## **State of Wisconsin**

#### SENATE CHAIR Howard Marklein

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



#### Joint Committee on Finance

#### MEMORANDUM

- To: Members Joint Committee on Finance
- From: Senator Howard Marklein Representative Mark Born

Date: June 14, 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 June 14, 2022.

Please review the material and notify **Senator Marklein** or **Representative Born** no later than **July 1, 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

Assembly Chair Mark Born

308 East, State Capitol P.O. Box 8592 Madison, WI 53708-8953 Phone: (608) 266-2540 State of Wisconsin DEPARTMENT OF NATURAL RESOURCES 101 S. Webster Street Box 7921 Madison WI 53707-7921

June 14, 2022

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



JUN 1 4 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 \$111,245.00 from the Knowles-Nelson Stewardship Program to Landmark Conservancy. The proposed grant will fund land acquisition north of State Highway 64. This request is for approval to award fiscal year 2022 funds.

The acquisition is in the Town of Bell in Bayfield County. The proposed grant will support acquisition of 160 forested acres through which Lost Creek falls toward Lake Superior. The property is contiguous on four sides to County Forest lands and popular hiking and snowmobile trails accessing Lost Creek Falls.

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

Sarah Barry Présión D. Cole Secretary



### CORRESPONDENCE/MEMORANDUM

SUBJECT:	Request for approval – Knowles-Nelson Stewardship grant fo
FROM:	Preston D. Cole, Secretary
TO:	Members of the Joint Committee on Finance
DATE:	June 14, 2022

# 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 \$111,245.00 to Landmark Conservancy for acquisition of 160 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: Stream Bank Protection

**Location:** The subject property is in the Town of Bell, Bayfield County, near the community of Cornucopia. Project maps are attached as Appendix A.

**Project Description:** The 160-acre property is undeveloped with 6,000 linear feet of frontage on Lost Creek, a class II trout stream and several unnamed tributaries. The parcel consists of upland forest with rolling to hilly topography and steep slopes and ravines down to the creek. Cover types include red and white pine overstory with a mixed hardwoods understory, and some aspen. The property is landlocked and bordered on four sides by county forest land.

#### Key benefits:

**Water quality** - The subject property is located in the Lost Creek watershed, a south shore streams watershed draining into Lake Superior. It includes part of the headwaters of the Lost Creek system which flows through Lost Creek State Natural Area and is adjacent to Bayfield County Forest's Lost Creek Special Management Area. This acquisition will help provide forested buffer to protect both the immediate stream corridor and watershed.

**Habitat benefits** – The property is surrounded by county forest land and will complement the existing forest block, ensuring contiguous habitat for forest-dependent species. This branch of Lost Creek supports natural trout reproduction and future management will target continued health of the trout fishery. The Lost Creek drainage is a Tier 1 Migratory Bird stopover area.

**Recreational benefits** – The property is currently open to public use under the Managed Forest Law. This acquisition will ensure that the property remains permanently open to nature-based outdoor activities including hunting, fishing, trapping and hiking. This property is in a heavily used recreational area: Bayfield County's popular Lost Creek Falls Trail is located just to the north of this property where both hiking and snow mobile trails lead to an overlook for Lost Creek Falls.



**Project Goals:** Landmark Conservancy's Lost Creek Headwaters project meets or supports goals in the following plans:

- Bayfield County Comprehensive Outdoor Recreation Plan, 2020-2024
- Bayfield County Comprehensive Land Use Plan (2010)
- Town of Bell Comprehensive Land Use Plan (2010)
- Wisconsin Wildlife Action Plan for protection of a conservation opportunity area of statewide significance Lake Superior South Shore Streams as part of the Coastal Headwaters and Estuaries

**Partnerships**: The property is being purchased in partnership with Bayfield County, which has received preliminary approval and an invitation to apply for funds from the Coastal Management program to support this acquisition.

- Both Bayfield County and the Town of Bell passed resolutions in support of Landmark Conservancy's Stewardship grant application.
- Bayfield County has agreed to manage the subject property with the surrounding special use area according to a management plan approved by the DNR.
- The Ruffed Grouse Society has committed \$2,500 to this land purchase.
- Letters of support were received from Bayfield County Economic Development Corporation, Northland College, the School Districts of Washburn and Bayfield, the Ruffed Grouse Society, the Wild Rivers Chapter of Trout Unlimited and the Wisconsin Chapter of Backcountry Hunters and Anglers.

**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.

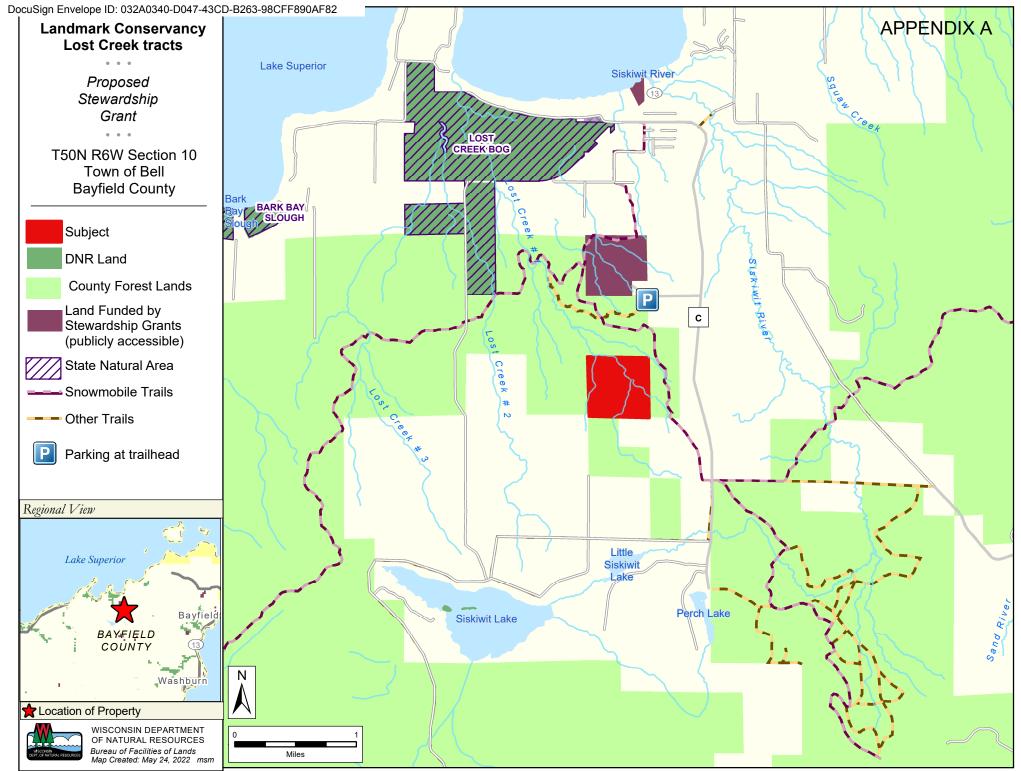
**Property Management:** The property will be managed by Bayfield County according to a land management plan approved by the Department as consistent with the purposes of the Stewardship Stream Bank Protection subprogram.

#### **PROJECT FINANCES**

#### A. Appraisal

The property value used for grant calculation is based on an appraisal reviewed and accepted by DNR. The accepted appraised value is \$220,000.00

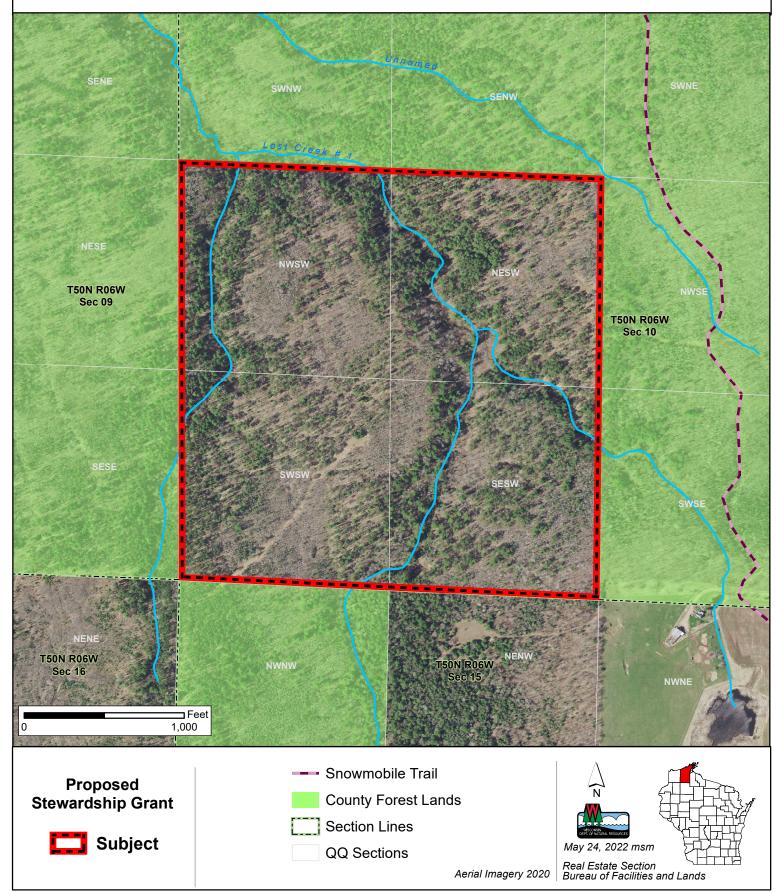
B: Grant Calculation:		
Subject land value	\$220,000.00	
Eligible related transaction costs	<u>\$2,490.00</u>	
Total eligible project costs	\$222,490.00	
Stewardship grant amount 50%	\$111,245.00	
III. RECOMMENDED:		
turry Bay	6/13/2022   5:13 PM CDT	
Terry Bay, Director, Bureau of Facilities and Lands	Date	
DocuSigned by:		
tim Cooke	6/14/2022   8:24 AM CDT	
Time Cooke, Administrator, Division of Internal Services	Date	



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.

## Landmark Conservancy Lost Creek tracts

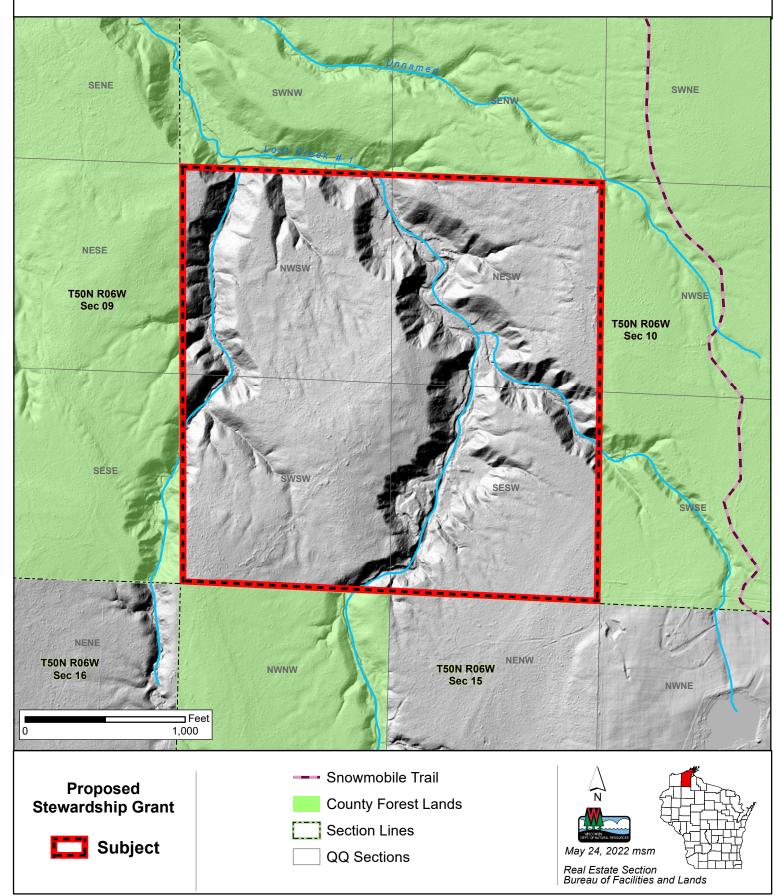
Sponsor: Landmark Conservancy Approximate Total Acreage: 160 T50N R6W Section 10, Town of Bell County: Bayfield



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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.

Applicant/ Sponsor: LANDMARK CONSERVANCY

Year of application: FY 2022

**Project name and primary purpose** (after acquisition): 160 ACRES: TO BE MANAGED IN COORDIANTION WITH LOST CREEK FALLS AND LOST CREEK SPECIAL USE AREA IN SURROUNDING BAYFIELD COUNTY FOREST

**Parcel size, shape and topography**: THE 160-ACRE PROPERTY IS UNDEVELOPED WITH 6,000 LINEAR FEET OF FRONTAGE ON LOST CREEK #2, A CLASS II TROUT STREAM. THE PARCEL CONSISTS OF UPLAND FOREST WITH ROLLING TO HILLY TOPOGRAPHY AND STEEP SLOPES AND RAVINES DOWN TO THE CREEK.

**Plan(s) or reports identifying project area as priority:** BAYFIELD COUNTY COMPREHENSIVE OUTDOOR RECREATION PLAN, TOWN OF BELL COMP. PLAN; WISCONSIN WILDLIFE ACTION PLAN.

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

HUNTING							
DNR Staff Narrative: Property will be open to hunting							
X No prohibition proposed							
If a prohibition is proposed:							
Public safety factors considered, check all that apply.							
□ The sponsor is within its own municipality boundary							
□ Parcel is within 100 yards of building devoted to human occupancy							
□ Parcel is within 50 feet of the center line of highways & roads							
Parcel is within 1700 feet of school grounds, hospital, or sanatorium							
□ Ordinance exists –							
Discharge or carrying a weapon 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 publi	ic safety issues and				
impact one or more NBOA's activities.							
□ Parcel is adjacent to	□ 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 transfe	erred to an eligible partner sponsor	with ordinance prohibiting activity.					
Unique plant and animal community factors considered, check all that apply.							
Federal listed endang	gered species	State listed endangered species					
Federal listed threate	ned species	State listed threatened species					
Federal listed species	s of special concern	□ State listed species of special concern					
			List Dates/Seasons				
	Allowable species (Gun)	Allowable species (bow)	(opening and closing)				
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 water on site	C No prohibitions proposed ☐ No water on site						
→ No water on site If a prohibition is proposed:							
Public safety factors considered, check all that apply.							
Size/shape of parcel							
_ · ·	□ Size/shape of parcer □ The sponsor is within its own municipality boundary						
<ul> <li>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.</li> </ul>							
□ 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.						
· _ ·	a non-sponsor ordinance						
☐ Project will be transfe	rred to an eligible partner sponsor v	with ordinance p	rohibiting activity.				
Unique plant and animal community factors considered, check all that apply.  Federal listed endangered species  State listed endangered species							
Federal listed threater	•		hreatened species				
Federal listed species	•		pecies of special concern				
			List Dates/Seasons				
Location	Allowable Species	6	(opening and closing)				
Upland	Per state regulations		Per state regulations				
Upland Water	Per state regulations Per state regulations		Per state regulations Per state regulations				
Water							
Water FISHING	Per state regulations						
Water FISHING DNR Staff Narrative: F	Per state regulations Property will be open to fishing.						
Water FISHING DNR Staff Narrative: F X No prohibitions prop	Per state regulations Property will be open to fishing.						
Water         FISHING         DNR Staff Narrative:         X No prohibitions prop         No water on site	Per state regulations Property will be open to fishing. osed						
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Water         FISHING         DNR Staff Narrative:         X No prohibitions prop         No water on site         If a prohibition is prop         Public safety factors co         Ordinance exists –         Visitor's expectations impact one or more NI         Parcel is adjacent to a         Parcel is adjacent to a         Parcel is subjected to         Project will be transfe	Per state regulations Property will be open to fishing. osed osed: nsidered, check all that apply. of safety at the site which include u 3OA's activities. a parcel where the NBOA's to be pr a public waterway. a non-sponsor ordinance rred to an eligible partner sponsor w I community factors considered,	rohibited already with ordinance p , check all that a	Per state regulations				
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Water         FISHING         DNR Staff Narrative: F         X No prohibitions prop         No water on site         If a prohibition is prop         Public safety factors co         Ordinance exists -         Visitor's expectations impact one or more NI         Parcel is adjacent to a         Parcel is subjected to         Project will be transfe         Unique plant and anima         Federal listed endang         Federal listed threated	Per state regulations Property will be open to fishing. Osed Osed: nsidered, check all that apply. of safety at the site which include u BOA's activities. a parcel where the NBOA's to be pr a public waterway. a non-sponsor ordinance rred to an eligible partner sponsor v I community factors considered, ered species ned species	rohibited already with ordinance p , check all that a □ State listed e □ State listed t □ State listed s	Per state regulations  at may create public safety issues and r exists. rohibiting activity. pply. endangered species threatened species				
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•						
HIKING						
DNR Staff Narrative: Property will be open to hiking.						
X No prohibitions propo	osed					
If a prohibition is propo	osed:					
Public safety factors cor	<b>sidered,</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						
Parcel is subjected to a	a non-sponsor ordinance					
	red to an eligible partner sponsor	with ordinance p	prohibiting activity.			
Unique plant and animal	community factors considered	<b>d,</b> check all that a	apply			
Federal listed endange	ered species	□ State listed	endangered species			
□ Federal listed threaten	ed species	□ State listed	threatened species			
□ Federal listed species	of special concern	State listed s	species of special concern			
Lesstian		41a a	List Dates			
Location	Allowable Activi	ties	(opening and closing)			
On-Trail	YES - trails not yet developed		Year round			
Off-Trail	YES		Year round			
<b>CROSS COUNTRY SKII</b>	NG					
DNR Staff Narrative: P	Property will be open to cross-co	ountry skiing.				
X No prohibitions propo	osed					
If a prohibition is propo	osed:					
Public safety factors cor	<b>nsidered,</b> check all that apply. $\Box$	Visitor's expecta	ations of safety at the site which include user			
conflicts that may create p	ublic safety issues and impact	one or more NBC	DA'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.						
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Unique plant and animal	community factors considered	<b>i</b> , check all that a	apply.			
□ Federal listed endangered species □ State listed endangered species						
□ Federal listed threatened species □ State listed threatened species						
Federal listed threaten	•	□ State listed	threatened species			
<ul> <li>Federal listed threaten</li> <li>Federal listed species</li> </ul>	ed species		threatened species species of special concern			
Federal listed species	ed species of special concern	□ State listed s	•			
_	ed species	□ State listed s	species of special concern			
Federal listed species	ed species of special concern	□ State listed s	species of special concern List Dates			
Federal listed species     Type of Trail	ed species of special concern Allowable Activiti	State listed s	species of special concern List Dates (opening and closing)			