

SUBJECT: LAND EXCHANGE - STATEWIDE WILDLIFE HABITAT AREA AND LAND TRANSFER - STATEWIDE FISHERY HABITAT AREA - BROWN COUNTY

FOR: SEPTEMBER 2010 BOARD MEETING

TO BE PRESENTED BY: Richard Steffes

SUMMARY: The Department entered into a collaborative Memorandum of Understanding (MOU) with the Wisconsin Department of Transportation (DOT) and the Village of Suamico as part of the U.S. Highway 41 expansion project near Green Bay. The agreement outlines the transfer of 212.51 acres from DOT to the Department for \$1.00 for management and wetland mitigation credit as part of the Statewide Fish Habitat program. Additionally, the MOU calls for the Department to sell 3.79 acres of the 212.51 acres to the Village of Suamico for potential development. The 3.79-acre parcel is valued at \$31,500.

In exchange, the Department will purchase 125.55 acres of land for its Statewide Wildlife Habitat program from the Village of Suamico valued at \$235,000. The net difference of \$203,500 will be paid by the Department. Natural Resources Damage Assessment Funds will be available to fund 50% of the Department's cost leaving the remainder of \$101,750 chargeable to Stewardship funds.

Approximately 100 acres of the 212.51-acre transfer from DOT are in the Green Bay West Shores Wildlife Area. The land and the remaining 112.51 acres would be designated as Statewide Fishery Habitat because of the wetland restoration and northern pike spawning habitat that is anticipated for the site.

The focus of the Statewide Wildlife Habitat program is to protect critical fishery habitat that is in danger of being destroyed through incompatible land use. The water resource targeted for protection contains habitat such as spawning areas critical to fish species. The parcel will help maintain production of important fish species through protection of lands encompassing the critical habitat as well as safeguard critical habitat from destruction from incompatible land use, such as risk of erosion or non-point source pollution.

The objective of the Resort Road Wetland Mitigation Site is to modify the existing drainage-way through the site to expand the area considered wetland. The flow within these modified drainage-ways will be controlled to provide benefits to northern pike spawning and waterfowl habitat within the site. Areas within the site will also be excavated to a depth below the existing groundwater table to provide sustained water pools. The proposed wetland site will be a compilation of wet meadow, wooded wetlands, shallow marsh, and deep marsh, decreasing in proposed area as listed. In addition to the restoration, protection, and enhancement of wetlands, the Resort Road site will include upland buffer.

As part of the MOU, the Department has agreed to sell the 3.79 acres of the land it received from DOT to the Village of Suamico. In exchange, the village will sell the Department 125.55 acres of land for its Statewide Wildlife Habitat program. The parcel abuts other department lands on its southern edge and is primarily lowland woods.

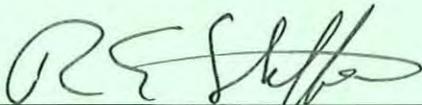
Approval of this transfer and exchange will create additional opportunities for public recreation in close proximity to an urban area, as well as to restore fish and wildlife habitat on the subject properties.

RECOMMENDATION: That the Board approve the transfer of 212.51 acres to the Department, the resale of 3.79 to the Village of Suamico and the purchase of 125.55 acres of land from the village. Acquired lands will become part of the Statewide Wildlife Habitat program and the Statewide Fish Habitat program.

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 |

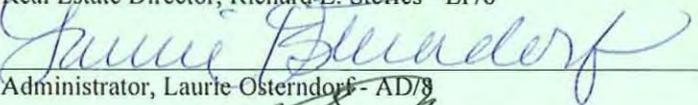
APPROVED:



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

8-24-10

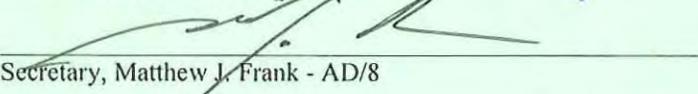
Date



Administrator, Laurie Osterdorf - AD/8

8/24/10

Date



Secretary, Matthew J. Frank - AD/8

9-10-10

Date

- | | | |
|----------------------|-----------------|--------------------------------|
| cc: S. Miller - LF/6 | L. Ross - AD/8 | M. Staggs - FH/4 |
| R. Steffes - LF/6 | T. Hauge - WM/6 | R. Kazmierczak - NER/Green Bay |

CORRESPONDENCE/MEMORANDUM

DATE: August 24, 2010 FILE REF: WM 60106 / FM 10096
 TO: Governor Doyle
 FROM: Matthew J. Frank *[Signature]*
 SUBJECT: Proposed Land Exchange - Village of Suamico Tract is File # WM 60106,
 Proposed Land Transfer - WI Department of Transportation Tract is File # FM 10096,
 Requested Closing Date is November 1, 2010

1. PARCEL DESCRIPTION:

Statewide Wildlife Habitat Area
 Brown County

Statewide Fishery Habitat Area
 Brown County

Grantors:

	Village of Suamico Karen Matze 2999 Lakeview Drive Suamico, WI 54173	WI DOT c/o Michael Berg 944 Vanderperre Way Green Bay, WI 54304	WI DNR 101 South Webster Street Madison, WI 53707
<u>Acres:</u>	125.55 (purchase)	212.51	3.79-acre (trade/sale)
<u>Price:</u>	\$235,000.00	\$1	-\$31,500
<u>Appraised Value:</u>		\$235,000.00	N/A \$31,500
<u>Interest:</u>	Fee Title Purchase by DNR	Transfer to DNR	Fee Sale to Village
<u>Improvements:</u>	None	None	None

Location: All parcels are located in north-central Brown County and are within one mile of each other in the Town of Suamico.

Land Description: The 125.55-acre village parcel is primarily lowland woods, which are level to gently sloping. The 212.51-acre DOT parcel is level to gently sloping cropland that has historically been drained for cropland. The 3.79-acre DNR sale parcel is a smaller parcel of the 212.51-acre transfer from DOT, which is level cropland.

<u>Covertypes Breakdown:</u>	Type:	Acreage:
	Lowland Woodland	125.55
	Cropland	212.51
	Cropland	<u>-3.79</u>
	TOTAL:	334.27

<u>Zoning:</u>	Agriculture	Agriculture
<u>Present Use:</u>	Vacant	Cropland
<u>Proposed Use:</u>	Wildlife Management and Public Recreation	Fish Management and Public Recreation
<u>Tenure:</u>	4 years	Long-term ownership
<u>Property Taxes</u>	Tax-Exempt	Tax-Exempt

Option Date: MOU signed February 24, 2009

2. JUSTIFICATION:

The Department entered into a collaborative Memorandum of Understanding (MOU) with the WI Department of Transportation (DOT) and the Village of Suamico as part of the U.S. Highway 41 expansion project near Green Bay. The agreement outlines the transfer of 212.51 acres from DOT to the Department for management and wetland mitigation credit as part of the Statewide Fishery Habitat. Additionally, the MOU directs the Department to sell 3.79 acres of the 212.51 transferred to the Village of Suamico for utility corridor. The 3.79-acre parcel is valued at \$31,500. In exchange, the Department will purchase 125.55 acres of land for its Statewide Wildlife Habitat Area from the village valued at \$235,000. The net difference of \$203,500 will be paid by the Department. Natural Resources Damage Assessment Funds will be available to fund 50% of the Department's cost leaving the remainder of \$101,750 chargeable to Stewardship funds.

About 100 acres of the 212.51-acre transfer from DOT are in the Green Bay West Shores Wildlife Area. This land and the remaining 112.51 acres would be designated as Statewide Fishery Habitat because of the wetland restoration and northern pike spawning habitat that is anticipated for the site.

The focus of the Statewide Habitat Program is to protect critical fishery habitat that is in danger of being destroyed through incompatible land use. The water resource targeted for protection contains habitat such as spawning areas critical to fish species intended for management. The parcel will help maintain production of important fish species through protection of lands encompassing the critical habitat as well as safeguard critical habitat from destruction from incompatible land use, such as risk of erosion or non-point source pollution.

The objective of the Resort Road Wetland Mitigation Site is to modify the existing drainage-way through the site to expand the area considered wetland. The flow within these modified drainage-ways will be controlled to provide benefits to northern pike spawning and waterfowl habitat within the site. Areas within the site will also be excavated to a depth below the existing groundwater table to provide sustained water pools. The proposed wetland site will be a compilation of wet meadow, wooded wetlands, shallow marsh, and deep marsh, decreasing in proposed area as listed. In addition to the restoration, protection, and enhancement of wetlands, the Resort Road site will include upland buffer.

As part of the MOU, the Department has agreed to sell 3.79 acres of the land it received from DOT to the Village of Suamico. In exchange, the village will sell the Department 125.55 acres of land for its Statewide Wildlife Habitat. The parcel abuts other department lands on its southern edge and is primarily lowland woods.

The Department recommends approval of this transfer and exchange to create additional opportunities for public recreation in close proximity to an urban area, as well as to restore fish and wildlife habitat on the subject properties.

3. FINANCING:

State Stewardship bond funds and Natural Resources Damage assessment funds are anticipated.

	Funds allotted to program:	Balance after proposed transaction
Stewardship Bond	\$50,702,000	\$20,499,334
NRDA	\$ 101,750	\$0

4a. ACQUISITION STATUS OF THE STATEWIDE WILDLIFE HABITAT AREA:

Established: 1991
Acres Purchased to Date: 3,849.04
Acquisition Goal: 6,000.0 Acres
Percent Complete: 64.15%
Cost to Date: \$2,488,385.00

4b. ACQUISITION STATUS OF THE STATEWIDE HABITAT AREAS:

Established: 1969
Acres Purchased to Date: 6,994.79
Acquisition Goal: 10,172.61 Acres
Percent Complete: 68.76%
Cost to Date: \$7,799,933.97

5a. APPRAISAL (125.55-acre Village of Suamico Tract):

Appraiser: Mary Buckman
Valuation Date: January 28, 2009
Appraised Value: \$235,000.00
Highest and Best Use: Outdoor recreation

Allocation of Values:
a. land: 125.55 acres @ \$1,850 per acre: \$235,000.00 (Rounded)
b. market data approach used, three comparable sales cited
c. adjusted value range: \$1,778.00 to \$2,070.00 per acre

Appraisal Review: Paul Scott – March 17, 2009

5b. APPRAISAL (3.79-acre parcel Department is selling/trading)

Appraiser: David Steiro
Valuation Date: August 22, 2009
Appraised Value: \$31,500.00
Highest and Best Use: Future residential building site

Allocation of Values:
a. land: 3.79 acres: \$31,500.00
b. market data approach used, three comparable sales cited
c. adjusted value range: \$7,069 to \$8,473 per acre

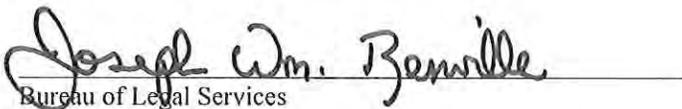
Appraisal Review: Terrence Gardon - September 29, 2009

Comment: the 212.51-acre DOT parcel was not appraised by the Department. This is to be transferred to DNR by DOT for \$1.00. Regarding the 3.79 acres, if final surveyed size results in a different acreage, price will be adjusted based on the unit price of \$7,500 per acre.

RECOMMENDED:


Richard E. Steffes

8-24-10
Date

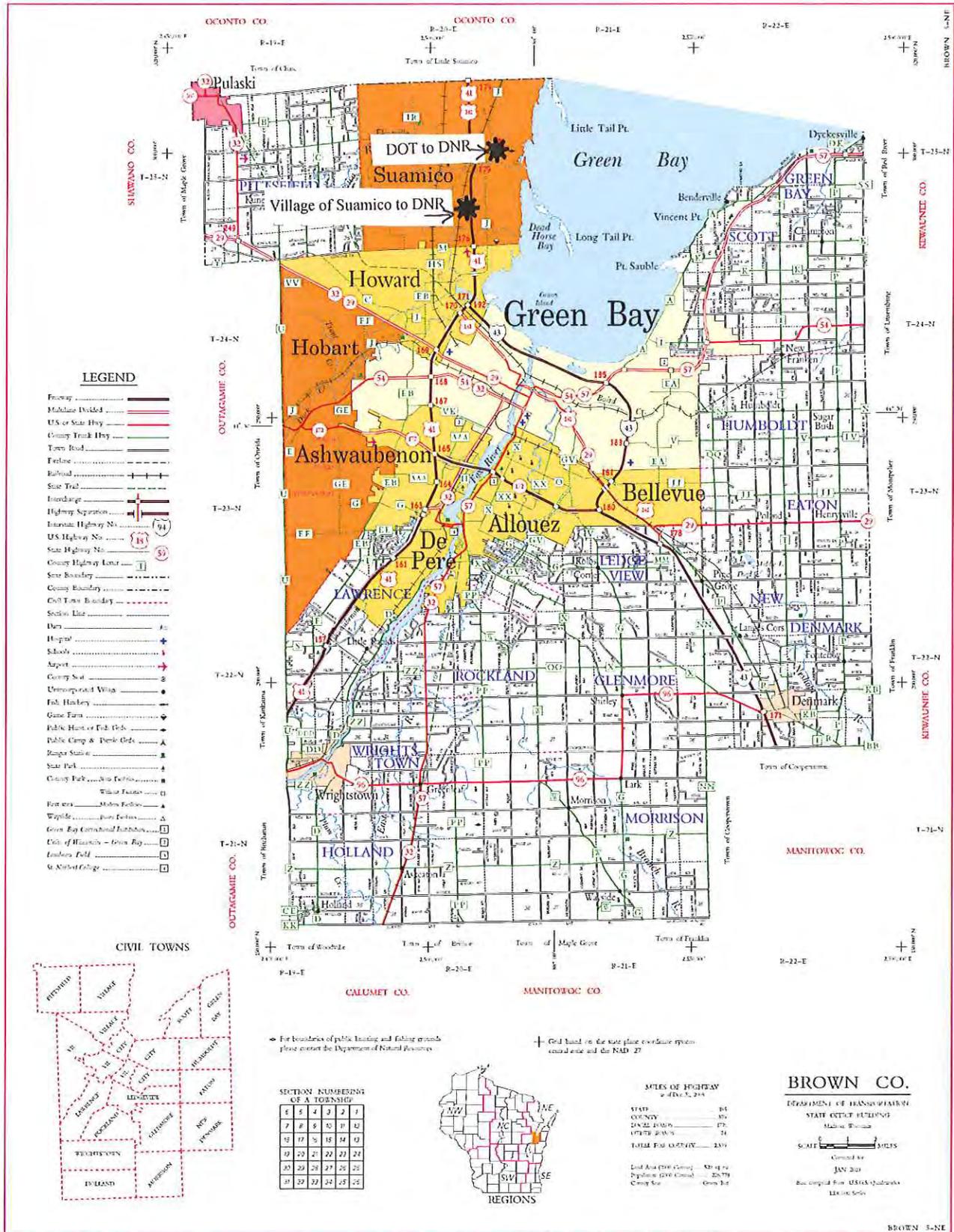

Bureau of Legal Services

8-25-10
Date


Laurie Osterndorf

8/26/10
Date

RES:dv



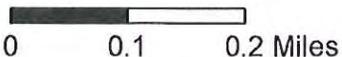
Department of Transportation Parcel

T25N R20E Sections 12, 13, & 26, Brown County, WI (212.51 Acres)



Legend

- - - PLSS Section Line
- PLSS Quarter-Quarter
- DNR Project Boundary
- County Boundary
- DNR Eased
- DNR Owned



Subject Property

- Fee Simple - Transfer
- Easement
- Farmstead
- Ingress/Egress

FM 10096

Statewide Habitat Areas

State of Wisconsin

August 18, 2010
Real Estate Section
Bureau of Facilities and Lands

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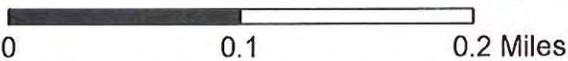
Village of Suamico Parcel TO DNR

T25N R20E Section 34, Town of Suamico, Brown County, WI (25.55 Acres)



Legend

- - - PLSS Section Line
- PLSS Quarter-Quarter
-  DNR Project Boundary
-  County Boundary
-  DNR Eased
-  DNR Owned



Subject Property

WM 60106

Statewide Wildlife Habitat

-  Fee Simple
-  Easement
-  Farmstead
-  Ingress/Egress



State of Wisconsin

August 18, 2010
Real Estate Section
Bureau of Facilities and Lands

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Village of Suamico Parcel

T25N R20E Section 34, Town of Suamico, Brown County, WI (3.79 ACRES)



Legend

- - - PLSS Section Line
- PLSS Quarter-Quarter
- DNR Project Boundary
- County Boundary
- DNR Eased
- DNR Owned

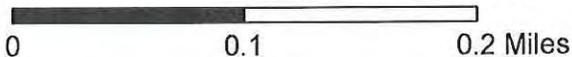
Subject Property

WM 60106

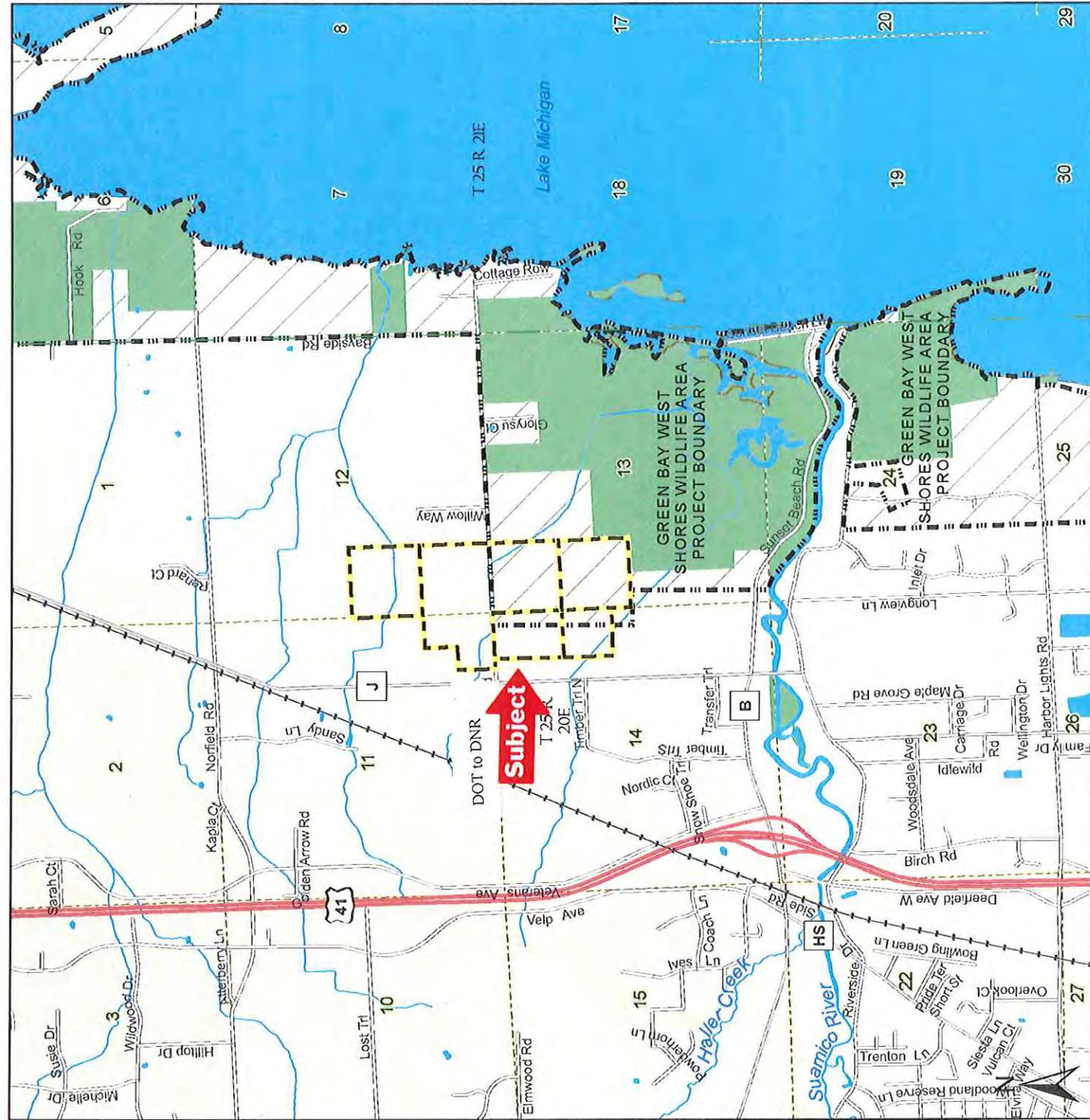
Statewide Wildlife Habitat

- Fee Simple
- Easement
- Farmstead
- Ingress/Egress

State of Wisconsin
 August 18, 2010
 Real Estate Section
 Bureau of Facilities and Lands



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**Dept. of Transportation
Parcel**

FM 10096

Statewide Habitat Area

T25N R20E Sections 12, 13, 26
Town of Suamico
Brown County, WI
(212.51 Acres)

Subject Property

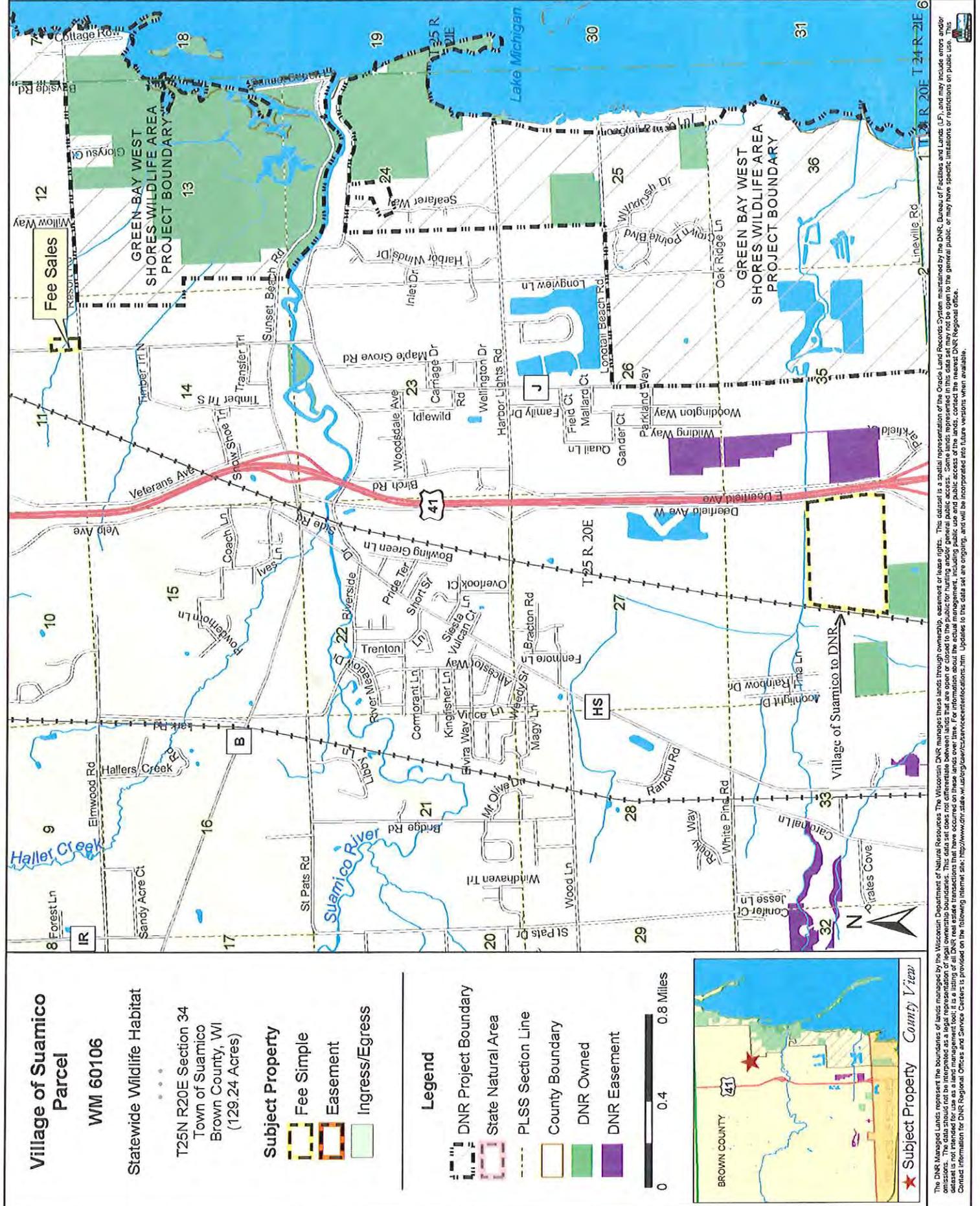
- Fee Simple Transfer
- Easement
- Ingress/Egress

Legend

- DNR Project Boundary
- State Natural Area
- PLSS Section Line
- County Owned
- DNR Owned
- DNR Easement



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 dataset is a spatial representation of the Oracle Land Records System maintained by the DNR, Bureau of Facilities and Lands (LF), and may include errors and/or omissions. This 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 to be used for legal purposes. For more information on the DNR Managed 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/arc/arcindex.htm](http://www.dnr.state.wi.us/org/arc/arc/arcindex.htm). Updates to this data set are ongoing, and will be incorporated into future versions when available.



**Village of Suamico
Parcel**

WM 60106

Statewide Wildlife Habitat

T25N R20E Section 34
Town of Suamico
Brown County, WI
(129.24 Acres)

Subject Property

- Fee Simple
- Easement
- Ingress/Egress

Legend

- DNR Project Boundary
- State Natural Area
- PLSS Section Line
- County Boundary
- DNR Owned
- DNR Easement



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