

JOINT PUBLIC NOTICE

US Army Corps of Engineers®

Tulsa District Application No. SWT-2011-00169 Published: April 29, 2025 Expires: May 28, 2025

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.	Matt	Pace	
	-	-		

Supervisor, Environmental Program Division Oklahoma Department of Transportation (ODOT) 200 Northeast 21st Street Oklahoma City, OK 73105

AGENT: Mr. Jared Bechtol ODOT 200 Northeast 21st Street Oklahoma City, OK 73105 Mr. Ricky Wilson HDR Engineering, Inc 6123 NW Loop 410, Suite 700 San Antonio, TX 78216

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Rock Hollow Creek, Line Creek and its unnamed tributaries, unnamed tributaries of Little Washita Creek including unnamed on-channel ponds. The project area is located on south of US-62, northwest of I-44 and northwest of US-81 approximately 7.35 miles in Section 6, 7, 8, 16, 17, 18, 20, 21, Township 6 North, Range 7 West; Section 29, 30, and 31, Township 7 North, Range 7 West; Section 1, Township 6 North, Range 8 West; Sections 25 and 36, Township 7 North, Range 8 West at Latitude 34.9927435 and Longitude -97.9575562; in Chickasha, Grady County, Oklahoma.

The proposed new alignment would begin at the curve north of the US-81/SH-19 West junction and extends north 8 miles to the US-81/US-62 intersection. The project would also construct new interchanges at US-81 (Quail Road), I-44, Country Club Road, Grand Avenue, lowa Avenue, and US-62.

EXISTING CONDITIONS: The existing US-81 roadway runs through the Chickasha Central Business District, which leads to traffic congestion and increased travel times.

PROJECT PURPOSE: ODOT, in cooperation with the Federal Highway Administration (FHWA), states the purpose of the proposed project would construct a controlled-access four-lane divided realignment of US-81 west of Chickasha to reduce congestion and improve safety.

Basic: This is a new by-pass alignment of US-81 around the City of Chickasha.

The project is not a water dependent activity.

Overall: The overall purpose of this work is to bring this portion of US-81 Highway in compliance with the Federal Safety Slope Standards to ensure the proposed improvements correct roadway deficiencies, efficiently accommodate traffic, enhance public safety, and efficient traffic flow.

PROPOSED WORK: The applicant requests authorization to construct a four-lane divided highway that has four 12-foot-wide driving lanes with 4-foot-wide inside shoulders, 10-foot-wide outside shoulders, and a 64-foot-wide grassed median. The proposed interchange designs include a diamond design at Grand Avenue, Iowa Avenue, and US-62; a folded diamond design at Country Club Road; a cloverleaf design at I-44, and a junction at existing US-81 that includes a Quail Road interchange. The proposed realignment would require construction of 7 reinforced concrete boxes (RCBs) and 23 span bridges.

Wetlands and Ponds: The proposed project would result in permanent impact to 0.01 acre of emergent wetland, 0.27 acre of forested wetland, and 3.47 acres of open water.

Streams:

The proposed project would result in permanent impacts to 0.62 acre of ephemeral streams and 0.21 acre of intermittent streams.

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)
S-1	Temporary Fill to Construct Bridge	Open Water (Rock Creek)	Clean Soil Access/Staging	300	0.28 ac 506 lf
W-1	Temporary Fill to Road Access	Wetlands (unnamed tributary Rock Creek)	Clean Soil Access/Staging	16	0.01 ac

		Open Water			
	Temporary	Unnamed tributary of	Clean Soil		
S-3	remporary	Line Creek	Access/Staging	30	0.02 ac
0-0		Open Water	Access/otaging	30	0.02 ac
		Unnamed tributary of			
	Permanent	Line Creek	Concrete/Steel		
S-3	1 cimanent		RCB	97	0.06 ac
00		Open Water	I COD	01	0.00 40
		Unnamed tributary of	Clean Soil		
S-4	Temporary	Line Creek	Access/Staging	32	0.02 ac
		Open Water	/		
		Unnamed tributary of	Concrete/Steel		
S-4	Permanent	Line Creek	RCB	32	0.02 ac
		Open Water	Clean Soil		
S-5	Temporary	Line Creek	Access/Staging	208	0.13 ac
		Open Water	Concrete/Steel		
S-5	Permanent	Line Creek	RCB	194	0.12 ac
		Wetlands (unnamed	Clean Soil		
W-3	Temporary	tributary Line Creek)	Access/Staging	16	0.01 ac
		Wetlands (unnamed	Concrete/Steel		
W-3	Permanent	tributary Line Creek)	RCB	436	0.27 ac
		Wetlands (unnamed			
		tributary of Line	Clean Soil		
OW-12	Temporary	Creek)	Access/Staging	16	0.01 ac
		Open Water			
		On-Channel Pond			
		(unnamed tributary	Concrete/Steel		0.01 ac
OW-12	Permanent	Line Creek)	RCB	16	
		Open Water			
·	_	Unnamed tributary of	Clean Soil		0.01 ac
S-7A	Temporary	Line Creek	Access/Staging	16	69 lf
		Open Water			0.40
0.74		Unnamed tributary of	Clean Soil	050	0.16 ac
S-7A	Permanent	Line Creek	Roadway	258	732 lf
		Open Water	Clean Sail		0.01.55
S-7B	Tomporary	Unnamed tributary of Line Creek	Clean Soil	16	0.01 ac
3-10	Temporary		Access/Staging	10	115 lf
		Open Water Unnamed tributary of	Clean Soil		
S-7B	Permanent	Line Creek	Roadway	81	0.05 ac
0-10		Open Water			0.00 ac
		Unnamed tributary of	Clean Soil		0.33 ac
S-8	Permanent	Little Washita Creek	Roadway	532	2,532 lf
0-0	i cintanent		Roadway	002	2,002 11

		Open Water			
		On-Channel Pond			
		unnamed tributary of	Clean Soil		
OW-17	Permanent	Little Washita Creek	Roadway	5,163	3.20 ac
		Open Water			
		Unnamed tributary of	Clean Soil		
S-9A	Temporary	Little Washita Creek	Access/Staging	9	0.004 ac
		Open Water			
		Unnamed tributary of	Concrete/Steel		0.08 ac
S-9A	Permanent	Little Washita Creek	RCB	129	694 lf
		Open Water			
		Unnamed tributary of	Concrete/Steel		0.01 ac
S-9B	Permanent	Little Washita Creek	RCB	16	248 lf
		Open Water			
		Unnamed tributary of	Clean Soil		0.01 ac
W-10	Permanent	Little Washita Creek	Roadway	16	
		Open Water	_		0.0001
		Unnamed tributary of	Clean Soil		ac
S-9C	Temporary	Little Washita Creek	Access/Staging	2	1 If
	lomporary	Open Water	, lococo, e laging		
		Unnamed tributary of	Concrete/Steel		0.003 ac
S-9C	Permanent	Little Washita Creek	RCB	5	32 lf
000	1 onnanone	Open Water		<u> </u>	02
		Unnamed tributary of	Clean Soil		0.005 ac
S-10B	Temporary	Little Washita Creek	Access/Staging	10	45 lf
	Tomporary	Open Water	7 tooooo, o taging	10	
		Unnamed tributary of	Clean Soil		0.004 ac
S-10B	Permanent	Little Washita Creek	Roadway	6	52 lf
		Open Water	ricaaway		02 11
		On-Channel Pond	Clean Soil		
		Unnamed tributary of			
OW-20	Permanent	Little Washita Creek	Roadway	419	0.26 ac
cubic yards (cys), ordinary high-water mark (OHWM), acre (ac), linear feet (lf)					

Impacts	Linear Feet	Acre	Cubic Yards
Temporary/Permanent			
Temporary Total Impacts	1,084	0.51	671
Stream Total Permanent	5,812	0.83	1,355
Open Water Total Permanent		3.47	5,598
Wetland Total Permanent		0.28	452
Total	5,812	4.59	7,405

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: ODOT considered avoidance of impacts to waters of the United States.

The avoidance is not practicable while meeting the purpose and need for the project. Measures to locate the preferred alignment outside waters of the United States to the extent practicable while accounting for safety and design standards avoided permanent impacts to about 5,812 linear feet (0.96 acre) of stream, about 0.58 acre of wetland, and about 0.10 acre of open water within the proposed project area for Alternative 4 (preferred alternative).

ODOT designed refinements to minimize impacts to waters of the United State include steepening side slopes and sizing/placing drainage structures such as culverts to minimize the fill footprint of the proposed project and maintain natural channel structure. The side slopes have been steepened to about 1:3 (vertical to horizontal) compared to standard 1:4 vertical to horizontal side slopes (or flatter) which would have a wider fill footprint. Following completion of construction, and temporary fills for construction would be removed and temporary impacts restored and re-vegetates in accordance with permit conditions.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: ODOT Compensatory Mitigation Plan (CMP) was developed to address mitigation of adverse impacts to the aquatic ecosystem resulting from the proposed construction activities on the new alignment of US-81 in Grady County, Oklahoma. It is intended to provide information on the avoidance, minimization, and compensatory mitigation measures for impacts to wetlands and other waters of the United States. The CMP focuses on impacts regulated by the Corps under Section 404 of the Clean Water Act and has been developed to follow the Corps Final Rule on Compensatory Mitigation for Losses of Aquatic Resources published April 10, 2008.

To compensate for the loss of 0.27 acre of forested wetland, 3.46 acre of open water, 4,043 linear feet (If) of ephemeral stream (0.60 ac), and 1,381 If of intermittent stream (0.21 ac) ODOT proposes (1) the enhancement of 0.69 acre of forested wetland for inkind mitigation credit, (2) enhancement of 12.80 acre of emergent wetland for out-ofkind open water mitigation credit, (3) enhancement of 5,424 If of intermittent stream for in-kind mitigation credit, and (4) development of mitigation that returns and improves pre-construction ecological function, achieves sustainability, and limits the amount of required maintenance.

The stream credits required for Intermittent Streams 1,381 lf (Credits 2,8424.0) and Ephemeral Streams (4,043 lf (Credits 11,668.1) Total 5,424 lf (14,492.1 Credits) using the Oklahoma Stream Mitigation Method.

ODOT proposes to conduct off-site compensatory mitigation by enhancing existing wetlands and streams. The proposed mitigation would be completed on a designated 109-acre portion of a 5,100-acre property owned by the City of Chickasha approximately 15 miles northwest of the center at Lake Chickasha. The following goals and objectives for mitigation measures including Stream Enhancement Mitigation Credits was completed. Total Stream Length 5,424 If, In-Stream Credits Worksheet

(A-2) 9,220.8 credits, Riparian Buffer Worksheet (A-3) 5,695.2 credits, Proposed Mitigation Credits Total (A-2 +A3) 14,916 credits.

CULTURAL RESOURCES: On behalf of FHWA, ODOT has consulted with the Oklahoma State Historic Preservation Officer (SHPO) and the Oklahoma Archeological Survey (OAS) regarding the effects of this undertaking on historic properties. ODOT has also consulted with the Chickasaw Nation, Comanche Nation, Fort Sill Apache Tribe, Kiowa Tribe, Osage Nation, and Wichita and Affiliated Tribes and determined that no properties of traditional religious or cultural significance will be affected by the undertaking. A cultural resource study, including archaeological investigation and an evaluation of properties within the Preferred Alternative study area was conducted. During the investigations, two mid-20th century archeological sites and two additional buildings/building complexes were documented. Consultation with SHPO, OAS, and Native American Tribes resulted in concurrence that no historic properties are present in the project area of potential effects.

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the SHPO, federally recognized tribes, and other interested parties.

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 # 2023-0064929**. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

Species Common Name and/or Critical Habitat		
Name	Scientific Name	Federal Status
Piping Plover	Charadrius melodus	Final critical habitat for this species. The location does not overlap the critical habitat. "No Effect"

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

Rufa Red Knot	Calidris canutus rufa	Proposed critical habitat for this species. The location does not overlap the critical habitat. "No Effect"
Whooping Crane	Grus americana	Final critical habitat for this species. The location does not overlap the critical habitat. "May Affect, unlikely to adversely affect"
Monarch Butterfly	Danaus plexippus	Proposed critical habitat for this species. The location does not overlap the critical habitat. "Not likely to jeopardize continued existence"

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The FHWA is the lead Federal agency for ESA consultation for the proposed action. FHWA completed consultation on May 28, 2014, and updated March 3, 2025.

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.

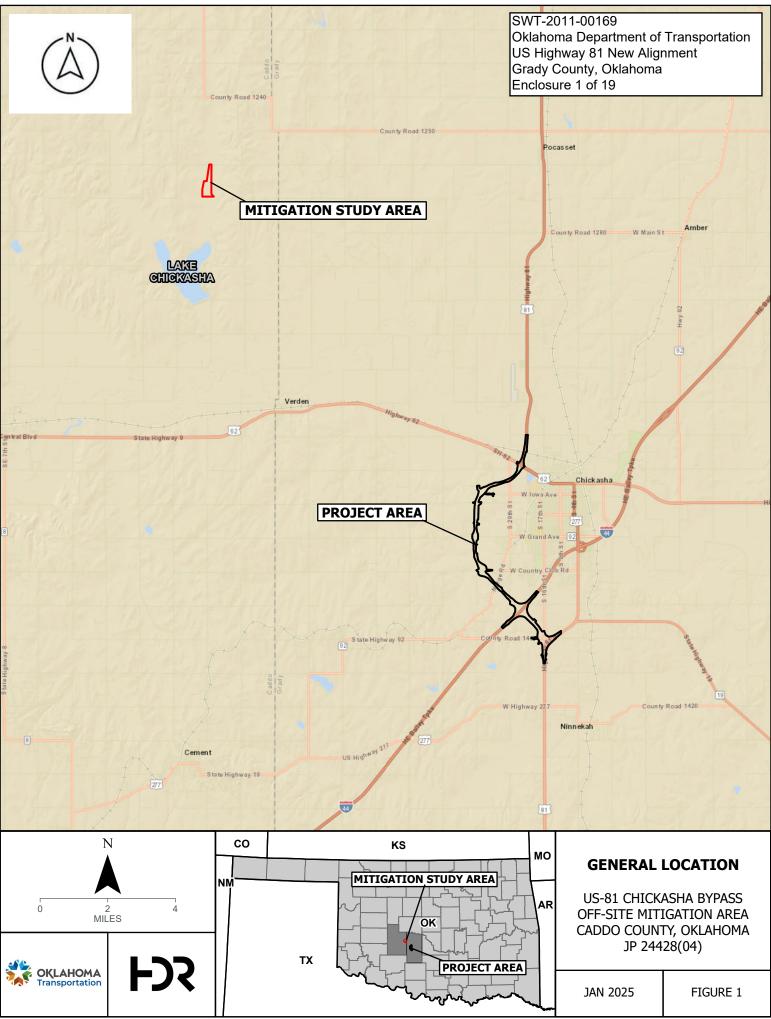
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its

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.

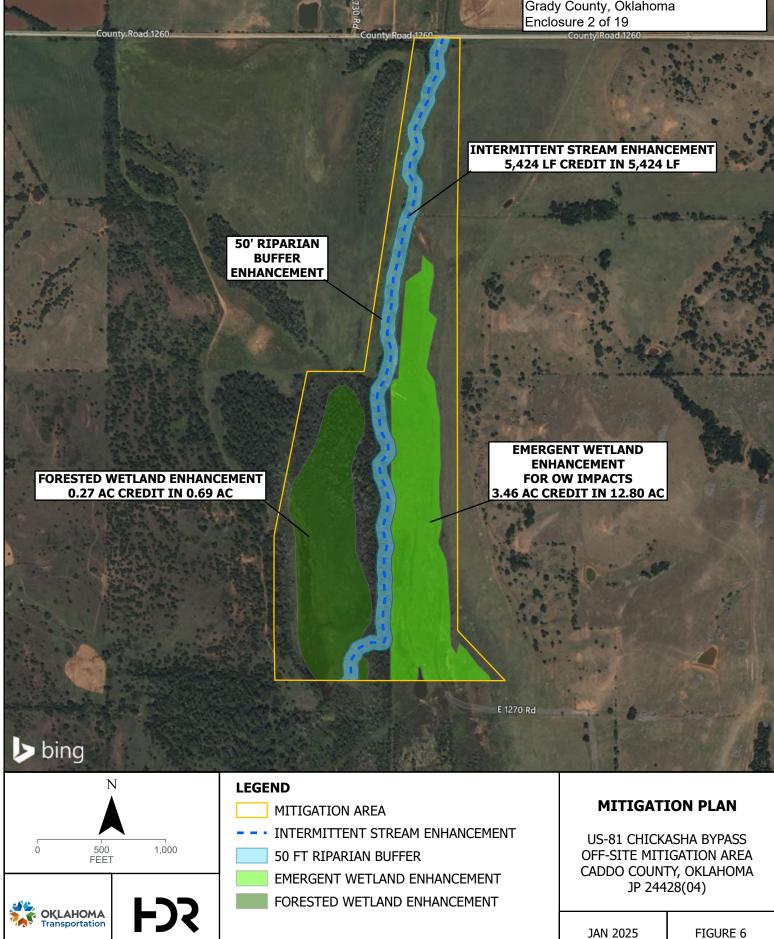
The Tulsa District will receive written comments on this proposal until the expiration date of this public notice. Comments should be submitted electronically via the Regulatory Request System (RRS) at <u>https://rrs.usace.army.mil/rrs</u> or to Mr. Marcus Ware at CESWT-RO@usace.army.mil. Please include the public notice number SWT-2011-00169 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.

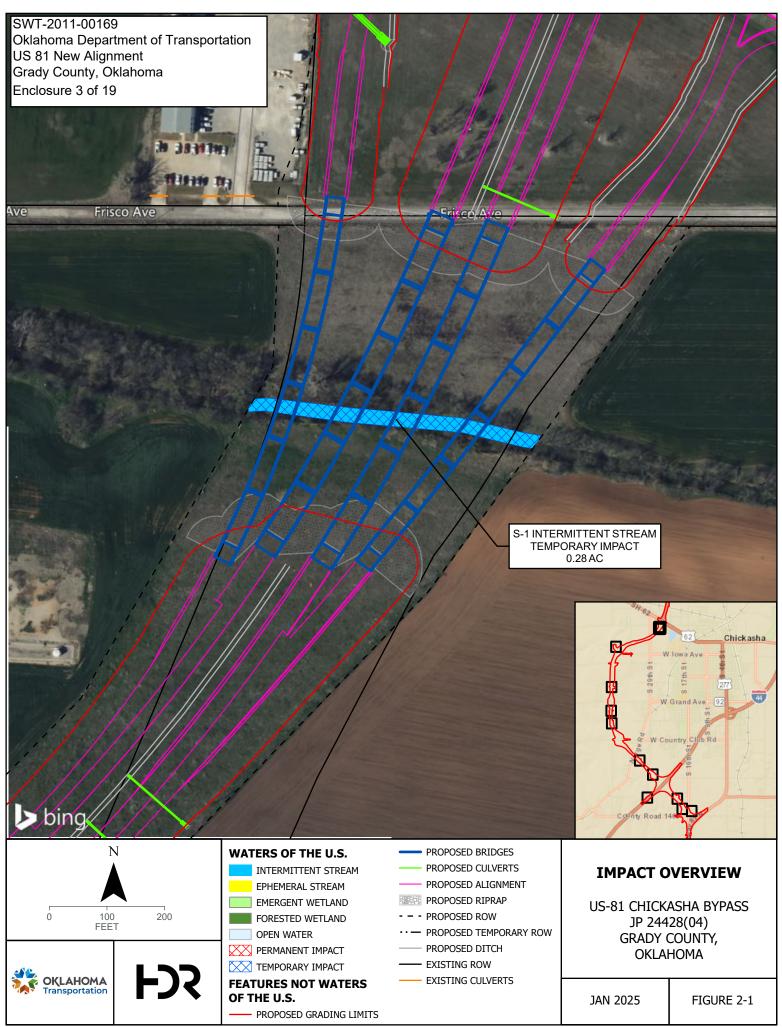


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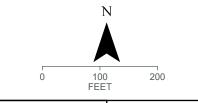
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SWT-2011-00169 Oklahoma Department of Transportation US Highway 81 New Alignment Grady County, Oklahoma Enclosure 4 of 19

W-1 EMERGENT WETLAND TEMPORARY IMPACT 0.01 AC

1355

County Road 1355 Chickasha W Grand. bing





WATERS OF THE U.S.

INTERMITTENT STREAM EPHEMERAL STREAM EMERGENT WETLAND FORESTED WETLAND OPEN WATER PERMANENT IMPACT TEMPORARY IMPACT FEATURES NOT WATERS OF THE U.S. - PROPOSED GRADING LIMITS

- PROPOSED BRIDGES PROPOSED CULVERTS
- PROPOSED ALIGNMENT
- PROPOSED RIPRAP
- PROPOSED ROW
- PROPOSED TEMPORARY ROW
- PROPOSED DITCH EXISTING ROW
- EXISTING CULVERTS

IMPACT OVERVIEW

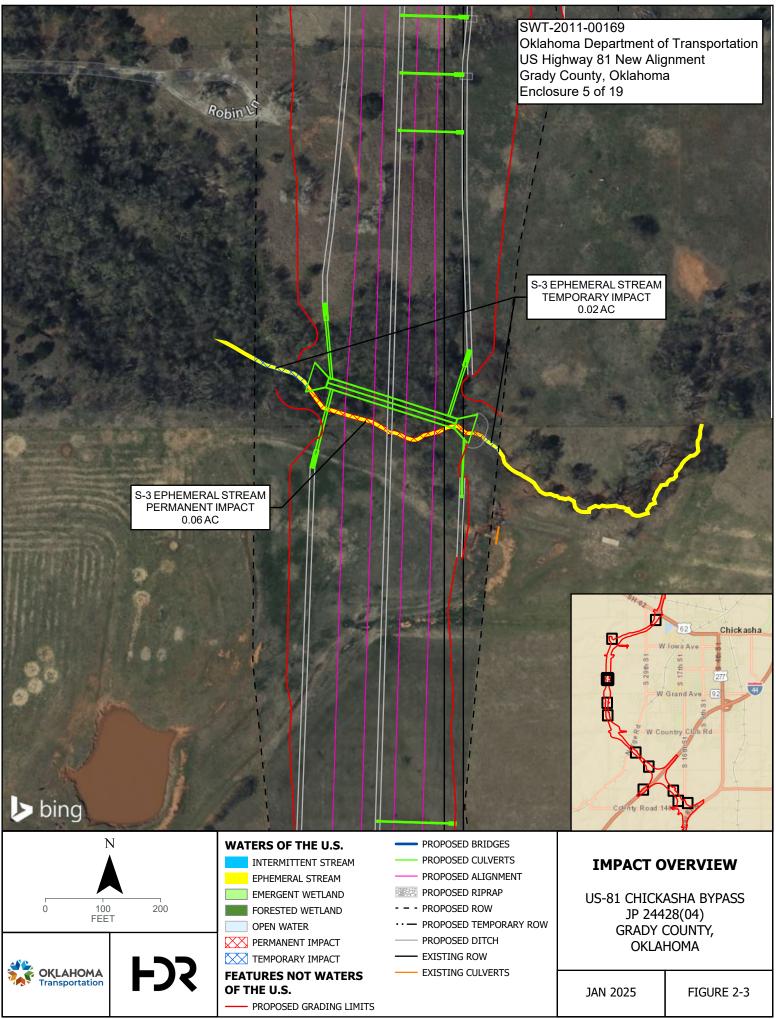
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US-81 CHICKASHA BYPASS JP 24428(04) GRADY COUNTY, **OKLAHOMA**

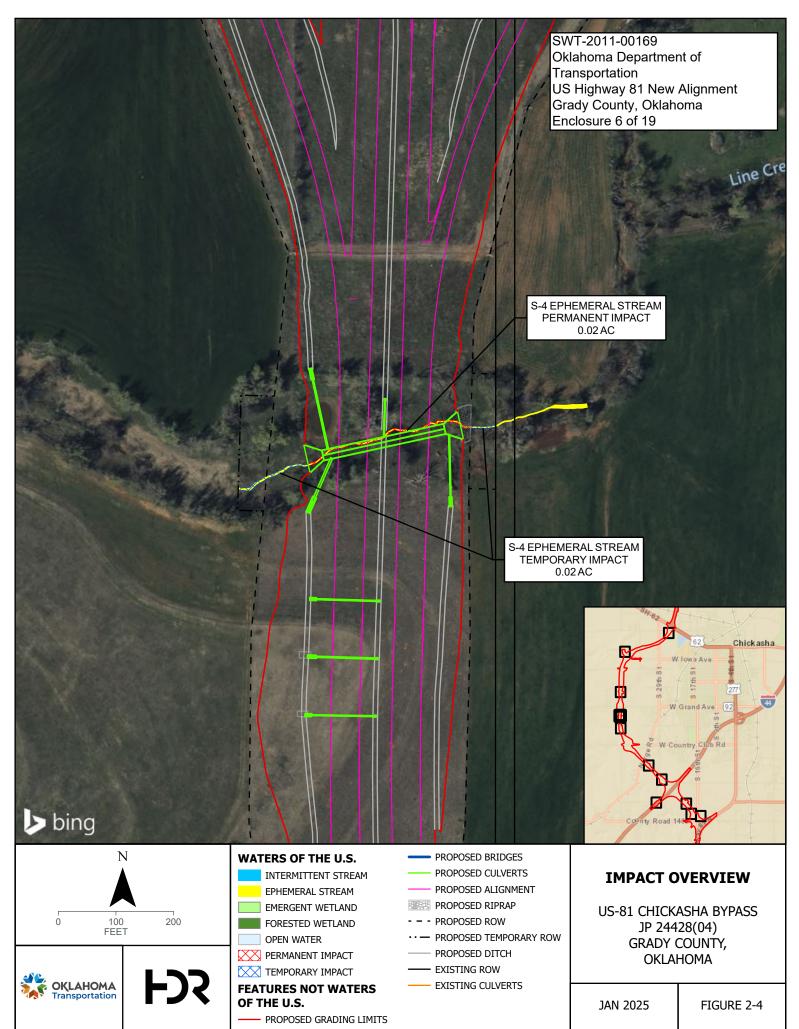
FIGURE 2-2

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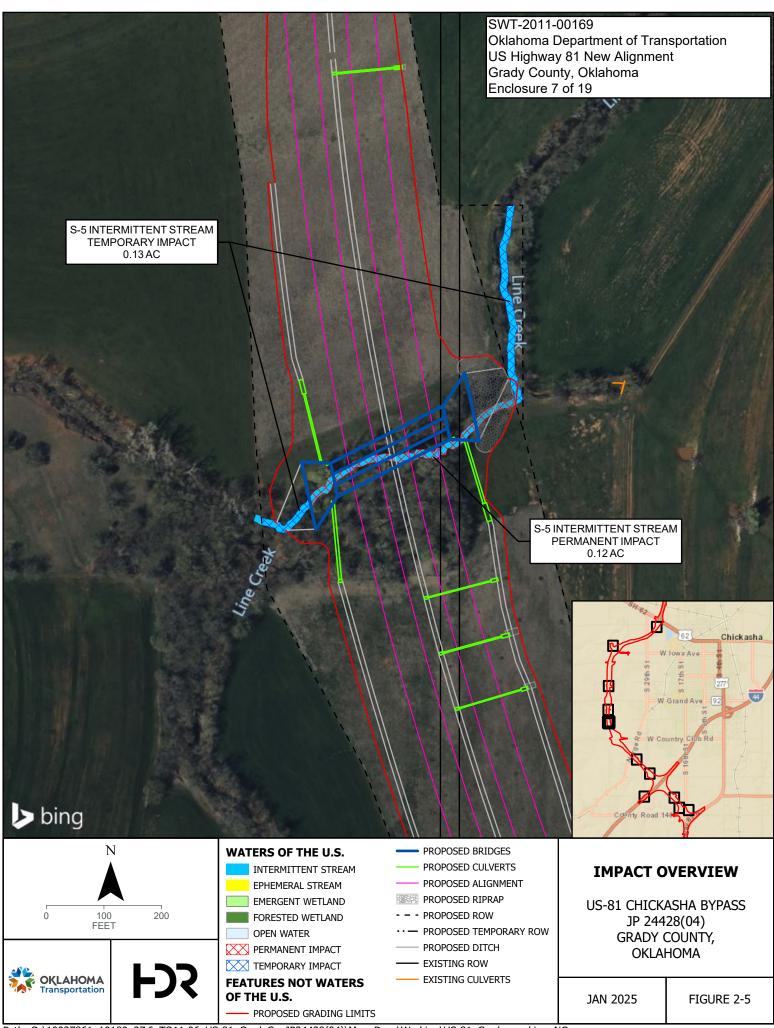
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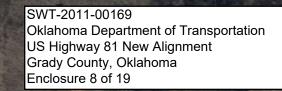
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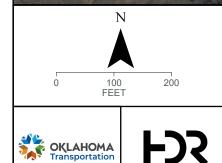


OW-12 OPEN WATER PERMANENT IMPACT 0.01 AC

OW-12 OPEN WATER TEMPORARY IMPACT 0.01 AC

> W-3 FORESTED WETLAND PERMANENT IMPACT 0.27 AC





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WATERS OF THE U.S.

W-3 FORESTED WETLAND

TEMPORARY IMPACT 0.01 AC

INTERMITTENT STREAM EPHEMERAL STREAM EMERGENT WETLAND FORESTED WETLAND OPEN WATER PERMANENT IMPACT FEATURES NOT WATERS OF THE U.S.

- PROPOSED BRIDGES
 PROPOSED CULVERTS
- PROPOSED ALIGNMENT
- PROPOSED RIPRAP
- - PROPOSED ROW
- ··· PROPOSED TEMPORARY ROW
- PROPOSED DITCH
 EXISTING ROW
- ----- EXISTING CULVERTS
 - EXISTING CULVERTS

IMPACT OVERVIEW

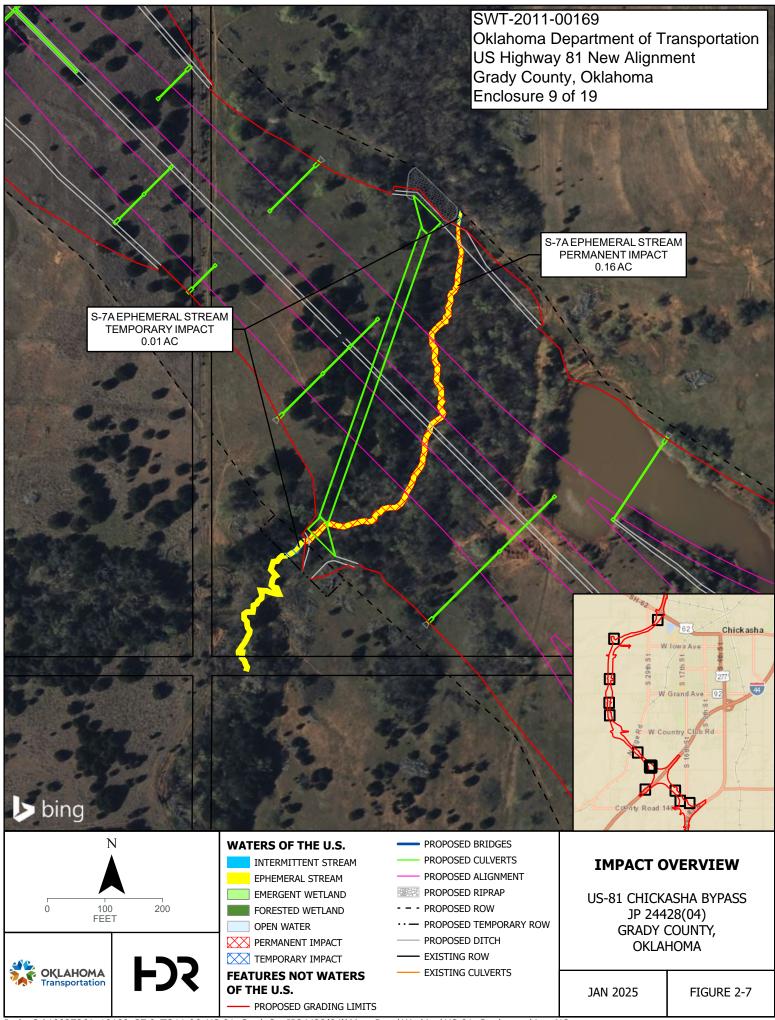
US-81 CHICKASHA BYPASS JP 24428(04) GRADY COUNTY, OKLAHOMA

FIGURE 2-6

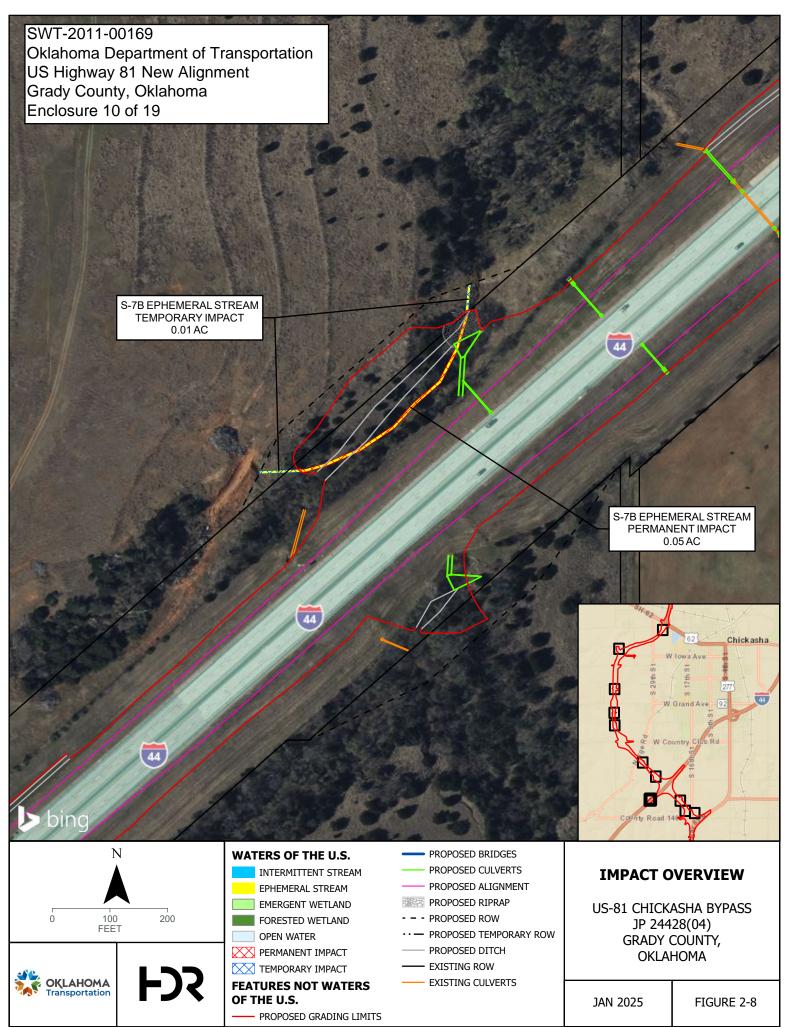
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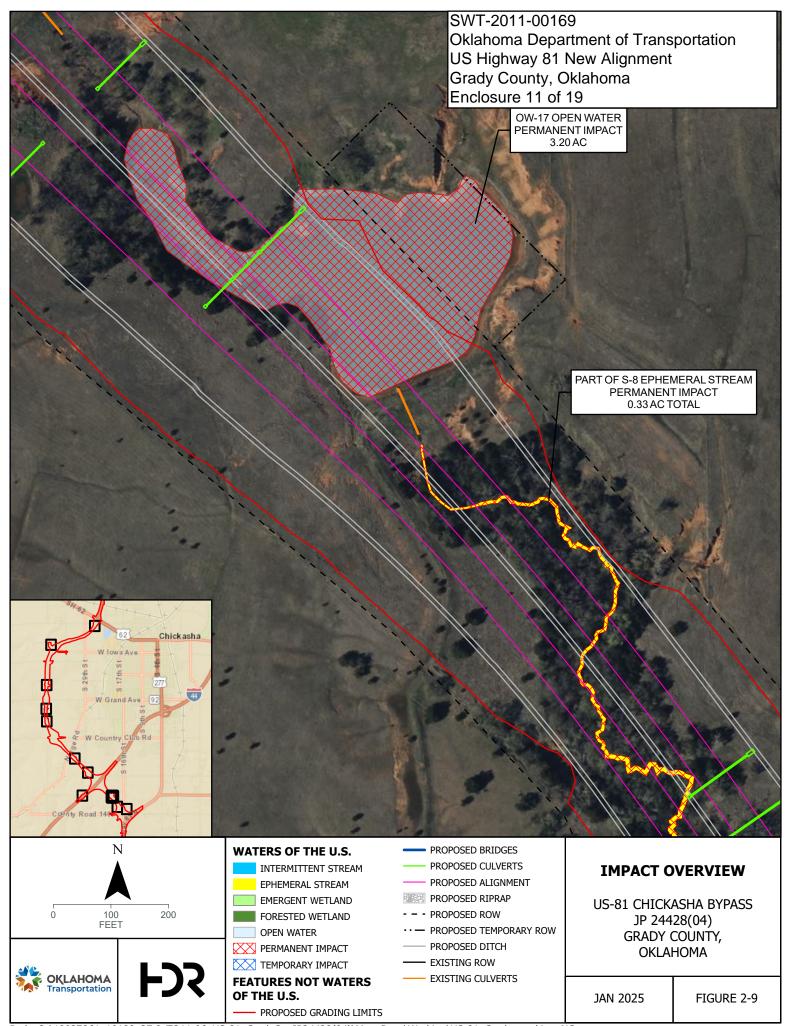
- PROPOSED GRADING LIMITS



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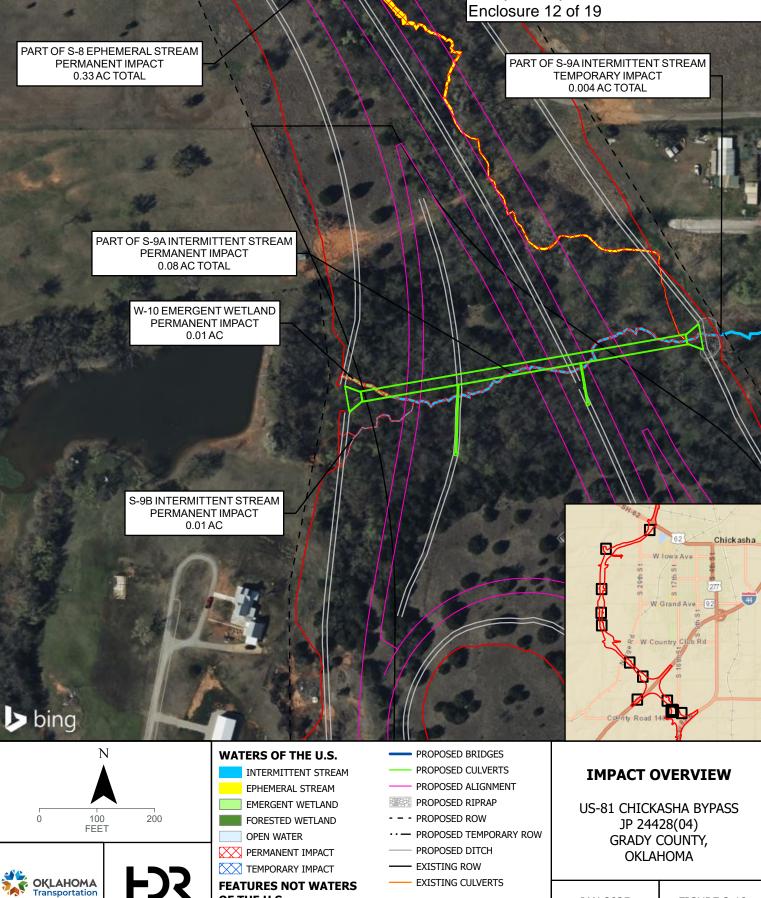


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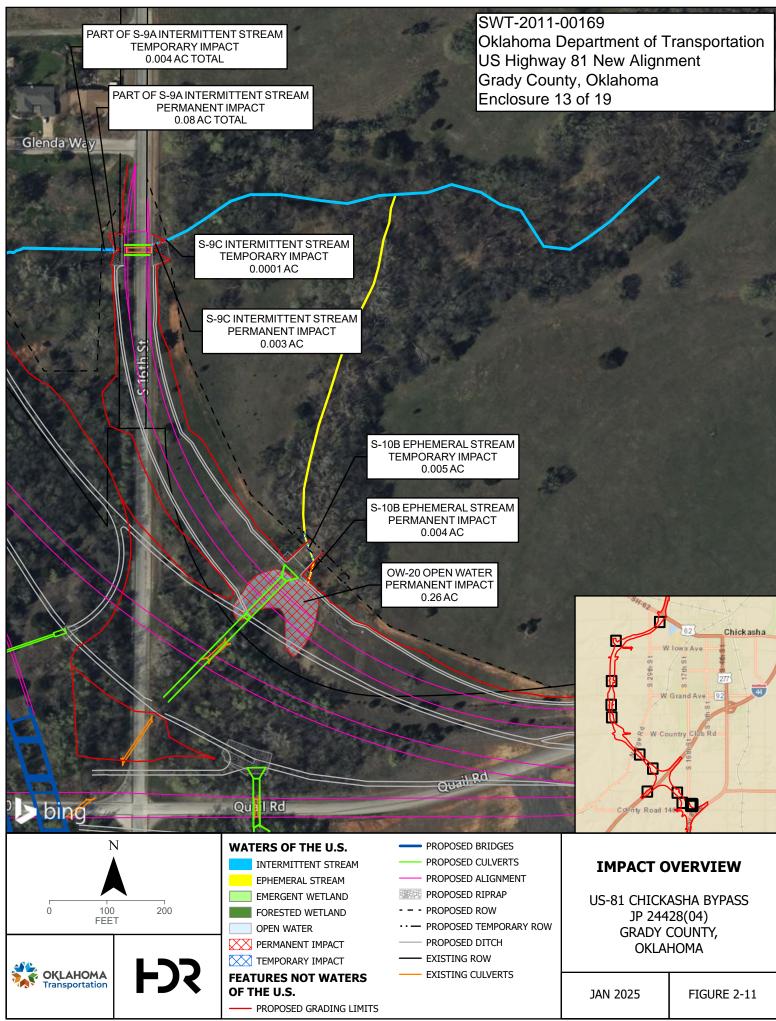
FIGURE 2-10



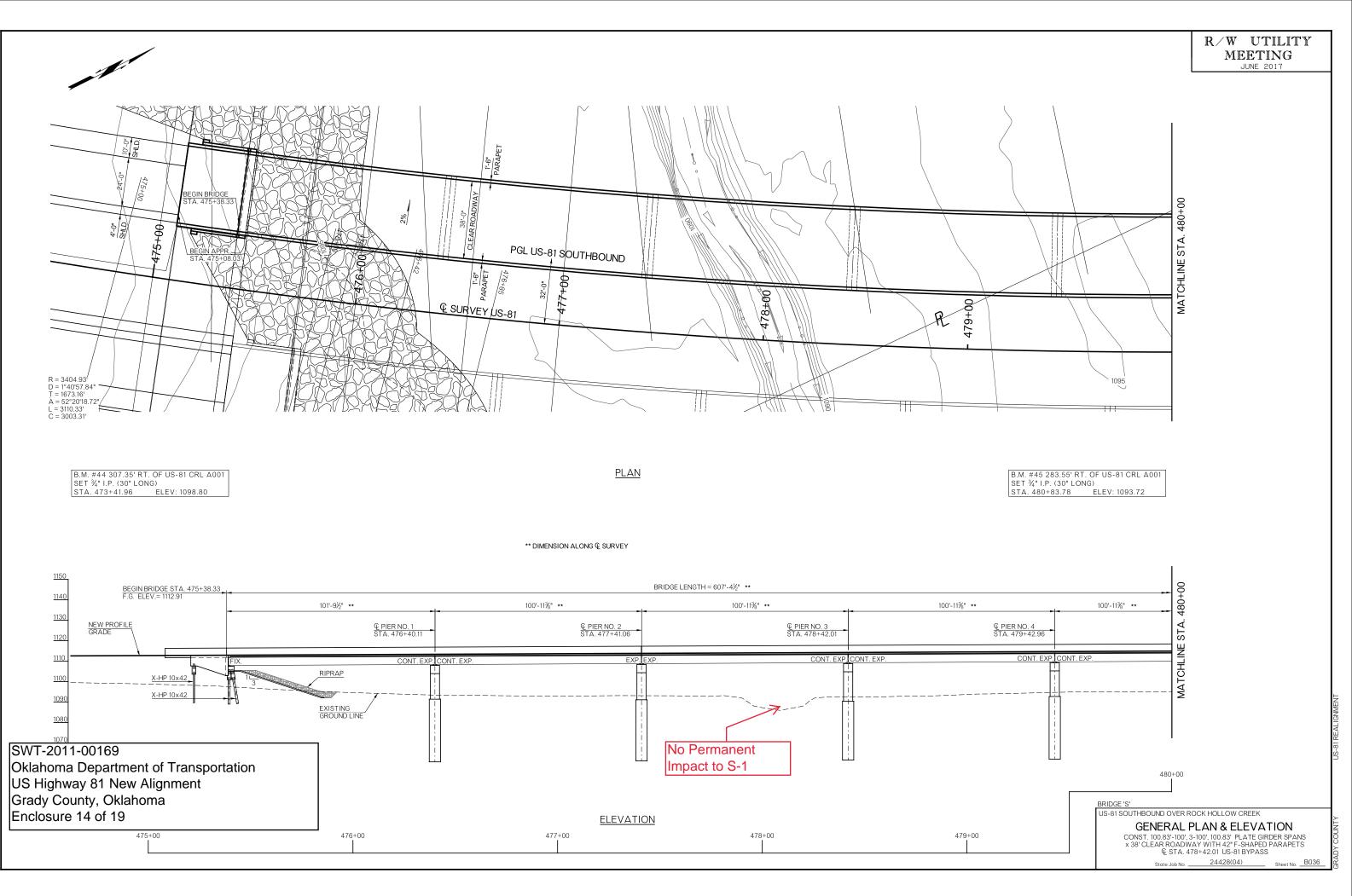
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PROPOSED GRADING LIMITS

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