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# Public Notice

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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, OK 74128-4609

Special  
Public Notice

April 12, 2013  
Public Notice Date

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## 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.

## NOTICE TO PUBLISHERS

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.



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

**SPECIAL PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS, TULSA DISTRICT**

**BACKGROUND:** On July 25, 2012, the Tulsa District circulated a public notice announcing a proposal to accept and expend Regulatory Program funds contributed by a non-federal public entity, the Oklahoma Department of Transportation (ODOT). Authorization for such proposals is in Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), codified in 23 U.S.C. 139. The public notice provided general information on how and why funds would be expended, information concerning how acceptance and expenditure of funds would affect the Regulatory Office, and safeguard procedures to make sure the acceptance and expenditure of funds would not impact impartial decision making with respect to permits, either substantively or procedurally. No negative comments were received regarding the July 25, 2012, public notice.

**SUBJECT:** The Tulsa District Commander has determined that the acceptance and expenditure of funds from ODOT would be in accordance with SAFETEA-LU, Section 6002 and would serve the public interest through cost-effectiveness, enhanced evaluation and capability, streamlined permit processing, or other appropriate justification.

All final ODOT permit decisions concerning SAFETEA-LU, Section 6002 authorizations in the Tulsa District will be made available on the Regulatory Office webpage:

<http://www.swt.usace.army.mil/Missions/Regulatory.aspx>

Requests for additional information should be submitted to Mr. Shane Charlson, U.S. Army Corps of Engineers, Tulsa District, ATTN: Regulatory Office, 1645 South 101st East Avenue, Tulsa, OK 74128, or telephone 918-669-7400.

Andrew R. Commer  
Chief, Regulatory Office  
Tulsa District