

RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACKNOWLEDGING THE OKLAHOMA TURNPIKE AUTHORITY'S ACCESS OKLAHOMA PROGRAM TO IMPROVE AND CONSTRUCT TURNPIKE FACILITIES IN THE CITY OF NORMAN AND TO PROTECT AND PRESERVE THE LAKE THUNDERBIRD WATERSHED, THE CANADIAN RIVER CORRIDOR, THE CITY'S DRINKING WATER SUPPLY, AND THE CITY'S FLOOD HAZARD AREAS

- § 1. **WHEREAS**, the Oklahoma Turnpike Authority (OTA) was originally created by act of the Twenty-First Oklahoma Legislature on April 30, 1947, to provide for the construction of the Oklahoma City-to-Tulsa Turnpike (the Turner Turnpike); the Oklahoma Legislature passed House Bill 933 on May 7, 1953, thereby establishing the basis for a State system of Turnpikes (Oklahoma Turnpike System); and
- § 2. **WHEREAS**, the Oklahoma Supreme Court affirmed on August 1, 2023, that the OTA has statutory authority to build new turnpike alignments proposed in Oklahoma's long-range plan designed to connect communities and economies safely statewide; and
- § 3. **WHEREAS**, the OTA operates a turnpike system within Oklahoma that connects seamlessly with the state highway/interstate and local road system; and
- § 4. **WHEREAS**, improvements to Oklahoma's interconnected transportation system of turnpikes, state highways and local roads must be coordinated to leverage resources, improve safety and ensure a seamless operation for the benefit of all Oklahomans; and
- § 5. **WHEREAS**, the OTA announced in December 2021, a 15-year, long-range turnpike improvement and expansion program for projects defined in the Advancing and Connecting Communities and Economies Safely Statewide "ACCESS Program" that represents approximately \$5 billion in transportation infrastructure improvements to Oklahoma's Turnpike System by expanding capacity and constructing new turnpike routes; and
- § 6. **WHEREAS**, the ACCESS Program includes the construction of a new turnpike route from the I-44 Tri-City area (Newcastle, Blanchard, Tuttle) at SH-37, crossing the South Canadian River, east to I-35, then continuing east along Indian Hills Road and then northeast to I-40, connecting to the new Kickapoo Turnpike (East-West Connector or "EWC" Project); and
- § 7. **WHEREAS**, the City of Norman requests that the East-West Connector include the construction of access points at I- 44, S. Western Avenue (60th Avenue NW), Telephone Road (36th Avenue NW), I-35, S. Bryant Avenue (12th Avenue NW/Broadway), SH-77H (12th Avenue NE), S. Douglas Blvd (48th Avenue NE), South Extension Turnpike, S. Choctaw Road (120th Avenue NE), S. Peebly Road (156th Avenue NE), I-40 along with one-way service roads along the turnpike from S. Western Avenue (60th Avenue NW) to S. Douglas Blvd (48th Avenue NE); and
- § 8. **WHEREAS**, the City of Norman requests that 36th Avenue NW be reconstructed to 4-lane with 10-foot multimodal path per current design plans from East-West Connector north to City of Norman limits and from East-West Connector South to Franklin Road; and

- § 9. **WHEREAS**, damage to existing City of Norman infrastructure caused by heavy construction activity will be restored to existing or better conditions through a negotiated combination of repair, reimbursement or other methods jointly determined appropriate at the end of corridor construction; and
- § 10. **WHEREAS**, The City of Norman requests that a 10-foot multimodal path be constructed on the south side of the EWC; and
- § 11. **WHEREAS**, the ACCESS Program includes the construction of a new turnpike route from I-35 (Norman and Purcell area), crossing the South Canadian River, Easterly to US-77, then north to EWC near Indian Hills Road (South Extension Turnpike or “SET” Project); and
- § 12. **WHEREAS**, the SET Project proposes to include the construction of access points at I-35, US-77, Etowah Road, SH-9, Alameda Drive, East-West Connector; and
- § 13. **WHEREAS**, the Oklahoma Department of Transportation (ODOT) presently owns and maintains I-44, I-35, I-40, SH-9, SH-37, SH-66, SH-77A, and US-77 where OTA's Turnpike will intersect; and
- § 14. **WHEREAS**, the City of Norman, Oklahoma, is committed to ensuring the health, safety, and welfare of its residents, and recognizes the paramount importance of preserving and protecting its natural resources, particularly its water supply,, Lake Thunderbird and the Garber-Wellington aquifer; and
- § 15. **WHEREAS**, Lake Thunderbird serves as the primary source of drinking water for the residents of Norman, and the integrity of the watershed supplying this lake is critical to maintaining the quality and availability of this water supply; and
- § 16. **WHEREAS**, the Oklahoma Turnpike Authority has proposed the construction of toll roads that would traverse City Floodplains, including areas of the Lake Thunderbird Watershed and Aquatic Areas of Concern within a one-mile corridor along the Canadian River, posing further potential risks, including stormwater runoff pollution and flood hazards to the City, its citizens, and its water resources; and
- § 17. **WHEREAS**, Oklahoma law, including but not limited to 11 O.S. § 37-115, explicitly grants municipalities the authority to protect and preserve watersheds supplying drinking water, empowering the City of Norman to take necessary measures to safeguard its water resources for present and future generations; and
- § 18. **WHEREAS**, Municipal, State, and Federal Law, including the City’s Flood Hazard Ordinance, Water Quality Protection Zone Ordinance, the Oklahoma Floodplain Management Act, and the National Pollutant Discharge System Stormwater Program, Phase II MS4 Compliance, empower and require the City of Norman to prevent and protect against flood hazards and water quality impairments resulting from polluted stormwater runoff; and
- § 19. **WHEREAS**, the City of Norman is currently undergoing Comprehensive Planning efforts that must account for the EWC and SET Projects; and

§ 20. **WHEREAS**, in the interest of furthering the goals of coordinating efforts on transportation infrastructure improvements and economic development, the City of Norman will collaborate with the OTA in the evaluation leading to the construction of future turnpike facilities in these areas; and

§ 21. **WHEREAS**, The City of Norman recognizes the SET project with the understanding that the OTA has yet to set the final alignment. Once the SET project alignment is determined, the City requests the same input and discussions as those given for the EWC project to ensure the needs of the City are met. This includes input for the locations of future interchanges, frontage roads, and potential wetland mitigation efforts. The City of Norman also requests ongoing communication for any future needs or requests as the OTA continues to develop this transportation infrastructure improvement in the Norman area.

NOW, THEREFORE, BE IT RESOLVED: The City of Norman is committed to participating in good faith with the OTA in the development of the East-West Connector (EWC) and South Extension Turnpike (SET) projects thereafter to maintain the EWC Project service roads as city streets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Norman, Oklahoma:

1. The City of Norman is requesting that the Oklahoma Turnpike Authority commit the following:

- **Environmental Studies:** The Oklahoma Turnpike Authority is expected to conduct comprehensive environmental studies including an emphasis on defining potential impacts to the Lake Thunderbird watershed and areas of concern along the Canadian River Corridor, including but not limited to water quality, biological, flood hazards, untreated stormwater runoff, and hydrological changes
- **Alternative Routes:** The Oklahoma Turnpike Authority explore and present alternative routes that would reduce potential impacts to the Lake Thunderbird watershed, and the areas of concern along the Canadian River Corridor, to mitigate any potential environmental harm.
- **Mitigation Measures:** The Oklahoma Turnpike Authority propose and implement robust green infrastructure mitigation measures to minimize any adverse effects of the construction and operation of the EWC and SET on the watershed and areas of concern for all roads traversing it through coordination with the City of Norman and the Central Oklahoma Master Conservancy District (COMCD)
- **Stakeholder Consultation:** The Oklahoma Turnpike Authority engage in consultation with the City of Norman, environmental experts, and the public to ensure transparency and community involvement in decision-making processes.

2. **Public Awareness and Involvement:** The City of Norman will continue to engage and educate the community about the importance of protecting the watershed, the areas of concern along the Canadian River Corridor, and will encourage public participation and support in efforts to safeguard the city's water resources.

3. Collaborative Efforts: The City of Norman commits to collaborating with local, state, and federal agencies, as well as non-governmental organizations, to enhance the protection of the watershed, the Canadian River Corridor, and to develop sustainable water management practices.

4. Legal Actions: The City Attorney and the City Manager are authorized and directed to take all necessary and appropriate legal, permitting, floodplain management, and stormwater management actions to protect and enforce the city's legal rights and obligations, including but not limited to actions under Oklahoma 11 OK Stat § 37-115, the City's Flood Hazard Ordinance, the City's Stormwater Management Plan, and any other relevant municipal, state, and federal laws, to ensure the ongoing protection of the Lake Thunderbird Watershed and Canadian River Corridor.

PASSED AND **ADOPTED** by the Council and SIGNED by the Mayor of The City Of Norman, Oklahoma, on this _____ day of _____, 2024.

Mayor

ATTEST:

City Clerk