

ENVIRONMENTAL ASSESSMENT
COUNCIL GROVE LAKE, KANSAS
TRANSFER OF LAND
TO THE
KANSAS-OKLAHOMA CONFERENCE OF THE
UNITED CHURCH OF CHRIST

Prepared by
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**ENVIRONMENTAL ASSESSMENT
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FINDING OF NO SIGNIFICANT IMPACT

In response to a request by the Kansas-Oklahoma Conference of the United Church of Christ to exchange lands in their ownership that is inundated by the operation of Council Grove Lake with appropriate lands owned by the U.S. Army Corps of Engineers, the Tulsa District has assessed the environmental impacts. The Corps will exchange 4.79 acres adjoining the White Memorial Camp for 7.51 acres adjoining Council Grove Lake, Kansas. The enclosed environmental assessment indicates the transfer would have no significant impact on the quality of the natural and human environment. Therefore, an environmental impact statement will not be prepared.

Date

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Enclosure
Environmental Assessment

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1. U.S. Environmental Protection Agency
2. U.S. Department of Interior, Fish & Wildlife Service
3. U.S. Department of Agriculture, Natural Resource Conservation Service
4. Kansas State Historical Society
5. Kansas Corporation Commission
6. Kansas Water Office
7. Kansas Biological Survey

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I. AUTHORITIES.

A. COUNCIL GROVE LAKE

Council Grove Lake is located in Morris County, Kansas, on the Neosho River (see Location Map). The lake was authorized for construction by the Flood Control Act, approved 17 May 1950 (Public Law 516, 81st Congress, Chapter 188, 2nd Session). Construction was initiated in 1960 and the lake was placed in full flood control operation in October of 1964. The project is a part of the authorized seven-reservoir system in the Grand (Neosho) River Basin in Kansas and Oklahoma. The four-reservoir system in Kansas includes Council Grove and John Redmond, on the Neosho River, and Marion and Cedar Point (authorized, but not completed) on the Cottonwood River. The projects in Oklahoma are Fort Gibson, Markham Ferry, and Pensacola. The reservoir system, when complete, will be operated for maximum flood control benefits on the Grand (Neosho) River from the damsite downstream to the upper limits of the Pensacola Reservoir, and for recreation purposes. The four-reservoir system in Kansas will have 746,800 acre-feet of water available for flood control storage, water supply, water quality, and recreation.

B. LAND EXCHANGE PROPOSAL

The Fifth Amendment to the Constitution of the United States of America prohibits the taking of private property for public use without just compensation. Prior to closing a dam and filling a reservoir, the Government is required to acquire all interests in real estate estimated to be required. Where it is later discovered that the Government is taking private lands by flooding them without having acquired an interest to legally do so, the government is required to acquire those lands by negotiation, exchange, or condemnation.

The purpose of the land exchange is to transfer all right, title, and interest of approximately 4.79 acres at

Council Grove Lake, Kansas, in exchange for all right, title, and interest of approximately 7.51 acres adjoining the White Memorial Church Camp, which is owned by the Kansas-Oklahoma Conference of the United Church of Christ (see Survey Map).

Currently, at conservation pool 1,274 NGVD, the lake is permanently inundating six areas of the camp that are along the shoreline. These areas contain a scattering of trees and brush along the slopes and small drainages.

The Corps owns higher elevated land around the camp, in elevations ranging from 1282' to 1312' that are primarily grasslands with a few trees and brush. Due to the elevated height of the land, the Corps property to be transferred will not be subjected to flooding as much as the current camp property. A determination of the acreages and location of the lands was agreed upon as a result of a land survey and negotiations with the Kansas-Oklahoma Conference of the United Church of Christ.

C. CAMP DESCRIPTION

The 186-acre camp is located on a peninsula adjacent to Council Grove Lake (see Site Map). The camp cottages can accommodate 96 people, and the dining/activities center can accommodate 200 people for meals and 300 for meetings. A caretaker resides at the camp full time and use of the facilities is restricted to guests. The old water treatment system was taken out of service in the mid-90's and the service lines removed. Potable water for the facilities is supplied by the local rural water district number one. The septic lagoons were expanded in 1999 and are more than enough to provide for the heaviest camp use. There are no current plans to expand the camp.

II. AFFECTED ENVIRONMENT

A. Location. Council Grove Lake is located in the Flint Hills region of east-central Kansas. The damsite is some 3 miles northwest of Council Grove, Kansas on mile 449.9 of the Grand (Neosho) River, 65 miles southwest of Topeka, and 103 miles northeast of Wichita. The camp is one mile from the dam, 11 miles by road, and 12 miles by road from Council Grove.

B. Climate. The Council Grove Lake area has a typical continental climate where summers are warm and winters are moderately cold. The average frost-free season is 172 days from about 23 April to 15 October. Areas that lack good air drainage are especially subject to local frosts when low air stratification permits cold air to fill local depressions. Precipitation is heaviest in late spring and early summer, occurring mostly during thunderstorms. Winters are generally moderate until December, when occasional blizzards may produce short periods of severe weather.

The average annual rainfall is 37 inches. Approximately 70 percent of the total annual precipitation falls during the usual growing season. The summer rate of evapotranspiration is high. This environment provides a climate favorable to outdoor sports and recreation during much of the year.

The county is in the path of the polar continental and gulf moisture air masses, causing the weather to change rapidly and frequently. Prevailing summer winds are from the south. Periods of high wind can be expected in March, April, and May. This time coincides with the period of greatest wind damage susceptibility to newly planted trees and shrubs. Severe storms, with hail and damaging winds, vary widely from year to year. May and June are months of greatest severe storm frequency.

C. Social and Economic Conditions.

1. Social Ecology. The 186-acre camp is used for retreats, seminars, workshops, training sessions and specialty camps for nonprofit organizations, schools, youth groups, etc. This area is considered the social area within which the primary impacts of the proposed land exchange will occur. The area is already quasi-leased to the camp, so there would not be any changes to the local land uses or activities.

2. Population. The U.S. Census Bureau estimates that the county of Morris had a population of 6,104 in 2000, a 1.5% decrease from the 1990 population of 6,198. The State of Kansas posted a population increase of 8.5% during the same period.

3. Employment. Council Grove Lake provides the majority of the recreational opportunities for the region. Services related to providing those opportunities directly and indirectly impacts employment in the county. The majority of

the area's employees work in manufacturing, forestry, and fisheries, retail trade, education, health, and social services sectors.

4. **Income.** The 2000 per capita income (PCI) for residents in Morris County was \$18,491. This is slightly less than the \$20,506 PCI for the State of Kansas and the \$21,587 PCI for the entire United States.

D. **Biological Resources.**

1. **Topography and Soil Types.** The Flint Hills form the western boundary of the Prairie Plains physiographic province and represent the first step in the transition from the hilly Prairie Plains to the flatter and higher terrain of the Great Plains Province of western Kansas. Bedrock in the area is sedimentary and Permian in age. Relief from flood plains to ridge tops is approximately 275 feet. Regional dip is slightly northwest at approximately 20 feet per mile. Cuesta-like ridges and scarps are formed by limestones. The general area consists of ridges characterized by rolling terrain, gently rounded hills, and steep sided valleys.

There are six predominant soil types in the Council Grove project area: Dwight Silty Clay Loam, Florence Cherty Silty Clay, Labette Silty Clay Loam, Sogn Rock Clay Loam, Tully Silty Clay Loam, and Reading Silty Loam. However, the subject area is primarily Florence-Labette Complex on the slopes to the shoreline with Irwin Silty Clay Loam on the higher ground.

2. **Plants.** Much of the area can be classified as true rangeland. The entire lake area lies in the Kansas-Oklahoma bluestem region and represents a portion of the only extensive area of natural grazing land classed as humid tall grass prairie region. The climax cover is a mixture of the tall and mid-grasses characteristic of the true prairie. Big bluestem is dominant on the lower slopes and little bluestem on the upper slopes. Other predominantly occurring grasses are sand bluestem, buffalo grass, foxtail, blue grama, sideoats grama, Indian grass, Kentucky bluegrass, prairie three-awn, switchgrass, tall dropseed windmill grass, and witchgrass.

3. **Aquatic Community.** Council Grove Lake impounds 3,310 surface acres of water at conservation pool 1,274 msl and has approximately 40 miles of shoreline. Fisheries management is the responsibility of the Kansas Department of

Wildlife Conservation (KDWP). The fisheries are typical warm water species of; White Crappie, White Bass, Largemouth Bass, Walleye, Spotted Bass, Wipers, and Saugeye, and catfish.

There are no wetlands on the land to be transferred to the church camp. Portions of the six areas to be obtained by the Corps are within the floodplain of Council Grove Lake.

4. Wildlife. There are no habitat manipulation activities being conducted by the KDWP or Corps personnel on the area. However, a wide variety of wildlife species could frequent the land. Deer, turkey, squirrel, cottontail rabbit, coyote, mourning dove, geese, duck and quail are among the most popular big game species that occur in the area. The terrestrial community of the area also benefits various species of songbirds, reptiles, and amphibians typical for this region.

5. Threatened and Endangered Species. The KDWP website lists eleven Federal and state threatened or endangered species that may occur in Morris County. Only four of those species are likely to ever use the habitat type of the church camp area: American Burying Beetle, Bald Eagle, Eastern Spotted Skunk, Peregrine Falcon, and the White-faced Ibis.

E. Cultural Resources. There are numerous prehistoric archeological sites located at Council Grove Lake. Cultural affiliations include the Munkers Creek Phase, Pomona Phase, and the Greenwood Phase of the Plains Woodland Culture. Two surveys have been completed to identify historic properties on the lake. The first was done prior to impoundment and the second was done in 1972 by Kansas State University. Most of the sites identified on Corps lands are located on the state licensed wildlife management areas. A Historic Properties Management Plan was developed for the lake in April of 1994.

A survey of the church camp area was completed in February of 2005 and revealed one prehistoric archaeological site located on the Corps land to be exchanged. The site (14MO108) is a relatively small scatter of prehistoric chipped stone material, located primarily in the upper 20 centimeters below the ground surface. While impacts from past historical activities may be minimal, soil deposition in the uplands was probably slow and interrupted, resulting in a site with no clear soil stratigraphy that correlates to occupations or activities. In the six 1-meter by 1-meter test units and in

numerous shovel tests, no features were identified and only one diagnostic projectile point was recovered.

F. Air Quality. This geographical region is in attainment and meets the national Air Quality Standards for the criteria pollutants designated in the Clean Air Act.

G. Hazardous, Toxic, and Radiological Waste. The potential for discovery of hazardous material during development and use of the area was evaluated through examination of historic and current land use, review of environmental databases, and interviews with local regulatory personnel. The church camp area has limited development; consisting primarily of dining, meeting, and bunk facilities. Lands in close proximity to the area consist of rural residents and businesses.

III. ALTERNATIVES

Three alternative plans were considered during the formulation of this assessment.

A. No Action. This alternative would be to not exchange the land. The Kansas-Oklahoma Conference of the United Church of Christ requested the exchange of the lands because of permanent inundation of their land. Private ownership of the shoreline jeopardizes the authorized purposes of the lake. There is local Congressional support for this exchange. This alternative is not recommended.

B. Land Purchase. The issue could be resolved by purchasing the land being inundated. Funding would have to be diverted from the existing district budget, or additional funds would be needed. Purchasing the land would be a low priority on the district's funding list. The Congressional funding that was specifically provided to conduct this NEPA documentation does not allow for purchase of any land. This alternative is not recommended.

C. Preferred Alternative. Of the three alternatives, exchanging an equal value of land is the preferred alternative. This action would reduce the cost to the district, increase the amount of land available for public use, satisfy the intent of the original request, and assure the authorized project purposes of the lake without any adverse effects on the environment.

IV. ENVIRONMENTAL IMPACTS OF THE PREFERRED ALTERNATIVE.

A. Socioeconomic Resources. Services provided by the camp would continue without the exchange of lands. It would not likely effect the county socio-economic trends of the past decade, and they would likely continue as they have. There will be no adverse impacts on the health and well being of minority and low-income populations to a greater degree than other populations. There would be no adverse affect to the health and safety risks to children. There would be no increase of noise pollution.

B. Biological Resources. Exchange of the lands would increase the public land available to wildlife in the immediate area. Development of the 4.79 acres for use by the church camp would be an insignificant loss of habitat to the regions. Some of the less mobile species would likely be destroyed during development of the area, but their loss to the total ecosystem would be insignificant. Most individuals would be able to relocate to the surrounding public lands without significantly effecting the survival of their species. There would be no significant adverse impacts to prime or unique farmlands, wetlands, or floodplain. The KDWP did not provide comments to this action, however, the U.S. Fish and Wildlife Service has determined that the land transfer will not have any adverse impacts to threatened or endangered species, or any other wildlife resources.

C. Prime and Unique Farmlands. The U.S. Department of Agriculture classifies 43 soils as prime farmland in Morris County. The Florence-Labette soil found on the site is classified as farmland being of statewide importance. The Irwin silty clay loam soil found on the site is classified as prime farmland, except for the eroded slopes. However, the NRCS has determined that the land transfer will not affect any prime farmland soils.

D. Cultural Resources. The Tulsa District initiated a contract for a pedestrian survey of the area. One prehistoric archeological site, 14MO108, was discovered. Consultation with the Kansas State Historic Preservation Officer confirmed the land transfer will not affect any historic properties, and that the site is not eligible for the National Register.

E. Air Quality. A conformity determination is not required for compliance with the Clean Air Act.

F. Hazardous, Toxic, and Radiological Waste. Local personnel from the Council Grove Lake Office were contacted for information related to potential areas of contamination that could affect use of the area as a church camp. All contacted individuals were unaware of any HTRW related issues near the area. Site visits were conducted, which included a search for visual evidence of potential HTRW-related problems. This involved walking the area as well as reconnaissance of surrounding areas. There is no reason to believe that environmental media in the area have been contaminated by past or current land practices, or by releases from adjoining properties. The potential for discovery of HTRW problems during the development and use of the land as a church camp is believed to be low.

G. Cumulative Impacts. A hiking trail exists on the land to be transferred to the Corps. Therefore, a Real Estate license will need to be issued to authorize the trail and associated footbridges. There are no other changes in the land use or operations anticipated in the foreseeable future. Therefore, there are no anticipated cumulative impacts for the region as a result of the exchange of lands.

V. MITIGATION

The exchange of the 4.79 acres for 7.51 acres will not have a significant impact on the existing or future human and natural environment. No mitigation will be required.

VI. FEDERAL, STATE, AND LOCAL AGENCY COORDINATION

The draft environmental assessment was coordinated with the following agencies having legislative and administrative responsibilities for environmental protection.

- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- Kansas Archeological Survey
- Kansas State Historic Preservation Officer
- Kansas Department of Wildlife and Parks
- Kansas Department of Health and Environment
- Kansas Biological Survey
- Kansas Corporation Commission
- Kansas Natural Resource Conservation Service
- Kansas Water Office
- Morris County Commissioners

VII. REFERENCES

U.S. Army Corps of Engineers. May 1976. Final Environmental Statement, Operation and Maintenance Program, John Redmond Dam and Reservoir, Grand (Neosho) River, Kansas; Marion Lake, Cottonwood River, Kansas; Council Grove Lake, Grand (Neosho) River, Kansas. Tulsa District, Tulsa, Oklahoma.

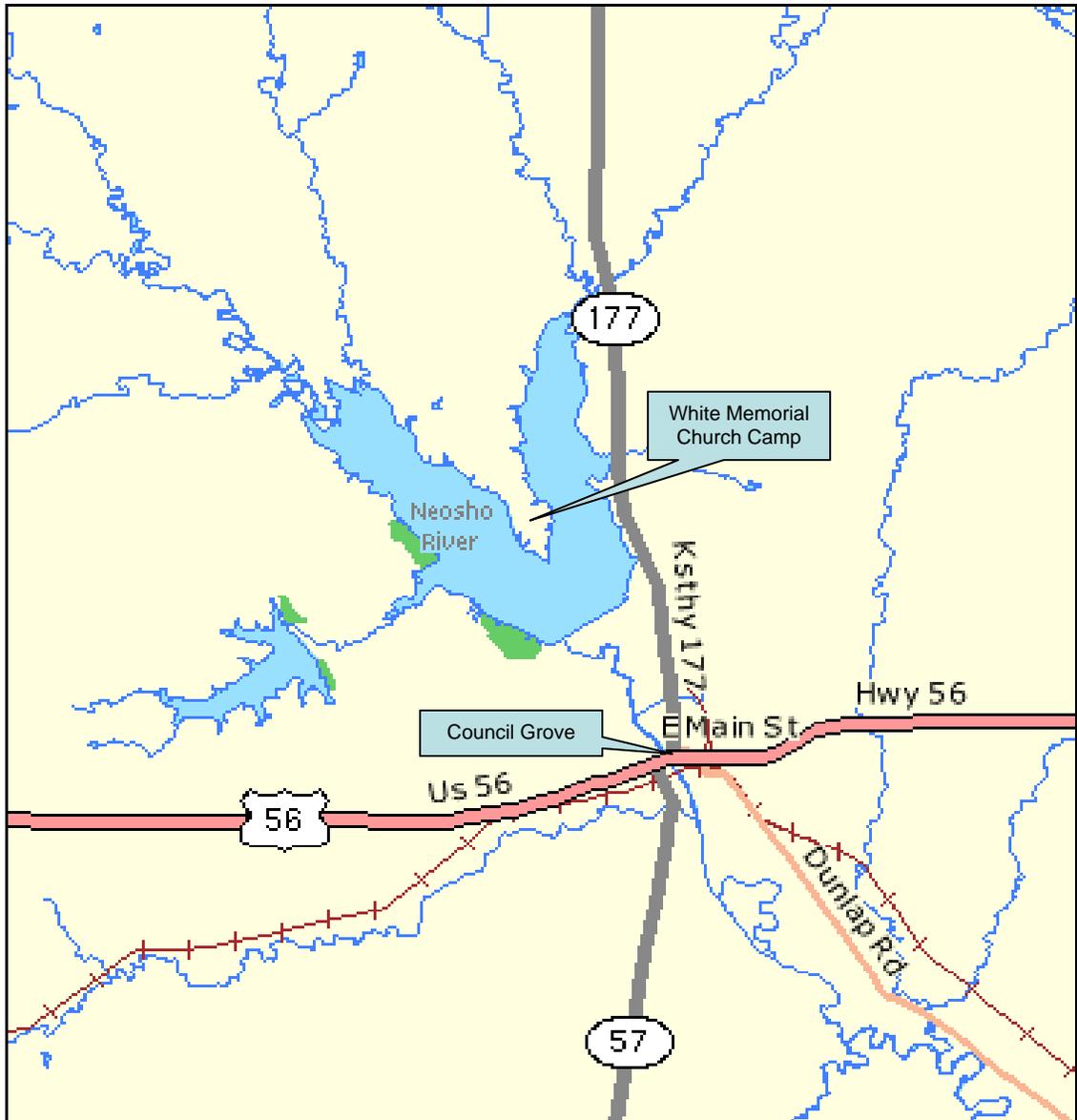
U.S. Army Corps of Engineers. 1995. Operational Management Plan. Council Grove Lake, Tulsa District, Tulsa Oklahoma.

U.S. Army Corps of Engineers. 1979. Design Memorandum, Master Plan (Updated), Wister Lake, Poteau River, Oklahoma.

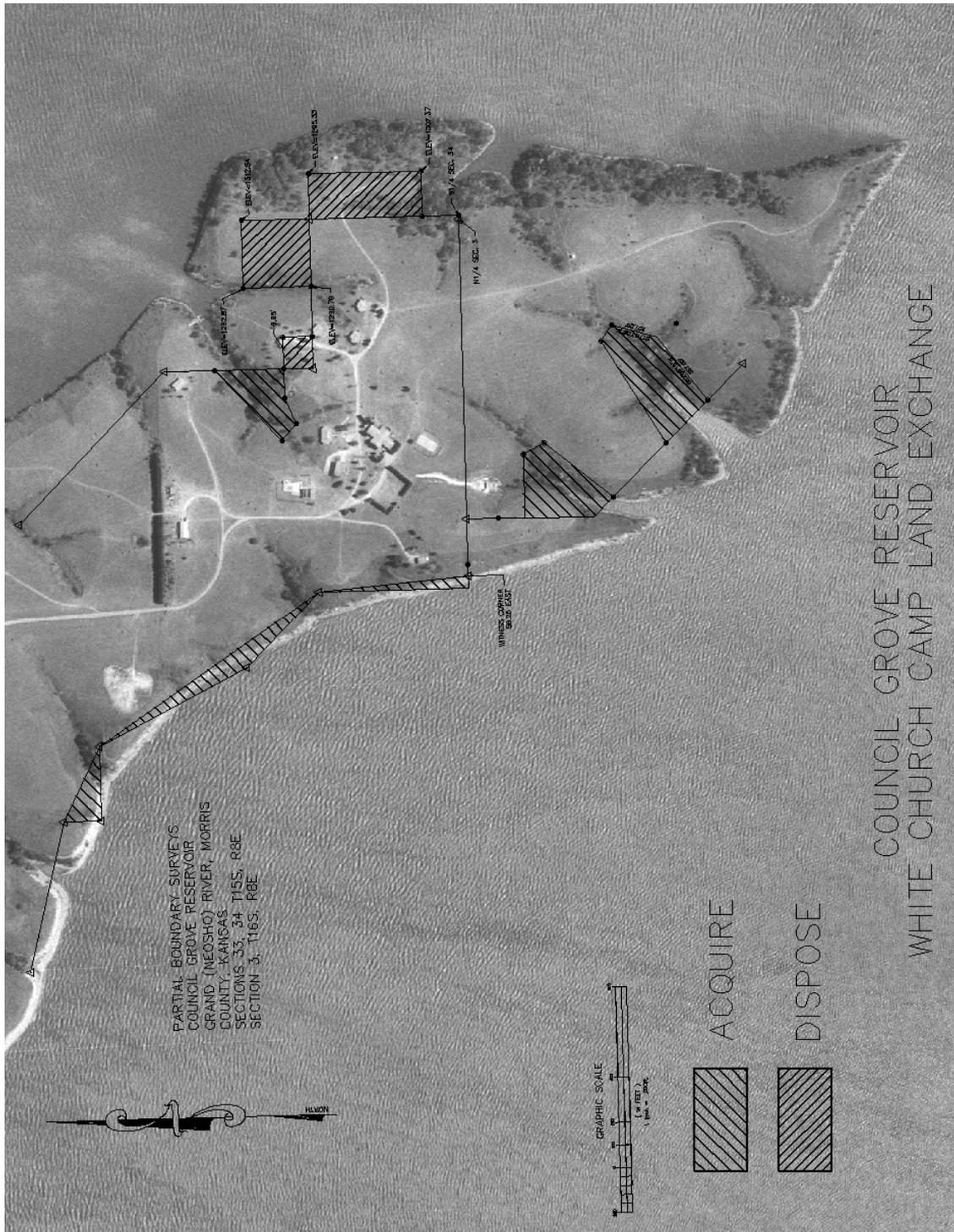
U.S. Department of Interior. 1980. National Wetlands Inventory Map, U.S. Fish and Wildlife Service.

U.S. Department of Agriculture. November 1974. Soil Survey of Morris County, Kansas.

Natural Resource Conservation Service National MUIR Database. MUIR Database of Oklahoma Soil Types and Classifications, <http://www.statlab.iastate.edu/cgi-bin/dmuir.cgi>.



Site Map: Council Grove Lake, Kansas-Oklahoma Conference of the United Church of Christ, Church Camp



Survey Map: Council Grove Lake, Kansas-Oklahoma Conference of the United Church of Christ, Church Camp