

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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Tony Evers, Governor
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November 15, 2021

Honorable Howard Marklein, Senate Co-Chair
Joint Committee on Finance
Room 316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Honorable Mark Born, Assembly Co-Chair
Joint Committee on Finance
Room 308 East, State Capitol
P.O. Box 8952
Madison, WI 53708-8952

Michael Queensland
Senate Chief Clerk
B20 South East, State Capitol
Madison, Wisconsin 53707

Edward A. Blazel
Assembly Chief Clerk
17 West Main Street #401
Madison, Wisconsin 53703

Dear Senators and Representatives:

Pursuant to s. 23.0916(6), the Department of Natural Resources (DNR) is required to submit to the Joint Committee on Finance a report regarding property purchased with funds from the Knowles-Nelson Stewardship Program on which one or more nature-based outdoor activities (NBOAs) are prohibited for the last biennium. The required report is attached.

Due in large part to public investment via the Stewardship program, residents and visitors have access to exceptional outdoor experiences in every corner of the state. By providing facilities and lands for outdoor recreation, the Stewardship program helps Wisconsin's economy continue to grow and prosper.

Sincerely,

A handwritten signature in black ink, appearing to read 'Preston D. Cole'.

Preston D. Cole
Secretary

**PROPERTIES PURCHASED WITH FUNDS FROM THE
KNOWLES-NELSON STEWARDSHIP PROGRAM
ON WHICH ONE OR MORE
NATURE-BASED OUTDOOR ACTIVITY IS PROHIBITED**

July 1, 2019 – June 30, 2021



SUBMITTED BY THE DEPARTMENT OF NATURAL RESOURCES
November 15, 2021

The Knowles-Nelson Stewardship Program is administered by the Wisconsin Department of Natural Resources (DNR). For more information on the Stewardship Program, please contact:

Bureau of Facilities and Lands
Internal Services Division
Department of Natural Resources
P.O. Box 7921
101 S. Webster Street
Madison, Wisconsin 53707-7921
608-267-7465

Real Estate Program: <http://dnr.wi.gov/topic/lands/RealEstate>
Stewardship Grants Program: <https://dnr.wisconsin.gov/topic/Stewardship/GrantHome>
Public Access Lands mapping: <http://dnr.wi.gov/topic/lands/PAL/application.html>

Additional copies of this report may be obtained from the DNR Bureau of Facilities and Lands.

BACKGROUND

The Wisconsin Legislature created the Knowles-Nelson Stewardship Program in 1989 to serve the public by expanding outdoor recreation opportunities, protecting fish and wildlife habitat and preserving valuable natural areas. The Stewardship Program is named for two of Wisconsin's most revered conservation leaders - Warren Knowles (Governor 1965-1971) and Gaylord Nelson (Governor 1959-1963, U.S. Senator 1964-1981). Based on the Program's continued success delivering quality outdoor recreation opportunities for the public, the Wisconsin Legislature reauthorized the Stewardship Program in 1999, 2007, 2019 and 2021.

Pursuant to the 2007 reauthorization, the Legislature requires that lands acquired with Knowles-Nelson Stewardship Program funds be open for nature-based outdoor activities (NBOAs) unless otherwise approved by the DNR Natural Resources Board (NRB). Section 23.0916(1)(b), Wis. Stats., defines nature-based outdoor activities as "... hunting, fishing, trapping, hiking, cross-country skiing, and any other nature-based activity designated by rule by the department ..."; no additional NBOAs have been added by rule.

Chapter NR 52, Wis. Adm. Code, became effective on August 1, 2010 and describes criteria the NRB may consider when reviewing a proposed acquisition where one or more NBOAs would be prohibited. Proposed Stewardship acquisitions (DNR or grant-funded) require NRB review and approval if the landowner plans to prohibit one or more NBOA post-acquisition. Section 23.0916, Wis. Stats., allows the NRB to approve acquisition of property with an NBOA prohibition only if the prohibition is necessary to protect public safety or unique animal/plant communities. An NBOA prohibition is assumed to be necessary for public safety if all the following conditions of Ch. NR 52.05(1)(a)5., Wis. Adm. Code, apply to the subject property:

- The parcel is five acres or less in size;
- The parcel is located within the boundary of a city or village;
- The parcel is not adjacent to a public waterway; and
- The parcel is not adjacent to another parcel where the NBOA proposed for prohibition is allowed.

In accordance with Section 29.089(1m)(b), Wis. Stats., prohibition of hunting and trapping in State Parks and on State Trails is allowed if the property is within 100 yards of a designated use area or if the NRB determines that prohibiting hunting or trapping is necessary to protect public safety or protect a unique animal or plant community. NRB approval is not required prior to acquisition for properties acquired with Stewardship grant assistance by local governments or nonprofit conservation organizations where the prohibition originates from an entity other than the grant recipient.

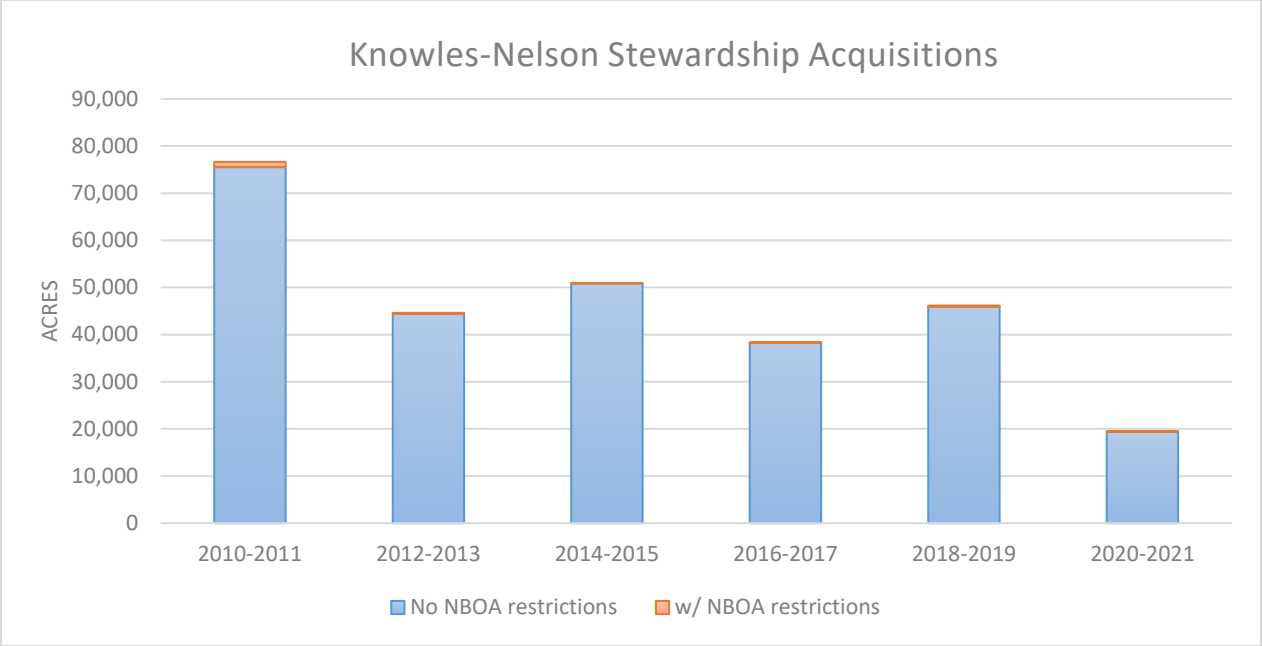
By November 15 of each biennium, the department is required to issue a report on all lands purchased during the preceding biennium in whole or in part with funds from the Stewardship Program on which public access for any NBOA is prohibited (Section 23.0916(6), Wis. Stats.). This report satisfies the NBOA reporting requirement for fiscal years 2020 and 2021.

2020-2021 BIENNIUM

In the 2020-2021 biennium, the DNR awarded Stewardship grants supporting acquisition of 4,042 acres. 98% of those acres are open to the public for all NBOA. In all cases, properties acquired with Stewardship funds on which one or more of those are prohibited are subject to local ordinance where limits on hunting and/or trapping are in place to protect public safety.

In this biennium, the DNR acquired no lands on which NBOA are prohibited.

Exhibit A and Table A below summarize NBOA access on land acquired with Stewardship funds in the last biennium. Project-specific information is in Appendix A. Further details are available from the DNR upon request.



| | 2010-2011 | 2012-2013 | 2014-2015 | 2016-2017 | 2018-2019 | 2020-2021 |
|--------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Acres Open for all NBOAs | 75,530 (98.5%) | 44,432 (99.6%) | 50,841 (99.8%) | 38,251 (99.6%) | 45,931 (99.5%) | 19,401 (99.6%) |
| Acres with NBOA Prohibition(s) | 1,115 (1.5%) | 183 (0.4%) | 124 (0.2%) | 134 (0.4%) | 230 (0.5%) | 79 (0.4%) |
| Total Acres | 76,645 | 44,615 | 50,965 | 38,385 | 46,161 | 19,480 |

Exhibit A: Acres acquired with Stewardship funds open for all NBOAs and subject to prohibition(s).

Table A. Stewardship Grant Acquisitions Subject to s. 23.0916(5), Wis. Stats.: July 1, 2019, through June 30, 2021

| Grant Recipient | County | Project Name | Stewardship Grant Amount | Project Acres with NBOA Prohibition(s) | Prohibited NBOA(s) | Reason |
|-------------------------------------|---------------|--|---------------------------------|---|---------------------------|---------------|
| Baird Creek Preservation Foundation | Brown | Baird Creek Parkway - Basten addition | \$43,875.00 | 27.3 | Hunting | Public Safety |
| Heckrodt Wetland Preserve | Brown | Wetland Reserve addition | \$36,450.00 | 15.37 | Gun Hunting | Public Safety |
| Riverwood Nature Center* | St. Croix | Apple River tract | \$348,200.00 | 28.4 | Gun Hunting | Public Safety |
| Brown County Parks | Brown | Eagles Nest Boat Landing | \$249,000.00 | 4.54 | Hunting, Trapping | Public Safety |
| City of Monroe | Green | Downtown Pocket Park | \$30,750.00 | 0.09 | Hunting, Trapping | Public Safety |
| City of West Bend | Washington | Downtown Riverwalk Acquisition – West Bank | \$121,925.00 | 0.41 | Hunting, Trapping | Public Safety |
| Village of Egg Harbor | Door | Alpine Property Acquisition | \$249,000.00 | 1.21 | Hunting, Trapping | Public Safety |
| City of Waterloo | Jefferson | Riverside Park at 203 E. Madison St. Acquisition | \$7,137.50 | 0.11 | Hunting, Trapping | Public Safety |

APPENDIX A
Project Details: Stewardship Grant Acquisitions with NBOA Prohibitions

Grant Recipient: Baird Creek Preservation Foundation

Project Name: Baird Creek Parkway Basten addition

County: Brown

Details: The DNR issued a grant and management contract on March 20, 2020 to the Baird Creek Preservation Foundation for acquisition of 27.3 acres in the City of Green Bay. The subject property lies along Baird Creek, adjacent on two sides to City-owned lands managed as part of the Baird Creek Greenway. The entire property is subject to City ordinance which prohibits firearm discharge. The portion south of the creek will transfer to City ownership and included among acres available for a permitted deer archery hunt. The acres north of the creek, not currently contiguous to Greenway properties, remains in ownership of the nonprofit and subject to City ordinance. The Natural Resources Board approved the hunting prohibition on City-owned acres at the October 2019 board meeting.

Grant Recipient: Heckrodt Wetland Reserve

Project Name: Heckrodt Mueller acquisition

County: Brown

Details: The DNR issued a grant and management contract on November 10, 2020 to the Heckrodt Wetland Reserve in Menasha, Brown County for acquisition of 15.37 acres of wetland that are headwaters to the wetland and stream complex around which the heart of this conservation and nature education center. A large percentage of the subject acres lies within 300 feet of single-family homes and all are subject to City of Menasha ordinance that prohibits firearm discharge and trapping within City Limits. The property is open to pedestrian use. NRB review was not required for this acquisition because the prohibition is imposed by Village ordinance, not the grant recipient's management decision.

***Grant Recipient:** Riverwood Nature Center

Project Name: Riverwood Apple River acquisition

County: St. Croix

Details: The DNR issued a grant and management contract on June 19, 2020 to The Riverwood Nature Center for acquisition of 28.4 acres in the Village of Star Prairie for a nature preserve. The subject property includes 3,100 feet of Apple River frontage contiguous to a Village-owned parcel of forested riverbank. Village ordinance prohibits firearm discharge. The property will be open to archery and learn-to-hunt bow programs. NRB review was not required for this acquisition because the prohibition is imposed by Village ordinance, not the grant recipient's management decision. *NOTE: At the time this report was published, this grant contract has been approved but no payment has been made as DNR is awaiting resolution of a title issue on the subject parcel.*

Grant Recipient: Brown County Parks

Project Name: Eagles Nest Boat Landing

County: Brown

Details: The DNR issued a grant and management contract on October 1, 2020 to Brown County Parks for acquisition of 4.54 acres in the city of Green Bay for a safe harbor public boat landing in the lower bay. The subject property provides access to 66 square miles of open water from the Brown County line to the mouth of the Fox River, and is anticipated to alleviate congestion at the three existing launch sites as well as to provide shelter for small craft in the event of a sudden strong storm. The entire property is subject to City ordinance which prohibits the discharge of firearms. The Natural Resources Board approved prohibition of hunting and trapping on this parcel at their January 2020 meeting.

Grant Recipient: City of Monroe

Project Name: Downtown Pocket Park

County: Green

Details: The DNR issued a grant and management contract on June 1, 2020 to the City of Monroe for acquisition of 0.09 acres in the City's central business district. The subject property consists of a visible corner of the City's downtown square, which has been vacant since a fire in the 1980s and was designated as "blighted" by the Redevelopment Authority in 2019. Its development into a public green space will improve the district's aesthetic, provide much-needed public restroom facilities, and encourage both residents and visitors to stay and explore the City's historic downtown. Prohibition of hunting and trapping was assumed necessary to protect public safety, as the property meets all conditions described in Ch. NR 52.05(1)(a)5, Wis. Adm. Code.

Grant Recipient: City of West Bend

Project Name: Downtown Riverwalk – West Bank Acquisitions

County: Washington

Details: The DNR issued a grant and management contract on June 1, 2020 to the City of West Bend for acquisition of 0.41 acres that will connect existing sections of the Milwaukee Riverfront Parkway trail. These properties will allow the construction of facilities to complement other public spaces in the City's downtown and provide safe off-road pedestrian and bicycle passage across Highway 33. The properties are within the City of West Bend, therefore subject to City ordinance which prohibits weapons and the discharge of firearms. The Natural Resources Board approved prohibition of hunting and trapping on this parcel at their January 2020 meeting.

Grant Recipient: Village of Egg Harbor

Project Name: Alpine Property Acquisition

County: Door

Details: The DNR issued a grant and management contract on June 1, 2021 to the Village of Egg Harbor for acquisition of 1.21 acres including waterfront directly west and adjacent to the existing Beach Park. The subject property is undeveloped but includes a pier and a break-wall, and previously provided exclusive beach access to guests at the nearby Alpine Resort. In addition to the expansion of existing public beach access, the Village plans to use the subject property to relocate a wastewater lift station, add additional parking, and develop a future multi-use recreational trailhead. The Natural Resources Board approved prohibition of hunting and trapping on this parcel at their January 2021 meeting.

Grant Recipient: City of Waterloo

Project Name: Riverside Park at 203 E. Madison St. Acquisition

County: Jefferson

Details: The DNR issued a grant and management contract on April 15, 2021 to the City of Waterloo for acquisition of 0.11 acres to support increased access to Youker and Fireman's Parks. The subject property, along with an additional adjacent property which the City intends to purchase, will be developed into a park entrance and pedestrian trail, affording greater public access to recreational activities within the parks. The property is within the City of Waterloo and subject to its City ordinance disallowing hunting and trapping within city limits. The Natural Resources Board approved prohibition of hunting and trapping on this parcel at their January 2021 meeting.