

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

Form 1600-1

Rev. 6-2001

Department of Natural Resources (DNR)

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| Region or Bureau North East Region |
| Type List Designation |

Withdrawal of Marinette County Forest Lands to Trade for Land Bordering Trout and D'Ammour Lakes

NOTE TO REVIEWERS: This document is a DNR environmental analysis that evaluates probable environmental effects and decides on the need for an EIS. The attached analysis includes a description of the proposal and the affected environment. The DNR has reviewed the attachments and, upon certification, accepts responsibility for their scope and content to fulfill requirements in s. NR 150.22, Wis. Adm. Code. 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 p.m., Insert Date _____.

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| Contact Person: Joseph Schwantes |
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Applicant: Marinette County Forestry Department
Address: 1926 Hall Avenue, Marinette, WI 54143

Title of Proposal: **Withdrawal of Marinette County Forest Lands to Trade for Land Bordering Trout and D'Ammour Lakes**
Location: Marinette Town: Stephenson and Wausaukee
Township Range Section: T.32N-R.18E, Section 8 SWSW and Section 17 part NWNW (42.5 acres total) and T.34N-R.21E, Section 21 NESE (39 acres).

PROJECT SUMMARY

1. Brief overview of the proposal including the DNR action (include cost and funding source if public funds involved)

A local realtor owns a 54 acre parcel in the town of Goodman that is bordered on two sides by county land and has frontage on two lakes. Marinette County would like to acquire this land through a trade of land and money. The privately owned land is located in the SWSW of section 18 T.36N- R.18E. The county land that has been offered in trade consists of two separate parcels located in the Town of Stephenson (T.32N-R.18E, Section 8 SWSW and Section 17 part NWNW - 42.5 acres total) and in the Town of Wausaukee (T.34N-R.21E, Section 21 NESE - 39 acres). See attached maps. The lands owned by Marinette County are enrolled in the county forest program per Ch. 28.11 of the Wisconsin Statutes. The Marinette County Forestry Committee and the Marinette County Board of Supervisors have requested withdrawal of these parcels from the county forest program in order to trade these lands for the 54 acre parcel in the Town of Goodman. The 54 acre parcel in Goodman was purchased for \$174,000. The two parcels proposed for trade are 42.5 acres appraised at \$107,300 and 39 acres appraised at \$83,000, for a total value of \$190,300. In addition to the land trade the county would receive payment of \$16,300.

2. Purpose and Need (include history and background as appropriate)

Purpose

Marinette County Forest (MCF) lands are managed as outlined by Wisconsin Statutes Ch 28.11 and under the guidance of the MCF15-year Comprehensive Land Use Plan. The parcels that are proposed to be withdrawn are currently enrolled in the county forest program and the land located in the Town of Stephenson is located within the county forest acquisition boundary. The primary active use of such lands is for the production of forest products and recreational use by the public.

Doug Wagner, a real estate agent in Marinette County, contacted the Marinette County Forestry Department about a 54 acre parcel of land that was being sold in the Town of Goodman that was within the county forest acquisition boundary (T 36 N –R 18E, Section 18 SWSW). He was aware that the county is interested in “blocking” in areas of existing county forest and this particular parcel is bordered to the north and west by county land. This parcel has about 750 feet of frontage on D'Ammour Lake and 175 feet on Trout Lake. Both of these lakes have existing county frontage with approximately 1300 feet on D'Ammour Lake and 1400 feet on Trout Lake. In addition to the parcel in question there is only one other landowner that controls access to each of these lakes. Doug Wagner offered to purchase the property on behalf of the county for a potential land trade. The Marinette County Forestry Committee agreed that this would be a very important piece of property to acquire and add to the county forest.

Marinette County has outlined methods of land acquisition in the Comprehensive Land Use Plan. Acquisition may be by outright purchase or trade based on competent appraisal of the value or values involved, or by gift, bequest, or action to foreclose on tax liens. In the recent past most new county parcels have been acquired through land trades with various parties. The County Forest Administrators developed a list of lands that were “outliers” from the county forest that were in areas of primarily private ownership where forest management and county forest administration might be less easily carried out. In conjunction with the aforementioned realtor, they selected parcels from this list that would be of the approximate value of the parcel that the county hopes to acquire. The first parcel chosen was 42.5 acres along Highway W in the Town of Stephenson T.32N-R.18E, Section 8 SWSW and Section 17 all the land in the NWNW lying north of CTH W. The other parcel chosen was 39 acres lying to the west of Pike River Road across the road from the Wausaukee Timber Demonstration Forest in the Town of Wausaukee T.34N-R.21E, Section 21 NESE.

Need

Land trades are the primary tool used by Marinette County to acquire new property and the proposed trade would meet the goals of county forest blocking laid out in the Comprehensive Land Use Plan. The County Forest Administrator and the Forestry Committee have also expressed a strong interest in protecting lakes in the county from further development and the proposed trade would secure shoreline on two lakes.

3. Authorities and Approvals (list local, state and federal permits or approvals required)

The Marinette County Board of Supervisors passed a resolution by a vote of greater than two thirds (26-2 with two absent) to apply to the DNR to withdraw 42.5 acres in the Town of Stephenson T.32N-R.18E, Section 8 SWSW and Section 17 part NWNW and 39 acres in the Town of Wausaukee T.34N-R.21E, Section 21 NESE. This resolution was passed following the recommendation of the Marinette County Forestry Committee. The resolution is required in order to withdraw lands from the county forest program per Wisconsin Statute Ch. 28.11(11). This same statute requires the DNR to investigate the counties application to withdraw to determine if the benefits of withdrawal of the proposed lands outweigh the benefits of continued entry of the lands. If the DNR determines that the land will be put to a higher and better use after withdrawal then it shall make an order withdrawing such lands from entry under the County Forest program. This environmental assessment process is part of the DNR's investigation and determination. The Marinette County Forest 15-year Comprehensive Land Use Plan also provides an outline of the procedures for withdrawal in chapter 420.2.

PROPOSED PHYSICAL CHANGES (more fully describe the proposal)

4. Manipulation of Terrestrial Resources (include relevant quantities - sq. ft., cu. yard, etc.)

The primary use of the two county parcels is for the production of forest products and public recreation. There is currently a signed timber sale contract on the parcel in the town of Wausaukee, but the logger has suspended activity pending the results of this withdrawal. The withdrawal of these parcels will likely result in them being closed to the public for recreation. The continued production of forest products would depend on the decisions of any future landowners. The 54 acre parcel that would be acquired by the county in this land trade would be enrolled in the county forest program and would be managed for timber production and recreational purposes. The mature aspen would be harvested and the northern hardwood stands would be thinned periodically. Under county ownership the site would probably never become developed and shoreline on the two lakes would be protected.

According to the County Forest Withdrawal Application, two of the adjacent landowners have struck a deal for the purchase of the 42.5 acre parcel in the Town of Stephenson. These landowners currently cross this parcel to access their properties and have electric and telephone lines run underground to their cabins. These landowners have informed the County Forest Administrator that they would like to prevent this land from becoming developed and would like to hold the property for forest management. If this land is maintained for forest management there will be little change in how the area will be impacted from its current ownership.

Doug Wagner has stated that the parcel on Pike River Road would most likely be divided into four 10 acre parcels. If this is the case, there would probably be a significant change to the terrestrial resources. It is only speculation as to how the land and forest resources might be changed if this property is indeed split into four parcels and sold to a variety of individuals.

Ultimately, the management of the two parcels to be withdrawn from the County Forest program would be based on the decisions of future landowners and any tentative agreements do not guarantee any particular management. Furthermore, it is impossible to know for certain how the terrestrial resources may be impacted other than the assumption that they will be managed in accordance with the applicable laws.

5. Manipulation of Aquatic Resources (include relevant quantities - cfs, acre feet, MGD, etc.)

The 42.5 acre parcel in the Town of Stephenson is crossed by the Thunder Lake Inlet, a small stream. A stretch approximately 750 feet in length crosses the southeast corner of this parcel. There are also several springs adjacent to the stream in this area. If the two adjacent landowners purchase the parcel as suggested and continue to manage for timber there should be little if any impact on the streams and springs if Wisconsin's Best Management Practices (BMP's) for water quality are followed as they have been under county management. The 39 acre parcel on Pike River Road also has a river that runs through it. Wolf Creek runs from north to south through this parcel for approximately one quarter mile. The river runs nearly due south and stays within 150 feet of the west property line. If this parcel is divided into four 10 acre lots and then developed in some way there may be some impact on the creek. There could be some erosion from the upland down into the forested wetland bordering the creek and there may be slightly more runoff making it into the stream.

The 54 acre parcel in Goodman has frontage on both Trout and D'Ammour Lakes. There is approximately 175 feet of frontage on Trout Lake and at the present time there is only one other private landowner with frontage. There is approximately 750 feet of frontage on D'Ammour Lake and currently there is only one other private landowner with frontage. There is existing county frontage with approximately 1300 feet on D'Ammour Lake and 1400 feet on Trout Lake. There are two trailers/cabins and a privy on the east end of D'Ammour Lake on the parcel that would be traded to the county. Under county ownership this parcel would remain undeveloped and additional public access would be added to both lakes.

Ultimately, the management of the two parcels to be withdrawn from the County Forest program would be based on the decisions of future landowners and any tentative agreements do not guarantee any particular management. Furthermore, it is impossible to know for certain how the aquatic resources may be impacted other than the assumption that they will be managed in accordance with the applicable laws.

6. Buildings, Treatment Units, Roads and Other Structures (include size of facilities, road miles, etc.)

Currently there are no structures on either of the county parcels and there are two trailers/cabins and a privy on the east end of D'Ammour Lake on the parcel that the county would obtain. The structures on the parcel to be acquired would be razed and removed from the site. No new structures would be built on this parcel. Under the suggested plan for the 2 county parcels there would likely be no new buildings on the 42.5 acre parcel in Stephenson; however, the existing woods road running through the property may be improved under private ownership. If the parcel on Pike River Road is split into four lots there would likely be several dwellings and out building constructed on the lots.

Ultimately, the management of the two parcels to be withdrawn from the County Forest program would be based on the decisions of future landowners and any tentative agreements do not guarantee any particular management. Furthermore, it is impossible to know for certain how future owners may develop or build on their properties other than the assumption that they will be managed in accordance with the applicable laws.

7. Emissions and Discharges (include relevant characteristics and quantities)

Air emissions of exhaust (CO, CO², and fine particulates) and dust would be expected to increase during construction if any lots were to be developed. If additional areas become developed additional runoff will also be generated and some erosion could occur as well. There would not likely be any significant change in emissions and discharges from the 54 acre parcel that the county would acquire; however, county ownership may prevent future development on this site that could lead to emissions and discharges.

8. Other Changes

The two existing county parcels are used recreationally by a variety of people and are in areas that receive relatively heavy pressure from the public. These lands would no longer be open to public access for recreation. If any development/construction occurs on these parcels there would be aesthetic impacts on the area that would impact area residents and visitors. The 54 acre parcel that would subsequently be enrolled in the county forest would become open to the public and provides additional access to two lakes. This area of the county would probably receive less recreational use because of its remoteness and proximity to vast areas of county land. This transaction would result in a net loss of 27.5 acres of open public land.

9. Identify the maps, plans and other descriptive material attached

Attachment 1: County Plat Book index (page 7) to show the general areas of the withdrawal in the county.

Attachment 2: County Plat Book (page 21), T32N-R18E to show area of withdrawal.

Attachment 3: County Plat Book (page 36), T34N-R21E to show area of withdrawal.

Attachment 4: County Plat Book (page 43), T36N-R18E to show area to be acquired.

Attachment 5: USGS Topographic maps of affected areas.

Attachment 6: Marinette County Forest Reconnaissance Maps to show cover-types and aerial photos of sites.

Attachment 7: Site photos and captions.

AFFECTED ENVIRONMENT (describe existing features that may be affected by proposal)

10. Information Based On (check all that apply):

Literature/correspondence (specify major sources)

1. County forest reconnaissance.
2. Wisconsin Natural Heritage Inventory.
3. Wisconsin Bureau of Facilities and Lands Archeological and Historic Structures Maps.
4. USDA - NRCS Web Soil Survey, <http://websoilsurvey.nrcs.usda.gov/app/>.
5. County Forest Withdrawal Application.
6. Resolution #257 of Marinette County Board to withdraw two 40 acre tracts from the county forest program to exchange for 54 acres of private land to be added to the county forest.
7. Marinette County 2006/2007 Official Plat Book.

Personal Contacts (list in item 26)

Field Analysis By: Author Other (list in item 26)

Past Experience With Site By: Author Other (list in item 26)

11. Physical Environment (topography, soils, water, air)

Stephenson Parcel – This site is fairly level with some slight slopes in the northwest corner and a slight slope down towards the creek in the southeast portion of the withdrawal. The predominant soil type is excessively-drained Menahga sand with areas of Karlin loamy fine sand in the northwest and Seelyeville and Markey mucks, which are typical of drainways on outwash plains, near the creek. The Menahga sands are well suited to growing trees but there is a risk of mortality due to drought. The Seelyeville and Markey mucks are very poorly drained soils that are rich in organic matter. These soils are also well suited for forest growth but pose some limitations for equipment operation and site development. The Thunder Lake Inlet, a 2-5 foot wide stream, flows through a portion of this property. There were several springs located adjacent to the creek.

Wausaukee Parcel – This site is level with a small drop in elevation from Pike River Road to the west towards Wolf Creek. The soil type in the eastern half of this parcel is well-drained Menahga sand. The western half is Seelyeville and Markey mucks along the creek. The Wolf Creek runs south through the western portion of this property for about ¼ of a mile. The creek has a hard sand bottom and is 5-10 feet in width.

Goodman Parcel – This site has some significant topography and can be characterized as a series of ridges that run between the lakes and areas of lowland. The predominant soil type on this parcel is Emmert-Pence-Sarona complex, which is commonly found on glacial end moraines. This soil complex is deep, sloping, and somewhat excessively drained. Most areas of these soils are used as woodland and are well suited to trees. In the two low areas dominated by black spruce and tamarack the soil type is Loxley and Dawson peats. These soils are very poorly drained acid organic soils. There is also a small area of Seelyeville and Markey muck soil adjacent to Trout Lake. This parcel has frontage on both Trout Lake (~175 feet) and D'Ammour Lake (~750 feet). These are both spring fed lakes. Trout Lake, which is 21 acres in size with a depth of 3 feet, drains into a tributary of the South Branch of the Pike River. D'Ammour Lake is 15 acres, with a maximum depth of 10 feet and an average depth of 5 feet, and drains into Camp F Creek.

12. Biological Environment

Stephenson Parcel – This parcel is covered by a mix of mature scrub oak, mature jack pine, a small area of 15 year old aspen, and a lowland area dominated by lowland brush and red maple saplings. The pine and oak is approximately 75 years old and is starting to show signs of decline. Most of this area is scheduled to be harvested over the next 5 years. This area has been infested with gypsy moths for several years. Most of this area is considered Pinus -Acer rubrum/Vaccinium (PARV) habitat type, which is a dry nutrient poor type. There is approximately 5-8 acres of lowland which the Thunder Lake Inlet flows through. This area is mostly red maple saplings and poles with some black ash and lowland brush scattered. According to the Wisconsin NHI portal no endangered or threatened species occur within the withdrawal area but one threatened plant species occurs within a one mile buffer. This species was not observed during several site visits.

Wausaukee Parcel – This parcel is basically split into two halves, with the east half being high ground and the west half low ground. The low ground is a cedar swamp that consists of cedar poles mixed with red maple, ash, aspen, birch and scattered white pine sawtimber. The cedar is approximately 100 years of age and covers 18 acres. On the eastern half of the parcel there is a 12 acre stand of 35 year old aspen and a 6 acre stand of 50 year old aspen. There is also a 2 acre red pine plantation and a few small grass openings. The habitat type for the areas of aspen and red pine is Pinus -Acer rubrum/Vaccinium-Apocynum (PARVAo), which is dry and nutrient poor. The cedar stand has not been evaluated for habitat type since these classifications have not been established for wetlands. A timber sale has already been established to thin the pine and the eastern portions of the cedar stand and to harvest the older aspen. The timber sale was started but halted by the logger pending the outcome of this withdrawal proposal. According to the Wisconsin NHI portal no endangered or threatened species occur within the withdrawal area or a one mile buffer.

Goodman Parcel – This parcel has the greatest diversity of timber resources with areas of mature aspen, northern hardwoods, hemlock, swamp hardwoods, and swamp conifer bogs. The hemlock stand is mostly saw log sized hemlocks with remnant white pine stumps. The aspen stand is primarily mature big tooth aspen that could be harvested at any time. The stand of northern hardwoods contains a wide variety of species and a first thinning harvest could be used to start converting it to an uneven-aged hardwood stand. There are a few small areas of bog with emergent grassy vegetation and two larger bog areas. The two bog areas are dominated by tamarack and black spruce and have areas of open water. The habitat types found on this parcel have not been evaluated as the site was visited during a sub-optimal time of year for plant identification. Nearby stands on the county forest have been classified as Acer/Viburnum (AVb) (dry mesic and nutrient medium to rich) and Acer- Tsuga/Dryopteris-Hydrophyllum (ATDH) (mesic and nutrient rich). There is also frontage on Trout and D'Ammour Lakes which are reported to not have any game fish species present. According to the Wisconsin NHI portal no endangered or threatened species occur within this parcel or a one mile buffer.

13. Cultural Environment

Stephenson Parcel –

a. Land use

This area is currently used for forest production and recreation. This parcel is most likely used fairly heavily for hunting and other recreational pursuits given its location and access. This parcel will become a private parcel that will no longer be open to public recreation. The realtor that would receive the parcel has suggested that it will be sold to two adjacent landowners who wish to use the property for personal recreation and continued forest management. Continued forest production and any site development will depend on the land use decisions of any future landowners and tentative agreements do not guarantee any particular management.

b. Social/Economic

Surrounding ownership is county forest directly to the south across County Highway W and private land to the east, north and west. This parcel is bordered to the south by a fairly busy county highway. The landowners to the north and east, who have expressed interest in purchasing the property, currently have an access road that cuts across the county land to their cottages on Mirror Lake and Rollins Lake to the north. There is also electric and telephone lines buried under this access road. It also appears as though some of the neighboring land owners have been mowing and maintaining trails to various areas of this property.

c. Archeological/Historical

Mark Dudzik, the DNR Archeologist, was contacted about this site (10/15/07) and indicated that there were not any known archeological or historical sites of importance documented in this area. A field visit was made by County Liaison Joe Schwantes (10/11/07) and no evidence of archeological or historical sites was observed.

Wausaukee Parcel –

a. Land use

This area is currently used for forest production and recreation. This parcel is most likely used fairly heavily for hunting and other recreational pursuits given its location and access. This parcel will become a private parcel that will no longer be open to public recreation. The realtor that would receive the parcel has suggested that it will be split into four 10 acre lots that he would then sell. Continued forest production and any site development will depend on the land use decisions of any future landowners and tentative agreements do not guarantee any particular management.

b. Social/Economic

The surrounding ownership is primarily private land. Across Pike River Road to the east is the Wausaukee Timber Demonstration Forest, which is owned by the State of Wisconsin. The surrounding lands are primarily forested with some small agricultural fields as well. There is one permanent residence to the south of this parcel and several other dwellings located along Pike River Road to the north.

c. Archeological/Historical

Mark Dudzik, the DNR Archeologist, was contacted about this site (10/15/07) and indicated that there were not any known archeological or historical sites of importance documented in this area. A field visit was made by County Liaison Joe Schwantes (10/11/07) and no evidence of archeological or historical sites was observed

Goodman Parcel –

a. Land use

This property is currently owned by a realtor who purchased it with the intent of trading it to Marinette County. Previously it had been owned by a private party and it appears as though it was used primarily for recreation. There are two trailers/cottages and a privy located on the east end of D'Ammour Lake and a number of tree stands erected throughout the property. There is a woods road that runs south off Trout Lake Road and continues east through the property which provides access. If this parcel is acquired by the county it would be managed for timber production and would be open to the public for recreation. County ownership would also prevent development of the lake frontage that is part of this property.

b. Social/Economic

The surrounding ownership is county forest to the west and north and private to the south and east. The land owner to the south is the Coleman Lake Club which owns and manages over 8000 acres of forest land in northwest Marinette County. Under county ownership this area would probably receive some use by grouse and deer hunters and people may camp along the lakes.

c. Archeological/Historical

Mark Dudzik, the DNR Archeologist, was contacted about this site (10/15/07) and indicated that there were not any known archeological or historical sites of importance documented in this area. A field visit was made by County Liaison Joe Schwantes (10/11/07) and no evidence of archeological or historical sites was observed

14. Other Special Resources (e.g., State Natural Areas, prime agricultural lands)

No special resources should be impacted by this withdrawal.

ENVIRONMENTAL CONSEQUENCES (probable adverse and beneficial impacts including indirect and secondary impacts)

15. Physical (include visual if applicable)

The environmental consequences to the physical environment cannot be known, as the management of the two parcels to be withdrawn from the County Forest program would be based on the decisions of future landowners. Any tentative agreements do not guarantee any particular management, so it is impossible to know for certain how the physical environment may be impacted other than the assumption that the properties will be managed in accordance with the applicable laws.

The 54 acre parcel in Goodman, if it were under county ownership, would be managed for timber production. Consequently timber would be harvested in the area and some road work may be done to improve access. These roads would remain open to the public to provide access to the lakes and county owned lands. County ownership would prevent future development along an additional 175 feet of Trout Lake frontage and 750 feet along D'Ammour Lake.

16. Biological (including impacts to threatened/endangered resources)

There will be no known impact to any threatened or endangered species based on a site visit/inspection and a check of the Natural Heritage Inventory for all three parcels in question. The environmental consequences to the biological environment cannot be known, as the management of the two parcels to be withdrawn from the County Forest program would be based on the decisions of future landowners. Any tentative agreements do not guarantee any particular management, so it is impossible to know for certain how the biological environment may be impacted other than the assumption that the properties will be managed in accordance with the applicable laws.

The 54 acre parcel in Goodman, if it were under county ownership, would be managed for sustainable timber production. Consequently, timber would be harvested in the area following the direction of the Marinette County Forest Comprehensive Land Use Plan. All forest management would follow sound silvicultural guidelines and Wisconsin's Best Management Practices for water quality. Marinette County also manages their forests for other natural resources including water quality and wildlife habitat. Timber harvesting would impact the tree and animal species present on the parcel as well as the age classes of forest located there. There could also be temporary impacts on erosion and runoff associated with harvest activities but these could be minimized through the use of BMP's for water quality. County ownership of this parcel would prevent development on additional frontage on the two lakeshores and any related biological impacts.

17. Cultural

a. Land use

The two parcels to be withdrawn from the county forest would likely no longer be open to public access. The land use and any development decisions regarding these properties would be based on the goals of future landowners. It is impossible to know exactly how land use might change in the future and any tentative agreements do not guarantee particular management decisions. The parcel in Goodman if acquired by the county would be enrolled in the county forest program and would be managed for timber production and recreation.

b. Social/Economic

The exact social and economic consequences of the two county parcels being withdrawn from the county forest program and becoming private lands cannot be known because the use and development of these properties would be based on the decisions of future landowners. What can be assumed is that these parcels would be privately owned, which means that the landowners would pay property taxes on them. The DNR would cease to pay 30 cents/acre to the Towns of Stephenson and Wausaukee for the parcels. The towns would also lose a relative portion of the 10% of county timber sale revenues that they receive based on the acreage that would be withdrawn from the county forest. Conversely, the Town of Goodman would receive the 30 cents/acre for the 54 acre parcel and additional timber sale revenue based on their increased acreage of county forest. This property would no longer generate property tax revenue under county ownership.

c. Archeological/Historical

There are no anticipated archeological/historical impacts from this withdrawal.

18. Other Special Resources (e.g., State Natural Areas, prime agricultural lands)

No special resources should be impacted by this withdrawal.

19. Summary of Adverse Impacts That Cannot Be Avoided

- Aid to the township associated with county forest ownership will be lost for the parcels in the Town or Wausaukee and Town of Stephenson.
- Loss of guaranteed forest production on the same two parcels.
- Loss of guaranteed public recreational use of these parcels.
- Loss of guaranteed control and protection of the portions of Thunder Lake Inlet and Wolf Creek that flow through these parcels.

DNR EVALUATION OF PROJECT SIGNIFICANCE (complete each item)

20. Environmental Effects and Their Significance

a. Discuss which of the primary and secondary environmental effects listed in the environmental consequences section are long-term or short-term.

Physical

As stated above, the long and short term consequences to the physical environment of withdrawing these two parcels cannot be known for certain. The county acquisition of the parcel in Goodman would probably have some long term impacts from improved access roads into and through the property and some short term aesthetic impacts from harvest activities.

Biological

As stated above, the long and short term consequences to the biological environment of withdrawing these two parcels cannot be known for certain. Under county ownership, the parcel in Goodman would be managed for the production of forest products. This would have significant long and short term impacts on local vegetation and wildlife.

Cultural

As stated above, the long and short term consequences to the cultural environment of withdrawing these two parcels cannot be known for certain. There will likely be a permanent loss of public access for recreation on both. The loss of DNR acreage payments and county timber sale revenues for the withdrawn parcels will be a permanent consequence. The addition of these parcels to the property tax base will also be a long term consequence. The enrollment of the parcel in Goodman into the county forest program would result in the removal of 54 acres and any improvements from the property tax rolls and additional DNR acreage payments and revenue from county timber sales going to the Town.

21. Significance of Cumulative Effects

Discuss the significance of reasonably anticipated cumulative effects on the environment (and energy usage, if applicable). Consider cumulative effects from repeated projects of the same type. 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.

The exact fate of the two parcels that would be withdrawn from the county forest cannot be known, so it is difficult to assess what cumulative effects could result. It would be fair to assume that by becoming privately owned there is a much greater chance that these properties will be developed for primary or secondary residences. This could lead to a cumulative effect of increased energy use and pollution emissions associated with the residences. In trading for the parcel in Goodman, the county would prevent development on that property which could have a cumulative impact of reducing energy use and pollution associated with development. This land trade has been based on the overall idea that blocking in the county forest and protecting relatively undeveloped lake frontage is more valuable than maintaining slightly more "less desirable" forested lands. If successful, similar land trades to block in ownership could occur in the future.

22. Significance of Risk

- a. Explain the significance of any unknowns that create substantial uncertainty in predicting effects on the quality of the environment. What additional studies or analysis would eliminate or reduce these unknowns?**

There are innumerable unknowns that create uncertainty in predicting the effects of this withdrawal on the environment. Since the two county parcels would become privately owned the land management and use decisions will be made by future owners. It is impossible to know for certain how these properties will be used and any tentative plans do not guarantee specific management. The only assumption that can be made is that future land use decisions would be made in accordance with the applicable laws. No additional analysis would eliminate or reduce these unknowns.

- 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.**

There are no anticipated operating problems that would result in significant environmental impacts created by this withdrawal. As is the case with most construction activities, any development or construction on the withdrawal sites could potentially lead to environmental hazards.

23. 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.

There is a chance that this withdrawal could set a precedent for the same or other individuals to approach the county with properties that they would like to trade for county forest lands. This could significantly impact the quality of the environment and the county and the DNR would have to evaluate each case to determine if the environmental and social benefits outweigh its costs. It is important to note that the Marinette County Forestry Department has already identified lands which it deemed most suitable to trade based on the resources present and their location. The parcels in question in this withdrawal were selected from this list of possible properties. If this action sets a precedent of trading areas of county land for smaller areas of "higher environmental value" this would result in an increasing net loss of county forest acreage. Additionally, by removing outlying properties to trade for interior properties for the purposes of blocking in county land, the county may actually be limiting the overall accessibility of county lands. There may also be some significance of setting precedent for land trades that actually result in cash payment to the county for county lands. Future land trade offers would be handled on an individual basis and decisions will be made based on the individual circumstances. The criteria for withdrawal decisions that are outlined in Wisconsin Statute Ch. 28.11, stipulate that the withdrawal of lands must be for a higher and better use. The decision for this application and any future applications must meet those criteria.

24. Significance of Controversy Over Environmental Effects

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

The loss of public access for hunting, fishing and other recreational activities is anticipated to be the most significant social effect of this withdrawal. The fragmentation and development of forest lands for housing sites is anticipated to be the most controversial environmental effect of this withdrawal. There may also be some controversy about the fact that a realtor purchased land with the intent of trading it for county land. Under normal circumstances the county would not typically consider offers from private individuals to purchase county forest lands. Other individuals may not be aware that such land trades would even be considered and upon learning this may pursue similar transactions. There may be debate as to the relative value to the public of these three parcels and ultimately whether this is actually to the benefit of the county and public as a whole.

ALTERNATIVES

25. Briefly describe the impacts of no action and of alternatives that would decrease or eliminate adverse environmental effects. (Refer to any appropriate alternatives from the applicant or anyone else.)

No Action Alternative: The parcels in the Town of Stephenson and the Town of Wausaukee would remain under county ownership enrolled in the county forest program. Continued management as county forest land would prevent any of the negative environmental and social impacts that could result from these properties becoming private lands. The county would continue to manage the forest for the production of forest products and the land would remain open to the public for recreation. Under this alternative the county would not acquire the 54 acre tract in the Town of Goodman and it would be sold to another private party or parties. If this land remains under private ownership the county would have a smaller impact on how this property is managed and used. This tract could potentially be subdivided for cabin lots and some development could occur on the shorelines of Trout and D'Ammour Lakes. This could have significant environmental and social impacts.

Withdraw the acreage from a different location to trade: Selecting different parcels of county land could have a significant impact on decreasing the environmental effects of a withdrawal for this purpose. Both of the parcels to be withdrawn have stretches of rivers running through them and have some wetland components. Other "outliers" from the county forest could have been selected that have less environmentally sensitive ecological features. With rivers present there is a potential threat of contamination to the downstream waters, increased runoff and erosion into these water bodies. The parcel on Pike River Road also has a cedar stand that borders both sides of Wolf Creek. Such a forest type can be of local significance to plants and animals and can impact the water quality of the stream that flows through it. These two parcels are also suspected to be heavily used for recreational purposes given their forest and water features, their proximity to lots of permanent or seasonal residences, and their easy access from paved roads. These parcels were however set aside as potential properties to trade because of their location relative to the rest of the county forest. These parcels were also chosen because their economic value together would be similar to the parcel in Goodman. If other parcels were selected there would certainly be different environmental and social consequences and the value of other parcels might not be as close to the value of the parcel in Goodman.

Conduct land trade of selected parcels with some restriction on the affected waterways: The proposed land trade could be carried out but the county would retain a 100-foot buffer along Wolf Creek and the Thunder Lake Inlet to protect these waterways. As a variation of this alternative, the county could impose certain deed restrictions to protect these rivers. This alternative would allow the county to acquire the 54 acre parcel in the Town of Goodman and would serve to protect the most ecologically sensitive areas of the two parcels to be withdrawn from the county forest. By retaining a buffer strip or imposing deed restrictions on a buffer, Marinette County could ensure protection of both of these rivers and any water bodies downstream. This alternative may affect the assessments of the properties involved and may make the county parcels less desirable to trade for.

Purchase outright the parcel in Goodman without trading land: Marinette County could choose to purchase the parcel in Goodman rather than trading county land for it. This alternative would be the most appealing from an environmental standpoint as the county would then be in control of the land management decisions on all three of these parcels. Each could be open to the public for recreation and could produce timber sale revenue for the county and forest products for local industries. This alternative would protect all of the water features; including Wolf Creek, the Thunder Lake Inlet, Trout Lake and D'Ammour Lake. It would also prevent any development or subdividing of any of these properties.

This alternative would require the county to purchase additional land from its land acquisition fund or through a loan from the DNR. It has generally been the policy of the Marinette County Board to not purchase additional lands to be added to the county forest. There has however been some precedence for acquiring new lands through trades when it has been deemed in the county's best interest.

SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

26. List agencies, citizen groups and individuals contacted regarding the project (include DNR personnel and title) and summarize public contacts, completed or proposed).

| <u>Date</u> | <u>Contact</u> | <u>Comment Summary</u> |
|-------------|---|--|
| | Joe Schwantes – DNR County Liaison Forester | Field inspection & local knowledge – wrote environmental assessment |
| Sept 07 | John Neilio –County Forest Administrator | Discussed request for withdrawal |
| Sept 07 | John Scott- Assistant County Forest Administrator | Discussed request for withdrawal |
| 10/11/07 | John Lubbers – DNR Regional Forestry Staff Supervisor | Site visit and discussed withdrawal process and site characteristics |
| 10/11/07 | Chad Gottbeheit – DNR Peshtigo Area Staff Specialist | Site visit and discussed withdrawal process and site characteristics |
| 10/11/07 | Cole Couvillion – DNR Wausaukee Forestry Team Leader | Site visit and discussed withdrawal process and site characteristics |
| 10/15/07 | Mark Dudzik – DNR Archeologist | Archeological check |
| Nov 08 | Mike Folgert – DNR Area Forestry Leader | Discussed impact of withdrawal |

DECISION (This decision is not final until certified by the appropriate authority)

In accordance with s. 1.11, Stats., and Ch. NR 150, Adm. Code, the Department is authorized and required to determine whether it has complied with s.1.11, Stats., and Ch. NR 150, Wis. Adm. Code.

Complete either A or B below:

A. EIS Process Not Required



The attached analysis of the expected impacts of this proposal is of sufficient scope and detail to conclude that this is not a major action which would significantly affect the quality of the human environment. In my opinion, therefore, an environmental impact statement is not required prior to final action by the Department.

B. Major Action Requiring the Full EIS Process



The proposal is of such magnitude and complexity with such considerable and important impacts on the quality of the human environment that it constitutes a major action significantly affecting the quality of the human environment.

| | |
|------------------------|-------------|
| Signature of Evaluator | Date Signed |
| | |

Number of responses to news release or other notice:

| | |
|--|-------------|
| Certified to be in compliance with WEPA | |
| Environmental Analysis and Liaison Program Staff | Date Signed |
| | |

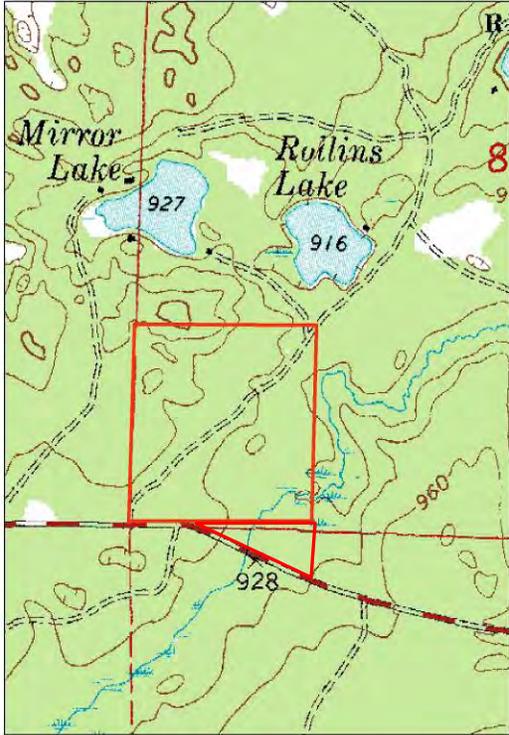
NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

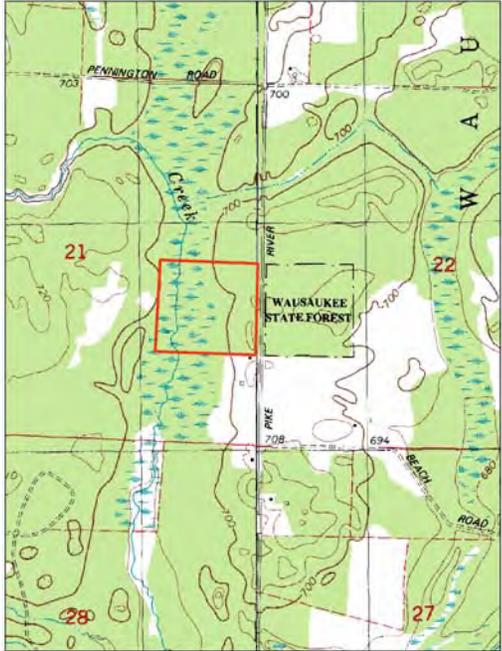
For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

This notice is provided pursuant to section 227.48(2), Stats.

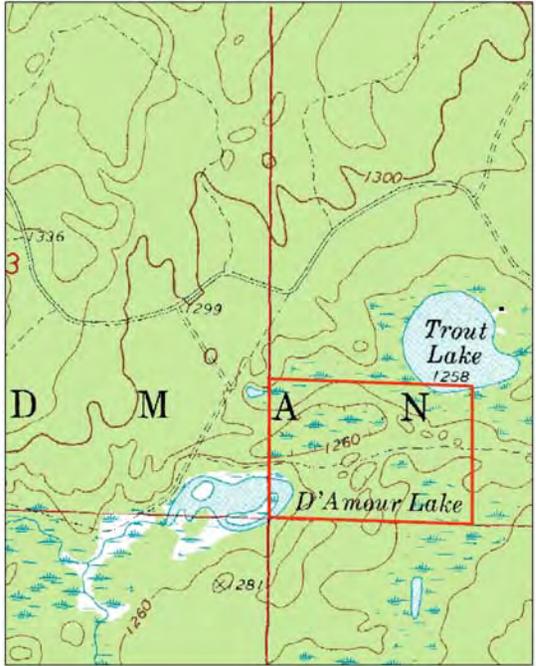
Attachment # 5
 USGS Topographic maps of
 affected areas



42.5 acre parcel on Highway W to be withdrawn.
 T.32N-R.18E, Section 8 SWSW and Section 17 part
 NWNW



39 acre parcel on Pike River Road to be withdrawn.
 T.34N-R.21E, Section 21 NESE (39 acres).



54 acre parcel off of Trout Lake Rd. in the Town of
 Goodman T.36N- R.18E. Section 18 SWSW.