

Appendix B

**Wetland Assesment Report:
Proposed Abengoa Ethanol
Plant Hugoton, Kansas**

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PROPOSED ABENGOA ETHANOL PLANT
HUGOTON, KANSAS**

JUNE 27, 2008

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A Report Prepared for:

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**WETLAND ASSESSMENT REPORT
PROPOSED ABENGOA ETHANOL PLANT
HUGOTON, KANSAS**

Kleinfelder Project No. 88404

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TABLE OF CONTENTS

<u>Chapter</u>	<u>Page</u>
1.0 INTRODUCTION AND SUMMARY.....	1
2.0 SETTING AND REVIEW OF PUBLISHED INFORMATION.....	3
3.0 REGULATORY FRAMEWORK.....	8
4.0 FIELD SURVEY METHODS.....	10
5.0 SURVEY RESULTS AND PERMITTING REQUIREMENTS.....	15
6.0 POTENTIAL PLAYA RESTORATION.....	17

List of Figures

- 1 – General Site Location
- 2 – Vicinity and Survey location
- 3 – Internal Drainage Areas
- 4 – NRCS Hydric and USFWS NWI
- 5 – NRCS Soil Map Units
- 6 – Surface Hydrology Map
- 7 – Wetland Map
- 8 – Elevation Contour Map

List of Appendices

- A Figures
- B Site Photographs
- C Wetland Data Forms
- D Hydrological Analysis

1.0 INTRODUCTION AND SUMMARY

This report was prepared to provide information related to potential jurisdictional wetlands and streams. Jurisdictional streams and wetlands are regulated by the U.S. Army Corps of Engineers (USACE) and are referred to as “Waters of the U.S.” (WUS). See Section 3. The U.S. Department of Energy is providing federal grant money for this project and documentation per the National Environmental Policy Act (NEPA) is required. The results of this wetland survey and assessment will be incorporated into an Environmental Impact Statement (EIS) that is being prepared for the proposed project.

This wetland assessment report was prepared for Abengoa Bioenergy Hybrid of Kansas (ABHK). The survey area was located just west of the City of Hugoton, Kansas. Kleinfelder was contracted to conduct a wetland assessment for the northwest quarter of Section 17, T. 33 S., R. 37 W. in Stevens County, Kansas. See Figure 1 – General Site Location. The survey area was approximately 160 acres in size. See Figure 2 – Vicinity and Survey Location.

Correspondence with the Stevens County Natural Resource Conservation Service (NRCS) indicated a need for a wetland assessment on the northwest portion of the east property tract due to the presence of an internal drainage area. The Kansas State Historic Preservation Officer also indicated a need for a Phase I Cultural Resources Assessment on a portion of the east property tract due to the presence of a playa (separate report that will also be included as part of the NEPA analysis).

This report is based on knowledge of wetlands in the region, a review of relevant background literature (see Section 2), and a focused field survey of the 160 acre site (see Section 4). This report includes discussion of wetland-related plant communities, soil types observed on site, wetland indicators, jurisdictional wetland boundaries, and permitting implications.

Prior to conducting the field survey, Kleinfelder reviewed site maps, NRCS soil surveys, aerial photographs, U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) Maps, and U.S. Geological Service (USGS) topographical maps. See Figures 3 – Internal Drainage Areas, Figure 4 – NRCS Hydric and USFWS NWI, Figure 5 – NRCS Soil Map Units, Figure 6 – Surface Hydrology Map, and Section 2.

The field work consisted of two days (May 28 and 29, 2008) of focused field surveys in and around a playa or internal drainage area. The on-site survey consisted of collecting soils, hydrology, and plant information. The information was recorded on data forms, photographs were taken, and a GPS unit was used to record spatial data. See Appendix B – Site Photographs and Appendix C – Wetland Data Forms. A laser level was used to collect field topographical data. See Figure 8 – Elevation Contour Map.

No streams or wetlands that would be considered jurisdictional or Waters of the U.S. (WUS) were found during the survey. There were two low quality isolated farmed wetlands totaling 0.43 acres delineated during the survey and assessment. See Figure 7 – Wetland Map and Section 5. Recommendations and feasibility considerations for the potential restoration of the playa are included in Section 6 and Appendix D – Hydrological Analysis.

2.0 SETTING AND REVIEW OF PUBLISHED INFORMATION

European settlement of the area began in the 1870s when cattlemen began moving into the area. Stevens County was organized August 1886 and Hugoton was made the county seat. A railroad was constructed across the county in 1912.

The proposed construction site is adjacent to the City of Hugoton, a historic railroad line, grain storage and a few mill facilities, industrial park, airport, golf course, roads, and row crop agriculture. The site is highly disturbed and has been used for decades for row crop agriculture. Center pivot irrigation systems are extensively used in the area and a few areas are flood irrigated. Internal drainage areas or playas are present throughout the area. Wheat, milo, and corn are the most common crops. Cattle and hogs are also raised in the area. Most of the hogs are raised in confinements and most of the cattle are raised in large open lots.

The proposed project is in the Arkansas-White-Red Rivers Region 11, the 12,000 square mile Upper Cimarron sub-region 1104; and, the 1,720 square mile Cimarron-Liberal 8-digit cataloging unit 11040006. Stevens County is in the Central Great Plains Winter Wheat and Range Region; and, the Major Land Resource Area (MLRA) – 77A Southern High Plains, Northern Part (USDA Handbook 296). The playa is in the Limy Upland Kansas Range Site.

USFW NWI maps indicated that there was one area mapped as Palustrine, Unconsolidated Bottom, Semi-permanently Flooded, Excavated (PUBFx) within the subject property boundaries and one area mapped as PUBFx that was adjacent to the northeast corner (see Figure 4). The PUBFx mapped location within the subject property is 1.5 acres in size. Leveling activities have occurred since the NWI maps were published.

The 2006 NRCS Soil Survey of Stevens County, Kansas indicated that the following soil map units (SMU) were present within the 160 acre survey area (see Figure 5):

- 5205 – Canina loam, 0-1% slope
- 5210 – Belfon loam, 0-1% slope
- 1611 – Vorhees fine sandy loam, 1-3% slope

All of the above soils are classified as well drained, have moderate permeability, low to negligible runoff, and a water table that is 6 or more feet below the surface. None of the SMUs are flooded per information in the soil survey. Review of the NRCS Stevens County List of Hydric Soils indicated that none of the SMUs are on the hydric list.

The current or 2006 Soil Survey for Stevens County mapped the center of the playa as the Canina loam, 0 – 1 % slope (5205). The Canina Series consists of very deep, well drained soils that formed in loamy, calcareous eolian loess deposits of Holocene age. These soils are nearly level to very gently sloping plains with slopes of 0 to 3 percent. Permeability of Canina soils is moderate. Canina soils are used extensively as cropland with some minor areas used as improved pasture or rangeland. A typical profile for this soil map unit (SMU) is as follows:

A	0 – 6"	10YR 5/2	loam
B	6 – 17"	10YR 5/4	silty clay loam
B	17 – 27"	10YR 5/4	clay loam
B	27 – 43"	7.5YR 6/6	sandy clay loam
B	43 – 57"	7.5YR 5/4	clay loam
B	57 – 80"	7.5YR 5/6	clay loam

The 1958 Soil Survey of Stevens County mapped the playa area as the Ulysses silt loam (Ub), 1-3% slopes. The SMU polygon for the Ulysses silt loam more closely matched the contours of the playa than the 2006 survey; and, the 1958 soil survey was completed before excavating and leveling activities were conducted within and around the playa. A typical profile for the Ub SMU is as follows:

A	0 – 6"	10YR 4/2	silt loam
B	6 – 13"	10YR 4.5/2	silt loam or silty clay loam
B	13 – 23"	10YR 6/3	silt loam
C	23 – 43"	10YR 7/3	silt loam with 5% CaCO ₃ concretions

USGS 7.5 minute Hugoton and Feterita topographical quadrangle (topo) maps (1974/75) review did not note any indications of springs, marsh, and/or streams. One area was shown as open water (the bottom of the playa). Per review of the USGS topo the location does not appear to have any significant nexus with any other wetlands, lakes, streams, and/or other areas considered WUS; and, subsequently would be considered "isolated" and non-jurisdictional.

Site Disturbance

The site is highly disturbed and has been used for decades for row crop agriculture. There are no large naturally forested or native prairie areas present onsite or in the immediate vicinity of the site. All of the areas visited during this survey had been disturbed by agricultural activities, and/or roads/railroads. No wetland or adjacent habitats were observed that would be considered high quality natural areas. The wetland areas delineated were highly disturbed.

Disturbance was documented using field collected soils data and observations, landowner interview, aerial photographs, soil surveys, topo maps, and USFWS NWI maps. Copies of aerial photographs from 2006, 2005, 2004, 2002, 1997, 1992, 1991, and 1983 were reviewed; and, the 2006 Stevens County Soil Survey, 1974/1975 USGS 7.5 minute topographical maps, and 1958 Stevens County Soil Survey were used to document disturbances and historical activities. Following are observations from review of copies of historical aerials and maps.

1958 Soil Survey (1953 B&W aerial, 1' = 1,667'): The railroad is present to the south and a road is present to the north. Some ponding is evident in the 1958 Soil Survey map sheet. The subject site and adjacent areas appear to be used for hayland and

row-crops. The soil survey map sheet shows an open diamond symbol in the bottom of the playa which the legend indicates is a “small depression that is crossable with tillage instruments”. About 2 acres at the bottom of the playa appear to temporarily pond.

1974 topo (1" = 2,000'): The 1974 USGS topographical map shows a square shaped open water area in the bottom of the playa. Approximately 40 acres have been fenced in the west central portion of the northwest quarter of Section 17. The Hugoton airport is present one-half mile to the south.

1983 aerial (B&W, 1' = 1,000'): The excavated pond is present and the adjacent fields in the northwest quarter of Section 17 appear to be flood irrigated. Some leveling and benching of the southwest quarter of Section 17 has occurred (based on contours from the 1974 USGS topographical map the bench was likely made in the early 1970s).

1988 aerial (blue ammonium print, 1" = 400'): No significant changes from 1983 noted.

USFWS NWI Map: An open water area of 1.5 acres is mapped as “PUBHx”. PUBHx is palustrine, unconsolidated bottom, permanently flooded, excavated.

1991/1992 aeriels (B&W, 1" = 750'): No significant changes from 1983.

1997 aerial (B&W, 1" = 750'): Center pivot irrigation is present to the north in Section 8, a gas well has been installed near the southwest corner of Section 17; and, development is occurring to the southwest in the southeast quarter of Section 18 along the railroad tracks.

2002 aerial (B&W, 1" = 750'): Excavated and bermed pond in the bottom of the playa is still present and adjacent fields appear to be flood irrigated.

2004/2005 aeriels (color, 1" = 350'): Center pivot irrigation system has been installed in the northwest quarter of Section 17. Four sided containment berm for irrigation return water pond has been removed.

2006 Soil Survey (B&W aerials from 1991 to 1999, 1" = 2,000'): Bottom of playa is mapped as a "borrow pit" (square with an x) on the NRCS soil survey map sheet.

2006 aerial (color, 1" = 170'): An east-west trending berm has been constructed in bottom of playa for center pivot wheel tracks. Field corners in the northwest quarter of Section 17 appear to be flood irrigated. Shallow ponding is present in the "W-1" farmed wetland and stressed vegetation is observed in the "W-2" farmed wetland location.

Landowner interview: Section 17 was purchased by Abengoa from Mr. Fred Walkenmeyer. The former landowner was interviewed on May 29, 2008 concerning historical activities in Section 17. Mr. Walkenmeyer is retired and had farmed in the Hugoton area for several decades. Mr. Walkenmeyer indicated that the subject site has always been used for agriculture during his adult lifetime. Based on his observations, the playa had never overflowed onto other fields, roads, or railroad tracks.

About 35 years ago, the bottom of the playa was excavated approximately 5 feet below grade to produce an irrigation return water pond; and, the excavated soil was used for the four sided levee. At this time, there were some leveling activities also completed in other parts of the section. Four years ago, the irrigation return water pond levee was bulldozed into the excavated pit; and, approximately four feet of fill were placed in the bottom of the playa. The field leveling activities including removing about 2 to 4 feet from the highest points in the crop fields and placing fill from 2 to 4 feet deep in the lowest parts of the crop fields in Section 17. Two years ago, the berm for the center pivot wheel tracks was built up with about 3 feet of soil.

Plant species observed during the survey in surrounding habitats includes the following: bindweed, annual brome, barnyard grass, curly dock, ragweed, cocklebur, loco weed, reed canary grass, smartweed, switch grass, wheatgrass, blue grama, willow, Russian olive, and Virginia creeper. Animal species observed on-site, adjacent areas, and other playas observed south and southwest of the subject site include numerous pheasants, morning dove, kill deer, red-wing blackbird, pigeon, cottontail rabbit, jack rabbit, badger, coyote, and mule deer.

3.0 REGULATORY FRAMEWORK

The following section provides an overview of the regulatory framework involved with impacts to WUS that are associated with the proposed project. Wetlands and riparian communities are considered to have special ecological status and are considered a declining resource by several regulatory agencies, including the USACE. Wetlands serve significant biological functions by providing nesting, breeding, foraging, and spawning habitat for a wide variety of resident and migratory animal species. Wetlands and streams also provide for the movement of water and sediments, groundwater recharge, water purification, storage of storm water runoff, and recreation.

The USACE retains jurisdiction over WUS, which include territorial seas, tidal waters, and non-tidal waters such as lakes, streams, rivers, and wetlands. The federal government has prescribed methodologies for delineating WUS pursuant to the Clean Water Act (CWA) of 1977. Determination of WUS is based on definitions and descriptions at 33 CFR 328. According to Section 404 of the CWA, work in navigable waters and the placement of fill or dredge material into WUS, including streams and wetlands, requires authorization by the USACE. The type of authorization (e.g., individual permit, nationwide permit, regional permit, or letter of permission) depends on the location, volume, and purpose of the fill or dredge.

The USACE has established definitions and regulations for the identification and delineation of “wetlands”, which are published in the 1987 USACE *Wetlands Delineation Manual* (Environmental Laboratory, 1987). This 1987 manual is the current federal delineation manual used in the CWA Section 404 regulatory program for the identification and delineation of wetlands. The 1987 manual has been clarified and updated through a series of guidance documents and memoranda from the USACE. The USACE defines wetlands as:

“Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.”

The USACE clearly states, "except in certain situations defined in the 1987 manual, evidence of a minimum of one positive wetland indicator from each parameter (hydrology, soil, and vegetation) must be found in order to make a positive wetland determination." For a wetland to exist, it must have the following three characteristics:

- (1) prevalent hydrophytic vegetation (plants that are adapted to grow, compete, reproduce and persist in anaerobic soil conditions);
- (2) hydric soils (those that possess characteristics associated with reducing soil conditions); and,
- (3) a source of hydrology (frequently inundated or saturated during the biological growing season).

Streams and drainages that support wetland vegetation, exhibit ponding or scouring, show obvious signs of channeling, or have discernible banks and high water marks are also regulated. Field indicators of ordinary high water include clear and natural lines on opposite sides of the banks, shelving, scouring, sedimentary deposits, changes in the character of the soil, drift lines, exposed roots, shelving, destruction of terrestrial vegetation, and the presence of litter and debris. The width of WUS is defined as that portion which falls within the limits of ordinary high water (OHWM). Typically, the width of WUS corresponds to the two-year flood event.

4.0 FIELD SURVEY METHODS

The wetland determination and delineation method employed for this project site involved the routine, on-site delineation method set forth by the USACE (Environmental Laboratory, 1987). A walkover survey was conducted by Mr. Tom Plattner and Mr. Brent Peterson of Kleinfelder on May 28 and 29, 2008 to evaluate the overall site physiognomy, to determine the primary biological and hydrological characteristics, and to identify appropriate areas to establish wetland delineation sampling plots. Established wetland sampling plots consisted of hand-dug soil pits for hydric soils analysis, visual hydrophytic plant assessment, and visual observation of wetland hydrology indicators. Appropriate jurisdictional wetland boundaries were derived from wetland sampling plot analysis and recorded on Data Sheets.

Data sheets were completed for each sample location describing hydrology, plant species, soil features, topography and other data relevant to each location. Wetland type and setting, stream specific parameters, evidence of disturbance, water source and estimated persistence, apparent conditions, adjacent habitats, wetland / aquatic life observed, habitat diversity, cultural, and biological features were documented for each sample location.

Each location was recorded on a GPS unit. At each sample point, data forms were completed with relevant information to that distinct area. Photographs were taken as to represent the specific location. Wetland Data Forms are included in Appendix C. Photographs taken during field activities are included in Appendix B.

In addition, the team visited the NRCS office to obtain information regarding wetland information, and/or other information useful in evaluating the area of investigation. There were no Wetland Reserve Program (WRP) areas identified; and, there were no preliminary or certified wetland determinations completed by the NRCS within the study area.

Potential wetland locations were identified by using the following references (see Section 2):

- USGS Topographical Map – following contour lines to identify drainageways, “blueline” streams, marshes, open water, and depressions;
- NWI Maps – identified wetland locations and types. Prepared by USFWS using color-infrared (CIR) photographs. Use the Cowardian system of wetland classification instead of the 1987 USACE Wetland Manual; and,
- NRCS Soil Survey Maps – used information in the county soil surveys to identify hydric soil map units (SMU) and characteristics identified with hydric soils.

Field collected data was conducted in accordance with the Wetlands Delineation Manual (1987) and consisted of the following:

- Sample plots were used to determine wetland or non-wetland status. Visual observations were used to identify vegetation, soil, and hydrological characteristics within the vicinity of the data points. Completed wetland delineation forms for each data point included in Appendix C;
- Plant community types in proximity to potential wetland boundaries were identified. The biologists selected a representative observation point for each plant community, visually selected the dominant species from each stratum of the community, and recorded the indicator status of the dominant species. A determination was then made as to whether the vegetation was hydrophytic;
- Soil pits were placed at sample plots for the potential wetlands being investigated. The biologist then recorded indicators of hydric status from the samples and determined if the soils were hydric. Also noted were other hydrological indicators such as soil saturation within the upper 12 inches of the soil, standing water existing within the soil pits, and the depth to saturated soil. A wetland delineation form for each soil pit was completed; and,

- NRCS Soil Survey data (formerly the Soil Conservation Service) were reviewed to assist in determining whether the areas evaluated exhibited the hydrological and soil parameters for wetlands.

Hydric Soils

Hydric soil determinations in the field used the 2006 NRCS *Field Indicators of Hydric Soils in the U.S., A Guide for Identifying and Delineating Hydric Soils, Version 6.0.*

Hydric soils are saturated or ponded for a sufficient duration during the growing season to develop anaerobic or reducing conditions that favor the growth and regeneration of hydrophytic vegetation. Indicators of wetland soils include observations of ponding or saturation, dark (low chroma) soil colors, bright mottles (concentrations of oxidized minerals such as iron), or gleying, which indicates reducing conditions by a blue-gray color. Additional supporting information includes documentation of a soil as hydric, or reference to wet conditions, in the NRCS soil survey. Often, localized hydric soil conditions are not documented due to their small size, erroneous mapping, or recent development of hydric conditions, and must be visually inspected to confirm hydric conditions.

Potential hydric soils on-site were identified by using the following methodology:

- A soil pit was dug to approximately 18 inches at the location of a suspected wetland area to check the level of the local seasonal water table;
- The soil was examined for texture, chroma, mottling, and other wetland characteristics; and,
- NRCS listings of hydric soils for the County were examined and compared to on-site SMU.

Wetland Hydrology

Assessment of wetland hydrology is frequently supported based on soil surveys, obvious topographic patterns of drainage, and impoundment. In addition to wetland hydrology, streams as defined by OHWM are investigated.

Wetland hydrology on-site was determined by using the following methodology:

- A soil pit was dug to approximately 18 inches at the location of a suspected wetland area to check the depth of saturation and level of the local seasonal water table;
- Visual observation was noted on surface water movement and quantity;
- Visual observation was compared to soil survey information;
- Ordinary High Water Marker (OHWM) was noted; and,
- Terrestrial vegetation was observed for signs of surface water movement or inundation.

Hydrophytic Vegetation

Hydrophytic vegetation dominates areas where the frequency and duration of inundation or soil saturation exerts a controlling influence on the plant species present. Plant species are assigned wetland indicator status according to the probability of species occurring in wetlands (Reed, 1988). More than fifty percent of the dominant species must be hydrophytic to meet the wetland vegetation criterion.

Hydrophytic vegetation was determined by the following methodology:

- Visual observation and classification;
- Plant species verified by keying the plant characteristics; and,

- Plant species were compared to the National List of Plant Species that Occur in Wetlands: 1988 National Summary provided by the USFWS of the Department of the Interior for indicator categories.

Data Forms contain the wetland Plant Indicator Status Categories of OBL, FACW, FAC, FACU, and UPL. Plants with the Indicator Status of OBL, FACW, and FAC are considered wetland plants; and, FACU and UPL are considered upland plants. Following are the plant indicator status categories with the estimated probability of occurring in a wetland:

- OBL – Obligate Wetland Plant, >99%
- FACW – Facultative Wetland Plant, 67-99%
- FAC – Facultative Plant, 33-67%
- FACU – Facultative Upland Plant, 1-33%
- UPL – Obligate Upland Plant, < 1%

It should be noted that while the Wetlands Delineation Manual provides guidance and standards for the determination of WUS and wetlands, interpretation of field condition can be complicated. It is the purview of the regulatory agencies to accept or amend delineation opinions as submitted to them.

5.0 SURVEY RESULTS AND PERMITTING REQUIREMENTS

The USACE requires that discharged dredged or fill material into WUS be minimized or avoided to the maximum extent practicable. The USACE also requires consideration of feasible alternatives to avoid or minimize potential impacts to WUS. USACE guidelines require that a permit applicant justify project-related impacts to WUS, including wetlands, and provide mitigation for unavoidable impacts. In order of preference, these include avoidance, minimization, and compensation. Three types of compensatory mitigation exist, including wetland enhancement, wetland restoration, and wetland creation.

The wetland areas under consideration are farmed in most years and the area was developed for row-crop agricultural use prior to 1985. Due to the limited rainfall in southwest Kansas, the distance to the nearest stream/river, and the size of the current watershed, it is highly unlikely that the playa could overflow and discharge any water to a “navigable” waterway or jurisdictional water-body. It is likely that the farmed wetlands noted during the survey will be considered isolated and non-jurisdictional by the USACE; and, no Section 404 Permit per the CWA would be required for any dredge or fill activities within the mapped areas.

While the USACE has the final determinations as to the status of the streams, the preliminary determination is that there are no jurisdictional wetlands or streams present on the proposed ethanol plant site. There is a total of 0.43 acres of low quality, non-jurisdictional wetlands that are farmed and isolated.

Permit Considerations

The location does not appear to have any significant nexus with any other wetlands, lakes, streams, and/or other areas considered WUS, and subsequently would be considered “isolated” and non-jurisdictional. A CWA Section 404 Permit is not needed for dredge or fill in areas considered isolated or non-jurisdictional. Playa/wetland restoration activities would not require a CWA Section 404 Permit.

The subject site is in the USACE Kansas City District. The Kansas State Regulatory office for the USACE has regulatory authority for the area in question. Following is the state office address and telephone number:

Kansas State Regulatory Office
U.S. Army Corps of Engineers
2710 NE Shady Creek Access Road
El Dorado, Kansas 67042
(316) 322-8247

It is recommended that this survey be presented to the USACE for comment and/or concurrence with the survey findings.

6.0 POTENTIAL PLAYA RESTORATION

ABHK has decided not to develop the eastern 425 acre tract, which includes the 160 acre wetland survey area. This land will be used for buffer space, acquisition of water rights, biomass production, experimental agricultural plots, and/or wetland restoration along the eastern portion adjacent to the City of Hugoton. This land will not be rezoned from agricultural use.

ABHK will evaluate possible enhancement of the farmed wetland areas. Benefits of enhancement could include increased wildlife and bird nesting habitat, increased aquatic habitat, water quality improvement, groundwater recharge, landscaping/aesthetics, and research/educational opportunities. The wetland restoration would be compatible with the “buffer zone” concept for the east land tract.

Wetland restoration is contingent upon adequate water supply; and, non-contact process waste water may be used. See Appendix D for more hydrology information and analysis. Native grasses and forbs such as prairie cordgrass, switch grass, big bluestem, little bluestem, green needlegrass, sideoats grama, blue grama, western wheatgrass, sand dropseed, tall dropseed, heath aster, slimflower scurfpea, purple prairie clover, and prairie sunflower will be considered for use in playa restoration and as a vegetated buffer in adjacent upland areas. Reduced spring mowing will be considered in buffer strips to enhance bird and wildlife habitat and nesting while maintaining the ability to produce biomass.

It is not anticipated that wetland restoration/enhancement would attract birds to such an extent that it would create a bird air-strike hazard (BASH) for aircraft using the Hugoton airport. Objections from the airport could prevent wetland restoration/enhancement. Coordination with the airport would be required. Wetland enhancement will be further considered and discussed in the NEPA document.

Cultural and T & E Species

Wetland/playa restoration would be unlikely to adversely affect listed species and cultural resources. The Phase I Archaeological Survey is being conducted concurrently with the wetland survey. The portion of the playa that would be restored is highly disturbed and any cultural or archaeological items (if present) would be difficult to put into proper context or time period. Results of the cultural survey and SHPO comments will also be part of the NEPA analysis and document.

Published information on state-listed Threatened and Endangered (T & E) Species for Stevens County has been reviewed. The USFWS Critical Habitat mapper was used to search for Critical Habitat or known locations of T & E Species as well as federally managed lands. No known T & E locations, Critical Habitat, or federally managed lands were noted within or adjacent to the project site. The USGS topographical maps, plat maps, and NRCS Soil Survey did not indicate the presence of federal or state lands managed within or adjacent to the project site. The project site is 10 or more miles from the Cimarron National Grassland to the west and Cimarron River to the northwest. Environmental Review by the Kansas Department of Wildlife and Parks (KDWP) was requested. KDWP has responded that the project will have no effect on T & E or Critical Habitat. Regulatory correspondence will be included in the NEPA document.