



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

PUBLIC NOTICE

REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408

TITLE: Oklahoma City North Canadian Channel MAPS4 Pedestrian Bridge

PUBLIC NOTICE COMMENT PERIOD:

Begins: March 6, 2024

Ends: March 16, 2024

REQUESTER: In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, the City of Oklahoma City (requester) has requested permission from the U.S. Army Corps of Engineers (USACE) for the alteration of the North Canadian River Channel and north and south channel banks to construct a pedestrian bridge.

LOCATION: North Canadian River, Oklahoma City, OK between First Americans Blvd. and Interstate 35.

REQUESTERS PROPOSED ACTION: The pedestrian bridge will connect to the north bank of the river and the existing Greenway Trail, a paved trail used by both bicycle and pedestrian traffic. The southern point of the pedestrian bridge will be built just east of the boat dock's terraced seating and provide connection to the bicycle/pedestrian trail meandering along the north bank of the river. The pedestrian bridge will span the Oklahoma River, near the FAM site, downstream from the Oklahoma RIVERSPORT Foundation starting line tower. At this location, the bridge will provide a unique view for special events on the river and everyday use by connecting the Greenway and Eagle Lake Trails located on either riverbank. The proposed bridge will accommodate pedestrian foot traffic and will have adequate clearance for river traffic such as the RIVERSPORT modular dock system, Oklahoma River Cruises, and Public Works maintenance boats. Additionally, the bridge will aesthetically complement the surrounding space, particularly the OKANA site.

The proposed pedestrian bridge will have a 20' clear width and will be approximately 485' long with a consistent low chord elevation of 1179' to provide adequate clearance to the water surface, approximately 14'. There are five spans resting on four, 72" drilled shafts. The pier spacings were coordinated with RIVERSPORT OKC to ensure the bridge will not impact the future eight rowing lanes and the associated modular dock system. Given the pier spacings, the bridge spans from the south to north bank are 88'10", 88'0", 88'0", 100'0", and 100'10". On either bank, the bridge abutments utilize vertical walls to minimize fill in the FEMA floodplain/floodway.

The bridge piers will need to be constructed by barges. Once the piers have been constructed, the steel beams need cranes to be laid into place. The steel beams have the potential of being constructed on the riverbank and launched in a cantilever fashion from the abutments over to the bridge piers. The steel beam launch method would limit the amount of time the bridge contractor needs to be in the water, resulting in less

interference with boats. After the beams and deck forms have been placed, the concrete deck will need to be poured, which can be done with a pump truck from the riverbank. As each bridge span cures, the concrete pump truck will be able to drive onto the cured bridge deck to reach the next span.

ENVIRONMENTAL IMPACTS OF PROPOSED ACTION: A draft Environmental Assessment has been prepared by the requester and a draft Finding of No Significant Impact prepared by the USACE is available for public review and comment during the public notice period. The proposed project was reviewed for cultural resources, in accordance with Section 106 of the National Historic Preservation Act, based on an area of potential effect determined based upon construction plans submitted to USACE for review. Based on the cultural resources review, the project meets the No Effect threshold, concluding the Section 106 process.

AUTHORITY: The authority to grant permission for a temporary or permanent use, occupation, or alteration of any USACE Civil Works project is contained in Section 14 of the Rivers and Harbors Act of 1899, as amended, codified at 33 U.S.C. 408 (Section 408). Section 408 authorized the Secretary of the Army, on the recommendation of the Chief of Engineers, to grant permission for the alteration or occupation or use of a public interest and will not impair the usefulness of the project. The Secretary of Army's authority under Section 408 has been delegated to the USACE, Chief of Engineers. The USACE Chief of Engineers has further delegated the authority to the USACE, Directorate of Civil Works and Division and District Engineers, depending upon the nature of the activity.

LIMITS OF SECTION 408 AUTHORITY: A requester has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. Section 1344), and/or Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413). In addition, 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.

EVALUATION FACTORS: The decision whether to grant the requested permission for project alteration under Section 408 will be based on several factors. 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. Review of requests for alteration will be reviewed by a USACE technical review team considering the following factors:

- 1) Impair the Usefulness of the Project Determination. The review team will determine if the proposed alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs. In order for an alteration to be approved, the Requester must

demonstrate that the alteration does not impair the usefulness of the federally authorized project.

- 2) Injurious to the Public Interest Determination. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest evaluation depend upon the type of USACE project being altered and the nature of the proposed alteration and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The benefits that reasonably may be expected to accrue from the proposal must be compared against its reasonably foreseeable detriments. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks and by the net impact of the alteration on the public interest using the public interest factors.
- 3) Environmental Compliance. A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While USACE is responsible for ensuring environmental compliance, the requester is responsible for providing all information that the Tulsa District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and procedures. NEPA and other analysis completed to comply with other environmental statutes (e.g., Endangered Species Act) should be commensurate with the scale and potential effects of the activity that would alter the USACE project. The Tulsa District will work with the requester to determine the requirements, which will be scaled to the likely impacts of the proposed alteration and should convey the relevant considerations and impacts in a concise and effective manner.

PUBLIC INVOLVEMENT: The purpose of this notice is to solicit comments from the public; federal, state, and local agencies and officials; tribes; and other interested parties regarding the North Canadian Channel. Comments received within 10 days of publication of this notice will be used in the evaluation of potential impacts of the proposed action on important resources and in the evaluation of whether the proposed alteration would be injurious to the public interest and/or would impair the usefulness of the authorized project. Only the specific activities that have the potential to occupy, use, or alter the North Canadian River Channel and north and south channel banks will be evaluated. Please limit comments to the area of the alteration and those adjacent areas that would be directly or indirectly affected by proposed highway interchange expansion.

SUBMITTING COMMENTS: Written comments, referencing Identification Number 408-SWT-2023-0026 must be submitted to the office listed below on or before March 16, 2024.

Tony Clyde, Project Manager – 408 Coordinator
U.S. Army Corps of Engineers, Tulsa District
2488 E 81st Street
Tulsa, Oklahoma 74137

Email: Tony.Clyde@usace.army.mil