

## Environmental Resources Survey

The tables provided in this section serve as a record of the environmental resources present at the site, whether the proposed action is likely to have a significantly negative impact on those resources, and whether further information is needed to determine the potential impact. Review the listed resources and identify any resources that may be significantly impacted by the action. The environmental resources survey should be completed with professional input from resource experts and in consultation with relevant local, state, tribal, and federal governments, as appropriate. The cost to hire a professional environmental consultant is an eligible pre-award cost and can be included in the budget table (Question #72) and narrative (Question #75). Also make sure to include the pre-award costs in Question #74.

Question 76, TABLE 1 – For each resource indicate if positive impacts or negative impacts are anticipated to result from the action or if further information is needed to determine the potential impact. If this project will have “no effect” on the resource, mark as positive. After each resource, you will need to write a brief explanation on how you determined the impact and identify which sources you used to determine the impact. If the resource is not located within the project area (example: Water: Coastal Barrier Resource or Coastal Zones), leave it blank; do not mark it. Do not include short term impacts as negative unless a Federal Permit is required to satisfy those impacts. Any negative impacts should have mitigation measures described in C2. If unknown impact is marked, indicate what information needs to be collected to answer the questions or who you need to contact to get guidance from. The reports and maps used to determine the impact to the resources should be included in the supporting documents.

1) Air Quality - Most LWCF projects and project-related activities are exempt from air quality conformity requirements of the Clean Air Act, unless the project is considered “regionally significant” as defined by 23 CFR 450.104 ( <https://www.ecfr.gov/current/title-23/part-450> ) or is located in a nonattainment area. Projects outside the Wichita and Kansas City Metropolitan Planning Organization (MPO) areas generally will not meet the definition of “regionally significant.” For projects within the Wichita and Kansas City MPO areas, the project sponsor will need to coordinate with the MPO to determine the level of analysis required. For MPO contact information, see <https://www.planning.dot.gov/mpo/> . Air quality standards also regulate open burning. Open burning of tree trunks, tree limbs and vegetation from land clearing operations is allowed without a permit if untreated and done in accordance with state regulations. For information about those requirements, please go to the Kansas Secretary of State’s: [https://www.sos.ks.gov/publications/pubs\\_kar\\_Regs.aspx?KAR=28-19-647](https://www.sos.ks.gov/publications/pubs_kar_Regs.aspx?KAR=28-19-647) . Local jurisdictions (i.e., municipalities, counties, etc.) may have additional restrictions on open burning. Prior to conducting any open burning, the project sponsor should contact the city or county of jurisdiction for any local restrictions or required permits. Any permits required should be listed in C5.

2) Circulation and Transportation – Evaluate the impact of your project on circulation and transportation. Will this project be adding in ADA parking spaces or accessible routes (positive)? Will this project construct or renovate the parking lot area (positive)? Will this project be adding a trail around the park to connect different areas of the park together (positive)?

3) Climate – Will this project impact climate change in a positive or negative way? Look at how you answered D3; did you list positive impacts to the project.

4) Contamination or Hazardous materials – Evaluate what, if any, contamination or hazardous materials are present in the project area and how this project will impact those materials. To assist you with determining the potential for hazardous substance at or adjacent to your project site, KDHE has an online map of hazardous waste and petroleum storage sites ( <https://www.kdhe.ks.gov/748/Maps-Databases> ). Make sure the entire park is being shown. Click the “more” icon and show the layers. Use the snipping tool or print page to capture the entire screen (including Legend and Park area). Convert to a .pdf. If there is a symbol within the park or on adjacent property, click on it and print off the report. Demolishing an old building that contains asbestos using appropriate methods of hazardous materials abatement or using a previously remediated site as a new outdoor recreational site is a positive impact.

5) Endangered Species – The Endangered Species Act (ESA) requires that federal agencies, in consultation with the U.S. Fish and Wildlife Service (USFWS), ensure that any actions they fund, authorize, or carry out will not jeopardize the continued existence of federally-listed threatened or endangered (T&E) species or destroy or adversely modify designated habitat critical to those species. To evaluate the project’s impact to federally listed T&E species or their habitat, use the USFWS’s Information for Planning and Conservation (IPaC) search tool to request an official species list of T&E species and the presence of critical habitat that should be considered when evaluating the potential impacts of your project. The IPaC search tool can be found at <https://ecos.fws.gov/ipac/>, and will require you to enter information about your project and delineate your project’s boundaries on an online map. You will need to log in to the IPaC Website to get the Official Species List. Once logged in, click “Get Started” and in box 1 type in the address for the park. Use the polygon to draw around the boundary of the entire park and click finished drawing. On the new page click “Define Project” in the box that says “What’s Next.” Type in the Project Name and Scope of Work. Now click on “Request Species List.” Then you will need to click “Yes, Request a Species List” and fill out the questions that are asked. Federal Funds from the National Park Service are being used to complete this project. The Official Species List will be added to “My Projects” within about 30 minutes. Print the report and include it with the supporting documents. If the report you print has a watermark across it that says “not for consultation,” this report is not correct and you will need to go back and print the Official Species list. In addition to determining your project’s impact on federally listed T&E species, you must also determine its impact on state-listed endangered species or species and habitats of conservation concern by entering your information into the Kansas Department of Wildlife and Parks Website (<https://ksoutdoors.com/Services/Environmental-Reviews> ). IPaC and Kansas Environmental Reviews expire after 6 months, so don’t use an old report. Go create a new report if it is outdated. After a review of the species and habitats listed on the Official Species List and Natural Heritage Report that have potential to be located your project area, you must conduct an evaluation, see IPaC Report, to determine if your project may affect those species or their habitats. You must indicate in the space provided whether impacts are anticipated and you must summarize your project impacts, for each species listed. If you have species list on the IPaC, you should contact the Kansas Ecological Service Field Office (contact information in the IPaC Report) to get their concurrence that you will not be affecting these species. Will you be removing trees during this project and if so when? If so, how will that impact any endangered bat species that may be present in the project area? Will this project construct a pollination garden to help the endangered dragonfly and butterflies?

6) Environmental Justice – Evaluate any environmental justice impacts that the proposed project may have. The U.S. Census Bureau’s My Community Explorer search tool

(<https://experience.arcgis.com/experience/13a111e06ad242fba0fb62f25199c7dd/page/Page-1/>) can help determine if your project area contains populations that meet the low-income or minority population standards. You should compare the city or county to the state averages. Include a copy of the comparisons with the supporting documents. Will this project benefit minority and low-income populations?

7) Geological Resources – Will your project impact geological resources? Are you controlling runoff due to impervious surfaces that are created during the project (positive)? Have you changed the slope of the project area that will now create runoff (negative)? Are you developing a rain garden to control the runoff (positive)?

8) Historic or cultural resources –Section 106 of National Historic Preservation Act (NHPA) requires federal agencies to consider the effects on historic properties present in projects they carry out, approve or fund. The State Historic Preservation Office (SHPO) is the agency authorized for ensuring Section 106 compliance. To initiate a Section 106 Review, submit a Section 106 Project Information Form to the LWCF Grant Coordinator. The form is a fillable PDF requiring Adobe Acrobat Reader, available as a free download from <https://get.adobe.com/reader/>. You will also be required to submit topographic maps of the site, project plans and photos of any existing structures. To find quadrangle maps, visit the U.S. Geological Survey's National Map website at <https://viewer.nationalmap.gov/basic/>.

This is a 30 day process so start the Section 106 Review early in order to have SHPO concurrence by the time the application is due. The SHPO concurrence letters are valid for three years as long as the scope of work has remained the same with no changes. If changes have occurred in the scope of work, a revised Section 106 Review should be submitted. The project description that is on the Section 106 form should be the scope of work and should include the surface depths. Try to answer the following questions when filling out the project description of the Section 106 form: Is the area already disturbed? How deep will you be digging? Will you be using heavy equipment and how will get it get to project area? Will you be bringing in fill/borrow, if so from where will it come? If removing fill from project area, where will it be disposed at? An example, a project will construct a 30' X 50' pavilion, the concrete pad will disturb an area of 40'X60' and be dug in 6 inches and the footings will be between 18"-24" deep. If the information you provided is sufficient to make a determination, SHPO will send KDWP a concurrence letter. If the information you submitted is not sufficient to make a determination, KDWP will send you a letter requesting additional information or may require that a professional archaeologist or architectural historian conduct a cultural or archaeology survey. Coordinate with SHPO on the requirements of the survey. If your project has an adverse effect determination, further consultation between SHPO, your organization, the LWCF Grant Coordinator with Kansas State Parks and the NPS is required. A Memorandum of Agreement (MOA) between your organization, the NPS, KDWP, and SHPO may be required, outlining avoidance measures. If funded, the MOA will be negotiated by the National Park Service. If through consultation, you have made commitments required by SHPO for avoiding, minimizing or mitigating resource effects on historic properties, explain those here.

9) Invasive Species – How will your project address any invasive species? Are any invasive species present in the project area? Does your project include landscaping with native species and implementing measures to prevent the spread of noxious or invasive species (positive)? Are you removing noxious weeds and plants from the project area (positive)? Are you planting fast growing grasses to stabilize soil that has been disturbed (positive)? For information about controlling noxious

weeds, see the Kansas Department of Agriculture website at: <https://agriculture.ks.gov/divisions-programs/plant-protect-weed-control/noxious-weed-control-program/kansas-noxious-weed-list>. Project sponsors are not permitted to plant invasive species as part of their project.

10) Land Use Plans – Do you have a land use plan for this park? Does the current proposal fit into land use plans for the park? If the land is leased, do you have more than 25 years on the lease (positive)?

11) Lightscapes – Will the project impact any dark-sky areas? Are you replacing lights to be energy efficient lights or have timers on them (positive)? Are you installing lights to help with security and safety of the park (positive)? Are night switches being installed to lower lights at night for wildlife or will the lights turn off when park is closed for the night (positive)?

12) Migratory Birds – Are any regulated migratory birds present in the project area and if so, how will your project impact those species? Are you removing trees during the breeding seasons (negative)? Are you planting trees to restore habitat (positive)? To find out information about migratory birds check out the USFWS website at: <https://www.fws.gov/program/migratory-birds/species> . For a list of migratory birds see 50 CFR 10.13.

13) Recreation Resources – Are you adding new outdoor recreation opportunities to the park? Are you renovating the park to make it better than it was before? The entire scope of work for this project should be a positive impact.

14) Socioeconomics – Evaluate socioeconomic impacts to the park. Will the construction of this facility cause competition with the private sector? What is the economic impact? Will there be an increase in economic activity as a result of the project?

15) Sound – What impact will the project have on sound? Will there be a significant change in noise that would affect the ambiance of the park? For example, are you creating a shooting range or motorized trail? If so, what are doing to reduce the impact of noise from the shooting range or motorized trail? Will the project be constructed in a federally protected wilderness area or sensitive habitat area (negative)?

16) Unique Ecosystems – Please identify any unique ecosystems, such as biosphere reserves, world heritage sites, or old growth forests.

17) Water Quality or Quantity – Identify how you are impacting water quality or quantity. For example, are you creating a splash pad with water filtration or reuse system (positive)? Are you impacting the ground water table? Will this project renovate a sports field to help decrease standing water on the field (positive)?

18) Water Coastal Barrier Resources – There are no coastal barrier waters located in Kansas, leave blank.

19) Water Marina & Estuarine – Identify any impacts to water marina or estuarine resources. Is this project also eligible for Dingell-Johnson or Wallop-Breaux Act funding (boat or fishing access)? Will this project create a beach or install breakwaters (positive)? Will this project create an ADA fishing dock or marina (positive)? If you do not have a marina or estuarine within the project scope of work, leave this box blank.

20) Water Stream Flow – The U.S. Environmental Protection Agency has information about Stormwater Discharges from construction activities and the permits that are required at:

<https://www.epa.gov/npdes/stormwaterdischarges-construction-activities> . Are you disturbing more than 1 acre of land? Will sedimentation in nearby streams occur (negative)? Will this project be diverting or damming a stream (negative)? If a permit is required it should be list in C5.

21) Water Wetland and Floodplains – Does the IPaC show wetlands within the project area? If yes, you must contact the U.S. Army Corps of Engineers (USACE) and consult with them about the effects of the project on the jurisdictional waters of the United States. The will determine if your project will have a positive or negative impact and will let you know if you need a permit. If a permit is required add it to C5. List the mitigation measures that USACE provided in C2. All correspondence should be included with the supporting documents. All projects need to print a Wetland Map as part of the supporting documentation. The Wetland Mapper website provided through the National Wetlands Inventory is <https://www.fws.gov/wetlands/Data/Mapper.html>. Click on Wetlands Mapper, in the top right under “Find Location” add the address for the Park. Zoom in or out to include the entire area of the park. Make sure Wetlands, Riparian and Data Source are checked under Map Layers. At the top right click on “Print,” and enter Project Name, then click “Print.” Once the print job is created, click on Project Name and print the .pdf that is created. If this map, shows wetlands within the park, you must consult with the USACE. For the Floodplain Map, you should use the map and information from A3.

22) Prime Farmland - To determine if your project site will be converting prime or unique farmland, use the Natural Resource Conservation Service Agency’s (NRCS) Web Soil Survey at <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Under the Quick Navigation – Address, add the address for the park and click “View.” Under Area of Interest use the hand icon to move the map to the project area. Use the + icon to zoom into the project area. Click on the AOI Polygon to draw a polygon around the project area. You do not need to include the entire park in the area, such the area you will be affecting with this project. Double click to create the AOI. If the AOI is not correct, click on “Clear AOI” and redraw. If the AOI is correct, go to the top of website and click on the “Soil Data Explorer” Tab. Under Suitabilities and Limitation Ratings, click the down arrow for “Land Classifications.” Then click the down arrow for “Farmland Classification,” and click on “View Rating.” Once map has been filled in, click on “Printable Version” and add the Project Name and click on “View.” Download and print the .pdf that was created. It should be about 5-6 pages long. If the soil survey indicates that your project will impact prime or unique farmland, you will need to complete parts I and III of the Farmland Conversion Impact Rating Form

[https://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1045394.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf) and submit the form to your local NRCS field office at <https://www.nrcs.usda.gov/wps/portal/nrcs/mo/contact/local/> . Coordinate completion of the form with the NRCS to determine if impacts generate a score of 160 or higher and any mitigation measures required to minimize those impacts. Attach a copy of the soil survey and, if your project will be impacting prime or unique farmland, include the completed Farmland Conversion Impact Rating Form with supporting documents. List those measures in Question C2. If there are no impacts to prime or unique farmland or the score on the Farmland Impact Rating Form is less than 160, then no commitment statement is necessary.

TABLE 2 - This is a list of mandatory impact criteria that preclude the use of a categorical exclusion. If you answer “yes” or “?” for any of the mandatory criteria, you must develop an Environmental Assessment (EA) or Environmental Impact Statement (EIS) regardless of your answers in table 1. If an EA or EIS is required, a copy should be included with the Supporting Documents o Question 78, HAVE THERE BEEN ANY PREVIOUS NEPA DOCUMENTS THAT ARE RELEVANT TO THIS PROJECT OR THIS SPECIFIC

SITE? – Indicate yes or no if there have been any prior environmental reviews completed on this specific project or this site pursuant to the National Environmental Policy Act. If yes, please include a copy of the summarized findings and include page number references to where the findings are located in the document.

C2. EXPLAIN ANY NEGATIVE OR UNKNOWN IMPACTS IDENTIFIED IN QUESTION 76 (TABLE 1) OF THE ENVIRONMENTAL RESOURCES SURVEY, OR ANY BOXES MARKED AS “YES” IN TABLE 2. Please provide an explanation for any negative or unknown impacts identified in table 1 of the Environmental Resources Survey, or any boxes marked as “yes” in table 2. Discuss all mitigation measures that are required from federal and state agencies to protect the resources within the project area.

C3. HOW WAS THE INFORMATION IDENTIFIED IN THE TABLES DERIVED AND WHAT SOURCES OF DATA WERE USED TO JUSTIFY THE IMPACT SELECTION? – List all the websites and reports you used to derive your answers to table 1 and 2. If you consulted with USACE or USFWS, list which resources from table 1 and 2 they consulted on and include all correspondence between your agencies with the supporting documents. All maps and reports used should be included with the supporting documents.

C4. WHO CONTRIBUTED TO FILLING OUT THE ENVIRONMENTAL RESOURCES SURVEY? – Provide the name, title, and experience for all individuals who are assisting in reviewing the environmental documentation. What qualifications do they have that provide the necessary resource expertise to determine impact significance?

C5. LIST ALL REQUIRED FEDERAL, STATE, AND LOCAL PERMITS/APPROVALS NEEDED FOR THE PROPOSAL AND EXPLAIN THEIR PURPOSE AND STATUS. - Please provide a list of all federal, state, and local permits/approvals needed for the proposal and explain their purpose and status. Additionally, you are expected to be familiar with and comply with any local permitting requirements that apply to your project. Below is a summary of permits you may be required to obtain.

- 404/401 Permit - In order to determine if your project will require a 404 Permit and a 401 Certification, you will need to establish if any of the following are in your project location: creek or stream channel (even if the bed is currently dry); lake; river; drainage ditch or wetlands. If any of the above conditions exist within your project area, then you will need to determine if your project has the potential to impact any jurisdictional water. Project sponsors are strongly encouraged to hire or consult with a professional who is qualified to identify wetlands and other jurisdictional waters to determine if the project will have an impact on those resources. Many activities involving relatively minor impacts are authorized under Nationwide Permits, or NWP's. To find out if your project falls under a NWP, you will need to contact the USACE District Office that oversees the district in which your project is located. The USACE will indicate whether your project is covered under a NWP or if you will be required to complete an individual 404 permit application (<http://www.usace.army.mil/Missions/CivilWorks/Regulatory-Program-and-Permits/Obtain-a-Permit/>). The USACE will then send you a letter authorizing your project under a particular permit, and will send a copy of your letter to KDHE. If the USACE's letter to you indicates that KDHE has “conditionally certified” your activity and the letter includes KDHE conditions, you will not need to contact KDHE for further certification. If the USACE's letter to you indicates that you must obtain an individual 401 certification, please follow the instructions for submitting your application materials to KDHE, which can be found at <https://www.kdhe.ks.gov/1095/Section-401-Water-Quality-Certification> .

- Land Disturbance Permit - A Land Disturbance Permit for projects that disturb one or more acres or disturb less than one acre when part of a larger common plan of development that will disturb a cumulative total of one or more acres over the life of the project. A permit must be obtained and a Stormwater Pollution Prevention Plan written prior to starting land disturbance activities.

- Burn Permit - The Clean Air Act (CAA) is the federal law that regulates air emissions. Among other things, this law authorizes EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants. Most LWCF projects and project-related activities are exempt from air quality conformity requirements of the CAA, unless the project is considered "regionally significant" as defined by 23 CFR 450.104 (<https://www.ecfr.gov/current/title-23/chapter-I/subchapter-E/part-450>) or is located in a nonattainment area. Projects outside the Wichita and Kansas City Metropolitan Planning Organization (MPO) areas generally will not meet the definition of "regionally significant." For projects within the Wichita and Kansas City MPO areas, the project sponsor will need to coordinate with the MPO to determine the level of analysis required. For MPO contact information, see <https://www.planning.dot.gov/mpo/>. If a project is determined to be regionally significant, conformity will be demonstrated through an established process for inclusion in a metropolitan Transportation Improvement Program (TIP). Indicate on the NEPA Determination Form if your project is in either the Wichita or Kansas City MPO and provide documentation that you've coordinated with the MPO in determining if your project is considered regionally significant. Air quality standards also regulate open burning. Open burning of tree trunks, tree limbs and vegetation from land clearing operations is allowed without a permit if untreated and done in accordance with state regulations. For information about those requirements, please go to [https://www.sos.ks.gov/publications/pubs\\_kar\\_Regs.aspx?KAR=28-19-647](https://www.sos.ks.gov/publications/pubs_kar_Regs.aspx?KAR=28-19-647). Local jurisdictions (i.e., municipalities, counties, etc.) may have additional restrictions on open burning. Prior to conducting any open burning, the project sponsor should contact the city or county of jurisdiction for any local restrictions or required permits.

C1. HAVE THERE BEEN ANY PREVIOUS CULTURAL AND/OR HISTORIC RESOURCE SURVEYS COMPLETED THAT INCLUDED THIS SITE WITHIN THE AREA OF POTENTIAL EFFECTS? – Indicate yes or no if there have been any previous cultural and/or historic resource surveys completed that included this site within the area of potential effects. If NO, describe any construction planned as a result of the project that will extend beyond the pre-existing disturbance area (including the surface area depth). Try to answer the following questions: Is the area already disturbed? How deep will you be digging? Will you be using heavy equipment and how will get it get to project area? Will you be bringing in fill, if so from where will it come? If removing fill from project area, where will it be deposited at? An example, this project will construct a 30' X 50' pavilion, the concrete pad will disturb an area of 40'X60' and be dug 6 inches deep and the footings will be between 18"-24" deep. These depths should also be included in the Section 106 review form that you send to KDWP for SHPO. If yes, attach a copy of the survey, summarize findings, and include page number references below.