

# State of Wisconsin

SENATE CHAIR  
**Alberta Darling**

317 East, State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882  
Phone: (608) 266-5830



ASSEMBLY CHAIR  
**John Nygren**

308 East, State Capitol  
P.O. Box 8593  
Madison, WI 53708-8953  
Phone: (608) 266-2343

## Joint Committee on Finance

### MEMORANDUM

To: Members  
Joint Committee on Finance

From: Senator Alberta Darling  
Representative John Nygren

Date: September 24, 2020

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 September 24, 2020.

Please review the material and notify **Senator Darling** or **Representative Nygren** no later than **Tuesday, October 13, 2020**, 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  
FAX 608-267-3579  
TTY Access via relay - 711



SEP 24 2020  
*J. Finance*

September 21, 2020

IN REPLY REFER TO: NF 30285

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

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 the proposed acquisition of 48.78 acres from the E M Congdon Irrevocable Property Trust U/A, using funds from the Knowles-Nelson Stewardship Program. The acquisition will connect large blocks of department-owned land, is located within the boundary of the Brule River State Forest and contains 1,840' of critical river frontage on the Bois Brule River featuring Hall Rapids and 1,291' of two bank frontage along Nebagamon Creek.

The purchase price of the acquisition is \$341,500.00. In addition, appraisal fees associated with the transaction are \$4,990.00 and closing costs are estimated at \$2,303.50. The payment in lieu of taxes is estimated at \$6,355.05. In accordance with s. 23.0916(1)(b), Wis. Stats., this property will be open to the public for all nature based outdoor recreational activities including fishing, hiking, cross country skiing, as well as hunting and trapping consistent with 2011 Wisconsin Act 168.

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 14 working days from today, the department will forward the proposal to the Governor for his consideration. If there are questions about the proposal, please contact Terry H. Bay at (608) 266-5782.

Thank you for this consideration.

Sincerely,

DocuSigned by:  
*Beth Bier*  
7372F80DDAE441F

Beth Bier  
Deputy Secretary

C:

- Timothy C. Cooke, Internal Services Division Administrator
- Terry H. Bay, Director, Bureau of Facilities and Lands
- James W. Lemke, Real Estate Section Chief
- Pete Wolter, Real Estate Regional Supervisor
- Rhonda Kenyon, Real Estate Specialist

Wisconsin Department of Natural Resources  
**Natural Resources Board Agenda Item**

**SUBJECT: Land Acquisition – Brule River State Forest – Douglas County**

**FOR: SEPTEMBER 2020 BOARD MEETING**

**TO BE PRESENTED BY: James W. Lemke, Real Estate Section Chief**

**SUMMARY:**

The department is requesting approval to acquire 48.78 acres of land located within the project boundary of the Brule River State Forest in Douglas County from the E M Congdon Irrevocable Property Trust U/A for \$341,500.00. The department has the authority to acquire this property pursuant to s. 23.09(2)(d)1., Wis. Stats. and ss. NR 1.40(2)(a), NR 1.41(2) and NR 1.42(1)(b), Wis. Admin. Code. The acquisition and closing costs will be financed with funds from the Warren Knowles-Gaylord Nelson Stewardship Program pursuant to s. 23.0917, Wis. Stats.

The subject property consists of two tax parcels, abuts department-owned land on parts of the north and east and is located approximately two miles southwest of the Village of Brule. The land is primarily upland and forested with aspen, mixed upland conifers and northern hardwoods. The terrain is hilly with productive forest soils. The parcel has 1,840' of single bank frontage on the Bois Brule River, including a scenic portion of the river featuring Hall Rapids, and an additional 1,291' of two bank frontage on the Nebagamon Creek. There are several rare, special concern and threatened plant and wildlife species located within a mile radius of the parcel including the Automonal Water-starwort, caddisfly and stonefly species, and threatened Spruce Grouse and Wood Turtles. The property connects two blocks of the Brule River State Forest along its north boundary and is bounded to the east by the Bois Brule River. Access to the site is off of Afterhours Drive, which also serves as 660' of the western property boundary.

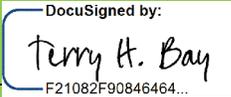
The Brule River State Forest contains all 44 miles of the Bois Brule River. For over one hundred years, it has been known as an exceptional trout stream, containing resident brook, brown and rainbow trout. Lake brown and rainbow trout along with Coho and Chinook salmon migrate up the Brule annually from Lake Superior. The Brule River State Forest offers recreational opportunities, including trout fishing, river paddling, wildlife viewing, a 16 mile stretch of the North Country National Scenic Trail, hunting, trapping and eight miles of Lake Superior shoreline.

Acquisition of this parcel will add to the protection of large blocks of connected public land, will promote habitat connectivity within the forest and will also sustain highly productive timber resources, maintaining large stretches of undeveloped shoreline on both the Brule River and Nebagamon Creek. The property will be open to the public for all five nature based outdoor recreational activities to include hunting, fishing, trapping, hiking and cross-country skiing. The department recommends acquisition of this parcel to provide opportunities for public access and recreation, to allow for improved natural resource management and to consolidate state ownership.

**RECOMMENDATION: That the Board approve the purchase of 48.78 acres of land from the E M Congdon Irrevocable Property Trust U/A for \$341,500.00 for the Brule River State Forest in Douglas County.**

**LIST OF ATTACHED MATERIALS (Check all that are applicable):**

- Background Memo
- Maps and Documents

Approved By	Signature	Date
Terry H. Bay Bureau Director	 F21082F90846464...	8/21/2020   1:15 PM CDT
Timothy C. Cooke Internal Services Division Administrator	 D792C5F7A747460...	8/21/2020   1:54 PM CDT
Preston D. Cole, Secretary	 7372F609DAE441F...	8/28/2020   3:25 PM CDT

Form 1100-001N (Rev. 09/14)

## Natural Resources Board Agenda Item

Program and reviewer	Signature	Date	Comments
<b>Energy, Transportation and Environmental Analysis</b> N/A Environmental Analyst N/A  Economist			
<b>Management and Budget</b> N/A  Budget Analyst			
<b>Legal Services</b>  Diane L. Milligan Attorney	 <p>DocuSigned by: <i>Diane L. Milligan</i> E031E75D4B9E436...</p>	8/21/2020   8:51 AM CDT	
<b>Other reviewers</b> N/A			

**CORRESPONDENCE/MEMORANDUM**

DATE: August 20, 2020 FILE REF: NF 30285

TO: Governor Tony Evers

FROM: Secretary Preston D. Cole

SUBJECT: Proposed Land Acquisition, E M Congdon Irrevocable Trust Property U/A Tract, File # NF 30285, Option Expires September 30, 2020

1. PARCEL DESCRIPTION:

Brule River State Forest  
Douglas County

Grantor:

E M Congdon Irrevocable Property Trust U/A  
Attn: Daniel Schummer  
9559 Bolger Lake Road  
Minocqua WI 54548

Acres: 48.78Price: \$341,500.00Appraised Value: \$341,500.00Interest: Fee Title PurchaseImprovements: NoneLocation: The property is located two miles southwest of the Village of Brule in Douglas County.Land Description: The subject land is gently rolling to hilly with some steep slopes.Covertypes Breakdown:

Type	Acreage
Upland Woodland	37.00
Lowland Woodland	11.78
Total:	48.78

Zoning: ForestryPresent Use: RecreationProposed Use: Public Recreation/ForestryTenure: 25 yearsProperty Taxes: \$5,677.37 est. (recently split from a larger parcel)Option Date: May 26, 2020

Stewardship Land Access: This property will be open to the public for all nature based outdoor recreational activities to include hunting, fishing, trapping, hiking and cross-country skiing. Physical features of the property may not be conducive to all these activities.

2. JUSTIFICATION:

The department is requesting approval to acquire 48.78 acres of land located within the project boundary of the Brule River State Forest in Douglas County from the E M Congdon Irrevocable Property Trust U/A for \$341,500.00. The department has the authority to acquire this property pursuant to s. 23.09(2)(d)1., Wis. Stats. and ss. NR 1.40(2)(a), NR 1.41(2) and NR 1.42(1)(b), Wis. Admin. Code. The acquisition and closing costs will be financed with funds from the Warren Knowles-Gaylord Nelson Stewardship Program pursuant to s. 23.0917, Wis. Stats.

The subject property consists of two tax parcels, abuts department-owned land on parts of the north and east and is located approximately two miles southwest of the Village of Brule. The land is primarily upland and forested with aspen, mixed upland conifers and northern hardwoods. The terrain is hilly with productive forest soils. The parcel has 1,840' of single bank frontage on the Bois Brule River, including a scenic portion of the river featuring Hall Rapids, and an additional 1,291' of two bank frontage on the Nebagamon Creek. There are several rare, special concern and threatened plant and wildlife species located within a mile radius of the parcel including the Automonal Water-starwort, caddisfly and stonefly species, and threatened Spruce Grouse and Wood Turtles. The property connects two blocks of the Brule River State Forest along its north boundary and is bounded to the east by the Bois Brule River. Access to the site is off of Afterhours Drive, which also serves as 660' of the western property boundary.

The Brule River State Forest contains all 44 miles of the Bois Brule River. For over one hundred years, it has been known as an exceptional trout stream, containing resident brook, brown and rainbow trout. Lake brown and rainbow trout along with Coho and Chinook salmon migrate up the Brule annually from Lake Superior. The Brule River State Forest offers recreational opportunities, including trout fishing, river paddling, wildlife viewing, a 16 mile stretch of the North Country National Scenic Trail, hunting, trapping and eight miles of Lake Superior shoreline.

Acquisition of this parcel will add to the protection of large blocks of connected public land, will promote habitat connectivity within the forest and will also sustain highly productive timber resources, maintaining large stretches of undeveloped shoreline on both the Brule River and Nebagamon Creek. The property will be open to the public for all five nature based outdoor recreational activities to include hunting, fishing, trapping, hiking and cross-country skiing. The department recommends acquisition of this parcel to provide opportunities for public access and recreation, to allow for improved natural resource management and to consolidate state ownership.

3. LAND MANAGEMENT:

This property would be managed as Brule River State Forest. It would remain undeveloped and riparian and forest habitat would be protected. Limited timber management would occur as prescribed by the Brule River State Forest Master Plan.

4. FINANCING:

State Stewardship bond funds are anticipated:

Funds allotted to program:	Balance before this transaction:	Balance after this transaction:
\$8,000,000.00	\$7,646,069.00	\$7,297,275.00

5. ACQUISITION STATUS OF THE BRULE RIVER STATE FOREST:

Established: 1907  
Acres Purchased to Date: 47,461.86  
Acquisition Goal: 82,662.50  
Percent Complete: 57.42 %  
Cost to Date: \$20,964,883.22

6. APPRAISAL:

Appraiser: Robert Karl  
Valuation Date: February 24, 2020  
Appraised Value: \$341,500.00  
Highest and Best Use: Kingdom lot-recreational/seasonal residential

Allocation of Values:

- a. land: 48.78 acres @ \$7,000.82 per acre: \$341,500.00
- b. market data approach used, four comparable sales cited
- c. adjusted value range: \$5,483.00 - \$25,045.00 per acre

Appraisal Review:

Jolene Brod

Date:3/4/2020

Comments: The appraiser indicates that large tract, recreational sales with Brule River frontage were difficult to find and went beyond the typical time range for sales research. One sale is a 2010 sale which is older than typical, and two sales had improvements which needed to be allocated. In general, the range of values is larger than typical but again the pool of sales is small. Based on the information provided, including listing information, the value appears reasonable.

RECOMMENDED:

DocuSigned by:  
*Terry H. Bay*  
F21082F90846464... 8/21/2020 | 1:15 PM CDT

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Terry H. Bay, Bureau Director, Bureau of Facilities and Lands Date

DocuSigned by:  
*Diane L. Milligan*  
E031E75D4B9E436... 8/21/2020 | 8:51 AM CDT

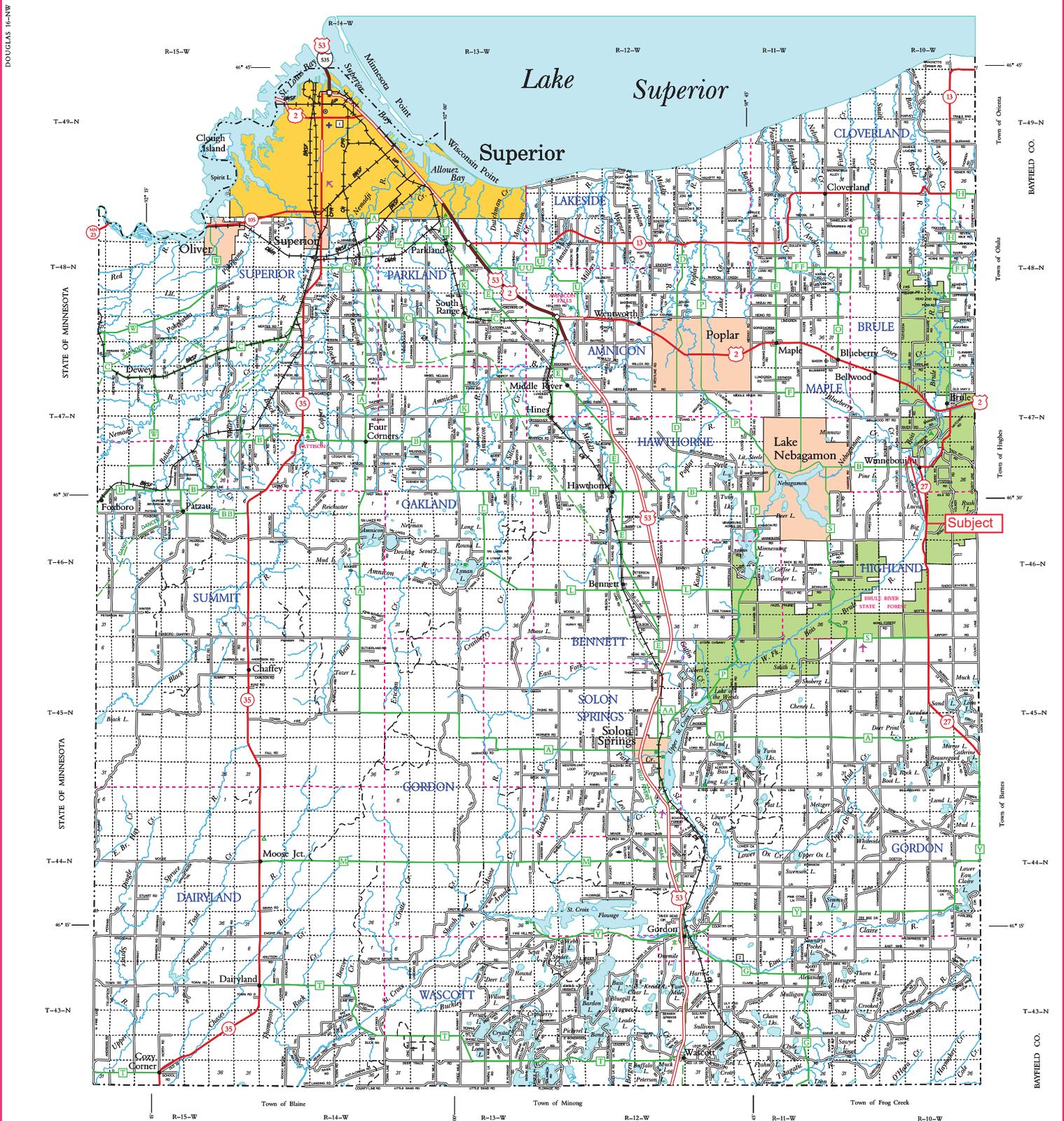
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Diane L. Milligan, Bureau of Legal Services Date

DocuSigned by:  
*Timothy C. Cooke*  
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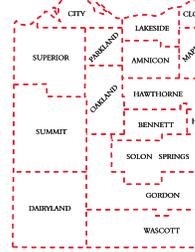
Timothy C. Cooke, Internal Services Division Administrator Date



**LEGEND**

- Freeway
- Multilane Divided
- U.S. or State Hwy
- County Trunk Hwy
- Town Road
- Firelane
- Railroad
- State Trail
- Interchange
- Highway Separation
- Interstate Highway No.
- U.S. Highway No.
- State Highway No.
- County Highway Letter
- Rest Area
- State Boundary
- County Boundary
- Civil Town Boundary
- Section Line
- Dam
- Hospital
- Airport
- County Seat
- Unincorporated Village
- Fish Hatchery
- Game Farm
- Public Hunt. or Fish. Gds.
- Public Camp & Picnic Gds.
- Ranger Station
- State Park
- County Park With Facilities
- Without Facilities
- Wayside
- Unit of Wisconsin - Superior
- Gordon Correctional Center

**CIVIL TOWNS**



**SECTION NUMBERING OF A TOWNSHIP**

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
37	32	33	34	35	36

**MILES OF HIGHWAY**  
as of Dec. 31, 2018

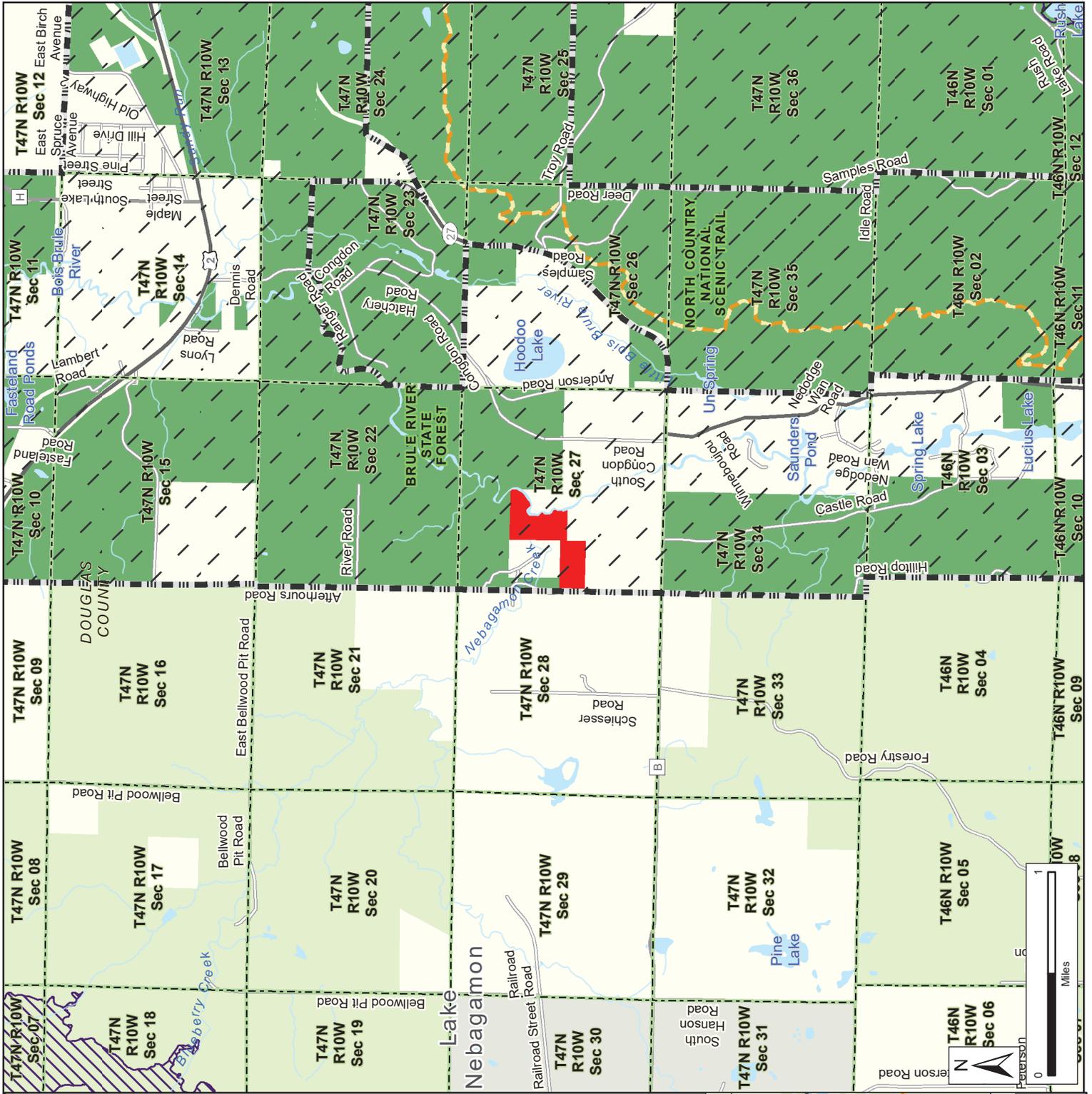
STATE	162
COUNTY	337
LOCAL ROADS	198
OTHER ROADS	96
<b>TOTAL FOR COUNTY</b>	<b>396</b>
Land Area (2010 Census)	334 sq mi
Population (2010 Census)	4459
County Seat	Superior



**DOUGLAS CO.**  
DEPARTMENT OF TRANSPORTATION  
Madison, Wisconsin

SCALE 1" = 2 MILES  
Corrected for  
JAN. 2020

Base compiled from U.S.G.S. Quadrangle  
100,000 Series



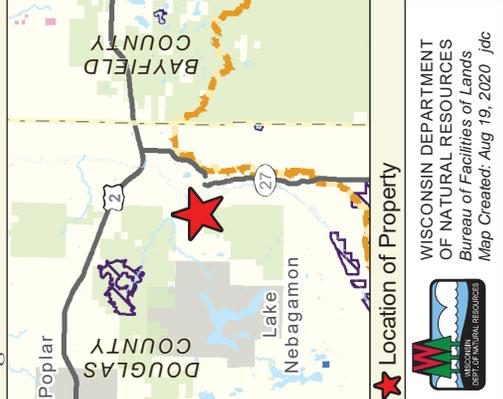
**NRB Item:**  
**E M Congdon Irrevocable  
 Property Trust U/A - Fee**

•••  
 Brule River  
 State Forest  
 T47N R10W Sec 27  
 Town of Brule  
 Douglas County

**Subject**  
  
 NF 30285

-  Current DNR Project Boundary
-  DNR Fee Title
-  State Natural Area
-  County Forest Lands
-  North Country Nat'l Scenic Trail
-  County Boundary
-  Section Boundary

*Regional View*



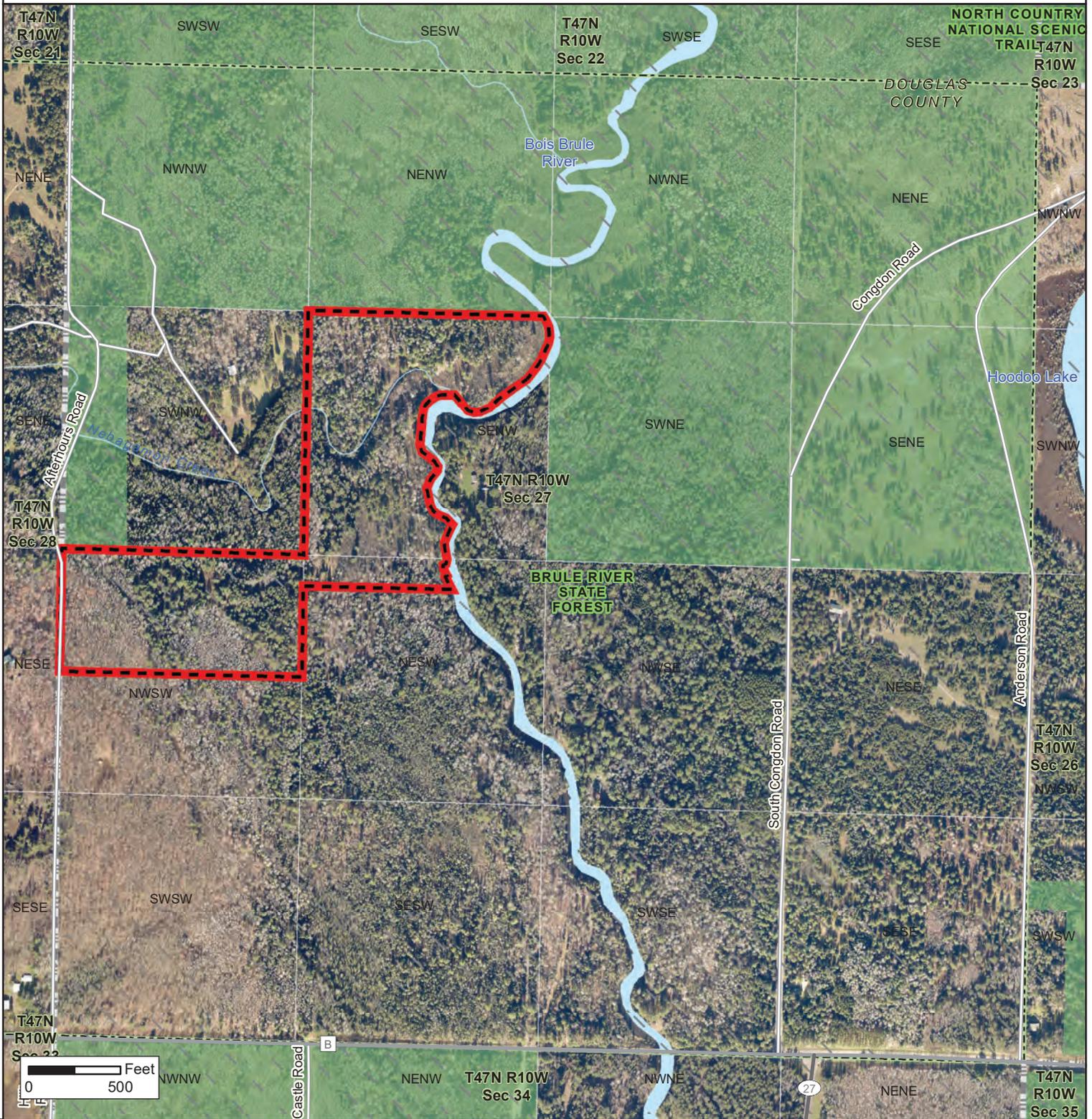
**Location of Property**

WISCONSIN DEPARTMENT  
 OF NATURAL RESOURCES  
 Bureau of Facilities of Lands  
 Map Creator: Aug 19, 2020 .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.

# NRB Item: E M Congdon Irrevocable Property Trust U/A - Fee

T47N R10W Sec 27, Town of Brule, Douglas County



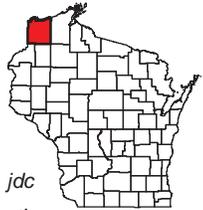
### Brule River State Forest

 Subject

-  DNR Fee Title
-  County Boundary
-  Section Boundary
-  QQ Section Boundary
-  Original Pre-2013 Project Boundary - Not Subject to JFC Review

 N

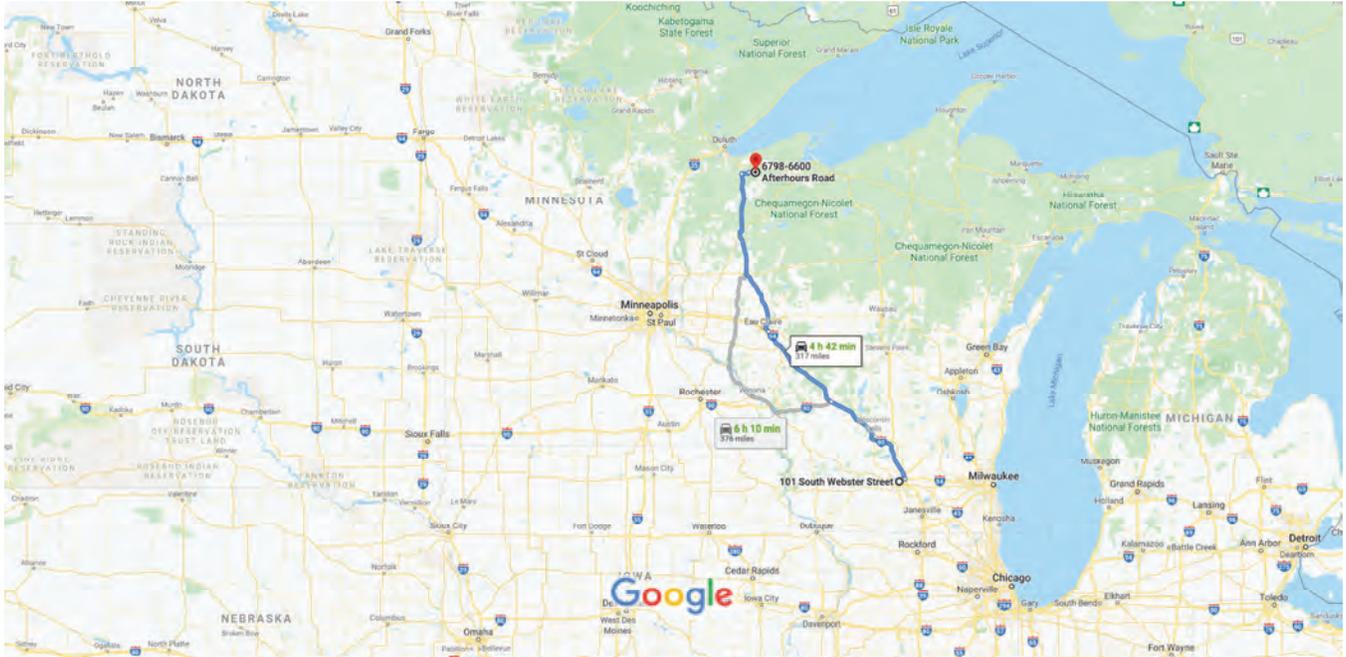
 WISCONSIN DEPT. OF NATURAL RESOURCES



Aug 19, 2020 jdc  
Real Estate Section  
Bureau of Facilities and Lands



101 S Webster St, Madison, WI to 6798-6600 Afterhours Rd Drive 317 miles, 4 h 42 min  
6600 Afterhours Rd



Map data ©2020 Google 50 mi

### 101 S Webster St

Madison, WI 53703

#### Get on WI-30 E from E Washington Ave

- 8 min (3.3 mi)
- ↑ 1. Head northwest on S Webster St toward E Main St  
0.1 mi
- ↪ 2. Turn right at the 2nd cross street onto E Washington Ave  
328 ft
- ↑ 3. Continue straight to stay on E Washington Ave  
  - 📍 Pass by Burger King (on the right in 2.4 mi)
  - 2.9 mi
- ⬆️ 4. Use the right lane to take the WI-30 E ramp to I-90/I-94  
0.2 mi

#### Follow I-90 W, I-94 W and US-53 N to E County Rd B in Hawthorne

- 4 h 23 min (302 mi)
- ↑ 5. Continue onto WI-30 E  
2.6 mi

- 6. Use the left lane to take exit 3 B to merge onto I-39 N/I-90 W toward I-94 W/Wis Dells

 Continue to follow I-90 W

92.7 mi

- 7. Keep right at the fork to continue on I-94 W

76.0 mi

- 8. Take exit 70 to merge onto US-53 N toward Eau Claire/Superior

131 mi

### Follow E County Rd B to Afterhours Rd in Brule

16 min (11.8 mi)

- 9. Turn right onto E County Rd B

6.2 mi

- 10. Turn right to stay on E County Rd B

5.2 mi

- 11. Turn left onto Afterhours Rd

 Destination will be on the right

0.3 mi

### 6798-6600 Afterhours Rd

Lake Nebagamon, WI 54849

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.