



US Army Corps  
of Engineers®

# JOINT PUBLIC NOTICE

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Tulsa District  
Application No. SWT-0-11717

Published: October 15, 2025  
Expires: November 14, 2025

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TO WHOM IT MAY CONCERN: The U.S. Army Corps of Engineers and Oklahoma Department of Environmental Quality (ODEQ) jointly announce that the District Engineer 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. The ODEQ hereby incorporates this public notice and procedure as its own public notice and procedure by reference thereto. 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. The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Mr. Dave Kennedy  
New Life Ranch  
160 New Life Ranch Drive  
Colcord, OK 74338

**AGENT:** Mr. Travis Godeaux  
Guy Engineering  
6910 E. 14th Street  
Tulsa, OK 74112

**WATERWAY AND LOCATION:** The project would affect waters of the United States within Flint Creek (Oklahoma Scenic River [82 O.S. § 896.5]). The project area is located on the left descending bank in Section 16, Township 20 North, Range 25 East, in Delaware County, Oklahoma.

Latitude North: 36.2188      Longitude West: 94.6442

**EXISTING CONDITIONS:** The applicant used a tracked excavator to temporarily provide 340 linear feet of bank protection along the left descending bank of this reach of Flint Creek. This portion of the project was started prior to coordination with the Corps and is presently paused.

**PROJECT PURPOSE:** New Life Ranch (NLR) proposes to use the existing riverbed gravel to armor approximately 700 linear feet of the left descending bank of Flint Creek then apply limestone riprap for protection. This proposal would overlap the existing 340 linear feet currently being used to protect the eroding streambank.

**Basic:** The basic purpose is to provide bank stabilization. The activity is not water dependent.

**Overall:** The overall project purpose is providing bank stabilization to protect against ongoing erosion. This proposal would prevent the loss of land and alleviate potential damages to NLR infrastructure.

**PROPOSED WORK:** The applicant requested authorization to key-in 5- to 36-inch (in) Type II Special Plain Riprap for bank stabilization to protect the left descending bank of Flint Creek. Fill material would consist of 2,375 tons of various Type II Riprap, 116 cubic yards (cys) of Type “A” Topsoil, and 150 cys of unclassified borrow (on-site riverbed gravel). The material would be placed at 2:1 slopes approximately 6 feet (ft) in height.

NLR proposal also includes excavation activities consisting of 1,500 cys of unclassified riverbed gravel and 350 cys of muck materials. Muck material is not suitable and would be hauled off site. NLR would cut existing streambank using equipment (trackhoe and backhoe) and would backfill with compacted gravel to support the installation of riprap.

**Table 1:** Summary of impacts to waters of the United States.

Original Proposal					
Number or Location	Impact Activity	Type of Water	Type of Fill Material	Qty of Material cys below OHWM	Footprint (ac and/or lf)
Left descending bank Sta.10+40 to 17+40	Excavation “Redistribution”	Flint Creek	Unclassified Excavated Riverbed Gravel (on-site)	1,500	700 lf
Left descending bank Sta.10+40 to 17+40	Excavation	Flint Creek	Muck	350	700 lf
Left descending bank Sta.10+40 to 17+40	Bank Stabilization	Flint Creek	Unclassified Borrow Riverbed Gravel (on-site)	150	700 lf
Left descending bank Sta.10+40 to 17+40	Bank Stabilization	Flint Creek	Type II Special Plain Riprap	2,375 (Tons) 1700	700 lf

Left descending bank Sta.10+40 to 17+40	Bank Stabilization	Top Bank	Salvaged Topsoil Type A Clean Topsoil	116	700 lf
cubic yards (cys), ordinary high-water mark (OHWM), acre (ac), linear feet (lf)					

Permanent Impacts	Top Soil	Unclassified Borrow Gravel	Riprap Rock	Excavation Unclassified Materials	Excavation Muck	Linear Feet	Cubic Yards
Excavation Impacts				1,500 cys	350 cys	700	1,850
Stream Impacts	116 cys	150 cys	2,375 (Tons) 1700 cys			700	1966

**AVOIDANCE AND MINIMIZATION:** The applicant did not provide information to avoid and/or minimize impacts to the aquatic environment: USACE will ensure that avoidance and minimization measure will be addressed in the evaluation process.

**COMPENSATORY MITIGATION:** The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

NLR provided a proposal to plant a total of 34 Sycamore trees (3-inch caliber) on 30 ft centers. The proposal also includes the addition of a tree gator watering bag system and shredded cypress mulch around the new trees near the proposed bank stabilization project.

**CULTURAL RESOURCES:**

The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

Should historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) be present within the Corps permit area, the proposed

activity requiring the DA permit (the undertaking) is a type of activity that has no effect to an historic property.

No historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) are present within the Corps permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO and/or THPO.

The District Engineer’s final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking’s potential direct and indirect effects on historic properties within the Corps-identified permit area.

**ENDANGERED SPECIES:** The Corps has performed an initial review of the application utilizing the U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. The IPaC consultation number is IPac # 2025-0130327. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

**Table 2:** ESA-listed species and/or critical habitat potentially present in the action area.

<b>Species Common Name and/or Critical Habitat Name</b>	<b>Scientific Name</b>	<b>Federal Status</b>
Gray Bat	<i>Myotis grisescens</i>	May affect, not likely to Adversely affect
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	May affect, not likely to Adversely affect
Tricolored Bat	<i>Perimyotis subflavus</i>	May affect, not likely to adversely affect
Piping Plover	<i>Charadrius melodus</i>	No effect
Rufa Red Knot	<i>Calidris canutus rufa</i>	No effect
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	No effect

Monarch Butterfly	<i>Danaus plexippus</i>	No effect
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This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

**NAVIGATION:** The proposed structure or activity is not located in the vicinity of a federal navigation channel.

**SECTION 408:** The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. §408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification will be required from ODEQ. 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.

**NOTE:** This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the Regulatory Program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has been verified by Corps personnel.

**EVALUATION:** 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 District Engineer determines that it would be contrary to the public interest.

**COMMENTS:** The Corps 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 this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Tulsa District will receive written comments on this proposal until the expiration date of this public notice. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Mr. Marcus Ware, Project Manager at CESWT-RO@usace.army.mil. Please include the public notice number SWT-0-11717 in the subject line of your email message. Alternatively, you may submit comments to mailing address Tulsa District Corps of Engineers, ATTN: Regulatory Office, 2488 East 81st Street, Tulsa, OK 74137. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

**SURVEY CONTROL DATA**

**HORIZONTAL DATUM:**  
OKLAHOMA NORTH ZONE (3501) NAD 83.  
BEARINGS ARE BASED ON STATE PLANE GRID,  
AND ARE NOT ASTRONOMIC.

**VERTICAL DATUM:**  
NAVD 1988

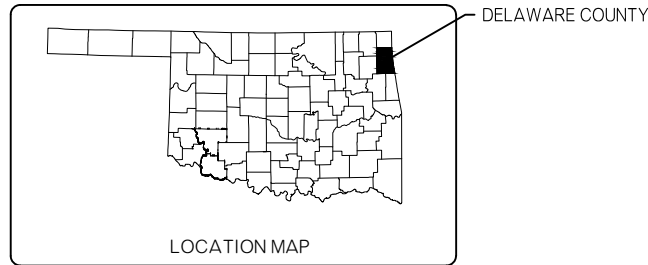
**NO SCALE FACTOR**



**INDEX OF SHEETS**

01	COVER SHEET
02	PAY QUANTITIES & PAY QUANTITY NOTES
03	TYPICAL SECTION
04	TREE PLANTING GUIDE
05	BANK STABILIZATION PLAN
06	OVERALL SITE PLAN
07-16	CROSS SECTIONS

PLAN OF PROPOSED  
FLINT CREEK RIVERBANK STABILIZATION  
PLANS FOR  
NEW LIFE RANCH



**SCALES**

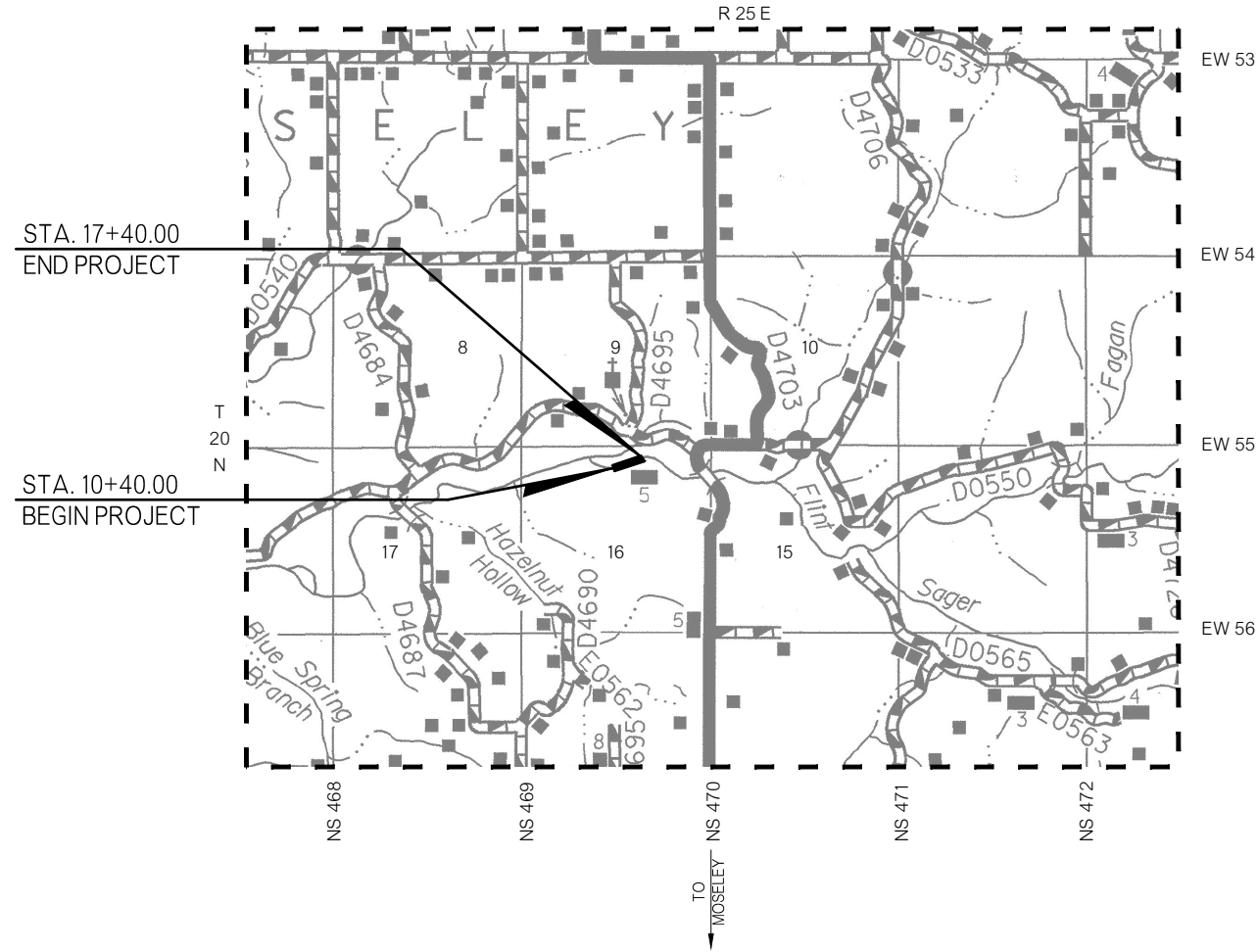
PLAN 1" = 30'

VERTICAL 1" = 5'

LAYOUT MAP 1" = 2,640'

**CONVENTIONAL SYMBOLS**

	PROPOSED ROAD
	RAILROADS
	RANGE & TOWNSHIP
	SECTION LINES
	QUARTER SECTION LINES
	FENCES
	GROUND LINE
	EXISTING ROADS
	BASE LINE
	GRADE LINES
	TELEPHONE & TELEGRAPH
	POWER LINES
	BUILDINGS
	OIL WELL
	DRAINAGE STRUCTURES - IN PLACE
	DRAINAGE STRUCTURES - NEW
	RIGHT-OF-WAY LINES - EXISTING
	RIGHT-OF-WAY LINES - NEW
	CONTROLLED ACCESS
	MAILBOX
	EXISTING CENTERLINE
	EXISTING SANITARY SEWERS
	EXISTING GAS LINES
	EXISTING WATER LINES
	EXISTING TELEPHONE CABLES UNDERGROUND



SWT-0-11717  
New Life Ranch  
Bank Stabilization Project  
Delaware County, Oklahoma  
Enclosure 1 of 9

SUBMITTED BY

**GUY ENGINEERING**

Certificate of Authorization No. 1427  
Renewal Date: June 30, 2024

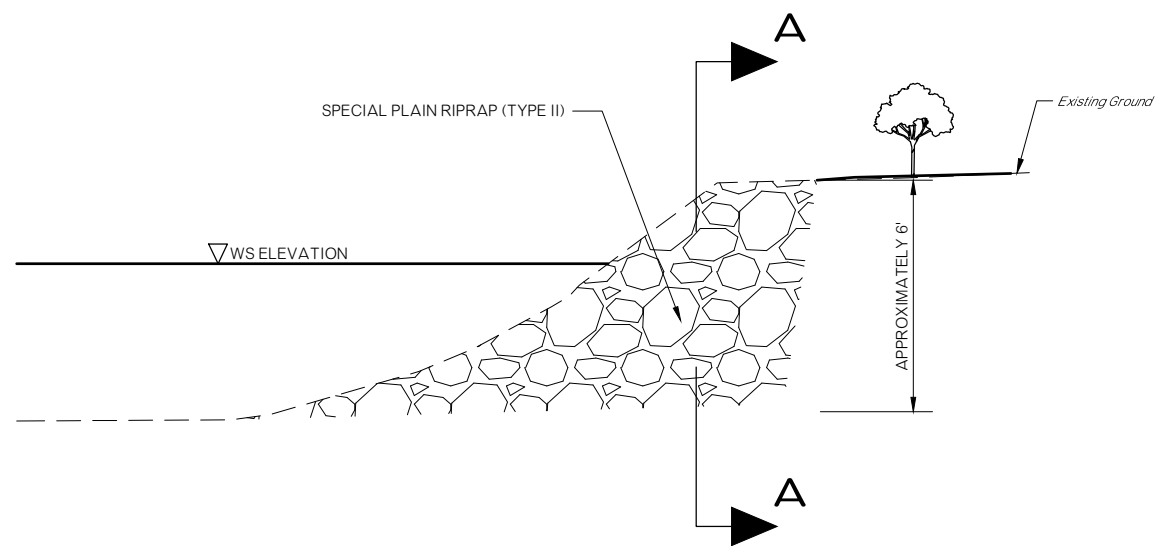
MARVIN Z. VALENCIA, P.E. NO. 25539

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

Wednesday, November 15, 2023 8:25:48 AM  
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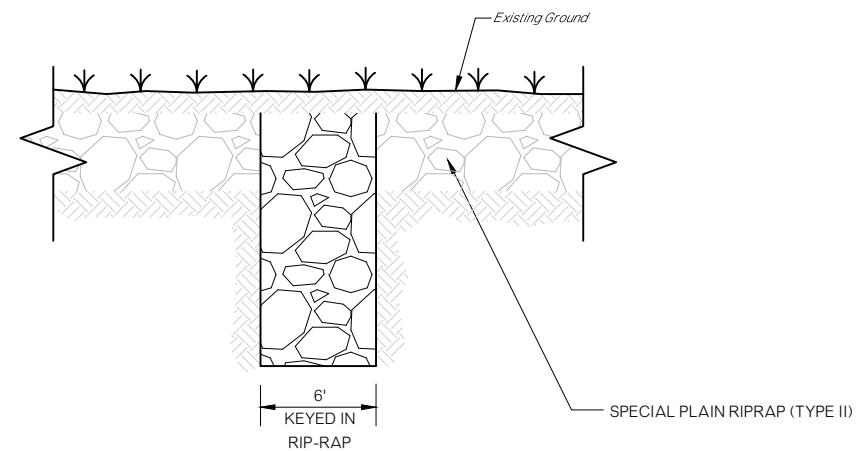
2019 OKLAHOMA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION - ENGLISH GOVERN, APPROVED BY THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, DECEMBER 18, 2019.

Wednesday, November 15, 2023 9:21:09 AM  
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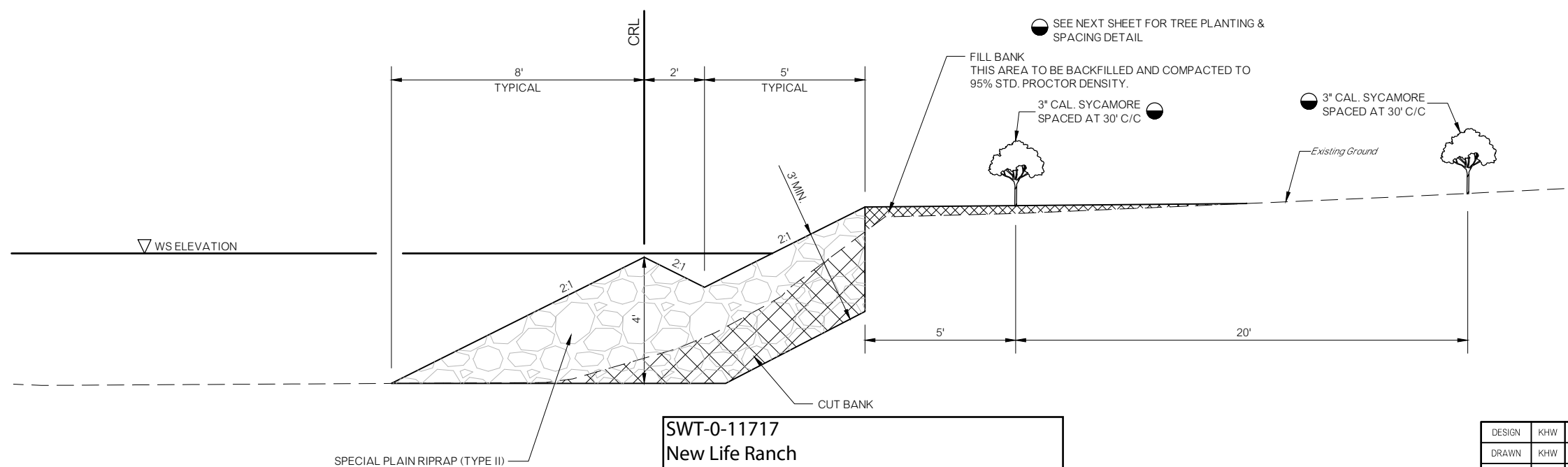
**"KEY-IN" - ELEVATION**

*Not To Scale*



**SECTION A-A**

*Not To Scale*

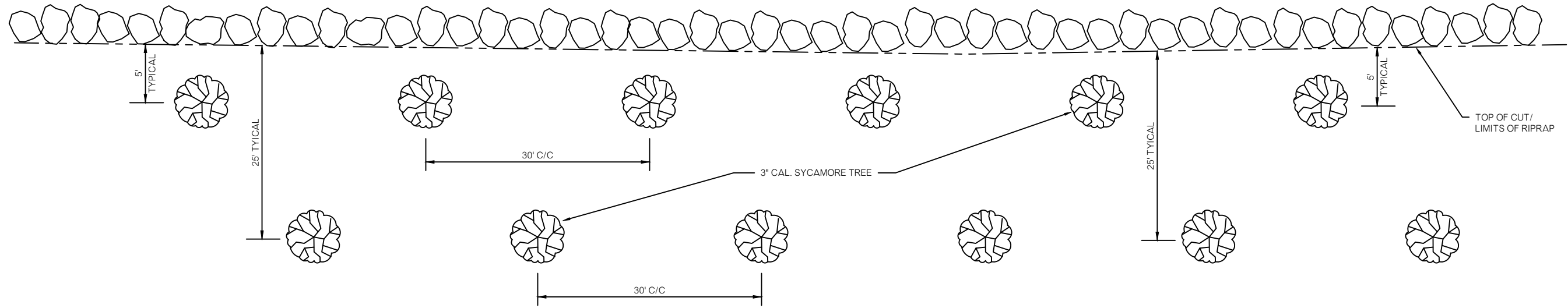


**SWT-0-11717**  
**New Life Ranch**  
**Bank Stabilization Project**  
**Delaware County, Oklahoma**  
**Enclosure 2 of 9**

DESIGN	KHW	11/23
DRAWN	KHW	11/23
CHECKED	RED	11/23
APPROVED	MVZ	11/23
SQUAD		

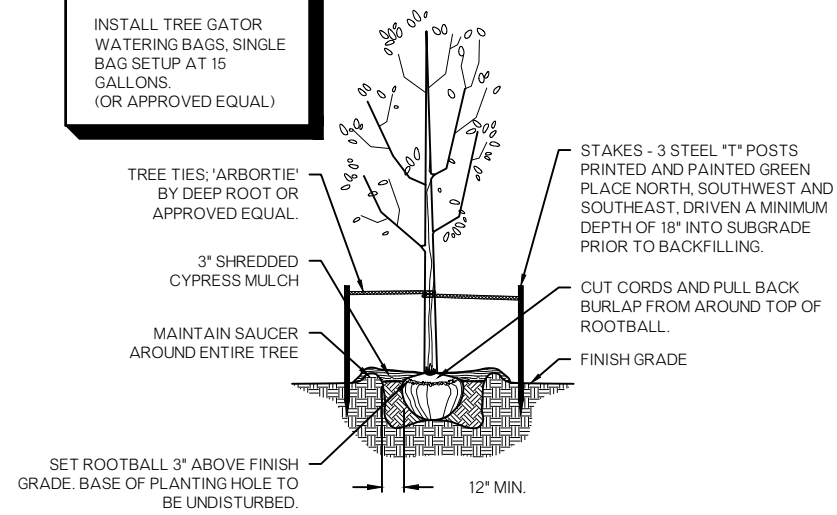
GUY ENGINEERING SERVICES, INC.

**TYPICAL SECTION**



**TREE SPACING DETAIL**

NOTES:  
 PRUNE ALL DAMAGED OR DEAD WOOD PRIOR TO PLANTING.  
 INSTALL TREE GATOR WATERING BAGS, SINGLE BAG SETUP AT 15 GALLONS. (OR APPROVED EQUAL)



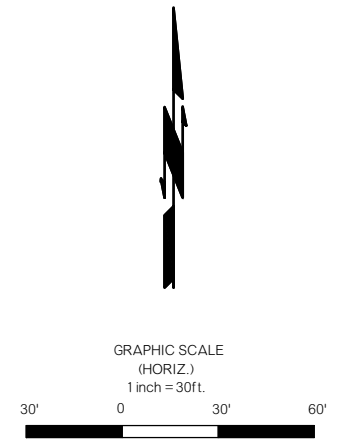
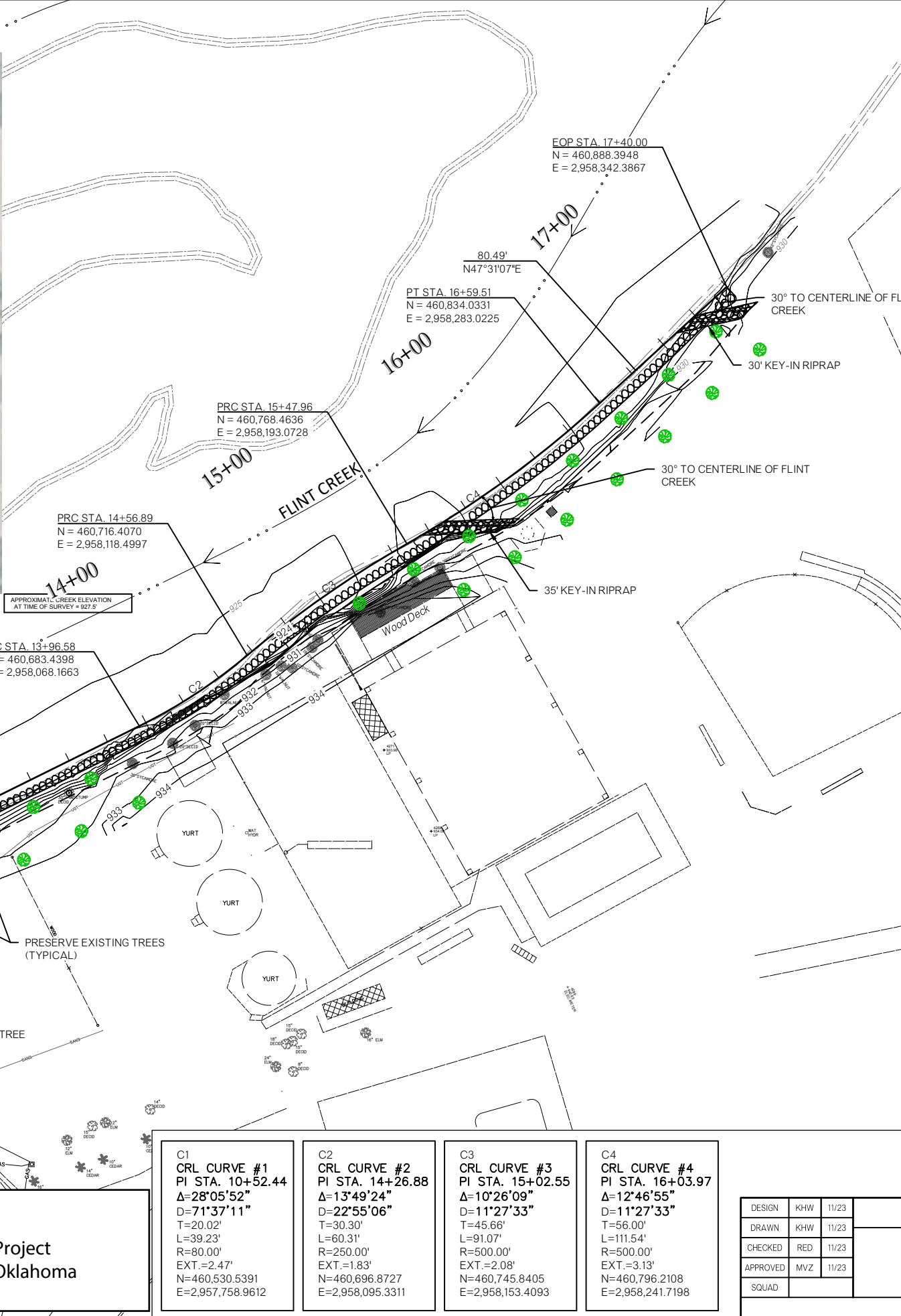
**TREE PLANTING DETAIL**

SWT-0-11717  
 New Life Ranch  
 Bank Stabilization Project  
 Delaware County, Oklahoma  
 Enclosure 3 of 9

DESIGN	KHW	11/23
DRAWN	KHW	11/23
CHECKED	RED	11/23
APPROVED	MVZ	11/23
SQUAD		

GUY ENGINEERING SERVICES, INC.

**TREE PLANTING GUIDE**



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 New Life Ranch  
 Bank Stabilization Project  
 Delaware County, Oklahoma  
 Enclosure 4 of 15

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 New Life Ranch  
 Bank Stabilization Project  
 Delaware County, Oklahoma  
 Enclosure 4 of 9

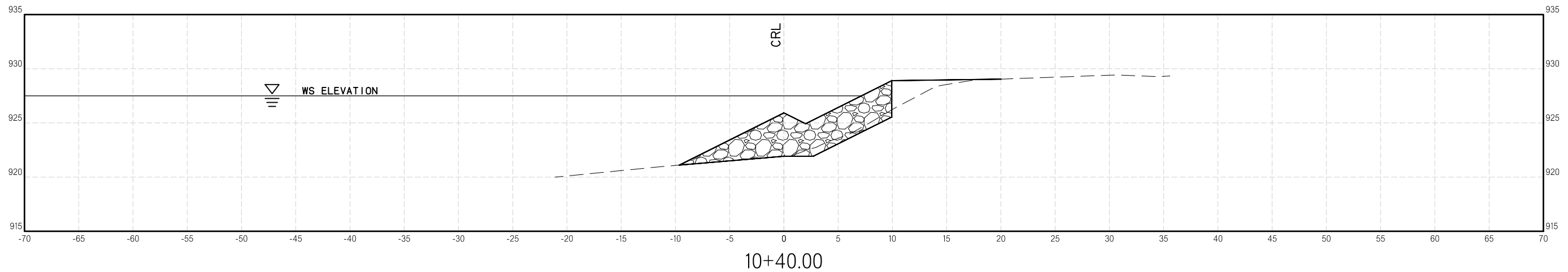
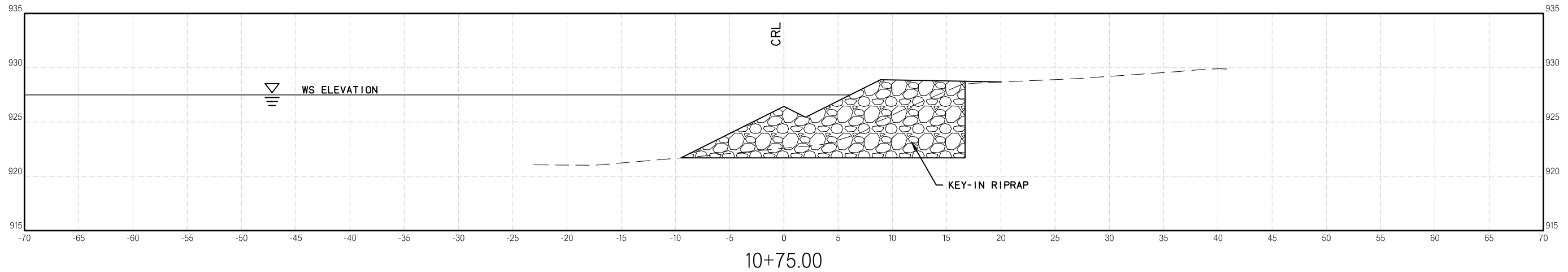
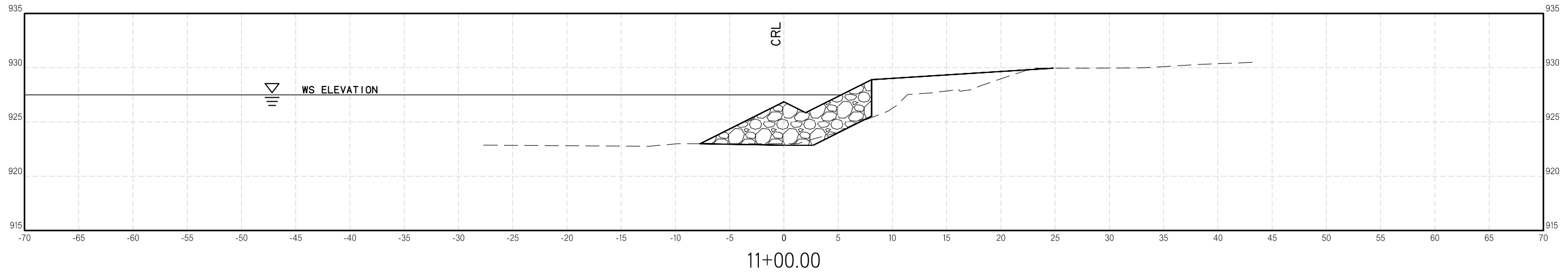
<b>C1</b> CRL CURVE #1 PI STA. 10+52.44 $\Delta=28^{\circ}05'52''$ $D=71'37'11''$ $T=20.02'$ $L=39.23'$ $R=80.00'$ $EXT.=2.47'$ $N=460,530.5391$ $E=2,957,758.9612$	<b>C2</b> CRL CURVE #2 PI STA. 14+26.88 $\Delta=13^{\circ}49'24''$ $D=22^{\circ}55'06''$ $T=30.30'$ $L=60.31'$ $R=250.00'$ $EXT.=1.83'$ $N=460,696.8727$ $E=2,958,095.3311$	<b>C3</b> CRL CURVE #3 PI STA. 15+02.55 $\Delta=10^{\circ}26'09''$ $D=11^{\circ}27'33''$ $T=45.66'$ $L=91.07'$ $R=500.00'$ $EXT.=2.08'$ $N=460,745.8405$ $E=2,958,153.4093$	<b>C4</b> CRL CURVE #4 PI STA. 16+03.97 $\Delta=12^{\circ}46'55''$ $D=11^{\circ}27'33''$ $T=56.00'$ $L=111.54'$ $R=500.00'$ $EXT.=3.13'$ $N=460,796.2108$ $E=2,958,241.7198$
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APPROVED	MVZ	11/23
SQUAD		

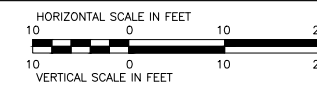
GUY ENGINEERING SERVICES, INC.  
**BANK STABILIZATION PLAN**  
 COUNTY DELAWARE NEW LIFE RANCH DAM SHEET NO. 05

Wednesday, November 15, 2023 9:14:21 AM  
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Wednesday, November 15, 2023 11:16:57 AM  
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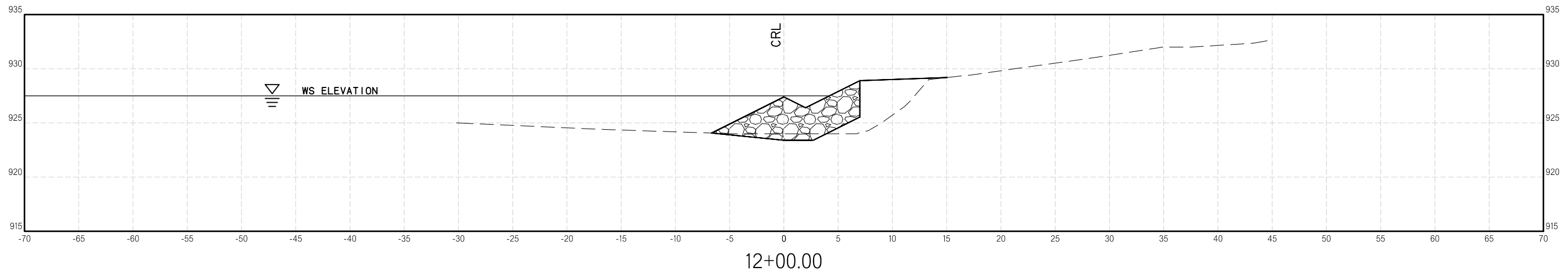
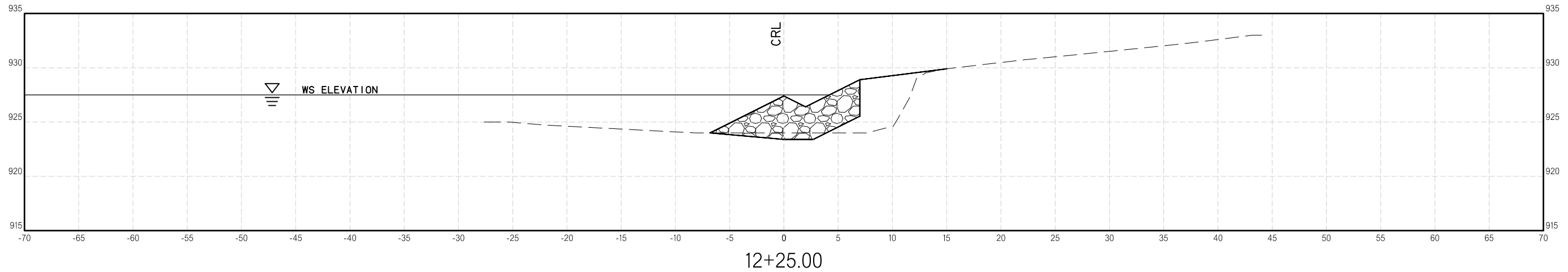
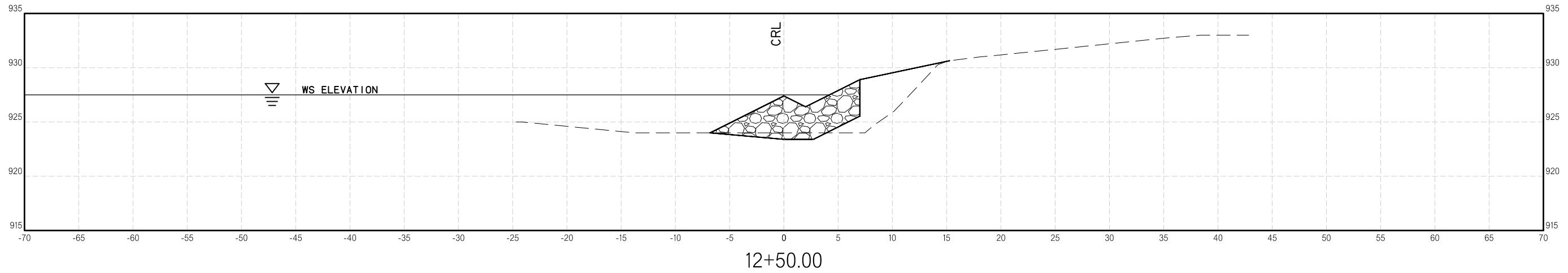
SWT-0-11717  
New Life Ranch  
Bank Stabilization Project  
Delaware County, Oklahoma  
Enclosure 5 of 9



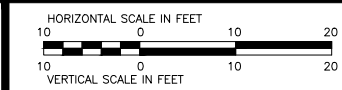
FLINT CREEK RIVERBANK STABILIZATION

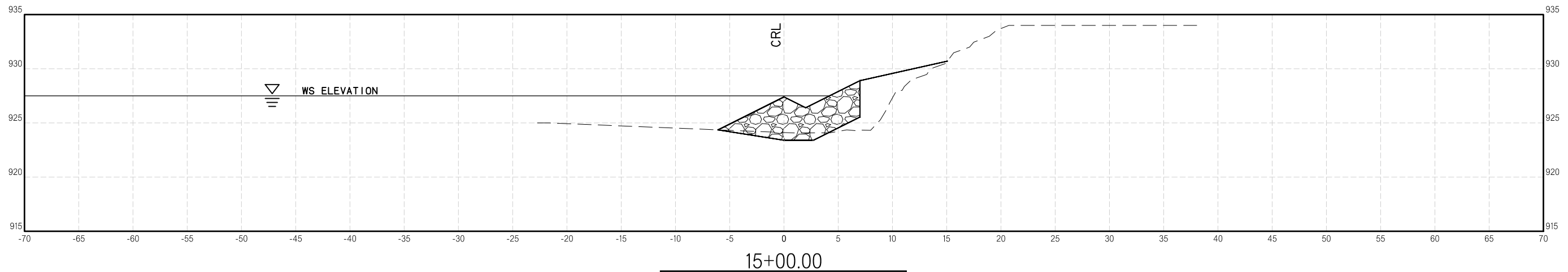
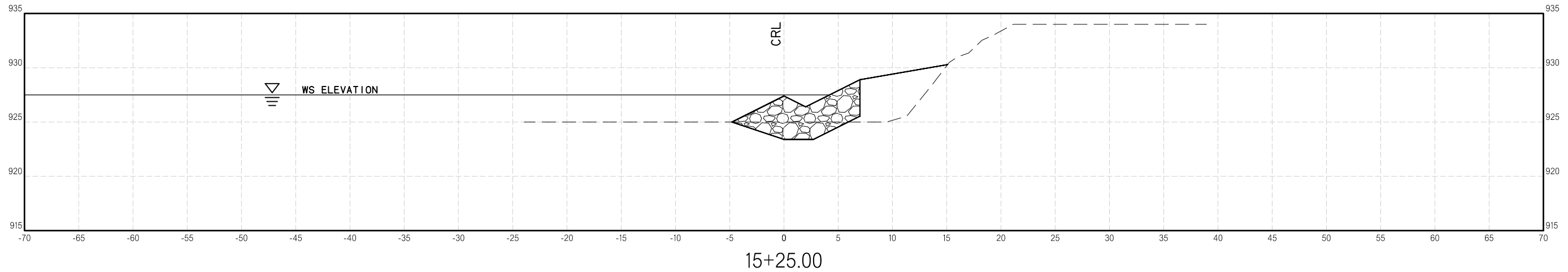
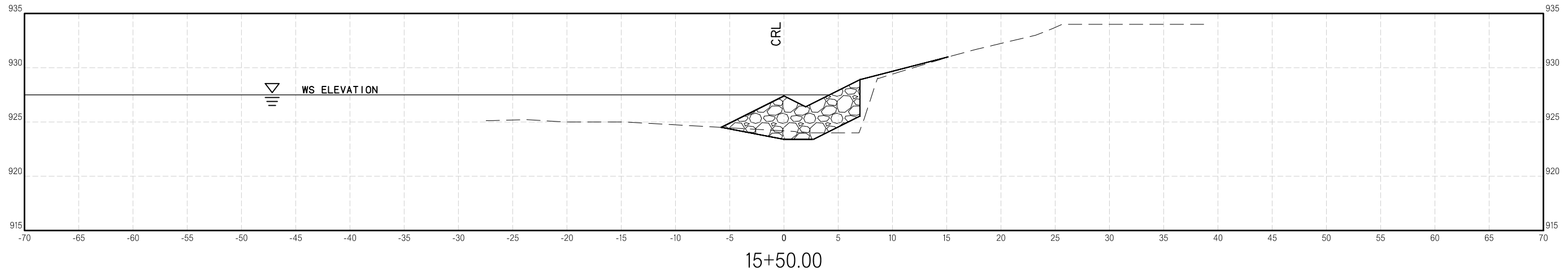
STA 10+50 TO STA 11+00

SHEET 02 OF 16

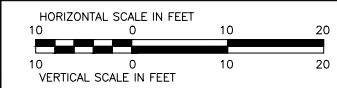


SWT-0-11717  
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Delaware County, Oklahoma  
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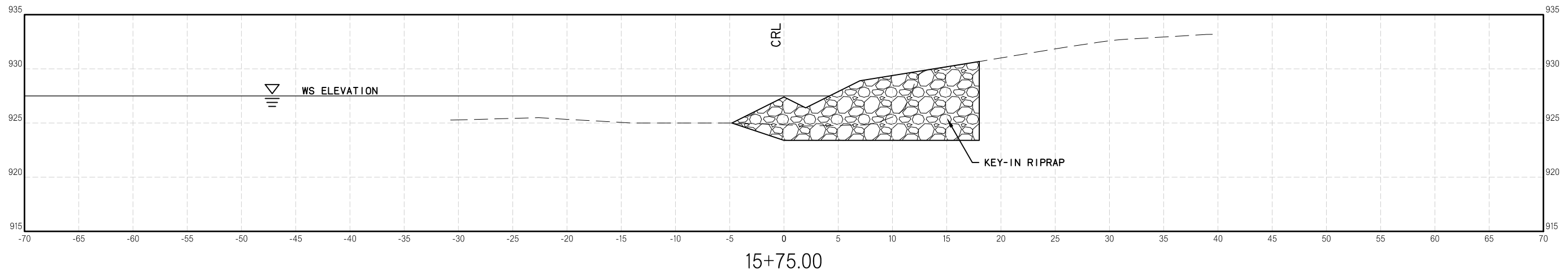
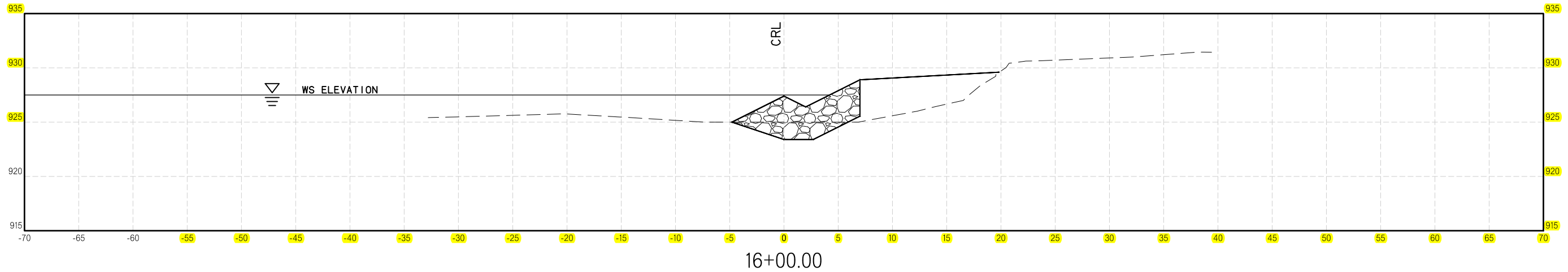
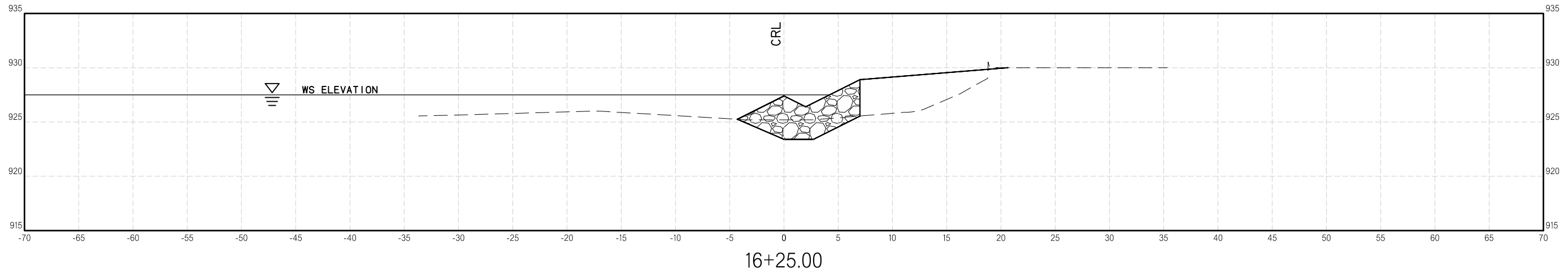




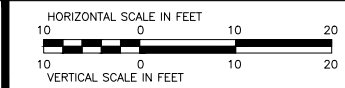
SWT-0-11717  
New Life Ranch  
Bank Stabilization Project  
Delaware County, Oklahoma  
Enclosure 7 of 9



Wednesday, November 15, 2023 11:20:38 AM  
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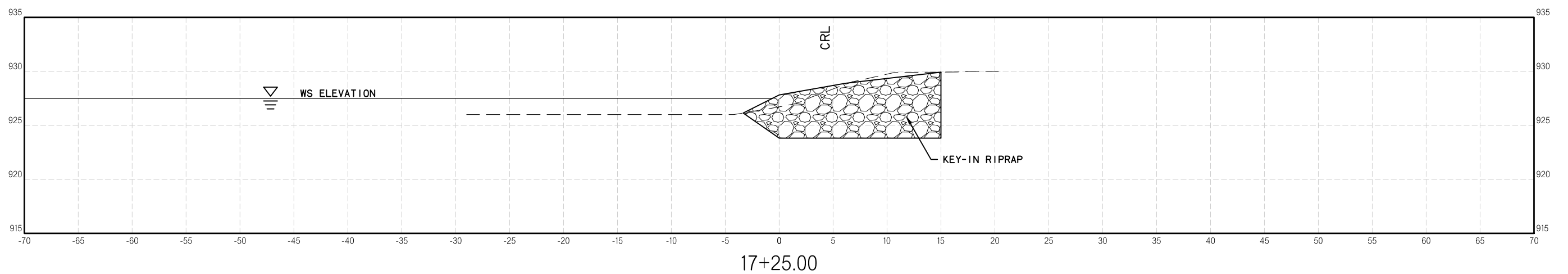
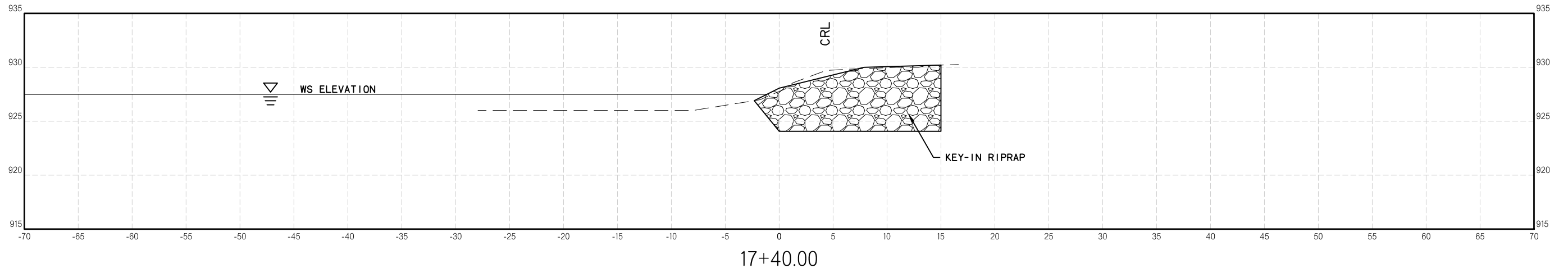


SWT-0-11717  
New Life Ranch  
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Delaware County, Oklahoma  
Enclosure 8 of 9

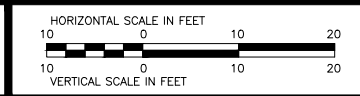


FLINT CREEK RIVERBANK STABILIZATION  
STA 15+75 TO STA 16+25  
SHEET 14 OF 16

Wednesday, November 15, 2023 11:21:26 AM  
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SWT-0-11717  
New Life Ranch  
Bank Stabilization Project  
Delaware County, Oklahoma  
Enclosure 9 of 9



*FLINT CREEK RIVERBANK STABILIZATION*  
STA 17+25 TO STA 17+75  
SHEET 16 OF 16