

July 29, 2004 Mgmt. Conf. - Continued

stated his understanding was that the Corps writes the regulations and the Levee District enforces those regulations, but somewhere there must be a clause allowing for a decision by the Levee District to be overruled, explaining why projects that the Levee District did not agree with were approved.

Keith stated it was not a matter of overruling, but rather a matter of politics. Dick advised Keith not to characterize the situation but rather just inform him as to how a project obtained approval which the Levee District disagreed with, stating it did not follow the Corps' written regulations. Keith stated it was approved because the Corps did not have a problem with it. Dick stated he felt it would be imperative that the group formed to create the comprehensive plan be comprised of people who are knowledgeable in the science involved in operating and maintaining the levee rather than the members being only representative of the business side of the matter. Dick continued by stating that this would allow a process to be formed that would be both enforceable and agreeable. Miller agreed. Dick stated that if all the people who have a say regarding what goes on at the river are not in agreement, the plan will never work. Dick continued by stating that the Stormwater Management System of the City of Tulsa is a good example of a partnership between flood control and recreation, because when it is not raining, the retention ponds are used for soccer fields. Dick addressed Miller and stated he felt she should contact INCOG to have this topic placed on the Board of Director's Meeting agenda. Miller agreed and stated she would contact INCOG to have the topic placed on the agenda for the manager's meeting.

Regarding the Sand Spring's Walking Trail, Keith stated the City of Sand Springs, in a meeting, had discussed with him their original plan for the trail, which Keith did not agree with because it took up too much space on the levee making it hard to maintain. Keith stated the City of Sand Springs then asked him what a more agreeable alternative would be. Keith stated he told them they could just concrete the slopes and then they could do whatever they wished and the levee would mow up to the concrete. Keith advised that upon his suggestion, a mutual agreement was made and he told the City of Sand Springs to forward their plans to Jack Ball since he would be the next step in the approval process. Keith stated the plans the City of Sand Springs forwarded to the Corps were not the plans that they had agreed on at the meeting, but rather plans closer fitting the original plan that had been denied. Keith stated the City of Sand Springs offered to take care of the maintenance of their project's portions of the levee. Keith advised he did not feel comfortable with allowing other entities to maintain the levee. Miller asked Calhoun to advise them of Sand Spring's side of the story. Calhoun stated he wanted to give the members some background information regarding the project. He continued by stating that the City of Sand Springs applied for a T21 Grant through transportation and received about \$500,000.00 to build the trail. Calhoun stated that in order to build the desired trail, it would need to cross the levee. Calhoun advised the City of Sand Springs hired a land consultant to design the trail, who informed them there was an issue with the slopes on the levee which, in order to comply with the federal handicap regulations, have to be at a specific incline. Calhoun stated that after receiving that information, they did in fact meet with Frank Keith, with the objective being not to hinder his mowing with the design on the trail. Calhoun stated that at the