelly Drive, including a NB US-75 on ramp from the frontage road.
 - Result 1 – Travelers on W. Skelly Drive will now have the option of using the frontage road to access NB or SB US-75.
 - Result 2 – This could alleviate some of the access issues caused by the removal of ramp access along I-44, however drivers will need to be made aware of the option by use of effective signage throughout the affected corridor.
- New Construction – Three directional interchange ramps which will incorporate the EB I-44 to SB US-75, WB I-44 to SB US-75 and SB US-75 to EB I-44 movements.
 - Result – Improving the interchange to accommodate for modern traffic levels and higher speeds, reducing congestion and improving safety.

Overall, there will be several changes to access and travel patterns as a result of this project. The primary reason for these changes is for the safety of the traveling public, and to improve the functionality of the interchange and the adjacent local roads.

Impacts to businesses can occur due to displacements as well as to changes in access or in traffic volumes, because pass-by traffic represents potential customers for many businesses. Overall, the impacts of the proposed improvements on business revenues would be positive for those businesses that would not be displaced, and relatively minor, ranging from 0.4 percent increase for some services establishments to 6.0 percent increase for some businesses such as fast food restaurants and retail auto sales, which are highly dependent on customers driving by.

The proposed access changes are detailed in an Access Justification Report (AJR) prepared in March 2020. This report describes the specific changes to the interchange and the effects on traffic capacity, operations, and safety. As discussed in the AJR, the proposed access will connect to a public road and provide for all traffic movements as well as provide pedestrian accommodations on arterial segments. The proposed access will be designed to meet or exceed current standards as specified in *AASHTO's A Policy on Geometric Design of Highways* and in *AASHTO's A Policy on Design Standards – Interstate System*. Design exceptions are not anticipated at this time; however, during the design phase of the project, if design criteria are not met, then a design exception will be prepared. The proposed design will achieve lane balance by providing three through lanes on both I-44 and US-75 through the system-to-system interchange.

The ultimate design will streamline ramp access to the local roads at the US-75 interchange to minimize conflict points and provide better traffic flow. Access to businesses will still be accommodated by extending W. 51st Street across the north side of the US-75 interchange and constructing a connector road from W. Skelly Drive to W. 61st Street. With the proposed updates to the corridor and new ramp configuration, new freeway guide signage is proposed.

Temporary Construction Impacts

It is anticipated the I-44 and US-75 roadways as well as local streets will remain open during construction. However, the contractor may elect to temporarily close certain local streets or ramps to facilitate construction. These closures could result in traffic delays and/or detours. ODOT, in cooperation with the City of Tulsa, will notify all local residential and commercial property owners, schools, post offices, State Troopers, and emergency service providers prior to any closure. Traffic will be detoured on adjacent roadways. Additional public meetings will present the proposed construction sequence and plan prior to construction of each work package. The Contractor will provide access to local property owners at all times.

Noise

The noise analysis updated the study presented in the 2002 US-75 EA. An initial traffic noise assessment was completed for the subject project on September 25, 2019 which utilized the FHWA Traffic Noise Model version 2.5 in accordance with FHWA 23 CFR 772. This report analyzed 168 model receivers, representing 236 residential dwellings, two (2) places-of-worship, two (2) parks, three (3) trail systems, one (1) library, one (1) commercial establishment, three (3) hotels, one (1) nursing home and one (1) recording studio. Based on the proposed project and 2045 design year traffic volumes, 127 residential dwellings, 34 multifamily dwellings, one (1) neighborhood park and portions of two (2) trail systems will approach, meet or exceed the 67 dB(A) LEQ(h) for NAC Categories B and C. In consideration of abatement for the impacted receivers, the Department made the commitment to perform barrier analyses as detailed project plans became available.

This commitment was upheld with a traffic noise re-evaluation report, completed on August 24, 2021. The re-evaluation report utilized the same model developed for the initial noise assessment, with several modifications made to capture changes at 65% plans. These changes included raising the profile of US-75, modifying several receiver locations, and removing receivers identified as displacements in the relocation plans. A total of ten (10) barriers were analyzed. Of those, three (3) were considered both reasonable and feasible, WP4 Barrier 1, WP4 Barrier 2 and WP2 Barrier 1.

- WP4 Barrier 1 is located north of I-44 and west of 33rd Street. This barrier achieves a 5-dB reduction for fifteen (15) receivers at a total cost of \$29,943 per benefited receiver.
- WP4 Barrier 2 is located north of I-44, east of 33rd Street, and west of the proposed onramp from Waco Avenue. This barrier achieves a 5-dB reduction for ninety-one (91) receivers at a total cost of \$16,507 per benefited receiver.
- WP2 Barrier 1 is located west of US-75, just north of 61st Street. This barrier achieves a 5-dB reduction for thirty-one (31) receivers at a total cost of \$9,274 per benefited receiver.

It is anticipated that these walls will be included in the final plans for the project. However, the Department is committed to consider the viewpoints of the affected property owners before mitigation can be finalized. The public involvement process will begin by sending personalized flyers to inform the property owners and residents of the benefited receivers about potential noise mitigation. The Department will meet with

these property owners and residents to present final details and solicit opinions and viewpoints. The decision on whether noise abatement measures are desired or not desired will be based on the preference provided by 51 percent or more of the benefited property owners and residents that respond to the solicitation. Consideration of the noise abatement measure will continue unless a simple majority of all distributed points are returned that indicates the balloted voters do not want the abatement measure. The final determination on the noise abatement will be shared with the property owners and residents by letter.

Additionally, a barrier analysis was not completed for either of the impacted trail systems. The Department is committed to coordinate with the City of Tulsa in acquiring trail-use data to finalize the mitigation analysis for the impacted portions of the trail systems.

A Noise Mitigation Report for each project Work Package will be prepared summarizing the results of the barrier analyses, public involvement and the voting results. In addition, the Noise Mitigation Reports will be distributed to FHWA and within ODOT.

Other Permits & Coordination

The action may require notifying the Federal Aviation Administration (FAA) of proposed construction via FAA Form 7460-1 prior to construction, in accordance with 14 CFR 77.13 – 77.17 due to the location of R. L. Jones Airport within 4 miles of the project location.

Summary of Commitments

Pre-Construction Commitments:

The action may involve work in potentially jurisdictional waters and potentially jurisdictional wetlands. ODOT will prepare the 404 permit application form for future work packages 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.

The following Airport/Airfield located within 4 miles of this project. This action may require notifying the Federal Aviation Administration (FAA) of proposed construction via FAA Form 7460-1 prior to construction: *R. L Jones (Riverside) Airport*.

Noise Commitment: The Department is committed in considering noise abatement measures for those impacted receivers identified. A Noise Mitigation Report for each project Work Package will be prepared summarizing the results of the barrier analyses, public involvement and the voting results. In addition, the Noise Mitigation Reports will be distributed to FHWA and within ODOT.

ODOT Commitment: A representative from ODOT Natural Resources Program will need to attend all project development meetings, including the pre-work meeting for the project. It will be the responsibility of the Environmental Project Manager to notify the ODOT Natural Resources Program of any such meetings. All operators, employees, and contractors will be made aware of all environmental commitments, including the following Plan Notes.

ABB Commitment: Minimize habitat loss by reducing the amount of ground disturbance of suitable ABB habitat within the construction footprint to only what is necessary for project construction and document in the monitoring reports to the Service. Following construction, areas of ground disturbance outside of the safety clear zone will be revegetated with native plant species where applicable and practicable. Areas where revegetation with native plant species is not practicable will be revegetated with more traditional plantings such as solid slab sodding.

Tree Removal Minimization Commitment: In order to avoid and minimize adverse impacts to Birds of Conservation Concern and listed bat species, the removal of trees and shrubs shall be restricted to areas within the actual limits of construction, and all aspects of the project (e.g temporary work areas, alignments) will be modified to avoid tree removal, if possible, during the design of the project. Tree removal will be limited to that specified in the project plans provided to contractors.

WP5 JP 33788(11) Red Fork Neighborhood Historic District Commitments:

- a. No new right-of-way (R/W) acquisition within the Red Fork Neighborhood Historic District boundary.
- b. US-75 will remain on existing alignment and at existing grade.
- c. ODOT will provide a copy of 90% project plans to the SHPO, once available, for review.
- d. ODOT will include an avoidance note in the final project plans that prohibits any off-site facilities, equipment or personnel staging, storage, or other project-related activities within the boundary of the district.

WP4 JP 33788(10) Hazardous Waste Commitment: ODOT determined underground piping and former pump islands are within the work area at Power Train at 2442 W. Skelly Drive. A Secondary Site Investigation (SSI) will be completed at the site prior to letting the project to determine if any additional plan notes, Health and Safety Plan (HASP), and/or Contaminated Materials Management Plan (CMMP) will be required.

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. Notes pertain to all work packages unless otherwise noted.

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.

WP5 JP 33788(11): Cultural Resources Avoidance Note: Temporary fencing will be used to demarcate the project R/W from Stations: 306+00 LT to 320+00 LT. No equipment staging, borrow, haul roads, spoil dumps, vehicle parking, or any other project related off-site facilities or use should occur beyond the fencing in this area during construction activities.

ODOT-Cultural Resources Program should be invited to all pre-work conferences to discuss these measures, per Policy Directive C-201-2E(1). If you have any questions, please contact the Cultural Resources Program at 405-325-7201.

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

T19N R12E: Section 22: S ½
Section 23: SW ¼ SW ¼
Section 26: NW ¼ NW ¼
Section 27: N ½
Section 34: SE ¼ NW ¼

WP3 JP 33788(09): Hazardous Materials Note:

Station	OCC Facility No.	Facility
188+75 to 191+30	7212312	Former Becco Facility

Petroleum contamination may exist at or near the referenced Underground Storage Tank (UST) site. Based on the available information, contamination is not expected to affect construction activities, but is still possible. In the event contaminated soil or groundwater is encountered, the contractor shall adhere to ODOT's Hazardous Materials Specification 107.15 and notify the Resident Engineer, who may then contact the Environmental Programs Division at (405) 521-3050 for assistance.

Water Quality Conservation: 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 100 feet outside of the ordinary high water mark (OHWM). Refueling of construction equipment shall also be conducted at least 100 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 25 feet outside of the OHWMs, and these materials shall be removed and disposed of properly following completion of the project. Preventative measure must be taken to prohibit the discharge of contaminants into any surface waters.

American Burying Beetle Note: The American burying beetle is a large carrion burying beetle that occurs within the project limits. Artificial lighting may be used during construction for night activities if the equipment specifications outlined in Special Provision 656-5(a-b)19 for ABB are adhered to and measures to minimize use of artificial lighting have been implemented. Carcasses and all food trash shall be removed from the permanent and temporary right-of-way throughout the duration of project activities. Pollution Prevention Requirements as specified by the Oklahoma Department of Environmental Quality General Permit OKR10 for Storm Water Discharges shall be implemented when appropriate. Additionally, all equipment will be fueled, and all fuel and motor vehicle oil will not be stored within areas of native vegetation (ie. outside ABB habitat).

Bat Bridge/Culvert Seasonal Restriction Note: The northern long-eared bat is a listed bat species that occurs within the project's action area. In order to avoid and minimize adverse impacts to listed bat species, bridge/culvert repair, retrofit, maintenance, rehabilitation or demolition shall be permitted only between November 16, and March 31 (when bats are hibernating in caves). If bridge/culvert repair, retrofit, maintenance, rehabilitation or demolition during the active season (between April 1, and November 15) cannot be avoided, the Resident Engineer shall contact the ODOT Biologist to schedule a visual bat bridge inspection, prior to any bridge work. Inspection surveys can only be conducted between May 15, and August 15. If the inspection finds that bats are

using the structures, all bridge/culvert repair, retrofit, maintenance, rehabilitation or demolition shall only be permitted between November 16, and March 31 (when bats are hibernating in caves).

Bald Eagle Note: The bald eagle nesting season in Oklahoma extends from September 16, through May 31. A bald eagle survey was completed for this project in November 2020. No nests were observed within the expected impact area. Survey results are valid only for the nesting season in which the survey was performed. If construction activities have begun, but are not completed by September 16, 2021 the Resident Engineer shall contact the ODOT Biologist. The ODOT Biologist shall schedule any additional surveys that may be required as soon as leaves fall off the trees (approximately November 1). Because no nests were observed during the initial survey, and it can take a pair of eagles one to three months to construct a new nest, if construction activities have begun before October 31, 2021 they may continue while additional nest search surveys are conducted after leaf-off. If construction activities have not begun by October 31, 2021 a new nest survey shall be completed by the ODOT Biologist before construction activities can begin. Nest search surveys can only be conducted when leaves are not on the trees typically between December 1st and February 28th. If nests are observed, up to a 660 foot no-work buffer 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 Service. 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).

Interior Least Tern Note: Interior least terns are protected by the federal Migratory Bird Treaty Act. Interior least terns are known to nest within and downstream of the Arkansas River adjacent to the project area. The Resident Engineer shall contact the ODOT Biologist to schedule 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 Arkansas 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.

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 migratory bird species extends from March 1 to August 31. Migratory bird nesting use of the I-44 Arkansas River bridges (NBI:20326 and 20580), US-75 Cherry Creek bridge (NBI:18005), US-75 bridges over W.46th St. (NBI:18254 and 18255), US-75 bridges over W 49th St. (NBI:18267 and 18268), US-75 NB Moose Creek & Skelly Dr. bridge (NBI:15831), US-75 NB Off Ramp over Mooser Creek and Skelly Dr (NBI: 15838), US-75 SB Off Ramp over Mooser Creek and Skelly Dr (NBI:15843) and the S. Olympia Ave Mooser Creek bridge (NBI:11970) was observed. Painting, repair, retrofit, rehabilitation or demolition of the existing bridges and culverts shall be conducted between September 1, and February 28, when migratory bird nests are not occupied. If painting, repair, retrofit, rehabilitation or demolition cannot be completed between September 1 and February 28, the bridges and culverts shall 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.

Although no nests were observed on many of the other structures, and many were not able to be inspected, migratory birds may occupy the structures at any time. The Resident Engineer shall

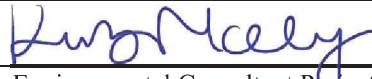
contact the ODOT Biologist if any bird use of these structures is observed. If birds are observed then painting, repair, retrofit, rehabilitation or demolition of the existing bridges and culverts shall be conducted between September 1, and February 28 (when migratory bird nests are not occupied).

Conclusions

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 on the environment as defined by 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 Statement. As provided by the 2019 Federal Highway Administration (FHWA)/ODOT Programmatic Agreement Processing of Categorical Exclusions, FHWA has previously determined that processing this action as a Documented Categorical Exclusion (DCE) is appropriate. Based on consideration of prior planning studies, appropriate agency solicitation, thorough environmental review, and public coordination, ODOT has determined that this action results in no significant impacts to the human and natural environment, involves no public controversy on environmental grounds, and no inconsistency with any federal, state or local laws, regulations, and administrative determinations relating to the environment. FHWA concurrence with this finding is requested.

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.

Preparer/Reviewer Signatures

	January 13, 2022
Environmental Consultant Project Manager (If Applicable)	Date
GARVER	
Environmental Consultant Firm Name (If Applicable)	
County Commissioner or City Manager (For County Local Government or City Projects)	Date
Erin Faulkner	Digitally signed by Erin Faulkner Date: 2022.01.19 10:42:13 -06'00'
ODOT Environmental Project Manager	Date
Amber McIntyre	Digitally signed by Amber McIntyre Date: 2022.01.18 16:01:19 -06'00'
ODOT Environmental Programs Interim Assistant Division Manager	Date
Joe Brutsché	Digitally signed by Joe Brutsché Date: 2022.01.17 12:29:14 -06'00'
ODOT Environmental Programs Interim Division Manager	Date

Concurrence that this project qualifies for a Documented Categorical Exclusion:

KAREN D ORTON Digitally signed by KAREN D ORTON Date: 2022.03.18 08:48:22 -05'00'	3/18/2022
Environmental Programs Manager, FHWA	Date

Attachments:

- Location Map
- Current Plans and Study Footprint
- Early Coordination
- Tribal and Federal Properties
- Public Involvement
- Studies and Coordination
- DCE Justification Document
- AJR Mainbody if applicable

Distribution List (Check Applicable Ones)

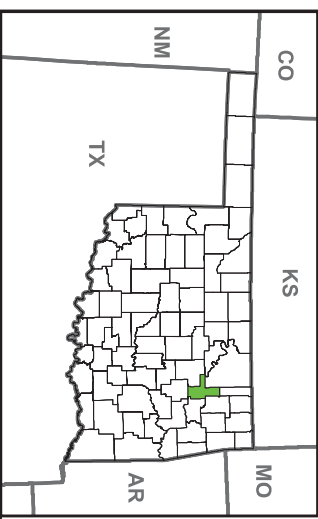
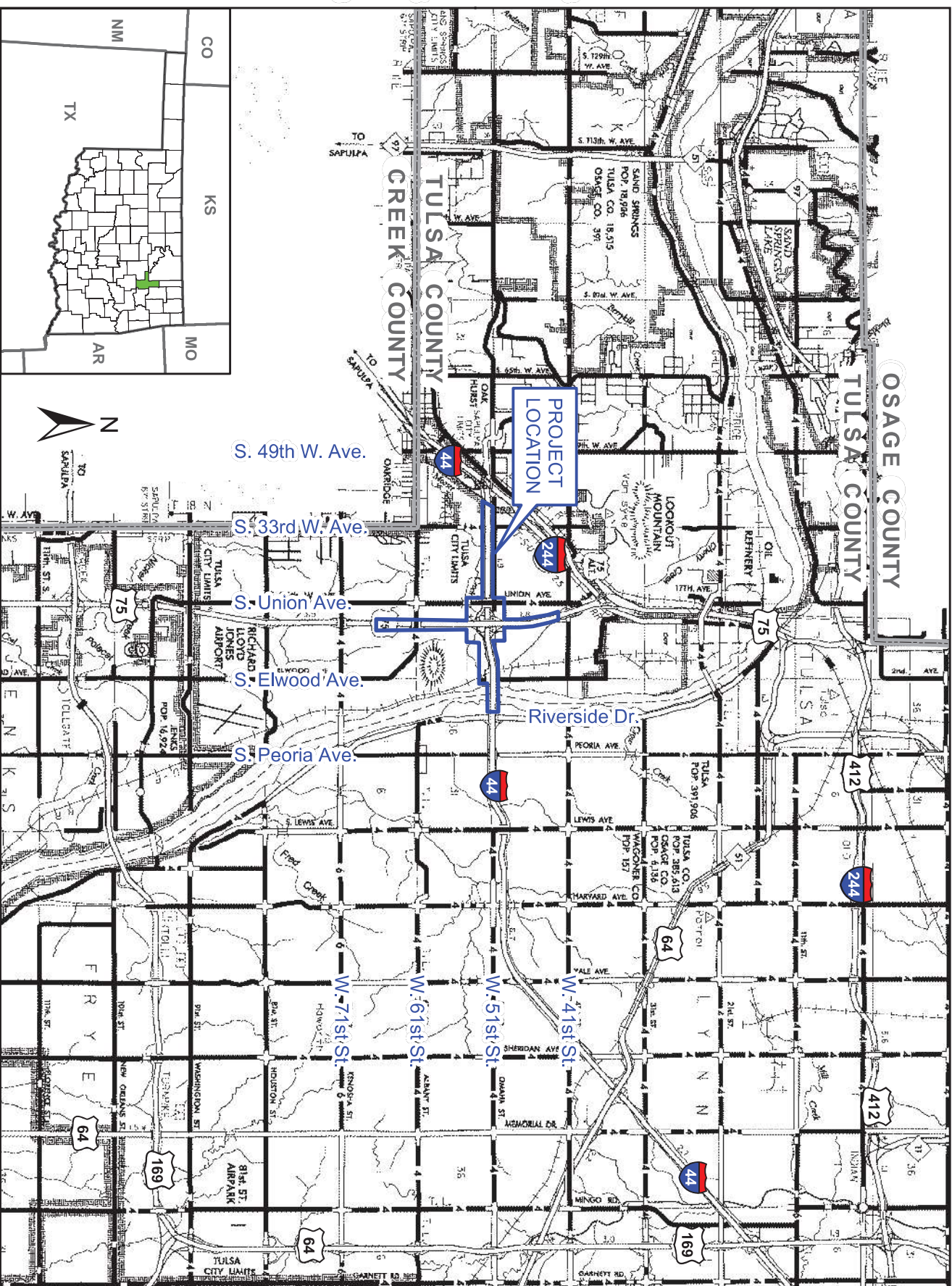
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<input checked="" type="checkbox"/>	Roadway Design Division (All State projects with the exception of projects from Traffic Division and Special Projects)
<input checked="" type="checkbox"/>	Bridge Division (All State Bridge Projects)
	Traffic Division (For projects from Traffic Division)
	Local Government Division (County, City, TAP or Special Projects)
<input checked="" type="checkbox"/>	Field District Engineer (All Projects)
<input checked="" type="checkbox"/>	Right-of-Way Division (All Projects)
<input checked="" type="checkbox"/>	Noise Specialist (For projects with noise studies)

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R 12 E

R 13 E

R 14 E



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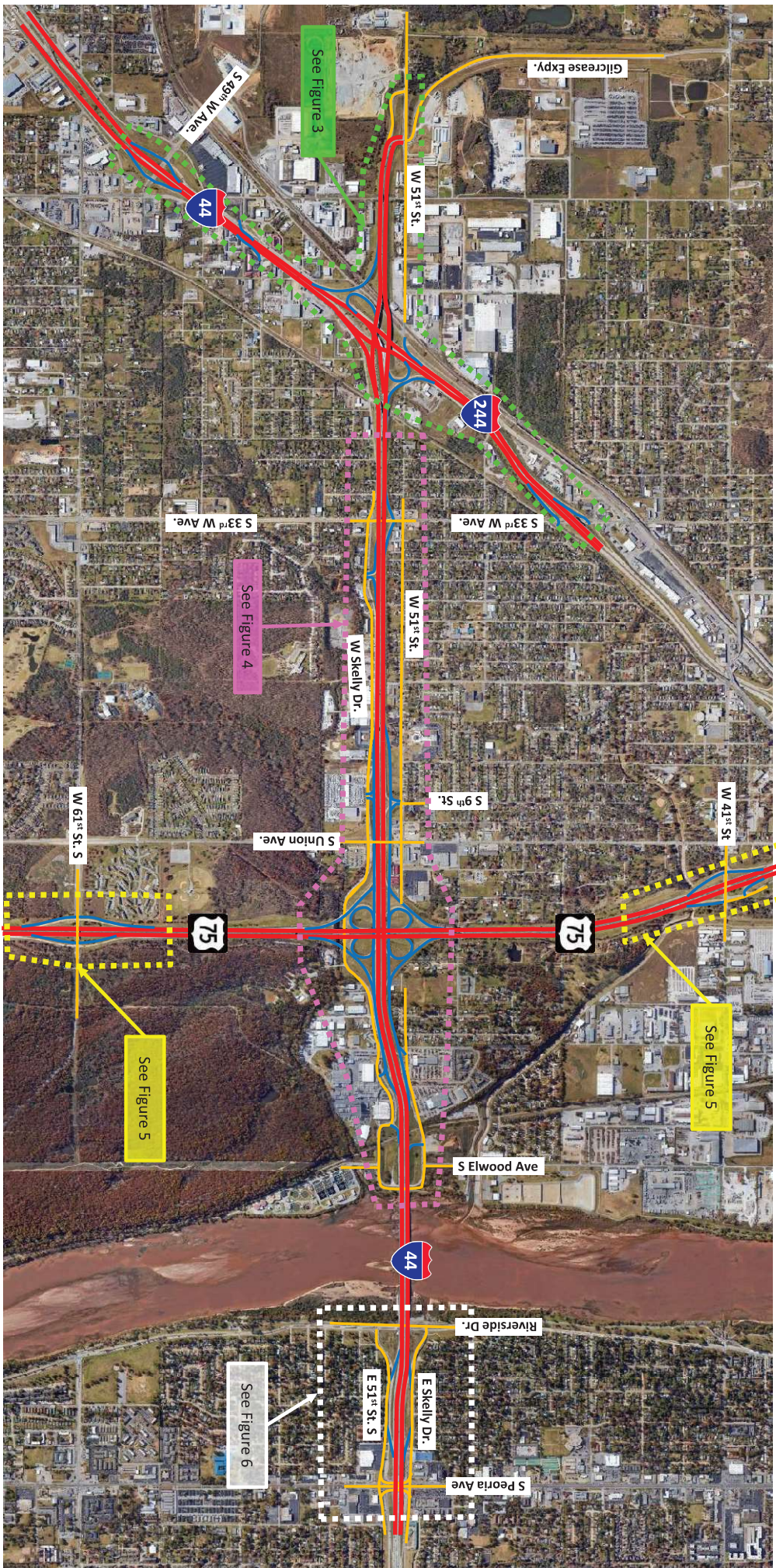
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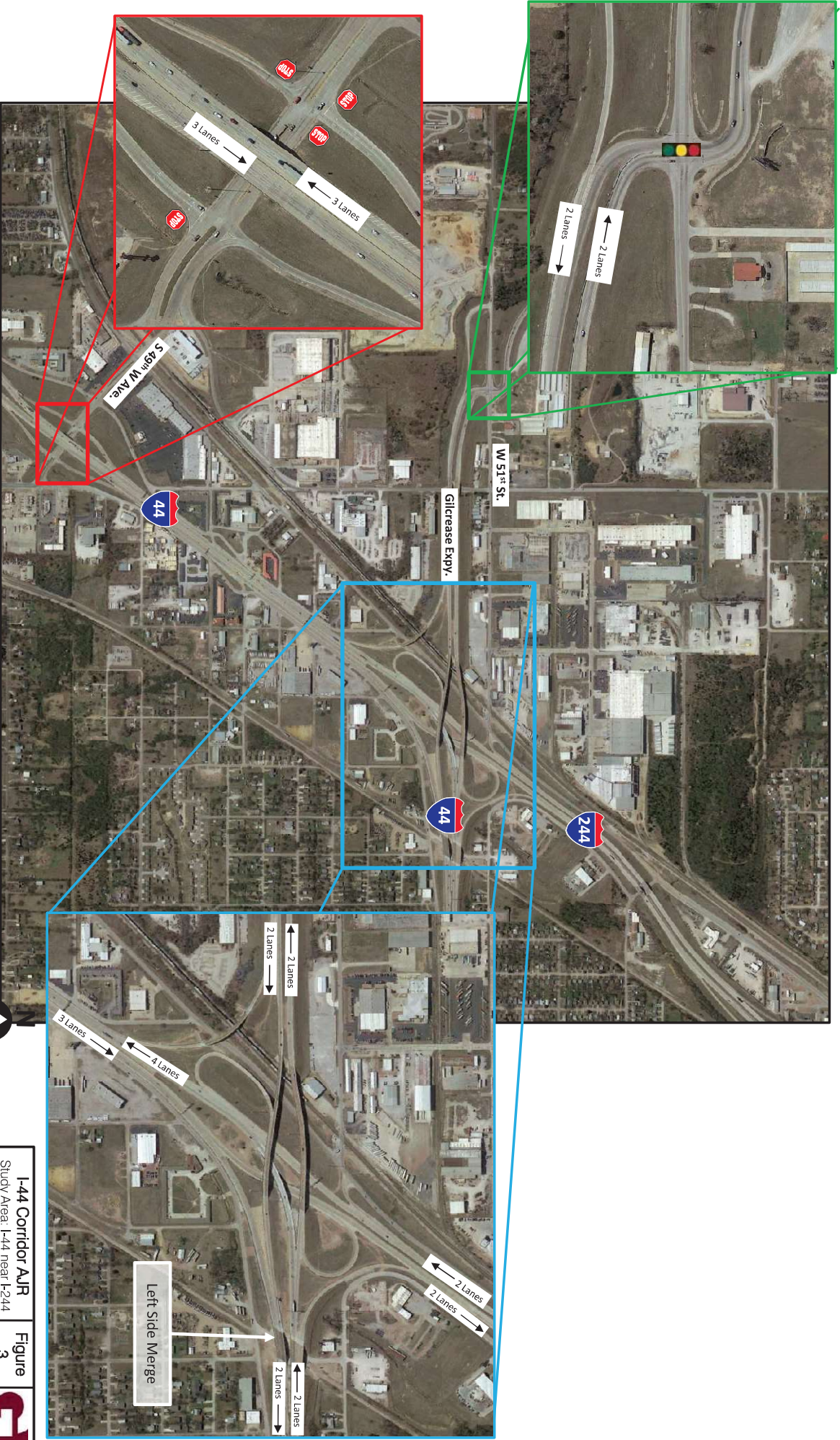
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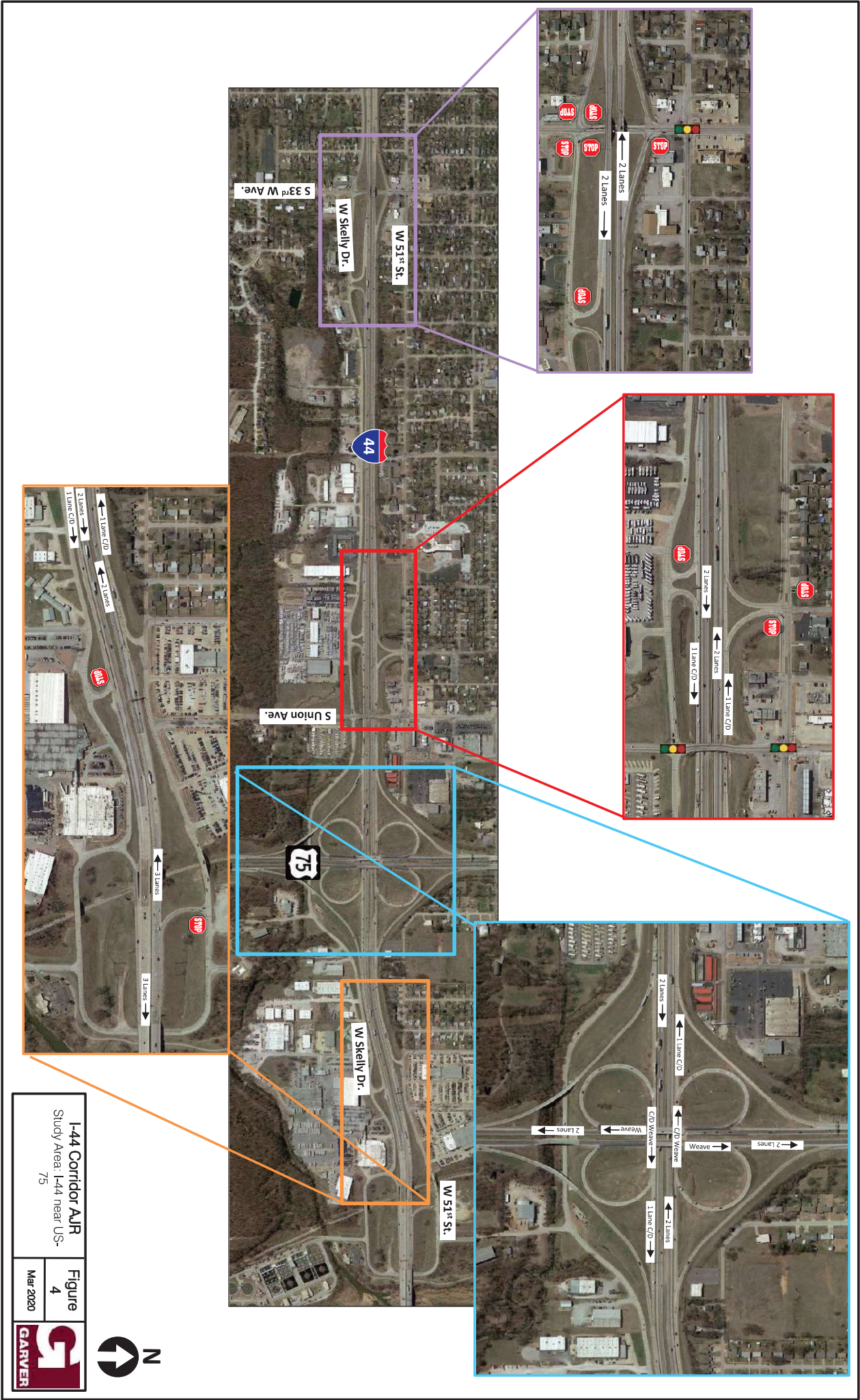


Oklahoma Department of Transportation
 Project Location Map
 Tulsa County
 JP 33788(08)(09)(10)(11) 1-44/US-75 Interchange
 Work Packages 2, 3, 4, and 5





I-44 Corridor A/R
 Study Area: I-44 near I-244
 Figure 3
 Mar 2020
GARVER



I-44 Corridor A/R
Study Area: I-44 near US-
75

Figure
4
Mar 2020





I-44 Corridor AJR
 Study Area: US-75 North
 and South of I-44

Figure 5
 Mar 2020





I-44 Corridor A/R
Study Area: I-44 East of
River

Figure
6

Mar 2020

