

PROPOSED FEDERAL CORRECTIONAL INSTITUTION AND FEDERAL PRISON CAMP

LEAVENWORTH, KANSAS

PROJECT SCOPING SUMMARY DOCUMENT

March 2011

PREPARED FOR:



U.S. Department of Justice
Federal Bureau of Prisons
320 First Street, NW
Washington, D.C.

PREPARED BY:



THE Louis Berger Group, INC.

1250 23rd Street, N.W.
Washington DC 20037
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PERIOD**

ATTACHMENT 1

NOTICE OF INTENT TO PREPARE DRAFT EIS

- **Federal Register Publication of December 29, 2010**
- **BOP Transmittal Letter of December 17, 2010 to Office of Federal Register**

Consent Decrees.html. A copy of the proposed consent decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$28.75 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

Maureen M. Katz,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2010-32661 Filed 12-28-10; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Application

Pursuant to § 1301.33(a), Title 21 of the Code of Federal Regulations (CFR), this is notice that on November 3, 2010, Siegfried (USA), 33 Industrial Park Road, Pennsville, New Jersey 08070, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of the basic classes of controlled substances listed in schedules I and II:

Drug	Schedule
Gamma Hydroxybutyric Acid (2010).	I
Dihydromorphine (9145)	I
Amphetamine (1100)	II
Methylphenidate (1724)	II
Amobarbital (2125)	II
Pentobarbital (2270)	II
Secobarbital (2315)	II
Glutethimide (2550)	II
Codeine (9050)	II
Oxycodone (9143)	II
Hydromorphone (9150)	II
Hydrocodone (9193)	II
Methadone (9250)	II
Methadone intermediate (9254) ...	II
Dextropropoxyphene, bulk (non-dosage forms) (9273).	II
Morphine (9300)	II
Oxymorphone (9652)	II
Oxycodone (9143)	II

The company plans to manufacture the listed controlled substances in bulk for distribution to its customers.

Any other such applicant, and any person who is presently registered with DEA to manufacture such substances, may file comments or objections to the issuance of the proposed registration pursuant to 21 CFR 1301.33(a).

Any such written comments or objections should be addressed, in quintuplicate, to the Drug Enforcement Administration, Office of Diversion Control, **Federal Register** Representative (ODL), 8701 Morrisette Drive, Springfield, Virginia 22152; and must be filed no later than February 28, 2011.

Dated: December 20, 2010.

Joseph T. Rannazzisi,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 2010-32855 Filed 12-28-10; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE

Federal Bureau of Prisons

Notice of Intent To Prepare a Draft Environmental Impact Statement

AGENCY: Federal Bureau of Prisons, U.S. Department of Justice.

ACTION: Notice of intent to prepare a draft environmental impact statement.

SUMMARY: Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS) for development of a Federal Correctional Institution and Federal Prison Camp by the U.S. Department of Justice, Federal Bureau of Prisons (BOP). Land under consideration for development consists of areas located on BOP-owned property comprising the U.S. Penitentiary (USP) in Leavenworth, Kansas.

Background

The Federal Bureau of Prisons (BOP) is responsible for carrying out judgments of the federal courts whenever a period of confinement is ordered. The mission of the BOP is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

The BOP is facing continuous growth in the number of federal inmates with projections showing the federal inmate population increasing from 210,227 inmates at the end of fiscal year 2010 to over 226,000 inmates by the end of fiscal year 2013. As such, the demand for bedspace within the federal prison

system continues to grow at a significant rate. At the present time, the federal inmate population exceeds the combined rated capacities of the existing 116 federal correctional facilities.

The federal inmate population has grown dramatically over the past two decades. While the BOP is no longer experiencing the dramatic population increases of between 10,000 and 11,000 inmates per year that occurred from 1998 to 2001, the increases are still significant and a net growth of over 6,000 inmates is projected for FY 2011 and 5,600 is projected for FY 2012. The federal inmate population is projected to increase and continue to exceed the rated capacity of the BOP's 116 institutions and current contract facilities. Currently, the BOP is 36 percent above rated capacity system-wide in the federal prison system, 43 percent over rated capacity at medium security facilities, and 53 percent over rated capacity at high security institutions. As in the past, the BOP will continue to increase the number of beds through additional contract beds, acquisition and adaptation of existing facilities, and new prison construction as funding permits. Adding capacity through these various means, allows the BOP the opportunity to work towards keeping prison crowding at manageable levels to ensure both public safety and the safety of inmates within the BOP institutions.

In the face of the continuing increase in the federal prison population, one way the BOP has expanded its capacity is through construction of new institutions. As part of this effort, the BOP has a facilities planning program featuring the identification and evaluation of sites for new facilities. The BOP routinely identifies prospective sites that may be appropriate for development of new federal correctional facilities determined by the need for such facilities in various parts of the country and the resources available to meet that need.

The BOP routinely screens and evaluates private and public properties located throughout the nation for possible use and development. Over the past decade, the BOP has examined prospective sites for new correctional facilities development in Alabama, Kentucky, New Hampshire, Arizona, Mississippi, West Virginia, California and other locations around the country and has undertaken environmental impact studies in compliance with the National Environmental Policy Act of 1969, as amended.

Proposed Action

The BOP is facing increased bedspace shortages throughout the federal prison system. Over the past decade, a significant influx of inmates has entered the federal prison system with a large portion of this influx originating from the north central region of the United States. In response, the BOP has committed significant resources to identifying and developing sites for new federal correctional facilities within this region including development of facilities in Florence, Colorado; Terre Haute, Indiana; Greenville, Illinois; and Waseca, Minnesota. Even with the development of new and expanded facilities, projections show the federal inmate population continuing to increase, placing additional demands for bedspace within the BOP's North Central Region.

In response, the BOP has undertaken preliminary investigations in an effort to identify prospective sites capable of accommodating federal correctional facilities and communities willing to host such facilities. Through this process, the BOP has identified potential locations for development of new federal correctional facilities and several sites are under active consideration. These potential sites were subjected to initial studies by the BOP and those considered suitable for correctional facility development will be evaluated further by the BOP in a DEIS that will analyze the potential impacts of facility construction and operation.

The Process

The process of evaluating the potential environmental impacts associated with federal correctional facility development and operation involves the analysis of many factors and features including, but not limited to: Topography, geology, soils, hydrology, biological resources, cultural resources, hazardous materials, visual and aesthetics features, fiscal considerations, population/employment/housing characteristics, community services and facilities, land uses, utility services, transportation systems, meteorological conditions, air quality, and noise.

Alternatives

In developing the DEIS, the No Action alternative, other actions considered and eliminated, and alternative development areas for the proposed Federal Correctional Institution and Federal Prison Camp will be examined. The areas examined will consist of BOP-owned property contiguous to the

existing Leavenworth Institution and will be further defined in the EIS process.

Scoping Process

During the preparation of the DEIS, there will be opportunities for public involvement in order to determine the issues to be examined. A Public Scoping Meeting will be held at 7 p.m., January 20, 2011, at the Riverfront Community Center (123 S. Esplanade Street, Leavenworth, Kansas). The meeting location, date, and time will be well-publicized and have been arranged to allow for the public as well as interested agencies and organizations to attend and formally express their views on the scope and significant issues to be studied as part of the DEIS process. The Scoping Meeting is being held to provide for timely public comments and understanding of federal plans and programs with possible environmental consequences as required by the National Environmental Policy Act of 1969, as amended, and the National Historic Preservation Act of 1966, as amended.

Availability of DEIS

Public notice will be given concerning the availability of the DEIS for public review and comment.

Contact

Questions concerning the proposed action and the DEIS may be directed to: Richard A. Cohn, Chief, or Bridgette Lyles, Site Selection Specialist, Capacity Planning and Site Selection Branch, U.S. Department of Justice, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534, *Telephone:* 202-514-6470/*Facsimile:* 202-616-6024/*E-mail:* siteselection@bop.gov.

Dated: December 17, 2010.

Richard A. Cohn,
Chief, Capacity Planning and Site Selection.
[FR Doc. 2010-32317 Filed 12-28-10; 8:45 am]

BILLING CODE P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Fee Adjustment for Testing, Evaluation, and Approval of Mining Products

AGENCY: Mine Safety and Health Administration (MSHA), Labor.

ACTION: Notice of fee adjustment.

SUMMARY: This notice describes MSHA's revised fee schedule for testing, evaluating, and approving mining products as provided by 30 CFR part 5.

MSHA charges applicants a fee to cover its direct and indirect costs associated with testing, evaluating, and approval of equipment and materials manufactured for use in the mining industry. The new fee schedule, effective January 1, 2011, is based on MSHA's direct and indirect costs for providing services during fiscal year (FY) 2010.

DATES: This fee schedule is effective January 1, 2011.

FOR FURTHER INFORMATION CONTACT: John P. Faini, Chief, Approval and Certification Center, 304-547-2029 or 304-547-0400.

SUPPLEMENTARY INFORMATION:

I. Background

Under 30 CFR 5.50, each fee schedule shall remain in effect for at least one year and be subject to revision at least once every three years. MSHA's existing fee schedule, revised December 24, 2008 (73 FR 79195) became effective January 1, 2009.

Under 30 CFR 5.30(a), Part 15 fees for services provided to MSHA by other organizations may be set by those organizations. In addition, under 30 CFR 5.40, when the nature of the product requires MSHA to test and evaluate the product at a location other than on MSHA premises, MSHA is allowed to charge actual travel expenses in addition to the fees charged for evaluation and testing.

II. Fee Computation

MSHA computed the 2011 fees using FY 2010 costs for baseline data. MSHA calculated a weighted-average based on the direct and indirect costs to applicants for testing, evaluation, and approval services provided in FY 2010. From this average, MSHA computed a single hourly rate, which applies uniformly to all applications.

As a result of this process, MSHA has determined that as of January 1, 2011, the fee will be \$97 per hour for services provided.

III. Applicable Fee

- Applications postmarked before January 1, 2011: MSHA will process these applications under the 2009 hourly rate of \$90.
- Applications postmarked on or after January 1, 2011: MSHA will process these applications under the 2011 hourly rate of \$97. This information is available on MSHA's Web site at <http://www.msha.gov>.



U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

December 17, 2010

Office of the Federal Register
National Archives and Records Administration
800 North Capitol Street, NW Suite 700
Washington, D.C. 20001

Attn: Raymond A. Mosley, Director

Dear Mr. Mosley:

Please find enclosed three original signed copies and an electronic copy of a Notice of Intent to Prepare a Draft Environmental Impact Statement for the proposed development of a Federal Correctional Institution and Federal Prison Camp on property comprising the existing U.S. Penitentiary located in Leavenworth, Kansas by the U.S. Department of Justice, Federal Bureau of Prisons. I certify that the information on the electronic copy is identical to the three signed copies.

We are requesting to have the Notice published in the Federal Register on December 29, 2010. If you have any questions, or if the requested publication date cannot be met, please contact me at 202-514-6470. We appreciate your assistance in this matter and look forward to publication of this important Notice.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard A. Cohn", is written over the typed name.

Richard A. Cohn, Chief
Capacity Planning and
Site Selection Branch

Enclosures (3)

DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

**Notice of Intent to Prepare a Draft Environmental Impact
Statement**

AGENCY: Federal Bureau of Prisons, U. S. Department of Justice

ACTION: Notice of Intent to Prepare a Draft Environmental Impact
Statement

SUMMARY: Notice of Intent to Prepare a Draft Environmental
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Availability of DEIS

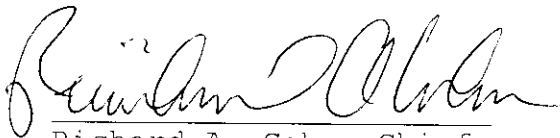
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Contact

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202-514-6470 / Facsimile: 202-616-6024 / Email:

siteselection@bop.gov



Richard A. Cohn, Chief
Capacity Planning and Site Selection

12/17/2010
Date

ATTACHMENT 2

AGENCY SCOPING MEETINGS MINUTES AND SIGN IN SHEETS

Minutes and Sign-In Sheets for:

- **Meeting with Local Officials on December 1, 2010**
- **Meeting with Kansas State Agencies on December 1, 2010**
- **Meeting with Federal Agencies on December 2, 2010**



Meeting Summary

To: Bridgette Lyles, COTR

Cc: Richard Cohn, George Younger

From: Cristy Boyd, JP Magron

Meeting Date: Wednesday December 1st, 2010 (9:00AM-10:45AM)

Meeting Location: City Hall, (100 North 5th Street, Leavenworth, KS 66048)

List of Participants:

A detailed list of participants is found on the Sign-In Sheets provided in Attachment #1; the following entities were in attendance:

- City of Leavenworth
- US Army Garrison (USAG), Fort Leavenworth
- Leavenworth County
- BOP Central Office (DC)
- The Louis Berger Group, Inc. (Berger)

Purpose of Meeting: Kick-Off/Preliminary Scoping Meeting with Local Officials

- In advance of meeting, a Meeting Handout (Attachment #2) had been given to all attendees.
- The meeting was conducted pursuant to the attached agenda (Attachment #3).
- Following introductions of all attendees, the BOP provided an overview of project (including background, purpose and need, and alternative sites). Berger then provided an overview of the environmental review process.
- Resulting action items are listed in Attachment #4, and the following points were made by the attendees.
- USAG noted:
 - For the new facilities of the US Disciplinary Barracks (USDB), the USAG has implemented several sustainable design elements and performed subsurface evaluations for geothermal system. In turn, such information could be used by BOP during their development of conceptual design plans.
 - Potential concerns regarding noise/visual impacts and light pollution to the residential neighborhood and sensitive receptors (i.e., schools) of Fort Leavenworth given their respective proximities to some of the alternative sites (especially the Camp Site and North Site). Such concerns should be evaluated in the EIS.



- The population at Fort Leavenworth has recently grown to about 10,200 residents with no anticipated increases for the next 3 years. The recent population increase is a result of the repositioning of two military police brigades, two ongoing wars and increased need to the Combined Arms Center (CAC), as well as the fact that all majors now attend the command college at Fort Leavenworth.
- Concerning the recent relocation of a portion of the public roadway known as the Santa Fe Trail Road, USAG also noted that they are considering relocating the Hancock Gate closer to the Santa Fe Trail (i.e., about 200 feet south closer to USP property) in order to provide an additional security buffer. USAG noted that traffic counts are available for not only the Hancock Gate but also for the other two gates (i.e., Grant and Sherman Gates).
- USAG noted potential concerns regarding the capacity of the school district of Fort Leavenworth as current USP employee families occupying the housing units are allowed to use such school facilities. If additional USP housing units were to be provided on federal lands, then the school population and respective demand could increase. Alternatively, if the existing USP housing units (about 15 units) located on the South Site were to be removed, the school population could see a minor decrease.
- Relative to the current agreement the USP has with USAG's Fort Leavenworth Fire District to provide fire protection at the USP, concerns were raised on future fire protection capacity at USP if a new FCI and Camp Site were to be built. Both USAG and City of Leavenworth officials noted that the BOP should consider providing fire fighting ability as part of the proposed project.
- For future coordination with USAG, Mr. Jack Walker (Deputy to the Commander) should be the point of contact.
- City/County officials noted:
 - Concerns were raised concerning past land use at the USP and resulting soil contamination sites within USP grounds. To that effect, the Leavenworth Water Department noted that no potable water lines should be constructed or extended through any known contaminated areas.
 - Typical utility loads were requested by City of Leavenworth officials. The BOP responded that such numbers will not be available until the BOP is further along in the facility design process.
 - Upon asking about the future of the Missouri Site, BOP confirmed to the City/County officials that the Missouri Site will not be subjected to further detailed studies as an alternative site in the EIS.
 - The EIS should also consider potential direct and indirect impacts to the North Leavenworth Economic Redevelopment Plan (prepared in 2009), and especially to the designated area known as the "North Gateway Business and Innovation Campus"; a mixed-use residential/commercial district located along Metropolitan Avenue and centered around N. 4th Street.



- Concerns were raised regarding indirect impacts to community facilities such as St. John Hospital in Leavenworth relative to the potential inmate and staff population increase.
- Relative to staff housing, city officials asked whether federal housing would be provided as part of the proposed action. The BOP confirmed that there are no current plans for constructing more housing. The City then noted that they are currently pursuing opportunities to provide additional affordable housing units within Leavenworth. City officials further stated that they would like to retain as much of the staff population as possible within its housing market rather than losing tax revenue to neighboring communities or states. Toward that end Mr. Scott Miller (City Manager) indicated that the City is contemplating annexation plans to expand the City and provide affordable housing. BOP noted that the proposed project would provide approximately 300-350 new staff, with 40% comprised of seasoned transfers and 60% comprised of locals. BOP/Berger also noted that a Housing Study would be prepared concurrent with the EIS.
- The group then discussed concerns regarding traffic issues (i.e., inmate visitors) especially during the time when traffic to Fort Leavenworth is backed up at the Grant Gate during emergency closeouts of the Fort. This unusual condition has occurred three times in the past four months, during which time traffic was backed up many miles along Metropolitan Avenue and well into Missouri along Route 92. The City also noted that they are pursuing funding opportunities to replace or twin the Centennial Bridge over the Missouri River.
- Upon Berger's request for any available traffic data, City officials noted that recent traffic counts were conducted along Metropolitan Avenue as part of the 2010 Truck Route Study. Other traffic counts might be available from the West Leavenworth Trafficway (20th Street) Corridor Study.
- Upon Berger's request for a potential public meeting venue to hold the Public Scoping Meetings, City officials indicated that the Leavenworth Riverfront Community Center (located at 123 South Esplanade Street) will be able to accommodate the future Public Scoping and Public Hearing meetings. [Subsequent to the meeting, BOP/Berger staff visited the center, which can clearly accommodate up to 300 persons. Rental rates are about \$50/hr but could be further negotiated with City Hall at their discretion.]
- In support of the anticipated EIS public outreach effort, the City officials indicated they could use the local Channel 2 (operated by the City of Leavenworth and classified as a government access channel) or their City website for public announcement. Paul Kramer (Assistant to City Manager) should be contacted if needed and/or to obtain stakeholder mailing list.
- Scott Miller (City Manager) specifically noted that Tuesday evening should be avoided since it is the day when the City Commission meets regularly. (The BOP subsequently chose the evening of Thursday January 20, 2011 for the Public Scoping Meeting).
- With the recent relocation of a portion of the Santa Fe Trail Road (following the interchange improvements), City/County officials noted that the USP has now more



contiguous and vacant space than before. To that effect, they requested that the study area boundaries for the Camp Site Alternative (which includes the Buffalo Pasture) be extended westward and up to the newly relocated road. BOP confirmed that the expansion of the project area would be considered.

Note: This meeting summary documents the agenda, participants, and resulting action items from the referenced meeting. BOP participants should provide any additions/exceptions to this meeting summary within three business days of the transmittal date. If no communications are received in this regard, then this meeting summary will be considered to adequately reflect the agenda, participants, and resulting action items from the referenced meeting.

Attachments:

1. Sign-In Sheet
2. Meeting Handout
3. Local Agency Meeting Agenda
4. Action Items
5. Project Contacts

**PROPOSED FCI LEAVENWORTH
LOCAL OFFICIALS MEETING SIGN-IN SHEET
December 1, 2010 (9:00 AM)**

Please Print

No.	Name	Title/Affiliation	Contact Information
1	Richard Cohn ✓	Chief, Capacity Planning and Site Selection, BOP	BOP- Washington D.C. (202) 514-6470 rcohn@bop.gov
2	Bridgette Lyles ✓	COTR, Capacity Planning and Site Selection, BOP	BOP- Washington D.C. (202) 514-6470 blyles@bop.gov
3	George Younger ✓	Office of General Counsel, BOP	BOP- Washington D.C. gyounger@bop.gov
4	Cristy Boyd ✓	Project Manager, The Louis Berger Group, Inc.	(954) 566-3799 CBoyd@louisberger.com
5	Jean-Philippe Magron ✓	Deputy Project Manager, The Louis Berger Group, Inc.	(973) 407-1504 JPMagron@louisberger.com
6	Chris Dunn	Director of Planning & Community Development	(913) 680-2614 cDunn@gmail.com
7	Robert Smith	Deputy Chief Leavenworth Police Dept.	913-680-2502 rsmith@firstcity.org

**PROPOSED FCI LEAVENWORTH
LOCAL OFFICIALS MEETING SIGN-IN SHEET
December 1, 2010 (9:00 AM)**

Please Print

No.	Name	Title/Affiliation	Contact Information
8	GILL YORD, P.E.	GR. PROJECT MGR LOUIS BERGER	816-398-8664 wyord@louisberger.com
9	Camilla Deiber	Architectural Historian Louis Berger	319 730-3028 cdeiber@louisberger.com
10	CHRIS SCHOEN	ARCHAEOLOGIST LOUIS BERGER	315-441-1226 cschoen@louisberger.com
11	Gary Bar, Jr. Economic Dev't	City	—
12	DAVE ZOELLNER	SHERIFF, LEAVENWORTH COUNTY	(913) 682-5794 dzoellner@leavenworthcounty.org
13	Jeff Joseph	Planning Director/ leavenworth County	913-684-0465 jjoseph@leavenworthCounty.org
14	Michael Spickelmier	County Engineer	913-684-0470 mspickelmier@leavenworthcounty.org

**PROPOSED FCI LEAVENWORTH
LOCAL OFFICIALS MEETING SIGN-IN SHEET
December 1, 2010 (9:00 AM)**

Please Print

No.	Name	Title/Affiliation	Contact Information
15	Mark DeMaranville	Fire Chief - City of Leavenworth	913-682-3346 mdeMARANVILLE@FIRSTCITY.ORG
16	Paul Kramer	Assistant to the City Manager City of Leavenworth	913-240-4661 pkramer@firstcity.org
17	Dale Cleland	DPW Environmental Division Fort Leavenworth	684-8977 dale-cleland@us.army.mil
18	Jack E Walker	Deputy to the Garrison Commander Ft Leavenworth, KS	jack.walker@us.army.mil
19	John M Kaufman	General Manager Leavenworth Water Dept.	johnlwater@kc.rr.com 913-682-1513
20	Michael McDonald	Dir. Public Works City of Leavenworth	913-684-0375 MGMCDONALD@FIRSTCITY.ORG
21	Bob Patzwald	Dept. Public Work City of Leavenworth	913 684 0375 bpatzwald@firstcity.org

**PROPOSED FCI LEAVENWORTH
LOCAL OFFICIALS MEETING SIGN-IN SHEET
December 1, 2010 (9:00 AM)**

Please Print

No.	Name	Title/Affiliation	Contact Information
22	MICHAEL BOGNER	CHIEF, MASTER PLANNING PUBLIC WORKS FORT LEAVENWORTH	913-684-8926 MICHAEL.BOGNER@US.ARMY.MIL
23	BILL WAUGH	DPW FORT LEAVENWORTH	684-5646 HAROLD.WAUGH@US.ARMY.MIL
24	SCOTT MILLER	CITY MANAGER CITY OF LEAVEN	913-680-2600 jsmiller@firstcity.org
25	Wayne Green	COL, Garrison Cdr. Ft Leavenworth	913-684-2993 wayne.anthony.green@us.army.mil
26			
27			
28			



Meeting Summary

To: Bridgette Lyles, COTR

Cc: Richard Cohn, George Younger

From: Cristy Boyd, JP Magron

Meeting Date: Wednesday December 1st, 2010 (2:30AM-4:00PM)

Meeting Location: Kansas State Historical Society, (6425 SW 6th Avenue, Topeka, Kansas 66615)

List of Participants:

Detailed list of participants is provided in Attachment #1; the following entities were in attendance:

- Kansas State Historic Preservation Office (SHPO)
- Kansas Department of Wildlife and Parks (KDWP)
- Kansas Department of Health and Environment (KDHE)
- BOP Central Office (DC)
- The Louis Berger Group, Inc. (Berger)

Purpose of Meeting: Kick-Off/Preliminary Agency Scoping Meeting with State of Kansas

- In advance of meeting, a Meeting Handout (Attachment #2) had been given to all attendees.
- The meeting was conducted pursuant to the attached agenda (Attachment #3).
- Following introductions of all attendees, BOP provided an overview of project (including background, purpose and need and alternative sites). Berger then provided an overview of the environmental review process.
- Resulting action items are listed in Attachment #4, and the following points were made by the attendees.
- Cultural Resources with SHPO:
 - BOP/Berger indicated that field work will most likely commence in March 2011 and will take approximately four to eight weeks to complete. The Cultural Resources Study Report is expected to be completed within two months following completion of the field work.
 - A proposed Cultural Resources Work Plan (see Attachment #5) was provided to SHPO on November 20, 2010. SHPO concurred with the proposed methodology at the meeting.
 - SHPO indicated that their review period is typically 30-days by law; however, they will strive to expedite it. In any case, it does not appear that Cultural Resource studies will cause any delay to the project schedule.



- Based on conversations held during the meeting, it appears that the USP Leavenworth Historic District (as defined in the past TEC Inc. reports of 2009) has not been officially recommended for NRHP-eligibility. Thus, there is apparently no official record for such eligibility status on NRHP for such a district. However, there was a general consensus that such recommendation and determination for NRHP-eligibility would likely occur during the NEPA Process and related Section 106 Consultation for the Proposed Project (regardless of any of the Alternative Site to be selected as the Preferred Alternative). Nonetheless, this point will need to be confirmed with SHPO and upon review of SHPO's archives.
 - SHPO Review and Compliance Officer Kim Norton Gant indicated that a survey of USP Leavenworth would be necessary and that an architectural survey report with information on each building submitted to their online inventory system would be sufficient. Potential effects of the project on historic resources, such as Fort Leavenworth and historic districts in the Town of Leavenworth, were also discussed. Ms. Gant concluded that the project was unlikely to affect any resources outside USP Leavenworth property.
- Biological Resources with KDWP:
 - KDWP noted the high quality habitat value of the wooded areas around Corral Creek (north of the of the USP Leavenworth property) and was encouraged by the fact that BOP is not proposing use of the area for development. To that effect, KDWP emphasized that BOP should continue to avoid those wooded areas.
 - For any protected species within a riparian area, KDWP noted that they have a formal State process (with a 30- to 45-day review) for state listed Species, should any listed species be identified on USP grounds.
 - KDWP indicated that its point of contact for future correspondence/consultation should be David Bender.
- Environmental Resources with KDHE:
 - If required for the proposed project, KDHE noted that the State of Kansas would typically provide the Section 401 Water Quality Certification to USACE concurrent with Section 404 permit review. To that effect, KDHE also noted that new turbidity limits have been set by USEPA for the SPDES permit.
 - KDHE also noted that a SPDES permit had to be obtained by BOP for a major water leak underneath the USP perimeter wall that could not be fixed. To that effect and if feasible, KDHE recommended that the BOP should consider repairing the water leak as part of the proposed project. KDHE's Environmental Remediation staff should be consulted for more information on this issue.
 - KDHE also noted that the City of Leavenworth has access to state revolving loans if necessary upgrades to the water/sewer lines were to be required as part of the proposed project.



- In light of contaminated sites and past historical uses at USP Leavenworth, KDHE noted that both its Bureau of Waste Management and Bureau of Environmental Remediation should be consulted to obtain archived information regarding the potential for the presence of old dump sites, USTs, past remediation activities, etc. The KDHE indicated that the issue of contaminated sites will be a predominant topic for the EIS.
- KDHE noted that the boundaries of the Camp Site (including the Buffalo Pasture) should be expanded westward from the former portion of the public roadway known as the Santa Fe Trail Road to the relocated public roadway extending northward from 20th St. and Metropolitan Avenue.
- KDHE's Bureau of Air Quality had no comments/recommendations to offer at this point and until construction plans will be made available for review.

Note: This meeting summary documents the agenda, participants, and resulting action items from the referenced meeting. BOP participants should provide any additions/exceptions to this meeting summary within three business days of the transmittal date. If no communications are received in this regard, then this meeting summary will be considered to adequately reflect the agenda, participants, and resulting action items from the referenced meeting.

Attachments:

1. Sign-In Sheet
2. Meeting Handout
3. State Agency Meeting Agenda
4. Action Items
5. Cultural Resources Work Plan
6. Project Contacts

**PROPOSED FCI LEAVENWORTH
STATE AGENCY MEETING SIGN-IN SHEET
December 1, 2010 (2:30 PM)**

Please Print

No.	Name	Title/Affiliation	Contact Information
1	Richard Cohn	Chief, Capacity Planning and Site Selection, BOP	BOP- Washington D.C. (202) 514-6470 rcohn@bop.gov
2	Bridgette Lyles	COTR, Capacity Planning and Site Selection, BOP	BOP- Washington D.C. (202) 514-6470 blyles@bop.gov
3	George Younger	Office of General Counsel, BOP	BOP- Washington D.C. gyounger@bop.gov
4	Cristy Boyd	Project Manager, The Louis Berger Group, Inc.	(954) 566-3799 CBoyd@louisberger.com
5	Jean-Philippe Magron	Deputy Project Manager, The Louis Berger Group, Inc.	(973) 407-1504 JPMagron@louisberger.com
6	Steve Adams	Kansas Wildlife + Parks	785-296-8281 steve.adams@ksoutdoors.com
7	Rick Brunetti	Director, Bureau of Air Ks Dept. of Health & Env.	Rbrunetti@kdheks.gov (785)-296-1551

**PROPOSED FCI LEAVENWORTH
STATE AGENCY MEETING SIGN-IN SHEET
December 1, 2010 (2:30 PM)**

Please Print

No.	Name	Title/Affiliation	Contact Information
8	Donald Carlson	Chief, Industrial Program Section Bureau of Water KS Dept. of Health & Environment	785-296-5547 dcarlson@kdheks.gov
9	CHRIS SCHOEN	SENIOR ARCHAEOLOGIST THE LOUIS BERGER GROUP	815-441-1226 / 319 373-3045 cschoen@louisberger.com
10	Kim Gant	KS SHPO	785-272-8681 ext 225 kgant@kshs.org
11	Tim Weston	SHPO Archaeologist KS Historical Society	785-272-8681 ext 214 TWESTON@KSHS.ORG
12	Richard Cohn		
13	BILL WARD	GR. PROJECT MGR LOUIS BERGER GROUP	816-398-8664 ward@louisberger.com
14	Camilla R. Deiber	Architectural Historian Louis Berger Group	319 730-3028 cdeiber@louisberger.com



Meeting Summary

To: Bridgette Lyles, COTR

Cc: Richard Cohn, George Younger

From: Cristy Boyd, JP Magron

Meeting Date: Thursday December 2nd, 2010 (10:00AM-4:00PM)

Meeting Location:

1. USEPA-Region 7, (901 N. 5th Street, Kansas City, KS 66101)
2. Field Visit to grounds of USP Leavenworth (USACE and USFWS)

List of Participants:

A detailed list of participants is provided in Sign-In Sheets (Attachment #1); the following entities were in attendance:

- U.S. Environmental Protection Agency (USEPA) – Region 7
- U.S. Army Corps of Engineers (USACE) – Kansas City District
- U.S. Fish and Wildlife Service (USFWS) - Kansas Ecological Services Field Office
- BOP Central Office (DC)
- The Louis Berger Group, Inc. (Berger)

Purpose of Meeting: Kick-Off/Preliminary Agency Scoping Meeting with Federal Agencies

- In advance of meeting, a Meeting Handout (Attachment #2) had been given to all attendees.
- Meeting was conducted in accordance with an agenda (Attachment #3).
- Following introductions of all attendees, the BOP provided an overview of project (including background, purpose and need, and alternative sites). Berger then provided an overview of the environmental review process.
- Resulting action items are listed in Attachment #4, and the following points were made by the attendees.
- Topics raised by USEPA:
 - USEPA asked why an EIS was prepared for the proposed project as opposed to an EA. BOP/Berger explained that, as per 28 CFR Part 61, the proposed project (i.e., the construction of a new FCI) is considered as a major action even though the proposed facility will be located within the existing BOP-owned Leavenworth property. To that effect, it should be noted that the new FCI would be sited outside the perimeter wall of the existing institution and on the grounds of USP Leavenworth. Additionally, the BOP/Berger indicated that an EIS was needed since no previous NEPA related studies have previously been conducted for USP Leavenworth.



- USEPA asked why the undeveloped land just north of the USP Leavenworth (i.e., between the designated Camp Site and North Site) was not being contemplated as an alternative site for development. BOP/Berger explained that said portion of the site is being used for farming by the institution and that another portion of that site had historically been used as a sanitary landfill.
- In turn, USEPA recommended that the Alternatives Analysis section of the EIS should include a detailed explanation as to why the USP Leavenworth was regionally selected for the proposed project, as opposed to other facilities or sites within BOP's North Central Region or country-wide.
- USEPA also raised the issue as to whether the existing hotel capacity for visitors to USP Leavenworth is sufficient to accommodate an increase in demand with the forecasted inmate population increase under proposed project.
- When USEPA requested information on the schedule for EIS publication, BOP/Berger stated that the Draft EIS would be released sometime around May-June 2011.
- For issues/concerns relative to alternate energy sources and climate change to be addressed in the EIS, USEPA referred to the recently-released CEQ guidance.
- Topics raised by USACE:
 - USACE indicated that a Preliminary Jurisdictional Determination (PJD) was recently issued for a portion of the north site, following a request by SM&E who is a sub-consultant to Dewberry.
 - USACE indicated that the PJD would not preclude BOP from obtaining an Approved JD (AJD) in the future. USACE also noted that the PJD was derived solely on desktop review and is thus considered to be very conservative and inclusive of all water features, and non disputable as opposed to an AJD which would require field verification.
 - USACE also indicated that open waters (i.e., ponds) are typically considered during the evaluation of total Waters of the U.S. (WOUS) impacts (greater or less than 0.5-acre threshold) and the determination of permit type required but any impacts to open waters would not require mitigation; with the exception of any fringe wetlands associated with the open waters.
 - USACE confirmed that AJDs are usually valid for five years while PJDs do not have an expiration date.
 - USACE indicated that they would prefer mitigation through a mitigation bank or trust fund rather than on-site mitigation. The USACE is in the process of establishing a mitigation bank and felt that this would be finalized prior to BOP's need to provide mitigation for the new FCI.
 - During the field visit and upon observing the contiguous site conditions and topography between the North and South Sites, USACE questioned whether the proposed new FCI



could straddle those two alternative sites. This potential issue should be addressed relatively soon in the concurrent design process since it could have some time-consuming repercussions to the way the EIS will be logically organized and structured (i.e., 3 versus 4 alternatives if a hybrid alternative site was to be added in the EIS).

- USACE requested that we include data sheets and photos of the downstream areas outside of the boundaries of the alternatives in our jurisdictional determination report.
- The USACE indicated that their preference for site selection would be either the Camp Site Alternative or the South Site Alternative as these appear to impact less WOUS.
- Topics raised by USFWS:
 - In light of concerns to various bat species, USFWS indicated that a bat survey was recently conducted at Fort Leavenworth (unknown location but presumably for the recent construction of the new US Disciplinary Barracks). During the field visit and upon recognizing the young age of canopy species in the wooded area along Corral Creek, USFWS noted that such wooded areas would not likely be considered as prime habitat for bats.
 - USFWS also indicated that Jennifer Delisle, Information Manager at the Kansas Biological Survey (KBS, part of the University of Kansas), should be consulted for any available surveys or other archives that would be pertinent to USP Leavenworth or its surroundings.
 - Similar to the opinion given by the state wildlife agency the previous day, the USFWS indicated that the proposed project should avoid the wooded areas along Corral Creek since it would be considered as good habitat for migratory birds and other species.
 - During the field visit, the USFWS indicated that it will most likely request that the BOP provide voluntary hosting for a rare plant species if technically feasible. This decision will ultimately be up to BOP and it would not count towards any other required mitigation.
 - USFWS indicated that the alternatives should be evaluated for the presence of warm season grasses which are considered potential habitat for two threatened species, the western prairie fringed orchid and Mead's milkweed.

Note: This meeting summary documents the agenda, participants, and resulting action items from the referenced meeting. BOP participants should provide any additions/exceptions to this meeting summary within three business days of the transmittal date. If no communications are received in this regard, then this meeting summary will be considered to adequately reflect the agenda, participants, and resulting action items from the referenced meeting.

Attachments:

- | | |
|----------------------------------|---------------------|
| 1. Sign-In Sheet | 4. Action Items |
| 2. Meeting Handout | 5. Project Contacts |
| 3. Federal Agency Meeting Agenda | |

**PROPOSED FCI LEAVENWORTH
FEDERAL AGENCY MEETING SIGN-IN SHEET
December 2, 2010**

Please Print

No.	Name	Title/Affiliation	Contact Information
1	Richard Cohn	Chief, Capacity Planning and Site Selection, BOP	BOP- Washington D.C. (202) 514-6470 rcohn@bop.gov
2	Bridgette Lyles	COTR, Capacity Planning and Site Selection, BOP	BOP- Washington D.C. (202) 514-6470 blyles@bop.gov
3	George Younger	Office of General Counsel, BOP	BOP- Washington D.C. gyounger@bop.gov
4	Cristy Boyd	Project Manager, The Louis Berger Group, Inc.	(954) 566-3799 CBoyd@louisberger.com
5	Jean-Philippe Magron	Deputy Project Manager, The Louis Berger Group, Inc.	(973) 407-1504 JPMagron@louisberger.com
6	Michele McNulty	USFWS - Fish and Wildlife Biologist	(785) 539-3474 x104 michele-mcnulty@fws.gov
7	Kris Goschen	R7 - EPA Federal Facility Program Mgr.	(913) 551-7027 goschen.kris@epa.gov

**PROPOSED FCI LEAVENWORTH
FEDERAL AGENCY MEETING SIGN-IN SHEET
December 2, 2010**

Please Print

No.	Name	Title/Affiliation	Contact Information
8	Laura Totten	Senior Ecologist / LBG	816-398-8655 ltotten@louisberger.com
9	Brian Donahue	Project Manager - Corps	816 389-3703 brian.t.donahue@usace.army.mil
10	JOE COTHERN	USEPA - REGION 7 NEPA TEAM LEADER	913 551-7148 cothern.joe@epa.gov
11			
12			
13			
14			

ATTACHMENT 3

LOCAL MEDIA PRESS RELEASES FOR PUBLIC SCOPING MEETING

- **Affidavit of Publication from Leavenworth Times dated January 12, 2011**
- **Page Excerpt of Leavenworth Times published on January 12, 2011**
- **Article Published in Leavenworth Times on January 13, 2011**
- **Article Published in Leavenworth Times on January 21, 2011 (*after Public Scoping Meeting*)**

Leavenworth Times

Affidavit of Publication

Kristi Vornholt

I, Kristi Vornholt of lawful age, being first duly sworn on oath, states, that she (he) is a Legal Representative of the Times a daily spaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for a least Fifty (50) years a year and has been so published for at least five (5) years prior to first publication of the attached Notice that said newspaper has a total paid circulation on a monthly an yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a total paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

U.S. DEPARTMENT OF JUSTICE-FEDERAL BUREAU OF PRISONS NOTICE OF PUBLIC SCOPING MEETING TO INITIATE THE ENVIRONMENTAL IMPACT STATEMENT PROCESS

Representatives of the U.S. Department of Justice, Federal Bureau of Prisons (BOP) will conduct a Public Scoping Meeting to which all interested persons are invited to attend. The purpose of the meeting is to provide federal, state, regional and local officials, agencies, organizations and the public an opportunity to learn about and voice their interests and concerns regarding the proposal to construct a new Federal Correctional Institution and Federal Prison Camp within BOP-owned property at the existing USP Leavenworth property. The Scoping Meeting will be held at 7:00 P.M., January 20, 2011 at the Riverfront Community Center (123 S. Esplanade St. Leavenworth, Kansas). The Public Scoping Meeting is being held to provide for timely public comments and understanding of federal plans and programs with possible environmental consequences as required by the National Environmental Policy Act of 1969, as amended and the National Historic Preservation Act. The meeting will also allow interested persons to formally express their views on the scope and on significant issues to be studied as part of the Environmental Impact Statement (EIS) process. Topics to be studied as part of the EIS include, but are not limited to: topography, geology, soils, hydrology, biological resources, aesthetics, fiscal considerations, utility services, transportation services, cultural resources, land uses, socio-economics, community facilities and services, hazardous wastes, air quality, noise, among others. The BOP reserves the right to impose a time limit for those speaking in order to accommodate all persons interested in commenting. Written statements will also be accepted at the meeting and via U.S. mail through January 30, 2011. Inquiries or written comments may be directed to: Richard A. Cohn, Chief or Bridgette Lyles, Site Selection Specialist, Capacity Planning and Site Selection Branch, Federal Bureau of Prisons, 320 First Street, NW, Washington, D.C. 20534. (Tel: 202-514-6470 / Fax: 202-616-6024 / E-mail: siteselection@bop.gov).
Published in the Leavenworth Times, January 12, 2011.

First Publication was made on the 12 day of January, 2011.

Second Publication was made on the _____ day of _____, 20____.

Third Publication was made on the _____ day of _____, 20____.

Fourth Publication was made on the _____ day of _____, 20____.

Fifth Publication was made on the _____ day of _____, 20____.

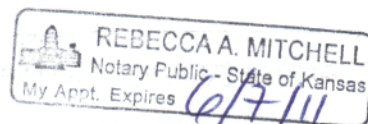
Sixth Publication was made on the _____ day of _____, 20____.

Seventh Publication was made on the _____ day of _____, 20____.

12 day of January, 2011.

Legal Representative

this the 13 day of January, 2011.
Rebecca Mitchell
6/7/11



SCOREBOARD

BOWLING

FIRST NATIONAL BANK
SENIOR MEN'S LEAGUE
January 11, 2011

King Pins won 4 from Vacancy
Has Beens won 3 1/2 from Kosmic
Gutter Dusters won 4 from USA Sinkers
Senior Citizens won 3 from Chiefs
Wonders won 3 from Artesians
Buzzards won 2 from 5 Hams

Men's high game — Jim Ramey 278; Ed Bush 264; Don Broksieck 255

Men's high set — Jim Ramey 690; Tom Jones 689; Ed Bush 679

League Standings — Has Beens 53; Wonders 49; Chiefs 47 1/2; Artesians 46; Kosmic 45 1/2; 5 Hams 43; King Pins 42; Senior Citizens 40; Gutter Dusters 40; USA Sinkers 35; Buzzards 34

PLAYOFFS

NFL Playoff Glance

WILD-CARD PLAYOFFS
Saturday, Jan. 8

Seattle 41, New Orleans 36
N.Y. Jets 17, Indianapolis 16

Sunday, Jan. 9
Baltimore 30, Kansas City 7
Green Bay 21, Philadelphia 16

DIVISIONAL PLAYOFFS
Saturday, Jan. 15

Baltimore at Pittsburgh, 3:30 p.m. (CBS)
Green Bay at Atlanta, 7 p.m. (FOX)

Sunday, Jan. 16
Seattle at Chicago, 12 p.m. (FOX)
N.Y. Jets at New England, 3:30 p.m. (CBS)

CONFERENCE
CHAMPIONSHIPS

Sunday, Jan. 23
NFC, 2 p.m. (FOX)
AFC, 5:30 p.m. (CBS)

PRO BOWL

Sunday, Jan. 30
At Honolulu
AFC vs. NFC, 6 p.m. (FOX)

SUPER BOWL
Sunday, Feb. 6
At Arlington, Texas
AFC champion vs. NFC champion, 5:30 p.m. (FOX)

POLL

THE AP TOP 25

The Top 25 teams in The Associated Press **college football poll**, with first-place votes in parentheses, final records, total points based on 25 points for a first-place vote through one point for a 25th-place vote, and previous ranking:

	Record	Pts	Pv
1. Auburn (56)	14-01.472	1	
2. TCU (3)	13-01.392	3	
3. Oregon	12-11.379	2	
4. Stanford	12-11.300	5	
5. Ohio St.	12-11.220	6	

6. Oklahoma	12-21.108	9
7. Wisconsin	11-21.055	4
8. LSU	11-21.051	11
9. Boise St.	12-11.031	10
10. Alabama	10-3 961	15
11. Nevada	13-1 866	13
12. Arkansas	10-3 863	8
13. Oklahoma St.	11-2 833	16
14. Michigan St.	11-2 696	7
15. Mississippi St.	9-4 578	21
16. Virginia Tech	11-3 577	12
17. Florida St.	10-4 502	23
18. Missouri	10-3 477	14
19. Texas A&M	9-4 359	18
20. Nebraska	10-4 334	17
21. UCF	11-3 225	—
22. South Carolina	9-5 169	19
23. Maryland	9-4 144	—
24. Tulsa	10-3 128	—
25. N.C. State	9-4 119	—

Others receiving votes: Utah 98, Iowa 54, San Diego St. 52, N. Illinois 47, Miami (Ohio) 21, Florida 19, West Virginia 16, Notre Dame 9, Connecticut 8, Air Force 5, Navy 3, Hawaii 2, BYU 1, E. Washington 1.

BOWLING

Continued from B1

This could also hurt us when it comes down to the Baker-style tournaments where there is some pressure on you when you go to bowl. If you are not used to it, it can very nerve racking.

Big meets: Baker tournament at Park Lanes Jan. 19; Leavenworth Baker tournament at Skyway Lanes Jan. 31; Skyway Shootout vs. Lansing Feb. 14 at Skyway Lanes.

Coach says: “I look forward to another great year of bowling. The kids are very excited to get out to the lanes and start off the season. There are a lot of new faces on the team which is great for the sport of bowling. It seems every year I am trying to recruit to get enough girls on the team, and this year will be the first year where I will not have to do that. “Hopefully, they will all stay with it and keep on bowling throughout their lives.”

STEVENSON

Continued from B1

proven that he is a winner . . . he not only has great football skills, but he possesses great vision and tremendous leadership abilities.”

Berglund led his team to two consecutive 4A state titles during his junior and senior years in high school and was named the Colorado 4A player of the year.

Berglund’s stats from his senior season are impressive: He completed 140 of 229 passes (61.1 percent) for 2,150 yards and 23 TDs. He threw just five interceptions. Berglund is also a runner, he gained 952 yards on 130 carries — a notable average of 7.3 yards per carry.

Brock Berglund has the size and pass-run balance that is so invaluable in a college QB. With his early enrollment and participation in spring practice, Berglund could very well earn the starting QB job as a freshman.

Having an outstanding QB can change a college football program quickly; Berglund’s signing gives KU fans reason to hope for an improved team in 2011.

Kansas had two other highly regarded high school recruits sign early and enroll for the spring semester: offensive lineman Dylan Admire from Blue Valley West High School and RB Darrian Miller from Blue Springs, Mo.

Whether it’s Kansas State’s football or basketball team, the Wildcats have recently been plagued by officiating crews that want to be the focus of the game.

In the Big 12 opener against Oklahoma State, the K-State basketball team was called for 31 fouls and O-State was whistled 26 times. The refs fouled out all four of K-State’s pivot players and two Cowboy players.

In the five games involving Big 12 teams — other than K-State-O-State — last Saturday there were 161 fouls called, an average of 32.2 fouls per game. K-State and O-State were whistled 57 times by the officiating crew of Paul Janssen, David Hall, and Kip Kissinger.

The poor officiating wasn’t the reason K-State lost. But Big 12 fans had better hope they don’t have to watch this crew too often, unless you enjoy watching free throws.

KANSAS MENS BASKETBALL

Self decides Little can return to competition

By the Associated Press

LAWRENCE, — Kansas senior forward Mario Little, who missed six games after being charged with seven misdemeanors arising from a fight , will be allowed to return to the

team.

Coach Bill Self announced Monday night that Little, a senior from Chicago, has been cleared to play.

The 22-year-old Little was arrested Dec. 16 after a fight involving his girl-

friend and others.

Self says Little received a diversion agreement from Lawrence Municipal Court for two battery charges and will receive weekly counseling through the end of the season. He said in a statement released through

the university that Little had been a pleasure to coach and deserves a second chance to finish his career in uniform.

Little played in nine games before he was suspended and averaged 6.2 points per game.

TRIATHLON

Triathlon Club set to launch training program for 2011

Times Report

LEAVENWORTH — Even though the lakes are freezing over and the daily high temperatures take your breath away, the start of triathlon season is only a few months away.

The first Saturday in May marks the start of the local triathlon season with the

Fort Leavenworth Triathlon.

This event is a mini-sprint distance race consisting of a 200-yard indoor swim, a 12.6 mile bike route over the steep hills of Fort Leavenworth and finishes with a 5K race.

Two weeks later is the Kansas City Triathlon at Longview Lake in Lee’s Summit, Mo., and for those

feeling the challenge of a half Ironman distance race, Ironman Kansas 70.3 is Sunday, June 12 at Clinton Lake in Lawrence, Kan.

In order to get new athletes ready for the start of triathlon season, the local Leavenworth Triathlon Club will be meeting Thursday, Jan. 20 at High Noon Saloon at 5:30 p.m.

The presentation that night will discuss training plans and strategies for those new athletes interested in competing in triathlons ranging from short sprint distance races to the longer half Ironman distances. For more information, visit www.leavenworthtriclub.com.

www.leavenworthtimes.com

Public Notices

administrators, devisees, trustees, creditors and assigns of any person alleged to be deceased, and made Defendants as such.

NOTICE OF SUIT

You are hereby notified that a Petition has been filed in the District Court of Leavenworth County, Kansas, by the plaintiff, Bobby Joe Mathis requesting the title to the hereinafter described real estate be quieted in the name of the plaintiff, and that said defendants, and each of them, and all those claimed by, through, or with the defendants be forever barred and foreclosed of and from all right, title, interest, lien, estate, or equity in redemption of the following described real estate, to-wit: Lots 23, 24, 25 and 26, block 59, Leavenworth City Proper, Leavenworth County, Kansas,

and you are hereby required to plead to said Petition on or before the 24th day of February, 2011 in said Court, at the Leavenworth County Courthouse, Leavenworth, Kansas. Should you fail therein, judgment and decree will be entered in due course on said Petition.

Bobby Joe Mathis

Prepared & submitted by:
Gary A. Nelson,
P.A.

Public Notices

GARY A. NELSON, #13696
1000 South Fourth, Suite B
Leavenworth, Kansas 66048
Phone: (913) 758-9260

Public Notices

Fax : (913) 758-9290
Attorney for plaintiff
First published in the Leavenworth Times, January 13, 2011 (3t)

U.S. DEPARTMENT OF JUSTICE-FEDERAL BUREAU OF PRISONS
NOTICE OF PUBLIC SCOPING MEETING TO INITIATE THE ENVIRONMENTAL IMPACT STATEMENT PROCESS

Representatives of the U.S. Department of Justice, Federal Bureau of Prisons (BOP) will conduct a Public Scoping Meeting to which all interested persons are invited to attend. The purpose of the meeting is to provide federal, state, regional and local officials, agencies, organizations and the public an opportunity to learn about and voice their interests and concerns regarding the proposal to construct a new Federal Correctional Institution and Federal Prison Camp within BOP-owned property at the existing USP Leavenworth property. The Scoping Meeting will be held at 7:00 P.M., January 20, 2011 at the Riverfront Community Center (123 S. Esplanade St. Leavenworth, Kansas). The Public Scoping Meeting is being held to provide for timely public comments and understanding of federal plans and programs with possible environmental consequences as required by the National Environmental Policy Act of 1969, as amended and the National Historic Preservation Act. The meeting will also allow interested persons to formally express their views on the scope and on significant issues to be studied as part of the Environmental Impact Statement (EIS) process. Topics to be studied as part of the EIS include, but are not limited to: topography, geology, soils, hydrology, biological resources, aesthetics, fiscal considerations, utility services, transportation services, cultural resources, land uses, socio-economics, community facilities and services, hazardous wastes, air quality, noise, among others. The BOP reserves the right to impose a time limit for those speaking in order to accommodate all persons interested in commenting. Written statements will also be accepted at the meeting and via U.S. mail through January 30, 2011. Inquiries or written comments may be directed to: Richard A. Cohn, Chief or Bridgette Lyles, Site Selection Specialist, Capacity Planning and Site Selection Branch, Federal Bureau of Prisons, 320 First Street, NW, Washington, D.C. 20534. (Tel: 202-514-6470 / Fax: 202-616-6024 / E-mail: siteselection@bop.gov).

Published in the Leavenworth Times, January 12, 2011.



kristi.vornholt@leavenworthtimes.com

Crossword Puzzle

ACROSS

1 Brown songbirds
6 Throb or beat
11 — counter
12 Fair and square
13 Window sills
14 Tend the aquarium
15 Tip over
16 Coating of frost
17 Rookie
18 PC key
19 Colony members
23 France, long ago
25 Miner's stake
26 — chance
29 Groovy
31 —Magnon
32 She loved Lennon
33 River mammal
34 Trip part
35 Glass cookware
37 Result of some brainstorming
39 Vocalized

40 Campers, for short
41 No different
45 Licentious sort
47 Intolerant person
48 Purplish flowers
51 Sun-dried veggie
52 Romantic sight
53 Shut
54 — -turvy
55 Mallet

DOWN

1 Easily moved to tears
2 Passenger piece
3 Wassail alternative
4 Have to have
5 Almost grads
6 Sonnet or haiku
7 Imaginary
8 Meadow
9 Former JFK arrival
10 Cousteau's summer
11 Oversupply

12 Crop hazard
16 Aunt or cousin
18 Recital
20 Salt's formula
21 Bridge-stone offering
22 Urban haze
24 Strong as —
25 Geologic sample
26 Fussy dressers
27 Writer Seton
28 Ripped

30 Turner and Koppel
36 Marsh stalkers
38 "I, Robot" writer
40 Stratagem
42 Yawning
43 Traveler's stop
44 Harrow rival
46 Paris hub
47 — fide
48 Do something — Paulo, Brazil
50 Recipe amt.
51 Pull

Want more puzzles?
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	1	2	3	4	5		6	7	8	9	10
11							12				
13							14				
15											
17						16					
					18				19	20	21
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52							53				
54							55				

LeavenworthTimes.com

Bureau of Prisons to host meeting on USP project

By **Tim Linn**

Leavenworth Times

Posted Jan 13, 2011 @ 07:44 AM

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Leavenworth, Kan. — The U.S. Department of Justice, Federal Bureau of Prisons will be hosting a public meeting next week in Leavenworth to inform and hear from residents and area officials on a proposal to build a new medium-security correctional facility on the grounds of the existing U.S. Penitentiary.

Scheduled for 7 p.m. Jan. 20 at the Riverfront Community Center, the public scoping meeting will be a way for the public to offer their own input on the project before the environmental impact study for prospective sites begins.

Tom Sheldrake, executive assistant and camp administrator for the U.S. Penitentiary-Leavenworth, said Wednesday that the proposal is currently going through the 18-to-24-month-long capacity-planning and site selection study process. Leavenworth City Manager J. Scott Miller said he understood that three sites are currently under consideration — one on the west side of the property, two to the east.

The environmental impact studies of those sites will determine which, if any, is a feasible spot for the future facility and will examine a multitude of different factors including topography, aesthetics and fiscal considerations, according to a legal notice about the meeting.

Miller said he and other officials at City Hall have been kept in the loop about the project throughout the process. The public scoping meeting next week is part of any federal construction project.

“They always get the public involved through these scoping sessions,” he said.

The BOP’s concept for the facility is a medium-security prison with about 1,100 beds that when completed would become part of a 3,600-inmate capacity “correctional complex” that includes the USP.

It’s an idea that Miller said could benefit the city, considering that the facility has been speculated to bring about 300 new jobs.

“Our official position is we are certainly supportive,” he said.

The initial study for the project was funded by a federal appropriation secured by Kansas’ congressional delegation.

The project is listed as the next on the BOP’s list of projects, Miller said; however, he also said because there are several steps left in the planning process and the funds to build the facility need to be appropriated by Congress, it will likely be a few years before the project is finished.

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Preview: Helping Tucson Heal

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LeavenworthTimes.com

Input sought on prison proposal

By **John Richmeier**

GateHouse News Service

Posted Jan 21, 2011 @ 08:04 AM



Leavenworth, Kan. — Members of the public were given the opportunity to comment Thursday night about a proposal for a new federal prison in Leavenworth.

"Issues that are important to you are important to us," said Bridgette Lyles, site selection specialist for the Federal Bureau of Prisons.

She reviewed the proposed prison project during what was called a public scoping meeting.

The BOP is considering the construction of a federal correctional institutional and federal prison camp. They would be located on the grounds of the existing U.S. Penitentiary in north Leavenworth.

Lyles said the federal correctional institution could have a capacity of up to 1,500 medium-security inmates, and the camp could house up to 300 minimum-security inmates.

The construction cost is expected to exceed \$325 million. The FCI and camp would employ about 300 additional people and have an annual operating budget of about \$40 million.

Lyles said there are two sites on the USP grounds under consideration. There is a 144-acre site to the west of the existing prison. There's also 238-acre site to the east of the prison.

Thursday's meeting came as officials work on an environmental impact statement regarding the project.

The meeting will be followed with the release of a draft EIS. This will be followed by another public hearing and a 45-day review period. When the final EIS is released, there will be a 30-day review period. The Federal Bureau of Prisons then will release a decision about whether it will proceed with the project, according to Cristy Boyd, principal environmental scientist for the Louis Berger Group.

The Louis Berger Group is an environmental consulting service working with the Federal Bureau of Prisons.

Boyd later said the entire EIS process should take about 18 months.

A number of people attended Thursday's meeting, but only four members of the audience provided comments.

Dave Knorr said he lives near the USP. He expressed support for the proposed prison, saying employees at the USP are upstanding people.

Del Sanders, president of the Leavenworth Historical Museum Association, expressed concern about losing a buffalo pasture featured in tours provided by his organization if the west site is selected.

"We'd like to see you put it on the east side," he said.

Dale Cleland, who was representing Fort Leavenworth, which neighbors the USP, offered some issues that may have to be taken into account as officials look at the sites.

Bill Thomasset, a representative of Michaels Military Housing, which provides housing on the fort, asked that his company be involved in the EIS process.

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ATTACHMENT 4
PUBLIC SCOPING MEETING HANDOUT

(Distributed at Public Scoping Meeting of January 20, 2011)



FEDERAL BUREAU
of PRISONS

FCI & FPC LEAVENWORTH

Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

PUBLIC SCOPING MEETING

ABOUT THE PROJECT

The United States Department of Justice, Federal Bureau of Prisons (BOP) is preparing an Environmental Impact Statement (EIS) to evaluate the environmental, economic, and social impacts regarding the proposal to construct new correctional facilities within the BOP's property at the U.S. Penitentiary (USP) in Leavenworth, Kansas. Located within the Kansas City Metropolitan Area, the City of Leavenworth is located in eastern Kansas approximately 34 miles northwest of Kansas City along the west bank of the Missouri River. As the County Seat and largest city in Leavenworth County, approximately 35,000 individuals reside in the City of Leavenworth out of the overall 75,000 that reside in Leavenworth County.

Today, USP Leavenworth houses approximately 1,881 medium-security adult male inmates with an additional 472 minimum-security inmates housed in an adjacent prison camp. With the continued growth in the federal inmate population, the BOP is considering development of a Federal Correctional Institution (FCI) and a Federal Prison Camp (FPC) on the BOP-owned property adjacent to the existing USP facility. While a typical FCI and a typical FPC are designed to house approximately 1,500 medium-security inmates and approximately 300 minimum-security inmates respectively, the new facilities would employ approximately 300 full-time staff and have an annual operating budget of approximately \$40 million. It is also anticipated that the new FCI would include health services with a dialysis unit (about 48 beds) as well as a long-term care unit (about 128 beds).



REGIONAL LOCATION MAP OF USP LEAVENWORTH



FCI & FPC LEAVENWORTH

Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

PURPOSE AND NEED FOR THE PROPOSED PROJECT

National Overview

The BOP is responsible for carrying out judgments of the federal courts whenever a period of confinement is ordered. The mission of the BOP is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

Since its inception in 1930 and its subsequent growth in the 1940s, the BOP had operated a total of 24 facilities housing approximately 25,000 inmates. It was not until the 1980s that its number of facilities almost doubled (from 24 to 44) with a significant increase in the number of federal inmates (from over 24,000 to almost 58,000) as a result of federal law enforcement efforts and new legislation (i.e., the Sentencing Reform Act of 1984) that significantly altered sentencing in the federal criminal justice system. From 1980 to 1989, the federal inmate population more than doubled, from just over 24,000 to almost 58,000. During the 1990s, the population more than doubled again, reaching approximately 136,000 at the end of 1999 as efforts to combat illegal drugs and illegal immigration contributed to significantly increased conviction rates.

Today, the BOP is facing continuous growth in the number of federal inmates with projections showing the federal inmate population increasing from 210,227 inmates at the end of fiscal year 2010 to over 226,000 inmates by the end of fiscal year 2013. As such, the demand for bedspace within the federal prison system continues to grow at a significant rate. At the present

time, the federal inmate population already far exceeds the combined rated capacities of the existing 116 federal correctional facilities ranging from minimum to administrative-maximum security levels.

Compounding the need for bedspace is the federal court sentencing guidelines which are resulting in longer terms of confinement for serious crimes. Increases in the number of immigration offenders and efforts to combat organized crime and drug trafficking are also contributing to inmate population increases. As in the past, the BOP continues to increase the number of beds through additional contract beds, acquisition and adaptation of existing facilities, and new prison construction as funding permits. Adding capacity through these various means in different parts of the country, allows the BOP the opportunity to work towards keeping prison crowding at manageable levels to ensure both public safety and the safety of inmates within its institutions.

North Central Region Overview

Over the past decade, a significant influx of inmates has entered the federal prison system with a considerable portion of this influx originating from the BOP's North Central Region (NCR) of the United States, where the need for increased bedspace is particularly acute. In response, the BOP has committed significant resources to identifying and developing sites for new federal correctional facilities within this region including development of facilities in Florence, Colorado; Terre Haute, Indiana; Pekin and Greenville, Illinois; and Waseca, Minnesota. Even with the development of new and expanded facilities, projections show the federal inmate population continuing to increase, placing additional demands for bedspace within the BOP's NCR. At present time, the limits on the availability of bedspace within the NCR requires some inmates to be

housed in facilities outside the region which gives rise to a greater degree of isolation than is normally experienced among the inmate population. The sometimes vast distances between inmates' families and acquaintances and the location of their institutions result in far more difficult and costly efforts for visitation and, therefore, reduced visitation rates. Provision of additional bedspace in the State of Kansas would allow the BOP to house inmates originating from the north-central states nearer to their families and friends which aids in the rehabilitative process.

BOP'S SITING PROCESS FOR LEAVENWORTH

In the face of the continuing growth in the federal prison population in the NCR, the BOP routinely identifies and evaluates prospective sites which may be appropriate for development of new federal correctional facilities and considers available BOP properties and other surplus federal lands and facilities along with public or privately-owned properties offered to the BOP. Current and projected bedspace needs are addressed in various ways including, amongst others, the planning and development of new federal correctional facilities for which a priority need has been determined. This approach, which was used for the BOP's NCR, is part of an overall geographically balanced program designed to alleviate crowding, to operate in an efficient and effective manner, and assist the BOP to fulfill its mandate.

In planning and developing new federal correctional facilities within the NCR, the BOP has undertaken preliminary investigations in an effort to identify



prospective sites capable of accommodating federal correctional facilities and communities willing to host such facilities. Through this process, those prospective sites were also screened for environmental, engineering and community factors which, if present, would either preclude use of a site for BOP purposes (e.g., excessive acquisition costs, presence of hazardous substances, inability to provide adequate water supply or wastewater treatment at reasonable costs, flood hazards, etc.). In recent years, the BOP has also focused attention on developing new institutions in locations with an existing federal correctional facility. The advantages of doing so are many including the ability to share support facilities, availability of infrastructure, supportive communities and reduced time and cost of development. In turn, the property of USP Leavenworth was identified as a suitable location given its large amount of available and undeveloped federal lands for possible additional development.

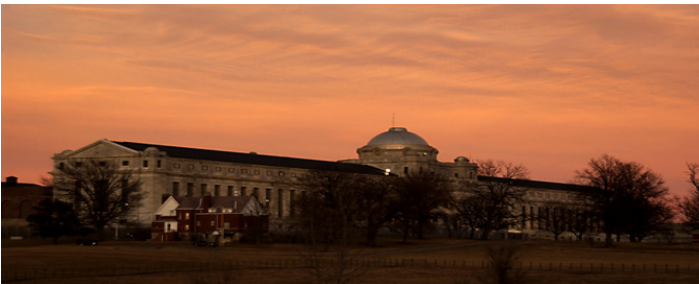


FCI & FPC LEAVENWORTH

Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

Subsequently, candidate sites which appear suitable on the basis of these initial investigations are then subjected to in-depth, comprehensive analyses and documentation during the BOP's federally-mandated environmental review process – pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended and other environmental laws and regulations – in order to analyze the potential impacts of facility construction and operation. Such documentation can be in the form of Environmental Assessments (EAs) and/or Environmental Impact Statement (EISs) as appropriate and based on the level of the proposed action.

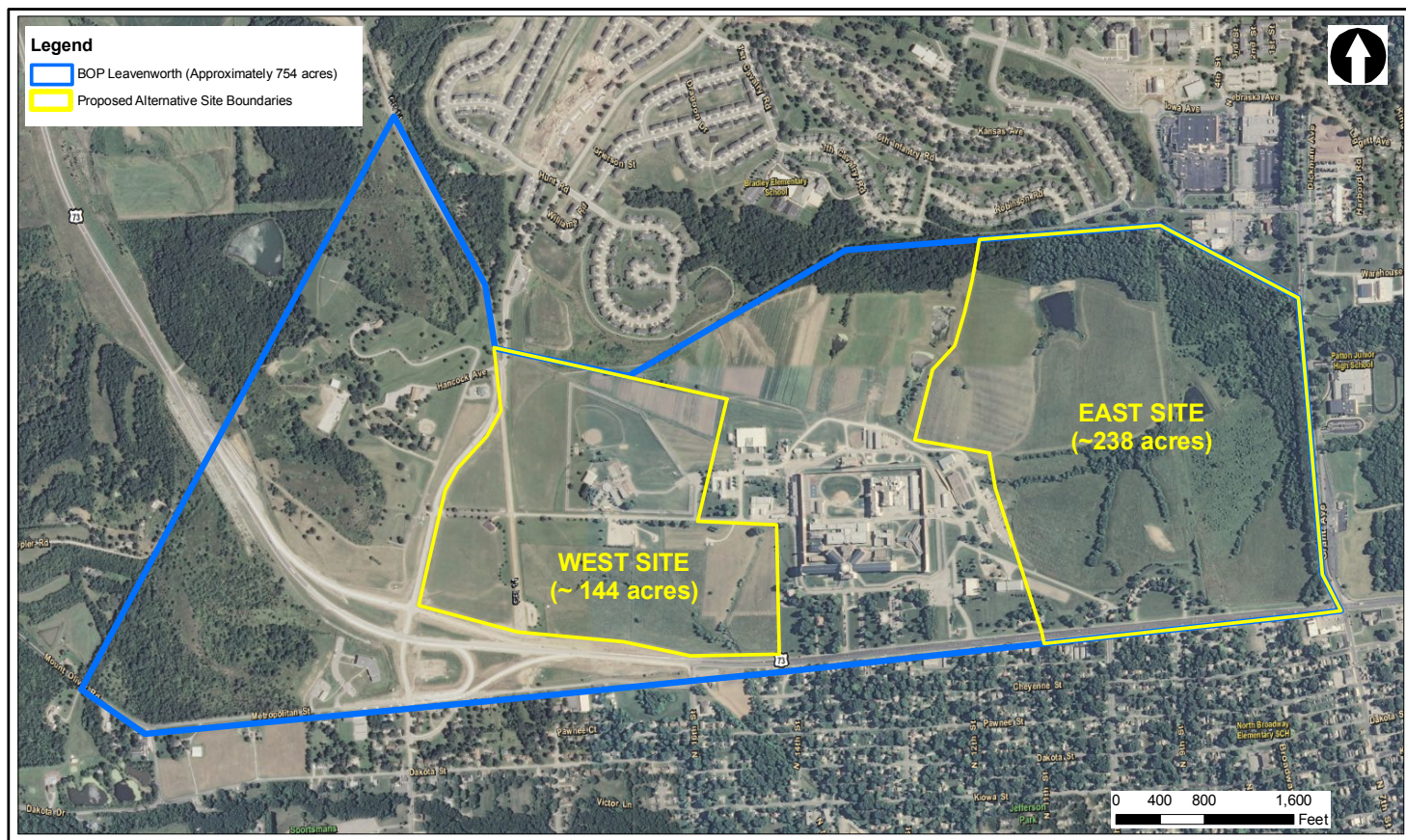


USP LEAVENWORTH

USP Leavenworth is notable for several reasons – chief among them is that when it opened in 1906, USP Leavenworth was the first federal correctional facility. Construction of USP Leavenworth was enabled by an Act of Congress in June 1896, transferring approximately 505 acres from the Department of the Army to the U.S. Department of Justice for a new penitentiary to house approximately 1,200 inmates. During Fiscal Year (FY) 2006, USP Leavenworth transitioned from a high-security to a medium-security facility to accommodate the growth of the medium-security inmate population. This transition was part of the BOP's overall long-range capacity plan to use older high-security institutions to house medium-security inmates as newer, more technologically advanced high-security institutions were designed and developed. The name of the USP Leavenworth institution remains even though the mission has changed.

For operational reasons and other considerations to existing facilities, operations and infrastructure; the BOP has at this time identified two potential development sites within its 754-acre property in Leavenworth: the East Site and the West Site. The East Site includes approximately 238 acres of undeveloped land situated east of the USP. The West Site includes approximately 144 acres of land that is occupied by the existing prison camp (situated about 600 feet west of the USP) as well as the Buffalo Pasture south of the camp. The boundary of the West Site extends westward to the newly relocated Santa Fe Trail Road. On the basis of the analyses performed to date, these sites have been deemed worthy of further consideration by the BOP and will be the subject of an EIS in accordance with NEPA.

The BOP's proposed construction of a new FCI and FPC, outside the perimeter wall of the existing USP facility, is considered a major action (as per 28 CFR Part 61) which requires the preparation of an EIS pursuant to the NEPA's environmental review process. Additionally, and even though the proposed FCI and FPC facilities would be located within existing BOP-owned property, the need for an EIS is further supported by the fact that no NEPA-related environmental studies have ever been conducted for USP Leavenworth since the original facility was constructed prior to NEPA's enactment.



BOP PROPERTY AND ITS POTENTIAL DEVELOPMENT SITES



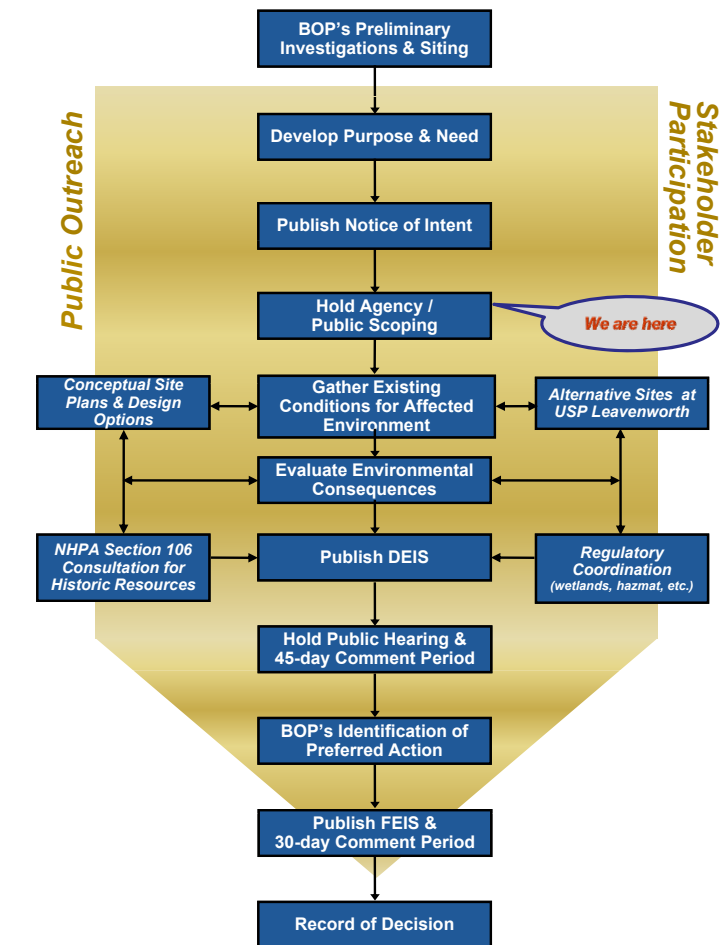
FCI & FPC LEAVENWORTH

Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

WHERE ARE WE IN THE NEPA PROCESS & WHERE DO WE GO FROM HERE?

- Agency meetings with local, state, and federal agencies were held in early December 2010.
- On December 29, 2010, a Notice of Intent (NOI) was published in the Federal Register (Vol.75 No.249). The purpose of the NOI was to announce that the BOP had begun preparation of a draft EIS and to provide details (date, time and place) of the project Scoping Meeting.
- Today and as part of the project's initiation phase (see where we are in), you have been invited to attend this Public Scoping Meeting of January 20, 2011 for an opportunity to learn about as well as voice your interests and/or concerns regarding the proposed project. Following the end of the Scoping Period, public and agency comments will assist the BOP in not only determining the scope (or technical studies to be addressed) of the EIS but also in receiving preliminary feedback about the alternative sites of the proposed project. ***** This is where we are today – in the early scoping phase of the NEPA process. *****



THE NEPA PROCESS (STEP-BY-STEP)

- As part of the preparation of the Draft EIS, more detailed information will be collected about the environment to be affected by the proposed project in order to evaluate the potential environmental consequences of each alternative and then determine any mitigation measures if needed. To that effect, project-related information to be presented and environmental topics to be studied will include the ones depicted in the proposed scope (or Table of Contents) for the Draft EIS, which will then be officially released in advance of the Draft EIS' Public Hearing and its 45-day Comment Period.

- Ultimately and through continued public/agency and stakeholder participation during the release of the Final EIS and its 30-day Comment Period, the NEPA process will assist the BOP in completing its siting and design process for the actual location of the new FCI and FPC within the property of USP Leavenworth, while avoiding and/or minimizing potential adverse impacts to the natural and man-made environment. Such determination will then be officially memorialized as part of a Record of Decision (ROD), which will also be published in the Federal Register.

DRAFT ENVIRONMENTAL IMPACT STATEMENT TABLE OF CONTENTS		
ABSTRACT	L. Housing Characteristics	U. Noise
SUMMARY	M. Fiscal Considerations	V. Summary of Any Significant Impacts and Required Mitigation
I. INTRODUCTION	N. Community Services and Facilities	W. Relationship Between Short-Term Use of the Environment and the Maintenance and Enhancement of Long-Term Productivity
A. Purpose of the Environmental Impact Statement	O. Land Use and Zoning	X. Irreversible and Irretrievable Commitments of Resources
B. Compliance with the National Environmental Policy Act	P. Utility Services	Y. Consideration of Secondary and Cumulative Impacts
C. Public Scoping	Q. Alternative Energy Sources	
D. Purpose and Need for the Proposed Action	R. Transportation Systems	
E. Description of the Proposed Action	S. Climate	
F. Environmental Justice Considerations	T. Air Quality	
G. Environmental Stewardship	U. Noise	
II. ALTERNATIVES	IV. ENVIRONMENTAL CONSEQUENCES: IMPACTS AND MITIGATION	V. REFERENCES
A. No Action Alternative	A. Introduction	A. Documents
B. Alternatives Considered	B. Topographic Features	B. Personal Communications
C. Preferred Alternative	C. Geologic Features	
III. AFFECTED ENVIRONMENT	D. Soils	VI. LIST OF PREPARERS
A. Introduction	E. Water Resources	
B. Topographic Features	F. Biological Resources	VII. AGENCIES AND OFFICIALS FROM WHICH COMMENTS ARE REQUESTED
C. Geologic Features	G. Cultural Resources	A. Congressional Delegation
D. Soils	H. Visual and Aesthetic Resources	B. State of Kansas Officials
E. Water Resources	I. Contaminated Materials	C. Federal Agencies
F. Biological Resources	J. Demographics	D. State of Kansas Agencies
G. Cultural Resources	K. Economic Characteristics	E. Leavenworth County Officials and Agencies
H. Visual and Aesthetic Resources	L. Housing Characteristics	F. Municipal Officials and Agencies
I. Contaminated Materials	M. Fiscal Considerations	G. Native American Organizations
J. Demographics	N. Community Services and Facilities	H. Public Libraries/Others
K. Economic Characteristics	O. Land Use and Zoning	
	P. Utility Services	APPENDICES
	Q. Alternative Energy Sources	
	R. Transportation Systems	
	S. Climate	
	T. Air Quality	

WHAT IS SCOPING and HOW TO BE HEARD?

Under the National Environmental Policy Act of 1969, as amended (as well as under the National Historic Preservation Act of 1966, as amended), the public has a critical role in the environmental review process whereas any environmental information is made available to the public before any decisions are made. Participation by the public is thus a critical part of the environmental review process to ensure that public concerns and issues are addressed in the EIS. The purpose of “scoping” early in the review process is an opportunity for members of the general public and others to understand the BOP’s proposed project in light of its possible environmental consequences as well as to provide timely comments on the purpose and need, the alternatives to be considered, and to voice issues and concerns for the proposed project before the actual Draft and Final EIS are prepared.

Additionally, “scoping” is to also allow interested persons to express their views on the scope and significant issues to be addressed as part of the Draft and Final EIS.

While oral and written statements are officially recorded during the actual Public Scoping Meeting, additional written statements will also be accepted by the BOP via U.S. Mail or fax through January 30, 2011 (end of the scoping period). Please direct inquiries or written comments to:

Richard A. Cohn, Chief or Bridgette Lyles, Site Selection Specialist
Capacity Planning and Site Selection Branch
Federal Bureau of Prisons, 320 First Street, NW, Room 5006, Washington, D.C. 20534
Fax: 202-616-6024

During the scoping period and subsequent phase of the NEPA review process, interested parties can request to be added into the general mailing list for the future distribution of the Draft and Final EIS documents. Otherwise, such documents will also be made publicly available at local libraries for consultation and/or review.

WHO’S WHO IN THE STUDY?

- The BOP is the lead federal agency responsible for preparing the EIS as it is also the federal agency undertaking the proposed action.
- The Louis Berger Group, Inc. was contracted by the BOP to assist in preparing the Draft and Final EIS and to perform related technical studies.
- You – the Public – have a critical role to play by helping shape the scope of the EIS, reviewing study information, and providing comments and other input to the BOP throughout the environmental review process.



ATTACHMENT 5
PUBLIC SCOPING MEETING SIGN-IN SHEETS

(For Public Scoping Meeting of January 20, 2011)



FEDERAL BUREAU
of PRISONS

FCI & FPC LEAVENWORTH

Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

PUBLIC SCOPING MEETING - SIGN-IN-SHEET

PLEASE CHECK HERE IF
YOU WOULD LIKE TO
SPEAK TONIGHT

	AFFILIATION	
Name <u>Sara Wright</u>	Elected <input type="checkbox"/> Official <input type="checkbox"/> Private <input type="checkbox"/> Citizen <input type="checkbox"/>	
Address <u>7720 NW 73rd St</u>	Media <input type="checkbox"/>	<input type="checkbox"/>
City/State/Zip <u>Kansas City, MO 64152</u>	Other <u>PIO - City</u>	
Name <u>PAUL KRAMER</u>	Elected <input type="checkbox"/> Official <input type="checkbox"/> Private <input type="checkbox"/> Citizen <input type="checkbox"/>	
Address <u>732 H. G. Linn Ter</u>	Media <input type="checkbox"/>	<input type="checkbox"/>
City/State/Zip <u>Leavenworth, KS 66043</u>	Other <u>City Employee</u>	
Name <u>KEVIN DONOVAN</u>	Elected <input type="checkbox"/> Official <input type="checkbox"/> Private <input checked="" type="checkbox"/> Citizen <input checked="" type="checkbox"/>	
Address <u>3545 TUDOR DR.</u>	Media <input type="checkbox"/>	<input type="checkbox"/>
City/State/Zip <u>LEAVENWORTH, KS</u>	Other _____	
Name <u>BOB HECKMAN</u>	Elected <input type="checkbox"/> Official <input type="checkbox"/> Private <input checked="" type="checkbox"/> Citizen <input checked="" type="checkbox"/>	
Address <u>29213 195th</u>	Media <input type="checkbox"/>	<input type="checkbox"/>
City/State/Zip <u>LEAV. KS 66048</u>	Other _____	
Name <u>Emily Heckman</u>	Elected <input type="checkbox"/> Official <input type="checkbox"/> Private <input checked="" type="checkbox"/> Citizen <input checked="" type="checkbox"/>	
Address <u>29213 195th St</u>	Media <input type="checkbox"/>	<input type="checkbox"/>
City/State/Zip <u>Leavenworth, KS 66048</u>	Other _____	

Before including your address, phone number, or other personal identifying information, please be aware that all comments discussed at the public scoping meeting will be made available to the public.



THE Louis Berger Group, INC.



FEDERAL BUREAU
of PRISONS

FCI & FPC LEAVENWORTH

Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

PUBLIC SCOPING MEETING - SIGN-IN-SHEET

PLEASE CHECK HERE IF
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SPEAK TONIGHT

AFFILIATION			PLEASE CHECK HERE IF YOU WOULD LIKE TO SPEAK TONIGHT
Name <u>Mike Erdley</u>	Elected Official <input type="checkbox"/>	Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address <u>626 Spruce St Apt A</u>	Media <input type="checkbox"/>		
City/State/Zip <u>Leavenworth, KS 66048</u>	Other _____		
Name <u>Greg Roy</u>	Elected Official <input type="checkbox"/>	Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address <u>800 ks. Ave. LL west</u>	Media <input type="checkbox"/>		
City/State/Zip <u>Topeka, KS.</u>	Other <u>Westar Energy</u>		
Name <u>Aaron Hansen / Celia Hansen</u>	Elected Official <input type="checkbox"/>	Private Citizen <input checked="" type="checkbox"/>	<input type="checkbox"/>
Address <u>335 Fawn Valley</u>	Media <input type="checkbox"/>		
City/State/Zip <u>Hausig KS 66043</u>	Other _____		
Name <u>Phil Martin</u>	Elected Official <input type="checkbox"/>	Private Citizen <input checked="" type="checkbox"/>	<input type="checkbox"/>
Address <u>1701 Thoburn St</u>	Media <input type="checkbox"/>		
City/State/Zip <u>Lea v, KS 66048</u>	Other _____		
Name <u>William R Thomasset</u>	Elected Official <input type="checkbox"/>	Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address <u>Michaels Military Housing</u>	Media <input type="checkbox"/>		
City/State/Zip <u>549 Kearney</u>	Other <input checked="" type="checkbox"/>		
<u>Fort Leavenworth KS 66027</u>			

Before including your address, phone number, or other personal identifying information, please be aware that all comments discussed at the public scoping meeting will be made available to the public.



THE Louis Berger Group, INC.



FEDERAL BUREAU
of PRISONS

FCI & FPC LEAVENWORTH

Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

PUBLIC SCOPING MEETING - SIGN-IN-SHEET

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YOU WOULD LIKE TO
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		AFFILIATION	
Name	<u>RICK Dickerson</u>	Elected Official <input type="checkbox"/> Private Citizen <input checked="" type="checkbox"/>	<input type="checkbox"/>
Address	<u>PO Box 821</u>	Media <input type="checkbox"/>	
City/State/Zip	<u>Leav KS 66048</u>	Other <input type="checkbox"/>	
Name	<u>DANIEL & JENNIFER LANGLEY</u>	Elected Official <input type="checkbox"/> Private Citizen <input checked="" type="checkbox"/>	<input type="checkbox"/>
Address	<u>33375 179th</u>	Media <input type="checkbox"/>	
City/State/Zip	<u>LV KS 66048</u>	Other <input type="checkbox"/>	
Name	<u>John C. Richter</u>	Elected Official <input type="checkbox"/> Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address	<u>482 Seneca St</u>	Media <input checked="" type="checkbox"/>	
City/State/Zip	<u>LV, KS 66048</u>	Other <input type="checkbox"/>	
Name	<u>DURAND Dickerson</u>	Elected Official <input type="checkbox"/> Private Citizen <input checked="" type="checkbox"/>	<input type="checkbox"/>
Address	<u>1514 10th Avenue</u>	Media <input type="checkbox"/>	
City/State/Zip	<u>Leav. KS</u>	Other <input type="checkbox"/>	
Name	<u>TOM & KAREN TUSH</u>	Elected Official <input type="checkbox"/> Private Citizen <input checked="" type="checkbox"/>	<input type="checkbox"/>
Address	<u>33474 167th ST</u>	Media <input type="checkbox"/>	
City/State/Zip	<u>LEAVENWORTH KS</u>	Other <input type="checkbox"/>	

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AFFILIATION			PLEASE CHECK HERE IF YOU WOULD LIKE TO SPEAK TONIGHT
Name <u>Jennis M. Bragary Sr. Leav. Water</u>	Elected Official <input type="checkbox"/>	Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address <u>601 Cherokee</u>	Media <input type="checkbox"/>		
City/State/Zip <u>Leav. KS 66048</u>	Other <u>Water Dept</u>		
Name <u>Charles Klingler</u>	Elected Official <input type="checkbox"/>	Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address <u>1800 S. 2nd Street</u>	Media <input type="checkbox"/>		
City/State/Zip <u>Leav. KS 66048</u>	Other <u>City-WPC</u>		
Name <u>Troy N. Youngblood</u>	Elected Official <input type="checkbox"/>	Private Citizen <input checked="" type="checkbox"/>	<input type="checkbox"/>
Address <u>1469 Cherokee</u>	Media <input type="checkbox"/>		
City/State/Zip <u>Leavenworth, KS 66048</u>	Other _____		
Name <u>Doug Euler</u>	Elected Official <input type="checkbox"/>	Private Citizen <input checked="" type="checkbox"/>	<input type="checkbox"/>
Address <u>3019 Grand</u>	Media <input type="checkbox"/>		
City/State/Zip <u>Leavenworth KS 66048</u>	Other _____		
Name <u>Melanie Meier</u>	Elected Official <input checked="" type="checkbox"/>	Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address <u>31301 175th St</u>	Media <input type="checkbox"/>		
City/State/Zip <u>Leav KS 66048</u>	Other _____		

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Name Jim Pickett
Address 650 N. K-7 Hwy
City/State/Zip Bonner Springs, KS 66012

AFFILIATION
Elected Official ☐ Private Citizen ☐
Media ☐
Other KDOT

☐

Name Matt Erickson
Address Basehor Sentinel
City/State/Zip _____

Elected Official ☐ Private Citizen ☐
Media ☒
Other _____

☐

Name MIKE McDONALD
Address 1627 PAWNEE
City/State/Zip 66048

Elected Official ☐ Private Citizen ☒
Media ☐
Other _____

☐

Name Dale Cleland
Address 810 McClellan Ave
City/State/Zip Ft. Leavenworth KS 66027

Elected Official ☐ Private Citizen ☐
Media ☐
Other Army

☐

Name DEL SANDERS
Address 500 SOUTH BROADWAY
City/State/Zip LUN, KS 66048

Elected Official ☐ Private Citizen ☒
Media ☐
Other _____

☐

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SPEAK TONIGHT

Name David Knorr
Address 815 W 14th St
City/State/Zip Leavenworth, KS 66048

Affiliation
Elected Official ☐ Private Citizen ☒
Media ☐
Other _____

☐

Name Tim Holverson
Address 518 Shawnee
City/State/Zip Leavenworth KS 66048

Affiliation
Elected Official ☐ Private Citizen ☐
Media ☐
Other _____

☐

Name [Signature]
Address _____
City/State/Zip _____

Affiliation
Elected Official ☐ Private Citizen ☒
Media ☐
Other _____

☐

Name Jim Shank
Address _____
City/State/Zip _____

Affiliation
Elected Official ☐ Private Citizen ☒
Media ☐
Other _____

☐

Name Jon Sheldrake
Address _____
City/State/Zip Leavenworth

Affiliation
Elected Official ☐ Private Citizen ☒
Media ☐
Other _____

☐

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Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

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AFFILIATION		PLEASE CHECK HERE IF YOU WOULD LIKE TO SPEAK TONIGHT
Name <u>MARK GETTYS</u>	Elected Official <input type="checkbox"/> Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address <u>2720 2ND AVE LEAVENWORTH</u>	Media <input type="checkbox"/>	
City/State/Zip <u>66048</u>	Other <u>UTILITY</u>	
Name <u>PETER GRANDE</u>	Elected Official <input type="checkbox"/> Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address _____	Media <input type="checkbox"/>	
City/State/Zip _____	Other _____	
Name <u>Scott Miller</u>	Elected Official <input type="checkbox"/> Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address <u>100 N. 5th St.</u>	Media <input type="checkbox"/>	
City/State/Zip <u>Leavenworth, KS 66048</u>	Other <u>City Manager</u>	
Name <u>MARK PREISINGER</u>	Elected Official <input checked="" type="checkbox"/> Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address <u>1900 CANTERBURY ST 100 N. 5th</u>	Media <input type="checkbox"/>	
City/State/Zip <u>LV, KS 66048</u>	Other _____	
Name _____	Elected Official <input type="checkbox"/> Private Citizen <input type="checkbox"/>	<input type="checkbox"/>
Address _____	Media <input type="checkbox"/>	
City/State/Zip _____	Other _____	

Before including your address, phone number, or other personal identifying information, please be aware that all comments discussed at the public scoping meeting will be made available to the public.



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Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

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AFFILIATION

Name Keith Melick
Address 2400 S. 17th Terr.
City/State/Zip LVN KS 66048

Elected Official ☐ Private Citizen ☐
Media ☐
Other Commissioner Candidate

☐

Name Jerry Hansen
Address 1213 Kiowa
City/State/Zip Leav. 124, 66048

Elected Official ☐ Private Citizen ☒
Media ☐
Other _____

☐

Name _____
Address _____
City/State/Zip _____

Elected Official ☐ Private Citizen ☐
Media ☐
Other _____

☐

Name _____
Address _____
City/State/Zip _____

Elected Official ☐ Private Citizen ☐
Media ☐
Other _____

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Name _____
Address _____
City/State/Zip _____

Elected Official ☐ Private Citizen ☐
Media ☐
Other _____

☐

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ATTACHMENT 6
WRITTEN COMMENT FORM FOR PUBLIC SCOPING MEETING

**(Self-addressed Form was distributed at Public Scoping Meeting of January 20, 2011.
HOWEVER, none was returned to BOP.)**



Leavenworth, Kansas | January 20, 2011



FEDERAL BUREAU
of PRISONS

FCI & FPC LEAVENWORTH Environmental Impact Statement

Leavenworth, Kansas | January 20, 2011

Please submit your comments tonight at the sign-in desk
or complete this paper copy and send by U.S. Mail.

Comments can also be sent via fax to (202) 616-6024
Attn: Mr. Richard A. Cohn or Ms. Bridgette Lyles,
Capacity Planning & Site Selection Branch

Please provide **your comments by January 30, 2011** to ensure consideration in the EIS.

FOLD HERE AND SECURE EDGES WITH CLEAR TAPE

FOLD HERE AND SECURE EDGES WITH CLEAR TAPE

NAME: _____

ADDRESS: _____

PLEASE PLACE
APPROPRIATE
POSTAGE HERE

Federal Bureau of Prisons

Attn: Mr. Richard A. Cohn or Ms. Bridgette Lyles
Capacity Planning & Site Selection Branch
320 First Street, NW
Room 5006
Washington, DC 20534

ATTACHMENT 7
PUBLIC SCOPING MEETING TRANSCRIPT

(Including Verbal Comments Received at Public Scoping Meeting of January 20, 2011)

PUBLIC SCOPING MEETING
PROPOSED FEDERAL CORRECTIONAL INSTITUTION
JANUARY 20, 2011
THURSDAY
7:00 P.M.
RIVERFRONT COMMUNITY CENTER
123 S. ESPLANADE STREET
LEAVENWORTH, KANSAS 66048

1 MS. BRIDGETTE LYLES: Good evening.
2 We're going to get started this evening with our
3 scoping meeting. And I would just like to
4 introduce myself. I'm Bridgette Lyles and I am a
5 Site Selection Specialist with the Federal Bureau
6 of Prisons in our Central Office. I'm here this
7 evening to conduct a public scoping meeting for a
8 new Federal Correctional Institution and Prison
9 Camp proposed for development within the BOP's
10 Leavenworth, Kansas property.

11 Before we get started this evening,
12 I'd like to express our appreciation to Warden
13 Claude Chester and all the staff at Leavenworth
14 for all their assistance, and also to the City of
15 Leavenworth for the use of the Riverfront
16 Community Center for tonight's meeting.

17 I would also like to introduce
18 several of the persons that are here with me this
19 evening from our Central Office. Joining me is
20 Richard Cohn, he is the Chief of the Capacity
21 Planning and Site Selection Branch. And also
22 from the Bureau Central Office we have Mr. Mitch
23 Miskimins and Mr. Keith Robinson. They're
24 members of the Bureau's Design and Construction
25 Branch and will serve as our Project

1 Administrator and Project Managers for the
2 project. And also with us this evening we have
3 Cristy Boyd, our Project Manager with The Louis
4 Berger Group. We also have Jess Commerford who
5 serves as the Principal-in-Charge for the
6 project, along with Bill Yord, Brenda Thereoff,
7 Natasha Vesser and Mr. Doug Ganey, and all of
8 them are with The Louis Berger Group who serve as
9 our environmental consultants. The Louis Berger
10 Group is our environmental consulting firm who
11 the Bureau contracted with to assist us in
12 preparing our Environmental Impact Statement.

13 And, lastly, I would like to
14 introduce Ms. Mary Kay Martin, of E-Court
15 Reporting Service, who is here to prepare a
16 transcript of this evening's meeting.

17 As I mentioned, the Bureau is here
18 because we are considering constructing a new
19 Federal Correctional Institution and a Prison
20 Camp within the grounds of the United States
21 Penitentiary in Leavenworth. The Federal
22 Correctional Institution would be capable of
23 housing up to 1500 medium-security inmates, while
24 the Federal Prison Camp would be capable of
25 housing approximately 300 minimum-security

1 inmates. Now, contained within your handout is a
2 map depicting the areas to be studied as part of
3 the environmental impact study process as well as
4 additional information about the Bureau of
5 Prisons and the proposed project.

6 I first want to express our
7 appreciation to everybody for coming out this
8 evening, especially in this weather, to attend
9 our scoping meeting. Now, this is your first
10 formal opportunity to learn about the project and
11 to influence the scope and the direction of this
12 important undertaking. We are particularly
13 interested in your opinion about the proposed
14 project and those issues and concerns that the
15 Bureau and its consultants need to focus upon as
16 we conduct the environmental impact study.
17 Issues that are important to you are important to
18 us. So sharing your interests and concerns with
19 us tonight will allow us to address all of your
20 concerns or issues during the preparation of the
21 environmental impact study.

22 Now, as you know, the Leavenworth
23 Penitentiary was constructed over one hundred
24 years ago. Now, although the appearance of our
25 facilities has significantly changed since

1 Leavenworth was constructed, the designs employed
2 by the Bureau have been highly effective in
3 containing our inmates in our facilities.
4 Furthermore, we are continually improving upon
5 the design and operation of our institutions.
6 In fact, although the design plans for the new
7 facilities at Leavenworth are still in the very
8 preliminary stages, we are pleased to report that
9 our team is moving forward to create a more
10 sustainable design concept. One of the
11 components will involve the identification of
12 alternative energy sources for use at the
13 proposed Leavenworth facilities in an effort to
14 conserve natural resources. These measures are
15 intended to considerably reduce consumption of
16 energy and water usage at the new facilities.

17 Leavenworth has been hosting a
18 federal prison facility longer than any community
19 in the Nation and citizens here should be very,
20 very proud of the management associated with the
21 operation of the facility.

22 Building and operating an
23 additional Federal Correctional Institution and
24 Federal Prison Camp would have a substantial
25 economic impact here in the community.

1 Construction of the new Federal Correctional
2 Institution and Camp is expected to cost in
3 excess of \$325 million. Following the completion
4 of the construction and during the operation, the
5 new facilities will employ approximately 300
6 additional staff and have an annual operating
7 budget of approximately \$40 million. Much of
8 that budget will be spent on employee salaries,
9 utilities, and the purchase of goods and
10 services. We hope that the residents of
11 Leavenworth County and surrounding areas make
12 note of the new opportunities for employment at
13 the new facilities.

14 Now, this evening we are governed
15 by the National Environmental Policy Act, which
16 is also known as NEPA. You'll hear us refer to
17 NEPA throughout this evening. And one of the
18 aspects of NEPA is to ensure that before the
19 Federal Government undertakes a major project or
20 major action, such as constructing a new federal
21 correctional facility, that we make the public
22 aware and give you an opportunity to participate
23 in the decision-making process. It is for that
24 reason that we are here this evening. We view
25 NEPA as an opportunity to learn about the

1 public's interests and concerns about the
2 proposed project and to do so early enough in the
3 process so that we can address those concerns
4 properly. So you're encouraged to make your
5 interests and concerns about the proposal known
6 to us. There are no issues too inconsequential
7 for us to consider this evening and in preparing
8 the environmental impact statement.

9 Most of tonight's meeting will be
10 devoted to hearing from the public. So for those
11 of you who wish to speak this evening, we offer
12 two choices. First, you can give us your name to
13 be put on a list of people who wish to speak or,
14 for those who are not sure at this time whether
15 or not you wish to speak, before we conclude the
16 meeting this evening I'll ask if anyone else
17 would like to make a comment.

18 Tonight you will have the
19 opportunity to offer comments and concerns about
20 the proposed project. However, this evening is
21 not a question and answer session. You will be
22 offered an opportunity to comment for the record
23 about this particular proposal. And while
24 there's really no limit to what you can say, we
25 do ask that your remarks remain focused on the

1 project and the possible impacts of the project.
2 We're really not here to discuss other issues
3 facing the City of Leavenworth this evening or
4 Leavenworth County. All verbal comments this
5 evening will be made part of the public record
6 and in the written transcript which will be
7 published in the Draft Environmental Impact
8 Statement and that is the reason for having the
9 court reporter with us tonight.

10 At this time I would like to
11 introduce Cristy Boyd with The Louis Berger
12 Group, she's our Project Manager for the
13 preparation of the Environmental Impact
14 Statement.

15 Cristy.

16 MS. CRISTY BOYD: Hello, everybody.
17 My name is Cristy Boyd and I'm the Project
18 Manager for the Leavenworth Environmental Impact
19 Statement and a Principal Environmental Scientist
20 with The Louis Berger Group. As Ms. Lyles
21 mentioned, The Louis Berger Group is assisting
22 the Federal Bureau of Prisons in the preparation
23 of the Draft Environmental Impact Statement,
24 generally referred to as an EIS, for the proposed
25 development of a new Federal Correctional

1 Institution and Federal Prison Camp to be located
2 on Bureau-owned property at the existing United
3 States Penitentiary in Leavenworth. Ms. Lyles
4 has already provided background information
5 concerning the purpose and objective of this
6 project. My responsibility tonight will be to
7 address the EIS process and the way in which a
8 decision will be made whether or not to proceed
9 with the development of a new Federal
10 Correctional Institution and Prison Camp.

11 This evening's meeting is the
12 formal beginning of the EIS process. The process
13 will serve to evaluate the potential impacts of
14 developing a new Federal Correctional Institution
15 and Prison Camp in Leavenworth. For almost two
16 years now, Bureau officials have been
17 investigating the possibility of developing an
18 additional correctional institution at its
19 Leavenworth property. Bureau staff have met with
20 local, state and federal officials to discuss the
21 possible development of such an institution and
22 has been assessing, on a preliminary basis, the
23 development of such a facility at several
24 possible locations on BOP-owned property in
25 Leavenworth. However, tonight begins the process

1 of gathering detailed information and conducting
2 a more rigorous analysis as part of the Bureau's
3 planning process and prior to making any formal
4 decision.

5 As Ms. Lyles mentioned, this
6 process is required by the National Environmental
7 Policy Act, generally referred to as NEPA. NEPA
8 was signed into law over forty years ago with
9 overwhelming support, which increased
10 environmental awareness and citizen participation
11 in government. It established concrete
12 objectives for Federal agencies to enforce these
13 principles, while emphasizing public involvement
14 to give all citizens a role in protecting our
15 environment. It is this Act that requires the
16 Bureau of Prisons to consider how development of
17 a new Federal Correctional Institution and Prison
18 Camp affects the environment and to make certain
19 that those impacts are taken into account in the
20 decision-making process. The first document
21 produced from the NEPA study effort is known as a
22 Draft Environmental Statement, or a Draft EIS.
23 The Draft EIS is an interim document which will
24 describe the potential impacts, positive and
25 negative, direct and indirect, resulting from the

1 development of new correctional facilities.

2 Implementation of the NEPA process
3 began with the Notice of Intent to Prepare the
4 Draft EIS. The official Notice was published in
5 the Federal Register on December 29th, 2010. The
6 process of producing the Draft EIS begins with an
7 activity known as "scoping." Scoping is an
8 effort to ensure that the scope or range of
9 potential environmental issues is properly
10 conceived. It is for this reason that tonight's
11 meeting is referred to as a "Scoping Meeting."
12 This process is designed to ensure everyone
13 concerned with the action has an opportunity to
14 voice his or her interests and concerns and to
15 offer information that may be useful in
16 determining the full range of the potential
17 environmental impacts resulting from the proposed
18 action.

19 Over the past decade, the Bureau's
20 Capacity Planning and Site Selection Branch has
21 been investigating the possibility of developing
22 new correctional facilities and have examined
23 numerous potential sites throughout the nation.
24 Alternative locations have been considered
25 throughout the region, and the land surrounding

1 the United States Penitentiary property in
2 Leavenworth was found to meet the Bureau's siting
3 and development criteria. Several alternative
4 development sites located within the Leavenworth
5 Penitentiary property will be analyzed and
6 evaluated during preparation of the Draft EIS.

7 The Draft EIS will include an
8 Introduction describing the purpose of the report
9 and the regulations under which the EIS process
10 is conducted. It will offer information
11 regarding the purpose and objectives of the
12 project and the need to provide additional
13 bedspace to house inmates originating from the
14 north-central region of the country. Much of the
15 document will be devoted to a description of
16 conditions in and around the proposed project
17 area, and an analysis of potential impacts of
18 developing the proposed correctional institution
19 based on information gathered from other federal,
20 state, regional, and local government agencies,
21 as well as members of the public.

22 Both site-specific topics and
23 issues of local and regional concern will be
24 addressed in the EIS. Topics will include
25 topography, geology, soils, water resources,

1 cultural resources, hazardous waste, biological
2 resources, traffic, air quality, noise
3 conditions, impacts to local and regional land
4 use plans, utility services, public services, and
5 the affect on the economy and other aspects of
6 developing such a facility. If the proposed
7 project results in potentially adverse impacts,
8 measures to mitigate such impacts will also be
9 proposed in the document. The report will
10 include a list of recipients of the EIS, the
11 individuals responsible for its preparation, and
12 a list of references. We expect to learn a great
13 deal about the potential impacts of this action
14 during this process which formally begins with
15 this scoping meeting.

16 Once the Draft EIS is prepared, it
17 will be widely circulated with opportunities for
18 all concerned parties to review and critique the
19 document. The purpose in doing so is to give
20 everyone with an interest in the proposed action
21 an opportunity to review the evaluations,
22 question any areas of concern, and offer
23 additional information that should be taken into
24 account by the Bureau during the decision-making
25 process. A public hearing, similar to tonight's

1 meeting, will be held during the Draft EIS review
2 process lasting no less than 45 days. All
3 comments and additional information collected
4 during that review process will be taken into
5 account during preparation of the Final EIS and
6 will be responded to by the Bureau in the Final
7 document.

8 Publication of the Final EIS will
9 initiate a second review period, this one lasting
10 for not less than 30 days. At the end of that
11 period, any additional comments received will be
12 taken into consideration and the Bureau will only
13 then issue its decision as to whether or not they
14 will proceed with the proposed project.

15 My remarks this evening are
16 intended simply to provide a brief summary of the
17 function, purpose, and NEPA process in preparing
18 the Draft EIS document. However, our primary
19 purpose tonight is to obtain your thoughts and
20 comments. We look forward to receiving them and
21 very much appreciate your participation in this
22 process.

23 I'll now turn the podium back to
24 Ms. Lyles who will open the meeting to the
25 public.

1 MS. BRIDGETTE LYLES: If you signed
2 up to make a comment this evening or if you would
3 like to speak and you haven't had a chance to
4 sign up, we would like to open up this time for
5 you to come up and come to the microphone and
6 make any comments you may have on the proposed
7 project. And if you would, give us your name,
8 your first and last name, so that we can have it
9 in the record for the court reporter.

10 Do we have any speakers for this
11 evening?

12 (No response.)

13 MS. CRISTY BOYD: Nobody?

14 MR. WILLIAM R. THOMASSET: I would
15 like to.

16 MS. CRISTY BOYD: Great.

17 MR. WILLIAM R. THOMASSET: I'm Bill
18 Thomasset. I'm with Michaels Military Housing.
19 We operate the family housing on Fort
20 Leavenworth. We're your neighbor. We're on
21 federal property but we lease the property or
22 there's a contractual relationship. And we just
23 want to be sure that we're involved in the
24 process and I think I now am. So, you know, we
25 want to be good neighbors and we want you all to

1 be good neighbors and play fair. Okay? Thanks.

2 MS. CRISTY BOYD: If anybody would
3 like to be on the EIS mailing list, if you could
4 come see me after the meeting I'll make sure that
5 you get on the mailing list so you get the Draft
6 EIS.

7 MS. BRIDGETTE LYLES: Do we have
8 any other speakers?

9 MR. JOHN SANDERS: Question. Has
10 the decision been made as to whether you're going
11 to go on the east or west?

12 UNIDENTIFIED AUDIENCE MEMBER: We
13 can't hear the question.

14 MS. BRIDGETTE LYLES: And could you
15 give us your name, sir.

16 MR. JOHN SANDERS: Yes. My name is
17 John Sanders and I'm the President of the Board
18 of Directors of the Leavenworth Historical Museum
19 Association. And what we were interested in is
20 has there been any decision as to whether you are
21 going to construct this on the east side or the
22 west side? And the reason I'm asking you that
23 question is because our Trolley Club that belongs
24 to the Leavenworth Historical Museum Association
25 during the spring, summer and fall, we have a

1 trolley tour of Leavenworth which takes one hour,
2 and one of the big highlights of that to work, of
3 course, is the Federal Penitentiary. And what we
4 do is we take the trolley down and drive up to
5 where the viewing stand is for the buffalo, which
6 is on the west side. And, you know, the Buffalo
7 Bill Committee, which was established here years
8 ago, were the original people who bought the
9 buffalo and turned them over to the federal
10 prison system. And, of course, I'm sure there
11 has been a lot of turnover of buffalo since.

12 But if there's any way we could --
13 we want to support you, but we would like to put
14 in our request that it be built on the east side
15 because we would like to continue to have the
16 tour so we could go up and people could see the
17 buffalo. And then, of course, you know, we
18 encourage people up there to sing the state song,
19 which is "Home on the Range." And it's a great
20 feature and it's a great thing to talk about as
21 far as history of Leavenworth because, as we all
22 know, this has been a very important part of
23 that.

24 MS. BRIDGETTE LYLES: It has.

25 MR. JOHN SANDERS: So we would like

1 to see you put it on the east side.

2 MS. BRIDGETTE LYLES: Okay. Thank
3 you.

4 At this time we have not made a
5 decision on which site that we would proceed
6 with. We're in the very early stages of the
7 project, and so both the east and the west sites
8 will be studied equally. So right now we aren't
9 making any decisions and we really haven't
10 decided to lean towards one site more than the
11 other. So both sites right now are being
12 studied.

13 And, sir, do you have a comment?

14 MR. DAVE KNORR: Yes.

15 MS. BRIDGETTE LYLES: Come up to
16 the microphone and give us your name.

17 MR. DAVE KNORR: My name is Dave
18 Knorr and I live about two blocks from the
19 penitentiary. First, I would like to address
20 this gentleman's issue. He hasn't been out there
21 lately. The thing is gone.

22 MR. JOHN SANDERS: Yeah. Well,
23 yeah, it's --

24 MR. DAVE KNORR: And it's up on top
25 of a hill on the old Metropolitan Street. So his

1 concerns are -- you're going to be able to see
2 everything anyway from there.

3 MR. JOHN SANDERS: But we want the
4 buffalo to stay there.

5 MR. DAVE KNORR: Yeah. Okay.

6 MR. JOHN SANDERS: That's our main
7 point.

8 MR. DAVE KNORR: Okay. My thought
9 on the matter is I live two blocks from it, from
10 the penitentiary. I have neighbors who work at
11 the penitentiary, at the Bureau of Prisons I
12 guess you call them, and they have always been
13 fine, upstanding people, they help the community.
14 And to have more of them in this community, it
15 would only be an advantage to the community. So
16 wherever you put it, just get it done. Thank
17 you.

18 MS. BRIDGETTE LYLES: Thank you.

19 Do we have any other speakers that
20 would like to come forward?

21 MR. DALE CLELAND: I'm Dale
22 Cleland. I'm representing Fort Leavenworth this
23 evening. And, Cristy, you and I have already
24 spoken --

25 MS. CRISTY BOYD: Yes.

1 MR. DALE CLELAND: -- so some of
2 this is redundant. The Fort would just like to
3 make sure that the EIS process is aware that on
4 the east site and land adjacent to the west site
5 there have been previous environmental issues
6 that may or may not have been cleaned up under
7 the CERCLA program. We have documentation of the
8 presence of them but not of the resolution of
9 them, so we just want to be sure that it takes
10 that into consideration.

11 An extension of that is both sites
12 feed down into the Corral Creek watershed.
13 Corral Creek then runs across the Fort and
14 empties into the Missouri where the pallid
15 sturgeon and endangered species has its spawning
16 areas, so that has to be taken into
17 consideration. The east site also has one of our
18 primary electrical feeds running through it, so a
19 construction or project cost has to be considered
20 for relocation of that feed. And then, of
21 course, anyone who has ever come in Grant Avenue
22 gate is concerned about traffic flow. So we just
23 want to be on record that those, among other
24 things, get considered in the EIS. And I think
25 Doug is going to meet with us tomorrow about one

1 of those.

2 MR. DOUG GANEY: I am.

3 MS. BRIDGETTE LYLES: Thank you,
4 sir.

5 Do we have any other speakers?

6 (No response.)

7 MS. BRIDGETTE LYLES: And I would
8 like to just share with you that if there is a
9 question or a comment that you have that you
10 think of after you leave this evening, please
11 don't hesitate to contact us. Our contact
12 information is on the back of this Scoping
13 Meeting handout where you can contact myself or
14 Mr. Cohn in our Capacity Planning and Site
15 Selection Branch. You can mail in your comments,
16 our fax number is also on there, or just give us
17 a call and we will definitely take any
18 information that you would like to share with us
19 to be included in part of the environmental
20 impact study that Berger will be working on with
21 us.

22 MS. CRISTY BOYD: There are also
23 written comment forms on the back table where you
24 can just fold them over and they're
25 self-addressed so...

1 MS. BRIDGETTE LYLES: Well, if we
2 have no more speakers -- just one last call for
3 any speakers this evening?

4 (No response.)

5 MS. BRIDGETTE LYLES: -- I would
6 like to thank everyone for coming out and joining
7 us for the public scoping meeting for the
8 Leavenworth project. We really appreciate you
9 being here with us this evening. And we look
10 forward to working with you throughout the
11 environmental impact study process.

12 We'll let the record show that the
13 meeting ended at 7:32 p.m. And we thank you for
14 participating and please have a safe journey
15 home.

16 * * * * *

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CERTIFICATE

I, MARY K. MARTIN, a Certified
Shorthand Reporter within and for the State of
Kansas, of E-Court Reporting, L.L.C., do hereby
certify that I was present at the proceedings as
set forth in the caption sheet hereof; that I
then and there took down in shorthand the
proceedings had at that time, and the foregoing
pages constitute a true and accurate transcript
of the shorthand notes made at that place and
time.

IN WITNESS WHEREOF, I have hereunto set
my hand this 24th day of January, 2011.

MARY K. MARTIN, CSR #0734
Certified Shorthand Reporter
State of Kansas

ATTACHMENT 8
WRITTEN COMMENTS RECEIVED
DURING FORMAL PUBLIC SCOPING COMMENT PERIOD

(Comment Period ended on January 30, 2011)

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Ste. 400
Topeka, KS 66612-1367



Phone: 785.296.1535
Fax: 785.296.8464
www.kdheks.gov

Robert Moser, MD, Acting Secretary

Department of Health & Environment

Sam Brownback, Governor

Comments by: KDHE

Transmittal Date: January 24, 2011

This form provides notification and the opportunity for your agency to review and comments on this proposed project as required by Executive Order 12372. Review Agency, please complete Parts II and III as appropriate and return to contact person listed below. Your prompt response will be appreciated.

RETURN TO: Cristy Boyd, Project Manager
The Louis Berger Group, Inc.
1250 23rd Street N. W.
Washington, D.C.

PART I REVIEW AGENCIES/COMMISSION

<input type="checkbox"/> Aging	<input type="checkbox"/> Education	<input type="checkbox"/> State Forester
<input type="checkbox"/> Agriculture	<input type="checkbox"/> Geological Survey, KS	<input type="checkbox"/> Transportation
<input type="checkbox"/> Biological Survey	<input checked="" type="checkbox"/> Health & Environment	<input type="checkbox"/> Water Office, KS
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Historical Society	<input type="checkbox"/> Wildlife & Parks
<input type="checkbox"/> Corporation Commission	<input type="checkbox"/> Social & Rehabilitation	<input type="checkbox"/> Commerce

PART II AGENCY REVIEW COMMENTS

COMMENTS: (Attach additional sheet if necessary) Re: Construct a Federal Correctional Institution and Federal Prison Camp in Leavenworth, Kansas

Please see the enclosed comments submitted by Don Carlson, Kathleen Bleach and Travis Daneke.

PART III RECOMMENDED ACTION COMMENTS:

<input checked="" type="checkbox"/> Clearance of the project should be granted.	<input type="checkbox"/> Clearance of the project should not be delayed but the Applicant should (in the final application) address and clarify the question or concerns indicated above.
<input type="checkbox"/> Clearance of the project should not be granted.	
<input type="checkbox"/> Clearance of the project should be delayed until the issues or questions above have been clarified.	<input type="checkbox"/> Request the opportunity to review final application prior to submission to the federal funding agency.
<input type="checkbox"/> Request a State Process Recommendation in concurrence with the above comments.	

DIVISIONS/ AGENCY/ COMMISSION

A handwritten signature in black ink that reads "John W. Mitchell".

John W. Mitchell, Director
Division of Environment

cc: [illegible]

cc: [illegible]

JM/df

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 400
Topeka, KS 66612-1367



Phone: 785.296.1535
Fax: 785.296.8464
www.kdheks.gov

Robert Moser, MD, Acting Secretary

Department of Health & Environment

Sam Brownback, Governor

January 24, 2011

Cristy Boyd, Project Manager
The Louis Berger Group, Inc.
1250 23rd Street N.W.
Washington, D.C. 20037

Re: Construct a Federal Correctional Institution and Federal Prison Camp
Fort Leavenworth, Kansas

Dear Ms. Boyd:

I have no objection to the proposal but offer the following comment for review and consideration:

Any construction activity which disturbs one acre or more is required to file a National Pollutant Discharge Elimination System (NPDES) permit application for stormwater runoff resulting from construction activities. The project owner (party responsible for the project) must obtain authorization from KDHE to discharge stormwater runoff associated with construction activities prior to commencing construction. The Kansas construction stormwater general permit, a Notice of Intent (application form), a frequently asked questions file and supplemental materials are on-line on the KDHE Stormwater Program webpage at www.kdhe.state.ks.us/stormwater. Answers to questions regarding or additional information concerning construction stormwater permitting requirements can be obtained by calling 785.296.5549.

Sincerely,

Donna Fisher
Director's Office

DC/df



Robert Moser, MD, Acting Secretary

Department of Health & Environment

Sam Brownback, Governor

MEMORANDUM

TO: Donna Fisher

CC: Scott Yankey → File: USP Leavenworth Landfill, C4-052-03024(2)
Leavenworth – USP Site A, 052-USP-SITEA
Leavenworth – USP Site B, 052-USP-SITEB

FROM: Kathleen Bleach

DATE: January 19, 2011

RE: Intergovernmental Review requested by The Louis Berger Group, Inc for the construction of a Federal Correctional Institution and Federal Prison Camp in Leavenworth, KS

The Kansas Department of Health and Environment (KDHE), Bureau of Environmental Remediation (BER), Assessment and Restoration Section, Landfill / Drycleaner Remediation Unit has three solid waste sites on the Bureau of Prisons Property.

KDHE-BER does not allow construction on Closed Solid Waste sites. Any construction must avoid disturbing the buried solid waste or the landfill cap material. Should construction expose any wastes, the wastes exposed must be transported to and disposed of in a KDHE approved landfill.

Staff from The Louis Berger Group, Inc are welcome to come view the KDHE-BER files in accordance with the Kansas Open Records Act. If you have any questions, please contact me at (785) 296-6377 or email kbleach@kdheks.gov



Robert Moser, MD, Acting Secretary

Department of Health & Environment

Sam Brownback, Governor

MEMORANDUM

TO: Donna Fisher

CC: Fort Leavenworth (C4-052-70004)

FROM: Travis Daneke

DATE: January 19, 2011

RE: Environmental Audit Requested for a property located in Leavenworth, KS by Christy Boyd of the Louis Berger Group Inc., Washington D.C.

The Kansas Department of Health and Environment (KDHE), Bureau of Environmental Remediation (BER), Assessment and Restoration Section has located six (6) known RCRA sites in the vicinity of the area in question.

- Fort Leavenworth Landfill (C4-052-71244)
- Fort Leavenworth - FTL-01 inactive landfill (C4-052-71480)
- Fort Leavenworth - FTL-13 used oil tank, building 689 (C4-052-71498)
- Fort Leavenworth - FTL-35 wash rack, building 571 (C4-052-71520)
- Fort Leavenworth - FTL-44 incinerator, building 632 (C4-052-71529)
- Fort Leavenworth - FTL-66 5th artillery road (C4-052-71551)

The proposed project is located within one mile of the above listed active RCRA Sites. Staff members from the Louis Berger Group are welcome to come view the KDHE/BER files in accordance with the Kansas Open Records Act or get a general description form our Identified Site List at http://www.kdheks.gov/remedial/isl_disclaimer.htm . If you have any questions, please contact Travis Daneke at (785) 296-6378 or at tdaneke@kdheke.gov



FORT LEAVENWORTH FRONTIER HERITAGE COMMUNITIES II, LLC

24 January 2011

Mr. Richard A. Cohn
Ms. Bridgette Lyles
Capacity Planning & Site Selection Branch
Federal Bureau of Prisons
320 First Street, NW Room 5006
Washington DC 20534

Re: FCI & FCP Leavenworth EIS

Mr. Cohn & Ms. Lyles:

Fort Leavenworth Frontier Heritage Communities owns and operates family housing on federal land immediately adjacent to the two sites being considered for development for the proposed new FCI and FCP at Leavenworth, KS. We request the opportunity to be informed by BOP with respect to the ongoing planning and design of these new facilities.

We have concerns relative to the potential for the incompatibility of adjacent land uses should your project go forward. Since your site has yet to be selected and the design has yet to be developed, our concerns will no doubt be alleviated as more information becomes available. To this end, we request that BOP maintain an open line of communication with our organization.

Concerns we have identified to date include: site drainage, lighting, visual aesthetics, noise, and cameras. We are interested in where training activities might occur and where the facilities might have loading docks or other transportation related activities. With buffer zones or other type of screening and light restrictions, we believe most, if not all, concerns will be mitigated.

We request you keep us informed of opportunities to participate in your process. Please contact us, as appropriate, while your project goes through the EIS and into the design.

Sincerely,

Bryan K. Market
Project Director



MICHAELS MILITARY HOUSING

549 Kearney Ave
PO Box 3387
Fort Leavenworth, KS 66027
Phone (913) 682-6300 Fax (913) 682-6394
<http://www.ftleavenworthfamilyhousing.com>

109 SW 9th Street
4th Floor
Topeka, Kansas 66612-1280



phone: (785) 296-3556
fax: (785) 296-8389
www.ksda.gov
ksag@kda.ks.gov

Office of the Secretary
Kansas Department of Agriculture

Sam Brownback, Governor
Dale A. Rodman, Acting Secretary

Bridgette Lyles, Site Selection Specialist
Federal Bureau of Prisons
320 First Street, NW
Washington, D.C. 20534

January 25, 2011

RE: Leavenworth U.S. Penitentiary

Dear Ms. Lyles:

This will acknowledge receipt of a letter and attachments from Cristy Boyd, Project Manager, with The Louis Berger Group, Inc, concerning the proposal to construct a Federal Correctional Institution and Federal Prison Camp within the U.S. Penitentiary in Leavenworth, Kansas.

Based upon the information provided, it does not appear that the project will require any permitting from this Agency. The two proposed sites are not located in the floodplain.

We do not plan to have anyone attend the upcoming scoping meeting, but do appreciate the invitation. As the project proceeds and more details are determined, we would be happy to provide any additional input that may be required.

Sincerely,

Bob Lytle
Environmental Scientist



TRIBAL HISTORIC PRESERVATION OFFICE

Date: January 25, 2011

File: 1011-733KS-1

RE: Federal Bureau of Prisons Construction of a Federal Correctional Institution and Federal Prison Camp in Leavenworth, Leavenworth County, Kansas

Richard A. Cohn
Federal Bureau of Prisons
320 First Street, NW
Washington, D.C. 20534

Dear Mr. Cohn,

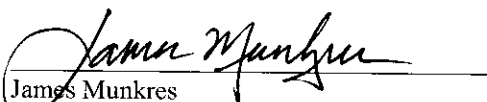
The Osage Nation Historic Preservation Office has received notification of the proposed project listed as Federal Bureau of Prisons Construction of a Federal Correctional Institution and Federal Prison Camp in Leavenworth, Leavenworth County, Kansas.

In accordance with the National Historic Preservation Act, (NHPA) [16 U.S.C. 470 §§ 470-470w-6] 1966, undertakings subject to the review process are referred to in S101 (d)(6)(A), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969).

The Osage Nation has a vital interest in protecting its historic and ancestral cultural resources. **The Osage Nation requests that a cultural reconnaissance survey be conducted for the proposed Federal Bureau of Prisons Construction of a Federal Correctional Institution and Federal Prison Camp in Leavenworth, Leavenworth County, Kansas.**

Please contact the Osage Nation Historic Preservation Office with your response to this request. The Osage Nation looks forward to receiving and reviewing the cultural resource survey report for the Federal Bureau of Prisons Construction of a Federal Correctional Institution and Federal Prison Camp in Leavenworth, Leavenworth County, Kansas. The Osage Nation requires that cultural resource survey personnel and reports follow the Secretary of Interior's standards and guidelines.

Should you have any questions or need any additional information please feel free to contact me at the number listed below. Thank you for consulting with the Osage Nation on this matter.


James Munkres
Archaeologist I

United States Department of Agriculture



Natural Resources Conservation Service
760 South Broadway
Salina, Kansas 67401-4604

Phone: 785-823-4500
FAX: 785-823-4540
www.ks.nrcs.usda.gov

January 27, 2011

Richard A. Cohn, Chief
Capacity Planning and Site Selection Branch
Federal Bureau of Prisons
320 First Street, NW
Washington, D.C. 20534

Dear Mr. Cohn:

Based on the information provided in your cover letters dated January 10 & 14, 2011, requesting comments, interests and concerns regarding the proposal to construct a correctional institution and prison camp at Leavenworth, Kansas, the Natural Resources Conservation Service submits the following request indicated below, please include maps, legal descriptions of the project areas.

- ☐ The project is not subject to the Farmland Protection Policy Act as no farmland is being converted to nonagricultural use.
- ☒ Your request needs to be accompanied with Form AD-1006, Farmland Conversion Impact Rating (or Form NRCS-CPA-106, Farmland Conversion Impact Rating for Corridor Projects) with parts I and III filled out. (Form AD-1006 is available at www.nrcs.usda.gov/programs/fppa/pdf_files/AD1006.PDF and Form NRCS-CPA-106 at www.nrcs.usda.gov/Programs/fppa/pdf_files/CPA106.pdf.) Please submit the completed form(s) to me at the above address or by e-mail to susie.mcbride@ks.usda.gov. Additionally, please provide the section, township and range of the project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susie", written in dark ink.

SUSIE M. MCBRIDE
Soil Conservationist

Leavenworth Water Department

601 Cherokee, P. O. Box 576
Leavenworth, Kansas 66048-0576
913-682-1513
913-682-0627 (facsimile)
www.lvnwater.com

Developing and delivering the highest
quality water for Leavenworth
County, Kansas since 1882

January 28, 2011

Richard A Cohn
Bridgette Lyles
Federal Bureau of Prisons
Capacity Planning & Site Selection Branch
320 First Street, NW
Room 5006
Washington, DC 20534
(202-616-6024 facsimile)

RE: FCI & FPC Leavenworth EIS

Dear Mr. Cohn and Ms. Lyles:

As you know, the Leavenworth Water Department provides potable water to the existing federal penitentiary in Leavenworth. As such the Federal Bureau of Prisons is an important customer to the Water Department.

Please know that the Water Department has sufficient capacity and infrastructure to meet the needs of the planned new security facility in Leavenworth for each of the alternative locations under consideration.

We look forward to working with the Bureau of Prisons as the project moves forward.

Leavenworth Water Department
Sincerely,



John M. Kaufman, General Manager



January 31, 2011

Mr. Richard Cohn, Chief
Capacity Planning & Site Selection Branch
320 First Street, NW
Room 5006
Washington, DC 20534

RE: FCI & FPC Leavenworth
Environmental Impact Statement

Dear Mr. Richard Cohn:

Representatives of the City of Leavenworth attended the scoping meeting held at the Riverfront Community Center in Leavenworth KS on January 20, 2011. City Staff requests that the following items be considered as part of the EIS process:

1. A Traffic Study related to access to all entrances to Leavenworth FBOP facilities be completed as part of the EIS. There are currently several entrances to the facilities on Metropolitan Avenue. An additional facility would be expected to add significant numbers of vehicles and congestion.
2. Improve storm water run-off quality and quantity issues for all water that exits FBOP property to meet NPDES requirements.
3. Ensure sanitary sewer quantity and quality meets City requirements. Provide information related to projected volume, timing and routing of wastewater flows from the new facility. It may be necessary to verify collection system capacity through a flow study.
4. Ensure that any overflows that may occur from Sanitary Sewer facilities are able to be contained and treated on FBOP property.
5. Continue the long history of maintaining public viewing of buffalo near FBOP facilities.

There may be additional items of concern develop as this process continues. The City of Leavenworth looks forward to continued discussion with FBOP staff and representatives to move forward on this important project.

Sincerely,



Michael McDonald P.E.,
Director of Public Works

Cc J. Scott Miller, City Manager



The Pawnee Nation of Oklahoma
Tribal Historic Preservation Office
657 Harrison Street
Post Office Box 470
Pawnee, Oklahoma 74058
(918) 762-3654 Ext. 24
(918) 762-3662



January 31, 2011

Bridgette Lyles, Site Selection Specialist
Capacity Planning and Site Selection Branch
Federal Bureau of Prisons
320 First Street NW
Washington, D.C. 20534

RE: Requests for comment on proposal to construct a federal correctional institution and federal prison camp in Leavenworth, Kansas.

Dear Bridgette:

Thank you for submitting the referenced project proposal for our review and comment. Our comment on this project and its potential to affect historic properties is required by Section 106 of the National Historic Preservation Act of 1966, as amended, and implementing regulations 36 CFR Part 800.

Given the information provided, the Pawnee Nation has no known historic properties that would be affected by the project as proposed. Therefore, in accordance with 36 CFR 800.4(d) (1), you may proceed with the project(s) as planned.

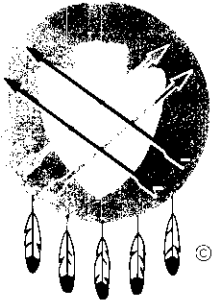
Please retain this correspondence and your documented finding in order to show compliance with Section 106 of the National Historic Preservation Act, as amended. If you have any questions please do not hesitate to contact our office at (918) 762-3654 Ext. 24.

Sincerely,

A handwritten signature in cursive script that reads "Alice A. Alexander".

Alice A. Alexander, THPO
Tribal Historic Preservation Office

Xc: THPO



PEORIA TRIBE OF INDIANS OF OKLAHOMA

118 S. Eight Tribes Trail (918) 540-2535 FAX (918) 540-2538

P.O. Box 1527

MIAMI, OKLAHOMA 74355

CHIEF

John P. Froman

SECOND CHIEF

Jason Dollarhide

February 14, 2011

Richard A. Cohn, Chief
Capacity Planning and Site Selection Branch
Federal Bureau of Prisons
320 Frist Street, NW
Washington, DC 20534

RE: Notice of Public meeting to initiate the Environmental Impact Statement Process -
Proposal to construct a Federal correctional institution and Federal Prison Camp

Thank you for notice of the referenced project. Please note that the contact person has changed, Frank Hecksher is the new Section 106/NAGPRA representative. The Peoria Tribe of Indians of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Peoria Tribe request notification and further consultation.

The Peoria Tribe has no objection to the proposed construction. However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

John P. Froman
Chief

xc: Bud Ellis, Repatriation/NAGPRA Committee Chairman

TREASURER
John Sharp

SECRETARY
Hank Downum

FIRST COUNCILMAN
Carolyn Ritchey

SECOND COUNCILMAN
Jenny Rampey

THIRD COUNCILMAN
Alan Goforth