

**INOLA PUBLIC WORKS AUTHORITY
ROGERS COUNTY, OKLAHOMA**

**WASTEWATER INTERCEPTER LINE AND LIFT STATION
PROJECT**

**FACILITY No. S-21507
CWSRF PROJECT NO. ORF-20-0014-CW**

**ENVIRONMENTAL INFORMATION
DOCUMENT**

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INTRODUCTION

The Environmental Information Document / Environmental Report (EID/EvR) is prepared in accordance with the Oklahoma Funding Agency Coordinating Team (FACT) guidelines to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) for proposed wastewater projects in Oklahoma.¹

I. PROJECT SCOPE

Inola Public Works Authority, Rogers County, Oklahoma (Inola) is seeking funding to complete a wastewater system project to address unpermitted sanitary sewer discharges within their existing system which has been under Oklahoma Department of Environmental Quality (ODEQ) Consent Order 16-193 to bring their system into compliance with regulatory standards. The design period is twenty (20) years, however the interceptor line would have an anticipated 60 year life. The proposed project includes:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East, Rogers County and includes 335 LF of railroad bore of 36" casing;
- Construct a new 2.75 MGD Triplex lift station at the existing wastewater treatment plant site in Section 9, Township 19 North, Range 17 East, Rogers County (replacing an existing lift station at the plant and Lift Station No. 1 in the collection system);
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes along route of interceptor line.

Federal funding through the Clean Water State Revolving Fund (CWSRF) administered through the Oklahoma Water Resources Board is anticipated to fund the project, along with a Cherokee Nation grant. This project has been identified as CWSRF ORF-20-0014-CW.

Table 1 summarizes the project budget as shown in the engineering report. (See page 38 of that report for an itemized breakdown.)

¹ The EID/EvR is written to consider the environmental impacts of the proposed wastewater system improvements. This EID/EvR covers the project as proposed. If any facility design or proposed construction activities deviate from those contained in the approved EID/EvR, the Authority may be required to undertake additional environmental review activities by the funding agency.

Table 1 - Project Budget

Construction	
1. Southwest Blvd Sanitary Sewer Interceptor	\$1,189,744.35
2. WWTP Lift Station	\$1,232,500.00
Total Construction Cost	\$2,422,244.35
Engineering (Paid with prior CWSRF PF funding)	0
Inspection	121,112.22
Legal	150,000.00
Contingencies (10%)	242,224.43
Right-of-way	75,000.00
ODEQ Permit	5,000.00
R/R Permit	3,500.00
Total Project Cost	\$3,019,081.00

II. PROJECT PLANNING AREA

Inola Public Works Authority is a public trust organized under Title 60 of the Oklahoma Statutes with the Town of Inola, Oklahoma as its beneficiary. Improvements will occur within their existing wastewater system within the Town limits. Figure 1 below shows the Town boundaries and the location of the primary project components.

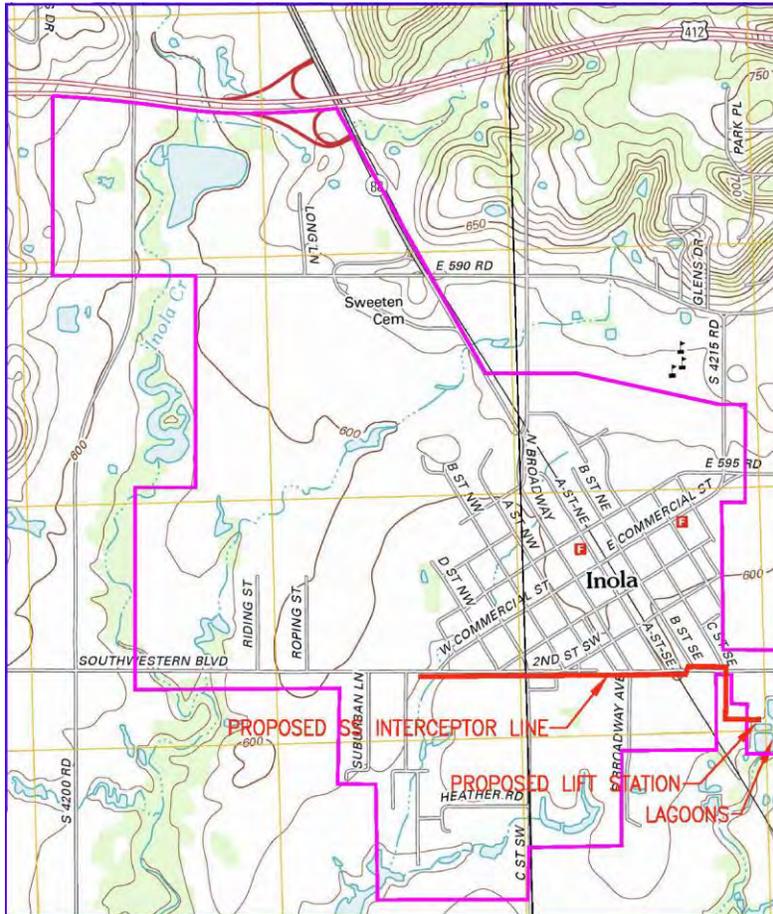


Figure 1 – Town of Inola Boundaries

A. Location, maps, photographs, and sketches

The new lift station will be constructed within the existing wastewater treatment plant’s fenced boundaries in the SW/4 NW/4 NE/4 of Section 9, Township 19 North, Range 17 East, Rogers County (Latitude/Longitude +36.146462, -95.501196). This new triplex lift station will replace an existing lift station at the plant as well as alleviate the need for Lift Station No. 1 located at the intersection of S. Broadway Avenue and Southeast Boulevard (Latitude/Longitude +36.147988, -95.506507). The new Interceptor line will be constructed on the south side of Southeast Boulevard starting Latitude/Longitude +36.147805, -95.502758, which turns into Southwest Boulevard at the railroad tracks, replacing the old deteriorated line and manholes on the north side of this same road ending approximately Latitude/Longitude +36.14799, -95.516254 . This line will cross through the northern part of Sections 8 and 9, Township 19 North, Range 17 East, Rogers County. The interceptor line will go south off the Southeast Blvd point, then turn back east into the new Lift Station. Figure 1 shows the location of the interceptor line and new lift station. New easements are being obtained for this new line location. The line will be bored under the Union Pacific Railroad which runs Southeast to Northwest through the Town. Exhibit B contains the following maps:

- Exhibit B 1- Topographic Project Map
- Exhibit B 2 - Aerial Maps
- Exhibit B 3 - NRCS Soil Survey Map
- Exhibit B 4 - FEMA Floodplain Insurance Rate Maps
- Exhibit B 5- National Wetland Map

Exhibit C contains photographs of various locations throughout the project.

B. Growth areas and population trends

The Town of Inola population was somewhat stagnant between 1980 and 2000 as compared to the growth occurring in others areas of Rogers County, but experienced a 12% increase between 2000 and 2010 as shown in Table 2. During this same 10 year period, Rogers County experienced a 23% growth rate in the county more likely occurring closer to the Tulsa Metropolitan Area.

Table 2 – Population Data

Past – Source Decennial Census. The following table reflects past population statistics for Town of Inola and Rogers County:

U.S. Census	1980	1990	2000	2010
Town of Inola	1,550	1,444	1,589	1,788
Rogers County	46,436	55,170	70,641	86,905

Projections – Source Oklahoma Department of Commerce (ODOC). The following table reflects population projections for Town of Inola and Rogers County.

ODOC	2020	2030	2040	2050	2060
Town of Inola	2081	2423	2820	3282	3820
Rogers County	98,672	112,208	125,745	139,281	152,818

The Census.gov website reflects the 2018 Population Estimates for the Town of Inola, OK as 1,817. This would equate to a projected 1.62% growth rate from the 2010 census data, which would be slightly higher than the 1.53% projected by ODOC.

Page 8 of the Engineering Report included in Appendix 1 prepared by Kellogg Engineering also addresses the population trends and growth areas. Growth areas would be expected to occur to the north and west of Town and can be easily served by the wastewater facility with the proposed improvements as designed. Figure 2 below reflects the anticipated growth areas, if growth was to occur. No new services are being added with this project however.

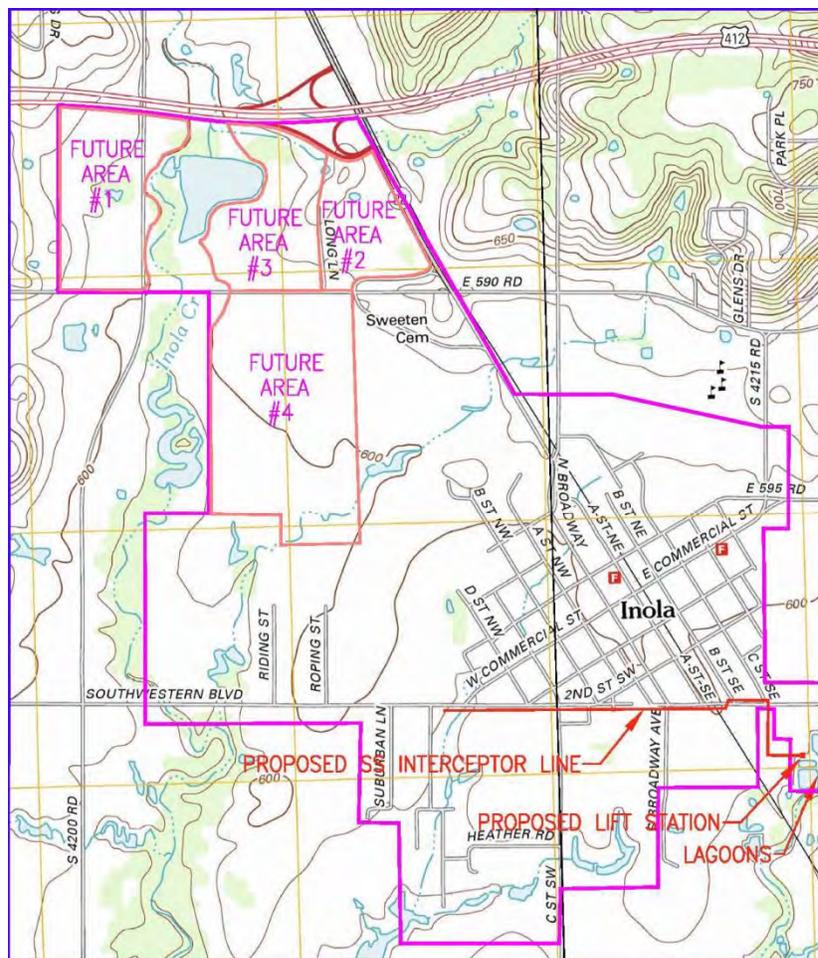


Figure 2 - Service Areas Future Growth

C. Current and projected wastewater flow projections.

The following Table 3, extracted from the Engineering Report, shows the usage using projected growth based on ODOC and US Census estimates, based on projected wastewater flows. Recent flow monitoring was performed in three separate locations from April 12, 2017 to May 11, 2017.

Table 3 - Flow Calculations

Existing Residential Lot Count	Estimated Future Growth Lot Count	Daily Flow Per Residential Lot (GPD)	Peaking Factor
611	200	300	5
Existing Average Daily Flow (GPM)	Existing Peak Daily Flow (GPM)	Future Average Daily Flow (GPM)	Future Peak Daily Flow (GPM)
128*	636*	165*	825*

*Used design criteria of 3 people per residence 100 gpm per capita

The Future growth areas as reflected in Figure 2 would accommodate more growth and flow, if developed, than the ODOC and US Census projections. The following Table 4 reflects predicted growth and flow.

Table 4 - Predicted growth and flow

Growth Area	Acres	Estimated Flow	Total Flow (gpd)
Commercial Area #1	41	1,000 gpd/acre	41,000
Commercial Area #2	28	1,000 gpd/acre	28,000
Multi-Family Area #3	60	600 units, 200 gpd/unit	120,000
Residential Area #4	124	3 dwellings/acre, 300 gpd/dwell	111,600
Total estimated future flow:			300,600

Total estimated future flow of 300,600 gpd equates to 1,002 residential homes. The location of this main line, the anticipated 60 year life expectancy of this proposed interceptor, and the Town’s close proximity to the Tulsa Metropolitan Area justifies accounting for higher additional future tap count of 1,002 residential homes.

Most recent flow monitoring was performed in three separate locations from April 12, 2017 to May 11, 2017. During the monitoring period, Inola experienced ten (10) small rainfall events and two (2) significant rainfall events. Table 5 reflects flow rates and notes for this period.

Table 5 – Flow Monitoring

Meter	Ave. Daily Flow (gpm)	Peak Daily Flow (gpm)	I&I Peak Flow (gpm)	Notes
1	15	79	152	4/21/17: Meter submerged, V=0, No readings, SSO occurring
2	47	285	556	4/21/17: Meter submerged, V=0, No readings, SSO occurring
3	98	428	695	4/21/17: Meter submerged, V=0, No readings, SSO occurring

Conclusions and determinations from data:

- Collection system has I&I rate closer to an 8.6 and 10.8 peaking factor.
- Meters stopped registering once they were submerged, therefore the actual I&I flow during those periods are higher than above.
- The flows listed above do not account for the flow that was overflowing from the bypass manhole in question.
- Full depth flow capacity of downstream sewer line from bypass location to Lift Station No. 1 is approximately 400 gpm, which results overflows.

After the flow monitoring data was completed and evaluated, an I/I Study was performed which identified numerous defects in the sanitary sewer line and numerous manholes.

D. Environmental concerns in the service area.

No significant or major environmental impacts are anticipated within the service area as a result of this project. Temporary disturbances may occur with the construction of the interceptor line and manholes through new easements on the south side of Southeast/Southwest Boulevard. This interceptor line will be bored under the Union Pacific Railroad. The project components are outside floodplain areas, but will cross a statutory stormwater drainage ditch/creek at the west end of the line. The Engineer will be required to obtain a Section 404 Permit. The interceptor line and manholes will be installed in soils classified as prime farmland soils by NRCS (PaA – Parsons silt loam, 0 to 1% slope); however most of the area is built-up land as residential and commercial use, with one area that is pastureland. Once line is constructed the land can revert to its previous condition as pastureland. A few trees may need removal along the line which could be suitable habitat for the Northern Long-Eared Bat species, but would be removed during their hibernation period in the fall and winter

E. Community Engagement

Prior to Inola's adoption of the EID/EvR, the Town will provide public notice in accordance with the Open Meeting Act, as well as by publication in the local newspaper (Inola Independent) predominant in the service area and through other media if available, 30 days before the public hearing on the availability of this EID/EvR for review and comment. The Public Hearing is scheduled to be held May 14, 2020 at 5:30 p.m. in the Calvary Annex at 20 S. Broadway, Inola, OK Public participation activities and information as a result of the public hearing shall be included as Exhibit E upon conclusion of the public hearing.

Inola also holds bi-weekly meetings at the Town Hall in Inola, OK that is open to the public and/or at alternate locations during the COVID 19/Coronavirus Pandemic. The Agenda is posted for each meeting. Discussion pertaining to this wastewater project is ongoing and a regular topic wherein the public, if interested, could gain knowledge about the proposed wastewater project and its need, funding strategies that have been considered, potential rate adjustments, operational costs and other issues pertaining to the project.

III. EXISTING FACILITIES AND NEED FOR PROJECT

A. Location and layout

The existing system consists of 10", 8" and 6" collection lines, four (4) influent Lift Stations and an aerated lagoon wastewater treatment facility in the W/2 NW/4 NE/4 Section 9, Township 19 North, Range 17 East of the Indian Meridian, Rogers County, OK. The facility discharges treated effluent to the Verdigris River pursuant to OPDES Permit No. OK0033618 which became effective 9/1/2013. Figure 3 provides the location of the lift stations, noting capacities and pumps and the force mains within the existing system.

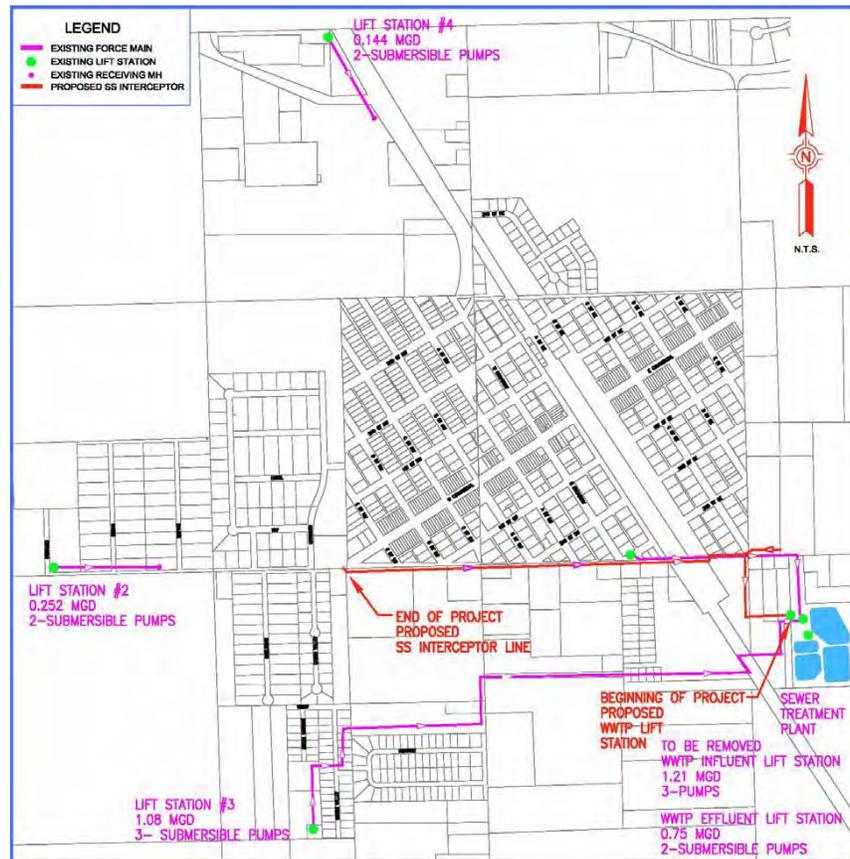


Figure 3 – Existing Lift Station, Force Main and Proposed Project

The existing sewer line and manholes to be replaced are on the north side of Southwest/Southeast Boulevard (a/k/a E. 600 Rd.) which is the south section line of Sections 4 and 5, Township 19 North, Range 17 East of the I.B. & M., Rogers County. The new interceptor line and manholes will be installed on the south side of this same road which will be in the north section line of Sections 8 and 9, Township 19 North, Range 17 East of the I.B. & M., Rogers County. The new Lift Station is being constructed at the existing wastewater plant site and will replace the existing lift station at the WWTP. Lift Station No. 1 at the corner of S. Broadway Ave and Southeast Blvd will be abandoned with this project. Figure 4 reflects the existing system components and provides the location of the existing facilities to be replaced.



Figure 4 – Existing Facilities to be Replaced

B. Condition of existing facilities

Flow monitoring data in 2017 and an I/I study performed identified numerous defects in the sanitary sewer pipe and numerous manholes that need to be repaired or replaced. Lift Station No. 1 (constructed in 1962 and upgraded in 2000) is at an insufficient depth to properly serve the western portion of Town along the Southwest/Southeast Blvd corridor, has insufficient capacity to handle existing flows and predicted future flows, if growth occurs and is in desperate need of repair. These deficiencies have caused unpermitted discharges resulting in raw sewage flowing out on the surrounding areas. The existing WWTP effluent Lift Station is outdated, shallow, undersized and deteriorating rapidly. The Town has been addressing some of the other areas of deficient sanitary sewer pipe and manholes through repair/rehabilitation as funds allow. The other three (3) existing Lift Stations are currently operating sufficiently.

C. Health and safety

The Town is under Consent Order 16-193 from ODEQ for unpermitted discharges specifically at a manhole located near the intersection of East 600 Road and West Commercial Street, unpermitted by-pass of the manhole and failure to maintain lift station appurtenances. See Appendix 2 for copy of Consent Order. There are several tasks with timelines to be completed under the order to bring the system into compliance.

The sanitary sewer system has been evaluated over the years due to collection system issues. The sewer treatment facility is not currently providing any health threats to the community. The Board hired Brian Kellogg, Kellogg Engineering to evaluate alternatives to address these problem areas within their system and develop a plan to bring the system into compliance, that if not corrected, may result in harm to the environment or health and wellbeing of the affected public. Improperly or partially treated sewage can contain pathogens, or disease causing organisms, such as bacteria (E. coli poisoning, salmonellosis, shigellosis, typhoid, and bacterial dysentery), viruses (polio and hepatitis) and protozoa (amoebic dysentery, cryptosporidiosis, and giardiasis).

The Town Hall is handicap accessible as this location is where they hold their Board meetings which are open and accessible to the public. Alternate meeting locations are also handicap accessible.

D. System O&M

With the I&I issues the Town experiences during all rain fall periods within their collection system, more water is introduced into the treatment system and the chemical and manpower costs go up to treat the additional influent. The I&I also caused the unpermitted discharge to occur wherein the Town installed a bypass device in an attempt to alleviate the problem of sewage backing up into residences surrounding the area of discharge. The Town has also been repairing/rehabbing deficient sanitary sewer collection lines and manholes as funds allow in accordance with the Consent Order Compliance Schedule. The proposed project will reduce costs of operation of two (2) Lift Stations, providing an annual savings to the Town to offset the debt service they will have as a result of funding the project.

E. Growth capacity

Moderate growth at 1.5% to 1.6% annually could occur based on historical and projected ODOC and Census data. The project is improving portions of the existing collection system serving existing customers. No increase in treatment capacity at the treatment facility is occurring. No new customers are expected to be added with this project. For the purposes of the Interceptor Line, being a main line of the collection system, it is designed to handle additional growth that could occur in the identified growth areas shown in Figure 2 as it has a 60 year expected life.

F. Sanitary sewer system availability

The existing system consists of collection lines, manholes, lift stations and an aerated lagoon wastewater treatment facility which discharges to the Verdigris River under a discharge permit. The proposed project will alleviate a main source of infiltration to the sewer system reducing the demand placed on the plant to treat the influent. The effluent lift station at the plant will be replaced with a new Triplex Lift Station. The existing system as improved should be sufficient to meet growth over the next 20 years.

IV. ALTERNATIVES CONSIDERED

A. Summary of alternatives considered

- **Alternate 1** - Construct New Lift Station at the end of the proposed Southwest Blvd. interceptor line where the bypass valve is located along with 5,000 LF of 12" Force Main to the WWTP and 800 LF of 10" Gravity Sanitary Sewer. This would redirect partial flow from town relieving Lift Station No. 1 of this flow. Total Estimated Cost \$2,993,100, with an annual O&M cost of \$77,718.80 and a project present worth of \$3,075,213.58.
- **Alternate 2** -Rehabilitate Lift Station No. 1 which currently serves 75% of the Town, would be resized to meet daily demand and future demand and a new 12" Force

Main to the WWTP. Total Estimated Costs \$2,584,305, with an annual O&M cost of \$82,113.58 and a project present worth of \$2,666,418.58.

- **Alternate 3** – Southwest Blvd Sanitary Sewer Interceptor Line and WWTP Lift Station. The project would start at the lowest point of the system and would start replacing the deepest part of the sanitary replacing 1,120 LF of 18” and 3,500 LF of 15” and construct a new Lift Station at WWTP. Total Estimated Costs \$3,019,081, with an annual O&M cost of \$36,674.07 and a project present worth \$3,055,755.07.
- **No Action Alternative** –This is not a viable option as the Town is under a Consent Order and must bring their system into compliance with regulatory standards. If they don’t, they will be subject to continued fines with the system potentially causing health issues to its community and potential contamination to US waters.

B. Alternative development process discussed

The Engineering Report considered and compared three alternatives based upon technical, economic and environmental criteria. Exhibit D contains the FACT Environmental Effects Matrix covering the Alternatives.

Alternate 1 - Advantages include less ROW issues and no excessively deep Gravity Sanitary Sewer Lines. Disadvantages include one additional Lift Station that will increase cost to maintain and operate while still needing to rehab Lift Station No.1 and the WWTP Lift Station as well as continually maintain; costs to acquire a site, construct an additional Force Main, close proximity to residences and odor control; still have defective sanitary sewer line west of Lift Station No. 1 and does not address rehab needed to collection lines and manholes..

Alternate 2 - Advantages include less ROW issues, lower capital cost and no excessively deep Gravity Sanitary Sewer Lines. Disadvantages include not being able to eliminate a Lift Station reducing O&M costs; limited area for rehabilitation construction at the site; will still need to rehab the WWTP Lift Station as well as continually maintain; close proximity to residences and odor control; still have defective sanitary sewer line west of Lift Station No. 1 and does not address rehab needed to collection lines and manholes.

Alternate 3 – (Selected Alternate) Advantages include constructing one new Lift Station at the WWTP replacing both Lift Station No. 1 near residences and the existing Lift Station at the WWTP; reduces O&M costs of operating two (2) Lift Stations, replaces 5,300 LF of Gravity Sanitary Sewer Line and manholes where by-pass was occurring; and a new Lift Station with a longer life versus rehab of older Lift Stations. Disadvantages include a slightly higher capital cost and new ROW acquisition needed for Gravity Sanitary Sewer Line.

No Action Alternative was not considered as the Consent Order dictates action to resolve deficiencies within the system. The following Table 6 summarizes the capital costs, O&M and Present Worth values of each Alternative as shown in the Engineering Report.

Table 6 – Alternatives’ Cost Summary

Alternate No.	Capital Costs	O&M	Present Worth
1	\$2,993,100.00	\$77,710.80	\$3,075,213.58
2	\$2,584,305.00	\$82,113.58	\$2,666,418.58
3	\$3,019,081.00	\$36,674.07	\$3,055,755.07

C. System Mapping

Exhibit B contains maps of proposed facilities. Figures 4 reflects existing facilities.

V. ENVIRONMENTAL IMPACTS OF SELECTED ALTERNATIVE

A. Formally classified land

The National Park Service (NPS) website did not identify any parks or National Historic Landmarks in this project area or Rogers County. There are numerous National Historic Places listed in Rogers County but none are close to Town of Inola or the project area. The closest sites being in Claremore and Catoosa areas and areas further north. Based on their locations, there will be no impact to these historical sites.

Email comments dated March 18, 2020 from the National Park Service states “has reviewed this project and has found no comment at this time”.

The Oklahoma Historical Society comments dated February 25, 2020 stated ‘there are no historic properties affected by the referenced project.’ Comments dated March 16, 2020 from the Bureau of Indian Affairs indicate no comment but forwarded request to five (5) Tribes for review.

The only identified National Natural Landmarks are in Alfalfa, Canadian and McCurtain counties, Oklahoma. The NPS National Rivers Inventory lists no rivers in Rogers County. I have consulted with the Oklahoma Scenic Rivers Commission website and the only river listed in Oklahoma as a state designated scenic river is the Illinois River and its tributaries, in eastern Oklahoma outside of this project area.

B. Important farmland

All improvements generally occur on land inside of town limits, subject to zoning ordinances. The installation of the interceptor line and manholes will temporarily disturb land use during construction until the area is returned to its original condition with the exception of areas where timber may need to be removed for the installation. The area is generally residential, with some commercial and one area of pastureland.

Prime Farmland – Natural Resources Conservation Service (NRCS) Soil Surveys indicates the interceptor line will pass through land identified as Prime Farmland by the NRCS. As reflected on the soils map in Exhibit D 3, this soil is identified as (PaA) Parsons silt loam, 0 to 1% slope. As previously noted, most of this area has already been developed, with the exception of pastureland on the west end of the project. The trenched areas will be backfilled, graded and allowed to revert to its previous condition; therefore no permanent conversion of prime farmland will occur in this area with the exception of placement of manholes. The Lift Station will be on this prime farmland classified soil, but in an already developed site of the wastewater plant.

There is no alternate route for the project to avoid crossing this area identified as prime farmland due to the location of the project components in the Town's existing wastewater system. The memo dated March 13, 2020 from Jake Boyett, NRSC Resource Soil Scientist states the proposed project will have no long term significant impact to soils or vegetation.

Prime Forestland – There are no designated Forestland in Rogers County. Only counties of Leflore, McCurtain and Rogers Mills contain forestland.

Prime Rangeland – There are no designated Prime Rangeland within project area.

C. Floodplains

As reflected in the floodplain maps shown for the project area in Exhibit B 4, the project interceptor line, manholes and lift station are not within the floodplain. ODEQ, FEMA, OWRB, Corps of Engineers, and the County Floodplain Manager were contacted for comments.

- Jon Roberts with ODEQ emailed comments dated February 18, 2020 states, “no environmental concerns under DEQ jurisdiction are anticipated.” This project will require a construction permit. No specific comments related to floodplain was included.
- FEMA comments dated February 19, 2020 request the floodplain administrator be contacted and the project to be in compliance with EO 11988 & EO 11990.
- OWRB comments dated February 6, 2020 recommends contact with local floodplain administrator for possible permit requirements for the project. No improvements

on state owned or operated property will occur and project not within floodplain, so no floodplain development permit will be necessary.

- Corps of Engineers, Planning and Environmental Division was contacted February 6, 2020 and March 10, 2020 but no comments were received. Typical responses on other projects when a floodplain is not within the project are, “the project would not create a significant effect on a floodplain. Actual construction, or ground disturbance, should be done in a manner that does not impede the natural flow of runoff or create an increase in flooding. All floodplain regulations must be followed and any required permits obtained.”
- Corps of Engineers, Regulatory Division comments dated March 26, 2020 indicates “if the proposed action would result in the discharge of dredge and/or fill material into aquatic resources, please resubmit that portion of your project so that we may determine the appropriate permitting action under the CWA. Engineer has submitted request for a Section 404 permit for the construction of the project where the interceptor line will cross the statutory stormwater drainage ditch at the west end of the line.
- The Rogers County Floodplain Administrator, Missy Richardson comments dated February 10, 2020, says the project appears to be outside of the regulatory floodplain and has no concern regarding floodplain impacts.
- The Town of Inola’s Floodplain Administrator, Brian Kellogg provided comments dated February 24, 2020 that also states the project appears to be completely outside of the regulatory floodplain and has no concern regarding floodplain impacts.

D. Wetlands

The Fish and Wildlife Service National Wetlands Inventory Map included as Exhibit D 5 reflects the potential wetlands in the project area. The Interceptor line will cut through a statutory stormwater drainage ditch/creek at the west end of the project. Impacts to wetland will only occur during the construction period. There is no alternate route for the interceptor line to avoid crossing this wetland as this interceptor line is replacing the existing line on the north side of the road which also crossed this same wetland.

- Corps of Engineers, Regulatory Division comments dated March 26, 2020 indicates “if the proposed action would result in the discharge of dredge and/or fill material into aquatic resources, please resubmit that portion of your project so that we may determine the appropriate permitting action under the CWA. Engineer has submitted request for a Section 404 permit for the construction of the project where the interceptor line will cross the statutory stormwater drainage ditch at the west end of the line.

E. Historic properties

State Historic Preservation Officer (SHPO) - There were no sites identified within the project area from review of the National and Oklahoma Registry of Historic Places. The SHPO was contacted for comments pertaining to impact to historic property(s). The Oklahoma Historical Society comments dated February 25, 2020 stated “there are no historic properties affected by the referenced project.”

State Archeologist - The Oklahoma State Archeological Survey was contacted for comments pertaining to state archeological sites or the potential occurrence of prehistoric or historic materials within the project area. Their letter dated February 10, 2020 states “No sites are listed as occurring within your project area, and based on the topographic and hydrologic setting, no archaeological materials are likely to be encountered. Thus, an archaeological field inspection is not considered necessary.”

F. Native American historic consultation

The Bureau of Indian Affairs (BIA), Cherokee Nation, and Muscogee (Creek) Nation was contacted for comments pertaining to Native American sites, landmarks or cultural significance impact by the project. The BIA also forwarded the request for comments to Osage Nation, Alabama-Quassarte Tribal Town, Kialegee Tribal Town and Thlopthlocco Tribal Town by copy of their letter dated March 11, 2020.

- BIA comments dated March 11, 2020 stated they have no comments regarding the project at this time, but did forward to the above mentioned Tribes.
- Muscogee (Creek) Nation comments dated March 12, 2020 states they have “no objections to the proposed project.” However, if any cultural material or human remains be encountered during ground disturbance, construction or demolition, they request to be notified.
- Elizabeth Toombs, THPO with Cherokee Nation comments dated February 6, 2020 states the do not object to the project proceeding. However, should the scope change, or any items of cultural significance are discovered, halt project and contact their office for further consultation.
- Thlopthlocco Tribal Town provided comments dated March 16, 2020, states, “Upon review of the documents and consulting our records, we are unaware of any culturally significant sites within the area of potential effects (APE). However should any human remains or cultural resources be inadvertently discovered, please cease all work and contact our THPO.”

G. Biological Resources

Threatened and Endangered Species – Table 7 below summarizes species which are listed as endangered or threatened by the U.S. Fish and Wildlife Service (FWS), their federal/state status, habitat and project effect. Each of these species is considered as having the potential to occur in Rogers County.

Table 7 -Threatened and Endangered Species of Rogers County

Species / Critical Habitat	Habitat Determination	Notes / Documentation	ESA Determination
Mammals – Northern long-eared Bat (<i>Myotis septentrionalis</i>) (Threatened)	Habitat not present	Spends spring, summer and fall in wooded areas and hibernates in caves and mines in winter. Roost in forested/wooded habitats that have exfoliating bark, cracks, and crevices in summer and can include emergent wetlands, adjacent edges of agricultural fields and pastures. Site survey revealed no known caves or mines within the project areas of proposed route of interceptor line that would be disturbed. Clearing of a few trees may be needed within some areas of the ROW. Comments from Todd Fagin, ONHI did not reflect any occurrences of these bats within the project area. Applicable Avoidance and Minimization Measures should be taken when removing suitable habitat trees.	May affect-not likely to adversely affect
Bird - Least Tern (<i>Sterna antillarum</i>) (Endangered)	N/A	This project does not involve Towers (i.e. radio, television, cellular, microwave, meterological) or Wind Turbines and Wind Farms.	No effect
Bird - Piping Plover (<i>Charadrius melodus</i>) (Threatened)	Habitat not present	Migration March-May & July-September, would most likely occur along beaches, salt flats or sand bars which are not within the project area. There is final critical habitat for this species, however this project location is outside that designated area.	No effect
Bird – Red Knot (<i>Calidris canutus rufa</i>) (Threatened)	Habitat not present	Migration stops would most likely occur along a river or beaches/shallows of Lakes where food sources like juvenile clams or mussels would be present. Site survey reveals no habitat present around the route of the wastewater line.	No effect
Clams – Whooping Crane - Endangered (<i>Grus americana</i>) Critical habitat designated	Habitat not present	Fly over migrants in early spring/late fall. Would be very rare for occurrence in project area as habitat (wetlands, shallow rivers, ponds, streams) not present in project area. Location is outside the designated critical habitat.	No effect
Clams - Neosho Mucket - Endangered (<i>Lampsilis rafinesqueana</i>) Critical habitat designated	Habitat not present	There are no springs, creeks, rivers, lakes, ponds or reservoirs in the project area.	No effect
Clams – Rabbitsfoot - Threatened (<i>Quadrula cylindrical</i>) Critical habitat designated	Habitat not present	There are no springs, creeks, rivers, lakes, ponds or reservoirs in the project area.	No effect
Insect - American Burying beetle- Endangered (<i>Nicrophorus americanus</i>)	Habitat present (in small area)	Most of the interceptor line will be constructed in private ROW of residences with maintained lawns under 8 inches through frequent mowing and through grazed pastureland. A small area in the railroad ROW within the Town limits had growth over 8 inches, however, this area will be bored under the railroad and it's ROW, not disturbing the land or its vegetation. Lindy Clay, OWRB spoke with Kevin Stubbs, FWS 2/13/20. He stated since the disturbance is a very small area and due to a negative presence from prior surveys, the likelihood of there being a presence of ABB is small, therefore the project can move forward without a survey.	May affect, not likely to affect

Avoidance and Minimization Measures include:

Northern long-eared Bat

1. Clearing of a few trees may be needed from the interceptor line ROW. If it is determined necessary, the clearing will be completed during the bats inactive season November 16th through March 31st.
2. In the event that new cave openings, karst areas or sinkholes are encountered during construction activities, no fill materials should be placed into the opening until FWS has been contacted to investigate the site.
3. Obtain and comply with Section 404 Permit from Corp of Engineers as applicable for the potential runoff of sedimentation into the stormwater drainage area being crossed by the interceptor line.

Mr. Jeremiah Zurenda, with the Oklahoma Department of Wildlife Conservation (ODWC) was contacted for comment, but no response was received pertaining to species impacts. Mr. Todd Fagin, Oklahoma Biological Survey (OBS - ONHI) provided comments that reflected some ABB occurrences in Rogers County, but outside of this project area. The online consultation process through the FWS includes a step process for the development of a Project Review Package which includes an IPaC Species List and Action Area map, Species Info/Habitat, a Species Conclusion Table, contacts with the OBS and ODWC and other supporting documentation. Lindy Clay with OWRB, provided this review package to FWS. Confirmation of receipt of the Project Review Package is dated February 20, 2020. The online FWS concurrence letter has been printed out to complete the Project Review Process. Additional information was requested as it related to potential impacts to the NLE bat species and the removal of trees. If trees are to be removed, that will occur between November 15th and March 31st.

H. Water Quality, air quality, transportation, noise, scenic rivers, etc.

Water quality - The project will alleviate the unpermitted discharges of untreated wastewater which can flow into the waters of the state or elsewhere, which could result in oxygen depletion and subsequent injury, or death of aquatic organisms.

- Jon Roberts with ODEQ emailed comments dated February 18, 2020 which states, “no adverse environmental impacts under DEQ jurisdiction are anticipated.” The Engineer has obtained the necessary construction permit issued by ODEQ January 21, 2020.
- Other agency comments from FWS and NPS did not disclose any issues with the project.
- A Section 404 Permit from the COE will be obtained by the Engineer.

The project will not impact the Town's water supply quality, as they purchase water from Rural Water District No. 2, Mayes County through two (2) meters on an 8" waterline.

Air Quality – Impacts to the air quality in the project area will only be minimal and temporary from operating heavy equipment during the project construction. Any burning associated with land clearing operations must be conducted in accordance with OAC 252:100, Subchapter 13. There may be some minimal ROW tree clearing in some areas for the new interceptor line.

Transportation – The interceptor line and manholes will be installed along Southeast and Southwest Blvd in the Town of Inola. Based on the method of construction, there should be no road closings during the project construction. Appropriate construction signage will be erected.

Noise – The only impacts to the noise levels within the project area will be the noise from construction equipment. This will be short term during the project construction period and will not have any long-term impacts.

Scenic Rivers –The Illinois River and its tributaries, in eastern Oklahoma is outside the project area.

Recreational and open spaces issues – Eve Atkinson with the Oklahoma Tourism and Recreation Department comments dated February 6, 2020 indicates the proposed project, "will have no significant adverse impact on any federally funded park or recreation area or state park."

I. Socio-Economic Issues

The City of Claremore, is the county seat in Rogers County in the northeastern part of Oklahoma. The Town of Inola lies southeast of Claremore approximately 13 miles. Inola lies east of the Tulsa Metropolitan Area. Based on the 2010 Census, the Town of Inola had a population of 1,788 versus 1,589 in 2000 and Rogers County has a total population of 86,905 versus 70,641 in 2000. Table 8 reflects the race and ethnicity of the Town and county population, which includes a 24.2% total minority population, predominantly Native American in the Town. The Cherokee Nation is also contributing \$400,000 to this project which is based on benefitting the Native American customers. The 2018 American Community Survey (ACS) 5 year Estimates reflect the Town's estimated population increased to 1,894.

Table 8 – Town of Inola and Rogers County Population Data

Race	White	Black	Native American	Asian	Hawaiian	Other	2 or More Races	Hispanic	Total Minorities
2010 Pop Town	1,355	14	220	2	4	32	161	83	433
%	75.8	.0	12.3	.0	.0	1.8	9	4.6	24.2
2000 Pop Town	1275	10	180	5	0	2	107	10	314
%	80.2	.6	11.3	.3	0	.1	6.7	.6	19.8
2010 Pop County	65,415	865	11,382	932	53	1,212	7,046	3,229	21,490
%	92.6	1.0	13.1	1.1	.0	1.4	8.1	3.7	24.7
2000 Pop County	55,133	512	8533	228	20	399	4522	1294	15508
%	78	.7	12.1	.3	.0	.6	6.4	1.8	22

The 2010 Census did not include Hispanic as a separate classification like the 2000 Census had. The 2010 Census also did not collect income data as prior censuses had included. Income data is now obtained through the American Community Survey (ACS). The ACS reflects the 2010 median household income (MHI) for the Town of Inola at \$45,234 and the 2018 ACS 5 year Estimates reflect the MHI increased to \$47,333. See Exhibit F for EJScreens of Town of Inola with other statistical data.

The Inola Public Works Authority is organized under Title 60 of the Oklahoma Statutes as a public trust, with the Town of Inola, its beneficiary, and as such must comply with Title 25, Open Meeting Act which gives citizens an opportunity to understand their governmental processes of the management and operations of the system. They are also subject to Title 51, Open Records Act which relates to maintaining certain records for public inspection. The Board of Trustees establishes rates for service that are just, reasonable and nondiscriminatory and are adequate to operate and maintain the system, pay applicable debt obligations, debt reserves, if required and fund adequate reserves for improvements, new construction, depreciation and contingencies.

There appears to be no service area inequities as all users are afforded the same service and participation opportunities provided they make application for service and continue to pay for services received. The proposed project will not have adverse human health or environmental effects on minority or low income populations.

J. Environmental due diligence

A Phase I or Phase II Environmental Site Assessment was not performed on this project. Improvements are made at existing facilities (WWTP) and in the Town limits where the

interceptor line and manholes are moving from the north side of road to the south side of road in new easements. No hazardous waste sites are within the project area.

K. Local governmental review

The Grand Gateway Economic Development Association (GGEDA) which covers Rogers County was contacted February 6, 2020 and March 10, 2020 for comments pertaining to the project; however, no comments were received.

L. Effects on environmental resources of selected alternative

Direct effects – Direct effects are caused by the action and occur at the same time and place (e.g. construction activities). The project construction will cause a temporary but direct effect to air quality through fugitive dust emissions from construction equipment, increased noise levels and disturbance to a stormwater drainage ditch and prime farmland soils. The potential removal of a few trees along the interceptor line route could impact the bat species habitat, however they will be removed during their hibernation period. A positive direct effect will be the removal of unpermitted discharges which could cause a safety/health issue to their customers or contaminate water bodies.

Indirect Impacts – Indirect effects are those caused by the action and are later in time or further removed in distance, but are still reasonably foreseeable (e.g. impacts caused by growth induced by the project). The proposed project is to improve service to existing customers, alleviating a safety/health concern and will not cause significant growth to occur in their service area.

Cumulative effects – Cumulative effects result from the incremental impact of the proposed project when added to other past, present, and future actions regardless of who undertakes other actions. (e.g. Effect of proposed well field for ground water appropriations where it is only one of many well fields that utilize an aquifer of limited size or recharge.) The project does not include a new discharge permit.

VI. CORRESPONDENCE AND PUBLIC PARTICIPATION

As shown in the Correspondence Chart in Exhibit A, eighteen (18) Local, State or Federal agencies were contacted for comments on potential environmental impacts of the Town's proposed wastewater project. The agency contacted, date of comments requested, date received and applicable comments are shown in the Chart. Following the Chart are copies of each agency contact memo, the agency responses, if received and other information supporting the response/determinations. Applicable references are made throughout this document to agency comments as appropriate.

Prior to the Town's adoption of the EID/EvR, they will provide public notice in accordance with the Open Meeting Act, as well as by publication in the local newspaper predominant in the

service area (Inola Independent), at least 30 days before the public hearing on the availability of this EID/EvR for review and comment. The EID/EvR will be uploaded to the Town of Inola's website www.inolaok.com for public review as the Town Hall is closed to the public due to the COVID19/Coronavirus Pandemic. The Public Hearing will be held on May 14, 2020 at 5:30 p.m. at the Calvary Annex, 20 S. Broadway, Inola, OK prior to their special Board Meeting. Public participation activities and information as a result of the public hearing shall be included as Exhibit E once completed.

VII. SUMMARY OF MITIGATION MEASURES

No significant adverse impacts are anticipated provided that all mitigation and best management practices during construction are followed.

- Should construction activities expose buried archeological materials such as chipped stone, tools, pottery, bone, historic crockery, glass, metal items or building materials, the OAS should be contacted immediately at (405) 325-7211. Contact with the Tribes' should also be made.
- Project Engineer should obtain a Section 404 Permit for crossing the stormwater drainage ditch/creek.
- If a determination is made that tree removal is necessary to install the interceptor line and/or manholes, the removal should occur between November 16th and March 31st, to limit any impact to the Northern Long-eared bat species.

Exhibit A

Correspondence with Agencies

APPENDIX A
Agency Correspondence and Review

Agency	Subject of Correspondence	Requested	Received	Comments
*Planning and Env.Branch U.S. Army Corps of Engineers Tulsa District, ATTN: CESWT-EC-H-F 2488 E. 81st Street Tulsa, OK 74137-4290 918-669-7197 918-669-7536 fax email ceswt-ec-h-fpms@usace.army.mil	Floodplain Management	2/6/2020 3/10/2020 F/U		No response received
*Regulatory Branch U.S. Army Corps of Engineers Tulsa District, ATTN: CESWT-RO 2488 E. 81st Street Tulsa, OK 74137-4290 918-669-7401 email ceswt-ro@usace.army.mil	Section 404 Permits	2/6/2020 3/10/20 F/U	2/10/2020 3/26/2020	Received confirmation with assigned project #. If action would result in the discharge of dredge and/or fill material into aquatic resources, resubmit that portion to determine permitting action.
*District Conservationist Natural Resources Conservation Service 1900 W. Will Rogers Circle, Suite C Claremore, OK 74017-7816 918-341-3276 Jake.Boyett@ok.usda.gov	Prime farmlands & wetlands on agricultural land Claremore Office	2/6/2020 3/10/2020 F/U	3/13/2020	No significant long-term impact
*U. S. Department of Interior Fish & Wildlife Service Ecological Services 9014 E. 21st Street Tulsa, OK 7129 918-581-7458	Threatened/Endangered Species, fish and wildlife protection ONHI request ODWC request	2/20/2020 2/6/2020 2/6/2020 3/10/20 F/U	2/20/2020 2/6/2020	Project Review Package sent by Lindy Clay, OWRB. Confirmation email received PC w/Kevin Stubbs, FWS said no ABB survey necessary based on small area Reflected ABB occurrences, but outside project area No response
*Oklahoma Historical Society State Historic Preservation Office 800 Nazih Zuhdi Drive Oklahoma City, OK 73105-7917 405-521-6249	Historical sites/ landmarks	2/6/2020 2/7/2020	2/25/2020	Sent to OWRB to correspond with SHPO OWRB letter to SHPO SHPO comments - no effect

* Response required unless project will not occur within or near the counties listed in the "Subject of Comments".

PC = Phone Call, F/U = Follow-up

APPENDIX A
Agency Correspondence and Review

Agency	Subject of Correspondence	Requested	Received	Comments
National Park Service Intermountain Region Planning and Environmental Quality 12795 W. Alameda Parkway Lakewood, CO 80228 Only send via IMRextrev@nps.gov	National Parks, recreation areas	2/6/2020 3/10/20 F/U	3/18/2020	Response - no comments on proposal
*State Archeologist The University of Oklahoma Oklahoma Archeological Survey 111 E. Chesapeake, Room 102 Norman, OK 73019 405-325-7211	Archeological sites/ cultural resources	2/6/2020	3/11/2020	Comments dated 2/10/20 says no issues
*U.S. Dept. of Homeland Security Federal Emergency Management Agency Region IV, Federal Insurance and Mitigation Adm 800 North Loop 288 Denton, TX 76209 940-898-5334	Floodplain management, seismic conditions	2/6/2020	2/19/2020	Contact Floodplain Administrator. Comply with EO11988 & EO11990
Randy Jones Missy Richardson Rogers County Floodplain Manager 200 S.Lynn Riggs Blvd. Claremore, OK 74017-7832 918-981-0150	Floodplain management, seismic conditions	2/6/2020	2/10/2020 2/24/2020	Outside floodplain & no concerns Brian Kellogg, Town Floodplain tated outside floodplain & no concerns
Okla. Dept. of Enironmental Quality Jon Roberts EnvReviews@deq.ok.gov Environmental Review Coordinator 707 N. Robinson P. O. Box 1677 Oklahoma City, OK 73101-1677	Water quality, sludge mgmt. 208 Wastewater, Water quality mgmt. planning, Air quality Waste Mgmt., Sole Source Aquifer (405-702-1000 Arbuckle Simpson)Only projects in Carter Johnston, Murray, Pontotoc Cos.	2/6/2020	2/18/2020	No adverse environmental impacts. Obtain appropriate permits

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PC = Phone Call, F/U = Follow-up

APPENDIX A
Agency Correspondence and Review

Agency	Subject of Correspondence	Requested	Received	Comments
Bureau of Indian Affairs U.S. Department of Interior Eastern Oklahoma Regional Office P. O Box 8002 3100 W. Peak Blvd. Muskogee, OK 74401-8002 918-781-4660	Native American sites, landmarks Projects in Eastern, OK mosby.halterman@bia.gov 918-781-4660	2/6/2020 3/10/20 F/U	3/16/2020	No comment, but provide Notice to five (5) Tribes for review.
Bureau of Indian Affairs U.S. Department of Interior Area Archeologist P. O. Box 368 Anadarko, OK 73005 mosby.halterman@bia.gov 405-247-6673	Native American sites, landmarks Projects in Western, OK	n/a	n/a	n/a
Water Management Division Oklahoma Water Resoures Board 3800 N. Classen Blvd. Oklahoma City, OK 73118 405-530-8800	Development on state-owned property within floodplain and water rights permits Cathy.Poage@owrb.ok.gov	2/6/2020	2/6/2020	Contact floodplain administrator. If project occurs on state owned/operated property obtain a floodplain permit. (project outside floodplain)
*Oklahoma Scenic Rivers Commission P. O. Box 292 Tahlequah, OK 74465-0292 918-456-3251	Wild ans Scenic Rivers Only for projects in Adair, Cherokee, Delaware, Sequoyah, McCurtain Cos.	n/a	n/a	n/a
Okla. Dept. of Tourism and Recreation State Liason Officer Land and Water Conservation Division 900 N. Stiles Avenue Oklahoma City, OK 73104	Recreation / tourism facilities Eve.Atkinson@travelok.com	2/6/2020	2/6/2020	n/a

* Response required unless project will not occur within or near the counties listed in the "Subject of Comments".

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APPENDIX A
Agency Correspondence and Review

Agency	Subject of Correspondence	Requested	Received	Comments
U. S. Forest Service Department of Agriculture 401 W. Peach Street Atlanta, GA 30365	Forest, grassland resources Only for projects in LeFlore, McCurtain or Roger Mills Cos.	n/a		n/a
Grand Gateway Economic Development Association P. O. Drawer H 333 South Oak Big Cabin, OK 74332-0502 918-276-2501	Substate Planning District	2/6/2020 3/10/20 F/U		No response received
Muscogee-Creek Nation Environmental Services Tribal Historic Preservation Office P. O. Box 580, 2591 N. Wood Drive Okmulgee, OK 74447 918-549-2580	Native American sites, cultural resources	2/6/2020 3/10/20 F/U	3/12/2020	No objection, however notify if anything uncovered during construction.
Elizabeth Toombs, THPO Cherokee Nation Tribal Historic Preservation Office PO Box 948 Tahlequah, OK 74465-0948 918-453-5389 elizabeth-toombs@cherokee.org	Native American sites, cultural resources	2/6/2020 3/10/20 F/U	4/8/2020	Rec'd from Lindy Clay, OWRB comments dated 2/6/2020 with no objections, however notify if anything uncovered during construction.
Thlopthloco Tribal Town P. O. ox 188 Okemah, OK 74859-0188	Native American sites, cultural resources	3/11/20 by BIA	3/16/2020	Unaware of any impacts, however notify if anything uncovered during construction.

* Response required unless project will not occur within or near the counties listed in the "Subject of Comments".

PC = Phone Call, F/U = Follow-up

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 10:50 AM
To: Jason Chrumka CESWT-EC-H-FPMS SWT
Subject: Inola Public Works Authority - Wastewater Improvements
Attachments: corp planning branch ltr.pdf; Floodplain Map Interceptor Line.pdf; Floodplain Map Lift Station.pdf

Good Morning.

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project. From review of the floodplain map for the project area, the improvements will occur outside designated floodplain areas.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC

5657 N. Classen Boulevard, Suite 100

Oklahoma City, OK 73118

t: 405.235.3413

c. 405.880.3708

f: 405.235.2807

E-mail: cshepherd@okpublicfinancelaw.com



IRS CIRCULAR 230 DISCLOSURE:

Pursuant to requirements imposed by the Internal Revenue Service, any tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for purposes of (i) avoiding penalties imposed under the United States Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.



THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

U.S. Army Corps of Engineers
Planning and Env.Branch
Tulsa District, ATTN: CESWT-EC-H-F
2488 E. 81st Street
Tulsa, OK 74137-4290

Sent via email: ceswt-ec-h-fpms@usace.army.mil

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Floodplain Management

Dear Corps of Engineers:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on floodplain that may be affected by the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Tuesday, March 10, 2020 11:58 AM
To: 'ceswt-ec-h-fpms@usace.army.mil'
Subject: FW: Inola Public Works Authority - Wastewater Improvements
Attachments: corp planning branch ltr.pdf; Floodplain Map Interceptor Line.pdf; Floodplain Map Lift Station.pdf

Hello. Just making a follow-up on the request for review and comments on the above proposed wastewater project in the Town of Inola.

Can you please respond soon so we can finish up the environmental review for the funding agency.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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From: Christy Shepherd [<mailto:cshepherd@okpublicfinancelaw.com>]
Sent: Thursday, February 06, 2020 10:50 AM
To: Jason Chrumka CESWT-EC-H-FPMS SWT
Subject: Inola Public Works Authority - Wastewater Improvements

Good Morning.

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project. From review of the floodplain map for the project area, the improvements will occur outside designated floodplain areas.

Please give me a call if any questions. Please email your comments to me on this proposal.

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 11:25 AM
To: ceswt-ro@usace.army.mil
Subject: Inola Public Works Authority - Wastewater System Improvements
Attachments: corp planning regulatory ltr.pdf; Floodplain Map Interceptor Line.pdf; Inola Project Map.pdf

Good Morning.

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd

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E-mail: cshepherd@okpublicfinancelaw.com



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THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

U.S. Army Corps of Engineers
Regulatory Branch, Tulsa District
Tulsa District, ATTN: CESWT-RO
2488 E. 81st Street
Tulsa, OK 74137-4290

via email to: ceswt-ro@usace.army.mil

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System
Improvements - Water System Improvements - Request for Comments; Section 404 Permits

Dear Corps of Engineers:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on the environmental impact of the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Blue, Sharleen R CIV (USA) <Sharleen.R.Blue@usace.army.mil> on behalf of CESWT-RO SWT <ceswt-ro@usace.army.mil>
Sent: Monday, February 10, 2020 9:06 AM
To: Christy Shepherd; Carraway, David W CIV USARMY CESWT (USA)
Cc: CESWT-RO SWT
Subject: RE: [Non-DoD Source] Inola Public Works Authority - Wastewater System Improvements corp planning regulatory ltr.pdf; Floodplain Map Interceptor Line.pdf; Inola Project Map.pdf
Attachments:

Dear Ms. Shepherd:

Your project has been assigned to Regulatory project manager Mr. David Carraway and generated into our Regulatory system as project number: SWT-2020-110. Please refer to this project number in any future correspondence.

Thank you,

Regulatory Office | Tulsa District Corps of Engineers
2488 East 81st Street | Tulsa, OK 74137-4290
Office 918-669-7400 | Fax 918-669-4306
CESWT-RO@usace.army.mil | www.swt.usace.army.mil/Missions/Regulatory

You are invited to complete our Regulatory Service Survey at:
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

From: Christy Shepherd [<mailto:cshepherd@okpublicfinancelaw.com>]
Sent: Thursday, February 6, 2020 11:25 AM
To: CESWT-RO SWT <ceswt-ro@usace.army.mil>
Subject: [Non-DoD Source] Inola Public Works Authority - Wastewater System Improvements

Good Morning.

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd
The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Tuesday, March 10, 2020 11:19 AM
To: 'CESWT-RO SWT'; 'Carraway, David W CIV USARMY CESWT (USA)'
Subject: RE: [Non-DoD Source] Inola Public Works Authority - Wastewater System Improvements SWT-2020-110

Good Morning. Just checking in on status of issuing review comments on this project?

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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From: Blue, Sharleen R CIV (USA) [<mailto:Sharleen.R.Blue@usace.army.mil>] **On Behalf Of** CESWT-RO SWT
Sent: Monday, February 10, 2020 9:06 AM
To: Christy Shepherd; Carraway, David W CIV USARMY CESWT (USA)
Cc: CESWT-RO SWT
Subject: RE: [Non-DoD Source] Inola Public Works Authority - Wastewater System Improvements

Dear Ms. Shepherd:

Your project has been assigned to Regulatory project manager Mr. David Carraway and generated into our Regulatory system as project number: SWT-2020-110. Please refer to this project number in any future correspondence.

Thank you,

Regulatory Office | Tulsa District Corps of Engineers
2488 East 81st Street | Tulsa, OK 74137-4290
Office 918-669-7400 | Fax 918-669-4306
CESWT-RO@usace.army.mil | www.swt.usace.army.mil/Missions/Regulatory



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
2488 EAST 81ST STREET
TULSA, OKLAHOMA 74137-4290

March 26, 2020

Regulatory Office

Ms. Christy J. Shepherd
The Public Finance Law Group, PLLC
5657 N Classen Boulevard, Suite 100
Oklahoma City, OK 73118

Dear Ms. Shepherd:

Please reference your correspondence, dated February 6, 2020, regarding the proposed Inola Public Works Authority Wastewater System Improvements, which includes the proposed construction of a new wastewater line located in Sections 8 and 9, Township 19 North, Range 17 East, Rogers County, Oklahoma. We have reviewed the submitted data relative to Section 404 of the Clean Water Act (CWA).

If the proposed action would result in the discharge of dredge and/or fill material into aquatic resources, please resubmit that portion of your project so that we may determine the appropriate permitting action under the CWA.

This project has been assigned Identification Number SWT-2020-00110. Please reference this number during any future correspondence with this office. If you have any questions, please contact Mr. David Carraway at 918-669-7618.

Sincerely,

David Carraway

For Andrew R. Commer
Chief, Regulatory Office

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 11:29 AM
To: Boyett, Jake - NRCS, Claremore, OK (Jake.Boyett@ok.usda.gov)
Subject: Inola Public Works Authority - Wastewater Improvement Project
Attachments: Inola Project Map.pdf; Soil Map.pdf; nracs ltr.pdf

Good Morning Jake,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC

5657 N. Classen Boulevard, Suite 100

Oklahoma City, OK 73118

t: 405.235.3413

c. 405.880.3708

f: 405.235.2807

E-mail: cshepherd@okpublicfinancelaw.com



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THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

District Conservationist
Natural Resources Conservation Service
1900 W. Will Rogers Circle, Suite C
Claremore, OK 74017-7816

via email to: Jake.Boyett@ok.usda.gov

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Prime and Important Farmland

Dear District Conservationist:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on the environmental impact of the project to prime and/or important farmland areas with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Tuesday, March 10, 2020 12:01 PM
To: Boyett, Jake - NRCS, Claremore, OK (jake.boyett@usda.gov)
Subject: FW: Inola Public Works Authority - Wastewater Improvement Project
Attachments: Inola Project Map.pdf; Soil Map.pdf; nrCS ltr.pdf

Jake, Just making a follow-up on your review and comments on the above proposed wastewater project in the Town of Inola.

Can you please provide your comments soon so we can finish up their environmental review for the funding agency?

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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From: Christy Shepherd [<mailto:cshepherd@okpublicfinancelaw.com>]
Sent: Thursday, February 06, 2020 11:29 AM
To: Boyett, Jake - NRCS, Claremore, OK (Jake.Boyett@ok.usda.gov)
Subject: Inola Public Works Authority - Wastewater Improvement Project

Good Morning Jake,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy Shepherd

From: Boyett, Jake - NRCS, Claremore, OK <jake.boyett@usda.gov>
Sent: Friday, March 13, 2020 3:53 PM
To: Christy Shepherd
Subject: RE: Inola Public Works Authority - Wastewater Improvement Project
Attachments: Rogers County NEPA no significant impact.docx

Christy, please see attached.

Jake Boyett
Resource Soil Scientist
Claremore Technical Office
918-283-7089



From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Tuesday, March 10, 2020 12:01 PM
To: Boyett, Jake - NRCS, Claremore, OK <jake.boyett@usda.gov>
Subject: FW: Inola Public Works Authority - Wastewater Improvement Project

Jake, Just making a follow-up on your review and comments on the above proposed wastewater project in the Town of Inola.

Can you please provide your comments soon so we can finish up their environmental review for the funding agency?

Thank you,

Christy J. Shepherd
The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
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March 13, 2020

Christy Shepherd
The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118

RE: Inola Public Works Authority - Wastewater Improvement Project
Rogers County, Oklahoma

Dear Christy Shepherd:

Thank you for the opportunity to review the proposed construction by County, Oklahoma.

The buried pipelines will have no significant long-term impact to soils or vegetation. All other construction appears to be at previously converted to urban use.

If I can be of further assistance, please let me know.

Sincerely,

Jake Boyett
Resource Soil Scientist
Claremore Technical Office
918-283-7089

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 3:35 PM
To: 'tfagin@ou.edu'; 'Zurenda, Jeremiah'
Subject: Environmental Review - Inola Public Works Authority
Attachments: Inola Project Map.pdf; Interceptor Line Map.pdf

Mr. Fagin and Mr. Zurenda:

In going through the consultation process with the U.S. Fish and Wildlife Services on a proposed wastewater project to be federally funded in the Town of Inola, Rogers County, their website indicated a contact should be made with your agencies (ODWC & ONHI) to determine if any State species (or Federal listed/candidate species) have been documented as occurring within the project action area. Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities which include:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons.
- Repair and/or replace approximately 24 manholes.

Please advise if your records show any occurrence of listed species in this project area.

If I can provide further information such as additional maps, photos, etc, please email or call my cell 405-880-3708.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC

5657 N. Classen Boulevard, Suite 100

Oklahoma City, OK 73118

t: 405.235.3413

c. 405.880.3708

f: 405.235.2807

E-mail: cshepherd@okpublicfinancelaw.com



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Christy Shepherd

From: Fagin, Todd D. <tfagin@ou.edu>
Sent: Thursday, February 06, 2020 3:59 PM
To: Christy Shepherd; 'Zurenda, Jeremiah'
Subject: RE: Environmental Review - Inola Public Works Authority
Attachments: 2020-091-BUS-PFL.pdf

The results are attached.

Thank you,

Todd Fagin

Oklahoma Natural Heritage Inventory/
Oklahoma Biological Survey

From: Christy Shepherd [<mailto:cshepherd@okpublicfinancelaw.com>]
Sent: Thursday, February 6, 2020 3:35 PM
To: Fagin, Todd D.; 'Zurenda, Jeremiah'
Subject: Environmental Review - Inola Public Works Authority

Mr. Fagin and Mr. Zurenda:

In going through the consultation process with the U.S. Fish and Wildlife Services on a proposed wastewater project to be federally funded in the Town of Inola, Rogers County, their website indicated a contact should be made with your agencies (ODWC & ONHI) to determine if any State species (or Federal listed/candidate species) have been documented as occurring within the project action area. Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities which include:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons.
- Repair and/or replace approximately 24 manholes.

Please advise if your records show any occurrence of listed species in this project area.

If I can provide further information such as additional maps, photos, etc, please email or call my cell 405-880-3708.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118

t: 405.235.3413

c. 405.880.3708

f: 405.235.2807

OBS Ref. 2020-091-BUS-PFL

Dear Ms. Shepherd,

Feb. 6, 2020

We have reviewed occurrence information on federal and state threatened, endangered or candidate species, as well as non-regulatory rare species and ecological systems of importance currently in the Oklahoma Natural Heritage Inventory database for the following location you provided:

Sec. 4, 5, 8, and 9-T19N-R17EN-R10E, Rogers County

We found 2 occurrence(s) of relevant species within the vicinity of the project location as described.

Species Name	Common Name	Federal Status
<i>Nicrophorus americanus</i> County	American burying beetle TRS	Endangered Count
Rogers	Sec. 16-T20N-R17E	1
Rogers	Sec. 20-T20N-R17E	1

Additionally, absence from our database does not preclude such species from occurring in the area.

If you have any questions about this response, please send me an email, or call us at the number given below.

Although not specific to your project, you may find the following links helpful.

ONHI, guide to ranking codes for endangered and threatened species:

http://vmpincel.ou.edu/heritage/ranking_guide.html

Information regarding the Oklahoma Natural Areas Registry:

http://www.oknaturalheritage.ou.edu/registry_faq.htm

Todd Fagin

Oklahoma Natural Heritage Inventory

(405) 325-4700

tfagin@ou.edu

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Tuesday, March 10, 2020 11:52 AM
To: Zurenda, Jeremiah (jeremiah.zurenda@odwc.ok.gov)
Subject: FW: Environmental Review - Inola Public Works Authority
Attachments: Inola Project Map.pdf; Interceptor Line Map.pdf

Good Morning Jeremiah.

Just making a follow up regarding your review and comments on the above project on any potential environmental impacts. I have already received comments from Mr. Fagin.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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From: Christy Shepherd [<mailto:cshepherd@okpublicfinancelaw.com>]
Sent: Thursday, February 06, 2020 3:35 PM
To: 'tfagin@ou.edu'; 'Zurenda, Jeremiah'
Subject: Environmental Review - Inola Public Works Authority

Mr. Fagin and Mr. Zurenda:

In going through the consultation process with the U.S. Fish and Wildlife Services on a proposed wastewater project to be federally funded in the Town of Inola, Rogers County, their website indicated a contact should be made with your agencies (ODWC & ONHI) to determine if any State species (or Federal listed/candidate species) have been documented as occurring within the project action area. Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities which include:

Christy Shepherd

From: Lindy Clay <Lindy.Clay@owrb.ok.gov>
Sent: Thursday, February 20, 2020 11:27 AM
To: Christy Shepherd
Subject: FW: OK Project Review Response Re: [EXTERNAL] Inola PWA

Hey Christy,

Here is the email of acceptance.
Please let me know if you need me to do anything else.

Lindy

From: OK Project Review, FWS [<mailto:okprojectreview@fws.gov>]
Sent: Thursday, February 20, 2020 11:26 AM
To: Lindy Clay
Subject: OK Project Review Response Re: [EXTERNAL] Inola PWA

Thank you for submitting your project through the U.S. Fish and Wildlife Service's Oklahoma Ecological Service Field Office project review website. This email serves as verification of your submission to OKprojectreview@fws.gov.

For future requests, please note the following Issues and Updates with the Project Review Webpage:

Project Review Website Known Issues

6/24/2014

Our email return receipt for okprojectreview@fws.gov can provide only one response per email address every four hours. If you submit multiple requests within a four hour window, you may use the return receipt email from your initial project request as proof of additional project submittals.

The proposed action consists of:

This project will be installing a new wastewater line, manholes and a lift station. There was an area that was potential habitat for the ABB in the project. I spoke with Kevin Stubbs at USFWS about this area that is 180 feet long, if it would require a survey for just that area. He looked at the information with me and stated that since there has not been a positive survey in years and that the area of disturbance is very small, a survey is not needed.

Project start and completion dates:

Start: June 2020 and Complete: March 2021

Federal agency or federal program providing a permit, funding, grant, authorization, loan, etc. associated with the proposed project and how that agency is associated with your project:

Oklahoma Water Resources Board is funding this project with State Revolving Funds (SRF)

Federal Agency/Program Point of contact (Name, phone, and email address):

Oklahoma Water Resources Board, Lindy Clay 405-530-8858, lindy.clay@owrb.ok.gov

The species conclusions table in the enclosed project review package summarizes your ESA conclusions. These conclusions resulted in "not likely to adversely affect/modify" determinations for listed species and critical habitat in relation to potential effects of your proposed project. We certify that the use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with determinations of "not likely to adversely affect" for listed species and critical habitat reached by proper use of this process. For projects where this particular determination is reached, additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages efforts to avoid or minimize adverse impacts to them from project effects. Some federal agencies have standing policies that grant limited protections to candidate species. Conservation of candidate species now may preclude future needs to federally list them as endangered or threatened, at which point their legal protection would become required. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of listed species or critical habitat becomes available, this determination may be reconsidered. You should re-visit the Service's Information, Planning, and Conservation (IPaC) website at <http://ecos/fws.gov/ipac/> within 90 days of project initiation to ensure species information is correct. If new species or critical habitat is identified, this letter is no longer valid and a new project package should be submitted to the Oklahoma ESFO.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Oklahoma is available at our website: <<http://www.fws.gov/southwest/es/oklahoma/>>. If you have any questions, please call 918-581-7458 or send an email message to OKProjectReview@fws.gov.

Sincerely,
/s/ Jonna Polk
Field Supervisor
Oklahoma Ecological Services Field Office

Enclosures:

- 1) ENTIRE PROJECT REVIEW
 - PACKAGE: Species Conclusion Table
 - IPaC Species List and Action Area map
 - This letter (Online Concurrence Letter)
 - (Optional) Additional maps
- 2) Other relevant project data/documents

I spoke with Kevin Stubbs, USFWS, about an ABB survey for a very small portion of this project, 180 feet. He stated that it would not be necessary and that there has not been a positive survey in years. He also told me to state this in my correspondence for records.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129-1428
Phone: (918) 581-7458 Fax: (918) 581-7467
<http://www.fws.gov/southwest/es/Oklahoma/>

In Reply Refer To:

February 19, 2020

Consultation Code: 02EKOK00-2020-SLI-0936

Event Code: 02EKOK00-2020-E-02345

Project Name: Inola PWA ORF-20-0014-CW

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Non-federal entities conducting activities that may result in take of listed species should consider seeking coverage under section 10 of the ESA, either through development of a Habitat Conservation Plan (HCP) or, by becoming a signatory to the General Conservation Plan (GCP) currently under development for the American burying beetle. Each of these mechanisms provides the means for obtaining a permit and coverage for incidental take of listed species during otherwise lawful activities.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit through our Project Review step-wise process <http://www.fws.gov/southwest/es/oklahoma/OKESFO%20Permit%20Home.htm>.

02/19/2020

Event Code 02EKOK00-2020-E-02345

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Oklahoma Ecological Services Field Office

9014 East 21st Street
Tulsa, OK 74129-1428
(918) 581-7458

Project Summary

Consultation Code: 02EKOK00-2020-SLI-0936

Event Code: 02EKOK00-2020-E-02345

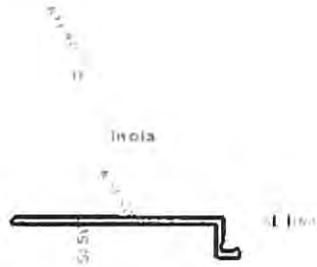
Project Name: Inola PWA ORF-20-0014-CW

Project Type: WASTEWATER PIPELINE

Project Description: The project is to add a new line to the sewer system with manholes that connects to the WWTP. This is located in ABB territory. After reviewing the location of the project, there appears to be only a very small location near the RR tracks that could be habitat.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/36.147024052275015N95.5027028728226W>



Counties: Rogers, OK

Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME

STATUS

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/9045>

Birds

NAME	STATUS
<p>Least Tern <i>Sterna antillarum</i> Population: interior pop. No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Turbines and Wind Farms ▪ Towers (i.e. radio, television, cellular, microwave, meteorological) <p>Species profile: https://ecos.fws.gov/ecp/species/8505</p>	Endangered
<p>Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039</p>	Threatened
<p>Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864</p>	Threatened
<p>Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758</p>	Endangered

Clams

NAME	STATUS
<p>Neosho Mucket <i>Lampsilis rafinesqueana</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3788</p>	Endangered
<p>Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165</p>	Threatened

Insects

NAME	STATUS
<p>American Burying Beetle <i>Nicrophorus americanus</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/66</p>	Endangered

02/19/2020

Event Code 02EKOK00-2020-E-02345

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

-
1. The Migratory Birds Treaty Act of 1918.
 2. The Bald and Golden Eagle Protection Act of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ “What does IPaC use to generate the migratory birds potentially occurring in my specified location”. Please be aware this report provides the “probability of presence” of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the “no data” indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ “Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds” at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER POND

- PUBHh

RIVERINE

- R4SBC

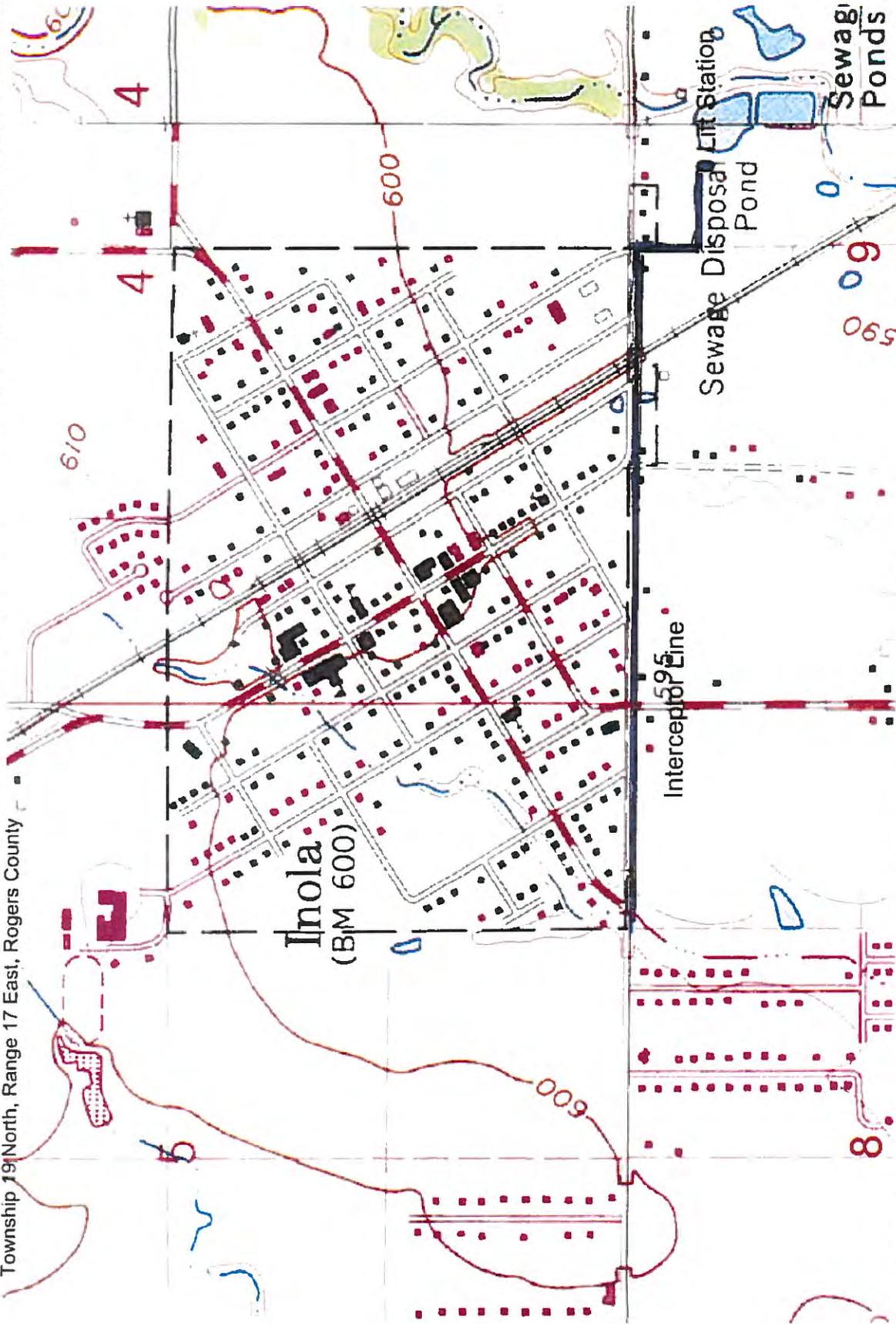
Species Conclusions Table

Inola Public Works Authority – Wastewater Interceptor Line and Lift Station: ORF-20-0014-CW

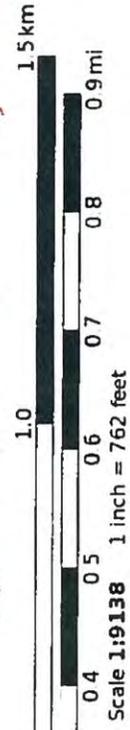
Date: February 20, 2020

Species / Critical Habitat	Habitat Determination	Notes / Documentation	ESA Determination
Mammals – Northern long-eared Bat – Threatened (<i>Myotis septentrionalis</i>)	Habitat not present	Spends spring, summer and fall in wooded areas and hibernates in caves and mines in winter. Roost in forested/wooded habitats that have exfoliating bark, cracks, and crevices in summer and can include emergent wetlands, adjacent edges of agricultural fields and pastures. Site survey revealed no known caves or mines within the project areas of proposed route of interceptor line that would be disturbed. Line goes through residential area and crosses some grazed pastureland within Town limits. Comments from Todd Fagin, ONHI did not reflect any occurrences of these bats within the project area.	No effect
Bird – Least Tern - Endangered (<i>Sterna antillarum</i>)	N/A	This project does not involve Towers (i.e. radio, television, cellular, microwave, meteorological) or Wind Turbines and Wind Farms.	No effect
Bird – Piping Plover - Threatened (<i>Charadrius melodus</i>) Critical habitat designated	Habitat not present	Migration March-May & July-September, would most likely occur along beaches, salt flats or sand bars which are not within project area. There is final critical habitat for this species, however this project location is outside that designated area.	No effect
Bird – Red Knot- Threatened (<i>Calidris canutus rufa</i>)	Habitat not present	Migration stops would most likely occur along a river or beaches/shallows of Lakes where food sources like juvenile clams or mussels would be present. Site survey reveals no habitat present in this project area.	No effect
Bird – Whooping Crane - Endangered (<i>Grus americana</i>) Critical habitat designated	Habitat not present	Fly over migrants in early spring/late fall. Would be very rare for occurrence in project area as habitat (wetlands, shallow rivers, ponds, streams) not present in project area. Location is outside the designated critical habitat.	No effect
Clams - Neosho Mucket - Endangered (<i>Lampsilis rafinesqueana</i>) Critical habitat designated	Habitat not present	There are no springs, creeks, rivers, lakes, ponds or reservoirs in the project area.	No effect
Clams – Rabbitsfoot - Threatened (<i>Quadrula cylindrical</i>) Critical habitat designated	Habitat not present	There are no springs, creeks, rivers, lakes, ponds or reservoirs in the project area.	No effect
Insect - American Burying beetle- Endangered (<i>Nicrophorus americanus</i>)	Habitat present (in small area)	Most of the interceptor line will be constructed in private ROW of residences with maintained lawns under 8 inches through frequent mowing and through grazed pastureland. A small area in the railroad ROW within the Town limits had growth over 8 inches, however, this area will be bored under the railroad and its ROW, not disturbing the land or its vegetation. Lindy Clay, OWRB spoke with Kevin Stubbs, FWS 2/13/20. He stated since the disturbance is a very small area and due to a negative presence from prior surveys, the likelihood of there being a presence of ABB is small, therefore the project can move forward without a survey.	May affect, not likely to adversely affect

Inola Public Works Authority - Interceptor Line through Sections 8 and 9, Lift Station at the existing plant site located in SW/4 NW/4 NE/4, Section 9, Township 19N, Range 17E, Rogers County



Inola Interceptor Project
WG584
USNG Zone 15STA
Scale 1:9138 1 inch = 762 feet
Car/Topo



Inola Public Works Authority, Rogers County, Oklahoma

Wastewater Interceptor Line

LS = New lift station at the existing wastewater treatment plant site.



Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Information to Determine 4(d) Rule Compliance:

YES NO

Information to Determine 4(d) Rule Compliance:	YES	NO
1. Does the project occur wholly outside of the WNS Zone ¹ ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Have you contacted the appropriate agency ² to determine if your project is near known hibernacula or maternity roost trees?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Could the project disturb hibernating NLEBs in a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Could the project alter the entrance or interior environment of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

Agency and Applicant³ (Lindy Clay, lindy.clay@owrb.ok.gov, 405-651-7345):

Project Name: Inola PWA

Project Location (Sections 8 & 9 of T19N, R17EIM Rogers County):

Basic Project Description (construction of a new wastewater interceptor line, a new force main, rehab/replacement and instillation of 24 manholes city wide.):

¹ <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

² See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

³ If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

General Project Information	YES	NO
Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion ⁴ ? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of forest conversion		
If known, estimated acres ⁵ of forest conversion from April 1 to October 31		
If known, estimated acres of forest conversion from June 1 to July 31 ⁶		
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature: Lindy Clay

Date Submitted: 3/24/2020

⁴ Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

⁵ If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

⁶ If the activity includes tree clearing in June and July, also include those acreage in April to October.



Northern Long-Eared Bat

Myotis septentrionalis

The northern long-eared bat has been proposed to be federally listed as an endangered species under the Endangered Species Act. Endangered species are animals and plants that are in danger of becoming extinct. Identifying, protecting, and restoring endangered and threatened species are primary objectives of the U.S. Fish and Wildlife Service's endangered species program.

What is the northern long-eared bat?

Appearance: The northern long-eared bat is a medium-sized bat about 3 to 3.7 inches but with a wingspan of 9 to 10 inches. Its fur color can be medium to dark brown on the back and tawny to pale-brown on the underside. As its name suggests, this bat is distinguished by its long ears, particularly as compared to other bats in its genus, *Myotis*, which are actually bats noted for their small ears (*Myotis* means mouse-eared).

Winter Habitat: Northern long-eared bats spend winter hibernating in caves and mines, called hibernacula. They typically use large caves or mines with large passages and entrances; constant temperatures; and high humidity with no air currents. Specific areas where they hibernate have very high humidity, so much so that droplets of water are often seen on their fur. Within hibernacula, surveyors find them in small crevices or cracks, often with only the nose and ears visible.

Summer Habitat: During summer, northern long-eared bats roost singly or in colonies underneath bark, in cavities, or in crevices of



Photo by Steve Taylor, University of Illinois

This northern long-eared bat, observed during an Illinois mine survey, shows visible symptoms of white-nose syndrome.

both live and dead trees. Males and non-reproductive females may also roost in cooler places, like caves and mines. This bat seems opportunistic in selecting roosts, using tree species based on suitability to retain bark or provide cavities or crevices. It has also been found, rarely, roosting in structures like barns and sheds.

Reproduction: Breeding begins in late summer or early fall when males begin swarming near hibernacula. After copulation, females store sperm during hibernation until spring, when they emerge from their hibernacula, ovulate, and the stored sperm fertilizes an egg. This strategy is called delayed fertilization.

After fertilization, pregnant females migrate to summer areas where they roost in small colonies and give birth to a single pup. Maternity colonies, with young, generally have 30 to 60 bats, although larger maternity colonies have been observed. Most

females within a maternity colony give birth around the same time, which may occur from late May or early June to late July, depending where the colony is located within the species' range. Young bats start flying by 18 to 21 days after birth. Adult northern long-eared bats can live up to 19 years.

Feeding Habits: Northern long-eared bats emerge at dusk to fly through the understory of forested hillsides and ridges feeding on moths, flies, leafhoppers, caddisflies, and beetles, which they catch while in flight using echolocation. This bat also feeds by gleaning motionless insects from vegetation and water surfaces.

Range: The range of the northern long-eared bat includes much of the eastern and north central United States, and all Canadian provinces from the Atlantic Ocean west to the southern Yukon Territory and

eastern British Columbia. Within the United States, this area includes the following 39 States: Alabama, Arkansas, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Why is the northern long-eared bat in danger of extinction?

White-nose Syndrome: No other threat is as severe and immediate as the disease, white-nose syndrome. If this disease had not emerged, it is unlikely the northern long-eared population would be declining so dramatically. Since symptoms were first observed in New York in 2006, white-nose syndrome has spread rapidly from the Northeast to the Midwest and Southeast; an area that includes the core of the northern long-eared bat's range where it was most common before this disease. Numbers have declined by 99 percent in the Northeast. Although there is uncertainty about the rate that white-nose syndrome will spread within the species' range, it is expected to spread throughout the United States.

Other Sources of Mortality:

Although significant population declines have not been observed due to the sources of mortality listed below, they may now be important factors affecting this bat's ability to persist while experiencing dramatic declines caused by white-nose syndrome.

Impacts to Hibernacula: Gates or other structures to exclude people from caves and mines restrict bat flight and movement and change airflow and internal cave and mine

microclimates. A few degrees change can make a cave unsuitable for hibernating bats. Also, cave-dwelling bats are vulnerable to human disturbance while hibernating. Bats use up their energy stores when aroused and may not survive the winter or females may not successfully give birth or rear young.

Loss or Degradation of Summer

Habitat: Highway and commercial development, surface mining, and wind facility construction permanently remove habitat and are prevalent in many areas of this bat's range. Timber harvest and forest management can remove or alter (improving or degrading) summer roosting and foraging habitat.

Wind Farm Operation: Wind turbines kill bats, including northern long-eared bats, although only a small number have been documented to date. However, there are many wind projects within a large portion of the bat's range and many more are planned.

What Is Being Done to Prevent Extinction of the Northern Long-Eared Bat?

Disease Management: Actions have been taken to slow the spread of white-nose syndrome through human transmission of the fungus into caves (e.g. cave and mine closures and advisories; national decontamination protocols). A national plan was prepared by the Service and other state and federal agencies that details actions needed to investigate and manage white-nose syndrome. Many state and federal agencies, universities and non-governmental organizations are researching this disease to try to control its spread and address its affect.

Addressing Wind Turbine

Mortality: The Service and others are working to minimize bat mortality from wind turbines on several fronts. We fund and conduct research to determine why bats are susceptible

to turbines, how to operate turbines to minimize mortality and where important bat migration routes are located. The Service, state natural resource agencies, and wind energy industry are developing a Midwest Wind Energy Multi-Species Habitat Conservation Plan that will provide wind farms a mechanism to continue operating legally while minimizing and mitigating listed bat mortality.

Listing: We are proposing to list the northern long-eared bat as an endangered species under the federal Endangered Species Act. Listing affords a species the protections of the Act and increases the priority of the species for funds, grants, and recovery opportunities.

Hibernacula Protection: Many agencies and organizations have protected caves and mines that are important hibernacula for cave-dwelling bats.

What Can I Do?

Do Not Disturb Hibernating Bats: Comply with all cave and mine closures, advisories, and regulations. In areas without a cave and mine closure policy, follow approved decontamination protocols (see whitenosesyndrome.org/topics/decontamination). Under no circumstances should clothing, footwear, or equipment that was used in a white-nose syndrome affected state or region be used in unaffected states or regions.

Leave Dead and Dying Trees

Standing: Where possible and not a safety hazard, leave dead or dying trees on your property. Northern long-eared bats and many other animals use these trees.

Install a Bat Box: Dead and dying trees are usually not left standing, so trees suitable for roosting may be in short supply and bat boxes can provide additional roost sites.



U.S. Fish & Wildlife Service

Piping Plover

Oklahoma Ecological Service Field Office

Piping Plover

Charadrius melodus

Description

The piping plover is a 5 ½ inch long pale grayish-brown shorebird with a white breast. During the breeding season, it has a black breast band which is sometimes incomplete and a black bar between its eyes. The bill is dull orange with a black tip and the legs and feet are orange.

Distribution

Piping plovers occur in three disjunct populations in North America: Northern Great Plains, Great Lakes, and Atlantic Coast. This species migrates through Oklahoma each spring and fall.

Life History

In Oklahoma, the piping plover is a bi-annual migrant, traveling between its nesting habitat to the north of Oklahoma (the Great Plains population nests from Kansas to southern Canada), and its wintering grounds on the gulf coast. There is a record of piping plovers nesting at Optima Lake in Texas County.

Migration through Oklahoma is likely to occur from March-May and July-September. Piping plovers usually migrate as individuals or small groups and may be seen along sandbars of major rivers, salt flats, and mudflats of reservoirs. Piping plovers forage on these shoreline habitats and eat small invertebrates.

More detailed information on life history is available at *The Birds of North America* website.



Piping plover. USFWS

Conservation

The Great Plains population of piping plover was federally listed as a threatened species on December 11, 1985 (50 CFR 21784). There is no designated critical habitat for piping plovers in Oklahoma. Conservation of this species has focused on breeding and wintering habitat and relatively little is known about the habitat used during migration. During migration, piping plovers have been documented in many areas of Oklahoma from the panhandle to the eastern border and probably migrate through or over all of Oklahoma.

What Can You Do to Help

Ongoing conservation of large river and salt flat stopover habitat is helpful. Avoid disturbance of any piping plovers that may use river or reservoir shoreline habitat during migration.

References

Great Lakes & Northern Great Plains Piping Plover Recovery Plan, U.S. Fish and Wildlife Service. 1998.

The Birds of North America, No.2, 1992

For Further Information

U.S. Fish and Wildlife Service
Oklahoma
Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129
918/581-7458

August 2011



U.S. Fish & Wildlife Service

Rufa red knot

Calidris canutus rufa

Skilled aviator Rear Admiral Richard E. Byrd flew over both the North and South poles. But what this renowned man accomplished with the help of sled dogs, ships and airplanes, a little shorebird weighing less than a cup of coffee completes every year of its life. The red knot is truly a master of long-distance aviation.

On wingspans of 20 inches, some red knots fly more than 9,300 miles from south to north every spring and repeat the trip in reverse every autumn, making this bird one of the longest-distance migrants in the animal kingdom. About 9 inches long, red knots are about the size of a robin. Biologists have identified six subspecies, three of them living in the Western Hemisphere: *C.c. islandica*, *C.c. roselaari*, and *C.c. rufa*. This last, the red knot known as rufa, winters at the tip of South America in Tierra del Fuego, in northern Brazil, throughout the Caribbean, and along the U.S. coasts from Texas to North Carolina. The rufa red knot breeds in the tundra of the central Canadian Arctic from northern Hudson Bay to the southern Queen Elizabeth Islands.

Surveys of wintering knots along the coasts of southern Chile and Argentina and during spring migration in Delaware Bay on the U.S. coast indicated a serious population decline during the 2000. Biologists from the U.S. Fish and Wildlife Service, state natural resource agencies,

A red knot banded in May 1987 was seen on Delaware Bay in May 2000. During those 13 years, the bird had flown about 242,350 miles, a distance farther than from the earth to the moon.



and non-profit organizations all share a concern for the rufa red knot and are pooling efforts to identify what needs to be done to prevent further losses.

Strength in numbers

Red knots winter and migrate in large flocks containing hundreds of birds. While we can guess at some of the benefits of traveling in large flocks, such as protection from predators, we can also see the downside - susceptibility to habitat change and loss, oil spills, toxins, red tides, diseases, collisions with wind turbines, storms, and hunting. Red knots were heavily hunted in the early 20th century, and may have never recovered in eastern North America. Knots are still hunted in parts of the Caribbean and South America.

Eating like a bird

For much of the year red knots eat small clams, mussels, snails and other invertebrates, swallowing their prey whole - shell and all. Migrating knots can complete nonstop flights of 1,500 miles and more, converging on critical stopover areas to rest and refuel along

the way. In order to endure their long journeys, red knots undergo extensive physical changes. Flight muscles enlarge, while leg muscles shrink. Stomachs and gizzards decrease, while fat mass increases by more than 50 percent. Due to these physical changes, knots arriving from long migration flights are not able to feed maximally until their digestive systems regenerate, a process that may take several days. Thus, migrating birds require stopover habitats rich in easily digested foods - with thin or no shells - in order to gain enough weight to fuel the next flight. In spring, migrating knots seem to follow a northward "wave" in quality prey - by timing their stopovers with the spawning seasons of intertidal invertebrates, knots take advantage of readily digestible food resources like juvenile clams and mussels and horseshoe crab eggs. Red knots arrive at stopovers areas very thin, sometimes emaciated. They eat constantly to gain enough weight to continue their journeys, adding up to 10 percent of their body weight each day and nearly doubling their body weights during some stopovers.

Requirements for survival

The red knot's unique and impressive life history depends on suitable habitat, food, and weather conditions at far-flung sites across the Western Hemisphere, from the extreme south of Tierra del Fuego to the far north of the central Canadian Arctic. Further, red knots need to encounter these favorable habitat, food, and weather conditions within narrow seasonal windows as the birds hopscotch along migration stopovers between wintering and breeding areas. For example, the red knot population decline that occurred in the 2000s was caused primarily by reduced food availability from increased harvests of horseshoe crabs, exacerbated by small changes in the timing that red knots arrived at the Delaware Bay. Red knots may also be particularly vulnerable to global climate change, which is likely to affect the arctic tundra ecosystem where the knots breed; the quality and quantity of coastal habitats due to rising sea levels; the quantity and timing of invertebrate food resources throughout the bird's range; and the severity, timing, and location of storm and weather patterns.

Horseshoe crab harvests are now managed with explicit goals to stabilize and recover red knot populations; red knot number appear to have stabilized in the past few years, but at low levels relative to earlier decades. Red knots fascinate biologists, bird watchers and people who appreciate the complex beauty of the natural world. Together with these partners, the U.S. Fish and Wildlife Service is dedicated to working to conserve this extraordinary bird.

**Northeast Region
U.S. Fish and Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035
413/253 8200
<http://northeast.fws.gov>**

**Federal Relay Service
for the deaf and hard-of-hearing
1 800/877 8339**

**U.S. Fish and Wildlife Service
<http://www.fws.gov>
1 800/344 WILD
September 2013**





U.S. Fish & Wildlife Service

Whooping Crane

Oklahoma Ecological Service Field Office

Whooping Crane

Grus americana

Description

At 5 feet (1.5 m), the whooping crane is the tallest American bird. It is a snowy white, long-necked bird with long legs. Its black primary feathers show only during flight. Adults have a red crown and a patch of black feathers below the eye. Young are whitish overall, but have a rusty-colored head and neck.

Distribution

Whooping cranes pass through western Oklahoma each spring and fall during migration. The Salt Plains National Wildlife Refuge, near Jet, Oklahoma, is a very important migration stopover area and is designated critical habitat. During migration, whooping cranes sometimes are sighted elsewhere in Oklahoma along rivers, in grain fields, or in shallow wetlands. Whooping cranes primarily use shallow, seasonally and semi permanently flooded palustrine wetlands and various cropland and emergent wetlands.

Life History

The whooping crane is a bi-annual migrant, traveling between its summer habitat in central Canada, and its wintering grounds on the Texas coast, across the Great Plains of the U.S. in the spring and fall of each year. Autumn migration normally begins in mid-September, with most birds arriving on the Texas wintering grounds between late October and mid-November. Spring migration departure dates are normally between late March and mid-April, with the last birds usually leaving by May 1. Whooping cranes migrate south as singles, pairs, in family groups, or as small flocks of 3 to 5 birds. They are diurnal migrants and stop daily to feed and rest. Whooping cranes eat a variety of things, including insects, frogs, small birds, rodents, minnows, and waste grains.



Whooping crane. USFWS

Conservation

By the mid- 1940s, only 15 whooping cranes were present in the wild. The whooping was federally listed as an endangered species on March 11, 1967 (32 FR 4001). An intensive captive-breeding program and careful protection of wild flocks have slowly increased the number in the wild to more than 120. Whooping cranes have declined primarily because of loss of wintering and breeding habitat. Current threats to wild cranes include collisions with manmade objects such as power lines and fences, shooting, predators, disease, habitat destruction, severe weather, and a loss of two thirds of the original genetic material.

What Can You Do to Help

Sightings are important for monitoring the status of federally-listed species.

To report whooping crane sightings to the US Fish and Wildlife Service please complete the sighting report form (<http://whoopingcrane.com/report-a-sighting/>) within the migration corridors, continue to gather sighting reports for whooping cranes and promote public awareness. Ongoing conservation of wetland habitat within historical stopover habitat is

helpful. Private landowners should be provided with incentives to manage lands to benefit wetlands in historic migration, breeding, and wintering areas. Additionally, purchase land or conservation easements in areas that still support healthy wetlands.

References

Canadian Wildlife Service and U.S. Fish and Wildlife Service. 2007. *International recovery plan for the whooping crane*. Ottawa: Recovery of Nationally Endangered Wildlife (RENEW), and U.S. Fish and Wildlife Service, Albuquerque, New Mexico. 162 pp.

For Further Information

U.S. Fish and Wildlife Service
Oklahoma
Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129
918/581-7458

August 2011



Neosho Mucket and Rabbitsfoot Mussels



Neosho mucket uses a minnow lure to attract a host fish (bass) for its larvae, credit Chris Barnhart/Missouri State University.



Rabbitsfoot uses a midge fly lure to attract a host fish (shiners) for its larvae, credit Chris Barnhart/Missouri State University.

No other country in the world equals the United States in freshwater mussel variety. The U.S. has nearly 300 mussel species, while Europe has only 12 species. The Southeast is especially rich in aquatic biodiversity.

Unfortunately, our mussels are in trouble. It's estimated that 70 percent of U.S. freshwater mussels are extinct, endangered, or in need of special protection. Many of their problems stem from how they live and the changes that have occurred to their river habitats.

Why are freshwater mussels so imperiled?

Our native freshwater mussels face greater problems today than they did just a few years ago. Mussels are primarily threatened from changes to their habitat. Although water quality has improved in some areas, pollution, especially polluted rainwater runoff from roads and fields, is an ongoing threat to native mussels. Dirt and chemical contaminants in streams continue to take a serious toll. Habitat losses from channelization and sand and gravel mining are also problems.

Life down under

Most freshwater mussels live burrowed in mixed mud, sand, and gravel at the bottom of rivers and streams. Some are adapted to the quiet water and muddy depths of lakes, ponds, and reservoirs.

Mussels usually do not move much, but a muscular "foot" helps them burrow and allows limited travel if disturbed by floods or drought. The foot also helps anchor them against strong currents and may prevent a hungry muskrat from tugging them out for its dinner. A mussel's shell, however, provides its main protection from predators.

Their hard, calcium-based shells consist of two halves joined by a hinge. Unique names like "rabbitsfoot," "Neosho mucket," "heelsplitter," and "fawnsfoot" refer to the wide range of shell size, color, shape, and texture.

Freshwater Mussel Facts

Common and scientific names:

Neosho mucket (*Lampsilis rafinesqueana*)

Rabbitsfoot

(*Quadrula cylindrica cylindrica*)

Status: The Neosho mucket and rabbitsfoot were federally listed under the Endangered Species Act on September 17, 2013. The Neosho mucket is endangered and the rabbitsfoot is threatened. Both mussel species have been lost from more than 60 percent of their historical ranges.

Description: Mussels are bivalve mollusks, which means they have two valves (shells) surrounding a soft fleshy body. Freshwater mussels are related to snails, oysters, clams and squids.

Habitat: Rabbitsfoot mussels prefer shallow areas with sand and gravel along the bank and next to shoals, which provide a refuge in fast-moving rivers. They are found in 13 states from Pennsylvania to Oklahoma.

Neosho mucket mussels are also found in river bottoms with gravel and sand in shoals and near the shore. They are found in streams and rivers in Arkansas, Kansas, Missouri and Oklahoma.

Diet: Most animals must travel in search of food. But the food for these mussels — mainly tiny plants and animals called plankton suspended in the water — drifts to the mussels. By drawing water inside their shells through a siphon, their gills filter out food and take in oxygen.

Life history: Fertilized eggs develop and are released into the water to begin a parasitic stage. With little time to waste, these youngsters, called glochidia, must attach themselves to a host fish or perish. For some mussels, the host is limited to only a few fish species. Neosho mucket only uses black basses such as smallmouth, largemouth, and spotted bass for its host. Rabbitsfoot uses about a dozen species of shiners (minnows) for its host. This harmless parasitic stage lasts a matter of weeks before the larvae transform into young mussels and are ready to drop off the fish and begin a life on the stream bottom. Their life span is unknown, but a good estimate is 15 to 30 years.

U.S. Fish & Wildlife Service

Critical habitat for the Neosho mucket and rabbitsfoot mussels

The Service has designated critical habitat for both mussel species. Critical habitat is a geographic area scientifically identified by the Service as necessary for the species to survive and reproduce. Designating critical habitat informs landowners and the public which specific areas are important to the species' conservation and recovery. In addition, federal agencies are required to consult with the Service on their actions that could impact critical habitat and together they work to avoid or minimize impacts through conservation measures. These measures would need to be carried out because the species are federally protected and listed, regardless of whether or not critical habitat is designated.

For the Neosho mucket, the Service designated critical habitat in seven stream segments where the mussel is found, comprising approximately 483 river miles in Arkansas, Kansas, Missouri and Oklahoma. For the rabbitsfoot, the Service designated critical habitat in 31 stream segments where the mussel is found, comprising approximately 1,437 river miles in Alabama, Arkansas, Indiana, Illinois, Kansas, Kentucky, Mississippi, Missouri, Ohio, Oklahoma, Pennsylvania, and Tennessee. The critical habitat is limited to the river itself, below the high watermark, and not the watersheds.

Why should we care about mussels?

Monitors of aquatic health

The presence of diverse and reproducing populations of mussels indicate a healthy aquatic system which means good fishing, good water quality for waterfowl, other wildlife species, and people as well as assuring that our water is safe for our use (swimming and drinking). Conversely, when mussel populations are at risk, it indicates problems for other fish and wildlife species, and people, too.

Ecological value

Mussels are natural filters, feeding on algae and plankton that help clean the water. Mussels are also an important food source for many species of wildlife including otters, raccoon, muskrat, herons, egrets, and some fish.

Education and aesthetic value

The study of mussels, their natural history, and habitat requirements provides important lessons on the interconnectedness of the aquatic system and how species adapt to their ecosystem.



Illinois River, Arkansas, is home to rabbitsfoot and Neosho mucket, credit Chris Davidson/USFWS

Cultural value

Mussels played an important role in the cultural history of prehistoric and recent native people. They were used as food and the shells were used for ornamentation, tools, and as a commodity for trade. Indian shell middens (the piles of shells that Native Americans left behind) extend for miles along sites of old villages and encampments along rivers. Mussels were used for buttons prior to World War II. They are still used in the cultured pearl industry.

Biodiversity

Mussels play an important role in our aquatic ecosystems. Considering that less than 20 mussel species are found in most other countries of the world, our North American rivers and streams are truly "rich" with close to 300 species.

What is being done?

There is still much more to learn about the biology and conservation issues facing mussels. Thanks to grants from the U.S. Fish and Wildlife Service and state wildlife agencies, researchers are now making new discoveries about the locations and abundance of rare mussel populations. This information, along with efforts to understand specific biological traits like identifying fish hosts, will allow for better conservation actions to ensure the continued survival of these rare and interesting animals.

How can you help?

Individuals can do a number of things to help protect mussels including:

Conserve water to allow more water to remain in streams.

Use pesticides responsibly, especially around streams and lakes, to prevent runoff into mussel habitats. Consider using Integrated Pest Management strategies to reduce pesticide use.

Help control soil erosion by planting trees and plants to avoid runoff of sediments into freshwater areas.

Support practices for construction and maintenance of unpaved, rural dirt and gravel roads that minimize erosion and connectivity to our rivers and lakes.

Support and follow zebra mussel quarantine, inspection, and decontamination programs to prevent the spread of zebra mussels, an invasive species that competes with native mussels.

Where can I find more information regarding the recovery efforts and critical habitat for the Neosho mucket and rabbitsfoot?

Additional information is available at:

www.fws.gov/southeast/species/invertebrate/neosho_mucket.html

and

www.fws.gov/southeast/species/invertebrate/rabbitsfoot.html



American Burying Beetle

Oklahoma Ecological Service Field Office

American Burying Beetle

Nicrophorus americanus

Description

The American burying beetle (ABB) is a large (0.98-1.4 inches) shiny black beetle, with hardened protective wing covers (elytra) that meet in a straight line down the back. Each elytron has 2 scalloped-shaped orange-red markings. Its most distinguishing feature is the large orange-red marking on the raised portion of the pronotum (shield over the mid-section between head and wings), which is circular, with raised central portion and flattened margins. The ABB has orange-red frons (a mustache-like feature) and a single orange-red mark on the clypeus (face). This mark is triangular in females and rectangular in males. The ABB has large antennae with notable orange clubs at tips.

Distribution

Rhode Island, South Dakota, Nebraska, Kansas, Arkansas, Texas, and Oklahoma, with 2 introduced populations in Massachusetts, and Missouri.

Life History

The ABB lives for just one year, it is nocturnal (active only at night), a strong flier, usually reproduces only once, and undergoes complete metamorphosis. The ABB is active in summer and inactive during winter. During winter months when temperatures are below 60°F (15°C,) ABB bury themselves in the soil to overwinter. When temperatures are above 60°F (15°C) they emerge from the soil and begin mating and reproduction. ABB are scavengers dependent on carrion for their life cycle and must compete with vertebrate and other invertebrate species for carrion. Reproduction involves burying a small vertebrate carcass (1-9 ounces; 35-250 grams), laying eggs beside the carcass, and feeding the larvae from the carcass until mature. Both parents provide care to their young.

Habitat

Considered to be feeding habitat generalists, their reproductive habitat is believed to be more specialized. Habitat requirements for ABB, particularly



American Burying Beetle. © Roger Williams Park Zoo

reproductive habitat requirements are not fully understood. The ABB has been found in various habitat types including open fields and grasslands, oak-pine woodlands, oak-hickory forest, bottomland hardwoods, and natural edge habitats.

Conservation

Federally-listed as endangered (54 FR 29652; July 13, 1989). Critical habitat has not been designated. At the time of listing in 1989, there were only two known populations - Latimer County, Oklahoma and on Block Island, Rhode Island.

The ABB has disappeared from over 90% of its historic range and is currently restricted to the eastern and western extremities of its historic range. Habitat loss, alteration, and degradation have been attributed to the decline. In Oklahoma, the ABB is currently known to occur in 27 eastern counties. Of particular concern for ABB conservation is soil disturbances from construction projects because it is believed that the ABB stays underground or under leaf litter during the daytime and can easily be killed if soil is compacted or removed.

References

- U.S. Fish and Wildlife Service. 1991. American burying beetle recovery plan. U.S. Fish and Wildlife Service, Newton Corner, Massachusetts.
- Kozol, et al. 1988. *The American burying beetle, Nicrophorus americanus: studies on the natural history of a declining species.* *Psyche* 95:167-176.
- Lomolino, M. V., J. C. Creighton, G. D. Schnell, and D. L. Certain. 1995. *Ecology and conservation of the endangered American burying beetle (Nicrophorus americanus).* *Conservation Biology* 9:605-614.
- Sikes, D.S. and R. J. Raithel. 2002. *A review of hypotheses of decline of the endangered American burying beetle (Silphidae: Nicrophorus americanus Olivier).* *Journal of Insect Conservation* 6:103-113.

For Further Information

U.S. Fish and Wildlife Service
Oklahoma
Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129
918/581-7458

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 11:33 AM
To: Clay, Lindy (Lindy.Clay@owrb.ok.gov)
Subject: Inola Public Works Authority - Wastewater project - SHPO review
Attachments: shpo ltr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Good Morning Lindy!

I am starting to work on the EID for the above project. Please find attached a letter and project maps requesting SHPO review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Do you need to submit on behalf of the Agency or do I send it direct?

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

Ms. Melvena Heisch, Deputy State Historic Preservation Officer
Oklahoma Historical Society
800 Nazih Zuhdi Drive
Oklahoma City, OK 73105-7917

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements -
Request for Comments; Historical Sites / Landmarks

Dear Ms. Heish:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on identified historic properties that are listed or eligible for listing on the National Register of Historic Places that may be affected by the project with any recommendations you may have to avoid potential impacts to properties that may be affected. Our review of the Registry did not note any listings in the proposed project area. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps



**STATE OF OKLAHOMA
WATER RESOURCES BOARD**

www.owrb.ok.gov

February 7, 2020

Lynda Ozan, Deputy SHPO
Oklahoma Historical Society
State Historical Preservation Office
Oklahoma History Center
800 Nazih Zuhdi
Oklahoma City, OK 73105

Re: Request for Review and Comment on Inola Public Works Authority,
Project No. ORF-20-0014-CW, Historical Sites and Landmarks Pursuant to Section 106

Dear Ms. Ozan:

The Oklahoma Water Resources Board (OWRB), delegated by the Environmental Protection Agency as the Responsible Official for compliance with the procedural requirements of National Environmental Policy Act (NEPA) (40CFR Part 6) for wastewater treatment construction grants under Title II of the Clean Water Act (CWA), formally requests review and comment pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's (ACHP's) regulations for the following project(s):

Inola Public Works Authority is proposing to construct a new interceptor wastewater line through Sections 8 and 9, Township 19N, Range 17E1M; a new lift station at the wastewater treatment plant (WWTP) site located at Section 9, Township 19N, Range 17E1M; a new force main from the new lift station to the existing lagoons; and rehab, replacement and installation of approximately 24 manholes city wide. It is anticipated these improvements will be funded with a loan from the Oklahoma Clean Water State Revolving Fund administered by the OWRB.

Please mail or fax your response along with any mitigative measures, if any, within the next 30 days. If you have any questions, please contact Lindy Clay, Environmental Programs Manager, at 405-530-8800.

Sincerely,

Lindy Clay, Environmental Programs Manager
Financial Assistance Division
Enclosures: Map of Project Location

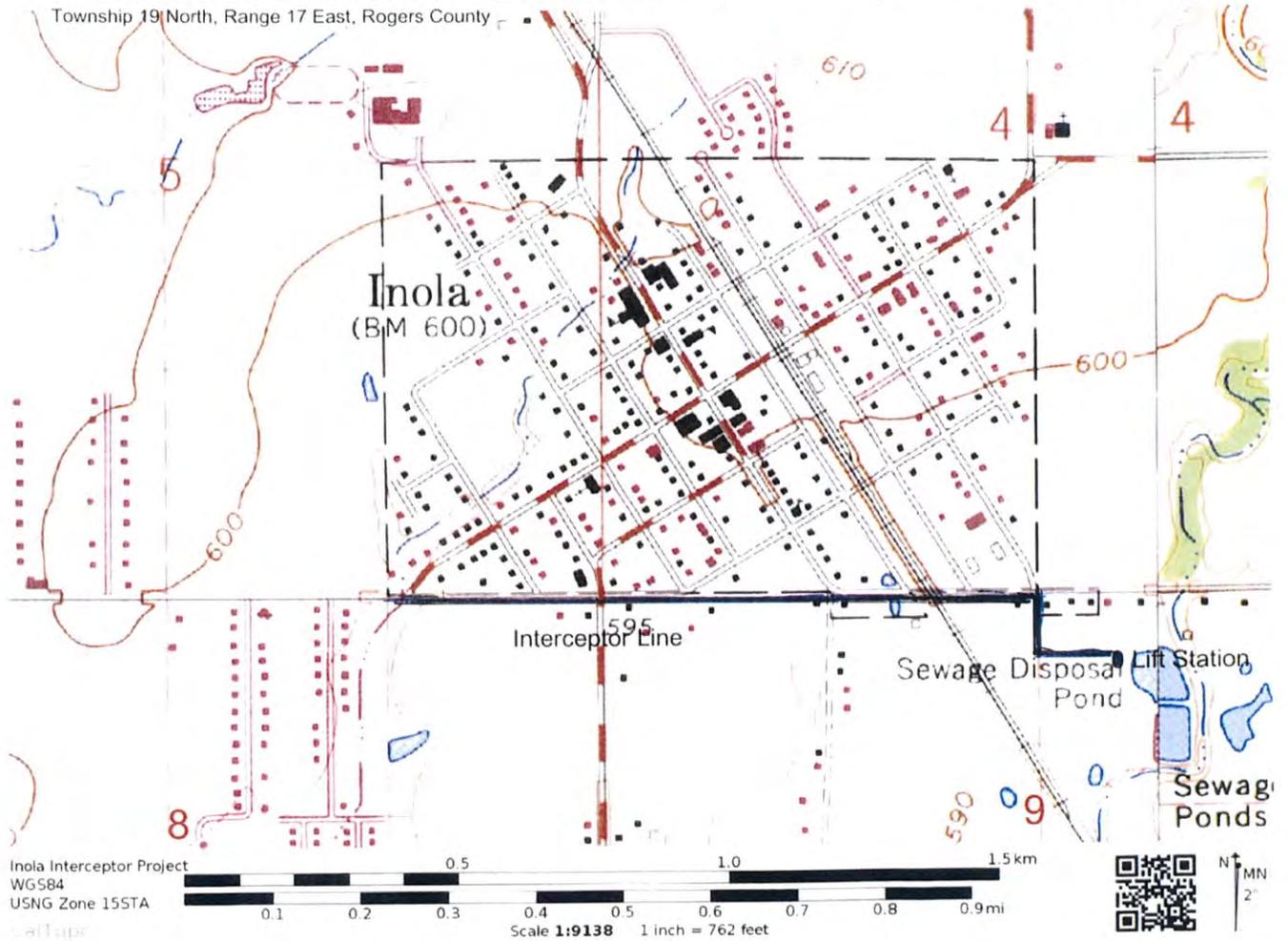


3800 N. CLASSEN BOULEVARD • OKLAHOMA CITY, OKLAHOMA 73118
TELEPHONE (405) 530-8800 • FAX (405) 530-8900

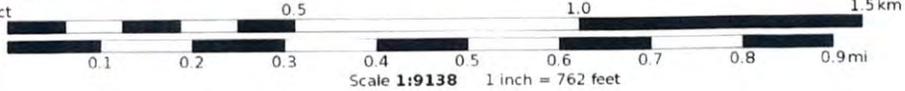
Stephen B. Allen • Jennifer Castillo • Charles Darby • Bob Drake
F Ford Drummond • Suzanne Landess • Robert L. Melton • Matt Muller • Robert Stallings



Inola Public Works Authority - Interceptor Line through Sections 8 and 9, Lift Station at the existing plant site located in SW/4 NW/4 NE/4, Section 9, Township 19 North, Range 17 East, Rogers County



Inola Interceptor Project
WGS84
USNG Zone 15STA
cut Apr



Inola Public Works Authority, Rogers County, Oklahoma

Wastewater Interceptor Line

LS = New lift station at the existing wastewater treatment plant site.



FILE # LIST OF PROPERTIES

1100-20 INOLA PUBLIC WORKS WASTEWATER
TREATMENT PROJECT #ORF-20-0014-CW,
ROGERS COUNTY

1. NEW LINE, SECS 8,9 T19N R17E
2. NEW LIFT STATION, SEC9 T19N R17E
3. NEW FORCE MAIN TO EXISTING
LAGOONS
4. REPLACEMENT OF MANHOLES CITYWIDE



Oklahoma Historical Society
State Historic Preservation Office

Founded May 27, 1893

Oklahoma History Center • 800 Nazih Zuhdi Drive • Oklahoma City, OK 73105-7917
(405) 521-6249 • Fax (405) 522-0816 • www.okhistory.org/shpo/shpom.htm

RECEIVED

February 25, 2020

FEB 26 2020

Ms. Lindy Clay
Oklahoma Water Resources Board
3800 N. Classen Boulevard (*INTERAGENCY*)
Oklahoma City, OK 73118

Oklahoma Water Resources Board

RE: File #1100-20; Inola Public Works Wastewater Treatment Project #ORF-20-0014-CW

Dear Ms. Clay:

We have received and reviewed the documentation concerning the referenced project in Rogers County. Additionally, we have examined the information contained in the Oklahoma Landmarks Inventory (OLI) files and other materials on historic resources available in our office. We find that there are no historic properties affected by the referenced project.

Thank you for the opportunity to comment on this project. We look forward to working with you in the future. Please remember that per regulation, the 30-day review period starts on the day we receive documents in our office, not the date they were mailed. If you have any questions, please contact Catharine M. Wood, Historical Archaeologist, at 405/521-6381.

Should further correspondence pertaining to this project be necessary, please reference the above underlined file number. Thank you.

Sincerely,

Lynda Ozan
Deputy State Historic
Preservation Officer

LO:jr

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 11:37 AM
To: IMRextrev@nps.gov
Subject: Inola Public Works Authority, Rogers County, OK - Request for comments
Attachments: NPS Itr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Good Morning,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC

5657 N. Classen Boulevard, Suite 100

Oklahoma City, OK 73118

t: 405.235.3413

c. 405.880.3708

f: 405.235.2807

E-mail: cshepherd@okpublicfinancelaw.com



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February 6, 2020

National Park Service
Intermountain Region, Planning and Environmental Quality
12795 W. Alameda Parkway
Lakewood, CO 80228

Sent via email: IMRextrev.nps.gov

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; National Parks, recreation areas

Dear NPS:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on the environmental impact of the project to National parks and/or recreation areas with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,



Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Tuesday, March 10, 2020 12:06 PM
To: IMRextrev@nps.gov
Subject: FW: Inola Public Works Authority, Rogers County, OK - Request for comments
Attachments: NPS ltr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Hello. I am making a follow-up on your review and comments on the above proposed wastewater project in the Town of Inola.

Can you please provide your comments soon so we can finish up their environmental review for the funding agency?

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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From: Christy Shepherd [<mailto:cshepherd@okpublicfinancelaw.com>]
Sent: Thursday, February 06, 2020 11:37 AM
To: IMRextrev@nps.gov
Subject: Inola Public Works Authority, Rogers County, OK - Request for comments

Good Morning,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy Shepherd

From: Finn, Claire E <Claire_Finn@nps.gov> on behalf of IMRextrev, NPS <IMRextrev@nps.gov>
Sent: Wednesday, March 18, 2020 10:13 AM
To: Christy Shepherd
Subject: Re: [EXTERNAL] FW: Inola Public Works Authority, Rogers County, OK - Request for comments

Dear Ms. Shepard,

Apologies for our delayed response. The National Park Service (NPS) would like to thank you for the opportunity to be involved in this project. The NPS has reviewed this project and has no comments at this time.

National Park Service
NPS Regional Office External Review Team
Serving DOI Regions 6, 7, and 8
imrxtrev@nps.gov

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Tuesday, March 10, 2020 5:06 PM
To: IMRextrev, NPS <IMRextrev@nps.gov>
Subject: [EXTERNAL] FW: Inola Public Works Authority, Rogers County, OK - Request for comments

Hello. I am making a follow-up on your review and comments on the above proposed wastewater project in the Town of Inola.

Can you please provide your comments soon so we can finish up their environmental review for the funding agency?

Thank you,

Christy J. Shepherd
The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com





THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

State Archaeologist
University of Oklahoma
Oklahoma Archaeological Survey
111 E. Chesapeake
Norman, OK 73019

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements -
Request for Comments; Archeological Sites / Cultural Resources

Dear State Archaeologist:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons.
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on archaeological sites and/or cultural resources that may be affected by the project with any recommendations you may have to avoid potential impacts to properties that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps



Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

February 10, 2020

Public Finance Law Group, PLLC
Attn: Christy J. Shepard
5657 N. Classen Boulevard Ste. 100
Oklahoma City, OK 73118

Re: OAS FY20-1297 Inola Public Works Authority Proposes Wastewater System.
Legal Description: Portions of NW ¼ NE ¼ NE ¼ & NE ¼ NE ¼ NE ¼ of Section 8;
Portions of N ½ NW ¼ & NW ¼ NW ¼ NE ¼ of Section 9, T19N, R17E, Rogers County,
Oklahoma.

Dear Ms. Shepard:

The Community Assistance Program staff of the Oklahoma Archeological Survey has reviewed the above referenced project in order to identify areas that may potentially contain prehistoric or historic archeological materials (historic properties). The location of your project has been crosschecked with the state site files containing approximately 26,000 archaeological sites, which are currently recorded for the state of Oklahoma. No Sites are listed as occurring within your project area, and based on the topographic and hydrologic setting, no archaeological materials are likely to be encountered. Thus, an archaeological field inspection is not considered necessary. Should Construction expose buried archaeological materials such as chipped stone tools, pottery, bone, historic crockery, glass, metal items or building materials, please contact this office at (405) 325-7211.

This environmental review and evaluation is done in cooperation with the State Historic Preservation Office, Oklahoma Historical Society. The responsible federal agency or their official delegate must also have a letter from that office to document consultation pursuant to Section 106 of the National Historic Preservation Act.

In addition to our review comments, under 36CFR Part 800.3 you are reminded of your responsibility to consult with the appropriate Native American tribe/groups to identify any concerns they may have pertaining to this undertaking and potential impacts to properties of traditional and/or ceremonial value.

Sincerely,

Jennifer C. Williams
Staff Archaeologist

Kary L. Stackelbeck, Ph.D.
State Archaeologist

: ksw

cc: SHPO





THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

U.S. Department of Homeland Security
Federal Emergency Management Agency, Region IV
Federal Insurance and Mitigation Adm.
800 North Loop 288
Denton, TX 76209

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements -
Request for Comments; Floodplain Management, Seismic conditions

Dear FEMA Representative:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

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- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on floodplain that may be affected by the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps



FEMA

FEDERAL EMERGENCY MANAGEMENT AGENCY
REGION 6
MITIGATION DIVISION

**RE: Inola Public Works Authority, Rogers County, Oklahoma-Wastewater System
Improvements-Request for Comments; Floodplain Management, Seismic conditions**

NOTICE REVIEW/ENVIRONMENTAL CONSULTATION

We have no comments to offer. We offer the following comments:

**WE WOULD REQUEST THAT THE COMMUNITY FLOODPLAIN
ADMINISTRATOR BE CONTACTED FOR THE REVIEW AND POSSIBLE PERMIT
REQUIREMENTS FOR THIS PROJECT. IF FEDERALLY FUNDED, WE WOULD
REQUEST PROJECT TO BE IN COMPLIANCE WITH EO11988 & EO 11990.**

Missy Richardson
Planning Commission Director
200 South Lynne Riggs Blvd.
Claremore, OK 74017
(918) 923-4874

REVIEWER:

Colleen Sciano
Floodplain Management and Insurance Branch
Mitigation Division
(940) 383-7257

DATE: February 19, 2020



ATTORNEYS AND COUNSELORS AT LAW

THE
PUBLIC FINANCE
LAW GROUP PLLC

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

Mr. Randy Jones
Rogers County Floodplain Manager
200 S.Lynn Riggs Blvd.
Claremore, OK 74017-7832

Re : Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Floodplain Management, Seismic conditions

Dear Mr. Jones:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

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Please consider this letter a formal request for review and comment on floodplain that may be affected by the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Missy Richardson <mrichardson@rogerscounty.org>
Sent: Monday, February 10, 2020 4:18 PM
To: cshepherd@okpublicfinancelaw.com; bkelllogg@totalcsi.com
Cc: Brittany Senters
Subject: Inola Wastewater System Improvements
Attachments: 20200210160232.pdf

The attachment is the Inola Public Works Authority proposed wastewater system improvements floodwater letter along with FIRMETTE from FEMA.

Have a nice day.



Missy Richardson
Director
Rogers County
Planning Commission
200 S. Lynn Riggs Blvd.
Claremore, Oklahoma 74017
918-923-4874
Mrichardson@rogerscounty.org



Rogers County
Planning Commission
200 S. Lynn Riggs Blvd · Claremore, Oklahoma 74017 ·
(918) 923-4874

February 10, 2020

RE: Inola Public Works Authority, Rogers County, Oklahoma – Wastewater System Improvements-

To whom it may concern:

The project of a proposed wastewater system improvements for the Town of Inola consists:

- ❖ Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East.
- ❖ Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East.
- ❖ Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons.
- ❖ Repair and/or replace approximately 24 manholes.

Based on the information received in the Planning Commission office, the Project appears to be completely outside of the regulatory floodplain and therefore Rogers County has NO concern regarding floodplain impacts".

Thank you

A handwritten signature in blue ink that reads "Missy Richardson". The signature is fluid and cursive.

Missy Richardson

Director, Floodplain Manager

Rogers County Planning Commission

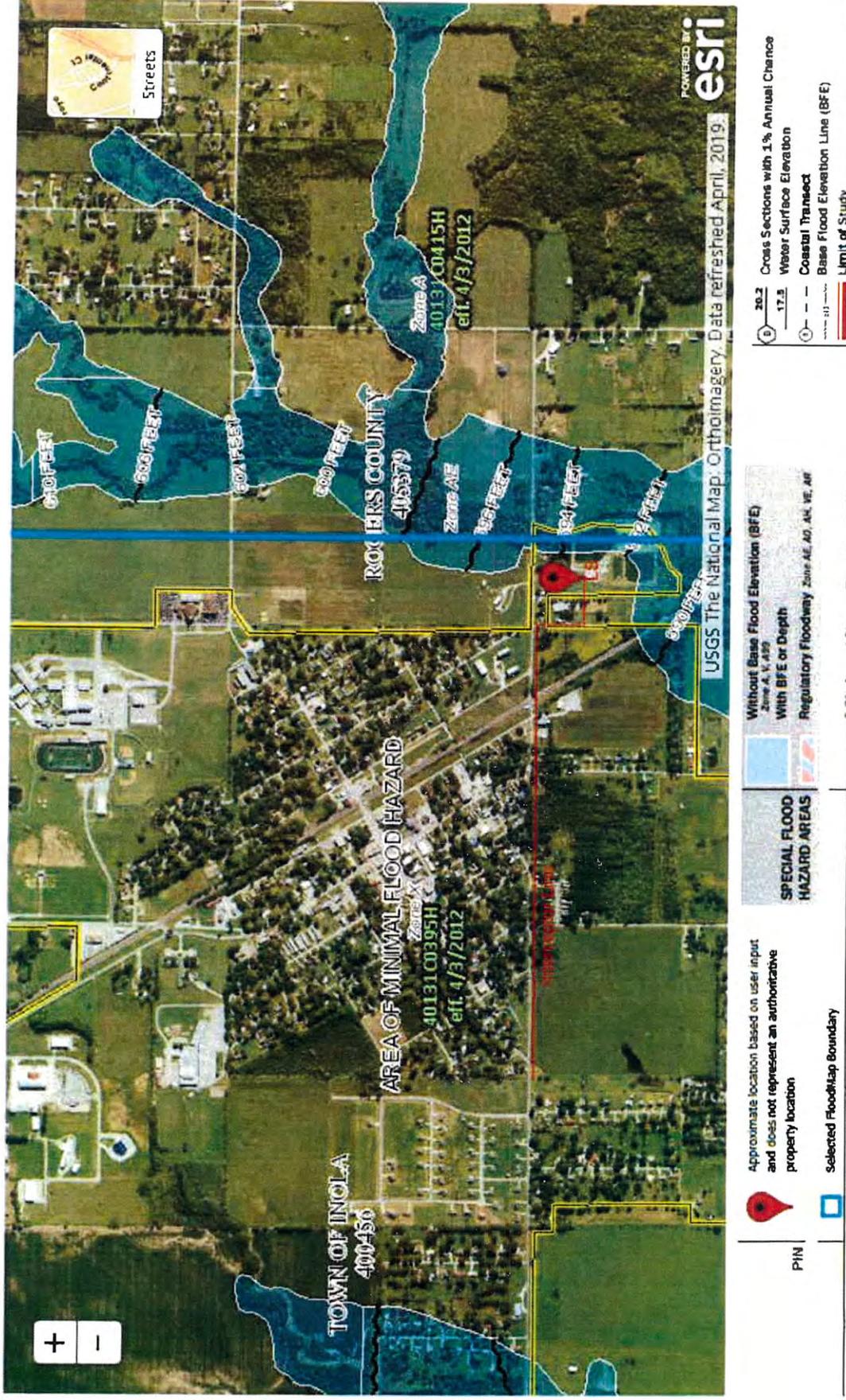
Rogers County, Oklahoma

200 S. Lynn Riggs Blvd.

Claremore, Ok 74017

918-923-4874

Inola Public Works Authority – Interceptor Line and Lift Station project



Pin is at Lift Station Site. Wastewater interceptor line is shown as a Red line _____. Both are outside of floodplain.



KELLOGG ENGINEERING, INC.
ENGINEERING • PLANNING • DESIGN
6755 S. 4060 RD. • TALALA, OK 74080
918.275.4080 • 918.275.7171 FAX

February 24, 2020

Christy J. Harper Shepherd
The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: charper@okpublicfinancelaw.com

RE: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Floodplain Management, Seismic conditions

Dear Ms. Shepherd:

We have reviewed the alignment of the proposed Project as described below in regards to floodplain. The proposed alignment appears to be completely outside of the current floodplain and therefore we see NO need for a Floodplain Development Permit for this Project.

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes

If you have any questions or need further information, please contact us at (918) 275-4080.

Sincerely,

Brian K. Kellogg, P.E., C.F.M.
President
Kellogg Engineering, Inc.
Town of Inola, Consulting Engineer
Town of Inola, Floodplain Administrator

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 11:40 AM
To: 'EnvReviews@deq.ok.gov'
Subject: Inola Public Works Authority, Rogers County, OK - Request for comments
Attachments: ODEQ ltr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Good Morning,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC

5657 N. Classen Boulevard, Suite 100

Oklahoma City, OK 73118

t: 405.235.3413

c. 405.880.3708

f: 405.235.2807

E-mail: cshepherd@okpublicfinancelaw.com



IRS CIRCULAR 230 DISCLOSURE:

Pursuant to requirements imposed by the Internal Revenue Service, any tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for purposes of (i) avoiding penalties imposed under the United States Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.



THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

Oklahoma Department of Environmental Quality
Jon Roberts, Environmental Review Coordinator
P. O. Box 1677
Oklahoma City, OK 73101-1677

via email to: EnvReviews@deq.ok.gov

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Water Quality and Management Planning, Air Quality, Sludge Management, 208 Wastewater

Dear Mr. Roberts:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

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Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on the environmental impact of the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Jon Roberts <Jon.Roberts@deq.ok.gov> on behalf of DEQ EnvReviews <EnvReviews@deq.ok.gov>
Sent: Tuesday, February 18, 2020 1:05 PM
To: Christy Shepherd
Subject: Environmental Impact Review

Dear Ms. Shepherd:

In response to your request, we have completed a general environmental review for the project listed below.

Project

Letter dated February 6, 2020 – Inola Public Works Authority Wastewater System Improvements, Inola, Rogers County, OK [36.148, -95.509]

Comments

While no adverse environmental impacts under DEQ jurisdiction are anticipated, please be aware of the following regulatory requirements.

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

B. Water and wastewater infrastructure projects that will require a construction permit from DEQ's Water Quality Division include the following:

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

Projects that do not require a construction permit include:

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

Please contact DEQ's Water Quality Division (Construction Permitting Section) if you have specific questions about these projects or need further clarification. Rocky Chen is the Manager of this section and can be reached at (405) 702-8140 or rocky.chen@deq.ok.gov.

Additional recommendations to consider may be found at <https://go.usa.gov/xVxyY>.

For future projects, please include GPS coordinates in decimal degrees (DD.DDD) and continue including street addresses, section/township/range, or other location information.

Thank you for the opportunity to provide our comments. If you have any questions or need clarification, please contact me.

Regards,

Jon A. Roberts, Senior Manager
Oklahoma Department of Environmental Quality

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 11:41 AM
To: mosby.halterman@bia.gov
Subject: Inola Public Works Authority, Rogers County - Request for comments
Attachments: BIA ltr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Good Morning,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC

5657 N. Classen Boulevard, Suite 100

Oklahoma City, OK 73118

t: 405.235.3413

c. 405.880.3708

f: 405.235.2807

E-mail: cshepherd@okpublicfinancelaw.com



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THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

Bureau of Indian Affairs
U.S. Department of Interior
Eastern Oklahoma Regional Office
P. O. Box 8002
Muskogee, OK 74401-8002

via email to: mosby.halterman@bia.gov

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Native American sites, landmarks

Dear Area Archeologist:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

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- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons.
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on Native American sites or landmarks that may be affected by the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project. We are also requesting comments from the Muskogee-Creek Nation.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Tuesday, March 10, 2020 12:08 PM
To: mosby.halterman@bia.gov
Subject: FW: Inola Public Works Authority, Rogers County - Request for comments
Attachments: BIA ltr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Mr. Halterman,

Just making a follow-up on your review and comments on the above proposed wastewater project in the Town of Inola.

Can you please provide your comments soon so we can finish up their environmental review for the funding agency?

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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From: Christy Shepherd [<mailto:cshepherd@okpublicfinancelaw.com>]
Sent: Thursday, February 06, 2020 11:41 AM
To: mosby.halterman@bia.gov
Subject: Inola Public Works Authority, Rogers County - Request for comments

Good Morning,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.



IN REPLY REFER TO:

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS

Eastern Oklahoma Region
Eastern Oklahoma Regional Office
P.O. Box 8002
Muskogee, OK 74402-8002

Division of Environmental and
Cultural Resources Management

MAR 11 2020

Ms. Christy J. Shepherd
The Public Finance Law Groups, PLLC
5657 N. Classen Blvd., Suite 100
Oklahoma City, OK 73118

Dear Ms. Shepherd:

On February 6, 2020, the Bureau of Indian Affairs (BIA), Eastern Oklahoma Regional Office, received solicitation for information or comments from The Public Finance Law Group, PLLC, concerning Inola Public Works Authority wastewater system improvements in Rogers County, Oklahoma. This office has no comments regarding the project at this time.

Five Federally recognized Tribes have been provided the notice by copy of this letter. As the Tribes may have environmental and/or cultural resources concerns relating to this action, it is recommended that The Public Finance Law Group, PLLC coordinate directly with the Tribes on any of their concerns. The contact addresses are enclosed.

If additional information is required, please contact Mr. Mosby Halterman, Division Chief, Division of Environmental and Cultural Resources Management, at (918) 781-4660.

Respectfully,


ACTING Regional Director

Enclosure

cc: Muscogee (Creek) Nation, Osage Nation
Alabama-Quassarte Tribal Town,
Kialegee Tribal Town, Thlopthlocco Tribal Town

Dr. Andrea Hunter
THPO, Osage Nation
627 Grandview Avenue
Pawhuska, OK 74056
Phone: (918) 287-5432
Fax: (918) 287-2257

Raelynn Butler
THPO, Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447
Phone: (918) 732-7600
Fax: (918) 756-2911

Samantha Robinson
THPO, Alabama-Quassarte Tribal Town
P.O. Box 187
Wetumka, OK 74883
Phone: (405) 452-3987
Fax: (405) 452-3968

Jeremiah Hobia, Town King
Kialegee Tribal Town
P.O. Box 332
Wetumka, OK 74883
Phone: (405) 452-3262
Fax: (405) 452-3413

Galen Cloud
THPO, Thlopthlocco Tribal Town
P.O. Box 188
Okemah, Ok 74859
Phone: (918) 560-6198
Fax: (918) 560-6196

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 11:44 AM
To: Poage, Cathy (Cathy.Poage@owrb.ok.gov)
Subject: Inola Public Works Authority, Rogers County - Request for comments
Attachments: OWRB ltr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Good Morning Cathy,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd
The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

Water Management Division
Oklahoma Water Resources Board
3800 N. Classen Blvd.
Oklahoma City, OK 73118

via email to: Cathy.Poage@owrb.ok.gov

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Development on state-owned property within floodplain and water rights permits

Dear OWRB:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

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- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on floodplain that may be affected by the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Cathy Poage <Cathy.Poage@owrb.ok.gov>
Sent: Thursday, February 06, 2020 1:40 PM
To: cshepherd@okpublicfinancelaw.com
Cc: bkelllogg@totalcsi.com; Lindy Clay; Bonnie Moats
Subject: RE: [External] Inola Public Works Authority, Rogers County - Request for comments
Attachments: 2-6-20 Pub Fin Law Grp - Inola PWA WW Sys Imp - Rogers Co.docx

Ms. Shepherd,

Please find Project Review attached. The following is the application for Floodplain Development on State-Owned-And-Operated Property (SOOP).

<http://www.owrb.ok.gov/floodplain/pdf/PermitState11-07-2014.pdf> If any of this falls in SOOP, please return this application, filled out completely (as much as possible), to the OWRB at the address or fax provided on the form.

If any of this project is in the local floodplains of Inola, please contact Mr. Brian Kellogg. His email address is in the CC window, above.

If Permitting or anyone else needs anything else, we will let you know.

Thank you!

Cathy L. Poage, CFM
Administrative Assistant II
Planning & Management Division
Oklahoma Water Resources Board
Woodward Field Office
2411 Williams Ave, Ste 116
Woodward, OK 73801
580-256-1014
580-256-1015 fax
OWRB OKLAHOMA CITY OFFICE
405.530.8800 • owrb.ok.gov • [Facebook](#) • [Twitter](#)



From: Cathy Poage
Sent: Thursday, February 06, 2020 1:04 PM
To: Lindy Clay; Bonnie Moats
Cc: bkelllogg@totalcsi.com
Subject: FW: [External] Inola Public Works Authority, Rogers County - Request for comments

FYI. I am working on the Project Review, concerning State Owned Property within the Floodplain. Also sending to Brian Kellogg, Inola Floodplain Administrator (FPA). Will cc you when it's ready.

Bonnie, please let me know if the Permitting section needs anything pertaining to water rights for this project.

Thanks!

Cathy L. Poage, CFM
Administrative Assistant II
Planning & Management Division
Oklahoma Water Resources Board
Woodward Field Office
2411 Williams Ave, Ste 116
Woodward OK 73801
580-256-1014
580-256-1015 fax
OKLAHOMA WATER RESOURCES BOARD
405.530.8800 • owrb.ok.gov • [Facebook](#) • [Twitter](#)

From: Christy Shepherd [<mailto:cshepherd@okpublicfinancelaw.com>]
Sent: Thursday, February 06, 2020 11:44 AM
To: Cathy Poage
Subject: [External] Inola Public Works Authority, Rogers County - Request for comments

Good Morning Cathy,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd
The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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STATE OF OKLAHOMA
WATER RESOURCES BOARD

www.owrb.ok.gov

OKLAHOMA WATER RESOURCES BOARD
Planning & Management Division
Oklahoma City, OK

PUBLIC NOTICE REVIEW

We have no comments to offer. We offer the following comments.

WE RECOMMEND THAT YOU CONTACT THE LOCAL FLOODPLAIN ADMINISTRATOR FOR POSSIBLE PERMIT REQUIREMENTS FOR THIS PROJECT. THE OWRB WEB SITE, www.owrb.ok.gov, contains a directory of floodplain administrators and is located under forms/floodplain management/floodplain administrators, listed alphabetically by name of community. **If this development would fall on state owned or operated property, a floodplain development permit is required from OWRB.** The Chapter 55 Rules and permit application for this requirement can be found on the OWRB web site listed above. If this project is proposed in a non-participating community, try to ensure that this project is completed so that it is reasonably safe from flooding and so that it does not flood adjacent property if at all possible.

Reviewer: Cathy L. Poage, CFM

DATE 2/6/2020

Project Name: Proposed Wastewater System Improvements for Inola Public Works Authority, Located in the Town of Inola, Rogers County, OK

FIRM Name: The Public Finance Law Group, PLLC, Christy J. Shepherd
CC: Brian Kellogg, CFM, FPA, Town of Inola

* Inola participates in the NFIP and has a floodplain development permitting system. See paragraph above.



3800 N. CLASSEN BOULEVARD • OKLAHOMA CITY, OKLAHOMA 73118
TELEPHONE (405) 530-8800 • FAX (405) 530-8900

Stephen B. Allen • Jennifer Castillo • Charles Darby • Bob Drake
F. Ford Drummond • Suzanne Landess • Robert L. Melton • Matt Muller • Robert Stallings



Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 1:45 PM
To: 'Cathy Poage'
Cc: 'bkellogg@totalcsi.com'; 'Lindy Clay'; 'Bonnie Moats'
Subject: RE: [External] Inola Public Works Authority, Rogers County - Request for comments
Attachments: Floodplain Map Interceptor Line.pdf; Floodplain Map Lift Station.pdf

Cathy,

I am enclosing the floodplain map which shows these improvements will occur outside floodplain areas.

Thanks,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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From: Cathy Poage [<mailto:Cathy.Poage@owrb.ok.gov>]
Sent: Thursday, February 06, 2020 1:40 PM
To: cshepherd@okpublicfinancelaw.com
Cc: bkellogg@totalcsi.com; Lindy Clay; Bonnie Moats
Subject: RE: [External] Inola Public Works Authority, Rogers County - Request for comments

Ms. Shepherd,

Please find Project Review attached. The following is the application for Floodplain Development on State-Owned-And-Operated Property (SOOP).

<http://www.owrb.ok.gov/floodplain/pdf/PermitState11-07-2014.pdf> If any of this falls in SOOP, please return this application, filled out completely (as much as possible), to the OWRB at the address or fax provided on the form.

Christy Shepherd

From: Bonnie Moats <Bonnie.Moats@owrb.ok.gov>
Sent: Monday, February 10, 2020 10:28 AM
To: Cathy Poage; cshepherd@okpublicfinancelaw.com
Cc: bkellogg@totalcsi.com; Lindy Clay
Subject: RE: [External] Inola Public Works Authority, Rogers County - Request for comments

Dear Ms. Shepard,

I am not seeing any issues with the area, permitting wise. Let me know if you have any additional questions.

Sincerely,

Bonnie Moats | Permitting Specialist

OKLAHOMA WATER RESOURCES BOARD

405.530.8844 • owrb.ok.gov • [Facebook](#) • [Twitter](#)

From: Cathy Poage
Sent: Thursday, February 06, 2020 1:40 PM
To: cshepherd@okpublicfinancelaw.com
Cc: bkellogg@totalcsi.com; Lindy Clay; Bonnie Moats
Subject: RE: [External] Inola Public Works Authority, Rogers County - Request for comments

Ms. Shepherd,

Please find Project Review attached. The following is the application for Floodplain Development on State-Owned-And-Operated Property (SOOP).

<http://www.owrb.ok.gov/floodplain/pdf/PermitState11-07-2014.pdf> If any of this falls in SOOP, please return this application, filled out completely (as much as possible), to the OWRB at the address or fax provided on the form.

If any of this project is in the local floodplains of Inola, please contact Mr. Brian Kellogg. His email address is in the CC window, above.

If Permitting or anyone else needs anything else, we will let you know.

Thank you!

Cathy L. Poage, CFM
Administrative Assistant II
Planning & Management Division
Oklahoma Water Resources Board
Woodward Field Office
2411 Williams Ave, Ste 116
Woodward, OK 73801
580-256-1014
580-256-1015 fax
OWRB OKLAHOMA CITY OFFICE
405.530.8800 • owrb.ok.gov • [Facebook](#) • [Twitter](#)

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 11:46 AM
To: Eve Atkinson (Eve.Atkinson@travelok.com)
Subject: Inola Public Works Authority, Rogers Counth - Request for comments
Attachments: Tourism ltr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Good Morning Eve,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC

5657 N. Classen Boulevard, Suite 100

Oklahoma City, OK 73118

t: 405.235.3413

c. 405.880.3708

f: 405.235.2807

E-mail: cshepherd@okpublicfinancelaw.com



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THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

Oklahoma Department of Tourism and Recreation
State Liaison Officer, Land and Water Conservation District via email to: Eve.Atkinson@travelok.com
900 N. Stiles Avenue
Oklahoma City, OK 73104

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Recreation and tourism facilities

Dear Liaison Officer:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on the environmental impact of the project on recreation and/or or tourism facilities with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,


Christy L. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Eve Atkinson <Eve.Atkinson@travelok.com>
Sent: Thursday, February 06, 2020 1:07 PM
To: Christy Shepherd
Cc: Susan Henry
Subject: RE: [External] Inola Public Works Authority, Rogers Counth - Request for comments

Ms. Shepard,

Your project proposal located on the South side of Inola will have no significant adverse impact on any federally funded park or recreation area or state park, regarding the LWCF Act 54 U.S.C. 200305(f)(3) no land may be permanently used for private or non-outdoor recreation purposes (defined by the program).

Thank you for the opportunity to review your proposal.

Eve Atkinson
Planner II
Oklahoma Department of Tourism and Recreation
900 N. Stiles
Oklahoma City, OK 73104
405.522.9516.
Eve.Atkinson@travelok.com

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 6, 2020 11:46 AM
To: Eve Atkinson <Eve.Atkinson@travelok.com>
Subject: [External] Inola Public Works Authority, Rogers Counth - Request for comments

Good Morning Eve,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

Grand Gateway Economic Development Association
P. O. Drawer H
333 South Oak
Big Cabin, OK 74332-0502

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements -
Request for Comments

Dear Association:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on the environmental impact of the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps

p



THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

March 10, 2020

Grand Gateway Economic Development Association
P. O. Drawer H
333 South Oak
Big Cabin, OK 74332-0502

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System
Improvements - Request for Comments

Dear Association:

On February 6, 2020, a memo and project map was submitted to your office pertaining to the above referenced wastewater system project, requesting your review and comments on any potential environmental impacts of the proposal.

To date, I have not received a response. If you did not receive this memo and project map, or if you need additional information in order to provide your comments, please call me at (405)880-3708 or send an email to cshepherd@okpublicfinancelaw.com and I will be happy to assist you.

Sincerely,



Christy J. Shepherd



THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 6, 2020

Muscogee-Creek Nation
Environmental Services
Tribal Historic Preservation Office
P. O. Box 580, 2591 N. Wood Drive
Okmulgee, OK 74447

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Native American sites, landmarks

Dear Tribal Historic Preservation Officer:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC. The line will cross through Sections 8 and 9, Township 19 North, Range 17 East;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station) in Section 9, Township 19 North, Range 17 East;
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on Native American sites or landmarks that may be affected by the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,



Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: David J. Proctor <djproctor@mcn-nsn.gov>
Sent: Thursday, March 12, 2020 9:56 AM
To: cshepherd@okpublicfinancelaw.com
Subject: Inola Public Works Authority - Wastewater Systems Improvements Project

Christy J. Shepard
Public Finance Law Group
5657 N. Classen Blvd. Suite 100
Oklahoma City, OK 73118

Ms. Shepard:

Thank you for contacting the Muscogee (Creek) Nation concerning the Proposed Inola Public Works Authority, Wastewater Systems Improvement Projects in Rogers Co. OK.. This project is located within our area of interest and is of importance to us. After reviewing the material provided, it has been determined that the Muscogee (Creek) Nation has no objections to the proposed project. Please consider this letter as our concurrence to your request. However, should cultural material or human remains be encountered during ground disturbance, construction or demolition, we request to be notified. Also, if there are any additional updates, we ask to be informed of these. Should further information or comment be needed, please do not hesitate to contact me at (918) 732-7642 or by email at djproctor@mcn-nsn.gov.

David J. Proctor

Historic and Cultural Preservation Department, Traditional Cultural Advisor
Muscogee (Creek) Nation
P.O. Box 580 / Okmulgee, OK 74447
T 918.732.7642
F 918.758.0649
djproctor@mcn-nsn.gov
<http://www.muscogeenation-nsn.gov/>

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Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Thursday, February 06, 2020 11:48 AM
To: Elizabeth Toombs (elizabeth-toombs@cherokee.org)
Subject: Inola Public Works Authority, Rogers County - Request for comments
Attachments: Cherokee Nation ltr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Good Morning Elizabeth,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

I understand Cherokee Nation is providing funding for this project also.

Please give me a call if any questions. Please email your comments to me on this proposal.

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC

5657 N. Classen Boulevard, Suite 100

Oklahoma City, OK 73118

t: 405.235.3413

c. 405.880.3708

f: 405.235.2807

E-mail: cshepherd@okpublicfinancelaw.com



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THE
PUBLIC FINANCE
LAW GROUP PLLC

ATTORNEYS AND COUNSELORS AT LAW

CHRISTY J. HARPER
CHARPER@OKPUBLICFINANCELAW.COM

February 5, 2020

Elizabeth Toombs, THPO
Cherokee Nation
Tribal Historic Preservation Office
PO Box 948
Tahlequah, OK 74465-0948

Re: Inola Public Works Authority, Rogers County, Oklahoma - Wastewater System Improvements - Request for Comments; Native American sites, landmarks

Dear Ms. Toombs:

The Inola Public Works Authority, Rogers County, Oklahoma (the "Authority") is preparing an Environmental Information Document (EID) to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) and assess the environmental impacts of their proposed wastewater system project. The project is anticipated to be funded through the Oklahoma Water Resources Board Clean Water State Revolving Fund, and is therefore part of a federal undertaking.

Enclosed are location maps that depict the proposed project's area of potential effect for all construction activities in the Town of Inola, Rogers County, Oklahoma. The proposed wastewater system improvements consist of:

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- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons;
- Repair and/or replace approximately 24 manholes.

Please consider this letter a formal request for review and comment on Native American sites or landmarks that may be affected by the project with any recommendations you may have to avoid potential impacts to areas that may be affected. Your response will be included and addressed in the EID. Brian Kellogg, P. E. with Kellogg Engineering, Inc. is the project engineer for the proposed wastewater system project.

We would appreciate a written response within 30 days. If you need any further information or wish to discuss the project further, call me at (405)880-3708 or email cshepherd@okpublicfinancelaw.com.

Sincerely,

Christy J. Shepherd

Enclosure: Project Maps

Christy Shepherd

From: Christy Shepherd <cshepherd@okpublicfinancelaw.com>
Sent: Tuesday, March 10, 2020 12:12 PM
To: Elizabeth Toombs (elizabeth-toombs@cherokee.org)
Subject: FW: Inola Public Works Authority, Rogers County - Request for comments
Attachments: Cherokee Nation ltr.pdf; Inola Project Map.pdf; Interceptor Line Map.pdf

Elizabeth,

Just making a follow-up on your review and comments on the above proposed wastewater project in the Town of Inola.

Can you please provide your comments soon so we can finish up their environmental review for the funding agency?

Thank you,

Christy J. Shepherd

The Public Finance Law Group PLLC
5657 N. Classen Boulevard, Suite 100
Oklahoma City, OK 73118
t: 405.235.3413
c. 405.880.3708
f: 405.235.2807
E-mail: cshepherd@okpublicfinancelaw.com



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From: Christy Shepherd [<mailto:cshepherd@okpublicfinancelaw.com>]
Sent: Thursday, February 06, 2020 11:48 AM
To: Elizabeth Toombs (elizabeth-toombs@cherokee.org)
Subject: Inola Public Works Authority, Rogers County - Request for comments

Good Morning Elizabeth,

Please find attached a letter and project maps requesting your review on the above Authority's proposed wastewater system improvement project for its potential environmental impact.

I understand Cherokee Nation is providing funding for this project also.

Received from OWRB 4/8/20



GWYB DBP
CHEROKEE NATION®

P.O. Box 948 • Tahlequah, OK 74465-0948
918-453-5000 • www.cherokee.org

Office of the Chief

Chuck Hoskin Jr.
Principal Chief

Bryan Warner
Deputy Principal Chief

February 6, 2020

Lindy Clay
Oklahoma Water Resources Board
3800 North Classen
Oklahoma City, OK 73118

Re: Inola Public Works Authority, Rogers County, Oklahoma – Wastewater System Improvements

Ms. Lindy Clay:

The Cherokee Nation (Nation) is in receipt of your correspondence about **Inola Public Works Authority, Rogers County, Oklahoma – Wastewater System Improvements**, and appreciates the opportunity to provide comment upon this project. Please allow this letter to serve as the Nation's interest in acting as a consulting party to this proposed project.

The Nation maintains databases and records of cultural, historic, and pre-historic resources in this area. Our Historic Preservation Office reviewed this project, cross referenced the project's legal description against our information, and found instances where this project is within close proximity to such resources located in the SE 1/4 NE 1/4, S5, T19N, R17E. This resource, however, is located outside the proposed Area of Potential Effects (APE).

Thus, this Office does not object to the project proceeding as long as the following stipulations are observed:

- 1) The Nation requests that Oklahoma Water Resources Board (OWRB) re-contact this Office for additional consultation if there are any changes to the scope of or activities within the APE;
- 2) The Nation requests that OWRB halt all project activities immediately and re-contact our Offices for further consultation if items of cultural significance are discovered during the course of this project;
- 3) The Nation requests that OWRB conduct appropriate inquiries with other pertinent Historic Preservation Offices regarding historic and prehistoric resources not included in the Nation's databases or records.

Inola Public Works Authority, Rogers County, Oklahoma – Wastewater System Improvements
February 6, 2020
Page 2 of 2

If you require additional information or have any questions, please contact me at your convenience.
Thank you for your time and attention to this matter.

Wado,



Elizabeth Toombs, Tribal Historic Preservation Officer
Cherokee Nation Tribal Historic Preservation Office
elizabeth-toombs@cherokee.org
918.453.5389

Christy Shepherd

From: THPO <THPO@tttown.org>
Sent: Monday, March 16, 2020 3:40 PM
To: cshepherd@okpublicfinancelaw.com
Subject: Inola Public Works - Wastewater System Improvements



THLOPTHLOCCO TRIBAL TOWN
Federal Charter 1938 – Creek Tribe
P.O. Box 188 • Okemah, Oklahoma 74859-0188
TRIBAL HISTORIC PRESERVATION OFFICE
Galen Cloud, Tribal Historic Preservation Officer

March 16, 2020

Ms. Christy J. Shepherd
The Public Finance Law Groups, PLLC
5657 N. Classen Blvd., Suite 100
Oklahoma City, Ok 73118

RE: Inola Public Works Authority, Rogers County, Oklahoma – Wastewater System improvement

Dear Ms. Shepherd,

Thank you for contacting the Thlopthlocco Tribal Town Historic Preservation office requesting comments regarding the proposed undertaking. Our office has reviewed the documents provided and offer the following.

In keeping with the National Environmental Policy Act (NEPA)d, and Section 106 of the National Historic Preservation Act (NHPA), 36 CFR Part 800, this letter is to acknowledge that the Thlopthlocco Tribal Town has received notice of the proposed project at the above mentioned location.

Upon review of the documents and consulting our records, we are unaware of any culturally significant sites within the area of potential effects (APE). However, should any human remains or cultural resources be inadvertently discovered, please cease all work and contact our THPO at thpo@tttown.org or (918)560-6113 immediately.

The THPO after reviewing our records and documents agree with the findings within the report and concurs with **No Historic Properties Affected for this undertaking.**

Sincerely,

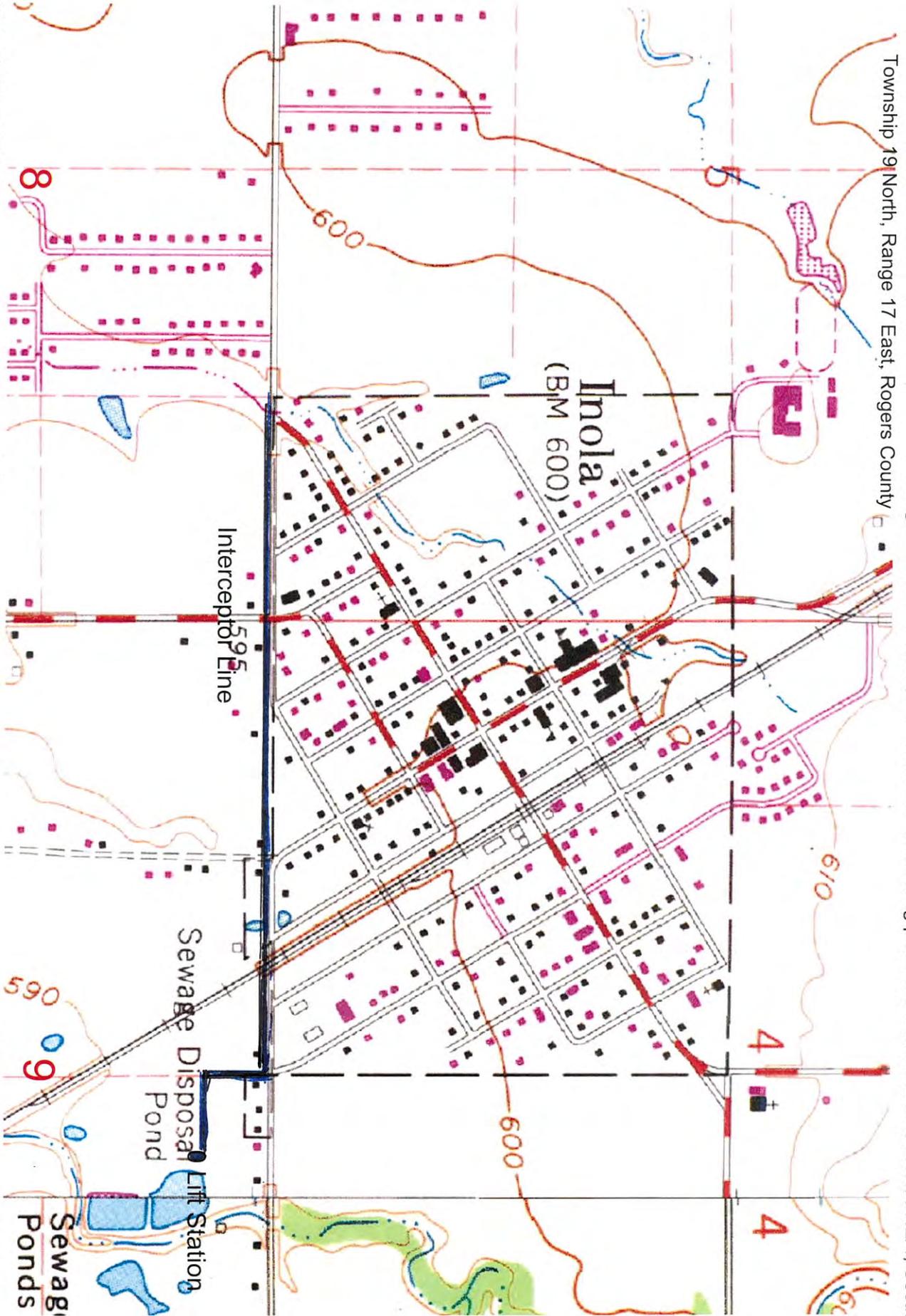
Galen Cloud
Thlopthlocco Tribal town

Exhibit B

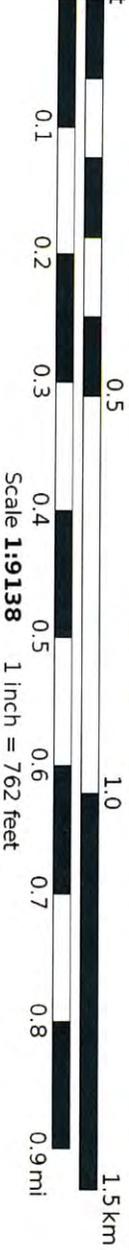
Maps

EXHIBIT B 1

Inola Public Works Authority - Interceptor Line through Sections 8 and 9, Lift Station at the existing plant site located in SW/4 NW/4 NE/4, Section 9, Township 19N North, Range 17 East, Rogers County



Inola Interceptor Project
WGS84
USNG Zone 15STA
CalTopo



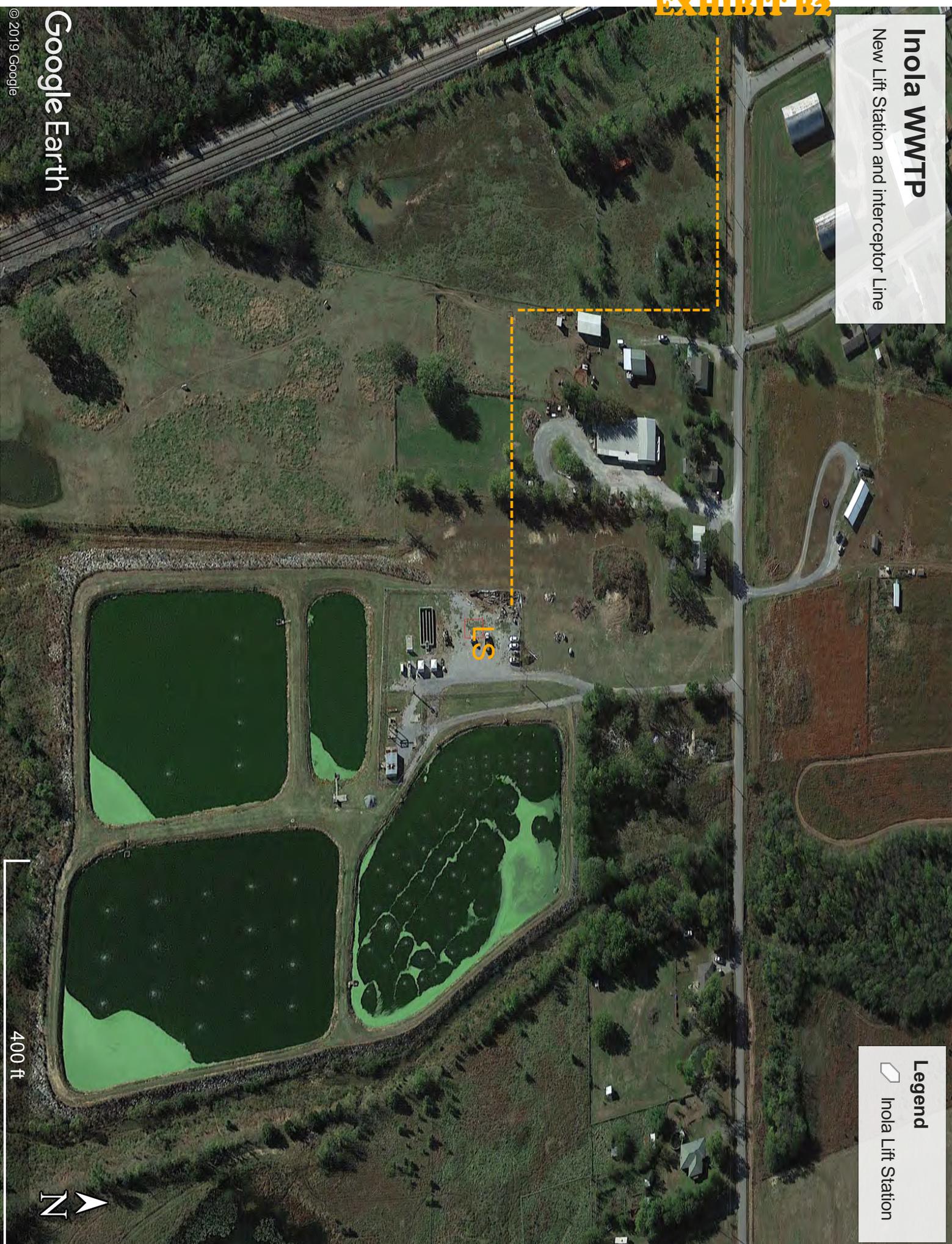
Inola Public Works Authority, Rogers County, Oklahoma

Wastewater Interceptor Line
LS = New lift station at the existing wastewater treatment plant site.



Inola WWTP
New Lift Station and Interceptor Line

Legend
Inola Lift Station



L
8

400 ft



Google Earth

© 2019 Google

Soil Map—Rogers County, Oklahoma
(Inola PWA Interceptor Line & LS)



MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Area of Interest (AOI)	 Stony Spot
Soils	 Very Stony Spot
 Soil Map Unit Polygons	 Wet Spot
 Soil Map Unit Lines	 Other
 Soil Map Unit Points	 Special Line Features
Special Point Features	Water Features
 Blowout	 Streams and Canals
 Borrow Pit	Transportation
 Clay Spot	 Rails
 Closed Depression	 Interstate Highways
 Gravel Pit	 US Routes
 Gravelly Spot	 Major Roads
 Landfill	 Local Roads
 Lava Flow	Background
 Marsh or swamp	 Aerial Photography
 Mine or Quarry	
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Rogers County, Oklahoma
Survey Area Data: Version 14, Sep 16, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

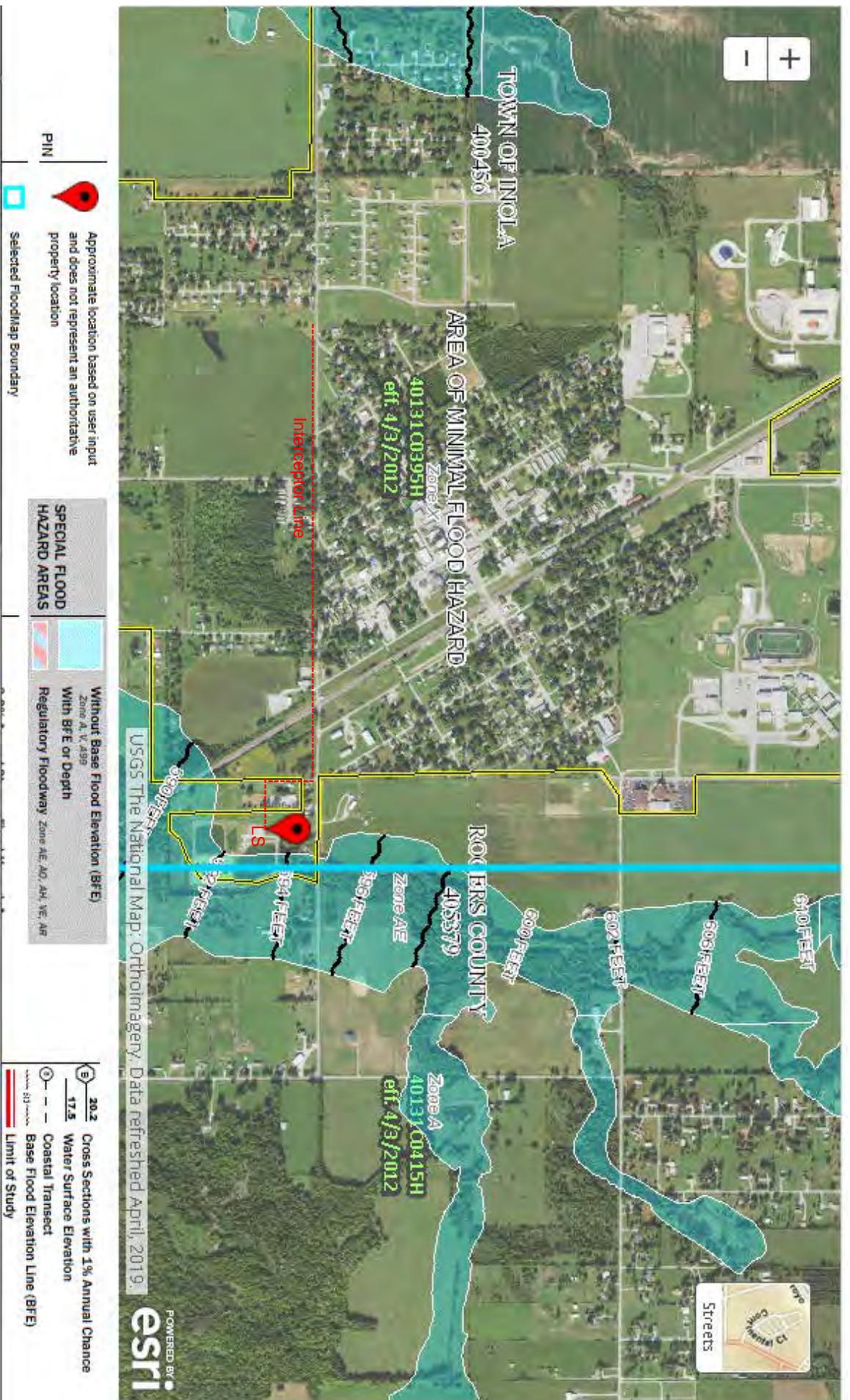
Date(s) aerial images were photographed: Feb 14, 2015—Nov 25, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Br	Eram-Verdigris complex, 0 to 12 percent slopes	3.6	4.2%
M-W	Miscellaneous water	0.8	1.0%
PaA	Parsons silt loam, 0 to 1 percent slopes	81.5	93.6%
URB	Urban land	1.2	1.3%
Totals for Area of Interest		87.1	100.0%

Inola Public Works Authority – Interceptor Line and Lift Station project



Pin is at Lift Station Site. Wastewater interceptor line is shown as a Red line _____. Both are outside of floodplain.



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

	Without Base Flood Elevation (BFE) Zone A, V, A99
	With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway

	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee. See Notes. Zone X
	Area with Flood Risk due to Levee Zone D

OTHER AREAS OF FLOOD HAZARD

	Area of Minimal Flood Hazard Zone X
	Effective LOMIRs
	Area of Undetermined Flood Hazard Zone D

OTHER AREAS

	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

GENERAL STRUCTURES

	20.2 Cross Sections with 1% Annual Chance
	17.5 Water Surface Elevation
	59 Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature

OTHER FEATURES

	Digital Data Available
	No Digital Data Available
	Unmapped

MAP PANELS

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **1/9/2020 at 4:59:08 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and undetermined areas cannot be used for regulatory purposes.

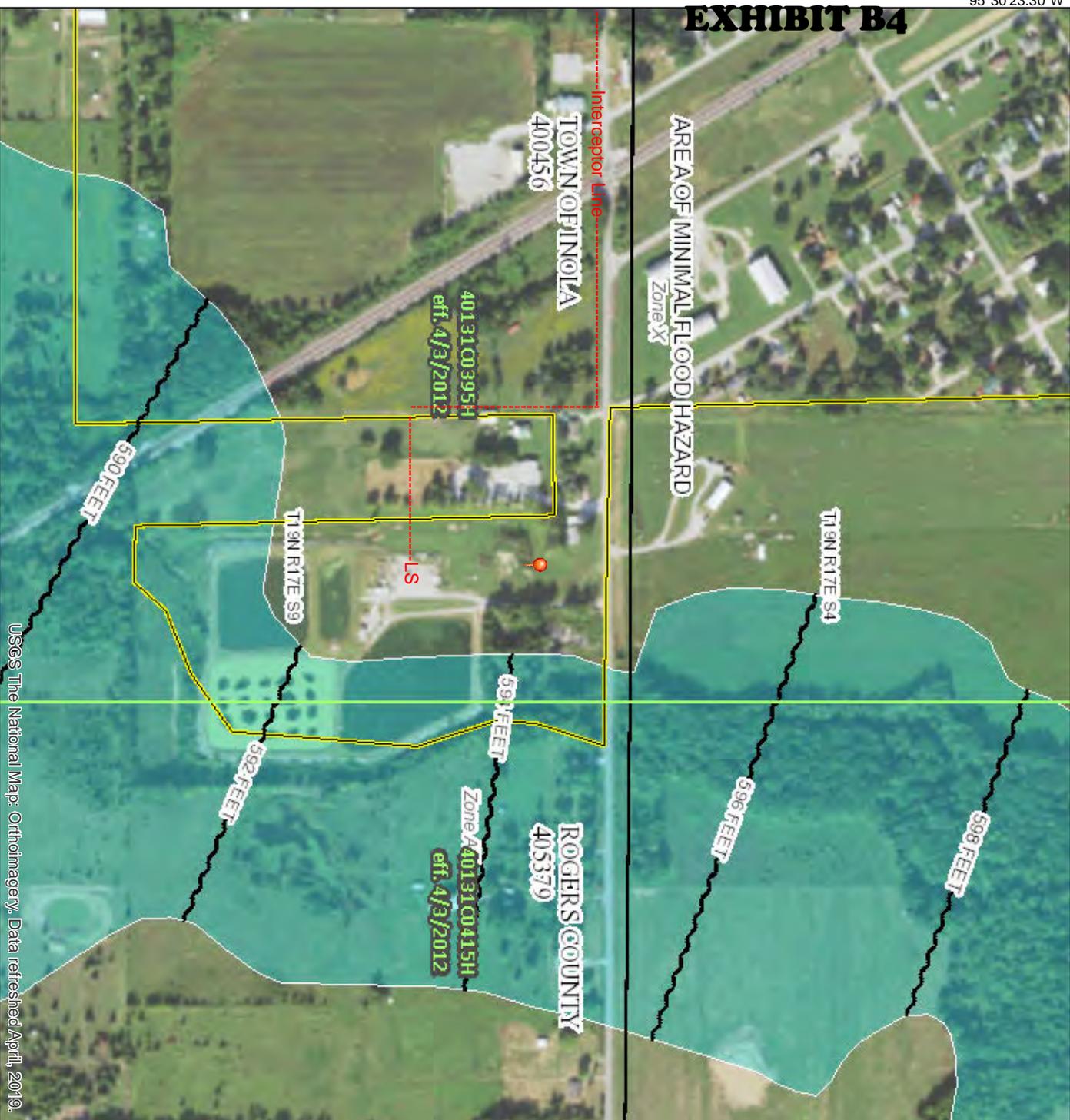


EXHIBIT B4

36°94.85'N

95°30'23.30"W

USGS The National Map: Orthoimagery, Data refreshed April, 2019.

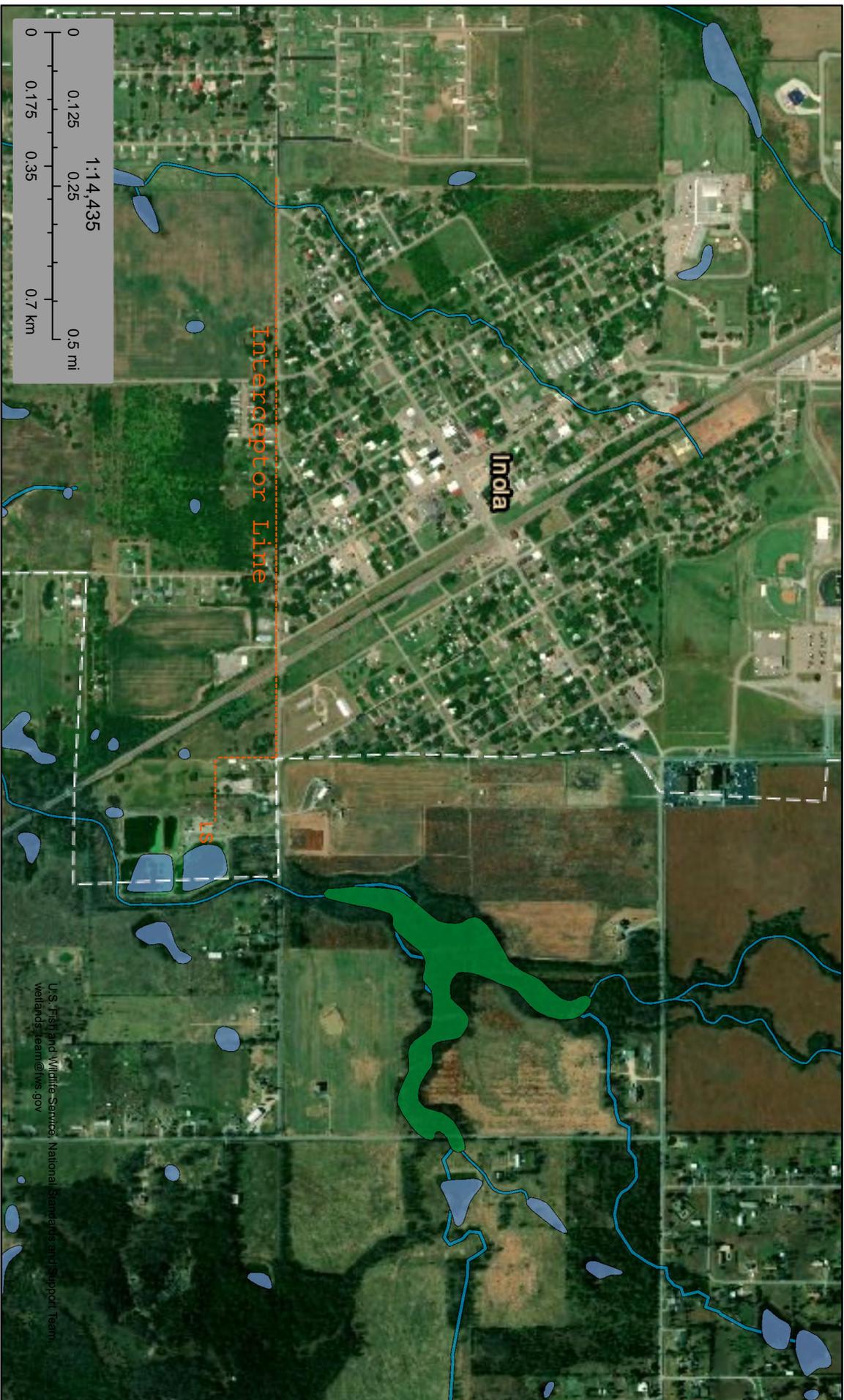
36°8'35.80"N

LS = New Lift Station

95°29'45.84"W



EXHIBIT B5



February 3, 2020

Wetlands

- Estuarine and Marine Deepwater
- Freshwater Emergent Wetland
- Estuarine and Marine Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

U.S. Fish and Wildlife Service, National Standards and Support Team
wetlands.team@fws.gov

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Exhibit C

Photographs

Exhibit C – Site Photos



Entrance off Southeast Blvd to WWTP



Coming up on WWTP site



Lift Station at WWTP to be abandoned



Looking south standing at new LS site at WWTP



Looking east from new LS site where new force main will go



New force main to tie into lagoon cell

Exhibit C – Site Photos



Looking west from new LS at WWTP where interceptor line will come from



New Interceptor Line coming on south side of shed to LS



Looking S. off Southeast Blvd at route of interceptor line .



Closer view of route going S. down fence line past barn and shed



Looking West down Southeast Blvd at route of interceptor line



Coming up on RR crossing on SE Blvd on route of interceptor line

Exhibit C – Site Photos



Looking back east at RR crossing on south side of SE Blvd



Interceptor line continuing west on SE Blvd.



View back east to RR crossing and route of line



Interceptor line continuing west through alley



Looking back east at alley where line will come thru and meet back up with Southwest Blvd



Closer view of alley where interceptor line will be coming thru

Exhibit C – Site Photos



View west of Interceptor Line going on S. side of SW Blvd



View west of Interceptor Line going on S. side of SW Blvd



View west of Interceptor Line going on S. side of SW Blvd



View west of Interceptor Line going on S. side of SW Blvd



Storm water drainage project on SW Blvd where line will cross



Drainage ditch view to south on Southwest Blvd

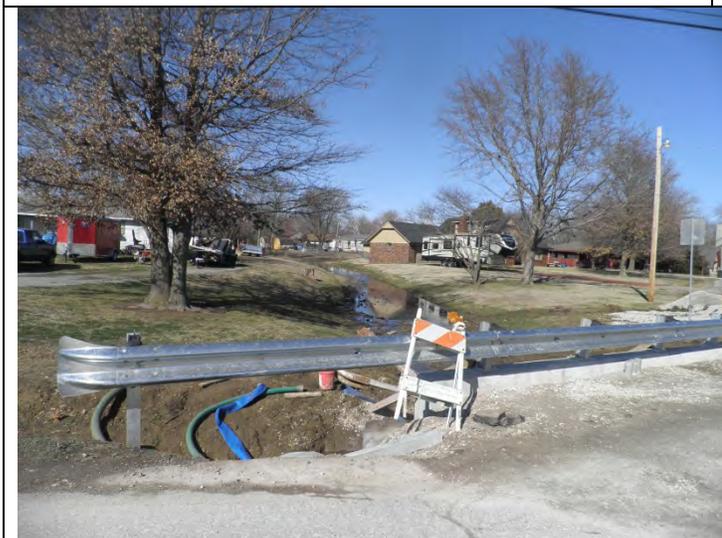
Exhibit C – Site Photos



View to west of route of interceptor line on Southwest Blvd.



View to east where new line will stop at manhole on Southwest Blvd.



View back to north from storm water project on Southwest Blvd.



Lift Station #1 to be abandoned at the intersection of S. Broadway Avenue and Southeast Boulevard

Exhibit D

FACT Environmental Matrix

**Appendix A
FACT Environmental
Effects Matrix**

		Alternative 1			Alternative 2			Alternative 3			Alternative 4		
		NLA	MA	LA									
106 NHPA	Historical Properties (SHPO/TPHO)	X			X			X					
	State Archaeologist	X			X			X					
	BIA	X			X			X					
	Tribes/Nations	X			X			X					
ESA 1973	USFWS/IPAC	X			X			X					
CWA 1977	Wetlands	X			X			X					
	Storm Water Pollution Prevention	X			X			X					
	Section 404 Permit (USACE)	X			X			X					
	Sole Source Aquifers	X			X			X					
EO11988	FloodPlains	X			X			X					
	Real Property (facilities)	X			X			X					
CAA 1970	Air Quality	X			X			X					
	Petroleum on-site storage	X			X			X					
SWDA1965	Solidwaste Disposal	X			X			X					
RCRA	Hazardous Substances	X			X			X					
EO 12898	Environmental Justice	X			X			X					
	Socioeconomics	X			X			X					
NCA 1972	Noise	X			X			X					
WA 1996	Wilderness Areas	X			X			X					
WSRA 1968	Wild and Scenic Rivers	X			X			X					
	Recreational Areas	X			X			X					
	Public Lands	X			X			X					
	Parks	X			X			X					
FPPA 1981	Prime Farmland	X			X			X					
CZMA 1972	Coastal	X			X			X					

NLA	Not likely to affect
MA	May affect
LA	Likely to affect

106 NHPA	National Historic Preservation Act of 1966
ESA 1973	Endangered Species Act of 1973
CWA 1977	Clean Water Act updated 1987
EO11988	Executive Order 11988 Floodplain Management 1977
CAA 1970	Clean Air Act amended 1990
SWDA1965	Solid Waste Disposal Act 1965
RCRA	Resource Conservation and Recovery Act
EO 12898	Executive Order 12898 Actions to Address Environmental Justice in Minority Populations and Low-Income Populations 1994
NCA 1972	Noise Control Act 1972
WA 1996	Wilderness Act of 1996
WSRA 1968	Wild and Scenic Rivers Act of 1968
FPPA 1981	Farmland Protection Policy Act of 1981
CZMA 1972	Coastal Zone Management Act of 1972

Exhibit E

Public Hearing

NOTICE OF PUBLIC HEARING
INOLA PUBLIC WORKS AUTHORITY
CWSRF PROJECT NO. ORF-20-0014-CW

The Inola Public Works Authority will hold a public hearing at 5:30 P.M. on May 14, 2020 in the Calvary Annex, 20 S. Broadway, in Inola, Oklahoma. This location will allow us to meet social distancing under the CDC Guidelines regarding COVID-19/Coronavirus Pandemic. The hearing is to discuss proposed improvements to the Authority's wastewater facilities, alternatives to the proposed improvements and their associated costs. One purpose of the hearing is to discuss the potential environmental impacts of the project and the alternatives to it.

The proposed project is identified in the Planning and Environmental Information Document and consists of the following major elements:

- Construct a new interceptor wastewater line including 1,119 L.F. of 18", 3,802 L.F. of 15" and 819 L.F. of 8" PVC;
- Construct a new 2.75 MGD influent lift station at the existing wastewater treatment plant site (replacing an existing lift station)
- Construct 111 L. F. of 10" PVC force main from new lift station to the existing lagoons.
- Repair and/or replace approximately 24 manholes.

The Planning document which includes environmental information is available for public viewing on the Town's website at www.inolaok.com . These documents provide a detail description of the project cost, financing information, cost to users, alternatives considered and environmental effects.

The public is invited to attend, or in the alternative send comments to cshepherd@okpublicfinancelaw.com by May 14, 2020.

Larry Grigg, Chairman

Glennie Spurlock, Secretary

SEAL

Public Hearing - Wastewater Facility Improvements

Inola Public Works Authority

5/14/2020

5:30 P.M. Calvary Annex, Inola, OK

Purpose

Present Findings of Environmental Review, Alternatives Considered and Receive Public Input

Improvements include constructing a new wastewater interceptor line to replace a deficient main line on Southwest/Southeast Blvd., rehab and replacement of manholes, construct a new Lift Station at the wastewater

plant and abandon 2 existing Lift Stations, construct new Force Main from the new Lift Station at wastewater plant to lagoon.

Items Considered During Project Development

- Purpose and Need for Project
- Alternatives
- Affected Environment
- Possible Environmental Consequences:
 - Cultural Resources
 - Archaeological Sites
 - Threatened & Endangered Species
 - Historic Sites
 - Parks & Wildlife / Waterfowl Refuges
 - Land Use Impacts
 - Farmland Impacts
 - Floodplain / Wetlands
 - Social Impacts
 - Environmental Justice
 - Air Quality
 - Water Quality
 - Noise Impacts
- Comments and Coordination
 - State / Federal Agencies
 - Local / City Officials
 - Tribal Coordination
- Public Involvement
 - Interest Citizens
 - Public Notices
 - Public Review & Comment

What is the National Environmental Policy Act (NEPA)?

The Federal Law, enacted in 1969, applies to entities seeking federal funding for their project and includes a decision-making process that balances the social, economic, and environmental concerns of the project.

WHAT HAPPENS NEXT?

The Authority is applying for financial assistance through the Oklahoma Water Resources Board Clean Water State Revolving Loan Fund (CWSRF) to complete the wastewater project. The Project No. is CWSRF ORF-20-0014-CW.

Public comments will be reviewed and considered from this public hearing. The final environmental document will be prepared, including public participation documentation and submitted to the agency for review and approval.

Questions? Comments?

We welcome your questions or comments during the hearing which will be summarized and included as part of the environmental document.

Christy Shepherd
The Public Finance Law Group, PLLC
5657 N. Classen Blvd, Suite 100
Oklahoma City, OK 73118
cshepherd@okpublicfinancelaw.com

RESOLUTION NO. 20-03

The Inola Public Works Authority, acting through the Town of Inola, hereby adopts the Engineering Report and Planning and Environmental Information Document for the proposed wastewater improvements. Said Engineering Report dated November 21, 2019 was prepared by Kellogg Engineering, Inc. consulting engineers and said Environmental Information Document dated April 14, 2020 was prepared by Christy J. Shepherd, The Public Finance Law Group, PLLC.

The Authority sets forth the intent to construct, operate, and maintain such proposed facilities in accordance with state and federal requirements if said facility is approved and funded with a loan from the Clean Water State Revolving Fund.

The Authority hereby further certifies that a Public Hearing was held on May 14, 2020 in accordance with the Public Notice as attached hereto:

PASSED AND ADOPTED THIS 14th DAY OF MAY, 2020.

CHAIRMAN

ATTEST:

SECRETARY

(SEAL)

Exhibit F

EJscreens and Data



EJSCREEN Report (Version 2019)



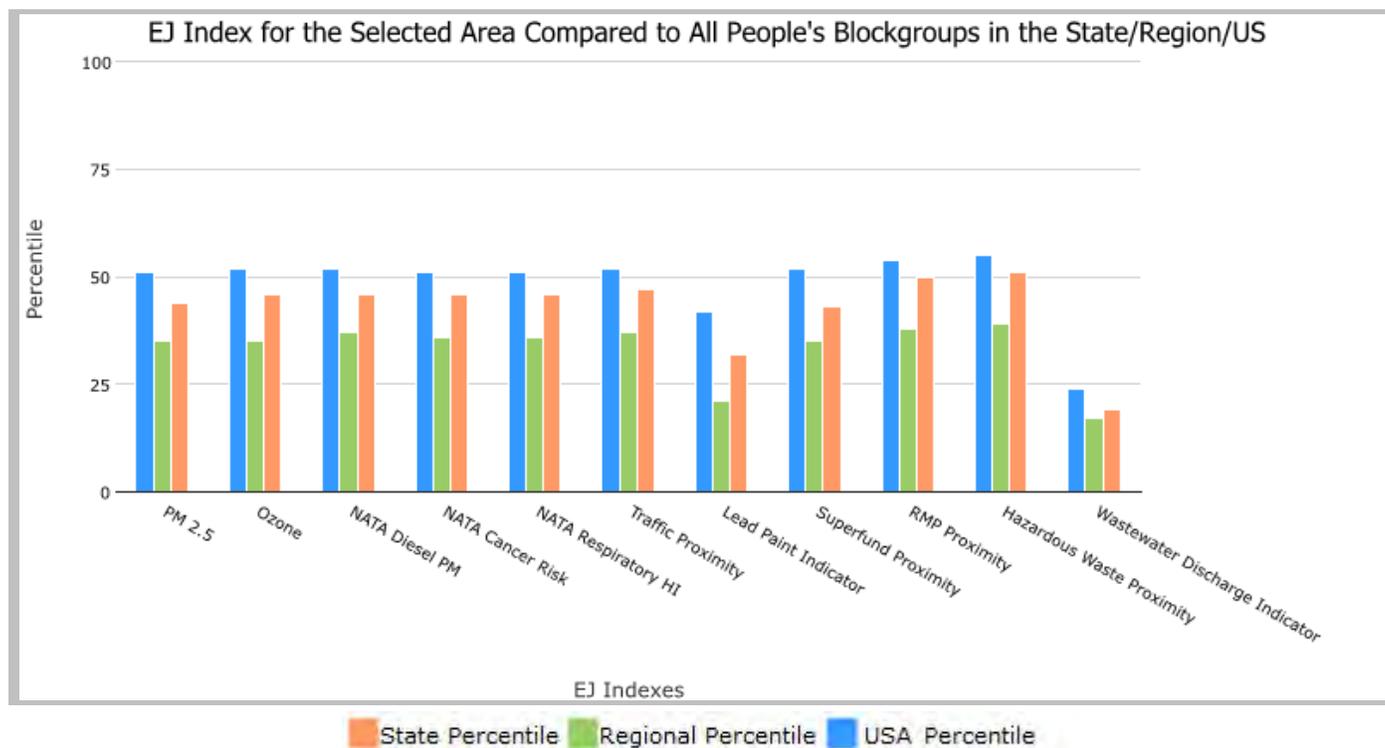
the User Specified Area, OKLAHOMA, EPA Region 6

Approximate Population: 1,329

Input Area (sq. miles): 2.32

Inola

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	44	35	51
EJ Index for Ozone	46	35	52
EJ Index for NATA* Diesel PM	46	37	52
EJ Index for NATA* Air Toxics Cancer Risk	46	36	51
EJ Index for NATA* Respiratory Hazard Index	46	36	51
EJ Index for Traffic Proximity and Volume	47	37	52
EJ Index for Lead Paint Indicator	32	21	42
EJ Index for Superfund Proximity	43	35	52
EJ Index for RMP Proximity	50	38	54
EJ Index for Hazardous Waste Proximity	51	39	55
EJ Index for Wastewater Discharge Indicator	19	17	24



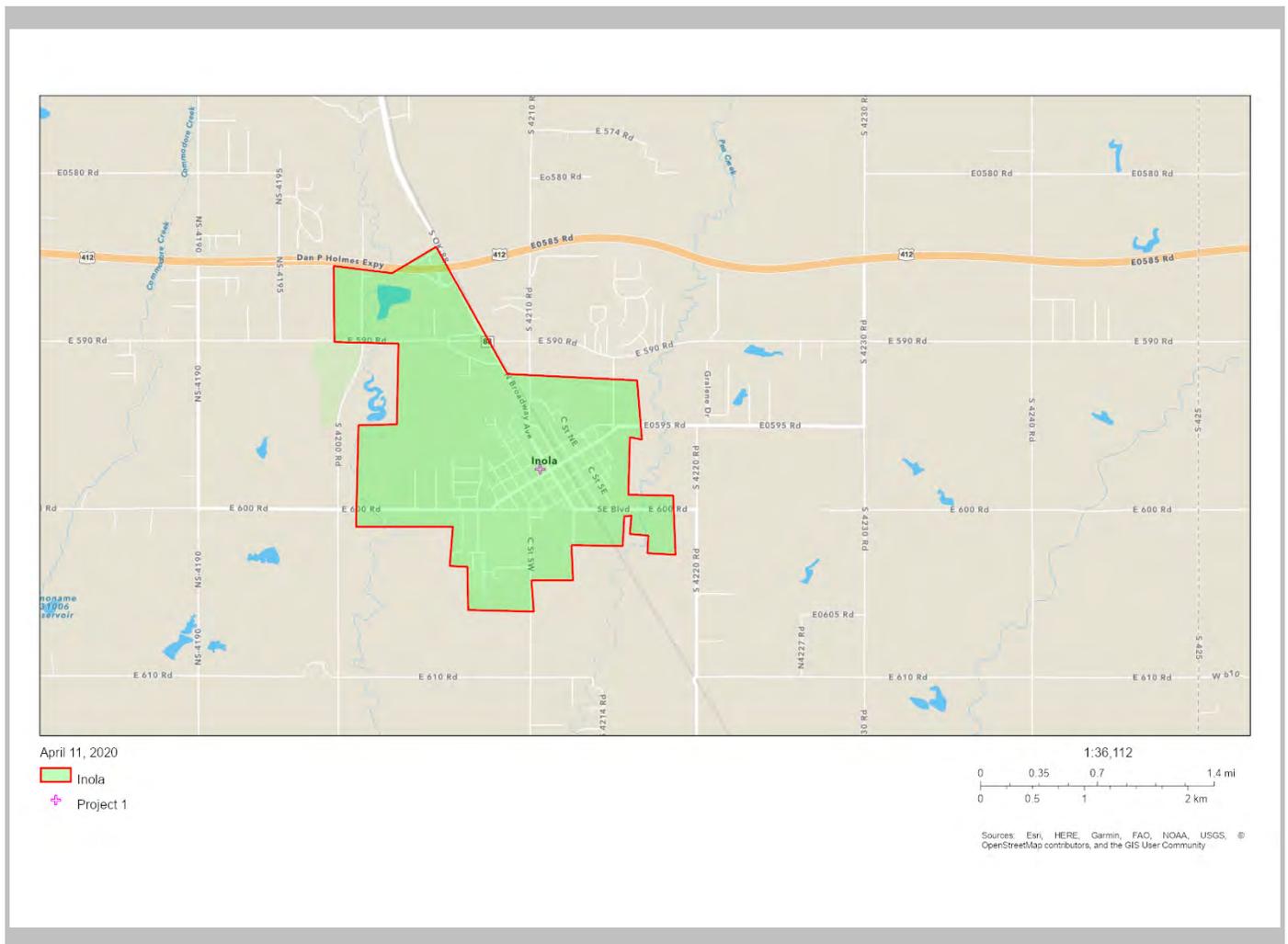
This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

the User Specified Area, OKLAHOMA, EPA Region 6

Approximate Population: 1,329

Input Area (sq. miles): 2.32

Inola



Sites reporting to EPA	
Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	0

EJSCREEN Report (Version 2019)

the User Specified Area, OKLAHOMA, EPA Region 6

Approximate Population: 1,329

Input Area (sq. miles): 2.32

Inola

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
Environmental Indicators							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$)	9.29	8.35	82	8.37	81	8.3	77
Ozone (ppb)	43.5	43.8	35	39.4	77	43	48
NATA* Diesel PM ($\mu\text{g}/\text{m}^3$)	0.198	0.292	36	0.401	<50th	0.479	<50th
NATA* Cancer Risk (lifetime risk per million)	31	33	29	36	<50th	32	50-60th
NATA* Respiratory Hazard Index	0.43	0.45	27	0.45	<50th	0.44	<50th
Traffic Proximity and Volume (daily traffic count/distance to road)	4.9	210	17	400	9	750	9
Lead Paint Indicator (% Pre-1960 Housing)	0.14	0.24	52	0.17	64	0.28	44
Superfund Proximity (site count/km distance)	0.028	0.05	41	0.081	37	0.13	25
RMP Proximity (facility count/km distance)	0.096	0.57	16	0.82	13	0.74	14
Hazardous Waste Proximity (facility count/km distance)	0.05	0.58	15	0.75	11	4	7
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	0.00057	0.13	68	9.8	61	14	63
Demographic Indicators							
Demographic Index	33%	36%	51	44%	38	36%	54
Minority Population	27%	34%	44	51%	27	39%	47
Low Income Population	39%	37%	54	37%	55	33%	64
Linguistically Isolated Population	1%	2%	63	6%	41	4%	49
Population With Less Than High School Education	8%	12%	38	16%	34	13%	45
Population Under 5 years of age	6%	7%	49	7%	47	6%	57
Population over 64 years of age	13%	15%	42	13%	57	15%	47

* The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

For additional information, see: www.epa.gov/environmentaljustice

EJSCREEN is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJSCREEN outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.



Location: User-specified polygonal location

Ring (buffer): 0-miles radius

Description: Inola

Summary of ACS Estimates		2013 - 2017		
Population				1,329
Population Density (per sq. mile)				638
Minority Population				360
% Minority				27%
Households				530
Housing Units				592
Housing Units Built Before 1950				22
Per Capita Income				25,756
Land Area (sq. miles) (Source: SF1)				2.09
% Land Area				99%
Water Area (sq. miles) (Source: SF1)				0.01
% Water Area				1%
		2013 - 2017 ACS Estimates	Percent	MOE (±)
Population by Race				
Total		1,329	100%	200
Population Reporting One Race		1,161	87%	485
White		983	74%	202
Black		14	1%	24
American Indian		154	12%	121
Asian		7	1%	88
Pacific Islander		0	0%	9
Some Other Race		2	0%	41
Population Reporting Two or More Races		169	13%	133
Total Hispanic Population		29	2%	72
Total Non-Hispanic Population		1,300		
White Alone		970	73%	202
Black Alone		14	1%	24
American Indian Alone		152	11%	121
Non-Hispanic Asian Alone		7	1%	88
Pacific Islander Alone		0	0%	9
Other Race Alone		0	0%	9
Two or More Races Alone		157	12%	133
Population by Sex				
Male		618	46%	134
Female		711	54%	133
Population by Age				
Age 0-4		85	6%	50
Age 0-17		398	30%	129
Age 18+		931	70%	216
Age 65+		172	13%	96

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
N/A means not available. Source: U.S. Census Bureau, American Community Survey (ACS) 2013 - 2017.

Location: User-specified polygonal location
 Ring (buffer): 0-miles radius
 Description: Inola

	2013 - 2017 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	832	100%	141
Less than 9th Grade	22	3%	45
9th - 12th Grade, No Diploma	46	6%	59
High School Graduate	344	41%	108
Some College, No Degree	286	34%	127
Associate Degree	72	9%	58
Bachelor's Degree or more	133	16%	90
Population Age 5+ Years by Ability to Speak English			
Total	1,244	100%	184
Speak only English	1,208	97%	208
Non-English at Home ¹⁺²⁺³⁺⁴	36	3%	82
¹ Speak English "very well"	24	2%	75
² Speak English "well"	10	1%	31
³ Speak English "not well"	2	0%	10
⁴ Speak English "not at all"	0	0%	9
³⁺⁴ Speak English "less than well"	2	0%	10
²⁺³⁺⁴ Speak English "less than very well"	12	1%	31
Linguistically Isolated Households*			
Total	6	100%	18
Speak Spanish	0	0%	9
Speak Other Indo-European Languages	0	0%	9
Speak Asian-Pacific Island Languages	6	100%	16
Speak Other Languages	0	0%	9
Households by Household Income			
Household Income Base	530	100%	56
< \$15,000	71	13%	32
\$15,000 - \$25,000	62	12%	47
\$25,000 - \$50,000	155	29%	80
\$50,000 - \$75,000	118	22%	67
\$75,000 +	124	23%	106
Occupied Housing Units by Tenure			
Total	530	100%	56
Owner Occupied	404	76%	64
Renter Occupied	126	24%	49
Employed Population Age 16+ Years			
Total	975	100%	164
In Labor Force	651	67%	177
Civilian Unemployed in Labor Force	40	4%	39
Not In Labor Force	324	33%	128

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS)

*Households in which no one 14 and over speaks English "very well" or speaks English only.



Location: User-specified polygonal location
 Ring (buffer): 0-miles radius
 Description: Inola

	2013 - 2017 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	N/A	N/A	N/A
English	N/A	N/A	N/A
Spanish	N/A	N/A	N/A
French	N/A	N/A	N/A
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	N/A	N/A	N/A
Yiddish	N/A	N/A	N/A
Other West Germanic	N/A	N/A	N/A
Scandinavian	N/A	N/A	N/A
Greek	N/A	N/A	N/A
Russian	N/A	N/A	N/A
Polish	N/A	N/A	N/A
Serbo-Croatian	N/A	N/A	N/A
Other Slavic	N/A	N/A	N/A
Armenian	N/A	N/A	N/A
Persian	N/A	N/A	N/A
Gujarathi	N/A	N/A	N/A
Hindi	N/A	N/A	N/A
Urdu	N/A	N/A	N/A
Other Indic	N/A	N/A	N/A
Other Indo-European	N/A	N/A	N/A
Chinese	N/A	N/A	N/A
Japanese	N/A	N/A	N/A
Korean	N/A	N/A	N/A
Mon-Khmer, Cambodian	N/A	N/A	N/A
Hmong	N/A	N/A	N/A
Thai	N/A	N/A	N/A
Laotian	N/A	N/A	N/A
Vietnamese	N/A	N/A	N/A
Other Asian	N/A	N/A	N/A
Tagalog	N/A	N/A	N/A
Other Pacific Island	N/A	N/A	N/A
Navajo	N/A	N/A	N/A
Other Native American	N/A	N/A	N/A
Hungarian	N/A	N/A	N/A
Arabic	N/A	N/A	N/A
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	N/A	N/A	N/A
Total Non-English	N/A	N/A	N/A

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
 N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2013 - 2017.
 *Population by Language Spoken at Home is available at the census tract summary level and up.



Location: User-specified polygonal location
 Ring (buffer): 0-miles radius
 Description: Inola

Summary		Census 2010
Population		1,315
Population Density (per sq. mile)		631
Minority Population		307
% Minority		23%
Households		510
Housing Units		558
Land Area (sq. miles)		2.09
% Land Area		99%
Water Area (sq. miles)		0.01
% Water Area		1%

Population by Race	Number	Percent
Total	1,315	-----
Population Reporting One Race	1,199	91%
White	1,022	78%
Black	9	1%
American Indian	145	11%
Asian	1	0%
Pacific Islander	0	0%
Some Other Race	22	2%
Population Reporting Two or More Races	116	9%
Total Hispanic Population	59	5%
Total Non-Hispanic Population	1,256	95%
White Alone	1,008	77%
Black Alone	9	1%
American Indian Alone	140	11%
Non-Hispanic Asian Alone	1	0%
Pacific Islander Alone	0	0%
Other Race Alone	0	0%
Two or More Races Alone	98	7%

Population by Sex	Number	Percent
Male	641	49%
Female	674	51%

Population by Age	Number	Percent
Age 0-4	88	7%
Age 0-17	343	26%
Age 18+	972	74%
Age 65+	191	15%

Households by Tenure	Number	Percent
Total	510	
Owner Occupied	385	76%
Renter Occupied	125	24%

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

Source: U.S. Census Bureau, Census 2010 Summary File 1.

APPENDIX 1

Engineering Report

**TOWN OF INOLA
INOLA PUBLIC WORKS AUTHORITY
ROGERS COUNTY, OKLAHOMA**

ENGINEERING REPORT

FOR

**SOUTHWEST BOULEVARD
SANITARY SEWER INTERCEPTOR
AND WWTP LIFT STATION
PROJECT**

AS PART OF

*CONSENT ORDER 16-193
Facility ID No. S-21507
Discharge Permit OPDES No. OK0033618*

*PREPARED BY
KELLOGG ENGINEERING, INC.
CERTIFICATE OF AUTHORITY # 2788
6755 SOUTH 4060 ROAD
TALALA, OKLAHOMA 74080
(918) 275-4080*



NOVEMBER 21, 2019

**TOWN OF INOLA
INOLA PUBLIC WORKS
PO BOX 249
INOLA, OKLAHOMA 74036
(918) 543-2430**

**TOWN OF INOLA
INOLA PUBLIC WORKS AUTHORITY
ROGERS COUNTY
OKLAHOMA**

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Mr. Tommy Dyer, Jr., Legal Counsel

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Ms. Glennie Spurlock, Town Treasurer

Kellogg Engineering, Inc.

Consulting Engineers for the Town of Inola

Executive Summary

The Engineering Report herein contained addresses the design of the proposed Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project. Said Report herein contained is an addition to and a supplement to the following previously approved reports:

1. “Inola Public Works Authority, Consent Order 16-193 Wastewater Collection System” Engineering Report, dated November 20, 2018, prepared by Kellogg Engineering, Inc.
2. “Town of Inola 2017 Wastewater Collection System Inspections” Public Sector Defect Report, dated April 2018, prepared by Tetra Tech, Inc.
3. “Town of Inola 2017 Wastewater Collection System Inspections” Final SSES Report, dated April 2018, prepared by Tetra Tech, Inc.

It is important to note that the proposed Interceptor portion of the Project was identified and scheduled for repairs or replacement as part of the reports listed above. The proposed Lift Station portion of the Project was identified during the design of the Project and was not a part of any of the reports listed above; however, the purpose and need for the proposed Lift Station is outlined within this Report.

The proposed Project has a total estimated construction cost of approximately \$3.0 million which includes the major components as listed below:

1. Triplex Lift Station at the WWTP
2. ~1,120 LF of 18” Gravity Sewer Line
3. ~3,500 LF of 15” Gravity Sewer Line
4. ~1,120 LF of 8 “Gravity Sewer Line
5. ~335 LF of 36” Bore and Casing under UPRR
6. 24 Manholes
7. 2 Existing Lift Station to be Abandoned

An update of the Town’s consent order compliance schedule and discussion of future improvements post-construction of the proposed Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project is provided as part of this Engineering Report.

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I. Definitions and Abbreviations

ER Engineering Report

Flapper Valve Infamous manhole with a flapper valve installed approximately twenty-five years ago to relieve sanitary sewer overflows and to prevent sewage from backing up in nearby houses. Said manhole is located at the intersection of W. Commercial and Southwest Boulevard, west of the creek on the south side of the road.

I/I Inflow and Infiltration

Interceptor The portion of the Project which is a proposed gravity sanitary sewer line that runs from west to east along Southwest Boulevard and Southeast Boulevard from “flapper valve” manhole to the Waste Water Treatment Plant (WWTP).

KEI Kellogg Engineering, Inc.

LS No.1 Existing sanitary sewer lift station located at the intersection of S. Broadway Ave. and Southeast Boulevard.

OWRB Oklahoma Water Resources Board

ODEQ Oklahoma Department of Environmental Quality

Town Inola Oklahoma, Rogers County, Oklahoma,

PWA Inola Public Works Authority

Project Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project

Report The Engineering Report herein contained, prepared for the Town of Inola by Kellogg Engineering, Inc.

SE Blvd Southeast Boulevard, a section line road lying east of the UPRR in the Town of Inola also known as E. 600 Rd.

SSO Sanitary Sewer Overflow

SW Blvd Southwest Boulevard, a section line road lying west of the UPRR in the Town of Inola also known as E. 600 Rd.

UPRR Union Pacific Rail Road, which runs Southeast to Northwest through the Town of Inola

WWTP Town of Inola’s existing Waste Water Treatment Plant owned and operated by the Inola Public Works Authority

WWTP LS Existing sanitary sewer lift station located at the waste water treatment plant (WWTP)

II. General

A. Southwest Boulevard Sanitary Sewer Interceptor

The concept of the proposed Interceptor originated from several different sources:

1. The proposed Interceptor is directly connected to the manhole that repeatedly had SSO issues which lead to Consent Order 16-193.
2. The existing gravity sewer line and numerous manholes along SW Blvd were identified as defective and scheduled for replacement in the I/I Study performed by Tetra Tech, Inc.
3. The proposed Interceptor was identified and part of the Engineering Report addressing said Consent Order and has been one of the Town's higher priorities for years.
4. The proposed Interceptor will eliminate the need for existing Lift Station No.1 and the associated yearly maintenance and electrical cost associated therewith.
5. The existing gravity sewer line along SW Blvd was identified as needing to be replaced in a "Sewer System Study" prepared by FHC, Inc. back in 1994.

The design, capacity, depths, and alignment of the proposed Interceptor, which will be discussed in greater detail later in the Report, were generally based on the following:

1. Design based on modern engineering standards for; PVC pipe, concrete manholes, steel casing, all of which are in accordance with ODEQ standards and regulations.
2. The capacity was determined by investigating several different factors, which included; existing customers, future growth, flow monitoring, and peaking factors based on the "Ten State Standards".
3. The depth of the proposed interceptor is deeper than normal, the reasons include a small creek on the west end of the Project and eliminating existing Lift Station No.1, located on the intersection of S. Broadway Ave. and Southeast Boulevard.
4. The alignment was somewhat predetermined due to the fact that the plan was to replace the existing sewer line along SW Blvd; however, adjustments were made on both ends of the Project to avoid other utility conflicts and to better fit the proposed lift station site.

B. WWTP Lift Station

The original plan, as outlined in the 2018 Engineering Report, was to connect the proposed Interceptor to the existing lift station at the WWTP. During the design process, it was determined that the existing lift station was; outdated, shallow, undersized, and deteriorating rapidly. The rails, guides, and piping have all been replaced twice in the past few years. The interior of the wet well was never coated when it was originally constructed and now the concrete walls are in desperate need of repair.

The design, capacity, depth, and the location of the proposed Lift Station, which will be discussed in greater detail later in the Report, were generally based on the following:

1. The proposed Triplex Lift Station was designed based on modern engineering standards for sanitary sewer lift stations and in accordance with ODEQ standards and regulations.
2. The capacity was determined by investigating several different factors, which included; existing customers, future growth, flow monitoring, and peaking factors based on the “Ten State Standards”.
3. The depth of the proposed Lift Station was designed to provide adequate depth for the proposed influent Interceptor and to provide adequate storage.
4. The location of the proposed Lift Station was established within the existing fenced in area at the WWTP and located in such a manner to provide sufficient space for a possible future contact basin.

III. Project Planning Area

A. Location, Maps, Photos and Sketches

Town of Inola

Figure 1 displays a Public Land Survey Section Location Map for the Town of Inola, excluding the Black Fox Service area and the lagoon system service of said area. This area starts at E. 590 Road to the north, extending to the existing Wastewater Treatment Plant on Pea Creek to the east, extending to the westerly boundary line running along Sections 5 and 13 and concluding at E. 610 Road on the south side of the residential section of the Town of Inola. The project planning area is principally located north and east of the existing WWTP.

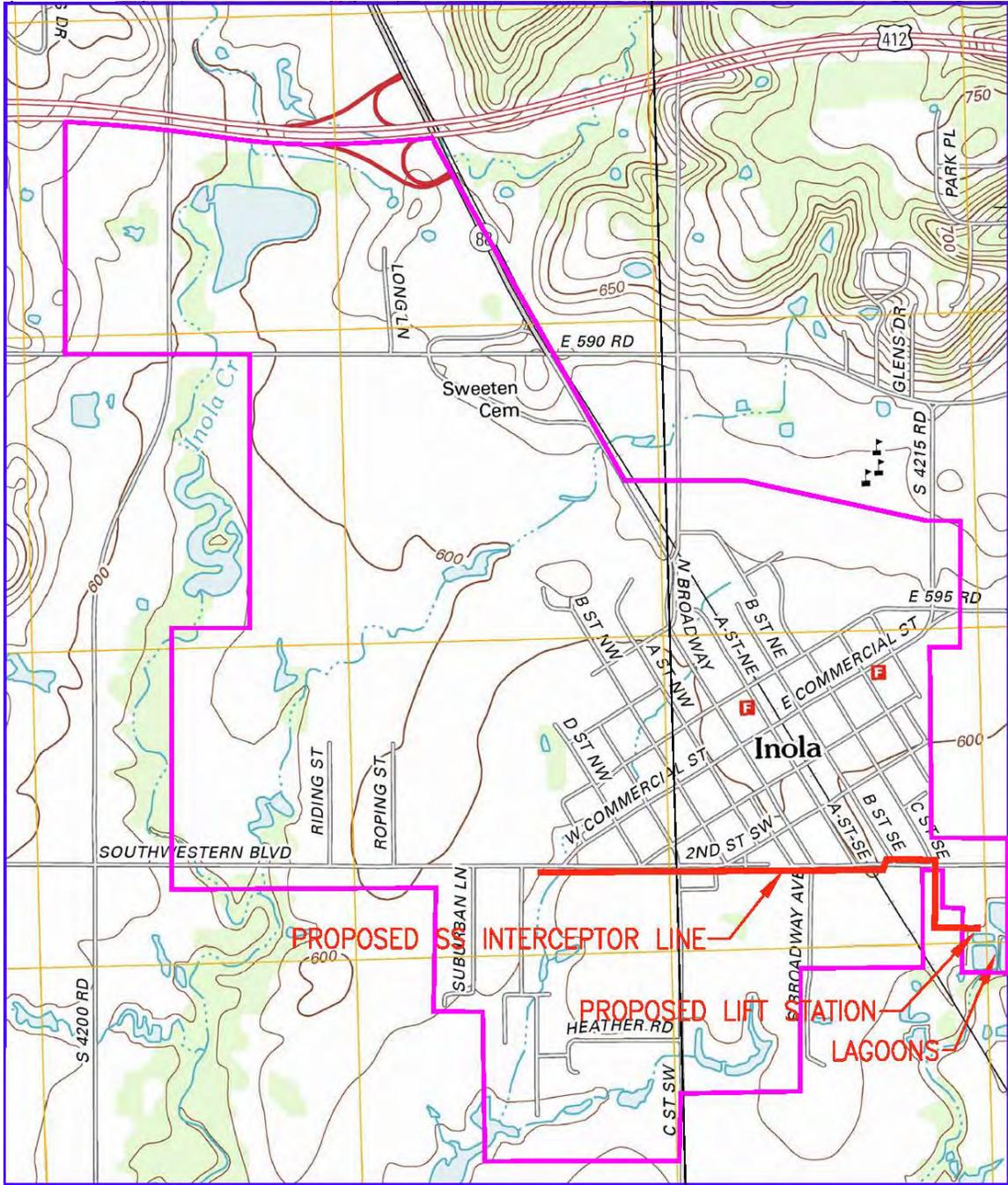


Figure 1 - Town of Inola Boundaries

Planning Area – Existing Gravity Sewer System

Figure 2 shows Town of Inola’s Sanitary Existing Sewer System (gravity) alignment with directional flow arrows and the location of the proposed Project.

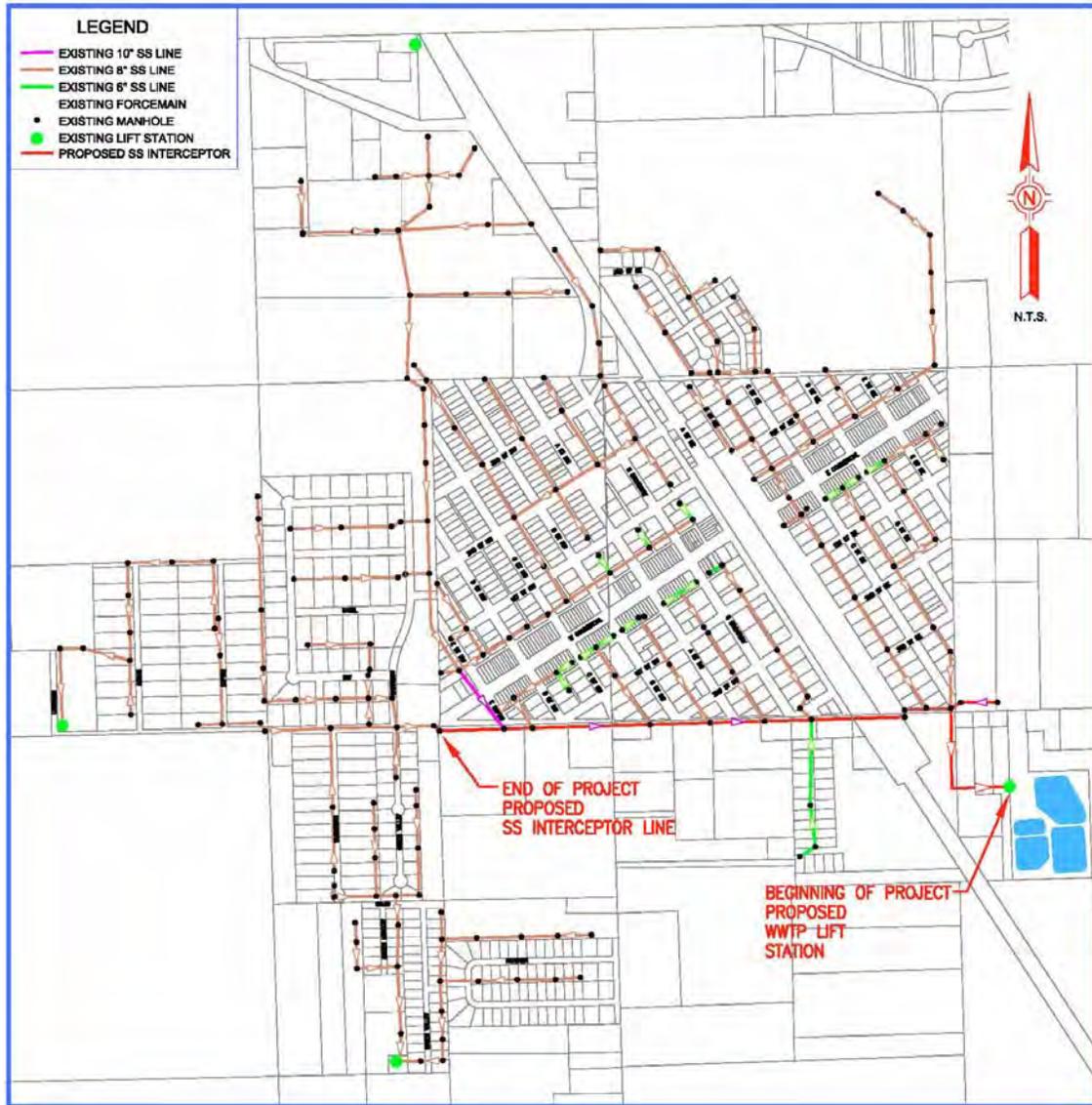


Figure 2 - Existing Sanitary Sewer System (Gravity Only)

Planning Area – Existing Lift Stations and Force Mains

Figure 3 shows the Town of Inola Collection System Force Main alignment with directional flow arrows indicating the location of the existing Lift Stations, existing Force Main Sanitary Sewer Lines, and the location of the proposed Project.

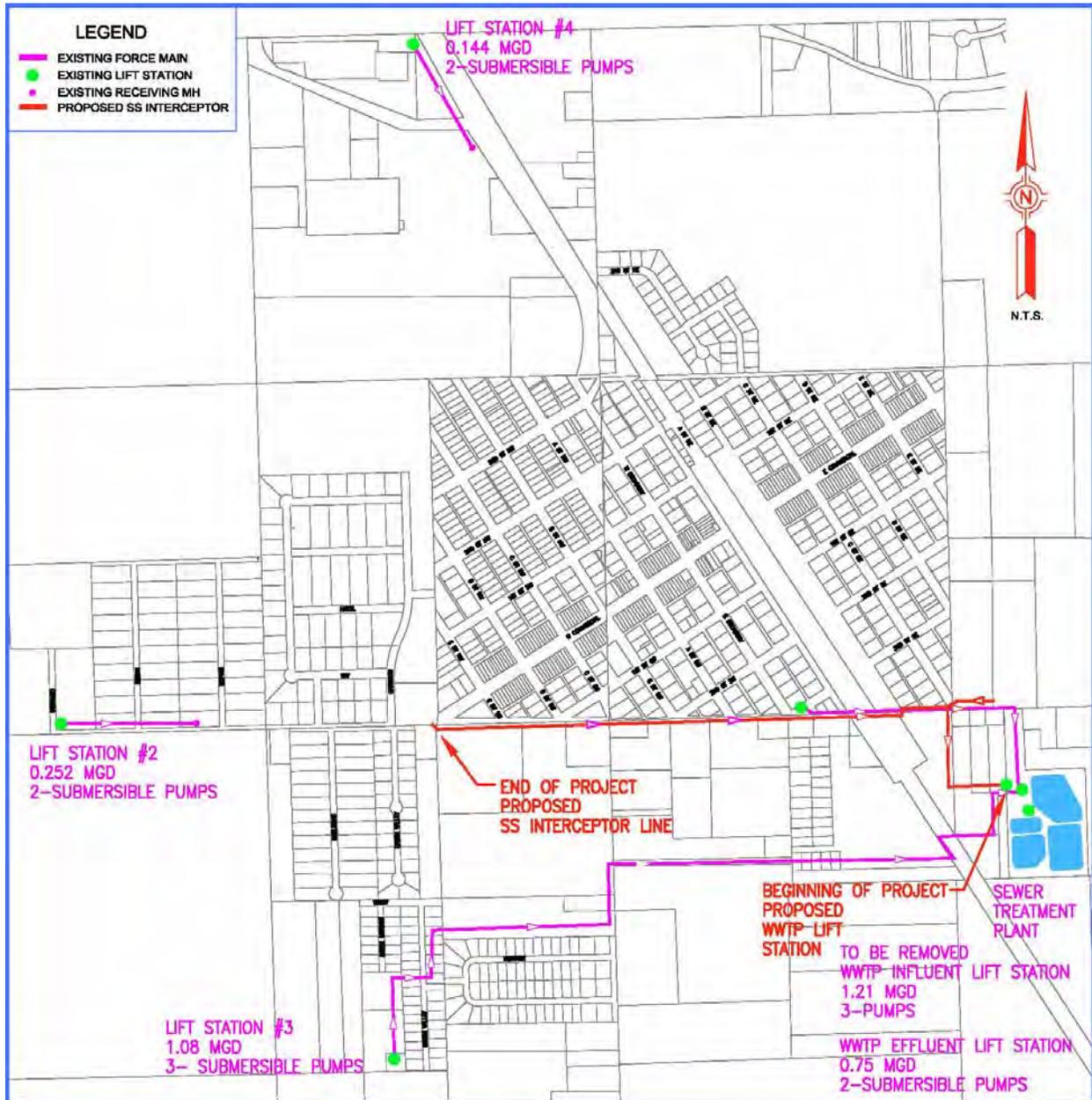


Figure 3 - Existing Sanitary Sewer System (Lift Station & Force Mains)

Planning Area – Designation of Study Area

Figure 4 shows the Town of Inola separated into Service Areas in relations to where the flows are directed. These Service Areas have been reference thought the previous reports and are referenced throughout this report also.

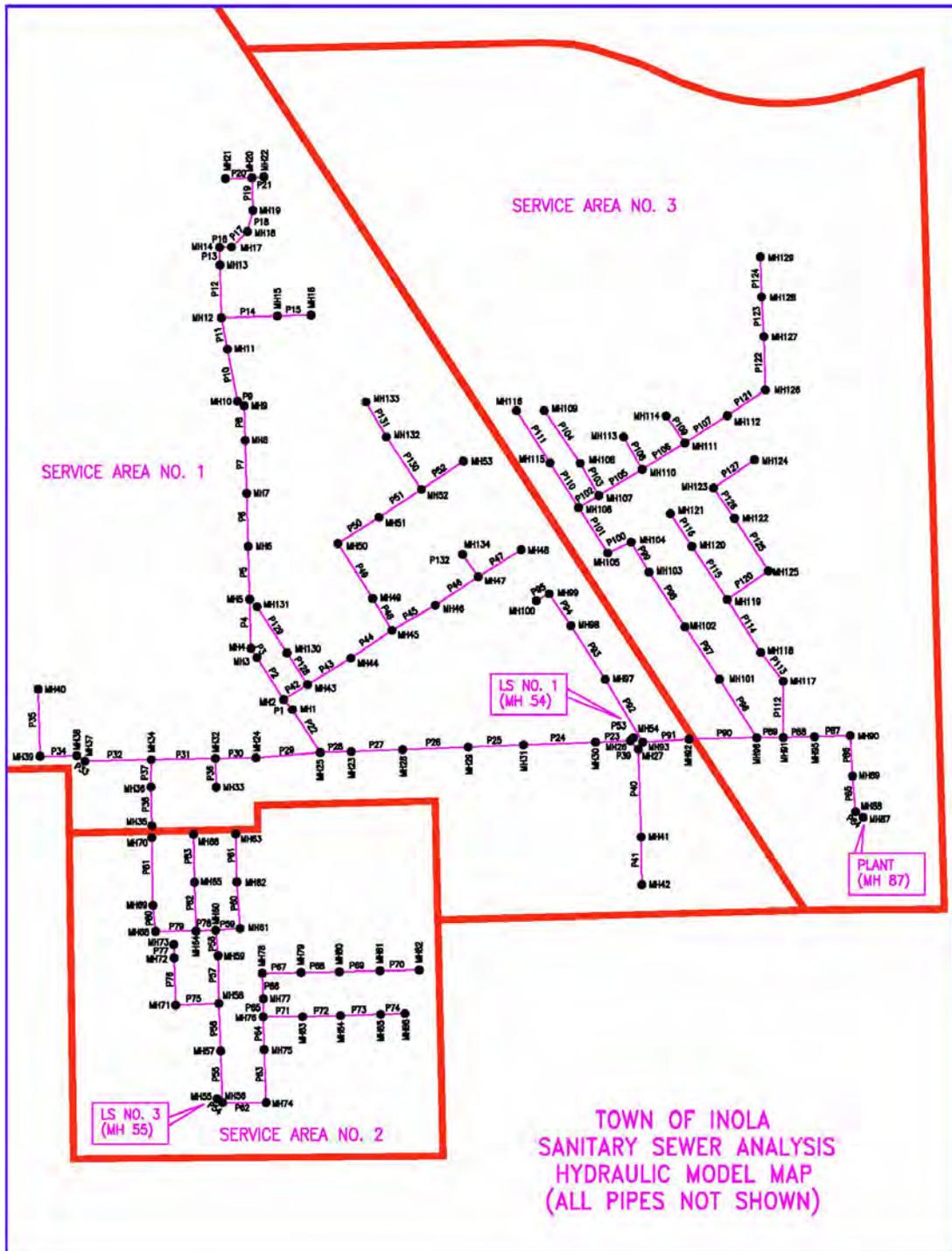


Figure 4 - Service Areas

Growth Areas and Population Trends

The Growth Areas and Population Trends for the Town of Inola, which were addressed in the “Inola Public Works Authority, Consent Order 16-193 Wastewater Collection System” Engineering Report, dated November 20, 2018, were determined by using both data from the Oklahoma Department of Commerce (ODOC) and US Census Data from 1970 to 2010.

Table 1 - Historical and Projected Population (ODOC) summarizes the U.S. Census Data from the years of 1970 to 2010 and the ODOC projected populations for the years 2020-2060.

U.S. Census Data					ODOC Projections				
1970	1980	1990	2000	2010	2020	2030	2040	2050	2060
948	1550	1444	1589	1788	2081	2423	2820	3282	3820

Table 1 - Historical and Projected Population (ODOC)

Table 2 - Population Growth of Town of Inola (US Census) summarizes the population calculations using the slightly larger percentage of 1.6% over the 1.53% projected by the Oklahoma Department of Commerce.

U.S. Census Data					Population Projections based on U.S. Census Data (1.6)%				
1970	1980	1990	2000	2010	2020	2030	2040	2050	2060
948	1550	1444	1589	1788	2095	2456	2879	3374	3954

Table 2 - Population Growth of Town of Inola (U.S. Census)

As part of the design of the Project, areas of potential future growth were identified and are illustrated on Figure 4 – Service Areas – Future Growth. The location and alignment of the proposed Project would easily service all future areas as shown in Figure 5. A summary of the estimated growth areas, which were used for design purposes, are as follows:

1. Commercial Area #1 = 41 acres
2. Commercial Area #2 = 28 acres
3. Multi-Family Area #3 = 60 acres
4. Residential Area #4 = 124 acres

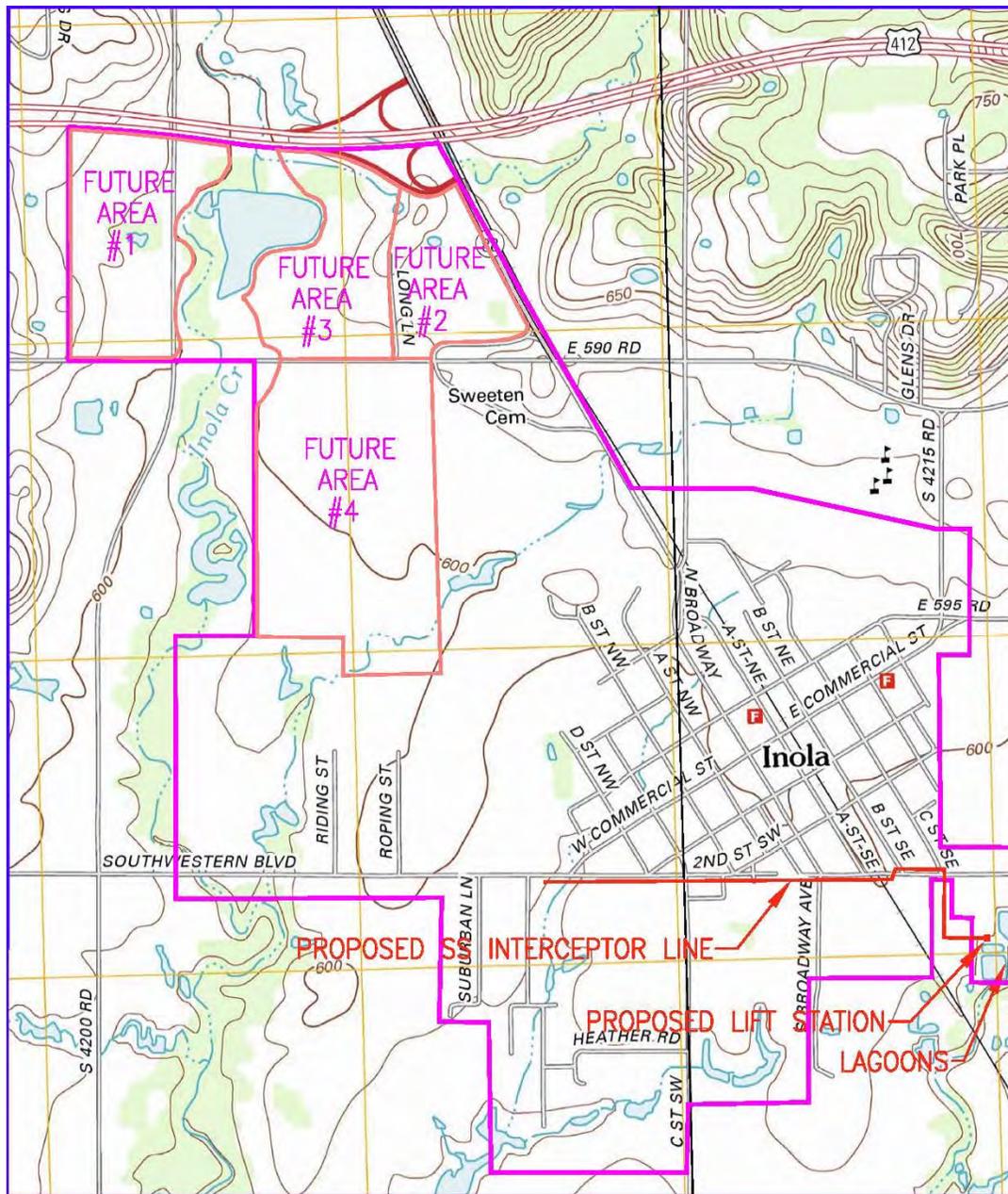


Figure 5 - Service Areas Future Growth

B. Current and Projected Wastewater Flows

Interceptor Flows

The projected wastewater flows for the Town of Inola, which were addressed in the “Inola Public Works Authority, Consent Order 16-193 Wastewater Collection System” Engineering Report, dated November 20, 2018, accounted for 611 active sewer taps and an additional future 200 taps. Table 3 shows the usage using projected growth based on the ODOC and US Census estimates. The design criteria for both the existing and future flows was based on; 3 people per residence, 100 gpd per capita, and a peaking factor of five (Pf =5.0). A summary of existing and future flows as said Report are show in Table 4-Flow

Calculations below.

Table 3 - Flow Calculations

EXISTING RESIDENTIAL LOT COUNT	ESTIMATED FUTURE GROWTH LOT COUNT	DAILY FLOW PER RESIDENTIAL LOT (GPD)	PEAKING FACTOR
611	200	300	5
EXISTING AVERAGE DAILY FLOW (GPM)	EXISTING PEAK DAILY FLOW (GPM)	FUTURE AVERAGE DAILY FLOW (GPM)	FUTURE PEAK DAILY FLOW (GPM)
128*	636*	165*	825*

*Used design criteria of 3 people per residence 100 gpm per capita

Proposed Interceptor Flows

Although the “Inola Public Works Authority, Consent Order 16-193 Wastewater Collection System” Engineering Report, dated November 20, 2018, accounted for only 200 additional future taps, based on ODOC projected population growth, the proposed Interceptor was designed to accommodate the equivalent of approximately 1,002 additional residential taps. The future growth of 1,002 residential taps is equivalent to the predicted growth as shown in Figure 4 and were calculated as follows:

1. Commercial Area #1: 41 acres, 1,000 gpd/acre: 41,000 gpd
2. Commercial Area #2: 28 acres, 1,000 gpd/acre: 28,000 gpd
3. Multi-Family Area #3: 60 acres, 600 units, 200gpd/unit: 120,000 gpd
4. Residential Area #4: 124 acres, 3 dwell/acre, 300gpd/dwell: 111,600 gpd

Total estimated future flow: 300,600 gpd

Total estimated future flow of 300,600 gpd equates to 1,002 residential homes.

The actual design flows for the proposed Interceptor, which are discussed at length later in this Report, include; design criteria, flow calculations, metering data, and future growth. The location and the anticipated 60 year life expectancy of the proposed Interceptor, justifies accounting for the higher additional future tap count of 1,002 residential homes.

C. Environmental Resources

The environment requirements for this project will be minimal with the existing Sanitary Sewer system constructed along existing sanitary sewer, utility, or Right-of-Way easements. The only exception would be any proposed improvements that are relocated to new easements at which time an Environmental Study shall be done and submitted.

D. Community Engagement

The Inola Public Works Authority convenes twice monthly and encourages all residence to attend for their input and comments. Public hearings will be a part of the environmental process and will be held according to standard guidelines.

IV. Existing Facilities

A. Location

Existing Sanitary Sewer Lines along SW Blvd and SE Blvd

The existing sanitary sewer lines to be replaced or abandoned as part of this Project lie along Southwest Boulevard and Southwest Boulevard, both of which are also known as E. 600 Rd. Said existing sewer lines lie within the Town limits and lie along the south section line of both Section 4 & Section 5, Township 19 North, Range 17 East of the I.B.&M., Rogers County, Oklahoma.

Existing Lift Station No.1

The existing Lift Station No.1, which is to be abandoned as part of this Project, is located at the corner of S. Broadway Ave. and Southeast Boulevard, approximately in the middle of the proposed Interceptor.

Existing WWTP Lift Station

The existing WWTP Lift Station, which is to be abandoned and replaced as part of this Project, is located at the Town of Inola's existing Waste Water Treatment Plant (Facility ID S-21507) and located in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 9, Township 19 North, Range 17 East, Indian Meridian, Rogers County, Oklahoma. Generally located west of NS 4220 RD on the south side of Southeast Boulevard.

Figure 6 – Town of Inola Sewer Map, below is an overall exhibit of the Town of Inola's sewer system that shows the general locations; of the existing sewer lines to be replaced, existing Lift Station No.1 to be abandoned, and the existing WWTP Lift Station to be replaced.

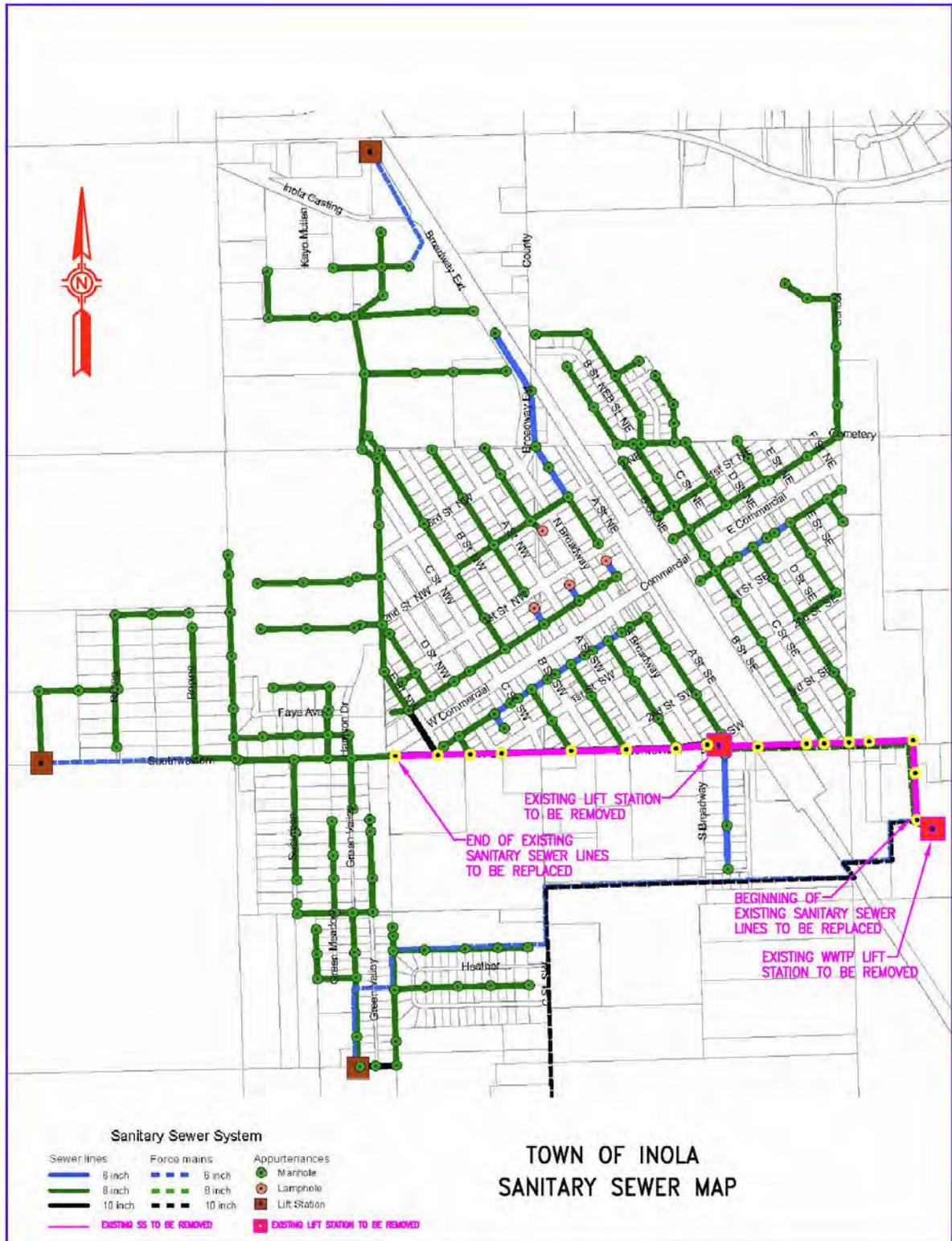


Figure 6 - Town of Inola Sanitary Sewer Map

B. Condition of Existing Facilities

General

The overall performance of the Town of Inola's existing sanitary sewer system was addressed at length in the previously mentioned reports and studies. For the purposes of this Report, we have limited the discussion of the "Condition of Existing Facilities" to three existing facilities affected by this Proposed Project:

1. The Existing Sanitary Sewer Lines along SW Blvd and SE Blvd
2. The Existing Lift Station No.1
3. The Existing WWTP Lift Station

A brief summary of each of the three existing facilities, taken from the previously mentioned reports and studies, is provided to highlight special aspects and existing conditions of each of the three existing facilities.

Existing Sanitary Sewer Lines along SW Blvd and SE Blvd

The existing sanitary sewer lines along SW Blvd and SE Blvd:

1. Main interceptor for the Town
2. Main priority of the Town Board
3. The focus of flow monitoring and I/I studies

As addressed in previous Reports, the most recent flow monitoring was performed in three separate locations from April 12, 2017 to May 11, 2017. Figure 7 – 2017 Flow Monitoring Exhibit, shows the location of meters installed. It is important to note, that during the flow monitoring period, that Inola experienced ten (10) smaller rain fall events and two (2) significant rain fall events. Table 4 – demonstrates flows rates and notes taken

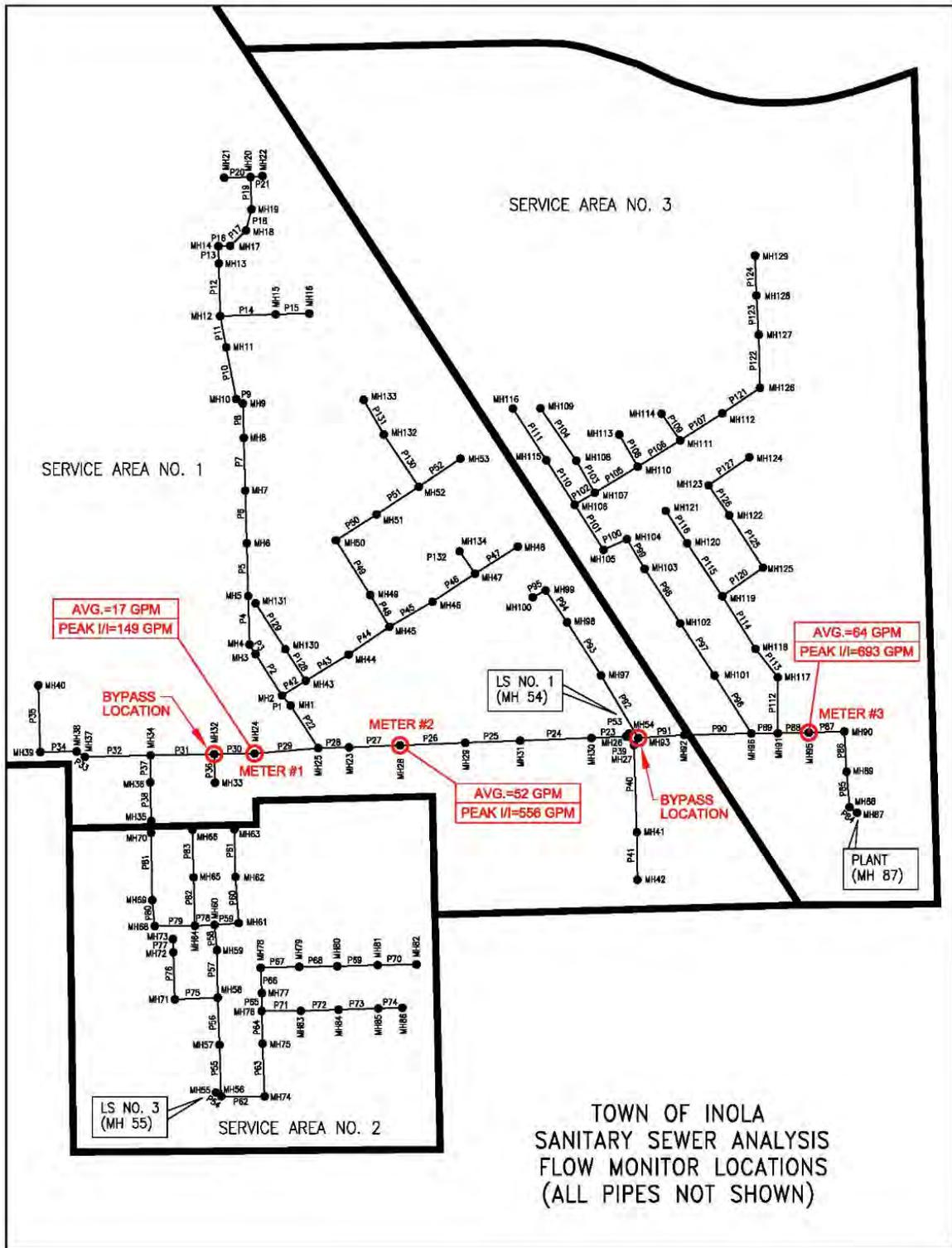


Figure 7 - 2017 Flow Monitoring Exhibits

Table 4 - Flow Monitoring Event

FLOW MONITORING				
APRIL 12, 2017 TO MAY 11, 2017				
METER	AVG. DAILY FLOW (gpm)	PEAK DAILY FLOW (gpm)	I&I PEAK FLOW (gpm)	NOTES
1	15	79	152	4/21/17: Meter submerged, V=0, No metes readings, SSO occurring
2	47	285	556	4/21/17: Meter submerged, V=0, No metes readings, SSO occurring
3	98	428	695	4/21/17: Meter submerged, V=0, No metes readings, SSO occurring

The following conclusions and determinations were based on the 2017 flow monitoring data:

1. Collection system has I&I rate closer to an 8.6 and 10.8 peaking factor.
2. The meters stopped registering once they were completely submerged and velocity went to zero; therefore, the actual I&I flow during those periods are higher than the flows listed above.
3. The flows as listed above do not account for the flow that was overflowing from the bypass manhole in question.
4. Full depth flow capacity of downstream sewer line from bypass location to Lift Station No. 1, is approximately 400 gpm, which results in SSOs.

Once the flow monitoring data was completed and evaluated, as previously mentioned, an I/I Study for the Town of Inola was performed by Tetra Tech, Inc. Said previously referenced 2017 I/I Study identified numerous defects in the sanitary sewer pipe and numerous manholes that needed to be repaired or replaced. Figure 8 – Pipe and Point Repair Map, shows the defective gravity sewer lines along the alignment of the proposed Interceptor and Figure 9 - Defective Manhole Map shows the defective manholes along the alignment of the proposed Interceptor.

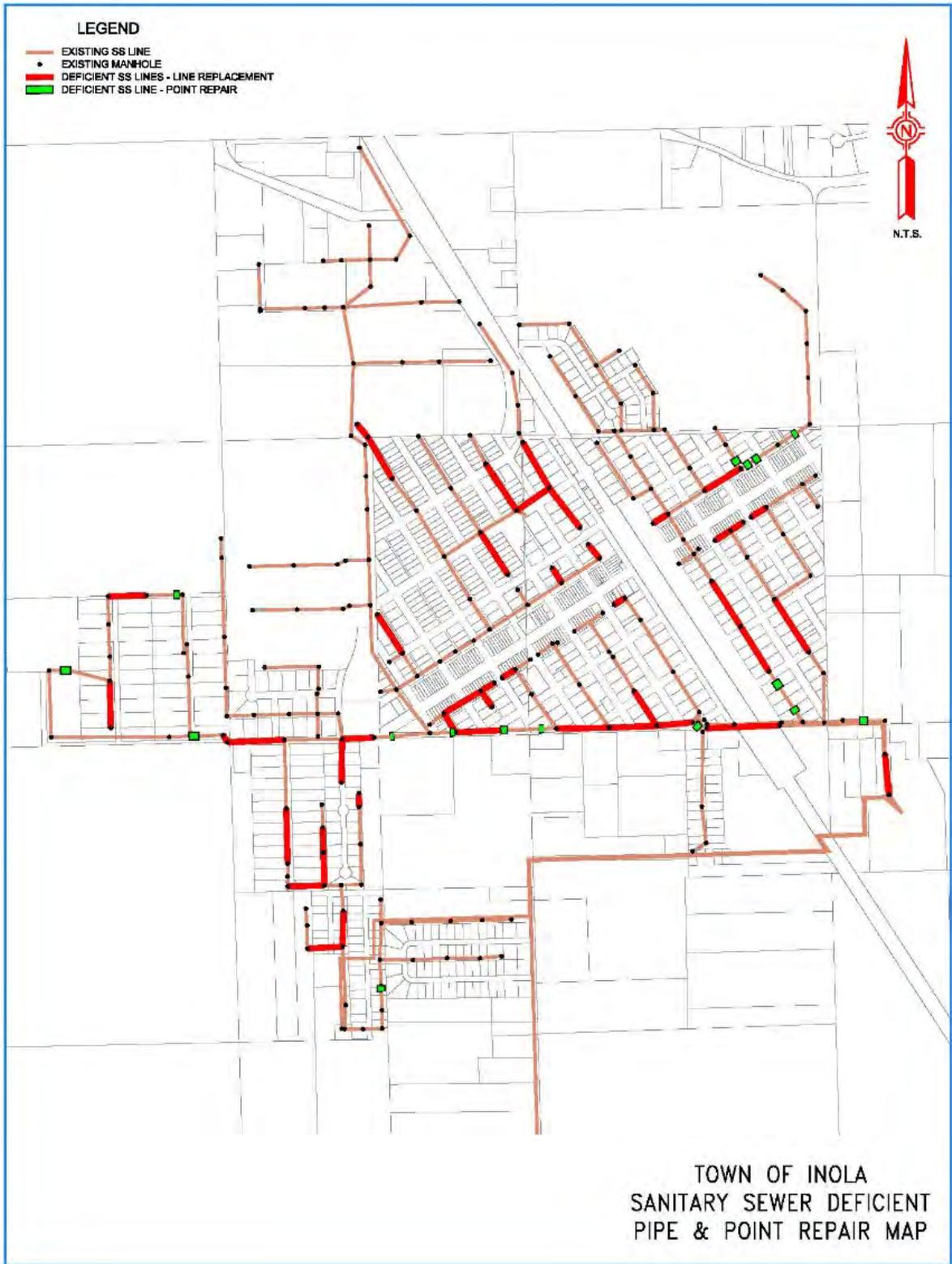


Figure 8 - Pipe and Point Repair Map

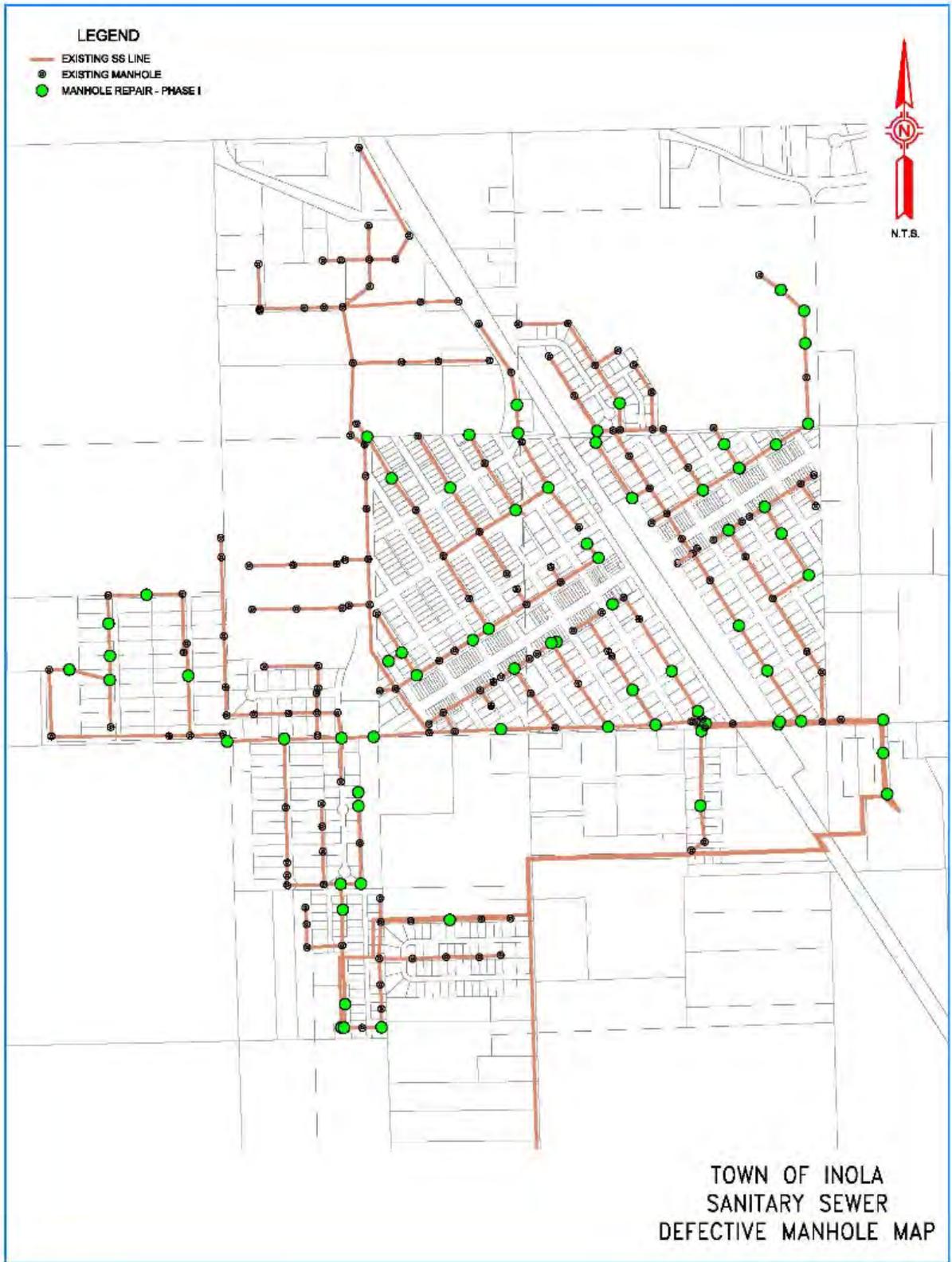


Figure 9 - Defective Manhole Map

A summary of the defectives, as per the previously mention 2017 I/I Study, of the existing gravity sewer lines along SW Blvd and SE Blvd and along the alignment of the proposed Interceptor; include, but not limited to the following:

1. ~2,575 lf of 10” existing gravity defective SS line needing to be replaced
2. ~6 location in need of point repairs
3. ~12 existing defective manholes in need of repair or replacement

Existing Lift Station No. 1

Existing Lift Station No. 1, which is schedule to be abandoned as part of this Project, has the capacity of 2.23 mgd which consist of; with 4 submersible pumps, 28 foot deep, 12 foot diameter pre-cast concrete wet well, valve vault, and backup generator. Two pumps are configured as sewage pumps and two pumps are configured as stormwater pumps. The original pump station was constructed in 1962 and 2000 a new wetwell was construction and stormwater pumps were added, as part of an older I&I Consent Order. The backup generator is a 50 kW, 200 amp trailer mounted diesel generator, which will be used by the Town at other lift stations once LS No.1 is abandoned.

The original sewage pumps are rebuilt Meyers submersible pumps rated for 400 gpm at 15 feet TDH with an operating speed of 1,700 rpm powered by 5.5 hp motors. The Stormwater pumps are rated at 750 gpm at 50 feet TDH, 1,800 rpm submersible pumps driven by 20 hp motors.

Table 5 - Existing Lift Station No. 1 Information

LIFT STATION INFORMATION									
DESCRIPTION	TOP WETWELL ELEV.	BTM. WETWELL ELEV.	WETWELL DIAMETER FEET	WETWELL VOLUME GAL.	WETWELL STORAGE GAL/FT	PUMP INFORMATION			
						NUMBER OF PUMPS EACH	MOTOR HP	DESIGN FLOW GPM	TDH FEET
Lift Station No. 1	595.0	567.0	12.0	23,687	846.0	2	5	400	15
						2	15	750	50

As part of the design of this Project and as mentioned in the 1994 “Sewer System Study” prepared by FHC, Inc., items that led to the decision to bypass and abandon LS No.1 are as follows:

1. Insufficient depth to properly serve the westerly portion of Town along the SW Blvd corridor
2. Insufficient capacity to handle existing flows and predicted future flows
3. Age of the LS No.1
4. The location of LS No.1 and the close proximity to residences
5. Elimination of annual O&M for LS No.1
6. The existing WWTP LS is in desperate need of repair; therefore, eliminating LS No.1 would free up funding and O&M for a new WWTP LS

Figure 10 – Southwest Blvd Interceptor Project Map, below is an exhibit of the proposed Project showing the locations of; the alignment of the proposed Interceptor, the existing Lift Station No.1 to be abandoned, and the existing WWTP Lift Station to be abandoned and replaced.

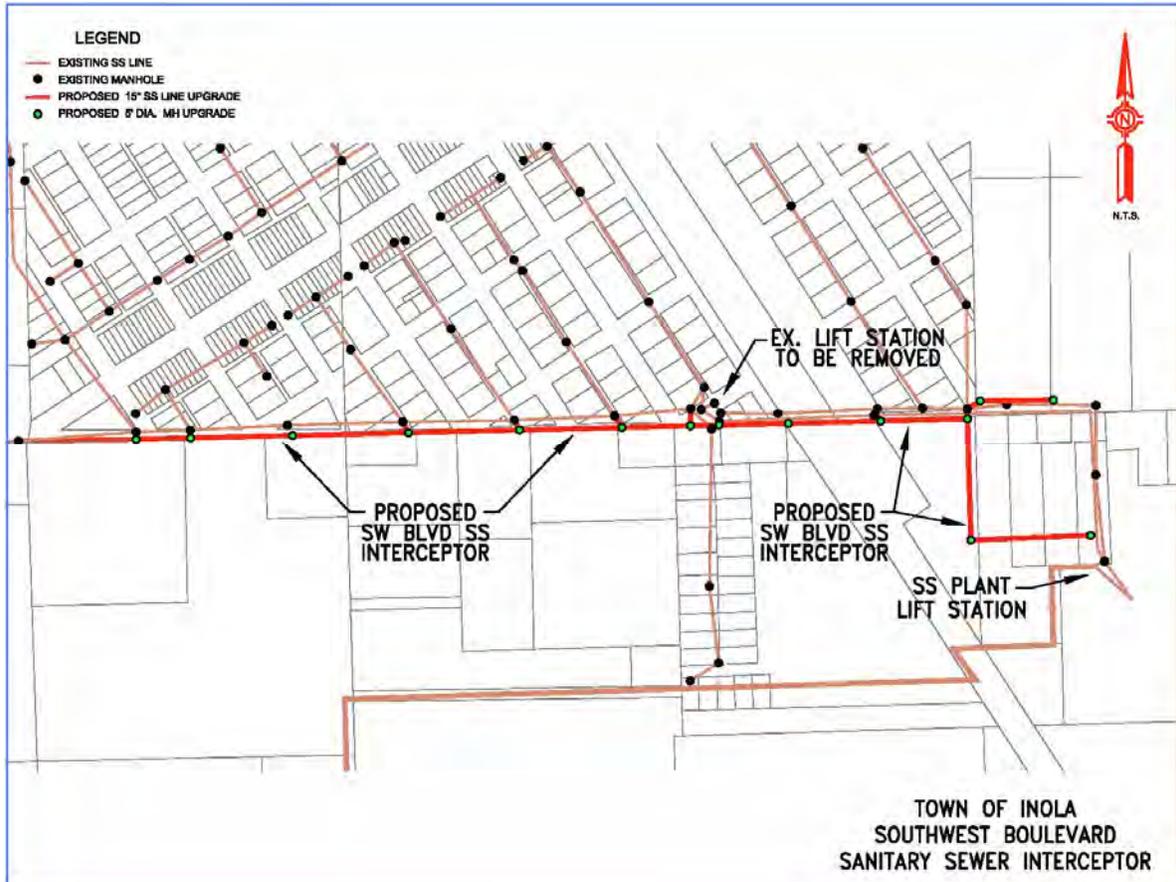


Figure 10 - Southwest Blvd Interceptor Project Map

Existing WWTP Lift Station

During the design process, it was determined that the existing lift station was; outdated, shallow, undersized, and deteriorating rapidly. The rails, guides, and piping have all been replaced twice in the past few years trying to maintain an adequate Lift Station to transfer the Sanitary Sewer flow entering the plant and direct the flow to the Lagoon System.

The current Lift Station was constructed in 2003 during the construction of the “Wastewater Collection System Improvements” project, ODEQ Consent Order, Case No. 99-096, Phase IIIA Wastewater Treatment Facility Improvements. The lift station is equipped with the following:

1. 3- 420 GPM D5432MV Fairbank Morse Submersible Pumps

2. 12' Diameter, 24' Deep Concrete Wet Well
3. 8'-4"x11'-4" Concrete Valve Vault
4. Mechanical Piping and Electrical

The current Lift Station is not considered extremely old or the functions of the system considered antiquated but due to the design or lack of design the wet well was not protected again sewer gases and has gotten to the point that rehabilitation would be extremely costly.

Careful consideration was given to this matter due to the cost involved to rehabilitate the Wet Well, the expense and design problems getting the new interceptor line into the Wet Well along with the fact that if the Wet Well could be modified and rehabilitated to a workable standard, the Town would still have an aging lift station that most likely would not outlive the overall cost. With all these factors in hand it was determined that construction a new Lift Station would be a better solution.

C. Need for Project

As stated in this report and the previous reports, this project is being driven by Consent Order (Case No. 16-193) which closed Notice of Violation No. S-21507-16-1 issued to the Town of Inola on July 8, 2016 along with Addendum No. 1 dated August 11, 2017. With the unpermitted discharge from the existing Collection system, the Town is required to bring the system into compliance as required by the Consent Order.

The scope of the project is to repair the Collection System to an acceptable status. Doing so by reducing the amount of I&I introduced into the system during rain fall events, eliminating all unpermitted discharges with the additional improvements to the Lift Station and removal of the bypass structure as outlined in the Consent Order.

This project would either satisfy or include several parts of the Compliance Schedule. The listed items are as follows:

1. Item 1 - Rehabilitate Lift Station No. 1 – Complete requirement
2. Item 2 – Southwest Boulevard Interceptor Project Engineering and Design – Complete requirement
3. Item 3 – Manhole Repairs – Replace or Repair manholes along the existing Line – Assist in completion
4. Item 5 – Collection Line Point Repair – Several places along the line to be replaced where labeled to receive a Point Repair – Assist in completion
5. Item 9 – Southwest Boulevard Interceptor Project – Complete the requirement

D. Health and Safety

While the state of the Wastewater Treatment Facility is not currently providing any health threats to the community, the same cannot be said about the Collection System. The Collection system has experienced unpermitted discharges resulting in raw sewage flowing out on the surrounding areas. This project is driven by this factor and is the highest priority of all goals to be achieved by the project.

E. System O&M

Currently the system O&M would be considered as one of the driving factors for this project. With the I&I issues the Town experiences during all rain fall periods, more water is introduced into the treatment system and the chemical demand goes up. Previously, the issue was a nuisance due to the excess of influent not being chemically treated prior to discharging. Now the plant treats all effluent and has a larger chemical usage due to the I&I in turn costing the Town extra money for chemicals and man power to treat the additional effluent.

F. Hydraulic Design

Existing Conditions / Existing Flows

With the Consent Order issued, the first task was to decide whether the unpermitted discharge was due to excessive I&I or was it due to an undersized interceptor line. To accurately assess this dilemma, a Hydraulic Analysis was conducted to determine the capacity capabilities of the existing Sanitary Sewer System.

A hydraulic model for the Town of Inola, which was provided in the “Inola Public Works Authority, Consent Order 16-193 Wastewater Collection System” Engineering Report, dated November 20, 2018, is herein summarized.

Figure 12 is map of the Town of Inola showing the 3 major service areas and the location of possible future growth.

The existing collection system was modeled for current base flow and base flow with a peaking factor applied. The modeling parameters were set as follows:

- Based on a total 611 existing sanitary sewer taps
- Residence were set at a flow of 300 GPD
- Apartment flow estimated at 200 GPD per unit
- Businesses and schools were set at a flow equal to their water usage provided by the Town of Inola.

The previous hydraulic model results showed that the present Collection system has the capacity to serve the current base load. The Collection system does not exceed capacity until the peaking factor reaches a value of 6.3. This data is presented in Tables 6, 7, and 8. The complete Hydraulic Analysis is included in the Appendix.

Table 6 - Service Area No. 1 - LS #1 Flows

SERVICEAREA NO. 1														
MH NO. DOWN	MH NO. UP	PIPE NO.	CONDUIT GEOMETRICS			CAPACITY CFS	PEAKING FACTOR	TOTAL	TOTAL	TOTAL	ELAPSED TIME MIN	VELOCITY	FLOW DEPTH INCHES	COMMENT
			LENGTH FEET	SLOPE FT/FT	DIA. INCHES			FLOW CFS	FLOW GPM	FLOW GPD		FPS		
54	26	53	31.85	0.0020	10	1.054	1.0	0.167	75	107,935	137.87	1.35	2.81	MH 54 is LS 1 Wetwell
							5.0	0.837	376	540,966	112.06	2.02	7.11	
							6.3	1.055	474	681,863	104.99	1.93	10.70	Line Capacity Exceeded

Table 7 - Service Area No. 2 - LS #3 Flows

SERVICE AREA NO. 2														
MH NO. DOWN	MH NO. UP	PIPE NO.	CONDUIT GEOMETRICS			CAPACITY CFS	PEAKING FACTOR	TOTAL FLOW CFS	TOTAL FLOW GPM	TOTAL FLOW GPD	ELAPSED TIME MIN	VELOCITY FPS	FLOW DEPTH INCHES	COMMENT
			LENGTH FEET	SLOPE FT/FT	DIA. INCHES									
			55	56	54									

Table 8 - Service Area No. 3 - Plant Flow

SERVICE AREA NO. 3														
MH NO. DOWN	MH NO. UP	PIPE NO.	CONDUIT GEOMETRICS			CAPACITY CFS	PEAKING FACTOR	TOTAL FLOW CFS	TOTAL FLOW GPM	TOTAL FLOW GPD	ELAPSED TIME MIN	VELOCITY FPS	FLOW DEPTH INCHES	COMMENT
			LENGTH FEET	SLOPE FT/FT	DIA. INCHES									
			87	88	84									

G. Water System Availability

The Town of Inola currently purchases water from Rural Water District No. 2, Mayes County which in turn purchases their water from Oklahoma Ordnance Works Authority (OWA). Currently the Town is supplied water at two different locations, both from 8” Water Lines. With the development of the River-Rail Industrial Park, the Rural Water District is in the process of installing a 12” Water Transmission line along the north edge of town. With the new 12” water line and the existing 8” water line the access to and quantity of water is not an issue for any expansion the Town will experience.

H. Growth

As discussed in the section on population, the community has been growing at a manageable rate. The community has currently not outgrown its current facilities. The selected project and project alternatives will account for the projected and anticipated growth of the population as previously described. The anticipated project will be capable of accepting the flows of the current population while planning for the anticipated expansion over the next 10 years. The variable time window complicates analysis to some degree, but the intent is to provide a project that will have a reasonable life with respect to the type of equipment required for successful project completion. Based on the 10 States Standard design assumption of 100 gpd/capita, the appropriate design flow rate for a 20 year project would be 0.30 mgd. After the project is completed the system will be capable of servicing the community for an additional 20 years.

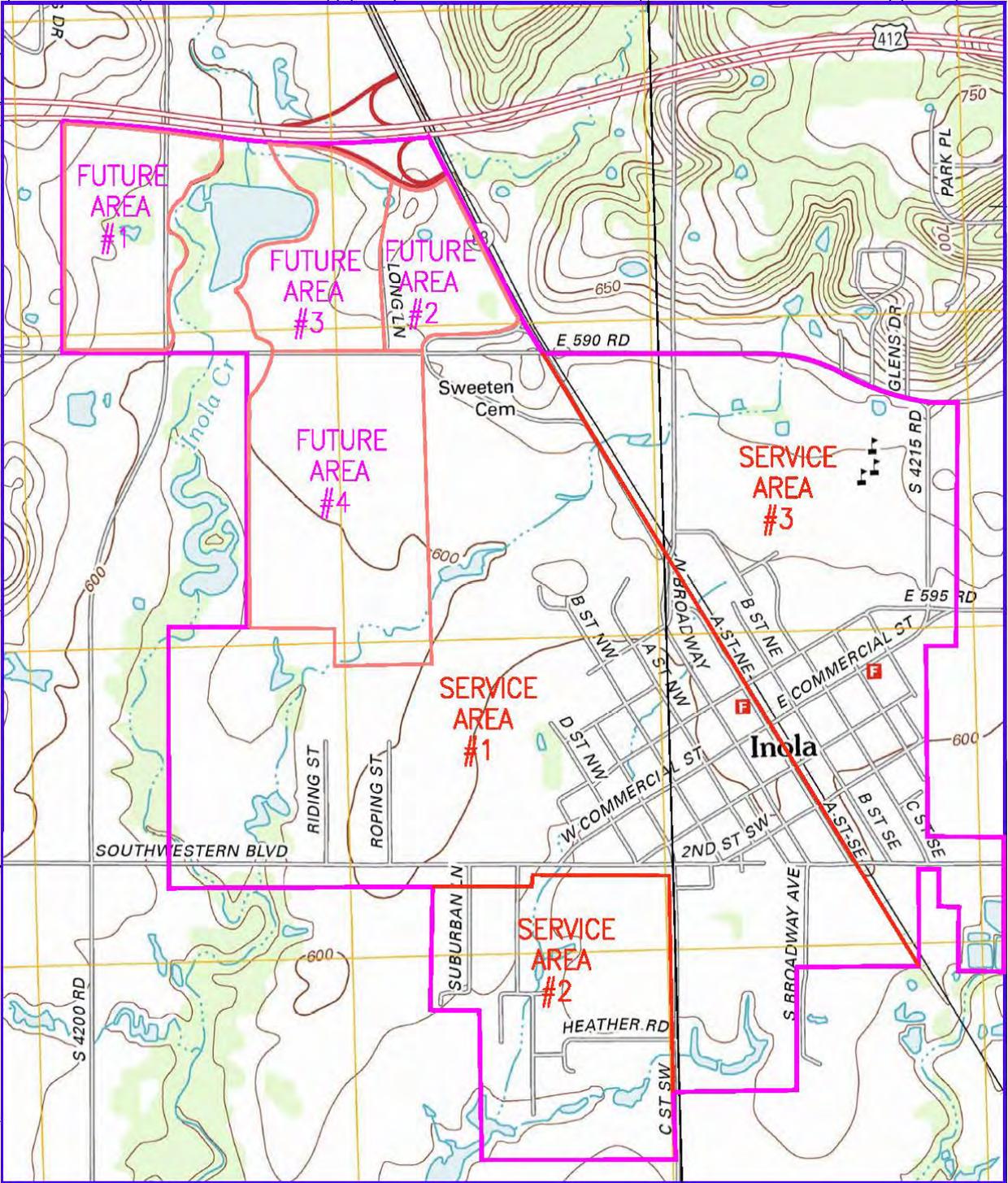


Figure 11 - Service Areas with Future Areas

V. Alternates Considered

A. General

As discussed in the previous reports and sections of this report, the consent order issued due to the unpermitted discharges from the system is the primary concern of all improvements. The bypass device was installed as an attempt to alleviate the problem of sewage backing up into residences surrounding the area of the discharge.

As previously stated, this report is for the Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project which is one of several requirements of the previously approved Engineering Report describing the issues surrounding the discharges and return the Town's sewage Collection system back into compliance with ODEQ as well as the removal of the bypass device. As part of this report three (3) alternates have been presented and investigated providing the Town with the best supporting documents giving the Town concrete evidence for the construction of the Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project.

For the purposes of this report the most viable of these alternatives are listed, summarized and reviewed. If determined viable their cost estimates will be examined. The previous report did an excellent job of identifying and outlining different approaches leading to this report, the alternative selections and finally the proposed project.

One alternative that starts the project selection process is a "Do Nothing" approach. As outlined in the previous sections this can be immediately discarded as the Consent Order mandates a project.

Three comprehensive alternatives have been selected for this report. The following have been identified and investigated as potential projects:

1. Construct a new Lift Station at the manhole where the bypass device is located along with Force Main to the WWTP and new Gravity Sanitary Sewer
2. Rehabilitate Lift Station No.1
3. Construct New Sanitary Sewer Interceptor Line and Lift Station at the WWTP

B. Description

Option No. 1 – Construct New Lift Station

This alternative would construct a Lift Station at what would be the end of the proposed Southwest Boulevard Sanitary Sewer Interceptor where the bypass valve is located and ~5,000 lf of 12" Force Main to the WWTP and ~800 lf of 10" Gravity Sanitary Sewer. The lift station would redirect partial flow from town relieving Lift Station No. 1 of this flow. A list of advantages and disadvantages for this project are as follows:

(1) ADVANTAGE

- No excessively deep Gravity Sanitary Sewer Lines
- Less Right of Way issues

(2) DISADVANTAGE

- One additional Lift Station to maintain and operate
- Total of three Lift Stations running instead of one
- Located in Flood Zone
- Condonation or purchase of the Site
- Ex. Lift Station No.1 would still require rehabilitation and continued costs
- WWTP Lift Station would still require rehabilitation and continued costs
- Significant amount of gravity sewer flow the opposite direction than is currently flowing.
- Still have defective SS pipe with a deep sag/belly in it west of LS No.1, still have to repair, replace, relay, ex. SS along SW Blvd.
- Construct an additional Force Main
- Close proximity to residences and odor control
- Excessive Cost

The advantages of this alternative are no excessively deep line excavations and it does replace ~800 lf of 10” Sanitary Sewer. The disadvantages are the increased O&M expenses to be encountered, only slight improvements to the existing Collection system, land purchase, located in flood zone, additional force main and this option does not include the lift station at the plant. The estimated construction expense of this Option would be 2,993,100.00 as shown in Table 9.

Table 9 - Option No. 1 Cost Estimate

OPTION NO.1 - NEW LIFT STATION					
ITEM	DESCRIPTION	QUANT	UNIT	UNIT PRICE	EXTENSION
1	Mobilization/De-Mobilization	1	LS	\$ 65,000.00	\$ 65,000.00
2	Site Work	1	LS	\$ 150,000.00	\$ 150,000.00
3	Concrete Wet Well	1	LS	\$ 750,000.00	\$ 750,000.00
4	Valve Vault	1	LS	\$ 275,000.00	\$ 275,000.00
5	Electrical Controls	1	LS	\$ 510,000.00	\$ 510,000.00
6	Generator	1	LS	\$ 115,000.00	\$ 115,000.00
7	12" Force Main Sewer Line	5,000	LF	\$ 100.00	\$ 500,000.00
8	10" Gravity Sanitary Sewer Line	800	LF	\$ 95.00	\$ 76,000.00
10	R/R Bore	1	LS	\$ 150,000.00	\$ 150,000.00
SUB-TOTAL					\$ 2,591,000.00
Engineering & Surveying					\$ 259,100.00
Inspection					\$ 130,000.00
Railroad Permit					\$ 7,500.00
ODEQ Permit					\$ 5,500.00
TOTAL ESTIMATED COST					\$ 2,993,100.00

Looking at only the cost of this option it was considered a non-constructible option. If we are going to build a Lift Station the Plant would be the best location.

The estimated Capital Cost of this project is \$2,993,100.00, with an annual O&M cost of \$77,710.80 and a project present worth of \$3,075,213.58.

Option No.2 – Rehabilitate Lift Station No.1

Lift Station No.1 serves Service Area No.1 as shown in Figure No. 11. It is currently serving 75% of the Town and has 658 service taps. The Lift Station would be resized to meet the daily demand and the future demand as demonstrated in Table 13 with a peaking factor as set forth.

After reviewing the anticipated flows and calculating the influent and effluent rates, the Wetwell will need to be upsized and additional depth would be required. The pumps would need to be sized to deliver 2000 gpm @ 95' TDH. This pump was calculated with the Lift Station base elevation lowering 5' feet and a new 12" Force Main installed from the Lift Station to the Wastewater Treatment Facility. A list of advantages and disadvantages for this project are as follows:

(1) ADVANTAGE

- No excessively deep Gravity Sanitary Sewer Lines
- Less Gravity Sanitary Sewer Lines East of Railroad
- Less Right of Way issues

(2) DISADVANTAGE

- Still have one additional Lift Station to maintain and operate
- Limited area for the construction of the new Lift Station
- Ex. Lift Station No.1 would still continue to be in operation – continued O&M
- WWTP Lift Station would still require rehabilitation and continued costs
- Still have defective ss pipe with a deep sag/belly in it west of LS No.1, still have to repair, replace, relay, ex. SS along SW Blvd.
- Close proximity to residences and odor control

With all options considered this is not an acceptable option. If we are going to build a Lift Station the Plant would be the best location.

The advantages of this alternative include no additional purchase of land and no excavation along the existing gravity line segments. The disadvantages are the increased O&M expenses to be encountered, no improvements to the existing Collection system, other than the Lift Station and 2000 lf of 12" Force Main. The estimated construction expense of the Lift Station and Force Main would be in excess of 2,500,000.00 as shown in Table 10.

Table 10 - Option No. 2 Estimated Cost

LIFT STATION NO. 1 REHABILITATION PROJECT					
ITEM	DESCRIPTION	QUANT	UNIT	UNIT PRICE	EXTENSION
1	Mobilization/De-Mobilization	1	LS	\$ 65,000.00	\$ 65,000.00
2	Site Work	1	LS	\$ 190,000.00	\$ 190,000.00
3	Concrete Wet Well	1	LS	\$ 950,000.00	\$ 950,000.00
4	Valve Vault	1	LS	\$ 275,000.00	\$ 275,000.00
4	Electrical and Controls	1	LS	\$ 510,000.00	\$ 510,000.00
6	Generator	1	LS	\$ 115,000.00	\$ 115,000.00
7	12" Force Main Sewer Line	2000	LF	\$ 100.00	\$ 200,000.00
SUB-TOTAL:				\$	2,240,000.00
Engineering & Surveying				\$	220,400.00
Inspection				\$	112,000.00
Railroad Permit				\$	7,500.00
ODEQ Permit				\$	4,405.00
TOTAL ESTIMATE COST:				\$	2,584,305.00

With the construction expenses and the fact that this does not repair any other deficiencies, this alternative can be immediately rejected.

The estimated Capital Cost of this project is \$2,584,305.00, with an annual O&M cost of \$82,113.58 and a project present worth of \$2,666,418.58.

Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project

This alternative is based on the findings of the Inflow and Infiltration reports submitted by Tetra Tech. The report outlined deficiencies with the Private sector as well as the Public Sector. The report outlined deficiencies in the lines and the manholes. This project is the best suited for working towards the goal of replacing and/or repairing the existing Sanitary Sewer System. The project would start at the lowest point of the system and would start replacing the deepest part of the Sanitary Sewer System. The project would replace ~5,300 lf of 18", 15" and 8" Gravity Sanitary Sewer Line and construct a new WWTP Lift Station.

Table 11 - Option No. 3 Cost Estimate

OPTION NO.3 - NEW INTERCEPTOR AND LIFT STATION					
ITEM	DESCRIPTION	QUANT	UNIT	UNIT PRICE	EXTENSION
1	Mobilization/De-Mobilization	1	LS	\$ 100,000.00	\$ 100,000.00
2	Site Work	1	LS	\$ 175,000.00	\$ 175,000.00
3	Concrete Wet Well	1	LS	\$ 800,000.00	\$ 800,000.00
4	Valve Vault	1	LS	\$ 150,000.00	\$ 150,000.00
5	Electrical Controls	1	LS	\$ 200,000.00	\$ 200,000.00
6	Manholes	1	LS	\$ 107,000.00	\$ 107,000.00
7	18" Gravity Sanitary Sewer Line	1,120	LF	\$ 200.00	\$ 224,000.00
8	15" Gravity Sanitary Sewer Line	3500	LF	\$ 175.00	\$ 612,500.00
10	R/R Bore	1	LS	\$ 191,500.00	\$ 191,500.00
SUB-TOTAL				\$	2,560,000.00
Engineering & Surveying				\$	256,000.00
Inspection				\$	121,081.00
Right-of-way				\$	75,000.00
Railroad Permit				\$	3,500.00
ODEQ Permit				\$	3,500.00
TOTAL ESTIMATED COST				\$	3,019,081.00

The advantages of this alternative would be the improvements of the Collection System as outline and the construction of a new Lift Station at the WWTP.

Time period (years)	20
Discount Rate Factor as published	0.20
Single Payment Present Worth	0.0

	Capital Cost	O&M	Present Worth
Alternate No. 1	\$2,993,100.00	\$82,113.58	\$3,075,213.58
Alternate No. 2	\$2,993,100.00	\$77,710.80	\$3,070,810.80
Alternate No. 3	\$3,019,081.00	\$36,674.07	\$3,055,755.07

H. Advantage/Disadvantage

As briefly discussed in the description of each alternate, the largest and primary disadvantage of both alternates 1 & 2 are that they only address a portion of the issues associated with the Consent Order and I&I problem.

The Alternate No. 3 has several advantages over the first two. The first advantage it starts replacing existing VCP Sanitary Sewer lines with larger PVC lines reducing some of the I&I issues facing the Town of Inola. The other benefit to this project is the construction of the WWTP Lift Station. This Lift Station will require repairs regardless of which project was chosen but this one is planned on replacing the Lift Station with a new Lift Station with the latest technologies.

VI. Proposed Improvements

A. General

The proposed Southwest Boulevard Sanitary Sewer Interceptor and the proposed WWTP Lift Station Project, as previously mentioned originated from several different sources. This particular Project was identified and approved by both the Town of Inola and ODEQ as part of the “Inola Public Works Authority, Consent Order 16-193 Wastewater Collection System” Engineering Report, dated November 20, 2018, prepared by Kellogg Engineering, Inc. In this section of the Report herein contained, the design and capacities of both the proposed Interceptor and the proposed WWTP LS will be addressed.

B. Description

This report herein outlines the design and capacities of the two (2) major components of the proposed Project. A general description of said two (2) major components is as follows:

Proposed Southwest Boulevard Sanitary Sewer Interceptor:

1. Installation of ~1,120 LF of 18” PVC gravity sewer line
2. Installation of ~3,500 LF of 15” PVC gravity sewer line
3. Installation of ~1,120 LF of 8” PVC gravity sewer line
4. Rail road bore of ~335 LF of 36” casing

5. Installation of 24 manholes
6. Repair and connect to 5 existing manholes
7. Abandonment of 10 existing manholes
8. Abandonment of ~5,180 LF of existing defective or antiquated sewer lines
9. Abandonment of ~2,180 LF of existing force main from LS No.1
10. Abandonment of existing sanitary sewer lift station, LS No.1

Proposed WWTP Lift Station:

1. Installation of a new Triplex sanitary sewer lift station at the existing WWTP
2. Installation of a new 10” PVC force main from proposed WWTP LS to the lagoon Cell No.1 discharge manhole
3. Installation of a new 6” PVC force main to intercept flow from existing LS No.3 and discharge to the proposed WWTP LS
4. Minor electrical work to connect existing alarms, controls, and generator to the proposed WWTP LS
5. Abandonment of existing sanitary sewer lift station, existing WWTP LS

Figure 12, Project Location Map, shown below displays the alignment of the proposed Southwest Boulevard Sanitary Sewer Interceptor and the location of the proposed WWTP Lift Station.

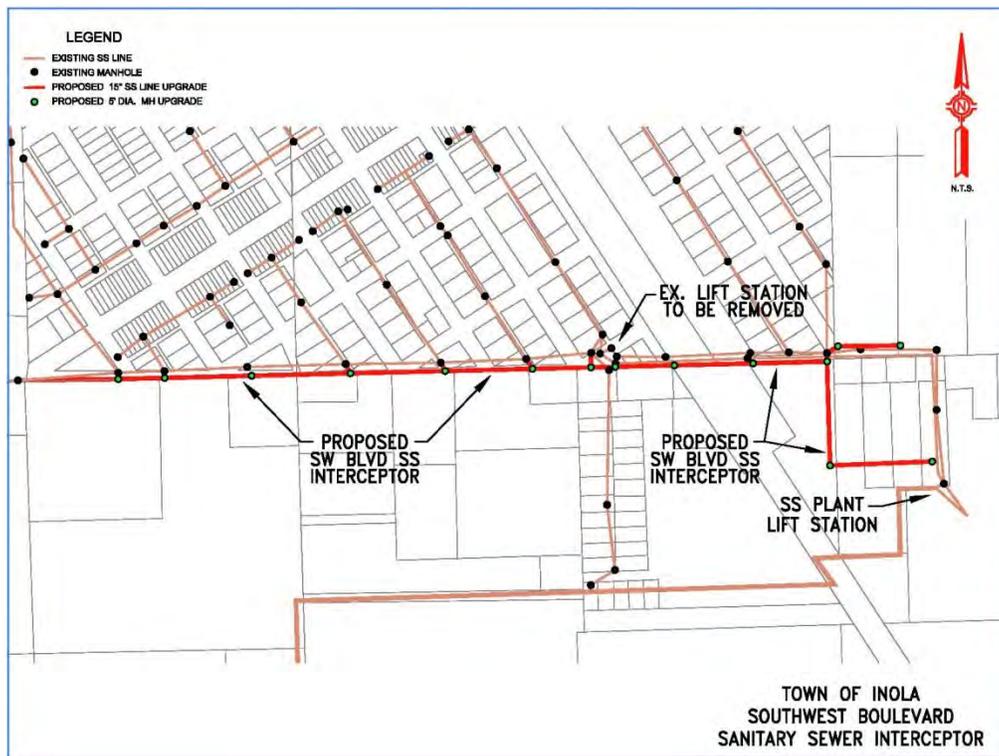


Figure 12 - Project Location Map

C. Hydraulic, Design, and Organic Calculations

Proposed Conditions / Proposed Flows

The proposed hydraulic design of both the proposed Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project have been modified and updated as follows:

- Based on a total 611 existing sanitary sewer taps broken down by basin
- Residence were set at a flow of 300 GPD
- Apartment flow estimated at 200 GPD per unit
- Future commercial estimated at 1,000 GPD per acre
- Businesses and schools were set at a flow equal to their water usage provided by the Town of Inola.
- Use of Peaking Factors (Pf) of 10.0 for currently existing flows
- Use of Peaking Factors (Pf) of 2.0 for future estimated flows

Table 12 thru Table 16 are summaries of the current existing flows and the estimated future flows of the three (3) services areas directly affected by the Project.

Service Area #1 - Estimate Flows				
	Units	Usage	Avg. Daily Flow	
		gal/unit	gpd	gpm
Rope & Ride	37	300	11100	7.71
Westside	40	300	12000	8.33
Green Valley Flowing North	23	300	6900	4.79
NW Quad	94	300	28200	19.58
SW	115	300	34500	23.96
SW Apts	24	200	4800	3.33
Total Estimated Average Daily Flow				67.71

Table 12 - Service Area #1 Estimate Flows

Service Area #1 - Future Growth Estimated Flows				
	Units	Usage	Avg. Daily Flow	
		gal/unit	gpd	gpm
Commercial Area #1	41	1000	41000	28.47
Commercial Area #2	28	1000	28000	19.44
Multi-Family	600	200	120000	83.33
Residential	372	300	111600	77.50
Total Estimated Average Daily Flow				208.75

Table 13 - Service Area #1 Future Growth Flows

Service Area #3 - Estimated Flows				
	Units	Usage gal/unit	Avg. Daily Flow	
			gpd	gpm
NE	71	300	21300	14.79
NE Apts	30	200	6000	4.17
SE	69	300	20700	14.38
SE Apts	24	200	4800	3.33
Service Area #3 - Commerical Estimated Flows				
	Avg. Water Usage gal	Period days	Avg. Daily Flow	
			gpd	gpm
Donut Shop	4,030	30	134	0.09
Pops & Gigi Café	14190	30	473	0.33
First Baptist	28939	30	965	0.67
First Baptist #2	22042	30	735	0.51
First Baptist #3	907	30	30	0.02
Inola High School	231000	30	7700	5.35
Total Estimated Average Daily Flow			43.64	

Table 14 - Service Area #3 Estimated Flows

Service Area #2 - Estimated Flows				
	Units	Usage gal/unit	Avg. Daily Flow	
			gpd	gpm
Homes	105	300	31500	21.88
Apts	32	200	6400	4.44
Total Estimated Average Daily Flow			26.32	

Table 15 - Service Area #2 Estimated Flows

Service Area #1 - Commerical Estimated Flows				
	Avg. Water			
	Usage	Period	Avg. Daily Flow	
	gal	days	gpd	gpm
Axis Dr. Office	1130	30	38	0.03
Kountry Kookin	19627	30	654	0.45
Grahams Bakery	6830	30	228	0.16
Ramonia's Mex. Café	10,313	30	344	0.24
Pizza Place	6267	30	209	0.15
Inola Drug	2776	30	93	0.06
Nursing Home	177397	30	5913	4.11
Calvary Baptist Church	4548	30	152	0.11
Calvary Baptist Church #2	530	30	18	0.01
Calvary Baptist Church #3	530	30	18	0.01
Assembly of God	8507	30	284	0.20
Church of Christ	616	30	21	0.01
Methodist Church	4061	30	135	0.09
Methodist Church Parsonage	3026	30	101	0.07
Inola School ADMIN	1184	30	39	0.03
Inola School Elementary	37300	30	1243	0.86
Senior Citizen	5276	30	176	0.12
Salon 7	4992	30	166	0.12
Jewell's Salon	2775	30	93	0.06
Sharon's Salon	6886	30	230	0.16
Car Wash (Peak)	100000	30	3333	2.31
Inola Castings	4955	30	165	0.11
Inola Feed	2059	30	69	0.05
Moore's Tire / Kwik Lube	1750	30	58	0.04
Tag Agent	1327	30	44	0.03
Shelter Insurance	215	30	7	0.00
Speedy's	42654	30	1422	0.99
Harp's	8804	30	293	0.20
RCB	2244	30	75	0.05
Inola Truss	2500	30	83	0.06
Farrons	2500	30	83	0.06
RCIDA NW	5000	30	167	0.12
Manufactor Detention Pond	5000	30	167	0.12
Big Fabricator	5000	30	167	0.12
RCIDA East	5000	30	167	0.12
Small Businesses	2500	30	83	0.06
Small Businesses	2500	30	83	0.06
BancFirst	1318	30	44	0.03
	Total Estimated Average Daily Flow			11.57

Table 16 - Estimated Flows

A summary of the existing sanitary sewer taps and proposed future flows for each service area is provided below.

Service Area No.1:

• 309 single family residences	64.4 gpm
• 24 apartments	3.3 gpm
• Commercial/schools/businesses	<u>11.6 gpm</u>
Sub-Total Estimated Flows	79.3 gpm

Service Area No.1 – Future Growth:

• 372 single family residences	77.5 gpm
• 600 apartments	83.3 gpm
• Commercial/schools/businesses	<u>47.9 gpm</u>
Sub-Total Estimated Flows	208.7 gpm

Service Area No.2:

• 105 single family residences	21.9 gpm
• 32 apartments	<u>4.4 gpm</u>
Sub-Total Estimated Flows	26.3 gpm

Service Area No.3:

• 140 single family residences	29.2 gpm
• 54 apartments	7.5 gpm
• Commercial/schools/businesses	<u>7.0 gpm</u>
Sub-Total Estimated Flows	43.7 gpm

The hydraulic analysis for the proposed project, were determined by investigation three (3) different approaches in order to calculate the hydraulic demand/capacity of the proposed Project:

1. Option 1 – Existing flows using a Pf = 10.0
2. Option 2 – Existing flows using a Pf = 10.0 and Future flows using a Pf = 2.0
3. Option 3 – Use of meter data from the 2017 Flow Monitoring Study

The hydraulic analysis is separated into three (3) major components for design purposes of the Project:

1. Proposed 15” PVC portion of the Interceptor which includes:
 - a. Service Area No.1 – Existing Flows
 - b. Service Area No.1 – Future Flows
2. Proposed 18” PVC portion of the Interceptor which includes:
 - a. Service Area No.1 – Existing Flows
 - b. Service Area No.1 – Future Flows
 - c. Service Area No.3 – Existing Flows

3. Proposed WWTP Lift Station which includes:
 - a. Service Area No.1 – Existing Flows
 - b. Service Area No.1 – Future Flows
 - c. Service Area No.3 – Existing Flows
 - d. Service Area No.2 – Existing Flows

A summary of the three (3) different design analysis and comparison to each of the three (3) major components of the Project is provide in Table 17 below.

		Current Avg. Daily Flows	Prop. Avg. Daily Flows	Option 1 Pf = 10.0	Option 2		Option 3	
		gpm	gpm	gpm	Pf = 10.0	Pf = 2.0	Desc.	gpm
					Pf	Pf		
15" Interceptor								
Service Area 1		79.3	79.3	792.8	792.8		Meter #2	555.6
Future			208.8			417.5		
Cumulative	gpm	79.3	288.0	792.8	1,210.3		555.6	
	gpd	114,163	414,763	1,141,632	1,742,832		800,064	
18" Interceptor								
Service Area 1		79.3	79.3	792.8	792.8		Meter #3	757.0
Future			208.8			417.5	Ex. LS 1 Cap.	750.0
Service Area 3		43.6	43.6	436.4	436.4			
Cumulative	gpm	122.9	331.7	1,229.2	1,646.7		1,507.0	
	gpd	177,005	477,605	1,770,048	2,371,248		2,170,080	
WWTP LS								
Service Area 1		79.3	79.3	792.8	792.8		Meter #3	757.0
Future			208.8			417.5	Ex. LS 1 Cap.	750.0
Service Area 3		43.6	43.6	436.4	436.4		Ex. LS 3 Cap.	375.0
Service Area 2		26.3	26.3	263.0	263.0			
Cumulative	gpm	149.2	358.0	1,492.2	1,909.7		1,882.0	
	gpd	214,877	515,477	2,148,768	2,749,968		2,710,080	

Table 17 - Hydraulic Analysis Comparison

A summary of the hydraulic flow and organic loading to the WWTP LS is provided in Table 18 below.

	Avg. Daily Flows	Peak Flows	Avg. Organic Loading
	gpd	gpd	BOD (lbs/day)
2020	214,877	2,148,768	491
2030	365,213	2,449,440	835
2040	515,477	2,749,968	1,179

Table 18 - Hydraulic Flow and Organic Loading

The Organic Loading = Biochemical Oxygen Demand (BOD) is calculated on an average concentration of 274 mg/L or 0.002287 lbs/gallon. BOD in lbs/day = (lbs/gallon * gallons/year) / 365.

The design for the Project utilized the flows determined and as shown for Option 2. The other options considered were basically an exercise to confirm and the design parameters and confirm the conclusions found in said Option 2. The decision to use the flows as determined in Option 2 allow for and provide for the following:

1. The proposed Interceptor and proposed WWTP LS is designed to capacity sufficient to mitigate current I/I flows as per the 2017 Flow Monitoring Study
2. As the Town rehabilitates the entire collection system, reducing the I/I peak factors, the system will be able to accommodate additional growth
3. As the data relieves and as established in previous reports, the Town will aggressively address the I/I problems that exist within the overall sanitary sewer collection system.

Design Calculations

The design calculations for Project are once again separated into the following three (3) major components:

1. Proposed 15" PVC portion of the Interceptor
2. Proposed 18" PVC portion of the Interceptor
3. Proposed WWTP Lift Station

Proposed 15" PVC gravity sewer line:

The design data and specifications for the proposed 15" PVC portion of the Interceptor as follows:

1. Pipe Specifications: 15" SDR-26 PVC sewer pipe
2. 4' diameter precast concrete manholes
3. Minimum Slope = 0.15%
4. Average Daily Flow = 79.3 gpm, flow depth = 2.52", Velocity = 1.30 fps
5. Peak Daily Flow = 1,120.3 gpm, flow depth = 10.15", Velocity = 2.82 fps

Proposed 18" PVC gravity sewer line:

The design data and specifications for the proposed 18" PVC portion of the Interceptor as follows:

1. Pipe Specifications: 18" SDR-26 PVC sewer pipe
2. 5' diameter precast concrete manholes

3. Minimum Slope = 0.12%
4. Average Daily Flow = 122.9 gpm, flow depth = 3.13", Velocity = 1.33 fps
5. Peak Daily Flow = 1,646.7 gpm, flow depth = 12.26", Velocity = 2.86 fps

Proposed WWTP:

The design data and specifications for the proposed WWTP LS to be constructed at the existing Town of Inola WWTP is as follows:

1. Lift Station – General:
 - a. Triplex lift station
 - b. Reinforced concrete wet well
 - c. Reinforced concrete cast in place valve pit
 - d. Reinforced concrete wash bay
 - e. Removal aluminum access hatches
 - f. Design for future automated grit removal system
 - g. Overhead crane with electrical winch

2. Wet Well:
 - a. 16.5' wide X 16'.0 long X 31.0' deep
 - b. Interior and Exterior coating
 - c. Volume at max level = 58,403 gal
 - d. Volume at influent pipe = 17,425 gal
 - e. Volume at high alarm = 16,276 gal
 - f. Volume at lead pump on = 12,446 gal
 - g. Volume at lag pump on = 15,319

3. Pumps, Motors, and Controls:
 - a. Design max flow of 1,920 gpm with 2 pumps running
 - b. Third pump and motor installed as backup
 - c. Alternating pumps
 - d. VFDs installed on all 3 motors
 - e. 27 hp, 240 volt, 3 phase
 - f. Grunfos 4" submergible sewage pumps
 - g. Single pump capacity = 960 gpm at 65 TDH
 - h. Minimum flow = 440 gpm
 - i. Duel pump capacity = 1,920 gpm at 65 TDH
 - j. 10" PVC force main discharge to lagoon Cell No.1
 - k. Check valves
 - l. Shut off valves
 - m. Bypass connection
 - n. Alarms, dialers, and flow meter

Cost Estimate

Table 15 below is a Preliminary Cost Estimate for the proposed Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project.

Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project					
Preliminary Cost Estimate					
ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
Southwest Boulevard Sanitary Sewer Interceptor					
1	Mobilization	1	LS	\$66,000.00	\$66,000.00
2	Storm Water Pollution Plan	1	LS	\$3,500.00	\$3,500.00
3	Insurance & Permits	1	LS	\$18,500.00	\$18,500.00
4	Final As-Built Drawings	1	LS	\$4,500.00	\$4,500.00
5	Construction Staking	1	LS	\$12,000.00	\$12,000.00
6	Trench Safety System	1	LS	\$20,000.00	\$20,000.00
7	Traffic Control & Warning Signs	1	LS	\$5,000.00	\$5,000.00
8	Clearing & Grubbing	1	LS	\$5,000.00	\$5,000.00
9	Silt Fence	4620	LF	\$3.00	\$13,860.00
10	18" PVC SDR-26	1119	LF	\$125.00	\$139,893.75
11	15" PVC SDR-26	3501	LF	\$125.00	\$437,606.25
12	8" PVC SDR-26	679	LF	\$95.00	\$64,479.35
13	Std. 5' Dia. Manhole	3	EA	\$3,500.00	\$10,500.00
14	Std. 5' Dia. Drop Manhole	2	EA	\$4,500.00	\$9,000.00
15	Std. 4' Dia. Manhole	11	EA	\$2,500.00	\$27,500.00
16	Std. 4' Dia. Drop Manhole	4	EA	\$2,700.00	\$10,800.00
17	Std. 4' Dia. Doghouse Manhole	3	EA	\$3,200.00	\$9,600.00
18	Extra Depth Wall For 5' Dia. Manhole	69	VF	\$250.00	\$17,250.00
19	Extra Depth Wall For 4' Dia. Manhole	138	VF	\$150.00	\$20,700.00
20	Bore For 36" Steel Casing	335	LF	\$450.00	\$150,750.00
21	36" Steel Casing	335	LF	\$120.00	\$40,200.00
22	20" Steel Casing	40	LF	\$100.00	\$4,000.00
23	Service Tee Assembly	8	EA	\$1,500.00	\$12,000.00
24	Connect To Existing Manhole	3	EA	\$1,500.00	\$4,500.00
25	3/4" Crusher Run	1500	TON	\$20.00	\$30,000.00
26	Concrete Piers	5	EA	\$1,100.00	\$5,500.00
27	Abandon Exist. Lift Station	1	LS	\$10,000.00	\$10,000.00
28	Seeding	1	LS	\$1,500.00	\$1,500.00
29	Solid Slab Bermuda Sod	12250	SY	\$2.50	\$30,625.00
30	Remove Exist. Manhole	2	EA	\$1,500.00	\$3,000.00
31	Superpave Type S4 (PG 64-22 OK)	22	TON	\$90.00	\$1,980.00
SUB-TOTAL					\$1,189,744.35
WWTP Lift Station					
32	Triplex Lift Station w/ 75 HP Pumps	1	LS	\$875,000.00	\$875,000.00
33	Site Work	1	LS	\$50,000.00	\$50,000.00
34	Electrical and Controls	1	LS	\$200,000.00	\$200,000.00
35	Demolition of Existing Lift Station	1	LS	\$10,000.00	\$10,000.00
36	10" Force Main	125	LF	\$100.00	\$12,500.00
36	6" Force Main	125	LF	\$80.00	\$10,000.00
37	Crane	1	LS	\$50,000.00	\$50,000.00
38	Yard Piping (10" Gravity)	1	LS	\$25,000.00	\$25,000.00
SUB-TOTAL					\$1,232,500.00
10% Contingency					\$242,224.44
Bond Counsel & Legal					\$150,000.00
5% Inspection					\$121,112.22
Right-of-way					\$75,000.00
ODEQ Permit					\$5,000.00
R/R Permit					\$3,500.00
TOTAL ESTIMATED COST:					\$3,019,081.00

Table 19 - Preliminary Cost Estimate

VII. Summary

This report, including the improvements and schedules herein contained, have been developed with the direct input and the approval of the Town of Inola Public Works Authority and Town Staff. This engineering report contains: studies, evaluations, recommended improvements, and proposed schedules, to remove the ODEQ consent order issued as a result of sanitary sewer overflows from a bypass structure in an existing manhole located on Southwest Boulevard. We believe that implementation of the improvements and schedules herein outlined, will insure compliance with the ODEQ consent order and result in an adequate sanitary sewer Collection system for the Town of Inola.

We believe that the proposed Southwest Boulevard Sanitary Sewer Interceptor and WWTP Lift Station Project will play an enormous role in Town of Inola for the future and will aide in bringing the Town into compliance. Although the Project is not a “cure all”, it will enhance the performance of the overall sanitary sewer system significantly. In addition to the proposed Project, the Town of Inola must aggressively adhere to the compliance schedule as per the ODEQ Consent Order 16-193 and continue to make improvements to the existing collection system.

APPENDIX 2

Consent Order 16-193



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

July 27, 2016

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Larry Grigg, Chairman
Inola Public Works Authority
P.O. Box 249
Inola, Oklahoma 74036-0249

Re: Consent Order 16-193
Inola Public Works Authority – Wastewater Collection System
Citizen Complaint No. 145685
Facility No. S-21507
OPDES Permit No. OK0033618
Problem(s): Unpermitted Discharge(s); Construction without a Permit; Construction Violation(s)

Dear Mr. Grigg:

The enclosed Consent Order requires Inola Public Works Authority (Authority) to take corrective actions to address violations listed in the above-referenced Consent Order. This Consent Order also requires Authority to pay an administrative penalty.

Please sign and mail the original to me at: Department of Environmental Quality, Water Quality Division, P.O. Box 1677, Oklahoma City, Oklahoma 73101-1677. **A copy of the file stamped signed original will be returned to you.** If this Consent Order is not signed and returned to DEQ within thirty (30) days of receipt, DEQ will pursue other enforcement actions to ensure compliance.

If you have any questions concerning this Consent Order, please contact Travis Archer, P.E., District Engineer, Municipal Wastewater Enforcement Section, Water Quality Division, DEQ, at (405) 702-8109 or write to Mr. Archer at the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Shellie Chard-McClary".

Shellie Chard-McClary, Director
Water Quality Division
Oklahoma Department of Environmental Quality

Enclosure



OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION

IN THE MATTER OF:
INOLA PUBLIC WORKS AUTHORITY,

RESPONDENT,

COMPLAINT NO. 145685

FACILITY NO. S-21507

PERMIT NO. OK0033618

PROBLEM(S): Unpermitted Discharge(s);
Construction without a Permit;
Construction Violation(s)

CASE NO. 16-193

OKLAHOMA
DEPT. OF ENVIRONMENTAL QUALITY

AUG 31 2016

FILED BY: Ray
HEARING CLERK

CONSENT ORDER

The parties to this case, the Oklahoma Department of Environmental Quality (“DEQ”) and Inola Public Works Authority (“Respondent”) agree to this Consent Order in order to resolve certain environmental compliance issues.

This Consent Order supersedes and closes Notice of Violation (“NOV”) No. S-21507-16-1, issued to Respondent by DEQ on July 8, 2016.

FINDINGS OF FACT

1. Respondent owns and operates a publicly owned treatment works (“POTW”), which serves the residents of the Town of Inola in Rogers County, Oklahoma. The POTW consists of collection lines, appurtenances, and an aerated lagoon wastewater treatment facility (“WWTF”) located in the W ½, NW ¼, NE ¼, Section 9, Township 19 North, Range 17 East of the Indian Meridian, Rogers County, Oklahoma. The WWTF discharges treated effluent to the Verdigris River pursuant to OPDES Permit No. OK0033618 (“Permit”) that DEQ issued to Respondent, and which became effective September 1, 2013.

2. On April 27, 2016, DEQ received a citizen complaint alleging that unpermitted discharges were occurring from Respondent’s wastewater collection system. Robin Stratton, Environmental Specialist for DEQ, investigated the complaint and confirmed that unpermitted discharges were occurring from a manhole located near the intersection of East 600 Road and West Commercial Street. During the inspection, Ms. Stratton identified a bypass structure at the manhole referenced in the complaint.

3. On May 16, 2016, the complaint was referred to the Water Quality Division (“WQD”) for further review and enforcement. A review of DEQ records indicated that the Respondent properly reported the unpermitted discharges by both the required oral and written means.

4. On June 7, 2016, Travis Archer, P.E., District Engineer for DEQ, met with Brian Kellogg, P.E., Engineer for Respondent; James Kilpatrick, Maintenance Supervisor for Respondent; and Jason Bannister, Maintenance Lead for Respondent, to inspect the complaint location and Lift Station No. 1 located downstream of the complaint. During the inspection, Mr. Archer determined that the bypass structure on the manhole was installed without obtaining a Permit to Construct from DEQ. In addition, Mr. Archer determined that Lift Station No. 1 does not comply with OAC 252:656-7-4, “Emergency Operations.”

5. On July 8, 2016, DEQ issued Respondent NOV No. S-21507-16-1, for the above-described violations. Respondent received the NOV on July 14, 2016. The NOV required Respondent to correct the violations described above and submit a written response to DEQ within fifteen (15) days of receipt of the NOV. On July 21, 2016, DEQ received the required response. The response outlined recent efforts taken by Respondent to address the violations. The response stated that maintenance crews had visually inspected approximately seventy-five percent (75%) of the manholes within the wastewater collection system basin in which the complaint was received and had repaired two (2) pumps in Lift Station No. 1. The response explained that the on-site generator at Lift Station No. 1 was not in operation at the time of the complaint but has since been placed into service. In addition, the response provided future efforts that Respondent would take to address the violations. The future efforts include evaluating Lift Station No. 1 and the downstream wastewater collection system capacity and upstream wastewater collection system inflow and infiltration (“I/I”), submitting an application for a Rural Economic Action Plan (“REAP”) grant for future I/I work, and replacing the on-site generator at Lift Station No. 1. Because these improvements have not been completed within the timeframe provided by the NOV, DEQ is offering this Consent Order to ensure that the necessary corrective actions to eliminate the violations are completed in a timely manner.

6. On July 27, 2016, Mr. Archer contacted Larry Grigg, Chairman for Respondent, to discuss the tasks that would be required by this Consent Order and to inform him of the penalty that is included.

7. Failure to comply with the state statutes and/or rules cited in this Consent Order may result in harm to the environment or health and well-being of the affected public. By discharging without a permit Respondent cannot verify that Oklahoma's Water Quality Standards are being met. In addition, construction requirements have been established to ensure the integrity of the treatment works and to prevent pollution of the environment. Compliance with this rule assures that the facility has been designed to handle hydraulic flows and provide treatment to prevent discharges of untreated wastewater to the waters of the state or elsewhere. Failure to comply with the below-described rules allows untreated wastewater to enter the waters of the State, or elsewhere, which could result in oxygen depletion and subsequent injury, or death of aquatic organisms. Improperly or partially treated sewage can contain pathogens, or disease causing organisms, such as bacteria, viruses and protozoa. Some of the common diseases that can be transmitted by sewage include bacterial diseases (*E. coli* poisoning, salmonellosis, shigellosis, typhoid, and bacterial dysentery); viral diseases (polio and hepatitis); and protozoal diseases (amoebic dysentery, cryptosporidiosis, and giardiasis).

8. Respondent and DEQ agree that it is beneficial to resolve this matter promptly and by agreement.

9. Respondent and DEQ waive the filing of a petition or other pleading, and Respondent waives the right to a hearing.

CONCLUSIONS OF LAW

10. DEQ has regulatory jurisdiction and authority in this matter, and Respondent is subject to the jurisdiction and authority of DEQ under 27A O.S. § 1-3-101(B), 27A O.S. §§ 2-6-201 through 2-6-206, and the rules promulgated thereunder at OAC 252:606.

11. Respondent and DEQ are authorized by 75 O.S. § 309(E) and 27A O.S. § 2-3-506(B) to resolve this matter by agreement.

12. By allowing unpermitted discharges of untreated sewage to occur, Respondent violated 27A O.S. § 2-6-105(A), which states, “[i]t shall be unlawful for any person to cause pollution of any waters of the state or to place or cause to be placed any wastes in a location where they are likely to cause pollution of any air, land or waters of the state. Any such action is hereby declared to be a public nuisance.”

13. By allowing unpermitted discharges of untreated sewage to occur, Respondent violated 27A O.S. § 2-6-205(A), which states, “it shall be unlawful for any facility, activity or entity regulated by the Department pursuant to the Oklahoma Pollutant Discharge Elimination System Act to discharge any pollutant into waters of the state or elsewhere without first obtaining a permit from the Executive Director.”

14. By modifying the collection system manhole without first obtaining a Permit, Respondent violated OAC 252:656-1-3(a), **Permit to construct**, which states, “No one shall construct, modify or put into operation a wastewater system or a water reuse system without first obtaining a permit to construct from DEQ. Permits to construct will not be issued for new Category 4 restricted golf course irrigation systems pending further research and evaluation of performance data collected from existing systems.”

15. By failing to provide and/or maintain the required lift station appurtenances, Respondent violated OAC 252:656-7-4, **Emergency Operations**, which provides minimum design requirements for emergency operation “to prevent bypassing raw sewage during periods of power outage or mechanical failure.”

ORDER

16. Based on the above paragraphs, Respondent and DEQ agree, and it is ordered by the Executive Director as follows:

	Task	Due Date
A.	Respondent agrees to submit an approvable engineering report that evaluates Lift Station No. 1 as well as the upstream/downstream wastewater collection system. The engineering report must outline any needed improvements, along with a proposed schedule, to prevent further unpermitted discharges. In addition, the engineering report must address the removal of the bypass structure at the manhole identified in the complaint.	March 1, 2017

17. The Oklahoma Pollutant Discharge Elimination System Act, 27A O.S. §§ 2-6-201 through 2-6-206, authorizes DEQ to seek penalties of up to ten thousand dollars (\$10,000.00) per day of violation, for each day during which a violation of the permit continues. Based on the facts and circumstances of this case, DEQ assesses a total penalty of nine thousand dollars (\$9,000):

- a. Respondent agrees to pay a cash penalty of four thousand five hundred dollars (\$4,500.00) to DEQ by December 1, 2016.
- b. DEQ agrees to defer payment of the remaining amount of the assessed penalty pending compliance with the tasks listed in Paragraph 16 of this Consent Order.
 - i. If Respondent fails to complete a task by the scheduled due date, the portion of the deferred penalty allocated to that task in subparagraph (iii) becomes immediately due and payable.
 - ii. If Respondent completes a task by its due date, DEQ agrees to waive the portion of the deferred penalty allocated to that task in subparagraph (iii).
 - iii. Task A - \$4,500.00

All penalty payments shall be by check or money order payable to the Oklahoma Department of Environmental Quality (or ODEQ), showing the Case Number of this Consent Order, and delivered to:

Accounts Receivable
 Financial & Human Resources Management
 Department of Environmental Quality
 P.O. Box 2036
 Oklahoma City, OK 73101-2036

18. Respondent agrees that if Respondent fails to complete any of the task(s) by the specified due dates set forth in Paragraph 16 in this Consent Order, DEQ may assess stipulated penalties as follows:

<u>TASK</u>	<u>PENALTY PER DAY</u>
A.	\$ 105.00

Stipulated penalties begin to accrue on the day performance is due, with the total amount of stipulated penalties not to exceed thirty-five thousand dollars (\$35,000). If DEQ notifies Respondent that Respondent is not in compliance with this Consent Order and that stipulated penalties are being assessed, Respondent may request a hearing to contest the finding of noncompliance.

19. If Respondent fails to pay any penalty, DEQ may bring a separate action for collection of the penalty in District Court. An action by DEQ for the collection of a penalty does not affect Respondent's duty to complete the tasks required by this Consent Order.

GENERAL PROVISIONS

20. DEQ has received delegation from the United States Environmental Protection Agency, to implement and enforce the Federal NPDES program. A portion of the implementation and enforcement program is to issue timely enforcement actions and impose

appropriate penalties. The federal program calls for a significant increase in monetary penalties should this Consent Order be violated or future violations occur.

21. As used in this Consent Order, an “approvable” submission to DEQ is to be considered a final submission. That is, all preliminary discussions between DEQ and Respondent regarding the requirements of a submission must be concluded prior to the date the submission is due so that the submission will be approvable as submitted. If the submission is not submitted in an approvable form by its due date, the submission will be considered late and Respondent will be subject to the stipulated penalties described in this Consent Order.

22. Respondent agrees to perform the requirements of this Consent Order within the time frames specified unless performance is prevented or delayed by events which are a “force majeure.” For purposes of this Consent Order, a force majeure event is defined as any event arising from causes beyond the reasonable control of Respondent or Respondent’s contractors, subcontractors or laboratories which delays or prevents the performance of any obligation under this Consent Order. Examples are vandalism; fire; flood; labor disputes or strikes; weather conditions which prevent or seriously impair construction activities; civil disorder or unrest; and “acts of God.” Force majeure events do *not* include increased costs of performance of the tasks agreed to in this Consent Order, or changed economic circumstances. Respondent must notify DEQ in writing within fifteen (15) days after Respondent knows or should have known of a force majeure event that is expected to cause a delay in achieving compliance with any requirement of this Consent Order. Failure to submit notification within fifteen (15) days waives the right to claim a force majeure.

23. Respondent and DEQ may amend this Consent Order by mutual consent. Such amendments must be in writing and the effective date of the amendments will be the date on which they are filed by DEQ. Any amendment to this Consent Order may require the payment of an administrative penalty.

24. Upon their approval by DEQ, any final reports, plans, specifications, schedules and attachments required under this Consent Order are incorporated into it and enforceable under it. Failure of Respondent to respond within a reasonable time to any errors, deficiencies or other regulatory requirements identified by DEQ is a violation of this Consent Order.

25. No informal advice, guidance, suggestions or comments by employees of DEQ regarding reports, plans, specifications, schedules, and other writings affect Respondent’s obligation to obtain written approval by DEQ, when required by this Consent Order.

26. Respondent agrees to allow agents of DEQ entry onto Respondent's property, at reasonable times and without advance notice, for the purposes of inspecting, sampling, testing, records review and other authorized activities to assess compliance with Oklahoma statutes and rules and this Consent Order. If Respondent is required to sample or test, Respondent agrees to give DEQ reasonable notice of the sampling or testing date and time and allow DEQ to observe and/or split-sample.

27. Unless otherwise specified, any report, notice or other communication required under this Consent Order must be in writing and must be sent to:

For DEQ:

Travis Archer, P.E., District Engineer
Municipal Wastewater Enforcement Section
Water Quality Division
Department of Environmental Quality
P.O. Box 1677
Oklahoma City, Oklahoma 73101

For Respondent:

Larry Grigg, Chairman
Inola Public Works Authority
P.O. Box 249
Inola, Oklahoma 74036-0249

28. This Consent Order is enforceable as a final order of the Executive Director of DEQ. DEQ retains jurisdiction of this matter for the purposes of interpreting, implementing and enforcing the terms and conditions of this Consent Order and for the purpose of resolving disputes.

29. Nothing in this Consent Order limits DEQ's right to take enforcement action for violations discovered or occurring after the effective date of this Consent Order.

30. Nothing in this Consent Order excuses Respondent from its obligation to comply with all applicable federal, state and local statutes, rules and ordinances. Respondent and DEQ agree that the provisions of this Consent Order are considered severable, and if a court of competent jurisdiction finds any provisions to be unenforceable because they are inconsistent with state or federal law, the remaining provisions will remain in full effect.

31. The provisions of this Consent Order apply to and bind Respondent and DEQ and their officers, officials, directors, employees, agents, successors, and assigns. No change in the ownership or corporate status of Respondent will affect Respondent's responsibilities under this Consent Order.

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION

IN THE MATTER OF:
INOLA PUBLIC WORKS AUTHORITY,

RESPONDENT,

COMPLAINT NO. 145685

FACILITY NO. S-21507

PERMIT NO. OK0033618

PROBLEM(S): Unpermitted Discharge(s);
Construction without a Permit;
Construction Violation(s)

CASE NO. 16-193

CONSENT ORDER

The parties to this case, the Oklahoma Department of Environmental Quality ("DEQ") and Inola Public Works Authority ("Respondent") agree to this Consent Order in order to resolve certain environmental compliance issues.

This Consent Order supersedes and closes Notice of Violation ("NOV") No. S-21507-16-1, issued to Respondent by DEQ on July 8, 2016.

FINDINGS OF FACT

1. Respondent owns and operates a publicly owned treatment works ("POTW"), which serves the residents of the Town of Inola in Rogers County, Oklahoma. The POTW consists of collection lines, appurtenances, and an aerated lagoon wastewater treatment facility ("WWTF") located in the W ½, NW ¼, NE ¼, Section 9, Township 19 North, Range 17 East of the Indian Meridian, Rogers County, Oklahoma. The WWTF discharges treated effluent to the Verdigris River pursuant to OPDES Permit No. OK0033618 ("Permit") that DEQ issued to Respondent, and which became effective September 1, 2013.

2. On April 27, 2016, DEQ received a citizen complaint alleging that unpermitted discharges were occurring from Respondent's wastewater collection system. Robin Stratton, Environmental Specialist for DEQ, investigated the complaint and confirmed that unpermitted discharges were occurring from a manhole located near the intersection of East 600 Road and West Commercial Street. During the inspection, Ms. Stratton identified a bypass structure at the manhole referenced in the complaint.

3. On May 16, 2016, the complaint was referred to the Water Quality Division (“WQD”) for further review and enforcement. A review of DEQ records indicated that the Respondent properly reported the unpermitted discharges by both the required oral and written means.

4. On June 7, 2016, Travis Archer, P.E., District Engineer for DEQ, met with Brian Kellogg, P.E., Engineer for Respondent; James Kilpatrick, Maintenance Supervisor for Respondent; and Jason Bannister, Maintenance Lead for Respondent, to inspect the complaint location and Lift Station No. 1 located downstream of the complaint. During the inspection, Mr. Archer determined that the bypass structure on the manhole was installed without obtaining a Permit to Construct from DEQ. In addition, Mr. Archer determined that Lift Station No. 1 does not comply with OAC 252:656-7-4, “Emergency Operations.”

5. On July 8, 2016, DEQ issued Respondent NOV No. S-21507-16-1, for the above-described violations. Respondent received the NOV on July 14, 2016. The NOV required Respondent to correct the violations described above and submit a written response to DEQ within fifteen (15) days of receipt of the NOV. On July 21, 2016, DEQ received the required response. The response outlined recent efforts taken by Respondent to address the violations. The response stated that maintenance crews had visually inspected approximately seventy-five percent (75%) of the manholes within the wastewater collection system basin in which the complaint was received and had repaired two (2) pumps in Lift Station No. 1. The response explained that the on-site generator at Lift Station No. 1 was not in operation at the time of the complaint but has since been placed into service. In addition, the response provided future efforts that Respondent would take to address the violations. The future efforts include evaluating Lift Station No. 1 and the downstream wastewater collection system capacity and upstream wastewater collection system inflow and infiltration (“I/I”), submitting an application for a Rural Economic Action Plan (“REAP”) grant for future I/I work, and replacing the on-site generator at Lift Station No. 1. Because these improvements have not been completed within the timeframe provided by the NOV, DEQ is offering this Consent Order to ensure that the necessary corrective actions to eliminate the violations are completed in a timely manner.

6. On July 27, 2016, Mr. Archer contacted Larry Grigg, Chairman for Respondent, to discuss the tasks that would be required by this Consent Order and to inform him of the penalty that is included.

7. Failure to comply with the state statutes and/or rules cited in this Consent Order may result in harm to the environment or health and well-being of the affected public. By discharging without a permit Respondent cannot verify that Oklahoma's Water Quality Standards are being met. In addition, construction requirements have been established to ensure the integrity of the treatment works and to prevent pollution of the environment. Compliance with this rule assures that the facility has been designed to handle hydraulic flows and provide treatment to prevent discharges of untreated wastewater to the waters of the state or elsewhere. Failure to comply with the below-described rules allows untreated wastewater to enter the waters of the State, or elsewhere, which could result in oxygen depletion and subsequent injury, or death of aquatic organisms. Improperly or partially treated sewage can contain pathogens, or disease causing organisms, such as bacteria, viruses and protozoa. Some of the common diseases that can be transmitted by sewage include bacterial diseases (*E. coli* poisoning, salmonellosis, shigellosis, typhoid, and bacterial dysentery); viral diseases (polio and hepatitis); and protozoal diseases (amoebic dysentery, cryptosporidiosis, and giardiasis).

8. Respondent and DEQ agree that it is beneficial to resolve this matter promptly and by agreement.

9. Respondent and DEQ waive the filing of a petition or other pleading, and Respondent waives the right to a hearing.

CONCLUSIONS OF LAW

10. DEQ has regulatory jurisdiction and authority in this matter, and Respondent is subject to the jurisdiction and authority of DEQ under 27A O.S. § 1-3-101(B), 27A O.S. §§ 2-6-201 through 2-6-206, and the rules promulgated thereunder at OAC 252:606.

11. Respondent and DEQ are authorized by 75 O.S. § 309(E) and 27A O.S. § 2-3-506(B) to resolve this matter by agreement.

12. By allowing unpermitted discharges of untreated sewage to occur, Respondent violated 27A O.S. § 2-6-105(A), which states, "[i]t shall be unlawful for any person to cause pollution of any waters of the state or to place or cause to be placed any wastes in a location where they are likely to cause pollution of any air, land or waters of the state. Any such action is hereby declared to be a public nuisance."

13. By allowing unpermitted discharges of untreated sewage to occur, Respondent violated 27A O.S. § 2-6-205(A), which states, “it shall be unlawful for any facility, activity or entity regulated by the Department pursuant to the Oklahoma Pollutant Discharge Elimination System Act to discharge any pollutant into waters of the state or elsewhere without first obtaining a permit from the Executive Director.”

14. By modifying the collection system manhole without first obtaining a Permit, Respondent violated OAC 252:656-1-3(a), **Permit to construct**, which states, “No one shall construct, modify or put into operation a wastewater system or a water reuse system without first obtaining a permit to construct from DEQ. Permits to construct will not be issued for new Category 4 restricted golf course irrigation systems pending further research and evaluation of performance data collected from existing systems.”

15. By failing to provide and/or maintain the required lift station appurtenances, Respondent violated OAC 252:656-7-4, **Emergency Operations**, which provides minimum design requirements for emergency operation “to prevent bypassing raw sewage during periods of power outage or mechanical failure.”

ORDER

16. Based on the above paragraphs, Respondent and DEQ agree, and it is ordered by the Executive Director as follows:

	Task	Due Date
A.	Respondent agrees to submit an approvable engineering report that evaluates Lift Station No. 1 as well as the upstream/downstream wastewater collection system. The engineering report must outline any needed improvements, along with a proposed schedule, to prevent further unpermitted discharges. In addition, the engineering report must address the removal of the bypass structure at the manhole identified in the complaint.	March 1, 2017

17. The Oklahoma Pollutant Discharge Elimination System Act, 27A O.S. §§ 2-6-201 through 2-6-206, authorizes DEQ to seek penalties of up to ten thousand dollars (\$10,000.00) per day of violation, for each day during which a violation of the permit continues. Based on the facts and circumstances of this case, DEQ assesses a total penalty of nine thousand dollars (\$9,000):

- a. Respondent agrees to pay a cash penalty of four thousand five hundred dollars (\$4,500.00) to DEQ by December 1, 2016.
- b. DEQ agrees to defer payment of the remaining amount of the assessed penalty pending compliance with the tasks listed in Paragraph 16 of this Consent Order.
 - i. If Respondent fails to complete a task by the scheduled due date, the portion of the deferred penalty allocated to that task in subparagraph (iii) becomes immediately due and payable.
 - ii. If Respondent completes a task by its due date, DEQ agrees to waive the portion of the deferred penalty allocated to that task in subparagraph (iii).
 - iii. Task A - \$4,500.00

All penalty payments shall be by check or money order payable to the Oklahoma Department of Environmental Quality (or ODEQ), showing the Case Number of this Consent Order, and delivered to:

Accounts Receivable
 Financial & Human Resources Management
 Department of Environmental Quality
 P.O. Box 2036
 Oklahoma City, OK 73101-2036

18. Respondent agrees that if Respondent fails to complete any of the task(s) by the specified due dates set forth in Paragraph 16 in this Consent Order, DEQ may assess stipulated penalties as follows:

<u>TASK</u>	<u>PENALTY PER DAY</u>
A.	\$ 105.00

Stipulated penalties begin to accrue on the day performance is due, with the total amount of stipulated penalties not to exceed thirty-five thousand dollars (\$35,000). If DEQ notifies Respondent that Respondent is not in compliance with this Consent Order and that stipulated penalties are being assessed, Respondent may request a hearing to contest the finding of noncompliance.

19. If Respondent fails to pay any penalty, DEQ may bring a separate action for collection of the penalty in District Court. An action by DEQ for the collection of a penalty does not affect Respondent's duty to complete the tasks required by this Consent Order.

GENERAL PROVISIONS

20. DEQ has received delegation from the United States Environmental Protection Agency, to implement and enforce the Federal NPDES program. A portion of the implementation and enforcement program is to issue timely enforcement actions and impose

appropriate penalties. The federal program calls for a significant increase in monetary penalties should this Consent Order be violated or future violations occur.

21. As used in this Consent Order, an “approvable” submission to DEQ is to be considered a final submission. That is, all preliminary discussions between DEQ and Respondent regarding the requirements of a submission must be concluded prior to the date the submission is due so that the submission will be approvable as submitted. If the submission is not submitted in an approvable form by its due date, the submission will be considered late and Respondent will be subject to the stipulated penalties described in this Consent Order.

22. Respondent agrees to perform the requirements of this Consent Order within the time frames specified unless performance is prevented or delayed by events which are a “force majeure.” For purposes of this Consent Order, a force majeure event is defined as any event arising from causes beyond the reasonable control of Respondent or Respondent’s contractors, subcontractors or laboratories which delays or prevents the performance of any obligation under this Consent Order. Examples are vandalism; fire; flood; labor disputes or strikes; weather conditions which prevent or seriously impair construction activities; civil disorder or unrest; and “acts of God.” Force majeure events do *not* include increased costs of performance of the tasks agreed to in this Consent Order, or changed economic circumstances. Respondent must notify DEQ in writing within fifteen (15) days after Respondent knows or should have known of a force majeure event that is expected to cause a delay in achieving compliance with any requirement of this Consent Order. Failure to submit notification within fifteen (15) days waives the right to claim a force majeure.

23. Respondent and DEQ may amend this Consent Order by mutual consent. Such amendments must be in writing and the effective date of the amendments will be the date on which they are filed by DEQ. Any amendment to this Consent Order may require the payment of an administrative penalty.

24. Upon their approval by DEQ, any final reports, plans, specifications, schedules and attachments required under this Consent Order are incorporated into it and enforceable under it. Failure of Respondent to respond within a reasonable time to any errors, deficiencies or other regulatory requirements identified by DEQ is a violation of this Consent Order.

25. No informal advice, guidance, suggestions or comments by employees of DEQ regarding reports, plans, specifications, schedules, and other writings affect Respondent’s obligation to obtain written approval by DEQ, when required by this Consent Order.

26. Respondent agrees to allow agents of DEQ entry onto Respondent's property, at reasonable times and without advance notice, for the purposes of inspecting, sampling, testing, records review and other authorized activities to assess compliance with Oklahoma statutes and rules and this Consent Order. If Respondent is required to sample or test, Respondent agrees to give DEQ reasonable notice of the sampling or testing date and time and allow DEQ to observe and/or split-sample.

27. Unless otherwise specified, any report, notice or other communication required under this Consent Order must be in writing and must be sent to:

For DEQ:

Travis Archer, P.E., District Engineer
Municipal Wastewater Enforcement Section
Water Quality Division
Department of Environmental Quality
P.O. Box 1677
Oklahoma City, Oklahoma 73101

For Respondent:

Larry Grigg, Chairman
Inola Public Works Authority
P.O. Box 249
Inola, Oklahoma 74036-0249

28. This Consent Order is enforceable as a final order of the Executive Director of DEQ. DEQ retains jurisdiction of this matter for the purposes of interpreting, implementing and enforcing the terms and conditions of this Consent Order and for the purpose of resolving disputes.

29. Nothing in this Consent Order limits DEQ's right to take enforcement action for violations discovered or occurring after the effective date of this Consent Order.

30. Nothing in this Consent Order excuses Respondent from its obligation to comply with all applicable federal, state and local statutes, rules and ordinances. Respondent and DEQ agree that the provisions of this Consent Order are considered severable, and if a court of competent jurisdiction finds any provisions to be unenforceable because they are inconsistent with state or federal law, the remaining provisions will remain in full effect.

31. The provisions of this Consent Order apply to and bind Respondent and DEQ and their officers, officials, directors, employees, agents, successors, and assigns. No change in the ownership or corporate status of Respondent will affect Respondent's responsibilities under this Consent Order.

VIII. Consent Order Compliance Schedule Update

Table 20 - Compliance Schedule

COMPLIANCE SCHEDULE UPDATE		
ITEM NO.	DESCRIPTION	DATE
1	Rehabilitate Lift Station No.1	
i	Submit plans & specifications for a construction permit	Maintenance
ii	Obtain Funding	Local Funds
iii	Begin Construction	Task Complete
iv	Complete Construction	Task Complete
2	Private Sector Repairs – Consent Order Item C	
i	Submit plans & specifications for a construction permit	N/A
ii	Obtain Funding	Local Funds
iii	Begin Task	Task Complete
iv	Complete Construction	Completed as of 11/01/19
3	SW Blvd Interceptor Project - Engineering & Design – Consent Order Item F	
i	Submit plans & specifications for a construction permit	Submitted to ODEQ 12/01/19
ii	Obtain Funding for Construction	Task Complete
iii	Begin Construction	N/A
iv	Complete Construction	N/A
4	Manhole Repair – Consent Order Item B	
i	Submit plans & specifications for a construction permit	N/A
ii	Obtain Funding	Local Funds
iii	Begin Construction	07/01/18
iv	Complete Construction	9/1/2020
5	Collection Line Point Repair – Consent Order Item D	
i	Submit plans & specifications for a construction permit	N/A
ii	Obtain Funding	Local Funds
iii	Begin Construction	Task Complete
iv	Complete Construction	Task Complete
6	Flow Monitoring and Re-Evaluation – Consent Order Items L & M	
i	Submit plans & specifications for a construction permit	N/A
ii	Obtain Funding	Local Funds
iii	Begin Construction	01/01/21
iv	Complete Construction	02/01/22
v	As of 11/12/19 the Town has purchased; 2 flow meters, monitoring equipment, and software	

Table 21 - Compliance Schedule (Continued)

COMPLIANCE SCHEDULE(CONTINUED)		
ITEM NO.	DESCRIPTION	DATE
7	SW Blvd Interceptor and WWTP LS Project - Construction – Consent Order Items N, O, & Q	
i	Submit plans & specifications for a construction permit	Submitted to ODEQ 12/01/19
ii	Obtain Funding	12/01/22
iii	Begin Construction	02/01/23
iv	Complete Construction	09/01/23
8	Remaining Collection Line Repairs and Replacement	
8a	Johnson Heights Addition Project – Consent Order Items G & H	
i	Submit plans & specifications for a construction permit	Task Complete
ii	Obtain Funding	Local Funds
iii	Begin Construction	Task Complete
iv	Complete Construction	Task Complete
8b	Remaining Collection Line Repairs and Replacement – Consent Order Item S	
i	Submit schedule to ODEQ for the remaining construction and repairs to the collection system	01/10/23
ii	Submit plans & specifications for a construction permit	To Be Determined*
iii	Obtain Funding	To Be Determined*
iv	Begin Construction	To Be Determined*
v	Complete Construction	To be Determined*
	As of 11/25/19 the Town Board approved the SW SS Rehab Project consisting of the rehab, replacing, or lining of ~3,500 lf of existing SS lines. Estimated cost of \$600,000. Anticipate plans and specs to ODEQ in March of 2020. Anticipate construction in the Summer of 2020.	
9	Remove Bypass Structure – Consent Order Items P & R	
i	Submit plans & specifications for a construction permit	N/A
ii	Obtain Funding	N/A
iii	Begin Construction	07/01/23
iv	Complete Construction	09/01/23