



Public Notice

U.S. Army Corps
of Engineers
Tulsa District

Reply To:

U.S. Army Corps of Engineers
ATTN: Regulatory Office
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4609

SWT-2016-61
Public Notice No.

March 1, 2017
Public Notice Date

March 31, 2017
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

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DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

Application No. SWT-2016-61

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. The ODEQ hereby incorporates this public notice and procedure as its own public notice and procedure by reference thereto.

The application is to accommodate the expansion of the existing Sundance Airpark by extending a runway approximately 2,000 feet. The proposed runway extension would permanently impact aquatic features that are jurisdictional waters of the United States. The proposed permanent aquatic impacts as shown in the enclosed Figure 4 would be approximately 0.049 acre of NDF-1, 0.408 acre of PEM1-1, 0.070 acre of PFO1-1, and 5.304 acres of PUB-1.

Name of Applicant: Mr. Jerry Hunter
Sundance Airpark, LLC
2912 Northwest 156th Street
Edmond, Oklahoma 73013

Name of Agent: Mr. Timothy W. Johnson, PE
Johnson & Associates, Inc.
1 East Sheridan Avenue
Oklahoma City, Oklahoma 73104

Location: The proposed project is in Section 11, Township 13 North, Range 5 West in Canadian County, Oklahoma. Access to the airport's physical location is via Sara Road off Oklahoma State Highway 3 approximately one mile northwest from the Kilpatrick Turnpike. The project site can be found on the Bethany, Oklahoma 7.5 Minute USGS Quadrangle map at approximately North Latitude 35.6119 and West Longitude 97.7050.

Purpose: The basic purpose of this work is to extend an existing runway approximately 2,000 feet to the north. The proposed project is not a water dependent activity.

The project as currently proposed would permanently impact jurisdictional waters of the United States being approximately 0.478 acre of wetlands in two separate but proximate areas shown in Figure 4 as PEM1-1 and PFO1-1, 0.049 acre (268 linear feet) of an

aquatic drainage feature shown in Figure 4 as NDF-1, and 5.304 acres of an existing stormwater retention impoundment, also shown in Figure 4 as PUB-1.

The overall purpose of this work is to place fill material into an unnamed tributary of Deer Creek in order to extend an existing runway. The planned outcome of the proposed project would result in filling a total net aquatic area of approximately 5.831 acres.

Table of Impacts:

Original Proposal					
Number or Location	Impact Activity	Type of Aquatic Impact	Type of Fill Material	Qty of Material cys below OHWM	Footprint (ac and/or lf)
PEM1-1 and PFO1-1 (see Figure 4), an Unnamed Tributary to Deer Creek	Placement of fill material	Elimination of two proximate wetlands (0.408 acre + 0.070 acre)	Native material obtained from excavation enlarging existing storm-water retention pond	53,563 cys (total project fill as reported in application)	0.478 acre
NDF-1 (see Figure 4), an Unnamed Tributary to Deer Creek	Placement of fill material	Elimination of drainage feature	Native material obtained from excavation enlarging existing storm-water retention pond	53,563 cys (total project fill as reported in application)	0.049 acre (268 lf)

Original Proposal					
Number or Location	Impact Activity	Type of Aquatic Impact	Type of Fill Material	Qty of Material cys below OHWM	Footprint (ac and/or lf)
PUB-1 (see Figure 4), an Unnamed Tributary to Deer Creek	Placement of fill material	Partial fill of existing storm water retention impoundment	Native material obtained from excavation enlarging existing storm-water retention pond	53,563 cys (total project fill as reported in application)	5.304 acre
NDF-2 (see Figure 4), an Unnamed Tributary to Deer Creek	No fill material	No fill material; no aquatic impact	No fill material	No fill material	
Abbreviations used in this Public Notice: cys = cubic yards; OHWM = ordinary high water mark; ac = acre; lf = linear feet					

Description of Work: The applicant proposes to place approximately 53,563 cys of native fill material into an unnamed tributary to Deer Creek below its OHWM, equating to approximately 0.478 acre in two proximate locations, 0.049 acre comprising 268 lf of ephemeral steam impacts, and 5.304 acre of permanent impacts to the existing 25.11 acre stormwater retention impoundment, partially filling it. Partially filling the existing stormwater retention impoundment would account for approximately 91% of all fill placed into the aquatic environment for this project. The fill material would be acquired from on-site excavation, expanding the existing impoundment southerly into an area paralleling and on the east side of the proposed runway extension. Additionally, the applicant proposes constructing a 12- by 6-foot reinforced concrete box culvert to convey ephemeral and upland drainage into the newly expanded stormwater retention impoundment. The box culvert would be overlain by the proposed new runway.

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:

The permittee considered the use to stabilized piers and beams to support new runway decking; safety concerns, construction, and maintenance costs would prohibit the construction of an elevated runway supported above the existing water surface.

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

The permittee proposes creation mitigation to offset discharges into PEM1-1, PFO1-1 and PUB-1. The proposed creation mitigation would occur adjacent to the existing features delineated within the study area defined by the proponent. The project area itself lies within the larger study area. Significant expansion of PUB-1 would occur south of the existing southern boundary, maintain flood storage and support the same ecological functions. The permittee would create an area of forested wetland along the southern edge of PUB-1 and eastern edge of the proposed PUB-1 creation mitigation area. The permittee would stock pile top soil from PEM1-1 and PFO1-1 within the proposed runway expansion area and use the stock piled soil during creation of the forested wetland. A shallow shelf feature with grade at the proposed water surface would support hydrophytic vegetation similar to species observed during the delineation of the study area. The permittee would plant 100 trees within the forested wetland mitigation area. The trees would be spaced 10 by 10 by 20 feet, and should support and enhance ecosystem functions within the mitigation area. The trees would improve the ecosystem by eventually providing canopy and a diversity of water quality improvements. The trees would also provide for multiple species of birds, mammals, and insects requiring a diverse habitat. The trees would be approximately 1-inch in diameter and would be native trees from the following varieties: black willow (*Salix nigra*), green ash (*Fraxinus pennsylvanica*), bur oak (*Quercus macrocarpa*), American sycamore (*Plantanus occidentalis*), American elm (*Ulmus americana*), pecan (*Carya llinoensis*), eastern cottonwood (*Populus detoides*), and hackberry (*Celtis occidentalis* or *C. laevigata*). The permittee would create a 50-foot wide buffer around the mitigation areas. The buffer would include a total of approximately 5.70 acre.

The applicant goes on to state in its submittal that approximately 19.4 acre of deep water habitat would be created yielding a 3.65:1 creation mitigation ratio and 0.75 acre of forested wetland would be created to provide a 1.5:1 creation ratio.

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. The Corps is accepting comments on the need for and nature of the proposed mitigation in addition to comments on the applicant's primary proposal. The Corps bears the final decision on the need for and extent of mitigation required if the project proposed herein is authorized.

Project Setting: The Corps believes the area being considered is located within a transitional zone between the Central Great Plains and Cross Timbers ecoregions of Central Oklahoma. The Central Great Plains ecoregion includes scattered hills, low mountains, gypsum karst, and sandy flats. Mean annual rainfall increases to the east, and varies from approximately 22 to 38 inches.

Existing Condition: The following description was provided by the proponent as part of the application:

The localized general vicinity of the project and mitigation areas was characterized as agricultural land along with associated infrastructure.

Additionally, the Corps observed on site that Sundance Airpark is currently comprised of a fueling station, a taxiway, a runway, connecting hard surfaces, an administrative offices and aircraft and landscape maintenance building, and multiple hangars grouped away from the central facility. The surrounding open area is grassland that is apparently maintained by mowing or haying. Trees are apparent on the airport property in and near the previously noted wetland areas. Trees may exist on the airport side of the eastern perimeter fence. Trails in the tall grass were mown surrounding some of the noted stormwater retention pond, PUB-1. A bird-scare shooting blind was constructed of hay bales on the southern shore of the retention pond.

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.

This notice has been provided to the Oklahoma State Historic Preservation Office, Oklahoma Archaeological Survey, Native American Tribal governments, and other interested parties. If you have information pertaining to cultural resources within the permit area, please notify the Corps project manager identified within this notice to assist in a complete evaluation of potential effects. The DE will evaluate any input received and may require further investigations within the permit area, if warranted.

Threatened and Endangered Species: The applicant has provided documentation of their interaction with U.S. Fish and Wildlife Service (USFWS) pertaining to threatened and endangered species. FWS Consultation Code 02EKOK00-2016-SLI-1853 dated August 3, 2016, is applicable. The following federally listed species as provided by the FWS are known to occur in the vicinity or are listed for the county in which the proposed action is located: Black-Capped Vireo (*Vireo atricapilla*) Least tern (*Sterna antillarum*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Whooping crane (*Grus americana*), and Arkansas River shiner (*Notropis girardi*). The USFWS in their response to the proponent also states that no critical habitats exist within the project

area. A copy of this notice is being furnished to the USFWS and appropriate state agencies. This notice constitutes a request to those agencies for information on whether any other listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity. It is the Corps opinion that the area under consideration does not provide habitat for any federal or state listed threatened or endangered species, particularly when recognizing jet traffic and the employment of bird-scare procedures.

Our preliminary determination is that the proposed activity will not affect listed threatened or endangered species or their critical habitat.

Environmental Considerations: 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. If additional information is desired, it may be obtained from Mr. Timothy Hartsfield, Regulatory Project Manager, Tulsa District Corps of Engineers, ATTN: Regulatory Office, 1645 South 101st East Avenue, Tulsa, OK 74128 4609, or telephone 918-669-7237.

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, 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, 1645 South 101st East Avenue, Tulsa, OK 74128 4609; or email CESWT-RO@usace.army.mil, please include the public notice number SWT-2016-61 in the subject line of the message.

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 decision, comments are used to assess impacts on 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. Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

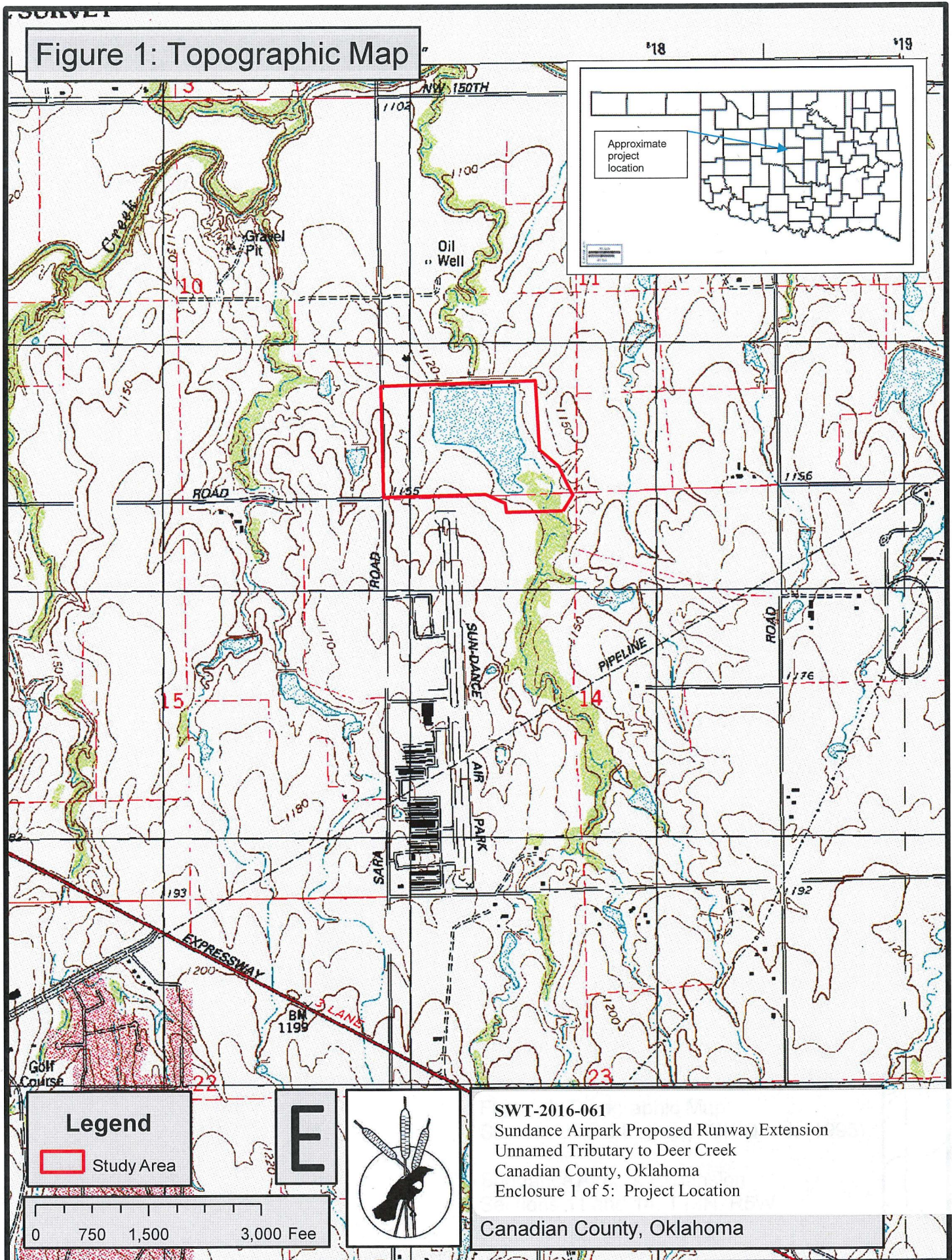
At the request of the Oklahoma Water Resources Board's National Flood Insurance Program State Coordinator, we are sending a copy of this notice to the local floodplain administrator to apprise the administrator of proposed development within their jurisdiction. In accordance with 44 CFR Part 60 (Criteria for Land Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. The local floodplain administrator is required to perform this review for all proposed development and maintain records of such review.

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

Figure 1: Topographic Map



Legend
Study Area

E



SWT-2016-061
Sundance Airpark Proposed Runway Extension
Unnamed Tributary to Deer Creek
Canadian County, Oklahoma
Enclosure 1 of 5: Project Location

0 750 1,500 3,000 Feet

Canadian County, Oklahoma

02/14/17
JPC

NO.	DESCRIPTION	DATE



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 Oklahoma City, OK 73104
 Phone: (405) 251-8000
 Fax: (405) 251-8000
 Website: www.ja-engineers.com

SUNDANCE AIRPORT RUNWAY
 EXTENSION
 OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA
 COTTONWOOD CREEK SITE 33
 EXISTING CONDITIONS

Project No.: _____
 Date: _____
 Created By: _____
 Approved By: _____

SHEET NUMBER
EX1

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SWT-2016-061
 Sundance Airpark Proposed Runway Extension
 Unnamed Tributary to Deer Creek
 Canadian County, Oklahoma
 Enclosure 2 of 5: Existing Condition

SUNDANCE AIRPORT RUNWAY EXTENSION

12/21
pdf

NO.	DESCRIPTION	DATE

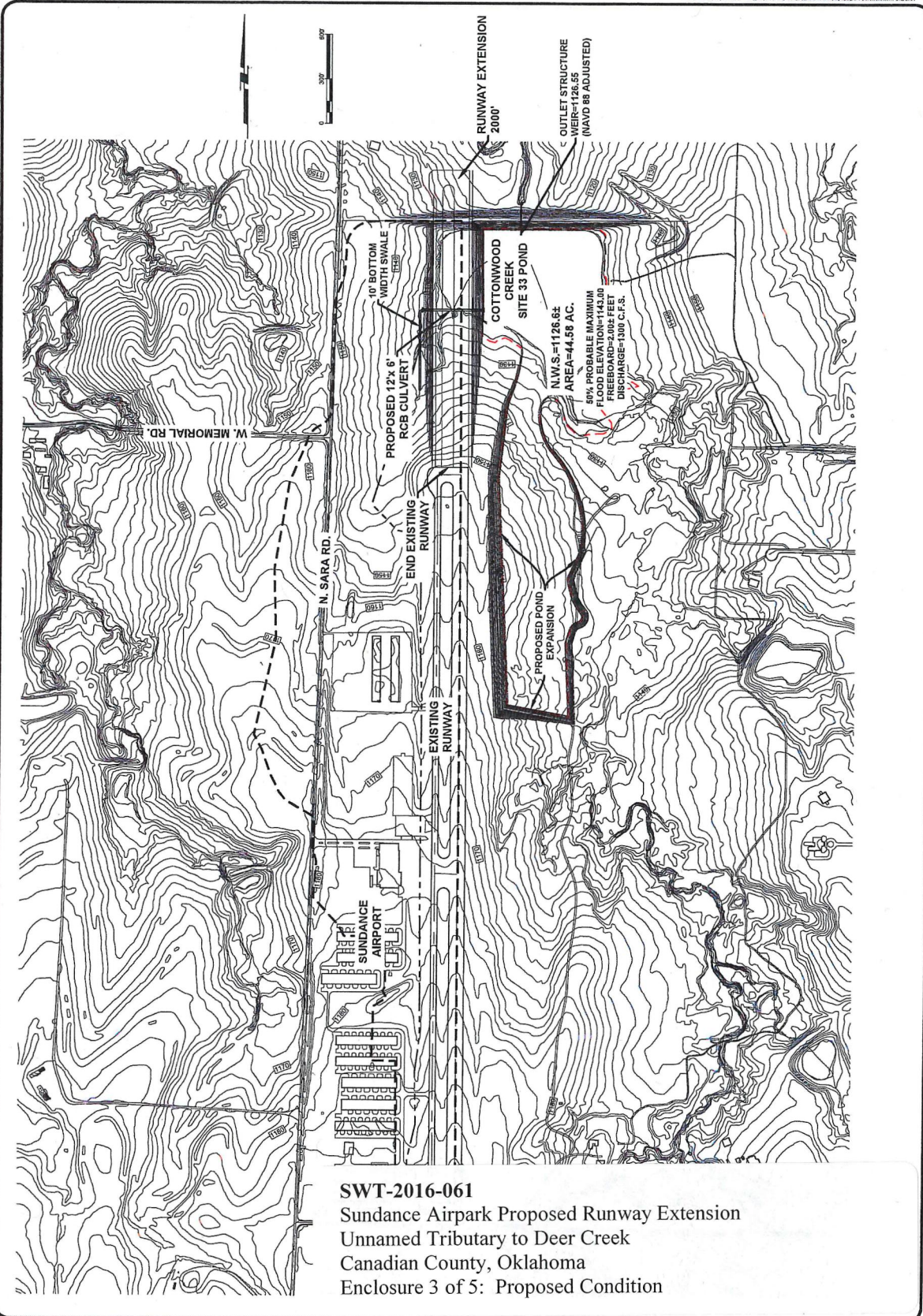


Johnson & Associates, Inc.
 1 E. Sheridan Ave., Suite 200
 Oklahoma City, OK 73104
 (405) 350-8375 Fax: (405) 350-8374
 ENGINEERS • SURVEYORS • PLANNERS

SUNDANCE AIRPORT RUNWAY EXTENSION
 COTTONWOOD CREEK SITE 33
 PROPOSED CONDITIONS
 OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA

Project No.:
 Date:
 Drawn By:
 Checked By:
 Approved By:

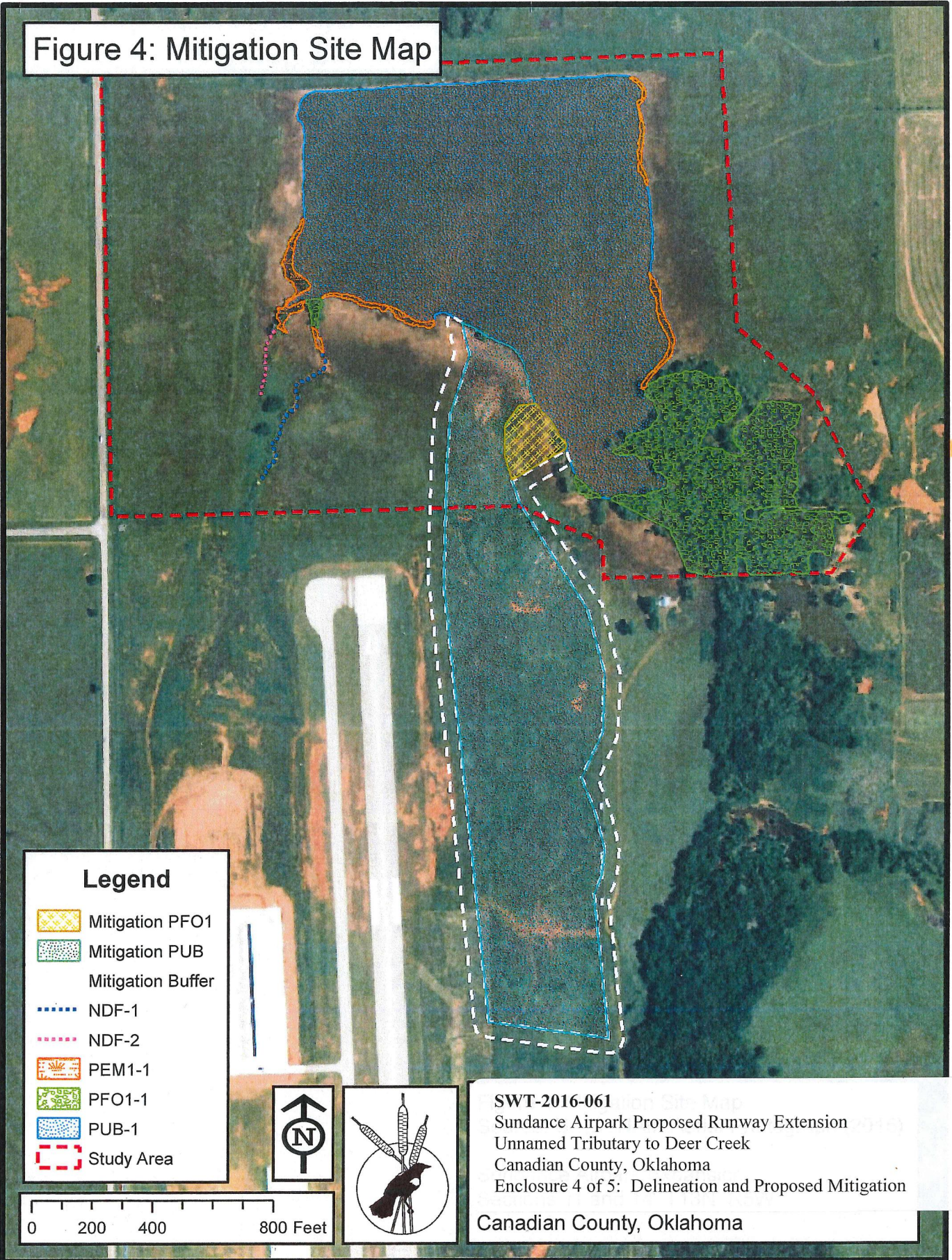
EX2
 SHEET NUMBER












SWT-2016-061
 Sundance Airpark Proposed Runway Extension
 Unnamed Tributary to Deer Creek
 Canadian County, Oklahoma
 Enclosure 3 of 5: Proposed Condition

SUNDANCE AIRPORT RUNWAY EXTENSION

Figure 4: Mitigation Site Map



Legend

-  Mitigation PFO1
-  Mitigation PUB
-  Mitigation Buffer
-  NDF-1
-  NDF-2
-  PEM1-1
-  PFO1-1
-  PUB-1
-  Study Area



SWT-2016-061
 Sundance Airpark Proposed Runway Extension
 Unnamed Tributary to Deer Creek
 Canadian County, Oklahoma
 Enclosure 4 of 5: Delineation and Proposed Mitigation

Canadian County, Oklahoma

