

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

Form 1600-1

Rev. 6-2010

Department of Natural Resources

Region or Bureau  
Southeast Region – Bureau of Facilities and  
Land

Type List Designation  
Type II – NR 150.03 (5)(a)4a

**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., November 21, 2014.

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Telephone Number  
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Applicant: Wisconsin Department of Natural Resources

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

Title of Proposal: Lower Genesee Lake Public Access Site Relocation

Location: Genesee Lake Road County: Waukesha Town/Village: Summit

Township Range Section(s): Township 7 North, Range 17 East, NE ¼ of NE ¼ of Section 28  
Township 7 North, Range 17 East, NW ¼ of NW ¼ of Section 27

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## PROJECT SUMMARY

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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 for relocating the existing public access point to Lower Genesee Lake, onto a nearby Department owned parcel (Department Site). The proposed project area is a State of Wisconsin owned parcel located on the northwest shoreline of Lower Genesee Lake, east of Dousman Road and south of Genesee Lake Road, in the in Town of Summit, Waukesha County. The proposed development would extend a new access road on the state owned property from the existing parking lot to Lower Genesee Lake, and include a new launch and boarding dock.

The project consists of the construction of an access road from the parking lot to the launch area, and a new concrete launch with

a boarding dock. The access road will be one way traffic from the existing parking lot to the boat ramp, and then exit to the north through an existing access point. One handicap car trailer parking spot will be constructed near the launch site, and a portable toilet will be placed at the launch site with a three-sided enclosure constructed around the toilet. The project also includes the widening of the entrance and exit points off of Genesee Lake Road.

Lower Genesee Lake is a 63 acre lake located in Waukesha County, which currently has an existing public access point off of Genesee Lake Road. It has a maximum depth of 45 feet, and common game fish species in the lake include panfish, largemouth bass, and northern pike.

Total project construction costs for the Lower Genesee Lake Public Access site is estimated at \$115,475.50. The majority of the funding for this project will come from the Sport Fish Restoration Grant (SFR) #F-95-P-42, which has been designated for four public boat landing projects throughout the state. The total SFR Grant (#F-95-P-42), is valued at approximately \$824,000, with a state match of approximately \$275,000. For this project most of the funding will come from the SFR grant, except for approximately \$14,000 of the engineering design work, which will be taken from the state match portion. See *Attachment 5* for an itemized cost breakdown.

The operating budget for the site is not expected to be significantly affected, as this is a renovation of existing facilities that already have a designated management budget. The annual maintenance is expected to be approximately \$2,500, which will be covered under the existing Facilities and Lands operational budget.

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

The purpose of the Department's proposed public access site is to provide recreational boaters and anglers a safe, conveniently located boat launch area for Lower Genesee Lake. The improved access site will also allow the Department a better location to provide resource monitoring and enhancement services. There is an existing public access site to Lower Genesee Lake located on Genesee Lake Road, however the existing boat launch is precariously located. There is very little room to maneuver when launching a boat at the existing access site, without encroaching on or completely blocking oncoming traffic on Genesee Lake Road. The existing public access site is a 0.2 miles (approximately 1,060ft) walk from the designated parking area, and the proposed location would reduce the walk to 0.09 miles (approximately 480ft).

Public demand 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 also 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 development.

The proposed public access site (Department Site) was purchased by the Department in 1990, which is a 7.7 acre parcel on the northwest corner of Lower Genesee Lake. Because of the lack of adequate public boat launching facilities on the lake, the Department's Fisheries program had been looking for a parcel of land to acquire since the 1980s. The site had been formerly developed and used as a girl scout/YMCA camp into the 1980s. At the time the Department purchased the property the DNR Fisheries Manager met with the Genesee Lakes Committee to discuss the Department's acquisition of the property. The Lakes Committee expressed concerns that the property not be subdivided. Discussions were also had about the need for overflow parking for the property for use the first two weeks of fishing season when fishing pressure is high, the possibility of a fishing pier at the site. The parking lot was installed for boaters using the launches for Middle and Lower Genesee Lakes, located on Genesee Lake Road.

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

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

### Wisconsin Department of Natural Resources:

Department staff will complete a NR 103, Wis. Adm. Code, water quality standards for wetland alternatives analysis, and obtain a Manual Code 3565.1, Department Projects Located in or Adjacent to navigable Waters approval, in lieu of NR 216, Wis. Adm. Code, Chapter 30, Wis. Stats., and other regulatory approvals, to construct stormwater management facilities, conduct site grading, filling 0.06 acres of wetland, and remove approximately 45 cubic yards of material from the bed of Lower Genesee Lake, which will in turn be filled with boat ramp materials (i.e. concrete & rip-rap).

United States Army Corps of Engineers:

The United States Army Corps of Engineers (ACOE) regulates the discharge of fill material into federal waters and wetlands. An ACOE General Permit or Letter of Permission may be required 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.

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**PROPOSED PHYSICAL CHANGES (more fully describe the proposal)**

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4. 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 require the following scope of work: removal of 7 mature trees and shrub undergrowth; removal of approximately 1,450 cubic yards of soil to one foot depth; placement of 725 tons of crushed aggregate base course to 9 inch depth; hot mix asphalt (HMA) paving to 3.5 inch depth.

The project includes the construction of a new one-way exit road from the site onto Genesee Lake Road. The existing boat launch area for Lower Genesee Lake, off of Genesee Lake Road, will be removed and the shoreline will be restored to a natural, vegetated condition.

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

A wetland delineation was completed by Southeastern Wisconsin Regional Planning Commission (SEWRPC) the access road and boat launch development will impact 0.06 acres of wetland, classified as emergent wet meadow and open water community. Approximately 45 cubic yards of lake bed material (i.e. sand, muck, gravel) will be removed from Lower Genesee Lake in order to construct the launch ramp. The concrete launch ramp will extend approximately 43 feet beyond the ordinary high water mark (OHWM), which will permanently displace approximately 22 feet of natural shoreline and 950 square feet of lake bed.

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

Signage: Additional traffic, directional, and informational signs will be installed as needed.

Access Road & Boat Launch Facility: The one way road will be approximately 12 feet in width and will be approximately 400 feet in length until it reaches the proposed maneuvering area at the top of the proposed boat launch lane. The maneuvering area at the top of the proposed boat launch lane will include a widened area used for maneuvering and backing boat trailers down a concrete launch ramp. The launch ramp will consist of a concrete launch lane 12 to 14 feet wide, and 50 feet in length, with a boarding dock interface installed along the side. Approximately 43 feet of concrete ramp will extend below the OHWM. The exit of the boat launch will consist of a one-way exit road approximately 12 feet in width and 200 feet in length. This exit road will leave the property onto Genesee Lake Road through an old gated entrance which exists from previous property use. All of the roads will be surfaced with HMA paving, in order to meet Americans with Disabilities Act (ADA) accessibility requirements, minimize maintenance for staff, as well as control dust at this site and for adjoining landowners.

Parking Lot: The existing parking lot will remain unchanged, aside from a new connection to the access road.

Other Facilities: One handicap car trailer parking spot will be constructed near the launch site. A 20'x12' concrete pad will be constructed for a dumpster, and an ADA portable toilet with a three-sided enclosure. A downward directed, dusk-to-dawn 25W solar light will be installed near the launch area.

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

Construction activity will generate temporary construction traffic, noise, dust, construction equipment engine air, emissions, and increased potential for storm water runoff.

Temporary storm water erosion controls will be installed prior to construction to prevent or minimize sediment discharge from the construction area.

45 cubic yards of lake bed material (i.e. sand, muck, gravel) will be removed for the launch ramp installation, and transported and deposited in an approved location.

## 8. Other Changes

There will be vegetative clearing and trimming for access road construction. Plans for this site have been modified over earlier versions in order to minimize the number of trees which will be impacted by this project. A significant majority of trees which will need to be cut are either non-native (i.e. cedar), or considered hazard trees which pose a safety risk. Taking of trees will be kept to a minimum for the access road development. In order to compensate for unavoidable tree loss, some new trees and shrubs will be planted on the Department Site, which will also aid as noise/visual buffer for the property owner immediately to the south.

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

Attachment 1 – Lower Genesee Lake Public Access Site location map

Attachment 2 – Existing vs. Proposed Public Access Site

Attachment 3 – Topographic map

Attachment 4 – Village of Summit Zoning map

Attachment 5 – 100-Year FEMA Floodplain Map

Attachment 6 – SWRPC Wetland Delineation Exhibit

Attachment 7 – Lower Genesee Public Access Site Development Plan Sheet

Attachment 8 – Itemized Project Cost Breakdown

Attachment 9 – State Historical Preservation Office (SHPO) & Archeologic Review clearance

Attachment 10 – 2011 Tribal Notification Letter

Attachment 11 – National Environmental Policy Act (NEPA) documents

Attachment 12 – Federal Section 7 Evaluation Form

Attachment 13 – Site Specific Review

Attachment 14 – WDNR Manual Code Approval

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

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

Literature/correspondence (specify major sources)

Addressed in item 26

Personal Contacts (list in item 26)

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

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

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

Lower Genesee Lake is a 62.80 acre lake located in the Bark River watershed, and is a small, moderately deep, landlocked basin in outwash deposits. It is a seepage lake, which are generally landlocked water bodies, with their principal source of water being precipitation or runoff, supplemented by groundwater from the immediate drainage area. Since seepage lakes commonly reflect groundwater levels and rainfall patterns, water levels may fluctuate seasonally. Seepage lakes are the most common lake type in Wisconsin.

Lower Genesee Lake is actively managed for fishing and recreational activities, and is currently not considered impaired. Prior to construction of Genesee Lake Road, the lake was connected with Middle Genesee, and in recent years the water level in the lower lake has receded to one foot below the upper lake level, and the two are no longer connected. Access is possible from the Genesee Lake Road on the north end; however, parking and launching are somewhat difficult, and potentially dangerous due to no separation between the launch area and oncoming traffic.

The 7.7 acre parcel is predominantly upland woods, with scrub/shrub understory. There is an existing parking lot toward the west end of the property, with a wood-mulched pedestrian trail running west to east from the parking lot to the lake front. The parcel is relatively flat (i.e. low gradient), but generally draining toward the lake, and is dominated by Fox silt loam (FsA), which is non-hydric and considered prime agricultural soil.

The Bark River watershed covers approximately 186 square miles. Land use within the watershed is primarily agricultural (49.67%), wetland (20.89%) and a mix of forest (13.11%) and other uses (16.33%). This watershed has 265.69 stream miles, 3,499.26 lake acres and 22,145.94 wetland acres.

A variety of soil types surround Lower Genesee Lake, and those that are considered hydric indicators are as follows: Palms muck (Pa) along the west shore; Matherton silt loam (MmA) on the south end; Marsh (Mf) on the southeast shoreline. Soils surrounding the lake that are considered non-hydric are as follows: Fox silt loam (FsA) along the northwest and southwest shorelines; loamy land (Lu) along the lower portion of the west shore; Casco loam (CeD2) covers the eastern shoreline. The 7.7 acre parcel on which the new public access site is proposed is dominated by Fox silt loam (FsA), which is non-hydric and considered prime agricultural soil.

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

Lower Genesee Lake is moderately productive with clear water, low dissolved oxygen in deep water during the summer, and moderate nutrient levels. The Department fisheries staff conducted a survey of both Lower and Middle Genesee Lakes in 2010, and the primary species targeted included largemouth bass, northern pike, and bluegill. The results of the 2010 survey revealed that Lower Genesee Lake is home to healthy populations of both largemouth bass and bluegills. The northern pike catch rates were not as frequent as the largemouth bass during the 2010 survey; however the northern pike population did show to be slightly above average in relation to the rest of Waukesha County. Other fish found to inhabit Lower Genesee Lake includes black crappie, green sunfish, pumpkinseed, rock bass, yellow perch, yellow bullhead, bluntnose minnow, and brook silverside. Additionally, the Department stocks up to three different species of trout annually, including rainbow, brown, and brook trout, which are all domestic strains of creel size (>9"). This is a popular "put & take" fishery on top of the existing bass, pike and panfish populations, otherwise known as a "two-story fishery".

Lower Genesee 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, and several bat species. Other mammals on the surrounding uplands include 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, 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, ringnecked duck, hooded merganser, lesser scaup and other duck species. Birds found on the surrounding wetlands and uplands include, 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, common garter snakes, western fox snakes, eastern milk snakes, brown snakes, northern redbelly, and northern water snakes, American toads, spring peepers, Eastern gray tree frogs, Copes gray tree frogs, Northern leopard frogs, wood frogs, green frogs, bullfrogs, eastern tiger salamanders, and mudpuppies. Other reptile and amphibian species are likely to be present.

The proposed public access site is a 7.7 acre state-owned parcel, with an existing parking lot towards the west end of the property. Numerous oak and hickory trees scattered about the property, with a dense scrub-shrub understory consisting mainly of common buckthorn, which is a restricted invasive plant. Few evergreen trees are present on the property, but comprise a small percentage of the overall vegetation. The area of densest vegetative cover is between the existing parking lot and the lake to the east, but tends to open up closer to the lake. Eurasian water milfoil and zebra mussel are two invasive species known to inhabit Lower Genesee Lake.

### 13. Cultural Environment

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

Most of the land around Lower Genesee Lake is privately owned. Approximately 45 single family lake homes are located on the lake. Most of the property around the lake is zoned R-1, R-3 (residential), and A-3 (agricultural). There are approximately 55 property owners on the lake. Several properties situated around the lake but not actually located on the water have easements for lake access. Most lakeshore property owners have piers for docking their own personal watercraft. The lake is primarily used by smaller watercraft for fishing, however larger boats enjoying recreational activities, such as waterskiing and wake-boarding, do occasionally utilize the lake. The lake has been popular with fishermen especially early in the fishing season.

The site is currently zoned Environmental Corridor (EC) and Shoreline in Conservancy District (C-1). The property is also within the shore land jurisdictional boundary because of its proximity to Lower Genesee Lake. A portion of the shoreline of the property, according to the DNR surface water data viewer (Attachment 5), lies on the fringe of the 100-year floodplain.

Genesee Lake Road on the North shoreline of Lower Genesee Lake bisects Lower and Middle Genesee Lakes. Local residents point out that the two lakes were once one larger lake prior to the construction of Genesee Lake road. The road was constructed before the 1950's based on a review of historic aerial photographs. Several years ago a culvert was placed between Middle and Lower Genesee Lakes to help relieve flooding concerns. Both lakes are ground water fed, without any natural outlets.

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

According to U.S. Census data for 2010, Waukesha County held a population of 389,891. The County's population increased 29,124 from 2000 to 2010 which represents an 8.1% growth rate. Waukesha County has the third highest county population in the state. The incorporated municipalities of the City of Oconomowoc, the City of Delafield, and the Village of Wales are all within five miles of Lower Lake Genesee. These three municipalities have a combined 2010 population of 25,346. Waukesha, the largest city in Waukesha County, had a 2010 population of 70,718, and is approximately 10 miles from Lower Genesee Lake.

Lower Genesee Lake lies in the Village of Summit, within the Town of Summit, of Waukesha County. According to the Village of Summit website homepage, as of January 1 2012, the village has a population of 4,695 residents, of which 50.7% were male, and 49.3% female. According to available 2011 data, the estimated median household income for the Village of Summit was \$97,817, which was above the state average. The 2011 estimated per capita income was \$46,677. The most common industries in the Village of Summit between 2007 to 2011 were respectively the following: manufacturing (17%); retail trade (14%); professional, scientific, and technical services (12%); finance and insurance (9%); construction (9%); health care and social assistance (8%); wholesale trade (7%). A break-down the 2012 population by races revealed the following: caucasian 96.3%; hispanic 1.4%; asian 0.9%; African American 0.8%; multi-racial 0.5%; American Indian 0.1%.

Public demand 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, and had the second highest number of resident fishing licenses.

#### c. Archaeological/Historical

The Department Archeologist and the State Historic Preservation Officer have both reviewed the site and have determined that the site does not have historic or archeological significance.

The Department provided tribal notice of intent to develop the proposed site in 2011, pursuant to Section 106 of the national Historic Preservation Act. The Department did not receive any response, which is therefore considered presumptive approval.

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

None

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

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#### 15. Physical (include visual if applicable)

The Department site will provide recreational boaters and anglers a safe and convenient location by which to have year round access to Lower Genesee 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 on the state managed land, and will maintain as much of a natural buffer to the adjacent property owner to the south. A downward directed, dusk-to-dawn 25W solar light is planned for the launch area.

The access road construction will impact approximately 0.06 acres of wetland, classified as emergent wet-meadow, and the boat launch pad will impact 0.02 acres of lakebed, in a 63 acre lake.

The amount of impervious surface area will increase on the state managed parcel, between the asphalt access road and concrete boat launch pad, which in turn could increase stormwater runoff.

The access road and boat launch development are designed to maintain existing stormwater surface flow patterns. The access road and parking lot will not change floodplain elevations or storage capacity. Storm water in proximity to the boat launch will be directed to the north into an existing drainage depression for water infiltration.

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

The Department Site access road development will decrease locally available wildlife habitat, since it will be cutting through a wooded area with fairly dense shrub undergrowth. Some oak, hickory, and evergreen trees will have to be removed for the access road development. The new boat launch area will eliminate a section of shoreline habitat approximately 22 feet long, which is utilized by common amphibians and reptiles. Wildlife and fish may disperse during construction activities and relocate into adjacent habitat areas.

Various fish species may use the area of the proposed boat launch to some extent for feeding or cover. Precautions will be taken to prevent direct impact on fish species during construction, but the concrete-slab access platform would prevent any future spawning from occurring at that particular location. The fish species may continue to nest in the vicinity of the project area, or relocate to areas of similar habitat which are widely abundant in the lake.

A survey for freshwater mussels will be conducted prior to the project, within the proposed area of impact. If native mussels are present in the project impact area, those mussels will be moved prior to any in-water disturbances.

A review of Natural Heritage Inventory (NHI) review and survey of the project area was originally conducted in March of 2011, and no Threatened, Endangered, or Special Concern resources were identified. Another NHI review was conducted for the project area in September of 2013, which reconfirmed the original findings. There should be no impact to any Threatened, Endangered, or Special Concern resources from the proposed project.

Invasive species are present in many inland lakes in Wisconsin, as well as in many terrestrial environments, which is the case at

this project location. Much of the area the proposed access road will cut through dense growth of common buckthorn, which is classified as 'restricted' under the NR 40 invasive species rule. Adequate precautions will be taken to prevent transporting or introducing invasive species via construction equipment, as provided under NR 40, Wis. Administrative Code. Once the access road is in place the potential for further spreading would have been reduced, since a large portion of the buckthorn population will have been removed. Eurasian milfoil and zebra mussels are both present in Lower Genesee Lake; however, since there is already existing public access to the lake, the risk of transient boaters introducing invasive species to the lake would remain the same.

## 17. Cultural

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

The primary, long-term impacts from the project include modification of the site appearance from selective clearing, grubbing, some tree removal, and lakebed dredging. Access road construction will require the following scope of work: removal of 7 mature trees and shrub undergrowth; removal of approximately 1,450 cubic yards of soil to one foot depth; placement of 725 tons of crushed aggregate base course to 9 inch depth; hot mix asphalt (HMA) paving to 3.5 inch depth. A rain garden will be added to the boat launch area, in order to help mitigate stormwater runoff following construction. Access road and boat launch construction will displace approximately 0.06 acres of wetland, and approximately 45 cubic yards of lake bed material (i.e. sand, muck, gravel) will be removed from Lower Genesee Lake for installation of the concrete-slab boat launch. The boat launch will extend approximately 43 feet beyond the ordinary high water mark (OHWM), which will permanently displace approximately 0.02 acres of the lake bed. The amount of impervious surface area will increase on the Department site, between the asphalt access road and concrete boat launch pad, which in turn could increase stormwater runoff to Lower Genesee Lake; however, the Department intends to incorporate permanent features to help mitigate for any increased stormwater runoff. A downward directed, dusk-to-dawn 25W solar light is planned for the launch area.

The secondary, long term impacts include noise generated from boat launching and retrieval, associated vehicle parking, and site maintenance during hours of operation. The amount of additional noise associated from parking should be minimal, since a parking lot already exists on site and will remain unchanged in size as the result of this project. The site will provide access for winter recreation on North Lake, including ice fishing.

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. The local municipality has the authority to pass local ordinances to regulate noise, parking on local streets, and boating activities. 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 throughout the year. A year-round, ADA portable restroom facility in an enclosure will be provided and maintained by a contractor throughout the year. Local boating ordinances, parking, and other informational signs will be posted at the launch site.

The secondary, short term impacts include construction activity that will generate temporary construction traffic, noise, dust, construction equipment engine emissions, and storm water runoff. Temporary storm water erosion controls will be installed prior to construction to minimize sediment discharge from the construction area. These short term impacts will be limited to the construction portion of the project only.

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

Since public access already exists on Lower Genesee Lake, it is unlikely that the proposed public access site will have any significant impact socially or economically, however, public recreational boaters and anglers will directly benefit from the safety and convenience provided by the improved public access area. It is possible that with the improved public access area to the lake, that boat traffic may increase slightly, which could have minor benefit to local shops and/or restaurants.

The Department Public Access Site is not expected to affect local property values.

### 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 (7) and shrubs will be reduced.
- The site appearance will change from the development of the access road, boat ramp, and toilet facility.
- The access road will impact 0.06 (2,500sf) acres of wetland.
- The boat launch will impact 0.02 (950sf) acres of lake bed.
- Wildlife and aquatic habitat will change.
- Access road and boat ramp development will decrease locally available wildlife habitat.
- Wildlife may temporarily relocate during construction.
- The asphalt access road will increase impervious surface area on the state parcel.
- Temporary construction impacts include: noise; increased potential for stormwater and site erosion; dust emissions; construction equipment air emissions.
- Increased traffic on Genesee Lake Road during construction operations.
- There will be more activity at the public access site due to boat launching and retrieval, and some noise generated from those activities.

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## DNR EVALUATION OF PROJECT SIGNIFICANCE (complete each item)

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### 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 altered site appearance will be a long-term, primary effect to Department site, as a result of the following scope of work: clearing trees and shrubs; constructing a new access road; installing a new boat ramp and launch area; storm water management facilities; lighting; constructing a new toilet and dumpster facility.

The access road and boat ramp area will permanently fill 0.06 acres of wetland, and permanently displace approximately 0.02 acres of lakebed. These impacts are not expected to have a measurable effect on the area's flood storage capacity. There will be a permanent decrease in locally available wildlife and fish habitat, due to brush clearing and boat ramp placement.

Boat launching and retrieval, and associated vehicle traffic and parking activity will be permanent. Since the parking lot already exists on the Department Site for launching at existing access areas off of Genesee Lake Road, that noise will not be new. The more significant noise additions will come from vehicular traffic along the new access road, and boat launching and retrieval at the new ramp location, in closer proximity to adjacent residences. Secondary noise and traffic impacts may peak during the spring opening of fishing season, summer weekends, and holidays.

The access road and boat ramp area are designed to direct storm water into a natural depressional area, and away from the lake.

The secondary, short term impacts include construction activity that will generate temporary construction traffic, noise, dust, construction equipment engine emissions, and stormwater runoff. Temporary stormwater erosion controls will be installed prior to construction to minimize sediment discharge from the construction area. Wildlife and fish will likely disperse during construction activities and relocate into adjacent habitat areas.

The risk of transient boaters introducing invasive species to the lake would remain the same, since there is already existing public access to the lake.

The improved Department public access facility may provide tourism and economic benefits to local businesses, and has the potential to have a slight increase in boat traffic on Lower Genesee Lake; however, a significant increase in boat traffic is not anticipated since parking is already restricted to the number of parking stalls in the existing parking lot, which will not be modified.

- 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 will impact 0.06 acres of wetland within an existing shoreline wetland complex.

The boat launch ram will impact 0.02 acres of lakebed in a 63 acre lake.

The wetland and lakebed impacts will cause a decrease in locally available habitat, however, impacts to the overall fish and wildlife populations should be negligible, since other locally available habitat is readily abundant.

Construction will be designed to exclude spawning fish from the construction site using barriers such as turbidity barrier. Silt fencing will be implemented to minimize impacts to area wildlife, including turtles and other native species. If turtles or fish are found within the work zone, they will be safely relocated to their respective habitat.

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 Sites appearance and the increases in human activity related to roadway traffic, boat launching and retrieval, and vehicle parking will be permanent.

The 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 Lower Genesee Lake.

Fish spawning habitat will not be significantly affected. Largemouth bass, northern pike, and bluegill may continue to nest in the project area or relocate to similar habitat that is readily available in the 63 acre lake. Other fish species using the area are not limited by available habitat in Lower Genesee Lake.

The primary impacts (i.e. tree removal, access road, boat launch, lighting, etc.) associated with the proposed development could be completely removed, and the disturbed areas could be returned to their existing state, if deemed necessary. The trees that will be removed from the project area could be replanted, however it would take decades before the larger trees could grow back to their current state of maturity. If the site were returned to its existing condition, eventually the native wildlife and fish would make their way back to the project area, which was previously their habitat. Removing the primary impacts of the proposed project would in turn remove the associate long term, secondary impacts.

Removal of the primary and secondary long term impacts would require reinitiating construction activity, which would again generate temporary construction traffic, noise, dust, construction equipment engine air, emissions, and increased potential for stormwater runoff. As indicated, these associated impacts would be temporary, and limited to the duration of the construction activities.

## 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.

This project proposes to relocate the existing public access area to the Department owned parcel, in order to provide recreational boaters and anglers a safe, conveniently located boat launch area for Lower Genesee Lake. The improved access site will also allow the Department a better location to provide resource monitoring and enhancement services. Since public access already exists on Lower Genesee Lake, any additional impacts from transient boaters should be negligible.

The most notable impacts would be the clearing of trees and shrubs for access road development, the permanent filling of 0.06 acres of wetland, and the displacement of 0.02 acres of lakebed. The wetland and lakebed impacts from this project should not have any measurable effect on the area's flood storage capacity.

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

The public access site development will not have a significant adverse impact on wildlife, fish, water quality, or Lower Genesee Lake habitat, however, numerous projects of this sort could eventually result in the decline of available fish and wildlife habitat. No other projects of this type are anticipated, since no other state owned properties exist on Lower Genesee Lake.

The acquisition and development of additional public access sites throughout southeast Wisconsin will address the growing public demand for greater recreational access to public waters. Impacts will be assessed on a case-by-case basis.

## 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?

It is unknown whether or not the improved public access facility will result in greater boat traffic on Lower Genesee Lake. Since public access already exists on Lower Genesee Lake, any additional impacts from transient boaters should be negligible.

- 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 local medical and/or fire departments can provide emergency responsive services.

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

## 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 development of the Department Site will provide recreational boaters and anglers with permanent year-round access to north Lake, and allow the Department a better location to provide resource monitoring and enhancement services.

Development of the Department Site will not set a precedent, since public access to Lower Genesee Lake currently exists.

## 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.

Development of the improved public access area on the Department Site will satisfy a long standing need to provide the public for safe and convenient access to Lower Genesee Lake.

Some local residents do not support development of the Department Site as the new location for public access to Lower Genesee Lake. Local concerns opposed to the development of the new public access site include the following: changes in site appearance; increased traffic and launch site use; increased noise on the Department Site; inadequate water depth and lakebed material at new boat launch area; potential for increase in vandalism and theft due to increased public activity; project costs and public benefit; the types of environmental consequences discussed in paragraphs 15 through 19. Many of the concerns expressed by the public have been addressed by Department staff with revisions to the original plans.

An informational meeting was held at the Department Site on 10/10/13 (5:30pm to 7:30pm), with affected adjacent landowners. This meeting was coordinated by Department staff from the WDNR Lands & Facilities program. Approximately 45 people attended the meeting, which mainly included neighbors of the Department Site, and representatives of the Genesee Lakes Association. The group asked questions and expressed numerous concerns which were documented, and several neighbors clearly communicated their opposition to the development of the public access site. After the initial discussion in the parking lot, Department staff gave a tour of the site to the willing neighbors (7 people) showing them where the road and landing would be located. At that time more feedback was received from these neighbors on what they wanted to see changed with the original draft plans (Alternative 1). The neighbors that toured the site with Department staff appeared more receptive of the project, if WDNR accommodated their requests for changes to the original draft plan.

Plans were modified taking into consideration several of the comments/concerns from the informational meeting.

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## ALTERNATIVES

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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.)

**Do Nothing** – The Do Nothing alternative was removed from consideration because it does not accomplish the goals of NR 1.90, Wisconsin Administrative Code, which authorizes the State of Wisconsin to provide, maintain, and improve access to navigable waters of the state. Public access to Lower Genesee Lake would continue to be present, however it would remain at the unsafe location along Genesee Lake Road, and force boaters to walk a the distance (approximately 0.2 to 0.25 miles) between the parking area and access site. The Departments goal is to provide recreational boaters and anglers a safe, conveniently located boat launch area for Lower Genesee Lake, or allow the Department an improved location to provide resource monitoring and enhancement services. No action would have the least environmental impact, as things would remain the same as they are today. There would be no loss of trees and vegetation on the public access site, which would not result in wildlife displacement.

**Alternative 1** – The original plan consisted of the construction of a two-lane access road from the parking lot to the launch area, and a new concrete launch with a boarding dock, with an exit to the north through the floodplain fringe of the lake. Also planned was installation of a portable toilet and dumpster at the launch site, which was to be surrounded by a three-sided enclosure. The project also includes the widening of the entrance and exit points off of Genesee Lake Road. Rain gardens were proposed near the entrance and boat launch areas, to help mitigate for storm water runoff. This alternative would have resulted in the greatest amount of tree/vegetation loss, wetland impacts, and impacts to land owners adjacent to the project property. Also, it would have had the greatest addition of impervious surface to the Department Site, with potential access road flooding if developed in the floodplain fringe of the lake.

**Alternative 2 (Preferred)** – This alternative was developed as a result of comments/concerns received from the public informational meeting held on 10/10/2013, in addition to internal Department staff discussions. This alternative consists of the construction of a one-way access road from the parking lot to the launch area, and a new concrete launch with a boarding dock. The access road will be one way traffic from the existing parking lot to the boat ramp, and then exit to the north though an existing access point. One handicap car trailer parking spot will be constructed near the launch site, and a portable toilet will be placed at the launch site with a three-sided enclosure constructed around the toilet. This alternative reduced the overall environmental impacts mentioned in Alternative 1. The taking of mature trees was significantly reduced, there is less overall impervious surface, and wetland impacts minimized. The exit portion of the access road was also relocated to completely avoid the lake floodplain fringe, which helped reduce wetland impacts, and would utilize a preexisting access point to the Department Site along Genesee Lake Road.

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## SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

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

Contact

Comment Summary

John Olson, WDNR Facilities & Lands, State Boat Access Engineer	Facility design, local land use
Benjamin Heussner, WDNR, Fisheries Biologist	Fisheries survey information, lake survey data, historical documents
Kelly VanBeek, WDNR, Wildlife Biologist	Wildlife impacts
Brian Hefty, WDNR Facilities & Lands, Property Supervisor	Facility design and access issues
Geri Radermacher, WDNR, Water Management Specialist	Chapter 30 Issues
Maureen McBroom, WDNR, Wastewater Specialist	Stormwater & erosion control issues
Heidi Bunk, WDNR, Lake Biologist	Lake survey data, background
Genesee Lakes Association, various representatives	Public Informational Meeting on 10/10/13

**Works Cited**

Ritchie, James. "W.C. (Whitey) Kraus Public Access Site." Environmental Analysis. Wisconsin Department of Natural Resources, 10 October 2008. Web. [wi.dnr.gov](http://wi.dnr.gov)

"Surface Water Data Viewer." [dnr.wi.gov](http://dnrmaps.wi.gov/sl/?Viewer=SWDV). Wisconsin Department of Natural Resources, 17 Dec. 2013. Web. <http://dnrmaps.wi.gov/sl/?Viewer=SWDV>.

"Village of Summit, Waukesha County, Wisconsin." Summitvillage.org. N.p., 2014. Web. <http://summitvillage.org/>.

"Waukesha County, Wisconsin." Wikipedia.org. N.p., 25 August 2014. [http://en.wikipedia.org/wiki/Waukesha\\_County,\\_Wisconsin](http://en.wikipedia.org/wiki/Waukesha_County,_Wisconsin).

Project Name:                    County:

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PRELIMINARY DECISION

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

The Department has made a preliminary determination that the Environmental Impact Statement process will not be required for this action/project. This recommendation does not represent approval from other DNR sections which may also require a review of the action/project.

Signature of Evaluator	Date Signed
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FINAL DECISION

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The public review process has been completed. The Department received and fully considered                    responses to the news release or other notice.

Pursuant to s. NR 150.22(2)a., Wis. Adm. Code , 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, and therefore the environmental impact statement process is not required prior to final action by the Department.

The Department has determined that it has complied with s. 1.11, Wis. Stats., and ch. NR 150, Wis. Adm. Code. This decision does not represent approval from other DNR sections which may also require a review of the action/project.

Signature of Environmental Analysis 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 the 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, Wis. 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 must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. 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. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

**Attachment 1 – Lower Genesee Lake Proposed Public Access Location \*\*\***



\*\*\*The area highlighted in green is the WDNR owned parcel (Department site). The proposed Public Access Site development will occur on the east half of the parcel, between the existing parking lot and the NW corner of Lower Genesee Lake. The Department site is located in the Village of Summit, east of N.Dousman Road, south of Genesee Lake Road, in the NE ¼ of NE ¼ of Section 28, Township 07 North, Range 17 East.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary

101 S. Webster St.  
Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY Access via relay - 711

March 7, 2011

Dear: Mr. Zach Pahmahmie

In conformation with Section 106 of the National Historical Preservation Act, the Wisconsin Department of Natural Resources gives notice that it intends to use federal funds as follows:

- A. Applicant Agency: Wisconsin Department of Natural Resources  
2300 N. Dr. Martin Luther King Jr. Dr.  
Milwaukee, WI 53212
- B. Environmental Impact Statement Required: No
- C. Federal Program and Agency: Federal Aid in Sport Fish Restoration  
U.S. Fish and Wildlife Service
- D. Estimated Date of Commencing Work: Summer 2011
- E. Project Description: Construction of a boat launch Lower Genesee Lake
- F. Legal Description: T07N R17E Sec 27 Town of Summit, Waukesha County, Wisconsin

If you are aware of any traditional cultural properties or sacred sites in the vicinity of this project, please let us know. If you do not receive a response from you within 30 days, we will assume you have no comments regarding this project. If you have any questions, please contact me at:

Sincerely,

Lynette Check  
SER  
Regional Engineer

NEPA DOCUMENTATION

State: WISCONSIN Federal Financial Assistance Grant Proposal/Segment/Amendment: F-95-P , Segment

Grant/Project Name: Lower Genesee Access Redevelopment,

This proposal is completely covered by categorical exclusion(s) 8.5 B(2)(3) and (7)in 516 DM 6, Appendix 1.

(Review proposed activities. An appropriate categorical exclusion must be identified before completing the remainder of the documentation. If a categorical exclusion cannot be identified, or the proposal cannot meet the qualifying criteria in the categorical exclusion, or an extraordinary circumstance applies (see below), an EA may be required.)

Extraordinary Circumstances:

Will This Proposal (check (✓) yes or no for each item below):

- Yes No
1. Have significant impacts on public health or safety.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office, the State Historic Preservation Officer, the Tribal Historic Preservation Officer, the Advisory Council on Historic Preservation, or a consulting party under 36 CFR 800.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

(If any of the above extraordinary circumstances receive a "Yes" check (✓), an EA may be required. Consult with FA biologist for determination)

x Yes □ No This grant/project includes additional supporting information.

Concurrences/Approvals:

Prepared by: [Signature] Date: 11/4/11

Federal Assistance Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_

Within the spirit and intent of the Council of Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and have determined that the grant/segment/amendment:

## REGION 3 WSFR SECTION 7 EVALUATION DOCUMENTATION

### PHASE 1: COMPLETED BY GRANTEE

(See Phase 1 Instructions for Completion)

**State:** Wisconsin **Grantee:** Wisconsin DNR **Grant Program(s):** Sport Fish Restoration – Boat Access

**Grant Title and Number (add amendment no):** F-95-P-

#### I. Location:

A. List counties where grant activities will occur.

Waukesha

B. Describe the action area (see instructions).

The action area includes the State of Wisconsin managed lands located east of Dousman Road and south of Genesee Lake Road in the Town of Summit, Waukesha County. The development will extend the access road located on the state managed property from the parking lot to Lower Genesee Lake and include a new launch and boarding dock.

#### II. Species/Critical Habitat:

A. Species information

1. Using the FWS web site (<http://www.fws.gov/midwest/Endangered/>), list species that are/or may be present in the county(ies):

Eastern prairie fringed orchid (*Platanthera leucophaea*)

2. List species, from "1." above, that are not in the action area, and explain why:

The Wisconsin NHI Portal did not identify an occurrence of the species. A personal site visit for the Eastern Prairie Fringed Orchid did not result in an identification of the species at the site.

B. Using the FWS web site, identify whether federally designated or proposed critical habitat is present within the action area:

No federally designated or proposed critical habitat was found to be present within or surrounding the action area.

\*Note: If II.A and II.B above have no species or critical habitat, skip sections III and IV and go to V.

**III. Description of Proposed Action:** In the space provided or on an attached sheet, describe the action(s) in sufficient detail so that the potential effects of the action can be identified and fully

evaluated.

The project consists of the construction of an access road from the parking lot to the launch area, a new concrete launch with an accessible boarding dock. A four foot walkway will be constructed along the access road for public use. One handicap car-trailer parking spot will be constructed near the launch site. A portable toilet will be placed at the launch site with a three-sided enclosure around the toilet. The project includes the widening of the entrance road to the parking lot off Genesee Lake Road.

**IV. Description of Effects:** In the space provided or on an attached sheet, describe the effects, including beneficial, of the project actions on the identified species, species habitats and federal critical habitat (see II above).

The proposed redevelopment will have no additional positive or negative impact on the identified species and federal critical habitat. The current use will continue. However, by relocating the boat launch from Genesee Lake Road, a much safer access away from heavy vehicular traffic will provide a safety and welfare benefit to the public.

**V. Recommended Determination(s) of Effect(s):** For all species and critical habitat identified in the action area, mark (X) the appropriate determinations.

**A. Listed, Proposed and Candidate Species**

a) "No Effect"

List species for which this recommendation is applicable (or attach list): \_\_\_\_\_

b) "May Affect, but is Not Likely to Adversely Affect"

List species for which this recommendation is applicable (or attach list): \_\_\_\_\_

c) "May Affect, and is Likely to Adversely Affect"

List species for which this recommendation is applicable (or attach list): \_\_\_\_\_

**B. Federal Designated and Proposed Critical Habitat**

a) "No Effect" to Critical Habitat

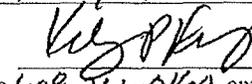
List critical habitat(s) for which the recommendation is applicable. \_\_\_\_\_

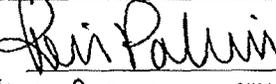
b) "May Affect, but is not likely to Adversely Affect"

List critical habitat(s) for which the recommendation is applied. \_\_\_\_\_

c) "May Affect, and is Likely to Adversely Affect"  
List critical habitat(s) for which the recommendation is applied. \_\_\_\_\_

**Grantee Signatures:**

Prepared by:  
Name/Title: Kelly Frawley, Recreation Program Manager  
Signature:  Date: 4/20/11  
Telephone No. 608-266-0160 email: kelly.frawley@wisconsin.gov

Reviewed by:  
Name/Title: Rori Palaski, Conservation Biologist  
Signature:  Date: 7-26-11  
Telephone No. 608-266-0410 email: rori.palaski@wi.gov

Appendix C - Site Specific Review

Lower Genesee Lake - Boat Access Improvements

Issue	Trigger	Site Status	Issue Triggered
Listed Species	A "likely to adversely affect" designation would indicate the need for further consultation with USFWS to determine if a site-specific document is needed.	ER/NHI noted no impact to endangered species	No
Cultural Resources	If significant cultural resources exist that cannot be addressed to SHPO satisfaction, USFWS will be consulted concerning the need for a site-specific EA.	SHPO reviews the project proposal before authorizing to proceed. Under State guidelines the project cannot be allotted without SHPO approval.	No. Project has been cleared.
Floodplains	If major floodplain problems exist that cannot be addressed, USFWS will be consulted for advice and guidance concerning the need for a site-specific EA.	There will be no meaningful change to the floodplain as a result of this project.	No
Wetlands	If net loss of wetlands exceeds 5 acres or if any net loss of wetlands that can't be adequately mitigated is likely to result from an access development project, USFWS will be consulted on the need for a site-specific EA.	There will be no meaningful impact to the wetlands as a result of this project.	No
Invasive Species	Should it be shown that providing access may pose an unreasonable risk of introducing invasive species to sensitive areas, USFWS will be consulted on the need for a site-specific EA.	Information signs have been erected at launches regarding the prevention of introducing invasive species.	No
Environmental Justice	If situations arise that indicate a possible adverse effect on minorities or low-income individuals, USFWS will be consulted on the need for a site-specific EA	The boat launch improvement project will be a positive benefit for low income and minority populations that may use it.	No
Public Involvement	If public controversy persists, USFWS will be consulted on the need for a site-specific EA.	There is no known public controversy for this project.	No
No Access Waterway	If the rare situation arises where it is possible that this could be an issue, USFWS will be consulted on the need for a site-specific EA.	Not Applicable.	No
Cumulative Impacts	If cumulative impacts are determined to be a possible issue, USFWS will be consulted on the need for a site-specific EA.	No problems associated with this site have been identified.	No
Traffic Flow and Safety	If construction of the site would cause problems to existing traffic flow or create safety problems with regard to vehicle or boat traffic, USFWS will be consulted on the need for a site-specific EA.	The proposed improvements would improve safety conditions. The current launch currently located on an isthmus between Lower Genesee and Mid-Genesee Lake on Genesee Lake Road would be relocated as a result of this improvement.	No

**CORRESPONDENCE/MEMORANDUM**

DATE: October 16, 2014 FILE REF: IP-SE-2014-68-02220-02223

TO: Lance Stock, Recreation Specialist

FROM: Geri Radermacher, Water Management Specialist

SUBJECT: Manual Code Approval-Lower Genesee Lake Launch Relocation

**Approval of Department Project located in or adjacent to navigable waters.**

**Activity Description, Project Description and Location:** The Department of Natural Resources (Department) proposes to relocate an existing boat launch on Lower Genesee Lake from the current on-road location to an adjacent Department owned parcel. The existing parcel currently contains a parking area to accommodate the existing launch. The project includes the addition of a one-way paved access road to connect the existing parking lot with the new launch, the addition of a handicap vehicle-trailer parking stall, the placement of a portable toilet, and the installation of a new ramp and associated floating loading pier.

The project is located NE1/4-NE1/4 S28, T7N, R17E, Village of Summit, Waukesha County.

**Sponsor:** Department of Natural Resources

**The project has been reviewed and found to be consistent with the standards of:** 30.12, 30.19, 281.36, 401 CWA, Wis. Stats and Chapters NR 102, 103, 150, 281, 299,329, 341 and 500 through 520 of the Wisconsin Administrative Code.

**Conditions of Approval:**

1. You must notify Geri Radermacher at phone (262) 574-2137 or email Geri.Radermacher@wisconsin.gov before starting construction and again not more than 5 days after the project is complete.
2. You must complete the project as described on or before 10/16/2017. If you will not complete the project by this date, you must submit a written request for an extension prior to expiration of the initial time limit specified in this approval.
3. This permit does not authorize any work other than what you specifically describe in your application and plans, and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Department.
4. Before you start your project, you must first obtain any permit or approval that may be required for your project by local zoning ordinances and by the U.S. Army Corps of Engineers. You are responsible for contacting these local and federal authorities to determine if they require permits or approvals for your project. These local and federal authorities are responsible for determining if your project complies with their requirements.
5. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the project's construction, operation, maintenance or permit compliance.

6. The Department may modify or revoke this permit for good cause, including if the project is not completed according to the terms of the permit or if the Department determines the activity is detrimental to the public interest.
7. You must post a copy of this permit on the project site, in a conspicuous location visible from the construction entrance, for at least five days prior to construction, throughout the duration of construction and remaining at least five days after construction. You must also have a copy of the permit and approved plan available at the project site at all times until the project is complete.
8. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this permit.
9. You must submit a series of photographs to the Department, within one week of completing work on the site. The photographs must be taken from different vantage points and depict all work authorized by this permit.
10. You shall supply a copy of this permit to any contractor and consultant involved in the project.
11. You, your agent, and any involved contractors or consultants may be considered a party to the violation pursuant to Section 30.292, Wis. Stats., for any violations of Chapter 30, Wisconsin Statutes, or this permit.
12. You shall hold a preconstruction meeting prior to starting any phase of this project. All contractors and subcontractors shall be in attendance. You shall notify the Department Water Staff a minimum of 7 working days prior to the date of the meeting. During the meeting you shall review the ramp and boarding pier details, the overall grading plan, the construction sequence, the erosion control plan, and the dewatering plan.
13. All equipment used for the project including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps shall be de-contaminated for invasive and exotic viruses and species prior to use and after use. The following steps must be taken *every time* you move your equipment to avoid transporting invasive and exotic viruses and species. To the extent practicable, equipment and gear used on infested waters shall not be used on other non-infested waters.
  1. **Inspect and remove** aquatic plants, animals, and mud from your equipment.
  2. **Drain all water** from your equipment that comes in contact with infested waters, including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps.
  3. **Dispose** of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another.
  4. **Wash your equipment** with hot (>140° F) and/or high pressure water,  
- OR -  
Allow your equipment to **dry thoroughly for 5 days.**

#### **Erosion Control**

14. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters. Erosion control measures (such as silt fence and straw bales) must meet or exceed the technical standards of ch. NR 151, Wis. Adm. Code. The technical standards are found at: [http://dnr.wi.gov/topic/stormwater/standards/const\\_standards.html](http://dnr.wi.gov/topic/stormwater/standards/const_standards.html).

15. Any area where soil is exposed during construction shall be stabilized within seven days of disturbance to prevent soil from being eroded and washed into the waterway.
16. Appropriate erosion control measures must be in-place and effective during every phase of this project. Erosion control measures must be in place at the end of each working day.
17. Erosion control measures shall be inspected, and any necessary repairs or maintenance performed, prior to a forecasted rainfall, after every rainfall exceeding 1/2 inch and at least once per week. You shall maintain a log of the erosion control inspections, repairs made, and rain events. This log shall be made available to Department personal upon request and must remain on the project site at all times work is being performed. Prior to beginning this project, you shall provide to the Department, in writing, the name and contact phone number of the person conducting the erosion control inspections.
18. You shall provide a detailed grading plan, stormwater management plan, construction sequence, dewatering plan and erosion control plan for review and approval a minimum of 14 days prior to the pre-construction meeting. This plan shall be developed with the contractor and design engineer prior to submittal. This plan shall be approved by the Department Water Staff prior to the preconstruction meeting.
19. You shall provide final launch details and loading pier details for review and approval a minimum of 14 days prior to the pre-construction meeting. These details shall be approved by the Department Water Staff prior to the preconstruction meeting.

**Wetland Fill**

20. You are authorized to impact up to 2060 sq ft of wetland for the proposed approach drive to the launch. You shall not impact wetland for stormwater purposes.

All necessary approvals shall be obtained from the Waukesha County, Village of Summit and the U.S. Army Corps of Engineers prior to the start of the project.

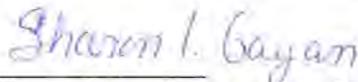
The below approval authorizes this Department of Natural Resources project according to Manual Code 3565.1.

APPROVED:



\_\_\_\_\_  
Geri Radermacher, Water Management Specialist

October 16, 2014



\_\_\_\_\_  
Sharon Gayan, Deputy Water Leader

October 16, 2014



\_\_\_\_\_  
Eric Nitschke, Southeast Region Director

October 17, 2014



# Attachment 2 - Existing vs. Proposed Public Access Site



### Legend

- Township
- Section
- 2010 Air Photos (WROC)

1: 2,251



0.1 0 0.04 0.1 Miles

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### Notes

NE 1/4 of NE 1/4 of SECTION 28 -  
TOWNSHIP 7 NORTH - RANGE 17  
EAST



# Attachment 3 - Topographic Map of Public Access Location



**Legend**

- Township
- Section

**Major Roads**

- Interstates
- US Highways
- State Highways

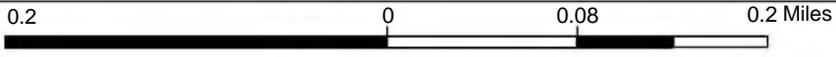
Rivers and Streams

Open Water

**Hill shade**

- 1 - 8
- 8.00000001 - 17
- 17.00000001 - 25
- 25.00000001 - 34
- 34.00000001 - 42
- 42.00000001 - 51
- 51.00000001 - 59
- 59.00000001 - 68
- 68.00000001 - 76
- 76.00000001 - 85
- 85.00000001 - 93
- 93.00000001 - 102
- 102.00000001 - 110
- 110.00000001 - 119
- 119.00000001 - 127
- 127.00000001 - 136
- 136.00000001 - 144
- 144.00000001 - 153
- 153.00000001 - 161

1: 4,953



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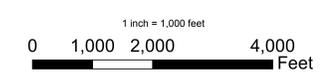
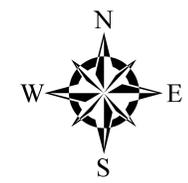
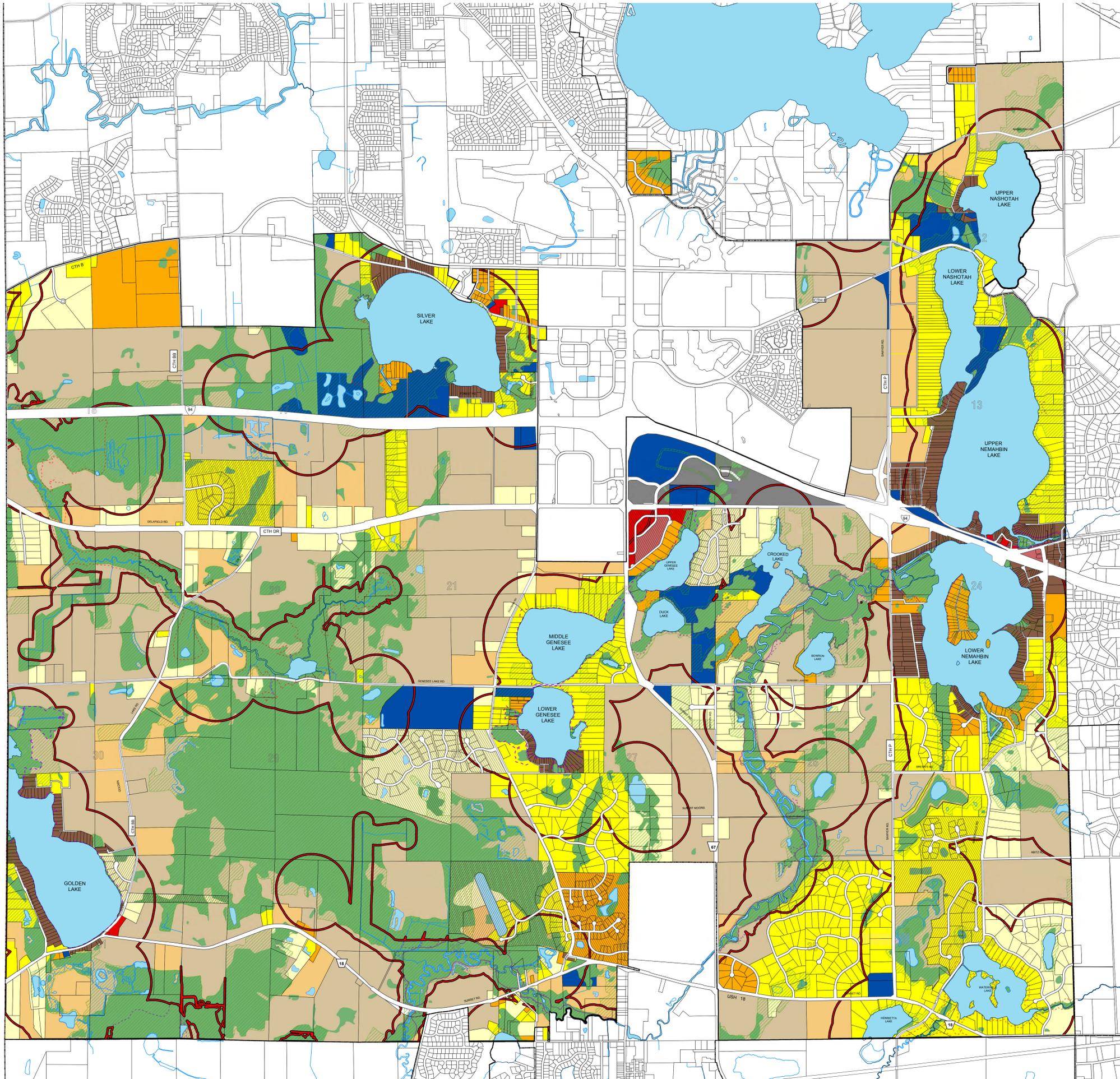
**Notes**

# VILLAGE OF SUMMIT ZONING MAP

## Legend

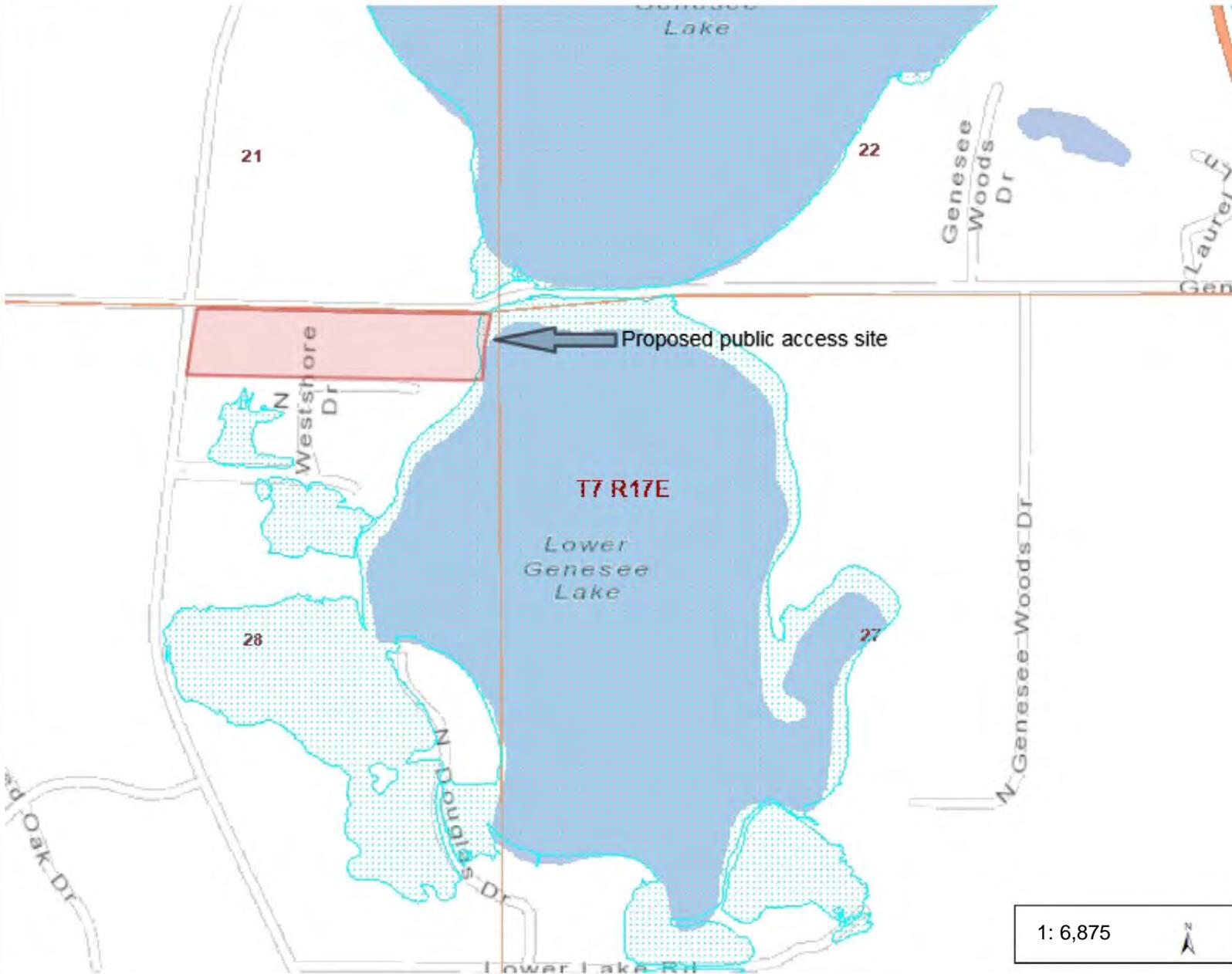
- A-1 Agricultural (35 acres +)
- A-2 Agricultural (10-35 acres)
- R-1 SF Residential (130,000 S.F.)
- R-2 SF Residential (90,000 S.F.)
- R-3 SF Residential (43,560 S.F.)
- R-4 SF Residential (26,000 S.F.)
- NC Neighborhood Commercial
- MF-1 Multi-Family Residential
- MF-2 Multi-Family Residential
- IN Institutional
- BP Business Park
- WC Wetland Conservancy
- PDO Planned Development Overlay
- EC Environmental Corridor Overlay (PEC, SEC, INRA)
- FO Floodplain Overlay (Zone A, NO Base EL.)
- FO Floodplain Overlay (Zone AE, w/ Base EL.) and adopted flood studies
- Conservation Development
- Water
- Shoreland Jurisdiction

NOTE: ZONING DISTRICT BOUNDARY EXTENDS TO THE MIDDLE OF THE RIGHT-OF-WAY





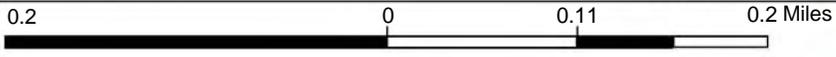
# Attachment 5 - 100 Year FEMA Floodplain Map



**Legend**

- 1% Annual Chance Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Base Flood Elevations
- Cross Sections
- Floodway
- FIRM Panel Index
- Township
- Section
- Major Roads**
- Interstates
- US Highways
- State Highways
- Rivers and Streams
- Open Water

1: 6,875



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**Notes**  
NE 1/4 of NE 1/4 of SECTION 28 -  
TOWNSHIP 7 NORTH - RANGE 17  
EAST

Lower Genesee Lake Boat Landing  
NE Quarter, Section 28, T7N-R17E  
Village of Summit, Waukesha County

Middle Genesee Lake

Genesee Lake Road

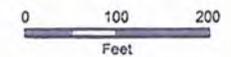
Lower Genesee Lake

North Dousman Road

North Westshore Drive

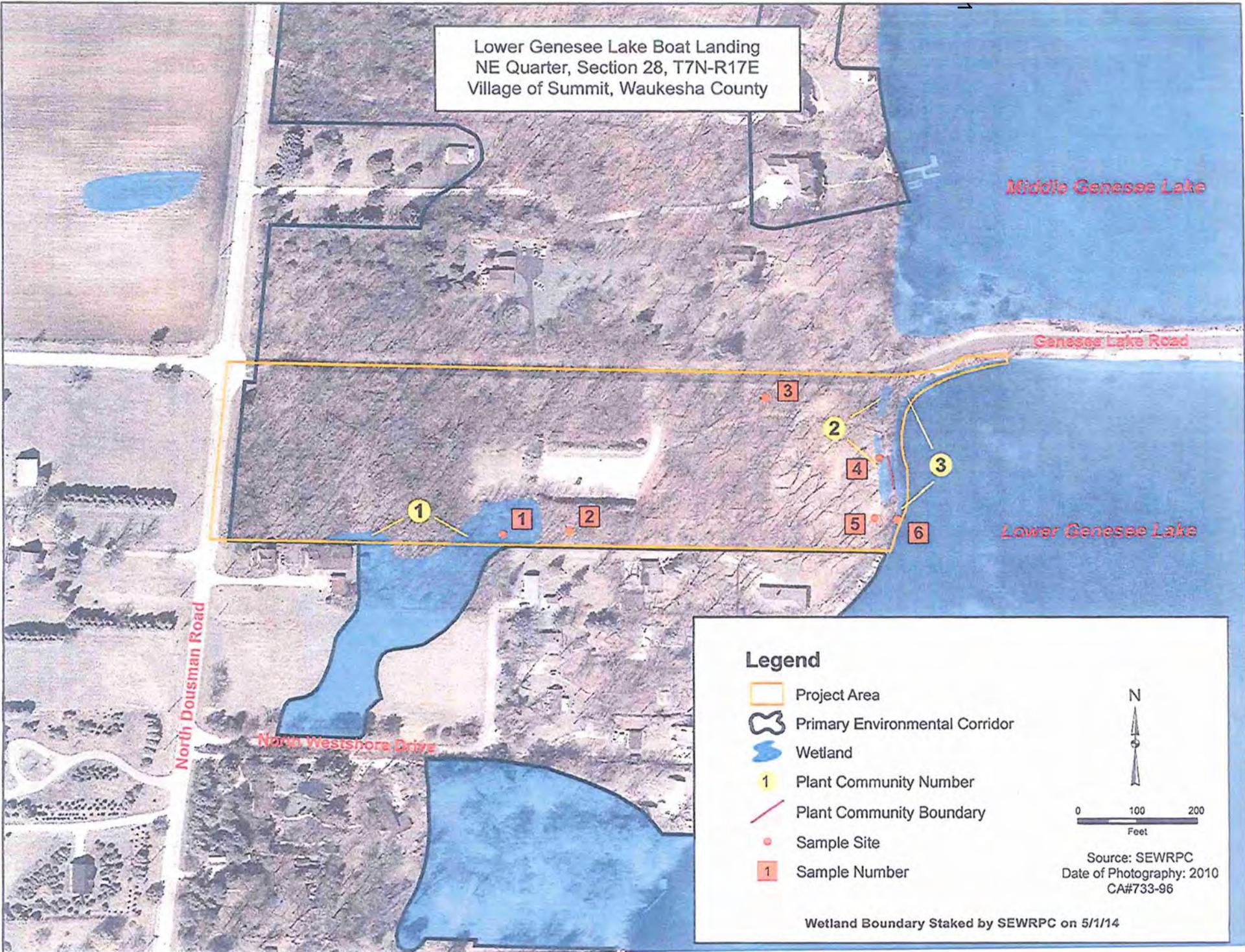
### Legend

-  Project Area
-  Primary Environmental Corridor
-  Wetland
-  Plant Community Number
-  Plant Community Boundary
-  Sample Site
-  Sample Number



Source: SEWRPC  
Date of Photography: 2010  
CA#733-96

Wetland Boundary Staked by SEWRPC on 5/1/14



GENESEE LAKE RD

ORANGE AREAS REPRESENT WETLAND AS STAKED BY SWRPC 2014

APROX. WETLAND IMPACTED BY LAUNCH LANE AND STAGING AREA = 2060 SF

EXISTING HOME

EXISTING HOME

EXISTING HOME

KEY:

WETLAND PER SWRPC STUDY

APROX. WETLAND IMPACTED BY CONST.



1" = ±40'





**Attachment 8**

**LOWER GENESEE LAKE ENGINEER'S COST ESTIMATE**

Waukesha County

January 6, 2014

DSF Project No. 10H2S-02

YCA Project No. 15790.030

ITEM	DESCRIPTION	UNITS	Engineer's Estimate	
			Unit Price	TOTAL
1	Mobilization, bonds, insurance, etc.	1 LS	\$3,500.00	\$3,500.00
2	Erosion Control (silt fence, tracking mat, ditch checks, turbidity barriers, etc.)	1 LS	\$10,000.00	\$10,000.00
3	Clearing and grubbing	1 LS	\$1,500.00	\$1,500.00
4	Tree removal (trees identified 12" and larger)	7 EA	\$250.00	\$1,750.00
5	Topsoil stripping and stockpiling (assuming 9" depth)	1,450 CY	\$3.50	\$5,075.00
6	Unclassified excavation	1,000 CY	\$5.75	\$5,750.00
7	Crushed aggregate base course - 9" thickness	725 TN	\$11.50	\$8,337.50
8	3.5" Asphalt pavement	230 TN	\$55.00	\$12,650.00
9	Shape, roll & compact drive, sidewalk & parking lot	450 SY	\$1.75	\$787.50
10	Pulverize, re-shape and pave existing drive to parking lot	400 SY	\$18.00	\$7,200.00
11	Remove & restore existing boat launch	1 LS	\$4,000.00	\$4,000.00
12	General restoration (topsoil, fertilize, seed, mulch)	1,500 SY	\$2.75	\$4,125.00
13	Toilet Facility	1 EA	\$5,000.00	\$5,000.00
14	5" thick concrete pad for toilet & dumpster	27 SY	\$40.00	\$1,080.00
15	Boat ramp (50' X 11') - Push in place slab	1 EA	\$14,500.00	\$14,500.00
16	Accessible floating boarding dock	1 EA	\$11,500.00	\$11,500.00
17	Pavement markings	1 LS	\$2,500.00	\$2,500.00
18	Lighting	1 EA	\$2,500.00	\$2,500.00
19	Signs	6 LS	\$500.00	\$3,000.00
	<b><u>SUBTOTAL - LOWER GENESEE LAKE</u></b>			\$104,755.00
	<b>Contingencies (10%)</b>			\$10,475.50
	<b>Total Estimated Cost for Construction</b>			<b>\$115,475.50</b>

RECEIVED

REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL UNDERTAKING

Submit one copy with each undertaking for which our comment is requested. Please print or type. Return to:  
Wisconsin Historical Society, Division of Historic Preservation, Office of Preservation Planning, 816 State Street, Madison, WI 53706

RECEIVED

JUN 26 2013

DIV HIST PRES

Please Check All Boxes and Include All of the Following Information, as Applicable:

I. GENERAL INFORMATION

- This is a new submittal.
- This is supplemental information relating to Case #: 09-0340 and title: LOWER GENESEE LAKE BOAT ACCESS
- This project is being undertaken pursuant to the terms and conditions of a programmatic or other interagency agreement. The title of the agreement is \_\_\_\_\_

- a. Federal Agency Jurisdiction (Agency providing funds, assistance, license, permit): USFWS-SFR
- b. Federal Agency Contact Person: MARK DUDZIK, DNR Phone: 608.266.3462
- c. Project Contact Person: SAME Phone: SAME
- d. Return Address: WI DNR, 101 S WEBSTER LF/6, MADISON WI Zip Code: 53707-7921
- e. Email Address: \_\_\_\_\_
- f. Project Name: MARK.DUDZIK@WI.GOV
- g. Project Street Address: \_\_\_\_\_
- h. County: WAUKESHA City: \_\_\_\_\_ Zip Code: \_\_\_\_\_
- i. Project Location: Township 7N, Range 17E, E/W (circle one), Section 28, Quarter Sections NE/NE/NE
- j. Project Narrative Description—Attach Information as Necessary.
- k. Area of Potential Effect (APE). Attach Copy of U.S.G.S. 7.5 Minute Topographic Quadrangle Showing APE.

II. IDENTIFICATION OF HISTORIC PROPERTIES

- Historic Properties are located within the project APE per 36 CFR 800.4. Attach supporting materials.
- Historic Properties are not located within the project APE per 36 CFR 800.4. Attach supporting materials.

III. FINDINGS

- No historic properties will be affected (i.e., none is present or there are historic properties present but the project will have no effect upon them). Attach necessary documentation, as described at 36 CFR 800.11.
- The proposed undertaking will have no adverse effect on one or more historic properties located within the project APE under 36 CFR 800.5. Attach necessary documentation, as described at 36 CFR 800.11.
- The proposed undertaking will result in an adverse effect to one or more historic properties and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect per 36 CFR 800.6. Attach necessary documentation, as described at 36 CFR 800.11, with a proposed plan to resolve adverse effect(s).

Authorized Signature: *Mark Dudzik* Date: 06.24.2103  
 Type or print name: MARK J DUDZIK, DNR

IV. STATE HISTORIC PRESERVATION OFFICE COMMENTS

- Agree with the finding in section III above.
- Object to the finding for reasons indicated in attached letter.
- Cannot review until information is sent as follows: \_\_\_\_\_

Authorized Signature: *Debra Duchow* Date: 6/27/13

## Check, Lynette M - DNR

---

**From:** Dudzik, Mark J - DNR  
**Sent:** Tuesday, March 08, 2011 12:27 PM  
**To:** Check, Lynette M - DNR  
**Subject:** WK-7-17-27...LF...RE: Arch Review of Lower Genesee Lake Boat Access site

CLEARED

---

**From:** Check, Lynette M - DNR  
**Sent:** Monday, March 07, 2011 02:33 PM  
**To:** Dudzik, Mark J - DNR  
**Subject:** Arch Review of Lower Genesee Lake Boat Access site

Please provide the Archeology review for this project.

Thanks L

T07 R17E sec 27 Town Of Summit Waukesha County Wisconsin.  
Attached is a drawing of the site.

<< File: lower gen 1.pdf >>



*Lynette M. Check*

**Region Engineer**

**Southeast Region**

**Wisconsin Department of Natural Resources**

**Phone (414) 263-8690**

**Fax (414) 263-8661**

**email [lynette.check@wisconsin.gov](mailto:lynette.check@wisconsin.gov)**