

Department of Natural Resources

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Type List Designation:

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NOTE TO REVIEWERS: 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 p.m. (time) 10/14/96 (date)

Applicant: Juneau County Forestry, Parks and Zoning Committee

Address: 250 Oak Street

Title of Proposal: Hardwood Range County Forest Land Withdrawal and County Forest Entry of Replacement Land

Location: Land to be Withdrawn from County Forest:

Juneau County, Towns of Armenia and Finley
3,368.03 acres as shown in Attachment A.

Land to be Entered as County Forest:

Juneau County, Towns of Armenia, Finley, Cutler and Necedah
3,399.73 as shown in Attachment B.

PROJECT SUMMARY

1. General Description (brief overview):

The Wisconsin Department of Natural Resources is reviewing a Juneau County application to withdraw land from designation as County Forest Land and to enroll other land for the withdrawn acres. The Juneau County Forest is 14,303.51 acres in total size. A 3,368 acre portion, as listed in Attachment A and shown in Figure 1, is included within the boundary of the Hardwood Air-to-Ground Gunnery Range. Juneau County seeks to withdraw that area from the County Forest Land program defined by Section 28.11, Wis. Stats. The application for withdrawal includes a County offer to enroll about 3,400 acres of alternate county-owned land. Section 28.11, Wis. Stats., requires Department of Natural Resources approval of County Forest withdrawals and entries.

Since 1954, the County Forest Land in Hardwood Range has been used in combination with intermingled state Department of Military Affairs (DMA) land for training Air National Guard fighter pilots. The bombing range is operated by the U.S. Air Force and contains about 7,867 total acres, including both the county and state land. Aircraft from Midwestern National Guard Units are flown to Hardwood Range to practice bombing and strafing. Operations are directed from Volk Field, an airbase near Camp Douglas about 20 miles to the southwest. The bombs vary in size from about 35 to 2,000 pounds. They are filled with concrete and have a small smoke charge for scoring. The bullets are mostly

iron steel based. Sophisticated radar, radio telemetry and computer systems at Volk Field are used to track and record the training flights.

The targets for the training missions are located in a 730-acre target complex area (see Figure 2) where most of the ordnance falls. Jets approach from the

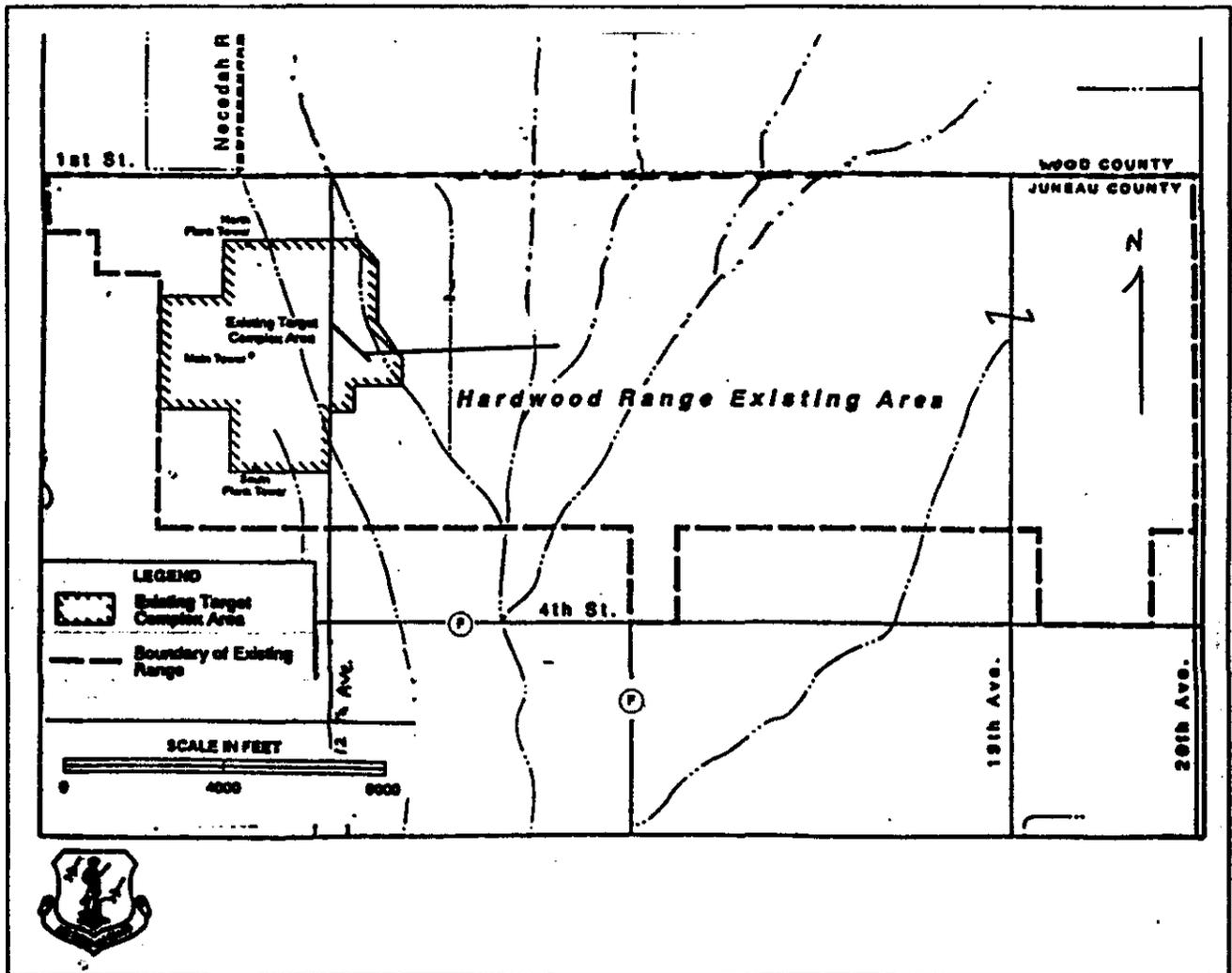


Figure 2. Hardwood Range Target Complex Impact Area

west and shoot to the east. About eighty acres of the primary impact target complex are County Forest Land. The rest is state DMA land. The balance of the Juneau County Forest Land and a large part of the state land serve as a safety buffer area to absorb bouncing or stray shots. Probability and ballistic studies done by the Air National Guard indicate that within reasonable certainty all ordnance will come to rest in the impact and safety buffer areas. For obvious safety reasons, public access to County Forest Land within the range is restricted during most of the year. Operation of the bombing range would not be feasible without the use of the county land.

Juneau County Board Resolution #95-38, dated July 18, 1995, instructed the County Clerk and County Board Chairman to file an application with the Department of Natural Resources to withdraw the Juneau County land in the range from designation as County Forest Land. The resolution also provided for an application for County Forest Land designation of an equivalent area of other Juneau County-owned property if the withdrawal was granted. The withdrawal and entry applications were filed together with the Department on August 4, 1995.

This environmental analysis is meant to assess only the proposed Juneau County withdrawal and entry action. The Department's decision regarding the withdrawal and entry action will not affect whether or not the county land within Hardwood Range continues to be used in conjunction with the bombing training under the easement. This analysis is not a thorough evaluation of the environmental impact of the entire existing bombing range which has been in operation since 1954 and which includes both Wisconsin Department of Military Affairs land and county land. The Air National Guard is preparing a separate environmental impact statement for their proposed expansion of the bombing range into Wood County. The proposed federal expansion of the range into Wood County is a separate action from the state review of the proposed Juneau County Forest withdrawal for present/existing military use.¹ The Department of Natural Resources will review the proposed expansion when the Air National Guard releases their Environmental Impact Statement in 1997.

2. Purpose and Need: (This section summarizes the history of Hardwood Range leading to Juneau County's decision to request withdrawal of County Forest Land within the bombing range and to offer to enroll alternate land.)

Hardwood Range includes 7,866.85 acres in northern Juneau County of intermingled state Department of Military Affairs land and county property. The State of Wisconsin owns 4,248.47 acres which are managed by the Department of Military Affairs. Juneau County owns 3,368.03 acres within Hardwood Range which are currently enrolled as County Forest Land under Chapter 28, Wis. Stats. Another 250.35 acres are owned by Juneau County but are not enrolled as County Forest.

On November 10, 1954, Juneau County granted an easement to the State of Wisconsin authorizing use of county land for the Hardwood Air-to-Ground Gunnery Range. The easement was signed by Wisconsin Governor Walter J. Kohler, Wisconsin National Guard Adjutant General Ralph Olson, and Juneau County officials. The original easement was for a period of twenty-five years with an option to extend for an additional twenty-five years upon written notice to the County. The extension was exercised in 1979, continuing the easement through November 10, 2004.

At the time the easement was executed, the land was enrolled as Forest Crop Land under Chapter 77, Wis. Stats. The Wisconsin Office of the Attorney General twice reviewed the easement in October 1954, and again in January 1956. The January 16, 1956, letter from Attorney General Vernon W. Thompson stated, "The document in question is in proper form to convey an easement to the State of Wisconsin for the stated purpose . . . Upon examination, it is my opinion that this document is neither a deed nor a lease nor does it provide for uses inconsistent with the purpose of the forest crop law . . . hence, will not necessitate a withdrawal of the Juneau County land from under the provisions of the forest crop law . . ."

The designation of the county land under a state forest tax program was changed in 1963 with the enactment of the County Forest Law in Chapter 28 of the statutes. Section 28.11 (4)(b), Wis. Stats., provides, "All county lands entered under ch. 77 on October 2, 1963, shall be designated "county forest lands" without further order of entry." Thus, the preexisting uses and rights specified under the 1954 Hardwood Range easement are vested (continue to be authorized) on the new County Forest Land. (This Departmental position is documented in correspondence dated February 2, 1996, from Secretary George E. Meyer to Ms. Pat Conway, Coalition for Peaceful Skies, in Attachment F.)

¹See Attachment G, Department of Air Force letter dated December 19, 1995, to Mr. Robert Roden of the Wisconsin Department of Natural Resources.

On March 1, 1975, the Wisconsin Department of Military Affairs (DMA) entered into a fifty-year agreement with the United States Department of Defense and the U.S. Army Corps of Engineers in order to secure long term federal funding and improvements for pilot training. The agreement included a lease of state DMA-owned land and the state DMA rights under the Hardwood Range easement. Not until 1995 did the state Department of Military Affairs recognize the disparity between the agreement they held with the Department of Defense through 2025 and the 2004 termination of the easement with Juneau County.

To correct the discrepancy, the Wisconsin Department of Military Affairs petitioned Juneau County for a twenty-one-year extension of the easement through February 2025. Juneau County Board Resolution #95-34, dated June 20, 1995, granted the extension by a unanimous vote. On March 19, 1996, Governor Tommy Thompson signed the twenty-one-year easement extension between Juneau County and the State Department of Military Affairs for continued military use of the county land in Hardwood Range.

Prior to granting the easement extension, the Juneau County Forestry, Parks and Zoning Committee invited Department of Natural Resources and Air National Guard personnel to its open meeting on April 12, 1995, to discuss the extension. The use conflicts on the County Forest Land within the bombing range for public hunting and recreation and for silvicultural operations were considered. The Department of Natural Resources, represented by Bureau of Forestry Director Charles Higgs, suggested that the county withdraw the County Forest Land within the Range and enroll other environmentally significant land with public access in its place to resolve multiple-use conflicts.

Under Section 28.11(1), Wis. Stats., one of the purposes of the County Forest Law is "provide the basis for a permanent program of county forests and to enable and encourage the planned development and management of the county forests for optimum production of forest products together with recreational opportunities, wildlife, watershed protection and stabilization of stream flow, giving full recognition to the concept of multiple use to assure maximum public benefits . . ." The military use of the County Forest Land in Hardwood Range, while it is vested by operation of the legislation that designated the land as County Forest, is inherently in conflict with the stated purposes of the County Forest Land statute. Forestry Bureau Director Higgs suggested the withdrawal of the Hardwood Range County Forest and enrollment of alternate land as a common sense solution to the innate conflict. Enrolling other land would also help preserve the "permanent" nature of the county forest program as expressed by the statute.

The Juneau County Board followed up its easement extension on July 18, 1995, with Resolution #95-38. That resolution approved application for withdrawal of the County Forest Land designation within the bombing range. It also instructed county officials to apply for entry of 3,374.73 acres of other county owned land as County Forest Land under Section 28.11, Wis. Stats. The entry application was later amended with Resolution #96-06, dated February 20, 1996. It deleted 240 acres in Finley Township² and added 265 acres in Armenia Township for a total of 3,399.73 acres applied for entry.

²A cranberry producer approached the Juneau County Board with interest in buying the 240 acres in Finley Township for development into cranberry beds and water storage. The Board decided to list that land for sale and to substitute other county land in the County Forest Land entry application.

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

Department of Natural Resources approval of County Forest Land withdrawals is required under Section 28.11 (11), Wis. Stats. Department approval of entries is required under s. 28.11 (4), Wis. Stats. The same statutes require that the county boards initiate entry or withdrawal actions. Withdrawal resolutions require a two-thirds majority of the board. (Juneau County Withdrawal Resolution #95-38 was adopted with a vote of eighteen for, one against, and two absent.)

If the state denies the withdrawal application, under s. 28.11(11)(a), Wis. Stats., the county can appeal to a review committee. The review committee would be composed of five members, only one of which is selected by the Department. The other members are selected by the county submitting the withdrawal, another county with County Forest Land, the Governor, and the University of Wisconsin College of Agriculture.

The provision of a county forest withdrawal review committee was enacted by the Legislature and signed by the Governor in December 1967, in direct response to a controversy which arose after the Wisconsin Conservation Commission denied a Juneau County application in 1966 to withdraw 4,640 of County Forest Land for agricultural development. A second application in 1975 to withdraw 1,280 acres of Juneau County Forest Land for agricultural development resulted in the first test of the review committee process. After a lengthy procedure, the Wisconsin Division of Natural Resources Hearings denied the withdrawal in December 1978. The decision was appealed in 1979 to an ad hoc review committee which overturned the denial in 1980. Appeals through both circuit court and the state court of appeals upheld the authority of the review committee in its decision to grant the withdrawal.

The Department's decision process must consider whether the withdrawn land will be put to a better and higher use and whether the benefits of the withdrawal to the people of the state as a whole and of the County outweigh benefits under continued entry. Elements to be considered include the reasonably probable and legal use of the land which is physically possible, appropriately supported, financially feasible and which results in the highest value. Consideration is also given to multiple use functions such as various forms of public recreation and existing restrictions to such uses on both the proposed withdrawal and entry land.

4. Estimated Cost and Funding Source

The immediate cost to Juneau County to withdraw from County Forest Land designation within Hardwood Range is \$0. The cost to enroll other land (which was acquired mostly during the 1940's through tax deeds) is also \$0.

Acreage enrolled as County Forest Land does generate a \$.30 per acre state aid in lieu of tax payment to the civil townships (not to counties) in which county forests are located. Between 1971 and 1988 the payment was \$.20 per acre, with lesser amounts earlier in this century. The money is used to provide town services such as fire protection, roads, road maintenance and snow removal. Those aid in lieu of tax payments are not recovered in County Forest Land withdrawals.

The State also provides Variable Acreage Share Loans and Project Loans for County Forest Land.³ It takes a long time (30 to 90 years) to grow trees to harvest. Since land may not be generating income for many years, the statutes provide the loan programs to help county forests through lean years. When timber is harvested on county forests, part of the revenue is used to pay back the loans. In the case of Juneau County, the entire loan balance was paid up in 1989. Since then, harvest income has been high enough that Juneau County has not needed loans. Their debt balance is paid in full. If there had been a debt balance, part of it would have been assigned to the 3,368 acres applied for withdrawal in Hardwood Range. To complete the withdrawal, the County would have been required to pay the portion of the debt prorated to the withdrawal acres. Since the debt is paid up, such a withdrawal payment is not needed in this case.

Wisconsin also started a County Forest Administrator Grant in 1994. Juneau County receives \$12,000 annually. It will continue to receive that amount as long as the total County Forest Land acreage does not drop below 10,000 acres. As a result, the withdrawal of the 3,368 acres of County Forest Land within Hardwood Range would not influence the Administrator Grant payment even if alternate land were not enrolled. The state would not attempt to recover any of the Administrator Grant money if County Forest Land were withdrawn.

PROPOSED PHYSICAL CHANGES (More fully describe the proposal)

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

The Hardwood Bombing Range has been active since 1954. Development of the range resulted in disturbance to County Forest Land in the form of access roads, firebreaks, clearing trees for target establishment, drainage ditch improvement, radio tower placement, etc. No additional manipulation of terrestrial resources, however, is anticipated as a direct result of a withdrawal from County Forest Land designation. If the military chooses to build or make other changes requiring manipulation of terrestrial resources, they may do so within their existing rights without a county forest withdrawal action. The Department of Natural Resources's decision regarding approval or denial of the County Forest Land withdrawal and entry action will have no effect on whether or not Hardwood Range operations continue.

Changes might result some time in the future if the land were no longer needed for military training. If Juneau County were to sell the withdrawn land to the military, the county could reserve first right to repurchase if the military were to close the training facility. This could result in the land being retained in public ownership.

The proposed entry land has been in county ownership since the 1940's. It has been managed for production of forest products together with recreational opportunities, wildlife, watershed protection and the stabilization of stream flow much as if they were County Forest Land. Entry of new land under the provisions of s. 28.11, Wis. Stats., may in fact protect it from additional manipulation. Without County Forest Land designation, the 3,399.73 acres of other county land could easily be sold for agricultural or other development. Designation of the proposed alternate land as County Forest Land would result in a net environmental benefit.

³Variable Acreage Share Loans (s. 28.11 (8) (b) (1)). Counties may apply for variable acreage share loans from zero to fifty cents per acre of regular entry County Forest land by December 31. Payment is made to the county on or before March 31st of each year and deposited in the State Forest Aid Fund. Application is made by County Board Resolution.

Project loans (s. 28.11 (8) (b) (2)) are available to undertake acquisition and development projects of an "economically productive nature". Application is made by County Board Resolution.

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

No new manipulation of aquatic resources is expected as a direct result of the County Forest Land withdrawal or entry. Early in this century, most of northern Juneau County where both the proposed withdrawal and entry land is located was in organized drainage districts. The proposed withdrawal land in Hardwood Range was in the Cranberry Creek Drainage District. The proposed entry land was included in the Beaver Creek Drainage District in Cutler Township, the Yellow River Drainage District in Finley Township, and in the Cranberry Creek Drainage District in Armenia Township. Those drainage districts are no longer active and/or have been formally dissolved.

Maintenance of drainage systems at this time in the old districts is not under control of Drainage District Boards, but permits from the Army Corps of Engineers and/or the Department of Natural Resources are sometimes required. The ditches in Hardwood Range are intensively maintained by contiguous cranberry growers under permits granted by the County and the Army Corps of Engineers and with the permission of the range manager. Seven water control structures on the Cranberry Creek system within Hardwood Range have been preserved. Some drainage ditches in Hardwood Range have been extended and are also maintained by the Air National Guard.

Much of the drainage on the proposed County Forest entry land, on the other hand, is returning to a natural condition. There are no known water control structures on the proposed entry lands. Juneau County has no plans to repair or maintain the old drainage systems on the proposed entry land. As has been the case since the 1940's when the land was taken by tax deeds, aquatic resources are returning to a pre-settlement situation as many of the old ditches break down, meanders form, tree growth develops on banks and beavers and muskrats build structures.

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

Except for bridges and water control structures, the buildings or other improvements located on the land proposed for withdrawal are those related to operation of the bombing range. Most of the structures used to operate Hardwood Range (such as the command center, control towers, garages, workshops, parking areas, targets, etc.) are on state-owned land. Some observation towers, radio towers and telemetry equipment are located on County Forest Land. The withdrawal action will not result in any changes to buildings or structures located on County Forest Land.

About 8.5 miles of internal town roads within Hardwood Range, including the proposed County Forest Land withdrawal, are now closed to public travel except for two weeks in the spring and two weeks during the deer gun season in the fall. Approximately nine miles of township roads which border the east, north and west perimeters of Hardwood Range are open to public travel. This proposed county forest withdrawal will not cause changes in road use. Road changes that might be caused by an expansion of the bombing range into Wood County are a separate issue that will be considered in the EIS for that project.

Except for bridges, no buildings or structures are presently located on land proposed for entry as County Forest Land. There are no plans at present to place structures on the entry land.

The land proposed for entry as County Forest Land has about 3.25 miles of internal town roads. About 4.25 miles of township roads and 1.25 miles of county highways border the perimeter of the entry land. The entry as County Forest Land will not affect access or traffic on the public roads. About five miles of snowmobile trails are located on land proposed for entry as County Forest. Public access to those trails will continue and will be protected under County Forest Land designation. The proposed entry land also has an

undetermined number of logging roads and undesignated trails which are available for public use.

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

No changes are expected from existing uses. Bombs are cleaned up and removed from the County Forest Land once a year, usually in spring. Unexploded smoke charges are detonated on State and County land. After detonation, the exploded parts are removed. Bullets and brass are picked up less often, and not all are removed. If a range is inactivated (closed or transferred), it would become a solid waste management unit requiring waste characterization and appropriate cleanup and site closure measures. If contamination is found on the County Forest Land, it could have legal ramifications between the County and the military for cleanup responsibility, especially if and when the range is abandoned.

9. Other Changes

None related to the withdrawal since management will continue as in the past. The quality of management of the entry land may improve since they will now come under the jurisdiction of Department review through the planning process in Chapter 28, Wis. Stats., and timber sale approvals. Management of Juneau County Forest Land is detailed in the Ten Year Plan and associated Environmental Assessment.

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

Attachment A - List of descriptions of County Forest land in Hardwood Range which have been applied for withdrawal

Attachment B - List of descriptions offered for County Forest Land entry

Attachment C - County map showing the general area of the project

Attachment D - Plat maps (reproduced under a license from Rockford Map Publishers. Inc.)

Attachment E - Table comparing features of withdrawal and entry lands

Attachment F - Letter from DNR Secretary George Meyer to Pat Conway dated February 2, 1996

Attachment G - Letter from Lt. Col. Kent Adams to Robert Roden dated December 19, 1995

Attachment H - Endangered Resources Review

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

Information Based On (check all that apply):

Literature/correspondence (specify major sources)

Juneau County Forest Ten Year Plan (1995)

Juneau County Soil Survey - U.S. Soil Conservation Service

Wisconsin Wetland Inventory Maps

Surface Water Resources of Juneau County - Wis. Department of Natural Resources (1969)

Department of the Interior Preliminary Project Proposal - Yellow River Addition to the Necedah National Wildlife Refuge (1996)

Department of Natural Resources County Forest Compartment Reconnaissance

Integrated Land Use Management Plan - Volk Field Air National Guard Base, Camp Douglas, Wis. and Hardwood Range, Finley, Wis. - Wisconsin Air National Guard (1994)

Personal Contacts (list in item 28)

Field Analysis By: Author Other (list in item 28)

Past Experience With Site By: Other (list in item 28)

11. Physical (topography - soils - water - air)

Both the proposed County Forest withdrawal and entry lands are located in Wisconsin's Central Sand Plain, which includes the northern two-thirds of Juneau County. This part of the county is a broad glacial lake basin which was formed at the end of the last ice-age about 10,000 years ago. Glacial Lake Wisconsin (which was about 1,800 square miles in size) covered the area with more than 6 feet of lacustrine deposits. The landscape has flat or gently undulating topography except for an occasional sandstone bluff. These bluffs rise 100 to 300 feet above the basin. They are capped by resistant rock and are remnant outliers of the retreating uplands to the southwest.

The lake basin slopes gradually to the southeast toward the Wisconsin River. The old lake basin has extensive wetlands which are the result of the flat topography, a high water table, and slowly permeable layers of silt and clay within the lake deposits. The Lemonweir, Little Yellow and the Yellow Rivers provide most of the drainage in addition to a system of drainage ditches developed in the early 1900's.

The soils in the Central Plain province of the county fall into two general categories: (1) poorly drained or somewhat poorly drained sandy soils and mucky organic soils and (2) moderately to excessively drained upland sands. These soils were laid down in the glacial period runoff from the Western Uplands and from glacial meltwater.

In the first soil category, Newson and Dawson soils occupy the lowest part of the landscape with areas of poor drainage. Soils in the Meehan-Newson associations are slightly higher in elevation, although they are subject to seasonal flooding. Roughly three-fourths of the soils in Juneau County's Central Plain are categorized in poorly drained or somewhat poorly drained soils. In the proposed area for withdrawal in Hardwood Range, approximately 99% of the soils are in the wet category. The proposed entry land is about 90% in this first Meehan-Newson-Dawson category. As noted in item six, above, the land within Hardwood Range is more actively drained with ditches than is the proposed entry land.

In the second category are sand soils in the Friendship-Plainfield association. These soils are on flats and/or low convex ridges. Permeability is rapid, leading to excessive drainage and frequent droughty conditions. Blowing causes erosion of these upland soils. Extensive areas of the Friendship-Plainfield sands can be found between the Petenwell Flowage on the east and New Miner and Necedah on the west. Of the proposed withdrawal land, only 1% is in this well-drained category. Ten percent of the proposed entry land has well-drained Friendship-Plainfield soils.

The entire Central Plain is in the Wisconsin River watershed. The proposed withdrawal land is crossed by a network of old drainage ditches and Cranberry Creek (also channelized) which drains to the Yellow River. The main channel of the Yellow River meanders through part of the Town of Finley entry land, joining the Wisconsin River at the Castle Rock Flowage about twenty miles to the south of Hardwood Range. With its low gradient, the Yellow River has many oxbow lakes, cut off and running sloughs. The surrounding land is mainly undeveloped, having a wild and secluded character. Beaver Creek passes through part of the entry land in the Town of Cutler, flowing south to the Lemonweir River. Beaver Creek is channelized and has a number of flowages, including the Eagle Nest Flowage in Meadow Valley Wildlife Area.

The Department of Natural Resources has no formal monitoring program of the surface water, ground water or air quality of the proposed County Forest withdrawal and entry land. Some background information from miscellaneous sampling and pollution events is, however, available.

In 1974, the Department sampled water from Cranberry Creek approximately one mile downstream from the Hardwood Range, and about twelve miles upstream from the Range. These were routine water quality samples not related to investigating the Hardwood Range. Water quality and nutrient measurements at that time indicated generally good water quality with no significant differences between the measurements taken upstream and downstream of the Range.

On June 22, 1983, an Air National Guard jet fighter crashed on County Forest Land in the northwest quarter of Section 4, Township 20 North, Range 3 East in Hardwood Range. The pilot died. An explosion and fire burned much of the plane's fuel. No record has been found for any environmental cleanup or evaluation which may have been done.

The Department also has a record on proposed entry land in the NENE of Section 27, Township 18 North, Range 3 East of a fire in a timber processing machine. The fire resulted in a spill of diesel fuel, antifreeze, motor oil and hydraulic fluid on July 18, 1994. Contaminated soil was dug up and removed to a licensed sanitary landfill near Wisconsin Rapids.

Other than the above-mentioned jet crash, the Department presently has no detailed information about air or water pollution occurring on the proposed County Forest Land withdrawal in Hardwood Range. That does not necessarily mean there is none. The Department of Natural Resources has asked the Air National Guard to investigate this for all land in the existing Range in their Environmental Impact Statement for the proposed range expansion into Wood County. At that time, chemical and biological effects of various past and present practices (including substances associated with bomb smoke charges and other munitions) will be evaluated. The Department considers acquiring such new and additional data on the Juneau County Forest Land proposed for withdrawal to be beyond the scope and need for this environmental assessment.

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

As explained in the preceding section, soils in the proposed withdrawal land are 99% poorly or somewhat poorly drained. For the proposed entry land, 90% are poorly or somewhat poorly drained. The balance of the soils (1% of

proposed withdrawal acres and 10% of entry acres) is well-drained low ridges of Friendship or Plainfield sand. The soil factors combined with disturbances (such as fires, wind, pest outbreaks, farming, drainage ditches and timber harvests) directly influence the vegetative communities that grow on the sites.

Most of the vegetative cover on both the withdrawal and entry land is composed of early successional types. A regime of fires persisted for about 4,000 to 5,000 years prior to the nineteenth century. As a result, fire sensitive species such as maples were nearly eliminated. Early successional species such as aspen, oaks and pines grew well and were mixed with savannas, grasslands and open marsh. The exceptions were along streams such as the Yellow River where the high water table or the river itself protected trees from fires moved by the prevailing southwesterly winds.

Forest Cover Type Comparison:		
County Forest Land in Hardwood Range and Proposed County Forest Entry Land		
Primary Cover Type	Acres in Hardwood Range¹	Acres in Proposed Entry²
White Pine	21	88
Red Pine	141	124
Jack Pine	982	313
Pin Oak	413	746
Aspen	1,410	793
Bottomland Hardwood	51	202
Non Forested Wetland	350	1,134
Total	3,368	3,400

Table 1. ¹ Area based on 1994 forest reconnaissance records.

² Area based on interpretation of aerial photographs.

Land clearing, attempted farming, timber harvests and man-caused fires in this century also prevented the development of old growth forests throughout the Central Plain. The proposed withdrawal land in Hardwood Range and most of the proposed entry land shares that history. Aerial photographs taken in the 1930's show both areas with sparse, young stands of timber and extensive brush and grass openings. Except for some oaks and maples in the Yellow River floodplain forest (part of the proposed entry), most trees in both the withdrawal and entry lands originated after 1920. On bottom land sites, fire intolerant trees such as red maples also survived. Red maples are now spreading in the Central Plain forest due to fire prevention measures. The most common species of trees on both the withdrawal and entry land are:

- Jack pine (*Pinus banksiana*)
- Red pine (*P. resinosa*)

- White pine (*P. strobus*)
- Hills' or pin oak (*Quercus ellipsoidalis*)
- White oak (*Quercus alba*)
- Swamp white oak (*Quercus bicolor*)
- Trembling aspen (*Populus tremuloides*)
- Red maple (*Acer rubrum*)
- Silver Maple (*Acer saccharinum*)

Table 1 shows estimated acreage in vegetative cover types for both the proposed withdrawal and entry land. The non forested wetland area of the entry land is higher than the County Forest Land proposed for withdrawal in Hardwood Range (about 1,134 acres compared to 350 acres in Hardwood Range). The relative amounts of other cover types also vary, but both the withdrawal and entry lands occur in the same landscape.

The proposed withdrawal and entry lands are habitats for a variety of wildlife species, including the following:

White-tailed Deer	Opossum
Mink	Bobcat
Muskrat	Red Fox
Cottontail Rabbit	Gray Squirrel
Raccoon	Coyote
Otter	Beaver
Black Bear	Gray Fox
Skunk	Fox Squirrel
	Killdeer
Wild Turkey	Geese
Wood Duck	Mallard
Ruffed Grouse	Blue Wing Teal
Black Duck	Woodcock
Hooded Merganser	Common (Wilson) Snipe

In addition to the species listed above are many song birds, rodents, amphibians, insects, etc. The deer population in northern Juneau County has been estimated to be around 45 animals per square mile, with an annual harvest of around 15 per square mile. Detailed wildlife surveys have not, however, been conducted. Whether there are significant differences between wildlife populations in Hardwood Range compared to the proposed entry land is not known.

The fishery within Hardwood Range is limited to Cranberry Creek and other ditches where northern pike, bullhead and forage species can be found. Beaver Creek in the Cutler unit of the proposed entry land has a similar fish population. The Yellow River in the Finley unit of the entry land has a somewhat more diverse fishery. It includes walleye, northern pike, smallmouth bass, largemouth bass and various panfish.

Little information about endangered resources on the County Forest Land within Hardwood Range is available. Endangered Karner blue butterflies have been identified on state land west of the targets at Hardwood Range. That area is routinely burned to maintain a clear view for pilots approaching the targets. The open barrens community that results is an ideal habitat for the rare butterfly. Some Karner blues have also been reported on the County Forest portions of the range. Most of the County Forest Land in the bombing range, however, is forested and so is unsuitable for Karner butterflies. Recently, red-shouldered hawks, a State threatened species, have reportedly been observed on the County Forest land in the range.

Attachment H, a memo from Chuck Pils (Endangered Resources Bureau Director at the Wisconsin Department of Natural Resources), lists endangered species found on or near the sites proposed for entry as County Forest Land. As noted in the memo, the entry land includes high quality habitats for endangered resources. Designating the land as County Forest would help afford ecosystem management on a landscape scale in conjunction with other contiguous state and federal property (Meadow Valley Wildlife Area and the Necedah National Wildlife Refuge).

Attachment E at the end of the assessment provides a comparative summary of the resources of the proposed withdrawal and entry lands.

13. Cultural

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

The land in both the withdrawal and entry areas is used for production of forest products, outdoor recreation, wildlife habitat, watershed protection and the stabilization of stream flow. The land is wild and undeveloped other than access roads and drainage ditches. The area within Hardwood Range has been used for military training since 1954. It has been opened for public hunting every year during the deer gun season. Otherwise, roads into the range are gated and public access is restricted. Entry to the range for silvicultural operations must be cleared daily with the range dispatcher. Future sale of withdrawn land to the military would not be subject to Department of Natural resources regulatory authority.

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

An important social activity (open to all ethnic groups) on the withdrawal and entry lands is outdoor recreation. As noted above, public access to Hardwood Range land has been limited mainly to the two-week deer gun season. Military use of County Forest Land in Hardwood Range (although an assured use due to the existence of the easement prior to legislative designation as County Forest Land) is not compatible with the recreational purposes of the County Forest Law. The proposed entry land is and would continue to be used for large and small game hunting, fishing, hiking, nature study, snowmobiling and cross-country skiing. More than 100,000 acres of other public land (including Sandhill Wildlife Area, Meadow Valley Wildlife Area, Wood County Public Hunting Grounds, Buckhorn State Park and Necedah National Wildlife Area) is also located within a few miles of both the proposed withdrawal and entry areas.

Timber harvesting is an economic use on both the withdrawal and entry land. A forty-acre area in NW NW, S. 31, T19N, R2E, of the Town of Cutler proposed entry land is managed for commercial sphagnum moss production. Otherwise, no other active agriculture is practiced on the withdrawal or entry lands. Ditches in Hardwood Range are used as a water reservoir for cranberry producers downstream of the Range.

Juneau County has the timber rights on both the state DMA-owned and county-owned land in Hardwood Range. Access problems due to flight schedules and imbedded ordnance make timber cutting in the area downrange (east) of the targets impractical. Part of the land around the perimeter of the bombing range has, however, been reasonably accessible for timber harvest operations. Juneau County has been or will be harvesting timber from about 1,250 acres of County Forest around the north, east and south sides of the bombing range. About 2,120 acres of the County Forest east of the target complex is not accessible for harvest. Based on revenue from 512 acres of timber harvests since 1993 in Hardwood Range, the value of mature timber would normally average about \$356 per acre. Using that estimate, the timber on the inaccessible 2,120 acres would be about \$755,000. While the military use of the County Forest Land in Hardwood Range is a vested use as explained earlier, it is not a use which is compatible with the timber production purposes of the County Forest Law.

The easement provision giving Juneau County the timber rights on state DMA-owned land associated with Hardwood Range compensates the county for timber revenue lost on County Forest Land. About 2,600 acres of state owned land around the perimeter of Hardwood Range is accessible for timber harvest. Harvest opportunities on that state owned land more than offset the timber opportunities on the 2,120 acres of County Forest Land that have not been harvested. In the period of 1994 to 1996 (for which records are easily obtained), Juneau County received \$163,433 in revenue from 429 acres of timber sales on state DMA land. County revenue from timber sales on state

land is not, however, shared with the township governments as is revenue from County Forest Land (10% of which is paid to the towns).

Available forest inventory data is not sufficient to provide a detailed timber appraisal comparison of the proposed withdrawal land and entry land. As shown in Table 1, the higher percentage of non-forested wetland on the proposed entry land implies that timber value may be slightly lower in that area.

Juneau County government has been supportive of the Hardwood Range use because of perceived economic benefits derived from the operation of Volk Field. Although no studies have been done to quantify the social and economic importance of the base, county leaders believe it to be substantial. Both civilian and military personnel who are employed at the airbase live in Juneau and Monroe counties. Those individuals pay county property taxes and support local businesses. Many are active in the social, religious and political life of the area.

The Air National Guard also holds Hardwood Range to have a paramount value for training pilots to defend this country and American interests throughout the world. According to information provided by Air National Guard spokesmen during tours at Volk Field and Hardwood Range, training at Hardwood Range was a factor in readiness for the Desert Storm operation in the Middle East and more recently in Bosnia.

c. Archaeological/Historical

Northern Juneau County was rich hunting and fishing land for Native American cultures that once lived in the area. The Cranberry Creek Archeological District, located about five miles south of Hardwood Range, is known to have many Indian mounds. No doubt that land within both the bombing range and the land proposed for County Forest entry was used by native people. The proposed County Forest withdrawal and entry action by Juneau County will have no effect on Native American archeological resources.

European settlers tried to clear and farm some of the land in the first quarter of this century. They established farmsteads and built a network of ditches to drain the land. Nutrient poor and sandy soil, poor drainage, and frequent early summer frosts brought the end of the farms. A few old foundations from farm buildings may be present, although most were removed. Most of the old fields in both the proposed withdrawal and entry lands have been reforested by natural hardwoods and pines or have been planted to conifers. One lasting legacy of the farming period is an extensive network of ditches and small dams. Much of the drainage network has been and will continue to be maintained on the withdrawal land in Hardwood Range. The drainage on proposed entry land is reverting to natural conditions as the ditches deteriorate.

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

Since the 1960's, the uplands within Armenia and Finley Townships have been sought for irrigated agricultural fields and cranberry beds. The technology for those uses did not exist when the land went tax delinquent in the 1940's. The sandy soil and abundant water supply make the land especially suited for potato and cranberry production. Recent prices paid for irrigated agricultural land in the area have approached \$4,000 per acre. Developed cranberry beds are valued at \$20,000 to \$40,000 per acre.

Large blocks of wild land for recreation such as the proposed entry land along the Yellow River are also in limited supply. Private hunting and nature preservation groups have been seeking such property and could remove it from public ownership.

The United States Department of the Interior has developed a preliminary proposal to acquire land within the Yellow River bottoms (including 1,910 acres

of the proposed entry land) as an addition to the Necedah National Wildlife Refuge. The federal proposal finds that the Yellow River site is "one of the few remaining high-quality northern floodplain forests and associated dry uplands in central Wisconsin." The land is reported to be valuable habitat for neotropical migratory birds and waterfowl. It is also suitable for the endangered Karner blue butterfly and the rare eastern massasauga rattlesnake.

Final federal approval and funding of the Fish and Wildlife Service purchase of the land are, however, far from certain. County Forest designation of the land could enhance the Fish and Wildlife Services proposal through cooperative ecosystem management with the county and state. County Forest Land designation would be a step in the right direction in reference to the Fish and Wildlife Service's objectives, protecting the land from development.

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

15. Physical (include visual if applicable)

Physical use of the county land within Hardwood Range would not change as a result of a withdrawal. Use of the site for military training as defined by the 1954 easement is vested and will continue whether or not the land is withdrawn from County Forest designation. What changes might occur at some future date if the land were no longer needed for military training are unknown.

Designation of the alternate land as County Forest would also result in few if any physical changes. The land has been in public ownership for about fifty years. It has been treated the same as other land designated as County Forest. Entry as County Forest may, however, reduce the ease of County sale of the land to private interests that could develop the land for some more intensive uses such as modern agriculture or close public access to the land for private hunting clubs.

16. Biological (include impacts to threatened/endangered species)

Biological resources would not be affected by the County Forest withdrawal of land within the Hardwood Range. Although use as a bombing range may have negative biological effects (possible soil and water contamination, damage to trees, noise disturbance from low level flights, etc.), those effects would not be increased or diminished by the proposed withdrawal or entry actions. Any changes that might occur at some future date if the land were no longer needed for military training are unknown.

Biological resources on the entry land would be protected according to the policies established in the County Forest Ten Year Plan. Since management would come under Department of Natural Resources review, presumably biological resource quality may be held to a higher level than on land not in the County Forest program.

17. Cultural

a. Land Use (include indirect and secondary impacts)

As noted in section 13, above, the land in both the withdrawal and entry areas is used for production of forest products, outdoor recreation, wildlife habitat, watershed protection and the stabilization of stream flow. Use of County Forest Land in Hardwood Range has been in place since 1954. The drainage system in Hardwood Range is managed as a water reservoir for contiguous cranberry growers. These uses will not change with the County Forest Land withdrawal or entry actions.

Lands proposed for entry as County Forest would be managed according to the principles of ecosystem management as incorporated into the Juneau County

Forest Ten Year Plan and described in the Environmental Assessment for that document.

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

County management and harvests of timber in the range would continue after a County Forest Land withdrawal according to the terms of the easement. If the county were to eventually sell the land to the state or federal government, it could lose the timber rights depending upon the terms of the sale. If the proposed County Forest entry is completed, towns may experience an increase in shared timber sale revenue. (Towns get 10% of County Forest harvest revenue, which is limited in Hardwood Range due to inaccessible land downrange of the targets. Based on average timber values and the annual allowable cut, the increased revenue to towns would be about \$1,500 to \$2,000 annually.)

If the Hardwood Range withdrawal were approved and the state or federal government purchased the land, Juneau County could receive a financial windfall. The county receives no payment for the range easement. Current timber revenue from harvests on State Department of Military Affairs owned land is just an offset for revenue not available from County Forest Land in the target impact area. Sale of the land to the military could result in substantial county revenue.

Existing social, economic and multiple uses of the proposed entry land would continue. Development for other uses or partitioning into smaller private ownerships could be avoided on the entry land if it were designated as County Forest. Depending upon future agreements between the County and the military, some public uses such as deer hunting and timber harvesting may continue on land proposed for withdrawal.

No changes in impacts to public transportation are expected.

- c. Archaeological/Historical

As stated in section 13, above, both the proposed withdrawal and entry areas were Native American hunting grounds and sites for agricultural development by European settlers. No new impacts are expected. Entry land could have additional protection under the County Forest Law.

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

No State Natural Areas are in the proposed withdrawal land in Hardwood Range. Some of the land to be entered as County Forest is eligible for Natural Area designation and is of interest to the Department's Bureau of Endangered Resources and the U.S. Fish and Wildlife Service. Designating land as County Forest can help to protect it from other more intensive uses such as modern agriculture. Designating the proposed entry land as County Forest does make sale for irrigated agricultural land or cranberry production more difficult. The entry land would also be made unavailable to private hunting clubs who might seek to acquire the land and close it to public access.

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

Those interests that might want less public land and more private land will not be satisfied with the proposed County Forest withdrawal and entry action. The withdrawn land will remain in public ownership (although not generally open for public access except during the deer gun season in fall and the two week spring military training shutdown for ordnance removal in spring). For the foreseeable future, the Hardwood Range County Forest Land will not be available for agricultural development or private purchase for recreation. Designation of the proposed entry land as County Forest will also make it less easily sold for private uses.

**ALTERNATIVES (no action - enlarge - reduce - modify - other locations
and/or methods)**

20. Identify, describe and discuss feasible alternatives to the proposed action and their impacts. Give particular attention to alternatives which might avoid some or all adverse environmental effects.
- a. No action is not feasible because s. 28.11, Wis. Stats., requires Department of Natural Resources approval or denial of the County's withdrawal application. Denial would result in no change in the vested military use within Hardwood Range.
 - b. Denial of the withdrawal could result in environmental changes or degradation of the proposed replacement (entry) land which would be easier to sell for other uses. The National Guard is committed to future use of the property for military training. That use is assured on this tract⁴ by an easement until 2004. In addition, Juneau County has authorized the continuation of that use to 2025 through an easement extension which has been signed by the Governor. Denial would prevent the potential county revenue from a sale of the land to the military.
 - c. Enlarging, reducing or modifying the withdrawal proposal are not viable options since the affected area is set by the 1954 easement. The county could enroll other County Forest Land than that proposed. The proposed entry lands in Finley and Cutler Townships, however, form the largest contiguous blocks of forest land possible considering the adjoining state and federal wildlife areas. Based on landscape scale planning, the Finley and Cutler blocks are the most environmentally significant of the available land. The proposed entry lands in Necedah and Armenia Townships are good choices in terms of County Forest blocking. The County has also invested money in establishing reforestation on the land in Necedah and Armenia Townships and so would like that land in County Forest for long term forest products growth.
 - d. Approving the withdrawal would help resolve the inherent public - military use conflict on County Forest Land within the Range. Approval would also provide entry land for the County Forest to help maintain the "permanent" nature of the County Forest program described in s. 28.11(1), Wis. Stats. It may also enable sale of the county land in the Range to the military, providing revenue to Juneau County. Entry of new land as County Forest would make sale of that land more difficult and provide additional protection of natural resources on that land.

EVALUATION OF PROJECT SIGNIFICANCE (Complete each item)

21. Significance of Environmental Effects

- a. Would the proposed project or related activities substantially change the quality of the environment (physical, biological, socioeconomic)? Explain.

The withdrawal action itself will not affect the quality of the environment related to Hardwood Range. Current use as a bombing range will continue regardless of a county forest withdrawal. An approved withdrawal might bring Juneau County substantial revenue if the state or federal government were to purchase the county land within the bombing range.

⁴Based on an opinion of Attorney General Bronson C. La Follette, dated September 9, 1986, use of other county forest land in Wisconsin for military maneuvers cannot be allowed under the provisions the County Forest Law in Chapter 28 of the Wisconsin Statutes. Use of Hardwood Range County Forest Land for that purpose is unique since pre-existing military training on that site (which commenced in 1954) was authorized when the property was made County Forest Land by action of the statute in 1963.

Entry of the proposed alternate land as County Forest will help protect its long-term physical and biological qualities by discouraging sale for developments. County Forest entry of the alternate land will protect current recreational uses, although higher short term revenues might be earned if the land were partitioned and sold for private uses. Lands proposed for entry as County Forest will be managed according to the principles of ecosystem management as incorporated into the Juneau County Forest Ten Year Plan and described in the Environmental Assessment for that document. See the summary table in Attachment E comparing the resources of the proposed withdrawal and entry land.

- b. 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 land, threatened or endangered species or ecologically sensitive areas. (The reversibility of an action affects the extent or degree of impact)

By designating the proposed entry land as County Forest, the value of that land for the above-mentioned public uses would be preserved.

22. 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.

The use of the County Forest Land within Hardwood Range for fighter-bomber training is unique and not duplicated on any other County Forest in Wisconsin. The use on that site will go on whether or not the withdrawal is approved. Because of the circumstances of the 1954 easement, a similar withdrawal with the same elements will not occur elsewhere. As a result, cumulative effects of this kind of withdrawal are not a factor. The Air National Guard Environmental Impact Statement must evaluate cumulative effects of the proposed range expansion. This Department of Natural Resources review of the proposed Juneau County Forest withdrawal and entry action is not part of the Range expansion proposal.

Entry of other land in the County Forest program will have a positive environmental effect. Lands proposed for entry as County Forest would be managed according to the principles of ecosystem management as incorporated into the Juneau County Forest Ten Year Plan. Without some protection with County Forest designation, the trend toward partitioning, fragmenting and developing wild land is clear. Although the County Forest designation does not guarantee that land cannot be withdrawn and developed at a later date, it helps preserve environmental values by subjecting development proposals to review.

23. 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 analyses would eliminate or reduce these unknowns? Explain why these studies were not done.

A significant unknown risk for the proposed action would be the effects of a Department denial on the potential loss of resource protection and on public use of the replacement land if it is not enrolled. Juneau County has not previously enrolled the land in the Wisconsin County Forest program because it wanted some assets that could be fairly easily liquidated if it needed additional revenue. Juneau County has demonstrated a past willingness to sell its public forest land for development (including 240 acres of land

that were originally included in the entry application as noted on page 5 of this document).

Many people are concerned about the effects of the bombing range on the environment. A withdrawal of the land from County Forest designation, however, will not influence those effects. A separate EIS being completed by the Air National Guard on a potential Hardwood Range expansion will address those questions when it is released in 1997. Those issues are beyond the scope of this analysis.

- 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.

Reasonable anticipated operating problems can be expected to be the same as the existing situation.

24. Significance of Precedent

- a. Would a decision on this proposal influence future decisions or foreclose options that may additionally affect the quality of the environment? Explain the significance.

No. The Hardwood Range County Forest Withdrawal is unique in its circumstances related to the rights vested by the 1954 easement. It does not create a precedence for withdrawal of other County Forest Land for military maneuvers. Those projects, including a possible expansion of Hardwood Range into Wood County, must be evaluated independent of this action.

- b. Describe any conflicts the proposal has with plans or policy of local, state or federal agencies that provide for the protection of the environment. Explain the significance.

None. Although the U.S. Fish and Wildlife Service has released a preliminary plan to acquire land in the Yellow River bottoms (including about 1,910 acres of proposed County Forest entry land) as an addition to the Necedah National Wildlife Refuge, federal approval and funding of the purchase is not certain. County Forest designation of the land could enhance the Fish and Wildlife Services proposal through cooperative ecosystem management with the county and state. County Forest Land designation would be a step in the right direction in reference to the Fish and Wildlife Service's objective to protect the land from development. The Department's Bureau of Endangered Resources would assist Juneau County with management planning for the tract.

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

Some individuals and organized groups are opposed to the use of any Wisconsin land for a bombing range. The flight corridors affect people, land and air space that extends not only across Wisconsin but into other states as well. Any aspect of the Hardwood Range operation that can be scrutinized or questioned, including this withdrawal action, will be. This controversy is outside the scope of the County Forest Land withdrawal and replacement proposal now before the Department. The Hardwood Range will continue to be used as a bombing training area whether or not the Department approves this proposal.

The Air National Guard, the Department of Defense, the Governor, the Juneau County Board of Supervisors and many citizens steadfastly support a strong national defense. They believe that training facilities like Hardwood Range are essential for readiness of the National Guard fighter units.

26. Explain other factors that should be considered in determining the significance of the proposal.

The determination of whether a Environmental Impact Statement (EIS) is needed will consider whether the proposed action will involve significant changes to the existing land uses of the land proposed for withdrawal and the land proposed for County Forest entry. The State administrative action on the proposed withdrawal will also consider the resulting no net loss of County Forest acreage. In the past, when the Department has prepared Environmental Impact Statements for large County Forest withdrawals, major changes in land use were involved (i.e., forest to irrigated agriculture), sometimes without enrollment of replacement land.

SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

27. Summarize citizen and agency involvement activities (completed and proposed).

The withdrawal of County Forest Land within Hardwood Range and enrollment of alternate land has been discussed at open meetings of the Juneau County Forestry Parks and Zoning Committee and the Juneau County Board in April, June and July of 1995. Department of Natural Resources and Air National Guard personnel were present at those meetings. Department of Natural Resources and National Guard officials have also been in correspondence regarding the independence of this withdrawal action from the proposed expansion of the bombing range into Wood County.

The proposed withdrawal and entry of alternate land was also discussed as part of the Juneau County Forest Ten Year Plan and Environmental Analysis reviews. A public hearing on the Ten Year Plan was held on February 8, 1996. Comments in opposition to the operation of Hardwood Range were received.

Ms. Pat Conway, a representative of a group known as the Coalition for Peaceful Skies, also contacted the Wisconsin Department of Justice regarding the easement at Hardwood Range. Ms. Conway sought an Attorney General's Opinion and a court injunction against use of the county forest land for a bombing range. Assistant Attorney General Cynthia Hirsch replied, explaining that the Department of Natural Resources has jurisdiction in the matter. Ms. Conway also wrote to Department Secretary George Meyer seeking to stop use of county forest for the range. His reply is attached.

Some requests have been made for a full environmental impact statement (EIS), and some others to delay DNR's environmental assessment until the Air National Guard's EIS is completed in 1997. Questions have also arisen whether the County Forest withdrawal is essentially a federal rather than state and county action.

Additional public input details are also presented in number 28, next page.

Additional public input will be sought at an upcoming public informational meeting to be conducted by the Department of Natural Resources on this assessment.

28. List agencies, groups and individuals contacted regarding the project (include DNR personnel and title).

<u>Date</u>	<u>Contact</u>	<u>Comment Summary</u>
Feb. 8, 1996	County Forest Ten Year Plan Hearing	Ona Garvin, Ho-Chunk Nation Legislator spoke in opposition to the Hardwood Range Expansion and expressed concern about low-level flight corridors. Henry Klaproth read a letter from Pat Conway, Coalition for Peaceful Skies, in opposition to use of county forest for a bombing range. Cliff and Mary Winkler, members of Citizens Opposed to Range Expansion, spoke in opposition to the bombing range.
Numerous Contacts	Ms. Pat Conway Coalition for Peaceful Skies	Opposition to the existing range, range expansion, and withdrawal of County Forest Land. Submission of "Petitions to Save the Hardwood Range County Forest"
Numerous Contacts	James Pardee and David Siebert in the DNR Bureau of Environmental Analysis and Review	Editorial review of this assessment
Numerous Contacts	Robert Mather, County Forestry Specialist, DNR Bureau of Forestry	Provided information about County Forest loans and aid payments
Numerous Contacts	Terry McKnight, DNR North Central District Environmental Impact Coordinator	Administrative procedure, provided research into spills and water quality surveys
Numerous Contacts	Major Terry J. McArdle, Assistant Staff Judge Advocate, Wis. Dept. of Military Affairs	Provided information about range easement extension
Numerous Contacts	Various Citizens	Letters and calls expressing concern over withdrawal, asking for consideration of a DNR full EIS

<u>Date</u>	<u>Contact</u>	<u>Comment</u>
June 20, 1995	Tour of Volk Field with County Board	Listen to Air National Guard spokesman explain training mission at Volk Field and Hardwood Range
July 14, 1996	Dennis Presser, U.W. Juneau County Extension Agent	Source of information about Juneau County Drainage Districts
Numerous	James Keir, DNR Wildlife Biologist	Source of wildlife management information
Numerous	Dale Dorow, Juneau County Forest Administrator	Provided forest resource information about withdrawal and entry lands based on past field experience on the sites
May 17, 1996	John Pohlman & Chuck Pils, DNR Bureau of Endangered Resources	Attachment H

EIS DECISION (This decision will be made after the public input period (after October 14, 1996) and is not final until certified by the appropriate authority)

In accordance with s. 1.11, Stats., and Ch. NR 150, Wis. 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.

29. Complete either A or B below.

A. EIS Process Not Required []

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

Date Signed

Paul E. Pingrey 7-22-96

Noted: Area Director or Bureau Director

Date Signed

Copy of news release or other notice attached? [x] Yes [] No

Number of responses to public notice _____

Public response log attached? [] Yes [] No

CERTIFIED TO BE IN COMPLIANCE WITH NEPA
District Director or Director of BEAR (or designee)

District Director or Director of BEAR (or designee) Date Signed

NOTICE OF APPEAL RIGHTS (These appeal rights pertain to the EIS decision (#29 above), and may be used after that decision).

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.

FINAL COUNTY FOREST WITHDRAWAL AND REPLACEMENT DECISION

After the EIS decision, a subsequent Finding of Fact and Decision on the actual County Forest withdrawal and replacement proposal, as per S.28.11(4)(11), Wis. Stats., will be available from Mr. Robert Mather, County Forest Specialist, DNR, P.O. Box 7921, Madison, WI 53707, phone #608-266-1727.

Attachment A
 Juneau County Forest Land
 Withdrawal from Hardwood Range

Town Name	Township	Range	Section	Description	Acres
Finley	20	03 E	1	NESW	40.00
Finley	20	03 E	1	NWSW	40.00
Finley	20	03 E	1	SWSW	40.00
Finley	20	03 E	1	SESW	40.00
Finley	20	03 E	1	NESE	40.00
Finley	20	03 E	1	NWSE	40.00
Finley	20	03 E	1	SWSE	40.00
Finley	20	03 E	1	SESE	40.00
Finley	20	03 E	1	LOT 1	41.04
Finley	20	03 E	1	LOT 2	40.94
Finley	20	03 E	1	LOT 3	40.84
Finley	20	03 E	1	LOT 6	40.00
Finley	20	03 E	1	LOT 7	40.00
Finley	20	03 E	1	LOT 8	40.00
Finley	20	03 E	1	LOT 9	40.00
Finley	20	03 E	1	LOT 11	40.00
Finley	20	03 E	1	LOT 12	40.00
Finley	20	03 E	1	LOT 13	40.00
Finley	20	03 E	1	LOT 14	40.00
Finley	20	03 E	1	LOT 15	40.00
Finley	20	03 E	1	LOT 16	40.00
Finley	20	03 E	11	SWNE	40.00
Finley	20	03 E	11	NWNW	40.00
Finley	20	03 E	11	SWNW	40.00
Finley	20	03 E	11	SESW	40.00
Finley	20	03 E	12	NENE	40.00
Finley	20	03 E	12	NWNE	40.00
Finley	20	03 E	12	SWNE	40.00
Finley	20	03 E	12	NENW	40.00
Finley	20	03 E	12	NWNW	40.00
Finley	20	03 E	12	SESW	40.00
Town of Finley Total					1,242.82
Armenia	20	04 E	3	NWSW	40.00
Armenia	20	04 E	3	SWSW	40.00
Armenia	20	04 E	3	LOT 1	37.75
Armenia	20	04 E	3	LOT 2	37.88
Armenia	20	04 E	3	LOT 3	38.01
Armenia	20	04 E	3	LOT 5	40.00
Armenia	20	04 E	3	LOT 7	40.00
Armenia	20	04 E	3	LOT 8	40.00
Armenia	20	04 E	3	LOT 9	40.00
Armenia	20	04 E	3	LOT 10	40.00
Armenia	20	04 E	3	LOT 12	40.00
Armenia	20	04 E	3	LOT 13	40.00
Armenia	20	04 E	4	NESW	40.00
Armenia	20	04 E	4	NWSW	40.00
Armenia	20	04 E	4	LOT 4	39.07
Armenia	20	04 E	4	LOT 11	40.00
Armenia	20	04 E	4	LOT 13	40.00

Attachment A
 Juneau County Forest Land
 Withdrawal from Hardwood Range

Town Name	Township	Range	Section	Description	Acres
Armenia	20	04 E	4	LOT 14	40.00
Armenia	20	04 E	5	NWSW	40.00
Armenia	20	04 E	5	SWSW	40.00
Armenia	20	04 E	5	NWSE	40.00
Armenia	20	04 E	5	SWSE	40.00
Armenia	20	04 E	5	LOT 1	39.21
Armenia	20	04 E	5	LOT 2	39.18
Armenia	20	04 E	5	LOT 3	39.16
Armenia	20	04 E	5	LOT 4	39.13
Armenia	20	04 E	5	LOT 5	40.00
Armenia	20	04 E	5	LOT 6	40.00
Armenia	20	04 E	5	LOT 7	40.00
Armenia	20	04 E	5	LOT 9	40.00
Armenia	20	04 E	5	LOT 10	40.00
Armenia	20	04 E	5	LOT 11	40.00
Armenia	20	04 E	5	LOT 12	40.00
Armenia	20	04 E	5	LOT 13	40.00
Armenia	20	04 E	5	LOT 14	40.00
Armenia	20	04 E	5	LOT 15	40.00
Armenia	20	04 E	6	NESE	40.00
Armenia	20	04 E	6	NWSE	40.00
Armenia	20	04 E	6	SWSE	40.00
Armenia	20	04 E	6	SESE	40.00
Armenia	20	04 E	6	FR N1/2 SW1/4	48.81
Armenia	20	04 E	6	FR S1/2 SW1/4	48.54
Armenia	20	04 E	6	LOT 3	50.42
Armenia	20	04 E	6	LOT 4	49.62
Armenia	20	04 E	6	LOT 5	40.00
Armenia	20	04 E	6	LOT 6	40.00
Armenia	20	04 E	6	LOT 7	40.00
Armenia	20	04 E	6	LOT 8	40.00
Armenia	20	04 E	6	LOT 9	49.35
Armenia	20	04 E	6	LOT 10	49.08
Armenia	20	04 E	6	LOT 11	40.00
Armenia	20	04 E	6	LOT 12	40.00
Town of Armenia Total					2,125.21
Grand Total Withdrawn					3,368.03

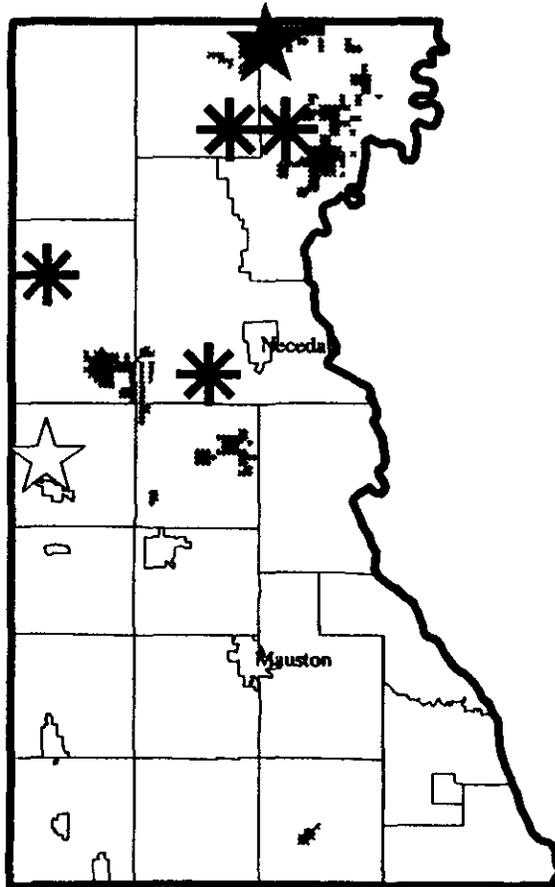
Attachment B
 Hardwood Range Replacement Lands
 Juneau County Forest Entry Application

Town Name	Section	Description	Acres
Finley (T20N R3E)	22	SESW	40.00
Finley (T20N R3E)	22	NWSE	40.00
Finley (T20N R3E)	22	SWSE	40.00
Finley (T20N R3E)	22	SESE	40.00
Finley (T20N R3E)	23	NENE	40.00
Finley (T20N R3E)	23	SENE	40.00
Finley (T20N R3E)	23	SWNW	40.00
Finley (T20N R3E)	23	NWSW	40.00
Finley (T20N R3E)	23	SWSW	40.00
Finley (T20N R3E)	23	SESW	40.00
Finley (T20N R3E)	23	NESE	40.00
Finley (T20N R3E)	23	NWSE	40.00
Finley (T20N R3E)	23	SESE	40.00
Finley (T20N R3E)	24	NWNW, PT. OF	36.09
Finley (T20N R3E)	24	SWNW	40.00
Finley (T20N R3E)	24	NWSW	40.00
Finley (T20N R3E)	26	NENW	40.00
Finley (T20N R3E)	26	NWNW	40.00
Finley (T20N R3E)	26	SWNW	40.00
Finley (T20N R3E)	26	NWSW	40.00
Finley (T20N R3E)	26	SWSW	40.00
Finley (T20N R3E)	27	NENE	40.00
Finley (T20N R3E)	27	NWNE	40.00
Finley (T20N R3E)	27	SWNE	40.00
Finley (T20N R3E)	27	SENE	40.00
Finley (T20N R3E)	27	NENW	40.00
Finley (T20N R3E)	27	SWNW	40.00
Finley (T20N R3E)	27	SENW	40.00
Finley (T20N R3E)	27	NESW	40.00
Finley (T20N R3E)	27	NWSW	40.00
Finley (T20N R3E)	27	SWSW	40.00
Finley (T20N R3E)	27	SESW	40.00
Finley (T20N R3E)	27	NESE	40.00
Finley (T20N R3E)	27	NWSE	40.00
Finley (T20N R3E)	27	SESE	40.00
Finley (T20N R3E)	34	SENE	40.00
Finley (T20N R3E)	34	NENW	40.00
Finley (T20N R3E)	34	NWNW	40.00
Finley (T20N R3E)	34	SWNW	40.00
Finley (T20N R3E)	34	SENW	40.00
Finley (T20N R3E)	34	NESW	40.00
Finley (T20N R3E)	34	NWSW, EX. RR	37.00
Finley (T20N R3E)	34	SWSW, EX. RR	37.00
Finley (T20N R3E)	34	SESW	40.00
Finley (T20N R3E)	34	NWSE	40.00
Finley (T20N R3E)	34	SESE	40.00
Finley (T20N R3E)	35	SESW	40.00
Finley (T20N R3E)	35	NWSE	40.00
Town of Finley Total			1,910.09

Attachment B
 Hardwood Range Replacement Lands
 Juneau County Forest Entry Application

Town Name	Section	Description	Acres
Cutler (T19N R2E)	30	NESW	40.00
Cutler (T19N R2E)	30	FR SWSW	41.66
Cutler (T19N R2E)	30	NESE	40.00
Cutler (T19N R2E)	30	NWSE	40.00
Cutler (T19N R2E)	31	SWNE	40.00
Cutler (T19N R2E)	31	SENE	40.00
Cutler (T19N R2E)	31	NENW	40.00
Cutler (T19N R2E)	31	FR NWNW	41.57
Cutler (T19N R2E)	31	FR SWNW	41.75
Cutler (T19N R2E)	31	SENW	40.00
Cutler (T19N R2E)	31	NESW	40.00
Cutler (T19N R2E)	31	NWSE	40.00
Cutler (T19N R2E)	32	NWNE	40.00
Cutler (T19N R2E)	32	NENW	40.00
Cutler (T19N R2E)	32	SWNW	40.00
Cutler (T19N R2E)	32	SENW	40.00
Cutler (T19N R2E)	32	NWSW	40.00
Town of Cutler Total			684.98
Necedah (T18 R3E)	21	SWNE	40.00
Necedah (T18 R3E)	21	NESE	40.00
Necedah (T18 R3E)	21	NWSE	40.00
Necedah (T18 R3E)	21	SWSE	40.00
Necedah (T18 R3E)	21	SESE	40.00
Necedah (T18 R3E)	22	W1/2 SW, PT. OF	59.66
Necedah (T18 R3E)	27	SWNW	40.00
Necedah (T18 R3E)	27	SENW	40.00
Necedah (T18 R3E)	27	NESW	40.00
Necedah (T18 R3E)	27	NWSW	40.00
Necedah (T18 R3E)	28	NENE	40.00
Necedah (T18 R3E)	28	NWNE	40.00
Necedah (T18 R3E)	28	SWNE	40.00
Town of Necedah Total			539.66
Armenia (T20 R4E)	20	NWSW	40.00
Armenia (T20 R4E)	20	SWSW	40.00
Armenia (T20 R4E)	20	SESW	40.00
Armenia (T20 R4E)	20	SWSE	40.00
Armenia (T20 R4E)	29	NENW	40.00
Armenia (T20 R4E)	29	NWNW, EX. V174/R28	25.00
Armenia (T20 R4E)	29	N1/2 SW NW, SO. & E	20.00
Armenia (T20 R4E)	29	N1/2 SENW	20.00
Town of Armenia Total			265.00
Grand Total For Entry			3,399.73

Juneau County, Wisconsin



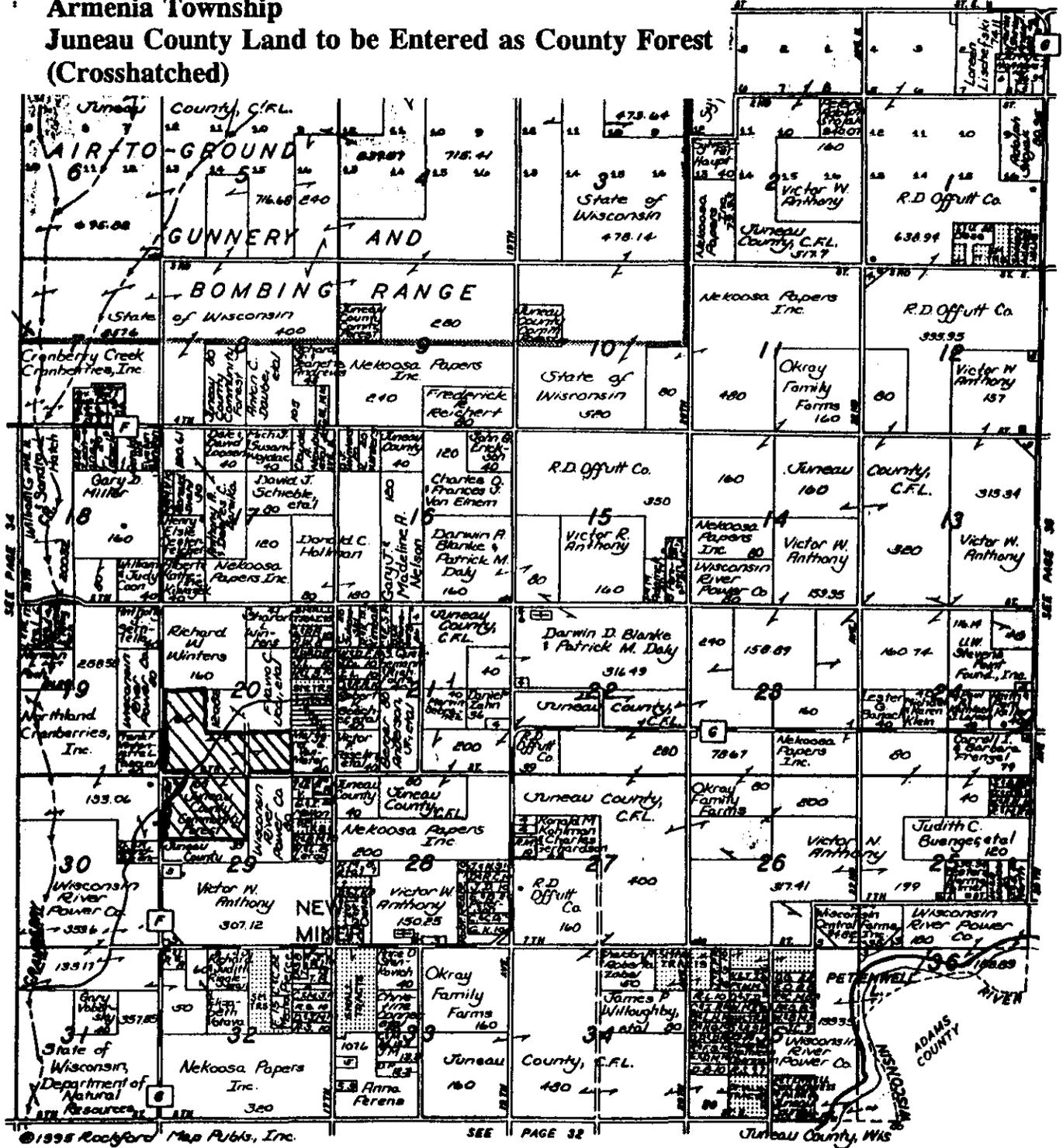
-  Volk Field Air Base
-  Hardwood Range County Forest Land For Withdrawal.
-  Land To Be Entered As County Forest.
-  Existing County Forest

Attachment D-2

Armenia Township

Juneau County Land to be Entered as County Forest
(Crosshatched)

20N.-R.4E.

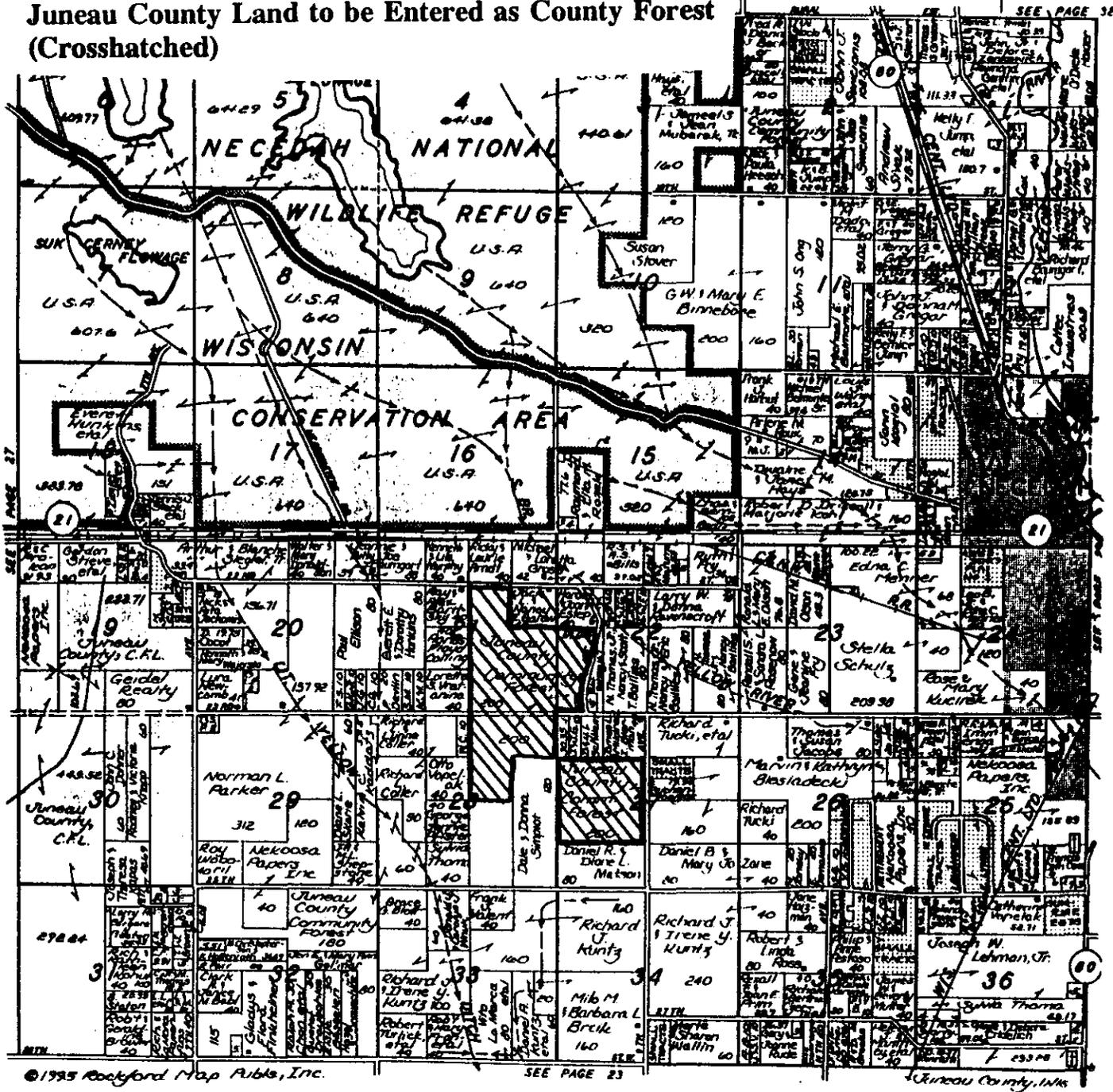


Attachment D-4

Necedah Township

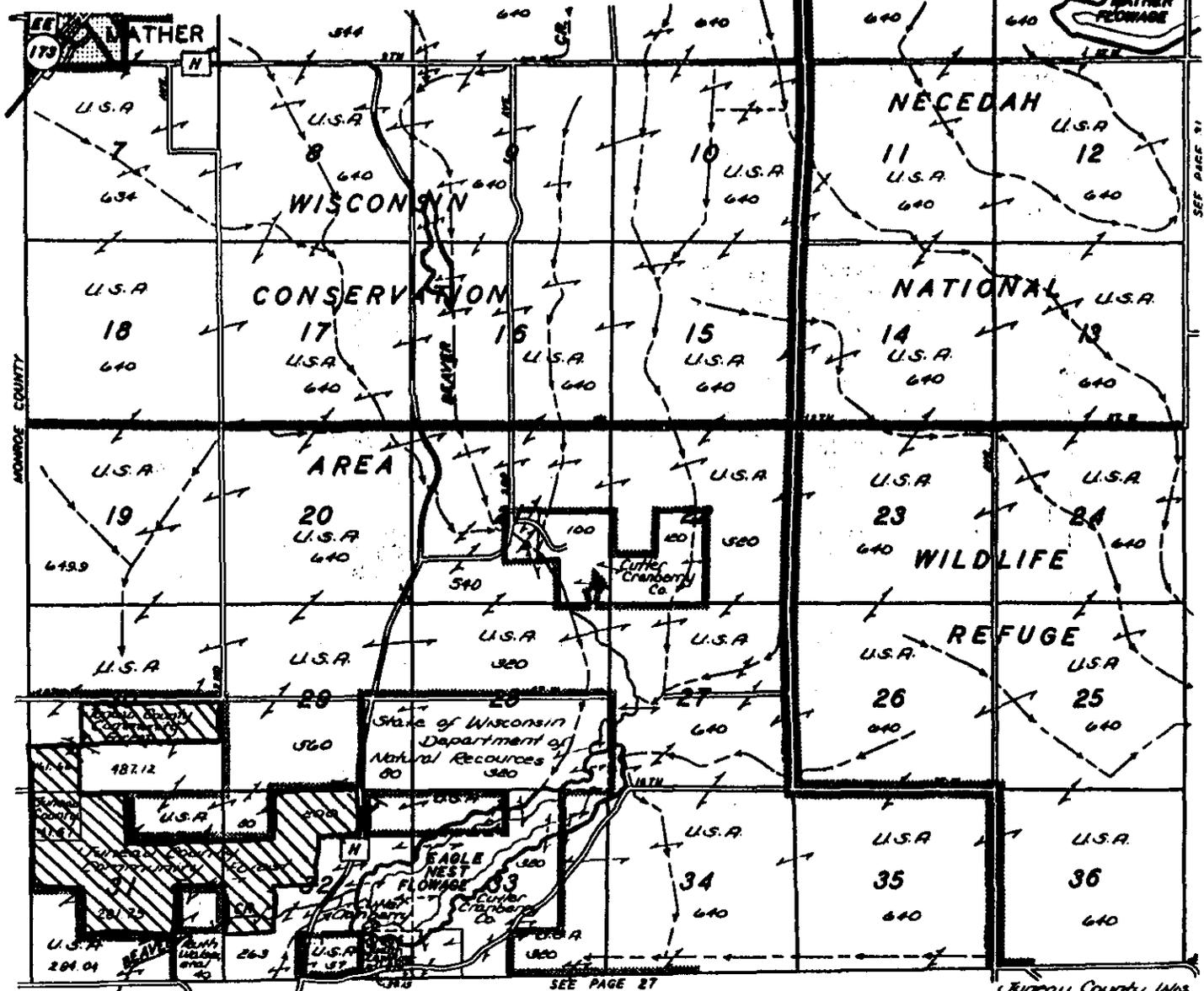
Juneau County Land to be Entered as County Forest (Crosshatched)

T.18N.-R.3E.



T.19N.-R.2E.

Attachment D-5
Cutler Township
Juneau County Land to be Entered as County Forest
(Crosshatched)



Attachment E

Comparison Summary of Proposed Juneau County Forest Withdrawal and Entry Lands

Withdrawal Land in Hardwood Range

Area: 3,368 acres

Public Access: Very restricted due to danger from bombs and bullets fired by aircraft at target complex.

Recreational Opportunities: Primarily deer-gun hunting for nine days in November. Beaver trapping is permitted with access controlled by range dispatcher.

Soil Types: 99% somewhat poorly drained or poorly drained Meehan-Newson-Dawson sand soils. 1% well drained Friendship or Plainfield sand.

Drainage: Actively drained by adjoining cranberry growers and the Air National Guard with a system of ditches including Cranberry Creek, which is channelized. Seven water control structures are present.

Non Forested Wetlands: About 350 acres.

Timber Cover: Early successional jack pine, scrub oak and aspen types typical of Central Plain sands. About 162 acres of pine plantations. An estimated 2,120 acres of forest land are not available for harvest and other management practices due to danger from bombing flights and reduced quality from imbedded ordnance.

Fishery: Northern pike, bullhead and forage fish species in Cranberry Creek ditch system.

Wildlife: Transition zone wildlife typical of Central Wisconsin Plain.

Identified Rare or Endangered Resources: Karner blue butterflies, red-shouldered hawk.

Natural Area Potential: None known.

Noise: Considerable noise from low-flying jet aircraft and armament discharge.

Replacement (Entry) Land

Area: 3,400 acres

Public Access: Unrestricted.

Recreational Opportunities: Nature observation, various forms of upland small and big game hunting, waterfowl hunting, trapping, hiking, snowmobiling, cross-country skiing, picnicking, fishing, berry picking, canoeing, etc.

Soil Types: 90% somewhat poorly drained or poorly drained Meehan-Newson-Dawson sand soils. 10% well drained Friendship or Plainfield sand.

Drainage: Some of the old drainage ditches in parts of the inactive Beaver Creek, Yellow River and Cranberry Creek Drainage Districts are returning to natural conditions as the old ditch systems deteriorate. No water control structures are known.

Non Forested Wetlands: About 1,134 acres.

Timber Cover: Early successional jack pine, scrub oak and aspen types typical of Central Plain sands. Some older growth floodplain forest in the Yellow River bottoms. About 212 acres of pine plantations. Harvests and other management practices are not restricted by the danger of bombing range activities.

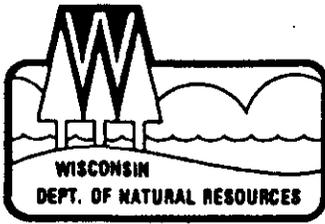
Fishery: Northern pike, bullhead and forage fish in Beaver Creek. Walleye, northern pike, smallmouth bass, largemouth bass, and various panfish in the Yellow River.

Wildlife: Transition zone wildlife typical of Central Wisconsin Plain. Somewhat more diverse habitat due to undisturbed wetlands, Yellow River floodplain and proximity to large state and federal wildlife refuges.

Identified Rare or Endangered Natural Resources: Nineteen species of endangered or threatened species and species of special concern including Karner blue butterfly, wood turtle, massasauga rattlesnake, and others.

Natural Area Potential: Two state designated Natural Areas including the Blueberry Trail Natural Area (Cutler Township) and the Yellow River Bottoms Natural Area (Finley Township).

Noise: Relatively quiet, with military aircraft flying at higher altitudes and more dispersed routes.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

PO Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3679
TDD 608-267-6897

February 2, 1996

Attachment F

Ms. Pat Conway
Coalition for Peaceful Skies
Route 1, Box 220
Ontario, WI 54651

SUBJECT: Response to several letters dealing with Juneau County Forest Land and the Hardwood Bombing Range.

Dear Ms. ^{Pat} Conway:

Thank you for your letter of December 11, 1996 (received January 22, 1996), concerning county forest lands and the Hardwood Bombing Range. This response will hopefully clear up the issues you raised in your letter to me as well as two letters that were forwarded to me from field forester Paul Pingrey in Mauston. Though your letters focus on the existing bombing range, I understand your concerns also relate to the proposed expansion of the range and the related air space actions. That proposal is the subject of an Environmental Impact Statement (EIS) now being developed by the Air National Guard (ANG). The Department of Natural Resources has concerns with the many issues involved with the proposed expansion of the Hardwood Bombing Range, and we have outlined these concerns in our letter of March 22, 1995 to the ANG.

The history of the existing range is very complicated and I will do my best to lay out the facts and sequence of events as I understand them. The existing range is made up of 7,873.55 acres, owned by the state and county. The site contains 4248.47 acres of land owned by the State of Wisconsin and managed by the Department of Military Affairs. There are 3374.73 acres owned by Juneau County and entered under the County Forest Law (Chapter 28 Wis. Stats.). An additional 250.35 acres are owned by Juneau County and are not entered under the County Forest Law. Juneau County granted an easement dated November 10, 1954 to the State of Wisconsin authorizing the use of county land for the purpose of an air to ground gunnery range. The easement was signed by Governor Kohler, the Adjutant General of the Department of Military Affairs, and Juneau County. The original easement was for a period of 25 years with an option to extend for an additional 25 years upon written notice to Juneau County. When the easement was executed, the lands were enrolled under the Forest Crop Law (chapter 77 Wis. Stats.) Section 28.11, Wis. Stats., the County Forest Law was not enacted into law until 1963. Under the County Forest Law, all county lands entered as forest croplands at the time were designated "county forest".

The authority to enter into the easement on these lands, being forest croplands was affirmed by an Attorney General's opinion dated January 16, 1956. The rights under the easement vested, and therefore when the lands became County Forest in 1963 by operation of law, they continued to be subject to the easement. The Department of Military Affairs exercised its option, as provided in the easement, to extend the easement for an additional 25 years in 1979. The Department of Natural Resources, as an agency is not a party to the easement.

Quality Natural Resources Management
Through Excellent Customer Service



In April 1995, the Department was asked by Juneau County if the easement could be extended beyond 2004. The Department suggested the county owned lands within the range be withdrawn from the County Forest Law on or before 2004 because of the conflict the use presents to public users. Our suggestion to withdraw the lands was made with full recognition that the lands subject to the easement do qualify as county forest.

On June 20, 1995, the Juneau County Board of Supervisors passed a resolution allowing the county to enter into a new easement with the State of Wisconsin Department of Military Affairs for the period of 2004 to 2025. To my knowledge, this easement has not yet been signed. In July 1995, Juneau County passed a resolution to withdraw all county lands within the Range from the County Forest Law. This resolution also stated an intent to enter an equivalent acreage of county owned lands into the County Forest Law. The Department is reviewing the county's withdrawal request and hopes to have the environmental analysis (as required by Ch NR 150, Wis. Adm. Code) completed and ready for public comment this spring.

One issue you raise in your December 11, 1995 letter is that: "The DNR was certainly aware of this illegal use because they wrote an appendix to the Easement of June 1995." The Department is not of the opinion that present use of the lands in question is an "illegal" use. The Department did not draft Appendix B of the draft easement; it was drafted by the Department of Military Affairs, and that appendix was never approved by the Juneau County Board.

You also raise the issue of the Department exercising its enforcement authority under s. 28.11 Wis. Stats. to stop the current use of the site. The Department does not consider Juneau County in violation of County Forest Law because the easement is a grandfathered use. The subject lands became county forest by operation of Chapter 345, Laws of 1963.

In your letter to Mr. Pingrey (received December 13, 1995), you raise the issue of how the Department of Military Affairs could lease the entire Range to the United States Department of the Army since they do not own all the lands within the Range. The Department of Military Affairs has an easement on the lands within the Range, that they do not have title to. The easement provides an interest in the land which allows the Department of Military Affairs to enter into a lease for use of the lands with the Federal government.

Your December 27, 1995 letter to Mr. Pingrey addresses the air to ground target location and the safety area. My staff informs me that the targets on the Hardwood Range are located on lands owned by the State of Wisconsin. Part of the impact foot print does occur on Juneau County Forest lands but again the targets are not located on the county forest land.

Your December 27, 1995 letter also deals with a more recent Department of Justice letter (dated September 9, 1986) on the use of County Forest lands for military maneuvers. The Hardwood Range easement approved by the Attorney General in 1954 continues to apply on the land that became county forest.

I apologize for the length of this letter but I feel your questions and issues deserve a fair response. If I or my staff can be of any further assistance to you please feel free to contact us.

Sincerely,


George E. Meyer
Secretary

*Thank you for writing & expressing
your concerns.*

c: Bob Mather FR/4
Dave Siebert EA/6

Paul Pingrey - Mauston
Jim Christenson LC\5

Dale Urso - NCD
Adjutant General, DMA



**DEPARTMENT OF THE AIR FORCE
AIR NATIONAL GUARD READINESS CENTER**

Attachment G

DEC 19 1995

**ANGRC/CEVP
3500 Fetchet Avenue
Andrews AFB MD 20831**

**Mr. Robert W. Rodent, Director
Bureau of Environmental Analysis & Review
Wisconsin Department of Natural Resources
101 S Webster Street
PO Box 7921
Madison WI 53707-7921**

DNR
DEC 27 1995

Dear Mr. Rodent

The response to your September 26, 1995 letter directed to both the Wisconsin Department of Military Affairs and the Air National Guard Readiness Center on the issue of Juneau County Forest Law Program lands within the existing Hardwood Range has been answered by the Wisconsin Department of Military Affairs. The Juneau County withdrawal/replacement action is not a part of the range expansion and would have to be implemented eventually without the activities involved in the range expansion project. The county action is not connected to the federal action. While the need for the county to address the lease length discrepancy may have been brought to light by the range expansion project, any changes in the lease between the county and the state can only be addressed by those two parties. The federal mission performed by the WIANG will be affected by any changes in the state/county lease as the user or licensee, but the federal government has no decision-making authority for any changes to the lease between the county and the state.

The federal government has no decision-making authority over the Juneau county forest withdrawal/replacement action. The federal government has no involvement in which land the county withdraws or where replacement land is located.

Given the above, there is no federal legal requirement to include Juneau County's proposed action in the federal Hardwood Range Environmental Impact Statement (EIS), other than, perhaps, as part of the federal EIS baseline discussion. Juneau county's proposed action is not part of, nor is it reasonably related to, the description of the proposed federal range expansion project, as presented in the DOPAA.

It is our understanding that the county, as the proponent of the withdrawal/replacement action, would ordinarily be expected to complete any environmental analysis performed on the withdrawal/replacement action pursuant to the state NEPA statute. The unit at Volk Field should have baseline information on the existing range, which is certainly available. As for replacement land to the County Forest Program, information would not be available in our files.

If you have any further questions, please contact me at your earliest convenience.

Kent Adams

KENT R. ADAMS, Lt Col, USAF
Project Manager, Hardwood EIS

cc:
Brig Gen Wilkening
Maj McArdle

CORRESPONDENCE/MEMORANDUM

State of Wisconsin

RECEIVED
Wis. Dept. of Natural Resources
MAY 22 1996
N. I.

DATE: May 17, 1996

TO: [REDACTED]

Attachment H

FROM: Chuck Pils - ER/4

Chuck

SUBJECT: Endangered Resource Information Review (Log Number 96-124)

The Bureau of Endangered Resources (BER) has reviewed the draft environmental assessment on the proposed withdrawal of lands in the existing Hardwood Gunnery Range from the Juneau County Forest program and the proposed entry of replacement lands currently owned by the county into the County Forest program. No changes in the use of the withdrawal lands are proposed as part of this action.

Very little information regarding the presence of endangered resources within the existing Hardwood Gunnery Range is known. The BER believes it is likely that a number of rare species are present within this area and specifically within lands proposed for withdrawal. In previous letters to consultants working on the proposed expansion of the gunnery range (Mr. Craig Bloxham of Ogden Environmental and Energy Services - May 12, 1992 and Mr. Scott Storlid of Johnson, Johnson, and Roy - August 18, 1995) we have provided information from the Natural Heritage Inventory on species and natural communities known to occur in the general vicinity of the Hardwood Gunnery Range. These lists are intended as a "starting point" in developing survey protocols. Not all rare resources that occur in the general area are likely to be located on either the existing or proposed gunnery range lands. Similarly, rare species currently unknown from the general area may be found when inventories are conducted.

If the proposed withdrawal of lands from the County Forest program would entail changes to the existing activities at the Hardwood Gunnery Range, I would defer analysis of the proposal until an inventory of the site was conducted. However, since the current uses will not be changed by the withdrawal, it is unlikely that impacts (either positive or negative) to endangered resources will appreciably change. As such, I do not believe it is necessary to delay the review of the withdrawal process until the additional data on the Hardwood Gunnery Range is collected. However, the BER will need these data in order to adequately assess potential impacts to endangered resources from the proposed expansion of the Hardwood Gunnery Range.

Regarding those lands proposed for replacement into the County Forestry program, the rare species and high-quality natural communities known to occur within or near these properties are:

- 1) Necedah Township property (T18N R3E Sections [REDACTED])
no endangered resources documented.
- 2) Cutler Township property (T19N R2E Sections [REDACTED]):
 - Karner blue butterfly (*Lycaeides melissa samuelis*) - Federally Endangered, State Special Concern
 - Wood turtle (*Clemmys insculpta*) - State Threatened
 - Frosted elfin (*Incisalia irus*) - State Threatened
 - Osprey (*Pandion haliaetus*) - State Threatened
 - Persius dusky wing (*Erynnis persius persius*) - State Special Concern
 - Hoary elfin (*Incisalia polia*) - State Special Concern
 - Blueberry Trail natural area - This approximately 400-acre site consists of a mosaic of floodplain forest, northern sedge meadow, and northern dry, dry-mesic, and wet forests. Upland areas have experienced some logging and fires.



3) Armenia Township property (T20N R4E Sections [REDACTED])
no endangered resources documented.

4) Finley Township property (T20N R3E Sections [REDACTED])

Karner blue butterfly (*Lycaeides melissa samuelis*) - Federally Endangered, State Special Concern

Massasauga rattlesnake (*Sistrurus catenatus*) - State Endangered

Blanding's turtle (*Emydoidea blandingi*) - State Threatened

Red-Shouldered hawk (*Buteo lineatus*) - State Threatened

Cerulean warbler (*Dendroica cerulea*) - State Threatened

Acadian flycatcher (*Empidonax virescens*) - State Threatened

Sedge wren (*Cistothorus platensis*) - State Special Concern

Prothonotary warbler (*Protonotaria citrea*) - State Special Concern

Louisiana waterthrush (*Seiurus motacilla*) - State Special Concern

Persius dusky wing (*Erynnis persius persius*) - State Special Concern

Leonard's skipper (*Hesperia leonardus leonardus*) - State Special Concern

Screwstem (*Bartonia virginica*) - State Special Concern

Cross milkwort (*Polygala cruciata*) - State Special Concern

Yellow River Bottoms natural area - this large floodplain, running from the Dexterville Dam to the Wisconsin River, is characterized by near-level topography, sandy soils, and a meandering main river channel that has created a large number of oxbow lakes, cut-off and running sloughs, and small ponds. The predominant natural plant community is floodplain forest. Dominant tree species include silver maple, green ash, swamp white oak, and river birch. Scattered, large, native conifers are present within the floodplain - a situation that is, if not unique, extremely rare in Wisconsin. Other plant communities present include shrub swamp (dominated by dogwoods, willows, or tag alder) and sedge meadows (dominated by bluejoint grass and sedges). An active great blue heron rookery is present.

Within the Central Sand Plain, the Yellow River Bottoms stand out as this natural division's largest and best example of a floodplain community. Although the entire stretch from the Dexterville Dam to the Wisconsin River has retained much of its wild character, recent surveys concluded that the stretch of floodplain in T20N R3E and T19N R3E possess especially high biodiversity values.

BER has considerable interest in the Yellow River floodplain and supports placing lands in this corridor that are currently owned by Juneau County into the County Forest program. Not only does this area contain a number of rare species and high-quality natural communities, but its location relative to other large public properties and its ecological quality truly afford an opportunity to implement ecosystem management on a landscape scale. If these lands are incorporated into the County Forestry program, the BER would like to lend its assistance and expertise in helping to develop the management plan. Eric Epstein, NHI Ecologist, will be the bureau lead on this matter.

Please contact John Pohlman at (608) 264-6263 if you have any questions about this information.

cc: Lloyd Lueschow - EA/6

Bob Mather - FR/4

Mike Beaufeaux - NCD/Rhineland

Cathy Carnes - USFWS-Green Bay, 1015 Challenger Court, Green Bay, WI 54311

Paul Pingrey - NCD/Mauston

Eric Epstein - ER/4