

Stribley, Sara

Subject: Keystone ENSR - Meeting with KDWP
Location: Pratt, KS
Start: Thu 2/8/2007 8:00 AM
End: Thu 2/8/2007 10:00 AM
Recurrence: (none)
Meeting Status: Meeting organizer
Required Attendees: nated@wp.state.ks.us

Hi Nate,

ENSR would like to meet with you in early February to review the biological surveys that are planned for the Keystone Pipeline Project in 2007 and 2008 in Kansas. Would the following meeting date and time work for you?

Date: Thursday, February 8, 2007

Time: 8:00 - 10:00 am

Location: Pratt, KS - KDWP Office

ENSR is planning on sending you a package by next week containing all of the information regarding the upcoming biological surveys for the Project in Kansas. We are hoping to use the information contained in this package as the template for discussions at the February meeting. Please feel free to invite other KDWP representatives if needed. Please let me know at your earliest convenience if you would or would not be able to attend this meeting.

Thanks and Happy New Year,
Sara

Sara Stribley
ENSR | AECOM
1601 Prospect Parkway
Fort Collins, Colorado 80525
970-493-8878 ext 168
sstribley@ensr.aecom.com

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December 19, 2006

Nate Davis
Aquatic Ecologist
Kansas Department of Wildlife and Parks
512 SE 25th Avenue
Pratt, KS 67124

Dear Mr. Davis:

At this time, ENSR Corporation (ENSR) is providing you with a survey report detailing information collected along the Keystone Pipeline Project during the fall of 2006 in Kansas for the federally endangered Topeka shiner (*Notropis topeka*).

Project Description

TransCanada is planning to construct and operate an approximately 1,845-mile-long interstate crude oil transmission system from an oil supply hub near Hardisty, Alberta, Canada to destinations in the Midwestern United States (U.S). The proposed Project would consist of approximately 1,078 miles of new pipeline constructed from the U.S.-Canada border in Cavalier County, North Dakota, to terminals and refineries in Wood River (Madison County) and Patoka (Marion County), Illinois. This pipeline is referred to as the Keystone Mainline. Approximately 283 miles of the Keystone Mainline would parallel the proposed Rockies Express Pipeline - West (REX-West) Project in Kansas and Missouri. In addition, TransCanada proposes to construct a 292-mile pipeline extension (Cushing Extension) that would extend from the Keystone Mainline south from the Nebraska/Kansas border to Cushing, Oklahoma. TransCanada proposes to begin construction of the Keystone Mainline in early 2008, with the system in-service by the end of 2009. Work on the Cushing Extension will begin in late 2009 or early 2010, with a Cushing Extension in-service date of 2010. The project also will require the construction of pump stations, valves, meters, and other ancillary facilities. The hydraulic characteristics of the pipeline will determine pump station and valve locations. Electrical powerlines and facility upgrades will be required in some locations to provide power for the new pump stations, though these facilities will be constructed by local utility companies, not Keystone.

Topeka Shiner Survey Reports

Attached for your review is a report summarizing the Topeka shiner habitat and fish surveys that were conducted on September 14 through 17, and October 2 through 4, 2006, in **Marshall** County, Kansas. The surveys were conducted at stream crossings identified as potential habitat for the T. shiner through consultation with the Kansas Department of Wildlife and Parks (KDWP), Kansas Natural Heritage Program, and U.S. Fish and Wildlife Service (USFWS).

Based on your review of the survey findings, we are asking for your input and recommendations on further survey efforts for the Topeka shiner that would be required by the KDWP. We have provided a "Comments and Recommendations" form to aid in your assessment of the report findings. Please return this form to ENSR at your earliest convenience in order for us to promptly address any concerns. Dr. William Stark (aquatic biologist and report author) will be following up with you in early January to discuss the report in more detail and to consult on any further surveys that would be required for this species.

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Nate Davis
December 19, 2006
Page 2

A copy of this report also has been sent to Vernon Tabor (USFWS) and John Cochnar (Nebraska USFWS – Project Lead). Additional copies of the report are enclosed for distribution to other state wildlife and parks representatives. If you have any questions regarding the enclosed materials, you may also contact me at (970) 493-8878 ext. 181 or cjohnson@ensr.aecom.com.

Sincerely,



Charles Johnson
Senior Wildlife Biologist

CJ/sc

Enc. A Field Survey of Suitable Habitat and Fish Sampling for the Topeka Shiner (*Notropis topeka*) for the Keystone Pipeline Project in Kansas and Missouri (x2)

Nate Davis
December 19, 2006
Page 3

Keystone Pipeline Project Survey Report (Topeka Shiner)
Comment and Recommendation Form

Sect. #	Para. #	Specific Comments

Recommendations

Name

Title

Date

Stribley, Sara

From: Lorenz, Patricia
Sent: Monday, December 11, 2006 10:18 AM
To: Patti, Scott; Barnes, Chad; Johnson, Charlie; Stribley, Sara
Subject: FW: REX South fork Big Nemaha river crossing

FYI

From: Davis, Nate [mailto:nated@wp.state.ks.us]
Sent: Monday, December 11, 2006 7:05 AM
To: Lorenz, Patricia
Subject: REX South fork Big Nemaha river crossing

Ms. Lorenz,
The project will cross a portion of the Nemaha River basin north of Seneca, Kansas (23-2-12) that is designated as critical habitat for the Western Silvery Minnow & Flathead Chub. The spawning date restrictions are from June 1 - Aug 15 for the two species.

We can work this into the permit for the project rather easily. The main condition that would affect the project would be no work in the river channel during those spawning dates.

If you have any questions please give me a call or email

Sorry it took so long to get this question answered.

Nate Davis
KDWP Env. Services Section, Aquatic Ecologist
512 SE 25th Ave, Pratt, KS 67124
620.672.0795 (Office); 620.450.8311 (cell); 620.672.2972 (fax)
nated@wp.state.ks.us

S.F Big Nemaha

Stribley, Sara

From: Johnson, Charlie
Sent: Friday, December 08, 2006 1:24 PM
To: Stribley, Sara
Subject: FW: Topeka Shiner at North Elm
Follow Up Flag: Follow up
Flag Status: Red

FYI - Important

From: Lorenz, Patricia
Sent: Friday, December 08, 2006 11:17 AM
To: Johnson, Charlie
Cc: Patti, Scott; Barnes, Chad
Subject: RE: Topeka Shiner at North Elm

As of this date, we will have to stay out of N. Elm Creek during the spawning period (May 15 - July 31) and also move fish when we do construct through the stream crossings. Bill finished surveys on 12/5/06 and found no Topeka shiners in the MO streams. Therefore, MO is cleared for 2007 Topeka shiner issues.

We will receive all of Bill's data next week. At that time, we will include the results from this weeks surveys and complete the 2006 Survey report. I spoke with Bill and he would like to give all of the agencies ~10 days to review the report. He volunteered to contact all agency reps involved. We can then work on setting up a meeting to discuss what the actual requirements will be for the 2007 crossing of N. Elm Creek.

I spoke with Nate last week about the permits for Kansas and are currently working on getting him information for the riparian mitigation bank.

Patti

From: Johnson, Charlie
Sent: Friday, December 08, 2006 8:50 AM
To: Lorenz, Patricia
Cc: Patti, Scott; Barnes, Chad
Subject: FW: Topeka Shiner at North Elm

Patti, have you or someone from this office started the state permit process for Kansas. If not, we should probably get started on this process with Nate Davis. Have the survey reports for REX (e.g., TS, Bats) been sent to the agencies for review/concurrence??

From: Patti, Scott
Sent: Friday, December 08, 2006 6:18 AM
To: Lorenz, Patricia
Cc: Johnson, Charlie
Subject: Topeka Shiner at North Elm

Are we saying that we simply cannot cross North Elm, even with the salvage, between May 15 and July 31? Or can we cross as long as we salvage?

12/11/2006

Scott J. Patti
Senior Project Manager
ENSR
1601 Prospect Parkway
Fort Collins, CO 80525
Phone: 970/493-8878
Cell: 970/218-8041
FAX: 970/493-0213
spatti@ensr.aecom.com

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FOR INTERNAL KEYSTONE PROJECT USE ONLY

TransCanada – Keystone Pipeline Contact Summary Form

Location of Meeting ENSR
Date/Time of Meeting November 20, 2006
Keystone Team Member(s) Sara Stribley

Contact Information:

Name	Nate Davis
Title	Aquatic Ecologist
Organization	Kansas Department of Wildlife and Parks
Address	512 Southeast 25th Avenue Pratt, KS 67124
County	
Phone	(620) 672-5911 ext 195
E-mail address	nated@wp.state.ks.us

Meeting Information:

Type of Contact (phone, in-person, etc.): E-mail

Issue: Sensitive Species Survey Protocols

Concern Level: High___Moderate___Low_____

Description:

Hi Nate,
Hope things are going well with you? Charles Johnson with ENSR informed me that he sent a consultation letter out to you several weeks ago for the Keystone Cushing Extension Pipeline Project? I just wanted to follow up to make sure you had received the letter, and also to check when we might see something back from KSDWP? If you have any questions, or did not receive the letter, please give me a call! Thanks, and hope you have a great Thanksgiving!

Sincerely,
Sara

Sara Stribley
Environmental Coordinator
ENSR | AECOM
1601 Prospect Pkwy
Fort Collins, Colorado 80525
P: 970.493.8878
F: 970.4930213

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FOR INTERNAL KEYSTONE PROJECT USE ONLY

sstribley@ensr.aecom.com

www.ensr.aecom.com

Issue: _____

Concern Level: High__Moderate__Low__.

Description:

Stribley, Sara

From: Stribley, Sara
Sent: Monday, November 20, 2006 4:54 PM
To: 'nated@wp.state.ks.us'
Subject: Keystone Cushing Extension - T&E Consultation Letter

Hi Nate,

Hope things are going well with you? Charles Johnson with ENSR informed me that he sent a consultation letter out to you several weeks ago for the Keystone Cushing Extension Pipeline Project? I just wanted to follow up to make sure you had received the letter, and also to check when we might see something back from KSDWP? If you have any questions, or did not receive the letter, please give me a call! Thanks, and hope you have a great Thanksgiving!

Sincerely,
Sara

Sara Stribley
Environmental Coordinator
ENSR | AECOM
1601 Prospect Pkwy
Ft. Collins, Colorado 80525
P: 970.493.8878
F: 970.4930213
sstribley@ensr.aecom.com
www.ensr.aecom.com

Castle, Carla

From: Duncan, Scott
Sent: Friday, November 03, 2006 3:10 PM
To: Hope, Benjamin
Cc: Johnson, Charlie; Ellis, Scott; Castle, Carla; Dufresne, Doree
Subject: RE: Cushing Extension

Ben,

Nate Davis (KDWP) called back and said that the Milford Wildlife Management Area is leased to KDWP by the Corps of Engineers. The Corps owns the Milford WMA so that an easement would be needed from the Corps. R.J. Harms is the Project Manager for the Milford Lake Project Office (telephone 785-238-5714). I spoke to RJ and he indicated that there are 4 or 5 cells that are flooded for wildlife habitat in a cooperative project with the USFWS that should be avoided in the Milford WMA. I believe the proposed route misses these ponds, but this needs to be confirmed.

Scott

From: Hope, Benjamin
Sent: Thursday, November 02, 2006 2:38 PM
To: Duncan, Scott
Subject: RE: Cushing Extension

Thanks a lot Scott

Let me know what Nate has to say.

Ben

From: Duncan, Scott
Sent: Thursday, November 02, 2006 3:01 PM
To: Dufresne, Doree; Hope, Benjamin; Castle, Carla; Johnson, Charlie
Cc: Ellis, Scott
Subject: RE: Cushing Extension

Ben,

A stream channel modification permit (KSDA) will be required for crossing the Republican River. An Action Permit (Kansas Dept. of Wildlife and Parks [KDWP]) would be required if the Republican River contains any T&E species and an easement to cross the state wildlife area. Jim Hays, Section Chief of Environmental Services (KDWP), indicated in the first Kansas State Agency meeting (Feb 2006) that permissions to cross state lands normally take about 30 days, assuming no significant environmental issues. I've got a call into Nate Davis, biologist who is handling Keystone Pipeline Project issues regarding the specifics for the Milford State Wildlife area. The link below provide more info on the Milford State Wildlife Area. There are also the usual Federal permits involved related to wetlands, wildlife consultations, and cultural resources.

http://www.kdwp.state.ks.us/news/kdwp_info/locations/wildlife_areas/region_2/milford

Scott

11/6/2006

Castle, Carla

From: Duncan, Scott
Sent: Thursday, November 02, 2006 2:01 PM
To: Dufresne, Doree; Hope, Benjamin; Castle, Carla; Johnson, Charlie
Cc: Ellis, Scott
Subject: RE: Cushing Extension

Ben,

A stream channel modification permit (KSDA) will be required for crossing the Republican River. An Action Permit (Kansas Dept. of Wildlife and Parks [KDWP]) would be required if the Republican River contains any T&E species and an easement to cross the state wildlife area. Jim Hays, Section Chief of Environmental Services (KDWP), indicated in the first Kansas State Agency meeting (Feb 2006) that permissions to cross state lands normally take about 30 days, assuming no significant environmental issues. I've got a call into Nate Davis, biologist who is handling Keystone Pipeline Project issues regarding the specifics for the Milford State Wildlife area. The link below provide more info on the Milford State Wildlife Area. There are also the usual Federal permits involved related to wetlands, wildlife consultations, and cultural resources.

http://www.kdwp.state.ks.us/news/kdwp_info/locations/wildlife_areas/region_2/milford

Scott

Scott Duncan

ENSR
1601 Prospect Parkway
Ft. Collins, CO 80521
Telephone: (970) 493-8878 Ext 150
Fax (970) 493-0213

From: Dufresne, Doree
Sent: Thursday, November 02, 2006 11:03 AM
To: Hope, Benjamin; Castle, Carla; Duncan, Scott; Johnson, Charlie
Cc: Ellis, Scott
Subject: FW: Cushing Extension

Janie/Scott D/Charles - are there any specific permits needed/listed for the Milford Wildlife area in Kansas, or any other information to help Ben out?

From: Hope, Benjamin
Sent: Thursday, November 02, 2006 10:41 AM
To: Ellis, Scott; Tillquist, Heidi; Dufresne, Doree; Stribley, Sara
Subject: Cushing Extension

To All:

Does anyone have knowledge of the Milford Wildlife Area at appx. MP 50 (Cushing) or know who I could ask to give us some info. about this area. (permitting issues, reroute potential etc..)

Thanks,

11/2/2006

Ben

October 31, 2006

Mr. Charles Johnson
ENSR International
1601 Prospect Parkway
Fort Collins, CO 80525-9769

Track: 20060054
BR, BU, CL, CY,
DK, DP, MN, MS,
NM, WS

Ref: D5.0101

Dear Mr. Johnson:

We have reviewed the information you sent regarding the Keystone Pipeline Project, a 1,830 mile interstate crude oil transmission pipeline that will transect Kansas through west to east in Marshall, Nemaha, Brown and Doniphan Counties AND the Cushing Extension, a 295 mile portion of interstate pipeline transecting Kansas north to south through Washington, Clay, Dickinson, Marion, Butler and Cowley counties. The project was reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered wildlife species, and public recreation areas for which this agency has some administrative authority.

Keystone (Marshall, Nemaha, Brown, Doniphan):

1. Threatened & Endangered Species:

As we discussed during our meeting in July of 2006, two state-listed T&E species will be impacted by the project, the Topeka Shiner (*Notropis topeka*) and the Bald Eagle (*Haliaeetus leucocephalus*). The Keystone project will require a T&E action permit for trench cutting North Elm Creek in Marshall County, and for removal of mature riparian timber within 100 yards of the high-bank along the Big Blue River in Marshall County and the Missouri River in Doniphan County. The application can be found online at:

http://www.kdwp.state.ks.us/news/other_services/threatened_and_endangered_species/action_permit/action_permit_application

Mitigation of impacts to the Topeka Shiner (*N. topeka*) can be handled by avoiding construction during the spawning season for this species of May 15 through July 31. In addition, if construction will disturb any stream pools with a maximum depth of 3' or greater, those pools must be seined prior to construction and any *N. Topeka* captured must be relocated upstream from to a pool of similar depth (>3'). Keep in mind, a state T&E collecting permit will be required for this activity. The banks & bed of the stream will need to be restored to pre-construction contours with erosion control & revegetation with a native grass mixture.

Bald Eagle habitat will be impacted if riparian timber within 300' of the high-bank of the Big Blue or Missouri Rivers will be removed. Impacts to this habitat along these two rivers can be blended into the cumulative mitigation of riparian woodlands proposed to occur along the entire project route (see #2 below). In addition, a survey should be performed at least two weeks prior to timber removal along the Big Blue and Missouri Rivers to insure no nesting activity is occurring.

2. Riparian Woodlands:

Although most impacts along the Keystone Route are to tame pasture and cropland, we have requested the project mitigate the loss of riparian woodlands on a per-acre basis for impacts that will occur to this valuable resource. Our initial calculations indicate approximately 65 acres will be temporarily or permanently removed based on a 110' R/W. We have contacted Tim Christian, State Coordinator of the Kansas Alliance for Wetlands and Streams, and he indicated KAWS could act as a recipient of monetary mitigation funds to implement the restoration of riparian areas along drainage-ways in the affected counties. Costs can be calculated based on USDA Conservation Practices costs for riparian restoration in these counties. Please coordinate with Mr. Christian on determining the costs for mitigation of riparian woodlands and wetlands. Tim's contact information is: **Kansas Alliance for Wetlands and Streams, Tim Christian, State Coordinator, P.O. Box 236, McPherson, KS 67460-0236, (620) 241.3636 or 6921, (620) 245.9618 (fax), tchristian@kaws.org**

3. Preferred seed mix

Seed mixes should contain native warm season grasses and forbs. Non-native cool season grasses such as smooth brome or fescue are not acceptable. Inclusion of shrubs into the mix is preferred. You may wish to contact District Wildlife Biologist Randy Whiteaker for specific ratios of seed and forbs mixes randyw@wp.state.ks.us (785-935-2552)

Cushing (Washington, Clay, Dickinson, Marion, Butler, Cowley):

1. *Threatened & Endangered Species*: We have reviewed the ArcGIS shapefile you provided in October 2006 for the Cushing Extension and have identified primary areas and species that may be impacted. As with the Keystone route, impacts from the Cushing extension may require an action permit from KDWP.

A. Topeka Shiner (*Notropis topeka*): The project will cross several stream localities that are a concern for the Topeka Shiner including (section-township-range):

- Carry Creek crossing 36-14-3
- UNT to West branch Lyon 24-15-3
- West Br. Lyon 25-15-3
- UNT to Lyon's Creek S/2 13-16-3
- UNT to Lyon's Creek 24-16-3

These crossings should be surveyed for suitable habitat for *N. topeka*. If habitat is suitable, a permit will be required and similar conditions for the North Elm Creek crossing will be included such as spawning date restrictions, relocation efforts, and reclamation of the impacted area.

B. Neosho Madtom (*Notropis placidus*). Although the Neosho Madtom does not have designated critical habitat in Marion county, aerial photographs indicate there may be appropriate hydrology to support the species. The crossing at the Cottonwood River should be surveyed for any appropriate habitat for this species at:

- Cottonwood River 36-19-3

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C. Freshwater Mussels: Species of freshwater mussels listed as SINC (species in need of conservation) inhabit streams in the Flint Hills including Fawnsfoot (*Truncilla donaciformes*) and Creeper (*Strophitus undulates*). Two stream crossings in Marion County are of particular concern:

- Cottonwood River 36-19-3
- Doyle Creek 30-21-4

D. Arkansas Darter (*Etheostoma cragini*): This species is known to occur in west and south-side tributaries of the Arkansas River in south-central Kansas. One location is of concern:

- UNT to Arkansas River 3-35-3

E. Arkansas River Shiner (*Notropis girardi*), Silver Chub (*Macrhybopsis storeriana*), and Speckled Chub (*Macrhybopsis tetranema*): These species are listed as Endangered by the state and you should indicate whether the Arkansas River will be trench-cut or directionally bored.:

One area of concern is the

- The Republican River 1-9-3
- the Arkansas River 22-34-3

F. Bald Eagle (*Haliaeetus leucocephalus*): This species may be impacted if riparian woodland is removed within 100 yards of:

- the Arkansas River 22-34-3

2. Public lands: The Cushing Extension may intersect Milford Wildlife Area, near Broughton, KS (Clay co.). You should contact Region 2 public lands supervisor John Silovsky at 785.273.6740 to determine what, if any public lands may be affected. The Corps of Engineers may also need to be contacted if the area is Corps-owned property (Milford Lake Project Office: 785-238-5714).
3. Riparian and Wetlands: The Cushing route has a moderate amount of riparian woodlands that may be impacted and we request those areas be restored in-kind, preferably through coordination with KAWS. Some particular areas of concern are
 - Washington County: Areas along Little Blue River and Mill Creek
 - Clay County: Republican River 1-9-3
 - Dickinson County: Chapman creek in 36-11-3, the Smokey Hill River in 12-13-3, an oxbow just north of Smokey Hill crossing at section line of 1 & 12-13-3, the Carry Creek crossing 36-14-3, and West Br. Lyon 25-15-3
 - Marion County: areas along the Cottonwood River 36-19-3 and Doyle Creek 30-21-4
 - Butler County: Multiple crossings along Whitewater River between Towanda & Augusta
 - Cowley County: The Arkansas River Crossing in 22-34-3

4. Preferred seed mix

Seed mixes should contain native warm season grasses and forbs. Non-native cool season grasses such as smooth brome or fescue are not acceptable. Inclusion of shrubs into the mix is preferred. You may wish to contact District Wildlife Biologist Clint Thornton for specific ratios of seed and forbs mixes clintt@wp.state.ks.us (785-461-5402)

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Sincerely,

Nate Davis, Aquatic Ecologist (nated@wp.state.ks.us)
Environmental Services Section

xc: KDWP Reg Sup, Wolfe, Swan, Silvosky
KDWP DWB, Whiteaker, Thornton
KDHE, Mueldener, Michael Parhomek (Bur. Air & Radiation)
USFWS, LeValley
USEPA, Mulder
COE, Milford Lake Project Office
TransCanada, Greg Moffatt
Counsel of Gov. Public Affairs, Don Schnacke
ENSR, Scott Duncan

Castle, Carla

From: Johnson, Charlie
Sent: Tuesday, October 17, 2006 3:55 PM
To: nated@wp.state.ks.us
Cc: Duncan, Scott; Castle, Carla
Subject: Keystone

Nate, based on our project meeting for Keystone, I am trying to close the loop on some action items. Could you please provide an update on communications with KAWS regarding riparian woodland mitigation for the project?

Thanks

Charles Johnson
Senior Wildlife Biologist
ENSR|AECOM
1601 Prospect Parkway
Fort Collins, CO 80525
(970) 493-8878
cjohnson@ensr.aecom.com

10/18/2006



TransCanada

In business to deliver

October 16, 2006

Nate Davis
Kansas Department of Parks and Wildlife
512 Southeast 25th Avenue
Pratt, KS 67124

ENSR
1601 Prospect Parkway
Fort Collins, CO 80525
tel 970.493.8878
fax 970.493.0213
email cjohnson@ensr.aecom.com
web www.transcanada.com

Dear Mr. Davis:

ENSR Corporation (ENSR) had previously contacted you via letter requesting information regarding TransCanada's Keystone Pipeline project. Based on interest expressed by crude oil shippers, TransCanada is now planning to expand the Keystone Pipeline project with the construction of an additional 292-mile pipeline extension (Cushing Extension) south from Jefferson County, Nebraska, to Cushing, Oklahoma. The primary delivery points for this expansion would be in the Ponca City and the Cushing areas. Like the original line discussed in our January 24, 2006 letter, TransCanada proposes to begin construction of the new pipeline in the winter or early spring of 2008, with the system in-service by the end of 2009. Construction of the Cushing Extension is proposed to begin in 2009, with the system in-service by the end of 2010.

Enclosed is a overview map of the entire proposed route including the new Cushing Extension. The Cushing Extension portion of the Project will cross portions of Washington, Clay, Dickinson, Marion, Butler, and Cowley counties (see attached Overview Map, aerial and topographic maps). Shape files of the Cushing Extension will be sent to your e-mail address.

On behalf of TransCanada, ENSR would like to again provide an opportunity for Kansas Department of Parks and Wildlife (KDPW) biologists and botanists to identify prominent terrestrial and aquatic resource issues or concerns that may occur within or adjacent to the project area, focusing on species that are either sensitive (e.g., state-listed), have high economic value (e.g., big game, waterfowl), or are considered important by the state (e.g., raptors, bats). Please forward this request to the applicable specialists (e.g., fisheries and/or wildlife biologists, habitat biologists, botanists, etc.) so they may provide information and input. Resource information provided by the KDPW will be reflected in the environmental baseline description pertaining to the project. If applicable, please send electronic files for our environmental analysis to: cjohnson@ensr.aecom.com.

Where it appears that possible or probable concerns relative to sensitive species or habitats may occur, please indicate whether surveys might be required, as well as the preferred methodology and level of effort you would consider acceptable for the surveys.

ENSR also is contacting the U.S. Fish and Wildlife Service to request sensitive species information and to obtain input regarding the proposed Cushing Extension route in Kansas. If you have any questions regarding this request, please call me at (970) 493-8878. You also may direct project-related questions to the ENSR project manager, Scott Ellis, at the same number. Thank you in advance for your prompt response to this request.

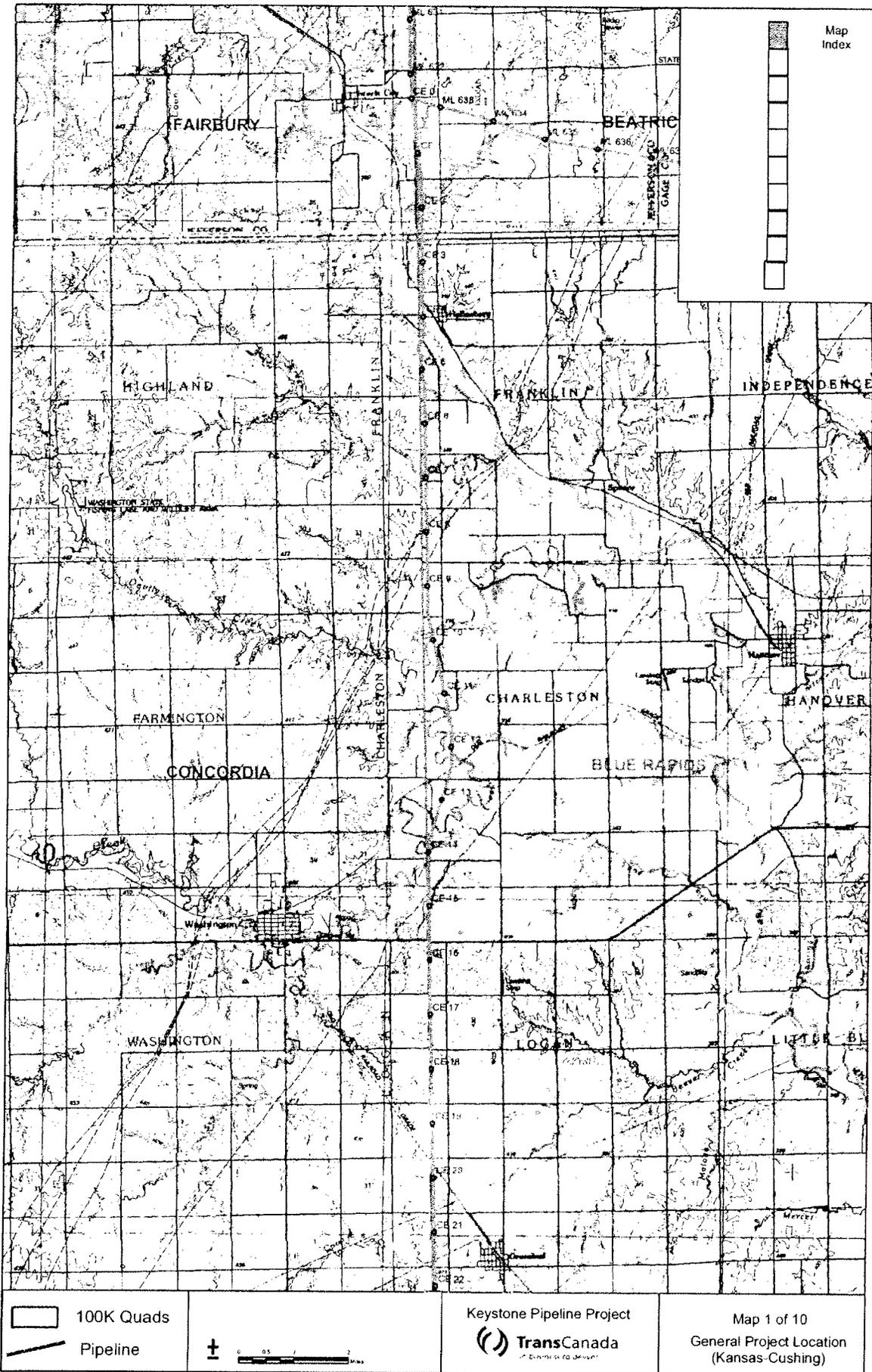
Sincerely,

Charles Johnson
Senior Wildlife Biologist/Coordinator

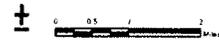
CJ/

Ref: 10623-004

Enc. Overview Project Map
Aerial and Topographic Maps

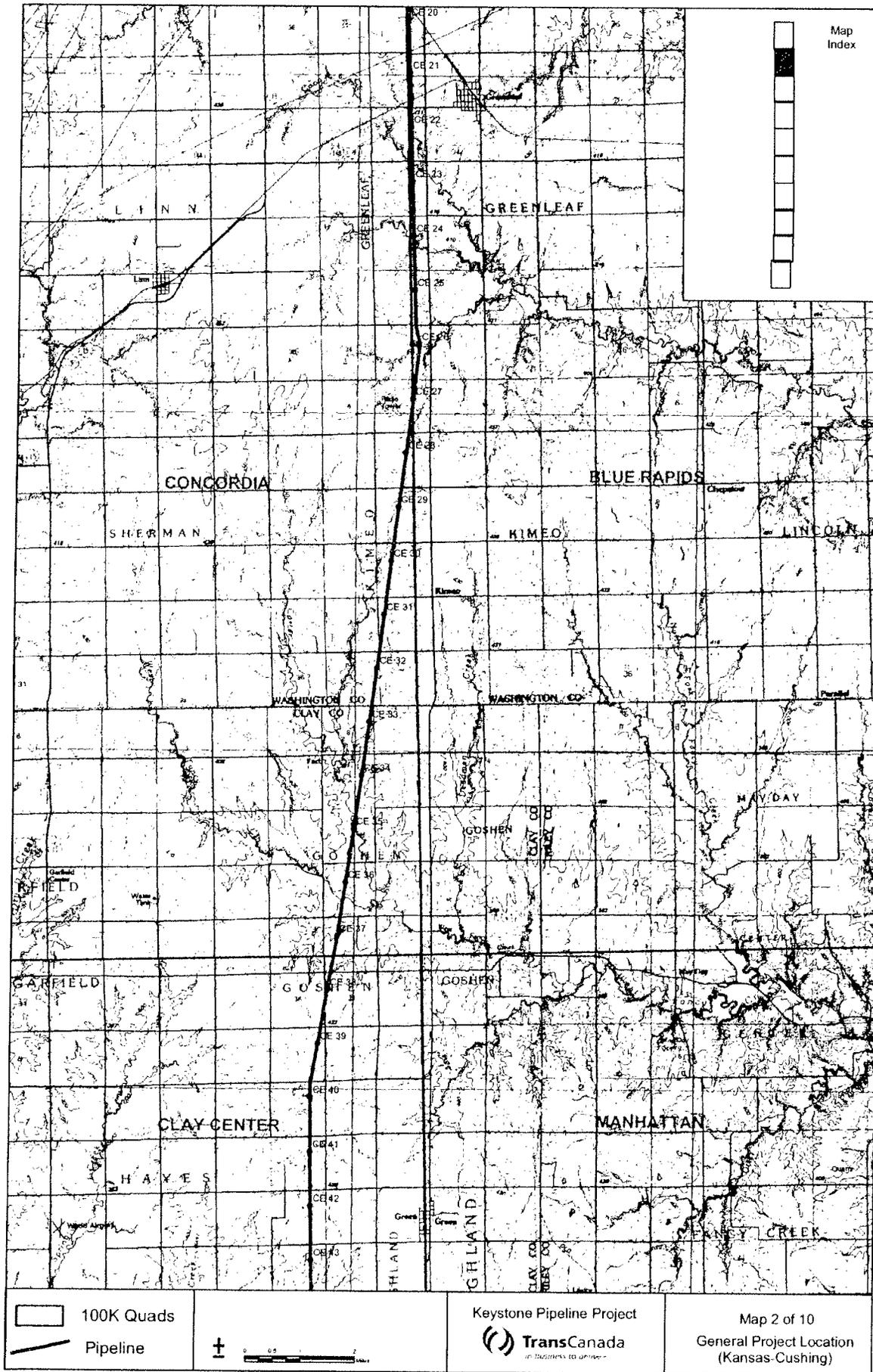


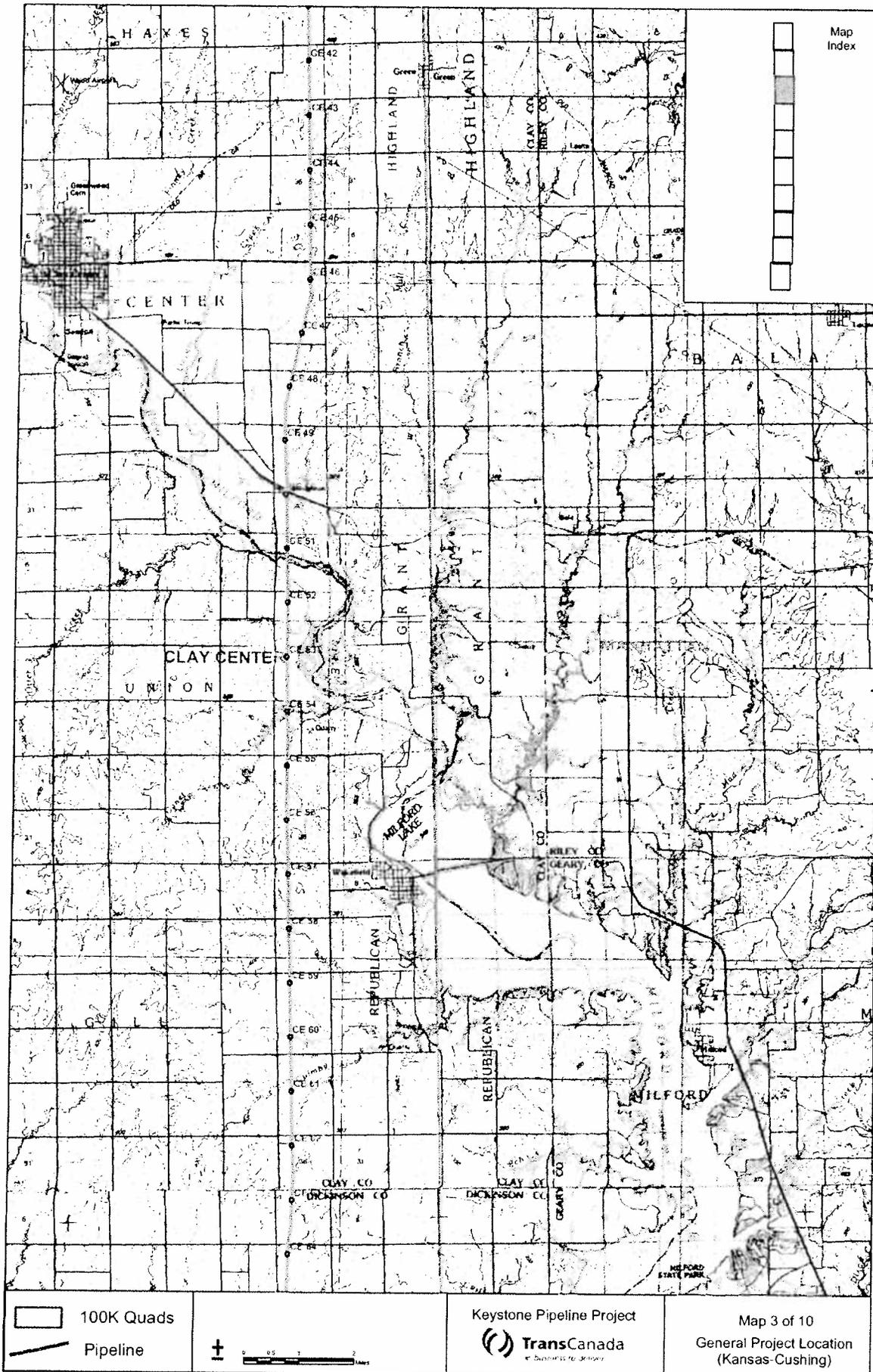
100K Quads
Pipeline

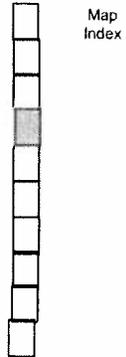
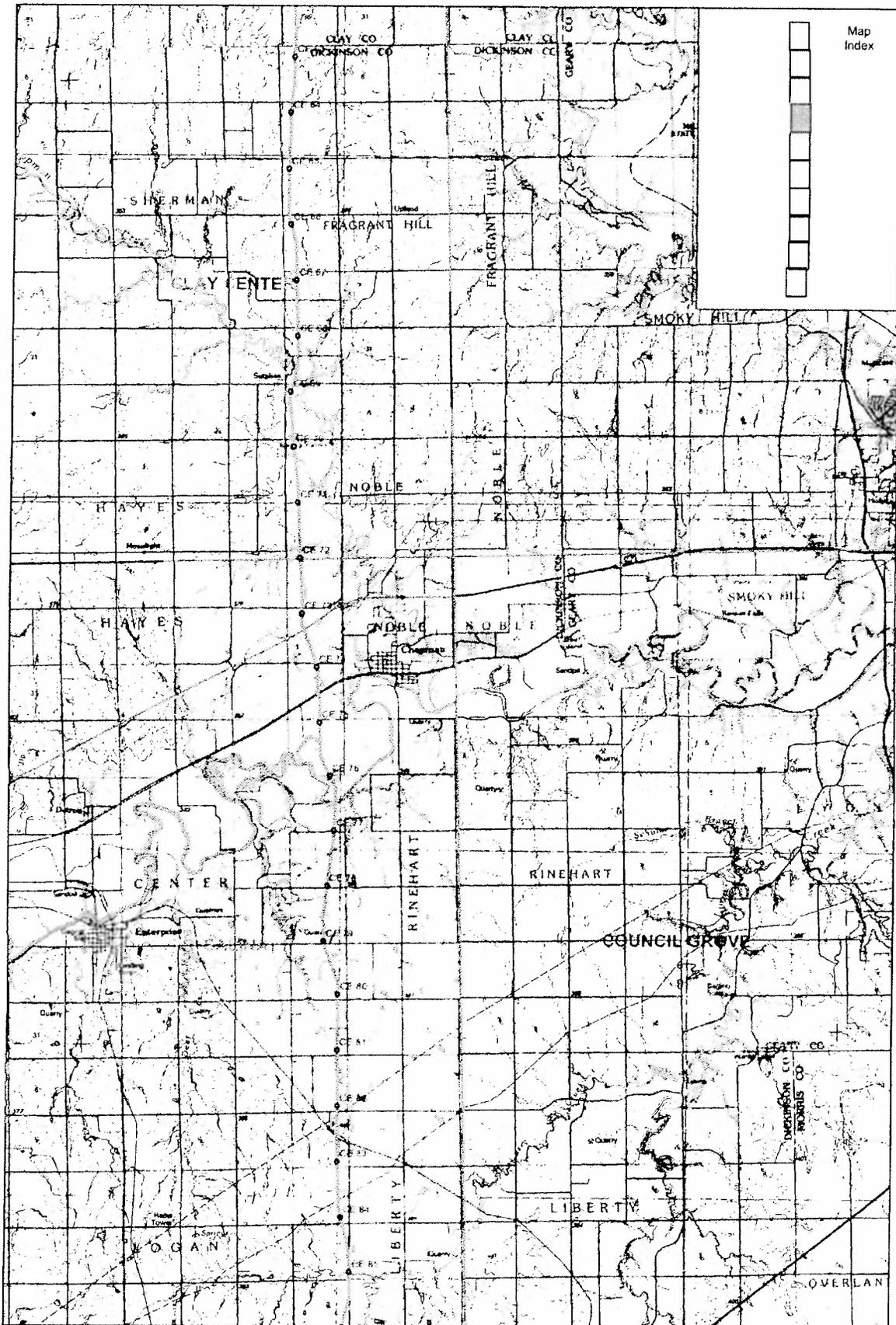


Keystone Pipeline Project
 TransCanada
A BUNGE COMPANY

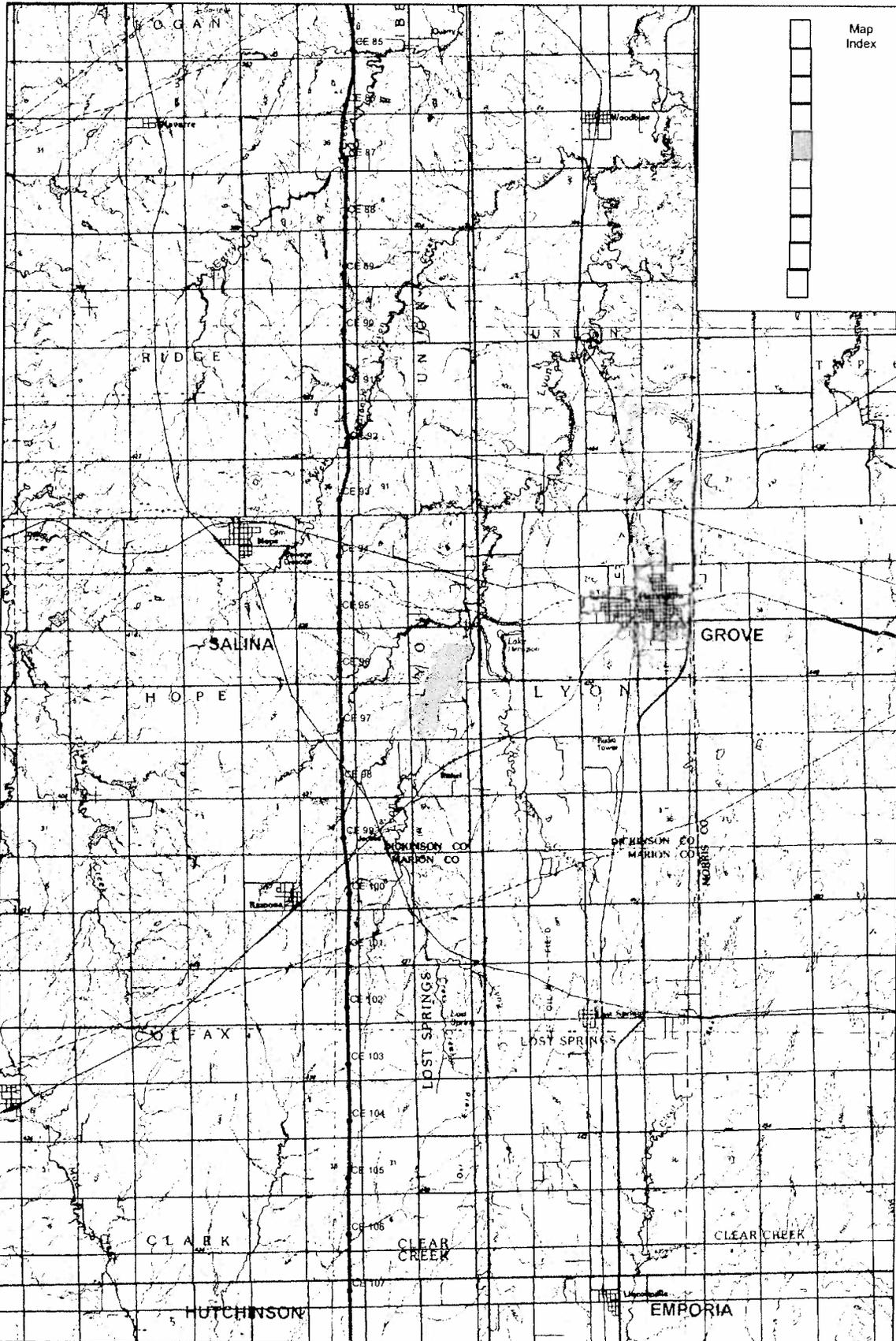
Map 1 of 10
General Project Location
(Kansas-Cushing)



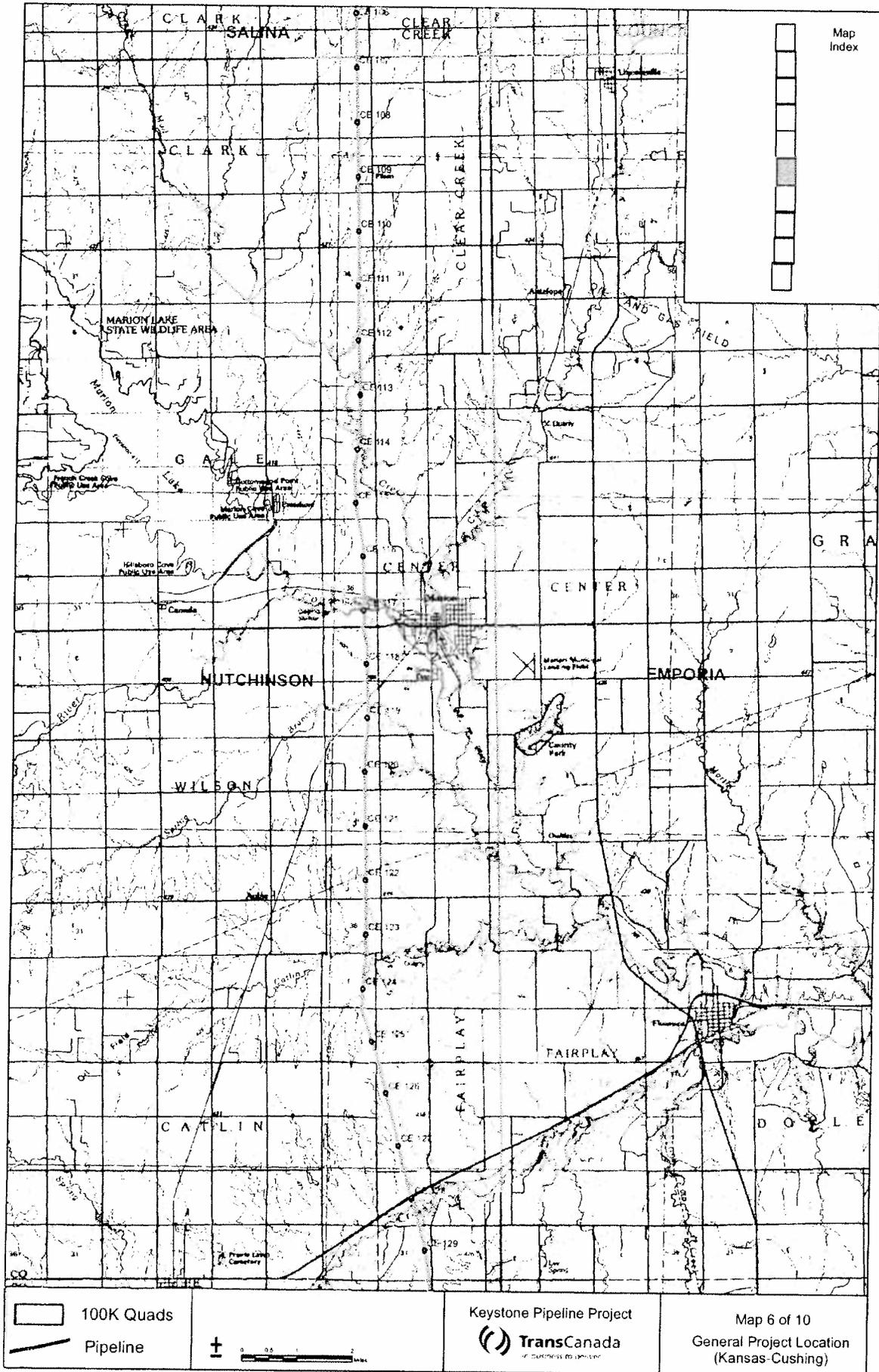


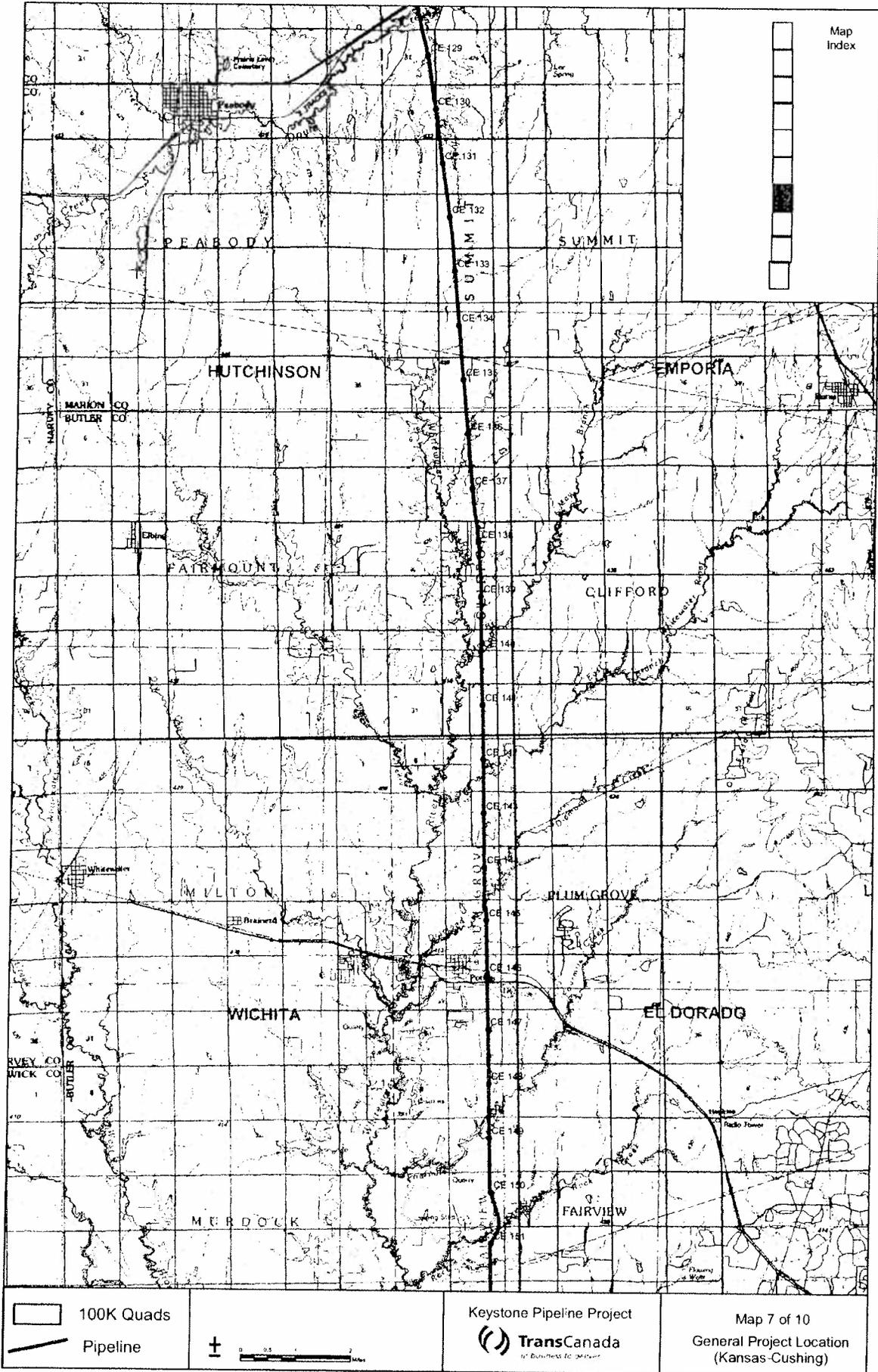


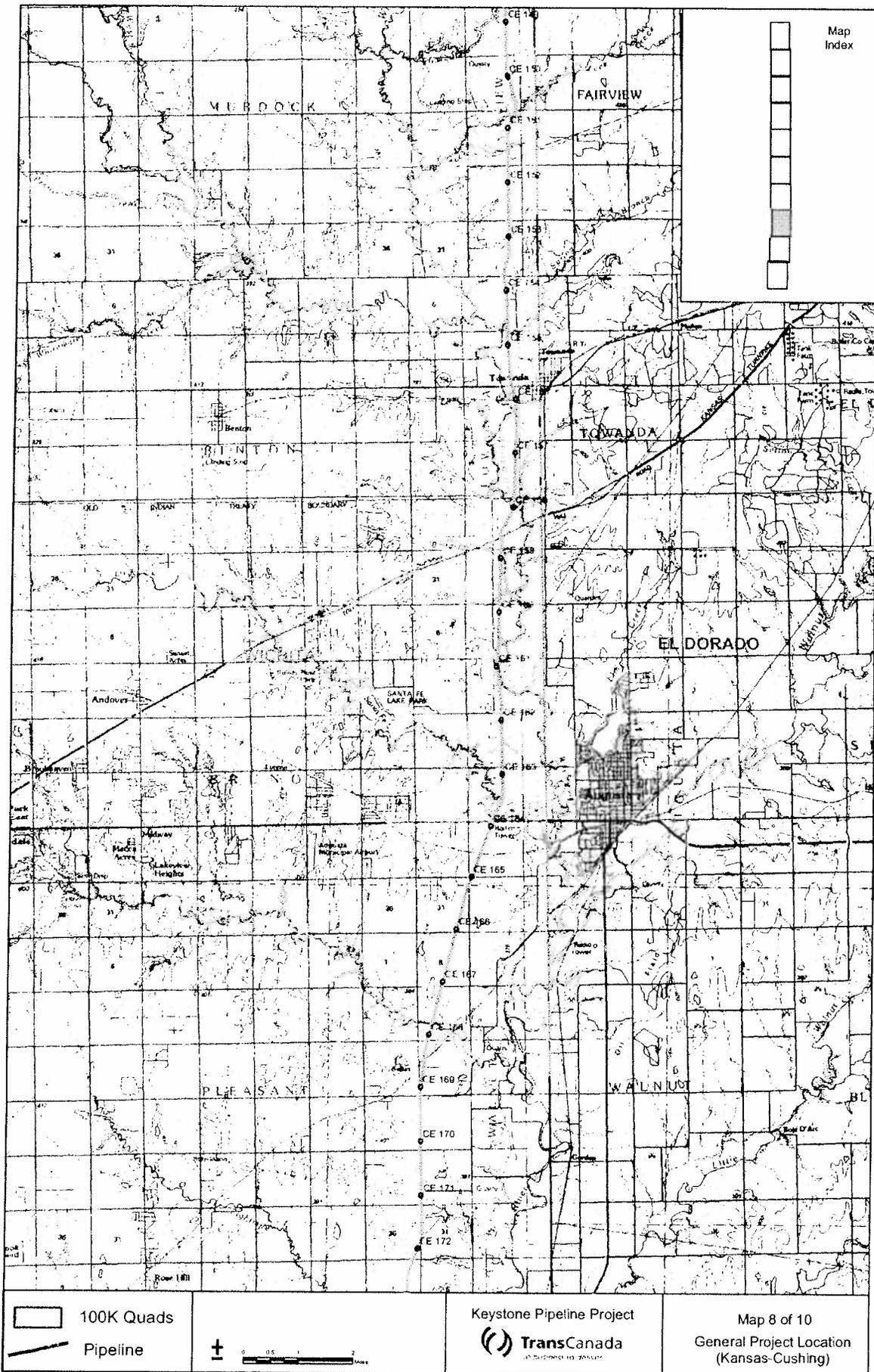
<p>100K Quads Pipeline</p>	<p>0 0.5 1 2 Miles</p>	<p>Keystone Pipeline Project</p> <p>TransCanada IN BUSINESS TO ADVANCE</p>	<p>Map 4 of 10 General Project Location (Kansas-Cushing)</p>
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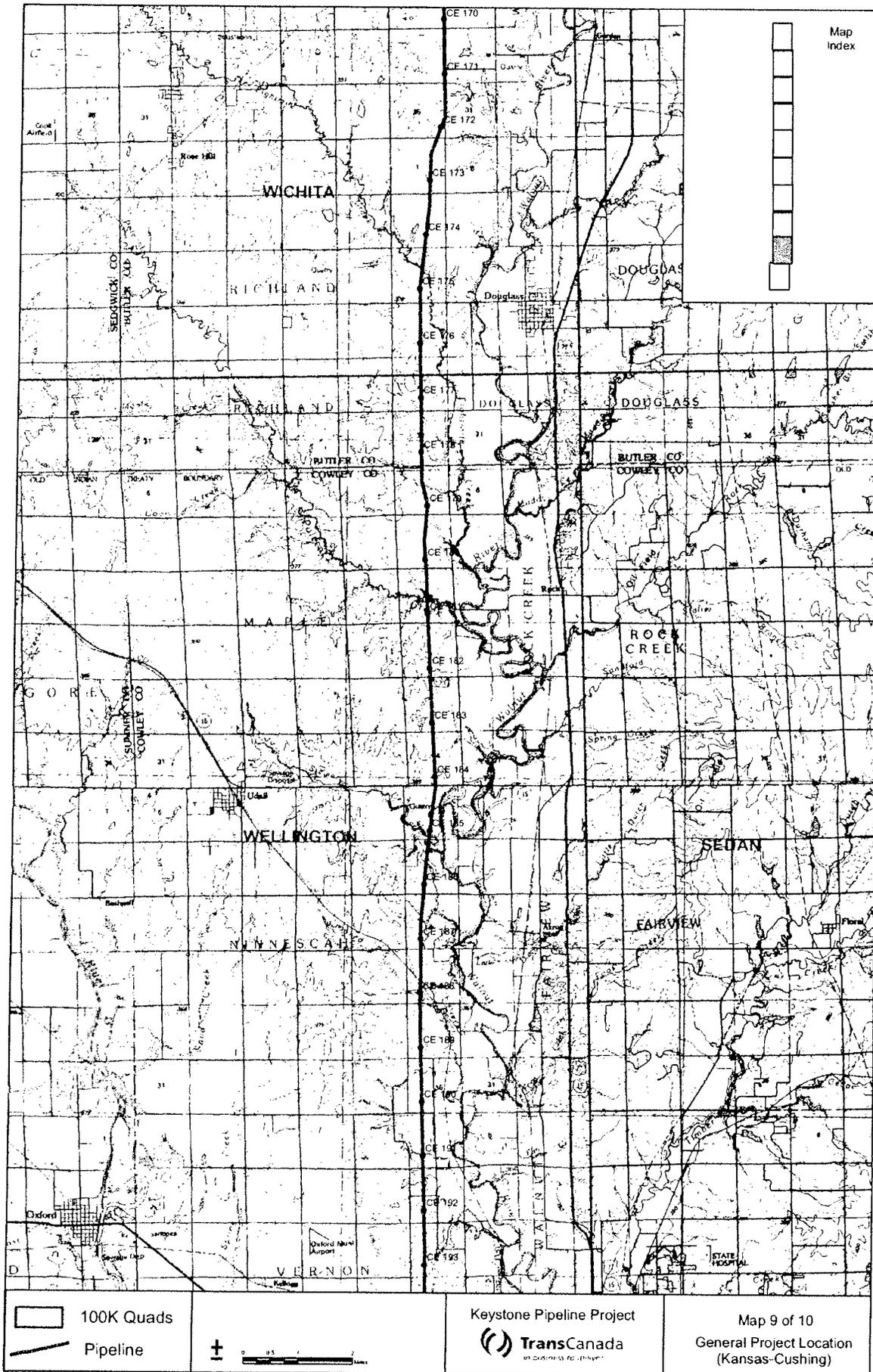


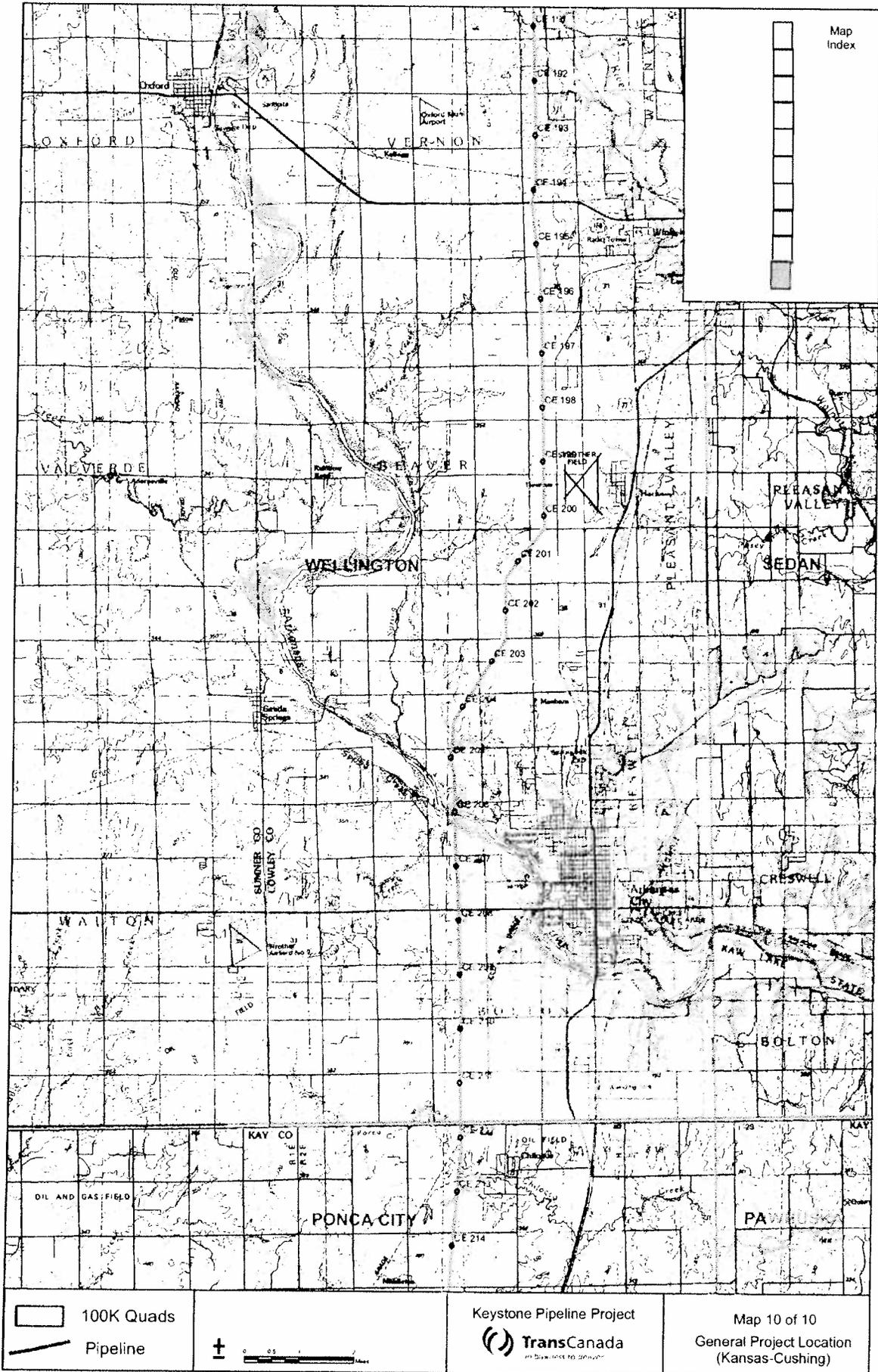
<p>100K Quads Pipeline</p>	<p>Scale: 0 to 10 miles North Arrow</p>	<p>Keystone Pipeline Project</p> <p>TransCanada A BENTLEY SYSTEMS COMPANY</p>	<p>Map 5 of 10 General Project Location (Kansas-Cushing)</p>
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Correspondence Summary Sheet

By: William J Stark Date: 09/12/2006
 Talked With: Nate Davis Project Number: 04060-018-140
 Title: Ecological Services: Project Name: Rex
 Of: Kansas Department of Wildlife and Parks Subject: Requirements in stream crossings.
 Telephone Number: 620- 672-5911 Facsimile Number:
 Email or Internet Address (if applicable):
 Supplemental Information Attached? YES NO X
 Indicate Documentation Type: Telephone X Facsimile Internet Email

I telephoned Nathan Davis and discussed requirements for stream crossings at sites believed to have Topeka shiner populations in Marshall County, Kansas. Nathan reiterated the requirements that Jim Haze described in my conversation of September 11, 2006 regarding sites within the designated Critical Habitat, with the addition that pools affected by right-of-way construction and crossings would need to have Topeka shiners removed prior to disturbance (preferably to an upstream location).

With regard to the remaining two crossing sites, he would like to see ground truth surveys conducted to determine presence of Topeka shiners and suitable pool habitat. If neither occur at these sites no additional construction permit requirements would be necessary for the crossing. However if either of the above criteria are met fish removal prior to disturbance along with the other requirements would be necessary.

FILE NAME- Correspondence-Nathan Davis KDWP 9-06.doc

Signature

Distribution: (1) File (2) Self (3) Report

