

## **Threatened and Endangered Species Waters in Kansas Regional Condition #5**

- a. **Arkansas River** – That portion flowing through Barton, Cowley, Edwards, Finney, Ford, Gray, Hamilton, Kearny, Kiowa, Pawnee, Reno, Sedgwick and Sumner Counties, excluding that reach upstream of the Kansas Route 27 bridge in Hamilton County and a 12.4 mile reach within the City of Wichita metropolitan area, extending from the westbound land of Kansas Route 96 downstream to Interstate 35 (Arkansas River Shiner, *Notropis girardi*) (Interior Least Tern, *Sterna antillarum* in Sedgwick County only).
- b. **Cimarron River** - That portion flowing through Clark, Comanche, and Meade Counties (Interior Least Tern, *Sterna antillarum* and Arkansas River Shiner, *Notropis girardi*).
- c. **Cottonwood River** - From the point of discharge of Marion Dam to its confluence with the Neosho River in Lyon County (Neosho Madtom, *Noturus placidus*).
- d. **South Fork Cottonwood River** – Downstream of Bazaar to confluence with Cottonwood River (Neosho Madtom, *Noturus placidus*).
- e. **Neosho River** - From the point where it discharges from Council Grove Reservoir in Morris County to the point where it leaves Lyon County and from the point where it discharges from John Redmond Reservoir in Coffey County to the Kansas-Oklahoma border in Cherokee County (Neosho Madtom, *Noturus placidus*).
- f. **Spring River** - The entire main stem portion within the state of Kansas in Cherokee County (Neosho Madtom, *Noturus placidus*).
- g. **Cow Creek and tributaries** - A 144 square mile area within Crawford County whose western boundary is highway K-7, whose southern boundary is the Crawford/Cherokee county line, whose eastern boundary is the Kansas/Missouri state line and whose northern boundary is highway K-57 east of the town of Girard extended to the state line. Also included in this area is all of Cow Creek in Cherokee County (Gray Bat, *Myotis grisescens*).
- h. **Kansas River** –From its origin in Geary County downstream to Lecompton in Shawnee County (Interior Least Tern, *Sterna Antillarum* and Piping Plover, *Charadrius melodus*). From its origin in Geary County downstream to the Missouri River (Bald Eagle, *Haliaeetus leucocephalus*). Preconstruction notification for the Bald Eagle is required because of protections afforded under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c).

- i. The following locations may contain the Topeka Shiner, *Notropis topeka*, which has been listed as endangered, and are subject to the notification requirement above:
1. **Butler County** – Headwaters of the South Fork Cottonwood River (Sec. 4, 9, 16 & 21 T23S, R8E).
  2. **Chase County** – Bloody Creek, Collett Creek, Diamond Creek, Gannon Creek, Jack Creek, Little Cedar Creek, Mercer Creek, Mulvane Creek, Rock Creek, Schaeffer Creek, Shaw Creek, Unnamed tributary of Thurman Creek (Sec. 31 & 32 T22S, R9E), Unnamed tributary of Mercer Creek (Sec. 30 & 31 T22S, R 8E), Middle Creek, Unnamed tributary of Middle Creek (Sec. 4, 9 & 10 T19S, R6E), Unnamed tributary of Diamond Creek (Sec. 9 T19S, R7E), Unnamed tributary of Fox Creek (Sec. 31 T18S, R8E).
  3. **Dickinson County** – Cary Creek, Middle Branch Lyons Creek, Rock Springs Creek, West Brach Lyons Creek.
  4. **Geary County** – Rock Springs Creek, Davis Creek.
  5. **Greenwood County** – Thurman Creek, Unnamed tributaries of Thurman Creek (Sec. 6 T23S, R9E; Sec. 1 T23S, R8E).
  6. **Marion County** – Collett Creek, Middle Creek, Mud Creek.
  7. **Marshall County** - North Elm Creek, Clear Fork Creek.
  8. **Morris County** - Collett Creek, Middle Creek, and tributaries to Diamond Creek.
  9. **Pottawatomie County** - Clear Fork Creek.
  10. **Riley County** – Deep Creek, Seven-Mile Creek, Little Arkansas Creek, Walnut Creek, Wildcat Creek.
  11. **Shawnee County** – Mission Creek.
  12. **Wabaunsee County** – East Branch Mill Creek, Hendricks Creek, Illinois Creek, Kuenzli Creek, Loire Creek, Mission Creek, Mulberry Creek, Nehring Creek, Paw Paw Creek, Spring Creek (Paxico), Spring Creek (Tributary of West Branch Mill Creek), South Branch Mill Creek, West Branch Mill Creek.
  13. **Wallace County** - Willow Creek.
- j. The following waterways maintain critical habitat for the Whooping Crane, *Grus americana*, and are subject to the notification requirement above:

1. **Walnut Creek** – in Ness, Rush and Barton Counties which feeds Cheyenne Bottoms.
  2. **Cheyenne Bottoms** – All water bodies within Cheyenne Bottoms.
  3. **Rattlesnake Creek** – in Edwards, Stafford and Pratt Counties which feeds Quivera National Wildlife Refuge.
  4. **Quivera National Wildlife Refuge** – All water bodies within Quivera National Wildlife Refuge.
- k. The following waterways for the Federal candidate species listed below are subject to the notification requirement above:
1. **Arkansas darter**, *Etheostoma cragini*, in vegetated wetlands and spring fed pools in the mainstem and tributaries to the Arkansas, Cimarron, Medicine Lodge, Chikaskia, Ninnescah, and Spring Rivers in Barber, Barton, Cherokee, Clark, Comanche, Cowley, Harper, Kingman, Kiowa, Meade, Pratt, Reno, Rice, Sedgwick, Seward, Stafford and Sumner Counties.
  2. **Neosho mucket**, *Lampsilis rafinesqueana*, in riverine runs, shoals, and riffles with gravel substrates and moderate currents in the Fall, Verdigris, Neosho, Cottonwood, and Spring Rivers in Allen, Chase, Cherokee, Coffey, Greenwood, Labette, Lyon, Montgomery, Neosho, Wilson, and Woodson Counties.
  3. **Spectaclecase**, *Cumberlandia monodonta*, in the Marais des Cygnes River in Linn County.
  4. **Rabbitsfoot**, *Quadrula cylindrica*, in the main stem of the Neosho River from John Redmond dam in Sec. 10-T21S-R15E, Coffey County, to the Kansas/Oklahoma border in Sec. 18-T35S-R22E, Cherokee County (Coffey, Allen, Neosho, Labette, & Cherokee Counties, in the main stem of the Spring River in Cherokee County from the Missouri border (Sec. 1-T33S-R25E) to U.S. 66 (Sec. 17-T34S-R25E) (Cherokee County), and in the main stem of the Verdigris River from the K-47 bridge in Sec. 8-T29S-R16E, Wilson County, to the Kansas/Oklahoma border in Sec. 18-T35S-R17E, Montgomery County (Wilson and Montgomery Counties)