

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

Form 1600-1

Rev. 6-2001

Wisconsin Department of Natural Resources
(Department)

Region or Bureau: Southeast Region

Type List Designation: Type II

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., December 10, 2008.

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Applicant: Wisconsin Department of Natural Resources

Address: 2300 N. Dr. Martin Luther King, Jr. Drive, Milwaukee, WI 53212

Title of Proposal: W.C. (Whitey) Kraus Public Access Site

Location: W323 N7453 Reddellen Road County: Waukesha City/Town/Village: Town of Merton

Township 8 North, Range 18 East, NE ¼, SE ¼, Section 17

PROJECT SUMMARY

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

The Wisconsin Department of Natural Resources (Department) has prepared development plans with roadway access on a Department easement for the W.C. (Whitey) Kraus Public Access Site (Department Site) to provide public recreational boating and fishing opportunities on North Lake, Waukesha County. See Attachment 1, *North Lake Boat Launch Project Location Map*.

North Lake is a 437 acre lake located in Waukesha County, Wisconsin. It is the ninth largest lake in Waukesha County and the largest without a public access site.

Department Site developments will include: an asphalt access road, retaining wall, asphalt parking lot, concrete boat ramp, floating boarding dock, stormwater management facilities, portable toilet, dumpster, underground electrical utilities, lighting, landscaping, screening, and signage. See Attachment 14, *Final Project Development Plans*.

Department Stewardship funding is estimated at \$475,000.00 for development costs. Construction is planned to begin in mid 2010. The Department Site is projected to be open to the public in late 2010.

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

The purpose of the Department Site is to provide recreational boaters and anglers an opportunity to launch watercraft and have winter access to North Lake. Development of a public access site on North Lake would allow the Department to provide fish stocking and population management, habitat development, financial assistance for aquatic plant management, lake restoration grants and other natural resource enhancement services.

Expectation for public access to waterways in southeast Wisconsin, particularly in Waukesha County, is very high. In 2008, Waukesha County had the highest number of registered boats of any county in Wisconsin. Waukesha County has the second highest number of residents who have purchased fishing licenses. Conservation groups, anglers, and boaters in southeast Wisconsin have consistently shown strong support for public access and are very supportive of public access to North Lake.

The Department has actively pursued public access to North Lake for more than 25 years. The lands surrounding North Lake are extensively developed. Hellman Point Road and River Road are two platted public road rights-of-way which terminate near the Lake and may provide limited carry-in access but do not provide motor boat access. There are currently no public motor boat access sites on North Lake. Access to North Lake was provided at a privately owned commercial property, located on the eastern shore of North Lake near the mouth of the Oconomowoc River in the Town of Merton, until the early 1980s when a portion of the property was sold and developed as the Evergreen Condominiums. The North Lake Yacht Club provides private access to North Lake Yacht Club members. The privately owned Corey Oil site just west of STH 83 and north of Lake Street, has undeveloped and limited shallow access to the Oconomowoc River upstream of North Lake.

Under the authority of NR 1.90, Wisconsin Administrative Code, it is the goal of the State of Wisconsin to provide, maintain, and improve access to navigable waters of the state. Through this administrative code, the Department works with local units of government, other state and federal agencies, and citizens, to acquire, develop, maintain and improve public access sites.

The Department's Southeast Region Access Team has designated North Lake as a high priority for establishing adequate public access for recreational boating and fishing.

The Department and Waukesha County evaluated potential boat access sites in 2004 and 2005 using the standards of NR 1.91, Wisconsin Administrative Code, and design guidelines from the States Organization for Boating Access (SOBA). Public access standards for a 437 acre lake are a minimum of 16 and a maximum of 31 car-trailer parking spaces which includes Americans with Disabilities Act (ADA) spaces. The Department and Waukesha County determined that the Department Site could provide permanent year-round public access to North Lake. NR 1.91(4)(a), Wisconsin Administrative Code, states that the Department may only provide natural resource enhancement services for a body of water when reasonable public boating access has been provided.

In October 2004, the Department signed an option with Tom and Elaine Kraus to purchase 6.59 acres of property with 233 feet of lake frontage on the west side of North Lake. The Department held a public information meeting on January 11, 2005, to solicit public comments on the proposed acquisition and subsequent development of the Department Site.

The Natural Resources Board approved the purchase on February 22, 2005. The Governor and the Waukesha County Board and County Executive subsequently reviewed and approved the acquisition. The Waukesha County approval included a \$200,000.00 partnership grant for the acquisition. The Wisconsin Conservation Congress, The Wisconsin Wildlife Federation, The Wisconsin Council of Sportfishing Organizations and the Waukesha County Conservation Alliance, representing the interests of 19 different organizations, supported the acquisition of the Department Site. The Department acquired the site in 2005 and commenced with the design and development of the access site. Subsequent litigation involving public use and location of the existing roadway to access the lakeshore parcel delayed the development timeline. The North Lake Management District proposed development of an access site on a parcel on the northeast side of North Lake at the mouth of the Oconomowoc River as an alternative to the Department Site. The Department agreed to review this proposal and assess the feasibility of this alternative. This alternative is described in Section 25 as Alternative 5, the STH 83 Site.

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

Wisconsin Department of Natural Resources:

- NR 103, Wisconsin Administrative Code, Water Quality Standards for Wetland Alternatives Analysis,
- Manual Code 3506.1, Permit and/or Approval Procedure: Chapters 30 and 31, Physical Alterations to Navigable Waters
- NR 216, Wisconsin Administrative Code, Stormwater Discharge

United States Army Corps of Engineers (ACOE):

- ACOE General Permit or Letter of Permission under Sections 401 and 404 of the Clean Water Act

Local Zoning Approvals:

The Department is neither required to obtain local zoning permits and approvals nor is subject to fees associated with any local authorization for projects that have a direct benefit to the general public for recreational purposes. This exemption is based on s.13.48 (13) Wis Stats. and an opinion of the Attorney General (81 Op. Atty. Gen. 56) issued on June 30, 1993.

4. Estimated Cost and Funding Source

The estimated Department Site development costs are \$ 475,000.

Site Preparation \$10,700

Clearing and grubbing, Soil testing, 8 tests @ \$400 ea.

Site Development Activities..... \$ 83,221

Buried electrical extension for a dusk to dawn light at the boat ramp, Fence, Landscaping, Signage, Architectural and Engineering Design, and Department State Facilities Fee

Site Construction \$ 381,079

Concrete launch and interface with boarding dock, Boarding dock, Parking lot for 16 cars with trailers and three cars, Disabled accessible toilet, Toilet enclosure, Entrance road, Retaining wall, Culverts, and Stormwater control devices

Total \$ 475,000

PROPOSED PHYSICAL CHANGES (more fully describe the proposal)

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

Site work will include clearing, grubbing, grading, filling, trenching, and landscaping. Access road construction will remove 1,441 cubic yards of soil and place 949 cubic yards of aggregate base at the site. Parking lot construction will remove 1,976 cubic yards of soil and place 5,680 cubic yards of granular fill at the site. Two hundred cubic yards of existing soils will be excavated for the parking lot stormwater biofilter.

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

Access road and parking lot development will impact 0.16 acre of wetland.

Approximately 78 cubic yards of gravel and sand substrate will be removed from North Lake for launch ramp construction.

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

There are no buildings at the access site. The existing ramp structure will be removed. Developments are described below and in Attachment 14, *Final Project Development Plans*.

Signage: A sign identifying the W.C. (Whitey) Kraus Public Access Site will be installed at the entrance along Reddelien Road. Other traffic, directional, and informational signs will be installed at the site.

Access road: The existing 18 foot wide and approximately 1,400 foot long gravel access road will be reconstructed as a 24 foot wide asphalt access road, which is the minimum width to accommodate two-way traffic safely, and will include one foot wide gravel shoulders with three to one side slopes. Two existing culverts will be removed. Seven new culverts and a series of storm sewer in-line treatment devices will be constructed. A two to four foot high, 483 foot long retaining wall will be constructed along the west side of the access road.

Parking lot: A new 100 foot by 279 foot asphalt parking lot with capacity for 15 car-trailer parking spaces, one Americans with Disabilities Act (ADA) car-trailer parking space, one ADA car only parking space, one car only parking space, and one official car only parking space will be constructed. The parking lot will have a one percent slope and drain to a stormwater biofilter which drains to North Lake.

Boat launch ramp and boarding dock interface: A new 12 foot wide by 42 foot long concrete boat launch ramp and boarding dock interface will be constructed. The ramp will extend from the shoreline to a 3 to 4 foot water depth. Riprap scour protection will be installed at the end of the ramp. A six foot wide by 35 foot long floating boarding dock will be installed.

Other facilities: A vegetative shoreline buffer will be established. A 10 foot by 20 foot asphalt pad for a dumpster and ADA portable toilet with an enclosure will be constructed. Buried electrical utilities and a 10 to 12 foot high light fixture for the boat launch, portable toilet, and ADA parking space will be installed. An eight foot tall wooden privacy fence will be constructed.

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

Construction activity will generate temporary construction traffic, noise, dust, construction equipment engine air emissions, and stormwater runoff.

Temporary stormwater erosion controls will be installed prior to construction to minimize sediment discharge from the construction area.

Seventy-two cubic yards of sand and gravel substrate removed for launch ramp installation will be transported and deposited in an approved location.

Stormwater facilities will maintain existing drainage patterns in the area and control suspended solids. See Attachment 15, *Stormwater Analysis Report*.

9. Other Changes

There will be vegetative clearing and trimming for access road and parking lot construction.

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

Attachment 1 - North Lake Boat Launch Project Location Map

Attachment 2 - North Lake Parking Lot and Boat Launch

Attachment 3 - North Lake Boat Launch Site Features Display

Attachment 4 - North Lake Boat Launch and Access Road Alternatives

Attachment 5 - North Lake Boat Launch Stormwater Treatment Display

Attachment 6 - County map showing the general area of the project

Attachment 7 - Topographic map

Attachment 8 - Lake map

Attachment 9 - July 15, 2008, Wisconsin Rapid Assessment Methodology for Evaluating Wetland
Functional Values

Attachment 10 - October 14, 2008, Southeastern Wisconsin Regional Planning Commission Preliminary
Vegetation Survey

Attachment 11 - Summary of October 23, 2008, Public Informational Meeting Comments

Attachment 12 - Southeastern Wisconsin Regional Planning Commission, Summary of Report No. 189, Proposed
North Lake Boat Launch Site Wetland Delineation

Attachment 13 - Response to Public Comments

Attachment 14 - Final Project Development Plans

Attachment 15 - Stormwater Analysis Report

Attachment 16 - STH 83 Site Plans

Attachment 17 - Department Site Floodplain Map

Attachment 18 - STH 83 Site Floodplain Map

Attachment 19 – Department August 17, 2009, Letter

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

Information Based On (check all that apply):

Literature/correspondence (specify major sources)

Addressed in item 26

Personal Contacts (listed in item 26)

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

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

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

The Oconomowoc River flows south into North Lake at the northeast corner of the lake. Other lakes connected to the Oconomowoc River upstream of North Lake include Friess Lake, Little Friess Lake, Loew Lake, and the Monches Impoundment. The Little Oconomowoc River flows into the Oconomowoc River near the inlet to North Lake. Mason Creek drains into the northwest corner of the lake. The outlet stream from Cornell Lake drains into the south end of the lake. North Lake flows to the west and south, via the Oconomowoc River, into Okauchee Lake, then through Oconomowoc Lake, Fowler Lake, and Lac La Belle before flowing into the Rock River in eastern Jefferson County. See Attachment 8, *Lake Map*.

The 6.59 acre Department Site is predominantly mowed turf grass, upland woods, and forested wetlands. The topography varies from a steep slope west of the access road to almost level with a slight slope to the lake. A wooded wetland and drainage swale that discharge to North Lake are located along the northern edge of the proposed parking lot and launch ramp. See Attachment 7, *Topographic Map*.

A variety of soil types surround North Lake. Silt loam and muck sediments are predominant on the immediate shoreline and are present in soil borings collected at the Department Site. Fill was placed in some locations along the northwest shore of the lake during residential development. The lake bottom adjacent to the site is sand and gravel.

North Lake is classified as a drainage lake. The lake has a maximum depth of 78 feet, a mean depth of 37 feet, and a total shoreline of 5.1 miles. Fourteen percent of the lake is less than three feet deep, while 51 percent of the

lake is over 40 feet deep. The water surface elevation at North Lake on April 14, 1994, was 896.5 feet National Geodetic Vertical Datum 29. The Ordinary High Water Mark elevation at the Department Site is 897.76 feet mean sea level. The water is clear and the bottom is primarily sand and gravel with smaller scattered marl beds. Pockets of organic silt can be found near the Oconomowoc River inlet.

The Department Site is located in a primary environmental corridor designated by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Approximately 1.0 acre of the Department Site development will be within the 100-year floodplain. None of the Department Site is in the floodway.

A shallow rock and gravel bar exists between the east and west lobes of the lake. The shallow area is marked with a buoy and requires boater operational care when navigating between the two lobes.

Sand bars are present and extend into North Lake both north and south of the proposed launch ramp site.

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

North Lake is moderately productive with clear water, low dissolved oxygen in deep water during the summer, and moderate nutrient levels. Aquatic plants include: coontail, water celery, clasping leaf pondweed, chara (a macroscopic algae), sago pondweed, Eurasian water milfoil, water crowfoot, floating leaf pondweed, elodea, wigeon grass, flat stem pondweed, spatterdock, white water lily, and white stem pondweed. Blooms of blue green algae have occurred at the Oconomowoc River inlet area for the past four years. Eurasian water milfoil and zebra mussel invasive species are present in North Lake.

The Wisconsin Fish Distribution Survey indicates that the North Lake fish population is very diverse, with 27 fish species recorded. Gamefish species include walleye, muskellunge, northern pike, and largemouth and smallmouth bass. Forage fish include several species of darters, minnows and shiners. Of particular interest is the presence of lake chubsucker, a state Special Concern species. Special Concern species are those with some suspected but not proven problem of abundance or distribution. The main purpose of this category is to focus attention on certain species before they become threatened or endangered. Walleyes and northern pike use the Oconomowoc River, both upstream and downstream of North Lake and its adjacent wetlands, for spawning and rearing habitat. Lake chubsuckers prefer the weedy or marshy fringe of lakes and streams. Minnows and sunfish use shallow, weedy areas for feeding, rearing of young, and shelter. These habitat types are present in the Oconomowoc River inlet to North Lake.

North Lake and its surrounding uplands and wetlands support a variety of wildlife species. Common mammals using the lake include muskrats, mink, raccoons, white-tailed deer, little brown bats and occasionally river otters. Other mammals on the surrounding uplands include red, gray and fox squirrels, cottontail rabbits, red and gray fox,

coyotes, skunks, opossums, woodchucks, eastern chipmunks, thirteen-lined ground squirrels, and various species of shrews, moles, mice, voles and weasels.

Common birds on the lake are Canada geese, mallards, wood ducks, blue-winged teal, American coots, belted kingfishers, herring gulls, ring-bill gull, common egrets, great blue herons, and various species of swallows, shorebirds, and songbirds. Other waterfowl which use the lake as a spring or fall migratory stop-over include widgeon, green-winged teal, northern pintail, gadwall, northern shoveler, bufflehead, common goldeneye, ring-necked duck, hooded merganser, lesser scaup and other duck species. Birds found on the surrounding wetlands and uplands include American bitterns, sandhill cranes, woodcock, owls (great horned, screech and barred), hawks (red-tailed, Coopers, sharp-shinned and American kestrel), wild turkeys and a large variety of songbirds. Bird feeders are common at residences around the shoreline, attracting cardinals, gold finches, nuthatches, chickadees, blue jays, mourning doves, downy woodpeckers, and other species.

Common reptiles and amphibians around the lake include painted and snapping turtles, eastern garter snakes, fox snakes, milk snakes, common garter snakes, brown snakes, northern redbelly and northern water snakes, American toads, spring peepers, gray tree frogs, leopard frogs, wood frogs, green frogs, and chorus frogs. Other reptile and amphibian species are likely to be present.

No state or federal threatened or endangered species or state species of special concern have been observed at the Department Site. The Department reviewed the Natural Heritage Inventory (NHI) files for the project area. Species recorded within five miles of the project area, and with suitable habitat in some of the project area wetlands, include lake chubsucker (*Erimyzon sucetta*), least darter (*Etheostoma microperca*), pale green orchid (*Platanthera flava*), Hooker's orchid (*P. hookeri*), and forked aster (*Aster furcatus*). Butler's gartersnake (*Thamnophis butleri*), a state threatened species, was recorded within five miles; however, the Department Site is outside the currently established range for the species. No nearby records are listed for Blanding's turtle (*Emydoidea blandingii*), a state threatened species, but the wetland is within the range of and includes suitable habitat for this species.

The 2005 Wisconsin Wetland Inventory maps indicate that forested, emergent wet meadow, and scrub-shrub wetlands are present around the northern, southern, and western shoreline of North Lake.

Department and SEWRPC staff identified and delineated wetlands at the Department Site on July 8 and October 14, 2008. The wetland boundaries were surveyed to a geodetic reference marker. SEWRPC Report No. 189 *Proposed North Lake Boat Launch Site Wetland Delineation* is provided in Attachment 12.

Department Site wetlands are part of a 12 acre depressional wetland complex in the northwest corner of the North Lake basin. The entire complex is part of a primary environmental corridor. The wetland complex has also been identified in an Advanced Identification process which includes mapped wetlands that occur within the boundary of the primary environmental corridor.

The Department Site wetland complex is isolated from the lake by a strip of lake-ridge upland, except for a stream channel at the northeast side of the property. The wetland discharges to the lake through this channel during high water levels in spring and after heavy rains. The wetland complex covers about 12 percent of the land area that drains to it and provides high functional value for water quality, flood storage and stormwater attenuation.

Soil types in the wetland interior are deep organic mucks formed from herbaceous vegetation with some standing water until mid-summer in most years. Below the organic material is a relatively impermeable layer of marl. Soil at the wetland boundary on the east side of the wetland complex is fill material or depositional topsoil over the organic layer.

Past disturbance to the wetland includes excavation in the stream channel, addition of gravel fill for an access road and lakeside development, sediment deposits from runoff on adjacent land, dredging and discharge of spoil material.

The current wetland plant communities include shallow marsh, shrub-carr and lowland hardwoods and are surrounded by southern mesic hardwoods and residential development. Based on a preliminary vegetation survey, the wetland floristic quality is mid-range with a Floristic Quality Index of 20.5. The wetland complex is dominated by invasive plant species. See Attachment 12, *Southeastern Wisconsin Regional Planning Commission, Report No. 189, Proposed North Lake Boat Launch Site Wetland Delineation* for a list of plants.

Wildlife habitat quality is mid-range based on wetland size, structure, quality and level of disturbance using standard wildlife habitat criteria developed by the Department and SEWRPC.

13. Cultural

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

The Department Site is zoned residential. The Town of Merton has established A-1 Agricultural, C-1 Conservancy, and R-3 Residential zoning categories for the area near the Department Site.

The 100-year floodplain at the Department Site and surrounding area is shown in Attachment 17.

Most land around North Lake is privately owned. There are 238 property owners on North Lake. The shoreline is predominantly developed with private residences served by private water supply wells and septic systems or holding tanks. Riparian property owners typically have one or more watercraft for recreational use. The private ownership and extent of development around the lake limits the availability of properties for a public access site.

Adjacent private residences are located north and south of the Department Site. The Sunset View Subdivision is south of the Department Site. The Reddelien Road Property Owners Association represents residents within the subdivision.

There are three residences along Reddelien Road between West Shore Drive and the entrance to the Department Site boat launch. The access road off Reddelien Road that provides access to the proposed parking lot and boat ramp is approximately 1,400 feet long. The access road passes through mature woods which provide a substantial visual barrier to adjacent properties.

In 2004, the average daily traffic was 3,494 vehicles per day on CTH K near West Shore Road. The speed limit is 25 miles per hour on CTH K near West Shore Road.

The Town of Merton regulates speed limits and parking along Reddelien Road which accommodates two-way traffic.

The sandbars located adjacent to the proposed boat ramp and between the lake's two lobes have been used as staging areas for youth sailing classes and for other recreational activities.

The Department Site will provide access for winter recreation including ice fishing on North Lake.

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

According to U.S. Census data for 2006, Waukesha County has a population of 380,985. From 2000 to 2006, the County's population increased by 20,218 which represents a 5.6% growth rate. Waukesha County has the third highest county population in the state.

North Lake lies within the Town of Merton and the Village of Chenequa, which have a combined 2006 population of 8,964. The incorporated municipalities of the City of Oconomowoc, the City of Delafield, and the Village of Hartland are all within five miles of North Lake. These three municipalities have a combined 2006 population of 29,214. Waukesha, the largest city in Waukesha County, with a population of 67,750, is approximately eight miles from North Lake.

Public expectation for access to waterways in southeast Wisconsin, particularly in Waukesha County, is very high. In 2008, Waukesha County had the highest number of registered boats of any county in Wisconsin. Waukesha County has the second highest number of resident fishing licenses. Conservation groups, anglers, and boaters in southeast Wisconsin have consistently shown strong support for public access and are very supportive of public access to North Lake.

The Waukesha County Board showed support for the proposed North Lake access site by approving a \$200,000 contribution towards the acquisition of the Department Site in May 2005. The Waukesha County Conservation Alliance showed significant support at County Board and committee meetings.

c. Archaeological/Historical

The State Historic Preservation Officer has determined that the Department Site does not have historic or archaeological significance.

The Department provided notice of the proposed development to the Prairie Band Potawatomi Nation and the Wyandotte Nation pursuant to Section 106 of the National Historic Preservation Act. The Wyandotte Nation replied that there are no known traditional cultural properties in the project area. The Prairie Band Potawatomi Nation did not respond.

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

None

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

15. Physical

The Department Site will provide recreational boaters and anglers an opportunity to launch watercraft on and have winter access to North Lake.

The site's appearance will be modified by site clearing, grubbing, removal of some mature trees, and site development. The development will preserve the majority of the mature trees and shrubs along the access road.

Access road and parking lot construction will impact 0.16 acre of wetland.

The amount of impervious surface area will increase. The existing gravel access road would be replaced by an asphalt paved roadway that is more durable and requires less maintenance. A portion of the grass vegetation at the lakeshore will be replaced by an asphalt parking area. Pervious pavement, such as articulated concrete, is generally unsuitable for the access road or parking lot development because snow plowing would dislodge pavers and applying sand would clog infiltration pores providing limited water quality benefit and higher maintenance.

The Department Site access road and parking lot development are designed to maintain existing stormwater

surface flow patterns. See Attachment 14, *Final Project Development Plans*. The access road and parking lot will not change floodplain elevations or storage capacity.

The north-south segment of the access roadway will be reconstructed with four cross culverts to maintain existing west to east drainage. The east-west segment of the access roadway will be constructed at the same elevation as the existing access road allowing flood waters to overtop the road as currently occurs and three cross-culverts will be installed to maintain the hydraulic connection between the wetlands that are north and south of the roadway.

The parking lot will slope slightly to the north into a designed drainage swale that discharges to North Lake. In addition, a new drain tile system will be constructed along the south perimeter of the parking lot to maintain existing drainage patterns and convey the drainage east to North Lake.

A concrete launch ramp will be placed on 0.01 acre of the lakebed.

Temporary construction impacts will include: construction traffic, noise, stormwater runoff and erosion, dust emissions, and construction equipment air emissions. Stormwater management and construction erosion control plans will minimize these impacts.

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

Department Site access road, parking lot, and boat launch ramp development will decrease locally available wildlife habitat including potential turtle nesting habitat near the boat launch ramp.

Wildlife and fish may disperse during construction activities and relocate into adjacent habitat areas.

Largemouth bass and bluegill are not likely to use the project area for feeding or cover because rooted aquatic plants are not present. They may continue to nest in the project area or relocate to other similar habitat that is widely available in the lake.

Invasive species are present in many inland lakes in Wisconsin. Eurasian Milfoil and zebra mussel invasive species are present in North Lake. Riparian and transient boating and recreation activities may transfer invasive species between waterways.

17. Cultural

a. Land Use (include indirect and secondary impacts)

Department Site activity and secondary noise impacts will be limited to boat launching and retrieval, associated vehicle parking, and site maintenance during hours of operation. The site will provide access for winter recreation

on North Lake, including ice fishing. Motorized vehicle access to the lake in winter will not be allowed from the site. Picnicking, swimming, camping, and hunting will not be allowed at the site. The local municipality has the authority to pass local ordinances to regulate noise, parking on local streets, and boating activities.

The Department will determine the hours of operation, post operation information at the site and control site access. Department public access sites are typically open 24 hours a day. While some sites have limited hours, NR 1.91(4)(d)6., Wis. Adm. Code, states that any boat launched during operating hours must be allowed egress from the water at any time.

Department staff will inspect, manage, and maintain the Department Site. As a steward of public property the Department will address site-specific issues. A trash receptacle at the site will have weekly pickups through contract. A year-round, portable restroom facility in an enclosure will be provided and maintained by a contractor throughout the year.

The Department Site access road will safely accommodate two-way car-trailer traffic. An entrance sign will be placed along Reddelien Road at the site entrance. A 10 mile per hour speed limit sign and other traffic control and informational signs may be placed along the access road and parking lot. Boundary signs may be placed to mark the property limits. A stop sign will be placed at the site exit to Reddelien Road.

The Department will post signs stating that parking is allowed only in designated parking areas and that vehicles parked in undesignated areas are subject to a citation or towing.

New car-trailer traffic will use area roads, including Reddelien Road near the Department Site. Secondary traffic impacts on Reddelein Road are not expected to be significant because of the relatively modest, 16 car-trailer and three car only parking stalls available at the launch site. Launching activity and boat traffic will be higher on peak summer holidays and weekends.

Local boating ordinances and informational signs will be placed at the launch site.

A dusk to dawn lighting fixture will be installed near the restroom enclosure and boat ramp to support the launching and retrieval of boats. The downcast lampshade on the dusk to dawn light fixture will control lighting near the boat launch and limit visual impact to neighbors and lake users.

The Department will discuss the final project development plans with the Waukesha County Planning, Conservation and Parks Department, the Town of Merton, and the North Lake Management District.

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

Public recreational boaters and anglers will directly benefit from access to North Lake.

Local businesses may directly and indirectly benefit from increased recreational activity and tourism. The Department Site is not expected to affect local property values.

Based on the Department's experience with other public access sites in Waukesha County, the types of boats using public boat ramps include: gasoline-powered speed boats, fishing boats, canoes, kayaks, sailboats, and personal watercraft such as jet skis. These watercraft types are currently operated on North Lake. There are 238 property owners on North Lake. Riparian property owners typically own one or more watercraft for recreational use. This is based on observations at other access sites and experience in operating water-based recreation facilities. The Department Site is being developed to meet minimum standards for public boating access as identified in NR 1.91 Wisconsin Administrative Code. The relatively modest number of 16 car-trailer parking spaces and three car only spaces proposed for the Department Site is a minimal increase in boat traffic on North Lake.

There should be no significant impact on watercraft operations and safety on the lake. Most impacts occur on summer weekends and holidays. All transient and riparian boaters are required to know and comply with state and local boating regulations.

State regulations require personal watercraft to travel at slow-no-wake speed within 200 feet of the shoreline of any lake, and at slow-no-wake speed within 100 feet of another watercraft.

State boating law applies to all inland lakes in Wisconsin. Local municipalities have the authority to pass ordinances more restrictive than state law. Chapter 30.77, Wisconsin Statutes, allows local municipalities to enact local regulations relative to boating in the interest of public health, safety or welfare, including the public's interest in preserving the state's natural resources. Typical local regulations address water-skiing, shoreland zone protection, slow-no-wake hours and areas, and speed limits. Several municipalities in southeast Wisconsin have passed ordinances prohibiting the use of cars, trucks, all terrain vehicles, and snowmobiles on ice covered lakes. Local boating ordinances will be posted at the site.

Local restrictions currently in place on North Lake include:

- Require boats to travel at slow-no-wake speed within 100 feet of a dock, raft, pier or swimmer
- Set a maximum speed limit of 35 miles/hour for all boats
- Set slow-no-wake speed from one hour after sunset until one hour before sunrise the next day
- Require boats towing people skiing or tubing to operate in a counter clockwise direction
- The Village of Chenequa and Town of Merton require slow-no-wake during high water conditions

Department Conservation Wardens patrol North Lake. The Town of Merton and the Village of Chenequa operate Water Safety Patrols on North Lake. The majority of boating violations are lack of proper number or type of personal flotation devices in the watercraft, improper nighttime lighting, and waterskiing without an observer. The North Lake Management District indicates that speeding is not a current problem on North Lake.

Development of a public access site on North Lake would allow the Department to provide fish stocking and population management, habitat development, financial assistance for aquatic plant management, lake restoration grants and other natural resource enhancement services.

c. Archaeological/Historical

None

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

None

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

- The number of mature trees and shrubs will be reduced.
- The site appearance will change.
- A dusk to dawn light fixture will be installed at the boat ramp.
- The access road and parking lot will impact 0.16 acre of wetland.
- The boat launch will impact 0.01 acre of lakebed.
- Wildlife and aquatic habitat will change.
- Access road, parking lot, and boat ramp development will decrease locally available wildlife habitat.
- Wildlife may temporarily relocate during construction.
- The asphalt access road and parking lot will increase impervious surface area in an environmental corridor.

- Temporary construction impacts include construction noise, fugitive dust, erosion, and construction equipment exhaust.
- Traffic on Reddelien Road between West Shore Drive and the Department Site access road will increase.
- There will be boat launching and retrieval, and vehicle parking noise and activities at the site.
- Boat traffic and angling activity will increase on North Lake

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 Department Site is located in an area that is conducive for ice fishing and will provide permanent year-round public access for recreational boaters and anglers.

Clearing trees and shrubs; constructing new roadway, retaining wall, parking lot, boat ramp, lighting, and stormwater management facilities; and installing new landscaping will create a new permanent site appearance.

The roadway and parking lot developments will permanently fill 0.16 acre of wetland. The impacts are not expected to cause a measureable decrease in the wetland's flood storage capacity or water quality function due to the size of the remaining wetland relative to the size of its 12 acre drainage area.

Wildlife and fish may be temporarily displaced during construction. There will be a permanent decrease in locally available habitat.

Boat launching and retrieval and associated vehicle traffic and parking activity will be permanent. The 16 car-trailer and three car only parking spaces, including ADA spaces, will result in minimal permanent increases in car-trailer traffic, watercraft traffic, boat wakes, and shoreline erosion. Secondary noise and traffic impacts may peak during summer weekends and holidays.

The access road and parking lot development are designed to permanently control suspended solids to protect water quality and to maintain stormwater surface flow drainage patterns.

Eurasian Milfoil and zebra mussel invasive species are present in North Lake. Riparian and transient boating and recreation activities may transfer invasive species between waterways.

Development of a public access site on North Lake allows the Department to provide fish stocking and population management, habitat development, financial assistance for aquatic plant management, lake restoration grants and other natural resource enhancement services.

The Department Site will provide long-term recreational opportunities and economic benefits to local businesses.

Temporary construction impacts include construction noise, fugitive dust, erosion, and construction equipment exhaust.

- 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).

The access road and parking lot will impact 0.16 acre of wetland within a 12 acre depressional wetland complex.

The boat launch ramp will impact 0.01 acre of lakebed in a 437 acre lake.

The wetland and lakebed impacts are not expected to affect the presence or abundance of any wildlife species or fish communities because other suitable habitat is widely available.

In-water construction of the boat launch ramp will be scheduled to avoid work during fish spawning. Measures such as exclusion fencing and collection and relocation will be implemented to minimize impacts to area wildlife including turtles and other native species.

The project will not impact floodplain elevation or flood storage capacity.

The installation and use of the boat ramp will have a minimal impact on the lakebed.

The project development will not reduce the area of the SEWRPC designated primary environmental corridor.

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

The Department Site will provide permanent year-round public access for recreational boaters and anglers. Changes in the Access Site's appearance and the increases in human activity related to roadway traffic, boat launching and retrieval, and vehicle parking will be permanent.

Temporary construction impacts include: construction traffic, noise, construction site erosion control, dust emissions, and construction equipment air emissions. In-water construction can be scheduled to avoid work during fish spawning. Wildlife and fish that may be temporarily displaced during construction will return.

The relatively modest number of parking spaces at the site, use of slow-no-wake boundaries, and efforts of water safety patrol enforcement should result in minimal permanent changes in watercraft operations, fish habitat, and shoreline impacts to North Lake.

Fish spawning habitat will not be significantly affected. Largemouth bass and bluegill may continue to nest in the project area or relocate to similar habitat that is widely available in the 437 acre lake. Other fish species using the area are not limited by available habitat in North Lake.

21. 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 Department Site will provide the first permanent public motor boat access to North Lake, the ninth largest lake in Waukesha County and the largest without a public access site.

The Department Site's appearance and level of activity related to roadway traffic, boat launching and retrieval, and vehicle parking are consistent with the Department's public boat launches on Moose, Okauchee, Genesee and other lakes. The 16 car-trailer and three car only parking spaces will result in minimal permanent increases in watercraft traffic, boat wakes, and shoreline erosion. Public access will allow the Department to provide fish population management and stocking, habitat development, financial assistance for aquatic plant management, lake restoration grants, and other services to North Lake.

Total roadway and parking lot direct wetland impacts are 0.16 acre. The wetland reduction is not expected to cause a measureable decrease in the wetland's flood storage capacity, water quality function, or other functional values due to the size of the remaining wetland relative to the size of the area that drains to it.

Development of the Department Site will have temporary construction impacts that will be minimized through construction staging and construction site erosion control management practices.

The access site development will not have a significant adverse impact on wildlife, fish, water quality, or North Lake habitat.

The acquisition and development of additional public access sites throughout southeast Wisconsin will address the growing public expectation for greater recreational access to public waters. This may help moderate the intensive use of other public access sites in the area.

22. Significance of Risk

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

None

- 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.

Emergencies, fires, and spills at the Department Site can be reported by calling 911. Department Conservation Wardens, Waukesha County Sheriff's Department, and Stone Bank, North Lake, and Chenequa Fire Department-Emergency Medical Service can provide emergency response services.

Incidental petroleum spills at such sites are typically less than five gallons and are not expected to be significant environmental issues.

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 that provide for the protection of the environment. Explain the significance of each.

The development of the Department Site will provide recreational boaters and anglers with permanent year-round access to North Lake and allow the Department to provide resource enhancement services.

Development of the Department Site as a year-round, public motor boat access facility may influence other proposals to establish additional public access facilities on North Lake.

Development of the Department Site will not set a precedent.

24. 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.

Development of the Department Site will meet a longstanding public expectation for public access to North Lake. Some people commented that the Department Site was acquired in 2005, is still not developed, and should be in operation and open to the public as soon as possible.

Some residents do not support the Department's goal of providing public access, the project scope and location, the wetland and waterway impacts, and the use of public funding for site development.

Local concerns include changes in site appearance, public activity, increased traffic and launch site use, project costs, public benefits, and the issues discussed in Sections 15 through 19. These are commonly cited local concerns when siting and developing boat launch facilities and are locally controversial at any proposed access site.

The North Lake Management District proposed a Two-Site project with the Department Site developed as a carry-

in only site for canoes and kayaks and winter access with motor boat access developed at the former Kuchler property now referred to as the STH 83 Site, on the eastern shore of North Lake near the mouth of the Oconomowoc River in the Town of Merton. Others have suggested alternatives ranging from do nothing to building two motor boat launch sites. These alternatives are presented in Section 25.

The accuracy of the wetland boundary in the Department Site parking lot area was questioned. The Department responded to public comments and consulted with Southeastern Wisconsin Regional Planning Commission to re-evaluate and confirm the accuracy of the wetland delineation.

Some residents expressed concern that changes in stormwater drainage patterns could result in flood damage to residential properties and septic systems. Stormwater facilities at the Department Site have been designed to maintain existing stormwater surface flow patterns. Low lying areas that currently experience ponded water and poorly functioning septic systems during prolonged precipitation events will likely continue to experience similar conditions in the future.

Access site development may result in some economic benefit to North Lake and Waukesha County businesses.

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.)

The Department and Waukesha County evaluated potential North Lake boat launch sites in 2004 and 2005 using the standards of Section NR 1.91, Wisconsin Administrative Code and design guidelines from the States Organization for Boating Access. The Department and Waukesha County determined that the Department Site could provide permanent and year-round public access to North Lake. The Department acquired the Department Site in 2005.

The Department's alternative analysis is provided below.

ALTERNATIVE 1 - DO NOTHING

The Do Nothing alternative was removed from consideration because it does not accomplish the goals of NR 1.90, Wisconsin Administrative Code, Public access policy for waterways to provide boaters and anglers an opportunity to launch watercraft and access water bodies for recreational purposes. No action would perpetuate over 25 years of no public access to North Lake. Lack of public access limits Department fish stocking, habitat restoration, and other management services to North Lake.

ALTERNATIVE 2 – PLATTED ACCESS

A platted access is a right-of-way that provides public access to a waterway. Public roads are often used to provide a platted access. Hellman Point Road and River Road are platted public road rights-of-way which terminate near North Lake. These alternatives were removed from consideration because they may provide only limited carry-in access, are too small for car-trailer access, severely limit parking availability and can not be modified to provide motor boat access.

ALTERNATIVE 3 – THE NORTH LAKE YACHT CLUB

The North Lake Yacht Club currently provides private access to North Lake Yacht Club members. The Department originally pursued the acquisition of this property for public access in 1989. After several initial negotiation meetings, the North Lake Yacht Club decided not to sell the property to the Department. The Department again pursued the use of this parcel for public access to North Lake in 2005. After several meetings and a site investigation of the Yacht Club parcel, it was determined that the site could not support both the North Lake Yacht Club's planned facility development and an adequate public access facility. The North Lake Yacht Club has since developed support facilities for the yacht club utilizing most of the parcel leaving an inadequate area available for any access site development. This alternative was removed from consideration.

ALTERNATIVE 4 – THE COREY OIL SITE

The privately owned Corey Oil site just west of STH 83 and north of Lake Street, has undeveloped, and limited shallow access to the Oconomowoc River upstream of North Lake. This alternative was removed from consideration because of the limited water depth of less than one foot at the site, floodway conditions, and the impracticability of dredging and maintaining a four foot deep and 700 foot long navigational channel to North Lake.

ALTERNATIVE 5 – THE STH 83 SITE

The STH 83 Site is a 2.83 acre parcel owned by the North Lake Development Group, LLP, on the eastern shore of North Lake near the mouth of the Oconomowoc River in the Town of Merton. See Attachment 16, *STH 83 Site Plans*. The STH 83 Site is a remnant of a larger privately owned commercial property that provided access to North Lake until the early 1980s when the property was sold for the Evergreen Condominium development.

The STH 83 Site is within a SEWRPC designated environmental corridor and has more than 1,000 feet of Oconomowoc River and North Lake frontage. Approximately 2.20 acres of the site is located within the floodplain of which 2.10 acres is within the floodway. An estimated 0.63 acre of the site is upland. The 100-year floodplain at the STH 83 Site and surrounding area is shown in Attachment 18, *STH 83 Site Floodplain Map*. The floodplain land adjacent to the river experiences occasional flooding. The floodplain includes the floodway, which consists of the river channel and adjacent areas carrying flood flows, and the flood fringe, which are flooded areas that do not experience a strong current. The STH 83 Site is close to STH 83, residential properties, mixed use development, and local businesses.

The Department and Waukesha County evaluated the STH 83 Site in 2004 and 2005. The Department determined that Oconomowoc River currents inhibit ice formation near the STH 83 Site preventing ice fishing access. Oconomowoc River floodway currents could impact site facilities. Approximately 1,900 cubic yards or more of lakebed material would need to be dredged to create a navigation channel for the STH 83 launch. Periodic maintenance dredging would be required. Local wind patterns and river currents make boat launch and retrieval more difficult near the mouth of the Oconomowoc River compared to other parts of North Lake. Wetlands and springs present at the STH 83 Site limit development design options. The Department made an overall determination that the STH 83 Site would not provide adequate year-round public access, and would have high wetland and waterway impacts relative to the public benefits. The Department ultimately purchased the Department Site in 2005.

On August 11, 2009, The North Lake Management District submitted an application to the USACOE to dredge and or fill materials in North Lake, the Oconomowoc River, and adjacent wetlands to construct a boat launch facility at the STH 83 Site. The application proposes a 12 foot by 42 foot concrete landing ramp, a 24 foot wide access drive, two turn-arounds, 16 car-trailer parking spaces including one handicapped space, 15 lineal feet of riprap, public restroom facilities, a 45 foot by 24 foot bridge over an existing spring head, native landscaping, landscape screening, a six foot by 40 foot pier, the hydraulic dredging of a navigation channel, and the discharge of carriage water from the upland dredged materials disposal site.

The application indicates that the STH 83 Site landing ramp will impact 0.01 acre of lakebed. The access road and parking lot will impact 0.24 acre of wetland. Total STH 83 Site impacts 0.25 acre of wetland and waterway.

The North Lake Management District has proposed dredging approximately 8,000 cubic yards or more of lakebed sediment to create a 50 foot wide by 466 foot long with a minimum 4 foot deep navigation channel. The North Lake Management District's proposal does not identify stormwater management practices. An estimated 270 feet of the access road and bridge, approximately 0.8 acre, would be located in the floodway of the Oconomowoc River. Periodic inundation of the STH 83 Site and flood flow currents over the access road would adversely impact availability and use. Post flooding inspection for flood flow damage would be required and maintenance may be needed.

The North Lake Management District has identified real estate acquisition costs of \$340,000. Development costs range from \$665,782 to \$696,744 which includes dredging and dredge disposal (Cost figures were obtained from previous grant applications submitted to the Department). Environmental impacts, schedules, and costs are summarized in the comparison table below.

The relatively modest 16 car-trailers and three cars using the launch facilities on peak summer holidays and weekends should have minimal impact on STH 83 traffic operations. Town of Merton access agreements or easement would be needed for establishing parking spaces on Lake Street. Local fire and rescue services are

available.

Local businesses near the STH 83 Site providing services to boaters and anglers may benefit from boat launch development and activity.

ALTERNATIVE 6 - DEPARTMENT SITE

The Department Site, described in Sections 1 through 24, is at W323 N7453 Reddelien Road on the western shore of North Lake in the Town of Merton. The Department and Waukesha County jointly evaluated several prospective public access sites in 2004 and 2005 and determined that the Department Site is consistent with the standards of NR 1.91, Wisconsin Administrative Code, Public access policy for waterways and design guidelines from the States Organization for Boating Access (SOBA). The Natural Resources Board and the Governor approved the purchase of the Department Site and the Department bought the property in 2005.

The Department Site will provide year-round access to North Lake. The access road on the Department's easement, including side slopes, and parking lot will impact 0.16 acre of wetland. The Department Site has no development in a floodway. The Department Site boat launch ramp will impact 0.01 acre of lakebed. Total Department Site wetland/waterway impact is 0.17 acre. Stormwater management facilities are included in the project design.

Acquisition costs of \$1,125,000 and design costs of \$62,245 have already been expended. Department funds have been allocated for the estimated \$475,000 development costs.

The Department has addressed real estate easements, considered public comments on Department Site Preliminary Development Plans, refined project design information, and evaluated six Department Site access road alternatives, 6A through 6F, from 2005 to the present.

ALTERNATIVE 6A – ACCESS ON THE EXISTING ROAD

This alternative would reconstruct the existing 18 foot wide gravel access road on its existing alignment as a 24 foot wide asphalt roadway. Access road and parking lot construction would require 0.091 acre of wetland fill. This alternative, illustrated in pink on the *North Lake Boat Launch Access Road Alternatives attachment*, includes a small area owned by the adjacent private property owner. The Department has no rights to use this private property area. This alternative was removed from consideration.

ALTERNATIVE 6B – ACCESS ON THE DEPARTMENT EASEMENT AREA

This alternative would reconstruct the existing 18 foot wide gravel access road as a 24 foot wide asphalt roadway entirely within the Department's easement and would fill 0.16 acre of wetland for road and parking area construction. This alternative, illustrated in green on the *North Lake Boat Launch Access*

Road Alternatives attachment.

Based on the Department's analysis of the information currently available, summarized in the comparison table below, the Department has determined that this alternative provides year-round public access, has fewer environmental impacts, overall lower cost, and is the preferred alternative.

ALTERNATIVE 6C – ACCESS ON DEPARTMENT OWNED PROPERTY (FEE TITLE OWNERSHIP)

This alternative would reconstruct the existing 18 foot wide gravel access road as a 24 foot wide asphalt roadway entirely on Department owned property and would fill 0.47 acre of wetland for road and parking area construction. This alternative, illustrated in blue on the *North Lake Boat Launch Access Road Alternatives attachment*, impacted more wetland acreage than the preferred alternative 6B. It is an acceptable option should pending litigation require reconsideration of Alternative 6B.

ALTERNATIVE 6D – ACCESS BY UTILIZING A ONE LANE ROAD WITH PULLOUTS

This alternative would reconstruct the east-west portion of the access road on the Department's easement as described above but as a 16 foot wide single lane access road with pullouts. Using required Department of Transportation design standards, two 12 foot wide by 190 foot long pullouts would be required along the east-west portion of the access road. Extensive vegetative clearing would provide safe sight distances for oncoming vehicles. Road and parking area construction would fill 0.16 acre of wetland. This alternative was removed from consideration because of potential impacts to emergency vehicle access, impacts to two-way car-trailer traffic flow, and no significant reduction in wetland impacts compared to Alternative 6B Access on the Department Easement.

ALTERNATIVE 6E – ACCESS FROM LOWER REDDELIEN ROAD

This alternative is illustrated on the *North Lake Boat Launch Access Road Alternatives attachment* and was removed from consideration because there is no right-of-way easement for the extension of Lower Reddelien Road.

ALTERNATIVE 6F – ACCESS FROM SILVER SPRING DRIVE OR SILVER SPRING LANE

Access from the north is not a viable alternative because there are no right-of-way easements to extend Silver Spring Drive or Silver Spring Lane to the Department Site. This alternative was removed from consideration.

ALTERNATIVE 7 – TWO SITE ALTERNATIVES

ALTERNATIVE 7A - DEVELOPMENT OF CARRY-IN ACCESS ON DEPARTMENT SITE AND MOTOR BOAT LAUNCH ON STH 83 SITE

The North Lake Management District has proposed to purchase and develop the STH 83 Site as

described in Alternative 5, and recommended the Department Site's development plans be modified to include a two-way access road on the Department's easement and the development of two, eight car parking lots to provide carry-in access only and ice fishing and other winter recreational activities.

Elimination of the boat ramp and a reduction in the size of the parking area would be major changes to the Department Site development previously described in section two. The access road, a small boarding pier, screened dumpster, portable toilet, and lighting would be included in the modified plans.

The STH 83 Site wetland impacts are 0.24 acre. No design plans have been prepared for a Department Carry-in only site. Preliminary wetland impacts are estimated at 0.15 acre. Total wetland impacts for both sites are estimated to be 0.39 acre.

An estimated 8,000 cubic yards of sediment would be dredged to create a navigation channel for the STH 83 Site. Because periodic maintenance dredging would be required to maintain a navigation channel, operation and maintenance costs are higher for this alternative.

The North Lake Management District's costs are estimated at \$340,000 for acquisition, \$46,682 for design, and \$665,782 to \$696,744 for development of the STH 83 site.

The Department Site costs are \$1,125,000 for acquisition, \$62,245 for current design with an additional \$20,000 for design modification, and approximately \$350,000 to \$400,000 for development costs.

The Department and the North Lake Management District discussed this proposal during 2009 and the Department's August 17, 2009, letter informed the District that it would need to secure funding, obtain ownership, approvals, and permits by December 31, 2009, for the Department to consider this proposal. See Attachment 19.

ALTERNATIVE 7B– DEVELOPMENT OF MOTOR BOAT LAUNCHES AT BOTH THE DEPARTMENT AND STH 83 SITES

Under this proposal, both Department Site Alternative 6B and STH 83 Site Alternative 5 would be fully developed as described above. This alternative is summarized in the comparison table below and was removed from consideration because it would have the greatest environmental impacts and the highest cost with no commensurate benefits.

A Table Comparing the STH 83, Department, and Two Site Alternatives' Environmental Impacts, Schedules, and Costs								
ALTERNATIVE	Winter Access?	Wetland Impact (acre)	Development in Floodway (acre)	Dredging (cubic yards)	Stormwater Treatment Provided?	Schedule	Operation and Maintenance Costs	Estimated Acquisition and Construction Costs
Alternative 5 The STH 83 Site	No	0.24	0.8	8,000 ramp and navigation channel 16,000 extended dredging	No	Need to obtain local, state, and federal approvals	\$5,000/year plus undetermined dredging and floodway damage costs	Acquisition = \$340,000 Design = \$46,682 ¹ Construction = \$681,263 Total = \$1,067,945
Alternative 6B The Department Site	Yes	0.16	0	78 ramp	Yes	Design complete EA certified Need to obtain state and federal approvals	\$5,000/year	Acquisition = \$1,125,000 ¹ Design = \$62,245 ¹ Construction = \$475,000 ² Total = \$1,662,245
Two Site Alternative 7A: Department carry-In and STH 83 motor boat launch sites	Yes	0.39	0.8	8,000 ramp and navigation channel 16,000 extended dredging	Only at the Department Site	Need to redesign Department Site, obtain local, state, and federal approvals	\$7,500/year plus undetermined dredging and floodway damage costs	Acquisition = \$1,125,000 ¹ Department Site + \$340,000 STH 83 Site Design = \$62,245 ¹ Department Site + \$20,000 (Department Site modifications) + \$46,682 ¹ STH 83 Site Development = \$375,000 Department Site + \$681,263 STH 83 Site Total = \$2,650,190
Two Site Alternative 7B: Development of motor boat launches at both The Department and STH 83 sites	Yes	0.40	0.8	8,078 ramps and navigation channel 16,000 extended dredging	Only at the Department Site	Need to obtain local, state, and federal approvals for STH 83 Site	\$10,000/year plus undetermined dredging and floodway damage costs	Acquisition = \$1,125,000 ¹ Department Site + \$340,000 STH 83 Site Design = \$62,245 ¹ Department Site + \$46,682 STH 83 Site Development = \$475,000 Department Site + \$681,263 STH 83 Site Total = \$2,730,190

¹ Costs expended

² Funding dedicated

SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

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

The Wisconsin DNR issued news releases, held public meetings, and made numerous presentations while evaluating the acquisition of the Department Site and during final design planning to share project information with and gain input and feedback from local residents, interested parties, the media, and elected officials.

Department communication efforts are summarized below:

- November 10, 2004 Department and Waukesha County Conservation Alliance meeting
- December 15, 2004 Department and Waukesha County Conservation Alliance meeting
- December 17, 2004 Department and North Lake Management District meeting
- January 4, 2005 Department News Release – Acquisition of the North Lake Access Site
- January 4, 2005 Department and Okauchee Fishing Club meeting
- January 6, 2005 Department and Lunkers Unlimited Fishing Club meeting
- January 9, 2006 Department and Southeast Wisconsin Bassmasters meeting
- January 10, 2005 Department and Wisconsin Fishing Club meeting
- January 11, 2005 Public Information Meeting – Waukesha Service Center
- January 12, 2005 Department and North Lake Management District meeting
- January 26, 2005 Natural Resources Board meeting
- February 10, 2005 Department and North Lake Yacht Club meeting
- February 21, 2005 Department and Badger Fisherman's League meeting
- February 22, 2005 Natural Resources Board meeting
- March 2, 2005 Department and North Lake Management District meeting
- May 6, 2005 Department, Waukesha County, and North Lake Management District meeting
- May 17, 2005 Waukesha County Land Use, Parks, and Environment committee
- May 18, 2005 Waukesha County Finance Committee
- May 24, 2005 Waukesha County Finance Committee
- May 24, 2005 Waukesha County Board of Supervisors
- October 14, 2008 Department News Release – Public access development for North Lake
Informational meeting scheduled for October 23
- October 23, 2008 Public Information Meeting – Waukesha Service Center
- November 10 to Public Comments on the Environmental Assessment

December 10, 2008

- September 9, 2009 Waukesha County Conservation Alliance Board
- September 16, 2009 Waukesha County Conservation Alliance

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

Contact

Sue Beyler, Department, Fisheries Biologist
Tom Blotz, Department, Government Outreach Supervisor
Owen Boyle, Department, Regional Ecologist
Heidi Bunk, Department, Water Resources Specialist
Lynette Check, Department, Regional Engineer
Kyle Drake, Department, Conservation Warden
Joanne Kline, Department, Environmental Analysis Specialist

Tim Lizotte, Department, Wildlife Biologist
Jim Morrissey, Department, Land Services Team Leader
John Plenke, Department, Law Enforcement Safety Specialist
Geri Radermacher, Department, Water Management Specialist
Jim Ritchie, Department, Public Waterways Access Coordinator

Bob Wakeman, Department, Aquatic Habitat Coordinator
Nancy Wellman, Department, Access Technician
Pete Wood, Department, Water Resources Engineer

Comment Summary

Fisheries impacts
Public access issues
Endangered resources
Water quality issues
Facility design
Enforcement and boating safety
Wetland issues and
Endangered Resources
Wildlife impacts
Facility design
Boating safety issues
Chapter 30 issues
Lake District – Public Access
Committee
Wetland and Waterway Impacts
Access site management
Stormwater management

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 <i>James M. Ritchie</i>	Date Signed 11/5/09
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Number of responses to news release or other notice: 100

Certified to be in compliance with WEPA	
Environmental Analysis and Liaison Program Staff <i>Michael C. [Signature]</i>	Date Signed 05 Nov 09

NOTICE OF APPEAL RIGHTS

If you believe you have a right to challenge this decision made by the Department, you should know that Wisconsin statutes, administrative codes and case law establish time periods and requirements for reviewing Department decisions.

To seek judicial review of the Department's decision, ss. 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. Such a petition shall be filed with the appropriate circuit court and shall be served on the Department. The petition shall name the Department of Natural Resources as the respondent.