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# **Public Open House Summary**

**US-59**

**From Sailboat Bridge to JCT SH-125  
Delaware & Ottawa Counties**

**JP 28894(04)**

**OKLAHOMA DEPARTMENT OF TRANSPORTATION**

**For  
Open House Held December 3, 2019  
at  
Grove Community Center**

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## 1.0 EXECUTIVE SUMMARY

This document summarizes the public open house conducted for US-59 from the north end of Sailboat Bridge northwest to SH-125 in Delaware and Ottawa Counties, Oklahoma. The purpose of the Open House was to present the proposed design for the highway segment and receive public comment. The open house was a come and go meeting with no formal presentation.

The public open house was held between 5:00 and 7:00 PM on December 3, 2019 at the Grove Community Center located 104 West 3rd Street in Grove, Oklahoma. Fifty-five (55) attendees signed in for the meeting, and one person from the media (Vinita News). ODOT and consultant staff were also available during the open house for one-on-one and small group discussions. A project brochure was provided to the public as a handout. There were several display boards including, projects in corridor, environmental commitments, typical sections, and the proposed improvements including preliminary proposed right-of-way. The display boards were very useful to the public to see the potential impacts to their property.

The comment period was open until December 17, 2019 with one (1) written comment received from the Chamber of Commerce. The Chamber is interested in this project beautifying the north entrance/exit to Sailboat bridge. This beautification (Gateway) can be addressed further in project development in coordination with the City of Grove and ODOT by separate actions not tied to this project.

There was public concern with Tom Cat corner, and its lack of signals. ODOT is working with the city to include signals and the design consultant has determined that signals are warranted. If the City of Grove is willing to maintain the signals, ODOT is willing to install them. Regarding highway lighting, if installed it should be located behind the multi-use path (behind sidewalk in lieu of behind curb). Lighting can be added when the city agrees, thru annex of this area, to maintain the lighting. Both of these actions can be included in this project or as a separate project.

Based on the optional question on the sign-in sheet concerning how people heard about the meeting, the most common method was by the letter mailing (18) followed by flyer distribution (7).

There were five comments received from the agency solicitation process. The National Park Service, the Oklahoma Department of Tourism and Recreation, the Oklahoma Department of Environmental Quality (ODEQ), the Oklahoma Conservation Commission and the Oklahoma Aeronautics Commission either had no comment, or no adverse environmental impacts were noted.

Based on these comments, ODOT can move forward with the environmental studies and document along with preliminary plan development. Due to the lack of comments that need to be addressed for preliminary plan development, an ODOT follow-up public meeting - meeting is not required.

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## 2.0 INTRODUCTION

This document summarizes the open house conducted for US-59 from the north end of Sailboat Bridge northwest to SH-125 in Delaware and Ottawa Counties, Oklahoma.

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA) is re-evaluating the environmental document for this segment of US-59. The purpose of the project was and still is to accommodate future traffic volumes. The current traffic on US-59 from Sailboat Bridge to Tomcat Corner (EW-250) is 12,900 vehicles per day (vpd) with a 2050 projected traffic of 21,910 vpd. The current traffic on US-59 from Tomcat Corner (EW-250) to SH-125 is 5,380 vehicles per day (vpd) with a 2050 projected traffic of 9,100 vpd.

An Environmental Assessment (EA) was completed in August of 2001 for a four/five lane facility from SH-10 in Grove, northwest approximately 7.5 miles to SH-125. The US-59 roadway improvements have been completed from Leisure Lane to north of Sailboat Bridge, which included a new bridge over Grand Lake. The proposed improvement consists of providing four 12-foot wide driving lanes with a 14-foot wide center left turn lane and 10-foot wide pedestrian/bicycle lanes outside of the curb and gutter system on both sides of the roadway for approximately 1.1 miles to the intersection of Tomcat Corner (EW-250 Road). This proposed project is consistent with the original scope. From Tomcat Corner northwest approximately 1.9 miles to the junction with SH-125, the proposed improvement consists of providing two (2) 12-foot wide driving lanes with 10-foot wide shoulders. The EA proposed a four-lane divided facility from Tomcat Corner to SH-125, however a two-lane facility is proposed due to lower than expected traffic volumes that do not support a four lane facility at this time. Also, intersection improvements are planned for Tomcat Corner, NS-580 Road and EW-240 Road as proposed in the original EA. ODOT has completed updated environmental studies.

The purpose of the Open House was to present the proposed design for the highway segment and receive public comment. The open house was a come and go meeting with no formal presentation.

## 3.0 OPEN HOUSE

### 3.1 MEETING NOTIFICATION

In addition to the notification provided via the agency solicitation letters (see Section 4.0), notice of the open house was sent by letter to the Governor's office, elected officials (federal and state), Federal Highway Administration, Oklahoma Transportation Commissioner, Delaware and Ottawa County Commissioners, the Cities of Grove and Afton, local school districts, emergency service providers medical facilities and fourteen Tribal Nations in the project area. The letter provided a brief description of the purpose and need for the project, the project history, and an invitation to

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the open house. The letter was accompanied by a project location map. Forty-three (43) letters were mailed on November 4, 2019. A copy of the letter and the mailing list is included in **Appendix A**.

Notice of the open house was also sent by letter to all property owners in the study area including utility owners. Seventy-four (74) letters were mailed on November 4, 2019. A copy of the letter and the mailing list is included in **Appendix B**.

### 3.2 OUTREACH

A hand-delivered flyer (door-to-door distribution) to properties/residences was conducted November 19, 2019, two weeks prior to the open house meeting. Door-to-door delivery of the flyer helps to ensure that individuals who are leasing property within the study area will get the information, as well as the property owners receiving notification through the mail.

Flyers were also distributed to the Grove Public Library, Grove Area Chamber of Commerce, Crossroads Church, St. Elizabeth Catholic Church, Hickory Grove Church, Foundation Free Will Baptist Church, Eagles Landing Resort & Recreation, Cherokee Casino Grove, Grove Community Health Center, Tom Cat Corner, Grove Public Schools Superintendent Office (2,575 flyers), Fairland Public Schools Superintendent Office (640 flyers). The flyer and list of EJ Community Outreach organizations compiled and is provided in **Appendix C**.

### 3.3 MEETING INFORMATION AND FORMAT

The public open house was held between 5:00 and 7:00 PM on December 3, 2019 at the Grove Community Center located 104 West 3rd Street in Grove, Oklahoma. Fifty-five (55) attendees signed in for the meeting, and one person from the media (Vinita News).

Attendees included City of Grove, Chamber of Commerce, two City of Grove Council members, Midway Baptist Church, Foundation Church, GRDA, Cherokee Casino in Grove, Eagle Landing Resort. ODOT had nine (9) members sign in, Able Consulting had one member, the designer did not sign in, but had two members present, one member from TEC was represented as well. A copy of the sign-in sheets is included in **Appendix D**.

Based on the optional question on the sign in sheet concerning how people heard about the meeting a summary is provided. ODOT and City personnel were excluded from the summary for a total of 40 people.

Letter Mailing	18
No Response Provided	10

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Door to Door Handout	7
Radio	1
Paper	2
Facebook	1
School Handout	1

As this was an Open House format, no formal presentation was provided. ODOT and consultant staff were also available during the open house for one-on-one and small group discussions. A project brochure was provided to the public as a handout. Display boards showing area project board (projects in corridor), updated environmental commitments, typical sections for a two lane and five lane and the proposed improvements including preliminary proposed right-of-way were available for public viewing.

There was a sign in station, an environmental station with environmental commitments board and typical sections board, a design station with an aerial containing the proposed improvements including preliminary proposed right-of-way, and right-of-way station with two ODOT Right-of-way agents.

The attendees were encouraged to fill out a written comment form provided inside the brochure. Copies of the meeting handout and display boards are included in **Appendix E**.

### 3.4 SUMMARY OF OPEN HOUSE FEEDBACK

The attendees at the open house mostly were concerned about the project corridor itself or had property specific questions regarding how much right-of-way would be needed and how individual parcels would be affected by right-of-way acquisition. Comments heard at the meeting included the following general topics:

#### Environmental – Able Consulting

1. Several questions on the sister project on US-59 from SH-125 NW to I-44 were asked.
  - a. The project schedule was provided and confirmed that the appraisal process has started.
2. Property specific questions regarding various landowners and right-of-way impacts.
  - a. Each landowner was brought to the aerials and shown the preliminary impacts.
  - b. If a relocation was involved, they were encouraged to talk to the ODOT Right-of-way agents present.
3. When will you purchase my property?
  - a. ODOT right-of-way process scheduled to start in late 2020.
4. A few commented that Tomcat Corner intersection is dangerous. Needs a traffic signal or traffic circle.
  - a. ODOT is currently working with the City to provide a traffic signal

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5. Glad to see sidewalks from Bridge to Tomcat Corner
  6. ODOT has said they were going to complete the roadway improvement for years, why has it not happened yet?
    - a. Delaware County has received a lot of roadway improvements over the past years, project development takes time
  7. Thanked ODOT for having the meeting.
  8. GRDA representative indicated the compensatory storage may be required for this project.
    - a. Need to ask designer to investigate.
  9. Landowner located near the end of the bridge indicated he would work with City and ODOT to provide a bike drop off spot on this property.
    - a. City was going to get with property owner and discuss options.

#### Design - Mac Arthur Associated Consultants

1. There were several general comments/questions about the typical sections, but nothing that would require a design change.
2. MAC spoke to the mayor of Grove about the possibility of highway lighting along US-59 from Sailboat Bridge thru Tomcat Corner. If lighting ends up being included as part of this project, he would prefer for the poles to be behind the sidewalk as opposed to immediately behind the curb, as was shown on the typical section and as was constructed in the 5-lane section south of Sailboat Bridge. The light poles get hit occasionally by vehicles, so placing them behind the sidewalk would minimize the impacts.
3. A property owner asked about the temporary R/W shown near 1352+25 Rt. MAC explained that it was for the purpose of regrading the ditch to ensure proper drainage. MAC also reiterated that the impact was only temporary.
4. There were general questions about the realignment at Tomcat Corner, but nothing specific or that would require a design change.
5. MAC spoke to the property owner of Highway 59 Boat and Mini Storage (near Station 1382+00 Rt). He asked about the impact to his property, specifically as it relates to access. The biggest challenge is maintaining access to the storage facility parallel to the highway. The currently proposed R/W and PUE would allow the drive to remain, however it is really tight. Also, there is a building that was constructed in 2016, which occurred after the survey was completed. Due to its proximity to the highway, survey of the building footprint will be required to ensure its exact location is known. The location of the new building will likely impact the proposed footprint of the proposed R/W and PUE. A short retaining wall could be proposed to maintain existing access.
6. MAC spoke to the Helms family about their property. They own highway frontage from Station 1382+50 Lt to 1388+00 Lt. MAC explained the difference between a utility easement and permanent R/W. MAC informed them that their building near Station 1386+50 Lt was unavoidable. They requested a drive for their building at 1375+75 Lt and they were also concerned about how the project would affect truck access for their towing service.

ODOT will add drives through the right-of-way acquisition process. If no right-of-way is being acquired, then it would go through Division 8 to have a drive added.
7. MAC spoke to the property owner near Station 1411+50 Rt. He didn't have any specific requests. He just wanted to know what the impacts would be to his property.

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8. MAC spoke to the property owner with land abutting the southeast corner of the US-59 and NS-580 intersection. The property owner requested a drive be placed near Station 1422+40 Lt. Also, the property owner recently built a house on the corner. It fronts NS-580 and will require the addition of a drive. Survey of the house will be required to ensure the proposed R/W does not impact the structure.  
ODOT will add drives through the right-of-way acquisition process. If no right-of-way is being acquired, then it would go through Division 8 to have a drive added.
  9. The structure located at Station 11+00 along NW-580 is a home. The proposed R/W extends into the footprint of the home. MAC will adjust the design to avoid the structure.
  10. MAC spoke to the property owner with land abutting the southeast corner of the US-59 and EW-240 intersection. MAC informed him that the house would not be affected by the project. There is no permanent R/W required across his frontage, but a utility easement will come close to his house. MAC will look at ways to reduce the width of the easement.
  11. Along EW-240, the proposed R/W will significantly impact the property near 11+50 Rt. MAC will attempt to narrow the width of the proposed R/W. Also, the addition of a new drive was discussed near Station 10+90 Rt.  
ODOT will add drives through the right-of-way acquisition process. If no right-of-way is being acquired, then it would go through Division 8 to have a drive added.
  12. MAC spoke to the property owners of the flea market near Station 1448+00 Lt. MAC explained the impacts to their property, and the measures taken to avoid their structures. MAC let them know that the trees along the highway will have to be removed for utility relocations. MAC also ensured them that access to their property will remain at all times during construction.

#### ODOT Environmental Programs Division Engineer

1. The Environmental Programs Division Engineer mostly directed the people to the Designer or Right-of-Way table and listened in on the conversation.
  - a. The designer did a great job of capturing the conversation regarding the mini storage.
  - b. The only person who gave me contact information was someone who wanted to address accidents at the school entrance on the other side of Grove.
  - c. The media person wanted the name of the Designer which was provided.

#### Results

There was public concern with Tom Cat corner, and its lack of signals. ODOT is working with the city to include signals and the design consultant has determined that signals are warranted. If the City of Grove is willing to maintain the signals, ODOT is willing to install them. Regarding highway lighting, if installed it should be located behind the multi-use path (behind sidewalk in lieu of behind curb). Lighting can be added when the city agrees, thru annexation or maintenance agreement. Both actions can be included in this project or as a separate project.

There were several comments concerning adding or moving driveways. Driveway issues will be addressed through the right-of-way acquisition process. If no right-of-way is being acquired, then it would go through the Field Division 8 to have a drive added.

The project does not have any substantial or public controversy on environmental grounds.



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### 3.5 WRITTEN PUBLIC COMMENTS

One (1) written comment from the public was received from the Chamber of Commerce. The comments from the Chamber are summarized below. Copies of the written comments are included in **Appendix F**.

#### Chamber of Commerce

1. Would be interested in this project beautifying the north entrance/exit to Sailboat bridge. Current barriers impact view of motorists to Grand Lake for what should be a beautiful gateway into Grove for motorists.
2. Like the extension of the sidewalks north of Tom Cat Corner/Cherokee Casino Grove. This is a need for traffic control to allow pedestrian/bicycle crossing at the intersection at Tomcat Corner for safety and full utilization of highway/sidewalks.
3. Would like updates on project times, progress to the Grove Area Chamber of Commerce to allow us to share with members/public/ other interested parties.

**ODOT Response:** These comments are noted and appreciated. The requested beautification at Sailboat Bridge (Gateway) can be addressed further in project development with coordination with the City of Grove and ODOT. It can also be completed by separate actions not tied to this project. The sidewalks from Sailboat Bridge to Tomcat Corner were added due the recreational nature of the project location. ODOT and the City of Grove are in discussion of adding traffic signals at Tomcat Corner. The ODOT 8-year program is available online to review at [https://www.ok.gov/odot/Programs and Projects/8 Year Construction Work Plan/index.html](https://www.ok.gov/odot/Programs%20and%20Projects/8%20Year%20Construction%20Work%20Plan/index.html).

## 4.0 AGENCY SOLICITATION LETTERS

Agency solicitation letters were mailed December 23, 2019, after the open house meeting. These letters provided a short project description and brief history of the project with an enclosed project location map and study area map. The letter requested recipients provide input by January 18, 2020 and included a link to the project information. This letter was sent to twenty-six (26) State and Federal agencies including the US Army Corps of Engineers. A copy of the solicitation letter and the mailing list is included in **Appendix G**, while **Appendix H** contains the written agency comments received.

### 4.1 AGENCY COMMENTS AND ODOT RESPONSES

The agency letters received with comments are summarized below along with an ODOT response.

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- 1) The **National Park Service** reviewed the project and has no comment at this time.

**ODOT Response:** This comment is noted and appreciated.

- 2) The **Oklahoma Department of Tourism and Recreation** stated the project will have no significant adverse impact on any federally funded park or recreation area or state park, regarding the LWCF Act 54 U.S.C. 200305(f)(3) no land may be permanently used for private or non-outdoor recreation purposes (defined by the program).

**ODOT Response:** These comments are noted and appreciated.

- 3) The **Oklahoma Department of Environmental Quality (ODEQ)** stated that while no adverse environmental impacts under DEQ jurisdiction are anticipated, please be aware that prior to beginning any construction activity disturbing more than one acre, you must submit an NOI and obtain authorization under OKR10, construction stormwater.

**ODOT Response:** These comments are noted and ODOT will obtain authorization under OKR10, construction stormwater prior to construction.

- 4) The **Oklahoma Conservation Commission (OCC)** stated they reviewed the project area using the soil survey of Delaware County and National Wetlands Inventory maps. There are no hydric soils or NWI polygons in the immediate project area. Additionally, this project is concerning existing roadways and expanding existing roadways. Therefore, the state has no concerns as related to wetland habitats. If your policy guidelines, which prohibit construction or rehabilitation in waterways, on floodplains, or in wetland areas, are followed then you will be in compliance and no problems relative to wetland regulatory issues shall exist. However, if you believe this determination to be inaccurate, an on-site investigation may be needed. This investigation needs to be coordinated with the U.S. Army Corps of Engineers, Regulatory Branch, in Tulsa.

Based on our wetlands determination criteria there should be no significant impact on wetland resources in the area described.

**ODOT Response:** These comments are noted and appreciated. U.S. Army Corps of Engineers will be coordinated with regarding any necessary permitting.

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- 5) The **Oklahoma Aeronautics Commission** stated they reviewed the project area and based on the limited information provided in your letter and our cursory review, the potential project does not appear to pose a hazard to the safe and efficient use of navigable airspace. However, sometimes the most critical items affecting navigable airspace can be construction equipment (cranes, etc.), light poles and fixtures. Because of this, the Commission recommends that you use FAA's notice criteria tool (at the web address given below) to determine if a 7460-1 form needs to be filed with the FAA.

**ODOT Response:** These comments are noted and appreciated. The form 7460-1 will be completed as required.