

DEPARTMENT OF NATURAL RESOURCES

District or Bureau: WD  
Docket Number:  
Type List Designation(s): NR150.03(8)d(1)c

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Contact Person  
Steve Edge  
Title  
Liaison Forester - Eau Claire County  
Address  
1300 W. Clairemont Ave.  
P.O. Box 4001  
Eau Claire, WI 54702  
Telephone Number  
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**NOTE TO REVIEWER:**  
Comments should address  
completeness, accuracy or the EIS  
decision. For your comments to be  
considered, they must be received by the  
contact person before 4:30 pm,

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ENVIRONMENTAL ASSESSMENT

**Applicant:** Eau Claire County Forest  
227 1st Street W.  
Altoona, WI. 54720

**Title of Proposal:** County Forest Withdrawal for landfill purposes.

**Location:** County: Eau Claire  
Town Name: Seymour  
Township 27 North, Range 8 West, Sections 16 & 17.

PROJECT SUMMARY

1. **General Description (brief overview)**

A. Eau Claire County Forest land to be withdrawn for use as private landfill: SWNW, Section 16, T27N, R8W lying west of County highway "L" = 28 ac. m/l. SENE and N1/2SWNE, Section 17, T27N, R8W = 60 acres m/l. Total acreage = 88 acres m/l. This wooded property is proposed for use as both a buffer area to the current landfill area and for expansion of the existing facility.

B. The county has already purchased 80 acres in the Town of Bridge Creek as a replacement of County Forest acres if this withdrawal is approved. The replacement 80 is described as the N1/2SE1/4, Section 27, T26N, R5W, and has already been entered under the County Forest Law in 1997. This parcel was previously under the Forest Crop Law since 1985.

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

Eau Claire County sold its landfill on September 30, 1996 to Superior Services, Inc. The purchase agreement for the landfill sale included an option to purchase the adjoining parcel to the south as described above. The proposed use of the parcel is for landfill buffer and future expansion of the landfill. Additional landfill space will be needed in the future either at this location or another. The question is: "Is this location in the best public interest for additional landfill space?".

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

- 28.11 Wisconsin State Statutes - approval by Wis. Dept. of Natural Resources.
- 144.44 Wis. Stat.
- NR 509 through 516, Wis. Admin. Codes
- NR 504.04 Wis. Admin. Codes

**4. Estimated Cost and Funding Source**

This proposed withdrawal of county forest land will result in a \$132,000 income to the county from Superior Services for the purchase of the land (\$1500 per acre). This price was established as part of the landfill purchase agreement in 1996. The county spent \$35,000 for the replacement 80 acres in the town of Bridge Creek. Remaining funds from the sale of the withdrawal parcel would be placed in the county's land acquisition fund for additional purchases of county forest land.

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

- A. Management on County Forest land is specified by the Comprehensive Management Plan (County Forest 10-Year Plan) as outlined by the DNR Reconnaissance Handbook 2412 and Timber Management Guides M.C. 2431.
- B. Manipulation of resources would definitely occur with an expansion of the landfill, including removal of vegetation and soil, installing liners and a leachate collection system, runoff management, etc... The proposed future expansion is not defined enough at this time to give detailed quantities. This would be addressed in an Environmental Assessment associated with the Solid Waste licensing program.

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

No aquatic resources are directly involved in the proposed withdrawal. This land is located no nearer than the existing landfill to Sevenmile Creek, which is listed as a class #1 brook trout stream with last data collected in 1976. This creek is listed as a Wisconsin Exceptional Water Resource. Landfill expansion on the withdrawal parcel would lessen the distance of the landfill from the Eau Claire River. The existing landfill is .5 miles from the river and expansion would reduce this distance to .25 miles. State laws and regulations would require these resources be buffered from the affects of a landfill.

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

There are no buildings or structures associated with the withdrawal or replacement parcel. The withdrawal parcel does contain about 3/4 mile of county snowmobile trail. An easement has been recorded with the county deeds office to allow the trail to remain.

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

Landfill expansion would result in additional runoff water, leachate (treated), odor, and noise from equipment and trucks. These parameters are regulated through solid waste licensing. Ground water is monitored through wells.

**9. Other Changes**

Traffic patterns on local roads may be altered due to the proposed acquisition of County Forest land. The withdrawal parcel adjoins county highway "L" to the east and a new access to the landfill would be possible. This area is also directly across from the Tower Ridge Ski Area that is a high recreational use area. Cross-country ski trails, horseback trails and a disc golf coarse utilize about 600 acres of county land. Skiing use has dramatically increased in this area due to recent trail improvements.

**10. Identify the Maps, Plans and Other Descriptive Material Attached**

Attachment	<u>A</u>	County map showing the general area of the project
Attachment	<u>B</u>	USGS topographic map
Attachment	<u>C</u>	Plat Map
Attachment	<u>D</u>	Timber type map (forest reconnaissance)
Attachment	<u>E</u>	Soils map
Attachment	<u>F</u>	Aerial Photo
Attachment	<u>G</u>	Sevenmile Creek Landfill map
Attachment	<u>H</u>	Town of Seymour Landfill Investigation
Attachment	<u>I</u>	Department solid waste comments (2-13-97)
Attachment	<u>J</u>	Historical/Archaeological sites
Attachment	<u>K</u>	Plat map of replacement parcel
Attachment	<u>L</u>	Aerial photo of replacement parcel
Attachment	<u>M</u>	Superior Services Inc. letter (3-31-98)
Attachment	<u>N</u>	Snowmobile trail easement (1-19-99)
Attachment	<u>O</u>	Withdrawal acreage amendment (5-13-99)
Attachment	<u>P</u>	Superior Services Inc. letter (5-19-99)

AFFECTED ENVIRONMENT

Information Based On (check all that apply)

X Literature/Correspondence

X Personal Contacts (list in item 28)

Field Analysis By: X Author, X (list in item 28)

Past Experience With Site By: X Author

   Other (list in item 28)

**11. Physical (topographic - soils - water - air)**

**Withdrawal Parcel** - The proposed withdrawal parcel is located on an alluvial terrace along the Eau Claire River basin formed by meltwater during the Wisconsin Stage of Pleistocene glaciation. The site is generally level and forested with a mixture of jack pine, white pine, red pine, pin oak, black oak, and red maple. There are portions of 2 different red pine plantations within the withdrawal parcel covering approximately 36 acres. Soils are primarily Menahga series sand that have low fertility and soil moisture. Infiltration of water is very rapid on these deep sandy soils.

This parcel lies adjacent to the current landfill formerly owned by Eau Claire County, an old Town of Seymour landfill, and is also next to a private salvage yard (see attachment F). The remainder of the property lines border additional county forest lands.

**Replacement Parcel** - The replacement parcel is a wooded 80 acre tract consisting of mixed oak on sandy loam and loamy sand soils. The property was previously under the Forest Crop Law program with a recent timber harvest including patch clearcuts and thinning of good quality oak. White pine is slowly dominating the understory of this tract and will be a dominant species in the future. The parcel is bounded on three sides by county forest land with private woodland to the south (see attachments K and L).

The replacement parcel was purchased in 1997 in anticipation that approximately 80 acres would be withdrawn for the landfill expansion. The county decided to purchase this land in 1997 because that is when it was put on the market. This parcel makes a nice addition to the blocking of the county forest even if the withdrawal does not go through.

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

- A. Withdrawal Parcel** - There are 6 different forested stands on this 88 acres of county forest land. Stand #9 (6 acres) is a natural mix of 50 year old red, jack and white pine. Stand #15 (21 acres) is 60 year old pin oak near highway L. Stand #16 (16 acres) is 20 year old red pine plantation that was recently improved upon by cutting out pin oak that were competing with the pine. Stand #17 (12 acres) has scattered mature jack pine but is dominated by 16 year old oak sprouts. Stand #18 (15 acres) has a light density of red pine in patches with young jack pine filling in. A harvest of mature jack pine from this stand was completed about 6 years ago. Finally, stand #31 (18 acres) is a younger 16 year old red pine plantation. Lower limbs have been pruned off by 5th graders as part of their environmental field day each spring or fall. Wildlife inhabitants include deer, ruffed grouse, turkey, squirrel, rabbit, and fox. Songbirds and raptors associated with these forested areas are common.

Endangered resources may potentially include the Karner Blue Butterfly within the withdrawal parcel. Habitat associated with jack pine and red pine management provides potential Karner sites in this area of the county. A known Karner population exists within 1/2 mile of the withdrawal parcel. A survey of wild lupine was conducted in June of 1997 and small patches of this wildflower were observed along the snowmobile trail. Two Karner surveys were completed in July and August of 1997. No butterflies were observed in the area.

- B. Replacement Parcel** - 75 year old oak timber dominates the former Kins property which the county acquired in 1997 to anticipate the replacement of landfill expansion acreage. The property had been under the Forest Crop law since 1985 and management included recent timber harvesting to promote oak, aspen and white pine growth, along with increasing quality habitat. Two forested wetlands are included on this property consisting of mostly tag alder vegetation.

Management of the replacement parcel under county ownership will be consistent with the 10-Year Plan, including timber, wildlife, aesthetic and recreational objectives. The wetland areas will be protected from disturbance.

**13. Cultural**

- A. Land use (dominant features and uses including zoning if applicable)**  
The withdrawal parcel is managed as part of the County Forest for timber production, wildlife habitat, and recreational opportunities. The replacement parcel has been managed under the Forest Crop Law tax program for the same benefits as the county land. Rezoning from F-1 (forestry) would be required for the withdrawal parcel before citing additional landfill space. The replacement parcel will remain as it is and no significant change in land use is expected.
- B. Social/economic (include ethnic and cultural groups)**  
The withdrawal parcel is currently used for public recreation including hunting, snowmobiling, hiking, and horseback riding. Landfill expansion would create some public controversy, but it is believed less so than trying to site a new facility somewhere else. The landfill operation will provide a limited number of jobs to the area. Proceeds from the purchase of the property (\$132,000) will go into a land purchase account for the county to acquire county forest land in the future. A market value appraisal of \$61,600 was determined as of April 7, 1998 by the Department land agent. Timber value would be lost from the withdrawal parcel. Estimated timber value on the withdrawal parcel is \$20,000. Estimated timber value on the replacement parcel is \$27,000.
- C. Archaeological/Historical**  
No properties are known to exist on the withdrawal parcel or would be affected with this project. See Attachment J (State Historical Society). The archaeological site mentioned lies west of Sevenmile Creek.

**14. Other Special Resources (e.g., archaeological, historical, endangered/threatened species, scientific areas, natural areas)**

None known.

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

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

There would be a definite visual impact to the property as land use was changed from forested to landfill use. Vegetation would be cleared and associated development with landfill construction would modify the property. Due to topographic limitations of the site, a portion of the acreage near the south property line would remain as a forested buffer. Additional haul roads would be developed around the expanded landfill. Specific impacts would further be addressed in an environmental assessment associated with the licensing process.

Expansion of the current facility will decrease/delay the need for siting a landfill at another location (which would have consequences of its own). The existing facility has approximately 7 to 10 years of remaining life. The existing landfill site and operation have not been known to have produced significant adverse environmental impacts. Subject to DNR siting and operational approval, the expansion would be assumed to not add new significance of risk of adverse impacts. Adjacent land uses however, including a former township landfill and a private salvage yard, have resulted in some groundwater contamination. Monitoring for any landfill expansion would need to be able to differentiate between existing conditions and any problems that may be caused later by siting landfill expansion at the proposed location. Other impacts include standard operational emissions of exhaust and noise from equipment, increase in area traffic, and the loss of forested habitat.

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

Forested cover and associated wildlife habitat would be lost on the withdrawal parcel. Impact to Seven Mile Creek is possible, however no measured impacts to date have been observed from the existing facility. No new risk of adverse impacts would be expected if solid waste approvals are obtained.

Wildlife habitat loss will occur on the withdrawal parcel with landfill expansion. This site does not currently provide habitat for the Karner Blue Butterfly, but because there is a lupine seed source present with the proper soils, potential habitat for the butterfly will be eliminated. Habitat can be reclaimed after the landfill reaches capacity and is permanently closed.

The replacement parcel will provide some mitigation to the loss of habitat on the withdrawal parcel. Impacts of the replacement parcel under county ownership include consolidating county forest land, which in turn allows for better landscape management opportunities. Species associated with larger expanses of contiguous forests will benefit. Under private ownership, there was no guarantee that this forested acreage would remain intact.

Risk of contamination to surface water and groundwater is always possible with landfill operations. These risks will need to be reduced to an acceptable level before solid waste approvals for landfill expansion would be issued.

**17. Cultural**

**A. Land use (include direct and secondary impacts)**

In the recent past many small municipal landfills have closed because of environmental constraints. The trend has been to landfill refuse in facilities that service larger regions and at times multiple states. Landfills have also become a private enterprise rather than a governmental service. Currently there are private landfill facilities located in Rusk, Washburn, Wood, and Eau Claire counties.

With expansion in Eau Claire County landfill activity will be extended longer into the future. In addition, illegal dumping on adjacent public and private lands within the township has been a problem and will likely continue. Noise and odor from the landfill may increase with expansion.

**B. Social/economic (include ethnic and cultural groups)**

Economic benefits can be expected for Superior Services Inc. and the community with expansion of the existing facility. Periodic income from timber will be lost. Loss of forested acreage along with associated wildlife habitat and recreational opportunities will be seen with landfill expansion. An easement to maintain the snowmobile trail on this land has been recorded.

**C. Archaeological/Historical**

None known.

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

None.

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

- loss of forested acreage on the western end of the county forest.
- loss of habitat associated with forest clearing.
- potential increase in noise, odor and traffic to the area.
- loss of some recreational opportunities.
- risk to surface and groundwater contamination.
- loss of periodic timber income especially from red pine plantations.
- continued problems with illegal dumping within the township.

ALTERNATIVES (no action - enlarge - reduce - modify - other locations and/or methods)

**20. Identify, describe and discuss feasible alternatives to the proposed action and their impacts. Give particular attention to alternatives which might avoid some or all adverse environmental effects.**

1. Not to allow landfill expansion into county forest land:

This option would impact Superior Services by limiting the lifespan of the existing landfill facility to approximately 10 years. Superior Services would realize a financial gain by expanding the current facility. It is much easier from the public controversy standpoint to expand an existing facility than to site a new one. People have already accepted the presence of a landfill in this area. Town of Seymour residents receive free landfill services at the existing facility. The existing landfill has operated without known problems. Expansion at the site, pending solid waste siting and operational review and approval, would be expected to continue that trend.

2. Expand landfill into acreage other than county forest:

Expansion is limited to the west by Sevenmile Creek. Private residences exist to the north and northeast of the current landfill. There is a 40 acre tract that was a former township landfill (town of Seymour) that could be used for expansion. This was considered by the county when they owned the landfill and the conclusions of that study are included in this assessment (Attachment H). Ownership of the Seymour landfill would increase liability and Superior Services has indicated that the township parcel alone is not enough area for viable landfill expansion. However, it could be used in conjunction with additional area. Other privately owned landfills mentioned above include total surface areas of 40, 27 and 37 acres. Costs that would be incurred with using the town of Seymour parcel involve excavating and hauling. It is estimated there are about 212,000 cubic yards of municipal solid waste and soil cover material that would require removal, at a cost around \$1.5 million, if the Seymour site were to be used for additional landfill space. Comparable landfills of that acreage have a total capacity of 2,500,000 to 4,000,000 cubic yards.

There is a 40 acre tract that is used as a private salvage yard business, and is adjacent to the town of Seymour landfill. It may be possible to acquire that property if the town parcel was also utilized. However, there are only about 12 acres of the salvage yard parcel that lie beyond the required 1200 foot setback from private wells. A variance to the setback may be possible, or the private residences could be purchased and wells abandoned.

Some environmental problems are known to be associated with these other acreages. Down gradient wells have detected several VOC's and other chemicals. Expanding modern landfill facilities into these areas would have the added environmental benefit to the public of cleaning up a known groundwater problem.

3. Develop a landfill at a totally new site:

No site other than those mentioned above have been identified or considered. Siting a new facility would be controversial and involve unique environmental impacts.

4. Allow landfill to expand into county forest acreage with stipulations:

After withdrawal there is some possibility that solid waste approvals may not be issued. As a condition of withdrawal, Eau Claire County could require that no site disturbance take place until after solid waste approvals are issued. If solid waste approvals are not granted ownership would revert back to the county for re-entry under the County Forest Law. This would have to be addressed as part of the purchase agreement.

5. Require use of Seymour site in conjunction with the withdrawal parcel:

Require utilization of the Seymour landfill site before or in addition to the withdrawal parcel. This would be a viable option due to the physical location of each of these sites. Superior Services Inc. has indicated this option is of interest but would not commit to it due to potential liabilities associated with the old town landfill and they require more space to be profitable. Superior indicated it is their intention to investigate this possibility. See Attachment M.

EVALUATION OF PROJECT SIGNIFICANCE (Complete each item)

**21. Significance of Environmental Effects**

**A. Would the proposed project or related activities substantially change the quality of the environment (physical, biological, socio-economic)? Explain.**

Because there are two existing landfill sites in this area it is not expected that an expansion would substantially change the quality of the overall environment of this area in the town of Seymour.

**B. Discuss the significance of short-term and long-term environmental effects of the proposed project including secondary effects; particularly to geographically scarce resources such as historic or cultural resources, scenic and recreational resources, prime agricultural lands, threatened or endangered species or ecologically sensitive areas. (The reversibility of an action affects the extent or degree of impact)**

Because there are two existing landfill sites in this area it is not expected that an expansion of the landfill would significantly effect either the short-term or long-term environment. Once expanded, reversibility of the project will not be highly feasible. As with any sanitary landfill, environmental effects are long-term. When the landfill is at capacity and no longer suitable for landfill purposes, solid waste laws require site reclamation and continued monitoring to assure no residual adverse effects occur, and to allow the best opportunity for future use of the property. Future use after reclamation could be for conservation and recreational purposes.

Short term impacts to recreation on the withdrawal parcel will include loss of trail use. Currently the snowmobile trail is also used by hikers, horseback riders, illegal ATV riders, and hunters. Long term effects will be realized to timber management. The withdrawal parcel has 2 red pine plantation areas where investment has been made in the past to complete site preparation, tree planting, and improvement work.

**22. Significance of Cumulative Affects**

**Discuss the significance of reasonably anticipated cumulative effects on the environment. Consider cumulative effects from repeated projects of the same type. What is the likelihood that similar projects would be repeated? Would the cumulative effects be more severe or substantially change the quality of the environment? Include other activities planned or proposed in the area that would compound effects on the environment.**

Groundwater quality has been impacted by the old town landfill and the private salvage yard. Cumulative effects may be seen with disposal of refuse in an expanded landfill, however these effects are closely monitored and regulated by the state solid waste program. Landfill space will likely always be needed and either expansion of existing facilities or siting new landfills will be required in the future.

23. **Significance of Risk**

- A. Explain the significance of any unknowns which create substantial uncertainty in predicting effects on the quality of the environment. What additional studies or analyses would eliminate or reduce these unknowns? Explain why these studies were not done.**

It is unknown whether state permits for landfill expansion will be granted. Siting and expansion of landfills is regulated through the Department solid waste program. There are currently many unknowns with regards to the specifics of this landfill expansion, however, they would be addressed through the solid waste permitting process.

- B. Explain the environmental effects of reasonably anticipated operating problems such as malfunctions, spills, fires or other hazards (particularly those relating to health or safety). Consider reasonable detection and emergency response, and discuss the potential for these hazards.**

Operating problems could result in surface and groundwater contamination. This however is already a potential concern with the existing facilities and expansion is not anticipated to increase this risk, other than to extend it longer into the future..

24. **Significance of Precedent**

- A. Would a decision on this proposal influence future decisions or foreclose future options that may additionally affect the quality of the environment? Explain the significance.**

Withdrawal of county forest land for an expansion of a landfill facility could be precedent setting within the state. Each location is uniquely different and would require assessment. There are benefits to the public in expanding an existing landfill facility; many environmental concerns have already been addressed with the existing landfill. This location has shown thus far to be an appropriate landfill site. And siting a new landfill is very difficult. Negative impacts as discussed above are the trade-off.

The significance of precedent concerning this proposal is directly related to the number of landfill facilities currently located adjacent to county forest land throughout the state. It is unknown if there are any other landfills located adjacent to county forest land that could request expansion into the forest.

- B. Describe any conflicts the proposal has with plans or policies of local, state, or federal agencies that provide for the protection of the environment. Explain the significance.**

There are no known conflicts with other plans.

25. **Discuss the effects on the quality of the environment, including socio-economic effects, that are (or are likely to be) highly controversial, and summarize the controversy.**

Landfill siting is always a controversial issue considering the "not-in-my-backyard" syndrome in today's world. Landfill expansion is anticipated to be less controversial than siting a new facility. Groundwater and surface water contamination potential is the most negative environmental effect possible, although current state regulation helps reduce this risk.

Type of refuse placed in the landfill is regulated by the Department but may be controversial to the local public. In 1998 there was a proposal to landfill PCB contaminated dredge materials at Sevenmile. This proposal received a lot of negative input from Eau Claire County and local people. Expansion of the landfill will only increase the potential for this same type of controversy.

The Department has no control over regulating where refuse comes from that is placed in the landfill. There is often local controversy over refuse that is brought in from distant places and especially out-of-state waste. Increases in the amount of refuse landfilled will shorten the lifespan of the facility. The volume of refuse entering Sevenmile since acquisition by Superior Services has increased. Also, local town residents receive free landfill services, controversy may arise when the landfill closes sooner than expected and residents no longer receive free service.

The availability of the old Seymour landfill as a possible expansion site may cause controversy. There is a need to clean up an existing environmental problem that landfill expansion could address. If this is not done there may be opposition to the use of county forest land. The Department must decide if the estimated \$1.5 million of costs (plus additional liability) are reasonable to expect private business to incur.

Superior Services, Inc. was purchased by a French conglomerate in 1999. Controversy may arise since profits from the landfill may be part of an international economy. Superior Services has indicated that no operational changes are anticipated because of the sale of the company.

**26. Explain other factors that should be considered in determining the significance of the proposal.**

None known.

**SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES**

**27. Summarize citizen and agency involvement activities (completed and proposed)**

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

<u>Date</u>	<u>Contact</u>	<u>Comments</u>
01-17-97	John Dunn -	DNR Wildlife Biologist
01-17-97	Joe Kurz -	DNR Fisheries Biologist
01-17-97	Jack Tritt -	DNR Solid Waste Investigator
01-17-97	Doug Joseph -	DNR Hydrogeologist
01-17-97	Tom Ponty -	DNR Air Management Engineer
01-17-97	Tim Hanson -	DNR Water Supply Specialist
01-17-97	Dan Koich -	DNR Water Management Specialist
01-17-97	Paul LaLiberte -	DNR Water Resources Engineer
02-26-97	Victoria Dirst -	Historical/Archaeological review.
03-04-97	Superior Services Inc, County Corp. Council & Forest Administrator, DNR - Jack Tritt, Rob Strand, Steve Edge -	meeting to discuss alternatives.
01-29-98	Tom Lovejoy -	DNR Environmental Coordinator
02-10-98	Bill Krochmalski	DNR Real Estate Specialist - appraisal requested
03-19-98	Superior Services Inc. -	Met with Alan Albee and John Staszczuk
04-07-98	Bill Krochmalski -	Received appraisal report for withdrawal parcel
05-26-98	John Staszczuk -	Letter requesting status on withdrawal application
01-19-99	John Staszczuk -	Easement for snowmobile trail finalized
03-15-99	Bill Krochmalski -	Review of private appraisal for the replacement parcel
05-13-99	John Staszczuk -	Letter amending withdrawal legal descriptions
05-19-99	Alan Albee -	Received additional information from Superior Services Inc.
08-02-99	Jack Tritt -	Provided statistics of other landfills and cost estimates of using the Seymour parcel.

Project Name: Sevenmile Creek Landfill County Forest Withdrawal

County: Eau Claire

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 on this project.

**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

Copy of news release or other notice attached? YES NO

Number of responses to news release or other notice: \_\_\_\_\_

Public response log attached? YES NO

\_\_\_\_\_  
CERTIFIED TO BE IN COMPLIANCE WITH WEPA  
\_\_\_\_\_

\_\_\_\_\_  
Regional Director (or designee)

\_\_\_\_\_  
Date Signed

**NOTICE OF APPEAL RIGHTS**

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

For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. 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.

Note: Not all Department decisions respecting environmental impact, such as those involving solid waste or hazardous waste facilities under sections 144.43 to 144.47 and 144.60 to 144.74, Stats., are subject to the contested case hearing provisions of section 227.42, Stats.

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