



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT SILL
909 NW HAMILTON ROAD, SUITE 112
FORT SILL, OKLAHOMA 73503-9004

REPLY TO
ATTENTION OF:

**MEMORANDUM OF AGREEMENT
BETWEEN
UNITED STATES ARMY GARRISON (USAG) FORT SILL
AND
WICHITA MOUNTAINS NATIONAL WILDLIFE REFUGE (NWR), U.S. FISH &
WILDLIFE SERVICE**

SUBJECT: Support of the Lake Elmer Thomas Dam and Spillways

1. References:

a. DoD 4000.19-I, Interservice and Intragovernmental Support, 9 August 1995.

b. Lake Elmer Thomas Dam Standard Operating Procedure (SOP), National Inventory of Dams No. OK 00466, SAMMS No. 10008503, Wichita Mountains Wildlife Refuge, Oklahoma, United States Department of the Interior, Fish and Wildlife Service Region 2.

2. Purpose. To set forth the conditions under which Lake Elmer Thomas Dam and associated spillways on Fort Sill are maintained and inspected.

3. Background. Lake Elmer Thomas Dam and combined service and emergency spillways were constructed in 1992-1993 in a coordinated effort between Fort Sill and the Wichita Mountain Wildlife Refuge (Refuge) with the Refuge overseeing dam construction and Fort Sill overseeing spillway construction. Presently, the Refuge is responsible for maintenance of the concrete gravity dam and appurtenant work located on Refuge property, while Fort Sill is responsible for maintenance of the combined service and emergency spillway located on Fort Sill property. Inspections of the dam structures and the spillways have been completed by the Wichita Mountains NWR annually. This agreement formalizes the requirements for the Wichita Mountains NWR and Fort Sill to coordinate inspection and maintenance of the dam and spillways respectively. The Garrison has written and implements an Emergency Action Plan (EAP) to provide warning to Fort Sill in the event of a potential dam failure of the concrete gravity dam.

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4. **Scope.** This memorandum of agreement (MOA) applies to the Fort Sill Directorate of Public Works (DPW) and the Wichita Mountains National Wildlife Refuge and all personnel acting for either.

5. **Responsibilities of the United States Army Garrison Fort Sill (GARRISON).**

a. Maintain spillways located at Lake Elmer Thomas Recreation Area (LETRA).

(1) At least annually or more frequently as needed, Fort Sill DPW will remove debris from emergency spillways on Fort Sill as required (service conduits, emergency discharge channel and other areas around spillway) to ensure maximum operational capability of the spillway. All work will be accomplished in accordance with (IAW) federal regulatory guidance.

(2) At least annually or more frequently as needed, Fort Sill DPW will initiate procedures to fund and repair emergency spillways on Fort Sill (erosion repairs, foundation repairs, other repairs) to ensure maximum spillway operational capability.

b. At least annually or more frequently as needed, Fort Sill DPW will inspect LETRA emergency spillway, coordinating with the Wichita Mountains NWR to perform a joint inspection if at all possible. Fort Sill DPW will provide a copy of spillway inspection results and a repair action plan to the Wichita Mountains NWR upon completion of any inspection of the spillway.

c. In the case of the Lake Elmer Thomas Dam Emergency Action Plan, being activated Fort Sill DPW will provide surveillance, notification and evaluation of LETRA to the Refuge in accordance with the established notification and coordination procedures in the EAP.

6. **Responsibilities of the Wichita Mountains National Wildlife Refuge (WMNWR), U.S. Fish and Wildlife Service.**

a. Maintain Lake Elmer Thomas Dam.

(1) At least annually or more frequently as needed, the Refuge will remove debris as required to ensure maximum operational capability of the dam.

(2) At least annually or more frequently as needed, the Refuge will repair dam (e.g. foundation repairs, crack repairs, outlet works repairs, maintenance of discharge

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area) as required to ensure maximum operational capability of the dam. All work will be accomplished IAW federal regulatory guidance.

b. Inspections performed by the WMNWR of the Lake Elmer Thomas Dam shall also include the combined service spillway and the emergency spillway located on Fort Sill (LETRA). Efforts should be made to coordinating with Fort Sill DPW to perform a joint inspection if at all possible. WMNWR will provide a copy of the dam and spillway inspection results, including recommendations, Fort Sill DPW upon completion of any inspection of the dam structures and spillways.

c. The Refuge will continue to provide updates to the EAP to DPW and the Fort Sill Contingency Plans Office and include Fort Sill in EAP exercises.

7. Agreements and Understandings of All Parties.

a. This document survives the departure or position change of any of the signatories.

b. It remains in effect until canceled by mutual agreement or until canceled by 180 days advance written notice to the other party.

c. It shall be reviewed at least every three years and may be amended upon mutual consent of all parties.

d. Each party shall provide sufficient advance notice in writing to the other prior to changing, reducing, or terminating this agreement and/or any aspect of support provided.

e. Each party shall waive all claims against the other for compensation of any loss, damage, injury, or death occurring as a consequence of the performance of this agreement.

f. No provision of this agreement shall be interpreted to require the payment or obligation of funds in violation of the Anti-Deficiency Act, 31 USC 1341.

8. Points of Contact (POCs).

a. GARRISON.

(1) Technical POC. Leo Horn, Engineer, Directorate of Public Works, Fort Sill, OK, 73503, (580) 442-8565.

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(2) MOA POC. Ms. Winona Morris, Garrison Support Agreements Manager (SAM), Manpower and Agreements Division, Resource Management Office (RMO), 462 NW Hamilton Road, Fort Sill, OK 73503-9004, (580) 442-3560 [Bldg 467], fax ext. 7978, e-mail: winona.f.morris.civ@mail.mil or Mr. Joe Ragsdale, Agreements Analyst, (580) 442-5803, joe.p.ragsdale.civ@mail.mil.

b. WICHITA MOUNTAINS NATIONAL WILDLIFE REFUGE.

(1) POC. Ralph Bryant, Deputy Refuge Manager, Wichita Mountains NWR, Indianahoma, OK 73552 (580) 442-3222, e-mail ralph_bryant@fws.gov.

9. **Effective Date.** Date of the last signature below.



TONY BOOTH
Refuge Manager
Wichita Mountains NWR

April 2, 2013
(Date)



THOMAS R. KELLY
Deputy to the Garrison Commander

4 APRIL 2013
(Date)