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FORESTRY

NOR ENVIRONMENTAL ANALYSIS

PUBLIC COMMENT RESPONSE FORM
(for Type II & III Actions)

DATE: *January 12, 2007*

COUNTY: *Burnett*

TO: *Neil Kubara - Webster*

FROM: Bill Gantz - Spooner

SUBJECT: PUBLIC PARTICIPATION - *Burnett County Forest Withdrawal and Trade*

Attached is a copy of the news release that has been distributed to the media as part of the environmental analysis process for your project. You are named as the source of information on it as well as a recipient for comments.

Please keep a log of all contacts or comments received (phone, electronic, hard copy, or in-person) concerning the project during the review period. After the closing date, complete the check-off section for comments below, sign/date below and return this form to me along with your log of any comments received. Please send **original copies** of any written letters received, including the envelopes if the return address is not contained in the letter.

After reviewing any comments received, we will advise you what, if any, further action is necessary to complete the environmental analysis process. If no comments were received, we will certify the Type II or III action and provide you copies to complete your files.

The public review period for the above project proposal has expired. As of this date: (check one)

- No comment has been received by this office
- Comment has been received and addressed - see attached log of contacts and/or comments received

Neil G. Amberson
(Signature of Contact Person)

1/26/07
(Date)

For Type II Actions:
See EA certification page

For Type III Actions:
No further analysis required - This action is hereby certified to be in compliance with WEPA:

Environmental Analysis & Liaison Program Staff

Date

NEWS RELEASE



**Wisconsin Department of Natural Resources
Northern Region**
810 W Maple St., Spooner, WI 54801
Phone: (715) 635-2101 TDD: (715) 635-4001
107 Sutliff Avenue, Rhinelander, WI 54501
Phone: (715) 365-8900 TDD: (715) 365-8957
dnr.wi.gov www.wisconsin.gov

DATE: January 12, 2007
CONTACT: Neil Ambourn
SUBJECT: Burnett County Forest Withdrawal/Trade Proposal Being Reviewed

Spooner, WI – Burnett County has made application to the Department of Natural Resources (DNR) for approval to withdraw a 60.93 acre parcel of county forest land and trade it for another 77.94 acre parcel, both in the Town of Swiss. The purpose of this withdrawal is to allow development of a proposed wastewater treatment facility to serve local residences and businesses in the Danbury area.

For several years, the Danbury Joint Water Quality Commission (JWQC) and St. Croix Band of Chippewa Indians have been working on the design for a new wastewater treatment facility. The best location for this facility was identified as a piece of county forest land between STH 35 and Lake 26 Road. Another parcel was subsequently purchased to offer in trade. That parcel is located northeast of the intersection of Airfield Road and STH 77 and would improve blocking of county forest ownership.

Before a decision can be made on the proposed withdrawal and trade, an Environmental Assessment (EA) must be completed. This notification ensures the chance for public input on that analysis.

This project is not anticipated to result in significant adverse environmental effects. The department has prepared an EA on this action and made a preliminary decision that an environmental impact statement will not be required. This recommendation does not represent approval from other DNR sections which may also require review of the project. Copies of the draft EA can be obtained from Neil Ambourn, DNR Liaison Forester, WDNR, Box 51, Webster, WI 54893, 715/866-3691, or by e-mail at Neil.Ambourn@Wisconsin.gov.

Comments on the proposed project and preliminary assessment are welcome and should be received by Mr.

The following counties are in the Northern Region: Ashland, Barron, Bayfield, Burnett, Douglas, Florence, Forest, Iron, Langlade, Lincoln, Oneida, Polk, Price, Rusk, Sawyer, Taylor, Vilas, Washburn.
The Public Affairs Manager for DNR Northern Region is Jim Bishop, (715) 635-4242.

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

Form 1600-1

Rev. 7-2006

Department of Natural Resources (DNR)

Region or Bureau

Northern

Type List Designation

NR150.03(8)(d)1.c

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., January 26, 2006.

Contact Person:

Neil Ambourn

Title: Liaison Forester Burnett County

Address: Box 51

Webster, WI 54893

Telephone Number

715-866-3691

Applicant: Burnett County Forest Department

Address: 7425 Co Rd K, Siren, WI 54872-9007

Title of Proposal: Burnett County Forest Land Withdrawal and Trade

Location: County: Burnett Township: Swiss

Township Range Section(s)

LAND TO BE WITHDRAWN - from County Forest Law T41N-R16W Section 22 part of NESE and SESE total 60.93 acres

LAND TO BE TRADED FOR - T41N-R15W Section 16 W2NW4 total 77.94 acres

PROJECT SUMMARY

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

Burnett County has submitted an application to withdraw 60.93 acres of County Forest Law (CFL) located in the Town of Swiss. This land would be traded for 77.94 acres presently owned by the Danbury Joint Water Quality Commission (JWQC) and the St. Croix Chippewa Indians also located in the Town of Swiss. The parcel traded for would be entered under the County Forest Law. The parcel to be withdrawn is located in Section 22 next to the Village of Danbury and the St. Croix Chippewa Danbury reservation. The plan is to develop a portion of this property into a waste water treatment plant (WWTP) to provide for sewage treatment for the tribal lands and the Village of Danbury, thus protecting ground water, private wells and the waters of the St. Croix River and the Yellow River from failing sewage systems. There is a deed restriction allowing Burnett County first option to purchase the withdrawn land back should the WWTP not be developed and the land offered for sale.

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

Burnett County Forest was approached by the JWQC to purchase the Section 22 site and develop it into a waste water treatment plant. The Burnett County Forestry Committee was interested in a land trade only of lands within the blocking boundaries of the Burnett County Forest. The JWQC and the St. Croix Chippewa Indians purchased the section 16 property for this land trade to occur.

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

The Burnett County Board of Supervisors passed resolution #200-41 to apply to the Wisconsin Department of Natural Resources (WDNR) to withdraw 60.93 acres of Burnett County Forest in Section 22 that would be used as a WWTP. The resolution includes a trade for 77.94 acres of land in W2NW4 of Section 16, located within the boundaries of the Burnett County Forest, that would be entered into the County Forest Law. The resolution is required to withdraw lands from under the County Forest Law per Wisconsin Statutes Chapter 28.11 (11). This same statute requires the WDNR to investigate the County's application and determine if the benefits of withdrawal outweigh the benefits of continued entry of the land.

PROPOSED PHYSICAL CHANGES (more fully describe the proposal)

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

On the land to be withdrawn from the CFL, a wastewater treatment plant is proposed which would be a continual flow sequencing batch reactor (SBR) activated sludge system. There would be two tanks with pre-react areas and forced air aeration. Treated effluent would be discharged to a multiple three seepage cell system where it would percolate through the soil and eventually recharge groundwater. The effluent would be required to meet a very stringent 10 milligrams per liter total nitrogen that would not raise the receiving groundwater nitrate concentration above drinking water standards. Waste activated sludge would be directed into a 60 day detention time aerated digester to stabilize the microbial solids. Treated sludge would then be sent to one of four open topped beds planted with Common Reed Grass (*Phragmites australis*, formerly known as *Phragmites communis*). Each bed is to be 40 feet by 60 feet and would be capable of storing up to 2.5 feet of dried solids. The reeds reduce the sludge volume over 90 percent. The dried sludge would be removed every seven to ten years, at which time it should have a consistency of topsoil. This product is to be land spread on agricultural land.

The trade parcel of land that would be entered into the CFL (77.94 acres) would receive periodic timber harvests and the forest managed for sustainable multiple use following the Burnett County Forest 15 year Comprehensive Land Use Plan.

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

No wetlands or surface waters would be manipulated.

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

The WWTP is proposed to occupy five acres for the SBR tanks, digester, control building, roads, reed beds, and seepage cells. There will be ample room for future expansion as the communities grow. The plant would be located in the center of the site to separate it from adjacent houses and other development.

The trade parcel to be entered under the CFL has no planned development.

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

Treated effluent of 86,500 gallons per day would be discharged to three seepage cells. It is estimated to take 20 years for the community to grow to reach this flow capacity. Effluent quality would be less than 10 milligrams per liter total nitrogen and this would meet nitrate drinking water standards. The dried sludge from the reed beds would be removed, depending on buildup, once every ten years. There would be approximately 900 cubic yards of sludge with a consistency of top soil that would be thinly spread on agricultural crop land. The WWTP would have a fine screen/grit removal pretreatment system that would remove rags, plastics, paper, etc from the influent wastewater. These screenings would be washed and compacted and then bagged for disposal in a sanitary landfill. There would be only one cubic foot of screenings per day.

The trade parcel to be entered would not have any emissions or discharges from any facilities, but periodic exhaust emissions would occur from occasional logging equipment, as well as ATV's and snowmobiles that may use the property.

8. Other Changes

None

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

- | | |
|--------------|--|
| Attachment 1 | County map showing the general area of the project |
| Attachment 2 | USGS topographic map
(2A - withdrawal parcel, 2B-trade parcel) |
| Attachment 3 | Air photo/site location map
(3A - withdrawal parcel, 3B-trade parcel) |
| Attachment 4 | Plat map
(4A - withdrawal parcel, 4B-trade parcel) |

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

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

Literature/correspondence (specify major sources)

Personal Contacts (list in item 26)

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

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

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

The land to be withdrawn from the County Forest Law and the land to be traded for are both located on well drained sandy soils with terrain that is mostly flat to slightly rolling upland. Soils are deep, excessively drained outwash sands. The moisture regime is dry and nutrient regime is poor. At the north end of the parcel to be entered into CFL there appear to be approximately 10 acres with underlying gravel deposits, as evidenced by a nearby Township of Swiss gravel pit. No lakes or rivers are located on these lands.

12. Biological Environment (dominant aquatic and terrestrial plant and animal species and habitats including threatened/endangered resources; wetland amounts, types and hydraulic value)

A Natural Heritage Inventory database search does not indicate the presence of any threatened or endangered species on the land to be withdrawn. The database indicates the presence of three insect species on the trade parcel: Mottled Dusky Wing (Erynnis martialis), Dusted Skipper (Atrytonopsis hianna) and Karner Blue Butterfly (Lycaeides melissa samuelis). In Wisconsin these three insect species have "special concern" status. Species listed as special concern are those species about which some problem of abundance or distribution is suspected but not yet proven. The Karner Blue Butterfly also has federal status as an endangered species. These species and their habitats would be managed under the Burnett County Forest Habitat Conservation Plan, as well as approved WDNR forest management practices.

The plant habitat type on both parcels is POGC: Pinus-Quercus/Gaultheria-Ceanothus. This pine-oak habitat type is named for a group of plants that are commonly found on this type of soil and terrain.

The 60.93 acres to be withdrawn is currently composed of primarily young aspen (approximately 50 acres) resulting from timber harvesting within the last fifteen years. Also present are small sawlog/pole size northern pin oak (10 acres) dominating the most droughty portions of this land and also a 5 year old red pine planting (3 acres). The 77.94 acres to be entered into the forest is composed primarily of jack pine that naturally regenerated from the abandonment of an old agriculture field. This jack pine is composed of 15-35 year old trees (50 acres). Also present are small sawlog/pole size northern pin oak (17.94 acres) and an old field that is still somewhat open which has some jack pine seedlings (10 acres) beginning to close in the open areas.

Dominant terrestrial animals on both parcels would include amphibians (salamanders, toads, etc.) rodents (squirrels, mice, voles, etc.) white tailed deer, ruffed grouse, eastern wild turkey and black bear.

13. Cultural Environment

a. Land use (dominant features and uses including zoning if applicable)

The Burnett County Forest land to be withdrawn and the trade parcel are both productive forestland, composed of a mixture of jack pine, aspen, red pine and northern pin oak. County zoning land classification on the land to withdrawn and the land to be traded for and entered under the County Forest law is Forestry F-1.

b. Social/Economic (including ethnic and cultural groups)

The land to be withdrawn is bordered by Burnett County Forest to the east, a private 40 acre parcel to the south, tribal lands to the west, and US National Park Service land to the north. The trade parcel is bordered by County Forest to the east, north, west and south. A private parcel of land adjoins this 80 acre parcel on the NW corner of this land. Recreational use of both properties is very similar: hiking, hunting, berry picking, and sightseeing are the dominant uses. In addition, some recreational

trails are present for snowmobiles and ATV's. The current economic environment is timber sale revenue from periodic timber harvests.

c. Archaeological/Historical

An archaeological search does not indicate any sites on the WDNR intranet search. A historic site was indicated on a data search for the parcel to be withdrawn. Upon further contact with the WDNR Archaeologist, it was determined that the parcel abuts but does not overlap a sensitive area.

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

None known to be present at these locations.

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

15. Physical (include visual if applicable)

The land to be withdrawn is a 60.93 acre parcel. Located within this parcel a five acre site would be prepared for construction of a waste water facility. Typically soils in the five acre site would be disturbed by site leveling procedures. An entrance drive would likely be included as part of the proposal. Air quality during site preparation would likely be impacted by dust and air-borne particulates. No adverse impact to water quality is anticipated from site preparation. Operation of a WWTP on this site would likely improve overall water quality within the service area.

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

Construction of the WWTP would require a five acre site to be cleared of all trees and associated forested habitat and then to be maintained in an open condition. This would displace the plants and animals that occupy the site. Vegetation cover would change from a closed forest canopy to open area receiving full sunlight. This change in vegetation and habitat would impact numerous species of plants and animals. Some individual plant and animal species would be eliminated while the more mobile animal species would not likely be affected. Over time, various new plant and animal species could become established on this site due to the change in habitat type.

Within the waste water treatment plant, waste activated sludge would be digested and then discharged into four open topped beds planted with Phragmites australis. This species is an invasive species and already present in many areas in Burnett County. Based on the known habitat requirements, it is possible that this plant species could compete with special native plants such as wild rice. The plant operators would need to complete special maintenance procedures to prevent common reed grass from escaping and spreading from the plant site per Department guidelines. The reeds would be cut and burned every year on the beds. The surrounding area would be inspected annually for reed grass. If found, the reed grass would be eradicated. As a final step, when the sludge would be removed, it would be screened to remove any rhizomes. Reed beds are successfully used at two WWTP's in Bayfield County adjacent to Lake Superior.

No wetlands or endangered / threatened species would be affected by the proposed withdrawal and land trade.

17. Cultural

a. Land Use (including indirect and secondary impacts)

The land to be withdrawn would have five acres of forest cleared and converted to a WWTP. Zoning changes may be required. The remaining forest on this parcel would remain in forest and used as a buffer until needed for future expansion. The trade parcel is a productive forest and would be managed as such. No development is to occur on this parcel.

b. Social/Economic (including ethnic and cultural groups, and zoning if applicable)

The five acres that the WWTP would occupy would no longer be open to the public for forest recreational opportunities and no longer be used for recurring forest crops. This is offset by a WWTP that protects the St. Croix River, Yellow River, and groundwater in the Danbury area from failing sewage systems. In addition, a net gain of 17.01 acres of public forest would occur with the entry of the 77.94 acre land trade.

c. Archaeological/Historical

None anticipated

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

None anticipated

19. Summary of Adverse Impacts That Cannot Be Avoided (more fully discussed in 15 through 18)

A five acre site would be constructed to a WWTP and no longer be used for forest recreation and timber production.

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.

The WWTP is considered long term and the conversion of five acres of forest to the WWTP facility is considered long term. The loss of this five acres for forest recreation and timber production is considered long term.

- b. Discuss which of the primary and secondary environmental effects listed in the environmental consequences section are effects on geographically scarce resources (e.g. historic or cultural resources, scenic and recreational resources, prime agricultural lands, threatened or endangered resources or ecologically sensitive areas).

None of the environmental effects listed are anticipated to affect any known geographically scarce resources.

- c. Discuss the extent to which the primary and secondary environmental effects listed in the environmental consequences section are reversible.

Should the WWTP never get developed, Burnett County has the first option to buy this property and enter it back into the CFL program.

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 cumulative effects on the environment would be development of a better method of treating sewage that will protect the wells, groundwater, rivers and streams in the surrounding area. Additional county forest withdrawals for similar projects would be evaluated on a case by case basis.

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 no unknowns that create significant uncertainty in predicting effects on the quality of the environment.

- 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.

No significant environmental factors relating to a WWTP malfunction are anticipated. An operator would be at the plant monitoring the operation and any short term problems of operation would be resolved.

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 are no known conflicts with local, state, or federal agencies. The proposed WWTP is being proposed on a land parcel which is large enough to provide room for future expansion.

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.

There are no known or apparent controversies regarding the proposed withdrawal of county forest land under the CFL for the construction of a WWTP and the land trade for of 77.94 acres of land to be entered into the CFL.

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.)

There would be no impact to the County Forest land if the proposed WWTP was not developed. Failing sewage systems would continue to be a problem in the Danbury community and a reduction in the water quality most likely would become a problem. The JWQC was unable to purchase private land suitable for the WWTP.

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>
10/7/02	Kevin Klucas, Chairman JWQC	Letter sent to Burnett County Forest requesting to sell or donate property for WWTP site
11/7/02	Kevin Klucas, Chairman JWQC	Attends County Forest Committee meeting to explain need to purchase and develop WWTP
2/6/03	Kevin Klucas and Jerry Dorjott-project engineer	Request to the Forestry Committee to examine possible land trades, Forestry Committee allows soil boring to be done on proposed site.
10/16/ 05	Vance Engstrom License #1148	Appraisal done on Section 22 property
10/23/ 05	Gibbons appraisals	Appraisal done on section 16 property
02/09/ 06	County forest committee	Agreement for land trade, no exchange of money, resolution to withdraw land made
02/24/ 06	Danbury Wastewater Treatment Facility Type 3 News release	Public comment period for wastewater facility. Comment period ended March 10, 2006. No comments received. Certified in compliance with WEPA on March 22, 2006.
08/17/ 06	Burnett County board	Passes resolution to withdraw land
09/18/ 06	Mark Dudzik, DNR Archaeologist	No designated sites within property. Sensitive area adjacent to property.
11/21/ 06	Peter Prusak, DNR Wastewater Specialist	Provided Bureau of Watershed Management facility operating procedures for management of reed bed systems
12/01/ 06	Nancy Christel, DNR Wildlife	Comments and follow up regarding wildlife concerns related to exotic species.

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 <i>Neil M. Ambrose</i>	Date Signed 11/14/06
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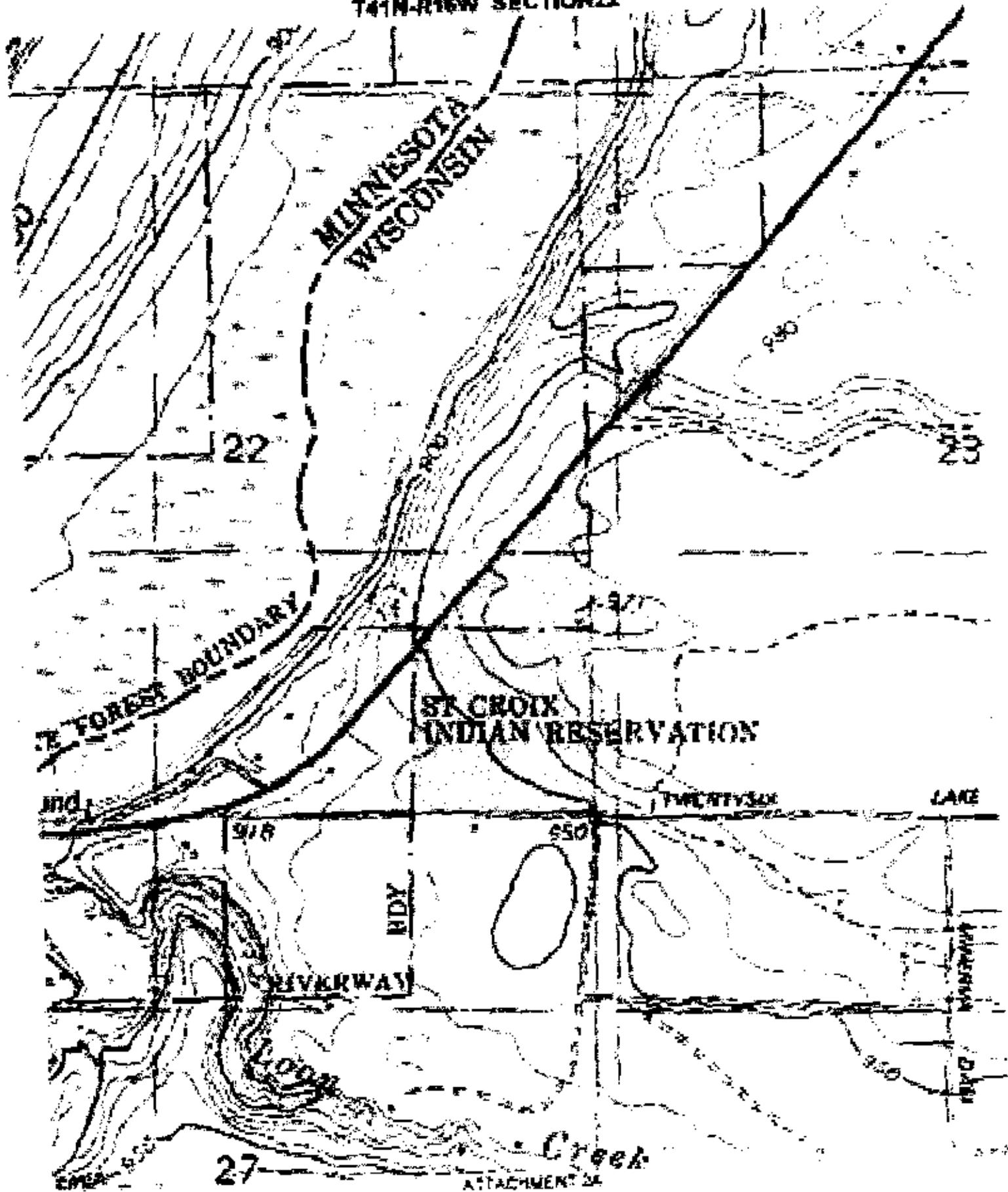
Number of responses to news release or other notice: *0*

Certified to be in compliance with WEPA	
Environmental Analysis and Liaison Program Staff <i>William Gault</i>	Date Signed 1-28-2007

NOTICE OF APPEAL RIGHTS

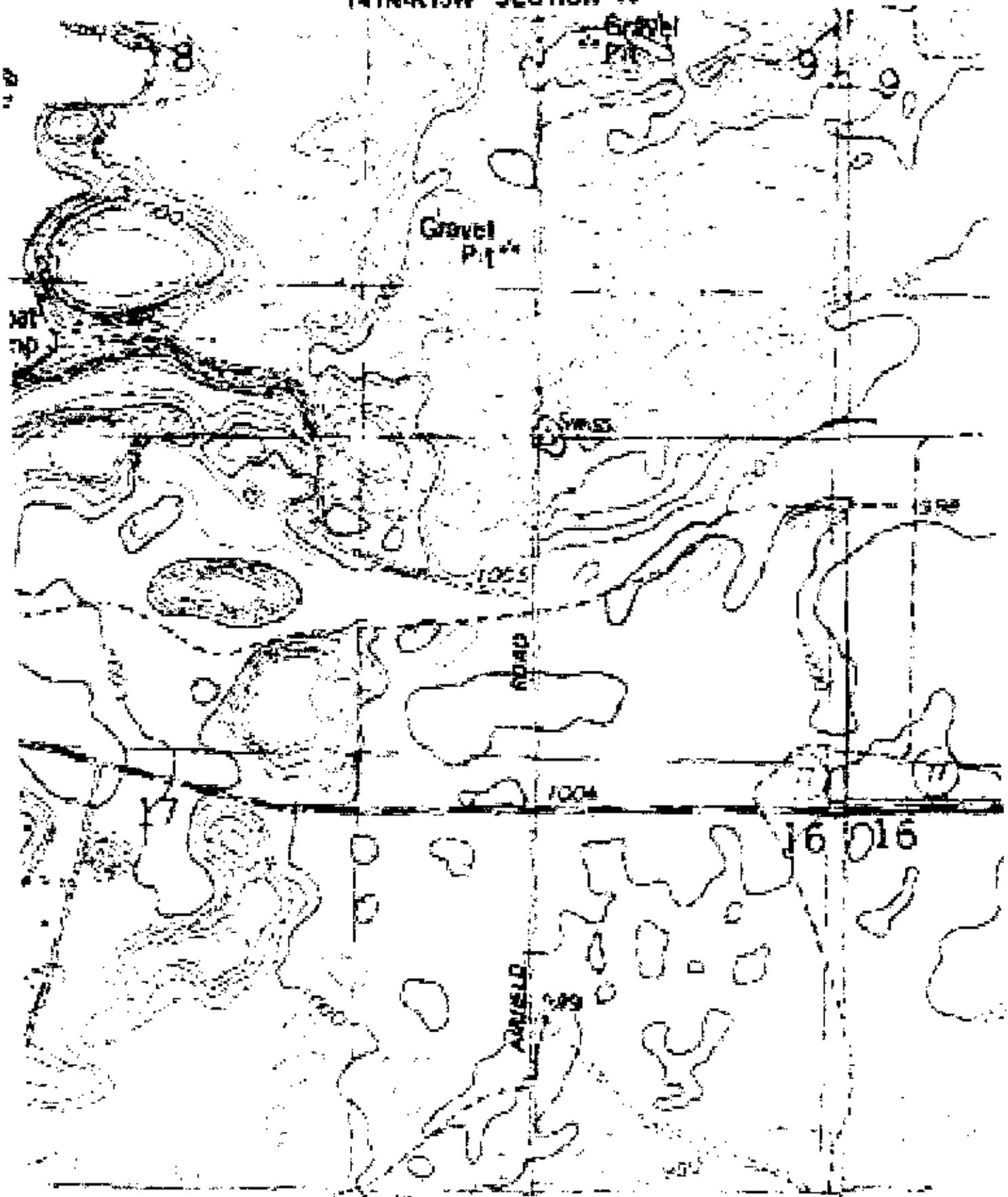
If you believe you have a right to challenge this decision made by the Department, you should know that Wisconsin statutes, administrative codes and case law establish time periods and requirements for reviewing Department decisions.

To seek judicial review of the Department's decision, ss. 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. Such a petition shall be filed with the appropriate circuit court and shall be served on the Department. The petition shall name the Department of Natural Resources as the respondent.



ATTACHMENT 2A

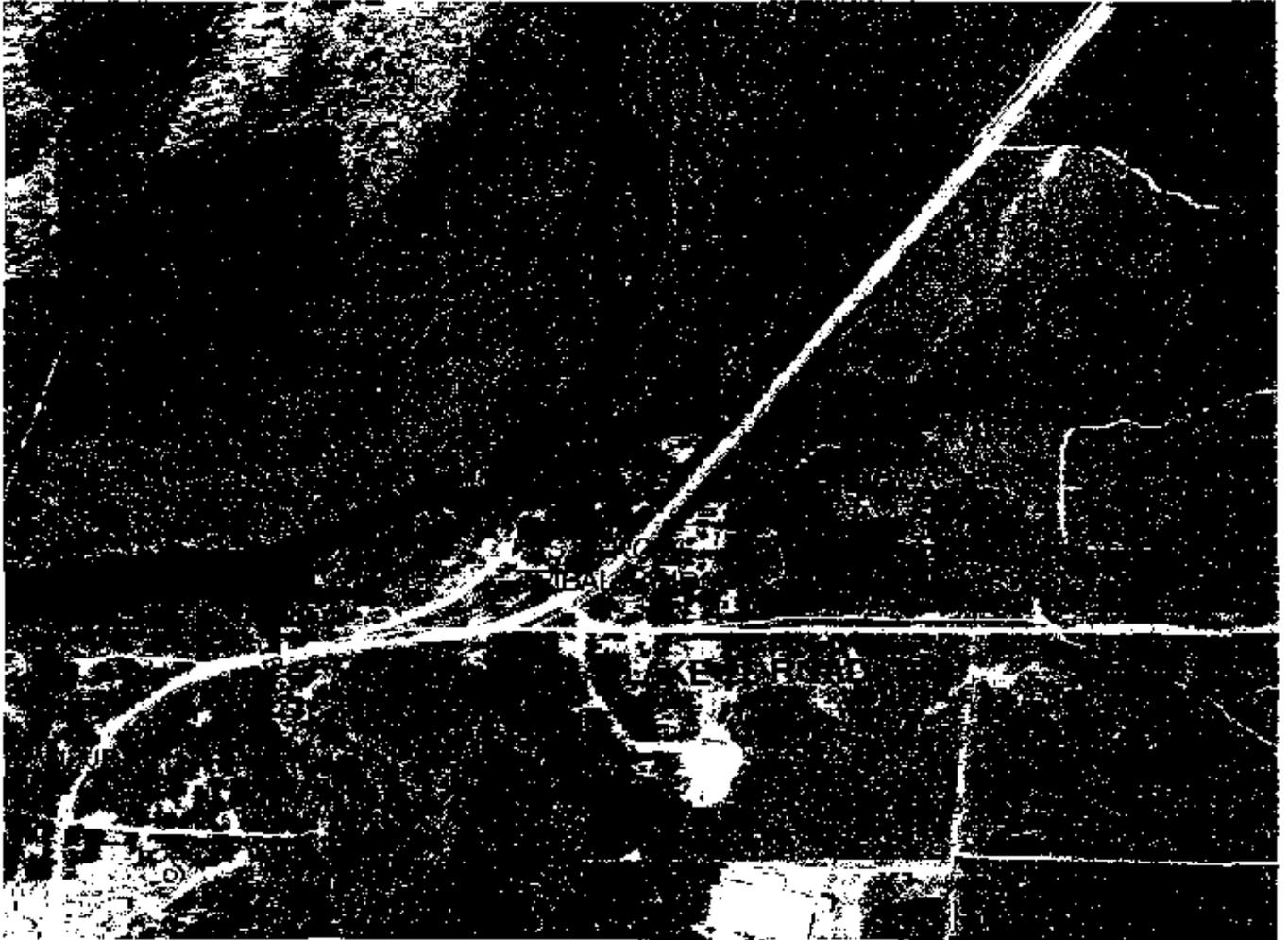
TRADE PARCEL
T41N-R15W SECTION 16



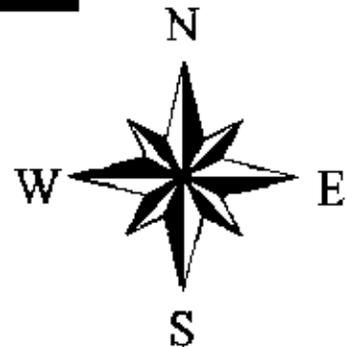
ATTACHMENT 28

BURNETT COUNTY FOREST WITHDRAWAL PARCEL T41N-R16W SECTION 22

ATTACHMENT 3A



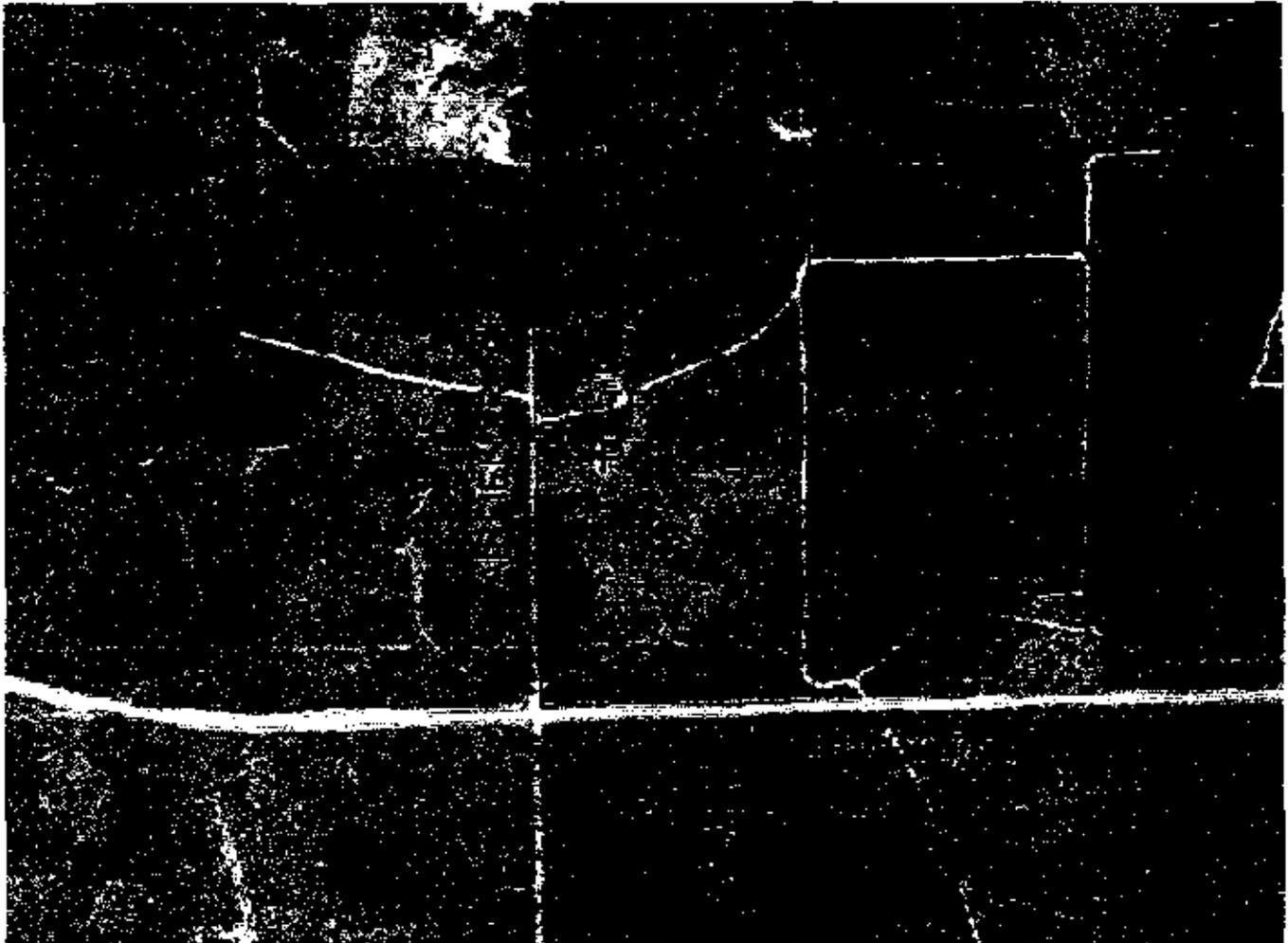
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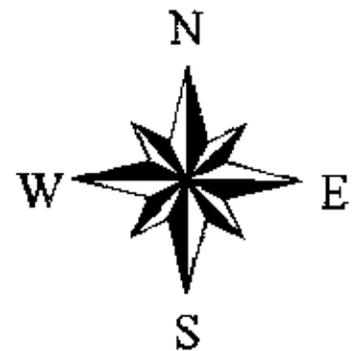
 Withdrawal parcel.shp

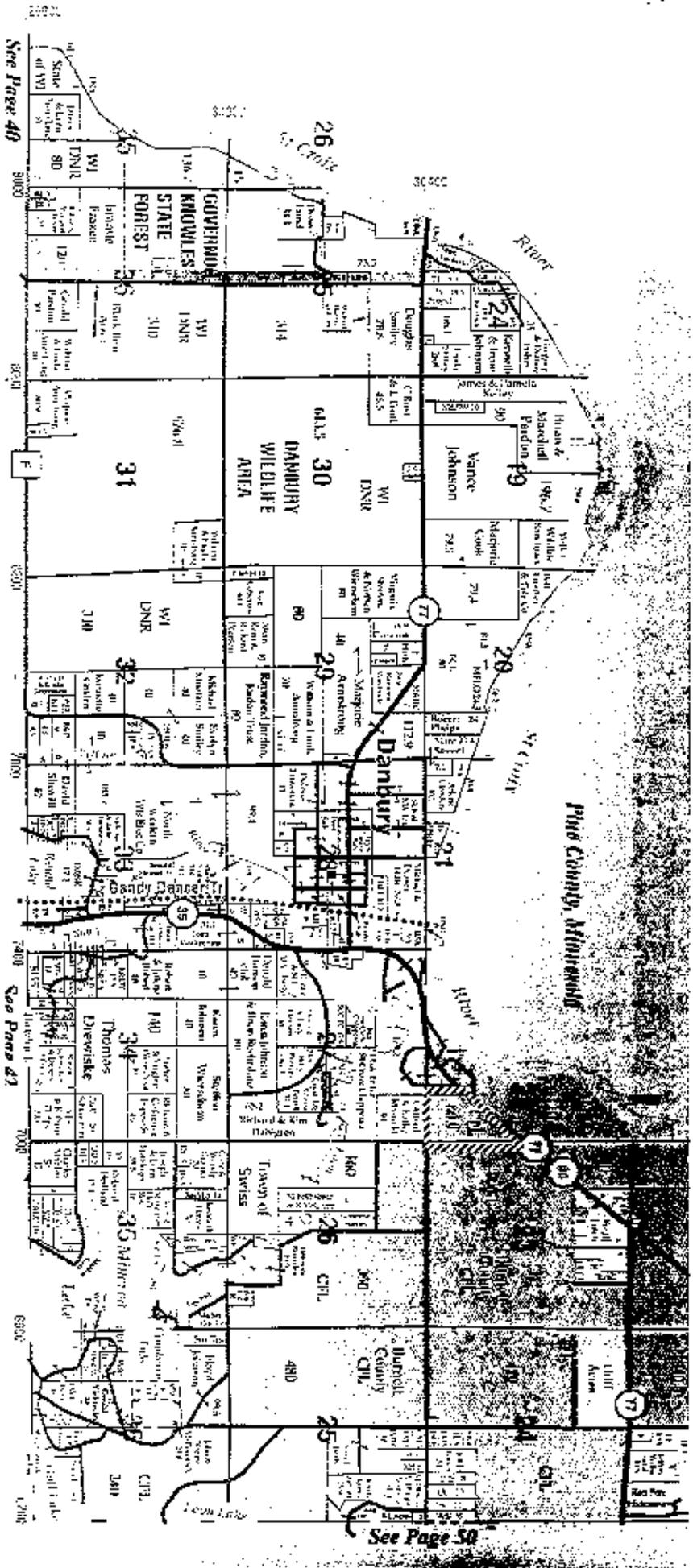
TRADE PARCEL T41N-R15W SECTION 16

ATTACHMENT 3B



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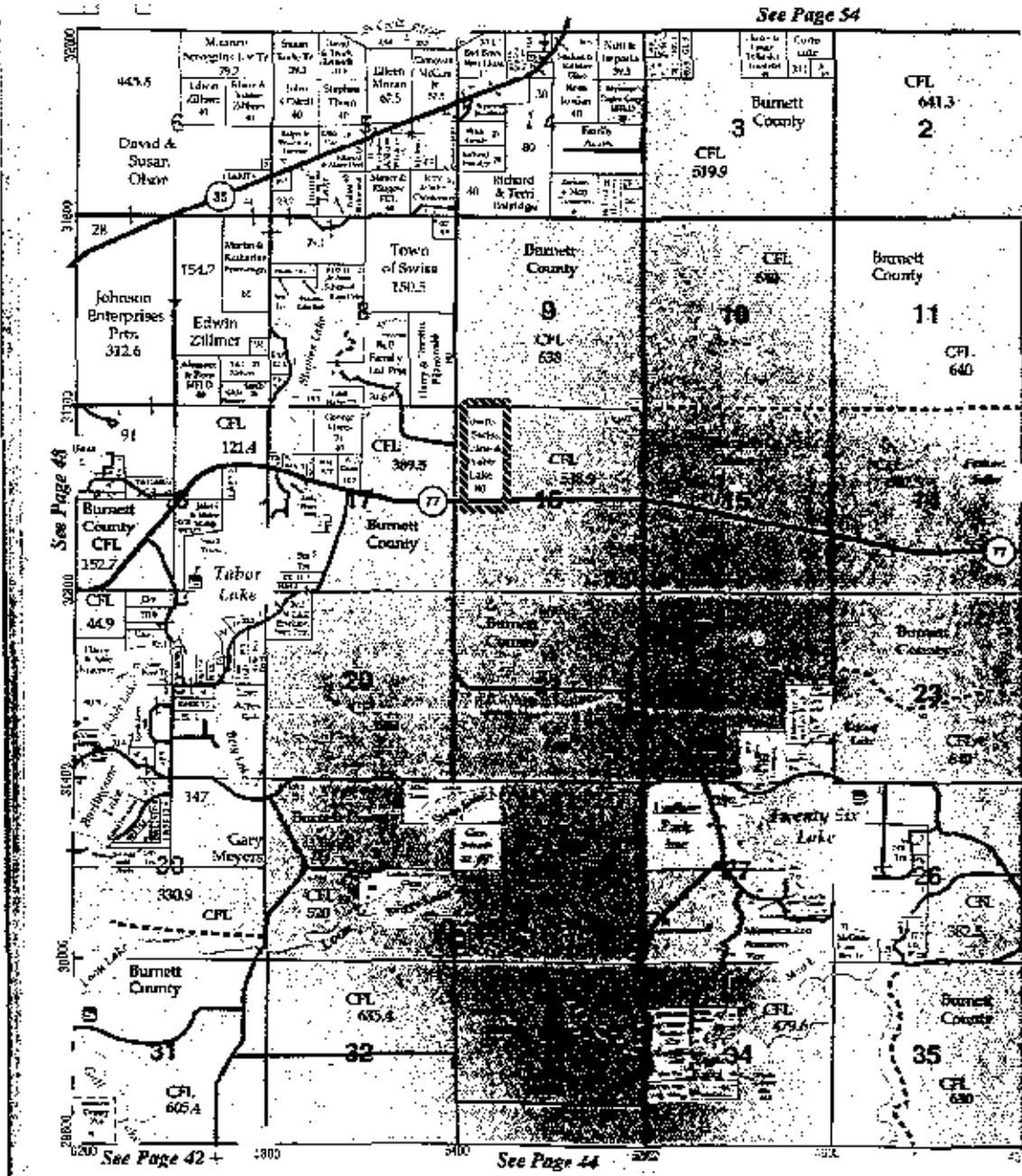




Attachment 4A

SWISS TOWNSHIP T.41N. - R.16W
Withdrawal parcel

See Page 50



East Swiss T.41N. - R.15W
Trade Parcel

Attachment 4B

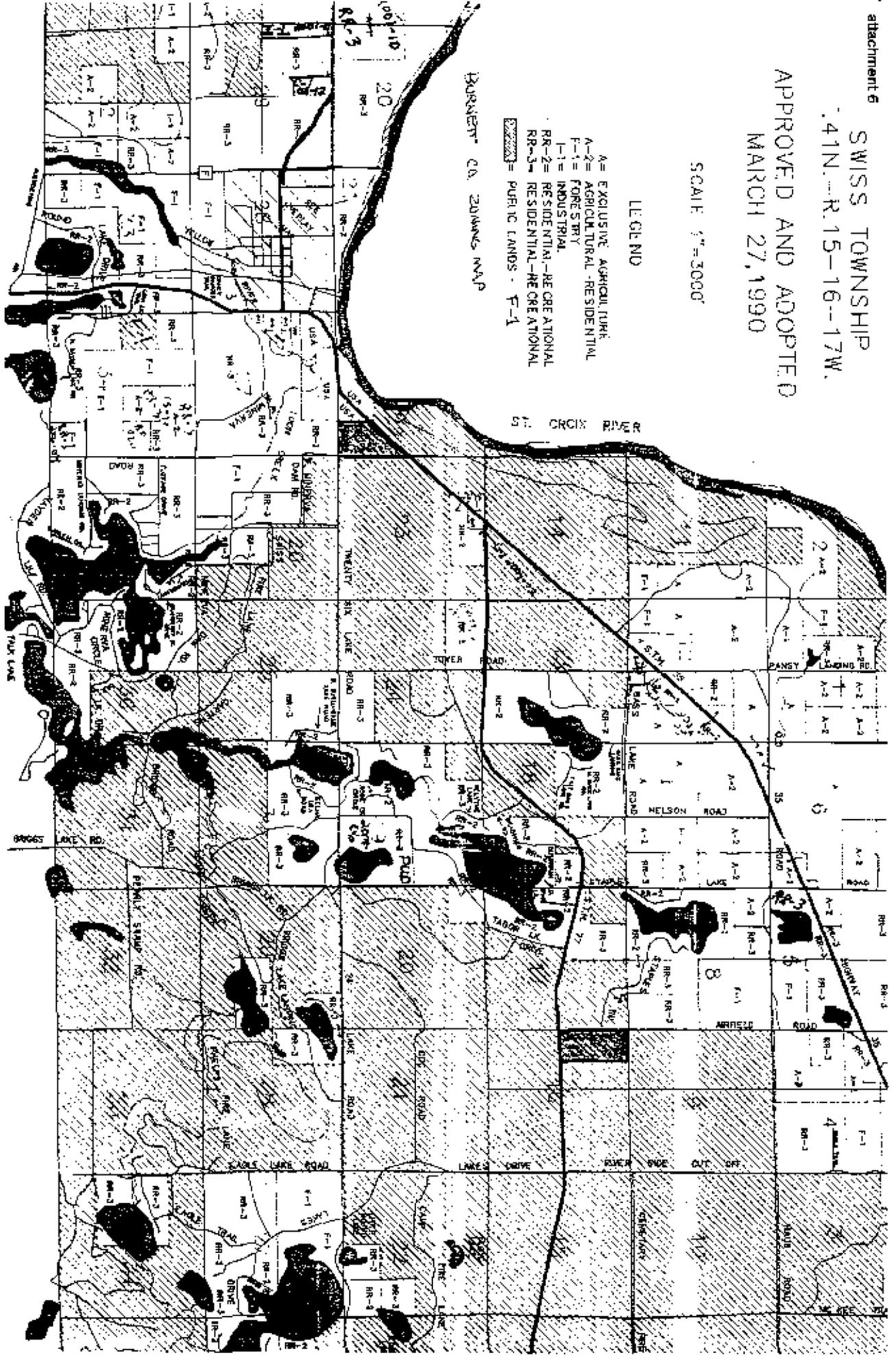
SWISS TOWNSHIP 141N.-R.15-16-17W.

APPROVED AND ADOPTED MARCH 27, 1990

SCALE 1"=3000'

LEGEND

- A = EXCLUSIVE AGRICULTURAL
- A-2 = AGRICULTURAL - RESIDENTIAL
- F-1 = FORESTRY
- I-1 = INDUSTRIAL
- RR-2 = RESIDENTIAL - RECREATIONAL
- RR-3 = RESIDENTIAL - RECREATIONAL
- PR = PUBLIC LANDS - F-1



BURNETT CO. ZONING MAP

ST. CROIX RIVER

