



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

Public Notice

Phillips 66 Pipeline Replacement, Arkansas City Levee, Kaw Lake

Phillips 66 Pipeline, LLC (P66, Requester) in Cowley County, Kansas, is proposing to replace a segment on its existing pipelines under the Arkansas River and adjacent Arkansas City Levee and within US Army Corps of Engineers (USACE)-administered fee lands at the Kaw Lake Project (**Figure 1**), which is under the Jurisdiction of the USACE. The 10-inch diameter pipelines that carry petroleum products were installed circa 1920s and 1950s. These proposed replacements, southeast of Arkansas City, KS above the confluence of the Arkansas River and Walnut River, would be installed via horizontal direction drill (HDD) as a long-term solution to the shallow and exposed crossings; the existing segments are proposed to be abandoned in place. The proposed pipelines will be 3,722 feet long with the directional drilling entry point on the northside of the levee, which is located in the interior of the levee. This location is approximately 480 feet from the levee centerline, which is more than the required 300-foot regulation. The HDD will be at 41 feet under the landside levee toe, 60 feet under the riverside levee toe and 72 feet under the centerline of the levee. When the HDD crosses under the levee, the boring will be in the bedrock, which consists of shale. The existing pipelines are proposed to be abandoned by pumping in a bentonite slurry and capping the ends of the pipelines. As such, P66 is requesting 33 U.S.C Section 408 approval from USACE-SWT to occupy and alter portions of the Kaw Lake Project to accomplish the proposed project. Proposed alterations and modifications related to the proposed project are operation and maintenance responsibilities of the non-federal sponsor, P66, and would be implemented at no cost to the federal government.

Authorized purposes of the Kaw Lake Project include flood risk reduction, water supply, water quality, hydropower, recreation, and fish and wildlife. The Arkansas City, Kansas Local Protection project was authorized by Public Law 99-662, approved November 17, 1986. Located in Arkansas City, Kansas, the project provides local flood protection at the confluence of the Arkansas and Walnut rivers in southern Kansas. The project raised and extended the existing levee and modifying the lower end of the Walnut River Channel. It includes approximately 4.5 miles of levee along the Arkansas River, approximately 4 miles along the Walnut River, and the re-channelization of approximately 2 miles of the Walnut River, as well as all associated drainage structures.

This request will be reviewed pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408). A requestor has the responsibility to acquire other authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program. An approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

The decision whether to grant the request for the alteration under Section 408 is based on several factors which are outlined in Engineer Circular 1165-2-220. The benefits which reasonably may be expected to accrue from the proposed alteration must be balanced against its reasonably foreseeable detriments. Review of the proposed alteration will be reviewed by a USACE technical review team considering the following factors:

1. *Impacts to the Usefulness of the USACE Project Determination.* The review team will determine if the proposed alteration would limit the ability of the federally authorized project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs.
2. *Injurious to the Public Interest Determination.* The review team will determine the probable impacts of the proposed alteration, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water quality, flood hazards, floodplains, residual risk, induced damages, shoreline erosion or accretion, and recreation.
3. *Environmental Compliance.* A decision on a Section 408 request is a federal action subject to the National Environmental Policy Act (NEPA) and other applicable federal environmental and cultural resources compliance requirements.
4. *Technical Analysis.* The Tulsa District will work with the requestor to ensure all required technical plans, maps, drawings, and specifications are provided and complete. The SWT Dam and Levee Safety Section has reviewed submitted plans and specifications.

SOLICITATION OF COMMENTS: The USACE is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed alteration. Comments received will be considered by the USACE to determine whether to issue, modify, condition, or deny a permission for this proposed alteration.

Please provide any comments you may have to Mike Abate, Chief, Civil Works Branch, PPMD by email (Mike.R.Abate@usace.army.mil) by May 14th, 2021. Please direct any questions or requests for additional information to Mr. Abate by email or telephone at 918-669-7527.

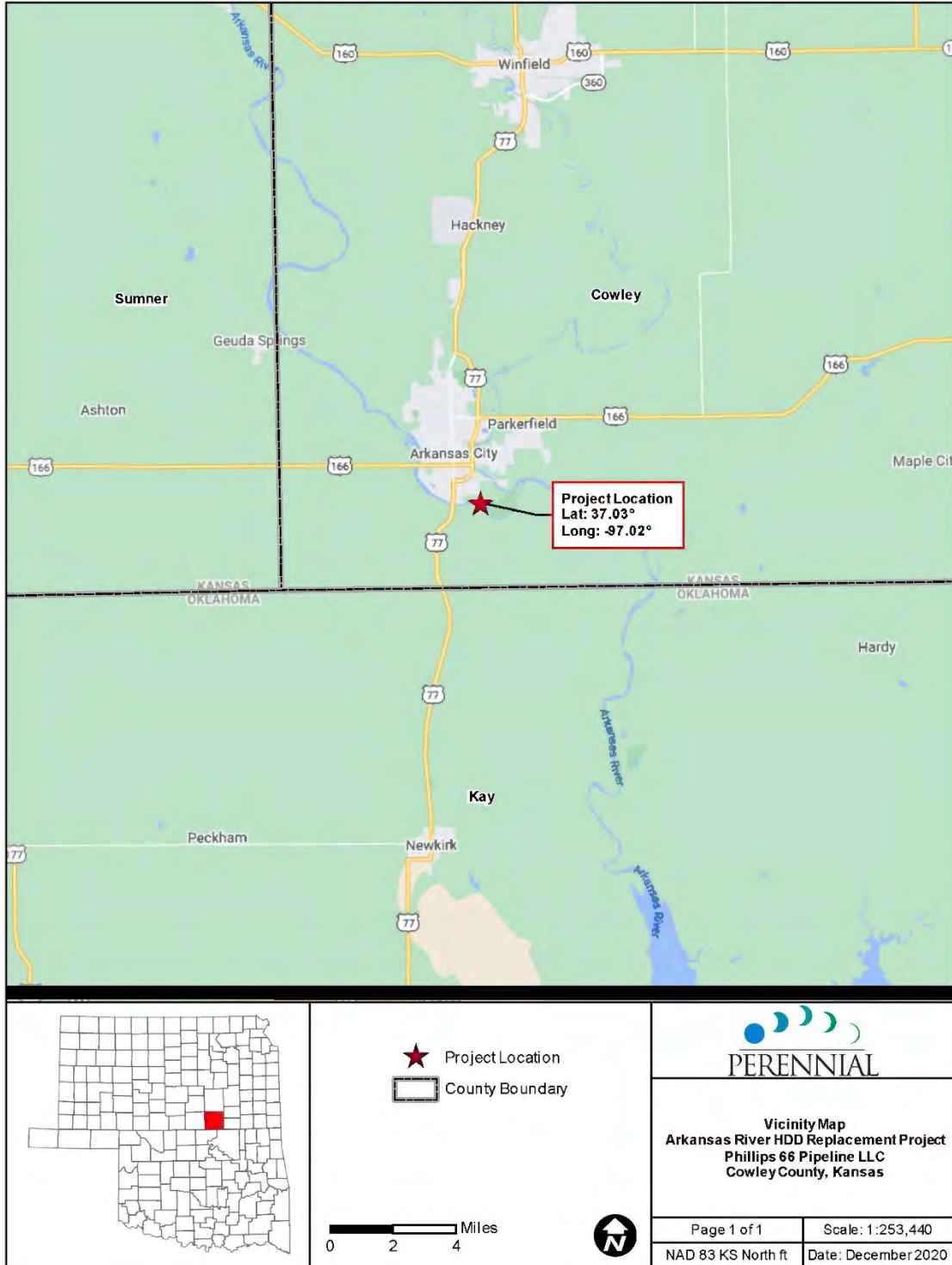


Figure 1 – P66 project location overview.