From:

Knack, Jeff SWT < Jeff.Knack@SWT03.usace.army.mil>

Sent:

Wednesday, January 16, 2013 10:38 AM

To:

Stenberg, Kate

Cc:

Roberts, Dean A SWT; Nolen, Stephen L SWT

Subject:

FW: Comments for Lake Eufaula EIS (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Kate,

These comments are from the Oklahoma Department of Wildlife Conservation. We need to review the maps and verify these zoning are correct.

Jeff

----Original Message-----

From: J.D. Ridge [mailto:bio@checotah.us] Sent: Friday, January 11, 2013 8:03 AM

To: Knack, Jeff SWT

Cc: 'Endicott, Craig'; 'Dinkines, Bill'; 'Peoples, Alan'; Johnson, Steven M SWT

Subject: RE: Comments for Lake Eufaula EIS

Mr. Jeff Knack, Acting Chief, Environmental Analysis and Compliance Branch

Mr. Knack,

Please note the following comments regarding the Eufaula Lake EIS.

Dowc-

- 1. Designation of peninsula on western edge of Lake Eufaula State Park, as shown in the maps for all alternatives, indicates it is zoned "public recreation" as part of Lake Eufaula State Park. The peninsula should be designated "fish and wildlife protected" as part of the existing ODWC lease lands.
- >>00c->
- 2. Designation of a large area on South Canadian River north of Sam's Point and Canadian Shores developments, as shown in the maps for alternative "no action", alternative 3 and alternative 4 indicate it is zoned "limited development". The area in question should be indicated as "protected fish and wildlife" as part of the existing ODWC lease lands for all alternatives.

Thank you and feel free to contact me with any questions regarding these comments.

J.D. Ridge

Senior Wildlife Biologist

Eufaula Wildlife Management Area, Northeast Region

918-617-1113

Oklahoma Department of Wildlife Conservation

PO Box 53465

Oklahoma City, OK 73152

Classification: UNCLASSIFIED

From:

Nolen, Stephen L SWT <Stephen.L.Nolen@usace.army.mil>

Sent:

Thursday, January 17, 2013 1:34 PM

To:

Knack, Jeff SWT

Cc:

Stenberg, Kate; Shingleton, Kenneth L SWT; Roberts, Dean A SWT; Schrodt, Charles

SWT

Subject:

FW: EPA 309 comment letter: Draft EIS for Eufaula Lake Shoreline Management Plan

Revision and Master Plan Supplement, Pittsburg, McIntosh, Haskell, Latimer,

Muskogee, and Okmulgee Counties, OK (UNCLASSIFIED)

Attachments:

20120378.pdf

Classification: UNCLASSIFIED

Caveats: NONE

FYI

----Original Message-----

From: MacFarlane.John@epamail.epa.gov [mailto:MacFarlane.John@epamail.epa.gov]

Sent: Thursday, January 17, 2013 3:26 PM

To: stephen.l.nolen@

Cc: Smith.Rhonda@epamail.epa.gov; Jansky.Michael@epamail.epa.gov

Subject: EPA 309 comment letter: Draft EIS for Eufaula Lake Shoreline Management Plan Revision and Master Plan

Supplement, Pittsburg, McIntosh, Haskell, Latimer, Muskogee, and Okmulgee Counties, OK

Steve,

Please accept our 309 comment letter for the above named project. A hard copy will be mailed.

Thank you,
John MacFarlane
NEPA Specialist
Office of Planning and Coordination (6EN-XP) USEPA Region 6
1445 Ross Ave., Dallas, Texas 75202
(214) 665-7491

Classification: UNCLASSIFIED



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

January 17, 2013

Stephen L. Nolen Chief, Environmental Analysis & Compliance Branch 1645 S. 101st E. Ave Tulsa, OK 74128

Dear Mr. Nolen,

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (DEIS) prepared by the U.S. Army Corps of Engineers (USACE). The USACE is proposing to update the Eufaula Lake Shoreline Management Plan (SMP) Revision and the Master Plan (MP) Supplement.

EPA rates the DEIS as EC-1" i.e., EPA has "Environmental Concerns". We have enclosed comments that provide recommendations for additional discussion in the FEIS. The EPA's Rating System Criteria can be found here: http://www.epa.gov/oecaerth/nepa/comments/ratings.html. Responses to comments should be placed in a dedicated section of the FEIS and should include the specific location where the revision, if any, was made. If no revision was made, a clear explanation should be included.

EPA appreciates the opportunity to review the DEIS. Our classification will be published on the EPA website, www.epa.gov, according to our responsibility under Section 309 of the CAA to inform the public of our views on the proposed Federal action. Please send our office one copy of the FEIS and an internet link. If you have any questions or concerns, please contact John MacFarlane of my staff at macfarlane.john@epa.gov or 214-665-7491 for assistance.

Sincerely,

Rhonda Smith

Chief, Office of Planning

and Coordination

Enclosure

DETAILED COMMENTS ON THE FEDERAL HIGHWAY ADMINISTRATION DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE

EUFAULA LAKE SHORELINE MANAGEMENT PLAN REVISION AND MASTER PLAN SUPPLEMENT

EUFAULA LAKE, OKLAHOMA AND THE COUNTIES THAT SURROUND THE LAKE: PITTSBURG, MCINTOSH, HASKELL, LATIMER, MUSKOGEE, AND OKMULGEE

BACKGROUND: The Draft Environmental Impact Statement (DEIS) for the Eufaula Lake Shoreline Management Plan (SMP) Revision and Master Plan (MP) Supplement describes the land and resource categories potentially affected by federal management actions at the lake. The purpose of the proposed update to the SMP and the MP supplement is to provide for lake management that is predictable and equitable, responsive to recreation demand and the public interest, and that provides for stewardship of natural and cultural resources. The DEIS analyzes alternatives that revise the SMP, supplement the MP, and that review specific requests for zoning and for a lease of government land (Carlton Landing).

ALTERNATIVES PROPOSED

Alternative 1

Alternative 1 includes the Limited Development shoreline allocations as they existed under the 1981 SMP before the area of Limited Development was significantly expanded in subsequent revisions. This alternative represents the end of the range of alternatives that emphasizes natural resource conservation over private shoreline uses and recreational development opportunities.

Alternative 2

Alternative 2 would reduce the amount of Limited Development area compared to the No Action Alternative by converting Limited Development areas that are unsuitable for docks and which do not have existing developments adjacent to the government shoreline to Protected.

Alternative 3

Alternative 3 would increase the amount of Limited Development area compared to the No Action Alternative by converting Protected areas that are suitable for docks and which do not have an existing license agreement for use of the government shoreline to Limited Development.

Alternative 4

Alternative 4 would increase the amount of Limited Development area compared to the No Action Alternative by converting all Protected areas that do not have an existing license agreement for use of the government shoreline to Limited Development. This alternative represents the end of the range of alternatives that emphasizes private shoreline uses and recreational development opportunities over natural resource conservation. This alternative includes a request to lease government property for public boating facilities and other public

shoreline recreational facilities along the government-owned shoreline areas. Carlton Landing is a 1,650 acre privately-owned site adjacent to U.S. Army Corps of Engineers (USACE) owned land. The recreational facilities proposed on USACE-owned land along the shoreline would be open to the general public.

PREFERRED ALTERNATIVE

EPA has reviewed the four action alternatives and their environmental consequences. Alternative 1 is the most environmentally preferable as it increases the amount of Protected shoreline by 53 percent, restricts development, and increases natural buffer zones to protect water quality, wetlands, wildlife, and aquatic resources. Alternatives 2 and 3 are progressively less protective as they increase private shoreline uses and recreational development opportunities. Alternative 4 is the least protective by increasing the amount of Limited Development lands by 77 percent and allowing the lease of 301 acres of USACE lands to private developers. According to the DEIS, Alternative 4 would cause significant adverse impacts to terrestrial habitats, aquatic habitats, the federally endangered American burying beetle, water quality, the local transportation network, and public lands. The USACE-owned shoreline would experience permanent modifications by leasing the property to private developers. Alternative 4 would cause increased pollutant loads to enter already impaired areas of Eufaula Lake. Portions of the lake would be dredged (increasing turbidity) for boat lanes and approximately 50 acres of dead standing timber would be removed. According to the DEIS, this would greatly disrupt the underwater environment and important fish habitat.

Recommendation:

Ep.

• The alternatives are based on their level of protectiveness, with Alternative 1 being the most protective and Alternative 4 being the least protective. EPA does not support the implementation of Alternative 4 based on the impacts summarized above and described in detail in Chapter 4. The DEIS has identified significant adverse impacts under Alternative 4 that would be caused by increasing unprotected lands and leasing 5.8 miles of shoreline and 301 acres of USACE land to private developers.

AIR QUALITY

EPA previously provided comments on the Preliminary DEIS dated October 2012. Those comments included recommendations for fugitive dust mitigation measures from construction related activities associated with possible roadway expansion activities. Additionally, EPA requested the following: "Please provide a more detailed discussion of emission increases, mitigation techniques and transportation infrastructure improvements (mentioned on Page 5-6 and on Page 6-6 of the DEIS) related to possible development construction (especially Carlton Landing), increased motor vehicle traffic, and any expansion activities for motorized and non-motorized uses."

N. they

The DEIS states that air quality and climate change and greenhouse gas emissions are resource categories for which there would be no or minimal effects associated with any of the project alternatives. However, Section 4.14.8, Potential Mitigation Measures (Transportation),

identifies that there would be potential for adverse transportation impacts related to the Carlton Landing development and that additional traffic studies should be conducted to determine the type and extent of needed roadway improvements. We believe the DEIS should consider the linkage between transportation and construction and air quality impacts.

Recommendation:

Given the area near Eufaula Lake has experienced increases in monitored levels of criteria pollutants in recent years, the following best management practices should be considered to reduce, as practicable, emissions from any development activity for the project area. In addition to all applicable local, state, or federal requirements, the following mitigation measures (as practicable) should be implemented in order to reduce impacts associated with emissions of PM, and other pollutants from any construction-related activities, possible roadway expansion, and increased vehicular traffic.

Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate at active and inactive sites during workdays, weekends, holidays, and windy conditions;
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions; and
- Prevent spillage when hauling material and operating non-earthmoving equipment and limit speeds to 15 miles per hour. Limit speed of earth-moving equipment to 10 mph.

Mobile and Stationary Source Controls:

- Plan construction scheduling to minimize vehicle trips;
- Limit idling of heavy equipment to less than 5 minutes and verify through unscheduled inspections; and
- Maintain and tune engines per manufacturer's specifications to perform at EPA
 certification levels, prevent tampering, and conduct unscheduled inspections to ensure
 these measures are followed.

CULTURAL AND HISTORIC RESOURCES

Cultural resources were addressed generally by an acknowledgement that many such sites exist within the project boundary. However, few specific places or resources have been identified and formal consultation does not appear to have occurred with contacted Tribes. It is unclear from the document the extent to which Tribes were consulted regarding National Historic Preservation Act (NHPA) sites or whether Tribal members were included on the archeological team that assisted in the preparation of the DEIS. In particular, Muscogee and Choctaw Tribal members may have religious/cultural practices using plants and animals in the area and USACE should take a more proactive approach to consult with them on potential of location and/or disturbance of (tribal) cultural resources.

The document states that a number of tribal cultural resources are under the lake itself. It is unclear whether there are any protection/safeguards for these sites. When/if a lease or

7-6

development proposal is approved to develop a shoreline, the Tribal Historic Preservation Officers should be invited to participate or assist if any artifacts are discovered.

The document indicates that Tribes were identified and contacted for the limited purpose of discussing NHPA, but does not provide complete information to determine if Tribal officials for each Tribe have been contacted for government-to-government consultation on the full scope of potential effects under E.O. 13175.

Recommendation:

• The USACE should identify all potentially affected tribes, resources, and tribal communities; identify potentially applicable treaties, laws, policies, legal responsibilities, and duties; contact and, as appropriate, initiate consultation with Tribes concerning the potential effects of its action.

From:

Knack, Jeff SWT < Jeff.Knack@usace.army.mil>

Sent:

Tuesday, January 22, 2013 6:02 AM

To:

Stenberg, Kate

Subject:

FW: Eufaula Lake Draft EIS comments (UNCLASSIFIED)

Attachments:

DOC.PDF

Classification: UNCLASSIFIED

Caveats: NONE

FYI

----Original Message-----

From: Brad Vickers [mailto:brad.vickers@swpa.gov]

Sent: Friday, January 18, 2013 1:40 PM

To: Knack, Jeff SWT

Cc: Vickers, Brad @ swpa; Corker, Ashley; Denny, Michael; Ohlson, Fritha; Robbins, George

Subject: Eufaula Lake Draft EIS comments

Jeff

Attached is a pdf copy of Southwestern Power Administration's comments on the Draft Environmental Impact Statement for the Eufaula Lake Shoreline Management Plan and Master Plan Supplement.

Thanks!

Brad Vickers
Division of Resources and Rates
Southwestern Power Administration
United States Department of Energy
Tulsa, Oklahoma
(918) 595-6681

Classification: UNCLASSIFIED

35-2



Department of Energy

Southwestern Power Administration One West Third Street Tulsa, Oklahoma 74103-3502

JAN 18 2013

Mr. Jeff Knack CESWT-PE-E 1645 S. 101st E. Ave. Tulsa, OK 74128

Dear Mr. Knack,

Thank you for the opportunity to review the Draft Environmental Impact Statement for the Eufaula Lake Shoreline Management Plan and Master Plan Supplement (Draft EIS). As the Federal agency responsible for scheduling and marketing the hydroelectric power and energy from the Eufaula project, Southwestern Power Administration (Southwestern) has comments regarding the Draft EIS.

As indicated in multiple places in the Draft EIS, hydroelectric power is one of the four original Congressionally authorized purposes of the project, and Southwestern applies a portion of the revenues collected each year to paying off the U.S. taxpayers' investment, plus interest, in the Eufaula project facilities. Therefore, other project uses should not receive additional benefits to the detriment of hydroelectric power.

Additionally, other lake users should continue to be made aware that lake levels will fluctuate depending on a variety of factors, including rainfall (or lack thereof), flood control operations, water supply withdrawals, and power demand. Prior to the construction of additional facilities in or around Eufaula Lake, developers should continue to be informed of these routine and sometimes significant fluctuations.

Southwestern appreciates the opportunity to provide comments on the Draft EIS. If you have any questions or comments, please contact Brad Vickers at (918) 595-6681 or brad.vickers@swpa.gov.

Sincerely

George Robbins

Director

Division of Resources and Rates

cc: Ted Coombes
Executive Director
Southwestern Power Resources Association

TRIBAL HISTORIC PRESERVATION OFFICE

Date: January 18, 2013 File: 1213-897OK-1

RE: Shoreline Management Plan (SMP) for a public marina and recreational facilities at Eufaula Lake,

Oklahoma

USACE: Tulsa District Jeff Knack 1645 South 101 East Avenue Tulsa, OK 74128-4609

Dear Mr. Knack,

The Osage Nation Historic Preservation Office has evaluated your submission and concurs that the proposed Shoreline Management Plan (SMP) for a public marina and recreational facilities at Eufaula Lake, Oklahoma most likely will not adversely affect properties of cultural or sacred significance to the Osage Nation. The finding of this NHPA Section 106 review has resulted in a determination of "No Properties."

In accordance with the National Historic Preservation Act, (NHPA) [16 U.S.C. 470 §§ 470-470w-6] 1966, undertakings subject to the review process are referred to in S101 (d) (6) (A), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969). The Osage Nation concurs that as a part of the scoping process the U.S. Army Corps of Engineers fulfilled NHPA and NEPA compliance by consulting with the Osage Nation Historic Preservation Office in regard to the proposed project referenced as Shoreline Management Plan (SMP) for a public marina and recreational facilities at Eufaula Lake, Oklahoma.

The Osage Nation has vital interests in protecting its historic and ancestral cultural resources. We do not anticipate that this project will adversely impact any cultural resources or human remains protected under the NHPA, NEPA, the Native American Graves Protection and Repatriation Act, or Osage law. If, however, artifacts or human remains are discovered during project construction, we ask that work cease immediately and the Osage Nation Historic Preservation Office be contacted.

Should you have any questions or need any additional information please feel free to contact me at the number listed below. Thank you for consulting with the Osage Nation on this matter.

Dr. Andrea A. Hunter

Tribal Historic Preservation Officer

Barker Fariss, Ph.D. Archaeologist I

From:

Knack, Jeff SWT < Jeff.Knack@usace.army.mil >

Sent:

Tuesday, January 22, 2013 6:08 AM

To:

Stenberg, Kate

Cc:

Nolen, Stephen L SWT; Roberts, Dean A SWT; Schrodt, Charles SWT

Subject:

FW: ODWC Eufaula Lake Plan Comments (UNCLASSIFIED)

Attachments:

ODWC Eufaula Lake Shoreline Management Plan Revision Comments.pdf

Classification: UNCLASSIFIED

Caveats: NONE

FYI

----Original Message-----

From: Don Groom [mailto:dgroom@sbcglobal.net]

Sent: Tuesday, January 22, 2013 7:40 AM

To: Knack, Jeff SWT

Cc: gene gilliland; Danny Bowen; Barry Subject: ODWC Eufaula Lake Plan Comments

Mr. Knack,

Please find attached ODWC comments for the Eufaula Lake Shoreline Management Plan Revision and Master Plan Supplement.

If you have any questions please feel free to contact me.

Thank you,

Don

Don Groom Southeast Region Fisheries Supervisor Oklahoma Department of Wildlife 6733 SW HWY 1 Wilburton, OK 74578 918-297-0153

Classification: UNCLASSIFIED

2.3.4 Individual Zoning Requests

Zoning request #3-Lake Eufaula Association: A shoreline area west of highway 69 on the north side of town of Eufaula is currently designated Limited Development. ODWC supports granting this special zoning request to change said area from Limited Development to Public Recreation to allow for the development of a fishing pond and park area.

2.3.3 Carlton Landing Proposed Development

Table 2-5 Summary of Proposed Shoreline Recreational Development at Carlton Landing indicates that a Protected fish habitat zone will be located in areas A, D, & E shown on Figure 2-11 Carlton Landing Shoreline Proposed Development Areas. It is also proposed to remove standing timber in the Areas B, K, D & E. ODWC requests that if action is taken to approve Carlton Landing lease and zoning requests that ODWC be involved in standing timber removal discussions to maximize fish habitat in the areas that are designated as Protected fish habitat zone and other non designated areas. ODWC understands the purpose for removal to be safety related, however, ODWC wishes to work with Carlton Landing Development to minimize unnecessary reduction and provide input to maximize fish habitat in the area and along the shoreline while still meeting development goals. Furthermore ODWC requests that other mitigation measures be in place to compensate for the reduction of standing timber as a loss of fish habitat. It is preferential that such mitigation be compensated within the same general location of the loss.

4.7.6. Alternative 4 (Recreation)

In consideration to Carlton Landing, potential benefits under Alternative 4 relating to Land-based Recreation (4.7.6.1) and Water-based Recreation (4.7.6.2) are described as "extremely limited" and "have very little impact" respectively. Since said area will rezone shoreline from *Protected* to *Public Recreation* and will be open to the general public, the ODWC requests that if action is taken to include Carlton Landing, that lease/license agreements mitigate for additional public access facilities (parking, boat ramp and appropriate courtesy docks) to improve Land-based Recreation and Water-based Recreation (for the general public) and the ODWC be involved in its' development.

Thank you for your consideration in these matters.

Sincerely,

Don Groom Southeast Region Fisheries Supervisor ODWC MARKWAYNE MULLIN The District, GRASSIA 1113 Long worth House Office 1113 Longwood Bland Gener Business Build in Washington, CO 20093 12001 126-2701

20075

Congress of the United States House of Representatives

Washington, DC 20515-3602

January 17, 2013

U.S. Army Corps of Engineers c/o Mr. Jeff Knack CESWT-PE-E 1645 S. 101st E. Ave Tulsa, OK 74128

RE: PUBLIC COMMENT - LAKE EUFAULA DRAFT EIS

Dear Mr. Knack,

As a small business owner, I fully understand the excitement and the challenges of offering a product or service that helps people in their life. It's for this reason that I am very thankful for America's free enterprise system. Because I have been blessed pursuing my dream, I want others to have that same opportunity to pursue theirs as well. I believe Alternate #4 of the Corps of Engineers EIS report for Eufaula Lake takes a balanced approach to lake development. I also believe this alternative would offer opportunity to anyone with a dream for business on the lake which would help create jobs, increase quality of life, and spur economic development for all.

Thank you for your consideration of Alternate #4 of the EIS report. I hope that you will keep me and my staff apprised of any development or decision regarding the EIS report.

Sincerely,

Markwayne Mullin Member of Congress

Krope Mil

PRINTED ON ASCITCAGO PAVER



Todd Lamb

OFFICE OF THE LIEUTENANT GOVERNOR STATE OF OKLAHOMA

January 14, 2013

U.S. Army Corps of Engineers c/o Mr. Jeff Knack CESWT-PE-E 1645 S. 101st E. Ave Tulsa, OK 74128

RE: PUBLIC COMMENT - LAKE EUFAULA DRAFT EIS

Dear Mr. Knack,

As an Oklahoman who cares greatly about the future of Lake Eufaula and the surrounding area, I am writing this letter to urge you to select Alternative #4 for the federal lands surrounding the Carlton Landing project.

There are several reasons for my request for Alternative #4:

1. A Solid Boost to the Local Economy.

The Master Plan for Carlton Landing contains more than 2,700 homes over the next 30+ years. Realizing this vision will inject more than \$1.5 billion of primarily outside investment into our local economy. Also, as a direct result of Carlton Landing's growth, hundreds of jobs will be created and the boost to local taxes will help build and maintain roads and schools in the area.

2. A World Class Vision.

Carlton Landing brings a world class vision to the Lake Eufaula with resort amenities that have not existed to date. The Master Plan, designed by world renowned urban designers Duany Plater-Zyberk, puts Lake Eufaula in the same discussion as Seaside, Florida and premier communities around the world. This will help continue to refine Oklahoma's national image.

Building Oklahoma Values.

The community being created at Carlton Landing connects with our Oklahoma values. Carlton Landing is a place where families are strengthened and neighbors have a sense of belonging to a tightly-knit community. Kids can play safely and reconnect with nature. Culture and the arts are supported by the Carlton Landing Community Foundation which offers music, food and art in celebration our proud Oklahoma heritage.

Thank you for considering my comments. I appreciate the work you've done to complete this new Environmental Impact Study for Lake Eufaula.

Sincerely,

5470

Lieutenant Governor

dd Lamb