

PUBLIC INVOLVEMENT SUMMARY AND RESPONSES TO COMMENTS

**SH-10A
From SH-10 Junction
Extending East to SH-100 Junction**

**Muskogee/Sequoyah Counties, Oklahoma
J/P 30562(04)**

Prepared for:



**Oklahoma Department of Transportation
200 N.E. 21st Street
Oklahoma City, OK 73105**

Prepared by:

**Triad Design Group
Oklahoma Certificate of Authority No. 1759
3020 Northwest 149th Street
Oklahoma City, OK 73134
405-752-1122**

April 2017



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EXECUTIVE SUMMARY

This document summarizes the public involvement program for the proposed SH-10A improvements in Muskogee and Sequoyah Counties, Oklahoma. The program included a stakeholder meeting and an open house, at which ODOT presented the Preferred Alternative and requested public input. The stakeholder meeting was held on October 18, 2016 at 10:30 a.m. in the Great Hall meeting room of Fin and Feather Resort, 445889 Highway 10-A, Gore, Oklahoma. The stakeholder meeting attendance roster was signed by 33 attendees. The stakeholder meeting included a presentation on the project from the Oklahoma Department of Transportation's (ODOT) engineering consultant, Triad Design Group (Triad). Representatives from ODOT and Triad were available for discussion before and after the presentation. A comment period through November 1, 2016 was established, with a total of five written comments received, as summarized in Table ES.1.

TABLE ES.1: STAKEHOLDER MEETING COMMENT SUMMARY

Stakeholder	Comment
Bob Burgess, Muskogee County District 1	Expressed support of T-intersection at SH-10/SH-10A to improve visibility
John Cotherman, Gene's Aqua Pro	<ul style="list-style-type: none"> • Requested advance notice if ROW will impact his business (i.e., Gene's Aqua Pro) • Requested construction be scheduled outside the lake recreational season (i.e., summer months)
Roger Lively, Paradise Hill Trustee	<ul style="list-style-type: none"> • Support for Alternative 2 • Concerned moving SH-10/SH-10A intersection south of existing will create sight distance hazards and suggests a 3-way stop instead
Delores Gates Seay, Area Landowner	<ul style="list-style-type: none"> • Expressed desire for a public meeting • Observed Alternative 5 is "least invasive" to landowners • Landowners impacted by realignment alternatives prefer Alternative 1A • Concerned with Alternative 2 impacts to her property
David Ward, Area Landowner	<ul style="list-style-type: none"> • Would have liked to attend meeting in person • Questions the benefits/need for the project, and consideration of potential impacts

The open house was held on January 31, 2017 from 5:00 to 7:00 p.m. in the Town of Gore Community Building, Steve Owens Sports Complex, 313 Steve Owens Road, Gore, Oklahoma. The attendance roster was signed by 79 attendees. The open house included a continuously-repeating video which provided background information on the project, as well as the opportunity for the public to review project graphics and talk with ODOT and Triad project engineers. A public comment period through February 14, 2017 was established, with a total of 20 written comments received, which included 7 from agencies and 13 from members of the public. Agency comments and ODOT responses are summarized in Table ES.2.

TABLE ES.2: AGENCY RESPONSE SUMMARY

Agency	Response
National Park Service	No comments
Oklahoma Aeronautics Commission	Recommends determining if a Form 7460-1 should be submitted.
Oklahoma Department of Commerce	<ul style="list-style-type: none"> • Supports Preferred Alternative 2 • States that safe access to area recreational facilities is important.
Oklahoma Department of Environmental Quality	<ul style="list-style-type: none"> • Storm Water Permit required for construction disturbing >1 acre • Provided fact sheet of environmental recommendations for General Construction projects
Oklahoma Tourism and Recreation Department	Warns that the Preferred Alternative (Alternative 2) may have an adverse impact on the Gum Springs School ballfield and playground area, which are protected by Section 6(f).
Oklahoma Water Resources Board	Recommends contacting the local floodplain administrator (i.e., Muskogee and Sequoyah Counties) for possible permit requirements.
United States Department of Agriculture	No impacts to easements, watersheds, and prime farmlands protected by the Farmland Protection Policy Act.

Most of the public comments expressed support for one of the seven alternatives presented at the Open House. In addition to expressing support for an alternative, several other miscellaneous questions or comments were expressed. Table ES.3 summarizes the comments received. Note that the total number of comments is greater than the number of comments received, as several people made multiple comments.

TABLE ES.3 OPEN HOUSE COMMENT SUMMARY

Comment	# of Comments
Expressed support for Alternative 1	2
Expressed support for Alternative 1A	4
Expressed support for Alternative 2	1
Against all improvements; project is not needed	3
Criticism of Open House video clarity	1
Believe project outcome controlled by a few local influential citizens	2
Concerns regarding speed	3
Concerns about impacts to their property, including historic claims and spring/creek water supply	3
Suggests improvements only between Paradise Hill and Boys' Ranch	1
Questions the collision data	3
Project is too expensive/waste of money	2
Concerns regarding extent of ROW	1
Safety concerns at SH-10/SH-10A intersection	1
Owner name/ mailing address correction	1

1 PROJECT INTRODUCTION

This document summarizes the public involvement program for the proposed SH-10A improvements in Muskogee and Sequoyah Counties, JP 30562(04). The program included Agency solicitation, as well as a stakeholder meeting and an open house at which the Preferred Alternative was presented to the public for public input.

2 STAKEHOLDER MEETING

2.1 STAKEHOLDER MEETING NOTIFICATION

Notice of the stakeholder meeting was sent by letter dated September 9, 2016 to elected officials (federal and state), The Cherokee Nation, United States Army Corps of Engineers Lake Tenkiller office personnel, Muskogee and Sequoyah County Commissioners, City of Gore officials, local school districts, emergency service providers, United Methodist Boys Ranch, and Paradise Hill business owners. The letter provided a brief description of the purpose and need for the project, and an invitation to the stakeholder meeting. The letter was accompanied by a project location map. Copies of the letter and mailing list are included in Appendix A.

2.2 STAKEHOLDER INFORMATION AND FORMAT

The stakeholder meeting was held on October 18, 2016 at 10:30 a.m. in the Great Hall meeting room of Fin and Feather Resort, 445889 Highway 10-A, Gore, Oklahoma. The stakeholder meeting attendance roster (see Appendix B) was signed by 33 attendees. The stakeholder meeting included a presentation on the project from the Oklahoma Department of Transportation's (ODOT) engineering consultant, Triad Design Group (Triad). Representatives from ODOT and Triad were available for discussion before and after the presentation. Copies of the presentation, handout, and displays are included in Appendix B.

3 AGENCY SOLICITATION

Initial agency solicitation letters were sent to federal and state resource agencies. These letters presented a short project description and the purpose of the proposed project, and included graphics of the general project location, all the improvement alternatives considered, and the Preferred Alternative. The letter, dated January 3, 2017, also invited recipients to the public meeting and requested input be provided by February 14, 2017. Copies of the letter and mailing list are included in Appendix C.

4 OPEN HOUSE

4.1 OPEN HOUSE NOTIFICATION

Notice of the open house was sent by letter dated January 3, 2017 to elected officials (federal and state), United States Army Corps of Engineers Lake Tenkiller office personnel, the Governor's office, Muskogee and Sequoyah County Commissioners, City of Gore, local school districts, emergency service providers, United Methodist Boys Ranch, and Paradise Hill business owners. The officials letter provided a brief description of the purpose and need for the project and an invitation to the open house. The officials letter was accompanied by a project location map. Copies of the letter and list are included in Appendix D.

Notice of the open house was also sent by letter dated January 3, 2017 to all utility companies and property owners in the study area, based upon Oklahoma County Assessor information. Copies of this letter and mailing list are included in Appendix E.

4.2 OPEN HOUSE INFORMATION AND FORMAT

The open house was held on January 31, 2017 from 5:00 to 7:00 p.m. in the Town of Gore Community Building, Steve Owens Sports Complex, 313 Steve Owens Road, Gore, Oklahoma. The attendance roster was signed by 79 attendees, and a copy of the roster is included in Appendix F.

The open house included a continuously-repeating video which provided project background information, introduced the seven (7) alternatives considered, and explained the rationale for selection of Alternative 2 as the Preferred Alternative. In addition, ODOT and Triad staff were available for one-on-one and small group discussions, with project information displayed on poster exhibits. Display boards showing the alternatives considered, the Preferred Alternative, and environmental constraints were available for public viewing. A handout with project information and a map of the Preferred Alternative was provided to attendees. Copies of the video, handout, and displays are included in Appendix F.

5 SUMMARY OF COMMENTS

5.1 STAKEHOLDER MEETING COMMENTS

Five (5) written comments were received after the stakeholder meeting, as summarized in Table 5.1. Copies of the letters are included in Appendix E.

TABLE 5.1: STAKEHOLDER MEETING COMMENT SUMMARY

Stakeholder	Comment
Bob Burgess, Muskogee County District 1	Expressed support of T-intersection at SH-10/SH-10A to improve visibility
John Cotheman, Gene's Aqua Pro	<ul style="list-style-type: none"> Requested advance notice if ROW will impact his business (i.e., Gene's Aqua Pro) Requested construction be scheduled outside the lake recreational season (i.e., summer months)
Roger Lively, Paradise Hill Trustee	<ul style="list-style-type: none"> Support for Alternative 2 Concerned moving SH-10/SH-10A intersection south of existing will create sight distance hazards and suggests a 3-way stop instead
Delores Gates Seay, Area Landowner	<ul style="list-style-type: none"> Expressed desire for a public meeting Observed Alternative 5 is "least invasive" to landowners Landowners impacted by realignment alternatives prefer Alternative 1A Concerned with Alternative 2 impacts to her property
David Ward, Area Landowner	<ul style="list-style-type: none"> Would have liked to attend meeting in person Questions the benefits/need for the project, and consideration of potential impacts

5.2 AGENCY COMMENTS

Seven (7) written agency comments were received and are summarized in the following text. Copies of the agency response letters are included in Appendix G.

- The National Park Service had no comments on the project.

- The Oklahoma Aeronautics Commission recommends determining if a Form 7450-1 should be submitted.
- The Oklahoma Department of Commerce expressed support for Alternative 2 and noted that safe access to area recreational facilities is important.
- The Oklahoma Department of Environmental Quality (ODEQ) noted that construction projects disturbing greater than 1 acre require storm water permitting. The ODEQ also attached a list of recommendations for general construction/improvement projects which addressed items such as plumbing codes, lead-based paint, asbestos, fugitive dust, solid waste, and OPDES permitting.
- The Oklahoma Tourism and Recreation Department responded that the Preferred Alternative (i.e., Alternative 2) may have adverse impacts on the Gum Springs School ballfield and playground area, which are protected by Section 6(f) due to the use of Land and water Conservation Funds at the ballfield.
- The Oklahoma Water Resources Board recommended contacting the Muskogee and Sequoyah County floodplain administrators for possible permit requirements.
- The United States Department of Agriculture stated the project would have no impact on easements, watersheds, and prime farmlands protected by the Farmland Protection Policy Act.

5.3 OPEN HOUSE COMMENTS

The majority of the 13 open house comments received expressed support for one of the seven alternatives presented at the open house. In addition to expressing support for an alternative, several other miscellaneous questions or comments were expressed. Table 5.2 summarizes the comments received. Note that the total number of comments is greater than the number of comments received, as several people made multiple comments. Copies of the public comments received are included in Appendix H.

TABLE 5.2: OPEN HOUSE COMMENT SUMMARY

Comment	# of Comments
Expressed support for Alternative 1	2
Expressed support for Alternative 1A	4
Expressed support for Alternative 2	1
Against all improvements; project is not needed	3
Criticism of Open House video clarity	1
Believe project outcome controlled by a few local influential citizens	2
Concerns regarding speed	3
Concerns about impacts to their property, including historic claims and spring/creek water supply	3
Suggests improvements only between Paradise Hill and Boys' Ranch	1
Questions the collision data	3
Project is too expensive/waste of money	2
Concerns regarding extent of ROW	1
Safety concerns at SH-10/SH-10A intersection	1
Owner name/mailling address correction	1

5.4 RESPONSES TO OPEN HOUSE COMMENTS

ODOT's responses to the general comment topics are summarized in the following sections of text.

- **Support for Alternative 1, Alternative 1A, and Alternative 2**

ODOT thanks the public for their input.

- **Against All Improvements; Project Is Not Needed**

SH-10A has a collision rate approximately three times the statewide average rate for similar facilities, which indicates that this facility needs safety improvements. The numerous substandard vertical and horizontal curves on SH-10A, along with the lack of adequate shoulders, contribute to the high collision rate. The majority of SH-10A is ranked as the #1 Oklahoma crash segment on the High Risk Rural Roads Program, and is also ranked as the 11th worst rural highway segment in ODOT Division 1, with the top 10 segments already scheduled for improvements.

- **Criticism of Open House Video Clarity**

ODOT regrets that the commenter was unable to clearly hear/see the open house video, and hopes that the commenter was able to obtain the desired information from the opportunity to visit with project engineers at the open house.

- **Believe Project Outcome Controlled by a Few Local Influential Citizens**

ODOT public participation programs often include "stakeholder" meetings, in addition to public meetings and open houses. The term "stakeholder" generally refers to government agencies, local and area elected officials, as well as business owners and other traffic generators in the project area. ODOT selected Alternative 2 as the Preferred Alternative prior to the stakeholder meeting. The same information was presented at the October 18, 2016 stakeholder meeting and

the January 31, 2017 open house, i.e., the seven alternatives considered and ODOT's Preferred Alternative (i.e., Alternative 2).

- **Concerns Regarding Speed**

ODOT agrees that enforcing the speed limits is important. ODOT has checked with the Oklahoma Highway Patrol (OHP) and found that the OHP is well aware of the number of collisions and injuries along SH-10A. Further, ODOT has been working with the Paradise Hill community to address the SH-10A speed limit. A reduction of speed is anticipated to be approved at the May 2017 Highway Commission Meeting, and will go into effect as soon as possible.

- **Concerns About Impacts to Private Property, Including Historic Claims and Spring/Creek Water Supply Concerns**

ODOT is aware of two cemeteries near the Preferred Alternative and those cemeteries will be avoided. As part of the preliminary engineering for this project, ODOT will conduct several specialist field studies to evaluate the environmental impacts of construction of the Preferred Alternative. This evaluation will include a cultural resource study for archeological and historic resources, as well as a jurisdictional waters and wetlands study. All resources identified during these field studies will be considered during design development and impacts will be minimized and/or mitigated.

- **Suggests Improvements Needed Only Between Paradise Hill and Boys Ranch**

ODOT agrees that the referenced segment of SH-10A needs safety improvements, which will include correction of numerous substandard vertical and horizontal curves and the addition of shoulders. However, there are also many collisions occurring outside this area that need to be addressed as well.

- **Questions About Collision Data**

At the open house, the results of an ODOT collision study for the time period of January 1, 2005 through January 31, 2016 were presented, and some commenters questioned the accuracy of that data. ODOT's collision data is compiled from reports submitted by the Department of Public Safety, Oklahoma Highway Patrol, county sheriff's offices, and local police departments. These reports include only reported collisions, and additional collisions may occur that are not reported.

- **Project Is Too Expensive**

The current ODOT eight-year program contains approximately \$1.0 million for acquiring right-of-way and relocating utilities, and \$8.5 million for construction of the Preferred Alternative. ODOT highway construction projects are typically financed with 80% federal and 20% state funds. However, during the time period of 1985 to 2005, no state funding was available for construction, which limited ODOT's ability to address all of the bridges and highways needing improvements. In 2006, the Oklahoma legislature began allocating additional tax revenues to ODOT, and ODOT has been able to make much needed progress in addressing deficient bridges and highways in our state. The types of improvements that are needed to improve SH-10A will require a large investment of tax dollars, but ODOT must make the improvements necessary to improve safety on this roadway.

- **Concerns Regarding Right-of-Way Extent**

Determination of the amount of right-of-way needed depends upon several things, including the roadway's classification, speed, and average daily traffic volumes; drainage requirements; and utilities in the area. Typically, improvements to an existing facility include widening the facility, which does require the acquisition of some property adjacent to the facility. ODOT attempts to minimize right-of-way acquisition to the extent possible; however, the exact extent of right-of-way impacts will not be known until completion of the ground survey.

- **Safety Concerns at SH-10/SH-10A Intersection**

The Preferred Alternative includes improvement to the sight distance and alignment of the existing SH-10/SH-10A intersection, and should result in a safer intersection. Although the SH-10/SH-10A is not part of the currently programmed project (which begins approximately 2 miles east of the intersection and continues eastward to the SH-10A/SH-100 junction), ODOT Division 1 is working to improve the SH-10/SH-10A intersection independent of the rest of the SH-10A project.

- **Owner Name/Mailing Address Correction**

Thank you; ODOT has made the requested correction to the project mailing list.