Public Notice

U.S. Army Corps of Engineers
Tulsa District

Reply To:

U.S. Army Corps of Engineers
ATTN: Regulatory Office
2488 East 81St Street
Tulsa, Oklahoma 74137-4290

SWT-2019-111
Public Notice No.

February 25, 2019
Public Notice Date

March 27, 2019
Expiration Date

PURPOSE
The purpose of this public notice is to inform you of a proposal for work in which you might be interested and to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

SECTION 10
The U.S. Army Corps of Engineers is directed by Congress through Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) to regulate all work or structures in or affecting the course, condition, or capacity of navigable waters of the United States. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404
The U.S. Army Corps of Engineers is directed by Congress through Section 404 of the Clean Water Act (33 U.S.C. 1344) to regulate the discharges of dredged and fill material into all waters of the United States. These waters include lakes, rivers, streams, mudflats, sandflats, sloughs, wet meadows, natural ponds, and wetlands adjacent to other waters. The intent of the law is to protect these waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical, and biological integrity.

NOTICE TO PUBLISHERS
This public notice has been provided as a public service and may be reprinted at your discretion. However, any cost incurred as a result of reprinting or further distribution shall not be a basis for claim against the Government.

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

Application No. SWT-2019-111

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ)
(30-DAY COMMENT PERIOD)

Interested parties are hereby notified that the District Engineer (DE) has received an application for a Department of the Army (DA) permit and water quality certification pursuant to Sections 404 and 401 of the Clean Water Act (CWA). The ODEQ hereby incorporates this public notice and procedure as its own public notice and procedure by reference thereto.

Applicant: Mr. Troy Galster
The Greenheck Group
P.O. Box 410
Schofield, WI 54476

Agent: Mrs. Rebecca Alvarez
Guy Engineering Inc.
6910 E. 14th St
Tulsa, OK 74112

Location: The proposed project is in the Southeast 1/4 of Section 20, Township 18 North, Range 13 East, in Tulsa, Tulsa County, Oklahoma. The project site can be found on the Mingo Oklahoma 7.5 Minute USGS Quadrangle map at North Latitude 36.193713 and West Longitude 95.837093.

Project Description: The application is for the placement of fill material into an unnamed tributary of Mingo Creek and associated on channel pond to construct a commercial and industrial development and road access, two reinforced concrete boxes, and a new spillway for the existing pond.

Purpose: The overall purpose of this work is for a commercial development and to manage the 100-year flood frequency event as required by an ordinance from the City of Tulsa. The project is not a water dependent activity and there are no special aquatic sites are located within the project site.

Summary Table of Impacts:

Original Proposal					
Number or Location	Impact Activity	Type of Water	Type of Fill Material	Quantity of Material (CY) below OHWM	Footprint (AC and/or LF)
Reinforced Concrete Box "RCB" "Bridge A"	Construction of a RCB/ Wingwall	Riverine	Concrete and Steel	242	145 LF 0.15 AC
Unnamed Tributary of Mingo Creek Stream "A"	Placement of Fill Material	Riverine	Earthen Material/Clay	54	1,116LF 0.12 AC
Unnamed Pond Improvements/	Placement of Fill Material	Pond	Redistribution	2,300	1.28 AC
Spillway	Placement of Fill Material	Pond	Clay/ 18-inch Riprap	181/ 27	0.05 AC
Unnamed Tributary of Mingo Creek Stream "B"	Placement of Fill Material	Riverine	Earthen Material/Clay	83	1,473 LF 0.18 AC
RCB "Bridge B"	Construction of a RCB/ Wingwall	Riverine	Concrete and Steel	193	115 LF 0.12 AC
cubic yards (cy), ordinary high water mark (OHWM), acre (ac), linear feet (lf)					

Description of Work: The applicant's proposal would require the placement of 137 CY of clay into approximately 2,589 LF (0.30 AC) of stream channel. Also, the applicant proposes to construct a new channel and reroute waters of the United States for approximately 2,706 LF (0.31 AC) in the uplands. The other proponents would improve the existing pond by constructing a new spillway using clay and Type 1 Class A riprap spillway (with filter blanket) including deeping the pond (using redistribution of fill material), two triple (6- by 12-foot and 12- by 6 foot) RCB's and wingwalls. The fill material may consist of concrete, gravel, sand, and earthen material. The work would be performed using conventional earth moving equipment.

Avoidance and Minimization Information: The applicant provided the following statement with regard to how avoidance and minimization of impacts to aquatic resources was incorporated into the project plan:

This applicant did provided a statement to avoidance and minimization of impacts to aquatic resources, including a justification for the proposed project.

Mitigation: Furthermore, the applicant proposes the following as compensatory mitigation for the unavoidable impacts to aquatic resources expected from the proposed project:

> The applicant provided a conceptual mitigation drawing for unavoidable impacts to the unnamed tributary of Mingo Creek. The mitigation stream would be longer that the impacted stream channel (2,706 LF). The constructed channel would be sinuous in nature, including rocks and boulders in and along the channel to re-establish desired condition that simulate the reference stream channel and establish the riparian area. The proposed typical concrete lined channel would be replaced with a natural substrate channel.

This mitigation plan is the applicant's proposal. The Corps has made no determination at this time with regard to the adequacy of the proposed mitigation relative to the federal mitigation rules and guidance, including Tulsa District's Mitigation and Monitoring Guidelines Compensatory Mitigation for unavoidable impacts may be required to ensure that this activity requiring a Section 404 permit, if issued complies with the Section 404 (b)(1) Guidelines. The Corps bears the final decision on the need for and extent of mitigation required if the project proposed herein is authorized.

Government Authorizations obtained or received: The Corps has not reviewed any copies of other required permits.

Project Setting: This project is located within the Oklahoma Ecoregion of Cross Timber Transition, which is part of the Central Great Plains geomorphic province. The Transition is characterized by a series of grasslands and prairies. The project is in the floodplain of Mingo Creek.

Existing Condition: The parcel of land is comprised mostly of improved pasture in the uplands. The intermittent stream channel is jurisdictional waters of the United States. The primary use for the land historically was for agriculture purposes, comprised mostly of grazing activities.

Cultural Resources: The DE is responsible to ensure compliance with the National Historic Preservation Act of 1966 (NHPA) (Public Law 89-665), as amended, and other cultural resources laws and Executive Orders. A preliminary review of the state's records has been completed for the presence of sites included in, or eligible for, inclusion in the National Register of Historic Places, as well as the Oklahoma Landmark Inventory Database. There are no known historic properties, as defined by the NHPA, in or within the vicinity of the proposed permit area.

Threatened and Endangered Species: The following federally listed species are known to occur in the vicinity or are listed for the county in which the proposed action is located: northern long-eared bat (*Myotis septentrionalis*), least tern (*Sterna antillarum),* piping plover (*Charadrius melodus),* red knot *(Calidris canutus rufa),* and american burying beetle *(Nicrophorus americanus*). A copy of this notice is being furnished to the U.S. Fish and Wildlife Service and appropriate state agencies.

We are currently assessing the potential effects of the proposed action on these species and will comply with the Endangered Species Act with regard to any effect of our decision on this permit application.

Evaluation Factors: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownerships, and, in general, the needs and welfare of the people. A permit will be denied if the discharge does not comply with the Environmental Protection Agency's 404(b)(1) Guidelines. Subject to the 404(b)(1) Guidelines and any other applicable guidelines or criteria, a permit will be granted unless the DE determines that it would be contrary to the public interest.

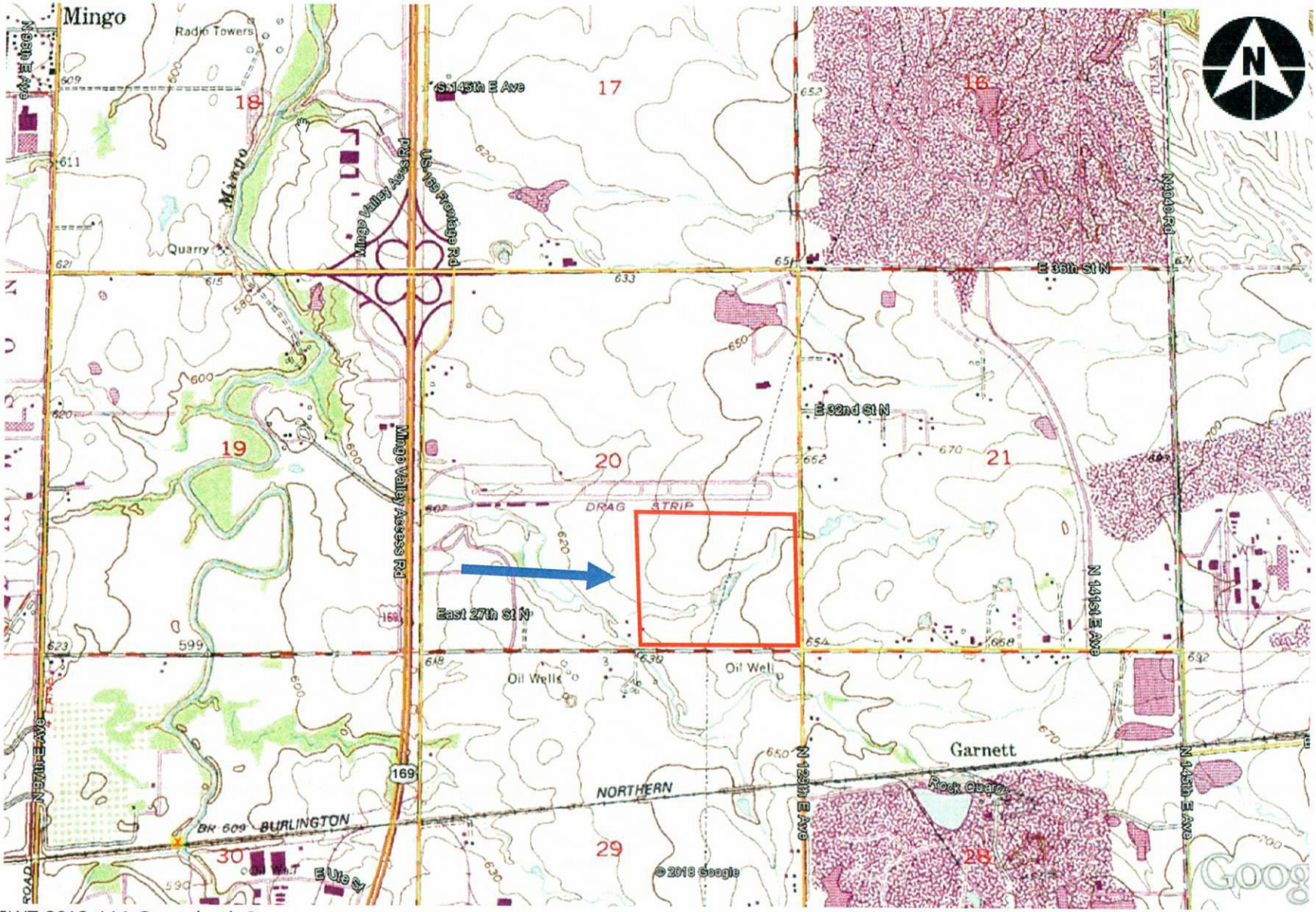
Plans and Data: Plans showing the location of the proposed activity and other data are enclosed with this notice (Enclosure 1 of 6). If additional information is desired, it may be obtained from Mr. Marcus Ware, Tulsa District Corps of Engineers, ATTN: Regulatory Office, 2488 East 81st Street, Tulsa, OK 74137; or telephone 918-669-7400.

Comments: In order to consider and evaluate the impacts of this proposed activity the Corps is soliciting comments from the public, federal, state, and local agencies and officials, floodplain administrators, state historic preservation officers, Indian tribes, and other interested parties. Comments concerning the issuance of this permit should be received by the DE no later than the expiration date of this public notice. You may submit comments to mailing address Tulsa District Corps of Engineers, ATTN: Regulatory Office, 2488 East 81st Street, Tulsa, OK 74137; or email CESWT-RO@usace.army.mil, please include the public notice number SWT-2017-607 in the subject line of the message.

Comments concerning water quality impacts will be forwarded to ODEQ for consideration in issuing a Section 401 Water Quality Certification for the proposed project. Work may **not** commence until decisions have been made on both Sections 401 and 404.

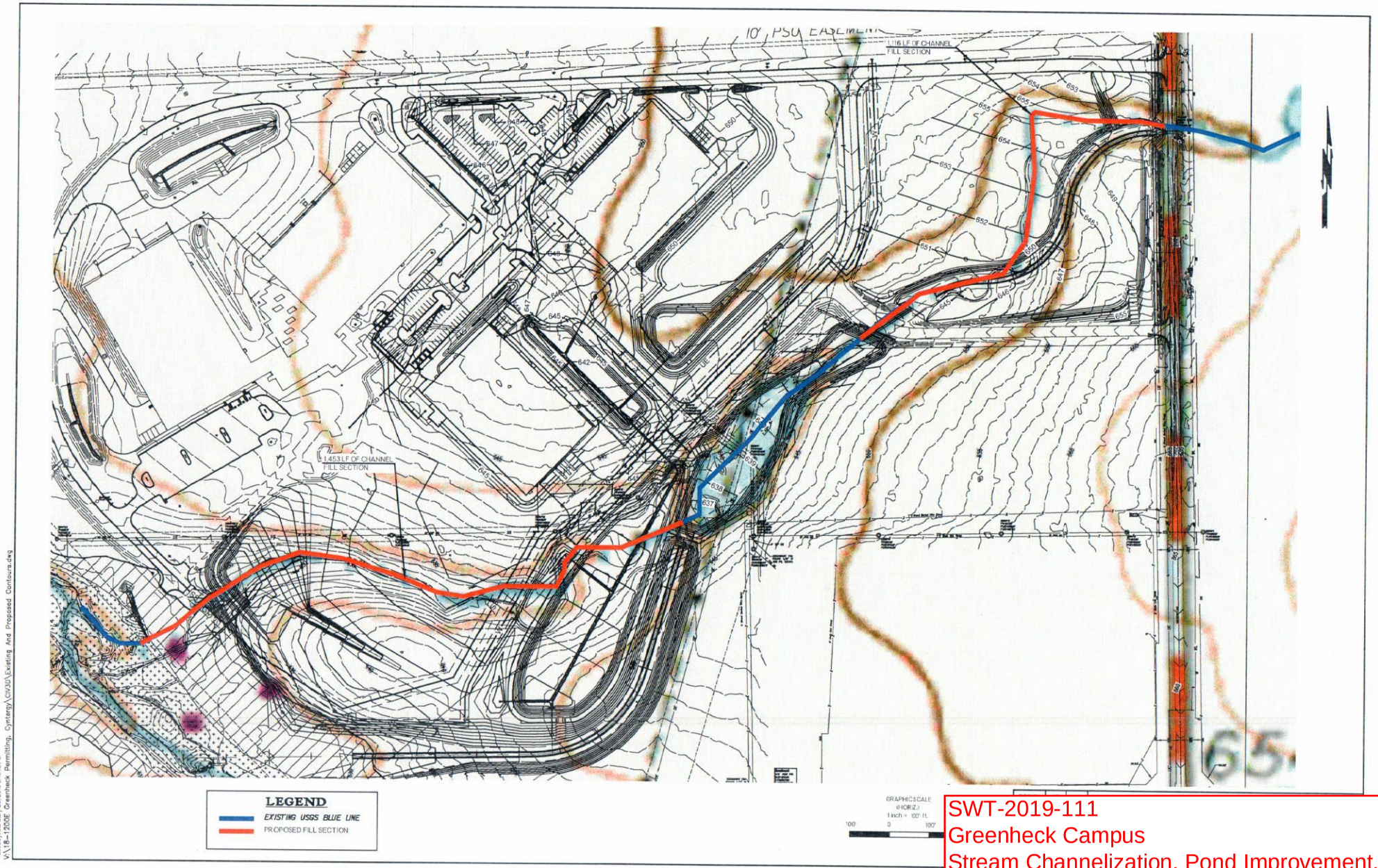
Andrew R. Commer
Chief, Regulatory Office

Enclosures



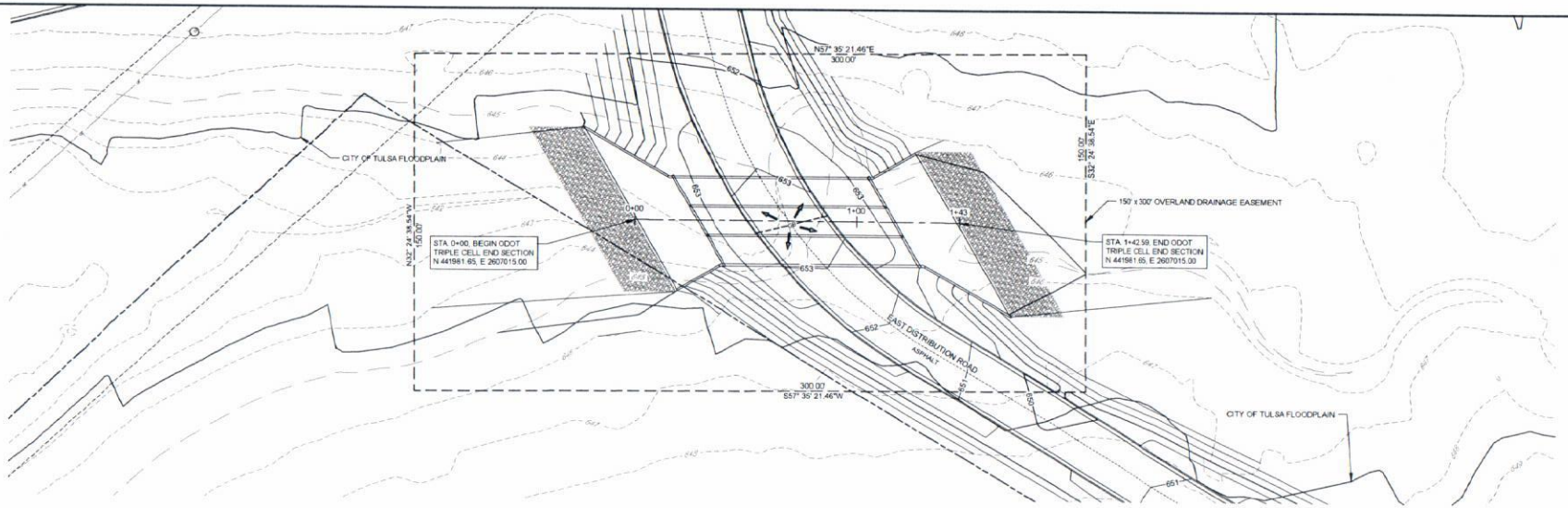
SWT-2019-111 Greenheck Campus

SWT-2019-111
Greenheck Campus
Stream Channelization, Pond Improvement, RCB
Unnamed tributary of Mingo Creek
Tulsa County
Enclosure 1 of 6



Tuesday, January 29, 2019 5:19:10 PM
V:\18-1200E Greenheck Permitting, Cyntergy\CIV\3D\Existing And Proposed Contours.dwg

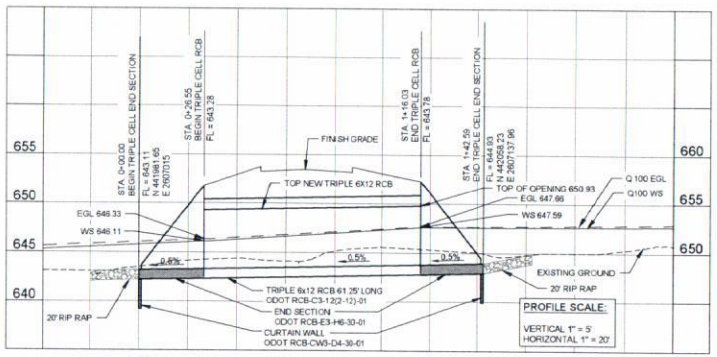
SWT-2019-111
Greenheck Campus
Stream Channelization, Pond Improvement, RCB
Unnamed tributary of Mingo Creek
Tulsa County
Enclosure 2 of 6



1 ENLARGED TRIPLE CELL RCB PLAN
SCALE: 1" = 39.4'

N

0 20' 40'
SCALE: 1" = 20'-0"



2 TRIPLE CELL RCB PROFILE
SCALE: 1" = 39.4'

NOTE:
REFER TO REPORT PREPARED BY GUY ENGINEERING TITLED "BRIDGE OVER TRIBUTARY TO QUARRY CREEK" DATED NOVEMBER 10, 2017 FOR ADDITIONAL CROSS SECTIONS AND MODEL RESULTS FOR THE TRIPLE CELL RCB.

CYNTERGY
810 SOUTH CINCINNATI
SECOND FLOOR
TULSA, OK 74119
918.877.6002
www.cyntergy.com

W. CHARLES MITCHELL, PE
OKLAHOMA
6/1/18
6/30/19
ENGINEER OF RECORD

ACCUREX / TAP / OFFICE
GREENHECK
2812 S. 129TH ST E AVE
TULSA, OK 74146

ISSUES / REVISIONS		
	CONCEPT	CP-REVIEW #1
	1/31/18	CP-REVIEW #2

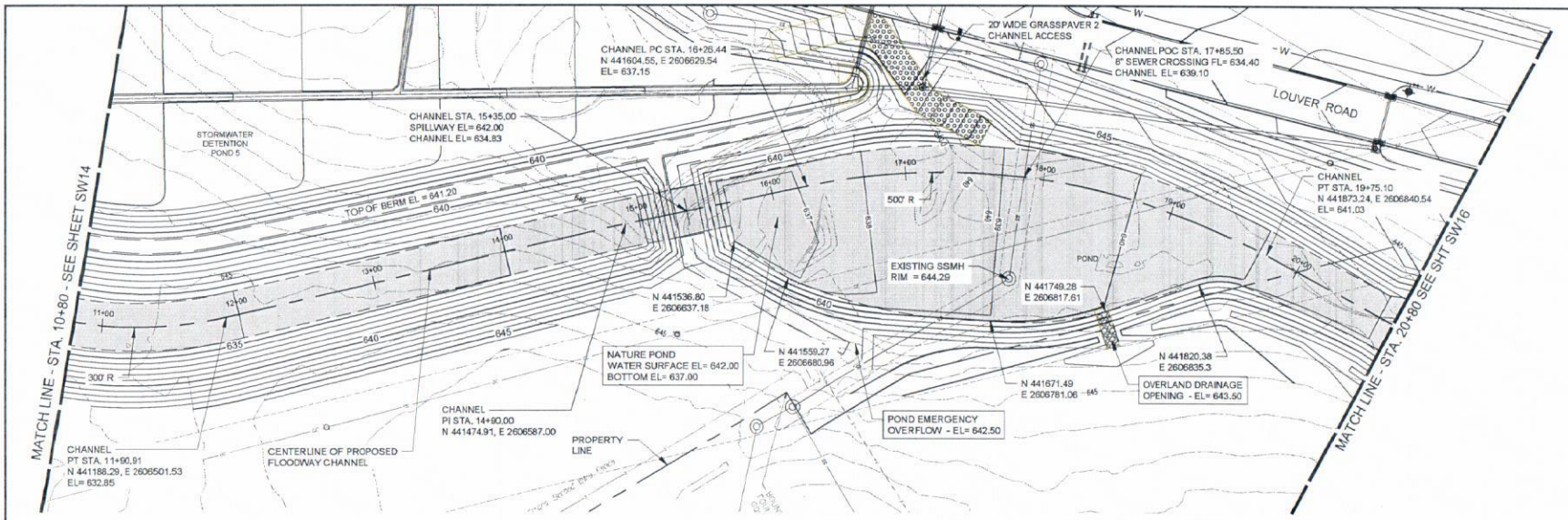
ISSUE DATE: TBD
PROJECT NO: GRNH170001001

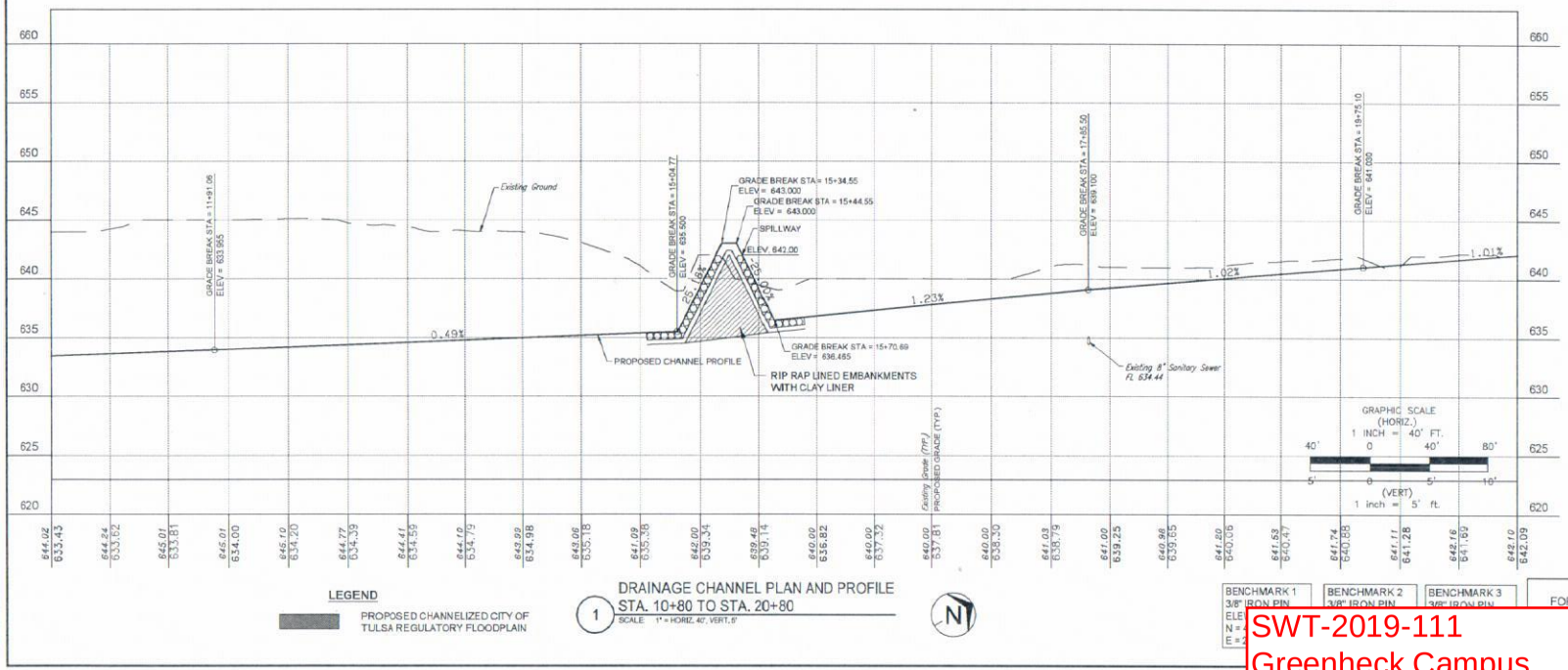
CHECKED BY: WCM
DRAWN BY: RHR
IDP NO. 9448
ATLAS PAGE NO. 227

SHEET NAME
TRIPLE CELL RCB PLAN AND PROFILE

SHEET NUMBER
SW07

SWT-2019-111
Greenheck Campus
Stream Channelization, Pond Improvement, RCB
Unnamed tributary of Mingo Creek
Tulsa County
Enclosure 3 of 6





LEGEND

PROPOSED CHANNELIZED CITY OF TULSA REGULATORY FLOODPLAIN

1 DRAINAGE CHANNEL PLAN AND PROFILE
STA. 10+80 TO STA. 20+80
SCALE: 1" = HORIZ. 40', VERT. 5'

BENCHMARK 1
3/8" IRON PIN

BENCHMARK 2
3/8" IRON PIN

BENCHMARK 3
3/8" IRON PIN

APPROVED
FOR IDP PERMIT ONLY

CYNTERGY
810 SOUTH CINCINNATI
SECOND FLOOR
TULSA, OK 74119
918.877.6000
www.cyntergy.com

W. CHARLES MITCHELL
21625
OKLAHOMA
PROFESSIONAL ENGINEER
01/17/2019

W. CHARLES MITCHELL, PE
ENGINEER OF RECORD

BEFORE YOU DIG CALL OKIE 811

PRV / DAMPERS
GREENHECK - PHASE 2
3010 N. 129TH ST E. AVE
TULSA, OK 74116

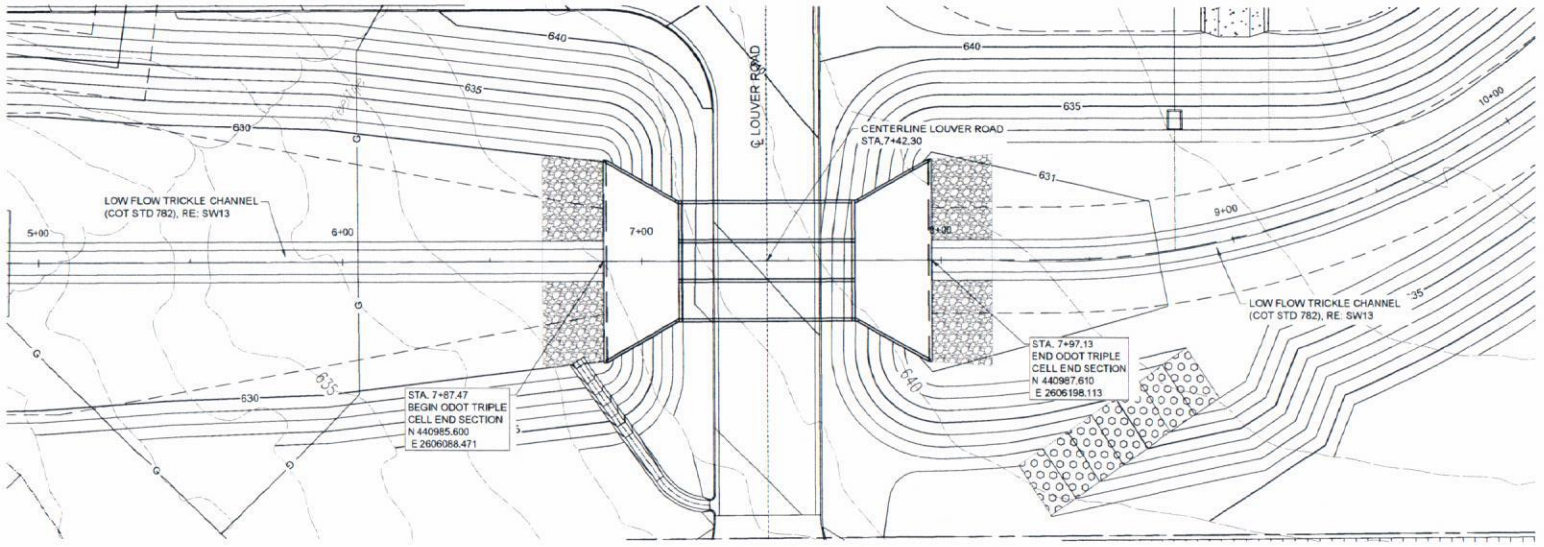
ISSUES / REVISIONS

12/07/2018	ISSUE FOR BID
01/17/2019	RESUBMITTED IDP (2)

ISSUE DATE: TBD
PROJECT NO: GRNH170001001
CHECKED BY: WCM
DRAWN BY: RHR
IDP NO.:
ATLAS PAGE NO. 227

SHEET NAME
STORM WATER CHANNEL
STA. 10+00 TO STA. 20+00

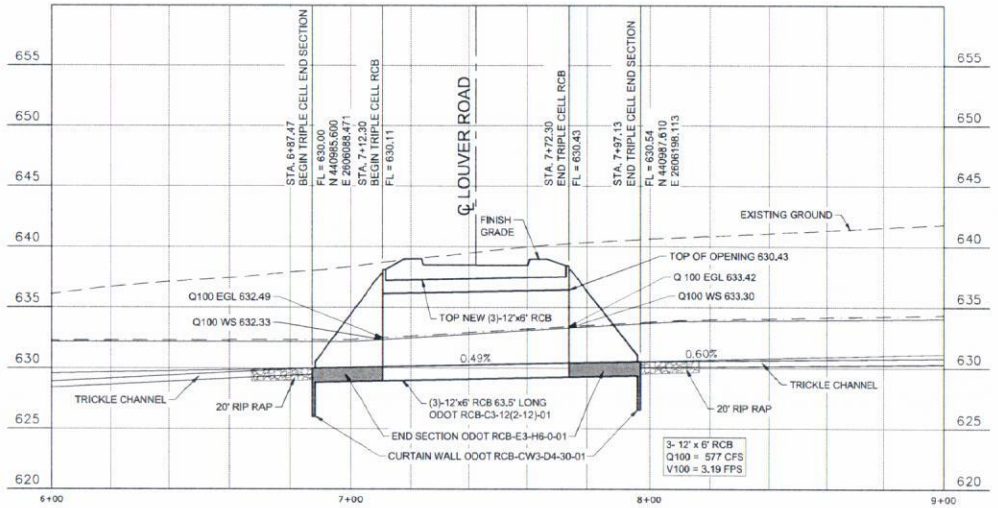
SWT-2019-111
Greenheck Campus
Stream Channelization, Pond Improvement, RCB
Unnamed tributary of Mingo Creek
Tulsa County
Enclosure 4 of 6



1 ENLARGED TRIPLE CELL RCB PLAN
SCALE 1" = 20'-0"

ABBREVIATIONS

C.L.	CENTER LINE
CFS	CUBIC FEET PER SECOND
CONC	CONCRETE
COT	CITY OF TULSA
DIA	DIAMETER
DS	DOWNSTREAM
FPS	FEET PER SECOND
ELEV	ELEVATION
EGL	ENERGY GRADE LINE
FL	FLOW LINE
GB	GRADE BREAK LINE
HP	HIGH-PERFORMANCE POLYETHYLENE
HGL	HYDRAULIC GRADE LINE
L	LENGTH
L.F.	LINEAR FEET
MAX	MAXIMUM
MIN	MINIMUM
P	PIPE
RE	REFERENCE
S	SLOPE
S.F.	SQUARE FEET
US	UPSTREAM
W	WATER LINE
YR	YEAR
RCB	REINFORCED CONCRETE BOX
ODOT	OKLAHOMA DEPARTMENT OF TRANSPORTATION



2 TRIPLE CELL RCB PROFILE (PUBLIC)
SCALE 1" = 20'-0"

GRAPHIC SCALE
(HORIZ.)
1 inch = 30' ft.
30' 0 30' 60'
10' 0 10' 20'
(VERT)
1 inch = 10' ft.

LEGEND

- PROPERTY LINE
- 633 NEW CONTOUR
- 637 EXISTING CONTOUR
- DIRECTION OF FLOW
- ALIGNMENT LINE

BENCHMARK 1	BENCHMARK 2	BENCHMARK 3
3/8" IRON PIN	3/8" IRON PIN	3/8" IRON PIN
ELEV = 634.06	ELEV = 644.44	ELEV = 654.33

APPROVED
FOR IDP PERMIT ONLY

CYNTERGY
810 SOUTH CINCINNATI
SECOND FLOOR
TULSA, OK 74119
918.877.6000
www.cyntergy.com

LICENSED PROFESSIONAL ENGINEER
W. CHARLES MITCHELL
21525
OKLAHOMA
9/22/15

W. CHARLES MITCHELL, PE
ENGINEER OF RECORD

BEFORE YOU DIG
811
CALL OKIE

PRV / DAMPERS
GREENHECK
3010 N. 129TH ST. E. AVE.
TULSA, OK 74116

ISSUE DATE: TBD
PROJECT NO: GRNH170001001
CHECKED BY: WCM
DRAWN BY: RHR
IDP NO.:
ATLAS PAGE NO. 227

TRIPLE CELL RCB PLAN
AND PROFILE STA. 7+52

SWT-2019-111
Greenheck Campus
Stream Channelization, Pond Improvement, RCB
Unnamed tributary of Mingo Creek
Tulsa County
Enclosure 5 of 6

RACEWAY ADDITION
LOT 1

GREENHECK LOOP ROAD

FUTURE 2021 CVI BUILDING
100,000 S.F.

SW POND 1

EXISTING ACCUREX BUILDING
160,914 S.F.

EXISTING TAP BUILDING
100,398 S.F.

EXISTING OFFICE
15,224 S.F.

FUTURE CORRIDOR

SW DETENTION POND 3

SW POND 2

UNDER REVIEW 2019
PRV BUILDING
80,500 S.F.

FUTURE 2024 PRV EXPANSION
106,800 S.F.

FUTURE DISTRIBUTION 2023 BUILDING
80,000 S.F.

DAMPER ROAD

SW DETEVITION POND 4

UNDER REVIEW 2019
DAMPER BUILDING
80,500 S.F.

EAST DISTRIBUTION ROAD

STREAM A
CHANNEL SINUOUS

BRIDGE A

EXISTING CITY OF TULSA
REGULATORY FLOOD PLAIN

POND

SPILLWALL

PROPOSED CITY OF TULSA
REGULATORY FLOOD PLAIN

FEDEX GROUND - WESTMORELAND
LOT 1

THE CHANNEL WILL BE IN
PERPETUAL DEED RESTRICTION

LOUVER ROAD

EXISTING PARKING LOT

SW RETENTION POND 7

MAIN ENTRY

SW RETENTION POND 6

LOUVER PARKING LOT

FUTURE OFFICE EXP.

FUTURE 2022 LOUVER BUILDING
120,000 S.F

SW DETENTION POND 5

FUTURE TRAILER PARKING

2022 ACCESS

AIRPORT DISTRIBUTION CENTER

FEMA 500 YR
FLOOD PLAIN

FEMA 100 YR
FLOOD PLAIN

BRIDGE B

STREAM B
CHANNEL SINUOUS

North 129th East Avenue

East Apache Street

BM

EXISTING STREAM LENGTH IMPACTED = 2,569 FT
PROPOSED STREAM A LENGTH = 1,168 FT
PROPOSED STREAM B LENGTH = 1,538 FT

NO CONCRETE LINED CHANNELS
ALL OF THE CHANNELS ARE GRASS LINED

N

0 250' 500'

SCALE: 1" = 250'-0"

1 OVERALL FACILITY PLAN
SCALE: 1" = 250'-0"

LEGEND

TREE MITIGATION

ROCKS / BOULDERS

STREAM CENTERLINE

COT REGULATORY FLOODPLAIN

EXHIBIT 4

SWT-2019-111
Greenheck Campus
Stream Channelization, Pond Improvement, RCB
Unnamed tributary of Mingo Creek
Tulsa County
Enclosure 6 of 6