
Virtual Open House

Meeting Summary

State Highway 99

Beginning at the end of a 4-lane section south of SH-59 junction, extending south approximately 8.0 miles to EW County Road 134

Seminole County / Job Piece# 23289(04)(13)

OKLAHOMA DEPARTMENT OF TRANSPORTATION

Held January 6, 2021 through January 20, 2021

www.odot.org/SH99Seminole

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1.0 EXECUTIVE SUMMARY

This document summarizes a Virtual Open House conducted for SH-99 beginning at the end of a 4-lane section south of SH-59 junction, extending south approximately 8.0 miles to EW County Road 134 in Seminole County. Due to concerns over the spread of COVID-19, a virtual open house was held that was a web-based format (no in-person meeting). The information was available January 6, 2021 through January 20, 2021 at www.odot.org/SH99Seminole. The purpose of this meeting was to present the proposed design for this segment of SH-99 and obtain public input to aid ODOT in moving forward with the completion of the environmental studies, design, and construction. Now that the virtual open house has concluded, the meeting material can be found at: <http://www.odot.org/publicmeetings>.

The purpose and need for this project is to provide a safety improvement and continued 4-lane corridor development along SH-99. This project represents one of the four remaining segments of this 4-lane corridor left to be constructed that has been ongoing since the early 1990s. The existing highway consists of two 12-foot-wide driving lanes with 8-foot-wide paved shoulders. Attendee participation included 165 users with 775 views. According to website analytics, the top engagement location was listed as ‘city not set’ with twenty (20) users, followed by Oklahoma City with nineteen (19) users. Six (6) signed in for the meeting on the webpage. Seven (7) phone call messages, two (2) webpage comments and four (4) written comments were received. The comments were grouped into general categories, as listed below:

<u># of Comments</u>	<u>General Category</u>
1	Big Wewoka Creek flood structure #8
4	Will my property be impacted
2	Other (no answer and asphalt)
1	Wetland impacts at Little River
1	Schedule of project
1	Opportunity to comment
2	Support for four-lane improvement
1	Website
1	When will you buy land

Seven (7) agency letter responses with comments were received and are summarized below:

- 1) The **Oklahoma Conservation Commission** reviewed the project and had concerns relating to riparian areas and drainage. OCC provided general comments in the response letter.
- 2) The **Oklahoma Aeronautics Commission** stated the project does not appear to pose a hazard to the safe and efficient use of navigable airspace.
- 3) The **Oklahoma Corporation Commission** was unable to find any new oil/gas intents or permits.
- 4) The **Oklahoma Tourism and Recreation Department** indicated the proposal will have no significant adverse impact on any federally funded park or recreation area or state park.
- 5) The **Oklahoma Department of Environmental Quality** stated no adverse environmental impacts under DEQ jurisdiction are anticipated.

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- 6) The **Oklahoma Conservation Commission** contacted ODOT and the NEPA consultant regarding the Big Wewoka Creek flood structure #8, and further consultation is required.
 - 7) The **Bureau of Indian Affairs** had no comments but did provide a copy of letter to two Federally recognized tribes.

There was no significant objection to the proposed project.

2.0 INTRODUCTION

This document summarizes a Virtual Open House conducted for SH-99 beginning at the end of a 4-lane section south of the SH-59 junction, extending south approximately 8.0 miles to EW County Road 134 in Seminole County. The purpose of this meeting was to present the proposed design for this segment of SH-99 and obtain public input to aid ODOT in moving forward with the completion of the environmental studies, design, and construction. ODOT has tasked a Consultant to determine the best alternative for correcting the roadway deficiencies while taking into consideration construction costs, right-of-way and utility costs, and environmental constraints.

The purpose and need for this project is to provide a safety improvement and continued 4-lane corridor development along SH-99. This project represents one of the four remaining segments of this 4-lane corridor left to be constructed that has been ongoing since the early 1990s. The existing highway consists of two 12-foot-wide driving lanes with 8-foot-wide paved shoulders. The current traffic (2020) on SH-99 from 3.0 miles south of US-270, south 4.0 miles is 2,615 vehicles per day (vpd) with a future (2046) projected traffic of 3,950 vpd. The current traffic (2020) on SH-99 from 7.0 miles south of US-270, south 4.0 miles is 2,420 vehicles per day (vpd) with a future (2046) projected traffic of 3,660 vpd. Both projects include 14% trucks.

The project on SH-99 begins at the end of a 4-lane section south of the SH-59 junction and extends south approximately 8.0 miles to EW County Road 134. Ultimately, a 4-lane divided facility will be provided. The proposed improvements include two phases of construction. Phase 1 will consist of constructing a new 2-lane facility for southbound traffic on an offset alignment to the west, with two 12-foot-wide driving lanes, a 4-foot wide inside shoulder and a 10-foot-wide outside shoulder. Phase 1 also includes new bridge construction over Little River to provide a 38-foot clear roadway. Phase 2 will consist of the resurfacing of the existing facility and replacement of the Little River bridge to provide a 40-foot clear roadway. The median width for this ultimate divided facility will vary from 64 to 46 feet and include median openings every half mile.

A portion of the project, from near 1st Street, 1.46 miles to the north, near EW 128 Road, will consist of four 12-foot-wide driving lanes with a 20-foot wide paved median and 8-foot-wide paved outside shoulders. The existing roadway and bridges will remain open during the construction of the new southbound alignment.

3.0 VIRTUAL OPEN HOUSE

3.1 MEETING NOTIFICATION

Due to concerns over the spread of COVID-19, a virtual open house was held that was a web-based format (no in-person meeting). The information was available January 6, 2021 through January 20, 2021. Now that the virtual open house has concluded, the meeting material can be found at: <http://www.odot.org/publicmeetings>.

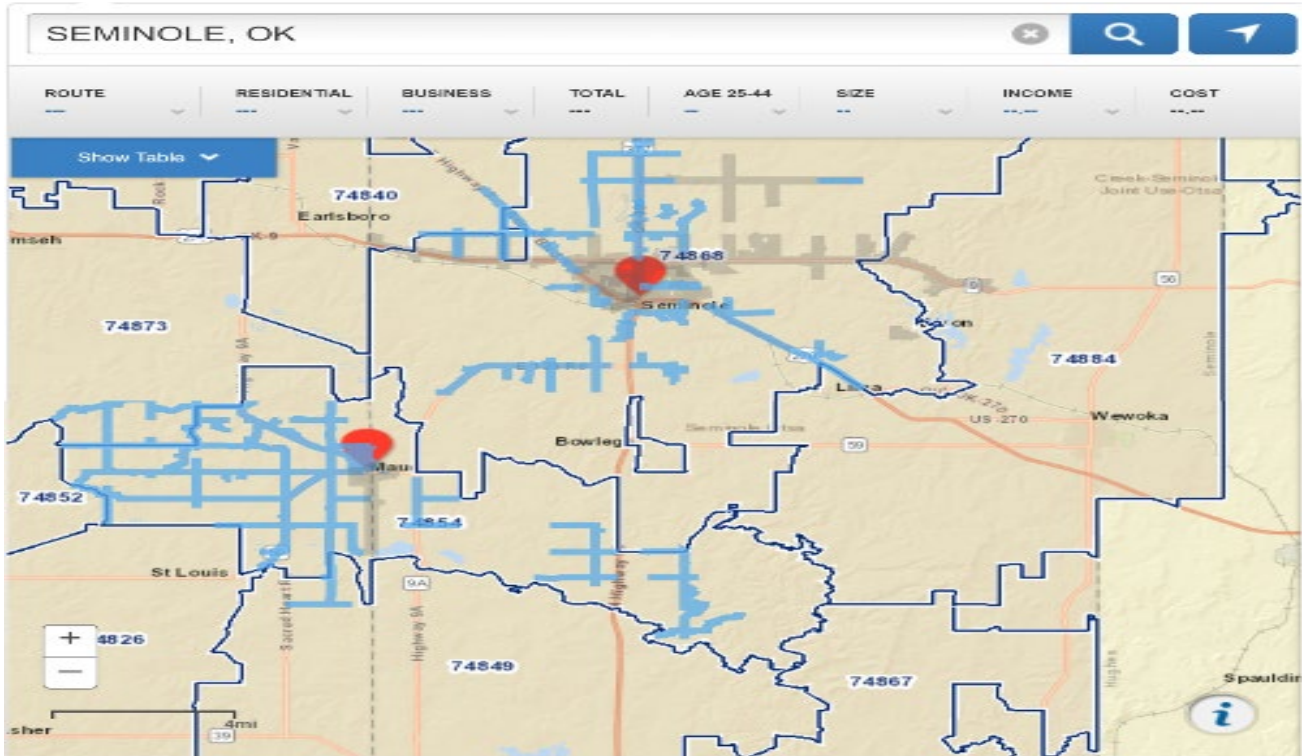
In addition to the notification provided via the agency solicitation letters (see Section 5.0), notice of the virtual open house was sent by pamphlet to the Governor’s office, elected officials (federal and state), Federal Highway Administration (FHWA), Oklahoma Transportation Commissioner, Seminole County Commissioners, City of Seminole, Town of Bowlegs, Seminole and Bowlegs Public Schools, and emergency service providers in the project area. The pamphlet provided a brief description of the purpose and need for the project, purpose of the meeting, and an invitation to the virtual open house. The pamphlet was accompanied by a map, public comment form, and property rights brochure. Twenty-three (23) letters were mailed on January 4, 2021. Notice of the virtual open house was sent by pamphlet to a community outreach list that included several churches, Bowlegs Public Schools, Seminole Public Schools, Konawa Public Schools, The Academy of Seminole, Seminole State College, Seminole Nation North Community Center, Seminole Senior Citizens Center, Seminole Public Library, Reynold's Wellness Center, Community Action Agency and Seminole Free Medical Clinic Foundation. Seventeen (17) groups were mailed the pamphlet on January 4, 2021.

Notice of the virtual open house was also sent by pamphlet to all property owners in the study area. Seventy-two (72) property owners, comprising ninety-seven (97) parcels were mailed the pamphlet on January 4, 2021.

3.2 OUTREACH

Outreach was provided by a direct mailing by the post office to four (4) mail delivery routes along the project area as noted in blue in Figure 1 on page 5. One-thousand-seven-hundred-and fifty-six (1,756) pamphlets, comment forms, right-of-way brochures and self-addressed stamped envelopes were printed and delivered by Mercury Press Plus for direct mail delivery to Maud Post Office for Route 74854-R001 and Seminole Post Office for routes 74868-R001, 74868-R004, 74868-R005. Direct mailing of pamphlets 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. As the postal route serves a larger area, more people who use the SH-99 roadway received the information, increasing the opportunity for input.

Figure 1: Direct Mail Route



3.3 MEETING INFORMATION AND FORMAT

Garver hosted a website that included tabs for sign in and handout, virtual project presentation, project history, an interactive project map, right-of-way information, frequent questions, traffic noise information, and submit a comment.

All comments were requested to be received on or before January 20, 2021. Written comments could be submitted by mail, email, or online comment form as described on the submit a comment page. Comments could also be added to the interactive map.

4.0 COMMENTS

4.1 PHONE CALL COMMENTS

Seven (7) phone call messages were received from the virtual open house. These phone calls were made to the (405)-521-3050 number provided in the brochure and provided to the NEPA consultant for response. Each phone call was returned by the NEPA consultant, Able Consulting. A summary of each phone call is listed below along with the date the phone call was returned.

Caller 1: 1/8/2021. Caller lives on property that has a watershed flood control dam on it. Caller was concerned that ODOT is coming to the bank of the dam. Water will overtop the spillway 3 to 4 feet deep – has happened about 5 to 6 times in 20 years. This dam is located south of EW 1270 Road to the east. The property owner is concerned about taking out the overflow for the dam or the dam failing. The dam was built in 1956. The spillway is on the east side to the north. This information was provided to designer

for further consideration. Caller also stated that several years ago ODOT had a public meeting and all improvements would be located to the east side, due to the dam. NEPA consultant stated they were not aware of such meeting.

Caller 2: 1/11/2021. The caller has a learning disability, and the project information was verbally provided. Caller lives on EW -1240 Road and at this location, the road is already 4 lanes. It was explained that the project begins two miles south at EW-1260 Road. The caller liked the idea of the road improvements.

Caller 3: 1/11/2021. No answer. Unable to leave message.

Caller 4: 1/11/2021. Caller lives at 35980 Highway 270. The caller had questions regarding impacts to property. It was explained that the property is not located along SH-99 and they were part of direct mailing.

Caller 5: 1/11/2021. Caller lives on 1260 Road to the south side of road one mile east of SH-99. It was explained there would be no impacts to the caller's property located one mile east of SH-99. The caller asked if they would have trouble going to church in Bowlegs. It was explained the project starts just south of 1260 Road, so there should be no issues.

Caller 6: 1/12/2021. Caller does not have a computer and wanted to know which side of the road the improvements would be located. It was stated that all improvements would be to the west of SH-99. The caller has a long driveway to the east and no changes will be made to driveway or access on property. The caller is in the (04) project area that is set to let in 2028. Caller also stated that several years ago ODOT had a public meeting and all improvements would be located to the east side, so the caller was relieved to know they would not be impacted by the project.

Caller 7: 1/19/2021. Caller stated that ODOT just replaced two bridges and has asphalt piled up. Wanted to know if he could have some the asphalt. The ODOT Project Management Division phone number was provided to answer this question.

4.2 WEB-PAGE COMMENTS

Two (2) web-page comments were received from the virtual open house. These comments received from the virtual open house are from citizens who left a comment on the webpage. These comments were then forwarded to the NEPA consultant by email. These comments have been grouped into general categories for ease of reading. An ODOT response has been added at the end of each general category.

SH-99 Seminole Webpage Comments	
Wetlands	
1a	What is the plan to lessen the impact to the wetlands in the Little River area? How much of the wetlands will be negatively affected at the site?
	ODOT Response: This project has impacts to jurisdictional wetlands around the Little River. There are around 1.9 acres of wetland impacts located just north of the Little River bridge. These impacts are on the 23289(04) projects. These impacts will require mitigation but will not require an Individual Permit. There are no other jurisdictional wetland impacts or stream impacts over 0.1 acres on the rest of 23289(04) and on 23289(13). ODOT will coordinate with US Army Corps of Engineers on minimization and mitigation, although that process has not started yet, so we are unable to provide further details at this time.
Schedule	
2a	When will I the landowner get to know when all this is going to happen?
	ODOT Response: If your property is affected by the project, you can expect to hear from ODOT right-of-way agents beginning in Spring of 2022. Currently construction of the Job Piece 23289(04) project is programmed to begin in fiscal year of 2028. Construction is anticipated to last approximately 2 to 2-1/2 years. The project Job Piece 23289(13) is currently not programmed in the ODOT 8-year plan.

4.3 INTERACTIVE MAPS COMMENTS

Interactive map comments have been received that are listed below with the map. An ODOT response to these comments is provided as well.

There is supposed to be an old Indian grave about 50ish feet south of the entrance way along the fence line marked or near the single post inside the pipe fence.
Somewhere near the east of the property is an old oil well, but I figure you know about that. thanks.
The proposed right of way takes away our only source of water for livestock on these 40 acres, making it useless for future cattle.
I understand the improvement on HWY 99, my question is what is the top dollar on the acers which will be taken from my land? It is going to hard for me to see some of my land gone but like I said I'm all for improving the HWY 99 to be wider.

ODOT Responses:

The location of the potential grave will be forwarded to the ODOT Cultural Resources Program for investigation. Oil wells locations have been identified for the project.

Regarding water sources for livestock, that will be addressed during right-of-way acquisition. If your property is affected, an agent will contact you in the future.

Property values are determined by fair market value. If your property is affected, an agent will contact you in the future.

4.4 WRITTEN COMMENTS

Four (4) written comments were received that are summarized below. An ODOT response is provided as well.

SH-99 Seminole Written Comments	
Opportunity to Comment	
1a	Thank you for the opportunity to comment. I trust ODOT to do the right thing.
	ODOT Response: The purpose and need for this project is to provide a safety improvement and continued 4-lane corridor development along SH-99. This project represents one of the four remaining segments of this 4-lane corridor left to be constructed that has been ongoing since the early 1990's.
4-lanes	
2a	I feel a 4-lane would be great. I think its safer to drive on, you have room to get out of the way if you have auto problems, can see the deer better.
	ODOT Response: Thank you for your comment.
Widen SH-99	
3a	It would be very beneficial as to provide an extra lane both directions. There are a lot of deaths on 99 due to passing and such. Please widen SH-99
	ODOT Response: Thank you for your comment.
Website	
4a	I tried many times to access the website that was to explain the proposed improvements referenced above, I was never able to do so. My question would be how much surface (in feet) will be current highway be widened to the east and to the west?
	ODOT Response: We apologize that you were not able to access the site. The amount of additional new right-of-way will vary along the 8 mile wide project. The majority of the new right-of-way will be required from the west.
Buying Land	
4b	Also, when do you expect to begin buying the surface for these improvements.
	ODOT Response: While authorization to start the process is anticipated in fiscal year 2022, it may be in the spring of 2023 before agents begin contacting landowners.

5.0 AGENCY SOLICITATION LETTERS

Agency solicitation letters were dated January 5, 2021 and were mailed during the virtual open house. These letters provided a short project description, website link, and enclosed project location and aerial maps. The letter requested that recipients provide input by January 20, 2021 and included a link to the project presentation information. This letter was sent to thirty-four (34) State and Federal agencies including the US Army Corps of Engineers, Tribal Nations and numerous State agencies.

5.1 AGENCY COMMENTS AND ODOT RESPONSES

Seven (7) agency letter responses were received and are summarized below along with an ODOT response.

- 1) The **Oklahoma Conservation Commission (OCC)** stated they have several general concerns that should be addressed throughout this project. One concern is that riparian areas will be disturbed, and siltation problems may arise during this process. OCC is also concerned about mechanical disturbance in the stream itself, whether it is simply for construction or that it involves the redirecting or “redesigning” of the channels. Additionally, OCC is concerned that the cross-sectional area may be reduced and not allow for needed drainage. OCC recommends plans that reduce disturbance, and thus siltation, in the creeks and erosion control plans sufficient to minimize sedimentation impacts from construction activities outside the stream channel. OCC also recommends minimizing changes in the stream configuration (slope, width, depth and path) or if the streams must be manipulated, natural designs be used to reshape and stabilize the stream. This natural stabilization method is considerably more economical and beneficial to the environment than historical stabilization techniques. Restoring riparian corridors using natural design ultimately produces stream systems that are more stable and efficient in transporting bed load and flood flows while providing habitat for riparian/wetland wildlife. If this method cannot be used, OCC recommends that permanently protected riparian mitigation be implemented possibly through a conservation easement. Tying to this recommendation, OCC suggests that if bridge crossings are modified, sufficient cross-sectional drainage area through the bridge crossings be incorporated in the plan to allow for maximum periodic flood drainage. Many older bridge designs do not account for all expected flood drainage and the bridge functions as a dam, constricting flow, creating stress on banks and structures, and effectively reducing the natural positive effects of the flood plain. OCC requests that following completion of this project, the streams remain free flowing (stream slope unaffected by construction) with naturally vegetated stable banks and with stream substrate free of excess sedimentation from project activities.

ODOT Response: These comments are noted and ODOT will minimize the impacts as much as possible. These comments will be forwarded to the designer for consideration.

- 2) The **Oklahoma Aeronautics Commission** stated that based on the limited information provided and our cursory review, the potential project does not appear to pose a hazard to the safe and efficient use of navigable airspace.

ODOT Response: These comments are noted and appreciated.

- 3) The **Oklahoma Corporation Commission** was unable to find any new intents or permits within the 10 sections that are highlighted on your project location map.

ODOT Response: These comments are noted and appreciated.

- 4) The **Oklahoma Tourism and Recreation Department** stated proposal 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.

- 5) The **Oklahoma Department of Environmental Quality (DEQ)** stated no adverse environmental impacts under DEQ jurisdiction are anticipated for the project; however, please be aware of the following regulatory requirements:

A. Prior to beginning any construction activity disturbing more than one acre, you must submit an NOI and obtain authorization under OKR10, construction stormwater. If you need assistance, please contact DEQ's Stormwater Unit at (405) 702-6100.

B. It is unclear if water and wastewater utilities will need to be relocated as part of this project. Water and wastewater infrastructure projects that will require a construction permit from DEQ's Water Quality Division include the following:

- Construction of new water and wastewater treatment facilities;
- Modifications and upgrades to existing facilities;
- Construction of new water distribution and wastewater collection lines;
- Relocation of existing water distribution and wastewater collection lines.

Projects that do not require a construction permit include:

- Replacement of existing equipment with same type and size equipment;
- Replacement of existing water and wastewater lines with the same size line in the same location.

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

- 6) The **Oklahoma Conservation Commission (OCC)** contacted the NEPA consultant via E-mail to discuss the Seminole County Conservation District (District) operation and maintenance of Big Wewoka Creek flood retarding structure #8 (Site 8) with technical assistance provided by USDA-NRCS engineers. The plans were provided to OCC.

ODOT Response: Additional coordination with the OCC, ODOT, and design team will be required regarding Big Wewoka Creek reservoir.

- 7) The Bureau of Indian Affairs stated they have no comments on the project. They did provide notice to two Federally recognized tribes by copy of the letter.

ODOT Response: The tribes mentioned were provided this solicitation by ODOT.

6.0 DATA ANALYTICS AND SIGN IN

Attendee participation included 165 users with 775 views. According to website analytics, the top engagement location was listed as 'city not set' at twenty (20) users, followed by Oklahoma City with nineteen (19) users. Six (6) signed in for the meeting on the webpage.