

Feasibility Study and Environmental Analysis:

**TOMAHAWK RIVER
BOUNDARY EXPANSION
OF THE
WILLOW FLOWAGE SCENIC WATERS AREA**

June 2007

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INTRODUCTION: THE FEASIBILITY STUDY AND ENVIRONMENTAL ANALYSIS PROCESS

This document is a combined Feasibility Study and Environmental Analysis (EA) intended to include the required information for both types of studies, to avoid unnecessary duplication. Both the Feasibility Study and the EA function to provide the public and decision-makers with a factual, unbiased analysis of a proposal, and must identify reasonable alternatives in order to help make an informed decision.

A Feasibility Study is used to determine whether it is feasible to establish, acquire, develop, and manage new property. The study takes into account the physical and biological environment and its capabilities, the views of the public and of landowners adjoining the property, and the availability of funding and staffing to accomplish the project's purpose adequately. Furthermore, a Feasibility Study presents boundary alternatives, general land management strategies, and ensures integrated ecosystem management principles are considered.

The Feasibility Study also must meet the requirements of the Wisconsin Environmental policy Act (WEPA) and its implementing codes. Certain DNR actions require an Environmental Assessment (EA) or a complete Environmental Impact Statement (EIS). The Willow Flowage Scenic Waters Area boundary expansion study requires an EA under NR 150 of Wisconsin's Administrative Code. The EA process is used to evaluate the likely impacts of a proposed project, primarily on the natural environment. The EA also helps determine whether an activity's impacts will be significant enough to warrant a full Environmental Impact Statement.

Based on the feedback received during the public review period, the Department will summarize these comments and revise this document as needed. The revised document will then be forwarded, along with the summary of public comments, to the Natural Resources Board for their review and approval. The Department requests the NRB to consider approval of this document as a property boundary expansion and as an amendment to the Willow Flowage Scenic Waters Area master plan (2000).

Questions, ideas or comments on this property expansion project should be directed to Tom Shockley, Willow Flowage Property Manager, 8770 Highway J, Woodruff, WI 54568, (715)358-9259, tom.shockley@wisconsin.gov .

EXECUTIVE SUMMARY

The Department proposes a 3,080-acre boundary expansion of the Willow Flowage Scenic Waters Area (Willow Flowage) at an estimated cost of \$6,816,000. Located in Oneida County approximately 15 miles from the population centers of Minocqua, Rhinelander and Tomahawk, the project study area follows the Tomahawk River corridor between the Willow Flowage and Lake Nokomis. The Department anticipates using a combination of real estate tools including fee title and conservation easement purchase to promote resource management and public recreation along the river corridor.

As a boundary expansion, land classification and management goals will be similar to those established throughout the Willow Flowage master planning process. An emphasis will be placed on maintaining a feeling of remoteness and solitude, a natural, undeveloped appearance, and a low-level of facility development.

Recent reports indicate Oneida County is experiencing substantial residential development, with much of that occurring on lakes and rivers. Minocqua has long been a part of these development trends, but pressure is pushing development to neighboring communities. While the Tomahawk River has not seen high levels of development, it is in close proximity to the Minocqua area and has large blocks of undeveloped river frontage.

The Department and the State Board of Commissioners of Public Lands currently own or have options on about a third of the 15 miles of Tomahawk River between Willow Flowage dam and Lake Nokomis. This proposed boundary expansion creates an opportunity for the Department to connect existing state-owned land, provide blocking for improved resource management and administration, protect an important wildlife corridor, and maintain public recreation along the Tomahawk River.

To date, the Department has not met controversy regarding acquisitions for the Willow Flowage. Based on information presented in this feasibility study and comments received through the public review process, the Department will determine the feasibility of proceeding with this boundary expansion project.

PROPOSED PROJECT

Project Description

The Department is proposing a boundary expansion of the Willow Flowage Scenic Waters Area (Willow Flowage) located in Oneida County. Through a combination of fee title and conservation easement the Department proposes expanding the Willow Flowage property 3,080 acres along the Tomahawk River corridor at an estimated cost of \$6,816,000. The project may be funded in part through Stewardship bond and contributes to both conservation and recreation opportunities.

As described in the Willow Flowage master plan (2000), the current expanded property boundary includes approximately five miles of the river corridor from the Willow Flowage dam to Section 29 in the Town of Cassian. The proposed project continues from this point approximately 10 miles to Prairie Rapids Road, Section 21 in the Town of Nokomis as the river enters Lake Nokomis. Land acreage included in this boundary expansion varies along the corridor based on current land ownership, willingness to sell, and project need. The Department anticipates using fee title for the 2,760 acres along the river corridor and conservation easements for the 320 acres not adjoining the river corridor located toward the southeastern corner of the proposed project boundary. Refer to Proposed Expansion Area map in the Appendix.

The Department and the State Board of Commissioners of Public Lands currently own or have options on about a third of the 15 miles of Tomahawk River between Willow Flowage dam and Lake Nokomis. Much of the private land adjacent to the corridor is currently industrial forestland and includes large areas sustainably-managed for production of forest products. Access to the river is limited by the lack of roads through the area. Crossing points of the river include those at County Highway Y, Swamp Lake Road, and Prairie Rapids Road.

Project Goals

The Willow Flowage was created with the vision to preserve and protect its natural scenic beauty and solitude by maintaining its undeveloped shoreline, managing its resources and offering compatible recreational opportunities. Among the property goals identified in the master plan (2000) is acquiring additional lands to maintain and enhance the aesthetic qualities, solitude and outstanding resource water designation of the Willow Flowage and surrounding area.

The goal of this proposed expansion project is to acquire additional lands along the Tomahawk River corridor to eventually connect the Willow Flowage with Lake Nokomis. Through acquisition and easements the Department can promote property management along the river corridor, protect the corridor from development and protect the water quality of the Tomahawk River, Lake Nokomis and the Middle Tomahawk River watershed.

Property Designation

The proposed project is a boundary expansion of the Willow Flowage Scenic Waters Area. Wisconsin Statutes Chapter 23, Conservation, describes the Willow Flowage project (Ch. 23.196).

Need

Acquiring land and easements along the Tomahawk River corridor between the Willow Flowage and Lake Nokomis contributes to both ecological and recreation opportunities.

Expanding the Willow Flowage property boundary enables the Department to manage from an ecological standpoint. The Department's wildlife biologist familiar with the corridor noted its importance as a wildlife corridor (Eckstein 2006). Because of the Willow Flowage dam, the Tomahawk River is one of the first area rivers to open up in the spring making it heavily used by migratory birds. Eckstein further notes there are currently five eagle pairs and one osprey pair along this stretch of river along with common wildlife such as river otter, mink and beaver. While the vegetation along the corridor is not necessarily unique (considering past forestation), the number of large undeveloped areas along the corridor is notable. Protecting the large undeveloped areas maintains the integrity of the wildlife corridor and the water quality.

From a recreation standpoint, the size and nature of the Tomahawk River generally limits motorized use yet offers opportunities for canoeing, tubing, fishing and waterfowl hunting. The proposed project eliminates the risk of development and maintains the corridor's natural appearance, which preserves aesthetic qualities and solitude for river users.

Management Goals

As a boundary expansion, the proposed project will have similar land classification and management goals to the Willow Flowage Scenic Waters Area. The land adjacent the Tomahawk River as it flows from the Willow Flowage is classified as Scenic Resources Management Area with a Type 3 Recreation Use Setting.

The property master plan (2000) states the flowage and lower Tomahawk River corridor are managed to provide a Type 3 Recreation Use Setting with an emphasis on a feeling of remoteness and solitude, a natural, undeveloped appearance, and a low-level of facility development. Current use-level along the lower Tomahawk River can best be summarized as mostly "local use" with a slight increase in popularity as users discover the Willow Flowage. However, unlike the Willow Flowage, which can accommodate motor boats, the Tomahawk River is best accessed via canoe, kayak or on foot. At this time, no recreation development is being considered.

The plan further describes long-term management objectives for the Scenic Resources Management Area to promote, maintain and enhance a natural, wild appearing landscape around

the flowage and along the Tomahawk River and in other designated public use areas. Management will provide nesting and brood rearing areas for eagles, osprey and great blue heron. Vegetation will be characterized by a mature forest dominated by long-lived species, especially large diameter red and white pine. Short-term management includes steps to meet these desired long-term vegetation objectives by converting as rapidly as practicable the stands dominated by aspen and other short-lived species to red and white pine and other longer lived species.

Additionally, management goals will support the Outstanding Resource Water (ORW) classification of the Willow Flowage. Waters designated ORW (or Exceptional Resource Waters, ERW) are surface waters which provide outstanding recreational opportunities, support valuable fisheries, have unique hydrologic or geologic features, have unique environmental settings, and are not significantly impacted by human activities (Chapter NR 102, Wis. Admin. Code).

ENVIRONMENTAL DESCRIPTION

History of the Willow Reservoir

To understand the nature of the Tomahawk River, it is important to understand the history of the Willow Reservoir. The 6,392 acre Willow Reservoir was created in 1926 when a dam was constructed on the Tomahawk River downstream of its confluence with the Willow River. The Willow Flowage dam was constructed by and is still owned by the Wisconsin Valley Improvement Company (WVIC), whose purpose, as stated in their charter, is “*...to produce as nearly a uniform flow of water as practicable in the Wisconsin and Tomahawk Rivers by storing in reservoirs surplus water for discharge when water supply is low to improve the usefulness of the rivers for all public purposes and to reduce flood damage* (WDNR 2000).”

As a result of the long-time management of WVIC and industrial forest owners, the flowage and its surrounding lands have remained nearly undeveloped creating a wilderness-like setting well known for its scenic qualities, natural-type recreation and fishing opportunities. In 1997, the Department established the Willow Flowage Scenic Waters Area to perpetuate the wild and undeveloped character of the Willow Flowage and to preserve the scenic beauty, natural resources and heritage for future generations. The property includes over 16,000 acres, 106 islands and 77 miles of total frontage with only 3.6 miles of frontage in private ownership.

The Willow Flowage master plan (2000) explains that WVIC owns or holds flowage rights to all land below the ordinary high water mark (elevation 1,529.35 feet NGVD (National Geodetic Vertical Datum)). In February 2005, nearly all of the submerged lands were transferred from WVIC to the State of Wisconsin, which owns most of the land above the ordinary high water mark surrounding the flowage and 106 of the islands within it.

WVIC owns and operates the dam, including water levels in the flowage, under a federal license. Under authority of the Federal Energy Regulatory Commission (FERC) license, WVIC will continue implementation of the required and approved flowage operation and related

environmental and recreation plans. A minimum flow of 75 cubic feet per second (cfs) is required to be passed downstream at all times according to the terms of the FERC license. Together, WVIC and the Department are responsible for the long-term protection and maintenance of this highly valued public resource.

Property Perspective

The approximate 15 miles of Tomahawk River located between the Willow Flowage and Lake Nokomis is scenic and winding with water levels varied by the volume released from the Willow Flowage dam. The stretch of river from the Willow Flowage dam to Swamp Lake Road is roughly 11.5 miles. It has two smaller creeks entering, Oelhafen Creek and Bear Creek, along with Class II rapids several hundred feet long. There is a bridge at Swamp Lake Road. The stretch from the bridge to Prairie Rapids Road is approximately 8 miles and also has challenging rapids near the end. The first mile is described as winding and fairly narrow with many high pine covered banks. About halfway down, Swamp Creek enters followed by several miles of winding river. Near the end is Prairie Rapids with two Class II pitches. Prairie Rapids Road bridge is located at the bottom of the rapids (Svob 2006).

Within the expansion boundary is approximately 940 acres of existing DNR land. This acreage can best be described as largely comprised of aspen, pine and lowland (swamp conifer, swamp hardwood and lowland brush and grass) with smaller inclusions of oak, red maple and white birch. A rough estimate of existing types includes: 44% aspen, 29% pine, 22% lowland, and 5% oak, birch and maple. The State land was previously privately owned and categorized as industrial forest land. Management was intensive. Non-state owned lands have a similar composition. Current management strategies follow the Willow Flowage master plan for the Scenic Resources Management Area. Refer to Management Goals section for discussion of management objectives.

The habitat type along the Tomahawk corridor is similar to the majority of the uplands in the larger block of Forest Production Area on the Willow Flowage – dry to dry-mesic and poor to medium in the nutrient regime. Soil types along the river are typically sandy and management on the uplands is particularly suited for pine (red, white and in some areas, jack).

The river is approximately 100 feet wide and offers a medium to fast current with a bottom of 90% sand and 10% gravel. The water can be described as clear and brown. Tannins, stain from decaying matter, cause the water to appear brown, similar to tea. Tannins are natural and not the result of pollution. Fish commonly found in the river include musky, northern pike, walleye, large mouth bass, small mouth bass and a variety of panfish. Common wildlife includes otters, whitetail deer, red fox, ducks, geese and eagles.

A Department review of the Natural Heritage Inventory indicates several rare resources occurring within or near the project area (Galvin 2006). Among the species listed are:

Common Name	Listed Status ¹	
Bald Eagle, bird	WI - Special Concern	Federally – Threatened
Osprey, bird	WI - Threatened	
Wood Turtle, turtle	WI - Threatened	
Arctic Shrew, mammal	WI - Special Concern	
Pygmy snaketail, dragonfly	WI - Threatened	Federally – Species of Concern
Pirate Perch, fish	Special Concern	
Redside Dace, fish	Special Concern	
Woodland Jumping Mouse, mammal	WI - Special Concern	
Deam's Rockcress, plant	WI - Special Concern	Federally – Species of Concern
Northern Dry-Mesic Forest, forest community		

Wisconsin's Natural Heritage Inventory program focuses on locating and documenting occurrences of rare species and natural communities, including state and federal endangered and threatened species. The Wisconsin Natural Heritage Inventory Program currently tracks 108 natural community types. Among those is the Northern Dry-Mesic forest community, which is of interest given its rare or uncommon occurrence in Wisconsin.

Results of a check on the cultural resources data base identified three recorded archaeological sites located at the southern terminus of the project area directly abutting the river corridor. The lithic artifact scatter associated with these three sites indicates the presence of prehistoric camp or village sites, but the materials are not diagnostic enough to assign them to a specific cultural period at this time (Dudzik 2006).

Regional Perspective

Ecological Landscapes

The Tomahawk River corridor in Oneida County lies mainly in the Northern Highlands Ecological Landscape with approximately three miles of the corridor in the North Central Forest Ecological Landscape (T37N R5E sections 13 and 14; T37N R6E section 18). Landforms of the **North Central Forest Ecological Landscape** are characterized by end and ground moraines with some pitted outwash and bedrock controlled areas. Kettle depressions and steep ridges are found in the northern portion. The dominant vegetation is the northern hardwood forest consisting of sugar maple, basswood, and red maple, with some scattered hemlock and white

¹ Endangered and Threatened species are provided protection under the Wisconsin Endangered Species Law (29.604 State Stats.). Special Concern (Watch) species are those about which some problem of abundance or distribution is suspected but not yet proved. The main purpose of this category is to focus attention on certain species before they become endangered or threatened.

pine pockets within stands. The aspen-birch forest type group is also relatively abundant, followed by spruce-fir. Both forested and non-forested wetland community types are present.

The stretch of the Tomahawk River corridor in the proposed boundary expansion is within the **Northern Highlands Ecological Landscape**. The area is known for its pitted outwash plains and kettle lakes mixed with extensive forest and large peatlands. Landforms are characterized mainly by pitted outwash but also contain some coarse-textured moraines. Soils are acidic and relatively unproductive due to low moisture-holding capacity and lack of organic matter. Current forest vegetation is primarily aspen, with some white, red and jack pine in both natural and plantation form. Northern hardwood forests, though reduced in extent, still occur on the more mesic soils. Lowland conifer occupies the many peatlands that are scattered throughout the ecological landscape. The Northern Highlands is known for having one of the highest concentrations of kettle lakes in the world. The sandy bottoms and shorelines of these kettle lakes, which were formed as glaciers melted, make them some of the most desirable areas for water recreation in the state (WDNR Ecological Landscapes 2006).

Land Use and Ownership

Oneida County has total land acreage of 729,167 acres (based on 2004 data). Seventy-seven percent of the land is forested (564,335 acres) with 68% of the total forest land privately owned and 32% publicly owned. Industrial forest ownership accounts for the large blocks of the privately owned land. Of the publicly owned forest land, the majority is County Forest land with additional acreage in state and federal forest land (WDNR Forest Statistics 2006).

Statewide, Oneida County is the leading county for acreage of land enrolled in the Managed Forest Law (MFL) Property Tax Program. In 2004, the county had 188,185 Managed Forest Law total acres with 167,259 acres classified as MFL open acres. An “open” status means the lands are open to public hunting, fishing, cross-country skiing, sight seeing and hiking. Further interpretation of a MFL Ownership map indicates the majority of Oneida County land enrolled in MFL program is Corporation owned (Miskowiak 2004).

The land use breakdown data correlates well with that of Oneida County Forestry Department which indicates 80% of the county is forested, 9% water, 7% agriculture and 4% residential (Fiene 2006). Current composition of the forested land is approximately 43% aspen-white birch, 26% spruce-fir and other conifers, 15% sugar maple-basswood-birch, 11% pines, 3% elm-ash and other lowland hardwood, and 2% oak. Of the 71,283 acres of surface waters, the majority is comprised of 426 named lakes and 701 unnamed lakes totaling 66,545 acres and 2,056 acres respectively. Lake Tomahawk (3,627 acres) is the largest natural lake while the Willow Reservoir (5,135 acres) is the largest artificial water body. Oneida County has an estimated 830 miles of streams, of which about 192 miles are classified as trout streams (NCWRPC 2004).

Agriculture plays a minor role in land use and economic contributions with a short growing season limiting many crops. According to the 2002 Census of Agriculture, Oneida County has approximately 51,000 acres of agricultural land. Of the land in farms, 43% is considered woodland, 38% cropland and 19% in other uses.

Although residential comprises only 4% of Oneida County land use, the county is experiencing “the most substantial residential development in its history (NCWRPC 2006).” The report prepared by the North Central Wisconsin Regional Planning Commission (NCWRPC) notes that in 1990 the Oneida County Planning and Zoning Department issued 1,125 building permits. This number increased to 2,244 building permits in 1998 with a slight decrease to 1,668 in 2005. Much of the development is occurring on lakes and rivers. The report further notes tourism as the largest reason for residential development outside of the Rhinelander urbanized area such as is occurring in the Town of Minocqua.

Socioeconomics

With a population of 36,776, Oneida County is the most densely populated county in Northeastern Wisconsin. The population represents a 16.1% increase in population growth from 1990 to 2000, compared to the statewide 9.6% change. The county has an estimated 32.7 persons per square mile compared to statewide 98.8 persons per square mile (based on 2000 Census data).

Oneida County has 20 townships with the major population centers being the City of Rhinelander (population 7,735), the Town of Minocqua (4,859), the Town of Pine Lake (2,720), the Town of Newbold (2,710) and the Town of Pelican (2,902). As noted in Oneida County’s Outdoor Recreation Plan (2004), the Towns of Cassian, Hazelhurst, Lake Tomahawk, Little Rice, Minocqua, and Nokomis have shown the most significant increases in population between 1980 and 2000. The Towns of Pelican and Schoepke show measurable decreases in population while the City of Rhinelander and the Towns of Enterprise, Piehl, and Pine Lake are the most static in population change. Rhinelander serves as the county seat and is also the economic and industrial center of the area.

Data for the 2004 employment and wage distribution by industry in Oneida County indicates Trade, Transportation, Utilities, Education and Health, and Leisure and Hospitality are among the top industries based on percent of total employment. If considering the wage distribution by industry, Education and Health, Trade, Transportation, Utilities, and Manufacturing are among the top in percent of total payroll (DWD 2005).

Leisure and Hospitality is ranked third among percent of total employment. Tourism may be a factor contributing to the high number of jobs in the food service and hospitality segment. Oneida County is part of Wisconsin’s “Northwoods”, a vacation destination known for its exceptional natural resources and year-round recreation opportunities.

Existing Recreation Opportunities

Recreation users in Oneida County have a range of opportunities for camping, canoeing, hiking, fishing or any number of other outdoor activities as described in the County’s “Outdoor Recreation Plan” (NCWRPC 2004). Although the majority (68%) of the County’s forested land is privately owned, much of it is industrial forest land which often times is open to public use for the recreational purposes of hunting, fishing, hiking, skiing and sightseeing.

Oneida County offers County parks and picnic areas with facilities for camping, swimming, picnicking and fishing. There are trails for hiking, cross country skiing and snowshoeing along with approximately 1,075 miles of established public snowmobile trails and 24 miles of All-Terrain Vehicle trails.

While only approximately 11,000 of the Nicolet National Forest's 660,000 acres are located in Oneida County, it's nevertheless important to note given the extensive recreation opportunities the forest provides. Some activities include camping, sightseeing, picnicking, and hunting, snowshoeing, cross country skiing, biking and boating.

In addition to the opportunities of the Willow Flowage previously discussed, the State offers a number of recreation facilities in Oneida County. The 18-mile Bearskin Trail runs along an abandoned railroad grade and offers biking, hiking and snowmobiling. The 51,000-acre Northern Highland American Legion State Forest extends beyond Oneida County and offers a range of developed recreation opportunities including camping (both developed and remote sites), cross country skiing, picnicking, swimming, hiking, snowmobiling and numerous boat access sites. The Department also offers a number of less developed properties including 10 designated State Natural Areas and two State Wildlife Areas.

PROPOSED COSTS

Boundary Expansion Costs

The Department anticipates using a combination of fee title (90%) and conservation easement (10%) for the proposed boundary expansion. The 2,760 acres of fee title includes land along the river corridor owned mainly by Potlatch (formerly Tomahawk Timberlands Co.) and BCPL. The remaining 320 acres includes eight 40 acre lots not adjoining the river corridor located toward the southeastern corner of the proposed project boundary. (Refer to the Proposed Boundary Expansion Area map in the Appendix) Based on the current market value of \$2,400 per acre fee title and \$600 per acre forest legacy easement, the total project cost estimate for the 3,080-acre boundary expansion is \$6,816,000. **All land acquisition is on a willing-seller basis with costs spread out over many years as owners have interest in selling and funds are available.²**

$$(\text{Approx. } 90\% \text{ of } 3,080 \text{ ac}) = 2,760 \text{ ac} @ \$2,400/\text{ac} = \$6,624,000$$

$$(\text{Approx. } 10\% \text{ of } 3,080 \text{ ac}) = 320 \text{ ac} @ \$600/\text{ac} = \$192,000$$

Total Estimated Expansion Cost \$6,816,000

² In Wisconsin, State law provides for payments from the DNR that fully replace or exceed the property taxes that would have been collected if the land were not acquired by the DNR. Therefore, the potential impact on property taxes from DNR ownership of land is negligible. In addition, each town, village or city gains the benefits of natural resource protection and outdoor recreation that public lands offer to all (WDNR Public Land and Property Taxes, PUB-LF-001 99REV).

Land Management Costs

The Willow Flowage property manager is requesting an estimated annual operating cost of \$12,000. This total includes initial start-up costs of \$1,500 in maintenance and supplies, and \$10,500 in Limited Term Employment (LTE) funds. The property manager estimates needing 1000 LTE hours based on the 2007 rate of \$10.50/hour for additional management assistance.

Initial start-up costs	\$1,500
Limited Term Employment funds (1000 hrs @ \$10.50/hr)	\$10,500
300 hrs Law Enforcement	
600 hrs Maintenance (annual inspections, signage, road maintenance, trash removal)	
100 hrs Visitor Contacts (non-law enforcement, education-type contacts)	
Total Estimated Annual Costs	\$12,000

Recreation Development Costs

At this time, no recreation development is being considered.

PUBLIC INVOLVEMENT

One purpose of a feasibility study is to gather public opinion about the need for the project and explore the publics' desires and concerns about the project. As discussed in the property master plan, the Department has conducted an extensive public involvement process to establish the Willow Flowage Scenic Waters Area. Further, the Department has recently acquired through land exchange a parcel along the Tomahawk River near the southern terminus of the proposed project boundary. To date, the Department has not met controversy regarding these acquisitions. An initial contact with the president of the Lake Nokomis Concerned Citizens was also positive (Dirks 2006). Upon completion, the feasibility study will be made available for public review and comment for a minimum of two weeks.

EVALUATION OF PROJECT SIGNIFICANCE

Environmental Effects and Their Significance

The Department's proposed boundary expansion of the Willow Flowage Scenic Waters Area will prevent development from occurring along the Tomahawk River and its watershed. The river corridor between the Willow Flowage and Lake Nokomis is scenic and mostly undeveloped. The Department and the State Board of Commissioners of Public Lands currently own or have options on about a third of the 15 miles of Tomahawk River between the Willow Flowage dam and Lake Nokomis.

Connecting existing state-owned land provides blocking for better management and administration, protects the land from development, and maintains the corridor's natural appearance, which preserves the aesthetic qualities and solitude for river users. Environmental effects associated with recreational use are anticipated to be minimal considering there currently are not any official designated trails or any developments planned at this time. Impacts associated with increased use such as impromptu campsites and user conflicts will be addressed through the increased annual land management costs requested for maintenance, supplies and LTE hours.

The flowage was created in 1926 when a dam was constructed on the Tomahawk River downstream of its confluence with the Willow River. The Department established the Willow Flowage Scenic Waters Area in 1997 to perpetuate the wild and undeveloped character of the Willow Flowage and to preserve the scenic beauty, and natural resources and heritage for future generations. The proposed project contributes to these protection efforts.

Results of a NHI screening indicate several rare resources occurring within or near the project site. Department acquisition along this corridor would minimize land subdivision and development. Maintaining large blocks of land adjacent the river preserves the integrity of the environmental corridor for wildlife use and minimizes negative impacts to water quality generally associated with development, such as erosion and runoff.

Results of a check on the cultural resources data base identified three recorded archaeological sites located within the expansion boundary at the southern terminus of the project area directly abutting the river corridor. Acquisition along the corridor should not impact these sites. Any future development would require review for cultural resource compliance.

Significance of Cumulative Effects

Expanding the Willow Flowage Scenic Waters Area along the Tomahawk River corridor would have positive cumulative effects on the environment. While currently largely industrial forest land between the Willow Flowage and Lake Nokomis, this stretch of the Tomahawk River is increasingly under development pressure for residential use, changing the wild character of the area. Expanding the boundary would minimize river development and protect natural shoreline features, while maintaining water quality, aquatic habitat and the wildlife corridor.

Significance of Risk

There is little or no environmental risk associated with the Department's proposed acquisition of land or land rights. Funding acquisition of this project will compete with other land acquisition opportunities in the state. Lower priority parcels may not be acquired due to reduced available dollars, such as wetland holdings in wildlife areas, which are somewhat protected by their lack of development potential. However, this expansion project is targeted to the Tomahawk River frontage, which has a very high residential development potential. Thus this action potentially can provide an excellent resource for public use.

The Department does not anticipate any significant land disturbance in the project area that would impact the aquatic or terrestrial resources. The size and nature of the Tomahawk River limits use to mainly canoe, kayak or tubing activities therefore limiting operation and safety concerns generally associated with motorized use. If not protected and managed, sites along the Tomahawk River are susceptible to land subdivision and development, threatening the integrity of the river resource.

Significance of Precedent

The proposed boundary expansion and management are not precedent setting. Acquiring land along the river corridor connects existing state-owned land providing blocking for better management and administration. Management of the corridor will be similar to that established during the master planning process for the Willow Flowage Scenic Waters Area.

Significance of Controversy

From a natural resource perspective, the proposed project will protect aquatic and terrestrial resources and maintain opportunities for low impact recreation. The Department established the Willow Flowage property in 1997 after an extensive public involvement process. Since then, the Department has acquired land within the property boundary and completed a land exchange for a parcel at Prairie Rapids Road, the southern terminus for the proposed project. To date, the Department has not experienced controversy related to projects in this area. The public will have an opportunity to comment on this boundary expansion project.

ALTERNATIVES

No Action

The Department could take no action and leave the Willow Flowage boundary as stated in the master plan. At this time, the corridor is generally undeveloped, but land in the area is in increased demand for residential use. Development of the river corridor could negatively impact the integrity of the wildlife corridor and water quality, and could be considered a missed

opportunity to preserve the natural corridor and provide blocking for better resource management.

Establish a Forest Legacy Project

Another alternative could be to establish a Forest Legacy project to allow the property to remain as a working forest in private ownership while still allowing public recreation. Purchase of the conservation easement is less and the PILT is significantly less. The lower cost would allow state funds to be used on other lands elsewhere. Public recreational values are protected at a significantly lower cost up front and annual cost. While the Department anticipates using some Forest Legacy easements within the boundary expansion, preliminary discussions with land owners indicate the use of easements along the river corridor is not acceptable. Land owners can receive more money if they sell their land along the river, especially land with development potential. Generally, the easements are more acceptable to land owners when used on large blocks of forest land with no water frontage.

Preferred Alternative

Expand the Willow Flowage Scenic Waters Area boundary 3,080 acres along the Tomahawk River corridor. Use a combination of fee title along the river corridor and conservation easement for land not adjoining the river corridor. Through acquisition and easements the Department can promote property management along the river corridor, protect the corridor from development and protect the water quality of the Tomahawk River, Lake Nokomis and the Middle Tomahawk River watershed. Refer to the Proposed Expansion Area map in the Appendix.

PROJECT FEASIBILITY DETERMINATION

To be determined based on review and input from the public.

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

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

Complete either A or B below:

A.EIS Process Not Required



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

B.Major Action Requiring the Full EIS Process



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

Signature of Evaluator	Date Signed
<i>Thomas Blockley</i>	7/25/07

Number of responses to news release or other notice: 8 / 4

Certified to be in compliance with WEPA Environmental Analysis and Liaison Program Staff <i>John D. Ward</i>	Date Signed 07/31/2007
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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.

RECEIVED

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APPENDIX

List of Appendix items:

- Proposed Expansion Area map

DATE: June 20, 2007

CONTACT: Tom Shockley

SUBJECT: Willow Flowage Scenic Waters Area Proposed Boundary Expansion

Oneida County, WI - The public is invited to comment on an Environmental Assessment (EA) prepared by the Department of Natural Resources (DNR) for the proposed Willow Flowage Scenic Waters Area Boundary Expansion.

The DNR is proposing to expand the acquisition boundary of the project to include 3,080 acres along the Tomahawk River corridor between the Willow Flowage and Lake Nokomis. The department purchases land only from willing sellers at appraised, fair-market value. The department is interested in acquiring land in this area in either fee or easement. The goal is to preserve the aesthetic qualities of the river and to continue to provide opportunities for public recreation, as well as maintain the integrity of the river corridor for wildlife and water quality.

The Willow Flowage's current property boundary includes approximately five miles of river corridor from the Willow Flowage dam to Section 29 in the Town of Cassian. The proposed project continues from this point approximately 10 miles to Prairie Rapids Road in the Town of Nokomis as the river enters Lake Nokomis.

The department has prepared a combined feasibility study and EA for the proposed boundary expansion. This notification ensures the chance for public input on that analysis. Once the EA process is completed, the department will present the completed and final review to the Natural Resources Board for approval of the proposed project boundary expansion

This project is not anticipated to result in significant adverse environmental effects. The department has made a preliminary decision that an environmental impact statement will not be required for this action. This recommendation does not represent approval from other DNR sections which may also require review of the project.

Copies of the EA can be obtained from Tom Shockley, Willow Flowage Property Manager, WDNR, 8770 Highway J, Woodruff, WI 54568, 715/358-9259, or by email at tom.shockley@wisconsin.gov. Comments on the proposed project and EA are welcome and should be received by the department no later than July 13, 2007. Comments may be submitted by phone, mail or E-mail.

Tomahawk River Boundary Expansion Proposal

Willow Flowage Scenic Waters Area

Summary of Public Comments Received

In order to gauge support for a proposal to expand the boundary of the Willow Flowage Scenic Waters Area to include 3,080 acres along the Tomahawk River corridor between the Willow Flowage and Lake Nokomis, the Department developed an Environmental Assessment (EA) of the proposal and a news release announcing the availability of the EA. The news release requested public comments be submitted by phone, mail, or email from June 25th, 2007 to July 13th, 2007. The following is a summary of the comments received:

Jon C. Lundgren:

Please accept this as a letter of strong support for the WDNR's proposed boundary expansion of the Willow Flowage Scenic Waters Area to specifically include additional acreage along the Tomahawk River between the Willow Flowage and Lake Nokomis.

This Project would protect significant river shoreline from development, and would help preserve the Tomahawk River as a valuable resource which can be enjoyed by families in ways that would be difficult or impossible if residential development were to take place instead. Members of my family use kayaks on the river, typically starting at the public access point on Rocky Run Road, and continuing downstream to the bridge on Swamp Lake Road. This stretch of the river offers remoteness and solitude that is difficult to find elsewhere in the area, with abundant wildlife that we observe on each trip. The Tomahawk River is a wonderful environmental resource which I believe should be preserved as close to its present nature as possible.

Jon C. Lundgren
431 Woodhaven Drive
Cedarburg, WI 53012

Sara Lundgren:

I received your contact information from my father and I wanted to send a quick note of support for the DNR Willow Flowage Expansion Proposal. My family has a long history of property ownership on Crystal Lake in the Town of Bradley, off of Roberts Road. Most recently, on our stay during the 4th of July weekend, we took kayak trips over 4 days on the Tomahawk River in the Town of Cassian. It was the most memorable of recent experiences our family has had, seeing bald eagles less than 20 feet away, deer swimming across the river, porcupines in the brush, wood ducks, king fishers, etc. This was a true north woods experience. It was incredible. Thank you for all your hard work in keeping this river accessible to the people who love nature!!!

Sara Lundgren
221 W. Erie Street
Chicago, IL 60610

Abbey Line:

I am writing you a note in support of the Tomahawk River expansion. My family has owned a cottage in Tomahawk since my sisters and I were youths. My dad grew up in Tomahawk in the summers, and are clearly his best memories as a child, as well as ours. The cottage has become a huge part of our family history, and our lives today. One day, we hope to share the beauty and nature of Tomahawk, the river, and our lake with our children too.

Just this past weekend, being up north for the 4th of July weekend, we were for the first time introduced to the Tomahawk River on a different level. We have, for years, enjoyed kyacking on our own lake, never to explore other habitats. This past weekend we hauled our kyacks over to the Tomahawk River; our experience was amazing! The wildlife we saw was exceptional and unique, one we hope to experience for many years to come.

My husband and I were just in Africa, on our honeymoon, and decided to experience an african safari. The beauty of the Tomahawk River reminded me of the Eagle River Island, where we stayed at one of our camps. It was neat to share that natural experience with my mom, and help her visualize first hand the beauty we were able to experience in Bostwana. Our Tomahawk River kyack trip was very similar, and right at our fingertips here in Wisconsin - what a treat!

My dad recently read in the Tomahawk Reader the opportunity to write to you and express our interest and gratitude in your expansion project. I am happy to be writing you to with excitement of your plans to grow the DNR nature reserve of 3000+ acres. This is a wonderful growth plan for the future of our beautiful state. I hope with the efforts of this letter, it will help your plan of expansion.

Thank you for your efforts; I am in support of your efforts to expand the DNR Willow Flowage.

Abbey Line
191 North Broadway 406
Milwaukee, WI 53202

Norm Poulton:

I am in support of the Department proposal to expand the Willow Flowage boundary to include a corridor along the Tomahawk River down to Lake Nokomis.

Norm Poulton
CTH Y
Tomahawk, WI 54487