

**RECORD OF DECISION
EUFAULA LAKE SHORELINE MANAGEMENT PLAN REVISION
AND MASTER PLAN SUPPLEMENT**

The Eufaula Lake, Oklahoma Shoreline Management Plan (SMP) revision and Master Plan (MP) supplement, and the Final Environmental Impact Statement (FEIS), dated March 2013, provide documentation in support of land and shoreline development zoning changes and a proposal for a lease of government property at Eufaula Lake. Based on the reports, the reviews of other Federal, State, and local agencies, appropriate coordination with Native American Tribal governments, public input, and the review by my staff, I find the actions to be technically feasible, in accordance with environmental statutes, and in the public interest. Thus, I approve the implementation of the revised Eufaula Lake SMP and MP. I likewise approve, pending execution of an appropriate lease agreement, a lease of government land at Eufaula Lake for construction and operation of a marina and other public shoreline recreational facilities at the Carlton Landing development.

Under the SMP, all project shoreline is allocated to regulate the type of facilities and activities that may be permitted on the lake and adjacent shoreline. These allocations are intended to complement the land classifications in the project MP. The MP classifies government lands and the general use allowed within these areas. The first SMP at Eufaula Lake was completed in 1976 with subsequent updates in 1981, 1986 and 1998. The shoreline allocations have been changed under each revision of the SMP but the MP has never been supplemented to reflect these changes. In addition to soliciting input regarding changes to the SMP and MP, the public scoping process also included a request for submission of proposals to lease public lands at Eufaula Lake for recreational development. This proposal is a part of the Oklahoma Demonstration Lakes Program that encourages the Corps to seek public/private recreation development opportunities as authorized under Section 3134 of the Water Resources Development Act of 2007. Carlton Landing was the only entity to submit such a proposal. The Carlton Landing lease proposal was therefore included in the review under the National Environmental Policy Act (NEPA).

A broad range of alternatives developed in consideration of revisions to the SMP and MP and the lease proposal at Carlton Landing. These alternatives were screened to determine viability as to which should be carried forward for detailed impacts analyses in the FEIS. The result was six alternatives reviewed in the FEIS:

- No Action Alternative: Under the no action alternative, no changes would occur to the existing Eufaula Lake SMP or MP. There would be no change to the vegetative management policies or dock suitability, spacing, or access requirements, and the MP would continue to be out-of-date with respect to the SMP. The grant of a lease at Carlton Landing would not be approved and no rezoning requests would be granted. A total of 273 miles of shoreline allocation would remain Limited Development, with a potential maximum of 8,810 private docks based upon physical spacing constraints.
- Alternative 1: This alternative reverts to shoreline allocations as they existed in the 1981 SMP. This would require a significant amount of existing Limited Development

shorelines be changed to Protected. MP maps would be revised to be consistent with the SMP shoreline allocations. The vegetative management policies would be changed to apply the extended buffer zone policies and there would be no change to dock access or spacing requirements. The grant of a lease at Carlton Landing would not be approved and the individual rezoning requests would not be approved. Limited Development allocated shoreline would be reduced to 42 miles, and the potential maximum number of docks would be 2,278 based upon physical spacing constraints.

- Alternative 2: This alternative would convert Limited Development areas that are unsuitable for docks and which do not have existing developments adjacent to government shoreline to Protected. This alternative would implement dock suitability, and MP land use classification maps would be revised to be consistent with SMP shoreline allocations. There would be no change to dock access requirements and the extended vegetation buffer zones would be implemented. The grant of a lease to Carlton Landing would not be approved and only a portion of the rezoning requests would be approved. Under this alternative, the length of Limited Development shoreline decreases to 182 miles, which could support a potential maximum of 5,844 docks based upon physical spacing constraints.
- Alternative 3: This alternative would convert some Protected areas that are suitable for docks and which do not have an existing license agreement of the government shoreline to Limited Development. The MP land use classification maps would be revised to be consistent with the SMP shoreline allocations. The vegetative management policies would be changed to apply the baseline buffer vegetation management zone. There would be no change to dock access but dock suitability would be implemented. The grant of a lease at Carlton Landing would not be approved and the proposed marina and other public recreational facilities along the shoreline would not be permitted; however, the shoreline allocation would be changed to Limited Development. The amount of Limited Development shoreline would increase to 367 miles, which would support a potential maximum of 11,844 docks based upon physical spacing constraints.
- Alternative 4: This alternative would convert all Protected areas that do not have an existing license agreement for use of government shoreline to Limited Development. The MP land classification maps would be revised to be consistent with the SMP shoreline allocations. Vegetation management policies would be changed to apply the baseline buffer vegetation management zone and there would be no change to dock spacing or access requirements. The grant of a lease at Carlton Landing would be approved and the proposed marina and other public recreational facilities along the shoreline would be permitted. Most individual zoning requests would be approved. The amount of Limited Development shoreline would increase to 480 miles, which could support a potential maximum of 15,491 docks based upon physical spacing constraints.
- Preferred Alternative: The preferred alternative would slightly reduce the amount of shoreline allocated to Limited Development and increase the amount of Public Recreation shoreline in the SMP. This alternative would change the MP land use classifications to be consistent with the SMP designations. Limited Development

allocated shoreline would decrease to approximately 265 miles, which could support a potential maximum of 6,550 docks based upon physical spacing constraints. A vegetative buffer of 45 feet would be applied to all new vegetative modification permits with a five year transition period for existing permits. Dock spacing would be increased to 75 feet, dock suitability zones would be created, and dock access requirements would be modified. Most individual zoning requests received during the NEPA review process and addressed in the EIS would be approved, including zoning appropriate for a lease to Carlton Landing for marina development and other publicly-accessible shoreline recreational facilities.

As a mitigation measure under the preferred alternative, approximately 135 acres of undeveloped land, Dam Site North, will be designated for management of the American Burying Beetle (ABB), an endangered species, as coordinated with the U.S. Fish and Wildlife Service (USFWS). The Biological Opinion (BO) issued by the USFWS on 10 April 2013, covering the ABB and other species, details comprehensive consultation activities for the Arkansas and Red River basins in Oklahoma, including this proposed action at Eufaula Lake. The comprehensive BO was finalized subsequent to the issuance of the FEIS and is incorporated by reference.

Consultation under Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended) is complete for this project. Tulsa District sought and received comments from the Oklahoma State Historic Preservation Office (SHPO), Oklahoma Archeological Survey (OAS), and appropriate Native American Tribes for the proposed revision of the MP and SMP. Those comments have been reported in the EIS and addressed as appropriate. The Tulsa District conducted Section 106 consultation specifically on the proposed lease of government land to Carlton Landing. As noted in a SHPO response letter dated September 10, 2012, no historic properties were found to be affected within the proposed lease area. The State Archaeologist provided an additional response during final review expressing concern that the potential for vandalism of archaeological sites could increase with greater shoreline development. However, any future definitive proposals for use or development of government lands at Eufaula Lake as a result of rezoning associated with this action would be subject to separate and complete review and consultation under Section 106 of the NHPA.

A lease to Carlton Landing for shoreline development of the proposed amenities would be dependent upon execution of an appropriate lease agreement. Mitigation measures to be included in lease agreement terms would include a specific requirement for Carlton Landing to coordinate with the Oklahoma Department of Wildlife Conservation (ODWC) prior to removal of any standing dead timber in Eufaula Lake. Lease terms will also include the requirement to institute standard best management practices (BMPs) and meet all regulatory requirements for mitigating impacts to wetlands, aquatic habitat, water quality, soils, and other resources.

The environmentally preferable alternative is Alternative 1. However, this alternative does not meet the purpose and need for action as detailed in the FEIS. All practical means to avoid, reduce, and minimize environmental harm have been incorporated into the proposed action. Future monitoring will include activities necessary to ensure compliance with SMP policies and regulations as well as compliance with lease terms and conditions at Carlton Landing. No compensatory mitigation in the form of replacement lands or habitat is appropriate or proposed.

All practicable means were employed to avoid or minimize the environmental and socioeconomic harm from implementing the preferred alternative.

All applicable laws, executive orders, regulations, and guidelines were considered in the evaluation of alternatives and the selection of the recommended actions. Based on the review of the Eufaula Lake Shoreline Management Plan Revision and Master Plan Supplement FEIS, I approve the implementation of the Preferred Alternative A program review would be conducted once the total number of private docks reaches 2,183. The purpose of the review would be to establish if a moratorium must be placed on the shoreline management program. It is anticipated that this number of permitted boat docks would not be reached until sometime in the year 2021. This Record of Decision completes the National Environmental Policy Act process.

7 June 2013

Date



Thomas W. Kula
Brigadier General, U.S. Army
Commanding