State of Wisconsin

SENATE CHAIR Howard Marklein

316 East, State Capitol P.O. Box 7882 Madison, WI 53707-7882 Phone: (608) 266-0703



ASSEMBLY CHAIR Mark Born

308 East, State Capitol P.O. Box 8592 Madison, WI 53708-8953 Phone: (608) 266-2540

Joint Committee on Finance

MEMORANDUM

To:

Members

Joint Committee on Finance

From:

Senator Howard Marklein

Representative Mark Born

Date:

February 11, 2022

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 February 11, 2022.

Please review the material and notify **Senator Marklein** or **Representative Born** no later than **Wednesday**, **March 2**, **2022**, 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

HM:MB: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



FEB 1 1 2022

February 10, 2022

The Honorable Howard Marklein Co-Chair Committee on Joint Finance Room 317 East State Capitol PO Box 7882 Madison WI 53707 The Honorable Mark Born, Co-Chair Committee on Joint Finance Room 308 East State Capitol PO Box 8952 Madison, WI 53707

Dear Senator Marklein and Representative Born:

Pursuant to s. 23.0917(6m)(a) and (dr), Wis. Stats., the Department is notifying you as co-chairs of the Committee on Joint Finance of a proposed grant of \$201,568.00 from the Knowles-Nelson Stewardship Program to Landmark Conservancy for land acquisition. The proposed grant will fund land acquisition north of State Highway 64.

The acquisition is in the Town of Cable in Bayfield County. The proposed grant funds will secure lasting public access to forested conservation and recreational lands in the Namekagon River watershed, adjacent to an extensive recreational trail complex stretching between Cable and Hayward. This 220.74 acre acquisition is part of a partnership between Landmark Conservancy and the American Birkebeiner Ski Foundation to revitalize an old resort into an outdoor recreation and conservation complex.

The grantee will not prohibit 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 14 working days from today, the Department will award this grant.

Thank you for your consideration.

for

Singerely by:

Savali Barry

Préspon B. Cone
Secretary



CORRESPONDENCE/MEMORANDUM^{*}

DATE: February 10, 2022

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 \$201,568.00 to Landmark Conservancy for acquisition of 220.74 acres. 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 Areas

Location: The subject property is in the Town of Cable, Bayfield County. Project maps are attached as Appendix A.

Project Description: The subject property is 220.74 acres and part of the larger former Telemark Lodge and Resort property. This land was purchased initially in February, 2021 by American Birkebeiner Ski Foundation (ABSF) as part of overall plans to revitalize the defunct resort into a complex of recreational and conservation lands, the Mt. Telemark Outdoor Recreation and Conservancy.

The subject property of this grant has been subsequently purchased from ABSF by Landmark Conservancy per an agreement between the two nonprofits that ABSF will own and managed lands intended for concentrated recreational use, Landmark Conservancy will own and manage acres where management priorities are habitat conservation, scenic value and wildlife-based recreation.

Landmark's property hosts short segments of established trails, including a portion of the American Birkebeiner trail system. The majority is rolling northern hardwoods and conifer forest land with glacial kettle features and ephemeral pools.

Landmark Conservancy is seeking Stewardship Habitat Area grant funds to ensure lasting conservation of these acres to be managed via sustainable forest management practices. Stewardship funding will ensure continued public access to the existing trails on this property and open it to new recreational opportunities including hunting and trapping.

Key benefits:

Water quality - The subject property is within ½-mile of the Namekagon River, a federally designated Wild and Scenic Riverway. This acquisition will help provide forested buffer to protect the immediate river corridor and groundwater resources in the Namekagon and St. Croix watersheds.

Habitat benefits - these forested acres close to the river provides habitat for many wildlife species including northern flying squirrels, red-shouldered hawks, American woodcock. These acres are important nesting and migratory stopover habitat for several other birds. The parcel will complement the



large block of county forest land to the south and adjacent ABSF land to the east, ensuring contiguous habitat for forest-dependent species.

Recreational benefits - The recreation trails on the subject property connect to trail networks on the county forest and ABSF lands and an extensive trail complex between Cable and Hayward, a recreational destination essential to the local economy. Knowles-Nelson Stewardship funding for this purchase will ensure the acres are also open to the public for nature-based outdoor activities including hunting, trapping and hiking.

Project Goals: Landmark Conservancy's Telemark Preserve project meets or supports goals in the following plans:

- Bayfield County Comprehensive Outdoor Recreation Plan, 2020-2024
- Town of Cable Comprehensive Land Use Plan
- National Park Service St. Croix and Namekagon National Wild and Scenic Riverway General Management Plan
- ABSF Mt. Telemark Outdoor Recreation and Conservancy Plan

Partnerships: There has been broad public interest in the plans to keep the former Telemark property accessible to the public as a conservation and recreational resource. In addition to public information efforts undertaken by ABSF, Landmark held community meetings in Cable, presented at a Bayfield County Board of Supervisors meeting, and presented at a Town of Cable Town Board meeting.

- Both Bayfield County and the Town of Cable passed resolutions in support of Landmark Conservancy's Stewardship grant application.
- Landmark Conservancy has entered into a Memorandum of Understanding with ABSF to assist with conservation land management on the overall Telemark property. ABSF will maintain the ski trail segments on the subject property.
- The Chequamegon Area Mountain Bike Association (CAMBA) will manage the mountain bike trail segment the property.
- Landmark Conservancy has received letters of support from Trout Unlimited, Wild Rivers Conservancy, North End Ski Club, Namekagon Trail Groomers, and local residents and businesses.

Matching funds: Landmark Conservancy is raising the match for this grant from private donors, many of them local residents.

Public Uses: The property will be open to the public for nature based outdoor activities (NBOA) including hunting, trapping, hiking, cross-country skiing and wildlife viewing. DNR's analysis of public uses is attached as Appendix B.

Property Management: The property will be managed by Landmark Conservancy and their partners (ABSF and CAMBA) according to a land management plan approved by the Department as consistent with the purposes of the Stewardship Habitat Areas subprogram.

II. PROJECT FINANCES

A. Appraisal

Pursuant to S. 23.0917(7)(e)1, Stats., the fair market value of Landmark's acres was determined by review of two, third party appraisals, one ordered by Landmark, one by DNR. Both appraisals concluded a \$3,100/acre value for Landmark's purchase.

Since both appraisals are higher than the recent purchase price of the property by ABSF, which then sold to Landmark Conservancy, the Department is using ABSF's purchase price to calculate a grant award. ABSF, purchased the overall Telemark property, including the subject acres, in February 2021 for \$1,794/acre.

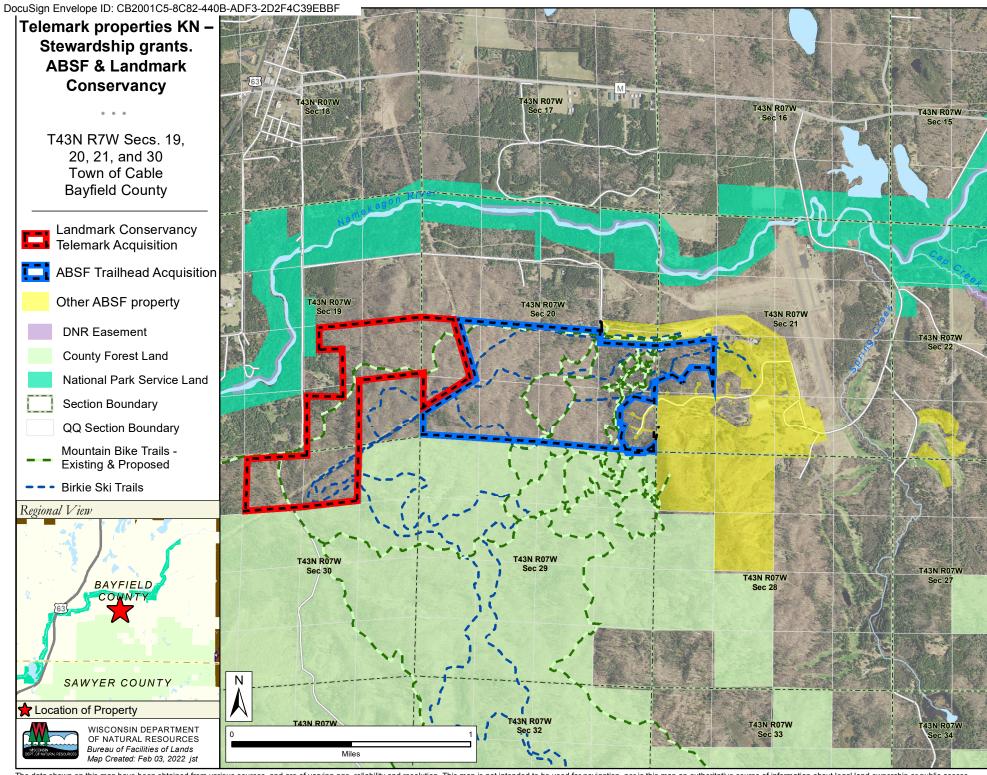
B: Grant Calculation:

Subject land value - \$1,794 x 220.74 acres	\$396,008.00
Eligible related transaction costs	\$7,128.00
Total eligible project costs	\$403,136.00

Stewardship grant amount 50% \$201,568.00

III. RECOMMENDED:

Tury Bay	2/9/2022 4:50 PM CST
Terry Bay, Director, Bureau of Facilities and Lands	Date
— DocuSigned by: Tim (poke)	2/10/2022 8:27 AM CST
Tim 96 65 FA 7474 Aministrator Division of Internal Services	Date



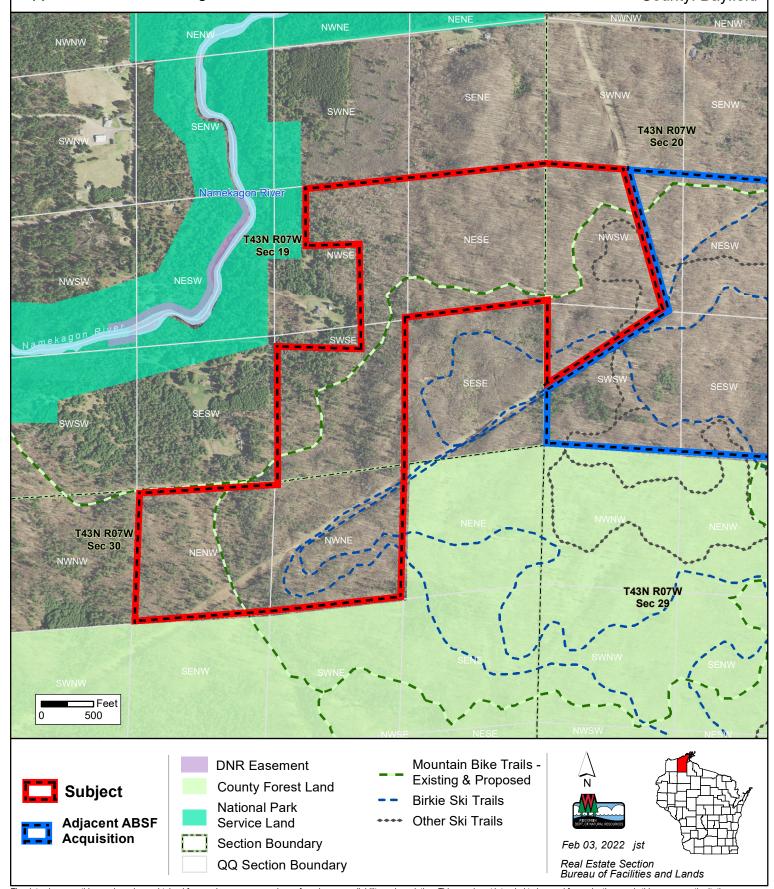
Landmark Conservancy Telemark Acquisition

Proposed Stewardship Grant

Sponsor: Landmark

Approximate Total Acreage: 220.74

T43N R7W Secs. 19, 20, and 30
Town of Cable
County: Bayfield



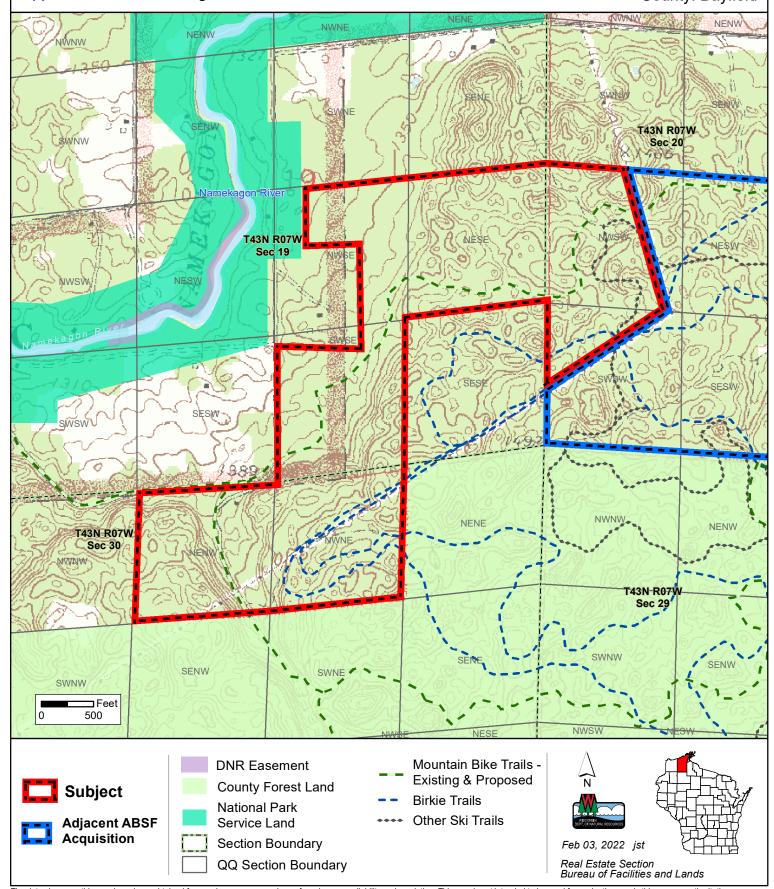
Landmark Conservancy Telemark Acquisition

Proposed Stewardship Grant

Sponsor: Landmark

Approximate Total Acreage: 220.74

T43N R7W Secs. 19, 20, and 30 Town of Cable County: Bayfield



Knowles-Nelson Stewardship Grant Program



DNR Staff Analysis of Nature Based Outdoor Activities on Projects Purchased with Stewardship Grant Funds

Rev. August 2012

NOTE TO DNR STAFF: This completed form will be attached to the NBOA notice that the DNR will publish when considering a request for Stewardship grant funding. Do not list location information for the subject property or the seller's name because WI courts have held that this information is confidential until land ownership has changed hands. In "Staff Narrative" sections below each NBOA, summarize sponsor's reason for prohibition.

Applicant/ Sponsor: Landmark Conservancy Year of application: FY2022

Project name and primary purpose (after acquisition): Telemark Conservancy tracts, seeking grant funds to ensure habitat conservation and public access to 220 acres of wooded habitat, compliment public recreation at the adjacent ABSF Telemark Recreation complex and Co,. Forest lands; prevent forest fragmentation; conserve water quality in Namekagon watershed.

Parcel size, shape and topography: 220 acres of rolling forestland spotted with kettle wetlands and ephemeral ponds. A powerline corridor, which is also a segment of the American Birkebeiner ski trail crosses southern sections of this property; a segment of established Mt. Bike trail also crosses portions of this tract.

Plan(s) or reports identifying project area as priority: Bayfield County Comprehensive Outdoor Recreation Plan, 2020-2024; Town of Cable Comprehensive Land Use Plan; National Park Service St. Croix and Namekagon National Wild and Scenic Riverway General Management Plan

Proposed NBOA	- Applicant Narrative as	nd Checklist	
HUNTING			
DNR Staff Narrative:	Property will be open to hunting p	er state regulations.	
X No prohibitions bein	g proposed		
If a prohibition is prop	oosed:		
Public safety factors co	onsidered, check all that apply.		
☐ The sponsor is within	its own municipality boundary		
☐ Parcel is within 100 y	ards of building devoted to human	occupancy	
☐ Parcel is within 50 fee	et of the center line of highways & r	oads	
☐ Parcel is within 1700	feet of school grounds, hospital, or	sanatorium	
☐ Ordinance exists –			
☐ Discharge or carrying	ı a weapon 🛭 Hunting within park	☐ Throwing or shooting missiles,	arrows, spears, etc.
		user conflicts that may create publi	c safety issues and
impact one or more N	BOA's activities.		
	a parcel where the NBOA's to be p	rohibited already exists.	
Parcel is adjacent to	•		
Parcel is subjected to	a non-sponsor ordinance		
	erred to an eligible partner sponsor		
	al community factors considered		
Federal listed endang	•	State listed endangered specie	
☐ Federal listed threate	ned species	☐ State listed threatened species	3
☐ Federal listed species	of special concern	☐ State listed species of special of	oncern
	Allowable species (Gun)	Allowable species (bow)	List Dates/Seasons
	Allowable species (Guil)	Allowable species (bow)	(opening and closing)
Waterfowl	Yes - per state regs	Yes - per state regs	per state regs
Small Game	Yes - per state regs	Yes - per state regs	per state regs
Turkey	Yes - per state regs	Yes - per state regs	per state regs
Large Game	Yes - per state regs	Yes - per state regs	per state regs

Α			

	roperty will be open to trapping pe trapping opportunities unlikely.	r state regulat	ions. Limited surface water on this
X No prohibitions being	proposed		
☐ No water on site	•		
If a prohibition is prop	osed:		
Public safety factors co	nsidered, check all that apply.		
☐ Size/shape of parcel			
☐ The sponsor is within	its own municipality boundary		
	ards of building devoted to human oc ar body gripping traps (with jaws wid		per s. NR 13.(1)(b)(12), the following traps inches) and cable restraints.
-	prohibits trapping or some type of tra		
☐ Visitor's expectations impact one or more NI		er conflicts tha	t may create public safety issues and
Parcel is adjacent to a	parcel where the NBOA's to be pro	hibited already	exists.
☐ Parcel is adjacent to a		·	
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I	red to an eligible partner sponsor wi	th ordinance p	rohibiting activity.
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Unique plant and anima	I community factors considered, o	check all that a	pply.
☐ Federal listed endang	ered species	State listed e	endangered species
☐ Federal listed threater	ned species	State listed t	hreatened species
☐ Federal listed species	of special concern	State listed s	pecies of special concern
Location	Allowable Species		List Dates/Seasons
			(opening and closing)
Upland	Yes - per state regs		per state regs
147			
Water	Yes - per state regs		per state regs
Water FISHING DNR Staff Narrative:	Yes - per state regs		
FISHING DNR Staff Narrative:	Yes - per state regs No fishable water		
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Appendix B

DNR Staff Narrative: Property will be open to hiking. X No prohibitions being proposed If a prohibition is proposed: Public safety factors considered, check all that apply. 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 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 Location Allowable Activities On-Trail yes year round CROSS COUNTRY SKIING DNR Staff Narrative: Property will be open to cross-country skiing.	X No prohibitions being If a prohibition is proportion is proportion in proportion in proportion in pact one or more NE Parcel is adjacent to a Parcel is subjected to a	proposed psed: psidered, check all that apply. of safety at the site which include user OA's activities. parcel where the NBOA's to be prohib public waterway.	
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	Off-Trail	yes	
			year round
DNR Staff Narrative: Property will be open to cross-country skiing			year round
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X No prohibitions being proposed			
If a prohibition is proposed:	DNR Staff Narrative: F	roperty will be open to cross-country	
Public safety factors considered, check all that apply. ☐ Visitor's expectations of safety at the site which include use	DNR Staff Narrative: F	roperty will be open to cross-country	
conflicts that may create public safety issues and impact one or more NBOA's activities.	DNR Staff Narrative: F X No prohibitions being If a prohibition is proportion prohibition is proportion.	roperty will be open to cross-country proposed psed: psidered, check all that apply. Visit	ry skiing. itor's expectations of safety at the site which include use
Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.	DNR Staff Narrative: F X No prohibitions being If a prohibition is proport Public safety factors conconflicts that may create p	roperty will be open to cross-country proposed psed: nsidered, check all that apply.□ Visit ublic safety issues and impact one of	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities.
Parcel is adjacent to a public waterway.	DNR Staff Narrative: F X No prohibitions being If a prohibition is proport Public safety factors conconflicts that may create public safety is adjacent to a	Property will be open to cross-country proposed psed: nsidered, check all that apply. Ublic safety issues and impact one open country parcel where the NBOA's to be prohib	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities.
Parcel is subjected to a non-sponsor ordinance	DNR Staff Narrative: F X No prohibitions being If a prohibition is proportion is proportion in proportion in proportion in proportion in prohibition is proportion in prohibition in prohi	Property will be open to cross-country proposed psed: nsidered, check all that apply. ☐ Visit ublic safety issues and impact one of parcel where the NBOA's to be prohib public waterway.	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities.
\square Project will be transferred to an eligible partner sponsor with ordinance prohibiting activity.	DNR Staff Narrative: F X No prohibitions being If a prohibition is proportion is proportion in propo	Property will be open to cross-country proposed psed: nsidered, check all that apply. ☐ Visit ublic safety issues and impact one of parcel where the NBOA's to be prohib public waterway.	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities.
	DNR Staff Narrative: F X No prohibitions being If a prohibition is proport Public safety factors conconflicts that may create possible Parcel is adjacent to a Parcel is subjected to	roperty will be open to cross-country proposed psed: nsidered, check all that apply. ☐ Visit ublic safety issues and impact one of parcel where the NBOA's to be prohib public waterway. a non-sponsor ordinance	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities. ibited already exists.
Unique plant and animal community factors considered, check all that apply.	DNR Staff Narrative: F X No prohibitions being If a prohibition is proport Public safety factors conconflicts that may create possible Parcel is adjacent to a □ Parcel is adjacent to a □ Parcel is subjected to possible Project will be transfer	property will be open to cross-country proposed psed: nsidered, check all that apply. ☐ Visit ublic safety issues and impact one of parcel where the NBOA's to be prohib public waterway. a non-sponsor ordinance red to an eligible partner sponsor with	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities. ibited already exists. n ordinance prohibiting activity.
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l <u> </u>	DNR Staff Narrative: F X No prohibitions being If a prohibition is proport Public safety factors conconflicts that may create possible parcel is adjacent to a parcel is adjacent to a parcel is subjected to project will be transfer Unique plant and anima Federal listed endanger	proposed psed: nsidered, check all that apply. Visit ublic safety issues and impact one oparcel where the NBOA's to be prohib public waterway. a non-sponsor ordinance red to an eligible partner sponsor with community factors considered, checked species	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities. ibited already exists. n ordinance prohibiting activity. neck all that apply. State listed endangered species
☐ Federal listed species of special concern ☐ State listed species of special concern	DNR Staff Narrative: F X No prohibitions being If a prohibition is proport Public safety factors conconflicts that may create pure parcel is adjacent to a parcel is adjacent to a project will be transfer Unique plant and animal Federal listed endanged Federal listed threaten	proposed psed: nsidered, check all that apply. Visit ublic safety issues and impact one of parcel where the NBOA's to be prohib public waterway. In non-sponsor ordinance and to an eligible partner sponsor with community factors considered, checked species	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities. ibited already exists. n ordinance prohibiting activity. neck all that apply. State listed endangered species State listed threatened species
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Type of Trail Allowable Activities (opening and closing) Off-Trail (un-groomed) yes Snow cover	NR Staff Narrative: F X No prohibitions being If a prohibition is proport Public safety factors conconflicts that may create possible parcel is adjacent to a parcel is adjacent to a parcel is subjected to project will be transfer Unique plant and animal prederal listed endanged Federal listed threaten proportions Federal listed species Type of Trail Off-Trail (un-groomed)	proposed psed: nsidered, check all that apply. Visit ublic safety issues and impact one comparcel where the NBOA's to be prohib public waterway. In non-sponsor ordinance red to an eligible partner sponsor with community factors considered, checked species	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities. ibited already exists. n ordinance prohibiting activity. neck all that apply. State listed endangered species State listed threatened species State listed species of special concern List Dates (opening and closing) Snow cover
Type of Trail Allowable Activities (opening and closing)	DNR Staff Narrative: F X No prohibitions being If a prohibition is proport Public safety factors conconflicts that may create pure parcel is adjacent to an parcel is adjacent to an parcel is subjected to project will be transfer. Unique plant and animand prederal listed endanged Federal listed threatend Federal listed species. Type of Trail Off-Trail (un-groomed) On-Trail (un-groomed)	proposed psed: nsidered, check all that apply. Visit ublic safety issues and impact one coparcel where the NBOA's to be prohib public waterway. In non-sponsor ordinance red to an eligible partner sponsor with community factors considered, checked species considered species consi	ry skiing. itor's expectations of safety at the site which include use or more NBOA's activities. ibited already exists. n ordinance prohibiting activity. neck all that apply. State listed endangered species State listed threatened species State listed species of special concern List Dates (opening and closing) Snow cover Snow cover