

APPENDIX 6
ENVIRONMENTAL CORRESPONDENCE



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
222 S. Houston, Suite A
Tulsa, Oklahoma 74127

October 4, 1999

2-14-00-I-001

Mr. David L. Combs
Chief, Environmental Analysis and Compliance Branch
Tulsa District
U.S. Army Corps of Engineers
P.O. Box 61
Tulsa, Oklahoma 74121-0061

Dear Mr. Combs:

This responds to your letter dated September 27, 1999, requesting our comments regarding potential impacts to fish and wildlife resources and federally-listed threatened and endangered species which occur in the expanded area for a proposed Cherokee Hills RC & D regional water treatment and conveyance system. The original area for consideration included the Lake Tenkiller area in Cherokee County. The area for consideration has been expanded to include southern Sequoyah County.

By letter dated March 18, 1998, we provided a species list for the area around Lake Tenkiller in Cherokee County. Enclosed is a species list for Sequoyah County. If we can be of further assistance, please contact Richard Stark at 918-581-7458, extension 238.

Sincerely,

Jerry J. Brabander
Field Supervisor

Enclosure

RCSag:FA/SEQ/CD.COE

Species List

2

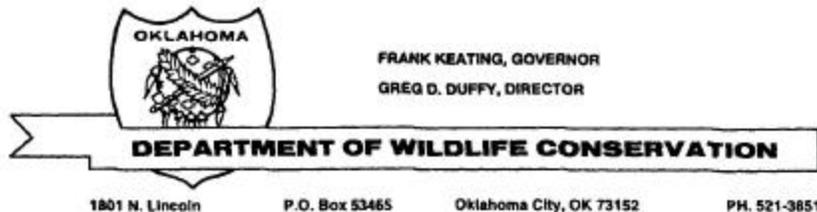
Cherokee Hills RC&D, Sequoyah County

For: U.S. Army Corps of Engineers

September, 1999

<u>Species</u>	<u>Classification</u>
American burying beetle	Endangered
interior least tern	Endangered
bald eagle	Threatened
piping plover	Threatened

WILDLIFE CONSERVATION COMMISSION
WILLIAM CRAWFORD CHAIRMAN
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JOHN D. GROENDYKE MEMBER
VYRL KEETER MEMBER



1801 N. Lincoln P.O. Box 53465 Oklahoma City, OK 73152 PH. 521-3851

October 27, 1999

Mr. David L. Combs
Chief, Environmental Analysis Branch
Tulsa District, Corps of Engineers
P.O. Box 61
Tulsa, OK 74121-0061

Subject: Modification to the Preliminary Feasibility Study,
Additional Rural Water Supply in the Lake Tenkiller Area

Dear Mr. Combs,

This responds to your letter of September 28, 1999 requesting information with regard to endangered and threatened species impacts associated with adding a portion of southern Sequoyah County to the project area. We have reviewed the information included in the Environmental Analysis and based upon this review, we have the following comments.

1) As stated in our letter of April 17, 1998, we request that the scope of this assessment be expanded to include other rural water districts outside of the Cherokee Hills RC&D. The Oklahoma Department of Wildlife Conservation is concerned about the potential impact of one rural water district, Adair County #5, on stream flow in the Baron Fork, a designated Oklahoma Scenic River and tributary to the Illinois River. The Adair County RWD #5 currently pumps its water directly from the Baron Fork and as its water needs increase, the RWD's water withdrawal threatens to substantially dewater the Baron Fork during summer low-flow periods. If the Adair County RWD #5 were able to tie into the proposed Tenkiller water treatment facility, it would lessen the demands placed upon the Baron Fork and provide additional protection to its aquatic resources.

2) The original project area contained three endangered and threatened species as discussed in our letter of April 17, 1998. We did not anticipate any significant impact to the state-listed Neosho mucket (Lampsilis rafinesqueana) and we referred you to the



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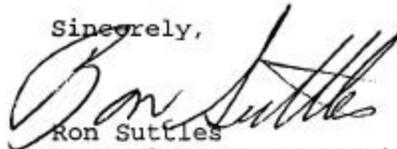
U.S. Fish and Wildlife Service for an impact determination relative to the federally threatened Bald Eagle (Haliaeetus leucocephalus) and endangered American Burying Beetle (Nicrophorus americanus). It does not appear that the addition of the specified distribution lines for southern Sequoyah County will have any affect on state-listed endangered or threatened species.

3) As stated in our earlier letter, the environmental analysis for this project should address the potential affect that the withdrawal of as much as 12.6 million gallons of water daily from Lake Tenkiller will have on lake level management and the volume of water released through the dam. Lake Tenkiller supports and economically important largemouth bass fishery which is dependent in part on a relatively stable lake level, particularly during the summer months. The Illinois River below the Lake Tenkiller dam supports important fisheries for striped bass and trout. We have a concern that peak water withdrawal during the summer months could affect water releases from Lake Tenkiller that would impact downstream fisheries.

4) The recommendations we made in our letter of April 17, 1998 regarding the installation of pipeline and maintenance of right-of-way, should be followed for the proposed additional distribution lines.

We appreciate the opportunity to review and provide our comments during the planning stage of this assessment. If you have any questions or need additional information, please contact our Natural Resources Section at (405) 521-4616.

Sincerely,



Ron Suttles

Natural Resources Administrator

cc: Kelly Hunter, Attorney General's Office
Barry Bolton, ODWC Fisheries Division
Duane Smith, OWRB
Reford Akin, Adair County Rural Water District #5



Oklahoma Historical Society

Founded May 27, 1893

State Historic Preservation Office • 2704 Villa Prom • Shepherd Mall • Oklahoma City, OK 73107-2441
Telephone 405/521-6249 • Fax 405/947-2918

January 25, 2000

Mr. David Combs, Chief
Environmental Analysis & Compliance
Tulsa District Corps of Engineers
1645 South 101st East Avenue
Tulsa, OK 74128-4609

RE: File #0782-00; Tenkiller Lake Wholesale Water Treatment &
Conveyance Project

Dear Mr. Combs:

We have received and reviewed the documentation submitted on the referenced project in Cherokee and Sequoyah Counties. Additionally, we have examined the information contained in the Oklahoma Landmarks Inventory (OLI) files and other materials on historic resources available in our office.

In addition to our review, you must contact the Oklahoma Archeological Survey (OAS), 111 East Chesapeake, Room #102, Norman, OK 73019-5111 (#405/325-7211), to obtain a determination about the presence of pre-historic resources that may be eligible for the National Register of Historic Places. Should the OAS conclude that there are no archaeological sites or other types of historic properties, as defined in 36 CFR Part 800.16(1), which are eligible for inclusion in the National Register of Historic Places within the project area and that such sites are unlikely to occur, we find that there are no historic properties affected within the referenced project's area of potential effect.

The OAS may conclude that an on-site investigation of all or part of the project impact area is necessary to determine the presence of archaeological resources. In the event that such an investigation reveals the presence of archaeological sites, we will defer to the judgment of the OAS concerning whether or not any of the resources should be considered "historic properties" under the Section 106 review process.

Should further correspondence pertaining to this project be necessary, the above underlined file number must be referenced. If you have any questions, please contact Mr. Marshall Gettys, Historical Archaeologist, at 405/521-6381. Thank you.

Sincerely,

Melvena Heisch
Deputy State Historic
Preservation Officer

MH:pm



Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

January 6, 2000

David L. Combs
US Army Corps of Engineers
1645 South 101st East Avenue
Tulsa, OK 74128-4609

Re: Corps of Engineers proposed Lake Tenkiller water line. Legal Description: around, north and west and south and east of Lake Tenkiller; Cherokee, Sequoyah and Muskogee Counties, Oklahoma.

Dear Mr. Combs:

The above referenced project has been reviewed by the Community Assistance Program staff of this agency to identify potential areas that may contain prehistoric or historic archaeological materials (historic properties). The location of your project has been cross-checked with the state site files containing approximately 14,000 archaeological sites which are currently recorded for the state of Oklahoma. Sites are listed in your project area (MS-268, MS-8, MS-3, MS-172, CK-274, CK-338, CK-269, SQ-269, SQ-364, SQ-365), and based on the topographic and hydrologic setting of your project, archaeological materials are likely to be encountered. **An archaeological field inspection is therefore considered necessary prior to project construction in order to identify significant archaeological resources that may exist in your area.** Please contact this office at (405) 325-7211 if you require additional information on this project.

This environmental review and evaluation is performed in order to locate, record, and preserve Oklahoma's prehistoric and historic cultural heritage in cooperation with the State Historic Preservation Office, Oklahoma Historical Society. In addition to our review comments, under 36CFR Part 800.3 you are reminded of your responsibility to consult with the appropriate Native American tribe/groups to identify any concerns they may have pertaining to this undertaking and potential impacts to properties of traditional and/or ceremonial value. Thank you for your cooperation.

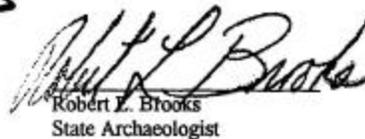
Sincerely,



Warren K. Lail
Staff Archaeologist

:lw

cc: SHPO



Robert L. Brooks
State Archaeologist



CADDO TRIBE OF OKLAHOMA

Cultural Preservation Department

Post Office Box 487

Binger, Oklahoma 73009

405-656-2901 405-656-2344

Fax # 405-656-2892



January 4, 2000

Mr. David L. Combs
Chief, Environmental Analysis
and Compliance Branch
Corps of Engineers, Tulsa District
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4609

Re: Wholesale Water Treatment and Conveyance Study in and around Tenkiller Lake,
Cherokee and Sequoyah Counties, Oklahoma

Dear Mr. Combs:

Thank you for the opportunity to comment on the proposed project and for the background information you provided for us. As Sequoyah and Cherokee Counties are both on what is considered "fringe areas" of the Caddo Tribe of Oklahoma's aboriginal homelands, we do not have any information relating to these two counties. We know of no religious and/or culturally significant sites within this proposed project relating to the Caddo Tribe. However, this does not mean that there is not a potential for numerous archeological sites in these two counties. We concur that a cultural resources survey of the pipeline should be done. We would graciously ask for updates on the ongoing phases of the project and a copy of the final report.

Thank you for your time and consideration.

Sincerely,

Robert Cast
Historic Preservation Officer
Caddo Tribe of Oklahoma