NEPA Scope of Service for ODOT Local Government Consultants

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Procedure for NEPA for County or City Projects

I. County or City Projects with any Federal Highway funding or action shall be submitted to Environmental Program Division (EPD) with a request to start studies to comply with National Environmental Policy Act (NEPA) and a Local Government Checklist with supporting documents such as Plans or Study Footprint, Location Map, Property Owner Notifications, etc.

II. Once the documents have been verified as sufficient information to start NEPA, EPD will provide a list of the available NEPA Consultants in contract with the Department to the Local Government Project Manager who will share the information with the County or City. This list will have the names of the NEPA Consultant Company, NEPA Consultant Project Manager specified in the Contract and their contact information.

III. The County or the City will pick a Consultant from the list of available NEPA consultants and notify EPD through the Local Government Project Manager and Environmental Programs Division will issue a Task Order request to the Consultant to do the NEPA.

IV. Prior to the submittal of the cost proposal from the NEPA Consultant, the Local Government Project Manager will help coordinate a meeting between the County/City, the County's/City's Design Consultant (if applicable) or the Circuit Engineering District (CED), the Environmental Programs Division, Local Government Division and the NEPA Consultant Project Manager to clarify the project scope and discuss the responsibilities of the County/City, the NEPA Consultant, and the timelines for the project. This meeting can be in person or over the phone. In some instances when the scope and type of documentation needs to be clarified, Federal Highway Agency (FHWA) may be invited.

V. Once the Task Order is approved and the NEPA Consultant has been issued a Notice to Proceed, the NEPA Consultant Project Manager shall work closely with the County or the City to obtain the necessary information and complete the studies and the NEPA document.

VI. The NEPA Consultant shall follow the agreed upon schedule with a milestone date for each of the major tasks/studies. This schedule will be used as Target Dates in the Monthly Progress Report to report Progress. Any change to the schedule must be approved in writing by the County or the City and the Environmental Programs Division. The milestones include Initiation of Cultural Resources & Tribal Consultation, Completion and Approval of each Specialist Study, NRCS Coordination, Preparation of Draft CE document, Preparation of Final CE document, and Approval of CE document.

VII. The NEPA Consultant Project Manager shall provide monthly status reports to EPD *(the Assistant Division Manager and the Environmental Contract Manager aka ODOT NEPA Project Manager)*, Local Government Project Manager, the Design Engineer and/or the CED, and the County/City on the 15th of every month. The Monthly Status Report shall include information on the status of all studies and explanation for any projects which are lagging behind the milestone dates in the agreed upon schedule and the anticipated date of completion for any milestones behind schedule.

VIII. The Consultant shall attend Plan-In-Hand Meetings, R/W Meetings, and other Meetings as required for the Project with Local Government Division, the Design Consultants, and the County/City.

IX. Plans showing construction limits and the proposed right-of-way may be required for the completion of some studies. In addition, plans with final proposed right-of-way will be required for the completion of the NEPA document. If the plans are not available to meet the milestones in the NEPA schedule, the NEPA process will be suspended until plans become available and the schedule will be revised to account for the delay in availability of the plans.

X. If the plans exceed the initial environmental study area provided to start studies, additional studies and additional consultation may be required. The schedule will be revised to account for these additional studies and the NEPA Consultant's task order may need to be supplemented to compensate for the additional studies.

XI. If the project involves a historic structure, the Section 4(f) Analysis/Section 106 Proof of Public Involvement needs to be submitted as soon as possible. If the Section 4(f) information is not provided to meet the milestones in the NEPA schedule, the schedule will be revised to account for the delay in the availability of Section 4(f) information.

XII. If the project involves residential or commercial relocations, the County or the City needs to submit a relocation plan prior to completion of the NEPA document. If the relocation plan is not provided, the schedule will be revised to account for the delay in the availability of relocation plan.

XIII. If the project is on a new alignment or involves capacity increase (from 2 to 4 lanes), the County or the City will need to have a public meeting or other acceptable public involvement and provide the summary and proof of public involvement to the NEPA consultant prior to the completion of the NEPA document. If the public meeting information is not provided, the schedule will be revised to account for the delay in public meeting.

XIV. When all the studies and agency consultation are completed and approved and the design plans have been verified to be within the study area, the NEPA consultant shall prepare the draft NEPA document to ODOT for review and approval. Once the document has been reviewed and deemed acceptable by ODOT, the NEPA document will be signed by the County Commissioner or the City Manager and submitted to ODOT and if necessary to FHWA for approval.

Scope of Services for NEPA

Based on the scope of the projects as a safety improvement (addition of shoulders or turn lanes or intersection improvement or minor curve corrections) or bridge replacement on or near the existing alignment, the anticipated document for this project will be a Categorical Exclusion (CE). If the project involves addition of through lanes or on a new alignment, it could still be a Documented CE with extensive documentation to support why it is a CE.

If a Section 4(f) or Section 6(f) property is involved, the preparation of Section 4(f) document shall be a separate Task Order unless otherwise specified in this Task Order. The County or the City will be responsible for obtaining the necessary Section 6(f) approval from the Department of Tourism.

The NEPA Consultant shall be responsible for the completion of all required studies, and final documentation following the steps below:

STEP 1
Initial Meeting
Once the NEPA footprint and the initiation report are received, at the meeting with Environmental Programs Division, the County or the City, and Local Government Division, the NEPA Consultant Project Manager shall:

- Identify the Purpose and Need for the Project
- Establish the Logical Termini for the Environmental Studies (if applicable)
- Identify alternatives considered (if applicable) and
- Identify any Section 4(f) or 6(f) eligible properties. If Section 4(f) coordination and documentation is deemed necessary, a scope will be provided for such coordination and documentation and a separate Task Order issued.

STEP 2
Tribal Coordination and Cultural Resource Study Initiation
The Consultant shall request the Initial Tribal Coordination and Establishment of Scope for Cultural Studies according to the most recent procedures provided by Environmental Programs Division with the necessary attachments and submitting

it to the ODOT Cultural Resources Coordinator and copy the County/City and the ODOT Environmental Contract Manager. Incomplete submittals will be returned to the NEPA Consultant and the County/City and the ODOT Environmental Contract Manager will be copied in the return. The Cultural Resources and Tribal Coordination will be in accordance with the attached guidelines. **None of the Specialist Studies shall commence until the initial Tribal Coordination has been requested and completed by ODOT's Tribal Liaison, the 30-day response period for the Tribes is complete,** and the scope of Cultural Resources study established by the ODOT Cultural Resources Coordinator.

STEP 3

Property Owner Notification

The County Commissioner or the City Manager or their designee is responsible for notifying the property owners prior to start of NEPA. A letter from the County Commissioner or the City Manager confirming that the County/City has notified the property owners and the list of property owners notified (or copies of the letters sent to the property owners) will be provided to the NEPA Consultant Project Manager by the Local Government Division as part of the NEPA Check list. **No Specialist Studies shall start until the property owner notification is complete.** If property owner resistance is encountered during field studies, the NEPA Consultant Project Manager shall coordinate with the County Commissioner or the City Manager for resolution.

STEP 4

Solicitations *(Applicable to Capacity Expansion projects or projects on brand new alignments)*

The NEPA Consultant shall send Solicitation Letters signed by the County/City to all local, State, Tribal, and Federal officials that may have an interest in the proposed project or are in the project area. The most current list and sample NEPA Solicitation letter should be obtained from the EPD Assistant Division Manager. This step shall be done simultaneously with Steps 2 and 3. The NEPA Consultant Project Manager shall prepare summarize any response received from the solicitations regarding the project to be included in the CE document.

STEP 5

Specialist Studies

Once the studies are completed, **the Consultant shall complete the SPECIALIST REVIEW REQUEST FORM with the necessary attachments and specialist report** and submit it to the Specialists and copy the County/City and the ODOT Environmental Contract Manager. Incomplete submittals or reports not in compliance with the Specialist Studies scope will be returned to the NEPA Consultant and the County/City and the ODOT Environmental Contract Manager will be copied in the return.

A. Cultural Resources Studies
The Cultural Resources studies will be done in accordance with the attached scope and the project specific scope established by the ODOT Cultural Resources Specialist in Step 2. **The Consultant shall not contact SHPO or other Agencies directly.** Once the report is finalized and approved and all SHPO coordination completed, the ODOT Cultural Resources Specialist will send the final package back to the Consultant along with the letters from SHPO and the Tribes and copy the County/City and the ODOT Environmental Contract Manager. These will be included as supporting documents in the CE Document.

B. Threatened & Endangered Species and Wetland Studies
The Threatened & Endangered Species and Wetland Studies will be in accordance with the attached guidelines. **The Consultant shall not contact USFWS or other Agencies directly.** Once the study is completed, the Consultant shall complete the SPECIALIST REVIEW REQUEST FORM with the necessary attachments and specialist report and submit it **electronically to the Biologist and copy the County/City and the ODOT Environmental Contract Manager.** Once the report is finalized and approved and all coordinations completed, the ODOT Biologist will send the final memo back to the Consultant and any updated reports along with the letter from USFWS (if applicable) through ODOT Environmental Contract Manager. These will be included as supporting documents in the CE Document.

C. Hazardous Materials Studies
The Specialist Studies for Hazardous Materials Studies shall be in accordance with the attached guidelines. Once the study is completed, **the Consultant shall complete the SPECIALIST REVIEW REQUEST FORM with the necessary attachments and specialist report and submit it electronically to the Specialist and copy the County/City and the ODOT Environmental Contract Manager.** Once the report is finalized and approved, the ODOT Hazardous Materials Specialist will prepare and send the Hazardous Materials & LUST Report Review Form back to the Consultant. If Plan Notes or recommendations for further action are necessary, the ODOT Hazardous Materials Specialist will prepare and send a memo, containing such, to the NEPA Consultant. These will be included as supporting documents in the CE Document.

D. Farmland Impact
The NEPA Consultant shall perform NRCS Coordination for determination for Farmland Impact in accordance with the following steps.
Complete the Form AD 1006 and send with the cover letter to NRCS. These forms can be sent either by mail or email to NRCS. If NRCS does not respond within 45 days, then Farmland Impact is considered not applicable.
Otherwise, the NEPA Consultant shall complete the rest of Form AD1006 in accordance with the NRCS instructions found at the website.

- The Form and Instructions for Completing the can be found at Farmland Protection Policy Act | NRCS (usda.gov) and the FHWA regulations relating to Farmland Impact can be found at http://www.environment.fhwa.dot.gov/guidebook/chapters/v1ch5.asp
- The Consultant shall use the attached Sample Letter for the NRCS Coordination.

E. Flood Plain Impact
The Consultant shall obtain current Flood Plain Maps from the FEMA website to identify whether the project falls within the regulated flood plain extents (Zone A-E) and create a firmette. If the project falls within Zone A-E, the NEPA Consultant shall contact the Designer to check if a FEMA map revision is anticipated as a result of the proposed project.

F. Noise Studies *(Applicable to Capacity Expansion projects or projects on new alignments)*
The Specialist Studies for Noise Studies shall be in accordance with the attached guidelines. The Consultant Project Manager shall consult the ODOT Noise Specialist to determine whether a study is needed. If a study is required, the ODOT Noise Specialist will provide the project specific scope. prior to the start of studies. **Once the study is completed, the Consultant shall complete the SPECIALIST REVIEW REQUEST FORM with the necessary attachments and specialist report and submit it to the ODOT Noise Specialist electronically and copy ODOT Environmental Project Manager for processing.** Once the report is finalized and approved, the ODOT Noise Specialist will provide a summary language to be included in the main body of the NEPA document to the Consultant Project Manager through ODOT Environmental Project Manager. The noise studies will be included as supporting documents in the CE Document. In addition, the results of the noise studies may need to be presented at the Public Meetings.

G. Identification of Required Permits
The Consultant shall identify the need for any 404 permits based on the biological studies and FAA Permits if the project is within 4 miles of a public airport. If the project is over any known navigable waters such as Arkansas/Verdigris River, the Consultant shall contact the Coast Guard to determine the need for permit. This can be done via letter, email or phone call. Contact name for the Bridge Specialist can be found at http://www.uscg.mil/d8/WesternRiversBridges/ . Phone calls require memo to file with a summary of the conversation. The actual permit coordination will be done by ODOT during plan development. Coastguard permits are required for Section 10 Waters or Navigable Waters. Section 10 Waters can be identified at http://www.swt.usace.army.mil/Missions/Regulatory/Section10Waters.aspx

H. Identification of Wild and Scenic Rivers
If the project involves any state Wild and Scenic Rivers, the Consultant shall coordinate with the ODOT Environmental Contract Manager to send a solicitation letter to the Scenic River Commission. Response to any comments from the Scenic River Commission shall be coordinated through the Local Government Project Manager.

STEP 6
Public Meeting *(Applicable to Capacity Expansion projects or projects on new alignments)*

The County or the City will need to have a Public Meeting to provide information to the public about the expansion of 2 to 4 lanes or projects on new alignment. Environmental Programs Division will provide the guidelines for the Public Meeting to the County or the City. The County or the City or its designee will summarize the information presented at the meeting, number of attendees, and any written and verbal comments and the responses to such comments and provide copies of the Public Meeting notice such as letters with list of invitees, certified media notice (if used), Agenda for the Public Meeting, Handouts at the meeting, and copies of the meeting sign-in sheet with names of attendees. This information will be included in the Public Involvement section of the NEPA document by the NEPA Consultant. NEPA Consultant Project Manager will attend the public meeting to provide information on any known environmental concerns and answer questions related to environmental studies.

STEP 7
Preparation of CE Document
The CE Document shall be prepared only after the plans with the proposed right-of-way is available. The Consultant shall verify that the plans are within the original study footprint. If the plans are outside the study footprint, the Consultant shall identify these areas and coordinate with each of the ODOT Specialists to determine whether additional study is required. If additional study is required, the Consultant will be provided with additional budget and time as needed.

If the plans show the need for any relocations, the Consultant shall coordinate with the ODOT Local Government Division and the County or the City to obtain a relocation plan. ***The County or the City is responsible for providing a relocation plan identifying the relocations and the availability of suitable replacement housing. A scope for the relocation plan is available from the ODOT Environmental Contract Manager. An Environmental Justice Analysis will be required for any projects with relocations.***

Prior to preparation of the CE document, the Consultant shall with the ODOT Environmental Project Manager to obtain the latest CE format. The Consultant shall prepare the CE document for ODOT and FHWA signatures. The CE document at a minimum shall address the following:

- Identify the project with State/County/City/MPO's Long Range Plan
- Establish logical termini for the NEPA study
- Evaluate existing conditions and identify purpose & need
- Identify alternatives, if applicable
- Describe the proposed action
- Identify any relocations and summarize the relocation study results and commitments
- Identify property acquisition from any federal agencies or Tribes
- Summarize Cultural Resource Issues and commitments
- Identify any Section 4(f) and 6(f) Resources and summarize Section 4(f) and 6(f) Coordination and commitments
- Identify noise impacts and summarize noise commitments if applicable
- Summarize T&E Species Analysis and commitments
- Summarize Wetland and Waters Findings and commitments and any water quality issues
- Identify any Coastguard permit requirements and summarize coordination and commitments
- Identify any Wild & Scenic rivers and summarize coordination and commitments
- Identify and summarize farmland coordination
- Identify floodplains and summarize the need for any map revisions if applicable
- Summarize Hazardous Materials/LUST Issues and commitments
- Identify any changes in access control
- Discuss social and economic impacts of the projects – both temporary (during construction) and permanent if applicable.
- Summarize the public involvement for projects with road closure
- Identify any permit requirements such as FAA, etc.

The NEPA document at a minimum shall include the following and the supporting studies need to be arranged in the same order as the issues being discussed in the NEPA document.:

- The CE form/document
- Plan Notes
- The initial study footprint and construction plans with proposed right-of-way
- Any property owner notification letters
- FEMA Maps and NRCS Coordination
- Census Maps (for projects with Environmental Justice)

- The completed Specialist Studies and Agency Coordination and Public Involvement (if applicable)
- Approval Memo from ODOT Specialists for studies reviewed by the ODOT Specialists
- Public Meeting Notice, Meeting Minutes, Summary of Public Comments and Responses (if applicable)

The Consultant shall provide a complete .pdf for the draft review by ODOT. Once the document is approved, the Consultant shall provide a single pdf of the document signed by the County or City with studies. The document will be approved by ODOT or submitted to FHWA for further review and approval. A copy of the approved final document with environmental commitments will be provided to the County or the City through the Local Government Division.

Local Government NEPA Project Status Tracking

CONTRACT # _____ TO# _____ CONSULTANT: _____ Revised 4/6/2023

PROJECT J/P # _____ COUNTY: _____

DESCRIPTION: _____

Task	Duration	TO - Start	TO - Completion	Actual Start	Actual Completion	Comments
LG Scope Clarification Meeting	20	**9/5/2021**	9/25/2021			
Notice to Proceed Date	20	9/25/2021	10/15/2021			
CR & Tribal Coordination Initiation	10	10/15/2021	10/25/2021			
Tribal Coordination 30 Day Waiting Period prior to Start Studies	35	10/25/2021	11/29/2021			
NRCS Coordination	60	10/25/2021	12/24/2021			
Cultrural Resources Studies	90	11/29/2021	2/27/2022			
Natural Resources Studies	90	11/29/2021	2/27/2022			
Hazardous Materials Studies	90	11/29/2021	2/27/2022			
Receive Preliminary (30%) Plans	0		1/0/1900			Enter Date of Scope Clarification Meeting if plans are available at that time.
Review Preliminary Plans with Footprint	15	1/0/1900	1/15/1900			
Attend Plan Review Meeting in behalf of EPD (if applicable)	10	1/15/1900	1/25/1900			
Receive Revised (R/W) Plans & Review with Footprint	0		1/0/1900			Enter the proposed date estabished at the Scope Clarification Meeting.
Review R/W Plans with Footprint	15	1/0/1900	1/15/1900			
CE Submission (Draft with R/W Plans) and ODOT comments	30	2/27/2022	**3/29/2022**			This Date goes in the Request for Task Order
Final CE Preparation (with signature of Local Official)	5	3/29/2022	4/3/2022			
FHWA Review CE (If Applicable)	15	4/3/2022	4/18/2022			
Distribution of CE	1	4/18/2022	4/19/2022			

Request for Specialist Studies/Review

OKLAHOMA Transportation

Environmental Programs Division Office 405 - 521-3050

REQUEST FOR SPECIALIST STUDIES/REVIEW

Due Date: ***DATE NEEDED BY.***
Review the Studies Request Decision Matrix or Project Schedule for study duration.

☐ **RUSH: Less than 30 days:** Choose an item.
Reason for RUSH (if applicable):

☐ **SPECIALIST STUDIES** ☐ **SPECIALIST REVIEW: ATTACH COMPLETED STUDIES**

☐ **Cultural Resources** ☐ **Tribal Consultation** ☐ **Biological**
☐ **Hazardous Materials** ☐ **Noise**

PURPOSE FOR SPECIALIST STUDIES:

☐ ***New Project***

☐ ***Update Studies***

- ☐ ***Major or minor change in study area or scope. (Highlight area on plan outside of study area.)***
  NEPA document complete Date: *Choose an item.*
- ☐ ***NEPA or Re-evaluation document was completed 2011 or before.***

NEPA document complete Date: *Choose an item.*
Has R/W been purchased: *Choose an item.*

CHECK ONE OF THE FOLLOWING:

☐ **FHWA funding or FHWA approval.**
(ALL STATE projects have the potential for federal funds to be applied or for FHWA approval unless a decision has been made in consultation between EPD, PMD and Field District to entirely state fund the project.)

☐ **Project will be entirely state funded.**
If the decision to entirely state fund the project was made, check one of the following:

- ☐ **404 permit only**
- ☐ **Other Federal Nexus:** Choose an item.
  Explain:
- ☐ **No federal nexus. Technical Assistance only.**

IMPORTANT: DO NOT START ENVIRONMENTAL STUDIES UNTIL TRIBAL CONSULTATION HAS BEEN INITIATED THROUGH THE ODOT TRIBAL LIAISON AND THE 30 DAY WAITING PERIOD IS COMPLETED.

IMPORTANT: CONSULTATION WITH USFWS WILL BE COMPLETED ONCE 30% PLANS ARE PROVIDED TO THE NATURAL RESOURCE PROGRAMS. DRAFT REPORTS WILL BE PROVIDED IF STUDIES AND REVIEW WERE REQUESTED PRIOR TO THE AVAILABILITY OF PLANS.

CONSULTANTS: THE SPECIALIST HAS MET WITH ODOT'S CULTURAL RESOURCE COORDINATOR TO ESTABLISH SCOPE AND REQUIREMENTS OF THE CR SURVEY.

CONSULTANTS: ENSURE PLANS, INITIATION REPORT, RECON DATA, SCOPE CLARIFICATION MEETING MINUTES AND STUDY REQUESTS/REVIEWS ARE SHARED WITH ALL SUBCONSULTANTS.

Date: DATE REQUESTED

Field Division: X

County: COUNTY NAME

State Highway or County Road No.: HIGHWAY NO

Job Piece No.: JP NO

Type of Project: STATE/LOCAL GOVERNMENT

Bridge NBI No. *(For County & State Projects)* & Location No. *(County Projects Only):* NBI NO. & LOCATION NO.

Project Description: PROVIDE WORK DESCRIPTION & PROJECT LOCATION FROM ORACLE (Verify project extents with extents on plan, if available)

Requested by: NAME

Company Name if applicable: NAME

Phone: (405) XXX-XXXX

ODOT Environmental Project Manager (For Consultant Projects Only): ODOT EPM NAME

Sub-consultant Name and Company (For Consultant Projects Only): NAME, COMPANY

R/W Date or Let Date: RW DATE FOR PROJECTS BEING SUBMITTED FOR RW AUTHORIZATION and LET DATE FOR PROJECTS BEING SUBMITTED FOR LETTING. FFY FOR WHEN LET DATE IS UNKNOWN.

Use the Target Dates from PMD OR Design Contracts if available. Otherwise use the 8 Year Program dates for State Projects Only.

ATTACHMENTS (Check all that apply):

- ☐ **NEPA Study Footprint or As-built Plans**
- ☐ **Project Plans**
  Phase of Plans: Choose an item.
- ☐ **Property Owner Notification Letter**
- ☐ **List of Property Owners Notified**
- ☐ **Bridge Inspection Report**
- ☐ **Location Map**
- ☐ **Initiation Report or Project Scope**
- ☐ **Local Government NEPA Checklist**
- ☐ **Previous Studies for Re-evaluations**
- ☐ **KMZ of Footprint, Location or Extents**
- ☐ **Shapefiles**
- ☐ **PDF of Oracle/Project Status System**
- ☐ **Written confirmation the Project will be entirely state funded from Project Management**
- ☐ **Other (Describe):**

TYPE OF WORK (Check all that apply):

☐ **Alignment:** Choose an item.
☐ **R/W:** Choose an item.
☐ **Utility Relocation**
☐ **Intersection Modification**
☐ **Guardrail/Median Barriers**
☐ **Pavement Reconstruction/ Rehab/ Resurfacing/Overlays**
Choose an item.

☐ **Other (Describe):**

☐ **Adding Lanes**
☐ **Adding/Widening shoulders**
☐ **Sidewalks/Bike Lanes**
☐ **Bridge Paint/Joint Seal/Waterproof**
☐ **Bridge Replacement**
☐ **Bridge Rehabilitation/Repair**
Choose an item.
(Verify with the District if haul/work roads are needed for all bridge rehab projects.)

Please provide the following information which will be part of the NEPA Document

Existing Conditions *(Describe existing bridge width, approach roadway width, etc., traffic (current and projected), Existing Problems such as sufficiency rating):*

For bridge projects, use the following language:
The existing SH-XX or US-XX or I-XX bridge (Include bridge type (span or box), width for span bridges or length for box. Check against Bridge Report, rounded to a whole number) and (an approach) roadway consisting of [number of lanes (two, four)] xx ft. wide driving lanes and xx ft. wide [type of shoulder (inside, outside)] shoulders]. The bridge has a sufficiency rating of xx and is [at risk of becoming structurally deficient, structurally deficient, functionally obsolete]. [Provide additional description of existing roadway conditions and deficiencies, if work will there is proposed work on roadway extending past the approach roadway. Use language provided for roadway projects]. The current Annual Average Daily Traffic (AADT) is [provide current traffic] vehicles per day (vpd) with a future 20-year AADT of [provide projected traffic] vpd.

For roadway projects, use the following language:
The existing [SH-XX or US-XX or I-XX] roadway has [number of lanes (two, four)] xx ft. wide driving lanes and xx ft. wide [Provide type of shoulder] shoulders. [Provide additional description of any roadway geometric deficiencies such as sight distance, sharp vertical curves, poor pavement conditions, capacity deficiencies, etc.]. [Provide additional description of existing bridge conditions and deficiencies, if there is proposed bridge work. Use language provided for bridge projects]. The current Annual Average Daily Traffic (AADT) is [provide current traffic] vehicles per day (vpd) with a future 20-year AADT of [provide projected traffic] vpd.

For intersection projects, use the following language:
The existing intersection at [SH-XX or US-XX] and [SH-XX or US-XX] has [number of lanes (two, three, four or five)] in each direction or describe each leg. [Provide additional description of deficiencies with the intersection such as level of service/congestion/accidents, lack of pedestrian facilities, etc.]. The current Annual Average Daily Traffic (AADT) is [provide current traffic for each road or leg] vehicles per day (vpd) with a future 20-year AADT of [provide projected traffic] vpd on [SH-XX or US-XX] and XXX vpd with a future 20-year AADT of [provide projected traffic] vpd.

(For all projects: Include information about existing pedestrian access, any Section 4(f) resources or historic structures, Tribal or Federal properties and accident rate, if applicable. NOTE: Existing conditions need to support Purpose & Need.)

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):*

(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 Examples: To correct a narrow or structurally deficient bridge, To correct a narrow roadway, To provide a safe roadway, etc.)

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.):*
The proposed improvement consists of [widening, replacing, repairing, etc.][describe the proposed roadway and/or bridge (clear roadway width for bridges or length of reinforced concrete box (RCB)) with an approach roadway description. Also, describe if the improvement will be on existing alignment or an offset alignment to the east/west/north/south of the existing alignment. (Provide reason why an offset alignment to one side is selected vs the other side), AND mention whether the road will be open to traffic during construction and whether the construction will remain within existing right-of-way.) Describe work within streams and drainage structures, such as clearing drainage, adding piers, shoofly's, etc. For intersection projects describe the proposed improvement such as added lanes, improved turning radius, sidewalks – don't go into too much detail.
Does this project involve any Tribal or Indian Properties and all Federal Property (This is based on information available in the Recon or other readily available information): Choose an item.

Additional Information: Please provide any additional information such as project background or any other special issues which would be helpful to the Specialists. If the project is a rush provide reason below.
Add special instructions here. If special instructions are added to the email body, it should also be added here to ensure information is not lost.

Procedures for Consultants Performing Cultural Resources Studies

Rev. 5/1/2023

Procedures for Consultants Performing Cultural Resources Surveys for Oklahoma Department of Transportation

All cultural resources surveys for the Oklahoma Department of Transportation (ODOT) must follow the procedures outlined in the ODOT Cultural Resources Studies Manual, applicable guidance from the Oklahoma State Historic Preservation Office (SHPO) or Oklahoma Archeological Survey (OAS), and/or any Programmatic Agreements that FHWA and ODOT may have with SHPO and OAS. These items may be updated as needed, therefore the Specialist shall review these materials prior to scope preparation and the field investigations for each project. All such documents can be found at the following website: Such documents can be found at: http://www.odotculturalresources.info/documents-and-toolkits.html.

- The Cultural Resources Consultant Principal Investigator and Field Director must meet the Secretary of Interior's Standards Professional Qualifications Standards to perform identification, evaluation, registration, and treatment activities for the respective field, specifically archaeological studies and built environment studies. These qualifications are outlined in 36 CFR Part 61. Qualifications for all Principal Investigators must be reviewed by ODOT Cultural Resources Program Staff prior to conducting archaeological or built environment investigations.

Cultural Resources Scope of Work for Scope and Fee Preparation:

1. Complete the ODOT-CRP Cultural Resources Investigations Scope of Work. This form is the blank template for the Cultural Resources Scope of Work, Hours Proposal, and Methodology proposed by the consultant CR Specialists for each federal-aid undertaking requiring cultural resources studies. Find the scope form and the ODOT CRP Manual here:

   http://www.odotculturalresources.info/documents-and-toolkits.html.

2. The consultant-prepared Scope of Work must be submitted as part of the contract scope and fee to the Contract Administrator with:
   a. a kmz of the project footprint or study area used to prepare the proposal;
   b. a pdf copy of the images and results from the OASIS site file check (instructions are available here): https://www.ou.edu/archsurvey/cultural-resource-management/forms).

   The proposed Scope of Work will be reviewed for conformity with the ODOT CRP Manual and FHWA standards, and the proposed methodology will be reviewed for its appropriateness to the specific project footprint or study area.

Initiation of Tribal Consultation:

In order to ensure that the environmental studies can begin, it is important that the ODOT staff have the necessary information to initiate Section 106 consultation with Native American Tribes. Consultation must be initiated with Native American Tribes prior to conducting any field investigations. Certain projects that contain historic properties within

or adjacent to the project footprint may necessitate initiation of consultation with SHPO and/or OAS prior to conducting field studies. The following information is required for submittal to request initiation of consultation:

1. Initiate Tribal Consultation. The consultant may initiate tribal consultation using the online portal:

   (https://app.smartsheet.com/b/form/3faa6693f57c4bf6ab40dabd20cac6f3).

   All submittals must include the following items:

   a. Project location map made from the County Highway Maps available at County Maps (oklahoma.gov).
   b. Project location map made from the County Highway Maps available at County Maps (oklahoma.gov).
      i. Include a map with labeled legal description (Township, Range, Section) of the proposed study area
      ii. Label County Roads, highways, etc.
      iii. Ensure that the closest town or other clear reference point is included on the map.
   c. Project footprint or study area map or plans must be submitted as a pdf and as a separate kmz file.
   d. Description of the proposed project (including all proposed work) and study area.
   e. County NEPA checklist or Project Initiation Report with County, Project Number, and Job/Piece number.
   f. Landowner information (for all state projects with new right-of-way and for county projects). Any Federal land, Tribal-trust, Individual trust (Indian Land or Restricted Land), or Jointly-held trust land (e.g. KCA, WCD, etc.) should be identified and shown on the project footprint maps.

   This process must be completed before any field studies can begin. Should you have any questions regarding tribal consultation, please contact:

   Rhonda Fair – Director of Tribal Coordination
   Oklahoma Department of Transportation
   200 NE 21st Street
   Oklahoma City, Oklahoma 73105
   Phone No: (405) 517-5670
   Email: rfair@odot.org

Once the above is completed, the ODOT Tribal Liaison will inform the Consultant that tribal consultation has been initiated, and provide a list of the tribes consulted, the date field investigations can begin, and the number of hard copies of the final Cultural Resources Survey Report required for tribal consultation.

Initiation of Cultural Resources Studies

1. Initiate Cultural Resources Studies. The consultant may initiate cultural resources

studies concurrently with the initiation of tribal consultation by submittal of the studies request to the cultural resources program District reviewer. Contacts and mailing address of the CRP District Review staff are available here: http://www.odotculturalresources.info/staff.html.

All submittals must include the following items:

a. Request to Initiate Cultural Resources Study Form.
b. The Cultural Resources Scope of Work submitted as part of the Contract or Task Order approval.
c. A pdf copy of the images and results from the OASIS site file check (instructions available here: https://www.ou.edu/archsurvey/cultural-resource-management/forms)
d. Project location map made from the County Highway Maps available at County Maps (oklahoma.gov).
    i. Include a map with labeled legal description (Township, Range, Section) of the proposed study area
    ii. Label County Roads, highways, etc.
    iii. Ensure that the closest town or other clear reference point is included on the map.
e. Project footprint or study area map or plans must be submitted as a pdf and as a separate kmz file. The kmz must illustrate the project footprint.
f. Description of the proposed project (including all proposed work) and study area.
g. County NEPA checklist or Project Initiation Report with County, Project Number, and Job/Piece number.
h. Landowner information (for all state projects with new right-of-way and for county projects). Any Federal land, Tribal-trust, Individual trust (Indian Land or Restricted Land), or Jointly-held trust land (e.g. KCA, WCD, etc.) should be identified and shown on the project footprint maps.

Cultural Resources Survey and Reporting:

1. Field Studies and Reporting. Phase I investigations and reports shall adhere to the standard ODOT-CRP format discussed in the Cultural Resources Studies Manual, ODOT-CRP Cultural Resources Investigations Scope of Work, and any other guidance or Programmatic Agreement that FHWA and ODOT may have with SHPO and OAS.

   Use of this format facilitates review of the report by ODOT Cultural Resources Specialist, SHPO, OAS, Native American Tribes, and FHWA.

   a. *Draft Report Deliverables.* A pdf and MS Word copy of the report, along with pdf copies of all OAS archeological site forms, SHPO Historic Preservation Resource Identification (HPRI) Forms, and Bridge HPRI Forms should be submitted to the ODOT Cultural Resources District Review staff for review. All

reports must have received an internal QA/QC review from the Principal Investigator or other technical editor and be in "Final-ready" form before submittal to ODOT. Reports that are submitted with egregious technical, grammatical, or formatting errors will be returned.

i. The Consultant NEPA Project Manager and ODOT NEPA Project Manager should be copied on this correspondence.

b. *Resource Form Submittals.* All archaeological site forms must be submitted for review. ODOT-CRP will issue the Site Trinomial. Do not obtain a Trinomial from OAS. Do not submit archaeological site forms to the OAS.

All SHPO Historic preservation Resources Identification Forms, photographs and streetscapes should be completed according to SHPO standards available online at https://www.okhistory.org/shpo/programs/106/rcmanual2015.pdf. Do not submit Historic Preservation Resource Identification Forms to SHPO.

2. Report Review. ODOT Cultural Resources Specialist will provide review comments to the Cultural Resources Consultant and the Consultant Project Manager. All review comments must be addressed prior to submitting the final report and all forms for distribution.

Final Report Submission and Distribution

1. Final Report Submittal – Digital Copies. The following deliverables can be submitted via email and in the format presented below.
   a. A pdf copy of the final report
   b. A MS Word copy of the final report
   c. An individual pdf copy of all archaeological site and HPRI forms.
   d. Shapefiles of the study area or project footprint and archeological sites submitted in North American Datum 1927 (NAD 27). The NAD 27 format is needed in order to comply with the format that the OAS will use for their digital archaeological site management system.
   e. Final Report Submittal Form.
2. Final Report Submittal – Hard Copies. The following must be submitted in hard copy format to the CRR Staff Reviewer and Tribal Coordinator.
   a. Hard copies of the report. The number of reports needed (for consultation with SHPO, State Archaeologist, Native American Tribes, and other consulting parties) will be provided during the scope process.
   b. All hard copies of forms and reports must be single-sided.

Completion of Section 106 Process

Upon completion of the Section 106 process, the ODOT Cultural Resources District Reviewer will provide the Consultant Project Manager and ODOT Environmental Program Manager with a digital (pdf) copy of the completed Section 106 consultation:

1. Copies of consultation with SHPO, OAS, Native American Tribes, and consulting parties

Scope of Services for Biological Studies

Scope of Services for Biological Studies

Threatened and Endangered Species Assessment
Bald Eagle Assessment
Migratory Bird Assessment
and
Waters and Wetlands Assessment

Updated May 2024

Threatened and Endangered Species Assessment will include:

1) Follow the project review process outlined by the USFWS at https://www.fws.gov/office/oklahoma-ecological-services/project-reviews
2) Review of federally listed, proposed and candidate species in Oklahoma at https://ecos.fws.gov/ecp/report/species-listings-by-state?stateAbbrev=OK&stateName=Oklahoma&statusCategory=Listed, and additional species information with USFWS updates available through links provided, including https://www.fws.gov/office/oklahoma-ecological-services/species and https://www.wildlifedepartment.com/wildlife/threatened-and-endangered and http://obis.ou.edu/#/landing
3) Review of federally designated critical habitat maps relative to the project action area at https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77 and http://criticalhabitat.fws.gov/crithab/
4) Review of federally listed, proposed and candidate aquatic species and aquatic dependent species watersheds and occupied water bodies of Oklahoma (pdf's provided only as a resource). These can be recreated in ArcGIS using the HUC 11 watersheds listed on the back of the maps. Since species listing has changed and these are no longer accurate, **USFWS will not accept these pdf's in your report attachments**! You must re-create the watersheds using the data provided on the back of those pdfs.
5) Create project in IPaC (Information for Planning and Conservation) and create an official species list ONLY after the boundaries are accurately defined, found at https://ipac.ecosphere.fws.gov/user/login Operate from a Resource List until ready to finalize and create ONLY 1 official list for a project!
    a) **Define the project boundaries by the ACTION AREA**, NOT by the NEPA footprint. This can be generalized. So for example, include 6.2 miles downstream if the project is over a direct tributary to a listed fish species, include 0.25 miles for listed bird species, etc.
    b) **Name the project using the JP number.** This is the only way for the reviewer to find this project when it has to be updated years later. ODOT Biological Division tracks every project, review, survey, etc. by the County and JP number!
    c) **Provide a good description of the project activities.** As IPaC becomes more interactive and eventually more of the review steps become built into the system, the importance of a complete description will be ever more important.
    d) Add the following Consultant Managers as Project Members in IPaC to ALL your ODOT Projects before submitting for review: elizabeth.nichols@ou.edu, amcyintyre@odot.org, ktaylor@odot.org AND **jmulhouse@odot.org** We can no longer request access to projects and must be specifically added to the project by the person who creates the project in IPaC.
6) Review of the Indiana bat and Northern long-eared bat FHWA programmatic available at https://www.fws.gov/program/endangered-species/bat-consultation-conservation-strategy; with **user's guide** and assistance for bridge/culvert assessments, IPaC key, etc, available at https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat.
    a) Bridge/Structure/Shed form, updated March 2023, available at the above location is to be used for all projects with impacts to bats.

b) Summer survey guidance at https://www.fws.gov/library/collections/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines

7) Contact Oklahoma Natural Heritage inventory of rare species database for any records of federally listed, proposed or candidate species, by uploading project shapefile or providing lat./long. of project end points, **ONLY** at http://www.oknaturalheritage.ou.edu/content/info-request/online-request/ with guidance at http://www.oknaturalheritage.ou.edu/content/info-request/about-requesting/

8) Field studies, and observations, of the proposed project study area to determine its suitability as habitat for listed, proposed and candidate species, as well as habitat for all protected migratory birds, including Birds of Conservation Concern. **This includes a detailed assessment of aquatic habitats for listed fish and mussels.**

9) Bat Assessments in areas where listed bat species are identified by the USFWS. There have been recent (April 2024) range changes for NLEB & TCB based on recent survey data; this range will be updated by USFWS (thus expanded for TCB) based on annual survey data. Therefore, regardless of the identification of a special condition for bats, **bat habitat will continue to be assessed, identified, mapped and analyzed for impacts** so that data is available years down the line when these projects go to let and the ranges have changed.

   a) Field pedestrian survey of the entire environmental study area to identify, as well as 30-ft buffer for any karst features; GPS any karst features observed.

   b) Field assessment of **ALL existing bridges and culverts 3-ft or greater** in GROUND height (not water level) for potential use by listed bat species within the environmental study area and recorded on individual Bridge/Culvert Inspection Forms in the current USFWS form. GPS or locate WHERE on structures there is evidence of bat use and describe in the Note section of the Biological Assessment structure assessment section. The **Bat Bridge, Culvert and Structure Assessment Form** is the record of EACH structure assessed, it must include all structures 3-ft diameter and larger, and any barns, sheds, or other structures that may be removed during construction. Record using NBI# if bridge, or plan STA. # for culverts or structures (or NAD83 if no plans available), so this information can be used to help advise construction. DO NOT use survey Stationing since these are often not the same as what is found on ROW or other construction plans. These USFWS forms will be submitted separate from the Biological Assessment and placed into the figures after "flattening" the form fields so that they do not overwrite when multiple forms are joined.

   c) Field assessment and measurement (in acres) of wooded foraging and roosting habitat within the study area and split out between 0-100, 100-300 and >300 feet from pavement of all treed habitat within the NEPA Study Footprint. Provide shapefiles of habitat, as well as the 1 mile buffer action area (these are also required map figures).

10) Field assessment and measurement (in acres) of suitable American burying beetle habitat within the proposed project environmental study area. Provide map and shapefiles of habitat.

   a) Updated Southern Plains Analysis Area and Conservation Lands found here: https://ecos.fws.gov/ecp/species/66 as downloadable shp and in Reclassification document with 4(d), dated October 2020.

11) Monarch Butterfly – candidate species

   A. Field assessment of suitable monarch butterfly *(Danaus plexippus)* habitat* within the proposed project environmental study area to include:
      a. Presence of milkweed (*Asclepias sp*.) species, specifically.
      b. Presence of flowering or potentially flowering nectar plants *(defined as forbs that can provide nectar for monarchs at some point in the growing season).*

   B. Field assessment of additional native habitat** within the proposed project environmental study area, and description in Community Description and/or Effects sections.

   ***** *Suitable habitat for monarchs consists of lands that provide either milkweed or potentially flowering nectar plants that may support monarch breeding or foraging needs at times of the year when monarchs are present.*

***Native habitat may have the potential to provide suitable monarch habitat during the growing season. Habitat such as grasslands dominated by invasive grass species, or woody thickets too dense to support herbaceous flowering vegetation would be considered unsuitable.*

12) If plans with a construction footprint are available, provide station #s in the Biological Assessment where requested, and submit Plans optimized/reduced with project submittal.
13) **SOURCES**: Reference all sources used for the reports, including those cited in the document.
14) **MAPS**: North must always point toward top of page and segmented maps (Fig.1a, 1b, etc) must follow plan layout (e.g. south to north and west to east)

Bald Eagle Habitat Assessment:

1) Review multiple sources for history of occurrences (ONHI primarily, Sutton Avian Research Center, and eBird https://ebird.org/home), species information and guidelines.
   Buehler, D. A. 2000. Bald Eagle (*Haliaeetus leucocephalus*). *In* The Birds of North America, No. 564 (A. Poole and F. Gill, eds.). The Birds of North America Online, Ithaca, New York. https://birdsna.org/Species-Account/bna/species/baleag/introduction
   USFWS. May 2007. National Bald Eagle Management Guidelines https://ecos.fws.gov/ServCat/DownloadFile/36458?Reference=36436
2) Field studies shall include the proposed project NEPA Footprint, as well as 660-foot buffer around the NEPA Footprint, determining suitability for Bald Eagle nesting, roosting and/or forage ng habitat, each addressed individually. Field studies of buffered area can include using binoculars or a spotting scope from a high point, driving adjacent roads, etc. Make sure that any nests within 2000 feet are reported.
3) Overview photo(s) of the buffer of the NEPA Footprint from highest points.
4) Provide shapefiles of 660-foot buffer of the NEPA Footprint
5) GIS boundary of treed areas with potentially suitable nesting habitat within 660-feet of the NEPA Footprint. Provide shapefiles of that habitat, ***as well as*** a 660-foot buffer of that habitat.
6) Provide the STA #s in the Assessment that correspond with the 660-ft buffer of potential nesting habitat. This can include STA #s from ROW Plans and any other project specific plans, BUT NOT STATION #s FROM LAND SURVEYORS REPORT since they are not the same as ROW or Construction plans Stationing.
7) Provide approximate location point of any suspected Bald Eagle nest within the NEPA Footprint or provide general location point within 2000-feet of the NEPA Footprint. DO NOT APPROACH NEST WITHIN 660' SO NO DISTURBANCE TO BALD EAGLES WILL OCCUR.
8) The assessment cannot be left blank

Migratory Bird Assessment:

1) Bridge/Structure Survey of any species using the structures to nest.
   a) Field assessment of ALL the existing roadway structures within the project environmental study area for use by swallows and other migratory birds greater than 2-ft including metal culverts, and record on the Swallow Assessment table, using NBI# if bridge, or ROW/construction plan STA. # for culverts (or NAD83 extent if no plans available), so this information can be used to help advise any work on these structures.
   b) Identify each structure by type (span bridge, RCB bridge, RCB, RCP, CGMP), roadway, over what named water feature or road, NBI, and Station # if culvert (lat/long if no plans).
   c) GPS all structures surveyed and clearly identify which structures exhibit current or past nests, and which ones do not (this is also a required map figure). Provide shapefiles identifying all positive and negative structures.
2) Birds of Conservation Concern Assessment (BCC)
   a) Identify all BCC listed in IPAC and if habitat is present in the area with a focus on breeding/nesting habitat (whether tree or ground nesting species) and what construction activities will impact nesting habitat. Review nesting habitat at https://www.allaboutbirds.org/news/ and eBird for occurrences at https://ebird.org/home. In addition, guidance is provided in the IPaC list.

b) **Bald Eagles are not a BCC** (see info. provided when they are included in the BCC simply for information purposes). DO NOT include Bald Eagles here.

3) Interior Least Tern
   a) Document if within occupied waterbody, results from NHI occurrences, and analysis of any direct impacts to nesting habitat.

Potential Jurisdictional Waters and Wetlands Evaluation will include:

1) There are numerous places to find the following information. You can find the National Wetlands Inventory (NWI) maps at https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/ and USGS 7.5 minute topographic quadrangle maps of the proposed project study area https://topobuilder.nationalmap.gov/; https://ngmdb.usgs.gov/topoview/viewer/#4/39.98/-100.06
2) Review of the Natural Resources Conservation Service (NRCS) soil survey maps for the county in which the proposed project will occur at http://websoilsurvey.nrcs.usda.gov/app/
3) Review of hydric soils lists published by the NRCS for the county in which the proposed project will occur.
4) Field studies of the proposed project study area for identification and delineation of all aquatic resources (e.g. wetlands and other water bodies).
5) Characterization of onsite streams, drainage features, wetlands and open water features.
6) Delineation of onsite wetlands according to the 1987 U.S. Army Corps of Engineers (USACE) Wetlands Delineation Manual and the applicable Regional Supplement, and associated policy documents.
7) Delineate the ordinary high water mark (OHWM) on both sides of every stream, drainage features and the boundary of every wetland and open water features with GPS. The area (in acres) within the OHWM of all aquatic resources (streams, drainage features, wetlands and open waters) based on GPS field data.
8) See Waters and Wetlands Report template for more detailed instructions on completing the Waters and Wetlands Report. Follow all of the naming conventions and guidance in that report template.
9) Reason for proposing whether a feature is likely or unlikely to be a jurisdictional waterbody by USACE, based on the current guidance, such as under Rapanos or under the most current Waters rule.

Biological Studies Submittal Process and Procedures:

The Consultant Project Manager and/or the Biological Consultant shall contact the ODOT Biological Consultant Manager, Elizabeth Nichols, for **current report formats**, prior to beginning studies (contact information below) to establish connection to a shared folder with the reports that can be bookmarked and easily accessed at any time to get the most recent report formats.

Prepare two separate reports: one for the species' assessments and one for the potential jurisdictional waters and wetlands evaluation. Templates for these reports are attached, and available through a shared folder.

The ODOT Natural Resources Program will serve as a liaison between ODOT and all Federal Agencies, including the USFWS for any required Endangered Species Act Section 7 consultation and Migratory Bird Treaty Act coordination. The consultant shall be responsible for all documentation requirements of Section 7 of the Endangered Species Act, the Migratory Bird Treaty Act, and Section 404 of the Clean Water Act under the oversight of the ODOT Biological Resources Program Manager.

UPDATED INFORMATION: Once 30% or other plans are available, the Consultant Project Manager will review the plans to determine if there is any change of scope from the original submitted studies and any change in footprint that exceeds the previous study footprint. The plans, with any changes highlighted on the plans, and a description of work in these areas and any additional changes or clarification in project activities, along with a map and shp file of the original study area and the new study area (which will show the change in footprint), will be submitted to the Biological Consultant Manager, Elizabeth Nichols. The Biological Consultant Manager will review the updated information provided and consult directly with USFWS or advise the Consultant if an Amended Biological Assessment will be needed (this report can be requested at any time and will be provided by the Consultant Manager if the update involves a change in scope or impacts to newly listed species that has not been assessed by the previous studies.

File Naming Procedures and Submission Process:

1) The Consultant Project Manager shall provide the ODOT Biological Consultant Manager with the following documents. **All files MUST start with the COUNTY NAME and JP NUMBER followed by the document type below** (e.g. Tulsa County JP 12345(06) Biological Assessment Report):
   a) Request to Review (as a PDF)
   b) Project Scope/Initiation Report
   c) Any available plans or footprints
   d) Biological Assessment Report (in Word format)
   e) Biological Assessment Figures (as a PDF – no logos) must be optimized and kept under 5KB. Bat Structure Assessments must first be "flattened" before merging and placing into figures so that form entries do not overwrite each other (which happens if you just merge all the forms together while the forms are still interactive/writable)
   f) Waters and Wetlands Report (in Word format)
   g) Waters and Wetlands Figures (as a PDF – no logos) must be optimized and kept under 5KB. Wetland Delineation Forms must first be "flattened" before merging and placing into figures so that form entries do not overwrite each other (which happens if you just merge all the forms together while the forms are still interactive/writable)
   h) GIS Files (of all data created for Biological Studies, in single zipped folder) EACH SHP ALSO MUST HAVE COUNTY JP, not just the shapefile folder
      i) Including if species present, but not limited to Study Area, Action Area, ABB habitat, NLEB/Indiana bat habitat, 1 mile bat travel corridor, bridge and culvert locations identifying positive and negative migratory bird nesting and those with evidence of roosting bats, photo location sites, suitable eagle nesting habitat with 660-ft buffer of suitable eagle nesting habitat,

delineated wetlands with classification, delineated streams with mapped classification, and hydrological sampling locations.

ii) all shapefiles should be in a single zipped GIS folder, with no subfolders.

All the above files should be zipped into a single file and emailed to the Natural Resources Program Consultant Manager, Elizabeth Nichols. If you or your company uses an ftp site, that is acceptable as well. In addition, an email shall be sent notifying that the project has been submitted. CC or send a copy to the Natural Resources Program Manager, Amber McIntyre and to the Consultant Manager in Training, Kait Taylor. **Send all documents, or provide access to the ftp, to all of the following people:**

Elizabeth Nichols
Consultant Manager
Natural Resources Program
ODOT Highway Program at
Ok Biological Survey, OU
Norman, OK
405-325-6802
405-850-0084 (cell)
elizabeth.nichols@ou.edu

Amber McIntyre
Program Manager
Natural Resources Program
ODOT Highway Program at
Ok Biological Survey, OU
Norman, OK
405-210-3671
amcintyre@odot.org

Kait Taylor
Consultant Manager in Training
ODOT Highway Program at
Ok Biological Survey, OU
Norman, OK
405-227-5915
ktaylor@odot.org

2) The Consultant Manager will verify receipt of all documents with a confirmation email response.

3) Once reports and all accompanying information above has been provided, the Biological Consultant Manager will correspond directly with the Consultant Biological Specialist as needed to finalize the report documents. The Consultant Project Managers shall be copied on any correspondence with the Consultant Biological Specialist to keep them aware of any issues. **Review will begin only after a complete and accurate submission is received.**

4) **All Coordination with Federal Agencies will be done by the ODOT Environmental Programs Division. The Consultant shall not contact Federal Agencies for any ODOT projects without a written approval from the Environmental Program Division.**

Hazardous Materials Scope of Services

Hazardous Materials Scope of Services

- The Consultant Project Manager shall provide the ODOT Hazardous Materials Coordinator (ODOT Coordinator) with a completed Consultant Specialist Review Request Form, Project Initiation Report, plans or study footprints, a .kmz of the start and end locations of the project along with the draft report and copy the ODOT NEPA Project Manager in an electronic (pdf) format.

- Once the first draft and request has been provided, the ODOT Coordinator will correspond directly with the Consultant Specialist as needed to finalize the report. The Consultant Project Manager and the ODOT NEPA Project Manager shall be copied on any correspondence with the Consultant Specialists to keep them aware of any issues.

- If the ODOT Coordinator requires additional information from the Designer or others, they will request this information through the Consultant Project Manager. The Consultant Project Manager is responsible for acquiring the required information from the Designer or others for the ODOT Coordinator. Usually, 65% Right-of-Way Plans are needed to complete hazardous materials studies if there will be significant ground disturbance during construction of the project. If 65% plans will not be available, then the most complete set of construction plans should be made available along with a detailed description of the planned construction activities.

- Once the ODOT Coordinator gets the final copy of the Report in an electronic format and completes all organization, the ODOT Coordinator will return a final copy of the report along with a Review Report based on the Consultant's report, portions of the Consultant's report to be included in the NEPA document, and a copy of any memos sent to the Local Government or Project Management divisions summarizing any mitigation measures, to the Consultant Project Manager through the NEPA Project Manager. These documents will be included in the NEPA Document.

- Contact information :

  Jeri Edmondson – ODOT Hazardous Materials Program Manager
  David Edwards – ODOT Hazardous Materials Coordinator
  Mike Hixon – ODOT Hazardous Materials Coordinator
  Environmental Programs Division
  200 NE 21st Street, Room 3D-3
  Oklahoma City, Oklahoma 73105
  Phone Nos: Jeri – (405) 249-6703
  David – (405) 923-5171
  Mike – (405) 595-8593
  Fax – (405) 522-5193
  Email: jedmondson@odot.org; daedwards@odot.org; Michael.Hixon@odot.ok.gov

The Consultant will be responsible for conducting Initial Site Assessments (ISAs) on all projects. If it is determined that a Subsurface Site Investigation (SSI) is required, the Consultant shall submit a request for a separate Task Order for approval. The Consultant shall contact the ODOT's Hazardous Materials Program Manager and Hazardous Materials Coordinator for the Scope of Work for developing an SSI.

Projects with potential or known hazardous material/waste-related conditions will be identified through the ISA process. An SSI will be conducted as necessary, to determine the magnitude of the condition(s) and develop an estimate for mitigation or cleanup. The ISA Scope of Work will include but is not limited to the following:

Initial Site Assessment (ISA): The ISA is necessary for identifying hazardous and potentially hazardous material/waste-related conditions within and adjacent to existing and proposed right-of-way. The ISA shall include all pertinent information regarding listed hazardous material/waste and potentially hazardous material/waste sites in the vicinity of the project.

The Consultant shall:

1. Provide a regulatory database search report of hazardous waste sites of Federal, State, Tribal, regional and local agencies in accordance with ASTM E-1527-05 or its most recent edition, including but not limited to:
   - EPA - National Priority List (Superfund Sites).
   - ODEQ - Voluntary Cleanup Program List
   - EPA and ODEQ - Comprehensive Environmental Response Compensation and Liability Act Information System (CERCLIS) List
   - ODEQ – Solid and Hazardous Waste Treatment, Storage or Disposal Facilities Lists
   - Emergency Response Notification Listing Report (ERNS) list
   - Oklahoma Water Resource Board
   - Local Fire Departments
   - County records (maps and files)
   - Utility Companies records (maps, plans, records)
   - Department's right-of-way maps, aerials and files
   - OCC - PST and LUST Lists
   - OCC – Oil/Gas/Disposal Well databases

   Frequently, database reports contain a list of sites which meet the criteria established in the ASTM standard, but are identified as "unlocatable" or "unmappable" due to incomplete address information. The Consultant shall make every effort to determine whether the unlocatable sites are within the respective ASTM-required distance relative to the study area, and shall make a statement to such effect in the body of the ISA report. Typically, readily accessible information available via Internet search will yield

sufficient data for this purpose. If not, the Consultant may contact the Hazardous Materials Coordinator for guidance.

2. Perform a file/case review at the State, Tribal or Local agency (unless equivalent details may be obtained by other means such as the internet, phone interview, fax, or by mail) when a site is deemed to be a potential risk to the project (Moderate to High Risk), and copies of pertinent information are to be included in the ISA's appendices.

3. Review Sanborn Fire Insurance Maps, aerial photographs and other reports, maps and photographs as necessary, to determine past and present land uses to assist in identifying known or potentially hazardous material/waste sites on parcels of land within current and/or future right-of-way as shown on provided mapping. The time frame for this review shall extend as far back as necessary to determine the use and presence of any hazardous material/waste on parcels of land in question as determined by ODOT's Hazardous Materials Coordinator.

4. Conduct a field survey to identify all potentially hazardous material/waste sites on the parcels of land within and adjacent to the proposed right-of-way using the standardized Land Use Windshield Survey form. The forms shall be used to describe land use(s) within and adjacent to the study area. The forms shall be used as field notes and attached in an appendix, not prepared as a result of title searches or other database searches.

   At least one Land Use Windshield Survey form shall be completed for each observed land use within or adjacent to the project study area (agricultural, industrial, etc.). If a recognized environmental condition (REC) is identified, the REC shall receive a separate form.

   It is not necessary to confirm the actual presence of hazardous material/waste in soil or groundwater during the ISA. However, overt indications of potential contamination, such as stained soil around drums, tanks, etc., shall be noted on the form.

5. Provide reports for the ISA, to include but not be limited to:
   - Title sheet identifying work order number(s), project number(s), project location, Consultant's address and telephone number, author and date prepared
   - Signature page with signature and title of person(s) responsible for the investigation
   - Table of contents
   - Investigative Summary - A summary of all technical data and findings
   - Investigative narrative, including:
     - Investigative methods and evaluation criteria
     - A list of contacts with regulatory agencies, personnel contacted,

and contact information
    - Known hazardous material/waste sites (problem type, schedule for cleanup, etc.)
    - Potentially hazardous material/waste sites (name, type, operations, why suspect, potential area of impact)
    - The name, address and telephone number of the business/owner(s) of each such site
    - The type of hazardous material/waste containers involved at each site, such as sludge pits, ponds, underground or aboveground storage tanks, etc. (as noted on the Land Use Windshield Survey form)
    - Chemicals/hazardous material that has been stored/used in the past at each site, and the known generators (if available) of those materials
    - Permits, violations, plans, records and any other information reviewed
    - Locations of public water supplies (wells, surface water), and wellhead protection areas (ODEQ website or other published sources).
    - Aquifer descriptions and locations within the project footprint (major bedrock and major alluvium)(ODEQ website or other published sources)
    - General description of utilities in the area (i.e. water/sanitary sewer – municipal, rural, private; storm sewers; natural gas; electrical – overhead, below grade; etc.)
    - Mapped geologic units - Shallow subsurface conditions, i.e. less than 50 feet below grade, will have the greatest impact on construction
    - Location and use of all known groundwater monitoring wells within or adjacent to the study area
    - Discussion of the proximity of potential environmental concerns/potential areas of contamination to the limits of construction, and type of construction planned (i.e. excavation, fill, potential dewatering, etc.)
    - Description of future plans, if any, by ODEQ or any other regulatory agency with jurisdiction within or adjacent to the proposed right-of-way
    - Résumés of staff performing the ISA, or identification of staff, if résumés were provided in the bid proposal
    - Description of the process followed and identification of individuals or agencies contacted in developing the information included in the ISA. Any limitations in the adequacy and/or conclusion reached in this assessment shall be explained in detail
    - Locations of oil/gas wells within or adjacent to the study area
- Findings and Recommendations, including:

    - A summary of any sites within or adjacent to the study area that are identified as RECs or potential RECs, and the level of risk they present to the project (i.e. low, moderate or high)
    - Recommendations for follow-up investigations, including justification for such follow-up. If no additional investigation is recommended, the Consultant shall state such, and include justification for such
- Appendices, including:
    - Sketches, photographs and/or descriptive comments to identify important features discussed in the Investigative Narrative
    - A regulatory database report with search radii performed in accordance with ASTM E-1527-05 or its most recent edition
    - A site locus map with the site location pinpointed, utilizing a USGS Topographical Map or other map of similar scale
    - A study area map or aerial photo depicting all identified properties of potential environmental concern
    - Land Use Windshield Survey form(s)
    - Any supporting documentation retrieved from file reviews, etc.
    - Summary Tables, including:
        - Summary Table of all parcels evaluated, specifying those of potential environmental concern and associated “at-risk” characteristics (i.e. evidence of current or former PSTs, hazardous material/waste use/handling/storage, “high risk” industrial/commercial operations, etc.) - Land Use Windshield Survey forms for each parcel shall be attached as one appendix.

Land Use Windshield Survey Form (Available on Excel Spreadsheet)

Land Use Windshield Survey

Date: _____ Site/Business Name: _____

ODOT JP: _____ Street Address/Legal Desc: _____

Highway/Street: _____

County: _____

LAND USE CHARACTERISTICS:

_____ Forested Land _____ Oil/Gas Production (wellsite/tank battery); other: _____

_____ Cleared/Vacant _____ Industrial (describe): _____

_____ Single-family Residential _____ Commercial (describe): _____

_____ Multi-family Residential _____ Other (describe): _____

_____ Agricultural

PETROLEUM STORAGE TANKS/HAZARDOUS MATERIALS STORAGE:

USTs _____ Fill cap(s) (indicate number) _____ Fuel Dispensers (indicate number)

_____ Vent pipe(s) (indicate number) Product Types: _____

ASTs _____ Pedestal (indicate number) _____ Exterior Drums/Containers (indicate number)

_____ At Grade (indicate number) Size, Contents: _____

_____ Secondary Containment

Other: _____

UTILITIES:

_____ On-site water supply well _____ Electrical transformers _____ Natural gas

_____ On-site sanitary disposal (septic tank/vent/lagoon) _____ Backup generator/fuel tank _____ Propane

_____ Evidence of undergound lines/pipes (cap, meter, valve, etc. - indicate utility type): _____

EVIDENCE OF ENVIRONMENTAL INVESTIGATIONS/RELEASES:

_____ Monitoring wells (indicate number) _____ Remedial system (trailer/shed/extraction wells/public notice)

_____ Dumping _____ Burial Pits _____ Stained Ground _____ Stressed Vegetation

_____ Other (describe): _____

FIELD INTERVIEW:

NOTE: IF COOPERATIVE, CONTACT MAY ASSIST IN COMPLETION OF ABOVE CHECKLIST (INTERVIEWER'S DISCRETION)

Contact Name: _____

Title/Organization: _____

Phone Number: _____

Comments/Additional Details: _____

RECOGNIZED ENVIRONMENTAL CONDITION: *"The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions."*

Please identify any observed conditions that may be considered a REC: _____

NOTES: _____

Traffic Noise Studies
(Consultant Scope of Services)

Oklahoma Department of Transportation
Consultant Scope of Services - Traffic Noise Studies

(Revised 05/16/2023)

All traffic noise studies completed for the Oklahoma Department of Transportation (ODOT) must meet the Federal Highway Administration (FHWA) regulations, 23 CFR 772, *Procedures for Abatement of Highway Traffic Noise and Construction Noise,* and the ODOT Policy Directive, *Highway Noise Abatement* C-201-3 dated July 13, 2011 (ODOT Noise Policy). **Appendix A** includes the current ODOT Noise Policy. A complete analysis shall be a "stand-alone" study describing the project area and land use, sound terminology/theory, methodology, traffic data, representative receivers, determining existing and future predicted noise levels, identifying impacted receivers, and identifying those receivers who can benefit from feasible and reasonable noise abatement. The analysis must use the FHWA Traffic Noise Model version 2.5 (TNM 2.5). Although FHWA guidance resources and the ODOT Noise Policy provide details on the noise analysis requirements, the following offers for basic analysis steps, report format, report review/approval procedures, and personal qualifications needed in completing a noise study:

Analysis Steps

(1) Describe the proposed project and any associated project or environmental analysis history in sufficient detail.

(2) Identify existing activities, developed lands, and undeveloped lands for which development is planned, designed, and programmed that may be affected by noise from the highway being considered for reconstruction or construction.

(3) Field measurements are required for model validation using an FHWA-approved Type II or better sound level meter. Measurements must be consistent with the methodology presented in *Measurement of Highway Related Noise FHWA-PD-96-046* (http://www.fhwa.dot.gov/environment/noise/) and the ODOT Noise Policy. The consultant will be responsible for providing their sound level meter.

(4) After model validation has been completed, then by utilizing TNM 2.5, computer modeling of existing noise levels will need to be conducted for the existing highway facility within the project's NEPA study area. For two-lane roadways, each traffic lane, including the outside paved shoulder, shall be modeled in each direction of travel. In some cases (i.e., highly congested facilities where trucks avoid peak automobile travel periods), both a peak traffic period and non-peak period field measurements may be required to verify the worst-hour noise levels. For studies with no highway traffic noise sources (e.g., highway on a new location), ambient field readings representing existing sound levels will be required using an FHWA-approved Type II or better sound level meter. Depending on circumstances, such field measurements will require durations ranging from 15 minutes to a maximum of 1 hour, preferably during peak AM or PM periods.

(5) Prediction of traffic noise levels of representative receivers in the future condition shall be determined using TNM 2.5. All traffic noise impacts are identified based on the ODOT Noise Policy. This requires quantifying noise levels. A brief explanation of the basis for no traffic noise impacts should be documented if no impacts exist. For two-lane roadways, each traffic lane, including the outside paved shoulder, shall be modeled for each direction of travel.

(6) If impacts exist, determine if any feasible and reasonable measures will lessen the impacts per the ODOT Noise Policy. Abatement benefits and costs should be quantified to the extent possible. The final NEPA document should indicate which abatement measures are "likely" to be incorporated into the project and identify impacts for which no prudent solution is reasonably available. All engineering considerations regarding noise barrier location must be thoroughly investigated, especially in identifying potential safety, utility, or drainage conflicts. For some noise studies, it may be required to evaluate two or more alternative noise barrier locations inside the existing or proposed right-of-way that can be considered during the final project design phase.

Report Format

Sample noise report(s) can be provided to the consultant, but the following are the essential contents for a Traffic Noise Assessment report:

Section:	Include Discussion Of:
1. Executive Summary	Concise project description, noise impacts, abatement considerations, mitigation commitments
2. Introduction	This section should include a detailed project description
3. Fundamentals of Noise & Sound Theory	**Appendix B** provides ODOT's standard text
4. Analysis Methodology	Modeling analysis procedure, model version and inputs, FHWA NAC, and ODOT Noise Policy criteria.
5. Traffic Data	Existing and future design year traffic data were used in the analysis.
6. Model Validation	Sound meter validation/calibration process and results. Include the actual date of field inspection and measurements taken.
7. Existing Condition & Noise Analysis Results	Land uses roadway classification/information; receptors are used in measurement and modeling. Present modeled receptors' existing noise levels for each appropriate FHWA NAC activity area to determine worst-case existing noise conditions.
8. Future Noise Analysis Results	Modeled noise level results of the future Build. In addition, modeled noise levels of the future no-build condition may be required based on the project involved consisting of using the future traffic data of the existing roadway being considered for improvement.
9. Traffic Noise Impacts	Identification of impacted and non-impacted receptors in the future condition, comparisons between Build vs. existing levels, and, if required, the No-build vs. existing levels.
10. Consideration of Abatement	The report shall evaluate noise mitigation for impacted receivers identified in the Build condition that may benefit from feasible and reasonable noise abatement measures per the ODOT Noise Policy. Only noise abatement measures that are feasible and reasonable will be recommended, including barrier type with estimated location(s), height(s), extent, and associated benefit-cost analysis. In addition, an explanation should be included explaining why for those impacted receivers for which mitigation is not feasible or reasonable.
11. Construction Noise	**Appendix B** provides ODOT's standard language only if it has been determined that construction noise associated with the proposed project does not appear severe or if no public concerns are received due to early public involvement.
12. Coordination with Local Officials	**Appendix B** provides ODOT's standard text and table examples.
13. Appendix	Include general project location map(s) and aerial photo or plan sheets depicting the project's noise study area that identifies the modeled receptors, field measurement site locations, any existing and proposed noise barriers, and the 66 dB(A) and 71 dB(A) noise impact zone contours. In addition, the aerial photo or plan sheets need to include a north arrow, scale, and labeling of adjacent or intersecting roadways and other necessary landmarks.

Review and Approval Procedures

The following are the noise study review and approval procedures:

(1) Initial consultation between the ODOT Noise Specialist and the Consultant Project Manager and Consultant Noise Specialist shall be conducted before the noise study, also called the "kick-off" meeting. The ODOT Noise Specialist's contact information is as follows:

Evan Mace
Noise Specialist
Oklahoma Department of Transportation,
Environmental Programs Division
200 N.E. 21st Street, Rm. 3D-2
Oklahoma City, Oklahoma 73105
Mobile: (405) 416-0831
Email: EMace@odot.org

(2) After completing the field task and noise analysis, the Consultant Noise Specialist shall provide deliverables in phases to the ODOT Noise Specialist via Mimecast for Outlook, Zip File for Microsoft Windows 10, or CD. The ODOT Noise Specialist will review, approve and file each Phase described as follows:

Phase I Submittal – Field Data

- ODOT Consultant Review Request Form.
- Adobe Acrobat Pro (PDF) copy of the field record sheets with traffic counts
- TNM 2.5 files (i.e., "objects.dat" and "objects.idx" files) for each successful run of the model validation site.
- Sound Level Meter (SLM) files of each recorded reading (Excel format is acceptable).
- Certificate of calibration for all sound level meters and associated calibration units used for the noise readings.

Phase II Submittal – TNM files

- TNM 2.5 files (i.e., "objects.dat" and "objects.idx" files) are used for Existing, Future, and Future No-Build (if required) and barrier analysis (if needed).
- Traffic data spreadsheet(s) and a copy of the traffic data source, either the plan title sheet or a traffic study report.
- Graphics to be included in the report in PDF format.

Phase III – Report & TNM Final Run Printouts

- Traffic Noise Assessment Report (Microsoft Word and PDF format).
- PDF printouts of the final TNM 2.5 run of all successful Model Validations, Existing, Future, Future No-Build (if required), and Barrier Analysis (if needed). The PDF page order is as follows: sound level results, plan view (with labeled receivers), roadway input, traffic input, receiver input, barrier input (if required, existing, and proposed), and all other data inputs included in the respective TNM run.

Phase III – Report & TNM Final Run Printouts

- Traffic Noise Assessment Report (Microsoft Word and PDF format).
- PDF printouts of the final TNM 2.5 run of all successful Model Validations, Existing, Future, Future No-Build (if required), and Barrier Analysis (if needed). The PDF page order is as follows: sound level results, plan view (with labeled receivers), roadway input, traffic input, receiver input, barrier input (if required, existing, and proposed), and all other data inputs included in the respective TNM run.

NOTE: The above Phases are considered the standard deliverable process. However, modifications may be necessary case-by-case, depending on the circumstances. For example, if a need arises to provide analysis results at a public meeting, delaying the field task would be allowed so the noise modeling could be advanced.

(3) For each Phase Submittal, the ODOT Noise Specialist will correspond directly with the Consultant Noise Specialist during the finalization analysis and report. The Consultant Project Manager and the ODOT Environmental Project Manager shall be copied on any correspondence with the Consultant Noise Specialist to inform them of any major issues. Once the draft report and support documentation have been reviewed, the ODOT Noise Specialist will return via email attachment the draft report directly to the Consultant Noise Specialist with comments and suggested edits/revisions and, if necessary, request any omitted data not included in the item (2) above be provided or in some cases additional data or information may be requested. Suppose the Consultant Noise Specialist has questions or concerns about the report review comments/edits. In that case, the Consultant Noise Specialist must contact the ODOT Noise Specialist and the assigned Noise Specialist directly with specific inquiries before sending the final report. Once the comments/edits have been addressed, and if required, requested additional data have been provided, then the Consultant Noise Specialist shall compile the final noise report with graphics in PDF format, sign/date by the preparer, and send it to the last review of the ODOT Noise Specialist.

(4) The ODOT Noise Specialist will issue a written approval memorandum to the Consultant Project Manager and be included on the first page of the final noise report. The ODOT Noise Specialist will distribute the approved final noise report to the Consultant Project Manager, Consultant Noise Specialist, ODOT Environmental Project Manager, and others deemed necessary.

Qualifications

All individuals performing or responsible for preparing noise studies and performing computer noise modeling shall, at a minimum, have completed the FHWA TNM 2.5 Training Course. In addition, these same individuals should have appropriate training for using either a Type I or Type II sound level meter and be knowledgeable in conducting field measurements.

Prepared by: Kevin M Larios Date: 5-16-2023

Kevin Larios, P.E.
Senior Noise Specialist
ODOT Environmental Programs Division

Appendix A

ODOT Noise Policy

OKLAHOMA DEPARTMENT OF TRANSPORTATION			
POLICY DIRECTIVE			**NO. C-201-3**
SUBJECT **HIGHWAY NOISE ABATEMENT**			PAGE NO **1 of 22** DATED **07-13-11**
EFFECTIVE DATE **07-13-2011**	ISSUED BY: **Deputy Director-Planning**	APPROVED **Director - § Gary M. Ridley**	
Revision	**C-201-3**	STATE STATUTE	DATED **08-01-96**

POLICY

THE DEPARTMENT IS RESPONSIBLE FOR CONDUCTING NOISE STUDIES FOR FEDERALLY ASSISTED HIGHWAY CONSTRUCTION PROJECTS AND SHALL DEVELOP, REVIEW AND APPROVE ANY NOISE ABATEMENT MEASURES DETERMINED NECESSARY FOR HIGHWAY CONSTRUCTION PROJECTS.

APPLICABILITY

The Department will conduct or direct noise studies on Type 1 federal aid projects (as defined in this policy directive) including local public agencies' projects. This policy directive constitutes the Oklahoma Department of Transportation policy on highway traffic noise and construction noise and describes the implementation of the requirements of the Federal Highway Administration (hereinafter FHWA) Noise Standard at 23 Code of Federal Regulations (CFR) Part 772 as they relate to federal aid highway construction in Oklahoma. Where the FHWA has given highway agencies flexibility in implementing the 23 CFR 772 standards, this policy describes the ODOT approach to implementation. This policy shall be applied uniformly and consistently to all federal aid projects throughout the state.

DEFINITIONS

Benefitted Receptors - All receptors, impacted and non-impacted, which, by placement of the noise abatement measure, receive a minimum noise level reduction at or above 5 dB(A).

Categorical Exclusion (CE) - Categorical exclusion means a category of actions which do not individually or cumulatively have a significant effect on the human environment and for which neither an environmental assessment nor an environmental impact statement is required.

Common Noise Environment - A group of receptors within the same Activity Category in Table 1 that are exposed to similar noise sources and levels; traffic volumes, traffic mix, and

speed; and topographic features. Generally, common noise environments occur between two secondary noise sources, such as interchanges, intersections, cross-roads and may be modeled using representative receivers.

Date of Public Knowledge - The date of approval of the Categorical Exclusion (CE), the Finding of No Significant Impact (FONSI), or the Record of Decision (ROD), as defined in 23 CFR 771. After this date, local governments are responsible for noise compatible land use planning, and ODOT is not responsible for noise impacts occurring after this date.

Design Year - The future year used to estimate the probable traffic volume for which a highway is designed.

Environmental Assessment (EA) - A concise public document that serves to briefly provide sufficient evidence and analysis for determining whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI), to aid an agency's compliance with the National Environmental Policy Act when no environmental impact statement is necessary, and to facilitate preparation of an EIS when one is necessary.

Environmental Impact Statement (EIS) - A full disclosure document that details the process through which a transportation project was developed, includes consideration of a range of reasonable alternatives, analyzes the potential impacts resulting from these alternatives, and demonstrates compliance with other applicable environmental laws and executive orders. An EIS is required for major actions that significantly affect the quality of the human environment.

Existing Noise Levels - The highest noise level over an hour that is resulting from the combination of natural and mechanical sources and human activity usually present in a particular area.

Finding of No Significant Impact (FONSI) - When applicable, the conclusive determination after completion of the Environmental Assessment process that a highway project will not create any significant environmental impacts.

Leq - The equivalent steady-state sound level which in a stated period of time contains the same acoustic energy as the time-varying sound level during the same time period.

Leq(h) - The equivalent sound level for a one-hour period of time.

Multi-Family Dwelling - A residential structure containing more than one residence. Each residence in a multifamily dwelling shall be counted as one receptor when determining impacted and benefitted receptors.

NEPA - National Environmental Policy Act of 1969, which establishes the basic national policy for protection of the environment during the development of federal actions. It provides an interdisciplinary framework to ensure that decision-makers adequately take the human and natural environmental factors into account.

Noise - Any unwanted sound.

Noise Abatement - Type of attenuation, such as an earthen berm or solid-mass wall, used to reduce traffic noise levels.

Noise Abatement Criteria (NAC) - FHWA has determined noise levels for various activities or land uses which represent the upper limit of acceptable traffic noise level conditions, which are found in 23 CFR 772. These regulations do not require meeting the abatement criteria in every instance; rather, they require highway agencies make every reasonable and feasible effort to provide noise mitigation when the criteria are approached or exceeded.

Noise Contour - A linear representation of equal noise levels similar to elevation contour lines on a topographic map.

Noise Reduction Design Goal - The optimum desired dB(A) noise reduction determined from calculating the difference between future build noise levels with abatement, to future build noise levels without abatement. The ODOT noise reduction design goal is 7 dB(A), and must be achieved for at least 75 percent of the benefitted receptors identified within the first row of receptors for the abatement measure to meet ODOT reasonableness criteria.

Permitted - A definite commitment to develop land with an approved specific design of land use activities as evidenced by the issuance of a building permit.

Property Owner - An individual or group of individuals that holds a title, deed, or other legal documentation of ownership of a property or a residence.

Receiver - A discrete or representative location representing receptors that are included in the computer model used for noise analysis.

Receptor -A discrete or representative location of a noise sensitive area(s) for any of the land uses listed in Noise Abatement Criteria Activity Categories (Table 1).

Record of Decision (ROD) - The final step in the EIS process where by the Federal Government issues final approval of the environmental documentation.

Residence - A dwelling unit either a single family residence or each dwelling unit in a multifamily dwelling.

Statement of Likelihood - A statement provided in the environmental clearance document based on the feasibility and reasonableness analysis completed at the time the environmental document is being approved.

Substantial Construction - The granting of a building permit, prior to right-of-way acquisition or construction approval for the highway.

Substantial Noise Increase - Along with the NAC defined above, one of two criteria to determine noise impacts created by a proposed highway project. A receptor is considered impacted if the predicted future hourly equivalent traffic noise level exceeds the existing ambient noise level by 15 dB or more.

Traffic Noise Impact

(1) Impacts which occur when the future predicted exterior Leq(h) traffic noise levels approach by one (1) decibel, meet or exceed any of the Federal Highway Administration (FHWA) Noise Abatement Criteria (see Table 1); or,

(2) Impacts which occur when there is a substantial noise increase as defined in this section.

(3) In those cases where there are no frequent exterior human activities present, impacts occur when interior noise levels approach by one (1) decibel, meet or exceed the FHWA Leq Noise Abatement Criteria Category D interior criterion level (see Table 1).

Type I Project - A federal aid project that meets one or more of the following criteria, see 23 CFR 772 for the full definition of at Type I project:

(1) The construction of a highway on new location; or,

(2) The physical alteration of an existing highway where there is either:

a) Substantial Horizontal Alteration. A project that halves the distance between the traffic noise source and the closest receptor between the existing condition to the future build condition; or,

b) Substantial Vertical Alteration. A project that removes shielding, therefore, exposing the line-of-sight between the receptor and the traffic noise source. This is done by either altering the vertical alignment of the highway or by altering the topography between the highway traffic noise source and the receptor; or,

(3) The addition of a through-traffic lane(s). This includes the addition of a through-traffic lane that functions as a HOV lane, bus lane, or truck climbing lane; or,

(4) The addition of an auxiliary lane, except for when the auxiliary lane is a turn lane; or,

(5) The addition or relocation of interchange lanes or ramps added to a quadrant to complete an existing partial interchange; or,

(6) Restriping existing pavement for the purpose of adding a through-traffic lane or an auxiliary lane; or,

(7) The addition of a new or substantial alteration of a weigh station, rest stop, ride-share lot.

(8) If a project is determined to be a Type I project under this definition then the entire project area as defined in the environmental document is a Type I project.

Type II Project - A Federal or Federal-aid highway project for noise abatement on an existing highway without meeting the criteria listed in the Type 1 definition. For a Type II project to be eligible for Federal-aid funding, the highway agency must develop and implement a Type II program in accordance with section 772.7(e). ODOT does not have a Type II program.

Type III Project - A Federal or Federal-aid highway project that does not meet the classifications of a Type I or Type II project. Type III projects do not require a noise analysis.

IMPLEMENTATION (SPECIFIC)

A. Analysis of Traffic Noise Impacts

The ODOT will determine and analyze expected traffic impacts and document the results in a traffic noise analysis for highway projects in accordance with the following methodology:

1. Identify existing activities, developed lands, and those areas for which development of this type is permitted with local authorities (i.e., an approved building permit) which may be affected by noise. Classify the activities according to the Noise Abatement Criteria (NAC) in Table 1 for each alternative under detailed study; and for each Activity Category that is present in the study area. **(See Table 1 on Next Page)**

TABLE 1
Federal Highway Administration Noise Abatement Criteria (NAC)
[Hourly A-Weighted Sound Level, decibels dB(A)]

Activity Category	Activity Criteria[1] Leq(h)[2]	Activity Description
A	57 (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B[3]	67 (Exterior)	Residential
C[3]	67 (Exterior)	Active sport areas, amphitheaters, auditoriums, campgrounds, cemeteries, day care centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, recreational areas, Section 4(f) sites, schools, television studios, trails, and trail crossings.
D	52 (Interior)	Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public or nonprofit institutional structures, radio studios, recording studios, schools, and television studios
E[3]	72 (Exterior)	Hotels, motels, offices, restaurants/bars, and other developed lands, properties or activities not included in A-D or F.
F	_ _	Agriculture, airports, bus yards, emergency services, industrial, logging, maintenance facilities, manufacturing, mining, rail yards, retail facilities, shipyards, utilities (water resources, water treatment, electrical), and warehousing
G	_ _	Undeveloped lands that are not permitted

[1] The Leq(h) Activity Criteria values are for impact determination only, and are not design standards for noise abatement measures.

[2] The equivalent steady-state sound level which in a stated period of time contains the same acoustic energy as the time-varying sound level during the same time period, with Leq(h) being the hourly value of Leq.

[3] Includes undeveloped lands permitted for this activity category.

Select receptor locations to represent each activity area or discrete location to be evaluated for noise. For all Activity Categories, primary consideration shall be given to exterior areas where frequent human use occurs in the determination of traffic noise impacts. The following are specific requirements for each Activity Category.

For Activity Category A - ODOT will submit in writing justification to the FHWA on a case-by-case basis for approval of an Activity Category A designation.

For Activity Category B - The receptor location will be placed between the right-of-way line and the building, near an area of frequent human use, like patios, pools, sitting areas, if applicable. These locations will be no nearer than 10 feet from the represented structure. For multifamily dwellings, all dwelling units will be analyzed for traffic noise impacts, including units above the ground level; however, only impacted units will be considered for noise abatement. For common areas shared by residents, the owner or association representing the users/residents will be solicited for information regarding the average number of daily, time of day of peak usage, average number of hours per visit. This will be used to identify the number of potential impacts for the area and to determine impacts and evaluate potential abatement for that specific location, if applicable.

Activity Category C - Includes the exterior impact criteria for a variety of land use facilities and may include public or private facilities. ODOT will coordinate with the owner or official of jurisdiction over the resource/facility to determine the location and number receptors involved at particular outdoor recreation or gathering area. Information requested will include average number of daily users, time of day of peak usage, average number of hours per visit and the overall context of the use of the resource and/or facility. This information will be used to identify the number of potential impacts the receptor represents and to determine impacts and evaluate potential abatement, if applicable.

For Activity Category D - ODOT will conduct an indoor analysis after a determination is made that exterior abatement measures will not be feasible and reasonable and shall only be done after exhausting all outdoor analysis options. In situations where no exterior activities are to be affected by traffic noise, or where the exterior activities are far from or physically shielded from the roadway in a manner that prevents an impact on exterior activities, ODOT will use Activity D as the basis of determining

noise impacts. Interior noise levels will be predicted in accordance with **D. 6. Traffic Noise Prediction**.

For Activity Category E - Receptor locations will be placed at outside use areas. Information from property owners or lessee(s) will identify how many receptors to assign to these areas, time of day and seasonal variation in use will be considered as part of the noise analysis and feasible and reasonableness evaluation if noise impacts are identified. Interest in noise mitigation measures will be established with the property owner(s) prior to initiating noise mitigation analysis.

For Activity Category F - There are no impact criteria for the land use facilities in this activity category and no analysis of noise impacts is required.

For Activity Category G - As part of the noise study, ODOT will determine if undeveloped land is permitted for development. The milestone and its associated date for acknowledging when undeveloped land is considered permitted shall be the date of issuance of a building permit by the local jurisdiction or by the appropriate governing entity. If undeveloped land is determined to be permitted, then ODOT will assign the land to the appropriate Activity Category and analyze it in the same manner as developed lands in that Activity Category. If undeveloped land is not permitted for development by the date of public knowledge, ODOT will determine noise levels in accordance with 772.17(a) and document the results in the project's environmental clearance documents and noise analysis documents. Federal participation in noise abatement measures will not be considered for lands that are not permitted by the date of public knowledge.

2 Determination of existing and future noise levels.

a. For projects on new alignment, determine existing noise levels by field measurements, in accordance with **C. Field Measurement Requirements**.

b. For projects on existing alignments, predict and/or field measure the existing noise levels and predict the design year traffic noise levels of the future condition in accordance with **D. Traffic Noise Prediction**.

c. Using the current approved FHWA noise model, the future noise levels must be predicted for all build alternatives under consideration in the NEPA document (all reasonable alternatives, but not alternatives rejected for detailed analysis because they are not reasonable.

3. Noise Impact Determination

Traffic noise impacts occur by meeting either of the following two conditions:

a. The predicted traffic noise levels for the Design Year approach (reach one decibel less than) meet or exceed the FHWA NAC contained in 23 CFR 772 and in Table 1, or;

b. The predicted traffic noise levels for the Design Year substantially exceed existing noise levels by 15 dB(A) or more.

B. Analysis of Noise Abatement Measures

When traffic noise impacts are identified, noise abatement must be evaluated to determine if it is feasible and reasonable. Noise barriers are the most commonly used form of noise abatement and are the only form of noise abatement required for consideration on Federal-aid projects in accordance with 772.13(c)(1). A noise barrier consists of a physical obstruction that is constructed between the highway noise source and the noise sensitive receiver(s) that lowers the noise level, including free standing noise walls, berms (earth or other material), and combination berm/wall systems. If noise barriers are determined to not be feasible or reasonable, other noise abatement measures include traffic management measures such as traffic control devices and modified speed limits, alteration of horizontal and vertical alignments, acquisition of buffer zones of unimproved property, and noise insulation of only Activity Category D facilities will be considered. The Department will not consider insulation of residences as noise mitigation.

In accordance with FHWA policy, planting of vegetation or landscaping is not an acceptable Federal-aid noise abatement measure because only dense stands of evergreen vegetation at least 100 feet deep will reduce noise levels. Use of quieter pavements is not an acceptable Federal-aid noise abatement measure for Federal projects unless part of an FHWA-approved Quiet Pavement Pilot Program.

All of the following will guide consideration in order for noise abatement to be justified, eligible for federal aid, and incorporated into project design, as applicable.

1. Noise abatement must be feasible. Feasibility refers to the combination of acoustical and engineering factors considered in the evaluation of a noise abatement measure. The engineering considerations include whether it is possible to build an abatement measure given site constraints (drainage, safety, utilities) and acoustical considerations include whether the abatement measure provides an acceptable reduction in noise levels. The following are engineering and acoustical considerations that determine the feasibility of a noise barrier.

    a. Noise abatement measures will achieve at least a five dB(A) highway traffic noise reduction to be considered feasible,

    b. Consideration of other noise sources in the area, if identified during existing noise surveys. For example, ambient noise levels from industrial sources that exceed future noise levels predicted from the project would make abatement measure ineffective, unless the barriers also provided incidental shielding for the receptors. If the reduction cannot be achieved, then abatement is not feasible.

    c. Determination that it is possible to design and construct the noise abatement measure. This determination will consider adverse impacts created by or upon the safety, property access, drainage, topography, utilities, and maintenance requirements.

    d. American Association of State Highway and Transportation Officials (AASHTO) adopted publications, including the Green Book, governs design requirements for highways and streets regarding engineering feasibility concerns like safety for location of noise barriers.

2. Mitigation measures must be reasonable. The following are reasonableness criteria that must be evaluated to determine reasonableness:

    a. The property owners' and residents' desire for mitigation. Benefitted receptors viewpoints shall receive priority consideration. Details on how the Department will receive the viewpoints of the benefitted property owners and residents are provided in **F. Public Involvement**.

b. Cost/Benefit ratio of $30,000.00 per benefitted receptor or less, based on historical unit costs of $25 per square foot of wall height required to achieve a feasible reduction. As increased barrier height requires disproportionate increase in foundation costs (up to two times the "standard" wall), a maximum wall height considered for noise abatement is 22 feet.

   (1) A benefitted receptor is any receptor that achieves at least a five (5) dB(A) reduction. This calculation is made on a per barrier basis, and includes the total number of benefitted receptors, not just modeled receivers.

   (2) This allowable cost benefit ratio will be reanalyzed at a regular interval not to exceed five (5) years from the effective date of this policy. This cost benefit ratio will be applied statewide.

c. Noise Reduction Design Goal: The optimum desired dB(A) noise reduction determined from calculating the difference between future build noise levels with abatement, to future build noise levels without abatement. The ODOT noise reduction design goal is 7 dB(A), and must be achieved for at least 75 percent of the benefitted receptors identified within the first row of receptors for the abatement measure to meet ODOT reasonableness criteria.

These three reasonableness criteria will be used to evaluate the reasonableness of noise abatement.

The additional factors that may be considered to increase the allowable cost and benefit factors listed above are as follows: if the overall magnitude of the future noise levels without mitigation exceeds 75 dBA; if the date of permitted construction of the residential area pre-dates the date of initial highway construction, and if local officials have implemented measures to control incompatible growth and development adjacent to highways, then an additional $10,000 per benefitted receptor will be allowed in the Reasonableness Criteria, for a total of $40,000 per benefitted receptor.

For common use areas and Category C, D and E areas, ODOT will use a reasonableness cost factor to compare the cost to provide a benefit to an area while considering its usage. The methodology of determining the "abatement cost factor" is directly from *A Method to Determine Reasonableness and Feasibility Of Noise Abatement at Special Use Locations,* FL-ER-65-97, authored by Roger L. Wayson, P.E., Ph.D. & John M. MacDonald, M.S., commonly referred to as "The Florida Method", and uses currently accepted residential abatement cost scenarios and extrapolates that information into a cost for special land use sites. Development of the "abatement cost factor" followed these steps, with information applicable in Oklahoma:

1. Use ODOT accepted barrier cost per residence ($30,000).
2. Assume residences are used 24 hours/day.
3. Determine the average height of a barrier (13 ft., from *2005-2007 Constructed Noise Barriers, Form FHWA-1580(8-08)*)
4. Determine average frontage of a residence that received "reasonable" abatement of 92 ft. ($30,000/benefitted receptor / Average barrier height).

The "abatement cost factor" derivation quantifies typical residential usage and considers a hypothetical barrier section that would occupy the frontage of a typical residence. Note that this is purely a hypothetical situation and does not imply that this barrier section would provide adequate abatement at the residence, rather it estimates the size of a barrier that would occupy the frontage property of a typical residence.

The Oklahoma Reasonable Abatement Cost Factor is $600,402 per person-hour per square foot of barrier. ($600,402/pp-hr/ft^2)

For these special cases, the owners/officials with jurisdiction will be solicited for information regarding average number of people using the facility or area and hours of use per visitor or person to determine impacts and benefitted receptors (at least a 5 dB reduction in noise levels – a subset of the number of visitors, based on the site and location of high use areas), and the desire for mitigation. If impacts are identified and abatement is desired, then the actual abatement cost factor will be calculated by dividing the square feet of proposed barrier by the benefitted average person-hours per day, multiplied by the allowable $30,000/benefitted receptor cost benefit ratio. If this product is less than the allowable Reasonable Abatement Cost Factor, then abatement is reasonable.

Example:

(1000'long*12'tall barrier / (300 people/day * 2 hours))*$30,000) = $600,000/pp-hr/ft^2

$600,000 ≤ $600,402/pp-hr/ft^2

Barrier is Reasonable

Additionally, FHWA policy states third party funding cannot be used to make up the difference in cost between the reasonable cost allowance and the actual cost. Third party funding can only be used to pay for additional features such as landscaping, aesthetic treatments, etc. for noise barriers that meet cost-effectiveness criteria.

C. Field Measurement Requirements

The primary purpose of field measurements is to measure existing ambient noise levels and ascertain other pertinent information in the vicinity of the project. Existing ambient noise measurements are obtained to quantify the existing acoustic environment and to provide a basis for assessing potential impacts due to predicted project traffic noise level increases, and to validate the noise modeling results.

1. Field measurements shall be made using sound meters of sufficient accuracy to yield valid data for the particular project. Sound meters shall have suitable specifications consistent with American National Standards Institute (ANSI) S1.4-1983, Type II or better. All devices must have been calibrated within the past twelve calendar months or in accordance with the manufacturer's recommendation.

2. Field measurements of existing highway traffic noise are made to represent an hourly equivalent sound level, Leq(h). For existing highways, a minimum measurements of 15-minute time periods to represent the Leq(h). Measurements along low-volume highways (less than 1200 vehicles per day) or along new alignments may require longer measurement periods (e.g., 30-60 minutes) to attain desirable statistical accuracy. In some cases (e.g. highly congested facilities where trucks avoid peak automobile travel periods), both a peak traffic period and a non-peak period noise measurement may be required to verify the worst hour noise levels. If information is not available to identify the noisiest hour of the day or if there is public controversy at a specific location, 24-hour measurements may be necessary.

3. Field documentation shall include traffic conditions, climatic conditions, land uses and other non-highway sources of noise at the time of measurement. In addition, make, model, serial number and certificate of calibration for all sound meters and associated calibration units used for field noise readings will be recorded with all results.

D. Traffic Noise Prediction

1. All traffic noise analyses shall use the most current version of the FHWA Traffic Noise Model (TNM®) or any other model determined by the FHWA to be consistent with the methodology of the TNM® model, pursuant to 23 CFR 772.9.

2. The Average Pavement Type setting shall be used in the FHWA TNM® for future noise level prediction. However, should there be a need for substantiating the use of a different pavement type the ODOT shall obtain approval by the FHWA. It is noted that specific pavement types in FHWA TNM® are allowed to predict the existing condition.

3. Noise contour lines (future condition) may be used for project alternative screening or for land use planning to comply with 23 CFR 772.17, but shall not be used for determining highway traffic noise impacts. The future 66 dB(A) noise contours lines can either be determined by using a Noise Contour function of the noise model or by modeling discrete receiver points and extrapolating between them. When using a Noise Contour function, adequate grid spacing is required to provide sufficient resolution and when using discrete receivers, the receivers need to be close enough together to enable relatively accurate extrapolation between receiver points. For projects that have a substantial amount of undeveloped land adjacent to the highway project, the traffic noise analysis should include predicted noise impact contours at approximate distances from the highway centerline or center of near lane. As a minimum, these distances should equate to the predicted 66 dBA and 71 dBA noise levels.

4. In predicting noise levels and assessing noise impacts, traffic characteristics that would yield the worst hourly traffic noise impact for the design year shall be used for all Activity Categories. For urban highway projects this generally requires analysis of Level of Service C or D. However, for Activity Category C, if the site is operated primarily during off peak traffic conditions, it is not reasonable to predict sound levels based on peak traffic conditions. There are three possible ways to adjust for off peak

traffic volumes and they depend on the amount of information known (using the principles of "The Florida Method" (FL-ER-65-97)).

Method #1: Direct Calculation if Off Peak Volumes are known. The peak hour levels can be adjusted by use of the following formula if the off peak volumes are known:

$$Leq\ (off\ peak\ hour) = Leq\ (peak\ hour) + 10\log N/N_o \quad (5)$$

where: N_o = peak hour traffic volume
and N = off peak traffic volume

Method #2: Adjustment Table if Off Peak Volumes not known. Table 2 contains a list of adjustment factors for peak traffic volume data using quick response techniques when the reduced traffic volume is not known.

TABLE 2
Traffic Volume Adjustment Factors for Weekdays[1]

Time	hr/peak hr	10*log(hr/peak r)dB(A)
5-9 am	0.55	-2.6
9 am-2 p.m.	0.64	-1.9
2 p.m.-8 p.m.	1.00	0
8 p.m.-12 p.m.	0.29	-5.4

[1]Supporting data for off peak traffic volume found in "An Analysis of Urban Area Travel by Time of Day", January 1972, FH-11-7519

It should be noted that this correction should not be used for Interstate highways because of the high truck volumes and relatively constant noise levels.

Method #3: Default dB(A) Offset for Off Peak Use. Realizing that only peak traffic data may be available, a default correction can be applied by subtracting 1 dB(A) from predicted levels if the site is operated off peak during the week or 2 dB(A) from predicted levels if the site is operated primarily on the weekend. If a site is operated off peak during the week and also on weekends, subtract 1 dB(A) from predicted noise levels. **It should be noted that this correction should not be used for Interstate highways because of the high truck volumes and relatively constant noise levels.**

5. The basic input parameters and general modeling considerations are as follows:

   a. Grouping of receivers is permitted as long as the representative receiver is the same distance and elevation from the roadway being evaluated for the group and come from a common noise environment. However, under all circumstances the two end receivers of a group must be evaluated as individual receivers.

   b. Modeling multiple lanes as single roadways is permitted for a maximum of three-lanes each direction for either a divided or undivided highway.

   c. The actual width of roadway pavements should be modeled, including travel lanes and shoulders.

6. Predicting Interior Noise Levels

   For Activity Category D, interior locations are only used where there are no outside activities (e.g., in places of worship, hospitals, libraries, theaters, etc.) or where the exterior areas have characteristics that prevent highway traffic noise impacts on exterior activities (e.g., located far from the highway or already shielded from highway traffic noise). In the absence of calculations or field measurements, compute interior noise level predictions by subtracting noise reduction factors from the predicted exterior levels for the building in question, using the information in Table 3.

TABLE 3
INTERIOR NOISE REDUCTION FACTORS

Building Type	Window Condition*	Noise Reduction
All	Open	10 dB
Light frame	Ordinary sash (closed)	20 dB
	Storm windows	25 dB
Masonry	Single glazed	25 dB
	Double glazed	35 dB

* Windows shall be considered open unless there is firm knowledge that the windows are in fact kept closed almost every day of the year.

7. Model Validation

All noise studies will require validation to verify the accuracy of noise models used to predict existing or future noise levels. Validation of the model requires a series of noise measurements along a project, taking a minimum of three noise measurements per site along with simultaneous traffic counts. In certain situations, consider two sets of measurements at each location at different times and different days to account for variations in traffic. Model the sites using traffic volumes and speeds collected during the measurement. If the measured and predicted highway traffic noise levels are within +/- 3 dB for all the measurements at all the sites, then the model is considered valid and can be used to predict existing highway traffic noise levels along the entire project. If the model is not within +/-3 dB for all the measurements at all the sites, then the model is not considered valid until additional measurements are made or until the analyst identifies the reason for the discrepancy and makes a correction within the model.

E. Public Involvement

Communication with the community regarding noise impacts and possible noise abatement shall occur at the start of the noise study process and continue throughout the development of the project. ODOT will communicate with citizens to present information on the nature of highway traffic noise and discuss the effects of noise abatement measures in attenuating traffic noise and the types of noise abatement measures that may be considered. All noise sensitive areas and any known noise abatement measures will be presented and discussed at public hearings and/or public meetings. The concerns of the community shall be a major consideration in reaching a decision on the abatement measures to be provided.

The viewpoints of the property owners and residents of the benefitted receptors of proposed noise abatement measures shall be actively solicited and considered. The primary method for notices will be by US mail. Flyers or personal contact may be used in the event that mailings are unsuccessful in engaging property owners and /or residents in the public involvement process. ODOT will hold meetings with the benefitted property owners and residents and present a brief program on highway traffic noise to explain and demonstrate the characteristics of highway traffic noise, the effects of noise barriers in attenuating traffic noise, and the types of barriers that may be considered. As available, specific details of noise barriers being studied will be presented in addition to a discussion

of alternatives to barrier construction. After completion of barrier design, ODOT will meet again with the property owners and benefitted residents to present final details and to solicit the residents' final views and opinions. The decision on whether the noise abatement measure is desired or not desired will be based on the preference provided by 51 percent or more of the benefitted property owners and residents that respond to the solicitation. One owner ballot and one resident ballot shall be solicited for each benefitted receptor. Points per ballot shall be distributed in the following weighted manner:

- 3 points/ballot for benefitted front row property owners
- 1 point/ballot for all other benefitted property owners
- 1 point/ballot vote for all residents

For Category C impacted properties, the property owner/official of jurisdiction only will be balloted regarding desire for abatement.

Consideration of the noise abatement measure will continue unless a simple majority of all distributed points are returned that indicates the balloted voters do not want the abatement measure. The final determination on the noise abatement will be shared with the property owners and residents by letter.

F. Information Required for NEPA

Prior to a Categorical Exclusion (CE) approval or request of a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) for a highway project requiring a noise study, ODOT will identify:

1. The environmental document will include the proposed highway traffic noise abatement and will identify locations where noise impacts are predicted to occur, where noise abatement is feasible and reasonable, and locations with impacts that have no feasible or reasonable noise abatement alternative.

2. For environmental clearance, the analysis will be completed to the extent that design information on the alterative(s) under study in the environmental document is available at the time the environmental clearance document is completed.

A Statement of Likelihood will be included in the environmental document since feasibility and reasonableness determinations may change due to changes in project design after approval of the environmental document. The statement of likelihood will include the preliminary location and physical description of noise abatement measures determined feasible and reasonable in the preliminary analysis. The statement of likelihood shall also indicate that final recommendations on the construction of abatement measure(s) is determined during the completion of the project's final design and the public involvement processes.

G. Information for Local Government Officials

For highway projects where there are undeveloped lands, ODOT will make the results of the noise analyses and any proposed mitigation measures available to local government officials within whose jurisdiction the highway project is located. This will include expected noise levels as found in the NEPA document or in separate documentation. This information is provided to assist local officials to protect future land development from becoming incompatible with anticipated highway noise levels. ODOT is not responsible for mitigation of noise impacts that occur in developments permitted after the Date of Public Knowledge.

H. Construction Noise

In general, construction noise related to highway projects is not a major issue. Sources of noise include heavy machinery like backhoes and scrapers, cranes, pile drivers, and trucks transporting materials. Typically construction noise is addressed in a project's noise analysis report and in the project environmental document. Most projects will not require modeling or any form of analysis associated with construction-related noise. In many cases, construction noise may be adequately addressed through a narrative discussion. Typically construction noise can be minimized by implementing time of day restrictions for construction operations adjacent to noise sensitive areas. For projects that require compliance with local ordinances, more detailed analysis techniques should be included in the noise analysis report.

I. Federal Participation

The costs of noise abatement measures may be included in federal aid participating project costs with the federal share being the same as that for the system on which the project is located when:

- Traffic noise impacts have been identified; and
- Abatement measures have been determined to be feasible and reasonable pursuant to 23 CFR 772 and this policy.

J. Abatement Measures Reporting

The ODOT will maintain an inventory of all constructed noise barriers. The inventory shall include the following parameters: type of abatement; cost (overall cost, unit cost per/sq. ft.); average height; length; area; location (State, county, city, route); year of construction; average insertion loss/noise reduction as reported by the model in the noise analysis; NAC category(s) protected; material(s) used (precast concrete, berm, block, cast in place concrete, brick, metal, wood, fiberglass, combination, plastic (transparent, opaque, other); features (absorptive, reflective, surface texture); foundation (ground mounted, on structure); and project funding source.

K. Duties and Responsibilities

1. Director-Preconstruction

   a. Environmental Programs Division will implement and oversee the requirements of this policy directive.

   b. The appropriate design division will incorporate noise mitigation measures recommended by Environmental Programs Division in project plans. The Environmental Programs Division Engineer must be notified in writing of any modification prior to completion of final construction plans. Such modification may require additional barrier analysis.

   c. Noise abatement measures not covered in the manual of “Standard Specifications for Highway Construction” will be discussed at the Plan-in-Hand meeting and detailed in the Plan-in-Hand report.

d. Pay items will be established for noise abatement measures not covered in the manual of "Standard Specifications for Highway Construction".

2. Director-Operations

a. Noise abatement measures not covered in the manual of "Standard Specifications for Highway Construction" will be discussed at the pre-work conference and documented in the report of the meeting.

b. Any field modifications to noise abatement measures must be approved by the Environmental Division. Such modification may require additional barrier analysis.

L. Review of Policy

This policy shall be reviewed by the ODOT at least every five years. Specifically the Cost per Benefitted Receptor and the Cost per square foot will be evaluated and compared to actual construction costs at this time.

Appendix B

ODOT's Standard Noise Report Sections

FUNDAMENTALS OF NOISE AND SOUND THEORY

Noise, defined as unwanted or excessive sound, is an undesirable by-product of our modern way of life. From these known effects of noise, criteria have been established to help protect public health and safety and prevent the disruption of certain human activities. These criteria are based on such known impacts of noise on people as speech interference, sleep interference, physiological responses, hearing loss, and annoyance. Highway traffic noise is a major contributor to overall transportation noise and is considered a line source of energy from which the energy levels dissipate vertically and laterally from the roadway. The rate at which the sound energy degrades depends on several factors, including distance, buildings, solid fences/walls, topography, ground surfaces, and atmospheric conditions. Traffic noise is not constant. It varies as each vehicle passes a point. The time-varying characteristics of environmental noise are analyzed statistically to determine the duration and intensity of noise exposure. In an urban environment, noise is made up of two distinct parts. One is ambient or background noise. Wind noise and distant traffic noise make up the project's acoustic environment. These sounds are not readily recognized but combine to produce a nonirritating ambient sound level. This background sound level varies throughout the day, lowest at night and highest during the day. The other component of urban noise is intermittent and louder than the background noise. Transportation noise and local industrial noise are examples of this type of noise. It is for these reasons that environmental noise is analyzed statistically.

Highway traffic sounds are generated primarily from a vehicle's tires, engine, and exhaust. It is commonly measured in decibels (dB) and is a logarithmic unit instead of the more common linear units such as temperature. The sound pressure level from two equal sources is 3 dB greater than the sound pressure level of just one source. For example, two trucks producing 90 dB each combine to create 93 dB, not 180 dB. In other words, doubling the noise source by only 3 dB increases the sound pressure level. Studies have shown that this increase is barely perceptible by the human ear. Research indicates that a 10 dB increase is perceived as twice as loud. One dB(A) is the slightest change in sound that an average person can detect. Usually, an observer cannot perceive an increase in noise of three to four dB if the increase occurs over several years.

This analysis will discuss the noise levels as L_{EQ} (h), defined as the steady-state sound level containing the same acoustic energy as the time-varying sound level during the same period. L_{EQ} (h) is the hourly value of L_{EQ} and is based on the more commonly known decibel (dB) and the "A-weighted" decibel unit or dB(A). Sound comprises different frequencies, each perceived differently by the human ear. Since human hearing is not sensitive to low and very high frequencies, the dB(A) scale approximates the human ear's response by compensating for high and low-end frequency insensitivity and rendering noise level readings more meaningful. The dB(A) unit measures perceptible sound energy and factors out the fringe frequencies. This analysis will express all traffic noise levels in dB(A) L_{EQ} (h).

CONSTRUCTION NOISE

Construction noise related to highway projects is not a major issue. Noise sources include heavy machinery like backhoes and scrapers, cranes, pile drivers, and trucks transporting materials. Construction noise can be minimized by implementing time-of-day restrictions for construction operations adjacent to noise-sensitive areas. ODOT is concerned with any unique noise-sensitive land uses or activities that may be affected by construction noise from the proposed project. Any special measures that are feasible and reasonable will be added to the project plans and specifications. No particular noise-sensitive land uses, or activities that may be affected by construction noise are close to the project.

STATEMENT TO LOCAL OFFICIALS

Traffic noise approaching and exceeding the sound levels specified in the ODOT Noise Policy resulting from the proposed facility has been identified. Considering noise-compatible land use planning, using the TNM model, the approximate distance from the centerline of the proposed roadway was used to determine the 66 dB(A) and 71 dB(A) future contour lines and summarized in Table X and shown in Figure 2. The distances vary due to variations in the topography of the receivers to the roadway. Development within these respective zones on either side of the proposed reconstructed roadway facility should be compatible with elevated traffic noise levels. Due to anticipated future noise levels, all residential and NAC Activity Category C land uses are discouraged within the 66 dB(A) impact zone.

TABLE X
Noise Contour Impact Zones*

Roadway Section	66 dB(A)	71dB(A)**
SH-XX	XXX'	XX'

*Distance from the centerline of the existing roadway.

**NOTE: Only include the 71 dB(A) contour in the above table and aerial maps if it is determined to fall outside the project right-of-way.

NRCS Letter (Available on Microsoft Word)

NRCS COORDINATION LETTER
IMPORTANT: SEND THIS ON CONSULTANT'S LETTERHEAD or COPY AND PASTE THIS LETTER TO AN EMAIL TO NRCS

[Date]

[Name of NRCS District Conservationist from the NRCs Website]
District Conservationist
Natural Resources Conservation Service
[Address]

RE: Site assessments for Farmland Protection Policy Act (FPPA) [*Project Description, Project Number, Job Piece Number]* and Identification of any NRCS Structures or Properties within the Study Area

Dear *[Name]*

The City of [XXXX] or XXXX County is in the early developmental stages *of [project description]*.

Please find attached two copies of USDA Form AD-1006 and plans for the following federal actions in XXX County, OK:

In accordance with the current 7 CFR Part 658 - Farmland Protection Policy Act, Parts 1 and III of Form AD-1006 have been completed. Please complete the NRCS portions of this form within the next 45 days and return one copy to:

[Consultant Project Manager]
[Company Name and Address of Consultant]

In addition, please let us know if the proposed project would impact any NRCS structures or properties such as flood control dams, wetlands, etc.

Your assistance is greatly appreciated. If you have any questions, please call me at *[Consultant Phone number]* or *[Consultant email]*.

Sincerely,

Consultant Project Manager
Consultant Company

Enclosures: Plans and Form AD-1066

Copy to: City of XXXXX or XXXX County

Programmatic/Individual or Documented CE Template

Environmental Programs Division Office 405 - 521-3050

Programmatic/Individual Categorical Exclusion

	PCE		ICE

Date		Project Number	
County		State Job Piece No:	
NEPA Project Manager		Phone Number	
ODOT Field District		Bridge NBI No. *(For County & State Projects)* & Location No. *(County Projects Only)*	
Project Description from JPINFO			

This project is included in: *(Check all applicable ones)*		**State 8 Year Construction Program**
		County 5 Year Construction Program
		State Transportation Improvement Program
This project has federal funds: *(Check applicable one.)*		**Currently has Federal Funds**
		Potential for Future Federal Funds
This project is in the Metropolitan Transportation Improvement Program (If applicable) *(Check applicable one)*		**Yes**
		Not Applicable

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.

Existing Conditions:

For bridge projects, use the following language:

The existing SH-XX or US-XX or I-XX bridge has a clear roadway width of xx ft. and an approach roadway consisting of [number of lanes (two, four)] xx ft. wide driving lanes and xx ft. wide [type of shoulder (inside, outside)] shoulders *(Provide widths from Bridge Inventory or Plans, rounded to a whole number)]*. The bridge has a sufficiency rating of xx and is [at risk of becoming structurally deficient, structurally deficient, functionally obsolete]. *[Provide additional description of existing roadway conditions and deficiencies, if work will there is proposed work on roadway extending past the approach roadway. Use language provided for roadway projects]*. The current Annual Average Daily Traffic (AADT) is [provide current traffic] vehicles per day (vpd) with a future 20-year AADT of [provide projected traffic] vpd.

For roadway projects, use the following language:

The existing [SH-XX or US-XX or I-XX] roadway has [number of lanes (two, four)] xx ft. wide driving lanes and *xx* ft. wide *[Provide type of shoulder]* shoulders. *[Provide additional description of any roadway geometric*

*deficiencies such as sight distance, sharp vertical curves, poor pavement conditions, capacity deficiencies, etc.]. [Provide additional description of existing bridge conditions and deficiencies, if there is proposed bridge work. Use language provided for bridge projects]***.** The current Annual Average Daily Traffic (AADT) is [provide current traffic] vehicles per day (vpd) with a future 20-year AADT of [provide projected traffic] vpd.

For intersection projects, use the following language:
The existing intersection at [SH-XX or US-XX] and [SH-XX or US-XX] has [number of lanes (two, three, four or five)] in each direction or describe each leg. *[Provide additional description of deficiencies with the intersection such as level of service/congestion/accidents, lack of pedestrian facilities, etc.].* The current Annual Average Daily Traffic (AADT) is [provide current traffic for each road or leg] vehicles per day (vpd) with a future 20-year AADT of [provide projected traffic] vpd on [SH-XX or US-XX] and XXX vpd with a future 20-year AADT of [provide projected traffic] vpd on [SH-XX or US-XX]

(For all projects: Include information about existing pedestrian access, any Section 4(f) resources or historic structures, Tribal or Federal properties and accident rate, if applicable. NOTE: Existing conditions need to support Purpose & Need.)

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 Examples: To correct a narrow or structurally deficient bridge, To correct a narrow roadway, To provide a safe roadway(need justification), To improve the operations of an intersection, etc.) It is WHY the project is needed. It is NEVER WHAT is being done.

Alternatives considered & Proposed Improvement

The proposed improvement consists of *[widening, replacing, repairing, etc.][describe the proposed roadway and/or bridge (clear roadway width for bridges or length of reinforced concrete box (RCB)) with an approach roadway description. Also, describe if the improvement will be on existing alignment or an offset alignment to the east/west/north/south of the existing alignment. (Provide reason why an offset alignment to one side is selected vs the other side), AND mention whether the road will be open to traffic during construction and whether new right-of-way is needed.)*
For intersection projects describe the proposed improvement such as added lanes, improved turning radius, sidewalks – don't go into too much detail.

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

	Property Owner Notification			Road Closure Letter			Public/Stakeholder Meeting
	Legal Notice/Website Posting			Small City Letter			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.

Criteria Identified in Section IV.A.1.b. of the 2019 FHWA/ODOT Programmatic Agreement for Processing Categorical Exclusions that would require Individual Review and Approval by FHWA:
Check Yes or No below. If the answer to any of the questions below is Yes, an Individual CE will be required.

	Description/Question	**Yes**	**No**
i.	Does the project result in capacity expansion of a roadway by addition of through lanes?		
ii.	Does the project involve any permanent changes limits of access control or to the operation of an Interstate highway, associated interchanges or ramps or requires an Access Justification Report (AJR)?		

Criteria Identified in Section IV.A.1.b. of the 2019 FHWA/ODOT Programmatic Agreement for Processing Categorical Exclusions that would require Individual Review and Approval by FHWA: **Check Yes or No below. If the answer to any of the questions below is Yes, an Individual CE will be required.**			
Description/Question		**Yes**	**No**
iii.	Is the project not included in or is inconsistent with the statewide transportation improvement program, and in applicable urbanized areas, the transportation improvement program?		
iv.	Does the project involve acquisition of more than minor right-of-way not adjacent to the existing facility?		
v.	Does the project involve residential or commercial relocation?		
vi.	Does the project include acquisition of land for hardship or protective purposes, or early acquisition pursuant to Federal acquisition project (23 U.S.C. § 108(d))		
vii.	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?		
viii.	Does the project involve property in which another Federal Agency or Federally Recognized Tribe has ownership, oversight or any other encumbrance?		
ix.	Does the project involve a determination of adverse effect by Oklahoma State Preservation Office (SHPO) or a designated Tribal Historic Preservation Office (THPO) in accordance with Section 106?		
x.	Does the project involve a Programmatic Section 4(f) or de minimis finding which has not been previously approved by FHWA?		
xi.	Requires the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act of 1965 (54 U.S.C. § 200305), the Federal Aid in Sport Fish Restoration Act (16 U.S.C. 777-777k, 64 Stat. 430), the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669-669i; 50 Stat. 917), or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property		
xii.	Does the project involve any impact on Noise Abatement Criteria (NAC) Category A, B, C or D receptors?		
xiii.	Does the project involve a finding of "may effect, likely to adversely affect" determination under Section 7 of the Endangered Species Act or the Bald and Gold Eagle Protection Act and can be processed as under programmatic agreement?		
	a. Does the project involve a Section 7 Formal Consultation Process prior to start of construction?		
xiv.	Does the project require an Individual Section 404 Permit (This is generally for major River Crossings, waters or wetlands impact greater than 3.0 AC, Projects with Formal Consultation, structures on new alignment or others as determined by USACE.)?		
xv.	Does the project involve construction across or adjacent to a river designated as a component in the National System of Wild and Scenic Rivers?		
xvi.	Does the project require a Coast Guard Permit?		
xvii.	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?		
xviii.	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?		
xix.	Does the project not conform to the State Implementation Plan which is approved or promulgated by the U.S. Environmental Protection Agency in air quality non-attainment areas		
xx.	Does the project involve any known Superfund site?		
xxi.	If the project involves road or bridge closure or ramp closure, do any of the following		

Criteria Identified in Section IV.A.1.b. of the 2019 FHWA/ODOT Programmatic Agreement for Processing Categorical Exclusions that would require Individual Review and Approval by FHWA: **Check Yes or No below. If the answer to any of the questions below is Yes, an Individual CE will be required.**		
Description/Question	**Yes**	**No**
conditions apply? (Check the boxes ONLY if the project involves road closure)		
a. No Access will be provided to local traffic or posted		
b. Through traffic dependent businesses will be affected		
c. 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.		
d. There is a public controversy associated with the detour or closure		
e. The detour closure will interfere with special events or activities		
xxii. Does the project have substantial public or agency controversy on environmental grounds?		

Explanation for Individual CE (If any of the answers above are YES):	
Item for which the answer is YES	
Explanation that CE Classification is appropriate	
Item for which the answer is YES	
Explanation that CE Classification is appropriate	

Pre-Construction Commitments:

(Add any conservation or pre-construction commitments in regular font here)

(Standard pre-construction commitments are listed below. Remove the commitment, if not applicable to the project.)

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.

(Only for Local Government Projects) 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.

(Only for Local Government Projects) 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.

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. *List the name of the Airport*

Right-of-Way and Utility Commitments
The following Construction Commitments requiring avoidance, restrictions or minimization of natural and human resources during Right-of-Way clearance and Utility relocation activities will be discussed with the Right-of-Way and Utility Owners at the start of Right-of-Way and Utility Process.
Construction Commitments
The following plan notes requiring avoidance, restrictions or minimization of natural and human resources in the project and off-site project areas will be added to the final project plans under "Environmental Mitigation Notes" per policy Directive C-201-2. **(Add plan notes in Bold here)**

The Environmental Programs Division shall provide **the final plan sheet with the mitigation notes** to the Designer for inclusion in Final Plans and keep a copy for the project records. The mitigation measures above should be discussed at all Pre-work conferences per Policy Directive C-201-2.

All documentation, analyses, and agency coordination regarding this Categorical Exclusion are contained in a Supporting Appendix maintained in the project file at the Oklahoma Department of Transportation, Environmental Programs Division.

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 2019 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.

Preparer/Reviewer Signatures

Environmental Consultant Project Manager (If Applicable)	Date
Environmental Consultant Firm Name (If Applicable)	Date
County Commissioner or City Manager (For Local Government Projects)	Date

ODOT NEPA Project Manager	Date
ODOT Environmental Programs Assistant Division Manager	Date
ODOT Environmental Programs Division Manager	Date
CONCLUSION:	
ODOT has reviewed the conditions identified in Section IV.A.1.b of Federal Highway Administration 2019 (FHWA)/ODOT Programmatic Agreement for Processing Categorical Exclusions (CE) and determined that an Individual CE must be submitted to FHWA for approval.	**YES** / **NO**

For Individual CEs requiring FHWA Approval:
Concurrence that this project qualifies for a Categorical Exclusion:

Environmental Programs Manager, FHWA	Date

Attachments:

1. Location Map
2. Current Plans and Study Footprint
3. Early Coordination
4. Tribal and Federal Properties
5. Studies and Coordination
6. Public Involvement
7. Other Section – Initiation and Inspection Reports/NEPA Submittal Checklist, QA/QC Checklist

Distribution List (Check Applicable Ones)

	Project Management Division (All State Projects)
	Roadway Design Division (All State projects with the exception of projects from Traffic Division and Special Projects)
	Bridge Division (All State Bridge Projects)
	Traffic Division (For projects from Traffic Division)
	Local Government Division (County, City, TAP or Special Projects)
	District Engineer (All Projects)
	Right-of-Way Division (All Projects)
	Noise Specialist (For projects with noise studies)

OKLAHOMA Transportation

Environmental Programs Division Office 405 - 521-3050

Documented Categorical Exclusion (DCE) for *PROJECT DESCRIPTION* *XXXX* County *PROJECT NO, JOB PIECE NUMBER*

Existing Conditions and Purpose and Need for the Action

Describe existing bridge width, approach roadway width, etc., traffic (current and projected), Existing Problems such as sufficiency rating.

The existing bridge has a clear roadway width of [Provide Clear Roadway Width from Bridge Inventory rounded to a whole number] ft and an approach roadway width of [Provide Approach Roadway Width from Bridge Inventory rounded to a whole number] ft. The existing roadway has [Provide Number of Lanes] – [Provide width of Driving Lanes rounded to a whole number] ft wide driving lanes and [Provide width of existing shoulders rounded to a whole number] ft wide [Provide type of shoulder] shoulders. The existing bridge is structurally deficient and/or functionally obsolete [Pick appropriate one based on Bridge Inventory]. [For Roadway projects, provide additional description of any roadway geometric deficiencies such as substandard vertical or horizontal curves]. The current Annual Average Daily Traffic (AADT) is [provide current traffic] vehicles per day (vpd) with a future 20 year traffic of [provide projected traffic] vpd. [Provide additional justification for capacity increase if applicable].

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.

The purpose and need for this project is [Provide purpose and need – PURPOSE & NEED INCLUDES INFRASTRUCTURE DEFICIENCIES, GEOMETRIC DEFICIENCIES, SAFETY, CAPACITY, CONNECTIVITY, ECONOMIC DEVELOPMENT, ETC. IT ANSWERS THE QUESTION ON WHY THE PROJECT IS NEEDED]. [EXAMPLES: The purpose of the project is to correct a structurally deficient bridge. The purpose of the project is to correct a functionally obsolete bridge which is too narrow. The purpose of the project is to improve an existing low water crossing over XXXX to maintain year-round access on County Road XX.] Identify project's fit with Long Range Plan such as County's, City's or State's Long Range/Construction Program. This project is in the Department's Current 8 Year Construction Program or the County's Five Year Construction Program or the City's Long Range Plan and the urban Transportation Improvement Plan. [Pick one].

Describe the extent of study area such as logical termini. If project could be logically considered part of a broader planned corridor improvement, justify the selected NEPA study area considering travel patterns and needs, local safety needs, current and projected land use prompting improvement and other appropriate factors to show compliance with FHWA logical termini guidance.

Prior Planning & Alternatives Considered

Describe and evaluate alternatives if there was an alternatives analysis done in planning or pursuant to NEPA, 4(f), or for other reasons.

Description of Proposed Action

The proposed improvement consists of [Provide width of the proposed structures] ft wide bridge (or reinforced concrete box (RCB)) with an approach roadway with [Provide number of proposed lanes] – [Provide width of proposed lane] ft wide driving lanes and [Provide width of proposed shoulders] ft wide paved (or sod) shoulders on existing alignment or an offset alignment to the east/west/north/south of the existing alignment.

(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.):

Public Involvement & Agency Solicitations

There was a Public Meeting held on [Date]. The comments received from the public included [Summarize Comments].

Mention any property owner notifications or small city letters or stakeholders meetings. Summarize any comments received.

Summarize any solicitations sent and comments received.

Does the project have any substantial or public controversy on environmental grounds?

Social, Economic and Environmental Impacts & Agency Coordination

Right of Way and Relocations

1. Does the project involve residential or commercial relocation?

2. Does the project involve acquisition of right-of-way not adjacent to the existing facility?

3. Does the project involve property in which another Federal Agency or Federally Recognized Tribe has ownership, oversight or any other encumbrance?

A. The project has no additional right-of-way.

B. The project involves acquisition of right-of-way. However, the acquisition does not involve any residential or commercial relocations nor involve property in which another Federal Agency or Federally Recognized Tribe has ownership, oversight or any other encumbrance.

C. The Department completed a Relocation Plan and the Plan identified XX potential residential (and XX commercial) relocation(s). Acquisition and relocation assistance will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, effective February 3, 2005. Housing of last resort may be required and will be provided if sufficient comparable replacement housing is not available within the financial means of displaces. *Describe any social and economic impact of the relocations and attach the Relocation Plan from R/W Division.*

D. The project involve property in which another Federal Agency or Federally Recognized Tribe has ownership, oversight or any other encumbrance. Specify Agency.

Environmental Justice *Does the project have minority or low income populations? Does it have potential for disproportionately high and adverse impact on this minority or low income populations, based on known demographics in the project vicinity, extent of R/W, relocations, and other identified impacts?*

Cultural Resources

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.
Include the language from CR summary provided by ODOT CRP but modified slightly to make it fit with DCE

Section 4(f) and Section 6(f) Involvement
Does the project involve a Programmatic Section 4(f) or de minimis finding which has not been previously approved by FHWA?
Does the project involve a Section 6(f) property?

A. The action does not involve the use of public recreational or historic properties protected by Section 4(f) of the U.S. Department of Transportation Act of 1966 (U.S. DOT Act) (49 U.S.C. 303) nor properties that have been developed using Land and Water Conservation Funds Act (LWCFA) of 1965(16 USC 4601-4 et seq) protected under Section 6(f) of the Act .
B. There is a recreational property – XXXX within the project limits. However it is privately owned and hence is not protected by Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303) which protects publicly owned recreational and historic properties.
C. There is a property protected by Section 4(f) of the Department of Transportation Actof 1966 (49 U.S.C. 303) *(NAME OF PROPERTY)* within the vicinity of the project. However, the project does not affect the property. *[If possible 4(f) properties are in immediate vicinity but are determined either not 4(f) or are not impacted, provide brief explanation why 4(f) doesn't apply]*
D. The action involves the use of properties protected by Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303). *Describe the Section 4(f) Resource. Attach Section 4(f) Coordination Documents and summarize whether Programmatic or de minimus is used and the conditions of the Section 4(f) mitigation. If use is diminimus, include discussion of how the deminimus determination was reached in the CE itself – no separate diminimus finding report is necessary. . Discuss any public involvement for Section 4(f) here. If Programmatic 4(f) is used, attach the separate Programmatic 4(f) Statement. Discuss whether Section6(f) applies.*
E. This project adversely affects an archaeological resource eligible for inclusion in the National Register of Historic Places (NRHP). In coordination with FHWA, the Department has determined that this resource is important chiefly for information that can be obtained by data recovery, and has minimal value for preservation in place. As provided in 23 CFR 774.13, use of this site is exempted from the requirement for Section 4(f) approval. The officials with jurisdiction have been informed and do not object to this determination. Information regarding this property and the measures proposed to mitigate the adverse impact are included with the cultural resources appendix.

Waters and Wetlands
A. The action involves work in XXXX Creek, exhibiting the characteristics of a jurisdictional waterway (and potentially jurisdictional wetlands). The proposed construction activities will be evaluated to ensure that the appropriate Clean Water Act Section 404 permit application is made.
B. The action involves work in Critical Resource Waters and requires a General Permit and a Preconstruction Notification to USACE regardless of the area of impact.
C. The action involves work in a USACE Lake. An Individual Permit may be required for any work below the normal elevation at the top of the conservation pool.

Threatened & Endangered Species, Bald Eagles, and Migratory Birds

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.

2. Does the project involve a Section 7 Formal Consultation Process?

A. A biological field review was performed for the referenced project. ODOT on behalf of FHWA has determined that the project, as proposed, will have no effect on the federally-listed LIST SPECIES and CRITICAL HABITAT . The project, as proposed, is unlikely to adversely affect the LIST SPECIES. The U.S. Fish and Wildlife Service (USFWS) has concurred with the Department's findings. The project, as proposed, is likely to adversely affect the American Burying Beetle (ABB). This project has been incorporated into a programmatic biological assessment for the ABB and the USFWS has concurred with ODOT's effects determination based on ODOT's and FHWA's implementation of the USFWS biological opinion under the final 4(d) rule. Prior to Right-of-Way submittal, plan notes for mitigation and/or avoidance of LIST SPECIES will be added to the project plans under "Environmental Mitigation Notes" per policy Directive C-201-2D(2).
B. The project, as proposed, is unlikely to adversely affect the Bald Eagle. The USFWS removed the Bald Eagle from the Federal List of Threatened and Endangered Wildlife and Plants on July 9, 2007.
C. The project, as proposed, is may affect the Bald Eagle. There will be a plan note for the bald eagle added to the plans and a bald eagle survey will be conducted during the winter prior to the start of construction.
D. The project as proposed could adversely affect nesting habitat formigratory birds, a species protected by the Migratory Bird Treaty Act (MBTA), if construction activities occur during the nesting season of this species. A Migratory Bird Plan note requiring avoidance of demolition or construction of any existing structures with migratory birds use during the nesting season will be added to the construction plans.

Scenic River Coordination (If applicable)

Does the project involve construction across or adjacent to a river designated as a component in the National or State System of Wild and Scenic Rivers?

Discuss coordination with Scenic River Commission

Floodplains

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?

A. The project involves 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. The project is not located in a regulatory floodway that will require a flood map revision as determined by the appropriate state or local authority.
C. The project is located in located in a regulatory floodway. However, the proposed project will not require a flood map revision as determined by the appropriate state or local authority.
D. No Flood Insurance Map was available for the Project Location. However, all work in the floodplain will conform to applicable State or local floodplain protection standards.

Farmlands

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?

A. The action does pass through areas containing prime, unique, or farmlands of statewide importance.
B. In accordance with the current 7 CFR Part 658 - Farmland Protection Policy Act, Parts 1 and III of Form AD-1006 was completed and sent to Natural Resources Conservation Services (NRCS). The NRCS did not return the form within 45 days. Hence FPPA does not apply.
C. In accordance with the current 7 CFR Part 658 - Farmland Protection Policy Act, Parts 1 and III of Form AD-1006 was completed and sent to Natural Resources Conservation Services (NRCS). The NRCS responded that there was no prime farmland.
D. In accordance with the current 7 CFR Part 658 - Farmland Protection Policy Act (FPPA), Parts 1 and III of Form AD-1006 was completed and sent to Natural Resources Conservation Services (NRCS). However, the site assessment score received a total score less than 160 points. Hence FPPA does not apply.
E. In accordance with the current 7 CFR Part 658 - Farmland Protection Policy Act (FPPA), Parts 1 and III of Form AD-1006 was completed and sent to Natural Resources Conservation Services (NRCS). The site assessment score received a total score exceeding 160 points. The "no-build" alternative retains the substandard bridge and does not fulfill the purpose and need for this project. Replacing the bridge on another alignment would affect more farmland than the proposed solution. In addition, the proposed wider bridge would accommodate the wider widths of agricultural equipment crossing the bridge and improve the general accessibility of agricultural landowners in the vicinity to farm support services and markets. In light of this it is our determination that no further consideration or protection of farmland is warranted.
F. The action occurs within existing right of way or in an urban area. Hence the project will not affect any farmlands.

Hazardous Materials

Does the project involve any known Superfund site? Include additional information from HM review as needed.

A. There are no known hazardous material sites or previous land uses with potential for hazardous materials remaining within the proposed action area.
B. There are no known hazardous material sites or previous land uses with potential for hazardous materials remaining within the proposed action area. However, prior to Right-of-Way submittal, plan notes for avoidance of potential LUST or hazardous material sites in the vicinity of the project will be added under "Environmental Mitigation Notes" per policy Directive C-201-2D(2).

Changes to Access or Access Control (If Applicable)

Does the project involve any permanent changes to the operation of an Interstate highway, associated interchanges or ramps?

Describe change in limits of no access and the reason for it. Identify any access control issues and its effect.

Temporary Construction Impacts

If the project involves road closure or ramp closure, do any of the following conditions apply?

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

A. The road will remain open to through traffic. The Contractor will provide access to local property owners at all times.
B. There will be temporary shoo fly constructed for the through and local traffic for use during construction. The Contractor will provide access to local property owners at all times.
C. The roadway will be closed to through traffic during construction. The Department has notified all local residential and commercial property owners, schools, post offices, nearby towns, State Troopers, and emergency services providers. The proposed detour is XX miles long and the anticipated duration of closure is XX days. *Summarize any public involvement for road closure [Attach road closure letter + list of recipients, public comments, and Field Division's response to Public comments]. Describe any social & economic impacts of the road closure.* The Contractor will provide access to local property owners at all times.
D. The roadway will be closed to through traffic during construction. The Department has notified all local residential and commercial property owners, schools, post offices, nearby towns, State Troopers, and emergency services providers. The proposed detour is XX miles long and the anticipated duration of closure is XX days. There were no concerns expressed over the closure. The closure is not expected to affect the through traffic dependent local businesses. The Contractor will provide access to local property owners at all times.
E. The roadway will be closed to through 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.

Noise

Does the project involve any impact on Noise Abatement Criteria (NAC) Category A, B, C or D receptors?

Summarize any noise impacts and whether or not noise barriers are warranted or feasible.

Other Permits & Coordination

Appropriate coordination with U.S. Coast Guard will be done during the development of Design plans and the appropriate permit shall be obtained.

Mention if FAA permit will be required due to proximity to Airport (within 4 miles)

The action may require notifying the Federal Aviation Administration (FAA) of proposed construction via FAA Form 7460-1 prior to construction, in accordance with 14 CFR 77.13 – 77.17 due to the location of [NAME OFAIRPORT] airport within 4 miles of the project location.

Mention if there were any NRCS structures or properties identified within the study area.

The Natural Resources Conservation Service (NRCS) has noted that the action may impact the floodplain of a Watershed Dam located downstream of the proposed project. Additional coordination with NRCS will be required during the design.

Summary of Commitments

Pre-Construction Commitments:

(Standard pre-construction commitments are listed below. Remove the commitment, if not applicable to the project.)

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.

(Only for Local Government Projects) 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.

(Only for Local Government Projects) 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.

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. List the name of the Airport

Right-of-Way and Utility Commitments

The following Construction Commitments requiring avoidance, restrictions or minimization of natural and human resources during Right-of-Way clearance and Utility relocation activities will be discussed with the Right-of-Way and Utility Owners at the start of Right-of-Way and Utility Process**.**

Construction Commitments

The following plan notes requiring avoidance, restrictions or minimization of natural and human resources in the project and off-site project areas will be added to the final project plans under "Environmental Mitigation Notes" per policy Directive C-201-2.

(Add plan notes in Bold here)

Conclusions (DO NOT CHANGE THIS SECTION)

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 on the environment as defined by 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 Statement. As provided by the 2019 Federal Highway Administration (FHWA)/ODOT Programmatic Agreement Processing of Categorical Exclusions, FHWA has previously determined that processing this action as a Documented Categorical Exclusion (DCE) is appropriate. Based on consideration of prior planning studies, appropriate agency solicitation, thorough environmental review, and public coordination, ODOT has determined that this action results in no significant impacts to the human and natural environment, involves no public controversy on environmental grounds, and no inconsistency with any federal, state or local laws, regulations, and administrative determinations relating to the environment. FHWA concurrence with this finding is requested.

All documentation, analyses, and agency coordination regarding this Categorical Exclusion are contained in a supporting appendix maintained in the project file at the Oklahoma Department of Transportation, Environmental Programs Division.

Preparer/Reviewer Signatures

Environmental Consultant Project Manager (If Applicable)	Date
Environmental Consultant Firm Name (If Applicable)	
County Commissioner or City Manager (For County Local Government or City Projects)	Date
ODOT NEPA Project Manager	Date
ODOT Environmental Programs Assistant Division Manager	Date
ODOT Environmental Programs Division Manager	Date

Concurrence that this project qualifies for a Documented Categorical Exclusion:

Environmental Programs Manager, FHWA	Date

Attachments:

Location Map
Current Plans and Study Footprint
Early Coordination
Tribal and Federal Properties

Public Involvement
Studies and Coordination
DCE Justification Document
AJR Mainbody if applicable

Distribution List (Check Applicable Ones)

	Project Management Division (All State Projects)
	Roadway Design Division (All State projects with the exception of projects from Traffic Division and Special Projects)
	Bridge Division (All State Bridge Projects)
	Traffic Division (For projects from Traffic Division)
	Local Government Division (County, City, TAP or Special Projects)
	Field District Engineer (All Projects)
	Right-of-Way Division (All Projects)
	Noise Specialist (For projects with noise studies)