

**SUBJECT: LAND AND EASEMENT ACQUISITION – NORTH BRANCH MILWAUKEE RIVER WILDLIFE AND FARM HERITAGE AREA – SHEBOYGAN COUNTY**

**FOR: JUNE 2009 BOARD MEETING**

**TO BE PRESENTED BY: Richard Steffes**

**SUMMARY:** The Department has obtained an option to purchase land and land rights on a total of 164.46 acres for \$460,000. This includes a 118.14-acre farmland protection easement with 27.75 acres of public access and a second option that includes 41.92 acres of fee title purchase with a 4.4-acre ingress/egress easement on lands owned by Kenneth and Margie Strack. The purchase is for the North Branch Milwaukee River Wildlife and Farm Heritage Area in Sheboygan County. The item is being submitted because the purchase price exceeds \$150,000.

The Department has secured a USDA NRCS Farmland Protection Grant that will cover \$114,000 of the cost of the farmland protection easement. The intent of the easement is to protect the water quality in the North Branch of the Milwaukee River and to prevent development of the farmland. A stream originates on the property and flows 600 feet to the North Branch of the Milwaukee River.

Created in 2002, the name of the North Branch Milwaukee River Wildlife and Farming Heritage Area reflects the opportunity this project presents to maintain the strong farming tradition in the area, as well as to maintain and enhance wildlife habitat and meet other natural resource protection objectives in the southeast part of the state. This is one of the largest undeveloped areas remaining in southeastern Wisconsin, yet it is only 35 miles from the City of Milwaukee. The 19,500-acre predominantly rural project area includes 9,000 acres of agricultural lands on both small and large farms intermixed with 6,000 acres of existing wetlands that are associated with the nine miles of the North Branch of the Milwaukee River and its five tributary streams that are within the proposed project boundary. Also identified within the project boundary are 20 potential natural areas, including one of statewide significance, habitat for threatened and endangered species and many important historical, cultural and archeological features.

This project area is one of the few statewide where the Department acquires easements without public access. As established by the master plan approved in 2002, the project goals aim to protect one of the largest blocks of open space remaining in southeastern Wisconsin and to maintain the strong farming tradition in the area. Additionally, the plan focuses on the importance to maintain and enhance wildlife habitat and protect the water quality of the river and the remaining wetland complexes to important for the retention of water upstream of the Milwaukee metropolitan area to the south. The Department is acquiring the easement without access for \$228,000. This is about \$330,000 less than acquiring it in fee title.


Acquisition of the easement will provide opportunities to protect stream bank habitat, protect the water quality of the North Branch of the Milwaukee River and its watershed, and maintain the rural character of the landscape in the North Branch Milwaukee River Wildlife and Farming Heritage Area project. The fee title parcel is important in terms of retaining high natural resource values and providing land for public outdoor recreation.

**RECOMMENDATION:** That the Board approve the purchase of fee title and easements on a total of 164.46 acres for \$460,000 in the North Branch Milwaukee River Wildlife and Farm Heritage Area.

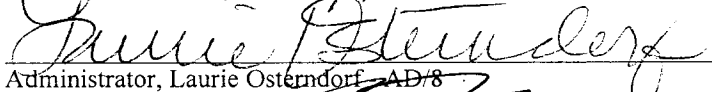
**LIST OF ATTACHED MATERIALS:**

- |  |  |
|--|--|
| No <input checked="" type="checkbox"/> Fiscal Estimate Required                              | Yes <input type="checkbox"/> Attached            |
| No <input checked="" type="checkbox"/> Environmental Assessment of Impact Statement Required | Yes <input type="checkbox"/> Attached            |
| No <input type="checkbox"/> Background Memo  | Yes <input checked="" type="checkbox"/> Attached |


**APPROVED:**

  
\_\_\_\_\_  
Real Estate Director, Richard E. Steffes - LF/6

6-5-09  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Administrator, Laurie Osterndorf - AD/8

6/8/09  
\_\_\_\_\_  
Date

  
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Secretary, Matthew J. Frank - AD/8


6-8-09  
\_\_\_\_\_  
Date

- |                      |                               |
|----------------------|-------------------------------|
| cc: S. Miller – LF/6 | T. Hauge – WM-6               |
| R. Steffes – LF/6    | G. McCutcheon – SER/Milwaukee |
| L. Ross – AD/8       |                               |

## CORRESPONDENCE/MEMORANDUM

DATE: June 8, 2009

TO: Governor Doyle

FROM: Matthew J. Frank 

SUBJECT: Proposed Land Acquisition, the Strack Tract, File # WM 60047,  
Option Expires August 26, 2009

FILE REF: WM 60047

1. PARCEL DESCRIPTION:

North Branch Milwaukee River Wildlife and Farm Heritage Area  
Sheboygan County

Grantor:

Kenneth and Margie Strack  
N921 Lone Pine Road  
Adell, WI 53001

Transaction Detail:

	<u>Interest</u>	<u>Acreage</u>	<u>Price</u>
1. Fee title purchase		41.92	\$202,000
2. Hunting easement (+ FPP)		27.75	53,600*
3. FPP easement (no access)		90.39	174,400*
4. Right-of-way easement		<u>4.40</u>	<u>30,000**</u>
Totals:		164.46	\$460,000***

\*FPP easement totals 118.14 acres (2 and 3 above) for \$228,000, 50% federal funds.

\*\*\$30,000 is allocated for value of the ROW as well as for hunting rights on 27.75 acres (parts of 2 and 4 above).

\*\*\*\$460,000 is the best price that could be negotiated for the whole transaction.

Appraised Value: \$423,000; \$360,000 and \$475,000

Improvements: None

Location: The property is located in southwest Sheboygan County in the Town of Sherman about 15 miles north of the City of West Bend.

Land Description: The subject land ranges from fairly level to hilly.

<u>Covertypes Breakdown:</u>	<u>Type:</u>	<u>Acreage:</u>
	Cropland	114.00
	Wooded Upland	21.00
	Brush	9.00
	Wetland	11.70
	Grassland	5.00
	Building Area	<u>3.76</u>
	TOTAL:	164.46

Zoning: Exclusive Agricultural

Present Use: Farm

Proposed Use: Sustainable Agriculture, Wildlife Management and Public Recreation

Tenure: 32 years

Property Taxes: \$5,027

Option Date: May 22, 2009



Stewardship Land Access: A 74.07-acre portion of this property will be open to the public for all nature-based outdoor recreational activities to include hunting, fishing, trapping, hiking and cross-country skiing. The remaining 90.39 acres will not be open for public use.

This project area is one of the few statewide where the Department acquires easements without public access. As established by the master plan approved in 2002, the project goals aim to protect one of the largest blocks of open space remaining in southeastern Wisconsin and to maintain the strong farming tradition in the area. Additionally, the plan focuses on the importance to maintain and enhance wildlife habitat and protect the water quality of the river and the remaining wetland complexes to important for the retention of water upstream of the Milwaukee metropolitan area to the south. The Department is acquiring the easement without access for \$228,000. This is about \$330,000 less than acquiring it in fee title.

2. JUSTIFICATION:

The Department proposes the purchase 41.92 acres in fee title with a 4.4-acre ingress/egress easement and a 118.15-acre farmland protection easement with public access on 27.75 acres. The acquisition area is the core of a 264-acre working farm and will help anchor the rural character of the landscape in the southern part of the North Branch Milwaukee River Wildlife and Farming Heritage Area. The 164.46-acre parcel includes 114 acres of upland agricultural lands, 11 acres of wetlands, 21 acres woods, 9 acres shrubs, and 5 acres grassland and stream. The unnamed stream originates on the property and flows 600 feet to the North Branch of the Milwaukee River. The Strack Farm has a strong scenic rural character, which is a very important consideration in the protection of the farm

Created in 2002, the name of the North Branch Milwaukee River Wildlife and Farming Heritage Area reflects the opportunity this project presents to maintain the strong farming tradition in the area, as well as to maintain and enhance wildlife habitat and meet other natural resource protection objectives in the southeast part of the state. This is one of the largest undeveloped areas remaining in southeastern Wisconsin, yet it is only 35 miles from the City of Milwaukee. The 19,500-acre predominantly rural project area includes 9,000 acres of agricultural lands on both small and large farms intermixed with 6,000 acres of existing wetlands that are associated with the nine miles of the North Branch of the Milwaukee River and its five tributary streams that are within the proposed project boundary. Also identified within the project boundary are 20 potential natural areas, including one of statewide significance, habitat for threatened and endangered species and many important historical, cultural and archeological features.

Wisconsin is fortunate and somewhat unique in that the agricultural land base is integrated into a rich natural resource environment. The Wisconsin landscape has complex patterns of agricultural and natural resource features interspersed across the land that are not found in other states. Combinations of forested and non-forested wetlands, coniferous and broadleaf forests, grasslands and agriculture are found throughout most of Wisconsin. The NBMR Wildlife and Farming Heritage Area project uses a landscape scale approach to natural resource management that incorporates a patchwork of wetlands and grasslands with cropland to create habitat conditions favorable for self-sustaining wildlife populations in the Milwaukee River watershed of southeast Wisconsin. The intent is to secure scatter suitable habitat throughout the area, to create a mix of agricultural land, grasslands, and wetlands, which is key to sustainable wildlife populations.

The Department recommends the acquisition of the easement to provide opportunities to protect stream bank habitat, to protect the water quality of the North Branch of the Milwaukee River and its watershed, and to maintain the rural character of the landscape in the North Branch Milwaukee River Wildlife and Farming Heritage Area project. The fee title parcel is important in terms of retaining high natural resource values and providing land for public use.

3. FINANCING:

State Stewardship and Farmland Protection funds are anticipated:

Stewardship Funds allotted to program:	Balance after proposed transaction:
\$4,400,000	\$65,341
FPP Funds allotted to program:	Balance after proposed transaction:
\$434,500	\$210,500

Comment: Of the total cost of \$460,000, \$114,000 will be federal funds and \$346,000 will be state Stewardship funds.

4. ACQUISITION STATUS OF THE NORTH BRANCH MILWAUKEE RIVER WILDLIFE AND FARM HERITAGE AREA:

Established: 2002  
Acres Purchased to Date: 1,652.22  
Acquisition Goal: 19,487.00  
Percent Complete: 8.48%  
Cost to Date: \$3,751,300.00

5a. APPRAISAL:

Appraiser: Michael W. Stone  
Valuation Date: March 19, 2009  
Appraised Value: \$176,000 (fee) and \$299,000 (easement)  
Highest and Best Use: Rural Residential (hobby farm parcels)

Allocation of Fee and Easement Values:

Before Value (Lager Parcel):	\$805,900
After Value (remainder parcel):	<u>\$330,900</u>
Difference:	\$475,000

Appraisal Review: Paul Scott – May 5, 2009

5b. APPRAISAL:

Appraiser: Mark Letscher and P. Linas Norusis  
Valuation Date: April 4, 2009  
Appraised Value: \$178,400 (fee) and \$181,000(easement)  
Highest and Best Use: Agriculture and with single family home

Allocation of Fee and Easement Values:

Before Value (Lager Parcel):	\$700,000
After Value (remainder parcel):	<u>\$340,000</u>
Difference:	\$360,000

Appraisal Review: Paul Scott – May 5, 2009

Comment: The reviewer determined that, due to the large differences between the easement values in the two appraisals, the reviewer would complete his own opinion of value using the comparable sales gathered by each appraiser.

5c. APPRAISAL:

Appraiser: Paul Scott  
Valuation Date: May 5, 2009  
Appraised Value: \$176,000 (fee) and \$247,000(easement)  
Highest and Best Use: Agriculture and potential for residential/recreation

Allocation of Acquisition Values:

Before Value (Lager Parcel):	\$748,000
After Value (remainder parcel):	<u>\$325,000</u>
Difference:	\$423,000

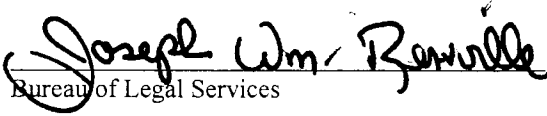
Allocation of Fee and Easement values:

Value of Farmland Preservation Easement (118.14 acres)	\$228,000
Value of Public Access Easement (32.14, overlap of 118 acres)	\$ 19,000
Value of Fee Purchase (41.92 acres)	<u>\$176,000</u>
Total:	\$423,000

RECOMMENDED:

  
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Richard E. Steffes

6-1-09  
Date

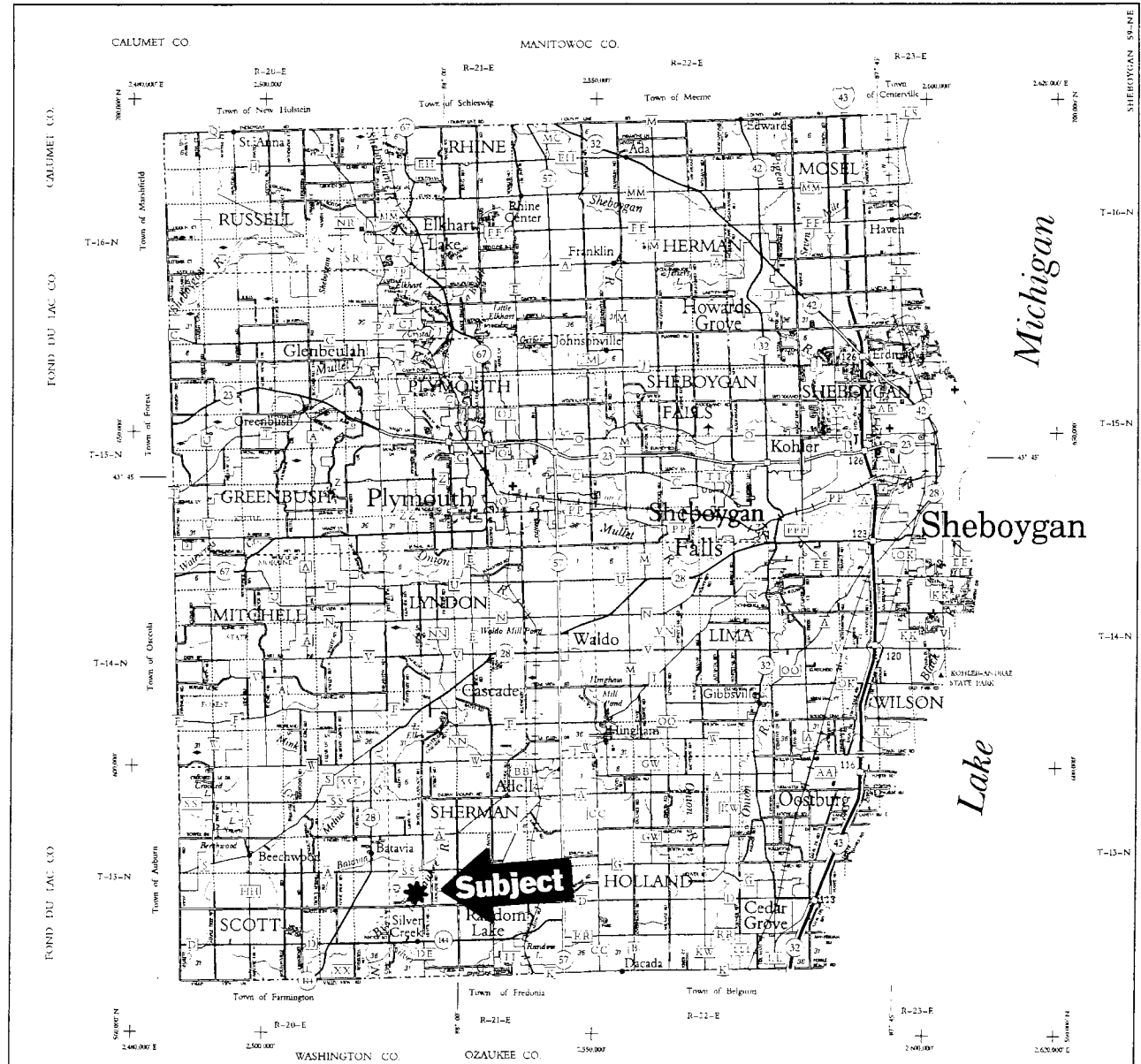
  
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6/2/09  
Date

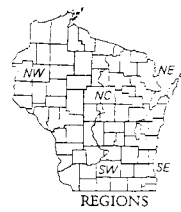
  
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Laurie Osterndorf

6/3/09  
Date

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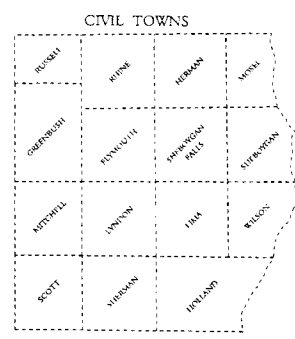


- LEGEND**
- Freeway ..... /
  - Multilane Divided ..... /
  - U.S. or State Hwy ..... /
  - County Trunk Hwy ..... /
  - Town Road ..... /
  - Fireline ..... /
  - Railroad ..... /
  - State Trail ..... /
  - Interchange ..... /
  - Highway Separation ..... /
  - Interstate Highway No. ..... /
  - U.S. Highway No. ..... /
  - State Highway No. ..... /
  - County Highway Letter ..... /
  - State Boundary ..... /
  - County Boundary ..... /
  - Civil Town Boundary ..... /
  - Section Line ..... /
  - Dam ..... /
  - Hospital ..... /
  - Schools ..... /
  - Airport ..... /
  - County Seat ..... /
  - Unincorporated Village ..... /
  - Fish Hatchery ..... /
  - Game Farm ..... /
  - Public Hunt or Fish Grds. ..... /
  - Public Camp & Picnic Grds. ..... /
  - Hanger Station ..... /
  - State Park ..... /
  - County Park ..... /
  - Wildlife Facilities ..... /
  - Rest Area ..... /
  - Motel Facilities ..... /
  - Wayside ..... /
  - Music Facilities ..... /
  - Kettle Metcalf Correctional Facility ..... /
  - Units of Wisconsin - Sheboygan ..... /



**SECTION NUMBERING OF A TOWNSHIP**

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



**MILES OF HIGHWAY as of Oct. 31, 2007**

STATE	197
COUNTY	491
LOCAL ROADS	157
OTHER ROADS	0
<b>TOTAL FOR COUNTY</b>	<b>1555</b>

Land Area (2000 Census) ... 54 sq. mi.  
Population (2000 Census) ... 112,646  
County Seat ... Sheboygan

**SHEBOYGAN CO.**

DEPARTMENT OF TRANSPORTATION  
STATE OFFICE BUILDING  
Madison, Wisconsin  
SCALE 0 1 2 MILES  
Compiled for  
JAN 2009  
Base compiled from U.S.G.S. Quadrangles  
1:100,000 Series

See boundaries of public hunting and fishing grounds please contact the Department of Natural Resources  
+ Grid based on the state plane coordinate system: south zone and the NAD 27

