

FLdb# 219

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

Form 1600-8

Rev. 8-2001

Department of Natural Resources (DNR)

Region or Bureau  
Bureau of Facilities and Lands

Type List Designation

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

Contact Person:  
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Applicant: WDNR

Address: Box 7921, 101 S. Webster St; Madison, WI 53707

Title of Proposal: 2 State Trail Extensions / 4 new State Trail Projects

Location: County: Forest, Langlade, Outagamie, Kewaunee, Winnebago, Washington, Brown, Calumet, Fond du Lac

City/Town/Village: See table below and attached maps

Township Range Section(s): See attached maps

PROJECT SUMMARY

1. Brief overview of the proposal including the DNR action

The Department has obtained an agreement to purchase approximately 1,500 acres of land consisting of six railroad grades from Canadian National / Illinois Central. Two grades are extensions of existing projects. These include an extension of the Ahnapee State Trail in Kewaunee County from Luxemburg to Kewaunee and an extension to the Fox River State Trail in Brown and Calumet Counties from Greenleaf to Hilbert. The other four will be acquired for new projects: West Bend to Eden in Washington and Fond du Lac Counties, New London to Seymour in Outagamie County, Crandon to White Lake in Forest and Langlade Counties and the Little Lake Butte de Morts bridge in Winnebago County.

Project	Extension of Existing Project	New Project	County	Miles
Ahnapee State Trail (extension from Luxemburg to Kewaunee)	x		Kewaunee	16
Fox River State Trail (extension from Greenleaf to Hilbert)	x		Brown & Calumet	11

Hilbert)				
West Bend to Eden		x	Washington & Fond du Lac	24
New London to Seymour		x	Outagamie	24
Crandon to White Lake		x	Forest & Langlade	33
Little Lake Butte de Morts		x	Winnebago	1

The extension of the Ahnapee State Trail from Luxemburg to Kewaunee, a distance of about 16 miles, is identified in the State Trail Network Plan as segment 27. The Natural Resources Board originally established this trail as a project in August 1970. A trail user can now travel from Sturgeon Bay to Algoma and then on to Casco. The proposed 16-mile extension will provide a link back to Lake Michigan in Kewaunee and an extension west from Casco to Luxemburg. The attached map shows the route of this extremely scenic state trail that attracts many users. Note that easements rather than fee title will be used to acquire public access rights on lands lying east of W. Water Street (2 blocks) in Kewaunee (milepost 18.9 to milepost 35.48) due to evidence of significant contamination.

The extension of the Fox River State Trail from Greenleaf to Hilbert, a distance of about 11 miles, is identified in the State Trail Network Plan as segment 7. The Natural Resources Board established this trail as a project in December 1990. The existing trail from Green Bay to Greenleaf offers spectacular views of the Fox River and then continues south in the shadow of the Niagara Escarpment. The 11-mile extension to Hilbert is an important extension for the trail network for recreational opportunities in the Fox River Valley.

The establishment of the West Bend to Eden State Trail in Fond du Lac and Washington Counties, a distance of about 24 miles, is identified in the State Trail Network plan as segment 61. This trail will provide trail-based recreation opportunities that could include hiking, biking, snowmobiling, and cross-country skiing. Both Washington and Fond du Lac Counties are interested in signing a Memorandum of Agreement with the Department to develop, operate and maintain the trail. The West Bend to Eden Trail would be connected by local units of government to the Ice Age Trail, Kettle Moraine State Forest and local parks. The grade passes through the City of West Bend and the Villages of Kewaskum, Campbellsport and Eden.

The establishment of the New London to Seymour State Trail in Outagamie County, a distance of 24 miles, is identified in the State Trail Network plan as segment 4. This corridor would connect up with the Wiouwash State Trail in New London and run northeast to Seymour. Eventually a link into Green Bay would be ideal for recreationists and for commuters.

The establishment of the Crandon to White Lake State Trail in Forest and Langlade Counties, a distance of about 33 miles, is identified in the State Trail Network plan as segment 56. This corridor runs along the east shore of Lake Metonga at Crandon, then runs south through forested lake areas of the Nicolet National Forest. In Langlade County it follows the Wolf River until it reaches White Lake. It traverses beautiful country with river rapids, woods, and wetlands. Part of the grade runs through Wolf River Fishery area. Both Forest and Langlade Counties have signed resolutions supporting the development of Memorandum of Agreements with the Department to develop, operate and maintain the trail. This trail will provide trail-based recreation opportunities that could include hiking, biking, snowmobiling, and cross-country skiing.

The acquisition of the Little Lake Butte des Morts trestle in Winnebago County is a one mile abandoned bridge over Little Lake Butte des Morts that will provide critical connections to other trails both local and state in the future. Two specific connections that the trestle would provide include the creation of a link to the Wiouwash Trail which is one mile to the west of the trestle and an opportunity to create a connection to the Fox River Trail in Hilbert. A Memorandum of Agreement exists between the DNR, the Town of Menasha and the City of Menasha wherein the Town and the City will be responsible for the development of the trestle and future connecting trail segments. Additionally, the Fox Valley Greenways, a very active friends group, supports the acquisition and the development of this critical connector.

2. List the documents, plans, studies or memos on which this DNR review is based

State Trail Network Plan approved by the Natural Resources Board in January 2001

State Trails Strategic Plan approved by the Natural Resources Board in March 1993.

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### DNR EVALUATION OF PROJECT SIGNIFICANCE

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#### 3. Environmental Effects and Their Significance

- a. Discuss which of the primary and secondary environmental effects listed in the supporting documents are long-term or short-term.
- b. Discuss which of the primary and secondary environmental effects listed in the supporting documents 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).
- c. Discuss the extent to which the primary and secondary environmental effects listed in the supporting documents are reversible.

The extension of 2 existing State Trails and the development of 4 new trails as described above will enhance the quality of the environment. The 100 + foot wide corridors will continue to be managed in a semi natural condition, provide habitat for wildlife, protect existing vegetation to include prairies provide additional miles of recreational trail.

The converted railroad grade would provide a safe trail for bikers, hikers, and other compatible uses as agreed upon during the master planning process. Development would generate revenue for local contractors, and local businesses should realize increased sales due to trail users purchases.

#### 4. 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 expected to be insignificant. The project should have minimal impact on regional land values. The cumulative effect of providing a recreational trail contributes to the commitment of resource protection and management in Forest, Langlade, Outagamie, Kewaunee, Winnebago, Washington, Brown, Calumet, and Fond du Lac Counties.

#### 5. 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?
- 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.

The development of these recreational trails pose no risk to the resource.

There are no known historic or archaeological sites that would be disturbed by this proposal.

Please note that for the extension of the Ahnapee Trail (from Kewaunee to Luxemburg) easements rather than fee title will be used to acquire public access rights on lands lying east of W. Water Street (2 blocks) in Kewaunee (milepost 18.9 to milepost 35.48) due to evidence of significant contamination.

#### 6. 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.

This is not a precedent setting action. The WDNR has acquired numerous abandoned rail corridors in both urban and rural areas, on which we have established 28 state trails totaling more than 1,600 authorized miles. Many of these trails were developed in partnership with local units of government.

The connection to other significant local, state and regional recreational facilities, including an approximately 500-mile trail system in northern Illinois, contributes to the well-established Wisconsin state park and state park trail system.

7. **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.

West Bend to Eden: Public meetings were held in West Bend in Washington County on Sept 29, 1999. We received 40 supporting written comments and 4 opposing. Some of the comments opposing the trail were opposed to specific trail users instead of opposition to the trail concept. Another meeting for the Fond du Lac segment of the trail was held in Eden on September 30, 1999. Meetings were also held with the Washington County Planner and the Fond du Lac County Parks Committee. Both are entirely supportive of the trail and the partnership concept.

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**ALTERNATIVES**

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8. 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: If the Department doesn't purchase these corridors they will revert back to private ownership thereby losing the opportunity to save the corridor in perpetuity.

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**SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES**

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9. 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>
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10.  On-site inspection or past experience with site by evaluator.

Project Name: \_\_\_\_\_ County: \_\_\_\_\_

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

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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

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**NOTICE OF APPEAL RIGHTS**

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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.