

# PUBLIC NOTICE



US Army Corps of Engineers  
Kansas City District

Project No: 2020-0003-CW

Issue Date: July 9, 2020

Close Date: August 10, 2020

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**INTRODUCTION:** The U.S. Army Corps of Engineers, Kansas City District (USACE), has prepared a Draft Environmental Assessment (EA) and associated Finding of No Significant Impact (FONSI) in accordance with the National Environmental Policy Act (NEPA) of 1968, as amended, for the proposed Stockton Lake Water Supply Storage Reallocation Feasibility Study. Findings of the study are documented in the Draft Integrated Water Supply Storage Reallocation Report and Environmental Assessment. The Draft EA was prepared to assess and document potential effects to the human and natural environment of the project's Tentatively Selected Plan (TSP). The USACE has made a preliminary determination that the proposed project would not result in significant degradation to the environment and therefore supports preparation of a Draft FONSI. The Draft EA, FONSI, and supporting information will be provided on 09 July 2020, to initiate the 30-day public review and comment period.

This Public Notice and project related information are being provided to solicit public input on the proposed action. Any interested party is invited to submit to this office written facts or objections relative to the proposed project, both favorable and unfavorable in nature. All comments will be accepted and made part of the public record. Copies of all comments, including names and addresses of commenters, may be provided to applicants upon request. The USACE will consider all pertinent comments in preparing final documentation for completion of the NEPA process through signature of the FONSI by the USACE Kansas City District Commander.

**CONTACT INFORMATION:** The Draft documents for this project are available for review at the USACE, Kansas City District office and on-line at the following web page:

[www.nwk.usace.army.mil/Media/Public-Notices/Planning-Public-Notices/Article/2209802/stockton-lake-reallocation/](http://www.nwk.usace.army.mil/Media/Public-Notices/Planning-Public-Notices/Article/2209802/stockton-lake-reallocation/)

The USACE will review comments received in response to this Public Notice to complete project evaluation for compliance with the requirements of NEPA, and other Federal, state, and local regulations. Project information may also be obtained by contacting Mr. Jeffry A. Tripe, Environmental Planner, U.S. Army Corps of Engineers, Kansas City District, ATTN: Environmental Resources Section, 601 East 12th Street, Kansas City, Missouri 64106, by email at [StocktonReallocation@usace.army.mil](mailto:StocktonReallocation@usace.army.mil) or [jeffry.a.tripe@usace.army.mil](mailto:jeffry.a.tripe@usace.army.mil). All comments to this public notice should be directed to the above address on or before 10 August 2020.

**STUDY NEED:** In 2007 the Tri-State Water Resources Coalition and its sister organization, referred to as Southwest Missouri Water, requested an investigation of potential water storage reallocation at Stockton Lake to help meet the water supply needs of its membership in the 16-county region of southwest Missouri. Figure 1 displays the counties which are included. The

Stockton Lake Reallocation Study and integrated EA was prepared to document investigations and study results associated with potential water supply alternatives at Stockton Lake.

**AUTHORITY:** The Water Supply Act of 1958 (Title III of Public Law 85-500), as amended, 43 United States Code (U.S.C.) § 390b, authorizes the Secretary of the Army to cooperate with local interests to provide water supply storage for USACE projects. The local interests must agree to pay the cost associated with the storage space. Paragraph 3-8 (5) of USACE Engineering Regulation (ER) 1105-2-100, provides guidance for reallocation of storage from other project purposes to water supply. The Chief of Engineers has the discretionary authority to reallocate 15 percent or 50,000 acre-feet (AF), whichever is less, of the total storage capacity allocated to all authorized project purposes, provided the reallocation has no severe effect on other authorized purposes or will not involve major structural or operational changes to the project. If reallocation or addition of storage seriously affects other authorized purposes or would involve major structural or operational changes, then congressional approval is required.

**PROJECT LOCATION:** Stockton Lake is in the Osage River basin, which covers roughly 15,000 square miles in eastern Kansas and west-central Missouri, as shown in Figure 2. Along with Stockton Lake, there are six other major lakes within the Osage River Basin including Harry S. Truman Reservoir, Lake of the Ozarks, and Pomme De Terre Lake in Missouri, and Hillsdale Lake, Melvern Lake, and Pomona Lake in Kansas. Stockton Lake is a USACE project that is operated for the authorized purposes of flood control, hydropower, water quality, recreation, fish and wildlife management, and water supply.

**ALTERNATIVES:** A “no action” or existing conditions alternative was assessed along with 11 proposed “with project” alternatives that included increased water conservation measures, new reservoir construction, additional groundwater withdrawals, and multiple water importation and reallocation projects. Alternatives that did not meet study objectives, were too costly, or resulted in unacceptable impacts to authorized purposes of Stockton Lake were screened from further analysis. Alternative 5: Water supply storage reallocation from the Stockton Multipurpose Pool (90,200 acre-feet) and the TSP, Alternative 7: Water supply storage reallocation from a combination of the Stockton Multipurpose and Flood Control Pools (45,750 acre-feet from the multipurpose pool/49,000 acre-feet from the flood control pool) were carried forward for detailed analysis in the EA. Table 1 provides hydrologic modeling results for Alternatives 5 and 7 as compared to the no action condition (Alternative 1). Based on the results, the TSP would provide the least amount of change in average annual surface water elevations as compared to the no action condition.

Table 1. Stockton Lake Surface Water Elevations for Alternatives 1, 5, and 7.

Surface Water Elevation (feet)	Alternative 1 No Action		Alternative 5 Multipurpose Pool			Alternative 7 (TSP) Combined Flood and Multipurpose Pool		
	%	Days/year	%	Days/year	Net Change	%	Days/year	Net Change
Above Normal (>=870)	7	26	6	21	-5	8	27	1
Normal (869.9–865)	42	152	29	106	-47	44	159	7
Below Normal (<=864.9–845.1)	51	187	65	239	52	49	179	-8

Values are based on average annual days over the hydrologic period of record from 1950 to 2012.

Normal pool elevations represent surface water levels that are considered optimal for operation and management of existing authorized purposes at Stockton Lake.

Net Change = change in the number of average annual days between the No Action alternative and proposed alternatives.

**PROPOSED ACTIVITY:** The TSP concludes that reallocating 45,750 acre-feet (AF) from the multipurpose pool and 49,000 AF from the flood control pool, with a 1.8-foot increase to the normal pool elevation (i.e. a pool raise), is the most efficient means to meet the present and future water supply needs without significantly impacting the currently authorized project purposes. The TSP would also include a new water intake structure within the existing City Utilities of Springfield easement at Stockton Lake. A pipeline from the intake structure to the Southwest Missouri Regional Water treatment facility would be conducted in the future and assessed under the USACE Regulatory permitting process. The value of the 94,750 AF of storage in fiscal year 2020 dollars (FY20) is estimated to cost \$35,800,000 based on the updated cost of storage. This reallocation would provide sufficient water supply storage for the southwest Missouri region into the year 2070.

The TSP proposes a phased implementation of water storage reallocation. An immediate water storage agreement for the lesser volume of 45,750 AF from the multipurpose pool would be implemented upon approval of this report. Further dam safety evaluations will be conducted as part of the cyclical Dam Safety Periodic Assessment at Stockton Dam. The results of the assessment will determine if the Dam Safety Action Classification (DSAC) at Stockton Lake should be reclassified from a 3 (higher risk) to a 4 (lower risk) in accordance with USACE risk guidelines. If the DSAC rating is reclassified as a 4 and approved by Headquarters USACE Chief of Engineers, a water storage agreement for the remaining 49,000 AF of storage could be executed by Southwest Missouri Regional Water, and the 1.8-foot pool raise would be implemented.

**TERRESTRIAL AND AQUATIC HABITAT:** By implementing a 1.8 foot pool raise and reallocating storage from both the flood pool and the multipurpose pool, the lake water elevations are less prone to severe draw-down effects during drought while on the other hand making changes during high water insignificant based on analyses of the 63-year hydrologic period of record (Table 1). The 1.8-foot rise in surface water elevation associated with the TSP would result in approximately 7 additional days in the normal pool elevation range and 8 less days at below normal elevations, thus providing a permanent and minor beneficial effect to shoreline stability, littoral vegetation, and aquatic habitat at Stockton Lake. No significant impacts to aquatic species that rely on shoreline/littoral habitat are anticipated upstream, downstream, or within Stockton Lake. The variability in surface water elevations would be within the range of normal lake operations that have occurred over the 63-year period of record.

**ENDANGERED SPECIES:** Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the USACE determined that the TSP may affect but is not likely to adversely affect the following federally listed species or their designated critical habitat: gray bat, Indiana bat, northern long-eared bat, Niangua darter, Ozark cavefish, geocarpon, and Mead's milkweed. Based on Table 1 results, there would be minor changes to water surface elevations and the number of days above or below normal pool levels. Water level changes would be within the range of normal lake operations that have occurred over the 63-year period of record. Water releases from Stockton Lake were also assessed to determine if any potential flow changes could affect downstream mussel populations. Based on review of hydrologic data, no significant changes to downstream flows or elevations are anticipated with implementation of the TSP. This determination and informal consultation are being conducted with the U.S. Fish and Wildlife Service (FWS).

**WETLANDS AND WATERS OF THE US:** Section 404 of the Clean Water Act (CWA) requires authorization from the Secretary of the Army, acting through USACE, for the discharge of dredged

or fill material into all waters of the United States, including wetlands. Pursuant to the Clean Water Act of 1972, as amended, the discharge of dredged or fill material associated with the TSP has been found to be compliant with section 404(b)(1) Guidelines (40 CFR 230). A proposed new water intake structure within existing Southwest Missouri Regional Water easements at Stockton Lake would comply with Nationwide Permit 7. A future Southwest Missouri Regional Water pipeline alignment from the water intake structure to the existing water treatment facility would be assessed in the future under USACE Regulatory permitting process.

**CULTURAL RESOURCES:** Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, USACE determined that historic properties may be adversely affected by the TSP. Approximately 549 cultural resource sites have been formally recorded within the study area. Twenty-four of these sites are located within the 1.8-foot pool raise water surface elevations of 867.0 to 868.8 feet for the TSP. However, as large portions of the study area have not been surveyed, additional sites are likely present within all lake elevations. USACE has invited the Missouri State Historic Preservation Office (SHPO), Advisory Council on Historical Properties (ACHP), federally recognized Native American Tribes, and other interested parties to participate in the development of a Programmatic Agreement (PA). All terms and conditions resulting from the agreement shall be implemented in order to minimize adverse impacts to historic properties. The PA approach to Section 106 compliance is applicable because: 1) the exact location of shoreline sites is not known at this time, and 2) there is potential for sites to be inundated more frequently due to a 1.8-foot pool raise; however, the impacts are not likely to be significant based upon comparison with no action alternative conditions.

**FLOODPLAINS:** This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. No new structures would be constructed within streams, existing floodplains, or other waterways with implementation of the TSP. Future pipeline alignments constructed by Southwest Missouri Regional Water that may occur in floodplain areas would have a separate public review process and would be constructed in compliance with federal and state regulations under the CWA and EO 11988.

**POTENTIAL IMPACTS:** The decision to issue authorization will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The Draft EA includes evaluation of temporary and direct effects of the proposed project on the human and natural environment, as well as potential cumulative impacts resulting from other reasonably foreseeable projects within the study areas. All relevant cumulative factors were considered including lake operations, physiology, geology, topography, water resources, terrestrial resources and land use, threatened and endangered species, cultural resources, air quality, socioeconomic conditions, environmental justice, recreation, hazardous waste, aesthetics, noise, climate change, flood risk management, hydropower generation, and real estate.

**PUBLIC HEARING:** The USACE is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition or deny an authorization for this proposal. To make this decision, comments are used to address impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in preparation of the final EA and/or an Environmental Impact Statement (EIS) pursuant to the NEPA. Comments are also used to determine the need for a

public hearing and to determine the overall public interest of the proposed activity. Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

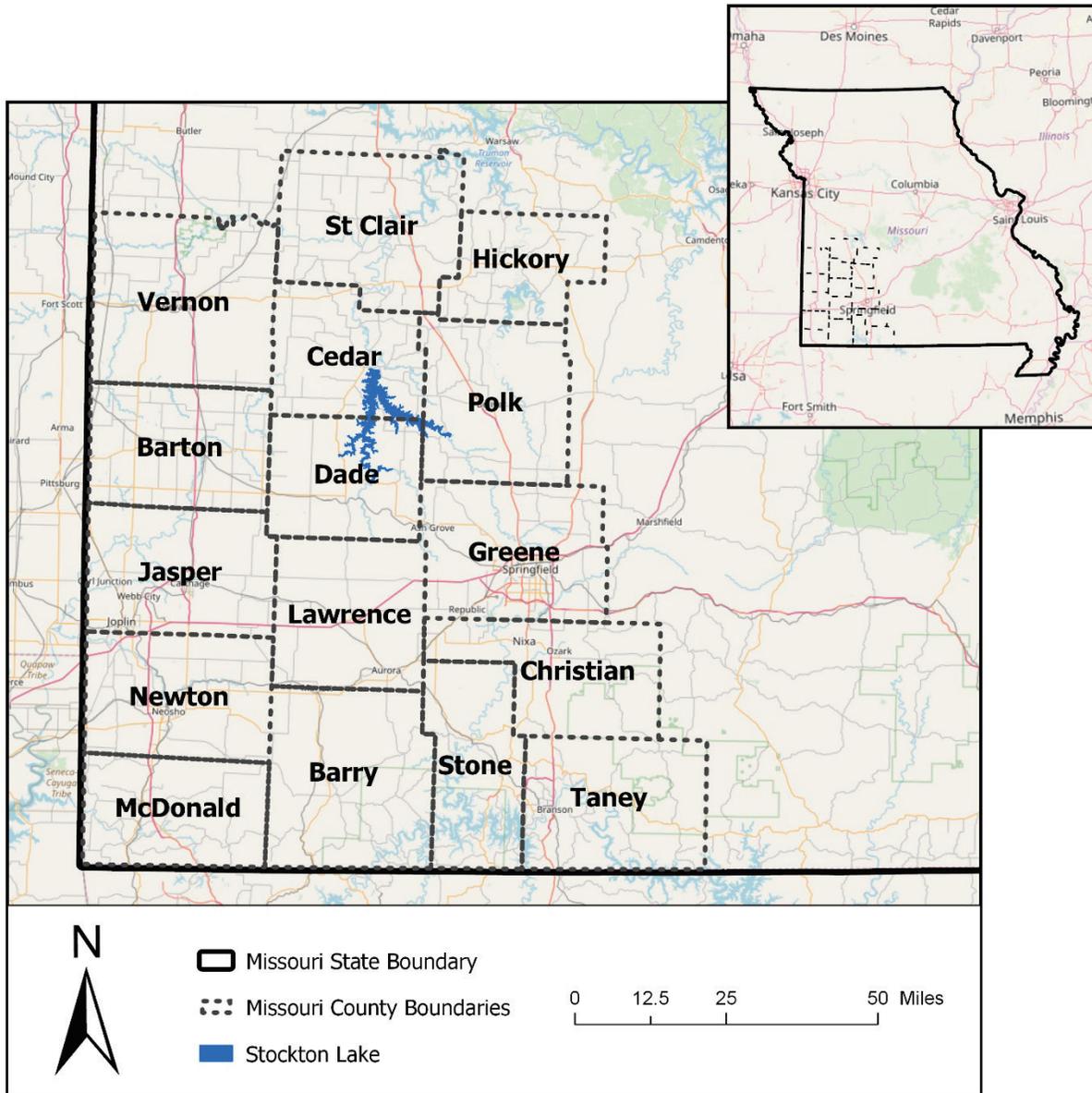


Figure 1. Southwest Missouri 16-County Region Study Area.



Figure 2. Osage River Basin Map.