



# Oklahoma Department of Transportation

Environmental Programs Division Office 521-3050 Fax 522-5193

## Programmatic/Individual Categorical Exclusion

	<b>PCE</b>	<b>X</b>	<b>ICE</b>
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Date	<b>12/4/2017</b>	Project Number	<b>NHPP-223N(014)PM</b>
County	<b>Ellis</b>	State Job Piece No:	<b>29674(04)</b>
NEPA Project Manager	<b>Leslie Novotny</b>	Phone Number	<b>(405) 521-2321</b>
ODOT Field Division	<b>6</b>	Bridge NBI No. (For County & State Projects) & Location No. (County Projects Only)	<b>04500 04476 04477 04348</b>
Project Description from JPINFO	<b>WIDEN, RESURFACE &amp; BRIDGE: SH-15; FROM APPROX. 1.3 MI NE OF THE US-283 JCT., EAST APPROX 3.2 MILES</b>		
This project is included in: (Check all applicable ones)	<input checked="" type="checkbox"/>	<b>State 8 Year Construction Program</b>	
	<input type="checkbox"/>	<b>County 5 Year Construction Program</b>	
	<input type="checkbox"/>	<b>State Transportation Improvement Program</b>	
This project is in the Metropolitan Transportation Improvement Program (If applicable) (Check applicable one)	<input type="checkbox"/>	<b>YES</b>	
	<input checked="" type="checkbox"/>	<b>NOT APPLICABLE</b>	

The Oklahoma Department of Transportation (ODOT) has completed the environmental analysis and review of the referenced project. ODOT has determined that this project does not individually or cumulatively have a significant impact of the environment as defined by the National Environmental Policy Act (NEPA) or involve unusual circumstances as defined in 23 CFR 771.117(b) and is therefore excluded from the requirements to prepare an Environmental Assessment or Environmental Impact Assessment.

<p><b>Existing Conditions</b> (Describe existing bridge width, approach roadway width, etc., traffic (current and projected), Existing Problems such as sufficiency rating):</p> <p><b>The existing SH 15 facility is classified as a rural principal arterial roadway, with two 12-foot-wide travel lanes and two 2-foot-wide shoulders, for a total pavement width of 28 feet. The Average Annual Daily Traffic (AADT) on this section of SH 15 is increasing, with an estimated 2,600 vehicles per day (vpd) in 2015 and estimated 3,700 vpd in 2035. Trucks, including oilfield traffic, currently make up 22 percent of the daily traffic. A high truck volume indicates the need to provide adequate shoulder widths and sufficient roadway clear zones when making safety improvements, to accommodate truck and trailer widths and potential for increased lateral movement of trailer units. In the event that this portion of SH 15 is closed to traffic, the detour route would result in 28 miles of additional round-trip travel for a vehicle.</b></p>
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Nine historic-age, reinforced, cast-in-place concrete box culverts, including four bridge-class culverts, are located on unnamed tributaries of Wolf Creek along this portion of SH 15. Built in 1935 these structures are significant as an intact example of a Depression-era federal work-relief infrastructure project constructed under the National Recovery Work Relief (NRWR) program that utilized Works Progress Administration (WPA) labor.

The nine existing reinforced-concrete box culverts do not have sufficient length perpendicular to the roadway to meet the current clear zone requirements for safety.

**Purpose & Need** (*Why the project is needed such as structural deficiency or bridge does not meet current state/federal standards for width or vertical clearance or the roadway has sharp horizontal curves or sight distance problems or narrow shoulders which do not meet current standards*):

To improve the existing SH 15 to accommodate increasing traffic volume including a high proportion of truck traffic.

**Alternatives considered & Proposed Improvement** (*Provide reason why an offset alignment to one side is selected vs the other side, Proposed construction such as roadway and bridge widths, AND mention whether the road will be open to traffic during construction.*):

As part of the Section 4(f) analysis for these historic RCBs and roadway sized drainage structures were considered for the project: 1) No build alternative, 2) Rehabilitate SH 15 on existing alignment without using historic structures, 3A) Build SH 15 on new location, construct as one-way pair and retain the historic structures, 3B) Build SH 15 on new location and realign on new location without using the historic structures, and 4) Reconstruct SH 15 on existing alignment and rehabilitate/widen historic culverts. Alternative 1 and 2 do not meet the project purpose and need. Alternative 3A and 3B meets the project purpose and need; however, these alternatives would be neither feasible nor prudent based on the additional construction expenses to be encumbered by additional right-of way acquisitions and resultant residential and commercial displacements. Alternative 4 was chosen as the preferred alternative.

The proposed improvements consist of reconstructing SH 15 on the existing alignment with two 12 ft wide driving lanes and 8 ft wide paved shoulders. Intersections with county roads at various locations along the alignment will be modified to create perpendicular intersections with better sight distance. The four bridge boxes and five roadway sized drainage structures will be widened to meet clear zone requirements. The roadway will remain open to through traffic during construction.

**Did the project have public involvement** (*Check the applicable items and include public involvement summary and supporting documents in the appendix*)

<input checked="" type="checkbox"/>	Property Owner Notification	<input type="checkbox"/>	Road Closure Letter	<input type="checkbox"/>	Public/Stakeholder Meeting
<input type="checkbox"/>	Legal Notice/Website Posting	<input type="checkbox"/>	Small City Letter	<input type="checkbox"/>	None

All documentation, analyses, and agency coordination regarding this Categorical Exclusion are attached to this document and maintained in the project file at the Oklahoma Department of Transportation, Environmental Programs Division.

<b>Criteria Identified in Section III.b.3. of the 2011 FHWA/ODOT Programmatic Agreement for Processing Categorical Exclusions that would require Individual Review and Approval by FHWA:</b>		
<b>Check Yes or No below. If the answer to any of the questions below is Yes, an Individual CE will be required.</b>		
<b>Description/Question</b>	<b>Yes</b>	<b>No</b>
<b>Item(a)</b>		
1. Does the project involve residential or commercial relocation?		<b>X</b>
2. Does the project involve acquisition of right-of-way not adjacent to the existing facility?		<b>X</b>
3. Does the project involve property in which another Federal Agency or Federally Recognized Tribe has ownership, oversight or any other encumbrance?		<b>X</b>
<b>Item(b)</b>		
Does the project involve a determination of adverse effect by Oklahoma State Preservation Office (SHPO) or a designated Tribal Historic Preservation (THPO) in accordance with Section 106? An exception to this would apply if adverse effects are addressed programmatically as part of a previously executed general Section 106 Programmatic Agreement with SHPO, FHWA and others, and a project-specific MOA will not be required.	<b>X</b>	
<b>Item (c)</b>		
Does the project involve a Programmatic Section 4(f) or <i>de minimis</i> finding which has not been previously approved by FHWA?	<b>X</b>	
<b>Item (d)</b>		
Does the project involve a Section 6(f) property?		<b>X</b>
<b>Item (e)</b>		
Does the project involve any impact on Noise Abatement Criteria (NAC) Category A, B, C or D receptors?		<b>X</b>
<b>Item (f)</b>		
1. Does the project involve a finding of “may effect, likely to adversely affect” to a federally listed endangered or threatened species or its critical habitat determined during the Section 7 Informal Consultation Process? The exception to this is the American Burying Beetle or any other species which has been addressed under a separate formal programmatic agreement.		<b>X</b>
2. Does the project involve a Section 7 Formal Consultation Process?		<b>X</b>
<b>Item (g)</b>		
Does the project require an Individual Section 404 Permit (This is for major River Crossings, waters or wetlands impact greater than 0.5 AC, Projects with Formal Consultation, or others as determined by USACE)?		<b>X</b>
<b>Item (h)</b>		
Does the project require a Coast Guard Permit?		<b>X</b>
<b>Item (i)</b>		
Does the project involve construction across or adjacent to a river designated as a component in the National System of Wild and Scenic Rivers?		<b>X</b>
<b>Item (j)</b>		
Does the project involve an adverse impact on prime farmland where Natural Resources Conservation Agency (NRCS) has required consideration of alternatives and measures to avoid and minimize impacts?		<b>X</b>
<b>Item (k)</b>		
Does the project involve increase to the base 100 Year floodplain in a regulatory floodway (Zone A-E in a FEMA Map) that will require a flood map revision as determined by the appropriate state or local authority?		<b>X</b>

<b>Criteria Identified in Section III.b.3. of the 2011 FHWA/ODOT Programmatic Agreement for Processing Categorical Exclusions that would require Individual Review and Approval by FHWA:</b>		
<b>Check Yes or No below. If the answer to any of the questions below is Yes, an Individual CE will be required.</b>		
<b>Description/Question</b>	<b>Yes</b>	<b>No</b>
<b>Item (l)</b>		
Does the project involve any known Superfund site?		<b>X</b>
<b>Item (m)</b>		
Does the project involve any permanent changes to the operation of an Interstate highway, associated interchanges or ramps?		<b>X</b>
<b>Item (n)</b>		
Does the project have potential for disproportionately high and adverse impact on minority or low income populations, based on known demographics in the project vicinity, extent of R/W, relocations, and other identified impacts?		<b>X</b>
<b>Item (o)</b>		
Does the project have any substantial or public controversy on environmental grounds?		<b>X</b>
<b>Item (p)</b>		
If the project involves road closure or ramp closure, do any of the following conditions apply? ( <i>Check the boxes ONLY if the project involves road closure</i> )		
i. No Access will be provided to local traffic or posted		
ii. Through traffic dependent businesses will be affected		
iii. The detour closure will interfere with special events or activities		
iv. The detour or closure will substantially alter the environmental consequences of the action, such as by creating unsafe conditions on the detour route or requiring additional work or expansion to detour routes to carry the additional traffic.		
v. There is a public controversy associated with the detour or closure		
<b>Explanation for Individual CE (If any of the answers above are YES):</b>		
Item for which the answer is YES	<b>(b) &amp; (c)</b>	
Explanation that CE Classification is appropriate		
<p><b>On the behalf of the FHWA, the Department has consulted with the Oklahoma State Historic Preservation Office (SHPO), Oklahoma Archeological Survey, and appropriate native American Tribes regarding the adverse effect on the SH-15 RCBs and roadway sized drainage structures of unnamed tributaries of Wolf Creek, which are listed on the National Register of Historic Places (NRHP).</b></p> <p><b>The action will involve use of a historic property protected by Section 4(f) of the Department of Transportation Action (49 U.S.C. 303). A Programmatic Section 4(f) evaluation was completed. Five alternatives were considered: four avoidance alternatives and one use alternative. These alternatives were discussed above in the “Alternative Considered and Proposed Improvement” section of this CE document. After consultation with the State Historic Preservation Office (SHPO), a Historic American Engineering Record (HAER) Level II evaluation was deemed appropriate for mitigation of adverse effects.</b></p>		
Item for which the answer is YES		
Explanation that CE Classification is appropriate		

<b>Commitments</b> ( <i>Check Applicable ones</i> )	
<b>X</b>	Plan notes requiring avoidance of cultural resources in off-project areas will be added to the final project plans under “Environmental Mitigation Notes” per policy Directive C-201-2D(2).
	Properties eligible for the National Register of Historic Places (NRHP) have been identified within the project area. Plans need to be submitted to Environmental Programs Division by the Designer for further coordination with the State Historic Preservation Office (SHPO) prior to the bid solicitation process or construction.
	Properties eligible for the National Register of Historic Places (NRHP) have been identified within the project area. The State Historic Preservation Office (SHPO)’s approval is based on the project as currently proposed. The following Plan notes will be added to the final project plans under “Environmental Mitigation Notes” per policy Directive C-201-2D(2). <b>Properties eligible for the National Register of Historic Places (NRHP) have been identified within the project area. The State Historic Preservation Office (SHPO)’s approval is based on the project as currently proposed. If there are any changes to the project plans, further coordination with the SHPO will be required through the Environmental Programs Division prior to the bid solicitation process or field changes during construction.</b>
	(Only for Special Projects) Properties eligible for the National Register of Historic Places (NRHP) have been identified within the project area. Further coordination with the State Historic Preservation Office (SHPO) is required by the ODOT Project Management’s Special Projects Branch prior to the bid solicitation process or construction. The SHPO letter which cites the information needed to proceed is included in the Appendix. The file number from the SHPO letter should be referenced in all correspondence with SHPO. Copies of such coordination should be provided to the Environmental Programs Division for the project record.
	(Only for Special Projects) Properties eligible for the National Register of Historic Places (NRHP) have been identified within the project area. The State Historic Preservation Office (SHPO)’s approval is based on the project as currently proposed. The following Plan notes will be added to the final project plans under “Environmental Mitigation Notes” per policy Directive C-201-2D(2). <b>If there are any changes to the project plans, further coordination with the SHPO will be required by the ODOT Project Management’s Special Projects Branch prior to the bid solicitation process or field changes during construction. Please reference the SHPO letter which cites the conditions of approval and reference the file number from SHPO letter in all correspondence. Copies of such coordination should be provided to the Environmental Programs Division for the project record.</b>
	The project occurs in an area where the American burying beetle (ABB) occurs. Special Provision 656-4 for ABB will be added to the final project plans/contract per policy Directive C-201-2D(2).
	Survey for the following species need to be completed prior to constructions and plan notes will be provided after the completion of the survey( <i>List species survey requirements below</i> )
	Plan notes requiring construction season restrictions for the following species will be added to the final project plans under “Environmental Mitigation Notes” per policy Directive C-201-2D(2). ( <i>List species or notes below</i> )
	Plan notes requiring avoidance and minimization of impacts for the following species will be added to the final project plans under “Environmental Mitigation Notes” per policy Directive C-201-2D(2). ( <i>List species below</i> )

<b>Commitments</b> ( <i>Check Applicable ones</i> )	
	The following Plan notes requiring construction season restrictions for the migratory birds will be added to the final project plans under “Environmental Mitigation Notes” per policy Directive C-201-2D(2). ( <i>List notes below</i> )
X	<b>Migratory Bird: 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 two SH-15 bridges (NBI:04477 and 04348) involved with this project was observed. Painting, repair, retrofit, rehabilitation or demolition of the existing bridge/structures 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 bridge 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.</b>  <b>Although no nests were observed on all other structures, the birds may occupy the structures in the future. The Resident Engineer shall contact the ODOT Biologist at 405-521-2515 if any bird use of the existing structures is observed. If birds are observed then painting, repair, retrofit, rehabilitation or demolition of the existing bridge/structures shall be conducted between September 1, and February 28, when migratory bird nests are not occupied.</b>
X	The action may involve work in potentially jurisdictional waters and potentially jurisdictional wetlands. For State Projects, the 404 permit application form needs to be submitted by the Designer through Project Management Division to Environmental Programs Division at the time of Right-of-Way submittal for evaluation and determination of the appropriate Clean Water Act Section 404 permit application for the project. For Local Government Projects or Special Projects, a copy of the 404 permit obtained by the County/City should be submitted by Local Government Division or Special Projects to Environmental Programs Division for the Project File.
	The action involves work in Critical Resource Waters and requires Pre Construction Notification (PCN) to USACE regardless of the area of impact. For Local Government Projects or Special Projects, a copy of the PCN by the County should be submitted by Local Government Division or Special Projects Branch to Environmental Programs Division for the Project File.
	The action will require a FEMA Map revision.
X	Plan notes requiring avoidance of potential hazardous materials remains areas will be added to the final project plans under “Environmental Mitigation Notes” per policy Directive C-201-2D(2).
	The Department’s Hazardous Coordinator has determined that a Preliminary Site Investigation (PSI) is required for this project. Construction Plans need to be submitted by the Designer to Environmental Programs Division at the time of Right-of-Way submittal for the PSI.
	The following plan note regarding Road Closure will be added to the plans ( <i>Add plan notes restricting road closure</i> ).
	( <i>Only for Local Government Projects</i> ) The roadway will be closed to traffic during construction. The County or City will be responsible for notifying all local residential and commercial property owners, schools, and emergency services providers prior to construction. The County or City will be responsible for posting the detour routes. The Contractor will provide access to local property owners at all times during construction.
	( <i>Only for Local Government Projects</i> ) The Local Government Project Manager shall coordinate any required species surveys with Environmental Programs Division prior to letting the project. Note the seasonal restrictions for surveys in the biological studies summary.

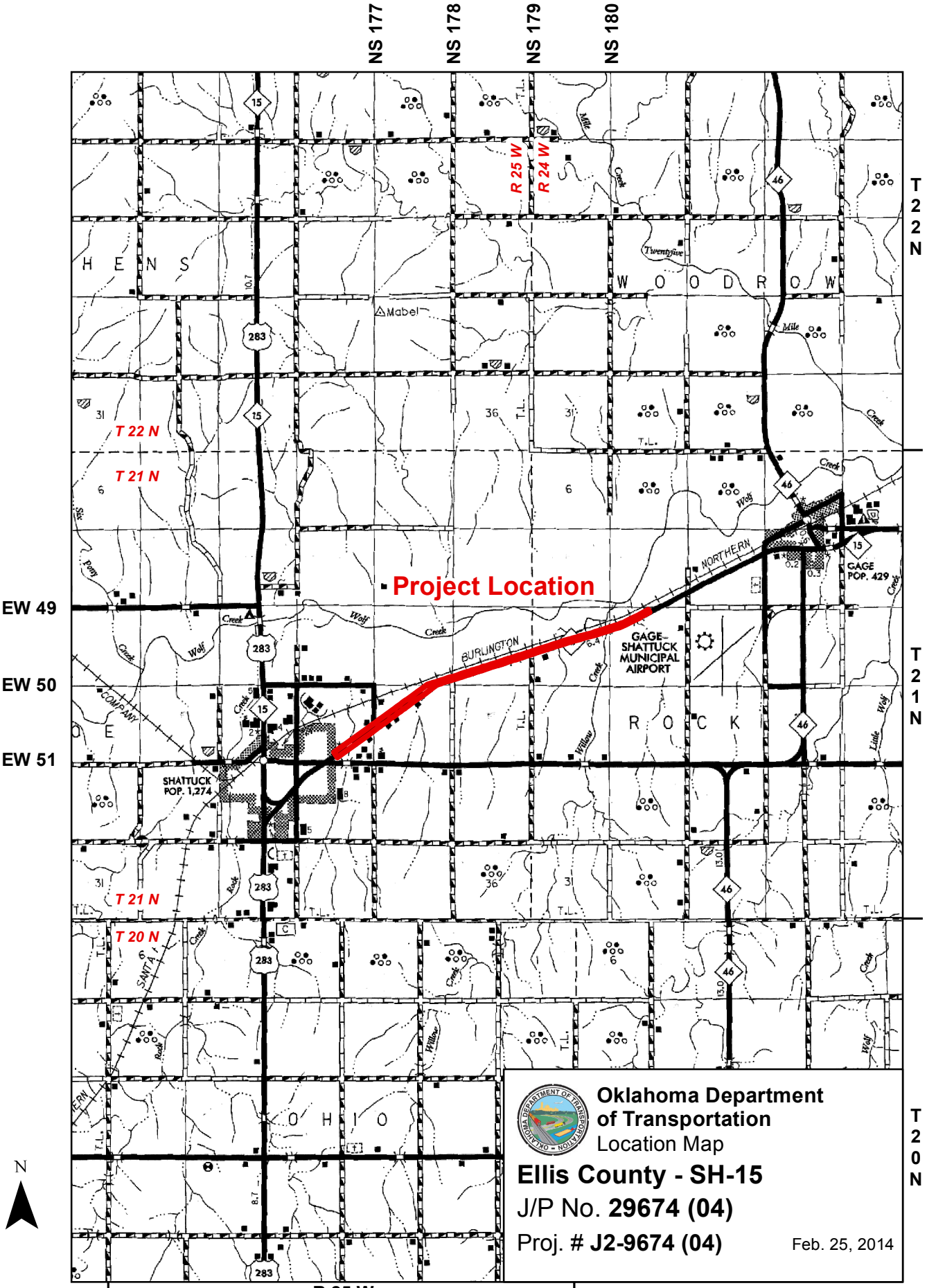
<b>Commitments</b> ( <i>Check Applicable ones</i> )	
<b>X</b>	The following Airport/Airfield located within 4 miles of this project. This action may require notifying the Federal Aviation Administration (FAA) of proposed construction via FAA Form 7460-1 prior to construction. ( <i>List the name of the Airport below</i> ) <b>Gage Airport</b>
<b>X</b>	Other ( <i>List Commitment below</i> ) <b>Prior to construction, ODOT's Cultural Resources Specialists will record the existing reinforced, cast-in-place concrete box culverts, including four bridge-class culverts, at the equivalent of Level II documentation as specified by the Historic American Engineering Record (HAER) and provide such records to the State Historic Preservation Office (SHPO).</b>
	Other ( <i>List Commitment below</i> )

The mitigation measures above should be discussed at all Pre-work conferences per Policy Directive C-201-2E(1). The Designer shall provide a **copy of the final plans with the mitigation notes** to Environmental Programs Division for the project Records.

Development of the project including coordination and assessment of potential social, economic and environmental impacts has been considered in accordance with DOT ORDER 5610.1C, and CEQ REGULATIONS 40 CFR 1500 -1508 as amended, 23 CFR 771.117 and the 2011 FHWA/ODOT Programmatic Agreement for processing of categorical exclusions. Implementation of this action as a "Categorical Exclusion" will satisfy the requirements of the National Environmental Policy Act.







**Project Location**



Oklahoma Department of Transportation  
Location Map

**Ellis County - SH-15**  
J/P No. 29674 (04)  
Proj. # J2-9674 (04)

Feb. 25, 2014

T 22 N

T 21 N

T 20 N

EW 49

EW 50

EW 51

R 25 W

R 24 W



# Oklahoma Department of Transportation

Environmental Programs Division

Office 521-3050 Fax 522-5193

**DATE:** 7 December 2012

**TO:** Project Management Division

**FROM:** Environmental Programs Division

**SUBJECT:** Ellis County Project: J/P 26497(04). Proposed improvements (grade, drain, surface, and shoulders), bridge box replacement, and bridge box extension on SH-15 from 5.8 miles east of US-283 junction, extending east approximately 2.7 miles.

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

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

T21N R24W:

Section 9: NE $\frac{1}{4}$  NE  $\frac{1}{4}$  SE $\frac{1}{4}$   
NW $\frac{1}{4}$  NE  $\frac{1}{4}$  SE $\frac{1}{4}$

SAS

Cc:  
Division VI Engineer  
Bridge Division  
Roadway Division



# Oklahoma Department of Transportation

Environmental Programs Division

Office 521-3050 Fax 522-5193

**DATE:** March 20, 2014

**TO:** Roadway Design Division, Project Management Division, Bridge Division

**FROM:** Environmental Programs Division *KM*

**SUBJECT:** SH-15 from approx. 1.3 miles northeast of US-283, east approx. 4.5 miles, Ellis County. Project No. J2-9674(004)SP; JP No. 29674(04).

An Initial Site Assessment has been conducted for the subject project. The Assessment identified former and active oil and/or gas wells, and associated ASTs and pipelines in the project's vicinity. No significant contamination was witnessed.

Please add the following note to a section of the project plans entitled "Environmental Mitigation Notes" per Policy Directive C-201-2D(2):

**"This project is in close proximity to areas that have historically been used for the exploration and extraction of crude oil. As a result, there is a potential to encounter crude oil products and related wastes. If such materials are found, the Resident Engineer should be notified immediately.**

**In addition, there is a potential to encounter gathering lines and other piping, and abandoned oil, gas or saltwater disposal wells. Any wells encountered during construction activities must be plugged, by properly licensed personnel, in accordance with all applicable Oklahoma Corporation Commission rules and regulations."**

This mitigation measure should be discussed at all pre-work conferences per Policy Directive C-201-2E(1).

If you have any questions, please contact Kris Mutz at (405) 521-2673.

KWM

Xc: NEPA Project Manager  
Division 6 Engineer  
Right-of-Way & Utilities Division