APPENDIX C
FISH AND WILDLIFE COORDINATION ACT REPORT

DEPARTMENT OF THE ARMY
TULSA DISTRICT, CORPS OF ENGINEERS
1645 S. 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4629

REPLY TO
ATTENTION OF

November 12, 2003

Planning, Environmental, and Regulatory Division

SUBJECT: Environmental Assessment for Proposed Candy Lake Land Transfer,

U.S. Fish and Wildlife Service
Tulsa Field Office
Attn: Jerry Brabander, Field Supervisor
222 S. Houston, Suite A
Tulsa, Oklahoma 74127

Dear Mr. Brabander,

The U.S. Army Corps of Engineers, Tulsa District, intends to prepare an Environmental Assessment (EA) for the Candy Lake Land Transfer Project. The Corps will offer to return 26 tracts of land, originally purchased to create a multi-purpose flood control reservoir, to the previous landowners, and their descendents, at Fair Market Value. If the previous landowners do not have an interest in the tracts of land, the parcels will be processed through Federal screening. Attached is a map illustrating the approximate project location and project boundaries. The EA will evaluate the potential impacts of transferring this land to private ownership.

We are currently in the process of gathering the most current information available regarding Federally and state listed species potentially occurring within the vicinity of the project site. We respectfully request that your agency provide a list of the protected species that may occur within or near the site. We also request a description of the sensitive resources (e.g., rare or unique plant communities) that you believe may be affected by the proposed project. Any information you may have regarding critical habitat areas for these species would also be greatly appreciated.

The Corps conducted a public scoping meeting to solicit input from the general public. The scoping meeting was held on September 23, 2003 at the Barnsdall Elementary School. We were pleased to meet Richard Stark from your office at the meeting.

We also intend to provide your agency with a copy of the Draft EA once it is completed. Please inform us if additional copies are needed and/or if someone else within your agency other than you should receive the Draft EA.

Your prompt attention to this request would be greatly appreciated. If you have any questions, please call Ms. Cynthia Kitchens at (918) 669-7042.

Sincerely,

Jeffrey L. Waldie, Acting Chief
Environmental Analysis and
Compliance Branch

Enclosure

Copy furnished w/o enclosure

Ms. Cynthia Kitchens
U.S. Army Corps of Engineers
Tulsa District
1645 S. 101st East Avenue
Tulsa, OK 74128-4269

Mr. Melvin Freeman
General Services Administration
819 Taylor Street
Fort Worth, Texas 76102

✓Mr. Eric Webb
Gulf South Research Corporation
7602 GSRI Avenue
Baton Rouge, Louisiana 70820

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
222 S. Houston, Suite A
Tulsa, Oklahoma 74127

In Reply Refer To:
FWS/R2/OKES/02-14-04-I-0152

February 11, 2004

Jeffrey L. Waldie, Acting Chief
Environmental Analysis and Compliance Branch
U.S. Army Corps of Engineers
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4609

Dear Mr. Waldie:

The U.S. Fish & Wildlife Service (Service) has reviewed the U.S. Army Corps of Engineers' (Corps) request for information on federally-listed species and other sensitive natural resources that may occur in the Candy Reservoir Project area. The information would be used in an Environmental Assessment (EA) that is being prepared by the Corps.

The bald eagle *Haliaeetus leucocephalus* and American burying beetle *Nicrophorus americanus* are federally-listed species likely to occur near the project area. Bald eagles are not known to nest in the project area, but are likely to forage in the area at times. American burying beetles are not known to occur in the project area, but do occur in nearby counties. Suitable habitat exists in the project area and the Service recommends the Corps conduct surveys to determine the presence or absence of American burying beetles.

Other sensitive and relatively rare fish and wildlife resources occur in the project area. The Service and Oklahoma Department of Wildlife Conservation (ODWC) previously provided comments on some of these resources in 1997 (letters enclosed). Bottomland hardwoods, old growth post oak/blackjack forest, native grasslands, limestone outcrops, and glades all occur in the project area. The area includes a variety of habitat types that are important to migratory birds and other wildlife.

Lands with public access for hunting, fishing, hiking, birding, camping, and other recreational uses are limited in Oklahoma and the Candy Wildlife Management Area has provided much needed outdoor recreational opportunities relatively close to the Tulsa metropolitan area. The Service continues to support transfer of the Candy Project lands to the ODWC to maintain existing recreational opportunities in the region and to partially offset fish and wildlife habitat losses from construction of Birch and Skiatook reservoirs. The Corps proposed action would result in the loss of habitat and public recreational opportunities on 3,657 acres. The proposed action should be considered a major Federal action significantly affecting the quality of the human environment. Consequently an environmental impact statement (EIS) would be required

to comply with the National Environmental Policy Act (NEPA). An EA is not adequate for such a major action.

Thank you for allowing us the opportunity to provide information and comments. If you have any questions please contact Kevin Stubbs at (918) 581-7458 ext. 236.

Sincerely,

Jerry Brabander
Field Supervisor

Enclosure

cc: ARD-ES, U.S. Fish and Wildlife Service, Albuquerque, NM
Attn: Dean Watkins
Director, ODWC, Oklahoma City, OK
Attn: Natural Resources Division

TULSA ESFO
SUPERVISOR
ASST. SUPV.
ADMIN.
HENSLEY
LANGER
MARTIN
MARTINEZ
MEANS
WALSH
WILLIAMS
OFC. ASST.
O.A. ASST.
READ/FILE/RECYCLE/SHRED

8-11

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
222 S. Houston, Suite A
Tulsa, Oklahoma 74127

August 11, 1997

The Honorable Tom Coburn
U.S. House of Representatives
511 Cannon House Office Building
Washington, DC 20515

Dear Representative Coburn:

This concerns a proposal to return the Candy Lake Wildlife Management Area to private sector ownership through legislative action. The U.S. Fish and Wildlife Service (Service) has worked with the U.S. Army Corps of Engineers Corps), Oklahoma Department of Wildlife Conservation (ODWC), and other agencies over the past number of years on the disposition of lands in this de-authorized reservoir site. The Service's recommendation has always been that the 3,658 acres be retained under management of the ODWC, which has for the past ten years provided stewardship of the area through a formal agreement with the Corps.

As you know, Candy Reservoir was originally authorized as a part of a multi-reservoir project to control flooding in the Bird Creek basin. Because the Federal government did not obtain adequate interest in the mineral rights of the site, Candy was abandoned and subsequently de-authorized by Congress in December, 1996. The Corps has been in the process of declaring the property as excess. The Service has recommended on several occasions that ownership of the Candy lands be transferred to the ODWC at least in part to offset fish and wildlife-related habitat losses at Birch and Skiatook reservoirs.

Upwards of 97 percent of the land in Oklahoma is privately owned. Especially in the vicinity of our metropolitan areas, existing public lands are over crowded. Located within 30 miles of Tulsa, Candy Wildlife Management Area provides much needed outdoor recreational opportunities for thousands who are unable to gain access to private land.

Candy Wildlife Management Area supports a diversity of habitats and wildlife species. Bottomland hardwood habitat is found along the riparian zones of Candy Creek and its tributaries. Post oak/blackjack forest and native grasslands occur in the uplands. Limestone outcrops and glades are interspersed with these habitats to create a diverse mosaic of terrestrial cover types which are important to a wide array of resident and migratory wildlife species.

Candy Creek itself also provides unique aquatic habitat, with limestone streambeds and clear water.

Should you wish to discuss any aspects of Candy Reservoir lands, please contact me at 918/581-7458 ext. 224.

Sincerely,

Jerry J. Brabander
Field Supervisor