

# FINAL ENVIRONMENTAL ASSESSMENT

## Optima Lake Road Closure and Recreational Facility Demolition

Texas County,  
Oklahoma



US Army Corps  
of Engineers®  
Tulsa District

March 2010

## FINDING OF NO SIGNIFICANT IMPACT

In accordance with the National Environmental Policy Act of 1969, including guidelines in 33 Code of Federal Regulations, Part 230, Tulsa District has assessed the environmental impacts of closing the road across the Optima Dam embankment and demolishing recreational facilities at Optima Lake in Texas County, Oklahoma.

As guardrails which protect cars from driving over the side of the dam embankment do not meet current Federal Highway Administration Standards, and because recreational facilities at the lake are falling down, the proposed action would increase public safety by restricting access to or removing current safety hazards. The proposed action would include: 1) placing gates with keyed locks at either end of the road across the dam and installing speed humps and signage to alert drivers to the road closure; 2) demolishing the above-ground portions of the remaining recreational facilities such as restrooms, picnic table structures, and the overlook building; 3) removing all rubble to an appropriate, existing landfill.

The enclosed environmental assessment is incorporated by reference and indicates the above activities would have no significant adverse effects on the natural or human environment. Therefore, an Environmental Impact Statement will not be prepared.

31 MAR 10

Date

Enclosure  
Environmental Assessment



Anthony C. Funkhouser, P. E.  
Colonel, U. S. Army  
District Commander

## ENVIRONMENTAL ASSESSMENT ORGANIZATION

This Environmental Assessment (EA) evaluates the effects closing the road across Optima Dam and demolishing the recreational facilities at the five public use areas at Optima Lake. This EA will facilitate the decision process regarding the proposed action and alternatives.

<i>SECTION 1</i>	<i>AUTHORITY, PURPOSE, AND SCOPE</i> provides the authority for the proposed action, summarizes the project purpose, provides relevant background information, and describes the scope of the EA.
<i>SECTION 2</i>	<i>ALTERNATIVES</i> examines alternatives for implementing the proposed action.
<i>SECTION 3</i>	<i>PROPOSED ACTION</i> describes the recommended action.
<i>SECTION 4</i>	<i>AFFECTED ENVIRONMENT</i> describes the existing environmental and socioeconomic setting.
<i>SECTION 5</i>	<i>ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION</i> identifies the potential environmental and socioeconomic effects of implementing the proposed action and alternatives.
<i>SECTION 6</i>	<i>MITIGATION PLAN</i> summarizes mitigation actions required to enable a Finding of No Significant Impact for the proposed alternative.
<i>SECTION 7</i>	<i>FEDERAL, STATE, AND LOCAL AGENCY COORDINATION</i> provides a listing of individuals and agencies consulted during preparation of the EA.
<i>SECTION 8</i>	<i>REFERENCES</i> provides bibliographical information for cited sources.
<i>SECTION 9</i>	<i>APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS</i> provides a listing of environmental protection statutes and other environmental requirements.
<i>SECTION 10</i>	<i>LIST OF PREPARERS</i> identifies persons who prepared the document and their areas of expertise.
<i>APPENDICES</i>	<i>A</i> Coordination/Correspondence <i>B</i> Section 404 Permit <i>C</i> Fish and Wildlife Coordination <i>D</i> Cultural Resources Coordination <i>E</i> Public Comments (final EA only) <i>F</i> Newspaper Public Notice (final EA only)

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**FINAL  
ENVIRONMENTAL ASSESSMENT  
Optima Lake, Oklahoma**

**Road Closure and Recreational Facility Demolition**

**1.0 AUTHORITY, PURPOSE, AND SCOPE**

**1.1 Purpose and Objective**

The U.S. Army Corps of Engineers (USACE) proposes to close the rural road across the Optima Dam embankment and demolish recreational facilities at five closed Public Use Areas (PUAs) at Optima Lake, Texas County, Oklahoma (see Figure 1-1 for location of Optima Lake). The work would be funded under the American Recovery and Reinvestment Act (ARRA) of 2009. The purpose of this environmental assessment (EA) is to assess the environmental impacts from this proposed action under the National Environmental Policy Act (NEPA) of 1969 (PL91-190).

The purpose of the proposed action is to increase public safety at Optima Lake. As such, the road needs to be closed because the guardrails are old, damaged, and fail to meet the requirements for safety standards as established by the Federal Highway Administration (FHWA). In the event of an accident, the outdated guardrails could fail, allowing vehicles to descend the 120 foot high dam. Likewise, the abandoned recreational facilities (*e.g.* picnic shelters, restroom and overlook structures) within the closed PUAs around the lake pose a potential safety hazard. Many have been damaged by wildfires or other events since the closure of the parks and have collapsed or are collapsing. Public access to the PUAs currently is not restricted; therefore, the hazardous conditions within and around these structures pose a potential risk to public safety.

**The proposed action does not modify the operational facilities of the dam or the embankment itself. The proposed action also does not restrict access to any areas of public land other than the road across the dam embankment where the risk of guardrail failure is the most hazardous. This proposed action does not dispose of any public lands nor does it decommission the Optima Lake project. The only objective of this proposed action is to increase public safety at the lake.**

**1.2 Authority and Background**

Optima Lake was authorized in the Flood Control Act approved June 22, 1936, as amended by the Flood Control Act approved May 17, 1950, for the purpose of flood control, water supply, recreation, and fish and wildlife. Construction began in March 1966 and was completed in 1978. A combination of less rain than projected and a drawing down of groundwater has reduced stream flow into the project, causing the lake not to perform as designed. Very little water fills the lake area at any given time and most of the PUAs have been closed since January 1995. Despite the closure of the PUAs and the lack of water-related recreational opportunities, the area and the road across Optima Dam are still used by local and non-local individuals and special interest groups for passive recreation and hunting. There are 8,062 acres of public hunting lands at Optima Lake managed by the Oklahoma Department of Wildlife Conservation (ODWC) and 4,334 acres of Federal Wildlife Refuge managed by the United States Fish and Wildlife Service (USFWS).





The road across the Optima Dam embankment serves as a connector between two rural county roads. It services low traffic volumes (estimated at 50-75 vehicles a day) and the posted speed is 35 mph. Due to the embankment height and slope, a vehicle guardrail system is required for public safety if the roadway is to remain open. The existing guardrails along each side of the roadway are wooden posts on 12'6" centers with rolled metal rails between the posts (Figure 1-2).

Based upon the results of guardrail inspections conducted at all Tulsa District projects, these guardrails were determined to be deficient. Many of the original posts are splintered, cracked or sufficiently loose at the base such that their structural integrity is unsound, contributing to a public safety hazard for traversing across an embankment that is 120 feet high in some locations. Typical design life of wooden guardrail posts is approximately thirty years.

**Figure 1-2 Looking North at Road and Guardrail on Downstream (East) Side of Dam**



**Figure 1-3 Example of Guardrail Damage**



**Figure 1-4 Examples of Splintered Guardrail Posts**



### **1.3 Project Location**

Located at river mile 623.2 on the North Canadian River in Texas County, Oklahoma, the Optima Dam is approximately 4.5 miles northeast of Hardesty and 20 miles east of Guymon, Oklahoma. The subject road forms the crest of the dam, which is a compacted earthfill embankment 15,200 feet long and approximately 120 feet high. In order to close the road, gates would need to be placed across the road at each end of the dam, one in Section 33 of Township 3 North, Range 18 East and the other in Section 8 of Township 2 North, Range 18 East. The PUAs are located around the lake as shown in Figure 1-5 and Table 1-1.

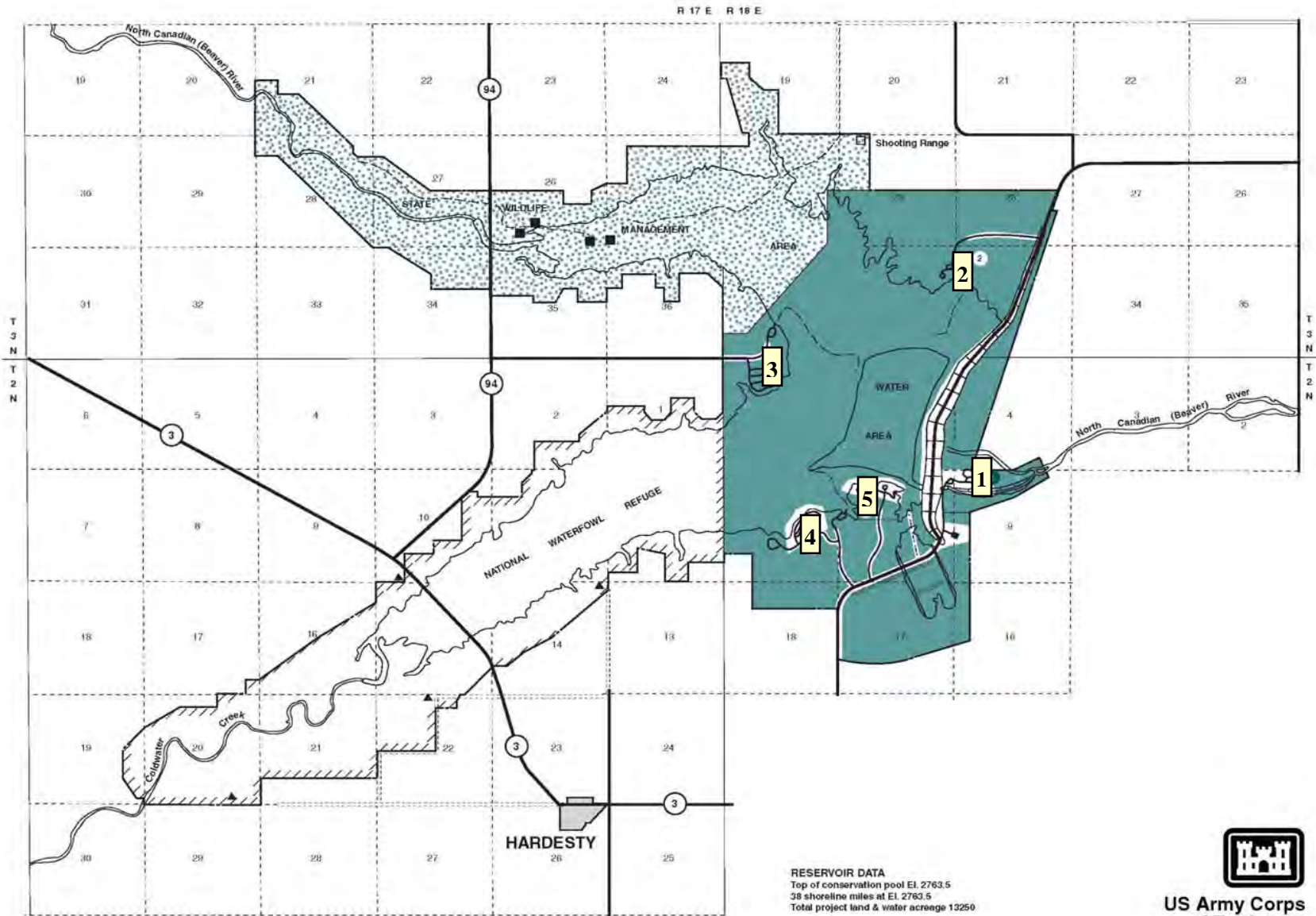
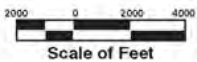
Figure 1-5 Map of Optima Lake Showing Location of Public Use Areas

**OPTIMA LAKE**  
PUBLIC HUNTING AREA



- PUBLIC USE AREAS**
- 1 Angler Point
  - 2 Hooker Point
  - 3 Prairie Dog Point
  - 4 Hardesty Park
  - 5 Overlook Park

- LEGEND**
- Paved Road
  - Improved Road
  - - - - - Dirt Road
  - Project Boundary
  - Primitive Hunter Camp
  - ▲ Parking/Access Point
  - Temporary Access Roads
  - Corps Areas Open For Hunting
  - State Areas Open For Hunting
  - ▨ US Fish & Wildlife Service, See State Regulations



**RESERVOIR DATA**  
 Top of conservation pool El. 2763.5  
 38 shoreline miles at El. 2763.5  
 Total project land & water acreage 13250



**US Army Corps of Engineers**  
Tulsa District

**Table 1-1 Location of Optima Lake Public Use Areas**

<b>Public Use Areas</b>	<b>Legal Description</b>	<b>Map Location (see Figure 1-3)</b>
Angler Point	Sec 9, T2N R18E	1
Hooker Point	Sec 32&33, T3N R18E	2
Prairie Dog Point	Sec 6, T2N R18E and Sec 31, T3N R18E	3
Hardesty Park	Sec 7, T2N R18E	4
Overlook Park	Sec 8, T2N R18E	5

#### **1.4 The National Environmental Policy Act**

The National Environmental Policy Act of 1969 (Public Law 91-190) requires all Federal agencies to assess the impacts of their proposed actions on the natural and human environment and to consider possible alternatives to those actions. Title 40 of the Code of Federal Regulations (CFR), Parts 1500 through 1508, and Engineering Regulation (ER) 200-2-2, *Procedures for Implementing NEPA*, contain guidance for complying with NEPA.

An Environmental Impact Statement (EIS) for the continuing construction of Optima Lake was finalized in December 1973. The EIS summarized the existing conditions of the area and the anticipated environmental impacts and benefits from the construction of the lake. The completion of this EA is to ensure that the currently proposed project at Optima Lake is also completed in compliance with NEPA.

#### **1.5 Public Involvement**

As part of the NEPA process, public scoping was accomplished through a letter announcing the intent to prepare an EA to assess the environmental effects of closing the road and demolishing the recreational facilities at Optima Lake. The letter was mailed to Federal, state, and local officials on November 6, 2009 and requested preliminary comments on the proposed action and alternatives. Copies of the letter and the comments received are included in Appendix A.

A formal public comment period commenced on January 22, 2010 when draft copies of this EA were placed in the public library in Guymon Oklahoma, the Olive Warner Memorial Library in Hooker, Oklahoma, and the Liberal Memorial Library in Liberal, Kansas, the EA was made available on the internet via the Tulsa District web site, and when copies of the EA were mailed in digital format on CDs to interested parties. An announcement indicating availability of this EA was published in the Guymon Daily Herald on January 23, 2010 and the Southwest Times of Liberal, Kansas on January 22, 2010 (see Appendix F). The public was invited to review the draft assessment and submit comments by February 21, 2010. In addition to these opportunities to review the EA, the public was invited to an Optima Lake Listening Session held by the USACE in Guymon, OK on February 22, 2010. This session offered an opportunity for the public to address Tulsa District officials with their questions and concerns about the Optima Lake area in general so that the USACE could better understand how operation of the Optima Lake

affects the public. The formal public comment period was extended twice to accommodate requests received at the Listening Session and to ensure that the public had adequate opportunity to comment on the EA. The first extension was to March 7 and the second was to March 14, 2010 (see Appendix F). A total of nine comments were received during the formal public comment period and are included in Appendix E.

The general nature of the public comments is predominantly in support of maintaining public access to the land. Many are interested in ensuring that they can continue to use the area for hunting and various recreational activities, in addition to hosting hunting field trials and other events that economically benefit the surrounding communities and that are considered recreation benefits to the Optima Lake project. Some commenters believe it is wasteful to tear everything down when it cost so much to build it in the first place and others think that the lack of amenities is contributing to the low visitation to the lake. They want to see the facilities rehabilitated, while others suggested various uses for the land that are outside of the original authorized purposes for the lake. Local people see the lake as an asset to their communities and do not want to see it continue to decline or be taken away completely. Although other public lands are available to the people in the western panhandle region, Optima Lake provides the only public land available to be used for such a wide array of activities and economically advantageous events. Only one comment was received that agreed with demolishing the recreational facilities and taking the rubble to landfills.

There has been some confusion about whether the proposed action assessed in this EA intends to completely close the Optima Lake area and sell the land, so some people suggested that the land be turned over to the ODWC and USFWS rather than have the land sold to private interests. Concern was also expressed about funding, budget, and operations of Optima Lake and requests were made for more information about those topics.

People are also concerned about the road closure for convenience, access, and safety reasons and commented that the road should be turned over to the state/county. State Representative Gus Blackwell has also suggested that the state take over the management of the road. There is concern that the access issues resulting from the road closure will only add to the decline in utilization of the project. One commenter asked a question about whether the Federal Highway standards are applicable to the road at Optima Lake and why there are no other alternatives to closing the road. He suggested improving the road below the dam to maintain access, but expressed concern about the impact to the downstream side of the dam from this action. This commenter also related his experience with the fire hazard posed by tumbleweeds that build up on the road across the dam. He expressed serious concern that the gates will only hold more tumbleweeds in the roadway and block safe access by emergency personnel.

Other than those comments relating to safety concerns, most comments and questions are either outside the scope of this assessment or are already adequately addressed in the assessment. There are some specific questions that relate to the operations and future of Optima Lake and these will be addressed in future coordination efforts. If it is decided that the road should be transferred to state management, this process would not be immediate and there would still be safety concerns in the meantime.

Based upon the results of guardrail inspections conducted at all Tulsa District projects, these guardrails were determined to be deficient. Many of the original posts are splintered, cracked or sufficiently loose at the base such that their structural integrity is unsound, contributing to a public safety hazard for traversing across an embankment that is 120 feet high in some locations. Typical design life of wooden guardrail posts is approximately thirty years. The site visits within

the last couple of months to evaluate all potential options highlighted how urgent the issue had become. Replacement of the guardrail must be done to current Federal and State standards - the American Association of State Highway and Transportation Officials (AASHTO) Roadside Design Guide and the State of Oklahoma County Roads Design Guidelines Manual, June 1991.

The FHWA criteria are applicable to the type of roadway at Optima. In addition, to help determine whether a guardrail is required in a particular situation, the State of Oklahoma County Roads Design Guidelines Manual, June 1991, Chapter VII references Appendix A of the AASHTO Roadside Design Guide, which is "A Cost-Effectiveness Selection Procedure." This analysis would identify the costs and benefits of a particular location where guardrail may be warranted. However, Chapter VII also states that the analysis is not required if there is less than two feet of clear zone from the edge of lane to the obstacle for roads with an Average Daily Traffic Count of 1 – 399 vehicles per day. That clear zone requirement is not met along the Optima embankment road, which has an Average Daily Traffic Count that falls within the range of 1-399; therefore, a guardrail is required for this road. If guardrail replacement is not an available method of correcting the problem, the road would need to be closed to ensure public safety.

Concern about the fire hazards posed by tumbleweed buildup on the roadway is also taken seriously. The County currently assists with tumbleweed removal, but in order to ensure clear access across the embankment road for emergency vehicles in the future, USACE would budget funds, starting in FY12, for debris removal along the roadway in upcoming fiscal years.

## **1.6 Decisions to be Made**

Under the NEPA, the USACE is charged with determining the impacts of the alternatives and deciding whether they meet the threshold of significance. The Tulsa District Commander would decide whether a Finding of No Significant Impact (FONSI) could be signed or if an Environmental Impact Statement (EIS) should be prepared. The decision would include:

- The location, design and scheduling for the proposed project,
- Mitigation measures and monitoring requirements (if any),
- The intensity of the effects, and
- If a FONSI can be prepared and approved.

The plan selected would be the best alternative that addresses the public safety concerns and minimizes the impact to the physical and human environment at Optima Lake.

## **2.0 ALTERNATIVES**

This Section discusses the range of alternative actions considered and compares the alternatives in terms of the expected environmental impacts and the achievement of the goal of improving public safety.

### **2.1 No Action Alternative**

The Council on Environmental Quality (CEQ) regulations implementing the provisions of the National Environmental Policy Act of 1969 (NEPA) require Federal agencies to consider a "no action" alternative. These regulations define the "no action" alternative as the continuation of existing conditions and their effects on the environment, without implementation of, or in lieu of, a proposed action. This alternative represents the existing condition and serves as the baseline against which to compare the effects of the other alternatives. Under this alternative, no Federal



action would be taken and the road and recreational facilities would continue to operate under deteriorating conditions. The physical condition of the guardrail and recreational facilities would be expected to continue to deteriorate, thereby increasing risk to the public.

## 2.2 Considered Alternatives

The alternatives considered for this proposed action would increase public safety at the lake. All of the alternatives considered have elements in common to each other and differ only in the disposal methods considered. The alternatives considered to accomplish the proposed action of reducing risk and increasing public safety are:

ALTERNATIVE 1: Close the road across Optima Dam. Demolish the dilapidated recreational facilities at all five PUAs. Dispose of all rubble at an appropriate off-site landfill.

ALTERNATIVE 2: Close the road across Optima Dam. Demolish the dilapidated recreational facilities at all five PUAs. Separate the rubble into two disposal method categories: one for the rubble which can be buried on-site, and one for the rubble that needs to be transported to an off-site landfill. Remove the landfill category rubble to an appropriate off-site landfill and bury the remaining rubble in one central on-site location at Optima Lake.

ALTERNATIVE 3: Close the road across Optima Dam. Demolish the dilapidated recreational facilities at all five PUAs. Separate the rubble into two disposal method categories: one for the rubble which can be buried on-site, and one for the rubble that needs to be transported to an off-site landfill. Remove the landfill category rubble to appropriate off-site landfill, and bury remaining rubble in 5 on-site burial locations, each central to one of the PUAs.

The environmentally preferred alternative would be the one that minimizes impact to the existing human and natural environment while achieving increased safety for the public. Several other alternatives were considered but not carried forward for detailed evaluation because they did not support the proposed action of increasing public safety and reducing public risk at Optima. Alternatives considered but not carried forward include:

- Replace the guardrail along the roadway across the dam embankment. This alternative would reduce risk and increase the safety to the public using this rural roadway. Construction of a new guardrail would include installation of new, 6-inch higher wooden posts, spaced 6-feet-3-inches apart instead of current spacing of 12-feet-6-inches; the addition of attenuators at the blunt ends of the guardrail to absorb the energy of impact from errant vehicles; and physically relocating the guardrail relative to the pavement edge. Originally, this proposed action was scheduled to receive funding under the ARRA (stimulus) program, but general public opposition to the cost of approximately \$1.5 million in construction when compared to the limited roadway usage as a rural connector between two county roads caused reconsideration of this originally-proposed action.
- Rehabilitation of recreational facilities and resumed maintenance of the structures. This alternative was not carried forward for further evaluation largely because the lake is not functioning as designed and lake levels have not reached the designed elevation. Water in the lake is seasonal, with extended dry periods during most of the year and specifically during the traditional height of the recreation season in warmer months. As such, the

lack of visitors to the area does not support a significant increase in construction and annual maintenance costs.

- Installation of measures to increase public awareness of the existing safety hazards. This alternative would have included reducing the speed limit, adding reflectors, posting “danger” and “rule of use” signs. None of these alternatives achieve the proposed action of reducing risk and increasing safety to the public.

### 2.2.1 Road Closure Description

Road closure would be accomplished by placing metal gates at each end of the road across the dam embankment. Each gate would include a keyed lock so that the road may be accessed by authorized personnel. The gates would be sturdy, permanent structures placed in a location that would allow access to the side roads on the north and south ends to allow vehicles to turn around, but not allow access to the point on the road where guardrail failure is a hazard. Specifically, the north gate would be placed approximately 110 feet south of the center of the intersection between the embankment road and the downstream toe road that leads below the embankment (Figure 2-1). The Hooker Point PUA road is located north of this intersection, so it would remain accessible. The south gate would be located approximately 110 feet north of the center of the intersection between the embankment road and the road that leads to the Project Office and Angler Point PUA (Figure 2-2). Multiple signs would be posted to alert drivers of the road closure and speed humps would be constructed to reduce speed within the immediate approaches to the gates. All construction activities would take place within previously disturbed areas on and around the road itself.

**Figure 2-1 View of North End of Road Facing Southwest**



**Figure 2-2 View of South End of Road Facing Northwest**



### **2.2.2 Recreational Facilities and Demolition Description**

There are a total of 148 campsite shelters, 9 restrooms, 2 trailer dump stations, 1 overlook building, 1 group picnic area chimney structure, and several utility poles to be removed from the five PUAs at Optima Lake (Table 2-1). These structures are composed of wood, metal, concrete blocks, and other building materials in various stages of decay. Some have been damaged by wildfires or vandalism, while all are in a state of disrepair. Almost all facilities are adjacent to paved roads and are constructed on concrete slabs. Neither the roads nor slabs will be removed during demolition and will allow much of the work to be performed from these surfaces rather than on unprotected soils and vegetation. Utility poles will be sawn off at ground level to avoid extensive soil disturbance.

The campsites generally consist of a picnic table shelter made of a concrete block wall with a wooden overhang attached at a 90 degree angle and supported by two wooden posts. A small side table, metal grill, and picnic table or remnants thereof are present at some sites (Figure 2-3). Many of these structures have collapsed due to wildfires burning the overhang support posts (Figure 2-4). All above-ground materials, except the concrete slab on which the shelter sits, would be removed during demolition. Any picnic tables that are still in good condition may also be left in place.

The restrooms are constructed of concrete blocks with wooden siding/shingles and contain what remains of standard restroom features (e.g. toilets, sinks, plumbing) (Figure 2-5). Demolition would remove all above ground features except the concrete slab on which the structure is built. Septic tanks at the restroom facilities would be emptied, filled with sand, have holes punched in the bottom for drainage, and left in place; this procedure also would be used at the trailer dump stations (Figure 2-6).

**Figure 2-3 Example of a Typical Campsite Shelter and Associated Features**



**Figure 2-4 Example of a Typical Collapsed Campsite Shelter**



**Figure 2-5 Example of a Typical Restroom Structure**



**Figure 2-6 Example of Trailer Dump Station**



The overlook building is constructed predominantly of concrete and brick and has a large concrete overhang/shelter supported by metal posts extending from the building (Figure 2-7). Demolition would remove all above ground features of this building, leaving the concrete slab and sidewalks in place. The chimney structure is the remnant of a group shelter structure which is composed of brick and concrete (Figure 2-8). This will also be removed, leaving any concrete slab foundations in place.

**Figure 2-7 Overlook Building and Shelter**



**Figure 2-8 Chimney Structure Remnants**



**Table 2-1 Summary of Structures in Public Use Areas**

<b>Public Use Area</b>	<b>Structure Type</b>	<b>Number</b>
Angler Point	Campsite	21
	Restroom	2
Hardesty Park	Campsite	66
	Restroom	4
	Chimney Structure	1
	Trailer Dump Station	1
Hooker Point	Campsite	7
	Restroom	1
Overlook Park	Overlook Building	1
Prairie Dog Point	Campsite	54
	Restroom	2
	Trailer Dump Station	1

**2.2.3 Disposal Considerations**

Disposal of the rubble can be accomplished either by removal to a landfill or burial on-site. The formulation of alternatives for this activity was guided by the following considerations:

- 1) The closest landfill which could accept the amounts of rubble expected from this project is located in Liberal, Kansas.
- 2) The rubble from this project largely consists of concrete and brick. Burial of solid waste materials in the state is regulated by the Oklahoma Department of Environmental Quality (ODEQ). Solid waste permits are required for burial of all materials except uncontaminated rock, dirt, concrete, bricks, or solidified asphalt (Oklahoma Administrative Code Title 252:515-3-2). Therefore, burial of the brick and concrete on-site would be an efficient and effective method of disposal that would not require a permit.
- 3) Any soil disturbing activities, either at one central on-site location or at various locations, would require additional site investigations prior to land disturbance. Such studies could include investigations to determine the presence or absence of Federally-listed threatened or endangered species, hazardous, toxic, or radiologic waste (HTRW), and cultural resources.

**3.0 PROPOSED ACTION**

**3.1 Proposed Action and Environmentally Preferred Alternative**

As previously mentioned, the environmentally preferred alternative would be one that minimizes the impact to the human and natural environment while reducing risk and increasing safety to the public. Alternative 1 serves as that action. This alternative would close the road across Optima Dam, demolish the dilapidated recreational facilities at all five PUAs, and dispose of all rubble at an appropriate off-site landfill. The impacts associated with this Alternative are assessed in this EA.

### **3.2 Justification**

The burial of demolished construction materials, either at one central on-site location or at various locations throughout the site, would require extensive land disturbing activity. To accomplish burial of construction materials, additional commitment of resources and time to conduct detailed site investigations to identify potential cultural and historic resources and consultation with Federal and state agencies and Native American tribes would be required. Additionally, other land uses, such as at a former airplane landing strip that could have served as a central rubble disposal site, would require further detailed studies to determine presence or absence of HTRW concerns (e.g. petroleum and/or pesticide-related remnants in the soil).

Since public safety is the major concern, the additional time required to complete additional studies is critical. The additional time would not only prolong project completion but would prolong the time the public is at risk from the continued degradation of the guardrail and recreational facilities; therefore, any delay to project completion would be expected to correlate to an increased risk to public safety.

## **4.0 AFFECTED ENVIRONMENT**

### **4.1 Location**

Located in the Panhandle of Oklahoma, Optima Lake is situated near the confluence of the North Canadian River and Coldwater Creek in Texas County, Oklahoma (Figure 4-1). The dam is placed at river mile 623.2 of the North Canadian River (which is also known as the Beaver River in the Panhandle).

### **4.2 Climate**

Texas County is characterized by a continental climate with temperature minimum/ maximums of 18°F/46°F in January and 66°F/95°F in July. The average annual temperature is about 57°F, with an average annual precipitation of 17.50 inches and average annual snowfall of 15.9 inches. Although the Panhandle of Oklahoma get less rain on average than the rest of the state, its higher elevation causes it to receive more snowfall than areas further east, have fewer frost-free days, and have a lower annual temperature. The dominant winds are from the south to southwest and average about eleven miles-per-hour, with cloud cover generally allowing around 70% possible sunshine in winter to 80% in the summer. Relative humidity, on average, ranges from 28% to 88% during the day and the evaporation loss from soil surfaces and free water surfaces is high.

### **4.3 Social and Economic Conditions**

#### **4.3.1 Population**

According to the U.S. Census Bureau, there are 25,964 people in Beaver and Texas County. Beaver and Texas County experienced population decreases of 3% and 1%, respectively. Selected cities and towns listed in Table 4-1 illustrate a population increase between the 1990 and 2000 censuses. The State of Oklahoma had a population increase of 10% from 1990 to 2000. The 2010 census has not been conducted; however, population estimates for 2008 are listed in Table 4-1.

In 2000, the majority of the population in the cities and towns of Guymon, Hardesty, Hooker, and Optima are of white descent, with 70%, 76%, 86%, and 79%, respectively. For Beaver and Texas County, the percentage of population reported as white was 93% and 71%, respectively. The second most frequently reported race category is “some other race” for all four previously cited



cities and towns and the two counties. These reported values along with additional information on race are shown in Table 4-2.

**Table 4-1 Area Population 1990-2008**

<b>Location</b>	<b>1990</b>	<b>2000</b>	<b>2008</b>	<b>Change in Population From 1990 to 2000 (Number)</b>	<b>Change in Population From 1990 to 2000 (Percent)</b>
Beaver County	6,023	5,857	5,248	-166	-3%
Texas County	20,283	20,107	16,419	-176	-1%
Guymon	7,803	10,472	10,702	2,669	34%
Hardesty	228	277	281	49	21%
Hooker	1,551	1,788	1,722	237	15%
Optima	92	266	273	174	189%
State of Oklahoma	3,145,585	3,450,654	3,642,361	305,069	10%

Source: U.S. Census Bureau, 2008 Population Estimates, Census 2000, 1990 Census

**Table 4-2 Population Race 2000**

<b>Race of Population</b>	<b>White</b>	<b>Black or African American</b>	<b>American Indian &amp; Alaska Native</b>	<b>Asian</b>	<b>Some other race</b>	<b>Two or more races</b>
Guymon	70%	1%	1%	1%	24%	3%
Hardesty	76%	0%	1%	0%	21%	2%
Hooker	86%	0%	2%	0%	10%	2%
Optima	79%	1%	0%	1%	14%	5%
Beaver County	93%	0%	1%	0%	4%	2%
Texas County	71%	1%	1%	1%	25%	2%
State of Oklahoma	76%	8%	8%	1%	2%	5%

Source: U.S. Census Bureau, Census 2000 Summary File 1 (SF 1) 100-Percent Data

### 4.3.2 Employment and Income

In 2000, the percentage of the population in Beaver and Texas County that was 16 years or older, that were employed, was 62 and 67.2%, respectively. The unemployment rate for these two counties in 2000 was reported at 2.6% for Beaver County and 4.9% for Texas County. The overall unemployment rate for the State of Oklahoma was higher than the rate for these two counties with a rate of 5.3% during the same year (Table 4-3). The 1999 median household income for Beaver and Texas County was \$36,715 and \$42,226, respectively. The Bureau of Labor Statistics has more recent data on employment. According to the Bureau of Labor Statistics, in 2008, 97.9% of those 16 years and older are employed in Beaver County, and 97.3% of those in Texas County are employed.

**Table 4-3 Population Unemployment and Employment Rate 2000**

<b>Geographic Area</b>	<b>Population 16 Years and over -- in Labor Force</b>	<b>Unemployed</b>
Guymon	68.4%	5.7%
Hardesty	60.9%	9.7%
Hooker	65.2%	2.8%
Optima	74.7%	1.5%
Beaver County	62.0%	2.6%
Texas County	67.2%	4.9%
State of Oklahoma	62.1%	5.3%

Source: U.S. Census Bureau, Census 2000 Summary File 3, Matrices P26, P30, P31, P33, P43, P45, and P46

Residents in the Optima Lake area work in various industries. Table 4-4 shows the number of employees within each industry. Since cities, towns, and counties within the area have smaller populations, many of the values were not reported to avoid disclosure of sensitive information. In Beaver County there were a total of 1,071 employees and 6,571 employees in Texas County for 2007.

**Table 4-4 2007 Employment Industry by Place of Employment**

<b>Industry Description</b>	<b>Beaver County (Number of Employees)</b>	<b>Texas County (Number of Employees)</b>	<b>State of Oklahoma (Number of Employees)</b>
Total	1,071	6,571	1,307,858
Mining	181	182	49,269
Construction	258	460	71,360
Wholesale Trade	--	183	59,379
Retail Trade	111	874	176,458
Transportation and Warehousing	--	70	47,653
Finance and Insurance	66	231	63,558
Real Estate and Rental and Leasing	--	46	23,237
Administrative and Support and Waste Management and Remediation Services	--	178	98,205
Health Care and Social Assistance	--	473	199,863
Accommodation and Food Services	--	670	129,220
Other Services (except Public Administration)	62	252	64,182

Source: U.S. Census Bureau, 2007 County Business Patterns (NAICS)

### **4.3.3 Mean Travel Time to Work**

Mean travel time to work for individual towns, cities, and counties near Optima Lake was reported by the U.S. Census Bureau. In 2000, the mean travel time to work for residents in Guymon, Hardesty, Hooker, and Optima was 14.3, 25.9, 18, and 19.1 minutes, respectively.

### **4.3.4 Social Ecology**

The social area is primarily rural with a mixture of residential, industrial, and agricultural operations located near Optima Lake. These populations are some of those which have been served by the recreational opportunities at the lake. There are 2,719 housing units in Beaver County and 8,325 units in Texas County. Guymon is the largest city within the area with approximately 10,700 people living in the area in 2008. The next largest city within the area is Hooker, with a population of approximately 1,700 in 2008. Guymon has a large pork processing operation, Seaboard Foods, which employs many people within the area.

## **4.4 Natural Resources**

Broadly defined, Optima Lake is located in the Great Plains of the United States, a large region known for rolling grasslands and historically, vast herds of roaming bison. In order to better understand regions such as the Great Plains from an ecological perspective, ecoregions, or areas of general similarity in ecosystems and environmental resources, have been defined by several Federal and state agencies. These divisions serve as a spatial framework for working with these ecosystems and environmental resources. Optima Lake is situated in the Level IV Ecoregion of Oklahoma known as the Canadian/Cimarron Breaks, which is a subdivision of the Southwestern Tablelands Ecoregion.

### **4.4.1 Physiography**

Optima Lake is located in an ecoregion characterized by dissected canyons, hills, escarpments, buttes, terraces, and dunes (along rivers). Streams are often dry but can be augmented by canyon springs. Many springs have disappeared due to the recent drawdown of the Ogallala Aquifer which underlies the area, contributing to the reduced stream flow and wetland size throughout the ecoregion. The area is generally underlain by Tertiary-age deposits of the Ogallala Formation (sand, gravel, silt, calcareous clay, and caliche) and mantled by Quaternary alluvium, colluvium, terrace deposits, and loess. Exposures of Permian-age shale, sandstone, and siltstone can be found in the valley bottoms, and Quaternary sand dunes can be found on the north side of some rivers and streams. The North Canadian River begins at its headwaters in New Mexico and ends at its confluence with the Canadian River near Eufaula, Oklahoma. Although the maximum flow of record for the river is 55,400 c.f.s., which occurred on June 15, 1964, the river is intermittent and has zero flow at times in most years.

### **4.4.2 Soils**

The common soil associations in the project area are described below. Soils in Texas County are susceptible to erosion due to a combination of dry conditions and high winds throughout many parts of the year.

#### **Mansker-Potter-Berthoud**

Known as the ‘breaks’, this soil association is made up of rough, broken lands and the nearly level to moderately sloping areas within them. The association occurs in bands one to eight miles long that lie on either side of the Beaver River and lie at a lower elevation than the adjacent, nearly level upland. Sometimes separated by an escarpment called ‘the caprock’, this association accounts for about 25% of the county and is used mostly for range. The only cultivated soils in this association are the bottom-land soils which make up a small percentage of the total. This series would account for most of the ‘upland’ areas around Optima Lake.

#### Vona-Otero-Potter

Steep, rough, broken, sandy soils make up this association which occurs in large amounts around Goff creek and in small areas along the Beaver River. Developed in sand blown in from adjacent streambeds, the soil overlies calcareous clay and sand of the Ogallala formation. This association is used for range and accounts for a small northern portion of the Optima Lake lands.

#### Sweetwater-Lincoln-Spur

This association consists of deep, alluvial soils that occur along the Beaver River, Coldwater and Palo Duro Creeks. The majority (55%) of the association is made up of the Sweetwater soils which border streams. The Sweetwater soils are listed as a hydric soil in the United States Department of Agriculture, Soil Conservation Service Miscellaneous Publication Number 1491, *Hydric Soils of the United States*, revised October 1, 1990. This association dominates the main 'body' of the lake bottom at Optima.

### **4.4.3 Vegetation**

The natural vegetation of the Canadian/Cimarron Breaks ecoregion is mostly short grass prairie and mixed grass prairie on the uplands, which includes species such as buffalo grass, blue grama, sandsage, and yucca. Along the river the sagebrush-bluestem prairie is predominant with species such as big bluestem, little bluestem, and indiagrass. In the riparian areas, cottonwood, hackberry, mulberry, willow, and plum are present. Before impoundment, the principal activities above the damsite were farming, ranching, cattle feeding, and gas and oil production. The available acreage suitable for cultivation was about 743 acres, while the remaining acres were primarily grassland used for livestock grazing. At impoundment, the project area was managed as public use and recreational areas or left undeveloped. Upon closure of the PUAs, the vegetation had been allowed to grow unchecked in most areas and has reverted to an unmanaged grassland state.

### **4.4.4 Wildlife**

Most riparian habitats contain a rich diversity of wildlife species because of the abundance of food, vegetative cover, and water found there. Riparian zones are the interface between terrestrial and aquatic ecosystems. "Riparian" is a term used to describe habitat that is strongly influenced by water and which occurs adjacent to streams, shorelines, and wetlands.

The riparian habitat at Optima adjacent to both the North Canadian River and Coldwater Creek is composed of deciduous trees that provide habitat and migration corridor for a variety of wildlife. Typical faunal populations of the region include: reptiles and amphibians such as the prairie rattlesnake and the Texas horned lizard; birds including migratory and resident species of songbirds, waterfowl, gamebirds, and raptors; and mammals such as mule and white-tailed deer, bobcat, beaver, rabbit, and others. Fish are present within the North Canadian River system, however, the intermittent nature of the river in this area does not provide adequate fish habitat. Most fish can be found during high flows (*e.g.* carp, bullheads, channel catfish); some may be found within small pool areas during low or no flow periods (*i.e.* minnows).

Optima Lake is situated within the Central Migratory Flyway and is included in the Lower Mississippi Valley Joint Venture boundary of the North American Waterfowl Management Plan. As such, Optima Lake is an important stopover for several migratory species, including the Federally-protected whooping crane, interior least tern, and piping plover.

There are approximately 8,062 acres of the Optima Wildlife Management Area (WMA) at Optima Lake managed by the ODWC and 4,334 acres of the Optima National Wildlife Refuge (NWR). These areas provide critical habitat to the many species of native and migratory wildlife

in the area and provide recreational and educational opportunities to the public including hunting, bird-watching, primitive camping, and additional wildlife observation. There is also a rifle range on the north side of the WMA which is open to public use.

#### **4.4.5 Executive Order 13112 – Invasive Species**

An invasive species is a non-native species whose introduction, spread, and survival does - or is likely to - cause harm or threat to ecological, economic, or human health. Tulsa District's interest in invasive species control is guided by Executive Order 13112 of February 3, 1999 -- Invasive Species. The only known invasive species to occur in the Optima Lake area is the salt cedar plant (*Tamarix* spp.). Originally introduced as an ornamental, the salt cedar absorbs large amounts of water and creates large deposits of salt, disrupting the normal environmental balance where it grows. The salt cedar is noted as occurring in the bottomlands of the Optima WMA and therefore is likely to be located throughout the bottomland areas of the lake.

#### **4.4.6 Executive Order 11990 - Wetlands**

Executive Order 11990 requires Federal agencies to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. Wetlands are defined as those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in a saturated soil condition. Three criteria: hydrology, hydric soils, and hydrophytic vegetation, must be present in order to classify an area as a wetland.

Although no permanent pool exists at Optima, the floodplain areas associated with the North Canadian River and Coldwater Creek are considered riverine systems that support wetlands. The wetlands that are found in the lake bottom are known as lacustrine wetlands. The National Wetlands Inventory (NWI) maps published by the US Fish and Wildlife Service depict both seasonally flooded and intermittently flooded emergent and scrub shrub wetlands throughout the lake bottom and along the river banks. The vegetation in these wetlands includes broadleaf, deciduous trees and shrubs, with perennial, herbaceous plants in the saturated bottomlands located both above and below the dam embankment.

No specific wetland delineations have been completed for the area, but the Sweetwater series soils that occur along the banks of the North Canadian River are listed as hydric. Hydric soils can and do support wetlands.

#### **4.4.7 Executive Order 11988 – Floodplain Management**

Executive Order 11988 requires Federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. Identification of floodplains and flood prone areas was completed by reviewing U.S. Geological Survey (USGS) Flood-prone Area Maps for Oklahoma, which were created in the early 1970s and 80s prior to U.S. Department of Housing and Urban Development (HUD) or Federal Emergency Management Agency (FEMA) flood map development. These maps include the 100-year floodplain delineations and have been completed for most counties. The maps created for Texas County show that all activity areas for this proposed action are not located in flood prone areas.

#### **4.4.8 Prime and Unique Farmlands**

Prime farmland soils, as defined by the U.S. Department of Agriculture, are soils that are best suited to producing food, feed, forage, fiber, and oilseed crops. Such soils have properties

favorable for the economic production of sustained high yield crops. Prime soils produce the highest yields with minimal inputs of energy and economic resources, and farming these soils results in the least damage to the environment. Soil that is prime or unique farmland as defined in the Farmland Protection Policy Act is classified as prime farmland. A copy of the Prime and Other Important Farmlands, Texas County, OK list was received on December 2, 2009 from the USDA Natural Resources Conservation Service (NRCS) Office in Guymon, Oklahoma. According to this list, Texas County has seven soils classified as prime farmland (Bippus clay loam 1-3% slopes, Lofton clay loam 0-1% slopes, Sherm clay loam 0-1% slopes, Gruver clay loam 0-1% slopes, Gruver loam 0-1% slopes, Ulysses clay loam, both 0-1% and 1-3% slopes). None of these seven soils are located at Optima Lake.

#### **4.4.9 Wild and Scenic Rivers**

Pursuant to the Wild and Scenic River Act, Wild River Areas are defined as those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. Scenic river areas are defined as those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads. Neither the North Canadian River nor Coldwater Creek are listed as Wild and Scenic Rivers.

#### **4.5 Threatened and Endangered Species**

Protected by the Endangered Species Act of 1973, an endangered species is one which is in danger of extinction throughout all or a significant portion of its range. A threatened species is one which is likely to become endangered within the foreseeable future throughout all or a significant portion of its range. According to the USFWS website there are three Federally-listed threatened and endangered species that may occur in Texas County. These include the endangered Interior Least Tern (*Sterna antillarum*), the endangered Whooping Crane (*Grus Americana*), and the threatened Piping Plover (*Charadrius melodus*). Oklahoma also lists these as state-listed threatened and endangered species with the same classifications. In addition, there is one species listed by the USFWS as a candidate species: the Lesser Prairie Chicken (*Tympanuchus pallidicinctus*). Candidate species are those for which the USFWS has sufficient information on their biological status and threats to propose them as endangered or threatened under the Endangered Species Act, but for which development of a proposed listing regulation is precluded by other higher priority listing activities.

Interior Least Tern (*Sterna antillarum*) - Endangered mainly due to habitat loss, the Interior Least Tern is a small migratory bird species which uses sparsely vegetated sandbars and shorelines for breeding and nesting from spring through the fall, when they migrate south. Texas County is situated within the probable migratory pathway between breeding and winter habitats and contains sites that could provide stopover habitat during migration. This species generally would be located in sandy floodplain areas and require water with small fish for sustenance.

Whooping Crane (*Grus Americana*) – Endangered mainly due to habitat loss, the Whooping Crane is a large migratory bird species who spends the breeding season in Canada but migrates to the Texas Gulf Coast for the winter season. Texas County has documented current occurrences, is situated within the current probable migratory pathway between breeding and winter habitats, and contains sites that could provide stopover habitat during migration. This species would utilize marshy floodplain areas during migration.

Piping Plover (*Charadrius melodus*) - Threatened mainly due to habitat loss, the Piping Plover is a small migratory bird that spends the spring and summer in the Northern Great Plains and along

the Atlantic Coast and migrates in the fall to spend the winter in the Gulf of Mexico. Texas County is situated within the probable migratory pathway between breeding and winter habitats and contains sites that could provide stopover habitat during migration. This species prefers sparsely vegetated sandy or gravelly beaches or islands and would likely be located in the floodplain areas if present during migration.

Lesser Prairie Chicken (*Tympanuchus pallidicinctus*) – Listed as a Candidate species mainly due to habitat loss, the Lesser Prairie Chicken is a ground-dwelling prairie grouse endemic to the southern high plains of the United States. Known for their competitive mating displays, this species gathers at mating grounds called leks in the spring and nest within 2 miles of the lek after mating. Their preferred habitat is mixed-sand sagebrush or shinnery oak grasslands lacking tall woody vegetation but containing small shrubs for shade and winter protection. They avoid areas otherwise suitable for habitat if tall structures and disturbances from noise and other human activities are nearby. Optima Lake is within the current range of this species.

#### **4.6 Cultural Resources**

Humans may have been living in the Oklahoma Panhandle and surrounding region for more than 30,000 years before present. Spanning periods such as the Paleoindian, Archaic, Woodland, Plains Village, and Historic, cultural resources in this region can be found in a wide array of geographical settings. There are archaeological sites recorded at Optima Lake, some of which are listed on or eligible for the National Register of Historic Places. Because of the geomorphology of the area, deeply buried soils are known to exist in the Oklahoma Panhandle. These soils were once a stable ground surface where people could have been living, but were subsequently covered by deposits of sand and silt from water, wind, or other processes. The presence of these soils indicates that there is the potential for deeply buried archaeological sites within the Optima Lake area which could provide crucial information about the earliest inhabitants of this region.

There are no historic properties located on the road or dam embankment proposed project areas; the dam and its associated structures date to the late 1960s and 1970s and they are not considered historic properties. There are sites located within or near some of the PUAs but are located outside of areas where proposed project activities would occur and/or would be avoided by the proposed project. None of these sites are listed on the National Register of Historic places (NRHP). No additional historic properties, sites, objects, structures, or Traditional Cultural Properties are known to exist in the proposed project area.

#### **4.7 Air Quality**

The study area is located in a predominantly rural area that does not have a local air quality monitoring station, although there are some located in the general region. The U.S. Environmental Protection Agency (EPA) published a Conformity Rule on November 30, 1993, requiring all Federal actions to conform to appropriate State implementation Plans (SIPs) that were established to improve ambient air quality. At this time, the Conformity Rule only applies to Federal actions in non-attainment areas. A non-attainment area is an area that does not meet one or more of the National Ambient Air Quality Standards (NAAQS) for the criteria pollutants designated in the Clean Air Act (CAA). Criteria pollutants are six pollutants that have defined NAAQS: carbon monoxide, ozone, particulate matter smaller than 10µm, sulfur dioxide, nitrogen oxides, and lead. A conformity determination based on air emission analysis is required for each proposed Federal action within a non-attainment area. This geographical region is in attainment and meets the National Air Quality Standards for the criteria pollutants designated in the CAA; therefore, a conformity determination is not required.

#### **4.8 Water Quality**

Under section 303(d) of the 1972 Clean Water Act, states, territories, and authorized tribes are required to develop lists of impaired waters. Impaired waters are those that do not meet water quality standards that have been set for them by states, territories, and authorized tribes, even after point sources of pollution have been controlled by the minimum required levels of pollution control technology. Water quality standards include beneficial uses, water quality objectives, and antidegradation requirements. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop Total Maximum Daily Loads (TMDL) for these waters. A TMDL specifies the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and allocates pollutant loadings among point and nonpoint pollutant sources. By law, EPA must approve or disapprove lists and TMDLs established by states, territories, and authorized tribes.

Many of the streams and water bodies within the study area, including Optima Lake, have yet to be assessed for water quality, but there are sections both upstream and downstream of this area where the North Canadian River has been assessed. These sections have been listed in the Oklahoma Department of Environmental Quality (ODEQ) 303(d) list in Appendix C of the *Water Quality in Oklahoma – 2008 Integrated Report* (ODEQ 2008) as impaired by chloride, E. Coli, enterococcus bacteria, fecal coliform, dissolved oxygen, sulfates, and total dissolved solids.

#### **4.9 Hazardous, Toxic, or Radiological Waste (HTRW).**

Potential for discovery of hazardous material at Optima Lake and within the proposed project area was evaluated through examination of historic and current land use, review of environmental data bases, interviews with local regulatory personnel, and visual observations. Although no site specific study has been conducted, the potential for HTRW discovery and significant problems related to HTRW during project construction is believed to be low.

Land use adjacent to the proposed project area is primarily agricultural. These lands have not been subject to industrial development or other land use activities with associated potential for contamination. A search of environmental databases revealed no documented areas of contamination near the proposed project location. A search of the Comprehensive Environmental Response, Compensation, and Liability Information system (CERCLIS) database and the Resource Conservation and Recovery Information System (RCRIS) database failed to produce any CERCLA sites or small quantity generators in the proposed project area.

#### **4.10 Recreation**

Although the PUAs at Optima Lake were officially closed by 1995, access to the areas has not been restricted and they continue to be used by local and non-local recreationalists at the lake throughout the year. Some standing structures which have not yet collapsed are still utilized by people who come to the lake for hunting, camping, picnicking, bird watching, and organized events such as hunting dog field trials. Optima Lake is the only Federal public land in Texas County, so it is seen as an asset to the surrounding communities. The risk to public safety from the deterioration of the recreational facilities and the guardrail is a problem and would be expected to continue to increase over time.

### **5.0 ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION**

#### **5.1 No Action Alternative**

Under this alternative, no measures would be taken to increase safety for the public. The guardrail would be expected to continue to deteriorate as would the recreational facilities. No



impact to the natural environment would be expected; however, the risk to the public would be increased as the guardrail and recreational facilities continue to deteriorate.

## **5.2 Social and Economic Impacts**

### **5.2.1 Population**

The proposed action will have no impact on the current recreational activities among the local population because there will be no change in access to the PUAs, the Optima WMA, or the Optima NWR. The PUAs have not been maintained in many years and demolishing the collapsing picnic table shelters and bathrooms will do more to promote safety rather than impact recreation in the area. Because the road across the Optima Dam embankment is a low-traffic rural road, the road closure will not have a major impact on traffic within the area; however, those individuals currently using the road would be affected.

### **5.2.2 Employment and Income**

The proposed action would be expected to have little to no effect on employment and income.

### **5.2.3 Mean Travel Time to Work**

The proposal to close the road across the Optima Dam embankment has the potential to affect commuting time of residents and travelers within the area. It was estimated by USACE project office personnel that approximately 50-75 vehicles traverse the road daily. To quantify the increase in a commute without the road across the dam as an option, mapping was conducted to compare the distance and travel time by car from the town of Hardesty to an arbitrary destination north of the road. According to results, if the road were closed, travel distance would increase by approximately 5 miles and travel time would increase by approximately 9 minutes.

### **5.2.4 Social Ecology**

Although the recreational facilities will be removed, the PUAs will still be accessible to the local and non-local public for recreation. The road closure is not expected to have an impact on these activities. Some employees of Seaboard Foods would be impacted by the road closure by a lengthening in their daily commuting time to work. In addition, managers use the road to visit farm operations belonging to Seaboard Foods. It is estimated that closing of the road will add approximately 15-20 minutes of commute time to these farm operations. Additional distance traveled will increase overall fuel costs incurred by Seaboard employees and the company.

### **5.2.5 Executive Order 12898 - Environmental Justice**

Executive Order 12898 requires Federal agencies to identify and address disproportionately high and adverse human health and environmental effects of Federal programs, policies, and activities on minority and low-income populations. Federal agencies are directed to ensure that Federal programs or activities do not result, either directly or indirectly, in discrimination on the basis of race, color or national origin. Federal agencies are required to provide opportunities for input in the NEPA process from affected communities and to evaluate significant and adverse environmental effects proposed Federal actions on minority or low-income communities during the preparation of Federal environmental documents. The proposed action was evaluated in accordance with Executive Order 12898. Review indicates that no disproportionate impact on any specific group is incurred from result of the proposed action.

### **5.2.6 Executive Order 13045 - Protection of Children from Environmental Health Risks and Safety Risks**

In accordance with Presidential Executive Order 13045, a review of this proposed action was evaluated in terms of any health risks and safety risks that may disproportionately affect children.

Review indicates that the proposed action would not result in any health risks and safety risks that may disproportionately affect children.

### **5.2.7 McKinney-Vento Homeless Assistance Act of 1986**

According to Title V of the McKinney-Vento Homeless Assistance Act of 1986 (Public Law 100-77), Federal agencies are required to identify and make available surplus Federal property, such as buildings and land, for use by states, local governments, and nonprofit agencies to assist homeless people. Because Optima Lake is located in a predominantly rural, isolated area and the recreational facilities are not habitable structures, review indicates that the proposed action would not violate this Act.

## **5.3 Natural Resource Impacts**

The environmentally preferred alternative would have very little impact on the natural environment. Construction of the gates to close the road across the dam embankment would be expected to only create minimal impacts to natural resources. The demolition of recreational facilities has the most potential for environmental impacts, but this potential is decreased by the availability of paved roads and surfaces from which to work. Although there are many sites to demolish, they are all small and exist in areas which were previously disturbed by their original construction. The following sections detail anticipated impacts to specific resources.

### **5.3.1 Soils**

Impacts to soils would be expected to be minimal because areas proposed for demolition are accessible from paved roads. Heavy machinery and rubble collection may cause some disturbance to the soils immediately surrounding the structures, but this is anticipated to be minimal. Work will be performed using best management practices to protect and restore the soil to pre-demolition conditions.

### **5.3.2 Vegetation**

Expected impacts to the vegetation of the region would be temporary and minimal. The grasses and shrubs in the immediate project area may be impacted by demolition of the recreational facilities, but because there are paved roads, it is expected that much of the work could be conducted from paved areas and disturbance would be minimal. No trees would be removed during demolition.

### **5.3.3 Wildlife**

Temporary displacement of wildlife in the project area is anticipated. The noise and activity associated with the gate construction and demolition of the facilities is not expected to be excessive and no permanent impacts are expected.

### **5.3.4 Wetlands**

Work associated with the proposed action would be performed in upland settings; therefore, no impact to wetlands is anticipated. Additionally, no dredged or fill material is expected to be placed into waters of the United States; therefore, no permit pursuant to Section 404 of the Clean Water Act would be required.

### **5.3.5 Floodplains**

Work associated with the proposed action would be performed in upland settings; therefore, no impact to floodplains is anticipated.

### **5.3.6 Prime and Unique Farmlands**

No soils listed on the NRCS Prime and Other Important Farmlands, Texas County, OK list are located in the study area; therefore, the proposed action is not expected to impact any Prime and Unique Farmlands.

### **5.3.7 Wild and Scenic Rivers**

No Wild and Scenic Rivers are located in the study area; therefore, no impact to Wild and Scenic Rivers is anticipated.

### **5.4 Threatened and Endangered Species**

All project activities are proposed to occur in the uplands where direct impacts would not occur to Whooping Cranes, Interior Least Terns, or Piping Plovers should they be migrating through the area at the time. The noise and increased traffic associated with the proposed demolition and construction activities may create a temporary displacement of these species if they are in the area, but this would be expected to have no effect on these Federally-listed species. Lesser Prairie Chickens are not expected to occur within the immediate study area where work is proposed to occur because of their aversion to standing structures. If they are located in the general Optima Lake area, a temporary displacement may occur during the proposed demolition and construction activities due to noise and increased traffic. The removal of standing structures in the PUAs would be expected to enhance future habitat for the Lesser Prairie Chickens, which would be a positive result from the proposed action.

### **5.5 Cultural Resources**

Section 106 of the National Historic Preservation Act of 1966, as amended, requires Federal agencies to take into account the impacts their undertakings may have on historic properties and allow the Advisory Council on Historic Preservation a reasonable opportunity to comment. Through consultation with the State Historic Preservation Office (SHPO) and Native American tribes who may have religious or cultural concerns for the area, it was determined that the proposed action will have no potential to impact cultural resources. In order to have no impact on cultural resources, the proposed demolition at the PUAs would avoid recorded archaeological sites by performing all activities in the previously disturbed areas of the PUAs. Work would occur predominantly on the paved roads adjacent to the recreational facilities and would have minimal impact outside of these areas, so any unrecorded resources would also be avoided.

The SHPO, the State Archaeologist at the Oklahoma Archaeological Survey (OAS) who works in conjunction with the SHPO, and potentially interested Native American tribes were included on the original mailing list for the letter announcing the intent to prepare an EA to close the road and demolish the recreational facilities. Responses to that letter were received from the OAS and the Wichita and Affiliated Tribes of Oklahoma. The Wichita and Affiliated Tribes of Oklahoma had no objections to the project, but the OAS had comments on the proposed action. A subsequent letter was hand-delivered to the OAS and SHPO on December 1, 2009 to continue consultation and request a concurrence on the lack of potential to impact cultural resources based on the method of avoiding known sites and of minimizing impacts to previously undisturbed areas. Letters stating their concurrence were received from the SHPO and the OAS and are included with all cultural resources consultation letters in Appendix D. Section 106 coordination was completed in December of 2009.

### **5.6 Water Quality**

The proposed action would not be expected to have an impact on water quality since no activities are occurring in or near water.

## **5.7 Air Quality**

Implementation of the proposed action would have little adverse impacts to air quality. These impacts are considered to be short-term and would result from the use of construction/demolition equipment and potential soil disturbance during demolition. Particulate matter resulting from demolition activities is a concern, but fine dust and other emissions would be controlled by implementing best management practices as mandated by federal, state and local agencies to reduce emissions. Construction vehicles and gasoline- or diesel-powered equipment would emit carbon monoxide, hydrocarbons, oxides of nitrogen and other contaminants. These impacts are considered to be short-term and would not be expected to exceed threshold limits. A conformity analysis is not required as the project site is not in a non-attainment area.

## **5.8 Noise**

Optima Lake is located in a predominantly rural area. Traffic in the area is low and there is no heavy industry in the immediate vicinity. Therefore, it is anticipated that there will be a temporary increase in the noise levels related to the proposed action. Noise levels created by construction/demolition equipment would vary greatly depending on factors such as the type of equipment, the specific model, the operation being performed, and the condition of the equipment. The equivalent sound level of the construction/demolition activity also depends on the fraction of time that the equipment is operated over the work period. Construction/demolition would occur only during daylight hours.

Heavy equipment such as backhoes, front-end loaders and dump trucks would cause short-term, localized, minor increases in noise levels. These short-term increases would not be expected to substantially affect adjacent noise sensitive receptors or wildlife areas. Demolition activities would increase noise levels temporarily at locations immediately adjacent to the proposed project area, but would be attenuated by distance, topography and vegetation.

## **5.9 Hazardous, Toxic, and Radiological Waste**

The potential exists for poorly maintained construction equipment to leak hydraulic oil and for there to be minor leaks and spills at a construction (or in this case, demolition) site. Best management practices would be implemented to ensure construction equipment is well-maintained and breakdowns are handled immediately. Otherwise, there are no anticipated HTRW impacts from this proposed action.

## **5.10 Recreation**

Access to the PUAs at Optima Lake will not change. Although the remaining standing structures at the lake may be utilized occasionally in their current condition, they would be expected to continue to deteriorate and become increasingly unstable and dangerous. Removal of the remaining recreational facilities may be an inconvenience to those people who had continued to use them after the closure of the PUAs, but would not preclude the use of the lake for recreational purposes and would minimize the safety concerns currently affecting the lake.

## **5.11 Cumulative Impacts**

The proposed action of closing the rural road across the Optima Dam embankment and demolishing the dilapidated recreational facilities, when considered in conjunction with past, present, and future impacts which are known or anticipated for the area, does not create a larger impact than has been discussed in this EA. Other than access to the road across the dam embankment, no additional restrictions to access are included in this proposed action for any of the public lands at Optima Lake. No changes to the management of the lake are included in this proposed action, so the lake would be expected to continue to be used as it has been in the recent

past. In light of these facts, there would be minimal cumulative impacts anticipated from the proposed action.

## **6.0 MITIGATION PLAN**

No mitigation plan is included for this proposed action because of the minimal, temporary nature of most impacts identified in this EA. The only impact which is not temporary would be the road closure, which has more of an effect on the human and social environment rather than the natural environment. The impact of closing this connector between two rural roads is minimal in comparison to the benefit of protecting the public from a potential safety hazard.

## **7.0 FEDERAL, STATE, AND LOCAL AGENCY COORDINATION**

The draft environmental assessment (EA) was coordinated with the following agencies and groups having legislative and administrative responsibilities for environmental protection. A copy of the correspondence from those agencies that provided comments and planning assistance for preparation of the draft EA are in the appendices, if received. The mailing list used for the draft EA has been finalized and is in Appendix A.

U.S. Environmental Protection Agency  
U.S. Fish and Wildlife Service  
U.S. Natural Resources Conservation Service  
Apache Tribe of Oklahoma  
Comanche Nation, Oklahoma  
Kiowa Indian Tribe of Oklahoma  
Wichita and Affiliated Tribes of Oklahoma  
Oklahoma Conservation Commission  
Oklahoma Department of Environmental Quality  
Oklahoma Department of Wildlife Conservation  
Oklahoma National Heritage Inventory  
Oklahoma State Historic Preservation Officer  
Oklahoma State Archaeologist  
Oklahoma Water Resources Board  
Oklahoma Water Quality Programs Division  
Texas County Commissioners (Districts 1, 2, and 3)  
Mayor of Guymon

## **8.0 REFERENCES**

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## 9.0 APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS

**Table 9-1 Relationship of Plans to Environmental Protection Statutes and Other Environmental Requirements**

Policies	Compliance of Alternative
Archeological and Historic Preservation Act, 1974, as amended, 16 U.S.C. 469, et seq.....	All plans in full compliance
Clean Air Act, as amended, 42 U.S.C. 7609, et seq.....	All plans in full compliance
Clean Water Act, 1977, as amended (Federal Water Pollution Control Act), 33 U.S.C. 1251, et seq.....	All plans in full compliance
Endangered Species Act, 1973, as amended, 16 U.S.C. 1531, et seq.....	All plans in full compliance
Federal Water Project Recreation Act, as amended, 16 U.S.C. 460-1-12, et seq.....	All plans in full compliance
Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661, et seq.....	All plans in full compliance
Land and Water Conservation Fund Act, 1965, as amended, 16 U.S.C. 4601, et seq.....	All plans in full compliance
National Historic Preservation Act, 1966, as amended, 16 U.S.C. 470a, et seq.....	All plans in full compliance
National Environmental Policy Act, as amended, 42 U.S.C. 4321, et seq.....	All plans in full compliance <sup>(1)</sup>
Native American Graves Protection and Repatriation Act, 1990, 25 U.S.C. 3001-13, et seq.....	All plans in full compliance
Rivers and Harbors Act, 33 U.S.C. 401, et seq.....	All plans in full compliance
Watershed Protection and Flood Prevention Act, 16 U.S.C. 1001, et seq.....	All plans in full compliance
Wild and Scenic Rivers Act, as amended, 16 U.S.C. 1271, et seq.....	All plans in full compliance
Water Resources Planning Act of 1965, as amended, 42 U.S.C. 1962, et seq.....	All plans in full compliance
Invasive Species (E.O. 13112) .....	All plans in full compliance
Floodplain Management (E.O. 11988).....	All plans in full compliance
Protection of Wetlands (E.O. 11990).....	All plans in full compliance
Environmental Justice (E.O. 12898).....	All plans in full compliance
Protection of Children (E.O. 13045).....	All plans in full compliance
McKinney-Vento Homeless Assistance Act, as amended, 42 U.S.C. 1301, Ch 119.....	All plans in full compliance
Farmland Protection Policy Act, 7 U.S.C. 4201, et seq.....	All plans in full compliance

Note: Full Compliance - Having met all requirements of the statutes, Executive Orders, or other environmental requirements for the current stage of planning.

(1) National Environmental Policy Act of 1969 requires an environmental review prior to a Federal agency making an irrevocable commitment of Federal resources.

## **10.0 LIST OF PREPARERS**

Stephen L. Nolen - Chief, Environmental Analysis and Compliance Branch; Biologist; 24 years, U.S. Army Corps of Engineer District, Tulsa

Patricia A. Newell - Biologist; 5 years, U.S. Army Corps of Engineers District, Tulsa; 2 years, U.S. Army Corps of Engineers District, Louisville; 5 years U.S. Air Force, National Guard Bureau; 15 years, natural resource planner/consultant in private industry.

Michelle C. Horn - Archaeologist; 2 years, U.S. Army Corps of Engineers District, Tulsa.

Anh Vo - Student Trainee Economist; 2 months, U.S. Army Corps of Engineers District, Tulsa.

**APPENDIX A**  
**Coordination/Correspondence**

**Mailing List for Final Environmental Assessment:**  
***Optima Lake Dam Road Closure and Recreational Facilities Demolition***

Senator Tom A. Coburn  
United States Senate  
100 North Broadway, Suite 1820  
Oklahoma City, OK 73102

Senator James M. Inhofe  
United States Senate  
1900 NW Expressway, Suite 1210  
Oklahoma City, OK 73118

Representative Frank D. Lucas  
United States House of Representatives  
2728 Williams Ave.  
Suite F  
Woodward, OK 73801

Senator Bryce Marlatt  
State Senate  
2300 North Lincoln Boulevard  
Room 427  
Oklahoma City, OK 73105

Representative Gus Blackwell  
2300 N. Lincoln Blvd.  
Room 305-A  
Oklahoma City, OK 73105

Governor Brad Henry  
State Capitol Building  
2300 N. Lincoln Blvd., Room 212  
Oklahoma City, OK 73105

Ted Keeling - District 1  
PO Box 983  
Hooker, OK 73945

Mr. Gary Winters - District 2  
501 S. Main  
Guymon, OK 73942

Mr. Jack Strain - District 3  
HCR 4, Box 1C  
Texhoma, OK 73949

Mr. Ken Huckins, Mayor  
219 NW 4<sup>th</sup> St  
Guymon, OK 73942

Mr. Tom Clapper  
Oklahoma State Senate  
Federal Action Monitor  
Room 310, State Capitol  
Oklahoma City, OK 73105

Dr. Alfredo Armendariz  
Federal Region VI Administrator  
U. S. Environmental Protection Agency  
1445 Ross Ave., Suite 1200  
Dallas, TX 75202

Mr. Ken Frazier  
Acting Field Supervisor  
U.S. Fish and Wildlife Service  
9014 E. 21<sup>st</sup> St.  
Tulsa, OK 74129

Mr. Ronald L. Hilliard  
State Conservationist  
USDA, NRCS  
100 USDA, Suite 206  
Stillwater, OK 74074-2655

Ms. Kim Winton  
Director, Oklahoma Water Science Center  
U.S. Geological Survey  
202 NW 66<sup>th</sup>, Building 7  
Oklahoma City, OK 73116

Mr. Richard Hatcher  
Director  
Oklahoma Department of Wildlife Conservation  
1801 N. Lincoln Blvd.  
Oklahoma City, OK 73105

Mr. Steve Thompson  
Executive Director  
Oklahoma Department of Environmental Quality  
P.O. Box 1677  
Oklahoma City, OK 73101-1677

Mr. Duane A. Smith  
Executive Director  
Oklahoma Water Resources Board  
3800 N. Classen Boulevard  
Oklahoma City, OK 73118

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

Mr. Mike Thralls  
Executive Director  
Oklahoma Conservation Commission  
2800 N. Lincoln Blvd., Suite 160  
Oklahoma City, OK 73105

Ms. Shanon Phillips, Director  
Water Quality Programs  
Oklahoma Conservation Commission  
2800 N. Lincoln Blvd.  
Oklahoma City, OK 73105

Mr. Ian H. Butler  
Oklahoma Natural Heritage Inventory  
Oklahoma Biological Survey  
111 E. Chesapeake Street  
Norman, OK 73019-0575

Dr. Robert L. Brooks  
University of Oklahoma  
Oklahoma Archeological Survey  
111 E. Chesapeake  
Norman, OK 73019-0575

Dr. Bob Blackburn  
State Historic Preservation Officer  
Oklahoma Historical Society  
Oklahoma History Center  
2401 N. Laird Ave.  
Oklahoma City, OK 73105

President Leslie Standing  
Wichita and Affiliated Tribes of Oklahoma  
P.O. Box 729  
Anadarko, OK 73005

Chairperson Alonzo Chalepah  
Apache Tribe of Oklahoma  
P.O. Box 1220  
Anadarko, OK 73005

Chairperson Don Tofpi  
Kiowa Indian Tribe of Oklahoma  
P.O. Box 369  
Carnegie, OK 73015-0369

Chairperson Michael Burgess  
Comanche Nation, Oklahoma  
584 N.W. Bingo Rd  
Lawton, OK 73505

Mr. Andy McDaniels, Executive Director  
Oklahoma Wildlife Federation  
PO Box 60126  
Oklahoma City, OK 73146

Mr. Mark Fuhr, State Director  
The Nature Conservancy  
Oklahoma Chapter Office  
2727 E 21st Street, Suite 102  
Tulsa, OK 74114

Mr. Alan Messenger  
District Conservationist  
Guymon Field Service Center  
601 S. E. Fifth  
Guymon, OK 73942-9804

Ms. Carri A. Manley  
District Conservationist  
Beaver Field Service Center  
106 W. First (PO Box 146)  
Beaver, OK 73932-0146

Ms. Cherri G. Brown  
District Conservationist  
Boise City Field Service Center  
210 S. Cimarron (PO Box 1086)  
Boise City, OK 73933-1086

Mr. Stanley J. Irving  
District Conservationist  
Woodward Field Service Center  
3300 Oklahoma Ave, Suite 800  
Woodward, OK 73801

Mr. Tom M. Lucas  
RC&D Coordinator  
High Plains RC&D Office  
# 2 Miles Addition (PO Box 353)  
Buffalo, OK 73834

Seaboard Foods  
Attn: Don Owens  
2801 Hurliman Rd  
Guymon, OK 73942

Ms. Vicki Ayres-McCune  
Community Development Director  
Business Enterprise Center Director  
802 NE 6th Street  
Guymon, OK 73942

Mr. Dewey B. Leggett  
Leggett & Clemons, PLLC  
2745 N. Dallas Parkway  
Suite 310  
Plano, Texas 75093

Mr. Derry G. Gilmore  
8519 Midway Rd.  
Dallas, TX. 75209-1711

Mr. Verle Martens  
P. O. Box 625  
Hooker, OK 73945

Liberal Memorial Library  
519 N. Kansas  
Liberal KS, 67901

Guymon Public Library  
206 NW 5<sup>th</sup> St  
Guymon, OK 73942

Olive Warner Memorial Library  
P.O. Box 576  
Hooker, Oklahoma 73945



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101 EAST AVENUE  
TULSA OK 74128-4609

November 6, 2009

REPLY TO  
ATTENTION OF

Planning and Environmental Division  
Environmental Analysis & Compliance Branch

Dear Interested Party:

The Tulsa District, U. S. Army Corps of Engineers is beginning the process of preparing an Environmental Assessment, in compliance with the National Environmental Policy Act of 1969, to address the effects of road closure and recreational facility demolition at Optima Lake in Texas County, Oklahoma.

The Tulsa District will assess the environmental effects of closing the road across the dam with a locked gate at each end. Also assessed will be the demolition of picnic shelters, restrooms, and other recreational facilities within the public use areas at Angler Point, Hooker Point, Prairie Dog Point, Hardesty Point, and Overlook Park (see enclosed map for locations). In their current state of disrepair, these facilities pose a risk to public health and safety. Alternatives to be considered would include, among others, the identification of appropriate disposal locations for demolished structure materials. These alternatives may include disposal in a local landfill, burial of materials in a single location on-site, or burial in multiple locations on-site.

We encourage other agencies and organizations to be active partners in this assessment. Your comments concerning this proposed action are appreciated. Please submit your comments within 21 calendar days from date of this letter.

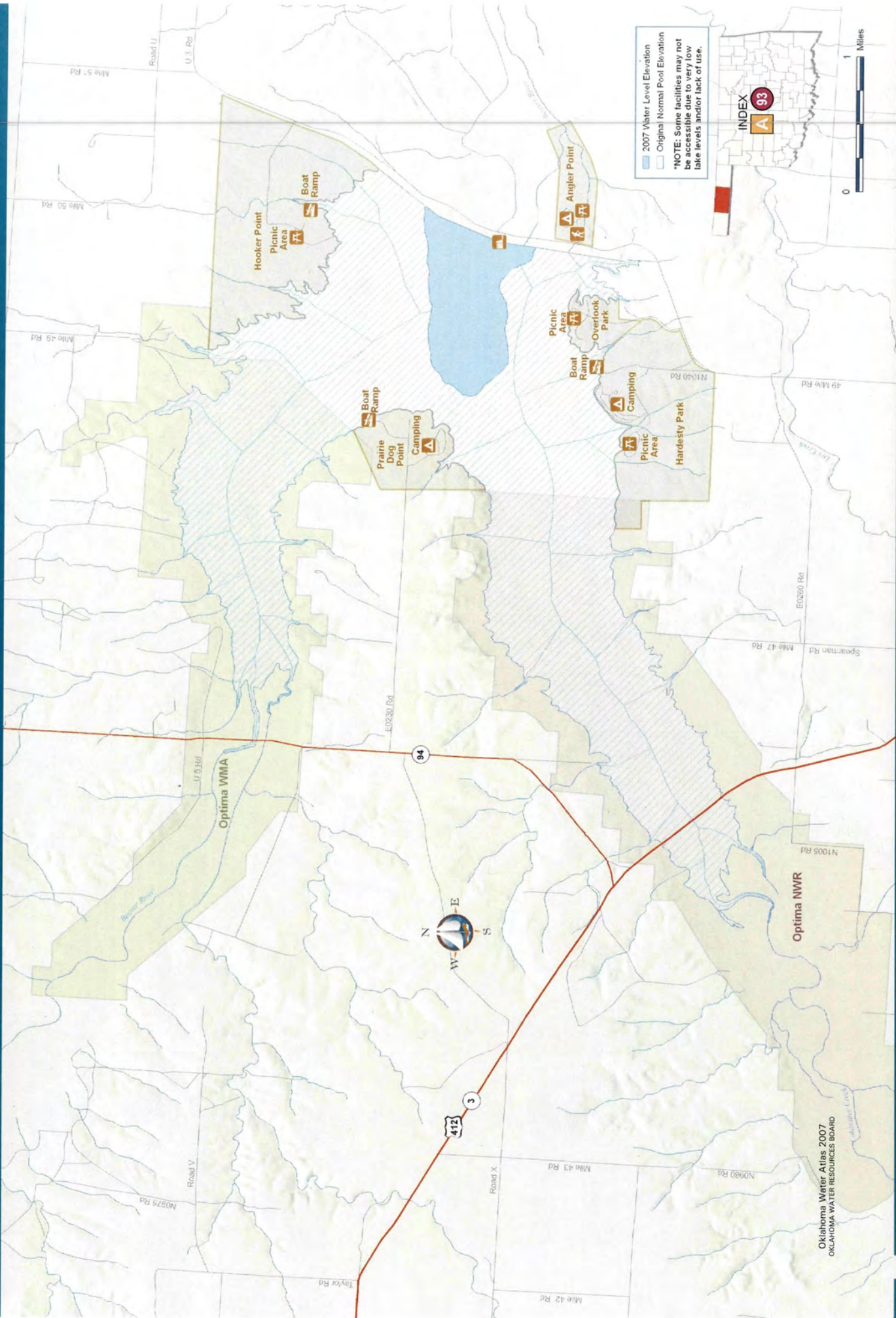
If you have questions or require additional information, please contact Ms. Michelle Horn at 918-669-7642 or [michelle.c.horn@usace.army.mil](mailto:michelle.c.horn@usace.army.mil).

Sincerely,

*Patricia A Newell*

*for* Stephen L. Nolen  
Chief, Environmental Analysis  
and Compliance Branch

Enclosure



Area: 5,340 acres  
 Capacity: 129,000 acre-feet  
 Shoreline: 31 miles

US ARMY CORPS OF ENGINEERS  
 Purpose: WS, FC, R, FW  
 Normal Elevation: 2,763.5 feet



Optima

1978





Wichita Department of Environmental Programs

P.O. Box 729, Anadarko, OK 73005

Ph. 405/247-2425 Fax 405/247-5398

[www.wichitatribe.com](http://www.wichitatribe.com)

November 13, 2009

US Army Corps of Engineers  
Tulsa District  
Att: CESWT-PE-E  
1645 S. 101<sup>st</sup> East Ave.  
Tulsa, OK 74128-4609

Mr. Nolen

The Environmental Office of the Wichita and Affiliated Tribes has reviewed the documents you sent us in regards to the following proposed project:

**Subject:** *Road closure and recreational facility demolition*

**Location:** *Optima Lake in Texas County, Oklahoma*

At this time the Wichita and Affiliated Tribes do not have any objections to the proposed project. However, we do have concerns in regards to the unearthing of cultural items or human remains. Please be advised that if such an event does occur your company shall cease all activities and inform the Wichita and Affiliated Tribes immediately. It should be noted that Oklahoma, Texas, and Kansas areas do have known historic sites and any discovery shall be reported to the Tribe immediately. Upon notification we will send a Tribal representative to the site to determine if any items or remains may be associated with the Wichita people.

Sincerely,

A handwritten signature in black ink that reads "Jason Prince". The signature is written in a cursive style and is positioned over a large, faint watermark of the Wichita and Affiliated Tribes seal.

Jason Prince, General Assistance Program, Technician  
Wichita Department of Environmental Programs



# Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

November 16, 2009

Stephen L. Nolen  
US Army Corps of Engineers  
1645 South 101 East Avenue  
Tulsa, Oklahoma 74128-4609

Re: Tulsa District Corps of Engineers proposed road closure and recreational facility demolition at Optima Lake. Legal Description: Sections 6, 7, 8, 9 T2N R18E and Sections 28, 29, 31 T3N R18E, Texas County, Oklahoma.

Dear Mr. Nolen:

The above referenced project has been reviewed by the Community Assistance Program staff of this agency to identify potential areas that may contain prehistoric or historic archaeological materials (historic properties). The location of your project has been cross-checked with the state site files containing approximately 18,000 archaeological sites which are currently recorded for the state of Oklahoma. Site(s)

\*\* [REDACTED] based on the topographic and hydrologic setting of your project, archeological materials are likely to be encountered. **An archaeological field inspection is therefore considered necessary prior to project construction in order to identify significant archaeological resources that may exist in your area.** Please contact this office at (405) 325-7211 if you require additional information on this project.

This environmental review and evaluation is performed in order to locate, record, and preserve Oklahoma's prehistoric and historic cultural heritage in cooperation with the State Historic Preservation Office, Oklahoma Historical Society. In addition to our review comments, under 36CFR Part 800.3 you are reminded of your responsibility to consult with the appropriate Native American tribe/groups to identify any concerns they may have pertaining to this undertaking and potential impacts to properties of traditional and/or ceremonial value. Thank you for your cooperation.

Sincerely,

Joelle Morgan  
Staff Archaeologist

Robert L. Brooks  
State Archaeologist

:ls

cc: SHPO

\*\* **SITE INFORMATION PROTECTED PURSUANT TO THE ARCHAEOLOGICAL RESOURCES PROTECTION ACT OF 1979, AS AMENDED (PUBLIC LAW 96-95; 16 U.S.C. 470aa-mm).**



**From:** [dggilmore@sbcglobal](mailto:dggilmore@sbcglobal.net)  
**To:** [Horn, Michelle C.SWT](mailto:Horn, Michelle C.SWT)  
**Cc:** [dggilmore@sbcglobal.net](mailto:dggilmore@sbcglobal.net); "Carla A. Gilmore"  
**Subject:** Optima  
**Date:** Wednesday, November 18, 2009 1:27:55 PM

---

Dear Ms. Michelle Horn:

Re: Optima Recreational Facility

I would like to voice my strong support in the demolition of the recreational facility at Optima reserve.

As an original land holder family member, I would also like to voice my deepest concern against the burial of any materials on site. The materials should be properly dismantled and taken to local landfills.

Additionally, please inform me of any automated email or contact list that I might join to be more closely informed about this issue.

Regards,

Derry G. Gilmore  
[dggilmore@sbcglobal.net](mailto:dggilmore@sbcglobal.net)

Letter from the Department of the Army  
United States Army Corps of Engineers, Tulsa District  
1645 South 101 East Avenue  
Tulsa, OK 74128-4609

November 6, 2009

Planning and Environmental Division  
Environmental Analysis & Compliance Branch

Dear Interested Party:

The Tulsa District, U.S. Army Corps of Engineers is beginning the process of preparing an Environmental Assessment, in compliance with the National Environmental Policy Act of 1969, to address the effects of road closure and recreational facility demolition at Optima Lake in Texas county, Oklahoma.

The Tulsa District will assess the environmental effects of closing the road across the dam with a locked gate at each end. Also assessed will be the demolition of picnic shelters, restrooms, and

other recreational facilities within the public use areas at Angler Point, Hooker Point, Prairie Dog Point, Hardesty Point, and overlook Park (see enclosed map for locations). In their current state of disrepair, these facilities pose a risk to public health and safety. Alternatives to be considered would include, among others, the identification of appropriate disposal locations for demolished structure materials. These alternatives may include disposal in a local landfill, burial of materials in a single location on-site, or burial in multiple locations on-site.

We encourage other agencies and organizations to be active partners in this assessment. Your comments concerning this proposed action are appreciated. Please submit your comments within 21 calendar days from date of this letter.

If you have questions or require additional information, please contact Ms. Michelle horn at 918-669-7642 or [michelle.c.horn@usace.army.mil](mailto:michelle.c.horn@usace.army.mil).

Sincerely,

Stephen L. Nolen  
Chief, Environmental Analysis  
And Compliance Branch

**From:** Horn, Michelle C SWT  
**To:** "dggilmore@sbcglobal.net"  
**Bcc:** [Newell, Patricia A SWT](#); [Nolen, Stephen L SWT](#)  
**Subject:** RE: Optima  
**Date:** Wednesday, November 18, 2009 3:16:00 PM

---

Dear Mr. Gilmore,

Thank you for your comments. We appreciate your interest in regards to this project. Once we have a draft copy of the Environmental Assessment (EA) completed, we will begin a formal public review period which will allow the public to make additional comments on the project after reviewing the draft EA document. We will place copies of the draft EA in local public libraries and announce their availability through local newspapers. In addition, we will send out digital copies of the draft EA on CDs to interested parties. If you would like to receive a CD copy of the draft EA, please send me your address so that I may add you to the mailing list. We do not have an automated contact list for this action, but the draft EA also will be posted on the Tulsa District's website at <http://www.swt.usace.army.mil/> when it becomes available.

Sincerely,

Michelle C. Horn  
Archaeologist  
Environmental Analysis and Compliance Branch  
U.S. Army Corps of Engineers, Tulsa District  
1645 S. 101 E. Avenue  
Tulsa, OK 74128-0061  
ph: (918) 669-7642  
fax:(918) 669-7546

---

**From:** dggilmore@sbcglobal [mailto:dggilmore@sbcglobal.net]  
**Sent:** Wednesday, November 18, 2009 1:27 PM  
**To:** Horn, Michelle C SWT  
**Cc:** dggilmore@sbcglobal.net; 'Carla A. Gilmore'  
**Subject:** Optima

Dear Ms. Michelle Horn:

Re: Optima Recreational Facility

I would like to voice my **strong support** in the demolition of the recreational facility at Optima reserve.

As an original land holder family member, I would also like to voice my deepest **concern against** the burial of any materials on site. The materials should be properly dismantled and taken to local landfills.

Additionally, please inform me of any automated email or contact list that I might join to be more closely informed about this issue.

WILDLIFE CONSERVATION COMMISSION

John D. Groendyke CHAIRMAN	Bruce Mabrey MEMBER
Mart Tisdal VICE CHAIRMAN	Ed Abel MEMBER
Mike Bloodworth SECRETARY	Bill Phelps MEMBER
Harland Stonecipher MEMBER	M. David Riggs MEMBER



BRAD HENRY, GOVERNOR  
RICHARD T. HATCHER, DIRECTOR

wildlifedepartment.com

**DEPARTMENT OF WILDLIFE CONSERVATION**

1801 N. LINCOLN P.O. BOX 53465 OKLAHOMA CITY, OK 73105 PH. (405) 521-3851

November 20, 2009

**Mr. Stephen Nolan**  
Chief, Environmental Analysis and Compliance Branch  
United States Army Corps of Engineers, Tulsa District  
1645 South 101 East Avenue  
Tulsa, Ok 74128-4609

Dear Mr. Nolan,

I am writing in response to your Optima Project letter dated November 6, 2009. The Oklahoma Department of Wildlife has no issues with the demolition of the dilapidated recreational facilities or the closure of the road across the dam at the Optima Project.

The Oklahoma Department of Wildlife will assist you in any way possible with the demolition, location of material disposal areas, or any other activity that will ensure the Optima Project continues to safely provide outdoor recreation opportunities to our local constituents as well as the many nonresidents that visit Optima Project each year.

If you need additional information feel free to contact me anytime at (580) 521-2730.

Sincerely

**Alan Peoples**  
Chief, Wildlife Division  
Oklahoma Department of Wildlife Conservation

cc: Richard Hatcher

**From:** [Dewey Leggett](#)  
**To:** [Horn, Michelle C SWT](#)  
**Subject:** Optima Dam  
**Date:** Wednesday, December 02, 2009 11:28:04 AM

---

I understand there is some consideration of closing of Optima Dam in the Oklahoma panhandle and of demolishing some of the structures the Corps had built thereat. As someone who spent countless hours hunting and fishing on that property and who still utilizes it from time to time, I would like any information you can give me on this topic.

Thank you.

Dewey B. Leggett  
Leggett & Clemons, PLLC  
2745 N. Dallas Parkway  
Suite 310  
Plano, Texas 75093  
Phone: 214-473-8686  
Fax: 214-473-8685  
[www.leggettandclemons.com](http://www.leggettandclemons.com)

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**From:** Horn, Michelle C SWT  
**To:** "[Dewey Leggett](#)"  
**Bcc:** [Newell, Patricia A SWT](#); [Nolen, Stephen L SWT](#)  
**Subject:** RE: Optima Dam  
**Date:** Wednesday, December 02, 2009 12:15:00 PM

---

Dear Mr. Leggett,

We are currently preparing a draft Environmental Assessment (EA) for a proposed project at Optima Lake which would close the road across the Optima Dam embankment and demolish the dilapidated recreational facilities. The proposed project would reduce the public safety hazards that have been identified at the lake, specifically regarding the old, deficient guardrail on the road and the crumbling camping shelters and bathrooms in the closed public use areas. The stretch of unsafe road across the dam embankment is the only area where access would be restricted. The EA will assess the environmental impacts of the project.

There will be a formal public review period in the near future. During this period, an announcement will be made in local newspapers informing the public that the draft EA is available. The EA will be placed in local libraries, made available on the Tulsa District website (<http://www.swt.usace.army.mil/>), and mailed in digital format on CD to interested parties. This will allow the public to review the document and submit comments for consideration within the allotted time period. I will add you to the mailing list for a CD copy of the EA; it will provide you with the information you have requested.

We appreciate your interest in this project.

Sincerely,

Michelle C. Horn  
Archaeologist  
Environmental Analysis and Compliance Branch  
U.S. Army Corps of Engineers, Tulsa District  
1645 S. 101 E. Avenue  
Tulsa, OK 74128-0061  
ph: (918) 669-7642  
fax:(918) 669-7546

---

**From:** Dewey Leggett [mailto:[dleggett@leggettandclemons.com](mailto:dleggett@leggettandclemons.com)]  
**Sent:** Wednesday, December 02, 2009 11:25 AM  
**To:** Horn, Michelle C SWT  
**Subject:** Optima Dam

I understand there is some consideration of closing of Optima Dam in the Oklahoma panhandle and of demolishing some of the structures the Corps had built thereat. As someone who spent countless hours hunting and fishing on that property and who still utilizes it from time to time, I would like any information you can give me on this topic.

Thank you.

Dewey B. Leggett  
Leggett & Clemons, PLLC  
2745 N. Dallas Parkway  
Suite 310  
Plano, Texas 75093  
Phone: 214-473-8686  
Fax: 214-473-8685  
[www.leggettandclemons.com](http://www.leggettandclemons.com)



**From:** [Vicki McCune](#)  
**To:** [Horn, Michelle C SWT](#)  
**Subject:** Optima Lake and WMA  
**Date:** Wednesday, December 09, 2009 2:48:45 PM

---

**Mr. Nolen and Ms. Horn,**

Unfortunately, I just received the letter from your office dated November 6, 2009 regarding the road closure and demolition of the picnic, restrooms and camping facilities at the Optima Lake and WMA.

As the Community and Economic Development Director for the City of Guymon, I speak for the City when I say we are against the demolition and closing of the Optima Lake and WMA.

I agree that this area may be underutilized at this time. However, we feel strongly that most of the underutilization is due to the fact that the restroom, picnic and camping facilities have not been accessible for many years.

Optima Lake and WMA is the ONLY public access land we have available in Texas County and is utilized by thousands of Panhandle residents as well as thousands of out of town and out of state tourist for recreation and agri-tourism purposes: hunting, fishing, wildlife viewing, bird watching, hunting dog trials, horseback riding and more!! We have people continually calling our office that want to camp or hold reunions and dog trials at the lake area.

Not only will the demolition of this only public land be detrimental to our local residents that need it, use it and enjoy it for recreation, it will be a huge deficit to our local economy. Each year thousands of people come to the Oklahoma Panhandle for Quail, Deer and Pheasant hunting... Optima is the ONLY public land we have for them to hunt on.

Next year alone, we are slated to host 8 various hunting dog trials at the Optima Lake and WMA... each of these trials bring an average of 100-150 families into our area for an entire week for each different trial, staying in our hotels, eating in our restaurants, shopping in our stores and bringing a HUGE economic impact to our region.

We hope that you will take all of this into consideration before demolishing what we consider a HUGE asset to our region. The City of Guymon and surrounding communities and Texas County would like to see the facilities fixed and repaired and opened back up for public access. No, the land probably isn't being used for its initial purpose as a "lake" but it is being utilized heavily for other recreational and tourism purposes.

I look forward to visiting with you soon about the possibilities we might be able to discuss. Isn't there any other options? If the Corp does not have the time, money or manpower to repair the facilities and keep them open, can the Corp donate the facilities to a local entity or to the Oklahoma Department of Wildlife?

Thank you for your time!

**Vicki Ayres-McCune**

**Community Development Director  
Business Enterprise Center Director**

802 NE 6th Street  
Guymon, OK 73942

(580) 338-5838  
(580) 651-0909 Cell  
[www.guymonok.org](http://www.guymonok.org)



**From:** [Nolen, Stephen L SWT](mailto:Nolen, Stephen L SWT)  
**To:** [cddirector@guymonok.org](mailto:cddirector@guymonok.org)  
**Cc:** [Horn, Michelle C SWT](mailto:Horn, Michelle C SWT); [Newell, Patricia A SWT](mailto:Newell, Patricia A SWT)  
**Subject:** FW: Optima Lake and WMA  
**Date:** Monday, December 14, 2009 2:07:31 PM

---

Ms. Aryes-McCune:

I received your e-mail below and very much appreciate and understand your interest in this important area. I agree that Optima Lake and the associated WMA are important resources for Guymon and the surrounding region. Let me clear up a few misunderstandings that seem to exist for our current action.

The current proposal being evaluated is strictly limited to closure of the road across Optima Dam (for guardrail safety reasons) and demolition of recreational structures (i.e., picnic shelters, restrooms, and overlook structures) that, because of their condition, pose a risk to public health and safety. This is the limit of what is being considered at this time. There are no current plans to change anything related to ownership or availability of Optima Lake public lands, the WMA, or currently permitted activities on these lands. Therefore, other than closure of the road across the dam and demolition of collapsed or collapsing standing structures, there would be no changes to the activities you describe below. Currently-proposed actions are being studied under the National Environmental Policy Act (NEPA) and we will be issuing a DRAFT environmental assessment (EA) describing proposed actions and their impacts soon. We have placed you on our mailing list for this document to ensure that you receive it and have an opportunity to comment on proposed actions. No decisions will be made on current proposals until the NEPA process, including receipt and consideration of public comments and concerns, is complete.

While not part of the current evaluation, it is possible that future considerations at Optima Lake could potentially include larger issues concerning disposition of public lands, public access and use, etc. Should these actions be considered, there will be additional evaluation under NEPA with ample opportunity for public input and comment. We would ensure that you are part of that discussion and would appreciate your comments.

I appreciate and understand your interest in these matters and hope this clarifies some of the issues. You will be receiving a copy of our EA, as described above, very soon and we would appreciate any comments you have. Feel free to contact me at any time should you have additional questions. Thanks again.

Steve Nolen  
Chief, Environmental Analysis and Compliance Branch  
Tulsa District Corps of Engineers  
918.669.7660

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

**From:** Horn, Michelle C SWT  
**Sent:** Wednesday, December 09, 2009 2:54 PM  
**To:** Nolen, Stephen L SWT; Newell, Patricia A SWT  
**Subject:** FW: Optima Lake and WMA

---

**From:** Vicki McCune [<mailto:cddirector@guymonok.org>]  
**Sent:** Wednesday, December 09, 2009 2:48 PM  
**To:** Horn, Michelle C SWT  
**Subject:** Optima Lake and WMA

**From:** [Vicki McCune](#)  
**To:** [Nolen, Stephen L SWT](#)  
**Cc:** [Horn, Michelle C SWT](#); [Newell, Patricia A SWT](#)  
**Subject:** RE: Optima Lake and WMA  
**Date:** Tuesday, December 15, 2009 10:55:34 AM

---

Mr. Nolen,

Thank you for your response. It was my understanding that you were, at this time, looking at closing the road and removing the recreational structure. We were wondering if instead of spending large amounts of money to remove these structures: bathrooms, picnic and camping structures, if there wasn't a way we could put a little money into them and lots of elbow grease to get them back to functional?

On the exterior, the bathrooms look to be structurally sound...the inside may be a different story, but with the septic tanks pumped and some TLC and elbow grease, couldn't these be revitalized and utilized? During our hunting dog-horseback trials they have been parking at the old picnic area on Prairie Dog Point...it would be wonderful to have use of the restroom facilities there and to have the picnic area cleaned back up and more accessible.

We have hundreds of people that use to utilize the camping area below the dam until it too was also shut down for our use. I myself, have spent countless nights camping there and use to take my son's boy scout troupe there several times a year camping, hiking, fishing and wildlife observing.

I can appreciate the fact that you want the area to be safe, but isn't there a way we can get to that point and still have facilities available?

I have also spoken to Inhofe and Coburn and they are standing firm on their intent to disposition the land and sale back to the previous owners. This has caused great concern in our region and will definitely not come to fruition without a battle. I've also spoken to Lt. Governor Jari Askins and Secretary of Agriculture, Terry Peach. Both of them are determined to see us keep OPTIMA WMA as a Public Use Land and they would like to hold a large public meeting in Guymon to see how we can save OPTIMA WMA.

Thank you for keeping me informed. If you have any suggestions or ideas on how we can keep this as Public Use with facilities in place, we would appreciate any and all effort.

Sincerely,

**Vicki Ayres-McCune**  
Community Development Director  
City of Guymon

---

**From:** Nolen, Stephen L SWT [mailto:Stephen.L.Nolen@SWT03.usace.army.mil]

**APPENDIX B**  
**Section 404 Permit**

*(NOT REQUIRED – SECTION NOT USED)*

**APPENDIX C**  
**Fish and Wildlife Coordination**



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101 EAST AVENUE  
TULSA OK 74128-4609

November 6, 2009

REPLY TO  
ATTENTION OF

Planning and Environmental Division  
Environmental Analysis & Compliance Branch

Mr. Ken Frazier  
Acting Field Supervisor  
U.S. Fish and Wildlife Service  
9014 E. 21<sup>st</sup> St.  
Tulsa, OK 74129

Dear Mr. Frazier:

The Tulsa District, U. S. Army Corps of Engineers is beginning the process of preparing an Environmental Assessment, in compliance with the National Environmental Policy Act of 1969, to address the effects of road closure and recreational facility demolition at Optima Lake in Texas County, Oklahoma.

The Tulsa District will assess the environmental effects of closing the road across the dam with a locked gate at each end. Also assessed will be the demolition of picnic shelters, restrooms, and other recreational facilities within the public use areas at Angler Point, Hooker Point, Prairie Dog Point, Hardesty Point, and Overlook Park (see enclosed map for locations). In their current state of disrepair, these facilities pose a risk to public health and safety. Alternatives to be considered would include, among others, the identification of appropriate disposal locations for demolished structure materials. These alternatives may include disposal in a local landfill, burial of materials in a single location on-site, or burial in multiple locations on-site.

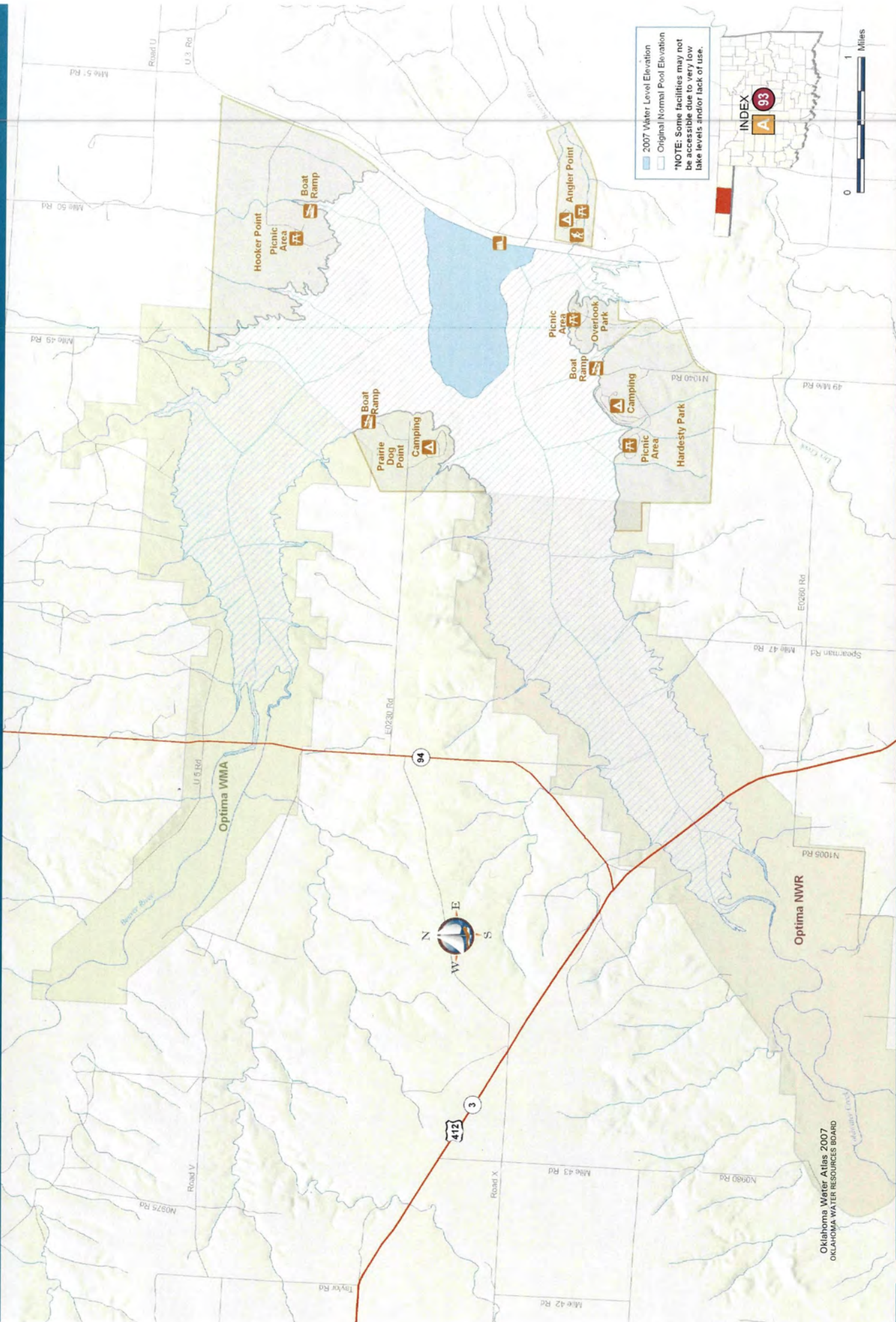
We encourage other agencies and organizations to be active partners in this assessment. Your comments and an official list of endangered or threatened species in and surrounding the Optima Lake area are requested in accordance with the Fish and Wildlife Coordination Act and Section 7 of the Endangered Species Act of 1973, as amended. Please submit your comments within 21 calendar days from date of this letter. If you have questions or require additional information, please contact Ms. Michelle Horn at 918-669-7642 or [michelle.c.horn@usace.army.mil](mailto:michelle.c.horn@usace.army.mil).

Sincerely,

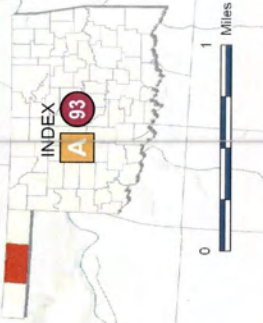
*Patricia A. Newell*

for Stephen L. Nolen  
Chief, Environmental Analysis  
and Compliance Branch

Enclosure



■ 2007 Water Level Elevation  
 Original/Normal Pool Elevation  
 \*NOTE: Some facilities may not be accessible due to very low lake levels and/or lack of use.



Area: 5,340 acres  
 Capacity: 129,000 acre-feet  
 Shoreline: 31 miles

US ARMY CORPS OF ENGINEERS  
 Purpose: WS, FC, R, FW  
 Normal Elevation: 2,763.5 feet



Optima

1978



**APPENDIX D**  
**Cultural Resources Coordination**



DEPARTMENT OF ARMY  
CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101<sup>ST</sup> EAST AVENUE  
TULSA, OKLAHOMA 74128-4609

November 30, 2009

Planning and Environmental Division  
Environmental Analysis and Compliance Branch

Dr. Robert Brooks  
State Archaeologist  
Oklahoma Archeological Survey  
111 E. Chesapeake  
Norman, OK 73019-0575

Dear Dr. Brooks:

This letter is to continue consultation as required under Section 106 of the National Historic Preservation Act of 1966 (as amended) for the proposed road closure and recreational facility demolition on U.S. Army Corps of Engineers land at Optima Lake in Texas County, Oklahoma. Actual project activities would occur at either end of the road across the Optima Dam embankment in Section 28 or 33 of T3N, R18E, and Section 8 of T2N, R18E. Other activities at public use areas (PUAs) would occur in Angler Point (Sec 9, T2N R18E), Hooker Point (Sec 32&33, T3N R18E), Prairie Dog Point (Sec 6, T2N R18E and Sec 31, T3N R18E), Hardesty Park (Sec 7, T2N R18E), and Overlook Park (Sec 8, T2N R18E).

Aimed at increasing public safety at Optima Lake, this project would close the road across the dam where the guardrails are old, damaged, and unsafe. In addition, it would remove the dilapidated bathrooms, picnic table shelters with associated grills and tables, overlook building, and other crumbling structures within the PUAs around the lake. In order to reduce environmental impacts, only the above-ground structural components would be demolished and removed; concrete slabs at all of the shelters/buildings would not be removed, septic tanks would be prepared for abandonment and left in place, and utility poles would be sawn off at ground-level with all other utilities being abandoned in place. In addition, no trees would be removed. Because of the high probability for buried soils in the region and the lack of cultural surveys for many of the potential disposal areas, the option for burying the rubble has been eliminated and all rubble would be removed to a nearby landfill. No storage or stockpiling of materials would occur on USACE land and all access and haul routes would consist of existing paved roads.

All of the PUAs and facilities are accessible by, and adjacent to, paved roads so most of the demolition work would occur from paved surfaces. Furthermore, all of the demolition work would occur in previously disturbed areas which were impacted during initial construction of the PUAs. We believe, as now scoped, this project will have minimal or no impact on

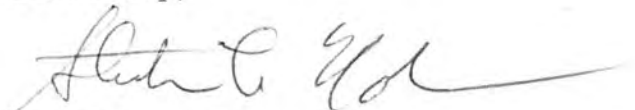
the ground surface beyond those areas previously disturbed by construction.

Construction at Optima Lake was completed in the 1970's and neither the dam nor its associated features are considered historic.

**SITE INFORMATION PROTECTED PURSUANT  
TO THE ARCHAEOLOGICAL RESOURCES  
PROTECTION ACT OF 1979, AS AMENDED  
(PUBLIC LAW 96-95; 16 U.S.C. 470aa-mm).**

Due to the reduced scope of the project and the measures being taken to avoid impacts to any cultural resources as stated above, we do not feel that a survey is necessary for this project and request your comment on our determination of "no historic properties affected". If you have any questions, please contact Ms. Michelle Horn at 918-669-7642.

Sincerely,



Stephen L. Nolen  
Chief, Environmental Analysis  
and Compliance Branch

Enclosure



DEPARTMENT OF ARMY  
CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101<sup>ST</sup> EAST AVENUE  
TULSA, OKLAHOMA 74128-4609

November 30, 2009

Planning and Environmental Division  
Environmental Analysis and Compliance Branch

Dr. Bob Blackburn  
State Historic Preservation Officer  
Oklahoma Historical Society  
Oklahoma History Center  
2401 N. Laird Ave.  
Oklahoma City, OK 73105-7914

Dear Dr. Blackburn:

This letter is to continue consultation as required under Section 106 of the National Historic Preservation Act of 1966 (as amended) for the proposed road closure and recreational facility demolition on U.S. Army Corps of Engineers land at Optima Lake in Texas County, Oklahoma. Actual project activities would occur at either end of the road across the Optima Dam embankment in Section 28 or 33 of T3N, R18E, and Section 8 of T2N, R18E. Other activities at public use areas (PUAs) would occur in Angler Point (Sec 9, T2N R18E), Hooker Point (Sec 32&33, T3N R18E), Prairie Dog Point (Sec 6, T2N R18E and Sec 31, T3N R18E), Hardesty Park (Sec 7, T2N R18E), and Overlook Park (Sec 8, T2N R18E).

Aimed at increasing public safety at Optima Lake, this project would close the road across the dam where the guardrails are old, damaged, and unsafe. In addition, it would remove the dilapidated bathrooms, picnic table shelters with associated grills and tables, overlook building, and other crumbling structures within the PUAs around the lake. In order to reduce environmental impacts, only the above-ground structural components would be demolished and removed; concrete slabs at all of the shelters/buildings would not be removed, septic tanks would be prepared for abandonment and left in place, and utility poles would be sawn off at ground-level with all other utilities abandoned in place. In addition, no trees would be removed. Because of the high probability for buried soils in the region and the lack of cultural surveys for many of the potential disposal areas, the option for burying the rubble has been eliminated and all rubble would be removed to a nearby landfill. No storage or stockpiling of materials would occur on USACE land and all access and haul routes would consist of existing paved roads.

All of the PUAs and facilities are accessible by, and adjacent to, paved roads so most of the demolition work would occur from paved surfaces. Furthermore, all of the demolition work would occur in previously disturbed areas which were impacted during initial construction of the PUAs. We believe, as now scoped, this project will have minimal or no impact on

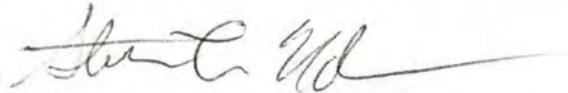
the ground surface beyond those areas previously disturbed by construction.

Construction at Optima Lake was completed in the 1970's and neither the dam nor its associated features are considered historic.

**SITE INFORMATION PROTECTED PURSUANT  
TO THE ARCHAEOLOGICAL RESOURCES  
PROTECTION ACT OF 1979, AS AMENDED  
(PUBLIC LAW 96-95; 16 U.S.C. 470aa-mm).**

Due to the reduced scope of the project and the measures being taken to avoid impacts to any cultural resources as stated above, we do not feel that a survey is necessary for this project and request your comment on our determination of "no historic properties affected". If you have any questions, please contact Ms. Michelle Horn at 918-669-7642.

Sincerely,



Stephen L. Nolen  
Chief, Environmental Analysis  
and Compliance Branch

Enclosure



## Oklahoma Historical Society

Founded May 27, 1893

### State Historic Preservation Office

Oklahoma History Center • 2401 North Laird Ave. • Oklahoma City, OK 73105-7914  
(405) 521-6249 • Fax (405) 522-0816 • [www.okhistory.org/shpo/shpom.htm](http://www.okhistory.org/shpo/shpom.htm)

December 2, 2009

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

RE: File #0365-10; Optima Lake Recreational Facility Demolition & Road Closure

Dear Mr. Nolen:

We have received and reviewed the documentation submitted on the referenced project in Texas 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 known historic properties affected within the referenced project's area of potential effect.

In addition to our review, you must contact the Oklahoma Archeological Survey (OAS), 111 E. Chesapeake, #102, Norman OK 73019-5111 (#405/325-7211, FAX #405/325-7604), to obtain a determination about the presence of prehistoric resources that may be eligible for the National Register of Historic Places. Should the OAS conclude that there are no prehistoric archaeological sites or other types of "historic properties," as defined in 36 CFR Part 800.16(1), which are eligible for inclusion in the National Register of Historic Places within the project area and that such sites are unlikely to occur, we concur with that opinion.

The OAS may conclude that an on-site investigation of all or part of the project impact area is necessary to determine the presence of archaeological resources. In the event that such an investigation reveals the presence of prehistoric archaeological sites, we will defer to the judgment of the OAS concerning whether or not any of the resources should be considered "historic properties" under the Section 106 review process. If sites dating from the historic period are identified during the survey or are encountered during implementation of the project, additional assessments by the State Historic Preservation Office will be necessary.

Should further correspondence pertaining to this project be necessary, the above underlined file number must be referenced. If you have any questions, please contact Timothy G. Baugh, Ph.D., Historical Archaeologist, at 405/521-6381. Thank you.

Sincerely,

Melvena Heisch  
Deputy State Historic  
Preservation Officer

MH:jr



## Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

December 9, 2009

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

Re: Proposed road closure and public use area demolition, Optima Lake. Legal Description: Sections 28 or 33 T3N R18E and Section 8 T2N R18E (dam road closure); Section 9 T2N R18E (Angler Point); Sections 32 & 33 T3N R18E (Hooker Point); Section 6 T2N R18E & Section 31 T3N R18E (Prairie Dog Point); Section 7 T2N R18E (Hardesty Point); and Section 8 T2N R18E (Overlook Point), Texas County, Oklahoma.

Dear Mr. Nolen:

I have examined the above referenced action for its potential affect on Oklahoma's archaeological and historic cultural resources. As identified in your letter of November 30, 2009

**SITE INFORMATION PROTECTED PURSUANT  
TO THE ARCHAEOLOGICAL RESOURCES  
PROTECTION ACT OF 1979, AS AMENDED  
(PUBLIC LAW 96-95; 16 U.S.C. 470aa-mm).**

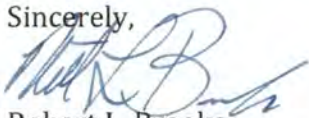
demolition will take place from existing roads and will not entail below-surface ground disturbance. Debris from the demolition will also be removed to a nearby landfill. I concur with the assessment that this project will have no effect on cultural resources.



I do have a couple of concerns regarding the project. This demolition and road closure essentially represents an abandonment of Lake Optima as a Corps of Engineers facility (although the land will remain Corps of Engineers property). There are currently some <sup>\*\*</sup> [REDACTED] archaeological sites within the Optima Lake project area. Many of these have not been assessed as to their National Register status. Considering that the lake will have even less oversight, how will these resources be protected? (Documentation for the Antelope Creek phase sites <sup>\*\*</sup> [REDACTED] [REDACTED] included evidence of vandalism.) Will there be some type of agreement negotiated (or has there been) for US Fish & Wildlife or Oklahoma Department of Wildlife Conservation personnel to watch over these sites. Also, will there be someone that monitors the demolition actions of the construction company to ensure that they follow the above-ground restriction and also properly remove the debris to the landfill?

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

Sincerely,



Robert L. Brooks  
State Archaeologist

Note: This review letter supersedes our comment of November 16, 2009

Cc SHPO

**\*\* SITE INFORMATION PROTECTED PURSUANT  
TO THE ARCHAEOLOGICAL RESOURCES  
PROTECTION ACT OF 1979, AS AMENDED  
(PUBLIC LAW 96-95; 16 U.S.C. 470aa-mm).**





Wichita Department of Environmental Programs

P.O. Box 729, Anadarko, OK 73005

Ph. 405/247-2425 Fax 405/247-5398

[www.wichitatribe.com](http://www.wichitatribe.com)

February 17, 2010

Attn: CESWT-PE-E  
US Army Corps of Engineers  
Tulsa District  
1645 S. 101<sup>st</sup> East Ave.  
Tulsa, OK 74128-4609

Mr. Nolen

The Environmental Office of the Wichita and Affiliated Tribes has reviewed the documents you sent us in regards to the following proposed project:

**Subject:** Road closure and recreational facility demolition

**Location:** Optima Lake in Texas County, Oklahoma

At this time the Wichita and Affiliated Tribes do not have any objections to the proposed project. However, we do have concerns in regards to the unearthing of cultural items or human remains. Please be advised that if such an event does occur your company shall cease all activities and inform the Wichita and Affiliated Tribes immediately. It should be noted that Oklahoma, Texas, and Kansas areas do have known historic sites and any discovery shall be reported to the Tribe immediately. Upon notification we will send a Tribal representative to the site to determine if any items or remains may be associated with the Wichita people.

Sincerely, 

Jason Prince, General Assistance Program, Technician  
Wichita Department of Environmental Programs

Cc: Program File

**APPENDIX E**  
**Public Comments**



## Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

January 25, 2010

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

Re: Draft: *Environmental Assessment: Road Closure and Recreational  
Facility Demolition, Optima Lake, Texas County, Oklahoma.*

Dear Mr. Nolen:

I have reviewed the above referenced action for its potential to affect Oklahoma's prehistoric and early historic cultural resources. It is my opinion that the Environmental Assessment accurately reflects this agency's position on the proposed closure and demolition at Lake Optima. This is further reflected in my letter in the cultural resources coordination appendix. I have no further comment on the proposed action beyond those expressed in my December 9, 2009 letter.

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

Sincerely,

Robert L. Brooks  
State Archaeologist

Cc: SHPO





**Rep. Gus Blackwell**  
District 61

**Oklahoma**  
**House of Representatives**

305A State Capitol Bldg.  
2300 N. Lincoln Blvd.  
Oklahoma City, OK 73105

(405)557-7384 Direct Office  
(800)522-8502 Toll Free  
(405)962-7660 Fax

[gusblackwell@okhouse.gov](mailto:gusblackwell@okhouse.gov)

**Chairman Rules Committee**  
2009-2010, 52nd Session

**Acting Speaker of the House**  
January 2008, 51st Legislature

**Speaker Pro Tempore of the House**  
2007-2008, 51st Legislature

**Majority Leadership Team Member**  
2005-2010

**Chairman Public Safety Committee**  
2005-2006, 50th Legislature

**Assistant Majority Whip**  
2005-2006 50th Legislature

**Chairman**  
Oklahoma Statewide Gang  
Intervention Steering Committee  
2007-Present

**Chairman**  
Oklahoma Sentencing Commission  
2007-Present

**Member:**  
Joint Special Committee on  
International Development  
2009-Present

**Energy Council**  
2009-Present



February 9, 2010

Col. Anthony C. Funkhouser, District Commander  
Department of the Army, US Army Corps of Engineers  
1645 South 101<sup>st</sup> East Avenue  
Tulsa, OK 74128-4609

Re: Lake Optima, Texas County, Oklahoma

Dear Col. Funkhouser,

The information you recently sent, regarding the Lake Optima Dam, was very informative. I appreciate the opportunity to give input on the decision regarding the future of that area.

Having lived in the panhandle for nearly a quarter century, I have very definite and passionate goals for this project. When I first came to the panhandle, twenty-four years ago, one of my first visits was to Lake Optima. At that time, there was an active RV site with electricity and three or four picnic areas with tables and restrooms. In addition, the site was very well maintained.

A visitor today finds no electricity in the RV park, crumbling picnic tables and roads overgrown with weeds. For the past twenty years, the incompetent management and lack of funds has turned a beautiful recreation area and local asset into an eyesore.

Nevertheless, the residents of this area and I are 100% dedicated to the transformation of this project into a multi-functional recreation site. This vision includes hunting, camping, picnicking, dog trials, bird watching and other various, family-friendly activities.

In conclusion, in order to accomplish this, the road across the dam can not, must not and will not be closed. The county has maintained the road for the last twenty years. It can continue to do so, in the future. This property needs to be turned over to State management, as soon as possible. I will be vigilantly pursuing this agenda, politically, legally and publically.

If you have any questions or would like to discuss this further, please don't hesitate to contact me.

Sincerely,

GUS BLACKWELL  
District 61

cc: Senator Tom Coburn      Congressman Dan Boren  
      Senator James Inhofe     Congressman Tom Cole  
                                  Congresswoman Mary Fallin  
                                  Congressman Frank Lucas  
                                  Congressman John Sullivan

GB:cd

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

From: Roberts, John SWT

Sent: Saturday, February 13, 2010 10:50 AM

To: 'gusblackwell@okhouse.gov'

Cc: Funkhouser, Col Anthony C SWT; Snyman, Gene LTC SWT; Hunninghake, Lori SWT; Roberts, John SWT

Subject: Optima Lake

Representative Blackwell,

We received your letter dated February 9, 2010 and I called you and left a message for you to call me back. I will be out of the office most of next week, but you can call my cell at 918-629-7382.

We are pleased that the State has an interest in having the road over Optima Dam turned over for State management. There are precedents, as the State has highway easements over both Tenkiller and Keystone Dams, and maintains these roadways. Also, the County has an easement and maintains the road over Skiatook Dam. So, it can be done.

We are open to other options to prevent having to close the road. Unfortunately, the U.S. Army Corps of Engineers no longer gets sufficient federal appropriations to maintain the road in a safe manner. Our Commander, COL Funkhouser, has the responsibility for public safety and can not continue to allow public access over the dam with the known safety issues. Unfortunately, Tulsa District has a history of guard rail related accidents, with some involving fatalities. The latest was just this past 2009 Memorial weekend where a driver went through the guardrail at Broken Bow Dam, and his passenger was killed. Public Safety is the Commander's number one priority.

Please contact me. We would love to pursue your suggestion of turning the road over Optima Dam to State Management. I look forward to seeing you on January 22nd at Guymon.

John Roberts

Deputy District Engineer for Project Management Tulsa District U.S. Army Corps of Engineers

918-669-7201 (office)

918-629-7382 (cell)

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

From: The Burdos [<mailto:majburdo@ptsi.net>]

Sent: Saturday, February 13, 2010 2:28 AM

To: Nolen, Stephen L SWT

Subject: Draft Assessment: Optima Lake Road Closure & Recreational Facility Demolition

Attn: Stephen L. Nolen

U.S. Army Corps of Engineers, Tulsa District

13 February 2010

Dear Mr. Nolen,

Having reviewed the Draft Environmental Assessment For Optima Lake pertaining to the Road Closure & Recreation Facility Demolition, I would like to make several comments regarding the proposed actions to be taken by the Corps.

(1) There needs to be a better explanation of what is proposed, made to the general public. This may or may not be the fault of the Corps of Engineers, but there has been very little information provided to the public via the local media, in particular by the Guymon Daily Herald. Please note that the Daily Oklahoman is no longer distributed in this area. I was unaware of the existence of this "Draft Assessment" until I made an on-line inquiry pursuant to my interest in attending the "listening session" on February 22nd (which was noted in the Daily Herald).

(2) Clarification needs to be provided to the general public regarding the future of Optima Lake in general. Previous local news articles regarding the "closure" of Optima Lake did not specify whether this closure was in reference to the Optima Wildlife Management Area (State Of Oklahoma), Optima National Wildlife Refuge (U.S. Fish & Wildlife Service), or the Recreation Areas in immediate proximity to the lake (Corps of Engineers). Most of the local population is unaware of the distinctions (particularly in light of the 30 plus years since initial impoundment). Even those who have previously commented and are quoted in the draft assessment are seemingly unaware of the differences between the various land management agencies involved.

(3) Likewise, this is an important clarification to be made in light of the possibility of reversion of any of the Optima Project lands back to the original land-owners (which according to a good portion of public opinion is the avowed goal of Senators Inhofe and Coburn). Given that much of this land is licensed to the Oklahoma Department Of Wildlife Conservation and the U.S. Fish & Wildlife Service, this would either be impossible given the current situation or, if the situation were changed, have the effect of removing most of the land available for Public Hunting use (if the land were to be sold back to the previous owners). Also, would the previous land-owners even be interested in the property if there

were the possibility (even if remote) of inundating their land? Or, are we talking about eventual removal of the dam?

(4) Most importantly, I would have to question why the closure of the Embankment Roadway does not seem to have any alternative options. Why, after 30 years, is the guardrail so dangerous? While there has been some wildfire damage to the guardrail system, some of it has already been repaired. In addition, given the dry climate and (at least to my eyes) generally good condition of the soil cement foundation, a cursory examination of the guardrail indicates that it is hardly in danger of immediate failure. I am afraid that this will be perceived as a "knee-jerk" reaction by the Corps to the bad publicity (helped along by Mr. Coburn) given to the guardrail replacement proposal contained in the stimulus package. While the Corps took a National publicity "hit" on this topic, it does not seem fair to take it out on the local population.

Given that this is a very rural area with limited traffic across the embankment, I suppose this would be the "path of least resistance" but it would be a tremendous inconvenience to those people who do actually use the road. If it is the intention of the Corps to then re-open the dirt road below the dam (in a way like the Fort Supply situation), I am afraid of the consequences to the down slope side of the dam given that new vehicular access. This would not be a viable solution to the problem.

While the condition of the guardrail would no doubt be sub-standard were it in a high traffic or urban environment, I would really like the Corps to provide a little more information as to the actual requirements for guardrails provided by State Of Oklahoma or Federal Guidelines (particularly in a low use and/or rural environment). I know that I have personally driven on many roadways with even heavier traffic loads (particularly in Federal Parks) that have much less protection than that afforded by the Optima guardrail. Are the standards being referenced, applicable to the actual type of road that is involved?

It also seems like that by labeling the current guardrail as "Dangerous" in print, the Corps (by virtue of inherent liability) has virtually guaranteed that this roadway is to be closed. Even were Texas County to have considered assuming responsibility for the roadway (which it has "de-facto" for the last 15 years anyway), this possibility would seem to be now removed. I would really like to see the Corps provide more information as to "why" road closure seems to be the only course of action available.

I thank you for your time, and look forward to the listening session to be held here in Guymon.

Ben Burdo  
(Former COE Park Ranger @ Optima Lake)  
Guymon, Oklahoma

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

From: Ellen Pelton [<mailto:jake4@swko.net>]

Sent: Monday, February 22, 2010 12:12 PM

To: Nolen, Stephen L SWT

Subject: Optima Lake

A project that took many hours of hard labor and money. what a shame to take it to the ground. I know that people used the camp grounds for a week-end get away and enjoyed being with mother nature and the quietness of the land. when it is gone what will those do that used it. as it so far from somewhere to go and enjoy just getting away. i think a better plan should be in mind beside closing it down. i myself enjoyed going threw the dam just to look and enjoy a project that never did get off the ground, i think we as people waste to much money and then when things do not work out we just get rid of it what a waste and a terrible big shame. thank-u for your time ellen pelton



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

From: larry batenhorst [<mailto:lpbaten@hotmail.com>]

Sent: Tuesday, March 02, 2010 5:26 PM

To: Nolen, Stephen L SWT

Subject: OPTIMA LAKE LAND GRAB TEXAS COUNTY RESIDENTS AND TAX PAYERS

Mr. Nolen,

After attending a meeting it is plain to see what the objective is. If safety was an issue, where were your people after the fire went thru the camping areas. There was no rebuilding of the things that were destroyed. My issues are this, has there been any study of the amount of water that is removed from the river bottom by irrigation. There are numerous irrigation wells along the river that pull the water from the sandy river bed. I have used Optima lake on numerous times. Hiking, get away, wildlife watching, hunting, and fishing, and boating. Yes, boating, one of the few that can say this. There is some things that can be done. To replace the post on the guard rail is a small price to pay for Texas county tax payers to keep the public land. Tri County Electric has used high line post that can be used for this, and we can still use the metal rails. I know there is labor involved and the road bed still needs to be fixed, but Texas county has agreed to maintain the road bed once this is done. The Optima Lake Area still has many uses, home sites, private land, camping, horseback riding, grazing lease, hiking, bird watching, RV Park, hunting, fishing, shooting range, part of it would make a good boy and girl scout camp, dog training, atv park, just a place to go to get away from it all place. I would like it to see a casino put in. I really want a place where my kids and grandkids can go and enjoy God and nature.

Texas county tax payers have never known anything but for people who take things away from them. Optima is one of the few things Texas County has, that the people can be proud of. We have very little else to enjoy. It's very hard to find private land to hunt on and to enjoy. If there is to be an auction of this land, which seems to be the objective, I would like to see it broke up into small enough acres to give the average Texas County taxpayer a chance to own part of it, say 80 to 160 to 320 acre plots. It is my opinion that any previous land owners from which Optima Lake Area was purchased from, not be allowed to buy back or get this land unless it can't be sold to general public at auction. The previous land owners got paid by the Texas County tax payers, it's not their land, it's the public's land.

I don't know what the outcome of all this will be, but I can tell you this. If the previous land owners or the large land owners end up with Optima Lake Area again and the Texas County Tax Payers end up with little or nothing, this will surely go down in history as the biggest land grab since the Oklahoma Land Rush.

Noted, Somewhere in the paper work there will be names of people elected by the Texas County Tax Payer

Thanks

Larry Batenhorst

---

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

From: The Burdos [<mailto:majburdo@ptsi.net>]

Sent: Friday, March 12, 2010 3:43 PM

To: Nolen, Stephen L SWT

Subject: Optima Lake - Draft Assessment

Thank you for the opportunity to be heard at the listening session held here in Guymon. I was quite surprised at the number of viewpoints expressed as well as some of the "agendas" espoused.

As I noted at the session, I was a Corps Of Engineers Park Ranger at Optima from 1979 to 1994. One of the seasonal "problems" we had with the embankment roadway was that during the Spring & Fall (periods of high wind), the previous year's growth of tumbleweeds had a tendency to be blown up either flank of the embankment (dependant upon wind direction) and would encounter a "dead air zone" on the top of the dam and fall onto the roadway, trapped between the guardrails on the East and West side of the road. Sometimes this would produce mile long sections of tumbleweeds packed guardrail to guardrail. This presented a serious problem, particularly for those unaware of the fire danger inherent in dragging dry tumbleweeds under a vehicle (whether purely by friction or upon contact with a catalytic converter or hot exhaust system). Even today, 25 years after the fact, evidence of a fire which consumed a Pepsi delivery truck is still evident just south of the gate-tower. I personally assisted several other unwary motorists in removing or extinguishing these "unwelcome souvenirs" from their vehicles before they presented a serious fire problem. During the period in which the Corps maintained an on-site office, we would use a front end loader & "brush hog" to remove or chop the accumulated tumbleweeds on the roadway.

The primary "unassisted" outlet for these tumbleweeds was when they were blown North or South (following the roadway) off of the embankment. The problem has been further exacerbated by the lack of mowing and debris removal from the approximate 3 foot zone immediately behind the guardrails (which stopped after the Corps Of Engineers ceased maintenance contracts). It is my understanding that the "tumbleweed problem" exists to this day and is handled by Texas County which attempts to keep the road clear when it becomes impassable.

Unfortunately, the proposed gates at the North and South ends of the dam will remove the "natural" North and South windblown outlet for the tumbleweeds and will in all likelihood, due to the lack of normal vehicular traffic, create as big a safety problem as the one the Corps is attempting to solve by closing the roadway. The accumulated tumbleweeds will be restricted not only by the guardrail (East and West) but by the gates (North and South). With the gates and lack of normal traffic, it is extremely hard to imagine that the county will have the incentive or funding available to keep the roadway clear of tumbleweeds (or even snow, for that matter). Although it is proposed to provide emergency

vehicles with "keys" to these gates, this does not ensure that once they go through these gates, their route will be safely passable.

Unlike the situation at Fort Supply, where there is an existing paved road below the dam, there are no alternative routes in close proximity to the embankment roadway either for normal or emergency traffic. Further, absent a 3 mile long fence, opening up the existing undeveloped road below the dam will only serve to endanger the existing soil-cement on the downslope side of the dam. Improving the undeveloped roadway and installing a fence would present an alternative which could be considered, but it does again involve the expenditure of some funds (although not as someone mentioned during the listening session, necessitating "building a bridge") which probably is not a high priority with the county. If the Corps does feel it has no choice but to "close" the embankment roadway, some form of access needs to be provided.

Yours truly.

Ben Burdo

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

From: Mary Hidalgo <<mailto:sandcreek@ptsi.net>>

To:

Sent: Friday, March 12, 2010 8:44 PM

Subject: questions regarding the closing of Optima Wildlife Area

Dear Sirs:

March 12, 2010

We have been holding American Kennel Club Licensed Field Trial on Lake Optima. There are other State Wild Life Areas that hold these events. Boonsville Arkansa, Blue Mt. Wild Life / Branch Oak Nebraska/ Lake Murry , Ardmore Ok. The Field Trials that are there bring in considerable income to these towns and surrounding areas. These areas are used year round. With the state being there helping.

The questions that we are wanting to ask are as follows

1. The Mineral Rights Revenues do they show as profit to the yearly income for Optima Wild life Area ?
2. For the community as with any other federaly funded area where can the community view what moneys were allocated to use on this property? Under the freedom of information this information should be posted. Where can the community look for this information.
3. You have stated that when you are in charge of a property that you are to maintain it ..can you show what you have maintained in the last few years. Example Roads, Campgrounds, mowing.

Thank You

Tim Hidalgo

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

From: Jim Weatherby [<mailto:weathj@ptsi.net>]

Sent: Sunday, March 14, 2010 8:27 AM

To: Stephen.L.Nolen@usace.army.mil

Subject: Optima dam project

I'm emailing in concern for the Optima Dam and it's future. I feel it would be a great benefit for local communities to open the project lands to ohvs. As an example, my belief grows with each trip I make to the Cimarron Nat Grasslands near Elkhart Ks. They have opened a lot of it to ohvs and as busy as the trails there have been each time my family has visited, I'm sure it has a good economic impact on the area and also keeps vandalism to a minimum since vandals know there are others present and watching them. My family and I would be willing to volunteer any help we can in an effort save the project in hopes of building something for the future of the area. Feel free to contact me.

Yours Truly,  
Jim Weatherby  
Rt1 Box 37A  
Hardesty, Okla  
73944  
580-461-9371

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

From: Jim Weatherby [<mailto:weathj@ptsi.net>]

Sent: Sunday, March 14, 2010 1:03 PM

To: Stephen.L.Nolen@usace.army.mil

Subject: optima dam

To whom it may concern

I would like to see optima dam remain open. I think that opening it to ohv would be a huge benefit to the surrounding areas as well as the dam area its self. We have to travel 100 miles to do any riding except on our own place. We would be willing to help in any way that we can. It would be a shme to see it close because there is nothing to do except hunt out there.

Gerri Weatherby

Hardesty, OK

580-461-8189

**APPENDIX F**  
**Newspaper Public Notice**



***Announcing:* COMMENT PERIOD  
DRAFT ENVIRONMENTAL ASSESSMENT**

*as related to the*

**Optima Lake Road Closure and Recreational Facility Demolition,  
Texas County, Oklahoma**

*in compliance with*

**The National Environmental Policy Act  
FORMAL COMMENT PERIOD**

**January 22, 2010 through February 21, 2010**

The Draft Environmental Assessment addresses the environmental effects of the proposed closure of the road across the Optima Dam embankment and the demolition of the recreational facilities at the five Public Use Areas at Optima Lake, Texas County, Oklahoma. The purpose of this project is to increase public safety at the lake. The comment period is a continuation of public involvement used to develop the draft assessment. The public is invited to review the draft assessment and make comments. A copy of the assessment is available at:

**Guymon Public Library  
206 NW 5<sup>th</sup> St  
Guymon, OK 73942**

**Liberal Memorial Library  
519 N. Kansas  
Liberal, KS 67901**

**Olive Warner Memorial Library  
111 S. Broadway St.  
Hooker, OK 73945**

All written comments and questions will be addressed as appropriate in the Final Environmental Assessment. To be included in the final assessment, comments and questions must be received prior to the close of the formal comment period. Comments and questions about the draft assessment or the comment process can be directed to:

**Mr. Stephen L. Nolen  
Chief, Environmental Analysis and Compliance Branch  
U.S. Army Corps of Engineers, Tulsa District  
1645 S. 101<sup>st</sup> East Avenue ATTN: CESWT-PE-E  
Tulsa, Oklahoma 74128  
Phone: 918-669-7660  
e-mail: [Stephen.L.Nolen@usace.army.mil](mailto:Stephen.L.Nolen@usace.army.mil)**

# PROOF OF PUBLICATION

STATE OF KANSAS, SEWARD COUNTY, ss:

Crystal Norton, being first duly sworn,  
deposes and says: That ~~She~~ is the ~~publisher~~ - principal clerk - of

## THE TIMES

a newspaper printed in the State of Kansas, and published in and of general circulation in Seward County, Kansas, with a general paid circulation on a weekly basis in Seward County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Liberal in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for one time, the publication thereof being made as aforesaid on the 22nd day of January, 2010,

Crystal Norton  
SUBSCRIBED AND SWORN to before me this 22nd day of  
January, 2010  
Katie L. Slater

Notary Public

My Commission Expires, December 17<sup>th</sup>, 2011

Printer's Fee . . . \$ 95.00



**Announcing: COMMENT PERIOD**  
**DRAFT ENVIRONMENTAL ASSESSMENT**  
*as related to the*  
**Optima Lake Road Closure and Recreational Facility Demolition,**  
**Texas County, Oklahoma**  
*in compliance with*  
**The National Environmental Policy Act**  
**FORMAL COMMENT PERIOD**  
**January 22, 2010 through February 21, 2010**

The Draft Environmental Assessment addresses the environmental effects of the proposed closure of the road across the Optima Dam embankment and the demolition of the recreational facilities at the five Public Use Areas at Optima Lake, Texas County, Oklahoma. The purpose of this project is to increase public safety at the lake. The comment period is a continuation of public involvement used to develop the draft assessment. The public is invited to review the draft assessment and make comments. A copy of the assessment is available at:

**Guymon Public Library**  
206 NW 5<sup>th</sup> St  
Guymon, OK 73942

**Liberal Memorial Library**  
519 N. Kansas  
Liberal, KS 67901

**Olive Warner Memorial Library**  
111 S. Broadway St.  
Hooker, OK 73945

All written comments and questions will be addressed as appropriate in the Final Environmental Assessment. To be included in the final assessment, comments and questions must be received prior to the close of the formal comment period. Comments and questions about the draft assessment or the comment process can be directed to:

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**Chief, Environmental Analysis and Compliance Branch**  
U.S. Army Corps of Engineers, Tulsa District  
1645 S. 101<sup>st</sup> East Avenue ATTN: CESWT-PE-E  
Tulsa, Oklahoma 74128  
Phone: 918-669-7660  
e-mail: [Stephen.L.Nolen@usace.army.mil](mailto:Stephen.L.Nolen@usace.army.mil)

**PROOF OF PUBLICATION**

TEXAS COUNTY,  
STATE OF OKLAHOMA

GUYMON DAILY HERALD  
515 N. ELLISON, P.O. BOX 19  
GUYMON, OK 73942

PHONE: (580)338-3355 FAX: (580)338-5000

**ENVIRONMENTAL ASSESSMENT  
OPTIMA LAKE**

I, Allison Gipe, first being duly sworn, upon oath, says: That she is the publisher of the Guymon Daily Herald, a daily newspaper, published and printed in The City of Guymon, Texas County, Oklahoma. That said Guymon Daily has a paid circulation in Texas County, Oklahoma with entrance into the United States mails as Second class mail matter and published in the county where delivered to the United States mail and said newspaper has been continuously and uninterruptedly published in said Texas County during a period of one hundred and four weeks consecutively prior to the date, on which the notice herein referred to was first published, and a notice of which a true copy is hereto attached, was published in a regular and entire edition of said Guymon Daily Herald and not in a supplement thereof, for ONE time on the following date:

January 23, 2010

That said newspaper is printed in the English language.

I, Allison Gipe further state, that this legal notice, advertisement or publication published in The Guymon Daily Herald comes within all the prescriptions and requirements of Title 25, Oklahoma Statutes, 1951, as amended, of the State of Oklahoma.

  
PUBLISHER

Publishing Fee: \$65.60

Subscribed and Sworn to before me this 25th day of January, 2010.

  
Notary Public

My Commission number: 02002829

(Seal)



**Announcing: COMMENT PERIOD  
DRAFT ENVIRONMENTAL ASSESSMENT  
as related to the  
Optima Lake Road Closure and  
Recreational Facility  
Demolition,  
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The National Environmental Policy Act  
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**Mr. Stephen L. Nolen  
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ATTN: CESWT-PE-E  
Tulsa, Oklahoma 74128  
Phone: 918-669-7660**

e-mail: [Stephen.L.Nolen@usace.army.mil](mailto:Stephen.L.Nolen@usace.army.mil)

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**Tulsa District News**

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## PUBLIC COMMENT PERIOD EXTENDED

February 10, 2010 02

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**Synopsis:** Corps of Engineers is extending the public review and comment period for the Environmental Assessment – Optima Lake Road Closure and Recreational Facility Demolition – through March 7, 2010.

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TULSA – The U.S. Army Corps of Engineers is extending the public review and comment period for the Environmental Assessment – Optima Lake Road Closure and Recreational Facility Demolition – for two weeks. The new closing date for public comment is **March 7, 2010**. The reference document is currently available on the Tulsa District's website at [www.swt.usace.army.mil](http://www.swt.usace.army.mil) as well as the libraries in Guymon and Hooker, Okla., and Liberal, Kan.

All written comments and questions will be addressed as appropriate in the Final Environmental Assessment. To be included in the final assessment, comments and questions must be postmarked by the end of the formal comment period, March 7, 2010. Comments and questions about the draft assessment or the public comment process can be directed to:

Mr. Stephen Nolen  
Chief, Environmental Analysis and Compliance Branch  
U.S. Army Corps of Engineers, Tulsa District  
1645 S. 101st East Avenue  
ATTN: CESWT-PE-E  
Phone: 918-669-7660  
E-mail: [Stephen.L.Nolen@usace.army.mil](mailto:Stephen.L.Nolen@usace.army.mil)

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For more information on this subject please contact: Ross Adkins, 918-669-7365

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Phone: 918-669-7366  
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# Tulsa District News

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## PUBLIC COMMENT PERIOD EXTENDED AGAIN

February 23, 2010 05

**Synopsis:** Corps once again extends public comment period for the Environmental Assessment -- Optima Lake Road Closure and Recreational Facility Demolition

TULSA -- The U.S. Army Corps of Engineers is again extending the public review and comment period for the Environmental Assessment -- Optima Lake Road Closure and Recreational Facility Demolition. The new closing date for public comment is March 14, 2010. The reference document is currently available on the Tulsa District's website at [www.swt.usace.army.mil](http://www.swt.usace.army.mil) as well as the libraries in Guymon and Hooker, Okla., and Liberal, Kan.

All written comments and questions will be addressed as appropriate in the Final Environmental Assessment. To be included in the final assessment, comments and questions must be postmarked by the end of the formal comment period, March 14, 2010. Comments and questions about the draft assessment or the public comment process can be directed to:

Mr. Stephen Nolen  
Chief, Environmental Analysis and Compliance Branch  
U.S. Army Corps of Engineers, Tulsa District  
1645 S. 101st East Avenue  
ATTN: CESWT-PE-E  
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