

APPENDIX F

Public Workshop and Draft EA
Public Comments

Affidavit Of Publication

SKIATOOK JOURNAL

STATE OF OKLAHOMA, TULSA COUNTY, ss:

Bill R. Retherford, of lawful age, being duly sworn and authorized, says that he is the publisher of the Skiatook Journal, a weekly newspaper published in the Town of Skiatook, Tulsa County, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971 and 1983 as amended, and thereafter, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the following dates:

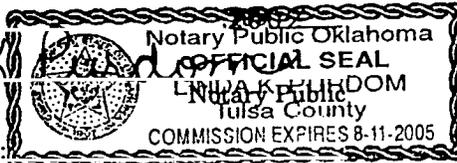
April 10, 17, 24 May 1, 8, 15, 2002

Bill R. Retherford

Subscribed and sworn to before me this 16

day of May

Linda K. Beard



My Commission expires:

PUBLISHER'S FEE \$ 155.55

Published in the Skiatook Journal, Tulsa and Osage Counties, Oklahoma, April 10, 17 & 24, May 1, 8 & 15, 2002.

NOTICE OF PUBLIC WORKSHOP

The Skiatook Economic Development Authority has scheduled a public workshop for Wednesday, May 15, 2002, from 12:00 noon to 8:00 p.m. in the Municipal Boardroom, 120 South Broadway, Skiatook, Oklahoma, to receive public comments regarding a proposed development on Corps of Engineers property at Skiatook Lake.

Staff will be available at the workshop during the scheduled hours to review proposed development plans with any interested citizens. The public may attend at any time during the scheduled hours, no reservation or appointment is needed.

Dated this 5th day of April, 2002.

Public Information Workshop; CrossTimbers project

1. On May 15, 2002, the Skiatook Economic Development Authority (SEDA) held an information workshop at the Skiatook Community Center, Skiatook, Oklahoma to inform the public about its plans to lease land at Skiatook Lake and subsequently sublease it to Statesource, L.L.C. for development. The workshop was open to the public from 12:00 noon to 8:00 PM. The workshop was also intended to solicit questions and concerns from the public about the project. The project is planned to be located on federal lands and leased by SEDA. Therefore federal law requires NEPA documentation for the project.

2. A copy of the Affidavit of Publication and the Skiatook Journal newspaper story are also contained in Appendix D following this summary. In addition to this written notice, Blu Hulsey, Town Coordinator and SECA Chairman, announced the planned workshop at Skiatook Chamber of Commerce and Skiatook Lake Association meetings.

3. The workshop was an open house format consisting of information tables accompanied by poster type displays. A computer "powerpoint" presentation was continuously shown throughout the presentation. Personnel from SEDA, Statesource, Corps of Engineers, OSU-Tulsa, and Alexander Consultants were available to answer questions and discuss the proposed project. The open house format allowed people to come in when their schedule allowed and to have their questions answered and concerns communicated.

4. Participation was as follows:

- a. SEDA
 - i. Mr. Blu Haulsey
 - ii. Mr. Bill Green
 - iii. Mr. Bob Bruning
 - iv. Dr. Scott Carlson
 - v. Mr. Don Branscom
 - vi. Mr. Don Billets
 - vii. Mr. Cliff Taylor
- b. Statesource
 - i. Mr. Ron Howell
 - ii. Mr. Kevin Coutant
- c. Corps of Engineers
 - i. Mr. Jeffrey London
 - ii. Mr. Greg Bersche
 - iii. Mr. John Tennery
 - iv. Ms. Pam Kelley
- d. Alexander Consulting
 - i. Dr. Tom Alexander
- e. OSU-Tulsa

- i. Dr. John Lamberton
- f. Osage County
 - i. Mr. Scott Hilton

5. Over 65 attendees signed the sign-in sheet, which was at the primary entrance to the meeting room. It appeared that a significant number of additional people attended but did not choose to sign-in. The sign-in list is provided in Attachment D following this summary.

6. The workshop was characterized by a very open environment for asking questions of the numerous representatives. Many attendees stayed for lengthy periods while a few simply reviewed the materials and left. Most, however, interacted with the numerous representatives and received informed answers to their many questions. The questions asked and issues raised were in the following categories: selection of lake, water quality, aesthetics, environmental assessment, project design, economics, and business.

- a. Selection of lake
 - i. Lake Skiatook was selected as a pilot lake under the Federal Lakes Recreation Demonstration Laboratory as part of the National Partnership for Reinventing Government. This program was established to provide a way of increasing recreation facilities at government owned lakes through a federal-public-private partnership.
- b. Water Quality
 - i. Water quality is of utmost importance to this project. The golf course is being designed to control runoff from reaching the lake. The marina will be built and operated in accordance with all federal, state, and local laws. An Environmental Manage Plan is being incorporated into planning, construction, and operation of all proposed parts of the project.
- c. Aesthetics
 - i. The proposed CrossTimbers project is being planned to be in harmony with the Lake Skiatook area. Other high quality projects have been used as templates in the planning of the proposed facilities. Heckenkemper Golf Course Design, who has recently built a "target golf" course on federal land at Lake Texoma, is designing the golf course.
- d. Project Design
 - i. As stated in the answer above, the proposed CrossTimbers project is being designed to be in harmony with its surroundings. All improvements will require the review and approval of the Corps of Engineers and SEDA.
- e. Economics
 - i. The proposed project will bring a needed boost to the local area. Not only in its construction, but also in its operation. Increased recreational facilities will provide dollars to not only Skiatook

Lake area but also the surrounding cities. In addition, the operation of a quality project on the project lands will set a quality standard for the balance of the private development around the Lake.

f. Business

- i. A large number of business related questions were generated from this workshop. Since these questions fall outside of the Environmental Assessment scope, they are being answered directly.

Skiatook Economic Development Authority
 Crosstimbers Project
 Public Workshop
Sign In Sheet

Name	Address	State	Zip	Phone
Gary Varbrugh	VVEC	Collinsville		371 2584
Jerry Wagner	VVEC	Collinsville		371-2584
Dave Truelove	SKiatook		74070	396-3046
Clint Moya	SKIATOOK		74070	396-0132
Sharon Burton	skiatook		74070	396-2091
Beverly Collins	SKiatook		74070	396-4692
Tom Allen	SKiatook		74070	396-2091
Ken Taylor	1460 DORR DRIVE SKIATOOK, OK		74070	396-7600
1 Dan Yancey	SKiatook		74070	396-4397
Paul Greenwood	SKiatook		74070	396-2626
Druy Berach	USACOE	SKiatook Lake Office		
Kim Berach		SKiatook		396 3544
Scott Hilt	SKiatook			396-2747
RD Williams	SKiatook			396-0200
Roger Tomlinson	SKiatook			396 4199
Kellie Tomlinson	SKiatook			396 4199

Note: This information is optional and will be used only for the purpose of the environmental investigations. Your name and address ONLY will be used to keep you informed of future events related to this project. If you do not wish to be included on the list, please note the wish next to your name. Thank you for coming today.

Skiatook Economic Development Authority
 Crosstimbers Project
 Public Workshop
Sign In Sheet

Name	Address	State	Zip	Phone
Bob Green	222 E. Beech	GA		395-2489
Tommy Dick	1310 N 55 th W Ave			396-4248
Jason Norrid	16102 N 103 rd Pl-W.			396-7856
Shawn D. Clements	10902 Burton Rd			396-3433
Don Branson	1020 N. Country Meadow/ N.			396-3084
John W Pippin	PO Box 575			396- 1544
BOB MCINTYRE	1125 W 68 th AL			288-7757
Pan Kelly	COE - 1645 S 101 st E. Ave.			669-7698
Mary Beth Hudson	PAO 1645 S. 101 st E. Ave Tulsa, OK 74128			669-7361
RICHARD FRIEMAN	"			669-7250
Martin Tucker	112 E Rogers			396-0248
John TENNERY	COE			669-7406
Richard A. Carter	HC67 Box 3500			396-4740
Mike Moyer	1807 S. Broadway Skatook			396-2345
Jeff London				669-7571
Darlene Bricker	12345 Wells Drive - Skiatook			396-1986

Note: This information is optional and will be used only for the purpose of the environmental investigations. Your name and address ONLY will be used to keep you informed of future events related to this project. If you do not wish to be included on the list, please note the wish next to your name. Thank you for coming today.

Skiatook Economic Development Authority
 Crosstimbers Project
 Public Workshop
Sign In Sheet

Name	Address	State Zip	Phone
JOHN NIELSEN	P.O. Box 399	SKIATOOK OK	918-396-2797
Brooks Lord	13550 W. 173 rd St	SKiatook OK	74070 918-396-0894
Scott + Kristie Carlson	5401 Sunset Rd	SKiatook, OK	396-3225
Julie & Steve Guy		Tulsa OK	494-7718
Ron & Linda Miller		SKiatook	396-9868
Bob & Lavona Wyckoff	14650 Tiffany Ln	SKiatook, OK	396-7869 74070
Jim Aesler	10890 W. Burton Ln.	SKiatook	74070 396-7571
Beverly Taylor	14790 Chanel Lane	SKiatook	396-4346
Shayne Barton	601 W 5th	SKiatook	396-2715
Betty Barton	601 1/2 5th	"	396-2715
Barbara Taylor	14660 Dior Dr	SKiatook	396-7600
Shantelle Sutton	11045 W 112 th Pl	SKiatook	396-4703
Peggy Thompson	14765 CHANEL LN.	SKIATOOK	396-3445
Kevin Stubbs	15501 N. 95th	SKiatook	396-1891

Note: This information is optional and will be used only for the purpose of the environmental investigations. Your name and address ONLY will be used to keep you informed of future events related to this project. If you do not wish to be included on the list, please note the wish next to your name. Thank you for coming today.

Skiatook Economic Development Authority
 Crosstimbers Project
 Public Workshop
Sign In Sheet

Name	Address	State	Zip	Phone
Robert M Butler	1714 S. Boston	Tulsa	74119	589-2251
Cliff				
Bob Ryan	303 E. 1st	Skiatook		396-2296
JAY L. JONES III	COE			443-2250
Virginia M Bennett	P.O. Box 98	Skiatook	74070	396-0356
Sam	P.O. Box 9	SKIATOOK OK	74070	396-1920
Mark Rankin	P.O. Box 96	Skiatook	74070	
Lynn Buzzard	Skiatook			
Sherril Puelan	SKIATOOK		10807 W. Burton Lane	
Sp. Hawksworth	Skiatook		14765 Chanel Lane	74070
AB Bayarlu	Skiatook		402 E. Oak	
Larry Harper	SKIATOOK		74070 4201 W Country Rd	
Will Hulet	SKIATOOK		74070	396-3134
Don	Skiatook		74070	396-2345
Jayne Deuser	Skiatook		74070	396-4346

Note: This information is optional and will be used only for the purpose of the environmental investigations. Your name and address ONLY will be used to keep you informed of future events related to this project. If you do not wish to be included on the list, please note the wish next to your name. Thank you for coming today.

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Dave Truelove

Address: H. C. 67 Box 343

City, State, and Zip: Skiatook OK 74070

Phone: 396-3484

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident

Property Owner

Merchant

Other _____

- Comments?

Glad to see your presentation.
I think this will be good for economic
development for the entire lake area
and the town of Skiatook. good luck!

Signature: David L. Truelove

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

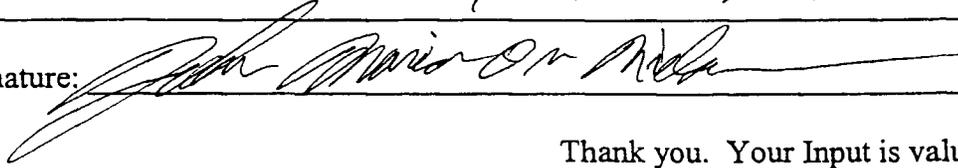
Name: JOHN NIELSEN
Address: P.O. BOX 399
City, State, and Zip: SKIATOOK OK
Phone: 918-396-2797

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident Property Owner Merchant
 Other TRUSTEE

- Comments?

TRANSPORTATION IS VITAL, ROADS &
AIRPORT - INCLUDING TULSA INTERNATIONAL,
SKIATOOK MUNICIPAL (2F6). I AM A TRUSTEE TOWN OF
SKIATOOK AND A COMMERCIAL PLOT B-737'S ER.

Signature: 

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: OMAR BAYOUB

Address: 608 Tallchief Ct

City, State, and Zip: Skiatook OK 74030

Phone: 394-2345

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident

Property Owner

Merchant

Other _____

- Comments?

We Need This !!

Signature: 

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: CLIFF TAYLOR
Address: 16210 Wind Hill CR.
City, State, and Zip: Skiatook, OH 74070
Phone: 376-0346

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident Property Owner Merchant
 Other _____

- Comments?

THIS PROJECT IS VERY IMPORTANT TO
OUR AREA + WE SUPPORT IT 100%.

Signature: 

Thank you. Your Input is valuable.

- More room for comments on the back -

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Mike Mayer
Address: 1807 S. Broadway
City, State, and Zip: Skiatook Ok. 74070
Phone: 918-396-2245

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident

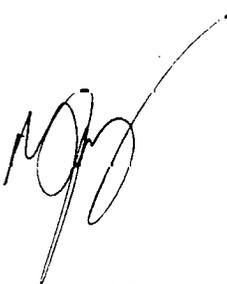
Property Owner

Merchant

Other _____

- Comments?

Need Membership Capability

Signature: 

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

• Name and Address

Name:

DAN VANCEU

Address:

PO Box 399

City, State, and Zip:

SKIATOOK, OK 74070

Phone:

918-396-9397

• Are you a resident, property owner, or merchant in the vicinity of the project?

Resident

Property Owner

Merchant

Other _____

• Comments?

IF THE PROJECT IS COMPLETED TO THE SPECS OUTLINED IT WILL BE A GREAT ASSET FOR SKIATOOK AND THE STATE OF OKLAHOMA.

Signature:



Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Bob Ryan
Address: 303 E 1st
City, State, and Zip: Skiatook, OK
918
Phone: 396-2298

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident Property Owner Merchant
 Other _____

- Comments?

this could be a great project and
show the way to a better way
to think about public recreation

Signature: 

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: ROGER WILLIAMS
Address: 110 E 136TH ST N
City, State, and Zip: SKIATOOK OK 74070
Phone: 396-0200

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident Property Owner Merchant
 Other _____

- Comments?

IT WILL BE GOOD FOR THE AREA!

Signature: Roger D. Williams

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Jim & Sharon Burton
Address: P.O. Box 669
City, State, and Zip: Skiatook, OK 74070
Phone: 918-396-2091

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident Property Owner Merchant
 Other _____

- Comments?

Great!!

Signature: Sharon Burton

Thank you. Your Input is valuable.

- More room for comments on the back-

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

• Name and Address

Name: Carol J. Mitchell
Address: 14630 Valley View Drive
City, State, and Zip: Skiatook, OK 74070
Phone: (918) 396-3796

• Are you a resident, property owner, or merchant in the vicinity of the project?

- Resident
- Property Owner
- Merchant
- Other _____

• Comments?

This sets a precedent for other groups to develop along the shoreline of Skiatook Lake as well as other "Corps-owned" Oklahoma lakes. You have chosen a serene, pristine
Signature: Carol J. Mitchell (over)

Thank you. Your Input is valuable.

- More room for comments on the back-

lake to destroy. Why not develop on Oologah Lake so Ologah can grow? Is it not as lovely?

Outside builders put cost factor as a priority over wildlife, shoreline, natural beauty, and cleanliness of lake. The inevitable larger boats will maim the shoreline. Sewage drops must be properly installed, or we'll have the same problem as Grand Lake, for example.

From my kitchen window and back deck I will view this development. I pray we are not putting the almighty dollar over nature's rustic beauty!

Carol G. Mitchell

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Osage Log Homes
Address: P.O. Box 119 / 14630 Valleyview Drive
City, State, and Zip: SKiatook, Oklahoma
Phone: 918-396-3796 - / Fax 396-7262

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident Property Owner Merchant
 Other _____

- Comments?

As a merchant, property owner, and resident of Skiatook area since 1991, I am very concerned with outside private companies deciding the future development

Signature: *Joe A. Mitchell, President OEH*
Thank you. Your Input is valuable.

- More room for comments on the back-

"over"
↓

of one of Oklahoma's most scenic lakes.
Questions that are of a major concern for
local merchant's should be the following:

- (1) Do local area merchant's have a chance to profit in the creation of Cross Timber Village, such as the rustic cabins?
- (2) Who is accountable in the event that State Source L.L.C. is insolvent?
- (3) Will the local citizens and landowners be given a concise project plan of surveys, specs, and ecological requirements?
- (4) Could the present landowners of homes bordering Corp land be offered the option of buyout by State Source or the U.S. Corp if they desire?

My present location in the Summit west of Skiatook allows me to view the proposed area. I hope that this project is not closed to me, a businessman who sells log products.

Skiatook Economic Development Authority
Public Workshop
May 15, 2002

PUBLIC COMMENT SHEET

The Skiatook Economic Development Authority is interested in your thoughts about the proposed Crosstimbers project at Skiatook Lake. The project will include a golf course, RV Park and rustic cabins, marina, and village.

- Name and Address

Name: Sam Avant

Address: P.O. Box 9

City, State, and Zip: Skiatook, OK 74070

Phone: 396-1920

- Are you a resident, property owner, or merchant in the vicinity of the project?

Resident

Property Owner

Merchant

Other Long time Skiatook developer.

- Comments?

The idea of a Randy Heckenkemper designed golf course and a new
marina at our lake is welcome news. It would be good for the people
who live here and would draw both visitors and potential move ins to the
area. The proposed new camping and cabins would also be good.

Signature: Sam Avant Con't. on back

Thank you. Your Input is valuable.

- More room for comments on the back-

However, before the Town of Skiatook begins taking on any new subdivisions or developments that far west of town, I think it should consider what is presently here and how it could help the people who have developed and lived here for years. In the last several years new subdivisions have been developed in which the Town took a great deal of right of way from the developers and

does not seem to be capable of mowing and maintaing. New additions on Lombard, 133rd St. N. & Osage Ave. are good examples of where the Town

and the county have talked about deeping ditches, raising the road, (particularly south Lombard) and making all these areas drain better. Nothing has been done. The town should also consider that these projects west of the lake will not draw people toward the center of our town as it now stands.

A comprehensive plan to improve Oak Street from W. 52nd Ave. back to Lombard, then South to 133rd St. N. and over to Highway 11 should take priority over trying to provide expensive services to any developments at the lake.

Oak street in front of the Middle School should be the next commercially developed area for our Town instead of spreading it west all the way to

Hominy. The fact that the Town built a gravel sidewalk for kids along Oak St. almost 3 years ago & has not improved it any since is an embarrassment.

Also, if the Town cannot provide electricity and water to new developments it should not even begin to annex them.

Golf courses on their own cannot survive without development surrounding them.

The people who were listed at the public hearing as being involved with this project are developers who will never live in this area but would not be

investors without the high probability of development.

I am not against that, but I believe the people who have developed and built this

Town for years should have plenty of consideration for their problems before

we go bending over backwards to court outside developers.

CRYSTAL BAY MARINA INC.

HC67 BOX 3500
SKIATOOK, OK 74070

Phone 918-396-4240 EXT 202

May 15, 2002

The U.S Army Corps Of Engineers
Tulsa District
Tulsa, Oklahoma

Dear Sir

The following concerns about the project proposed for Tallchief Cove area need to be publicly addressed before a lease is given to the Town Of Skiatook (~~SEDA~~) or to any intity.
~~SEDA~~

A complete disclosure of the names of the parties involved.

A complete disclosure of the financial position of each party.

A resource list of each investor.

Their name, address and the amount of investment.

A detailed business plan to include:

Plans and Specifications

Site Plans

Surveys

Ecological Survey

What changes will the project make for the people who currently use the lake for recreation?

What will the expected additional use do to the water quality?

What additional shoreline erosion will be caused?

What will the end result be on the natural beauty of the Lake?

Archiological Survey

Economic Impact Study

To include survey from community on the desirability.

Tax and other revenue to Local and State Government.

Traffic flow in a 10 mile radius. (safety)

Shift in traffic from current routes. Hwy 11- Hwy 20 - Hwy 75

Impact to local business from the traffic pattern changes.

Impact to local Tax Revenues because of traffic pattern changes.

The amount of our Tax Dollars put into private business pocket

The equal amount of Tax dollars given to existing businesses.
If economic prosperity is lost to existing business, what surety is provided to compensate and insure their survival?

The fact is this: State Source & ^{CEPA}~~CLPA~~ have given the public little information about this proposal and what they have made public is weighted to reflect only their view and only the positive, while speculative points.

With the information provided to this date it is impossible for me or any Citizen of Skiatook, Sperry, or the Lake area to decide in favor or opposition to the proposal.

Secrecy and Non Disclosure have never been successful in the long term for our Government Representatives.

Sincerely,



Richard L Barton
Vp. Crystal Bay Marina Inc.

**EAST RIDGE ESTATES
HOMEOWNERS ASSOCIATION
SKIATOOK LAKE
OKLAHOMA**

Mailing Address:

P.O. Box 1055
Owasso, OK 74055

May 31, 2002

Mr. Blu Hulsey
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

Post-It® Fax Note	7671	Date	# of pages ▶ 4
To	Matt Albright	From	Blu Hulsey
Co./Dept.		Co.	
Phone #	594-8281	Phone #	
Fax #		Fax #	

Dear Blu Hulsey,

I am writing on behalf of the East Ridge Estates Homeowners Association. We are the neighborhood located immediately south of Skiatook Dam on the road to Sperry, Oklahoma. A recent article in the Skiatook Journal about the proposed development at the lake has concerned us. No homeowners of East Ridge Estates were contacted about the public workshop which was held on May 15, 2002. According to the Skiatook Journal article a large development plan was unveiled which directly effects our neighborhood.

As homeowners, we are not against sensible development in our area. However, we are very concerned with the proposed development at our shared Corps Of Engineer property lines and on our access road. Therefore, our Association requests a meeting with all appropriate parties in which the proposal will be reviewed, our questions addressed, and our input documented.

Attached you will find a copy of our association's letter to the Editor of the Skiatook Journal. We look forward to the Skiatook Economic Development Authority's (SEDA) response to these questions.

Sincerely,
The East Ridge Estates Homeowners Association



Kevin Clough

CC: W.E. (Bill) Green, Skiatook Economic Development Authority, RCB Bank
Jim Patrick, Skiatook Economic Development Authority, Exchange Bank
Cliff Taylor, Skiatook Economic Development Authority, Taylor Motors

May 30, 2002

TO: The Letter To The Editor Department, Skiatook Journal

FROM: The East Ridge Estates Homeowners Association

The families of East Ridge Estates, the neighborhood located immediately south of Skiatook Dam on the road to Sperry, offer this open letter in response to the Lake Development article which appeared in the May 22nd 2002 addition of the Skiatook Journal.

East Ridge Estates shares a property line with the U.S. Army Corps Of Engineers on the north and west sides. We are a neighborhood of over 125 lots and currently twelve homes. We believe in growth which benefits all residents. Well planned growth by the Lake can create much needed economic opportunity for Osage County and become an important part of Oklahoma Tourism. However, we each built our home in East Ridge Estates with the desire of retiring or raising our families in a safe rural neighborhood with opportunities for them to experience the beauty of nature.

We, as homeowners, are concerned with the lack of involvement of lake area residents in the proposed development. None of our homeowners nor our Homeowner Association was contacted at any time about this proposal. Therefore none of us were in attendance at the May 15, 2002 public workshop. Our first knowledge of the plan was from the Skiatook Journal article following the workshop. We do not want our lack of attendance at the meeting to be construed as support for the plan. In fact, we have requested a meeting with all appropriate parties so that we can better understand the proposal and voice our concerns. We are concerned as well that this project is moving along very quickly and in doing so potential problems and good ideas may not surface in time to be adequately considered.

Specifically The East Ridge Estates Homeowners issues with the proposed development of Skiatook Lake are:

1.) *Management of the Corp Land*

When we purchased our land, we understood that the Corp of Engineer land which forms a perimeter around Skiatook lake was to remain public recreational land. The proposal states that this public land would be leased by the Corps of Engineers to SEDA (Skiatook Economic Development Authority) which in turn would sub-lease it to a group called State Source. Would we then still have access to the lake? Will there be a fee to use the land? Who will maintain it? What will happen with easements? Could this property be sub-leased again? Can private citizens sub-lease this property?

2.) *Growth*

Over-commercialization and uncontrolled growth on the established Lake perimeter zone is a concern with the proposed development. We hope not to lose the habitat of the many fish and aquatic species which may be adversely effected by losing large tracts of shoreline in a very concentrated area. The game which inhabits these areas could also be driven further from their water source thus eliminating hunting and wildlife viewing.

3.) *Funding*

The source of funding for this development is not clear to us. If public funds are to be used, are they to be used in totality or in a matching form? With the use of public funds will a referendum be needed for this proposal? How much of the funding has already been secured? How much has to be secured before the next phase of the project begins? What is SEDA, are its members elected or appointed, how does one become a member, to what entity does SEDA answer and are their meetings open to the public?

4.) *Impact to the Skiatook Economy*

High density development in the area from Tall Chief Cove to Skiatook Point would seem to put an undue burden on local area infrastructure. The lake has 160 miles of shoreline and all of the proposed development is concentrated in the 4 or so miles near the dam. Will there be adequate law enforcement? How will the roads be maintained? What about emergency services?

SEDA must believe that this project will stimulate Skiatook's economy. However, won't Skiatook businesses be by-passed as tourists driving north from Tulsa or the airport take the 86th street exit to Skiatook Lake or the

proposed Northwest Passageway (Parkway)?

5.) Environment

The Environmental Impact Study (EIS) and National Environmental Policy Act (NEPA) which John Tennery mentioned in the article were reported to take up to two years to complete. Will the results of these studies be incorporated into the development plan? With the groundbreaking scheduled for 2003 it appears some of these studies would not be done in time to be useful.

6.) Pending Studies

Has the Oklahoma Water Resource Board completed its studies and given approval? Have there been feasibility studies issued on marina development and golf course development? Has Dr. John Lamberton, Oklahoma State University Environmental Management Programs, issued his business plan and market analysis? Has he completed his community surveys and environmental impact assessment? Will these findings be presented in a public forum?

We at East Ridge Estates ask to be a part of the development of this Osage County treasure, Skiatook Lake. As landowners residing near the lake, we feel our concerns are shared by many tax-paying citizens in the Sperry and Skiatook communities.

Sincerely,
East Ridge Estates Homeowners Association



Kevin Clough

Mailing Address:

P.O. Box 1055
Owasso, OK 74055



Frank Keating
Governor

May 7, 2002

Mr. Blu Hulsey-Chairman
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

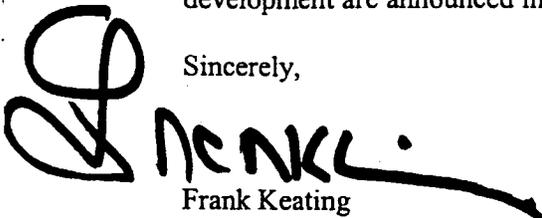
Dear Mr. Hulsey,

I am writing to express both my support and enthusiasm for your lease from the Corps of Engineers of approximately 550 acres of land around Skiatook Lake. I understand this is for the purpose of joining with StateSource, L.L.C. in building and operating an eighteen hole championship golf course, marina, cabins, conference center and expanded camping area. Skiatook Lake is one of Oklahoma's cleanest and most beautiful lakes, and your development is very appropriate to recreational uses of this lake. Too often we have seen Corps lakes not able to develop to their true potential, and I am very pleased that Skiatook Lake has been selected in the Demo Labs program to be allowed to further develop. This lease and the subsequent economic development it will stimulate will go a long way toward building the economy around the City of Skiatook and Osage County. It has long been my view that the northeast corner of our state needs a first class resort development, and I understand that is what Crosstimbers Village and Golf Club will be. We know the principals of StateSource (Ron Howell and Kevin Coutant) and realize the high level of integrity they bring to their endeavors. Further, we have had first hand experience with your proposed golf course designer, Randy Heckenkemper, who designed our new championship golf course at Chickasaw Point on Lake Texoma. This course has already been selected one of the top five courses in Oklahoma, according to Golf Digest magazine.

It was good news to me that we have been able to provide the services of Jane Jayroe and our Department of Tourism and Recreation in the initial planning of your development and in future marketing. I'm also pleased that we have found dollars within the Lake Access Road program to help build road infrastructure to the new development. I predict you will find many people coming from numerous directions to use these new facilities. I am hopeful that the leases are granted as quickly as possible so that this development can occur and more Oklahomans can begin camping, boating, golfing and enjoying this beautiful Oklahoma lake.

I look forward to being with you in coming weeks when this lease and subsequent development are announced in Skiatook.

Sincerely,

A handwritten signature in black ink, appearing to read "FRANK KEATING".
Frank Keating



JANE JAYROE
CABINET SECRETARY
EXECUTIVE DIRECTOR

STATE OF OKLAHOMA

FRANK KEATING
GOVERNOR

May 20, 2002

Blu Hulsey, Chair
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, Oklahoma 74070

Dear Mr. Hulsey:

As an advocate of tourism and economic development, I wholeheartedly endorse the current partnership to develop Skiatook Lake. I support your lease from the Corps of Engineers of approximately 550 acres of land around Skiatook Lake. I understand this is for the purpose of joining with StateSource, L.L.C. in building and operating an eighteen hole champion golf course, marina, cabins, conference center and expanded camping area.

There is no doubt that the northeast corner of our state needs a first class resort development, and I understand that is what Crosstimbers Village and Golf Club will be. We know the principals of StateSource (Ron Howell and Kevin Coutant) and realize the high level of integrity they bring to their endeavors. I have worked with Ron on numerous projects for many years and have the highest regard for him.

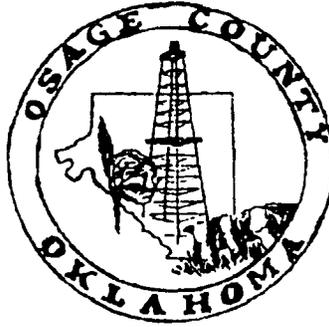
Further, we have had first hand experience with your proposed golf course designer Randy Heckenkemper, who designed our new championship golf course at Chickasaw Pointe on Lake Texoma. This course has already been selected one of the top five courses in Oklahoma, according to Golf Digest magazine.

Please keep us apprised as to how we can help in moving this development forward. We look forward to providing any assistance necessary in the completion of this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane Jayroe".

Jane Jayroe
Executive Director



PAWHUSKA, OKLAHOMA 74056
May 15, 2002

Mr. Blu Hulsey-Chairman
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, Ok. 74070

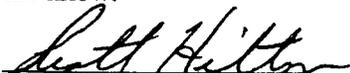
Dear Blu,

I am writing to express my enthusiastic support for your Skiatook Economic Development authority lease of approximately 550 acres on Skiatook Lake. We have both been involved in this exciting opportunity since the lake was chosen to participate in the Demo Lab program. The vision of our good friend Preston Hunter and his hard work in getting the lake selected for this program will no doubt serve future generations well, as it will now allow the type of recreational activities that the lake has needed in the past. All aspects of the planned development in your lease agreements through the sublease to StateSource, L.L.C., will provide the type of diversified recreational activities that we have longed for in this area of Oklahoma.

It has been an additional pleasure to work together with you on the critical areas of infrastructure development for the Crosstimbers projects. The BIA have agreed to fund 2.3 miles of the road that will connect N. 52nd W. Ave. with N. 41st W. Ave. going to Tulsa. We can now assure our visitors and residents that they can get to and from Tulsa during heavy rains and storm. This has been impediment to our growth and would have been impediment to the Crosstimbers development in the future. I am pleased that we have worked successfully with the State of Oklahoma (with help from State Source) in getting Lake Access Road program funding for infrastructure roads to serve the new development.

I am please by the support from the Oklahoma State University Environmental Sciences program. Through Dr. Lamberton and their intern program we are seeing the finest quality of applied environmental science combined with a first rate Environmental Management Plan. This type of academic support assures us that we will not only have the best recreational development in the state, but we will also continue to have the cleanest and clearest lake in the state.

Again, it is a pleasure to play on this great team of public and private participants. If I can do anything to further support your lease application and the Crosstimbers development please let me know.


Scott Hilton- Commissioner
Osage County Dist. # 2



Tulsa Environmental Management Programs
700 North Greenwood Avenue
Tulsa, Oklahoma 74106-0700
918-594-8367; Fax 918-594-8535

Mr. Blu Hulsey, Chairman
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

May 15, 2002

Dear Blu,

I am writing to voice my support and encouragement for the lease from the Corps of Engineers of approximately 550 acres for the purpose of developing recreational activities around Skiatook Lake. I understand that SEDA will work with StateSource, LLC in constructing and operating a championship golf course, marina, conference center, cabins and campgrounds. I also understand that Randy Heckenkemper's fine golf course design group will build the golf course. As you know, OSU-Tulsa Environmental Science Graduate Program faculty and graduate students have also been working on the Cross Timbers project in the form of (1) data collection for an environmental assessment for the construction of the project and, (2) an environmental management plan for the continued management of the project. From our experience on the project, you couldn't be dealing with finer and more qualified people than those at StateSource and Heckenkemper Golf Course Design.

Thanks again for your vision on this project. Oklahoma, in general, and Osage County, in particular, will be well served in these new enterprises. This type of investment will provide many jobs as well as countless hours of quality recreation for residents of northeast Oklahoma and beyond. I look forward to the continued association among SEDA, Statesource, and OSU-Tulsa on the Cross Timbers project to produce and management quality recreational facilities for the public of Oklahoma.

Sincerely,

A handwritten signature in black ink, appearing to read "John Lamberton". The signature is written in a cursive, flowing style.

Dr. John Lamberton
OSU-Tulsa

May 22, 2002

Mr. Blu Hulseley, Chairman
Skiatook Economic Development Authority
Skiatook, Oklahoma 74070

Re: Proposed Development on Skiatook Reservoir

Dear Mr. Hulseley:

As one of the many property owners in the Beverly Hills Addition on Skiatook Reservoir I wish to let you know how pleased we are to hear about the proposed development plan that is being considered. There is no question that the many facets of development being considered would fill a significant need in the area.

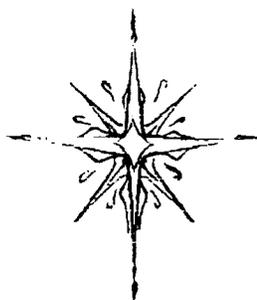
I have had some experience in developments similar to this and from all appearances the approach you and the Authority are taking is far superior to most. Skiatook Lake is one that is experiencing strong usage and with it's proximity to Tulsa we will only see this continue. These types of facilities can be used to a far greater extent if there is a partnership between the private and public sector.

Again, I wish to express my strong support for the project and if I can do anything to assist in it becoming a reality please do not hesitate to contact me.

Sincerely,



Bob Hudspeth



NORTH STAR ECONOMIC DEVELOPMENT COUNCIL, INC.

BOARD OFFICERS

Robert F. Breuning, Esq.
President/Director

Earnest Tiger
Vice President/Director

Barbara Christy
Secretary

Donna Gaston
Treasurer

BOARD OF DIRECTORS

A.B. Bayouth

Virginia Bennett

Don Billups

Gene Callahan, PhD

Wilbert Collins

Don Eckhoff

Bill Fletcher

Bill Green

Bud McAfee

Posty Roberts

Nona Roach

Joe Sweeden

Skiatook Economic Development Authority
PO Box 339
Skiatook, OK 74070

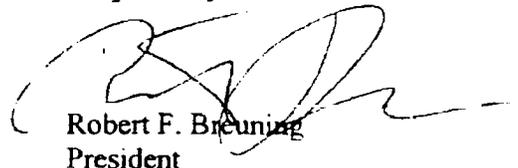
June 17, 2002

Gentlemen,

The plans for the proposed Golf Course, Convention Center, etc. to be build on the Army Corp of Engineers property on Skiatook Lake have been reviewed by the staff and the Board of Directors of North Star. North Star is in favor of this development and will count this project as out-standing in the economic development of the North Star region.

Should you have any questions, or if we can support this project in any other way, please contact us.

Respectfully Submitted



Robert F. Breuning
President

P.O. BOX 654 SKIATOOK OKLAHOMA 74070

PHONE: 918-396-4904 FAX: 918-396-4941 EMAIL: nsedc654@hotmail.com



Heckenkemper
Golf Course Design
a div. of Planning Design Group

May 13th, 2002

Mr. Blu Hulsey-Chairman
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

Dear Blu:

I look forward to the opportunity to work with you and the Skiatook Economic Development Authority in creating a model project on Skiatook Lake. Cross Timbers has the potential to become one of the outstanding recreational developments in the southwest. As you and I have discussed previously, Heckenkemper Golf Course Design prides itself in creating quality championship golf courses that are enjoyable to play and economically viable. Since forming my firm in 1985 we have always given environmental sensitivity first priority. This is not a mission of ours but a commitment. There are several examples that I could reference to support our position but the most notable include the Forest Ridge Golf Club in Broken Arrow, OK, the Chickasaw Pointe Golf Club on Lake Texoma, and the Sanctuary Golf Club in Scottsdale, Arizona. Forest Ridge has approximately 110 acres of maintained turf over the 185 acres of golf course property. This golf course has since its inception been ranked in the top five golf courses in Oklahoma by Golf Digest Magazine. Chickasaw Pointe has approximately 125 acres of maintained turf over the useable 220 acre golf course property. This course has received significant attention for its strategic design as well as for its natural appearance. Lake views are possible from sixteen of the eighteen holes. It too is ranked as one of the top five courses in Oklahoma as well as being ranked as one of the top ten municipal courses in the United States by Golfweek Magazine. The Sanctuary was the first golf course in Arizona and the 17th worldwide to be built under the Signature Program administered by Audubon International. This program provides specific guidelines for design, construction and course operation that embrace environmental awareness.

The Cross Timbers Golf Resort will be designed in the same manner as the above referenced projects. We enjoy being proactive and working in a team environment.

Sincerely,

Randy Heckenkemper
President



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

July 22, 2002

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

(To Interested Parties)

To Whom It May Concern:

Enclosed is a copy of the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake, Oklahoma, prepared in accordance with the National Environmental Policy Act of 1969 (Public Law 91-190) for public review and comment.

For comments to be considered, all comments must be received by this office on or before August 21, 2002. All comments should be directed to Mr. Stephen L. Nolen, Chief, Environmental Analysis and Compliance Branch, U.S. Army Corps of Engineers, Tulsa District, 1645 South 101st East Avenue, Tulsa, OK 74128-4609, Phone: 918-669-4395, Fax: 918-669-7546, Email: Stephen.L.Nolen@usace.army.mil.

Sincerely,




Larry D. Hogue, P.E.
Chief, Planning, Environmental, and
Regulatory Division

Enclosure



Oklahoma Historical Society

Founded May 27, 1893

State Historic Preservation Office • 2704 Villa Prom • Shepherd Mall • Oklahoma City, OK 73107-2441
Telephone 405/521-6249 • Fax 405/947-2918

July 24, 2002

Mr. Larry Hogue
Tulsa District Corps of Engineers
Regulatory Branch
1645 South 101st East Avenue
Tulsa, OK 74128

RE: File #2010-02; Skiatook Lake Recreational Development Project

Dear Mr. Hogue:

We have received and reviewed the documentation concerning the referenced project in Osage County. Additionally, we have examined the information contained in the Oklahoma Landmarks Inventory (OLI) files and other materials on historic resources available in our office. We find that there are no historic properties affected by the referenced project.

Thank you for the opportunity to comment on this project. We look forward to working with you in the future.

If you have any questions, please contact Charles Wallis, RPA, Historical Archaeologist, at 405/521-6381.

Should further correspondence pertaining to this project be necessary, the above underlined file number must be referenced. Thank you.

Sincerely,

Melvena Heisch
Deputy State Historic
Preservation Officer

MH:bh

DUANE A. SMITH
EXECUTIVE DIRECTOR

FRANK KEATING
GOVERNOR



STATE OF OKLAHOMA
WATER RESOURCES BOARD

July 25, 2002

Mr. Stephen L. Nolen, Chief
Environmental Branch
USACE
1645 South 101st East Ave.
Tulsa, OK 74128-4609

Dear Mr. Nolen:

Thank you for the opportunity to comment on the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake, Osage County, Oklahoma. The comments provided here are primarily directed at flood loss reduction. Please consult with Mr. Joe Remondini, PE & CFM of your office about flood proofing any structures within the one hundred-year floodplain. Attached please find copies of the floodplain maps for the areas for this project. No flood map could be found attached to the draft assessment as indicated in the text.

As this project will include the construction of a golf course, cabins and RV/camping area, please do not construct any walled and roofed structures in the one-hundred year floodplain. As federal dollars will be used for this project, please ensure full compliance with EO 11988. Also, it is advisable to coordinate this project with the Osage and Tulsa Counties' floodplain managers. For Osage County, please contact Mike Pattison, 628 Kihekah, Pawhuska, OK, 74056, and for Tulsa County, please contact Ray Jordan, 500 S. Denver Avenue, Tulsa, OK 74103. It appears there will be some road resurfacing and grading. This falls under the definition of development and any proposed development within a community that participates in the National Flood insurance Program is required to comply with their flood damage prevention ordinance. Osage and Tulsa County participate in the NFIP and administer and enforce such an ordinance.

Also, this proposed development might require a Stormwater Management Plan as regulated through the Oklahoma Department of Environmental Quality. Please contact Ms. Margaret Graham at DEQ, PO Box 1677, Oklahoma City 73101-1677.

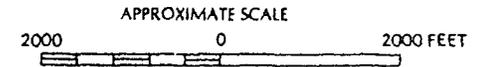
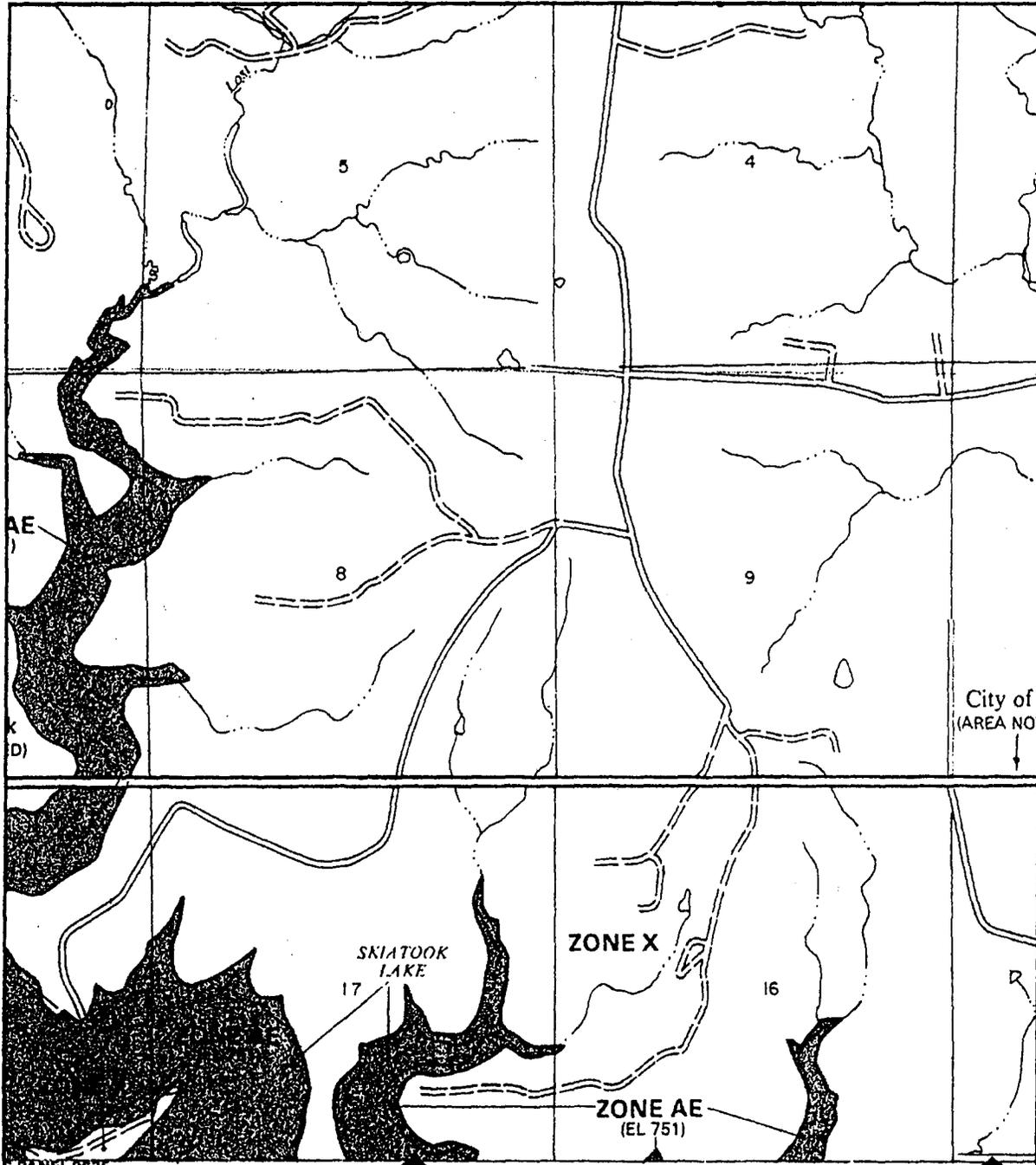
If you have any questions, please contact me at (405) 530-8800.

Sincerely,

W. Kenneth Morris, CFM
State Floodplain Manager

cc: Joe Remondini, CFM
Lonnie Ward, CFM

Enclosure



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 550 OF 875
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
400148 0550 C

MAP REVISED:
DECEMBER 15, 1994



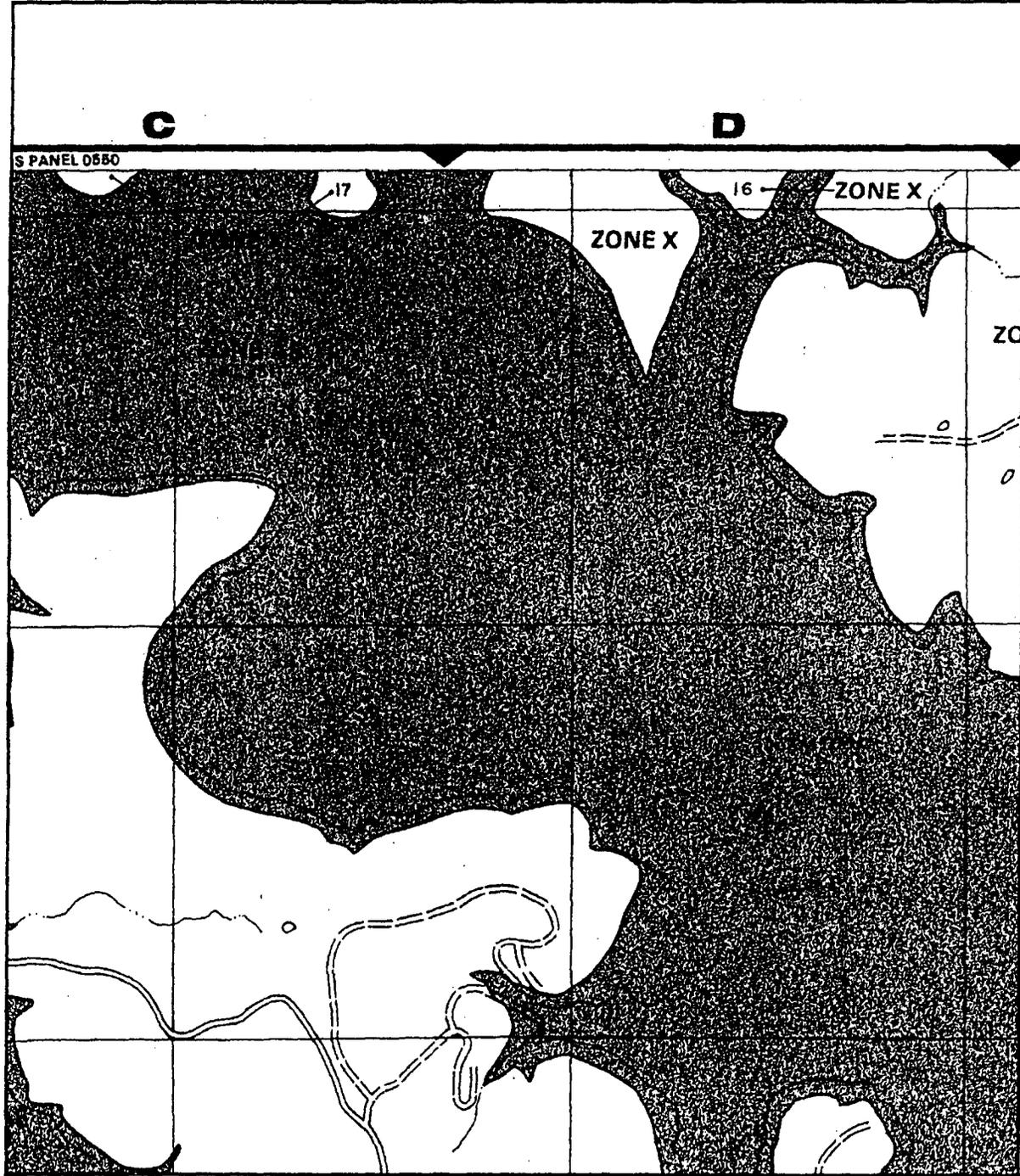
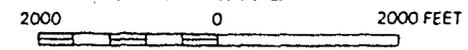
Federal Emergency Management Agency

PANEL 0826

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 625 OF 675
(SEE MAP INDEX FOR PANELS NOT PRINTED)

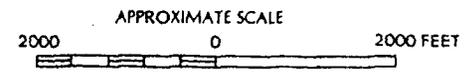
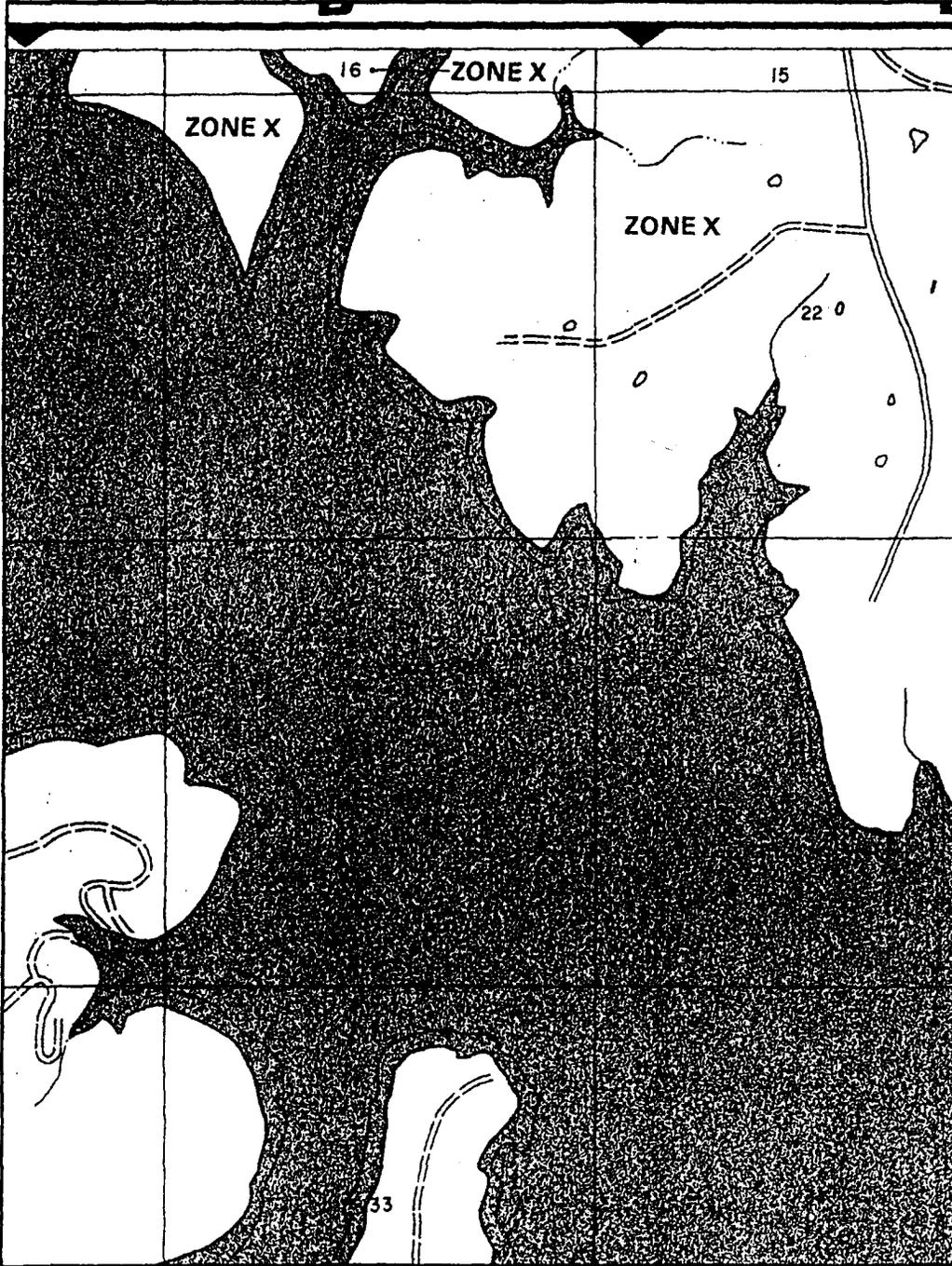
COMMUNITY-PANEL NUMBER
400148 0625 C

MAP REVISED:
DECEMBER 15, 1994



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 625 OF 675
(SEE MAP INDEX FOR PANELS NOT PRINTED)

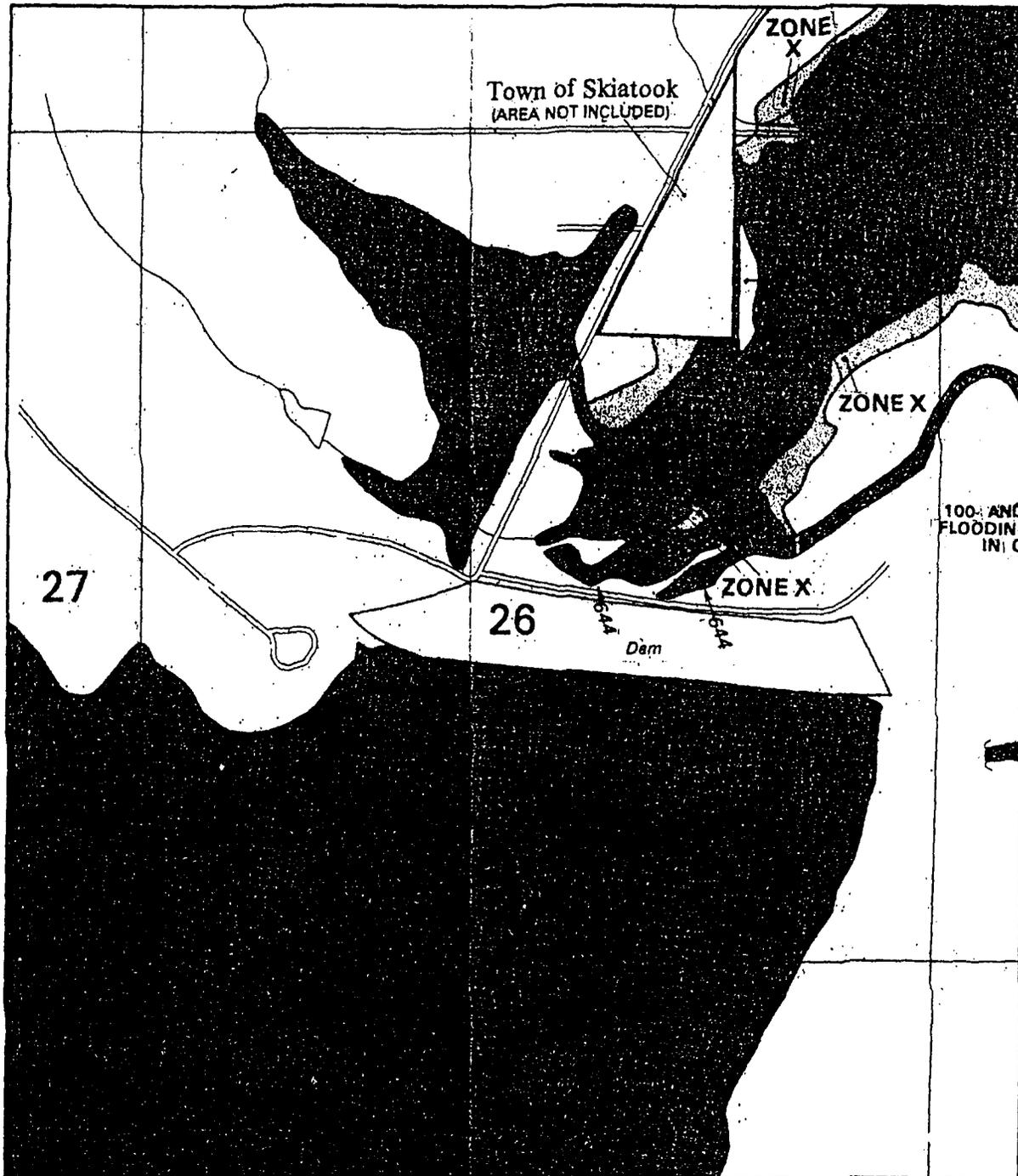
COMMUNITY-PANEL NUMBER
400148 0625 C

MAP REVISED:
DECEMBER 15, 1994

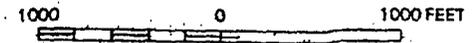


Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

OSAGE COUNTY,
OKLAHOMA
(UNINCORPORATED AREAS)

PANEL 810 OF 876
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
400148-0810 D

MAP REVISED:
MARCH 23, 1999



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced good map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Monday, August 05, 2002 7:44 AM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: CrossTimbers Development-Skiatook

FYI -- Comment received on Cross Timbers Development

-----Original Message-----

From: DHamblic918@aol.com [mailto:DHamblic918@aol.com]
Sent: Sunday, August 04, 2002 9:17 AM
To: Nolen, Stephen L
Subject: CrossTimbers Development-Skiatook

Sirs:

I find it outrageous that the Corps, politicians and developers are planning a massive development at Skiatook Lake which would destroy the integrity of that beautiful body of water. I am sure there is a fundamental reason why the lake is so beautiful. It is BECAUSE there are no large developments to create motor oil, trash, pollution of the water, etc.

To increase boat usage, boat docks, and housing destroys a jewel in our ecosystem as it now exists. Recently, I boated on Grand Lake. The water was filthy, the number of boats were impossible to navigate around, the chop created from the boats made boating undesirable and at times impossible. Why on earth would we want to create another Grand Lake at this beautiful site? Isn't it possible to leave the lake as it was intended? For sportsmen and casual boating without the hideous situation you are getting ready to create with this huge development?

I find it ironic that this project was kept from the public for so long. Why is it that attention is just now being directed? Have financial deals already been made? I understand that Skiatook is a small poor town, and it is understandable that they will allow financial gain to influence their opinion. But I would assume that the U.S. Corps of Engineers should be unbiased toward money and big developers.

I urge you to deny the usage of a very precious natural resource, Skiatook Lake, for financial gain and greed. It would be tragic if you destroyed such a beautiful respite from the hussel and bussel of everyday life.

Diane Hambric
7006 S. Evanston
Tulsa, Oklahoma 74136

JIM GRAY
Principal Chief

KENNETH H. BIGHORSE
Assistant Principal Chief



MEMBERS OF COUNCIL

MARK FREEMAN, Jr.
HARRY ROY RED EAGLE
CAMILLE W. PANGBURN
JODIE SATEPAUHOODLE
JERRY SHAW
PAUL R. STABLER
DUDLEY WHITEHORN
JOHN W. WILLIAMS

OSAGE TRIBAL COUNCIL

August 5, 2002

Larry D. Hogue, P.E.
U.S. Army, Corps of Engineers,
Tulsa District
1645 South 101st East Ave.
Tulsa, Ok 74128-4609

Mr. Larry D. Hogue:

The Osage Nation has had an opportunity to review the Cultural Resource Survey of the Cross Timbers Project, Skiatook Lake area.

The Osage Nation feels that the activities that are associated with this lease; construction of a golf course, cabins, conference center, RV and other camping areas, a marina and an interpretative hiking trail will have an adverse impact on the one identified traditional and cultural property. The Teepee Rock or Healing rock or any other inadvertent cultural site that could be located in this area and could suffer adverse consequences from these activities. The Osage Nation is aware that the Healing Rock was removed from its original location and would like to keep it free from any future disturbance.

The Osage Nation is requesting a consultation with State Source, LLC and the Skiatook Economic Development Authority and the U.S. Corps of Engineers. On these and other matters pertaining to this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony P. Whitehorn".

Anthony P. Whitehorn
Project Specialist

Vogele, Louis E SWT

From: London, Jeffery SWT
Sent: Friday, August 16, 2002 5:00 PM
To: 'Wesley Johnson'
Cc: Tabb, George E HQ02; Pellicciotto, Elisa D SWD; McCauley, William B SWD; Marnell, John SWT; McElree, John A LTC HQ02; Benner, Marilyn K HQ02; Sullivan, Brian J HQ02; Lewis, Darrell E HQ02; Nolen, Stephen L SWT; Banks, Billy E SWT; Kelly, Pamela SWT; Vogele, Louis E SWT; Tennery, John SWT; Hudson, Mary B SWT; Francis, Keith SWT
Subject: RE: Reply: the distruction of Skiatook Lake

Dear Mr. Johnson,

In response to your first question, the Corps does not have the specific details of the marina. At this time we have general plans, as described in the Environmental Assessment, regarding the size and scope of the proposed project. If the application is approved and a lease is issued, we will require the lessee to submit detailed construction plans for Corps review and approval. Corps approval is required before the lessee is allowed to start construction on any of the proposed recreational facilities, including the marina. This is the Corps' standard practice regarding leases. In answer to your other questions, the Corps does not specify the size of boat allowed on Corps managed lakes in Oklahoma. The proposed marina has an initial plan to construct approximately 110 slips up to 24 feet in length. This is compairable to the size of slips offered by the existing the marina on Skiatook Lake at Crystal Bay. The Corps will review the final proposal, as it always does, to ensure the full environmental impacts are considered and are acceptable.

I hope this adequately answers your questions

Jeff London

-----Original Message-----

From: Wesley Johnson [mailto:pinball.doc@cox.net]
Sent: Tuesday, August 13, 2002 12:46
To: London, Jeffery SWT
Cc: Tabb, George E HQ02; Pellicciotto, Elisa D SWD; McCauley, William B SWD; Marnell, John SWT; McElree, John A LTC HQ02; Benner, Marilyn K HQ02; Sullivan, Brian J HQ02; Lewis, Darrell E HQ02; Nolen, Stephen L SWT; Banks, Billy E SWT
Subject: Re: Reply: the distruction of Skiatook Lake

dear JEFF,

THE E-MAIL YOU SENT ME YESTERDAY DIDN'T REALLY ANSWER MY CONCERNS. DOES ANYONE AT THE CORP HAVE DETAILED PLANS FOR THE MARINA? WHAT ARE THE LENGHT LIMITS ON BOATS AT SKIATOOK LAKE? IF THERE IS NONE IS THE CORP GOING TO IMPOSE ONE BEFORE IT GIVES HE DEVELOPERS CART BLANC. PLEASE ENLIGHTEN ME.
 WES JOHNSON

----- Original Message -----

From: London, Jeffery SWT
To: 'pinball.doc@cox.net'
Cc: Tabb, George E HQ02 ; Pellicciotto, Elisa D SWD ; McCauley, William B SWD ; Marnell, John SWT ; McElree, John A LTC HQ02 ; Benner, Marilyn K HQ02 ; Sullivan, Brian J HQ02 ; Lewis, Darrell E HQ02 ; Nolen, Stephen L SWT ; Banks, Billy E SWT
Sent: Monday, August 12, 2002 1:57 PM

8/18/2002

large of boats will be kept at this marina.

please contact me
Wesley Johnson
2831 e. 1st st.
tulsa, okla.
918-582-3130

8/18/2002

Nolen, Stephen L SWT

From: Rick Roberts [rroberts@cedarcreek.com]
Sent: Wednesday, August 14, 2002 1:33 PM
To: Nolen, Stephen L
Cc: norma_barham@inhofe.senate.gov; senator@nickels.senate.gov
Subject: Skiatook Lake Oklahoma



CORps
Letter.doc

Please review the attached

<<CORps Letter.doc>>
Rick Roberts
208 N. Oak Place
Broken Arrow, OK 74012
918-258-0808
rick@cedarcreek.com

Rick Roberts
208 North Oak Place
Broken Arrow, Oklahoma 74012

August 6, 2002

Mr. Stephen L. Nolan. Chief
Environmental Analysis and Compliance Branch
U.S. Army Corps of Engineers
Tulsa District
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4609

VIA e-mail: Stephen.L.Nolen@usace.army.mil

In Re: Crosstimbers Project at Skiatook Lake, Oklahoma

Gentlemen:

I am writing to you in response for you request for comment on the referenced project.

As you are aware, Skiatook Lake was authorized by the Flood Control Act approved 23 October 1962, Project document HD 563, 87th Congress, 2d Session. The purpose of the lake was: Flood Control, Water Supply, Water Quality, Recreation and Fish and Wildlife.¹

I have enjoyed Skiatook Lake as a recreational boater for many years and have witnessed the gradual increase in recreational use and increased economic impact on the lake and local communities.

I feel that the authorization of the Crosstimbers development will not have a substantial positive impact on the lake and its intended use as authorized by Congress. The project is ambitious and may well provide some benefits to the area but those benefits will almost certainly be out weighed by the negative impact on the lake and the local access to the lake.

The Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma "the Report", states that "The Tall Chief camping facility....experiences 100 percent utilization on the weekends during the camping season (having to turn away campers)"¹. The report fails to include data for the other camping facilities located on

Skiatook Lake, Bull Creek (41 sites) and Twin Points (54 sites). This reference is misleading since Tall Chief only provides one third (55 out of 150) of the possible sites on the lake. Prior to any approval does the Corps plan to investigate the utilization of the other existing facilities?

The report indicates that the marina experiences a 90 percent utilization during the summer¹. Does this level of utilization justify the addition of 100 boat slips? Will the proposed new marina have the same fees assessed as the existing marina so that the existing marina remains on a fair and competitive level?

All of the proposed facilities are public; does this mean that the fees associated with their use will remain competitive to fees the Corps currently charges for similar facilities? Will the marina have courtesy docks, etc?

I believe that the economic impact would be better suited for an area that has a higher than normal unemployment rate. Osage County, Oklahoma has an unemployment rate .3% below the state average².

The report indicates a "slow encroachment of housing developments"³, this moderate growth will facilitate the expansion of utilities, roads and other services and improvements to the area rather than a major expansion on the lake and then trying to "catch up" with the related services. The report expects 150-200 additional vehicles per day for the golf course alone, and the existing lake access consists of one two lane state highway and the remaining access is two lane county roads.

The report indicates that "Skiatook Lake has an excellent reputation as a prime fishing area"⁴. The Report also indicates that the lake water quality "as having macronutrients and trace metal at levels and patterns not a cause for alarm but that do warrant future study (USACE 1998). Phosphorus is at levels high enough to consider the lake mesotrophic. Mesotrophic lakes show some depletion of oxygen". "Since that time, the Oklahoma Water Resources Board has measured water quality in Skiatook Lake. Data gathered Show that Skiatook Lake is still classified as mesotrophic..."⁵. The report states the developer would "minimize ...application of fertilizer and pesticides that are often problematic to optimum water quality"⁶. By the report's own admission the water quality may experience a **negative impact** from the golf course alone, not including the damage to water quality by significant increases in boat traffic. The marina "**should** (emphasis added) ensure minimum impact the water quality from marina operations.

The report indicates that the project would increase visitation on the lake. Has any study been completed that would indicate that the lake can support a significant increase in visitation? There are currently seven public access sites and since the lake opened for recreational use the number of users for these facilities has increased. Any Corps personnel assigned to the lake can verify that the lake has a shortage of boat ramp access and parking. Generating an additional 100 plus users on the lake will have a dramatic impact to access to the lake. In addition to the access concerns, have any boat traffic

studies been completed? Does the Corps or the Crosstimbers Development anticipate creating additional access to the lake? Does the Oklahoma Lake patrol anticipate increased law enforcement responsibilities? The Tulsa World Article dated 8/3/2002 compares Skiatook and Skiatook Lake to Grove and Grand Lake, Grand Lake has 46,500 surface acres and is patrolled by ten (ten) GRDA law enforcement officers plus a helicopter, Skiatook Lake has a single Oklahoma Lake Patrol Officer.

For these reasons the Corps of Engineers should not immediately approve the developers request and should complete additional studies of the area to guarantee that the water quality will NOT be negatively impacted. To insure that the lake and the current recreational users will still have unlimited access to the lake. To insure that the lake and access to the lake can adequately support the increased car and boat traffic and the increased traffic from the support vehicles associated with a project of this magnitude. Will the developer be able to provide adequate staff for mostly low-income jobs in an area that already experiences an unemployment rate lowers than the state average?

And finally I hope that the Corps of Engineers does not bow to pressure from congressional leaders who are simply supporting a project that may have a positive impact for a substantial campaign contributor. I would hope that the local congressional delegation would be more responsive the voting constitution than a couple of "well connected Tulsa Businessmen".

Sincerely,

Rick Roberts

CC:

Senator Jim Inhofe (via e-mail c/o norma_barham@inhofe.senate.gov)

Senator Don Nickels (via e-mail senator@nickels.senate.gov)

Congressman John Sullivan (via fax @ 918-749-0781

-
- 1 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section 1, Page 1
 - 2 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section III, C, 3, Page 3
 - 3 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section III, C, 4, Page 3
 - 4 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section III, D, 6,a, Page 5
 - 5 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section III, G, Page6
 - 6 Draft Environmental Assessment for Cross timbers Project at Skiatook Lake, Oklahoma, Section IV, B, 8, Page 12

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 07, 2002 11:06 AM
To: Randolph, James C SWT; Vogele, Louis E SWT; London, Jeffery SWT
Subject: FW: Public comment - Skiatook Lake Development



Corps
Engineers.doc

-----Original Message-----

From: Preston Hale [mailto:Preston.Hale@hpidc.com]
Sent: Tuesday, August 06, 2002 2:34 PM
To: 'stephen.l.nolen@usace.army.mil'
Subject: FW: Public comment - Skiatook Lake Development

>
> Thank you for taking my comments. I am attaching a letter I sent to the
> Tulsa World on August 6, 2002. I do not know if they are going to print
> the letter.
> I am not anti-development, however, I have several reservations about the
> potential effects on the quality of life currently found in the town of
> Skiatook, and at Skiatook Lake.
> Thank you,
> Preston Hale
>
> <<Corps Engineers.doc>>

Corps of Engineers
Attn: Stephen L. Nolen

Re: the article that appeared in the Tulsa World on August 2, concerning the proposed development at Skiatook Lake raises several questions. First of all, what is the connection between "well-connected" businessmen in Tulsa, and our state congressmen? Further, why should the Corps of Engineers lease any of their land to SEDA, StateSource, or anyone else rent free? Why should StateSource be allowed to avoid property taxes? I own property near Skiatook Lake, and like other homeowners and businesses we pay property taxes.

Unfortunately, under the banner of "economic development" any number of undesirable things can happen. "Well-connected" Mr. Howell, and Skiatook Town Coordinator, Blu Hulse, are quoted in the article as saying "it (the development) could completely change the way of life in this area", and "the project cannot move forward fast enough". I am not sure this is necessarily a good thing. The article references the growth in Grove, and the development at Grand Lake. That alone is enough to cause concern. Anyone who has the misfortune to drive through Grove on a weekend or try to casually fish or boat on Grand Lake knows that their development has created huge traffic problems both on land and in the water.

Currently at Grand Lake, there is a controversy between the homeowners, the GRDA, and "well-connected" marina owners. Apparently, the GRDA has allowed unchecked marina development that violates their own regulations and did nothing about it until challenged by homeowners on the lake. What assurances do we have that the Corps will monitor and control marina and recreational development any better on Skiatook Lake than the GRDA has on Grand?

Skiatook Lake is a great place currently because it is so clear and undeveloped. These are things that will surely change forever if this development occurs. The reason many land owners and boaters enjoy Skiatook Lake is the relaxing atmosphere and scenic shoreline uncluttered by commercial development. Unlike Grand Lake, a person can fish or boat without worrying about being capsized from the five foot wake from an ocean sized cabin cruiser, or having to look over both shoulders to watch out for morons driving cigarette boats at 60 mph.

Am I anti-development? No, not at all. I just caution the Corps, and the town of Skiatook to be careful what they ask for. They may be surprised what they lose in the process.

Sincerely,
Preston Hale



Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

August 8, 2002

Larry D. Hogue
Chief, Planning, Environmental,
and Regulatory Division
Department of the Army
Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Re: *Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake.*
Legal Description: Sections 2-4 T21N R11E; Sections 25-27, 35-36 T22N R11E,
Osage County, Oklahoma.

Dear Mr. Hogue:

I have reviewed the above referenced environmental assessment for the proposed development of a marina, golf course, conference center, and other associated recreational facilities at Skiatook Lake and concur with your findings. As noted in my July 5th, 2002 letter, the area of potential effect was examined for archaeological/historic resources by Dr. Donald Henry with negative findings. Thus, I have no objection to this action.

This review has been conducted in cooperation with the State Historic Preservation Office, Oklahoma Historical Society.

Sincerely,

Robert L. Brooks
State Archaeologist

Cc: SHPO

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 08, 2002 11:16 AM
To: Vogele, Louis E SWT; Randolph, James C SWT; London, Jeffery SWT
Subject: FW: CrossTimbers Project- Skiatook Lake

-----Original Message-----

From: Vince Logan [mailto:vglogan@msn.com]
Sent: Thursday, August 08, 2002 10:52 AM
To: Nolen, Stephen L
Subject: RE: CrossTimbers Project- Skiatook Lake

Mr. Nolen-

Thank you for the timely and informative reply. I now understand that comments to the draft are currently being accepted; however, I feel that to adequately respond to this draft in terms of environmental concerns would be impossible by Aug. 21st.

My family owns land out by the lake and are members of the Osage Tribe, yet the first time we heard about this project was in the Tulsa World on Saturday, Aug. 3rd. My family lives in Hominy, Tulsa and Oklahoma City and never received nor saw any notice about the project. I understand from your website that a public notice was printed in the Skiatook newspaper and letters were sent to several tribes in Oklahoma (including the Osage), but no doubt you can see how this missed us entirely.

I am considering what steps we must take to ensure that our concerns to the project are addressed, and I'm speaking of more than merely environmental concerns.

Regards, Vince Logan

>From: "Nolen, Stephen L SWT" <Stephen.L.Nolen@swt03.usace.army.mil>
>To: 'Vince Logan' <vglogan@msn.com>
>Subject: RE: CrossTimbers Project- Skiatook Lake
>Date: Thu, 8 Aug 2002 06:02:02 -0700

>
>Dear Mr. Logan:

>
>Thank you for your recent e-mail. I apologize for being several days in getting back with you.

>
>In answer to your questions, we are currently soliciting comments on the draft environmental assessment (EA) for this project. The purpose of the EA

>is to determine if further environmental analysis, in the form of a more detailed environmental impact statement (EIS), will be required to address environmental issues for the project. If it is determined that an EIS is required, there will be several more opportunities for public review and comment. If it is determined that an EIS will not be required, the draft finding of no significant impact (FONSI) will be signed and there will be no further review and opportunity for comment on the document.

>
>I encourage you to provide us your comments on the draft environmental assessment. This way, your comments become part of the public involvement record for the project and will be considered in project-related decisions. I hope I have answered your questions. If not, please feel free to contact me and I will be happy to discuss this with you further. Again, thank you for your interest.

>
>Steve Nolen
>
>-----Original Message-----
>From: Vince Logan [mailto:vglogan@msn.com]
>Sent: Tuesday, August 06, 2002 1:02 PM
>To: Nolen, Stephen L
>Subject: CrossTimbers Project- Skiatook Lake

>
>
>Mr. Nolen:
>I am writing to you regarding the CrossTimbers Project, Skiatook Lake,
>Oklahoma. In reviewing the Corps of Engineers (Tulsa) website, I see that
>public comments to the proposed project are being accepted until August
>21st. Can you clarify a few points for me concerning this deadline?

>
>1. Are comments being solicited for this "Draft Study" only, i.e. will the
>public be able to provide comments to a "final" of the proposal?

>
>2. Having read about the proposed project for the first time in Saturday's
>Tulsa World, will there be any further opportunities to address my concerns
>about the project?

>
>I appreciate you time and consideration in this matter.
>Vince Logan

>
>
>
>

>MSN Photos is the easiest way to share and print your photos:
><http://photos.msn.com/support/worldwide.aspx>

Chat with friends online, try MSN Messenger: <http://messenger.msn.com>

Nolen, Stephen L SWT

From: Keri, Ken, Liam and Alexander Shingleton [sydneymakoa@earthlink.net]
Sent: Tuesday, August 13, 2002 8:30 PM
To: Nolen, Stephen L
Subject: skiatook EA comments

Dear Mr. Nolen,

I am writing in response to the Environmental Assessment for the Skiatook Crosstimbers Project that is open for public comment. This project is described on the Tulsa District web page, and was also detailed in a Tulsa World article recently.

I would like to express my extreme dissatisfaction with both the general and specific nature of this project. The national pilot project of which this is a part should be thought out more clearly before individual aspects are chosen and implemented. I offer the following points and questions for your consideration.

On Government's Mission in Flood Control

1. Skiatook Lake, like many in eastern Oklahoma, was created as a flood control project, as a major mission of the Corps of Engineers. Theoretically, all the Corps land surrounding the lake consists of land needed to maintain the conservation pool and the flood pool. I say this is theoretical because in many cases the Corps purchased more land than was necessary for this purpose and has since been selling the difference. On the other hand, in many cases, we find the Corps did not purchase enough land for the purpose of flood control, and now is actively purchasing or acquiring flood easements. The flood pool exists to provide some measure of assurance that water can be held and released at such a rate that will not harm people or property downstream. The proposed developments occur on Corps' land, in the Skiatook Lake flood pool. It should be noted that flood control was established in the earlier part of the 20th Century as a major mission of the Corps of Engineers; it is a broad mission meant to serve large numbers of the American public, providing safety in both the physical and economic sense.

2. What happens when Hominy Creek reaches a 100- or 500-year flood stage? The proposed developments may flood, causing damages to structures and property (God forbid, the golf course greens). Who will pay the damages, and compensate for loss of business associated with the flooding? Will the Corps' base flood control water-release decisions on loss of life/property downstream, or will these decisions now have an upstream (read: development project) component? Additionally, it should be noted that Hominy Creek and Birch Creek, which feed Bird Creek, have historically seen more than their share of flood events, making such an event in the next few years not only likely, but probable.

On Government's Role in Economic Development

3. What exactly is the Corps' role in assisting economic development? Is it to provide government-owned land for private use at no cost in order for that private organization to make a profit? Does this 'instigate' further economic development? Who qualifies for such assistance? Is competition a requirement? Are women-owned and minority businesses given preference?

4. The current design of the Crosstimbers project from an economic standpoint, is in my mind, completely counter to the purposes and objectives of government in this arena. Why on Earth would the Corps provide a \$0 lease? Does the Corps still not incur costs, significant costs, associated with the management of the land and the reservoir? If one party is to receive exclusive access and use to a portion of the property via a \$0

lease, shouldn't at least a portion of the costs be passed on to that party, particularly if they are a for-profit organization? Why should we expect the American public to pick up the tab for those costs? If lakeside development such as this project is the ultimate goal, why pass up the opportunity to obtain some serious compensation for the operations and maintenance of the lake, and improve it for the rest of the American public?

5. In most other aspects of government, when services or products are obtained from the private sector, it is through competition. Why is there no evidence of a competitive process? I have heard of no other individuals, groups, or communities who have been offered a chance to submit a proposal on this project. There has been no establishment of selection criteria, nor has there been a competitive evaluation of proposals. There are no partnership goals or criteria; the government is providing everything. Additionally, has any attention been given to those women- or minority-owned groups that may have had an interest in competing?

6. The Water Resources Development Act (WRDA) of 1986 forever changed the way the Corps did business. From then on, the Corps would begin to take on less fully-funded government-authorized projects, and would begin to take on projects in a partnership role with communities. As a result of WRDA 1986, projects are now cost-shared at changing levels throughout the entire phase of their development. The Skiatook project again runs completely counter to the spirit of WRDA 1986. Why are we requiring communities with real water resource and control needs to pay 60/40 or 50/50 for the life of their projects, while we will turn right around and provide a lease of public land for 0\$, while it is entirely removed from public use, and even though it will allow a private organization to obtain monstrous profits (and gain tremendous advantages over their competitors)? Who is currently paying for the time the Corps is spending on real estate actions, environmental assessments, operations management, all in the name of preparing this project for action? My bet is on the government, and that's not right.

On Public Land

7. In Oklahoma, 99% of the land lies in private hands. The Corps of Engineers thus owns and/or manages considerably less than 1% of all land in the state. The Corps land is federal, public land, that is accessible most of the time by all U.S. citizens. We use it for hunting, fishing, hiking, nature viewing, camping, and other general recreation purposes. When you think about it, that's not a lot of land for these types of activities in the state, where you can go without asking permission; without having to locate a landowner; without getting threatened for trespassing. This project, however, will set a precedent for the wholesale removal of those lands, the partitioning of federal land and subsequent closure to the majority of the American public. Yet the public will still pay for the management of that land, and its cleanup once the private group makes mistakes or vacates the area, or when the property is flooded by an exceptional event.

8. A Cautionary Tale: When I was young, my father and I, my father in particular, frequented a section of Keystone Lake, Oklahoma Pawnee Cove South. We would hunt squirrels there in the Fall and Winter. This was primarily a recreational activity for my father, as he grew up hunting squirrels in West Virginia. In the late 80's we stopped visiting Pawnee Cove South, but my father returned in the Fall of 2001. He arrived to find the area completely blocked off and occupied by Camp Victory, which is part of the Victory Christian Center in Tulsa. Like many other 'low-cost leases', Camp Victory now occupies federal land at virtually no, if any cost. The lakes in eastern Oklahoma are littered with these types of church camps, complete with multitudes of structures built upon them all on federal land. Unfortunately, my father could not access Camp Victory. There were signs up that identified it a restricted access area, complete with religious meaning attached to it. This case is but one example in a sea of similar lease arrangements; unfortunately all detract from the ability of the American public to utilize these areas for appropriate activities.

9. I submit that a project such as the Skiatook Crosstimbers should be more appropriately considered in the context of some of the western states such as Utah or Nevada, where the federal government owns considerably more land. In Nevada, for instance, the federal government owns over 90% of the land in the state. Removing small amounts of that land from public use through a project such as this will have considerably less impact. But in Oklahoma, where there is little to no public land, such a project constitutes a 'public taking'.

On Environmental Concerns

10. The loss of public lands around Skiatook Lake will result in the loss of critical habitat for wildlife. The increased traffic through and around the lake will accomplish the same thing: diminished habitat. Fingers usually at this point are directed squarely at the environmentalists; however, loss of wildlife habitat breeds strange bedfellows. Hunters and fishermen a huge constituency in Oklahoma will be profoundly affected at Skiatook.

11. Being still owned by the federal government, how will environmental decisions be made at the development project? Will environmental laws and regulations be followed? Enforced? Who will pay for the regulation and compliance with these laws, including the Clean Water Act, Clean Air Act, National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and others? Sounds to me like the American public will pay, for the exclusive benefit of one, for-profit group.

12. Has thought been given to water quality issues, especially how they will end up affecting wildlife and fish populations in the lake? Golf courses will use a large number of chemicals and fertilizers; will runoff affect the water quality? Will this affect fish and animal populations?

On Political Concerns

13. This project, when more carefully examined, is an example of the removal of assets from the general American public and the redistribution of those assets to larger, richer for-profit groups. It is a shame that the project moves forward under the guise of a \$0 lease from a federal agency to a state agency, as it is then sub-leased to free to a private group. It is too bad that this is being pushed in the name of 'economic development', and that local developers are not creative enough to think of other areas or projects, besides a golf course.

14. Political involvement by our former congressman, Steve Largent, and one of our senators, Jim Inhofe, has pushed this project forward without due consideration. A very small number of people will actually be benefited by this project financially. This project consists of a redistribution of the wealth of public land from the American public, into the hands of a few people who have significant economic and political pull.

15. On economic development, as pushed by the politicians Has anyone thought of exactly how compatible the economic concerns of the community of Skiatook and the Crosstimbers project are? It seems to me that an exclusive club and golf course are not likely to draw the clientele mix to the Skiatook area that will do anything, or spend any money, in any place outside that club. They will drive right through Skiatook and keep going. Where is the market analysis? Where is the community analysis? What are the needs of the community? Again, it seems to me that the politicians, if they were truly interested in benefiting Skiatook, would sit down with city leaders and attempt to draft ideas that would specifically benefit the community and area, rather than insert an 'economically intrusive unit' into it, which is what this project will be.

I believe these previously mentioned points should provide some insight into why this project should not be allowed to move forward. The 'little' guys

like me out there who go to work every day to provide for our families like taking ownership in the public lands in this nation. I would like to have free, natural places to take my children or to go blow away a squirrel when I choose to do so, within season and with a state-issued license.

That's why I'm 'madder than Hell' that our federal government is funding big business to come in and take federal land out of public use. It makes me even more angry that our politicians appear to work for the privileged few, rather than the good of the public, all in the name of economic development. I couldn't honestly think of a more poor example of economic development if I tried.

Sincerely,

K. Shingleton
3746 S. Darlington Ave.
Tulsa, OK 74135
sydneymakoa@earthlink.net

via FedEx 8/16/02



August 16, 2002

ENERGY SERVICES
P.O. Box 21628
Tulsa, OK 74121-1628

Mr. Stephen L. Nolen
Chief Environmental Analysis and Compliance Branch
U.S. Army, Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128-4609

RE: Crosstimbers Project at Skiatook Lake, Oklahoma

Dear Mr. Nolen:

Williams Pipe Line Company, LLC (WPL), is a common carrier interstate pipeline. To the best of my knowledge, WPL has not been contacted to review impact on its facilities.

WPL is committed in its effort to maintain the safety and integrity of its pipelines in accordance with the ***Department of Transportation Regulations 195, Transportation of Hazardous Liquids by Pipeline***, under which WPL lines are governed. At the same time, WPL strives to partner with local communities and developers and wishes to become part of the planning process to help facilitate a more efficient process for all involved as well as preserving the safety and integrity of WPL's pipelines.

WPL has implemented in other communities a similar process where we can be pro-active in working with local developers and sub-dividers, to alleviate and mitigate potential co-development safety and public concern issues, which relate to multi-use of the property in association with WPL pipelines.

WPL owns and operates three high-pressure pipelines under Skiatook Lake and across the proposed Crosstimbers development project. These pipelines transport refined petroleum products. In order to protect the public, preserve the environment and maintain the integrity of the pipelines, we respectfully requests to become part of your planning and review processes and would like the opportunity to review detailed plans on the project. With careful review and cooperation beforehand, we will be able to reach a plan that is mutually beneficial to both parties and prevent expensive re-designs later.

If you have any questions or concerns you may reach me at (918) 573-1005. I look forward to hearing from you to discuss a path forward.

Sincerely,

A handwritten signature in black ink, appearing to read "JR" or "Jim Ryan".

Jim Ryan
Real Estate Representative

Cc: Tracts 440, 441, 442
Shelia Saathoff
Sarah Hampton

EAST RIDGE ESTATES
HOMEOWNERS ASSOCIATION
SKIATOOK LAKE
OKLAHOMA

Mailing Address:

P.O. Box 1055
Owasso, OK 74055

August 18, 2002

Mr. Blu Hulsey
Skiatook Economic Development Authority
P.O. Box 399
Skiatook, OK 74070

Dear Blu Hulsey,

Written Response to Homeowner Questions:

I am writing once again to request written responses to our neighborhoods questions on the CrossTimbers project. This is my third request for written responses to these questions. The first request was rejected by you stating that answering these questions in writing would take too much time and the Skiatook Journal newspaper would provide all the documentation. The second request for written responses was tabled because you stated the "Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake" would answer all questions. It did not adequately address these questions. I request the answers to these questions prior to any lease be entered into by SEDA, State-Source, and or the Department Of The Army.

Hiking/Nature Trails:

As homeowners we have made a positive and substantial investment in our homes and our neighborhood. We are very concerned with the zero cost leasing of public property to a public board (*of which we have no representative on*) then sub-leased to a private concern with no written plan in place. As a homeowner I was told by Corps of Engineer employees in late 1995 that the Corp of Engineers would always control the Corps land. That ~~disc~~ussion played a large part into where I purchased property and undertook the building of my home. I choose not to speak to the Skiatook Point or Tall Chief Cove areas of the Crosstimbers proposal, however, the Hiking or Nature Trails is of primary concern.

These Hiking Trails have always been treated as just an add on to this project and would occur in its final phase. Apparently, as stated by Kevin Coutant, "getting grants for hiking trails is easy to do" when he was asked at the Chamber meeting. With this being the sole reason to create great animosity between homeowners and developers makes little sense to anyone in the effected area. A hiking or nature trail through the area from Tall Chief Cove to the Spillway creates an area for transient activity which cannot be controlled and/or patrolled by local law enforcement or Corps personnel. That along with the placement of Day Docks in areas where neighborhoods have been established creates a scenario for theft, vandalism, looting and illegal dumping. It is strongly recommended that no Corps property be leased or sub-leased within Section 35, Township 22N, Range 11 north to Skiatook Dam. This recommendation will require a

small portion of Section 26, Township 22N, Range 11 of the area north of Section 35 to Skiatook Dam. This area should never be leased due to National Security concerns with the Dam, Spillway, and Intake.

Thank you for your attention to this matter.

Sincerely,
The East Ridge Estates Homeowners Association

A handwritten signature in black ink, appearing to read 'Kevin Clough', written over a horizontal line.

Kevin Clough

CC:

Colonel Robert L. Suthard, Jr., U.S. Army Corps of Engineers

Mr. Stephen L. Nolan, Chief, Environmental Analysis and Compliance Branch, U.S. Army Corps of Engineers

Mr. Jeff London, U.S. Army Corps of Engineers

Mr. Preston Hunter, U.S. Army Corps of Engineers, Skiatook Lake Project Office

Mr. Rod Walton, Tulsa World

Ms. Donna Pearce, Skiatook Journal

TO: Blu Hulsey

FROM: East Ridge Homeowners Association
Kevin Clough

SUBJECT: Questions

I was able to contact a few of the homeowners after our discussion yesterday and gather additional detail on the questions that we previously submitted. I have included this detail on those questions but the others I had to leave as they were. Speaking for the Homeowners Association we greatly appreciate your attention to this matter and look forward to the answers this Friday.

1.) Project

(1.1) Could you please give us an overview of the Lake Development project with a focus on (a) key dates, (b) phases, and (c) land usage?

2.) Management of the Corps Land

(2.1) Could you please explain the lease/sub-lease proposal and its mechanics with a focus on (a) parties involved, (b) lease duration, (c) key dates, (d) how many leases will be written?

(2.2) Will private citizens be allowed access to the leased/sub-leased land?

(2.3) Will a fee be charged to utilize leased/sub-leased lands?

(2.4) What will happen to existing and future easements through leased/sub-leased land?

(2.5) Can the leased/sub-leased land be leased again to a third party?

(2.6) Can private citizens lease this or other Corp land?

(2.7) What other development groups have been interested in leasing and/or sub-leasing this property? Why was State-Source selected?

(2.8) Who will hold the Completion Bonds on each and every aspect of this project?

(2.9) If the project were to fail who will be responsible to restore the Corp property back to its current/natural state?

3.)Funding

(3.1) Are public funds going to be used in totality or in a matching form?

(3.2) With the use of public funds will a referendum be needed for this proposal?

(3.3) How much of the funding has already been secured?

(3.4) Are their established funding targets which must be met prior to development phases being started?

(3.5) What are the Federal Program(s) which this project falls under and how much funding is available?

(3.6) If the golf course cannot be funded will the project still continue?

4.)Skiatook Economic Development Authority - (SEDA)

- (4.1) Could you please give us a brief overview of SEDA, its history, its past successful projects and future plans?
- (4.2) Are members elected or appointed to SEDA? How long are there terms?
- (4.3) What is the diversity make-up of the SEDA group and does it adequately reflect the make-up of the Skiatook, Sperry and Lake Area citizens?
- (4.4) To what entity does the SEDA group answer?
- (4.5) Does SEDA have scheduled meetings which are open to the public?
- (4.6) Does SEDA make its meeting notes available to the public?
- (4.7) Is SEDA a community funded group and does it utilize community buildings and/or public resources?

5.)State - Source

- (5.1) Could you please give us a brief overview of State-Source and just what sort of entity it is?

6.)Impact to the Skiatook Economy

Note: With the recent burglary in our neighborhood this area is of heightened concern.

- (6.1) How will law enforcement be guaranteed to be adequate?
- (6.2) How will the small Country Corner Volunteer Fire Department take care of our neighborhood and the development areas?
- (6.3) How will the Osage County RWD #15 keep pace with the development?
- (6.4) Who is in charge of road maintenance in and within the proposed development areas?

7.) Environment

- (7.1) Have any studies been completed? If not when, if so where are the results and how do you attain a copy of them?
- (7.2) Will the results of any environmental impact studies be incorporated into the development plans?
- (7.3) Which Environmental groups are involved in this development?

8.) Pending Studies

- (8.1) Has the Oklahoma Water Resource Board completed its studies and given its approval? If so, where do we attain a copy of there report?
- (8.2) Have there been any independent feasibility studies completed and issued on the impact to Skiatook Lake by another Marina? What are the results and where do we attain them?
- (8.3) Have there been any independent feasibility studies completed and issued on the impact to Skiatook of a golf course? What are the results and where do we attain them?
- (8.4) Are there any concerns about the location of the golf course being so far from the proposed convention center?

The following questions concern Dr. John Lamberton of Oklahoma State University Environmental Management Programs:

- (8.5) Has he issued his business plan and market analysis? How do we attain a copy of these?
- (8.6) Has he completed his community surveys and environmental impact assessment? How do we attain a copy of these?

Nolen, Stephen L SWT

From: Dale LeSturgeon [DLESTOURGEON@ci.tulsa.ok.us]
Sent: Monday, August 19, 2002 3:54 PM
To: Nolen, Stephen L
Subject: Comments re: Cross Timbers Project at Skiatook Lake

Dear Mr Nolen,

Thank you for the opportunity to make public comment on this project.

While I am not in favor commercial development and private gain on land acquired by public funds, I accept the fact that such projects are already approved by Congress, and there is a political impetus to proceed.

(I think the public use facilities and parks that the Corps has provided at Skiatook are outstanding and are all that is needed there).

My real concern that I hope someone will address is the impact of a golf course. Not because of the course's presence there, rather because golf courses are heavy users of chemicals, including herbicides, pesticides and fertilizers. One in particular, atrazine, is causing anomalies in amphibians where it gets into the water. How would the tons of chemicals used on the course not end up in the lake? It seems to me that the development, and especially the golf course will hasten the lake's becoming eutropic and worse, a harmful habitat for aquatic life. I have read the EA and do not see this problem addressed. It would be good to require the golf course operators to produce a realistic plan to assure that no golf course run-off would flow into the lake.

Thank you.
Sincerely,

Dale LeSturgeon
5109 E 106 St
Tulsa, 74137

1326 S Florence
Tulsa OK 74104
August 19, 2002

RECEIVED
AUG 20 2002

Preston Hunter
Skiatook Lake Manager
U S Army Corps of Engineers

BY:.....

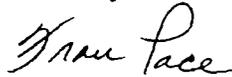
Dear Mr. Hunter:

I appreciate your remark in the Tulsa World that Skiatook Lake is the prettiest lake in the Tulsa District. Of course I agree with you but will offer this in addition. My Italian friend who lives the Dolomite mountains of Italy and has a lake house at Lake Garda stood on my deck and expressed with awe and genuine delight his appreciation for our beautiful lake and the surrounding virgin lands. That is some compliment considering his everyday surroundings. I told him it could not always stay so pristine, but we hope to see the best, and least obtrusive kind of development.

We cannot afford another experimental effort at tourism in Oklahoma. Surely we have seen such inexperience cost us dearly in the past. Mr. Coutant told me that State Source will manage the proposed Skiatook Lake Resort. They will not seek a company experienced in this field. I urge you to find a professional resort company to do this project. If you lock in hundreds of acres with a 50year lease it will exclude quality resort developers when they discover this beautiful and well positioned lake. Search for companies with proven track records. You mentioned that you have not received any other proposals in writing. How diligently have you looked for the best possible developers? Have there been articles in trade publications and professional journals or other types of notifications?

As a property owner and lake area resident I feel safe and comfortable dealing with the U.S. Corps of Engineers on lake matters. I know where you are and how to find you. A private corporation can be difficult to find. I trust we will have more opportunities to examine the exact and legal nature of this new lake management agreement.

Sincerely


Fran Pace

cc: Jeff London

RECEIVED
AUG 20 2002

National Recreation Lakes

Cross Timbers Development Project on Skiatook Lake, Oklahoma BY:

Comments on Environmental Impact

Submitted by: Fran and Gene Pace, 12356 Wells Drive, on Skiatook Lake

- The hiking trail will have what type of base, surface and edging. How will soil washes be prevented on and around the trail? How will disturbed soil be prevented from washing into the lake?
- Will the trail and parking be near the water intake tower? Can you protect water quality and safety with more intense activity? This is the source of our drinking water. What about the possibility of terrorism in this area.
- The shoreline on the east side of the lake is very unstable. With intense use rocks will loosen and create even more erosion. If the private developer cannot maintain the trail and the stability of the shoreline will the Corps take back management?
- Who will maintain the sand at the Tallchief Cove Beach?
- Will artificial light spillage be controlled and minimized? Too much light will disturb nature's balance. Is there a specific light plan?
- According to current development sketch plans some of this project will flood. What measures will be taken to keep possible pollutants including sanitary sewage out of these areas? Will we see more detailed site plans with flood overlay maps?
- During construction, how will you prevent soil, chemicals, oil and other pollutants from washing into the lake? Whose regulations will prevail – county or corps? Who will enforce these regulations?
- What fire prevention measures will be in place especially in the more remote areas? Southwest winds will carry sparks and flames to nearby residences.
- What size fire department will protect the project? How will it be financed? What is the availability of a water delivery system?
- What kind of sewage system will be used for the project? Will that system include toilets in all areas including the trail? Who will maintain them?

F.P.

National Recreation Lakes
Cross Timbers Development Project on Skiatook Lake, Oklahoma

RECEIVED
AUG 20 2000
BY:.....

Comments on Environmental Impact
Submitted by: Fran and Gene Pace 12356 Wells Drive, on Skiatook Lake

Page two

- We have started the process of obtaining water rights from the lake at our house at 12356 Wells Drive. Oklahoma Water Resources has assigned our water allotment per year. As soon as our design plan is complete we intend to ask the Corps for a water easement to the lake. The proposed development will cause increased demand for RW 15 water. The development will also create more fire danger in the woods surrounding us and thus it is important we have access to water from the lake. I assume the lease to a private corporation will not impede our efforts to complete this plan.

F.P.

National Recreation Lakes
Cross Timbers Development Project on Skiatook Lake, Oklahoma

RECEIVED
AUG 20 2002
BY:

Other Comments

Submitted by: Fran and Gene Pace 12356 Wells Drive, on Skiatook Lake

- How many parking spaces will be provided for
 - day visitors to the beach at Tallchief Cove
 - boat ramps at Tallchief Cove
 - boat ramps at Skiatook Point?
- What will be considered reasonable charges to use the facilities mentioned above?
- Why lease hundreds of acres at one time. Why not lease land one reasonable project at a time. When the company finishes the first stage satisfactorily the next stage can be leased.
- Will the contract have start and completion deadlines for each stage of development? Is there a provision to perform in a timely manner?
- Who cleans up in case of company failure? Are there provisions for government reviews if the company changes hands or sells to other parties?
- In case of bankruptcy does the land revert to CEDA or the corps? Do the improvements revert to CEDA or the corps? Would CEDA have the administrative ability and finances to clean up the problems?
- Can the developer start the project with the water delivery problems facing RW 15? Will they have to pay to upgrade the system before starting the project? We in Eastridge are at the end of the line. We need our water.

F.P.

August 19, 2002

Army Corp of Engineers
1645 S 101 E. Ave.
Tulsa, Ok 74128

Att: Jeff London

Dear Sir,

We would like to state our concern and disapproval of the proposed development of Tall Chief Cove on Skiatook Lake.

We cite the following reasons:

Roads: We live on 103rd St. west of Sperry. This road is narrow and can not safely carry the traffic we have now. There are times when we have to stop and pull to the edge of the road to let a big boat go by. During the peak summer times we have to wait for 15 to 20 cars and boats to pass before we can get in or out of our driveway. This road is so dangerous now it is a wonder we have not had more accidents on this year. This also applies to the road from Skiatook.

Schools: Both Sperry and Skiatook are at capacity now. There would have to be some major building done in order to sufficiently serve the influx of students. With the state continuing to cut funding for schools, this would cause an overwhelming burden on both school systems.

Water: As of now there is not sufficient water for Skiatook and RWD #15 to supply properly the existing customers. There are people who have been on the waiting list for a year who have yet to received a water tap. Plus some of those who have water have very little or no pressure.

Environment: Yes, Skiatook Lake is a beautiful lake. It would be wonderful to keep it as a natural shore line lake. Which in our opinion, would be damaged by this proposed development would no longer be the natural beauty it is now. That natural beauty is what draws so many people to the lake now. It is now natural, unspoiled and not commercial.

One of these concern is in regard to the impact the chemicals from the proposed Golf Course would have on the ecological balance of the fish habituate and water? We understand there are studies being done now on the decline in the quality and quantity of bass in the lake.

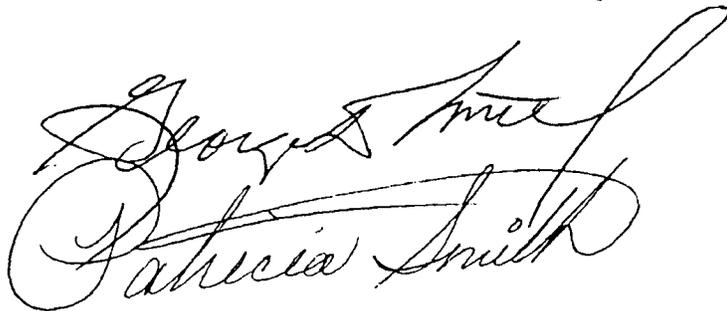
It was the understanding that this lake was constructed primarily for flood control, and recreation. Not commercial development. Is it equitable that the home owners who purchased land early in the development of Skiatook Lake were told no water front, now only to find some developer has been given lake front property for commercial use?

We understand progress is inevitable. However, some existing problems need to be addressed before proceeding with this proposed project.

Please reconsider this proposal.

Thank you,

George and Patricia Smith
Rt. 2 Box 71
Sperry, OK 74073

Handwritten signatures of George and Patricia Smith in cursive script. The signature for George is on top, and Patricia's is below it, both overlapping.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Tuesday, August 20, 2002 4:00 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Crosstimbers Project

Forwarded FYI.

Jeff:

Can you answer Ms. Beair's questions about lease specifics? You might want to provide her a response to her question. Thanks.

sln

-----Original Message-----

From: m.beair@att.net [mailto:m.beair@att.net]
Sent: Tuesday, August 20, 2002 1:03 PM
To: Nolen, Stephen L
Subject: Crosstimbers Project

Mr. Nolen,

As I told you in our conversation, I am opposed to this project. 55% of the proposed land to be developed is for a golf course, convention center and their attendant businesses. Since they are referred to as "Crosstimbers Golf Club", one can only assume that it will be members only. That infers "private ownership" obtained at a cost to the public levied by a private firm. This is incongruent with public usage fees on public lands.

Aside from the environmental impact which has had the best spin put on it and one knows in their heart what the real environmental impact will be, I am growing weary of rich developers made richer from their "liaisons" with governmental agencies whose primary concerns should remain to protect public lands for public use but have given way to funding private ventures with public tax dollars. I realize that the National Recreation Lakes Act of 2001 calls for such partnerships between state & local governments & private businesses. Those partnerships are to foster all public use at a minimal cost, financial and environmental, to the public.

I believe the proposed Marina, camping grounds, & hiking trails are more in the spirit of "treasured family memories" the legislation intended rather than golf courses. I fear that once the golf course is there, hotels, restaurants, and other urban blights would soon appear on what once was a pristine natural area that was created to provide a haven from urban sprawl. The only "treasured memories" this project will eventually produce can be found any day of the week on 71st & Hwy 169.

As I understand it, SEDA (local governmental agency) made the application for the lease, which I have not yet found access to, and StateSource is the "public relation" firm employed by SEDA (?) to generate public support via "pinpointing community leaders who have

direct or indirect access to public officials, and can be strategically encouraged to call on those officials to impact specific issues", determine the public costs, and ways to offset private costs via identifying, deterring and deflecting governmental regulations. I have yet to determine who's really behind this project. Did SEDA members wake up one morning and say "Gee, let's build a golf course"? Maybe they did and maybe they didn't. StateSource was hired by ??? or SEDA ???. Who approached SEDA with this project? Am I wrong on this 3rd party?

If you could direct me to where I could obtain the specifics of the lease, I would appreciate it. The terms of the lease should be public record as they are leasing public land. Is this a wrong-headed assumption? Any path you could direct me to would be helpful.

Thank you,

Marva Beair

Skiatook Public Schools
355 South Osage
Skiatook, Oklahoma 74070
(918) 396-1792

Gary Johnson
Superintendent

Steve Williams
Assistant Superintendent

FAX TRANSMITTAL COVER PAGE

Skiatook Public Schools
355 S. Osage
Skiatook, Oklahoma 74070
(918) 396-1792 Phone
(918) 396-1799 Fax

Date: 8-20-02
To: Steven Nolen
From: Mrs Ralph Hendrix
Time: _____

Telecopied to you are 2 pages, including the cover page. If you do not receive all of the pages or this transmission is not legible, please call me as soon as possible.

Thank you

Message:

August 20, 2002

Steven L. Nolen
Chief of Environment Analysis & Compliance Branch
U.S. Army Corps of Engineers-Tulsa District
1645 S. 101 E. Avenue
Tulsa, OK 74128-4609

Dear Mr. Nolen:

As property owners and residents on the Lake of Skiatook we wish to register our objection to the leasing of property to StateSource and the project Cross Timbers Golf Club and Village.

Our objections and concerns for this area include pollution of the lake, over-crowding on the lake, environment change for the wildlife, security control, and the privacy that will be taken from us as property owners, residents, and future residents.

Pollution from the golf course as they spray, water, and fertilize the grass needed to produce a good course. This will run into the lake and affect the area fishing. The lake is already crowded and adding these additional areas will only make it worse. We have an abundance of wildlife in our area and can hunt deer on our property. This will no longer be available to us if this development is approved. Security will be a major problem as it will allow access to many people's property that has not been available in the past. Vandalism and pollution from people will be a big problem not only for the Corp but individuals. We have a beautiful area and it is very peaceful and that is why we have built our homes here or are intending to build in the future. This project will take away all this from us.

I spoke with Jeff London by phone and he advised that the 21th was the last day we had to object to this project. He advised that we could write a letter as property owners, residents and future residents, and sign all names and fax this to you. We would have done so individually had we realized the time frame. The list below is of property owners, people living on the property or planning to build on this property and are all related.

We strongly object to the government giving away land for commercial use that belongs to the people.

Please consider our objections,

Mr. & Mrs. Ralph Hendryx (property owner)
10 West Beech
Skiatook, OK 74070

Mrs. Hendryx

Mr. & Mrs. Don Dethrow (property owner)
2250 East 53rd Street
Tulsa, OK 74105

Mr. & Mrs. Melvin Peters (resident of property)
418 West 5th Street
Skiatook, OK 74070

Mr. & Mrs. Heath Pedigo (resident of property)
10001 Tall Chief Road, P. O. Box 616
Skiatook, OK 74070

Mr. & Mrs. David Crase (future resident of property)
413 South Hominy
Skiatook, OK 74070

Mrs. Sherree Hill (future resident of property)
525 Southview Drive
Skiatook, OK 74070

Mr. Rick Hull (future resident of property)
212 South Cherry
Skiatook, OK 74070

August 20, 2002

Dear Mr. Nolen:

I'm writing to you with regard to the proposed CrossTimbers project on the Skiatook Lake. I believe I am in somewhat of a unique position to provide comments and input into this project, based on several criteria, which are as follows:

1. My father, Fred Jordan, was the County Commissioner in Osage County for the Skiatook area for over twenty years. Based on this exposure, I was very familiar with the "process" when the lake first went in and the anticipated growth that would come from the lake.

2. I am in the real estate development business, having developed a successful lakeside project on Grand Lake.

3. Having grown up in the area, I moved back there several years ago with my family; I am a part of the community, but enjoy the perspective of someone that works in Tulsa and brings many Tulsans to the area for recreational enjoyment.

Skiatook Lake is one of the most beautiful lakes in this part of the country. I believe it is much more pristine, with more beautiful vistas than Grand, Tenkiller, or any other lake in the state. While there has been significant economic growth attributable to the lake over the past twenty years, this has been obviously stifled by the limitations on developments that could take full advantage of the natural beauty, the setting, and the recreational amenities associated with the lake.

With the road improvements that are going on and that have been slated for the northwest access from Tulsa to the lake, I believe this development will provide an unprecedented opportunity for greater and more broad spread enjoyment of the lake area and all it has to offer. I have many friends in Tulsa that are excited about the opportunity to use these amenities for both personal and business-related recreational and conference uses. The proximity to downtown Tulsa makes this a natural for short-term meetings and conferences, as well as overnights, at such time as cabins, a lodge, or other accommodations would become available.

We are very fortunate to have representation in Congress and with the Corps of Engineers that have had the foresight to have Skiatook Lake selected as one of the pilot programs. I look forward to seeing where this development can go over the next several years with regard to the economic development prospects in the Skiatook area.

I will be more than happy to participate in any additional information gathering or in any capacity in which I might be able to assist to help make this project a reality.

Thanks for the opportunity to express my sentiments about this exciting development.

Yours truly,

Kevin L. Jordan

Kevin L. Jordan
Excel Energy Technologies, Ltd.
624 S. Boston, #300
Tulsa, Okla. 74119
918-585-5000, ext. 43

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 7:15 AM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Comments on Skiatook EA

-----Original Message-----

From: Kenneth Shingleton [mailto:econosys@worldnet.att.net]
Sent: Tuesday, August 20, 2002 7:08 PM
To: Nolen, Stephen L
Subject: Comments on Skiatook EA

Dear Mr. Nolen,

Please accept the following comments and questions regarding the Skiatook Crosstimbers Project, as it relates to the National Recreation Lakes Initiative and the associated National Recreation Lakes Act of 2001. We have had a chance to review the fact sheet that has been posted on the internet on the National Recreation Lakes Initiative, and the associated bill submitted to the Senate by Senator Blanche Lincoln (D-AR), and Representative Nathan Deal (R-GA).

In principle, we agree wholeheartedly with the goals and objectives of the National Recreation Lakes Act of 2001, that measures should be implemented in order to increase recreation opportunities and subsequent visitation at federal lakes. However, we believe that the Skiatook Crosstimbers Project, as one set of such measures, is not necessarily consistent with federal laws and regulations. We submit that federal policies regarding land use and economic development on public land should be fully explored prior to implementing any plan, even a pilot demonstration project. The following are associated points and/or questions that we would like addressed, if possible.

1. The National Recreation Lakes Coalition (NRLC) seeks to 'enhance greatly the recreational opportunities at hundreds of man-made, federally managed lakes.' The NRLC, created in 1996, established that federally-managed lakes played a critical role in meeting the nation's recreation needs, but that this role was jeopardized by deferred maintenance and outdated management practices. The NRLC noted that 'enhanced recreation opportunities are readily achievable through partnerships, innovation and management policy changes.' Additionally, it was determined that recreation at federal lakes (1) is not a priority, (2) lacks policy direction, leadership, planning, and coordination, (3) no expansions of recreation facilities have been planned, and (4) partnerships with state and local governments, and with private industry needed to be expanded and improved.

2. What is the Corps' recreation policy in terms of compatibility with other land uses? Is the Corps going to favor recreation concerns over those of natural conservation? Public land use? Other concerns? How do we define recreation; has the Corps defined the universe of terms which it is willing to associate itself with, in terms of recreation? Does recreation include campgrounds; beaches; marinas; golf courses; cabins; hunting/fishing areas; wildlife viewing; etc.? In sum, what are the recreational uses of land that are compatible and consistent with Corps policy, and the associated laws and regulations governing that policy? How does the Skiatook Crosstimbers project contrast with Corps policy?

3. Another aspect that should be considered thoroughly is the issue of partnerships. What constitutes a 'partnership?' What are some appropriate approaches to establishing partnerships with state and local governments,

and private entities, consistent with federal contract law and guidelines? How should issues of competition and fairness be addressed, when dealing with private entities?

We believe that policy and planning are not straightforward in the Skiatook Crosstimbers Project. We would like to see the Corps address these policy issues, and would like to see fair and competitive practices in establishing partnerships. The Corps should answer some questions, including (1) how implementing a \$0 lease on government property is beneficial to the government, (2) how the Corps will shoulder a multitude of associated costs and how this is beneficial to the government, and (3) how overlooking fair and competitive practices is beneficial to the government or the American public. In what way could the existing recreation program be expanded, modified, or managed differently to meet the goals and spirit of the National Recreation Lakes Initiative? Could increased funding for recreation, operations, and maintenance be one potential solution that would satisfy the spirit of the National Recreation Lakes Act?

Additionally, has the Tulsa District looked outside at other agencies participating in this pilot demonstration project? What are the other agencies doing? Are their proposed projects consistent with internal policy and with existing laws and regulations? Are other Corps districts participating?

We believe that all the aforementioned questions should be addressed before this project is pushed forward. A good faith measure of confidence and trust in the American people would be for the Corps to elevate this Environmental Assessment to an Environmental Impact Statement (EIS), since it is clear that this project will result in a significant impact on the human environment.

Sincerely,

Kenneth and Ruth Shingleton
5604 E. 36th St.
Tulsa, OK 74135
econosys@worldnet.att.net

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 7:16 AM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Skiatook Lake Comments

-----Original Message-----

From: Keri Shingleton [mailto:kerishing@hotmail.com]
Sent: Tuesday, August 20, 2002 9:13 PM
To: Nolen, Stephen L
Subject: Skiatook Lake Comments

Dear Mr. Nolen,

Thank you for the opportunity to address the potential environmental impacts associated with the proposed Crosstimbers Project at Skiatook Lake, Oklahoma. I have reviewed the Draft Environmental Assessment (EA) for Crosstimbers Project at Skiatook Lake, Oklahoma presently posted for public review and comment on the U. S. Army Corps of Engineers, Tulsa District webpage. After having reviewed the EA there are several components I would like to provide comment on.

Alternatives Analysis

In principal I agree with the no action alternative provided in the (EA). After a review of the proposed alternatives it would appear that no serious attempt was made by the project proponents to provide an incremental analysis encompassing a mix of the various proposed project features. If, as is stated in the EA, the availability of camping facilities results in campers having to be turned away from the existing recreation facilities on weekends during the camping season then the initial alternative should focus on the expansion of existing facilities only. After fully assessing the environmental and economic impact of that alternative, remaining project features should then be assessed for their environmental and economic impacts in an incremental manner such as:

Alternative 1: No action alternative

Alternative 2: Expansion of existing camping facilities.

Alternative 3: Expansion of existing camping facilities and development of new camping facilities.

Alternative 4: Expansion of existing camping facilities, development of new camping facilities, and development of a camping cabin complex.

Alternative 5: Expansion of existing camping facilities, development of new camping facilities, development of a camping cabin complex, and development of a marina.

Alternative 6: Expansion of existing camping facilities, development of new camping facilities, development of a camping cabin complex, development of a new marina, and development of a recreational lodge.

Alternative 7: Expansion of existing camping facilities, development of a new camping facilities, development of a camping cabin complex, development of new marina, development of a recreational lodge, and development of a "target golf course".

Natural Resource Impacts

While a relatively thorough survey of the flora and fauna present in area encompassing Skiatook Lake was performed by the U. S. Army Corps of Engineers, Tulsa District for the 1972 Environmental Impact Statement (EIS), it is highly unlikely that any such biological survey as been repeated in recent years in an attempt to evaluate changes in biodiversity and landuse

since the reservoir was impounded. Letters from the Oklahoma Department of Wildlife Conservation and the U. S. Fish and Wildlife Service provided in Appendix A of the EA indicate that no status species are known to occur within the proposed project area. However, the biological survey and habitat evaluations used in the preparation of the EA are 30 years old and were conducted prior to reservoir impoundment. Given the highly variable nature of biologic systems and the impacts that minor changes in land use can have on ecological communities it is extremely alarming that the project proponents, resource agencies, and the U. S. Army Corps of Engineers, Tulsa District are comfortable assessing potential impacts using floral and faunal surveys that are 30 years old. In addition, no attempt has been made to assess if any of the wooded areas within proposed project area includes old growth cross-timbers such as those near Keystone Lake recently incorporated into the Nature Conservancy of Oklahoma preserve system. Given the proximity of Skiatook Lake to Keystone Lake, there is a reasonable potential of old growth cross-timbers being present in the Skiatook Lake area. This alone seems to provide sufficient cause to undertake a more extensive biological survey of the area prior to project approval.

Furthermore, Table 1 of the EA merely quantifies the total acreage of each habitat type expected to be impacted by the proposed project. Nowhere does the document identify what the impacts would be on organisms such as migrant neo-tropical birds known to be summer residents in the Skiatook area (e.g. Great Crested Flycatcher, Eastern Wood-Pewee, Yellow-throated Vireo, Prothonotary Warbler, Northern Parula, Yellow-throated Warbler, Yellow Warbler, etc...) as a result of habitat loss and fragmentation. The same holds true for potential impacts to reptile, amphibian, and mammal populations, as well as the many invertebrate species inhabiting the proposed project area resulting from habitat loss and fragmentation.

Water Quality

A major area of concern I have with regard to the proposed project is the potential for reservoir water quality impacts resulting from golf course operations. Currently Skiatook Lake is a water supply reservoir for the City of Skiatook. In 1998, Skiatook Lake was identified by the Oklahoma Water Resources Board, under section 303(d) of the Clean Water Act, as being impaired by pesticides

(http://cfpub.epa.gov/surf/huc.cfm?huc_code=11070107). The EA provides only cursory mention to turf management and integrated pest management plans. These plans have the potential to be critically important to maintaining reservoir water quality from both an ecological and water supply standpoint.

However, no effort has been made by the project proponents to provide detailed information as to what the type and frequency of sampling would be required to adequately quantify impacts related to increased nutrient, pesticide, and herbicide loadings resulting from golf course application. At a minimum these plans should include the type and frequency of sampling, what actions would be required to reduce nutrient, pesticide, and herbicide application if increased concentrations were found in the reservoir, and what "triggers" would be in place to initiate a nutrient, pesticide, and/or herbicide reduction plan.

In closing I would like to stress the importance of requiring the project proponents to address these issues. The only way to adequately address these issues is for the U. S. Army Corps of Engineers, Tulsa District not to issue a Finding of No Significant Impact (FONSI). Furthermore I recommend that the U. S. Army Corps of Engineers, Tulsa District require the project proponents to perform an Environmental Impact Statement in compliance with the National Environmental Policy Act (NEPA) of 1969.

Thank you for your time,

Keri E. Shingleton, PhD
Tulsa, OK

Aug. 20, 2002

Corp of Engineers
Mr Jeff London

Dear Sir,

I am protesting the commercialization of Shitook Lake for the following reasons.

1. Road are not satisfactory for the traffic we have now and to make them so is more money from taxpayers that we don't have.
2. The Corps should not have bought this land in the 1st place because it wasn't needed for the lake. It was bought with taxpayer money and should it be leased at no charge to profit makers. This will not benefit the average person as they will not be ~~able~~ able to pay the high rental prices.
3. It will cause overcrowding and will be detrimental to the ecology of the lake and wildlife in the area.
4. As a taxpayer I feel we have already payed for it once and will have to pay again to use it.

5. what happened to competitive bidding?

6. Will I be able to launch a boat with my Corps annual pass? Crystall Bay - No, At the area of Hyway 412 & Grand River - No

We Taxpayers are getting the shaft and the money people are getting all the benefits. also other areas the same way!

7. water quality will go down with lots of Commercial use.

8. It will be great for wealthy people but not us.
Just my 2¢ worth

Tom Stewart
17731 E 105th St
Owasso, OK. 74055.

FAX

To Steve Nolan

Fax Number 669-7546

Phone Number

From Dr. Melinda Upton

Fax Number (918) 665-7089

Phone Number (918) 663-3994

Number of Pages 3 including cover page

Date 8/21/02

Comments:

Comments on Skiatook Lake Project

Melinda Upton
15501 N. 95th PL
Skiatook, OK 74070

August 20, 2002

Colonel Robert L. Suthard, Jr.
U.S. Army Corps of Engineers
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4629

Dear Colonel Suthard:

I have reviewed the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake (Draft Project) and am deeply concerned about the proposed privatization of public lands. The Skiatook area has relatively little public land available for outdoor recreation and the proposed project is essentially giving some of this land to a private enterprise. To make matters worse, this opportunity to profit from federal lands was not open to everyone and appears to have been politically arranged for the project proponents.

I understand a need to provide recreational opportunities to the public and expansion of the campgrounds, development of trails, and potentially a limited expansion of marina facilities certainly would provide recreational benefits that are best suited for lands managed by the Corps. However, the golf course and village could be located on private lands adjacent to the lake and provide all of the same benefits to the public (and even more considering they would be paying more property taxes). Is there a shortage of golf courses? Certainly if there is a demand for more golfing facilities, and it's financially feasible, the private developers in the area will build one near the lake on private lands without any government subsidy. With the relatively rapid development occurring near Skiatook Lake, I'm surprised it hasn't happened already. Development of a golf course on private lands probably won't happen if the Draft Project is approved. Who could compete with a free lease and no property taxes? Why is the Corps proposing to give away (free lease) such valuable property. Taxpayers have paid for the Federal land around the lake and we deserve to receive at least the fair market value for leasing the land.

With the exception of the marina, most of the proposed development could occur on adjacent private lands. Corps lands at Skiatook Lake occupy only a relatively thin strip of land around most of the reservoir. Private lands, including land overlooking the reservoir, are available near the lake that could support a golf course, a village, and additional developments such those proposed by SEDA. SEDA could build much of the Draft Project on private lands without being subsidized by the taxpayers. Alternatives that include development of portions of the project on private lands were not addressed in the Draft EA.

The area around Skiatook Lake is rapidly being developed and part what attracts people is the relatively undeveloped appearance of the lake. As the area around the lake gets more developed there will be an increased demand for recreational opportunities in less developed settings. The proposed project will adversely impact many existing recreational uses and put even more pressure on the undeveloped lands that remain. As an example, boating use has increased at Skiatook lake in recent years to a point where many people avoid going to the lake on weekends. Existing recreational activities such as water skiing and fishing are already being impacted by the high level of use. The proposed project will only increase use and conflicts with existing recreation. The quality of the recreational experience is just as important as the quantity and in fact are interrelated. It is not practical to continue to encourage more use without considering the impacts to public safety and sustainable use of our public lands and waters. The Draft EA makes no attempt to consider these potential impacts.

The Draft EA does not properly address indirect or cumulative effects which is required by NEPA. The following are potential cumulative effects that are inadequately addressed:

- Boating traffic is already relatively high on weekends and project related increases could impact existing recreational uses and public safety
- Impacts to existing recreational uses and potential conflicts between recreational uses
- Costs and impacts related to increased traffic.

I also would like to see the following questions addressed:

- How large is the proposed marina and is it justified if the existing marina is not fully occupied?
- Are Federal lands in the proposed project providing any recreational benefits or opportunities that could not potentially be provided by development on private lands?
- Could SEDA develop most of the proposed project (all proposed developments except the marina and campgrounds) on private lands near Skiatook Lake and still achieve the same benefits for the public?

I appreciate the opportunity to provide these comments. Please respond to my questions and comments and incorporate your response in the final environmental assessment. If you have any questions concerning my comments, please contact me at (918) 663-3994.

Sincerely,



Melinda Upton

U.S. Fish and Wildlife Service



Ecological Services
222 South Houston, Suite A
Tulsa, Oklahoma 74127-8909



Jerry J. Brabander, Field Supervisor, ext. 224

Visit our Website at <<http://www.ifw2es.fws.gov/tulsafo/>>

COMM & FTS (918) 581-7458

FAX (918) 581-7467 (COMM & FTS)

E-mail jerry_brabander@fws.gov

FAX Cover

No. pages (incl. cover) 4

DATE: 8-21-2

TO:

Steve Nolan

FAX No: 669-7546

Phone:

FROM:

Kevin Stubbs

SUBJECT:

Skiatook Project

MESSAGE:

- OK ES Voice Mail Numbers
Todd Adornato (TDD) 918/581-7572
- Jontie Aldrich 231
 - Jerry Brabander 224
 - Ken Collins 230
 - Janice Deaton 222
 - Hayley Dikeman 239
 - Suzanne Dudding 241
 - Terry Dupree 235
 - Daniel Fenner 271
 - Kimberly Frest 221
 - Ken Frazier 234
 - Anne Griffin 221
 - Stephanie Harman 229
 - Dean Heckathorn 242
 - Patry Heckathorn 221
 - Steve Hensley 227
 - Erich Langer 225
 - Dan Martin 233
 - David Martinez 228
 - Chris O'Melia 272
 - Richard Stark 232
 - Kevin Stubbs 236
 - Rebecca Unbchaun 269
 - Terry Whiteaker 270
 - Ken Williams 226
- 918/581-7458 FAX 918/581-7467

Privacy Notice



Over 60,000 acres restored





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
222 S. Houston, Suite A
Tulsa, Oklahoma 74127
August 21, 2002

In Reply Refer To:
FWS/R2/OKES/02-14-02-I-1062

Colonel Robert L. Suthard, Jr.
U.S. Army Corps of Engineers
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4629

Dear Colonel Suthard:

The U.S. Fish and Wildlife Service has reviewed the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake (Draft EA). The following comments are provided for your consideration.

The proposed project includes a golf course, village (including lodge, cabins, store, and other related facilities), marina, and a camping/RV area. The project proponent, the Skiatook Economic Development Authority (SEDA), proposes to lease 550 acres of federal property to allow construction of the proposed project. The proposed project encompasses Corps property from Tall Chief Cove to Skiatook Point.

The Service has attended two meetings at the Corps District office and a public meeting in Skiatook for the proposed project. The information and coordination provided by your staff at these meetings were greatly appreciated and we will continue to work with your staff in evaluating fish and wildlife resources likely to be affected by construction and operation of the proposed project. The Service also provided preliminary threatened and endangered species information and comments in a March 28, 2002, letter and verbal comments have been provided at the meetings mentioned above. No federally-listed threatened or endangered species are likely to be adversely affected by the proposed project, however, the potential exists for future conflicts involving conservation of some species, such as the bald eagle. The Corps should monitor bald eagle use of the reservoir and provide protection for nesting, roosting, and perching sites, if needed in the future.

The Service's primary concerns about the proposed project are related to potential impacts to terrestrial and aquatic habitats and existing recreational uses at the Skiatook Project. The Draft EA provides no details about proposed mitigation for potential impacts. Over 100 acres of mature timber and over 70 acres of tallgrass prairie appear to be directly impacted by the proposed project. The Corps proposal to rezone other areas of the lake to mitigate project impacts has merit and we will work with the Corps and Oklahoma Department of Wildlife (ODWC) in identifying suitable areas for mitigation.

Colonel Suthard, Jr.

2

The Service and ODWC are opposed to any losses of public hunting and fishing opportunities. The proposed project would be likely to reduce recreational opportunities related to public hunting and fishing. Not all recreational activities at Skiatook Lake would be enhanced by the project and impacts to existing recreational uses should be addressed in the Final EA. Existing bow hunting opportunities would be impacted by the proposed golf course and the popular hybrid-striped bass fishery could be impacted by the proposed marina and a potential increase in boat traffic. The area of the lake potentially occupied by the marina would essentially exclude most of the public from boating and fishing these waters.

The Service also is concerned about impacts to migratory birds. Much of the project area is mature hardwood timber. Some of these trees are hundreds of years old and mitigation for the loss of such trees is difficult. Migratory birds such as scarlet and summer tanagers, use this mature timber and likely would be displaced by some of the proposed development. Habitat improvement in other areas is recommended, but will require active management to maintain the value of the resource over time. The Service will work with the ODWC and Corps to identify areas best suited for habitat improvement.

The Draft EA mentions creation of wetlands near the golf course to improve wildlife habitat. The Service could support creation of wetlands, but any waterbodies created in or near the golf course have potential to accumulate pesticides and become toxic to wildlife. We recommend incorporation of adequate preventative measures to reduce this potential and periodic monitoring of water quality and fish in those waters in or near the golf course. Fish eating birds and amphibians are particularly susceptible to accumulations of pesticides in such waters.

The Draft EA does not properly address indirect or cumulative effects. The following are potential or likely cumulative effects that are inadequately addressed:

- The proposed project is likely to increase development of private lands adjacent to the golf course and other portions of the Corps property at the Skiatook Project;
- Boating traffic is already relatively high on weekends and project related increases could impact existing recreational uses and public safety;
- Human disturbance of wildlife in habitats adjacent to developed areas is likely to increase;
- Displacement of existing recreational uses and potential conflicts between recreational uses likely will occur; and
- Habitat destruction is likely to occur related to expansion of roads and parking areas to accommodate increased traffic.

The Service also has concerns regarding the proposed use of federal land and questions the justification for some of the proposed developments. Relatively little effort was made to provide alternatives that avoid or minimize long-term impacts to fish and wildlife habitat. With the exception of the marina, most of the proposed development could occur on adjacent private

Colonel Suthard, Jr.

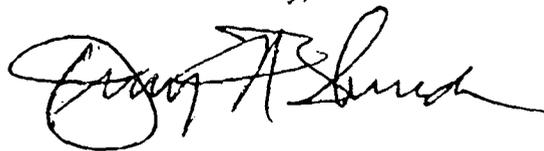
3

lands. Corps property at Skiatook Lake occupies only a relatively thin strip of land surrounding most of the reservoir. Private lands, including land overlooking the reservoir, are available near the lake that could support a golf course, a village, and additional developments such as those proposed by SEDA. Alternatives that include development of portions of the project on private lands were not addressed in the Draft EA. Such alternatives would help minimize impacts to wildlife habitat on Federal lands. The Service would like to see the following questions addressed:

- How many boats and of what size will the proposed marina accommodate? Is the proposed marina justified if the existing marina is not fully occupied?
- Are Federal lands in the proposed project providing any recreational benefits or opportunities that could not potentially be provided by development on private lands?
- Could SEDA develop most of the proposed project (all proposed developments except the marina and campgrounds) on private lands near Skiatook Lake and still achieve the same benefits for the public?
- Camping at Tall Chief Cove is fully utilized, but are other campgrounds at Skiatook Lake full on a regular basis?

The Service will continue to work with your staff in developing project alternatives that will minimize and mitigate for any potential impacts to fish and wildlife resources. If you have any questions concerning our comments, contact Kevin Stubbs of the Oklahoma Ecological Services Field Office at (918) 581-7458, extension 236.

Sincerely,



Jerry Brabander
Field Supervisor

cc: Director, ODWC, Oklahoma City, OK
ARD (ES), Albuquerque, NM

JIM GRAY
Principal Chief

KENNETH H. BIGHORSE
Assistant Principal Chief



MEMBERS OF COUNCIL

MARK FREEMAN, Jr.
HARRY ROY RED EAGLE
CAMILLE W. PANGBURN
JODIE SATEPAUHOODLE
JERRY SHAW
PAUL R. STABLER
DUDLEY WHITEHORN
JOHN W. WILLIAMS

OSAGE TRIBAL COUNCIL

August 21, 2002

Colonel Robert Suthard
U.S. Army, Corps of Engineers,
Tulsa District
1645 South 101st East Ave.
Tulsa, Ok 74128-4609

Colonel Suthard,

RE: Skiatook Lake Cross Timbers Project

Dear Colonel Suthard:

The Osage Nation is very concerned about how and why they are being left out of this project. The Osage had entered into a contract with State Source L.L.C. to do the study for the development of Skiatook Lake as well as a power plant in this same area. Both of these projects were reliant on the Corps Lake. They were to be very intertwined.

The 30th Osage Tribal Council was under the impression that the documentation for this demonstration project had been submitted on behalf of the tribe. Previous council members were under the impression that counter offers with State Source L.L.C. were forthcoming. The Osage Tribal Council has never taken any action not to do this project they have been waiting for this to come back.

The Osage Nation would like to assure the Corps that they are in full support of a project of this nature on Skiatook Lake. Where the tribe is having reservations about this project is non-role the tribe has to play. This Council is not willing to make the same mistakes that were made when the lake was created.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony P. Whitehorn".

Anthony P. Whitehorn
Project Specialist



OKLAHOMA DEPARTMENT OF
WILDLIFE CONSERVATION
FAX TRANSMITTAL SHEET
FAX # 405-521-6535

TO: Mr. Stephen L. Nolen	FROM: Thomas Hever
COMPANY: USACOE	DATE: 21 August 2002
FAX #: 918-669-7546	# OF PAGES (INCLUDING COVER) 3
PHONE #:	PHONE #: (405) 521-4663
RE:	
<input type="checkbox"/> URGENT <input type="checkbox"/> PLEASE REPLY <input type="checkbox"/> FYI	
COMMENTS:	

WILDLIFE CONSERVATION COMMISSION

Lewis Stiles CHAIRMAN	John S. "Jack" Zink MEMBER
Mac Maguire VICE CHAIRMAN	Harland Stonecipher MEMBER
Douglas Schones SECRETARY	Bruce Mabrey MEMBER
John D. Groendyke MEMBER	Bill Phelps MEMBER



FRANK KEATING, GOVERNOR
GREG D. DUFFY, DIRECTOR

DEPARTMENT OF WILDLIFE CONSERVATION

1801 N. LINCOLN P.O. BOX 53465 OKLAHOMA CITY, OK 73105 PH. 521-3851

August 21, 2002

U.S. Army Corps of Engineers
Colonel Robert L. Suthard, Jr.
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Subject: Draft Environmental Assessment for Crosstimbers Project at Skiatook Lake, Okla.

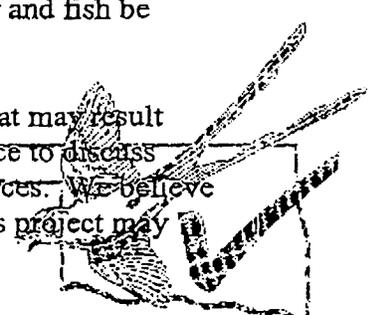
Dear Colonel Suthard,

The Oklahoma Department of Wildlife Conservation (ODWC) submits the following comments in regard to the Draft Environmental Assessment for the Crosstimbers Project at Skiatook Lake, Oklahoma (Draft EA). The proposed project involves the construction of a golf course, marina, expanded RV sites, cabins and a village located on Skiatook Lake in Osage County, Oklahoma. This project included plans for the Skiatook Economic Development Authority (SEDA) to lease 550 acres from the U.S. Army Corps of Engineers (Corps).

The ODWC has reviewed the Draft EA for this project and a copy of the U.S. Fish and Wildlife Service's (Service) letter to the Corps dated August 21, 2002. The Service's letter reflects many of our concerns regarding impacts to fish and wildlife, proposed mitigation, and the loss of wildlife related activities that include hunting, fishing, and nongame wildlife recreation and we support the issues they raise.

As reflected in the comments provided by the Service, we are equally concerned about the impacts that this project may have on terrestrial and aquatic habitats and existing recreational uses at Skiatook Point. We are concerned that this project may have long term implications for the natural buffer zone around Lake Skiatook. Land use changes that can result in an increase use of herbicides, fertilizers, and nutrients must be evaluated carefully to ensure that the biological integrity of Lake Skiatook is maintained. Therefore, we agree with the Service's assessment that preventative measures and long term monitoring of water quality and fish be implemented.

Our agency is opposed to any loss of fishing and hunting opportunities that may result from this proposed project. We would like to meet with the Corps and the Service to discuss possible alternatives to minimize and mitigate impacts to fish and wildlife resources. We believe that the Draft EA inadequately addresses the indirect and cumulative impacts this project may



have on adjacent fish and wildlife populations. These impacts include increased development of private lands adjacent to the golf course and related increase of both boating and vehicle traffic and human disturbance of wildlife.

Finally, we would like to further explore issues related to the Corps leasing public land for private developments. This would help us understand how land use proposals, such as this one for Skiatook Lake, are consistent with the original purpose of such properties. We would like to explore how these types of actions may affect the long term management of Skiatook Lake. If possible, we would like to further discuss this issue at your convenience.

The ODWC appreciates the opportunity to review this project and submit comments, and we look forward to the opportunity to discuss this project with your staff before the final Environmental Assessment is prepared. If the ODWC can be of further assistance, please contact either Jeff Pennington at (918) 629-4625 or Thomas Heuer at (405) 521-4663.

Sincerely,



Greg Duffy *by RTH*

Director,

Oklahoma Department of Wildlife Conservation

cc: Alan Peoples, Wildlife Division, Oklahoma Department of Wildlife
Jeff Pennington, Wildlife Division, Oklahoma Department of Wildlife
Kevin Stubbs, U.S. Fish and Wildlife Service, Tulsa, Okla.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:27 PM
To: Vogele, Louis E SWT
Subject: FW: Golf Course

-----Original Message-----

From: Rowdyroach@aol.com [mailto:Rowdyroach@aol.com]
Sent: Wednesday, August 21, 2002 2:12 PM
To: Nolen, Stephen L
Subject: Golf Course

Bessie Baldwin
PO Box 262
Avant, OK 74001

I want to support the proposed Skiatook Lake Golf Course project. I believe it will be great for the area.



MARINA
HC67, Box 3500
Skiatook, OK 74070
6 Miles West
(918) 396-4240

FAX COVER LETTER

ATTN: Steven L. Nolan

RE: SEDA - Crosstimbers Project

No. of pages (including cover): 4

If all pages were not received or are illegible please call (918) 396-4240

0
0

0

08/21/2002 10:00 2103301817 CRYSTAL BAY PAGE 02

CRYSTAL BAY MARINA INC.

HC67 BOX 3500
SKIATOOK, OK 74070

Phone 918-396-4240 EXT 201

August 21, 2002

Mr. Steven I. Nolen
Chief Of Environmental Annalysis And Compliance:
1645 So. 101 East Avenue
Tulsa, Oklahoma 74129

Dear Mr. Nolen;

I am addressing concerns pertaining to the organization for economic development, (SEDA), which was established for and by the Town Of Skiatook, Skiatook Oklahoma. There are other concerns addressed about the Cross Timbers Project.

The first item is on page 4, paragraph 5 of The declaration Of Trust Of The Skiatook Economic Development Authority.

The Trust Authority should be restricted from relinquishing ownership of holdings to any other entity other than the USACE without specific consent of the USACE.

Item Two: page 4, paragraph 6

The Trust membership must reside within the City Limits of Skiatook Oklahoma, the beneficiary of the Trust.

Note: The Board members list which I only read in the paper lists members who do not reside in the City Limits.

This should be researched by the USACOE and if your findings are identical to mine the Trust was established illegally and cannot exist.

My understanding is the project (Cross Timbers) should be in the Corporate Limits of The Town Of Skiatook. If this is so the Town becomes responsible for Police, Fire, and Emergency services.

The prospect of Skiatook providing any services to the project is more than unlikely. I request an audit of the Town Of Skiatook to determine their financial stability. Obviously SEDA has no assets and the future stability of the Town of Skiatook financially need to be addressed.

Item Three: page 7, paragraph 6

This states that SEDA and Skiatook are not liable for anything other than the assets of the Trust. The only assets the trust have are given them by the USACOE. This is a sweet deal for SEDA and a REAL LIABILITY to th USACOE and the public as tax payers.

Item four: page 9 (h)

NO BOND REQUIRED FOR TRUSTEES. Is this a license to steal or miss-manage?

Item five: Page 12

Dissolution: If dissolved the assets should return to the USACE.

Item 6 Development Plan, paragraph 4

This is permitting private ownership under cover of a general plan of operation.

You do not permit private ownership on USACOE land. This is private ownership by individuals.

Once the ownership is established to an individual in a legal infringement to Gov. property, how will the USACOE deal with the issue when it pops up and the private owner decides to just stay. The issue currently in process at Oologah lake where an individual built his house on USACOE property and the Corp's is willing to negotiate public land to the individual is cause enough for concern.

You start here and end where.

Item 7 Development Plan, paragraph 5

Fences are required on all USARCOE land at Skiatook Lake unless the land limits access because of the terrain.

Item 7 Development Plan, paragraph 6

It would be nice to have the taxpayers build a top rate camping facility and give it to me. Get real on this item.

I formally request a feasibility study on the proposed camping facility and given the great profit the Skiatook Lake Project receives from the camping facilities currently in operation I am willing to see the feasibility based on the no cost to construct theory given the services are provided equal to the services currently provided by the USACOE.

Item 8 Attachment 7

This is a supposed twenty million dollar project. Only a fool would insure less than the investment for liability and property damage and the policy should hold the USACOE as an also insured.

Item 9 Lease Terms

The USARCOE has moved in the direction of shorter leases with the current concession holders.

As President Of the Oklahoma Marina Association, and Vice Pres. of Crystal Bay Marina Inc. I welcome the addition of 50 year leases. The current policy has made it difficult to secure financing so the current concession holders may expand their business. If more time were spent helping the current operators the industry would have already grown. Marinas are one of the most difficult businesses to obtain financing for.

Item Ten

The publishing of information about SEDA and the CROSS TIMBERS project was done with the minimum effort required, (BLU HULSEY Statement) Only after we used the PIO act did we receive any documents regarding the project. True the environmental assessment is on the USACOE web page.

I am requesting an extension of NINETY DAYS from the date of this letter to take true public opinion polls and provide the information for public review which I received) 08-14-2002.

I am a board member of the Skiatook Lake Association and a member of the Skiatook Chamber Of Commerce and as of this day have only seen presentations made by State Source giving their side of the deal. If this is a good proposal it will withstand scrutiny by the people who live here and currently use Skiatook Lake. No one could dispute the proposal because no official proposal was made. Conceptual drawings have no ground in a project of this size.

I furthermore FORMALLY REQUEST feasibility studies to be made for the Golf Course, Cabins, and conference center. No logical decision can be made on any project until detailed plans for construction are included in the feasibility studies.

I furthermore FORMALLY REQUEST an environmental study to address the disposition of the businesses currently operation in Skiatook in respect to the road traffic to the lake which will use the 52nd West Ave. road and Cemetery Road through Sperry when they are completed. The numbers should reflect residential growth and business growth and their patterns of growth over a ten year period.

The area selected should have a weather history (Storm Pattern) study over the past 20 years. I looked at this area when Catalina Cove Development wanted a marina at this site. I might add that I am not new to the Marina business and do my homework.

I furthermore request the accessible area to recreational boaters be looked at in detail. The lake has a pool

at elevation 714' of 10,500 acres. This is not comparable to Tenkiller.

Only fishing is safe in the following areas:

The Bull Creek Bridge near Hwy 20 over Hominy Creek West

The Bull Creek Bridge North (Bridge at Bull Creek Park)

Turkey Creek (from the mouth to the end of both fingers)

Dads Creek to the Island (Brush)

Cedar Creek (Brush)

Lost Creek (Osage Ramp) Brush

When you look at the open water available at 714 pool you have to be dealing with no more than six thousand acres of safe boating. Check this with the Okla. Lake Patrol.

Sincerely: Richard L Barton



Vice Pres. Crystal Bay Marina Inc.

President: The Oklahoma Marina Assoc

HC67 Box 3500

Skiatook, Oklahoma

74070

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:28 PM
To: Vogele, Louis E SWT
Subject: FW: Skiatook Project

-----Original Message-----

From: Rowdyroach@aol.com [mailto:Rowdyroach@aol.com]
Sent: Wednesday, August 21, 2002 2:06 PM
To: Nolen, Stephen L
Subject: Skiatook Project

April Boness
10593 N. 68th W. Ave.
Skiatook, OK 74070

I would like to support this project and feel that it would enhance Skiatook Lake and the economics of the area.

Town of Skiatook

August 21, 2002

Stephen L. Nolen
U.S. Army Corps of Engineers
Tulsa Office

Dear Mr. Nolen,

I serve as Mayor of the Town of Skiatook, as well as a member of the Board of Directors for the Skiatook Economic Development Authority. First of all, let me congratulate you and the Corps for participating in this Demonstration Lakes program. For many years, our lake has not developed as it should, and that is why we are so excited about the CrossTimbers development project. We already are seeing additional planned development being considered that would never have happened without your model program and the CrossTimbers plan. This is critical for our community, as you know that rural economic development is vital and that recreational development is a great way to make that happen.

Please be assured that there is very, very broad support in the community for these projects. We have been very impressed by the caliber of the developers, StateSource, LLC, and their openness and commitment to our community.

Please approve these SEDA leases so that we can get underway with this wonderful private development. If this doesn't happen, I fear that we will never experience the growth and development that this private investment will bring.

Sincerely,



Don Billups
Mayor
Town of Skiatook

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:26 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers Project

-----Original Message-----

From: Boston Street Advisors [mailto:bboyd@bostonstreetadvisors.com]
Sent: Wednesday, August 21, 2002 4:07 PM
To: Nolen, Stephen L
Subject: Cross Timbers Project

Mr. Steve Nolen
Army Corp of Engineers
Tulsa office

Mr. Nolen,

I am writing to you concerning the Cross Timbers Development project that is being proposed for Skiatook Lake. I am a businessman with offices in downtown Tulsa and also a resident of Owasso.

While I do not consider myself or my family to be a frequent visitor to the lakes and recreation areas in our state, I am certainly familiar with most. One reason for our lack of participation is the availability and accessibility of quality areas in the very immediate proximity of Tulsa. I am not talking about your typical run of the mill campground but some place locally where my family and I can travel to quickly and then relax and enjoy a comfortable setting. I have traveled to Big Cedar and would greatly appreciate the opportunity to enjoy those same type of facilities in my own community.

The thing that is most appealing to me however, is the funding by private business people for the benefit of many. Many times developments are completed with insufficient resources to properly maintain the assets. I have known Ron Howell for many years both as a friend and a business partner and believe me, any project with his name associated with it will never fall into a state of needed repair. Ron is developing a first class project that will become the envy of the entire nation. A flagship project that can be emulated on other Corp properties.

Our community has cried out for recreational facilities, more family activities, and some exciting new developments to jump start the Tulsa Metropolitan area. This project is just the ticket we need to prime the pump for a vibrant region of fun and entertainment. I urge you to quickly move through the needed activities to put this project on the fast track and let's raise the bar on future developments. Our region deserves it.

Sincerely,

Robert Boyd

BOSTON STREET ADVISORS
TWENTY EAST FIFTH STREET
SUITE 1200G

8/22/2002

TULSA OKLAHOMA 74103-4461
PHONE 918 585-5085
FAX 918 585-8864
<http://www.bostonstreetadvisors.com>

This email and any files transmitted with it from Boston Street Advisors, Inc. are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:40 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Skiatook Lake Project

-----Original Message-----

From: RandyDavisHomes@aol.com [mailto:RandyDavisHomes@aol.com]
Sent: Wednesday, August 21, 2002 12:00 PM
To: Nolen, Stephen L
Subject: Skiatook Lake Project

Steve,

My wife and two girls are extremely excited about the proposed improvements for Skiatook Lake. You have our full support of the project.

As a home builder and developer in SKiatook I can appreciate the growth that this quality project will bring to our area. It will also help to improve the quality of life for our citizens in and around the surrounding area.

Thank you for you efforts in this project,

Randy Davis
Randy Davis Homes, Inc.

8/21/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:36 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Skiatook Lake Project

-----Original Message-----

From: SkiatookChiro@aol.com [mailto:SkiatookChiro@aol.com]
Sent: Wednesday, August 21, 2002 10:40 AM
To: Nolen, Stephen L
Subject: Skiatook Lake Project

I am writing in support of the project with state source, SEDA, and the lake. I am looking forward to the great facilities we will soon have, I think it will be great for the community, but as a resident of Eastridge edition, I hope that the thoughts on the jogging trail will be changed. we have a group of houses in a remote area with people who enjoy the freedom, privacy, and most of all security of their decks and back yards. This jogging trail will provide a remote area where the security of these residents could be sacrificed. This is a concern to all residents in our edition. If the trails were ended before our edition, it would only cut the trails about a mile or less.

I hope this could be looked into.

Thank You

Dr. Stanley Diehl

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:38 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Comments on Draft Environmental Assessment for Crosstimbers Project at Skiatook Lake

-----Original Message-----

From: Norma Eagleton [mailto:eaglelaw@swbell.net]
Sent: Wednesday, August 21, 2002 11:07 AM
To: Nolen, Stephen L
Subject: Comments on Draft Environmental Assessment for Crosstimbers Project at Skiatook Lake

Mr. Stephen L. Nolen, Chief
Environmental Analysis and Compliance Branch
U.S. Army Corps of Engineers, Tulsa District
1645 South 101st Street East Avenue
Tulsa, Oklahoma 74128-4609

Re: Comments on Draft Environmental Assessment: Crosstimbers project at Skiatook Lake

Dear Mr. Nolen:

Please accept these comments and send your decision and all further notices/information regarding the project to me at the address given below.

I understand that a full environmental impact study has not been done since 1972. Three decades of changes on and around the lake dictate that an environmental assessment at this time is an inadequate predicate for major development on the lake.

Skiatook Lake is a special amenity and I object to the "privatization by lease" which is currently under consideration. I request that a complete environmental impact study be undertaken immediately before this or any other project progresses.

Thank you.

Norma H. Eagleton
320 South Boston Avenue
Tulsa, Oklahoma 74103
email: eaglelaw@swbell.net

PATTY EATON

35

August 21, 2002

Mr. Stephen L. Nolen, Chief
Environmental Analysis and Compliance Branch
US Army Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, OK 74128
Email: Stephen.L.Nolen@usace.army.mil

Re: Comments on Draft Environmental Assessment for Crosstimbers Project at Skiatook Lake

Dear Mr. Nolen:

Please accept these comments on the draft environmental assessment for the Crosstimbers Project at Skiatook Lake which were prepared at my request by my attorney, Ted Zukoski.

It is my belief that a project as massive as that proposed cannot be built without significant environmental impact. That impact has not been adequately addressed in the published environmental assessment.

An EIS is required for a project this size, since so much has changed on Skiatook Lake and the surrounding area since the original EIS for Skiatook Lake was written in 1972. Issues that should be addressed are economic impacts to the citizens in the area, costs to taxpayers for leasing public land for private purposes, drinking water quality impacts, mitigation measures, and alternative recreational proposals, among others. The overriding issue is whether or not the COE can convert publicly owned open space to heavily developed industrial and recreational areas without meeting the requirements of federal laws.

I am submitting these comments as a concerned citizen living in the area of the lake. However, as a past Director of the Oklahoma Water Resources Board and Secretary of Environment for the State of Oklahoma my experience has been that careful study, full disclosure and adherence to environmental regulations are necessary for any project to avoid the environmental mistakes we have made in Oklahoma in the past.

Thank you for your careful consideration of these comments. I realize they are coming on the last day of the comment period, but hope you will review them thoroughly. Please contact me if you have any questions.

Sincerely,

Patty Eaton

**Comments on Draft Environmental Assessment for Crosstimbers Project at
Skiatook Lake**

Submitted by: Patty Eaton on August 21, 2002

For the reasons set forth below, the draft EA is inadequate and must be withdrawn unless and until a subsequent draft EA is issued for public review.

I. NEPA - General Standards.

The National Environmental Policy Act (“NEPA”) is our nation’s basic charter for the protection of our environment and it “contains ‘action forcing’ provisions to make sure that federal agencies act according to the letter and spirit of the Act.” 40 C.F.R. § 1500.1. The Council on Environmental Quality (“CEQ”) was created under NEPA to promulgate regulations “to tell federal agencies what they must do to comply with the procedures and achieve the goals” of NEPA. *Id.*

The purpose of NEPA is to “promote efforts which will prevent or eliminate damage to the environment.” 42 U.S.C. § 4331. NEPA’s fundamental purposes are to guarantee that: (1) agencies take a “hard look” at the environmental consequences of their actions before these actions occur by ensuring that the agency has and carefully considers “detailed information concerning significant environmental impacts,” Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 349 (1989); and (2) agencies make the relevant information available to the public so that it “may also play a role in both the decisionmaking process and the implementation of that decision.” *Id.* NEPA emphasizes “coherent and comprehensive up-front environmental analysis” to ensure an agency “will not act on incomplete information, only to regret its decision after it is too late to correct.” Blue Mountains, 161 F.3d at 1216 quoting Marsh v. Oregon Natural Resources Council, 490 U.S. 360, 371 (1989); see also Foundation on Economic Trends v. Heckler, 756 F.2d 143, 157 (D.C. Cir. 1985) (emphasis in original) (“The NEPA duty is more than a technicality; it is an extremely important statutory requirement to serve the public and the agency before major federal actions occur.”).

Federal agencies must prepare an environmental impact statement (EIS) for all “major federal actions significantly affecting the quality of the human environment.” 42 U.S.C. § 4332(2)(C). An EIS must identify and evaluate the environmental impacts of the agency’s action as well as propose alternative actions. See 42 U.S.C. § 4332(C); see also 40 C.F.R. § 1500 et seq. NEPA requires federal agencies to analyze the direct, indirect, and cumulative impacts of the action. 40 C.F.R. §§ 1508.7, 1508.8.

An agency may first prepare an Environmental Assessment (EA) to determine whether the project may significantly affect the environment and requires a full EIS. 42 U.S.C. § 4332(2)(C); 40 C.F.R. § 1508.9; see also LaFlamme v. F.E.R.C., 852 F.2d 389, 397 (9th Cir. 1988) (evidence regarding the significance of the impacts need not be conclusive in order to compel the preparation of an EIS); National Parks & Conservation Ass’n v. Babbitt, 241 F.3d 722, 730 (9th Cir. 2001) (EIS required if project “may have a significant effect”).

If an EIS is not required, the federal agency must provide a “convincing statement of reasons” why the project’s impacts are insignificant and issue a Finding of No Significant Impact or “FONSI.” 40 C.F.R. §§ 1501.4, 1508.9, 1508.13; Blue Mountain Biodiversity Project v. Blackwood, 161 F.3d 1208, 1211-12 (9th Cir. 1998), cert. denied, 527 U.S. 1003 (1999) quoting Save the Yaak Comm. v. Block, 840 F.2d 714, 717 (9th Cir. 1988).

CEQ regulations implementing NEPA recognize that intelligent decisionmaking can only derive from high quality information. EAs must provide “evidence and analysis” for their conclusions that making a FONSI or completing a full EIS is required. 40 C.F.R. § 1508.9. Information included in NEPA documents “must be of high quality. Accurate scientific analysis ... [is] essential to implementing NEPA.” 40 C.F.R. § 1500.1(b). Where an agency has outdated, insufficient, or no information on potential impacts, it must develop the information as part of the NEPA process. CEQ regulations also explicitly require agencies to describe the “affected environment,” 40 C.F.R. § 1502.15, and that NEPA documents disclose the underlying purpose and need for the proposed action. 40 C.F.R. §§ 1502.10(d); 1502.13.

II. The EA Relies Upon Stale NEPA Documentation.

A. Legal Background.

The Council on Environmental Quality (CEQ) has stated that where NEPA documents “are more than 5 years old,” the agency should carefully reexamine the documents to determine whether supplementation is required. CEQ, “Questions and Answers about NEPA Regulations,” 46 Fed. Reg. 18026 (Mar 23, 1981) as amended 51 Fed. Reg. 15618 (Apr. 25, 1986). The Corps’ EIS for Skiatook’s permit is now almost 15 years old. We are not aware that the Corps has reviewed its EA to determine if it continues to reflect the impact of the initial permit and/or the impact proposed permit modification.

CEQ regulations implementing NEPA explicitly require that an agency prepare a supplement to a draft or final EIS when there are “significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.” 40 C.F.R. § 1502.9(c)(1)(ii). Supplementation is required “so that the agency has the best possible information to make any necessary substantive changes in its decision regarding the proposal.” Id. Federal courts have enforced this standard.¹ The United States Supreme Court validated the CEQ regulations in 1989, stating that an agency’s duty to comply with NEPA is ongoing and continues after the agency has made its decision based on a NEPA a review. Marsh v. Oregon

¹ See Louisiana Wildlife Fed’n v. York, 761 F.2d 1044, 1051 (5th Cir. 1985) (holding agency failed to consider adequately supplemental information that raised “new concerns of sufficient gravity”); Puerto Rice Conservation Foundation v. Larson, 797 F.Supp. 1074, 1081 (D. P.R. 1992) (holding supplemental NEPA review required where agency sought to proceed with road project after completing EA, and where “both new information and new circumstances and new information that pertain to the project and its environmental effects” existed); Portland Audubon Soc’y v. Lujan, 795 F.Supp. 1489, 1500-01, 1506 (D. Or. 1992) (holding supplemental EIS required where agency sought to proceed with timber sales where new information regarding harm to wildlife existed) aff’d sub nom Portland Audubon Soc’y v. Babbitt, 998 F.2d 705 (9th Cir. 1993); National Wildlife Fed’n v. Hodel, 15 E.L.R. 20891, 20892-93 (E.D. Cal. 1985) (holding supplemental EIS required where agency sought to proceed with hunting where new information regarding harm to endangered species existed).

Natural Resources Council, 490 U.S. 360, 374 (1989). The Corps has essentially adopted the CEQ regulations as its own. 33 C.F.R. 230.13(b).

B. The Corps Improperly Relies on an Outdated Environmental Impact Statement.

The EA refers to the 1972 Final EIS for Skiatook Lake. EA at 1. The EA relies upon the 1972 EIS, for example, by stating that "the proposed project would result in additional losses or degradation of to the natural environment (terrestrial, aquatic, air) addressed in the project[] FEES. EA at 14. That EIS is now three decades old.

Much has changed in the area around Skiatook Lake in the last 30 years, including, but not limited to: population, land use, recreational use, local development, socio-economics in the region, etc. The Corps admits that the proposed project would result in "significant ... changes in the land" not anticipated in the 1972 EIS. Yet the EA fails to address whether that 1972 document must be supplemented before this project can go forward. Such a determination must be made, and such supplementation must occur before this project can go forward. The EA fails to address this issue.

III. The Draft EA Fails to Analyze a Range of Reasonable Alternatives.

A. Legal Background.

An agency's "hard look" must include a clear statement of the proposed project's "purpose and need." 40 C.F.R. § 1502.13. NEPA regulations clarify that the purpose and need statement "shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." *Id.* The agency must "take responsibility for defining the objectives of an action and then provide legitimate consideration to alternatives that fall between the obvious extremes." Colorado Environmental Coalition, 185 F.3d at 1174.

NEPA and regulations implementing it require agencies to consider all reasonable alternatives to an agency action in preparing environmental review documents, including EAs. NEPA requires agencies to:

Study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources.

42 U.S.C. § 4332(2)(E); see also 42 U.S.C. § 4332(2)(C)(iii). This duty to consider reasonable alternatives is independent and of wider scope than the duty to complete an EIS, and has been applied by the courts to extend to EAs as well. See Bob Marshall Alliance v. Hodel, 852 F.2d 1223, 1228-29 (9th Cir. 1988), cert. denied, 489 U.S. 1066 (1989) ("Consideration of alternatives is critical to the goals of NEPA even where a proposed action does not trigger the EIS process"); Natural Resources Defense Council v. U.S. Dept. of the Navy, 857 F.Supp. 734, 739-40 (C.D. Cal. 1994) (duty to consider reasonable alternatives is independent and of wider scope than the duty to complete an EIS); Sierra Club v. Watkins, 808 F.Supp. 852, 870 (D.D.C. 1991) (same);

Sierra Club v. Alexander, 484 F.Supp. 455 (N.D.N.Y. 1980) (same). It is intended to ensure that each agency decisionmaker identifies, evaluates, and takes into account all possible approaches to a particular proposal that would better address environmental concerns and the policy goals of NEPA. Although an agency need not consider every possible alternative, it must consider reasonable alternatives "necessary to permit a reasoned choice." Headwaters, Inc. v. Bureau of Land Management, 914 F.2d 1174, 1180-81 (9th Cir. 1990). Put differently, it must consider those alternatives that "would alter the environmental impact and the cost-benefit balance." Bob Marshall Alliance, 852 F.2d at 1228, quoting Calvert Cliffs' Coordinating Comm., Inc. v. U.S. Atomic Energy Comm'n, 449 F.2d 1109, 1114 (D.C. Cir. 1971).

Federal courts and CEQ regulations implementing NEPA make clear that the discussion of alternatives is "the heart" of the NEPA process. 40 C.F.R. § 1502.14. In order to "sharply defin[e] the issues and provid[e] a clear basis for choice among options by the decisionmaker and the public," environmental documents must explore and evaluate "all reasonable alternatives." Id.; see also Associations Working for Aurora's Residential Environment v. Colorado Dept. of Transportation, 153 F.3d 1122, 1130 (10th Cir. 1998) (citing All Indian Pueblo Council v. U.S., 975 F.2d 1437, 1444 (10th Cir. 1992)). Thus, courts analyze the lead agency's fulfillment of this requirement by the "rule of reason," which means deferring to the agency's decision and explanation so long as the discussion of the alternatives "is sufficient to permit a reasoned choice among the options." Id. However, this deference does not give the lead agency "license to fulfill their own prophecies, whatever the parochial impulses that drive them." Citizens Against Burlington, 938 F.2d at 196.

Where an agency fails to include a reasonable alternative among its list of final alternatives, a court must "assume that the agency was unable to adequately incorporate environmental values into its decisionmaking process" and therefore violated NEPA. Surfrider Foundation v. Dalton, 989 F.Supp. 1309, 1326 (S.D. Cal. 1998). Since "[t]he existence of a viable but unexamined alternative renders an environmental impact statement inadequate," the USFS must perform further NEPA analysis to examine the CBA in detail. Alaska Wilderness Recreation and Tourism Association v. Morrison, 67 F.3d 723, 729 (9th Cir. 1995), citing Resources Ltd. v. Robertson, 35 F.3d 1300, 1307 (9th Cir. 1993); Citizens for a Better Henderson v. Hodel, 768 F.2d 1051, 1057 (9th Cir. 1985).

Regulations implementing NEPA require agencies to consider reasonable alternatives, even when those alternatives lie beyond the agency's jurisdiction. 40 C.F.R. § 1502.14(c) ("agencies shall ... [i]nclude reasonable alternatives not within the jurisdiction of the lead agency"). CEQ guidance reinforces this requirement. CEQ, Memorandum: Questions and Answers about the NEPA Regulations (aka "40 Questions") (Response to Question #2b: "A potential conflict with local or federal law does not necessarily render an alternative unreasonable").

Federal courts are equally clear that agencies have a duty to "study...significant alternatives suggested by other agencies *or the public* during the comment period." DuBois v. U.S. Dept. of Agric., 102 F.3d 1273, 1286 (1st Cir. 1996), cert. denied, 117 S.Ct. 1567 (1997) (emphasis added) (setting aside ski area expansion for its failure to consider citizen-proposed alternative). This duty has been reinforced by years of agency practice as it relates to

programmatic environmental impact statements like this one. For example, the Forest Service routinely incorporates citizen-proposed alternatives (including alternatives proposed by industry as well as conservationists) into its analysis of Forest Plan Revisions.

In addition, federal courts have made clear that agencies have a duty not define a project's purpose and need in such narrow terms that only one alternative can fulfill the project's goals. According to the Seventh Circuit Court of Appeals:

One obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as to define competing 'reasonable alternatives' out of consideration (and even out of existence). The federal courts cannot condone an agency's frustration of Congressional will. If the agency constricts the definition of the project's purpose and thereby excludes what truly are reasonable alternatives, the EIS cannot fulfill its role. Nor can the agency satisfy the Act.

Simmons v. United States Army Corps of Eng'rs, 120 F.3d 664, 665 (7th Cir. 1997) (US Army Corps violated NEPA by defining an impermissibly narrow purpose for the project and never looking at an entire category of reasonable alternatives); see also Muckleshoot Indian Tribe v. U.S. Forest Service, 177 F.3d 800, 814 n.7 (9th Cir. 1999). In addition, an alternative which would only partially satisfy the need and purpose of the proposed project must be considered by the an agency if it is "reasonable." Natural Resources Defense Council v. Callaway, 524 F.2d 79, 93 (2nd Cir. 1975); North Buckhead Civic Ass'n v. Skinner, 903 F.2d 1533, 1542 (11th Cir. 1990) ("a discussion of alternatives that would only partly meet the goals of a project may allow the decisionmaker to conclude that meeting part of the goal with less environmental impact may be worth a tradeoff with a preferred alternative that has greater environmental impact"); Citizens Against Toxic Sprays v. Bergland, 428 F. Supp. 908, 933 (D. Or. 1977) ("[a]n alternative may not be disregarded merely because it does not offer a complete solution to the problem").

B. The EA Fails to Examine a Range of Reasonable Alternatives.

The EA violates NEPA's alternative requirements. Most importantly, the range of alternatives appears directed solely by the proponent's desire for this specific type of project in this specific area. The "purpose" of the EA is listed as to assess the environmental impacts from the very proposal submitted to the Corps by a developer. EA at 1.

The purposes of Skiatook Reservoir are broad. There is a potential for a need to increase camping facilities and potentially marina facilities. See EA at 1. However, nowhere is there discussed any need to construct on federally-owned land a store, cabins, a golf course, conference facilities, or a "village" of some kind. The EA fails to discuss reasonable alternatives such as:

- a) alternate locations around Skiatook Lake on Corps-owned land for similar facilities;
- b) alternate locations around Skiatook Lake on private land adjacent to Skiatook Lake for similar facilities;

- c) approving only some of the facilities on Corps-owned land (such as the campground, which may be needed and a public benefit, but not the lodge, cabins, golf course, store, etc.);
- d) providing similar facilities at other nearby locations to relieve recreation pressure on Skiatook Lake (See Comment of Carol Mitchell, Appendix D);
- e) expanding existing boat ramps, rather than constructing an entirely new marina.
- f) Providing low impact camping and boating recreation for local organizations and youth groups (i.e. Girl Scouts, Boy Scouts etc.)

While I would not necessarily endorse any of these alternatives, the Corps must analyze them to comply with law and to understand the costs and benefits of the proposed action. Otherwise, the Corps will appear to have "contrive[d] a purpose so slender as to define competing 'reasonable alternatives' out of consideration (and even out of existence)," a practice for which it was held to violate NEPA by the 7th Circuit in the case of Simmons v. United States Army Corps of Eng'rs, 120 F.3d 664, 665 (7th Cir. 1997).

Indeed, this project appears to be merely a hand-out to a particular well-connected developer, with more benefits for the developer than to the public.

As discussed above, it is not necessary for the Corps to be able to implement these alternatives to consider them.

IV. The Draft EA Fails to Disclose the Effectiveness of Mitigation Measures.

A. Legal Background.

Implicit in NEPA's statutory language is the expectation that the agency will identify measures to mitigate environmental impacts that cannot be avoided. Robertson v. Methow Valley Citizens Council, 109 S.Ct. 1835 (1989); see also Holy Cross Wilderness Fund v. Madigan, 960 F.2d 1515, 1522 (10th Cir. 1992). The CEQ's regulations also require a discussion of mitigation measures, 40 C.F.R. §§ 1508.25(b), 1502.14(f), 1502.16 (h), 1505.2 (c), "in sufficient detail to ensure that environmental consequences have been fairly evaluated."

It takes more than bald assertions of the effectiveness of mitigation measures to support a FONSI and avoid the necessity of a full environmental impact statement. "Speculative and conclusory statements were insufficient to demonstrate that the mitigation measures would render the environmental impacts so minor as to not warrant an EIS." National Parks & Conservation Association, 241 F.3d 722, 735 (9th Cir. 2001); see also Stein v. Barton, 740 F.Supp. 743, 754 (D. Alaska 1990) ("where an agency's decision to proceed is based on unconsidered, irrational, or inadequately explained assumptions about the efficacy of mitigation measures, the decision must be set aside as "arbitrary and capricious."); Morgan v. Walter, 728 F.Supp. 1483, 1491 (D.Idaho 1989) (finding NEPA documentation inadequate where federal agency failed to "specifically state in their EA's how the mitigation measure will address ... adverse impacts").

As many federal courts including the Tenth Circuit have held, a mere listing of mitigation measures does not meet NEPA's demands. An agency's analysis of mitigation measures "must be 'reasonably complete' in order to 'properly evaluate the severity of the adverse effects' of a proposed project prior to making a final decision." Colorado Environmental Coalition v. Dombeck, 185 F.3d 1162, 1173 (10th Cir. 1999) citing Robertson v. Methow Valley, 490 U.S. 332, 352 (1989). In Dombeck, the Tenth Circuit concluded that the Forest Service had adequately analyzed mitigation measures where it assigned numerical effectiveness ratings to each following individual analysis and evaluation. Id.; see also Idaho Sporting Congress v. Thomas, 137 F.3d 1146, 1151 (9th Cir. 1998) (court rejected "mere listing" of mitigation measures in EA where analytical data were lacking); Neighbors of Cuddy Mountain v. United States Forest Service, 137 F.3d 1372, 1381 (9th Cir. 1998) ("mere listing of mitigation measures is insufficient to qualify as the reasoned discussion required by NEPA.") (emphasis added); Northwest Indian Cemetery Protective Association v. Peterson, 764 F.2d 581, 588 (9th Cir. 1985), rev'd on other grounds 485 U.S. 439 (1988) (NEPA requires agencies to "analyze the mitigation measures in detail [and] explain how effective the measure would be. ... A mere listing of mitigation measures is insufficient") (emphasis added). In cases where the effectiveness of mitigation measures is unknown or speculative, the agency must prepare an EIS so that the agency can fully study and analyze the measures and so that the public has an opportunity to effectively comment on them. 40 C.F.R. § 1508.27(b)(5); National Parks & Conservation Association, 241 F.3d at 735. See also National Audubon Society v. Hoffman, 132 F.2d 7, 17 (2nd Cir. 1997) (mitigation measures relied upon by agency to conclude that impacts would be reduced below level of significance must be supported by "substantial evidence").

B. The EA Fails to Disclose the Effectiveness of Mitigation Measures.

In this case, the Corps obviously engages in the prohibited behavior of relying on a mere list of vague mitigation measures with unknown effectiveness to determine the Project will have no significant impact.

The only mitigation measures listed in the "mitigation plan," EA at 14, are as follows:

- rezoning the intensity of use of the property on areas of the lake not slated for development. The EA contains no discussion as to who will rezone (the Corps? A local government?), whether rezoning could be opposed and defeated by local landowners, whether development of the other parcels was a foreseeable or remote possibility, the ecological values of the other areas compared to those being destroyed for the development proposed here, etc. In short, the EA contains no discussion of who would implement the measure, how the mitigation measure would be implemented, let alone the effectiveness of this measure.
- the addition of "various habitat enhancements such as wetlands and bird nesting habitats." The number, extent, location, type and potential effectiveness of such 'enhancements' are nowhere addressed, nor are the species that the 'enhancements' would purportedly benefit. Human-created habitats interspersed with new development are usually far less effective as habitat than existing habitats (as Corps wetland guidelines, which often require 2:1 mitigation, clearly acknowledge).

- "Property at Tall Chief Cove not used for construction ... is planned for a nature and wildlife area." This proposed measure does not discuss who has "planned" to protect the area (the developer? the Corps?), nor the extent or value of the wildlife habitat to be "not used for construction. Neither the public nor the decisionmaker can reach any conclusion about this measure's effectiveness (if any).

Other potential mitigation measures include a "turf management plan" for the golf course to reduce non-point source runoff into the lake. However, while the developer may have proposed putting together such a plan, are there any guarantees in the Corps' lease agreement that these plans will remain in effect, or that they will be followed, or that significant penalties will be leveled for non-compliance? These appear to be mere promises of the developer that could change once the project is built. See EA at Appendix B, Cross Timber Golf Course, Design Guidelines (containing only vague references to plans that could be adopted in the future). The Marina Environmental Guidelines (Appendix B) are so vague as to be meaningless (e.g., "properly dispose of chemicals," "training for operators," "controlled parking lot runoff," "design an operation to enhance fish habitat"). There is simply no reason to believe that mere promises by a developer, over whom the Corps may have little power once a lease is granted, will result in any mitigation of potential impacts.

If the Corps intends to retain some authority to ensure the implementation of turf management plans, marina environmental features, etc., this must be disclosed in any subsequently prepared NEPA document. If it does not retain such authority, it is difficult to understand: (a) why the Corps would consider the proffered "mitigation" measures to be effective at reducing any kind of environmental impact; and (b) how the Corps could possibly comply with its regulations to effectively monitor the implementation of mitigation measures, as required by agency NEPA regulations, 33 C.F.R. § 230.15.

V. The Draft EA Fails to Disclose Cumulative Impacts.

A. Legal Background.

To determine whether a project may have significant impacts requiring a full EIS and to ensure that the combined effects of separate activities do not escape consideration, NEPA requires the Corps to consider cumulative environmental impacts in their environmental analyses. As required by 40 C.F.R. § 1508.27(b), in determining the significance of a proposed project, the Corps must consider whether the action is "related to other actions with individually insignificant but cumulatively significant effects." NEPA regulations define cumulative impact as:

the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Federal agencies must “catalogue” and provide useful analysis of past, present, and future actions. City of Carmel-By-The-Sea v. U.S. Dept. of Transp., 123 F.3d 1142, 1160 (9th Cir. 1997); Muckleshoot Indian Tribe v. U.S. Forest Service, 177 F.3d 800, 809-810 (9th Cir. 1999). Furthermore, NEPA requires that the Corps' cumulative impacts analysis provide “some quantified or detailed information,” because “[w]ithout such information, neither courts nor the public . . . can be assured that the Forest Service provided the hard look that it is required to provide.” Neighbors, 137 F.3d at 1379 (emphasis added); see also id. (“very general” cumulative impacts information was not hard look required by NEPA); Natural Resources Defense Council v. Hodel, 865 F.2d 288, 299 (D.C. Cir. 1988) (“perfunctory references do not constitute analysis useful to a decisionmaker in deciding whether, or how, to alter the program to lessen cumulative environmental impacts.”).

B. The EA Fails to Disclose Past, Ongoing, or Reasonably Foreseeable Projects that May Occur Near the Project Area.

In the barely one and one-quarter page Cumulative Impacts section of the EA (at 13-14), the Corps fails to catalogue virtually any past, present, or reasonably foreseeable future actions. The EA contains no discussion of past development at the Lake at all. There is mention of one street extension proposed in the EA (at 13). No future development proposal - whether on private or public land - is discussed anywhere in the EA. The potential impact of proposed resurfacing projects identified on the INCOG map in Appendix B do not appear to be mentioned anywhere in the EA. The impact of rezoning "property in other areas of the lake " (EA at 14), particularly on other or nearby landowners, is nowhere addressed.

VI. The EA Fails to Take a 'Hard Look' at Environmental Impacts.

The EA fails utterly to address a number of impacts.

For example, in public comments previously submitted, adjacent landowners worried about the visual impacts of the project. See Comment of Carol Mitchell, Appendix D; Comment of Joe Mitchell (calling Skiatook "one of Oklahoma's most scenic lakes"). Visual impacts are nowhere addressed in the EA, except for the incredibly vague comment that the project will "fit in with its surroundings." The EA does not explain how a major golf course development, RV park, cabins, lodges and scores of acres of development will "fit in" to a previously largely undisturbed area.

Economic impacts are given scant attention. For example, nowhere is the cost to the taxpayer of essentially handing over hundreds of acres to a private developer. Impacts on local businesses are nowhere discussed despite requests by members of the public that the EA contain specific information concerning economic impacts. See Appendix D, comment of Sam Avant; comment of Richard Barton. Impact on private parties who might be considering constructing similar facilities in alternate locations is nowhere addressed.

Impacts to adjacent landowners from construction and use of the proposed facilities are nowhere addressed, despite public requests for such analysis, and an apparent failure by the Corps to even notify local landowners of the project. Appendix D, comment of Kevin Clough. Because it ignores existing land-uses in the area, the EA also fails to adequately describe the existing environment as required by NEPA.

Issues of who will control the development, and whether the current developer can flip the property to another developer, are also not addressed, though raised by the public. Appendix D, comment of Kevin Clough. Issues of the exact terms of the lease are also not addressed, though the level of the Corps' authority to limit or control development are critical to determining whether that public agency will retain any authority to protect publicly-owned lands.

VII. The Corps Must Prepare an EIS on the Project.

A. Legal Background.

Federal courts have made clear that it is not proof of significant impacts that triggers the requirement that an EIS be prepared. Those challenging an agency's failure to prepare an EIS need only show that a proposed action may cause significant impacts. Plaintiffs need not demonstrate that significant impacts will, in fact, occur. See Blue Mountains Biodiversity Project v. Blackwood, 161 F.3d 1208, 1216 (9th Cir. 1998), cert den., 527 U.S. 1003(1999) (“[a]n EIS is required whenever substantial questions are raised as to whether a project may cause significant [environmental] degradation”) (citations and quotation marks omitted); Idaho Sporting Congress v. Thomas, 137 F.3d 1146, 1149 (9th Cir. 1998) (“An EIS *must* be prepared if substantial questions are raised as to whether a project *may* cause significant deterioration of some environmental factor”) (emphasis in original) (citations and quotations omitted); LaFlamme v. FERC, 852 F.2d 389, 397 (9th Cir.1988); Foundation for North American Wild Sheep v. United States Department of Agriculture, 481 F.2d 1172, 1178 (9th Cir. 1982); Save Our Ten Acres v. Kreger, 472 F.2d 463, 467 (5th Cir. 1973) (“if the court finds that the project may cause a significant degradation of some human environmental factor (even though other environmental factors are affected beneficially or not at all), the court should require the filing of an impact statement”) (emphasis added); Louisiana Wildlife Fed'n v. York, 761 F.2d 1044, 1052 (5th Cir. 1985); Sabine River Auth. v. U.S. Dept. of Interior, 951 F.2d 669, 678 n.2 (7th Cir. 1992).

“[W]hen it is a close call whether there will be a significant environmental impact from a proposed action, *an EIS should be prepared.*” National Audubon Society v. Hoffman, 132 F.3d 7, 18 (2nd Cir. 1997) (emphasis added). It is only when the proposed action “*will not* have a significant effect on the human environment ... that an EIS is not required.” Id. at 13 (emphasis supplied by court).

Significance is based upon the “intensity” and “context” of the action. 40 C.F.R. § 1508.27. “Context” refers to the geographic and temporal scope of the agency action and the interests affected. Id. § 1508.27(a). “Intensity” addresses the severity of the impacts. Id. at § 1508.27(b). Factors relevant to intensity include the presence of “uncertain impacts or unknown risks,” whether the action is “related to other actions with individually insignificant but

cumulatively significant effects," whether the project "threatens a violation" of other laws or requirements, and "the degree to which the action may establish a precedent for future actions". Id. at § 1508.27(b). 40 C.F.R. § 1508.27(b). "The presence of one or more of these factors should result in an agency decision to prepare an EIS." Public Service Company of Colorado v. Andrus, 825 F. Supp. 1483, 1495 (D. Id. 1993), citing LaFlamme v. FERC, 852 F.2d 389, 398 (9th Cir.1988).

B. The Corps Must Prepare an EIS.

The Corps must prepare an EIS because at least two of the measures of "intensity" will be triggered. First, this project threatens a violation of Corps requirements concerning the type of density of development for which the Lake and vicinity are zoned. EA at 14. In addition, the proposal to "update" the "project master plan" (EA at 14) would appear to either be occurring simultaneously or after this project, and the need for this updating appears to be the industrial recreation development proposed here.

Second, the proposal to turn over nearly a square mile of valuable federal lands over to a developer for no financial consideration at all, for the purpose of fostering a large-scale industrial recreation development is, in our experience, utterly without precedent. The precedent-setting nature of the project is admitted in Appendix D (Public Information Workshop, p. 2), which describes this development as a "pilot project." Public comments also noted that the Corps is "setting a precedent for other groups to develop along the shoreline of Skiatook Lake." Comment of Carol Mitchell, Appendix D. This raises the issue of whether it is appropriate at all to take publicly-owned open space and natural areas and convert them into heavily developed industrial recreation facilities. This issue alone should require preparation of a more exhaustive EIS.

Third, the mere scale of development is significant. An area of a lake used for rural recreation is essentially slated to be turned into a heavily developed urban landscape, complete with a golf course, conference facility and a "village." This change in character of the landscape - nowhere addressed in the EA, is significant in and of itself. The change in character is one that will significantly harm those who believed that the recreation lands around the lake would remain as open space, as opposed to heavily developed. Appendix D, comment of Kevin Clough.

Thus for at least three reasons, the Corps must prepare an EIS.

CONCLUSION.

For the reasons set forth above, the draft EA is inadequate and must be withdrawn unless and until a subsequent draft EA is issued for public review. In any event, I support the adoption of the "No Action" alternative.

Thank you for this opportunity to comment. Please send me a copy of any decision or subsequently prepared NEPA document.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:39 PM
To: Vogele, Louis E SWT
Subject: FW:

-----Original Message-----

From: stevee12@mindspring.com [mailto:stevee12@mindspring.com]
Sent: Wednesday, August 21, 2002 9:54 AM
To: Nolen, Stephen L
Subject:

Dear Mr. Nolen,

I am writing in support of the Skiatook Lake Crosstimbers project. One of my passions is economic development. Over the years I have worked on many projects, including the transfer of Air Force Plant # 3 to the City of Tulsa. Making the lake a bigger part of the Tulsa area economy will be a huge advantage for all of northeast Oklahoma. I applaud you on your efforts and those of the Corps.

Sincerely,
Steve Edwards

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:26 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers Development on Lake Skiatook

-----Original Message-----

From: Gary [mailto:sstation@tulsa.oklahoma.net]
Sent: Wednesday, August 21, 2002 3:33 PM
To: Nolen, Stephen L
Subject: CrossTimbers Development on Lake Skiatook

Just a brief note to register my support for the CrossTimbers Development on Lake Skiatook. I believe Tulsa and the surrounding vicinity need a high quality lake recreation/conference facility to accommodate the many needs of its business, civic, spiritual, educational and individual users. It will fill a niche between Grand Lakes' highly developed but distant facilities and Keystones non-existent ones.

It can't help but benefit the economic development of the Skiatook area and Northeast Oklahoma.

Cordially,

Gary Harkreader

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:39 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW:

-----Original Message-----

From: Derik Hendrix [mailto:derikhendrix@hotmail.com]
Sent: Wednesday, August 21, 2002 11:38 AM
To: Nolen, Stephen L
Subject:

Stephen,

Hello my name is Derik Hendrix I'm the owner of H&R Real Estate Investments Co.L.L.C. and co-owner of H&W Real Estate Investments Co.L.L.C. We are in the process of developing a triple (AAA) luxury apartment community at Skiatook Lake. I also own more land joined to the new Cross Timbers project. I am e-mailing to you how important the Cross Timbers project is to our development and we support the lease 100%. The growth is need for the area and the type of development Cross Timbers is bringing can only help the community. I look forward to hearing that the lease was approved.

Thank You,

Derik Hendrix

Join the world's largest e-mail service with MSN Hotmail.
<http://www.hotmail.com>

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:24 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers Project

-----Original Message-----

From: Joyce Jech [mailto:jjech@skiatook.k12.ok.us]
Sent: Monday, August 21, 2000 5:22 PM
To: Nolen, Stephen L
Subject: Cross Timbers Project

Dear Stephen,

I am very supportive of the Cross Timbers Project for Skiatook. It will benefit Skiatook and the Tulsa area. Please keep an open mind and realize there are a lot of people who want this project to become a reality.

Sincerely,
Joyce Jech

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:25 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers

-----Original Message-----

From: Renaye Johnston [mailto:rjohnston9237@prodigy.net]
Sent: Wednesday, August 21, 2002 7:21 PM
To: Nolen, Stephen L
Subject: Cross Timbers

As a local business owner I'm excited about the increase in traffic and potential customers to the Skiatook Area. On a personal note my husband and I will enjoy the added entertainment for lake fun.
Renaye Johnston
Stems
1529 W Rogers Blvd
Skiatook Ok 74070

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:27 PM
To: Vogele, Louis E SWT
Subject: FW: CROSS TIMBERS PROJECT

-----Original Message-----

From: LFIGrafix@aol.com [mailto:LFIGrafix@aol.com]
Sent: Wednesday, August 21, 2002 3:20 PM
To: Nolen, Stephen L
Subject: CROSS TIMBERS PROJECT

Mr. Nolan...although we have never met, I wanted to drop you a quick note to thank you for all your efforts now and in the future concerning Cross Timbers. As a business owner in Tulsa for many years, while living in the Sperry/Skiatook area for over 20 years (transplanted from Colorado), I have always been somewhat frustrated by the lack of development in Oklahoma in general and our Skiatook area in particular. I have relatives in the Branson area, and must admit to being jealous of their world class facilities there...but when you really compare the two, except for 30 years of development there, the two areas geographically are remarkably similar. Could it possibly be that our beautiful area could be the next "super resort" in this part of the country? THE THOUGHT ALMOST MAKES ONE WEEP!

I'm not exactly sure how I can contribute, but may I at least leave you with this: My company manufactures some of the finest printed t-shirts, stickers, caps in the nation...could we do something to start the PR ball rolling in this area to promote the excitement that will surely build? It's a thought...Give me a call if you ever need what input I can contribute.

ALBERT KLEIN
CEO & Gen. Mgr.
LFI GRAPHIC PRODUCTS, INC.
Skiatook phone: 396-2004(W) 396-7437(H)

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Friday, August 23, 2002 7:14 AM
To: Vogele, Louis E SWT
Subject: FW: Cross Timber Project

-----Original Message-----

From: NativeWinds@aol.com [mailto:NativeWinds@aol.com]
Sent: Thursday, August 22, 2002 10:39 PM
To: stephen.l.nolen@usace.army.mil.; derikhendrix@hotmail.com
Subject: Cross Timber Project

Dear Mr. Nolan:

I'd like to introduce myself. My name is Cheryl (Wilson) Davis and I currently live in Norman, Oklahoma. I am married to Norman Davis and have two sons (Brant is 27 and married; the youngest, Kyle, is 17 and a senior at Norman H.S.) My husband and I have a mobile diagnostic ultrasound business that services rural hospitals and clinics in Oklahoma. We have been in the medical business since 1985. We also raise performance horses. Additionally, I am a Native American Artist and have painted professionally since 1986. Maybe you have seen the headdress I painted on the roof of the Tall Chief Cove Convenience Store? It is painted as if it were "beaded." It was a "two summers" project.

I grew up in Osage County, attending Sperry schools. My father, David Wilson, purchased land and moved us to Sperry from Tulsa around 1965. He had early visions then of what could be possible in the area and through the years I have watched his visions become reality. It has been amazing to watch it develop from nothing into "a very special place." I take pride in knowing that he was a part of that, donating easements and property along with a lot of hard work and sweat to help make it happen.

My husband and I own several lake lots and plan to build a lake home there in the future. I have also joined my family in the development of a multimillion dollar luxury townhouse complex on part of this land. Our goal is to break ground before January of 2003. We are working with the Cross Timbers Developers to create an amazing community that I believe will only enhance the lake area, not to mention that it will be a wonderful place to live. I believe it will also have a very positive effect on the surrounding communities. The nearby towns can "only benefit" from this economic boost. It will provide wonderful homes for new taxpayers, create jobs, generate new business while increasing property values to the surrounding areas/properties.

Our family cares about these communities. We are committed to making sure this is a top-quality complex. Thank you for allowing me to voice our excitement for this project.

Please contact me if I can be of any assistance or if you have any questions concerning same. My home number is 405-329-0943; Norman Davis' cell is 405-818-4205; Cheryl Davis' cell is 405-413-0808.

Sincerely,

Cheryl and Norman Davis
1401 36th Avenue S. E.
Norman, OK 73026-4729

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Friday, August 23, 2002 7:13 AM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers Development

-----Original Message-----

From: England, Don [mailto:DENGLAN@citgo.com]
Sent: Thursday, August 22, 2002 7:29 PM
To: 'Stephen.L.Nolen@usace.army.mil'
Subject: Cross Timbers Development

Dear Mr. Nolen

I want to express my support the Cross Timbers Development project at Skiatook Lake. It should be a major economic stimulus for Skiatook and surrounding areas. It will also provide a very attractive conference site for Business meetings for companies such as CITGO who I currently work for. In general, this will be another positive move to make Tulsa and the surrounding area a more attractive convention and business location.

Thank you for considering my opinion in the final decision on this project.

Sincerely,

Don England (Manager Product's Trading - CITGO Petroleum)

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

8/25/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:26 PM
To: Vogele, Louis E SWT
Subject: FW: hello

-----Original Message-----

From: teresa lusk [mailto:teresalusk@hotmail.com]
Sent: Wednesday, August 21, 2002 4:52 PM
To: Nolen, Stephen L
Subject: hello

To: Stephen L. Nolen

First, I wish to thank you for all your help, unfortunately I was unable to get all the articles in print to you.

I have spoke to numerous residents of the Skiatook regarding the development of Skiatook Lake, and concerns about the drinking water. Skiatook treatment plant has had problems keeping up with the rapid growth of this area. We feel that the proposed development would only compound the problem. I was unable to obtain information that I felt would show how serious the problem really is, but I will send it to you as I am able to squeeze it out of certain people.

Thank you again.
T. Lusk

Chat with friends online, try MSN Messenger: <http://messenger.msn.com>

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:28 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers Project

-----Original Message-----

From: Judy Martens [mailto:jmartens@skiatookchamber.com]
Sent: Wednesday, August 21, 2002 1:39 PM
To: Nolen, Stephen L
Cc: rhowell
Subject: CrossTimbers Project

Dear Stephen,

As the Executive Director of the Skiatook Chamber of Commerce, I am in constant contact with most all of my Chamber Members. The consensus of my membership is that this project will be a shot in the arm for our economy like we've never seen before or will probably ever see again. All comments directed to me have been of the most positive nature. I already have businesses and individuals inquiring as to when the convention center will be complete so that they might hold meetings, conferences, receptions, etc. in that facility. Everyone is truly excited to share the natural beauty of Skiatook Lake with a pro-quality golf course like the one planned.

Speaking for the Chamber Board of Directors and the vast majority of our membership, I urge you to approve this project. Let's get movin' and make Skiatook and the surrounding areas an even better place to live, work and for sure, a better place to play!

Judy Martens

8/22/2002

LeRoy Parno
HC 67 BOX 315
Skiatook Oklahoma 74070
918-396-0451

August 21, 2002

Chief of Environmental Studies

Steve L Nolen (fax 918-669-7546)

Dear Steve L Nolen:

I'm writing in regards to the newly proposed development on Skiatook Lake.

My concerns are as follows:

What will be the impact of the area if the proposed development fails in the future?

What will be the developers' solution to Sky Glow and how will they prevent it from crossing their property lines, and also affecting the dark sky, which is enjoyed all?

(Simple Solution is to ban all exposed lights and any fixtures that do not cover the bare bulbs and produce glare)

Coming from an area called Lake Minnetonka, in Minnesota, I have seen all the problems that come from this type of development and can assure you that they can not succeed on a 6-month season

When Minneapolis and Saint Paul could not support the business on Lake Minnetonka for any more than 6-months out of the year how do you think a small town like Tulsa going to support this? (Most people starved to death during the off season)

And also, no matter how much you spend, you will never be able to draw any more people to the lake after Labor Day. Millions of dollars have been spent trying and in the end, wasted.

Since they are only trying to generate their income from this seasonally traffic and possible from some late fall, early spring campers this will fail from the beginning and the developers will walk and leave us holding the bag for cleanup

I think, what needs to be done is to allow Skiatook to develop on it's own pace for a few more years and let mother nature take her time and develop it into the jewel most people think it should be

Rushing a development will not benefit anyone except those who do not live the area

I think some more studies should be done, and when the numbers speak for themselves than I would think that such a development would be possible

August 21, 2002

The numbers for Lake Minnetonka didn't make sense until the early 80's and only when the residential areas surrounded the lake

I have seen a 50% drop in my boat rental business this year on Skiatook and with the economy the way it is, I doubt that it will return anytime soon.

I would like to see something like this in the future but not until the demands call for it and that will be many years to come.

God created this lake with the help of man's hands lets not ruin it with a shotgun development!

If you would like to talk to me in the future, you can reach me at 918-396-4240 ext. 203

Sincerely,

LeRoy Parno
Owner
Skiatook Yacht Club/Boat Rental

lp

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:22 PM
To: Vogele, Louis E SWT
Subject: FW: Skiatook

-----Original Message-----

From: AKPerez@aol.com [mailto:AKPerez@aol.com]
Sent: Wednesday, August 21, 2002 7:31 PM
To: Nolen, Stephen L
Cc: jmartens@skiatookchamber.com
Subject: Skiatook

**I VOTE YES ON CROSS
TIMBERS!**

Angela Perez
Owner- Señor Salsa Mexican Restaurant/Skiatook

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:35 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Cross Timbers Project

-----Original Message-----

From: Mirror317@aol.com [mailto:Mirror317@aol.com]
Sent: Wednesday, August 21, 2002 10:23 AM
To: Nolen, Stephen L
Cc: jmartens@skiatookchamber.com
Subject: Cross Timbers Project

To whom it may concern,

We are Jack & Jami Porter, owners of Mirror Image Screenprinting & Embroidery in Skiatook. We are in favor of the Cross Timbers project on Skiatook Lake as it would encourage economic growth in the surrounding communities. The championship golf course is something the whole area would benefit from and one that we would use. We are definitely in favor of this.

Jack & Jami Porter
Mirror Image
317 E. Rogers
Skiatook, OK 74070

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:37 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW:

-----Original Message-----

From: Mark Schell [mailto:mark.schell@UnitCorp.com]
Sent: Wednesday, August 21, 2002 10:52 AM
To: 'Stephen.L.Nolen@usace.army.mil'
Cc: Allison Greene (jamag1234@cox.net)
Subject:

Steve thank you for taking the time to visit with me regarding our concerns with the planned development of the Corp. property surrounding our property. As I mentioned, our information does not show that the development calls for the building of a park and or cabins on the west end of our property. However, several people have indicated that they believe that to be the case. If so, we do not see how that can be accomplished without destroying the current layout of this part of the lake front.

We would like to request that the developers please reply to our concerns and advise us regarding the development that they do in fact plan to carry out on this part of the lake.

Mark E. Schell
General Counsel
Unit Corporation
1000 Kensington Tower
7130 South Lewis
Tulsa, Oklahoma USA 74136
E-mail: mark.schell@unitcorp.com
Telephone: 918-493-7700
Facsimile: 918-493-7711
Mobile phone: 918-691-5222

This communication may be protected by the attorney/client privilege and may contain confidential information intended only for the person to whom it is addressed. If it has been sent to you in error, please ignore it. Please reply to the sender that you have received the message in error. Then delete this message without copying or reading it. Any dissemination, distribution, copying or other reproduction of this message other than by its intended recipient is strictly prohibited.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:37 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Skiatook Lake

-----Original Message-----

From: Mark Schell [mailto:mark.schell@UnitCorp.com]
Sent: Wednesday, August 21, 2002 10:40 AM
To: 'Stephen.L.Nolen@usace.army.mil'
Cc: Allison Greene (jamag1234@cox.net)
Subject: Skiatook Lake

August 21, 2002

Dear Mr. Nolen:

I represent the interest of the Schell family regarding the proposed development at Skiatook Lake. My family owns property that will be directly impacted by this development, both from a physical as well as from an economic standpoint. We currently have a great deal of concern regarding what we believe to be the planned development of that part of the project laying west of our property. Although this is not the best method to express our concerns, we want to be on record that until we can obtain further information regarding this part of the development, that we are objecting to it as a result of the direct physical and environmental consequences that the development would have on this particular piece of property. Currently, based on the information we have, we can not see any reasonable way that the development could proceed with out destroying the current ecostructure and physical aspects of the this part of the lake front.

I would like the opportunity to further express our concerns regarding the project and ask that you please register our objections and provide us with the opportunity to make our concern further noted.

Mark E. Schell
General Counsel
Unit Corporation
1000 Kensington Tower
7130 South Lewis
Tulsa, Oklahoma USA 74136
E-mail: mark.schell@unitcorp.com
Telephone: 918-493-7700
Facsimile: 918-493-7711
Mobile phone: 918-691-5222

This communication may be protected by the attorney/client privilege and may contain confidential information intended only for the person to whom it is addressed. If it has been sent to you in error, please ignore it. Please reply to the sender that you have received the message in error. Then delete this message without copying or reading it. Any dissemination, distribution, copying or other reproduction of this message other than by its intended recipient is strictly prohibited.

8/21/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:44 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Attached letter

-----Original Message-----

From: Ron Howell [mailto:rhowell@statesource.com]
Sent: Wednesday, August 21, 2002 12:39 PM
To: Stephen Nolen
Subject: Attached letter

Stephen-

This is the other letter from a Skiatook resident that asked that I send to you as they do not have email.

August 21, 2002

Dear Stephen,

I am a resident of Skiatook and support the CrossTimbers development at the lake. It is important to the growth of our community, and it is widely supported by the citizens of Skiatook. StateSource has done an excellent job communicating with all of us, and they have earned our trust. This will be a colossal disappointment to this community if this great project is not given the leases, as our future growth largely depends on lake development. We are one of Oklahoma's poorest counties, and this type of opportunity for development by the private sector rarely comes along.

I urge your support.

Sharon Shearer
396-7396
Skiatook, Oklahoma

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:27 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers Project at Skiatook Lake

-----Original Message-----

From: david smith [mailto:docunet@swbell.net]
Sent: Wednesday, August 21, 2002 3:36 PM
To: Nolen, Stephen L
Subject: CrossTimbers Project at Skiatook Lake

Mr Nolen,

I wanted to tell you how excited I am at the prospect of having a world-class entertainment and conference center in our midst. As a Skiatook business and property owner (and a would-be golfer), I can not think of a better development for our area. The positive impact on our local economy and tax base would be tremendous. Having met and worked with the folks at StateSource, I know the project will be first class all the way. Good luck as the process moves forward.

Sincerely,

David L. Smith

DocuNet 5801 West Cherokee Road Skiatook OK 74070 918-396-0399

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:22 PM
To: Vogele, Louis E SWT
Subject: FW: Skiatook Lake Development

-----Original Message-----

From: bswan@ghx.com [mailto:bswan@ghx.com]
Sent: Wednesday, August 21, 2002 6:12 PM
To: Nolen, Stephen L
Subject: Skiatook Lake Development

Stephen,

As one who has a passion and love for Skiatook lake, I am sending this note in support of the Crosstimbers Development on Skiatook Lake. This state is in dire need of a first class, blue chip resort that puts this state on the map and impacts the entire people of Oklahoma.

Due to the fact that Oklahoma is going through a "challenging time" with the Williams and WorldCom lay offs, I could not have heard more encouraging news than that of two men willing to invest their time and money to benefit the town of Skiatook and surrounding areas for generations to come.

One of the most encouraging aspects of this project- it shows that we have forward thinkers who care about Oklahoma!

Sincerely,
Brad

Brad N. Swan
Corporate Account Manager
Global Healthcare Exchange
2132 E. 32nd St
Tulsa, OK 74105
918.742.4445 Office
918.742.4650 Fax
918.671.0771 Mobile
bswan@ghx.com

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Wednesday, August 21, 2002 12:42 PM
To: Vogele, Louis E SWT; London, Jeffery SWT; Randolph, James C SWT
Subject: FW: Attached letters Re: Crosstimbers Development

-----Original Message-----

From: Ron Howell [mailto:rhowell@statesource.com]
Sent: Wednesday, August 21, 2002 12:30 PM
To: Stephen Nolen
Subject: Attached letters Re: Crosstimbers Development

The following letter was sent on behalf of Cliff Taylor, who does not have email. He asked that I pass it along to you. He can be reached at 636-2095 should you have questions.

August 21, 2002

Dear Mr. Nolen,

I am writing to urge your approval of leases on Skiatook Lake for the CrossTimbers development. I serve as President of the Skiatook Chamber and am a member of the Board of the Skiatook Economic Development Authority. It is vital to our community that this project occur, as it is in keeping with the planned development of the lake from the time of the lake's conception. Skiatook Lake has always been designed to be a recreational lake, and that is why it was selected for the Demonstration Lakes program. The development planned by our sublessee, StateSource, is in keeping with similar developments on numerous Corps lakes around the United States. We desperately need the championship golf course, cabin and conference accommodations and additional campgrounds that this planned development will provide. We particularly need a new and better managed marina operation on the lake, and the competition this will provide to the existing marina will benefit all of the customers involved.

I think this is the most vital rural economic development project we could ever hope to see on the lake. StateSource and their partners represent the finest and most experienced team we could ever hope to have invest in our community. I urge your expediting these leases before we lose more campers and recreational enthusiasts to other states that are more developed.

Cliff Taylor
Owner-Taylor Motors
Skiatook, OK

8/21/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:22 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timber Project

-----Original Message-----

From: Lee Vertrees [mailto:leev@brightok.net]
Sent: Wednesday, August 21, 2002 10:18 PM
To: Stephen Nolan
Cc: derikhendrix@hotmail.com
Subject: Cross Timber Project

Mr. Nolan,

My name is Lee Vertrees. I own a lot on Skiatook Lake. I am very familiar with the development and growth of the Skiatook Lake area, and have watched its progress for over 30 years. I graduated from Sperry High School. My father, Dave Wilson has been a land owner in this area since the 1960's. He has been influential in the current success of the area, particularly Tall Chief vicinity. His construction company completed many of the projects around the lake. He worked diligently to get easements through his property and other land owner's property so that Tall Chief Park and the road across the dam could be built. He has donated many hours of labor to the lake project.

Currently, our family is planning a luxury townhouse complex to be built on some of our property. We hope to begin the project early in 2003. This is a project being approved through Limited Liability Corporation

H & W Real-Estate Investments. We have also been working with the Cross Timbers Developers to create a setting that will enhance the entire area. These developers have 50 years of experience in building upscale townhomes in various states.

The goal of our project is to create the type of growth that will improve the area in a positive manner. We foresee that the addition of these luxury townhomes can only add to the economic development of the entire community. Several nearby towns would benefit by the construction of these homes. Businesses, schools, and recreation facilities would all benefit from the income generated by these homes. The area would benefit in terms of jobs, homes, and revenue generated.

Lake Skiatook has potential to provide top-notch recreation, comfortable living, and safe family surroundings for many residents and visitors. The proposed highway from downtown Tulsa to the lake in our area would provide fast access to Tulsa from the lake area. I am interested in helping to keep the area upscale. I believe our project is in line with the current residences near the lake, as well as the proposed projects near the lake which include an 18-hole golf course, marina, cabins, conference center and expanded RV camping. I believe our project would be an asset to the area.

I can be reached at 580-657-3698 after 6p.m. and feel free to contact me if you have any questions.

Sincerely,

8/22/2002

Lee Vertrees

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:28 PM
To: Vogele, Louis E SWT
Subject: FW: Skiatook Lake Project

-----Original Message-----

From: Rowdyroach@aol.com [mailto:Rowdyroach@aol.com]
Sent: Wednesday, August 21, 2002 2:09 PM
To: Nolen, Stephen L
Subject: Skiatook Lake Project

Pam Williams
394850 W. 4000 Rd.
Skiatook, OK 74070

I would like to support the proposed Skiatook Lake Project. I feel that this would greatly increase the economic base of the area and would be beneficial for all involved.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:26 PM
To: Vogele, Louis E SWT
Subject: FW: crosstimbers project

-----Original Message-----

From: Mike Willis [mailto:largent.tulsa@sbcglobal.net]
Sent: Wednesday, August 21, 2002 3:47 PM
To: Nolen, Stephen L
Subject: crosstimbers project

Mr. Nolen,

I am writing in support of the CrossTimbers development. In my opinion, this is an appropriate method for developing the area surrounding Skiatook Lake and will benefit both current patrons of the lake and citizens in the Skiatook area.

Sincerely,
Mike Willis

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:23 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timber Project

-----Original Message-----

From: RONNYRDW@aol.com [mailto:RONNYRDW@aol.com]
Sent: Wednesday, August 21, 2002 5:45 PM
To: stephen.l.nolen@usace.army.mil.
Cc: derikhendrix@hotmail.com
Subject: Cross Timber Project

Mr. Nolan,

My name is Ronny Wilson, I am a captain with the Tulsa Fire Department and I live near Tall Chief Cove on Skiatook Lake. I actually grew up in the Tall Chief area and went to school at Sperry. My father Dave Wilson has been a land owner in this area since the 1960s. Dad has been instrumental in the improvement of this area for many years. We also have a construction company and have completed many of the projects around the lake, from swimming beaches, roads, buoy lines, erosion control on the embankment, etc. Dad was also instrumental in getting easements through his property and others so the Tall Chief Park area and the road across the dam could even be possible.

My family is currently working on a multimillion dollar luxury townhouse complex on some of our property and we hope to break ground no later than January 2003. This project is being approved through Limited Liability Corporation H & W Real-estate Investments. We have also been working with the Cross Timbers Developers to create a setting that will compliment the entire area. What we want to do with our projects is to create the type of growth that will improve the area in a positive way and help the entire community. This type of opportunity needs to be taken advantage of for the sake of the near by towns, Osage County area, property owners, and to increase and improve the lakes ability to serve the recreational needs of this area.

The impact of this projects such as these are sure to benefit an area which is in need of an economical boost. The project will create jobs, homes, and revenue not to mention the recreational value that will certainly be enjoyed for many year to come.

If you have any questions please feel free to contact me at 918-288-7327 or my cell is 918-857-1766.

Thank you,
Ronny Wilson

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:51 PM
To: Vogele, Louis E SWT
Subject: FW: Cross Timbers on Skiatook Lake

-----Original Message-----

From: Bill Clark [mailto:clark@rcctulsa.org]
Sent: Thursday, August 22, 2002 1:48 PM
To: Nolen, Stephen L
Subject: Cross Timbers on Skiatook Lake

Mr. Nolan:

This note is sent in support of the Cross Timbers project on Skiatook Lake. My reasons for supporting the project are several. First, Northeastern Oklahoma should always be in the business of developing and improving our natural resources. As I understand the project as outlined in the media, it represents a unique opportunity to combine the resources of a private entity with those of the government. This is clearly a benefit to all parties.

Second, by vocation, I work as the pastor of a fairly large congregation in south Tulsa. We frequently need facilities for special events, retreats, and other outings. Skiatook Lake represents a remarkably convenient and naturally inspiring location for such activities. Once facilities are provided, there is little doubt that organizations such as ours would be immediately interested in booking our activities.

Further, our area is in real need of "destination" type development. From the sound of the project, we could expect out-of-state visitors to use the facility.

Finally, I believe the lake itself to be underutilized. It will eventually develop due simply to its natural beauty, but it will be much better if planned, quality-oriented projects lead the way.

Thank you for your service to all of us.

Sincerely,
William D. Clark

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:19 PM
To: Vogele, Louis E SWT
Subject: FW: CROSS TIMBERS PROJECT

-----Original Message-----

From: HZMT911@aol.com [mailto:HZMT911@aol.com]
Sent: Thursday, August 22, 2002 11:55 AM
To: Nolen, Stephen L
Cc: JMARTENS@SKIATOOKCHAMBER.COM
Subject: CROSS TIMBERS PROJECT

DEAR STEVE,

AS A RESIDENT, BUSINESS PERSON, AND A CONCERNED CITIZEN OF SKIATOOK OKLAHOMA, I WOULD LIKE TO EXPRESS MY DESIRE FOR THE CROSS TIMBERS PROJECT. I THINK THIS PROJECT IS A WIN/WIN SITUATION FOR THE CITIZENS. I BELIEVE IT WILL BENIFIT THEM DIRECTLY AND INDIRECTLY. IT WILL OFFER SEVERAL TYPES OF RECREATION FOR THE PEOPLE OF SKIATOOK AND THE SURROUNDING AREA. IT WILL ALSO DRAW TOURISTS AND OTHERS FROM MORE DISTANT AREAS TO SPEND THEIR DOLLARS IN THE SKIATOOK AREA. THIS MEANS A HIGHER REVENUE FOR THE SKIATOOK MERCHANTS AND MORE TAX REVENUE FOR THE CITY (SKIATOOK) COUNTIES, (TULSA AND OSAGE) AND STATE. THANK YOU VERY MUCH FOR YOUR CONSIDERATION.

JOE JOLLEY, OWNER
TREASURED MEMORIES PHOTOGRAPHY
214 E. ROGERS BLVD.
SKIATOOK, OK 74070
(918) 396-7002

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:20 PM
To: Vogele, Louis E SWT
Subject: FW:



ATT13762.txt

-----Original Message-----

From: Steve Moyer [mailto:SMoyer@agent.shelterinsurance.com]
Sent: Thursday, August 22, 2002 12:21 PM
To: Nolen, Stephen L
Subject:

MY NAME IS STEVE MOYER, SHELTER INSURANCE AGENT IN SKIATOOK, OK. I WOULD LIKE TO EXTEND MY SUPPORT FOR THE CROSS TIMBERS PROJECT AT SKIATOOK LAKE. I FEEL AS IF SKIATOOK LAKE NEEDS THIS DEVELOPMENT AND IT WILL BENEFIT NOT ONLY SKIATOOK, BUT THE SURROUNDING AREA.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 2:00 PM
To: Vogele, Louis E SWT
Subject: FW:

-----Original Message-----

From: Rep Larry Rice [mailto:ricela@lsb.state.ok.us]
Sent: Thursday, August 22, 2002 11:18 AM
To: Nolen, Stephen L
Subject:

Dear Stephen L. Nolen:

I am pleased to extend my personal support for the proposed CrossTimbers development project on Skiatook Lake. Having first-hand knowledge about this area, the lake and the financial strength of the developers leaves no doubt in my mind of the many positive attributes this brings to the local economy.

As a legislator, I recognize the importance of having this lake developed for both corporate and general public usage. The golf and rowing coaches at the University of Tulsa have expressed an interest in the golf course and the lake for their student athletes to practice and host golf/rowing competitions.

The monitoring and research of Oil and brine contamination of soil and water by the USGS in this area is of vital importance to Professor Kerry Sublette at the University of Tulsa and the Osage Tribe who are doing similar research nearby in the TallGrass Prairie Preserve.

Finally, I would comment on the added value of the Corps entering into lease agreements with local communities such as Skiatook Economic Development Authority as a great venue for recreational and economic development while insuring local participation and control.

Sincerely,

Representative Larry Rice

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:18 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers Project

-----Original Message-----

From: Randy Robinson [mailto:Randy_1102@msn.com]
Sent: Thursday, August 22, 2002 10:43 AM
To: Nolen, Stephen L
Subject: CrossTimbers Project

Dear Mr. Nolen

I own 5 acres off of Pease LN. near Skiatook Lake. I support the CrossTimbers Project. The plans that I have seen will make Skiatook Lake a destination recreational area for many years. The surrounding area will benefit for a long time. We look forward to enjoying the opportunities created by these recreational facilities.

Sincerely,
Randy Robinson

8/22/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Thursday, August 22, 2002 1:18 PM
To: Vogele, Louis E SWT
Subject: FW:

-----Original Message-----

From: Roger.Tomlinson@okfb.com [mailto:Roger.Tomlinson@okfb.com]
Sent: Thursday, August 22, 2002 12:54 PM
To: Nolen, Stephen L
Subject:

I am in full support of the Cross Timbers Projects at Skiatook Lake. I believe the local economies of Skiatook and Sperry will benefit GREATLY from the developement. I strongly encourage the Corp. to support the proposed lake developement.

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Friday, August 23, 2002 2:28 PM
To: Vogele, Louis E SWT
Subject: FW: CrossTimbers

-----Original Message-----

From: ADWON@aol.com [mailto:ADWON@aol.com]
Sent: Friday, August 23, 2002 1:31 PM
To: Stephen.L.Nolen@usace.army.mil.
Subject: CrossTimbers

Dear Mr. Nolen:

As a real estate investor and broker in Tulsa I am writing to strongly support the CrossTimbers project at Skiatook. It will be an important economic development tool for not only Skitaook, but also Tulsa and all of northeast Oklahoma.

I am excited about the CrossTimbers and look forward to its development.

Mitch Adwon
Adwon Properties, Inc.
PO Box 52808
Tulsa, OK 74152
(918) 749-9555 (office)
(918) 749-9585 (fax)

8/25/2002

Vogele, Louis E SWT

From: Nolen, Stephen L SWT
Sent: Monday, August 26, 2002 9:35 AM
To: Vogele, Louis E SWT
Subject: FW: Disinfected: Cross Timber project



msg-72247-11
3.html

-----Original Message-----

From: Ron Howell [mailto:rhowell@statesource.com]
Sent: Monday, August 26, 2002 9:20 AM
To: Stephen Nolen
Cc: Jeffery London
Subject: Fw: Disinfected: Cross Timber project

Stephen-

A copy of the attached letter came to me, showing it was virus infected. Here is the clean version of it. The Burtons own the vast majority of the land that borders the golf course on Skiatook Point.

-Ron Howell

----- Original Message -----

From: "MailScanner" <postmaster@tulsaconnect.com>
To: <rhowell@statesource.com>
Sent: Sunday, August 25, 2002 4:16 PM
Subject: Disinfected: Cross Timber project

> A message you recently received from "<jimburton@peoplepc.com>" with the
> subject "Cross Timber project"
> contained one or more viruses that could be disinfected.
>
> The viruses have been removed, and the disinfected files are attached
> to this message.
> --
> MailScanner
> Email Virus Scanner
>

