

State of Wisconsin

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Alberta Darling

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Joint Committee on Finance

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Alberta Darling
Representative John Nygren

Date: May 16, 2019

Re: 14-Day Passive Review Approval – DNR

Pursuant to s. 23.0917(6m), Stats., attached is a 14-day passive review request from the Department of Natural Resources, received on May 16, 2019.

Please review the material and notify **Senator Darling** or **Representative Nygren** no later than **Wednesday, June 5, 2019**, if you have any concerns about the request or if you would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

Attachments

AD:JN;jm

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



May 14, 2019

The Honorable Alberta Darling, Co-Chair
Committee on Joint Finance
Room 317 East
State Capitol
PO Box 7882
Madison WI 53707-7882

The Honorable John Nygren, Co-Chair
Committee on Joint Finance
Room 309 East
State Capitol
PO Box 8953
Madison, WI 53707-53708

MAY 16 2019
J. Finance

Dear Senator Darling and Representative Nygren:

Pursuant to s. 23.0917(6m), Wis. Stats., the Department is notifying you as co-chairs of the Committee on Joint Finance of a proposed Knowles-Nelson Stewardship grant to Landmark Conservancy for land acquisition. DNR is recommending a grant of \$157,390.00 for the Conservancy's "Mouth of the Middle River" acquisition. The proposed grant award represents 50% of the estimated total project costs. This property is located north of Highway 64, in the Town of Lakeside, Douglas County.

The proposed project will acquire 63 acres of land, including 1/2 mile of Lake Superior frontage. This project will expand the Town of Lakeside's adjacent 14-acre parcel, which provides a paddle launch for the Lake Superior Water Trail. Landmark Conservancy and the Town of Lakeside are working together on a plan to transfer title to the Town of Lakeside for long term ownership and management.

There are no proposed prohibitions of nature-based outdoor activities, as defined in s. 23.0916(1)(b), Wis. Stats.

As provided in s. 23.0917(6m)(a), Wis. Stats., if the Department does not receive notification of the scheduling of a hearing from either of the Joint Committee on Finance co-chairpersons within fourteen working days from today, the Department will award this grant.

Thank you for your consideration.

Sincerely,

Preston D. Cole
Secretary

DATE: May 14, 2019

TO: Members of the Joint Committee on Finance

FROM: Preston D. Cole, Secretary

SUBJECT: Request for approval – Knowles-Nelson Stewardship grant for land acquisition north of State Hwy. 64

Pursuant to s. 23.0917(6m)(a) and (c), Wis. Stats., the Department of Natural Resources is notifying you of a proposed Knowles-Nelson Stewardship grant of \$157,390.00 to Landmark Conservancy for acquisition of 64 acres along Lake Superior. The Knowles-Nelson Stewardship program is funded under s. 20.866(2)(ta), Wis. Stats.

I. PROJECT DETAILS:

Project Sponsor: Landmark Conservancy

Stewardship Grant sub-program: Habitat Area

Location: The Middle River tract is located in the Town of Lakeside, Douglas County, on the shore of Lake Superior. It is accessible via Middle River Rd, approximately 17 miles east of Superior. Project maps are attached as Appendix A.

Project Description: The property is an undeveloped lake shore tract hosting 63 acres of aspen-birch wet mesic and boreal forest, which provides important migratory bird stopover habitat. It includes ½ mile of clay bank and beach frontage on Lake Superior and areas of coastal wetlands important to fish spawning and forage.

Key benefits: This acquisition will help expand the Town of Lakeside's existing 14-acre park and paddle launch site along the Lake Superior Water Trail. The addition of these acres and expanded shoreline will add safely-accessible paddling stopover area to the existing, small launch site. Future development may include improved parking.

The clay bank composition of this parcel means any development at this site will be vulnerable to erosion, slumping and bank failure given increasingly frequent and intense storm events. In a region where east-west roads have routinely washed out in recent seasons, keeping this parcel as public open space will reduce both consequence and cost of future flood events.

Partnerships: The Town of Lakeside is working cooperatively with Landmark Conservancy, and plans to take title to the property sometime after acquisition to expand the existing town park.

DNR received letters of support for this grant from the Douglass County Land and Water Conservation Department and Northland Paddlers Alliance, an organization founded to promote paddling and expand paddling access in and from the Twin Ports of Superior/Duluth.

Consistency with planning: The acquisition advances objectives of several regional conservation plans:

- Implements specific recommendations from the Douglas County Land & Water Resource Management Plan 2010-2020 and a county plan titled, *Watershed Approach to Wetland Management in the Lake Superior Basin*, Douglas County, May 2016 by:
 - Conserving unique and important coastal habitat
 - Supporting wetland function and addressing open land concerns in vulnerable sub-watersheds in the Lake Superior basin
- Protects an important migratory bird concentration area as identified in the Wisconsin Land Legacy Report
- Protects unique natural ecological features including Boreal Forest, Great Lakes Beach, Cool Water Streams and Lake Superior Clay Banks, all of which are identified in DNR's State Wildlife Action Plan as "major" conservation opportunities.

Public Uses: The property will be open to the public for low-impact recreational activities including hunting, trapping, hiking, cross-country skiing, fishing, and wildlife viewing. The Department's analysis of the permitted nature-based outdoor activities is attached as Appendix B.

Property Management: The property will be managed by Landmark Conservancy until it transfers to Town ownership. Under either owner, management will occur according to a Land Management Plan approved by the Department as consistent with the purposes of the Stewardship program.

II. PROJECT FINANCES

A. Appraisals

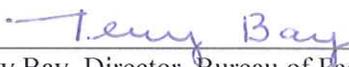
The property value used for grant calculation is based on appraisals reviewed and accepted by DNR. The subject property is three contiguous parcels, owned by two families.

Parcel A "Smedberg"	\$23,400.00
Parcel B "Sladky Trust"	\$9,200.00
Parcels C "Sladky Trust"	<u>\$272,000.00</u>
Total combined land value	\$304,600.00

B: Grant Calculation:

Subject land value	\$304,600.00
Eligible related transaction costs	<u>\$10,180.00</u>
Total eligible project costs	\$314,780.00
Stewardship grant amount 50%	\$157,390.00

III. RECOMMENDED:



Terry Bay, Director, Bureau of Facilities and Lands

5/6/19

Date



Doug Haag, Administrator, Division of Internal Services

5-7-19

Date

APPENDIX A
Mouth of the Middle-
Landmark Conservancy

Proposed
Stewardship
Grant

T49N R12W Sec 35
Town of Lakeside
Douglas County

- Subject
- NCO conservation easements
- Owned by Town of Lakeside
- County Forest Lands
- PLSS Section Lines
- Current DNR
- Project Boundary
- DNR Fee Title Lands
- Open to Public Access
- DNR Easement Lands
- Open to Public Access

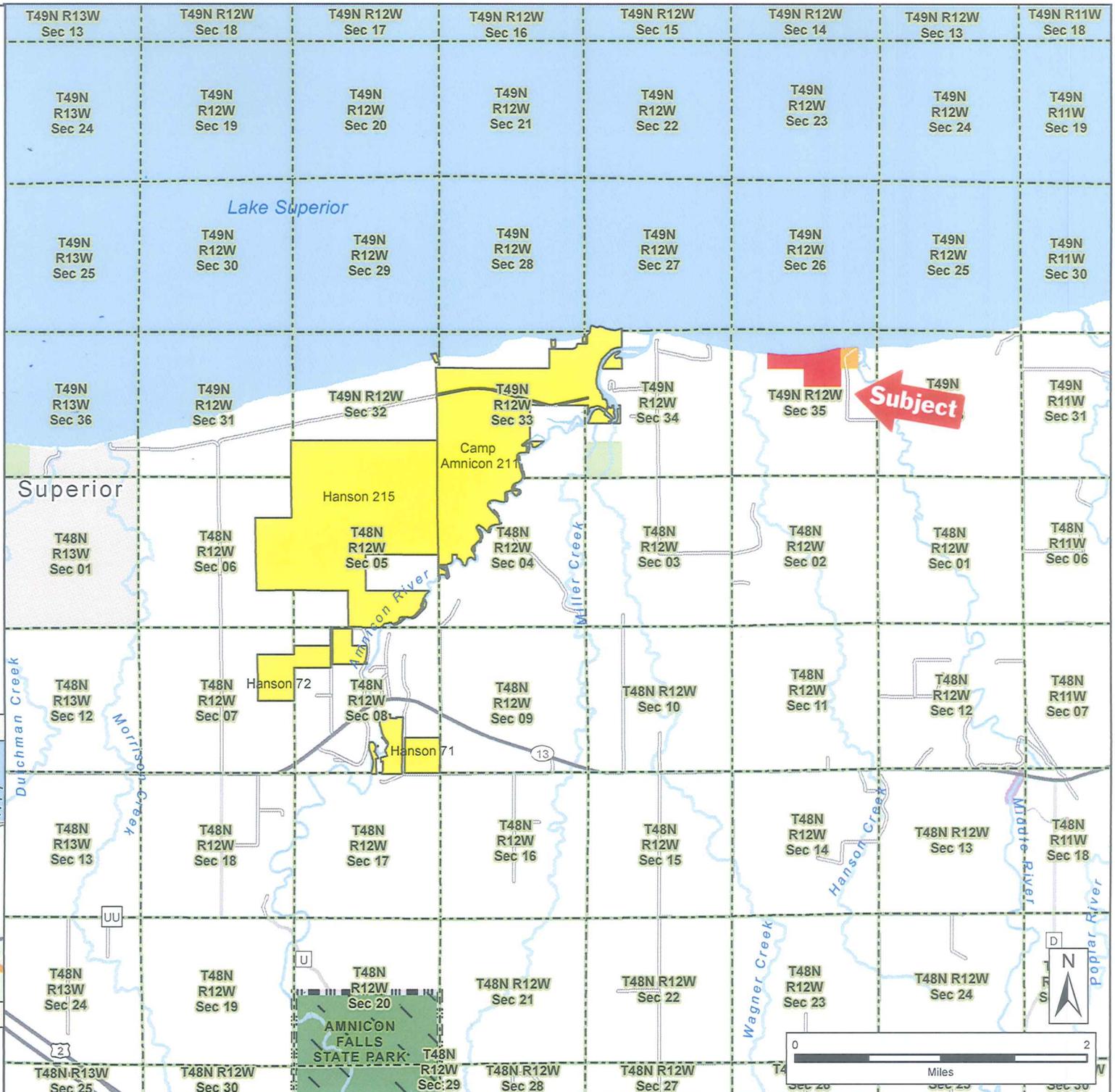
Regional View



★ Location of Property



WISCONSIN DEPARTMENT
OF NATURAL RESOURCES
Bureau of Facilities of Lands
Map Created: May 31, 2018 jdc

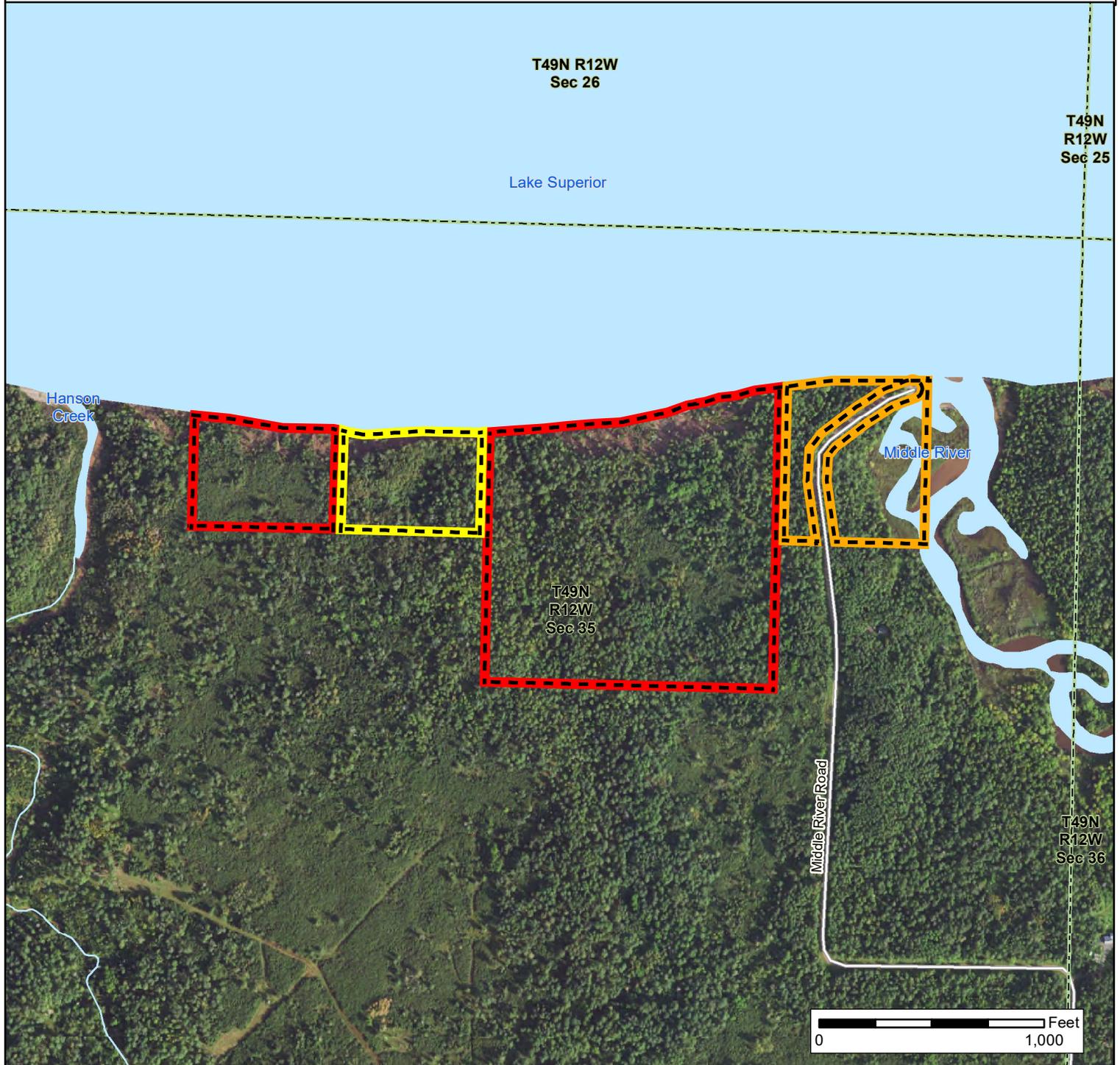


The data shown on this map have been obtained from various sources, and are of varying age, reliability and resolution. This map is not intended to be used for navigation, nor is this map an authoritative source of information about legal land ownership or public access. Users of this map should confirm the ownership of land through other means in order to avoid trespassing. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map.

Mouth of the Middle-West Wisconsin Land Trust

Sponsor: West Wisconsin Land Trust
Trust Approximate Total Acreage: 64

T48N R12W Sec 35 Town of Lakeside
County: Douglas



Proposed Stewardship Grant

-  subject B&C Sladky Trust
-  subject A Smedberg
-  Town of Lakeside

-  PLSS Section Lines
-  Local Roads



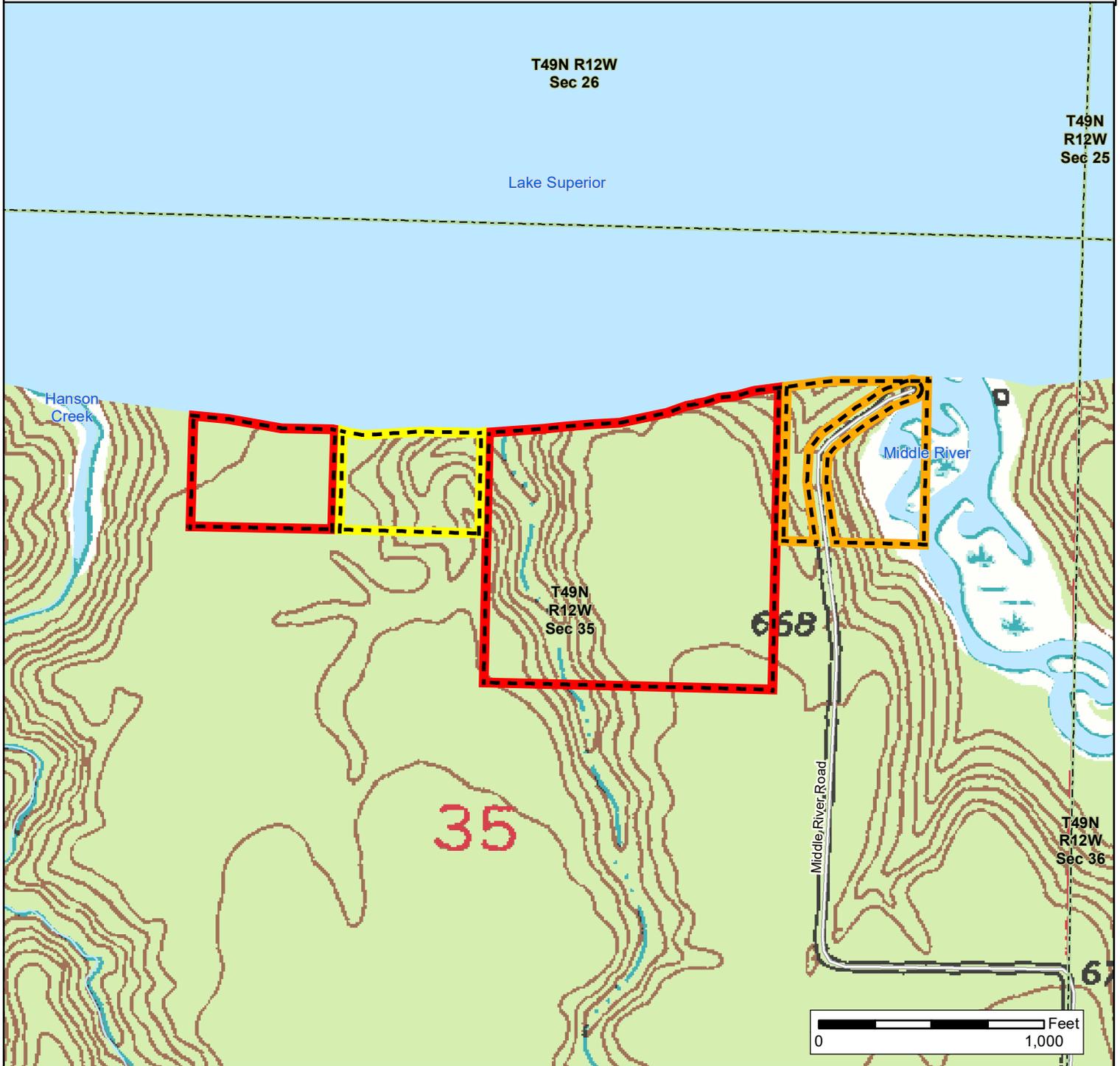
May 06, 2019 jdc

Real Estate Section
Bureau of Facilities and Lands

Mouth of the Middle-West Wisconsin Land Trust

Sponsor: West Wisconsin Land Trust
Approximate Total Acreage: 64

T48N R12W Sec 35 Town of Lakeside
County: Douglas



Proposed Stewardship Grant

-  subject B&C Sladky Trust
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-  Town of Lakeside

-  PLSS Section Lines
-  Local Roads



May 06, 2019 jdc

Real Estate Section
Bureau of Facilities and Lands

TRAPPING**DNR Staff Narrative:** Property will be open to trapping.**X No prohibition proposed** **No water on site****If a prohibition is proposed:****Public safety factors considered,** check all that apply.

- Size/shape of parcel
- The sponsor is within its own municipality boundary
- Parcel is within 100 yards of building devoted to human occupancy and per s. NR 13.(1)(b)(12), the following traps are prohibited: conibear body gripping traps (with jaws wider than 60 sq. inches) and cable restraints.
- Ordinance exists that prohibits trapping or some type of trapping.
- Visitor's expectations of safety at the site which include user conflicts that may create public safety issues and impact one or more NBOA's activities.
- Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.
- Parcel is adjacent to a public waterway.
- Parcel is subjected to a non-sponsor ordinance
- Project will be transferred to an eligible partner sponsor with ordinance prohibiting activity.

Unique plant and animal community factors considered, check all that apply.

- Federal listed endangered species State listed endangered species
- Federal listed threatened species State listed threatened species
- Federal listed species of special concern State listed species of special concern

Location	Allowable Species	List Dates/Seasons (opening and closing)
Upland	Per state regulations	Per state regulations
Water	Per state regulations	Per state regulations

FISHING**DNR Staff Narrative:** Property will be open to fishing.**X No prohibitions being proposed** **No water on site****If a prohibition is proposed:****Public safety factors considered,** check all that apply.

- Ordinance exists – _____.
- Visitor's expectations of safety at the site which include user conflicts that may create public safety issues and impact one or more NBOA's activities.
- Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.
- Parcel is adjacent to a public waterway.
- Parcel is subjected to a non-sponsor ordinance
- Project will be transferred to an eligible partner sponsor with ordinance prohibiting activity.

Unique plant and animal community factors considered, check all that apply.

- Federal listed endangered species State listed endangered species
- Federal listed threatened species State listed threatened species
- Federal listed species of special concern State listed species of special concern

Method	Allowable Activities	List Dates/Seasons (opening and closing)
Shore	Per state regulations	Per state regulations
Boat	Per state regulations	Per state regulations

