

RESOLUTION NO. 2025-176

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
GRANT COUNTY, OKLAHOMA:

THAT, WHEREAS it is in the best interest of Grant County, to certify that no federal funding will be utilized in the execution of the project described as a bridge replacement of a Bridge over Osage Creek in Grant County, Oklahoma;

WHEREAS the Board of County Commissioners of Grant County certifies that the regulatory provisions described on Page 2 of this Resolution have been addressed as indicated; and

WHEREAS the Board of County Commissioners of Grant County accepts and agrees that all costs associated with contractor delays or additional project costs that are incurred due the failure of the County to secure a required permit(s) or non-compliance of the County with permit requirements or regulatory provisions will be borne solely by the County;

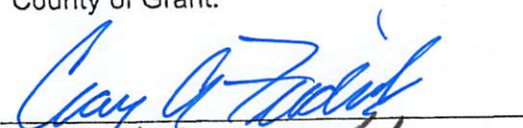
NOW, THEREFORE, it is hereby resolved that the Board of County Commissioners of Grant County is hereby authorized and directed to execute and signify that the provisions have been met on behalf of Grant County, and duly signed by the Board of County Commissioners of Grant County this 8<sup>th</sup> day of September, 2025.

APPROVED AS TO FORM AND  
LEGALITY:

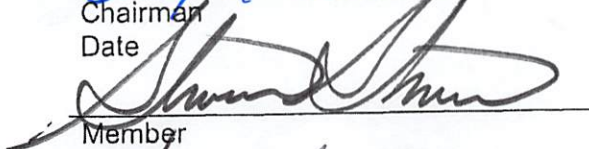


District Attorney  
Date 9/8/25

Board of County Commissioners  
County of Grant:



Chairman  
Date

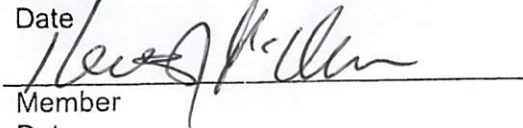


Member  
Date

ATTEST:



County Clerk  
(Seal)



Member  
Date



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APPROVED AS TO FORM AND LEGALITY:

Board of County Commissioners  
County of Grant:

\_\_\_\_\_  
District Attorney  
Date

\_\_\_\_\_  
Chairman  
Date

ATTEST:

\_\_\_\_\_  
Member  
Date

\_\_\_\_\_  
County Clerk  
(Seal)

\_\_\_\_\_  
Member  
Date

COUNTY: Grant

STATE JOB PIECE NO.: JP29862(04)

Date Certified	Not Applicable	Regulatory Provision	Comment
8/18/25		The Project does not require any permanent or temporary fill or excavation activities in jurisdictional waters or wetlands of the US as determined by a qualified professional.	The proposed project area contains one likely jurisdictional aquatic feature: an intermittent stream named Osage Creek (S1). Based on current plans, this project would likely be covered under NWP 14. If the proposed project results in the loss of greater than 0.5 acres of WOTUS, the project would not be covered under NWP 14 and an individual permit may be required. If all WOTUS are avoided, then no permit authorization through the USACE is anticipated. See <b>Attachment 1</b> for more details.
8/18/25		A 404 permit has been issued by the US Army Corps of Engineers, Tulsa District (COE), and any required consultation under Section 106 of the National Historic Preservation Act and the Endangered Species Act has been completed. The Commission acknowledges that the project must comply with the General and special conditions associated with the 404 Permit and/or DEQ 401 Water Quality Certification. Permit # _____ is attached to this certification.	Based on current plans, this project would likely be covered under NWP 14. This project may lead to the loss of more than 1/10 <sup>th</sup> -acre of WOTUS. Therefore, the submittal of a PCN to the USACE – Tulsa District may be required for this project, according to PCN Criteria 1. See <b>Attachment 1</b> for more details. The state-required Oklahoma Department of Transportation Section 404 Pre-Construction Notification Form for State Projects will be submitted to ODOT detailing this anticipated impact to waters of the U.S. If necessary, coordination with the Tulsa District – USACE will be completed through ODOT.
8/18/25		The County certifies that required coordination with the U.S. Fish and Wildlife Service (Service) under the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA); and additional review by the Service, if necessary, was completed. <a href="http://www.fws.gov/southwest/es/oklahoma/OKESFO%20Permit%20Home.htm">http://www.fws.gov/southwest/es/oklahoma/OKESFO%20Permit%20Home.htm</a> )	Soil disturbance and vegetation clearing within the project area may impact the proposed threatened monarch butterfly; however, this species is currently not afforded any federally-mandated protections. If final project plans indicate impacts to any federally listed species, required USFWS coordination for the impacted species would be conducted, which may include presence/absence surveys. See <b>Attachment 2</b> for more details.

<p>8/18/25</p>		<p>The Project will not impact active Migratory Bird breeding areas and complies with the Bald and Golden Eagle Protection Act.</p>	<p>No large trees suitable for eagle nests were observed within the project area, and no bald eagles were observed within the project area. The project area contains vegetation suitable for nesting migratory birds. To prevent take, vegetation clearing should be done outside of the migratory bird nesting season. If clearing/removal is not done outside of the migratory bird nesting season, any vegetation to be cleared should be monitored by a qualified biologist for migratory bird nesting activity prior to removal. If these recommendations are followed, the proposed project is anticipated to comply with the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act.</p>
<p>8/18/2025</p>		<p>The Project was reviewed for industrial or hazardous waste/or Leaking Underground Storage Tank concerns that may impact public health, workers' health and safety, project cost, or schedule.</p>	<p>An Environmental Risk Information System (ERIS) database search was performed for the project area located at Haskell Road over Osage Creek near Medford, Oklahoma. No database records were identified within the project area itself. Within a 0.5-mile radius, twelve records were identified, including five Tier 2 hazardous materials storage sites, two AIRS permitted facilities, and five PFAS Industry Sector listings. These records are associated with nearby oil and gas operations and do not appear to pose a direct environmental risk to the project area. According to the Oklahoma Corporation Commission (OCC) Well Data Finder and site investigation observations, two active oil wells are adjacent to the project area. The wells are the Livestock 2706 and Deana 2706 and are both owned by Sandridge Exploration &amp; Production LLC. The well pads for both of these sites appeared well-maintained and no signs of leaking or release of petroleum products were observed during site investigation. No other state or federally listed hazardous waste sites or LUST sites were identified within the ASTM E1527-13 respective radii. A copy of the database report received from ERIS is provided in <b>Attachment 3</b>.</p>

			Reviewed sources include Oklahoma Archeological Survey Site Files (OASIS), Google Earth™, the Nationwide Environmental Title Research (NETR) website, USGS Topographic Map Explorer, Bureau of Land Management (BLM) General Land Office records, and Oklahoma Historical Aerial Digitization Project (OHADP). An intensive cultural resources survey consisting of pedestrian survey augmented with 22 shovel tests was conducted throughout the entire Area of Potential Effect (APE). No cultural materials were observed on the surface or in any shovel tests. No previously recorded archaeological sites or NRHP-listed or eligible resources were identified within the APE or within a 1-mile radius. Stantec archaeologists determined that there are no NRHP-eligible structures or archaeological sites within the study area and recommend a finding of "No Historic Properties Affected." See Attachment 4 for more details.
8/18/25		The project will not affect any recorded archeological or burial sites in compliance with the Oklahoma Antiquities Law (Title 53 Chapter 20 § 361) and Burial Desecration Law (Title 21 Chapter 47 § 1168).	
8/5/25	X	The project was developed in coordination with the Scenic Rivers Commission in accordance with Title 82 §1461 (Only for Flint Creek and the Illinois River above the confluence of the Barren Fork Creek in Cherokee, Adair and Delaware Counties; Barren Fork Creek in Adair and Cherokee Counties from the present alignment of Highway 59 West to the Illinois River; the Upper Mountain Fork River above the 600-foot elevation level of Broken Bow Reservoir in McCurtain and LeFlore Counties, and portions of Lee and Little Lee Creeks in Adair and Sequoyah Counties, as specified in Title 82 §1452.)	The proposed project is not located within Cherokee, Adair, Delaware, McCurtain, LeFlore, or Sequoyah County and does not contain a designated Wild and Scenic River.
8/5/25		One (1) acre or more of total ground disturbance is anticipated by the construction of the project, a DEQ OKR010 Construction Stormwater Permit will be required.	More than one acre of ground disturbance is anticipated for this project. An ODEQ OKR010 Construction Stormwater Permit will be acquired by the County's contractor for this project.
8/5/25	X	Within 4 miles of a general aviation airport, FAA Permit (under conditions listed in FAA Form 7460-1) may be required.	There are no known general aviation airports within 4 miles of the project area. The Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) Pre-Screening Tool was used to determine if FAA notification would be required; based on current design the project is not required to file notice.
8/5/25	X	Section 10 Permit for work in traditionally Navigable Waters (COE)	The proposed project does not include a Section 10 Navigable Water.

8/5/25	X	Section 9 Coast Guard Permit for work in navigable waters used or susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce	The proposed project does not include a Section 10 Navigable Water and therefore would not require a Section 9 Coast Guard Permit.
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