

# **DRAFT Environmental Assessment Missouri Department of Conservation Crane Roost Access Land Divestiture**

**Prepared on Behalf of:**

**U.S. Fish and Wildlife Service  
and the  
Missouri Department of Conservation**



**Prepared by:**



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**WSP Project No. 325222255  
March 2024**

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**LIST OF ABBREVIATIONS AND ACRONYMS**

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ADA	Americans With Disabilities Act
BMP	best management practices
CFR	Code of Federal Regulations
CWA	Clean Water Act
EA	environmental assessment
ES	Ecological Services
FEMA	Federal Emergency Management Agency
MDC	Missouri Department of Conservation
MDNR	Missouri Department of Natural Resources
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act
NRHP	National Register of Historic Places
SFR	Sport Fish Restoration
SHPO	State Historic Preservation Office
USACE	U.S. Army Corps of Engineers
USCB	U.S. Census Bureau
USFWS	U.S. Fish and Wildlife Service
USFS	U.S. Forest Service
USGS	U.S. Geological Survey
WOUS	Waters of the U.S.
WQC	Water Quality Certification
WSFR	Wildlife and Sport Fish Restoration Program

## **CHAPTER 1 – PURPOSE AND NEED FOR PROPOSED ACTION**

### **1.1 Proposed Project Description and Background**

The Missouri Department of Conservation (MDC) is the state agency tasked with improving fishing and boating opportunities throughout the state. To aid in its mission, MDC utilizes federal grant funds administered by the U.S. Fish and Wildlife Service (USFWS) through the Sport Fish Restoration (SFR) Program, as appropriate. As part of USFWS' Wildlife and Sport Fish Restoration (WSFR) Programs, SFR funds are granted to state fish and wildlife agencies for fishery projects, boating access, and aquatic education. The Program is authorized by the Sport Fish Restoration Act (Dingell-Johnson DJ) of 1950 (USFWS 2022).

The Crane Roost Access Property (Property) is located 3 miles northwest of Qulin in the Southeast ¼ of Section 28, Township 23 North, Range 7 East in Butler County, Missouri (Figure 1-1). The Property is comprised of two tracts of land. The larger of the two tracts, the Griffin Tract, measures 10.49 acres and was acquired in 1973 with SFR Program funding, Grant Number F-16-L-2 (F-44) during the 1972-1974 grant period. The smaller, 0.58-acre tract, the Wolverton Tract, was acquired in 1978 with permit revenues. The Griffin Tract has approximately 2,262 feet of frontage along the Black River. As such, the Property was acquired for the development of fishing and boating access, picnicking, and general recreation; however, it was never developed for its primary purpose.

The boundary survey and legal description enclosed in Grant Number F-16-L-2 (F-44) and included as Appendix A, indicate that the net area of the 10.49 funded acres of the Griffin Tract is situated between 3.27 acres of the Black River to the west and 5.66 acres of an Inter-River Drainage District (IRDD) of Missouri right-of-way (ROW) easement for the Black River Levee to the east. In 1913, the IRDD of Missouri was duly incorporated as a drainage district with the mission of assessing the benefits and damages to properties within its 127,500-acre district in Butler County situated between the St. Francis and Black Rivers and comprised of swamp and frequently flooded land. The IRDD developed and adopted a drainage plan for the district and in 1918 began construction on a series of 36 proposed ditches or canals and two 60-mile-long levees to manage flooding. According to the General Warranty Deed for the Wolverton Tract (Appendix B), this smaller tract also contains 0.10 acre of IRDD ROW, that was not purchased by MDC. Figure 1-2 below illustrates the two parcels proposed for divestiture and the Drainage District ROW separating the two on current aerial imagery.

General Warranty Deeds provided by MDC show that the Griffin Tract was purchased in 1973 for \$5,000 from Henry and Mattie Griffin and the Wolverton Tract was purchased in 1978 from Minnie



B. Wolverton for \$1,500. Federal Grant F-16-L-2 (F-44), *Acquisition of Crane Roost Access – Griffin Tract (Statewide Fisheries Acquisition)*, indicates that the Griffin Tract was funded through the Dingell-Johnson (Sportfish Restoration) and the Wolverton Tract was funded with permit revenues. Total acreage for the Property proposed for divestiture is 11.07 acres.

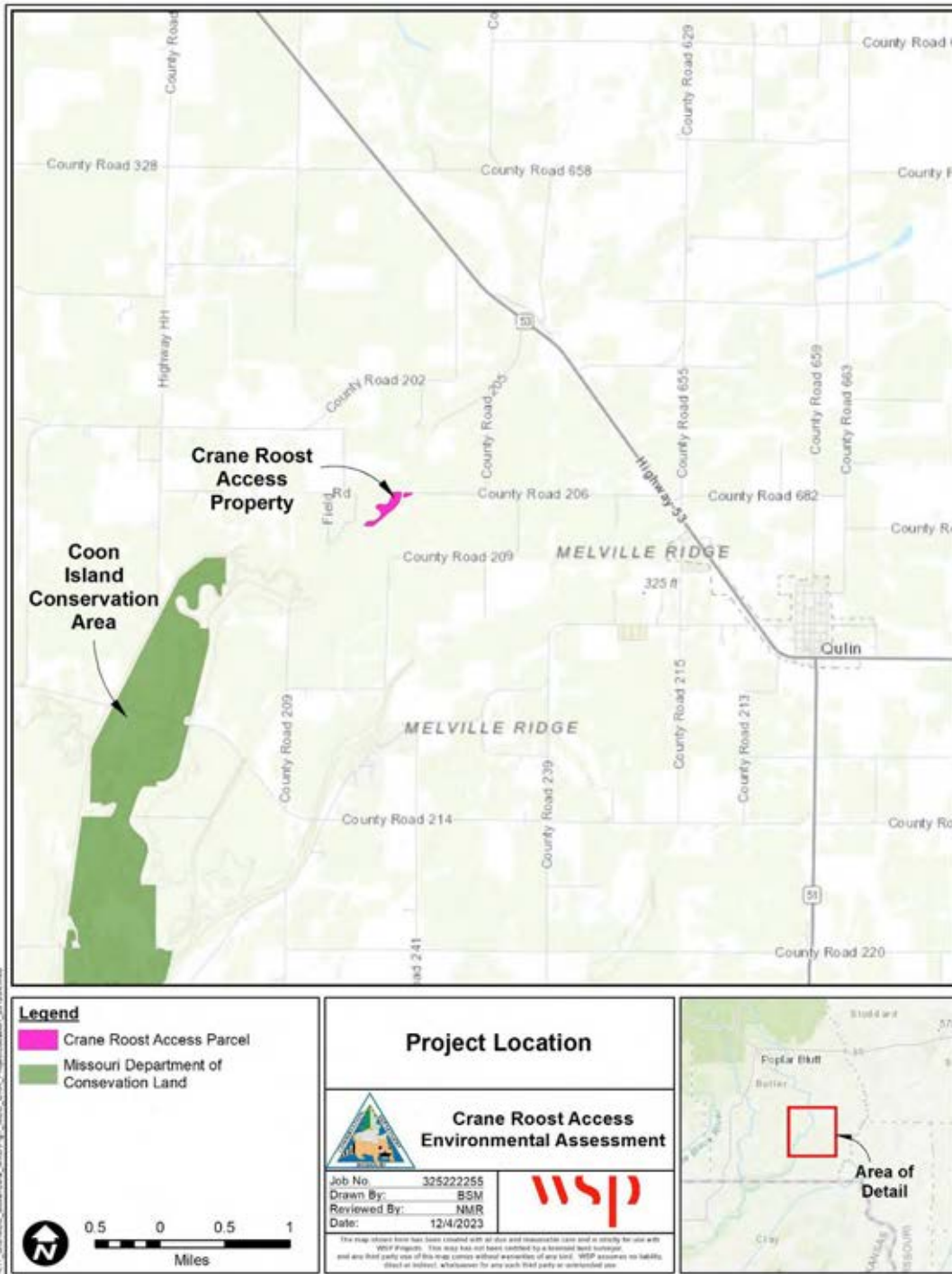


Figure 1-1. Property Location



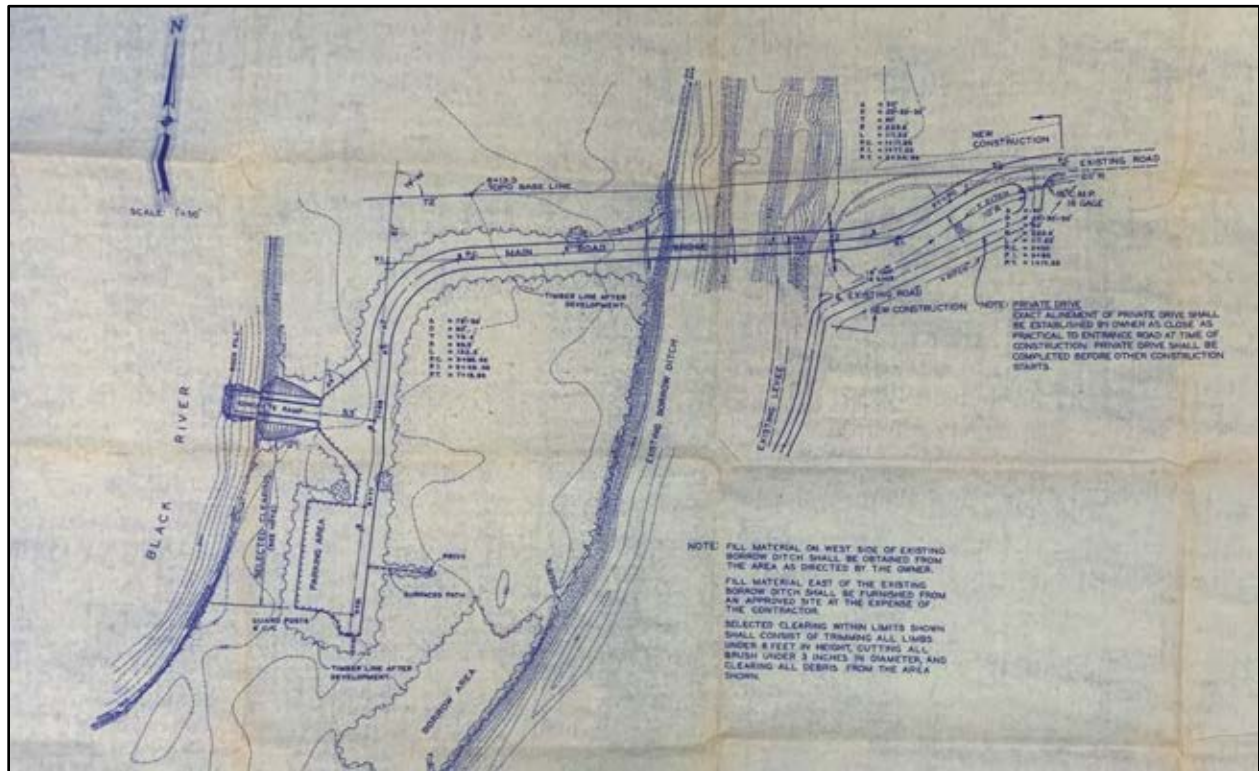


Figure 1-2. Parcels Proposed for Divestiture

The Griffin Tract is situated in forested wetlands between the Black River and the IRDD levee and ditch system, known as Black River Levee. Per IRDD's 1918 plan, the constructed ditch was specified to be constructed with a 12-foot-wide bottom and a maximum top of bank width of 55 feet, averaging 8 feet in depth. The Wolverton Tract, intended to be the road connection to the Griffin Tract, is located adjacent to County Road 206 but separated from the Griffin Tract by the Black River Levee. Therefore, the Griffin Tract is landlocked and inaccessible by land. Due to the separation of the Griffin and Wolverton Tracts by the IRDD levee and ditch system, a bridge would need to be constructed over and on IRDD property, as depicted in the intended design plan provided in Figure 1-3. These encumbrances on the Property caused impracticality and feasibility issues for development as originally intended due to the high cost of construction. Further, coordination efforts with the Inter-River Drainage District resulted in no support for the planned development. Legal access to the Property is limited to the riverside boundary only.

The Property is located approximately 6 river miles upstream of the 3,223-acre Coon Island Conservation Area (CA) (see Figure 1-1). The Coon Island CA provides recreational boaters and anglers with two boat ramps located approximately 6.75 river miles apart. The nearest upstream access from the Property is Dan River Access which is approximately 10.5 river miles away.

Therefore, given the encumbrances on the Property and river access at the nearby Coon Island CA and Dan River Access, MDC does not desire to develop the Crane Roost Access Property and would like to divest the Property.



**Figure 1-3. Intended Design Plan for Crane Roost Access, June 1977**

## 1.2 Purpose

The proposed action is to divest 11.07 acres of land, 10.49 acres of which were acquired by the MDC with a SFR grant authorized by Sport Fish Restoration Act (Dingell-Johnson) funding. The separate parcel of 0.58 acre was acquired with permit revenues. Divestiture of the Property would eliminate MDC's legal obligations for the property and allow MDC to seek other properties which would provide recreational boating and angling opportunities.

## 1.3 Need

The Property is proposed for disposal by MDC because the Property is not meeting its primary intended purpose of providing a recreational motorboat and fishing access at this location. The Property was never developed for its intended use due to the encumbrances between the two tracts and impracticality of site development.

Because the Griffin Tract was acquired with federal funds, disposal of the property must comply with federal regulations associated with the source of federal funds. Federal regulation 50 CFR 80.137, states:

*Sec. 80.137 What if real property is no longer useful or needed for its original purpose?*

*If the director of the State fish and wildlife agency and the Regional Director jointly decide that grant-funded real property is no longer useful or needed for its original purpose under the grant, the director of the agency must:*

*(a) Propose another eligible purpose for the real property under the grant program and ask the Regional Director to approve this proposed purpose, or*

*(b) Follow the regulations at 2 CFR 200.311 and consult with the Regional Director on how to treat proceeds from the disposition of real property.*

## **1.4 Decisions that Need to be Made**

Since the Crane Roost Access Property was purchased in part with federal SFR funds, approval by USFWS WSFR is required for divestiture of these tracts. This document serves to meet the USFWS's NEPA compliance requirements.

The USFWS Regional Director of USFWS's Region 3 will select an alternative and will determine, based on the facts and recommendations contained in this document, whether this Environmental Assessment (EA) is adequate to support a Finding of No Significant Impact, or whether an Environmental Impact Statement (EIS) will need to be prepared.

## **CHAPTER 2 – ALTERNATIVES**

This section describes and compares the alternatives considered for determining the status of the Property. Included are descriptions of the two alternatives considered: Alternative A - the no action alternative and Alternative B - divest the 11.07-acre Crane Roost Access Property as it does not meet the intended purpose for which it was acquired.

### **2.1 Alternatives Considered but not Carried Forward for Detailed Analysis**

An alternative considered but not carried forward is developing the Property as originally intended and shown in Figure 1-3. Although no documents still exist to support that MDC attempted to secure the right to cross the IRDD's property, there is a general understanding that MDC did try and that IRDD turned down the request. The property is frequently flooded by flood releases from the U.S. Army Corps of Engineers' (USACE's) Clearwater Lake. Due to the impractical aspects of developing the Property for its primary purpose as a conservation area with motorboat and public access, this alternative is not considered feasible.

### **2.2 Alternatives Carried Forward for Detailed Analysis**

#### **2.2.1 Alternative A - No Action**

The no action alternative would leave 11.07 acres of MDC land undeveloped, not used for its intended purpose and still owned by MDC. Further, the no action alternative would require continued maintenance by MDC of the underutilized property.

#### **2.2.2 Alternative B - Proposed Action**

The proposed action would allow the MDC to divest the Crane Roost Access Property of federal and state interest and within a three-year (3) timeframe find a suitable replacement lands for the divestiture, although the lands may not be within Butler County or the Black River watershed.

## CHAPTER 3 – AFFECTED ENVIRONMENT

This section describes the baseline environmental conditions potentially affected by divestiture of the Property. For this analysis, the study area includes the 11.07 acres proposed for divestiture and described in Section 1.1. All appropriate environmental factors potentially influenced by the proposed divestiture were taken into consideration for this analysis. Those resources not potentially influenced by the proposed project were eliminated from further evaluation, allowing for a focused environmental review.

Thus, this EA does not contain detailed discussions of resources not found within the study area, or that would not be impacted by either of the alternatives. These include:

- Coastal and Estuary Areas. The proposed project is located entirely in an inland location and coastal and estuary areas are absent.
- Wild and Scenic Rivers. No wild and scenic rivers designated under the Wild and Scenic Rivers Act of 1968 are present in the study area.
- Climate Change. As the Property was not developed and is proposed for divestiture rather than construction and operation of a recreation facility, there would be no substantive emissions of greenhouse gases, and therefore no change to measures of climate such as temperature, precipitation, or wind. Thus, the proposed project would have no direct or indirect impact on regional climate change.

### 3.1 Physical Environment

The 11.07-acre Property is located in the southeastern region of the state of Missouri in Section 28, Township 23 North, Range 7 East, approximately 10 miles southeast of Poplar Bluff. The Property is composed of two tracts of land, the Griffin Tract and the Wolverton Tract (Figure 1-2). The Griffin Tract encompasses 10.49 acres and consists of a heavily wooded island which is bordered on the west by the Black River. The Griffin Tract is separated from the Wolverton Tract by a manmade levee and canal that runs northeast-southwest along the east side of the island. The Wolverton Tract encompasses 0.58 acres of land and is positioned on the east bank of the Black River drainage canal. It is comprised of portions of an active agricultural field, County Road 206, and the adjacent Black River levee. Private lands to the east and south are predominantly agricultural.

## **3.2 Biological Environment**

### **3.2.1 Habitat/Vegetation**

The vegetation cover on the larger Griffin Tract is a mature Bottomland Forest with no evidence of ever having been harvested. It consists of Sugarberry, Sycamore, Maple, Persimmon, and some Oak and Hickory. The oaks present are mostly over mature Pin Oak. The understory is mostly Pawpaw, Persimmon, and Maple. There was no oak regeneration observed during inventory. The property is flat and within the flood zone of Black River with yearly flooding, resulting in a mostly bare forest floor. A biological review of the Property, prepared by MDC staff, is included in Appendix C.

Land cover on the Wolverton Tract consists of an active agricultural field, as well as portions of County Road 206, and the adjacent Black River levee.

### **3.2.2 Surrounding Area Vegetation**

The surrounding vegetation is variable. The property to the northeast and southwest are forested with intermittent wetland land covers, very similar to the subject property. To the east and south, the land cover is predominantly agricultural.

### **3.2.3 Listed, Proposed, and Candidate Species**

#### **3.2.3.1 Federally Listed Species**

USFWS's Information for Planning and Consultation (IPaC) identified three species of mammals (bats), two species of clams (mussels), and one insect as federally listed endangered, threatened, or candidate species that may potentially be present on the Property. Critical habitats were not identified within the project area nor were other protected species (USFWS 2022a). See Table 3-1. Consultation under Section 7 is ongoing and appropriate documentation will be included in the Final EA.

#### **3.2.3.2 State Listed Species**

A review of MDC's Missouri Natural Heritage Review Website as well as data provided by MDC revealed no state listed species or rare natural communities in the legal section where the proposed divestiture is located.

### **3.2.4 Other Wildlife Species**

Game species likely to be present on the proposed divestiture parcels or elsewhere in the vicinity include black bear, bobcat, raccoon, coyote, wild turkey, ruffed grouse, American woodcock, and white-tailed deer. Bird species that may be associated with the lowland and upland habitats



present in the management unit include black-capped chickadee, common yellowthroat, eastern kingbird, gray catbird, hermit thrush, northern flicker, red-eyed vireo, red-breasted nuthatch, tufted titmouse, white-breasted nuthatch, white-throated sparrow, and yellow-rumped warbler.

**Table 3-1. Protected Species Potentially Occurring Within or Near the Proposed Project**

Common Name	Scientific Name	Federal Status	State Status/ Rank	Population or Habitat Known within Vicinity of Property
<b>Mammals</b>				
Gray bat	<i>Myotis grisescens</i>	E	E/S3	No
Northern long-eared bat	<i>Myotis septentrionalis</i>	E	E/S1	No
Indiana bat	<i>Myotis sodalis</i>	T	E/S1	No
<b>Clams</b>				
Curtis pearlymussel	<i>Epioblasma florentina curtisii</i>	E	E/S1	Yes
Pink mucket (pearlymussel)	<i>Lampsilis abrupta</i>	E	E/S2	No
<b>Insects</b>				
Monarch butterfly	<i>Danaus plexippus</i>	C	N/A	Yes
<b>Critical Habitats</b>				
None				

Federal or State Status: E = Endangered; T = Threatened; C = Candidate

State Rank: S1 – Critically imperiled in Missouri; S2 – Imperiled in Missouri; S3 – Vulnerable in Missouri

Sources: USFWS 2022a; MDC 2021; MDC 2022

### 3.3 Land Use

Butler County is located in the southeast Ozark Foothills Region in the state of Missouri. The largest city and county seat is Poplar Bluff, which is located approximately 10 miles northwest of the Property. As reported by the U.S. Census Bureau (USCB), the county has a total area of 699 square miles. Butler County is largely rural with large tracts of forested and agricultural land and a population density of approximately 61 people per square mile.

No formal land use controls exist within the project vicinity, as Butler County has neither zoning regulations nor a comprehensive land use plan in place.

### 3.4 Cultural Resources

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to consider the effects of their actions on historic properties. A Phase I cultural resource survey was conducted in June and July 2022. During the cultural resource survey, no cultural materials were



identified. While portions of an historic levee and man-made canal fall within the Property boundaries, no additional cultural resources were noted during the cultural resources survey. It is recommended that no further archaeological work is necessary, and the project should be allowed to proceed as planned. The Section 106 Survey Memo is included in Appendix D.

In compliance with the NHPA, the MDC requested a Section 106 review from Missouri's State Historic Preservation Office and received a written response that "the undertaking will have no effect on historic properties".

### **3.5 Local Socioeconomic Conditions and Environmental Justice**

Butler County has a population of 42,130 which is less than one percent of the total population of the State of Missouri (USCB, 2020). The largest industries in Butler County are Health Care & Social Assistance, Retail Trade, and Manufacturing. The unemployment rate in 2020 was 4.2 percent.

Approximately 87.6 percent of Butler County residents identify as white alone (not Hispanic or Latino), with the remaining 12.4 percent of the population comprised of minority groups including Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander, Hispanic or Latino, and those who identify as two or more races. The largest minority group in the county is Black or African American with 6 percent. Minority percentages of Butler County are smaller than those of the State of Missouri, where minorities comprise approximately 21.3 percent of the population.

The median household income in Butler County is \$44,842, which is lower than that of the State of Missouri (\$61,043). Correspondingly, the percentage of the county population below the nationwide poverty level (19.9 percent) is higher when compared to the state (12.7 percent).

## **CHAPTER 4 – ENVIRONMENTAL CONSEQUENCES**

This section provides an assessment of potential project-related impacts on the environmental resources identified. Impacts may be beneficial or adverse and may apply to the full range of natural, aesthetic, historic, cultural, and socioeconomic resources within the study area and vicinity. Impact severity is dependent upon their relative magnitude and intensity and resource sensitivity. In this document, four descriptors are used to characterize the level of impacts. In order of degree of impact, the descriptors are as follows:

- No Impact (or “absent”) – Resource not present or affected by project alternatives under consideration.
- Minor (or “small”) – Environmental effects are not detectable or are so minor that they will neither destabilize nor noticeably alter any important attribute of the resource.

### **4.1 Alternative A – No Action**

#### **4.1.1 Habitat Impacts**

The No Action Alternative would result in no change in current habitat management of the Crane Roost Access Property; therefore, impacts to habitat would not occur.

#### **4.1.2 Biological Impacts**

The No Action Alternative would result in no change in current habitat management of the Crane Roost Access Property; therefore, biological environments would not change and would not be impacted.

#### **4.1.3 Listed, Proposed, and Candidate Species**

The No Action Alternative would result in no change in current habitat management of the Crane Roost Access Property; therefore, impacts to listed species would not occur.

#### **4.1.4 Cultural Resources**

The No Action Alternative would result in no change to cultural resources on the Crane Roost Access Property.

#### **4.1.5 Local Socioeconomic Conditions/Environmental Justice**

The No Action Alternative would result in no change regarding local socioeconomic conditions or environmental justice.

#### **4.1.6 Cumulative Impacts**

The No Action Alternative would result in no change for the Crane Roost Access Property; therefore, there would be no cumulative impacts.

### **4.2 Alternative B - Proposed Action:**

Alternative B (Proposed Action) is to divest federal and state interest in the Crane Roost Access Property in Butler County, Missouri. The Property would be disposed of through sale, and the proceeds would be used to fund future land acquisitions within the MDC's land management system.

#### **4.2.1 Habitat Impacts**

There is no current habitat management of this Property. The action of divesting and disposing of the property in and of itself will create no adverse impact.

#### **4.2.2 Biological Impacts**

The action of divesting and disposing of the property in and of itself will create no impact. The surrounding area is primarily agricultural land with forested habitat and limited residential development.

#### **4.2.3 Listed, Proposed, and Candidate Species**

No listed, proposed, or candidate species are expected to be present on the property. Therefore, no adverse impacts are expected.

#### **4.2.4 Cultural Resources**

The MDC requested a National Historic Preservation Act Section 106 review from Missouri's State Historic Preservation Office and received a written response that "the undertaking will have no effect on historic properties." Therefore, no impacts from the proposed action are expected.

#### **4.2.5 Local Socioeconomic Conditions/Environmental Justice**

The action of divesting and disposing of the Property would not result in any notable adverse effect to local socioeconomic conditions or any minority or low-income populations and communities that may be present in the vicinity. No other issues related to socioeconomics or environmental justice are anticipated.

#### **4.2.6 Cumulative Impacts**

Based on the minimal impact of the proposed divestiture the rural nature of the surrounding area, the effects from any future projects in the area would have limited cumulative impact.



### 4.3 Comparison of Alternatives

The environmental consequences of the alternatives are summarized in Table 4-1. These summaries are derived from the information and analyses provided in Chapter 4.

**Table 4-1. Summary of Environmental Consequences by Alternative**

<b>Resource</b>	<b>Alternative A - No Action</b>	<b>Alternative B - Proposed Action</b>
Habitat Impacts	No change	In and of itself, divestiture will result in little change.
Biological Impacts	No change	In and of itself, divestiture will result in little change.
Listed Species	No change	Little or no change, as there are no known listed species present on the parcels proposed for divestiture.
Cultural Resources	No change	No change
Local Socio-Economic Conditions/Environmental Justice	No change	No change
Cumulative Impacts	No change	There are no expected impacts, given existing conditions in the surrounding land.

## CHAPTER 5 – REFERENCES

- MDC. 2018. Coon Island Conservation Area, Fifteen-Year Area Management Plan FY 2018-2032. MDC Wildlife Division. April 20, 2018.
- MDC. 2021. Missouri Species and Communities of Conservation Concern Checklist. MDC Natural Heritage Program, Jefferson City, Missouri. January 2021.
- MDC. 2022. Natural Heritage Review Level Three Report: Species Listed Under the Federal Endangered Species Act. Retrieved from <https://naturalheritagereview.mdc.mo.gov/> (accessed February 28, 2022).
- UCSB. 2020. QuickFacts for Butler County and Missouri, derived from 2020 Decennial Census. Retrieved from <https://www.census.gov/quickfacts/butlercountymissouri>; <https://www.census.gov/quickfacts/MO> (accessed December 2022).
- USFWS. 2022. Wildlife & Sport Fish Restoration Program. <https://www.fws.gov/wsfrprograms> (accessed January 2022).
- USFWS. 2022a. Information for Planning and Consultation (IPaC). IPaC resource list. Retrieved from <https://ipac.ecosphere.fws.gov> (accessed February 28, 2022).

## **Appendix A**

### **Griffin Tract**

# **Boundary Survey and Legal Description**





RECEIVED

JAN 31 1974

JOHN C. DANFORTH  
ATTORNEY GENERAL

OFFICES OF THE  
**ATTORNEY GENERAL OF MISSOURI** ATTORNEY'S OFFICE  
JEFFERSON CITY DEPT. OF CONSERVATION

January 15, 1974

Mr. Julian L. O'Malley, Attorney  
Missouri Department of Conservation  
Post Office Box 180  
Jefferson City, Missouri 65101

RE: Opinion No. T-3  
Abstract of Title  
Henry Griffin Tract-Butler  
County, Missouri.

Dear Mr. O'Malley:

As requested in your letter of December 17, 1973, I have examined the enclosed Abstract of Title No. 11966, covering the following described tract of land lying in Butler County, Missouri:

A tract of land located in the North Half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section Twenty-eight (28), Township Twenty-three (23) North, Range Seven (7) East, and more particularly described as follows: Commencing at an iron pin in the centerline of the county road, the East Quarter ( $E\frac{1}{2}$ ) corner of Section Twenty-eight (28); thence, North  $89^{\circ}-51'-40''$  West, along the North line of the Southeast Quarter ( $SE\frac{1}{4}$ ), 702.2 feet to the centerline of Inter-River Drainage District of Missouri's levee and the point of beginning. Thence along said levee South  $12^{\circ}-37'-00''$  West, 154.0 feet to the point of curvature. Thence on a 5.0 degree curve to the right, 760 feet, to the point of tangent; thence, South  $50^{\circ}-37'-00''$  West, 837.9 feet, to the South line of the North Half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ), Section Twenty-eight (28); thence leaving centerline of levee, North  $89^{\circ}-51'-39''$  West, along the South line of the North Half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ), 240.0 feet, to an iron pin; thence North  $89^{\circ}-51'-39''$  West, 269.0 feet to an iron pin; thence North  $89^{\circ}-51'-39''$  West, 100.0 feet, to center of Black River, thence traversing center of Black River upstream, North  $45^{\circ}-01'-37''$  East, 263.6 feet, North  $74^{\circ}-14'-23''$  East, 407.4 feet, North  $44^{\circ}-22'-21''$  East, 189.1 feet, North  $28^{\circ}-08'-35''$  West, 193.0 feet, North  $57^{\circ}-03'-22''$  West, 160.2 feet, North  $29^{\circ}-20'-39''$  East, 212.3 feet, South



Mr. Julian L. O'Malley  
Page 2

87°-43'-55" East 276.3 feet, North 65°-25'-30" East, 151.2 feet, and North 17°-13'-40" East, 409.1 feet to the Intersection of the North line of the Southeast Quarter (SE $\frac{1}{4}$ ), thence South 89°-51'-40" East, on said North line of the Southeast Quarter (SE $\frac{1}{4}$ ), 75.0 feet to an iron pin; thence South 89°-51'-40" East, 351.0 feet to an iron pin; thence South 89°-51'-40" East, 132.6 feet to the point of beginning. The above enclosed described tract contains 19.42 acres, with half the river comprising 3.27 acres and the Inter-River Drainage District of Missouri's right-of-way easement comprising 5.66 acres. The net area is 10.49 acres.

as last certified at 4:00 o'clock, p.m., November 29, 1973 by Abington Abstract & Title Company, Poplar Bluff, Missouri.

Based upon my examination of Abstract of Title No. 11966, it is my opinion that fee title to the above described tract of land vested in the Conservation Commission of the State of Missouri as of November 29, 1973, subject to the following reservations and exceptions:

1. Subject to any encroachments, easements, or measurements that a correct survey would show.

The foregoing opinion, which I hereby approve, was prepared by my assistant, George H. Miller



JOHN C. DANFORTH  
Attorney General

Encl. Abstract of Title No. 11966.

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## **Appendix B**

# **Wolverton Tract General Warranty Deed**

1269

Stationery Co., 908 Walnut, Kansas City, Mo.

Crane Roost Access  
Butler County  
.58 acres  
\$1,500.00

### GENERAL WARRANTY DEED

**This Indenture.** Made on the 16th day of February A. D., 1978  
by and between Minnie B. Wolverton  
of the County of Butler, in the State of Missouri, party of the First Part, and **THE**  
**CONSERVATION COMMISSION OF THE STATE OF MISSOURI**, party of the Second Part:

**WITNESSETH**, That the said party of the First Part in consideration of the sum of \_\_\_\_\_  
ONE DOLLAR AND OTHER VALUABLE CONSIDERATIONS-----DOLLARS,  
to her paid by the said party of the Second Part, the receipt of which is hereby acknowledged, does  
by these presents, **GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM** unto the said party of the  
Second Part, its successors and assigns, the following described lots, tracts or parcels of land lying, being and  
situate in the County of Butler, State of Missouri, to wit:

A tract of land located in the North Half (N $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Twenty-eight (28), Township Twenty-three (23) North, Range Seven (7) East in Butler County, Missouri and more particularly described as follows:

Commencing at an iron pin in the center line of the county road at the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Twenty-eight (28); thence North 89 $^{\circ}$ -51'-40" West, along the North line of the Southeast Quarter (SE $\frac{1}{4}$ ) 402.2 feet and the point of beginning. Thence South 00 $^{\circ}$ -08'-20" West, 20.0 feet, thence South 63 $^{\circ}$ -53'-20" West, 267.0 feet; thence South 88 $^{\circ}$ -53'-20" West, 91.6 feet; thence North 12 $^{\circ}$ -37'-00" East, 143.5 feet, thence South 89 $^{\circ}$ -51'-40" East, 300 feet to the point of beginning.

The above enclosed described tract contains .68 acres including the Inter-River Drainage District of Missouri's right-of-way easement containing 0.10 acres. The net area is 0.58 acres, more or less.

The mailing address of the Grantee is Box 180, Jefferson City, Missouri.

**TO HAVE AND TO HOLD** the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said party of the Second Part and unto its successors and assigns **FOREVER**, the said party of the First Part

hereby covenanting that she is  
lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she  
has good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by her or those under whom she claims and that  
she will warrant and defend the title to said premises unto the said party of the Second Part, and unto its successors and assigns **FOREVER**, against the lawful claims and demands of all person whomsoever including the payment of taxes for the year 1977 and prior thereto.

# **Appendix C**

## **Biological Review**

# Crane Roost CA Disposal

## Biological Review

Prepared By Jonathan Vallance

September 1<sup>st</sup> 2022

### Crane Roost Conservation Area (Area ID: 7215)

This 11.07-acre tract is being considered for disposal due to the lack of access for public use and resource management. This tract is located in The Black River Alluvial Plain (Subsection: Black River Silty Lowland). This tract is bordered on the West by the Black River, North, South, and East sides are surrounded by private land. A drainage ditch runs along the East side of the area. Access is by boat from Black River on the West side of the area or, by drainage ditch on the East side. Timber management is unpractical due to the expense that it would require to access the area with harvest equipment and the low value of timber present on the tract.

This Forest is a mature Bottomland Forest with no evidence of ever being harvested. It consists of Sugarberry, Sycamore, Maple, Persimmon, and some Oak and Hickory. The Oaks present are mostly over mature Pin Oak. The understory is mostly Pawpaw, Persimmon, and Maple. There was no Oak regeneration observed during inventory. The property is flat and within the flood zone of Black River with yearly flooding. Basal Area is 106 and made up mostly of soft mass species. Forest floor is mostly bare due to frequent flooding.

There are no documented SOCC's on the property but there are several located in the river nearby. See attached map for location of nearby SOCC's which include the Alligator Snapping Turtle (S2), Bankclimber mussel (S3), weed shiners (S3), etc. The Pink Mucket (S2) is known from the Black River and the species has been documented adjacent to Coon Island Conservation Area, farther south of this property. There are no known bat roosts or maternity colonies nearby, but bat roosting habitat is likely available in the forest.

Picture 1 & 2: Large pin oaks on property (up to 52" dbh).



Picture 3: Understory on property consists of mostly pawpaw and maple trees.



Picture 4: Virginia dayflower. One of the only herbaceous species found on the property.



Picture 5 & 6: Shows stand structure found on the property. Closed canopy with very little herbaceous and leaf litter component due to frequent flooding.



Map 1: Location of SOCC's in relation to the Crane Roost Access.



## **Appendix D**

### **Section 106 Survey Memo**





**MISSOURI DEPARTMENT OF NATURAL RESOURCES**  
 STATE HISTORIC PRESERVATION OFFICE  
 P.O. BOX 176, JEFFERSON CITY, MISSOURI 65102  
 (573) 751-7858

**SECTION 106 SURVEY MEMO**

SHPO USE ONLY	
REVIEWER	
DATE	SHPO LOG #
<input type="checkbox"/> ACCEPTED	<input type="checkbox"/> REJECTED

1) SHPO PROJECT #

**LOCATION INFORMATION & SURVEY CONDITIONS**

2) COUNTY(S)  
Butler

3) U.S.G.S QUADRANGLE NAME(S)  
Oglesville, MO

4) PROJECT TYPE/TITLE  
Phase I Cultural Resource Survey for a Land Divesture Environmental Assessment, MDC Crane Roost Access, Butler County, Missouri (72-15-00)

5) FUNDING/PERMITTING FEDERAL AGENCY(S)  
USFWS / MDC

6) SECTION  
28

7) TOWNSHIP  
23N

8) RANGE  
07E

9) U.T.M. OR LAT/LONG COORDINATES FOR GENERAL PROJECT LOCATION  
NAD 83 Zone 15S 4054876N 740910E

10) PROJECT DESCRIPTION  
Phase I Cultural Resource Survey of the MDC Crane Roost Access, Butler County, Missouri

11) TOPOGRAPHY  
Floodplain

12) SOILS  
Dubbs silt loam, 1-5% slopes, rarely flooded

13) DRAINAGE  
Black River

14) LAND USE/GROUND COVER (INCLUDING % VISIBILITY)  
Wolverton Tract – agricultural, 90-100% GSV; Griffin Tract – wooded, 10-30% GSV

15) SURVEY LIMITATIONS  
None

**HISTORICAL BACKGROUND INFORMATION & SURVEY RESULTS**

16) SHPO - CULTURAL RESOURCE INVENTORY

17) ARCHAEOLOGICAL SURVEY OF MISSOURI

18) ONLINE GIS DATABASE

19) HISTORIC PLATS/ATLASES/SOURCES REFERENCED  
1930 W.W. Hixson and Company Plat Book of Butler County, MO; 1935 USGS Oglesville, MO 15-min. topographic quadrangle

20) PREVIOUSLY REPORTED ARCHAEOLOGICAL SITES WITHIN ONE-MILE RADIUS SEARCH AREA  
None

21) PREVIOUS CULTURAL RESOURCE SURVEYS WITHIN ONE-MILE RADIUS SEARCH AREA  
None

22) OTHER REGIONAL SOURCES UTILIZED  
None

23) OWNER(S) OF SURVEYED PROPERTY  
MDC

24) INVESTIGATION TECHNIQUES  
Judgmental shovel testing, soil auger, pedestrian survey

25) TIME EXPENDED  
24 PERSON HOURS

26) ARCHAEOLOGICAL/ARCHITECTURAL PROPERTIES LOCATED  
None

27) CULTURAL MATERIALS AND/OR FEATURES IDENTIFIED  
NA

28) ARTIFACTS/RECORDS CURATED AT  
NA

29) COLLECTION TECHNIQUES  
NA

30) ESTIMATE OF AREA SURVEYED (ACRES) 11.07 acres (44,799 square meters)

31) RESULTS OF INVESTIGATION AND RECOMMENDATIONS (NOTE: "HISTORIC PROPERTIES" REFERS TO PROPERTIES LISTED OR ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER):

- a) No historic properties located
- b) No historic properties adversely affected
- c) Historic properties adversely affected
- d) Properties located that may be eligible for the National Register; further testing is recommended

32) Comments: See attached pages.

**CULTURAL RESOURCE MANAGEMENT CONTRACTOR INFORMATION**

32) ARCHAEOLOGICAL CONSULTANT

Wood E&IS

33) ADDRESS/PHONE/EMAIL

212 E. McCarty Street, Jefferson City, MO 65101 / 573-659-0615 / kathy.warner@woodplc.com

34) SURVEYOR(S)

John Bybee, Anthony Scimeca, Andy May

35) SURVEY DATE(S)

29 June – 1 July 2022


36) REPORT COMPILED BY

John Bybee

37) DATE

14 July 2022

38) SUBMITTED BY (SIGNATURE AND TITLE)



Kathryn Drennan Warner, MA., Senior Archaeologist

39) ATTACHMENT CHECK LIST: (REQUIRED)

- 1) Relevant Portion of USGS 7.5' Topographic Quadrangle Map(s) Showing Project Location and Any Recorded Sites
- 2) Project Map(s) Depicting Survey Limits and, when applicable, Approximate Site Limits, and Concentrations of Cultural Materials
- 3) Site Form(s): One Copy of Each Form
- 4) All Relevant Project Correspondence
- 5) Additional Information Sheets as Necessary

40) MAILING ADDRESS OF OWNER/AGENT/AGENCY TO WHOM SHPO COMMENTS SHOULD BE SENT

Doyle Brown

Kathryn Drennan Warner, MA

Missouri Department of Conservation

Wood E&IS

2901 West Truman Blvd

212 E. McCarty Street

Jefferson City, MO 65109

Jefferson City, MO 65101

41) CONTACT PERSON NAME

Doyle Brown, Federal Aid Coordinator

42) CONTACT PERSON PHONE NUMBER & EMAIL

573-751-4115 / doyle.brown@mdc.mo.gov

**REVIEWER COMMENTS**

[REVIEWER COMMENTS SECTION - SHADDED AREA]

### Introduction:

From 29 June through 1 July 2022, archaeologists from Wood Environment & Infrastructure Solutions, Inc. (Wood) conducted a Phase I cultural resource survey of the Missouri Department of Conservation (MDC) Crane Roost Access, Butler County, Missouri (**Figures 1 and 2**). This investigation was undertaken at the request of Doyle Brown, Federal Aid Coordinator, MDC, to assist in fulfilling the requirements of an environmental assessment (EA) associated with divestiture of the property. As US Fish and Wildlife Dingell-Johnson sportfish restoration funds were utilized to purchase this portion of the access, the project is subject to the Section 106 review process. This investigation was conducted in compliance with Public Law 89-665, the National Historic Preservation Act of 1966 (as amended), 16 U.S.C. 470 (f), and Presidential Executive Order 11593. The project complies with established specifications for field investigations and National Register of Historic Places (NRHP) assessment according to the Secretary of the Interior's *Standards and Guidelines for Archaeology and Historic Preservation* (Federal Register, Vol. 48, No. 190, 1983) and with guidelines set forth by the Missouri State Historic Preservation Office (SHPO).

### Project Overview:

The Crane Roost Access is located in the southeastern region of the state within the low-lying Mississippi Alluvial Plain in Butler County, Missouri. MDC proposes to divest the property and is required to complete an EA to accommodate this land divestiture. A cultural resource survey of the holdings is a necessary component of the EA as the access was purchased using federal funds. The Crane Roost Access is composed of two tracts of land, the Wolverton Tract and the Griffin Tract, both of which comprise the project area (PA). The Wolverton Tract encompasses 0.58 acres of land and is positioned on the east bank of the Black River drainage. The eastern portion of this tract is set in an active agricultural field, which allowed for excellent ground surface visibility (GSV; **Photograph 1**). The western portion of the Wolverton Tract falls in County Road 206 and the adjacent Black River levee (**Photograph 2**). The Griffin Tract encompasses 10.49 acres and consists of a heavily wooded island in the Black River channel (**Photograph 3**). Vegetation on the Griffin Tract is dominated by sycamore and cottonwood trees with a moderate to dense understory, typical of a riparian environment. The Griffin Tract is separated from the Wolverton Tract by a manmade levee and canal that runs northeast-southwest along the east side of the island (**Photograph 4**). The Black River defines the western boundary of the island (**Photograph 5**). The island appears to be prone to frequent periods of inundation and is only accessible by boat or during periods of extreme low water levels. The PA is located in Section 28, Township 23 North, Range 7 East approximately 10 miles southeast of Poplar Bluff, Missouri, in the Black River floodplain. An archaeological survey was completed to assess the potential for cultural resources within the PA.

### Archival Review and Site File Search:

An historic topographic map and an historic plat were reviewed prior to fieldwork: the 1930 W.W. Hixson and Company *Plat Book of Butler County, Missouri* (**Figure 3**) and the 1935 USGS *Oglesville, MO* 15-minute topographic quadrangle map (**Figure 4**). No historic structures are located within or immediately adjacent to the PA on any of the reviewed historic maps.



The levee and canal that separate the Griffin Tract from the Wolverton Tract were created by the Inter-River Drainage District that was formed in 1913; however, it is uncertain when exactly when they were constructed. This drainage district oversaw the construction of drainage ditches and levees throughout the region, which was integral to create viable agricultural land in areas between the St. Francis and Black River drainages that were previously dominated by swamps (Thomason 1994). The Inter-River Drainage District drained approximately 127,000 acres of land in the region, including land in Butler County, extending east to the state line (Thomason 1994).

A site file search was also conducted to identify any previously recorded archaeological sites or surveys within or adjacent to the PA. No archaeological sites or surveys fall within one mile of the current PA (**Figure 5**).

#### Archaeological Results:

The PA is located within the Black River floodplain, with the Griffin Tract consisting of an island within the Black River channel. Survey of the two tracts consisted of a combination of pedestrian survey, judgmentally placed shovel testing, and soil augering (**Photographs 6-7**). The Wolverton Tract is positioned in a recently plowed agricultural field, which allowed for excellent GSV at 90 – 100 percent. As such, the Wolverton Tract was subject to a pedestrian survey at 5-meter (m) intervals, with a single shovel test probe (STP) excavated to investigate for potential buried cultural horizons (**Figure 6**).

GSV within the Griffin Tract was generally poor at 10-30 percent. Evidence of frequent flood episodes and recent alluvial soil deposition was noted across the Griffin Tract in the form of scattered flood debris and a thick veneer of alluvial sediments resulting from high flow events. Initially excavated STPs (STP A1 and B1) confirmed these findings and exhibited evidence of frequent flood deposits and hydric soils, indicative of a seasonally inundated landform. As such, nine judgmentally placed STPs were excavated across the Griffin Tract (**Figure 6**). The southern portion of the Griffin Tract could not be accessed due to impenetrable vegetation and wet conditions (**Photograph 8**). A soil auger was also excavated within the Griffin Tract to investigate for deeply buried cultural horizons that may exist in the alluvial setting (**Figure 6**). While the survey noted an historic levee and canal associated with flood control measures along the Black River drainage, no additional cultural resources were encountered within the PA.

Soils within the Wolverton Tract consisted of a 16 cm thick dark yellowish brown (10YR 3/4) silt loam (Zone I) over a brown (10YR 4/3) silt loam (Zone II) that extended to a depth of 35 cmbs (**Photograph 9**). Zone I soils appear to represent an agricultural plowzone. Soils within the Griffin Tract were consistently indicative of frequent flood episodes. A typical soil profile consisted of 20-30 cm brown to dark yellowish brown (10YR 5/3, 10YR 4/4) silt loam (Zone I) over 8-15 cm of a dark yellowish brown (10YR 3/4) sandy loam (Zone II), over a dark brown (10YR 3/3) sand that extended 50 cm+ below surface (**Photograph 10**). Some STPs exhibited more frequent soil depositions, or banding of sandy loams and sands, which is consistent with a frequently flooded alluvial setting (**Photograph 11**). The soil auger excavated within the north



central portion of the Griffin Tract (Auger 1) provided a more complete representation of the soils on the island (**Table 1; Photograph 12**).

**Table 1. Results of Auger 1, Griffin Tract, Crane Roost Access.**

<b>Depth</b>	<b>Color</b>	<b>Texture</b>	<b>Attribute(s)</b>
0-40	Dark Yellowish Brown (10YR 4/4)	Silt Loam	
40-60	Dark Yellowish Brown (10YR 4/4)	Sandy Loam	
60-95	Dark Yellowish Brown (10YR 4/4) mottled with a Brown (10YR 5/3)	Sandy Loam to Sand	
95-130	Dark Yellowish Brown (10YR 3/4) mottled with a Dark Grayish Brown (10YR 4/2)	Sandy Clay to Clay Loam	Iron oxide staining – hydric soils
130-140	Brown (10YR 4/3)	Sandy Clay	Iron oxide staining – hydric soils
140-160	Yellowish Brown (10YR 5/4)	Sand	Damp
160-180	Grayish Brown (10YR 5/2) mottled with a Dark Yellowish Brown (10YR 4/4)	Sandy Clay	Damp, iron oxide staining – hydric soils

Recommendations:

Wood completed a Phase I cultural resource survey of 11.07 acres within two tracts of land that comprise the MDC Crane Roost Access, Butler County, Missouri. The survey was completed as part of an EA associated with the divestiture of the property. During the cultural resource survey, no cultural materials were identified. The Wolverton Tract was subject to pedestrian survey and a judgmental STP. The Griffin Tract, which consists of a wooded island in the Black River, was subject to judgmentally placed STPs and a soil auger. Signs of frequent inundation and flood episodes were apparent on the Griffin Tract. Soils within the tract did not appear conducive for the presence of intact archaeological sites. While portions of an historic levee and man-made canal fall within the PA, no additional cultural resources were noted during the cultural resources survey. Wood recommends no further archaeological work is necessary and the project should be allowed to proceed as planned.



## Bibliography:

Hixson, W. W. & Co.

1930 *Plat Book of Butler County, Missouri*. Rockford, IL.

Thomason, Philip

1994 Historic Resources of Poplar Bluff, Missouri. National Register of Historic Places Multiple Property Documentation Form. Electronic document, <https://mostateparks.com/sites/mostateparks/files/Historic%20Resources%20of%20Poplar%20Bluff%2C%20MO.pdf>, accessed July 28, 2022.

United States Department of Agriculture

2022 Soil Survey Staff, NRCS. Soil Survey Geographic (SSURGO) Database for the Upper Black River drainage, MO. Electronic document, <http://www.arcgis.com/apps/OnePane/basicviewer/index.html?appid=a23eb436f6ec4ad6982000dbaddea5ea>, accessed July 14, 2022.

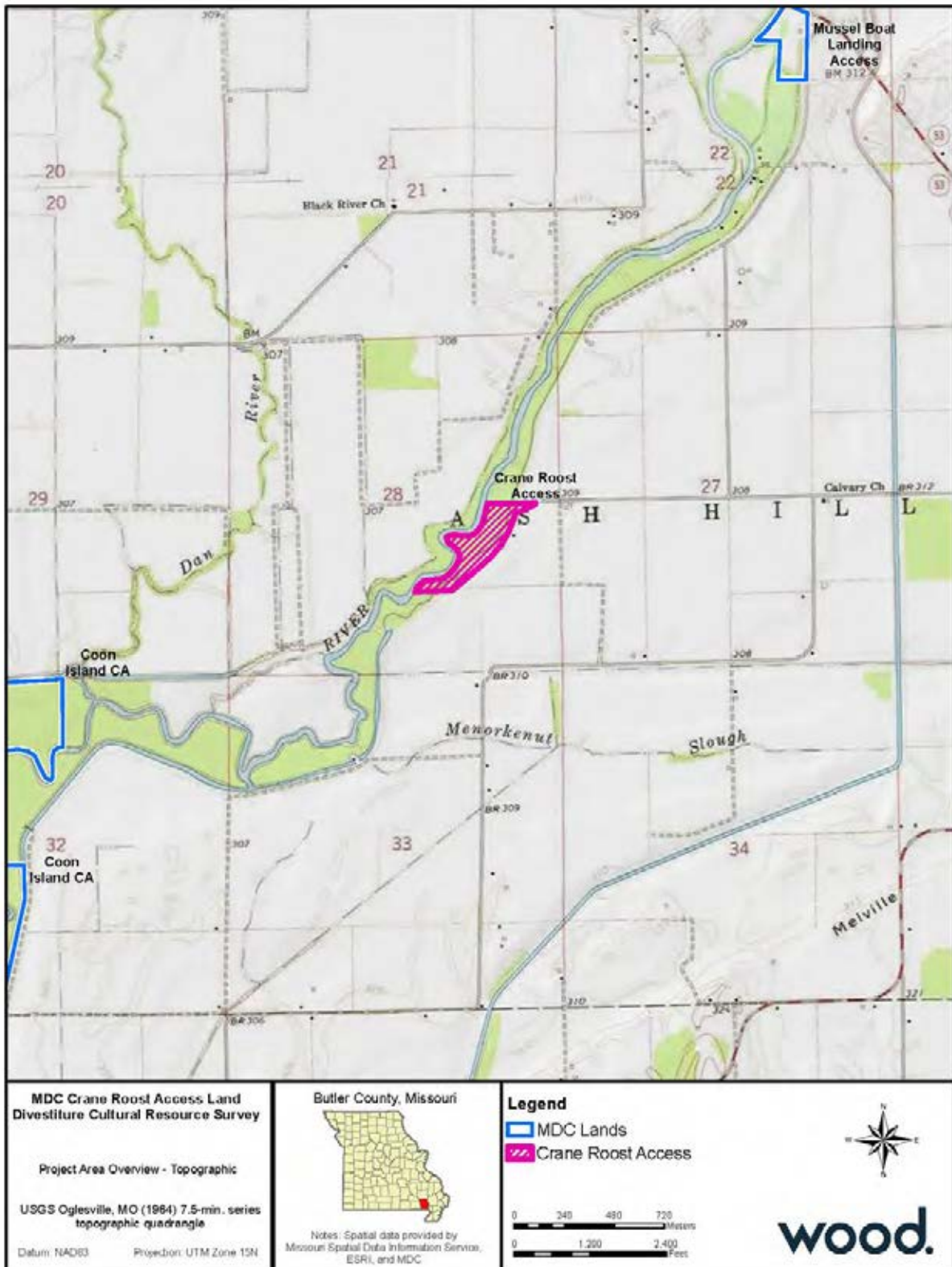
United States Geological Survey

1935 *Oglesville, Missouri*. Quadrangle, 15-minute series (Topographic). Reston, VA.

1964 *Oglesville, Missouri*. Quadrangle, 7.5-minutes series (Topographic). Reston, VA.

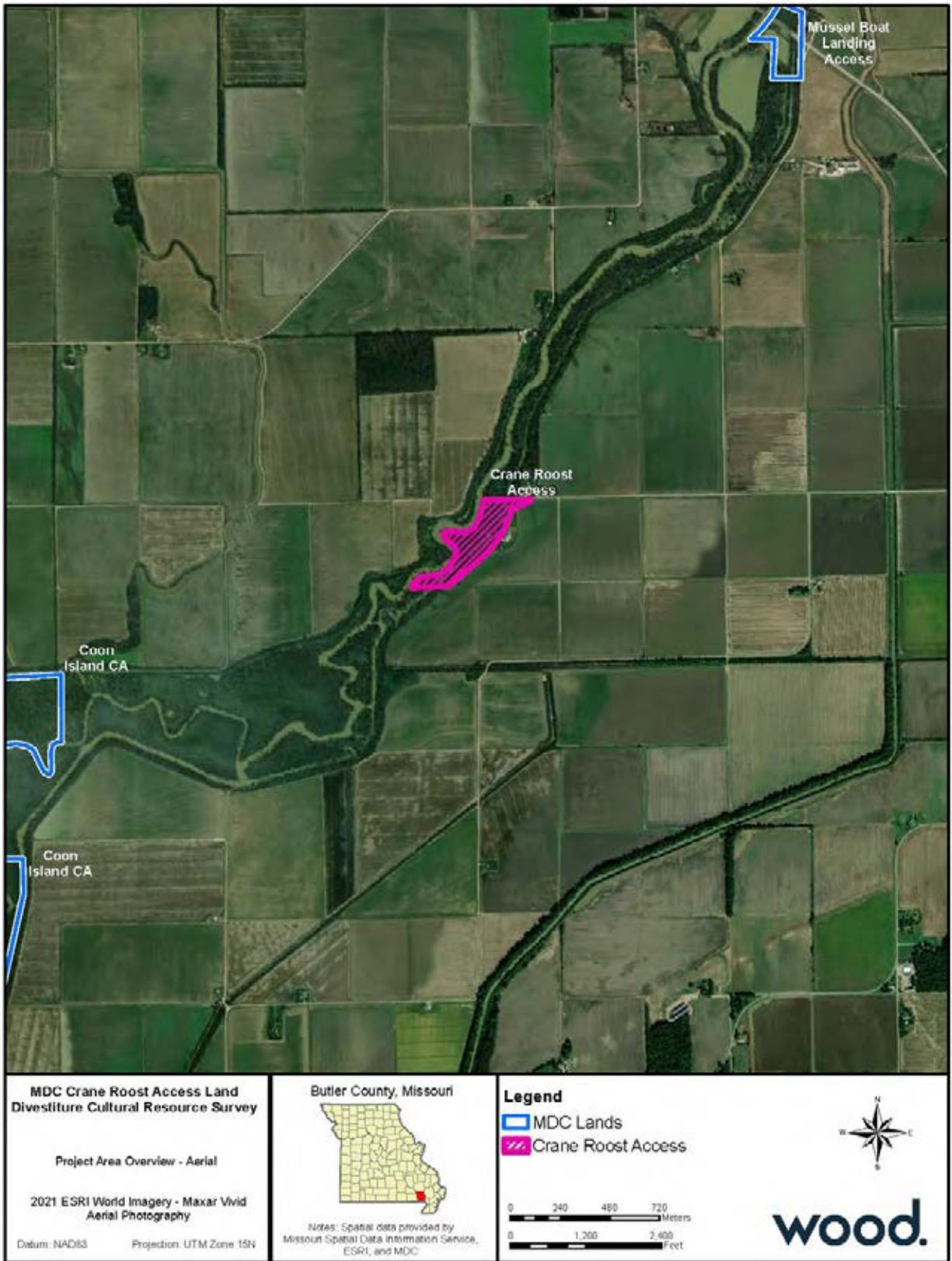


**Figures:**



**Figure 1. Crane Roost Access PA depicted on modern topographic map.**

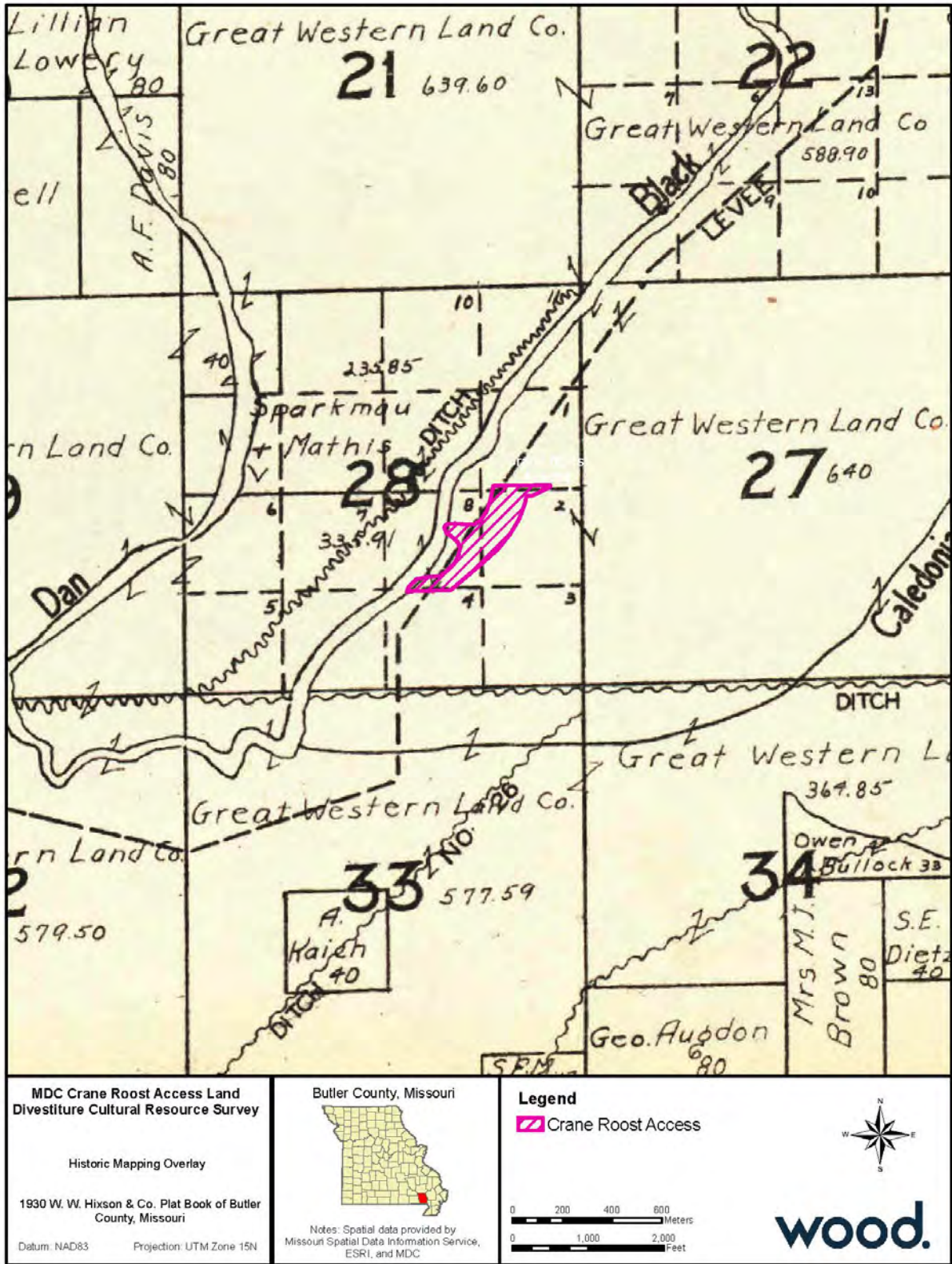




**Figure 2. MDC Crane Roost Access PA depicted on aerial photography.**

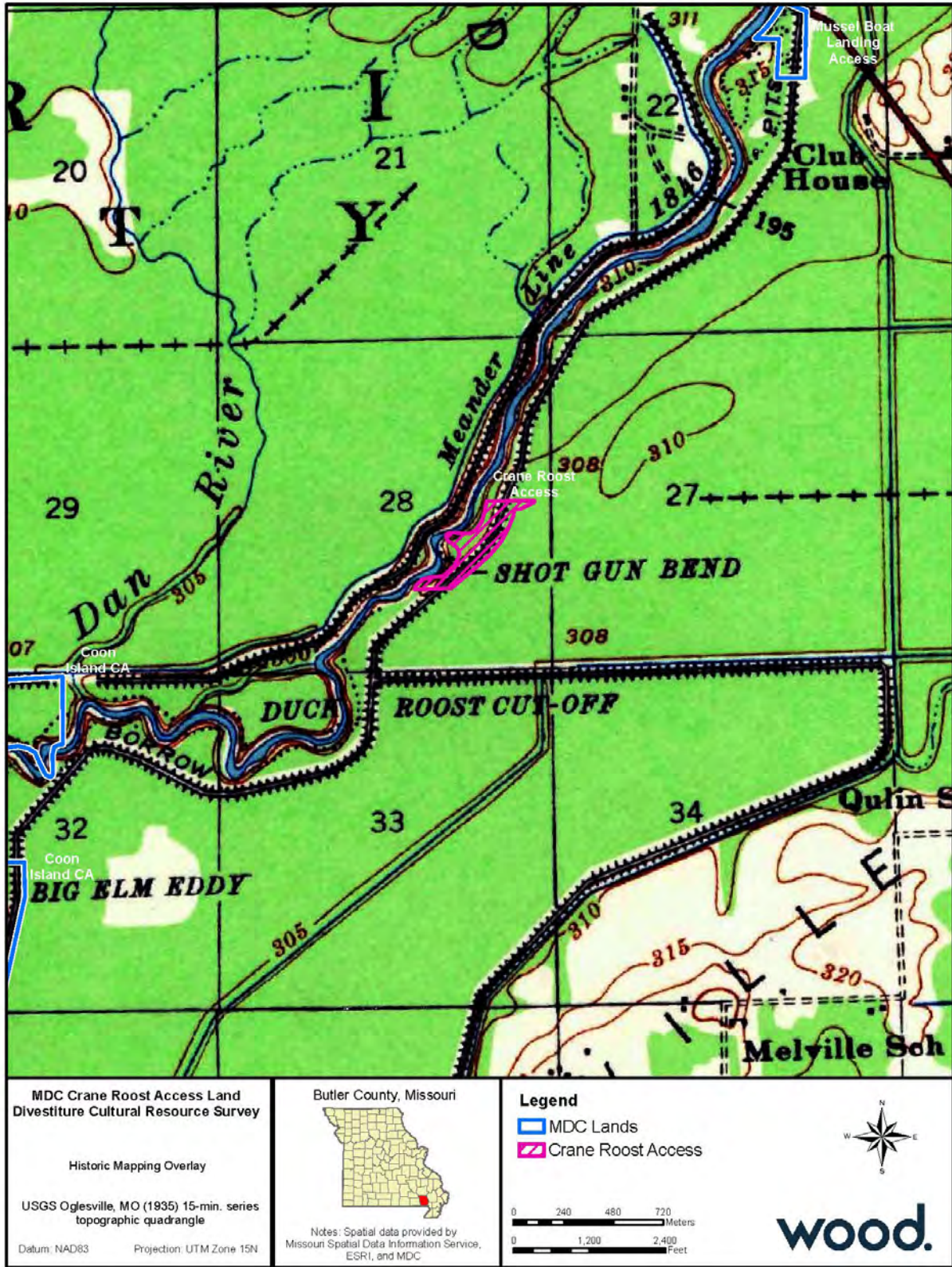






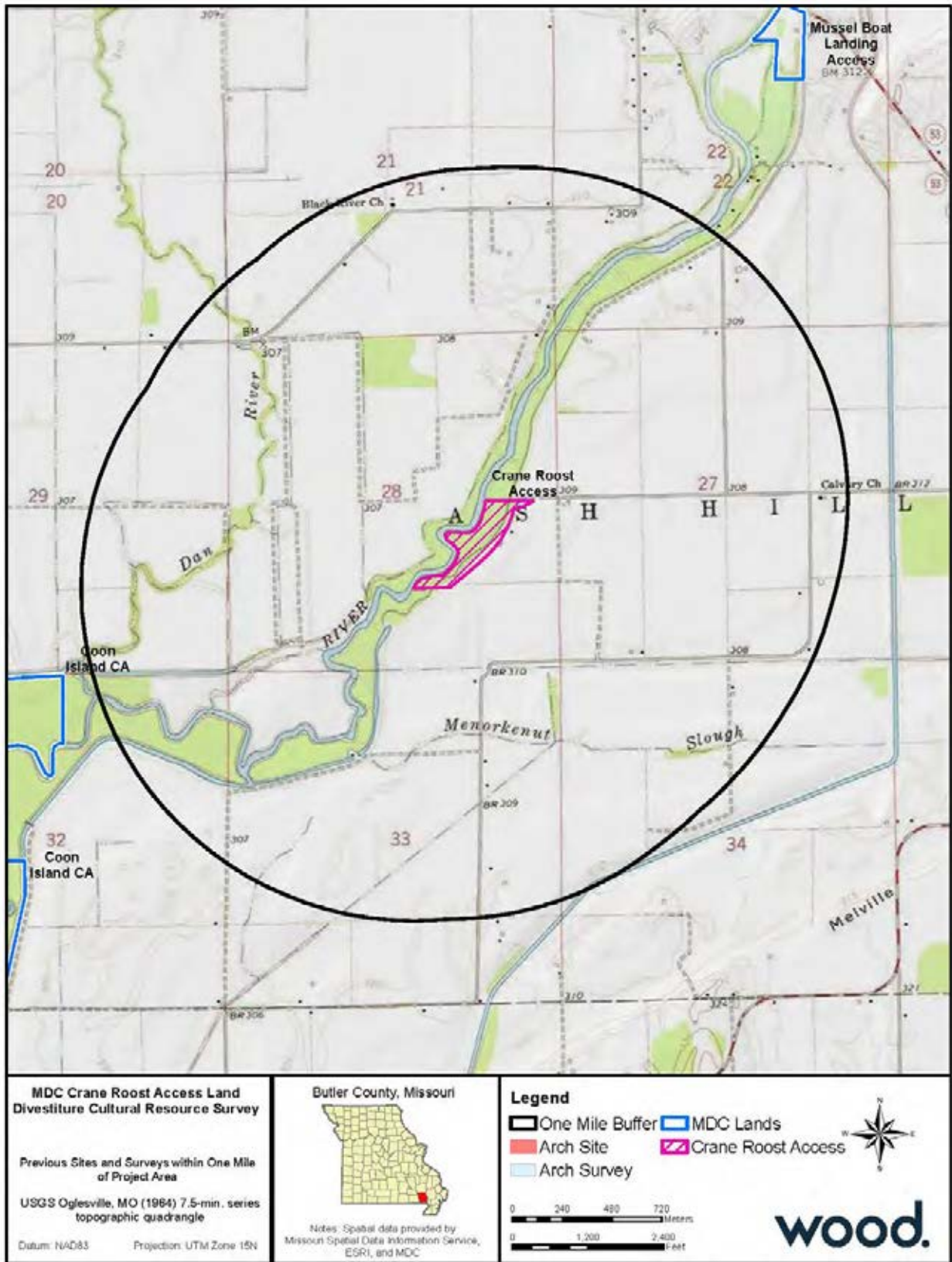
**Figure 3. MDC Crane Roost Access PA depicted on the 1930 Hixon and Company Plat Book of Butler County, Missouri.**





**Figure 4. MDC Crane Roost Access PA depicted on the USGS 1935 Oglesville, MO, 15-minute series topographic quadrangle.**





**Figure 5. Previous sites and surveys within a one-mile radius of PA – none noted.**





**Figure 6. MDC Crane Roost PA survey results depicted on modern aerial.**



**Photographs:**



**Photograph 1. Crane Roost Access Wolverton Tract in agricultural field setting. View to west.**



**Photograph 2. Crane Roost Access Wolverton Tract – west portion in gravel road and levee. View to southwest.**





**Photograph 3. Crane Roost Access Griffin Tract – wooded interior of island. View to west.**



**Photograph 4. Manmade canal that separates Griffin Tract from Wolverton Tract. View to north.**



**Photograph 5. Black River that defines west boundary of Griffin Tract. View upriver to northeast.**



**Photograph 6. Crew performing pedestrian survey in Wolverton Tract agricultural field. View to east.**





**Photograph 7. Crew performing shovel testing in Griffin Tract. View to southeast.**



**Photograph 8. Impenetrable vegetation in southern portion of Griffin Tract. View to southwest.**







**Photograph 9. Crane Roost Access Wolverton Tract STP 1 soil profile at 30 cmbs.**



**Photograph 10. Crane Roost Access Griffin Tract STP A3 soil profile at 50 cmbs.**



**Photograph 11. Crane Roost Access Griffin Tract STP D1 soil profile at 55 cmbs. Soil profile exhibits soil banding indicative of rapid flood episodes.**



**Photograph 12. Crane Roost Access Griffin Tract Auger 1 soil profile 0-180 cmbs.**