

SUBJECT: Approval of the Peshtigo River State Forest Master Plan and Environmental Assessment

FOR: SEPTEMBER, 2007 BOARD MEETING

TO BE PRESENTED BY: Dan Mertz and John Lubbers

SUMMARY:

The Department requests approval of a master plan for the Peshtigo River State Forest under NR 44 which requires Department lands to have a master plan. Wisconsin Stats. s. 28.04 requires the development of plans for State Forests to assure the practice of sustainable forestry. The master plan spells out how the land will be managed, used and developed; how it will look; and what benefits it will provide. The plan provides a vision and framework for the use, development, management and acquisition of the forest well into the future with an emphasis on the next 15 years. The development of the Peshtigo River State Forest master plan has been guided by a commitment to sustainable forestry. Planning is complex given the varying opinions, viewpoints, and values people and organizations bring to the issues. The Department worked actively with federal, state and local governments, tribes, non-governmental organizations, citizens and business over two years to develop the plan. The master plan maintains and expands protection of critical ecological communities, habitats and species; maintains existing forest types with a slight increase in the pine type and a slight decrease in the aspen type; supports regional and local economies by providing resources and jobs related to the forest products industry and tourism industry; establishes a scenic management zone to protect the flowages and river; designates high conservation value forests / natural areas; increases the number of rustic and primitive camp sites and hiking and biking trails; maintains quantity and quality of snowmobile trails; increases the project boundary by 47,000 acres; and maintains existing ATV trails and calls for a regional planning effort to evaluate potential ATV connector trails. **ISSUES/CONFLICTS:** The majority of the issues have been resolved with the exception of the use and designation of trails for the purpose of ATVs. No new ATV trails are designated in the master plan. There was a strong desire by some to designate a north -south trail through the forest to connect existing trails, whereas others oppose it. The trail connector can not be completed by the Department alone and requires multiple landowners to identify and discuss alternatives.

RECOMMENDATION: The Department recommends NRB approval of the Peshtigo River State Forest State Forest master plan. The EA concludes the plan complies with WEPA; s. 1.11 Wis. Stats./NR150

LIST OF ATTACHED MATERIALS:

- | | | | | | |
|----|-------------------------------------|---|-----|-------------------------------------|----------|
| No | <input checked="" type="checkbox"/> | Fiscal Estimate Required | Yes | <input type="checkbox"/> | Attached |
| No | <input type="checkbox"/> | Environmental Assessment or Impact Statement Required | Yes | <input checked="" type="checkbox"/> | Attached |
| No | <input type="checkbox"/> | Background Memo | Yes | <input checked="" type="checkbox"/> | Attached |

APPROVED:

/s/

Bureau Director, Bob Mather

/s/

Administrator, Paul DeLong

/s/

Secretary, Scott Hassett

8/21/07

Date

8/27/07

Date

8/31/07

Date

- | | |
|---------------------------|----------------------|
| cc: Laurie J. Ross - AD/5 | Ron Kazmierczak -NER |
| Curt Wilson - NER | Steve Miller LF/6 |
| Teague Prichard FR/4 | Tom Watkins LF/6 |
| Paul DeLong FR/4 | Tim Mulhern FR/4 |
| Bob Mather FR/4 | |

DATE: August 20, 2007

TO: Natural Resources Board Members

FROM: Scott Hassett - Secretary, Department of Natural Resources

SUBJECT: Peshtigo River State Forest Master Plan

The Department is seeking approval of the Peshtigo River State Forest master plan. State Statute, 28.04, requires the development of master plans for state forests to assure that through the practice of sustainable forestry, each state forest is managed to provide ecological, economic, social and cultural benefits to present and future generations. Wisconsin Administrative Code, NR 44 requires the development and revision of master plans for properties managed by the Department of Natural Resources. Both directives require the use of scientific information and public involvement to develop a master plan. The Natural Resource Board approves Department master plans.

I. Property Description

The approximately 9,200- acre Peshtigo River State Forest is located in northeastern Wisconsin in Marinette and Oconto counties. For outdoor enthusiasts, the Peshtigo River State Forest is a gem in the region, providing ample recreation opportunities, mature forestlands, and access to two of the largest flowages in the area as well as high-quality stretches of the Peshtigo River. Though the Peshtigo River State Forest is relatively new to the state system — it was established in 2001 — the traditional uses that have taken place there for decades provide a major destination for regional users and will continue to do so. The Forest provides abundant recreation opportunities that aim to strike a balance between the many types of public ownership in the region and the services in the immediate vicinity. The Forest also provides a wide range of forest products that support local and regional economies, as well as provide high-quality wildlife habitat and water quality. Users from across the state and region will be able to enjoy the Forest's amenities for generations to come.

Located in an area with abundant publicly owned lands including County Forest lands, the Chequamegon-Nicolet National Forest, and the Governor Thompson State Park, the Peshtigo River State Forest is an excellent addition to the regional amenity base. Wisconsin Public Service Corporation (WPSC), a natural gas and electric utility, was the former owner of the property and still maintains ownership of property adjacent to Peshtigo River State Forest, most notably along High Falls flowage and Caldron Falls. Private landholdings are scattered along the current forest boundary. The Peshtigo River has been identified as a Land Legacy Place by the Wisconsin Land Legacy Report (WDNR 2006). The Land Legacy Report identifies the places most important to meet Wisconsin's conservation and recreation needs over the next 50 years.

The forest supports a diverse range of cover types and habitats. The majority of the forest is biologically mature or over-mature, and some areas show signs of decline. Most of the uplands have dry, sandy soils that can support red and white pine, aspen, white birch, red oak, and jack pine forest communities. A few of the uplands have loamier soils that support forest communities containing red oak. The many wetlands and lakes help protect water quality and provide habitat for a variety of fish, birds, insects and plants including 14 threatened or endangered species and 79 rare species.

II. Master Plan Summary

The Peshtigo River State Forest Master Plan and Environmental Assessment are attached for review and approval. Highlights of the plan include:

- Increasing slightly the pine cover type and reducing slightly the aspen cover type. The option to feature either forest type remains intact for future planning processes.
- Supporting regional and state economies by increasing sustainable forest management and increasing the development of recreation areas and trails.
- Designating new State Natural Areas that have statewide as well as regional significance to maintaining Wisconsin's biological diversity.
- Expanding the property boundary to support future opportunities to enhance the area's biological diversity, recreational potential and watershed protection.
- Monitoring invasive species, and controlling their introduction and spread, where possible.
- Leading a regional planning effort with federal, state, county, town, and private landowners to evaluate the potential for additional ATV trails on the forest and possible trail connectors.
- Increasing the number of rustic and primitive camping facilities, including water-access-only sites to provide access to a variety of recreational settings.
- Increasing the number and length of hiking, biking and nature trails to accommodate the increasing demand for forest-based recreation.
- Maintaining the current quantity and quality of snowmobile trails and summer and winter ATV trails.

III. Public Involvement and unresolved Issues

The public has been involved in the development of the Peshtigo River State Forest master planning process at key points within the past two years. It has included open house public meetings, and regular correspondence with local and county governments, tribal representatives, cooperating agencies, interested organizations, and individuals. The Department engaged the public in the process of developing the master plan through the stages of issue identification, vision and goals, alternative concepts, preferred alternative, and the Draft Plan and EA.

Though very few issues arose during the two year planning process, one played a prominent role: the expansion of spring, summer, and fall All-Terrain Vehicle trails.

All-Terrain Vehicles – The plan does not include additional ATV trails but authorizes the use on appropriate sites. The plan maintains the existing 1 mile of year round ATV trails and 20 miles of winter only ATV trails. As a result of an overwhelming number of comments related to ATVs, and the desire to connect existing trail systems north of the property to trails south of the property, the Department will lead a regional planning effort to evaluate alternatives. The Peshtigo River State Forest can not provide a trail network solely on its lands. Additional land owners are needed to evaluate the full range of trail alternatives. For this reason no additional trails are designated on the Forest but the plan allows for future designations on appropriate sites that contribute to a regional trail network.

IV. EA Conclusions and Department Recommendations

The Department of Natural Resources concludes that:

- 1) The Department, under s. 1.11 Wis. Stats., and Ch. NR 150, Wis. Adm. Code, has the responsibility to comply with WEPA, and the authority to determine its compliance with that Act.
- 2) The Department, under s. 28.04 Wis. Stats., has the authority to plan and manage state forests.

- 3) The Department, under ss. 23.27 and 23.28, Wis. Stats., has the authority to acquire, designate and protect State Natural Areas.

DECISION: The Department recommends Natural Resource Board approval of the Peshtigo River State Forest Master Plan.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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Scott Hassett, Secretary
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Dear Peshtigo River State Forest stakeholder,

Thank you very much for your continued interest in the future management course of the Peshtigo River State Forest (PRSF). We appreciate the comments you have shared with us. After considering your feedback on the *Preferred Alternative and Options* and undertaking a rigorous review process – the outcomes of which produced several content revisions – we published the *Draft Master Plan and Environmental Assessment* in March of 2007. Following the release of this document, we held two public meetings seeking your feedback on the proposed management plan for the property. The meetings in Green Bay and the Town of Stephenson were both well attended, with many neighbors, forest users, businesses, and government and local officials interested in the property's future management course.

During the meetings, we encouraged you to comment on the proposals in the *Draft Plan* and many of you elected to do so. Thank you for taking this opportunity. As with feedback from the *Preferred Alternative* phase, some of these comments were verbal – taking place at the meetings and captured on flip charts – while others were handwritten or sent by e-mail. Others contacted me directly by phone. We received over 375 comments, petitions, and resolutions. Generally you are enthusiastic about the proposals outlined for the property. A variety of other subjects were mentioned, including horse trails, boat landings, camping opportunities, and the proposed boundary expansion, to name a few. We did receive a considerable number of comments expressing dissatisfaction with the lack of additional, site specific, All-Terrain Vehicle (ATV) trails. Your comments have been summarized and are provided as a portion of this document.

As you know, public input plays an important role in developing a *Master Plan* on state-owned properties. However, your feedback is not the only element that determines how a property will be managed and/or developed. Public input is balanced with state statutes, scientific knowledge, management experience, and the property's limitations and capabilities. Since we typically receive comments on a broad range of issues, it is the content of the comments – not necessarily their number – that provides us with the most useful information. In the process of developing the final *Draft Master Plan*, we have carefully considered input received from the public, local governing bodies, and others.

Again, we appreciate your interest in the Peshtigo River State Forest and thank you for your feedback on the *Draft Master Plan and Environmental Assessment*. We anticipate sharing a summary of the comments as well as a final draft plan to the Natural Resources Board in September of 2007. It is our goal to provide a broad range of recreational opportunities, sustainably produce forest products to support local and statewide economies, and to manage the unique features of the Peshtigo River State Forest for current and future generations. I look forward to seeing you on Wisconsin's newest State Forest in the near future!

The Draft Plan is available online at: http://dnr.wi.gov/master_planning/ttsp_pesh/ or by request via email or phone from the property superintendent. Email: dan.mertz@wisconsin.gov or phone: (715) 757-3965.

Sincerely,

Dan Mertz, Peshtigo River State Forest Superintendent

Peshigo River State Forest Master Plan
Summary and Response to Public Comments
Draft Master Plan and Environmental Assessment Phase
June 2007

Overview of Public Comments

The Wisconsin Department of Natural Resources released the Draft Master Plan and Environmental Assessment for the Peshtigo River State Forest for public review in March 2007. The 45 day comment period ended on April 27th, 2007. The draft master plan was available in hard copy, electronically on the Department's web site, and could also be viewed at numerous public libraries and government offices. Over 1200 Draft Master Plans were distributed.

In March of 2007, two public informational meetings were held, one in Green Bay and the other in the Town of Stephenson near Crivitz. Over 100 people attended the public meetings to gain a better understanding of the draft plan and to provide comments. Participants in these public informational meetings included local residents, local governments, representatives of business and industry, conservation and recreation organizations, forest users and visitors, and local landowners. Contacts were also made with tribal representatives and local government officials. During the comment period over 375 public comments were received in various forms including cards and letters, e-mails, comment forms, resolutions, and petitions.

Summary and Response to Comments

With a few notable exceptions, the management course outlined for the Peshtigo River State Forest in the *Draft Master Plan and Environmental Assessment* is supported by the public. This is expressed through the many positive comments received during the comment period of the *Draft Plan* phase.

The shared values expressed during the public comment period include; protecting the scenic qualities of the flowages and river, providing public access to the flowages and land based recreation, supporting local economies, providing a range of recreational opportunities, and enhancing the health and productivity of the forest. Many of these values are consistent with sentiments expressed at the beginning of the planning process and are represented in the property's draft Vision and Goals. While many of the comments submitted during the Preferred Alternative phase were included in the Draft Plan, some people were disappointed that not all of their suggestions were included. However, most stakeholders realize there were going to be differences regarding the management of the forest. The most notable unresolved issue is the designation of expanded ATV trail systems. A considerable number of comments focused on this issue. Of these, a significant number of comments expressed interest in developing additional ATV trails on the State Forest to support local economies and to provide a greater regional recreational trail network.

Land Management Proposals - Summary of Comments and Response

Summary

Public comments generally support the land management proposals. Although relatively few comments were submitted, those that were support the forest management direction. Well supported management elements include: increasing the pine component and improving the health of scrub oak forests, protecting the aesthetic qualities of the river and flowages, maintaining forest management to support local and regional economies, meeting ecosystem objectives, invasive species control and removal, and protection of water quality.

Response

No changes are proposed for the land management designations or their resource prescriptions. The Peshtigo River State Forest will continue to provide a range of benefits while establishing three Forest Production Areas, five Native Community Management Areas – of which three State Natural Areas have been proposed – and a Shoreland Management Overlay Zone along the river and flowage shoreline. These designations ensure that

unique plants, animals, natural communities, and scenic vistas are protected, while still allowing for sustainable timber harvest on the forest.

Recreation Proposals - Summary of Comments and Response

Summary

Stakeholders are particularly interested in recreational opportunities on the Peshtigo River State Forest and offered a number of suggestions. The majority of stakeholders support the planned developments to enhance and increase the levels of public access to the forest and water resources. People also voiced support for the expanded trail systems that would include accommodations for people with physical limitations, horseback riding, hiking, and mountain biking. Other activities that were supported include the proposal to increase camping at Old Veterans Lake Campground, construct an equestrian campground and trails, and enhance existing campsites along the river and flowages. There was also support for the proposed increase and re-routes of existing snowmobile trails to enhance the regional motorized trail network. The majority of comments received focused on ATV trails, both in favor of expanding trail systems and limiting future use.

Issues that received significant comments include: motorized recreation (ATVs), increased parking at boat landings, and the proposed East Bay day use area (adjacent to Boat Landing 3) and its amenities.

Issue: Expansion of Boat Landing 3 and adjacent East Bay Day Use Area

Concerns have been raised over the proposed increase in parking at Boat Landing 3 and the establishment of a new day use area adjacent to it. Additional comments involved concerns over local fishing opportunities, duplication of day use facilities in relation to the nearby town park, increased traffic, and proposed increases of boat trailer parking at several of the heavily-used boat landings elsewhere on the forest.

Response: Due to the related nature of these concerns, we have reconsidered the increase in boat trailer capacity on Caldron Falls and High Falls. Overall, there *will* be an increase in boat trailer parking on the Forest. However, in response to comments, we have reduced the number of proposed additional parking stalls on High Falls to 70 (down from 115) and there will be *no increase* in parking on Caldron Falls (see issue below). At Boat Landing 3 specifically, there will only be an increase of 30 spaces (down from 55). It is our intent that the scaled back increase will help mitigate concerns regarding overcrowding on the water, increased traffic, while maintaining water quality and riparian habitat on the flowages.

Additional changes in response to comments include the phased development of parking lots for the picnic areas in the proposed East Bay day use area. Each calls for a separate maximum capacity 100-car parking lot. These would be phased to meet demand. Each would begin as a maximum 50-car parking lot and increase to full capacity *only* if and when there is demand for the increase.

Issue: Outstanding Resource Water Designation and proposed parking increases at boat landings on Caldron Falls

Caldron Falls is a state designated Outstanding Resource Water (ORW). An Outstanding Resource Water is designated from a set of criteria that determines it to be an area that requires special protection due to its water quality and its ability to support a diverse array of plants, fish, wildlife and other animals, both in the water and the riparian zone. Any development around Caldron Falls can not degrade the water quality or reduce any of the initial criteria that were met for its Outstanding Water Resource designation.

Response: In keeping with the ORW designation and our commitment to protecting and enhancing water resources on the Peshtigo River State Forest, there will be *no expansion* of boat trailer capacity within the state forest on Caldron Falls Flowage. However, boat landings can be redesigned, upgraded, and reconfigured to make the best use of available space and to maintain water quality. Not only will the redesign of boat landings use Best Management Practices (BMPs), it will also prevent and reduce storm water runoff into the flowages.

Issue: Boat Landings and Boat access (NR 1.91)

Comments were received expressing concern that the proposed increase in parking spaces at the boat landings is in violation of NR 1.91, specifically exceeding the carrying capacity of Caldron Falls and High Falls flowages. Concerns over compliance with NR 1.91 were noted in the “Preferred Alternative” phase of the master plan.

Response: Along with the previously mentioned reductions in the proposed parking space additions an addition to the EA was created in compliance with NR 1.91 requirements to provide an “Alternative Public Boating Recreation and Waterways Protection Plan.” This section of the EA has been modified to reflect changes made to boat landing capacities and day use area parking.

Motorized Recreation – ATV

Comments

ATV use on the Forest continues to be a highly debated topic in the latter stages of the master planning process. A considerable number of comments received on the draft plan focus on the desire to designate additional ATV trails. Regional, local, and environmental issues were raised by those commenting on this topic.

Proponents of increasing designated ATV trails on the forest have different objectives for doing so. These include: (1) connecting the regional ATV trail network north of the forest (Marinette County trails) with the southern trail network in Marinette and Oconto Counties, (2) capturing economic benefits derived from new ATV trails, (3) adding detailed language in the plan for a trail without siting it, and (4) adding detailed language to the plan *and* siting a trail. There is a common misconception among ATV advocates that siting and designating ATV trails must occur when the plan is being written or revised. Local ATV advocates are concerned with capturing economic benefits of trails and linking trail users with local services and businesses. Other respondents felt that proposed recreational developments, such as camping facilities, would limit options for ATV trails.

Opponents of ATV trails cited several areas of concern. These include degradation of water quality of the streams and flowages, noise and dust, conflicts with other recreation types, trail erosion, illegal trail access points, off trail riding and subsequent damage to the forest, and introduction of non-native plant species.

Notable comments included; a petition with over 700 signatures and 200 web-comments in support of regional connector trails, a resolution from the Marinette County Board and the Marinette County Tourism Alliance encouraging the department to designate the trail submitted by the local ATV club.

Response:

The Department considered local interests along with statewide demand for ATV use as well as opportunities and limitations on the forest. Motorized recreation is a complicated planning and policy issue for the PRSF because of the long, linear shape of the property and existing uses. In addition, the northern trail system does not connect to the State Forest. Due to the location of existing trails, the issue is very much regional in nature, and cannot be decided solely by the Department. Any new trails or connectors would need to be planned and developed with multiple landowners and interests outside of the property and cannot simply be addressed at the property level. Because of this, creating a north-south trail solely on the PRSF is impractical at this time.

The Department is committed to providing sustainable ATV riding opportunities that provide critical links to regional trail networks. Because all potential routes for ATV trails in the region have not been adequately evaluated, the Department, working with regional partners and engaging the public, will continue to evaluate opportunities for establishing ATV connector routes. The Department will encourage and lead a regional forum to evaluate trail options. Trails that are potentially located on the Forest and that link or are connected to a regional network of ATV trails will be considered. Given the complexity of the issue and the multiple landowners and interest groups involved, the PRSF is one of many potential providers in the trail network.

At this time, the Department does not recommend any changes to the final draft plan. The *Draft Plan* supports:

- Authorized ATV trails in the Peshtigo River State Forest in appropriate locations.
- 20 miles of designated winter-only ATV trails. Snowmobile re-routes can be designated for winter ATV use if appropriate.
- Maintaining the existing mile of year-round designated ATV trails connecting the southern loop. The trail will be enhanced to meet current design standards.
- The Department will work with regional partners and the public to evaluate potential future trail connectors that support the regional trail network.
- The Department may designate ATV trails in the future if and when suitable trail connectors are found.

In summary, The Department is committed to working with regional partners, including government, private landowners, and other interested parties on this issue. While this process will not be finalized before the Master Plan is completed, it *will not* “lock out” future ATV trail designations on the PRSF. The Department recognizes the existing trail networks north and south of the forest as well as the desire and benefits of connecting the two trail networks. The Department must evaluate the State Forest’s role in connecting the trail systems and will work with partners to assess a broad range of alternatives. A regional planning effort with a range of alternatives for consideration is the desired and prudent approach.

Boundary Expansion - Summary of Comments and Response

Summary

The public is generally supportive of the boundary expansion proposal. The proposal calls for acquiring additional land as it becomes available to promote ecological values, allow for a broader range of regional recreational opportunities and access, and make land management more effective. People supporting boundary expansion describe a desire to preserve scenic, undeveloped beauty; to prevent further land parcelization and fragmentation due to development; and to accommodate the many potential uses of the forest. One person stated that land should be acquired at every opportunity. Another was concerned about land acquisition near private properties, while others merely expressed concern regarding land acquisition and boundary expansion in general. Others mentioned confusion as to what it meant to be within the proposed boundary expansion.

Local governments and communities are often concerned about the perceived reduction of local revenue when private land comes into public ownership. Unlike private landowners who pay taxes based on the assessed value of their property, lands purchased by the Wisconsin Department of Natural Resources after January 1, 1992 pay aids-in-lieu-of-taxes that are equal to property taxes that would have been paid had the land remained in private ownership.

The Department is very sensitive to concerns raised by proposed boundary expansions. All purchases by the Department are at fair market value based on appraisal.

Response: Based on the support of the proposed boundary expansion, no changes are proposed to the Boundary Expansion in the *Draft Plan*.

Conclusion

Through public informational meetings and the many comments received during the comment period, the Draft Peshtigo River State Forest Master Plan is largely supported by the public. Land management and Boundary expansion have broad support among forest users and stakeholders while recreation use and amenities have been the focus of received comments. Many suggestions have been incorporated into the plan while others will continue to be evaluated. We appreciate the comments received and look forward to providing and protecting the natural and recreational amenities that are associated with the Peshtigo River State Forest.