Form 1100-1
Rev. 5-91

NATURAL RESOURCES BOARD AGENDA ITEM

Item No. 3.B.7

SUBJECT: LAND AND EASEMENT ACQUISITION - NORTH BRANCH MILWAUKEE RIVER WILDILFE AND FARMING HERITAGE AREA - OZAUKEE COUNTY

FOR: JUNE 2008 BOARD MEETING

TO BE PRESENTED BY: Richard Steffes

SUMMARY: The Department has obtained an option to purchase a Farmland Protection Easement on 260.54 acres and an 86.47-acre fee purchase from Brian and Pamela Huiras in the North Branch Milwaukee River Wildlife and Farming Heritage Area in Ozaukee County. The easement includes hunting rights on 143.16 acres that are north of Jay Road. The Department has secured a federal Farmland Protection Grant that will cover 44% or $298,540 of the $677,000 easement cost. The 86.47-acre fee purchase is $530,000. The total cost is $1,207,000.

Easement Area Description: The 260.54-acre easement area is split into two areas, north and south of Jay Road in the Town of Fredonia in the northwest corner of Ozaukee County about 12 miles north west of the City of Port Washington. The public will have access to the 143.16 acres to the north of Jay Road for hunting, trapping, hiking, cross-country skiing and all nature-based outdoor recreational activities. A county-owned parcel and a department-owned easement abut this property to the north. Although the 143.16 acres are primarily agricultural land, it includes about three acres of upland forest and 15 acres of wetlands associated with the unnamed stream that meanders through about 1980 feet of the parcel. The easement allows for farming, but prohibits development.

Fee Area Description: This area will improve access to existing state owned land on the west side of the parcel. About 1,300 feet of Silver Creek meanders through the 26 acres of lowland forest on the northeast side of the parcel. This lowland forest is part of the SEWRPC designated natural area called County Line Low Woods. There is a 3.5-acre shrub-carr wetland and approximately 30 acres of wet meadow between the lowland forest and the 27 acres of cropland on the parcel. There is also a small dug pond and a shallow ditch that runs through the wet meadow to Silver Creek.

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, 35 miles from the City of Milwaukee.

Department ownership of the conservation easement and fee area will protect farmland from development and assist management of the area for wildlife populations and habitat in addition to protecting the water quality of the North Branch of the Milwaukee River.

RECOMMENDATION: That the Board approve the acquisition of a 260.54-acre Farmland Protection Easement and a fee title purchase on 86.47 acres for the North Branch Milwaukee River Wildlife and Farming Heritage Area for $1,207,000.

LIST OF ATTACHED MATERIALS:

No ☒	Fiscal Estimate Required	Yes ☐	Attached
No ☒	Environmental Assessment of Impact Statement Required	Yes ☐	Attached
No ☐	Background Memo	Yes ☒	Attached

APPROVED:

Real Estate Director, Richard E. Steffes - LF/6 — Date

Administrator, Laurie Osterndorf - AD/8 — Date 6/2/08

Secretary, Matthew J. Frank - AD/8 — Date 6/4/08

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

CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: January 2008 FILE REF: W-1739 & W-1739E

TO: Governor Jim Doyle

FROM: Matthew J. Frank

SUBJECT: Proposed farmland protection easement on the Huiras Tract and Fee Title Purchase
File # W-1739 & W-1739 E - Options Expire August 15, 2008

1. PARCEL DESCRIPTION:

North Branch Milwaukee River Wildlife and Farming Heritage Area
Ozaukee County

Grantor:

Brian and Pamela Huiras
N6860 Oriole Lane
Fredonia, WI 53021

Acres: Fee Title Area: 86.47 acres
Easement Area: 260.54 acres

Price: $ 530,000 for the fee title area
$ 677,000 for the easement area
$1,207,000 total cost

Appraised Value for easement: $885,700 = $3,399/acre (M. Stone)
$677,000 = $2,598/acre (P. Scott)

Appraised Value for fee area: $562,000 = $6,499/acre (M. Stone)
$520,000 = $6,014/acre (P. Scott)

Interest: Purchase of a 260.54-acre farmland protection easement includes public access on the 143.16-acre parcel north of Jay Road and purchase of 86.47-acre fee title area with public access.

Improvements: None to be acquired.

Location: The tract is located in the Town of Fredonia in the northwest corner of Ozaukee County about 12 miles northwest of the City of Port Washington.

Land Description: The subject area is predominantly rolling to gently rolling in the North Branch of the Milwaukee River watershed.

Covertype	Farmland Protection Easement	Fee Title Area
Cropland	234	27
Lowland Woodland		26
Upland Woodland	7	
Wetland	15	33.5
Building Site	4	
TOTALS	**260**	**86.5**

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Zoning: Agricultural
Present Use: Agriculture
Proposed Use: Wildlife habitat and public use (on fee area); agriculture on farmland protection easement area
Tenure: 20 years
Option Date: January 16, 2008

Stewardship Land Access: The fee title purchase as well as about 143 acres of the easement area that are north of Jay Road will be open to hunting, fishing, trapping, cross-country skiing and other nature-based outdoor recreation. The easement area to the south of Jay Road is not open to public access. This area of the property is devoted primarily to agriculture and provides little opportunity for public use. Public access rights were not appraised in the closed area resultling in a lower value for this portion of the easement.

2. JUSTIFICATION:

The Department's purchase of this two-part transaction with the Huiras's includes a 260.54-acre conservation and development rights easement under the NRCS Farmland Protection Program and a fee area for the North Branch Milwaukee River Wildlife and Farming Heritage Area located in the Town of Fredonia in the northwest corner of Ozaukee County about 12 miles northwest of the City of Port Washington. Preserving this property with a Farmland Protection Program Conservation and Development Rights Easement will help maintain the property's open space and agricultural values into the future. The easement includes public access on the 143.16-acre parcel north of Jay Road and provides for a permanent 100-foot buffer along Silver Creek, a tributary to the North Branch of the Milwaukee River, that protects the associated wetlands and preserves the adjoining uplands. Department ownership of the conservation easement and fee area will protect farmland from development and allow for management of the area for wildlife populations and habitat, in addition to protecting the water quality of the North Branch of the Milwaukee River.

Fee Area Description: This area will improve access to existing state-owned land on the west side of the parcel. About 1,300 feet of Silver Creek meanders through the 26 acres of lowland forest on the northeast side of the parcel. This lowland forest is part of the SEWRPC designated natural area called County Line Low Woods. There is a 3.5-acre shrub-carr wetland and approximately 30 acres of wet meadow between the lowland forest and the 27 acres of cropland on the parcel. There is also a small dug pond and a shallow ditch that runs through the wet meadow to Silver Creek.

Easement Area Description: The 260.54-acre easement area is split into two areas, north and south of Jay Road. The public will have access to the 143.16 acres to the north of Jay Road for hunting, hiking, trapping, cross-country skiing and all nature-based outdoor recreational activities. A county-owned parcel and a department-owned easement abut this property to the north. Although the 143.16 acres is primarily agricultural land, it includes about three acres of upland forest and 15 acres of wetlands associated with the unnamed stream that meanders through about 1980 feet of the parcel. There are also woody and brushy fence lines between agricultural fields on the western portion of this parcel. The 178.38-acre easement parcel south of Jay Road is primarily agricultural land and includes the 10-acre farmstead area with a residence and buildings for a large dairy operation. It does include about four acres of upland forest and some wet meadow area adjacent to the farm buildings.

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 its 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 scattered 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 Huiras' property to provide opportunities to improve wildlife habitat management, to protect the water quality of the North Branch of the Milwaukee River and to maintain the rural character of the landscape in the North Branch Milwaukee River Wildlife and Farming Heritage Area project. This easement and fee purchase areas are critical in terms of retaining high natural resource values and preserving the farming tradition in this rapidly urbanizing part of southeastern Wisconsin.

3. FINANCING:

The fee portion will be paid with State Stewardship bond funds. The easement portion will be paid with State Stewardship bond (56%) funds and Federal Farmland Protection Program (44%) funds:

	Funds allotted to Wildlife program:	Balance after proposed transaction:
Stewardship:	$4,000,000	$2,827,040
Cost Share:	$ 298,540	$0.00

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

Established: 2002
Acres Purchased to Date: 1,612
Acquisition Goal: 19,487.0 Acres
Percent Complete: 8.2%
Cost to Date: 3,751,300

5. APPRAISALS:

Appraiser: - Michael Stone (Private Appraiser)
Paul Scott (Staff Appraiser)
Valuation Date: May 16, 2007 with amendment on August 7, 2007 - (Michael Stone)
March 29 2007 with amendment on May 7, 2008 - (Paul Scott)

Appraised Value for Easement: $885,700 = $3,399/acre - (Michael Stone)
$677,000 = $2,598/acre - (Paul Scott)

Appraised Value for Fee Area: $562,000 = $6,499/acre - (Michael Stone)
$520,000 = $6,014/acre - (Paul Scott)

Highest and Best Use: Rural Residential - (Michael Stone)
Rural Residential - (Paul Scott)

Appraisal Review: Ron Olson - August 13, 2007

RECOMMENDED:

Richard E. Steffes

Date

Joseph Wm. Renville

Bureau of Legal Services

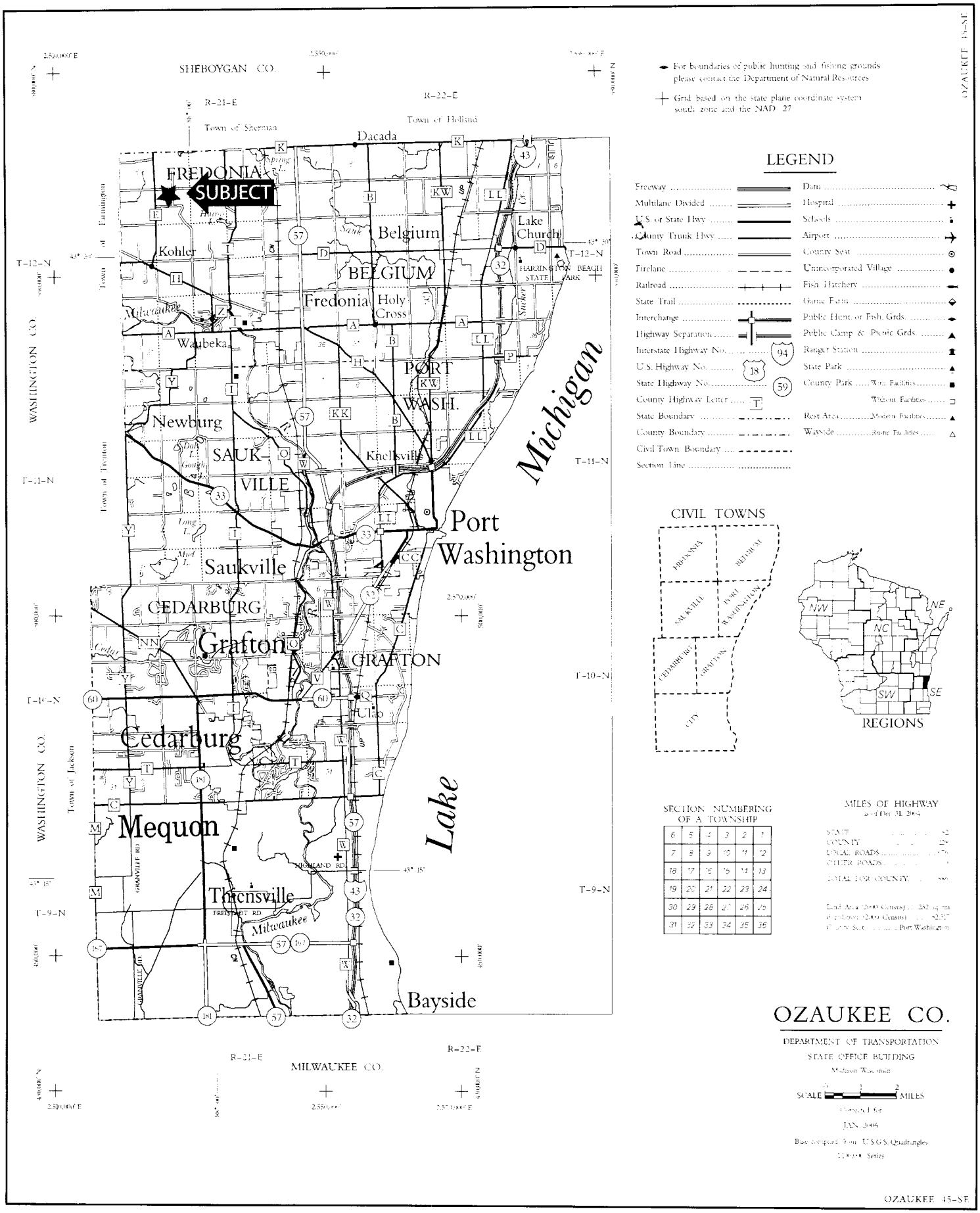
5/30/08

Date

APPROVED:

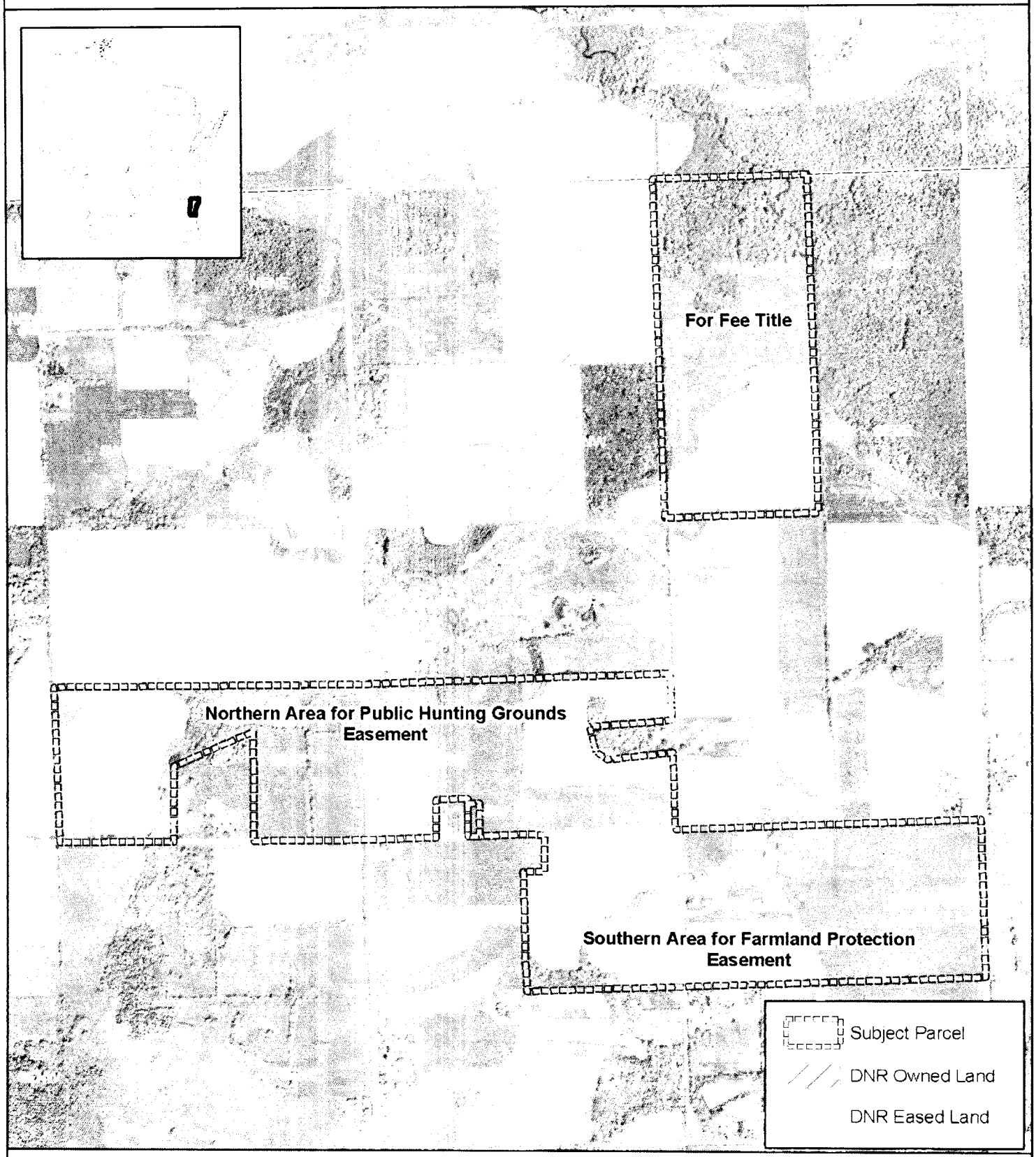
Laurie Osterndorf

Date


SHEBOYGAN CO.
R-21-E
R-22-E
Town of Sherman
Town of Holland
Dacada
FREDONIA
SUBJECT
Kohler
Belgium
BELGIUM
Lake Church
HARRINGTON BEACH STATE PARK
Fredonia
Holy Cross
Waubeka
PORT WASH.
Newburg
SAUK-VILLE
Knellsville
Michigan
Port Washington
Saukville
CEDARBURG
Grafton
GRAFTON
Ulao
Cedarburg
Mequon
Lake
Thiensville
Milwaukee
Bayside
WASHINGTON CO.
Town of Farmington
Town of Trenton
Town of Jackson
T-12-N
T-11-N
T-10-N
T-9-N
MILWAUKEE CO.
For 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
LEGEND
Freeway
Multilane Divided
U.S. or State Hwy
County Trunk Hwy
Town Road
Firelane
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.
Ranger Station
State Park
County Park
Rest Area
Wayside
CIVIL TOWNS
FREDONIA
BELGIUM
SAUKVILLE
PORT WASHINGTON
CEDARBURG
GRAFTON
CITY
NW
NE
NC
SW
SE
REGIONS
SECTION NUMBERING OF A TOWNSHIP
MILES OF HIGHWAY
OZAUKEE CO.
DEPARTMENT OF TRANSPORTATION
STATE OFFICE BUILDING
Madison Wisconsin
SCALE
MILES
JAN. 2006
OZAUKEE 45-SE

Hurias Property

North Branch Milwaukee River Wildlife and Farm Heritage Area



N

0 950 1,900 3,800 5,700 Feet

Created by Bureau of Facilities and Lands
Real Estate Section
May 27, 2008

Hurias Property

North Branch Milwaukee River Wildlife and Farm Heritage Area

Subject Property

WDNR Owned

WNDR Eased

WDNR Leased

Ice Age Trail

Project Boundary

0 0.35 0.7 Miles

The DNR Managed Lands represent the boundaries of lands managed by the Wisconsin Department of Natural Resources. The Wisconsin DNR manages these lands through ownership, easement or lease rights. This data set is a spatial representation of the Project and Records System maintained by the DNR, Bureau of Facilities and Lands (LF), and may include errors and omissions. The data should not be interpreted as a legal representation of legal ownership boundaries.

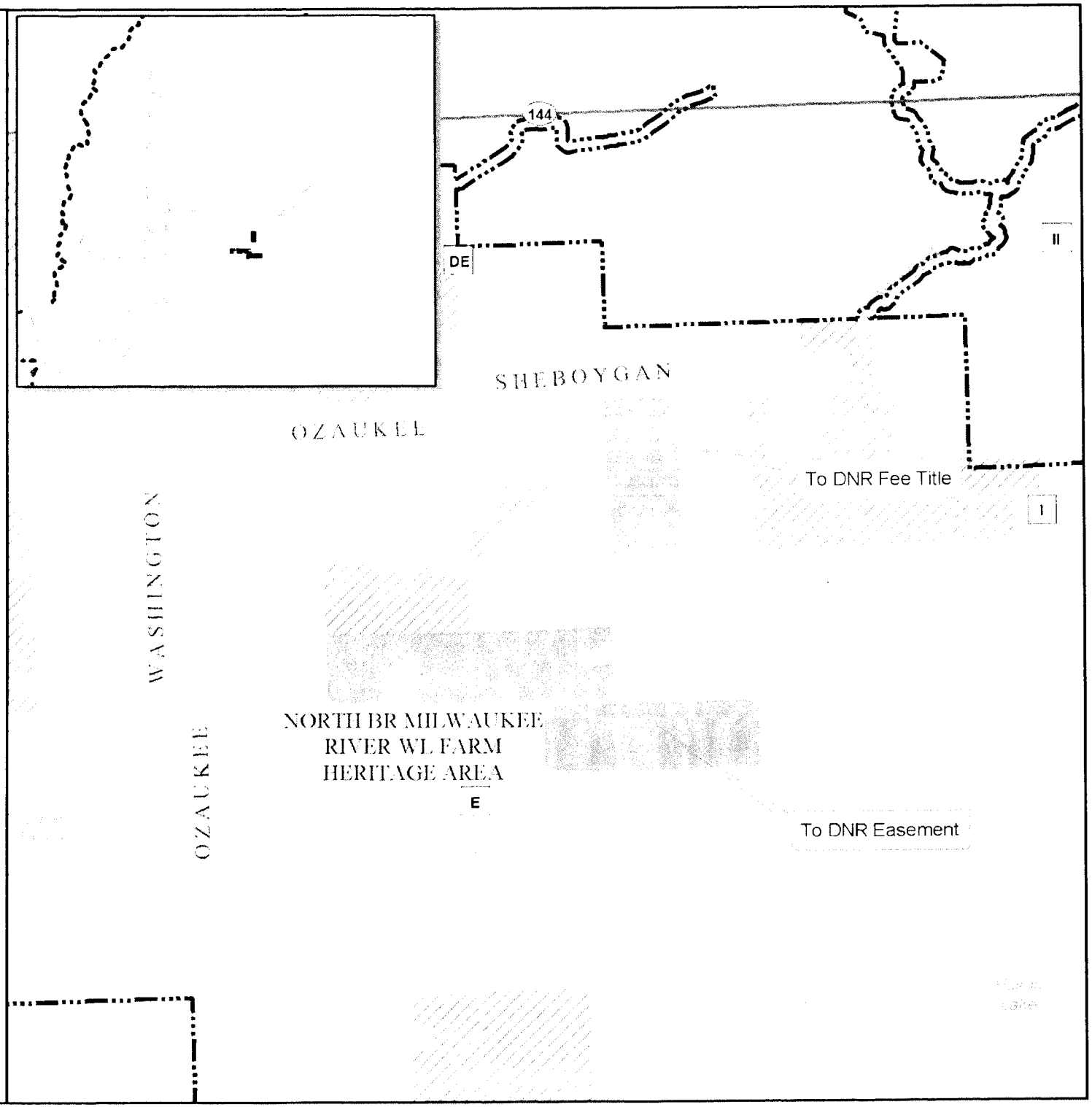
This data set does not differentiate between lands that are open or closed to the public for hunting and/or general public access. Some lands represented in this data set may not be open to the general public, or may have specific limitations or restrictions on public use. This data set is not intended for use as a land management tool, it is a listing of all DNR real estate transactions that have occurred on these lands over time.

For information about the actual management, including public use and public access of the lands, contact the nearest DNR Regional Office. Contact information for DNR Regional Offices and Service Centers is provided on the following internet site:

http://www.dnr.state.wi.us/org/aer/cs/service_center/locations.htm

Updates to this data set are ongoing, and will be incorporated into future versions when available.

STATE OF WISCONSIN
DEPT. OF NATURAL RESOURCES

Bureau of Facilities and Lands

May 27, 2008