

# **OPEN HOUSE EXECUTIVE SUMMARY REPORT**

**Meeting Held On:  
February 13, 2020**

**SH-82 IMPROVEMENTS: FROM 4 MILES SOUTH OF SH-100 & SH-82  
JUNCTION, NORTH 4 MILES**

**CHEROKEE COUNTY  
J/P No. 32097(04); Project No. J3-2097(004)**

Prepared for:



**OKLAHOMA  
Transportation**

**OKLAHOMA DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION**

Prepared by:



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**MAY 12, 2020**

## **1.0 PUBLIC OPEN HOUSE OVERVIEW**

As part of the Oklahoma Department of Transportation's (ODOT) efforts to keep the public informed and involved in the decision-making process, a public open house was held. The following is a generic summary of the information provided and the comments received. ODOT responses to comments are also presented in this document.

### **1.1 MEETING DATE & TIME**

Thursday, February 13, 2020  
5:00 pm to 7:00 pm

### **1.2 MEETING LOCATION**

Cookson United Methodist Church  
21685 W Cookson Bend Rd.  
Cookson, OK 74427

### **1.3 PURPOSE OF MEETING**

The purpose of the Open House meeting is to inform the public of the proposed improvements and answer questions regarding construction activities, sequencing, and scheduling.

### **1.4 PROJECT BACKGROUND**

The Oklahoma Department of Transportation (ODOT), in cooperation with the Federal Highway Administration (FHWA), proposes to make safety improvements to SH-82 from 4 miles south of the SH-100/SH-82 junction and extending north approximately 3.7 miles in Cherokee County, Oklahoma. This segment of SH-82 is a two-lane facility with 12-foot wide driving lanes and varying width shoulders. There is an elevated accident rate caused by deteriorating pavement, limited sight distances, and narrow shoulders. There are two bridges within the project extent. The reinforced concrete box (RCB) bridge over an unnamed tributary to Elk Creek (NBI# 13149) is narrow with a 30-foot clear roadway. The span bridge over Elk Creek (NBI# 22384) has a 44-foot wide clear roadway. Current traffic volumes are estimated at 2,000 vehicles per day (VPD) and are projected to increase to 3,280 VPD by 2050. The purpose of the proposed project is to correct roadway deficiencies, enhance safety, and efficiently accommodate traffic.

### **1.5 PROJECT DESCRIPTION**

ODOT is developing design plans for improving this segment of SH-82 while taking into consideration the cost of construction, right-of-way and utilities impacts, and environmental constraints. ODOT proposes to improve driving surfaces, reconfigure driveways and entrances, realign county road intersections, widen shoulders, and extend roadway structures and the RCB bridge to clearzone. The highway will be widened to create two 12-foot wide paved driving lanes with 6-foot wide paved shoulders on existing alignment. The RCB bridge will be lengthened to create a safe clear roadway width, and the guardrail will be replaced on the Elk Creek bridge. The proposed design will meet current standards. SH-82 will remain open during construction, and access to residences and businesses will be maintained throughout the project duration.

### **1.6 PUBLIC NOTICES**

- ODOT mailed open house invitations to property owners on January 14, 2020.
- ODOT mailed solicitation letters to various agencies on February 22, 2020.
- Public meeting invitation letters were mailed to various political entities, interested parties and public on January 14, 2020.

- ODOT sent out a press release and general media announcements on January 31, 2020.
- ODOT distributed flyers to interested parties near the project area on January 31, 2020.

## 1.7 MEETING FORMAT

An open house come-and-go format was utilized. At the meeting, attendees were asked to add their name and contact information to a sign-in sheet. A brochure/handout was available to everyone, which described the project and illustrated the proposed project alignment. Presentation boards were set up, and personnel from ODOT, including the engineering design team, ODOT Division 1, ODOT Right-of-Way, and ODOT Environmental Programs Division, were available to answer questions and take comments. Attendees were encouraged to write their specific questions or concerns related to the project on the available Comment Form.<sup>1</sup>

(Open House meeting materials are available at

[https://www.ok.gov/odot/Programs and Projects/Public Meetings and Hearings/20200213.html](https://www.ok.gov/odot/Programs%20and%20Projects/Public%20Meetings%20and%20Hearings/20200213.html)

## 2.0 SUMMARY OF COMMENTS & RESPONSES

### 2.1 PUBLIC COMMENTS

#### 2.1.1 Pre-Meeting Public Comments

As part of the effort to increase awareness and to get the public involved with the process, individuals from CC Environmental went door-to-door and interacted with residents and left notification flyers. Flyers were also distributed at local gathering places and community facilities including convenient stores, places of worship, schools, etc. (when applicable).

During the flyer distribution effort, some property owners responded to the proposed project prior to the Open House. In general, individuals expressed concern about property impacts and driveway size and access, and the safety of navigating large vehicles, such as boats and mobile homes, along the roadway. The comments are summarized in Table 1.

Table 1: Property Owners, Local Residents & Citizens Pre-Meeting Comments.

PRE-MEETING PUBLIC COMMENTS	
GENERAL COMMENT CONTEXT	INPUT
Property Impacts	<ul style="list-style-type: none"> <li>• Ziese Products, located on SH-82 (23374 E. 878 Rd., Park Hill, OK 74451).</li> <li>• Commented that they would be unable to attend the public meeting, but would like to know what the plan is for this area and if there would be a retaining wall, demolition, or anything else planned for it.</li> </ul>
Project Questions	<ul style="list-style-type: none"> <li>• What does ODOT mean when it states it will realign the county road intersections?</li> <li>• If the road is widened to create two 12-foot wide lanes, does that mean the roads will be two lanes on each side (four lane road)?</li> <li>• Will there be much, if any, removal of trees along the highway?</li> <li>• Property owners were concerned about access to their driveways.</li> <li>• At the section line drive at STA 527+90, the owners were concerned about mobile homes (70'-80' long) being moved in and out of the turning radius.</li> </ul>

	<ul style="list-style-type: none"> <li>• The drive at STA 528+77 goes to a boat storage area. The owner was concerned with boat owners coming in and out with the grade.</li> <li>• The director of the church camp would like to have a wider drive. He was not too concerned with the rumble strip that is out there now since the tabernacle has been enclosed.</li> </ul>
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### 2.1.2 Oral Comments During Public Meeting

During the Open House meeting, the public had the opportunity to interact with ODOT staff and the design team. Several individuals asked questions, expressed concerns, and commented on the project. In general, there was no strong opposition to the project; however, many expressed concerns about impacts to their properties and potential flooding. Most individuals had questions about the improvements and the schedule for completion, and shared input regarding their experiences with the roadway deficiencies and what they would like to see done to correct them. The comments are summarized in Table 2.

Table 2: Property Owners, Local Residents & Citizens’ Oral Comments Noted During Public Meeting.

<b>ORAL COMMENTS DURING PUBLIC MEETING</b>	
<b>GENERAL COMMENT CONTEXT</b>	<b>INPUT</b>
Timing & Scheduling	<ul style="list-style-type: none"> <li>• How long will construction for this project take to complete?</li> <li>• When will construction begin?</li> </ul>
Land, Property Acquisitions, & Relocations	<ul style="list-style-type: none"> <li>• Many property owners wanted to know if and where their properties would be affected by the project, or if any property would be bought.</li> <li>• A site developer asked if his water lines and valves would be affected, particularly at STA 489+00 LT.</li> </ul>
Construction Questions	<ul style="list-style-type: none"> <li>• Will there be any lane closures?</li> <li>• Can we extend the project to fix other roads nearby?</li> <li>• Many people asked about additional lanes, like left turn lanes.</li> <li>• The gas station owner was concerned with the drive to the south being too far and close to the overhead power pole on the outside of the right of way. They were also concerned with the turning radius.</li> </ul>
Flooding	<ul style="list-style-type: none"> <li>• At the section line drive at STA 527+90, the owners of the property to the west are concerned with water flooding the area. They get runoff from the gas station and the diner across the street.</li> <li>• The property owner around STA 522+00 west was concerned with flooding.</li> </ul>

### 2.1.3 Public Written Comments

After the Open House meeting, four property owners responded in writing to the proposed project. In general, there was no opposition to the project; however, individuals expressed concerns over the current road conditions and impacts to personal property in the area. The comments are summarized in Table 3.

Table 3: Property Owners, Local Residents & Citizens Written Comments.

PUBLIC WRITTEN COMMENTS	
INDIVIDUAL	INPUT
Resident #1	<ul style="list-style-type: none"> <li>• Because of the many injuries and deaths on the section of road just north of Cookson, the locals call it "Dead Man's Curve." Husband was involved in an injury accident caused by a woman hydroplaning in the other lane.</li> <li>• Disappointed that the rumble strip in the center of the road was stopped just before that dangerous curve.</li> <li>• People often "cut the curve" over the center line.</li> <li>• Asks ODOT check the accident record over the years and prevent more tragedy.</li> </ul>
Resident #2	<ul style="list-style-type: none"> <li>• Asks that ODOT get the project done.</li> </ul>
Resident #3	<ul style="list-style-type: none"> <li>• Would like to know what right-of-way would be taken from his property at 29291 SH-82, Park Hill, OK 74451.</li> </ul>
Resident #4	<ul style="list-style-type: none"> <li>• In a phone conversation, expressed concern with the property west of the gas station in Cookson and a storm sewer drain in front of the drive.</li> </ul>

## 2.1.4 ODOT Responses to Public Comments

Table 4: ODOT Responses to Public Comments

<b>ODOT RESPONSES</b>	
The oral and written responses were summarized and generically grouped into general categories; each of which are presented below. Next to each item is ODOT's response.	
<b>ISSUE/COMMENT/CONCERN</b>	<b>RESPONSE</b>
Private Property & Right-of-Way Impacts Comments	<ul style="list-style-type: none"> <li>• Ziese Products:                             <ul style="list-style-type: none"> <li>○ There is currently a small retaining wall planned for the 6-foot shoulder widening in front of Ziese Products to minimize the need for additional right-of-way.</li> <li>○ ODOT will be providing a new entrance to the highway in the same location.</li> <li>○ ODOT does not anticipate any substantial changes at this location.</li> </ul> </li> <li>• The property west of the gas station in Cookson is not in the current project extents. ODOT will be addressing this area in a future project.</li> <li>• In regards to water lines and valves at STA 489+00 LT, only concerned with development. No action required.</li> </ul>
Specific Project Questions	<ul style="list-style-type: none"> <li>• Realign side roads &amp; drives question: In order to improve safety, ODOT squares-up driveways and side roads so they are perpendicular to the intersections. In some places, the county roads join the highway at a skew or on a slant. This type of alignment makes it difficult to see oncoming traffic.</li> <li>• Construction/design questions:                             <ul style="list-style-type: none"> <li>○ The highway will remain a two-lane road. It is becoming wider because there will be a 6-ft. wide shoulder added along the entire length of the project.</li> <li>○ There will be minimal lane closures when cross drains are placed.</li> <li>○ At this time, the traffic volumes do not warrant for additional or left turn lanes.</li> <li>○ Access to private property will be maintained. Driveways will be kept open during construction.</li> <li>○ The drive on the south side of the gas station has been moved to accommodate, and the auto turn has been used to make sure the turning radius is good for trucks.</li> <li>○ The driveway to the church camp will be widened to allow better access to the highway</li> </ul> </li> </ul>
Timing & Scheduling Questions	<ul style="list-style-type: none"> <li>• Construction will last an estimated 360 days.</li> <li>• The gas station owner was concerned about the timing of construction, as it's planned during peak lake season. Unfortunately, due to an estimated 360 Calendar day construction time, complete avoidance of the summer months is not possible. ODOT will maintain access to businesses and strive to minimize the impacts.</li> <li>• The church director was concerned about any disruption, particularly during summer when he will have a lot of people coming in and out of church camp. Unfortunately, due to an estimated 360 Calendar day construction time, complete avoidance of the summer months is not possible. ODOT will maintain access to businesses and strive to minimize the impacts.</li> </ul>

<p>Flooding Concerns</p>	<ul style="list-style-type: none"> <li>• At the section line drive at STA 527+90, flooding is addressed by extending the curb and gutter past this property and maintaining the water on the road until the curb opening at STA 527+00.</li> <li>• At STA 522+00 west, flooding will be addressed by maintaining the runoff in a constructed ditch.</li> </ul>

## 2.2 BUSINESS COMMENTS

One response was received from a business potentially affected by the project not previously addressed above. The comment is summarized in Table 5.

Table 5: Business Written Comments.

<p><b>BUSINESS COMMENTS</b></p>	
<p><b>AGENCY</b></p>	<p><b>INPUT</b></p>
<p><b>Flint Ridge Grocery, Inc.</b></p>	<ul style="list-style-type: none"> <li>• To aid traffic flow, the south entrance to the parking lot may need to be wider than a normal driveway, with no curb.</li> <li>• School buses, semi-tractors, boats, trailers, motor homes use the exit off Highway 82. A high traffic area is combined with Ziese Products and Dairy Princess. A turn lane would be nice to slow down to turn into these businesses.</li> </ul>
	<p style="text-align: center;"><b>ODOT RESPONSE</b></p>
	<ul style="list-style-type: none"> <li>• ODOT will take these comments, requests into consideration.</li> </ul>

## 2.3 AGENCY COMMENTS

After the Open House Meeting, several agencies were mailed solicitation letters requesting comments on the proposed project. Four agency comments were received. Individual comments are summarized in Table 6.

Table 6: Federal, State, & Local Agency Solicitation Comments & Responses.

AGENCY COMMENTS	
AGENCY	INPUT
<b>Oklahoma Aeronautics Commission</b> Aviation Program Manager	<ul style="list-style-type: none"> <li>• Would like to draw ODOT's attention to the CFR Title 14 Part 77.13, which states that any person/organization who intends to sponsor any of the following constructions or alterations must notify the Administrator of the FAA:                         <ul style="list-style-type: none"> <li>◦ Any construction or alteration exceeding 200 ft above ground level</li> <li>◦ Any construction or alteration:                                 <ul style="list-style-type: none"> <li>◦ Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards</li> <li>◦ When requested by the FAA</li> <li>◦ Any construction or alteration located on a public use airport or heliport regardless of height or location.</li> </ul> </li> </ul> </li> <li>• Based on the limited information provided in your letter and a cursory review, the potential project does not appear to pose a hazard to the safe and efficient use of navigable airspace.</li> <li>• Sometimes the most critical items affecting navigable airspace can be construction equipment, so it's recommended that ODOT use the FAA's notice criteria tool to determine if a 7460-1 form needs to be filed with the FAA.</li> <li>• If a 7460-1 form is required for any permanent structure, please inform the Commission as soon as possible.</li> <li>• ODOT could be required to file a tall structure permit, under the rules of the Aircraft Pilot and Passenger Protection Act, with the Commission.</li> </ul>
	<b>ODOT RESPONSE</b>
	<ul style="list-style-type: none"> <li>• ODOT will contact the FAA at a later date to determine if Form 7460-1 needs to be completed.</li> <li>• When applicable, ODOT will adhere to all FAA requirements regarding safety concerns associate with construction activities.</li> </ul>
<b>National Park Service</b> NPS Regional Office External Review Team	<ul style="list-style-type: none"> <li>• The National Park Service has reviewed the project and has no comments at this time.</li> </ul>
	<b>ODOT RESPONSE</b>
	<ul style="list-style-type: none"> <li>• Comments noted.</li> </ul>



<b>AGENCY COMMENTS</b>	
<b>AGENCY</b>	<b>INPUT</b>
<b>Oklahoma Department of Environmental Quality (DEQ)</b> General Counsel	<ul style="list-style-type: none"> <li>• No environmental concerns under DEQ jurisdiction are anticipated.</li> <li>• DEQ Recommended ODOT obtain a construction storm water permit (OKR10).</li> <li>• Any burning associated with land clearing operations must be conducted in accordance with OAC 252:100, Subchapter 13.</li> <li>• The extent of water and wastewater realignment is not clear, so a construction permit from DEQ's Water Quality Division may be required.</li> </ul>
	<b>ODOT RESPONSE</b>
	<ul style="list-style-type: none"> <li>• The DEQ stated that ODOT should obtain a construction storm water permit authorization under OKR10. ODOT is aware of the permitting requirements and the process involved. ODOT requires construction contractors to obtain an OKR10 permit authorization (when applicable) prior to starting any construction activities.</li> </ul>
<b>Oklahoma Water Resources Board (OWRB)</b> Floodplain Management	<ul style="list-style-type: none"> <li>• Portions of the project area may be in the 1% Chance Floodplain (100-year floodplain) and will require a permit from the Oklahoma Water Resources Board per the ODOT/OWRB MOA.</li> <li>• Asks ODOT to consult with OWRB before beginning construction.</li> </ul>
	<b>ODOT RESPONSE</b>
	<ul style="list-style-type: none"> <li>• The Designer will check for necessary permits and perform the necessary coordination with OWRB.</li> </ul>