

# APPENDIX A

## PART ONE

### PUBLIC INVOLVEMENT 1997

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The original scoping for the Wister Lake proposed pool level raise occurred during 1997. This section summarized the scoping procedures and comments, issues and concerns raised during the 1997 meetings.

#### 1.0 INTRODUCTION

Scoping is an important aspect of the environmental analysis process. This document presents an analysis of the comments, issues, and concerns raised during the public scoping period for the Wister Lake proposed rise in the pool level. This report:

- describes the scoping meeting format,
- summarizes comments received during the official scoping period, and
- identifies the major issues and concerns derived from scoping meetings, comment sheets, and letters.

Scoping not only informs the public about the proposed action and alternatives but also identifies the issues and concerns that are of particular interest to the affected populace. This information is then used to assist resource specialists in data collection and analysis for the draft Supplemental Final Environmental Statement (Draft SFES) development process. This summary report is based on all written and verbal comments received from March 17, 1997 through October 15, 1997—the official scoping period for the Wister Lake Pool Level Changes proposal. One scoping meeting was held in the adjacent community, Poteau, Oklahoma.

#### 2.0 SCOPING PROCESS

The scoping phase of the environmental analysis process provides opportunities for government agencies, interest groups, and the general public to learn about the proposed action and alternatives. The scoping process helps the Corps of Engineers identify alternative approaches for meeting the proposal's need and provides an avenue for public input into the resource analysis performed in the draft SFES.

Official notification of the scoping period began with the publication of the Notice of Intent (NOI) on March 17, 1997 in the *Federal Register* (Attachment A). A news release (Attachment A) announcing the public information workshop for the Supplemental FES was sent September 23, 1997, to local newspapers in Poteau, OK and Ft. Smith, AR. Twenty Intergovernmental and Interagency Coordination of Environmental Planning (IICEP) letters were sent outlining the USACE proposal and announcing

scoping workshop (Attachment A: Sample letter and Mailing list). Recipients of the IICEP correspondence included: federal, state, and local agencies; local, elected officials, and interested citizens and groups. Informal contact with state and federal resource agencies also was conducted, informing them of the proposed rise in the pool level and the date and time of the workshop.

An advertisement (Attachment A) was placed in the *Poteau Daily News* (Poteau, OK) and *Southwest Times Record* (Ft. Smith, AR/Poteau, OK region). The ad announced the workshop and ran three times during the week prior to the scoping workshop (*Poteau Daily News*: September 23, 27, and 30; *Southwest Times Record*: September 23, 27, and 28). The advertisement briefly described the proposal as well as provided the time, date, and location of the public information workshop.

### **3.0 PUBLIC INFORMATION WORKSHOP FORMAT**

The public information workshop used an open house format and was held on September 30, 1997, at the Carl Albert State College in Poteau, OK, from 7:00 p.m. to 9:00 p.m. Attendees were welcomed at the entrance by USACE representatives. Attendees signed-in and were told that they would be placed on the mailing list to receive a copy of the draft Supplemental FES. They were then directed to the display area.

Four displays (associated with the information sheets) were set up with USACE personnel “manning” them. This was done in an effort to inform the public about the proposal. One display provided an overview of Wister Lake, the history of pool levels at the lake, the purpose and need for the proposed action, alternatives considered, and the purpose of the workshop. Another display provided information on the National Environmental Policy Act Process. A third display discussed the affected environment. The fourth display related to public involvement. As mentioned previously, four information sheets: Project Overview, Affected Environment, National Environmental Policy Act Process, and Environmental Impact Process, (Attachment A) were available to the public.

The informal setting allowed attendees to go from table to table, spending as much time as they needed to ask questions, receive answers, and communicate their concerns. Comment sheets (Attachment A) were provided for attendees to officially present their concerns.

### **4.0 COMMENT AND ISSUE SUMMARY**

Of the 21 people attending the workshop, 3 filled out the comment form at the meeting and one sent a comment via the post, following the meeting. The following summarizes the four comments.

1. In favor of raising the water level because there is a need for water in a dry summer. However, the drawback is water over the spillway. It prohibits use of the access road and sometimes this is dangerous if meeting larger traffic . Not being able to use the access road means that a 4-mile trip turns into 23 miles. Can a bridge be built to alleviate this problem?

2. This commentor objects to raising the level because there could be a possibility of flooding the “food” and wild areas. This would reduce production of forage in the summer and consequently harm wildlife and waterfowl in the winter.
3. A question: What initiated the action that resulted in the legislation to raise the level?
4. This person appreciates the good work being done by the Lake employees.

In response to the NOI and IICEP notification, two letters were received: U.S. Fish and Wildlife Service (USFWS) and the Oklahoma Archeological Society (Attachment A). The USFWS would like the following issues addressed:

1. Mitigation for adverse terrestrial wildlife habitat impacts caused by the 1974 and 1983 rises in Wister pool levels.
2. Implementation of a lake level management plan to benefit both terrestrial and aquatic habitat values on the Wister Wildlife Management Area.

The Oklahoma Archeological Society noted three concerns:

1. There are a number of declared, National Register-eligible sites at the lake that will be adversely affected from erosion by lake-level increases.
2. There are a number of sites within the increased pool level that have not been evaluated for eligibility. If they are determined eligible for the National Register, then these too would suffer adverse impacts due to raising the pool level at the lake.
3. The actual shoreline affected by the increase has not been comprehensively surveyed for archaeological resources. Thus, unrecorded sites could be disturbed by this flood pool change.

## **5.0 CONCLUSION**

The scoping process for the rise in pool level at Wister Lake environmental statement was conducted from March 17 to October 15, 1997. Twenty-one people attended the workshop; notification in local newspapers was given to the communities potentially affected by the proposal; and adequate time was given for people to respond to the proposal. There were written comments received from both the public and agencies and their concerns are addressed in the draft FSES. These issues included cultural resources, natural resources (wildlife, vegetation), and transportation.

## **PART TWO**

### **IICEP CONSULTATION 2001**

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#### **1.0 INTRODUCTION**

At the commencement of the preparation of the Supplemental FES, the USACE Tulsa re-initiated and Intergovernmental and Interagency Coordination for Environmental Planning (IICEP) with the distribution of letters and request for updated or new comments and concerns. Attachment B contains a sample letter and the list of agencies contacted. Approximately 50 letters were sent out and eight responses were received. All IICEP responses are included in Attachment B. Attachment B also contains the distribution list for the draft Supplement FES, which will be sent out in June 2002.

#### **2.0 RESPONSES**

Responses were received from the Chickasaw Nation, the Natural Resources Conservation Service (NRCS), the USFWS, the Poteau Valley Improvement Authority (PVIA), Oklahoma State Representative Kenneth Corn, and Oklahoma State Senator Larry Dickerson. The PVIA, Representative Corn, and Senator Dickerson favored the pool at 478.0 feet in order to meet future water supplies for the area. The NRCS was concerned about the environmental effects to wetlands and to fish and wildlife habit from lowering the pool to 471.6 feet. The USFWS identified two federally listed species with the potential to occur at Wister Lake, the American burying beetle and the bald eagle. The Chickasaw Nation did not know of any culturally sensitive or sacred sites in the area. These comments and others derived from scoping were used in preparing this Supplemental FES.

**ATTACHMENT A**  
**1997 PUBLIC SCOPING**

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Notice of Intent  
News Release

### 3-12 Administration

A. Cooperative agreements with state and local governments, nonprofit organizations and Indian economic enterprises will be entered into the cognizant Defense Command for administrative. Cooperative agreements with educational institutions will be assigned to the Office of Naval Research for administration.

B. The organization having cognizance for post award administration will periodically review the recipient's performance under the cooperative agreement to include:

1. Management control systems;
2. Financial management systems;
3. Progress being made by the recipient in meeting its program requirements; and
4. Compliance with certifications, representations and other performance factors.

The cognizant Deputy for Small Business will be the focal point for the Administrative Contracting Officer for small business issues and for all recipient publication and training requests.

C. For recipients covered by OMB Circular No. A-102, Grants and Cooperative Agreements with State and Local Governments, or OMB Circular No. A-110, Grants and Agreements with Institutions of Higher Education, Hospitals and other Non-profit Organizations, the administrative requirements specified in those circulars will apply.

D. Each state and local entity that receives Federal funding is required to have audits performed in accordance with the requirements of OMB Circular A-128. Nonprofit organizations and institutions of higher education are required to have audits performed in accordance with the requirements of OMB Circular A-133. Indian economic enterprises (for profit only) will have audits performed in accordance with the requirements of OMB Circular A-133. Recipients shall submit one copy of any audit report that results from any audit performed pursuant to the requirements of the PTA cooperative agreement to the Office of the Assistant Inspector General for Audit, Policy and Oversight, Office of the Inspector General, 400 Army-Navy Drive, Room 1076, Arlington, VA 22202-2884.

E. The following OMB Circulars will be used to determine allowable costs in performance of the program.

1. OMB Circular No. A-21, Principles for Educational Institutions;
2. OMB Circular No. A-87, Cost Principles for State and Local Governments; and
3. OMB Circular No. A-122, Cost Principles for Nonprofit Organizations.

This circular will also be used by for-profit organizations.

[FR Doc. 97-6570 Filed 3-14-97; 8:45 am]

BILLING CODE 5000-03-M

## DEPARTMENT OF THE ARMY

### Corps of Engineers

#### Intent To Prepare a Draft Supplement to the Final Environmental Statement (DSFES) for the Operation and Maintenance Program Wister Lake, Poteau River, OK

AGENCY: U.S. Army Corps of Engineers, Department of Defense.

ACTION: Notice of intent.

SUMMARY: The purpose of the DSFES is to address raising the top of conservation pool since filing of the Final Environmental Statement on 13 October 1973.

FOR FURTHER INFORMATION CONTACT: Mr. David L. Combs, Chief, Environmental Analysis and Support Branch, Tulsa District, U.S. Army Corps of Engineers, P.O. Box 61, Tulsa, Oklahoma 74121-0061 or telephone 918-669-7660.

SUPPLEMENTARY INFORMATION: Wister Lake was authorized by the Flood Control Act of 1938 and is operated for flood control, water supply, low flow augmentation, water conservation, and sedimentation. Construction was initiated 10 April 1946 and the project was placed in operation in October 1949.

Wister Lake is located in the northern foothills of the Kiamichi Mountains adjacent to the Ouachita National Forest in LeFlore and Latimer Counties of Oklahoma. The damsite is on the Poteau River approximately 2 miles south of the town of Wister, Oklahoma. As originally authorized at conservation pool elevation 471.6 feet National Geodetic Vertical Datum (NGVD), the lake contained 27,000 acre-feet of water storage with a surface area of 4,000 acres.

In 1974, an operational plan was implemented at Wister Lake to seasonally raise the conservation pool from elevation 471.6 to 478.0 feet NGVD between June and December. This seasonal increase in elevation continued each year thereafter on a temporary basis until it was made permanent in 1978. In 1983, Public Law 98-63 directed the Chief of Engineers to raise the permanent conservation pool level from elevation 471.6 to 474.6 feet NGVD and to raise the conservation pool seasonally between 1 June and 1 December to 478.0 feet NGVD. The Water Resources Development Act of 1996 further modified the project and

permanently raised the top of conservation pool to elevation 478.0 feet NGVD.

#### Reasonable Alternatives To Be Considered Include

- a. No action
- b. Continued operation of the project with environmental compliance

#### Significant Issues To Be Addressed In the (DSFES) Include

The potential impact of raising the top of conservation pool on other project purposes, fish and wildlife resources, water quality, recreation, cultural resources, Federally listed threatened and/or endangered species, and mitigation requirements.

#### List of Affected Parties

A mailing list has been developed for various notices concerning preparation of this supplement. This list includes local, state, and Federal officials having jurisdiction, expertise, or other interests in the action: environmental interest groups, native American tribal governments, and local news media.

#### Scoping

Comments received as a result of this Notice of Intent will be used to assist the Tulsa District in identifying potential impacts to the quality of human and natural environments. Individuals or organizations may participate in the scoping process by written comment or by attending a scoping meeting. The time and location of the scoping meeting will be announced in local newspapers and by public notice sent to parties indicated in the previous paragraph. Written comments may be forwarded to the above noted address. To be considered in the DSFES, comments and suggestions should be received no later than 15 days following the public scoping meeting.

Timothy L. Sanford,

Colonel, EN, Commanding.

[FR Doc. 97-6576 Filed 3-14-97; 8:45 am]

BILLING CODE 3710-39-M

## Department of the Navy

#### Notice of Intent To Prepare a Draft Environmental Impact Statement for the Proposed Disposal and Reuse of Naval Air Warfare Center, Aircraft Division, Trenton, Ewing Township, NJ

SUMMARY: Pursuant to Council on Environmental Quality regulations (40



**US Army Corps  
of Engineers** ®  
Tulsa District

# NEWS RELEASE

For Immediate Release

To: Editor, News Directors, and Assignment Editors

Synopsis: Public Information Workshop planned for Sept. 30 on Wister Lake

Pages: 1

Date: Sept. 23, 1997

News Release No. 97-16

## **Public Workshop planned on Wister Lake**

TULSA, Okla. -- The United States Congress has directed the Corps of Engineers to raise the pool level of Wister Lake. Persons interested in the rise in pool level at the lake are invited to attend a Public Information Workshop at Carl Albert Junior College on Sept. 30. The workshop will have an open house format and will be held at the Business Center, 1507 McKenna, Poteau, Okla.

Interested parties can come to the business center any time between 7 and 9 that evening where they can discuss the changes at Wister Lake with Corps staff. At the workshop, Corps personnel will solicit comments and answer questions regarding the rise in the pool level.

For more information, contact David Combs at the U.S. Army Corps of Engineers, Tulsa District. Send mail to his attention to CESWT-PL, P.O. Box 61, Tulsa, OK 74121-0061. He can be reached by e-mail at [David.L.Combs@usace.army.mil](mailto:David.L.Combs@usace.army.mil) or by phone at (918) 669-7660.

Example ICEP Letter and Mailing List  
1997

Planning Division  
Environmental Analysis and Support Branch

Mr. Jerry Brabander  
Field Supervisor  
U.S. Fish and Wildlife Service  
222 South Houston, Suite A  
Tulsa, OK 74127

Dear Mr. Brabander:

The U.S. Army Corps of Engineers, Tulsa District, is holding an informational workshop concerning proposed pool level changes at Wister Lake. The workshop will be held on September 30, 1997, at Carl Albert Junior College in Poteau, Oklahoma. The enclosed announcement provides specific details on purpose, time, and location of the workshop.

The workshop is part of the National Environmental Policy Act compliance process and assists us in obtaining views of the public. The Tulsa District also encourages other agencies and organizations to be active partners in this evaluation. We invite you and your staff to attend the workshop.

If you have any questions, please contact Mr. David L. Combs, Chief, Environmental Analysis and Support Branch at 918-669-7660.

Sincerely,

G. David Steele, P.E.  
Chief, Planning Division

Enclosure

CF:

CESWT-PL-R

CESWT-PL-RE (a:\wister.rsm)

\*Same letter sent to those on enclosed list.

## MAILING LIST

Mr. Jerry Brabander  
Field Supervisor  
U.S. Fish and Wildlife Service  
222 S. Houston, Suite A  
Tulsa, OK 74127

Mr. Greg Duffy  
Director  
Oklahoma Department of Wildlife  
Conservation  
1801 North Lincoln Blvd.  
Oklahoma City, OK 73105

Mr. J. Blake Wade  
State Historic Preservation  
Officer  
Oklahoma Historical Society  
Wiley Post Historical Building  
Oklahoma City, OK 73105

Dr. Robert L. Brooks  
University of Oklahoma  
Oklahoma Archeological Survey  
1808 Newton Drive, Room 116  
Norman, OK 73019

Mr. Bobbye Jack Jones  
State Conservationist  
Natural Resources Conservation  
Service  
Agriculture Center Office  
Building  
Farm Road and Brumley Street  
Stillwater, OK 73074

Ms. Kathy Peter  
District Chief  
U.S. Geological Survey  
202 N.W. 66th  
Oklahoma City, OK 73116

Mr. Michael A. Deihl  
Administrator  
Southwestern Power Administration  
P.O. Box 1619  
Tulsa, OK 74101

Mr. Mark Coleman  
Director  
Oklahoma Department of  
Environmental Quality  
1000 N.E. 10th Street  
Oklahoma City, OK 73105

Ms. Jane N. Saginaw  
Federal Region VI Administrator  
U.S. Environmental Protection  
Agency  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202

Mr. Derek Smithsee  
Chief, Water Quality Programs  
Division  
3800 North Classen Blvd.  
Oklahoma City, OK 73118

Ms. Margaret Ruff  
Executive Director  
Oklahoma Wildlife Federation  
3900 North Sante Fe  
Oklahoma City, OK 73110

Mr. Alan Site, President  
Oklahoma Trout Unlimited  
705 East 7th Court  
Sand Springs, OK 74063

Mr. David Davies, Secretary  
Oklahoma Department of Tourism  
and Recreation  
2401 North Lincoln  
Suite 500  
Oklahoma City, OK 73105

Mr. Frank Yerby  
U.S. Forrest Service  
P.O. Box 577  
Talahina, OK 74571

Mr. Ron Clark  
National Resource Conservation  
Service  
USDA-Agricultural Center  
Oklahoma State University  
Stillwater, OK 74074

Mr. Edward Cook  
Cabinet Secretary  
Department of Tourism and  
Recreation  
15 North Robins, Suite 100  
Oklahoma City, OK 73102

Mr. Pat Searles  
Manager  
Poteau Valley Improvement  
Authority  
Route 2, Box 110  
Wister, OK 74966-9504

Honorable Wes Watkins  
House of Representatives  
P.O. Box 1607  
Ada, OK 74820

Honorable James M. Inhofe  
United States Senator  
1924 South Utica, Suite 530  
Tulsa, OK 74104-6511

Honorable Don Nickles  
United States Senator  
409 South Boston, Suite 3310  
Tulsa, OK 74103-4007

IICEP Responses  
1997



# United States Department of the Interior

WL - 30

## FISH AND WILDLIFE SERVICE

Ecological Services  
222 S. Houston, Suite A  
Tulsa, Oklahoma 74127

May 2, 1997

Mr. David L. Combs  
Chief, Environmental Analysis and Support Branch  
Tulsa District  
U.S. Army Corps of Engineers  
P.O. Box 61  
Tulsa, Oklahoma 74121-0061

Dear Mr. Combs:

This responds to the March 17, 1997, Federal Register Notice (62 FR 12622) on Intent to Prepare a Draft Supplement to the Final Environmental Statement (DSFES) for the Operation and Maintenance Program Wister Lake, Poteau River, Oklahoma. We look forward to participating in the DSFES process, and recommend the following issues be addressed in the document:

- 1) Mitigation for adverse terrestrial wildlife habitat impacts caused by the 1974 and 1983 raises in Wister pool levels. These impacts were summarized in our planning aid report on the Wister Pool Level Investigation dated May 25, 1993.
- 2) Implementation of a lake level management plan to benefit both terrestrial and aquatic habitat values on the Wister Wildlife Management Area.

We will anticipate working with your staff as they prepare the environmental compliance documentation. If you need further information, please contact Ken Frazier at 918/581-7458, extension 234.

Sincerely,

Jerry J. Brabander  
Field Supervisor

cc: Director, Oklahoma Department of Wildlife Conservation, Oklahoma City, OK  
(Attn: Natural Resources Section)  
Roy Perez, Division of Habitat Conservation, Albuquerque, NM



## Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

June 5, 1997

Colonel Timothy Sanford  
Chief Executive Officer  
Department of the Army  
Tulsa District, Corps of Engineers  
P. O. Box 61  
Tulsa, OK 74121-0061

Re: Increased normal pool level, Wister Lake, Le Flore County, Oklahoma.

Dear Colonel Sanford:

I recently received telephone calls from concerned citizens in Le Flore County regarding increased lake levels at Lake Wister and potential impacts to archaeological sites. It is my understanding that the normal pool level at Lake Wister has been increased (I am uncertain as to the actual footage increase) and maintained at this higher level. As I recall this was a proposed project of then Representative Bill Brewster to enhance recreational opportunities at the lake. I have three concerns pertaining to the increase in the normal pool elevation at Lake Wister.

1. There are a number of sites at Lake Wister which have been declared eligible for the National Register and which will be adversely effected by erosion resulting from the increased lake level.
2. A number of sites within the increased pool level have not been evaluated regarding their National Register eligibility. If some of these are found to be eligible sites, they would also be the recipient of adverse effects in the same fashion as for those currently eligible.
3. The actual shoreline affected by the increase has not been comprehensively surveyed for archaeological resources. Thus, there may be additional but unrecorded sites which would be disturbed by this flood pool change.

Lake Wister is an extremely sensitive archaeological area, being our only Corps of Engineers National Register District. I would greatly appreciate information on the Tulsa District's proposed treatment measures for these effects to Oklahoma's archaeological resources.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert L. Brooks".

Robert L. Brooks  
State Archaeologist

cc: SHPO

Workshop Advertisement  
Workshop Information Sheets

~ *Announcing* ~  
**Public Information Workshop**  
*as related to the*  
**Wister Lake**  
**Le Flore County, Oklahoma**  
*Rise in Pool Level Study*  
*in compliance with*  
**The National Environmental Policy Act**  
**Date: Tuesday, September 30, 1997**

**Purpose:** Provide information about reallocation plans related to Wister Lake.

**Place:** Carl Albert Junior College, Business Center 1507 McKenna, Poteau, Oklahoma

**Time:** Anytime between 7 p.m. and 9 p.m. (open house format)

**Host:** U.S. Army Corps of Engineers, Tulsa District

The Corps is evaluating controlled rises in pool levels at Wister Lake in Le Flore County, Oklahoma. Users of the Wister Lake, including water supply and recreation users, requested Congressional action on the lake operation. The United States Congress directed the Corps to raise the level of Wister Lake. The purpose of the workshop is to answer questions and solicit comments regarding the rise in the pool level. The workshop is an open house format with no set formal presentation. The public is invited to come to the information workshop anytime between 7 p.m. and 9 p.m. to discuss the changes at Wister Lake with Corps staff.

**For More Information:**

David Combs  
U.S. Army Corps of Engineers, Tulsa District  
ATTN: CESWT-PL  
P.O. Box 61  
Tulsa, Ok 74121-0061  
918-669-7660  
e-mail: David.L.Combs@usace.army.mil

## PROJECT OVERVIEW

### Project Background

Wister Dam and Lake are located about 2 miles south of Wister, Oklahoma, on the Poteau River, a tributary of the Arkansas River. The Tulsa District, Corps of Engineers began construction of the project in April 1946 and completed the project in October 1949. Project purposes are flood control, water supply, low flow augmentation, water conservation, and sedimentation. The rolled impervious earthen embankment is 5,700 feet in length and rises to a maximum height of 99 feet above the streambed. Oklahoma State Highway 270 was constructed atop the dam. A 2,400-foot-long rolled earthen dike extends from the right abutment and rises to a maximum height of 40 feet. The outlet works, located near the right abutment, consists of two gated, 15.8- by 14.0-foot, egg-shaped conduits. The capacity of the outlet works varies from 14,600 cubic feet per second (cfs) at the top of the flood control pool to 7,900 cfs at the conservation pool elevation. Flows are regulated by six 7- by 12-foot, tractor-type, vertical-lift gates located in a concrete gate tower. Two water supply intakes are located in the gate tower, one for possible future water supply use and the other to supply the project. Bank-full channel capacity below the dam is 6,600 cfs.

Wister Lake has a surface area of 5,361 acres, a shoreline length of 115 miles, a mean depth of 7.5 feet, and a maximum depth of 44 feet at normal pool elevation 474.6. At this elevation, a large portion of the lake is less than 6 feet deep.

The lake contains a total of 427,900 acre-feet of storage below the top of flood control pool, elevation 502.5. The conservation pool includes 41,060 acre-feet of storage below elevation 474.6. This storage is reserved for sediment, water supply, and conservation purposes. Currently, 14,000 acre-feet of this storage, with a dependable yield of 20 million gallons per day, is allocated to municipal and industrial water supply. The remaining storage, with a dependable yield of 8 million gallons per day, is reserved for 100-year accumulated sediment (estimated to be about 13,000 acre-feet) and other conservation purposes.

Wister Lake is the only large recreational lake in the Poteau River Basin, with approximately 251,000 visitors to the lake each year.

### Increased Lake Levels

The original conservation pool elevation for Wister Lake was at 471.6 feet. In 1976, the Corps initiated a June to December seasonal pool of 478.0. The permanent conservation pool was raised to 476.6 feet with the seasonal pool of 478.0. In 1994 the permanent conservation pool was raised to 475.5 with the 478.0 seasonal pool. Local interests have expressed a desire to further raise the Wister Lake conservation pool. They believe raising the conservation pool will provide additional water supply to attract industry to the area and meet future increases in demand and that it will lessen water quality problems experienced at the two area water treatment facilities that presently obtain raw water from the lake. In addition, recreation interests advocate increasing the conservation pool to enhance tourism and recreational opportunities.

In response to these desires, Congressional legislation authorized a study to evaluate the feasibility of further modifications to Wister Lake. Specifically, the legislation directed that studies be made to determine the feasibility of raising the permanent pool 1 foot, and that it be raised 1 foot, from elevation 474.6 to elevation 475.6, during Fiscal Year 1993. The legislation further directed consideration of adjustments in pool operation to accommodate the change in conservation pool elevation. Although the legislation directs study of a 1-foot increase, local interests have emphasized their desire for the permanent conservation pool to be raised to elevation 478.0. The Water Resources Development Act of 1996 directed the Corps to raise Wister Lake's permanent conservation pool to 478 feet year-round.

### Action to Be Evaluated

The Corps of Engineers responded to Congressional directives and has changed the operation of Wister Lake. Under the directive, the Corps currently maintains a minimum conservation pool of 478 year-round. The Corps is required under the National Environmental Policy Act to review the impacts of those change in operation.

## AFFECTED ENVIRONMENT

### Poteau River Basin

The Poteau River originates in western Arkansas, flows into Oklahoma, then turns north to empty into the Arkansas River near Fort Smith, Arkansas. The basin is triangular, with an area of 1,888 square miles, 933 square miles of which are above Wister Dam. The basin topography is rough, varying from low, rounded ridges in the north and northeast, to high, mountainous ridges in the central and southern portions of the watershed.

### Climate

The Poteau River Basin is characterized by a continental climate of mild winters and hot summers. The average annual temperature for this region is about 62 degrees Fahrenheit, with monthly averages ranging from 36 degrees Fahrenheit in January to about 82 degrees Fahrenheit in July. Annual precipitation averages 44 inches per year, with about 50% of that amount occurring in May, June, July, and October. Average annual runoff is about 12.5 inches per year.

### Socioeconomic Resources

The Wister Lake project directly affects people living, traveling, and conducting activities in three Oklahoma counties, Latimer, LeFlore, and Sequoyah. An estimated 90,000 persons live in these three counties. Approximately 38,000 persons are employed in these counties which has an unemployment rate of 8.6%.

### Natural Resources

Terrestrial Resources. The Wister Lake project lies in the Ouachita Biotic District of the Southern Mixed Forest Ecological Province, which begins roughly at the headwaters of Holston and Black Fork Creeks in Scott County, Arkansas, and extends to the headwaters of the Poteau River. This area is characterized by sandstones capping broad hills and mountains that rise 300 to 2,000 feet above wide, hilly plains.

Vegetation in the project area is diverse in origin and distribution. This diversity can be attributed to climatic changes in the region during and following the last glaciation, diverse soils, and the location of the project in the transition zone between forest and prairie.

**Flora.** Principal terrestrial habitat types that occur in the area include bottomland hardwood forests, upland forests, abandoned fields, agricultural land, and seasonally flooded land. Common bottomland hardwood species include pin oak, elm, green ash, water oak, willow oak, black walnut, sugarberry, sweet gum, and willow. Secondary growths of black willow, elm, and ash, in association with buttonbush, honey locust, and black gum, comprise the understory vegetation. Upland forests are dominated by post oak, elm, hickory, pine, and red oak. Only a small amount of cropland is found within the project area. Soybeans and maize are the major row crops, and sudan grass is the major hay crop. These crops provide a moderate amount of food and cover for wildlife. Their food value is largely dependent upon the amount left in the field after harvest. Vegetation in seasonally flooded areas has already been impacted because the seasonal rise occurs during the growing season. Prior to seasonal pool operation, vegetation within this area consisted of species representative of the various vegetative types previously listed. Currently, only flood-tolerant species occur in this zone.

**Fauna.** The Poteau River watershed hosts 13 species of turtles, 11 species of lizards, and 31 species of snakes. Common reptiles reported include the five-lined skink, little brown skink, ring-necked snake, ribbon snake, pilot black snake, copperhead, various water snakes, eastern box turtle, and pond sliders. Seven species of salamanders and 15 species of frogs and toads inhabit the watershed. Among the common amphibians of the area are the cricket frog, gray tree frog, spring peeper, northern chorus frog, leopard frog, green frog, bullfrog, American toad, narrow-mouthed toad, and Fowler's toad.

A total of 293 species of birds (residents, seasonal, and migratory) have been recorded in the area. Among resident species, herons and egrets are found at the lake and river area more than any other group. The great blue heron, little blue heron, and green heron are the most common. Transient species and winter visitors observed include large numbers of canadian snow geese, mallard, gadwall, pintail, green- and blue-winged teal, and lesser scaup. During winter and spring, gulls and terns are found at the lake. Bald eagle winters in the area. Important game birds present include bobwhite quail and mourning dove. The eastern wild turkey has been reestablished and has become an important resident game species. Also occurring generally as a transient in October or November is the American woodcock. The Oklahoma Department of Wildlife Conservation has estimated that with upland management, the Wister Public Hunting Area and State Waterfowl Refuge should support populations of 50,000 over-wintering ducks, 1,000 over-wintering geese, 1 quail per 3 acres, 1 dove per 10 acres, and 1 turkey per 75 acres.

WISTER LAKE  
LAKE LEVEL ENVIRONMENTAL STUDIES  
LE FLORE COUNTY, OKLAHOMA  
INFORMATION SHEET #2  
SEPTEMBER 1997

Typical mammals inhabiting the area are the white-tailed deer, bobcat, raccoon, opossum, striped skunk, muskrat, beaver, swamp rabbit, eastern cottontail, fox squirrel, and southern flying squirrel. Red and gray foxes and coyotes are less common, and black bears, mink, and mountain lions are occasionally reported.

**Aquatic Resources.** Wister Lake is a moderately turbid, shallow, frequently fluctuating body of water. Dense stands of willow and buttonbush are found bordering the coves. Scattered islands of black willow occur in the upper end of the lake. It has a fairly high habitat value, mainly due to the presence of adjacent areas of submerged willows and other standing timber.

The stands of black willow found scattered throughout the conservation pool provide excellent fish feeding and resting sites. These sites are important not only for the habitat they provide but also for their role in lake dynamics. The chemical and biological interactions which occur at willow stands result in their high habitat value.

Despite its long period of impoundment, the reservoir still maintains a fairly productive fishery. Sport fish most frequently caught include crappie, channel catfish, bluegill, largemouth bass, and flathead catfish. Creel surveys indicate that more fish are taken from the tailwater than from the lake. The tailwater provides about 24,725 man-days of fishing annually.

**Endangered Species.** Federally-listed endangered and threatened wildlife and plants (U.S. Fish and Wildlife Service, 1979) found in the basin include the peregrine falcon, American burying beetle, Indiana bat, piping plover, and bald eagle.

### Cultural Resources

All Federally-owned lands administered by the Tulsa District at the Wister Lake project were listed on the National Register of Historic Places in 1975 as the Lake Wister Archaeological District. This National Register District is 39,170 acres in size and includes land inundated by the lake and land surrounding the lake. Initially, 19 archeological sites were identified as defining elements of this District. Currently, more than 200 known sites have been identified. Many other archeological sites, some recorded and some not recorded, are located within the District. Until otherwise documented, all of these sites are considered contributing elements to the Lake Wister Archaeological District. Most of this district has not been inventoried.

This National Register District has value because the archeological sites resulted from intensive use of this area by people believed to be Oklahoma's earliest prehistoric farmers. Some sites have earlier and/or later components, but most of the known sites fall within a time frame spanning

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approximately 2500 B.C. to 800 A.D. The District, as a whole, is typified archaeologically by sites of the Fourche Maline Culture (roughly spanning 400 B.C. to 700 A.D.). Based on surface material, these sites are thought to relate to the period leading up to Spiro Mounds, a large site complex located a few miles north of this District. It is also believed that these middens were left by early horticultural people who formed the basis of the Spiro complex and may have supported the complex during its main period of existence. The relationship this District has to the Spiro Mounds complex is extremely important.

In 1974, an archeological survey of Wister Lake was performed in response to a plan to raise the elevation of the conservation pool. At that time, the principal area of concern lay between elevations 471.6 and 480.6. The seasonal pool was put in operation on a trial basis in that year. This fluctuating seasonal operation, made permanent in 1983, was considered to degrade those archeological sites located within the fluctuation zone of the seasonal pool. Larry Neal, currently with the Oklahoma Archaeological Survey, performed that survey and indicated that the survey consisted of an exhaustive examination of Wister Lake's perimeter within the target elevation zone. The results of that survey are documented in Larry Neal and Michael Mayo's 1974 report, entitled *A Preliminary Report on a Resurvey of Wister Lake* and in Mayo's 1975 report, entitled *General Survey Report No. 15. A Resurvey and Assessment of Wister Lake, LeFlore County, Oklahoma*. In a recent communication, Mr. Neal indicated that while the 1974 survey was fairly exhaustive, the upper reaches of smaller drainage areas were not examined. A total of 50 archeological sites were identified within the target elevation zone.

Based on Mayo's 1975 report, it is strongly anticipated that all or most of these sites have undergone a certain amount of degradation through shoreline erosion and/or vandalism and that previously undetected sites may have been brought to the surface through erosion. However, the existing condition of these sites is unknown and undocumented.

## NATIONAL ENVIRONMENTAL POLICY ACT PROCESS

The purpose of the National Environmental Policy Act is to ensure that agencies conduct environmental evaluations of major Federal actions and to ensure evaluation when any Federal money is involved. Actions will be classified as one of the following:

- Categorically Excluded - No evaluations required for routine actions.
- Finding of No Significant Impact (as identified in an Environmental Assessment).
- Finding of Significant Impact (as identified in an Environmental Impact Statement and Record of Decision).

An impact Assessment/Statement:

1. Identifies existing environmental conditions, such as:
  - Environmental quality, including air, water, soils.
  - Socioeconomic conditions
  - Fish, wildlife, and plant life
  - Endangered and threatened species
  - Historical and archeological sites
2. Identifies future changes in environmental conditions - without action:
  - Changes expected to occur without the project.
  - All environmental conditions.
3. Identifies future changes in environmental conditions - with project.
  - Adverse and beneficial changes (impacts) related to the project.
  - Significant changes (impacts), if any, identified.
4. Comments are included in the final environmental document.
5. Includes public and agency comments regarding the action.
6. Scoping-coordination with agencies and public early in the process.

## ENVIRONMENTAL IMPACT PROCESS

### Approach

The process of environmental impact assessment evaluates all project alternatives by comparing both without and with project conditions. The process considers both the beneficial and adverse impacts. Listed below are the areas of focus for the environmental studies.

### Possible Impacts

Effects on Natural Resources. Since none of the plans would raise the pool above elevation 478.0 NGVD, there would be no significant reductions in quality or quantity of wildlife or fishery resources beyond that which has occurred as a result of the initial change in pool operations in 1974. However, a higher permanent conservation pool level, together with an increase in pool level fluctuations due to changes in flood control operations, could cause adverse impacts on fish and wildlife habitat in the flood pool. Anglers downstream would have to adjust to changes in the tailwater fishery because of changed operational discharges. None of the plans should impact Federally-listed endangered species. The U.S. Fish and Wildlife Service has indicated that a permanent pool level increase to elevation 478.0 combined with minor drawdowns for seeding operations would provide a plan best suited for management of fish and wildlife resources at Wister Lake.

With the pool level at 478.0 the shoreline would be stabilized at the edge of existing permanent vegetation. Mud flats would be covered by deeper water and would be exposed less frequently by natural summer drawdowns. Shoreline vegetation would be more frequently inundated during spring flood periods and would provide better conditions for fish spawning. Maintaining the permanent pool at elevation 478.0 would necessitate development of a water level manipulation plan to provide improved waterfowl and fishery habitat. Timely drawdowns accompanied by shoreline seeding would help stabilize the mud flats, provide waterfowl with food, aid in decreasing turbidity, and help improve water quality. This pool elevation would also provide optimal boating and fishing access to existing boat ramps.

Earlier studies of seasonal pool operation (from elevation 474.6 to elevation 478.0) that began in 1974 indicated that 3,328 acres of terrestrial habitat would be lost or altered. Because the seasonal pool is maintained about 50% of the time, terrestrial vegetation within the seasonally flooded zone has adapted to a new community structure. Studies indicate that

WISTER LAKE  
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this seasonally inundated zone is predominantly bare ground. With a permanent increase in conservation pool elevation to 478.0, the 3,328 acres would be permanently inundated. Due to the bare condition of the inundated zone which developed from current seasonal pool operation, no net change in land use would occur from a proposed permanent change to elevation 478.0.

The Oklahoma Department of Wildlife Conservation's (ODWC) new North American Waterfowl Management Area would not be permanently inundated, but would be subject to more frequent flooding. However, ODWC representatives indicate this would not pose a problem for operation of their facilities.

Effects on Cultural Resources. Maintaining a constant pool elevation would limit the area affected by shoreline erosion. With seasonal pool fluctuations, a larger area would be affected by shoreline erosion since the shoreline itself would be changing over the course of a yearly cycle. It is anticipated that a constant pool elevation, if held at an elevation currently affected by erosion, would result in the least amount of damage to cultural resources. It is also anticipated that larger pool fluctuations would result in greater damage to cultural resources. It is concluded that Plan A, with a constant conservation pool at 475.6 feet, would result in the least damage to cultural resources since it is within an area currently affected by intense erosion. Plan B, with a fluctuating pool at elevations different from existing operations, would result in the most damage to cultural resources. While Plan C proposes a constant pool elevation, that elevation is at the high end of the range currently affected by erosion; for that reason it is anticipated that this plan would increase or accelerate erosion at this new elevation (478.0). Plan A is also preferable over current operating conditions. All reallocation plans would, however, require mitigation measures.

Effects on Recreational Resources. The 1987 Oklahoma State Comprehensive Outdoor Recreation Plan indicated no net need for additional reservoir based recreation identified for the KEDDO Region of Oklahoma that includes LeFlore County. The plan identified 56,800 surplus surface acres of boating and 44,500 surplus surface acres of fishing resources within the region. Projections indicate that a surplus of these reservoir-based recreational resources will remain through the projected planning period to the year 2040. While plans for reallocation of water supplies at Wister Lake may enhance fish and wildlife resources within the Poteau River Basin, it is likely that reallocation plans will not have a substantial effect upon the aggregate recreational utilization of Wister Lake. Because existing facilities will accommodate projected utilization of Wister Lake and reallocation plans will not substantially change recreation use, no recreation benefit could be attributed to any plan considered in this analysis.

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Effects on Project Operation. Raising the conservation pool elevation to 478.0 would not pose a risk to the safety of Wister Dam, embankment, or operation. In response to historical embankment and spillway erosion problems at Wister Lake, rehabilitation of the embankment was completed and its safe condition verified by inspections made in June 1991. Since that time, high pool levels have verified the adequacy and effectiveness of the design of the improved embankment. Raising the conservation pool is estimated to increase the frequency of filling the flood pool from once in 9.5 years to once in 8.5 years. This would increase the frequency of operation of the spillway.

Socioeconomic Resources. Earlier studies indicate that there would be no significant change in the economy of the study area with the 478.0 pool level. No significant change in water supply, health and safety, or property values is anticipated as a result of any plan considered for Wister Lake. The impacts on flood protection provided by Wister Lake may be slight, with a decrease of 6% of the lake's flood storage capacity. Although high pool levels would occur slightly more frequently, flood damage reduction benefits would be reduced insignificantly.



**ATTACHMENT B**  
**2001 IICEP**

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2001 Sample IICEP Letter  
and Mailing List

July 5, 2001

The Honorable Don Nickles  
3310 Mid-Continent Tower  
409 S. Boston  
Tulsa, OK 74103-4007

Dear Senator Nickles:

The U.S. Army Corps of Engineers, Tulsa District (USACOE Tulsa) is preparing a Supplement to the Final Environmental Statement (SFES) for the Operation and Maintenance Program, Wister Lake, Poteau River, Oklahoma. Wister Lake was authorized by the Flood Control Act of 1938 and is operated for flood control, water supply, low flow augmentation, water conservation, and sedimentation. The lake is located in the northern foothills of the Kiamichi Mountains adjacent to the Ouachita National Forest in LeFlore and Latimer counties, Oklahoma.

The SFES is being prepared in order to identify and evaluate the environmental, cultural, social, and economic impacts of maintaining the pool level at 478.0 feet (No Action Alternative) or lowering the pool to the original level of 471.6 feet (Action Alternative).

If you have any questions regarding this proposal, please contact Mr. David L. Combs, Chief, Environmental Analysis and Compliance Branch, U.S. Army Corps of Engineers, Tulsa District, 1645 S. 101 E. Avenue, Tulsa, Ok, 74128-4629. Phone: 918-669-7660. Email: David.L.Combs@ usace.army.mil

G. David Steele, P.E.  
Chief, Planning Environmental and Regulatory Division

Wister Lake Supplemental EIS -- IICEP List

IICEP-State Historic Preservation Office (SHPO) and U.S. Fish and Wildlife Service (USFWS) & Other Agencies and Organizations									
First Name	MI	Last Name	Title	Organization	Address	City	State	Zip	
Mr. Bobbye	Jack	Jones	State Conservator, NRCS	Agriculture Center Office Building	Farm Road and Brumley Street	Stillwater	OK	73074	
Phil		Keasling		Bureau of Land Management	220 North Service Road	Moore	OK	73106-4980	
Mr. Robert		Cast	Historic Preservation Officer	Caddo Tribe of Oklahoma	P.O. Box 487	Binger	OK	73009	
Ms. Stacey		Halfmoon	NAGPRA Director	Caddo Tribe of Oklahoma	P.O. Box 487	Binger	OK	73009	
The Honorable Chad		Smith	Chief	Cherokee Tribe	220 NW Virginia Avenue	Bartlesville	OK	74003	
Ms. Judy		Allen	Chief	Choctaw Nation of Oklahoma	P.O. Drawer 1210	Durant	OK	74701	
The Honorable Perry		Beaver	Chief	Muskogee (Creek) Nation	P.O. Box 580	Okmulgee	OK	74447	
Mr. Don		Strain		Office of Federal Assistance Mgmt.	6601 Broadway Extension	Oklahoma City	OK	73116	
Mr. Larry		Neal		Oklahoma Archaeological Survey	111 E. Chesapeake Street	Norman	OK	73109-0875	
Ms. Sue		Woodward	President	Oklahoma Audubon Council	1728 Quaker	Tulsa	OK	74120	
Mr. Matt		Mercer	Wetlands Program Coordinator	Oklahoma Conservation Commission	2800 N. Lincoln Blvd., Suite 160	Oklahoma City	OK	73105	
Mr. Mark		Coleman	Director	Oklahoma Department of Environmental Quality	1000 N.E. 10th Street	Oklahoma City	OK	73117-1212	
Margaret		Graham	Cabinet Secretary	Oklahoma Department of Environmental Quality	P.O. Box 1677	Oklahoma City	OK	73106-1677	
Mr. Edward		Cook		Oklahoma Department of Tourism and Recreation	15 North Robins, Suite 100	Oklahoma City	OK	73102	
Mr. John		Ressmeyer		Oklahoma Department of Tourism and Recreation	2401 N. Lincoln, Suite 500	Oklahoma City	OK	73105	
Mr. Glen		Cheatham	Water Ways Branch	Oklahoma Department of Transportation	P.O. Box 660	Tulsa	OK	74104-0660	
Mr. David		Streb	Planning Engineer	Oklahoma Department of Transportation	200 NW 21st Street, Room 3A7	Oklahoma City	OK	73105	
Mr. Greg		Duffy	Director	Oklahoma Department of Wildlife Conservation	1801 N. Lincoln	Oklahoma City	OK	73105	
Dave		Roberts		Oklahoma Department of Wildlife Conservation	1801 N. Lincoln	Oklahoma City	OK	73105	
Ron		Sutles	Environmental Programs	Oklahoma Department of Wildlife Conservation	1801 N. Lincoln	Oklahoma City	OK	73105	
Melvena		Heisch	Deputy State Historic Preservation Officer	Oklahoma Historical Society	2704 Villa Prom, Shepard Mall	Oklahoma City	OK	73107	
J.	Blake	Wade	State Historic Preservation Officer	Oklahoma Historical Society	2704 Villa Prom, Shepard Mall	Oklahoma City	OK	73107	
Ms. Carolyn		Vaughn	Director	Oklahoma Natural Heritage Inventory	111 East Chesapeake St.	Norman	OK	73109	
Ms. Karin		Derichsweiler		Oklahoma Sierra Club	312 Keth Street	Norman	OK	73069	
Mr. Ron		Clark	NRCS, USDA-Agricultural Center	Oklahoma State University		Stillwater	OK	74074	
Mr. Alan		Site	President	Oklahoma Trout Unlimited	705 East 7th Court	Sand Springs	OK	74063	
Mr. Wayne	T.	Craney	Water Quality Division	Oklahoma Water Resources Board	3800 North Classen Blvd.	Oklahoma City	OK	73118	
Mr. Mike		Mathis		Oklahoma Water Resources Board	3800 North Classen Blvd.	Oklahoma City	OK	73118	
Mr. Derek		Smithie	Chief, Water Quality Programs Division	Oklahoma Water Resources Board	3800 North Classen Blvd.	Oklahoma City	OK	73118	
Ms. Margaret		Ruff	Executive Director	Oklahoma Wildlife Federation	3900 North Santa Fe	Oklahoma City	OK	73110	
Don		Goforta	Head of New Structures	Poteau Valley Improvement Authority	Route 2, Box 110	Wister	OK	74966-9504	
Mr. Pat		Searles	Manager	Poteau Valley Improvement Authority	Route 2, Box 110	Wister	OK	74966-9504	
Mr. Michael	A.	Delih	Administrator	Southwest Power Administration	P.O. Box 1619	Tulsa	OK	74101	
Dr. Robert		Brooks	State Archaeologist	State Historic Preservation Office	111 E. Chesapeake Street	Norman	OK	73109-0875	
The Honorable Bill		Anoatubby	Governor	The Chickasaw Nation	P.O. Box 1548	Ada	OK	74820	
Mr. Bob		Portiss	Port Director	Tulsa Port of Catoosa	5330 Cimarron Road	Catoosa	OK	74105-1650	
Jerry		Brabander	Field Supervisor	U.S. Fish and Wildlife Service	222 S. Houston, Suite A	Tulsa	OK	74127	
Mr. Frank		Yerby		U.S. Forest Service	P.O. Box 577	Talahoma	OK	74571	
Ms. Kathy		Peter	District Chief	U.S. Geological Survey	202 N.W. 66th	Oklahoma City	OK	73116	
Mr. Don		Wycoff	Oklahoma Museum of Natural History	University of Oklahoma	1335 Asp Avenue	Norman	OK	73019	
Ms. Jane	N.	Saginaw	Federal Region VI Administrator	USEPA	1445 Ross Avenue, Suite 1200	Dallas	TX	75202	
Mr. Virgil		Swift	NAGPRA Coordinator	Wichita and Affiliated Tribes	P.O. Box 729	Anadarko	OK	73005	
Ian		Butler	Oklahoma Natural Heritage Inventory		111 E. Chesapeake Street	Norman	OK	73109	
Cdr.		Ramirez	United States Coast Guard		1222 Spruce St., Suite 8.104E	St. Louis	MO	63103	
<b>OTHER</b>									

Wister Lake Supplemental EIS -- ICEP List

U.S., State, and Local Elected Officials									
Title	First Name	MI	Last Name	Organization	Address1	Address2	City	State	Zip
<b>United States</b>									
The Honorable	Don		Nickles	3310 Mid-Continent Tower		409 S. Boston	Tulsa	OK	74103-4007
The Honorable	James	M.	Inhofe	1924 S. Utica St., Suite 530			Tulsa	OK	74101-6511
Congressman	Wes		Watkins	1903 N. Boomer Rd.			Stillwater	OK	74075
<b>State</b>									
The Honorable	Larry	L.	Dickerson	Oklahoma State Senate		State Capitol Bldg., Rm. 522	Oklahoma City	OK	73105-4808
Representative	Kenneth		Corn	Oklahoma State House of Representatives		State Capitol Bldg., Rm. 300	Oklahoma City	OK	73105
<b>Local</b>									
City of Wister				Wister City Hall		101 Highland	Wister	OK	74966
LeFlore County Commissioner						100 S. Broadway St.	Poteau	OK	74953
City of Poteau				Poteau City Hall		111 Peters St.	Poteau	OK	74953

## 2001 IICEP Letter Responses



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
222 S. Houston, Suite A  
Tulsa, Oklahoma 74127

July 25, 2001

U.S. Army Corps of Engineers  
Attn: David Combs,  
Chief Environmental Analysis and Compliance Section  
1645 South 101st East Avenue  
Tulsa, Oklahoma 74128-4609

#2-14-01-I-0946

Dear Mr. Combs:

This responds to your letter dated July 10, 2001, wherein you requested the Fish and Wildlife Service to review a list of federally-listed species that may occur in LeFlore and Latimer Counties for accuracy and completeness and to provide any additional information regarding potential or known presence, critical habitat, general habitat, descriptions, distribution, and status of these species. The U. S. Army Corps of Engineers, Tulsa District (Corps) is requesting this review to assist in the preparation of a Supplemental to the Final Environmental Statement (SFES) for the Operation and Maintenance Program, Wister Lake, Poteau River, LeFlore and Latimer counties Oklahoma. The SFES is being prepared to identify and evaluate the environmental, cultural, social, and economic impacts of maintaining the pool level at 478.0 feet ( No Action Alternative) or lowering the pool to the original level of 471.6 feet (Action Alternative).

The Service has reviewed the species list attached to your letter and found it to be accurate. For additional information regarding critical habitat, general habitat, descriptions, distribution, and status of these species, please visit our website at <http://ifw2es.fws.gov/Oklahoma> and select the link for T & E Species of Oklahoma.

Two federally-listed species with the potential to occur at Wister Lake are the endangered American burying beetle and the threatened bald eagle. It is incumbent upon the Corps to determine if the project will adversely affect these species. If the project is determined to adversely affect these species, then formal consultation under Section 7 of the Endangered Species Act will be required.

If you have any questions or require additional information, please contact Richard Stark of this office at 918-581-7458, extension 240.

Sincerely,

Jerry J. Brabander  
Field Supervisor

**Combs, David L SWT**

**From:** Koenig, Paul [PDKOENIG@owrb.state.ok.us]  
**Sent:** Thursday, August 02, 2001 10:16 AM  
**To:** 'David.L.combs@usace.army.mil'  
**Subject:** SFES for Wister Lake

David,

Your letter to Mike Mathis regarding the Supplement to the Final Environmental Statement (SFES) for the Operation and Maintenance Program, Wister Lake, Poteau River, Oklahoma ended up on my desk so I figured someone wanted me to think about it. I do have a three of items to share; ideas, an opinion and a request.

**IDEAS**

I'm sure you have a standard way of completing this requirement but here are two specific (WQ and water supply) considerations you might want to consider.

1 - Figuring out relative and absolute lake area 3 foot deep or less for both alternatives. This would suggest which alternative would result in less suspension of sediment (clay particulates) from these shallow flats. Inlake suspension seems to be a problem with this reservoir. Determining which alternative results in less suspension sediments would be useful from a WQ perspective.

2 - As a note lake turbidity was in the 150-250 range for about 6 months straight following the 478 year-round conservation pool. PVIA treatment methods have been stable for the last 5-6 years. It is now possible to examine the WQ data set and water treatment records over the last 4-5 years to determine relationship between the cost per unit volume and WQ (suspended solids, turbidity, etc.). This could be useful in assessing economic impacts of a clean or dirty reservoir.

**OPINION**

I have been a proponent of this for quite a while: From an ecological point of view Wister Lake should be at one conservation pool elevation year round, whatever the specific elevation. This allows the highest probability for a stable littoral community to become established. Multiple conservation pool elevations work to preclude all but the hardiest aquatic plants (like Button Bush and Marsh Mallow) to become established. This narrow community (low diversity in species and habitats) provides little benefit for the ecosystem.

**REQUEST**

Whatever the outcome of the SFES please include the recommendation for a concerted effort to establish a native aquatic plant community within Wister Lake. The PVIA submitted an 1135 request last year for such an action. Perhaps this SFES has put it on the back burner (why work on a pool elevation that may change). It looks like whatever the outcome a stable conservation pool elevation will be the outcome. This lake has enough problems washing into it that we should do everything possible to implement solutions for the resident problems.

Take em or leave em, the above are some thoughts that are the fruit (or whatever noun you choose) from working on that lake for a while. Should you not examine the water treatment versus WQ, I would like to perform that evaluation with the next round of Wister money.

Best Wishes,

paul



*Creek Nation of Oklahoma*

*Cultural and Historic Preservation*

September 5, 2001

Mr. David L. Combs  
Environmental Analysis and Compliance Branch  
U.S. Army Corps of Engineers  
Tulsa District  
1645 South 101 East Avenue  
Tulsa, Oklahoma 74128-4629

Dear Mr. Combs,

This letter is in reference to the Supplemental to the Final Environmental (SFES) for the Operation and Maintenance Program, Wister Lake, Poteau River, Oklahoma.

Being the Wister Lake and Poteau River is out side the boundaries of the Muscogee (Creek) Nation, you do not have to notify this office.

Sincerely,

Joyce A. Bear, HPO  
Cultural Preservation Office  
Muscogee (Creek) Nation



July 26, 2001

Mr. David L. Combs  
Chief, Environmental Analysis and Compliance Branch  
U.S. Army Corps of Engineers, Tulsa District  
1645 S. 101 E. Avenue  
Tulsa, Oklahoma 74128-4629

Dear Mr. Combs:

Regarding your letter of July 11, 2001, for the Supplement to the Final Environmental Statement for the Operation and Maintenance Program of Wister Lake, Poteau River, Oklahoma, I would like more detailed information on the Corps' proposed action so that I can make informed, substantive comments. Specifically, I am curious as to the feasibility of lowering a water supply reservoir 6.4 feet, particularly when NRCS was recently contacted regarding building a new water supply lake near Wister Lake. If there is a shortage of municipal water, why decrease current storage at Wister Lake?

Also, the proposed action would seem to significantly impact wetlands and fish and wildlife habitat, and could have an impact on shoreline cultural resources. I would appreciate receiving a copy of the draft Supplement and Environmental Assessment on this project as soon as it is available. Should you have any questions or wish to discuss this matter further, please contact Bob Tillman at (405) 742-1223.

Sincerely,

Acting for

M. DARREL DOMINICK  
State Conservationist

cc:

Roylene Rides At The Door-Waln, ASTC (FO), NRCS, Stillwater, OK  
Kenneth Risenhoover, District Conservationist, NRCS, Poteau, OK  
Bill Porter, ASTC (ER/IT), NRCS, Stillwater, OK

POTEAU VALLEY IMPROVEMENT AUTHORITY

Phone (918) 655-7500

Route 3, Box 110  
WISTER, OKLAHOMA 74966-9504

Fax (918) 655-7502



July 19, 2001

Corps of Engineers - Tulsa District  
Attn: David L. Combs  
1645 South 101<sup>st</sup> East Avenue  
Tulsa, OK 74128-4629

RE: Supplement to Final Environmental Statement  
Wister Lake

Dear Mr. Combs:

Poteau Valley Improvement Authority is a public trust created by the Board of County Commissioners, serving approximately 40,000 people with potable water in this county. Our source of water is Lake Wister.

The quality of water has been greatly improved by increasing the pool level to 478 feet above sea level.

There are various efforts to stabilize the shoreline at this pool level and improve the quality of water flowing into the lake.

The Board of Trustees feels very strongly that the pool should be maintained at the 478 feet elevation and it is hoped that the final environmental statement would reflect our recommendation in this regard.

Respectfully,

A handwritten signature in black ink that reads "Ken Hammond".

KEN HAMMOND, Chairman  
Poteau Valley Improvement Authority

# Oklahoma State Senate

LARRY DICKERSON  
DISTRICT 4  
2300 N. LINCOLN  
ROOM 522-STATE CAPITOL  
OKLAHOMA CITY, OK 73105-4808  
PHONE (405) 524-0126  
LAW OFFICE  
P.O. BOX 400  
POTEAU, OK 74953  
PHONE (918) 647-8606



**CHAIRMAN**  
APPROPRIATIONS SUBCOMMITTEE  
ON GENERAL GOVERNMENT  
& TRANSPORTATION

**COMMITTEES:**  
APPROPRIATIONS  
JUDICIARY  
ENERGY, ENVIRONMENTAL RESOURCES  
& REGULATORY AFFAIRS  
RULES  
GENERAL GOVERNMENT

August 9, 2001

Mr. David L. Combs, Chief  
Environmental Analysis and Compliance Branch  
Department of the Army  
U.S. Army, Corps of Engineers, Tulsa District  
1645 South 101<sup>st</sup> East Avenue  
Tulsa, OK 74128-4609

Dear Mr. Combs:

I understand that the Army Corps of Engineers is preparing an SFES for the Operation and Maintenance Program, Wister Lake, Poteau River, Oklahoma, to determine the impact of maintaining the pool level at 478.0 feet or lowering the pool to the original level of 471.6 feet.

By federal legislation, sponsored by U.S. Senator Don Nickles and our Congressman Wes Watkins, the present level of 478.0 feet was established to have sufficient water to supply the residential, commercial and industrial needs of LeFlore, Latimer and Haskell counties.

It would be devastating to this area of the state if the water level is lowered from 478.0 feet, and in fact, the water level should be increased another four feet to accommodate our critical water needs. For many years, Representative Jim Hamilton, myself and our predecessors in the House and Senate, worked with our Congressional delegation to get the level raised. I recognize that in 1938, when the lake was originally planned and constructed, it was done so for the purpose of flood control. However, it is now the primary water source for 50,000 citizens. To lower this level would have a negative impact on these people. I believe the Corp should request Congress to allow them to raise the lake level and not lower it.

Sincerely,

A handwritten signature in cursive script that reads "Larry Dickerson".

Larry Dickerson  
State Senator

Cc: Senator Don Nickles  
Congressman Wes Watkins

**KENNETH CORN**  
District 3

P.O. Box 206  
Howe, OK 74940  
(918) 658-3811



**COMMITTEES**  
Tourism & Recreation - Chairman  
Democrat Caucus Secretary  
Revenue & Taxation  
Agriculture & Rural Development  
Transportation - Safety  
Appropriation & Budget  
Subcommittee:  
Public Safety & Transportation

## House of Representatives

August 8, 2001

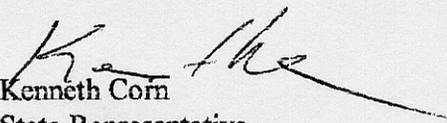
David Steele, P.E.  
U.S. Army Corp of Engineers  
1645-S 101<sup>st</sup> East Avenue  
Tulsa, OK 74128

Dear Mr. Steele:

I appreciate your recent letter regarding the study of the evaluation of the pool level on Wister Lake. As you know, Wister Lake serves as a major economic, social, and environmental resource for Leflore County. The benefit of the current lake level has been a great asset to the county. Wister Lake is the major source of drinking water for the 50,000 people living within this county's borders.

I believe that the reduction of the pool level would have a devastating impact on the future and present needs of Leflore County. Water is one of the most valuable resources for Oklahoma. The reduction of the evaluation would have a tremendous negative impact on the ability to supply drinking water to our residents and to our industries. I hope the Corps of Engineers will take this into consideration.

Respectfully,

  
Kenneth Corn  
State Representative

KC/sv



*the*  
**Chickasaw**  
**Nation** HEADQUARTERS

Arlington at Mississippi / Box 1548 / Ada, OK 74821-1548 / (580) 436-2603

Bill Anoatubby  
Governor

Jefferson Keel  
Lieutenant  
Governor

July 26, 2001

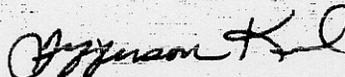
Mr. David L. Combs  
Environmental Analysis and Compliance Branch  
U.S. Army Corps of Engineers, Tulsa District  
1645 S. 101<sup>st</sup> East Ave.  
Tulsa, OK 74128-4609

Dear Mr. Combs,

Thank you for your letter regarding the proposed project. We are not aware at this time of any culturally sensitive or sacred sites in or near the area outlined for the operation and maintenance program on Wister Lake in LeFlore and Latimer counties, Oklahoma. However, please understand this project could lead to the uncovering of such sites. We would then expect any inadvertent discoveries be brought to our attention immediately and all construction cease according to applicable federal laws. We would also like to receive a copy of the final assessment and look forward to working with you as this project develops.

Your sensitivity to these issues is appreciated. If you have any questions, please contact Mrs. Rena Duncan, director of cultural resources, at (580) 332-8685.

Sincerely,

  
Jefferson Keel, Lt. Governor  
The Chickasaw Nation



Putting Our Vote to Work!