



Legislative Fiscal Bureau

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May 9, 2011

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Assembly Bill 48: DNR Publication of a Stewardship Lands Directory

Assembly Bill 48 would require the Department of Natural Resources to make available to the public a written directory of all stewardship land that is open for public access and a written list of all stewardship land that was acquired before October 27, 2007, for which public access has been restricted or prohibited and the reasons for that action. The bill was introduced on March 10, 2011, and referred to the Assembly Committee on Natural Resources. On April 27, 2011, passage was recommended by the Committee on a vote of Ayes 15; Noes 0.

CURRENT LAW

Under current law, DNR is required to maintain an interactive mapping tool at the Department's web site that identifies all stewardship land that is open for public access. The mapping tool must be available to the public without charge. The Department currently maintains an interactive mapping tool available without charge at the DNR website which allows users to view a map of Wisconsin which shows land which is generally open to the public including federal land, DNR land, county forests, local parks, Department lands purchased with stewardship funds as well as lands purchased using stewardship grant funds. In addition, users may click "identify" on a particular property purchased using stewardship grant funds and the mapping tool will display the manager of the grant property and the public nature-based outdoor recreational activities which are allowed on the property. The mapping tool also identifies DNR owned lands by category including fisheries, natural areas, northern forests, parks, southern forests, state trails, wildlife areas, and wild rivers. In addition, users may view DNR hunting units for bear, deer, and turkey, DNR public hunting ground leased areas, boat access sites, DNR shore fishing sites, and DNR parking areas. The map also identifies trout streams by class (Class I, Class II, and Class III). Additionally, the site allows users to view DNR land acquisition history by decade. Users may also search for a particular DNR property, municipality, county, river/lake or address. Aerial photos are also available as part

of the mapping tool.

Current law also requires owners of land acquired using stewardship funds, or DNR, if the land is surrounded by DNR land, to provide notice of public access to the stewardship land in the form of specific signs placed at major access points to the stewardship land that identify the land as land acquired using stewardship funds. The signs are required to be at least 108 square inches and made of a durable substance and must include: (a) either the primary activities that are restricted or prohibited on the stewardship land or the primary activities that are permitted on the stewardship land; (b) the name of the owner of the stewardship land or a person to contact regarding the stewardship land; and (c) if the stewardship land has cumulative acreage of 10 acres or more, the postal address or telephone number of a person to contact regarding the stewardship land, or an internet website address where a person can locate that information.

BILL SUMMARY

Assembly Bill 48 would specify that, within 24 months after the effective date of the bill, DNR must make available to the public a written list of all stewardship land that was acquired before October 27, 2007 for which public access has been restricted or prohibited and the reasons for that action. In addition, the bill would require DNR to make available to the public a written directory of all stewardship land that is open for public access, within 24 months of the effective date of the bill. The directory would be required to be organized by county and town and clearly show the location of the stewardship land and named or numbered roads. DNR would be required to update the directory every two years. The Department would be allowed to charge a fee for the directory, but the fee may not exceed the cost of the publication of the directory. In lieu of DNR making available a written directory, the bill specifies that DNR may provide to the public at the Department's cost, a map, book, or written directory that meets these requirements and that is published by a private entity.

While the bill would require DNR to make available to the public a written directory, it uses the somewhat different language of "map, book, or, written directory" for a directory published by a private entity. Further, it may not be clear whether DNR would be allowed to cover its costs of preparing and publishing the directory.

FISCAL EFFECT

Under the bill, DNR would be required to provide to the public a written list of all stewardship land that was acquired before October 27, 2007 for which public access has been restricted or prohibited and the reasons for that action. While DNR has traditionally tracked whether certain activities such as "nature appreciation" or "bird watching" were allowed on properties acquired with stewardship funds, DNR points out that the Department was not required to track whether hunting, fishing, trapping, and cross-country skiing are allowed or prohibited until after October 27, 2007. Therefore, DNR staff indicate that preparing this list would require a significant amount of staff time, which they estimate at approximately 450 hours including 30 hours

for development of a web portal to provide a list on the Department's website, 335 hours to solicit information from stewardship grant recipients, and approximately 85 hours to create a system to print the list upon request. The bill does not specify whether DNR would be authorized to charge a fee to provide the list.

The Department indicates that developing the directory of all stewardship lands open for public access required by the bill would take approximately three to four months and involve a minimum of two staff working on the project full time as well as some supervisory oversight and review. DNR estimates these staffing costs at a minimum of \$54,500 (including \$31,400 for salary and fringe benefits, and additional expenses of \$23,100 for supplies and other costs. In addition, the Department estimates that printing the directory would cost \$10 per copy assuming that the number of copies produced would be at least 20,000 copies. Total printing and staff costs associated with the initial production of the directory would be estimated at \$254,500. The bill would allow DNR to charge a fee for the directory which would cover the cost of publication. Therefore, at a cost of \$254,500, the fee for a copy of the directory may be approximately \$13. The actual costs of publication would vary depending on the type of document produced and how many copies of the document would be printed, which would depend on the demand for the directory. DNR indicates demand could exceed 20,000 given that there are currently approximately 600,000 licensed deer hunters and many other recreational enthusiasts who may be interested in purchasing a copy of the directory. However, if the publication was also available online, it is possible that some interested parties would view it on the web rather than pay a fee of perhaps \$13 to purchase a written copy. DNR anticipates that they would make the directory available on the Department's website as well as in written form.

Under the bill, DNR would be required to update the directory every two years. This would result in ongoing publication costs, which could be covered by the directory fee. Revenue of perhaps \$127,000 annually would be deposited to a Division of Land program revenue continuing appropriation to cover Department costs of publishing the directory.

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