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UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

RESOURCES AND ECONOMIC
DEVELOPMENT DIVISION

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Dear General Clarke:

We have recently completed a review of Corps policies and procedures associated with land acquisition practices at selected Corps water resources projects. The purpose of our review was to assess the impact on Corps projects of the various land acquisition policies; the pre-1953 policy, the 1953 to 1962 policy and the policy since 1962 with some modification in 1971. Our review was made primarily at the Kansas City District Office, and at the Office of the Chief of Engineers in Washington, D.C., and included the Kanopolis, Harlan County, Rathbun, Stockton, Pomona de Terre, Tuttle Creek, Milford, Perry, and Pomona Reservoirs.

Our review showed that for those reservoirs where land was acquired under the pre-1953 and 1962 policies, significant acreages were acquired in fee title above the flood control pool of the reservoirs which were never flooded and which were not needed for current and future project purposes or for future development as public use lands. We would like to bring the results of our review to your attention for two reasons. First, we believe there may be an opportunity at certain future projects—where flood control storage represents a major purpose and where the terrain is relatively flat—to achieve rather substantial savings by slightly modifying the existing policy and acquiring more land in easement above the flood control pool and less in fee. Secondly, we believe that the need for land acquired for projects in the Kansas City District should be reevaluated and consideration given to opportunities for disposal of land in excess of project needs in accordance with the Office of Management and Budget Circular No. A-2, dated September 29, 1971.

For the six projects where land was acquired under the pre-1953 and the 1962 policies, about 32 percent of the fee title lands were located above the flood control pool. This contrasted with only 7 percent above the flood control pool for the three projects where land was acquired under the 1953 policy. If fee title to land above the flood control pool for all projects could have been restricted to 7 percent, land requirements would have been reduced by about 62,000 acres—a savings of about \$12 million. Corps District Office officials furnished us with data which showed that about 31 percent of the fee title land above the flood control pool had not been allocated to any present or future project purpose.

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About 4 percent was devoted to operational needs, about 31 percent to public use, and about 34 percent was designated for use as fish and wildlife enhancement although it had not originally been acquired for that purpose.

The following schedule provides a breakdown of the fee acreages above the flood control pool which were not allocated to present or future project purposes.

<u>Reservoir</u>	<u>Fee acreage allocated to project purposes</u>	<u>Fee acreage not allocated to project purposes</u>	<u>Total fee acreage above the flood control pool</u>
<u>Pre-1953 Acquisition Policy</u>			
Kanopolis	1,955	5,326	7,281
Harlan County	4,690	2,777	7,467
<u>1953-1962 Acquisition Policy</u>			
Pomme de Terre	2,370	-	2,370
Tuttle Creek	1,736	-	1,736
Ponoma	901	1,081	1,982
<u>1962 Acquisition Policy</u>			
Milford	8,331	3,175	11,506
Perry	9,511	4,490	14,001
Rathbun	8,567	4,394	12,961
Stockton	<u>16,523</u>	<u>3,904</u>	<u>20,507</u>
Total	<u>54,584</u>	<u>25,227</u>	<u>79,811</u>

One advantage of taking less land in fee would be to reduce the number of people to be displaced as a result of the construction of the projects. To test this, we reviewed 35 tracts where relocation allowances were paid to the former occupants and found that improvements on 21 were above the elevations subject to flooding. The tracts examined contained 5,100 acres in the upper elevations of three reservoirs above the flood control pool and the Corps had no plans to develop them for public use. Since the improvements on these lands would not be flooded and would not interfere with project operations, it appears that the Corps could have taken flowage easements on that portion of the acreages subject to flooding and allowed the occupants to stay on the land.

In 1962, the Corps reverted to its pre-1953 policy of acquiring fee title with an additional provision for acquiring land in fee above the flood control pool. A land strip was to be acquired in fee, 1 to 3 feet in elevation vertically, or 300 feet horizontally above the flood control pool whichever resulted in the acquiring of more land. In 1971, this policy was modified in that the strip of land to be acquired would be determined to be 300 feet horizontally from the conservation pool or 1 to 3 feet of elevation vertically from the top of the flood control pool, whichever resulted in the taking of more land.

While the 1971 modification should result in taking less land in fee title, we believe that additional opportunities exist in those areas of relatively flat terrain where large areas of land are required to provide flood control storage. Much of the land acquired in fee in these areas is seldom, if ever, flooded and we believe that there are many advantages to acquiring such lands in easement.

We appreciate the cooperation and assistance given to our staff by your representatives. We shall be pleased to discuss this letter with you or your representatives should you desire. We shall appreciate receiving your comments on the matters presented and being advised of any actions taken or planned on the matters discussed.

Sincerely yours,

Wilbur D. Campbell
Assistant Director

Lieutenant General P. J. Clarke
Chief of Engineers
Office of the Chief of Engineers
Department of the Army