

# **APPENDIX B**

## **RESOURCE AGENCY COORDINATION INFORMATION**



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

November 16, 2005

Planning and Environmental Division  
Environmental Analysis and Compliance Branch

Mr. Greg Duffy, Director  
Oklahoma Department of Wildlife Conservation  
P.O. Box 53465  
Oklahoma City, OK 73152-3465

Dear Mr. Duffy,

This is to inform you that the Tulsa District has begun evaluating the potential impacts related to the relocation of recreation facilities proposed in a previous environmental assessment (EA) entitled, Environmental Assessment for CrossTimbers Project at Skiatook Lake, Oklahoma dated February 13, 2003, which can be found at the following website: <http://www.swt.usace.army.mil/library/library.cfm> The Skiatook Economic Development Authority (SEDA) and StateSource, LLC have altered development plans presented in the above referenced EA for Skiatook Point and Tall Chief Cove at Skiatook Lake, Oklahoma. The preferred alternative being assessed would include the development of a public golf course at Tall Chief Cove encompassing approximately 121 acres and the development of public camping facilities and an RV park at Skiatook Point encompassing approximately 350 acres.

We are currently in the process of gathering the most current information available regarding federally and state listed species potentially occurring within the project area. The project area consists of USACE property leased to SEDA located in portions of Sections 25, 26, 27, and 35 of Township 22 North, Range 11 East and Sections 2, 3, and 4 of Township 21 North, Range 11 East in Osage County, Oklahoma. 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, conservation landscapes) 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.

If you have any questions or require additional information, please contact Ms. Sandra Stiles at 918-669-7662 or Dr. Tony Clyde at 918-669-7556.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen L. Nolen".

Stephen L. Nolen  
Chief, Environmental Analysis  
and Compliance Branch

Enclosure



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

16 November 2005

Planning and Environmental Division  
Environmental Analysis and Compliance Branch

Mr. M. Darrel Dominick, State Conservationist  
United States Department of Agriculture  
Natural Resources Conservation Service  
100 USDA, Suite 206  
Stillwater, OK 74074-2655

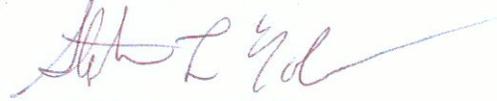
Dear Mr. Dominick,

This is to inform you that the Tulsa District has begun evaluating the potential impacts related to the relocation of recreation facilities proposed in a previous environmental assessment (EA) entitled, Environmental Assessment for CrossTimbers Project at Skiatook Lake, Oklahoma, dated February 13, 2003, which can be found at the following website: <http://www.swt.usace.army.mil/library/library.cfm> The Skiatook Economic Development Authority (SEDA) and StateSource, LLC have altered development plans presented in the above referenced EA for Skiatook Point and Tall Chief Cove at Skiatook Lake, Oklahoma. The preferred alternative being assessed would include the development of a public golf course at Tall Chief Cove encompassing approximately 121 acres and the development of public camping facilities and an RV park at Skiatook Point encompassing approximately 350 acres.

We are currently in the process of gathering the most current information available regarding prime and unique farm land potentially occurring within the project area. The project area consists of USACE property leased to SEDA located in portions of Sections 25, 26, 27, and 35 of Township 22 North, Range 11 East and Sections 2, 3, and 4 of Township 21 North, Range 11 East in Osage County, Oklahoma. We respectfully request that your agency provide an inventory of any prime farmlands which may occur within or near the site.

If you have any questions or require additional information, please contact Ms. Sandra Stiles, 918-669-7662 or Dr. Tony Clyde, 918-669-7556.

Sincerely,

A handwritten signature in red ink, appearing to read "S. L. Nolen", with a long horizontal flourish extending to the right.

Stephen L. Nolen  
Chief, Environmental Analysis  
and Compliance Branch

Enclosure



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

16 November 2005

Planning and Environmental Division  
Environmental Analysis and Compliance Branch

Mr. Jerry Brabander, Field Supervisor  
U.S. Fish and Wildlife Service  
222 S. Houston, Suite A  
Tulsa, OK 74127

Dear Mr. Brabander,

This is to inform you that the Tulsa District has begun evaluating the potential impacts related to the relocation of recreation facilities proposed in a previous environmental assessment (EA) entitled, Environmental Assessment for CrossTimbers Project at Skiatook Lake, Oklahoma, dated February 13, 2003, which can be found at the following website: <http://www.swt.usace.army.mil/library/library.cfm> The Skiatook Economic Development Authority (SEDA) and StateSource, LLC. have altered development plans presented in the above referenced EA for Skiatook Point and Tall Chief Cove at Skiatook Lake, Oklahoma. The preferred alternative being assessed would include the development of a public golf course at Tall Chief Cove encompassing approximately 121 acres and the development of public camping facilities and an RV park on Skiatook Point encompassing approximately 350 acres.

In accordance with Section 7 of the Endangered Species Act of 1973, as amended, the District is requesting an official list of Federally listed threatened or endangered species which might be effected by the proposed action. The project area consists of USACE property leased to SEDA located in portions of Sections 25, 26, 27, and 35 of Township 22 North, Range 11 East and Sections 2, 3, and 4 of Township 21 North, Range 11 East in Osage County, Oklahoma. Pertinent information and a description of the proposed action are enclosed herein. If you have any

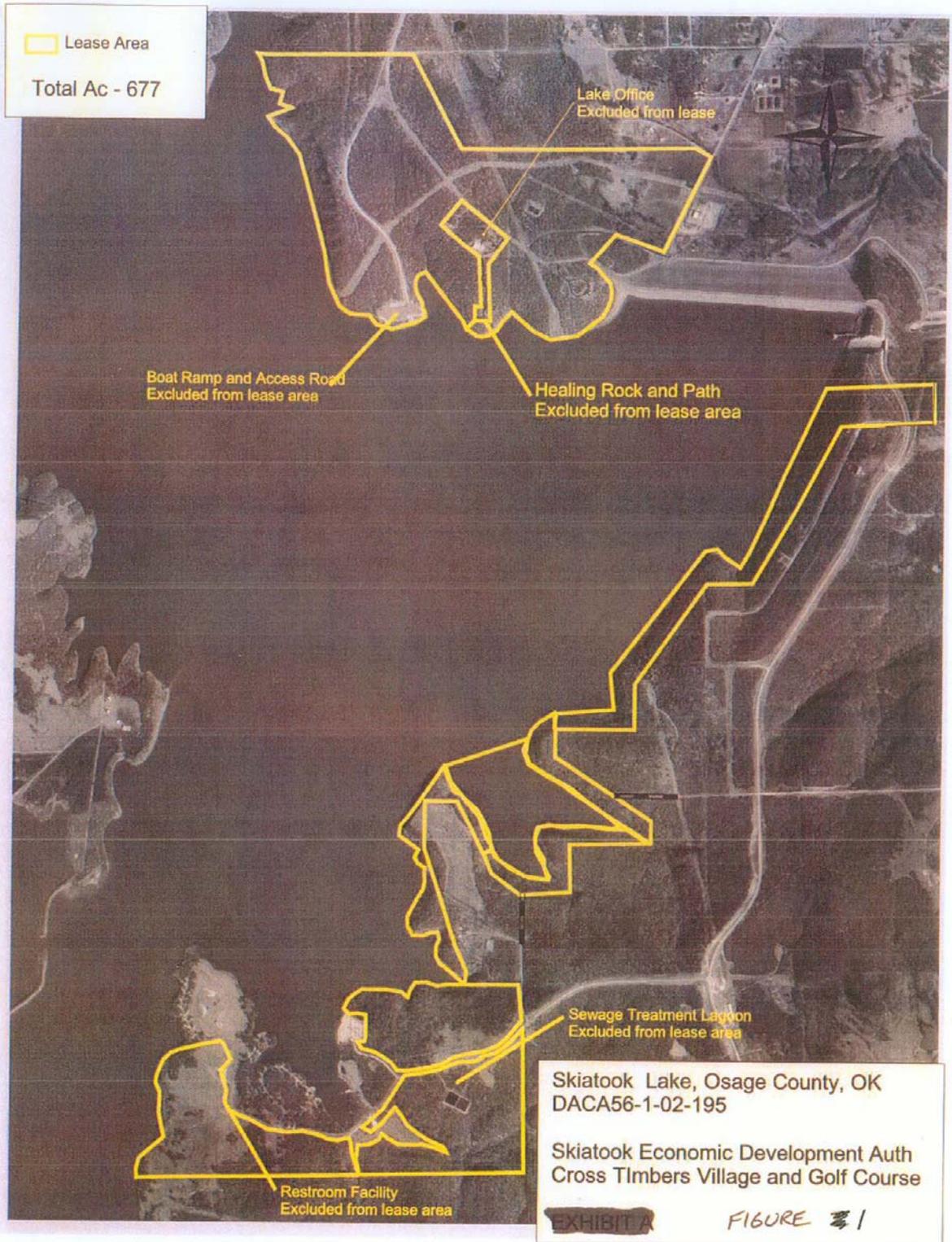
questions or require additional information, please contact Ms. Sandra Stiles, 918-669-7662 or Dr. Tony Clyde, 918-669-7556.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stephen L. Nolen". The signature is fluid and cursive, with a large initial "S" and "L".

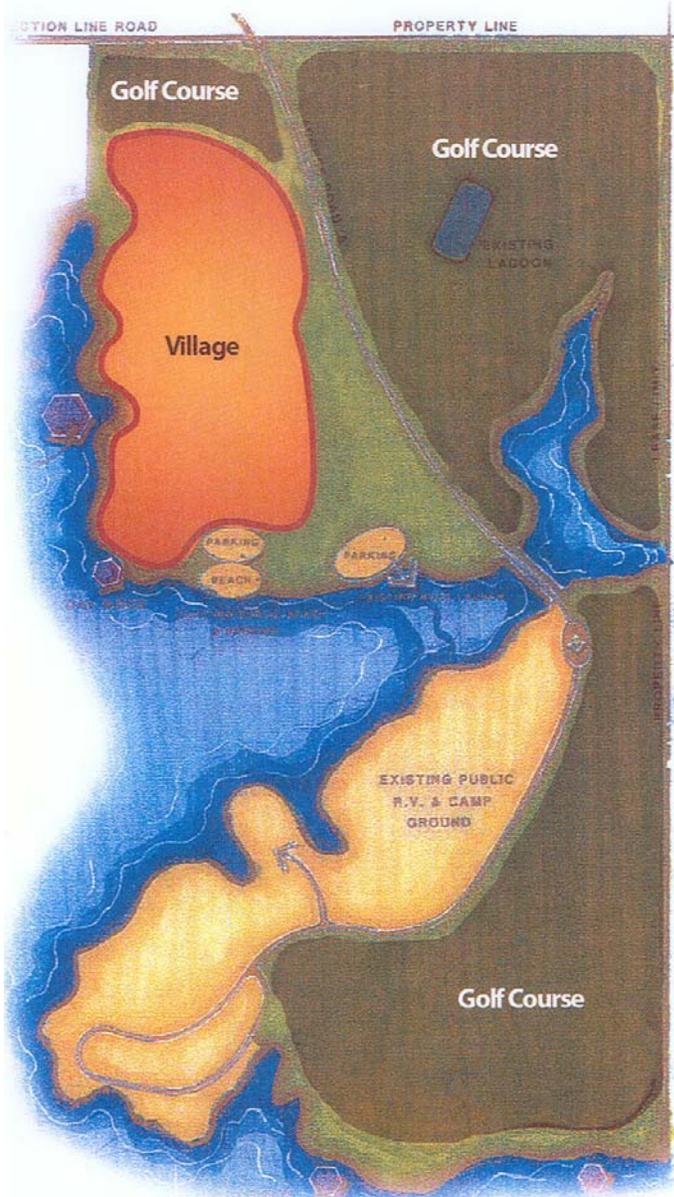
Stephen L. Nolen  
Chief, Environmental Analysis  
and Compliance Branch

Enclosure



  
**CrossTimbers**  
**Land Plan**

FIGURE 2



Uses may be relocated within the lease area with the approval of the USACE

  
**CrossTimbers**  
**Land Plan**



FIGURE 3

Uses may be relocated within the lease area with the approval of the USACE



United States  
Department of  
Agriculture

Natural  
Resources  
Conservation  
Service

Natural Resource Conservation Service  
1000 W. Main, STE. 102  
RT. 1 Box 650  
PAWHUSKA, OK. 74056

12/12/05

Stephen L. Nolen  
Chief Environmental Analysis and Compliance Branch  
Department of the Army  
Corps of Engineers, Tulsa District  
1645 South 101<sup>ST</sup> East Avenue  
Tulsa, Oklahoma 74128-4609

RE: Environmental Assessment for CrossTimbers Project at Skiatook Lake, Oklahoma

Dear Mr. Nolen,

Enclosed is a list of all the soils in the sections that were listed in the letter of November 16<sup>th</sup>. The Soils Report shows the soil name, percent slope, chance of flooding, depth to rock and other things that might keep it out of being prime farmland. It also has the rating of wheter it is considered prime farmland or not. There are also maps of each of the sections showing where the soils are located. The symbols match those on the Soils Report list.

If you have any questions or want more information, please contact us.

Sincerely,

John Enfield  
Rangeland Management Specialist

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

## Soils Report

### Farmland Classification

**Soil Survey:** Osage County, Oklahoma

**Survey Status:** -

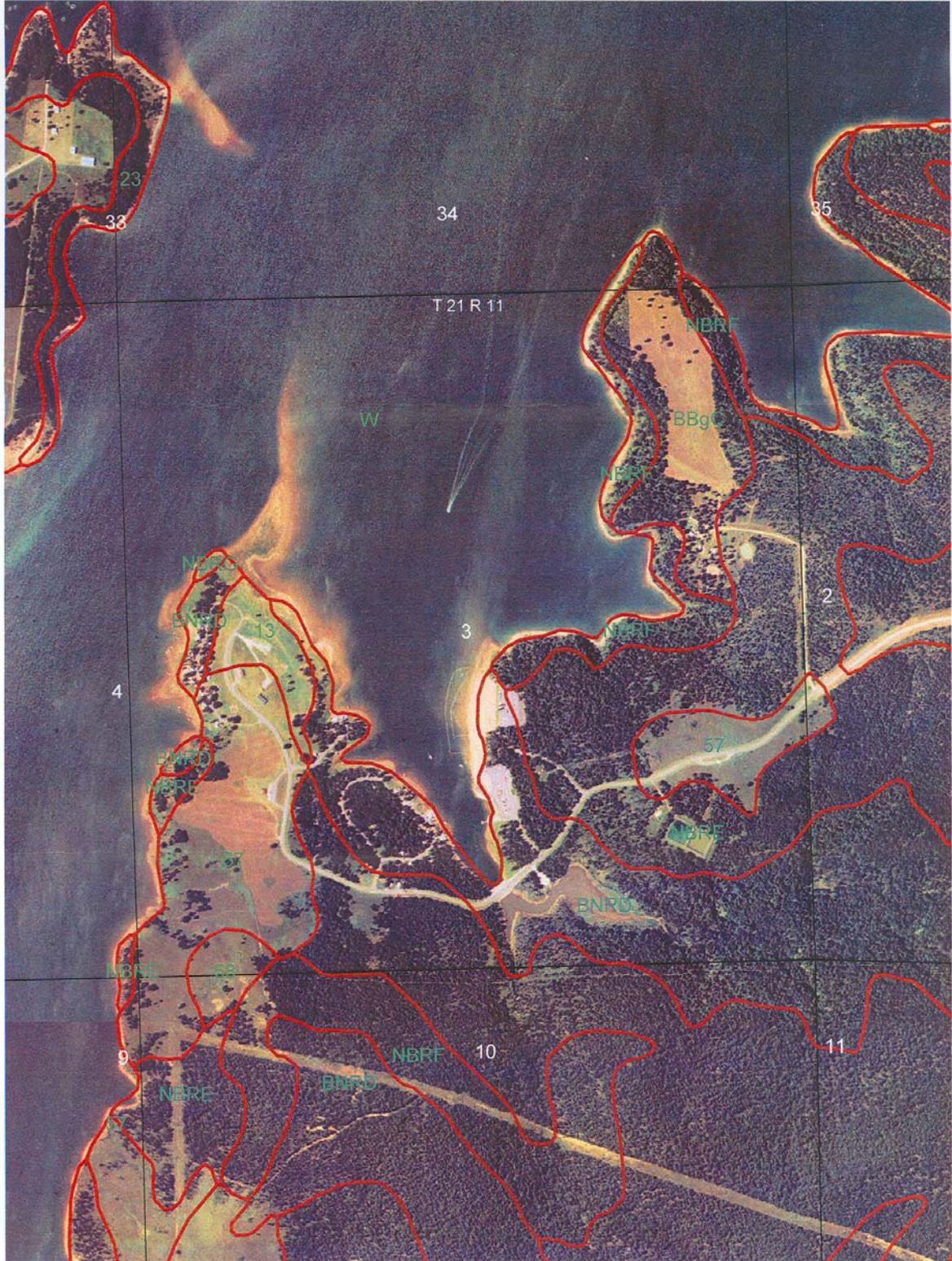
**Correlation Date:** 05/01/1975

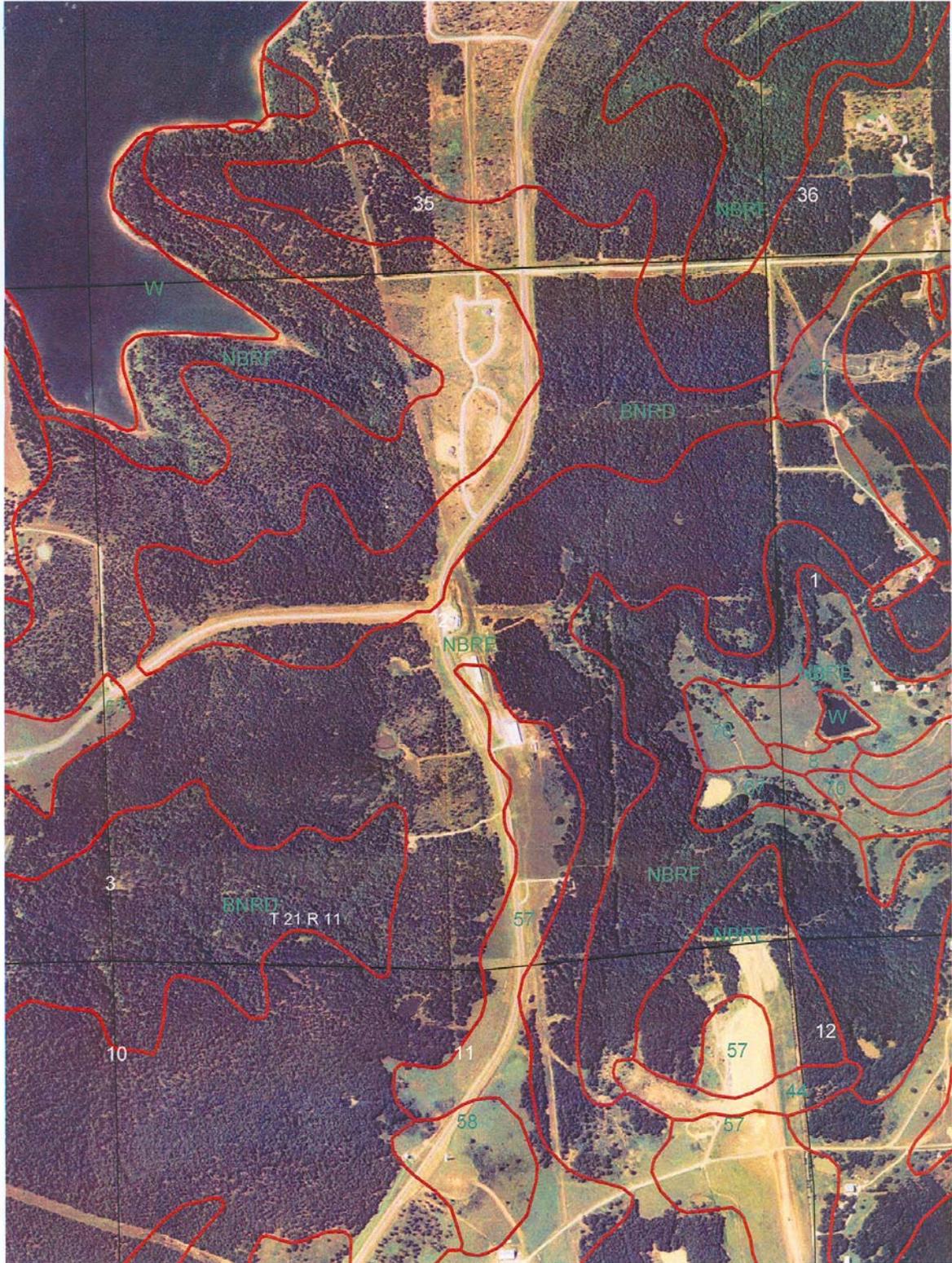
**Distribution Date:** 10/05/2004

#### Map

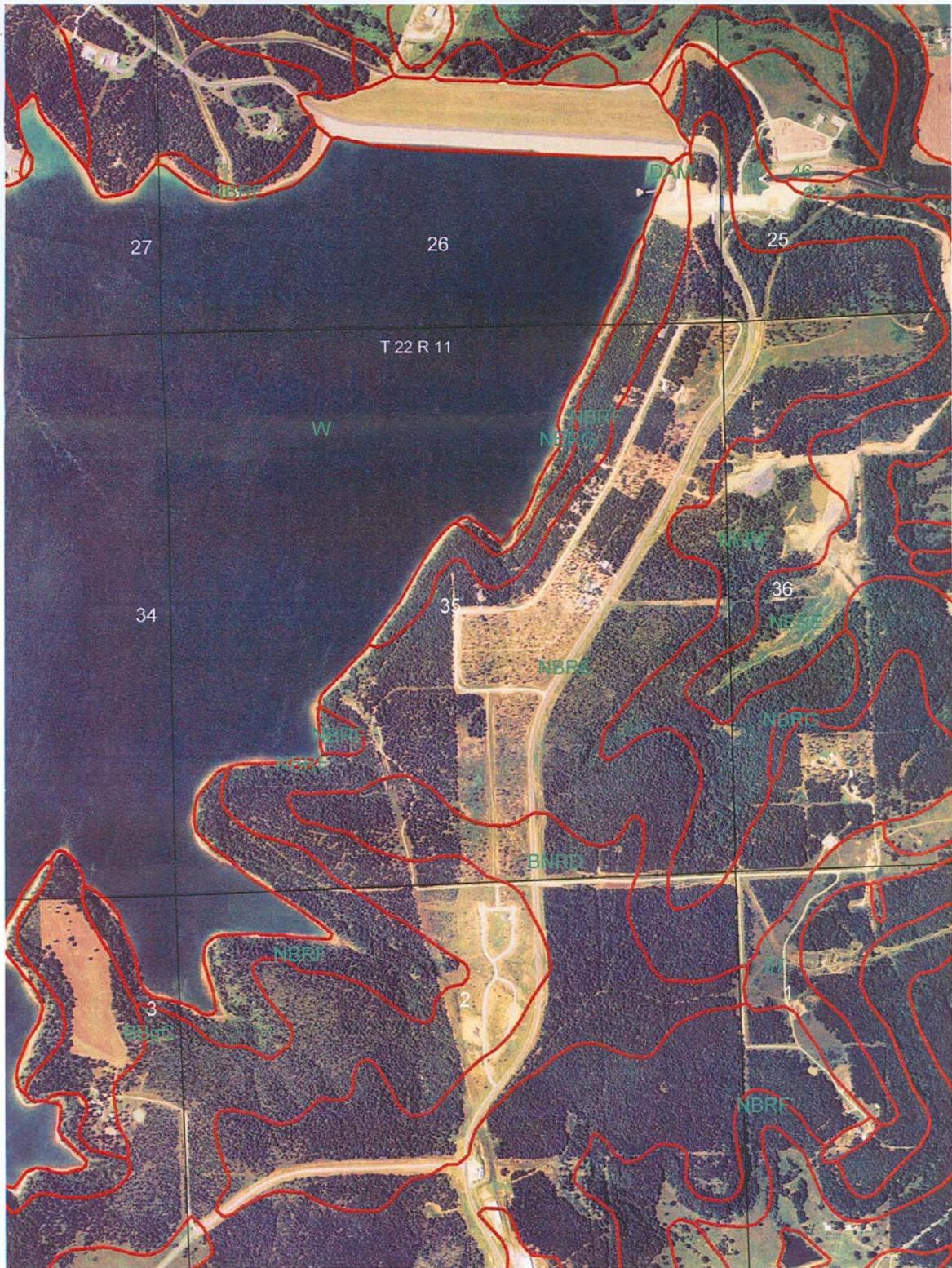
Symbol	Soil Name	Rating
8	Pocasset fine sandy loam, 0 to 1 percent slopes, occasionally flooded	All areas are prime farmland
9	Pocasset fine sandy loam, 1 to 3 percent slopes, occasionally flooded	All areas are prime farmland
13	Lucien-Coyle complex, 3 to 8 percent slopes	Not prime farmland
23	Foraker-Shidler complex, 12 to 25 percent slopes	Not prime farmland
38	Norge silt loam, 1 to 3 percent slopes	All areas are prime farmland
39	Norge silt loam, 3 to 5 percent slopes	All areas are prime farmland
46	Osage silty clay, 0 to 1 percent slopes, occasionally flooded	All areas are prime farmland
57	Steedman-Lucien complex, 3 to 15 percent slopes	Not prime farmland
58	Steedman-Lucien complex, 15 to 25 percent slopes	Not prime farmland
66	Verdigris silt loam, 0 to 1 percent slopes, occasionally flooded	All areas are prime farmland
67	Verdigris silt loam, 0 to 1 percent slopes, frequently flooded	Not prime farmland
70	Wynona silty clay loam, 0 to 1 percent slopes, occasionally flooded	All areas are prime farmland
BBgC	Bartlesville-Bigheart complex, 1 to 5 percent slopes, very rocky	Not prime farmland
BNRD	Bigheart-Niotaze-Rock outcrop complex, 1 to 8 percent slopes	Not prime farmland
NBRE	Niotaze-Bigheart-Rock outcrop complex, 3 to 15 percent slopes, very stony	Not prime farmland
NBRF	Niotaze-Bigheart-Rock outcrop complex, 15 to 25	Not prime farmland

NBRG      percent slopes, extremely  
                 stony  
                 Niotaze-Bigheart-Rock  
                 outcrop complex, 25 to 45  
                 percent slopes, rubbly      Not prime farmland

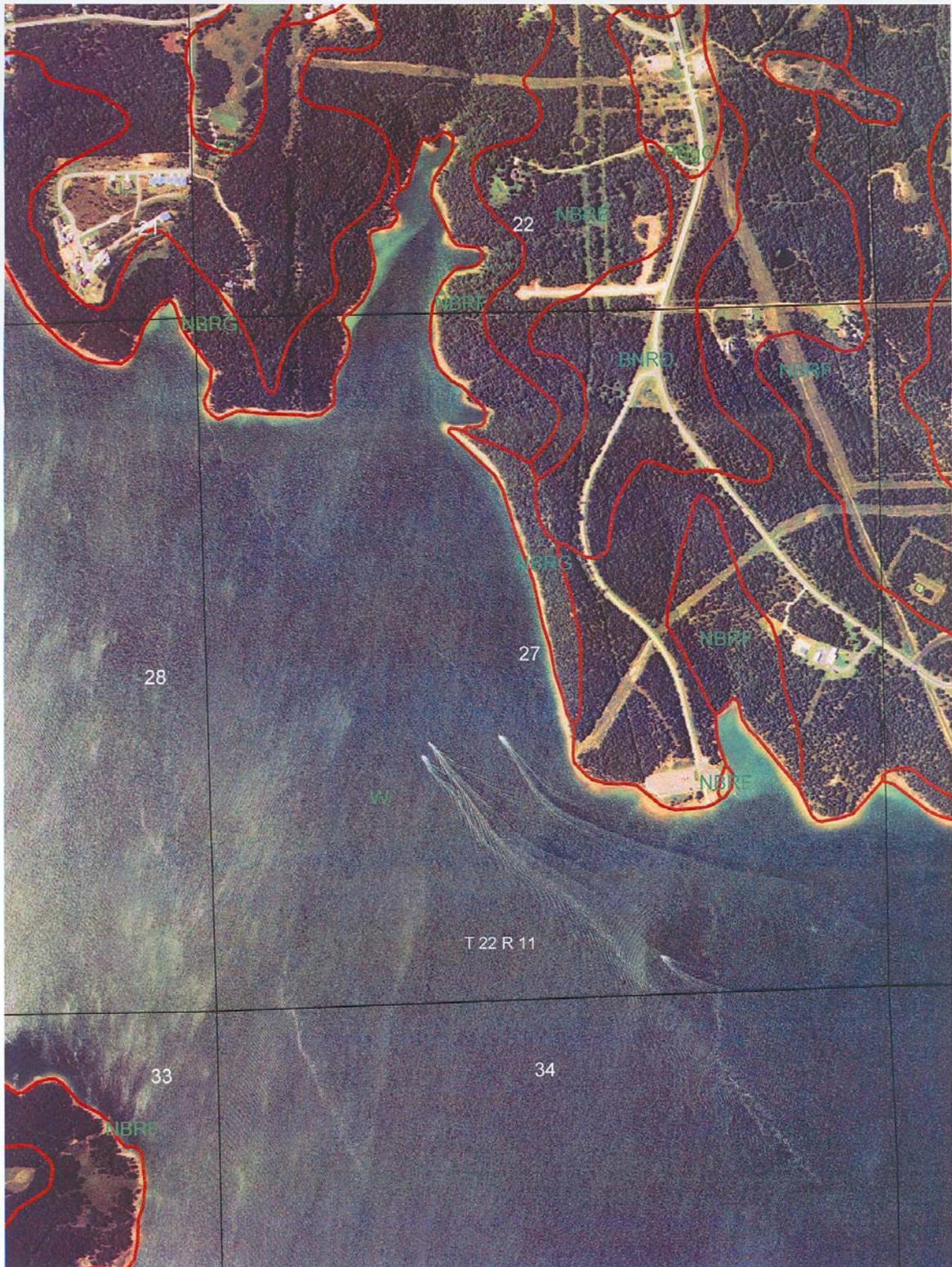


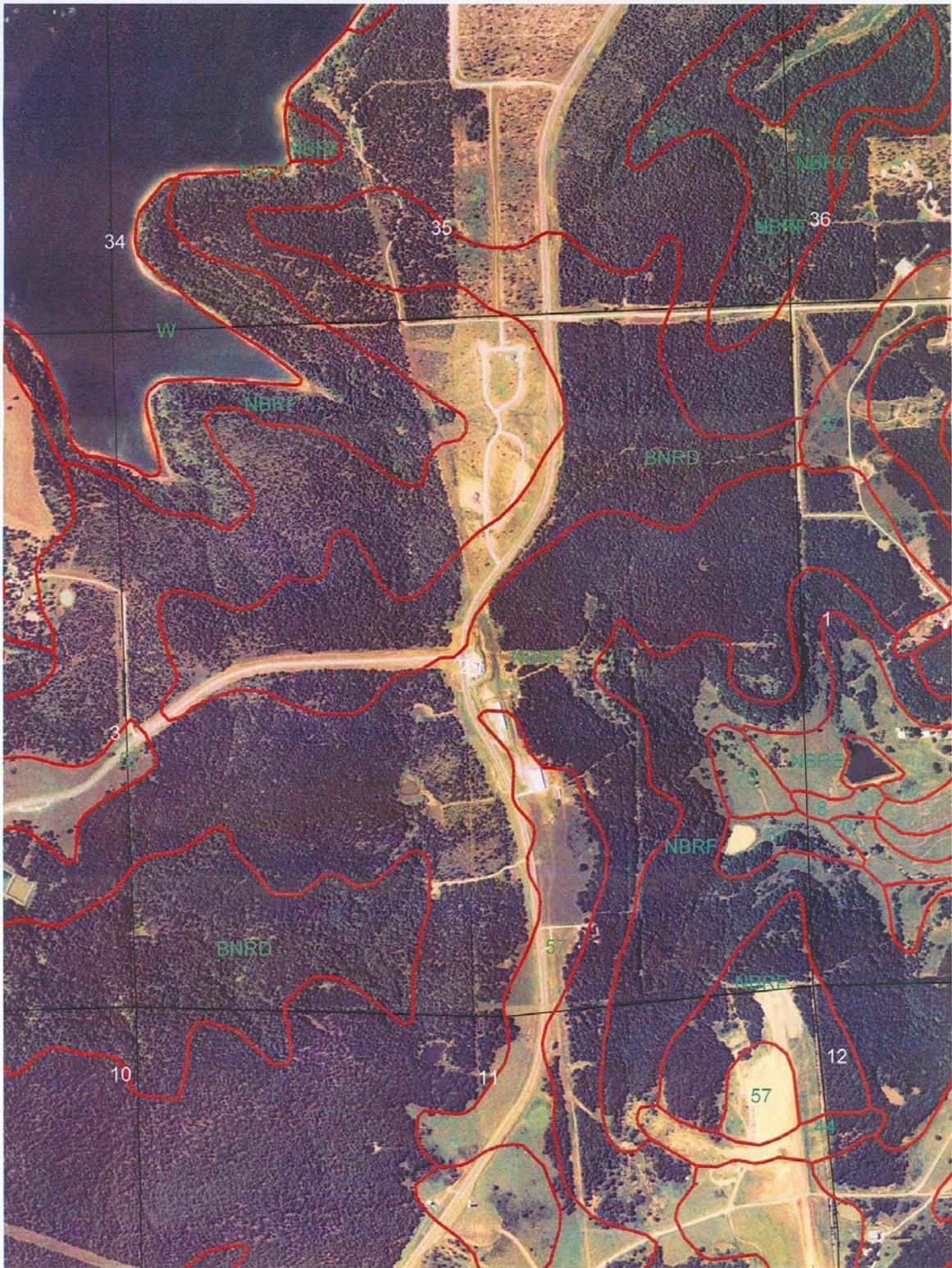














DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101ST EAST AVENUE  
TULSA, OKLAHOMA 74128-4609

DEC 16 2005

Planning and Environmental Division  
Environmental Analysis and Compliance Branch

Mr. Jerry Brabander  
Field Supervisor  
U.S. Fish and Wildlife Service  
222 South Houston, Suite A  
Tulsa, OK 74127

Dear Mr. Brabander:

This letter is to request initial and informal coordination regarding assessment of the habitat suitability of property located at Skiatook Lake, Osage County, Oklahoma, for use by the American Burying Beetle (*Nicrophorus americanus*), a Federally listed endangered species.

In 2003, the U.S. Army Corps of Engineers, Tulsa District, (Corps) received and approved a request from the Skiatook Economic Development Authority (SEDA) for a lease of approximately 643 acres of land and 46 acres of water in portions of Sections 25, 26, 27, and 35, T22N R11E and Sections 2, 3, and 4, T21N R11E on lands administered by the Corps at Skiatook Lake in Osage County, Oklahoma (enclosed Figure 1). In accordance with their proposed plans for the lease property, SEDA subleased the property to StateSource, LCC, for the private development of public recreation facilities. Development that may occur within the lease area includes construction of a golf course, cabins, conference center, RV and other camping areas, a marina, roads for facility access, and an interpretative hiking trail (enclosed Figure 2).

Since the approval of the sublease and proposed CrossTimbers development plan in 2003, StateSource has recently decided to move the location of the proposed golf course and new camping area. Originally envisioned for construction at Skiatook Point, the CrossTimbers golf course is now proposed to be constructed in the Tall Chief Cove portion of the lease area (enclosed Figure 3). Construction of the golf course in this area will allow golfers easier access to the proposed conference center and marina facilities and will consolidate most of the infrastructure needs associated with the CrossTimbers development

to the south side of the lake. In conjunction with the proposed move of the golf course to the Tall Chief Cove area, the camping development originally proposed for Tall Chief Cove is now being proposed for the Skiatook Point area (enclosed Figure 4). Final designs for the camping area are under development, but may include primitive tent camping, RV camping, rustic cabins, day use docks, and associated roads, restrooms, water, electric, and sewer lines. The Corps will be addressing impacts of these proposed changes with an updated analysis in compliance with the National Environmental Policy Act.

Based on recommendations of your staff provided during our December 5, 2005 meeting, Corps personnel visited the SEDA lease area on December 14, 2005 to identify soils present in the lease area and gather information required for determination of habitat suitability. Investigations focused on the southern portion of the lease area near Tall Chief Cove and Tornado Cove. These areas were chosen due to the ongoing and upcoming construction activities associated with the conference center, cabins, marina parking expansion, and associated road networks. A total of six separate areas were investigated (enclosed Figure 5). In each area, four or more holes were hand excavated using shovels to a depth of between 6 and 12 inches and photographs were taken showing a representative soil profile and the vegetation present in the immediate area (enclosed Figures 6-17). At your request, we are forwarding this information to you so that you may assist us in determining soil suitability for American Burying Beetle use. We would appreciate receipt of your response on the matter so that we may take the appropriate steps to meet requirements under Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq).

Thank you for your help with this request. If you have any questions, please contact Ms. Sandra Stiles, Biologist, at 918-669-7662.

Sincerely,

  
Miroslav P. Kurka  
Colonel, U.S. Army  
District Engineer

Enclosures



In Reply Refer To:  
FWS/R2/OKES/  
2006-1-0031

## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Division of Ecological Services  
222 South Houston, Suite A  
Tulsa, Oklahoma 74127  
918/581-7458 / (FAX) 918/581-7467



January 4, 2006

Colonel Miroslav P. Kurka  
Corps of Engineers  
1645 South 101<sup>st</sup> East Avenue  
Tulsa, Oklahoma 74128-4609

Dear Colonel Kurka:

Thank you for your December 16, 2005, letter to the U.S. Fish and Wildlife Service (Service) requesting coordination regarding assessment of the habitat suitability for the American burying beetle *Nicrophorus americanus* (ABB) at the CrossTimbers development site at Skiatook Lake in Osage County, Oklahoma. The development was proposed by Skiatook Economic Development Authority (SEDA) and StateSource, LLC. (StateSource) and involves the U.S. Army Corps of Engineers (Corps) leasing 643 acres at Skiatook Lake to SEDA and StateSource for development of various projects including a golf course, RV parking, camping areas, cabins, a conference center, marinas, roads, restrooms, utilities, and parking lots. Our comments are submitted in accordance with section 7 of the Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), National Environmental Policy Act (NEPA), and the Fish and Wildlife Coordination Act (FWCA).

The Corps completed the current Environmental Assessment (EA) for this project in 2003. The Service provided comments addressing the draft EA in our August 21, 2002, letter to the Corps. At that time the ABB was not known to occur within Osage County. However, in 2004 The Nature Conservancy provided documentation that the ABB had been collected from the Tall Grass Prairie Preserve in 1999.

On November 16, 2005, the Corps, via written correspondence, provided notification that the proposed project plans had been altered and requested an updated list of federally-listed species which may occur within the project area of influence. The Service notified the Corps, via telephone correspondence, that the ABB is now a species known to occur within Osage County and the Corps should evaluate potential effects to the ABB from the proposed project. The change in project plans and addition of the ABB to the county species list necessitates that the Corps reinitiate section 7 consultation with the Service (the Corps' November 16, 2005, letter serves to reinitiate consultation).

The proposed project plans also would require changes in land use relative to the plans adopted when the FWCA Report and General Plan were written for the Skiatook Lake Project. These changes also require coordination with the Service and the ODWC (per the FWCA) to develop

Colonel Kurka

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appropriate mitigation measures, as appropriate. The Corps has informed the Service that they intend to complete a new EA for the proposed changes, as required by NEPA, and any modifications to the proposed action that result from the comments on the draft EA will need to be considered in the section 7 consultation. Changes from the existing project plans should not be implemented until section 7, FWCA and NEPA requirements have been completed. Please keep in mind that mitigation features developed pursuant to the FWCA and NEPA should be incorporated into the proposed action, as described in the revised draft EA, prior to your determination of effect concerning federally-listed species (i.e., fulfillment of section 7 responsibilities).

The endangered ABB historically occurred and currently persists in Osage County, and potentially could occur in and/or around the project area. Suitable vegetation and soil for the ABB are present within Osage County and the surrounding counties. Washington, Tulsa, Rogers, and Creek counties in Oklahoma, and Chautauquau County in Kansas are within the historic range of the ABB and adjacent or in close proximity to Osage County. The state of Kansas has designated Chautauquau and Montgomery counties as critical habitat for the ABB (Kansas Department of Wildlife and Parks 2000). Current ABB records of occurrence include Osage, Tulsa, Rogers and Montgomery counties.

The ABB has been captured via baited pitfall traps in a variety of habitats, including grasslands, grazed pasture, bottomland forest, riparian zones, and oak-hickory forest (Creighton *et al.* 1993; Lomolino and Creighton 1996; Lomolino *et al.* 1995; NatureServe Explorer 2003; and U.S. Fish and Wildlife Service 1991). The ABB once occurred throughout the eastern United States, but today is restricted to less than approximately 10 percent of its former range. The historic and current ranges of the ABB, and other related ABB life history information can be obtained from our ABB web site: <<http://ifw2cs.fws.gov/oklahoma/beetle1.htm>>.

On December 5, 2005, the Service met with the Corps to discuss the proposed project. The Corps provided an overview of the proposed project changes and requested assistance with evaluating potential impacts to the ABB. The Service recommended that the Corps conduct a habitat assessment to determine if suitable vegetation and soils were present within the proposed project area. The Corps' December 16, 2005, letter provided this information. The Service has reviewed the information supplied in the letter, as well as the topographic maps, soil maps, soil and vegetation photographs, and soil descriptions provided with the letter. We have also reviewed the current and historical ABB data in and around Osage County.

In addition, Service and Corps personnel visited the site on December 22, 2005, to evaluate the overall site conditions and habitat suitability for the ABB. Several additional soil samples were taken. A minimum of 49 soil samples were evaluated during this site visit and the Corps' previous habitat assessment. The majority of the project area contains potentially suitable soil and vegetation to support the ABB. However, soil does not appear to be suitable for the ABB along the lake shoreline and landward about 50 feet due to the high clay content and compactness of the soil. There also are isolated patches across the project area where the soil does not appear to be suitable for the ABB due to high clay content or soil structure. However, these isolated patches are small (diameters of a few or several feet) and appear to be exceptions to the typical soils identified by the Osage County Soil Survey. More detailed information concerning potential habitat suitability has been provided to Corps personnel.

Colonel Kurka

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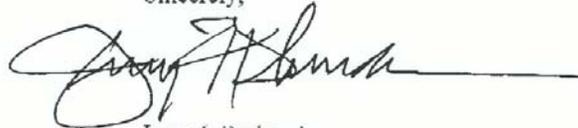
Section 7(a)(2) of the ESA requires that any action authorized, funded or carried out by a federal agency be reviewed for the potential to jeopardize the continued existence of any federally-listed species, or destroy or adversely modify designated critical habitat. It is incumbent upon the federal action agency to make this determination. In the event that a federal action agency determines that its action may affect a federally-listed species, the agency is required to consult with the Service regarding the degree of impact and measures available to avoid or minimize the adverse effects. The Service is then responsible for concurring or not concurring with the federal action agency's determination. If the Corps determines this proposed project may affect federally-listed species, formal consultation should be requested.

The revised draft EA, in addition to the effect determination, should describe the project in detail, including implementation methods, a timeline, a discussion of adverse and beneficial effects, and a mitigation plan detailing avoidance, minimization, and/or compensation measures to be implemented to offset any adverse impacts. Currently, the Corps has not made a determination as to any effects to federally-listed species, nor has an assessment or mitigation plan been provided to the Service. Again, please bear in mind that mitigation for project-related impacts identified during FWCA and NEPA-related analyses should be incorporated into project plans prior to determining whether the proposed action may affect federally-listed species.

During our December 5, 2005, meeting, the Corps informed the Service that some construction disturbance had already occurred and is ongoing. During our December 22, 2005, site visit, the Service was able to evaluate the extent of the construction disturbance and take soil samples. Disturbance has occurred in the areas designated as The Village and marina. Potentially suitable soil for the ABB is present in The Village site that has been disturbed. Please review information provided under separate cover concerning irreversible and irretrievable commitment of resources prior to completion of coordination requirements. The Service cannot further address the extent of potential impacts to federally-listed species and other fish and wildlife resources without additional information regarding the acreage disturbed and method and timing of disturbance.

The Service requests a meeting with the Corps, SEDA, and StateSource to discuss project specifications, potential impacts to federally-listed species and other important fish and wildlife resources, and conservation and mitigation measures available to avoid or minimize potential adverse impacts. Please contact Hayley Dikeman at 918-382-4519 to schedule a meeting or address any questions. We appreciate the opportunity to review the proposed project and provide comments. Please include the project number at the top, left of the front page in any future reference to this proposed action.

Sincerely,



Jerry J. Brabander  
Field Supervisor

cc: Director, ODWC, Oklahoma City, OK  
Attn: Natural Resources Section

HMD\plh;21440-2006-1-0031 Skiatook Lake 12-19-05\_jjb.lhd 1-4-2006

## References

- Creighton, J.C., M.V. Lomolino, and G.D. Schnell. 1993. Survey methods for the American burying beetle (*Nicrophorus americanus*) In Oklahoma and Arkansas. Oklahoma Biological Survey, Norman, Oklahoma.
- Kansas Department of Wildlife and Parks. 2005. American Burying Beetle (*Nicrophorus Americanus*). [http://www.kdwp.state.ks.us/news/other\\_services/threatened\\_and\\_endangered\\_species/threatened\\_and\\_endangered\\_species/species\\_information/american\\_burying\\_beetle](http://www.kdwp.state.ks.us/news/other_services/threatened_and_endangered_species/threatened_and_endangered_species/species_information/american_burying_beetle)
- U.S. Fish and Wildlife Service. 1991. American Burying Beetle (*Nicrophorus americanus*) Recovery Plan. Newton Corner, Massachusetts. 80 pp.