

**Wisconsin Department of Natural Resources  
Natural Resources Board Agenda Item**

**SUBJECT:** Approval of the Northern Highland American Legion State Forest Master Plan Amendment - Camp American Legion

**FOR:** June 2015 Board meeting

**TO BE PRESENTED BY:** Paul DeLong, Administrator Division of Forestry

**SUMMARY:**

The Department requests approval to amend the master plan for the NHAL State Forest to expand acreage leased by The American Legion, Department of Wisconsin to include an additional 225 acres for exclusive use by veterans at Camp American Legion, Lake Tomahawk, Wisconsin.

Since 1964, the Department has leased 75 acres for Camp American Legion. Prior to 1964 various leases existed with one such lease for as much as approximately 300 acres. Camp American Legion has requested an amended lease to serve veterans and their families with expanded program opportunities such as handicap accessible trails and hunting.

The Public was informed of this proposed amendment by statewide news release, direct mail and electronic media. A public review and comment period occurred from April 9 to May 7, 2015, and an informational public meeting was held in Lake Tomahawk, Wisconsin on April 16.

The Department concludes that there is ample public support and growing needs by The American Legion to restore the Camp's historical leased area to approximately 300 acres.

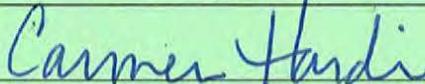
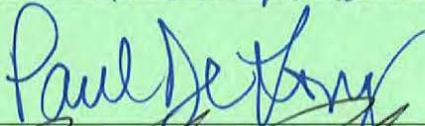
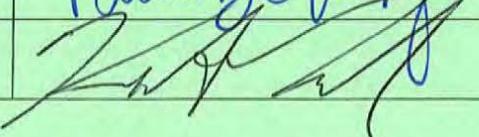
The Department requests approval to amend the master plan for the NHAL State Forest to expand acreage leased by The American Legion, Department of Wisconsin to include an additional 225 acres, for a total of 300 acres, and to designate the leased lands as a "special management area" under NR 44.06(7), Wis. Adm. Code. The lease would specify use of such lands is only for registered users of Camp American Legion.

**RECOMMENDATION:** The Department requests approval to amend the master plan for the NHAL State Forest to expand acreage leased by The American Legion, Department of Wisconsin to include an additional 225 acres and designate as a Special Management Area. The amendment calls for exclusive use by veterans, their families and caregivers, at Camp American Legion, Lake Tomahawk, Wisconsin.

The Department further concludes that the proposed master plan amendment complies with Chapter 28, Wis. Stats., and NR44, Wis. Adm Code and is an equivalent analysis action under NR150.20(2)(a)1., Wis. Adm. Code

**LIST OF ATTACHED MATERIALS (check all that are applicable):**

- Background memo
- NHAL Master Plan Amendment
- Type name of attachment if applicable
- Type name of attachment if applicable

Approved by	Signature	Date
Carmen Hardin Bureau Director		5/21/15
Paul DeLong, Forestry Division Administrator		5/26/15
Cathy Stepp, Secretary		6/2/15

*for*

**CORRESPONDENCE/MEMORANDUM**

DATE: May 26, 2015

TO: Natural Resources Board Members

FROM: Cathy Stepp – Secretary, Department of Natural Resources

SUBJECT: Request approval for a plan amendment to the Northern Highland-American Legion State Forest Master Plan to expand the amount of land being leased for Camp American Legion by The American Legion, Department of Wisconsin.

**I. PROPERTY DESCRIPTION**

The Northern Highland-American Legion State Forest (NHAL) is approximately 230,000 acres located in Iron, Vilas, and Oneida counties. The property is guided by a master plan approved in 2005. The NHAL includes a property known and operated as "Camp American Legion" on the shores in between Little Tomahawk Lake and Big Carr Lake in Oneida County, Wisconsin. Since 1925 forestry lands have been leased to The American Legion for the operation of Camp American Legion. The amount of acreage that has been leased for Camp American Legion has changed several times over the last 90 years, and is currently at 75 acres, but at one time was up to approximately 300 acres.

**II. PURPOSE AND NEED FOR THE MASTER PLAN AMENDMENT**

The purpose of the master plan amendment is to expand the leased area to previous levels of approximately 300 acres and to designate the leased lands as a "special management area" under NR 44.06(7), Wis. Adm. Code. The master plan is currently silent with regard to lease of Camp American Legion, but statutory authorization exists under Wis. Stat. s. 28.035 for the Department to enter into a lease for Camp American Legion.

The American Legion has indicated that over the last 10 years they have expanded the services offered at Camp to provide specialized programs for veteran client groups and Wisconsin-based Reserve and National Guard units given the increased global conflicts that our military are engaged in. The restoration and rehabilitation services that the Camp offers continues to grow in popularity with military personnel, veterans and their families and The American Legion is looking for new ways to meet the needs of service members and their families. As a result, the American Legion requested that the Department consider restoring the amount of lands being leased for the Camp to previous levels to better provide expanded opportunities in fulfillment of their mission.

Currently The American Legion leases 75 acres for the Camp. The American Legion has requested an additional 225 acres, the same lands designated in previous leases, for the exclusive use of veterans and their families at the Camp. Public access and use of the existing boat landing to McGrath Lake is not included in the plan amendment and will remain open for year round public use. The Department will continue to manage the natural resources within the leased lands according to master plan authority but recreation and administrative facilities will be managed by The American Legion.

**III. PUBLIC INVOLVEMENT AND SIGNIFICANT ISSUES OF PUBLIC INTEREST**

In February of 2015, the NRB approved the Department's request to initiate the plan amendment process and seek public review of the proposed amendment.

From April 9 through May 7, 2015, a public review and comment period was conducted. Public and partners were informed by statewide press release and via 'eGov', a statewide email delivery system for citizens with an interest in the state forest – a list of over 5,000 subscribers. Direct

outreach by email and postal mail was sent to 265 citizen stakeholders, government contacts and non-government interest groups. The Great Lakes Indian Fish and Wildlife Commission (GLIFWC) was informed during a meeting of the Voigt Task Force. A public meeting held at the Town Hall in Lake Tomahawk, Wisconsin on April 16, 2015 further informed the public while providing opportunity to review literature and submit comments.

Public notice was posted to Department web pages for the Northern Highland-American Legion State Forest and Property Master Planning. Informational documents including a letter to stakeholders, public involvement plan, draft master plan amendment, area maps, and electronic and downloadable public comment forms were available for public viewing. The public was invited to respond during the comment period on-line, or by written comment, phone, or email.

Of the fifty eight public comments received the majority, nearly 90%, supported the proposed master plan amendment. Respondants recognized a need to enable Camp American Legion to expand programs to serve a growing group of military veterans and their families. Camp attendance has doubled to capacity since 2010 following years of recent military deployments. The Camp serves the needs of veterans with physical or psychological medical conditions and disabilities. It was stated that the healing power of the camp is incredible, providing needed rehabilitation and therapy that sometimes a doctor cannot give.

Comments cited The American Legion's proven record of effective administration and good stewardship of the leased property since 1925. People said the expanded lease acreage would enable The American Legion to enhance the Camp's rehabilitative environment and healing process for veterans and their family members. One individual said that when The American Legion's board decided to reduce leased acreage in 1964, there was an understanding it could be expanded again if needed in the future. Some described the amount of acreage as small in relation to the rest of the forest and surrounding public lands. They said that expanding the lease serves the public good as it recognizes our veterans' sacrifices. Another stated, "Using our Northwoods to provide peace to our veterans and their families fits perfectly in the mission of the forest."

A few individuals opposed exclusive use of public land for private use by a specific group. Some proposed a middle-ground approach where the public can share lands with Camp users and allow public hunting, during the Camp's closed season. One suggested that The American Legion provide an annual report of activity such as land usage, improvements, fire prevention, programs and staffing to the Department of Natural Resources.

Chippewa Tribes expressed concern that the proposal would prevent access for the purposes of exercising treaty rights. Comments also stated many tribal members have served in foreign wars and tribes are generally supportive of programs that assist veterans and sympathetic to the needs of veterans but remain concerned about the erosion of areas open to the exercise of tribal members' treaty-reserved rights throughout the Wisconsin ceded territories.

#### **IV. CONCLUSIONS AND DEPARTMENT RECOMMENDATIONS**

The Department concludes that there is ample public support and growing needs by The American Legion to restore the Camp's historical leased area to approximately 300 acres.

The Department requests approval to amend the master plan for the NHAL State Forest to expand acreage leased by The American Legion, Department of Wisconsin to include an additional 225 acres and to designate the leased lands as a "special management area" under NR 44.06(7), Wis.

Adm. Code. The lease would specify use of such lands is only for registered users of Camp American Legion.

The Department further concludes that the proposed master plan amendment complies with Chapter 28, Wis. Stats., and NR 44, Wis. Adm. Code and is an equivalent analysis action under NR 150.20(2)(a)1., Wis. Adm. Code.

## **MASTER PLAN AMENDMENT**

**Property Name:** Northern Highland-American Legion State Forest

**Date Master Plan was Approved:** October, 2005

**Proposed Amendment to the Master Plan:** Amend the master plan for the Northern Highland-American Legion State Forest to lease approximately 300 acres to The American Legion, Department of Wisconsin and designate the leased lands as a "special management area" under NR 44.06(7), Wis. Adm. Code (see Map 1).

### **BACKGROUND**

The Natural Resources Board approved the Northern Highland American Legion State Forest (NHALSF) Master Plan for Department managed forestry lands in Iron, Oneida and Vilas counties in October, 2005. The NHALSF includes a property known and operated as "Camp American Legion" on the shores in between Little Tomahawk Lake and Big Carr Lake in Oneida County, Wisconsin. Pursuant to Wis. Stat. s. 28.035(3) the Department is authorized to lease lands for Camp American Legion. The current statute is silent on exactly how much land is to be leased for the Camp and the extent of lands leased has varied over the years, with the current lease of lands being for 75 acres. This proposed amendment would increase those leased lands to 300 acres if approved.

### **SUPPORTING INFORMATION**

#### **History of Camp American Legion**

In early 1924 the Wisconsin American Legion started looking for various sites around the state to establish a restoration and rehabilitation camp for sick and disabled veterans of World War I and their dependents. The American Legion created a committee to investigate the sites, including several locations in Vilas and Oneida counties, to establish the rehabilitation camp. The committee discovered "Camp Minne-Wawa" which, since 1912, had been operating as an exclusive girls' camp on state-owned land located between Little Tomahawk Lake and Big Carr Lake in Oneida County. This site was selected by the committee as the location for the establishment of the veterans' camp.

The American Legion negotiated the purchase of the buildings and equipment from the previous owners of Camp Minne-Wawa for the sum of \$25,000. A law was passed in June of 1925 that the soldiers' rehabilitation board (predecessor to the Department of Veteran Affairs) was authorized to transfer the needed monies from their funds to the Wisconsin American Legion for the purpose of purchasing the buildings and equipment. At, or around that time, the Wisconsin American Legion also negotiated with the State a lease for the lands on which the Camp buildings were located. No known copy of the 1925 lease exists and it is unclear exactly how much land was leased from the State (and no known lease exists to the prior owners of Camp Minne-Wawa). On June 1, 1925 the Wisconsin American Legion officially opened Camp American Legion as a veterans' restoration camp on the former Camp Minne-Wawa site.

In 1927 legislation was enacted that created a state forest preserve and game refuge known as the "American Legion Forest Preserve and Game Refuge," under the control and jurisdiction of the State Conservation Commission. Part of this 1927 statute also provided that the Board of Commissioners of Public Lands (BCPL) were authorized and directed to execute and deliver a lease to the Wisconsin Department of American Legion. The statute directed that the lease was to be for Government Lots 3, 4, 6 and 7 of Section 8, and Government Lots 2 and 3 of Section 17, all in Township 38 North, Range 7 East, Oneida County, Wisconsin, which totaled approximately 182 acres. The first known written copy of the actual lease agreement between BCPL and the Wisconsin American Legion is from March 21, 1929.

The next known lease agreement for the Camp is from June 15, 1944 between Wisconsin Conservation Commission and The American Legion. This written lease included additional lands that were not specified in 1927 statute and that were not included in the 1929 lease. Those additional lands included Government Lot 5 and the NW¼ of the SW¼ of Section 8 and Government Lot 4 of Section 17 which thereby increased the amount of lands being leased from approximately 182 acres to 302 acres. This lease continued in full force and effect from 1944 to 1964.

Then on February 7, 1964 the Department's predecessor, Wisconsin Conservation Commission, and the American Legion Department of Wisconsin entered into a new state forest land lease agreement for only the lands described as Government Lots 3, 4 and 6 of Section 8, which totaled approximately 75 acres. By 1964 the relevant statutes had been amended and the exact amount of land to be leased for Camp American Legion was no longer specified by law. Subsequent 10 year leases have been executed between the parties in 1973, 1983, 1994, 2004 and most recently in 2014.

Since 1964 the amount of acreage that is being leased for Camp American Legion has remained the same at 75 acres. During the course of the 2014 lease discussions, The American Legion indicated that they wanted to increase the amount of lands being leased to better serve veterans. Today veterans of all wars, as well active-duty service members, and their families, are able to apply to stay at the Camp free of charge with a physician documented, physical or psychological illness, injury, or disability.

#### **Purpose and Need for the Proposed Amendment**

The purpose of this proposed master plan amendment is to determine the extent of lands to be leased to The American Legion and to designate the leased lands as a "special management area" under NR 44.06(7), Wis. Adm. Code. The master plan is currently silent with regard to lease of Camp American Legion.

#### **Anticipated Benefits of the Proposed Amendment**

The American Legion has indicated that over the last 10 years they have expanded the services offered at Camp to provide specialized programs for veterans and Wisconsin-based Reserve and National Guard units given the increased global conflicts that our military are engaged in. The

restoration and rehabilitation services that Camp American Legion offers continue to grow in popularity with military personnel, veterans and their families and The American Legion is looking for new ways to meet their needs. As a result, The American Legion has requested that the Department restore the amount of lands being leased for the Camp to previous levels to better provide expanded opportunities in fulfillment of their mission.

#### **Unavoidable Adverse Impacts**

A "lease" by its very nature is a contractual agreement that typically transfers the exclusive possession, use and control of real estate from the owner/lessor to the tenant/lessee for a defined amount of time. For the last 50 years the Department has leased to The American Legion only 75 acres of land for operation of the Camp. Because of the written lease agreements the general public is restricted from using these 75 acres for any outdoor nature-based recreational activities. If the amount of lands to be leased to The American Legion is increased to historic levels the general public will also be excluded from using those additional lands.

#### **Compatibility with Statutes, Codes and Department Policies**

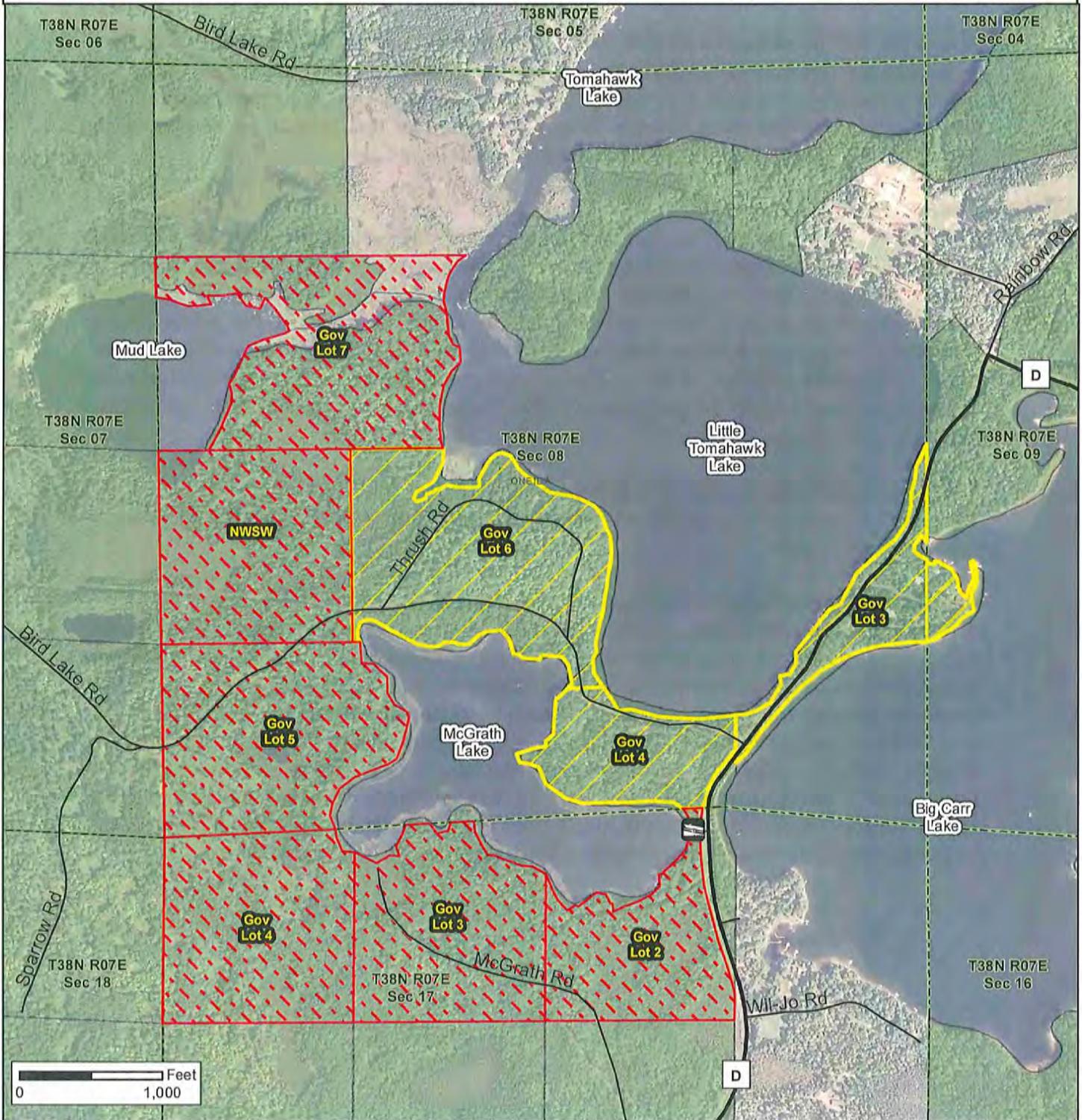
The proposed master plan amendment is compatible with Chapter 28, Wis. Stats., and Chapter NR 44, Wis. Adm. Code.

#### **How the Master Plan Supports the Proposed Amendment**

Page 167 of the NHASF master plan reads, "RECREATION LAND USE AGREEMENTS – The WDNR has a long history of cooperation with private organizations to manage and maintain recreational and essential community facilities. Examples of land use agreements include the Razorback Ridges trail area, the North Lakeland Discovery Center, over 400 miles of snowmobile trails on the NH-AL, several youth camps, many smaller trail systems, and public shooting ranges. Land use agreements on the NH-AL will continue to be evaluated periodically." The Department's lease of 300 acres to The American Legion would continue this history of cooperation with an organization to manage and maintain the lands for recreational opportunities, albeit solely for the use of our Wisconsin veterans and their families.

# Proposed Camp American Legion Lease Area

T38N R7E Sec 8, 9 & 17, Town of Lake Tomahawk, Oneida County



-  Current Camp Lease Area 1964-Current
-  Proposed Lease Expansion Area
-  DNR Owned Land
-  Public Boat Landing
-  PLSS Section Line

Apr 08, 2015 drs

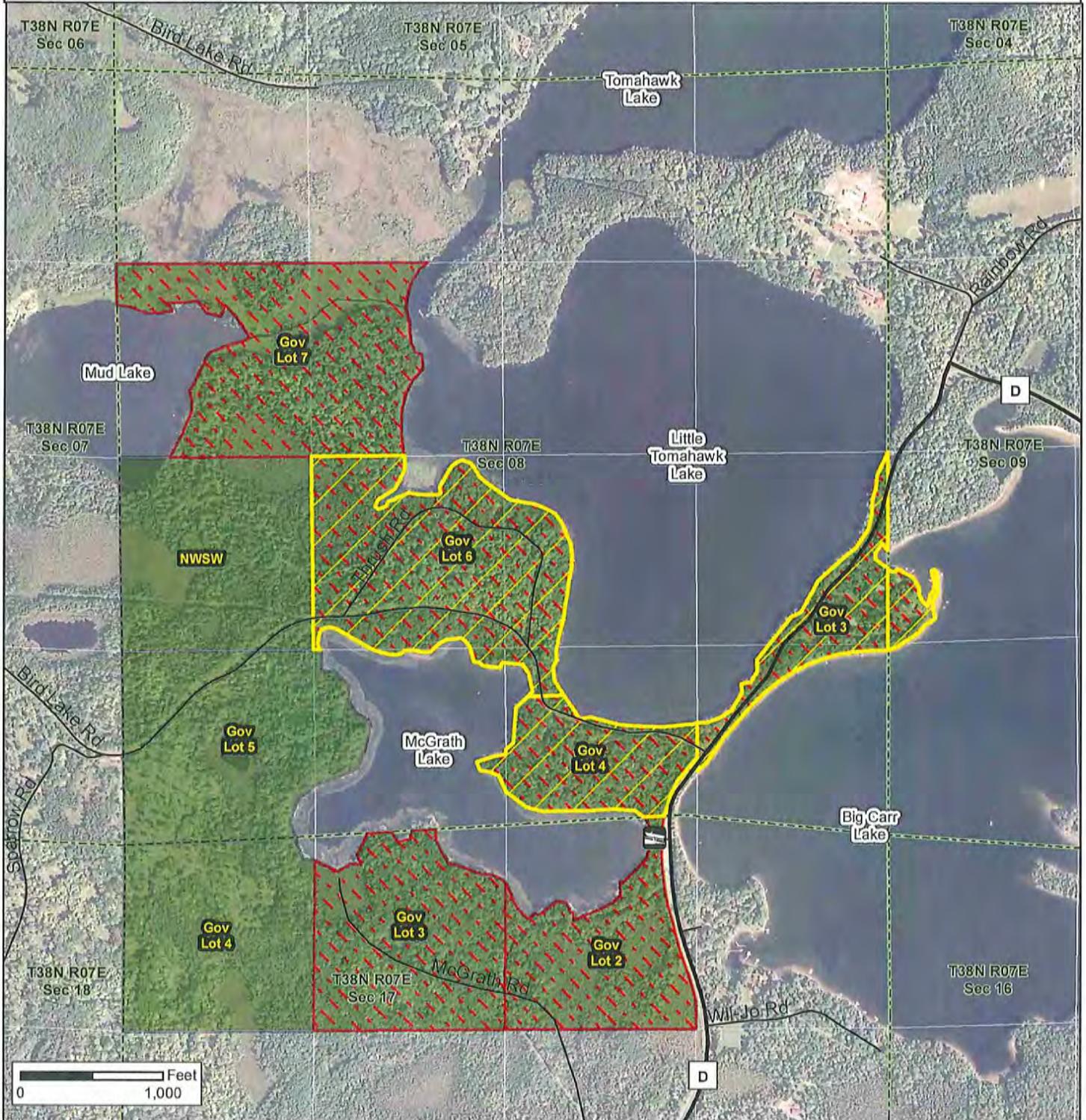
Real Estate Section  
Bureau of Facilities and Lands



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# Lease History of The Camp (1929, 1944, 1964 to Present)

T38N R7E Sec 8, 9 & 17, Town of Lake Tomahawk, Oneida County



-  Camp Lease Area 1929-1944
-  Camp Lease Area 1944-1964
-  Camp Lease Area 1964-Current
-  Public Boat Landing
-  PLSS Section Line



Feb 10, 2015 drs

Real Estate Section  
Bureau of Facilities and Lands

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