

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

FORM 1600-8 rev 6-90

Department of Natural Resources (DNR)

District or Bureau
WCR

Type List Designation
II

Contact Person
DON STREIFF

Title: FORESTER

Address: WI Department of Natural Resources

400 HEWETT STREET, ROOM 106,
NEILLSVILLE, WI 54456

Telephone Number: (715) 743-5134

NOTE TO REVIEWERS: This document is a DNR environmental analysis that evaluates probable environmental effects and decides on the need for an EIS. The attached analysis includes a description of the proposal and the affected environment. The DNR has reviewed the attachments and, upon certification, accepts responsibility for their scope and content to fulfill requirements in s. NR 150.22, Wis. Adm. Code. Your comments should address completeness, accuracy or the EIS decision. For your comments to be considered, they must be received by the contact person before 4:30 p.m., 9-22-03
(date)

Applicant: **Clark County Forestry and Parks Department**

Address: **517 Court Street, Neillsville, WI 54456**

Title of Proposal: **Clark County Sheriff's Department Shooting Range and Training Center**

Location: **Clark Town of Butler T27N R04W Sec 36**

PROJECT SUMMARY – DNR Review Information Based On:

The Clark County Forestry and Parks Department is seeking permission from the Department of Natural Resources to withdraw 30 acres of County Forest land enrolled in the County Forest Crop Law program for the purpose of limiting access to a Clark County Forest shooting range. The shooting range would be designated a Clark County Sheriff's Department shooting and training facility. The Sheriff's Department would restrict access. The actual range and training facility itself covers approximately 2 acres of the 30 acres. The present range is bermed on 3 sides with an average down range height of the berm of 25 feet. At the present time the range itself has no fixtures (shooting benches, tables, etc.). This will remain unchanged. However, 30 acres are proposed to be withdrawn to facilitate posting the area. Posting the entrance road off of County Highway M will provide greater security for the range by restricting public access further from the facilities and to reduce the cost of establishment by not necessitating an official survey which would be required for official recording purposes if something less than an easily described parcel is withdrawn. The

location of the 30 acres is approximately 12 miles south of the City of Thorp on County Highway M located in the northwest part of Clark County in westcentral Wisconsin. (Attachment 1).

Lands enrolled in the County Forest Crop Law program must be kept open to the public. This environmental assessment is a requirement of the investigation by the Department of Natural Resources "in weighing and considering the benefits to the people of the state as a whole, as well as to the county, from the proposed use against the benefits accruing to the people of the state and to the county under the continued entry of such lands. If the Department finds that the benefits after withdrawal outweigh the benefits under continued entry and the lands will be put to a better and higher use, it shall make an order withdrawing such lands from entry, otherwise it shall deny the application." 28.11(11). Wis. Stats. According to the Clark County Forest 10-year comprehensive land use plan (520.5.5), shooting ranges are permitted on county forest lands. However, the ranges must be kept open to the public.

The Clark County Sheriff's office supports this shooting range and training facility for law enforcement training for their officers as well as for use by cooperating city and state law enforcement agencies. Since September 11, 2001, it is essential that law enforcement personnel at all levels of government maintain proficiency and have facilities to expand their expertise in performance of their obligation to maintain a safe society and ability to respond to future emergencies.

Funding source for the initial construction of the range and facility was Clark County Forestry and Parks budget. The revenue for this budget is derived from timber sale revenue and recreational fee charges.

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

1. Form 2453-3 County Forest Law Withdrawal application dated March 20, 2003, the initial request to withdraw, which was reviewed.
2. Clark County Forest Administrator's file on proposed shooting range for data pertaining to withdrawal.
3. Wis. Statutes 28:11 for wording evaluation.
4. Clark County Zoning office for GIS maps, wetland information, and other information.
5. Clark County zoning ordinance for information on Forest and Recreation zone.
6. Meeting minutes for relevant Forestry and Parks Committee monthly meetings.
7. Memo to Regional Forester on proposed withdrawal (dated January 23, 2001).
8. Clark County Forest Recon. for data information.
9. Personal contacts with Clark County Forest and Parks Administrator, Clark County Zoning Administrator, and a Clark County Sheriff's Office Lieutenant for relevant information.
10. Clark County Forest 10-year comprehensive land use plan (1996-2005).
11. "Hunting, Fishing, and Trapping 2000 – A Report Addressing Long Term Planning for the Secretary's Issue of Hunting, Fishing, and Trapping in Wisconsin".

DNR EVALUATION OF PROJECT SIGNIFICANCE (complete each item)

1. Environmental Effects and Their Significance

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

Since the proposal is for a restriction of access to 30 acres of county land one short- and long-term effect is the loss of this 30 acres of public access land. However, the County will enter 40 acres of recently acquired land into County Forest Crop law for public access. This land is located in Section 4 T24N R04W. (Attachment 2)

Assessed value of the withdrawal area and the proposed entry area will not be affected since both parcels were and will still remain in county ownership in the short and long term. Timber value to the county will remain the same since both parcels will be managed for timber production and any revenue will be retained by the county either in the Forestry account for county forest lands or a regular county account for the lands withdrawn from the county forest cropland in both the short and long term.

The replacement parcel in Mentor will provide "blocking in on the county forest" on its west and south sides (Attachment 2) in both the short and long term. The 30 acre parcel being withdrawn will not affect the "blocking in of county forest" since it was in an 80 acre parcel of county forest land that was bounded by private land on all four sides.

Physical resources present on the proposed area are a 12-acre mound and depression area, which resulted from an abandoned gravel pit. The facilities (range and buildings) are located on the old spoils mound between the two depressions. A predominantly elevated 17 acres of 29-year old, heavy density, small poletimber aspen make up the timber production portion of the area. About 1 acre of bottomland hardwoods exist in the southwest floodplain portion of the parcel. The floodplain from the Eau Claire River actually extends into the withdrawal area, but does not extend into the facility area.

The exchange parcel is 40 acres of lowland conifer (black spruce, tamarack, etc.) poletimber size trees. There is an old dug drainage ditch that runs northwest to southeast through the 40 acres.

The facility will not be open for public shooting. Short- and long-term effect will be a loss of one public shooting range. Other known shooting ranges in the county are a public shooting range in Section 21 of T23N R01E (Sherwood). Sportsman's Clubs shooting ranges are located in Section 13 T24N R03W (Hewett), Section 10 T26N R02W (Eaton), Section 26 T28N R04W (Worden), Section 25 T29N R01E (Mayville). (Attachment 3) Private shooting ranges also exist in the county, but all locations are not known.

Security should be improved and vandalism reduced for the private landowner who accesses his property through the shooting range both in the short- and long-term. Also, facility vandalism should be reduced since the access road will be gated at the County Highway M ROW. Geographically scarce resources such as historic or cultural resources, threatened or endangered resources, or ecologically sensitive areas will not be adversely impacted since none were known to exist when the range was established, according to the general historical/archeological records available to DNR at that time and the DNR's Natural Heritage Inventory.

Impact to public recreation would be negative in this area due to the loss of 30 acres of public land. Range users would be required to go to other ranges (the nearest being 10 miles away) or utilize private land. This project would not reflect a concerted statewide DNR effort to promote hunter safety and skills training. These goals have been identified in a DNR report "Hunting, Fishing, and Trapping 2000 – A Report Addressing Long Term Planning for the Secretary's Issue of Hunting, Fishing, and Trapping in Wisconsin". One identified strategy is to promote development of hunter skills training. Statewide efforts include development of new or upgraded shooting ranges to meet shooter demand and to expand hunter skills, safety, and education opportunities. DNR law enforcement encourages more public shooting ranges.

2. Significance of Cumulative Effects.

Discuss the significance of reasonably anticipated cumulative effects on the environment (and energy usage, if applicable). Consider cumulative effects from repeated projects of the same type. Would the cumulative effects be more severe or substantially change the quality of the environment? Include other activities planned or proposed in the area that would compound effects on the environment.

Cumulative effects would be the following:

Lead Recovery – Accumulation of spent lead in berms could create a risk of lead contamination to groundwater. This is not known to cause a problem at other Wisconsin land-based shooting ranges. Shooting ranges over water, particularly shotgun ranges, are typically discouraged due to concerns regarding breakdown of lead in water and an associated risk of 1) ingestion by wildlife feeding in such areas and 2) surface or groundwater contamination and associated negative human/biological health effects. Periodic recovery and recycling of lead by operators would be encouraged, but not required. This would be the same as the range.

Noise – Periods of increased noise generation would occur when shooting training sessions are held. However, when these sessions are not held, there should be no noise generation since the area will be closed. Noise generation does not accumulate over the long run. Time of noise generation would be less than existing use.

Energy Usage – Energy usage in the form of gasoline for automobiles may increase during training periods if all officers bring their autos. However, car pooling or central location of the range could offset this increase. Public energy use may increase due to the travel needed to an adjacent range.

Safety – Residents of Clark County may benefit by the cumulative effects of the opportunity for increased training for their law enforcement officers. The cumulative effects should not substantially change the quality of the environment. Safety of the public may be at risk when range users are displaced to other locations such as private land.

This will be the only Clark County Sheriff's Department shooting range and training facility in the county. No additional ranges for the Clark County Sheriff's Department are anticipated. At the present time there are no plans to construct a replacement range for the public.

3. Significance of Risk:

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

The previously mentioned accumulation of lead could create a risk of lead contamination to groundwater. Periodic recovery and recycling of lead by operators would reduce this risk.

Periods of heavy noise generation during training sessions may alter the habits or patterns of wildlife within the immediate vicinity of the range during those periods. Wildlife research could be reviewed to determine if studies have been done to analyze effects of noise generation on wildlife.

- 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.

Safety – There is a safety risk associated with shooter error and firearm malfunction. The proposed change should increase the safety factor as all training sessions held by law enforcement agencies are conducted under strict range safety guidelines and all participants are familiar with firearms. Also, emergency response time would be faster with the on site presence of radio and/or cell phones.

Operating problems such as spills or fires would have a faster response time due to the presence of radios and/or cell phones with the attending officers.

Any spills within the berm shooting range could easily be contained due to the presence of the berm.

The potential of firearm safety hazard on the shooting range may be the highest risk with the potential for fuel spills and fire being far less. Spills would be fuel tank leaks in cars or trucks. Fire would be minimal with possible car engine fires. Wildland fire would be minimal since the majority of the area around and within the shooting range is gravel or very short grass.

4. Significance of Precedent

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

The withdrawal of County Forest Crop Law land for the purpose of allowing the county law enforcement agency to restrict access to their shooting range and training facility is precedent setting in Clark County, but may not be in other counties of the state. In Clark County this should not adversely affect the quality of the environment since this is a one-time proposal for a county agency to use county land. City law enforcement or state law enforcement agencies will be allowed to use the shooting range and training facility. Therefore, there should be no other requests made by law enforcement in Clark County for this purpose.

Clark County Zoning allows shooting ranges as conditional use in the Forestry and Recreation zone. County Forest Cropland is in the Forest and Recreation zone.

A survey was conducted by the Clark County Zoning office before the shooting range and facility was built to delineate the floodplain elevation and set the boundaries for facility construction outside of the floodplain.

5. Significance of Controversy Over Environmental Effects

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

Social effects – Local – The adjacent recreational landowner, who has a cabin within ¼ mile, was contacted about the facility use. The landowner felt the presence of law enforcement on a regular basis and the posting of the adjacent acreage would provide added security. Also, it would reduce the chances of vandalism since he must access his cabin through the facility.

Social effects – Town – The County Forest Administrator and County Sheriff met with the Town Board of Butler to answer questions concerning noise, time of usage, and access to the site.

ALTERNATIVES

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

No Action – The range and facility would remain open to the public. County law enforcement would have a central, secure location to conduct training and qualified range training, but not private or secure. The opportunity for vandalism would increase on the new facility and adjacent private property. Public safety in use of the range and in more proficient law enforcement may be a concern.

Alternative B – Use of private property to construct range. Acceptable lease or use agreement would be needed. Cost of construction would be higher. Funding for construction would be needed. Noise factor may be significant. Privacy may be an issue. Central location would be encouraged for less energy consumption and convenience.

Alternative C – Use of Sportsman Club range. Use agreement would be needed. Cost to update range may be high. Funding source would be needed. Central location needed.

Alternative D – Development of county land at Rock Creek and County Highway M location. Topography of site was poor – partially in wetland. Berm would have to be constructed with additional material. No electricity on site. County selling this land as surplus.

Alternative E – Shooting Range and Training facility location in Section 36 of Butler. Location is central in county. Privacy is secure due to its remote location off of County Highway M. Access is good with all season road and area of facility is on nonproductive land (high ground in old gravel pit). Noise factor is reduced due to location. Electric is already on site. There are no construction costs. Long-term ownership assured.

Alternative F – Shooting range and Training facility location in Section 36 of Butler, but withdraw 2 acres of facility area, location is central in county. Privacy is secure due to its remote location off of County Highway M. Access is good with all season road and area of facility is on nonproductive land (high ground in old gravel pit). Noise factor is reduced due to location. Electric is already on site. There are no construction costs. Long-term ownership assured. Vandalism and destruction of facilities may increase due to closer access by public. Higher cost of maintenance due to potential vandalism. Public may view restricted training.

Alternative G – Shooting Range and Training facility location in Section 36 with scheduled periods of law enforcement only use. Location is central in county. Privacy is secure due to its remote location off of County Highway M. Access is good with all season road and area of facility is on nonproductive land (high ground in old gravel pit). Noise factor is reduced due to location. Electric is already on site. There are no construction costs. Long-term ownership is assured. Vandalism and maintenance may increase due to public use. Public may view restricted training. County Forest must be kept open to the public; access cannot be reserved for special groups.

SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

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

<u>Date</u>	<u>Contact</u>	<u>Comment Summary</u>
06/2000	County Forest Administrator contacted Mike Eklund, adjacent property owner with cabin	Felt law enforcement presence would be beneficial and there would be reduced vandalism on his property.
08/2000	County Forest Administrator and County Sheriff attended Butler Town Board meeting	Addressed questions on noise, access, and time of day of shooting.
01/23/2001	DNR Forester advised Regional Forester	Advised of shooting range and facility.
12/2002	County Forestry and Parks Committee	Passed Resolution to withdraw land.
01/27/2003	Clark County Board	Passed Resolution to withdraw land.
08/01/2003 and 08/06/2003	Local Conservation Wardens	One warden felt range should be left open for public use because of lack of public facilities for public to sight in rifles. Another warden understood the need for a public range, but also understood the vandalism factor and also the need for a good, secure training facility for law enforcement.

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

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

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

Complete either A or B below:

A. EIS Process Not Required

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

B. Major Action Requiring the Full EIS Process

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

Signature of Evaluator: <i>Don Strauff</i>	Date Signed: <i>9/8/03</i>
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Number of responses to news release or other notice: 0

FILED TO BE IN COMPLIANCE WITH	
District Director/Director of BEAR/Design <i>Tom Loring</i>	Date Signed: <i>9/22/03</i>

NOTICE OF APPEAL RIGHTS

*cc: Don Strauff - mailville
Pat Murphy - EC*

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.

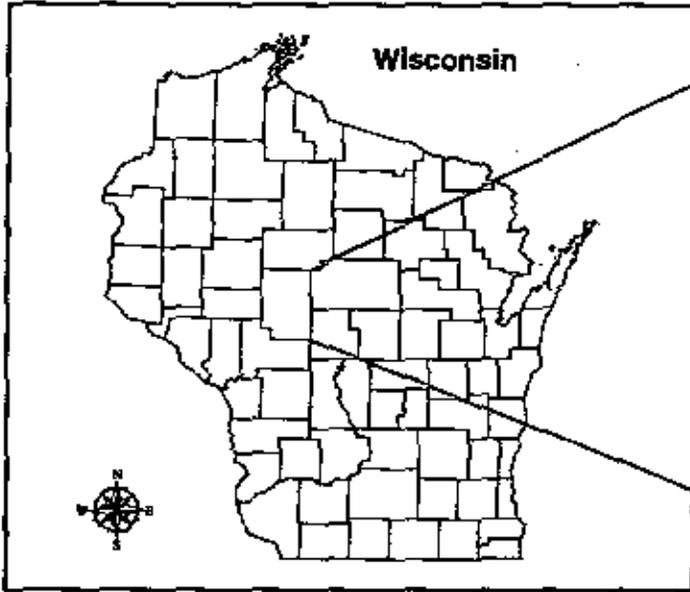
For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review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

Clark County Sherrif's Dept Shooting Range and Training Center



Thorp	Withee	Hixon	Hoard	Mayville
Worden	Resaburg	Longwood	Green Grove	Colby
Butler	Mead	Warner	Beaver	Unity
Foster N	Hendren	Eaton	Loyal	Sherman
Foster S	Seif	Weston	York	Fremont
Mentor	Hewitt	Pine Valley	Graft	Lynn
Dewhurst	Levis	Washburn	Sherwood	

**Clark County Sherrif's Dept
Shooting Range and Training Center**
1" = 400'



This map is intended for advisory purposes only.
It is based on sources believed to be reliable,
but Clark County disclaims this information on an
'AS IS' basis. No warranties are implied.

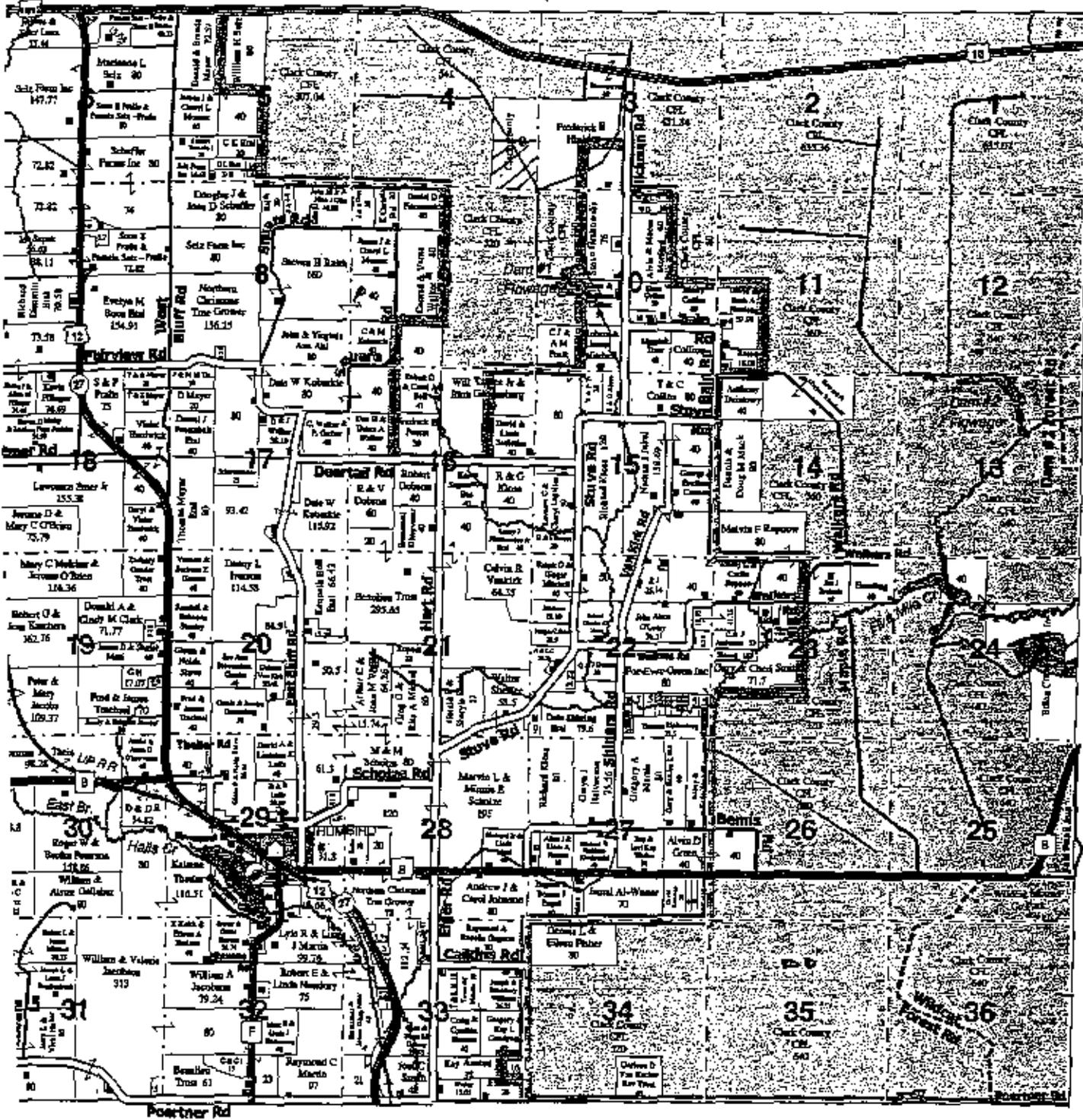
CLIMATEMENT 2
 -- LAND TO BE ENTERED IN COUNTY FOREST CROP LAW

T24N

Town of Mentor

R4W

Town of Foster South - T25N R4W p.19



Town of Howell - T24N R3W p.24

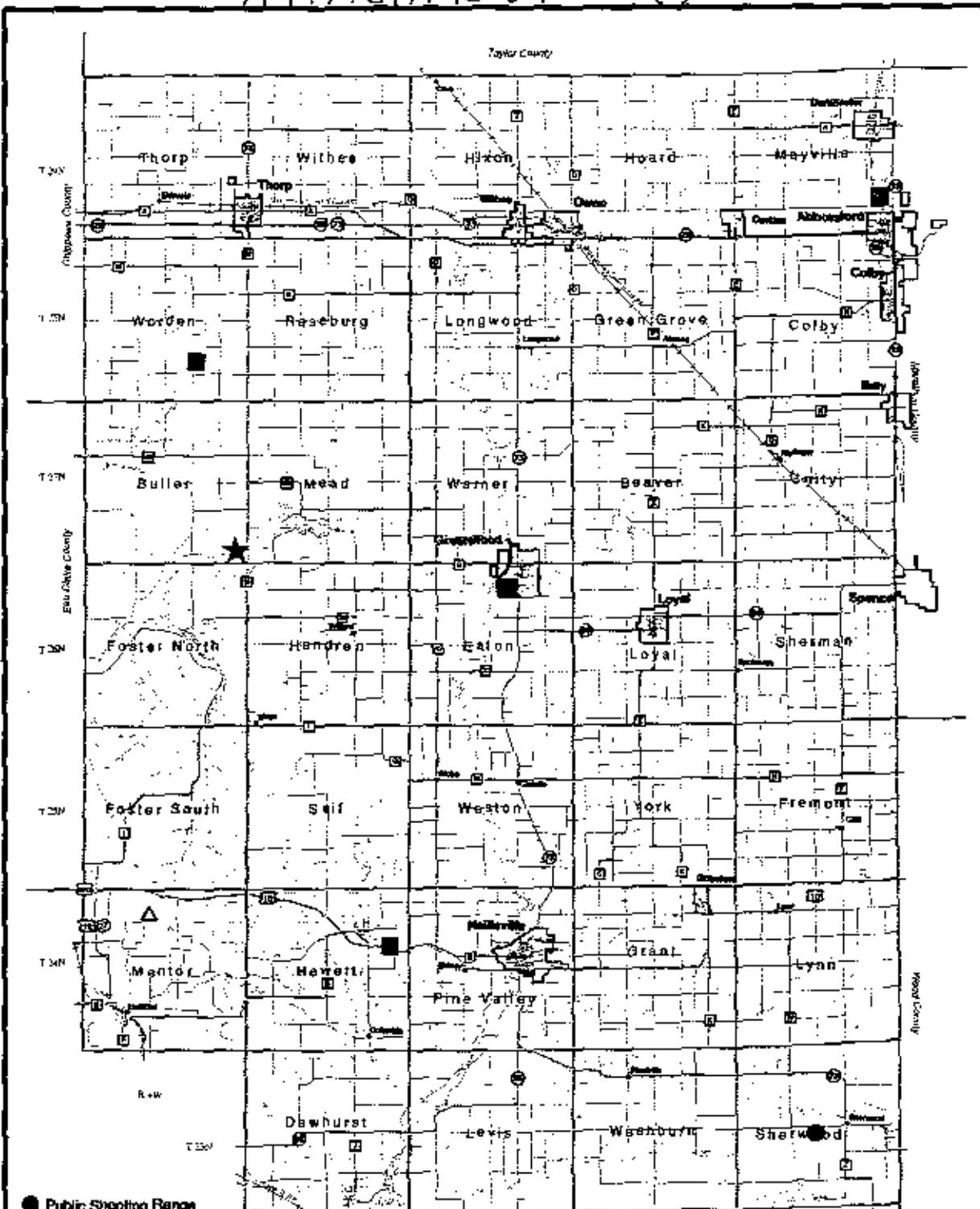
00 W11700 W11300 Jackson County W10500 W10100 W9700

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 sources believed to be reliable,
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 as to warranties are treated.



GIS information provided by
 the Clark County Land Information Office,
 Courthouse Room 204A,
 Neillsville, WI

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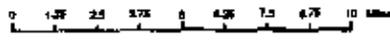
- Public Shooting Range
- ★ Existing Range Withdrawal Parcel
- Sportsmen's Club Shooting Range
- △ Proposed Replacement Range

Land Use

	Public Resource Land
	County Road
	State Road
	Proposed State Road
	County Road
	State Road
	Proposed State Road
	City/Township Boundary
	Intermunicipal Water
	Major Road
	Minor Road
	Water Feature
	Other

Clark County Shooting Ranges

Map Document: http://arcserver.provost.state.nc.gov/arcgis/rest/services/arcgis/shooting_ranges.mxd
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