APPENDIX A

COORDINATION/CORRESPONDENCE

Mailing List for Cowskin Creek Local Flood Protection Project Draft EA

Senator Sam Brownback
225 North Market St.
Suite 120
Wichita, KS 67202

Senator Pat Roberts
155 North Market St.
Suite 120
Wichita, KS 67202

Congressman Todd Tiahrt
155 North Market St.
Suite 400
Wichita, KS 67202

Senator Les Donovan
Kansas Senate
Room 120-S
State Capitol Building
Topeka, KS 66612

Senator Nancey Harrington
Kansas Senate
Room 143-N
State Capitol Building
Topeka, KS 66612

Representative Joe McLeland
Kansas House of Representatives
Room 182-W
State Capitol Building
Topeka, KS 66612

Representative Dale Swenson
Kansas House of Representatives
Room 556-N
State Capitol Building
Topeka, KS 66612

Representative Daniel Thimesch
Kansas House of Representatives
Room 278-W
State Capitol Building
Topeka, KS 66612

Mr. William Gill
U.S. Fish and Wildlife Service
Kansas State Office
315 Houston, Suite E
Manhattan, KS 66502-6172

Mr. J. Michael Hayden
Secretary
Kansas Department of Wildlife and Parks
900 SW Jackson St., Suite 502
Topeka, KS 66612

Mr. James B. Gulliford
Regional Administrator, Region 7
U.S. Environmental Protection Agency
901 N. 5th Street
Kansas City, KS 66101

Mr. Harold L. Klaege
State Conservationist
USDA Natural Resource Conservation Service
760 South Broadway
Salina, KS 67401-4642

Mr. Clyde D. Graeber
Secretary
Kansas Department of Health and Environment
1000 SW Jackson
Topeka, KS 66612

Mr. John Wine
Chairman
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-2425

Mr. David L. Pope
Chief Engineer
Kansas Department of Agriculture
Division of Water Resources
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283

Mr. Dennis Carlson
District Forester
Kansas Forest Service
9 West 28th Suite B
Hutchison, KS 67502-3453

Mr. Al LeDoux
Director
Kansas Water Office
901 S. Kansas Avenue
Topeka, KS 66612

Mr. Paul M. Liechti
Kansas Biological Survey
2041 Constant Avenue
Lawrence, KS 66047

Ms. Tracy Streeter
Executive Director
Kansas State Conservation Commission
109 SW 9th Street, Suite 500, Mills Bldg.
Topeka, KS 66615-1099

Ms. Mary R. Allman
State Historic Preservation Officer
Historic Preservation Office
Kansas State Historical Society
6425 SW 6th Avenue
Topeka, KS 66615-1099

Mr. Gary McAdams
Wichita and Affiliated Tribes of Oklahoma
P. O. Box 729
Anadarko, OK 73005

Commissioner Tom Winters, District 3
Sedgwick County Board of Commissioners
525 North Main St.
Suite 320
Wichita, KS 67203

Chair Carolyn McGinn, District 4
Sedgwick County Board of Commissioners
525 North Main St.
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Sedgwick County Emergency Management
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Wichita, KS 67203

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Director
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Sedgwick County Environmental Resources
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Wichita, KS 67209

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Wichita, KS 67235

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Wichita, KS 67209

Mr. John Hastings
506 Wetmore
Wichita, KS 67209

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Wichita, KS 67223

Mr. R. L. McFall
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Wichita, KS 67209

Mr. Walter Seiler
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Colwich, KS 67030

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

February 15, 2001

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. William H. Gill
State Supervisor
U.S. Fish and Wildlife Service
315 Houston, Suite E
Manhattan, KS 66502

Dear Mr. Gill:

The Tulsa District, U.S. Army Corps of Engineers is preparing an Environmental Assessment addressing the Cowskin Creek local flood protection project in Wichita, Kansas. The proposed project consists of channelization along 2 portions of Cowskin Creek from Kellogg to Maple and Maize to Central and the construction of a flood detention pond in Sec 14, T27S, R2W within the North Fork of the Calfskin Creek basin at a location downstream of the Dry Creek diversion. The project may require removal of vegetation along Cowskin Creek and excavation and construction of an earthen embankment for the detention pond.

In accordance with Section 7 of the Endangered Species Act of 1973, as amended, the Tulsa District is requesting an official updated list of Federally endangered or threatened species of concern for the above- mentioned location in Kansas.

Sincerely,

David L. Combs
Chief, Environmental Analysis and
Compliance Branch

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

February 15, 2001

Planning, Environmental, and Regulatory Division
Environmental Analysis and Compliance Branch

Mr. Chris Mammolitti
Kansas Department of Wildlife and Parks
Environmental Services Section
512 SE 25th Avenue
Pratt, KS 67124

Dear Mr. Mammolitti:

The Tulsa District, U.S. Army Corps of Engineers is preparing an Environmental Assessment addressing the Cowskin Creek local flood protection project in Wichita, Kansas. The proposed project consists of channelization along 2 portions of Cowskin Creek from Kellogg to Maple and Maize to Central and the construction of a flood detention pond in Sec 14, T27S, R2W within the North Fork of the Calfskin Creek basin at a location downstream of the Dry Creek diversion. The project may require removal of vegetation along Cowskin Creek and excavation and construction of an earthen embankment for the detention pond.

The Tulsa District is requesting an official updated list of endangered or threatened species of concern for the above-mentioned location in Kansas.

Sincerely,

David L. Combs
Chief, Environmental Analysis and
Compliance Branch

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Kansas Field Office
315 Houston Street, Suite E
Manhattan, Kansas 66502-6172

March 13, 2001

David L. Combs
Environmental Analysis and Compliance
Tulsa District, Corps of Engineers
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4609

Dear Mr. Combs:

This is in response to your letter of February 15, 2001, describing an environmental assessment for the proposed Cowskin Creek local flood protection project in Wichita, Sedgwick County, Kansas. You requested an official updated list of federally-listed threatened and endangered species in this area. Based on our review of the proposed action area, we have no records of occurrence of any listed or proposed species.

Thank you for this opportunity to comment on the proposal. If you have additional comments or questions, please direct them to me or Dan Mulhern of this office.

Sincerely,

William H. Gill

William H. Gill
Field Supervisor

cc: KDWP, Pratt, KS (Environmental Services)

WHG/dwm

STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS
Operations Office
512 SE 25th Ave.
Pratt, KS 67124-8174
Phone: (620) 672-5911 FAX: (620) 672-6020

March 19, 2001

Mr. David L. Combes, Chief
COE, Environmental Analysis and Compliance Branch
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Ref: D1.0500
Sedgwick
Track: 20010093

RE: T&E List for Cowskin Cr. flood protection project

Dear Mr. Combes:

This will acknowledge receipt on February 22, 2001 of your request for an updated list of endangered or threatened species of concern for the Cowskin Creek local flood protection project in Wichita, KS. The proposed project consists of channelization along two portions of Cowskin Creek from Kellogg to Maple and Maize to Central and construction of a flood detention pond in SEC 14, T27S, R2W, within the North Fork of the Calfskin Creek basin at a location downstream of the Dry Creek diversion. Vegetation removal along Cowskin Creek might be required including the excavation and construction of an earthen embankment for the detention pond.

Enclosed are a list of threatened and endangered species known or likely to occur in and lists of species in need of conservation known to currently occur in Sedgwick Co., KS. We note that the state-listed threatened eastern spotted skunk (*Spilogale putorius interrupta*) is known to currently occur in Sedgwick Co., and critical habitat has been designated as all suitable habitats within the Cowskin Creek and Big Slough drainage basins located in Sedgwick Co. The skunk could be affected by activities in the proposed project including riparian vegetation removal. Cowskin Creek is tributary to the Arkansas River which has been designated as critical habitat for the state-listed threatened Arkansas darter (*Etheostoma cragini*) and endangered Arkansas River shiner (*Notropis girardi*).

If you have any questions or comments, please contact me. Thank you for the opportunity to provide these comments.

Sincerely,

Chris D. Hase

Chris D. Hase, Aquatic Ecologist
Environmental Services Section

Enclosures

xc: KDWP Reg. 4 Sup., Swan

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

October 3, 2002

Planning, Environmental, and Regulatory Division

William H. Gill, State Supervisor
U. S. Fish and Wildlife Service
315 Houston, Suite E
Manhattan, KS 66502

Attention: Mr. Dewey Caster

Dear Mr. Gill:

Enclosed is a copy of the Preliminary Design Report for channel modifications between Kellogg and Maple Street for the Cowskin Creek Section 205 Project, Wichita, Kansas. The report describes the recommended channel alternative for the project which will be the recommended alternative in the Environmental Assessment. The proposed project consists of channelization along one bank of Cowskin Creek from Kellogg upstream to Maple. The project would require removal of vegetation and excavation along the east bank of Cowskin Creek as described in the enclosed report. This information is being furnished to assist you in preparing the Fish and Wildlife Coordination Act Report for this project. This information also is being provided to Mr. Chris Mammolitti, Kansas Department of Wildlife and Parks, Pratt, Kansas.

If you have any questions or require additional information please contact Mr. Jerry Sturdy at 918-669-4397.

Sincerely,

Louis E. Vogle, Jr.

for Larry D. Hogue, P.E.
Chief, Planning, Environmental,
and Regulatory Division

Enclosure

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

October 3, 2002

Planning, Environmental, and Regulatory Division

OCT 2002

Chris Mammolitti
Kansas Department of Wildlife and Parks
Environmental Services Section
512 SE 25th Ave.
Pratt, KS 67124

Dear Mr. Mammolitti:

Enclosed is a copy of the Preliminary Design Report for channel modifications between Kellogg and Maple Street for the Cowskin Creek Section 205 Project, Wichita, Kansas. The report describes the recommended channel alternative for the project which will be the recommended alternative in the Environmental Assessment. The proposed project consists of channelization along one bank of Cowskin Creek from Kellogg upstream to Maple. The project would require removal of vegetation and excavation along the east bank of Cowskin Creek as described in the enclosed report. This report is being furnished to assist you in addressing your concerns regarding species of special interest that might be affected by the project. This information also is being provided to Mr. Dewey Caster, U. S. Fish and Wildlife Service, Manhattan, Kansas to assist him in preparing the Fish and Wildlife Coordination Act report for this office.

If you have any questions or require additional information please contact Mr. Jerry Sturdy at 918-669-4397.

Sincerely,

Louis E. Vogele, Jr.

for Larry D. Hogue, P.E.
Chief, Planning, Environmental,
and Regulatory Division

Enclosure

STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS
Operations Office
512 SE 25th Ave.
Pratt, KS 67124-8174
Phone: (620) 672-5911 FAX: (620) 672-6020

31 October 2002

Mr. Larry D. Hogue, Chief
COE, Planning, Environmental, and Regulatory Division
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Ref: D1.0500
Sedgwick
Track: 20010093

RE: Preliminary Design Report for Cowskin Creek Flood Project

Dear Mr. Hogue:

This will acknowledge receipt on 7 October 2002 of the Preliminary Design Report for the Cowskin Creek flood project. The proposed project includes channelization along Cowskin Creek from Kellogg to Maple and berm modifications on the berm labeled as Alternative 1 in the attachment. The project is in the W ½ of Section 29 and the SW ¼ of Section 20, T27S, R1W, Sedgwick County, Kansas. The project purpose is to reduce the risk of flood damage to structures along Cowskin and Calfskin creeks.

As the project is currently proposed, we consider it an impact level 2, meaning the project could cause significant negative effects to terrestrial or aquatic wildlife or their habitats. As you know, the project is in an area designated as critical habitats for the state-threatened eastern spotted skunk. In Sedgwick County, the skunk relies heavily on riparian vegetation for its habitats. The project includes removing riparian vegetation. Critical habitats are protected in Kansas Statute Annotated 32-963 and Kansas Administrative Regulation 115-15-3 under the Kansas Nongame and Endangered Species Conservation Act (K.S.A. 32-957 to 963, 32-1009 to 1012, and 32-1033). These statutes and regulations require special Department action permits for projects affecting critical habitats for state-listed threatened or endangered species.

The report includes potential mitigation for unavoidable loss or disturbance of these habitats. We note that the Corps' previous threatened and endangered species information request included plans for a detention structure in Section 14. We would like to know whether a detention structure or similar structure has been considered on the crop land in the east half of Section 29 where the currently proposed project will be. More specifically, we would like to know whether a detention structure could be constructed in the aforementioned area or similar area. This type of situation would require little if any riparian habitat removal or disturbance. This would allow more riparian habitats to be left in place, thus preserving habitats for the skunk and many other species of wildlife that rely on these types of habitats in Kansas.

Our first approach to project reviews is to consider all possible alternatives that avoid or reduce negative effects to natural resources. Being unfamiliar with the Preliminary Watershed Master Plan for the Cowskin Creek watershed, we are concerned that this project approach would work

to help reduce flooding in these local areas, but might increase flood levels downstream. Mitigation can help replace these lost habitat values, but will set riparian habitats within the current project area back in terms of the current stage of natural succession and could set other areas back if problems are merely transferred downstream and addressed in piecemeal fashion. Thus, we encourage the Corps to ensure that all possible alternatives are considered during this early phase when project plans can more easily be revised. Alternatives to consider include detention structures and wetlands that could hold or absorb waters during these higher flows and release them slowly in a way that meets the same goals set forth in the current project proposal without or with reduced channelization of Cowskin Creek.

This project as it is currently designed will require a Department of Wildlife and Parks Action Permit. We will need to conduct habitat assessments to assign habitat values to calculate habitat units for any mitigation requirements. If you have any questions or comments, please contact me. Thank you for the opportunity to provide these comments.

Sincerely,

Chris Hase

Chris Hase, Aquatic Ecologist
Environmental Services Section

xc: KDWP Reg. 4 F&W Sup., Swan
USFWS, Gill

AFFIDAVIT

STATE OF KANSAS \
- SS.
County of Sedgwick /

Milt Mounts, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle for

__2____ consecutive issues - weeks, that the first publication of said notice was

made as aforesaid on the__23nd__day, of

May_____A.D. __2002__, with

subsequent publications being made on the following dates:

May 30, 2002

And affiant further says that _____ he has personal knowledge of the statements above set forth and that they are true.

Milt Mounts

Subscribed and sworn to before me this

22nd Day of May ,2002

Norma J. Hoch

Notary Public Sedgwick County, Kansas

NORMA J. HOCH
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 8-12-02

My Appointment Expires August 12th, 2002

Printer's Fee __$336.00__

Published in The Wichita Eagle
May 23 & 30, 2002 (#1628411)

— *Announcing* —

PUBLIC MEETING

as related to the

Wichita, Kansas, Cowskin Creek Feasibility Study

in compliance with

Section 205 of the 1948 Flood Control Act

The U.S. Army Corps of Engineers and City of Wichita will co-host a public meeting to inform the public about the Corps' Cowskin Creek flood control feasibility study and to solicit comments and questions. The meeting will consist of presentations by the City on the overall progress of flood protection measures in the Cowskin Creek Basin, and by the Corps of Engineers on the Section 205 project. The meeting will begin at 7:00 p.m., and will be held at the following location:

Wichita, Kansas, Public Meeting
Sedgwick County Extension Education Center
4-H Hall
7001 West 21st Street North
Wichita, KS
Wednesday, June 5, 2002
Time: 7:00 p.m.

The Corps of Engineers Feasibility study investigates the flood problems of the Cowskin Creek Basin area, evaluates a variety of alternatives developed by the City to reduce future flooding, identifies other concerns or needs of the project area, and formulates a recommended plan of action or non-action per the Continuing Authorities Program, Section 205 guidelines. The Corps evaluation includes consideration of environmental impacts that may occur as a result of each alternative. The environmental impact evaluation is done in compliance with the National Environmental Policy Act (NEPA). The first step in the NEPA process is the scoping activity involving input from the public about potential alternatives and related impacts. As part of the scoping activity, the Corps requests that the public; interested parties; and Federal, State, and local agencies identify environmental issues related to the project alternatives. Comments and questions can be forwarded to:

Mr. Stephen L. Nolen
ATTN: CESWT-PE-E
U.S. Army Corps of Engineers, Tulsa District
1645 S. 101st East Avenue
Tulsa, OK 74128-4629
Phone: 918-669-7660 **e-mail: Stephen L. Nolen@usace.army.mil**