Sequoyah Bay State Park
Resource Management Plan
2011 (Updated April 2013)

Wagoner County, Oklahoma

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With Kaowen (Grace) Chang, Ph.D.; Debra Jordan, Re.D.;
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Acknowledgements

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Assistance was also provided by Deby Snodgrass, Kris Marek, and Doug Hawthorne – all from the Oklahoma City office of the Oklahoma Tourism and Recreation Department. Greg Snider, northeast regional manager for Oklahoma State Parks, also assisted throughout the project.

It is the purpose of the Resource Management Plan to be a living document to assist with decisions related to the resources within the park and the management of those resources. The authors’ desire is to assist decision-makers in providing high quality outdoor recreation experiences and resources for current visitors, while protecting the experiences and the resources for future generations.

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# Abbreviations and Acronyms

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<tr>
<td>ADAAG</td>
<td>Americans with Disabilities Act Accessibility Guidelines</td>
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<tr>
<td>BCE</td>
<td>Before the Common Era</td>
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<td>CCC</td>
<td>Civilian Conservation Corps</td>
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<td>CDC</td>
<td>Centers for Disease Control</td>
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<td>CE</td>
<td>Common Era</td>
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<tr>
<td>CLEET</td>
<td>Council on Law Enforcement Education and Training</td>
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<td>GIS</td>
<td>Geographic Information Systems</td>
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<tr>
<td>GPS</td>
<td>Global Positioning System</td>
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<td>EPA</td>
<td>Environmental Protection Agency</td>
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<td>mcf</td>
<td>million cubic feet</td>
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<td>MCL</td>
<td>Maximum Contaminate Level</td>
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<td>NAAQS</td>
<td>National Ambient Air Quality Standards</td>
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<td>NAWQA</td>
<td>National Water Quality Assessment Program</td>
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<td>NEPA</td>
<td>National Environmental Policy Act</td>
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<td>NPRM</td>
<td>Notice of Proposed Rule Making</td>
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<td>OSU</td>
<td>Oklahoma State University – Stillwater</td>
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<td>OTRD</td>
<td>Oklahoma Tourism and Recreation Department</td>
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<td>OWRB</td>
<td>Oklahoma Water Resources Board</td>
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<tr>
<td>PBCR</td>
<td>Primary body contact recreation</td>
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<tr>
<td>pH</td>
<td>potential for hydrogen ions</td>
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<tr>
<td>ppm</td>
<td>parts per million</td>
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<td>R</td>
<td>Range</td>
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<td>RMP</td>
<td>Resource Management Plan</td>
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<tr>
<td>SCORP</td>
<td>Statewide Comprehensive Outdoor Recreation Plan</td>
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<tr>
<td>SCBR</td>
<td>Secondary body contact recreation</td>
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<td>T</td>
<td>Township</td>
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<tr>
<td>USFWS</td>
<td>United States Fish and Wildlife Service</td>
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<td>USGS</td>
<td>United States Geological Survey</td>
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<tr>
<td>WBDO</td>
<td>Waterborne Disease Outbreak</td>
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Mission Statement of the Oklahoma Tourism and Recreation Department

The mission of the Oklahoma Tourism and Recreation Department is to advance Oklahoma’s exceptional quality of life by preserving, managing, and promoting our natural assets and cultural amenities.

Vision Statement

The vision of the Oklahoma Tourism and Recreation Department is to promote and enhance tourism throughout the state; protect and preserve the environment and natural resources; educate the public about Oklahoma’s people and places; provide exceptional customer service to all citizens and visitors; create a team environment in which all employees are successful, productive, and valued; embrace and seek diversity in our workforce and those we serve.

OTRD Values

- Responsibility and leadership
- Respect
- Quality
- Exemplary customer service
- Balance and self-fulfillment
- Teamwork and communication
- Flexibility
- Creativity and innovation
- Coordination
- Commitment
- Integrity
Figure 0.1 – Example of monuments in Sequoyah Bay State Park
Chapter 1 – Introduction

Resource Management Plan: Purpose and Process

The Resource Management Plan (RMP) program and policy is to document management responsibilities to balance the use of water and land resources as they relate to recreation; in this instance, Sequoyah Bay State Park. As a guiding plan, the RMP seeks to propose long-term policy that limits adverse impacts to critical resources while providing protection and management of fish, wildlife, and other natural and cultural resources. In addition, the RMP will provide guidelines for public health and safety, public access, and a wide variety of outdoor recreational opportunities.

The purpose and scope of the RMP are to provide background information, identify the policies and goals governing the management of Sequoyah Bay State Park and its incorporated resources, summarize the plan’s components, and provide descriptive and historical information related to the project.

The ultimate purpose of the RMP is to establish a management framework for the conservation, protection, enhancement, development, and use of the physical and biological resources at Sequoyah Bay State Park. With regard to Sequoyah Bay State Park, the RMP is to:

- Provide managers and decision-makers with long-term direction and guidance for the successful management of the resources at Sequoyah Bay State Park;
- Ensure that management of the resources is compatible with authorized purposes;
- Ensure that recreation experiences and facilities are compatible with other environmental resources;
- Ensure that planned developments are based on public need and the ability of the environmental resources to accommodate such facilities and use; and
- Resolve issues and concerns related to management of the environmental resources.

Planning Process

The planning process for preparation of this Resource Management Plan included discussion between research staff at Oklahoma State University (OSU) and management personnel from Oklahoma State Parks. In addition, the process incorporated (1) the acquisition of archival information from libraries, state parks, books, research reports, and other sources; (2) interviews of state park personnel; (3) records provided by state park management; (4) input from members of the public through surveys, comment cards, and focus groups; and (5) searches of the Internet for information that expanded on other archives.

The purposes of public involvement are to inform the public and solicit public response regarding their needs, values, and evaluations of proposed solutions. Public involvement programs are designed not only to meet state and federal regulations, but also to include interested individuals, organizations, agencies, and governmental entities in the decision-making process. Techniques used for public involvement include interviews, workshops, advisory committees, informational brochures, surveys, and public hearings. The process of public
involvement is important to help strengthen the relationship between public and government agencies involved in the proposed plan. The relative success of public involvement techniques and the participation of supporting government agencies regarding the program as a whole is indicated by how well informed the public is and by how much the public has contributed to making environmentally sound, feasible decisions that are supported by a significant segment of the public. The public involvement process for the Sequoyah Bay State Park RMP is incorporated into the text of this document.

The original concept in preparation of an RMP is a federal action that requires compliance with the National Environmental Policy Act (NEPA); therefore, the public involvement process must fulfill the RMP and NEPA requirements as well as those of other entities. Oklahoma State Parks has committed the agency to follow a similar model at the state level for all state parks.

Using several public involvement methods to gain insight into the concerns of the public and governmental agencies potentially affected by provisions of the Sequoyah Bay State Park RMP, representatives from OSU compiled and analyzed the data. The public involvement process offered citizens and various interest groups information about the project and its potential impacts. This course of action was used to gather information, ideas, and concerns regarding the different issues to be compiled and addressed to determine issues of public concern. The issues were then evaluated resulting in alternative solutions and recommendations for the park.

Finally, the RMP process included integration of global positional system (GPS) technology into Geographic Information System (GIS) software to document features and attributes within the park. This component of the process permits an on-going record of facilities with their respective attributes, locations, and conditions. As a result, the GPS and GIS components of the RMP process are integral to on-going implementation and application of the planning effort.

**Agencies Involved**

In 2006, Oklahoma State Parks, through the Oklahoma Tourism and Recreation Department (OTRD), contracted with Oklahoma State University to prepare Resource Management Plans for each park. This agreement has been renewed annually since 2006. The current agreement specified Sequoyah Bay State Park during 2010 – 2011, and the intent of the agreement is to continue the RMP process across all state parks in Oklahoma.

The RMP agreement became effective July 1, 2010 between Oklahoma Tourism and Recreation Department and Oklahoma State University. Following a meeting between OTRD and OSU staff, information, reports, and comment cards were provided to OSU for review. In accordance with the RMP contract, OSU performed research services and delivered reports to OTRD concluding with a written plan for Sequoyah Bay State Park in June 2011.

The authority for the agreement between OTRD and OSU is based upon Title 74 § 2213 as authorized by Engrossed Senate Bill 823 of the 2005 session: “The Commission may contract for the study, analysis, and planning as reasonably necessary to aid in determining the feasibility of leasing, selling or privately managing or developing the property or facilities under the control of the Commission. The Commission shall be exempt from the competitive bidding requirements of the Competitive Bidding Act for the purpose of soliciting, negotiating, and effectuating such a contract or contracts.”
Further, this authority is specified in Title 74 § 2215 which states: the Division of State Parks, subject to the policies and rules of the Commission shall formulate, establish, maintain, and periodically review, with public participation, a resource management plan for each state park. The resource management plan, upon approval by the Commission, shall be considered a guide for the development, utilization, protection, and management of the state park and its natural, cultural, historic, and recreational resources.

Figure 1.1 – Entry sign for Sequoyah Bay State Park
Figure 1.2 – Marina boat slips at Sequoyah Bay State Park
Chapter 2 – Project Description

About Sequoyah Bay State Park

The Division of State Parks, a part of the Oklahoma Tourism and Recreation Department, is governed by the laws of the state of Oklahoma. These laws define the authority for the Division and the context in which individual state parks are managed. Title 74 § 2214 of the Oklahoma Statutes states that the Division of State Parks shall, subject to the policies and rules of the Commission:

1. Conserve, preserve, plan, supervise, construct, enlarge, reduce, improve, maintain, equip and operate parkland, public recreation facilities, lodges, cabins, camping sites, scenic trails, picnic sites, golf courses, boating, and swimming facilities, and other similar facilities in state parks reasonably necessary and useful in promoting the public use of state parks under the jurisdiction and control of the Commission;

2. Supervise the management and use of state properties and facilities under the jurisdiction of the Commission. The Commission may adopt rules to lease concessions in any state-owned facility if the Commission deems it feasible;

3. Authorize those employees in the Park Manager job family classification series, as established by the Oklahoma Office of Personnel Management, to maintain administrative control over all facilities, programs, operations, services, and employees in the park to which they are assigned; and

4. Enforce the rules and policies governing the use of and conduct of patrons in all recreational facilities and properties of the Commission.

Purpose and Significance of Sequoyah Bay State Park

An initial requirement of the RMP process is the development of a purpose statement for the property under consideration. The process selected for the development of resource management plans for state parks requires purpose statements and statements of significance for each park. These statements drive the decisions as to planning for the respective parks, since individual parks in the state park system do not have identical purposes or intents.

At the initiation of this project, a purpose statement for Sequoyah Bay State Park did not exist. As a result, it was necessary that one be developed. Research staff from OSU worked with OTRD staff, representing Sequoyah Bay State Park and Sequoyah State Park and the broader agency, to develop a draft purpose statement. During that process staff created the following statement.

The purpose of Sequoyah Bay State Park, as a small and focused property, is to provide for the public enjoyment and protection of the natural, scenic, historic, and ecological values and resources that exist within the park property. With its proximity to Muskogee, Sequoyah Bay encompasses a forest, lake, and river.
ecosystem in a populated and historic river corridor and offers a recreation setting in contrast to those developed environments.

Similarly, in response to requests from the research staff, OTRD personnel, in cooperation with the research staff, developed a statement of significance for Sequoyah Bay State Park. That statement follows:

Named in honor of the inventor of the Cherokee syllabary, Sequoyah Bay State Park is significant because of its lake and forest environment, with related flora and fauna, enhanced by the historic properties, people and cultures that have developed in or near that environment. Sequoyah Bay State Park emphasizes the history and presence of the Five Civilized Tribes relocated to Oklahoma and linked to the Three Forks geography and the south plains.

Sequoyah Bay State Park has been identified and marketed as “The State Park of the Five Civilized Tribes.”

Figure 2.1 demonstrates the inter-relationship of purpose and significance statements with the mission of the management agency in decisions related to a given park or property. This model has been developed by the National Park Service to assure consistency between the mission of the National Park Service and the operation of their respective properties. In a similar manner, park purpose statements and park significance can be consistent with the mission of the Oklahoma Tourism and Recreation Department.

Geographic Location of Sequoyah Bay State Park

Sequoyah Bay State Park is located in east central Oklahoma, on the eastern edge of Wagoner County and on the western shore of Fort Gibson Lake. The park is located north of Okay, Oklahoma. The largest cities in the immediate area are Wagoner to the northwest and Muskogee to the south.
Figure 2.2 – Wagoner County, Oklahoma
Source: Google Maps

Figure 2.3 – Aerial view of Sequoyah Bay State Park
Source: Google Maps
Sequoyah Bay State Park is located along Gray Oaks Road, also identified as East 100th Street. An aerial photograph (Figure 2.3 on the preceding page) of Sequoyah Bay State Park shows its location on a peninsula extending eastward into Fort Gibson Lake. The identifying name of the area as “Sequoyah Bay Recreation Area” is a remnant from the latter part of the 20th century.

Wagoner County is bordered on the east by Cherokee county, home of Sequoyah State Park and Sequoyah (formerly Western Hills) Lodge. Mayes and Rogers counties are to the north; Tulsa and Okmulgee counties are to the west; and Muskogee County borders Wagoner County on the south. Two large lakes dominate the region: Fort Gibson Lake in the immediate vicinity of Sequoyah Bay State Park and Sequoyah State Park and Lake Tenkiller to the southeast.

Wagoner, in Wagoner County, is the closest city about ten miles northwest of the park. Larger population centers are located south of Wagoner County with Muskogee within 15 miles of the park, Tulsa at a distance of 50 miles, and Oklahoma City about 150 miles from Sequoyah Bay State Park. Fort Smith and Fayetteville, Arkansas, are immediately across the state line to the east.

Fort Gibson is approximately 15 miles south of the park. Smaller communities in Wagoner County include Coweta, Red Bird Porter, Tullahassee, Stone Bluff, Choska, and numerous other towns and unincorporated areas.

Travel to and from Sequoyah Bay State Park is provided by county roads to link to state or federal highways. Gray Oaks Road continues west from Sequoyah Bay to State Highway 16. Just west of the park entrance, 49th Street out of Okay links to State Highway 80 (251A). These state highways then connect to State Highway 51 linking to the Muskogee Turnpike, Federal Highway 69 in Muskogee or Wagoner, and numerous other state highways and county roads throughout the region. Figure 2.4 shows the primary access road from the west into Sequoyah Bay State Park.
Park. In addition, this figure shows several other recreation areas developed on Fort Gibson Lake, including Sequoyah State Park directly to the east across the Lake.

**Community and Regional Context**

Because Sequoyah Bay State Park is in Wagoner County, managed in concert with Sequoyah State Park in Cherokee County, and reliant on the population of Muskogee County, three counties are reported in the following discussion.

**Brief History of Wagoner County**

The following history of Wagoner County was written by Liz McMahan for the Oklahoma Historical Society and retrieved from the website for the Oklahoma Historical Society (http://digital.library.okstate.edu/encyclopedia/entries/W/WA003.html).

“Located in Oklahoma’s northeastern region, Wagoner County was created at 1907 statehood. Surrounding counties include Rogers and Mayes on the north, Cherokee on the east, Muskogee and Okmulgee on the south, and Tulsa on the west. At the turn of the twenty-first century incorporated towns included Coweta, New Tulsa, Okay, Porter, Redbird, Tullahassee, and Wagoner, the county seat.

The county has several archaeological sites that suggest prehistoric inhabitation. The Caddoan Mound Builders (A.D. 300 to 1200) are the most prolific. A late occupation, the Norman Site, lies just east of Wagoner in the present Taylor Ferry vicinity. In the 1930s University of Oklahoma archaeologists excavated there and determined it to be a sociopolitical center from around A.D. 1200 to 1400. Pottery and other artifacts found there are now on display at several Oklahoma museums.

The topography of the county’s 590.99 square miles of land and water is part of the Ozark Highlands, an area of wooded hills, small prairies, pasturelands, and many streams. Three rivers drain the region. The Verdigris River, now part of the McClellan-Kerr Arkansas River Navigation System, divides the county east and west. The Arkansas River wraps around the west and south sides. In 1942 the U.S. Army Corps of Engineers began impounding the Grand River, creating Fort Gibson Lake. The county’s economy historically has been based on its natural resources, beginning with the abundant game in this Three Forks area where the Arkansas, the Verdigris, and the Grand join. While the county still has a strong agricultural base, the development of the lake covered a large amount of fertile farmland and elevated tourism to economic importance.

In the late eighteenth century French traders and trappers worked the region. After 1803, when the United States purchased Louisiana Territory, which included present Oklahoma, Americans began exploring the area. These included James Wilkinson, Jacob Fowler, Thomas James, Nathan Boone, and Washington Irving. Several traders, including Nathaniel Pryor, Joseph Bogy, and Auguste P. Chouteau, opened posts in the Three Forks and shipped huge quantities of furs down the Arkansas River.

The Osage Trace was a main thoroughfare across the area in the late eighteenth and early nineteenth centuries. The trace, which became known as the Texas Road some time after the 1820s, was heavily traveled during the Civil War. Later the Shawnee Trail, one of the first cattle
trails, followed the path through the region. Railroads soon pushed across the prairie, beginning with the Missouri, Kansas and Texas Railway (the Katy) in 1871-72, followed in 1888 by the Kansas and Arkansas Valley Railway (eventually acquired by the Missouri Pacific Railroad) and in 1903-04 by the Missouri, Oklahoma and Gulf Railway (acquired by the Kansas, Oklahoma and Gulf Railway and then the Texas and Pacific Railroad).

After the Creek signed an 1826 treaty in Washington, D.C., that provided them land in Indian Territory for their land in Georgia, they began to settle in the area. More tribe members migrated after 1832 when the Creek Nation in Alabama was dissolved. The far western portion of present Wagoner County belonged to the Cherokee Nation, which attained the land in 1828 in exchange for their land in Arkansas. These first Western Cherokee were joined by their eastern counterparts after the 1835 Treaty of New Echota, which sold the remainder of their land in southeastern United States. In 1843 the Presbyterian Board of Foreign Missions founded Koweta Mission, one mile east of present Coweta. Among the earliest educational institutions in the present county was the Tullahassee Mission, opened in 1850 for Creek students. At three stories in height, the main building was one of the tallest in Indian Territory. In 1881 the school was given to the Creek freedmen.

During the Civil War the present county was the scene of one fight, known as the Hay Camp Action, or the Battle of Flat Rock. In September 1864 Confederate troops led by Brig. Gen. Stand Watie and Brig. Gen. Richard Gano attacked Union troops who were cutting hay, capturing eighty-five and killing more. The Southern soldiers then burned the hay along with the harvesting equipment. Confederates also housed troops on the Koweta and Tullahassee school campuses and camped at Choska and Concharty. Several All-Black towns that emerged after the Civil War and survived into the beginning of the twentieth century included Red Bird, Gibson Station, and Tullahassee.

In 1905 it was proposed that present Wagoner County would be included in the state of Sequoyah. The proposal would have divided the area into two counties, with the western portion named Coweta and the eastern called Tumechichee. Instead, in 1907 it was incorporated into one unit when Oklahoma became a state. Naming the new county and selecting a new county seat became the first county-wide political controversy. The towns of Porter and Coweta competed with Wagoner for the honor. The county took its name from the town that won. Wagoner’s name honored Henry “Bigfoot” Wagoner, a Katy railroad dispatcher from Parsons, Kansas. In 1923 by a special election Wagoner County annexed the community of Yonkers, removing it from Cherokee County.

Agriculture has always spurred the county’s economy. In 1907 farmers primarily planted corn (71,648 acres) and cotton (19,779 acres). In 1934 cotton farmers used 42,607 acres, and corn occupied 36,843 acres. In the 1930s soybean production began to spread. By 1967 Wagoner County's soybean yield ranked second in the state. Wheat (28,100 acres) surpassed other crops, and cotton (3,600 acres) and corn (1,100 acres) were lower priorities. In 2002 the county ranked first in soybean production (34,842 acres), as well as sod harvested (4,887 acres), which was a burgeoning industry. Peach orchards near Porter have been a successful enterprise. These and the Stratford peaches produced in south-central Oklahoma form the bulk of Oklahoma's peach industry.

Ranching also thrives in Wagoner County. At statehood the residents owned 11,072 total cattle and 4,327 horses. The number of cattle increased, registering 24,518 in 1935. By 1967 there
were 48,000 head, and in 2002 the number stood at 41,480. Oil and gas have been extracted in the county since 1914. In 1934 the county produced 375,126 barrels of oil. By 1980 production had decreased, registering 67,879 barrels. That year, however, 15,256 million cubic feet of natural gas were produced. The natural gas figures steadily climbed, and in 2000 production rose to 70,273 million cubic feet, compared to 35,739 barrels of oil.

Wagoner County has experienced population fluctuations related to various economic factors. At 1907 statehood the county had 19,529 residents. In 1910 and 1930, 22,086 and 22,428 people resided in the county, respectively. The population had declined to 21,642 by 1940. It fell to a low of 15,673 in 1960 and then began increasing. The 1970 and 1980 censuses reported 22,163 and 41,801, respectively. By 1990 Wagoner County, with 47,883 residents, was one of the state's fastest growing. The number of residents climbed to 57,491 in 2000, with 79.9 percent white, 8.8 percent American Indian, 4.2 percent African American, 2.0 percent Hispanic, and 0.9 percent Asian. Transportation has aided economic growth. Formerly the Jefferson Highway, U.S. Highway 69 runs north and south through the county's eastern portion, and the Muskogee Turnpike crosses the county from the southeast to the northwest. State Highway 51 extends from Broken Arrow through Coweta and Wagoner to the Cherokee County line on the east. Other state highways that traverse the county include 16, 51B, 72, and 104.

Among the county's most notable residents have been Bill and Vonette (Zachary) Bright, who founded Campus Crusade for Christ International. Lt. Col. Ernest Childers of Coweta who earned the Medal of Honor for valor shown during World War II. Coweta's George Milburn published many short stories and books about life in small-town Oklahoma. Several sports figures also came from the county, including Cleveland Indians' pitcher Willis Hudlin, major league baseball player Frank Linzy, University of Oklahoma and professional football player Rick Bryan, and professional bass fisherman Tom Biffle. Also of note in the sports world is Mr. Bar None, a Wagoner-bred quarter horse.”

**Brief History of Cherokee County**

The following history of Cherokee County was written by Amanda Burnett for the Oklahoma Historical Society and retrieved from the website for the Oklahoma Historical Society [http://digital.library.okstate.edu/encyclopedia/entries/C/CH017.html].

“Located in northeastern Oklahoma, Cherokee County has a total land and water area of 776.40 square miles. Bordering counties include Mayes and Delaware on the north, Adair on the east, Sequoyah on the south, and Muskogee and Wagoner on the west. Important rivers and streams include the Illinois River, Baron Fork, Town Branch (also known as Ross Branch and Tahlequah Creek), and Park Hill creeks. The area is located in the foothills of the Ozark Mountains and includes the Cookson Hills, which was a favorite hideout for turn-of-the-twentieth-century outlaws. Cherokee County was created from the Cherokee Nation's Tahlequah District at the 1906 Constitutional Convention and named for the Cherokee Nation. The county seat is located at Tahlequah, which was also the capital of the Cherokee Nation.

According to the Oklahoma Archaeological Survey in 2004, archaeologists have tested two Paleo-Indian, sixty-nine Archaic, nineteen Woodland, and twenty-three Plains Village-era sites. The Harlan Site revealed critical information on the mound builder society prevalent in the area around A.D. 700 until approximately A.D. 1250.
The “Trail of Tears” brought a large population of American Indians to Cherokee County. Prominent Cherokees settled at Park Hill, an established mission community, and at Tahlequah, the new capital, which was incorporated under Cherokee law in 1844. Many of the Cherokees' government buildings and residences, especially at Park Hill, were destroyed during the Civil War by one side or the other, as the conflict divided the tribe. In the mid-1870s non-Indians began illegally moving into present Cherokee County. In 1878 seventeen of these intruders were reported, and that number quadrupled within five years. By the 1890s whites outnumbered Indians. Land was surveyed in that decade, and beginning in 1902 individual Cherokees received allotments from the federal government. In 1906 the Cherokee Nation's tribal government was dissolved in preparation for statehood.

Many historic sites exist in the county. The Cherokee Heritage Center is located on the grounds of the original Cherokee Female Seminary, which is listed in the National Register of Historic Places (NR 74001658), at Park Hill. Also at Park Hill are the 1845 Murrell Home (NR 70000530), built by George M. Murrell, a white planter married to a niece of Cherokee Chief John Ross, and the Ross Cemetery (NR 02000170). The Murrell Home is listed as a National Historic Landmark. Tahlequah is home to the historic Cherokee Capitol Building (NR 66000627), Cherokee Supreme Court Building (NR 74001657), Cherokee National Jail (NR 74001656), and seven other National Register properties.

The county is well known for its lakes and recreational areas. In 1953 the U.S. Army Corps of Engineers completed Tenkiller Ferry Dam on the Illinois River for flood control and recreation purposes. Most of Tenkiller Lake is in Cherokee County. Fort Gibson Lake and the Grand River border Cherokee County on the west. The county has two state parks, Cherokee Landing and Sequoyah. Sparrowhawk Wildlife Management Area is located entirely in the county, and parts of the Cookson, Fort Gibson, and Tenkiller Wildlife Management areas are within its borders. The county has four watersheds, the Lower Neosho, Dirty-Greenleaf, Robert S. Kerr Reservoir, and Illinois. The scenic Illinois River is a major tourist attraction.

The basis of the county's economy historically has been agriculture. Major crops include corn, vegetables, and wheat. In 1940 nearly 62 percent of the labor force was engaged in agriculture. By 1970 the number of farmers had decreased to 29 percent of the population. By 1990 the farm population was only 4.4 percent. However, specialized agricultural commodities emerged. In 2002 Cherokee County was ranked first in the state for the value of nursery and greenhouse crops and seventh in the state for sales of poultry and eggs. The decrease in agriculture was largely due to urbanization around the Tahlequah area and economic development after World War II. In 2000 the county's major employers included Northeastern State University, the Cherokee Nation, the nursery industry, and public education.

Major transportation routes include U.S. Highway 62, which crosses the county from east to west. Other routes include State Highway 51, an east-west road, State Highway 10, which extends from the western border and curves to the north, and State Highway 82, which crosses the county from north to south. In 1901-1903 the Ozark and Cherokee Central Railway (acquired by the St. Louis and San Francisco Railway) became the first to build tracks through Cherokee County, accessing markets and contributing to an increase in agricultural production. The railroad declined by 1940, largely due to an increase in automobiles and a decrease in profits during the Great Depression of the late 1920s and 1930s. Rail service in Cherokee County ended in 1942.
Education in the county is deeply rooted in its Cherokee heritage. The Cherokee Male and Female seminaries opened in 1851 at Tahlequah and Park Hill, respectively. Many seminary graduates attended eastern colleges, and the Female Seminary became a social center for the Cherokee Nation. The seminary building burned in 1887 and was rebuilt in Tahlequah. After 1907 statehood Oklahoma purchased the Female Seminary (also in the National Register of Historic Places, NR 73001558). This institution became Northeastern State Normal School, which is now Northeastern State University. In 1910 fire destroyed the Male Seminary.

Notable citizens have included many principal chiefs of the Cherokee Nation. John Ross, who served as chief from 1828 until his death in 1866 and presided over the "Trail of Tears," the Civil War era, and much internal division and conflict, made his home at Park Hill. Wilma Mankiller, the first woman to serve as Cherokee principal chief, led her nation through a period of renewed growth from 1985 to 1995. Principal Chiefs William P. Ross, Dennis Bushyhead, and Ross Swimmer, among others, also lived in the county. Other noteworthy residents included world-champion archer Joe Thornton, movie and television actor Clu Gulager, and politician and former Speaker of the Oklahoma House of Representatives W. P. "Bill" Willis. Accomplished Cherokee author and historian Robert J. Conley and Cherokee actor Wes Studi also have lived in the county.

In 1907 the Cherokee County's population was 14,274. It grew to 21,030 by 1940 but declined to 17,762 by 1960. In the next decade the population began a steady growth, spurred by enrollments at Northeastern State University and a reestablishment of Cherokee tribal government. Attracted by the area's pleasant climate, timbered hills, and various lakes and rivers, an influx of retirees also began moving to Cherokee County. By 1970 the population had reached 23,174, and growth continued steadily. The number of residents reached 42,521 in 2000, with 56.2 percent white, 31.8 percent American Indian, 4.1 percent Hispanic, 0.9 percent African American, and 0.2 percent Asian. Tahlequah and Hulbert are the county's only incorporated towns."

**Brief History of Muskogee County**

The following history of Muskogee County was written by Jonita Mullins for the Oklahoma Historical Society and retrieved from the website for the Oklahoma Historical Society ([http://digital.library.okstate.edu/encyclopedia/entries/M/MU020.html](http://digital.library.okstate.edu/encyclopedia/entries/M/MU020.html)).

Located in eastern Oklahoma, Muskogee County was named for the Muscogee (Creek) Tribe, although its boundaries encompass the Muskogee District of the Creek Nation and a portion of the Illinois and Canadian districts of the Cherokee Nation. This county is bordered by Wagoner and Cherokee counties on the north, Cherokee and Sequoyah counties on the east, Haskell and McIntosh counties on the south, and Okmulgee and McIntosh counties on the west. The city of Muskogee, established in 1872, serves as the county seat. In addition to Muskogee incorporated towns include Boynton, Braggs, Council Hill, Fort Gibson, Haskell, Oktaha, Porum, Summit, Taft, Wainwright, Warner, and Webber Falls.

Three important rivers, the Arkansas, Verdigris, and Neosho (Grand), converge in Muskogee County. The county includes 838.99 square miles of land and water that encompass a varied topography. The western portion is primarily prairie grassland growing over a layer of sandstone that contains pockets of coal, oil, and natural gas. The prairie gives way to the wooded Cookson Hills in the county’s eastern section, which is on the western fringe of the Ozark Mountains. The
The confluence of the Arkansas, Verdigris, and Neosho gave the area the name of Three Forks, and several salt springs attracted abundant game to the region.

Although prehistoric sites, mainly surface finds, date to the Paleo-Indian period (prior to 6,000 B.C.), archaeological studies have focused on the Caddoan stage (A.D. 300 to 1200). These native people, known as the Mound Builders, left a legacy in the ceremonial mounds that can still be seen along riverbanks. In 1719 Jean Baptiste Bénard de la Harpe, a French explorer and trader, encountered a Wichita village in the present county. By the end of the eighteenth century a settlement of fur traders emerged at the Three Forks, including Auguste Pierre Chouteau, one of the area's earliest frontier merchants. By the early 1800s the Osage had become the region's dominant tribe, driving out the less warlike Wichita. However, Cherokee and Choctaw hunting forays into the area challenged the Osage, resulting in frequent conflict. In response, in 1824 federal officials established Fort Gibson on the Grand River at the Three Forks. The town of Fort Gibson that emerged near the post is the county’s oldest.

Fort Gibson became the terminus of the Trail of Tears for the Cherokee and Creek people. Removed from their homeland in the southeastern United States, many settled along the rivers of Muskogee County but founded only a few towns such as Webbers Falls. Some Creek and Cherokee reestablished their cotton plantations and continued to use slave labor.

With the outbreak of the Civil War Confederate troops of both the Cherokee and Creek nations established Fort Davis across the Arkansas River from Fort Gibson. At Fort Gibson, regiments of the Cherokee and Creek Home Guard as well as the First Kansas Colored Infantry held Indian Territory for the Union. In 1862 Federal troops captured and destroyed Fort Davis. Other engagements that occurred in the county included the Bayou Menard Skirmish (1862), several at Webbers Falls (1862), and the Creek Agency Skirmish (1863). At the war's conclusion the Creek Nation's plantation lifestyle came to an end. Creek freedmen returned to the river bottoms within the county and raised cotton.

Following the war the Five Civilized Tribes signed new treaties with the federal government. In these they gave up western lands and agreed to allow railroad rights-of-way. In 1871 the Missouri, Kansas and Texas Railway (MK&T) crossed Indian Territory, paralleling the route of the Texas Road. Reaching the Three Forks area in fall 1871, the railroad intended to build a depot at the site of Fort Davis. Finding the terrain unsuitable, workers constructed the depot further south and named it Muscogee Station. In 1872 the town of Muskogee (originally spelled Muscogee) developed around this depot. Eleven miles south, the town of Oktaha was also established on the MK&T rail line that year.

Other important developments affected the area. In 1874 federal officials consolidated the agencies to the Five Civilized Tribes into one, Union Agency, and located it in the Creek Nation just west of Muskogee. This decision solidified Muskogee as the center of federal activity in Indian Territory. In 1889 a federal district court was established there. During these years outlaw gangs terrorized the people of Indian Territory and fled into the Cookson Hills in eastern Muskogee County. One of the most colorful frontier outlaws was Belle Starr, whose homestead lay near Briartown in southern Muskogee County. In 1882 a political rift within the Creek tribe led to the Green Peach War, a conflict that saw little bloodshed but created much unrest in the area.

In 1894 the Dawes Commission to the Five Civilized Tribes established its headquarters at Muskogee. The commission undertook the enormous task of negotiating new treaties, enrolling
tribal members, and assigning individual land allotments. It also brought a large influx of federal employees. In addition, many freedmen received allotments in Muskogee County. As a result, a number of historically All-Black towns were founded, including Chase (later Beland), Lee, Summit, Twine (present Taft), and Wybark.

Railroads continued to build into the territory, and a number of new lines soon crossed the area. These included the Kansas and Arkansas Valley Railway (1888, later the Missouri Pacific Railway), the Midland Valley Railroad (1904-05), the Ozark and Cherokee Central Railway (1901-03, sold to the St. Louis and San Francisco Railway, Frisco), the Shawnee, Oklahoma and Missouri Coal and Railway (1902-03, sold to the Frisco), the Muskogee Union Railway (1903-04, sold to the Missouri, Oklahoma and Gulf Railway [MOG]), and the MOG (1903-05, which became the Texas and Pacific Railroad). The towns of Haskell, Boynton, Taft, Porum, Council Hill, Keefeton, Warner, and Wainwright emerged along the new railroads.

At the turn of the twentieth century conflict between two ranching families in the southern part of the county turned violent. Known as the Porum Range War, the feud between the Davis and Hester families continued for several years, frequently requiring a train carload of deputy marshals to travel from Muskogee to restore order in the Porum vicinity.

In 1905 Muskogee hosted a statehood convention at which Indian Territory delegates wrote a constitution to create the State of Sequoyah. Ratified by the voters, the constitution was submitted to Congress but was rejected. The next year many Muskogee County leaders participated in the 1906 Constitutional Convention at Guthrie. Charles N. Haskell chaired the committee that established county boundaries and county seats for the new state, including Muskogee County.

At 1907 statehood Muskogee County was one of the largest in population, but, with the exception of the city of Muskogee, had few large towns. The area was predominantly agricultural, with corn, cotton, and wheat the principal crops. Ranching, primarily beef cattle, was another significant industry. Agricultural service industries included cotton gins, grain mills, and stockyards. Cotton production declined dramatically during the 1930s and was replaced by soybeans, wheat, feed grains, and grasses. Truck farming became profitable during and after World War II, fostering the development of a canning and food-processing industry. John T. Griffin brought Griffin Grocery Company to the county, leading the business to become a large wholesale grocery distributor and manufacturer of food products. Griffin also was a pioneer in developing Oklahoma’s radio and television industry.

Other economic activities included oil, gas, and coal production, but these activities never reached the levels achieved in other regions. Sand and gravel pits, along with brick and glass manufacturing, developed and remained important employment sources. O. W. Coburn built an optical business that became one of the largest in the nation and employed hundreds of workers. Other industrialists included the Buddrus family, who began Acme Engineering, and the Rooney family who founded Manhattan Construction. State and federal employment has long been important, primarily in education and veterans’ services. Light manufacturing and health care as well as social services provide jobs for residents. The town of Taft has two state correctional facilities, Dr. Eddie Warrior Correctional Center for women and Jess Dunn Correctional Center for men.

Military training during World War II brought a significant increase in both population and job opportunities. Camp Gruber, built in 1942 near Braggs in the Cookson Hills, served as a U.S.
Army training base. Camp Gruber remains an active Oklahoma National Guard base. Hatbox Field and Davis Field in Muskogee prepared aviators for the war.

Transportation emerged as an important feature for the county. Steamboats had plied the Arkansas River throughout much of the nineteenth and early twentieth century. The McClellan-Kerr Arkansas River Navigation System, dedicated in 1971, opened the Arkansas and Verdigris rivers to year-round commercial traffic and fostered the development of the Port of Muskogee. A north-south main line of the Union Pacific Railway bisects the county. U.S. Highway 69 and Interstate Highway 40 are heavily traveled thoroughfares, and the Muskogee Turnpike crosses the county from north to south. State Highways 2, 10, 16, 62, 64, 71, 72, 104, and 165 are also important routes.

Education became a prominent element of development. Early schools were operated by the Creek and Cherokee nations, and other schools were private enterprises started by churches or individuals. In 1880 Bacone College, Oklahoma’s oldest, began as Indian University in Tahlequah but was moved to the Creek Nation in present Muskogee County in 1885. Connors State College was established at Warner in 1909. The Indian Capital Technical Center opened in Muskogee in 1970. Evangel Mission, a school at Union Agency for Creek freedmen, operated in the 1880s and currently houses the Five Civilized Tribes Museum in Muskogee. In 1898 a facility for educating visually impaired people opened at Fort Gibson. Later moved to Muskogee, it became the Oklahoma School for the Blind. Minerva Home, a school for girls in Muskogee, became Henry Kendall College in 1894. That institution later moved to Tulsa and became Tulsa University. In 1994 Northeastern State University opened a branch campus in Muskogee.

Many Muskogee County natives have played important roles in history. Stand Waite, a Cherokee from Webbers Falls, rose to the rank of brigadier general in the Confederate army and was its last general to surrender at the close of the Civil War. In 1875 Bass Reeves became one of the first African Americans appointed as a U.S. deputy marshal west of the Mississippi River. He served the federal court in Muskogee. Pleasant Porter, principal chief of the Creek Nation, negotiated the allotment treaty with the Dawes Commission. A wealthy rancher and respected tribal leader, he served as president of the Sequoyah Convention. Alexander Posey, a Creek poet and newspaper editor in Muskogee, served as secretary of the Sequoyah Convention and is credited with writing most of that constitution. Historians Grant and Carolyn Foreman, considered the foremost authorities of the history of the Five Civilized Tribes, together wrote more than twenty-five books.

Numerous significant political figures began their careers in Muskogee County. Originally from Ohio, railroad developer Charles N. Haskell settled in Muskogee in 1901 and became a leader at the Sequoyah Convention and Oklahoma’s first governor in 1907. Robert L. Owen, a Cherokee, served as the U.S. agent to the Five Civilized Tribes in Muskogee. In 1907 he became one of Oklahoma's first U.S. senators. Alice M. Robertson, the first woman appointed postmaster of a Class A post office in the United States, in 1920 was elected to the U.S. House of Representatives. She was the second woman in the United States to hold a congressional seat and was the only woman to serve Oklahoma in Congress until Mary Fallin was elected in 2006. The Edmondsons of Muskogee became a prominent political family. James Howard Edmondson served as Oklahoma governor (1959-63) and senator (1963-64). Edmond Edmondson served the Second Congressional District, which includes Muskogee County, from 1953 to 1973. His son Drew Edmondson was elected attorney general for Oklahoma. Mike Synar served in Congress
from 1979 to 1995. He was succeeded by another Muskogeean, Tom Coburn, elected to the U.S. Senate in 2004.

The population of Muskogee County at 1907 statehood was 37,467 and rapidly grew to 52,743 in 1910. The county then settled into a steady growth rate, reaching 66,424 in 1930. A population surge occurred during the years that Camp Gruber operated but returned to pre-war levels after 1945. In 1950 the census revealed a population of 65,573. The number of residents declined to 59,542 by 1970, but by 1990 the figure had rebounded to 68,078. In 2000 it stood at 69,451. The racial distribution was 63.7 percent white, 14.8 percent American Indian, 12.9 percent African American, 2.8 percent Hispanic, and 0.5 percent Asian.

Demographic and Socioeconomic Conditions and Impact

The U.S. Bureau of Census provides summary data related to the demographic profile of the residents of Cherokee and Wagoner counties. The 2010 Census had been conducted at the time of the preparation of this RMP providing an up-to-date assessment of the population. However, the 2010 Demographic Profile for Oklahoma had not been released as of May 2011.

The following tables provide this summary based upon data retrieved during May 2011 from [http://factfinder2.census.gov](http://factfinder2.census.gov).

### Table 2.1 – Population of Cherokee County and Wagoner County

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
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<tbody>
<tr>
<td>Cherokee County</td>
<td>45,241</td>
</tr>
<tr>
<td>Muskogee County</td>
<td>70,990</td>
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<tr>
<td>Wagoner County</td>
<td>66,969</td>
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</tbody>
</table>

Based upon the population figures in Table 2.1 and comparing that to data from the 2000 census, it is apparent that the population of Cherokee County has increased by about 17% in the past decade. Similarly, census data reveals that Wagoner County has increased in population by about 22% during that same decade. Muskogee County has increased 2.2% in that same time period. As summarized in the American Community Survey, the population of the three counties has changed in the following ways:

- Median age has increased in, an indication that people are living longer and fewer children are being born into families in the counties;
- The percentage of Black or African American individuals in the population has remained stable during the decade;
- The percentage of American Indian individuals in the population has increased during the decade;
- The percentage of Hispanic/Latino individuals of any race has increased dramatically over the past decade.
### Table 2.2 – Demographic Characteristics of the Population

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<tr>
<th>Factor</th>
<th>Detail on factor</th>
<th>Cherokee County Number (Percent)</th>
<th>Muskogee County Number (Percent)</th>
<th>Wagoner County Number (Percent)</th>
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</thead>
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<tr>
<td>Sex and Age</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Male</td>
<td>22,033 (48.7%)</td>
<td>34,055 (48.2%)</td>
<td>33,302 (49.7%)</td>
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<tr>
<td></td>
<td>Female</td>
<td>23,208 (51.3%)</td>
<td>36,643 (51.8%)</td>
<td>33,302 (50.3%)</td>
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<tr>
<td>Median age (years)</td>
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<td>32.2</td>
<td>37.5</td>
<td>36.9</td>
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<tr>
<td>Under 18 years of age</td>
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<td>10,824 (23.9%)</td>
<td>17,725 (25.1%)</td>
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<tr>
<td>18 years of age and over</td>
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<td>34,417 (76.1%)</td>
<td>52,973 (74.9%)</td>
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<td>65 years of age and over</td>
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<td>5,534 (12.2%)</td>
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<td>6,831 (10.2%)</td>
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<tr>
<td></td>
<td>White</td>
<td>25,293 (55.9%)</td>
<td>44,850 (63.4%)</td>
<td>52,601 (78.5%)</td>
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<td>Black or African American</td>
<td>891 (2.0%)</td>
<td>8,621 (12.2%)</td>
<td>2,736 (4.1%)</td>
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<tr>
<td></td>
<td>American Indian/Alaskan Native</td>
<td>13,479 (20.8%)</td>
<td>9,593 (13.6%)</td>
<td>5,747 (8.6%)</td>
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<td>Asian</td>
<td>317 (0.7%)</td>
<td>444 (0.4%)</td>
<td>553 (0.8%)</td>
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<td>Native Hawaiian/Pacific Islander</td>
<td>32 (0.1%)</td>
<td>21 (0.0%)</td>
<td>218 (0.3%)</td>
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<td></td>
<td>Other</td>
<td>1,340 (3.0%)</td>
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<tr>
<td></td>
<td>Two or more races</td>
<td>3,889 (8.6%)</td>
<td>5,879 (8.3%)</td>
<td>3,872 (5.8%)</td>
</tr>
<tr>
<td></td>
<td>Hispanic/Latino</td>
<td>Of any race</td>
<td>2,917 (6.4%)</td>
<td>2,979 (4.2%)</td>
</tr>
</tbody>
</table>

The characteristics of the population detailed in Table 2.2 indicate that Cherokee and Wagoner counties show differing composition to that shown across the state of Oklahoma and between the two counties. Wagoner County reflects the percentage of persons indicating they are White (78.5%) as is true in Oklahoma more broadly (78.5%). By contrast, Cherokee County shows a
higher percentage of Native Americans or American Indians (29.8%), as does Muskogee County (13.6%) than the 8.1% of the population identified as American Indian across the state. In addition, the state of Oklahoma reports 6.6% of its population to be Hispanic of any race, while Wagoner County and Muskogee County are slightly lower and Cherokee County is similar to the state at 6.4%.

Table 2.3 – Household Characteristics in the Population

<table>
<thead>
<tr>
<th>Household Related Factor</th>
<th>Cherokee County</th>
<th>Muskogee County</th>
<th>Wagoner County</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Number</td>
<td>Number</td>
</tr>
<tr>
<td></td>
<td>(Percent)</td>
<td>(Percent)</td>
<td>(Percent)</td>
</tr>
<tr>
<td>Number of households</td>
<td>16,406</td>
<td>26,852</td>
<td>25,702</td>
</tr>
<tr>
<td>Population in households</td>
<td>43,798</td>
<td>66,838</td>
<td>66,855</td>
</tr>
<tr>
<td>Households with a child or children &lt; 18</td>
<td>5,124 (31.2%)</td>
<td>9,097 (33.9%)</td>
<td>10,345 (40.2%)</td>
</tr>
<tr>
<td>Households with person 65 years and over</td>
<td>3,978 (24.2%)</td>
<td>7,745 (28.8%)</td>
<td>5,001 (19.5%)</td>
</tr>
<tr>
<td>Occupied housing units</td>
<td>16,406 (77.6%)</td>
<td>26,853 (88.2%)</td>
<td>25,702 (89.1%)</td>
</tr>
<tr>
<td>Vacant housing units</td>
<td>4,744 (11.8%)</td>
<td>4,122 (13.3%)</td>
<td>3,143 (10.9%)</td>
</tr>
<tr>
<td>Owner occupied housing units</td>
<td>10,497 (64.0%)</td>
<td>18,312 (68.2%)</td>
<td>20,809 (81.0%)</td>
</tr>
<tr>
<td>Renter occupied housing units</td>
<td>5,909 (36.0%)</td>
<td>8,540 (31.8%)</td>
<td>4,893 (19.0%)</td>
</tr>
</tbody>
</table>

The general household characteristics represented in Cherokee, Muskogee, and Wagoner counties are similar to those across Oklahoma. The majority of residents in these counties reside in households, while the other residents live in settings that might include group homes or other congregate living. This pattern is common across Oklahoma.

The percentage of households in Cherokee County that are below the established poverty levels is 18.5% and Muskogee County is 14.2%; those percentages are higher than the 14% that are below the poverty level across the state of Oklahoma. In contrast, Wagoner County reports 9.3% of its households below the poverty level placing it in a more secure financial position. This is verified by the median household income in the counties at $35,169 for Muskogee County, $39,023 for Cherokee County and $52,536 for Wagoner County.
Table 2.4 – Financial Characteristics in the Population

<table>
<thead>
<tr>
<th>Characteristic or Factor</th>
<th>Cherokee County</th>
<th>Muskogee County</th>
<th>Wagoner County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Median household income</td>
<td>$39,023</td>
<td>$35,169</td>
<td>$52,536</td>
</tr>
<tr>
<td>Households below poverty level</td>
<td>18.5%</td>
<td>15.2%</td>
<td>9.3%</td>
</tr>
<tr>
<td>Individuals below poverty level</td>
<td>26.8%</td>
<td>19.1%</td>
<td>11.5%</td>
</tr>
</tbody>
</table>

Financial characteristics in a population tend to be highly correlated with educational levels within the population. Table 2.5 reports the level of education attained by persons in Cherokee and Wagoner counties above the age of 25. For comparison purposes, approximately 80.6% of Oklahomans have completed a high school diploma or equivalency as contrasted with 80.3% of the eligible population in Cherokee County and 87% of the eligible population in Wagoner County. In addition, approximately 20% of all Oklahomans have completed a baccalaureate degree or higher as compared with 23.6% of the eligible population in Cherokee County and 19.8% in Wagoner County.

Table 2.5 – Education Characteristics in the Population

<table>
<thead>
<tr>
<th>Educational Attainment (25 years old and above)</th>
<th>Cherokee County Number (Percent)</th>
<th>Muskogee County Number (Percent)</th>
<th>Wagoner County Number (Percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 9th grade</td>
<td>1,454 (5.6%)</td>
<td>2,382 (5.1%)</td>
<td>1,773 (4.0%)</td>
</tr>
<tr>
<td>9th to 12th grade, no diploma</td>
<td>3,560 (13.7%)</td>
<td>6,144 (13.3%)</td>
<td>3,891 (8.8%)</td>
</tr>
<tr>
<td>High school diploma or equivalency</td>
<td>8,265 (31.9%)</td>
<td>15,854 (34.2%)</td>
<td>15,303 (34.8%)</td>
</tr>
<tr>
<td>Some college, no degree</td>
<td>5,369 (20.7%)</td>
<td>10,347 (22.3%)</td>
<td>10,837 (24.6%)</td>
</tr>
<tr>
<td>Associate degree</td>
<td>1,179 (4.5%)</td>
<td>3,721 (8.0%)</td>
<td>3,507 (8.0%)</td>
</tr>
<tr>
<td>Bachelor’s degree</td>
<td>3,737 (14.4%)</td>
<td>5,389 (11.6%)</td>
<td>6,440 (14.6%)</td>
</tr>
<tr>
<td>Graduate or professional degree</td>
<td>2,380 (9.2%)</td>
<td>2,531 (5.5%)</td>
<td>2,270 (5.2%)</td>
</tr>
</tbody>
</table>

Another demographic factor that is highly correlated with financial characteristics and educational characteristics is employment. The employment figures for Cherokee and Wagoner counties are reported in Table 2.6. As of 2009, Cherokee, Muskogee, and Wagoner counties reported unemployment to be approximately 7.2% of the workforce, while the American Community Survey estimate showed unemployment at 6.5%. Figures for 2010 were not available, although the recession of the past couple of years has likely had adverse impacts upon
the employment numbers for both counties. However, workforce reports for Cherokee and Wagoner counties indicated that employment opportunities grew during this period, allowing both counties to exceed state and national employment statistics throughout the recession.

Another demographic factor that assists in understanding the local population is related to persons with disabilities. In the Oklahoma population, approximately 6.8% of the population lives with a limitation in one or more daily activities. Another 10.9% have some other disabling condition. These statistics are accurate for Cherokee, Muskogee, and Wagoner counties. In addition, disabilities increase with age and certain disabilities and rates of disabilities are more prevalent among certain racial or ethnic groups. For example, 19.4% of American Indians have at least one disability, whereas 17.9% of whites have a disabling condition.

<table>
<thead>
<tr>
<th>Characteristic or Factor</th>
<th>Cherokee County Number (Percent)</th>
<th>Muskogee County Number (Percent)</th>
<th>Wagoner County Number (Percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population in the labor force (16 years and over)</td>
<td>19,148 (53.4%)</td>
<td>30,604 (55.8%)</td>
<td>34,876 (67.3%)</td>
</tr>
<tr>
<td>Employed</td>
<td>17,467 (96.7%)</td>
<td>30,510 (55.7%)</td>
<td>33,057 (63.8%)</td>
</tr>
<tr>
<td>Private wage and salary workers</td>
<td>10,793 (61.8%)</td>
<td>20,643 (72.9%)</td>
<td>26,388 (79.8%)</td>
</tr>
<tr>
<td>Government workers</td>
<td>2,108 (29.2%)</td>
<td>5,619 (19.8%)</td>
<td>3,947 (11.9%)</td>
</tr>
<tr>
<td>Self-employed (non-incorporated business)</td>
<td>1,522 (8.7%)</td>
<td>1,992 (7.0%)</td>
<td>2,637 (8.0%)</td>
</tr>
<tr>
<td>Unpaid family workers</td>
<td>44 (0.3%)</td>
<td>71 (0.3%)</td>
<td>85 (0.3%)</td>
</tr>
</tbody>
</table>

In summary, Cherokee County comprises a rural area with approximately 58.3 persons per square mile as compared to an average of 50.3 for Oklahoma. However, Wagoner County is much more densely populated at 113.3 persons per square mile and Muskogee County at 87.2 persons per square mile than is Cherokee County. This three-county region may be geographically linked, but in many ways the counties are quite different from each other.

**Competing and Complementary Recreational Opportunities**

Eastern Oklahoma offers several lake and forest parks that may be competing or complementary recreation opportunities for Sequoyah Bay State Park. In that Sequoyah Bay State Park is on Fort Gibson Lake, this lake is the third large lake below Lake Hudson and Grand Lake o’ the Cherokees in the Neosho/Grand River corridor. Just to the east of this river corridor is the Illinois River and Lake Tenkiller. At the macro level, the proximity of these two lakes to each other
places them into some competition for outdoor recreation visitors; however, each lake has its own personality and visitors tend to have preferences for specific lakes.

At the micro level, there are specific parks and properties that offer recreation experiences and opportunities similar to those at Sequoyah Bay State Park. Portions of Grand Lake State Park that would be similar to Sequoyah Bay State Park include Twin Bridges area, Bernice area, and Honey Creek area. On Lake Hudson, Snowdale area also offers similar resources.

On Fort Gibson Lake the USACE manages several large recreation facilities, primarily offering camping, that would compete with Sequoyah Bay State Park. These include Wildwood, Taylor Ferry South, Jackson Bay, and additional locations north of Highway 51. In many ways, Sequoyah Bay State Park is most similar to these USACE locations.

Similarly Lake Tenkiller offers many facilities that would be very similar to Sequoyah Bay State Park including Cherokee Landing State Park and several USACE locations: Pettit Bay, Sizemore Landing, Strayhorn Landing, Cookson Bend, and Elk Creek Landing.

**Regional History**

Sequoyah Bay State Park is a water-oriented park, located at the eastern edge of Wagoner County along the western shore of Fort Gibson Lake. The area was originally home of the Osage Nation. According to Jenks (2003), Osage tribal members are originally from the plains including the states of Kansas, Arkansas, Missouri, Iowa, and the Dakotas (which are named for sub-tribes of the Osage). By the time Europeans began to move into the central plains, the Osage were living on lands between the Missouri and Arkansas rivers north and south, and to the Mississippi on the east. Many Osage moved into Oklahoma in the early 19th century to engage in fur trading with French traders in the Three Forks area near Muskogee. In the treaties forced by the federal government in 1818 and 1825, the Osage were compelled to sell their Indian Territory holdings to the government for land in southern Kansas. They were later displaced by the Cherokee, who were brought into the area on the ‘Trail of Tears.’

Fort Gibson Lake is an important aspect of Sequoyah Bay State Park and some of its history is presented in the following sections. It is fair to say that, without the development of Fort Gibson Lake, Sequoyah Bay State Park would not exist – definitely not in its present form. The material noted below is taken directly from: [http://fortgibsonlake.tripod.com/lakehistory.htm](http://fortgibsonlake.tripod.com/lakehistory.htm)

Fort Gibson Lake is located on the Grand (Neosho) River about 5 miles northwest of historic Fort Gibson, Oklahoma, from which it draws its name. It is about 7.7 miles above the confluence of the Grand (Neosho) and Arkansas Rivers. The lake lies in Wagoner, Cherokee, and Mayes Counties and extends upriver to the Markham Ferry Dam (Lake Hudson). Northeast Oklahoma has long been noted for its outstanding fishing. At Fort Gibson Lake, sportsmen will find black bass, white bass, crappie, and several varieties of catfish and panfish. Three heated fishing docks offer winter fun for crappie fishing. When “game fever” is in the air, hunters will find such species as whitetail deer, bobwhite quail, mourning dove, duck, geese, cottontail rabbit and squirrel.

**Local History**

Fort Gibson Lake nestles in the hills of eastern Oklahoma where the Cherokee Indians for 60 years maintained a self-governing Indian Nation. Nearby Fort Gibson, for which the lake is named, played a prominent part in the military history of early-day Oklahoma. It was the scene
of many important events – from the first appearance of the Indians of the Five Civilized Tribes, through its contacts with the tribes of the western plains, and the turbulent years of the Civil War. Union and Confederate forces at different times occupied the post. Founded in 1824 by Col. Matthew Arbuckle of the 7th Infantry, and named for Col. George Gibson, this was the farthest west military outpost in the chain of fortifications stretching from the northern to the southern borders of the United States. Until 1857, it served as the chief military center for the Indian Territory and many treaties with the Indians were signed here. It was the base for the establishment of the subposts of Forts Chaffee, Wayne, Holmes, Arbuckle, and Washita. Jefferson Davis, later president of the Confederacy, served here under Gen. Zachary Taylor, who became President of the United States in 1849. Washington Irving, accompanying an exploring expedition in 1832, started the trip from Fort Gibson which he described in his book, ‘A Tour on the Prairies.” It was also from Fort Gibson that George Catlin, renowned painter of the American Indian, set out with the First Infantry Dragoons on their expedition into the Kiowa and Comanche Country in 1834. The name of the first post office at the site, Cantonment Gibson, was changed to Fort Gibson in 1842.

Among the many famous Americans identified with Fort Gibson are Capt. Nathan Boone, A.P. Chouteau, Sam Houston, Gen. Henry Leavenworth, Robert E. Lee, and John Howard Payne. Fort Gibson National Cemetery – the only national cemetery in Oklahoma is located one-half mile east of the town of Fort Gibson. The old Texas Road, with its traffic of cattlemen, freighters, and traders, passed near the Fort, but the main communication for the troops and residents of the surrounding country was by steamboat on the Arkansas River. French fur traders of the Southwest made it a center for their business transactions and supplies for a large area were imported and dispersed from this point. Abandoned by the Government in 1857, Fort Gibson was reoccupied during the Civil War. After the war it continued as an agency, aiding in the civilization of the west before it was fully abandon in 1890. Today at Fort Gibson, a reconstructed log stockade stands on the site of the first log fort. Now a National Historical Landmark, the stockade is owned by the state of Oklahoma and is open to the public year-round. Other communities near the lake, with the dates their post offices were established, include Wagoner, 1888; Okay, a trading post as far back as 1822, had several names before it became “Okay” in 1919; Mazie, 1905; Chouteau, 1871; Murphy, 1912; and Hulbert, 1903.

Figure 2.5 – Ferry near Wagoner crossing Neosho (Grand) River
Circa 1900
Source: T. Holmes
History and Development of Fort Gibson Reservoir

The Fort Gibson project was authorized by the Flood Control Act of 1941 and incorporated in the Arkansas River multiple-purpose plan by the River and Harbor Act of July 1946. Designed and built by the Tulsa District, Corps of Engineers, the project was started in 1942, suspended during World War II, and completed in September 1953, at a cost of $42,535,000.

History of Construction

Construction began in 1942, was suspended during World War II, and resumed in May 1946. Closure of the embankment was completed in June 1949. The project became fully operational when the last of four generators started producing commercial power in September 1953.

Type of Structure

The dam includes two concrete, gravity, non-overflow sections. One section, 285 feet long, extends from the spillway to the earth embankment at the right abutment. The other section, 460 feet long, extends from the intake structure to the earth embankment at the left abutment. The dam also includes two earth embankment sections, one of which extends about 374 feet from the natural ground at the right abutment to the right bank concrete non-overflow section. The other embankment, 63 feet long, extends from the left abutment to the left bank concrete non-overflow section. The powerhouse intake structure is located adjacent to the spillway on the left and is 318 feet long. The total length of the structures, including the spillway, is 2,990 feet, and the maximum height above the streambed is 110 feet. Oklahoma State Highway 251A extends across the top of the structures. There are seven rolled earthfill dikes on the west side of the reservoir which have a total length of 21,678 feet.

Spillway and Outlet Works

The spillway section is a concrete, gravity, ogee weir which extends across the existing river channel and a major portion of the right bank flood plain. Spillway capacity is 986,000 cfs at the top of the flood control pool. The spillway is equipped with thirty 40-foot by 35-foot tainter gates operated by individual electric-motored hoists. The total length of the spillway is 1,490 feet. Outlet works consist of ten 5-foot 8-inch by 7-foot rectangular sluices located through the spillway weir. Capacity of the outlet works varies from 21,000 cfs at the flood control pool elevation with no spillway discharge to 14,400 cfs at the flood control pool elevation with the spillway discharging at full capacity. Flows through the sluices are controlled by means of hydraulically-operated cast-iron slide gates. Emergency closure of the sluices can be accomplished using a bulkhead lowered by a hoist into frames provided at the sluice entrances. A 48-inch diameter pipe is located through the right abutment of the dam for municipal water supply for the city of Muskogee. Bank-full capacity on the Grand (Neosho) River below the dam is about 100,000 cfs.
Hydrologic Data

Estimated peak discharge and volume for the flood of 7 May to 1 June 1943 (with Grand Lake O’ the Cherokees in operation) were 400,000 cfs and 5,918,000 acre-feet, respectively. Total runoff from the drainage area above the dam site was 8.88 inches.

Park History

Sequoyah Bay State Park resulted from a lease of 2,780 acres from the USACE beginning July 1, 1948. The history of Sequoyah Bay State Park is directly linked to that of Sequoyah State Park, located directly east and across Fort Gibson Lake.

Archeology

The area around Sequoyah Bay State Park has provided evidence of human habitation for thousands of years. The rivers and highly productive soils in the area have proved to be strong bases for supporting a wide variety of life.

According to the 2004 Oklahoma Archeological Survey, archeologists have discovered two Paleo-Indian, 69 Archaic, 19 Woodland, and 23 Plains Village-era sites in this region. The Norman site is a ceremonial mound complex, along with the Harlan site and Spiro site, in eastern Oklahoma linked to a broad group of sites across the Southeast with apparent similarities in rituals, ceremonial artifacts and lifestyle. The Harlan site revealed
information on the mound builder society prevalent in the area from approximately 700 BC to 1250 BC. These were ranked societies with outlying farming villages supporting the priest/chief classes based at the mound center. Widespread trading occurred between these centers and other parts of the continent.

The Norman site is largely under the Ft. Gibson reservoir today. It consisted of three large, and several smaller, mounds on a terrace of the Neosho River less than four miles west of the Harlan mound center. Archaeological work at the Norman site consisted of WPA excavations in the 1930s and salvage excavations during the late 1940s as the reservoir was being completed.

Limited analysis of the materials recovered from these excavations seems to show that the Norman site became a center of power as the Harlan site was being abandoned. Burials placed in the Norman mounds contained grave goods of later styles than those found at the Harlan site. The chiefs at the Norman site relied on villagers in outlying communities to build the mounds. The mounds were built in stages and often had structures on them, which were burned and buried under baskets of earth. The structures may have been mortuary houses where the honored dead were kept until they were reburied under another stage of the mound.

Grave goods found with the burials marked the status of the dead. Stone earspools, covered in copper, finely-worked chert blades and points, pots, baskets of corn, and elaborate pipes were buried along with the bodies of the chiefs. The Norman site may have been ascendant in the area for a century from around 1250-1350 BCE. It is believed that the Spiro site supplanted the Norman site after this period.

In addition to the archeological findings, many other historic sites exist in the county. This was the final location for the American Indians forcibly removed from the east, forming the “Trail of Tears”, and the Cherokee later re-built their society here. The Cherokee Heritage Center is located on the grounds of the original Cherokee Female Seminary, which is listed in the National Register of Historic Places (NR 74001658), at Park Hill. Also at Park Hill are the 1845 Murrell Home (NR 70000530), built by George M. Murrell, a white planter married to a niece of Cherokee Chief John Ross, and the Ross Cemetery (NR 02000170). The Murrell Home is listed as a National Historic Landmark. Tahlequah is home to the historic Cherokee Capitol Building (NR 66000627), Cherokee Supreme Court Building (NR 74001657), Cherokee National Jail (NR 74001656), and seven other National Register properties.
Natural Resources in the Park

Climate and Air Quality

Because Sequoyah Bay State Park is located on the border between two counties, the climate information has been combined to provide overall information for the area. Average annual precipitation ranges from about 42 inches in western and central Wagoner County to 48 inches in eastern Cherokee County. May and October are the wettest months, on average, but much of the spring through fall receives sufficient rainfall. Nearly every winter has at least one inch of snow, with one year in four having ten or more inches. Temperatures average near 60 degrees, with a slight increase from north to south. Temperatures range from an average daytime high of 90 degrees in July to an average low of 30 degrees in January. The two counties average a growing season of 212 days, but plants that can withstand short periods of colder temperatures may have an additional three to five weeks.

Winds from the south to southeast are quite dominant, averaging just over eight miles-per-hour. Relative humidity, on average, ranges from 42% to 94% during the day. During the year, humidity is highest in June and lowest in March and April. Winter months tend to be cloudier than summer months. The percentage of possible sunshine ranges from an average of about 50% in winter to nearly 75% in summer. Thunderstorms occur on about 50 days each year, predominantly in the spring and summer. During the period 1950 - 2003, this area recorded 47 tornadoes. The most recent significant tornado (F2 intensity or greater) occurred on April 17, 1995. This F2 tornado passed 5 miles through Wagoner County near Okay, just south of Sequoyah Bay State Park. There were no injuries. On June 8, 1974 an F3 tornado in Wagoner County took a 50-mile long path and injured 42. Typically, there are about three events each year of hail exceeding one inch in diameter. As information collection has improved, both the number of reported tornadoes and the number of severe hail events have increased.

Topography

Sequoyah Bay State Park is found within the Central Irregular Plains (Caves and Prairie) ecoregion in Oklahoma. It is a belt of prairie that separates the Cross Timbers from the forests of the Boston Mountains and Ozark Highlands. The Central Irregular Plains ecoregion encompasses 122,589 square kilometers (km2) across southern Iowa, northern and central Missouri and fractions of eastern Kansas and northeastern Oklahoma. Interbedded Pennsylvanian-age shale, sandstone, limestone, and coal occur; the alternating hard-soft strata dip westward, forming nearly flat to irregular plains, low hills, and east-facing cuestas.

According to Karstensen (2009), the Central Irregular Plains tends to be topographically more irregular than the Western Corn Belt Plains to the north, but less irregular and less forested than the ecoregions to the south and east. The topography of the northern sections of the Central Irregular Plains found in northern Missouri and southern Iowa ranges from flat to moderately hilly. This portion of the ecoregion includes natural wetlands along the Grand River. The soils in the ecoregion vary from north to south in that glacial tills form the parent material for most of the soil in Iowa and the northern half of Missouri while the southern portion of the ecoregion was not glaciated (Chapman and others, 2002). Additionally, loess deposits generally increase near the Missouri River (Chapman and others, 2002). The topographic features of the southwestern sections of the ecoregion, in west central Missouri, western Kansas, and northern Oklahoma generally are smoother than the northern till plains (Chapman, and others, 2002). This
A nonglaciated area is relatively flat and can be distinguished by its claypan soils (Chapman and others, 2002).

Rivers and streams typically have low gradients, slowly moving water, muddy banks, and meander in wide valleys. Stream substrates and habitats vary from a high quality, variable mix of conditions to silt- and mud-choked channels. Runoff from bituminous coal mining has degraded water quality and affected aquatic biota in a few streams. The redfin shiner, suckermouth minnow, redfin and orangethroat darters, smallmouth buffalo, river carpsucker, black and golden redhorses, spotted suckers, yellow and black bullheads, and flathead catfish occur.

**Figure 2.9 – Ecoregions of Oklahoma**

Sequoyah Bay State Park

Source: [http://www.environment.ok.gov/land/ecoregions.html](http://www.environment.ok.gov/land/ecoregions.html)

**Geology**

Sequoyah Bay State Park is situated in the Cherokee Platform Province. According to Charpentier (2010), the Cherokee Platform Province extends from southeastern Kansas and part of southwestern Missouri to northeastern Oklahoma. The province is 235 miles long (north-south) by 210 miles wide (east-west) and encompasses an area of 26,500 square miles. Oil and gas exploration has occurred in this area for the past 100 years. The thickest coal seams in the Cherokee Platform are part of the Middle Pennsylvanian (Desmoinesian) Cherokee Group,
which varies in thickness from 300 to 500 feet. The Cherokee Group consists mostly of black shales, with lesser amounts of limestone, sandstone, and coal.

The main coal beds in the basin, in ascending order, are Riverton, Rowe, Weir-Pittsburg, Mineral, Fleming, Croweburg, Bevier, and Mulky. The Riverton, Weir-Pittsburg, Bevier, and Mulky are the thickest, and the Weir-Pittsburg seam can be as much as 5 feet thick. Net thickness of the coals in the Cherokee Group is greater than 15 feet. The underlying bedrock aquifer is in the Vamoosa Formation and Ada Group (Johnson, 1998). According to Suneson (2000), escarpments that occur in the Eastern Cuesta Plains are east-facing and the rocks are Pennsylvanian (323-290 million years old) or Permian (290-245 million years old); they consist of sandstone, limestone, and shale. The escarpments are rugged and typically covered with oak trees. A cuesta is a hill or ridge with a gentle slope on one side and a steep slope on the other side. Folds and pockets are found in the underlying structures, which makes a suitable ‘habitat’ for oil and gas. Fossils of ancient marine animals are found in the various geological strata.

Soil

According to the Natural Resources Conservation Service (NRCS, 2010) soils that have profiles that are almost alike make up a soil series. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into soil phases. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series. Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A complex consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An association is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An undifferentiated group is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example (NRCS, 2010).
Soil Suitability for Recreational Development

The National Resources Conservation Service (NRCS) collects and reports soil data, which is then made available online. Based on the data, reports that are specific to unique locations may be generated. An ecological site assessment is conducted as part of this analysis. For this RMP, a soil suitability report was generated for Sequoyah State Park located in Cherokee County and Sequoyah Bay State Park located in Wagoner County. Thus, the following section provides information related to soil suitability for various types of recreational development in the counties.

Soil Types

Sequoyah Bay State Park includes a wide variety of soil types. The soil types that cover the largest percentage of area in the park include Britwater gravelly silt loam, 3 to 8 percent slopes (23%), Hector-Linker association, 8 to 30% slopes (21%), and Hector fine sandy loam, 3 to 5 percent slopes (10%). All other soil types cover less than 5% of the park area (each); water covers 33% of the park area.

Ecological Site Assessment

Individual soil map unit components can be correlated to a particular ecological site. The Ecological Site Assessment section includes ecological site descriptions, plant growth curves, state and transition models, and selected National Plants database information. An “ecological site” is the product of all the environmental factors responsible for its development. It has characteristic soils that have developed over time; a characteristic hydrology, particularly infiltration and runoff, which has developed over time; and a characteristic plant community (kind and amount of vegetation). The vegetation, soils, and hydrology are all interrelated. Each is influenced by the others and influences the development of the others. For example, the hydrology of the site is influenced by development of the soil and plant community. The plant community on an ecological site is typified by an association of species that differs from that of other ecological sites in the kind and/or proportion of species or in total production.

For most areas of consideration, the NRCS (2010) rates suitability indicating the extent to which the soils are limited based on all of the soil features that affect development. “Not limited” indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. “Somewhat limited” indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. “Very limited” indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.
Figure 2.10a – Soil map of Sequoyah Bay State Park
Source: NRCS
Because properties adjacent to the lake are susceptible to erosion, the NRCS (2010) also provided ratings related to the hazard of soil loss from roads without a sealed surface and trails (erosion hazard). The ratings are based on soil erosion factor K, slope, and content of rock fragments. The hazard is described as “slight,” “moderate,” or “severe.” A rating of “slight” indicates that little or no erosion is likely; “moderate” indicates that some erosion is likely, that the roads or trails may require occasional maintenance, and that simple erosion-control measures are needed; and “severe” indicates that significant erosion is expected, that the roads or trails require frequent maintenance, and that costly erosion-control measures are needed.

**Camp Areas, Picnic Areas, and Playgrounds**

_Camp areas_ are tracts of land used intensively as sites for tents, trailers, campers, and the accompanying activities of outdoor living. Camp areas require site preparation, such as shaping and leveling the tent and parking areas, stabilizing roads and intensively used areas, and installing sanitary facilities and utility lines. Camp areas are subject to heavy foot traffic and some vehicular traffic. Slope, stoniness, and depth to bedrock or a cemented pan are the main concerns affecting the development of camp areas.

The soil properties that affect the performance of the areas after development are those that influence trafficability and promote the growth of vegetation, especially in heavily used areas. For good trafficability, the surface of camp areas should absorb rainfall readily, remain firm under heavy foot traffic, and not be dusty when dry. The soil properties that influence trafficability are texture of the surface layer, depth to a water table, ponding, flooding, saturated hydraulic conductivity (Ksat), and large stones. The soil properties that affect the growth of plants are depth to bedrock or a cemented pan, saturated hydraulic conductivity (Ksat), and toxic substances in the soil.
Picnic areas are natural or landscaped tracts used primarily for preparing meals and eating outdoors. These areas are subject to heavy foot traffic. Most vehicular traffic is confined to access roads and parking areas. The ratings are based on the soil properties that affect the ease of developing picnic areas and that influence trafficability and the growth of vegetation after development. Slope and stoniness are the main concerns affecting the development of picnic areas. For good trafficability, the surface of picnic areas should absorb rainfall readily, remain firm under heavy foot traffic, and not be dusty when dry. The soil properties that influence trafficability are texture of the surface layer, depth to a water table, ponding, flooding, saturated hydraulic conductivity (Ksat), and large stones. The soil properties that affect the growth of plants are depth to bedrock or a cemented pan, saturated hydraulic conductivity (Ksat), and toxic substances in the soil.

Playgrounds/play groups are areas used intensively for sports and games, such as baseball, football, and similar activities. Playgrounds require soils that are nearly level, are free of stones, and can withstand intensive foot traffic. The NRCS ratings are based on the soil properties that affect the ease of developing playgrounds and that influence trafficability and the growth of vegetation after development. Slope and stoniness are the main concerns affecting the development of playgrounds. For good trafficability, the surface of the playgrounds should absorb rainfall readily, remain firm under heavy foot traffic, and not be dusty when dry. The soil properties that influence trafficability are texture of the surface layer, depth to a water table, ponding, flooding, saturated hydraulic conductivity (Ksat), and large stones. The soil properties that affect the growth of plants are depth to bedrock or a cemented pan, saturated hydraulic conductivity (Ksat), and toxic substances in the soil.

Most soil types in Sequoyah Bay State Park are found throughout the park; thus, the summary of limitations provided here may be assumed to cover the entire section of the park. Development of camp and picnic areas, as well as areas on which to install playgroups is somewhat or very limited on all soil types due to gravel content, slope, depth to bedrock, slow water movement, flooding, and large stones content.

Paths and Trails

Paths and trails for hiking and horseback riding should require little or no slope modification through cutting and filling. The ratings are based on the soil properties that affect trafficability and erodibility. These properties are stoniness, depth to a water table, ponding, flooding, slope, and texture of the surface layer.

Off-road motorcycle trails are intended primarily for recreational use. They require little or no site preparation. They are not covered with surfacing material or vegetation. Considerable compaction of the soil material is likely. The ratings are based on the soil properties that influence erodibility, trafficability, dustiness, and the ease of revegetation. These properties are stoniness, slope, depth to a water table, ponding, flooding, and texture of the surface layer.

Off-road trails are intended primarily for recreational use. They require little or no site preparation. They are not covered with surfacing material or vegetation. Considerable compaction of the soil material is likely. The ratings are based on the soil properties that influence erodibility, trafficability, dustiness, and the ease of revegetation. These properties are stoniness, slope, depth to a water table, ponding, flooding, and texture of the surface layer.
While most areas of the park are somewhat to very limited for off-road trail development due to large stones content, development of paths and trails for hiking and walking face no limitations or are somewhat limiting (due to slope and large rock content). Off-road motorized activity is not permitted within Sequoyah Bay State Park.

Sequoyah Bay State Park includes approximately 44% of the soils in either the Hector-Enders complex or the Hector-Linker complex. These soils for the Hector-Enders complex have slopes from 5 to 30% while the Hector-Linker complex are lesser in slope at 1 to 5%. These complexes are situated on the eastern and more elevated portions of Sequoyah Bay State Park.

The southeastern and flatter portion of the property is the next largest soil complex. This area is Dennis silt loam, comprising more than 21% of the property. Dennis silt loam has less than 5% slope and is subject to periodic flooding.

**Hydrology**

The U.S. EPA website provides information related to watersheds within the United States. According to the EPA, Wagoner County crosses the following watersheds: Lower Neosho (11070209) and Lower Verdigris (11070105). The regional watersheds are shown in Figure 2.11. The area around Sequoyah Bay State Park is confined to the Lower Neosho watershed. This area has had difficulties with impaired waters in the recent past, and it continues to face challenges. In 2008, the following issues were reported to have caused impaired waterways in this watershed: enterococcus bacteria, sulfates, total coliform, chlorophyll-A, oil and grease, turbidity, chloride, fecal coliform, lead, phosphorus, dissolved oxygen, Escherichia coli (E. coli), and total dissolved solids.

![Figure 2.11 - Regional watersheds](image)

Despite concerns for surface water quality throughout much of Oklahoma, Fort Gibson Lake has been approved for fish and wildlife propagation, aesthetics, agriculture, and full body contract recreation as shown in the following figures. These figures are reported by ODEQ and OWRB in the annual Beneficial Use Monitoring Program (BUMP).
### Fort Gibson, Lower (1-4)

<table>
<thead>
<tr>
<th>Sample Period</th>
<th>Times Visited</th>
<th>Sampling Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2006 - July 2007</td>
<td>4</td>
<td>8</td>
</tr>
</tbody>
</table>

**Lake Data**

- **Location**: Cherokee County
- **Impoundment**: 1953
- **Area**: 14,900 acres
- **Capacity**: 355,200 acre-feet
- **Purposes**: Hydropower and Flood Control

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Result</th>
<th>Notes/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Turbidity</td>
<td>7 NTU</td>
<td>100% of values &lt; OWQS of 25 NTU</td>
</tr>
<tr>
<td>Average True Color</td>
<td>32 units</td>
<td>100% of values &lt; OWQS of 70</td>
</tr>
<tr>
<td>Average Secchi Disk Depth</td>
<td>86 cm</td>
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<td>Water Clarity Rating</td>
<td>good</td>
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<tr>
<td>Trophic State Index</td>
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<tr>
<td>Trophic Class</td>
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<td></td>
</tr>
<tr>
<td>Salinity</td>
<td>0.07 – 0.15 ppt</td>
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</tr>
<tr>
<td>Specific Conductivity</td>
<td>168.8 – 303.9 μS/cm</td>
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</tr>
<tr>
<td>pH</td>
<td>6.28 – 8.79 pH units</td>
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<tr>
<td>Oxidation-Reduction Potential</td>
<td>2 to 403 mV</td>
<td></td>
</tr>
<tr>
<td>Dissolved Oxygen</td>
<td>Up to 82% of water column &lt; 2 mg/L in July</td>
<td>Occurred at site 3</td>
</tr>
<tr>
<td>Surface Total Nitrogen</td>
<td>0.62 mg/L to 1.43 mg/L</td>
<td></td>
</tr>
<tr>
<td>Surface Total Phosphorus</td>
<td>0.038 mg/L to 0.125 mg/L</td>
<td></td>
</tr>
<tr>
<td>Nitrogen to Phosphorus Ratio</td>
<td>11:1</td>
<td>Phosphorus limited</td>
</tr>
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</table>

**Parameters**

**Profile**

- **Fish & Wildlife Propagation**: $S$  $S$  $NS$  $S$
- **Aesthetics**: $NS$  $S$
- **Agriculture**: $S$
- **Primary Body Contact Recreation**: $S$
- **Public & Private Water Supply**: $S$

**Beneficial Uses**

- **Notes**: The lake is currently listed in the Oklahoma Water Quality Standards (OWQS) as a Nutrient Limited Watershed (NLW). This listing means that the lake is considered threatened from nutrients until a more intensive study can confirm the Aesthetics beneficial use non-support status.

**Units**

- NTU = nephelometric turbidity units
- μS/cm = microsiemens per centimeter
- E. coli = Escherichia coli
- OWQS = Oklahoma Water Quality Standards
- mg/L = milligrams per liter
- mV = millivolts
- μS/cm = microsiemens/cm
- Chlor-a = Chlorophyll-a
- ppb = parts per billion
- En = Enterococci

**Figure 2.12a – BUMP report on Fort Gibson Lake (lower portion)**

Source: Oklahoma Water Resources Board
# Fort Gibson, Upper (5-8)

**Sample Period**  
October 2006 - July 2007

**Times Visited**  
4

**Sampling Sites**  
8

**Location**  
Cherokee County

**Impoundment**  
1953

**Area**  
14,900 acres

**Capacity**  
365,200 acre-feet

**Purposes**  
Hydropower and Flood Control

---

### Lake Data

<table>
<thead>
<tr>
<th>Parameter</th>
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</thead>
<tbody>
<tr>
<td>Average Turbidity</td>
<td>10 NTU</td>
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<tr>
<td>Average True Color</td>
<td>33 units</td>
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<tr>
<td>Average Secchi Disk Depth</td>
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<td>Water Clarity Rating</td>
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</tr>
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<td>Trophic State Index</td>
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<td>Trophic Class</td>
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<tr>
<td>Salinity</td>
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</tr>
<tr>
<td>Specific Conductivity</td>
<td>164.4 – 351.1 μS/cm</td>
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<tr>
<td>pH</td>
<td>6.04 – 8.91 pH units</td>
<td>16.5% of values &lt; 6.5 pH units</td>
</tr>
<tr>
<td>Oxidation-Reduction Potential</td>
<td>6 to 382 mV</td>
<td>Up to 79% of water column &lt; 2 mg/L in July</td>
</tr>
<tr>
<td>Dissolved Oxygen</td>
<td>Up to 79% of water column &lt; 2 mg/L in July</td>
<td>Occurred at site 6</td>
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</table>

### Parameters

**Profile**

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<tr>
<th>Nutrients</th>
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<th>Notes/Comments</th>
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<tr>
<td>Surface Total Nitrogen</td>
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</tr>
<tr>
<td>Surface Total Phosphorus</td>
<td>0.034 mg/L to 0.281 mg/L</td>
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<tr>
<td>Nitrogen to Phosphorus Ratio</td>
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### Beneficial Uses

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<th>Dissolved Oxygen</th>
<th>Metals</th>
<th>TSI</th>
<th>True Color</th>
<th>Sulfates, Chelates, AND TDS</th>
<th>E. coli &amp; E. coli</th>
<th>Chlor-a</th>
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<tr>
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<td>S</td>
<td>NS</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>NS</td>
</tr>
<tr>
<td>Agriculture</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>S</td>
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<tr>
<td>Primary Body Contact Recreation</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>S</td>
</tr>
<tr>
<td>Public &amp; Private Water Supply</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>S</td>
</tr>
</tbody>
</table>

**Notes**: The lake is currently listed in the Oklahoma Water Quality Standards (OWQS) as a Nutrient Limited Watershed (NLW). This listing means that the lake is considered threatened from nutrients until a more intensive study can confirm the Aesthetics beneficial use non-support status.

NTU = nephelometric turbidity units  
μS/cm = microsiemens per centimeter  
E. coli = Escherichia coli  
OWQS = Oklahoma Water Quality Standards  
mV = millivolts  
μg/L = milligrams per liter  
mg/L = milligrams per liter  
μS/cm = microsiemens/cm  
pp = parts per thousand  
En = Enterococci

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**Figure 2.12b – BUMP report on Fort Gibson Lake (upper portion)**

Source: Oklahoma Water Resources Board
Vegetative Cover

Sequoyah Bay State Park is encompassed within the Central Irregular Plains. The Central Irregular Plains has a mix of land use types and tends to be topographically more irregular than the Western Corn Belt Plains to the north, where most of the land is in crops; however, the region is less irregular and less forest covered than the ecoregions to the south and east. The potential natural vegetation of this ecological region is a grassland/forest mosaic with wider forested strips along the streams compared to the region to the north. The mix of land use activities in the Central Irregular Plains also includes mining operations of high-sulfur bituminous coal. The disturbance of these coal strata in southern Iowa and northern Missouri has degraded water quality and affected aquatic biota.

Natural vegetation is mostly tall grass prairie, but forests and woodlands, dominated by post oak, blackjack oak, and black hickory, are native on stony hilltops. Today, this area is a mix of rangeland, grassland, woodland, floodplain forests, and farmland; cropland is most extensive on nearly level plains.

Wildlife

Three-hundred twenty-seven vertebrate species are native to the central irregular plains ecoregion. Six have been extirpated, and 12 have been introduced. Due to the diversity of resources around Sequoyah Bay State Park, the area provides excellent wildlife habitat, particularly due to its diversity and proximity to the impounded Grand/Neosho River. In the mid-1800s the native fauna of the area included buffalo, elk, deer, black bear, gray wolf, coyote, fox, cougar, bobcat or ocelot, skunk, prairie dogs, jack rabbit, skunk, raccoon, opossum, turkey, greater prairie chicken, wood duck, white pelican, Bonaparts gull, Carolina rail, and many other birds, small mammals, and reptiles. In addition, large flocks of passenger pigeons, numerous flocks of Carolina parakeets along the Arkansas River, and ivory-billed woodpeckers were found in the area. Today, the central irregular plains continue to offer excellent wildlife habitat for most of the species found in the 1800s and are especially important to many species of birds, including the bald eagle and other birds of prey and threatened species, such as the Peregrine falcon, barn owl and grasshopper sparrow. Many areas of the forests, or adjacent to the forests, are stopovers for waterfowl migrating along the Central Flyway of North America. In addition, hogs, quail, turkey, and deer are common game animals found in the area.

Mammals

A variety of small mammals, bats, carnivores/omnivores, and ungulates occur at Sequoyah Bay including the thirteen-lined ground squirrel (*Spermophilus tridecemlineatus*), opossum (*Didelphis marsupialis*), least shrew (*Cryptotis parva*), eastern harvest mouse (*Reithrodontomys humulis*), deer mouse (*Peromyscus maniculatus*), eastern cottontail (*Sylvilagus floridanus*), red bat (*Lasiurus borealis*), evening bat (*Nycticeius humeralis*), striped skunk (*Mephitis mephitis*), coyote (*Canis latrans*), bobcat (*Lynx rufus*), red fox (*Vulpes fulva*), raccoon (*Procyon lotor*), and white-tailed deer (*Odocoileus virginianus*) (USACE 2003a as cited in EA, 2006).

Birds

Sequoyah Bay State Park is within the Central Flyway of migratory birds and the variety of habitats at Sequoyah supports numerous species of migratory waterfowl and wading birds, upland game birds, raptors, and songbirds. These include mallards (*Anas platyrhynchos*), Canada
goose (Branta canadensis), blue-winged teal (A. discors), pintail (A. acuta), great blue heron (Ardea herodias), little blue heron (Florida caerulea), turkey (Meleagris gallopavo), northern bobwhite (Colinus virginianus), red-tailed hawk (Buteo jamaicensis), turkey vulture (Cathartes aura), crows (Corvus brachyrhynchos), killdeer (Charadrius vociferous), yellow-billed cuckoo (Coccyzus americanus), red-bellied woodpecker (Centurus carolinus), purple martin (Progne subis), barn swallow (Hirundo rustica), Carolina chickadee (Parus carolinensis), tufted titmouse (P. bicolor), Eastern bluebird (Sialia sialis), Northern mockingbird (Mimus polyglottos), European starling (Sturnus vulgaris), lark sparrow (Chondestes grammacus), Northern cardinal (Richmondena cardinalis), painted bunting (Passerina ciris), dickcissel (Spiza americana), red-winged blackbird (Agelaius phoeniceus), Eastern meadowlark (Sturnella magna), brown-headed cowbird (Molothrus ater), scissor-tailed flycatcher (Muscivora forfic), and American robin (Turdus migratorius) (USACE 2003a as cited in EA, 2006).

Various bird clubs have reported the following seasonal bird residents in and around Sequoyah Bay State Park and Fort Gibson Lake: Canada Goose, Mallard, Lesser Scaup (winter), Bufflehead (winter), Common Goldeneye (winter), Red-breasted Merganser (winter), Common Loon (winter), Pied-billed Grebe (winter), Horned Grebe (winter), Double-crested Cormorant, Osprey (summer), Bald Eagle, American Coot (winter), Spotted Sandpiper (spring, fall), Laughing Gull (summer), Bonaparte’s Gull (winter), Ring-billed Gull (winter), Herring Gull (winter), Caspian Tern (spring, fall), Forster’s Tern, Purple Martin, Northern Rough-winged Swallow (summer), and Chipping Sparrow.

Because Fort Gibson Lake is part of the Central Flyway, several species of birds either fly through or winter in the area. These include the Snow Goose, Bald Eagle, Mississippi Kite, Piping Plover, whooping crane, Peregrine Falcon, and Interior Least Tern. Many of these birds are threatened or endangered and are further described later in this RMP.

**Reptiles and Amphibians**

Numerous reptiles and amphibians are known to occur at Sequoyah Bay State Park. Reptile species at Sequoyah Bay State Park include snapping turtle (Chelydra sepentina), box turtle (Terrapene spp.), eastern fence lizard (Sceloporus undulatus), Texas horned lizard (Phrynosoma cornutum), water snake (Natrix spp.), Texas brown snake (Storeria dekayi), common garter snake (Thamnophis sirtalis), eastern hognose snake (Heterodon platyrhinos), black rat snake (Elaphe obsoleta), copperhead (Agkistrodon contortrix), western diamondback rattlesnake (Crotalus atrox), and the western pigmy rattlesnake (Sistrurus miliarius).

Species of amphibians that are supported include salamander (Ambystoma spp.), plains and eastern spadefoot toad (Scaphiopus bombifrons and S. holbrookii, respectively), gray tree frog (Hyla versicolor), chorus frog (Pseudacris spp.), bullfrog (Rana catesbeiana), and the southern leopard frog (R. pipiens) (USACE 2003a as cited in EA, 2006).

**Aquatic Wildlife**

Management of the fishery resources in Fort Gibson Lake is the responsibility of the ODWC. The lake provides habitat for at least 70 species of fish, several of which were introduced by the ODWC. Common fish in Lake Gibson include black bass, white bass, crappie, and several varieties of catfish and panfish. In addition, walleye and paddlefish may be found in various sections of the lake. Those species popular for recreational fishing include channel (Ictalurus punctatus), blue (I. furcatus), and flathead catfish (Pylodictis olivaris); largemouth (Micropterus

50
salmoides), spotted (M. punctulatus), white (Morone chrysops), and smallmouth bass (Micropterus dolomieui); and white crappie (Pomoxis annularis).

Gizzard shad (Dorosoma cepedianum), threadfin shad (D. petenense), and Mississippi silverside (Menidia audens) are considered important forage species in the lake. Freshwater drum (Aplodinotus grunniens), carp (Cyprinus carpio), gar (Lepisosteus spp.), buffalo (Ictiobus spp.), and river carpsucker (Carpiodes carpio) make up the bulk of rough fishes in the lake.

**Nuisance Species**

The 2008 ODWC Lake Management Report noted a growing concern for the introduction of aquatic nuisance species in several of Oklahoma lakes. These species of concern include both flora and fauna. White perch (Morone Americana) were stocked by accident into Cheney and Wilson reservoirs in Kansas. This stocking was a result of a striped bass (Morone saxatilis) stocking contaminated with white perch. Since white perch were found in Kaw reservoir in 2000, ODWC has continued monitoring competition with native species such as white bass (Morone chrysops). In 2004, white perch were found in Keystone during fall gillnetting samples. If white perch are in Keystone Lake, it is only a matter of time before they will work down the Arkansas and into the Neosho. Reaching Fort Gibson Lake would require another avenue of introduction.

Zebra mussels (Dreissena polymorpha; invasive freshwater mussels) were introduced into Oklahoma by way of the navigational channels. This species is a problem in many states and water-ways. They have the potential of altering the food chain, choking out native mussels, and are well known for their ability to overwhelm interstitial spaces. In 2003 they were found in El Dorado Lake in Kansas, in 2004 in Kaw Lake, and in 2009 Zebra mussel adults were found in Fort Gibson Lake.

Potential threats such as Largemouth Bass Virus also exist. Although a die off has not occurred, testing in 2002 showed that 33% of fish sampled (36) carried the virus. Proximity of other aquatic nuisance species above, below, or within the drainage is also a call for concern. For example, Alligator weed was identified in the summer of 2007 in the Arkansas River at Tulsa, and Silver carp (Hypophthalmichthys molitrix) have been found in the Arkansas River drainage; however, as of 2008, neither had been observed in Fort Gibson Lake. Hydrilla is another common nuisance species found in Oklahoma waters (ODWC, 2008).

Feral hogs are usually considered to be a nuisance species. The Sequoyah Bay State Park area is an area considered to be “sparse” in numbers meaning there are less than 13 feral hogs per square mile with a presence continuing since prior to 1970 (Stevens, 2010). In addition to the damage that feral hogs can cause to native plants, they are potentially dangerous in contact with people and vehicles.

**Endangered or Threatened Species**

Cherokee and Wagoner Counties are home to several threatened, endangered, or candidate species of wildlife, identified by the state of Oklahoma, the federal government, or both.

The endangered species include the interior least tern (Sterna antillarum), the whooping crane (Grus Americana), the Gray bat (Myotis grisescens), and the Ozark big-eared bat (Corynorhinus (=Plecotus) townsendii ingens). The piping plover (Charadrius melodus) is designated as a threatened species. Several other species are identified as being candidates for the federally threatened designation: mountain plover (Charadrius montanus), rabbitsfoot (lampsilis rafinesquenea), Arkansas darter (Etheostoma cragini), grotto salamander (typhlotriton spelaeus),
Oklahoma salamander (*eurycea tynereniss*), and alligator snapping turtle (*macroelys temminckii*). The American peregrine falcon is listed as recovering. These species have been identified as potentially occurring in Sequoyah Bay State Park (USDI, 2011). In addition to federally recognized species of concern, the state of Oklahoma also identifies various species that face challenges. In Cherokee and Wagoner counties, the Neosho mucket (*Lampsilis rafinesqueana*) is state-listed as an endangered species.

In addition to these species of concern, starting in 2003 the U.S. Fish and Wildlife Service (USFWS) noted the occurrence of the American burying beetle (*Nicrophorus americanus*; ABB), a federally-listed endangered species, in Cherokee and Wagoner counties. The ABB is a member of the beetle family, *Silphidae*, and is known to bury vertebrate carcasses for reproductive purposes as well as exhibit parental care of young. The ABB is fully nocturnal and active when nighttime temperatures consistently exceed 60°F. For the remainder of its life cycle (generally mid-May to late-September) the ABB remains in an inactive state buried at soil depths ranging from 6- to 36-inches (Anderson 1982, Kozol et al. 1988 as cited in Alexander Consulting, 2003). Owing to its confirmed presence in adjoining counties and its highly mobile nature, the ABB may be present in portions of the park during summer months. During the inactive season, it is possible that the ABB exists buried in project area soils of suitable characteristics.

**Interior least tern**

Identified as an endangered species in 1985 (USFWS, 1992), interior least terns are common summer residents around the Arkansas and Neosho rivers. They utilize sandbar habitats for nesting and loafing, and the adjacent shallow water habitat for feeding. Historically the least tern nested on islands and sandbars associated with the major river systems of the state—habitat often impacted by the network of flood control lakes operated by the Corps. The birds lay their eggs in shallow depressions called “scrapes” made in the sand and gravel. Many things, including both high and low water levels, potentially threaten those nests. High water levels can flood and wash them away while low water levels can grant access to predators and people.

Population declines of least terns have been attributed to habitat loss or degradation where dams, reservoirs, and other changes to river systems have eliminated most historic least tern habitat. Narrow forested river corridors have replaced the wide channels dotted with sandbars that are preferred by the terns. In addition, recreational activities on rivers and sandbars disturb the nesting terns, causing them to abandon their nests. ATVs, hiking, picnicking, boating and swimming on or near sandbars where birds

**Whooping crane**

The whooping crane occurs only in North America and is North America’s tallest bird, with males approaching 5 feet tall when standing erect. The whooping crane adult plumage is snowy white except for black primaries, black or grayish alula (specialized feathers attached to the upper leading end of the wing), sparse black bristly feathers on the carmine crown and malar region (side of the head from the bill to the angle of the jaw), and a dark gray-black wedge-shaped patch on the nape. In July 2010, the total population of Whooping cranes in the world
was recorded as 535 (USFWS, nd.) Because of its low numbers, the whooping crane was added to the endangered species list in 1967. It is considered a rare spring and fall migrant in the area of the Sequoyah Bay State Park. The cranes use emergent vegetation along the edges of marshes, prairie pothole wetlands, or lakes for resting sites; croplands for foraging; and riverine wetlands for roosting. Whooping cranes have declined primarily because of loss of wintering and breeding habitat. Shootings and collisions with power lines or fences have been sources of mortality in recent years.

**Piping plover**

Piping plover populations were federally listed as threatened and endangered in 1985. The Northern Great Plains and Atlantic Coast populations are threatened, and the Great Lakes population is endangered. Piping plovers are considered threatened throughout their wintering range, which includes Oklahoma. According to the last breeding census in 1996, the Northern Great Plains population is the largest of the three breeding populations, numbering approximately 1,400 breeding pairs. The Atlantic Coast population consisted of 1,372 breeding pairs, and the Great Lakes population had only 32 breeding pairs. The highest concentration of birds reported in winter censuses are found in Texas, Louisiana, and Florida. However, only 63 percent of the breeding birds counted in 1991 were reported during the winter census, suggesting that important wintering areas are still unknown.

**Mountain plover**

The Mountain Plover (*Charadrius montanus*) is an uncommon terrestrial shorebird found in arid shrublands, shortgrass prairies, and other sparsely vegetated plains of the western Great Plains of the United States, southern Canada, and northern Mexico. Within the United States, most breeding occurs in Montana, Wyoming, and Colorado; fewer breeding birds occur in Kansas, Nebraska, New Mexico, Oklahoma, Texas, and Utah. Over the last 150 years, changes in land use and in the grassland herbivore community have altered the abundance, habitat use, and distribution of Mountain Plovers. In Oklahoma researchers estimate a total estimate of 225-250 Mountain Plovers; approximately 90% of those were located on plowed fields of Sherm or Gruver clay loam soils with slopes < 2% (McConnell, Leslie, & Shackford, nd.). McConnell et al. estimate that 1-3% of the global Mountain Plover population breeds in Oklahoma. On June 29, 2010 the U.S. Fish and Wildlife Service reinstated a proposal to list the mountain plover as a threatened species under the Endangered Species Act.

**Neosho mucket**

The Neosho mucket is a non-descript freshwater mussel (clam) that is kidney-shaped, dark brown in color, and approximately four to six inches in length. It feeds by filtering suspended algae and microscopic organisms out of the water. It is found in stable gravel and finer sediment in near-shore and backwater portions of small rivers. Like all freshwater mussels, it is a filter feeder and must have a permanent source of flowing water surrounding it. The U.S. Fish and Wildlife Service lists the Neosho mucket as a candidate species, while the state of Oklahoma identifies the Neosho mucket as endangered (ODWC, 2011).
Gray bat
Gray bats are listed as an endangered species. These bats live in caves year around and frequently roost in caves along rivers. Gray bats are distinguished from other species of Myotis in that the wing membrane connects to the ankle instead of the toe. This portion of Oklahoma is on the western edge of the range for the gray bat.

Figure 2.15 – Gray bat
Source: U.S. Fish and Wildlife Service

Accessibility
The Oklahoma State Parks Division strives for accessibility for those with disabilities in all its park locations and facilities and has an access plan for the Division. Many parks and facilities were designed and constructed before the passage of the 1990 Americans with Disabilities Act (ADA), and well before the Americans with Disabilities Act Accessibility Guidelines (ADAAG) were developed. Further, by its very nature, the natural environment may not lend itself to easy access for those with mobility impairments.

The technical provisions of the ADA permit deviation from the stated guidelines. These provisions allow deviation from full compliance if accessibility cannot be provided because (1) compliance would cause substantial harm to cultural, historic, religious or significant natural features or characteristics; (2) substantially alter the nature of the setting or purpose of the facility; (3) require construction methods or materials that are prohibited by federal, state or local regulations or statutes; or (4) would not be feasible due to terrain or the prevailing construction practices.

In 2007, the United States Access Board issued a Notice of Proposed Rule Making (NPRM) for outdoor developed areas. These rules and their associated interpretations have direct bearing on the consideration of access in Sequoyah Bay State Park. The minimum requirements found in the NPRM for outdoor developed areas are based on several principles developed through the regulatory negotiating process. They include (U.S. Access Board, 2009):

1. Protect the resource and environment
2. Preserve the experience
3. Provide for equality of opportunity
4. Maximize accessibility
5. Be reasonable
6. Address safety
7. Be clear, simple, and understandable
8. Provide guidance
9. Be enforceable and measurable
10. Be consistent with Americans with Disabilities Act Accessibility Guidelines (as much as possible)
11. Be based on independent use by persons with disabilities
A single designated trail may make use of all or several surface types. If major trail redesign or construction were to occur, it would be important to ensure compliance with the ADA standards where appropriate. The NPRM addresses ten provisions that must be considered related to trail accessibility. These provisions are:

1. Surface – must be firm and stable
2. Clear tread width – minimum of 36 inches
3. Openings in surface – may not permit passage of sphere one-half inch in diameter
4. Protruding object – minimum of 80” of clear headroom above the trail
5. Tread obstacles – cannot exceed a maximum of two inches
6. Passing space – minimum of 60” by 60” at intervals of 1000’ or less
7. Slope – addresses cross slope and running slope
8. Resting intervals – at least 60” in width
9. Edge protection – not necessarily required, but may be provided
10. Signage – information on distance and departure from technical provisions

An example of possible signage for trails as suggested by the National Center on Accessibility is shown in Figure 2.16. As of 2010, no specific signs have been designated for universal communication related to accessible trails. However, these signs communicate the concept of accessibility in outdoor developed recreation spaces that include trails.

Other considerations related to access for persons with disabilities include “Braille trail” concepts that allow persons with visual limitations to enjoy the features of a trail. This is particularly true if the trail is interpretive in nature, with signs communicating information related to natural, cultural, historic, or other significant topics related to the park environment.

In an effort to fully disclose the extent of accessibility within state parks, the Oklahoma State Park Division developed terms to describe two levels of access; these terms are used in State Parks publications: accessible and usable.

Accessible indicates that the park “substantially complies with the Americans with Disabilities Act Accessibility Guidelines (ADAAG). The facility is connected with a barrier-free-route-of-travel from an accessible parking area.”

Usable indicates that the “facility allows significant access. Some individuals with disabilities may have difficulty and need assistance. Due to topography and the primitive nature of some sites, parking and connecting routes may not be accessible to all with disabilities” (OTRD, 2007).
OTRD began development of the properties at Sequoyah Bay State Park before the passage of the ADA; thus, many of the established structures do not meet the explicit requirements of the law. In several locations, OTRD has added accessible restrooms, developed hard surface campsites, installed walkways, and made other efforts to improve accessibility. However, the number of designated accessible campsites and parking spaces in several locations are inadequate. In other settings, the restrooms are not accessible. The existing trails in these properties are not currently accessible trails, and such modification may not be desirable. The natural terrain varies considerably and is quite rocky; in addition, the environment includes vulnerable animal species. Thus, ADAAG-defined accessibility to every area of the park is not practical, nor necessarily desirable.

Throughout Sequoyah Bay State Park, it will be necessary to complete a thorough review of accessibility. In addition and in light of continuous updating, new rule-making, and interpretation of rules on-going vigilance related to accessibility is required.

An example of this rule-making and interpretation took effect March 15, 2011 under the Department of Justice ruling that specified “other power-driven mobility devices” (OPDMD) that could be used on trails by individuals with mobility limitations. At present, the expectation is that the operating entity (OTRD) shall “make reasonable modifications in policies, practices, or procedures to permit the use of other power-driven mobility devices by individuals with mobility disabilities, unless the public entity can demonstrate that the class of OPDMD cannot be operated in accordance with legitimate safety requirements that the public entity has adopted based on actual risks” (American Trails, 2011).
Chapter 3 – Current Status of the Resource

Recreational Development

Sequoyah State Park and Sequoyah Bay State Park were added to the Oklahoma State Park system in 1948 under lease agreements with USACE. Management of Sequoyah Bay State Park has been through the “pod” system, placing Sequoyah Bay State Park under the oversight of management from Sequoyah State Park. While some name confusion does occur for first-time visitors to the parks, Sequoyah State Park and Sequoyah Bay State Park offer vastly different recreation experiences.

The physical development of Sequoyah Bay State Park was spurred in 1954 when the state park system received $7.2 million in general revenue bonds. The proceeds from that bond issue were principally directed toward 13 more prominent parks, including Sequoyah State Park and Western Hills (now Sequoyah) Lodge. However, all Oklahoma state parks benefited in that funding.

The map on the following page, Figure 3.2, provides an overview of the features of Sequoyah Bay State Park, the park of the Five Civilized Tribes. The park boundaries include 303.25 acres encompassing a marina, numerous campgrounds, beach, and other facilities. Of this land area, Oklahoma leases 286 acres from USACE and owns 17.25 acres. Details on the transactions that resulted in these property arrangements are in the appendix. The developed facilities are detailed in the following discussion. For ease of presentation, the discussion and presentation begins at the west entrance into Sequoyah Bay State Park and proceeds east along the main road through the park.

For most visitors entering Sequoyah Bay State Park, the principal access route is along Gray Oaks Road. The road enters the park at a “Y”, permitting traffic to turn north toward Attakulakulla area and a private residential community or to continue east into the main portion of the state park. Gray Oaks Road terminates within the park.

Figure 3.1 – Entry sign to Sequoyah Bay State Park
Figure 3.2 – Map of Sequoyah Bay State Park
Many online mapping services erroneously identify Sequoyah Bay State Park as being situated only to the north of Gray Oaks Road. In actual fact, about two-thirds of the park property is south of Gray Oaks Road as shown in the map in Figure 3.2 on the preceding page.

**Park Office**

Shortly after entering on the park road, visitors will pass a sanitary dump station and come to the park office. The park office serves as a visitor center and office location. As shown in Figure 3.3, the office is in an older building that has been renovated to make it accessible for the public. Once within the building, accessibility is reduced due to narrow doors and walkways.

![Figure 3.3 – Park office and visitor center](image)

The office and visitor center remain open during normal business hours. Information is commonly posted on the bulletin board outside the doorway to provide guests with emergency contact information, programming, and other events.

As is typical of sanitary dump stations, the location along the entry road provides visitors with easy access upon entering or leaving the park. Appropriate signage is provided to inform users of policies related to use and quality of the water – whether potable or not.

**Residential and Maintenance Area**

Continuing east along the park road, the next developed feature visible to the visitor is a residential area and park maintenance on the south (right-hand) side of the entry drive. These essential structures immediately adjoin the roadway. For the entering visitor, the view that is likely to be seen is shown in Figure 3.4 on the right hand side of the figure. The actual residence is somewhat obscured by the garage and vehicles parked in front of that location.
The park maintenance yard and storage area is beyond the park residence and behind that area. The area is partially screened as shown in Figure 3.5 and gated. At the time of preparation of the RMP, a temporary RV location had been established for a member of the staff as shown in Figure 3.5.
**Opothle-Yahola**

Within Sequoyah Bay State Park, each area has been designated to honor a representative of one of the Five Civilized Tribes. Each area includes a monument erected to honor that individual with an inscription providing essential information for the visitor. The first area on the south side of Gray Oaks Road commemorates Chief Opothle-Yahola of the Creek nation. The monument is located at the intersection of Gray Oaks Road and the entry road leading into a campground and picnic area.

![Figure 3.6 – Opothle-Yahola monument](image)

Opothle-Yahola is a relatively flat, sloping terrain, sparsely vegetated with a few trees along Gray Oaks Road. This area is subject to severe flooding, erosion, and deposit of debris during high water. Opothle-Yahola includes two comfort stations, a campground area, two playgroups, and a beach.

The campground in Opothle-Yahola includes two components. The first, shown on the map as six rectangular areas, is identified as a “group area.” The area is flat and grassy as shown in Figure 3.7, with a grid of gravel roadways providing some demarcation. Along the various gravel roadways there are electrical boxes and water stand pipes that define the camping facility. The area was planned to accommodate large RV groups, occasionally up to 120 participants. Placement of RVs within the areas varied by group, with some desiring parallel organization while others preferred perpendicular alignment.

![Figure 3.7 – Opothle-Yahola “group area”](image)
On the northeast end of this “group area” there is a stand of trees that provides some shade. This area has been laid out as a campground and picnic area, although individual sites are not defined. Tables in this area are concrete and most include a grill. As a result, the best definition of a campsite is the presence of a table and grill.

Additional amenities to support camping and day use at Opothle-Yahola include a boat ramp, a pavilion, two playgroups, and a restroom. During preparation of the RMP, the boat ramp was unusable.
Table 3.1 – Campground Detail for Opothle-Yahola

<table>
<thead>
<tr>
<th>Campground amenity</th>
<th>Opothle-Yahola</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modern campsite (Water, sewer, electricity)</td>
<td>0</td>
</tr>
<tr>
<td>Semi-modern campsite (Water, electricity)</td>
<td>120 estimated</td>
</tr>
<tr>
<td>Unimproved (no utilities)</td>
<td>Undefined</td>
</tr>
<tr>
<td>Pavilion</td>
<td>2</td>
</tr>
<tr>
<td>Trail</td>
<td>0</td>
</tr>
<tr>
<td>Boat Ramp</td>
<td>1 – unusable</td>
</tr>
<tr>
<td>Comfort stations</td>
<td>2</td>
</tr>
<tr>
<td>Playgroups</td>
<td>2</td>
</tr>
</tbody>
</table>

The restrooms in Opothle-Yahola were installed at different times. The older of the two is not fully accessible, while the newer met standards in the 1980s. One playgroup as shown in Figure 3.9 is constructed of wood. The other playgroup, visible in Figure 3.8, is metal, but was installed prior to current ADA guidelines for accessibility.

As shown in the map in Figure 3.10, Opothle-Yahola wraps around to the south of the maintenance area. Other features of the area vary with lake conditions. A feature that varies greatly depending upon lake levels is the beach. This portion of the property is exposed to the dominant south wind. Very little sand is present on the exposed rock. A pavilion adjoins the beach and is rated as accommodating 150 people.

Figure 3.10 – Map of Opothle-Yahola

Figure 3.11 – Beach area
Pushmataha

The next developed location is to the north of Gray Oaks Road along the lakeshore and commemorates the Choctaw chief. Pushmataha is principally a campground fronting Fort Gibson Lake. The roadway divides into an upper and lower unit allowing day use traffic to pass through the area without driving through the campground. Lower levels of Pushmataha are subject to flooding as is evident in photographs provided in following figures.

The area marked as sites 62 through 71 is above normal high water levels along a hillside. In addition to the higher elevation, this area has numerous trees providing shade in the afternoon. These sites are considered to be semi-modern in that they include water and electricity. Sites 72 through 77 are subject to flooding and had been damaged during 2011. Electrical service had been damaged due to high waters and additional erosion had undercut picnic tables along the lake (See Figure 3.14 on the following page).
A summary of the various amenities in Pushmataha is provided in Table 3.2. The numbers and detail related to these amenities are reported in various OTRD documents and verified as much as possible during on-site visits.

**Table 3.2 – Campground Detail for Pushmataha**

<table>
<thead>
<tr>
<th>Campground amenity</th>
<th>Pushmataha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modern campsite (Water, sewer, electricity)</td>
<td>0</td>
</tr>
<tr>
<td>Semi-modern campsite (Water, electricity)</td>
<td>16 (6 out of service)</td>
</tr>
<tr>
<td>Unimproved (no utilities)</td>
<td>0</td>
</tr>
<tr>
<td>Pavilion</td>
<td>0</td>
</tr>
<tr>
<td>Trail</td>
<td>0</td>
</tr>
<tr>
<td>Boat Ramp</td>
<td>1 – marginal</td>
</tr>
</tbody>
</table>
Hulbutta Micco

Immediately west of Pushmataha and up on the hill is an area designated Hulbutta Micco, commemorating the leader of the Seminole Nation. While these named areas are somewhat undefined in terms of boundaries, Hulbutta Micco is generally within a loop defined by 63rd Street East and Gray Oaks Road.

Hulbutta Micco includes a small campground and playfields. During 2011 a new restroom was installed on the ridge above Pushmataha and is shared with Hulbutta Micco.

The campground within Hulbutta Micco is developed as a one-way loop at the north end of the area. Eleven sites are defined within the campground, although one site is dedicated to the campground host. All of these sites are designed as back-in campsites. While the sites do not have hard surface pads, the sites are level and gravel. In addition, this campground has a number of trees providing shade and moderation of temperature for campers.

In this northern end of Hulbutta Micco there is a utility service location. This includes electrical distribution, a lift station, and water distribution. During installation of the new restroom, it was necessary to dig for installation of plumbing lines. The road has been temporarily repaired at the time of the preparation of the RMP.
The remaining portion of Hulbutta Micco is dedicated to playfields and open space. These playfields are recreational in nature and not intended for highly competitive athletic activity. The area identified as tennis courts on some maps has been converted to basketball and is lighted.
Figure 3.20 – Pavilion in Hulbutta Micco
Note basketball courts in the background

Table 3.3 – Campground Detail for Hulbutta Micco

<table>
<thead>
<tr>
<th>Campground amenity</th>
<th>Hulbutta Micco</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modern campsite (Water, sewer, electricity)</td>
<td>11</td>
</tr>
<tr>
<td>Semi-modern campsite (Water, electricity)</td>
<td>0</td>
</tr>
<tr>
<td>Unimproved (no utilities)</td>
<td>0</td>
</tr>
<tr>
<td>Pavilion</td>
<td>1 (capacity of 150)</td>
</tr>
<tr>
<td>Trail</td>
<td>0</td>
</tr>
<tr>
<td>Comfort station</td>
<td>1</td>
</tr>
<tr>
<td>Boat Ramp</td>
<td>1 – marginal</td>
</tr>
</tbody>
</table>

Payamataha

Continuing to the west in Sequoyah Bay State Park, a visitor would enter the Payamataha area. This area, largely dedicated to campground space, commemorates a Chickasaw chief or king, “one who has the highest character for war exploits.” Payamataha area includes a mixture of wooded areas along the roadways and open grasslands on the southeast.

Figure 3.21 – Payamataha
Right: monument
Left: map of campground
Only a portion of Payamataha adjoins Fort Gibson Lake, placing this area above the flood-prone areas. Payamataha is also immediately north of the park office/visitor center and the residential area discussed earlier.

Payamataha does include the northern loop of six campsites on Fort Gibson Lake and at a level that is flood prone. These sites received considerable damage in spring 2011 and were not in use during summer 2011 as shown in Figure 3.22. For the July 4th weekend, these sites had not been mowed and were not usable. 

![Unusable campsite](image)

*Figure 3.22 – Unusable campsite*

Note elevation difference with background.

On the higher ground and along the road leading to the southeast, campsites in Payamataha are arranged in traditional back-in design. Three of these sites are modern with sewer service, while the 17 sites are semi-modern in service. 

![Payamataha campground](image)

*Figure 3.23 – Payamataha campground*

<table>
<thead>
<tr>
<th>Campground amenity</th>
<th>Payamataha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modern campsite (Water, sewer, electricity)</td>
<td>3</td>
</tr>
<tr>
<td>Semi-modern campsite (Water, electricity)</td>
<td>17</td>
</tr>
<tr>
<td>Unimproved (no utilities)</td>
<td>6 (not in use)</td>
</tr>
<tr>
<td>Comfort station</td>
<td>1</td>
</tr>
<tr>
<td>Pavilion</td>
<td>0</td>
</tr>
<tr>
<td>Trail</td>
<td>0</td>
</tr>
<tr>
<td>Boat Ramp</td>
<td>0</td>
</tr>
</tbody>
</table>

This completes the tour of the developed areas along Gray Oaks Road in the main body of Sequoyah Bay State Park. The marina is in this area, but will be discussed separately.
Attakullakulla

At the main entrance into Sequoyah Bay State Park, 62nd Street East turns to the north from Gray Oaks Road (100th St. North). This road leads to the northern side of Sequoyah Bay and Attakullakulla. This area commemorates the 18th century Cherokee chief. Attakullakulla integrates day use with camping in an area that also serves as a second entrance or exit from the park.

In addition, the parking lot serves day visitors who may be picnicking, fishing, or using the boat ramp or the pavilion at this location. As a result, day users are likely to be in close proximity to overnight campers. Traffic also moves through this area along 62nd Street East to exit the park on 102nd Street North into the adjacent private housing area. There is limited fencing separating the private property from Sequoyah Bay State Park – a security concern among some campers.

As with other areas in Sequoyah Bay State Park, the lower elevations of Attakullakulla are subject to flooding. This includes the parking area, boat ramp, and lower grouping of campsites, numbers 15 through 18. Most of Attakullakulla includes some tree cover providing a shaded environment for campers and day visitors.
All of the sites in Attakullakulla are semi-modern, providing electricity and water for campers. The area also includes restroom, a pavilion, and a playgroup as shown in Figure 3.26.

![Amenities in Attakullakulla campground](image)

**Figure 3.26 – Amenities in Attakullakulla campground**

<table>
<thead>
<tr>
<th>Campground amenity</th>
<th>Attakullakulla</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modern campsite (Water, sewer, electricity)</td>
<td>0</td>
</tr>
<tr>
<td>Semi-modern campsite (Water, electricity)</td>
<td>24</td>
</tr>
<tr>
<td>Unimproved (no utilities)</td>
<td>0</td>
</tr>
<tr>
<td>Comfort station</td>
<td>1</td>
</tr>
<tr>
<td>Pavilion</td>
<td>1 (capacity 150)</td>
</tr>
<tr>
<td>Trail</td>
<td>0</td>
</tr>
<tr>
<td>Boat Ramp</td>
<td>1</td>
</tr>
</tbody>
</table>

**Sequoyah Bay Marina and Cabins**

A private concessionaire operates the marina and five cabins in Sequoyah Bay State Park. The marina is located in the main body of the park, north of Hulbutta Micco along Sequoyah Bay. At the marina, the concessionaire provides boat docks and slips, fuel, boating accessories, bait and
tackle, and other convenience store items. In addition, the marina operates a café and maintains an assortment of snacks, beverages, and other supplies that may commonly be needed by park guests. The marina advertises 46 covered boat slips and six uncovered slips available for rent, as well as several courtesy slips for those dining at the café or for marina customers. As a somewhat unusual service Sequoyah Bay Marina also offers indoor fishing during the winter months. (For further information see http://www.sequoyahbaymarina.com/)

As with all marinas on Fort Gibson Lake, it is necessary that the marina and slips be able to rise and fall with the elevation of the lake. As a result and as shown in Figure 3.27, the ramp leading to Sequoyah Bay Marina may be quite steep as water levels drop. The breakwater is also...
necessary to reduce wave action in the cove, although this area is sheltered from the predominant southerly winds.

The concessionaire also manages five cabins designated by the names of the Five Civilized Tribes: Seminole, Creek, Choctaw, Chickasaw, and Cherokee. These cabins are located along a side road from 62nd Street East leading into Attakullakulla. The cabins are all designed with one bedroom, a kitchen, a bathroom with shower, air conditioning, heat, a covered porch, and a grill. Four of the cabins sleep four people and one cabin sleeps two people.

![Figure 3.28 - Sequoyah Bay cabins](image)

The concessionaire also has a residence on the hill to the south of the marina. This residence is a modular home shown in Figure 3.29. The residence fits well aesthetically within the environment of the park.

![Figure 3.29 - Residence at Sequoyah Bay Marina](image)
Other Park Attractions

The other major park attraction at Sequoyah Bay State Park, for many people, is not a facility – but rather bison. A varying number of bison are housed in a fenced enclosure adjacent to 62nd Street East at the west end of Sequoyah Bay State Park. These bison are managed similarly to those maintained at Sequoyah State Park.

The bison appear to be in healthy condition with a yearling and a new calf in the small herd in 2011. Visitors regularly stop to view and photograph the bison along the roadway.

Hiking/Walking/Riding Trails

The only other facility or amenity that would be readily visible to a park visitor is the Spirit Trail near the entrance to Sequoyah Bay State Park. In fact, while the trail is immediately adjacent to the entry, it is likely that many visitors pass the parking lot and sign without knowing that it is there – or that it is part of the park. The actual parking lot for access to the trail is outside of the gate for Gray Oaks Road leading into the park.
Spirit Trail is a natural, interpretive trail developed in a one mile loop. It is identified as an accessible trail, although some portions of the trail need to be improved to truly be accessible. An example of an interpretive exhibit is shown to the right.
Public Access and Entry Aesthetics

Public access to Sequoyah Bay State Park was discussed in earlier sections by the relative location to the community of Okay, Oklahoma. State Highway 16 and State Highway 80 converge in Okay and provide access to the county roads that lead into Sequoyah Bay State Park. Highway 80 encircles the southern portion of Fort Gibson Lake, while Highway 16 links to Highway 51 on the north and into Muskogee on the south.

Gray Oaks Road (100th Street North) intersects with Highway 16 about five miles west of Sequoyah Bay State Park. Gray Oaks Road also intersects with 49th Street East linking to the community of Okay and Highway 80.

Both access routes traverse rural, agricultural environments outside of the park. Directional signage is limited on either route except at the intersections from Highway 80 or Highway 16.

Coming from Okay on 49th Street, a visitor would pass the Okay High School and residential properties before entering the more agricultural areas near Sequoyah Bay State Park. Gray Oaks Road passes through open agricultural properties along its distance from Highway 16 to the park. Along both routes visitors would notice structures that have burned and left without repair. The
appearance of these properties may be disturbing to visitors unfamiliar with the area. Certainly it is less than pleasing to see these properties in their current condition.

**Park Visitation**

Attendance records have been kept since the opening days of the park. It should be noted that counting park visitors is an inaccurate process. Technically, every person entering the park is a park visitor – but not all of those visitors are recreational visitors. For example, since public streets pass through the park into private residential areas, every driver and passenger in vehicles passing through the park boundaries is a park visitor. However, these are not necessarily included in official counts for the park. At Sequoyah Bay State Park a certain percentage of the visitors recorded in the park would include park staff, vendors, and members of the general public entering the park to utilize the restroom or for other purposes. Other aspects of park visitation can be calculated more accurately. This would include those situations in which there is an exchange of a fee for a specific service. As a result, the following discussion reports total visitation to Sequoyah Bay State Park and specific usage of particular areas within the park.

For clarity in understanding of visitation patterns, total park visitation is presented in the following discussion. This would include campers and day visitors, as well as cabin guests at the Sequoyah Bay cabins and marina visitors – some of whom may stay overnight on their boats whether in the marina or on the lake.

**Recreational Use of Park Facilities**

Visitation for Sequoyah Bay State Park has fluctuated over the years. Presently, an estimated 30,000 to 40,000 people visit Sequoyah Bay State Park annually. The number includes day visitors and overnight visitors. The day visitors include pass-through sightseers, golfers, anglers, equestrian visitors, picnickeers, trail hikers, boaters, and many other recreational visitors lodging at locations other than within the park. Overnight visitors include campers, cabin guests, lodge guests and group campers who spend one or more nights within Sequoyah Bay State Park.

Determining the number of campers, cabin guests, group camp guests, and lodge guests is more accurate than is the calculation of total visitors to the park. Total visitors are calculated based on traffic counters and a proxy variable for number of occupants in vehicles passing entry points into the park. Total number of visitors should not be interpreted as “individuals” in that numerous individuals are repeat visitors to the park on a daily, weekly, monthly, or annual basis. In addition, while Sequoyah Bay State Park has a single entry, it is possible that a single individual may be counted on multiple occasions entering, leaving, and re-entering the park.

Based on the figures in Table 3.6 on the following page, it is apparent that visitation during the recent four-year period for both day visitors and overnight guests has declined. While part of the decline is credited to a change in counting protocol, it is likely that other factors are also involved. In all likelihood, the decline in visitation is a reflection of economic conditions during the past few years and the price of gasoline. Most state parks have seen a similar decline – including Sequoyah State Park and Sequoyah Lodge across the lake, as well as, Sequoyah Bay State Park.
### Table 3.6 - Camping and Total Visitation

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>Day visitors</th>
<th>Campsites rented – improved</th>
<th>Campsites rented – unimproved</th>
<th>Total Visitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007*</td>
<td>119,641</td>
<td>2,993</td>
<td>1,150</td>
<td>123,757</td>
</tr>
<tr>
<td>2008</td>
<td>36,443</td>
<td>1,933</td>
<td>284</td>
<td>38,660</td>
</tr>
<tr>
<td>2009</td>
<td>45,958</td>
<td>3,278</td>
<td>1,032</td>
<td>50,268</td>
</tr>
<tr>
<td>2010</td>
<td>27,346</td>
<td>3,677</td>
<td>866</td>
<td>31,889</td>
</tr>
</tbody>
</table>

*Data for 2007 were reported without the present counting system in place.

It is difficult to identify exactly how many campers are individually associated with a registration. In the campgrounds, records are maintained of the number of campsites rented. As demonstrated in the photographs presented it is fairly common for on campsite rental to include a recreational vehicle and one or more tents. In addition, it is common for multiple motorized vehicles to be associated with a single campsite rental. Logically, group size associated with a single campsite rental can vary greatly.

In comparison with most parks that include campgrounds, Sequoyah Bay would be quite average in occupancy rate. The occupancy rate on unimproved campsites is hindered by extremes of weather since these sites do not have electricity and may not have restrooms throughout the year. Some campgrounds are closed during the winter. In addition, numerous campsites at Sequoyah Bay State Park would be out of service during high water or for periods of time after those events as shown in the RMP.

### Recreational Use of Sequoyah Bay Cabins

Data regarding lodging use of Sequoyah Bay Cabins were not provided to park management. However, the research team visited the park at various times throughout the year and saw occasional use of the cabins. The weekend before July 4th all five cabins were available.

### Public Perception of Sequoyah Bay State Park

At the time of preparation of this resource management plan, the authors reviewed numerous websites and marketing sources related to Sequoyah Bay State Park, which were provided by private sources. Further, private citizens and visitors to Sequoyah Bay State Park maintain personal “blogs” and social networking sites that address their experiences and visits to the park. These blogs often were associated with activities such as fishing, boating, or swimming at Fort Gibson Lake, but addressed Sequoyah Bay State Park in some manner.

While some errors in numbers or misperceptions in management are noted in these various sites, the overall tone regarding Sequoyah Bay State Park is highly positive. The positive tone regarding the park is reflected among visitors to the park. Additional information was found in sites maintained through chambers of commerce or other local businesses. The single most frequent comment from non-local “bloggers” was related to confusion in name between
Sequoyah Bay State Park and Sequoyah State Park. Several comments of dissatisfaction related to noise and behaviors of persons at the adjoining Wahoo Bay recreation property managed by USACE.

User Evaluations of Sequoyah Bay State Park

The most formal and scientific evaluations for Sequoyah Bay State Park were generated during the 2003 park visitor survey (Caneday & Jordan, 2003). These evaluations are the result of on-site interviews with park visitors contacted at various locations throughout the park. The analysis of the data from these interviews was reported by category of type of visitor: day visitor, camper, cabin guest, or lodge guest. This visitor survey is the most recent thorough analysis of attitudes and opinions represented by visitors to Oklahoma state parks. Since contacts were made at public locations throughout the park, the determining factor for classification of the visitors was their respective place of lodging during the visit on which they were contacted.

Day visitors to Sequoyah Bay State Park were familiar with the park, averaging eleven visits per year. Almost 96% of all day visitors interviewed were repeat visitors to the park. The most frequent recreational activities reported by these day visitors were swimming and relaxing on the beach. Day visitors tended to be quite satisfied with their experiences at the park, showing the least satisfaction with the condition of the boat ramps and lack of parking at the boat ramps. The park was the primary destination for most of the day visitors, who were motivated to visit the park to be with friends or family.

Day visitors tended to be in groups, ranging up to eight individuals, but the most common grouping of day visitors was four members. The day visitors contacted during the survey tended to be white, non-Hispanic with a high school education or above. They ranged in age from 18 to 77 years of age, with a median of 29 years of age; they included similar numbers of males and females. Since these individuals were day visitors, they had traveled a limited distance to get to Sequoyah Bay State Park, reporting a mode of 10 miles in travel. It is likely that a substantial number of these day visitors were from Muskogee or closer to the park.

Campers at Sequoyah Bay State Park were also quite familiar with the park in that they were repeat visitors. With approximately 90% of responding campers being repeat visitors, they had visited the park an average of four times in a year. These campers participated in a wide range of recreation activities, but most frequently they walked or hiked, drove for pleasure (sightseeing), used a boat on the lake, or fished from shore. Campers expressed satisfaction with most of the facilities provided in the park. The greatest dissatisfaction was expressed related to lack of tent pads and defined sites and inadequate playgrounds at Sequoyah Bay State Park.

Sequoyah Bay State Park was the primary destination for all the campers contacted in the survey. They chose to visit the park to relax or rest and to be with friends or family, with the single highest factor in motivation being “tradition.” For the majority of campers at Sequoyah Bay, the trip on which they were contacted was a weekend-get-away. Approximately two-thirds of the campers contacted in the survey were satisfied with the prices charged for services in the park. Most of the campers were white, non-Hispanic, but there was some diversity shown among the respondents. Approximately 15% of the respondents in 2003 were American Indian. In addition, the campers were well educated having some college or more.
Campers reported having traveled an average of 20 miles one-way to visit Sequoyah Bay State Park. Given the local nature of the vast majority of campers, it can be concluded that the campers were also from Muskogee or closer to the park.

Essentially, it can be concluded that:

- Sequoyah Bay State Park serves a localized population;
- Sequoyah Bay State Park visitors are predominantly white, but increasingly represent a greater diversity representing the composition of the surrounding communities;
- Sequoyah Bay State Park visitors represent the middle class in this region in education level, in economic status, and in political affiliation.

**Park Management**

Over the years of operation, the management structure for Sequoyah Bay State Park has changed at the direction of leadership within OTRD from Oklahoma City. Even the name of the property has changed over the years, as has the management structure. Presently Sequoyah Bay State Park is managed as a subsidiary in the pod with Sequoyah State Park and Sequoyah Lodge.

Sequoyah Bay State Park is currently included in the Northeast Regional Office of Oklahoma State Parks. This intermediate management structure allows park management to work with regional oversight as an intermediary or in direct contact with the Oklahoma City office. As with all state parks in Oklahoma, personnel, purchasing, contracting, and all other aspects of operation are governed by Oklahoma state statutes, policies, and procedures.

**Staffing**

Staffing for Sequoyah Bay State Park is intermixed with that at Sequoyah State Park. This reflected in the following tables. Staffing for Sequoyah Bay State Park has declined over the past four years, particularly in the employment of seasonal staff. Permanent staff numbers have remained consistent over the past four years, but seasonal staff has declined in real numbers and in hours worked. Table 3.7 documents the staffing pattern for Sequoyah Bay State Park in recent years.

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>Permanent salaried staff</th>
<th>Seasonal staff</th>
<th>Total park staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>2</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>2008</td>
<td>2</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>2009</td>
<td>2</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>2010</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
</tbody>
</table>
Revenue and Expense

Data related to revenue and expense at Sequoyah Bay State Park and Sequoyah State Park was provided by local staff and augmented with material from the central OTRD office. Table 3.8 reports this revenue and expense data for the past four years in aggregate between the two parks. Sequoyah Bay State Park is only a portion of the “park” operations in the budget and would be a small percentage of overall operation.

Table 3.8 – Expense at Sequoyah Bay State Park and Sequoyah State Park

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>Sequoyah Bay &amp; Sequoyah State Park</th>
<th>Sequoyah Lodge</th>
<th>Sequoyah Golf Course</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007 Total</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel Expense</td>
<td>$580,112</td>
<td>$1,616,231</td>
<td>$148,177</td>
</tr>
<tr>
<td>Operating Expense</td>
<td>$428,862</td>
<td>$1,049,362</td>
<td>$194,057</td>
</tr>
<tr>
<td>2008 Total</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel Expense</td>
<td>$653,863</td>
<td>$1,752,020</td>
<td>$178,121</td>
</tr>
<tr>
<td>Operating Expense</td>
<td>$394,912</td>
<td>$933,009</td>
<td>$188,679</td>
</tr>
<tr>
<td>2009 Total</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel Expense</td>
<td>$669,091</td>
<td>$1,734,043</td>
<td>$173,976</td>
</tr>
<tr>
<td>Operating Expense</td>
<td>$417,628</td>
<td>$902,107</td>
<td>$258,404</td>
</tr>
<tr>
<td>2010 Total</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel Expense</td>
<td>$628,319</td>
<td>$1,519,879</td>
<td>$175,609</td>
</tr>
<tr>
<td>Operating Expense</td>
<td>$322,859</td>
<td>$835,392</td>
<td>$176,754</td>
</tr>
</tbody>
</table>

In the same manner, revenue for Sequoyah Bay State Park and Sequoyah State Park is reported in Table 3.9. As is true with expense, the revenue from Sequoyah Bay State Park is only reported in the “park” category in this table.

Table 3.9 – Revenue and Expense at Sequoyah Bay and Sequoyah State Parks

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>Sequoyah Bay and Sequoyah State Park</th>
<th>Sequoyah Lodge</th>
<th>Sequoyah Golf Course</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td>$316,052</td>
<td>$2,139,259</td>
<td>$304,909</td>
</tr>
<tr>
<td>Total Expense</td>
<td>$1,008,974</td>
<td>$2,665,683</td>
<td>$342,233</td>
</tr>
<tr>
<td>2008</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td>$295,907</td>
<td>$2,022,967</td>
<td>$192,743</td>
</tr>
<tr>
<td>Total Expense</td>
<td>$1,048,775</td>
<td>$2,685,029</td>
<td>$366,800</td>
</tr>
<tr>
<td>2009</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td>$337,397</td>
<td>$1,874,983</td>
<td>$187,334</td>
</tr>
<tr>
<td>Total Expense</td>
<td>$1,086,719</td>
<td>$2,636,150</td>
<td>$432,380</td>
</tr>
<tr>
<td>2010</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td>$415,809</td>
<td>$1,776,837</td>
<td>$168,365</td>
</tr>
<tr>
<td>Total Expense</td>
<td>$951,178</td>
<td>$2,355,271</td>
<td>$352,363</td>
</tr>
</tbody>
</table>
Hazards Analysis – Natural and Operational

Any recreational activity includes the exposure to hazards, and the probability of specific risks may increase in many outdoor settings. In most current discussions related to hazard and risk, hazards are defined as conditions or events. Risk is the likelihood of injury resulting from a given hazard and is typically defined as a probability of adverse effects from those conditions or events. Everything people do exposes them to hazards. It is how people conduct themselves that determines the risk. An agency or site risk management plan addresses potential loss from anticipated hazards.

Natural Hazards

As with all natural areas, Sequoyah Bay State Park includes a number of hazards. Some of those hazards are natural and related to such things as topography, flora, and fauna. Some of the hazards are structural or related to design; other hazards are operational in nature.

Natural hazards in Sequoyah Bay State Park include the terrain, flora and fauna, as well as a number of other natural conditions or events. In addition, the development of facilities encourages visitors to interact with the natural environment, encouraging people to participate in recreation in an outdoor setting. For example, trails invite visitors to engage the varied terrain and, while signage exists, distressed and lost hikers are not uncommon. Quite commonly, the visitor is not informed of the various hazards and is not prepared for the risks involved in their interactions. Due to the size and openness of Sequoyah Bay State Park, it is unlikely that an individual would be “lost” on property. Boating, swimming, and other aquatic activity present greater risk for most visitors.

Among the natural hazards present in the park are those associated with weather events. The National Climatic Data Center reports a variety of such hazards by county over several years. These hazards include hail, floods, thunderstorms with accompanying wind and lightning, tornadoes, heavy snow, ice, excessive heat, and drought. Staff members are prepared to notify park visitors in the event of severe weather, but appropriate shelter is limited. At the present time, neither signage nor printed visitor materials provide severe weather information to park visitors.

Other natural hazards are related to life forms in the natural environment. Any time people are hiking and recreating in an outdoor environment, a chance exists that they will inadvertently encounter such wildlife; this is the case in Sequoyah Bay State Park. The park and general environment is suitable for venomous snakes including the copperhead, rattlesnake, and water moccasin. Park staff reported no recent sightings of venomous snakes, but there have been such occurrences at other locations around Fort Gibson Lake.

A number of mammals common to the park are subject to rabies. They include raccoons, opossums, skunks, badgers, and bats. Additional animals include armadillos and the possibility of bears.

The forest and grassland environment in and around Sequoyah Bay State Park is home to mosquitoes, ticks, and spiders—all of which may be hazards or present hazards to recreational visitors. The Brown Recluse spider and the Black Widow are native to Wagoner County. Both spiders have produced adverse effects for humans in recreational settings (and other environments). Both types of spiders are possible at Sequoyah Bay State Park, particularly in
restrooms, sheltered or shaded areas of buildings, and storage areas. In addition, ticks are known carriers of a number of serious diseases in humans.

The 2002 Statewide Comprehensive Outdoor Recreation Plan (Caneday, 2002) stated:

An “environmental problem” of increasing occurrence in Oklahoma in recent years is related to ticks and tick-transmitted diseases. Although there are a number of tick-transmitted diseases, the most frequent occurrence is shown by Rocky Mountain spotted fever, Lyme disease, and Tularemia. A number of factors are related to this increased occurrence of disease including demographics, living preferences, and recreational behavior. Oklahoma has experienced significant increases in tick-transmitted diseases over the past decade. While most of these diseases can be treated, the diseases can also be life threatening. Participants in outdoor recreation are among those who encounter the ticks and who contract the tick-transmitted diseases. A concerted, unified effort is necessary to educate the recreational visitor regarding the results of recreational behaviors.

At the time of the writing of the 2002 SCORP, the author contacted the Centers for Disease Control (CDC) in Atlanta regarding rumors (at that time) of a mosquito borne virus – West Nile virus. The CDC assured Caneday that Oklahoma would not experience West Nile virus within the five-year period covered by the 2002 SCORP (2002-2007). However, by summer 2003, Oklahoma was experiencing cases of West Nile virus among horses and humans. Often these resulted from outdoor recreation activity, and that pattern is continuing.

Some plants are also hazardous to some individuals and the risk varies by degree of exposure and response to that exposure. Poison ivy is among those potentially hazardous plants at Sequoyah Bay State Park. The photograph included in Figure 3.33 documents poison ivy on a fence post at the bison pen. A park visitor – unaware of the plant – was leaning on this post moments before the author took this picture.

Another potential natural hazard in a recreation environment is waterborne disease. As stated in the 2002 Statewide Outdoor Recreation Plan (SCORP) for Oklahoma (Caneday, 2002):

Since 1971, Federal agencies (CDC and EPA) have maintained a collaborative surveillance system for collecting and reporting data related to occurrences and causes of waterborne-disease outbreaks (WBDOs). As an environmental hazard, waterborne diseases have always been present in the United States; however, outbreaks linked to drinking water have steadily declined since 1989. By contrast, the number of outbreaks linked to recreation activity has increased (Center for Disease Control). It is not clear whether this is due to increased outdoor recreation activity, larger numbers of people involved in outdoor recreation, or greater
hazard present in the water environment. CDC reports for 1995 – 1996 have shown that the exposure to the disease occurred in lakes in 59% of waterborne-disease outbreaks of gastroenteritis associated with recreational water. Equal percentages (27%) of Cryptosporidium parvum and Escherichia coli as the etiologic agent were reported during that period.

Sequoyah Bay State Park receives its potable water from approved public water supplies. As with all water supplies, there is the potential to be a host for waterborne disease through the drinking water provided on-site. Such a risk is no greater for a park visitor than would be true in a private residence. By contrast, surface waters in Fort Gibson Lake, in streams, and in ponds have a greater chance of being a source of a waterborne-disease.

Operational Hazards

Operational hazards include those vulnerabilities to park staff, the park system, or the state of Oklahoma that exist as a result of management or operation of the resource and application of policy. Management and operational decisions are made on a daily basis and are affected by budgets, prioritization within the state park system, staffing patterns, local and state politics, and other external influences.

At present, emergency fire service and other emergency services are provided by the Okay Fire Department and other local volunteer fire departments. Emergency response time is estimated to be twenty minutes. Additional assistance is provided by the Oklahoma Division of Forestry, especially in those cases of wild fire in the forest or grasslands. Emergency medical service is available in Muskogee.

As part of the data collection for the development of this RMP, the researchers conducted several on-site visits to Sequoyah Bay State Park. Common issues that could be dangerous for visitors include play structures which utilize a variety of surfacing materials; several such areas are showing a good deal of wear. Areas under swings are deeply eroded, and multiple tripping hazards are found in the immediate vicinity of the playgroups. A thorough examination of the play structures and the applicable surface materials for compliance with Consumer Product Safety Commission guidelines for public playgrounds is warranted at this time.

Further, weather-related events (e.g., ice storms, strong winds) in Oklahoma often result in tree and limb damage throughout the park. The locations in which downed trees and limbs have immediate impact on visitors include the camping areas, trails, and day use areas. Currently, Sequoyah Bay State Park does not have a formal limb management or tree replacement program; this is common throughout the state park system. Park staff members attend to downed trees and limbs as they discover them and/or are notified of the hazard.

Law Enforcement

The CLEET certified rangers and reserve-CLEET certified rangers are responsible for primary activity related to law enforcement within the boundaries of the park. At present under the staffing and management provided through Sequoyah State Park and Sequoyah Bay State Park, there are two CLEET certified rangers and one additional reserve-CLEET certified ranger available for Sequoyah State Park and shared with Sequoyah Bay State Park. One of these rangers lives at Sequoyah Bay State Park. It is common for law enforcement units to have mutual
aid agreements with other law enforcement agencies. As a result, enforcement of applicable laws at Sequoyah Bay State Park relies on the support and cooperation of the Wagoner County sheriff.

Table 3.10 – Ranger Staff at Sequoyah and Sequoyah Bay State Parks

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>CLET Certified FTE</th>
<th>Seasonal CLET</th>
<th>Total ranger staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>2</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>2008</td>
<td>2</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>2009</td>
<td>2</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>2010</td>
<td>2</td>
<td>1</td>
<td>3</td>
</tr>
</tbody>
</table>

Citation records were available for Sequoyah Bay State Park and Sequoyah State Park and are shown in Table 3.11 as totals for the two properties. The number of incidents and citations do appear to have a high correlation with park visitation. These incidents and citations range from drug and alcohol related situations, to vehicular accidents and traffic incidents, to domestic difficulties, and conflict between park visitors. Dogs were identified as being a significant factor in several of the incidents. At the extreme, boating accidents and death by drowning show the tragedies that can occur in a recreation setting. In spite of these experiences, Sequoyah Bay State Park is still a safe, secure environment for the recreational visitor.

Table 3.11 – Citation and Incident Reports at Sequoyah and Sequoyah Bay State Parks

<table>
<thead>
<tr>
<th>Calendar year</th>
<th>Incident Reports</th>
<th>Citations Issued</th>
<th>Combined Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>26</td>
<td>110</td>
<td>136</td>
</tr>
<tr>
<td>2008</td>
<td>33</td>
<td>53</td>
<td>86</td>
</tr>
<tr>
<td>2009</td>
<td>22</td>
<td>92</td>
<td>114</td>
</tr>
<tr>
<td>2010</td>
<td>24</td>
<td>59</td>
<td>83</td>
</tr>
</tbody>
</table>

Policy-Related Exposures

Some aspects of management of hazard risk are incorporated into law enforcement. Park rangers are the law enforcement personnel for the Oklahoma Tourism and Recreation Department, although they frequently have cooperative (mutual aid) agreements with county sheriffs and the Oklahoma Highway Patrol. Law enforcement authority for Oklahoma State Park Rangers is authorized by state statute as follows (Title 74 § 2216, 2005):
Park rangers, when commissioned, shall have all the powers of peace officers except the serving or execution of civil process, and shall have in all parts of the state the same powers with respect to criminal matters and enforcement of the laws relating thereto as sheriffs, highway patrolmen [sic] and police officers in their respective jurisdictions and shall possess all immunities and matters of defense now available or hereafter made available to sheriffs, highway patrolmen, and police officers in any suit brought against them in consequence of acts done in the course of their employment, provided, however, they shall comply with the provisions of Section 3311 of Title 70 of the Oklahoma Statutes.

In parks with CLEET certified or reserve certified personnel, written logs are maintained by park staff to document incidents. In addition to the regular log, staff members complete incident reports when notified of property damage or personal injury to visitors or staff. While the incident reporting form requires information regarding personal injury or property damage, the process does not appear to require follow-up with the reporting party.

In terms of wildlife, while a formal management plan does not exist, staff operates under an agreed-upon plan approved by the Oklahoma Division of Wildlife Conservation (ODWC). As an important natural resource in the park, the vulnerable and endangered species in the area lack a management plan other than classification by ODWC.

Perhaps one of the most essential operational hazards related to the public is the concern that cell phones and radios have limited to sporadic service in rural areas, and possibly within the park. During the preparation of the RMP, research staff members were able to acquire and maintain cell phone signals throughout Sequoyah Bay State Park. Thus, in case of injury, illness, fire, or other emergency, park visitors with personal cell phones should be able to contact necessary emergency services. Those without personal cell phones or with inadequate signals must use a landline based telephone to call emergency personnel.

**Waste Management**

The development at Sequoyah Bay State Park requires planned programs in waste management. There are two primary concerns related to waste management within the park: solid waste and liquid waste.

Solid waste is transported off-site under contract with a private waste management company. Dumpsters have been located at strategic points within the park. Visitors are expected to dispose of waste properly in these dumpsters.

Liquid waste is managed on-site through septic systems and lagoons. While the septic systems tend to be concentrated on a single structure, the lagoons serve multiple buildings. These lagoons also require lift stations to transport liquid wastes to the respective lagoons.

Park management did not express any concerns or problems with waste management at Sequoyah Bay State Park. As with any area that is utilized by the public, some trash and litter is present within the park. This solid waste presents a visual detraction, but presents limited problems other than clean-up of the area.
Chapter 4 – Alternatives and Preferred Plans

Overview and Summary

In this Resource Management Plan, background is provided related to Sequoyah Bay State Park. When analyzed, this information raises several issues for consideration. These issues are presented in the following discussion with alternatives for management to consider. In each case, based on the available information a preferred alternative is identified.

Issues and Alternatives

Issue Statement 1: Qualification and branding as a state park

One of the central issues for consideration related to each of the properties being reviewed during the Resource Management Plan project is qualification and branding as a state park. That question must be asked related to Sequoyah Bay State Park as with other properties.

What is a state park? Caneday and Jordan addressed this question in an earlier report for OTRD as a part of the state park visitor study in 2003 (Caneday & Jordan). As stated in that report –

The research team believes that the term “state park” should mean something specific. The term, “state park,” should identify a property distinctively through management practices, quality of experience and appearance to the public. The research team believes that visitors to Oklahoma “state parks” should know immediately that they are in a State Park because of the distinctive “branding” apparent to the visitor and deliberately intended by management. The research team believes that the Oklahoma Tourism and Recreation Department must jealously guard the use of the term “state park” in much the same manner as companies protect symbols of intellectual property.

An example of resource qualifications for specific classifications can best be demonstrated through the National Park Service. For a property to be classified as a National Park there must be (1) evidence of national significance for a natural, cultural, or recreational resource, (2) management of the property must be feasible, and (3) the property must be suitable within the mission, purpose, and system of the National Park Service.

By contrast, other classifications of National Park Service properties include National Monuments, National Recreation Areas, and National Preserves. National monuments must be significant natural, cultural, or recreational resources, but may be managed by entities other than the National Park Service. National preserves are limited to significant environmental resources and may vary in ownership and management of the resource. National recreation areas, including Chickasaw National Recreation Area in south-central Oklahoma, are managed for more intensive recreation in outdoor settings.

OTRD policy related to acquisition of property uses some of this language, thereby establishing a general pattern of resource qualification. These criteria include (1) state-wide significance for natural beauty, uniqueness, or other recreational and resource preservation purposes, and (2) sites...
which will improve the overall availability of public recreation facilities to the recreating public while possessing resource significance (Oklahoma Tourism and Recreation Commission, 1988).

In addition, branding and classification of properties within the Department has varied over the years. Minutes of the Oklahoma Planning and Resource Board (a precursor to the Oklahoma Tourism and Recreation Commission) from September 18, 1953 record the passing of a motion defining state parks, state recreation areas, state memorials, and state monuments. That variation in descriptive classification was changed by legislation during the 1980s.

Applying the national concepts to state parks in Oklahoma and utilizing the earlier definitions in Oklahoma, it could be concluded that a state park must (1) have a significant statewide natural, cultural, or recreation resource, (2) be feasible to manage by the agency, and (3) be suitable within the mission, purpose, and statewide system of state parks. If this set of qualifications is applied to Sequoyah Bay State Park, it could be concluded that:

1. Sequoyah Bay State Park offers recreational access and environmental resources similar to many other properties – some managed by OTRD, some managed by USACE. Sequoyah Bay State Park does not offer a significant statewide natural, cultural, or recreation resource. It serves primarily a local market and is, therefore, locally significant.

2. Sequoyah Bay State Park is feasible to manage within the agency and fits within the mission of Oklahoma State Parks. Present management places Sequoyah Bay State Park into the management umbrella (pod) of Sequoyah State Park. Sequoyah Bay State Park does complement the experience possible at Sequoyah State Park and is not a drain on management.

3. Sequoyah Bay State Park property fits within the mission of OTRD through advancing quality of life at the regional level for Oklahoma and managing and promoting the natural assets and cultural amenities of the state.

At one time Sequoyah Bay was named as a “recreation area.” That nomenclature is actually more descriptive of what occurs at Sequoyah Bay.

Alternatives

A. Return management of the property to the USACE;
B. Rename the property to distinguish it from those properties that are distinctively “state parks”;
C. No change – continue management as it is.

Preferred alternative:

Alternative C: No change – continue management as it is.

**Issue Statement 2: Capacity of the property for visitors**

Every property has a capacity for use. In park management, capacity has been defined as a function of resource characteristics, type and amount of use, visitor perspective, and management goals. The purpose of Sequoyah Bay State Park has been determined to be provision “for the public enjoyment and protection of the natural, scenic, historic, and ecological values and resources that exist within the park property.”
Management at Sequoyah Bay State Park has succeeded in these goals, with minimal exception. The RV group/rally area was planned to meet the needs of a specific population – RV rally participants – and probably succeeds in meeting their needs. Unfortunately other visitors to Sequoyah Bay State Park utilize the area differently, resulting in undesired behavior by drivers.

Sequoyah Bay State Park has capacity for visitation that has not been reached. However, a higher level of visitation, within the capacity of the property, would require an attraction and service that is not presently offered onsite.

As stated, the definition of capacity includes multiple variables. For Sequoyah Bay State Park, resource characteristics are a limiting factor in safety, accessibility, and provision of experience. Type and amount of use is not currently limiting capacity. Visitor perspective was documented in the RMP, and is overall positive. Management goals have succeeded. Therefore, the effort to allow Sequoyah Bay State Park to be a meaningful component of the state park system should be placed on resource characteristics.

Alternatives

A. Renovate and update restrooms, campsites, and playgroups to comply with accessibility and design standards to permit Sequoyah Bay State Park to meet expectations of and provide appropriate experiences for the visitor;

B. Encourage additional physical development to expand numbers of visitors;

C. No change – continue management as it is.

Preferred alternative:

Alternative A: Renovate and update restrooms, campsites, and playgroups to comply with accessibility and design standards to permit Sequoyah Bay State Park to meet expectations of and provide appropriate experiences for the visitor.

**Issue Statement 3: Staffing and personnel for the future**

Efficiencies in operation are necessitated by budgetary conditions and demanded by good management practices. Sequoyah Bay State Park has operated over the past several years with a fairly stable number of staff members. That operation could benefit from additional low-cost, high quality personnel in a learning environment. Properly qualified interns could be employed for relatively low wage levels in roles such as: (1) basic park maintenance, (2) natural, cultural, and historic interpretation, (3) office management, (4) out-reach, and (5) other necessary duties.

Interns would require supervision and oversight – to be provided by an appropriate staff member. Interns would require housing – that could be available on property at Sequoyah State Park if not at Sequoyah Bay State Park.

Cooperative education agreements and internships could be arranged for persons in a variety of disciplines, including (1) recreation, park, and leisure studies, (2) forestry, (3) botany, zoology, or other natural science, (4) environmental science or environmental education, and (5) other disciplines as appropriate. OTRD and Oklahoma State Parks would benefit greatly from such agreements, as would participants in the internship experience.

Alternatives

A. Develop and sustain agreements for qualified internships;
B. No change – continue management as it is.

Preferred alternative:

Alternative A: Develop and sustain agreements for qualified internships.

**Issue Statement 4: Reconsideration of campground experience and design**

Campground design, atmosphere, and the resulting experience for visitors vary greatly from location to location within Sequoyah Bay State Park. As indicated in earlier discussion, several of the campgrounds offer experiences that belie the expectations and quality of a visit to a state park. This is particularly true at (1) the RV group/rally sites in Opothle Yahola, (2) the flood-prone sites in Pushmataha, and (3) the flood-prone sites in Payamataha.

The impression given to a visitor in these locations is that the campsites were developed to provide revenue generation opportunities on high capacity days. For example, the RV group/rally area differs in design from traditional park campgrounds. The usage of this area is occasional and organized. Due to the occasional use, the turf is not damaged as it would be if these camping areas were used on a daily basis. OTRD worked with RV groups to design facilities to serve their needs. Each group has their own rules as to the placement of RVs, with some parking vehicles in rows (either parallel or perpendicular to the roads), while others park in a circle around the utility installations. A permanent group RV utility system is in place to accommodate small groups, and a portable utility system can be connected to extend the system to accommodate larger gatherings. The roads are placed around the boundary of the areas served by the Group RV utility system. It is likely that the area meets the needs of these RV groups; the RMP research team questioned whether such facilities are compatible with the purpose of a state park.

Now, it is true that some visitors prefer these locations and have accepted the design and experience. However, other visitors have been displaced because of dissatisfaction with the experience and the design.

There should be discussion and determination of the desired experience for campers at an Oklahoma State Park with deliberate planning and design of campsites and campgrounds that can achieve that desired experience. A variety of experiences – and associated designs – may be desirable. However, that should be deliberately planned and marketed to the respective audiences.

**Alternatives**

A. Review the design of each campground and determine the desired recreation experience for the location and that audience; then seek to provide that design and experience;
B. Ignore the relationship between design of a campground and the experience offered;
C. No change – continue management as it is.

Preferred alternative:

Alternative A: Review the design of each campground and determine the desired recreation experience for the location and that audience; then seek to provide that design and experience.
Issue Statement 5: Green practices related to energy and conservation

Within the past few years Americans have begun to take conservation practices seriously. On behalf of citizens and as a representative of the park and recreation profession – a field with a strong connection to the environment – Oklahoma State Parks has initiated several practices that are intended to conserve energy and other resources. This has been initiated with energy efficient lighting in the lodge and office structures, and needs to be expanded to other management practices.

Among the many possible areas that would benefit from conservation practices are: (1) park policies related to mowing, maintenance, debris removal, and waste disposal; and (2) recycling opportunities for the entire operation and its guests.

At present, state laws do not encourage a state agency to recycle waste or trash products, especially when private citizens generate (and thereby ‘own’) those materials. Inventory management and accounting procedures prevent the sale of, or revenue production from, recycled materials. However, volunteer groups such as a possible “Friends of Sequoyah Bay State Park” are permitted to serve as an agent for the collection and sale of recyclable materials. Another challenge to the establishment of a recycling program is the difficulty in finding a consistent market for the various products that might easily be recycled: glass, aluminum, and paper. These challenges do not lessen the desirability of establishing a recycling program in the state park system.

In combination with Sequoyah State Park, Sequoyah Bay State Park can have a significant role in modeling and educating other managers and guests regarding best management practices. One state park in Oklahoma – Keystone State Park – has been eco-certified. Sequoyah State Park with Sequoyah Bay State Park should be a leader in this effort as well.

Alternatives

A. Seek to change state accounting regulations to permit operation of the recycling program by park staff;
B. Encourage the development of a joint effort with Sequoyah State Park to create, implement, and evaluate a comprehensive recycling program throughout the park;
C. No change – continue management as it is.

Preferred alternative:

Alternative B: Encourage the development of a joint effort with Sequoyah State Park to create, implement, and evaluate a comprehensive recycling program throughout the park.

Issue Statement 6: Meaning of “the Park of the Five Civilized Tribes”

Aside from the five monuments to the historic tribal chiefs of the Five Civilized Tribes, there is little at Sequoyah Bay State Park that defines the property as “the Park of the Five Civilized Tribes.” If this theme is retained in marketing, the theme should be developed in programming at the park. This could become the attraction that defines the place of Sequoyah Bay State Park within the state park system.

The research team encourages the involvement of tribal members in developing and delivering that programming. Authenticity is crucial. High quality is essential. That programming could be
delivered through an interpretive center on site; through evening programming; through special events; or in a number of other efforts

Alternatives

A. Develop programming with emphasis of validating the meaning of “the Park of the Five Civilized Tribes”;
B. Remove references to the Five Civilized Tribes from the property and marketing;
C. No change – continue management as it is.

Preferred alternative:

Alternative A: Develop programming with emphasis of validating the meaning of “the Park of the Five Civilized Tribes”.

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**Issue Statement 7: Control of Attakullakulla**

Attakullakulla is located outside of the main body of Sequoyah Bay State Park with direct street access to a private residential area. Therefore, traffic passes through Attakullakulla going to and from private homes. In addition to normal vehicular traffic, this open roadway allows for dogs and people to pass quickly and easily from Attakullakulla to the private residential area. Some park visitors expressed concern for safety and security in this area.

The private residential area does have other avenues of access outside of the park area. Although these alternative routes are inconvenient due to lack of through streets, that is an issue for the county or other legal authority to address. Sequoyah Bay State Park must address the safety and security of its property and guests.

Alternatives

A. Gain permission to close 62nd Street East at the park boundary and fence that boundary for Attakullakulla;
B. No change – continue management as it is.

Preferred alternative:

Alternative A: Gain permission to close 62nd Street East at the park boundary and fence that boundary for Attakullakulla.

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**Recommendations beyond the Issues**

**Recommendation 1: Consideration of traffic, parking, and visitor safety**

The roads in Sequoyah Bay State Park reflect historic use patterns and little planning. As a result visitors drive where they want to; they park where and when they want to; and undesired results are evident. If campgrounds are redesigned, the roadways should be given serious consideration. Those roadways that are subject to flooding and erosion require particular attention. Parking for boat ramp use must be considered – as with the condition of the boat ramps.
**Recommendation 2: Eliminate use of the term “handicapped”**

The term “handicapped” occurs in park brochures, marketing materials, and signage at Sequoyah Bay State Park – and across the state park system. The term “handicapped” has connotations that are undesirable among informed citizens. With an increasing percentage of the population dealing with one or more disabling conditions, many of which are not “handicaps”, it is acknowledged that this terminology results from legacy signs and long standing documents. Facilities, including parking spots, should ideally be designated as “accessible” if the concern is mobility. Other specific language should be utilized to assist the park visitor in understanding what, if any, accommodation has been provided.

It must be noted that state and federal agencies responsible for guidelines and services for persons with special needs are also struggling with this terminology. The Access Board provides guidelines that continue to use the term “handicapped” when associated with parking spaces. Oklahoma State Parks should continue with the effort to replace outdated signage and materials in the continual effort to maintain compliance with accessibility standards and preferred language.

**Recommendation 3: Replace signs on Spirit Trail**

The interpretive signs on Spirit Trail have faded and become worn. These signs need to be upgraded and updated with proper interpretive messages. Spirit Trail could be used to communicate important connections with the Five Civilized Tribes. In addition, similar trails could be extended into the main body of the park to encourage walking and learning.
References


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Appendix A – Documents related to Property

1. Cover to 1940 abstract of title
2. 1948 lease between USACE and Oklahoma
3. 1949 Weaver warranty deed
4. 1953 quit claim deed
5. 1955 supplemental lease
6. 1955 right of way
7. 1957 supplemental lease
8. 1958 right of way
9. 1998 lease between USACE and Oklahoma
TO THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN

CHEROKEE COUNTY, STATE OF OKLAHOMA

TO-WIT:

The North half of the Northeast quarter of the Northeast quarter and the West half of the Northeast quarter of Section 26, Township 17 North, Range 19 East of the Indian Base and Meridian containing 100 acres more or less.
DEPARTMENT OF THE ARMY

LICENSE

The SECRETARY OF THE ARMY, under authority of Section 4 of the Act of Congress approved 22 December 1944 (58 Stat. 887, 889), as amended by the Act of Congress approved 24 July 1946 (60 Stat. 641, 643), hereby grants to OKLAHOMA STATE PLANNING AND RESOURCES BOARD a license, for a period of fifty (50) years, effective 1 July 1948, to use for public park and recreational purposes, a tract of land in the FORT GIBSON RESERVOIR AREA, OKLAHOMA, described as follows:

Certain lands located in Sections 11, 14, 15, 22, 24, 25, 26, 27, 34, 35 and 36, Township 17 North, Range 19 East of Indian Meridian; and Sections 1 and 2, Township 16 North, Range 19 East of Indian Meridian, Cherokee County, State of Oklahoma, all of said lands being located within the Government boundary lines of Fort Gibson Reservoir area and lying above the shore line of Fort Gibson Reservoir as the water line may fluctuate from time to time, containing 2,780 acres, more or less, computed from the water's edge at elevation 554.0 (mean sea level datum), said lands being outlined in red and crosshatched on maps designated Exhibits "A", "B" and "C" attached hereto and made a part hereof.

Subject both to existing and proposed easements for Oklahoma State Highway No. 51 in the NE\(\frac{1}{4}\) NE\(\frac{1}{4}\) of Section 27, the NE\(\frac{1}{4}\) NW\(\frac{1}{4}\) of Section 26, along North line of Section 25, and along and near the South line of Section 24, all in Township 17 North, Range 19 East of Indian Meridian, and,

Subject to existing easement for county road along line between Sections 11 and 14, Township 17 North, Range 19 East of Indian Meridian.

THIS LICENSE is granted subject to the following provisions and conditions:
1. That the exercise of the privileges hereby granted shall be without cost or expense to the United States, and the licensee understands and agrees that the land described above is property of the United States acquired for use in the construction, operation, and maintenance of the Fort Gibson Dam and Reservoir for flood control and hydroelectric power production, with any and all other uses of said land being incidental thereto, and that the exercise of such privileges hereby granted is subject to the supervision and approval of the District Engineer, Corps of Engineers, in charge of the locality, and subject also to such regulations as may be prescribed by him from time to time.

2. That the licensee may construct upon said land such buildings, improvements, and other structures as may be necessary to provide public park and recreational facilities and accommodations normally required for public recreational use; and may plant forest trees and shrubbery for the beautification of the camp grounds and to provide post timber and wildlife cover for necessary improvement of the area; and may, if desired, enter into agreements with individuals or corporations for the construction, operation, and maintenance of concessions for the general use of the public, provided that any such agreement has the prior written approval of the said District Engineer, and provided further that any profits obtained by the licensee from any such agreement shall be utilized by the licensee in the further development of the area.

3. That the design and location of all buildings, improvements, and other structures shall be subject to the written approval of the said District Engineer in advance of construction, and such buildings,
improvements, and structures shall not be constructed with the floor level below elevation 585.0 feet (m.s.l.) unless designed to float or withstand submergence.

4. That the licensee shall be responsible for any damage to Government property that may be caused by its activities under this license, or by persons using the area by permission of the licensee and shall exercise due diligence in the protection of improvements, the prevention and suppression of forest and grass fires, and the preservation of all property of the United States which may be located in said premises against damages from any and all other causes.

5. That the right is hereby expressly reserved to the United States, its officers, agents, and employees, to enter upon said lands at any time and for any purpose necessary or convenient in connection with official duties; to remove therefrom timber or other material belonging to the Government and required or necessary for the maintenance and operation of the project; and to flood the said premises when necessary; and the licensee shall not be entitled to recover damages of any character on account thereof against the United States or any agent, officer, or employee thereof.

6. That the United States shall not be responsible for damage to property or injuries to persons which may arise from or be incident to the exercise of the privileges herein granted, or for damages to the property of the licensee, or for damages to the property or injuries to the person of the licensee’s officers, agents, servants, or employees or others who may be on said premises at their invitation or the invitation of any of them, arising from or incident to any other
governmental activities on the said premises, and the licensee shall hold the United States harmless from any and all such claims.

7. That the Secretary of the Army may terminate this license at any time (a) in the event there is a declaration of national emergency by the President or Congress of the United States, or (b) in the event the Secretary of the Army determines that termination of the license is necessary in the interest of national defense, or (c) in the event the licensee fails to operate the licensed property for a period of 90 days, unless the cause of cessation of operations is beyond the control of the licensee, or (d) in the event the licensee violates any of the conditions and terms of this license and continues and persists therein for ten days after notice thereof in writing by the District Engineer, or (e) if use of the area by the Government is required in the event the water level of the lake is raised.

8. That, on or before the date of expiration of this license or its relinquishment by the licensee, the licensee shall vacate the said Government premises, remove all property of the licensee therefrom, and restore the premises to a condition satisfactory to the said District Engineer. If, however, this license is revoked, the licensee shall vacate the premises, remove said property therefrom, and restore the premises as aforesaid within such time as the Secretary of the Army may designate. In either event, if the licensee shall fail or neglect to remove said property and so restore the premises, then, at the option of the Secretary of the Army, said property shall either become the property of the United States without compensation therefor, or the
Secretary of the Army may cause the property to be removed and the
premises to be so restored at the expense of the licensee, and no claim
for damages against the United States or its officers or agents shall
be crested by or made on account of such removal and restoration work.

9. That full utilization of the area will be realized in a
reasonable period of time from the date hereof, and this license may
be revoked as regards areas not so utilized.

10. That this license is subject to existing agricultural
leases issued by the Corps of Engineers on the premises leased herein.

11. All uranium, thorium, and all other materials determined
pursuant to Section 5 (b) (1) of the Atomic Energy Act of 1946
(60 Stat. 761) to be peculiarly essential to the production of fissionable
material, contained in whatever concentration, in deposits in
the lands covered by this instrument are hereby reserved for the use
of the United States, together with the right of the United States
through its authorized agents or representatives at any time to enter
upon the land and prospect for, mine, and remove the same, making just
compensation for any damage or injury occasioned thereby. However, such
land may be used, and any rights otherwise acquired by this disposition
may be exercised, as if no reservation of such materials had been made;
except, that, when such use results in the extraction of any such mate-
rial from the land in quantities which may not be transferred or delivered
without a license under the Atomic Energy Act of 1946, as it now exists
or may hereafter be amended, such material shall be the property of the
United States Atomic Energy Commission, and the Commission may require
delivery of such material to it by any possessor thereof after such material has been separated as such from the ores in which it was contained. If the Commission requires the delivery of such material to it, it shall pay to the person mining or extracting the same, or to such other person as the Commission determines to be entitled thereto, such sums, including profits, as the Commission deems fair and reasonable for the discovery, mining, development, production, extraction, and other services performed with respect to such material prior to such delivery, but such payment shall not include any amount on account of the value of such material before removal from its place of deposit in nature. If the Commission does not require delivery of such material to it, the reservation hereby made shall be of no further force or effect.

12. That this license is subject to the right of the general public to ready access to and exit from the shore line of the Fort Gibson Reservoir and the right to pass along said shore line at whatever elevation the lake may be, said passage way to be left open, unobstructed, and available at all times.

IN WITNESS WHEREOF I have hereunto set my hand by direction of the Secretary of the Army this 3d day of September 1948.

/s/ Harry C. Chuck
HARRY C. CHUCK
Colonel, JAGD
Chief, Legal Branch
OCTASA

The above instrument, together with the provisions and conditions thereof, is hereby accepted this 8th day of October 1948.

(Official Seal)

OKLAHOMA PLANNING AND RESOURCES BOARD

BY /s/ Clarence Burch
CLARENCE BURCH, Chairman
WARRANTY DEED
Statutory Form—Individual

Know All Men by These Presents:

That

R. A. Weaver

and Lula Ann Weaver, husband and wife

of Cherokee County,

State of Oklahoma, part Y of the first part, in consideration of the sum of Ten Thousand Dollars $10,000.00 DOLLARS in hand paid, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey unto The Oklahoma Planning and Resources Board of Oklahoma County, State of Oklahoma, part Y of the second part, the following described real property and premises situate in Cherokee County, State of Oklahoma to-wit:
The North half of the Northeast quarter of the Northeast quarter and the West half of the Northeast quarter of Section 26, Township 17 North, Range 19 East of the Indian Base and Meridian containing 100 acres more or less.
Subject to an easement to the State of Oklahoma for right of way for Highway No. 51, consisting of a strip of land containing 1.07 acres across North line of said tract.
Also subject to a judgment in condemnation by U.S. condemning a strip of land containing 2.095 acres across the North East corner of said tract.

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said part Y of the second part, its successors and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature, subject to reservation of an undivided one half interest in all oil, gas and other minerals.

Signed and delivered this 23rd day of August 1949

R. A. Weaver

Lula Ann Weaver

STATE OF OKLAHOMA
COUNTY OF CHEROKEE

Before me, the undersigned, a Notary Public in and for said County and State on this 23rd day of August 1949, personally appeared

R. A. Weaver and Lula Ann Weaver, husband and wife

to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires 7/26/52

Notary Public.
INDIVIDUAL ACKNOWLEDGEMENT (Oklahoma Form)

STATE OF ___________________________ County of ___________________________ ss:

Before me, the undersigned, a Notary Public, in and for said County and State, on this ______ day of __________, 19____, personally appeared:

___________________________

to me known to be the identical person____ who executed the within and foregoing instrument and acknowledged to me that the same was executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires ______________.

INDIVIDUAL ACKNOWLEDGEMENT (Oklahoma Form)

STATE OF ___________________________ County of ___________________________ ss:

Before me, the undersigned, a Notary Public, in and for said County and State, on this ______ day of __________, 19____, personally appeared:

___________________________

to me known to be the identical person____ who executed the within and foregoing instrument and acknowledged to me that the same was executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires ______________.

WARRANTY DEED

STATE OF ___________________________ County of ___________________________ ss:

Before me, ___________________________, a Notary Public in and for said County and State on this ______ day of __________, 19____, personally appeared:

___________________________

to me known to be the identical person____ who executed the within and foregoing instrument by ___________________________, mark to my presence and in the presence of ___________________________ as witnesses and acknowledged to me that ___________________________ executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

In Witness Whereof, I have hereunto set my hand and official seal the day and year last above written.

My commission expires ______________.

NOTARY ACKNOWLEDGMENT OF SIGNATURE BY MARK (Oklahoma Form)

STATE OF ___________________________ County of ___________________________ ss:

Before me, ___________________________, a Notary Public in and for said County and State on this ______ day of __________, 19____, personally appeared:

___________________________

to me known to be the identical person____ who executed the within and foregoing instrument by ___________________________, mark to my presence and in the presence of ___________________________ as witnesses and acknowledged to me that ___________________________ executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

In Witness Whereof, I have hereunto set my hand and official seal the day and year last above written.

My commission expires ______________.

NOTE—The signature by mark of a lessee who cannot write his name must be witnessed by two witnesses, one of whom must write lessee’s name.
KNOW ALL MEN BY THESE PRESENTS:

That the UNITED STATES OF AMERICA, acting by and through Robert T. Stevens, Secretary of the Army, under and by virtue of the powers and authority vested in him by the provisions of the Act of Congress approved 16 June 1953 (Public Law 65, c. 119, 83d Congress, 1st Session; 67 Stat. 63, Ch.), entitled "An Act To authorize the sale of certain lands to the State of Oklahoma," and in consideration of the sum of $107, to be paid for the receipt and sufficiency of which are hereby acknowledged, do, by these presents, quitclaim, grant, bargain, sell and convey unto the STATE OF OKLAHOMA, for public park and recreational purposes only and to provide building sites for permanent buildings and other improvements for public park and recreational purposes thereupon, all the following described real property, situated within Fort Gibson Dam and Reservoir project area and in the Counties of Wagoner and Cherokee, State of Oklahoma, to-wit:

A tract or parcel of land situated in the SES of Section 2, T 16 N, R 19 W, of the Indian Meridian, Wagoner County, Oklahoma, more particularly described as:

Beginning at a point 1105.82 feet east and N. 00° 17' 11" E. 36 feet from the southwest corner of said 320; thence S. 89° 23' 31" W. 390 feet; thence S. 23° 58' 10" N. 169.26 feet; thence W. 00° 22' 21" W. 320.25 feet; thence N. 00° 53' 21" E. 284.57 feet; thence N. 29° 31' 20" W. 227.19 feet; thence N. 61° 10' 30" W. 538.46 feet; thence W. 55° 33' 50" N. 210.66 feet; thence S. 66° 17' 11" W. 150.73 feet; thence S. 00° 22' 21" W. 760 feet to point of beginning, containing in the aggregate 17.25 acres, more or less.

A tract or parcel of land situated in Section 1, T 16 N., R 19 W., of the Indian Meridian, Cherokee County, Oklahoma, more particularly described as:

Beginning at a point 2183.66 feet north and 364.81 feet east of the northeast corner of Section 1; thence S. 02° 11' 17" W. 507.03 feet; thence S. 21° 21' 11" N. 880.33 feet; thence S. 06° 20' 06" E. 731.75 feet; thence S. 20° 09" W. 315.26 feet; thence S. 17° 33' 23" W. 289.05 feet; thence E. 18° 26' 11" W. 231.96 feet; thence W. 18° 25' 22" E. 104.17 feet; thence W. 21° 12' 11" S. 378.49 feet; thence W. 21° 12' 11" N. 261.56 feet; thence W. 07° 54' 23" W. 582.19 feet; thence W. 17° 11' 11" W. 222.08 feet; thence W. 22° 54' 31" N. 165.76 feet; thence E. 02° 25' 17" W. 399.03 feet; thence W. 66° 15' 33" W. 1393.01 feet to point of beginning, containing in the aggregate 32.22 acres, more or less;
EXCEPTING AND RESERVING unto the United States of America, and its assigns, from and out of the estate conveyed by these presents, any and all right, title, or interest in the oil, gas, fissionable materials (or all other materials determined peculiarly essential for the production of fissionable materials pursuant to Section 5(b)(1) of the Atomic Energy Acts of 1946 (50 Stat. 761),) or other minerals in and under the above described real property, together with the right of ingress and access thereto and the right to use and occupy such portion or portions of said property as may be necessary for the purposes of this reservation; EXCEPTING AND RESERVING unto the United States of America, and its assigns, from and out of the estate conveyed by these presents, the perpetual right and power, privilege and authority to submerge, inundate and overflow, occasionally and intermittently as may be necessary in connection with the operation and maintenance of the Fort Gibson Dam and Reservoir project, all the above described real property, together with the right of ingress and access thereto, including the right and privilege of the United States of America to enter upon the said property for any needed purpose and the doing of any necessary acts in connection with the operation and maintenance of said Fort Gibson Dam and Reservoir Project, without any liability whatsoever on the part of the United States of America for damages to property or injures to persons which may arise from or be incident to said entrance and necessary actions thereupon, and together with the additional right and privilege of the United States of America to construct, use and maintain across, over and/or under the said property utility lines and other facilities, in such manner as not to create any unreasonable interference with the use and occupancy of the said property by the grantee of these presents; AND PROVIDED FURTHER, that the exercise of the rights and privileges and the use and occupancy of the above described property for public park and recreational purposes only by the grantee under these presents shall not interfere in any manner whatsoever with the operation of the Fort Gibson Dam and Reservoir project.

TO HAVE AND TO HOLD the same, together with all and singular the hereditaments and appurtenances thereof unto belonging, unto the State of Oklahoma as long as the same are used solely for public park and recreational purposes, otherwise title to the same shall revert to the
United States of America; and provided, further, in the event actual
collection of buildings and improvements for said purposes on the same
has not been commenced by the grantee within the period of five years from
June 16, 1953, or in the event same shall cease to be used for public park
and recreational purposes for a period of two successive years, then titles
to the same shall immediately revert to the United States of America.

IN WITNESS WHEREOF, the United States of America has caused these
presents to be executed and its seal attached by Robert T. Stevens, its
Secretary of the Army, acting as aforesaid, this day of

____________________, 1953.

UNITED STATES OF AMERICA,
acting by and through

(SEAL)

____________________
Robert T. Stevens,
Secretary of the Army.

ACKNOWLEDGMENT

STATE OF VIRGINIA  
COUNTY OF ARKINACK  

Before me, a notary public, in and for said County and State, on
this day of , 1953, personally appeared Robert T.
Stevens, Secretary of the Army of the United States of America, to me
known to be the identical person who subscribed his name to the foregoing
instrument, and acknowledged to me that he executed the same, acting in
the capacity aforesaid, as the true and voluntary act and deed of the
United States of America, for the uses and purposes therein set forth.

Given under my hand and seal of office this day of ,

1953.

My Commission Expires:  

____________________
Notary Public
Mr. N. R. Graham, Vice Chairman
Planning and Resources Board
State of Oklahoma
National Bank of Commerce Building
Tulsa, Oklahoma

Dear Mr. Graham:

This office has been instructed by the Office, Chief of Engineers, to prepare a draft of quitclaim deed pursuant to the provisions of Public Law 65, 83rd Congress approved 16 June 1953 (67 Stat. 63, 64) for submission to the Secretary of the Army. There are inclosed two photostatic copies of the above-referenced Act and also Public Law 64, 83rd Congress approved 16 June 1953 (67 Stat. 65).

Two copies are inclosed of a draft of deed which is being forwarded to the Office, Chief of Engineers, for submission to the Secretary of the Army. It is desired to have comments from your Board as to the acceptability of the provisions of the deed which has been prepared to reflect the terms and conditions of the above-referenced Act. The proposed deed of transfer covering the provisions of Public Law 64 will be in the same form as the one submitted, with only such changes to fit the applicable project.

An early reply will be appreciated in order that advice may be given the Secretary of the Army's Office as to whether or not the State is agreeable to the terms of the transfer.

Sincerely yours,

STANLEY G. REIFF
Colonel, CE
District Engineer

3 Incl (dup)
1 Photo Cy PL 65
2 Photo Cy PL 64
3 Draft of QC Deed
QUITCLAIM DEED
(For Public Park and Recreational Purposes Only)

KNOW ALL MEN BY THESE PRESENTS:

That the UNITED STATES OF AMERICA, acting by and through the Secretary of the Army, under and by virtue of the powers and authority vested in him by the provisions of the Act of Congress approved 16 June 1953 (Public Law 65, c. 119, 83d Congress, 1st Session; 67 Stat. 63, 64), entitled "An Act To authorize the sale of certain lands to the State of Oklahoma," and in consideration of the sum of Two Thousand Five Hundred and No/100 Dollars ($2,500.00) to it duly paid, the receipt and sufficiency of which are hereby acknowledged, does, by these presents, quitclaim, grant, bargain, sell and convey unto the STATE OF OKLAHOMA, for public park and recreational purposes only and to provide building sites for permanent buildings and other improvements for public park and recreational purposes thereupon, all the following described real property, situate within Fort Gibson Dam and Reservoir project area and in the Counties of Wagoner and Cherokee, State of Oklahoma, to wit:

A tract or parcel of land situated in the SE_1 of Section 3, T 16 N, R 19 E, of the Indian Meridian, Wagoner County, Oklahoma, more particularly described as:

Beginning at a point 1106.82 feet east and N. 00° 17' E. 50 feet from the southwest corner of said SE_1; thence S. 89° 43' E. 890 feet; thence N. 23° 58' W. 20' E. 169.26 feet; thence N. 06° 22' W. 328.20 feet; thence N. 01° 56' E. 216.65 feet; thence N. 29° 34' W. 257.12 feet; thence S. 61° 10' 30" W. 534.48 feet; thence N. 55° 33' 50" W. 210.46 feet; thence S. 66° 17' W. 160.74 feet; thence S. 00° 17' W. 760 feet to point of beginning, containing in the aggregate 17.25 acres, more or less.

A tract or parcel of land situated in Section 1, T 16 N, R 19 E, of the Indian Meridian, Cherokee County, Oklahoma, more particularly described as:
Beginning at a point 2183.66 feet south and 3449.14 feet east of the northwest corner of Section 1; thence S. 02° 14' 47" W. 457.03 feet; thence S. 21° 21' 11" W. 880.33 feet; thence S. 08° 20' 05" E. 721.75 feet; thence S. 20° 00' 49" W. 316.36 feet; thence S. 75° 33' 22" W. 280.06 feet; thence N. 18° 28' 14" W. 234.09 feet; thence N. 18° 25' 09" E. 159.17 feet; thence N. 24° 43' 37" W. 241.95 feet; thence N. 07° 59' 23" W. 544.49 feet; thence N. 07° 47' 47" W. 215.28 feet; thence N. 32° 43' 46" W. 166.97 feet; thence N. 02° 15' 17" E. 399.03 feet; thence N. 66° 15' 33" E. 1193.04 feet to point of beginning, containing in the aggregate 32.22 acres, more or less;

EXCEPTING AND RESERVING unto the United States of America, and its assigns, from and out of the estate conveyed by these presents, any and all right, title, or interest in the oil, gas, fissionable materials (or all other materials determined peculiarly essential for the production of fissionable materials pursuant to Section 5(b)(1) of the Atomic Energy Act of 1946 (60 Stat. 761)), or other minerals in and under the above described real property, together with the right of ingress and egress thereto and the right to use and occupy such portion or portions of said property as may be necessary for the purposes of this exception and reservation; and further

EXCEPTING AND RESERVING unto the United States of America, and its assigns, from and out of the estate conveyed by these presents, the perpetual right and power, privilege and authority to submerge, inundate and overflow, occasionally and intermittently as may be necessary in connection with the operation and maintenance of the Fort Gibson Dam and Reservoir project, all the above described real property, together with the right of ingress and egress thereto, including the right and privilege of the United States of America to enter upon the said property for any needed purpose and the doing of any necessary acts in connection with the operation and maintenance of said Fort Gibson Dam and Reservoir Project, without any liability whatsoever on the part of the United States of America for damages to property or injuries to persons which may arise therefrom, and together with the additional right and privilege of the United States of America to construct, use and maintain across, over and/or under the said property utility lines and other facilities, in such manner as not to create any unreasonable interference with the use and occupancy of the said property by the grantee;
PROVIDED, that the exercise of the rights and privileges and the use and occupancy of the above described property for public park and recreational purposes only by the grantee under these presents shall not interfere in any manner whatsoever with the operation of the Fort Gibson Dam and Reservoir project.

TO HAVE AND TO HOLD the same, together with all and singular the here-ditaments and appurtenances thereunto belonging, unto the State of Oklahoma, provided, that in the event actual construction of buildings and improvements for said purposes on the same has not been commenced by the grantee within the period of five years from June 16, 1953, or in the event same shall cease to be used for public park and recreational purposes for a period of two successive years, then title to the same shall immediately revert to the United States of America.

IN WITNESS WHEREOF, the United States of America has caused these presents to be executed in its name by Earl D. Johnson, Acting Secretary of the Army, and the Seal of the Department of the Army to be hereunto affixed this 2nd day of September, 1953.

[Signature]

By Earl D. Johnson
Acting Secretary of the Army
STATE OF VIRGINIA  
COUNTY OF ARLINGTON

Before me, a notary public, in and for said County and State, on this 2nd day of September, 1953, personally appeared

Earl D. Johnson, Acting Secretary of the Army of the United States of America, to me known to be the identical person who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same, acting in the capacity aforesaid, as the free and voluntary act and deed of the United States of America, for the uses and purposes therein set forth.

Given under my hand and seal of office this 2nd day of

September, 1953.

A. F. Spada
Notary Public

My commission expires:

By Commission Expires Sept. 2, 1964
QUITCLAIM DEED

(For Public Park and Recreational Purposes Only)

KNOW ALL MEN BY THESE PRESENTS:

That the UNITED STATES OF AMERICA, acting by and through the Secretary of the Army, under and by virtue of the powers and authority vested in him by the provisions of the Act of Congress approved 16 June 1953 (Public Law 65, c. 119, 83d Congress, 1st Session; 67 Stat. 63, 64), entitled "An Act To authorize the sale of certain lands to the State of Oklahoma," and in consideration of the sum of Two Thousand Five Hundred and No/100 Dollars ($2,500.00) to it duly paid, the receipt and sufficiency of which are hereby acknowledged, does, by these presents, quitclaim, grant, bargain, sell and convey unto the STATE OF OKLAHOMA, for public park and recreational purposes only and to provide building sites for permanent buildings and other improvements for public park and recreational purposes thereupon, all the following described real property, situate within Fort Gibson Dam and Reservoir project area and in the Counties of Wagoner and Cherokee, State of Oklahoma, to-wit:

A tract or parcel of land situated in the SE\(\frac{1}{4}\) of Section 3, T 16 N, R 19 E, of the Indian Meridian, Wagoner County, Oklahoma, more particularly described as:

Beginning at a point 1106.82 feet east and N. 00° 17' E. 50 feet from the southwest corner of said SE\(\frac{1}{4}\); thence S. 89° 43' E. 390 feet; thence N. 23° 58' 20" E. 169.26 feet; thence N. 06° 22' W. 328.20 feet; thence N. 04° 56' E. 216.55 feet; thence N. 29° 34' 20" W. 257.12 feet; thence S. 61° 10' 30" W. 534.17 feet; thence N. 55° 33' 50" W. 210.46 feet; thence S. 66° 17' W. 160.74 feet; thence S. 00° 17' W. 760 feet to point of beginning, containing in the aggregate 17.25 acres, more or less.

A tract or parcel of land situated in Section 1, T 16 N, R 19 E, of the Indian Meridian, Cherokee County, Oklahoma, more particularly described as:
Beginning at a point 2183.66 feet south and 349.14 feet east of the northwest corner of Section 1; thence S. 02° 14' 47" W. 457.03 feet; thence S. 21° 21' 11" W. 883.33 feet; thence S. 08° 20' 05" E. 731.75 feet; thence S. 30° 00' 36" W. 316.36 feet; thence S. 79° 33' 22" W. 220.06 feet; thence N. 18° 28' 14" W. 234.09 feet; thence N. 18° 25' 09" E. 189.17 feet; thence N. 24° 43' 37" W. 241.95 feet; thence N. 07° 53' 23" W. 544.49 feet; thence N. 47° 47' 00" W. 216.28 feet; thence N. 32° 43' 46" W. 166.97 feet; thence N. 02° 13' 17" E. 399.30 feet; thence N. 66° 15' 33" E. 1193.04 feet to point of beginning, containing in the aggregate 32.22 acres, more or less;

EXCEPTING AND RESERVING unto the United States of America, and its assigns, from and out of the estate conveyed by these presents, any and all right, title, or interest in the oil, gas, fissiothermal materials (or all other materials determined peculiarly essential for the production of fissiothermal materials pursuant to Section 5(b)(1) of the Atomic Energy Act of 1946 (60 Stat. 761)), or other minerals in and under the above described real property, together with the right of ingress and egress thereto and the right to use and occupy such portion or portions of said property as may be necessary for the purposes of this exception and reservation; and further

EXCEPTING AND RESERVING unto the United States of America, and its assigns, from and out of the estate conveyed by these presents, the perpetual right and power, privilege and authority to submerge, inundate and overflow, occasionally and intermittently as may be necessary in connection with the operation and maintenance of the Fort Gibson Dam and Reservoir project, all the above described real property, together with the right of ingress and egress thereto, including the right and privilege of the United States of America to enter upon the said property for any needed purpose and the doing of any necessary acts in connection with the operation and maintenance of said Fort Gibson Dam and Reservoir Project, without any liability whatsoever on the part of the United States of America for damages to property or injuries to persons which may arise therefrom, and together with the additional right and privilege of the United States of America to construct, use and maintain across, over and/or under the said property utility lines and other facilities, in such manner as not to create any unreasonable interference with the use and occupancy of the said property by the grantees;
PROVIDED, that the exercise of the rights and privileges and the use and occupancy of the above described property for public park and recreational purposes only by the grantee under these presents shall not interfere in any manner whatsoever with the operation of the Fort Gibson Dam and Reservoir project.

TO HAVE AND TO HOLD the same, together with all and singular the hereditaments and appurtenances thereto belonging, unto the State of Oklahoma, provided, that in the event actual construction of buildings and improvements for said purposes on the same has not been commenced by the grantee within the period of five years from June 16, 1953, or in the event same shall cease to be used for public park and recreational purposes for a period of two successive years, then title to the same shall immediately revert to the United States of America.

IN WITNESS WHEREOF, the United States of America has caused these presents to be executed in its name by Earl D. Johnson, Acting Secretary of the Army, and the Seal of the Department of the Army to be hereunto affixed this 2nd day of September, 1953.

UNITED STATES OF AMERICA

By Earl D. Johnson
Acting Secretary of the Army
Acknowledgment

State of Virginia    \}  ss
County of Arlington  \}

Before me, a notary public, in and for said County and State, on this 2nd day of September, 1953, personally appeared

Earl L. Johnson, Acting Secretary of the Army of the United States of America, to me known to be the identical person who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same, acting in the capacity aforesaid, as the free and voluntary act and deed of the United States of America, for the uses and purposes therein set forth.

Given under my hand and seal of office this 2nd day of
September, 1953.

A. P. Spada
Notary Public

My commission expires:

By Commission Expires Sept. 7, 1958
SUPPLEMENTAL AGREEMENT NO. 2
between
THE UNITED STATES OF AMERICA
DEPARTMENT OF THE ARMY
and
THE STATE OF OKLAHOMA

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between THE UNITED STATES OF AMERICA, acting by and through the Department of the Army, hereinafter called the Government, and the STATE OF OKLAHOMA, acting by and through the Oklahoma Planning and Resources Board, hereinafter called the Lessee:

WITNESSETH, that:

WHEREAS, the Government and the Lessee entered into a certain unnumbered lease, dated 15 August 1952, hereinafter called the Original Lease, granting the Lessee the right to use, for public park and recreational purposes, certain lands comprising approximately 3,080 acres, situate within Fort Gibson Reservoir Area and in the Counties of Wagoner and Cherokee, State of Oklahoma, for a term of fifty (50) years, beginning on 1 July 1948 and ending on 30 June 1998; and

WHEREAS, by Supplemental Agreement No. 1, effective 18 October 1954, the provisions of the Original Lease were amended to delete therefrom two parcels of land totaling 49.47 acres, more or less; and

WHEREAS, it is agreed between the parties hereto that it is to their mutual benefit and interest to further amend and supplement the provisions of the Original Lease so as to delete therefrom a parcel of land totaling 79.00 acres, more or less, located in Sections 1, 15 and 22, T 17 N, R 19 E, Cherokee County, Oklahoma,

NOW, THEREFORE, for and in consideration of the mutual benefits inuring to each of the contracting parties, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do hereby and by these presents amend and supplement the aforesaid unnumbered lease, dated 15 August 1952, as amended, in the following respects and in none other:

By deleting from the area granted in the Original Lease the following: A strip, piece, or parcel of land located in Sections 1, 15, and 22, T 17 N, R 19 E,
Cherokee County, Oklahoma, containing in the aggregate
79.0 acres, more or less, as shown in red on Exhibit "A",
dated January 1954, attached hereto and made a part hereof.

IT IS FURTHER UNDERSTOOD AND AGREED that the Original Lease as
amended by Supplemental Agreements 1 and 2 shall in all other re-
spects remain in full force and effect, and that this Supplemental
Agreement is for the sole purpose of changing the Original Lease
as aforesaid.

IT IS MUTUALLY AGREED that the effective date of this Supple-
mental Agreement shall be 21 October 1955.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the
seal of the Department of the Army this 5th day of February
1956, by direction of the Assistant Secretary of

the Army


Chester B. Davis
Assistant Secretary of the Army (FM)

THIS SUPPLEMENTAL AGREEMENT is hereby executed for and on be-
half of the State of Oklahoma, as the Lessee, this 1st day of
March, 1956.

STATE OF OKLAHOMA
Oklahoma Planning and Resources Board

By: _______________________
Chairman

(Title)
Mr. Allen:

Mr. Jim DeGroot who owns the last house in a northeasterly direction in the Bay Area did pull down the top three strands of our fence and did build a little two step stile over the fence. When Carlile & I talked with Mrs. DeGroot about it—we were most considerate, Carlile explained that any gates that had been built were a mistake, that they MIGHT have to be taken out because they were in public property and were being treated as if they were private gates. That no additional gates could be built for the reason we would be encouraging trespass across their (the residents) private property etc. Anyway Mrs. DeGroot seemed quite happy when she was tentatively advised to construct a stile over our fence; Carlile told her he would check with you that day, which he did, and I'd advise her positively. I did advise Mr. DeGroot on Sat. AM.

Anyway, the evening following our visit with Mrs. DeGroot which we were both pleased with because it seemed that though we did give—in the state's interests were uninjured and everyone would be happy which would also solve future requests for gates.

That same evening G.W. Crow was in Wagoner and in the presence of three most reliable witnesses threatened to get a gun and shoot them damn niggers. Also was saying that I had caused him so much trouble he'd just have to carry a gun etc. etc. One of the witnesses ---Mr. Bob Jeffery--- called me to tell me about it. He advised me to take the threat seriously since the boy was very upset and talking like a crazy man. Then two hours later (about 9PM) the damn fool called Jeffery back and said he was mistaken. That, "Presley was a fine fellow it was that damn Carlile causing him all his trouble". Well Dewey and I went to see the boy (about 35 yrs. of age) father who appears to be a level headed old gentleman, (though you'll recall he was the one who was taking that old barb wire as fast as Huddleston's crew took it down) The father, Mr. V.C. Crow of Rt. 2 Wagoner said what they wanted was a cattle guard and or ZZZZZ gate for auto entrance. I told him that the boy had been in Wagoner threatening me, the 'niggers' and don't know who else. That, the fact the boy was crazy only made me more afraid of him & "crazy or not for him to please not visit me because I was afraid of crazy people" The old man says the boy is just a loud mouth & he can't do anything with him etc etc.

I wish don't want you to place any credence in rumors of trouble or pay too much attention to the above story but wanted you to be familiar with the background. ❑ (OVER)
Since we do plan to develop that area beyond (north) of the cove for a picnic area, I think it should be done in time for use this summer.

1. I request permission to rent a bulldozer for two days to rough out a road from our cattleguard to that disputed area.

2. I request that Mr. Ligon re-issue Project 36 which was recalled last month and let us make some 20 picnic tables for that area.

If you concur in the above requests we will open that area and they can get in there but EVERYONE else can get in there which is as it should be; also we need the water-front picnic area. If weather permits we'll finish the #3 shower and latrine building this week and can spare some trucks, tractor etc for building a road into that area.

Rex Presley

Apr. 5th:

Before I could get this mailed Mr. DeGroot came back over at which time I wrote you the other letter your are receiving along with this discussion. The other ltr. does NOT conflict with what I've suggested above; but written in such away to 'pass the buck' entirely to the Planning & Resources Board.

I'm not at all upset about this deal & hope I haven't caused you undue concern; just another deal that has to be worked out some way.
October 6, 1955

Senator Harold R. Shesman
State Senator District 27
Deavon Building
Muskegon, Oklahoma

Dear Senator:

In reply to your letters of June 15 and October 25, in which you requested from the Oklahoma Planning and Resources Board, Division of State Parks, permission for Vic Vacchio, et al., to build a cattle guard entrance through a fence belonging to the Sequoyah Bay area - the Board approved this request in their meeting August 31 and reaffirmed their action, over my protest, in their regular meeting held October 5.

I sincerely believe that this is an encroachment on the rights of the people of the State of Oklahoma, and do not feel that it is the right of anyone to give away property that belongs to the State of Oklahoma. I should like to further point out that your clients have been very unco-operative, and have on more than one occasion backed trailers and trucks into our fence - breaking them down and trying to tell us that it was an accident. On other occasions the fence has been deliberately cut, which is a violation of the state law.

Regardless of my feelings in this matter the Board has approved this request for your clients and I shall carry out the orders of my Board. I assume that you will notify your clients of permission granted.

Sincerely,

ERNEST E. ALLEN, DIRECTOR
Division of Recreation and
State Parks

EEA/6

cc: Rex Presley
    Dewey Carter
August 26, 1955

Mr. Earnest E. Allen, Director,
Parks Division,
Oklahoma Planning and Resources Board,
Capitol Building,
Oklahoma City, Oklahoma,

Dear Sir:

During the past session of the legislature you will recall that I appeared before the Board requesting permission for Vic Vecchio, et al., to build a cattle guard entrance through a fence belonging to Sequoyah State Park. At the time the board gave you authority to check with the engineers and work the matter out and all Vic would have to do would be build the cattle guard crossing.

I have not heard from you about this matter and since Vic is most anxious to secure this permission I am asking that you give him a clearance to use this entrance through the fence. If Vic and his friends do not get this permission then they will be forced to drive some 2 or 3 miles in order to get their boats in the water.

By copy of this letter I am letting Carl Frix know of my appearance before the old board and of the request made and the status of same.

Thank you for prompt reply, or better still a telephone call on Monday or Tuesday.

Yours very truly,

Harold R. Shoemake
State Senator
April 8, 1955

Honorable Harold R. Shoemake
State Senator
State Capitol Building

Dear Sir:

We have received your April 7 letter and accompanying map relating to access in two places through public park property to private property contiguous to the public park property.

This will be placed on the agenda for Board action at its next meeting on April 21, 1955.

In order that the Board may have full information, will you please advise whether or not the owners of the private property propose to pay the cost of constructing the cattle guards if their installation is approved by this Board. I am certain this is a pertinent question that will be asked at the time the Board considers the request.

Respectfully,

JACK V. BOYD
Executive Director

JVB: Ip
Jim Egan asked about the selection to the access to shoreline problems at the private residence area. He had a letter from one of the people asking for an answer. I indicated to Egan that we would come up with a recommendation in the near future. He may possibly have to get in touch with him.
Mr. E. E. Allen, Director
Division of State Parks
Oklahoma City, Oklahoma.

Dear Mr. Allen:

Following our conversation with Mrs. DeGroot last week and subsequent phone conversation between you and Mr. Cagillic, I advised Mr. DeGroot that we had received approval for the stiles to be built over the fence at Sequoyah's Bay area across the lake.

What those residents (on the north side of that park) want is an automobile access gate or cattle guard placed in the fence on the north side of the area. Such a gate or cattle guard would serve some eleven families that now live there or are completing their dwellings. The road on which the gate or cattle guard would have to be constructed belongs to Mr. Cundiff.

G.W. Crow, Muskogee, Okla.

However, these three owners have granted an easement to all eleven of these families for use of that road. The situation that now exists requires those residents to drive about 1½ miles to get to the water edge which is only 300 to 400 feet back of their home. Many of these people are permanent residents, and not just summer residents. In discussing the matter with Mr. Crow and Mr. DeGroot, I've advised them that it was a matter which could not be decided locally and they were confronted with the problem of constructing a gate in a public park-fence which, in turn, would probably make the gate or cattle guard available for public use. Expenditure of public funds was also discussed and they would even like to pay for such access to the park if it can be worked out.

I recommend that you consider taking this matter up with the P & R Board or who ever has to make the decision. It seems to me that it is an imposition on these people who bought on the water front, to deprive them of a closer access than they now have, especially since they are willing to pay the cost. I'm not sure how the law fits the situation though.

Also Mrs. DeGroot sent word today by her husband that she couldn't get her baby buggy over a stile and the other two gates are in use which we did provide. I will await your reply on these two matters and will construct with their material, supervise their construction or build it ourselves.

Apr. 3, 1955
Would you kindly send a copy of your decision to Mr. DeGroot of Rt. 2 Wagoner & Mr. V.C. Crow of Rt. 2 Wagoner.

Yours truly,

[Signature]

Bex O. Presley, Supt
Sequoyah State Park
Hulbert, Okla.

C.C. Carlile
C.C. DeGroot
June 13, 1955

Mr. Earnest E. Allen, Director
Planning and Resources Board
Capitol Building
Oklahoma City, Oklahoma

My dear Sir:

Mr. V. A. Vecchio has been in my office a number of times asking whether or not a lease has been prepared by your department, in accordance with the board's directions.

You will recall when I appeared before the board in May of this year, I asked the board for permission for Vecchio and his group to have an easement from their lots to the shoreline through a fence owned by the board.

Will you please check into this situation and give me some information that I can pass on to these fellows.

Yours very truly,

[Signature]

HAROLD R. SHOEMAKE
SUPPLEMENTAL AGREEMENT NO. 3
between
THE UNITED STATES OF AMERICA
DEPARTMENT OF THE ARMY
and
THE STATE OF OKLAHOMA

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between THE
UNITED STATES OF AMERICA, acting by and through the Department of the Army,
hereinafter called the Government, and the STATE OF OKLAHOMA, acting by and
through the Oklahoma Planning and Resources Board, hereinafter called the
Lessee:

WITNESSETH, that:

WHEREAS, the Government and the Lessee entered into a certain unnumbered
lease, dated 15 August 1952, hereinafter called the Original Lease, granting
the Lessee the right to use, for public park and recreational purposes, certain
land comprising approximately 3,030 acres, situate within Fort Gibson Reservoir
Area and in the Counties of Wagoner and Cherokee, State of Oklahoma, for a term
of fifty (50) years, beginning on 1 July 1958 and ending on 30 June 1998; and

WHEREAS, by Supplemental Agreement No. 1, effective 18 October 1954, the
provisions of the Original Lease were amended to delete therefrom two parcels
of land totaling 49.47 acres, more or less; and

WHEREAS, by Supplemental Agreement No. 2, effective 21 October 1955, the
provisions of the original lease were further amended to delete therefrom a
parcel of land containing in the aggregate 79.0 acres, more or less; and

WHEREAS, it is agreed between the parties hereto that it is to their
mutual benefit and interest to further amend and supplement the provisions of
the Original Lease as to add thereto a parcel of land totaling 3.20 acres,
more or less, located in the SE 1/4, Section 3, T 16 N, R 19 E, Wagoner County,
Oklahoma.

NOW, THEREFORE, for an in consideration of the mutual benefits accruing to
each of the contracting parties, the receipt and sufficiency of which are here-
by acknowledged, the parties hereto do hereby and by these presents amend and
supplement the aforesaid unnumbered lease, dated 15 August 1952, as amended,
in the following respects and in none other:
By adding to the area granted in the Original Lease the following:

A strip, piece, or parcel of land located in SE_{4}, Section 3 T 16 N, R 19 E, Wagoner County, Oklahoma, containing in the aggregate 3.20 acres, more or less,

as shown in red on Exhibit "A" attached hereto and made a part hereof.

IT IS FURTHER UNDERSTOOD AND AGREED that the Original Lease as amended by Supplemental Agreements Nos. 1, 2, and 3 shall in all other respects remain in full force and effect, and that this Supplemental Agreement is for the sole purpose of changing the Original Lease as aforesaid.

IT IS MUTUALLY AGREED that the effective date of this Supplemental Agreement shall be 14 August 1957.

IN WITNESS WHEREOF, I have hereeto set my hand this 15th day of November 1957, by direction of the Secretary of the Army.

Edward A. Bacon
Deputy Assistant Secretary of the Army

THIS SUPPLEMENTAL AGREEMENT is hereby executed for and on behalf of the State of Oklahoma, as the Lessee, this 8th day of January 1958.

State of Oklahoma
Oklahoma Planning and Resources Board

By: ___________________________
   (Signature)
RIGHT - OF - WAY AGREEMENT

This AGREEMENT, made and entered into this 9th day of December, 1958,
by and between the State of Oklahoma, acting by and through its PLANNING AND
RESOURCES BOARD, hereinafter termed the "GRANTOR", and JIM E. DE GROOT,
ELMER OWEN, ROGER RECTOR, KENNETH RITZ, DON FARTHING, WALTER KLINE,
WILLIAM SANDERS, VIC VECCHIO, AND CLYDE RYALS, hereinafter termed the "GRANTEES":

WITNESSETH:

That the said Grantor, for and in consideration of the benefits to be derived
from the hereinafter described road to be constructed by the Grantees, the benefits
whereof are hereby acknowledged, doth hereby grant, bargain, and convey unto the
Grantees a perpetual Right-Of-Way for the purpose of constructing a Cattle Guard
on the following described lands of the Grantor:

Section Three (3), Range Nineteen East (R 19 E), Township
Sixteen North (T 6 N), and to be located in accordance
with the area marked on the attached map and by such attach-
ment made a part of this Agreement.

 together with all rights and privileges necessary for the accomplishment of the purpose
hereinafter set out: said Right-Of-Way to have a width of Twenty (20) feet, extending
Ten (10) feet on each side of the center line of the road to be constructed thereon, said
Right of way to be used by the Grantee for the construction and maintenance of a Cattle
Guard, together with the right to construct and maintain on said Right-of-Way a Cattle
Guard.

The herein described Right-of-Way is granted and conveyed upon the condition
that it shall not be assigned to any person or persons except the State of Oklahoma, acting by and through its Planning and Resources Board, and with the further condition that should said Right-Of-Way be abandoned by said Grantee and not transferred to the State of Oklahoma acting by and through its Planning and Resources Board, or if so transferred, in accordance with the written permission of the State of Oklahoma, acting by and through its Planning and Resources Board, and if it be abandoned by said transferee, then said Right-Of-Way, together with all the rights and privileges appurtenant thereto, shall thereupon terminate and revert to the Grantee, its heirs or assigns.

IN TESTIMONY WHEREOF, witness the following signatures.

STATE OF OKLAHOMA
Acting By and Through
OKLAHOMA PLANNING AND RESOURCES BOARD
GRANTOR:

(SEAL)

Chairman

ATTEST:

Secretary

[Signatures of Grantees]
DEPARTMENT OF THE ARMY
LEASE TO STATES
FOR PUBLIC PARK AND RECREATIONAL PURPOSES
SEQUOYAH AND SEQUOYAH BAY STATE PARKS
FORT GIBSON LAKE

CHEROKEE COUNTY, OKLAHOMA

THIS LEASE is made on behalf of the United States, between the SECRETARY OF THE ARMY, hereinafter referred to as the Secretary, and OKLAHOMA TOURISM AND RECREATION COMMISSION, hereinafter referred to as the Lessee, WITNESSETH:

That the Secretary, by authority of Title 16, United States Code, Section 460d, and for the consideration hereinafter set forth, hereby leases to the Lessee, the property identified on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the premises, for Public Park and recreational purposes.

THIS LEASE is granted subject to the following conditions:

1. TERM

Said premises are hereby leased for a term of Fifty (50) years, beginning 1 July, 1998 and ending 30 June 1, 2048.

2. CONSIDERATION

The consideration for this lease is the operation and maintenance of the premises by the Lessee for the benefit of the United States and the general public in accordance with the conditions herein set forth.

3. NOTICES

All correspondence and notices to be given pursuant to this lease shall be addressed, if to the Lessee, to OKLAHOMA TOURISM AND RECREATION COMMISSION, 15 N Robinson Avenue, Suite 100, Oklahoma City, OK 73152-2002; and, if to the United States, to the District Engineer, ATTN: Chief, Real Estate Division, Tulsa District, Corps of Engineers, 1645 South 101st East Avenue, Tulsa, OK 74128-4609, or as may from time to time otherwise be directed by the parties.
Notice shall be deemed to have been duly given if and when enclosed in a properly sealed envelope, or wrapper, addressed as aforesaid, and deposited, postage prepaid, in a post office regularly maintained by the United States Postal Service.

4. AUTHORIZED REPRESENTATIVES

Except as otherwise specifically provided, any reference herein to "Secretary of the Army," "District Engineer," "said officer" or "Lessor" shall include their duly authorized representatives. Any reference to "Lessee" shall include sublessees, assignees, transferees, concessionaires, and its duly authorized representatives.

5. DEVELOPMENT PLANS

a. The Lessee shall be guided by an implementing Plan of Recreation Development and Management (Development Plan) attached as Exhibit B which shows the facilities and services necessary to meet the current and potential public demand and the management and development activities to be undertaken by the Lessee and any sublessees. The Lessee shall provide a copy of any amendment to the Development Plan before proceeding to implement any changes in the development or management of the leased premises. The use and occupation of the premises shall be subject to the general supervision and approval of the District Engineer. If future development is planned for any portion of the leased premises there may be additional environmental reviews required prior to approval of such development. The environmental reviews could include but may not be limited to an Environmental Assessment and/or an Environmental Impact Statement. The scope of any environmental reviews would be dependent upon the extent of the requested development.

b. During the term of the lease, the District Engineer will notify the Lessee of any updates to the existing project Master Plan affecting the premises and the Lessee may provide comments.

6. STRUCTURES AND EQUIPMENT

The Lessee shall have the right, during the term of the lease, to erect such structures and to provide such equipment upon the premises as may be necessary to furnish the facilities and services authorized. Those structures and equipment shall be and remain the property of the Lessee, except as otherwise provided in the Condition on RESTORATION. However, no structures may be erected or altered upon the premises unless and until the type of use, design, and proposed location or alteration thereof shall have been approved in writing by the District Engineer.
The District Engineer may require the Lessee, upon the completion of each of the proposed developments to furnish complete "as built" construction plans for all facilities.

7. APPLICABLE LAWS AND REGULATIONS

a. The Lessee shall comply with all applicable Federal laws and regulations and with all applicable laws, ordinances, and regulations of the state, county, and municipality wherein the premises are located, including, but not limited to, those regarding construction, health, safety, food service, water supply, sanitation, use of pesticides, and licenses or permits to do business. The Lessee shall make and enforce such regulations as are necessary and within its legal authority in exercising the privileges granted in this lease, provided that such regulations are not inconsistent with those issued by the Secretary of the Army or with the provisions of 16 U.S.C. ? 460d.

b. The Lessee will provide an annual certification that all water and sanitary systems on the premises have been inspected and comply with Federal, state and local standards. The Lessee will also provide a statement of compliance with the Rehabilitation Act and the Americans with Disabilities Act, as required in the condition on NON-DISCRIMINATION, noting any deficiencies and providing a schedule for correction.

8. CONDITION OF PREMISES

The Lessee acknowledges that it has inspected the premises, knows its condition, and understands that the same is leased without any representations or warranties whatsoever and without obligation on the part of the United States to make any alterations, repairs, or additions thereto.

9. FACILITIES AND SERVICES

The Lessee shall provide the facilities and services as agreed upon in the Development Plan referred to in the Condition on DEVELOPMENT PLANS either directly or through subleases or concession agreements that have been reviewed and accepted by the District Engineer. These subleases or agreements shall state: (1) that they are granted subject to the provisions of this lease; and (2) that the agreement will not be effective until the third party activities have been approved by the District Engineer. The Lessee will not allow any third party activities with a rental to the Lessee or prices to the public which would give the third party an undue economic advantage or circumvent the intent of the Development Plan. The rates and prices charged by the Lessee or its sub-lessees or concessionaires shall be reasonable and comparable to rates charged for similar goods and services by
others in the area. The use of sub-lessees and concessionaires will not relieve the Lessee from the primary responsibility for ensuring compliance with all of the terms and conditions of this lease.

10. TRANSFERS, ASSIGNMENTS, SUBLEASES

a. Without prior written approval of the District Engineer, the Lessee shall neither transfer nor assign this lease nor sublet the premises or any part thereof, nor grant any interest, privilege, or license whatsoever in connection with this lease.

b. The Lessee will not sponsor or participate in timeshare ownership of any structures, facilities, accommodations, or personal property on the premises. The Lessee will not subdivide nor develop the premises into private residential development.

11. FEES

Fees may be charged by the Lessee for the entrance to or use of the premises or any facilities, however, no user fees may be charged by the Lessee or its sub-lessees for use of facilities developed in whole or part with federal funds if a user charge by the Corps of Engineers for the facility would be prohibited under law.

12. ACCOUNTS, RECORDS AND RECEIPTS

All monies received by the Lessee from operations conducted on the premises, including, but not limited to, entrance, admission and user fees and rental or other consideration received from its concessionaires, may be utilized by the Lessee for the administration, maintenance, operation and development of the premises. Beginning 5 years from the date of this lease and continuing at 5-year intervals, any such monies not so utilized or programmed for utilization within a reasonable time shall be paid to the District Engineer. The Lessee shall provide an annual statement of receipts and expenditures to the District Engineer. Annual or weekly entrance fees not collected on the Project, which also are honored at other recreational areas operated by the Lessee, are excluded from this requirement. The District Engineer shall have the right to perform audits or to require the Lessee to audit the records and accounts of the Lessee, third party concessionaires and sub-lessees, in accordance with auditing standards and procedures promulgated by the American Institute of Certified Public Accountants or by the state, and furnish the District Engineer with the results of such an audit.

13. PROTECTION OF PROPERTY

The Lessee shall be responsible for any damage that may be caused to property of the United States by the activities of the
Lessee under this lease and shall exercise due diligence in the
protection of all property located on the premises against fire or
damage from any and all other causes. Any property of the United
States damaged or destroyed by the Lessee incident to the exercise
of the privileges herein granted shall be promptly repaired or
replaced by the Lessee to the satisfaction of the District
Engineer, or, at the election of the District Engineer,
reimbursement may be made therefor by the Lessee in an amount
necessary to restore or replace the property to a condition
satisfactory to the District Engineer.

14. RIGHT TO ENTER AND FLOOD

The right is reserved to the United States, its officers,
agents, and employees to enter upon the premises at any time and
for any purpose necessary or convenient in connection with
Government purposes; to make inspections; to remove timber or
other material, except property of the Lessee; to flood the
premises; to manipulate the level of the lake or pool in any
manner whatsoever; and/or to make any other use of the land as may
be necessary in connection with project purposes, and the Lessee
shall have no claim for damages on account thereof against the
United States or any officer, agent, or employee thereof.

15. LIGHTS, SIGNALS AND NAVIGATION

There shall be no unreasonable interference with navigation
by the exercise of the privileges granted by this lease. If the
display of lights and signals on any work hereby authorized is not
otherwise provided for by law, such lights and signals as may be
prescribed by the Coast Guard or by the District Engineer shall be
installed and maintained by and at the expense of the Lessee.

16. INSURANCE

a. At the commencement of this lease, the Lessee, unless
self-insured, and its sub-lessees and concessionaires at the
commencement of operating under the terms of this lease as third
parties, shall obtain from a reputable insurance company or
companies contracts of liability insurance. The insurance shall
provide an amount not less than that which is prudent, reasonable
and consistent with sound business practices, for any number of
persons or claims arising from any one incident with respect to
bodily injuries or death resulting therefrom, property damage, or
both, suffered or alleged to have been suffered by any person or
persons, resulting from the operations of the sub-lessees and
concessionaires under the terms of this lease. The Lessee shall
require its insurance company to furnish to the District Engineer
a copy of the policy or policies, or, if acceptable to the
District Engineer, certificates of insurance evidencing the
purchase of such insurance.
b. The insurance policy or policies shall specifically provide protection appropriate for the types of facilities, services and products involved; and shall provide that the District Engineer be given thirty (30) days notice of any cancellation or change in such insurance.

c. The District Engineer may require closure of any or all of the premises during any period for which the sub-lessees and concessionaires do not have the required insurance coverage.

17. RESTORATION

On or before the expiration of this lease or its termination by the Lessee, the Lessee shall vacate the premises, remove the property of the Lessee, and restore the premises to a condition satisfactory to the District Engineer. If, however, this lease is revoked, the Lessee shall vacate the premises, remove said property therefrom, and restore the premises to the aforesaid condition within such time as the District Engineer may designate.

In either event, if the Lessee shall fail or neglect to remove said property and restore the premises, then, at the option of the District Engineer, said property shall either become the property of the United States without compensation therefor, or the District Engineer may cause the property to be removed and no claim for damages against the United States or its officers or agents shall be created by or made on account of such removal and restoration work. The Lessee shall also pay the United States on demand any sum which may be expended by the United States after the expiration, revocation, or termination of this lease in restoring the premises.

18. NON-DISCRIMINATION

a. The Lessee shall not discriminate against any person or persons or exclude them from participation in the Lessee's operations, programs or activities conducted on the leased premises, because of race, color, religion, sex, age, handicap, or national origin. The Lessee will comply with the Americans with Disabilities Act and attendant Americans with Disabilities Act Accessibility Guidelines (ADAAG) published by the Architectural And Transportation Barriers Compliance Board.

b. The Lessee, by acceptance of this lease, is receiving a type of Federal assistance and, therefore, hereby gives assurance that it will comply with the provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Age Discrimination Act of 1975 (42 U.S.C. § 6102); the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); and all requirements imposed by or pursuant to the Directive of the Department of Defense (32 CFR Part 300) issued as Department of Defense
Directives 5500.11 and 1020.1, and Army Regulation 600-7. This assurance shall be binding on the Lessee, its agents, successors, transferees, sub-lessees and assignees.

19. SUBJECT TO EASEMENTS

This lease is subject to all existing easements, easements subsequently granted, and established access routes for roadways and utilities located, or to be located, on the premises, provided that the proposed grant of any new easement or route will be coordinated with the Lessee, and easements will not be granted which will, in the opinion of the District Engineer, interfere with developments, present or proposed, by the Lessee. The Lessee will not close any established access routes without written permission of the District Engineer.

20. SUBJECT TO MINERAL INTERESTS

This lease is subject to all outstanding mineral interests. As to federally owned mineral interests, it is understood that they may be included in present or future mineral leases issued by the Bureau of Land Management (BLM), which has responsibility for mineral development on Federal lands. The Secretary will provide lease stipulations to BLM for inclusion in such mineral leases that are designed to protect the premises from activities that would interfere with the Lessee's operations or would be contrary to local laws.

21. COMPLIANCE, CLOSURE, REVOCATION AND RELINQUISHMENT

a. The Lessee and/or any sub-lessees or licensees are charged at all times with full knowledge of all the limitations and requirements of this lease, and the necessity for correction of deficiencies, and with compliance with reasonable requests by the District Engineer. This lease may be revoked in the event the Lessee violates any of the terms and conditions and continues and persists in such non-compliance. The Lessee will be notified of any non-compliance, which notice shall be in writing or shall be confirmed in writing, giving a period of time in which to correct the non-compliance. Failure to satisfactorily correct any substantial or persistent non-compliance within the specified time is grounds for closure of all or part of the premises, temporary suspension of operation, or revocation of the lease, after notice in writing of such intent. Future requests by the Lessee to extend the lease, expand the premises, modify authorized activities, or assign the lease shall take into consideration the Lessee's past performance and compliance with the lease terms.

b. This lease may be relinquished by the Lessee by giving one (1) year prior written notice to the District Engineer in the manner prescribed in the Condition on NOTICES.
22. HEALTH AND SAFETY

a. The Lessee shall keep the premises in good order and in a clean, sanitary, and safe condition and shall have the primary responsibility for ensuring that any sub-lessees and concessionaires operate and maintain the premises in such a manner.

b. In addition to the rights of revocation for non-compliance, the District Engineer, upon discovery of any hazardous conditions on the premises that presents an immediate threat to health and/or danger to life or property, will so notify the Lessee and will require that the affected part or all of the premises be closed to the public until such condition is corrected and the danger to the public eliminated. If the condition is not corrected, the District Engineer will have the option to: (1) correct the hazardous conditions and collect the cost of repairs from the Lessee; or, (2) revoke the lease. The Lessee and its assignees or sub-lessees shall have no claim for damages against the United States, or any officer, agent, or employee thereof on account of action taken pursuant to this condition.

23. PUBLIC USE

No attempt shall be made by the Lessee, or any of its sub-lessees or concessionaires, to forbid the full use by the public of the premises and of the water areas of the project, subject, however, to the authority and responsibility of the Lessee to manage the premises and provide safety and security to the visiting public.

24. PROHIBITED USES

a. The Lessee shall not permit gambling on the premises or install or operate, or permit to be installed or operated thereon, any device which is illegal, or use the premises or permit them to be used for any illegal business or purpose. There shall not be conducted on or permitted upon the premises any activity which would constitute a nuisance.

b. As an exception, some games of chance, such as raffles, games and sporting events, may be conducted by nonprofit organizations under special use permits issued in conjunction with special events, if permissible by state and local law. Any request to conduct such activities must be submitted in writing to the District Engineer.

c. In accordance with state and local laws and regulations, the Lessee may sell, store, or dispense, or permit the sale, storage, or dispensing of beer, malt beverages, light wines or other intoxicating beverages on the premises in those facilities where such service is customarily found. Bar facilities will only
be permitted if offered in connection with other approved activities. Advertising of such beverages outside of buildings is not permitted. Carry out package sales of hard liquor is prohibited.

25. NATURAL RESOURCES

The Lessee shall cut no timber, conduct no mining operations, remove no sand, gravel, or kindred substances from the ground, commit no waste of any kind, nor in any manner substantially change the contour or condition of the premises, except as may be authorized under and pursuant to the Development Plan described in the Condition on DEVELOPMENT PLANS herein. The Lessee may salvage fallen or dead timber; however, no commercial use shall be made of such timber. Except for timber salvaged by the Lessee when in the way of construction of improvements or other facilities, all sales of forest products will be conducted by the United States and the proceeds therefrom shall not be available to the Lessee under the provisions of this lease.

26. DISPUTES CLAUSE

a. Except as provided in the Contract Disputes Act of 1978 (41 U.S.C. 601-613) (the Act), all disputes arising under or relating to this lease shall be resolved under this clause and the provisions of the Act.

b. "Claim," as used in this clause, means a written demand or written assertion by the Lessee seeking, as a matter of right, the payment of money in a sum certain, the adjustment of interpretation of lease terms, or other relief arising under or relating to this lease. A claim arising under this lease, unlike a claim relating to the lease, is a claim that can be resolved under a lease clause that provides for the relief sought by the Lessee. However, a written demand or written assertion by the Lessee seeking the payment of money exceeding $100,000 is not a claim under the Act until certified as required by subparagraph c.(2) below.

c. (1) A claim by the Lessee shall be made in writing and submitted to the District Engineer for a written decision. A claim by the Government against the Lessee shall be subject to a written decision by the District Engineer.

(2) For Lessee claims exceeding $100,000, the Lessee shall submit with the claim a certification that:

(i) The claim is made in good faith;

(ii) Supporting data are accurate and complete to the best of the Lessee's knowledge and belief; and
(iii) The amount requested accurately reflects the lease adjustment for which the Lessee believes the Government is liable.

(3) If the Lessee is an individual, the certificate shall be executed by that individual. If the Lessee is not an individual, the certification shall be executed by:

(i) A senior company official in charge at the Lessee's location involved; or

(ii) An officer or general partner of the Lessee having overall responsibility of the conduct of the Lessee's affairs.

d. For Lessee claims of $100,000 or less, the District Engineer must, if requested in writing by the Lessee, render a decision within 60 days of the request. For Lessee-certified claims over $50,000, the District Engineer must, within 60 days, decide the claim or notify the Lessee of the date by which the decision will be made.

e. The District Engineer's decision shall be final unless the Lessee appeals or files a suit as provided in the Act.

f. At the time a claim by the Lessee is submitted to the District Engineer or a claim by the Government is presented to the Lessee, the parties, by mutual consent, may agree to use alternative means of dispute resolution. When using alternate dispute resolution procedures, any claim, regardless of amount, shall be accompanied by the certificate described in paragraph c.(2) of this clause, and executed in accordance with paragraph c.(3) of this clause.

g. The Government shall pay interest on the amount found due and unpaid by the Government from (1) the date the District Engineer received the claim (properly certified if required), or (2) the date payment otherwise would be due, if that date is later, until the date of payment. Simple interest on claims shall be paid at the rate, fixed by the Secretary of the Treasury, as provided in the Act, which is applicable to the period during which the District Engineer receives the claim, and then at the rate applicable for each 6-month period as fixed by the Treasury Secretary during the pendency of the claim.

h. The Lessee shall proceed diligently with the performance of the lease, pending final resolution of any request for relief, claim, appeal, or action arising under the lease, and comply with any decision of the District Engineer.
27. ENVIRONMENTAL PROTECTION

a. Within the limits of their respective legal powers, the parties to this lease shall protect the project against pollution of its air, ground, and water. The Lessee shall comply promptly with any laws, regulations, conditions or instructions affecting the activity hereby authorized, if and when issued by the Environmental Protection Agency, or any Federal, state, interstate or local governmental agency having jurisdiction to abate or prevent pollution. The disposal of any toxic or hazardous materials within the premises is specifically prohibited. Such regulations, conditions, or instructions in effect or prescribed by the Environmental Protection Agency, or any Federal, state, interstate or local governmental agency, are hereby made a condition of this lease. The Lessee shall require all sanitation facilities on boats moored at the Lessee's facilities, including rental boats, to be sealed against any discharge into the lake. Services for waste disposal, including sewage pump-out of watercraft, shall be provided by the Lessee as appropriate. The Lessee shall not discharge waste or effluent from the premises in such a manner that the discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

b. The Lessee will use all reasonable means available to protect the environment and natural resources, and where damage nonetheless occurs from the Lessee's activities, the Lessee shall be liable to restore the damaged resources.

c. The Lessee must obtain approval in writing from the District Engineer before any pesticides or herbicides are applied to the premises.

d. The referenced property contains jurisdictional waters of the United States including wetlands in areas shown on the enclosed map. Excavation or placement of fill material or heavy mechanized land clearing within these areas will require authorization pursuant to Section 404 of the Clean Water Act.

28. ENVIRONMENTAL BASELINE SURVEY

An Environmental Baseline survey (EBS) documenting the known history of the property with regard to the storage, release or disposal of hazardous substances thereon, is attached hereto and made a part hereof as Exhibit C. Upon expiration, revocation or termination of this lease, another EBS shall be prepared which will document the environmental condition of the property at that time. A comparison of the two surveys will assist the District Engineer in determining any environmental restoration requirements. Any such requirements will be completed by the lessee in accordance with the condition on RESTORATION.
29. HISTORIC PRESERVATION

The Lessee shall not remove or disturb, or cause or permit to be removed or disturbed, any historical, archaeological, architectural or other cultural artifacts, relics, remains, or objects of antiquity. In the event such items are discovered on the premises, the Lessee shall immediately notify the District Engineer and protect the site and the material from further disturbance until the District Engineer gives clearance to proceed.

30. SOIL AND WATER CONSERVATION

The Lessee shall maintain, in a manner satisfactory to the District Engineer, all soil and water conservation structures that may be in existence upon said premises at the beginning of, or that may be constructed by the Lessee during the term of, this lease, and the Lessee shall take appropriate measures to prevent or control soil erosion within the premises. Any soil erosion occurring outside the premises resulting from the activities of the Lessee shall be corrected by the Lessee as directed by the District Engineer.

31. TRANSIENT USE

a. Camping, including transient trailers or recreational vehicles, at one or more campsites for a period longer than thirty (30) days during any sixty (60) consecutive day period is prohibited. The Lessee will maintain a ledger and reservation system for the use of any such campsites.

b. Occupying any lands, buildings, vessels or other facilities within the premises for the purpose of maintaining a full- or part-time residence is prohibited, except for employees residing on the premises for security purposes, if authorized by the District Engineer.

32. COVENANT AGAINST CONTINGENT FEES

The Lessee warrants that no person or selling agency has been employed or retained to solicit or secure this lease upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Lessee for the purpose of securing business. For breach or violation of this warranty, the United States shall have the right to annul this lease without liability or, in its discretion, to require the Lessee to pay, in addition to the lease rental or consideration, the full amount of such commission, percentage, brokerage, or contingent fee.
33. OFFICIALS NOT TO BENEFIT

   No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this lease or to any benefits to arise therefrom. However, nothing herein contained shall be construed to extend to any incorporated company if the lease be for the general benefit of such corporation or company.

34. MODIFICATIONS

   This lease contains the entire agreement between the parties hereto, and no modification of this agreement, or waiver, or consent hereunder shall be valid unless the same be in writing, signed by the parties to be bound or by a duly authorized representative; and this provision shall apply to this clause as well as all other conditions of this lease.

35. DISCLAIMER

   This lease is effective only insofar as the rights of the United States in the premises are concerned; and the Lessee shall obtain such permission as may be required on account of any other existing rights. It is understood that the granting of this lease does not eliminate the necessity of obtaining any Department of the Army permit which may be required pursuant to the provisions of Section 10 of the Rivers and Harbors Act of 3 March 1899 (30 Stat. 1151; 33 U.S.C. § 403), or Section 404 of the Clean Water Act (33 U.S.C. § 1344).

IN WITNESS WHEREOF I have hereunto set my hand by authority/direction of the Secretary of the Army this _______ day of _________, _______.

STEPHEN R. ZELTNER
Chief, Real Estate Division
Tulsa District Corps of Engineers

THIS LEASE is also executed by the Lessee this 22nd day of Sept., 2004.

State of Oklahoma
Oklahoma Tourism and Recreation Commission

By: Robb A. Gray, Executive Director
Title: Oklahoma Tourism and Rec. Department & Commission
CERTIFICATE
OF
AUTHORITY

I, Leann Overstake, certify that I am the Secretary of the Oklahoma Tourism and Recreation Commission, named as Lessee herein; that Robb A. Gray, who signed this lease on behalf of said Lessee, was then Executive Director of the Oklahoma Department of Tourism and Recreation Commission; and that said lease was duly signed for and on behalf of the Oklahoma Tourism and Recreation Commission by authority of its governing body and is within the scope of its corporate powers.

Signed, Leann Overstake
Appropriate Officer

Seal

Leann Overstake
Sequoyah and Sequoyah Bay State Park

Lease Number DACW56-1-04-095
Section 1, 2, 3, 9, 10, 25, 26, 27, 34, 35, 36
Town Ship T16N and T17N, R19E
Approx: 2360 Acres +- Counties Wagoner and Cherokee Counties
Area in Blue State Owned

EXHIBIT A
RECREATION DEVELOPMENT AND MANAGEMENT PLAN

SEQUOYAH STATE PARK,
GOLF COURSE & WESTERN HILLS GUEST RANCH
Northeast Oklahoma
Park Manager's Office on-site

Lodge: Western Hills Guest Ranch
- full service restaurant
- 101 lodge rooms/suites
- 54 cottages
- plus group facility “The Bunkhouse” includes kitchen

& social area
(will accommodate 46)

Group Camp: (1)
- 10 bunkhouses/capacity 150 (includes 1 handicap
  access. cabin)
- fully-equipped kitchen/dining hall with restroom
- cooks' sleeping quarters
- 1 picnic shelter

Picnic Sites:
313 tables, 5 group ;picnic pavilions

Campsites: P=Preferred; PT=Pull-thru; H-Handicap Access.; PPT-Preferred Pull-thru

Water, Electric, Sewer (Modern)
- Trailer Park: amp hookups
  28 (PT3,H1) 23 are 50

Electric & Water (Semi-Modern)
- Seminole Area
- Cherokee
  70 (PT10) (Assigned Area)
  79 (P35,PT25,H1) (Assigned Area)

Without Utilities (Unimproved):
- Choctaw:
- Creek:
- Paradise Cove:
- Chickasaw:
  60
  45
  50
  35

Primitive Camping Area Available

Sanitary Facilities: 7 comfort stations w/showers
2 sanitary waste stations

Golf Course: 18 holes
practice range & putting green
Pro Shop / rental clubs/motor carts/pull carts

EXHIBIT B
Sequoyah State Park/Golf Course/Western Hills Guest Ranch
Page 2

Leisure Activities:
- fishing/boating/water skiing: 2 lighted boat ramps; 3 unlighted boat ramps
- Marina: (Lessee)
  - boat rentals
  - loading/unloading dock & gas dock
  - covered/uncovered slips
  - boat storage
  - bait/tackle
  - snack bar & groceries
  - covered fishing dock
  - paddle boats
- swimming: 1 pool at the lodge, 1 change house,
  1 beach (no lifeguards at beach)
- playcourts: 2 tennis courts, 2 volleyball courts
- playgrounds: 2 playgrounds for children
- stables: trailrides, hayrides, horse-drawn carriage &
  Little Cowboy Camp
- trails: 2 hiking (1 mi., 1/2 mi.), Eagle's Roost, Fossil Trail
  1 physical fitness (1 mi.), 12 miles mountain bike trail

Other Facilities:
- supervised recreation
- nature center (year-round programs)

Lake:
Ft. Gibson Lake: 19,900 surface acres
225 mi. shoreline (Corps of Engineers)

Revised 11/2002
SEQUOYAH BAY STATE PARK
Northeast Oklahoma
Park Manager's Office on-site

Picnic Sites: 191 tables; 4 group picnic pavilions, 12 individual picnic shelters

Campsites: P=Preferred; PT=Pull-thru; H-Handicap Access; PPT-Preferred Pull-thru

Electric & Water (Semi-Modern): (Assigned Area)
- Chief Attakulakulla (Cherokee): 24
- Chief Payamataha (Chickasaw): 26 (3 w/50 amp hookups)
- Chief Hulbutta Micco (Seminole): 11 (all are 50 amp hookups)
- Chief Pushmataha (Choctaw): 16 (P16)
  (Preferred Area)
- Chief Opolle-Yahola (Creek): 120 all are

portable pedestals
Without Utilities (Unimproved):
- Throughout the park: 108
- Chief Attakulakulla: 5

Sanitary Facilities:
5 comfort stations (with showers--2 handicap access.)
1 comfort station (without showers)
3 sanitary waste stations

Leisure Activities:
• fishing/boating/water skiing: 3 lighted & 1 unlighted boat ramps
• Marina: (LESSEE)
  - 5 cabins
  - boathouses & open slips/covered slips
  - gas dock, mooring dock
  - heated enclosed fishing dock
  - pontoon boat rentals
  - bait/tackle
  - snack bar & groceries
• swimming: 1 beach (no lifeguard)
• playcourts: 1 tennis court, 2 volleyball courts, 2 portable volleyball units
• playgrounds: basketball court
• 3 playgrounds

Lake:
Ft. Gibson Lake: 19,100 surface acres, 225 miles of shoreline
(Corps of Engineers)

B-3 (continued)
Proposed Facility Improvements

The attached listing includes the Long-Range Capital Planning Commission budget request for Sequoyah and Sequoyah Bay State Parks. In order of priority, the following improvements are planned for these parks within fiscal years 2005-2008.

Sequoyah Bay State Park

➤ Comfort Station – one new comfort station to serve both Pushmataha and Hulbutta Mecco areas. Est. cost $140,000.

➤ Campground Renovation – Replace campground pads and utilities as needed in all areas. Est. cost $300,000.

➤ Residence Renovation – Renovate manager’s residence including roof replacement and out buildings. Est. cost $30,000.

➤ Fishing Pond – Construct fishing pond with dock, gazebo and parking. Est. cost $75,000.

Sequoyah State Park

➤ Sewage System - Continue with project for renovation of new wastewater systems throughout the park. No est.

➤ Renovate golf course clubhouse – Replace the roof, siding and improve accessibility within the facility. Est. cost $20,000.

➤ Comfort Stations – Construct new restrooms at Paradise Cove and the Main Road Area. Est. cost $200,000.

➤ Lake Access Facilities – Replace all boat ramps and add courtesy docks at Creek and Paradise Cove. Est. cost $340,000.

➤ RV Rally Area – Convert south end of old airstrip into group RV Rally area. Est. cost $250,000.

➤ Erosion Control – Repair of shoreline along west side of park at Paradise Cove. Est. cost $200,000.

➤ Nature Trail – Construct accessible trail near the Nature Center. Est. cost $50,000.

B-4 (continued)
Lease No. DACW56-1-04-095

➢ Day Use Facilities – Renovate picnic shelters, replace playgroups, tables and grills. Est. cost $175,000.

➢ Multi-use Trail – Construct 8 foot wide trail from the park entrance to the lodge. Est. cost $300,000.

➢ Group Camp Renovation – Renovate or replace windows, doors, locks, siding, lighting and kitchen equipment. Est. cost $100,000.

➢ New golf course – develop new course out of the flood pool. Est. cost $3,750,000.

NOTE: PLEASE PAY CLOSE ATTENTION TO CONDITION 5. a. DEVELOPMENT PLANS
<table>
<thead>
<tr>
<th>PROJECT DETAILS</th>
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<td><strong>NAME</strong>: OKLAHOMA TOURISM &amp; RECREATION DEPARTMENT</td>
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<td><strong>PROJECT</strong></td>
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TULSA DISTRICT
CERCLA ENVIRONMENTAL BASELINE SURVEY (EBS)

Project: Fort Gibson Lake, Seq. and Seq. Bay State Parks
Title of Action: State Park Recreational Activities

Date of previous PAS/EBS, if any:

1. A comprehensive records search of the project office files, conducted by Darvin McClain/ Sandra Stiles on 16 Feb 99/ 8 March 99, indicated that storage, release, or disposal (as defined in 40 CFR Part 373) of hazardous material (as defined in 40 CFR Part 302.4):

   x  has*  ___ has not occurred on the property.

* Documentation supporting any positive findings are provided in the attached EBS Statement of Findings.

TULSA DISTRICT SECTION

3. A comprehensive records search of the SWT-OD-TR, or other/district files, conducted by the DEM, [مشخصی نشان دهنده نمی‌باشد] on [تاریخ مشخص نشان دهنده نمی‌باشد], indicated that storage, release, or disposal (as defined in 40 CFR Part 373) of hazardous materials (as defined in 40 CFR Part 302.4):

   x  has*  ___ has not occurred on the property.

* Documentation supporting all positive findings are provided in the attached EBS Statement of findings.

4. A comprehensive records search of the SWT-RE indicates that storage, release, or disposal (as defined in 40 CFR Part 373) of hazardous materials (as defined in 40 CFR Part 302.4).

5. Recommendations: x  has*  ___ has not occurred on the property.

* Documentation supporting all positive findings are provided in the attached EBS Statement of Findings.

   Proceed with described transactions. Notification on a warranty covenant statements are not required in transaction documents.

   Proceed with described transactions. Notification and warranty covenant statements are required in transaction documents as described in 42 USC 9620, 40 CFR 373.

ACCEPTED BY: [署名]  DATE: 7-22-07

TITLE:

Approved by: [署名]  Date

Chief, Real Estate Division

SWT Form 1054-e
21 July ‘91

Exhibit C
TULSA DISTRICT
CERCLA EBS STATEMENT OF FINDINGS (EBSOFF)

Office: Fort Gibson Lake, Seq state Park
Title of Action: Recreational Activities - New Lease

A. COMPREHENSIVE RECORDS SEARCH:
✓ 5/23/96 - 400 gallons of unleaded fuel spilled at Paradise Cove Marina. (Seq State Park) All fuel was contained within the earthen dike - no fuel was spilled into the lake. Sooner Emergency Response performed the cleanup.
✓ 5/18/96 - Fuel spill on the ground beneath the AST at Golf Course (Seq State Park). No effort was made at the time to clean it up.
✓ 6/18/96 letter received from Director of State Parks stated that the soil would be tested, contaminated soil removed, sent to approved landfill, soil retested to assure contamination removed, new soil replaced on site.

B. SITE INSPECTION:
✓ Seq Bay: 1300 Unleaded AST; 500 diesel AST; several barrels of Used Oil
Cypress Cove Marina: 10,000 UL AST; 3000 AST (empty)
Seq State Park: 2000 UL AST, 1000 Diesel AST
Golf Course 300 Diesel AST, 1000 gal. UL AST; pesticides (see attached list)
NE Regional Yard; 2000 Diesel AST, 1000 UL AST (scheduled to be replaced by another 1,000 gal tank)
NE yard is Used Oil satellite for other state parks; Paradise Cove Marina: 2000 UL AST; 1000 UL AST
Miscellaneous paints, thinners, solvents. Box marked "explosives" next to NE regional yard building - empty

C. OTHER SOURCES:
✓ Site Inspection at the NE Regional yard revealed an oil stain on the soil surrounding the "used oil" barrels. They are in the process of replacing a couple of their ASTs with newer ASTs from a decommissioned grocery store. Site inspection at maintenance yard at Sequoyah Bay State park revealed an oil stain on the soil where they drain the containment for the ASTs. There was also an "oil sheen" beneath one of the ASTs on the pavement outside the containment. Both areas store their "used oil" barrels inside the containment for the fuel ASTs. Both state parks will be notified by letter of the "oil stains" and provided guidance for cleanup. See attached pictures. See Additional comments attached

Completed by: Sandie E. Stiles
Date: 2/12/99

EXHIBIT C-2
Proponent: CESWT-00-TL
TULSA DISTRICT
CERCLA (PAS) STATEMENT OF FINDINGS

Office: Real Estate Division

Title of Action: Renewal of Lease to Sequoyah and Sequoyah Bay State Park, Lease Renewal NO. DACW-56-1-04-095

A. COMPREHENSIVE RECORDS SEARCH:

Real Estate Files revealed the storage and occasional unmeasured spill of hazardous materials as well as the disposal of UST and solid waste sites with additional comments as founded on ROA’s, Compliance Inspections, ERGO Inspections, Memo’s and letters for Sequoyah and Sequoyah Bay State Parks as dated below:

ERGO Inspections: 06/92, 08/97, 05/98, 04/99, 05/00, 03/01, 04/04.
EBS dated 05/12/02 listing of substances stored and tank size; Letter dated 31 Jan 77
Compliance Inspections: 03/85, 05/75, 05/95, 07/98, 05/92, 09/94; Memo Env Spec spill 6/4/98
ROA submitted for various approvals and deletions of land: 05/95, 02/99, 07/02

B. SITE INSPECTION:

C. OTHER SOURCES:

Completed by: [Signature]  9-10-04

EXHIBIT C-2

Date: 29 Feb 2000

Preparer: CESW-00-TR
WATER AND SANITARY SEWER CERTIFICATION

I hereby certify that the Oklahoma Tourism & Recreation Commission & Department, operating a public park or recreation area at Sequoyah and Sequoyah Bay State Parks project under Lease/License No. DACW56-1-04-095 has a water/sanitary system and the operation of (this) (these) system(s) will meet(s) Federal, State and local standards. Upon completion of the current wastewater improvements project underway at Sequoyah State Park.

Lessee/Licensee: Robb A. Gray, Executive Director
Date 7-22-07
Oklahoma Tourism and Recreation Department
CERTIFICATION OF COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT

In accordance with Condition 1B, I hereby certify that the OK Tourism & Rec. Commission & Dept. (lessee), operating a commercial concession or a public/private park or recreation area at the Sequoyah and Sequoyah Bay State Parks project under Lease No. DACW56-1-04-095 (is) (is not) in compliance with the American with Disabilities Act and the operation of these premises meets Federal, State and local standards.

If the leased area is not in compliance, below are deficiencies and a schedule for correction:

See attached documents.

Signed by: 
Lessee: 
Date 7-22-07

159
HANDICAP ACCESS PROGRAM ANALYSIS

AND

REMEDIAL PLAN TO ACHIEVE PROGRAM ACCESSIBILITY

Park: Sequoyah State Park
Inspector: Julie McIntyre
Resort Manager: J.W. Wright
Park Manager: Sterling Zearley
Date: May 18, 1994

BACKGROUND

This report is prepared in partial completion of the self-assessment report required under Section 504 of the Rehabilitation Act of 1973 and completes the overall handicap assessment process for Sequoyah State Park.

This report identifies the various recreational programs and services provided in the park. Utilizing the comprehensive program accessibility survey completed on the park, an analysis of each program or service was made and a remedial plan developed to achieve maximum program accessibility. Specific recommendations and priority ratings for making each program accessible are also included in the report.


The above noted items will be accomplished as funds are made available for this work. Estimated completion dates are noted after the description of the work.

1) Handicap accessible tent/day use sites. These sites should be installed in the Seminole and Choctaw areas, which have accessible comfort stations. (December 2007)

2) Development of handicap access to swimming beach and boating/fishing access dock. (December 2008)

3) Group camp facility rehabilitation for improved accessibility. (December 2010)
HANDICAP ACCESS PROGRAM ANALYSIS

AND

REMEDIAL PLAN TO ACHIEVE PROGRAM ACCESSIBILITY

Park: Sequoyah Bay State Park
Inspector: Julie McIntyre
Park Manager: Ed Tittle
Date: November 16, 1993

BACKGROUND

This report is prepared in partial completion of the self-assessment report required under Section 504 of the Rehabilitation Act of 1973 and completes the overall handicap assessment process for Sequoyah Bay State Park.

This report identifies the various recreational programs and services provided in the park. Utilizing the comprehensive program accessibility survey completed on the park, an analysis of each program or service was made and a remedial plan developed to achieve maximum program accessibility. Specific recommendations and priority ratings for making each program accessible are also included in the report.

The above noted items will be accomplished as funds are made available for this work. Estimated completion dates are noted after the description of the work.

1) Handicap accessible RV site, tent/ day-use site and shelter. --The proposed accessible RV site will be located in area B. The shelter and the tent/day-use site are located in the Beach Area. (December 2006)

2) Handicap access to tennis courts. —The tennis courts sit behind the main shelter. The handicap parking space at the shelter can be utilized to service the tennis courts also. By utilizing the handicap parking space at the shelter, only a walk to the tennis courts from the parking space is needed. Attention will be required to avoid a slope problem with this walkway or a handrail may be needed. (December 2007)

3) Development of handicap access to swimming beach and boating access dock. (December 2008)
33. OFFICIALS NOT TO BENEFIT

No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this lease or to any benefits to arise therefrom. However, nothing herein contained shall be construed to extend to any incorporated company if the lease be for the general benefit of such corporation or company.

34. MODIFICATIONS

This lease contains the entire agreement between the parties hereto, and no modification of this agreement, or waiver, or consent hereunder shall be valid unless the same be in writing, signed by the parties to be bound or by a duly authorized representative; and this provision shall apply to this clause as well as all other conditions of this lease.

35. DISCLAIMER

This lease is effective only insofar as the rights of the United States in the premises are concerned; and the Lessee shall obtain such permission as may be required on account of any other existing rights. It is understood that the granting of this lease does not eliminate the necessity of obtaining any Department of the Army permit which may be required pursuant to the provisions of Section 10 of the Rivers and Harbors Act of 3 March 1899 (30 Stat. 1151; 33 U.S.C. § 403), or Section 404 of the Clean Water Act (33 U.S.C. § 1344).

IN WITNESS WHEREOF I have hereunto set my hand by authority/direction of the Secretary of the Army this 27th day of September, 2004.

[Signature]

STEPHEN R. ZELINER
Chief, Real Estate Division
Tulsa District Corps of Engineers

[Signature]

THIS LEASE is also executed by the Lessee this 22nd day of

State of Oklahoma
Oklahoma Tourism and Recreation Commission

By: [Signature]
Robb A. Gray, Executive Director
Title: Oklahoma Tourism and Rec. Department & Commission
33. OFFICIALS NOT TO BENEFIT

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Tulsa District Corps of Engineers

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[Signature]

State of Oklahoma
Oklahoma Tourism and Recreation Commission

By: Robb A. Gray, Executive Director
Title: Oklahoma Tourism and Rec. Department & Commission