

APPENDIX B
SECTION 404 PERMIT



City of Lawton

Sewer Construction Division

E-mail: cityoflawton.ok.us
Telephone 580-581-3405
Fax 580-581-3407

Mailing Address: 103 Southwest 4th Street
Shipping Address: 2100 South 6th Street
Lawton, Oklahoma 73501

March 26, 2007

David A. Manning
Chief Regulatory Branch
Department of the Army
Corps of Engineers
1645 South 101st East Avenue
Tulsa, Oklahoma 74120-4609

RE: City of Lawton Environmental Assessment
South Wolf Creek Expansion/Upgrade Project

Dear Mr. Manning;

The City of Lawton received comments from the Corp of Engineers regarding the EA for the above project and is in the process of addressing them. However, the project has not commenced or been contracted. The Nationwide Permit (NWP) issued to the City of Lawton expired on March 19, 2007. Therefore, the City of Lawton requests the Corp of Engineers to issue a new 404 authorization for this project.

If you have any questions or need clarification, please do not hesitate to contact me at 580-581-3324.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pratap Ganti", is written over a horizontal line.

Pratap Ganti, P.E.
Civil Engineer



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

June 2, 2005

Planning, Environmental, and Regulatory Division
Regulatory Branch

Mr. Roger L. Bridges, P.E.
City of Lawton
Sewer Construction Division
103 Southwest 4th Street
Lawton, OK 73501

Dear Mr. Bridges:

Please reference your letter of May 10, 2005, regarding the expansion of the South Wolf Creek sanitary sewer line. The proposed project is west and south of the Lawton Airport in Comanche County. We have reviewed the submitted data relative to Section 404 of the Clean Water Act.

Placement of dredged or fill material in the tributaries to Cache Creek associated with the proposed project falls within the scope of the enclosed Nationwide Permit (NWP) for Utility Line Activities, provided the conditions therein are met.

Please complete and return the enclosed "Permittee Construction Schedule" Form. Following completion of your activity, you must return the enclosed "Permittee Compliance Certification" Form. This is the certification referred to in General Condition 14 of the NWP.

In reviewing this proposed activity, we have determined that the proposed action will have no known effect on Federally-listed endangered or threatened species or habitat critical for the survival of such species.

The issuance of NWP authorization for this project is based on an approved jurisdictional determination (JD). The affected streams are tributaries to Cache Creek which is a tributary to navigable waters. This approved JD is subject to an optional Administrative Appeal Process (AAP). Enclosed is a copy of the "Notification of Appeal Options and Process and Request for Appeal" form. You may appeal this determination in accordance with the instructions provided on the form. If you choose to file an appeal, no work may begin in waters of the United States or in a manner which could alter the hydrology of waters of the United States until the appeal process is concluded. Otherwise, no action is required on your part with regard to the appeal process. The NWP terms and conditions are not subject to appeal. However, if you do not agree to the terms and conditions of this NWP, you have the option to apply for an individual permit for your proposed activity.

This NWP is scheduled to expire on March 19, 2007. This verification is valid until that date. It is incumbent on you to remain informed of changes to the NWPs. The Corps will issue a public notice announcing the changes as they occur. Furthermore, if you commence, or are under contract to commence, the activity before the date the NWP is modified or revoked, you will have 12 months from the date of the modification or revocation to complete the activity under the present terms and conditions of this NWP.

Your permit has been assigned Identification Number 14607. Please reference this number during any future correspondence. If you have any questions regarding the AAP, or you cannot comply with the conditions listed in the enclosed permit, contact Mr. Shane Charlson at 918-669-7395.

Sincerely,



David A. Manning
Chief, Regulatory Branch

Enclosures



City of Lawton

Sewer Construction Division

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Lawton, Oklahoma 73501
Telephone: (580) 581-3405

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Lawton, Oklahoma 73501
Fax: (580) 581-3407

May 10, 2005

Regulatory Branch
U.S. ARMY CORPS OF ENGINEERS
TULSA DISTRICT
ATTN:CESWT-PE-R
1645 S. 101 East Avenue
Tulsa, Oklahoma 74128-4609

RE: The SOUTH WOLF CREEK EXPANSION/UPGRADE
Sanitary Sewer Construction Project, Lawton, Oklahoma

To Whom It May Concern:

The City of Lawton is in the preliminary design phase of the SOUTH WOLF CREEK EXPANSION/UPGRADE project, which will parallel or modify the existing sanitary sewer lines that were installed in the mid 1970s. This project is being funded by a federal grant and administered by the U.S. Army Corps of Engineers, who requires that the City of Lawton contact potentially interested agencies concerning this project.

The City of Lawton is in the process of complying with an Oklahoma Department of Environmental Quality (ODEQ) mandate to update its sewer system throughout the city. A Sewer System Evaluation Study was completed in 1997. This study identified numerous sewer lines throughout the city that must be either upgraded or replaced. This document will cover the SOUTH WOLF CREEK EXPANSION/UPGRADE project.

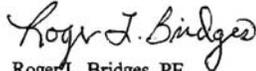
Exhibit "A" contains the planning area map that shows the location of the proposed project.

The City of Lawton has scheduled a public hearing to address any issues that the public may have. The public hearing had been scheduled for July 12, 2005 at 6:00 p.m. in the City Council Chambers, City Hall, 103 SW 4th Street, Lawton, Oklahoma.

We would like to know if your office has any information that would significantly affect our project.

If you have any questions concerning this matter, please contact Roger Bridges or Tony Burrow with the Sewer System Technical Division, City of Lawton at (580) 581-3324. Your timely response will be appreciated.

Sincerely,


Roger L. Bridges, PE
SSTD Civil Engineer

Enclosure (1)

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05/10/05