DRAFT ENVIRONMENTAL ASSESSMENT

WALL LAKE GAME PRODUCTION AREA DISPOSAL
HAND COUNTY, SOUTH DAKOTA

June 26, 2012

Prepared by:

U.S. Fish & Wildlife Service
Wildlife and Sport Fish Restoration Program
Region 6
Denver, Colorado

&

South Dakota Department of Game, Fish & Parks
Division of Wildlife
Pierre, South Dakota
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PURPOSE AND NEED FOR ACTION

The South Dakota Department of Game, Fish & Parks-Wildlife Division (SDGFP) has requested approval of the U.S. Fish and Wildlife Service (Service), Wildlife and Sport Fish Restoration Program (WSFR) to dispose of the 80 acre Wall Lake Game Production Area (GPA) in Hand County, South Dakota.

The WSFR approval of the proposed disposal constitutes a federal action subject to the provisions of the National Environmental Policy Act of 1969 (NEPA), as amended. The Service is therefore required to prepare an Environmental Assessment (EA) to analyze the effects on the human environment and document the findings. The Service will use this draft EA and associated public review process to determine if the proposed action is likely to result in significant impacts to the human environment. If it is determined, conversely, that there are no significant adverse impacts, the Service will issue a Finding of No Significant Impact (FONSI). If it is determined, conversely, that significant impacts might occur, the Service will be required to prepare an Environmental Impact Statement (EIS) to assess the impacts.

The purpose of this action is to receive approval from the Service to dispose of the Wall Lake GPA. The SDGFP acquired the 80 acre Wall Lake GPA in March 1963. Pittman-Robertson Wildlife Restoration Act program funds provided 75% of the cost of the acquisition through WSFR Grant W-73-L-25. SDGFP purchased the property to provide game production habitat, wildlife refuge, and public hunting opportunities. The property is an isolated, nearly inaccessible tract, separated from other GPAs in the area. A map of the Wall Lake GPA is attached as Appendix A. Wall Lake GPA no longer serves the purpose(s) for which it was acquired. It provides little to no wildlife habitat management opportunities, and presents public access and use challenges for SDGFP because the GPA has been inundated by water due to normal and above normal precipitation. Upon evaluating the effects of this proposed property disposal, SDGFP has determined that the affected wildlife resources and public interests would be unaffected by the proposed property disposal and loss of Federal interest.

ALTERNATIVES

Proposed Action

The Proposed Action is disposal of the Wall Lake GPA, and subsequently the Federal interest in the property. The Proposed Action allows SDGFP to address the management challenges associated with the property with little to no impact to wildlife, wildlife habitat, and public use. An appraisal and appraisal review of the Wall Lake GPA was prepared in accordance with the Uniform Standards of Professional Appraisal Practices (USPAP) and Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA), and a value of $28,650.00 for the property was established.

No Action

If no action is taken, SDGFP will continue to own the Wall Lake GPA, the Federal interest will remain in the property, and the previously identified management challenges associated with the property will continue to exist.

Alternatives Considered but Eliminated from Further Analysis

Acquiring adjacent property to existing GPAs is a priority for SDGFP. This is particularly true of situations such as the Wall Lake GPA where access and management opportunities are severely limited;
however, a standing offer by SDGFP to adjoining property owners has not produced suitable purchase offers. Therefore this alternative is not viable for SDGFP.

The GPA disposal via property exchange was also considered as an option available to SDGFP. Locating a suitable exchange property for the Wall Lake GPA that would add to an existing GPA is made even more difficult by the undesirable location of the Wall Lake GPA relative to ownership surrounding other GPAs. Locating a landowner adjacent to an existing GPA willing to trade their property for the Wall Lake GPA is infeasible. Therefore, this alternative is not viable for SDGFP.

**AFFECTED ENVIRONMENTS**

**Physical Resources**

**Location**
The 80 acre Wall Lake GPA is located 20 miles south of Miller in Hand County, South Dakota. It is described legally as the N1/2NW1/4 of Section 16, Township 109 North, Range 68 West. The property is almost entirely inundated as it lies within the lake bed of Wall Lake and the level of the lake has risen in recent years.

**Recreation**
The SDGFP property, while open to limited public hunting and other wildlife related recreation, has offered little opportunity for these activities due to its inaccessible location and inundated condition.

**Wetland Resources**
The 80 acre Wall Lake GPA consists of 77 acres of semi-permanent 4 wetland (PEM/ABF), as identified in the National Wetlands Inventory. A map showing the location and classification of these wetlands is attached as Appendix B. Executive Order (EO) 11990 *Protection of Wetlands* directs federal agencies to protect wetlands by avoiding: (1) long and short-term adverse impacts associated with the destruction or modification of wetlands and, (2) direct or indirect support of new construction in wetlands wherever there is a practicable alternative. Section 4 of the EO addresses the use of restrictions in conveyance documents to protect wetlands when Federally-owned wetlands or portions of wetlands are proposed for lease, easement, right-of-way, or disposal to non-Federal public or private parties. The use restrictions would apply to the entity (and its successors) that purchases the property. The SDGFP does not intend to place any restrictions or easements on the property to be disposed. Wall Lake, like so many other prairie wetlands in eastern South Dakota, is a semi-permanent wetland basin subject to natural and climatologically-influenced hydrologic cycles, ranging from complete inundation to period of complete dry down. However, due to its frequent and long-lasting inundation, the wetland area traditionally has not been cultivated, farmed, or grazed, and despite cyclical yet extreme hydrologic conditions, Wall Lake is still considered a “lake” by all practical standards and thus is give a certain public value and status as such. At nearly 1,200 acres in size, Wall Lake is an asset to the six different current owners in and around the lake basin, including the Service, which owns a 40 acre Waterfowl Production Area (WPA) in the center of the lake. This view of Wall Lake as an asset is clearly supported by the continued and passionate desire of the surrounding landowners to maintain the area in official State Gamebird Refuge status despite their private property right to control trespass to the surrounding land and Wall Lake itself. It is a known fact that area landowners, and arguably, any entity interested in the Wall Lake GPA will view it as an asset. It seems less than reasonable to assume even a remote threat exists that Wall Lake and its wetland resources would be purposely damaged, degraded, or adversely impacted by a private
landowner. Thus, the Service, along with the SDGFP, believes these wetlands will be protected against adverse impacts and thus the proposed action would conform to the Executive Order.

Prime and Unique Farmlands
The Wall Lake GPA contains 0.8 acres of prime farmland and 0.9 acres of farmland of statewide importance (described in Appendix C). These areas are not currently in agricultural use, and it is anticipated that these areas will remain in non-agricultural use under other ownership. A map showing the location and classification of soils on each tract is attached as Appendix C.

Historic and Cultural Resources
A search of the South Dakota ARMS database indicated no cultural or historic properties on the Wall Lake GPA. The South Dakota Office of the State Historic Preservation Officer (SHPO) concurred with the determination of No Historic Properties Affected by the proposed undertaking. A copy of the letter of concurrence from the SHPO is attached as Appendix D.

Biological Resources
Vegetation Resources
The Wall Lake GPA is almost entirely a semi-permanent wetland, with a plant community typical of this wetland type. Species include cattail (Typha spp.), bulrush (Scirpus spp.), duckweed (Lemma spp.), coontail (Ceratophyllum demersum), common bladderwort (Utricularia vulgaris), and water milfoil (Myriophyllum exalbescens). The small amount of upland/wetland transitional zone is comprised primarily of smooth brome (Bromus inermis) and Kentucky bluegrass (Poa pratensis). As with a" prairie wetlands, plant species composition varies with seasonal and annual water conditions.

Wildlife Resources
The Wall Lake GPA likely hosts several resident and migratory wildlife species, both game and non-game species, with specific species composition being a reflection of annual or seasonal wetland conditions. Common game species likely located on and around the area include white-tailed deer (Odocoileus virginianus), Canada goose (Branta canadensis), mallard (Anas platyrhynchos), gadwall (Anas strepera), American widgeon (Anas americana), blue-winged teal (Anas discors), Northern shoveler (Anas clypeata), Northern pintail (Anas acuta), green-winged teal (Anas crecca), and ring-necked pheasant (Phasianus colchicus). Other non-game wildlife species likely located on or in the vicinity of the area include American white pelican (Pelecanus erythrorhynchos), Double-5 crested cormorant (Phalacrocorax auritus), American coot (Fulica americana), Franklin's gull (Larus pipixcan), coyote (Canis latrans), red fox (Vulpes vulpes), raccoon (Procyon lotor) and northern harrier (Circus cyaneus).

Fish and Other Aquatic Species
Under suitable water conditions, the Wall Lake GPA may support fish species such as common carp (Cyprinus carpio), fathead minnow (Pimephales promelas) or brook stickleback (Culnea inconstans). Additionally, the area likely provides seasonal habitat for several aquatic dependant species such as tiger salamander (Ambystoma tigrinum), Northern leopard frog (Lithobates pipiens), and painted turtle (Chrysemys picta).

Special Status Species
No federally listed, threatened or candidate species per the Endangered Species Act are known to occupy or occur on the Wall Lake GPA. The proposed disposal will not affect or impact endangered, threatened,
or candidate species or critical habitat in the area for these species, as stated in the attached letter (Appendix E) from the South Dakota Natural Heritage Program.

ENVIRONMENTAL CONSEQUENCES

Alternative 1 Proposed Action
The proposed action would result in the disposal of the 80 acre Wall Lake GPA and SDGFP would no longer own an isolated, nearly inaccessible tract, separated from other GPAs in the area. While the disposal would decrease SDGFP’s overall land base devoted to wildlife habitat and wildlife habitat management, the Wall Lake GPA property under other ownership would likely continue to sustain the existing wildlife habitat conditions due to the higher lake level, but remove from SDGFP the burden and challenges of severely limited public access and use. Those SDGFP resources currently devoted to the Wall Lake GPA would then be directed to more efficient and effective management and public use opportunities by SDGFP on other GPAs in the area.

Alternative 2 - No Action
If the no action alternative occurs, SDGFP would retain ownership and management responsibilities of the Wall Lake GPA as it currently exists. Further, SDGFP would continue to expend resources for a GPA with inherent public access and use challenges, along with little to no management opportunities.

In summary, when assessing the impacts of SDGFP's decision to dispose of the GPA, it appears that the Preferred Action would have no affect to wildlife resources, wildlife habitat, and public use. A summary of potential impacts topics is provided below for both alternatives in Table 1.

Table 1. Summary of Potential Impacts to Identified Impact Topics

<table>
<thead>
<tr>
<th>IMPACT TOPIC</th>
<th>IMPACTS BY ALTERNATIVE Preferred Action</th>
<th>IMPACTS BY ALTERNATIVE No Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>RECREATION</td>
<td>Given the inaccessibility and limited use opportunities of the Wall Lake GPA, no affect on public hunting and related wildlife recreation would result from the disposal.</td>
<td>Without additional land acquisition by SDGFP, there would continue to be a negative effect on public hunting and related wildlife recreation opportunities.</td>
</tr>
<tr>
<td>WETLAND RESOURCES</td>
<td>The disposal will not negatively affect the integrity or value of any wetland resources on the Wall Lake GPA, as it is anticipated that existing wetlands, once under other ownership, will remain intact due to prevailing environmental conditions.</td>
<td>Under continued ownership by SDGFP, there would be no affect on the existing wetland resources.</td>
</tr>
<tr>
<td>PRIME AND UNIQUE FARMLAND</td>
<td>The Wall Lake GPA contains a very small amount of prime and unique farmland (0.8 acres), and farmland of state importance (0.9 acres). Therefore the disposal will have no affect on these resources.</td>
<td>There will continue to be no affect on these resources as the Wall Lake GPA contains only a very small amount of prime and unique farmland, and farmland of statewide importance.</td>
</tr>
<tr>
<td>HISTORIC AND CULTURAL RESOURCES</td>
<td>A Level 1 records search was conducted for Wall Lake GPA, with no historic properties identified, and the South Dakota SHPO concurred with the determination of No Historic Properties Affected (Appendix D).</td>
<td>The SDGFP property contains no known historic and cultural resources and therefore No Historic Properties Affected by this alternative.</td>
</tr>
</tbody>
</table>
VEGETATION RESOURCES  
Consisting of primarily aquatic vegetation, the composition of which is determined by current hydrologic conditions, the proposed disposal will not affect the integrity or value of the existing Wall Lake GPA.

WILDLIFE RESOURCES  
The disposal will not negatively affect the local wildlife species composition, population levels, or value of the Wall Lake GPA property to wildlife species. What limited harvest of game species may occur would likely continue under other ownership, but will not affect local wildlife populations, as hunting seasons and limits provided for only sustainable harvest levels.

FISH AND OTHER AQUATIC SPECIES  
The disposal will not negatively affect aquatic wildlife species, and it is highly anticipated the aquatic environment on the Wall Lake property will remain intact under other ownership, and continue to provide habitat for various aquatic species.

SPECIAL STATUS SPECIES  
The disposal will not affect or impact endangered, threatened, or candidate species, or critical habitat in the area of these species as these species and their habitats are not present on the property.

CUMULATIVE EFFECT OF THE PROPOSED ACTION

SDGFP purchased the Wall Lake GPA in March 1963 to provide game production habitat, wildlife refuge, and public hunting opportunities. In the years since, SDGFP has made attempts to manage wildlife habitat on the property and provide for wildlife related recreation opportunities consistent with the purpose for which the area was acquired. As an isolated, nearly inaccessible tract, separated from other GPAs in the area, SDGFP has determined the Wall Lake GPA provides little to no wildlife habitat management opportunities, and presents public access and use challenges for SDGFP. Despite its desire and best attempts to address these issues, the challenges persist for SDGFP.

Disposal of the Wall Lake GPA property will help SDGFP attain its desire to more efficiently and effectively manage all its property holdings by reducing its inventory of properties that no longer provide opportunities for wildlife management and wildlife related recreational opportunities.

PUBLIC PARTICIPATION

The SDGFP held meetings and accepted public comment on the proposed disposal of Wall Lake GPA. On March 29, 2012 two meetings were held with potentially affected individuals – one with landowners in the immediate area of the Wall Lake GPA and the other a public open house meeting in Miller. These forums allowed participants to provide comment and ask questions regarding the proposed disposal.
At Wall Lake, SDGFP staff met with 9 local landowners to discuss potential disposal of the Wall Lake GPA, and to hear any concerns and answer any questions related to the process and impact of a possible disposal. One issue brought up related to the continued status of Wall Lake as a State Game Bird Refuge if the Wall Lake GPA were to be sold into private ownership. The answer provided to the question was: the process for establishing refuge status on GFP lands is under the authority of the State of South Dakota Game, Fish and Parks Commission. If Wall Lake GPA was sold to a private landowner, the status on the property would remain as a game bird refuge. However, the private landowner could request a change in status and the Commission would remove then remove the property from its current game bird refuge status. The landowners expressed their appreciation for involving them in the public review process.

In Miller, SDGFP staff hosted an open house public meeting. The meeting was advertised in the local paper as well as including individual contact being made with other potentially affected individuals, including local State legislators. Ten individuals attend this open house, including State Representative Peggy Gibson. In general, those that attended were in favor of the proposed disposal, with several expressing an interest in purchasing the property. One individual expressed concern with the potential loss of public hunting lands although he had never hunted the Wall Lake GPA. His questions and concerns were satisfactorily addressed by SDGFP staff, and he thanked SDGFP for holding the open house meeting.

The Service will accept all public comments related to this proposed action for (30) thirty days from the date when the assessment is published on the Service website. Additionally, legal notices will be printed in the following newspapers: _____________. The Draft EA can be found at: [http://www.fws.gov/mountain-prairie/federalassistance/](http://www.fws.gov/mountain-prairie/federalassistance/). Written comments will be accepted until 5:00 p.m., July 26, 2012, and can be mailed to the address below:

U.S. Fish and Wildlife Service  
Wildlife and Sport Fish Restoration Program  
Attn: Draft Environmental Assessment -Wall Lake GPA Disposal in Hand County, South Dakota  
P.O. Box 25486, Denver Federal Center  
Denver, CO 80225
EA PREPARATION

Paul Coughlin
Habitat Program Administrator
South Dakota Game, Fish and Parks
523 East Capitol Ave – Foss Building, Pierre, SD 57501

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Federal Aid Coordinator
South Dakota Game, Fish and Parks
523 East Capitol Ave – Foss Building, Pierre, SD 57501
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Jack Freidel
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523 East Capitol Ave – Foss Building, Pierre, SD 57501

Eddie N. Bennett
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Wildlife and Sport Fish Restoration Program
134 Union Blvd., Lakewood, CO 80228
eddie_bennett@fws.gov
Appendix A: Map of Wall Lake Game Production Area Property
Appendix B: Wetland Resources (NWI) Map of Wall Lake Game Production Area
Appendix B: Wetland Resources (NWI) Map of Wall Lake Game Production Area
Appendix C: Soil Map of Wall Lake Game Production Area
### Farmland Classification—Hand County, South Dakota

#### MAP LEGEND

<table>
<thead>
<tr>
<th>Area of Interest (AOI)</th>
<th>Soils</th>
<th>Soil Map Units</th>
<th>Soil Ratings</th>
<th>Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Not prime farmland</td>
<td>Prime farmland if irrigated and reclaimed of excess salts and sodium</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>All areas are prime farmland</td>
<td>Farmland of statewide importance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Prime farmland if drained</td>
<td>Farmland of local importance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Prime farmland if protected from flooding or not frequently flooded during the growing season</td>
<td>Farmland of unique importance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Prime farmland if irrigated</td>
<td>Not rated or not available</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Prime farmland if irrigated and drained</td>
<td>Political Features</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season</td>
<td>Cities</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Political Features</td>
<td>PLSS Township and Range</td>
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<td></td>
<td>PLSS Section</td>
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<td>Water Features</td>
<td>Streams and Canals</td>
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<td>Transportation</td>
<td>Rails</td>
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</tr>
</tbody>
</table>

#### Map Information

Map Scale: 1:4,160 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service


Coordinate System: UTM Zone 14N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hand County, South Dakota

Survey Area Data: Version 13, Mar 23, 2011

Date(s) aerial images were photographed: 7/10/2004

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
Farmland Classification

<table>
<thead>
<tr>
<th>Map unit symbol</th>
<th>Map unit name</th>
<th>Rating</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>LcA</td>
<td>Bon silt loam, nearly level</td>
<td>All areas are prime farmland</td>
<td>0.8</td>
<td>1.0%</td>
</tr>
<tr>
<td>RaB</td>
<td>Raber loam, undulating</td>
<td>Farmland of statewide importance</td>
<td>0.9</td>
<td>1.1%</td>
</tr>
<tr>
<td>W</td>
<td>Water</td>
<td>Not prime farmland</td>
<td>78.5</td>
<td>97.9%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td></td>
<td><strong>80.1</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

**Description**

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

**Rating Options**

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower
Appendix D: South Dakota SHPO Letter
July 5, 2011
South Dakota
Paige Hoskinson Olson, Review and Compliance Coordinator
State Historic Preservation Center
Cultural Heritage Center
900 Governor’s Drive
Pierre, SD 57501

Re: Wall Lake Game Production Area Disposal

Dear Ms. Hoskinson Olson:

The South Dakota Department of Game, Fish & Parks – Wildlife Division (SDGFP) plans to dispose of the 80 acre Wall Lake Game Production Area (GPA). In fulfillment of the requirements of Section 106 of the Historic Preservation Act, I ask that you give concurrence.

The Wall Lake GPA, acquired in March 1963 with Pittman-Robertson Wildlife Restoration Act program funds, is owned by SDGFP to provide game production habitat, wildlife refuge, and public hunting opportunities. The 80 acre Wall Lake GPA is located 20 miles south of Miller in Hand County, South Dakota. It is described legally as the N1/2NW1/4 of section 16, Township 109 North, Range 68 West of the 5th P.M. The property is an isolated, nearly inaccessible tract, separated from other GPA’s in the area, and is almost entirely inundated as it lies within the lake bed of Wall Lake. Maps of the Wall Lake GPA are enclosed.

The Preferred Action is disposal of the Wall Lake GPA, and subsequently the Federal interest in the property. The Preferred Action allows SDGFP to address the continued management challenges associated with the property, with little to no impact to wildlife, cultural related sites, wildlife habitat, and public use.

A search of the SDARMS Database indicates that are no archeological sites within a one mile radius of the Wall Lake GPA. See SDARMS Database enclosures.

Given the above information, we recommend a determination of “No Historic Properties Affected”. However, we will await your written concurrence or alternate recommendations.
Thank you for your review and assistance in accomplishing this disposal of property.

Please contact me at 605-773-6228 if you have any questions.

Sincerely,

Tanna Zabel
Federal Aid Coordinator

Enclosures
Appendix E: South Dakota Natural Heritage Program Letter
July 14, 2011

Tanna Zabel
Federal Aid Coordinator
SD Department of Game, Fish & Parks
523 East Capitol Avenue
Pierre, SD 57501

Subject: Wall Lake Game Production Area Disposal, Hand County, SD

Dear Tanna,

I have conducted a search of the South Dakota Natural Heritage Database (SDNHD) for federally listed threatened and endangered species occurring in the vicinity of the Wall Lake Game Production Area in Hand County, South Dakota.

There were no documented federally listed threatened or endangered species records within the immediate area of this project. However, please note that absence of a species from the SDNHD does not preclude its presence from the Wall Lake Game Production Area.

Sincerely,

Nathan Baker
Wildlife Biologist
The Wildlife Division plans to dispose of the 80 acre Wall Lake Game Production Area (GPA) in Hand County, South Dakota. Please see the location depicted in the attached maps.

Submitted for your review in fulfillment of the requirements of NEPA and the ESA; please review and consider the following species:

Species considered:
Whooping crane, interior least tern, piping plover, Eskimo curlew, black-footed ferret, gray wolf, American burying beetle, prairie-fringed orchid, Topeka shiner, bald eagle, Lynx, Mountain plover, Dakota skipper, Ute ladies'-tresses, scaleshell mussel, pallid sturgeon, Higgins eye and Dakota skipper where appropriate by site.

Are any federally listed endangered species known to occur either permanently or temporarily in the immediate vicinity of this GPA? If so, could you offer some direction as to how we might proceed to minimize and avoid adverse effect or significant impact to those species.

Thank you for your reviewing assistance in the pursuit of accomplishing this project.

Thanks Nathan!