



**FEMA**

**FINDING OF NO SIGNIFICANT IMPACT  
OKLAHOMA COUNTY TRIPLE X ROAD REALIGNMENT AND BANK  
STABILIZATION PROJECT  
OKLAHOMA COUNTY, OKLAHOMA  
HMGP-DR-4299-OK PROJECT #50**

BACKGROUND

In accordance with the Federal Emergency Management Agency's (FEMA) Instruction 108-1-1, an Environmental Assessment (EA) has been prepared pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ; 40 CFR Parts 1500-1508). The purpose of the proposed project is to reduce the future loss of homes, personal property, farmland, and transportation infrastructure along a stretch of the North Canadian River in Oklahoma County caused by flood events. This EA informed FEMA's decision on whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Oklahoma County has applied for Hazard Mitigation Grant Program (HMGP) funding through the Oklahoma Department of Emergency Management (OEM) under HMGP-DR-4299-OK Project #50. Through HMGP, FEMA provides grants to states and local governments to implement longterm hazard mitigation measures. The purpose of HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Public Law 93-288).

Two project alternatives were considered in this EA: 1) No Action; and 2) Realignment of a portion of Triple X Road and streambank stabilization along the North Canadian River to the east of Triple X Road (Proposed Action). Other alternatives were considered but dismissed from detailed analysis in the EA. Under the No Action Alternative, FEMA would not provide funding to reduce the future loss of homes, personal property, farmland, and transportation infrastructure along Triple X Road and the river. This alternative would not meet the project purpose and need or the purpose of the HMGP.

The Proposed Action is designed to stabilize and protect the right bank of the river and realign the channel. This alternative includes the creation of a series of four spur dikes and a channel cut to shift the river back to the east. Spur dikes are elongated structures of rip-rap with one end at the bank and the other end projecting at an angle into the current. The dike is an "obstruction" that greatly decreases flow velocities along the toes, thus protecting the bank without the need for embankment excavation or hard-armoring. The top elevation of each dike will be set above the 10-year frequency storm event and below the 50-year frequency storm event.

The proposed channel realignment would include the excavation of 17,140 cubic yards of sandy alluvial river material along 1,252 linear feet of the North Canadian River adjacent to Triple X Road. The channel shape would be trapezoidal with 3:1 side slopes and a bottom width of 120 feet to match the existing channel width. The excavated material would be used for reconstructing the new channel banks.

To mitigate impacts to aquatic resources, the applicant will plant a riparian corridor along the proposed bank stabilization project which would aid in connecting habitats along this reach of the river, as well as provide additional erosion protection in the uplands adjacent to the North Canadian River. The proposed mitigation area is 3 acres with a 50-foot buffer established on each side.

In addition to the proposed stream work, portions of Triple X Road would be realigned and reconstructed to the west of its current location. As designed, 3,185 feet of road would be affected beginning 300 feet south of the NE 36<sup>th</sup> Street intersection and extending north to approximately 35.51527; -97.23231 where it reconnects to the existing alignment of Triple X Road. Approximately 3,000 feet of new roadway will be constructed on offset alignment. The realigned two-lane road will be approximately 34 feet wide, with each lane being 12 feet wide with 5-foot shoulders on each side. The intersection with NE 36<sup>th</sup> Street will be improved, and 600 feet of roadway will be slightly re-aligned to the north. Approximately 5.5-acres of right-of-way will be required for roadway construction effort. The existing abandoned section of Triple X road will be demolished and the debris will become the property of the contractor and hauled away.

As part of their permitting under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers conducted a public comment period from 12/23/2019 to 1/21/2020 on the stream related portion of the proposed project. Oklahoma County addressed any concerns to USACE's satisfaction. In addition, a public notice was posted in the local newspaper and on FEMA's website for FEMA's EA that assessed the entire Proposed Action. The draft EA was made available for public comment on FEMA's website for a 15-day public comment period. No comments were received from the public during the comment period.

#### FINDING OF NO SIGNIFICANT IMPACT

The Proposed Action as described in the EA will have no or negligible impact to geology, soils, air quality, groundwater, floodplains, threatened and endangered species, migratory bird species, bald and golden eagles, cultural resources, low income and minority populations, hazardous materials, or noise. The Proposed Action will have minor adverse impacts to surface water. Long-term beneficial impacts to surface water, wetlands, traffic, public services, health and safety are expected as a result of the Proposed Action. No long-term adverse impacts are anticipated. All adverse impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas.

## CONDITIONS

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of federal funding.

1. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other laws and Executive Orders.
2. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.
3. A construction storm water permit authorization will be obtained. In compliance with the DEQ OKR10 construction permit, a storm water pollution prevention plan (SWP3), outlining storm water protocols and best management practices (BMPs), will be developed and maintained. Site-specific BMPs will be implemented, which include detaining storm water runoff, erosion and sediment control measures, spill response protocols, employee training, and good housekeeping practices.
4. Oklahoma County must comply with the requirements of the Water Quality Certification under Clean Water Act Section 401 and permit SWT-2015-000315 under Clean Water Act Section 404.
5. Air related impacts will be avoided and mitigated by ensuring adequate water is applied for dust suppression, or other related BMPs are enforced, including minimizing fuel-burning equipment running times and maintaining engines properly.
6. Oklahoma County will avoid field-identified lentic wetlands. All project activity must be located outside of these wetlands and these features must be preserved and protected during construction with buffered-offset areas, and by erosion and sediment control practices.
7. Oklahoma County must comply with any conditions of the required floodplain permit.
8. Ground crews must stop work if the whooping crane is spotted in visual range of the site. Any sighting will be reported to the USFWS and work will cease until the whooping crane moves away from the site.
9. If swallows are noted in the project area and will be impacted during construction, the design engineer will require construction seasonal restrictions or document avoidance of impact immediately prior to construction.

10. In order to avoid impacts to bald eagles, a survey for eagles and their nests will be conducted within 660 feet of the work zone, during the winter prior to the start of construction. If a nest is found, appropriate conservation measures based on the National Bald Eagle Management Guidelines must be implemented.
11. If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
12. Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
13. Noise impacts will be minimized by limiting construction activities to daylight hours and muffling equipment as needed.
14. The Applicant must meet the following conditions outlined during FEMA's consultation with the Osage Nation on 6/22/20 to address Osage Nation concerns regarding impacts to possible subsurface features related the potential for archeological sites in the project area:
  - The Applicant shall ensure that all excavation, access road construction and staging areas are monitored by a Secretary of the Interior Qualified archeologist.
  - The Applicant shall ensure archeological monitoring and reporting be performed by an Archeologist that meets the Secretary of the Interior's Professional Qualification Standards for Archaeology.
  - The Applicant shall require that the archeological monitor follow the construction monitoring and reporting standards, set forth in Secretary of the Interior's Standards for Archeological Documentation.
  - Through the Applicant, the archeological monitor shall provide weekly monitoring reports to the FEMA Region 6 EHP Tribal Liaison.
  - Within one month of completion of construction monitoring the archeological monitor, through the Applicant, shall provide the FEMA Region 6 Tribal Liaison a final construction monitoring report based on the requirements found in Secretary of the Interior's Standards for Archeological Documentation.In the event of an inadvertent discovery during monitoring the applicant will contact the FEMA Region 6 EHP Tribal Liaison within 24 hours and work will stop in the area of the discovery.

CONCLUSION

Based on the findings of the EA, coordination with the appropriate agencies, comments from the public, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, an EIS will not be prepared (FEMA Instruction 108-1-1) and the proposed project as described in the attached EA may proceed.

APPROVAL AND ENDORSEMENT

KEVIN R  
JAYNES

Digitally signed by KEVIN  
R JAYNES  
Date: 2020.07.21  
14:29:10 -05'00'

Kevin Jaynes  
Regional Environmental Officer  
FEMA Region 6

Date \_\_\_\_\_



Brianne Schmidtke  
Hazard Mitigation Assistance Branch Chief  
FEMA Region 6

Date 7/23/20