



STATE OF KANSAS 2021 NATIONWIDE PERMIT REGIONAL CONDITIONS

For All Nationwide Permits

- 1. Stream Crossings.** In addition to requirements of General Condition 2 and General Condition 9 of the Nationwide Permits, the following guidelines for stream crossings apply for regulated activities in waters of the United States. The guidelines are available at:
<https://www.nwk.usace.army.mil/Portals/29/docs/regulatory/NWP/2021/KS/KSRC1Streams.pdf>

 - Corps Districts may waive Regional Condition 1 when project site geomorphology (i.e., bedrock, gradient) or existing alterations (i.e., adjacent impoundment, as part of a dry detention basin) creates conflict with the guidelines. The applicant must provide preconstruction notification (PCN) to the District Engineer for any waiver request.

- 2. Suitable Material.** In addition to the specific examples in General Condition 6 of the Nationwide Permits, the following materials are not suitable for fill activities in waters of the United States: garbage, tires, treated lumber products that do not comply with the Registration Documents issued by the U.S. Environmental Protection Agency (USEPA) under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and that are not in accordance with standards issued by American Wood Protection Association of the International Code Council, liquid concrete not poured into forms, grouted riprap, bagged cement and sewage or organic waste.

 - Broken concrete used as bank stabilization must be reasonably well graded, consisting of pieces varying in size from 20 pounds up to and including at least 150-pound pieces to withstand expected high flows. Applicants must break all large slabs to conform to the well graded requirement. Generally, the maximum weight of any piece should not be more than 500 pounds. Gravel and dirt should not exceed 15% of the total fill volume when using broken concrete as fill. All protruding reinforcement rods, trash, asphalt, and other extraneous materials must be removed from the broken concrete prior to placement in waters of the United States.

- 3. Indian County.** All Nationwide Permits requested by applicants other than the Tribal Authority for use within the reservation boundaries of Indian County in Kansas require a PCN to the District Engineer and coordination with the Tribal Authority. All other terms and conditions of the Nationwide Permits and regional conditions apply in Indian Country regardless of the applicant.
Note: In Kansas, Indian Country includes: Prairie Band Potawatomi Reservation in Jackson County, Kickapoo Reservation in southwest Brown County, Sac and Fox Reservation and Off-Reservation Trust Land in northeast Brown County, and Iowa Reservation and Off-Reservation Trust Land, also in northeast Brown County.

- 4. T&E Species Waters.** As required by General Condition 18, a PCN is required for any regulated activity in waters listed at:
<https://www.nwk.usace.army.mil/Portals/29/docs/regulatory/NWP/2021/KS/KSRC4TEWaters.pdf>. For additional information on Endangered Species Act (ESA) listed species in Kansas contact the U.S. Fish and Wildlife Service at (785) 539-3473 (Manhattan, KS Office). Please note that it is incumbent upon the permittee to obtain any required permits from the Kansas Department of Wildlife, Parks and Tourism. Information and requirements regarding State-listed species can be found at: <https://ksoutdoors.com/Services/Threatened-and-Endangered-Wildlife> or by calling (620) 672-0720.

- 5. Designated State Waters.** The applicant must provide a PCN to the District Engineer for any regulated activity in Outstanding National Resource Waters (ONRW), Exceptional State Waters (ESW), or Special Aquatic Life Use Waters (SALUW) as listed in the Kansas Surface Water Register. ONRW include: 1) all surface waters within the boundaries of the Cimarron National Grasslands (Morton and Stevens Counties); 2) Flint Hills National Wildlife Refuge (Coffey County); 3) Quivira Big Salt Marsh and Quivira Little Salt Marsh (Stafford County); and 4) Cheyenne Bottoms (Barton County). The list of special status waters requiring notification is available on request from the Corps and a map is located at:
<https://www.nwk.usace.army.mil/Portals/29/docs/regulatory/NWP/2021/KS/KSRC5DesignateWaters.pdf>.

Note: PCN to the District Engineer must be made in accordance with General Condition 32 of the Nationwide Permits.



General Guidelines for Stream Crossings Regional Condition 1

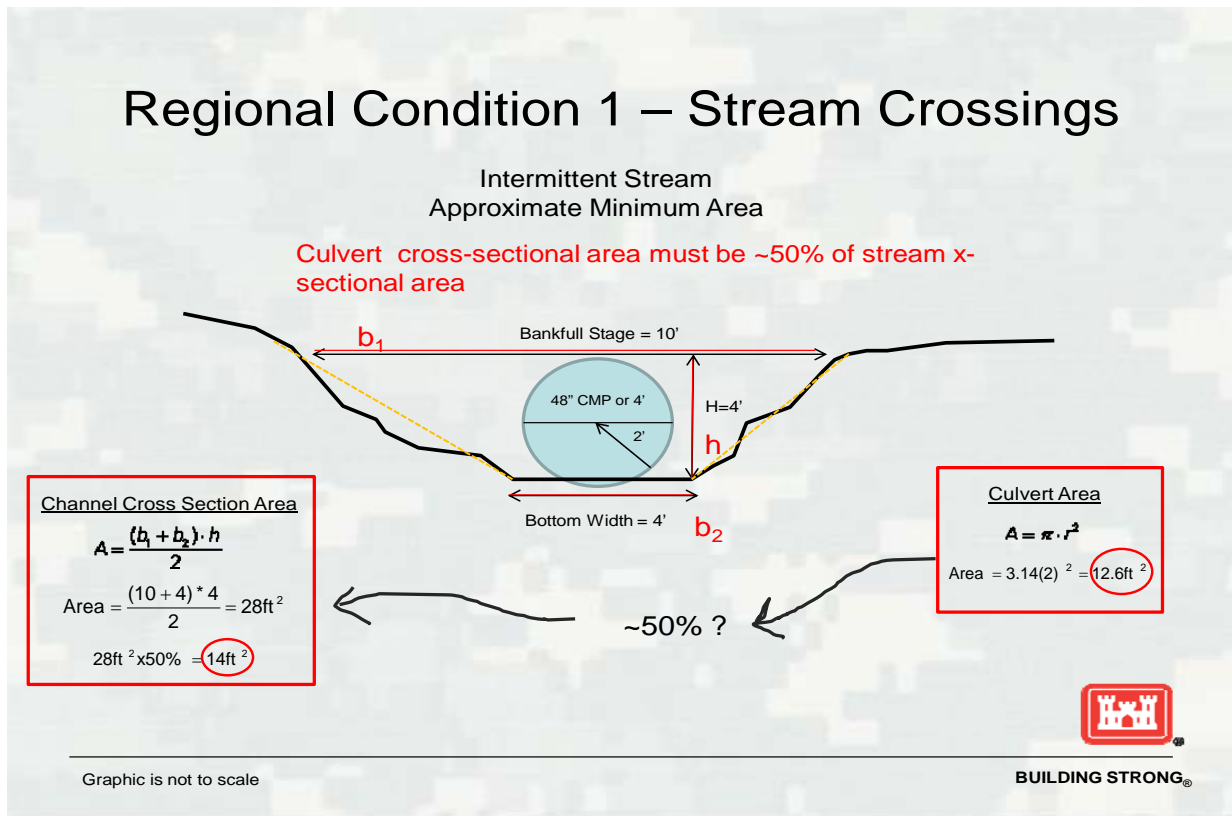
For all Nationwide Permits that involve the construction/installation of culverts and low water crossings, measures will be included in the construction, design, and installation that will allow for the passage of flows and promote the safe passage of fish and other aquatic organisms. The following General Guidelines are required to supplement General Condition (2) Aquatic Life Movements and General Condition (9) Management of Water Flows.

Culverts:

- New or replacement culverts (e.g., box or tubular, pipes, etc.) must be designed, sized, and placed correctly. Culverts perched above the grade of the stream are not allowed. This includes other in-stream structures placed at the inlet with the purpose to reduce sedimentation within the stream crossing. It is acceptable for a portion of the water to pass over the structure if it is designed to be overtopped. Culverts must be the shortest length necessary to meet the project purpose, and a single culvert is encouraged.
- Drop boxes or other structures placed at the inlet with the purpose to reduce sedimentation within the stream crossing are not allowed. Culvert must be the shortest length necessary to meet the project purpose.
- New or replacement culverts, in conjunction with the associated fill material, shall have an appropriately sized opening that allows water flow through and over the crossing that is relative to the bankfull area (See Image 1). For purposes of this regional condition, bankfull area is defined as the height and width of the stream channel within the project to the top of the high bank(s). In addition, if elevations differ on both sides of the stream the lowest elevation shall be used as the height. The following basic guidelines shall be used when designing new or replacement crossing projects:

Stream Type	% of crossing profile that shall remain open
Perennial	Designed to allow an 85% opening to include the culvert(s) and area above the crossing up to the bankfull area.
Intermittent	Designed to allow a 50% opening to include the culvert(s) and area above the crossing up to the bankfull area.
Ephemeral	Placed at a depth below or at the natural stream bottom to provide for passage during low flow conditions.

Image 1



- For permanent crossings, the culvert must be embedded and backfilled below the grade of the stream on both the upstream and downstream sides ≥ 1 foot for culverts >48 inches. On culverts ≤ 48 inches the bottom of the culvert must be placed at a depth below or at the natural stream bottom to provide for aquatic organism passage during low flow conditions. Culverts in streams with non-erodible beds (i.e. bedrock or stable clay) must be constructed flush with the stream bed, but do not need to be embedded. Culverts in streams with highly erodible beds must be embedded deeper to lessen the chance of future perching due to downstream degradation and may be accompanied with other grade control measures to prevent erosion while maintaining General Condition (2) Aquatic Life Movements.

Low Water Crossings:

- The applicant must notify the District Engineer when repairing, rehabilitating or replacing low water crossings when discharges of dredged or fill material would raise or lower the lowest elevation of the crossing.
- When replacing or removing low water crossings the applicant must propose and employ measures to mitigate for and minimize the potential of streambed headcutting where channel incision has occurred downstream of the structure and the structure is providing grade control that is preventing channel incision from migrating upstream.



U.S. Army Corps
of Engineers
Kansas City District

Threatened and Endangered Species Waters in Kansas Regional Condition 4

As required by General Condition 18, a PCN is required for any regulated activity within the waters listed below:

a. Arkansas River – That portion flowing through Barton, Cowley, Edwards, Finney, Ford, Gray, Hamilton, Kearny, Kiowa, Pawnee, Reno, Sedgwick and Sumner Counties, excluding that reach upstream of the Kansas Route 27 bridge in Hamilton County and a 12.4 mile reach within the City of Wichita metropolitan area, extending from the westbound land of Kansas Route 96 downstream to Interstate 35 (Arkansas River Shiner (*Notropis Girardi*); Northern Long-eared Bat (*Myotis septentrionalis*)).

b. Cimarron River - That portion flowing through Clark, Comanche, and Meade Counties (Arkansas River Shiner (*Notropis girardi*)).

c. Cottonwood River - From the point of discharge of Marion Dam to its confluence with the Neosho River in Lyon County (Neosho Madtom (*Noturus placidus*), Northern Long-eared Bat (*Myotis septentrionalis*), and Neosho Mucket (*Lampsilis rafinesqueana*)).

d. South Fork Cottonwood River – Downstream of Bazaar to confluence with Cottonwood River (Neosho Madtom (*Noturus placidus*) and Northern Long-eared Bat (*Myotis septentrionalis*)).

e. Neosho River - From the point where it discharges from Council Grove Reservoir in Morris County to the point where it leaves Lyon County and from the point where it discharges from John Redmond Reservoir in Coffey County to the Kansas-Oklahoma border in Cherokee County (Neosho Madtom (*Noturus placidus*), Northern Long-eared Bat (*Myotis septentrionalis*), Neosho Mucket (*Lampsilis rafinesqueana*), and Rabbitsfoot (*Quadrula cylindrical*)).

f. Marais des Cygnes River – The entire main stem portion within the state of Kansas in Linn County (Spectaclecase (*Cumberlandia monodonta*)).

g. Spring River - The entire main stem portion within the state of Kansas in Cherokee County (Neosho Madtom (*Noturus placidus*), Northern Long-eared Bat (*Myotis septentrionalis*), Neosho Mucket (*Lampsilis rafinesqueana*), and Rabbitsfoot (*Quadrula cylindrical*)).

h. Cow Creek and tributaries - A 144 square mile area within Crawford County whose western boundary is highway K-7, whose southern boundary is the Crawford/Cherokee county line, whose eastern boundary is the Kansas/Missouri stateline and whose northern boundary is highway K-57 east of the town of Girard extended to the state line. Also included in this area is all of Cow Creek in Cherokee County (Gray Bat (*Myotis grisescens*), and Northern Long-eared Bat (*Myotis septentrionalis*)).

i. Kansas River –From its origin in Geary County downstream to Lecompton in Shawnee County (Piping Plover (*Charadrius melodus*), and Northern Long-eared Bat (*Myotis septentrionalis*)). From below Bowersock Dam in Douglas County to the confluence with the Missouri River (Pallid Sturgeon). From its origin in Geary County downstream to the Missouri River (Bald Eagle, *Haliaeetus leucocephalus*). Preconstruction notification for the Bald Eagle is required because of protections afforded under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c).

j. South Fork Ninnescah River - Unit 3 comprises approximately 178.96 rmi (288.02 rkm) consisting of the South Fork Ninnescah River originating at the Highway 54/400 bridge east of Pratt, Kansas, and extending downstream to the River Road Bridge east of Newkirk, Oklahoma.

Unit 4 comprises approximately 291.82 rmi (469.63 rkm) consisting of the Cimarron River originating at the U.S. 183 bridge east of Englewood, Kansas, and extending downstream to the OK 51 bridge northeast of Oilton, Oklahoma (Peppered chub (*Macrhybopsis tetranema*)).

k. Fall River – Downstream from Fall River State Park in Greenwood County to the confluence with the Verdigris River in Wilson County (Neosho mucket (*Lampsilis rafinesqueana*) and Rabbitsfoot (*Quadrula cylindrica cylindrica*)).

l. Verdigris River – From K-38 Hwy in Wilson County to north of Independence, KS in Montgomery County (Neosho mucket (*Lampsilis rafinesqueana*) and Rabbitsfoot (*Quadrula cylindrica cylindrica*)).

m. The following locations may contain the Topeka Shiner (*Notropis topeka*), which is listed as endangered, and are subject to the notification requirement above:

1. **Butler County** – Headwaters of the South Fork Cottonwood River (Sec. 4, 9, 16 & 21 T23S, R8E).
2. **Chase County** – Bloody Creek, Collett Creek, Diamond Creek, Gannon Creek, Jack Creek, Little Cedar Creek, Mercer Creek, Mulvane Creek, Rock Creek, Schaeffer Creek, Shaw Creek, Unnamed tributary of Thurman Creek (Sec. 31 & 32 T22S, R9E), Unnamed tributary of Mercer Creek (Sec. 30 & 31 T22S, R 8E), Middle Creek, Unnamed tributary of Middle Creek (Sec. 4, 9 & 10 T19S, R6E), Unnamed tributary of Diamond Creek (Sec. 9 T19S, R7E), Unnamed tributary of Fox Creek (Sec. 31 T18S, R8E).
3. **Dickinson County** – Cary Creek, Middle Branch Lyons Creek, Rock Springs Creek, West Branch Lyons Creek.
4. **Geary County** – Rock Springs Creek, Davis Creek, Dry Creek, Thomas Creek.
5. **Greenwood County** – Thurman Creek, Unnamed tributaries of Thurman Creek (Sec. 6 T23S, R9E; Sec. 1 T23S, R8E).
6. **Marion County** – Middle Creek, Mud Creek.
7. **Marshall County** - North Elm Creek, Clear Fork Creek.
8. **Morris County** - Middle Creek, and tributaries to Diamond Creek.
9. **Pottawatomie County** - Clear Fork Creek.
10. **Riley County** – Deep Creek, Seven-Mile Creek, Little Arkansas Creek, Walnut Creek, Wildcat Creek.
11. **Shawnee County** – Mission Creek.
12. **Wabaunsee County** – East Branch Mill Creek, Hendricks Creek, Illinois Creek, Kuenzli Creek, Loire Creek, Mission Creek, Mulberry Creek, Nehring Creek, Paw Paw Creek, Spring Creek (Paxico), Spring Creek (Tributary of West Branch Mill Creek), South Branch Mill Creek, West Branch Mill Creek, Snokomo Creek.
13. **Wallace County** - Willow Creek.

k. The following waterways maintain critical habitat for the Whooping Crane, *Grus americana*, and are subject to the notification requirement above:

1. **Walnut Creek** – in Ness, Rush and Barton Counties which feeds Cheyenne Bottoms.
2. **Cheyenne Bottoms** – All water bodies within Cheyenne Bottoms.
3. **Rattlesnake Creek** – in Edwards, Stafford and Pratt Counties which feeds Quivira National Wildlife Refuge.
4. **Quivira National Wildlife Refuge** – All waterbodies within Quivira National Wildlife Refuge.

n. All waterbodies within Cheyenne Bottoms and Quivira National Wildlife Refuge contain habitat for the threatened Eastern black rail (*Laterallus jamaicensis jamaicensis*) and are subject to the notification requirement above.

Note: We recommend the use of the Information for Planning and Consultation system (IPaC; <https://ecos.fws.gov/ipac/>) to assist agencies and applicants in initial gathering of the most up-to-date list of Service trust resources for use in environmental reviews of proposed actions. The IPaC system provides data on species listed under the Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, as well as occurrence of Critical Habitat, National Wildlife Refuges, and wetlands identified in the National Wetlands Inventory.

ATTACHMENT 1. TABLE OF EXCEPTIONAL STATE WATERS (EX), SPECIAL AQUATIC LIFE USE WATERS (SALU) and OUTSTANDING NATIONAL RESOURCE WATERS (ON), provided by Kansas Department of Health and Environment from 2013 KS SURFACE WATER REGISTER (KSWR) (Subject to change without notice- see https://www.kdheks.gov/befs/download/Current_Kansas_Surface_Register.pdf) (Original- 5/2000) (Revisions 3/2001, 4/2004, 2,5,8 2007, 3/2012, 3/2017, 10/2020, 12/2020, 2/19/2021- New Format). (#s) below correlate with those on the map on Attachment 2.

County	EX_SALU_streams	ON_EX_SALU_named_lakes_wetlands	ON_EX_SALU_polygons_parks
Allen	Marmaton R, Neosho R, Onion Cr		KSWR Section Four, Area (1) and Area (2)
Anderson	East Fork Pottawatome Cr, Little Indian Cr., Pottawatomie Cr, South Fork Sugar Cr		KSWR Section Four, Area (3)
Atchison	Missouri R	Muscotah Marsh	KSWR Section Four, Area (4)
Barber	Antelope Cr, Amber Cr, Bear Cr, Cottonwood Cr, Elm Cr, Inman Cr, Medicine Lodge R, Mulberry Cr, Mule Cr, Salt Fork Arkansas R, Sand Cr, Turkey Cr, Unnamed Str 11060003452 (trib to Turkey Cr), Unnamed Str 11060003415 (trib to Medicine Lodge R), Unnamed Str 11060003370 (trib to Medicine Lodge R)		
Barton	Arkansas R (downstream from confluence with Walnut Cr), Blood Cr, Little Cheyenne Cr	Cheyenne Bottoms	KSWR Section Four, Area (10) (Cheyenne Bottoms Nature Conservancy Wildlife Preserve)
Bourbon	Marmaton R, Mill Cr, Pawnee Cr		
Brown	Wolf R (dnstrm from confluence with South Fork Wolf R)		
Butler	Grouse Cr, South Fork Cottonwood R, Walnut R (downstream from confluence with Little Walnut R)		
Chase	Bloody Cr, Cedar Cr, Collett Cr, Cottonwood R, Fox Cr, Jacob Cr, Little Cedar Cr, Middle Cr, Palmer Cr, South Fork Cottonwood R		
Chautauqua	Caney R, Otter Cr		

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Cherokee	Brush Cr, Cow Cr, Labette Cr, Neosho R, Shoal Cr, Spring R, Taylor Br, Turkey Cr		KSWR Section Four, Area (5) and Area (6)
Cheyenne	South Fork Republican R		
Clark	Big Sandy Cr, Bluff Cr, Cimarron R, Gyp Creek, Indian Cr, West Kiowa Cr	Clark Co SFL, St Jacobs Well/Big Basin WA	
Cloud		Jamestown WA	
Coffey	Fourmile Cr, Frog Cr, Little Indian Cr, Neosho R, Wolf Cr	Flint Hills NWR	
Comanche	Bluff Cr, Cavalry Cr, Cimarron R, East Branch Nescatunga Cr, East Kiowa Cr, Indian Cr, Kiowa Cr, Middle Kiowa Cr, Mule Cr, Nescatunga Cr, Red Cr, Salt Fork Arkansas R, Spring Cr, West Kiowa Cr, Wiggins Cr		
Cowley	Arkansas R, Beaver Cr, Grouse Cr, Otter Cr, Spring Cr, Walnut R		
Crawford	Brush Cr, Cow Cr, East Cow Cr, First Cow Cr, Pawnee Cr, Taylor Br		
Dickinson	Carry Cr, Lime Cr, Lyon Cr, West Br Lyon Cr, Unnamed Str 1026000832 (trib to Carry Cr), Unnamed Str 10260008515 (trib to West Branch Lyon Cr) , Unnamed Str 10260008618 (trib to Lime Cr)	Herington Reservoir	
Doniphan	Missouri R, Rock Cr, Wolf R		
Douglas	Appanoose Cr, Kansas R, West Fork Tauy Cr	Clinton Lake	KSWR Section Four, Area (7)
Edwards	Rattlesnake Cr		
Elk	Caney R, Fall R, Grouse Cr		

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Ellis	Saline R (downstream of confluence with East Spring Cr)		
Ellsworth	Smoky Hill R (upstream of Kanopolis Lake)		
Finney			
Ford	Bluff Cr, Rattlesnake Cr, West Kiowa Cr		
Franklin	Appanoose Cr, Hickory Cr, Marais Des Cygnes R (below confluence with Wilson Cr), Pottawatomie Cr, Wilson Cr		
Geary	Davis Cr, Dry Cr, Kansas R, Lyon Cr, Swede Cr, West Branch Mill Cr		KSWR Section Four, Area (12), Konza Prairie Natural Area
Gove			
Graham			
Grant	Cimarron R		
Greenwood	East Branch Fall R, Fall R, North Branch Otter Cr, Verdigris R, West Branch Fall R		
Hamilton	Arkansas R		
Harper	Bluff Cr, Chikaskia R, Little Sandy Cr, Sandy Cr		
Jefferson	Buck Cr, Kansas R	Perry L	
Johnson	Kansas R		
Kearny	Arkansas R		

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Kingman	Allen Cr, Chikaskia R, Duck Cr, Goose Cr, Negro Cr, Nester Cr, North Fork Chikaskia R, Painter Cr, Pat Cr, Sand Cr (trib to South Fork Ninnescah R), Sand Cr (trib to Chikaskia), Silver Cr, Smoots Cr, South Fork Ninnescah R, Spring Cr, Unnamed Str 11030014411 (trib to North Fork Ninnescah R), Unnamed Str 11030015417 (trib to South Fork Ninnescah R), Unnamed Str 11030015514 (trib to South Fork Ninnescah R), Unnamed Str 11030015249 (trib to South Fork Ninnescah R), Unnamed Str 11030015520 (trib to South Fork Ninnescah R), Unnamed Str 11030015518 (trib to South Fork Ninnescah R), Unnamed Str 11030015253 (trib to South Fork Ninnescah R), Unnamed Str 11030015259 (trib to South Fork Ninnescah R), Unnamed Str 11030015261 (trib to South Fork Ninnescah R), Unnamed Str 11030015270 (trib to South Fork Ninnescah R), Unnamed Str 11030015271 (trib to South Fork Ninnescah R) , Unnamed Str 11030015417 (trib to South Fork Ninnescah R), Wild Horse Cr, Wild Run Cr		
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Kiowa	Cavalry Cr, East Kiowa Cr, Medicine Lodge R, Middle Kiowa Cr, Mule Cr, Rattlesnake Cr, Soldier Cr, Spring Cr, Thompson Cr, Unnamed Str 11060003559 (trib to Thompson Cr), West Kiowa Cr, Wiggins Cr		
Labette	Labette Cr, Neosho R		KSWR Section Four, Area (5)
Leavenworth	Kansas R, Missouri R, Seven Mile Cr		
Linn	Big Sugar Cr, Marais des Cygnes R, Middle Cr, Muddy Cr, North Sugar Cr, South Fork Sugar Cr	Marais des Cygnes NWR, Marais des Cygnes WA	KSWR Section Four, Area (8)
Logan	Ladder Cr, Smoky Hill R (above confluence with North Fork Smoky Hill R), Twin Butte Cr		
Lyon	Cottonwood R, Elm Cr, Fourmile Cr, Jacob Cr, Neosho R	Flint Hills NWR	
Marion	Caitlin Cr, Lyon Cr, Middle Cr, Mud Cr, Spring Cr		
Marshall	Clear Fork Black Vermillion R, North Elm Cr		
McPherson			KSWR Section Four, Area (13), McPherson Valley Wetlands
Meade	big Sandy Cr, Cimarron R, Crooked Cr, Gyp Cr, Spring Cr	Lake Meade State Park	
Miami	Hickory Cr, Marais des Cygnes R, Middle Cr, Pottawatomie Cr, Unnamed Str 10291012754 (trib to North Wea Cr)	Hillsdale L	
Montgomery	Onion Cr, Verdigris R		
Morris	Davis Cr, Dry Cr, Fourmile Cr, Lime Cr, Middle Cr, Neosho R (downstream		

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	from Council Grove Lake), Palmer Cr, West Branch Mill Cr		
Morton	Cimarron R	Cimarron L, Mallard L, Point of Rocks L	KSWR Section Three: all surface waters within Cimarron National Grasslands (11)
Nemaha	South Fork Big Nemaha R		
Neosho	Flat Rock Cr, Neosho R	Neosho WA	
Osage	Frog Cr, Maris des Cygnes R (downstream from confluence with Tequa Cr)		
Phillips		Kirwin Lake, Kirwin NWR	
Pottawatomie	Clear Fork Black Vermillion R, Kansas R		
Pratt	Amber Cr, Chikaskia R, East Branch South Elm Cr, Mulberry Cr, Natrona Cr, North Elm Cr, North Fork Chikaskia R, Painter Cr, Sand Cr, Silver Cr, South Fork Ninnescah R, Turkey Cr, Unnamed Str 11060003452 (trib to Turkey Cr), West Branch of South Fork Ninnescah R	Texas Lake WA	
Reno	Arkansas R (south of confluence with Cow Cr), Goose Cr, Peace Cr, Red Rock Cr, Silver Cr, Smoots Cr, Spring Cr, Unnamed Str 11030014289 (trib to Silver Cr), Wolf Cr	Quivira Little Salt Marsh	
Republic		Jamestown WA	
Rice	Arkansas R (upstream of confluence with Rattlesnake Cr), Peace Cr, Rattlesnake Cr	Quivira Big Salt Marsh	

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Riley	Deep Cr, Kansas R, Little Arkansas Cr, Sevenmile Cr, South Br Deep Cr, Swede Cr, Wildcat Cr,		KSWR Section Four, Area (12), Konza Prairie Natural Area
Rush	Blood Cr		
Russell	Saline R (upstream of confluence with Paradise Cr)		
Scott	Ladder Cr	Lake Scott State Park	
Sedgwick	Arkansas R, Big Slough, Nester Cr, Ninnescah R, North Fork Ninnescah R, Sand Cr, Smoots Cr, Unnamed Str 11030014411 (trib to North Fork Ninnescah R), WVC Floodway		
Seward	Cimarron R		
Shawnee	Mission Cr, Kansas R		
Stafford	North Fork Ninnescah R, Peace Cr, Rattlesnake Cr	Quivira Big Salt Marsh, Quivira Little Salt Marsh	
Stevens	Cimarron R		KSWR Section Three: all surface waters within Cimarron National Grasslands (1)
Sumner	Arkansas R, Bluff Cr, Chikaskia R, Ninnescah R, Spring Cr		
Wabaunsee	Dry Cr, East Branch Mill Cr, Elm Cr, Hendricks Cr, Illinois Cr, Kansas R, Kuenzil Cr, Locust Cr, Loire Cr, Mulberry Cr, Mission Cr, Nehring Cr, Paw Paw Cr, Pretty Cr, Ross Cr, Snokomo Cr, South Branch Deep Cr, South Branch Mill Cr, Spring Cr, Unnamed Str 10270102693 (trib to East Branch Mill Cr), West Branch Mill Cr		

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Wallace	Capper Draw, Coon Cr, Eagletail Cr, Pond Cr, Rose Cr, Willow Cr		
Wichita	Ladder Cr		
Wilson	Fall R, Verdigris R		
Woodson	Neosho R, South Owl Cr, Verdigris R	Circle L, Leonard's L, Woodson SFL, Woodson WA	KSWR Section Four, Area (9)
Wyandotte	Kansas R, Missouri R		

*Note: All of the waters in the National Wildlife Refuges and Cimarron National Grasslands are Outstanding National Resource Water. The **Following counties currently do not contain waters recognized as: ESW, SALU or ONRW: Decatur, Gove, Graham, Gray, Harvey, Haskell, Hodgeman, Jackson, Lane, Lincoln, Mitchell, Ness, Norton, Osborne, Ottawa, Pawnee, Rawlins, Rooks, Saline, Sheridan, Sherman, Smith, Stanton, Thomas, Trego, Washington***

***Kansas Regulations for “high value- waters”:**

Exceptional state waters, K.A.R. 28-16-28b(dd), “means any of the surface waters or surface water segments that are of remarkable quality or of significant recreational or ecological value, are listed in the surface water register and afforded the highest level of water quality protection under the anti-degradation provisions of K.A.R. 28-16-28c and the mixing zone provisions of K.A.R. 28-16-28c.”

Outstanding national resource water, K.A.R. 28-16-28b (aaa) means any of the surface waters or surface water segments of extraordinary recreational or ecological significance identified in the surface water register, as defined this regulation, and afforded the highest level of water quality protection under the anti-degradation provisions and the mixing zone provisions of K.A.R. 28-16-28c.

Special Aquatic Life Use, K.A.R. 28-16-28d(b)(2)(A) and K.A.R. 28-16-28d(c), “means either classified surface waters other than classified stream segments that contain combinations of habitat types and indigenous biota not found commonly in the state or classified surface waters other than classified stream segments that contain representative populations of threatened or endangered species.

Anti-degradation- Pursuant to KAR 28-16-28c(a)(1)(A); levels of water quality in surface waters of the state shall be maintained to protect the existing uses of those surface waters.

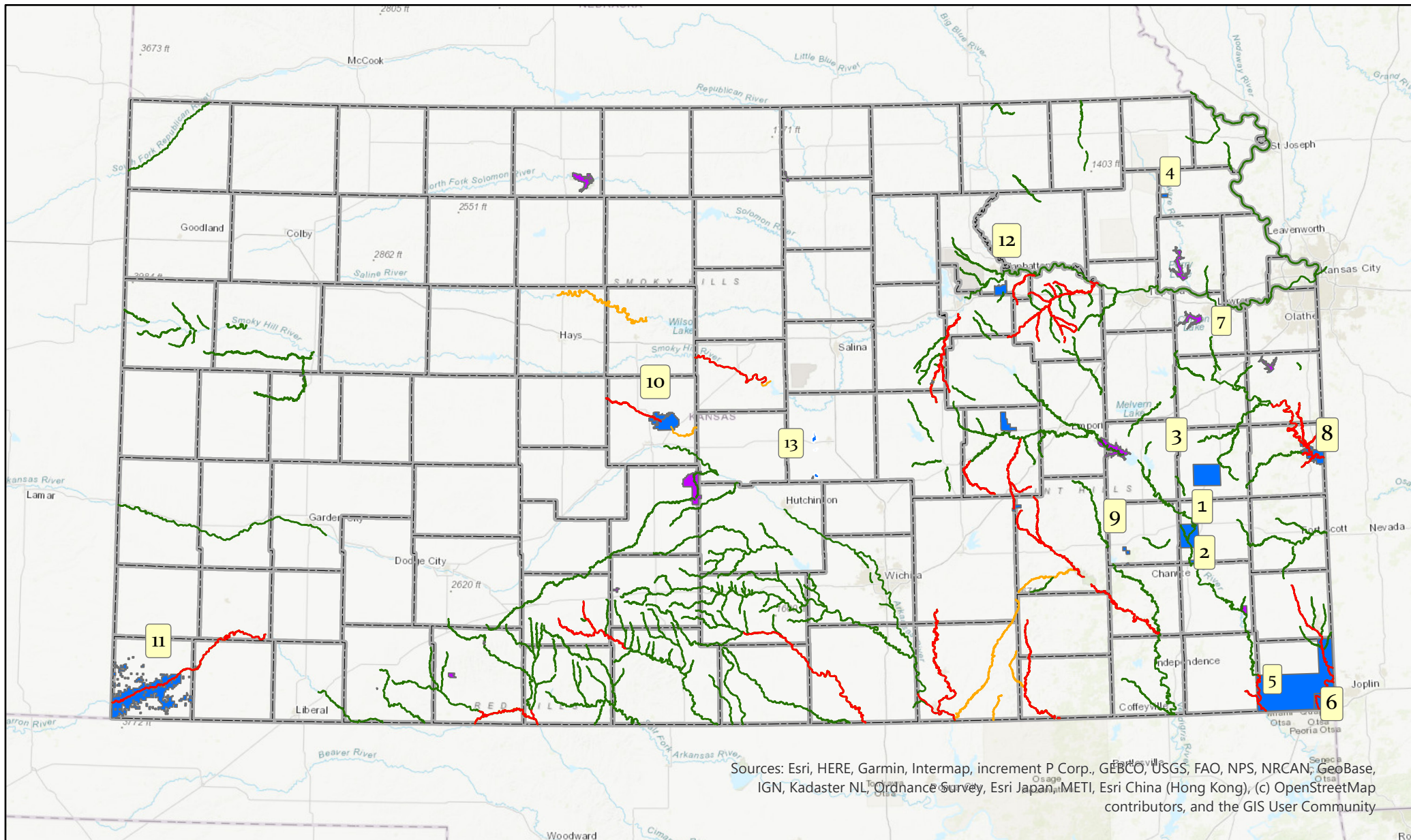
K.A.R. 28-16-28c(a)(2)- “Wherever state surface waters constitute exceptional state waters, discharges shall be allowed only if existing uses and existing water quality are maintained and protected.”

K.A.R. 28-16-28c(a)(3) “Wherever state surface waters constitute an outstanding national resource water existing uses and existing water quality shall be maintained and protected. New or expanded discharges shall not be allowed into outstanding national resource waters.”

K.A.R. 28-16-28c(a)(4) “No degradation of surface water quality by artificial sources of pollution shall be allowed if the degradation will result in harmful effects on populations of any threatened or endangered species of aquatic or semiaquatic life or terrestrial wildlife or its critical habitat as determined by the secretary of wildlife and parks pursuant to K.S.A. 32-960, and amendments thereto, and K.A.R. 115-15-3 or in the federal endangered species act, 16 U.S.C. 1532 , as amended on October 7, 1988.”

Please note the Kansas Surface Water Quality Standard citations and locations within this document are subject to change without notice. For the most recent version, please see: <https://www.kdheks.gov/tmdl/kswqs.htm>.

Outstanding National Resource Waters, Exceptional State Waters, and Special Aquatic Life Use Waters



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

- Special Aquatic Life Use and Exceptional State Waters Streams
- Special Aquatic Life Use Streams
- Exceptional State Waters Streams
- Outstanding National Resource Waters, Exceptional State Waters, and Special Aquatic Life Use AREAS
- Outstanding National Resource Waters, Exceptional State Waters and Special Aquatic Life Use Lakes and Wetlands