

U.S. Army Corps of Engineers Tulsa District

Public Notice

Reply To:

U.S. Army Corps of Engineers ATTN: Regulatory Office 2488 East 81st Street Tulsa, OK 74137-4290 SWT-2022-00073 Public Notice No.

August 24, 2022 Public Notice Date

September 23, 2022 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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Application No. SWT-2022-00073

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.

- <u>Applicant:</u> Mr. Scott Sturtz City of Norman 201 West Gray, Building A Norman, OK 73069
- Agent: Mr. Clint Porter Blackbird Environmental, LLC PO Box 720100 Norman, OK 73070

<u>Location:</u> The proposed project is in Section 12, Township 8 North, Range 3 West; Cleveland County, Oklahoma. The project site can be found on the Norman, Oklahoma 7.5 Minute USGS Quadrangle map at North Latitude 35.18759 and West Longitude 97.45930.

<u>Project Description:</u> The application is for the construction of a Sierra Slope Retention System or similar material along the left descending bank of Imhoff Creek to stabilize and support vegetative growth along the existing eroded stream bank, and to construct cross vanes to limit further down cutting of the stream channel.

<u>Purpose:</u> The overall purpose of this work is to stabilize the reach of Imhoff Creek to prevent loss of adjacent infrastructure and property. The project is not a water dependent activity.

Summary Table of Impacts:

	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)			
Right descending bank	Temporary Construction Road	Stream – Imhoff Creek	Rock – Crusher Run or Similar Material	812 cys	1,160 lf			
Within Stream Channel	11 - Temporary Construction Pads	Stream – Imhoff Creek	Rock - #57 (1"-1.5" gravel) or Crusher Run	3,050 cys total (278 cys per pad)	1,100 lf			
Within Stream Channel	Temporary Filtered Check Dams	Stream – Imhoff Creek	Rock – Type 1 Riprap (12" -18") or Similar Material	52 cys	23 lf			
Within Stream Channel	2 – Permanent Cross Vanes	Stream – Imhoff Creek	Rock – 18"- 24" Limestone Rock	17 cys; 23 cys	15 lf; 15lf			
Right descending bank	Bank Stabilization – 2 Reaches Construction Pad Access/Rock Toe Revetment	Stream – Imhoff Creek	Rock – 18"- 24" Limestone Rock	227 cys; 414 cys	175 lf; 319lf			
Left descending bank	Bank Stabilization - Reinforced Soil Slope	Stream – Imhoff Creek	SierraScape Retaining Wall System or similar material ark (OHWM), a	4,210 cys acre (ac), linear fee	1,100 lf			

<u>Description of Work</u>: The applicant proposes to construct a reinforced soil slope wall along the left descending bank of Imhoff Creek that would occur on a rock stabilized toe with the permanent placement of fill material to support the reinforced soil slope wall. The placement of fill material would occur between Sta. 17+00 and Sta. 31+00 (1,100

linear feet) (exception between Sta. 19+00 and Sta. 22+00) and include the permanent placement of approximately 4,210 cubic yards of galvanized baskets containing #57 aggregate (1"-2" stone) within the wire framing and potential embankment material if it meets geotechnical specifications or offsite soil fill material below the OHWM.

Additionally, two (2) permanent cross vanes would be constructed across Imhoff Creek to prevent future down-cutting of the stream bed and support continued function of the reinforced soil slope wall. The southern cross vane would be located at Sta. 23+98 and would include the placement of approximately 17 cubic yards of 18-24" limestone rock riprap within 15 linear feet of stream. The northern cross vane would be located at Sta. 28+98 and would include the placement of approximately 23 cubic yards of 18" -24" limestone rock riprap within 15 linear feet of stream. Each cross vanes would have a center core consisting of steel sheet pile surrounded by rock riprap.

The proposed construction project would also include a rock toe revetment below the OHWM and placement of rock, along the properly sloped bank, above the OHWM. The southern reach would occur between Sta. 23+45 and Sta. 25+20 (175 linear feet) and include the permanent placement of approximately 227 cubic yards of 18 to 24" limestone rock below the OHWM. The northern reach would occur between Sta. 27+65 and Sta. 30+84 (319 linear feet) and include the permanent placement of approximately 414 cubic yards of rock below the OHWM.

Temporary construction pads would be built across the stream to allow construction access from the western side of the stream channel. The existing single-family residences along the left descending bank would limit access from the eastern side. The construction pads would include #57 rock material or crusher run and a properly sized pipeline to allow base stream flow during construction. A total of 11 construction pads would be built during construction. The pads would be built sequentially as construction progresses. The existing pad would be removed prior to construction of the following pad. The total linear length of temporary disturbance proposed within Imhoff Creek is approximately 1,100 feet and the total volume is approximately 3,050 cubic yards (278 cubic yards per each pad). The material would be removed once construction is complete.

Temporary filtered check dams would be constructed as a best management practice to prevent discharge of sediment-laden storm water down-stream of each temporary construction pad. The temporary structures would include filter wrapped Type 1 riprap or similar rock and 12" layer of gravel, and all material would be removed once construction is complete. The total linear length of each check dam is approximately 23 linear feet and the volume is approximately 52 cubic yards for each check dam. The rock would be removed once construction is complete.

A temporary construction road along the toe of the left descending bank to allow for construction of a reinforced soil slope wall. The temporarily road would be approximately 10 feet wide and 18 inches deep. The road would be constructed of crusher run or equivalent rock and would include the temporary placement of

approximately 812 cubic yards of fill below the OHWM. The road would be approximately 1,160 linear feet. The rock would be removed once construction is complete.

<u>Avoidance and Minimization Information</u>: 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 proposed project was selected for stabilizing the eroded banks of Imhoff Creek, preventing the loss of adjacent infrastructure and property and supporting the least environmentally damaging practicable alternative (LEDPA).

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

The applicant does not propose mitigation. The project was designed to incorporate a reinforced soil slope wall promoting vegetative growth and preventing the continued discharge of silt and clay down-stream due to current unstable conditions. In addition, the proposed cross vanes would limit the current down-cutting of the stream bed and promote stabilization of the stream banks to prevent continued erosion and bank instability.

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.

<u>Government Authorizations obtained or received:</u> The U.S. Department of Homeland Security, Federal Emergency Management Agency is providing funding for the proposed action.

<u>Project Setting</u>: The proposed project is located within the Cross Timbers Transition of the Central Great Plains ecoregion of central Oklahoma. The Central Great Plains ecoregion includes scattered hills, low mountains, gypsum karst and sandy flats. Upland natural vegetation in this dry-subhumid area is predominately mixed grass prairie, but honey mesquite (Prosopis glandulosa) and buffalograss (Bouteloua dactyloides) are native to the south and to sandy areas. Mean annual rainfall increases to the east and varies from approximately 22 to 38 inches. The localized general vicinity of the proposed project area includes residential development along with associated infrastructure.

Existing Condition: Imhoff Creek was delineated as a relatively wide perennial stream channel with sand, silt, gravel, and hardpan clay substrates. The stream was

dominated by a forested riparian corridor within the study area. The stream embeddedness was estimated at 10 to 15 percent and a few silt bars/islands were observed within the study area. The left descending bank was vertical and relatively high at several locations. Significant volumes of broken concrete and rip rap were embedded within the left descending bank to limit soil erosion along the back of existing single-family residential lots. The stream provided in-channel structural habitat for Notropis spp. and Lepomis spp. Several Lepomis nests were observed within the gravel substrates. Significant filamentous algae growth was also observed within the stream channel.

<u>Cultural Resources:</u> 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. Additionally, a letter dated March 2, 2022, the Oklahoma Archeological Survey (No. OAS FY22-0804) indicated a survey of the proposed project area was completed and no archaeological materials were encountered.

<u>Threatened and Endangered Species</u>: 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: Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Whooping Crane (*Grus americana*), Arkansas River Shiner (*Notropis Girardi*), Peppered Chub (*Macrhybopsis tetranema*), Monarch Butterfly (*Danaus plexippus*). A copy of this notice is being furnished to the U.S. Fish and Wildlife Service and appropriate state agencies. The IPAC consultation number is 2022-0039688.

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.

<u>Evaluation Factors</u>: 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.

<u>Plans and Data:</u> 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. Rob Hoffmann, Tulsa District Corps of Engineers, ATTN: Regulatory Office, 2488 East 81st Street, Tulsa, OK 74137; or telephone 918-669-7400.

Comments: The Corps of Engineers 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 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 comments on this proposal must be submitted to be received by the Corps by the expiration date of this public notice comment period. Comments received after this date will not be considered in our decision. 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-2022-00073 in the subject line of your email 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





LEGEND

	TEMP. CONSTRUCTION ROAD
	ROCK TOE REVETMENT
	RSS WALL
	EXCAVATION
	TEMP. CONSTRUCTION EASEMENT
	EX GAS
——	EX UNDERGROUND ELEC.
SS	EX SAN. SEWER
——	EX TELECOM.



SOUTH							
IMHOFF CREEK BANK STABILIZATION							
CITY OF NORMAN							
PLANS AND ESTIMATES PREPARED BY: MESHEK & ASSOCIATES, L.L.C. 1437 S. BOULDER AVENUE, SUITE 1550 TULSA, OK 74119 (918)392–5620 2000 N. CLASSEN BLVD., E250 OKLAHOMA CITY, OK 73106 (405)594–0127							
REVISION	BY	DATE	DRAWN	CGH	7/2022		
			DESIGNED	HCW	7/2022		
			SURVEY	MR	7/2021		
			C.A. 1487 EXPIRES 6/30/23				
			SHEET:	2 O F	- 2		



POSTS SET IN CONCRETE











FACING BASKET

NOTES: 1. RSS FACING TO CONSIST OF PREFABRICATED GALVANIZED STEEL WELDED WIRE FABRIC, 4x4-W4xW4 FORMS. 2. OVERALL LENGTH OF WIRE FORMS IS 10'-4"±. EFFECTIVE CONSTRUCTED WIDTH IS 10 FT WITH 2" OVERLAPPING ON EACH END OF FORM.

3. FORMS AS MANUFACTURED BY DIMENSION FABRICATORS, INC. OR APPROVED EQUAL.











GALVANIZED WELDED-WIRE FORM FACING (TYP.) (4x4-W4xW4 FORM AND STRUT) 10' LENGTH - OVERLAP 2" AT ENDS (SEE

	SH 2.5 FT. MIN. 2E OF RSS		REVISIONS:	
			Environment & Infrastructure Solutions, Inc. 245 N. WACO AVENUE, SUITE 110 WICHITA, KANSAS 67202 PHONE: 316-448-2711	
2. OVERALL LENGTH OF WIRE	MENSIONS AND SETBACK [DETAIL	REINFORCED SOIL SLOPE WALL DETAIL STR-003	IMHOFF CREEK BANK STABILIZATION CITY OF NORMAN, OKLAHOMA
			DESIGNED DRAWN BY CHECKED DATE: May	': AJM BY: EJB
ID EMBEDMENT LENGTH, L (FT) 9 16 12 16	GEOGRID LOCATION, MEASURED FROM BOTTOM OF WALL (FT) 1.5, 3, 4.5, 6, 9, 12 1.5, 4.5, 6 7.5, 10.5, 13.5, 16.5, 19.5 1.5, 3, 4.5, 6, 7.5	GEOGRID* MIRAFI 5XT MIRAFI 20XT MIRAFI 5XT MIRAFI 20XT		
12	9, 12, 15, 18, 21 EQUIVALENT GEOGRID MAY BE SUBS	MIRAFI 7XT	NOT CONSTE	DESIGN FOR RUCTION DR DRDING
				ECT NO. 000431
				et no. DF 27

GENERAL NOTES

- 1. NOTIFY OKLAHOMA 811 ONE-CALL. CONFIRM THE LOCATIONS OF ALL SURFACE OR SUBSURFACE FEATURES, INCLUDING UTILITIES, WHICH HAVE A BEARING UPON THE PROPOSED CONSTRUCTION PRIOR TO BEGINNING CONSTRUCTION. VERIFY THE LOCATION OF ALL EXISTING UTILITIES AND REPORT ANY DISCREPANCIES IMMEDIATELY PRIOR TO CONTINUANCE OF WORK. COORDINATE WITH LOCAL UTILITY COMPANIES PRIOR TO UTILITY DISCONNECT.
- 2. PERFORM ALL WORK IN ACCORDANCE WITH DRAWINGS AND ALL APPLICABLE CODES AND REGULATIONS UNLESS OTHERWISE NOTED. COMPLY WITH THE REQUIREMENTS OF THE VARIOUS FEDERAL, STATE, AND LOCAL SAFETY CODES (E.G. OSHA).
- 3. UNLESS NOTED OTHERWISE (UNO), EXISTING FEATURES SHALL REMAIN. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE INTEGRITY OF EXISTING FEATURES, INCLUDING EXISTING UTILITIES.
- 4. OBTAIN ALL REQUIRED PERMITS PRIOR TO EXECUTION OF THE WORK.
- 5. NOTIFY THE WOOD OF ALL ITEMS OF CONSTRUCTION REMAINING AND NOT SPECIFICALLY MENTIONED THAT INTERFERE WITH THE NEW CONSTRUCTION.
- 6. MAINTAIN CONDITION OF EXCAVATION SLOPE(S) AND PROVIDING SAFE WORKING CONDITIONS FOR ALL PERSONS ON THE PROJECT SITE THROUGHOUT THE CONSTRUCTION PROCESS.

SUGGESTED SEQUENCE OF CONSTRUCTION

- 1. LAYOUT LIMITS OF SHEET PILE BASED UPON TOTAL STREAM WIDTH.
- 2. DRIVE SHEET PILE TO MINIMUM TOE EMBEDMENT AS INDICATED IN THE SECTIONS. PROVIDE DRIVING LOGS TO ENGINEER WITHIN 24 HOURS OF PILE DRIVING COMPLETION. LOGS AT A MINIMUM SHALL STATE BLOWS PER FOOT, HAMMER SIZE AND ENERGY.
- 3. PLACE RIPRAP AS SHOWN IN THE DRAWINGS

DESIGN CRITERIA

- 1. SHEET PILES SIZED BASED ON SHEAR AND BENDING MOMENTS ESTIMATED USING "NAVFAC DESIGN MANUAL 7.02 FOUNDATIONS AND EARTH STRUCTURES. MAXIMUM ANTICIPATED LATERAL MOVEMENT AT TOP-OF-SHEET PILE IS 1 INCH.
- 2. DESIGN GROUNDWATER LEVEL IS ASSUMED AT A STATIC LEVEL EQUAL TO THE STREAM INVERT.
- 3. SHEET PILE DESIGNED IN ACCORDANCE WITH ALLOWABLE STRESS DESIGN (ASD) PROVISIONS OF THE "AISC STEEL CONSTRUCTION MANUAL", 14TH EDITION.

MATERIAL SPECIFICATIONS:

1. STEEL SHEET PILES SHALL BE NZ14, OR APPROVED EQUIVALENT, CONFORMING TO ASTM A572, GRADE 50.

PILE WALL TOLERANCES

1. PLACE SHEET PILES AT THE LOCATIONS SHOWN ON THE PLAN VIEW. DO NOT DEVIATE BY MORE THAN 3 INCHES IN ANY DIRECTION FOR OF THE WALL.

FIELD TESTING INSPECTION

1. PROVIDE MINIMUM 24 HOUR NOTICE TO INSPECTION ENGINEER'S STAFF OF CONSTRUCTION ACTIVITY REQUIRING TESTS.

SUBMITTALS

1. PROVIDE PILE DRIVING LOGS TO WOOD WITHIN 24 HOURS OF PILE INSTALLATION COMPLETION.





SWT-2022-00073 **City of Norman** Imhoff Creek Bank Stabilization

²Cleveland County, Oklahoma

Enclosure 6 of 6