

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

Form 1600-8

Rev. 6-90

Department of Natural Resources (DNR)

District or Bureau

NCD

Type List Designation

**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., \_\_\_\_\_ (date).

Contact Person

Tom Duke

Title County Forest Liaison

Address 1635 Neva Rd., P.O. Box 310

Antigo, WI 54409

Telephone 715-627-4317  
Number

Applicant: LANGLADE COUNTY

Address: FAIRGROUNDS, P.O. BOX 460, ANTIGO, WI 54409

Title of Proposal: COUNTY FOREST LAND WITHDRAWAL

Location: County LANGLADE City/Town/Village TOWN OF AINSWORTH

Township 34 North, Range 12E Section(s) 02 (NWNE,NENE) & 03 (SWSE,NESE,SWNE,NWNE)

**PROJECT SUMMARY - DNR Review Information Based on:**

List documents, plans, studies or memos referred to and provide a brief overview

It is proposed to withdraw approximately 240 acres of Langlade County forest land from the County Forest Law, Wisconsin Statute 28.11. The withdrawn land is to be traded to the State of Wisconsin, Board of Commissioners of Public Lands, as part of a land trade with the state. The county acquired 3 forties of land in the 1930's but the state has recently shown that there never was a patent given for the title to these lands. The county tried to negotiate to receive clear title for these descriptions but was not able to. Negotiations with the state brought out the present plan of the county obtaining the tree forties in question along with 5 additional forties in exchange for the 6 forties that are proposed to be withdrawn. This settlement will block in lands for both the state and the county. Maps of the affected lands, plat book maps, and a copy of the Langlade County resolution to withdraw are attached.

**DNR EVALUATION OF PROJECT SIGNIFICANCE (complete each item)**

1. Environmental Effects and Their Significance

Discuss the 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, and the significance of these effects. (The reversibility of an action affects the extent or degree of impact.)

Use and related effects on land will not change with transfer of ownership. Long-term effects will remain the same as the lands will continue in public ownership and be managed for a variety of resource needs. Land obtained by the County will be managed for forest products as well as for wildlife habitat and other resource use.

2. 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.

Use will not change significantly. No adverse effects are anticipated.

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?

Quality of the environment should not change with transfer of ownership.

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.

Malfunction of the forest withdrawal is not a significant problem. No additional problems anticipated.

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.

No problems are anticipated since all descriptions in question will continue under public management.

5. 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.

No controversy is anticipated.

---

ALTERNATIVES

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.)

Alternative would be to not trade the lands. If this were to happen the county would lose the three forties in question or have to pay for retaining ownership. In this scenario there would be no need for the withdrawal, however transfer of these lands is advantageous to both parties in their overall management plans.

---

SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

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>
12-16-92	Trust Lands (State)	Letter from T. Hamm to Langlade County clerk Norm Cejka stating ownership of 2 descriptions in Langlade County Forest that are owned by DOJ Trust Lands. Needed to provide evidence of ownership to her.
12-22-93	Trust Lands (State)	Letter of response sent to T. Hamm showing when lands were acquired under tax delinquency.
1-8-93	Trust Lands (State)	Trust lands forester met with Langlade County Forest administrator discussing options and the legality of the ownership.
2-8-93	Wisconsin DNR	Legal advisor Jim Christenson discussed legal aspects with Langlade County Forest administrator.
3-10-93	Trust Lands (State)	Letter written to T. Hamm by Langlade County Forest administrator stating the county had managed the lands for 60 years and were seeking to claim the lands under adverse possession.
3-22-93	Langlade County	Letter from Mike Turney (Langlade abstract and title) to Robin Stowe (Langlade County Corporation Counsel) listing all abstracts for lands in dispute.
4-7-93	Attorney General	Bill Wilker (Attn. General staff) wrote a letter to Jim Doyle (Attn. General) stating why the state could <u>not</u> give the disputed lands to Langlade County.
4-8-93	Langlade County	Langlade County Forest administrator attended Trust Lands Public Lands Committee Board meeting in Madison and expressed the County's position and dilemma. No action taken.
4-19-93	Langlade County	County Forestry Committee meeting reviewing results of April 8 meeting. Committee directed administrator to continue seeking whatever means necessary to resolve dispute.
5-13-93	Langlade County	Forestry committee directed the administrator to pursue political action (contacting state senator and representatives). Many follow-up correspondences with representatives and senator followed. No resolution of problem resulted.
5-17-93	Trust Lands (State)	Letter to Trish Hamm from Langlade County Forest administrator officially asking for a check on possible other lands in dispute.
5-17-93	Trust Lands (State)	John Schwartzman (forester for Trust Lands) notified Langlade County Forest administrator that he will start cruising the lands in question for appraisal purposes.
6-28-93	Trust Lands (State)	Letter from Trish Hamm listing all Trust Land ownership in County. Third parcel found in town of Parfish.
7-93	Trust Lands (State)	Jim Pietila (forester for Trust Lands) met with Langlade County Forest administrator reviewing appraisals of all lands in question.
7-22-93	Langlade County	Letter sent to all County Forest Administrators notifying them of Langlade County's problem and asking if they had any similar situations.

On-site inspection or past experience with site by evaluator.

**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 on this project.

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>Thomas A. Duke</i>	Date Signed 4-20-94
Noted: District Staff Specialist or Bureau Director	Date Signed

Number of responses to news release or other notice: 0

CERTIFIED TO BE IN COMPLIANCE WITH WEPA	
District Director or Director of BEAR (or designee) <i>James Profelman</i>	Date Signed 6/6/94

**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.

To request a contested case hearing pursuant to section 227.42, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

Note: Not all Department decisions respecting environmental impact, such as those involving solid waste or hazardous waste facilities under sections 144.43 to 144.47 and 144.60 to 144.74, Stats., are subject to the contested case hearing provisions of section 227.42, Stats.

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