

Joel Marsh Wildlife Area (Expansion Proposal) Feasibility Study and Environmental Analysis

Wisconsin Department of Natural Resources

FEASIBILITY STUDY

AND

ENVIRONMENTAL

ANALYSIS

OF

JOEL MARSH WILDLIFE AREA
(EXPANSION PROPOSAL)

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

(Page i is locator map)

Executive Summary

This feasibility study and environmental analysis examines a potential boundary expansion of the Joel Marsh Wildlife Area located in Polk County, northwestern Wisconsin. The proposal is to add 523.6 acres to the project's purchase goal and to expand the land acquisition boundary accordingly. The Department (DNR) currently owns 1,157.38 acres within the current project boundary and has a purchase goal of 1,284 acres.

The proposed expansion includes 13 privately owned tracts of land varying in size from 1.2 acres to 78 acres. Any buildings included within the proposed boundary would be excluded with a small amount of acreage at the time of purchase. The land type within the proposed expansion is predominantly uplands comprised of agricultural crops, forest and grass. Some wetlands including lowland pasture and undisturbed marshlands are also included.

The Department proposes to manage the expansion area for waterfowl and grassland nesting bird production. Public recreation to be provided would include hunting, trapping, wildlife watching, hiking and cross-country skiing. Important to the purchase objective is providing continuity in state ownership patterns along the wetland fringe to prevent fragmentation of public hunting opportunities and complexities in land management.

Public opinions on the proposal will be sought from landowners, conservation and farming organizations as well as county planning and local government representatives. The proposal is consistent with current local and regional land use plans. It also complements state and federal wildlife management objectives.

A feasibility study is used to determine whether it is feasible for the DNR to establish, acquire, develop, and manage new state property. The study must take into account the physical and biological environment and their capabilities, the view of the public and landowners adjoining the property and the availability of funding and staffing to accomplish the project's purpose adequately. Further, a feasibility study presents boundary alternatives, general land management strategies and insures integrated ecosystem management principles are considered.

Following completion of a 30-day public review period, the DNR staff evaluates comments received and modifies the study contents accordingly. Various DNR program administrators review the results before sending the study to the DNR Secretary for Natural Resources Board approval. After Board approval, it is presented to the Governor as the last step in the approval process.

The Governor's approval of the feasibility study authorizes land acquisition. Basic land management activities including posting, parking lot development, road maintenance, weed control, and litter pickup are completed as lands are acquired. The DNR would manage the lands consistent with the current property master plan until that plan is formally revised to incorporate lands included in this feasibility study.



WILDLIFE AREA FEASIBILITY STUDY

Introduction

DNR is authorized to acquire land for a variety of public purposes under ss. 23.09(2) and (10), 23.11, 23.14 and 27.01(2)(a) of the Wisconsin Statutes. Such lands are administered consistent with Natural Resources Board policy established in Chapter NR 1 of the Wisconsin Administrative Code.

As a general agency policy, new land acquisition opportunities are identified in long-range plans or presented in agency briefing documents to the Natural Resources Board in advance of initiating any formal planning activity involving public participation. The Natural Resources Board approved the concept of expanding the Joel Marsh Wildlife Area land acquisition boundary on June 28, 2000.

The Knowles-Nelson Stewardship Program provides Land acquisition funding for the DNR. This fund provides \$22.5 million for DNR fee title and easement acquisition for the fiscal year ending June 30, 2001. This program will continue through the year 2010 at a similar funding level.

The DNR currently owns 19,215.85 acres in Polk County or 3.8 % of the county's 497,605 acres. Wildlife management lands comprise 10,856.69 of that total with named wildlife areas including McKenzie Creek (5,617.16 acres), Rice Beds Creek (3,181.14 acres), Joel Marsh (1,157.38 acres), and Balsam Branch (180 acres).

Needs Analysis

Recreation needs in Wisconsin continue to grow with its population. While public hunting is ranked as a medium-priority activity in the Wisconsin Statewide Comprehensive Recreation Plan, its number of participants are fifth ranked in the state, greatly exceeding participant levels for golf, baseball, softball, soccer, running/jogging, tennis, canoeing and hiking.

Wildlife watching is even more popular, ranking number one in natural resource-related activities exceeding fishing, camping, walking and swimming in use-levels. The publication *Outdoor Recreation in American Life*, a national assessment of supply and demand trends, identifies wildlife watching/photography and other forms of wildlife viewing as one of the five fastest growing outdoor recreational activities in the United States. It is projected to grow 60% over the next 50 years.

Wildlife production as well as wetland protection objectives are ranked high as state and federal planning objectives. Open space needs are identified as critical quality-of-life factors and are ranked as high priority criteria in virtually all local, state and federal land use plans.

Economic benefits derived from natural resources are well documented in Wisconsin and are significant locally and statewide. The DNR publication *Preserving Wisconsin's Outdoor Legacy* indicates expenditures for hunting, fishing and wildlife watching totaled \$3.7 billion with an annual economic impact of nearly \$6.7 billion in Wisconsin. Nationally, the annual \$881 million in rifle and shotgun purchases alone were higher than backpack, sleeping bag and tent purchases combined.

Human populations continue to grow in Wisconsin. Annual recreational demands are increasing at an even higher rate, perhaps reflecting increased leisure time and mobility of Wisconsin residents as well as nonresidents who continue to find this state's resources highly attractive for vacationing. Increases for hunting and wildlife watching activities are projected to be seven and ten percent respectively through the year 2005.

In Polk County, about 62% of the land is classified as agricultural or other open space. The county growth rate exceeds 7% but less than 5% of its land base is devoted to recreation. The Polk County Park and Open Space Plan says____(about open space needs)_____.

Land use and development, in particular rural homesite development, can have devastating impact on natural resources and are increasing rapidly in Polk County because of its close proximity to the Twin Cities. Important wildlife habitat components like woodlands, undisturbed grasslands and wetlands are easily destroyed or negatively impacted by development and their protection is critical for wildlife survival.

A variety of state, regional and local planning reports support the concept of more public recreational land in northwest Wisconsin including Polk County. The *Statewide Comprehensive Outdoor Recreation Plan* notes that northwest Wisconsin has an abundant public lands base, but surveys indicate over 40% of hunters using public lands report they feel crowded.

The *Polk County Parks and Outdoor Recreation Plan* outlines the need to balance public and private efforts in accommodating county recreational needs and cautions that haphazard development can have serious, negative impact on natural resources.

The DNR and the United States Fish and Wildlife Service (F&WS) strategic plans emphasize wetland wildlife production and public hunting opportunities. Since the F&WS has established a Waterfowl Production Area Program acquiring lands in Polk County, they have indicated the county is important for achieving national waterfowl production objectives.

Proposed Designation

Because the proposed project would be part of an existing “wildlife area”, that designation would be used for all lands within the new land acquisition boundary.

The wildlife area designation means the state-owned lands will be primarily be managed for wildlife related activities including wildlife production and recreation including hunting, trapping, and wildlife watching. However, compatible recreation including hiking, photography, berry picking, cross-country skiing and similar activities will also be accommodated provided they do not conflict with wildlife oriented activities.

Neighborhood Description

The Joel Marsh Wildlife Area is located in northwestern Wisconsin, in the east central portion of Polk County, Clayton and Beaver townships (Figure 2). The property is located 3 miles west of the Village of Turtle Lake and 18 miles east of St. Croix Falls. The Twin Cities are within a 2-hour drive of the property; Madison is 4 hours southeast. Highway 8, one of the state's major east-west corridors, passes across the north edge of the wildlife area.

The wildlife area is part of the North Branch of Beaver Brook watershed, an area almost 14 square miles in size. The North Branch of Beaver Brook begins in a marsh near Echo Lake and flows southeast 6 miles before entering Joel Flowage on the east side of the wildlife area. Four and one half miles to the south, it joins the South Branch of Beaver Brook and ultimately joins the Apple River 22 miles downstream.

The terrain in and around the wildlife area is flat to gently rolling as a result of glaciation, 13,000 years ago. The underlying sandstone bedrock is 100 to 150 feet below this glacial material and the surface soils are either muck in the lowlands or sand and silt loams in the uplands.

Land use adjoining the wildlife area is predominantly (90%) agricultural. Recreational and retirement land is the only other significant category (10%) and includes retirement homes with small acreage and open space lands. Rural home site development is expanding to this area at an increasing rate. The wildlife area is used primarily by waterfowl hunters during the fall, but bird watching and hiking are the dominant activities at other times of the year.

Vegetation over most of the wildlife area is comprised of wetland species including blue-joint grass, sedge, cattail, willow and red-osier dogwood. A small, 60-acre floodplain timber area is located on the wildlife area's west side and contains aspen and green ash. A smaller adjoining upland area has paper birch, white oak and bur oak.

(PAGE 4 is Figure 2)

The wildlife area contains few developments. Three separate flowages have been constructed within the marsh basin and provide about 700 acres of shallow marsh and open water highly attractive to waterfowl and other wetland wildlife. Five parking areas are located at key access sites on the project's perimeter.

The uplands within the current DNR ownership surround the flowage area and contain a mixture of grassland and scattered woodlots. Most of the grasslands (about 300 acres) have been planted to switchgrass. The wooded areas contain some mast producing oaks and shagbark hickories along with black cherry, box elder and slippery elm.

No endangered or threatened flora or fauna is found on the lands proposed to be included in the expansion. However, several unique species are found within the wildlife area. One pair of trumpeter swans, an endangered species in Wisconsin, has been using the wildlife area for the past 9 years. Loggerhead shrike (endangered), osprey (threatened), red-shouldered hawk (threatened) and Blanding's turtle (threatened) have also been known to use the wildlife area.

Other wildlife using the area includes species typical of northwest Wisconsin. Over 50 species have been inventoried and mammals include white-tailed deer, badger, woodchuck, mink, muskrat, gray squirrel, fox squirrel, cottontail rabbit, raccoon, opossum, red fox, gray fox, thirteen-lined ground squirrel, eastern chipmunk, eastern mole, star-nosed mole, and several species of mice.

Birds known to use the area include great blue heron, sandhill crane, red-tailed hawk, northern harrier, great-horned owl, kestrel, barred owl, mallard, wood duck, blue-winged teal, American goldfinch, purple finch, killdeer, American woodcock, American robin, cardinal, red-winged blackbird, field sparrow, song sparrow, downy woodpecker, red-headed woodpecker, flicker, and yellow-throated warbler.

Proposal Description

The proposal is comprised of 523.6 unimproved acres adjoining the wildlife area (Figure 2). It contains 13 separate tracts within 5 land types:

1. Wetlands – 97 acres
2. Forest – 108.5 acres
3. Residential – 13.1 acres
4. Agricultural – 270.5 acres
5. Pasture – 34.5

Four tracts (? Kevin check) contains improvements, but will be excluded from purchase by the DNR. They are included in the current proposed boundary for ease in administration, but will be eliminated with a small amount of acreage at the time of sale to the DNR on a case by case basis.

Proposed Goal

The proposed goal is for the DNR to expand their land acquisition boundary to include 523.6 acres of land adjoining the existing Joel Marsh Wildlife Area and manage those lands for wildlife production and compatible public recreation.

Proposed Management

After purchase, most of the lands would be converted to grassland, primarily switchgrass. Mixed prairie grass species like big blue stem, Indian grass and little blue stem will be used to provide grassland diversity. Woodlands and wetlands will be left undisturbed and would provide additional habitat diversity.

Some wetlands purchased will enable expansion of flowage opportunities and increase the production capabilities of the marsh. Such areas add both breeding pair territorial sites and brood rearing sites for waterfowl as well as providing critical habitat components for nongame wildlife like American bittern, great blue heron, marsh harrier and marsh wren.

Cost Estimates

Land acquisition costs are established by private contract appraisals and would be approximately \$600,000 (Wickland check) based upon recent Polk County land sales. No improvements would be purchased unless they could be sold with a small amount of acreage by the DNR at a later time. A special effort will be made to minimize the purchase of prime cropland and may result in further reductions in the project's cost estimate at the time of sale to the DNR.

Taxes on all land purchased by the DNR are paid in full each year after being acquired in an "in lieu of property tax" payment by the Department. Those payments are estimated at _____ (from John Wickland)

Land development cost including primarily grassland cover establishment and initial posting is estimated at \$8,000. Maintenance including annual posting, patrolling, litter pickup, landowner services, prescribed burning, and parking lot grading/mowing would cost the DNR about \$10,000 per year.

Staffing would be provided by the DNR's wildlife management function at Barron, 15 miles east of the wildlife area. One Wildlife Biologist and one Wildlife Technician are responsible for the wildlife area management program and could handle the proposed addition to the Joel Marsh Wildlife Area without additional staff. Routine law enforcement is accomplished by one Conservation Warden also stationed at Barron.

COST SUMMARY

Land Acquisition	\$600,000
Taxes (full acquisition)	\$
Development	\$8,000/yr.
Maintenance	\$10,000/yr.

Public Involvement

Letters and personal contacts are used to inform area landowners, local officials and various interest groups to alert them of the proposal and to solicit their early opinions about the proposal. News media announcements and letters will be used to notify a broader mix of public participants and legislators of any scheduled public meeting.

Environmental Effects and Their Significance

The environmental impacts associated with the proposed land acquisition and management by the DNR are very positive. State ownership expansion will protect more useful habitat for wildlife and insure the integrity of public recreational opportunities by preventing fragmented home site development from occurring on the current wildlife perimeter.

Habitat development activities would likely include grassland/row crop tilling and planting, fertilizer and herbicide applications, prescribed burning, and brush mowing. Such work is temporarily disruptive to wildlife, but improves their habitat over the long term. Soil erosion would be non-existent because of the mandatory use of best management practices by the DNR staff.

The use of prescribed burning and herbicides as vegetative control tools can generate some public concern. Prescribed burning would be carefully controlled to minimize the risk of inadvertently allowing fire to spread to adjoining private lands. The DNR is responsible for assuming all costs associated with a wild fire it causes. Careful planning and wind monitoring would be used to avoid inconveniencing adjoining landowners with unwanted smoke. Herbicides would

only be used when necessary and applied by properly trained personnel in accordance with the herbicide's label for safe application.

The proposed expansion is not expected to appreciably add to increased traffic or human disturbance to the natural environment. Use levels will increase, but because it is absorbed over a 12-month use period, the risk of sharp increases occurring from one month to the next is minimized.

Significance of Cumulative Effects

The acquisition of these lands by the DNR would protect additional wildlife habitat, improve natural aesthetics in the area and have a positive effect on water quality. The cumulative effect of that state land ownership over time is significant for wildlife and the human environment when considering the potential loss of those benefits if they are modified or destroyed by development.

Some cropland (270.5 acres) will be converted to permanent grassland if it is acquired by the DNR. Such loss is minor when considered by itself, but when combined with similar losses due to highway expansion, residential development, commercial development and municipal uses, those losses become much more significant. The DNR would consider taking hunting and development easements on agricultural land or retaining the hunting and development rights on agricultural land purchased and selling it back on the open market.

Some may mistakenly view the purchase of land by the state as very upsetting to the local tax base. They believe this type of acquisition increases local taxes. In fact, the payments in lieu of taxes resulting from the DNR ownership offset any reduction in actual tax payments. Further, the DNR requires few if any local governmental services for its lands. Several independent tax studies have concluded that not only is there little or no impact on the local tax base, but often the public land itself generates dollars for local businesses.

Significance of Risk

There is little or no risk associated with the proposed purchase of lands by the DNR or its subsequent management. However, there is a distinct risk that if the lands were not purchased by the DNR, residential development is eminent and much of the natural features of this land would be negatively impacted or destroyed along with the rural character of the Joel Marsh vicinity.

Endangered, threatened or special concern plant and animal species would likely not be established on the proposed state purchase area if this area were not purchased by the DNR. Farm operations, residential development and commercial uses are not conducive to establishing or maintaining rare plant and animal communities.

Archaeological and historic sites, while afforded some protection by state and federal law, are more apt to be at risk if the lands are not acquired by the DNR. The risk for a private individual or business to harm or destroy this type of resource inadvertently is extremely high because most people are not familiar with the law or the existence of these types of sites.

While recreational opportunities would be gained by this proposal, illegal trespass, safety concerns and landowner service requests would be expected to increase somewhat for local and state workers responsible for public land services.

Significance of Precedent

The proposed land acquisition and management is not precedent setting in that the DNR has purchased and manages other land in this vicinity as well as in other parts of Polk County.

Significance of Controversy Over Environmental Effects

No controversy surfaced during the purchase, development and maintenance of the Joel Marsh Wildlife Area. As a result, no controversy is anticipated for the proposed expansion.

Statewide, the Farm Bureau has raised questions and expressed concerns about the DNR's purchase of agricultural lands, in particular, Class I (prime) cropland. Since this proposal includes agricultural land, some controversy may result. The DNR has addressed this issue using several management strategies:

1. Limiting the proposal to 523.6 acres, rather than expanding by over 1,000 acres to minimize cropland purchases.
2. Avoiding large blocks of Class I cropland. The prime cropland, which does exist, is present in scattered, small acreage and could not be eliminated entirely without creating irregular boundaries too difficult to manage in a practical manner.
3. Planning for easements which would achieve management objectives without fee title ownership of prime agricultural lands.

Alternatives

No Action

Under this alternative, the DNR would only acquire the 126.62 acres remaining from the current acquisition goal. All of the surrounding private lands would continue to be used as they have in the past, but residential development is expected to occur along the wildlife area perimeter.

Residential development would eliminate wildlife habitat and public hunting opportunities in proximity to houses. The development would also prevent rare plant and animal species from areas beyond the current wildlife area vicinity. Historic and archaeological sites could also be damaged or destroyed.

Wildlife production would not be as successful as it would have under a larger land base. Additionally, people and pet use on surrounding lands would also have negative impacts on wildlife. Public use opportunities would be more restricted and public hunting complaints and future restrictions are likely to occur.

Land acquisition, development and maintenance costs would be greatly reduced for this project, but because of needs elsewhere in the state, no net savings would result. The DNR staff would be able to devote their time to other DNR priorities.

Minimal Land Expansion (preferred alternative)

This alternative is explained in the text of this study. It involves the purchase of 523.6 acres of land adjoining the current state ownership and enables higher wildlife production capabilities and protects the continuity of public recreation, in particular hunting opportunities.

Purchase of 1,000 Acres

This alternative considers purchase of additional land located southwest and southeast of the current wildlife area boundaries. The acreage is arbitrary, but is intended to represent a much larger area than the preferred alternative.

This alternative would greatly expand the wildlife production opportunities as well as greatly increasing public recreation. It would also have a greater impact on preserving the natural aesthetics and rural character of the area.

This alternative would double the amount of agricultural land, much of it prime cropland. It would also breakup active farming units by fragmenting their crop

fields. The DNR would also have to dispose of more improvements, which would be part of entire-farm purchases and relocate the owners.

Costs would more than double the preferred alternative. Acquisition, development and maintenance costs would likely exceed the level, which the DNR could absorb without negatively impacting other projects.

PROJECT FEASIBILITY

Based upon the preferred alternative and supportive information presented in this study, the DNR staff has concluded that the proposed 523.6-acre expansion of the Joel Marsh Wildlife Area is feasible from the standpoint of legal authority, ecological soundness, public support, and availability of funding.

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

In accordance with s.11.1, Wis. Stats. And Ch. NR 150, Wis. Adm. Code, the Department is authorized and required to determine whether it has complied with these cited regulations (check 1. or 2. Below):

- 1. EIS process not required.....(X)
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 on this project.
- 2. 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.

Evaluators Signature Kevin Morgan Date Signed 1/22/01
 Regional Director William A. Smith Date Signed 1/23/01

Copy of news release or other public notice attached? Yes () No ()
 Number of responses to the notice 8
 Public response log attached? Yes () No ()

Certified in Compliance with WEPA

Chief of the Environmental Analysis and Liaison Section

James Pardee
 George Albright James Pardee
 Date Signed 3/29/2001

Notice of Appeal Rights

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

For judicial review of a decision pursuant to s 227.52 and 227 53, Stats., you have 30 days after the decision is mailed or otherwise served by the Department to file your petition with the appropriate circuit court and serve the petition on the Department. Such petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to 227 42, you have 30 days after the decision is mailed or otherwise served by the Department to serve a petition for hearing on the Department of Natural Resources Secretary. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

This notice is provided pursuant to section 227.48 (2), Wis. Stats



NEWS RELEASE

Northern Region - Spooner
Wisconsin Department of Natural Resources
810 W. Maple Street, Spooner, WI 54801
715-635-2101

EDITORS/NEWS DIRECTORS: The Department of Natural Resources' administrative code for the environmental impact process makes provision for public comment and review of all Environmental Assessments. This short news release is designed to sketch the proposed action and provide public contact information. Your usage of this item is vital to public notification. Use of the last three paragraphs in this release in their entirety would be appreciated.

The Wisconsin Department of Natural Resources (DNR) is proposing an expansion of the project boundary at Joel Marsh Wildlife Area. Joel Marsh is a 1200 acre Wildlife Management Area located 3 miles west of Turtle Lake in Polk County. **The proposal would add 523.6 acres to the project's purchase goal.**

Before the project can begin, an Environmental Assessment (EA) must be completed. This notification ensures the chance for public input on the proposal.

The proposed project is not anticipated to cause significant adverse environmental effects. The Department has made a preliminary determination 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 draft EA can be obtained from the DNR at 1418 E. LaSalle Avenue, Barron, WI 54812 (715) 537-5046.

Comments on the proposed project and preliminary **assessment are welcome and should be received by the DNR office in Barron no later than 4:30 p.m.**, December 29, 2000. Comments may be submitted either verbally or in written form.

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To News Media Staff

Release Date: March 13, 2013

The following counties are in the Northern Region: Ashland, Barron, Bayfield, Burnett, Douglas, Florence, Forest, Iron, Langlade, Lincoln, Oneida, Polk, Price, Rusk, Sawyer, Taylor, Vilas, Washburn.

**For any additional information regarding this release contact:
Kevin Morgan – Wildlife Biologist
1418 E. LaSalle Avenue, Barron, WI 54812
(715) 537-5046**

