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# MARY FELZKOWSKI

STATE SENATOR • 12<sup>TH</sup> SENATE DISTRICT

## Testimony for SB 802

Senate Committee on Natural Resources and Energy

Senator Mary Felzkowski

January 10, 2022

201SE

Chair Cowles and Members of the Committee,

Thank you for allowing me the opportunity to testify on SB 802, regarding the sale, transfer, and conversion of properties purchased using Stewardship Grant funding.

The Knowles-Nelson Stewardship Program was created through legislation in 1989. This program, since its inception, has allowed the state to play a significant role in acquiring land to expand nature-based outdoor recreational opportunities and protect environmentally significant areas, by using stewardship funds to purchase land for state ownership.

Likewise, Non-government Conservation Organizations (NCOs), counties, and local governments are also able to apply for stewardship grant funding to assist with their own land acquisitions.

Currently, in order for one of these grant recipients to sell, transfer, or convert land previously purchased with stewardship funds, they must jump through numerous burdensome hoops in an effort to get approval from the respective entity listed below – based on the grant they received.

For instance, if a group receives a grant from the NCO Grant Program they must obtain approval from the Department of Natural Resources, if the funding comes from the County Forest Grant Program they must receive approval from the Natural Resources Board, and if it is through the Local Parks Grant Program awardees must receive approval from “The State”.

The first part of SB 802 would simplify the approval process currently laid out in statute, and require that all grant recipients only receive approval from the Department of Natural Resources.

The second part of SB 802 would create a streamlined process for grant recipients to sell land they previously purchased with Stewardship Grant funding – something that’s currently burdensome and rarely ever approved.

In an effort to maintain the overall goal of the Knowles-Nelson Stewardship Program, certain conditions would need to be met for a sale to happen:

1. The NCO, county, or local government must notify the DNR in writing of their intent to sell the land.
2. They must reimburse the state with the full amount of the original stewardship grant, plus interest, within one year of their notice to sell.
3. The property must remain open to the public as defined in their original Stewardship request, until the land is sold.

Grant recipients will have one year to find a buyer and sell the property. They can recall their intent to sell at any time within that one-year time frame. If they can't find a buyer within the year, or they recall their intent to sell, they must wait six months before restarting the process.

If the sale of the property goes through, the principle and interest paid back to the state will be used for Stewardship debt service – which as of April was \$645.3 million (\$498.5 million in principle and \$146.8 million in interest).

We are not requiring anyone to sell land, we just want to offer an easy alternative for any grant recipient to sell land that they no longer believe is valuable to their stewardship cause.

Thank you so much for giving me the time to testify on SB 802, and I would be happy to answer any questions.



# CALVIN CALLAHAN

STATE REPRESENTATIVE • ASSEMBLY DISTRICT 35

Office: (608) 266-7694  
Toll Free: (888) 534-0035

Rep.Callahan@legis.wi.gov  
P.O. Box 8952  
Madison, WI 53708-8952

## **Testimony in Support of Senate Bill 802** *Senate Committee on Natural Resources & Energy* January 10, 2022

Mr. Chairman and members of the committee, thank you for holding a public hearing on Senate Bill (SB) 802. I'd like to thank Sen. Felzkowski for working with me on this important legislation.

Since the creation of the Knowles – Nelson Stewardship Program in 1989, all grant recipients, including the Wisconsin Department of Natural Resources (DNR), have used stewardship grant funding to help purchase 390,536 acres outright and 331,701 acres in easements. (*June 30, 2020*). Unfortunately, there is a lot of red tape these recipients must cut through in order to sell, transfer, or convert this purchased land bought with stewardship funds.

SB 802 simplifies this process for Non-government Conservation Organizations (NCOs), counties, and local governments from start to finish, while still maintaining the intent of the stewardship program. No one is required to sell their stewardship land; we are simply attempting to make it easier for those who no longer need the land for their own conservancy goals.

Thank you again for this opportunity to testify in support of SB 802. I look forward to seeing your support on this important legislation.





January 10, 2022

**Gathering Waters' Testimony to the  
Senate Committee on Natural Resources and Energy  
In Opposition to Senate Bill 802**

Dear Chair Cowles and Members of the Committee:

Thank you for the opportunity to testify here today. My name is Mike Carlson, and I'm the Executive Director of Gathering Waters: Wisconsin's Alliance for Land Trusts. Gathering Waters' mission is to help land trusts, landowners, and communities protect the places that make Wisconsin special, and we represent just over 40 independent nonprofit land trust organizations throughout the state.

These land trusts include groups that operate in the legislative districts of every member of this committee, including the Northeast Wisconsin Land Trust, the Northwoods Land Trust, Green Lake Conservancy, Groundswell Conservancy, and the Kenosha-Racine Land Trust.

Many of you know the local land trusts in your district and you know firsthand that these are pragmatic, nonpartisan, solution-oriented groups that work hard to address community needs. In order for these nonprofits to be successful, they depend on the generosity and, importantly, the trust of individual donors and landowners who care deeply about conserving the character of the local community. These land trusts also depend on partnerships and rarely complete conservation projects without close working relationships with local governments in their service areas. Every 50% matching grant awarded by the state to a land trust through the Knowles-Nelson Stewardship Program represents a story of cooperation and collaboration.

For years, Gathering Waters has worked with the Legislature, including members of this committee, to help ensure that the Knowles-Nelson Stewardship Program operates as efficiently and effectively as possible. The Legislature has always maintained safeguards to ensure that grantees—including NCOs and local governments—cannot just sell Knowles-Nelson funded projects on a whim. These safeguards—laid out in statute and administrative rule, and included in the Stewardship grant contracts recorded with the deed—have been relied upon by hundreds of landowners who chose to sell their land for conservation, by countless private donors who have helped raise the 50% match, and by local community members. These safeguards have been part of the deal from the beginning.



**For that reason, I am appearing before you in opposition to this legislation. The land trust community is concerned that the proposed changes would diminish the trust of donors and potentially imperil the positive working relationships that land trusts have developed with local governments. This concern goes beyond just the safeguards on the NCO subprogram because land trusts rarely work alone. There are dozens of examples where land trusts have assisted counties, cities, villages, sanitary districts and other governmental entities to conserve public lands within their jurisdictions.**

Here's a brief hypothetical to illustrate our point: A Wisconsin land trust and a local village have a positive working relationship. An opportunity arises where a private landowner adjacent to a village park would like to see his land enrolled in the park system. He's a lifelong sportsman and committed to conservation. He's not in a financial position to donate the land, but is willing to sell it. The village staff don't have experience applying for Knowles-Nelson grants, so they turn to their local land trust to take the lead. The land trust applies for an NCO grant, securing 50% funding from the Stewardship Program. In order to find the other 50%, the land trust appeals to their members and is able to raise 40% of the funds from private donations. The last 10% of the funds come from the village. The land trust and the landowner go to closing and a Knowles-Nelson grant contract is recorded with the deed. Subsequently, the land trust transfers the parcel to the village, subject to a Knowles-Nelson grant contract, and the land becomes part of the park system. The understanding among all of the parties is that the land is now conserved, *forever*. Unfortunately, under this bill, the land would no longer be conserved forever. And this would not just apply to future transactions. This legislation would change the rules after the fact for past purchases, casting aside the good faith of landowners who sold property to the land trusts, the donors who generously contributed, and the local community members who supported the project.

Please consider the potential consequences of the changes proposed in this bill, especially as they would apply retroactively. At a time when public lands are more popular than ever, the land trust community believes that we should be strengthening the integrity of the Stewardship Program, not undermining it.

Thank you for your consideration of our experiences and concerns.



January 09, 2022  
<http://wicouncil.tu.org>

Contact: Council Chair Mike Kuhr  
(414) 588-4281

## Wisconsin TU Opposes SB 802

Wisconsin Trout Unlimited has taken the position of opposing SB802, which would allow Nonprofit Conservation Organizations (NCO's) and Local Units of Government (LUG's) to sell off public lands purchased with the Knowles Nelson Stewardship Program.

Our members value the recreational opportunities provided by Wisconsin's woods and waters. We know that public access to these lands and waters are at the heart of our thriving outdoor recreation economy.

As a NCO, we work with many private landowners who wish to leave a legacy to future Wisconsinites in the form of publicly accessible lands and conservation easements. SB 802 would put in jeopardy the certainty that legacy donors receive through the Knowles Nelson Stewardship Program. Certainty that their legacy will be enjoyed by Wisconsinites for generations to come.

Selling off public lands is a short term fix, an economic band-aide that robs future generations of their outdoor recreation rights and prevents the expansion of our sustainable outdoor recreation economy.

We understand that the driver behind this bill is mainly one property in Langlade County. Wisconsin Trout Unlimited would like to work with the Legislature to find an alternative solution to this seemingly local issue.

We urge you to oppose SB 802 in its current form.

Thank you for your time and for your commitment to public service.

Mike Kuhr  
Wisconsin Trout Unlimited, State Council Chair  
[mikek.trout@yahoo.com](mailto:mikek.trout@yahoo.com) (414) 588-4281

The Wisconsin Council of Trout Unlimited ("WITU") is a 501(c) 3 non-profit organization which consists of approximately 6,800 volunteer members in 21 chapters in Wisconsin working to ensure that future generations have access to cold, clean, fishable water. In a typical year, WITU and its Chapters report over 50,000 volunteer hours, working on conservation projects, youth education and outreach events, and operating Service Partnership Programs for the military veterans and first responders in our communities.