



**US Army Corps
of Engineers®**

JOINT PUBLIC NOTICE

**Tulsa District
Application No. SWT-2025-469**

Published: December 3, 2025
Expires: December 18, 2025

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 USC 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 USC 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.

Pursuant to Section 404 of the Clean Water Act, notice is hereby given that

**U.S. Army Corps of Engineers
Tulsa District (SWT)
2488 E 81st Street
Tulsa, Oklahoma 74137**

proposes the placement of dredged material into waters of the United States associated with the routine maintenance dredging of the McClellan-Kerr Arkansas River Navigation System (MKARNS).

NOTICE TO PUBLISHERS

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WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with the MKARNS. The project area is located along the left descending bank of the navigation channel between River Miles (RM) 373.5 and 375.5, in Sections 13 & 24, Township 13 North, Range 19 East, and Section 19, Township 13 North, Range 20 East, with center coordinates of Latitude: 35.5948 and Longitude: -95.2379 ; in Muskogee County, Oklahoma.

EXISTING CONDITIONS & PROJECT HISTORY: The MKARNS has been a vital artery for commerce and transportation since its dedication in June 1971. Spanning 445 miles from the Mississippi River to the Port of Catoosa, Oklahoma, this congressionally authorized navigation channel plays a critical role in supporting barge navigation and facilitating economic activities within the region. Notably, 140 miles of the MKARNS occur within the Tulsa District of the U.S. Army Corps of Engineers, encompassing five lock and dam structures that are essential for managing water levels and facilitating navigation.

Over the past 53 years, the MKARNS has provided a reliable means of transport for goods and services, contributing significantly to the local and national economy. However, the navigation channel is designed to maintain a minimum depth of 9 feet to accommodate the safe passage of barges. Due to natural sedimentation processes, these areas periodically silt in, which can impede navigation and disrupt vital commercial activities.

Historically, the Spaniard Creek area has been susceptible to siltation within the channel. Deviations in the 9' channel depth due to sediment deposit often lead to obstruction to navigability and the need for maintenance dredging. To ensure the MKARNS remains operational and continues to support the economic interests of the region, routine maintenance dredging is necessary. This process involves the removal of accumulated sediment and material from the channel to restore and maintain the required navigational depth. The absence of timely dredging efforts can lead to increased navigation hazards, reduced efficiency in transportation, and potential economic losses for industries reliant on this critical waterway.

The proposed open water dredge disposal area is essential for the effective management of maintenance dredging activities within the MKARNS. The ongoing commitment to maintaining this waterway is crucial not only for navigation but also for the broader economic health of the region it serves.

PROJECT PURPOSE:

Basic: The creation of an In Water Disposal Area (IWDA).

Overall: To establish a 110-acre IWDA that provides a safe and operationally efficient disposal location for maintenance dredging activities in a location where upland disposal is not feasible due to a lack of nearby upland sites and constraints of available barge transport infrastructure. The IWDA is proposed to ensure continued navigational

reliability, maintain cost-effective dredge operations, and support the long-term sustainability of the MKARNS.

PROPOSED WORK: The Corps proposes to discharge dredged material in an area adjacent to the navigation channel between RM 373.5 and 375.5 when upland disposal is not practicable in order to adequately maintain channel depths for navigation during periods of low flow.

AVOIDANCE AND MINIMIZATION: Upland disposal at this location is not feasible given the distance from the navigation channel to adjacent uplands. If authorized, use of the IWDA would be performed in a way that minimizes the duration and amount of disturbance to substrate and vegetation to the maximum extent practicable.

COMPENSATORY MITIGATION: The MKARNS is routinely dredged in order to maintain navigable depths to facilitate the transport of goods throughout the system. Natural creation of sediment deposits and maintenance to remove these deposits is an ongoing process throughout the life cycle of the Arkansas River. The material removed from the channel would be deposited in areas of open water, altering the bottom elevation with no impact to special aquatic sites.

CULTURAL RESOURCES: 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 State Historic Preservation Officer, federally recognized tribes, and other interested parties.

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 **2026-0013063**. 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.

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Piping Plover	<i>Charadrius melodus</i>	Threatened
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened
American burying beetle	<i>Nicrophorus americanus</i>	Threatened

Gray Bat	<i>Myotis grisescens</i>	Endangered
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	Proposed Threatened

The U.S. Army Corps of Engineers is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by U.S. Army Corps of Engineers.

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 activity would remove sediment deposited between RM 373.5 and 375.5 of the MKARNS, a federal navigation channel.

SECTION 408: 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 U.S. Army Corps of Engineers. 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 authorize this work 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. Authorization 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.

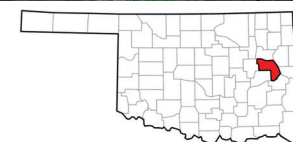
COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether 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.

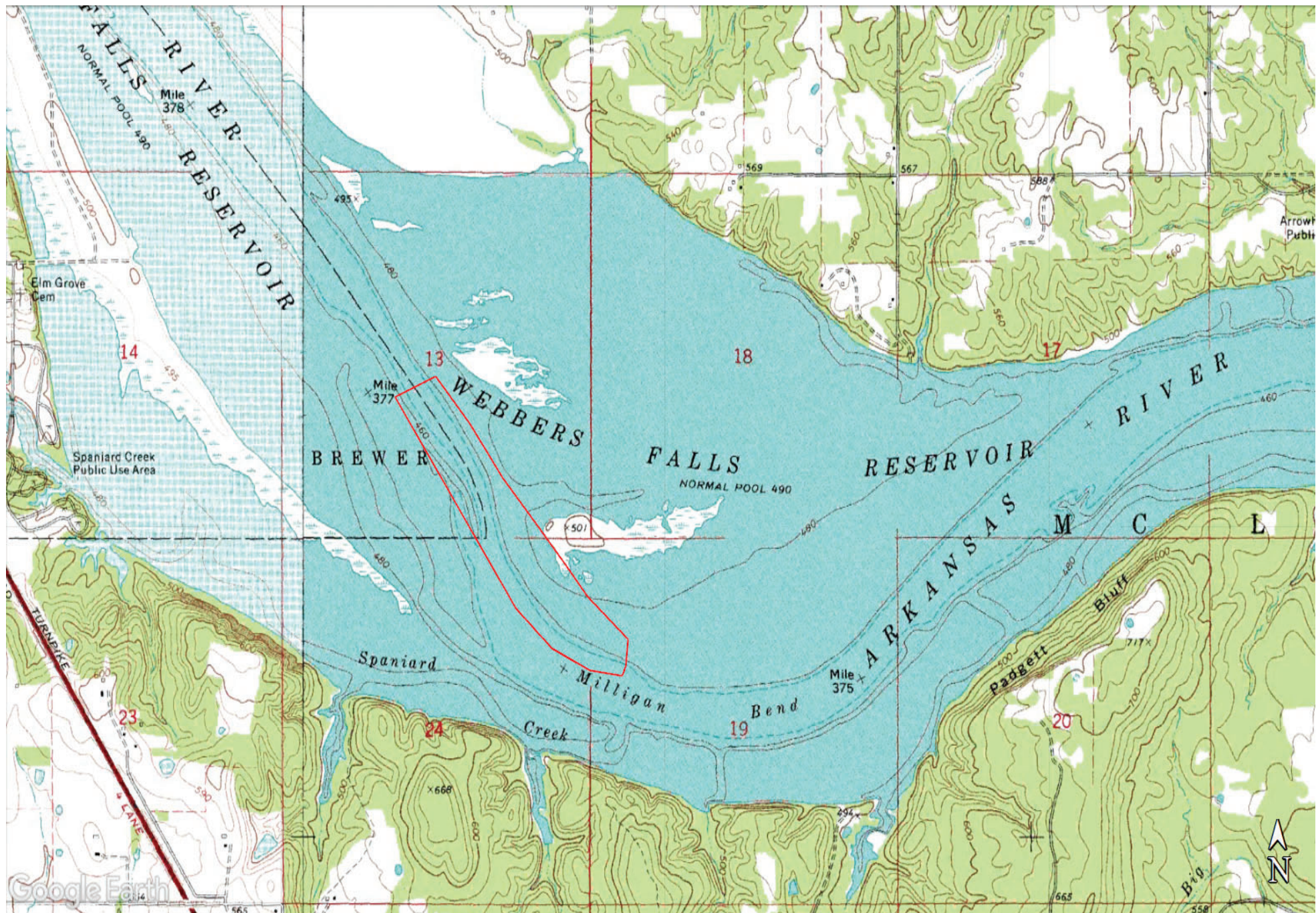
The Tulsa District will receive written comments on this proposal until the expiration date of this public notice. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Brett Adams at CESWT-RO@usace.army.mil. Please include the public notice number SWT-2025-00469 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.



SWT-2025-00469
RM 373.5 to RM 375.5 OPEN WATER DISPOSAL
McCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM
MUSKOGEE COUNTY, OKLAHOMA
ENCLOSURE 1 OF 3





SWT-2025-00469
RM 373.5 to RM 375.5 OPEN WATER DISPOSAL
McCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM
MUSKOGEE COUNTY, OKLAHOMA
ENCLOSURE 2 OF 3





Google Earth

SWT-2025-00469
RM 373.5 to RM 375.5 OPEN WATER DISPOSAL
McCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM
MUSKOGEE COUNTY, OKLAHOMA
ENCLOSURE 3 OF 3

