

Castle, Carla

From: Walsh, James
Sent: Wednesday, January 31, 2007 9:24 AM
To: 'Denny Needham'
Cc: Ellis, Scott; Hope, Benjamin; Castle, Carla
Subject: Milford Lake Wetlands
Attachments: milford-wetland.pdf; Milford.ppt; Milford_aerial.PDF

Denny,

Attached, please find three documents pertaining to the COE lands crossed by the Cushing extension. Milford Reservoir and the adjacent lands are owned by the COE and managed by the Kansas Dept. of Wildlife and Parks as a State Park and Wildlife Area. I have attached PDF documents of the Cushing centerline on aerial photographs at two resolutions, a coarser-scale GIS screenshot depicting the CL and boundaries of the COE lands (Milford Reservoir in purple, park and wildlife area in blue), and a PDF showing the wetlands restoration projects in the immediate vicinity of the current centerline.

Additional information on this area may be found at the COE website (<http://www.nwk.usace.army.mil/projects/milford/>) or from KDWP (http://www.kdwp.state.ks.us/kdwp_info/locations/wildlife_areas/region_2/milford).

ENSR will be contacting the Kansas City District of the COE to discuss this current alignment. I will keep you updated with any new information. If there are any questions in the meantime, please don't hesitate to contact me.

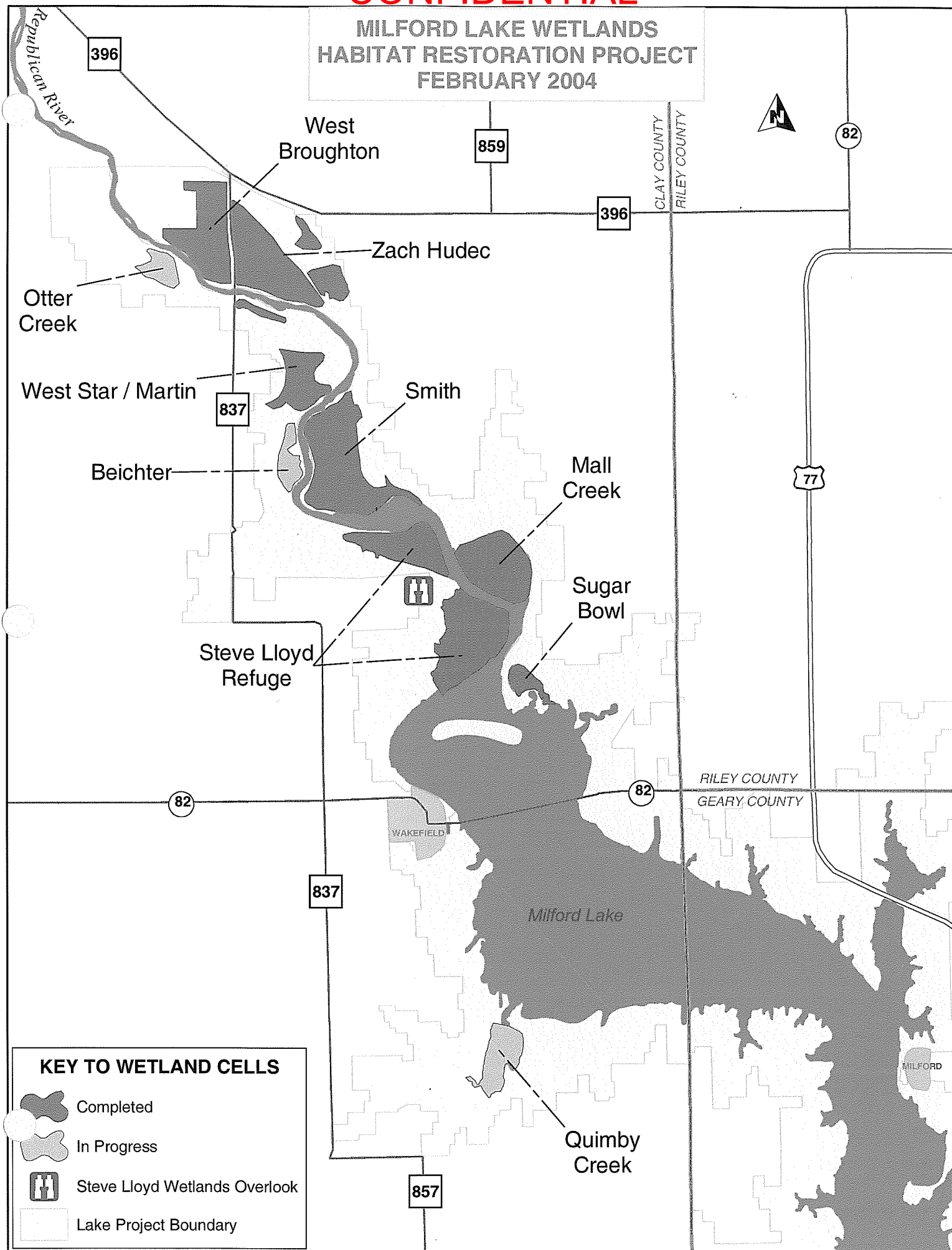
Randy

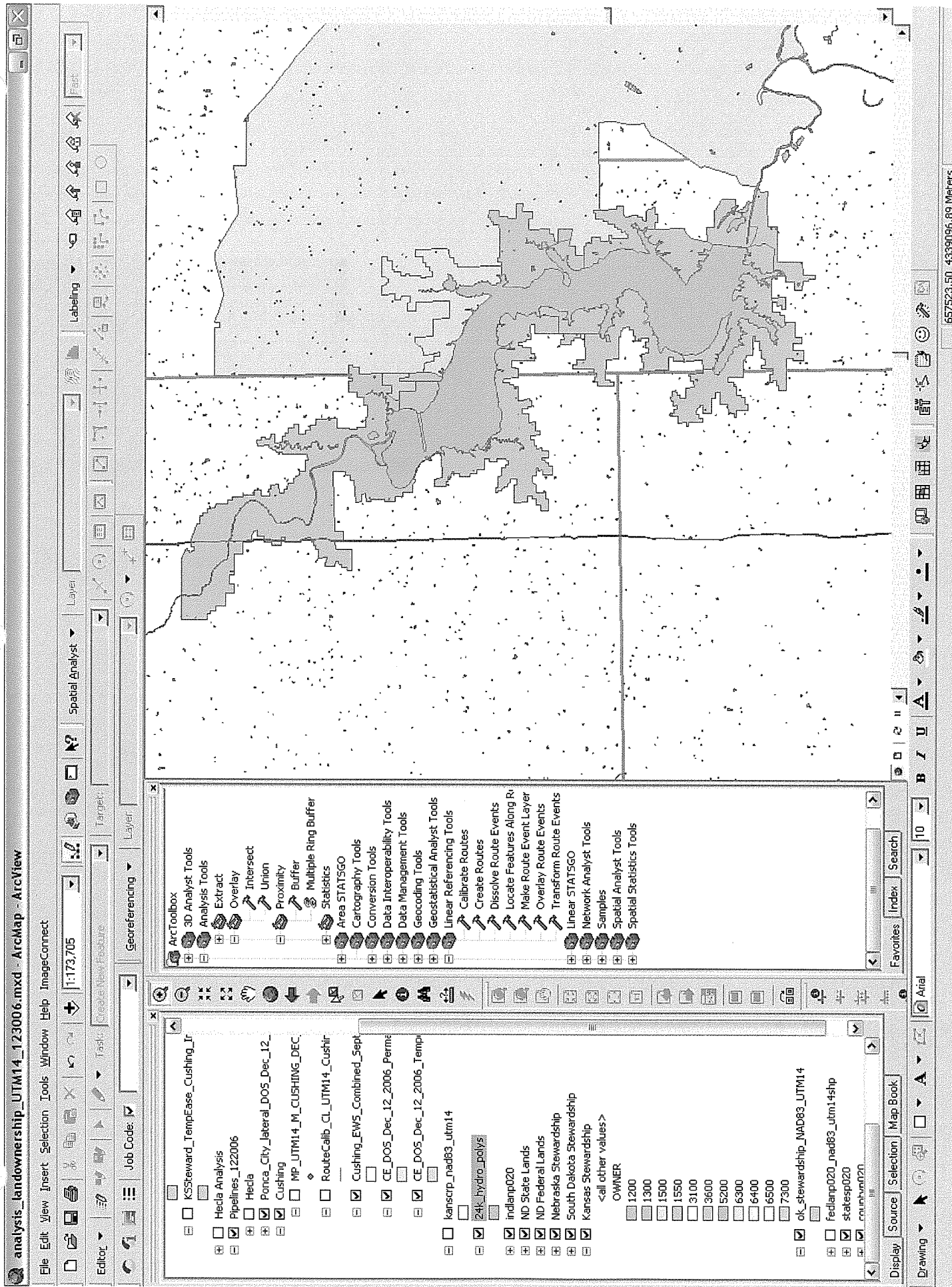
J. Randall Walsh

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2/2/2007

MILFORD LAKE WETLANDS
HABITAT RESTORATION PROJECT
FEBRUARY 2004



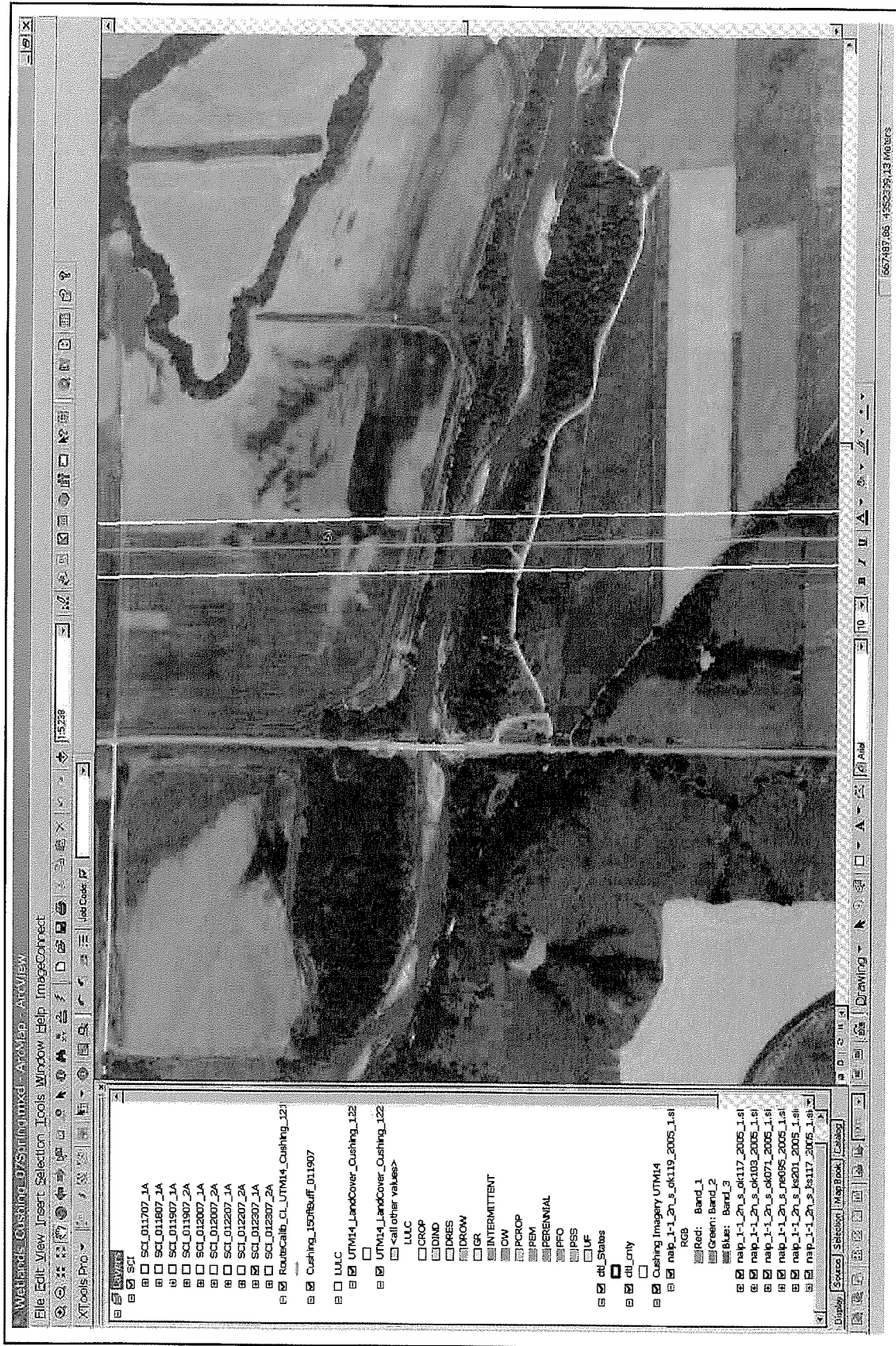


Milford Lake Wetlands, KS

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Milford Lake Wetlands, KS



**Draft – U.S. Army Corps of Engineers; Oahe Project Office, Pierre, SD
February 21, 2007. 9:00-11:00 am**

Attendees:

Keystone Staff:

Mike Koski (Trow)
Dana Greene (Universal)
Scott Ellis (ENSR)
Randy Walsh (ENSR)

Agency Staff:

Jeff Breckenridge, USACE
Steve Naylor, USACE
John Miller, SD Dept. of Environment & Natural Resources
Albert LeBeau, Cheyenne River Sioux Tribe (CRST)
Bob Walters, CRST Council
Paige Hoskinson, SD SHPO
Charlene Bessken, USFWS-Pierre
Leslie Petersen, SD Game & Fish
Sara Thompson, NRCS
Cindy Steele, NRCS
Dan Shurtliff, NRCS

Meeting Objectives

Keystone (ENSR, Trow, and Universal) met with USACE and other agencies to discuss issues pertaining to 404 permitting for the Project in South Dakota. The goals of this meeting were to discuss: 1) the overall current status of the Keystone Pipeline Project; 2) 2006 wetlands/waters survey results; 3) the process and components necessary to complete USACE Application filing in 2007; 4) other issues or concerns the USACE or other agencies may have regarding the Project.

Project Overview

Keystone provided a brief overview of the Project including project purpose, technical specifications, in-service date, and current status of the NEPA process.

Field Work and Coordination

Keystone discussed routing issues in the Hecla Sandhills area. A short history of route changes in the area was presented and the "preferred alternative" route was explained in-depth. USFWS wetland/grassland easements, wetland abundance, minimizing crossing distances of shallow aquifers, and pump station logistics all influenced the routing of the preferred alternative.

The need to delineate protected wetlands located on USFWS easements in conjunction with USFWS district staff in Spring 2007 was addressed.

Cultural and Wetlands/Waters of the U.S. survey methodologies were reviewed and a summary of 2006 survey progress was presented.

404 Permit Components and Process

The preliminary 404 application should include:

1. Wetland Tables – which include:
 - o Wetland
 - o Type

- Acreage
 - Location (lat, long)
 - Acreage
 - Distance crossed
 - Special requirements
 - Rationale
2. Stream Tables, same basic components as wetlands
 3. Procedures
 4. Site Specific Figures – examples handed out
 - 1:6000 aerial
 - 1:6000 topo
 - Depicts CL, wetland boundaries, workspace easement
 - Impact area discussion (temporary/permanent meanings defined)
 - Can not discharge to a waterbody classified as a “lake” by the state of South Dakota (lakes are not under Corps jurisdiction but are regulated by SD Dept. of Environment and Nat. Res.)
 5. Site-specific construction plans

Prior to formally filing the 404 permit application, Keystone will submit a “preliminary” application to the Corps for informal review. The purpose of this draft application is to identify any issue or problems prior to initiation of the formal application process. This process will also provide the Corps opportunity to evaluate the project prior to formal filing.

Agency Issues, Concerns, and Recommendations:

USDA-NRCS Easements – Sara Thompson, NRCS

- NRCS wetland easements will be impacted in the Hecla area
- Majority of wetland easements in SD are perpetual, though some are 30-year easements
- GIS shapefiles of these easements can be provided to the Project, though some of the easements in the area have never been formally delineated/mapped
- Coordination of the NRCS wetland easement issues should be discussed with the Federal Level of NRCS:
 - Matthew Judy, Ft. Worth, (Western Regional) National Environmental Specialist
 - Andre Duvarnan (?), Wash. D.C., National Environmental Specialist

State of South Dakota - John Miller, SD Dept. of Environment & Natural Resources

- Providing the State of SD signs-off on the 401, there will be no further permit process aside Nationwide/IP
- State of SD will need to approve hydrostatic testing
- State of SD may also require stormwater permitting (talk with Kelly Busher)

Action Items:

Provide a preliminary draft application to USACE prior to final application [ENSR]; time frame

Provide a Cultural Resources Report to Albert LeBeau, CRST HPO [ENSR]; due in 2 weeks.

Coordinate with NRCS-SD to verify any easements crossed by the Hecla Alternative [ENSR]; time frame

Verify that no designated lakes (as defined by SD Environment and Nat. Resources) are crossed by the Project [ENSR/Trow]; time frame

Refer to SD DOT website to identify waterbody crossing BMPs for streams in SD [ENSR/Trow]; time frame

Draft – U.S. Army Corps of Engineers; Bismarck Regulatory Office, Bismarck, ND
February 22, 2007. 10:00-11:30 am

Attendees:

Keystone Staff:

Mike Koski (Trow)
Dana Greene (Universal)
Scott Ellis (ENSR)
Randy Walsh (ENSR)

Agency Staff:

Lloyd Jones, USFWS
Jeff Towner, USFWS
Doug VanDaalen, USDA-NRCS
Patsy Crooke, USACE
Dan Cimarosti, USACE
Sheri G. Lares, NDDOT
Kelly McPhillips, Bureau of Reclamation
John Schumacher, ND Game & Fish
Bruce Kreft, ND Game and Fish

Meeting Objectives

Keystone (ENSR, Trow, and Universal) met with USACE and other agencies to discuss issues pertaining to 404 permitting for the Project in North Dakota. The goals of this meeting were to discuss: 1) the overall current status of the Keystone Pipeline Project; 2) 2006 wetlands/waters survey results; 3) the process and components necessary to complete USACE Application filing in 2007; 4) other issues or concerns the USACE or other agencies may have regarding the Project.

Project Overview

Keystone provided a brief overview of the Project including project purpose, technical specifications, in-service date, and current status of the NEPA process.

Field Work and Coordination

Keystone discussed routing issues in the Hecla Sandhills area. A short history of route changes in the area was presented and the "preferred alternative" route was explained in-depth. USFWS wetland/grassland easements, wetland abundance, minimizing crossing distances of shallow aquifers, and pump station logistics all influenced the routing of the preferred alternative.

The need to delineate protected wetlands located on USFWS easements in conjunction with USFWS district staff in Spring 2007 was addressed.

Cultural and Wetlands/Waters of the U.S. survey methodologies were reviewed and a summary of 2006 survey progress was presented.

404 Permit Components and Process

The preliminary 404 application should include:

1. Wetland Tables – which include:
 - o Wetland I.D.
 - o Type
 - o Acreage
 - o Location (lat, long)

- Distance crossed
- Special requirements/restrictions
- Rationale
- 2. Stream Tables, same basic components as wetlands
- 3. Procedures
- 4. Site Specific Figures – examples handed out
 - 1:6000 aerial
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- 5. Site-specific construction plans

Prior to formally filing the 404 permit application, Keystone will submit a “preliminary” application to the Corps for informal review. The purpose of this draft application is to identify any issue or problems prior to initiation of the formal application process. This process will also provide the Corps opportunity to evaluate the project prior to formal filing.

Agency Issues, Concerns, and Recommendations:

USFWS – Lloyd Jones

- A Compatibility Determination for North and South Dakota will be made in Bismarck.
- The Project will require a ROW Permit to cross USFWS easements in North and South Dakota. This application must be submitted fairly soon, as the process is often lengthy. A special use permit may be authorized to begin construction if the ROW permit is delayed.

NRCS – Doug VanDaalen

- NRCS will need to issue a Federal Impact Rating Statement (FIRS)
- NRCS in North Dakota has 30-year wetland easements which may be affected
- General seed mixes for the Project may be arranged through ND NRCS State Office

USACE – Dan Cimarosti

- Tributary and adjacent wetlands are jurisdictional (whether containing water or not)
- >180 days of temporary disturbance at a location triggers compensatory mitigation

USFWS – Jeff Towner

- MBTS issues regarding the Project
- Expecting John Cochnar in Nebraska to address this issue District-wide (Ellis)

Action Items:

Provide a preliminary draft application to USACE prior to final application [ENSR]; time frame

NRCS-ND office will provide seed mixes for Project in ND (contact Doug VanDaalen) [ENSR]; time frame

Coordinate with NRCS-ND to verify any easements crossed by the Hecla Alternative [ENSR]; time frame

NRCS needs to determine internally if a FIRS (Federal Impact Rating Statement) needs to be prepared by their office for the Project [VanDaalen, NRCS]

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TransCanada – Keystone Pipeline Meeting Summary E-Mail Posting Form

Meeting Location: Tewaukon NWR, Cayuga ND

Date & Time: Tuesday, February 27, 2007; 9:00 am

Keystone Team Members: Walsh (ENSR), Greene (Universal)

Agency Contact Information:

Name	Organization	Title	Phone / E-mail address
Jack Lalor	Tewaukon NWR/WMA	Asst. Refuge Manager	(701) 724-3598 jack_lalor@fws.gov
Jeff King	Tewaukon NWR/WMD	Project Leader	(701) 724-3598 jeff_king@fws.gov
Doug Leschisin	Waubay NWR/WMD		(605) 947-4521 douglas_leschisin@fws.gov
Larry Martin	Waubay NWR/WMD	Project Leader	(605) 947-4521 larry_d_martin@fws.gov
Jarred Lee	Waubay NWR/WMD		(605) 947-4521 jarred_lee@fws.gov

Meeting Purpose:

The purpose of this meeting was to discuss, in general terms, the current proposed alignment of the Keystone Pipeline Project and associated temporary impacts on wetlands found on USFWS easements in the Tewaukon and Waubay Wetland Management Districts (WMDs) in North and South Dakota.

Action Items:

Issue Description/Responsible Parties/Concern Level

Protected wetland polygon maps (i.e. "exhibit A" maps) for each wetland easement crossed by the current alignment were provided by the FWS for both WMDs. These maps need to be scanned, digitized and converted into shapefiles for use in GIS. Due Date March 30 [ENSR]

Concern Level :

Moderate

Issue Description/Responsible Parties/Concern Level

There was concern by the FWS that some of the information contained in the Construction/Mitigation Plan is outdated. Universal and ENSR will follow-up with the Tewaukon and Waubay Districts to determine which information is of specific concern to FWS. ENSR (Walsh) to follow up two weeks

Concern Level :

Moderate

Issue Description/Responsible Parties/Concern Level

Jack Lalor (FWS) provided a copy of the ROW permit application and instructions for filing to Randy Walsh (ENSR). This application should be submitted as soon as possible to the Regional Office in Denver. Part of easement acquisition-UEI/Lands

Concern Level :

Moderate

Follow-up Required / Requested

- If additional "exhibit A" maps are necessary for analysis of the proposed route, these can be provided by FWS Districts

Additional Comments

- Site visits to potentially impacted wetlands located within FWS easements will be required to delineate/ID these features in conjunction with FWS
- Interim special use permit(s) may be issued to commence construction if a formal ROW permit is not issued by the Regional Office at the time construction is set to begin

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TransCanada – Keystone Pipeline Meeting Summary E-Mail Posting Form

Meeting Location: Huron WMD, Huron SD

Date & Time: Wednesday, February 28, 2007; 9:30 am

Keystone Team Members: Walsh (ENSR), Greene (Universal)

Agency Contact Information:

Name	Organization	Title	Phone / E-mail address
Harris Hoistad	USFWS - Huron WMD	Project Leader	(605) 352-5894 harris_hoistad@fws.gov
Mark Heisinger	USFWS – Lake Andes WMD/NWR		(605) 487-7603 mark_heisinger@fws.gov
James Ward	USFWS – Huron WMD		(605) 352-5894

Meeting Purpose:

The purpose of this meeting was to discuss, in general terms, the current proposed alignment of the Keystone Pipeline Project and associated temporary impacts on wetlands found on USFWS easements in the Huron and Lake Andes Wetland Management Districts (WMDs) in South Dakota.

Action Items:

Issue Description/Responsible Parties/Concern Level

Protected wetland polygon maps (i.e. “exhibit A” maps) for each wetland easement crossed by the current alignment were provided by the FWS for Lake Andes WMD. These maps need to be scanned, digitized and converted into shapefiles for use in GIS. Due March 30 [ENSR]

Concern Level :

Moderate

Issue Description/Responsible Parties/Concern Level

Based on the current alignment, Huron WMD will be sending “exhibit A” maps to ENSR for processing and integration into the geospatial database. Follow up before March 30 (ENSR).

Concern Level :

Moderate

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Issue Description/Responsible Parties/Concern Level

Concern Level :

Follow-up Required / Requested

Additional Comments

- Site visits to potentially impacted wetlands located within FWS easements will be required to delineate/ID these features in conjunction with FWS

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TransCanada – Keystone Pipeline Meeting Summary E-Mail Posting Form

Meeting Location: Madison WMD Office, Madison SD

Date & Time: Thursday, March 1, 2007; 9:00 am

Keystone Team Members: Walsh (ENSR), Greene (Universal)

Agency Contact Information:

Name	Organization	Title	Phone / E-mail address
Tom Tornow	USFWS - Madison WMD	Project Leader	(605) 256-2974 thomas_tornow@fws.gov
Bryan Schultz	USFWS – Madison WMD	Deputy Project Leader	(605) 256-2974 bryan_schultz@fws.gov

Meeting Purpose:

The purpose of this meeting was to discuss, in general terms, the current proposed alignment of the Keystone Pipeline Project and associated temporary impacts on wetlands found on USFWS easements in the Madison Wetland Management District (WMD) in South Dakota.

Action Items:

Issue Description/Responsible Parties/Concern Level

Based on the current alignment, Madison WMD will be completing their mapping efforts and sending "exhibit A" maps to ENSR for processing and integration into the geospatial database. [FWS-Madison].

Due date: ASAP, likely 2-3 weeks.

Concern Level :

Moderate

Issue Description/Responsible Parties/Concern Level

Concern Level :

Follow-up Required / Requested

Additional Comments

- Most wetlands along the proposed route in this WMD will be shallow, depressional wetlands
- Site visits to potentially impacted wetlands located within FWS easements will be required to delineate/ID these features in conjunction with FWS