

RECLAMATION

Managing Water in the West

Resource Management Plan

**Webster Reservoir, Kansas
Great Plains Region**



**U.S. Department of the Interior
Bureau of Reclamation
Nebraska-Kansas Area Office
Grand Island, Nebraska**

January 2007

Mission Statements

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Resource Management Plan

**Webster Reservoir, Kansas
Great Plains Region**

prepared by

**Nebraska-Kansas Area Office
Grand Island, Nebraska**

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Appendix A – Agreements and State Management Plans

- A1-Lease Agreement #14-06-700-6324
- A2-2005-2009 Webster State Park Management Plan
- A3-2005-2009 Webster Wildlife Area Management Plan
- A4-2005 Fishery Progress and Management Report
- A5-Interagency Cooperative Fire Management Agreement

Appendix B – Regulations

- B1-Environmental statues
- B2-Reclamation Recreation Management Policy
- B3-Implementation of Cost Sharing Authorities for Recreation Fish and
Wildlife Enhancement Directives and Standards
- B4-KDWP Private Cabin/Mobile Home/Waterfront Facility Guidelines
- B5-43 CFR, part 21 – Occupancy of Cabin Sites on Public Conservation
and Recreation Areas

Appendix C – Exhibits

- C1-Categorical Exclusion Checklist # 468-07-01-WR RMP
- C2-Survey card and comment copies
- C3-Listed amphibians, reptiles, birds, and mammals common to the area
- C4-Recreation Use Data Report

Chapter 1

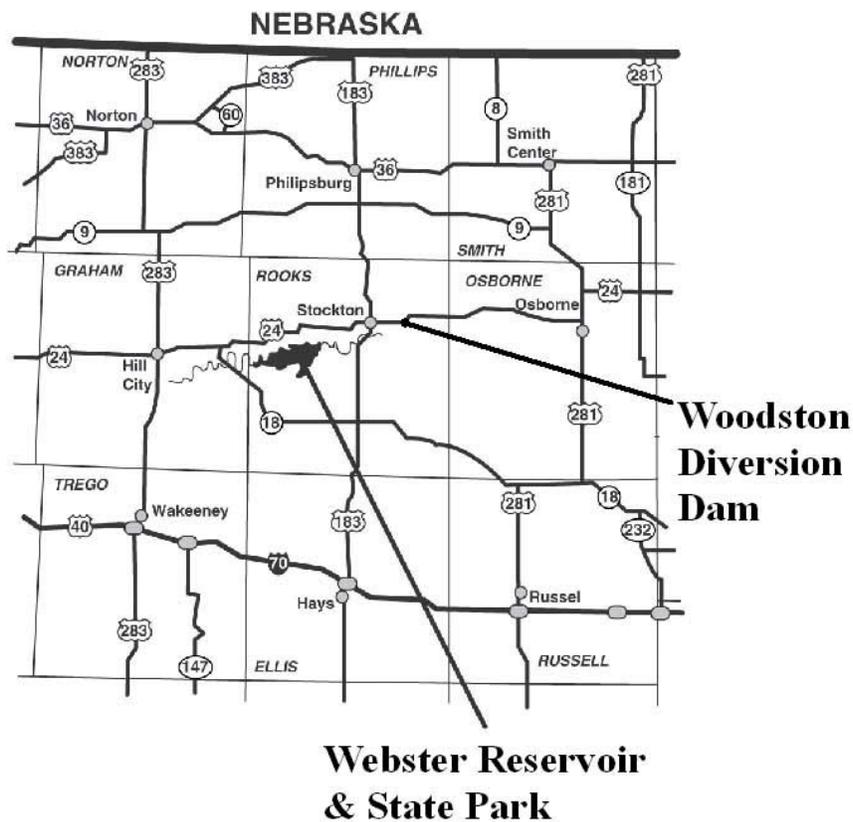


Land-Use Plan

CHAPTER 1- LAND-USE PLAN

Introduction

The U.S. Bureau of Reclamation (Reclamation) developed the Webster Reservoir Resource Management Plan (RMP) to guide land use and resource management decisions. It will help ensure public resources are used wisely, while considering the needs and desires of the public. Webster Reservoir water level management is outside the scope of this RMP and therefore will not be addressed in this RMP. Reclamation and the Webster Irrigation District No. 4 entered into a water service repayment contract in June, 2002. The available water supply to the District is the natural flows of the South Fork of the Solomon River and the storage waters available for release above the established reservoir shutoff elevation. Reclamation is required by the Reclamation Act of 1956 to provide irrigation districts holding long-term water service contracts the first right to a stated share of the available water supply. See Chapter 5 for additional information.



Purpose and Scope

The purpose of the RMP is to establish a 10-year plan for the conservation, protection, enhancement, development and use of resources at Webster Reservoir and Woodston Diversion Dam. The RMP reflects current physical, biological, and social conditions at the reservoir. Reclamation intends for the land and water resources to be used according to current standards, therefore, this plan should be updated and amended as necessary to meet current needs.

To meet requirements of National Environmental Policy Act, a Categorical Exclusion Checklist was prepared to address the implementation of this RMP. (See Appendix C1)

The area considered in this RMP is comprised of 6,903 acres acquired for Webster Dam and Lake, 210 acres for Woodston Diversion Dam, and surrounding lands and associated facilities. Land use, recreation, fish and wildlife management and administration, agency responsibilities, reservoir operations, and current Reclamation policy, directives and standards are discussed in the RMP. The specific land uses for Webster Reservoir and Woodston Diversion Dam are recreation, wildlife, and reservoir operations.

Authority

The Webster Unit of the Solomon Division was approved by the Flood Control Acts of 1944 and 1946.

Public Law 102-575, Title 28, Section 2805 (106 Stat. 4690, Reclamation Recreation Management Act of October 30, 1992), provides Reclamation with authority to prepare RMPs.

Agency Coordination

Preparation of the Webster Reservoir RMP is a cooperative effort between Reclamation and the Kansas Department of Wildlife and Parks (Department). According to Lease Agreement #14-06-700-6324 (included in Appendix A), the Department is the administering agency for recreational facilities and activities of Webster State Park and for wildlife management activities of the Webster Wildlife Area. This agreement, executed May 31, 1967, is in effect for a term of 50 years. Both agencies will work together to ensure the RMP remains current, as land use standards may change over the remaining 10-year period of this lease.

Beginning in 1996 the Department has developed 5-year management plans for each Reclamation reservoir under its jurisdiction. The Department has completed the 2005-2009 Webster State Park Management Plan and the 2005-2009 Webster Wildlife Area Management Plan. A Fishery Progress and Management Report is completed every year as well. These plans contain management objectives and strategies for implementation to form the future management of Webster Reservoir and surrounding lands. All plans are included in Appendix A.

Public Involvement

The Department conducted a user survey at Webster State Park during May 1 thru Labor Day weekend of 2005 to gather public input for the 5-year management plan. It provided information on use of facilities in the State Park. The survey was distributed at the park office, handed out to park visitors, and placed in strategic locations throughout the park. Participants could turn the survey card in at the park office, at any one of the three self pay stations, or give it to the park staff. Survey cards and information were tabulated by the Department staff. A copy of the survey card and comments are included in Appendix C.

Letters were sent to appropriate local, state, and Federal agencies, Native American tribes, organizations and other interested groups soliciting comments and concerns about management of Webster Reservoir and surrounding lands. A public notice was published in 7 local newspapers seeking public comments for development of the “Draft Webster Reservoir RMP” (Draft RMP).

Copies of the Draft RMP along with land and water use maps were mailed to all the target publics. In addition, copies of the Draft RMP were made available for review at the Webster Reservoir Headquarters Office, Department Region 1 Office, Nebraska Kansas Area Office (NKAO), McCook Field Office, and the Stockton, Phillipsburg, Osborne, and Smith Center public libraries. The public was invited to send any written comments, suggestions, and/or changes to the NKAO.

Maintaining effective public relations is a high priority of both Reclamation and the Department. The Department uses a wide variety of methods to promote the area to the public and provide information and education. Weekly news releases, bi-monthly magazines, video and digital photography, regulations and informative brochures, special publications, special events, and media liaison functions are conducted on a statewide basis. In addition; newsletters, new releases, public surveys, weekly hunting and fishing reports on the Department website, and one on one communication with the area users are also valuable public relation tools. As demand and variety of recreational opportunities increases, information and education efforts will also increase.

Environmental Setting

Location and General Description

The Webster Unit, Solomon Division, is part of the Pick-Sloan Missouri Basin Program, and consists of; a multipurpose dam and reservoir, diversion dam, canals, laterals, and drainage system, The distribution system is operated and maintained by the Webster Irrigation District No. 4. Benefits from this unit include irrigation, flood control, recreation, fish and wildlife.

Webster Dam and Reservoir (front map) are on the South Fork Solomon River in

Rooks County approximately eight miles west of Stockton, Kansas. It is a modified homogenous earth-filled embankment with a structural height of 154 feet above the streambed and a crest length of 10,720 feet. Top of the conservation pool is elevation 1,892.45 feet above mean sea level. The dam, which impounds Webster Reservoir, was completed by Reclamation in June, 1956.

Webster Dam is operated and maintained by Reclamation’s McCook Field Office. An employee, who resides at the dam, is responsible for the day-to-day operation of the dam.

Woodston Diversion Dam, located 16 miles below the dam is on the South Fork Solomon River in Rooks county 1.5 miles west of Woodston, Kansas (see maps on page 1 62a). It has a structural height of 14 feet above the original streambed and is 151 feet long. It was completed in February, 1959. Fifty-four acres of the Woodston Diversion Dam area is operated and maintained by the Webster Irrigation District. The Department is responsible for wildlife management on the remaining 210 acres of land surrounding the diversion dam.

Table 1- Webster Reservoir Statistics

Shoreline length (miles)	45
Conservation pool (acre-feet)	76,157
Recreation Area at T.O.C. (acres)	880
Wildlife Area at T.O.C. (acres)	1,853
Operations Area at T.O.C. (acres)	431
Total Land Area at T.O.C. (acres)	3,164
Water Surface Area at T.O.C. (acres)	3,739
Total Project Land □ Water (acres)	6,903

When the reservoir is at the top of the conservation pool, water backs upstream approximately five miles from the dam. The reservoir has a shoreline length of approximately 45 miles with a water surface area of 3,739 acres. The total controlled storage of Webster Reservoir is 259,510 acre-feet (af). See Table 1 for additional reservoir statistics. The lake capacity includes 1,256 af of dead storage, 6,096 af of inactive storage, 71,926 af of active storage, and 183,353 af for flood control. (see Figure 1)

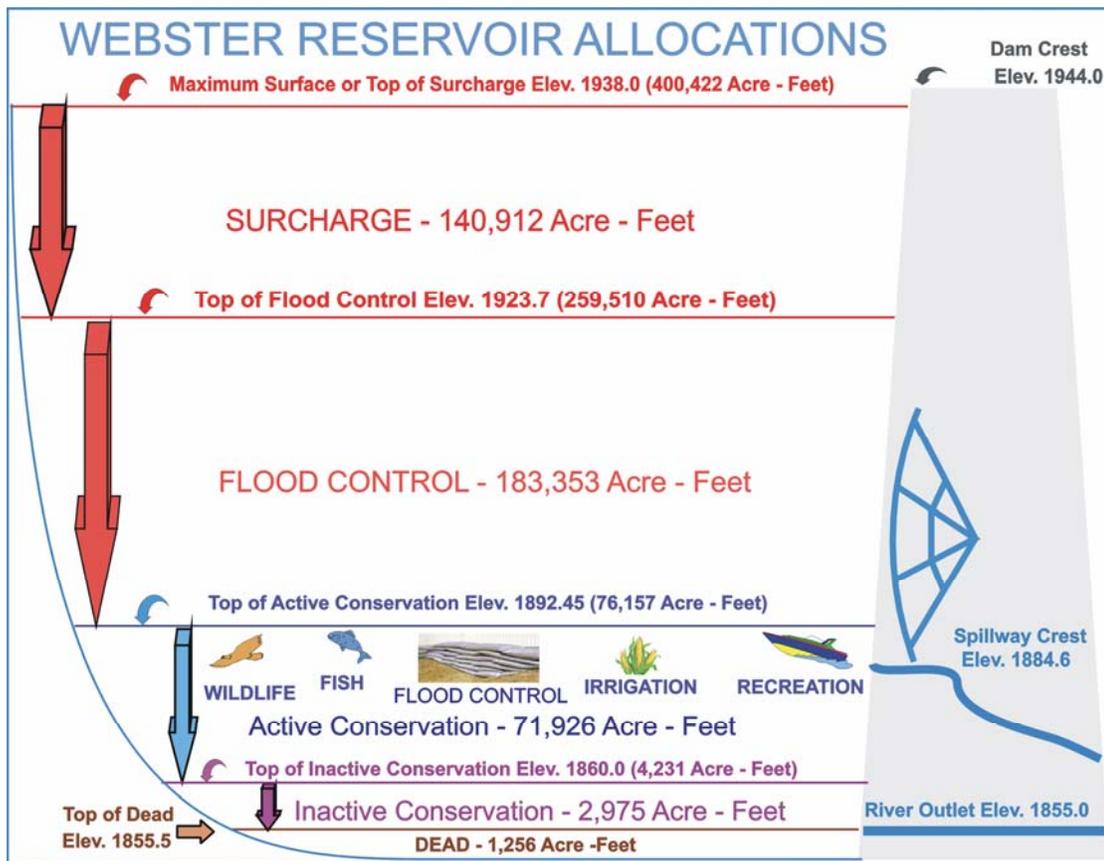


Figure 1 □ Webster Reservoir Allocations

Environmental Characteristics

Physiography and Geology

Most of the reservoir lands are situated on high terrace positions along the South Fork Solomon River. Narrow strips of terrace lands, approximately 1 mile wide, separate the bottomlands from the uplands. The area generally slopes eastward and is broken up by rough hills and entrenched streams.

The Webster area includes deposits of alluvial, colluvial, and aeolian origin. These silts and silty clay loams have been deposited in stratified layers ranging from 35-70 feet thick. The Ogallala Formation underlies the silty material. This formation consists of sand and coarse gravel alluvial deposits. Underneath the sands and gravel is the Smoky Hill member of the Niobrara Chalk which is nearly impervious to water except where it is cracked or fractured. (Bureau of Reclamation, Management Plan, 1961).

Climate

The climate of Rooks County is sub-humid, marked by seasonal fluctuations in temperatures ranging from a minimum of -22° F to a maximum of 121° F. The average temperature ranges from 40° F to 91° F. The average growing season is 170 days which extends from late April to early October. Average annual precipitation for Webster Reservoir is 25 inches (See figure 2).

WEBSTER DAM 10-Year Moving Average - Precipitation

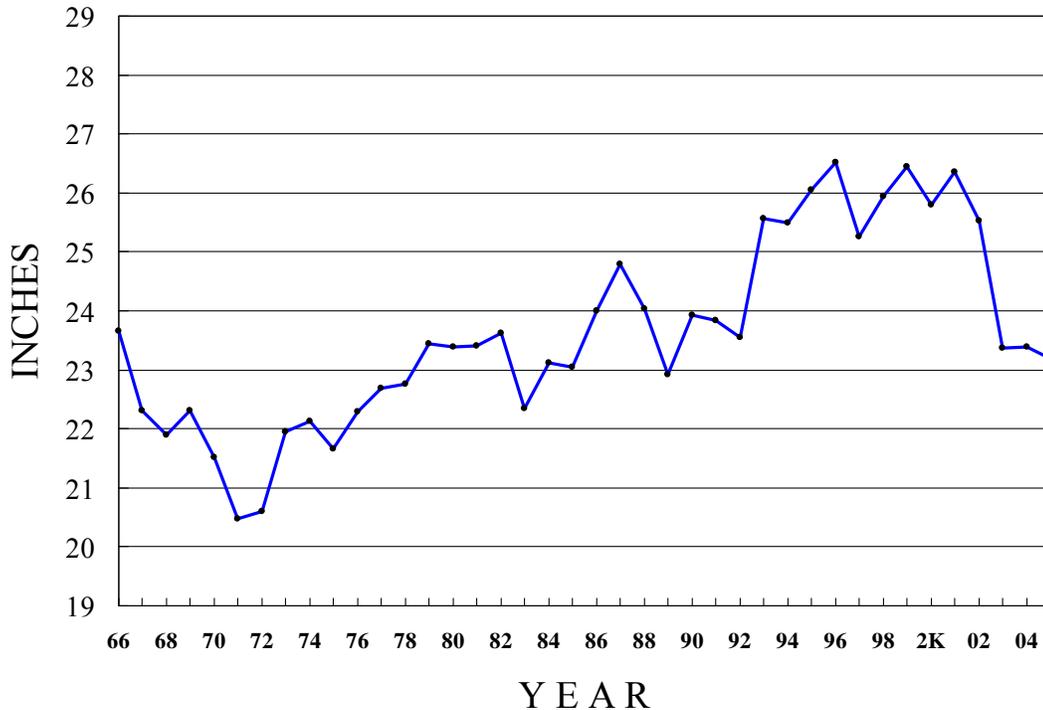


Figure 2 □ Precipitation at Webster Dam

Although 85 percent of the precipitation occurs in May, June, and July, it is erratic and poorly distributed. Prevailing winds are generally from the northwest in winter and from the south during the rest of the year.

After nearly a decade of above normal precipitation across the state, drought emerged across western and northern Kansas in the summer of 2000. Western Kansas precipitation from mid-2000 through mid-2002 was at near record-low levels. Drought conditions throughout the State, and in particular western Kansas, have continued since 2000. The 2006 outlook for Kansas from the National Drought Mitigation Center is for the drought to continue. Additional climatic information is shown in Table 2 and Figure 3 on the following page.

Table 2 □ Climatic Conditions

Year	Total Precipitation (inches)	Total Evaporation (acre-feet)	Inflow (acre-feet)
1997	19.88	13,216	39,200
1998	21.56	13,639	44,200
1999	29.58	14,116	35,300
2000	20.29	15,130	21,700
2001	25.67	12,430	29,900
2002	17.47	11,783	11,200
2003	18.35	8,051	5,000
2004	21.47	6,091	4,033
2005	26.94	5,793	5,967

WEBSTER DAM 10-Year Moving Average - Inflow

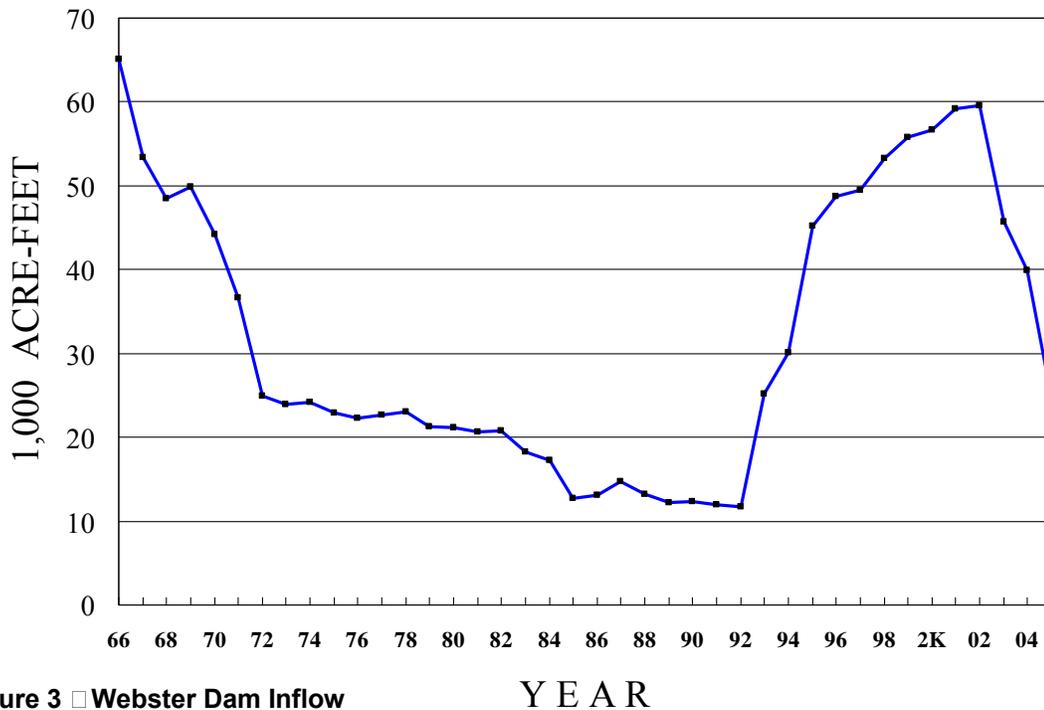


Figure 3 □ Webster Dam Inflow

Vegetation

The map on page 8a shows the different land cover areas at Webster Reservoir.

Grasslands During initial reservoir development, smooth brome grass was planted on most reservoir area lands. With proper management, this cool season grass can provide minimal nesting and brood cover for upland birds. However, it is not native and is not well adapted to dry upland conditions. Native grass stands have slowly reestablished, in some areas, while many other areas have been replanted to native warm season grasses. Grazing, burning, haying, and disking are used to re-establish native grass species and promote beneficial herbaceous weeds. Crop rotations ending with a cover crop for new grass seedlings are used in the agricultural plot permits issued by the Department.

Dry Cropland Non-irrigated farmland in Rooks County is either dry cropland or tame pasture. Crops include wheat, corn, grain sorghum, and forage sorghum.

Irrigated Cropland The major irrigated crops in the area are corn, soybeans, and alfalfa. Other diversified crops such as grain sorghum, sunflowers, and sugar beets have also been produced by irrigation.

Food plots Agricultural plots are one of the primary habitat management practices at Webster Reservoir. Wheat, corn, milo, cane, sunflowers, alfalfa, and other legumes have been planted with the goal of maximizing wildlife production. Agricultural plots provide wildlife food, cover, and nesting areas. Farming can also be used to control noxious weeds and increase wildlife viewing and hunting opportunities.

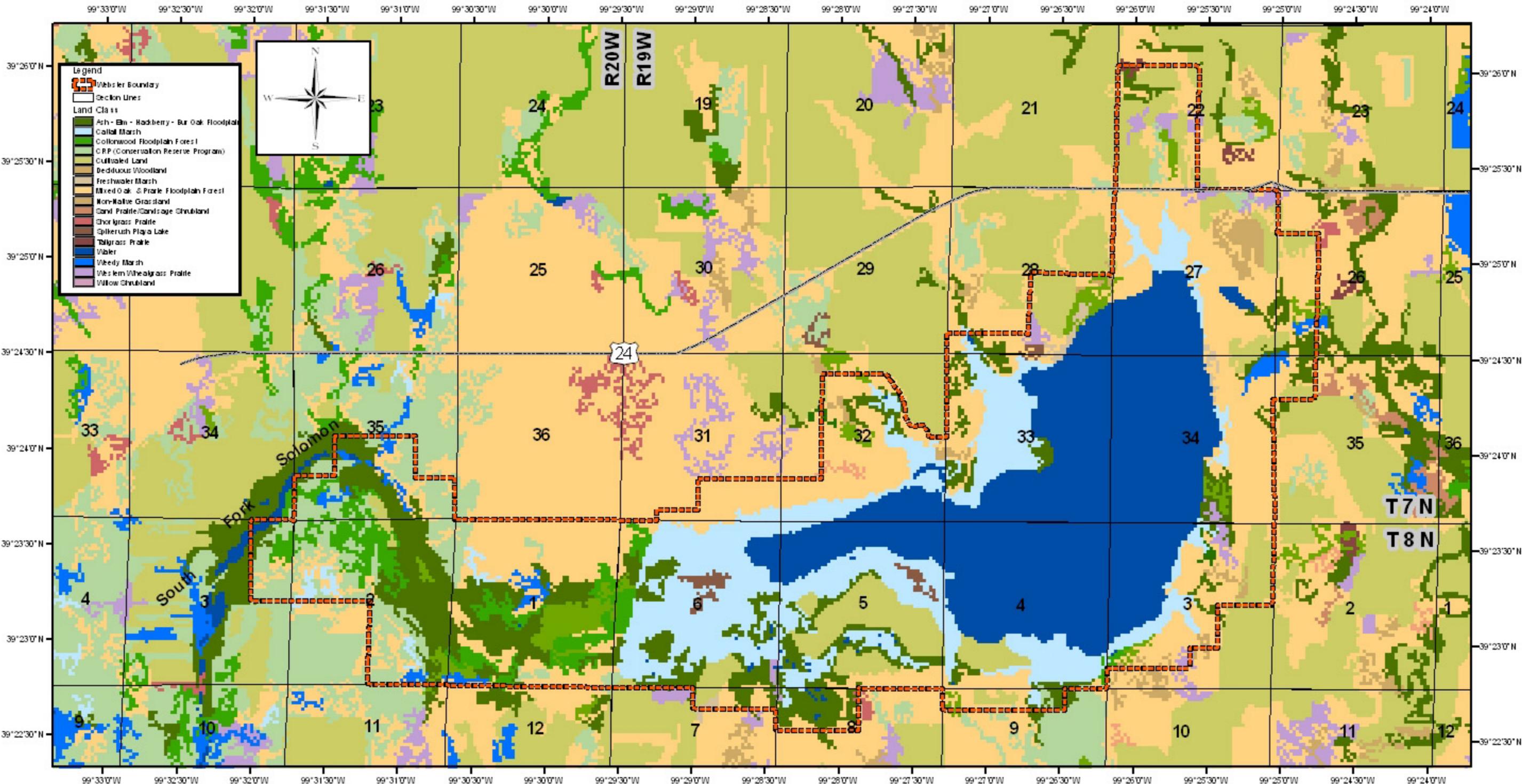
Woodland and Riparian Communities Woodland vegetation in the area occurs mostly in narrow strips along some reaches of the South Fork Solomon River and other drainages. Trees are also found in a few hilly areas and along wooded draws.

Currently, there are approximately 1,500 acres of timber within the reservoir area with cottonwood being the most common species. Other tree species include elm, boxelder, black willow, green ash, black and honey locust, black walnut, Russian olive, red cedar, and hackberry.

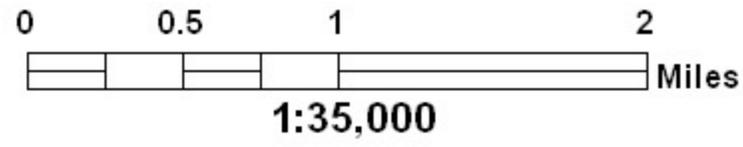
Prairie woodland thickets are composed of wildrose, hawthorne, snowberry, silverberry, wild plum, and chokecherry.

Cottonwood, green ash, and willows became established around the edge of the reservoir as it filled. As the water receded, new tree growth expanded. The trees grew undisturbed for nearly 30 years, then were flooded in the early 1990's by high water levels. With water levels near conservation pool, these dead trees offer excellent fish habitat. However, when reservoir levels recede this standing and fallen timber and stumps interfere with management and control of noxious weeds, and become a safety hazard to boaters.

Timber management is a high priority with the Department. Efforts concentrate on removal of dead and standing timber and stumps to improve wildlife habitat,



Kansas GAP Land Cover Classification
Based on 1995-2005 Land Satellite Imagery



**Webster Reservoir
Land Cover**

improve public safety, and effectively control noxious weeds. As water levels recede much of the exposed area will become invaded by woody vegetation. Some of the trees will be left, while others will be removed and managed for goose rearing habitat and for open areas for turkeys and upland game.

Terrestrial and Aquatic Life

Terrestrial Life The diverse habitats, in the vicinity of Webster Reservoir support a variety of wildlife species. Big game species in the area include white-tailed deer, mule deer, and wild turkeys. Common small game species include the ring-necked pheasant, mourning dove, bobwhite quail, cottontail rabbit, and fox squirrels.

A number of furbearer species inhabit the area surrounding Webster Reservoir. Raccoon, coyote, badger, fox, skunk, opossum, and mink are common. Beaver and muskrats occur in the perennial streams and willow covered overflow areas.

The reservoir is located within the central flyway for waterfowl and shorebirds. Large concentrations of waterfowl and other aquatic birds use the area during spring and fall migrations.

Aquatic The aquatic ecosystem in Webster Reservoir is typical of mid-west prairie systems. Sport fish populations are based on water level stability, with management activities based accordingly. The lake contains walleye, white bass, wipers (cross between white and striped bass), black bass, crappie, and catfish. Chapter 2 contains a detailed discussion of the fishery resource.

Threatened and Endangered Species This section is discussed in detail in Chapter 2. There have been nine species listed as threatened or endangered within the vicinity of Webster Reservoir. The list includes mammals, birds, fish, insects, and plants. One proposed species, three candidate species, and three species of concern have been identified in the Solomon River Basin. No critical habitat has been identified within the basin (Bureau of Reclamation, Biological Assessment, 2001).

Lands

Soils The soils in the area have been developed from alluvial and colluvial reworked material derived from loessial formation. The soils are part of a smooth well-drained plain characterized by shallow widely spaced valleys with gradually sloping sides.

Topsoils on the terraces are fine sandy loam to clay loam textures approximately 8-16 inches thick. The subsoils are granular silts and clays usually occurring below a depth of 12 inches.

Alluvial soils are associated with the bottomlands next to main streams. These are

sandy or silt loam textures averaging 7-16 inches thick. Subsoils are silt loam occurring at a depth below 16 inches.

A soil association map shown on the next page, provides more information.

Flood Pool Management Flood control operations for Webster Dam and Reservoir are under the jurisdiction of the Department of the Army, acting through the Corps of Engineers. Refer to Chapter 5, “Reservoir Operations.”

Adjacent Land Use Most lands surrounding Webster Reservoir are privately owned farmland or rangeland.

Water Resources

Ground The High Plains aquifer in northwestern Kansas is represented by the Ogallala Formation and hydraulically connected to Quaternary deposits. The Ogallala component of the High Plains is the main aquifer in the western part of the Solomon Basin. The alluvial deposits also represent a major water resource in the Solomon Basin.

Surface Intermittent streams drain much of the reservoir area and during wet periods contributes largely to the wide fluctuations of stream flow.

The Solomon River Basin consists of about 25,018 square miles of northern Kansas. The principal tributary that influences the flows into the reservoir is the South Fork Solomon River. The South Fork Solomon River originates in Sherman County, Kansas, and flows in a northeast direction through Thomas, Sheridan, Graham, and Rooks County; where it flows into Webster Reservoir, and then continues thru Osborne, and Mitchell Counties.

The contributing watershed area surrounding the project varies from 3-8 miles in width. The large watershed areas have well-developed entrenched channels across the valley lands to the creek. Runoff flooding is confined to the narrow bottomlands next to these tributaries and occurs several miles apart. The lands between these tributaries do not have a large contributing watershed area; therefore, the area is notched with small, shallow meandering drainageways on the upper portion of the terrace level.

Social and Economic

Population Rooks County had a year 2000 population of 5,685 people (U.S. Census Bureau). Hays and Colby, Kansas are the nearest trade centers; they had a year 2000 population of 17,800 and 5,400 respectively. Like most rural areas in the United States, the area has had a rapid decline in population between 1950 - 1970; and a steady decline since. As agriculture becomes more capital intensive, fewer jobs exist and rural residents often migrate to urban areas for jobs and for higher education. No recent trends have counteracted this decline, as the

population in Rooks County has decreased by nearly 6% between 1990 - 2000. (Bureau of Reclamation, Environmental Assessment, 2002)

Access Hays, Kansas, approximately 30 miles to the south, has the only airport in the vicinity of Webster Reservoir that provides regularly scheduled commercial flights. U.S. Highway 24 traverses from east to west; U.S. Highways 283 and 183 traverses from north to south.

Cultural Resources

Prior to the late 1940s, no professional archeological or paleontological work was conducted in the Webster Dam and Reservoir area. In 1947, the Smithsonian Institution's Missouri River Basin Surveys (RBS) conducted a paleontological survey of the Webster Reservoir area and in 1952, the RBS conducted an archeological survey of that area. The archeological survey resulted in the discovery of three archeological sites. Two sites have now been inundated and the third site is downstream from the dam and thus unaffected by dam construction.

Of the sites recorded, all three sites are of prehistoric origin with an unknown cultural affiliation. Site types are identified as lithic scatters. At that time, no historic sites were recorded. None of the cultural resource sites recorded within the Webster Reservoir area was listed on the National Register of Historic Places.

Under current legislation (16 U.S.C. 470f), any Federal undertaking requires some form of cultural resource activity. This includes all major maintenance, and development at the reservoir. As a result of this, several small scale survey projects have been conducted in association with construction projects. These small surveys have led to the discovery of an additional four (4) sites containing three prehistoric components and one historic component.

In 1999, in compliance with Executive Order No. 11593 and 16 U.S.C. 470h-2 (section 110), Reclamation entered into a cooperative agreement to complete an extensive archeological survey of all Federal lands to identify and evaluate all cultural resources at Webster Reservoir. This project was completed in 2001 and identified a total of thirty three (33) archeological sites, none of which were previously recorded. Of these sites, 24 contain prehistoric components and 9 contain historic components. Presently, there are no sites on or nominated to the National Register of Historic Places. However, eleven (11) of the currently identified archeological sites require additional National Register eligibility testing. One additional site was tested and determined to be not eligible for the National Register. If any of the sites are determined to be eligible for the National Register, they will be nominated.

While this project and several other reservoir projects in the area are nearing completion, the prehistoric occupation of the High Plains of Kansas remains poorly known compared to that of the eastern part of Kansas. This is probably a

reflection of the sparse settlement of the region throughout the late Pleistocene and Holocene. While no direct evidence has been found in the project area for Paleoindian occupation, it has been suggested based on the proximity to other nearby known sites. With this evidence, it is also suggested that prehistoric man consistently inhabited the area through historic times. Possible evidence of occupation during the Archaic Period (ca. 7000-500 B.C.) has been found nearby. Evidence for Plains Woodland Period (ca. 500 B.C.–A.D. 1000) and the Late Prehistoric Period (A.D. 900–1500) have been clearly identified. In addition, several other prehistoric, protohistoric and historic sites have been identified at or near Webster Reservoir.

Indian Trust Assets

Indian Trust Assets (ITAs) are legal interests in assets held in trust by the United States for Indian tribes, nations, or individuals. Assets can be considered as anything that has monetary value and can include real property, physical assets, or intangible property rights. Examples of resources that could be an ITA include lands, minerals, hunting and fishing rights, water rights, and instream flows.

The United States has a trust responsibility to protect and maintain rights reserved by or granted to Indian tribes or individual Indians by treaties, statutes, and executive orders. All Department of the Interior agencies, including Reclamation, share the Secretary of the Interior's duty to act responsibly to protect ITAs.

Reclamation established policy concerning the protection of ITAs in 1993. This policy states Reclamation will carry out activities in a manner which protects ITAs and avoids adverse impacts where possible. When adverse impacts cannot be avoided, Reclamation will provide appropriate mitigation or compensation.

Consultation in the Solomon River Basin for contract renewal was initiated in 1995, identifying no ITAs in the project area (Bureau of Reclamation, Environmental Assessment, 2002).

Land-Use Rights

Prior Rights and Reservations

All reservoir and diversion dam lands were acquired by Reclamation subject to any oil, gas, or mineral rights reserved to or outstanding in third parties and subject to any existing rights-of-way in favor of third parties for roads, railroads, telephone lines, transmission lines, ditches, conduits, or pipelines on, over, or across these lands, including all rights-of-way heretofore granted the United States. There are two prior rights reserved on Reclamation lands at Webster Reservoir and five at Woodston Diversion Dam.

Reclamation and the Department acknowledge the reserved rights and will work closely with each vendor to ensure these prior rights and reservations have no adverse effects on recreation, fish and wildlife management.

Webster Reservoir Prior Rights and Reservations

The reservoir lands were acquired by Reclamation subject to any existing rights-of-way in favor of the public and third parties for roads, railroads, telephone lines, transmission lines, ditches, conduits or pipelines on, over or across said lands.

Status of Oil and Mineral Acquisition and Restrictions on Use of Lands Acquired for Webster Dam and Reservoir

1. The United States acquired all oil and minerals held by the landowners in 49 tracts subject to mineral interests which were outstanding to third parties.
2. The landowners have retained and still hold all oil and mineral rights on 39 tracts.
3. The United States has acquired control of all oil and mineral held by landowners in 16 tracts. This control is subject to outstanding oil and mineral interests held by third parties over which the United States has acquired no control.

Reservation for Access Lanes

1. Land purchase contract No. 14-06-701-851, A.G. Schneider, et al, contains the following provisions: The vendor is to retain an easement upon a strip of land in the N1/2SW1/4SW1/4 of said Section 3. Said easement may be used for the purpose of maintaining a livestock lane from his remaining lands in said Section 3 and Section 10, to the well now in operation upon said land or for the purpose of installing an electric pump upon the well, and running an underground pipe from the well to a stock watering tank to be placed upon his remaining lands. Under said easement the vendor is to have the right to operate, maintain, remodel and replace his present well. Legal title to the well, windmill, pump, pipe and concrete tank now in place is to remain in the vendor. The strip of land upon which this easement is to operate is 200 feet wide and approximately 660 feet long, and is described as follows:

A strip of land extending 10 feet east and 100 feet west of a straight line drawn from a point on the south line of the N1/2SW1/4SW1/4 of said Section 3, which point lies 100 feet north and east of the vendor's dam, and which dam lies almost due south of the well, said line to extend northwesterly through the center of the well to a point 10 feet northwesterly of the well.

To avail himself of the privilege of using the above easement for livestock purposes the vendor must build and maintain fences along the west, north and east sides of the above described easement corridor. He must also install and maintain 8 foot cattle guards (auto gates) in the east and west fences described above at a point at least 400 feet south of the present location of said well. Said cattle guards are to be standard design, and are to permit the passage of public

automobile traffic across the lane without the necessity of opening and closing of gates.

2. Land purchase contract No. 14-06-701-1540, Harry L. Doughty, et al, contains the following provisions: It is also further mutually agreed that legal title to the well, windmill, pump and pipe in the southeast corner of the NE1/4NE1/4NE1/4 of Section 7, T8S, R19W of the 6th P.M., is to remain in the vendors and the vendors are hereby given the right and easement to a tract of land 100 feet north and south and 200 feet east and west in the southeast former of the NE1/4NE1/4NE1/4 of Section 7, T8S, R19W and the vendors agree to fence this tract and maintain the fence.

Woodston Diversion Dam Prior Rights and Reservations

All lands acquired in fee title for the Woodston Diversion Dam were taken subject to coal or mineral rights reserved to or outstanding in third parties and any existing rights-of-way in favor of the public and third parties for roads, railroads, telephone lines, transmission lines, ditches, conduits or pipelines on, over or across said lands.

Access Easements

Specific access easements secured for operation purposes, as extracted from purchase agreements are as follows:

1. Ray E. Cordill, Civil T-1745, parcel 1, Title dated September 12, 1960. "...A perpetual easement to construct, operate and maintain an access road in connection with the construction, operating and maintenance of Woodston Diversion Dam, Solomon Division, Missouri River Basin Project, on, over and across the lands situated in the County of Rooks, State of Kansas, particularly described in the legal description attached hereto and by this reference made a part hereof and designated as Parcel No. 1, Tract 5, said rights and easements to be free and clear of liens and encumbrances except for any coal or mineral rights reserved to or outstanding in third parties and any existing rights-of-way in favor of the public or third parties for roads, railroads, telephone lines, transmission lines, ditches, conduits or pipelines on, over, or across said lands..."

One tract of land lying in the North Half of the Northwest Quarter (N1/2NW1/4) Section Seventeen (17), Township Seven (7) South, Range Sixteen (16) West of the Sixth (6th) Principal Meridian, Rooks County, Kansas, lying within the closed courses more particularly described as follows:

Beginning at point A, which point bears S 34° 19' 22" E a distance of 116.0 feet from the Northwest corner of Section Seventeen (17) and proceeding thence S 88° 49' 07" E 260.4 feet to point B; (Course A to B is along south right-of-way boundary of U.S. Highway 24);
thence S 89° 50' 37" E 289.4 feet to point C; (Course B to C is along south right-of-way boundary of U.S. Highway 24);

thence S 24° 49' 52" E 435.5 feet to point D;
thence S 13° 20' 52" E 461.9 feet to point E;
thence S 31° 06' 37" E 152.9 feet to point F;
thence S 39° 18' 08" W 53.1 feet to point G
thence N 31° 06' 37" W 178.5 feet to point H
thence N 13° 20' 52" W 464.7 feet to point I
thence N 24° 49' 52" W 398.7 feet to point J
thence N 89° 50' 37" W 258.0 feet to Point K
thence N 88° 49' 07" W 260.8 feet to point L
thence N 1° 11' 08" E 50.0 feet to point of beginning, containing 1.81
acres, more or less.

2. V. Bruton, Land Purchase Contract No 14-06-701-2693, dated April 19, 1957 and recorded in Volume 19 of Records, Page 392, Rooks County, Kansas. "The vendor grants to the United States the right and privilege for access road construction, the permanent use of a tract of land lying in the East Half of the Northeast Quarter (E1/2NE1/4) Section Eighteen (18), and the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) Section Seventeen (17), all in Township Seven (7) South, Range Sixteen (16) West of the Sixth (6th) Principal Meridian, lying within the closed course more particularly described as follows:

Beginning at point A, which point bears S 70° 17' 15" W a distance of 501.5 feet from the Northeast corner of section Eighteen (18) and proceeding;
Thence S 1° 17' 00" W 296.7 feet to point B;
Thence S 32° 09' 15" E 243.6 feet to point C;
Thence S 0° 21' 15" E 659.5 feet to point D;
Thence S 30° 52' 30" E 357.3 feet to point E;
Thence S 10° 47' 45" E 817.5 feet to point F;
Thence S 52° 30' 15" E 36.2 feet to point G;
Thence S 38° 09' 28" W 50.0 feet to point H; (Course G to H is along north right-of-way boundary of Missouri Pacific R.R.);
Thence N 52° 30' 15" W 54.6 feet to point I;
Thence N 10° 47' 45" W 827.5 feet to point J;
Thence N 30° 52' 30" W 362.1 feet to point K;
Thence N 0° 21' 15" W 658.7 feet to point L;
Thence N 32° 09' 15" W 244.4 feet to point M;
Thence N 1° 19' 00" E 311.4 feet to point N;
Thence S 89° 26' 15" E 50.0 feet to point of beginning, (Course N to A is along the south right-of-way boundary of U.S. Highway No. 24), containing 2.79 acres, more or less.

The vendor, his heirs, successors and assigns shall have the right and privilege of ingress and egress, over Government land from his present farm crossing over the Missouri Pacific Railroad tracks located approximately 300 feet east of S.W. corner of NW1/4 of Section 17, T7S, R16W to reach his remaining property south of the railroad. This access shall be 50 feet in width and is for the

use and benefit of the Vendor, his heirs, successors and assigns.

In consideration of a part of the purchase price cited in Article 4 hereof, the Vendor, his heirs, successors, and assigns agree to install and maintain a gate across the access road at the fence between farmstead and cultivated land at or near points J and E on Map No. 468-701-623.

3. Julian B. Deters, Land Purchase Contract No. 14-06-701-2710, dated May 16, 1957, and recorded in Volume 19 of records, page 490, Rooks County, Kansas. "...The Vendor also grants to the United States the right and privilege for access road construction, the permanent use of a tract of land lying in the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) Section Seventeen (17), Township Seven (7) South, Range Sixteen (16) West of the Sixth (6th) Principal meridian, lying within the closed course more particularly described as follows:

Beginning at point A, which point bears N 0° 33' 35" E a distance of 116.5 feet from the South Quarter corner of Section Seventeen (17) and proceeding:
thence N 34° 13' 10" W 247.9 feet to point B;
thence N 12° 40' 10" W 206.0 feet to point C
thence N 17° 23' 25" W 210.3 feet to point D
thence N 4° 07' 25" W 609.1 feet to point E
thence N 89° 56' 50" E 50.2 feet to point F (Course E to F is along the north line of SE1/4SW1/4 Sec. 17);
thence S 4° 07' 25" E 599.7 feet to point G
thence S 17° 23' 25" E 206.5 feet to point H
thence S 12° 40' 10" E 198.4 feet to point I
thence S 34° 13' 10" E 166.6 feet to Point J
thence S 0° 33' 35" W 87.6 feet to point of beginning, (Course J to A is along the east line of SE1/4SW1/4 Sec. 17), containing 1.40 acres, more or less..."

4. J. L. Smither, Land Purchase Contract No. 14-06-701-2691, dated May 8, 1957 and recorded in Volume 19 of Records, page 397, Rooks County, Kansas. "...That for and in consideration of the payment of One Hundred Twenty eight and 60/100 Dollars (128.60) by the Grantee to the Grantor, the receipt whereof is hereby acknowledged, the Grantor does hereby grant, bargain, sell, convey, and confirm unto the United States, its successors and assigns, the right, privilege and perpetual easement to construct, operate and maintain and access road in connection with said Woodston Diversion Dam, situate, lying and being in the County of Rooks, State of Kansas, to-wit:

A tract of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) Section Seventeen (17), Township Seven (7) South, Range Sixteen (16) West of the Sixth (6th) Principal Meridian, lying within the closed course more particularly described as follows:

Beginning at Point A, which point is the South Quarter corner of Section

Seventeen (17) and proceeding:

thence N 0° 33' 35" E 204.2 feet to Point B; (Course A to B is along W line of SE1/4 Sec. 17)
thence S 34° 13' 10" E 69.5 feet to point C;
thence S 45° 47' 10" E 99.5 feet to point D;
thence N 89° 53' 05" E 182.1 feet to point E;
thence S 45° 31' 25" E 110.8 feet to point F;
thence S 89° 59' 00" W 373.6 feet to point of beginning, (Course F to A is along S line Sec. 17), containing 0.74 acres, more or less.

In consideration of a part of the compensation cited in Article 2 hereof, the Vendor, his heirs, successors and assigns agree to install and maintain a gate across the access road at the fence along the south side of SW1/4SE1/4 of Section 17, T7S, R16W.”

5. W.T. Smither, Land Purchase Contract No. 14-06-701-2673, dated April 5, 1957, and recorded in Volume 19 of Records, Page 384, recorded on May 8, 1957, Rooks County, Kansas. “ The Vendor is granted the right and privilege for access over a tract of land lying in the NW1/4 of Section 17, T7S, R16W, more particularly described in the following paragraph:

The vendor, his heirs, successors and assigns shall have the right and privilege of ingress and egress over and across road from U.S. Highway 24, on land acquired by easement from Ray Cordill, for the purpose of construction and maintenance of Woodston Diversion Dam. This access road is 50 feet wide and commences approximately 875 feet west from NE corner of the NE1/4 of Section 17, T7S, R16W, and runs to the railroad farm crossing located 1036 feet westerly along Missouri Pacific Railroad from NE corner of NW1/4 of Section 17. The vendor, his heirs, successors and assigns shall have the right and privilege of ingress and egress over strip of land 50 feet wide along the south side of railroad over Government land from said railroad crossing to his remaining land, a distance of approximately 1,275 feet.

Government-acquired Access Rights-Of-Way

No access rights-of-way to reservoir and diversion dam lands have been acquired by either the United States or administering agencies since the original project land acquisition.

Environmental Compliance

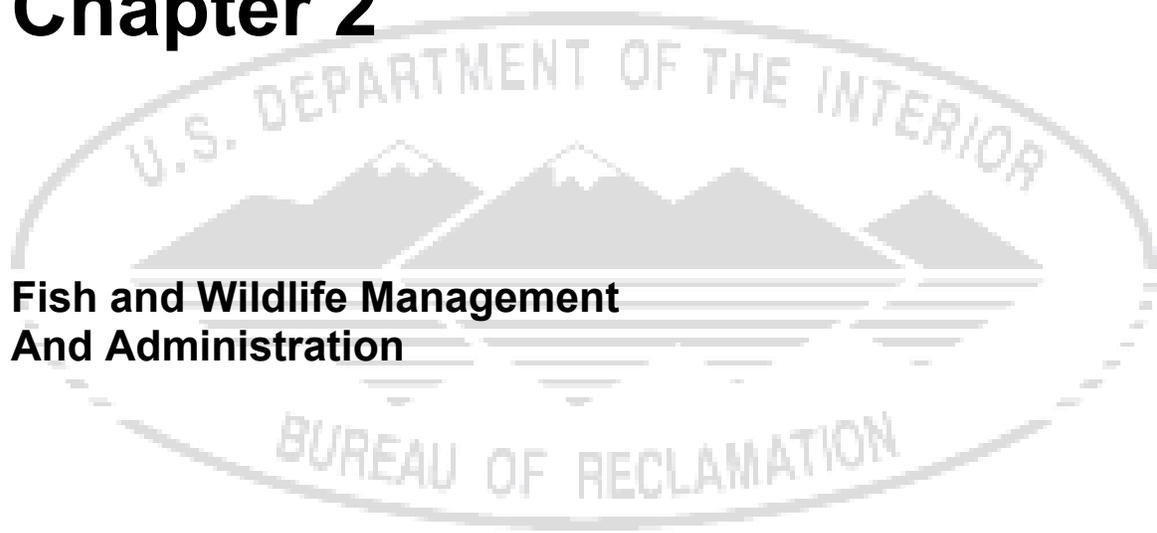
The National Environmental Policy Act of 1969 (NEPA) and the implementing regulations of the Council on Environmental Quality (CEQ) require an analysis of environmental impacts for Federal actions in the RMP which may have a significant impact on the human environment and/or are controversial.

There are three processes used to analyze environmental impacts. In ascending order of complexity and importance they are categorical exclusion checklists (CEC), environmental assessments tied to a finding of no significant impacts, and environmental impact statements. A description of these processes is included in Reclamation's NEPA Handbook.

The RMP uses a decision making process integrated with the NEPA process. It is used to ensure protection of resources and determine the best use of those resources by evaluating impacts of a full range of alternatives. A CEC was considered to be the appropriate action for the development of this RMP.

A listing of other environmental statutes is included in Appendix B1.

Chapter 2



**Fish and Wildlife Management
And Administration**

CHAPTER 2 - FISH AND WILDLIFE MANAGEMENT AND ADMINISTRATION

Managing Agency Policy

Under the U.S. Fish and Wildlife Coordination Act, 48 Stat. 401, as amended; 16 U.S.C. 661 et seq., the Secretary of the Interior and the Secretary of the Kansas Department of Wildlife and Parks have determined that certain lands and waters at Webster Reservoir and Woodston Diversion Dam are to be administered by the Department for management of fish and wildlife resources. Webster Reservoir lands to be administered by the Department encompass 3,164 acres when the Reservoir is at the top of conservation pool. This area can increase by nearly 1,100 acres due to severe reservoir draw-downs. Habitat management on Webster wildlife lands include development of nesting, escape, brood, loafing and hunting cover, and food plots. The Department will implement practices to make reservoir lands and waters productive for fish and wildlife. (see Appendix A1 for the lease agreement and amendments).

Resource Management

Wildlife

Specific Biological Inventory

The Solomon River drainage area in north Kansas is within breeding ranges for many bird species. Common mammals found in the area include those species which inhabit upland and riparian habitats. The amphibians and reptiles known to occur in northern Kansas are listed in Appendix C3 along with birds and mammals common to the area (Bureau of Reclamation, 1998).

Existing Wildlife Habitat

The cover types at Webster Reservoir can be identified broadly as prairie, grassland, floodplain forest, woodland, water, marsh, and cultivated land. A map of the habitat cover types found at Webster Reservoir is included in Chapter 1.

Wildlife Water Sources

The water surface elevation at Webster Reservoir drops annually due to irrigation releases and evaporation. This fluctuation reduces the volume of surface water available for wildlife use. As a result of water level fluctuations, aquatic plants are prevented from becoming established. As previously flooded soils become exposed along the shoreline ideal growing conditions exist for phreatophyte growth especially for cottonwoods and willow species. Noxious weeds also thrive in this moist soil environment, including Canada thistle and salt cedar.

Management Objectives

Under the terms of the lease agreement, the Department is responsible for the conservation and management of all wildlife resources and habitat developments on 1,853 acres of land at T.O.C. pool at Webster Reservoir. (Appendix A1)

The Department's management goal for Webster Wildlife Area is:

“To manage the area's wildlife recreation, wildlife habitats, and other natural and historic resources. To provide diverse public recreational opportunities that are compatible with maintaining optimum wildlife populations, and preserving the area's natural and historic resources for future generations within available manpower and budget resources.”(Webster Wildlife Area Management Plan 2005-2009)(Appendix A3)

Habitat Development Planning

Webster wildlife area management plans are completed by the Department every five years. The current plan is for 2005 – 2009. This management plan includes techniques and practices described below. All management plans are available to the public for review and comment.

Wildlife Management Practices

Techniques and practices used by the Department stress habitat management for game species including: migratory waterfowl (ducks, Canada Geese), ring-necked pheasants, Northern bobwhite quails, wild turkeys, white-tailed deer, mule deer, mourning doves, cottontail rabbits, and furbearers. Game species benefit from habitat enhancements such as (a) tree and shrub plantings, (b) food and cover plots, (c) promoting growth of beneficial weeds, and (d) maintaining existing old growth trees. Often, many game and non-game wildlife species derive benefits from the intensive management program on disturbed areas. Habitat management techniques for undisturbed native grassland communities focus on returning natural events in an effort to rejuvenate native plant species, reduce exotic vegetation, and increase species diversity. Prescribed burning is performed at pre-determined tracts around the reservoir to maximize native plant and animal diversity.

Food Plots Agricultural plots are the primary habitat management practice at Webster Reservoir. Wheat, corn, milo, cane, soybeans, sunflowers, and alfalfa have all been planted with the goal of maximizing wildlife production. Agricultural plots can be used to provide wildlife with food, cover, and nesting areas. Farming can also be used to control noxious weeds and increase wildlife viewing and hunting opportunities. Figures 4 and 5 depict examples of the food plots at the reservoir.



Figure 4 □ Wildlife Food Plot



Figure 5 □ Wildlife Food Plot

Strip Disking During project development in the 1960s many abandoned crop fields and borrow areas were planted to brome grass or were taken over by brome. Brome grass is a non-native perennial cool season grass that often forms monotypical stands. Brome requires high levels of nitrogen to maintain healthy growth levels. Brome grass can displace native grasses and forbs and is of very little value to wildlife for either food or cover, particularly in the winter.

The Department has been actively managing brome grass stands by disking strips

through brome grass fields. The disked areas typically respond with vigorous growth of beneficial weeds such as annual sunflowers and kochia which provide both wildlife food and cover. Disking is also used to maintain and develop firebreaks. (see figure 6)



Figure 6 - Strip disked plots through Brome grass along hillside terraces

Tree and Shrub Plantings By selecting native and adapted species and arranging them for maximum wildlife use, tree and shrub plantings provide food and cover for a variety of wildlife species. Webster Reservoir has large areas of naturally occurring timber growth and to a lesser extent, areas that were planted to trees and/or shrubs intended to serve as wildlife habitat sites. The areas for wildlife development purposes were planted either in blocks to form shelterbelts or in strips along field edges or along property boundaries.

Cottonwoods are the most common species in naturally occurring timbered areas. Cottonwoods readily germinate and rapidly colonize the bare un-vegetated soils exposed by receding Webster Reservoir waters. (Figure 7) Other common species include eastern red cedar, Siberian elm, green ash, and hackberry. The most noticeable species lacking in the area are mast producing trees, such as walnut and oak.

The naturally occurring shrub communities at Webster Reservoir area occur in areas favorable for their growth. The shrub communities are commonly found along the side slopes of ravine areas, rocky outcroppings, and hillsides with gentle or moderate gradients. Common species include skunkbush sumac, western snowberry, American plum, and chokecherry. (Figure 8)



Figure 7 □ New growth of Cottonwoods on previously flooded soil



Figure 8 □ Shrub / brush habitat

Prescribed Grazing A high intensity grazing program can be an effective management technique to improve native plant and animal communities. Grazing, when timed properly with adequate stocking intensities can improve plant vigor, reduce litter, cause retrogression, reduce unwanted vegetation, and improve or maintain desired plant and animal community composition. The Department intends to use prescribed grazing on an as needed basis.

Prescribed burning A prescribed burning program is an effective management technique to maintain or improve native grassland communities. Such a program removes litter, recycles nutrients, reduces unwanted vegetation, and diversifies vegetation. The burning program at Webster is carefully planned and coordinated by the Department with cooperation from local fire and emergency personnel. Burning usually takes place in late spring (Figure 9).



Figure 9 - Prescribed burn in progress

Water Level Fluctuations

Webster Reservoir experienced unusually high water levels in the mid-1990s refilling the lake which had declined dramatically through the 1970s and 1980s. In 1971 Webster Reservoir approached its historic low level at elevation 1,857.35 feet with a surface area of only 616 acres. In 1995 after several years of above average precipitation the reservoir reached elevation 1,907.04 feet with a surface area of 5,551 acres. Water levels are once again in serious decline due to persistent drought, upstream groundwater depletion, and irrigation. The end of the month readings for April 2006 shows the reservoir at elevation 1,865.28 feet with a surface area of 1,340 acres. The historical inflows and yearly precipitation are plotted in Figures 10 and 11 on the following page. This lake level information shows the potential for a variance in reservoir surface area of over 4,000 acres. These drastic fluctuations create serious management challenges impacting nearly every aspect of wildlife and fisheries management.

WEBSTER DAM YEARLY HISTORICAL INFLOW

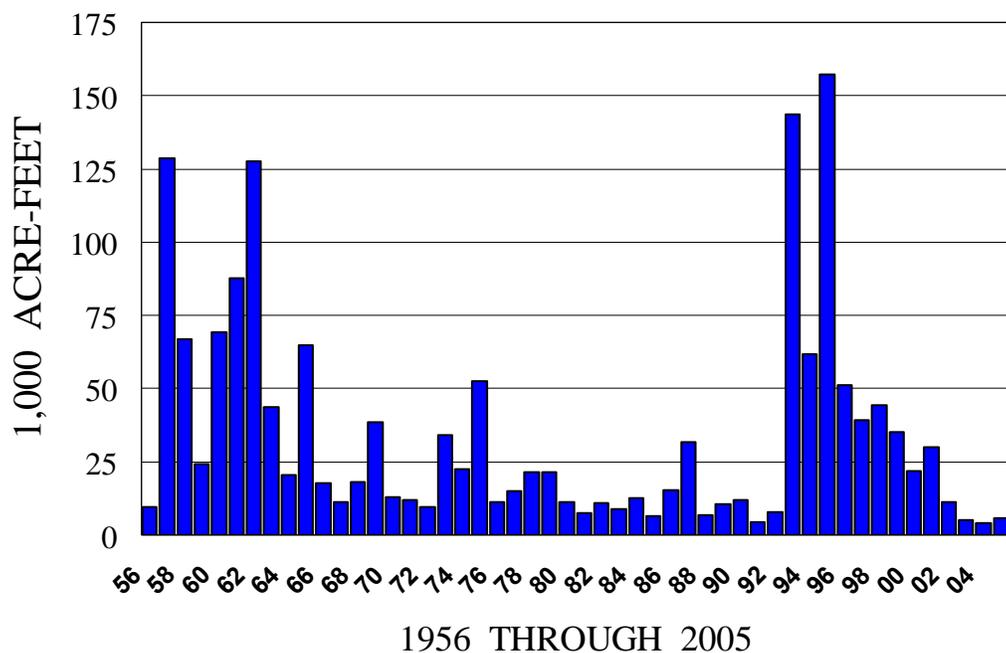


Figure 10 □ Webster Dam Yearly Historical Inflow

WEBSTER DAM YEARLY PRECIPITATION

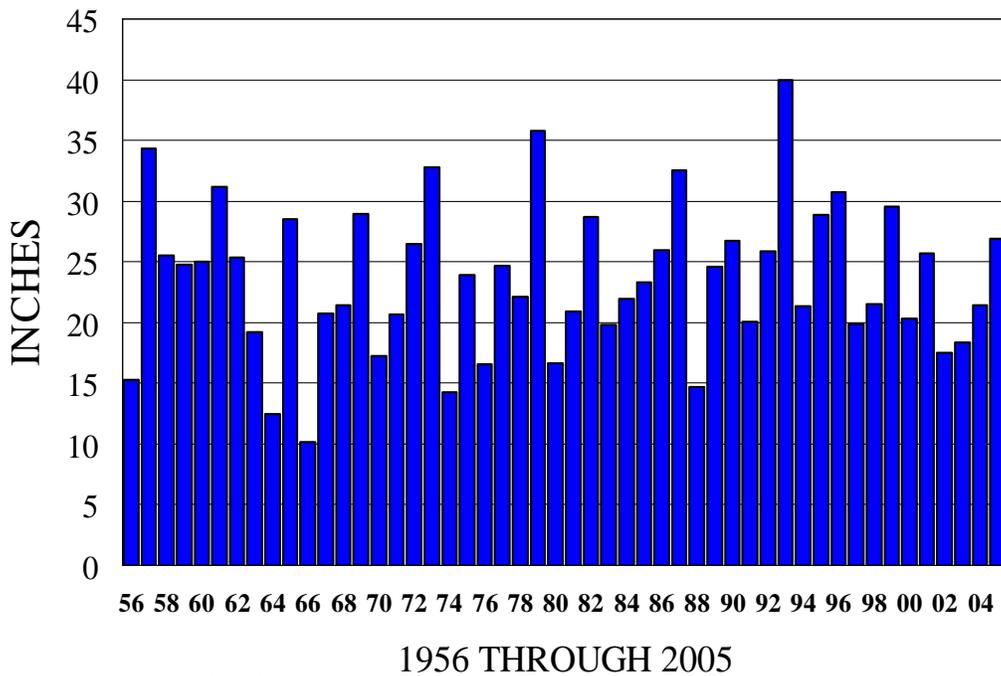


Figure 11 □ Webster Dam Yearly Precipitation

As the water recedes, it leaves in its wake, hundreds of acres of newly exposed land covered only by dead timber. This newly exposed soil must be intensively managed (clearing dead timber and debris, establishing agricultural plots, replanting beneficial plants) to reduce infestation of noxious weeds (particularly Canada thistle and salt cedar) and to return it to productive wildlife habitat. The loss of water depth and volume obviously inflict devastating and potentially irreversible damage to fishery resources. Figures 12-15 show different pictures of areas that need to be managed when Webster Reservoir reaches these low water levels.



Figure 12 - Dead Timber



Figure 13 - Previously flooded area where intensive habitat management will be required.



Figure 14 □ Stockpiled Dead Timber



Figure 15 -Habitat Management: Food plot establishment on previously flooded area.

Fisheries

Webster Reservoir is capable of supporting an outstanding fishery depending on water level. As previously noted, rapid and extreme water level fluctuations can create unmanageable fishery conditions. The lake's surface area has fluctuated from a maximum of 5,551 acres to a minimum of 616 acres. This fluctuation represents a change of nearly 50 feet in elevation (Figure 16 and 17).

Low water levels of the 1980s were followed by unusually high water levels

during most of the 1990s. The newly flooded vegetation created ideal aquatic habitat and a subsequent boom in the fisheries resource. The lake supports harvestable populations of many species including, walleye, wiper, black and white crappie, black and largemouth bass, channel and flathead catfish, bluegill, and green sunfish. Fishing has accounted for as much as 60,000 visitor use days per year at the reservoir. See Appendix A4 for the Departments 2005 Fishery Management and Progress Report.

WEBSTER RESERVOIR 1990 - 2004 EOM Reservoir Levels

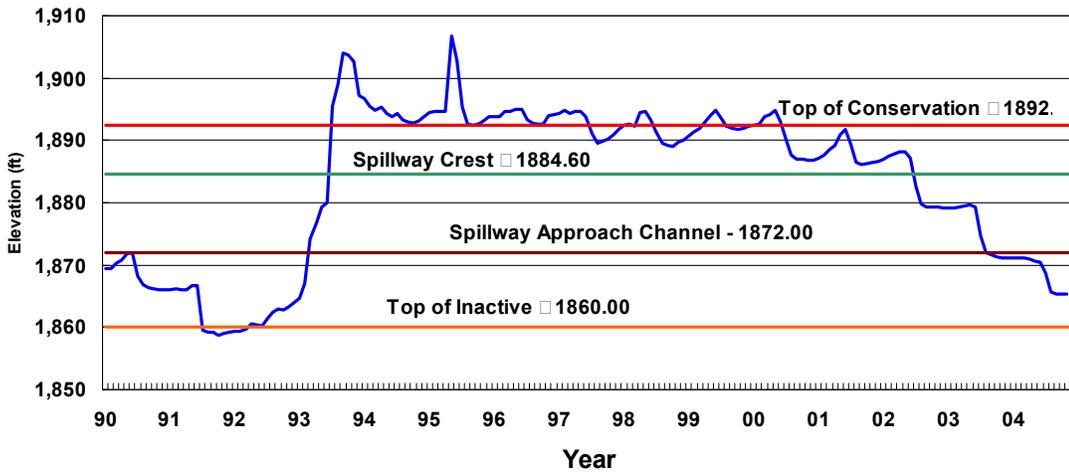


Figure 16 □ Webster Reservoir End Of Month (EOM) Levels

WEBSTER 10 YEAR RESERVOIR LEVELS

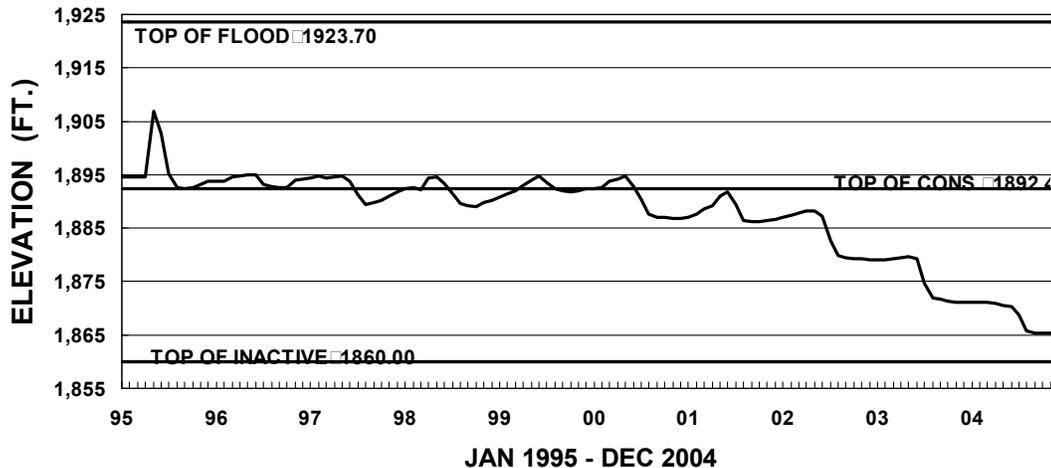


Figure 17 □ Reservoir Levels

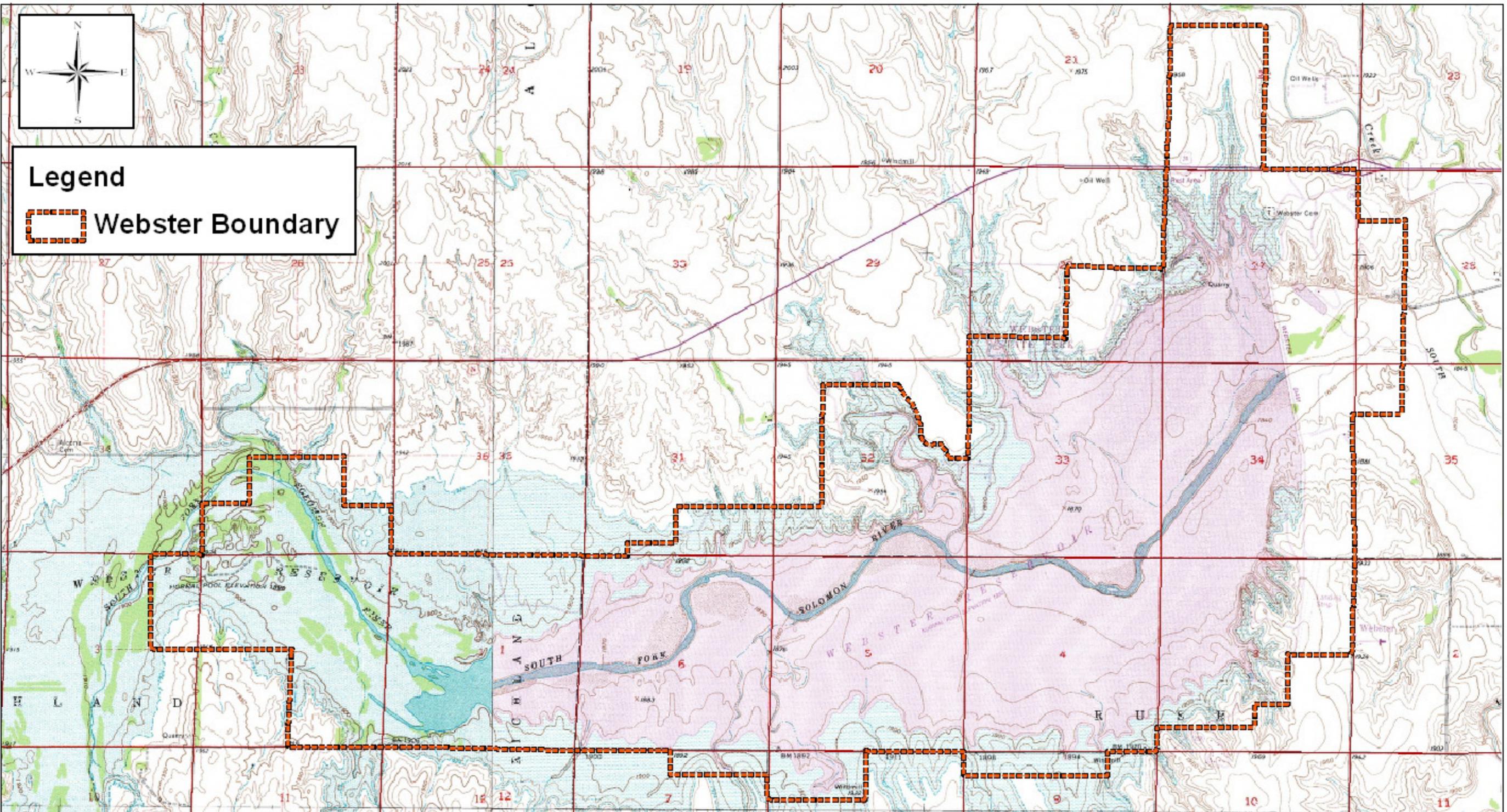
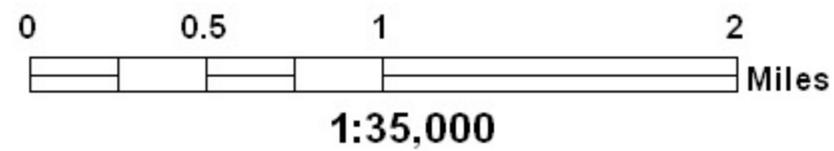


Photo Date: 8/22/1997



**Webster Reservoir
 Topography**

Threatened and Endangered Species

Current Federally-listed and proposed threatened or endangered species, and candidate species that reside in, migrate through, or otherwise may be affected by operations in the Solomon River basin and associated reservoirs, including Webster Reservoir are listed in Table 3. Candidate species are those plant and animal species for which the Fish and Wildlife Service has sufficient information to propose them as endangered or threatened under the Endangered Species Act.

Five species have been listed as threatened or endangered. One species has been designated as a Candidate species. No proposed species, species of concern, or critical habitat have been identified in the Solomon River Basin. Species of concern are plant and animal species that may be threatened but for which insufficient information exists to warrant listing. These species enjoy no legal protection but are considered to minimize future impacts and potential listing. No critical habitat has been designated for these species in the Solomon River Basin or Webster Reservoir.

Table 3 - FEDERALLY-LISTED AND PROPOSED THREATENED OR ENDANGERED SPECIES, CANDIDATE SPECIES

Species	Current Status
Threatened or Endangered Species	
Bald eagle (<i>Haliaeetus leucocephalus</i>)	Threatened
Interior least tern (<i>Sterna antillarum athalassos</i>)	Endangered
Piping plover (<i>Charadrius melodus</i>)	Threatened
Whooping crane (<i>Grus americana</i>)	Endangered
Topeka shiner (<i>Notropis topeka</i>)	Endangered
Candidate Species	
Swift fox (<i>Vulpes velox</i>)	
Black-tailed prairie dog (<i>Cynomys ludovicianus</i>)	

Habitat Use and Status of Species

Threatened or Endangered Species

Bald eagle Bald eagles are large opportunistic birds of prey that feed largely on fish and waterfowl. Eagles tend to use areas along rivers, lakes, and reservoirs where large trees provide perch sites for roosting and for locating and securing prey. Winter die-offs of shad and alewife at reservoirs in the Solomon River

Basin provide readily available forage. Under adverse conditions, bald eagles will search for prey in upland areas and feed on carrion. If severe conditions persist, eagles will concentrate in areas with open water or migrate further south.

Nesting and wintering eagles are found near water that provides a reliable food source and isolation from disturbing human activities. Eagles can be expected to occur along any stream or reservoir in the Solomon River Basin during winter. Bald eagles wintering in Kansas are thought to originate in the central provinces of Canada and the Great Lakes states. Migrant and wintering bald eagles begin to arrive in the Solomon River Basin in early to mid-October and begin to leave the area for breeding areas in the north by late March. Adult migrants tend to winter repeatedly in the same area but remain mobile when seeking food during changing winter weather conditions.

Cottonwood trees are the preferred nesting trees in the basin. Nests are large and are re-used annually. Nesting activities begin in mid- to late March; eggs are laid in late March to early April, and both adults incubate the eggs. Eggs hatch in mid-May and fledging takes place after 10 - 11 weeks, with immature birds remaining near the nest for another six weeks. The numbers of active bald eagle nests are increasing in Kansas. Since 2000, an average of 37 eagles have been sighted on the reservoir area from November - February peaking in 2002 with 64 eagles. The presence of eagles around the reservoir is a direct relation to the population of waterfowl in the area.

In 2003 a pair of bald eagles constructed a nest in a cottonwood tree below the dam. The pair tended the nest but apparently did not lay eggs. A pair returned in 2004 and continued to tend the nest. Again the pair apparently did not lay eggs. The site will be monitored in coming years for a successful nesting. The bald eagle is listed as threatened and has been proposed for de-listing.

Interior least tern The interior least tern, the smallest member of the tern family, may exist in the Solomon River Basin as a spring and fall migrant. Breeding interior least terns are normally associated with unvegetated shorelines, sandbars, mudflats of rivers, and sand and gravel pits. The occurrence of breeding least terns is localized being highly dependent on the presence of dry, exposed sand and gravel bars and favorable river flows that support a forage base and isolate the bars from the banks. Characteristic riverine nesting sites are dry, flat, sparsely vegetated sand and gravel bars within a wide, unobstructed, water-filled river channel. This swallow-like aquatic bird feeds primarily upon small fish, such as shiners (*Notropis* spp.) and plains killifish (*Fundulus kansae*), from shallow water in rivers and lakes. Least terns have nested at Kirwin Reservoir, approximately 35 miles northeast of Webster Reservoir, in 1970s - 2001. It is also known to nest outside of the basin in central and southwestern Kansas. The interior least tern is listed as endangered.

Piping plover The piping plover is a migratory shorebird that breeds along prairie rivers, alkali lakes and ponds of the northern Great Plains, sandy beaches along the Great Lakes, and the beaches of the Atlantic coast. Its primary food is aquatic invertebrates. Piping plover populations have fluctuated drastically since 1900 primarily as the result of market hunting. Populations rebounded by the 1920s; however, human encroachment, an increase in the recreational use of sandbars and beaches, channelization and impoundment of rivers, and the resultant modification and destruction of habitat have caused numbers to decline again. The piping plover is a rare migrant through Kansas and may occur widely throughout the Solomon River Basin during spring and fall migrations. There have been no reports of piping plover nesting in the basin in Kansas; however, plovers have recently been observed at Kirwin Reservoir and Waconda Lake. It is believed the northern Great Plains population of the piping plover winters along beaches and mudflats from Florida to northern Mexico. The piping plover is listed as threatened.

Whooping crane The whooping crane is one of the rarest North American birds. The whooping crane is the tallest North American bird at approximately five feet when standing erect with a wingspan approaching eight feet. The population breeds in Wood Buffalo National Park in the Northwest Territories and winters in Aransas National Wildlife Refuge and along the Gulf Coast of Texas. Whooping cranes are known to migrate through central Kansas. Cranes forage for invertebrates, roots, tubers, and small grains in nearby wet meadows and agricultural fields. The whooping crane is a regular spring (March-April) and fall (October-November) migrant through Kansas where they may use wetlands, open agricultural fields, and grasslands that provide open views of the surrounding terrain and are isolated from human disturbance.

Whooping cranes have been reported at Kirwin Reservoir/Kirwin National Wildlife Refuge eight times over the last 25 years but never at Webster Reservoir. These visits are normally short-lived and likely represent layovers before reaching the Rainwater Basin or Platte River to the north. However, in the spring of 1998 seven Whooping Cranes used crop fields at the upper end of Keith Sebelius Lake for 5 to 7 days. Collision with power lines is the primary known cause of death for whooping cranes. The frequent stopovers necessary for migration have become increasingly hazardous for the whooping crane as more land is developed for agriculture, industry, and housing. Suitable resting sites during migration decrease every year. The whooping crane is listed as endangered.

Topeka shiner The Topeka shiner is a small, stout fish about three inches long. The Fish and Wildlife Service describes the species as having silvery sides with a well-defined dark strip along the sides. The tail fin has a characteristic black, wedge-shaped spot at the base. All of the other fins are plain except in the breeding male where all fins become bright reddish-orange.

The Topeka shiner is generally found in clear pools in small streams having sandy substrates. However, it has been collected from sites with extremely low water clarity. Sites with sufficient flow and habitat to support piscivorous fish will not normally support Topeka shiners. The species is relatively mobile and is capable of moving both upstream and downstream with changing water conditions during drought and/or flood. According to the Fish and Wildlife Service, almost any small stream with reliable water and a remnant of perennial vegetation to filter surface runoff has the potential to support Topeka shiners. Spawning is thought to occur from late May through July.

The primary threats to the Topeka shiner include habitat destruction, degradation, modification, and fragmentation. Alteration of the species habitat results from excess siltation, reduced water quality from agricultural runoff, loss of habitat and modified hydrographs from tributary impoundment construction, stream channelization associated with flood control and agricultural drainage, and stream dewatering from agricultural diversions and ground water pumping. Introduced piscivorous fish prey upon and adversely impact the Topeka shiner where it still exists.

Currently, the Topeka shiner exists in highly disjunctive populations in a greatly reduced portion of its historical range. In Kansas, the Topeka Shiner exists in several streams within the Flint Hill region and in an isolated population in Wallace County. It has not been recorded on the Solomon River Basin or Webster Reservoir in Kansas.

Candidate Species

Swift fox The swift fox is a prairie-dwelling canid historically distributed throughout the contiguous short to midgrass prairie habitat from the south-central Prairie Provinces in Canada to the southern portions of the western Great Plains. Swift fox habitat consists of level to gently sloping topography containing an open view of the surrounding landscape, abundant prey, and lack of predators and competitors. A breeding pair of swift foxes generally requires 1,280 to 2,300 acres of short to midgrass prairie habitat with abundant prey. Swift foxes are commonly associated with prairie dog towns where they find both food and shelter.

Swift foxes are primarily nocturnal and are strongly associated with their dens. Dens have been found in short-grass prairie, mid-grass prairie, cultivated fields, pastures, under abandoned farm buildings, and in culverts. Swift foxes are opportunistic predators and, depending upon season and availability, consume primarily prairie dogs, jackrabbits, cottontail rabbits, mice, ground-nesting birds, and carrion.

Swift foxes are characterized as naive and unwary making it susceptible to trapping. Inadvertent trapping combined with intensive prairie dog control in the

Great Plains has dramatically reduced swift fox numbers. The swift fox is extremely vulnerable to prey reduction caused by habitat modification and prairie dog control programs. In addition, the swift fox feeds on carrion from road kills and thus frequently succumbs to automobile collisions. It is often mistakenly taken for coyotes by individuals wishing to remove all canids for fear of livestock predation.

The swift fox is widely distributed throughout the Great Plains and small, disjunctive populations exist in the western third of Nebraska and Kansas. Most of the Solomon River Basin lies within its probable distribution. Its current status in Kansas is unknown but it is thought there may be some reoccupation of its former range.

Black-tailed prairie dog The black-tailed prairie dog is a small, stout ground squirrel 14-17 inches long and weighing one to three pounds. The black-tipped tail is characteristic of the species with mixed body colors varying from brown, black, gray, and white. Black-tailed prairie dogs are diurnal burrowing animals spending most of their day above ground. They do not hibernate as do other North American species. The species is very social, living in large population that can extend for miles. Within these colonies, prairie dogs live in territorial, harem-polygamous family groups called “coteries”.

The colonial nature of the black-tailed prairie dog is a significant characteristic of the species. Coloniality offers an effective defense mechanism by aiding in the detection of predators and by deterring predators through mobbing behavior. It increases reproductive success through cooperative rearing of juveniles, and it aids parasite removal through shared grooming.

Many authors have recognized the biological importance of the black-tailed prairie dog as a keystone species. Keystone species influence ecosystem function through their activities in unique and significant ways. Prairie dogs act in several roles: they are prey, provide shelter, modify vegetation, and influence ecological processes in a manner not entirely duplicated by other prairie herbivores. Although the black-tailed prairie dog creates habitat for itself and other species, it is also affected by other species. Prairie dogs can create preferential grazing opportunities for herbivores that in turn create opportunities for expansion of prairie dog colonies along their perimeters. Black-tailed prairie dogs are especially important to the black-footed ferret, swift fox, mountain plover, ferruginous hawk, and burrowing owl.

The historic range of the black-tailed prairie dog included portions of eleven states, Canada, and Mexico. Its current range occurs from extreme south central Canada to northeastern Mexico from approximately the 98th meridian west to the Rocky Mountains. The species is found in scattered populations and at much-reduced numbers throughout central and western Kansas. The species continues

to decline from conversion of grasslands to cropland, urban areas, and other vegetative communities; structural deterioration of burrows; and habitat fragmentation.

Species of Concern

The State of Kansas also administers a program for the conservation of State-recognized threatened and endangered species. The following threatened and endangered species are known to occur or are likely to occur in the project areas:

- ❖ Eastern spotted skunk (*Spilogale putorius interrupta*), threatened
- ❖ Eskimo Curlew (*Numenius borealis*), endangered
- ❖ Peregrine falcon (*Falco peregrinus*), endangered
- ❖ Snowy plover (*Charadrius alexandrinus*), threatened
- ❖ White-faced ibis (*Plagadis chichi*), threatened

The State and Federally listed bald eagle is the only listed species with State-designated critical habitats within the area. All lands and water within 5 air miles of public lands near Webster Reservoir are State-designated as critical habitats for the bald eagle. Also, designated critical bald eagle habitats occur along a corridor that extends 100 yards landward from the water edge on both banks of the main stem of the Solomon River.

Visitor Management

Visitor Use

Visitor use in the wildlife areas consists mainly of hunting, fishing, and primitive camping. Some visitors may participate in wildlife observation and nature photography. The wildlife area designated camping areas are as follows: Morel, Bow City, Twin Pond, Browns Hollow, and Sand Plum.

Interpretive Program

No interpretive program is proposed for the wildlife area. However, the Department maintains five information centers at entry points to the wildlife area. A large map of the wildlife area, public lands regulations, special Webster regulations, and special program information are provided at these information centers.

Visual Resource Management

Visual resource management, according to Reclamation, is the art and science of planning and administering the use of Reclamation lands so the visual effects maintain or upgrade man's and nature's welfare through a compatible coexistence.

Visual resource management in the wildlife area should include minimizing the impact of man and his vehicles. Undesirable vehicle trails will be closed by

installing barriers and/or signs.

Future development and construction activities in wildlife areas might include:

- (1) Developing wildlife or fishing access areas
- (2) Improvement or maintenance of existing facilities. To maintain visual quality, the design of such facilities and the materials used must be compatible with the landscape.

Operations, Maintenance, and Capital Improvements

The Department's staff consists of a public lands manager, administrative assistant, conservation officer, and seasonal labor. A fisheries biologist stationed at Webster reservoir is responsible for fisheries management. Operations and Maintenance (O&M) and development activities at Webster are funded through an annual O&M budget, and wildlife fee funds, and are supplemented by agricultural funds. In addition, Reclamation provides limited funding when available.

Public Use, Regulations, and Enforcement

All hunting and fishing regulations are established by the U.S. Fish and Wildlife Service and the Department. Recreation lands are open to hunting within certain restrictions. It is illegal to hunt within 100 yards of occupied campsites, concessions, or residences.

Park permits are required year round to enter developed recreational areas as established by the Kansas State Legislature. A valid sticker must be displayed on each vehicle. A daily permit can be purchased for periods of day use or a season-long permit can be obtained.

The area conservation officer is responsible for enforcing all game, boating, water regulations, and local laws. Game violations and acts of vandalism on recreational and wildlife lands are investigated by the conservation officer. The Rooks County sheriff and Kansas State Patrol have jurisdiction and the authority to investigate all cases of personal injury or property damage. The public lands manager also has law enforcement responsibilities and assists in emergency situations.

Although most uses are compatible with on-going management, the use of off-road vehicles has created problems. Four-wheel drive vehicles and motorcycles destroy vegetation, cause soil erosion, and cause conflicts with other users. Attempts are being made to restrict vehicles to established roads by placing regulatory signs and cattle gates at the entrances to the reservoir area.

Off-Road Vehicle Use

Reclamation lands are closed to Off-Road Vehicle (ORV) use, except for an area or trail specifically opened to use of ORV in accordance with Code of Federal Regulations (CFR) Section 420.21. There is currently no ORV use area designated at Webster Reservoir or Woodston Diversion Dam.

At the top of conservation pool there are approximately seven miles of roads open on the Webster Wildlife Area. A combination of permanent and seasonal roads is used to satisfy most user needs. Based on past experience there have been unauthorized vehicular roads created by the public around the reservoir as lake levels declined. These unauthorized and undesignated trails will be closed immediately by Reclamation and the Department to minimize the environmental effects to soils, vegetation, wildlife, wildlife habitat, and cultural resources. At times, designated roads and parking lots have deteriorated and have become safety hazards due to shoreline erosion and other natural events. In these cases, such roads and/or parking lots will be closed until conditions can be corrected.

Special Uses

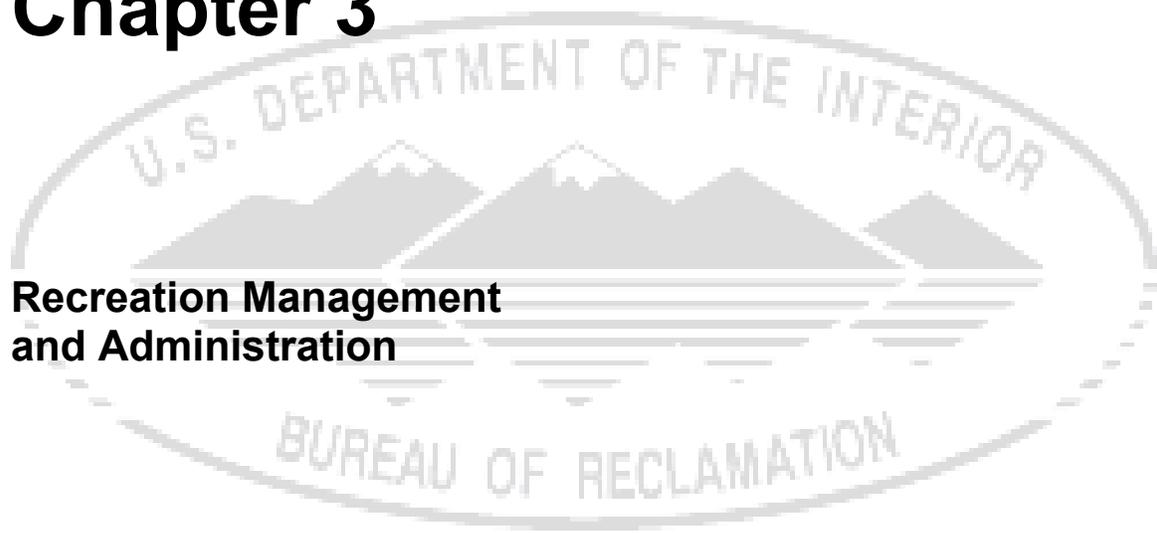
In an effort to provide high quality hunting opportunities, the Department currently offers several types of special hunting opportunities commensurate with area wildlife resources. Youths under 16 are able to participate in pheasant, waterfowl, and deer hunts within the Webster State Park and Wildlife Refuges.

Safety and First Aid

All State vehicles in the park are equipped with first aid kits. Conservation officers are well trained in first aid procedures while seasonal employees receive some training. No visitor safety awareness campaign is presently being implemented.

Chapter 3

**Recreation Management
and Administration**



CHAPTER 3 - RECREATION MANAGEMENT AND ADMINISTRATION

Managing Agency Policy

Recreation lands (880 acres) at Webster Reservoir are managed by the Department as Webster State Park (Figure 18). They are to provide non-urban park areas for the inspiration, recreation, and enjoyment primarily of resident populations and they are to provide wayside parks as picnic areas or rest stops for the traveling public. The Department has the sole responsibility of State Parks, fish and wildlife, and all functions concerning them.

In the May 1967 lease agreement between Reclamation and the State of Kansas, the Department assumed administration of recreation and wildlife management at Webster Reservoir and Woodston Diversion Dam. This lease agreement, for a 50 year term, allows the Department to collect fees and use them for the improvement of the recreation facilities within the lease area. All proceeds from user fees and concessions are to be used for O&M and recreation improvements at Webster Reservoir. A copy of this agreement can be found in Appendix A1.



Figure 18 - Main Entrance Sign

At Webster Reservoir, the Department administers 3,164 acres of land and 3,739 acres of water surface (at top of conservation pool) for recreation and wildlife purposes. Opportunities for recreation at Webster Reservoir include fishing, camping, boating, wildlife observing, sight seeing, swimming, picnicking, and hunting.

Visitor Management

Visitor Use

Recreational use of Webster State Park fluctuates along with the water level of Webster Reservoir. Peak visitation was highest in 1999 with an estimated 201,048 visitors (Kansas Department of Wildlife and Parks). Coincidentally, the reservoir level was near top of conservation pool for the entire recreation season in 2000. The five year average visitation from 2000-2004 is approximately 175,700 visitors.

The Department has identified development zones within the State Park. The four development zones utilized in the park are as follows:

- Intensive:** Facilities in this zone include a shower building, restrooms, boat ramps, a beach area, utility campgrounds, and high use primitive campgrounds. The intensive zone is basically a high use area.
- Moderate:** Facilities include a shower building, some utility campgrounds, primitive campground, and restrooms. These areas generally receive moderate use compared to the intensive development zones and high use areas. Marina Point Campground would be an example of a moderate development zone. (Figure 19)
- Minimum:** The minimum development zone is the rangeland and agricultural areas within the park. The only development in these areas include the nature trail, establishment of native grasses, and roadways, which give access to other zones in the park

Campgrounds/use areas in the intensive development zones are as follows:

- Canada Campground
- Eagle Landing Campground
- Lake View Campground
- Office Area
- Old Marina Campground (Figure 20)
- Rock Point Campground
- Swimming Beach



Figure 19 □ Marina Point Campground



Figure 20 □ Old Marina Campground

Interpretive Program

An interpretive program is to explain the natural, historical, and/or cultural values of the reservoir area and the surrounding lands through various means. It provides the visiting public with information making their visits more meaningful and enjoyable. Often the best means of interpreting the historical and cultural values of the reservoir area is an unmanned visitor contact point (interpretive kiosk). Three visitor information shelters are located within the State Park; one near Rock Point boat ramp, one near the Old Marina boat ramp, and one near the Canada boat ramp. These shelters provide information to lake visitors.

Public Use, Regulations, and Enforcement

The Department's rules and regulations concerning visitor behavior apply to Webster State Park. The park manager and park ranger are deputized to carry out law enforcement activities. In addition, a law enforcement certified, seasonal park ranger has been added to the staff at Webster Reservoir. The public lands manager, Rooks County sheriff, and State highway patrol officers are readily available if needed. A patrol boat is available for water safety patrol.

Special Uses and Events

Special uses include equestrian use, off-road vehicle (ORV) use, and group use. According to State and Federal regulations, equestrian use and ORV use in parks are confined to designated roads and trails. There are designated equestrian use areas at Webster Reservoir; however, there are no designated open ORV areas at Webster Reservoir; therefore, this type of use is prohibited. Group use of the area, whether for picnicking or camping, is on a first-come-first-served basis except for half of the sites in the Old Marina and Rock Point campgrounds. Large picnic shelters are provided. Collecting flora and fauna specimens is prohibited by State and Federal laws unless a valid scientific collector permit is obtained from the Department. Also, archeological and cultural resource collecting is prohibited by State and Federal laws. For further policy concerning the collection of archeological and cultural resources, see Cultural Resources in Chapter 4 "Agency Responsibility".

The Department hosts many special events each year including fishing tournaments, kids' fishing derby, family reunions, kids' fun days, ceremonies, and special hunts at the reservoir. These special events are regulated, subject to permit requirements, and require prior approval from the Department.

Safety and First Aid

Reclamation is a partner and sponsor for the Federal Crime Witness Program (Program). The Program is designed to heighten public awareness of the serious impacts of crime within and around dams, reservoirs, and other Federal facilities. It features a nationwide toll-free hotline (1-800-437-2744) which allows anyone to confidentially report any illegal activity that they witness against Reclamation property or personnel. This number is posted on signs around the facilities at Webster Reservoir and Woodston Diversion Dam.

All Department vehicles are equipped with radios and first aid kits. Park rangers and conservation officers are trained in first aid procedures while seasonal employees receive some training. No visitor safety awareness campaign is presently being implemented.

ADA Accessibility

Reclamation and the Department are required to comply with the Americans with Disabilities Act of 1990 (ADA) to ensure equal opportunities for individuals with disabilities to experience our facilities and natural resources. ADA requires that,

to the maximum extent feasible, facilities must be accessible to, and usable by, the disabled. The Code of Federal Regulations (CFR) requires that for new construction, each facility or part of a facility constructed by, on behalf of, or for the use of a public entity be designed and constructed so the facility is readily accessible to and useable by disabled individuals. The CFR also require that for alterations, each facility, to the maximum extent feasible, be altered to make it readily accessible to and usable by the disabled.

Reclamation has evaluated all facilities at Webster Reservoir for accessibility and is in the process of developing an action plan to guide future retrofits. The Department contracted with “Living Independently in Northwest Kansas” in October, 2000 to survey and make recommendations concerning accessibility for individuals with disabilities. The Department has made plans to retrofit a number of facilities to ensure accessibility.

Reclamation and the Department ensure accessibility in all new facilities to comply with ADA guidelines and when funding is available to retrofit facilities to ensure reasonable access. A number of facilities at Webster Reservoir are already accessible.

Concessions

According to Reclamation’s “Policy, Directives and Standards,” a concession is a non-Federal commercial business that supports public recreational uses and provides facilities, goods, and services for which revenues are collected. A concession generally involves use of the Federal estate and may involve the use or development of capital improvements.

Reclamation’s Concession Principles

- (1). Reclamation concessions will provide quality recreational activities, facilities, and services. Concessions will be accessible to persons with disabilities and will provide appropriate visitor goods and services at reasonable rates.
- (2). Concession operations will provide for the protection, conservation, and preservation of natural, historical, and cultural resources, and will provide resource education and interpretation to enhance visitor enjoyment.
- (3). Commercial facilities and services will be planned and developed through a resource management planning and public involvement process, in cooperation with other public agencies.
- (4). Concessionaires will be provided with opportunities for a reasonable profit and compensation for Reclamation approved improvements.
- (5). Reclamation will ensure competition in the awarding of concessions contracts and will apply sound business practices in the management of concessions.

(6). Exclusive use will be phased out as appropriate.

(7). Concessions will comply with all applicable Federal, State, and local laws.

Concession Contracts

Currently there is no concession operation located on Reclamation lands at Webster Reservoir. There is a concession on private property located adjacent to the old Webster Area Office.

In accordance with the master lease agreement between Reclamation and the Department, the Department is vested with the responsibility for administration of recreation, wildlife, and related uses on Reclamation project lands and waters including Webster Reservoir. The Department may issue and administer licenses, leases, permits, and contracts to persons or associations for the purpose of regulating the privileges to be exercised. The Department may grant concession contracts under which recreation, wildlife, and related uses are made available within designated areas. However, all new licenses, leases, permits, contracts, or changes to existing contracts containing previously unidentified activities, must be submitted to Reclamation for approval prior to execution. Along with the issuance of concession contracts, the Department is responsible for enforcing terms and conditions of each contract.

Organized Group Camps

The Department has entered into an “Organized Site Permit” with Levant Community Church to maintain an organization site for wildlife conservation, and environmental education and to generate funds to promote these causes. The Mission Ridge Church Camp is located at the northwest corner of Webster State Park; in the W1/2 SE1/4 Section 32, T7S, R19W of the 6th P.M, Rooks County, Kansas. The site consists of a large group gathering building, four bunk houses, two shower houses, playground equipment, and a basketball court, all together encompassing approximately 28 acres. The permit is from January 1, 2004 to December 31, 2007. The permittee may have the option to for an additional period of five years, but in no event beyond May 31, 2017; the expiration date of the lease between Reclamation and the Department. The annual rental fee is \$219.40, which is subject to adjustment.

Cabin Lot Permits

Reclamation in its land administration program, is required by the “Policy, Directives and Standards” to make reasonable efforts to see that lands are used according to recognized standards and that the best use of such lands is achieved given the purpose for which the lands were acquired is protected.

Even though administration of lands acquired or withdrawn by Reclamation is assigned to the Department, Reclamation cannot divest its basic interest. Reclamation must ensure nothing is done which conflicts with the primary purposes of the project and ensure the land is receiving proper use in accordance

with sound land use practices.

The Department administers cabin site permits under Reclamation's policies and regulations, and the Departments Private Cabin/Mobile Home/Waterfront Facility Guidelines. The Department must review the permits at least once every five years. The review will determine if continued use of the individual cabin site is inconsistent with the needs of the general public for the use of the area (43 CFR 21). This requires that all new and renewed cabin site permits will be for a maximum of five years with additional renewal periods of five years each.

Permits must expressly state that they grant no vested property right but afford only a limited license to occupy the land for a defined period of time, pending determination that the land is needed for other greater public use.

The Departments Private Cabin/Mobile Home/Waterfront Facility Guidelines were developed and approved in July 1998. The Guidelines were developed to assure proper use of Department managed lands, to address the various types of exclusive use on Department managed lands, and to insure future proper and equitable administration. These Guidelines are included in Appendix B4.

Exclusive Use

A seasonal cabin lot permit area containing fifty cabin sites was originally designated at Webster. Currently eight cabin sites have been permitted and developed. The original designated seasonal cabin lot area has been revised to include only the eight cabin sites currently permitted. Therefore no cabin sites permits remain available.

Exclusive use is any use which excludes other appropriate public recreational use or users for extended periods of time, including concessionaire-permitted sites on which dwellings or improvements are privately owned, such as a cabin, trailer, or mobile home. Exclusive use occurs when there is neither:

- 1) An established process that frequently rotates users of specific sites; nor
- 2) A process which accommodates changes in use, including a process for determining and accommodating other desired public uses and resource values.

Any new facility, service, or site determined by Reclamation to be exclusive use will not be allowed. New, renewed, or modified partnership agreements will include clauses which require the partner to:

- 1) Phase out existing exclusive use facilities, services, or sites if the planning process determines that the lands are needed for other public purposes; or
- 2.) Remove any exclusive use facility, service, or site if:
 - a) Abandoned or not used for the purpose for which it was authorized;
 - b) Condemned or identified as a public health or safety hazard;
 - c) Destroyed by fire, flood, or other acts of nature; or
 - d) Vandalized beyond reasonable repair.

Replacement or relocation of an exclusive use facility, service, or site identified above is prohibited.

A Recreation Compliance Review completed in April, 2002 recommended actions to reduce the risk to public health and safety while complying with lease agreements, policies, and Federal, State, and local laws. Issues identified within the cabin areas (see below) were corrected by the end of October, 2002.

- (1). Inform permittees that the permitted premises constitute the cabin site permit lot only.
- (2). Mowing, vegetation control, maintenance, and storage of personal property are allowed on the permitted premises only.
- (3). While some permits authorize the construction and use of a dock or other waterfront facilities, no roads to the waterline have been or will be authorized.
- (4). Ensure all areas within the designated cabin area, except the permitted lot premises are available for public use. This includes the shoreline, waterfront facilities, and areas surrounding the permitted lot premises.
- (5). Ensure all areas available for public use adhere to public health and safety standards set forth by lease agreements, Federal, State, and local laws, and other recognized standards.
- (6). Placement of shoreline erosion measures must follow the permitting process (Corps of Engineers, NEPA, etc.) and must be approved in advance by the Department and Reclamation.
- (7). Ensure that water, sewer, and electrical services comply with terms of the permit and Federal, State, and local laws.
- (8). Ensure that living space limitations are adhered to in accordance with cabin site permits.

These items and others will be checked annually to ensure compliance guidelines are met. If lessees are in violation of any of the above items, the Department will notify permittees in writing to correct the deficiency. Before permit renewal, each cabin site will be reviewed in detail by Reclamation and the Department to ensure contract compliance. Permits will not be renewed until full compliance is met. The Department will not approve any additions to cabin sites until repairs are made to existing sites to meet code and comply with cabin site permits.

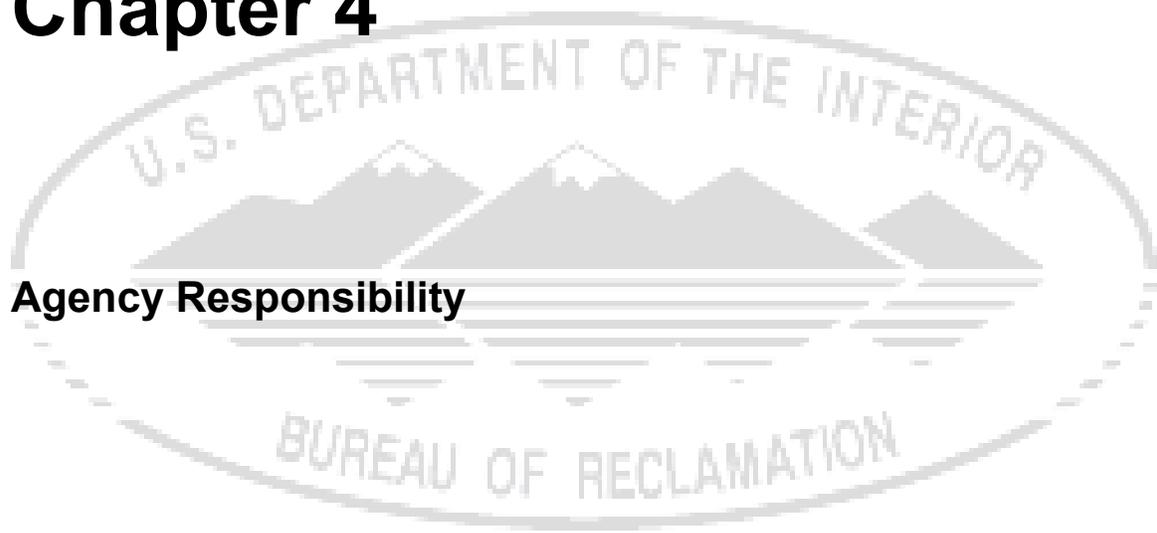
See Appendix B2 for Reclamation Recreation Management Policy.

See Appendix B4 for Kansas Department of Wildlife and Parks Private Cabin/Mobile

Home/Waterfront Facility Guidelines.

See Appendix B5 for 43 CFR, Part 21 – Occupancy of Cabin Sites on Public Conservation and Recreation Areas.

Chapter 4



Agency Responsibility

CHAPTER 4 - AGENCY RESPONSIBILITY

This chapter is concerned with the lands and waters under jurisdiction of Reclamation and being managed for recreation and fish and wildlife by the Department.

Agreements

One document, Lease (Contract No. 14-06-700-6324) between the United States and the State of Kansas dated May 31, 1967, and Amendment No. 1 dated April 15, 1999, formalizes the administration and management of Webster Reservoir, and surrounding lands. This document is included in Appendix A1.

Responsibilities

This section contains excerpts from the lease between the United States and the Department.

Maintenance

Facilities

The Department will employ good management practices. The Department will also operate and maintain the leased premises, including all improvements of Reclamation facilities and those constructed by the Department in a good and reasonable state of repair (reasonable wear and tear accepted) at its own cost and expense as may be supplemented by Reclamation funds, when available.

Fencing

Reclamation is responsible for initial boundary fence construction around reservoir lands. The Department is thereafter responsible for maintaining boundary fences in a good and reasonable state of repair (reasonable wear and tear accepted). The Department is responsible to construct and maintain any interior fences needed for wildlife and/or recreation purposes. Reclamation may provide fencing materials, when funding allows, as well as planning assistance to improve conditions.

Signing

The Department will install and maintain boundary signs on lands. Wildlife Management Area (WMA) boundary signs are placed at most property corners to identify public lands. There may be a need for placement of property boundary signs at some remote corners of the WMA. Reclamation may provide signing

materials when funding allows. Reclamation and the Department will work cooperatively to ensure all public lands have signs. The main entrance sign should reflect the collaborative management effort between Reclamation and the Department.

Roads

Maintenance, reconstruction, or improvement of access roads within the reservoir area for recreation and/or wildlife purposes is the responsibility of the Department. Reclamation may provide financial assistance for maintenance as funding allows. Routine maintenance should be restricted to primary access roads and designated use areas. Maintenance or improvements to undesignated roads and ORV trails is not permitted without Reclamation's approval.

Shoreline Erosion

The Department is responsible for control of shoreline erosion near recreation use areas which may threaten public safety. The Department is responsible for erecting signs notifying the public of erosion hazards if they exist. Reclamation may provide shoreline erosion measures, such as rip-rap and planning assistance as funding allows to improve these conditions. The Department will be responsible for obtaining the required permits from the Corps of Engineers.

Public-Use Regulations

The Department will administer both the land and water surface. The Law Enforcement Division will assume the responsibility for the enforcement of all game, fish, and boating laws and regulations. The Parks Division will assume the responsibility of enforcing park regulations. The Department will be responsible for trespass and Federal regulations covering ORV, public, private, and other related recreational use and fish and wildlife use on the leased premises. The Department will take all reasonable precautions and assist in the prevention, control, and suppression of fires on the leased premises. They will also establish and enforce laws, rules, and regulations for recreation, and fish and wildlife use; to protect the health and safety of people using the areas; and to preserve law and order. The Department will not engage in, permit, or allow any activity within the leased premises which interferes with the safety, protection, and operation of the reservoir used for flood control and irrigation purposes.

The Department, at its own cost and expense as may be supplemented by Federal funds, will use such erosion control, noxious weed control, and land and water pollution control measures as may be necessary. They will require its subcontractors, contractors, permittees, lessees, and licensees to comply with such control measures by express provisions contained in their respective subcontracts, contracts, permits, leases, and licenses.

Reclamation will be responsible for management of all lands designated as operations areas. Reclamation management of these areas is to ensure proper operation and protection of the dam and reservoir. However, this will not preclude recreation, fish and wildlife, and related-use administration and development of

these areas by the Department if determined by Reclamation to be compatible with its purposes.

Land-Use Regulations

Land-use classification, land-use changes, and exchange of rights-of-way will be the responsibility of Reclamation. Any major land disturbance or site preparation will have Reclamation approval beforehand. The map on page 56a designates land and water use areas.

Reports of Serious Accidents and Damages

The Department will provide Reclamation, within 30 days of occurrence, one copy of all incident reports concerning damage to property and serious accidents occurring within the reservoir area. Property damage includes wildfires and vandalism to structures, buildings, or other recreation facilities. Serious accidents involving the public include drownings, permanent injuries, and all cases when a claim for injury is filed. In addition, Reclamation will complete a "Security Incident Report" and forward it to Reclamation's Great Plains Regional Office.

Recreation Facilities in Relation to Flood Plain Management

Webster Reservoir is a flood control storage reservoir. The development of recreational areas, whether for private or public use, is closely developed with plans for use of the reservoir storage capacity. Limitations on the location of recreational developments depend upon the flood control storage operations provided in the "Field Working Agreement" between Reclamation and the Corps of Engineers. This agreement provides the flood control storage capacity allocation of Webster Reservoir will include the storage capacity between elevation 1,892.45 feet above mean sea level (top of active conservation pool) and elevation 1,923.7 feet above mean sea level (top of flood control pool).

As a result of the reservoir being a flood control storage reservoir, all cabins, group camp developments, and any buildings designed for human habitation must be constructed above the top of the flood control pool (1,923.7 feet). For further information and specific guidelines, refer to Executive Order No. 11988, WRC Flood Plain Management Guidelines (43 CFR 6030), and Water and Power Flood Plain Final Procedures (45 CFR 1693).

All water well construction will comply with State health regulations. Garbage dumps, refuse disposal areas, and sites will be located off reservoir lands. Dumping on Reclamation lands is prohibited.

Domestic water systems, toilets, and sewage disposal systems will be constructed and operated under the requirements of local and State public health departments

and Federal health agencies. All garbage and trash collected is to be hauled to an approved county sanitary disposal site.

The need for construction of boat docks and ramps, bridges, and similar facilities at the reservoir is recognized. Plans showing proposed construction of recreation facilities and their location in the reservoir will be submitted to Reclamation for approval before construction.

Recreation Use Data Report

The Department will submit to Reclamation a “Recreation Use Data Report” (which replaces the old “Recreation, Fish, Wildlife, and Visitation Summary Report”), no later than February 1st each year during the term of the lease for each separate reservoir area. The report contains two parts. Part 1 is to be completed by the Department for each reservoir area. Part 2 is to be completed by the concessionaire, if one exists. Instructions are provided at the end of the report.

The report form will be supplied by Reclamation (Appendix C4 is an example of the form). The purpose of this report is to keep a current inventory of recreation facilities available for public use, to record annual visitation by principal interest and water-craft use and record fish and wildlife use. Reclamation will collect all information and enter it into a database.

Reservoir Reviews

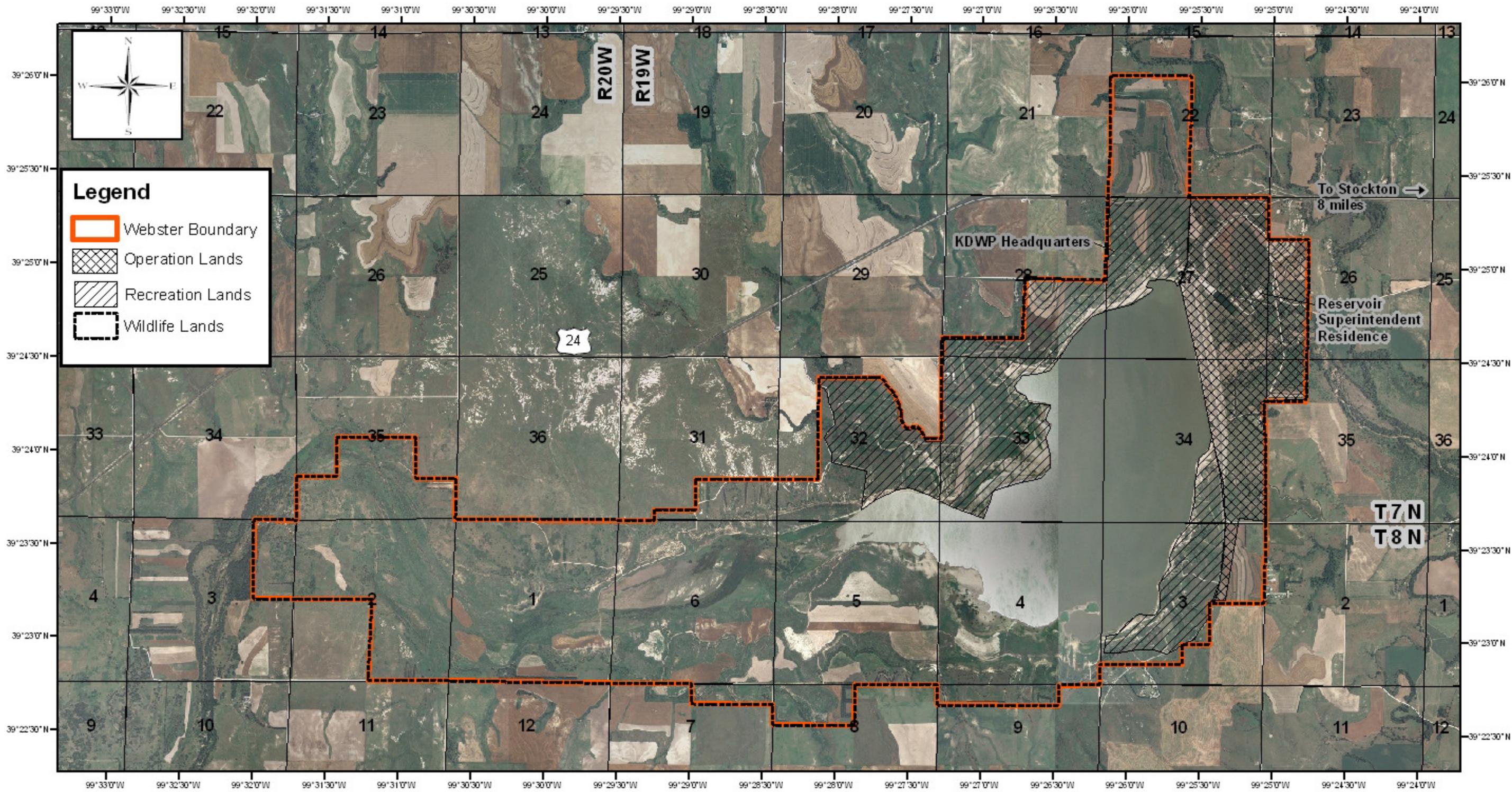
At the request of either Reclamation or the Department, both parties will meet biennially to review the administration and management of the reservoir area. Local representatives will meet annually to review reservoir activities and issues.

Reclamation will prepare and submit a report of the biennial review to all participating agencies within 60 days after the field review is completed. The review and report will cover conditions of the lands and facilities, accomplishments, problems, coordination of areas of dual responsibility, and recommendations. Recommendations requiring action by the Department will be completed within the agreed schedule.

Changes in Resource Management Plan

The Department or Reclamation may find that certain conditions or situations at Webster Reservoir and Woodston Diversion Dam develop which require a revision to this RMP. This plan is based on mutual approval of purposes and objectives of the agencies responsible for management of the area. Changes approved by Reclamation require agreement by all agencies concerned. If Reclamation or the Department fail to approve the RMP or any revisions within 90 days, an additional 90 days can be obtained on written agreement by Reclamation and the Department.

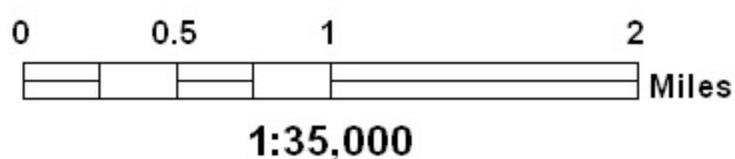
A revision of the plan may be proposed by any agency directly involved in the



Legend

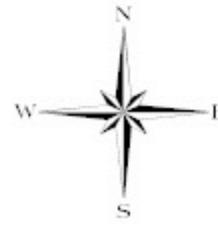
-  Webster Boundary
-  Operation Lands
-  Recreation Lands
-  Wildlife Lands

Photo Date: 3/15/2005 FSA (NAPI)
 2 meter resolution
 Reservoir Elevation: 1865.30
 Conservation Pool Elevation: 1892.45

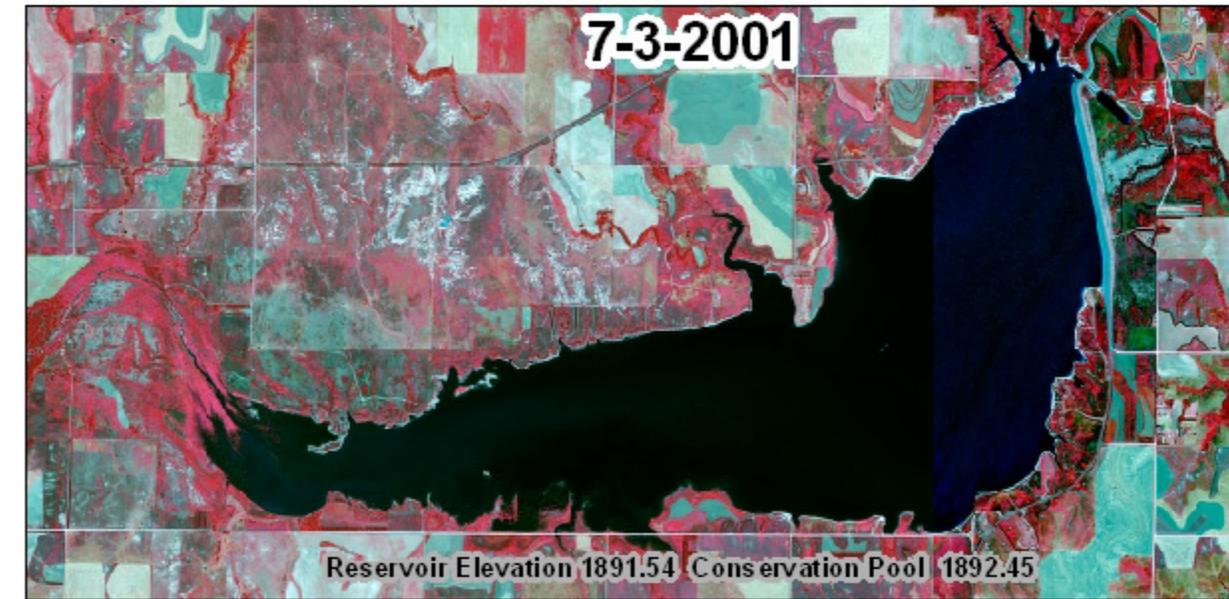


**Webster Reservoir
 Land and Water Use**

Webster Reservoir



**Historical
Photo
Layout**



administration and management of the area. The suggested revision should be submitted to Reclamation in a letter outlining the problem and the revision or addition to offset or correct the problem. To ensure uniformity and simplicity in handling the revisions or supplements to the RMP, all proposals should be sent to Reclamation. Reclamation will then forward proposals to the Department and will seek their approval. On approval, Reclamation will furnish copies of revisions or supplements to all agencies given copies of the original RMP.

Trespass

Boundary Trespass

The Department will control and prevent illegal trespass on lands and water surface under its lease. On observance by either the Department or Reclamation, it will be the responsibility of the observing agency to bring this trespass to the attention of the other agency. The agencies will then mutually decide on a course of action. If legal action becomes imminent, Reclamation will have lead responsibility for resolving the trespass.

Unauthorized or Improper Use

Should unauthorized or improper use occur within the boundary of leased lands, correction of the situation will be the responsibility of the Department. Examples include unauthorized dumping of trash or refuse, ORV use, and use of seasonal cabins for year-round homes. Operations areas or any lands not under lease to the Department will be the responsibility of Reclamation.

Shoreline Lands Designation

The designation of lands at reservoirs with fluctuating shorelines resulting from irrigation drawdown or increased storage will be based on the top of active conservation pool. Lands exposed below this level are to be administered by the respective divisions of the Department or Reclamation. Parks Division retains jurisdiction of shoreline in front of recreation lands as the water recedes. The Wildlife Division retains jurisdiction in front of the WMA. Reclamation retains jurisdiction over operations lands around the dam. However, the water surface carries a Wildlife designation. Consequently, the Department will follow this policy on lands they administer, and Reclamation will comply on areas they administer. Exceptions will be mutually agreed upon between the Department and Reclamation.

Shoreline Erosion

The soils of Rooks County formed in several kinds of parent materials such as loess, Aeolian sand, colluvium, and alluvium. The soils near Webster Reservoir are medium textured varying from deep soils with thick medium textured subsoils and medium textured substrate to deep soils with thin medium textured subsoils, and medium textured substrate. There are sandy soils in the western half of the reservoir varying from deep soils with thick moderately sandy surface soils, thick

medium textured subsoils, and medium textured substrate to sandy soils and sandy hills. Cultivated land on the sandy areas is very susceptible to wind erosion in the western reaches of the reservoir. This area contains some chalky or rocky soils. These are shallow soils over bedrock or coarse gravels. Most contain an abundance of lime and have accumulated enough organic matter so the topsoils range in color from dark grayish brown to chestnut brown.

Vegetative cover, capable of limiting erosion on the uplands, is generally in excellent condition. This is especially evident when comparing the reservoir land vegetation condition and erosion rates to the surrounding lands that are heavily used for farming and ranching. Erosion occurring on the uplands is caused primarily by water and is occurring most rapidly and severely on roadways where vegetation has been removed by vehicular travel. Wind erosion losses in these areas are minor due to management practices by the Department on food plots and restrictions on driving across highly erodible areas. The shoreline erosion around the reservoir is extensive in some areas but consistent with erosion patterns experienced at artificial impoundments. Some areas have eroded to a point where they are now stable and been covered by Willow and Cottonwood growth. In addition, several shoreline areas at Webster Reservoir are stable due to old, dead timber which forms a natural barrier to further erosion.

The Department is responsible for the control of shoreline erosion near recreation use areas which may threaten public safety. They are also responsible for erecting signs notifying the public of erosion hazards. Reclamation may provide or approve other shoreline erosion measures as funding allows in order to improve these conditions.

Noxious Weed and Nuisance Plant Species Management

As the Federal landowner, Reclamation is ultimately responsible for management of noxious weeds on Reclamation lands and at Reclamation-owned facilities in accordance with the laws and policies set out in the Federal Insecticide, Fungicide, and Rodenticide Act, Federal Noxious Weed Act, Carlson-Foley Act, and applicable State and local laws and standards. This responsibility is addressed through the Lease agreement, cooperative agreements, and activities involving both Reclamation and the Department.

The lease between Reclamation and the Department identifies the management responsibilities of the Department. As part of their land management program, the Department has responsibility for identification and correction of noxious weed infestations within the leased premises. The Department is responsible for noxious weed control at its own cost and expense, which may be supplemented by Federal funds when available. Currently, a cooperative agreement provides Federal funding for chemicals, equipment, and technical assistance to the Department. The Department will comply with all provisions of Federal, State, local, and pesticide laws and regulations, as well as the Department of the Interior

policies on pesticide use and pest management. A report of noxious weed control programs performed at the reservoir areas, their locations, and treatment methods will be provided to Reclamation annually.

The Department's noxious weed and nuisance plant species control programs are designed to be holistic and comprehensive in approach. The primary goals are to achieve effective control of the target species with the least possible hazard to people, property, and the environment. If control programs are needed, the Department is responsible for deciding when treatment should be initiated and the frequency of treatment. The Department will also determine what physical, cultural, biological, mechanical, and chemical treatments (or combinations thereof) to implement, and will also evaluate treatment effectiveness.

Reclamation's facility manager is responsible for lands identified as operations areas and is responsible for noxious weed and nuisance plant species on those lands, waters and facilities. The facility manager will coordinate efforts with their supervisor and the Area Office noxious weed coordinator.

Fire Management

Fire Policy

Webster Reservoir is within the boundaries of the Rooks Rural Fire District. The rural volunteer fire district provides emergency assistance in suppressing wildfires on lands administered by Reclamation and the Department.

The lease between Reclamation and the Department does not include specific provisions for fire prevention and/or control; however, the Department has a verbal agreement with the rural fire district that the district will respond to fire calls on reservoir lands.

According to the lease, "the Department shall assume the responsibility for assisting in the prevention, control, and suppression of fires on the leased lands" at Webster Reservoir and surrounding lands. The Department shall also be responsible for submitting to Reclamation, a fire management plan identifying and specifying the duties and responsibilities for cooperating entities for fire control on the lands under the lease.

The Department will prepare a fire evacuation plan to accommodate public egress in the event of localized fires.

Fire Prevention

Fire hazards can be greatly reduced by using management techniques, including construction of firebreaks, planting warm season grasses, and reducing accumulation of surface organic litter by prescribed burning, high intensity grazing, haying, and plowing. Firebreaks on the reservoir lands include hard

topped roads and gravel roads, and fallow, hayed, and cropped fields

The department plows and maintains a firebreak around all newly planted tree plots in the reservoir area until they become established. Older tree plots are a valuable natural resource, and it is wise to maintain firebreaks around all tree sites for maximum protection.

There is no fire suppression equipment available to the public at Webster Reservoir or Woodston Diversion Dam. However, Reclamation and the Department have personnel nearby to assist the rural fire districts in fire fighting.

Neither the State fire marshal nor the rural fire districts conduct annual fire inspections on reservoir lands. To comply with the lease agreement, Reclamation and the Department inspect all recreation and wildlife lands annually.

Fire Suppression

Rooks County Rural Fire District consists of six volunteer firemen who are available on 24-hour call. Presently, the fire district does not charge for fire fighting services on Federally-owned lands. Reclamation makes an annual payment to the Rooks County Treasurer in lieu of taxes. If additional firefighting assistance is required, the Stockton City Fire Department is willing to respond.

Interagency Cooperative Fire Management Agreement

According to the Federal Water Project Recreation Act of (P.L. 89-72) as amended by the Reclamation Recreation Management Act of 1992 (P.L. 102-575) and the Reclamation Act of 1902, Reclamation has entered into an Interagency Cooperative Fire Management Agreement (Appendix A5). The purpose is to document the commitments to fire protection assistance and cooperation on lands in Kansas. The agreement identifies authorities, roles, and responsibilities of Federal agencies, State agencies, and local entities responsible for fire management and suppression activities in Kansas.

Partners of the agreement include:

- Bureau of Indian Affairs
- Bureau of Reclamation, Great Plains Region
- Fish and Wildlife Service, Mountain Prairie Region
- Kansas Department of Wildlife and Parks
- Kansas Division of Emergency Management
- Kansas Forest Service
- Kansas State University
- National Park Service, Midwest Region
- U.S. Forest Service, Rocky Mountain Region

Off-Road Vehicle (ORV) Use

ORV use is discussed in detail in Chapter 2. Reclamation lands are closed to ORV use, except for an area or trail specifically opened to ORV use in accordance with CFR Section 420.21. There are currently no ORV use areas designated at Webster Reservoir or Woodston Diversion Dam.

Land Use Authorizations and Land Disposal

Land Use Authorizations

Land use authorizations include easements, leases, licenses, and permits which allow others to use Reclamation lands, facilities, and water surfaces. Land use authorizations are discretionary and must conform to the requirements contained in 43 CFR 429 and Reclamation Directives and Standards for Land Use Authorizations (LND 08-01). Issuance of land use authorizations require that Reclamation collect administrative fees and receive fair market value for the use of its lands.

Land use authorizations will not be issued when it is determined that the proposed use is incompatible with authorized project purposes, or where the proposed use poses health and safety concerns, results in unacceptable impacts to the environment, results in private exclusive uses, violates state, Federal, or local laws, regulations, ordinances, or zoning requirements, jeopardizes the interests of the United States, is an existing unauthorized use, the use will result in other adverse and unacceptable impacts, or where other alternatives are available. If a use authorization is granted, it is the policy of Reclamation to grant the least estate possible necessary to accommodate the intended use. Generally, this means that Reclamation will only issue a permit or a license, and will not issue leases or easements or other contractual documents that convey an interest in real property.

In regard to roads, telecommunication sites, microwave towers, transmission lines, and linear facilities, Reclamation will not issue any land use authorizations for these uses that does not clearly compliment the goals and recommendations contained in this plan. In the event electrical utilities are permitted they shall be buried, or if constructed above ground, they shall be constructed and only permitted if they do not interfere with the visual and aesthetic components of the landscape. All above ground utilities will provide measures of safety for the public and for wildlife species. All land use authorizations will be considered on a case by case basis, and issued at the sole discretion of Reclamation, or as allowed pursuant to the lease agreement between Reclamation and the Department.

Land Disposal

All reservoir lands are currently needed for project purposes and are not available for disposal thru sale, lease, or transfer to any other person, agency, or entity. In

the event any of the lands within the reservoir are determined by Reclamation to be excess to project needs, Reclamation will follow standard General Service Administration procedures to dispose of the lands. This process requires that any excess lands be first offered to other Federal or State agencies, then to local counties or municipalities, and lastly thru sale at public auction to the highest bidder.

Issuance of Easements, Licenses, Permits, Subleases, or Contracts

Various uses will be made of the lands and water in the reservoir area by third parties, requiring the use of formal documents such as easements, licenses, permits, subleases, and contracts.

Limited surface rights may be granted by the Department. However, certain use rights, such as easements, can only be granted by Reclamation or another agency of the United States. Requests from third parties for use rights will be directed to Reclamation. When the request is made to the Department, such a request should be referred to Reclamation. The Department should advise Reclamation whether or not it concurs with the request and if such use will be compatible with the present or proposed use of lands and waters.

When the request is made to Reclamation, the proposed use will be discussed with the Department and its recommendations obtained before granting or denying the use.

Use Rights to be Granted by Reclamation

Rights Granting an Interest in Land All use rights granting an interest in land, such as an easement which is normally irrevocable and perpetual in nature, may be granted by Reclamation's regional director.

Prior Rights The exercising of rights that existed prior to the transfer of administration of lands to the Department will require formalization by the granting of a license, lease, permit, or easement. These documents are granted by Reclamation. Identifiable prior rights, all of which are contractual obligations of Reclamation, are listed in Chapter 1, "Prior Rights and Reservation."

Rights Not Directly Related to Development and Administration of the

Reservoir Lands for Recreation and Wildlife and Related Uses The administration of lands and water at Webster Reservoir and Woodston Diversion Dam was transferred to the Department to permit exclusive responsibility, operation, control, and administration of these lands for recreation, fish and wildlife, and related uses. Use rights not directly related to administration or development of the lands for such purposes will be granted by Reclamation. Examples of such use rights are State and county roads, rights involved in serving Reclamation facilities, transmission lines, telephone lines, and other facilities which cross reservoir land, but serve lands or persons outside of the reservoir area.

Removal of Nonrenewable Resources By law, Reclamation cannot allow a State or local agency to sell or permit the removal by others of nonrenewable resources such as sand, gravel, stone, oil, and gas.

Permits for exploration and/or removal of Reclamation-acquired minerals (other than fossil fuels) are the responsibility of Reclamation.

When reserved mineral rights are to be exercised by the current owner(s), Reclamation will require an exploration or mining plan be prepared and submitted for its review and approval. Written approval of Reclamation will be required before the start of any related work.

Removal of Renewable Resources No trees or shrubs will be cut, removed, or destroyed without the prior approval of Reclamation. No grasses (native or seeded) will be plowed or destroyed without the prior approval of the Department.

Use Rights to be Granted by the Administering Agency

The Department will grant permission to third parties for other use rights. Examples of uses requiring licenses, permits, or contracts are agricultural and grazing privileges, powerlines not in excess of 15 kilovolts, and telephone lines which are directly associated with recreation and wildlife development within the reservoir area. The location and general construction plans for proposed roads, powerlines, pipelines, and telephone lines will be submitted to Reclamation for approval, before granting permission to construct such facilities. This procedure is to determine whether the location and construction may damage, or threaten to damage, the property of the United States, have significant environmental impact, or interfere with the operation of the dam and reservoir. Any permits issued by the Department must adhere to the provisions of 43 CFR 429. Specifically, each permit involving rights of way must contain the language in 429.8 and every permit must contain the language in 429.9.

Execution and administration of licenses, permits, and concession permits is the responsibility of the Department. However, the Department will receive written approval from Reclamation for the form of contract being used before executing the contract.

The Department may carry adequate public liability insurance customary under the existing circumstances. The Department will require all concessionaires, permittees, and licensees to carry public liability insurance.

Leasable Minerals

Title to all oil, gas, coal, and other minerals now or hereafter owned by the United States is excepted and reserved to the United States. There is also excepted and reserved to the United States, its agents, lessees or permittees, the right to prospect and carry on the development for oil, gas, coal, and other minerals and to

issue leases or permits to prospect for oil, gas, or other minerals on said lands under the Act of February 25, 1950 (41 Stat. 437) and its amendments and supplements and the Act of August 7, 1947 (61 Stat. 913). However, the Department will be consulted and asked for comments and recommendations concerning any such lease by the Bureau of Land Management. Reclamation will consider any adverse effect the action might have on recreation, fish and wildlife, and related uses. All oil and gas leases issued by the Bureau of Land Management will contain Reclamation's GP-136 Special Stipulations and Form 3109-1 Lease Stipulations which include provisions to protect the interests of the United States.

Health and Safety

It is the responsibility of the Department to report all health and safety hazards observed at Webster Reservoir and Woodston Diversion Dam to Reclamation. Examples would include substandard toilets and sewage disposal systems, contaminated water systems, unsafe roads, dangerous boat ramps, poor electrical wiring, dangerous canals, and unsafe bridges. Hazards or deficiencies reported by the Department which fall within their responsibility should be corrected or eliminated as soon as possible. Likewise, Reclamation should correct health and safety hazards and deficiencies on the lands they administer as soon as possible.

Threatened and Endangered Species

The Fish and Wildlife Service is the lead Federal agency responsible for the protection of threatened and endangered species. However, Reclamation has ultimate responsibility for the protection of threatened and endangered species and critical habitat on lands under its jurisdiction. Under the terms of the lease agreement between Reclamation and the Department, the Department is required to comply with the Endangered Species Act. Assistance in protection, enhancement, and enforcement will be available through the State wildlife agency and Reclamation.

The Department will take all reasonable precautions to assist in the prevention and control of disturbances to threatened and endangered species in the resource area. Any violations shall be promptly reported to the State wildlife agency and/or the Fish and Wildlife Service and Reclamation. State and Federal law prohibits harassment of threatened or endangered species. The Department will not engage in or permit any activity within the leased premises which would allow greater access to areas known to harbor threatened or endangered species or critical habitat.

Currently, no critical habitat has been designated within the leased area. If at some time critical habitat is designated by the Fish and Wildlife Service, Reclamation must concur with any plans to provide for additional protection or enhancement by the Department. Reclamation will assist with planning or implementing protective measures, if needed.

Cultural Resources

The Department will control and prevent damage to cultural resources on lands, reservoir waters, and stream bottoms under its respective lease. Cultural resources are historical, archeological, or paleontological (fossil-bearing) sites. Intentional and incidental vandalism (unauthorized excavation or other ground altering activities) and removal of any item, object, or material of cultural or scientific significance from its position on the ground are prohibited. This includes removing arrowheads and other prehistoric artifacts, wood from decayed structures, bottles, ceramics and fossils. Vandalism includes not only surface removal of artifacts, but also the excavation of cultural resource sites such as digging holes in cultural resource sites for the removal of artifacts or paleontological material. If damage to cultural resources is observed by either the Department or Reclamation or cultural resources previously unknown are discovered, it will be the responsibility of the observing agency to bring this violation or discovery to the attention of the other agency. Reclamation will then notify the area archeologist by telephone. Through mutual effort, the agencies will decide on a course of action. If legal action becomes imminent, Reclamation will have sole responsibility for resolving the problem. Any surface disturbance will require written cultural resource clearance from the area archeologist.

In addition, all Federal agencies are directed to assume leadership in protecting and preserving the cultural resources of the nation. This authority was first mandated by the Antiquities Act of 1906 (16 U.S.C. 431). Subsequent legislation includes the following:

- Historic Sites Act of 1935 (16 U.S.C. 461)
- Reservoir Salvage Act of 1960 as amended (16 U.S.C. 469)
- National Historic Preservation Act of 1966 as amended (16 U.S.C. 470)
- National Environmental Policy Act of 1969 as amended (42 U.S.C. 4321)
- Archeological and Historic Preservation Act of 1974 (16 U.S.C. 469)
- American Indian Religious Freedom Act of 1978 (42 U.S.C. 1996)
- Archaeological Resources Protection Act of 1979 as amended (16 U.S.C. 470)
- Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001)
- National Register of Historic Places (36 CFR Part 60)
- Determinations of Eligibility for Inclusions in the National Register of Historic Places (36 CFR Part 63)
- Curation of Federally Owned and Administered Archeological Collections (36 CFR Part 79)
- Protection of Historic Properties (36 CFR Part 800)
- Protection of Archaeological Resources (43 CFR Part 7)
- Native American Graves Protection and Repatriation Act (43 CFR Part 10)
- Protection and Enhancement of Cultural Environments (Executive Order 11593)

- Protection of American Indian Sacred Sites (Executive Order 13007)
- Preserve America (Executive Order 13287), and
- The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation: (48 FR 44716).

The scope of these preservation laws is expressed in Executive Order No. 11593, which directs all Federal agencies to inventory and evaluate cultural resources on lands they administer and nominate to the National Register of Historic Places those sites meeting the criteria of the National Register (36 CFR 60). Federal agencies are directed to exercise prudent and responsible management of all cultural resources.

Reclamation is responsible for identifying and protecting historical, archeological, architectural, scientific, and paleontological resources affected by Reclamation actions on lands under its administration.

Environmental Compliance

Any action involving Federal funding or approval is subject to the requirements of NEPA and other environmental statutes. Reclamation will determine, on a case-by-case basis, the level of analysis, interagency coordination, public involvement, documentation, and other compliance activities needed before granting such funding or approval. The responsibility for accomplishing such analysis and related activities will be determined by Reclamation in consultation with the administering agency.

Miscellaneous

Aircraft

Except in extreme emergencies, use of parachute, helicopter, or other aerial means without written permission of Reclamation's regional director and the Department is prohibited. This provision does not apply to aircraft engaged in official business of Reclamation or used in emergency operations at the direction of the regional director or a forced landing due to circumstances beyond the control of the pilot.

Nothing in the preceding provisions gives authority to deviate from rules and regulations or prescribed standards of the appropriate State aeronautical agency or the Federal Aviation Administration, including (but not limited to) regulations and standards concerning pilot certifications or ratings and airspace requirements.

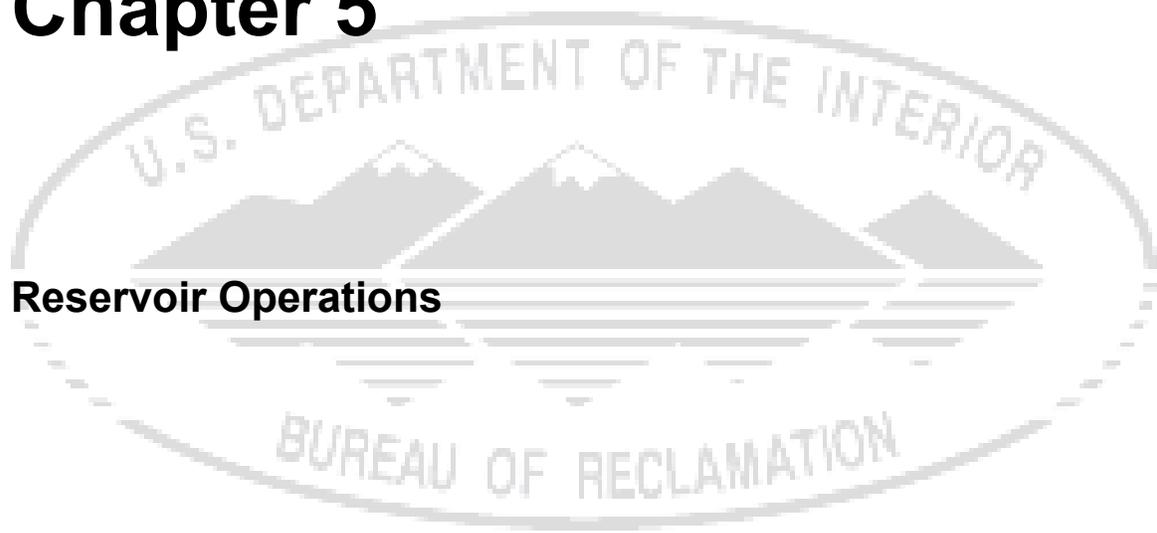
Facilities

Detailed site plans showing proposed construction of recreation facilities, their location in the reservoir area, and accompanying construction specifications will be submitted to Reclamation for approval before construction has begun.

Shooting Ranges

Because of increased concerns associated with contamination and cost of cleanup and remediation of hazardous wastes associated with shooting ranges Reclamation does not encourage the use of construction of these facilities on Reclamation lands. In the unlikely event Reclamation would consider allowing a shooting range at Webster Reservoir compliance with the stringent standards contained in Reclamation's Directives and Standards *ENV 02-07 Management of Shooting Ranges on Reclamation Lands* would be mandatory. Additionally, the national Rifle Association's (NRA) *The Range Manual, a Guide to Planning & Construction and Lead on Outdoor Firing Ranges* by Charles Sever, Okie Consulting Services, and the Environmental Protection Agency's *Best Management Practices (BMP's) for Lead at Outdoor Shooting Ranges* would have to be adhered to. Any shooting range allowed on Reclamation lands would also have to comply with NRA's recommendations contained in their *Range Evaluation Report*.

Chapter 5



Reservoir Operations

CHAPTER 5 □ RESERVOIR OPERATIONS

Reservoir's Authorized Purposes

Webster Dam impounds water from the South Fork of the Solomon River to form Webster Reservoir. The authorized purposes of Webster Dam and Reservoir are to provide storage for irrigation, flood control benefits, recreation, and fish and wildlife activities. Project facilities map for the Webster Unit is on page 62a.

Contract Between the Webster Irrigation District and the United States

The “Solomon River Basin Resource Management Assessment and Environmental Assessment/Finding of No Significant Impact” were completed in May 2002. The Federal action analyzed in this EA was the conversion of the Webster Irrigation District’s long-term water service contract to a repayment contract. The preferred alternative in the environmental assessment/finding of no significant impact was developed following contract negotiations with the irrigation district. Specifically, the alternative provides for minimum pool elevations at Webster Reservoir, which provides secondary benefits to fisheries and recreation by providing carryover irrigation storage. In addition, the alternative provides for an increased delivery efficiency of 9 percent for Webster Irrigation District and to increase collective on-farm efficiency by 5 percent. (Bureau of Reclamation, 2002a)

The Preferred Alternative provides for the inclusion of specific environmental measures in the district’s operating plans. Each district would:

Continued irrigation with specified water conservation goals and practices to be outlined in the irrigation districts water conservation plan.

There is a minimum pool elevation at Webster Reservoir of 1,863.0 feet above mean sea level (msl) (7,352 acre-feet). The annual shutoff elevation for Webster Reservoir will be established according to the Webster Irrigation District Operating Plan.

Install or create better screening devices to prevent the passage of fish, crayfish, and others into turnouts and lateral systems.

Establish policies to maintain reservoir levels.

Provide the United States, before July 1 of each year, an annual report of environmental activities/accomplishments for the prior year.

Cooperate with Reclamation and others in improving fish and wildlife habitat and recreational access. If requested, the district shall annually furnish labor for work coordinated through Reclamation during the fall of the year. In lieu of labor, the district may furnish a district-owned machine and operator

The district agrees to cooperate with the United States, if requested, in the implementation of an adaptive management plan for selenium.

The Webster Irrigation District has agreed to provide seven man-days or three machine days, with operator, per year to assist with reservoir projects such as boat ramps and shoreline protection during low lake levels.

Reservoir Operations and Flood Control

Reclamation’s area manager in Grand Island, Nebraska, is responsible for the O&M of the dam and reservoir and appurtenant features. The U.S. Army Corps of Engineers is responsible for flood control regulation of the flood space in the reservoir.

Reservoir capacity allocations (storage capacity in relation to water elevations) are shown in Table 4, followed by definitions of the various types of storage. Table 5 shows maximum/minimum reservoir levels for 1964 (when the reservoir began to fill) to 2004.

Table 4 □ Webster Reservoir Capacity Allocations

Space	Net Capacity (acre-ft)	Water Elevation (feet msl)
Dead Storage ¹	1,256	1855.5
Inactive Storage ²	4,231	1860.0
Conservation Storage ³	76,157	1892.45
Flood Control Storage ⁴	259,510	1923.7
Total	400,422	

¹ Dead Storage: Capacity from which stored water cannot be evacuated by gravity.

² Inactive Storage: Capacity that can be released from the dam but is below design capacity for irrigation.

³ Conservation Storage: The pool allocated to storage of water for irrigation purposes only.

⁴ Flood Control Storage: Volume above active conservation pool reserved for flood runoff and then released as required to keep the space available for flood storage.

Reservoir Operations and Fisheries

Fisheries management within Webster Reservoir must be coordinated and planned within the constraints of annual downstream releases of irrigation water. A significant and successful fishery does currently exist, but continued low reservoir elevations may have a negative effect on overall fish populations and recruitment. Seasonal downward fluctuations of water levels result in the loss of fauna and shoreline habitat. This can lead to severe competition between certain game and non-game species for spawning sites and food.

As a result of various constraints associated with fluctuating water levels, management techniques must be used which will result in optimum utilization of the available fisheries resources.

Reservoir Operations and Recreation

Recreational use of reservoir facilities is somewhat restricted during low water levels as the reservoir recedes during the irrigation season (see Webster Unit Map on page 63a). The exposed shoreline can cause some public discomfort due to mud and blowing dust. The fluctuating water levels expose what were once submerged objects. The Department may buoy those areas off to protect boaters and water skiers. Low water boat ramps must be made available to facilitate boat launching during prolonged periods of low water levels. (see figures 21 and 22 which show the historic lake levels).

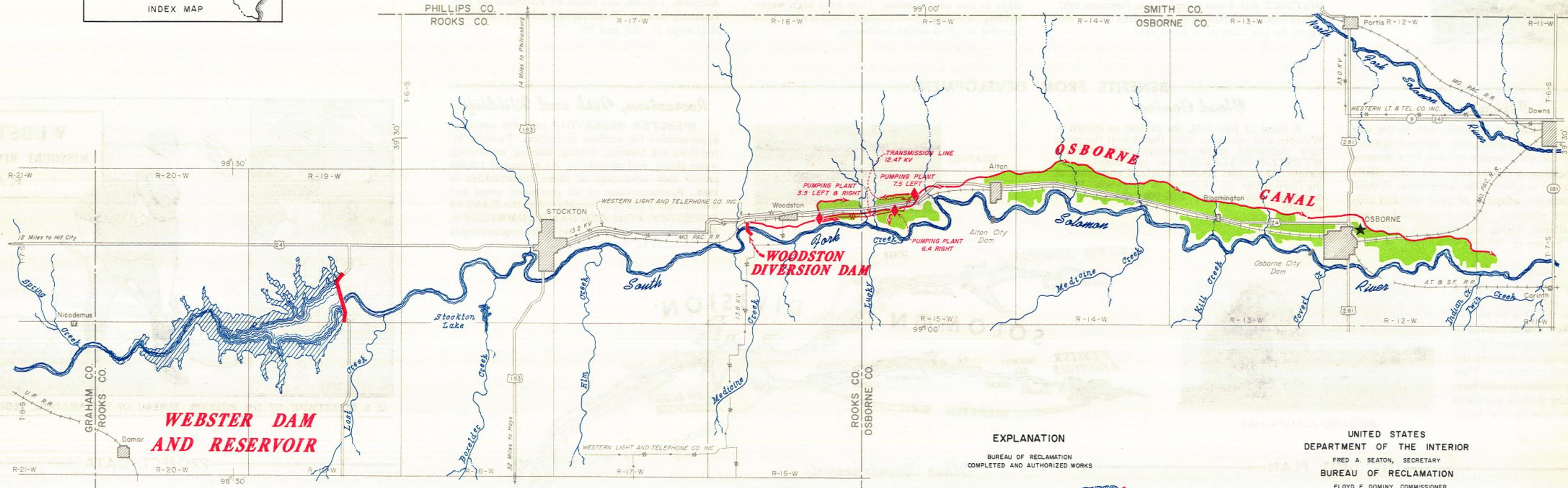
The spillway consists of three radial gates located at the north abutment to protect the dam during flood events. The spillway structure can pass a peak flow of 138,000 cubic feet per second (cfs) into an expanding chute section and then into a stilling basin.

When water rises into the flood control pool, releases from the reservoir will normally be made through the spillway. All releases from the flood control space will be made as directed by the Corps of Engineers in accordance with Flood Control Regulations published in the Federal Register of February 14, 1969, and the Field Working Agreement, dated August 19, 1968.

Table 5 Webster Reservoir Maximum and Minimum Reservoir Levels

Year	Date	Max Level (feet msl)	Contents (acre-feet)	Date	Min. Level (feet msl)	Contents (acre-feet)
1956	July 16	1857.62	3,405	May 6	1839.90	0
1957	July 4	1899.55	107,080	Feb 28	1855.20	21,160
1958	Sept 10	1895.65	90,005	Mar 28	1886.10	55,700
1959	Mar 6	1894.55	85,530	Sept 17	1888.03	61,720
1960	Apr 6	1896.10	91,880	Oct 20	1888.25	62,462
1961	June 9	1899.65	107,460	Sept 23	1884.16	49,760
1962	Aug 7	1898.00	100,060	Jan 8	1886.76	57,792
1963	Feb 23	1890.35	69,715	Sept 18	1886.05	55,545
1964	Apr 6	1889.90	68,140	Dec 5	1879.10	36,590
1965	Nov 9	1890.40	69,891	Jan 6	1879.05	36,470
1966	Feb 14	1890.95	71,850	Dec 13	1875.95	29,420
1967	June 26	1877.90	33,760	Dec 9	1869.70	17,601
1968	June 10	1871.95	21,520	Aug 14	1861.65	6,893
1969	June 2	1878.95	36,230	Jan 1	1866.85	13,206
1970	June 14	1877.10	31,951	Dec 12	1863.72	9,148
1971	June 16	1868.78	16,118	Oct 22	1857.35	3,224
1972	Aug 15	1863.40	8,785	Mar 30	1857.45	3,290
1973	June 9	1873.59	24,610	Jan 1	1863.10	8,445
1974	June 14	1879.62	37,850	Oct 24	1868.53	15,725
1975	July 1	1886.31	56,341	Jan 1	1868.61	15,846
1976	June 3	1882.81	46,138	Dec 1	1867.93	14,796
1977	June 14	1871.72	21,106	Aug 5	1861.41	6,650
1978	Sept 4	1873.05	23,576	Aug 14	1865.30	11,081
1979	June 11	1879.62	37,850	Oct 29	1871.70	21,070
1980	June 7	1875.22	27,880	Dec 19	1863.99	9,464
1981	June 8	1867.76	14,541	Apr 8	1863.85	9,300
1982	Aug 2	1870.94	19,713	Apr 26	1864.55	10,135
1983	June 13	1872.73	22,967	Dec 31	1860.90	6,145
1984	June 24	1868.75	16,071	Jan 4	1860.83	6,079
1985	June 8	1868.72	16,022	Jan 6	1866.40	12,571
1986	July 15	1873.03	23,538	Oct 9	1866.57	12,809
1987	June 14	1880.11	39,065	Jan 4	1867.43	14,052
1988	May 26	1880.09	39,016	Dec 31	1871.49	20,962
1989	Jan 5	1871.50	20,710	Aug 18	1864.83	10,479
1990	June 16	1872.37	22,293	Dec 2	1865.95	11,950
1991	June 10	1867.33	13,906	Oct 30	1858.73	4,225
1992	Dec 31	1863.98	9,452	Jan 4	1859.24	4,640
1993	Oct 17	1904.32	130,122	Jan 1	1864.00	9,475
1994	Jan 1	1897.03	95,830	Oct 29	1892.78	78,624
1995	June 5	1907.04	144,654	Sept 10	1891.99	75,653
1996	June 25	1895.16	87,996	Oct 22	1892.49	77,523
1997	June 4	1894.80	86,530	Sept 14	1889.39	66,376
1998	May 18	1894.84	85,480	Oct 23	1889.05	64,003
1999	July 2	1894.91	85,763	Jan 1	1890.12	67,688
2000	May 31	1894.75	85,117	Dec 3	1886.81	56,668
2001	June 18	1892.16	75,069	Oct 9	1886.10	54,450
2002	May 8	1888.27	61,391	Dec 25	1879.16	35,497
2003	May 24	1879.69	36,773	Dec 30	1871.12	19,143
2004	Mar 5	1871.29	19,437	Oct 6	1865.20	10,113
2005	June 17	1865.85	12,405	No 25	1865.16	10,060

(NOTE: New area capacity table published January 1, 1998)



**WEBSTER DAM
AND RESERVOIR**

**WOODSTON
DIVERSION DAM**

**OSBORNE
CANAL**

- EXPLANATION**
- BUREAU OF RECLAMATION
COMPLETED AND AUTHORIZED WORKS
- RESERVOIR (FLOOD CONTROL POOL CROSS-HATCHED) 
 - DAM 
 - CANAL 
 - PUMPING PLANT 
 - LANDS BENEFITED 
 - WEBSTER IRRIGATION DISTRICT No. 4 HEADQUARTERS 

UNITED STATES
DEPARTMENT OF THE INTERIOR
FRED A. SEATON, SECRETARY
BUREAU OF RECLAMATION
FLOYD E. DOMINY, COMMISSIONER

MISSOURI RIVER BASIN PROJECT
SOLOMON DIVISION
WEBSTER UNIT

KANSAS
REGION 7

MAP NO. 468-701-1025

SCALE OF MILES

1959

Downstream Releases and Operations Land

The operations land, on the downstream side of Webster Dam, is operated and maintained for the protection of project facilities. The Department manages a portion of the lands below the dam as a Wildlife Management Area under Special Use Permit # 9-LM-60-4737. Reclamation will retain primary jurisdiction over the lands designated as operations area. Reclamation will retain full access to and unlimited use of any areas developed for wildlife habitat, if required for the purpose of ensuring proper operations and protection of Webster Dam/Reservoir.

The normal irrigation season for Webster Irrigation District #4 is from May 1st to September 30th. Irrigation water can be released any time during this period. The district has a water right to store water in Webster Reservoir. The District also has a storage use right in Webster Reservoir and a natural flow water right for irrigation from the South Fork Solomon River of 158 cfs (23,607 acre-feet per year). There are 8,537 irrigable acres within the Webster Irrigation District #4. Water is initially released into the South Fork Solomon River and diverted into the Osborne canal approximately 19 miles downstream at Woodston Diversion Dam. Bypasses are made at the request of the State for senior water rights.

Ground-water depletions of the base flow and numerous farm conservation practices have greatly reduced inflow to the reservoir. Since the mid 1950s the surface water supply in the rivers basin has decreased significantly (see Figure 3). The 10-year moving average inflow to Webster Reservoir has decreased from 81,800 acre-feet in 1955, to 44,200 acre-feet in 1970, to 12,700 acre-feet in 1985, to 11,700 acre-feet in 1992. This decrease in reservoir inflow has drastically changed district operations. The reduced inflow has created lower pool levels, and demands cause a greater fluctuation at these lower pool levels. See Table 5 for maximum/minimum reservoir levels for Webster Reservoir.

WEBSTER 10 YEAR RESERVOIR LEVELS

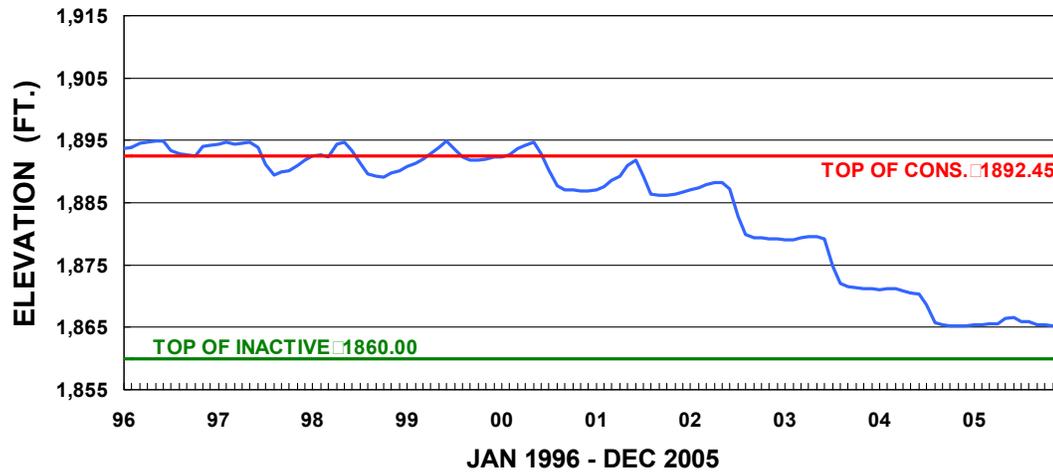


Figure 21 □ Webster Reservoir 10-Year Lake Level

WEBSTER 20 YEAR RESERVOIR LEVELS

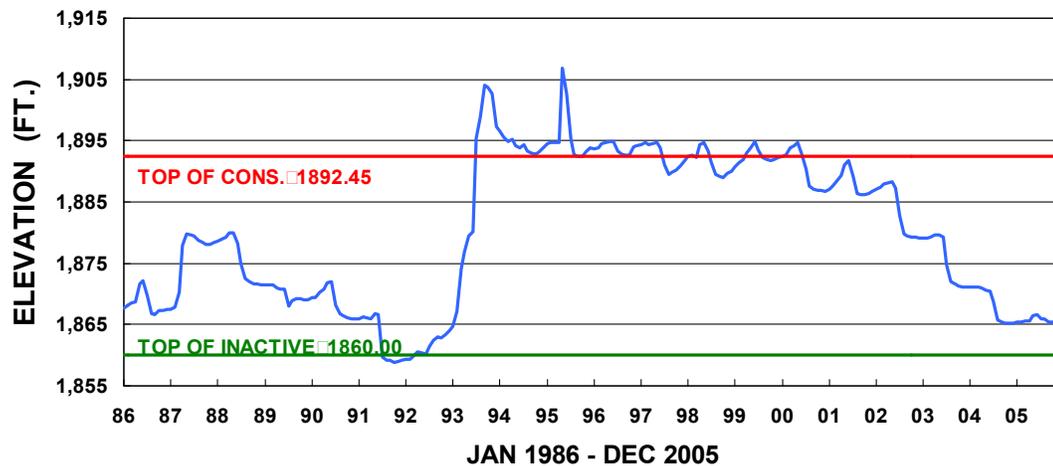


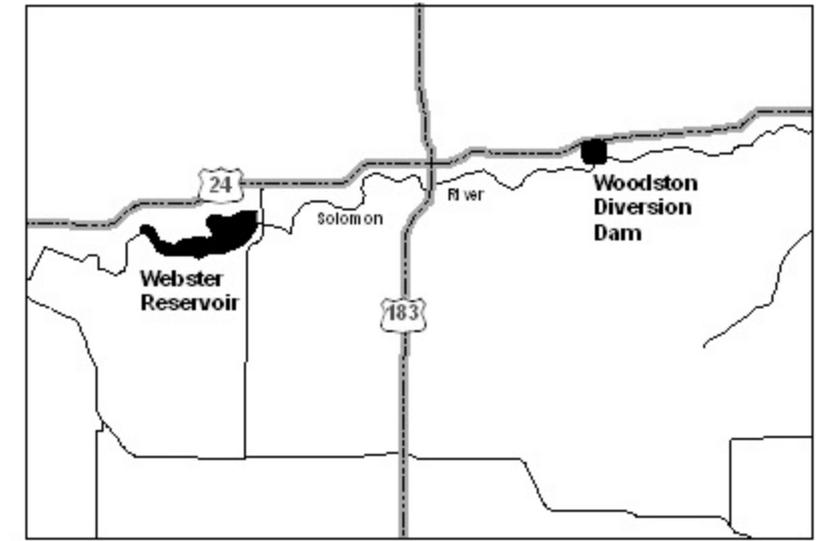
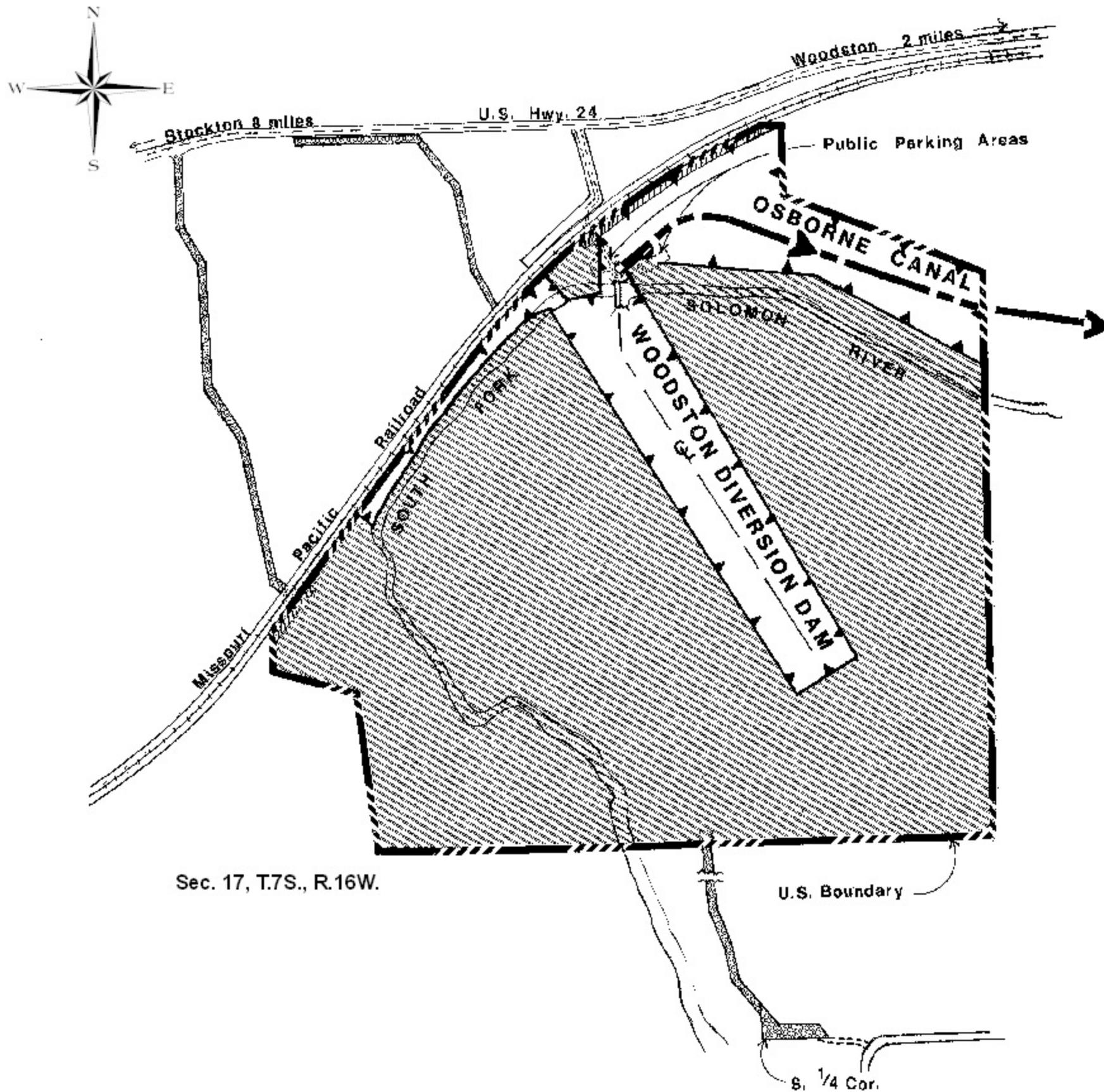
Figure 22 □ Webster Reservoir 20-Year Lake Level

Woodston Diversion Dam

Woodston Diversion Dam is located eight miles east of Stockton, Kansas, approximately 19 miles downstream from Webster Dam, on the south fork of the Solomon River. Woodston Diversion Dam diverts water from the river into the Osborne Canal. The diversion dam consists of an uncontrolled concrete ogee spillway 151 feet long and 10 feet high above the base of the sluiceway.

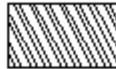
Adjoining the spillway on the south is an earth embankment approximately 2,150 feet long with a maximum height of 15 feet above the original ground surface of the river channel. The diversion control system includes one 8-foot by 18-foot radial sluiceway gate and one 84-inch by 78-inch canal outlet gate to the Osborne Canal. When the water level reaches elevation 1,686.5 feet above sea level, it will form a pool approximately 1 ³/₄ miles upstream from the dam.

The site includes 264 land acres and 10 surface water acres. 210 acres of the land is managed under lease agreement by the Department and 54 acres are reserved for operation and maintenance purposes. Hunting for pheasant, waterfowl, deer, wild turkey, and dove is available. Page 66a details the designated land use areas for Woodston Diversion Dam.



264 - TOTAL LAND ACRES
 10 - TOTAL WATER ACRES
 210 - ACRES, WILDLIFE MANAGEMENT AREA
 54 - ACRES, OPERATIONS & MANAGEMENT AREA

Legend

-  Operation Lands
-  Wildlife Lands
-  Access Easement Granted to U.S.
-  Access Easement Granted Over U.S. Lands



**Woodston Diversion Dam
 Land Uses**

SCALE: 8" = 1 MILE

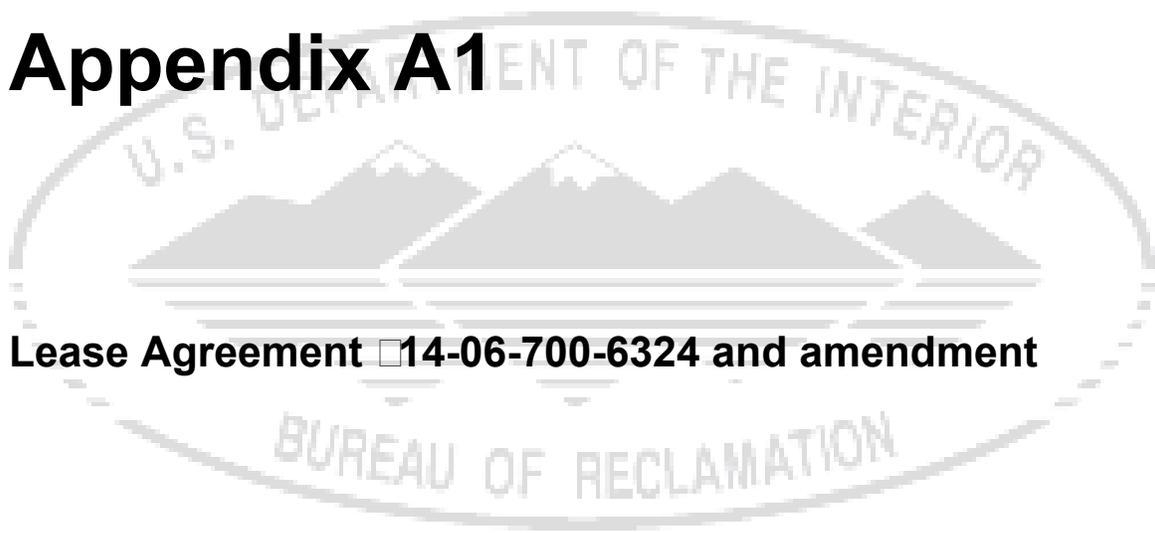
Appendix A



Agreements and State Management Plans

- A1 - Lease Agreement □14-06-700-6324 and amendment**
- A2 - 2005-2009 Webster State Park Management Plan**
- A3 - 2005-2009 Webster Wildlife Area Management Plan**
- A4 - 2005 Fishery Progress and Management Report**
- A5 - Interagency Cooperative Fire Management Agreement**

Appendix A1



Lease Agreement 14-06-700-6324 and amendment

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

LEASE BETWEEN THE UNITED STATES AND THE STATE OF KANSAS

THIS LEASE made this 31st day of May, 1967, in pursuance of the Act of June 17, 1902 (32 Stat. 388), 43 U.S.C. 391, et seq.) and acts amendatory thereof and supplementary thereto, including Section 10, Reclamation Project Act, 1939 (43 U.S.C. 387), and in accordance with the General Plans, if any, which are, or may be approved as provided in Sections 3 and 4 of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended, 16 U.S.C. 661, et seq.), between THE UNITED STATES OF AMERICA, hereinafter referred to as the United States, acting by and through the Regional Director, Region 7, Bureau of Reclamation; and the State of Kansas, hereinafter referred to as the Lessee, acting by and through the Kansas Forestry, Fish and Game Commission, pursuant to G. S. Kansas 1949, Chapter 32, for administration of fish and wildlife, and the Kansas State Park and Resources Authority, pursuant to G. S. Kansas 1957 Supplement, Chapter 74, Article 45, for administration of recreation.

WITNESSETH:

WHEREAS, the United States has constructed the reservoir or reservoirs hereunder (hereinafter termed reservoirs, whether one or more) for the purpose of irrigation of lands, flood control, and municipal and industrial water supplies in the State of Kansas.

WHEREAS, reservoirs constructed by the United States create public use value and interest for recreation, fish and wildlife, and related purposes;

WHEREAS, the Bureau of Reclamation does not have at its avail the facilities, appropriations and means to manage or administer the lands and water surfaces (hereinafter collectively called "lands") embraced within said reservoir areas for said purposes;

WHEREAS, the Lessee does have the means and personnel available to control, manage and administer said lands for said purposes;

WHEREAS, the United States therefore desires to lease to the Lessee the lands hereinafter described for the purpose of managing and administering recreation, fish and wildlife, and related uses on said lands, retaining unto the United States control and administration of said lands for irrigation operation, flood control, and municipal and industrial water supply purposes;

WHEREAS, the Lessee desires to lease from the United States said lands for the purpose of exclusively managing and administering recreation, fish and wildlife and related uses thereupon;

WHEREAS, it has been determined to be to the advantage of the United States to be relieved of, and the United States desires to relinquish all responsibility for management and administration of recreation, fish and wildlife, and related purposes upon said lands; and

WHEREAS, reservoir management plan or plans are being and will be prepared by the Regional Director, Region 7, in cooperation with the National Park Service and the Bureau of Sport Fisheries and Wildlife;

NOW, THEREFORE, FOR AND IN CONSIDERATION of the premises, covenants and conditions herein contained, the parties hereto agree as follows:

Premises Leased

1. The United States does hereby lease unto the Lessee, subject to the terms and conditions hereinafter provided, the premises, including water surface, described in Exhibit "A" annexed hereto and incorporated by this reference. Exhibit "A" may from time to time be amended, modified, or enlarged by the parties hereto by adding or deleting lands or areas thereto or therefrom, and as otherwise hereinafter provided, without the necessity of reexecuting this Lease or entering into a separate lease.

Management

2. The parties hereto will agree upon a Reservoir Management Plan as to each respective reservoir area included in the leased premises herein recited in Exhibit "A" hereto. Said Management Plan may be amended or supplemented by the parties from time to time.

It is agreed that any portion of the lands described in Exhibit "A" which shall be designated by the United States in the respective applicable Reservoir Management Plan or amendments or supplements thereto as lands not appropriate to the purposes of this Lease shall, upon approval of said Management Plan or amendments thereto by the parties hereto, shall be excluded from the lands leased hereunder.

Terms and Conditions

3. This lease is subject to the following exceptions:

(a) Any prior rights which have attached before the date of this agreement.

(b) The right of the officers, directors, agents, employees and permittees of the United States and the respective District, respectively, at all times and places to have full ingress for passage over and egress from all of said lands for the purpose of carrying on operations of the United States and the respective District. The term "District" as used in this Lease is defined as the respective irrigation or conservancy district which has contracted to operate and maintain the water supply and irrigation facilities of the applicable reservoir project under the terms of the respective repayment contract with the United States.

(c) The right of the Bureau of Reclamation, after written notice to the Lessee, to make such use of the reservoir areas, or any portion thereof, as may be required in carrying out the purposes of the legislative acts authorizing construction of the project.

(d) The United States shall have primary jurisdiction over those areas designated as the Operations Areas on Exhibit "A." Such jurisdiction is maintained for the purpose of insuring proper operation and protection of the reservoirs but shall not preclude such recreation, fish and wildlife, and related use administration and development by the Lessee within the Operations Areas as may be determined by the United States to be compatible with its purposes. The reservoirs were constructed and are being operated primarily for irrigation, flood control, and/or municipal and industrial water supply. The fulfillment of these purposes may require that the level of the reservoirs be fluctuated to meet use demand, and the United States and the respective District reserve the right to vary the respective water level to the extent deemed necessary or desirable for the purposes of project operations.

(e) The right of the United States, its agents, lessees or permittees, and the right of the respective District, its officers, directors, agents, employees, and permittees to remove from said lands any and all material necessary for the construction, operation and maintenance of the project facilities or for other purposes.

(f) Title to all oil, gas, coal and other minerals now or hereafter owned by the United States is excepted and reserved to the United States. There is also excepted and reserved to the United States, its agents, lessees or permittees the right to prospect and carry on the development for oil, gas, coal and other minerals and the right to issue leases or permits to prospect for oil, gas or other minerals on said lands under the act of February 25, 1920 (41 Stat. 437) and acts amendatory thereof and supplementary thereto, and the act of August 7, 1947 (61 Stat. 913). However, the Lessee will be consulted and given an opportunity to comment concerning any proposals in the exercising of such rights. Prior to the execution of such lease or permit, the United States will give consideration to any adverse effect such action might have on recreation, fish and wildlife, and related uses.

Operation, Use, Location, Architecture

4. The responsibility for operation and administration of recreation, fish and wildlife, and related purposes, uses and facilities within the leased premises shall be vested exclusively in the Lessee. This provision shall not be construed as imposing liability upon the Lessee for damage to the leased lands resulting directly or indirectly from the action of reservoir waters. The use by the Lessee of land areas within the leased premises and the location and architecture of improvements and facilities existing thereupon and constructed by the Lessee thereon shall be in accordance with the minimum requirements provided in the applicable respective Reservoir Management Plan incorporated herein by reference.

Facilities and Improvements; Notice; Repair

5. The Lessee may construct facilities of any kind whatsoever for the purposes of its administration and management over recreation, fish and wildlife, and related uses within the areas of the leased premises subject only to the qualifications regarding use, location and architecture contained in the respective applicable Management Plan or mutually approved revisions thereto.

The Lessee shall erect signs in conspicuous places at reasonable intervals within the area of the leased premises each containing a clear statement that the recreation, fish and wildlife, and related use areas affected hereunder are operated by the State of Kansas.

6. All improvements constructed by the Lessee at its sole cost and expense shall be and remain the property of the Lessee; Provided, however, the Lessee shall remove or cause to be removed the respective improvements at its sole cost and expense within 90 days from and after the termination of this Lease, or respective part thereof, and shall restore the land to a safe and natural condition. Said improvements shall not be constructed without prior approval of plans and specifications by the United States. If said improvements are not removed within said period, title to said improvements shall vest in the United States.

7. All improvements constructed by the United States upon the leased premises, all improvements existing upon the leased premises at the time of execution of this Lease, and all improvements constructed by the Lessee upon the leased premises in whole or in part with revenues derived under Clause 10 hereof, are and shall be the property of the United States and shall remain so vested. The Lessee shall make no additions, alterations, or improvements thereto without the prior written approval of plans and specifications by the United States, and such approval having been given, all said additions, alterations and improvements shall become the property of the United States.

The Lessee shall employ good husbandry practices and keep and maintain the leased premises, including all improvements of the United States and those which shall be erected thereon by the Lessee, in a good and reasonable state of repair, reasonable wear and tear excepted, at its own cost and expense, to preserve said improvements.

Lessee's Rights

8. The Lessee shall have the exclusive concession, licensing, and subleasing rights within the areas of the leased premises for the purposes of recreation, fish and wildlife, and related uses. The Lessee may issue and administer licenses, permits and contracts to persons or associations for the purpose of regulating the privileges to be exercised and may grant concession contracts under which recreation, fish and wildlife services and related uses, or any of them, are made available within said areas. Each such instrument issued by the Lessee shall expressly provide:

"This (license, permit, contract, sublease) is expressly subject to that certain lease dated May 31, 19 67, and any and all modifications and amendments thereto, between the United States and the State of Kansas, as Lessee, and the (Name of reservoir) Management Plan thereunder, regarding the lease and development of specific areas of land at (insert the applicable name) Reservoir in Kansas. Said reservoir was constructed by the United States to irrigate lands and control floods or provide municipal and industrial water in the (insert applicable Basin's area name), Kansas. The United States' control and administration on _____ Reservoir extends solely to irrigation and dam uses. The Lessee has exclusive control and administration over the leased premises as to fish and wildlife, recreation, and related purposes. (Licensee, Permittee, Contractor, Sublessee) releases the United States and the (applicable name) District, its successors, assigns, officers, directors, agents and employees (hereinafter collectively called the District) from any and all claims arising directly or indirectly from any acts, neglect or the omission of the United States and/or of said District and each of them in connection with the construction, operation and maintenance of dam and irrigation project works. The (Licensee, Permittee, Contractor, Sublessee) agrees to indemnify and hold the United States and the District harmless from any loss, damage or expense (including attorney fees) which may be suffered by the United States, the District, or either of them, directly or indirectly occasioned by any act, neglect or omission of said (Licensee, Permittee, Contractor, Sublessee)."

The term of said licenses, permits, contracts and subleases shall not exceed the unexpired term of this Lease and each of said instruments shall contain the following provision:

"In the event of the termination of the Lease between the United States and the State of Kansas dated May 31, 1967, the United States shall be deemed to stand in the stead of said Lessee as grantor for the remainder of the term of this (license, permit, contract, sublease); Provided, however, in the event of such termination the United States at any time within 90 days thereafter may terminate this (license, permit, contract, sublease) by giving to the (Licensee, Permittee, Contractor, Sublessee) 60 days written notice thereof and in such event (Licensee, Permittee, Contractor, Sublessee) shall have the privilege of selling or removing for a period of 30 days after termination of this (license, permit, contract, sublease) or such longer period as may be determined by the Bureau of Reclamation to be reasonable, improvements which have been constructed on the premises at the sole cost or expense of the (Licensee, Permittee, Contractor, Sublessee). Full title to those improvements if not so sold or removed within the abovesaid 90-day period shall vest in the United States. Improvements sold shall be removed from the premises within the said 90-day period or title thereto shall also so vest in the United States, unless the United States in writing shall authorize the purchaser to leave said improvements in place or shall in writing grant an extension of the 90-day period. Upon removal of improvements the lands shall be leveled and restored to a safe and natural condition."

9. The Lessee may limit use of leased premises to a special or particular individual, group or association only in those areas so designated in the applicable Management Plan.

10. The Lessee shall have the right to collect and retain all receipts derived from licenses, subleases, permits, or contracts which it issues or administers hereunder; Provided, however, the Lessee agrees that any income derived from such licenses, subleases, permits or contracts shall be used for the development, operation and maintenance of the recreation, fish and wildlife, and related use areas leased hereunder.

The Lessee shall submit to the United States, not later than August 1 of each year during the term of this Lease, a report showing such receipts and expenditures from such receipts, during the preceding fiscal year, for each separate reservoir area covered hereunder. At the termination of this Lease, the remaining excess of such receipts or expenditures, if any, shall be paid in full to the Bureau of Reclamation within 30 days after termination, as part of the consideration herefor. The Lessee shall maintain such accounting records as to allow the United States to ascertain the existence and amount of any such excess, which records shall be available for inspection at the request of the United States.

Term of Lease

11. The term of this Lease shall be for a period of 50 years from the date hereof, unless sooner terminated. The addition or deletion of lands or areas from Exhibit "A" subsequent to the date of this Lease shall not operate to extend the term hereof.

Miscellaneous

12. The United States and the Districts assume no liability hereunder for damages to property or injuries or death to persons which may arise from or be incident to the use and occupation of the leased premises; nor for damages to property, or injuries or death to the person of the Lessee's officers, agents, servants or employees, or others who may be on said leased premises at their invitation or the invitation of any one of them, arising from or incident to the regulations, storage, routing and discharge of water through the reservoir, including flooding where applicable, or arising from or incident to any other activities of the United States or the Districts, their officers, directors, agents, or employees.

13. The Lessee shall assume the responsibility for the enforcement of all game and fish laws on the leased premises and shall take all reasonable precautions and assist in the prevention, control, and suppression of fires in the vicinity of the areas of the leased premises; and shall make and enforce such laws, rules and regulations applicable to the recreation, fish and wildlife use of the leased premises as it deems necessary and desirable to protect the safety and health of persons using the areas and for the preservation of law and order in the interest of public safety. The Lessee shall not engage in or permit any activity within the leased premises or allow any omission therein which will interfere with the safety, protection and operation of the reservoirs for irrigation, flood control, and municipal and industrial water supply purposes.

14. The Lessee, at its own cost and expense, as may be supplemented by Federal funds, shall use such erosion control, weed control, and water pollution control measures as may be necessary and shall require its sublessees, contractors, permittees and licensees to comply with such control measures by express provisions contained in the sublease, contract, permit, or license.

15. The Lessee shall submit to the United States a recreation and wildlife summary report, not later than February 1 of each year during the term of this Lease, for the preceding calendar year, for each separate reservoir area covered hereunder, on a form to be supplied by the Regional Director, Region 7.

16. Nothing in this Lease shall be construed or interpreted as authorizing the Lessee, its agents or employees, to act as agents or representatives for or on behalf of the United States or the Districts; or any of them, or to incur any obligation of any kind on behalf of the United States or said Districts, or any of them. Nothing in this Lease shall be construed or interpreted as authorizing the United States or said District, their agents or employees, to act as agent or representative for or on behalf of the Lessee or to incur any obligation of any kind on behalf of the Lessee.

17. It is understood and agreed that neither the United States, nor any of the Districts, is a partner of the Lessee and that in the recreation and fish and wildlife administration and use of the leased lands the parties are not engaged in a partnership or a joint venture even though development funds may in part be supplied by the United States and the United States and said Districts are hereby excluded from any liability of the Lessee, including, but not limited to, bonded, or unsecured indebtedness, encumbrances, liens, or charges; and the Lessee shall not subject or cause the leased premises, or any improvements thereon to be subjected as security for any bond, lien, encumbrance, indebtedness, or charge.

18. Neither the United States nor the applicable District shall be liable for any loss, injury, or damage of any kind or nature whatsoever to any building or other structure belonging to said Lessee, its licensee, permittee, contractor, or sublessee, which may be constructed upon the leased premises, nor for any loss, injury, or damage of any kind or nature whatsoever to the contents of any building or structure upon the leased premises or to any goods, merchandise, chattels, or any other property now or that may hereafter be upon said premises, whether belonging to the Lessee or others, and whether such loss, injury, or damage results from fire or other cause, and whether the same be caused by negligence of the United States or of any District, or any of their employees or agents, or otherwise.

Termination

19. This Lease shall terminate and all rights of the Lessee hereunder shall cease, except as hereinafter provided:

(a) Upon expiration of the term of the Lease as provided in Article 11 above;

(b) Upon the failure of the Lessee to observe any of the conditions, exceptions, or reservations set out in the Lease, the Secretary of the Interior shall give written notice to the Lessee of the obligations that are in default or the provisions of the Lease that have been violated and the Lessee shall have 90 days in which to correct the default or violation. Unless the Lessee shall have corrected such default or violation, this Lease shall terminate on the ninety-first (91st) day following service of the written notice herein provided.

(c) Upon written notice by the Lessee to the Secretary of the Interior or upon written notice by the Secretary of the Interior to the Lessee without assigning any reason therefor, effective as of January 1 of any year during the term of this Lease, delivered not less than one year in advance thereof.

(d) As to a respective reservoir area only, upon failure of the Bureau of Reclamation or the Lessee to approve, within 90 days after submittal, the respective applicable Reservoir Management Plan; Provided that such period of time may be extended for an additional 90 days upon written agreement by the Bureau and the Lessee.

At the option of and designation by the United States, this Lease shall terminate only as to one or more designated reservoir areas recited in Exhibit "A" for the reasons provided in subclauses 19(b) and (c) above. The termination as to any one or more areas shall not operate to terminate this Lease as to the balance of the lands recited in Exhibit "A" hereof.

20. No assent, express or implied, by the United States to any breach of any of Lessee's covenants shall be deemed to be a waiver of any succeeding or continuing breach of the same covenant.

21. Upon termination of this Lease under Article 11 or 19 above, or for any other reason, the Lessee shall surrender the applicable premises, together with all of the improvements thereon which are owned or become vested in the United States by the provisions of this Lease, in such repair and condition as shall be in accordance with the covenants herein contained.

22. If during the life of this Lease any improvements in accordance with the Federal Aid to Wildlife Restoration Act of September 2, 1937, (50 Stat. 917; 16 U.S.C.A. 669a, et seq.) as amended, and the Federal Aid in Fish Restoration Act of August 9, 1950, (64 Stat. 430; 16 U.S.C.A. 777, et seq.) as amended, are made to the lands and waters covered by the General Plan hereinabove referred to, or improvements are made to the leased lands with funds wholly or in part supplied under the provisions of any other Federal Legislative Act, such improvements shall not be impaired by this Lease; and, further, that before this Lease is terminated, an agreement safeguarding such improvements shall be entered into between the Bureau of Reclamation and the Lessee.

23. The Lessee shall not assign this Lease without the express written consent of the United States having been first obtained.

24. In connection with the performance of work at reservoirs under this Lease, the Lessee agrees as follows:

(a) The Lessee will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The Lessee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Lessee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Regional Director, Region 7, setting forth provisions of this nondiscrimination clause.

(b) The Lessee will, in all solicitations or advertisements for employees placed by or on behalf of the Lessee, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

(c) The Lessee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Regional Director, Region 7, advising the said labor union or workers' representative of the Lessee's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Lessee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The Lessee will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the Regional Director, Region 7, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.

(f) In the event of the Lessee's noncompliance with the nondiscrimination clauses of this Lease or with any of the said rules, regulations, or orders, this Lease may be cancelled, terminated, or suspended in whole or in part and the Lessee may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in the said Executive Order or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(g) The Lessee will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204, Executive Order No. 11246, of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Lessee will take such action with respect to any subcontract or purchase order as the Regional Director, Region 7, may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the Lessee becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Regional Director, Region 7, the Lessee may request the United States to enter into such litigation to protect the interest of the United States.

25. (a) Definitions: As used in paragraphs (b), (c), and (d) herein: (1) The term "administering agency" shall mean the Lessee and its employees, agents, sublessees, and contractors, and the successors in interest of the Lessee; (2) the term "facility" shall mean any and all services, facilities, privileges, accommodations, and activities available to the general public and permitted by this Lease.

(b) The administering agency shall not: (1) publicize any facility operated hereunder in any manner that would directly or inferentially reflect upon or question the acceptability of any person because of race, creed, color, ancestry, or national origin in furnishing or refusing to furnish such person the use of any such facility.

(c) The administering agency shall post notice in such a manner where any facility is available as to ensure that its contents will be conspicuous to any person seeking employment or the use of any facility. Such notice will be furnished the administering agency by the Regional Director, Region 7.

(d) The administering agency shall in all of its contracts or other forms of agreement for the operation of a facility pursuant to this Lease require inclusion and compliance with provisions identical with those stated in paragraphs (a), (b), and (c) herein.

26. The Lessee warrants that no person or selling agency has been employed or retained to solicit or secure this Lease upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial agencies maintained by the Lessee for the purpose of securing business. For breach or violation of this warranty the United States shall have the right to annul this Lease without liability, or in its discretion to require the Lessee to pay, in addition to the contract price or consideration, the full amount of such commission, percentage, brokerage, or contingent fee.

27. The performance of any obligation or the expenditure of any funds by the United States under this Lease is made contingent on the Congress making the necessary appropriations. In case such appropriation as may be necessary to carry out this Lease is not made, the Lessee hereby releases the United States from all liability due to the failure of Congress to make such appropriation. Likewise, in the event the legislature of the State of Kansas fails to appropriate funds in any fiscal year to enable the Lessee to carry out its part of this Lease, then the United States hereby releases the Lessee from all liability due to the failure of the State Legislature to make such appropriation.

28. No Member of or Delegate to Congress or Resident Commissioner, and no officer, agent or employee of the Department of the Interior, shall be admitted to any share or part of this Lease or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this Lease if made with a company or corporation for its general benefit.

29. The Lessee represents that in executing this Lease, it has complied and will comply with all the applicable provisions of Kansas Law.

30. This Lease shall become effective when signed by the Regional Director, Region 7, Bureau of Reclamation, and by the Directors of the Kansas Park and Resources Authority and the Kansas Forestry, Fish and Game Commission. This Lease shall remain in force until terminated as provided in Article 19 hereof.

31. The provisions of this Lease shall bind the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Lease as of the day and year first above written.

Approved
MAY 31 1967
LORD

UNITED STATES OF AMERICA

By [Signature]
Regional Director, Region 7
Bureau of Reclamation

STATE OF KANSAS, Acting by and through the KANSAS STATE PARK AND RESOURCES AUTHORITY

Concurrence:
By [Signature]
National Park Service
Midwest Region
Acting Regional Director

By [Signature]
Director

and,
Acting by and through the KANSAS FORESTRY, FISH AND GAME COMMISSION

By [Signature]
Bureau of Sport Fisheries and Wildlife, Region 2

By [Signature]
Director

EXHIBIT A - CONTRACT NO. 14-06-700-6324

This Exhibit A covers land and water areas of Cedar Bluff Reservoir, Lovewell Reservoir, Norton Reservoir, Webster Reservoir, Woodston Diversion Dam and Waconda Lake.

The following described lands shall be, and by the attachment of this exhibit to the above-said lease, are leased to the State of Kansas, subject to all the terms, conditions and limitations contained in said lease, to-wit:

Those lands acquired and used for the construction and operation of Cedar Bluff Reservoir located in:

Sections 19, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, Township 14 South, Range 22 West; and Sections 26, 32, 33, 34, 35 and 36, Township 14 South, Range 23 West; and Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 15 and 16, Township 15 South, Range 22 West; and Sections 1, 2, 3 and 4, Township 15 South, Range 23 West of the 6th Principal Meridian, Trego County, Kansas, as outlined on the attached plat, Drawing No. 328-701-1225, dated March 6, 1967, which, by reference, is made a part hereof.

Those lands acquired and used for the construction and operation of Lovewell Reservoir, located in:

Section 31, Township 1 South, Range 6 West; and Sections 5, 6, 7, 8, 17 and 18, Township 2 South, Range 6 West; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, Township 2 South, Range 7 West of the 6th Principal Meridian, Jewell County, Kansas, as outlined on the attached plat, Drawing No. 271-701-6412, dated March 6, 1967, which, by reference, is made a part hereof.

Those lands acquired and used for the construction and operation of Norton Reservoir located in:

Sections 5, 6, 7, 8, 9, 16, 17, 18, 19 and 20, Township 3 South, Range 23 West; and Sections 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, and 29, Township 3 South, Range 24 West of the 6th Principal Meridian, Norton County, Kansas, as outlined on the attached plat, Drawing No. 492-701-892, dated March 6, 1967, which, by reference, is made a part hereof.

Those lands acquired and used for the construction and operation of Webster Reservoir located in:

Sections 22, 26, 27, 28, 31, 32, 33, 34 and 35, Township 7 South, Range 19 West; and Section 33, Township 7 South, Range 20 West;

and Sections 3, 4, 5, 6, 7, 8 and 9, Township 8 South, Range 19 West; and Sections 1, 2 and 3, Township 8 South, Range 20 West of the 6th Principal Meridian, Rooks County, Kansas, as outlined on the attached plat, Drawing No. 468-701-1061, dated March 6, 1967, which, by reference, is made a part hereof.

Those lands acquired and used for the construction and operation of Woodston Diversion Dam, located in:

Section 17, Township 7 South, Range 16 West of the 6th Principal Meridian, Rooks County, Kansas, as outlined on the attached plat, Drawing No. 468-701-1062, dated March 6, 1967, which, by reference, is made a part hereof.

It is hereby agreed by the parties hereto that upon written notice of availability and specific description thereof by the Regional Director, Region 7, Bureau of Reclamation, to the Directors of the Kansas State Park and Resources Authority and the Kansas Forestry, Fish and Game Commission, those lands acquired and used by the United States in the construction, operation and maintenance of Waconda Lake shall become and be subject to the terms and conditions of the attached Lease to the same extent and degree as if said lands had been available for lease upon the date of execution of said Lease.

The areas designated "Operations Area" are included in the above descriptions. Use of said "Operations Areas" by the State of Kansas will be permitted in accordance with the provisions of the above-said Lease.

All leases, memorandum agreements and memoranda of understanding between the Kansas Forestry, Fish and Game Commission, the Kansas State Park and Resources Authority, and the United States of America, under the terms of which the above-described lands and water areas have heretofore been administered for recreational, fish and wildlife uses, in force and effect as of the date of this instrument, it is agreed shall be, and by these presents, are cancelled and of no further effect.

It is agreed that Management Plans, heretofore approved in regard to the various reservoirs, and lands described above, shall, until such time as they may be replaced by plans subsequently developed in cooperation with the National Park Service and the Bureau of Sport Fisheries and Wildlife, continue as statements of policy governing the development and use of the lands and reservoirs to which each is applicable.

In the event any of the provisions of said Management Plans are inconsistent with the provisions of the said Lease dated May 31, 1967. the provisions of said Lease shall control.

UNITED STATES OF AMERICA

By *[Signature]*
Regional Director, Region 7
Bureau of Reclamation

STATE OF KANSAS, Acting by and through the KANSAS STATE PARK AND RESOURCES AUTHORITY

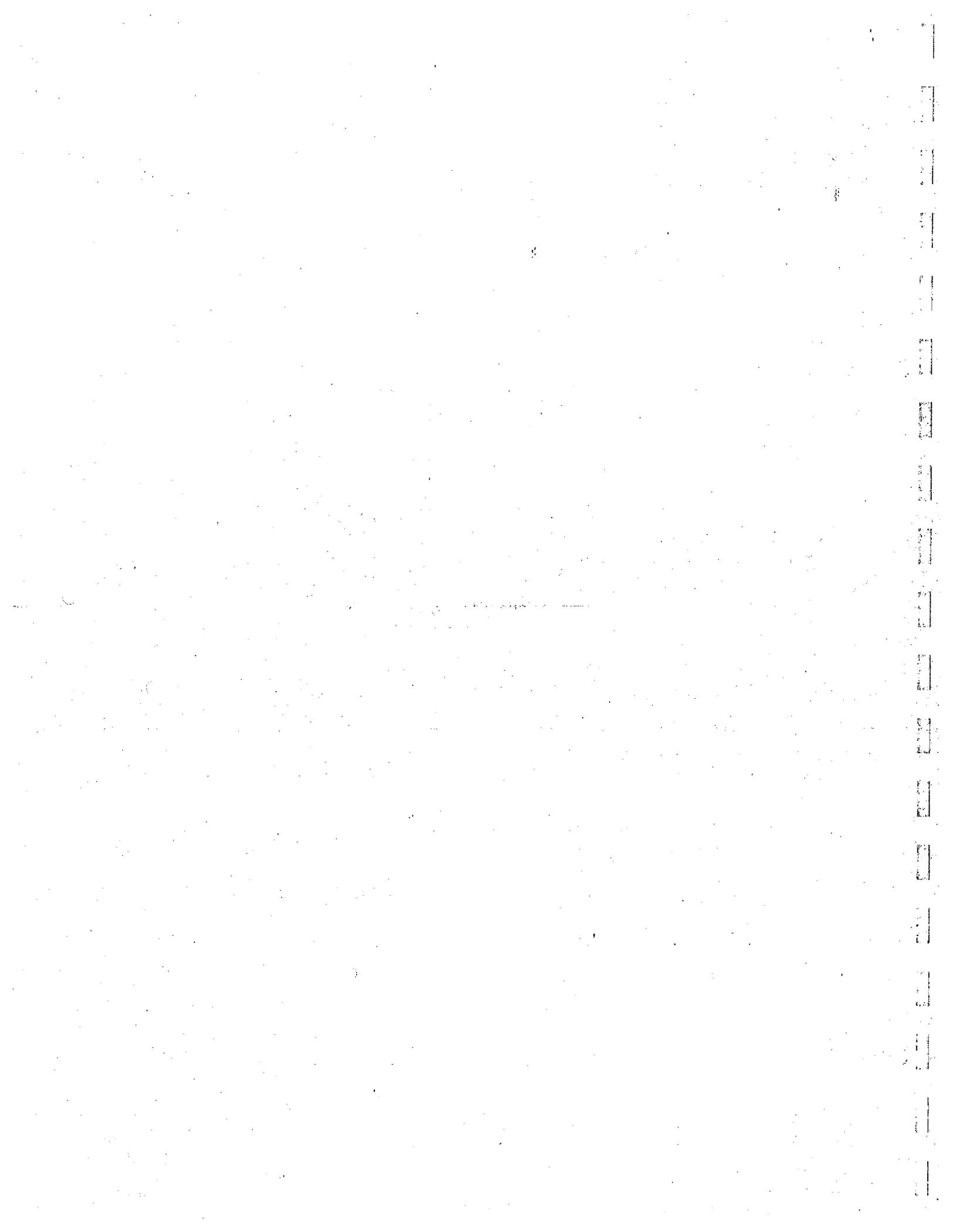
By *[Signature]*
Director
and,
Acting by and through the KANSAS FORESTRY, FISH AND GAME COMMISSION

By *[Signature]*
Director

Concurrence:

[Signature]
National Park Service Director

By *[Signature]*
Bureau of Sport Fisheries and Wildlife, Region 2



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

AMENDMENT TO LEASE BETWEEN THE UNITED STATES
AND
THE STATE OF KANSAS

THIS AMENDMENT, effective April 15, 1999, is between the United States of America, Bureau of Reclamation (Reclamation) and the State of Kansas, represented by the Kansas Department Of Wildlife And Parks (Department).

WHEREAS, on May 31, 1967 the United States and the State Of Kansas entered into lease agreement (No. 14-06-700-6324) which sets forth the terms and provisions under which the Department administers the recreation, fish, wildlife, and related resources on certain lands and waters of the United States in the State of Kansas; and

WHEREAS, both Reclamation and the Department avail themselves of the benefits of the authorities contained in the Federal Water Project Recreation Act of 1965, and the Reclamation Projects Authorization and Adjustment Act of 1992, which authorities are not specifically included in said lease between the Reclamation and the Department.

NOW, THEREFORE, WITNESSETH:

In consideration of the foregoing premises and mutual covenants herein contained, the parties hereto do contract and agree that the Lease Agreement (Contract No. 14-06-700-6324) between the United States and the State Of Kansas is hereby amended as follows:

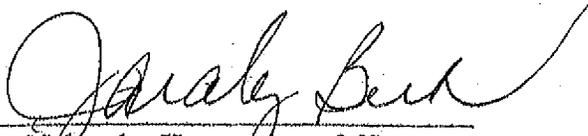
1. Article 2: "Management" is hereby amended to include as item "a", the following.

a. The Federal Water Project Recreation Act (Act of July 9, 1965, Public Law 89-72, 79 Stat. 213), and the Reclamation Projects Authorization and Adjustment Act of 1992 (Act of January 3, 1992, Public Law 102-575, 106 Stat. 4600), and Section 504 of the Rehabilitation Act of 1973, are hereby specifically included as legislative authorities by which the Department may act to further the development and enhancement of recreational, and fish and wildlife opportunities upon the lands and waters included within this lease.

2. All provisions, covenants, agreements and stipulations contained in the above described Lease Agreement, except as amended herein, shall be and shall remain in full force and effect and binding upon the parties hereto.

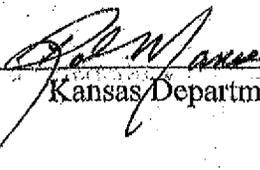
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed the day and year first above written.

THE UNITED STATES OF AMERICA

BY 

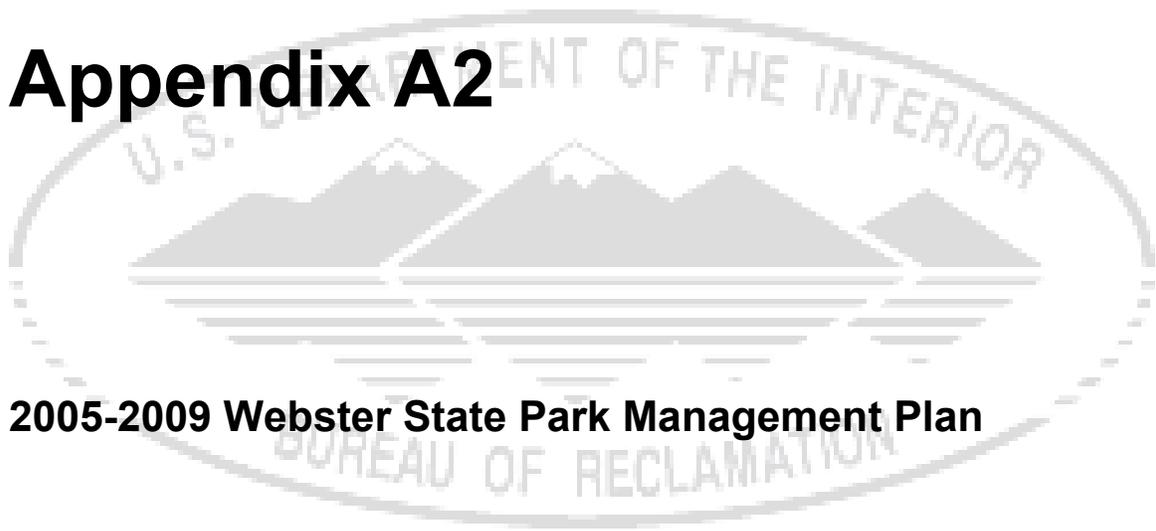
Nebraska-Kansas Area Office
Bureau Of Reclamation

STATE OF KANSAS

BY 

Kansas Department Of Wildlife And Parks

Appendix A2



2005-2009 Webster State Park Management Plan

WEBSTER STATE PARK

**Management Plan
For
2005 – 2009**

Developed by:

**Kansas Department of Wildlife & Parks
Webster Office
1210 Nine Road
Stockton, KS 67669**

785-425-6775

January 1, 2005

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I. INTRODUCTION

The Kansas Department of Wildlife and Parks is the guardian of the natural resources of the state, and servant of the people. The Department is the steward of a wide variety of public lands, encompassing a diversity of environments and providing a multitude of opportunities. To facilitate its diverse responsibilities, the Department adopted the following mission statement:

Conserve and Enhance Kansas' natural heritage, its wildlife and its habitats – to assure future generations the benefits of the state's diverse living resources;

Provide the public with opportunities for use and appreciation of the natural resources of Kansas, consistent with the conservation of those resources;

Inform the public of the status of natural resources of Kansas to promote understanding and gain assistance in achieving this mission.

Since public lands and the opportunities they provide are a limited commodity in western Kansas, Webster State Park plays an integral role in meeting public outdoor recreation demands, while at the same time preserving natural resources. The area encompasses 880 acres and is adjacent to the 5,750 acre wildlife area and 3,766 surface acres of water impounded in the reservoir at conservation pool.

Demands on the area have fluctuated greatly in the past due primarily to changing water levels. The recent reduction of water from the reservoir has generated many new challenges in the area. These factors coupled with the Department's desire to accomplish its mission have created the need to develop a 5-year management plan for the park. This plan will be used as a guide for future plans and projects, but is subject to change as management philosophies, funding sources, constituent demands, and trends change.

II. PURPOSE

The first step in effectively developing a management plan is to identify its intent. This provides the general focus for the plan and defines parameters to follow during its development. Therefore, the management plan's purpose is to:

- 1) assess and summarize the area's supply and demand,
- 2) provide guidelines for maximizing the area's management, and
- 3) develop a management plan that meets our constituents' needs while protecting the resource.

To execute the plan's purpose, the following procedures were identified:

- Develop a practical approach to meet future area needs and concerns.

- Identify all issues including concerns, practices, facilities, and opportunities applicable to the area's management.
- Develop objectives for each issue and strategies to meet those objectives.
- Include area management strategies at various possible water levels within the plan's five year period when applicable.

III. WEBSTER STATE PARK

A. INTRODUCTION

Webster State Park is located eight miles west of Stockton on U.S. Highway 24. It is adjacent to Webster Reservoir on the South Fork of the Solomon River in Rooks County. The Kansas Park & Resources Authority originally leased 1,310 acres from the U.S.D.I. Bureau of Reclamation in 1958 and Webster State Park was added to the Kansas park system on January 1, 1965. In the 1970's, an agreement was reached with Kansas Fish and Game to transfer 430 acres to the Webster Wildlife Area. The park is now 880 acres.

The park is divided into two areas. On the north side of Webster Reservoir is the Old Town Area where the majority of development and recreational opportunities are located. The Goose Flat Area is smaller, less developed and located on the south side.

Because Webster Reservoir was constructed primarily for irrigation and flood control, recreational pursuits are not usually considered when water level changes are made. During the thirty year period of 1963-93, decreased inflows and steady outflows reduced the lake levels drastically. In 1991 Webster Reservoir approached its historic low level at 1859 feet (33 feet below conservation pool). Conversely, the lake reached its all-time high level in 1995 at 1907 feet. Conservation pool level is 1892 feet.

Park visitation parallels the lake's water level and the Department of Wildlife and Park's ability to provide services. Low water and decreased services combined in the early 1990's to lower park visitation drastically. The floods of 1993 and 1995 re-filled the lake and visitation is increased. It is hard to estimate actual park visitation numbers but a formula has been derived for the park using three traffic counters and a standard multiplier of three persons per vehicle. Adjustments are made for park employees and other business use. Because the park has four different entrances, some vehicles may pass over more than one traffic counter thus distorting visitation numbers. In spite of the counting system's inherent inaccuracies, this method of counting visitors has shown an increase in visitors when water levels were high compared to traffic counts of years with lower lake elevations.

Visitors come to Webster State Park for a variety of reasons. The following table shows estimated user trends for the park. Due to low water levels caused by irrigation releases and four years of drought, visitation is decreasing. Many small special events are held at the park that are not reflected in this user trend estimation. The overall numbers are not

large but represent a core group of users. Table 1 lists the special events for 2004. A more accurate picture of primary uses would be possible if a multi-year random survey was conducted.

<u>ACTIVITY</u>	<u>AMOUNT</u>	<u>DEMAND</u>
Fishing	68,000	Decreasing
Camping	30,000	Decreasing
Swimming	4,000	Decreasing
Boating/Skiing	23,000	Decreasing
Wildlife/Nature Observation	5,000	Stable
Picnicking	3,500	Stable
Hunting Access	2,500	Increasing
<u>Other</u>	<u>4,900</u>	<u>Stable</u>
TOTAL	140,900	DECREASING

Revenue generated at Webster State Park is stable. After a revenue low in 1992 of only \$18,800, revenue has increased each year and will be over \$100,000 in 2004. Although visitation has decreased with lower water levels, fee increases have allowed revenues to increase or remain stable. If higher water levels return, revenue is expected to increase further in 2005 or remain stable. Table 2 shows sources of revenue for years 2000-2004. These numbers do not reflect sales made by county clerks or other license and permit vendors in the area.

Many facilities were damaged or destroyed during the '93 and '95 floods. Roads, campsites, playground equipment, beaches, boat ramps, and shorelines were especially hard-hit. While the water remained at or above conservation pool, damage was continuing on some roads, boat ramps, and especially shoreline areas. Damage to developments below the conservation pool have now resurfaced and are being evaluated and repaired as funding allows.

Webster Reservoir is known for its excellent wiper fishery. The increase in water levels improved fishing prospects for black and white crappie, walleye, black bass, catfish, as well as wiper. The improved fishing increased park use and extends seasonal use from April until October with some year round use. With the lake levels decreasing the past four years the fishing has began to decline and without an increase in water level the lakes fishery could be in trouble.

This management plan will address the challenges of decreasing visitation, fluctuating water levels, and limited operation and maintenance budgets. Four significant water levels have been projected and will be used throughout this plan: 1892 (conservation pool), 1880, 1870 and 1863 (minimum pool). To facilitate management of the area, these water levels have been identified as the possible occurrences in the five year period. Conservation pool (1892) was selected as the ideal level that the reservoir could be managed. The two lower levels (1880 and 1870) were selected because of changes in area management at those levels and the fact it is possible for the lake level to reduce that much in a five-year period (as it did between 2001-2004). Minimum pool (1863) is

selected as the lowest point the reservoir should reach during the 5-year period. Once the reservoir reaches this level there can no longer be irrigation releases but it is possible evaporation could take it lower. Maps showing these water levels and facilities available at the park may be found in Figures 1 through 8.

Webster State Park was developed to provide the public with diverse recreational opportunities associated with a reservoir, while still conserving and enhancing the natural resources of the area. Utilizing the Department Strategic Plan, the Park area is broken down into zones depending on the level of development (see Figures 9 and 10). Three development zones are utilized on the area:

- 1) Intensive: Facilities in this zone include shower buildings, restrooms, swimming beach, boat ramps, and primitive and utility campgrounds.
- 2) Moderate: Facilities in this zone include primitive campgrounds, hiking trail, picnic and other day use areas.
- 3) Minimum: Low use areas include areas of native grass, marsh/cattails and timber that are rarely used.
- 4) Sensitive: None.

In this plan, park management goals and the associated issues have been identified. A summary indicating the current status of each issue is provided, then an objective is stated and methods to attain it are given for each water level when applicable.

B. GOAL

The Department categorizes the park primarily as an Intensive Development Area based upon its location, overall purpose, management objectives, and degree of facility development. Park areas function as a primary provider of recreation opportunities resulting in a high concentration of use. Segments of the park are designed Moderate and Minimum Development Areas. Figures 9 and 10 illustrate these areas. The management goal for Webster State Park is:

To maximize recreation opportunities, programs and facilities that are commensurate with financial resources, public safety and demand, and the natural resources to enhance and encourage use of the park.

C. BUDGET

The total budget for Webster State Park has fluctuated greatly in the last five years. Funding for full-time employees has had 2 major changes; in fy02 the Administrative Assistant position was made full time and in fy05 the Ranger and Manager were reclassified. Seasonal salary money has varied by as much as \$5,000 from year to year. Operation and Maintenance budgets gradually increased fy01 to fy03 but with the contributions from the State General Fund continually decreasing the O&M budget has stabilized. These budget comparisons are shown in Table 3.

The Operation and Maintenance budget is inadequate to properly maintain current facilities plus make necessary repairs needed resulting from the receding water levels. Additional expenses are incurred as facilities are updated due to requirements outlined in the Americans with Disabilities Act (ADA) enacted on July 26, 1990. Increased use of Webster State Park will occur if higher water levels return and will also boost maintenance needs and expenses. Table 4 shows budgeted amounts for each aspect of the Fiscal Year 05 Operation and Maintenance budget.

Objective:

To utilize the budget and other funding sources as efficiently as possible in maintaining and operating the park.

Strategies:

- *Utilize the budget to maintain and operate facilities as outlined in the management plan.
- *Obtain a base O&M budget of \$47,000 through the budget process.
- *Increase the O&M budget 3% each year to cover inflation and use increases.
- *Seek alternative funding sources to assist with park operations, maintenance, and improvements (i.e. BOR Title 28 funds).

D. PERSONNEL

Webster State Park currently has three full time employees to manage and operate the park. These positions are Park Manager, Park Ranger and Administrative Assistant. The Manager and Ranger duties include but are not limited to; facility development and maintenance, operational planning, license and permit sales, public relation programs and contacts, administrative chores, inmate crew supervision, law enforcement, and seasonal employee supervision. The Administrative Assistant's primary duties are secretarial, bookkeeping and accounting, permit and license sales, and customer relations. This position is an important base to customer service and provides the Department's one-stop customer service.

Seasonal positions are filled to maintain the park and perform customer service duties during the summer season. These employees help with permit and license sales, mow grass, clean restrooms and shower houses, and perform other general maintenance chores. In recent years, five to six seasonal employees have been instrumental in annual park operations.

In addition to the seasonal maintenance positions a Seasonal Park Ranger is hired during the summer season. This position assists in public relations, license and permit sales, minor maintenance chores and law enforcement duties. This position was started in fy01 and has been vital to park operations and will continue as long as seasonal funds allow.

An Interpretive Naturalist position was eliminated in 2002 due to decreased seasonal budget. The result of this has been two fold: an increased workload on the Park Manager

and the Park Ranger; and a decrease in interpretive programs offered to school groups and the general public.

Additional maintenance help is provided by an inmate work crew from the Stockton Correctional Facility. The crew consists of seven inmates plus one supervisor. Work completed in the past includes picnic table and shelter renovation, equipment maintenance, mowing grass, cleaning restrooms, constructing information and self-pay stations, constructing signs, and many other projects. This help is valuable but is not always dependable due to unpredictable schedules and varied skill levels of workers and supervisors.

Objective:

To effectively utilize available manpower to adequately maintain park facilities and provide public service.

1. Management – Utilization of staff has been effective to date but may prove to be inadequate if visitation increases in the near future.

Strategies:

- *Maintain current staff numbers and positions.
- *Establish General Maintenance Repair Technician (GMRT) FTE position.
- *Maintain a seasonal funding of \$30,000.
- *Reinstate a seasonal naturalist position to provide school and public programs.
- *Utilize inmate crews from Stockton Correctional Facility for routine maintenance and restoration projects.
- *Increase volunteer base from individuals as well as a 'friends' group.

A decrease in available manpower for maintenance will necessitate additional strategies. Examples of this decrease would be a reduction in seasonal salary money, or loss of the inmate crew. These strategies could include:

- *Reduce amount and frequency of area maintenance, repairs, and services.
- *Closing of certain areas in the park during the off season.
- *Discontinue refurbishing of picnic tables.
- *Reduce office hours.
- *Contract routine maintenance chores, trash pickup, etc.

2. Office Hours – The park office is open daily during the summer park season to serve constituents needing park permits, hunting and fishing licenses, boat registrations and Department merchandise. During the 'off season', hours are greatly reduced. Public complaints regarding availability of our services are quite common. However, it is not cost effective to maintain longer hours. Many customers have attempted to purchase

licenses or permits from the park office, found it closed, and purchased items at other locations. They have, in effect, been conditioned to look elsewhere for their permit needs. If the Webster State Park office were to truly be a full-service outlet, the expanded hours would require additional staff. In spite of customer inconvenience, revenue generated at Webster has increased and should surpass the \$105,000 mark in 2005. A five year comparison of revenue is included in Table 2.

Park season – May 15 to September 15

Sunday – Thursday	8 a.m. – 4:30 p.m.
Friday – Saturday	8 a.m. – 8 p.m.

Off season – September 15 to May 15

Monday - Friday	8 a.m. – 4:30 p.m.
Closed weekends.	

Strategies:

- *Maintain park season office hours at present level.
- *Increase off-season hours during peak use times such as before rifle deer season to provide full customer service.
- *Alter summer hours to better serve the public by having Seasonal Ranger work late shifts during the week.
- *Continue to log proper coding to allow funding from Fish & Wildlife Division to partially fund AA position.

E. FACILITIES

Webster State Park provides a wide variety of facilities and amenities for both day users and campers. These range from boat ramps to swimming beaches, picnic sites to utility campsites. The park's recreational opportunities are important contributors to the quality of life for citizens in Rooks and Graham counties and, in fact, the northwestern quarter of Kansas. Table 5 summarizes park facilities. Possible future capital improvement projects are listed in Table 6.

Objective:

To provide an adequate number of quality facilities and opportunities that meet user demand but are commensurate with the budget, work force, and the natural resources.

1. Office and Maintenance Building – The office and maintenance compound is located in the northwest corner of the park. The office building was constructed in 1965 and was remodeled in 1989. It has a small reception area for obtaining brochures, maps, information and for purchasing permits and licenses. A public restroom is provided but does not meet ADA standards. A retail sales cabinet was installed in 1995 and the sales area was again renovated in 2001. Offices are provided for the park staff, the Webster public lands manager, the district wildlife biologist, and the district fisheries biologist.

The office building is in poor condition. It was remodeled in 1989, turning 2 maintenance bays into 4 offices and a small conference room. Offices are very small and the Park Ranger must share his office with the office copier, the typewriter, postage meter and laminator. The current lobby area has little space for constituents and becomes crowded easily and has hardly any room for an interpretive area or a merchandise sales area. Along with the office being out of date, the location is more than 2 miles from the entrance to the park and many constituents have trouble finding it and our staff for the permits, licenses, information, and many valuable services that our staff is here for.

A two-bay maintenance shop is attached to the office building. Work space is limited due to storage of park equipment, public lands equipment, and fisheries and wildlife inventory. One bay is heated for wintertime use but is inadequate during periods of multiple projects. Additional storage is needed to make work space available.

Strategies:

- *Upgrade restroom to ADA compliance.
- *Utilize BOR funding to build new modern office building located near the entrance of the park.
- *Return the balance of the shop building to use as work and storage rather than office space.
- *Insulate middle maintenance bay and add wood burner for additional heated shop area during winter months.

2. Restrooms – There are three vault toilet restrooms in the park. One is a cinder block building on the north shore east of the double mushroom group shelter. It is not ADA accessible. The other two are both newer facilities and are ADA accessible - one at OMC boat ramp and one at the Goose Flat Area. These vault toilets are in reasonable good repair due to their simplicity. The restrooms are adequate in number. A new showerhouse was built in 2000 at Rock Point campground. It has a furnace and can be left open through the fall and winter hunting seasons. During the summer season two older showerhouses that have been renovated to be ADA accessible are open to the public. They are located at the Townsite Area and in OMC Campground. Varying water levels will have no impact on the availability.

Strategies:

- *Maintain all vault toilets.
- *Replace toilet seats, ventilation fans, and lights as needed.
- *Extend water access to the cinder block restroom to aid in cleaning.
- *Obtain funding for construction of new medium sized shower house at Eagle Landing Campground.

Strategy by Lake Elevation:

1870 *Provide portable toilets at the Old Marina east beach site.

3. Showerhouses – Three showerhouses are located in the Old Town Area – one at Old Marina campground, one at Townsite beach and a new heated shower building at Rock point. The Old

Marina showerhouse was built in 1965 and upgraded in the late 90's so that its facilities meet all ADA specifications. Plumbing fixtures are in fair condition but are not ideal. Retrofitting a tankless water heater operation has decreased energy expenses and adequately serves the four showerheads in the building. Removal or major renovation of this facility would be the best way to remedy its problems and serve constituents in the next decade.

The townsite showerhouse was built in 1967 and is in poor condition. New toilet fixtures are needed and a pressure tank and pump are needed to increase water flow to the showers. A tankless water heater has cut operating costs, and all facilities have been upgraded to ADA specifications.

The heated showerhouse at Rock Pt. is the only shower facility at the park that was actually designed and built to be ADA accessible. The building is also the only one of the three that is not an 'open air' facility which many constituents prefer. With the building being a heated facility it has allowed us to better serve our 'off season' users such as hunters and ice fisherman.

The three showerhouses adequately serve park constituents in the Old Town Area. Users of the Goose Flat Area must travel five miles to use these facilities; but at this time, it is not cost efficient to construct a showerhouse in this area.

Strategies:

- *Maintain all showerhouses giving preference to the Rock Point showerhouse, i.e. earlier start-up and later shut-down dates.
- *Renovate Townsite and Old Marina showerhouses.
- *Obtain funding for construction of a new medium sized showerhouse at Eagle Landing Campground or remove and replace Old Marina showerhouse.

4. Dump Station – A trailer dump station is located at the Old Marina campground. It was construction in 1973 and adequately serves trailer campers in the Old Town Area. The station has freeze-proof water hydrants and accesses its own well thus it is open year round.

Strategies:

- *Maintain dump station hoses and hydrants.
- *Add potable water hydrant for filling tanks.
- *Pump the septic tank annually.
- *Continue to include the dump station in road and parking money rotation.

5. Self Pay Stations – Three self pay stations are located at Webster State Park: one at the Goose Flat entrance, one at the main park entrance in Old Town Area, and one at the park office. They provide daily park permits, brochures, general information, and KDWP regulations. All are in good shape. They adequately serve visitors but are not ADA approved due to the high writing surface.

Strategies:

- *Maintain all stations with ample permits and brochures, current regulations, and any other pertinent information needed by park visitors.
- *If new office is built at entrance, incorporate the entrance self pay into the new building and remove the current self pay station freeing up the shelter behind it.
- *Add an ADA accessible writing station at all 3 self pay stations.

6. Information Shelters – Besides the information areas located at self pay stations and the park office, three redwood shelters are adjacent to each boat ramp in the Old Town and Goose Flat Areas. They provide the public with information regarding park regulations, hunting and fishing laws, and special fishing regulations specific to Webster Reservoir. All three of these information kiosks were removed and replaced in 2004. Partial funding came from a memorial donation for Douglas Gibson.

Strategies:

- *Maintain all information shelters with current regulation information.
- *Maintain all shelters with stain, shingles and plexiglass.

7. Boat Ramps – There are three boat ramps in the park – one at the Goose Flat area, one at Rock Point campground, and one at Old Marina campground. Each faces a different direction allowing boaters multiple options for launching in windy conditions.

The Rock Point ramp was extended in 1991 when the water level was low and in 2001 and additional light was installed. It is in fair condition but if water recedes below 1863 repairs will be needed. A breakwater was constructed south of the ramp to reduce wave action. In flood 1993 the breakwater became submerged and at conservation pool is under water around 12 feet. In 2002 the lake levels again became low enough for the breakwater to appear.

The Old Marina ramp has had major renovations completed in 2001 and 2004. With the low water levels, the Old Marina Cove is dry and a second lane was added. Cottonwood trees have been pushed over and seedlings are being mowed. This is done so that when the lake reaches higher levels it will allow smooth travel to and from the ramp. A solar-powered light was installed in 1995 and another light was installed in 2001 to aid in nighttime navigation to the ramp as well as loading and unloading boats at the ramp.

The Goose Flat ramp was also renovated in 2001. The ramp was extended up to be a useable facility at conservation pool. Rip rap was also placed along the adjacent shoreline and on the edges of the new ramp. At water levels lower than 1865, the ramp is no longer functional.

Strategies:

- *Utilize Motor Boat Access monies to add boat ramp extension to low water ramp located south of the Double Mushroom.

Strategies by Lake Elevation:

- 1892 *Maintain Old Marina Rock Point and Goose Flat ramps.
*Install breakwater at Goose Flats area.
- 1880 *Maintain Old Marina, Rock Point, and Goose Flat ramps.
*Repair access road and lower parking at Goose Flat.
- 1870 *Maintain Rock Point and Goose Flat ramps.
*Close Old Marina ramp due to low water.
*Raise elevation of Rock Point breakwater to above conservation pool.
*Replace last of original concrete at Old Marina ramp.
- 1863 *Maintain Rock Pt. ramp south lane.
*Close Goose Flat ramp and north lane at Rock Point ramp.
*Pour toe wall along lower portions of Goose Flat ramp.
*Mow cottonwood seedlings around Old Marina ramp.
*Repair lower Rock Point ramp.
*extend Double Mushroom ramp up to 1880 elevation.

8. Boat Docks – Three courtesy boat docks are available – one at each boat ramp. The docks at Old Marina and Goose Flat have been replaced with Motor Boat Access money. Annually new bumper pads are needed and wooden walkways require maintenance. At Rock Point the dock is wooden and requires annual reconstruction and periodic replacement of boards. The new docks meet ADA standards; but because the terrain of the shoreline, accessibility is not always possible. All are moveable and require adjustment with fluctuating water levels.

Strategy:

*Obtain handicap accessible dock and renovate Rock Point access area to facilitate full ADA compliance.

Strategies by Lake Elevation:

- 1892 *Maintain courtesy docks at all three boat ramps.
*Renovate Rock Point dock to ADA specifications.
- 1880 *Maintain courtesy docks at all three boat ramps.
- 1870 *Maintain courtesy docks at Rock Point and Goose Flat boat ramps.
*Remove dock at Old Marina boat ramp due to low water.
*Place Old Marina dock on south side of Rock Point ramp by breakwater.
- 1863 * Remove dock at Goose Flat boat ramp due to low water.

9. Picnic Tables – Approximately 150 picnic tables are available throughout the park. A table is provided at each utility campsite and picnic shelter, as well as at popular primitive camping and picnic sites. Each table is assessed annually with repair and/or renovation provided as needed. Several ADA specific tables have been built and are located at heavily used shelters. Eventually each mushroom, Wyoming and other pole shelters will have one such table.

Strategies:

- *Continue to maintain tables as needed by painting frames and staining boards.
- *Provide one table per camp site and at least two tables per shelter.
- *Provide one ADA approved table at each picnic shelter.
- *Continue to add ADA lantern hanger/cooking grill tables.

10. Group Shelters – The Double Mushroom and the Townsite Beach shelter located on the north side of the lake are the only facilities capable of accommodating large groups. They have floor space that will allow up to eight picnic tables in the shelters and there is ample room surrounding the shelters for more tables plus parking for about twenty vehicles. A drinking fountain and a large fireplace are also at the Double Mushroom. The fireplace was renovated in 1995 by replacing firebrick as needed, tuck pointing existing natural stone, covering outside of chimney with large limestone blocks, and constructing a fireplace grate. The facility is usable by a physically challenged person but does not fully comply with ADA requirements. The Townsite Beach shelter has lighting and electricity and can also be used for outdoor dances.

Strategies:

- *Maintain the facilities as a group shelters and special event sites.
- *Install hard surface parking stall and sidewalk to gain ADA compliance.
- *Install group outdoor cooking grills at shelters.
- *Restore electricity at Double Mushroom.

11. Picnic Shelters – Twenty-three picnic shelters are located in Webster State Park with all but four located in the Old Town Area. Twelve are concrete mushroom, six are Waconda shelters, three are Wyoming shelters, and two are pole and roof structures. These are often used as camp sites and are also reserved for special events or large group outings. These shelters are adequate for current use levels at Webster State Park. They are usable by physically challenged visitors but most do not meet ADA specifications. A mushroom shelter at Old Marina campsite #21 could be made accessible by adding a short sidewalk.

Strategies:

- *Maintain these shelters as day use areas, camping sites, and group facilities.
- *Maintain shelter south of office for use as a group camping area if overall demand makes it cost effective.
- *Add sidewalks to shelters that have hard surface parking to make them ADA accessible.

- 12. Signs** – Replacement of signs at the park was completed in the spring of 1996. As new facilities/campgrounds have been added new signs have been constructed. Construction of these signs was with rough cedar and follows the Department’s sign plan and manual.

Strategies:

- *Follow sign plan when making any new signs.
- *Maintain and repair signs as needed.

- 13. Roads** – Approximately seven miles of roads are paved in the park. Most of the paved roads are in the Old Town Area with only about 1 mile in Goose Flat. At conservation pool, there is approximately a 1/2 mile of gravel roads. Roads were developed and maintained at various times based on water levels and area use. At conservation pool, approximately two miles of gravel roads are under water. Paved roads are maintained in cooperation with KDOT and gravel roads are maintained by park staff.

The KDWP/KDOT road project of 2004 sealed all existing paved roads in the park and a double prime and seal was done on many of the park gravel roads. The Rock Point Campground loop, which was partially destroyed from high water levels, was repaved. The Townsite Beach road, Lake View access road, Old Folks Cove road, Shelter 10 road, Group Camp road, Eagle Landing Campground road, and three roads in the Goose Flat area were all primed and double sealed changing them from gravel to paved surfacing.

Generally the roads are adequate to provide public access within budget constraints. However, as water levels rise and fall, extensive repair work is necessary.

Strategies:

- *Adjust roads in primitive camping areas to coincide with increasing or decreasing water levels.
- *Upgrade and maintain roads as water levels decrease to maintain fishing access.
- *Spray and remove weeds growing in asphalt road cracks to reduce deterioration.
- *Coordinate road maintenance with KDOT on all paved roads in 2008.
- *Rock and grade roads as needed.

Strategies by Lake Elevation:

- 1892 *Close Goose Flat boat ramp access road and lower parking area.
*Close road across from the Fish Cleaning Station at low point that accesses breakwater.
*Use appropriate verbiage at all closed areas to alert public of high water.
- 1880 *Open access road to OMC Beach area.
*Install rip rap adjacent to Goose Flat boat ramp access roads.
- 1870 *Maintain access road to OMC Beach area.

- 14. Parking Areas** – There are ten paved parking areas in the Old Town Area and three in the Goose Flat Area. Additional gravel or sand parking areas are provided at various locations throughout the park. Inadequate parking facilities are located at the Old Marina boat ramp and a grassy area southeast of the ramp could help alleviate this problem. At Goose Flat, an additional lot needs to be delineated to allow for parking during heavy use.

Strategies:

- *Spray and clean cracks in asphalt parking lot to reduce deterioration.
- *Coordinate maintenance of all paved parking lots with KDOT in 2008.
- *Rock and grade non-asphalt parking lots as needed.
- *Maintain boat ramp lane stripes at Rock Point boat ramp to aid parking.
- *Add an additional parking lot southeast of Old Marina boat ramp.
- *Delineate lower level parking lot at Goose Flat.

Strategies by Lake Elevation:

- 1892 *Old Town – Maintain parking areas at Rock Point, fish cleaning station, quarry south of fish cleaning station, main entrance self pay, Double Mushroom, Townsite showerhouse, Townsite beach, office, Old Marina showerhouse, Old Marina boat ramp, and Coyote trail/shelter.
*Goose Flat – Maintain parking areas at self pay station, vault toilet, at bluffs, beach, and north of Wyoming shelter.
- 1880 *Delineate parking area at beach east of Old Marina Campground.
*Delineate parking areas at swimming beach east of boat ramp and west of dam at Goose Flat Area.

- 15. Fish Cleaning Station** – This facility was constructed in 1992. It provides 24 hour access to lighting, electricity, water, and has a commercial grinder, septic tank, and lateral field to dispose of organic materials left from cleaning fish.

The cutting boards are in fair but deteriorating condition due to heavy use. Some repairs are necessary to repel water from the interior of the structure. An upright pipe was added in 1994 to allow easier access to the septic tank for pumping which is done at least once a year. The cutting boards are too high to meet ADA specifications.

Strategies:

- *Maintain and clean this facility on a regular basis and as needed.
- *Add a lower cutting board area to make facility ADA accessible.

- 16. Amphitheater** – A concrete amphitheater was constructed in 1973 and is located at the Townsite area. Few programs or other group uses were held at this facility due to its poor design. In 2000 a 22'x44' shelter was constructed over the existing concrete slab making the area a much more functional site. In 2002 the railing around the facility was replaced with a wrap around redwood bench making the area even more conducive to interpretive programs and shows. Recycled plastic ADA picnic tables were installed to increase its usability and improve access. The shelter also has electric outlets and lights which allows for slide presentations and musical performances to be held at the site.

Strategies:

- *Maintain as amphitheater for interpretive programs.
- *Encourage musical groups to present free or reduced priced concerts at the site.
- *Enlist concessionaire to sell barbecue on weekends from a portable unit when water levels are high enough for the beach to be functional at the area.

- 17. Pay Telephones** – A pay telephone is located outside the park office. It adequately serves visitors to the Old Town Area. It has an amplification feature for the hearing impaired but may be situated too high to allow use by some people. An additional pay phone needs to be added at the Goose Flat Area to better serve visitors in an emergency.

Strategies:

- *Maintain the pay telephone outside the office.
- *If budget allows, add a pay telephone at the Goose Flat self pay station.

- 18. Boat Mooring** – No boat mooring facility is available at Webster Reservoir and there has been considerable public comment requesting this. Current state law allows boats to be staked down along shorelines and tended every 24 hours by the owner or user.

Strategies:

- *Develop specific cove area for mooring of boats through a concession agreement with an area business, an individual, or a Friends group.

- 19. Water Distribution System** – The original water system for the park was installed in the 1960's with an update in 1992. Water is purchased from Rural Water District #3, stored in a 10,000 gallon storage tank, pressurized and distributed in the Old Town Area. It serves the office, 67 campsites, three showerhouses, one vault toilet, the fish cleaning station, and numerous drinking fountains. Problems have occurred frequently during the busier weekends in the summer but since new electrical float valves have replaced the old mechanical float the problems have become fewer.

A water well, which supplements the rural water system and is the sole source for water at the dump station, is maintained in the Old Marina Area. Repairs were made in 1995 and the dump station is now a year round facility.

A water well is in place but is no longer used at Goose Flat Area. The well's overall status at this point is unknown since it has not been used in many years. Access to water would be a bonus to campers and would be necessary if a fish cleaning station is installed at this area.

Strategies:

- *Operate water distribution system year round due to frost free hydrants at Eagle Landing campground and Rock Point heated shower house.
- *Provide rural water to office through by-pass of distribution system from October 15 – April 15.
- *Repair and maintain system as needed.
- *Operate well house for dump station year round.

20. Fishing Docks – Two courtesy docks were replaced in 2000 allowing them to be repaired and modified to become fishing docks. These docks are very popular and are heavily used but must be continually moved to differing locations due to varying water levels. In ideal water levels the fishing docks are placed far into Rock Point and OMC coves and brush is sunk around them to attract fish. In addition to or sometimes in lieu of brush piles, solar fish feeders are placed around the docks by the fisheries biologist.

Strategies:

- *Move fishing docks to best locations that water levels allow.
- *Work with fisheries biologist for placement of docks, brush piles, and fish feeders.
- *Maintain fishing docks at all locations.

21. Cabin – In 2003 a rustic log cabin was constructed for the purpose of renting it out to the public. The cabin has heat and air, bathroom, shower, cooking range, microwave, refrigerator, coffee pot, and a large dining table. The facility has two bedrooms, sleeps up to six people, with a queen bed in the large room and two bunk beds in the smaller room. There is also a 34 foot front porch with rustic log furniture on it and an excellent view of the lake. Outside there is a campfire ring and a picnic table.

Strategies:

- *Maintain cabin facility and all of its contents.
- *Obtain funding for a second full service cabin for the park.
- *Turn entrance self-pay shelter in to a primitive cabin once new office is built at entrance.

F. CAMPING

Webster State Park provides a variety of camping opportunities. This ranges from a level parking pad with electricity and water hook-ups to primitive camping sites on mowed grass with only a picnic table and a fire ring provided. Camping facilities will be addressed according to their level of development considering lake elevation where applicable. Group camping and the campsite reservation system are also addressed.

Objective:

To provide diverse camping opportunities that meet user needs but are commensurate with the park's budget, work force and resources.

- 1. Utility Camping** – A total of 66 sites offer electricity and water; ten at Rock Point, 10 at Lakeview, 26 at Old Marina and 20 at Eagle Landing. All units are used on the three holiday weekends and other summer weekends generate about 75% occupancy (lower water levels lower the occupancy rate). In addition to the two-utility sites, there is one full hookup site in Old Marina Campground. This campsite not only has electricity and water but also has a sewer hookup. Also, at Goose Flat area, there are six electric-only sites in Canada Campground.

The Rock Point Campground received extensive damage during the floods of 1993 and 1995. Twenty-year-old trees and large areas of grass were killed. Gravel on designated camping pads was washed away. Electrical pedestals were damaged. Repairs have been made to all facilities. Approximately 30 trees have been planted, buffalo grass seed has been planted, pads were lined with landscape timbers and new gravel was installed. Electrical pedestals were refurbished and are functioning but they are twenty years old and may need replacement eventually. No campsites meet ADA specifications.

Old Marina Campground received flood damage in 1995. Since then, new gravel has been placed on pads, extensive electrical work has been done to distribution system and new trees have been planted. Some damage to the roads occurred during the high water. None of the sites meet ADA specifications.

Eagle Landing Campground was added to the park in 2001 creating the first campground to have all 50 amp sites. This new campground can handle all the newer campers made however long they might be. Half of the 20 sites are back-in and the other half are pull through sites. Many trees have been spaded in for instant shade and the main road through the campground has been paved.

Lake View and Canada Campgrounds were added using old electric pedestals that had been removed in the past to save funding. Two of the 10 sites at Lake View are new 50 amp pedestals and all have water. The 6 sites at Canada Campground are electric only and were also installed reusing previously removed pedestals. The new full hook-up site in Old Marina Campground is also a 50 amp pedestal and is great for the camper that plans to stay for an extended period of time.

Strategies:

- *Improve campgrounds with tree and grass plantings.
- *Replace older campsite wiring and pedestals when funding available.
- *Replace PVC water hookups with frost free hydrants.
- *Incorporate an ADA approved campsite in the Old Marina Campground.

2. **Primitive Camping** – Unlimited sites are available since camping is allowed on any mowed grass where there is a picnic table and a fire ring. On holiday weekends approximately one hundred primitive camping units are scattered throughout the park. Generally, this is adequate to meet the primitive camping needs; however, flood damage and high water reduce the area available for this use. Townsite Campground, Whitefront Campground, and an area commonly referred to as “Old Folks Cove’ were under water until 2001 and will be considered for redevelopment depending on funding and constituent need.

Strategies:

- *Enhance the most commonly used primitive camping sites with improved stands of buffalo grass.
- *Plant trees in commonly used areas to provide shade and aesthetic qualities.
- *Maintain shelter south of office as group camp area.
- *Mow additional primitive areas and plant trees to reduce camp area congestion if overall demand makes it cost effective.

3. **Group Camping Area** – The facility located between the park office and the Old Marina Campground is used as a shelter house for a group camp site for use by boy scouts, camping clubs, family reunions and other groups. The structure has a large fire ring, a small and large cooking grill, and a potable water source. Some development such as additional mowing, planting trees and adding electricity would enhance the site. The access road to the structure has recently been paved and is gated to limit access. Groups can make arrangements for use through the park office.

Strategies:

- *Develop the area around the shelter by planting trees now that there is a water source available to keep them alive.
- *Add electrical pedestals for utility camping and lights in the shelter as funding allows.

4. **Reservation System** – The Department’s reservation system allows a park to designate a percentage of its campsites as reservable. Webster initiated a reservation system in 1993. Fifty percent of sites in the Old Marina Campground and Rock Point Campground are reservable. The system has received mixed reviews from park patrons and for this reason none of the new campsites have been added to the program.

Strategies:

- *Investigate ways to improve reservation system.
- *Continue to offer fifty percent of original utility sites in program as reservable.

G. RECREATION OPPORTUNITIES

The primary activities at Webster revolve around the reservoir. Currently, a variety of opportunities are available. As water levels rise, park use increases. Availability of these opportunities and development of new opportunities will be dependent upon funding and maintenance priorities.

Objective:

To provide a variety of quality recreation opportunities supplying alternative activities commensurate with budget, manpower, and resource limitations.

1. **Playground** – Old Marina Campground and Rock Point Campground each have a swing set with chin-up bar. In 1996 wooden modular play structures were built. These units have action forts, tire swings, slides and multiple decks. A Super Satellite climber has been installed at Rock Point campground. A merry-go-round has been refurbished and installed at Old Marina Area. Wood chips surround the facilities to provide a shock absorbing cushion under the equipment. Since none of the equipment meets ADA specifications, an additional accessible playground is proposed for the Townsite Area.

Strategies:

- *Maintain equipment to ensure a fun but safe playground outing.
- *Add ADA approved playground at Townsite.

2. **Volleyball Courts** – A sand court is located at Townsite beach and is used quite often during the summer and fall. A second court is located at the beach near Old Marina Campground and is used when water levels are down. The mud volley ball pit was turned into a sand pit and is used if other courts are busy.

Strategies:

- *Continue high maintenance of sand courts because of their high use and proximity to beaches.

3. **Softball Diamond** – A backstop and bases are located south of the Old Marina campground. The field is rarely used by families and other groups. It is mowed on the same schedule as the campground. Because of low use the area is proposed a location for a new shower house if funding becomes available.

Strategies:

- *Continue to mow ball field area and keep bases out for patron use.
- *Schedule softball tournaments during special events to get more use of the facility.

4. **Swimming Beaches** – Presently only one swimming beach is being used (at the area east of OMC). Two other beaches are used at different water levels – one at Townsite Area

and one at Goose Flat Area. As water rises, new beaches will be constructed with high quality sand.

Strategies:

- *Sign and designate all beaches according to regulations.
- *Prohibit vehicle use in and around beach areas using barriers where needed.
- *Designate beaches and surrounding area as “Day Use Only” eliminating camping.
- *Maintain buoy line around swimming areas keeping boat and Jet Ski traffic away from swimmers.

Strategies by Lake Elevation:

- 1892 *Maintain Townsite beach.
- 1880 *Relocate Townsite beach to area east of Old Marina campground.
- 1870 *Maintain Speckle Belly beach.
 - *Maintain road to beach from Old Marina campground.

5. **Hiking Trail** – Located west of the Old Marina campground, Coyote Trail is a useful tool for interpretive programs. The 1993 flood rendered most of the trail useless and redevelopment was necessary. Besides reconstructing the trail surface into 3 separate loops totaling 3 miles, 3 foot bridges and 3 resting area benches were built. The trail does not meet ADA specifications and costs of hard surfacing the entire trail are cost prohibitive.

Strategies:

- *Maintain all 3 trail loops, bridges, and benches.
- *Implement a burn plan that each spring a new section of the trail is burned.

6. **Fishing** – Fishing is available in all areas of the park unless otherwise posted. Access is good at all water levels. Webster Reservoir is known for its excellent wiper fishery. The increase in water levels in ‘93 improved fishing prospects for black and white crappie, walleye, black bass, bluegill, as well as wiper. With the water declining since 2001, the fishery is struggling.

Strategies:

- *Post boat docks, boat ramps, and beaches as no-fishing areas.
- *Inform the public of fishing opportunities and regulations through contacts, press releases and printed materials.
- *Improve shoreline access for bank fishing.
- *Maintain fishing docks and assist fisheries biologist with brush pile fish attractors.

7. **Picnicking** – Most of the picnicking at Webster occurs in conjunction with other activities such as swimming, boating and fishing. Designated picnic sites include a

variety of picnic shelters plus group facilities at the Double Mushroom and Townsite Shelter. Additional picnic tables are provided in mowed grass areas. Picnic facilities are adequate for the amount of usage at the park. Some picnic tables meet ADA specifications for accessibility.

Strategies:

- *Maintain mushroom shelters, Wyoming shelters and Wanconda shelters as picnic sites.
- *Provide one ADA approved picnic table at each mushroom.
- *Provide two ADA approved picnic tables at Double Mushroom and Townsite Shelter.
- *All tables with the exception of Waconda shelters will remain moveable to facilitate public use.
- *Provide extra tables to picnicking groups as needed.

- 8. Programs** – Webster State Park staff and a volunteer naturalist present interpretive programs on-site to park visitors and to school and youth groups upon request. Presentations are also made off-site at county fairs and other public events. From 1999 to 2001 a seasonal naturalist was hired to present these programs. Due to seasonal salary budget cuts, this position is no longer available.

Strategies:

- *Provide programming if funding and manpower levels are appropriate to facilitate both park maintenance, which will be the first priority, and programming.
- *Provide interpretive programs utilizing permanent staff as needed and time allows.

- 9. Wildlife Viewing** – Many visitors come to the park to see wildlife. Wildlife commonly seen include: Whitetail and mule deer, pheasant, quail, coyotes, reptiles and amphibians. Migrant species include Canada geese, Whitefront geese, snow geese, sandhill cranes, pelicans, bald eagles, golden eagles and many species of ducks and songbirds. Threatened and endangered species that visit the park include bald eagles (common) and trumpeter swans (rare).

Strategies:

- *Keep roads open year round to allow visitors to view wildlife from their vehicles in all areas of the park.
- *Leave large dead cottonwoods as perch sites for bald eagles.
- *Continue to plant wildlife food plots to draw more wildlife to the park.

- 10. Boating** – This activity is one of the primary uses of the area. The various facilities and opportunities associated with boating are addressed in other sections of this plan.

- 11. Other opportunities** – Since activities at Webster State Park are primarily water-based, other recreation opportunities play an important role in sustaining the park during low water periods. However, new developments will be limited due to restrictive budgets. They must be economically feasible and provide a marked increase in visitation.

Strategies:

- *Assess new opportunities for economic feasibility, actual need, and use enhancement.
- *Develop only those opportunities that meet the aforementioned criteria.
- *Utilize alternative funding and manpower sources to facilities new opportunities.

H. PRIVATE CABINS AND CHURCH CAMP

When Webster Reservoir was built in the 1950's, the Bureau of Reclamation offered a number of lot leases to individuals, families, and private companies. Over fifty lots were plotted but only eight sites were developed. A church camp was also developed by a coalition of district United Methodist churches. In the 1960's Webster State Park took over the administration of these lease contracts.

Objective:

To administer the lease contracts with the cabin owners and church camp in the best interest of the Department and the public.

- 1. Private Cabins** – Eight private cabins were constructed on the south shore during the 1960's. Seven of the cabins are owned by families or partnerships of families; one cabin is owned by a private business. All are located southwest of the Goose Flat Area. Lease amounts to owners range from \$40 to \$220 per year.

Strategies:

- *Ensure adherence to cabin contracts.
- *Continue administration of cabin site leases.

- 2. Church Camp** – The Mission Ridge Camp is a church camp located at the northwest corner of the park. The land is leased and the facility is maintained by the Levant Community Church. Use has increased in the last few years and maintenance has been a high priority. Recently the church committee charged with maintenance of the facility has replaced the roofs on two of the four bunk houses and shingled the shower house; they have also painted the inside of these facilities and have much more work planned.

Strategies:

- *Enforce the current contract regarding maintenance and upkeep of the facility.
- *Coordinate with Public Lands to maintain the road to the facility.
- *Work in conjunction with the church to seek assistance in maintenance and operation of the facility, i.e. Friends Group, inmates, etc.
- *Use facility for department meetings and functions, i.e. Webster Eco-Meet.

I. HANDICAPPED ACCESSIBILITY

Nearly all facilities were constructed many years before standards were developed for handicapped accessibility. Many projects have been undertaken over the years to improve accessibility; but major funding would be needed to make the park truly accessible according to specifications outlined in the Americans with Disabilities Act.

Objectives:

To ensure that all constituents, regardless of abilities, have access to park facilities and opportunities.

Strategies:

- *Remove barriers on existing facilities as funding allows.
- *Ensure that all new facilities are designed and constructed barrier free.
- *Provide assistance as needed to enable all constituents to participate in activities.
- *Review facilities and opportunities on a continuous basis for accessibility.

J. REGULATIONS, ENFORCEMENT & SAFETY

The park manager and the park ranger are Kansas certified law enforcement officers. Each receives 40 hours of continued law enforcement training annually. Their duties include: patrolling the park for public safety, park permit and regulation compliance, fish and wildlife code compliance, and other law enforcement responsibilities. Enforcement activities are increased during the park's high visitation times and adequately meet the public safety needs. In addition to the fulltime law enforcement, a seasonal park ranger is hired during the peak use season to assist with enforcement duties.

Webster State Park has never had a storm shelter but in 2000 a storm warning system was installed. The storm warning system is a centrally located rotating siren that the Rooks County Sheriff's Office can activate when they know of an impending storm. Staff then attempts to notify park visitors of the situation and give them instructions for their safety.

Regular facility and grounds inspections are carried out to identify safety hazards within the park. The public usually plays a role in identifying possible hazards which are then acted on by park staff.

Objective:

To provide the safest environment possible for those utilizing the state park and its facilities.

Strategies:

- *Schedule enforcement personnel to patrol the park, checking for violations and safety problems.
- *Utilize additional enforcement personnel as needed if use and activities increase.

*Install a storm shelter in a location than can be used by the majority of visitors utilizing the park and the reservoir.

*Identify and repair all safety hazards as soon as possible.

K. EQUIPMENT

Webster State Park currently maintain a wide assortment of equipment including vehicles, tractors, riding mowers, two-way radios, numerous power tools and hand tools. Pickup trucks have been replaced regularly through the Department's replacement schedule. Replacement of large trucks and tractors requires legislative approval via the budgeting process. Some of these are in need of replacement but funding has not been available. The budget process is utilized to replace other equipment items as well but when an emergency arises, the park's O&M budget is used. All equipment is utilized for the operations and maintenance of the state park. Table 7 provides an inventory list of equipment at Webster State Park.

Objective:

Maintain adequate equipment for operational and maintenance efficiency and to ensure employee and patron safety.

Strategies:

*Maintain quality equipment by timely replacement.

*Replace obsolete and worn out equipment as funding becomes available.

*Ensure maintenance schedules are adequately followed.

L. PUBLIC RELATIONS

Maintaining effective public relations is a high priority for the Department. As with any business, without customers and good customer service you have no business. Mutual understanding and support for area goals and objectives is vital in managing an area for optimal use by the public.

Department education efforts are directed towards a variety of recreational activities and users. As society changes from a rural to an urban setting the demand for outdoor recreational opportunities is increasing. The Department currently emphasizes educational efforts for hunter and furharvester education, aquatic education, boating education, and plant and wildlife education services.

A variety of methods are used by the Department to provide information and education. Weekly news release packages, department web page, email, bimonthly magazine, video and still photography, regulations and informative brochures, special publications, special events and media liaison functions are conducted on a statewide basis. In addition to the previously mentioned, information and education efforts at Webster State Park have included public scooping meetings, various news releases, interpretive programs, educational booths at county fairs, public surveys, spring newsletter and one-on-one communication with area users.

As demand and variety of recreational opportunities increases, information and education efforts will also need to increase. Maintaining public support and providing informative education efforts will always be important. But, there will always be room for improvements.

Objective:

To provide good public relations by ensuring that the public is informed of any and all major management plans and are educated on park issues and events.

Strategies:

- *Provide an annually updated accurate brochure of the area with map.
- *Provide a copy of Five Year Management plan for public review.
- *Allow the public to assist directly with completing area tasks. (Develop workable Friends groups).
- *Develop a list of volunteer projects to get the public involved.
- *Maintain interpretive programs providing education of the area's natural resources.

M. THREATENED AND ENDANGERED SPECIES

According to a list provided by the Department of the Interior and the State of Kansas, threatened and endangered species have distribution ranges which include north central Kansas. These species include the bald eagle, Eastern spotted skunk, piping and snowy plovers, white-faced Ibis, American and arctic peregrine falcon, whooping crane, Eskimo curlew, least tern, and the prairie falcon. Of the listed species, the bald eagle is the only one to frequent Webster State Park. Up to 80 of these magnificent birds have been observed along the shoreline and perching on dead trees around the park.

Objectives:

To protect and enhance any threatened and endangered species which frequent Webster State Park and to provide the public educational and visual opportunities pertaining to these species.

Strategies:

- *Obtain funding for Webster State Park Education Center which would include interpretive materials on the threatened and endangered species.
- *Continue allowing park visitors roadside viewing opportunities of the migrating bald eagles.
- *Provide large trees along the shoreline as bald eagle perching sites.

N. MAINTENANCE

A variety of tasks and activities are associated with the maintenance of Webster State Park. This entails grounds maintenance, facility cleanup and repair, and refuse disposal. Some of these activities have evolved and changed due to use patterns and budget/manpower limitations.

Objective:

To maintain all aspects of the park to the highest standards possible with available manpower and funding.

1. **Grounds** – Various vegetation manipulation activities – mowing, burning, and tree planting – have been utilized in the park. These activities have changed over the years due to management philosophy changes, use patterns, and manpower limitations.

Strategies:

*Mow only the areas actually needed for public use and safety and for aesthetics around facilities.

*Develop a native grass management plan incorporating burning and haying for those areas not mowed.

*Transplant and plant trees and shrubs in and around campgrounds and facilities for aesthetics, screening, shade, and wind protection.

*Remove and control noxious weeds and undesirable plant species as funding and time allows.

2. **Facility Cleanup and Repair** – Schedules and standards are utilized to maintain the area on a regular basis. Minor and emergency repairs are resolved as they occur. Major repairs are normally handled through the Department's budget process due to their cost.

Strategies:

*Schedule facility maintenance duties utilizing Department established standards.

*Utilize a Maintenance Needs List to assess, plan, and complete maintenance needs in the park.

3. **Refuse Collection** – Trash generated by park users and staff is collected in dumpsters and cans located at strategic spots throughout the park. To reduce time needed to collect the trash, dumpsters are placed only in high use area. Park staff operates a 2-ton trash truck and dispose of the trash at the Rooks County Landfill (14 miles from the park).

A 'No Trash Policy' (requiring visitors to pack out what they pack in) was initiated in 1992 at the Goose Flat Area. This has not been popular with park users and caused an increase in maintenance (pickup up trash left behind plus difficulty in pumping pit toilet due to trash in the pits). For this reason a dumpster and a barrel were added in 2000.

Strategies:

*Continue use of cans at self-pay station trash collection locations.

*Monitor trash can and dumpster at Goose Flat Area for cost effectiveness.

*Continue to use dumpsters in place of banks of trash cans.

*Maintain trash truck and replace when budget allows.

O. RESERVOIR LEVEL

The highs and lows of Webster Reservoir continue to create challenges that most reservoirs do not have to face. In as little as two years, the lake has fluctuated as much 45 feet. Most of the permanent facilities are located above conservation pool. However, as the water levels decreased after 1965, roads, campgrounds, and beaches were installed along the water's edge to satisfy customer demand. Most of these developments were destroyed with the flood waters of 1993 and 1995. With the current low water levels, these developments are being repaired or moved to new locations to continue public access to the waters edge.

Permanent facilities and developments are not affected when the lake is maintained at conservation pool. Strategies agreed upon by the Bureau of Reclamation, U.S. Army Corps of Engineers, and Kansas Department of Wildlife and Parks allow for water levels to be held at 2.3 feet above conservation pool. Because Webster is primarily an irrigation reservoir, this extra water if obtained, allows the lake to finish the irrigation season at or near conservation pool. This extra 2.3 cushion is important because when there is little or no inflow into the reservoir the water levels can greatly decline over a short period of time due to irrigation and evaporation.

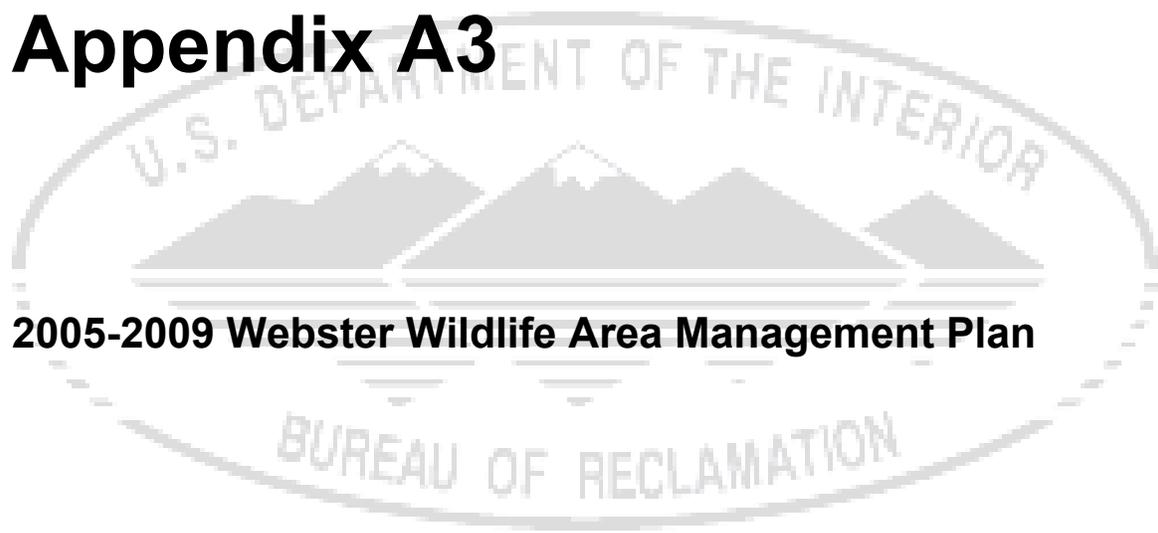
Objective:

Maintain the highest water level possible without negatively affecting park developments.

Strategies:

- *Work with Fish and Wildlife Division personnel to present a mutually acceptable department viewpoint when communicating with federal agencies regarding water levels.
- *Cooperate with the Bureau of Reclamation in maintaining higher water elevations but communicate damages and risks as they occur.
- *Encourage that the lake elevation be kept at or below 2.3 feet above conservation pool reducing park facility damage.

Appendix A3



2005-2009 Webster Wildlife Area Management Plan

WEBSTER WILDLIFE AREA

MANAGEMENT PLAN

2005 – 2009

Developed by:

Kansas Department of Wildlife & Parks
Webster Wildlife Area
1210 9 Road
Stockton, KS 67669
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APPENDIX

Figure 1. Webster water levels from 1957 to 2003.

Figure 2. Webster Reservoir and facilities at elevation 1892.

Figure 3. Webster Reservoir and facilities at elevation 1870.

WEBSTER WILDLIFE AREA

A. INTRODUCTION

This plan addresses the natural resource management and associated recreational uses of the Webster Wildlife Area (WEBR). WEBR consists of approximately 9,763 acres of land and water exclusive of the State Park and Bureau of Reclamation (BOR) operation areas. This plan covers the period from January 2005 through December 2009 and provides foresight into future management, agency administration and interdivisional input, and constituent review and comment.

Of the 9,763 acres, 7,540 acres at WEBR and the 264 acre Woodston Wildlife Area are owned by the BOR but operated under a long-term agreement by the Kansas Department of Wildlife and Parks (KDWP). The BOR provides oversight, technical assistance and limited funding for this acreage. The remaining 1,960 acres at WEBR are owned by the State of Kansas.

The area is primarily funded by hunters, anglers, and boaters, which means that the top management priorities are hunting, fishing, and boating. There are other secondary recreational activities that are not funded, but allowed on the area when they do not conflict with the primary purposes of the area.

The most important factor affecting the management of WEBR over the next five years will be the water level of Webster Reservoir. Past high water levels increased fishing, waterfowl numbers and boating use. However, years of average to below average rainfall, reduced base flows from upstream irrigation, watershed conservation measures, and losses from evaporation and irrigation releases result in significant declining water levels (Figure 1). The boom and bust history of water based recreational opportunities could repeat itself under current water use priorities. Recent developments in the sale of irrigation water rights to KDWP at other BOR reservoirs show potential for WEBR.

Another very important factor affecting WEBR is people. People using, enjoying, understanding, and supporting the management of the area are all important to the success of the area. Compromises between users must be made fairly and understood to be in the best interest of the entire area.

WEBR produces abundant wildlife resources annually for an area its' size, but when compared to private property of Kansas these resources are very limited. Wildlife is less productive than fisheries and is much more sensitive to both consumptive and non-consumptive human activities. WEBR can basically be viewed as a property 12 miles long by one mile wide. Wildlife produced in this narrow corridor is generally quickly harvested during seasons or driven off the area until pressure subsides. WEBR cannot provide the opportunities being lost to dwindling private land wildlife habitat. The Wildlife Area cannot meet current hunting demand for Rooks County residents, not to mention the increasing influx of hunters from other counties and states. Therefore, it is imperative that WEBR be managed for optimal game and harvest. One of the greatest

future challenges for WEBR will be balancing human pressure to maximize wildlife resources while providing quality opportunities for constituents, regardless of the water level.

Past management efforts have focused on increasing quality habitat while creating quality hunting and fishing experiences. These efforts will be continued with emphasis being placed on access, increasing the quality and diversity of habitat types, increasing special hunt opportunities, and providing recreational uses commensurate with area wildlife resources.

B. GOAL

The primary goal for the wildlife area is stated below. Objectives specific to WEBR appear in each section of this plan.

To manage the Area's wildlife recreation, wildlife, habitats, and other natural and historic resources. To provide diverse public recreational opportunities that are compatible with maintaining optimum wildlife populations while preserving the Area's natural and historic resources for future generations within available manpower and budget resources.

C. FACILITIES

Facilities are primarily oriented around providing primitive use for hunters, anglers and boaters. Facilities available include an area office, gravel roads, parking areas, a few vault toilets, kiosks, a boat ramp, a handicap accessible fishing pier and five camping areas. The area's facilities need to be maintained to the highest possible standards since these are often the most used resources on the area.

1) Area Office

The Area Office is located ten miles west and one mile south of Stockton, Kansas. The office is located within the State Park on the north side of the reservoir. Office staff includes personnel to serve all aspects of constituents needs and questions. Staff consists of an Office Assistant, Park Manager, Park Ranger, District Wildlife Biologist, District Fisheries Biologist, and Area Wildlife Manager.

Objective:

- 1) Provide an Area Office as a service to constituents.

Strategies:

- * Strive to improve customer service.
- * Ensure licenses and informational materials are available.
- * Produce annual newsletters for constituents.

2) Restrooms

There are currently four individual steel vault toilets on WEBR and a modern double toilet that is handicap accessible at the Stilling Basin. Future needs for restrooms on the area need to be reviewed. The ADA restroom at the stilling basin is needed and will be maintained. The four metal vault toilets receive minimal use throughout the year. The one at Morel Campground is used during the summer and is part of a motor boat access area. This restroom is scheduled to be upgraded to a modern unisex toilet. The other three metal vault toilets are associated with deer hunting campgrounds. As such, these only receive minimal use. These three toilets should be removed and replaced with one modern unisex toilet. This toilet could be placed south of Brown's Campground in conjunction with the parking lot where the road turns east to go to the river. In seasonal areas, portable toilets are an excellent alternative to constructing permanent facilities.

Objective:

- 1) Provide clean facilities that meet established needs.

Strategies:

- * Replace Morel metal vault toilet with modern unisex toilet.
- * Remove other three metal vault toilets and replace with a centrally located modern unisex toilet.
- * Restroom facilities will be cleaned and maintained at least weekly during high use months and more frequently if necessary to keep facilities clean.

3) Kiosks and Signage

There are presently five kiosks strategically located on the area. These kiosks provide users information to assist them in enjoying the property while adhering to rules and regulations. The kiosks also consolidate signs and greatly reduce area costs for placement and maintenance of signs. These kiosks need to be present at all major entry points on the area.

Individual signs are important to define boundaries, provide direction, and identify specific areas of regulation enforcement. Signs can also be a source of pollution by the number, type, and condition used on the area.

Objectives:

- 1) Provide kiosks and individual signs that meet user needs.

Strategy:

- * Ensure that relevant information is posted at kiosks.
- * Ensure that kiosks are maintained to the highest standards.

- * Utilize individual signs to meet the needs of the area without excessive use and costs.

D. AREA ACCESS

1) Roads and Parking Areas

Webster Wildlife Area is basically configured as an area that is twelve miles long by one mile wide. At conservation level there are approximately seven miles of roads open on the wildlife area (Figure 2). A combination of permanent and seasonal roads is used to satisfy the majority of user needs. The present seven miles of roads provide access within a ¼ to a ½ mile of any given area, direct access to the most popular fishing areas, and ample opportunities for wildlife viewing.

The need and demand for access by roads changes with different water levels. The permanent and seasonal roads presented in Figure 3 will continue to provide access within a ½ mile of a given area despite varying water levels. Shoreline fishing access is most impacted by varying water levels. As the water levels recede, seasonal roads on the south and north sides of the reservoir will be developed to provide access for anglers (Figure 3).

Camping requires roads for access and camping occurs year-round but increases during the hunting seasons. Five permanent campgrounds are established at WEBR.

Hunting requires very few roads and is in fact negatively impacted by road access. Excessive roads in wildlife areas destroy habitat, reduce an area's ability to hold wildlife and contribute to illegal hunting activities. However, road access is very important to handicapped hunters and an area commensurate with demand is provided (Figure 2). Roads in non-hunting areas or along refuge areas generally supply the best opportunities for wildlife viewing.

The road system at the elevation of 1892 provides 6.5 miles of open roads, and 0.5 miles of seasonally accessible roads. As the reservoir declines to the 1870 elevation, the 6.5 miles of roads will remain open and the amount of seasonal roads will increase by 3.5 miles.

There are currently twenty-three parking areas on the area and each can handle an average of six vehicles. Parking areas reduce off road parking and create good safe access for vehicles left unattended on the property for people using the area. Parking will be allowed within a car width beside roadways as long as traffic is not impeded.

Objective:

- 1) Provide permanent and seasonal roads at various elevations to provide sufficient user access.

Strategies:

- * Implement seasonal roads presented in Figures 2 and 3 according to water levels.
- * Open seasonal roads from March 1st through October 31st.
- * Ensure that all roads and parking lots are mowed and graded as needed.

2) Boat Ramps

Webster reservoir has four boat ramps. One ramp is located on the Wildlife Area and three in the State Park. The Wildlife Area ramp is located in Morel Campground, is a narrow single-lane ramp installed in a shallow cove. The Morel ramp is only functional when the reservoir is within five feet of conservation level.

The primary ramps used by fishermen, hunters and boaters remain the ramps located in the State Park. These ramps are usable at various lake elevations and are sufficient in meeting the demands of WEBR users.

Objective:

- 1) Maintain Morel boat ramp when lake elevations permit use.

Strategies:

- * Maintain boat ramp to the highest standards to provide easy and convenient public use.
- * Ensure proper operation of Morel solar light.
- * Install Morel courtesy dock when water levels permit.
- * Maintain pathway clear of trees from ramp to reservoir.
- * Post maps at kiosks showing locations of all boat ramps.

3) Handicap Accessibility

The Department has made Handicap Accessibility a top priority and American Disabilities Act (ADA) requirements are addressed with all new construction. Funding from the BOR has been and will be instrumental in meeting this priority. One such project funded by the BOR was the construction of an ADA double vault toilet and fishing pier at the stilling basin.

Another ADA project on the area is the special disabilities hunting area. This project was initiated in the fall of 1993 and to date has received use from several physically challenged individuals each year. In this area, qualified individuals are permitted to use vehicles to assist in their hunting efforts.

Furthermore, the Morel boat ramp facilities were upgraded in 2000. An ADA courtesy dock will be utilized when water levels permit.

Objective:

- 1) Ensure present and future facilities meet ADA specifications.

Strategies:

- * Utilize BOR funding to complete ADA projects.
- * Consult ADA requirements when doing new construction or renovating existing facilities.
- * Continue the Special Disabilities Hunting Area and provide special opportunities as needs arise.
- * Modify four vault toilets to ADA specifications or replace with new unisex toilets.

E. WILDLIFE MANAGEMENT

1) Deer

Whitetails predominate on WEBR with only a few mule deer on the area. The number of deer and hunters fluctuate inversely with water levels. In the 1970's and 1980's the reservoir averaged 26.5 feet below conservation. Data from mandatory report cards used from 1978 to 1988 showed that along with the increase in deer habitat and the deer herd, hunting pressure also increased. The average number of hunters per year during this period was 217. These hunters harvested an average of 65 deer per year for an average harvest rate of 30%. During this period of low water levels there was an average of 8,154 acres of land to hunt. This equates to one hunter for every 38 acres.

Following the high water events of 1993 and 1995, the reservoir remained within 2 feet of conservation level until 2000. Surveys of deer hunters from 1996 to 2000 recorded an average of 65 hunters per year which harvested 35 deer each year for a harvest rate of 54%. During this period of high water there was less habitat, 5,926 acres on average, with fewer hunters, there was one hunter for every 91 acres.

Since 2000 the reservoir level has declined. From 2001 through 2003 the yearly average of available habitat has decreased to 7,081 acres. The average number of hunters has increased to 79, with 44 deer harvested yearly for an average success rate of 57%. This period of time averaged one hunter for every 90 acres.

A general trend can be seen from these three time periods. In the 70 and 80's there was more habitat and hunters. When the water level increased, the amount of habitat and number of hunters declined. In the past few years the reservoir has declined and the habitat has increased. The number of hunters has not risen to past densities but is showing increases as expansion occurs into the new habitat.

Hunting pressure also varies for particular seasons. In 2003, 79 hunters harvested 28 deer. Of these, 59 were rifle hunters that harvested 24 deer, 16 were archery hunters

harvesting 3 deer, and four were muzzle loader hunters harvesting one deer. A similar trend for types of hunters and seasons exists for all years.

Hunting pressure for deer on WEBR is high during the rifle season, moderate during the archery season, and low in the muzzle loader season. Nearly all the rifle hunters are present on the area from the opening Wednesday through Sunday of the first week of season. After that first weekend few hunters are on the area. Archery hunters generally hunt the area on weekends, primarily during the rut. Muzzle loader hunters are few in number and scattered throughout the season.

Spotlight surveys for deer were started in 1993. These surveys are used to monitor trends in the herd population and composition. These yearly surveys indicate that the deer population has remained fairly constant from 1993 to 2003. An average of 59 deer was seen per survey. The average composition of the herd was 10% mature bucks, 15% adult bucks, 52% does and a 4:1 doe/buck ratio. Note that these surveys were started after the reservoir level had increased to near conservation level. Herd size and composition will continue to be monitored as water levels recede.

Deer data at WEBR supports the knowledge that as the reservoir level declines the amount of deer habitat increases. With this increase in habitat will follow an increase in the number of deer and likely the number of hunters. The size, sex ratio and relative age of this deer herd is not dependent on habitat but rather the type and number of permits issued for any given year and the resulting hunting pressure. Also, hunter success is dependent on these same factors. One current method of influencing the quality of a hunt is to control vehicular access during hunting seasons. Walk in hunting is allowed on the entire area except the Refuge and Park. The only other current means of maintaining the deer herd at desirable levels on WEBR is the regulation of not permitting Game Tags on the area. Another method to improve quality not currently employed would be to have the ability to regulate the number and type of deer permits issued for WEBR.

Objectives:

- 1) Maintain a population represented in spotlight surveys of 15% mature bucks, 20% adult bucks and a doe:buck ratio of 3:1.

Strategies

- * Develop and present programs on deer management to civic groups within sixty mile radius.
- * Continue policy of not allowing Game Tags on Public Lands.
- * Control vehicular access to certain deer habitat to allow escape and provide quality hunting experiences.
- * Consider managing the type and number of deer permits issued on WEBR.
- * Conduct opening day and weekend surveys to record hunter numbers and success.
- * Conduct spotlight surveys to record trends in population size and composition.
- * Allow natural succession to re-establish timbered areas as water levels permit.

2) Turkey

Rio Grande turkeys were re-introduced to WEBR in the late 1970's. Past records indicate that the area supported over 100 birds from 1979 to 1992, with numbers peaking in 1984 – 85. A survey conducted through the 1988 spring season showed that 56 hunters were on the area and that they harvested 34 birds.

Turkey numbers began to decline on WEBR and the surrounding area after 1985. Primarily a reduction in brood success and possibly an increase in hunting pressure contributed to this decline. The implementation of a two bird bag limit in 1991 substantially increased pressure on the already declining population at WEBR. Then the high water events of 1993 and 1995 further hindered turkey numbers by reducing the amount of available habitat at WEBR. In 1996 the two bird bag limit was reversed and the limit was set at one bird per season.

Hunter surveys taken on the opening day of the spring seasons from 1997 to 2003 have recorded an average of ten hunters. While the bag limit had been changed to one bird, the reduction in habitat at WEBR due to high water and resulting fewer birds had these hunters harvesting only two birds for a 20% success rate. As indicated from these surveys, hunters have sought other locations to hunt turkeys where there is less competition from other hunters and the possibility of success is higher. The trend is for all of these hunters to be on the area the opening week of the season. This results in a period of high hunting pressure, low success rate, and a reduction in the quality of the hunt. The majority of the harvest occurs at this time and the remaining birds become scattered and leery. As the season continues the turkeys tend to settle down as pressure subsides. Hunts later in the spring season may produce a higher quality experience.

Fall archery and firearms seasons for turkeys were initiated in 1979 and 1981, respectively. Turkeys are present on WEBR in the fall generally until the pheasant opener. At which time the majority of birds are pushed onto private land. The turkeys then spend the winter on surrounding private land and return to WEBR in the spring. Neither the fall archery or firearms season receive as much pressure as the spring season at WEBR. Hunters may find birds on the area during these fall seasons and have the opportunity to experience a quality hunt.

The Rio Grande turkey is very adaptable but prefers open bottomland near riparian areas as its primary habitat. As the reservoir recedes, farming operations will be used to control succession in specific areas. This will be done to establish suitable strutting, nesting, and brood rearing habitat for turkeys.

Efforts to improve the population and hunting opportunities of turkeys at WEBR will require a continuation of the one bird limit for the spring season. The one bird limit does not limit the possible number of birds harvested but does distribute hunting opportunities among more hunters. To improve the quality of the hunts on WEBR would require additional regulations. One possible alternative would be the regulating the number of

hunters on the area during the first two weeks of the spring season. This would reduce pressure on the birds, reduce competition among hunters, increase the quality of hunts, and potentially increase the total harvest over the course of the entire season. This could be done for all of WEBR or on designated portions of the area. Fall seasons are currently the best opportunity for hunters to experience a quality hunt on the area.

Objective:

- 1) Develop a spring flock of 100 – 150 turkeys.

Strategies:

- * Continue opening day surveys to record hunter numbers and success.
- * Conduct brood surveys to evaluate production.
- * Provide quality nesting and brooding areas in conjunction with agricultural activities.
- * Support regulations for one bird bag limit in Northwest Kansas.
- * Consider regulating the number of hunters or the areas that can be hunted during the first two weeks of the spring season.
- * Promote fall seasons.

- 3) Waterfowl

Few waterfowl are produced on the area and therefore need only be attracted to WEBR. Once on the area, maintaining their presence is important to provide quality hunting. When birds move off due to weather, hunting pressure, or other factors, additional flights can renew the hunting opportunities. Unlike waterfowl, other species produced on the area are limited and can not be renewed during the season for additional opportunities.

Managing waterfowl on WEBR is a high priority because it is only on and around these large water bodies where these hunting opportunities can be provided. Opportunities for other species are important but are also more available in the surrounding private lands and WIHA areas.

- a. Refuge System

The key to a good waterfowl population providing maximum hunting opportunities on an area is a good refuge. Refuges must be large enough to provide security and yet small enough to allow hunters good opportunities. Refuges should also minimize impacts to other users and still maintain their importance during times when waterfowl can be retained on an area. Utilizing perimeter areas of refuges for special draw hunts, where controlled pressure can allow a few good hunts without sacrificing the refuges purpose, make a refuge all that more additive to hunter opportunities.

A refuge system was initiated at WEBR in 1991, primarily for Canada geese, to increase hunting opportunities and promote wildlife viewing. Modifications to the refuge in 1992

and 1997 were necessary due to changing water levels. The current refuge provides waterfowl an area free from hunting and human disturbance while minimizing conflicts with anglers. Current refuge dates are October 1 through March 1 for the “No Hunting” zone and November 1 through March 1 for the “No Activity” zone. Consideration is being given to change the March 1 date to correspond with the closing date of the dark goose season to improve late winter fishing access sooner. If water levels continue to recede, further refuge modifications may be necessary.

Data from bimonthly waterfowl surveys from 1983 to 1990(Pre-refuge) recorded an annual average of 4,000 ducks and 1,200 geese present at WEBR from September through January. The average peak numbers for this same period was 12,900 ducks and 5,300 geese. Waterfowl numbers recorded from 1997 to 2003(Post-refuge) have shown significant increases in the yearly averages for ducks and geese, 7,200 and 3,100 respectively. Average peak numbers also have increased significantly to 20,600 ducks and 7,300 geese.

While these increases can be partially attributed to the refuge, factors such as the increased population trends in the Central Flyway, and higher water levels have also positively influenced the number of waterfowl using WEBR. Higher water levels provide more acres of shoreline habitat and flooded timber for waterfowl use.

However, more recent data from the 2003/ 04 surveys showed goose numbers were even higher with an average of 7,100 geese and a peak at 21,000, despite the water level being 22 feet below conservation level, while duck numbers continued to decline. This may indicate the refuge is more critical for retaining geese than ducks. As the water levels decline, waterfowl surveys will be used to further evaluate the effectiveness of the refuge.

Another very significant benefit from increased waterfowl use on the area has been wildlife watching. Larger concentrations of ducks and geese have also attracted large numbers of eagles, up to sixty on the refuge at once. Eagle nesting activity has also been occurring the past few years. Wildlife watching activity has increased around the refuge on WEBR and in the State Park.

b. Geese

Canada geese are the primary goose species occurring at WEBR. Occasional snow and white-fronted geese are present on the area. Historically only migrant geese visited WEBR but in the early 90's geese were relocated from Colorado to establish a naturally producing population and to help attract more birds in the fall. The resident population became well established to the point of being problematic in the Park. Feeding and loafing areas away from the park were established and are now maintained to minimize the problem. At one point geese were trapped and relocated to reduce the problem, and will be removed again if problems develop in the Park. Park patrons enjoy the geese while anglers tire quickly of their excessive use of mutual areas.

Previous data in the refuge section showed goose use at WEBR has continued to increase, even with reservoir water level declines. Geese basically use the reservoir as a loafing

area and adjacent private lands for feeding. Geese are less tied to area row crop production than mallard ducks, because of their affinity for the green browse of winter wheat fields. Most goose hunting occurs on private land. Consistent good goose hunting rarely occurs on WEBR due to smaller crop field size and higher hunting pressure. The addition of Walk-In-Hunting-Areas (WHIA) targeted for goose hunting have increased public hunting opportunities for geese.

In 1997, with increased geese on the area, the first special draw goose hunts were started in areas previously closed to hunting to provide a quality opportunity on public land. Initially twelve hunts were drawn from applicants for a pit blind located on the edge of the refuge in the wildlife area, Figure 3. Additional pit blinds were installed to expand the program and in 2003/04, 26 special goose hunts were provided.

Continued emphasis will be placed on managing geese, primarily by maintaining and monitoring a good refuge. Additional hunting goose hunting opportunities will need to come from more goose WIHA areas and the private land sector.

Objectives:

- 1) Maintain a resident flock of 300 Canada geese on the Wildlife Area.
- 2) Maintain the average number of geese at WEBR at 5,000/survey from November to February.
- 3) Provide 30 special goose hunts per year.

Strategies

- * Evaluate refuge effectiveness on attracting and retaining goose numbers.
- * Continue bimonthly waterfowl surveys.
- * Provide and enhance special draw hunting opportunities.
- * Maintain and develop year round loafing areas outside the State Park.
- * Utilize hazing and relocation methods to deal with nuisance geese in the State Park.
- * Manipulate shorelines to provide adequate undisturbed loafing areas.
- * Maximize benefits while minimizing impacts to other area uses.

c. Ducks

Many species of ducks use WEBR. Wood ducks are the primary duck nesters while others are only visitors. Early season puddler species prefer flooded shoreline habitat to loaf and feed while the divers like the large open expanse of the reservoir. Later in the fall, from November through January the survey counts are made up of almost exclusively of mallards. Mallards later in the season mostly use the reservoir as a refuge and along with geese keep a water source open while foraging primarily on private lands. Mallards, unlike geese, are almost exclusively tied to waste grain from row crops. Yearly numbers of ducks fluctuate with water levels, hunting pressure, winter weather

conditions, Central Flyway population trends, and the quantity of waste grain left from area field fields.

Reservoir duck hunting from the shoreline is difficult. First of all, ducks only use very select shoreline areas that are good for loafing away from high waves and hunter disturbance. Duck retrieval is also tough in many locations, even with a good dog. Good shoreline duck hunting areas are at a premium and generally in use by hunters when conditions are good.

Most reservoir duck hunting occurs from boat blinds, but these too are limited in location for good success. A few locals utilize areas extensively but a large increase of out of state hunters was present until recent significant declines in water levels, eliminated blind sites and crowded hunters.

A floating/land special draw hunting blind was initiated in 2000. The blind was located and intended to primarily harvest ducks. Five special hunts for the general public and three special hunts for youths were offered in 2000. Three youth and three open hunts were offered in 2001. Nine open hunts were offered in 2002 and again in 2003.

Continued emphasis will be placed on managing ducks at WEBR. While the number of ducks attracted and retained on the area can be influenced by the same management practices as outlined in the goose section, water levels will be the greatest influence on the number of ducks and duck hunters that utilize WEBR.

Objectives:

- 1) Attain a winter mallard population of 10,000 ducks/survey from October to December.
- 2) Provide 10 special hunts per year targeted for ducks.

Strategies:

- * Evaluate refuge effectiveness on attracting and retaining duck numbers.
- * Continue bi-monthly waterfowl surveys to monitor population trends.
- * Use floating/land blind for special hunts and seek additional hunting sites.
- * Manipulate shorelines to provide good loafing areas.

4) Pheasants

Pheasant hunting is the second most frequent hunting activity that occurs directly on WEBR. From 1994 to 2003, an average of 46 pheasant hunters were recorded on opening weekends while an average of 71 deer hunters were recorded for all deer seasons during the same time period. When the water levels declined in the early 1970's and early vegetation succession occurred, pheasants probably reached their highest levels on the area. As low water conditions continued through the 1980's, large areas of timber became established and pheasant habitat and populations on the area declined.

Agricultural activities on WEBR are intended to improve pheasant populations. Crops are used to maintain an early succession of plants and food plots for winter survival. Forbs, legumes and native grasses are used for nesting and brood cover. Of all these plant communities, annual forbs such as kochia and sunflowers are probably the most crucial to good populations.

The majority of pheasants at WEBR are produced on the area. Migration onto the area from private land that surrounds the wildlife area occurs but has diminished with the quality of habitat available on private land. Pheasants from neighboring CRP fields do move onto the area as hunting pressure subsides later in the season. Movement of pheasants to and from the area and surrounding properties is driven by hunting pressure. Heavy hunting pressure, whether on private or public land, moves pheasants to areas with less pressure.

The best trend data for pheasants at WEBR is from the surveys of opening day hunters and their success from 1994 to 2003. While these surveys are limited they have recorded that the number of hunters and success has remained fairly constant. During this period, an average of 46 hunters per year has been recorded on the area. These hunters have harvested 24 birds yearly for an average success rate of 0.5 birds per hunter.

The amount of upland cropland and its management are the main areas where impacts can be made. Forbs, such as annual broadleaf weeds, are critical to the enhancement of pheasant numbers. Agricultural activities are optimized for pheasants on the assumption they are also equally beneficial to other game species on the area

The number of pheasants on WEBR does not meet expectations or demands placed on the population by hunters. The majority of pheasants are harvested the first weekend of the season which results in lower success rates and ultimately fewer hunters using the area in the later stages of the season.

Objectives:

- 1) Provide a minimum of 400 acres of early successional vegetation and legumes for pheasant nesting and brooding.
- 2) Provide hunters with an average harvest of 1.0 bird per hunter throughout the season.

Strategies:

- * Utilize crops to provide early successional plants and food plots
- * Utilize strip disking to promote growth of broad-leafed forbs.
- * Conduct opening day surveys to record hunter numbers and success.
- * Consider options to optimize the number of hunters and harvest throughout season.

5) Quail

Quail numbers are typically low on WEBR. The area is on the fringe of the quail's range. Quail populations fluctuate widely due to periods of severe weather and recovery is generally slow due to losses of brood stock. Even when present the number of quail on the area rarely meets the demands of hunters' expectations.

When environmental conditions are favorable for quail, fair numbers of birds can be found on the area. Quail can provide an additional hunting opportunity to those that are primarily pursuing pheasants.

Objective:

- 1) Provide 50 man-days of quail hunting annually.

Strategy:

- * Consider quail when implementing pheasant management practices.

6) Furbearers:

A wide variety of furbearer species are commonly found on WEBR. Populations of raccoon, coyote, bobcat, badger, striped skunk and opossum remain fairly constant. Populations of other species such as beaver, mink, weasel and muskrat fluctuate with increasing and decreasing water levels.

There is little data available on population densities for furbearers on WEBR. Population densities are directly related to environmental factors, fur prices and hunting pressure. During the 2003-04 trapping season, twelve trappers brought 50 bobcats to be tagged at Webster. While all the bobcats except one were taken in Rooks and Graham counties, all reported trapping on private land. Overall, the number of furbearers on the area meets the demands of hunting and wildlife viewing.

Objective:

- 1) Include furbearer habitats in management practices for other wildlife species.

Strategy:

- * Protect den sites and runs.

7) Non-Game Wildlife

Non-game species are important on WEBR and benefit primarily from wildlife management practices for game species. Non-game birds and amphibians are excellent

indicators of habitat quality. A high abundance of non-game species present on an area is an indication of an overall healthy environment.

Most notable of the non-game species has been the rise in the number of Bald Eagles wintering at Webster. Since 2000, an average of 37 eagles have been on the area from November to February each year and peaked in 2002 with 64. While the overall population of Bald Eagles in the United States has risen in past years, migration to and wintering at Webster corresponds directly to increases in waterfowl recorded at Webster Reservoir.

In 2003 a pair of Bald Eagles constructed a nest in a cottonwood tree below the dam. The pair tended the nest but apparently did not lay eggs. A pair returned in 2004 and continued to tend the nest. Again the pair apparently did not lay eggs. The site will be monitored in coming years for a successful nesting.

Non-game species on WEBR are numerous and include birds, mammals, amphibians, reptiles and invertebrates. The number of non-game species on WEBR meets the demands of wildlife viewing.

Objective:

- 1) Increase public knowledge of the variety and importance of non-game species.

Strategy:

- * Include non-game topics when speaking with civic groups and personal contacts.
- * Monitor for successful Bald Eagle nesting.

F. HABITAT MANAGEMENT

Habitat management is necessary for maintaining and producing optimal or prime habitat that is crucial for producing viable populations at WEBR. Both game and non-game species benefit from properly performed habitat management. Habitats are generally managed for optimal conditions on public lands and support good wildlife populations. The greatest challenge to management derives from the heavy pressure and associated problems associated with high user demands. General habitat types are categorized as cropland, rangeland, timber/riparian, wetlands and reservoir. Each habitat type requires various management strategies in order to optimize the diversity and productiveness for different species.

Croplands are managed to provide supplemental food, nesting and brooding areas, and winter cover. When the reservoir was at a near all time low in 1991, 1,160 acres were available for production. As the reservoir levels rose in 1993 and again in 1995, cropland acreage was lost. When the reservoir is at conservation pool there are 733 acres of cropland. The reservoir is presently 21 feet below conservation pool with 1,076 acres of total cropland (11%).

Rangeland is the largest terrestrial habitat on the area. Total acreage is approximately 3,500 acres (37%) and consists of both warm and cool season grasses, annual and perennial forbs and scattered trees and shrubs. Included within these 3,500 acres of rangeland is 320 acres of CRP warm season grasses.

The second largest terrestrial habitat on WEBR is timber/riparian areas. Timber/riparian areas vary with water levels and presently account for approximately 3,170 acres (33%). The predominate species on WEBR is cottonwood. Other species present are willows, hackberry, osage orange, ash, locust, Russian olive and Eastern red cedars. There are few mast producing trees (i.e. walnut and oak).

Wetlands existing on WEBR are dependent on fluctuating water levels. At low water conditions, an area is a crop field; at intermediate reservoir levels, the area is a wetland; and at conservation pool or above, the area is part of the reservoir.

When the reservoir is at conservation pool there are 3,766 surface acres and is the largest habitat (40%). At 21 feet below conservation level there are only 1754 surface acres and represents 18% of the area. In 1971 and 1991 the reservoir reached all-time lows with only 651 and 787 surface acres respectively. Since the high inflows of 1993 to 2000 the reservoir had been held at or over conservation pool with at least 3,700 surface acres for recreational and wildlife use. Since 2000, a combination of reduced inflows and yearly irrigation releases has resulted in lowering the reservoir level. Environmental factors and irrigation discharges will dictate future water levels.

1) CROPLAND

The total number of cropland acres at WEBR varies from 1,160 to 733 with reservoir levels. Agricultural activities are implemented so as to create beneficial habitat for various wildlife species. Funds are generated from ag activities but are only a by-product of wildlife management and should not be considered as a major funding source.

Practices are aimed at sustainable agricultural management. Tillage is used to control undesirable and noxious weeds. Crops are rotated to promote soil fertility, disease resistance, and to decrease erosion. Present crop rotations allow for the early successional growth of annual weeds, which are valuable for upland wildlife species, maintain supplemental winter food supplies for wildlife species and provide legumes for nesting and brooding areas.

Common types of crops planted include wheat, milo, cane and alfalfa. Other crop types include corn, sunflowers, millet and other legumes.

Objectives:

- 1) Utilize sustainable agriculture practices to produce beneficial habitat for all wildlife species.

- 2) Promote beneficial annual forb production.
- 3) Provide adequate supplemental food supplies for wildlife.
- 4) Maintain the highest standard of land stewardship.
- 5) Contain and control noxious weed problems.

Strategies:

- * Utilize chemical and mechanical methods to control Canada thistle and Johnson grass.
- * Use mechanical and limited chemical methods to control musk thistle.
- * Utilize strip disking and farming practices to promote beneficial annual forbs.
- * Comply with all NRCS standards for land stewardship.

2) RANGELAND

Webster Wildlife Area is geographically located in the mixed-short grass prairie region. Rangeland encompasses approximately 3,500 acres of the area and of which 320 acres are CRP warm season grasses and approximately 100 acres of smooth brome.

Methods for managing rangeland and native prairie include, but not limited to, are prescribed burning, haying, disking and grazing. Burning and haying have been the methods used in the past at WEBR.

a. Prescribed Burning

Prescribed burning is an efficient and economical way of maintaining and improving native species and controlling non-desirable and invading vegetation. Burning done in a timely manner can increase native wildlife food resources and habitat dramatically.

The timing of a burn depends on the results that are sought, whether to specifically promote or discourage a particular plant or plant community. In order to improve the area flora it is imperative that a concise burn plan be implemented. A wildfire that resulted from a control burn in 1999 re-emphasized the need for proper equipment, training and planning.

The lack of controlled burns in the past has resulted in the invasion of Eastern Red Cedars throughout the grasslands of Webster. Cedars degrade a grasslands quality and decrease all wildlife species dependent on this habitat for survival. Control burns will be used to control cedars and improve grassland quality. Supplemental control of cedars will be accomplished by chainsaw and mowing when burning is not possible or timely.

Objective:

- 1) Utilize prescribed burning on 200-300 acres annually to enhance wildlife habitat.
- 2) Control invasion of Eastern Red Cedars.

Strategies:

- * Develop a burn plan for WEBR.
- * Ensure that members of burn teams are properly trained and informed.
- * Conduct burns in a safe and timely manner.
- * Conduct burns in accordance to burn plans.
- * Maintain and develop additional firebreaks.
- * Utilize inmates and seasonal labor to control cedars.

b. Haying

Haying slows the invasion of woody species, creates an edge effect when done in strips, promotes a little annual weed growth, provides grass stimulation, and furnishes some monetary income. Haying should only be done in strips on a rational basis and only after all bird nesting is complete.

Objective:

- 1) Utilize haying on 40 acres annually to improve wildlife habitat.

Strategies:

- * Use haying in conjunction with disking to maintain firebreaks.
- * Ensure haying occurs in a timely manner so as not to disrupt nesting.

c. Disking

Disking native prairie or smooth brome is a simple method for improving wildlife habitat. While disking benefits both types of grassland, this practice is generally used to break up solid strands of smooth brome. Disking strips of grassland early in the spring sets back the succession of a grassland community and promotes the growth of broad-leafed plants that are beneficial to wildlife. Disking is also used to maintain and develop firebreaks.

Since 1998, approximately 50 acres of smooth brome has been disked by the dam and eight miles of firebreaks have been developed on the area. The firebreaks are a 20-foot wide disc strip. Future plans are to incorporate an additional 20-foot strip beside all present and future firebreaks. When these double strips are established, one strip will be worked and kept clear of vegetation to be used as a firebreak while the other will be worked early in the spring to be used as a broadleaf/foodplot strip. The function of the strips will be alternated yearly.

Objective:

- 1) Disc 50 acres/year in strategic locations providing additional wildlife habitat and firebreaks.

Strategies:

- * Continue disking within solid stands of smooth brome.
- * Incorporate disking strips in native grasslands.
- * Develop and maintain disc strips for weed strips and firebreaks.
- * Alternate use of disc strips yearly.
- * Ensure that areas are in accordance with NRCS standards.
- * Develop disking plan for the area.

d. Grazing

Grazing native prairie or smooth brome is another method for improving wildlife habitat. Grazing in early spring with an “Early Intensive Stocking” (EIS) system can remove large amounts of detritus material and open up the ground. This permits sunlight and moisture to reach native grasses and annual broad-leaved plants. To date no grazing has been done on native prairie or smooth brome at WEBR.

Objective:

- 1) Utilize grazing on 200 acres/year to promote and improve wildlife habitat.

Strategies:

- * Evaluate grasslands for areas suitable for grazing.
- * Develop specific standards and plan for grazing at WEBR.

3) TIMBER

There are approximately 1,500 acres of timber/riparian at WEBR. Cottonwoods are the predominate tree on the area. Most noticeably lacking on the area are mast-producing trees (i.e. walnut and oak).

The high waters of 1993 and 1995 inundated nearly five thousand acres of terrestrial habitat. Of this acreage, some was cropland and rangeland but the majority was timber/riparian areas. Trees that had existed since the early 1970's were flooded and killed. As the water level was lowered after 1995, seedlings of cottonwoods and willows have sprouted along the newly exposed shorelines. The current timber management strategy is to permit the timber/riparian areas to reseed naturally as water levels recede.

The presence of thousands of dead trees from the high water events of 1993 and 1995 presents obvious challenges to the current and future management of WEBR, particularly as water levels recede. How many of the dead trees should be removed and which method to be used is being evaluated. Clearing dead trees with a bulldozer may be an option on some small areas but would be economically infeasible to do on the entire area.

In 2003, the BOR provided \$10,000 to Webster Wildlife Area and State Park to hire a contractor to clear specific sites of dead timber. The purpose of this project was to utilize a bulldozer to clear sites and develop firebreaks. These clearings and firebreaks will be used to permit the more feasible treatment and control of Canada thistle.

The least costly and most practical method of removing dead trees is burning. This fuel can consist of either fallen trees and/or dry vegetative growth from annual forbs. The timing of a burn must also be such so as to remove the dead trees but yet not promote the germination of noxious weeds (i.e. Canada thistle). The fire breaks created with the BOR project will help facilitate control burns. Substantial firebreaks and burn plans will be required before for any burns are conducted at WEBR.

Objectives:

- 1) Manage stands of timber with known principles.

Strategies:

- * Monitor new growth of cottonwood and willow seedlings.
- * Transplant seedlings to areas where no natural seeding is occurring.
- * Allow natural expansion of trees in former riparian areas.
- * Continue expansion of firebreaks.
- * Conduct controlled burns to remove dead timber.
- * Pursue additional BOR funding to continue dead timber removal.

4) WETLANDS

Wetlands at WEBR consist primarily of shallow water areas along the shoreline of the reservoir. Wetlands areas are highly dependent on reservoir levels. During high water levels an area may be part of the reservoir; at moderate water levels the area may be a wetland; and at low water levels the area may be cropland, timber or rangeland.

Wetlands play a vital role in maintaining stream quality and providing wildlife habitat. Stream quality is improved by the fact that dissolved nutrients derived from fertilizers, pesticides and other contaminants are extracted by aquatic vegetation and organisms within the wetland.

Objective:

- 1) Maintain wetlands to provide wildlife habitat and stream, water quality.

Strategies:

- * Identify wetland areas in conjunction with varying water levels.
- * Investigate feasibility of using a levee plow on selected areas to produce manageable wetland areas.

5) RESERVOIR

The dam of Webster Reservoir was completed in 1956. Since that time, water levels have fluctuated greatly. By the end of 1957 the reservoir was full. Also in 1957, the organization of the Webster Irrigation District No. 4 was completed. The Irrigation District serves approximately 8,500 acres of cropland between Woodston and Osborne. The reservoir stayed at or near conservation level only until the early 1960's. From that time through 1992 the reservoir varied between 20 to 30 feet below conservation level. The reservoir declined due to insufficient inflows from the South Fork Solomon River above the reservoir and irrigation discharges. Reductions in stream flow were due to below average precipitation, the implementation of watershed conservation practices that reduce runoff and the use of underground water for irrigation. The high water events of 1993 and 1995 returned the reservoir to or above conservation level. From 1995 to 2000, sufficient rainfall occurred to maintain the reservoir near conservation level. Drought conditions during the summers of 2002 and 2003, minimal spring recharge and continued irrigation discharges had left the reservoir 21 feet below conservation by the end of the 2003 irrigation season.

During years of normal and below normal rainfall, the inflow into the reservoir does not compensate for losses of water due to evaporation and irrigation discharges. As a result, water levels decline. Only during years of above average rainfall are water levels maintained or increased in the reservoir. Years of normal rainfall and years of rainfall above and below average are evident at Webster. Only years with above average rainfall or cessation of irrigation releases will stop the decline in water levels.

In 1998, the staff of the Webster Area Office solicited input from the Kansas Water Office and the BOR concerning the possibility of Webster Reservoir storing water above the conservation level. A water level management plan for Webster Reservoir was then developed, proposed and implemented. The plan permits the reservoir to rise to five percent into flood pool whenever possible. This recharge occurs whenever inflows are sufficient to do so. The positive impacts associated with this plan include: 1) provides a buffer against the effects of irrigation withdrawals; 2) increases productivity of the aquatic environment thereby enhancing the fishery resource; 3) optimizes the economic benefits associated with the sport fishery; 4) increases visitation at the State Park; and 5) increases the ease and usability of Webster Reservoir boat ramps. The negative impacts associated with this plan include: 1) loss of terrestrial, riparian and wetland acreage; and 2) expanding range of Canada thistle.

The large fluctuations in water levels complicate the management of WEBR. Facilities, agricultural activities, habitat management, recreational activities and wildlife are all affected by changing water levels. Ideally, the reservoir would remain at conservation pool and thus keep the totals of land and surface acreage constant; unfortunately that luxury does not exist at WEBR.

Objective:

- 1) Maintain the water level as close to conservation pool as possible.

Strategies:

- * Purchase a portion of the water rights from the irrigation district when and if they are willing to sell.
- * Establish a minimum pool at the 1885-foot elevation.

6) FORBS

Annual and perennial forbs are an important element of habitat management. Many annual forbs that are considered “weeds” by the private sector are extremely beneficial and desirable in terms of wildlife management. Annual forbs such as Kochia, giant ragweed and native sunflowers provide valuable winter food reserves for both game and non-game species. As mentioned earlier in the section on “Disking”, disking an area early in the spring promotes these annual forbs and is cost effective. Other areas in which annual forb production occurs on WEBR are on exposed shorelines as water levels recede and in fallow cropfields.

Not all the forbs that are found on WEBR are desirable. Johnson grass, musk thistle, and Canada thistle are three perennials that are listed as noxious weeds. Johnson grass is a perennial grass that is limited to small areas on the west end of WEBR. Chemical control and seeding of native grasses are the present methods of controlling Johnson grass. Musk thistle can occur anywhere on WEBR. However, it occurs in such small numbers that hand digging is the primary method of control. Canada thistle can occur anywhere on the property and poses the greatest noxious weed problem.

While Canada thistle can occur anywhere on the property it is generally restricted to moist soil along the shoreline and in feeder creeks and draws. The primary method of controlling Canada thistle is chemical application. Another method of controlling Canada thistle is interseeding an infested area with native grasses that out-compete the thistle. Large fluctuations in water levels, thus changing the shoreline, complicate efforts to control Canada thistle.

Objectives:

- 1) Promote forbs on fallow fields and eight miles of disk/foodplot strips.
- 2) Control noxious weeds.

Strategies:

- * Use disking to promote beneficial forbs.
- * Monitor forb production along shorelines and cropfields.
- * Utilize native grass planting to out-compete noxious weeds.
- * Utilize mechanical methods to control noxious weeds.

- * Utilize chemical methods when necessary to control noxious weeds.

G. SURVEYS

Surveys have been conducted on WEBR since the area's beginning. Over the years the information gathered and the method in which this information is acquired has changed. Two of the oldest surveys done are the bi-monthly waterfowl counts and deer hunter harvest surveys. These surveys continue today and provide useful information. Various surveys conducted on WEBR now relate to both public use and wildlife. User surveys are conducted two weekdays and two weekend days per month. These record the number, their location, and what activity they are engaged in. Visitation surveys may not be providing accurate data, especially for low use activities. New ways of surveying need to be explored in order to get an accurate measure of users and their needs. This information can then be used to evaluate existing programs and formulate new ones.

Surveys currently conducted are listed below. These surveys need to be continued. They will assist in analyzing the success of changes that have been outlined in this plan.

Pheasant

- * Opening weekend harvest.
- * Brood counts (Chicks/Day in Field).

Waterfowl

- * Bi-monthly counts from September through March.
- * Mid-December goose count.

Deer

- * Spotlight counts in November
- * Rifle season harvest survey utilizing survey cards and interviews.
- * Statewide mail-in hunter survey.

Non-game

- * Mid-winter bird count.

Public Use

- * Visitation recorded two week days and two weekend days per month.
- * Traffic counter located on entrance to stilling basin.
- * Windshield survey cards.

Objective:

- 1) Maximize effectiveness of all management programs.

Strategies:

- * Continue all survey methods presently used.
- * Implement an area user registration system to document the amount and type of activities occurring on WEBR.

H. FISHERIES

Sport fish populations, associated fishing activities, and angler satisfaction and success have been sporadic at Webster reservoir throughout the history of this impoundment. Water level instability has been the primary factor affecting the Webster Fishery.

The reservoir filled shortly after the dam was completed in 1956. Initially, water supplies were stable and adequate for meeting all demands. By the mid 1960's, however, inflows began to decline. Throughout the 1970's and 1980's, recharge was insufficient in most years for replacing water released for irrigation and/or water lost to evaporation. Severe fluctuations of water level resulted, with extremely low levels occurring at times. Irrigation and recreation as beneficial uses of the reservoir became less compatible as water supplies dwindled.

Flood events in the early to mid 1990's brought relief by allowing the reservoir to refill. Shoreline oriented species such as bass, crappie and bluegill responded dramatically to the expanse of newly flooded habitat. Water was abundant for all uses. However this situation did not last. Factors that depleted inflows are still in place and irrigation remains a function of the reservoir while flood events are rare occurrences.

Fisheries management efforts at Webster Reservoir are primarily directed towards limiting and mitigating the effects of fluctuating water levels. Upward fluctuations tend to yield mostly positive impacts, but some problems, such as predatory/prey imbalances, typically develop following substantial water level increases. Downward fluctuations produce mostly adverse impacts, especially when water levels are low. Irrigation drawdowns are particularly detrimental to the fishery during low water periods. Water withdrawals from the lower reaches of the irrigation pool yield a high reduction of reservoir content over a short period of time. Impacts include loss of spawning habitat and escape cover, and degradation of water quality. Direct fish losses occur via flushing during a withdrawal and intensified mortality rates within the reservoir following a withdrawal. Indirect losses involve restriction of reproduction and survival. Gaps in recruitment caused by direct and indirect losses affect the quality of the fishery for several consecutive years.

Objectives:

- 1) Maintain fisheries management practices to limit and mitigate the effects of fluctuating water levels and to provide a diversity of angling opportunities.
- 2) Implement actions to promote and support angler use at all water levels.

Strategies:

- * Eliminate operational draw downs or establish a fish, wildlife and recreation pool to promote greater stability and minimize the impacts of water level fluctuation.
- * Establish alternate prey specie to lend support during periods of poor gizzard shad production.
- * Utilize harvest restrictions to prolong the benefits of high water production and to maintain quality at all water levels.
- * Continue the wiper stocking program to maintain a population of predators that are not dependent upon shoreline habitat and are capable of prospering at all water levels.
- * Monitor the fish community, angler use and harvest characteristics to acquire data necessary for sound management decisions.
- * Conduct habitat development projects during periods of low and/or receding water levels.
- * Coordinate with Park and Public Land managers to develop and maintain facilities and enhance angler access at a wide range of water levels.
- * Continue to intensively manage the Stilling Basin to supplement the reservoir fishery.
- * Develop fishing ponds on the Wildlife Area and manage for youth fishing clinics.

I. RECREATION

1) Hiking and Mountain Bikes

Hiking and mountain bike riding are allowed on the entire area except in the designated refuges. Since there is little demand for any major hiking or mountain bike developments, these recreational activities will be managed as present.

Objective:

- 1) Maintain the WEBR wildlife area as open to hiking and mountain bike riding, except for in locations posted as refuge "Closed to All Activities".

Strategies:

- * Develop access fees for current non-consumptive users.
- * Maintain current hiking and mountain bike standards.

2) Horseback/ATV Riding

In the past horseback riding was allowed on the entire Webster area. In the late 70's it was determined that horseback riding was not commensurate with public land management and was soon regulated by state law. ATV's also were determined to be

detrimental with public land management. Horseback and ATV riding on WEBR is presently restricted to maintained roads.

Objective:

- 1) Allow horseback and ATV riding only on maintained roads.

Strategies:

- * Maintain current horseback and ATV riding standards.

- 3) **Swimming**

Swimming is presently allowed on WEBR area except in refuges posted as “Closed to All Activities”. Presently most of the swimming takes place in the State Park where modern facilities are available and on the wildlife area by boaters.

Objective:

- 1) Maintain current management and regulatory standards for swimming.

Strategies:

- * Allow swimming at WEBR, except for in refuge areas posted as “Closed to All Activities.”

- 4) **Boating**

Boating is a very popular recreational activity that occurs at WEBR. But as with nearly everything else mentioned in this plan, boating fluctuates with reservoir levels. Soon after dedication Webster was one of the more popular recreational areas in the western portion of the state and despite declines in water levels the area continues to be a popular place to recreate.

On a Statewide average, boaters spend 59 percent of their time on the water fishing, 17 percent of their time pleasure boating, and 13 percent of their time water skiing. Other boating activities include sailing and jet skiing.

Presently the entire reservoir is open to fishing from a boat. The exception being the 200 acres in the waterfowl refuge that is closed to all activities from November 1 to January 31. The remainder of the waterfowl refuge only prohibits hunting in this area. It is necessary to permit boating access through the waterfowl refuge because of all the boat ramps in the State Park are located within the refuge. Management has monitored the impact of boating access through the waterfowl refuge and determined it to be minimal and acceptable.

The only boat ramp on the Wildlife Area is the Morel boat ramp. This ramp is only usable when the reservoir is within 5 feet of conservation level.

Other facilities available to boaters include boat ramps, courtesy docks, and mooring areas in the State Park. The boat ramps in the State Park are usable to 26 feet below conservation level. Boats can be moored anywhere on the reservoir, except designated refuges, without a permit for no more than 24 hours at a time and are subject to removal if left longer.

The Conservation Officer is the primary officer responsible for boating-related activities at WEBR. These activities include providing safety and educational information to the public, regular reservoir patrols, courtesy boat inspections and enforcement of state regulations. Other park, public land and law enforcement staff assist the Conservation officer in meeting the boating needs for the area.

Objective:

- 1) Maintain present standards for boating on the area.

Strategies:

- * Maintain adequate mooring areas with elevations that have high usage.
- * Provide courtesy boat inspections to area users.
- * Maintain that users are aware of reservoir hazards and areas of safety are properly buoyed for boating safety.

- 5) Special Events

Special events range from field trails to fishing tournaments. Special events that occur on WEBR are subject to permit requirements if one of the following conditions exists: 1) an entrance, admission or participation fee is charged; 2) food, merchandise or service is offered for sale; 3) the exclusive use of a facility, specific land, or water area is required; 4) an organized or advertised competition will be conducted; 5) sound will be amplified which may disrupt area users; 6) temporary structures, other than blinds or common camping equipment will be erected. All special events at WEBR will require prior approval from the Department.

Objective:

- 1) Allow special events that are commensurate with the Department's management goals and provide additional recreation opportunities to area users.

Strategies:

- * Allow special events that are compatible and do not degrade the natural and historical resources.

- * Maintain that special events are conducted according to state law.

6) Shooting Ranges

State regulations prohibit target or recreational shooting on public lands except in areas posted for such activities. Presently there is no designated shooting range on Webster Wildlife Area. Federal EPA regulations concerning the creation of a new shooting range are such that the construction and maintenance of a range are prohibitive in terms of manpower and budget. The discharge of firearms or other sporting equipment is permitted for persons engaging in the following activities: hunting, trapping, special events or activities authorize by the Department in writing and non-commercial training of hunting dogs.

An archery range was present at Webster but was located within the State Park. Floods of 1993 damaged and closed the range. Being located in the Park necessitated the purchase of a permit (daily or annual). However, the Park furnished modern facilities, good access, and paved parking.

If an interested archery club was located and willing to maintain a range, a potential site for a new archery range on WEBR could be the area between the stilling basin and the county road. This site is already marked as a Safety Zone and closed to hunting. The area is timbered by cottonwoods. The parking lot and ADA restroom at the stilling basin could also serve the archery range.

Objective:

- 1) Maintain present target/sport shooting standards with emphasis on developing an archery range for shooting recreation.

Strategy:

- * Adhere to Department policy concerning the discharge of firearms on wildlife areas.
- * Determine requirements and commitments needed to develop an archery range.

7) Wildlife Viewing

Wildlife viewing is a very popular activity at WEBR. There are approximately seven miles of permanent and three miles of seasonal roads (Figure 3) on the area and an additional 15 miles of county roads bordering the area to provide ample opportunities to view wildlife. Those species most commonly seen at WEBR are whitetail and mule deer, waterfowl, coyotes, pheasants, quail, turkeys and numerous non-game species.

Objective:

- 1) Provide 300 man-days for wildlife viewing opportunities near areas with high wildlife usage.

Strategies:

- * Maintain area roads for access for wildlife viewing providing that such roads are concurrent with the area's wildlife management practices.
- * Develop a viewing/photography blind to observe waterfowl and eagles in the winter and the northern migration of shore birds and waterfowl in the spring.

8) Camping

Present regulations permit camping that require vehicular access at five designated campsites, one is seasonal. Walk-in camping is permitted anywhere on the WEBR except in those areas posted "Closed to all Activities".

Camping on Webster Wildlife Area is secondary to other area activities that occur on the area, whereas, camping in the park is a primary activity. Wildlife area camping is primitive and intended for use by boaters, hunters and anglers in a manner that minimizes impact to the resource.

Objective:

- 1) Provide primitive camping for WEBR's boaters, hunters and anglers.

Strategies:

- * Encourage campers to utilize the State Park.
- * Provide limited camping for WEBR's boaters, hunters and anglers.
- * Maintain policy of designated campgrounds for that which requires vehicles.
- * Maintain policy of walk-in camping in all areas except where prohibited by posted notice.
- * Maintain camping areas clear of litter and mowed.

9) Hunting

As stated in the introduction, WEBR is only a narrow corridor in Rooks County and as such is a limited resource. Wildlife resources are less productive than fisheries and much more sensitive to both consumptive and non-consumptive human activities. WEBR does produce and attract wildlife but these can be quickly harvested or driven off the area until pressure subsides.

Spring turkey, pheasant and rifle deer hunting seasons on WEBR are typically characterized by the majority of the hunters present on the area the first few days or weekend and then few on the area throughout the remainder of the season. Hunting pressure does decrease during each season as the number of hunters dwindles or ceases.

The probability of a less crowded hunt later in these respective seasons increases, but there are fewer game animals to harvest.

Archery deer and waterfowl hunting seasons receive low to moderate pressure on WEBR through out the season except during peak migrations and the deer rut when hunter numbers are at their peak. Waterfowlers also tend to hunt throughout the season. Waterfowl numbers rather than calendar dates dictate when and how many are hunting. When the reservoir level is high there is flooded timber and the number of duck boats increases. As water levels decrease, the effectiveness of duck boats also decreases and the primary method of hunting shifts to shoreline sets. The majority of goose hunting, less dependent on water levels, continues to occur on private land surrounding WEBR.

Fall turkey and muzzle loader deer hunting are the least utilized seasons on WEBR. Turkeys can generally be found on the area until the pheasant opener. During this time a quality hunt is possible on WEBR. Similarly, few hunters are present on the area during the muzzle loader season.

WIHA areas have undoubtedly increased the acreage accessible to the general public. But these areas too experience the same pattern of hunting pressure as seen on public lands. In these times of more closed doors and lease hunting, WIHA areas are important in increasing public acreage, renewing interests in hunting as a sport, and instances like those surrounding WEBR, can be one of the few areas openly accessible to goose hunters.

Objectives:

- 1) Provide multiple hunting opportunities with emphasis on improving the quality of the hunts.
- 2) Utilize WIHA to increase public access for all types of hunting.

Strategies:

- * Promote under utilized hunting seasons.
- * Promote hunts later in the seasons.
- * Consider methods to decrease “opening day” pressure on spring turkey, pheasants and rifle deer seasons.
- * Retain and expand WIHA acreage for all species.

10) Fishing

Fisheries resources, on a per acre basis, are much more abundant than wildlife resources. Thus, the fisheries resource can support a higher level of pressure. When water levels are high the fisheries resource and habitat is tremendous. As the water level decreases, so will the angling opportunities.

Two primary methods of angling are fishing from a boat and shoreline fishing. Boating in general, boat ramps, and related facilities are discussed in previous sections. Varying water levels have to a degree less effect on boaters than shoreline anglers. Access for boaters will continue to be primarily by the ramps in the State Park at all water levels. However, shoreline anglers experience dramatic changes in location and ease of accessibility of the shoreline as water levels change. While access to every portion of the shoreline is not practical, Figures 2 and 3 show roads and parking lots that will provide access to popular angling sites on WEBR. The State Park also continues to improve shoreline access at varying water levels.

Objectives:

- 1) Ensure boat ramps are useable at all water levels.
- 2) Provide access to popular sites for shoreline angling.

Strategies:

- * Maintain Morel Ramp when water levels are within 5 feet of conservation level.
- * Coordinate with Park staff to ensure Park ramps are usable at all water levels.
- * Utilize permanent and seasonal roads to provide access for shoreline angling.

J. Archeology/Historical

Archeology is defined as the systematic recovery and examination of material evidence such as graves, building, tools, and pottery remaining from past human life or culture. Archeological and historical sites are protected from destruction, defacing, degrading, or removal.

Objective:

- 1) Maintain that Archeological and Historic Sites are protected and preserved for future generations.

Strategies:

- * Maintain adequate signage for historical resource protection.
- * Provide interpretive programs to educate the public of the area's historic value.

K. REGULATIONS, ENFORCEMENT AND PUBLIC SAFETY

Effective law enforcement is essential to the success of any natural resource management plan.

Law Enforcement personnel at WEBR consists of one Conservation Officer (CO) and one Public Lands Manager. The Conservation Officer is the primary enforcement on the reservoir and supplements enforcement on the wildlife area. In addition to these

responsibilities, the Conservation Officer's district covers a two county area; so not all of the officer's time is directed to WEBR. The Public Lands Manager enforcement is primarily on the wildlife area and supplements the CO on the reservoir. Additional responsibilities include assisting the CO or other enforcement agencies when and where needed. The Rooks County Sheriff Department provides assistance on the area.

Objective:

- 1) Provide professional law enforcement on Webster Reservoir and Wildlife Area throughout the year with emphasis on peak usage periods.

Strategies:

- * Add more selective enforcement efforts.
- * Conduct varied high visibility patrol.
- * Conduct covert or undercover enforcement.
- * Concentrate more effort on alcohol related problems.
- * Monitor area for evidence of meth lab activity.
- * Conduct safe boating courses, hunter education courses, and courtesy boat checks to assist and educate the public.

L. LAND ACQUISITION

Only 5% of all land in Kansas is publicly owned or operated for hunting and fishing. Considering this, one can easily understand that our public wildlife areas are very limited resources. Currently, hunting demand is greater than what public areas can support.

Expanding the amount of public access acreage through land purchases or leasing would be beneficial to the public. Additional acreage would also reduce some of the pressure on WEBR. While no adjacent tracts of land are presently available, future purchases or leases will be pursued when opportunities occur.

Objective:

- 1) Pursue opportunities to purchase or lease property near WEBR.

Strategies:

- * Stay informed of surrounding land owners and identify willing sellers and/or lessees.
- * Work to increase the WIHA's adjacent to WEBR.

M. PUBLIC RELATIONS

Maintaining effective public relations is a high priority for the Department. As with any business, without customers and good customer service you have no business. Mutual

understanding and support for area goals and objectives is vital in managing an area for optimal use by the public.

Department education efforts are directed towards a variety of recreational activities and users. As society reverts from a rural to an urban setting, the demand for outdoor recreational opportunities is increasing. The Department currently emphasizes educational efforts for hunter and furharvester education, aquatic education, boating education, and wildlife education services.

A variety of methods are used by the Department to provide this information and education. Hunter Recruitment and Retention (HRR) is a new program to reach the public. Land based activities are promoted with the "Pass It On" program and water based activities will be promoted with the "Water Works Wonders" program. These programs will be incorporated into the weekly news release packages, bimonthly magazine, video and still photography, regulations and informative brochures, special publications, special events and media liaison functions already conducted on a statewide basis. In addition to the statewide media efforts, WEBR has included public scoping meetings, various news releases, interpretive programs, programs to civic groups, educational booths at county fairs, public surveys, and one-on-one communication with area users.

As demand and variety of recreational opportunities increases, informational efforts will also need to increase. Maintaining public support and providing informative education efforts will always be important. But, there will always be room for improvement.

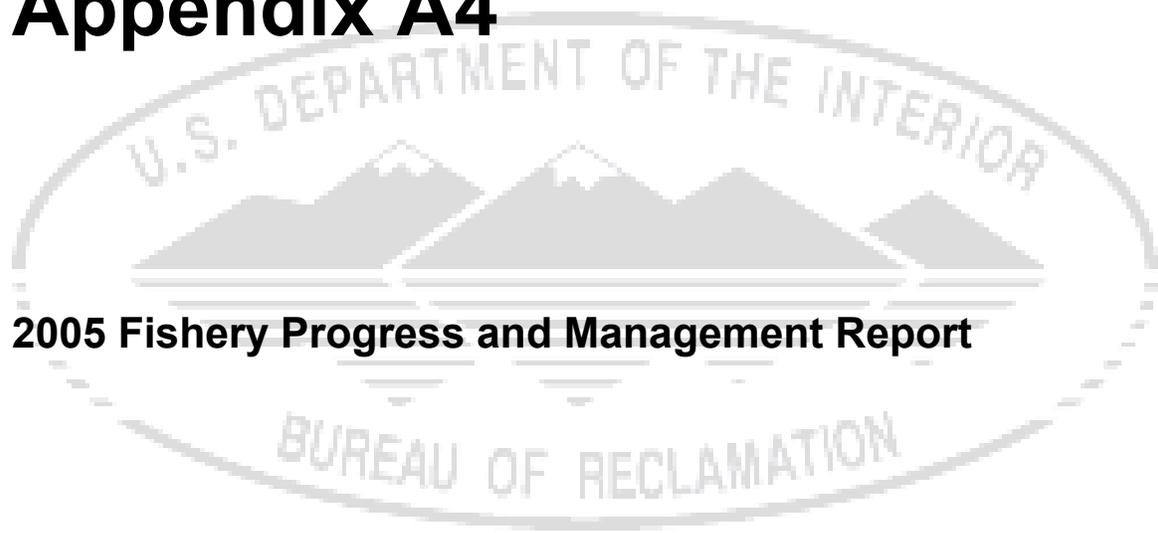
Objectives:

- 1) Maintain that the public is informed of any and all major management objectives.
- 2) Utilize public input and support to complete management objectives.
- 3) Ensure the public is educated on area issues.

Strategies:

- * Provide an annually updated accurate brochure of WEBR.
- * Provide a copy of this management plan for public review.
- * Allow the public to assist directly with completing area tasks. (Develop workable Friends Groups).
- * Develop a list of volunteer projects to get the public involved.
- * Develop power point programs concerning management practices and projects.
- * Maintain interpretive programs providing education of the areas natural and historic resources.
- * Provide a State Park/Wildlife Area newsletter.

Appendix A4



8. Maintain a black bass population (largemouth and smallmouth) capable of producing mean catch rates of at least 20 stock length bass per hour EFT with a sample RSD-P of at least 25 (Smith Root, spring and/or fall).

9. Develop and maintain the stilling basin fishery to supplement and diversify sportfishing opportunities by generating at least 1000 angler days per year.

FISH STOCKING RECORDS

DATE	SPECIES	NUMBER	NO. ACRE	SIZE	SOURCE
01/20/05*	RB Trout	2500	417	10"	Crowther
03/18/05*	RB Trout	2500	417	10"	Crowther
04/01/05*	Bluegill	2380	397	85/lb	MILH
04/01/05*	Redear	888	148	592/lb	MILH
05/09/05***	Wiper	24000	18	fry	MILH
09/28/05*	C. Cat	451	75	3.64/lb	MILH
09/28/05****	C. Cat	76	38	3.64/lb	MILH
10/12/05*	RB Trout	2500	417	10"	Cline
11/22/05*	RB Trout	2500	417	10"	Cline
12/21/05*	RB Trout	2500	417	10"	Cline

* St. Basin ** S. Solomon River *** Reservoir **** WA Ponds

FISH SAMPLING SUMMARY

DATE	GEAR	SIZE	EFFORT
7/07/05	minnow seine	30"	8 hauls
8/17/05	electrofishing (SR)	220 VDC	10 sites; 1.0 hr EFT TL
9/15/05	electrofishing (SR, night)	220 VDC	5 sites, 1.45 hr EFT TL
9/28/05 □	trap nets	□	2 NN
9/28/05 □	gill nets	100"x8"x1.5"	2 sets; 2 hrs TL
9/28/05 □	gill nets	100"x8"x2.5"	2 sets; 2 hrs TL
10/24/05	gill nets	100'x8'x1"	9 sets; 6.75 hrs TL
10/25/05	gill nets	100'x8'x1.5"	9 sets; 6.75 hrs TL
10/26/05	gill nets	100'x8'x2.5"	9 sets; 6.75 hrs TL
10/27□28/05	trap nets	□"	8 NN
10/27□28/05	gill nets	100'x8'x1,1.5, 2.5 □ 4"	2 compl. NN

* St. Basin

CREEL SURVEY HISTORY

YEAR	1992	1996	1997	2002
DURATION	3 mo.	8 mo.	8 mo.	8 mo.
□ INTERVIEWS	596	504	686	1029
□ ANGLERS	7,084	24,192	24,168	22,278
HOURS EFFORT	14,016	49,445	83,495	63,477
HOURS/ACRE	15.1	12.6	22.0	21.8
HARVEST (NO)	2,783	21,692	91,480	17,278
(NO/HR)	0.20	0.44	1.10	0.27
(LBS)	5,524	17,078	76,419	24,318
(LBS/HR)	0.39	0.35	0.92	0.38

FISH POPULATIONS

Gizzard shad, *Dorosoma cepedianum*

Fall, gill net compliment, overnight only

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	145	120	66	196	92	86
STOCK CATCH	112	120	66	196	92	86
UE NN GILL NETS	2	2	2	2	2	2
STOCK CPUE	56	60	33	98	46	43
SUB-STOCK CPUE	17	0	0	0	0	0
RSD S-Q	85.7	77.5	31.8	0.0	0.0	0.0
RSD Q-P	14.3	22.5	68.2	99.5	100.0	100.0
RSD P-M				0.5	0.0	0.0
PSD	14.3	22.5	68.2	100.0	100.0	100.0
MEAN Wr	89.9	77.8	82.2	87.4	77.7	84.2
Wr S-Q	86.2	79.2	82.2	0.0	0.0	0.0
Wr Q-P	79.5	76.2	82.2	81.7	77.7	84.2
Wr P-M				93.0	0.0	0.0

Fall, gill net compliment, short sets only

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	47	125	80	75	22	54
STOCK CATCH	44	125	79	75	22	54
UE HRS GILL NETS	25.50	27.50	23.75	22.50	15.00	20.25
STOCK CPUE	1.73	4.55	3.33	3.33	1.47	2.67
SUB-STOCK CPUE	0.12	0.00	0.04	0.00	0.00	0.00
RSD S-Q	72.73	84.00	36.71	4.00	0.00	0.00
RSD Q-P	27.27	16.00	63.29	96.00	100.00	100.00
RSD P-M	0.00	0.00	0.00	0.00	0.00	0.00
PSD	27.27	16.00	63.29	96.00	100.00	100.00
MEAN Wr	81.25	84.10	81.27	82.40	85.75	81.65
Wr S-Q	81.66	83.40	81.14	84.02	0.00	0.00
Wr Q-P	80.84	84.80	81.39	80.73	85.75	81.65
Wr P-M	0.00	0.00	0.00	0.00	0.00	0.00

August, electrofishing, age-0 only

	2000	2001	2002	2003	2004	2005
NO/0.1 HR. EFT	514.4	631.9	169.8	323.1	90.0	55.2
□ □ 70 MM	33.3	51.9	16.3	24.9	4.6	6.2

The objective was not realized in 2005. Quantity/quality characteristics were down from those documented last year. Characteristics of the adult subpopulation appear favorable for producing another good hatch in 2006.

Emerald shiners are supplementing the prey supply and this population appears to be hanging in there. Emerald shiners

were sampled this past year by 8 seine hauls resulting in 6 fish ranging from 70 mm to 89 mm. Emerald shiners were also observed during electrofishing samples and had reports of anglers catching them in their throw nets.

Walleye, Stizostedion vitreum
Fall, gill net compliment, overnight only

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	51	61	100	72	109	30
STOCK CATCH	38	56	69	58	109	28
UE NN GILL NETS	2	2	2	2	2	2
STOCK CPUE	19	28	35	29	55	14
SUB-STOCK CPUE	7	3	16	7	0	1
Y-O-Y CPUE	10	8	24	8	1	4
RSD S-Q	23.7	44.6	71.0	46.6	26.6	17.9
RSD Q-P	50.0	41.1	26.1	48.3	67.9	78.6
RSD P-M	15.8	7.1	2.9	3.5	1.8	0.0
RSD M-T	10.5	7.2	0.0	1.7	3.7	3.6
PSD	76.3	55.4	29.0	53.5	73.4	82.1
MEAN Wr	92.7	92.0	92.5	83.5	88.0	94.8
Wr S-Q	94.2	93.4	91.9	97.3	90.1	97.6
Wr Q-P	88.9	90.5	88.1	88.9	87.8	93.7
Wr P-M	91.9	92.0	97.8	75.9	93.9	0.0
Wr M-T	95.0	84.2	0.0	71.9	74.2	91.8

Fall, gill net compliment, short sets only

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	16	27	21	14	9	4
STOCK CATCH	15	23	13	12	9	4
UE HRS GILL NETS	25.50	27.50	23.75	22.50	15.00	20.25
STOCK CPUE	0.59	0.84	0.55	0.53	0.60	0.20
SUB-STOCK CPUE	0.04	0.15	0.34	0.09	0.00	0.00
Y-O-Y CPUE	0.04	0.40	0.00	0.09	0.00	0.00
RSD S-Q	6.67	56.50	30.77	33.33	33.33	25.00
RSD Q-P	73.33	34.80	7.69	50.00	55.56	50.00
RSD P-M	20.00	4.30	15.38	16.67	0.00	0.00
RSD M-T	0.00	0.00	46.15	0.00	11.11	25.00
PSD	93.33	43.50	69.23	66.67	66.67	75.00
MEAN Wr	88.41	85.28	87.21	83.90	84.90	89.62
Wr S-Q	87.88	93.30	85.54	92.15	89.05	97.31
Wr Q-P	89.45	89.30	87.65	81.53	83.70	90.31
Wr P-M	87.90	88.60	85.47	77.88	0.00	0.00
Wr M-T	0.00	69.60	90.17	0.00	78.23	80.54

Age-0 walleye were captured at a rate of 4.14 fish/hr EFT in September 2005 falling way short of the objective. No fish were stocked last year due to low water conditions, therefore, all age-0 fish occurred naturally. The objective for stock CPUE (0.38/gill net hr) was lower than last year and fell just shy of meeting the objective, however, the PSD (81.25) was realized in 2005. Walleye were collected in trap nets from March 25 through April 7, 2005 as part of a statewide effort to meet walleye fry stocking requests. Walleye eggs collected

throughout the project were fertilized with walleye sperm to produce walleye, except for the eggs collected on 4/1 □ 4/2 and those were fertilized with sauger sperm to make saugeye.

Walleye Egg Collection, Webster 2005							
DATE	TEMP	□ GRN	□ RIPE	□ SPNT	□ EGGS	EGGS/FE	□ TRAPS
3/25	45	23	20	4	600000	30000	10
3/26	43	20	14	6	420000	30000	10
3/27	44	15	20	4	840000	42000	10
3/28	47	31	21	6	780000	37143	10
3/29	49	44	23	9	780000	33913	9
3/30	47	16	20	18	690000	34500	10
3/31	48	21	31	17	1200000	38710	10
4/1	49	43	27	12	1440000	53333	10
4/2	50	16	43	11	1440000	33488	10
4/3	51	33	46	22	1800000	39130	10
4/4	54	13	28	35	1140000	40714	10
4/5	57	16	13	20	360000	27692	10
4/6	55	4	6	7	240000	40000	8
4/7	54	1	3	4	120000	40000	8
TOTALS	50	296	315	175	11850000	37187	135

Wiper, Morone saxatilis x M. Chrysops
Fall, gill net compliment, overnight only

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	99	67	87	77	102	24
STOCK CATCH	99	48	87	76	102	24
UE NN GILL NETS	2	2	2	2	2	2
STOCK CPUE	50	24	44	38	51	12
SUB-STOCK CPUE	0	10	0	0.5	0.0	0.0
Y-O-Y CPUE	0	15	1	0.5	0.0	0.0
RSD S-Q		22.9	8.0	2.6	1.0	0.0
RSD Q-P	1.0		3.4	15.8	14.7	12.5
RSD P-M	56.6	35.4	41.4	47.4	57.8	79.2
RSD M-T	27.3	31.3	44.8	30.3	24.5	0.0
RSD T	15.2	10.4	2.3	4.0	2.0	8.3
PSD	100.0	77.1	92.0	97.4	99.0	100.0
MEAN Wr	82.9	83.4	79.6	79.8	70.9	88.6
Wr S-Q			90.7	82.9	81.8	0.0
Wr Q-P	86.3		86.7	84.3	78.1	91.4
Wr P-M	80.2	83.4	79.4	73.8	72.1	87.0
Wr M-T	81.9	81.6	75.8	71.6	62.8	0.0
Wr T	94.3	88.5	108.0	86.6	79.7	100.5

Fall, gill net compliment, short sets only

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	243	234	122	182	71	55
STOCK CATCH	243	224	122	181	71	53
UE HRS GILL NETS	25.50	27.50	23.75	22.50	15.00	20.25
STOCK CPUE	9.53	8.15	5.14	8.04	4.73	2.62
SUB-STOCK CPUE	0.00	0.36	0.00	0.04	0.00	0.10
Y-O-Y CPUE	0.00	0.36	0.00	0.04	0.00	0.10
RSD S-Q	0.00	1.80	9.02	1.10	1.41	0.00
RSD Q-P	0.00	0.00	13.11	17.68	15.49	7.55
RSD P-M	77.80	54.90	28.69	44.75	71.83	90.57
RSD M-T	18.10	40.60	47.54	36.46	11.27	0.00
RSD T	4.10	2.70	1.64	0.00	0.00	1.89
PSD	100.00	98.20	90.98	98.90	98.59	100.00
MEAN Wr	81.63	80.73	79.49	80.13	67.49	84.33
Wr S-Q	0.00	0.00	81.87	87.33	66.07	0.00
Wr Q-P	0.00	0.00	81.52	83.62	77.98	89.57
Wr P-M	77.20	80.30	77.87	73.64	67.35	84.18
Wr M	83.85	80.95	76.69	75.96	54.17	72.85

Age-0 wipers were captured at a rate of 20.69 fish/hr EFT in September 2005, falling short of the objective. Stock CPUE in gill nets (short sets and overnight sets combined) was 2.77 fish per hour and the PSD was 100.00, both exceeding the objectives. Physical condition of the wipers is up from last year and they are looking healthier as can be seen by the mean Wr's. Several year classes were represented in gill net samples but overall CPUE was down and the density of big fish appears to be down as well. Predator pressure from this population appears to be playing a role in regards to controlling adult shad density thereby promoting better shad hatches. An outstanding wiper fishery has developed at Webster.

White bass, Morone chrysops

Fall, gill net compliment, overnight only

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	27	259	29	52	48	13
STOCK CATCH	27	259	29	52	48	13
UE NN GILL NETS	2	2	2	2	2	2
STOCK CPUE	13.50	129.50	14.50	26.00	24.00	6.50
SUB-STOCK CPUE	0.00	0.00	0.00	0.00	0.00	0.00
RSD S-Q	96.30	98.84	10.34	13.46	2.08	7.69
RSD Q-P	0.00	0.39	79.31	25.00	33.33	23.08
RSD P-M	3.70	0.77	10.34	59.62	64.58	69.23
RSD M-T	0.00	0.00	0.00	1.92	0.00	0.00
PSD	3.70	1.16	89.66	86.54	97.92	92.31
MEAN Wr	99.93	100.36	91.44	96.55	83.27	90.33
Wr S-Q	102.96	0.00	91.09	109.09	93.79	88.43
Wr Q-P	0.00	0.00	94.23	97.95	83.15	96.52
Wr P-M	96.90	100.36	88.99	93.76	82.99	88.48
Wr M	0.00	0.00	0.00	85.39	0.00	0.00

Fall, gill net compliment, short sets only

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	17	105	13	135	57	12
STOCK CATCH	17	105	13	135	57	12
UE HRS GILL NETS	25.50	27.50	23.75	22.50	15.00	20.25
STOCK CPUE	0.67	3.82	0.55	6.00	3.80	0.59
SUB-STOCK CPUE	0.00	0.00	0.00	0.00	0.00	0.00
RSD S-Q	29.41	77.14	7.69	10.37	0.00	0.00
RSD Q-P	0.00	0.00	30.77	33.33	17.54	8.33
RSD P-M	70.59	21.90	30.77	51.85	78.95	91.67
RSD M-T	0.00	0.95	30.77	3.70	3.51	0.00
RSD T	0.00	0.00	0.00	0.74	0.00	0.00
PSD	70.59	22.86	92.31	89.63	100.00	100.00
MEAN Wr	91.95	96.68	91.13	88.01	82.81	91.25
Wr S-Q	92.29	100.54	89.10	92.09	0.00	0.00
Wr Q-P	0.00	0.00	89.88	91.34	83.08	100.36
Wr P-M	91.60	98.58	95.87	90.34	82.76	90.43
Wr M-T	0.00	90.92	89.67	78.26	82.69	0.00

Age-0 white bass were captured at a rate of 17.93 fish/hr EFT in September 2005 falling well below the objective. Stock CPUE in gill nets (short sets and overnight sets combined) was 0.60 fish per hour, falling just short of the objective and the PSD was 96.00, exceeding the objective. Excellent growth and physical condition was observed for young white bass and fell off somewhat for the bigger fish. Numerous year classes were represented in gill net samples but overall CPUE was down and the density of big fish appears to be down as well.

Black crappie, Pomoxis nigromaculatus

Fall, trap nets

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	611	1165	47	259	25	35
STOCK CATCH	159	115	47	44	25	35
UE NN TRAPS	16	16	16	12	8	8
STOCK CPUE	10	7	3	4	3	4
SUB-STOCK CPUE	28	73	0	18	0	0
YOY CPUE	28	73	0	18	0	0
RSD S-Q	13.2	3.5	36.2	4.6	16.0	0.0
RSD Q-P	13.8	8.7	2.1	15.9	20.0	31.4
RSD P-M	36.5	56.5	21.3	29.6	24.0	17.1
RSD M-T	36.5	31.3	40.4	50.0	40.0	51.4
PSD	86.8	96.5	63.8	95.5	84.0	100.0
MEAN Wr	88.3	96.8	89.6	87.2	85.6	88.9
Wr S-Q	93.9	97.6	89.1	83.2	79.6	0.0
Wr Q-P	88.7	101.4	79.4	89.8	87.1	86.3
Wr P-M	85.5	96.0	91.2	91.7	87.9	90.9
Wr M-T	84.4	94.8	89.8	83.9	86.5	89.8

White crappie, Pomoxis annularis
Fall, trap nets

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	215	76	89	72	27	25
STOCK CATCH	62	5	18	7	23	21
UE NN TRAPS	16	16	16	12	8	8
STOCK CPUE	4	0	1	1	3	3
SUB-STOCK CPUE	10	4	4	5	1	1
YOY CPUE	10	4	4	5	1	1
RSD S-Q	66.1	0.0	61.1	42.9	47.8	23.8
RSD Q-P	14.5	40.0	16.7	14.3	30.4	61.9
RSD P-M	17.7	0.0	11.1	0.0	13.0	14.3
RSD M-T	1.6	0.0	5.6	28.6	8.7	0.0
RSD T	0.0	20.0	5.6	14.3	0.0	0.0
PSD	33.9	100.0	38.9	57.1	52.2	76.2
MEAN Wr	90.1	99.3	106.4	81.2	90.4	85.0
Wr S-Q	87.5	0.0	88.5	91.2	83.8	85.5
Wr Q-P	90.5	97.7	84.8	83.3	85.4	76.5
Wr P-M	91.3	105.7	94.3	0.0	98.3	83.8
Wr M-T	85.2	0.0	98.5	89.0	101.5	0.0
Wr T	0.0	89.4	81.5	61.1	0.0	0.0

Crappie habitat and numbers continue to dwindle with the receding water levels. The objective for fall catch rates was not realized as only 7.0 fish (black and white crappie combined) were caught per trap net night. Sample RSD-P objective was obtained for black crappie but fell just short for white crappie. Reproductive success has been less than satisfactory, therefore rate of recruitment has declined and flooded habitat continues to degrade and/or become exposed due to declining water levels.

Largemouth bass, Micropterus salmoides
Spring, electrofishing

YEAR	2000	2001	2002	2003	2004	2005
TOTAL CATCH	160	93	132	97	16	
STOCK CATCH	114	91	117	96	14	D
UE HRS	2.30	1.28	1.5	1.4	1.2	I
STOCK CPUE	49.6	71.1	80.1	68.6	11.7	D
SUB-STOCK CPUE	20.0	1.6	10.3	0.7	1.7	
RSD S-Q	7.9	6.6	2.6	3.1	7.1	N
RSD Q-P	26.3	13.2	12.8	12.5	35.7	O
RSD P-M	64.0	80.2	79.5	75.0	50.0	T
RSD M-T			5.1	9.4	7.1	
RSD T	1.8			0	0.0	S
PSD	92.1	93.4	97.4	96.9	92.9	A
MEAN Wr	105.1	95.0	97.1	95.3	89.2	M
Wr S-Q	101.0	93.2	104.8	95.3	77.7	P
Wr Q-P	92.2	91.0	96.2	91.3	90.7	L
Wr P-M	93.6	95.9	94.9	92.4	88.7	E
Wr M-T			101.1	102.1	110.3	

The Largemouth bass fishery continues to decline due to the

degradation and exposure of habitat responsible for maintaining this population. Unless future water levels or some other action (special project 2) reverses this process, bass recruitment may not be adequate for maintaining the current population density. Therefore, largemouth bass were not sampled this year due to the low water levels and lack of habitat. Smallmouth production has been variable since smallmouths were introduced in 1996. Smallmouth Bass were not sampled this year due to the low water levels, however, a few were observed while electrofishing and caught in trap nets.

STILLING BASIN

The objective was surpassed in 2005. An estimated 6,614 angler trips were expended at the stilling basin during the one year period from January, 2005 through December, 2005 (taken from a traffic counter going into the stilling basin). The trout program is primarily responsible for this use, however hopes are to expand numbers further (special project 4).

FISH STOCKING REQUESTS

YEAR	SPECIES	NO.	NO. A	SIZE	MONTH	JUST	CONFORMS?
2006	RB trout	2,500	417	int	Jan	TR	Y *
2006	RB trout	750	---	int	Feb	TR	Y **
2006	RB trout	2,500	417	int	Mar	TR	Y *
2006	RB trout	750	---	int	Mar	TR	Y **
2006	Wiper	26,000	20	fry	Apr	M	Y ***
2006	C. Cat	600	100	interm	Oct	M	Y *
2006	C. Cat	75	25	interm	Oct	M	Y ****
2006	RB trout	2,500	417	int	Oct	TR	Y *
2006	RB trout	2,500	417	int	Nov	TR	Y *
2006	RB trout	2,500	417	int	Dec	TR	Y *
2006	Bluegill	2,250	375	fin	May	M	Y *
2006	Redear	750	125	fin	May	M	Y *

* Stilling basin ** S. Solomon River *** Reservoir **** WEBR WA pits

RECOMMENDATIONS

1. Continue to pursue desirable changes in reservoir operations (special project 1).
2. Monitor the gizzard shad hatch via electrofishing in August and assess emerald shiner production via seining in spring and/or fall.
3. Use a fall gill net sampling scheme involving 10 to 18 compliment short sets and 2 overnight compliment sets and develop trend tables using the short set and overnight data.

4. Index density of age-0 walleye by night electrofishing in the fall. Monitor stock parameters using the procedures described above (Rec. □3). Evaluate the 15 inch length limit implemented in 1994 if/when water level conditions warrant.
5. Monitor wiper stock parameters using the procedures described above (Rec. □3). Adjust stocking rates/sizes as per sampling results and water levels.
6. Monitor largemouth bass population parameters via the Smith Root electrofishing unit, creel survey data and tournament data. Investigate potential black bass habitat enhancement methods (special project □2).
7. Monitor crappie population parameters via fall trap net data and creel surveys. Maintain the fish attractors and investigate vegetation transplants as a means of enhancing crappie recruitment (special project □2).
8. Actively manage the stilling basin fishery:
 - a. Continue put and take trout and put, grow and take channel catfish programs.
 - b. Investigate the potential for installing solar lighting on the pier.
 - c. Continue to monitor the fish community and assess the need for special harvest restrictions or other management measures.
 - d. Also, see special project □3.

SPECIAL PROJECTS

1. PROGRESS

- I. TITLE: Alteration of reservoir operations
- II. OBJECTIVE: Eliminate irrigation drawdowns to elevations below 1866.0 and avoid withdrawals in excess of 45% of the total reservoir content.
- III. NARRATIVE: A formal request for a minimum pool level of 1866.0 was submitted to the BOR by KDWP in October, 2000 for consideration in the EA process associated with contract renewal. A draft EA was released by the BOR for

public review in December 2001. A minimum pool elevation of 1863.0 is listed in the "negotiated alternative" section of the environmental assessment (EA). The final EA released in May 2002 showed the minimum pool elevation as 1863.0. The finding of no significant impact (FONSI) document that also came out in May 2002 stated that the "negotiated alternative" is the proposed action addressed in the FONSI.

IV. RECOMMENDATIONS:

1. Continue to seek an arrangement that promotes attainment of the objective "ideally, elimination of irrigation as a function of Webster Reservoir via a buyout of the Webster Irrigation District.
2. Continue to gather data regarding the effects of reservoir operations and water level fluctuations on the fisheries resource.
3. Continue to work with the newly formed Webster Lake Association.

Literature cited

United States Department of the Interior, Bureau of Reclamation. May 2002. Solomon River Basin Final Environmental Assessment, Conversion of Long-Term Water Service Contracts to Repayment Contracts, Great Plains Region Billings, Montana, Nebraska-Kansas Area Office Grand Island, Nebraska.

United States Department of the Interior, Bureau of Reclamation. May 2002. Finding Of No Significant Impact, Conversion of Long-Term Water Service Contracts to Repayment Contracts, Solomon River Basin, Great Plains Region Nebraska-Kansas Area Office Grand Island, Nebraska.

2. PROGRESS

I. TITLE: Aquatic Vegetation Introductions

II. OBJECTIVE: Evaluate vegetation propagation as a means of maintaining/enhancing habitat for bass, crappies and other species.

III. NARRATIVE:

YEAR 2000

Water willow was collected at Lake Wabaunsee and transplanted in six nursery areas at Webster Reservoir on June 15 and again on July 10, 2000.

Surface Elevation was 1.7 feet above conservation elevation on June 15, 2000. Planting methods involved hand sprigging and the burrito method. Most sprigged plants were planted in water 2 feet deep or deeper to accommodate an anticipated falling water level due to an irrigation release. Burritos were staked to depths of 4 feet.

Surface elevation was 0.5 feet below conservation elevation on July 10, 2000. All plants were hand sprigged in the six nursery areas in water 2 feet deep or deeper. Most of the vegetation planted in June was high and dry or nearly dry at that time.

All plants were high and dry by mid August and looked healthy until a late September freeze killed the above ground foliage. Survival appeared to be good for both planting periods and the sprigging method appeared to be the most productive.

YEAR 2001

All plants planted in 2000 were high and dry during early spring 2001 but looked good, came up in clumps and blossomed. Spring inflow allowed the water to reach some of these plants by June and those plants prospered and spread. Additional plants acquired from Lake Wabaunsee were used for propagation at Webster on four occasions during the 2001 season:

Surface elevation was 0.6' below conservation elevation on June 8, 2001; almost identical to what it was during the July 2000 planting. Plants were sprigged in the six sites established in 2000 and were positioned to enlarge the existing beds.

Surface elevation was 0.4' below conservation elevation on June 26, 2001. Plants were sprigged in four of the sites established in 2000 to further expand rhizome beds.

Surface elevation was 1.6' below conservation elevation on July 10, 2001. Plants were sprigged and planted by fragmentation in 5 of the sites. The fragmentation method involved chopping plants into pieces and scattering these fragments in planting areas. Flooded timber/floating logs were used as barriers for holding fragments in place until the declining water level allowed the fragment roots to attach to the substrate.

Surface elevation was 3.3 below conservation elevation on August 3, 2001. Planting efforts primarily involved the

fragmentation method. Fragments were scattered in all 6 existing sites and 2 new sites.

Surface elevation dropped to over 6 feet below conservation elevation by fall. Most plants appeared healthy despite being high and dry throughout the fall. The fragmentation method appeared to be very effective in regards to vastly enlarging the areas containing rooted plants, thereby potentially establishing rhizome beds at a greater range of elevations.

YEAR 2002

Water willow was collected at Lake Wabaunsee and transplanted in close proximity to three original nursery areas at Webster Reservoir on August 21, 2002.

Surface elevation was 12.31 feet below conservation elevation on August 21, 2002. Planting methods involved hand sprigging.

Most sprigged plants were planted in water 2 feet deep or deeper to accommodate an anticipated falling water level due to an irrigation release. These planting remained in the water and looked healthy until a freeze that killed the upper foliage in October. All previous planting were high and dry but were looking good and had flowered despite the lack of water.

YEAR 2003

Water willow was collected at Lake Wabaunsee and transplanted in close proximity to three original nursery areas and one new location at Webster Reservoir on May 21 and again on July 15, 2003.

Surface elevation was 12.88 feet below conservation pool on May 15, 2003 and 15.4 feet below conservation pool on July 15, 2003. Planting methods included hand sprigging and chopping plants up and stepping them into the mud in approximately one to two feet of water. Both plantings were out of the water by August, but seemed to be doing well.

YEAR 2004

Water willow was collected at Cedar Bluff Reservoir and transplanted in close proximity to two original nursery areas at Webster Reservoir on May 8 and 9, 2004.

Surface elevation was 21.98 feet below conservation pool on May 8, 2004 and 22.01 feet below conservation pool on May 9, 2004.

Planting methods included hand sprigging them into the mud in approximately one to two feet of water. Both planting sites were out of the water by August, but appeared to be doing well.

YEAR 2005

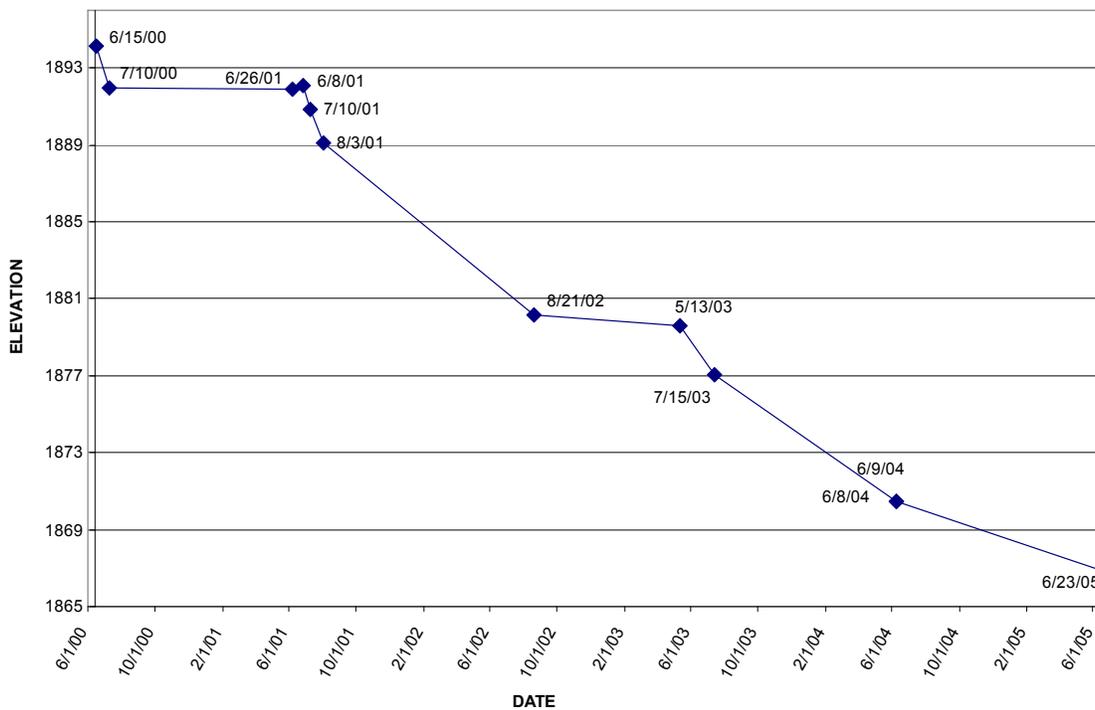
Water willow was collected at Cedar Bluff Reservoir and

transplanted in close proximity to one original nursery area at Webster Reservoir on June 23, 2005.

Surface elevation was 25.64 feet below conservation pool on June 23, 2005. Planting methods included hand sprigging them into the sand in approximately one foot of water. The planting site was out of the water by August, but appeared to be doing well.

IV. RECCOMENDATIONS:

1. If production is adequate, manually expand nursery areas by using plants from existing plots to establish rhizome beds within a wider range of elevations. If recharge/production is inadequate, consider additional transfers from Cedar Bluff and/or Lake Wabaunsee to establish rhizome beds at other elevations.



WATER WILLOW PLANTINGS AT WEBR

3. Progress

I. TITLE: Webster Stilling Basin Enhancements

II. OBJECTIVE: 1. Enhance the fish population.
2. Promote greater fishing opportunities for

handicap and youth.

3. Concentrate fish for more efficient harvest.

III. NARRATIVE: A Sweeney fish feeder has been added at a cost of \$791.01 to feed the channel catfish and bluegill that are stocked. The feeder will help grow fish to a desirable size and will also help concentrate fish for a more efficient harvest. The feeder will be associated with the ADA accessible fishing pier that currently exists at the stilling basin.

IV. RECOMMENDATIONS:

1. Coordinate with PL on the installation of solar lighting on the ADA accessible fishing pier with an estimated cost of \$2,000.
2. Stock channel catfish, bluegill and redear sunfish to enhance fishing opportunities (see stocking request). Monitor these populations and assess the need for special harvest restrictions or other management measures.

4. NEW

I. TITLE: Creel Survey, March through October, 2006

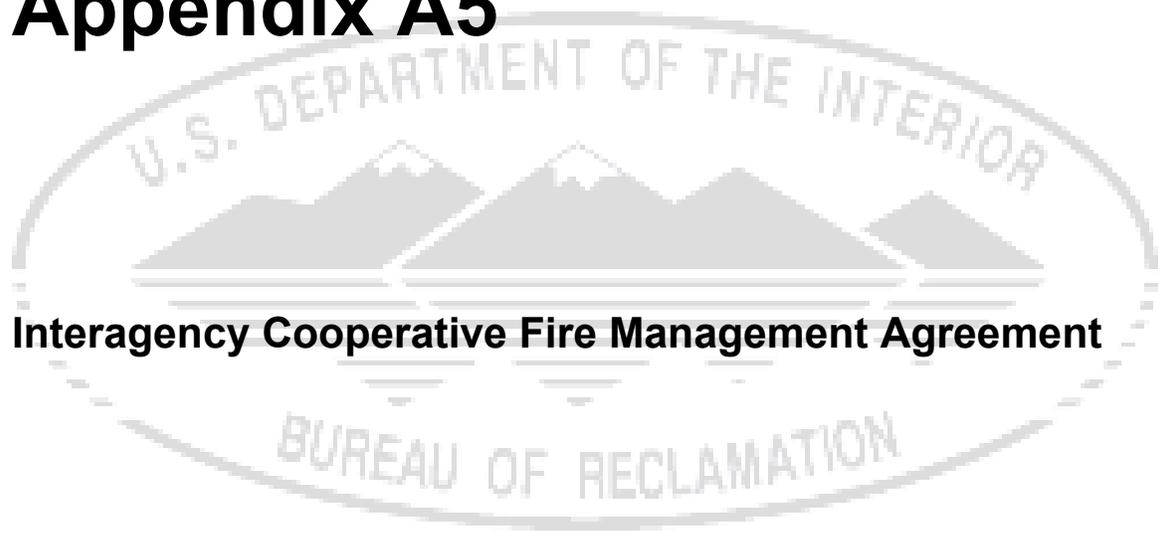
II. OBJECTIVE: Acquire data on angler use, harvest, angler preference, etc. to evaluate lake use and management objectives.

III. NARRATIVE: An eight month creel survey is scheduled for March through October, 2006. This reservoir is a one unit reservoir. A creel clerk will be hired to conduct the creel survey.

IV. RECOMMENDATIONS:

1. Conduct surveys as per KDWP creel survey guidelines and schedule.
2. Report the creel survey results in the 2006 PIM report.

Appendix A5



Interagency Cooperative Fire Management Agreement

INTERAGENCY COOPERATIVE FIRE MANAGEMENT AGREEMENT

Between

USDI, National Park Service, Midwest Region
USDI, Bureau of Indian Affairs, Southern Plains Region
USDI, Bureau of Reclamation, Great Plains Region
USDI, Fish and Wildlife Service, Mountain Prairie Region
USDA, Forest Service, Rocky Mountain Region, Agreement No. 02-CA-11020000-032

And

The State of Kansas
Kansas State University, Kansas Forest Service
Kansas Department of Wildlife and Parks
Kansas Division of Emergency Management

IN ACCORDANCE WITH
Acts of Congress

June 30, 1932, (31 U. S. C. 1535), Economy Act
April 24, 1950, (16 U. S. C. Section 572), Granger-Thye Act
May 27, 1955, (42 U. S. C. 1856a) Reciprocal Fire Protection Act
August 18, 1970, (U. S. C. 1b-1), National Park System General Authorities Act
May 22, 1974, (42 U. S. C. 5121 as amended) Disaster Relief/Emergency Assistance Act
December 12, 1975, (16 U. S. C. 565 a-1), Cooperative Funds and Deposits Act
October 21, 1976, (43 U. S. C. 1701), Federal Land Policy and Management Act
Federal Water Project Recreation Act (P.L. 89-72), July 9, 1965
Reclamation Act of 1902, June 17, 1902
Cooperative Funds Act of June 30, 1914 (16 U.S.C. 498)

Kansas Revised Statutes

KSA 48-904 Emergency Management Act
KSA 76-425 Kansas Forest Service
State of Kansas Emergency Operations Plan, Annex K
KSA 32-807 Department of Wildlife and Parks

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PURPOSE

The purpose of this Interagency Cooperative Fire Management Agreement (hereinafter referred to as the Agreement) is to document agreement and commitment to fire management assistance and cooperation. This Agreement is entered into by and between:

The State of Kansas, through Kansas State University on behalf of the Kansas Forest Service, the Kansas Department of Wildlife and Parks, and the Kansas Division of Emergency Management, hereinafter called the State; and

The United States Department of Agriculture Forest Service, through the Regional Forester for Region 2, Rocky Mountain Region, hereinafter called the Forest Service; and

The United States Department of the Interior, National Park Service, Midwest Region, hereinafter called the Park Service; and

The United States Department of Interior, Fish and Wildlife Service, Mountain Prairie Region, hereinafter called Fish and Wildlife Service; and

The United States Department of Interior, Bureau of Indian Affairs, Southern Plains Region, hereinafter called the BIA; and

The United States Department of Interior, Bureau of Reclamation, Great Plains Region, hereinafter called Reclamation; and

The Forest Service, Park Service, Fish and Wildlife Service, Bureau of Reclamation, and BIA may hereinafter be jointly referred to as the "Federal Agencies".

All Federal Agencies and the State may hereinafter be jointly referred to as the "Agencies".

Words and phrases used herein may have different meanings or interpretations for different readers. In order to establish a common understanding, words and phrases as used herein are defined in a Glossary attached as Exhibit A.

RECITALS

Whereas: The State will act as the coordinator for Kansas County and/or local fire service entities, except for Tribal fire services, for the purposes of coordinated fire management services within and beyond the boundaries of the State per agreement between the State and the Counties in the Annual Operating Plan;

Whereas: State, Private, and Federal lands of the respective Agencies and Counties are intermingled or adjacent in some areas of Kansas, and wildland fires on these intermingled or adjacent lands may present a threat to the lands of the other;

Whereas: The Federal Agencies maintain fire protection organizations for protection of Federal lands within the United States, and the State provides for organized fire protection on State lands and provides technical fire assistance and coordination for County and privately owned lands;

Whereas: The Counties and local fire service entities have fire protection responsibilities and provide fire suppression services on State and privately owned lands; upon request of the local County, the State provides assistance to Counties in emergency situations that are beyond the County's capabilities;

Whereas: It is to the mutual advantage of the State and the Federal Agencies to coordinate efforts for the prevention, readiness, detection, and suppression of wildland fires in and adjacent to their areas of responsibility, to avoid duplication, and to improve efficiency and effectiveness;

Whereas: It is the intent of the parties hereto that State resources may be available to assist in the suppression of wildland fires on all Federal lands, and on other lands upon which the Federal Agencies provide fire suppression support, including other States;

Whereas: It is the intent of the parties hereto that Federal resources may be available to assist in the suppression of wildland fires on all State, County, and private lands;

NOW, THEREFORE, in consideration of the mutual premises and conditions herein made, it is agreed as follows:

INTERAGENCY COOPERATION AND COORDINATION

1. State Authorities, Roles and Responsibilities:

a. **Fire Departments/Districts:** Fire departments/districts have local initial attack suppression responsibilities on State and private land. When an incident exceeds local capabilities, requests for additional resources may be placed with the Kansas Forest Service.

b. **Kansas Forest Service:** Under the general supervision of the Kansas Board of Regents and direct administration of Kansas State University, the Kansas State Forester shall supervise all service programs related to forestry and forestation, including but not limited to tree distribution and planting, wildland fire control, development, protection and use of forest resources and other programs promoting forest management and forestation. The State Forester shall provide assistance for the prevention and suppression of forest, brush or grassland fires in non-federal areas of the State except on lands within the exterior boundaries of incorporated cities. In addition, the Kansas Forest Service will, upon request from local Counties or fire districts, assist in filling requests for additional fire suppression resources.

c. **Kansas Division of Emergency Management:** The Division of Emergency Management provides overall coordination of State and local activities related to emergency management to prevent, minimize, assess, and respond to damage resulting from disasters.

Upon approval of a request from the Kansas Forest Service, Emergency Management will initiate the State of Kansas Emergency Operations Plan and request a State emergency declaration if necessary.

d. **Kansas Department of Wildlife and Parks:** The Department is charged with providing fire protection on lands under the jurisdiction of the Secretary of the Department. The Department has access to tractors and disks, tractors with rear blades attached, a limited number of road graders, a very limited number of bulldozers, and firefighting equipment.

Each of the Agencies which are signatory to this Cooperative Fire Agreement shall appoint one representative to a Steering committee that will be called the Kansas Interagency Wildfire Council (KIWC). Additional members from agencies, associations, etc. may be appointed by the KIWC for training, fire prevention and protection needs of the 105 Counties in Kansas.

2. **Joint Projects and Local Agreements:** The State, Counties, or any of the Federal Agencies may jointly conduct mutual interest projects, within their authority, to maintain or improve the fire management capability of the agencies or Counties. These projects may be in such activities as suppression, preparedness, land rehabilitation, fuel management, prescribed fire, training, rural fire assistance, prevention, public affairs, wildland/urban interface fire coordination and other beneficial efforts. Such projects will be documented in the Annual Operating Plan, local agreements, or other appropriate written documents. Documentation will include the authority, objectives, role of each agency, and each Agency's or County's share of costs.

Such local arrangements shall not be in conflict with the terms of this Agreement. Local agreements may be executed, as delegated to unit administrators of Agencies party to this agreement.

3. **Incident Command System:** The Agencies should operate under the concepts of the National Interagency Incident Management System (NIIMS) and its Incident Command System (ICS) as appropriate for providing qualified resources and for the management of incidents under the terms of this agreement. Qualifications for local resources utilized on their own jurisdictions for fire suppression will meet that jurisdiction's standards. On joint jurisdictions, a determination will be made on the qualification standards to be used. Resource qualifications should meet National Wildfire Coordinating Group (NWCG) standards and will be specified in the Annual Operating Plan. Resources requested and utilized outside their normal operational jurisdiction for Federal incidents must meet NWCG qualifications and typing standards.

4. **Interagency Dispatch/Service Centers:** The Agencies agree to maintain, support, encourage, and participate in Interagency Dispatch Centers. The Centers are to be under the direction of the local coordinating groups to foster cooperation, avoid wasteful duplication and facilitate maximum efficiency in wildland fire management programs. Agencies agree to use the Rocky Mountain Area Coordination Center and the Pueblo Interagency Dispatch Center as the centers for national and statewide intelligence gathering, coordination and prioritization of resources for wildland fire emergencies. Staffing, funding, and level of participation will be

agreed to and documented in the Annual Operating Plan. The appropriate geographic area mobilization guide will be the primary document to identify approved policy, procedures, and organizations.

5. Multi-Agency Coordinating (MAC) Groups: During periods when fire activity is significant enough to require prioritization of fires in order to allocate critical or scarce resources, MAC groups will be established to accomplish that priority setting. Three levels of MAC groups may be assembled as appropriate in geographic, State, or local area.

6. Annual Operating Plan: An Annual Statewide Operating Plan will be developed by the signatory agencies to this agreement through the Kansas Interagency Wildfire Council, and agency administrators with delegated authority will be the approving officials. Subjects identified in the Annual Operating Plan Outline Guide, attached as Exhibit B will be addressed, if applicable, and displayed in that format.

Local operating plans, submitted from the local level, will outline the details of implementing this Cooperative Fire Management Agreement for local geographical areas. Unit Administrators will normally have the responsibility for developing and approving Local Operating Plans through their Local Emergency Planning Committee and will submit them to their respective County Emergency Management Agency and the Kansas Division of Emergency Management per K.S.A. 48-929 and K.S.A. 12-16, 117. A portion of the agreed requirements under this section will be met with the annual development and approval of appropriate geographic area mobilization guides.

7. Notification of Federal Excess Property: Every effort will be made to notify the State of fire related property and equipment that is to become excess to the needs of any Federal Agency, for use in the State Cooperative Fire Program.

8. Fire Prevention Policies: Unit Administrators will ensure that fire prevention goals, objectives, and activities are planned at local and Statewide levels and are addressed in the Annual Operating Plan. Specific fire prevention plans should be developed by local interagency fire management personnel. Agencies may pool resources and share costs of wildland fire prevention activities. Fire restrictions and closures will be issued and lifted by the Governors Office or local authority or federal agencies having jurisdiction on a coordinated, interagency basis whenever practical as described in the Annual Operating Plan and appropriate geographic area mobilization guide.

9. Prescribed Fire and Fuels Management: The Agencies and Counties may agree to cooperate in the development and implementation of prescribed burning programs and projects.

Local cooperative efforts may include activities such as Wildland Fire Use for Resource Benefits, fuels management, and prescribed fire. Such projects will be documented in the Annual Operating Plan, local agreements, burn plans, or other appropriate written documents. Documentation will include the objectives, role of each agency, and each agency's share of costs. Such local arrangements shall not be in conflict with the terms of this Agreement. Local

agreements may be executed as delegated to unit administrators of agencies party to this agreement.

If parties to this Agreement conduct a cooperative prescribed fire, details covering cost sharing, reimbursement, and responsibility for suppression costs, should it escape, shall be agreed upon and documented in the burning plan. Qualifications of personnel involved in interagency prescribed burning projects will comply with NWCG standards.

Wildland fires resulting from escaped prescribed fire ignited by a party to this Agreement on lands it manages, shall be the responsibility of that party. The party responsible for the prescribed fire will reimburse other parties to this Agreement, consistent with the terms and conditions contained herein, for all suppression costs of supporting Agencies and Counties. In all cases, however, the payment of such claims by an Agency of the State of Kansas shall be limited to that amount as ultimately determined by a court of competent jurisdiction under applicable state or federal law. Escaped prescribed fires ignited by individual(s) not party to this agreement will be considered as wildland fires under the terms and conditions of federal and State law.

10. Training: The Agencies will cooperate in wildland fire, prescribed fire, and aviation training, including training scheduling, course development, course presentation, and selection of trainees. Local cooperators will be included in this cooperative approach. If an agency hosts an NWCG training course for multi-agency participation, course content and instructor competency must meet NWCG standards.

In order to accomplish these objectives, in part, the Agencies will support and participate in direction given by KIWC.

11. Communication Systems: The Agencies and Counties may mutually agree to allow one another the use of communications systems such as radio frequencies, computer system access, data transmission lines, and communication sites where there is a mutual benefit to the parties. Such agreement shall be approved only by authorized personnel for each Agency or County and will be documented in the Annual Operating Plan, or other agency-specific documentation.

12. Licensing: Drivers and equipment operators will hold appropriate operating licenses to meet Agency, State, and Federal regulations. Drivers and operators will not be exempt from Department of Transportation requirements, including commercial driver's licensing.

13. Automatic Weather Stations: The Agencies will cooperate in the gathering, processing, and use of fire weather data, including the purchase of compatible sensing systems and joint use of computer software, as authorized. The Agencies will jointly evaluate and agree to any deletions or additions to the system.

14. Aviation Operations

A. General: The Agencies agree to cooperate in use of aviation resources to foster safe, effective and efficient use of aircraft and personnel. All aviation activities shall be conducted in accordance with each Agency's aviation rules, policies and directives, and Aviation Operation Plans.

B. Interagency Aviation Operations: Interagency funding, staffing, and utilization of operations will be pursued when an Interagency approach is appropriate and cost effective. Inventories of and/or procedures for aviation operations will be provided in the appropriate geographic area mobilization guide.

C. Pilot and Aircraft Approvals: Federal policy requires Federal and State pilots and aircraft to be inspected and approved by carding or letter of certification by the Forest Service or the USDI Office of Aircraft Services for Federal Agency missions or transport of Federal employees.

D. Contract/Rental Vendors: Federal policy requires that pilots and aircraft be inspected and approved, either by the Forest Service or by the USDI Office of Aircraft Service or DOT Federal Aviation Administration, as required. This inspection process may be done jointly by the Federal agencies, or by one Federal agency acting in the lead role. Upon request, State of Kansas staff may participate in the inspection and approval of vendors located within the State of Kansas.

PROTECTION RESPONSIBILITIES

15. **Definition of Responsibilities**: The parties hereto shall be distinguished as follows:

Protecting Agency - The Agency or organization responsible for providing direct wildland fire protection to a given area pursuant to this agreement.

Supporting Agency - An Agency or organization providing fire suppression or other support and resources to the Protecting Agency.

Jurisdictional Agency - The Agency or organization which has overall land and resource management and/or protection responsibility as provided by Federal or State law.

16. **Protection Areas and Boundaries**: Annually, the Agencies will agree upon wildland fire protection responsibilities for lands within their respective jurisdictions. This will normally be accomplished at the local level. Protection areas and boundaries will be established, mapped and/or described, and made a part of the Annual Operating Plan.

17. **Methods of Fire Protection and Suppression**:

A. Reciprocal (or Mutual Aid) Fire Protection. As deemed appropriate, the Agencies and

Counties may, by agreement, establish reciprocal initial attack zones for lands of intermingled or adjoining protection responsibility.

Within such zones, a Supporting Agency will take initial attack action in support of the Protecting Agency. Under no circumstances will Supporting Agencies be required to deplete local resources in order to honor a mutual aid request. The Protecting Agency will not be required to reimburse the Supporting Agency for costs incurred following the initial dispatch of any ground resources to the fire for the duration of the mutual aid period. The mutual aid period, not to exceed 24 hours, will be documented in the Annual Operating Plan.

B. Reimbursable (or Cooperative) Fire Protection. The Protecting Agency may request fire suppression resources of others for its protection work. Except as described under Reciprocal Fire Protection (Mutual Aid) in A. above, such resources are to be paid for by the Protecting Agency.

C. Exchange (or Offset) Fire Protection. Agencies and Counties may exchange responsibility for fire protection for lands under their jurisdiction. The rate of exchange will be based upon comparable cost, acreage involved, complexity, and other factors as may be appropriate and mutually agreed to by the parties. Exchange zones will be documented in the Annual Operating Plan.

When a Protecting Agency takes suppression action on lands it protects for the Jurisdictional Agency, and the Jurisdictional Agency is requested to assist, the Protecting Agency will reimburse the Jurisdictional Agency for their assistance. (In this situation, the Jurisdictional Agency is considered a Supporting Agency.)

The provisions described in the Boundary Fires section apply to fires that occur on or near the Boundary of exchange zones.

D. Fee Basis (or Contract) Fire Protection. For an agreed upon fee, one Agency or County may assume fire protection responsibilities on lands under the jurisdiction of another. The terms and conditions of such arrangements must be included in the Annual Operating Plan.

FIRE SUPPRESSION

18. **Closest Forces Concept:** The primary guiding principle for dispatch of initial and extended attack suppression resources will be the use of the closest available resource concept, regardless of the ownership of those resources and regardless of which Agency has protection responsibility.

19. **Shared Resources:** Interagency funding, staffing, and utilization of aircraft, engines, crews, or fire facilities will be pursued wherever an interagency approach is appropriate and cost effective. Staffing and funding will be commensurate with each Agency's use of the resources and will be agreed to and included in the Annual Operating Plan or at the time of the incident.

20. Fire Notifications: Each Agency will promptly notify the appropriate Protection Agency of fires burning on or threatening lands for which that Agency has protection responsibility.

21. Boundary Fires: A fire burning on, or adjacent to, a known or questionable protection boundary will be the initial attack responsibility of the protecting Agencies on either side of the boundary. The initial attack Incident Commanders of the involved Agencies shall mutually agree upon fire suppression resources. When a fire burns on both sides of a protection boundary, beyond the mutual aid period, a cost share agreement shall be prepared and approved by the Unit Administrator or their designee for all actions as outlined in Exhibit C, Sample Cost Share Agreement.

22. Independent Action on Lands Protected by Another Agency: Any participating Agency may, upon its own initiative and with appropriate notification and coordination, attack wildland fires on lands which are under the direct protection of another agency. None of the parties to this agreement shall perform any fire suppression action which is contrary to the limitations found in the Annual Operating Plan. The Protecting Agency will assume command of all fire suppression action when a qualified incident commander of that agency arrives at the fire.

23. Appropriate Management Response: All fire suppression action conducted on lands of another Agency will be consistent with that Agency's fire suppression policy and the terms of this Agreement.

The Special Management Considerations section of the Annual Operating Plan will establish procedures and criteria for unit administrators of the agencies to communicate land management considerations to Incident Commanders.

Restrictions in firefighting tactical techniques, such as use of heavy mechanized equipment in special management areas (e.g., wilderness areas, Wild and Scenic Rivers, roadless areas, and threatened and endangered species habitat) will be delineated on protection unit maps or otherwise identified by the Jurisdictional Agency in the Annual Operating Plan. In areas of intermingled jurisdiction, such considerations will include protection priorities of adjacent Agencies.

Unless otherwise agreed, the Jurisdictional Agency will provide a Resource Advisor to advise the Protecting Agency of any special conditions which may influence suppression action. The Incident Commander will incorporate special conditions in the incident planning process, subject to delegation of authority.

24. Wildland Fire Situation Analysis (WFSA): The Federal Agencies' policies require that a Wildland Fire Situation Analysis be completed for all fires on Federal land which escape initial suppression action. This procedure requires Federal Agency unit administrator participation. When fires occur on State-protected Federal lands, the responsible unit administrator will actively involve the State in this process. Operating Plans will contain procedures for development and unit administrator approval of the Wildland Fire Situation Analysis.

Responsibility for strategic and tactical implementation shall rest with the Incident Commander.

25. **Determination of Cause and Preservation of Evidence:** As initial action is taken on a fire, the initial attack forces, regardless of whether they are the Jurisdictional Agency, Protecting Agency, or Supporting Agency, will immediately gather and preserve information and evidence pertaining to the origin and cause of the fire. Agencies shall render mutual assistance in investigation and law enforcement activities, and in court prosecutions to the fullest extent possible. Each Agency shall be responsible for fire-related law enforcement activities on wildland fires that originate on their respective lands. To the extent permitted by Federal and State law, the Protecting Agency will provide investigation files relative to the fire to the Jurisdictional Agency for legal action and/or prosecution.

26. **Fire Reports:** In incidents where the Protecting Agency is not the Jurisdictional Agency, the Protecting Agency will furnish a copy of their fire report to the Jurisdictional Agency within the timeframe specified in the Annual Operating Plan, or within 15 days for the Bureau of Indian Affairs.

27. **Post-Fire Analysis:** To benefit from lessons learned on fire incidents falling under the terms of this Agreement, the Agencies and local fire service entities may conduct post-fire analysis. Such critiques or reviews will be conducted jointly by the local fire service entities, State and/or the affected Federal Agency(s). These analyses may be requested by the Jurisdictional, Supporting, or Protecting Agencies.

USE OF AND REIMBURSEMENT FOR SHARED RESOURCES

28. **Appropriated Fund Limitation:** Nothing herein shall be interpreted as obligating the Federal Agencies or the State, County, or local fire service entities to expend funds, or as involving the United States or the State of Kansas in any contract or other obligation for the future payment of money in excess of appropriations authorized by law and administratively allocated for the work contemplated in this Agreement.

29. **Reimbursable Assistance:** Reimbursable Assistance refers to those fire suppression resources that are to be paid for by the Protecting Agency. Reimbursable Assistance resources must be requested by the Protecting Agency or supplied through automatic or mutual aid systems. Such resources must be recorded by the resource order process within the dispatching systems of both the Protecting Agency and Supporting Agencies; if such documentation is not completed, these resources are not reimbursable. Except as otherwise provided, all costs incurred as the result of an incident and documented as stated above are generally reimbursable, such as but not limited to:

- a. Costs incurred for suppression and move-up and cover resources.
- b. Transportation, salary, benefits, and per diem of individuals assigned to the incident.

- c. Additional support dispatching services requested through a resource order.
- d. Cost of equipment in support of the incident; contract equipment costs and operating cost for Agency equipment.
- e. Aircraft, airport fees, foam, and retardant costs.
- f. Cost of reasonable and prudent supplies expended in support of the incident.
- g. Charges from the State for State controlled resources such as County and local resources.

The resources of the State, Counties, and local fire service entities of Kansas are defined as cooperators, not contractors for the purposes of fire management activities. Rates established annually in the Cooperative Resource Rates Form are accepted by all agencies and Counties and will be used for reimbursement calculations for both in-state and out-of state incidents. Emergency Equipment Rental Agreements will be used to hire equipment that was not listed for availability prior to the incident, and reimbursement rates for the equipment will follow Regional Incident Business Management Handbook guidance.

30. Duration of Assignments: Consideration must be given to the health and safety of personnel when assigned to fires. Agencies agree that Incident Commanders will release suppression resources to their primary responsibilities as soon as priorities allow. Federal resources are expected to be released after 14 operational days. Incident Commanders shall also adhere to rest and rotation policies of respective responding agencies.

31. Cost Sharing: A cost share agreement will be prepared by the responsible unit administrators (as defined in EXHIBIT A, Glossary) or their authorized representatives when there is (1) a multi-jurisdictional incident or, (2) an incident which threatens or burns across direct protection boundaries of the State and Federal Agencies. See EXHIBIT C for a sample cost share agreement. A general approach to cost sharing on local incidents will be outlined in the Annual Operating Plan but can be superseded by an incident specific cost share agreement.

The Agencies agree that they will absorb all reasonable and necessary costs incurred to meet the protection responsibilities within their own Direct Protection Area. Typically, suppression actions and their associated costs are driven by perceived threat to values at risk. Values at risk may, in turn, require more intense suppression efforts and, therefore, higher suppression costs in one Agency's direct protection area than in another. These situations will be considered when determining each Agency's share of the costs for an incident.

For temporary support level functions or facilities established during periods of extraordinary fire danger or activity, similar cost sharing procedures may be used by the involved Agencies.

32. Procurement: The State receives its procurement authority from State laws, and is therefore not subject to Federal procurement laws. Whenever the State is responsible for the

management of an incident (including an incident within the direct protection area of a Federal Agency); the State will comply with State laws and regulations covering procurement. Procurement costs by one Agency in support of another that are reasonable and prudent may be charged back to the Protecting Agency. All resource ordering is subject to concurrence and accountability to the Protecting Agency.

33. **Loaned Equipment:** Equipment loaned, without operator by one Agency or County to another shall become the responsibility of the borrower, and shall be returned in the same condition as when received, fair wear and tear expected. The borrower will repair or reimburse for damages in excess of normal wear and tear and will replace or reimburse items lost or destroyed.

34. **Billing Procedures**

A. Fire Suppression Billings

1. Federal Billings: Federal Agencies will not bill each other for fire suppression support. Federal Agencies will submit bills to the State whenever Kansas (State, County, or local) is the Protecting Agency.

2. State and Local Billings: When the State or local fire service entities are the supporting agency and the fire is within the state of Kansas, the State or local fire service entity may bill the protecting host unit. Any time State and/or local resources respond to a fire outside of Kansas, the State will coordinate and bill all applicable costs to the Forest Service, Rocky Mountain Region.

3. Billing amounts do not apply to Reciprocal Fire Protection (Mutual Aid).

4. Fire Numbers: Agencies will share their respective individual fire numbers for cross-referencing purposes.

5. Billing Estimates/Time Frames: On fires where costs are incurred pursuant to the terms of this agreement, the billing Agency shall submit a bill or estimate for reimbursement as soon as possible, but not later than 60 days after the fire is controlled. If the total cost is not known at the time of initial billing, a partial bill, so identified, may be submitted. A final bill, so identified, will be issued within 6 months after control of the fire.

Billing deadlines set forth herein are intended merely to encourage prompt billing, and failure to meet billing deadlines shall not be construed as a release or waiver of claims for reimbursement against the other party.

For obligation purposes, the Federal Agencies will submit unpaid obligational figures to the State by May 15. The State will submit unpaid obligational figures to the appropriate Federal Agency by September 15 for the previous Federal fiscal year.

After the final billing has been sent and additional costs are identified, a supplemental billing may be issued if agreeable to applicable parties.

6. Billing Content: Bills will be identified by incident name, location, accounting code, jurisdictional unit, incident number, appropriate resource order number, inclusive dates, and will be supported by the following:

- Originals or copies of Fire Time Reports, SF-288
- Summary of travel charges
- Equipment Use Invoice
- Credit card bill, list of purchases
- Cost Share Agreement, when applicable

Payment for State resources will be made direct to the appropriate County or local fire service entity identified in the billing. The State will handle billing questions or disputes with the appropriate fire service entity.

7. Billing Addresses: Unless otherwise provided for in the Annual Operating Plan, all bills for services provided to the State will be mailed to the following address:

Kansas Forest Service, Attn: Rural Fire Coordinator
2610 Claflin Road
Manhattan, KS 66502-2798

All bills for services provided to the Forest Service and for all Federal and State units outside Kansas will be mailed to the following address:

USDA Forest Service
Attn: Regional Accountant
P. O. Box 25127
Lakewood, CO 80225

All bills for services provided by the State to hosting USDI Agencies within Kansas will be mailed to the following addresses:

Bureau of Reclamation
Attn: Resources
203 West 2d Street
P.O. Box 1607
Grand Island, NE 68802-1607

National Park Service
Midwest Field Area
1709 Jackson Street
Omaha, NE 68102

Bureau of Indian Affairs
Southern Plains Region
P.O. Box 368
Anadarko, OK 73005

US Fish and Wildlife Service
P.O. Box 25486, DFC
Denver, CO 80225

8. Payment Due Dates: All bills will have a payment due date 60 days after the date of issuance. If payment cannot be made before the 60 days expire, then a 30-day extension, with oral or written justification, may be requested.

9. Disputed Billings: Written notice that a bill is contested will be mailed to the billing agency within 60 days of issuance of the final bill, and will fully explain the area of dispute. Contested items will be resolved not later than 60 days following receipt of written notice. The uncontested portion of the bill will be paid and a new bill will be issued for the contested amount.

10. Payments: Payments will refer to the bill number and fire name and will be sent to the appropriate office.

11. Late Payment Charges: Late payment charges may be waived by the billing agency unless late payment charges are mandated or required by law. An agency may subtract unpaid obligations from bills received by agencies with delinquent payments.

B. Fire Preparedness, Prevention, Prescribed Fire, and Other Fire Activity Billings:

Agencies may bill one another for preparedness activities and administrative charges may be applied. Billings for preparedness and prevention activities will be addressed in the Annual Operating Plan. Provisions described above pertaining to suppression billing procedures, addresses, payment due dates, obligation information, and payments also apply to preparedness billings. Billings will outline services performed and include a copy of the Annual Operating Plan.

35. **Examination and Audit**: Agencies shall be subject to examination and audit for 3 years after final payment under the terms of this Agreement. Examination and audit shall be confined to those matters connected with the performance of this Agreement including, but not limited to, the cost of administration.

GENERAL PROVISIONS

36. **Mutual Sharing of Information**: Agencies will furnish to each other, or otherwise make available upon request, such maps, documents, instructions, records, and reports including, but not limited to, fire reports, employment records, and investigation and law enforcement reports as either party considers necessary in connection with the Agreement, in accordance with applicable State and Federal rules and regulations.

37. **Accident/Incident Investigations**: Whenever an accident/incident occurs involving the equipment or personnel of a Supporting Agency, the Protecting Agency shall take immediate steps to notify the Supporting Agency. As soon as practical, the Protecting Agency, in accordance with their policy, shall initiate an investigation of the accident. The investigation shall be conducted by a team made up of appropriate representatives from affected agencies.

38. Non-Wildland Fire and Medical Aid Responses: This Agreement is limited to wildland fire protection and does not include non-wildland fire protection and medical aid responses. However, this Agreement does not preclude Agencies from supporting one another in emergency situations as provided by their respective statutory authority, policies, procedures, or other agreements. In the event of a Presidential Disaster Declaration, the Agencies may assist one another under the provisions of this agreement as long as requested resources are available and all other provisions of this agreement are met.

39. Existing Agreements: Existing agreements remain in effect to the extent that they do not conflict with the provisions of this Agreement, but only until such time that all activities and conditions covered by those agreements can be incorporated into the Annual Operating Plan provided for under this Agreement, and not later than one year after date of execution of this agreement.

40. Employment Policy: To the extent permitted by Federal law, when State personnel are suppressing wildland fires after the mutual aid period ends, on lands for which the Federal Agencies are responsible, and at such time when they are specifically assigned to the direct supervision of the Federal Agencies, such State personnel although not Federal employees for any other purposes, shall be considered as Federal employees for the purpose of the Federal Employees Compensation Act and Federal Tort Claims Act in consequence of the performance under this Agreement.

41. Suppression and Damage Collection: Nothing in this Agreement shall preclude the Federal Agencies or the State from collecting damages and suppression costs from third parties (civil actions for recovery may be taken independently) under the civil liability provisions of Federal and/or State statutes and/or common law in a manner provided by applicable law. However, whenever such collections have the effect of reducing the net expenditures of the billing Agency, then the bill will be reduced proportionate to the amount collected.

42. Waiver of Claims: The State and Federal Agencies hereby waive all claims between and against each other for compensation for loss, damage, and personal injury, including death, to each other's property, employees, agents, and contractors occurring in the performance of this Agreement.

Agencies will be liable for their own actions during Mutual Aid response or Independent Action.

43. Third Party Claims: Any liability to third parties which may arise under the performance of this Agreement shall be determined solely under the Federal Tort Claims Act as to the Federal Agencies. This Agreement is for the benefit of the parties only, and may not be enforced by any other person or entity.

The State of Kansas does not waive its sovereign immunity by entering into this agreement, and fully retains all immunities and defenses provided by law with regard to any action related to this agreement.

44. **Amendments Procedure:** The terms of this Agreement may be amended at any time by written mutual consent of all parties hereto.

45. **Civil Rights:** The Agencies shall comply with all State of Kansas and Federal statutes relating to nondiscrimination including, but not limited to: (a) the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, handicap, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex.

46. **Performance:** Any Agency shall have the right to enforce this Agreement by any available remedy under the laws of the United States or the State of Kansas.

47. **Duration of Agreement:** The term of this Agreement shall commence for each Agency upon the date of their signature below and shall continue for 5 years, unless terminated earlier, or subject to extension. Any party shall have the right to terminate their participation in this Agreement upon written notice to all parties.

48. **County and Local Fire Service Entities:** To facilitate the purpose and intent of this Agreement, the State will use its best efforts to establish cooperative fire agreements with the Counties and local fire service entities in Kansas which have local wildland fire responsibilities.

EXHIBIT A

GLOSSARY OF TERMS

Administrative Costs (Charges): Any expenses not charged directly to a program, project, or fire. They include general overhead personnel and administrative services. For the State, the administrative charge is identified as those charges and expenses used to determine the "indirect rate". All activities that can be identified and charged to specific projects, and not excluded elsewhere in this agreement, are considered direct costs and may be billed with proper documentation.

Agencies: The parties to this agreement.

Agency Administrator: Agency officials who are signatory to this agreement, as follows: Kansas Forest Service, State Forester; Kansas State University, Assistant Vice Provost/Research; Kansas Division of Emergency Management, Administrator; Kansas Department of Wildlife and Parks, Secretary; Bureau of Land Management, State Director; Forest Service, Rocky Mountain Region, Regional Forester; Bureau of Indian Affairs, Regional Director; National Park Service, Regional Director; Fish and Wildlife Service, Regional Director; Bureau of Reclamation, Regional Director.

Agency Representative: An individual assigned to an incident with full authority to make decisions on all matters affecting that Agency's participation at the incident.

Annual Operating Plan: An annually updated document authorized by the appropriate officials for implementing the Interagency Cooperative Fire Management Agreement in their respective areas of responsibilities.

Boundary Line Fire: This includes (i) a fire burning jointly on lands of two or more parties or will soon burn across the boundary line and the boundary line is known, (ii) where the fire location is known, but the jurisdictional boundary on the ground is uncertain, or (iii) where the location of a reported fire is uncertain in relation to the jurisdictional boundary.

Once the exact location of the fire is determined in relation to the jurisdictional boundary, it ceases to be a boundary fire unless falling in category (i) above.

Closest Forces Concept: The philosophy of committing the closest available appropriate resources, regardless of agency, for initial attack or for critical need.

Cooperator: Organized fire forces of other agencies, paid or volunteers, public or private, at the local, municipal, State, or Federal level.

Cost Share Agreement: A document prepared between a Federal, State and/or local agencies to distribute costs on a multi-jurisdictional incident or an incident which threatens or burns across boundaries of direct protection areas of the agencies.

County: Employees, elected officials, and appointed officers of a County.

Direct Protection Area: That area which, by law or identified or authorized pursuant to the terms of this Agreement, is provided wildland fire protection by the State or its Counties or by a Federal agency. This may include land protected under exchange or payment for protection.

Direct Costs: All costs associated with direct fireline/fireground operations and incident support ordered by or for the incident. Excludes Overhead Costs.

Draw Down Level: A minimal level of resources usually available for initial attack to provide coverage for its area of responsibility. This level can change depending on local conditions. In the event that the required resources become unavailable, move up and cover resources will be needed to maintain the draw down level.

Fire Management: Activities and programs that include: the use of fire as a resource management tool, and protection of values from unwanted, uncontrolled wildland fire.

ICS (Incident Command System): The common emergency incident management system used on any incident or event and tailored to fit the specific management needs of the incident/event.

Initial Attack Forces: Wildland fire suppression resources of agencies initially dispatched to a fire in accordance with a pre-existing Annual Operating Plan or mobilization guide.

Initial Attack Zone: An identified area in which predetermined resources would normally be the initial resource to respond to an incident.

Move-Up and Cover: Identifies a relocation of fire suppression resources from their established location to a temporary location to provide fire protection coverage for an initial attack response area.

Mutual Aid: Assistance provided by a Supporting Agency at no cost to the Protecting Agency. Mutual aid is limited to those initial attack resources or move-up and cover assignments that have been determined to be appropriate and as each may be able to furnish and are documented in the Annual Operating Plan. Sometimes called Reciprocal Fire Protection.

Overhead Costs: Indirect administrative costs that cannot be readily identified with specifically financed programs and functions.

Preparedness: Activities before fire occurrence to ensure effective suppression action. Includes training, planning, procuring and maintaining equipment, development of fire defense improvements, and maintaining cooperative arrangements with other Agencies.

Prescribed Fire: The planned and/or permitted use of fire to accomplish specific land

management objectives.

Prevention: Activities directed at reducing the number of human-caused fires, including such items as public education, law enforcement, dissemination of information, engineering, and the reduction of hazards.

Protection Area Maps: Official maps of the Annual Operating Plan.

Protection Boundaries: Mutually agreed upon boundaries which identify areas of direct fire protection responsibility and are shown on maps in the Annual Operating Plan.

Reimbursable (Assistance by Hire): Fire suppression resources that will be paid for by the requesting Protecting Agency per the conditions of this Agreement and its Annual Operating Plan. Excludes Mutual Aid.

Resources: All personnel, items of equipment and aircraft available for assignment of tasks.

Rocky Mountain Coordinating Group: A group consisting of the Agency Administrators or their designated representatives to oversee the terms of this Agreement and to provide general oversight for interagency wildland fire activities in Kansas.

Suppression: All the work of confining and extinguishing a fire beginning with its discovery through the conclusion of the incident.

Unit Administrator (Line Officer): The individual assigned administrative responsibilities for an established organizational unit, such as Forest Supervisors or District Rangers for the Forest Service, District Manager for the Bureau of Land Management, Area Forester, District Forester, or State Forester as designated for the State Forest Service, Assistant Vice Provost/Research for Kansas State University, Secretary for Department of Wildlife and Parks, Administrator for Division of Emergency Management, Agency Superintendent for the Bureau of Indian Affairs, Park Superintendent for the National Park Service, and Refuge Manager (Project Leader) for Fish and Wildlife Service, Area Manager for Bureau of Reclamation. May also include a County Commissioner, County Fire Warden, Fire District Board, or Joint Powers Board and/or their respective representative at the local level.

Values to be Protected: Include property, structures, physical improvements, natural and cultural resources, community infrastructure, and economic, environmental, and social values.

Wildland: Lands with few or no permanent improvements.

Wildland Fire: Any non-structural fire that occurs on wildland.

Wildland Urban Interface (WUI): Defined as the line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.

EXHIBIT B

ANNUAL OPERATING PLAN OUTLINE GUIDE

The Statewide Annual Operating Plan will be a working document developed annually by the Kansas Interagency Wildfire Council for the purpose of implementing the Interagency Cooperative Fire Management Agreement. The Annual Operating Plan shall become part of the Interagency Cooperative Fire Management Agreement. This Annual Operating Plan covers specific actions and relationships that are best coordinated on a State level for continuity across the State.

The Plan must address items called for in the Agreement and document agreement between parties pertinent to working relationships, exchange of funds, etc. for the current year. The following outline provides a checklist of items deserving consideration in developing an Operating Plan. The Plan should include these items, where applicable, and follow this format:

1. Plan approvals from authorized Agency representatives with dates
2. Identification of the jurisdictions within the area of the Plan.
3. Authority for Plan, cite Interagency Cooperative Fire Management Agreement among the State and Federal Agencies.
4. Purpose of plan, brief narrative
5. Definitions and description of:
 - A. Fire Management Responsibilities and Priorities
 - B. Mutual Aid Response Areas by Dispatch Levels
 - C. Mutual Aid Move up and Cover Facilities
 - D. Special Management Considerations (wilderness areas, Wild and Scenic Rivers, research natural areas, archeological sites, roadless areas, other areas identified in land management planning documents, urban interface areas, or otherwise requiring special fire management procedures)
 - E. Responsibility for Non-Wildland Fire Emergencies
 - F. Repair of Wildland fire Suppression Damage
6. Fire Protection Resource List including prevention, detection, ground and air attack units, supervisory personnel, draw down levels, and other cooperating agencies.
 - A. Kind (by ICS type; i.e. Crews, Dozers, Engines, etc.)
 - B. Location
 - C. Anticipated Availability Period
 - D. Staffing Levels
 - E. Contact Points and Names
 - F. Fire Caches

7. Protection Area Maps Showing;
 - A. Jurisdictional Agency, Protection Unit, County boundary, area of responsibility and other plan needs.
 - B. Fire Protection facilities by Agency and location
 - C. Direct Protection Areas
 - D. Mutual Aid Dispatch Areas
 - E. Special Management Consideration Areas
 - F. Date Effective

8. Fire Readiness
 - A. Fire Planning
 1. Preparedness plans
 2. Prevention plans
 3. Prescribed fire plans
 - B. Wildland fire Training Needs and Coordination
 - C. Inspection Schedules

9. Wildland Fire Suppression Procedures
 - A. ICS Use
 - B. Detection Standards
 - C. Relationship with local mobilization guide
 - D. Notification about Fires
 - E. Establishment and Revision of Mutual Aid Dispatch Areas
 - F. Initial Attack Dispatch Levels and their determination
 - G. Dispatching and Resource Order Process
 1. Unified Command
 2. Boundary Fires
 - H. Reinforcements and Support
 1. Move up and Cover Locations and Procedures
 - J. Interagency procurement, loaning, sharing, or exchanging and maintenance of facilities, equipment, and support services
 - K. Interagency Sharing of Communications Systems and Frequencies
 - L. Wildland Fire Situation Analysis/Delegation of Authority
 - M. State Emergency Fire Fund
 - N. Dispatch Centers or other incident support facilities
 - O. Post Incident Action Analysis
 - P. Out of jurisdiction Assignments
 1. Standards
 2. Procedures

10. Aviation Procedures
 - A. Aviation map and narrative
 1. Hazards
 2. Sensitive Zones (urban interface, aquatic, wilderness, etc.)
 3. Hellspots, dip sites

- 4. Automatic dispatch zones (tied to preparedness planning)
 - 5. Detection routes
 - 6. Foam/retardant restriction areas
 - B. Flight following/frequency management
 - C. CWN aircraft, tactical and support aircraft
 - D. Fixed wing base management
 - E. Single Engine Attack Tanker Bases
 - F. Leadplane/Air Attack Activation
 - G. Aviation Requests and Operations
 - 1. Initial Attack
 - 2. Boundary Fires
 - 3. Wildland Urban Interface
 - 4. Mutual Aid Procedures
 - 5. Air Space Restrictions
 - H. Inspection Schedules
11. Fire Prevention
- A. General Cooperative Activities
 - B. Information and Education
 - 1. Fire Danger Information
 - a. Fire Weather Station Locations
 - b. Data Sharing and Methods
 - c. Fire Danger dissemination
 - d. Fire Prevention Signs
 - 2. Joint or Single Agency Press Releases
 - 3. Smokey Bear Program
 - 4. "Let's Talk Fire" Programs
 - 5. Red Flag Operations
 - 6. Firewise Communities Programs
 - C. Engineering
 - 1. Land Use Planning (wildland urban interface)
 - 2. Defensible space and fuels treatments
 - 3. Railroads and Utilities
 - D. Enforcement
 - 1. Issuing Open Burning and Campfire Permits
 - 2. Restrictions and Closures, (initiating, enforcement, and lifting)
 - 3. Fire Investigations
12. Fuel Management and Prescribed Fire Considerations
13. Cost Reimbursements
- A. Non-Reimbursable Items
 - B. Reimbursable Items
 - C. Wildland fire Prevention
 - D. Wildland fire Readiness

E. Wildland Fire Suppression

1. Dispatching
2. Initial Attack
3. Mutual Aid
4. Reinforcements
5. Aviation
6. Cost Share Plan
7. Out-of-jurisdiction Assignments
8. Billing Procedures
9. Resource Use Rates

14. General Procedures. How to handle:

- A. Periodic Program Reviews
- B. Annual Updating of the Plan
- C. Changes During Year (due to budget cuts or supplemental funding)
- D. Resolution of Disputes Procedure

15. Directory of Personnel and/or Authorized Agency Representatives

- A. Bureau of Reclamation
- B. Kansas Forest Service
- C. USDA Forest Service
- D. Bureau of Indian Affairs
- E. National Park Service
- F. Fish and Wildlife Service
- G. Kansas State University
- H. Kansas Division of Emergency Management
- I. Kansas Department of Wildlife and parks
- J. County
 1. Board of Commissioners
 2. Sheriff's Department
 3. Fire Departments
 4. Emergency Manager

EXHIBIT C

SAMPLE COST SHARE AGREEMENT

Per the master Kansas Cooperative Fire Management Agreement, the following is the Cost Share Agreement between the Agencies identified below as negotiated for the following incident.

INCIDENT NAME: _____

INCIDENT NUMBERS BY AGENCY: _____

START DATE AND TIME: _____

JURISDICTIONS/CAUSE: _____

INCIDENT COMMANDER(S): _____

This Cost Share Agreement between _____ and _____, as prepared under the following authorities provided by:

1: The Interagency Cooperative Fire Management Agreement between the State of Kansas, USDA Forest Service, USDI Bureau of Land Management, USDI National Park Service, USDI Bureau of Indian Affairs, USDI Fish and Wildlife Service, and USDI Bureau of Reclamation.

2. _____

3. _____

Agency Representatives participating in development of Cost Share Agreement:

Agency: _____

Agency: _____

Name: _____

Name: _____

Title: _____

Title: _____

Agency: _____

Agency: _____

Name: _____

Name: _____

Title: _____

Title: _____

COST SHARE AGREEMENT FOR THE _____ INCIDENT

It is hereby agreed that the cost basis on this Incident will be shared as follows:

Rationale used in developing this cost agreement:

The following section is optional but will be used only if costs are calculated on a percentage basis and a computer-based incident cost accounting system is not available:

AGENCY	DIRECT COSTS	AIR/RETARDANT COSTS
_____	_____ %	_____ %
_____	_____ %	_____ %
_____	_____ %	_____ %
_____	_____ %	_____ %
TOTAL	100%	100%

This Agreement and the apportionment contained are our best judgments of Agency cost responsibilities on the date/time shown. Additional Cost Share Agreements for this incident may be approved for future time periods as conditions and fire spread change.

Signature: _____ Date/Time: _____

Agency: _____ Phone: _____

Mailing Address: _____

Signature: _____ Date/Time: _____

Agency: _____ Phone: _____

Mailing Address: _____

Signature: _____ Date/Time: _____

Agency: _____ Phone: _____

Mailing Address: _____

ITEMS TO CONSIDER WHEN NEGOTIATING A COST SHARE AGREEMENT

Negotiating cost share agreements within the State of Kansas has been delegated to the respective unit administrators in the Interagency Cooperative Fire Management Agreement. County officials must also be included. Cost share agreements are to be documented, including the basis or rationale used. The following guidelines should be considered when negotiating a cost share agreement. These are intended to help field personnel in negotiating an equitable agreement and are not intended to be mandatory.

Unit Administrator (Line Officer): The individual assigned administrative responsibilities for an established organizational unit, such as Forest Supervisors or District Rangers (USFS), Assistant State Forester, Fire Management, or State Forester Designate (State), Agency Administrator (BOR), Regional Director or Refuge Manager (USFWS), Park Superintendent (NPS), and Agency Superintendent (BIA), and may include a County commissioner, County fire warden, fire district board, or joint powers board at the local level.

General Guidelines:

1. Agency budgeted costs normally are not shared.
2. Responsibility for claims are considered to be outside the scope of the cost share Agreement.
3. Rehabilitation costs other than on the fireline are the responsibility of the jurisdictional agency.
4. All cost share negotiations should include consideration to each agency's values at risk and resources assigned.
5. Cost share agreements should normally be reviewed at the end of each burning period and documented with review date and time.

Method 1: Cost can be shared proportionately based upon the acreage burned.

Method 2: Costs between the agencies can be based on a summary of daily estimated incident costs and each agencies, proportionate share thereof. If this method is used, daily cost sharing should be properly documented by the Incident Commander. Aircraft and retardant should be on an actual use basis.

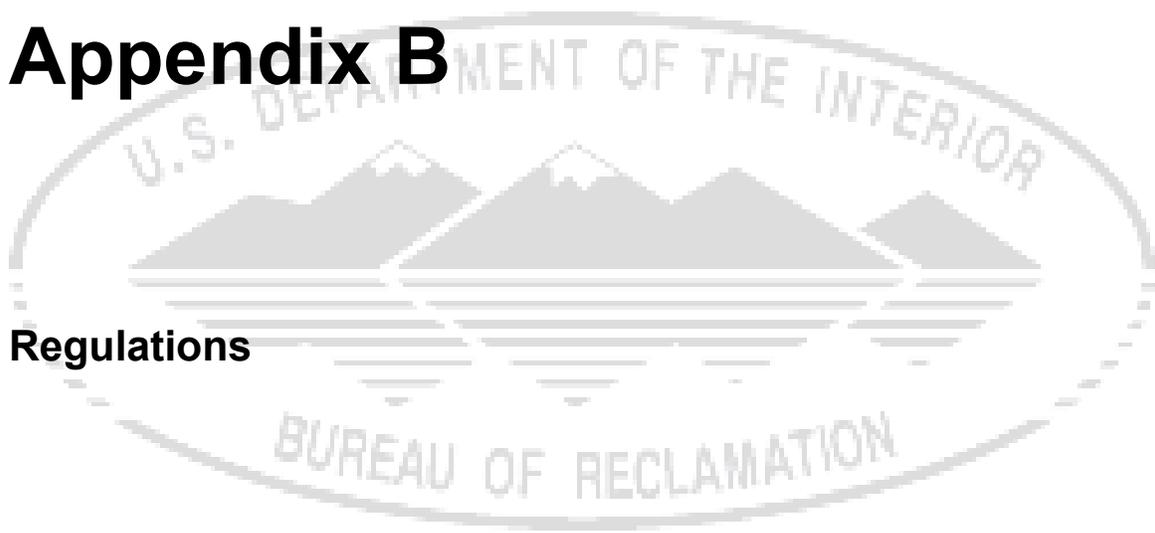
Method 3: Costs can be shared based upon direct fireline resources assigned basis. Aviation resources, retardant, etc. should be on an actual use basis. Indirect costs are then shared proportional to direct costs. This is the most equitable method and should be utilized on incidents when a Type I team is assigned.

Definitions

Direct Costs: All costs associated with direct fireline/fireground and operations including aircraft, except airtankers and their retardant, and incident support ordered by or for the incident prior to completion of the cost share agreement. Airtanker costs and associated retardant costs are direct costs but normally are calculated at a separate cost share rate.

Indirect Costs: All other costs ordered by or for the incident but not defined as direct costs. Indirect costs may include office support personnel, mobilization/demobilization centers, dispatching, airbase operations, transportation from home base to camp, and minor or major equipment repairs to incident-assigned and damaged equipment (except those costs included in equipment rental rates). Indirect costs can be shared proportionately with direct costs except where identified to be shared differently in the cost share agreement.

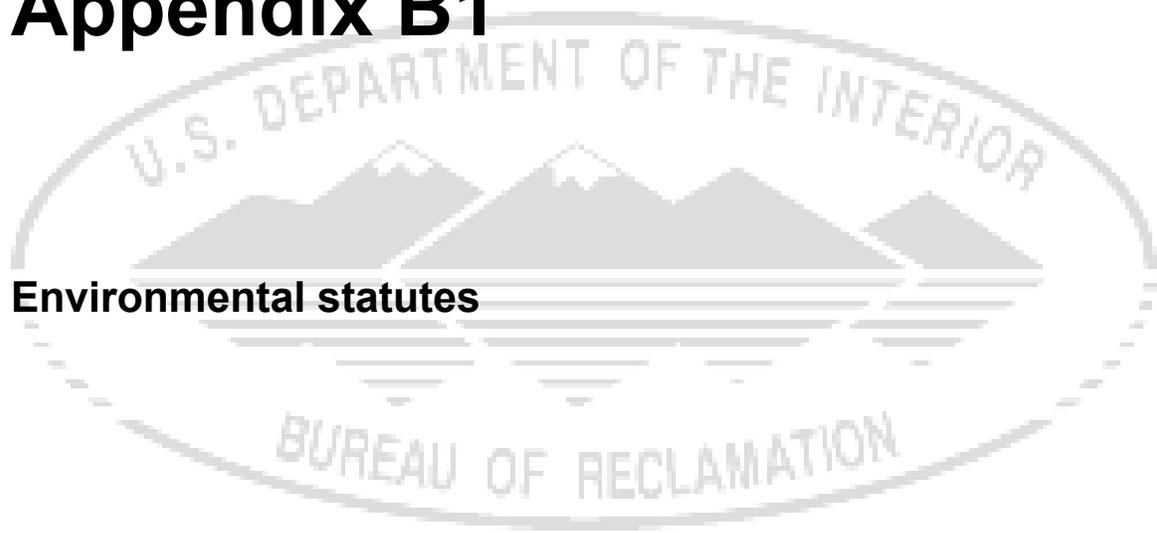
Appendix B



Regulations

- B1 - Environmental statutes**
- B2 - Reclamation Recreation Management Policy**
- B3 - Implementation of Cost Sharing Authorities for Recreation Fish and Wildlife Enhancement Directives and Standards**
- B4 - KDWP Private Cabin/Mobile Home/Waterfront Facility Guidelines**
- B5 - 43 CFR, part 21 Occupancy of Cabin Sites on Public Conservation And Recreation Areas**

Appendix B1



Environmental statutes

COMPLIANCE WITH ENVIRONMENTAL STATUTES

National Environmental Policy Act (NEPA) of 1969

The National Environmental Policy Act (NEPA) requires all federal agencies to consult with each other and to employ systematic and interdisciplinary techniques in planning and decision making. NEPA requirements also include a full and honest disclosure of all environmental impacts associated with alternatives of the proposed action.

Endangered Species Act (ESA) of 1973

The Endangered Species Act requires consultation with USFWS for federally listed threatened and endangered species identified to exist or potentially exist in the project area. The USFWS identified six endangered, three threatened, one proposed species, three candidate species, and three species of concern.

Fish and Wildlife Coordination Act (FWCA) of 1958

The Fish and Wildlife Coordination Act, as amended, requires that whenever the federal Government authorizes, sponsors, or issues a permit to impound, modify, divert, or otherwise control the waters of any stream or body of water for any purpose by any entity, the entity must consult with USFWS and the state's fish and wildlife management agency.

Clean Water Act (CWA) of 1972 - Section 401

This section of the Clean Water Act, although administered by EPA, is the responsibility of the state and eligible Indian tribes to develop and enforce. Section 401 provides the states with authority to grant or deny certification for a federally permitted or licensed activity that may result in a discharge to waters of the United States. States also may waive water quality certification.

Clean Water Act of 1972 - Section 404

Section 404 of the Clean Water Act of 1972, as amended, is administered by COE with oversight from EPA. All activities involving the placement of dredged or fill materials in waters of the United States, including wetlands, are subject to the COE permitting process. Both nationwide and individual permits are issued under Section 404. Nationwide permits are issued on a state, regional, or nationwide basis for any category of activities where such activities are similar in nature and will cause only minimal adverse environmental effects both individually and cumulatively. Individual Section 404 permits are issued for specific activities within specific waters.

Clean Air Act (CAA) of 1972

The Clean Air Act requires that any federal entity engaged in an activity that may result in the discharge of air pollutants must comply with all applicable air pollution control laws and regulations (federal, state, tribal, or local). The Act requires the EPA to publish national primary

standards to protect public health and more stringent national secondary standards to protect public welfare. States, tribes, and local governments are responsible for the prevention and control of air pollution. Measures will be incorporated into contractor specifications to ensure compliance with these laws and regulations.

Executive Order 12898, Environmental Justice

Executive Order 11898 directs federal agencies to identify and address any disproportionately high adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. Executive orders represent administrative policy and do not have the force of law that comes with delegation of authority provided by Congress.

American Indian Religious Freedom Act of 1978 (PL 95341) and Religious Freedom Restoration Act of 1993 (42 USC 2000)

The American Indian Religious Freedom Act of 1978 (AIRFA) requires federal agencies to consider the impacts of projects on the ability of American Indians to continue their traditional cultural and religious practices. The Religious Freedom Restoration Act of 1993 (RFRA) protects everyone's practice of religion and establishes tests that must be met before a federal agency can "substantially burden a person's exercise of religion."

Archaeological Resources Protection Act (ARPA) of 1979 (PL 96-95)

Permits are required to remove archeological resources from federal or Indian lands. Permits may be issued to educational or scientific institutions only if the removal would increase knowledge about archeological resources.

Archaeological and Historic Preservation Act of 1974 (PL 93-291)

The Archaeological and Historic Preservation Act (AHPA) authorizes federal agencies to protect historical and archaeological data that might be lost as a result of construction of an irrigation project or other federal activity.

National Historic Preservation Act (NHPA) of 1966 (PL89-665) as amended through 1992 (PL 102-575)

The National Historic Preservation Act (NHPA) establishes the federal policy concerning the protection of historic properties. Federal agencies are required to carry out all activities under NHPA in cooperation with states, tribes and local governments. The act designates the state historic preservation officer (SHPO) as the responsible entity in each state for administering programs under NHPA. The responsibilities of the SHPO may be assumed by a tribal historic preservation office (THPO). The act also creates the Advisory Council on Historic Preservation (ACHP) to serve as the advisory body to the Executive Branch on historic preservation issues. Section 106 of the act requires federal agencies to consider the effects of their undertakings on historic resources and to give the SHPO (or THPO) and the ACHP reasonable opportunity to comment on the effects of those undertakings.

Finally, the 1992 amendments require the federal agency to consider the impacts of undertakings on properties of traditional religious and cultural importance to American Indians and to involve American Indian tribes to participate in the consultation process, should such resources be affected.

Native American Graves Protection and Repatriation Act (PL 101 - 601)

The Native American Graves Protection and Repatriation Act (NAGPRA) establishes federal policy with respect to Native American burials and graves located on federal or Indian lands. Federal agencies are required to consult with and to obtain the concurrence of the appropriate tribes with respect to activities that may result in the disturbance and/or removal of such burials and graves on federal or reservation lands.

Access to Religious Sites for Native Americans, Executive Order 13007

Issued May 24, 1996, the President directed federal agencies to accommodate Indian tribes' requirements for access to and ceremonial use of sacred sites on public lands and to avoid damaging the physical integrity of such sites.

Executive Order 11988, Flood Plain Management

Executive Order 11988 directs federal agencies to take flood plain management into account when formulating or evaluating water or land use plans.

Executive Order 11990, Protection of Wetlands

Executive Order 11990 directs each federal agency to provide leadership and take action to minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands in carrying out agency duties and responsibilities.

COMPLIANCE WITH POLICY, REGULATIONS AND EXECUTIVE ORDERS

The following laws, policy, Federal regulations, Executive Orders and County rules and ordinances apply to management of Jamestown Reservoir and associated lands and facilities:

Resource Conservation and Recovery Act of 1976 (RCRA) as amended (42 USC 6901 et seq.) - Hazardous waste management.

Federal Insecticide, Fungicide, and Rodenticide Act of 1972 (FIFRA) (7 USC 1361, as amended November, 28, 1975, by PL 94-140 - Herbicide and pesticide application.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 USC 9603) - Hazardous waste site cleanup.

Public Law 98-552 - Authority for the Secretary of the Interior to Cooperate with Local Law Enforcement Officials - Law enforcement.

Act of October 30, 1984 (98 Stat. 2823, Section 3) - Law enforcement.

The Flood Control Act of 1944 (PL 534) - Recreation management.

Soil and Moisture Conservation (S&MC) Act of 1935 (49 Stat. 163, Ch. 85) - Controlling and preventing soil erosion; includes fencing, road construction and vegetation management.

Procedures to Process and Recover the Value of Rights-of-Use and Administrative Costs Incurred in Permitting Such Use (43 CFR 429) - Charging and collecting money for outgrants.

Executive Order 11988 - Flood plain management.

Executive Order 11990 - Management of wetlands.

Executive Order 11644 - Off-road vehicle use.

43 CFR 420, July 20, 1974 - Off-road vehicle use.

Endangered Species Act (Sec. 7, 16 USC, Sec. 1531 et seq.) - Endangered and threatened species management.

Reciprocal Fire Protection Act of May 27, 1955 (69 Stat. 66; 42 USC 1856a) - Fire suppression.

Disaster Relief Act of May 22, 1974 (Stat. 143; 16 USC 5121) - Coordination of disaster preparedness and relief programs.

Protection Act of September 20, 1922 (42 Stat. 857, 16 USC 594) - Fire protection.

Protection of Historic and Cultural Properties (36 CFR Part 800) - Protection of historic and cultural properties on public lands.

Archaeological Resource Protection Act of 1979 (ARPA) (92 Stat. 469, 42 USC 470) - Issuing of permits for scientific excavation of archaeological resources on public lands, development of public education programs, establishment of criminal penalties for looting of resources on public lands.

National Historic Preservation Act of 1966, as amended (16 USC 470) - Causes federal agencies to consider impacts on cultural resources as a result of its activities.

Native American Graves Protection and Repatriation Act of 1990 (25 USC 3001, 104 Stat. 3048) - Requires federal agencies to inventory their archaeological collections for Native American human remains and return them, as appropriate.

Occupancy of Cabin Sites on Public Conservation and Recreation Areas (43 CFR 21) - Administration of exclusive use areas.

Executive Order 11724 and FPMR 101-47, Utilization and Disposal of Real Property - Real property management.

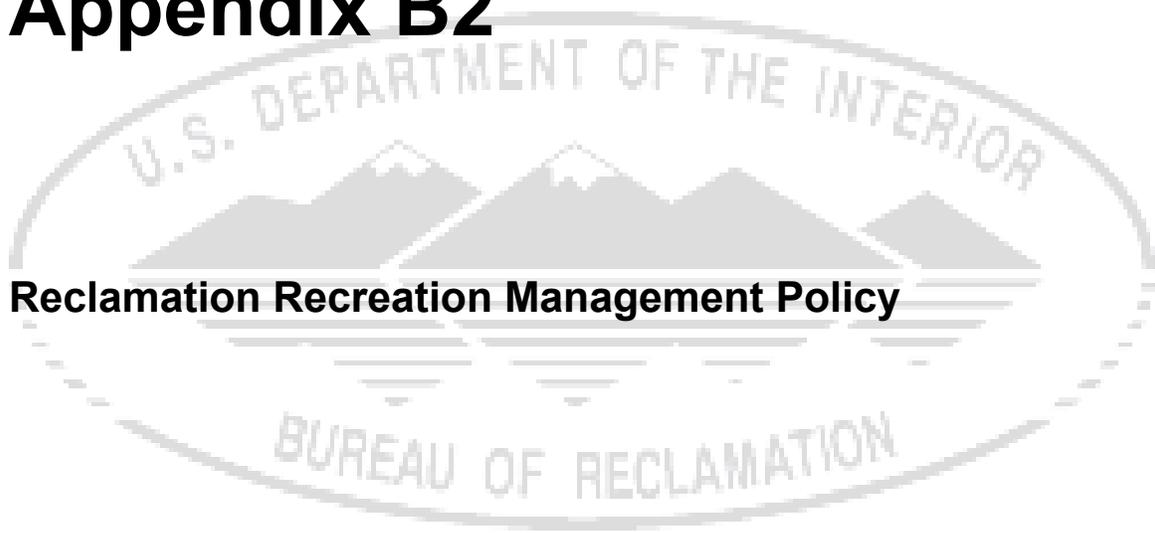
Architectural and Transportation Barriers Act of 1968 (ABA) (42 USC 4151-4157, PL 90-480) - Handicapped access.

Wild and Scenic Rivers Act (PL 90-542, 16 USC 1274 et seq.) - Wild and scenic rivers management.

Wilderness Act (PL 88-577) - Wilderness management.

Mineral Locations in Reclamation Withdrawals, April 23, 1932 (43 CFR 3816.1; 47 Stat. 136; 43 USC 1540 - Vacation of withdrawals.

Appendix B2



Reclamation Recreation Management Policy

Reclamation Manual

Policy

Subject: Recreation Management

Purpose: Defines Reclamation's overall responsibilities and establishes the basic principles for planning, development, management, and protection of public recreation resources on Reclamation lands and waters.

Authority: The Reclamation Act of 1902, as amended and supplemented; the Federal Water Project Recreation Act of 1965, as amended; the Reclamation Project Act of 1939; the Reclamation Recreation Management Act of 1992; and specific project authorities as applicable.

Contact: Land, Recreation, and Cultural Resources Office, D-5300

1. **Background.** The recreation and tourism industry is the Western States' largest industry and the nation's second largest employer. National surveys show that water-based recreation activities are among the most popular outdoor recreation activities. Statistics also show that the American public strongly relies on publicly owned and managed reservoirs and lands for many of these recreation activities. Currently, there are about 90 million visits to Reclamation's designated recreation areas each year. As our nation's population increases, so does the need for adequate recreation opportunities and facilities.
2. **Purpose and Responsibility.** The Reclamation Recreation Management Act of 1992 states "There is a Federal responsibility to provide opportunities for public recreation at Federal water projects." In that Act, and numerous other project authorizations, Congress created various Federal authorities for the development and expansion of recreation facilities at Federal water projects. This policy statement establishes the basic principles for implementing these authorities. Implementation of this policy and the underlying authorities is the responsibility of Reclamation's Regional Directors and Area Managers.
3. **Recreation Principles.** In the development, management, operation, and protection of public recreation resources on Reclamation lands and water, Reclamation will be guided by the following principles:
 - A. Fulfill Reclamation's stewardship responsibilities by providing appropriate recreation opportunities, facilities, and services on Reclamation land and water.
 - B. Protect, conserve, preserve, enhance, and interpret the natural, historical, and cultural resources entrusted to Reclamation.
 - C. Conduct necessary planning studies, research, assessments, and public involvement processes, in conjunction with managing partners where possible, to provide recreation

Reclamation Manual

Policy

facilities commensurate with public needs and Reclamation responsibilities and objectives.

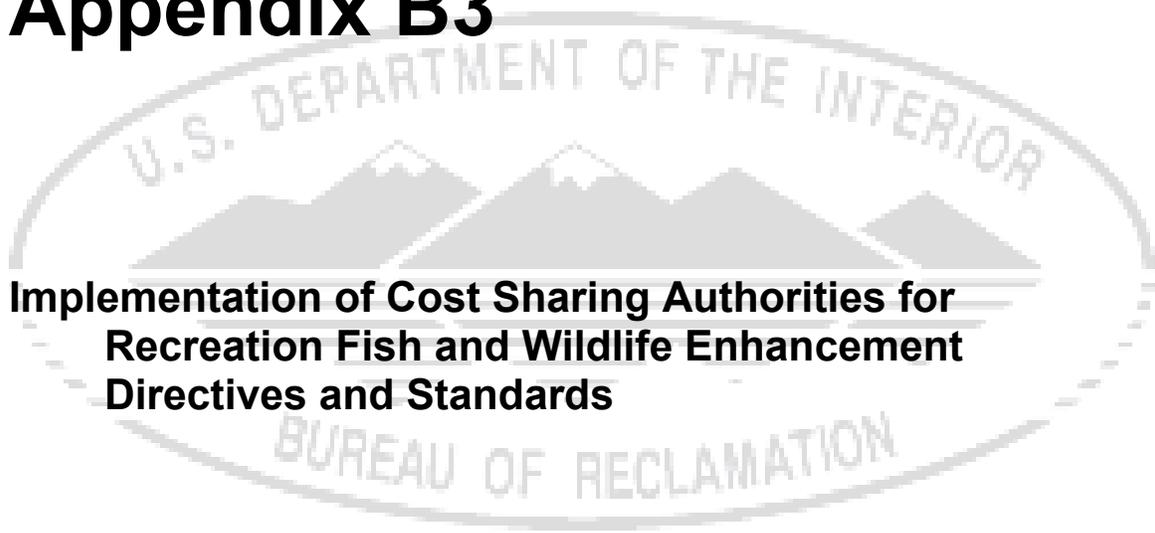
- D. Use appropriate and effective approaches to managing Reclamation's land and recreation resources, including Federal and non-Federal partnerships where feasible.
 - E. Give appropriate consideration to the regulations and policies of managing partners when developing partnership agreements, keeping within the framework of Reclamation laws, regulations, and policies.
 - F. Ensure that recreation facilities, services, and activities are compatible with other project operations, purposes, and benefits.
 - G. Protect public health and safety.
 - H. Provide access for people with disabilities.
 - I. Prohibit new exclusive uses and eliminate existing exclusive uses, as allowed by current use agreements, to maximize public recreation opportunities, facilities, and services.
 - J. Promote appropriate opportunities for private sector development of recreation facilities and services when an opportunity exists for a reasonable profit for the operator, an appropriate return of fees to the Government, and reasonable user fees and charges to the public.
 - K. Provide appropriate resources to support Reclamation's stewardship responsibilities including funding, staff, and training.
 - L. Use sound business practices in the operation and management of recreation facilities and concessions, and exercise appropriate approval authority and oversight of managing partners and concessionaires to ensure the full implementation of these principles.
 - M. Promote active outreach and communication efforts with stakeholders, Congress, and the public to ensure successful implementation of recreation management actions.
4. **Supporting Reclamation Manual (RM) Policy, Directives and Standards.** This policy is supported by the following RM policies, directives and standards. These policies, directives and standards provide detailed information regarding the planning, development, financing, management, and protection of recreation resources.
- A. *Implementation of the Cost-Sharing Authorities for Recreation and Fish and Wildlife Enhancement, LND 01-01.*

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- B. *Concessions Management*, LND P02.
- C. *Concessions Management by the Bureau of Reclamation*, LND 04-01.
- D. *Concessions Management by Non-Federal Partners*, LND 04-02.

Appendix B3



**Implementation of Cost Sharing Authorities for
Recreation Fish and Wildlife Enhancement
Directives and Standards**

Reclamation Manual

Directives and Standards

Subject: Implementation of the Cost-Sharing Authorities for Recreation and Fish and Wildlife Enhancement

Purpose: Establish Reclamation's approach to implementing the cost-sharing authorities

Authority: Public Law 89-72, as Amended by Public Law 102-575, Section 2804 (Title 28)

Contact: Water, Land, and Cultural Resources Office, D-5300

1. **History of Authority.** Using Public Law 89-72 authorities, Reclamation has provided up to 50 percent of the costs of recreation facility development at certain reservoirs when a non-Federal entity entered into an agreement to provide the remaining development funds; to pay all of the costs of operations, maintenance, and replacement (OM&R); and to manage the area for public recreational use. For reservoirs constructed before 1965, the Federal contribution for the development of recreation facilities was limited to \$100,000 for each reservoir.

Section 2804 of Public Law 102-575 (Title 28) modified Public Law 89-72 to allow for Federal cost sharing of up to one-half the costs of recreation facility planning and OM&R. The \$100,000 cost-share cap for pre-1965 projects was also eliminated.

2. **Authorities for Cost Sharing in Public Law 89-72, as Amended.** The following summarizes the current cost-sharing authorities in Public Law 89-72, as amended. See Sections 3 through 7 for directives on how these authorities are to be applied to Reclamation projects.
 - A. **Planning.** Federal cost sharing may be provided for up to 50 percent of the costs of planning studies for development, modification, and expansion of recreation and fish and wildlife enhancement facilities where an agreement exists with a non-Federal entity to:
 - (1) cost share at least 50 percent of the development, modification, or expansion of recreation facilities or exactly 25 percent of the costs for development of fish and wildlife enhancement facilities;
 - (2) to manage the resulting facilities; and
 - (3) to provide at least 50 percent of the costs of facility operations, maintenance and replacement.

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- B. Operations, Maintenance, and Replacement.** Federal cost sharing may be provided for up to 50 percent of the OM&R expenses for facilities constructed under or falling under Public Law 89-72. Generally, this covers all Reclamation facilities for which a management and cost-sharing agreement exists or is developed with a non-Federal entity for the facility.
- C. Development, Modification, and Expansion.** The previous limit of \$100,000 for Federal contribution to recreation and fish and wildlife enhancement facilities at pre-1965 projects is removed.
- (1) Fish and wildlife enhancement facilities may be developed with 75 percent Federal, 25 percent non-Federal funding.
 - (2) Recreation facilities may be developed with up to 50 percent Federal funding.
 - (3) Recreation facilities constructed under or falling under Public Law 89-72 which are inadequate to meet the current demand may be "expanded or modified" with up to 50 percent Federal cost sharing. For the purposes of modification and expansion, we judge that fish and wildlife facilities qualify as recreation facilities to the extent that they serve recreational purposes. The authority to "expand or modify" facilities, as those words are used in the statute, is considered to include rehabilitation of facilities or their replacement.
3. **Scope of Application.** These directives will be applied to cost sharing of recreation or fish and wildlife enhancement facilities at all Reclamation projects, including those facilities developed under authorities other than Public Law 89-72, except where project authorities are more limited than Public Law 89-72 authorities and the project is not otherwise eligible under Public Law 89-72, as amended.
4. **Cost Sharing of OM&R.** Reclamation's cost sharing of OM&R expenses will be limited to one-time replacement or rehabilitation activities as described in Section E. Annual recurring operation and maintenance costs will not be cost shared.
5. **Cost Sharing for Planning, Development, Modification, and Expansion of Recreation and Fish and Wildlife Facilities.** Reclamation will cost share up to 50 percent of the cost of planning, development, modification, and expansion of recreation facilities, and up to 75 percent of these costs for fish and wildlife enhancement facilities where a non-Federal partner agrees to provide the remainder of the planning and development costs and to manage the resulting facility.

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- A. **Planning.** Requests from a non-Federal entity for such cost sharing must be accompanied by a study proposal which:
- (1) Includes a letter of intent from an authorized official to enter into a cost-sharing and management agreement for any resulting facilities.
 - (2) Identifies an opportunity or need directly related to recreation or fish and wildlife enhancement at a Reclamation project.
 - (3) Provides reasonable detail of the study process and products.
 - (4) Provides up-front funding for planning activities.
- B. **Development/Modification/Expansion.** In order for Reclamation to provide cost sharing for facility development, modification, or expansion, the following criteria must be met:
- (1) For modification, development or expansion:
 - (a) Any facilities resulting from the proposed construction will comply fully with all applicable Federal, State, and local laws and regulations, whichever are more stringent.
 - (b) Funds will be used to develop publicly owned and operated facilities, open to general public use, with title to be vested in the United States, which are directly tied to the recreational use and enjoyment of Reclamation project water and related land features or enhancement of associated fish and wildlife resources. The transfer of title to the United States is not required for movable property.
 - (c) Reclamation reserves the right to approve all designs and specifications.
 - (d) The partner agrees to provide cost sharing for the proposed development, expansion, or modification of facilities and to manage the resulting facility. Such agreements are acceptable in all their particulars to the United States based upon current law and policy. The management agreement must provide:
 - (i) Consistency with the current Resource Management Plan, if one exists.

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Directives and Standards

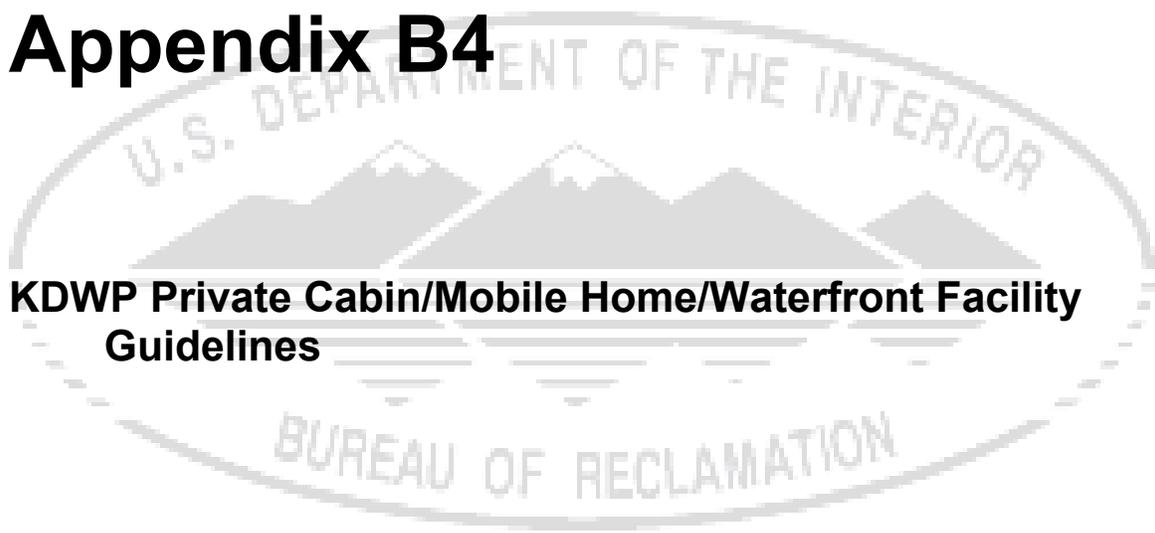
- (ii) An annual work plan, staffing, and budget sufficient to support continuity of the public recreation benefits, protection of public health and safety and critical resources, and attainment of the full expected service life of facilities.
 - (iii) A revenue enhancement plan which provides for maximum reasonable collection of market-based use fees.
- (1) Additionally, for expansion or development:
 - (a) Cost sharing will be based upon a comprehensive site development plan which identifies all development or expansion, including cost-shared and non-cost-shared facilities.
 - (b) All development or expansion must be guided by a development plan with a level of detail appropriate to the size and cost of the proposed construction and the resources affected. Proposal must demonstrate the need or the recreation demand for the project and that the non-Federal entity possesses the financial and technical capability to provide adequate OM&R for existing and planned facilities. Reclamation will review and approve development plans.
 - (c) Proposal includes appropriate identification and signing of Reclamation facilities.
- 6. **Payment of Partners' Share of Development Costs.** Funding of development, modification, or expansion of recreation facilities will be done on a concurrent basis by Reclamation and the cost-sharing entity. Schedules for construction will be adjusted to allow for concurrent financing. Appropriate arrangements may be made to account for differences in fiscal calendars. However, it will be Reclamation's policy to initiate or continue Federal investment only in projects where concurrence of spending can be achieved within 2 years.
 - A. Reasonable and customary credits may be made for partners' qualifying in-kind contribution of services, materials, and lands.
 - B. For the sake of efficiency, wherever possible, all expenditures and contracting will be managed by one entity, preferably the non-Federal partner.
- 7. **Priorities.** Highest priority for funding of proposals will be given to:
 - A. Providing for the public's health, safety, and disability access.

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- B. Complying with other Federal and State laws and regulations.
 - C. Protecting critical resources.
 - D. Modernization of existing facilities to meet current standards.
8. **More Detailed Criteria.** More detailed criteria for funding may be established annually as program needs evolve.

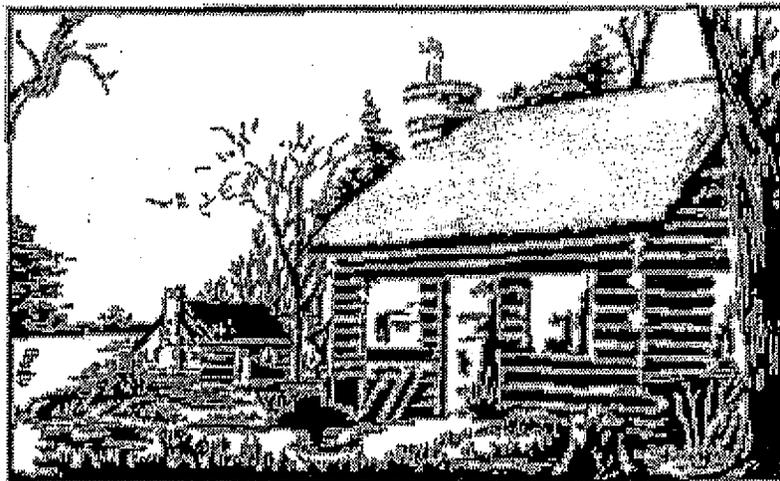
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KDWP Private Cabin/Mobile Home/Waterfront Facility Guidelines

KANSAS DEPARTMENT OF WILDLIFE AND PARKS
PRIVATE CABIN/MOBILE HOME/WATERFRONT
FACILITY GUIDELINES

May 11, 1998



Approved By:

Steve Williams

Secretary

7/10/98

Date

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KANSAS DEPARTMENT OF WILDLIFE AND PARKS

PRIVATE CABIN/MOBILE HOME/WATERFRONT FACILITY GUIDELINES

May 11, 1998

INTRODUCTION

The Kansas Department of Wildlife and Parks is the guardian of the state's natural resources and servant of the people. Consequently, the Department's mission is to conserve and enhance the state's natural resources and heritage while providing opportunities for the use and appreciation of the natural resources and informing the public about the status of the natural resources. Due to the state's limited public lands, one of the greatest tasks facing the Department is creating a balance between the various demands for outdoor recreation opportunities and the available resources. This is especially crucial in places where non-public use opportunities occur.

The Department manages areas for both resource potential and recreation opportunities. This includes properties leased from federal agencies, purchased outright, or acquired from private individuals. These properties included the management of private exclusive use areas. Private exclusive use areas, as defined by the Bureau of Reclamation (BOR), exclude other appropriate public recreational use or users for indefinite periods. Both the BOR's and Corps of Engineers' (COE) current direction is to prohibit the expansion or development of exclusive use areas and phase out this type of use where feasible. The Department concurs with this position as it applies to Department-administered lands, but does not intend to inhibit current exclusive uses at this time.

The Department manages three BOR reservoir areas containing a total of 171 privately leased cabin and club lots - Cedar Bluff, 102; Lovewell, 61; and Webster, 8. Two reservoir parks also have private mobile home lots associated with concession agreements - Kanopolis, located on a COE project, with 75 and Lovewell with 56. Kanopolis also has 20 to 30 private cabins adjacent to the park requiring utilization of the park's roads for access. Crawford State Park, located on land donated to the state by a group of private individuals, contains 129 privately owned cabin lots, that were retained by the land donors, within the park's boundaries. Finally, all of the areas either have, or have the potential for, privately owned docks or mooring facilities due to past lease agreements.

Administration of the various areas and associated agreements changed responsibility numerous times since their conception. This created numerous agreements and various interpretations resulting in diverse compliance and enforcement problems. The Department developed the following guidelines to assure proper use of Department lands, to address the various types of exclusive use of Department lands, and to insure future proper and equitable administration.

I. DEFINITIONS

BOR – U.S. Bureau of Reclamation.

COE – U.S. Army Corps of Engineers.

Department - Kansas Department of Wildlife and Parks.

Department Lands - state parks, state lakes, recreational grounds, wildlife areas, sanctuaries, fish hatcheries, natural areas, historic sites and other lands, waters, and facilities under the jurisdiction and control of the Secretary through ownership, lease, license, cooperative agreement, memorandum of understanding, or other arrangement.

Driveway - private motor vehicle access to a leased or owned lot within or adjacent to Department lands.

Encroachment - development or construction of facilities or buildings beyond an individual's lot boundary without prior written Department approval.

Lease - the contract utilized by the Department for the use and occupation of real estate, in the form of cabin lots or mobile home spaces, for a given period of time in exchange for an annual payment. When the term is used it includes past contracts, permits, and leases utilized for this same purpose.

Mobile Home - every structure without motor power designed to be towed by a motor vehicle, constructed on a permanent chassis, and designed to be used as a dwelling without a permanent foundation.

Motor Vehicle - every vehicle, other than a motorized wheel chair, which is self propelled.

Permanent Residence - the location where the lessee votes, pays personal income taxes, and obtains a driver's license (other legal defining factors may also apply).

Private Cabin Area – the area that encompasses the individual, privately leased cabin lots. Public vehicular access may or may not be allowed as indicated on Department maps.

Private Cabin Lot Access Road – a Department-designated way open to the use of private cabin lot lessees for the purpose of motor vehicle travel that limits public access to non-vehicular only.

Public Access Areas – a Department-designated area open to the use of the public for the purpose of recreation activities. Public vehicular access may or may not be allowed as designated on Department maps.

Public Access Road - a Department-designated and maintained way open to the use of the public for the purpose of motor vehicle travel.

Reclamation – BOR, U.S, Bureau of Reclamation.

Secretary - Secretary of the Kansas Department of Wildlife and Parks.

Waterfront Facilities - docks, mooring structures, boat ramps, or enhancements located adjacent to the reservoir's shoreline or into the reservoir.

II. PRIVATE CABINS ON DEPARTMENT LANDS

A. ADMINISTRATION

1. Private recreation cabin and club lot leases will be administered by the Department, Division of State Parks.
2. No new, additional private recreation cabin or club lot leasing will occur.

B. LEASE

1. A written lease agreement with the Department will be used to define the scope of rights and requirements of all parties involved.
2. The lease agreement will include term of the lease, annual fee, lot location, lessee's permanent mailing address and phone, and conditions as outlined below.

C. LEASE NUMBERS:

1. Lease renewals of all leases prior to 1998 that do not require a new lease will utilize the current contract, lease, or permit number as applicable.
2. New leases (see Appendix A) will utilize a lease number that indicates the property, site number, and ending year. Examples: LOVP-PC16-2005 and CDBP-PC16N-2005.

D. LEASE LENGTH, RENEWALS, AND EXTENSIONS:

1. All Lessees will be allowed to renew or extend their leases as outlined in their lease until the lease's expiration or when the KDWP/BOR lease expires on 5-31-2017 at which time a new lease will be required.
2. All new leases are for a five-year term or less respective to expiration dates listed in Subsection IID2b.
 - a. Lessee will have the option to renew the lease in five year increments up until the KDWP/BOR expiration date (see section IID3).
 - b. Expiration dates are 12-31-2002, 12-31-2007, 12-31-2012, or 5-31-2017 as applicable.
3. All leases will terminate when KDWP/BOR lease expires on 5-31-2017.
4. The Department will renew leases beyond 5-31-2017 if the Department renews or retains its lease with the BOR and if allowed by the BOR.
5. All renewal notices will be sent to respective cabin owners 30 calendar days before the expiration or renewal date.
6. Renewals or extensions of leases signed previous to 1998 that do not require a new lease will utilize the lease renewal/extension form (see Appendix B) with the respective contract, lease, or permit attached.
7. Renewals or extensions of leases signed after 1998 or any signed previous to 1998 that require a new lease will be sent a new lease to sign as outlined in the guidelines.
8. Failure to renew or extend a lease within 30 calendar days after the expiration date will result in a second renewal notice being sent.
9. Failure to renew or extend a lease within 60 calendar days after the expiration date will result in lease termination.

E. LEASE ANNUAL PAYMENTS:

1. The annual fee shall be adjusted when the lease agreement for a lot is newly assigned, or transferred as required by KAR 115-2-6 (see II E 3-4).
2. The annual fee shall be adjusted for renewals unless the existing lease agreement specifies a fee for the renewal term as required by KAR 115-2-6 (see II E 3-4).
3. The annual fee for fees adjusted before January 1, 2003 shall be \$200.00 as required by KAR 115-2-6.
4. The annual fee shall be recalculated on January 1, 2003; January 1, 2008; and January 1, 2013, based on the equation in subsection IIE4a as required by KAR 115-2-6.
 - a. The annual fee for private cabin, club and organization sites shall be calculated as follows, using terms as defined in the remainder of this subsection.

$$\text{Annual Fee} = \text{Previous Annual Fee} \times [(\text{New CPI}) / (\text{Previous CPI})]$$
 - b. "CPI" means the "consumer price index for all urban consumers" (CPI-U) for the Midwest region average for "all items, " 1993-1995 = 100, as published in the "CPI detailed report" by the Bureau of Labor Statistics of the U.S. Department of Labor.
 - c. "Previous Annual Fee" means \$200 for the recalculation of the annual fee on January 1, 2003, and means the annual fee calculated five years previous to the new calculation, using the equation in subsection IIE4a, for each recalculation thereafter.
 - d. "New CPI" means the CPI on July 1 immediately preceding the January 1 date for a newly calculated annual fee.
 - e. "Previous CPI" means the CPI on July 1, 1998 for the recalculation of the annual fee on January 1, 2003, and means the CPI on July 1, 2002 for the recalculation of the annual fee on January 1, 2008, and means the CPI on July 1, 2007 for the recalculation of the annual fee on January 1, 2013.
5. Annual fees are payable on or before January 1 of each year.
6. Payment notices (see Appendix C) should be sent to cabin owners 30 calendar days before the due date.
7. Non-payment within 30 calendar days after the due date will result in a delinquent payment resulting in a surcharge of \$50 upon written notification from the Department.
8. Non-payment within 60 calendar days after the due date will result in lease termination.
9. New owners will pay a prorated amount of the annual payment based on the number of months left in the year of purchase.
10. The lessee forfeits any rights to a refund of annual payment if the lease is assigned or terminated.
11. A portion of the fee increases will be returned to the respective park for road improvements and maintenance via the budget process.

F. ASSIGNMENT/TRANSFER OF LEASES

1. Assignment forms (see Appendix D) are required prior to the sale of a cabin or when a change in lessee occurs.

2. Adding a name(s), other than the lessee's spouse, to a lease requires utilizing the assignment form.
3. An assignment is not required to add a spouse's name if proof of marriage is provided in the form of a copy of the marriage certificate or a signed and notarized affidavit affirming marital status.
4. A name can be removed from a multiple ownership lease without changing the lease, annual fee or termination date.
5. The assignee (new Lessee) will be required to pay the most up to date annual fee as required by KSA 115-2-6.
6. The assignee (new Lessee) has the option
 - a. assuming the assignor's (previous Lessee's) lease or
 - b. signing a new lease.
7. The Department must approve all assignments.
8. The transfer fee associated with an assignment is \$25.00.

G. TERMINATION OF LEASE

1. Lessee's failure to remedy a breach of a lease to the Department's satisfaction within thirty (30) calendar days of receiving written notice of the breach will be grounds for termination of the entire lease by the Department.
2. The lease will be deemed breached if Lessee files a petition in bankruptcy or insolvency or of reorganization under any bankruptcy act, if voluntary proceedings under any bankruptcy act or insolvency act are instituted against Lessee, or if a trustee or receiver is appointed of any property or Lessee.
3. The Department retains the right to terminate the lease without notice and without liability for damages in the event the Department finds that its continued operation represents an immediate threat the health, safety, or welfare of the public.
4. The Department may terminate the lease upon relinquishment of the BOR lease. The Department will give Lessee sixty (60) calendar days written notice prior to such termination. Such termination will not constitute a breach of the lease and will not obligate the Department to pay any compensation or damage to Lessee except as expressly provided in the lease.
5. Lessee will, at lessee's expense, within ninety (90) calendar days after termination of the lease for any cause, remove from the premises all of its facilities, goods, buildings and effects; and upon its failure to do so, at the Department's option, the Department may cause such removal to be made at the cost and expense of the Lessee, or the Department, with the BOR's approval, may leave the facilities and the BOR assume ownership; the Department will have a lien thereon for cost and expense of such removal of said property, goods, buildings and effects.
6. The Lessee will relinquish possession of premises to the Department at the termination of the lease in a condition equivalent to that in which it was originally received, the effects of normal wear and tear considered.
7. The lease may be terminated as outlined in section S, Non-Compliance.

H. OWNERSHIP/SUBLEASING

1. An individual can only lease one cabin lot at a time.
2. Subleasing or renting of a cabin lot or cabin is not allowed.
3. Cabins and cabin lots cannot be used for concessions or other commercial purposes.

I. LOT BOUNDARIES/ENCROACHMENT

1. When lot boundaries need to be delineated and maintained beyond existing maps and boundary markers, it will be the responsibility of the concerned party,
2. Facility encroachments beyond lot boundaries are not allowed without prior written Department approval by the Secretary.

J. CABIN LOT DEVELOPMENT/RELINQUISHMENT

1. No development of open lots will occur.
2. When a cabin lot is relinquished to the Department, all facilities, goods, buildings, and effects will be removed by the owner and the premises will be returned in the condition that it was originally received at the owner's expense within 90 calendar days upon relinquishment.
3. If the lessee fails to do so, then at the Department's option, the Department may have all facilities, goods, buildings, and effects removed and the premises returned to its original condition at the cost and expense of the lessee resulting in a lien thereon for the associated costs and expenses or the Department may leave as is and the BOR assume ownership for utilization in BOR or Department operations.

K. CONSTRUCTION SPECIFICATIONS:

1. All improvements require submission of detailed drawings showing proposed construction specifications utilizing the Lot Improvement Application and Permit (see Appendix E) and prior written Department approval (which may include input from surrounding lessees) as required by KAR 115-8-16.
2. All buildings/improvements will be set back a minimum of 10 feet from the side and back lot lines and a minimum of 20 feet from the front lot line.
3. All materials utilized in maintenance or construction require prior written Department approval and must be of natural colors and blend with the environment.
4. It is the responsibility of the lessee to insure that all improvements meet local building codes.
5. No structures other than waterfront facilities will be constructed below flood pool elevation.
6. No more than one cabin may be constructed on a lot.

L. WATER/SEWAGE/TRASH

1. Lessees are responsible for providing, at lessee's own expense, water supply, sewage disposal system, and trash removal.
2. Water supply and sewage disposal systems will meet Kansas Department of Health and Environment and local health requirements and require a scaled drawing as indicated in construction specifications and prior written Department approval as required by KAR 115-8-16.

3. Lessee's trash will be removed and disposed of properly as required by county regulations and not deposited on Department lands as stated in KAR 115-8-18.

M. LANDSCAPE MAINTENANCE:

1. Lots will be mowed regularly and noxious weeds will be controlled, utilizing Department approved herbicides, by lessee as conditions warrant or as required by the Department to provide an aesthetic appearance and to reduce fire hazards.
2. Placement and removal of trees and shrubs by lessee requires prior written Department approval as required in KAR 115-8-20.

N. WATERFRONT FACILITIES

1. Cabin lot lessees can have waterfront facilities with prior written Department approval as required by KAR 115-8-16.
2. Specific terms and conditions associated with docks/mooring facilities are outlined in Section VI.
3. All waterfront facilities will be accessible to the public.

O. ROADS

1. The only roads open for public use and private cabin lot access are those designated on Department maps, see Appendix H, as stated in KAR 115-8-16.
2. All designated public access roads adjacent to or through cabin areas to shoreline and waterfront facilities will be open to public use.
3. All designated private cabin lot access roads will be open to private cabin lot lessees. Public access will be limited to non-vehicular only.
4. Private lot driveways will not be open to public access.
5. No new roads will be created without prior written Department approval as required in KAR 115-8-16.
6. Lessees may conduct additional road maintenance with prior written Department approval as required in KAR 115-8-16.
7. The Department will maintain, except for snow removal, to its specifications all public access roads and parking areas utilizing funds from the increased rental fees.
8. Lessee is responsible for maintenance of private cabin lot access roads and private driveways to their specific lot.

P. MOTOR VEHICLES

1. All motor vehicles used on designated public access roads or in designated public access areas must be registered and licensed as required by KSA 8-127.
2. Motor vehicle use is restricted to open, maintained roadways and parking areas as required in KAR 115-8-13.

Q. PARK PERMITS

1. Park vehicle permits will be required to utilize designated public access areas, roads, and facilities between the cabin lots and the shoreline as stated in KSA 32-901, KAR 115-2-2, and KAR 115-2-3.
2. These areas will be properly signed but no self-pay stations will be installed.

R. SIGNS

1. The lessee will not install any signs without prior written Department approval as required by KAR 115-8-16.
2. The Department will install and maintain signs in accordance with the sign plan, see Appendix I, to reflect area use.
3. The Department may install and maintain signs requested by lessees that enhance and protect area use and resources.

S. NON-COMPLIANCE

1. All non-compliance incidents will be documented and recorded in the respective cabin lot file.
2. Non-compliance of Department regulations or state law will be handled at the officer's discretion.
3. Notice of non-compliance with lease conditions that are not enforced under Department regulations or state law will require written notification to the lessee from the park manager prescribing rectifying measures.
4. One severe or flagrant non-compliance incident within the lease term may result in termination of the lease.
5. Three non-compliance incidents within the lease term will result in termination of the lease.

T. MISCELLANEOUS

1. The park manager is authorized, as the Department's representative, to oversee all matters pertaining to cabin areas with the exception of encroachments which require approval by the Secretary.
2. Cabins cannot be utilized as a permanent residence.
3. Cabin leases will contain verbiage to cover the following requirements or conditions required by federal or state law;
 - a. Discrimination.
 - b. Ingress/Egress by KDWP/BOR.
 - c. Pertinent KDWP regulations.
 - d. Indemnification.
 - e. BOR/KDWP Lease-Lessee's Rights Statement.

III. PRIVATE CABINS ADJACENT TO DEPARTMENT LANDS

A. ROADS

1. The only roads open for public use are those designated on Department maps as stated in KAR 115-8-13.

B. MOTOR VEHICLES

1. All motor vehicles must be registered and licensed as required by KSA 8-127.
2. Motor vehicle use is restricted to open, maintained roadways as required in KAR 115-8-13.

C. PARK PERMITS

1. A special pass, see Appendix F, must be obtained and displayed in all vehicles utilizing park roads to access private cabin areas as approved by the Secretary and stated in KSA 32-901.
2. Park permits will be required to utilize the park area roads and facilities for any purpose other than accessing the private cabin area as stated in KSA 32-901, KAR 115-2-2, and KAR 115-2-3.

D. MISCELLANEOUS

1. The park manager is authorized, as the Department's representative, to oversee all matters pertaining to the cabin areas.
2. Matters of encroachment will be referred, through the park manager, to the Secretary.

IV. PRIVATE CABINS ON PRIVATE LAND WITHIN DEPARTMENT LANDS

A. LOT BOUNDARIES/ENCROACHMENT

1. Lot boundaries will be delineated to evaluate and eliminate encroachments.
2. Owners at Crawford State Park will be advised of permanent structure (houses/garages) encroachments and granted an easement by the Department as approved by the Secretary to include these structures.
3. Upon completion of the survey and provision of easements associated with permanent structure encroachments, an additional easement, as approved by the Secretary, may be available to each Crawford State Park cabin owner creating straight-line boundaries.
4. Once lot boundaries are established, facility encroachments beyond lot boundaries will not be allowed.

B. ROADS

1. All designated access roads through or adjacent to cabin areas will be open to public use.
2. The only roads open for public use are those designated on Department maps as stated in KAR 115-8-13.
3. Private lot driveways will not be open to public access.
4. No new roads will be created without prior written Department approval as required in KAR 115-8-16.
5. Lessees may conduct additional road maintenance with prior written Department approval as required in KAR 115-8-16.
6. Lessee is responsible for maintenance of private driveways to lessee's specific lot.

C. WATERFRONT FACILITIES

1. Cabin lot owners can utilize and will maintain previously approved and installed waterfront facilities with prior written Department approval.
2. No new docks/mooring facilities will be allowed.
3. Specific terms and conditions associated with docks/mooring facilities are outlined in Section VI.
4. All waterfront facilities will be accessible to the public.

D. CABIN LOT DEVELOPMENT

1. No development of Department-owned open lots will occur.

E. MISCELLANEOUS

1. The park manager is authorized, as the Department's representative, to oversee all matters pertaining to the cabin area.
2. Matters of encroachment will be referred, through the park manager, to the Secretary.
3. Motor vehicle use is restricted to open, maintained roadways and parking areas as required in KAR 115-8-16.
4. Park permits will be required to utilize the park area roads and facilities as stated in KSA 32-901, KAR 115-2-2, and KAR 115-2-3.

V. PRIVATE MOBILE HOMES ON DEPARTMENT LANDS

A. ADMINISTRATION

1. Private mobile home space leases in state parks will be administered by the marina concessionaire as approved by the Department and indicated on the concession premises map.
2. No new, additional private mobile home space leasing will occur.

B. LEASE

1. A written lease agreement approved in writing by the Department will be used by the concessionaire to define the scope of rights and requirements of all parties involved.
2. The lease agreement will include term of the lease, annual fee, location of space, a description of lessee's mobile home, lessee's permanent mailing address and phone, and conditions as outlined below.

C. ANNUAL PAYMENTS

1. Each space rental will be payable annually as outlined in the annual lease agreement.
2. The lease's annual payment amount is to be set by the concessionaire with prior written Department approval.

D. CONSTRUCTION SPECIFICATIONS:

1. All improvements require submission of drawings showing proposed construction specifications utilizing the Lot Improvement Application and Permit (see Appendix E) and prior written Department approval which may include input from surrounding lessees as required by KAR 115-8-16.
2. All mobile homes and improvements will be a minimum of 10 feet or per local codes from adjacent mobile homes.
3. All materials utilized in maintenance or construction require prior written Department approval and must be of natural colors and blend with the environment.
4. It is the responsibility of the lessee to insure that all improvements meet local building codes.
5. No structures other than waterfront facilities will be constructed below flood pool level.

E. WATER/SEWAGE

1. Lessee is responsible for providing at lessee's own expense a water supply and sewage system.
2. Water supply and sewage disposal systems will meet KDHE and local health requirements and require prior written Department approval.

F. LANDSCAPE MAINTENANCE:

1. Lots will be mowed regularly and noxious weeds will be controlled, utilizing Department approved herbicides, by lessee as conditions warrant or as required by the Department to provide an aesthetic appearance and to reduce fire hazards.
2. Placement and removal of trees and shrubs by lessee requires prior written Department approval as required in KAR 115-8-20.

G. WATERFRONT FACILITIES

1. Mobile home space lessees can have waterfront facilities as provided by the concessionaire's lease and with prior written Department approval.
2. All waterfront facilities not administered by the concessionaire will be accessible to the public.

H. ROADS

1. All designated access roads through mobile home areas and to waterfront facilities will be open to public use.
2. The only roads open for public use are those designated on Department maps as stated in KAR 115-8-13.
3. Road maintenance will occur as agreed upon between the concessionaire and the Department in the concession agreement.
4. Lessees may conduct additional road maintenance with prior written Department approval as required in KAR 115-8-16.

I. MOTOR VEHICLES

1. All motor vehicles must be registered and licensed as required by KSA 8-127.
2. Motor vehicle use is restricted to open, maintained roadways and parking areas as required in KAR 115-8-13.

J. NON-COMPLIANCE

1. All non-compliance incidents will be documented and recorded in the respective mobile home space file.
2. Non-compliance of Department regulations or state law will be handled at the officer's discretion.
3. Notice of non-compliance with lease conditions that are not enforced under Department regulations or state law will require written notification to the lessee from the park manager prescribing rectifying measures.
4. One non-compliance incident within the lease term may result in termination of the lease.
5. Three non-compliance incidents within the lease term will result in termination of the lease.

K. MISCELLANEOUS

1. The park manager is authorized, as the Department's representative, to oversee all matters pertaining to concessions and mobile home areas in the name of the Department.
2. Park permits will be required as stated in KSA-32-901, KAR 115-2-2, and KAR 115-2-3.
3. Mobile homes cannot be utilized as a permanent residence.
4. Mobile home leases will contain verbiage to cover the following applicable requirements or conditions as required by federal or state law.
 - a. Discrimination.
 - b. Termination of Lease.
 - c. Ingress/Egress by KDWP/BOR/COE.
 - d. Pertinent KDWP regulations.
 - e. Indemnification.
 - f. BOR/KDWP Lease-Lessee's Rights Statement.

VI. PRIVATELY OWNED DOCKS/MOORING FACILITIES NOT ADMINISTERED BY CONCESSIONAIRES ON DEPARTMENT LANDS

A. PERMIT

1. A special use permit (see Appendix G) is required for docks or any other mooring facility.
2. Waterfront facility special use permits will only be issued to private cabin or mobile home owners, or to organization site lessees located on or within Department lands.
3. No new mooring facilities will be allowed at Crawford State Park.
4. Anyone previously issued a lifetime permit will not be required to obtain the annual permit until a change in ownership occurs.
5. An annual fee of \$25.00 is required for the dock/mooring permit as required by KAR 115-2-3.

B. LOCATION

1. Docks will be allowed in designated mooring areas only as required by KAR 115-8-7 and as commensurate with available resources and reservoir elevations.
2. Location of dock/mooring facilities requires prior written Department approval.

C. CONSTRUCTION SPECIFICATIONS

1. Construction specifications and site plan requires prior written Department approval, as required by KAR 115-8-16, and may need to meet Department engineering, BOR, or COE specifications.
2. Construction specifications at CRSP provide for maintenance activities only.
3. Floating Docks/Mooring Facilities:
 - a. This type of facility is not allowed at CRSP.
 - b. Individual docks may not exceed 200 square feet. Multiple slip docks cannot exceed 200 square feet per permittee.
 - c. Dock frames or superstructure and walkways will be of galvanized or painted metal, or of treated lumber, and either welded or bolted together.
 - d. Dock and walkway decks will be of treated or painted wood, concrete, plastic, or galvanized or painted metal.
 - e. Flotation must meet current BOR, COE, or Department requirements as outlined in the permit.
 - f. Facilities can be secured with metal telescoping pipe driven into the lake bottom but not attached to any vegetation along the shoreline.
4. Permanent Dock/Mooring Facilities:
 - a. Permittee is required to obtain a COE 404 Permit prior to Department consideration for approval.
 - b. Docks/mooring facilities must be constructed on the shoreline and stabilized by concrete foundations.
 - c. Dock/mooring facility head walls and deck must be of block, rock, or concrete.

- d. Dock/mooring facility well covers will not have side or back walls. The roof will not exceed a one to four pitch, or extend more than seven feet above the dock surface.
- e. No new storage buildings may be constructed as a part of the waterfront facility.
- f. No dock/mooring facility structure may restrict or inhibit the shoreline view.
- g. All structures must be earth tone colors and blend into the shoreline.

D. MAINTENANCE

1. Floating docks or mooring facilities must be moved with increasing and decreasing water levels as required by the Department.
2. Docks and mooring facilities will be maintained by the permittee to prevent safety or environmental hazards.
3. Facilities will be reviewed annually by the Department to insure proper maintenance.

E. MOTOR VEHICLES

1. All motor vehicles must be registered and licensed as required by KSA 8-127.
2. Motor vehicle use is restricted to open, maintained roadways and parking areas as required in KAR 115-8-13.
3. Motor vehicles may be used off of open, maintained roadways and parking areas to install, move, and remove dock/mooring facilities as approved by the Department.

F. NON-COMPLIANCE

1. Failure of the owner to comply with the permit guidelines within thirty (30) calendar days after written notice may subject permit to termination by the Department.
2. Any permittee who receives three or more written permit violation notices will be subject to termination by the Department.

G. TERMINATION

1. Termination of recreation cabin lot lease or mobile home space lease as outlined in respective lease will result in the termination of this permit.
2. Permit may be terminated as outlined in section F, Non-Compliance.

H. MISCELLANEOUS

1. The park manager is authorized, as the Department's representative, to oversee all matters pertaining to docks/mooring facilities and to sign all related documents in the name of the Department.
2. All dock/mooring facilities will be accessible to the public.
3. Permittees are limited to one dock/mooring facility; however, several permittees may coordinate to construct one dock with a total number of slips equivalent to the number of permittees.
4. The permittee's respective cabin lot or mobile home space number will be placed on the dock/mooring facility so that it is clearly visible from both the shore and the reservoir or lake.

APPENDICES

- Appendix A: Kansas Department of Wildlife and Parks Recreation Cabin Lot Lease
- Appendix B: Kansas Department of Wildlife and Parks Recreation Cabin/Club Lot Lease
Renewal/Extension
- Appendix C: Kansas Department of Wildlife and Parks Cabin Lot Rent Due Letter
- Appendix D: Kansas Department of Wildlife and Parks Assignment of Cabin/Club Lot
Lease/Contract
- Appendix E: Kansas Department of Wildlife and Parks Mobile Home/Cabin Lot/Water Front
Facility Improvement Application and Permit
- Appendix F: Kansas Department of Wildlife and Parks Special Park Pass
- Appendix G: Kansas Department of Wildlife and Parks Boat Dock/Mooring Facility Permit
- Appendix H: Leased Cabin Lot and Mobile Home Space Maps
 - Cedar Bluff North Shore Leased Cabin Lot Map
 - Cedar Bluff South Shore Leased Cabin Lot Map
 - Lovewell Leased Cabin Lot Map
 - Lovewell Twin Coves Leased Mobile Home Space Map
 - Webster Leased Cabin Lot Map
- Appendix I: Leased Cabin Lot and Mobile Home Space Sign Plans
 - Cedar Bluff North Shore Leased Cabin Lot Sign Plan
 - Cedar Bluff South Shore Leased Cabin Lot Sign Plan
 - Lovewell Leased Cabin Lot Sign Plan
 - Lovewell Leased Mobile Home Space Sign Plan
 - Webster Leased Cabin Lot Sign Plan

APPENDIX A:
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
RECREATION CABIN LOT LEASE

Lovewell State Park

Lease #: LOVP-PCI6-2001

This lease made and entered into this 1st day of January, 19 97, between Kansas Department of Wildlife and Parks 512 SE 25th Ave. Pratt, KS 67124, party of the first part and hereinafter called the Department; and John and/or Jane Doe

party of the second part and hereinafter called the Lessee, allows the Lessee to maintain a cabin on the premises described below in accordance with the conditions of this lease.

Cabin Lot No. 16 located in the Northeast Quarter (NE 1/4)
of Section Two (2), Township Two (2) South, Range Seven (7)
West of the 6th Principal Meridian, Jewell County Kansas

This lease is granted subject to the following provisions and conditions:

1. TERM OF LEASE - The Lease for the premises described shall be for the period from January 1, 19 97 to December 31, 2001 inclusive, unless sooner terminated as hereinafter provided.
2. RENEWAL OF LEASE - The Lessee has an option to renew this lease for additional periods of five years, subject to the following terms and conditions:
 - a) All leases are for a five year term or less, respective to expiration dates listed in section 2C.
 - b) Lessee will have the option to renew the lease in five year increments until the termination of the Department's lease with Reclamation (see section 2c and 2d).
 - c) Expiration dates are, 12-31-2002, 12-31-2007, 12-31-2012, or 5-31-2017, as applicable.
 - d) All leases issued by the Department terminate upon the date of termination of their lease with Reclamation, which currently expires on May 31, 2017.
 - e) Failure to renew a lease within 60 calendar days after the expiration date will result in lease termination.
3. ANNUAL RENTAL FEE - The Lessee shall pay to the Department an annual rental fee for the premises as follows:
 - a) The sum of \$200.00 is due by the 1st day of January of each year during the term of the lease as required by KAR 115-2-6.
 - b) The annual rental fee is subject to adjustment as a condition of granting a five-year renewal to this lease.
 - c) As required by KAR 115-2-6, at the conclusion of each five year term, the Department shall adjust the annual rental rate by adding together the total rise or fall of the Consumer Price Index for the preceding five year term and applying it against the preceding five year rent. This amount shall be calculated simply, not compounded within the five year term utilizing the following equation and definitions:

$$\text{Annual Fee} = \frac{\text{Previous Annual Fee} \times (\text{New CPI})}{(\text{Previous CPI})}$$

i. "CPI" means the "consumer price index for all urban consumers" (CPI-U) for the midwest region average for all items, 1993-1995 = 100, as published in the "CPI detailed report" by the bureau of labor statistics of the U.S. department of labor.

ii. "Previous Annual Fee" means \$200 for the recalculation of the annual fee on January 1, 2003, and for each recalculation thereafter means the annual fee calculated five years previous to the new calculation, using the equation in subsection (b).

iii. "New CPI" means the CPI on July 1 immediately preceding the January 1 date for a newly calculated annual fee.

iv. "Previous CPI" means the CPI on July 1, 1998 for the recalculation of the annual fee on January 1, 2003, the CPI on July 1, 2002 for the recalculation of the annual fee on January 1, 2008, and the CPI on July 1, 2007 for the recalculation of the annual fee on January 1, 2013.

d) The annual rental fee is due and payable to:

Lovewell State Park Rt 1 Box 66A Webber, KS 66970

e) Non-payment within 30 calendar days of the due date will result in a delinquent payment, resulting in a surcharge of \$50 upon written notification from the Department. Non-payment within 60 calendar days of the due date will result in lease termination.

f) The Lessee forfeits any rights to a refund of annual payment if lease is assigned, transferred, or terminated.

4. ASSIGNMENT OF LEASE - Neither this lease nor any interest therein shall be assigned by the Lessee, without the written consent of the Department as follows:

- a) Payment must be made to the Department in the sum of Twenty-Five Dollars (\$25) to cover the expense of approving such assignments.
- b) Once the assignment is approved by the Department, the Lessee may sell improvements constructed by Lessee on said premises to the assignee of said lease.

5. TERMINATION OF LEASE - This lease shall terminate and all rights of the lease shall cease, and the Lessee shall deliver to the Department possession of the described premises under the following conditions:

- a) At the expiration of the term as provided in Sections 1 and 2.
- b) Each term of this lease is material and Lessee's failure to remedy a breach of this lease to the Department's satisfaction within thirty (30) calendar days of receiving written notice of the breach shall be grounds for termination of the entire lease by the Department. The Department may terminate the lease as provided in Section 16.
- c) This lease shall be deemed breached if Lessee files a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act, if voluntary proceedings under any bankruptcy or insolvency act are instituted against Lessee, or if a trustee or receiver is appointed of any property of Lessee.
- d) The Department retains the right to terminate the lease without notice and without liability for damages in the event the Department finds that its continued operation represents an immediate threat to health, safety, or welfare of the public.
- e) The Department may terminate the lease upon relinquishment of its lease with the U.S.D.I.

- Bureau of Reclamation (Reclamation). The Department shall give Lessee sixty (60) calendar days written notice prior to such termination. Such termination shall not constitute a breach of this lease and shall not obligate the Department to pay any compensation or damage to Lessee except as expressly provided in this lease.
- f) Lessee shall, within ninety (90) days after termination of this lease for any cause, remove from the premises all of its facilities, goods, buildings and effects; and upon its failure to do so, at the Department's option, the Department may cause such removal to be made at the cost and expense of the Lessee, or the Department may, with Reclamation approval, leave the facilities and the Reclamation assume ownership; the Department shall have a lien thereon for cost and expense of such removal of said property, goods, buildings and effects.
 - g) The Lessee shall, at their expense, relinquish possession of premises to the Department at the termination of this lease in a condition equivalent to that in which it was originally received, the effects of normal wear and tear considered.
 - h) When a cabin lot is relinquished to the Department, all facilities, goods, buildings, and effects will be removed by the owner and the premises will be returned in the condition that it was originally received at the owner's expense within 90 calendar days upon relinquishment. If the Lessee fails to do so, then at the Department's option, the Department may have all facilities, goods, buildings, and effects removed and the premises returned to its original condition at the cost and expense of the lessee resulting in a lien thereon for the associated costs and expenses or the Department may, with Reclamation approval, leave as is and the Reclamation assume ownership for utilization in area operations.
 - i) In the event of the termination of the Lease between the United States and the State of Kansas dated May 31, 1967, the United States shall be deemed to stand in the stead of said Department as grantor for the remainder of the term of this recreation cabin lot lease; provided however, in the event of such termination, the United States at any time within 90 days thereafter may terminate this recreation cabin lot lease by giving to the recreation cabin lot lessee 60 days written notice thereof and in such event recreation cabin lot lessee shall have the privilege of selling or removing for a period of 30 calendar days after termination of this recreation cabin lot lease or such longer period as may be determined by the Bureau of Reclamation to be reasonable, improvements which have been constructed on the premises at the sole cost or expense of the recreation cabin lot lessee. Full title to those improvements if not so sold or removed within the above said 90-day period shall vest in the United States. Improvements sold shall be removed from the premises within the said 90 day period or title there to shall also so vest in the United States, unless the United States in writing shall authorize the purchaser to leave said improvements in place or shall in writing grant an extension of the 90-day period. Upon removal of improvements the lands shall be leveled and restored to a safe and natural condition.

6. OWNERSHIP/SUBLEASING:

- a) Subleasing or renting of a cabin lot or cabin is not allowed.
- b) An individual can only lease one cabin lot at a time.
- c) The premises covered by the lease shall not be used for concessions or other commercial purposes.

7. LOT BOUNDARIES/ENCROACHMENT:

- a) If lot boundaries need to be delineated and maintained beyond existing maps and boundary markers, it will be the responsibility of the concerned party.
- b) Facility encroachments beyond lot boundaries are not allowed without prior written approval by the Secretary of the Department.

8. CONSTRUCTION SPECIFICATIONS - All improvements require prior written Department approval as follows:

- a) A Lot Improvement Permit Application and detailed drawings showing proposed construction of improvements shall be submitted to the Department for approval prior to actual construction, as required by KAR 115-8-16. A floor plan and cabin plot plan showing location of all proposed improvements will be required. These sketches or drawings should be near enough to scale to adequately determine the general appearance and layout. The type of building materials which the Lessee proposes to use for the construction of the buildings shall be indicated on the drawings.
- b) All buildings/improvements will be set back a minimum of ten (10) feet from the side and back lot lines and a minimum of twenty (20) feet from the front lot line.
- c) All materials utilized in maintenance or construction require prior written Department approval and must be of natural colors and blend with the environment.
- d) It is the responsibility of the Lessee to insure that all improvements meet local building codes.
- e) No structures other than waterfront facilities will be constructed below flood pool level.

9. WATER/SEWAGE/TRASH:

- a) Lessee is responsible for providing, at lessee's own expense, water supply, sewage system, and trash removal.
- b) Water supply and sewage disposal systems will meet Kansas Department of Health and Environment and local health requirements and a scaled drawing as indicated in construction specifications must have prior written Department approval as required by KAR 115-8-16.
- c) Lessee's trash will be removed and disposed of properly as required by county regulations and not deposited on Department lands as stated in KAR 115-8-18.

10. LANDSCAPE MAINTENANCE:

- a) Lots will be mowed regularly and noxious weeds will be controlled, utilizing Department approved herbicides, by Lessee as conditions warrant or as required by the Department to provide an aesthetic appearance and to reduce fire hazards.
- b) Placement and removal of trees and shrubs by Lessee requires prior written Department approval as required in KAR 115-8-20.

11. WATERFRONT FACILITIES:

- a) Cabin lot Lessees can have waterfront facilities with prior written Department approval, in the form of a Boat Dock/Mooring Facility Permit or other special use permit as required.
- b) Specific terms and conditions associated with docks/mooring facilities are outlined in the permit.
- c) All waterfront facilities will be accessible to the public.

12. ROADS:

- a) The only roads open for public use and private cabin lot access are those designated on Department maps, see attached map, as stated in KAR 115-8-13.
- b) All designated public access roads adjacent to or through cabin areas to shoreline and waterfront facilities will be open to public use.

- c) All designated private cabin lot access roads will be open to private cabin lot lessees, limiting public access to non-vehicular only.
- d) Private lot driveways will not be open to public access.
- e) No new roads will be created without prior written Department approval as required in KAR 115-8-16.
- f) Lessees may conduct additional road maintenance with prior written Department approval as required in KAR 115-8-16.
- g) The Department will maintain (except for snow removal), to its specifications, all designated public access roads and parking areas.
- h) Lessee is responsible for maintenance of private cabin lot access roads and private driveways to their specific lot.

13. MOTOR VEHICLES:

- a) All motor vehicles used on designated public access roads or in designated public access areas must be registered and licensed as required by KSA 8-127.
- b) Motor vehicle use is restricted to open, maintained roadways and parking areas as required in KAR 115-8-13.

14. PARK PERMITS:

- a) Park vehicle permits will be required to utilize designated public access areas, roads and facilities between the cabin lots and the shoreline, as stated in KSA 32-901, KAR 115-2-2, and KAR 115-2-3.
- b) These areas will be properly signed, but no self-pay stations will be installed.

15. SIGNS:

- a) The lessee will not install any signs without prior written Department approval as required by KAR 115-8-16.
- b) The Department will install and maintain signs in accordance with the park's sign plan to reflect area use.
- c) The Department may install and maintain signs requested by lessees that enhance and protect area use and resources.

16. NON-COMPLIANCE:

- a) One severe or flagrant non-compliance incident within the lease term may result in termination of the lease.
- b) Three non-compliance incidents within the lease term will result in termination of the lease.

17. MISCELLANEOUS:

- a) The park manager is authorized, as the Department's representative, to oversee all matters pertaining to cabin areas and to sign all cabin related documents in the name of the Department with the exception of encroachments, which require approval by the Secretary of the Department.
- b) Cabins cannot be utilized as a permanent residence.
- c) No livestock grazing or stabling of domestic animals will be allowed.
- d) Pets shall be controlled at all times by using one of the following methods: (1) hand-held lead, not more than ten feet in length; (2) tethered chain or leash not more than ten feet in

- length, provided that the pet is under the direct supervision of and control by the owner, or (3) confined to a cage, pen, vehicle, trailer, or cabin.
- e) The Department of Wildlife and Parks Public Lands Regulations are applicable to all cabin areas and lots, as well as to the users of these properties.
 - f) Lessee assumes all duties and rights of the Department to and from the United States Bureau of Reclamation and shall indemnify the Department for any liability or responsibility which the Department might incur to the United States Bureau of Reclamation by virtue of this lease.
 - g) Lessee shall hold the Department, its officers, agents, and employees harmless from and shall defend and indemnify the Department from and against all liability for injuries to or death of persons or damage to property or damages arising from liens or claims of any nature resulting from the use and operation of the premises, or the construction, modification, alteration, or repair of any improvements by Lessee upon the premises.
 - h) This recreation cabin lot lease is expressly subject to that certain lease dated *May 31, 1967* and any and all modifications and amendments thereto, between the United States and the State of Kansas, Department of Wildlife and Parks, and the Lovewell Management Plan thereunder, regarding the lease and development of specific areas of land at Lovewell Reservoir in Kansas. Said reservoir was constructed by the United States to irrigate lands and control floods or provide municipal and industrial water in the Republican River Basin, Kansas. The United States' control and administration on Lovewell Reservoir extends solely to irrigation and dam uses. The Department has exclusive control and administration over the leased premises as to fish and wildlife, recreation and related purposes. Recreation cabin lot Lessee releases the United State and the Kansas-Bostwick Irrigation District, its successors, assigns, officers, directors, agents and employees (hereinafter collectively called the District) from any and all claims arising directly or indirectly from any acts of neglect or the omission of the United States and/or of said District and each of them in connection with the construction, operation and maintenance of dam and irrigation project works. The recreation cabin lot Lessee agrees to indemnify and hold the United States and the District harmless from any loss, damage or expense (including attorney fees) which may be suffered by the United States, the District, or either of them, directly or indirectly occasioned by any act, neglect or omission of said recreation cabin lot Lessee.
 - i) The terms and conditions of this lease may be modified in writing by mutual consent of the Department and Lessee. The Department may grant reasonable extensions of time to Lessee in which to perform any obligation under this lease. No modification or waiver by either the Department or Lessee of any term or condition of this lease shall be deemed a continuing modification or waiver of the same term of condition. Waiver of any breach by either party shall constitute a waiver only as to such particular breach and not a waiver of any future breach.
 - j) In the event of an emergency caused by vandalism, fire, wind, flooding, hail or acts of God, which threatens damage to the premises or harm to the public, the Department may act immediately to stop such emergency and prevent or mitigate any damage to the premises. The Department shall notify the Lessee of any action or repair undertaken by the Department due to emergency circumstances, and may require that the Lessee make further repairs necessitated by such emergency. Lessee shall reimburse the Department for all reasonable repairs made pursuant to this provision. The officers, agents, employees and permittees of the United States and the Department, at all times and places, have the right to full ingress for passage over and egress from all lands covered by this lease, for the purpose of carrying on operations of the United States and the Department.

- k) In connection with the performance of work undertaken by virtue of this lease, the Lessee agrees not to discriminate against any employee or applicant for employment because of race, color, national origin, religion, marital status, age, sex, handicap, or political affiliation. In carrying out this requirement, the Lessee agrees to comply with all provisions of the Kansas Act Against Discrimination (KSA 44-1001 et seq.), and all provisions of applicable federal and state laws relative to equal opportunity for all persons. The Lessee further agrees to include the foregoing provisions in all leases or subleases in connection with any work undertaken by reason of this lease.

Signatures:

Lessee #1

Address

Lessee #2

Address

Lessee #3

Address

Department Authority

Lovewell State Park

Rt 1 Box 66A Webber, KS 66970

Address

Date

**APPENDIX B:
KANSAS DEPT. OF WILDLIFE AND PARKS**

RECREATION CABIN/CLUB LOT LEASE RENEWAL/EXTENSION

LOCATION:

LEASE #:

**TERM: From -
To -**

LEASE TYPE*:

LEASE FEE:

LESSEE/Address:

PURPOSE: This lease renewal/extension allows the Lessee to maintain a cabin on the premises described below in accordance with the attached contract, lease, or permit and the conditions therein.

DESCRIPTION OF PREMISES: Cabin lot number _____, located in the _____ of section _____, T _____, R _____ of the 6th P.M., in the County of _____, State of Kansas.

Lessee acknowledges that the Kansas Department of Wildlife and Parks (Department) has authority over the premises through a lease with the Bureau of Reclamation. The area manager is authorized, as the Department's representative, to oversee all matters pertaining to this lease and sign all cabin documents in the name of the Department.

LESSEE (signature)

DEPARTMENT(signature)

DATE

DATE

* Agencies associated with LEASE TYPE:

- BOR - Bureau of Reclamation
- KFFGC - Kansas Forestry, Fish and Game Commission
- KPRA - Kansas Park and Resources Authority
- KDWP - Kansas Department of Wildlife and Parks

APPENDIX C:
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
LOVEWELL STATE PARK
RT 1 BOX 66A
WEBBER, KS 66970

John/Jane Doe
Address

According to our records, your annual cabin/club lot rent and boat dock/mooring facility (if applicable) fee is due under Lease No. _____. This will cover the period from January 1 through December 31, 1998.

Please note, all cabin owners who currently own or plan to construct a boat dock/mooring facility on Lovewell Reservoir must complete a permit for approval, and remit the \$25.00 annual fee. If you currently own or plan to construct a boat dock/mooring facility and have not already done so, please complete the enclosed permit and remit an additional \$25.00 with your annual cabin lot rent.

If you desire to renew your lease and permit, please complete the lower portion of this letter and attach your check or money order in the amount of \$200.00, plus the \$25.00 dock/mooring facility annual fee, if applicable, and return by January 1, 1998. The check or money order should be made payable to **KANSAS DEPARTMENT OF WILDLIFE AND PARKS** and send it to our address above. Thank you!

Rick Cleveland, Park Manager
Lovewell State Park

Kansas Department of Wildlife and Parks
Lovewell State Park
Rt 1 Box 66A
Webber, KS 66970

Date: November 27, 1997

Gentlemen:

Please find enclosed my remittance in the amount of \$200.00, to cover the annual rent as required in the lease, plus the \$25.00 dock/mooring facility annual fee, if applicable, for the period from January 1 through December 31, 1998.

Name: John/Jane Doe
Address:

Lot No.:

Signature of Lessee

**APPENDIX D:
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
ASSIGNMENT OF CABIN/CLUB LOT LEASE/CONTRACT**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned _____, Assignor, for valuable consideration paid, has sold, assigned, transferred and set over, and by these presents, does sell, assign, transfer and set over, unto the undersigned _____, Assignee, Contract No. _____ being dated _____, made between the Kansas Department of Wildlife and Parks and the Assignor, covering the following described lands:

Cabin/Club Lot No. _____, located in the
_____ of Section _____
Township _____, Range _____ of
the 6th P.M., County of Trego, State of Kansas.

This assignment is contingent upon the following conditions:

1. The Department of Wildlife and Parks must approve this assignment, and the Assignee must assume the Assignor's lease at the most up-to-date annual fee or sign a new lease agreement with the Department. The new lease agreement may be different from the Assignor's agreement.
2. Upon signing, the Department of Wildlife and Parks, in consideration of the sum of \$25.00 paid to cover the expense of approving this assignment, agrees to the assignment and accepts the Assignee in the place of the Assignor, so far as the above described premises are concerned.

IN WITNESS WHEREOF, the parties hereto have subscribed their names to this instrument on the _____ day of _____, 19_____.

Assignor

Assignee

Address

Address

Kansas Department of Wildlife and Parks,

Area Manager

Date

**APPENDIX E:
MOBILE HOME/CABIN LOT/WATERFRONT FACILITY
IMPROVEMENT APPLICATION AND PERMIT**

Lot # _____ Lease/Contract # _____

Name _____ Current Contract Exp. Date _____

Description/Reason of Improvement Requested:

Lot Location of Improvement Site _____
(attach drawing)

Size/Dimensions of Improvement _____
(attach drawing)

Type of Construction Materials _____

Color Scheme of Improvements _____

Will this improvement be contracted? _____ No _____ Yes

If Yes, Contractor _____
Name Address

Proposed Start Date _____ Proposed Completion Date _____

Does this improvement meet Kansas Dept of Health and Environment approval? _____ No _____ Yes*

Does this improvement meet local and county building codes? _____ No _____ Yes*

*If yes, a signed copy of approval must be attached to this permit.

Lessee Signature

Date

This permit has been approved by:

Park Manager

Date

A copy of this approved permit must be at site during construction.

Appendix F:
KANSAS DEPARTMENT OF WILDLIFE AND PARKS
SPECIAL PARK PASS

DATE _____
KANSAS
 A stylized black and white illustration of a bison's head, facing forward, with large, curved horns. The head is centered within a triangular frame that is part of a larger rectangular border.
WILDLIFE & PARKS
TAG _____
AUTH _____

**APPENDIX G:
KANSAS DEPT. OF WILDLIFE AND PARKS
BOAT DOCK/MOORING FACILITY PERMIT**

(Office Use Only)

LOCATION: Lovewell Reservoir
TERM: From -
To -

PERMIT # _____
CABIN LOT # _____
DATE OF APPROVAL: _____

Please Complete:

NAME:

ADDRESS:

PERMIT FEE: \$25.00/year **EXISTING** _____ **NEW** _____

PURPOSE: To provide access and placement of a floating or permanent dock/mooring facility on Lovewell Reservoir.

CONDITIONS:

1. This special use permit provides the cabin/mobile home lot owner the privilege of placing and maintaining a floating or permanent dock/mooring facility as outlined in the remaining conditions; therefore, this permit will be assessed and renewed annually as required by KAR 115-2-6.
2. Dock/mooring facility construction specifications and site plan will be submitted and approved by the area manager as required by KAR 115-8-16 before the permit will be granted, and is attached for reference.
3. Permittees will be limited to one (1) floating dock or mooring slip per permit (more than one mooring slip may be on a dock). Several permittees may coordinate to build one dock with several slips, but the number of slips may not

exceed the number of permittees involved.

4. Dock/mooring facility and cabin will be clearly identified with a number corresponding to the cabin lot number. For docks, the number will be placed in two locations so that it is clearly visible from both the shore and from the water. For cabins, the number will be placed on the front of the cabin, visible from the road. Numbers shall be in block characters of good proportion, not less than three (3) inches in height, and in a color that contrasts with the background it is placed on, either dark numbers on a light background or light numbers on a dark background.

5: FLOATING DOCK/MOORING FACILITY SPECIFICATIONS:

- a. No individual floating dock or slip may exceed 200 square feet. Docks with multiple slips may exceed 200 square feet as long as the total number of slips divided into the dock area does not exceed 200 square feet.
- b. Frames or superstructure and walkways will be of metal or wood. Metal frames must be galvanized or painted and welded or bolted together. Wood frames must be constructed of treated lumber and bolted or screwed together. Dock and walkway decks may be wood, concrete, plastic, or metal. Wood and metal decks will be treated or painted.
- c. Flotation is limited to styrofoam, plastic barrels filled with non-toxic foam, or aluminum pontoons filled with non-toxic foam as approved by the Corps of Engineers and Bureau of Reclamation. Barrels which have previously contained toxic materials are prohibited. No metal barrels are allowed on any part of the dock or walkway.
- d. Floating docks can be secured with metal telescoping pipe driven into the lake bottom, or approved cement anchors. No dock moorings will be attached to vegetation along the shoreline.
- e. Floating docks must be moved with increasing and decreasing water levels, to remain usable. Should water levels decrease to a point in which docks are not utilized for more than 90 days, they must be removed from the reservoir or lake unless otherwise approved by the area manager.

6. PERMANENT DOCK/MOORING FACILITY SPECIFICATIONS:

- a. A 404 permit from the Corps of Engineers, when applicable, is required prior to Department approval.

- b. Facilities must be constructed on the shoreline and stabilized by concrete foundations.
 - c. Head walls and deck must be constructed of block, rock, or concrete.
 - d. Well covers will not have side or back walls, and the roof will not exceed a one to four pitch or extend more than seven feet above the deck surface.
 - e. No new storage buildings may be constructed as a part of the facility.
 - f. No structure may restrict or inhibit the shoreline view.
 - g. All structures must be an earth tone(s) color and blend into the shoreline.
7. Docks and mooring facilities must be maintained by permittee to prevent safety or environmental hazards to the reservoir, or any persons who may use the dock.
 8. Docks and mooring facilities may only be located at the site specified by this permit in the designated mooring area as required by KAR 115-8-7.*
 9. Docks and mooring facilities will be inspected periodically by the area manager to ensure permit guidelines are being followed by the permittee. Any defects or non-conformity with these guidelines will be addressed in writing by the area manager, to the owner. The owner will have 30 days after written notice to comply with the set guidelines of the permit, or may be subject to termination by the Department. Any permittee who receives three or more written permit violation notices will be subject to termination by the Department.
 10. All docks, slips, and mooring facilities are available for public use.
 11. Termination of Department recreation cabin lot leases or mobile home space leases as outlined in respective leases will result in the termination of this permit.
 12. Permittee shall have 30 days after termination of this permit to remove Permittee's dock/mooring facility from the reservoir. Failure to do so will result in the removal of said structure at the expense of the permittee.
 13. The terms and conditions of this permit may be modified at any time, in writing, by mutual consent of the Department and Permittee.

Boat Dock/Mooring Facility Permit # _____

*Please draw in existing or proposed location of your boat dock/mooring facility on the attached map.

Permittee (Signature)

Department (Signature)

Date

Date

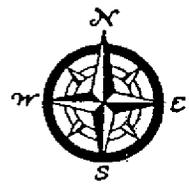
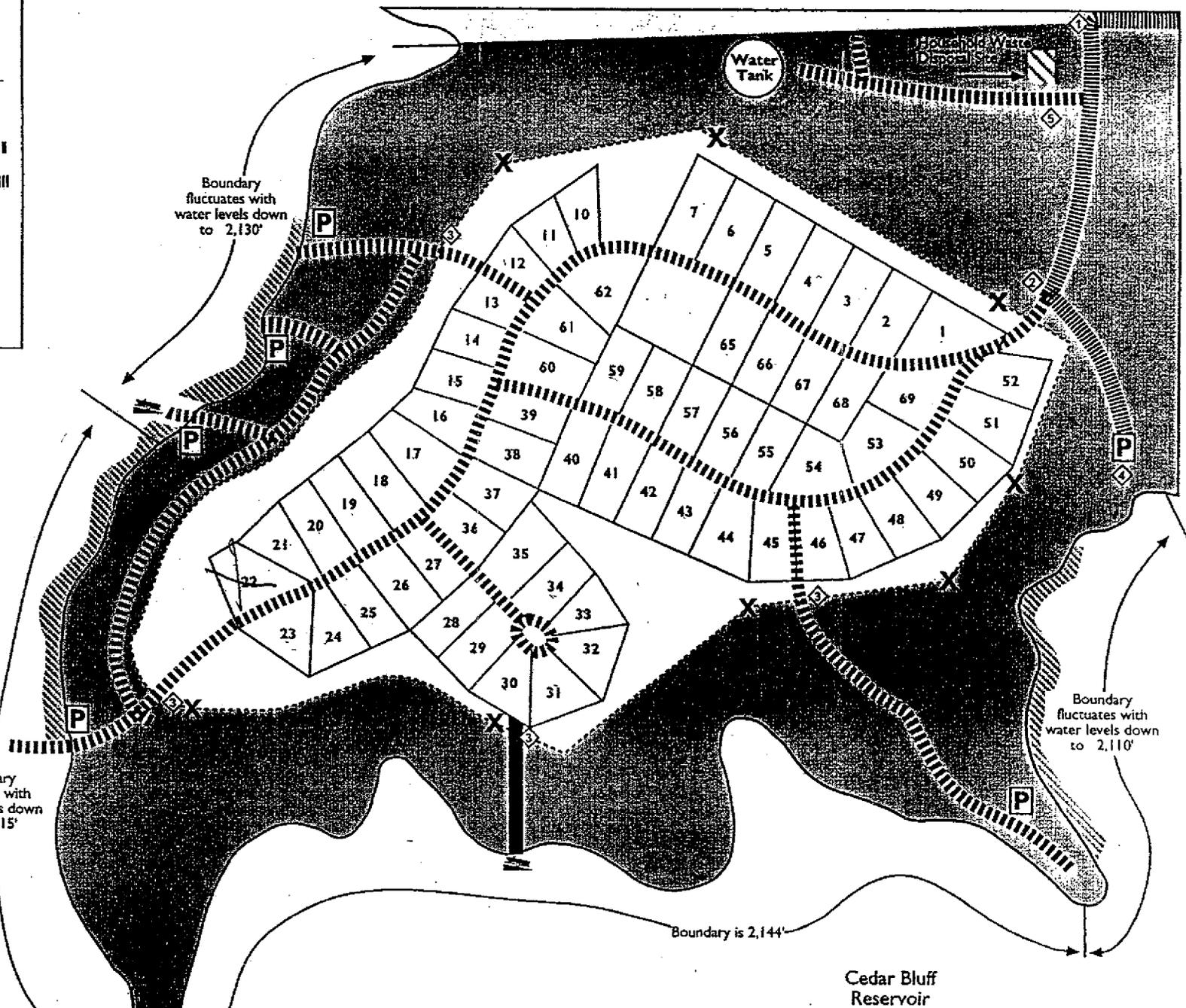
APPENDIX H: Leased Cabin Lot and Mobile Home Space Maps

LEGEND

- Park Area 
- Wildlife Area 
- Cabin Area 
- Cabin Area Boundary 
- Leased Lot 
- Private Cabin Lot Access Roads 
- Public Access Roads 
- Parking Area 
- Boat Ramp 
- Mooring Area 
- Signs (see sign plan) 
- BOR Markers 

43

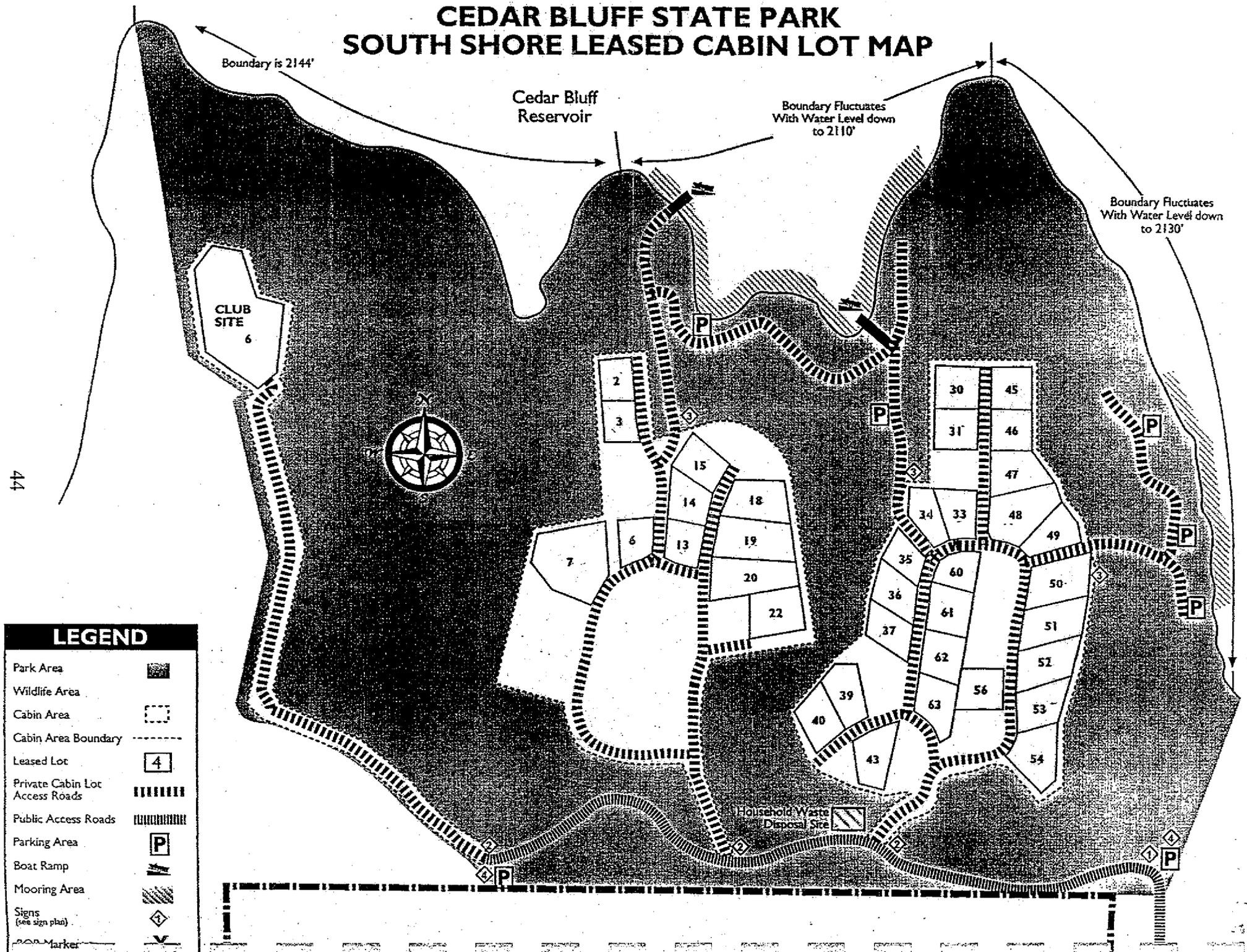
Cedar Bluff Reservoir



CEDAR BLUFF STATE PARK NORTH SHORE LEASED CABIN LOT MAP

Cedar Bluff Reservoir

CEDAR BLUFF STATE PARK SOUTH SHORE LEASED CABIN LOT MAP



Boundary is 2144'

Cedar Bluff Reservoir

Boundary Fluctuates With Water Level down to 2110'

Boundary Fluctuates With Water Level down to 2130'

CLUB SITE
6

Household Waste Disposal Site

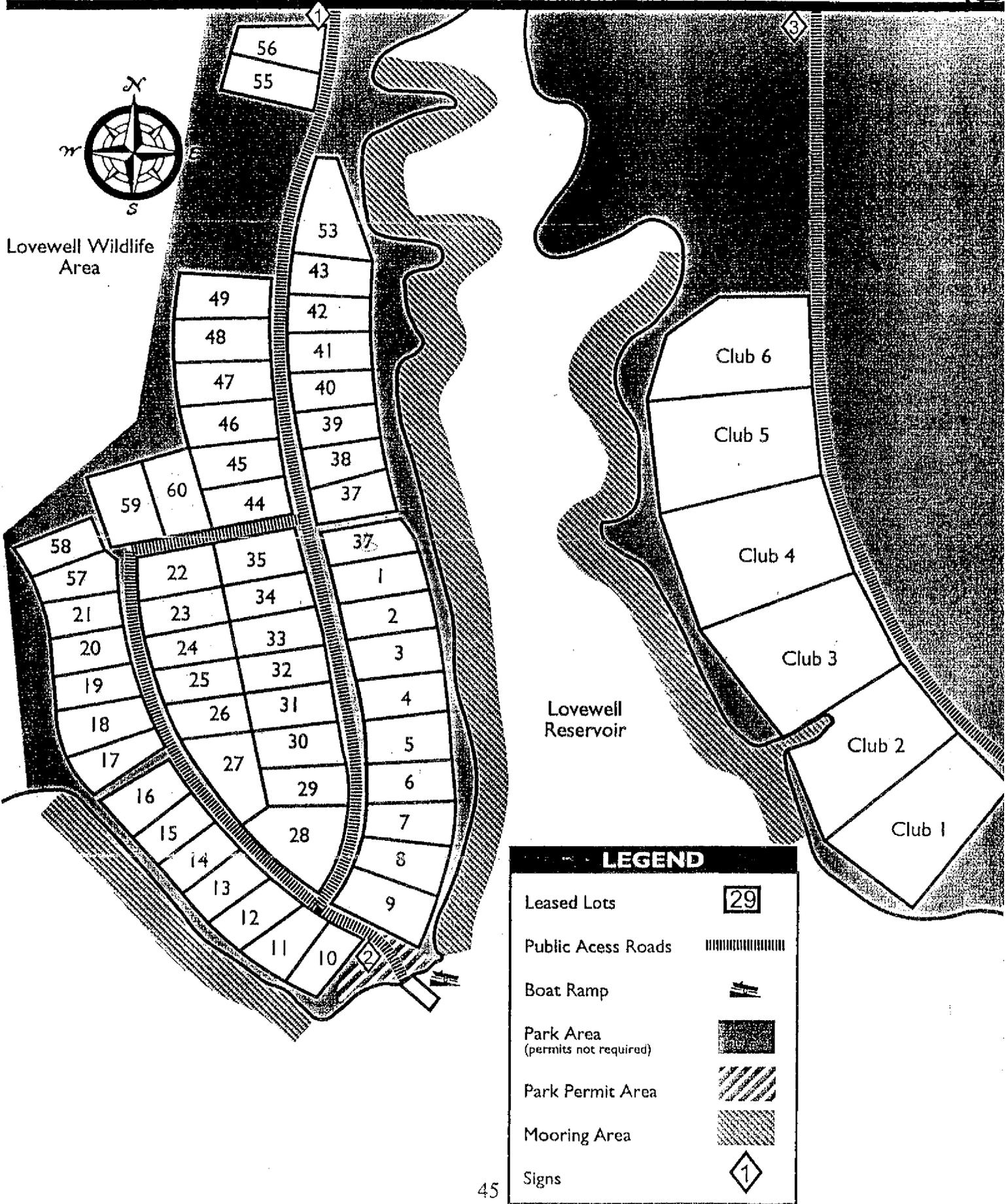
LEGEND

- Park Area
- Wildlife Area
- Cabin Area
- Cabin Area Boundary
- Leased Lot
- Private Cabin Lot
- Access Roads
- Public Access Roads
- Parking Area
- Boat Ramp
- Mooring Area
- Signs (see sign plan)
- Marker

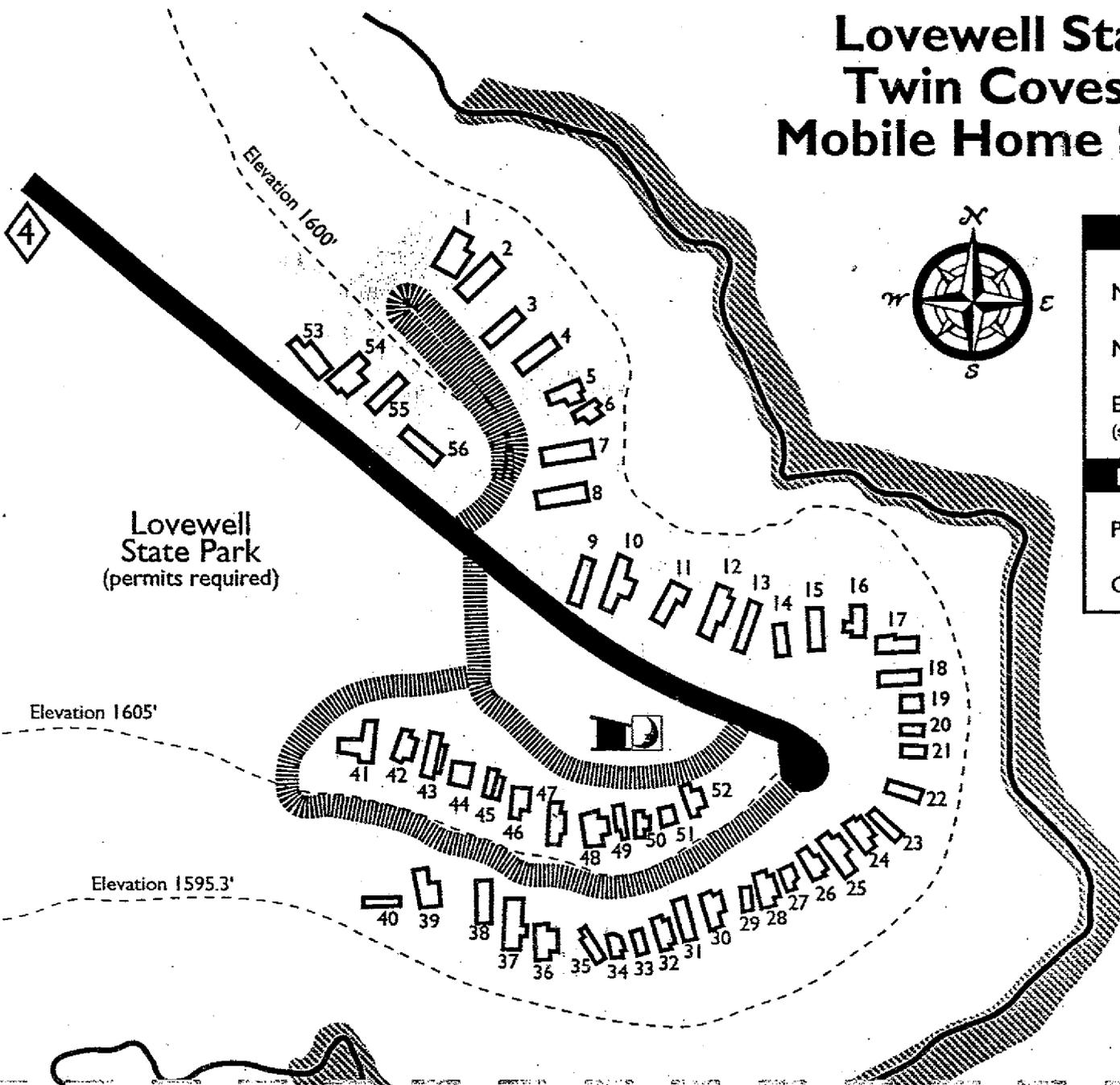
Lovewell State Park Leased Cabin Lot Map

To K-14

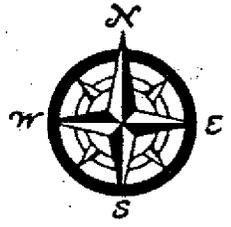
To Area Office



Lovewell State Park Twin Coves Leased Mobile Home Space Map



Lovewell State Park
(permits required)



LEGEND	
Mobile Home Area	
Mooring Area	
Entrance Sign (see sign plan)	
PUBLIC ACCESS ROADS	
Paved	
Gravel	

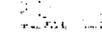
Lovewell
Park

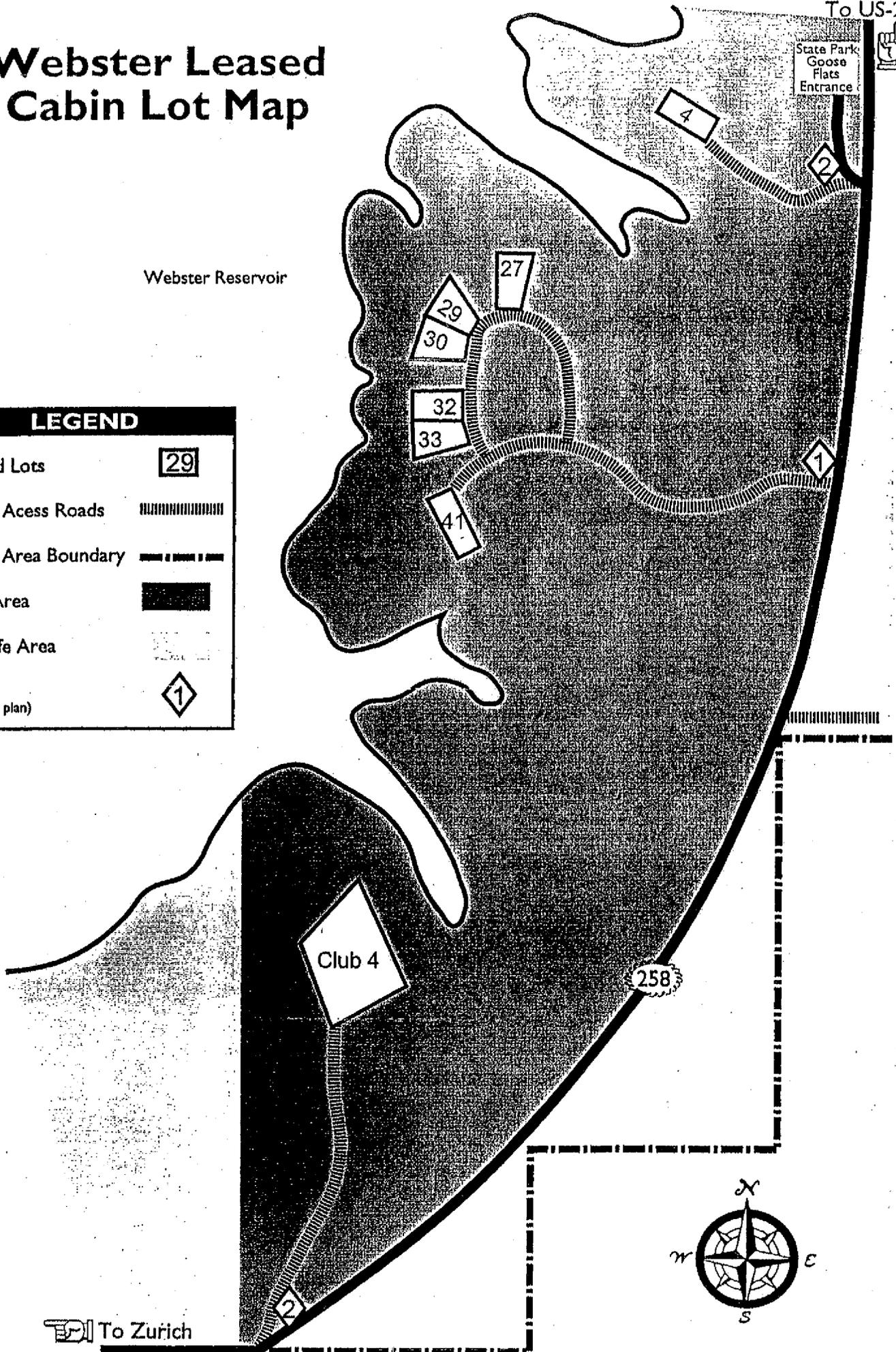
Webster Leased Cabin Lot Map

Webster Reservoir

To US-24

State Park
Goose
Flats
Entrance

LEGEND	
Leased Lots	 29
Public Access Roads	
Public Area Boundary	
Park Area	
Wildlife Area	
Signs (see sign plan)	

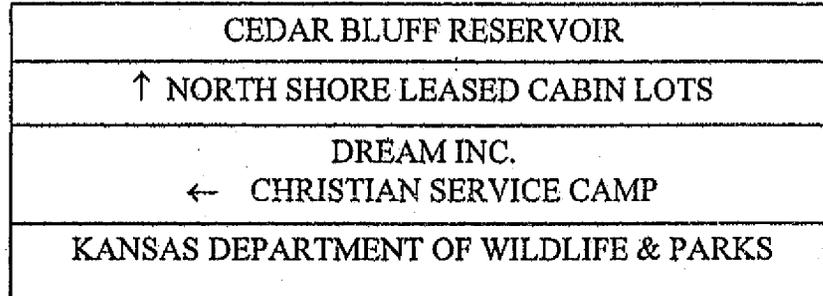


To Zurich

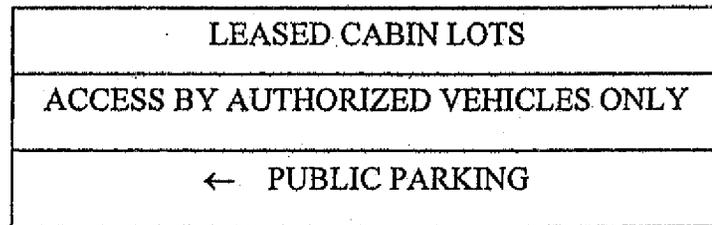
APPENDIX I: Leased Cabin Lot and Mobile Home Space Sign Plans

**CEDAR BLUFF NORTH SHORE
LEASED CABIN LOT SIGN PLAN**
(see Leased Cabin Lot Map)

1

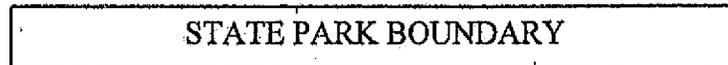


2



FRONT

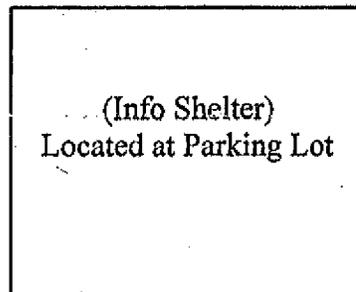
3



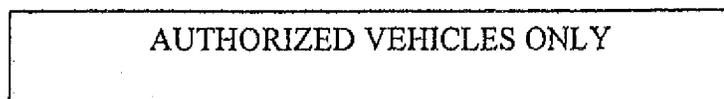
BACK



4

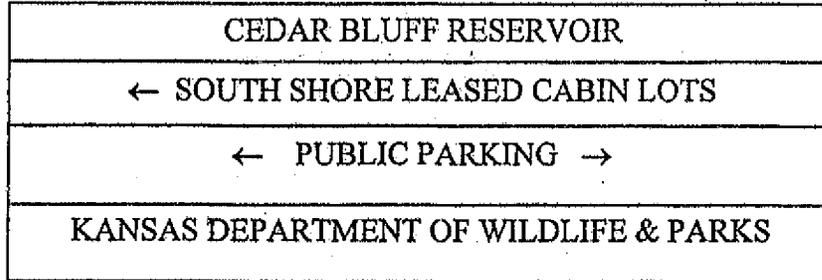


5

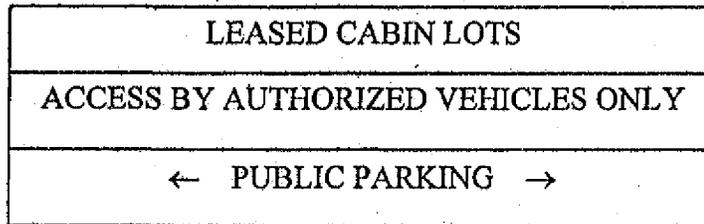


**CEDAR BLUFF SOUTH SHORE
LEASED CABIN LOT SIGN PLAN**
(see Leased Cabin Lot Map)

1

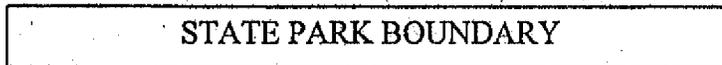


2

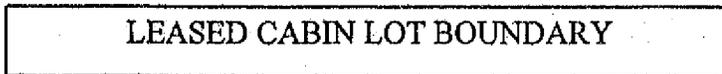


3

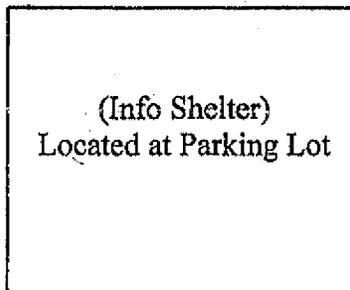
FRONT



BACK



4



**LOVEWELL
LEASED CABIN LOT AND MOBILE HOME SPACE
SIGN PLAN**

(see sign plan map)

**LOCATION
(see map)**

SIGN VERBIAGE

1

LOVEWELL STATE PARK
LEASED CABIN LOTS
↑ BOAT RAMP

2

VEHICLE PERMITS REQUIRED
BEYOND THIS POINT
(INFORMATION BOARD)

3

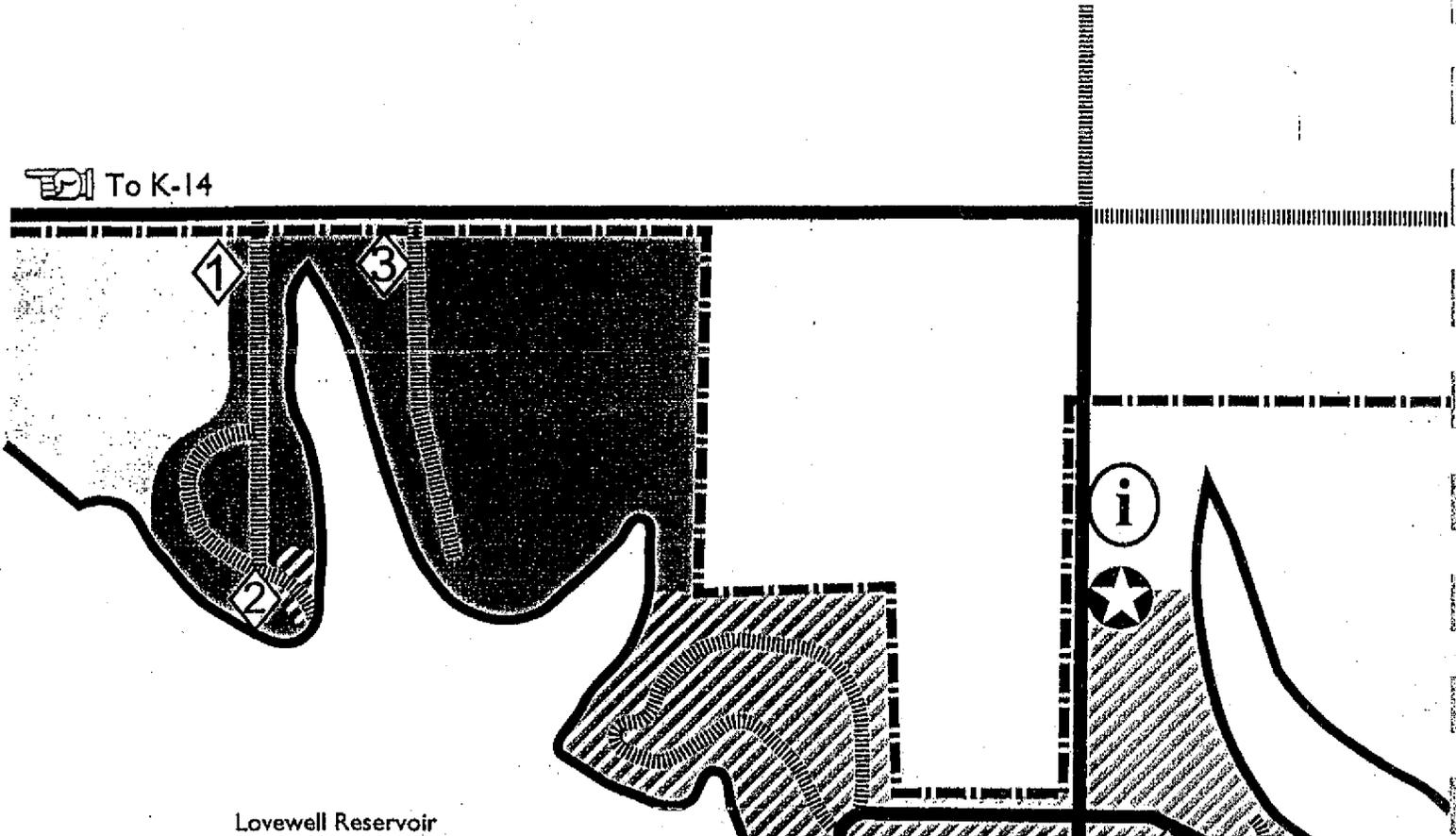
LEASED CABIN LOTS
DEAD END ROAD

4

TWIN COVES
LEASED MOBILE HOME SPACES

Lovewell Leased Cabin Lot and Mobile Home Space Sign Plan Map

➔ To K-14



Lovewell Reservoir

LEGEND

Area Office



Park Area



Park Permit Area



Wildlife Area

Information Center



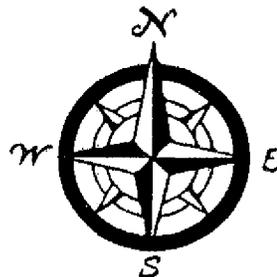
Paved Roads



Gravel Roads



Signs
(see sign plan)



**WEBSTER
LEASED CABIN LOT
SIGN PLAN**
(see Leased Cabin Lot Map)

LOCATION
(see map)

SIGN VERBIAGE

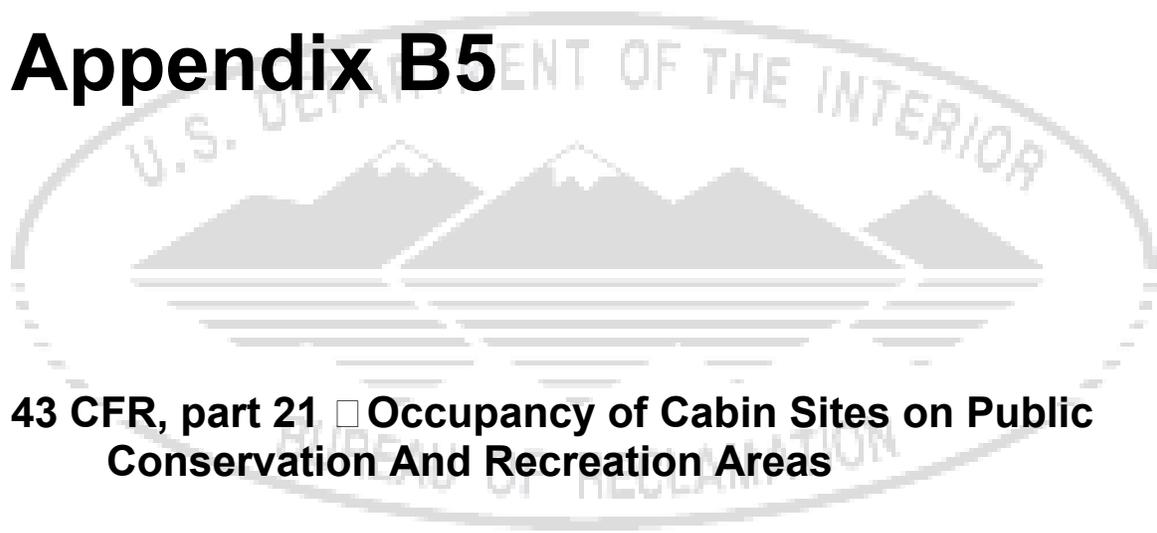
1

WEBSTER
LEASED CABIN LOTS
DEAD END ROAD

2

LEASED CABIN LOTS
DEAD END ROAD

Appendix B5



43 CFR, part 21 □ Occupancy of Cabin Sites on Public Conservation And Recreation Areas

Code of Federal Regulations
Title 43 Public Lands: Interior

PART 21—OCCUPANCY OF CABIN SITES ON PUBLIC CONSERVATION AND RECREATION AREAS

Sec.

21.1 Purpose.

21.2 Scope of regulations.

21.3 Definitions.

21.4 Occupancy under permit of privately owned cabins on recreation areas and conservation areas.

21.5 Occupancy under permit of Government-owned cabins on public recreation and conservation areas.

21.6 Cabin site occupancy where a recreation or conservation area has been leased to, or turned over to, another Federal or non-Federal public agency for administration.

21.7 Occupancy by trespassers.

21.8 Appeals.

Authority:

Sec. 10, 32 Stat. 390; 43 U.S.C. 373; 52 Stat. 609, as amended, 43 U.S.C. 682; R.S. 2478, 43 U.S.C. 1201; 44 Stat. 471, as amended, 43 U.S.C. 869; 76 Stat. 653, 16 U.S.C. 460; 48 Stat. 402, as amended, 16 U.S.C. 664; 33 Stat. 614, 16 U.S.C. 686; 45 Stat. 448, 16 U.S.C. 690; 43 Stat. 651, 16 U.S.C. 725; 48 Stat. 1270, 43 U.S.C. 315; 39 Stat. 535, 16 U.S.C. 3.

Source:

32 FR 8361, June 10, 1967, unless otherwise noted.

§21.1 Purpose.

This part establishes (a) when, and by what standards, use of conservation and recreation areas under private cabin permits must be modified or discontinued so as to allow the public use of such areas and (b) the procedures for renewing, extending, phasing out, or terminating private cabin permits. No current permits or any valid existing rights, are, per se, canceled by the provisions of this part. However, permits may be canceled for cause, or pursuant to termination provisions within the permit itself.

§21.2 Scope of regulations.

The provisions of this part apply to all recreation or conservation areas administered by the Department of the Interior, including recreation or conservation areas leased or transferred for administration to other Federal and non-Federal public agencies, wherever the Department of the Interior retains jurisdiction over the issuance of cabin site permits by such other agencies. The provisions of this part do not modify or cancel any existing arrangement whereby the Department of the Interior or bureau or office thereof has leased, or turned over for administration, a public recreation or conservation area to another Federal or non-Federal public agency. The provisions of this part will also provide policy

guidelines for the Departmental handling of assignments, amendments, or modifications of existing permits or agreements, but do not apply to areas transferred by deed where the United States retains a reversionary interest, nor to areas of the National Park System other than those where private cabin sites are located.

(a) The policies set out in this part shall not affect occupancy by private persons who have private rights, or rights of occupancy adjudicated or confirmed by court action, statute, or pursuant to a contract by which they conveyed to the Government the land on which a cabin or other substantial improvement is located.

(b) The policies set out in this part shall not apply to any concession contract or to any other permit or occupancy primarily granted to serve public rather than private or individual purposes— such as, permits granted to groups who assist in maintaining historic trails, or permits for youth and church group camp facilities, etc.

(c) The regulations in this part shall not supersede or substantially contravene the implementation of the Lower Colorado River Land Use Plan.

§21.3 Definitions.

(a) *Public recreation area* or *recreation area* means any land, title to which is in the United States and under the administration or jurisdiction of the Department of the Interior that is suitable for recreational purposes, including all such areas of the National Park System not excepted by §21.2, Bureau of Reclamation Reservoir areas, and any other areas dedicated to or administered by the Department for public recreational use.

(b) *Conservation area* means any land, title to which is in the United States and under the administration or jurisdiction of the Department of the Interior that is designated for fish, wildlife, or other conservation purposes, including all such areas of the National Wildlife Refuge Systems, National Fish Hatchery Systems, and any other such areas administered by the U.S. Fish and Wildlife Service; also, land administered by the Bureau of Land Management and suitable for conservation or protection of fish or wildlife.

(c) *Permit* means any lease, license, or other contract whereby a public recreation or conservation area is made available, in whole or part, to an individual or group for recreational purposes for a stipulated period of time, but does not include leases or transfers to other Federal or non-Federal public agencies.

(d) *Cabin site* means any area within a public recreation or conservation area whose occupancy and use is granted to an individual or group for a period of time by permit.

(e) *Substantial improvement* means any building, structure, or other relatively permanent facility or improvement affixed to a cabin site, utilized for human occupancy or related purposes, and costing or worth \$1,000 or more. It does not include trailers or similar removable facilities.

(f) *Investment* in a substantial improvement refers to the basic expenditure of moneys or property in kind in connection with a particular improvement. Thus, for example, where property is conveyed by testamentary or inter vivos gift, the donee will be seen only as occupying the position of the donor with respect to the time and amount of the investment since it was the donor who made the investment.

(g) *Amortization* is the process whereby the investor in a substantial improvement derives sufficient use

and/or economic benefit from the improvement over a period of time as to reasonably compensate for his investment.

(h) *Trespasser* means any person who is occupying land in a public recreation or conservation area without a valid permit.

(i) *Authorized Officer* means any person or persons designated by the head of any bureau or office of the Department with administrative jurisdiction over a particular conservation or recreation area, to make determinations and take other actions, consistent with the regulations in this part with respect to such area.

§21.4 Occupancy under permit of privately owned cabins on recreation areas and conservation areas.

(a) In any areas where the Authorized Officer determines that the recreational requirements of the general public are limited, and is an area where private cabin site use has heretofore been permitted, he may extend or renew permits. Each such existing permit and any extension or renewal thereof will be:

(1) Reviewed at least once in every 5-year period to determine that the continued use of the individual cabin site is not inconsistent with the needs of the general public for use of the area. In periodically reviewing whether the existence of private cabin sites conflicts with the best public use of an area, consideration shall be given to (i) existing and projected public need for the area, (ii) compatibility between public uses and private cabin sites, (iii) development potential and plans for the area, and (iv) other relevant factors.

(2) Whenever the Authorized Officer determines that the public need for use of a recreation or conservation area has grown to a point where continued private cabin site use is no longer in the public interest, the procedures set forth in paragraph (b) of this section will be invoked to phase out existing permits by reducing and eliminating renewals, or extensions, consistent with protection of legitimate investment in improvements. These determinations and the reasons therefor shall be published in the *Federal Register*, together with such other forms of public notice as may be appropriate and necessary as determined by the Authorized Officer.

(3) Except as otherwise provided in an existing permit, no substantial improvement may hereafter be placed on any cabin site under permit without the prior approval of the Authorized Officer, and on such terms as the Authorized Officer may provide, consistent with public need. All renewed or extended permits shall contain this provision. Any such provision shall expressly state that the permission to place a substantial improvement on the site is a limited license subject to public need for the area and does not give the owner of the improvement any interest in the land or any special rights or equities, other than the right to remove the improvement at any time, subject to the land being left in reasonably unimpaired condition. This provision shall expressly stipulate that the owner shall have as a time period within which to amortize his investment in a substantial improvement placed on the site after the date of the regulations in this part, only the period of his existing permit, together with such extensions of his permit as may be granted consistent with the regulations in this part.

(b) Whenever the Authorized Officer determines, pursuant to paragraph (a)(2) of this section that the needs of the general public for a particular public recreation or conservation area are sufficient to be inconsistent with further use of that area for private cabin sites, no further extension, or renewals of permits for any individual site shall, except as otherwise required by law, be granted for any period extending more than 5 years after the effective date of that determination: *Provided, however, That,*

except as otherwise required by law, if an investment was made in a substantial improvement upon a site before the effective date of this part, the extension or renewal of the permit for such site shall be made for a period sufficient to permit 20 years amortization of the investment from the date of the investment in the improvement upon the site, unless the Authorized Officer finds that the needs of the general public for that site require that the extension or renewal be for a lesser period. Thus, for example, if a permit for the site is purchased before the effective date of the regulations in this part with the substantial improvement then in place, for a consideration of \$1,000 or more, such amortization period runs from the purchase date, and is not affected, in any event, by the date of the determination under paragraph (a) of this section. The amortization period for any investment in a substantial improvement on or after the effective date of the regulations in this part is covered by paragraph (a)(3) of this section, this paragraph (b), and paragraph (b)(5) of this section.

(1) Any permit, in an area required for general public recreation or conservation use, that expires prior to 5 years after the determination described in this paragraph (b), may, if otherwise authorized by law, be extended to the end of such 5 years if the Authorized Officer determines that such extension is necessary to the fair and efficient administration of this part.

(2) Any renewal or extension of a permit pursuant to this part shall be subject to the condition that the occupant maintain the site and the improvements thereon in a good and serviceable condition, ordinary wear and tear excluded.

(3) Any renewal or extension of a permit shall expressly state its termination date and that there will be no extension or renewal thereafter, except as provided by this part. Permits shall expressly state that they grant no vested property right but afford only a limited license to occupy the land, pending a greater public use.

(4) Upon termination of occupancy under a permit, its renewal or extension, the permittee shall remove his improvements from the site within 90 days from the date of termination, and the land shall be left in reasonably unimpaired condition and as near to its original undisturbed condition as possible. Any property not so removed shall become the property of the United States or may be moved off the site, at the cost of the permittee. Any renewal, or extension, of a permit shall state these requirements.

(5) Voluntary and involuntary transfers of cabin site permits, including by sale, devise, inheritance, or otherwise, may be permitted, subject to approval by the Authorized Officer, subject to the terms, conditions, and restrictions in the permit. No such transfer shall operate to extend the terms of a permit. A transfer after the effective date of the regulations in this part shall give the transferee no rights in addition to those which the transferor had. Where any transfer of a cabin site permit is approved, the approval shall state in writing the requirements of this paragraph, and include the statement that the amortization period for any substantial improvement located on the site shall be limited to the period to which the transferor would have been entitled under the regulations in this part.

(6) Nonuse of a site for a period of more than 2 consecutive calendar years shall terminate the permit without right of renewal (subject to the specific terms of the permit): *Provided, however,* That where the nonuse is the result of the death, illness, or military service of the permittee the Authorized Officer may waive such nonuse. In such case, sale or transfer of the improvement may be made for the unexpired portion of the permit and subject to the provisions for amortization set forth in this section. The Authorized Officer may make exceptions to this termination provision in any case where he determines that the needs of the general public so require (see introductory text of this paragraph (b)). All permits renewed, or extended after the effective date of this part shall state the requirements of this paragraph.

§21.5 Occupancy under permit of Government-owned cabins on public recreation and conservation areas.

(a) Those permittees who occupy Government-owned cabins, including those whose permits currently have expired, but previously have been renewed on a year-to-year basis, may have their permits renewed up to July 1, 1969. After that date, the permits shall not be renewed and shall be terminated finally except upon a determination by the Authorized Officer that a renewal or extension is fully consistent with the public use of the area.

(b) The provisions for amortization of substantial improvements do not apply to this type of occupancy.

§21.6 Cabin site occupancy where a recreation or conservation area has been leased to, or turned over to, another Federal or non-Federal public agency for administration.

(a) After the effective date of this part, any agreement whereby a recreation or conservation area is leased or turned over to another Federal or non-Federal public agency for administration, shall include the requirement that any permits to individuals, groups or others issued or extended by another Federal or non-Federal public agency to whom an area has been leased or transferred for administration, shall comply with, and set forth on the face of the permit, the requirements stated in this part. Similar requirements shall be applied in situations where an existing agreement reserves such authority to this Department.

(b) All such arrangements between another public agency and a permittee (see §21.2) shall be reviewed by the Authorized Officer to assure full compliance with those provisions of the permit which are designed to assure performance in the best interests of the general public.

(c) Renewals, extensions, or new leases or transfers to other Federal, State, or local agencies for administration of public recreation areas, shall be granted only pursuant to the policies set forth in this part, and only upon an affirmative finding by the Authorized Officer that they are fully consistent with present and future public uses. All applicable safeguards set forth in this part, including the protection of future public uses, shall be expressly incorporated into such leases or transfers.

§21.7 Occupancy by trespassers.

Occupants of cabin sites who do not hold a valid permit for the occupancy or use of the site, shall be required to surrender occupancy, failing which legal action shall be taken. Nothing herein shall grant any rights to a trespasser.

§21.8 Appeals.

Any determination made pursuant to any of the provisions of this part may be appealed to the Director, Office of Hearings and Appeals, in accordance with the general rules set forth in subpart B of part 4 of this title and the special procedural rules in subpart G of part 4 of this title, applicable to proceedings in appeals cases which do not lie within the appellate jurisdiction of an established Appeals Board of the Office of Hearings and Appeals.

[36 FR 7206, Apr. 15, 1971]

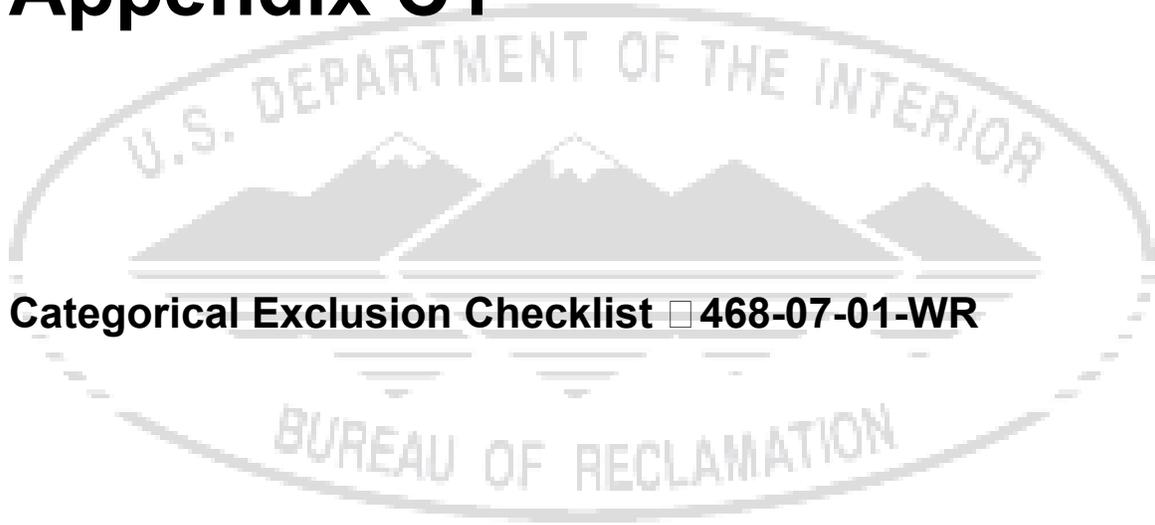
Appendix C



Exhibits

- C1 - Categorical Exclusion Checklist □ 468-07-01-WR**
- C2 - Survey card and comment copies**
- C3 - Listed amphibians, reptiles, birds, and mammals common to the area**
- C4 - Recreation Use Data Report**

Appendix C1



CATEGORICAL EXCLUSION CHECKLIST

PROJECT: Webster Reservoir Resource Management Plan

468 - 07 - 01 - WR - RMP

DATE: January , 2007

NATURE OF ACTION: The Bureau of Reclamation's (Reclamation) Nebraska-Kansas Area Office, in cooperation with the Kansas Department of Wildlife and Parks (Department), has developed the Webster Reservoir Resource Management Plan (RMP). Public Law 102-575, Title 28, Section 2805 (106 Stat. 4690, Reclamation Recreation Management Act of October 30, 1992) provides Reclamation with authority to prepare RMPs. This RMP serves as a guideline for land use and resource management decisions to ensure public resources are used according to recognized standards, while considering the needs and desires of the public. This RMP replaces the 1957 Reservoir Area Management Plan. The purpose of the current RMP is to establish a 10-year plan detailing the administration and management for the conservation, protection, enhancement, development, and use of resources at Webster Reservoir. The scope of this RMP includes the 6,903 acres acquired by Reclamation at Webster Reservoir for Webster Dam and Lake; 264 acres at Woodston Diversion Dam, surrounding lands, and associated facilities. Specific land uses for Webster Reservoir are recreation, wildlife, and reservoir operations. Discussed in this RMP are the following issues: land use, recreation, fish and wildlife management/administration, agency responsibilities, reservoir operations, and current Reclamation Policy, Directives, and Standards.

This CEC addresses only the completion of the RMP document. Additional NEPA and NHPA compliance documentation will be completed as site-specific actions consistent with the plan are proposed for implementation.

EXCLUSION CATEGORY. 516 DM 6 Appendix 9. C. Project Implementation Activities: # 4. Approval of Land Management Plans where implementation will only result in minor construction activities and resultant increased operation and maintenance activities.

EVALUATION OF EXTRADORDINARY CIRCUMSTANCES FOR CATEGORICAL EXCLUSION (516 DM 2 Appendix 2):

Extraordinary Circumstances Exist For This Action Which May:

1. Have significant impacts on public health or safety No Uncertain ___ Yes ___
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands, wetlands (Executive Order 11990); floodplains (Executive Order 11988); national Monuments; migratory birds; and other ecologically significant or critical areas No Uncertain ___ Yes ___
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102 (2)(E)]. No Uncertain ___ Yes ___
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. No Uncertain ___ Yes ___
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. No Uncertain ___ Yes ___

CATEGORICAL EXCLUSION CHECKLIST (CONTINUED)

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. No Uncertain ___ Yes ___
7. Have a significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office. *BRC 1/8/07* No Uncertain ___ Yes ___
8. Have significant impacts on species listed, or proposed to be listed on the list of Endangered or Threatened Species, or have significant impacts designated Critical Habitat for these species. No Uncertain ___ Yes ___
9. Violate a Federal law, or State, local, or tribal law or requirement imposed for the protection of the environment. No Uncertain ___ Yes ___
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). No Uncertain ___ Yes ___
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly Adversely affect the physical integrity of such sacred sites (Executive Order 13007). No Uncertain ___ Yes ___
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). No Uncertain ___ Yes ___

INDIAN TRUST ASSETS:

This action will affect Indian Trust assets (ITAs). (To be completed by the ITA Coordinator): *h* (Initials) *BRC 1/8/07* No Uncertain ___ Yes ___

NEPA ACTION RECOMMENDED:

Categorical Exclusion Environmental Assessment Environmental Impact Statement

NATURE OF ACTION (CONTINUED)

According to Lease Agreement #14-06-700-6324 the Department is the administering agency for the recreational facilities and activities of Webster State Park and for the wildlife management activities of the Webster Wildlife Area. This agreement was executed May 31, 1967 (amended April 15, 1999) and is in effect for a term of 50 years. Beginning in 1996 the Department has developed 5-year management plans for each Reclamation reservoir under its jurisdiction. The Department has completed the 2005-2009 Webster State Park Management Plan, the 2005-2009 Wildlife Area Management Plan, and the 2005 Webster Reservoir Fishery Progress and Management Report. These plans address specific management activities at Webster Reservoir and are included in Appendix A of the RMP.

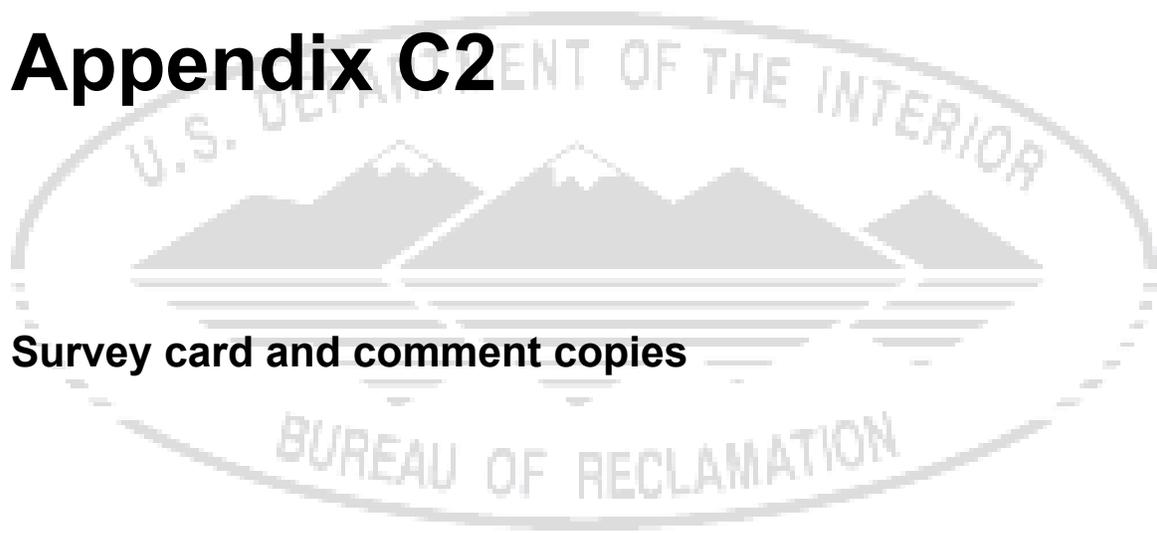
ENVIRONMENTAL AND TRUST ASSET COMMITMENTS, EXPLANATION AND/OR COMMENTS:

PREPARER'S NAME AND TITLE: Jay Leasure, Natural Resource Specialist

APPROVED: *Alvin Jobs*
Area Manager

DATE: 1/10/2007

Appendix C2



Survey card and comment copies

Webster State Park 2005 Summer Survey

Webster State Park Staff created and conducted a summer survey for the 2005 main camping season. The survey was completed for multiple reasons with one being to gather public/constituent input for our Webster State Park five year management plan. Other reasons for the summer survey were to gather park constituent input on facilities and activities our park users are interested in and also to rate our current facilities and activities offered. The survey was held for the period from May 1st thru the Labor Day weekend. Results were tabulated and a final report was completed by Webster State Park Office staff.

The survey was distributed at the Webster State Park office and was also handed out to park constituents by the Park Manager and Park Rangers. The survey could be turned in at the park office, dropped off at one of three self-pay stations or given to any of the park staff in the park. The summer survey information will be valuable tool for the park staff to evaluate constituent attitudes towards current park operations and hopefully give ideas for future park operations.

WEBSTER STATE PARK USER SURVEY SUMMER 2005

Date: _____ No. in party: ____ Home City/State: _____ Distance: _____

What activities did you participate in while at Park?

Fish ____ Swim ____ Boating ____ Camping ____ Picnic ____

Sightsee ____ Wildlife Viewing ____ Hiking/walking ____ Outdoor Sport ____

How would you rate your satisfaction of the activities: ____ satisfied ____ somewhat satisfied ____ not satisfied

What facilities did you use?

Bathroom/shower ____ Cooking grill ____ Fishing dock ____ Boat ramp ____

Full service cabin ____ Swimming beach ____ Utility campsite ____

Group camp ____ Sand Volleyball ____ Picnic Shelter ____ Hiking Trail ____

Fish cleaning station ____ Playground ____

How would you rate the facilities? : ____ satisfied ____ somewhat satisfied ____ not satisfied

Your recommendation for additional facilities:

Other comments:

Please return survey card to Park office, Park ranger or self pay station.

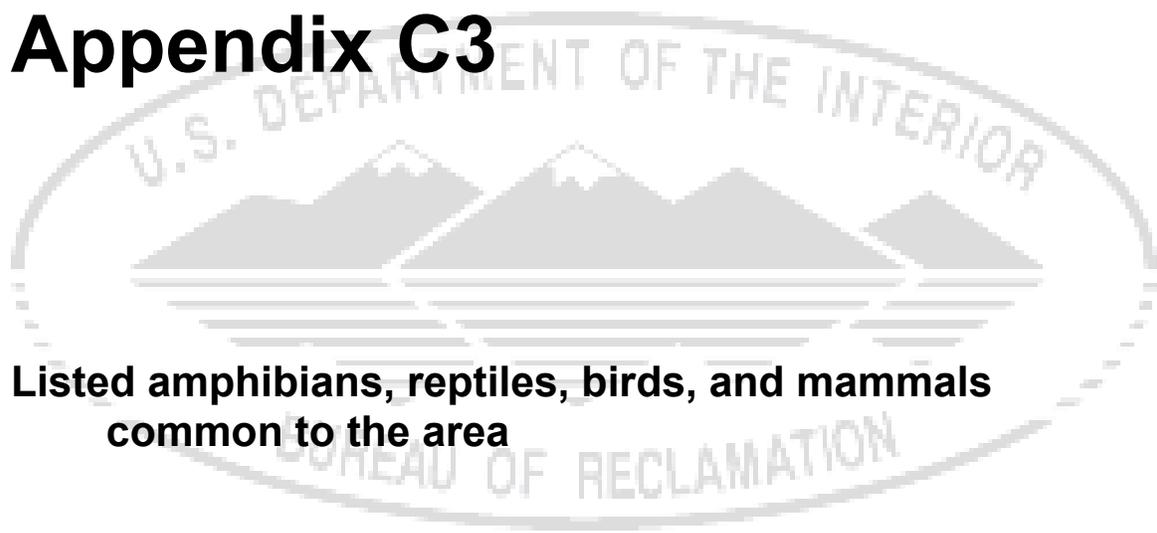
Recommendations

- Roads open. More fish attractors.
- More water in lake, ha, ha!
- More closed shower houses.
- Right now there are structures sticking out of the water. Could locate fish attractors over these and mark with buoys before the water rises. They are dangerous for boats, skiers, etc.
- Leave water level at conservation level. Need more boat ramps. There are going to be people hurt or killed because of one boat ramp, especially when a storm comes in. Camping sites are nice. Get rid of reserving campsites - 1st come, 1st get. Cost too much to go camping for vehicle permit to water and electric sites. Most people can't afford to go anymore. We used to go 7-10 times a summer. We only come once this year. STOP IRRIGATION. Clean dead trees out.
- More water.
- Power and water at toadstools.
- More hookups around toadstools. More boat ramps both sides and deeper. More water - keep from irrigation, This is a great facility but needs more water for boating and fishing.
- Paintball course.
- Very satisfied.
- ATV riding.
- Get more boat ramps extended or built.
- Rain please. More dumping stations or sewer hookups.
- Fix hot water heater at main bathhouse (old swim beach)
- It would be nice to have a curtain at the kitchen door. Small bedroom door latch does not lock. It seems to be broken.
- Paintball course.
- Quit raising rates and get less services. Quit irrigating please. ATV course, trail rides
- No more irrigation.

Comments

- Love the park. Great time.
- All good.
- More long term camping spots. Get the brain-dead people downstream to leave the f---ing water alone and fill the lake back to at least conservation pool and leave it alone. Conservation means conserve.
- Make road along dam face.
- Make it rain, Cliff.
- Brook, (seasonal), was quite helpful.
- Had a great time, Cliff Erlich was very helpful.
- Showers of NW shore bathhouse weren't working today.
- Paint ball, ATV park
- Retain more water in lake.
- Would be nice to have full service marina with bait.
- Cabin is nice.
- Long reunion.
- Great - recommend very highly.
- Lake is very well maintained by management and staff. They are very kind and helpful.
- Very well maintained! We love to visit here!
- Cliff is a good manager.

Appendix C3



**Listed amphibians, reptiles, birds, and mammals
common to the area**

Table 5.5

Bird species observed in the Solomon River drainage during 1196-1998 field seasons. For each species, the seasonal status and abundance (within suitable habitat at appropriate time of year) in the study area are listed.

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status*</u>	<u>Abundance**</u>
<i>Gavia immer</i>	Common loon	M	Ra
<i>Podiceps nigricollis</i>	Eared grebe	M	R
<i>Podiceps auritus</i>	Horned grebe	M	R
<i>Podilymbus podiceps</i>	Pied-billed grebe	B	C
<i>Pelecanus erythrorhynchos</i>	American white pelican	M	C
<i>Phalacrocorax auritus</i>	Double-crested cormorant	M	C
<i>Phalacrocorax brasilianus</i>	Neotropic cormorant	M	Ra
<i>Nycticorax nycticorax</i>	Black-crowned night-heron	B	Ra
<i>Butorides virescens</i>	Green-backed heron	B	Ra
<i>Bubulcus ibis</i>	Cattle egret	B	U
<i>Egretta caerulea</i>	Little blue heron	C	Ra
<i>Egretta thula</i>	Snowy egret	M	U
<i>Ardea alba</i>	Great egret	B	U
<i>Ardea herodias</i>	Great blue heron	B	C
<i>Plegadis chihi</i>	White-faced ibis	B/M	Ra
<i>Grus canadensis</i>	Sandhill crane	M	U
<i>Grus americana</i>	Whooping Crane	M	Ra
<i>Anser albifrons</i>	Greater white-fronted goose	M	U
<i>Chen caerulescens</i>	Snow goose	M	C
<i>Branta canadensis</i>	Canada goose	Y	C
<i>Anas platyrhynchos</i>	Mallard	M,W	C
<i>Anas strepera</i>	Gadwall	M	R
<i>Anas crecca</i>	Green-winged teal	M	U
<i>Anas americana</i>	American wigeon	M	U
<i>Anas acuta</i>	Northern pintail	M	C
<i>Anas clypeata</i>	Northern shoveler	M	C
<i>Anas discors</i>	Blue-winged teal	M	C
<i>Anas cyanoptera</i>	Cinnamon teal	M	Ra
<i>Oxyura jamaicensis</i>	Ruddy Duck	M	C
<i>Aix sponsa</i>	Wood duck	B	R
<i>Aythya valisineria</i>	Canvasback	M	U
<i>Aythya americana</i>	Red head	M	U
<i>Aythya collaris</i>	Ring-necked duck	M	Ra
<i>Aythya marila</i>	Greater scaup	M	Ra
<i>Aythya affinis</i>	Lesser scaup	M	U
<i>Bucephala clangula</i>	Common goldeneye	M	U
<i>Bucephala albeola</i>	Bufflehead	M	U
<i>Mergus merganser</i>	Common merganser	M	C
<i>Mergus serrator</i>	Red-breasted merganser	M	U
<i>Lophodytes cucullatus</i>	Hooded merganser	M	Ra

Table 5.5 continued

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status*</u>	<u>Abundance**</u>
<i>Fulica americana</i>	American coot	B	C
<i>Recurvirostra americana</i>	American avocet	M	R
<i>Charadrius alexandrius</i>	Snowy plover	M	Ra
<i>Charadrius melodus</i>	Piping plover	M	Ra
<i>Charadius semipalmatus</i>	Semipalmated plover	M	U
<i>Charadius vociferus</i>	Killdeer	B	C
<i>Pluvialis squatarola</i>	Black-bellied plover	M	U
<i>Pluvialis dominica</i>	American golden-plover	M	Ra
<i>Catoptrophorus semipalmatus</i>	Willet	M	R
<i>Tringa melanoleuca</i>	Greater yellowlegs	M	R
<i>Tringa flavipes</i>	Lesser yellowlegs	M	C
<i>Tringa solitaria</i>	Solitary sandpiper	M	U
<i>Actitis macularia</i>	Spotted sandpiper	B	U
<i>Phalaropus tricolor</i>	Wilson's phalarope	M	C
<i>Limnodromus scolopaceus</i>	Long-billed dowitcher	M	C
<i>Calidris himantopus</i>	Stilt sandpiper	M	R
<i>Gallinago gallinago</i>	Common snipe	M	Ra
<i>Calidris alba</i>	Sanderling	M	R
<i>Calidris pusilla</i>	Semipalmated sandpiper	M	R
<i>Calidris mauri</i>	Western sandpiper	M	U
<i>Calidris minutilla</i>	Least sandpiper	M	C
<i>Calidris fuscicollis</i>	White-rumped sandpiper	M	C
<i>Calidris bairdii</i>	Baird's sandpiper	M	C
<i>Calidris melanotos</i>	Pectoral sandpiper	M	U
<i>Bartramia longicauda</i>	Upland sandpiper	B	U
<i>Larus pipixcan</i>	Franklin's gull	B	C
<i>Larus atricilla</i>	Laughing gull	M	Ra
<i>Larus delawarensis</i>	Ring-billed gull	M	C
<i>Larus argentatus</i>	Herring gull	M	U
<i>Sterna forsteri</i>	Forster's tern	M	C
<i>Sterna antillarum</i>	Least tern	M	Ra
<i>Chlidonias niger</i>	Black tern	M	R
<i>Sterna caspia</i>	Caspian tern	M	Ra
<i>Cathartes aura</i>	Turkey vulture	B	C
<i>Haliaeetus leucocephalus</i>	Bald eagle	B,W	Ra
<i>Circus cyaneus</i>	Northern harrier	B, M	U
<i>Accipiter striatus</i>	Sharp-shinned hawk	B, M	U
<i>Accipiter cooperii</i>	Cooper's hawk	B, W	U
<i>Buteo jamaicensis</i>	Red-tailed hawk	Y	C
<i>Buteo swainsoni</i>	Swainson's hawk	B	R
<i>Buteo lagopus</i>	Rough-legged hawk	W	Ra
<i>Pandion haliaetus</i>	Osprey	M	U

Table 5.5 continued

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status*</u>	<u>Abundance**</u>
<i>Falco sparverius</i>	American kestrel	Y	C
<i>Falco columbarius</i>	Merlin	M,W	Ra
<i>Colinus virginianus</i>	Northern bobwhite	Y	C
<i>Phasianus colchicus</i>	Ring-necked pheasant	Y	C
<i>Meleagris gallopavo</i>	Wild turkey	Y	Ra
<i>Columba livia</i>	Rock dove	Y	C
<i>Zenaida macroura</i>	Mourning dove	B	C
<i>Coccyzus americanus</i>	Yellow-billed cuckoo	B	U
<i>Coccyzus erythrophthalmus</i>	Black-billed cuckoo	B	Ra
<i>Bubo virginianus</i>	Great horned owl	Y	U
<i>Otus asio</i>	Eastern screech owl	Y	U
<i>Phalaenoptilus nuttallii</i>	Common poorwill	B	R
<i>Caprimulgus vociferus</i>	Whip-poor-will	M	Ra
<i>Caprimulgus carolinensis</i>	Chuck-will's-widow	M	Ra
<i>Chordeiles minor</i>	Common nighthawk	B	C
<i>Chaetura pelagica</i>	Chimney swift	B	C
<i>Ceryle alcyon</i>	Belted kingfisher	B	U
<i>Melanerpes carolinus</i>	Red-bellied woodpecker	Y	U
<i>Melanerpes erythrocephalus</i>	Red-headed woodpecker	B	C
<i>Picoides pubescens</i>	Downy woodpecker	Y	R
<i>Picoides villosus</i>	Hairy woodpecker	Y	Ra
<i>Colaptes auratus</i>	Northern flicker	Y	C
<i>Tyrannus tyrannus</i>	Eastern kingbird	B	C
<i>Tyrannus verticalis</i>	Western kingbird	B	C
<i>Tyrannus forficatus</i>	Scissor-tailed flycatcher	B	U
<i>Myiarchus crinitus</i>	Greater crested flycatcher	B	C
<i>Contopus virens</i>	Eastern wood-pewee	B	U
<i>Sayornis phoebe</i>	Eastern phoebe	B	R
<i>Sayornis saya</i>	Say's phoebe	B	Ra
<i>Eremophila alpestris</i>	Horned lark	Y	C
<i>Tachycineta bicolor</i>	Tree swallow	M	R
<i>Stelgidopteryx serripennis</i>	Northern rough-winged swallow	B	R
<i>Petrochelidon pyrrhonota</i>	Cliff swallow	B	C
<i>Hirundo rustica</i>	Barn swallow	B	C
<i>Riparia riparia</i>	Bank swallow	B	Ra
<i>Cyanocitta cristata</i>	Blue jay	Y	C
<i>Pica pica</i>	Black-billed magpie	Y	R
<i>Corvus brachyrhynchos</i>	American crow	Y	R
<i>Anthus rubescens</i>	American pipit	M	U
<i>Anthus spragueii</i>	Sprague's pipit	M	Ra
<i>Baelolophus bicolor</i>	Tufted titmouse	Y	U
<i>Poecile atricapillus</i>	Black-capped chickadee	Y	C

Table 5.5 continued

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status*</u>	<u>Abundance**</u>
<i>Sitta corolinensis</i>	White-breasted nuthatch	Y	R
<i>Troglodytes aedon</i>	House wren	B	C
<i>Thryothorus ludovicianus</i>	Carolina wren	Y	U
<i>Sialia sialis</i>	Eastern bluebird	B	R
<i>Turdus migratorius</i>	American robin	Y	C
<i>Lanius ludovicianus</i>	Loggerhead shrike	B	U
<i>Lanius excubitor</i>	Northern shrike	W	Ra
<i>Dumetella carolinensis</i>	Gray catbird	B	R
<i>Mimus polyglottos</i>	Northern mockingbird	B	U
<i>Toxostoma rufum</i>	Brown thrasher	B	C
<i>Bombycilla cedrorum</i>	Cedar waxwing	Y	C
<i>Sturnus vulgaris</i>	European starling	Y	C
<i>Vireo bellii</i>	Bell's vireo	B	U
<i>Vireo solitarius</i>	Blue-headed vireo	M	R
<i>Vireo olivaceus</i>	Red-eyed vireo	B	U
<i>Vireo gilvus</i>	Warbling vireo	B	C
<i>Vermivora celata</i>	Orange-crowned warbler	M	U
<i>Mniotilta varia</i>	Black-and-white warbler	M	Ra
<i>Dendroica coronata</i>	Yellow-rumped warbler	M	R
<i>Dendroica petechia</i>	Yellow warbler	B	C
<i>Dendroica striata</i>	Blackpoll warbler	M	Ra
<i>Geothlypis trichas</i>	Common yellowthroat	B	C
<i>Pheucticus ludovicianus</i>	Rose-breasted grosbeak	B	R
<i>Pheucticus melanocephalus</i>	Black-headed grosbeak	B	U
<i>Cardinalis cardinalis</i>	Northern cardinal	Y	C
<i>Passerina cyanea</i>	Indigo bunting	B	C
<i>Passerina amoena</i>	Lazuli bunting	M	Ra
<i>Pipilo erythrophthalmus</i>	Eastern towhee	B	U
<i>Pipilo maculatus</i>	Spotted towhee	M	R
<i>Ammodramus savannarum</i>	Grasshopper sparrow	B	C
<i>Ammodramus bairdii</i>	Baird's sparrow	M	Ra
<i>Pooecetes gramineus</i>	Vesper sparrow	M	U
<i>Passerculus sandwichensis</i>	Savannah sparrow	M	U
<i>Melospiza melodia</i>	Song sparrow	M	U
<i>Meospiza lincolnii</i>	Lincoln's sparrow	M	U
<i>Chondestes grammacus</i>	Lark sparrow	B	C
<i>Spizella arborea</i>	American tree sparrow	W	C
<i>Spizella pusilla</i>	Field sparrow	B	R
<i>Spizella passerine</i>	Chipping sparrow	B	U
<i>Spizella pallida</i>	Clay-colored sparrow	M	U
<i>Junco hyemalis</i>	Dark-eyed junco	W	C
<i>Zonotrichia querula</i>	Harris' sparrow	W	C

Table 5.5 continued

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status*</u>	<u>Abundance**</u>
<i>Zonotrichia albicollis</i>	White-throated sparrow	W	C
<i>Zonotrichia leucophrys</i>	White-crowned sparrow	W	C
<i>Spiza americana</i>	Dickcissel	B	C
<i>Calcarius ornatus</i>	Chestnut-collared Longspur	M	Ra
<i>Sturnella magna</i>	Eastern meadowlark	B	C
<i>Sturnella neglecta</i>	Western meadowlark	Y	C
<i>X. xanthocephalus</i>	Yellow-headed blackbird	B	C
<i>Agelaius phoeniceus</i>	Red-winged blackbird	Y	C
<i>Molothrus ater</i>	Brown-headed cowbird	Y	C
<i>Quiscalus quiscula</i>	Common grackle	B	C
<i>Quiscalus mexicanus</i>	Great-tailed grackle	B	R
<i>Icterus galbula</i>	Baltimore oriole	B	C
<i>Icterus bullocki</i>	Bullock's oriole	B	R
<i>Passer domesticus</i>	House sparrow	Y	C
<i>Carduelis tristis</i>	American goldfinch	Y	C
<i>Carpodacus mexicanus</i>	House Finch	Y	U

*Status

M = migratory
 B = breeding/summer
 Y = year-round
 W = winter resident

**Abundance

C = common (encountered during each visit)
 R = regular (observed in at least half of all visits)
 U = uncommon (encountered less than half of the time)
 Ra= rare (fewer than 5 observations)

Table 5.6

Checklist of the mammals, reptiles, amphibians, and fishes likely to occur in counties of the Solomon River study area. Status codes are: S = migrant or summer resident and Y = year round resident.

MAMMALS		
<u>Scientific Name</u>	<u>Common Name</u>	<u>Status</u>
<i>Didelphis virginiana</i>	Virginia opossum	Y
<i>Cryptotis parva</i>	Least shrew	Y
<i>Sorex haydeni</i>	Hayden's shrew	Y
<i>Scalopus aquaticus</i>	Eastern Mole	Y
<i>Eptesicus fuscus</i>	Big brown bat	Y
<i>Lasiurus borealis</i>	Eastern red bat	S
<i>Lasiurus cinereus</i>	Hoary bat	S
<i>Myotis septentrionalis</i>	Northern myotis	Y
<i>Myotis lucifugus</i>	Little brown myotis	Y
<i>Nycticeius humeralis</i>	Evening bat	S
<i>Pipistrellus subflavus</i>	Eastern pipistrelle	Y
<i>Tadarida Brasiliensis</i>	Brazilian free-tailed bat	S
<i>Lepus californicus</i>	Black-tailed jack rabbit	Y
<i>Sylvilagus floridanus</i>	Eastern cottontail	Y
<i>Cynomys ludovicianus</i>	Black-tailed prairie dog	Y
<i>Sciurus niger</i>	Eastern fox squirrel	Y
<i>Spermophilus franklinii</i>	Franklin's ground squirrel	Y
<i>Spermophilus tridecemlineatus</i>	Thirteen-lined ground squirrel	Y
<i>Geomys bursarius</i>	Plains pocket gopher	Y
<i>Dipodomys ordii</i>	Ord's Kangaroo rat	Y
<i>Perognathus flavescens</i>	Plains pocket mouse	Y
<i>Perognathus flavus</i>	Silky pocket mouse	Y
<i>Chaetodipus hispidus</i>	Hispid pocket mouse	Y
<i>Castor canadensis</i>	American beaver	Y
<i>Microtus ochrogaster</i>	Prairie vole	Y
<i>Neotoma floridana</i>	Eastern woodrat	Y
<i>Ondatra zibethicus</i>	Muskrat	Y
<i>Onychomys leucogaster</i>	Northern Grasshopper mouse	Y
<i>Peromyscus leucopus</i>	White-footed mouse	Y
<i>Peromyscus maniculatus</i>	Deer mouse	Y
<i>Reithrodontomys megalotis</i>	Western harvest mouse	Y
<i>Reithrodontomys montanus</i>	Plains harvest mouse	Y
<i>Sigmodon hispidus</i>	Hispid cotton rat	Y
<i>Synaptomys cooperi</i>	Southern bog lemming	Y
<i>Erethizon dorsatum</i>	Common porcupine	Y
<i>Canis latrans</i>	Coyote	Y
<i>Urocyon cinereoargenteus</i>	Gray fox	Y
<i>Vulpes velox</i>	Swift fox	Y
<i>Vulpes vulpes</i>	Red fox	Y
<i>Procyon lotor</i>	Common raccoon	Y
<i>Mephitis mephitis</i>	Striped skunk	Y
<i>Mustela frenata</i>	Long-tailed weasel	Y
<i>Mustela nivalis</i>	Least weasel	Y
<i>Mustela vison</i>	Mink	Y
<i>Spilogale putorius</i>	Eastern spotted skunk	Y

Table 5.6 continued

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status</u>
<i>Taxidea taxus</i>	American badger	Y
<i>Odocoileus hemionus</i>	Mule deer	Y
<i>Odocoileus virginianus</i>	White-tailed deer	Y
<i>Bos bison</i>	American bison	Y

REPTILES

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status</u>
<i>Chelydra serpentina</i>	Snapping turtle	Y
<i>Kinosternon flavescens</i>	Yellow mud turtle	Y
<i>Chrysemys picta</i>	Painted turtle	Y
<i>Terrapene ornata</i>	Western box turtle	Y
<i>Trachemys scripta</i>	Slider	Y
<i>Apalone mutica</i>	Smooth softshell	Y
<i>Apalone spinifera</i>	Spiny softshell	Y
<i>Crotaphytus collaris</i>	Collared lizard	Y
<i>Holbrookia maculate</i>	Lesser earless lizard	Y
<i>Phrynosoma cornutum</i>	Texas horned lizard	Y
<i>Sceloporus undulates</i>	Eastern fence lizard	Y
<i>Eumeces obsoletus</i>	Great plains skink	Y
<i>Eumeces septentrionalis</i>	Prairie skink	Y
<i>Cnemidophorus sexlineatus</i>	Six-lined racerunner	Y
<i>Ophisaurus attenuatus</i>	Slender grass lizard	Y
<i>Diadophis punctatus</i>	Ringneck snake	Y
<i>Heterodon nasicus</i>	Western hognose snake	Y
<i>Heterodon platirhinus</i>	Eastern hognose snake	Y
<i>Tantilla nigriceps</i>	Plains blackhead snake	Y
<i>Coluber constrictor</i>	Racer	Y
<i>Elaphe emoryi</i>	Great plains rat snake	Y
<i>Elaphe obsoleta</i>	Rat snake	Y
<i>Lampropeltis calligaster</i>	Prairie kingsnake	Y
<i>Lampropeltis getula</i>	Common kingsnake	Y
<i>Lampropeltis triangulum</i>	Milk snake	Y
<i>Masticophis flagellum</i>	Coachwhip	Y
<i>Pituophis melanoleucus</i>	Gopher snake	Y
<i>Nerodia sipedon</i>	Northern water snake	Y
<i>Storeria dekayi</i>	Brown snake	Y
<i>Thamnophis proximus</i>	Western ribbon snake	Y
<i>Thamnophis radix</i>	Plains garter snake	Y
<i>Thamnophis sirtalis</i>	Common garter snake	Y
<i>Tropidoclonion lineatum</i>	Lined snake	Y
<i>Crotalus viridis</i>	Western rattlesnake	Y
<i>Sistrurus catenatus</i>	Massasauga	Y

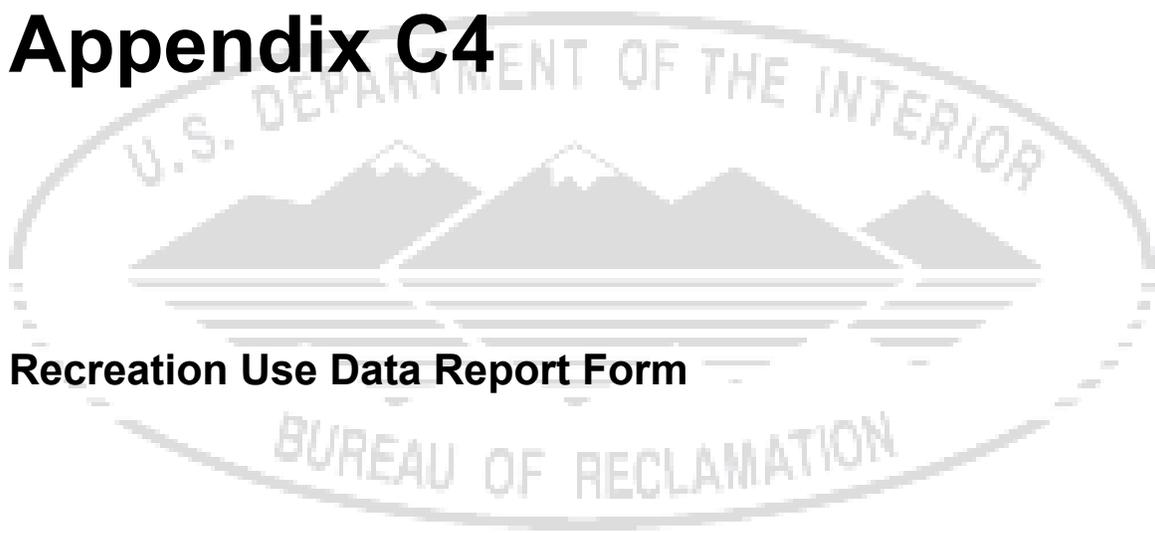
AMPHIBIANS

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status</u>
<i>Ambystoma tigrinum</i>	Tiger salamander	Y
<i>Spea bombifrons</i>	Plains spadefoot toad	Y
<i>Bufo cognatus</i>	Great plains toad	Y
<i>Bufo woodhousii</i>	Woodhouse's toad	Y
<i>Acris crepitans</i>	Northern cricket frog	Y
<i>Pseudacris triseriata</i>	Western chorus frog	Y
<i>Rana blairi</i>	Plains leopard frog	Y

Table 5.6 continued

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status</u>
<i>Rana catesbeiana</i>	Bullfrog	Y
<i>Gastrophryne olivacea</i>	Great plains narrowmouth toad	Y
FISHES		
<u>Scientific Name</u>	<u>Common Name</u>	<u>Status</u>
<i>Lepisosteus osseus</i>	Longnose gar	Y
<i>Lepisosteus platostomus</i>	Shortnose gar	Y
<i>Dorosoma cepedianum</i>	Gizzard shad	Y
<i>Hiodon alosoides</i>	Goldeye	Y
<i>Campostoma anomalum</i>	Central stoneroller	Y
<i>Carassius auratus</i>	Goldfish	Y
<i>Ctenopharyngodon idella</i>	Grass carp	Y
<i>Cyprinella lutrensis</i>	Red shiner	Y
<i>Cyprinus carpio</i>	Common carp	Y
<i>Hybognathus placitus</i>	Plains minnow	Y
<i>Luxilus cornutus</i>	Common shiner	Y
<i>Notemigonus crysoleucas</i>	Golden shiner	Y
<i>Notropis atherinoides</i>	Emerald shiner	Y
<i>Notropis stramineus</i>	Sand shiner	Y
<i>Phenacobius mirabilis</i>	Suckermouth minnow	Y
<i>Pimephales notatus</i>	Bluntnose minnow	Y
<i>Pimephales vigilax</i>	Bullhead minnow	Y
<i>Pimephales promelas</i>	Fathead minnow	Y
<i>Semotilus atromaculatus</i>	Creek chub	Y
<i>Carpiodes carpio</i>	River carpsucker	Y
<i>Catostomus commersoni</i>	White sucker	Y
<i>Ictiobus cyprinellus</i>	Bigmouth buffalo	Y
<i>Ictiobus bubalus</i>	Smallmouth buffalo	Y
<i>Moxostoma macrolepidotum</i>	Shorthead redhorse	Y
<i>Ictalurus furcatus</i>	Blue catfish	Y
<i>Ameiurus melas</i>	Black bullhead	Y
<i>Ameiurus natalis</i>	Yellow bullhead	Y
<i>Ictalurus punctatus</i>	Channel catfish	Y
<i>Noturus flavus</i>	Stonecat	Y
<i>Pylodictis olivaris</i>	Flathead catfish	Y
<i>Fundulus zebrinus</i>	Plains killifish	Y
<i>Gambusia affinis</i>	Western mosquitofish	Y
<i>Morone chrysops</i>	White bass	Y
<i>Morone saxatilis</i>	Striped bass	Y
<i>Lepomis cyanellus</i>	Green sunfish	Y
<i>Lepomis humilis</i>	Orangespotted sunfish	Y
<i>Lepomis macrochirus</i>	Bluegill	Y
<i>Micropterus dolomieu</i>	Smallmouth bass	Y
<i>Micropterus salmoides</i>	Largemouth bass	Y
<i>Pomoxis annularis</i>	White crappie	Y
<i>Pomoxis nigromaculatus</i>	Black crappie	Y
<i>Etheostoma spectabile</i>	Orangethroat darter	Y
<i>Percina caprodes</i>	Logperch	Y
<i>Stizostedion vitreum</i>	Walleye	Y
<i>Aplodinotus grunniens</i>	Freshwater drum	Y

Appendix C4



Recreation Use Data Report Form

Recreation Use Data Report

Reclamation Project:
 Recreation/Wildlife Area:
 Recreation Management Entity:

Reclamation Project:			
1. Recreation/Wildlife Area:			
2. Recreation Management Entity:			
Address:			
City:	<input type="text"/>	State:	<input type="text"/>
E-Mail Address:		<input type="text"/>	
Contact Name:	<input type="text"/>	Contact Phone:	<input type="text"/>
Management Contract Agreement No.:			
Approval Date:		Expiration Date:	
Last Reclamation Review/Ins. Date:			

	Acres		Miles
Reservoir Surface Area:	<input type="text"/>	Reservoir Shoreline:	<input type="text"/>
Designated Recreation Land:	<input type="text"/>	Recreational Foot/Bike Paths:	<input type="text"/>
Developed Recreation Land:	<input type="text"/>	Recreational Roads/Trails:	<input type="text"/>

<p>3. Land and Water Conservation Fund Area: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Public Law 89-72 Area: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Other Area: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Identify Project Authority: <input style="width: 150px;" type="text"/></p>	<p>4. Twelve Month Reporting Period:</p> <p>From: <input style="width: 80px;" type="text"/> (Month/Year)</p> <p>To: <input style="width: 80px;" type="text"/> (Month/Year)</p> <p><small>Note: Report only requires an annual update, at the end of reporting period use, by the Managing Entity/Partner</small></p>
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<p>5. Visitor Days: Total Number for 12 Month Reporting Period: <input style="width: 60px;" type="text"/></p> <p><small>(Any calendar day use - do not include concession days)</small></p>
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6. Public Hours (Include A.M./P.M.)	From:	To:
Weekday Public Hours of Operation	<input type="text"/>	<input type="text"/>
Weekend Public Hours of Operation	<input type="text"/>	<input type="text"/>
Months of Operation (1st 3 letters)	<input type="text"/>	<input type="text"/>

Recreation Use Data Report

Reclamation Project:

Recreation/Wildlife Area:

Recreation Management Entity:

7. Non-profit Organizations/Facilities:

Identify any use of or locations on the recreation/wildlife area and the authorization.

8. Inventory of Recreation Facilities, Designated Areas, and Opportunities:								
No. = Total Number DW = Drinking Water E = Electricity								
Facility/Designated Area	No.	DW	E	Facility/Designated Area	No.	DW	E	
1. Auto Touring				2. Biking				
Fuel Service Locations		<input type="checkbox"/>	<input type="checkbox"/>	Developed Bike Paths (miles)		<input type="checkbox"/>	<input type="checkbox"/>	
				Bike Rental Locations		<input type="checkbox"/>	<input type="checkbox"/>	
3. Boating				4. Cultural/Historical				
Boat Launch Ramps		<input type="checkbox"/>	<input type="checkbox"/>	Interpretive Sites/Tours		<input type="checkbox"/>	<input type="checkbox"/>	
Vehicle/Trailer Parking Lots		<input type="checkbox"/>	<input type="checkbox"/>	Museums		<input type="checkbox"/>	<input type="checkbox"/>	
Boat Slips for Launching		<input type="checkbox"/>	<input type="checkbox"/>	5. Camping				
Fuel Service Locations		<input type="checkbox"/>	<input type="checkbox"/>	Campgrounds		<input type="checkbox"/>	<input type="checkbox"/>	
Sanitary Pump Out Stations		<input type="checkbox"/>	<input type="checkbox"/>	Tent Camping Sites		<input type="checkbox"/>	<input type="checkbox"/>	
Rental Slips and Moorings		<input type="checkbox"/>	<input type="checkbox"/>	Campground Parking Stalls		<input type="checkbox"/>	<input type="checkbox"/>	
Dry Boat Storage Locations		<input type="checkbox"/>	<input type="checkbox"/>	Campground Playgrounds		<input type="checkbox"/>	<input type="checkbox"/>	
PWC Rental Locations		<input type="checkbox"/>	<input type="checkbox"/>	Camping Shade Shelters		<input type="checkbox"/>	<input type="checkbox"/>	
Houseboat Rental Locations		<input type="checkbox"/>	<input type="checkbox"/>	Shower Facility Locations		<input type="checkbox"/>	<input type="checkbox"/>	
Boat Rental Locations		<input type="checkbox"/>	<input type="checkbox"/>	Laundry Facility Locations		<input type="checkbox"/>	<input type="checkbox"/>	
Boat Touring Locations		<input type="checkbox"/>	<input type="checkbox"/>	Vault Restroom Buildings		<input type="checkbox"/>	<input type="checkbox"/>	
				Flush Restroom Buildings		<input type="checkbox"/>	<input type="checkbox"/>	
6. Education/Interpretation Program				7. Fishing				
Fisheries/Hatcheries		<input type="checkbox"/>	<input type="checkbox"/>	Fisherman Access Sites		<input type="checkbox"/>	<input type="checkbox"/>	
Environmental Centers		<input type="checkbox"/>	<input type="checkbox"/>	Bait/Tackle Store Locations		<input type="checkbox"/>	<input type="checkbox"/>	
				Fishing Guide Operations		<input type="checkbox"/>	<input type="checkbox"/>	

Recreation Use Data Report

Reclamation Project:

Recreation/Wildlife Area:

Recreation Management Entity:

No. = Total Number				DW = Drinking Water		E = Electricity	
Facility/Designated Area	No.	DW	E	Facility/Designated Area	No.	DW	E
8. Groceries/Supplies/Gifts				9. Hiking/Walking			
On-Site Store Locations		<input type="checkbox"/>	<input type="checkbox"/>	Hiking/Walking Trails (miles)		<input type="checkbox"/>	<input type="checkbox"/>
10. Horseback Facilities				11. Hunting			
Horse Riding Trails (miles)		<input type="checkbox"/>	<input type="checkbox"/>	Small Game Hunting (1=Yes)		<input type="checkbox"/>	<input type="checkbox"/>
Horse Stable Locations		<input type="checkbox"/>	<input type="checkbox"/>	Large Game Hunting (1=Yes)		<input type="checkbox"/>	<input type="checkbox"/>
Guided Trip Operations		<input type="checkbox"/>	<input type="checkbox"/>	Hunting Guide Operations		<input type="checkbox"/>	<input type="checkbox"/>
12. Lodging (On-Site)				13. Off-Highway Vehicles			
Cabin Rental Sites		<input type="checkbox"/>	<input type="checkbox"/>	OHV Roads/Trails (miles)		<input type="checkbox"/>	<input type="checkbox"/>
Trailer Rental Sites		<input type="checkbox"/>	<input type="checkbox"/>	Designated OHV Areas		<input type="checkbox"/>	<input type="checkbox"/>
Motels		<input type="checkbox"/>	<input type="checkbox"/>	OHV Rental Sites		<input type="checkbox"/>	<input type="checkbox"/>
Educational Dorms/Lodges		<input type="checkbox"/>	<input type="checkbox"/>				
14. Picnic				15. Restaurant/Snack Bar			
Picnic Areas		<input type="checkbox"/>	<input type="checkbox"/>	Full-Service Locations		<input type="checkbox"/>	<input type="checkbox"/>
Picnic Shade Shelters		<input type="checkbox"/>	<input type="checkbox"/>	Vending Service Locations		<input type="checkbox"/>	<input type="checkbox"/>
Picnic Vehicle Parking Lots		<input type="checkbox"/>	<input type="checkbox"/>				
16. Recreational Vehicles				17. Visitor Center			
RV Camp Sites		<input type="checkbox"/>	<input type="checkbox"/>	Tours (1=Yes)		<input type="checkbox"/>	<input type="checkbox"/>
RV Camp Sites w/Hook-Ups		<input type="checkbox"/>	<input type="checkbox"/>	Visitor Center Locations		<input type="checkbox"/>	<input type="checkbox"/>
RV Dump Locations		<input type="checkbox"/>	<input type="checkbox"/>				
18. Water Sports				19. Winter Sports			
Designated Swim Beaches		<input type="checkbox"/>	<input type="checkbox"/>	Ice Fishing Allowed (1=Yes)		<input type="checkbox"/>	<input type="checkbox"/>
Swimming Dock Locations		<input type="checkbox"/>	<input type="checkbox"/>	Snowmobile Parking and Access Locations		<input type="checkbox"/>	<input type="checkbox"/>
Designated Non-Motorized Areas		<input type="checkbox"/>	<input type="checkbox"/>	Snowmobile Rental Locations		<input type="checkbox"/>	<input type="checkbox"/>
Designated Water Skiing Areas		<input type="checkbox"/>	<input type="checkbox"/>	Groomed Cross Country Ski Trails (miles)		<input type="checkbox"/>	<input type="checkbox"/>

Recreation Use Data Report

Reclamation Project:

Recreation/Wildlife Area:

Recreation Management Entity:

No. = Total Number				DW = Drinking Water		E = Electricity	
Facility/Designated Area	No.	DW	E	Facility/Designated Area	No.	DW	E
20. Wildlife Viewing				21. Other			
Designated Animal Viewing Locations		<input type="checkbox"/>	<input type="checkbox"/>	Golf Courses		<input type="checkbox"/>	<input type="checkbox"/>
Designated Bird Viewing Locations		<input type="checkbox"/>	<input type="checkbox"/>	Rifle/Pistol Shooting Range Locations		<input type="checkbox"/>	<input type="checkbox"/>
Designated Fish Viewing Locations		<input type="checkbox"/>	<input type="checkbox"/>	Trap/Skeet/Sport Clay Range Locations		<input type="checkbox"/>	<input type="checkbox"/>
				Domestic Pet Exercise Areas		<input type="checkbox"/>	<input type="checkbox"/>
				Archery Range Locations		<input type="checkbox"/>	<input type="checkbox"/>
				Fixed-Wing Aircraft Landing Strips		<input type="checkbox"/>	<input type="checkbox"/>
				Heliport Pads		<input type="checkbox"/>	<input type="checkbox"/>

Highest Top Four	First	Second	Third	Fourth	Lowest <Top Four
For the Facility/Designated Area Activities listed above, identify and rank order the four most popular in the boxes above.					

9. Exclusive Uses: If exclusive uses occur on the area, provide a description of the use and quantities:

10. Special Recreation Use Permits:

11. Fee Charges:	Other Fees:										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Fee Type</th> <th style="width: 30%;">Fee Amount Daily</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Entrance</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Use</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Visitor Center/Tour</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Permits</td> <td></td> </tr> </tbody> </table>	Fee Type	Fee Amount Daily	<input type="checkbox"/> Entrance		<input type="checkbox"/> Use		<input type="checkbox"/> Visitor Center/Tour		<input type="checkbox"/> Permits		
Fee Type	Fee Amount Daily										
<input type="checkbox"/> Entrance											
<input type="checkbox"/> Use											
<input type="checkbox"/> Visitor Center/Tour											
<input type="checkbox"/> Permits											

Recreation Use Data Report

Reclamation Project:
 Recreation/Wildlife Area:
 Recreation Management Entity:

12. Concessions: List Concession Operations, briefly identify below.
 (Note: Assure concessionaire receives and completes Part II, concession Data Report.)

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13. Collected Revenues From All Fees:
 For Twelve-Month Reporting Period (Item 4) Identified on Page 1

Collected Revenues	Entrance	Use	Permit	Visitor Center/Tour	Other
Reclamation					
Managing Partner					

14. Operations Maintenance (OM) and Capital Improvement Expenses:
 For Twelve-Month Reporting Period (Item 4) Identified on Page 1

	Operation and Maintenance Expenses	Capital Improvement Expenditures
Reclamation		
Managing Partner		

Comments/Notes/Additional Data: Please Specify Item number. Attach additional pages, if necessary.

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Prepared By:		Date:	
Telephone No.:			