# 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:

April 18, 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 April 18, 2022.

Please review the material and notify **Senator Marklein** or **Representative Born** no later than **Thursday, May 5, 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



April 15, 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 APR 18 2022 St. Finance

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 \$22,383.00 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 Bayfield in Bayfield County. The proposed grant funds will secure lasting public access to the headwaters of Big Ravine Creek which falls through Bayfield to Lake Superior. This 10-acre acquisition will protect the headwaters, conserve wetlands for flood retention and allow extension of a popular hiking trail. The property is contiguous to land already protected by the Knowles-Nelson Stewardship Program. The property will be open to 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

Sincerely,

DocuSigned by:

Saralı Barry Prestordar Gode. Secretary



## CORRESPONDENCE/MEMORANDUM<sup>\*</sup>

**DATE**: April 15, 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 \$22,383.00 to Landmark Conservancy for acquisition of 10 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 Bayfield, Bayfield County. Project maps are attached as Appendix A.

**Project Description:** The subject property is a 10-acre addition to the Big Ravine Preserve, a partnership between Landmark Conservancy and the Town of Bayfield. The preserve encompasses over 250 forested acres including and around a major drainage into Lake Superior's south shore. The steep watershed and creek have long been managed in a natural state for flood control, water quality protection, habitat preservation and outdoor recreation.

The subject property hosts the headwaters to the Big Ravine. Landmark Conservancy will transfer ownership of the parcel to the Town of Bayfield. Stewardship funding will ensure public access to the property via new trails and opening it to new recreational opportunities including hunting and trapping.

#### **Key benefits:**

Water quality - This acquisition will preserve Big Ravine headwaters and a shallow wetland.

**Habitat benefits** – The preserve provides an important habitat corridor to birds coming off Lake Superior and moving along the ridges to inland forests. It is located on the Mississippi flyway, a Tier 1 Migratory Bird Stopover area between two National Audubon Society designated Important Bird Areas: The Apostle Islands and the Lower Chequamegon Bay.

**Recreational benefits** - The property allows for expansion of a popular trail network that climbs from the center of downtown Bayfield up through the ravine's forest. The Bayfield Area Trails link Big Ravine Preserve, Fire Hill Forest Preserve, and a rural loop of orchard businesses frequented by residents and tourists alike.

**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.



**Consistency with planning:** This acquisition will advance or meet goals in the following local and regional conservation and recreational plans:

- The City of Bayfield's Comprehensive Plan: recognizes the Big Ravine watershed as a conservation priority.
- The Town of Bayfield's Comprehensive Plan: sites the importance of wetlands protection, land conservation and trails in several objectives
- US Fish & Wildlife Service Joint Venture Program: Great Lake Restoration Initiative identifies a need for lasting habitat protection within this migratory corridor.

**Partnerships**: Local public support for this acquisition comes from Bayfield County, Town of Bayfield, and Bayfield Area Trails (a partnership among Town, City, County, Mt. Ashwabay, Landmark Conservancy, Apostle Islands National Lakeshore, and the Red Cliff Band of Lake Superior Chippewa), This project builds on past completed projects that were funded by the Knowles-Nelson Stewardship Program, the Wisconsin Coastal Management Program, the John C. Bock Foundation, and the USFWS Joint Venture Program. Landmark has received private donations to help cover transaction costs and support trail work on this parcel.

**Matching funds:** The Town of Bayfield has secured matching funds for the acquisition from the US Fish & Wildlife Service's North American Wetlands Conservation Act.

**Property Management:** The property will be managed by the Town of Bayfield according to a land management plan approved by the Department as consistent with the purposes of the Stewardship Habitat Areas subprogram.

#### PROJECT FINANCES

#### A. Appraisal

Pursuant to S. 23.0917(7)(e)1, Stats., the fair market value of Landmark's acres was determined by a third party appraisal reviewed by DNR. DNR's accepted value for this parcel is \$38,000.00

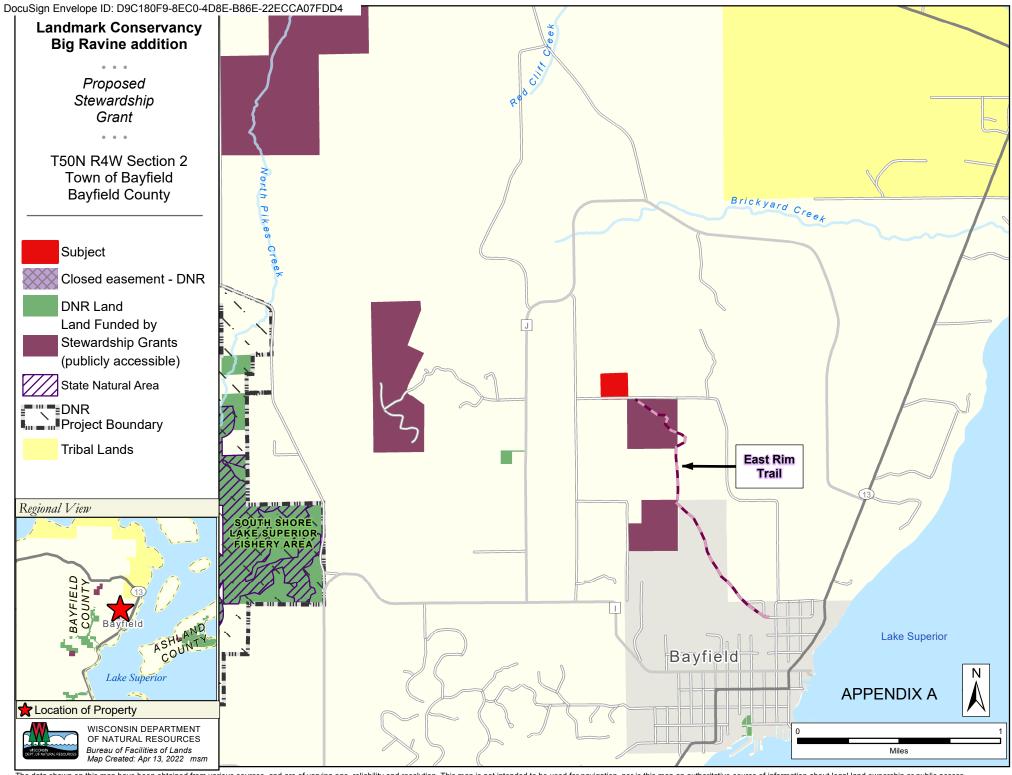
#### **B:** Grant Calculation:

Subject land value	\$38,000.00
Eligible related transaction costs	<u>\$6,765.00</u>
Total eligible project costs	\$44,7650.00

Stewardship grant amount 50% \$22,383.00

### III. RECOMMENDED:

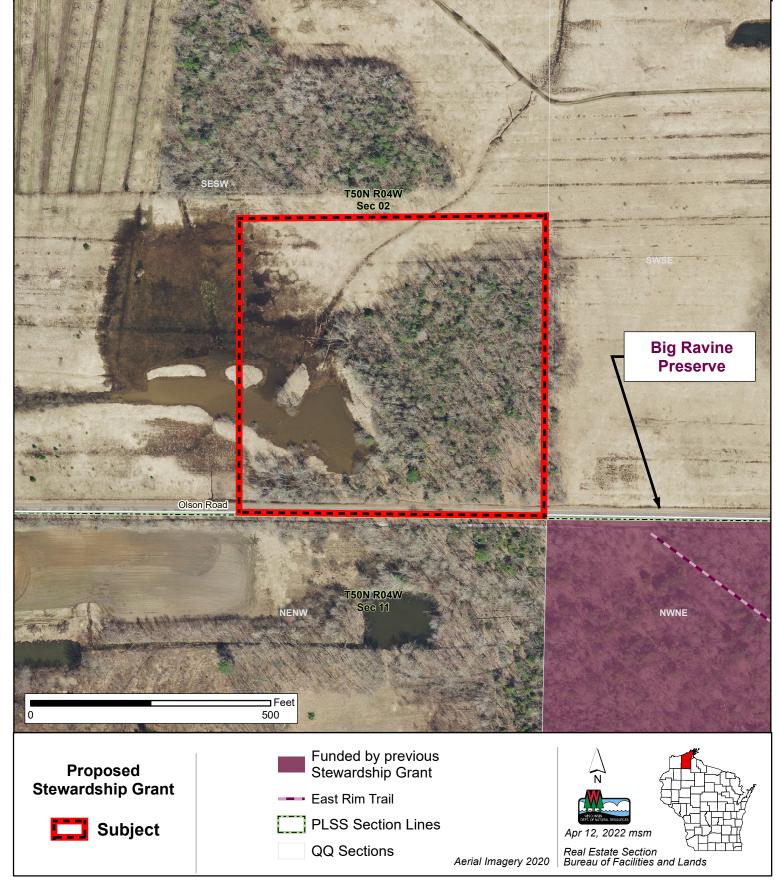
terry Bay	4/14/2022   4:19 PM CDT
Terry Bay, Director, Bureau of Facilities and Lands	Date
DocuSigned by:	
Tim Cooke	4/15/2022   9:46 AM CDT
Tim Cooke, Administrator, Division of Internal Services	Date



# **Landmark Conservancy Big Ravine addition**

Sponsor: Landmark Conservancy Approximate Total Acreage: 9.6

T50N R4W Section 2, Town of Bayfield 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.

reason for promotion.			
Applicant/ Sponsor:	Year of application:		
Landmark Conservancy, Inc.	2021		
Project name and primary purpose (after acquisition): Big Ravine Headwaters: Wildlife habitat protection			
Parcel size, shape and topography: The property is located at the top of a large ravine. It is square in shape. The			
headwaters of the Big Ravine Creek start on the property and the property has a wetland.			
Plan(s) or reports identifying project area as priority: The City of Bayfield's Comprehensive Plan, Town of			
Bayfield's Comprehensive Plan and the US Fish & Wildlife Service Joint Venture Program: Great Lake			
Restoration Initiative			

## **Proposed NBOA – Applicant Narrative and Checklist**

HUNTING			
DNR Staff Narrative: Property will be open to hunting per state regulations			
■ No prohibition prop	osed		
If a prohibition is prop	osed:		
Public safety factors co	onsidered, check all that apply.		
$\square$ 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	a weapon $\square$ Hunting within park	☐ Throwing or shooting missiles,	arrows, spears, etc.
☐ 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	a parcel where the NBOA's to be p	rohibited already exists.	
☐ Parcel is adjacent to a	a public waterway.		
☐ Parcel is subjected to	a non-sponsor ordinance		
☐ Project will be transfe	rred to an eligible partner sponsor	with ordinance prohibiting activity.	
Unique plant and animal community factors considered, check all that apply.			
☐ Federal listed endang	ered species	☐ State listed endangered specie	es
☐ Federal listed threate	☐ Federal listed threatened species ☐ State listed threatened species		
☐ Federal listed species of special concern ☐ State listed species of special concern		oncern	
	Allowable species (Cur)	Allowable appaies (how)	List Dates/Seasons
	Allowable species (Gun)	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

TRAPPING			
DNR Staff Narrative: P	roperty will be open to trapping pe	er state regulat	ions.
■ No prohibitions prop	· · · · · · · · · · · · · · · · · · ·	<u> </u>	
□ No water on site			
If a prohibition is prope	osed:		
	nsidered, check all that apply.		
☐ Size/shape of parcel			
· ·	ts own municipality boundary		
-		rcunancy and n	per s. NR 13.(1)(b)(12), the following traps
	ar body gripping traps (with jaws wic		
	rohibits trapping or some type of tra	•	,
			t may create public safety issues and
impact one or more NE			
☐ Parcel is adjacent to a	parcel where the NBOA's to be pro	hibited already	exists.
☐ Parcel is adjacent to a	public waterway.		
☐ Parcel is subjected to	a non-sponsor ordinance		
Project will be transfer	red to an eligible partner sponsor wi	ith ordinance pı	rohibiting activity.
Unique plant and anima	community factors considered,	check all that a	pply.
☐ Federal listed endange	ered species	☐ State listed e	endangered species
☐ Federal listed threaten	ed species	☐ State listed tl	hreatened species
☐ Federal listed species	of special concern	☐ State listed sp	pecies of special concern
Location	Allewahle Chesics		List Dates/Seasons
Location	Allowable Species		(opening and closing)
Upland	Yes - per state regs		per state regs
-			
Water	Yes - per state regs		per state regs
FISHING	Yes - per state regs		per state regs
FISHING DNR Staff Narrative: Ye	Yes - per state regs	he size of the o	
FISHING  DNR Staff Narrative: Ye possible.	Yes - per state regs es per state regulations – Due to the	he size of the o	per state regs
FISHING DNR Staff Narrative: Ye	Yes - per state regs es per state regulations – Due to the	he size of the o	per state regs
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FISHING  DNR Staff Narrative: Ye possible.  No prohibitions proposite If a prohibition is proposite If a prohibition If a prohibiti	Yes - per state regs es per state regulations – Due to the specific posed es per state regulations – Due to the specific posed: es per state regulations – D		per state regs
FISHING  DNR Staff Narrative: Ye possible.  No prohibitions proposite If a prohibition is proposite If a prohibition If a prohibit	Yes - per state regs es per state regulations – Due to the cosed  osed  osed: nsidered, check all that apply.  of safety at the site which include us BOA's activities.	er conflicts tha	per state regs  creek on the property, boat fishing not  t may create public safety issues and
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FISHING  DNR Staff Narrative: Ye possible.  No prohibitions proper No water on site If a prohibition is proper Public safety factors completed or Configuration of the Parcel is adjacent to a parcel	Yes - per state regs  es per state regulations – Due to the cosed  osed: nsidered, check all that apply.  of safety at the site which include us BOA's activities. parcel where the NBOA's to be propublic waterway.	er conflicts tha	per state regs  creek on the property, boat fishing not  t may create public safety issues and
FISHING  DNR Staff Narrative: Ye possible.  No prohibitions proper No water on site If a prohibition is proper Public safety factors completed or Configuration of the Parcel is adjacent to a parcel	Yes - per state regs es per state regulations – Due to the cosed  osed: nsidered, check all that apply.  of safety at the site which include us BOA's activities. parcel where the NBOA's to be pro	er conflicts tha	per state regs  creek on the property, boat fishing not  t may create public safety issues and
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FISHING  DNR Staff Narrative: Ye possible.  No prohibitions proposible.  No water on site If a prohibition is proposible.  Ordinance exists — Usition of the proposition of the proposit	Yes - per state regs  es per state regulations – Due to the cosed  osed:  nsidered, check all that apply.  of safety at the site which include us BOA's activities.  parcel where the NBOA's to be propublic waterway.  a non-sponsor ordinance red to an eligible partner sponsor will community factors considered, overed species	er conflicts that hibited already ith ordinance procheck all that a state listed to state listed the state l	per state regs  creek on the property, boat fishing not  t may create public safety issues and exists.  rohibiting activity.  pply. endangered species
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HIKING			
DNR Staff Narrative: Property will be open to hiking.			
■ No prohibitions prop	osed		
If a prohibition is propo	sed:		
Public safety factors cor	nsidered, check all that apply.		
	of safety at the site which include user conflicts th	at may create public safety issues and	
_ impact one or more NB			
·	parcel where the NBOA's to be prohibited alread	y exists.	
Parcel is adjacent to a			
Parcel is subjected to a	•		
Project will be transfer	red to an eligible partner sponsor with ordinance	prohibiting activity.	
	a construction of a state of a second and a state of all the st	a male.	
l <u> </u>	community factors considered, check all that	• • •	
Federal listed endange	<u> </u>	endangered species	
	☐ Federal listed threatened species ☐ State listed threatened species		
☐ Federal listed species	of special concern	species of special concern	
Location	Allowable Activities	List Dates	
O T "	<u> </u>	(opening and closing)	
On-Trail	Yes	Year round	
Off-Trail	Yes	Year round	
CROSS COUNTRY SKII	NG.		
	roperty will be open to cross-country skiing.		
No prohibitions prop			
If a prohibition is propo			
		ations of safety at the site which include user	
<b>Public safety factors considered</b> , 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 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.			
Tojoc will be transferred to an eligible partitol operiod with ordinarios profilibring detaying.			
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			
		List Dates	
Type of Trail	Allowable Activities	(opening and closing)	
Off-Trail (un-groomed)	yes	Snow cover	
On-Trail (un-groomed)	yes	Snow cover	
On-Trail (groomed)	no groomed trails planned	NA	