

# 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: May 27, 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 May 27, 2022.

Please review the material and notify **Senator Marklein** or **Representative Born** no later than **Thursday, June 16, 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



May 27, 2022

MAY 27 2022  
*St. Finance*

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 \$495,000.00 from the Knowles-Nelson Stewardship Program to Ducks Unlimited for land acquisition.

The property is in the Town of Brighton in Kenosha County. The proposed grant funds will secure land contiguous to the Bong State Recreational Area. This 132-acre acquisition will conserve wetlands and open space for wildlife habitat and wildlife based recreational activities. 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.

Sincerely,

for

DocuSigned by:  
*Sarah Barry*  
A7D70DC3770642F...  
Preston D. Cole  
Secretary

**CORRESPONDENCE/MEMORANDUM**

**DATE:** May 27, 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 exceeding \$250,000.**

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 \$495,000.00 to Ducks Unlimited for acquisition of 132 acres. The Knowles-Nelson Stewardship program is funded under s. 20.866(2)(ta), Wis. Stats.

**I. PROJECT DETAILS:**

**Project Sponsor:** Ducks Unlimited

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

**Project Description:** The subject property is 132 acres adjacent to Bong State Recreational Area. The larger Bong Recreational Area encompasses over 4,500 acres managed by DNR as a multi-use outdoor recreation property. One of the most heavily visited DNR properties, Bong Recreation area hosts 217 campsites, a nature center, a lookout tower, birding, hunting, canoeing, fishing, hiking, and 6.5 miles of looped ATV/Dirt Bike trails. The subject parcel is contiguous to the DNR land, this purchase will expand public recreation access at this popular site.

The property is being sold by Kenosha Unified School District, which has not used the property for District programming and resolved to divest. This acquisition represents a partnership between the Bong Naturalist Association, an all-volunteer friends group supporting management of the Recreation Area, and Ducks Unlimited.

**Habitat benefits** – This acquisition will secure habitat beneficial to grassland birds and waterfowl. The parcel has been identified by the Mukwonago Fox Phase III NAWCA Initiative, which identified wetland conservation priorities in southeastern Wisconsin. The parcel offers the ideal mix of wetland and adjacent uplands to support waterfowl breeding area conservation objectives.

**Recreational benefits** – Acquisition of this property supports the Bong Recreational Master Plan goals to expand trail-based and waterfowl hunting recreation opportunities. Bong Recreational Area is one of the only state properties on which DNR must permit hunting to manage high demand: these DU-purchased acres will add significant waterfowl and other game species habitat to this recreational complex.

**Consistency with conservation planning:** This acquisition meets or supports goals in the following plans:

- The Bong Recreation Area Master Plan by preserving open space and by adding outdoor recreation opportunities.
- The Kenosha County Comprehensive Plan goal to preserve and enhance Kenosha County's natural resources and park and open space sites by preserving and enhancing the existing natural features and open space of the parcel.
- US Fish & Wildlife Service Joint Venture Program which has identified this habitat in this location as a high priority area for waterfowl habitat conservation.

- Wisconsin Waterfowl Habitat Conservation Strategy by restoring and protecting grasslands that within 500 yards of existing wetland habitat in priority watersheds.
- Wisconsin Land Legacy Report which identifies the Bong grasslands as a Legacy place of significance.

**Matching funds and partners:** Bong Naturalist Association and Ducks Unlimited are seeking Stewardship grant funds to leverage significant fundraising success for this purchase.

- Bong Naturalist Association has committed to raising \$100,000 and has secured additional financial support from several partners.
- WE Energies Foundation, Pheasants Forever and the LUMW Foundation have pledged over \$330,000.
- Ducks Unlimited will contribute \$28,000 and has applied for funds from the North American Wetlands Conservation program.
- The seller, Kenosha Unified School District, has committed to a below market value “bargain sale” in order to keep this property a public asset.

DU received written letters of support for this acquisition from:

- US Senator Tammy Baldwin
- US Representative Bryan Steil
- State Senators Van Wangard and Robert Wirch
- State Representatives Samantha Kerkman, Tod Ohnstad and Tip McGuire
- The Town of Brighton

**Public Uses:** The property has not been open to hunting or trapping under School District ownership. If the Stewardship grant is awarded, the property will be open to the public for nature based outdoor activities including hunting, trapping, hiking, cross-country skiing and wildlife viewing. The proposed grant will also secure the location of a snowmobile trail. DNR’s analysis of public uses is attached as Appendix B.

**II. PROJECT FINANCES**

**A. Appraisals**

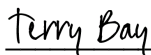

Pursuant to S. 23.0917(7)(e)1, Stats., DNR used reviewed two third party appraisals to determine fair market value. Two appraisals valued the property at \$1,060,000 and \$1,330,000 respectively. The Department’s recommended grant award is based on the lower of those two. Ducks Unlimited’s requested award amounts to less than 50% of project costs.

**B: Grant Calculation:**

Subject land value	\$1,060,000.00
Eligible related transaction costs	\$4,290.00
Total eligible project costs	\$1,064,290.00

**Stewardship grant amount ~46.5% \$495,000.00**

**III. RECOMMENDED:**

DocuSigned by:  
  
 Terry Bay, Director, Bureau of Facilities and Lands  
DocuSigned by:  
  
 Tim Cooke, Administrator, Division of Internal Services


5/24/2022 | 12:59 PM CDT  
 \_\_\_\_\_  
 Date  
 5/24/2022 | 1:04 PM CDT  
 \_\_\_\_\_  
 Date

# Ducks Unlimited - KUSD acquisition


*Richard Bong State Recreation Area*

T2N R20E, Sec. 22  
Town of Brighton  
Kenosha County

 **Subject**

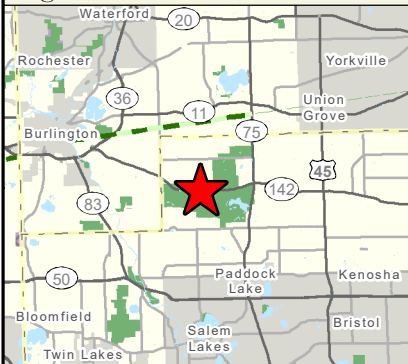
 Current DNR Project Boundary


 DNR Fee Title

 NRCS - WRP (Wetland Reserve Program - Closed to public access)

 State Recreation Trail

### Regional View

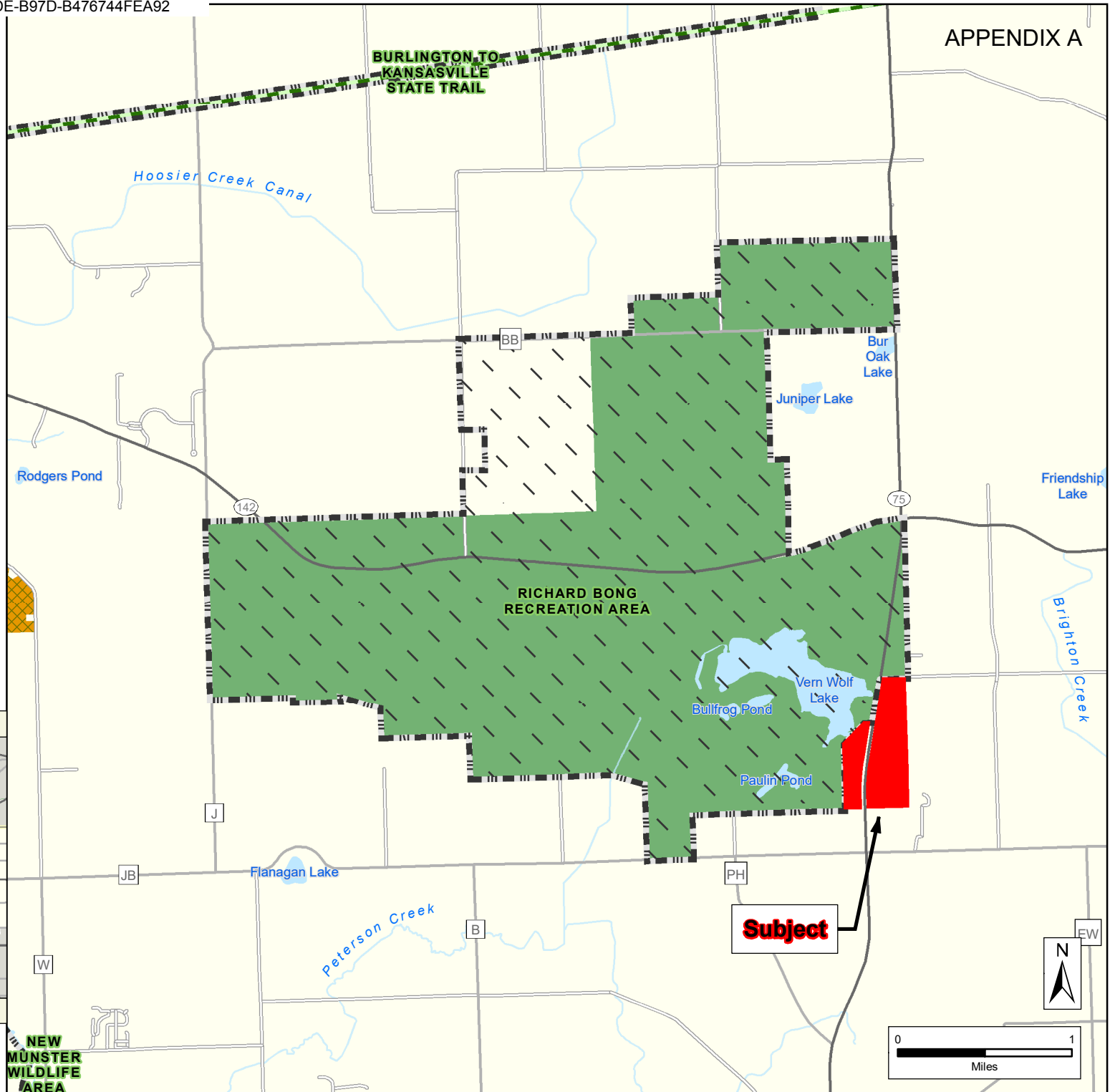


 Location of Property

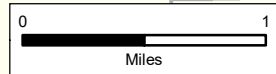


WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
Bureau of Facilities of Lands  
Map Created: Apr 27, 2022 cjm

**NEW MÜNSTER WILDLIFE AREA**



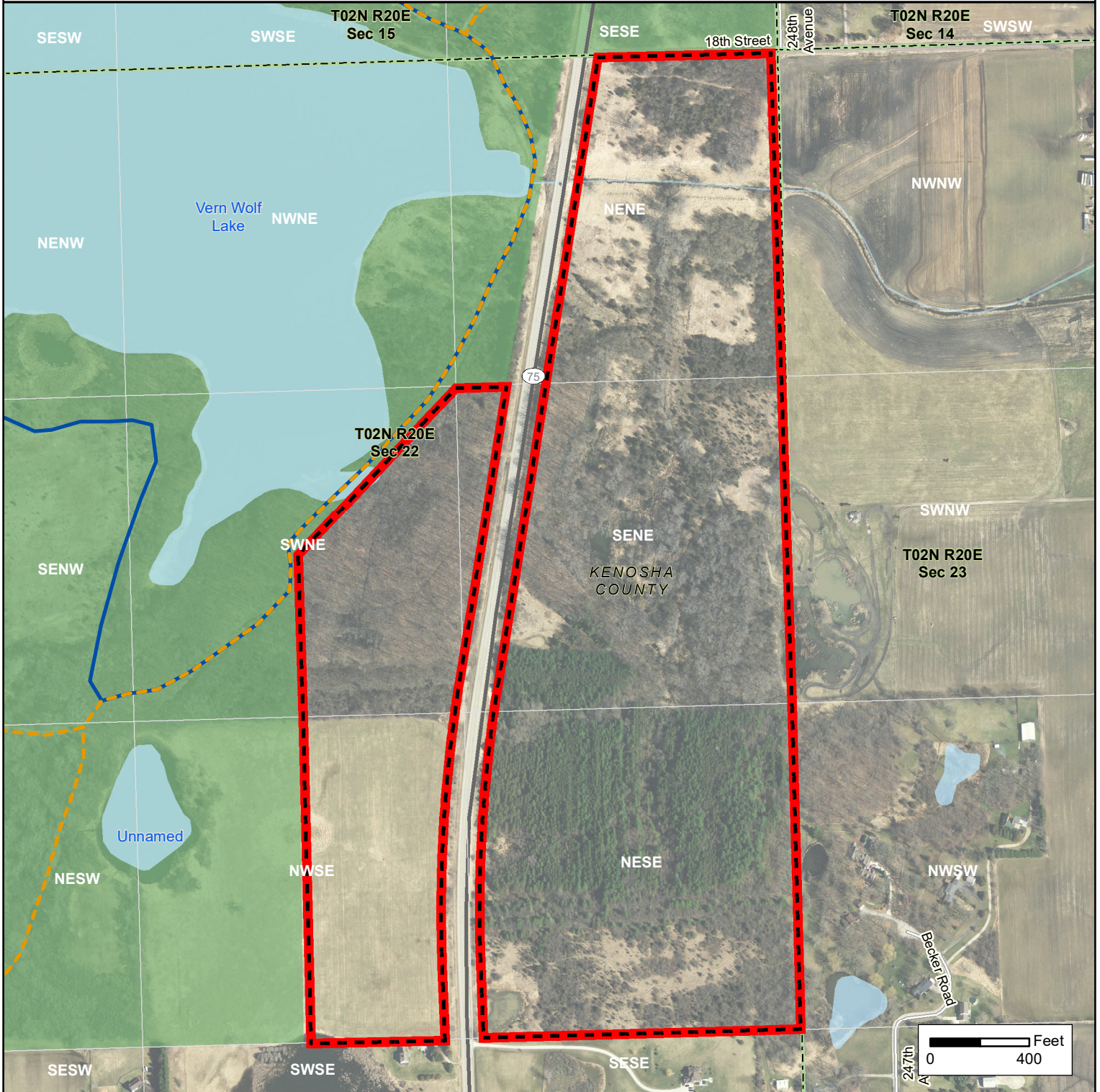
**Subject**








# Ducks Unlimited - KUSD acquisition

T2N R20E, Sec. 22, Town of Brighton, Kenosha County




**Richard Bong  
State  
Recreation Area**

**Subject**

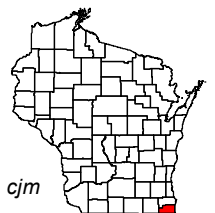
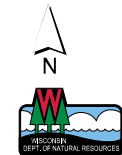
-  County Boundary
-  Section Boundary
-  QQ Section Boundary

 DNR Fee Title

**Trails**

 Equestrian

 Hiking



May 02, 2022 cjm

Real Estate Section  
Bureau of Facilities and Lands

**APPENDIX B**

**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.*

<b>Applicant/ Sponsor:</b> Ducks Unlimited, Inc.	<b>Year of application:</b> 2021
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**Project name and primary purpose** (after acquisition): Bong Recreation Area Addition - KUSD: Wildlife habitat protection

**Parcel size, shape and topography:** The parcel is 132 acres. The property is two rectangular shaped parcels that are separated by Hwy 75. The property is gently rolling with both uplands and wetlands.

**Plan(s) or reports identifying project area as priority:** The Bong Recreational Master Plan, Kenosha County Comprehensive Plan, Joint Venture Plan

**Proposed NBOA – Applicant Narrative and Checklist**

<b>HUNTING</b>									
<b>DNR Staff Narrative:</b> Property will be open to hunting									
<p><input checked="" type="checkbox"/> <b>No prohibition proposed</b></p> <p><b>If a prohibition is proposed:</b></p> <p><b>Public safety factors considered,</b> check all that apply.</p> <p><input type="checkbox"/> The sponsor is within its own municipality boundary</p> <p><input type="checkbox"/> Parcel is within 100 yards of building devoted to human occupancy</p> <p><input type="checkbox"/> Parcel is within 50 feet of the center line of highways &amp; roads</p> <p><input type="checkbox"/> Parcel is within 1700 feet of school grounds, hospital, or sanatorium</p> <p><input type="checkbox"/> Ordinance exists –</p> <p><input type="checkbox"/> Discharge or carrying a weapon    <input type="checkbox"/> Hunting within park    <input type="checkbox"/> Throwing or shooting missiles, arrows, spears, etc.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.</p> <p><input type="checkbox"/> Parcel is adjacent to a public waterway.</p> <p><input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance</p> <p><input type="checkbox"/> Project will be transferred to an eligible partner sponsor with ordinance prohibiting activity.</p> <p><b>Unique plant and animal community factors considered,</b> check all that apply.</p> <table> <tr> <td><input type="checkbox"/> Federal listed endangered species</td> <td><input type="checkbox"/> State listed endangered species</td> </tr> <tr> <td><input type="checkbox"/> Federal listed threatened species</td> <td><input type="checkbox"/> State listed threatened species</td> </tr> <tr> <td><input type="checkbox"/> Federal listed species of special concern</td> <td><input type="checkbox"/> State listed species of special concern</td> </tr> </table>				<input type="checkbox"/> Federal listed endangered species	<input type="checkbox"/> State listed endangered species	<input type="checkbox"/> Federal listed threatened species	<input type="checkbox"/> State listed threatened species	<input type="checkbox"/> Federal listed species of special concern	<input type="checkbox"/> State listed species of special concern
<input type="checkbox"/> Federal listed endangered species	<input type="checkbox"/> State listed endangered species								
<input type="checkbox"/> Federal listed threatened species	<input type="checkbox"/> State listed threatened species								
<input type="checkbox"/> Federal listed species of special concern	<input type="checkbox"/> State listed species of special concern								
	<b>Allowable species (Gun)</b>	<b>Allowable species (bow)</b>	<b>List Dates/Seasons (opening and closing)</b>						
Waterfowl	Per state regulations	Per state regulations	Per state regulations						
Small Game	Per state regulations	Per state regulations	Per state regulations						
Turkey	Per state regulations	Per state regulations	Per state regulations						
Large Game	Per state regulations	Per state regulations	Per state regulations						



**TRAPPING**

**DNR Staff Narrative:** Property will be open to trapping

**No prohibitions 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:** There is no fishable water on the property

**No prohibitions 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	No fishable water on property	No fishable water on property
Boat	No fishable water on property	No fishable water on property



**HIKING**

**DNR Staff Narrative:** Hiking will be allowed on the property

**No prohibitions 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 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 Activities	List Dates (opening and closing)
On-Trail	Yes	Year Round
Off-Trail	Yes	Year Round

**CROSS COUNTRY SKIING**

**DNR Staff Narrative:** Cross County skiing will be allowed on the property

**No prohibitions 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 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

Type of Trail	Allowable Activities	List Dates (opening and closing)
Off-Trail (un-groomed)	Yes	Snow cover
On-Trail (un-groomed)	Yes	Snow cover
On-Trail (groomed)	TBD	Snow cover