

## **Highlights: 2007 Wisconsin Act 20 Stewardship Provisions**

- **Stewardship Reauthorization** – The Knowles-Nelson Stewardship Program is reauthorized until June 30, 2020.
- **Program Funding – Immediate Changes** – A total of \$1.5 million in FY 08 and \$2.5 million in FY 09 and thereafter is redirected from the Department’s land acquisition budget to the recreational boating facilities (RBF) program under s. 30.92, Stats. Through the recreational boating facilities (RBF) program, the Department provides grants to local governmental units for up to 50% of the costs of developing recreational boating facilities (*e.g.*, boat ramps and related parking facilities) approved by the Waterways Commission.

(NOTE: *2007 Wis. Act 20* redirects an equivalent amount of funding from the RBF program to aquatic invasive species grant program. The use of Stewardship funding for RBF projects maintains the base RBF annual expenditures at \$3.122 million.)

- **Program Funding -- Beginning July 1, 2010 --** The annual bonding authority for the Stewardship Program will be \$86 million. This total is subdivided as follows:
  - \$62 million is provided for land acquisition. This is further subdivided as follows:
    - Land acquisition grants for nonprofit conservation organizations at a minimum of \$12 million annually, increased from present \$8 million level
    - Land acquisition funds for the department at \$50 million, increased from present \$37 million level. The \$50 million includes \$2 million/year for the purchase of land now owned by the Board of Commissioners of Public Lands and \$3 million/year for the Ice Age Trail and other trails.
  - \$21.5 million for property development and local assistance. This is further subdivided as follows:
    - DNR property development funding at \$10 million annually, increased from its present \$7 million level.
    - Local assistance grants funding to \$11.5 million annually, increased from its current \$8 million level.
  - \$2.5 million for recreational boating facility grant projects.
- **Stewardship Project Review** – Joint Committee on Finance (JCF) will review projects using \$750,000 or more of Stewardship Program funds. Review is based on a 14-day passive review process, i.e., the transaction proceeds unless within 14 days the JCF Co-chairs notify the DNR that 5 or more JCF members — including at least 1 co-chair — have objected in writing to the DNR’s proposal and that the JCF has scheduled a meeting (within 16 days of the notification) to review the proposal. Pursuant to the Governor’s veto, this provision first applies on July 1, 2010.
- **Public Access on Stewardship Land** – Land acquired with Stewardship Program funding — either by the DNR or grantees — in fee simple (or by easement for withdrawn MFL lands) must be open to the public for hunting, fishing, trapping, hiking, cross-country skiing, and other “nature-based outdoor recreation” as defined by DNR rule, unless the Natural Resources Board determines that restrictions are necessary for one of three reasons: (a) protect public safety; (b) protect a unique plant or animal community; or (c) to accommodate “usership” patterns.
  - This provision takes effect immediately. *2007 Wis. Act 20* directs the NRB to promulgate rules regarding public access including a process to appeal NRB determinations to restrict access of required nature-based outdoor activities.
  - Until a final rule is promulgated, the NRB has approved an Interim Protocol that is being used so Stewardship grants many continue to be awarded.



- **Assistance with Land Management** – 2007 Wis. Act 20 provides that the DNR may contract with nonprofit conservation organization and private companies to perform land management activities on DNR-owned land.
- **Reports to the Legislature** –
  - A. For Purchases before October 27, 2007** -- No later than October 27, 2011, the DNR must report to the Legislature on all land acquired with Stewardship funding before October 27, 2007 — whether by DNR or grantees — on which access was restricted or prohibited and the reasons for those action.
  - B. For Purchases after October 27, 2007** -- No later than November 15, 2008, and every November 15<sup>th</sup> thereafter, the DNR must report to the Legislature on any prior fiscal year land purchases using Stewardship funding — whether by the DNR or grantees — on which access was restricted or prohibited and the reasons for the action.
  - C. For Land Management Contracts** -- No later than November 15, 2008, and every November 15<sup>th</sup> thereafter, the DNR must report to the Joint Committee on Finance any prior fiscal year contract entered into with nonprofit conservation organizations and private companies to perform land management activities on DNR land, including the activities performed under the contract and the cost effectiveness of the contract.
- **Identification of Stewardship Lands** – No later than October 27, 2011, the DNR must develop and maintain an interactive, Web-based mapping tool to identify all Stewardship lands open to the public. Further, the DNR must compile and make available a directory of all Stewardship lands open for public access or contract with a private entity to publish the directory. Owners of Stewardship land purchased after October 27, 2007 must -- within 6 months of the purchase -- place signs providing notice of public access at major access points to the property. Owners of Stewardship land purchased prior to October 27, 2007, must place signs providing notice of public access at major access points to the property no later than October 27, 2011.
  - Signs must list either the primary activities restricted on the land or the primary activities permitted on the land, measure at least 108 square inches, and be made of a durable substance.
  - DNR may specify the amount of detail required on the signs to assure that the signs provide sufficient and useful information.
  - For Stewardship parcels of 10 or more acres, the signs must also include one of the following:
    - the postal address or telephone number of the owner;
    - the postal address or telephone number of a person to contact regarding the property; or
    - An Internet Web site address where a person can locate the contact information.
  - If DNR is notified that a sign needs replacing on DNR-owned Stewardship land, the DNR has 28 days to determine whether the sign needs replacing, and 28 additional days to replace the sign.
  - If DNR is notified that a sign needs replacing on Stewardship land owned by a grantee, DNR has 28 days to determine whether the sign needs replacing, then 7 additional days to notify the grantee landowner. The landowner must then replace the sign within 3 months of receiving notice from the DNR.
  - The information and public access notification requirements do not apply to easements used for trails, or easements for which the primary purpose is not public access.



- **New Grants for County Forest Land Acquisition** – Beginning July 1, 2010, the DNR must establish a new grant program by which the DNR may award a 50/50 cost-share grant from its land acquisition funds to a county to acquire land for a county forest under s. 28.11, Stats., or for a project that promotes nature-based outdoor recreation or conservation, and for which the DNR requests a county's assistance.
- **Increased Cost-Share Rate for Grants to NCOs** — Beginning July 1, 2010, the DNR may award grants to NCOs for up to 75% of the acquisition costs of a property if the NRB determines that all of the following are true:
  - The property is uniquely valuable in conserving the natural resources of the state;
  - Delaying the acquisition until 50% of the acquisition costs are procured by the NCO is not reasonably possible; and
  - Sufficient bonding authority remains in the acquisition funding earmarked for NCOs.
- **New Benchmark for Requiring Second Appraisals** - Beginning October 27, 2007, a second appraisal is needed for land to be purchased by local governments or nonprofit conservation organizations using Stewardship Program funds if the Department estimates the fair market value of the land to more than \$350,000. (Prior law indicated that a second appraisal was needed if the property was estimated at more than \$200,000.)
- **Stewardship Earmarks:** *2007 Wis. Act 20* also identified five projects that will be funded using Stewardship Program funds (\$3,975,800 total), as follows:
  - \$600,000 to City of Antigo for Ice Age and Springbrook Trails;
  - \$1,000,000 to improve navigability for recreation boating on Mirror Lake;
  - \$500,000 to Vernon County for dam repair on Jersey Valley Lake;
  - \$1,000,000 to an NCO for property acquisition for the MMSD “Greenseams” flood management program;
  - \$875,800 to Green Bay for a recreational trail

