Form 1101-1
Rev. 5-91

NATURAL RESOURCES BOARD AGENDA ITEM

Item No. 3.B.4

SUBJECT: EASEMENT ACQUISITION AND DONATION – RUSH RIVER STREAMBANK PROTECTION AREA - PIERCE COUNTY

FOR: SEPTEMBER 2007 BOARD MEETING

TO BE PRESENTED BY: Richard Steffes

SUMMARY: The Department has obtained an option to purchase an easement on 10 acres of land from Phillip and Florence Jakes for $60,000 for the Stream Bank Protection Program in Pierce County. This item is being submitted because the price exceeds appraised value and due to two donations totaling $4,000.

The easement area is located in east central Pierce County in the Town of El Paso about 10 miles east of Ellsworth. It is being purchased for the Rush River Stream Bank Protection Area. There are about 3,000 feet of frontage along the east bank of the Rush River and about 1,500 feet of frontage along parts of the west bank of the Rush River for a total frontage of 4,500 feet. The total cost of the easement is $60,000. The Department will pay the appraised value of $56,000 and a donation of $1,000 from the Eau Galle Rush River Sportsman's Club and a donation of $3,000 from Twin Cities Chapter of Trout Unlimited will bring the total cost to $60,000. This is the best price that could be negotiated.

The Rush River Fishery Area project was established in June of 2005 as part of the Stewardship Stream Bank Protection Program. The project was designed to protect stream bank corridors and secure public access primarily for trout fishing. The Rush River is currently classified as Exceptional Resource Water (ERW) and a Class II trout stream. The river is known nationally as one of the top brown trout fisheries in the Midwest and is the most heavily fished trout stream in Wisconsin. Fish population densities range from 4,000 to 7,500 fish per mile with the highest number of trout over 12 inches in the state. The Rush River's large size, aesthetic features and proximity to the Twin Cities metropolitan area has resulted in increased residential development. The loss of public fishing access is imminent unless buffer strips and access is provided by permanent easements.

Acquisition of the Jakes' easement is needed to provide public access to the Rush River and to continue creating a corridor of public fishing and fish management easements to protect water quality and fish habitat.

RECOMMENDATION: That the Board approve the acquisition of the 10-acre easement for $60,000. Secondly, that the Board accept a donation of $4,000 to use toward the cost of this acquisition for the Rush River Stream Bank Protection Area and that a certificate of appreciation be given to the donors.

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/4	Date 8-20-07
Administrator, Laurie Osterndorf - AD/5	Date 8/23/07
Secretary, Scott Hassett - AD/5	Date 8/27/07

cc: S. Miller – LF/6
R. Steffes – LF/6
L. Ross – AD/5
M. Staggs – WM/6
S. Humrickhouse – WCR/Eau Claire

CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: August 27, 2007 FILE REF: E-2065

TO: Natural Resources Board

FROM: Scott Hassett

SUBJECT: Proposed Stream Bank Protection Easement on the Jakes Tract, File # E-2065

1. PARCEL DESCRIPTION:

Stream Bank Protection Program - Rush River
Pierce County

Grantor:

Phillip and Florence Jakes
W3724 465th Avenue
Ellsworth, WI 54011

Acres: 10
Price: $60,000*
Appraised Value: $56,000
Interest: Purchase of a Stream Bank Protection Program Easement with public access.
Improvements: None

*Comments: Includes cash donations of $3,000 from Trout Unlimited and $1,000 from Eau Galle Rush River Sportsman's Club.

Location: The tract is located in east central Pierce County in the Town of El Paso.

Land Description: The tract is level to gently sloping.

Water: There are 3,034 feet of frontage along the east bank of the Rush River and 1,479 feet of frontage along parts of the west bank of the Rush River. Total frontage is 4,513 feet.

Covertype Breakdown:	Type	Acreage
	Lowland woodland	10

Zoning: General Rural
Present Use: Recreational
Proposed Use: Public Recreation and Water Resource Protection
Easement Date: July 16, 2007
Tenure: 52 years

2. JUSTIFICATION:

The Jakes have agreed to sell a public fishing easement on approximately 10 acres of land in east-central Pierce County in the Town of El Paso about 10 miles east of Ellsworth which is being purchased for the Rush River Stream Bank Protection Program. There is 3,034 feet of frontage along the east bank of the Rush River and 1,479 feet of frontage along parts of the west bank of the Rush River. The total frontage is 4,513 feet. The total cost of the easement is $60,000. The Department will pay the appraised value of $56,000 and a donation of $1,000 from the Eau Galle Rush River Sportsman's Club and a donation of $3,000 from Twin Cities Chapter of Trout Unlimited will bring the total cost to $60,000. This frontage will provide the public opportunities for fishing, hiking, and wildlife observation. Additionally, the easement will allow for fishery habitat and stream bank improvement along its length.

The Rush River Fishery Area project was established in June of 2005 as part of the Stewardship Stream Bank Protection Program. The project was designed to protect stream bank corridors and secure public

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access primarily for trout fishing. The Rush River is currently classified as Exceptional Resource Water (ERW) and a Class II trout stream. The river is known nationally as one of the top brown trout fisheries in the Midwest and is the most heavily fished trout stream in Wisconsin. Fish population densities range from 4,000 to 7,500 fish per mile with the highest number of trout over 12 inches in the state. The Rush River's large size, aesthetic features and proximity to the Twin Cities metropolitan area has resulted in rapid residential development. The loss of public fish access and fragmentation of riparian lands is imminent unless buffer strips and access is provided.

Acquisition of the Jakes' easement is recommended to provide for public access to the Rush River and to continue creating a corridor of public fishing and fish management easements to protect water quality and to improve habitat.

3. FINANCING:

State Stewardship bond funds are anticipated:

Funds allotted to program:	Balance after proposed transaction:
$2,000,000	$1,435,804

4. ACQUISITION STATUS OF THE STREAM BANK EASEMENT PROGRAM:

Established: 1991
Acres Purchased to Date: 1,652.43 Acres
Acquisition Goal: 7,726.40 Acres
Percent Complete: 21.2%
Cost to Date: $2,003,846.12

5. APPRAISAL:

Appraiser: Thomas Olson (Private Appraiser)
Valuation Date: April 17, 2007
Appraised Value: $56,000
Highest and Best Use: Rural residential site and recreational land
Allocation of Values:

Before Value:	$560,000
After Value:	$504,000
Equals:	$ 56,000

Appraisal Review: Ron Olson, May 29, 2007

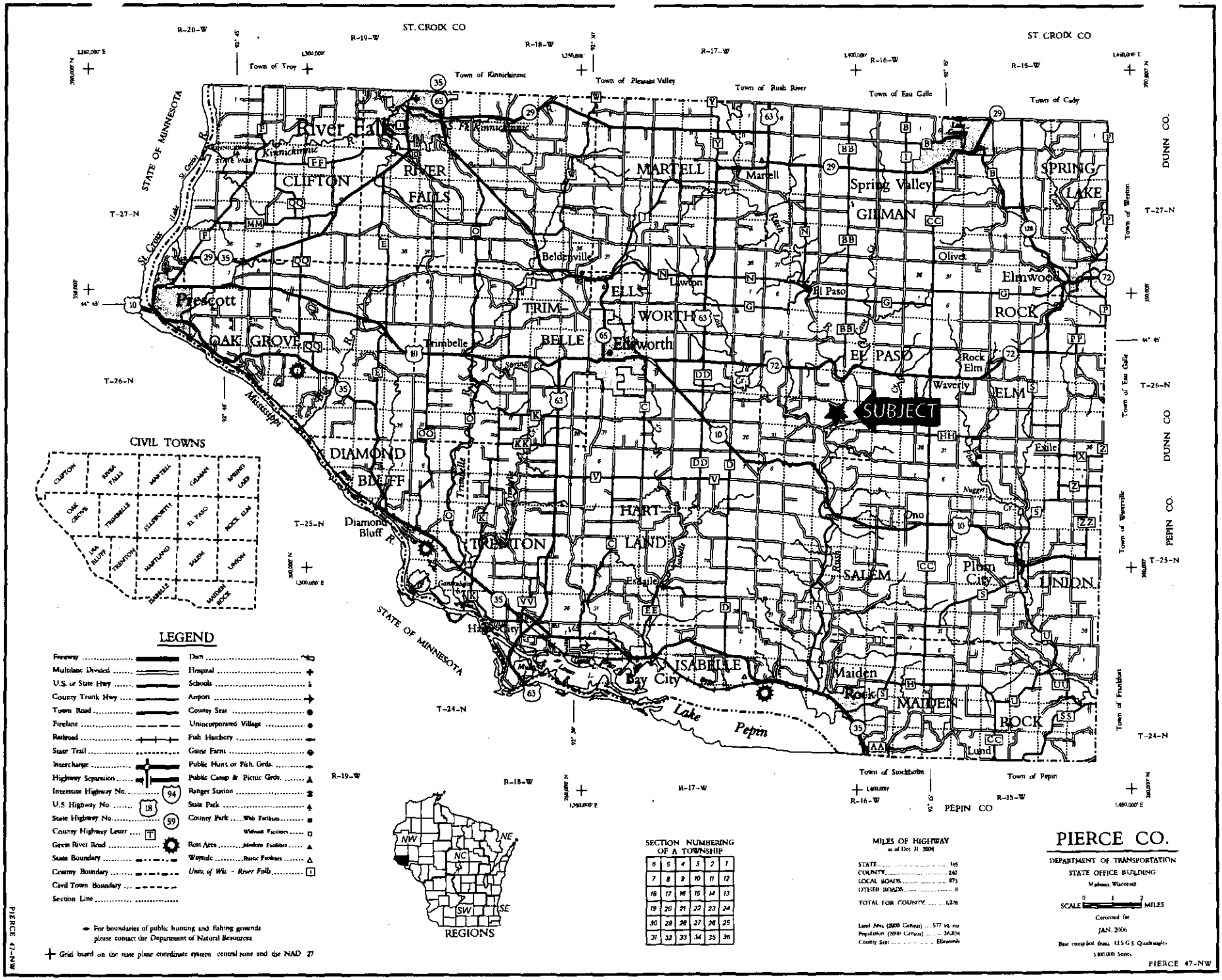
RECOMMENDED:

Richard E. Steffes — Date: 8-20-07

Bureau of Legal Services — Date: 8/21/07

APPROVED:

Laurie Osterndorf — Date: 8/23/07


ST. CROIX CO
DUNN CO.
PEPIN CO.
STATE OF MINNESOTA
Town of Troy
Town of Kinnickinnic
Town of Pleasant Valley
Town of Rush River
Town of Eau Galle
Town of Cady
Town of Weston
Town of Eau Galle
Town of Waterville
Town of Frankfort
Town of Stockholm
Town of Pepin
R-20-W
R-19-W
R-18-W
R-17-W
R-16-W
R-15-W
T-27-N
T-26-N
T-25-N
T-24-N
River Falls
CLIFTON
RIVER FALLS
MARTELL
Martell
Spring Valley
GILMAN
SPRING LAKE
Prescott
OAK GROVE
Beldenville
Lawton
ELLSWORTH
TRIMBELLE
Trimbelle
Ellsworth
El Paso
Olivet
Elmwood
ROCK ELM
EL PASO
Rock Elm
Waverly
SUBJECT
DIAMOND BLUFF
Diamond Bluff
TRENTON
HARTLAND
Esdaile
Ono
SALEM
Plum City
UNION
Hager City
ISABELLE
Bay City
Maiden Rock
MAIDEN ROCK
Lund
Lake Pepin
Mississippi
St. Croix
Kinnickinnic
Rush
Trimbelle
Spring
Nugget
Lake
CIVIL TOWNS
CLIFTON
RIVER FALLS
MARTELL
GILMAN
SPRING LAKE
OAK GROVE
TRIMBELLE
ELLSWORTH
EL PASO
ROCK ELM
UNION
HARTLAND
SALEM
ISABELLE
MAIDEN ROCK
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
Green River Road
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
Wsh Facilities
Wilmott Facilities
Rest Area
Maiden Facilities
Wayside
Rustic Facilities
Univ. of Wis. - River Falls
For boundaries of public hunting and fishing grounds please contact the Department of Natural Resources
Grid based on the state plane coordinate system central zone and the NAD 27
NW
NE
NC
SW
SE
REGIONS
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 Dec 31, 2004
STATE 165
COUNTY 240
LOCAL ROADS 873
OTHER ROADS 0
TOTAL FOR COUNTY 1,278
Land Area (2000 Census) 577 sq mi
Population (2000 Census) 36,804
County Seat Ellsworth
PIERCE CO.
DEPARTMENT OF TRANSPORTATION
STATE OFFICE BUILDING
Madison, Wisconsin
SCALE 0 1 2 MILES
Corrected for
JAN. 2006
Base compiled from U.S.G.S. Quadrangles
1:100,000 Series
PIERCE 47-NW

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Jakes Easement

Rush River SBP

- Subject Property
- WDNR Owned
- WNDR Eased
- WDNR Leased
- Ice Age Trail
- Project Boundary
- Open Water

N W E S

0 0.2 0.4 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 Oracle Land Records System maintained by the DNR, Bureau of Facilities and Lands (LF), and may include errors and/or 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:

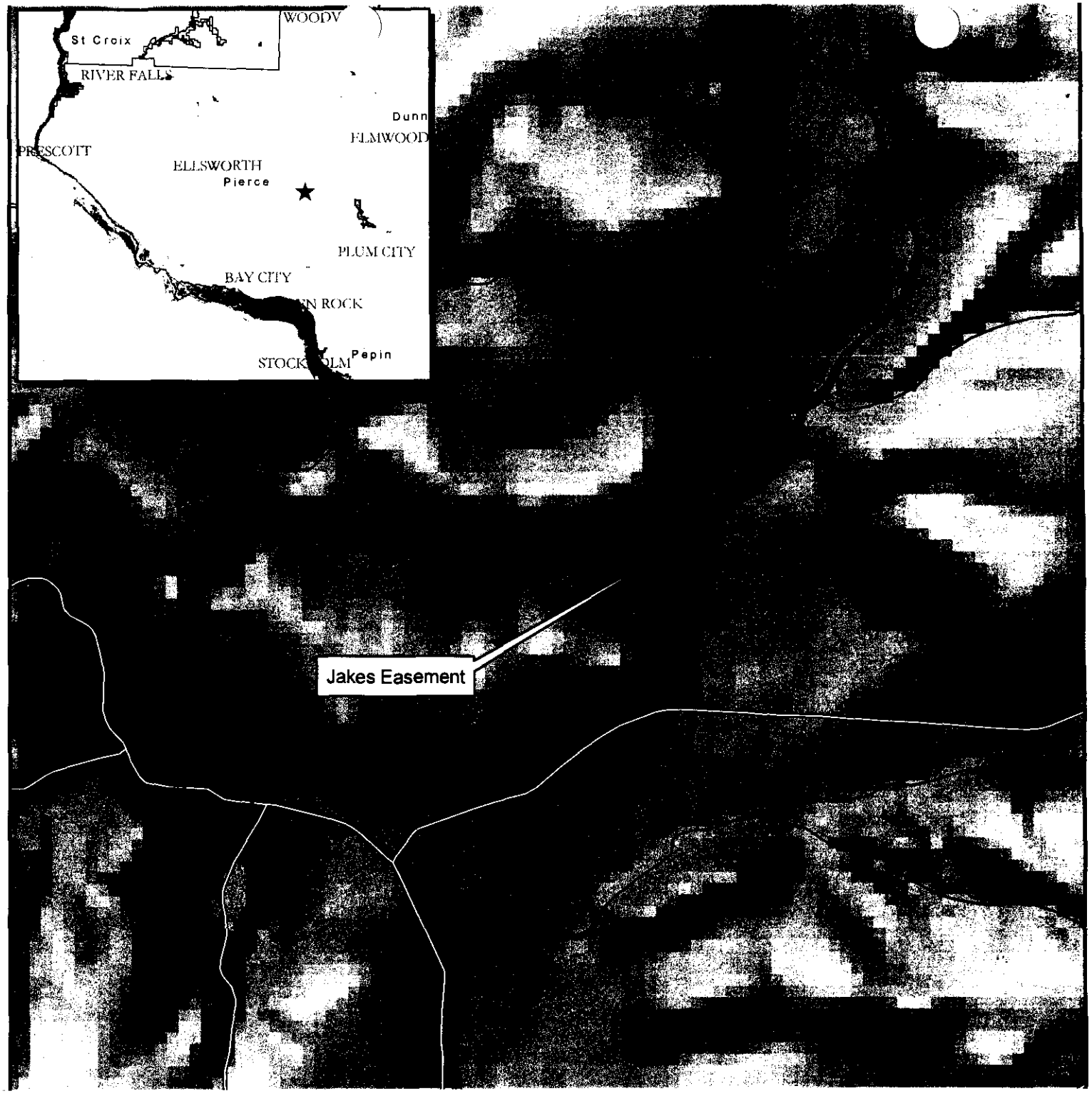
http://www.dnr.state.wi.us/org/caer/ca/servicecenter/locations.htm

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

August 16, 2007



Acknowledgment Of Gift

This is to certify that at its September 2007 meeting, the Natural Resources Board gratefully accepted a gift of $1,000 from the

EAU GALLE RUSH RIVER SPORTSMAN'S CLUB

The donation will be used toward the purchase of an easement on 10 acres of land for the Rush River Stream Bank Protection Area in Pierce County. It is significant that organizations like yours are interested in helping protect Wisconsin's natural heritage and contribute materially toward this end.

An expression of our appreciation is a part of the official records of the Natural Resources Board. We present this certificate of sincere appreciation on behalf of present and future generations to thank you for your thoughtfulness and generosity.

Natural Resources Board

Christine L. Thomas, CHAIR

Acknowledgment Of Gift

This is to certify that at its September 2007 meeting, the Natural Resources Board gratefully accepted a gift of $3,000 from the

TWIN CITIES CHAPTER OF TROUT UNLIMITED

The donation will be used toward the purchase of an easement on 10 acres of land for the Rush River Stream Bank Protection Area in Pierce County. It is significant that organizations like yours are interested in helping protect Wisconsin's natural heritage and contribute materially toward this end.

An expression of our appreciation is a part of the official records of the Natural Resources Board. We present this certificate of sincere appreciation on behalf of present and future generations to thank you for your thoughtfulness and generosity.

Natural Resources Board

Christine L. Thomas, CHAIR