

PUBLIC NOTICE

March 16, 2026

The [Oklahoma Department of Environmental Quality \(DEQ\)](#) has received an application for a Clean Water Act (CWA) Section 401 Water Quality Certification (Certification) pertaining to proposed activities in Flint Creek in Delaware County. The activities require the U.S. Army Corps of Engineers permit under Section 404 of the CWA (Section 404 Permit). Under [Section 401 of CWA](#), the State is required to review any Federal permit regarding activities in Waters of the United States. The purpose of the Certification review, according to DEQ regulations [[Title 252, Chapter 611-3-1\(a\)](#)], is to determine whether the proposed discharge(s) will comply with the [Oklahoma Water Quality Standards](#) (WQS), and Sections 301, 302, 303, 306, and 307 of the CWA.

This Public Notice opens on March 16, 2026, and will close on April 15, 2026.

Hayes Family Limited Partnership submitted an application for the bank stabilization on Flint Creek near Colcord in Delaware County. The repair work is covered under the U.S. Army Corps of Engineers' (USACE) Nationwide Permit 13 (NWP13), Bank Stabilization. The WQS designate the Illinois River as an Outstanding Resource Water (ORW). The USACE has adopted ORW designations for Critical Resource Waters (CRW) relative to NWPs. For NWP13, DEQ has denied Section 401 Water Quality Certification in CRWs and requires a project-specific Section 401 Water Quality Certification.

The proposed project will stabilize a rapidly eroding bank of Flint Creek that has threatened the integrity of an existing pedestrian bridge pier. The project will stabilize approximately 75 linear feet of streambank using a combination of a longitudinal stone toe, bankfull bench soil lift, and buried riprap slope protection. The stone toe will be excavated to a minimum depth of 3 feet below the existing streambed elevation and will extend along 75-foot reach of eroding bank. The trench will be filled with 18-30 inches riprap or native stone harvested on-site. Embedded root wads will be installed within the stone toe to provide aquatic habitat and bank reinforcement. A soil lift constructed with biodegradable coir woven blanket will be installed on top of the stone toe to create a bankfull bench. Above the bench, additional riprap will be installed at 3:1 slope. The riprap slope will be buried beneath a minimum of 12 inches of soil or sod mat, and the surface will be stabilized using anchored biodegradable coir erosion control matting to allow for vegetative establishment. The stabilization structure will be keyed into the existing streambank to prevent flanking or behind-structure erosion. Approximately 65 tons of rock will be used in the stone toe, and 85 tons of rock will be used in the sloped bank protection.

The project is located in Section 18, Township 20 North, Range 25 East, I.M, in Delaware County, Oklahoma.

DEQ is soliciting comments concerning the water quality impacts of the project. The comments received will be considered by DEQ in issuing a Section 401 Water Quality Certification for the proposed project. Please submit your comments in writing by the end of the workday on April 15, 2026, to:

Elena Jigoulina
Water Quality Division
Oklahoma Department of Environmental Quality
P.O. Box 1677
Oklahoma City, OK 73101-1677
(405) 702-8200
Water.Comments@deq.ok.gov



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If you are receiving this in paper form, please help save money and the environment by receiving the notice in PDF format via e-mail. Just send your e-mail address to Water.Comments@deq.ok.gov

