

ENVIRONMENTAL ANALYSIS AND DECISION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT (EIS)

Form 1600-2 Rev. 3-90

Department of Natural Resources (DNR)

District or Bureau	WD
Type List Designation	NE 150.03 (8)(d)(1)(c)

NOTE TO REVIEWERS: This document is a DNR environmental analysis and a decision on the need for an EIS. The attached analysis includes a description of the proposal, areas of environmental concern and alternatives. Your comments should address completeness, accuracy or the EIS decision. For your comments to be considered, they must be received by the contact person before

4:30 PM (time)      12/21/90 (date)

Contact Person	WILLIAM KROCHMALSKI
Title	D.N.R. Liaison Forester
Address	D.N.R. Rt 4, Box 18
	Black River Falls, WI 54615
Telephone Number	715-284-1407

Applicant: Jackson County - at White Creek Cranberry Corporation's Request

Address: 307 Main Street, County Courthouse, Black River Falls, WI 54615

Title of Proposal: White Creek Cranberry - County Forest Withdrawal

Location: County: Jackson      Town: City Point  
Township: 22N      Range: 1W  
Section: NE 1/4, Section 30

PROJECT SUMMARY - CHECK ONE

General Description

Jackson County proposes to withdraw the following land description from the provisions of Chapter 28.11, Wisconsin Statutes, otherwise known as the County Forest Law, at the request of White Creek Cranberry Corporation (WCCC).

- a. NE NE 40 acres
- b. NW NE 40 acres
- c. N 1/2 SW NE 20 acres
- d. N 1/2 SE NE 20 acres
- e. E 1/2 E 1/2 NE NW 10 acres

All in Section 30, T22N, R1W, approximately 130 acres (See Map 1), appraised by DNR at \$38,500.00.

The county further proposes to trade these descriptions with WCCC for the NW NE, Section 6, T21N, R1W containing 36 acres (appraised at \$9,000.00) and an additional \$45,000.00 (See Map 2). Timber rights will remain with the county and shall be dealt with in a separate agreement. Appraised timber value was approximately \$4,500.00. Monies received by Jackson County will be used only for future County Forest purchases.

WCCC proposes to place 30 acres of ~~actual~~ cranberry beds on the 130 acres (See Map 3). WCCC previously negotiated flowage agreement with Jackson County to place a 400+ acre flowage on county forest land to the Northeast at the withdrawal tract. This flowage <sup>has been</sup> approved by the Army Corps of Engineers, has been constructed and will provide water for the proposed cranberry bed expansion (See Map 4).

The 36 acre trade parcel in Section 6, T21N, R1W <sup>is</sup> ~~can~~ be considered all classified wetlands, majority of which is open such as E2H, S9K, S3K and a small acreage in forested type - T8K. This tract is in the DNR's proposed natural area of a large sedge bog called Martin Marsh (See Map 5 and Attachment 1).

WCCC has proposed that adjacent undeveloped areas of the 130 acres will be used for future sand sources (east side) and additional cranberry bed expansions (west side). (Refer to Map 3). The 130 acre parcels cover types are typical of eastern Jackson County, mainly jack pine, scrub oak, aspen, and red maple pole timber. Approximately 84 acres of the tract are classified wetlands, 63 acres forested, T3/8K and 21 open, E2H.

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DNR Review Information Based on (check all that apply):

Literature, including applicant or other agency-prepared information (specify major sources)

- a. Previous EA's on Jackson County Forest withdrawals 1982-1988.

Personal Contacts

Field Analysis or Past Experience with site by:  Author

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ALTERNATIVES

Are there alternatives to the proposed project that would decrease or eliminate adverse environmental effects? (Refer to any applicant prepared alternatives if available.)

WCCC has already reduced the number of acres of cranberry beds from 65 to 30. This action was taken so that WCCC could obtain the necessary wetland fill permits from the Army Corp of Engineers (See Attachment 2-3 for related correspondence on Wetland issues). The reduction in acreage was primarily done to reduce the impact on natural classified wetland acreage, determined to be approximately 84 of the 130 acres.

An alternative proposed by DNR Western District Staff to further reduce loss of public wetlands was to place a deed restriction on the western 40 acres of the parcel (Refer to Map 3). This section contains classified wetland types of open wet meadows of E2H and forested areas of T3/8K. The restriction would call for no development and maintenance of the area in a natural state.

WCCC responded that they could not agree to the concept of a deed restriction. The corporation felt that the agreed upon financial transactions provided to the county almost double the value of the 130 acre parcel. Also WCCC stated that the company would be paying property taxes on the whole 130 acre parcel and this necessitated economically having full access to the tract.

On the issue of wetlands, WCCC said that with the creation of the new WCCC flowage to the north on Jackson County Forest land, they have mitigated wetland losses on the withdrawal tract. Besides, mentioned was the fact that the Army Corps of Engineers approved the plan which included construction of a ditch on the north line into the western 40 acres (Refer to Map 3).

Finally, Jay Normington, spokesperson for WCCC, stated that this was most likely the last of Jackson County Forest Land acquisitions.

WCCC

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DEPT. OF NATURAL RESOURCES EVALUATION OF PROJECT SIGNIFICANCE

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1. Environmental Effects and Its Significance.

Discuss the significance of short-term and long-term environmental effects of the proposed project including secondary effects; particularly to geographically scarce resources such as historic or cultural resources, scenic and recreational resources, prime agricultural lands, threatened or endangered species or ecologically sensitive areas. (The reversibility of an action affects the extent or degree of impact.)

Primary environmental effects concern the net loss of natural public wetlands, public forest areas, long term forest management, wildlife habitat, interrupt ~~of~~ the hydrological cycle on a local basis, and possible contamination of surface and ground waters by fertilizer-pesticide residues. These issues have been discussed in previous environmental analysis documents of Jackson County Forest withdrawals. "The Impacts of Commercial Cranberry Production on Water Resources", DNR March 1988, Ken Schrieber discusses the above concerns in detail (See Attachments 4 and 5).

Positive environmental impacts may include open water habitat created by the surrounding flowages, increased economic activity during construction phase and longer term through increase employment for cranberry bed management and production of a unique agricultural production. Plus, 36 acres of private <sup>classified</sup> wetlands <sup>converted to</sup> would be public ownership and aid in blocking in land ownership in a proposed state natural area. (See attachment 6 in appendix for input from various DNR functions.)

## 2. Significance of Cumulative Effects.

Discuss the significance of reasonably anticipated cumulative effects on the environment. Consider cumulative effects from repeated projects of the same type. What is the likelihood that similar projects would be repeated? Would the cumulative effects be more severe or substantially change the quality of the environment? Include other activities planned or proposed in the area that would compound effects on the environment.

This is the fifth withdrawal request for county forest land since 1982. This cranberry marsh complex now contains 3 corporations, Saddle Mound, Crawford Hills, and now White Creek. Acreage involved, since 1982, is 340 including this present request. *in the immediate area*

Since the county has recently instituted a policy of replacing double the value or acreage lost through withdrawals from the county forest, the situation exists where a net surplus of land could be entered into the county forest. Monies are earmarked for purchase of land for entry into the Jackson County Forest.

However, cumulative negative environmental impacts include a net loss in wetlands, loss in wildlife habitat, increased possibility of ground and surface water pollution, and disruption in long term forest management. (Discussion of Cumulative Effects is referenced in the Appendix list of past EA's, Attachment 5). *which may result if this proposal and others like it are approved*

## 3. Significance of Risk.

- a. Explain the significance of any unknowns which create substantial uncertainty in predicting effects on the quality of the environment. What additional studies or analysis would eliminate or reduce these unknowns? Explain why these studies were not done.

Little scientific study has been performed on the impact of possible pesticide-fertilizer residues in runoff water resulting from cranberry culture. Recommendations set forth in the Department of Natural Resources document "The Impact of Commercial Cranberry Production on Water Resources" should be implemented.

- b. Explain the environmental significance of reasonably anticipated operating problems such as malfunctions, spills, fires or other hazards (particularly those relating to health or safety). Consider reasonable detection and emergency response, and discuss the potential for these hazards.

Chemical spills of pesticides and/or fertilizer and their proximity to open water may be the worst case scenario. The grower would have the responsibility to immediately contact the DNR for remedial response.

4. **Significance of Precedent.**

Would a decision on this proposal influence future decisions or foreclose options that may additionally affect the quality of the environment? Describe any conflicts the proposal has with plans or policy of local, state or federal agencies. Explain the significance of each.

Selling public lands to private interest may complicate long-term management of these lands. Economic, political, and social interests may override environmental impacts and concerns.

This proposal may conflict with Jackson County Forest Ten Year Plan and Chapter 28.11 of Wisconsin's Natural Resource Laws. However, cranberry culture has been considered a "higher and better" use of county forest lands. With regard to public waters and public wetlands, this action may conflict with NR 1.01, and NR 1.95 Wisconsin Administrative Codes. (Refer to listed EA's in the Appendix.)

5. **Controversy.**

Discuss the effects on the quality of the environment, that are (or are likely to be) highly controversial, and summarize the controversy.

The following issues associated with this project could be considered controversial:

1. Loss of public natural wetlands
2. Jackson County Board approval of the project vs. the Dept. of Natural Resources possible denial of the project according to procedures outlined in Chapter 28.11.
3. Net wildlife habitat loss.
4. Unknown impacts of cranberry culture on public water resources.

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**SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES**

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7. The Jackson County Board resolution concerning the withdrawal of County Forest land was in the minutes of the meeting and published in the two local newspapers. Presently, no comments or input has been received from citizens. A news release asking for public comment on this environment assessment will be issued in the near future.

The DNR's Liaison Forester for Jackson County has commented to the Army Corps of Engineers permitting process on this proposal concerning public wetlands. Other state agencies consulted for comments has been, State Historical Society, DNR Bureau of Endangered Resources, Bureau of Environmental Analysis and Review, DNR Area Forester, Fisheries, and Wildlife Managers, Property Management Land Appraisers, DNR Water Regulations and Zoning.

8. List agencies, groups and individuals contacted regarding the project (include DNR personnel and title)-DNR Liaison Forester is the author.

<u>Date</u>	<u>Contact</u>	<u>Contact Summary</u>
9/27/89	Robert Hess-County Forest Adm.	Resolution to withdraw tract passed County Board.
10/10/89	Jay Normington-Field Manager-WCCC	DNR Liaison Forester discussed need for Army Corps of Engineers (ACE) permit approval.
1/22/90	Mary Marx-Army Corps of Eng.-La Crosse	Liaison Forester informed Corps of wetland acreage error on permit.
1/29/90	Wm. Goetz-Army Corps of Eng.-St. Paul	Informed Liaison Forester of reopening public comment period permit due to increase in wetland acreage involved.
1/30/90	Chet Pryga-DNR Area Forester Jim Talley-DNR Area Fish Manager Eugene Kohlmeyer-DNR Area Wildlife Manager Ed Bourget, DNR District Water Mgmt. Coordinator Tim Babros-DNR Area Water Mgmt. Coordinator Tom Lovejoy-DNR District Env. Impact Coordinator Art Bernhardt-DNR District Water Resources Ken Schreiber-DNR Water Res. Biologist DNR Bureau of Endangered Resources	Liaison Forester sought comments for ACE wetland permit for proposal.
2/8/90	Ron Olson-DNR Land Appraiser	Provided Liaison Forester with appraisals on withdrawal and trade parcels.
2/12/90	Wm. Goetz-ACE	Liaison Forester provided DNR comments on ACE wetland permit process.
3/1/90	Bruce Norton-ACE La Crosse	Meeting with Tim Babros, DNR Area Water Mgmt., Robert Hess, County Forest Adm., and Liaison Forester to discuss wetland issues.

<u>Date</u>	<u>Contact</u>	<u>Contact Summary</u>
3/27/90	State Historical Society	Informed Liaison Forester that no known archeological sites exist on tract but survey should be conducted.
2/16/90	Chet Pryga-DNR Area Forester Jim Talley-DNR Area Fish Manager Eugene Kohlmeyer-DNR Area Wildlife Manager Robert Hess-Jackson County For. Adm. Michael Blodgett-DNR Env. Eng. John DeLaMeter-DNR District For. Sup. Ed Bourget, DNR District Water Mgmt. Coordinator Tim Babros-DNR Area Water Mgmt. Coordinator Tom Lovejoy-DNR District Env. Impact Coordinator Art Bernhardt-DNR District Water Resources Ken Schreiber-DNR Water Res. Biologist Terry Valen-DNR District Wildlife Mgr. Gary Lepak-DNR WRZ Engineer Paul Matthiae-DNR BER William Evans-DNR District Hydrogeologist	Liaison Forester contacted following for comments on this environmental analysis document.
6/14/90	Bruce Norton-ACE La Crosse	Sent Liaison Forester approved ACE permit for WCCC to fill wetlands for 30 acres of cranberry beds.
7/17/90	John DeLaMeter-DNR District For. Sup Chet Pryga-DNR Area Forester Tom Lovejoy-DNR District Env. Impact. Coord. Ed Jepsen-DNR BEAR Robert Hess-County Forest Adm.	Liaison Forester discussed EA process and presented proposal.
8/22/90	Jay Normington-White Creek Cranberry Com.	Liaison Forester scheduled August 31, 1990, meeting to discuss project.

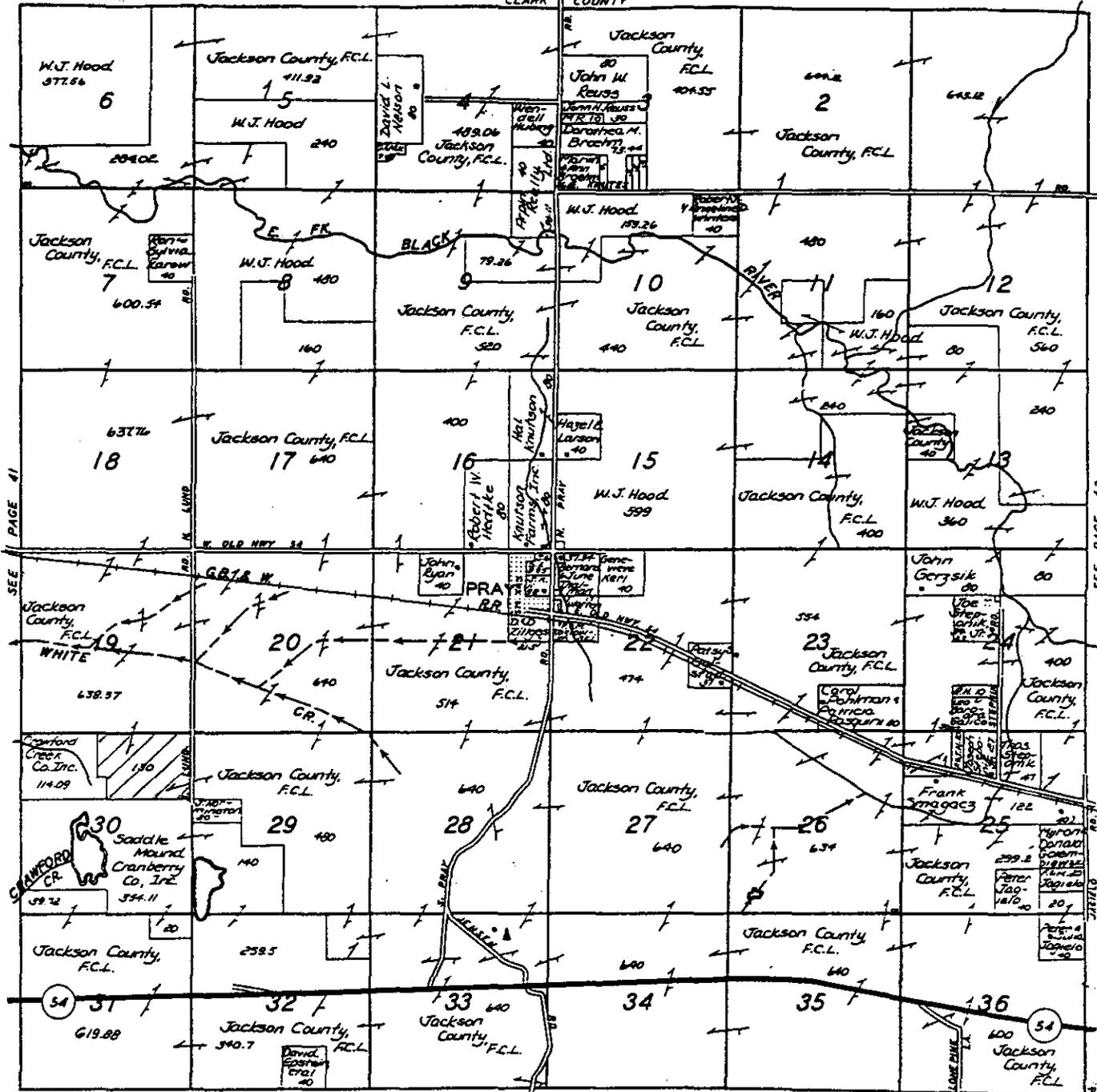
<u>Date</u>	<u>Contact</u>	<u>Contact Summary</u>
10/12/90	Pete Normington and John Ellingson representing WCCC Chet Pryga-DNR Area Forester Tom Lovejoy-DNR District Env. Impact. Coord. Ken Schreiber-DNR Water Res. Biologist	Rescheduled meeting to discuss DNR Area and District concerns on project with WCCC.
11/1/90	Jay Normington- representing WCCC	Informed Liaison Forester on objections to proposed deed restrictions.

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# MAPS/APPENDIX CONTENTS

Map 1	Plat Book of Withdrawal Parcel
Map 2	Plat Book of Trade
Map 3	Diagram of WCCC Proposed Cranberry Beds
Map 4	WCCC Flowage Location
Map 5	Natural Areas Map
Attachment 1	Description of Martin Marsh. Proposed Natural Area.
Attachment 2	Army Corps of Engineers' Correspondence
Attachment 3	DNR's comments to ACE on Wetlands Issue
Attachment 4	Reference of "The Impacts of Commercial Cranberry Production on Water Resources". DNR-1988
Attachment 5	List of DNR EAs on Jackson County Forest Withdrawals concerning cranberry culture expansion
Attachment 6	Input from various DNR functions on impact of proposal

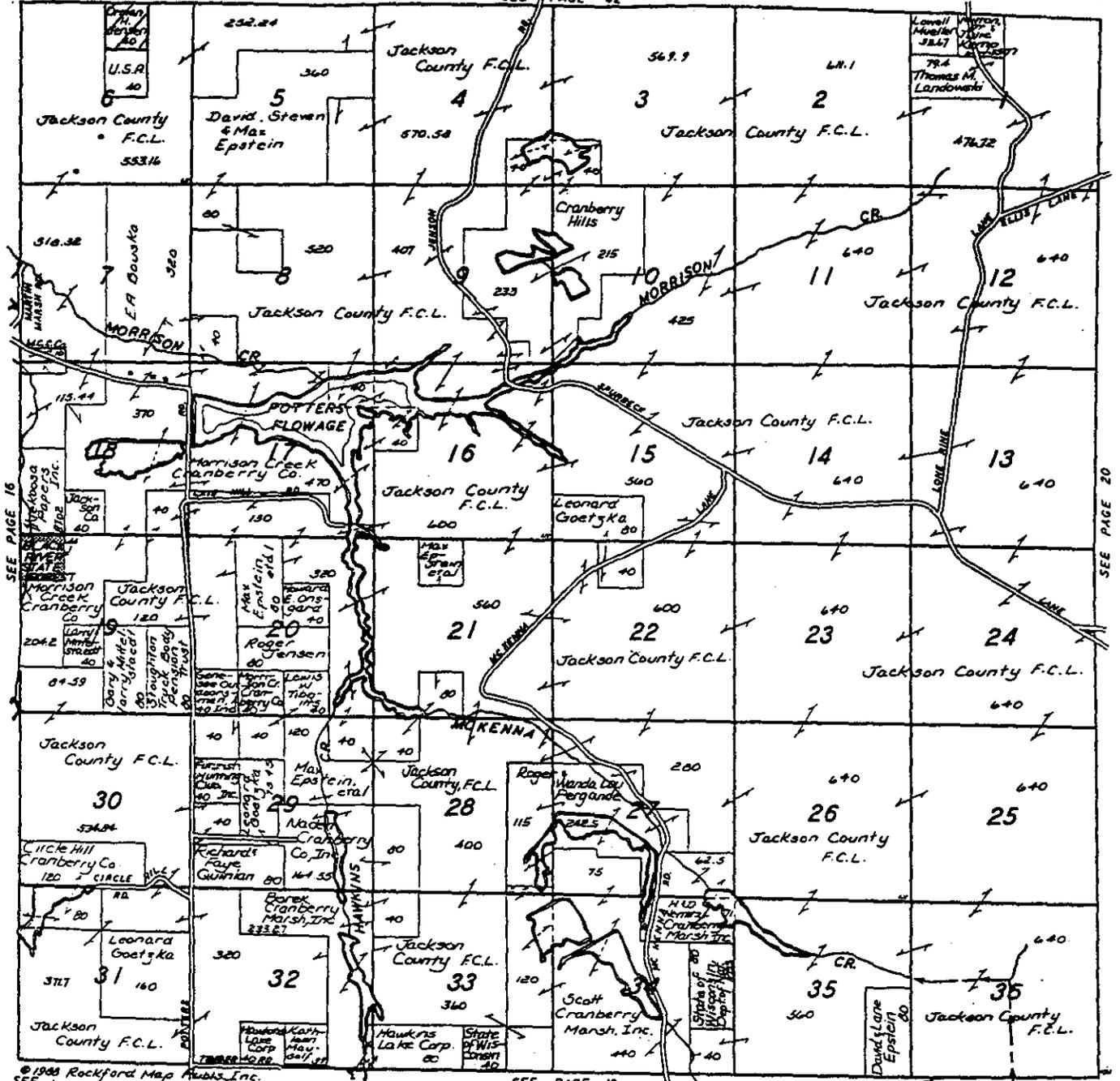
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Jackson County, Wis.

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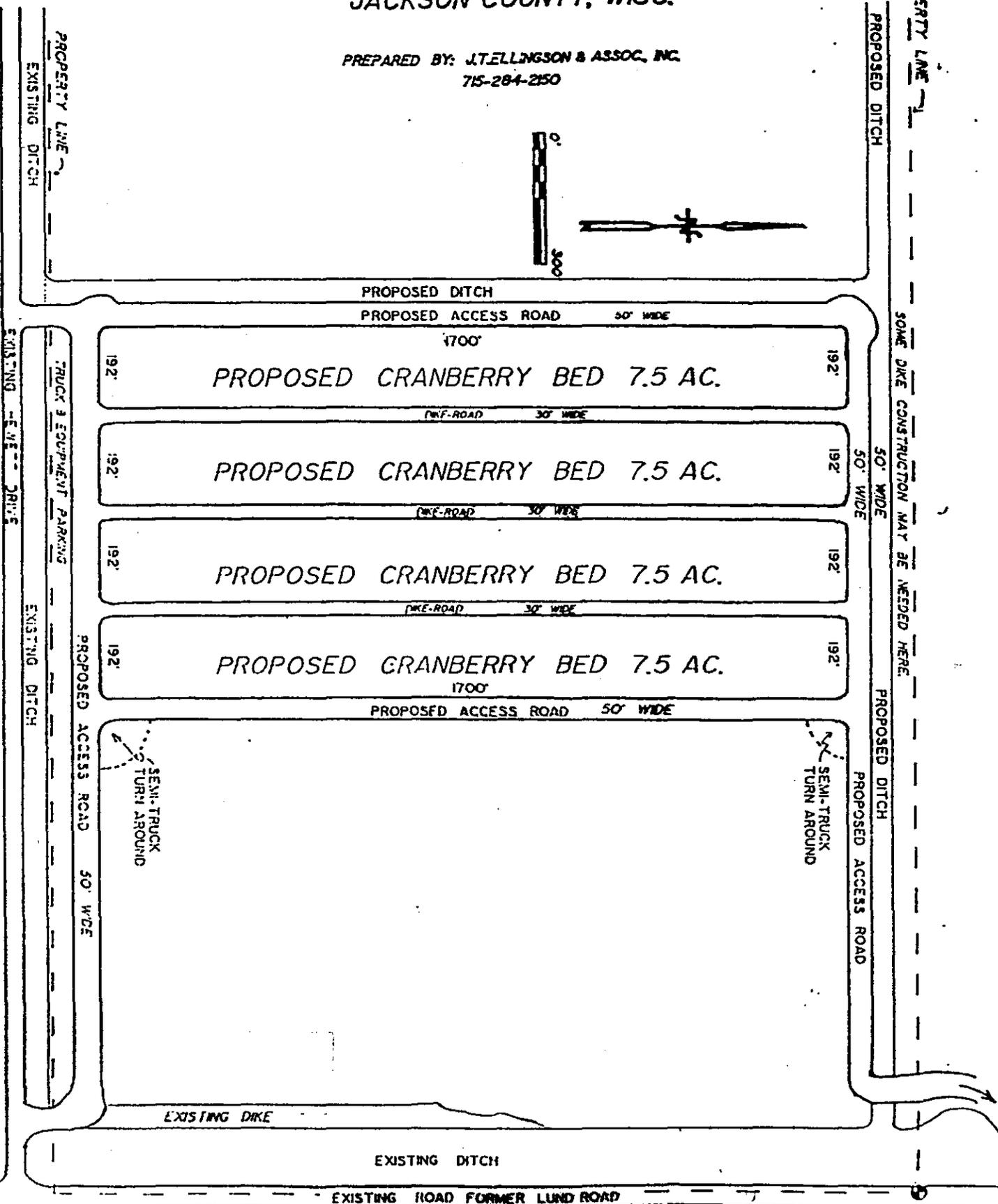
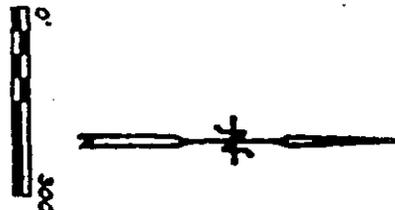
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MAP 2  
**WHITE CREEK  
CRANBERRY CO., INC.**

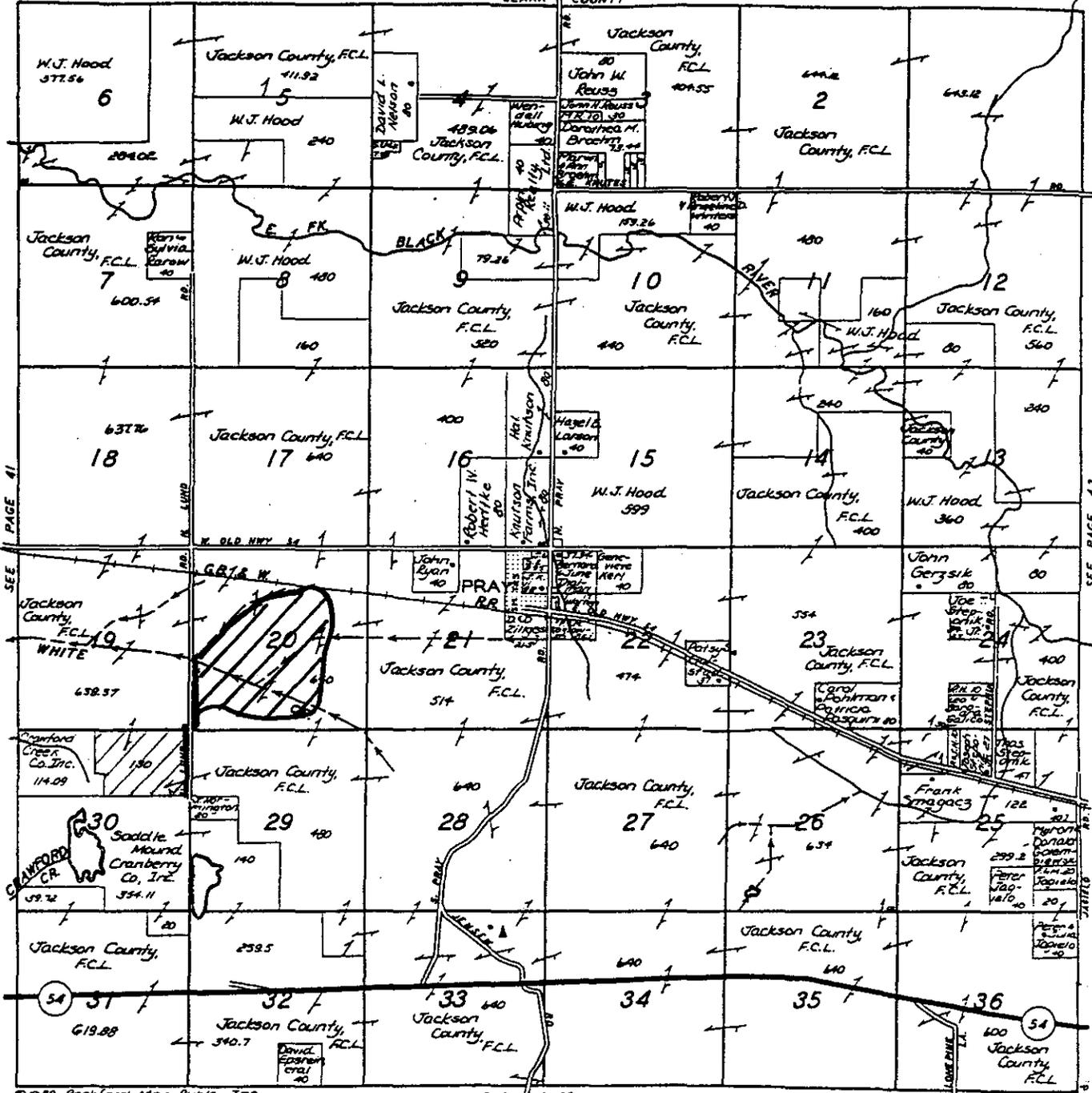
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SECTION 30, T22N, RIW  
TOWN OF CITY POINT  
JACKSON COUNTY, WISC.

PREPARED BY: J. TELLINGSO & ASSOC., INC.  
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