

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

Form 1600-1

Rev. 6-2001

Department of Natural Resources (DNR)

Region or Bureau
Northern

Type List Designation
NR 150.03(8.)(d).1.c.

NOTE TO REVIEWERS: This document is a DNR environmental analysis that evaluates probable environmental effects and decides on the need for an EIS. The attached analysis includes a description of the proposal and the affected environment. The DNR has reviewed the attachments and, upon certification, accepts responsibility for their scope and content to fulfill requirements in s. NR 150.22, Wis. Adm. Code. Your comments should address completeness, accuracy or the EIS decision. For your comments to be considered, they must be received by the contact person **before 4:30 p.m., Friday, October 7, 2005.**

Contact Person:
Paul Heimstead

Title: Liaison Forester, Polk County

Address: 941 Mallard Lane #104

Balsam Lake, WI 54810

Telephone Number

715/485-3518

Applicant: Polk County Forestry Department

Address: 100 Polk Plaza, Balsam Lake, WI 54810

Title of Proposal: Polk County Forest Land Withdrawal

Location: County: Polk City/Town/Village: Town of Johnstown

Township Range Section(s): NE 5 acres (square) of the NW ¼ NW ¼ Section 1 T35N R15W

PROJECT SUMMARY

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

Polk County proposes to withdraw five acres of Special Use County Forest lands from the County Forest Law, s. 28.11, WI Statutes for the construction of a communications tower for Polk County's new Public Safety Communications System.

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

The Polk County Public Protection Committee determined the current County emergency radio communications system was inadequate, and they decided that a new tower and radio system was needed for the entire County. Several tower sites were identified throughout the County, one of which was this site because it gave the best coverage for this part of the County and was already owned by Polk County.

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

The Polk County Board of Supervisors passed a resolution to apply to the Wisconsin DNR to withdraw their five acres from the Polk County Forest. The resolution is required in order to withdraw lands from the County Forest Law per Wisconsin Statutes Chapter 28.11(11). This same statute requires the Wisconsin DNR to investigate the County's application and determine if the benefits of withdrawal outweigh the benefits of continued entry of the land.

PROPOSED PHYSICAL CHANGES (more fully describe the proposal)

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

Grading of upland areas on the site would need to be completed as part of the site preparation for tower construction and development of the access road (see specifics under # 6 below).

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

No wetlands or surface waters on or near the site would need to be manipulated in any way.

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

An access road to the tower base would be constructed as well as a 300' high, guyed lattice tower with an associated 12 foot X 20 foot control building. Anchor points, as well as the tower base and control building, would be fenced. The access road would be approximately 200 feet long to access the center of the parcel. The 12-15 feet wide surface is expected to be gravel. Finished grade of the access road is unknown at this time.

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

There would be exhaust emissions from construction equipment, as well as from timber harvesting equipment to clear the site for construction. These emissions would be similar to multiple entries of timber harvesting equipment for selection type harvesting if this parcel was kept as County Forest land. Sediment discharge from construction would be minimal or non-existent due to the County requirement of an erosion control plan for construction projects designed to minimize and/or eliminate discharge of sediment into water courses.

8. Other Changes

None

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

- Attachment 1 County map showing the general area of the project
- Attachment 2 USGS topographic map
- Attachment 3 Plat map
- Attachment 4 Other - Describe: Large Scale site map

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

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

Literature/correspondence (specify major sources)

Personal Contacts (list in item 26)

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

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

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

The characteristic landform pattern for this area is rolling collapsed moraine interlaced with outwash terraces and intermixed with ice-walled lake plains. Soils are predominantly moderately well drained sandy loam over dense, acid sandy loam till. Common habitat types include Acer/Caulophyllum-Circaea and Acer/Athyrium. These habitat types are names for groups of plants that indicate nutrient and moisture conditions on the land. The specific five-acre site is rolling uplands with a few grass kegs and/or

wetlands around the periphery. No lakes, rivers or streams exist on or near this site.

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

The site is dominated by a small sawlog size oak and northern hardwood overstory. The understory is mainly hazelnut and tree seedlings and saplings with the ground vegetation being standard for a rich Acer/Athyrium (AA) habitat type. This habitat type is fairly rich in nutrients but tends to the dry mesic side of the moisture regime. Dominant terrestrial animals would include amphibians (salamanders, toads, etc), rodents (squirrels, mice, voles, etc), white-tailed deer, eastern wild turkey, ruffed grouse, and numerous insects. No known endangered resources were identified as present according to the National Heritage Inventory database.

13. Cultural Environment

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

The five-acre parcel is categorized as productive forest and is part of a 160 acre block of special use county forest lands. It is classed as special use because it is outside the County Forest Boundary. It is managed for multiple uses with timber production the main emphasis.

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

The site is surrounded by Polk County Forest Land and other private forest land. Recreational uses of this site include hunting, hiking, and sightseeing by the general public. The current economic environment is limited to periodic timber harvest income according to sustainable harvest limits.

- c. Archaeological/Historical

According to the State Historical Society database, there are no known historic or archeological features listed for this site.

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

None known

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

15. Physical (include visual if applicable)

Tower site construction would remove all vegetation and thereby displace all plants and animals now occupying the site. The vegetation would first be removed by timber harvesting equipment and finally by heavy earthmoving equipment. The tower and associated guy wires and support building would be constructed using common building techniques for these types of structures. The 300 foot high tower will extend above the surrounding vegetation 230 -250 feet and be visible for several miles. No lakes, rivers, or streams would be affected by the proposed development on this site following withdrawal.

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

Construction and maintenance would require the site to be cleared of trees and maintained in an open condition. Vegetation cover would change from a closed forest canopy to open brush and grassland, similar to a wildlife opening. The change in the vegetative cover would impact numerous species of plants and animals. Some individual plant and less mobile animal species would be eliminated while more mobile animal species would not likely be affected. Over time, other new plant and animal species would be introduced on this site due to the change in habitat type. No wetlands or endangered/threatened species would be affected by the proposed withdrawal and subsequent development.

17. Cultural

- a. Land Use (including indirect and secondary impacts)

Property would remain in public ownership but would be non-forested.

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

The five acres withdrawn and developed for a communications tower would no longer be used for recurring forest crops, nor the multiple of other uses of the County Forest such as hunting, hiking, or sightseeing. This is offset by improving public safety through an improved county communications system.

- c. Archaeological/Historical

None known

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

None affected

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

A five acre forested site would no longer be used for multiple public uses or timber production.

DNR EVALUATION OF PROJECT SIGNIFICANCE (complete each item)

20. Environmental Effects and Their Significance

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

The tower and associated infrastructure is considered long term. The opening created to construct tower would be maintained for the life of the tower and should be considered long term. The use change from a productive forest to brush opening and communications tower should also be considered long term.

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

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

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

When the tower is no longer needed, the tower could be removed and the parcel re-entered into the County Forest Program to provide multiple benefits to users of the Polk County Forest.

21. Significance of Cumulative Effects

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

Cumulative effects on the environment are not anticipated. Currently no other communications towers are planned for this site, though other similar requests may be received for other locations on county forest lands. Each request is evaluated on a case by case basis. All withdrawal requests are considered only if they are environmentally sound and the withdrawal serves a higher use and benefit for the citizens of Polk County.

22. Significance of Risk

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

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

- b. Explain the environmental significance of reasonably anticipated operating problems such as malfunctions, spills, fires or other hazards (particularly those relating to health or safety). Consider reasonable detection and emergency response, and discuss the potential for these hazards.

There should be no significant environmental factors related to a tower malfunction.

23. Significance of Precedent

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

The potential exists that multiple towers could be constructed at this site potentially requiring more acreage to be removed from the County Forest. This would affect the land use of the area and use of the area as multiple use productive forestland. There are no known conflicts with local, state, or federal policy.

24. Significance of Controversy Over Environmental Effects

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

There are no known or apparent controversies regarding the proposed withdrawal of county forest land for subsequent development as a communications tower site.

ALTERNATIVES

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

There would be no impacts to the existing county forest parcel if the tower was not built. Alternatives could include the County purchasing other private lands for tower construction or construction of a free standing tower. Purchasing private land for a tower site would add to the costs of this project. The option of a free standing tower was not considered feasible because it could not be built tall enough to provide the coverage needed.

SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

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

<u>Date</u>	<u>Contact</u>	<u>Comment Summary</u>
4/05	Steve Moe – Chief Deputy Polk County Sheriff Dept.	Communications Tower Project Manager recommends site.
5/3/05	Paul Pedersen -Polk Co. Forest Administrator	Discussed tower site on County Forest at monthly Forestry Committee meeting.
6/7/05	Paul Heimstead - DNR Liaison Forester	Discussed tower site during monthly Forestry Committee meeting and need for Board resolution for withdrawal of County Forest Land. Committee passed motion for Board Resolution.
6/21/05	Polk County Board of Supervisors	Adopted resolution to withdraw county forest land to construct tower.
7/05	WI-DNR NHI database; Division of Historic Preservation	No known endangered or threatened resources within parcel. No known historic or archeological structures.
7/26/05	James Varro – St Croix Area Forestry Specialist	Notified County Clerk that Withdrawal application was received.
8/2/05	Paul Heimstead – DNR Liaison Forester	Discussed tower site during monthly Forestry Committee meeting and clarified site.

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

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

Complete either A or B below:

A. EIS Process Not Required

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

B. Major Action Requiring the Full EIS Process

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

Signature of Evaluator	Date Signed

Number of responses to news release or other notice:

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

NOTICE OF APPEAL RIGHTS

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

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

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.