

# REEVALUATION OF THE 2002 ENVIRONMENTAL ASSESSMENT

## Reconstruction of US-75 from and including I-44 interchange South 10 miles to SH-67 (151st Street), Tulsa County, Oklahoma

### Original EA

The Oklahoma Department of Transportation (ODOT) completed an Environmental Assessment (EA) dated June 17, 2002, for United States Highway (US) 75 from State Highway (SH) 67 (151<sup>st</sup> Street) to Interstate (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), improved or new interchanges throughout the corridor, and frontage roads at certain locations. The EA included reconfiguration of the I-44/US-75 interchange to include two direct connection/fly-over ramps and two loop ramps. The EA was approved with a Finding of No Significant Impact (FONSI) by the Federal Highway Administration on December 20, 2002.

In 2007, the first completed construction project for this corridor (the W. 71<sup>st</sup> Street interchange and US-75 approaches) was designed in accordance with the functional plans and consisted of pavement for a future 8-lane US-75 facility with four through lanes in each direction, approximately 3,000-feet north and south of 71<sup>st</sup> Street, and a 76-foot-wide W. 71<sup>st</sup> Street span bridge over US-75. In 2010, the at-grade US-75 intersection with W. 111<sup>th</sup> Street) was replaced with an interchange consistent with the functional plans, and an 80-foot-wide W. 111<sup>th</sup> Street bridge over US-75. The US-75 bridges over W. 81<sup>st</sup> Street are scheduled to be replaced in FFY 2024 according to the ODOT 8-year Construction Work Plan.

A Reevaluation of the 2002 EA was completed on June 9, 2020, for the first construction work package (WP1) for the I-44/US-75 interchange [JP 33788(04)]. WP1 will reconstruct the I-44 mainline with three 12-foot-wide concrete driving lanes in each direction (six lanes total) on the existing alignment and will reconstruct the mainline of US-75 with four 12-foot-wide concrete driving lanes in each direction (eight lanes total) on the existing alignment. The existing bridges on US-75 over I-44 and Mooser Creek (Bridges A, B, C, and D) will be replaced on existing alignment. The foundations and piers for five new interchange ramp bridges (bridges “H”, “L”, “N”, “O” and “P”) are included in WP1 and will be constructed within the existing interchange right-of-way. All eight existing ramps at the I-44/US-75 interchange will be reconstructed on slight offset alignments to match the profiles of the new bridges. WP1 began construction in January 2021 and is scheduled to be complete in early 2023.

### Current Action

The proposed action includes improvements associated with the remaining work packages (WP 2, 3, 4, and 5) for the I-44/US-75 interchange. 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. 71<sup>st</sup> 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. 61<sup>st</sup> Street to include a new bridge on W. 61<sup>st</sup> Street over US-75 and reconfigured ramps.

- 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. 51<sup>st</sup> 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. 61<sup>st</sup> 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. 51<sup>st</sup> 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 pedestrian/bicycle connection from Skelly/W. 51<sup>st</sup> 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 33<sup>rd</sup> W. Avenue.
- Reconstruct the existing I-44 eastbound on and off ramps from Skelly Drive just east of 33<sup>rd</sup> W. Avenue.
- Reconstruct the I-44 westbound on ramp and eastbound off ramp just west of Union Avenue.
- Reconstruct Skelly Drive from 33<sup>rd</sup> 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. 41<sup>st</sup> 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. 51<sup>st</sup> Street extension, W. 49<sup>th</sup> Street, and W. 46<sup>th</sup> 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. 51<sup>st</sup> 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. 51<sup>st</sup> Street from Tacoma Avenue east under US-75 to just east of Indian Avenue.

### Summary of Design Changes

The proposed improvements for the I-44/US-75 interchange include only minimal modifications from the original concept presented in the EA. The primary differences are listed below:

- EA Functional Concept
  - I-44/US-75: Two loop ramps and two direct ramps
  - West Skelly Drive: Improvements for one-way operation
  - West 51<sup>st</sup> Street: Curvilinear and adjacent to I-44; longer US-75 bridge over I-44
  - Western extent of improvements: West of 33<sup>rd</sup> W. Avenue
- Proposed Design
  - I-44/US-75: One loop ramp and three direct ramps
  - West Skelly Drive: Improvements maintain two-way operation
  - West 51<sup>st</sup> Street: Straighter; extra bridge under US-75
  - Western extent of improvements: West of I-244 (addition of approximately 0.66 mile)

The proposed design also adds an underpass bridge at W. 49th Street to allow local traffic to flow under US-75, and adds a pedestrian/bicycle bridge adjacent to W. 51st Street over the TSU Railroad. These changes were made to facilitate local traffic and bicycle/pedestrian mobility.

### Additional Studies and Coordination

ODOT completed additional environmental studies and coordination for the proposed improvements to the I-44/US-75 interchange, including relocation studies, environmental justice analysis, cultural resources studies, Section 4(f) coordination, biological studies, floodplain analysis, farmland coordination, hazardous waste studies, and noise studies. Consultations with the State Historic Preservation Officer, Oklahoma Archeological Survey, Native American Tribes, and the US Fish and Wildlife Service were completed. Impacts were similar to those discussed in the 2002 EA. The following commitments were included in the 2002 EA and have been addressed:

1. *Relocations will be mitigated according to provisions in the Uniform Relocation and Real Property Acquisition Policies of 1970:* 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 replacement housing is not available within the financial means of displaced. A review of available real estate listings found that suitable replacement residential and commercial properties are available in the vicinity for possible displaced units.
2. *A noise study indicated the project will have an adverse impact on noise sensitive areas and may warrant noise barriers. Subsequent project design may require a reevaluation of this noise study.* 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.
3. *The project is anticipated to have impacts to wetlands and streams. Any permit required will be coordinated with the USACE.* 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.

4. *Should subsurface archeological materials be exposed during construction, the Contractor and Resident Engineer will notify the Department Archeologist in accordance with the Department's Standard Specifications for Highway Construction (202.02). The appropriate agencies and tribes would also be contacted, as required. Any discovery of cultural material during construction will be handled according to policy Directive C-201-2D(2).*
5. *A Health and Safety Plan and necessary Environmental Mitigation Notes will be prepared for eventual inclusion in the design plans. An updated Initial Site Assessment was prepared for the I-44/US-75 interchange project. ODOT reviewed the ISA and the 65% plans and developed notes for inclusion in the final plans.*
6. *A retaining wall will be constructed to avoid impacts at Cecil Bales Sports Complex and no new right-of-way will be obtained in that area. No new right-of-way will be acquired from Bales Park.*
7. *The proposed US-75 project is located within 1 mile of R. L. Jones (Riverside) Airport. A formal "Notice of Proposed Construction or Alteration" will be filed by the Department when final design plans are available. The Department will notify the Federal Aviation Administration (FAA) of proposed construction via FAA Form 7460-1 prior to construction.*
8. *ODOT will update studies for future work packages as design plans become available and will hold another public meeting prior to right-of-way plan submittal. These studies will include:*
  - a. *Relocation Studies*
  - b. *Socioeconomic and Environmental Justice*
  - c. *Noise and barrier analyses*
  - d. *Section 4(f) evaluations*

ODOT held a public open house on WP 2-5 between June 9 – 30, 2021. Updated Relocation Plans were prepared for WP 2-5, and a noise barrier analysis was completed. It was determined that the previous Socioeconomic and Environmental Justice study was adequate and reflected the potential impacts of WP 2-5. Section 4(f) evaluations were not determined necessary as all Section 4(f) resources were avoided.

Additional commitments and plan notes have been added to the project to avoid and/or minimize impacts on the American Burying Beetle, protected bat species, bald eagle, and the interior least tern and other migratory birds. Notes will also be added to avoid the Red Fork Historic District and off-site cultural resource areas. ODOT has committed to conducting a Preliminary Site Investigation (PSI) at the Power Train facility prior to construction.

## **Impacts of Design Changes and Changed Project Area Conditions**

### Right-of-Way and Relocations

The 2002 EA was not specific as to how many relocations or how much right-of-way would be required for the I-44/US-75 interchange. However, a review of the functional plans dated 6/12/2001 indicate that that the original project would require 20 residential relocations, 10 commercial relocations, and relocation of a church, a library, and a nursing home.

The current design has minimized right-of-way acquisition as much as possible. Impacts to the community facilities including the church, library, and nursing home have been avoided. However, there has been some new development within the original proposed right-of-way limits that could not be avoided. The extension of the project west to I-244 also increased the number of relocations. Table 1 below shows the anticipated changes in proposed relocations:

**Table 1: Anticipated Relocations**

<b>Property Type</b>	<b>Original EA Concept</b>	<b>Current Design</b>
Residential	20	30
Commercial	10	9
Church	1	0
Library	1	0
Nursing Homes	1	0

Environmental Impacts

Environmental impacts in the 2002 EA were assessed for the entire US-75 corridor from SH-67 to I-44. Impacts were discussed for the corridor overall and were not presented in a way that allowed for analysis of the I-44/US-75 interchange specifically. However, a review of the specialist reports (presented in the 2002 EA Appendices) was performed to evaluate the specific interchange impacts.

*Noise*

The 2002 EA performed a planning level noise study of impacts related to US-75 improvements. Fifty-nine (59) receivers were modeled to represent residential areas, churches, and parks within the corridor. Within the I-44/US-75 interchange, 23 receivers were modeled representing 71 residential dwellings, one (1) church, and one (1) park. Twenty-one of the 23 receivers approached, met, or exceeded the 67 dB(A) LEQ(h) for NAC Categories B and C. One noise wall within the I-44/US-75 interchange area was recommended: a 900-foot wall on the west side of US-75 north of W. 61<sup>st</sup> Street (Mitigation Area 1).

ODOT update the traffic noise study for the I-44/US-75 interchange in 2021 based on the updated design, traffic forecasts, and ODOT Noise Policy. Assessment of noise impacts of WP 2-5 included an analysis of 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. The 2021 analysis included many more receivers than the 2002 analysis, which was completed as a sample analysis.

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. WP2 Barrier 1 is the same location described in the 2002 EA. The WP4 barriers were not identified in the 2002 EA since this portion of I-44 was not included in the original document.

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.

#### *Waters and Wetlands*

The 2002 EA did not identify any wetlands within the I-44/US-75 interchange project area. Streams were not specifically delineated, although Mooser Creek was identified.

ODOT completed an updated waters and wetland delineation for the I-44/US-75 interchange in 2021. A total of three wetlands were identified within the study area for a total wetland acreage of 0.96 acre. Nine other waters were identified, including the Arkansas River, Cherry Creek and one tributary, and Mooser Creek and five tributaries. Less than 300 feet of total impacts to streams is anticipated. ODOT is coordinating with the US Army Corps of Engineers to obtain the appropriate Section 404 permit.

#### *Threatened and Endangered Species*

The 2002 EA indicated potential habitat for the interior least tern and the bald eagle within the US-75 corridor. Impacts to the least tern were not anticipated due to lack of work in the Arkansas River. The EA recommended surveys for bald eagles along Polecat Creek (outside of the I-44/US-75 study area).

ODOT completed an updated biological assessment for the I-44/US-75 interchange in 2021. Since that time, the red knot and the northern long-eared bat have been added to the federally protected species lists. Consultation with the US Fish and Wildlife Service determined that the project will have no effect on the red knot. The project may affect, but is not likely to adversely affect, the piping plover. Effects to the American burying beetle (ABB) and northern long-eared bat (NLEB) are covered in the Biological Opinion for the final 4(d) rule for these species. Commitments and plan notes related to avoidance and minimization measures for species will be added to the final plans. Surveys for the bald eagle will be completed in the winter prior to construction of each work package. Surveys for the interior least tern will be completed in June prior to construction of each work package.

#### *Cultural Resources*

The 2002 EA did not identify any historic properties within the corridor.

ODOT completed an updated cultural resources survey for the I-44/US-75 interchange in 2020. This study concluded with a determination of “no adverse effect” on historic properties from the Oklahoma State Historic Preservation Officer and the Oklahoma Archeological Survey. The Red Fork Historic District was determined eligible for inclusion in the National Register of Historic Places in 2017 and is adjacent to US-75 north of I-44. The I-44/US-75 interchange project will avoid the Red Fork Historic District. Tribal consultation was completed with the Alabama Quassarte Tribal Town, the Cherokee Nation, the Delaware Tribe of Indians, the Kialegee Tribal Town, the Muscogee (Creek) Nation, the Osage Nation, the Thlopthlocco Tribal Town, the United Keetoowah Band of Cherokee, and the Wichita and Affiliated Tribes.

#### *Hazardous Waste*

The EA did not identify any specific hazardous waste concerns within the I-44/US-75 interchange. The southeast quadrant of the interchange was described as containing “commercial/industrial properties”. Underground storage tanks (USTs) were noted at the Becco Contractors facility at 1130 W. Skelly Drive. The general area was noted as an active oil/gas field.

ODOT updated the Initial Site Assessment for the I-44/US-75 interchange in 2019. The Becco facility was noted as vacant. A cautionary plan note was included to warn of the possibility of encountering contamination. One additional facility, Power Train at 2442 W. Skelly Drive was identified as a possible underground storage tank site. Additional investigations will be completed prior to construction to determine if any underground contamination is present and if additional plan notes or management plans are needed.

*Parks*

The 2002 EA identified Turkey Mountain Wilderness Area and Cecil Bales Sports Complex within the I-44/US-75 interchange area. No right-of-way was anticipated from either of these parks. Bales Park would be avoided with the use of a retaining wall.

ODOT completed additional coordination with the City of Tulsa on the impacts to Turkey Mountain as part of the WP2-5 Reevaluation. No impacts to park property were identified. A retaining wall was included at Bales Park to avoid impacts to this park. There will be no use of any Section 4(f) or 6(f) resources.

*Summary*

The range and type of impacts of the I-44/US-75 interchange has not changed significantly from the 2002 EA. Impacts to right-of-way and relocations, noise, threatened and endangered species, and cultural resources have changed due to changed conditions in the project area and changed environmental regulations. A summary of the changes is included in Table 2 below:

**Table 2: Anticipated Environmental Impacts**

<b>Impacts Type</b>	<b>Original EA Concept</b>	<b>Current Design</b>
Noise	64 residential dwellings 1 park (sample analysis)	127 residential dwellings 34 multi-family dwellings 1 park 2 trail systems
Waters and Wetlands	None	0.96 ac of wetland <300 linear feet of stream
Threatened and Endangered Species	Commitment for bald eagle surveys	Avoidance and minimization measures for ABB, NLEB added to plans. Commitment for bald eagle and least tern surveys.
Cultural Resources	None – no adverse effect	Red Fork Historic District (avoided) – no adverse effect
Parks	Turkey Mountain, Bales Park will be avoided	Turkey Mountain, Bales Park will be avoided (no Section 4(f) or 6(f) impact

