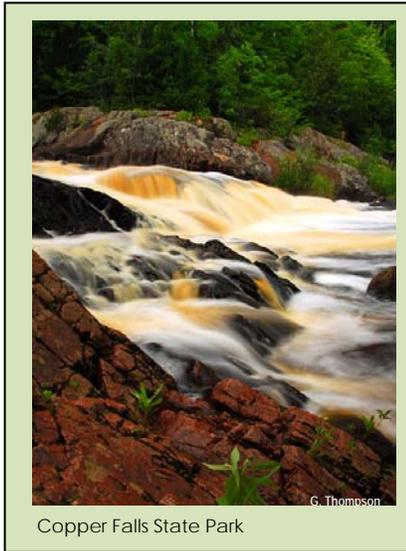


Wisconsin Department of Natural Resources

Land Acquisition Program

Since 1876, the Department of Natural Resources and its predecessor agencies have acquired land for outdoor recreation, natural resources protection, and habitat management purposes. These public lands not only harbor healthy populations of game and non-game species, they also contribute environmental services ranging from purifying air and water to reducing flooding impacts to sequestering carbon. These lands provide vital habitat for our rarest plants and animals and protect some of the last remaining occurrences of high quality native plant communities.

This collection of properties also provides exceptional opportunities for a wide range of outdoor recreation activities. Together these lands, in concert with lands protected by partners — including conservation groups, land trusts, Native American Tribes, and municipal, county, and federal governments — are a significant component of what makes Wisconsin a great place to live, work, visit, and enjoy the outdoors.



What types of lands does the DNR acquire?

First and foremost, the DNR only buys land from willing sellers – that is, the Department only purchases property from those owners who want to sell their land and, further, want to sell to the DNR. The agency is required to offer to purchase land for its “fair market value” (more on this later), but no one is required to sell their land to the DNR.

Although there are a few exceptions, generally the DNR is authorized by the legislature and Natural Resources Board to purchase land only within approved “project boundaries.” The project boundaries and the number of acres within the boundaries that the Department proposes to acquire are established through extensive planning processes. These processes consider an area’s physical and biological environment, existing landscape patterns, recreation capabilities, the

views of the public and landowners, and the availability of funding and staffing to successfully accomplish the purposes of the project.

The Department buys land (in fee) and easements to meet different conservation and recreation goals. To date, the DNR has acquired just over 1.6 million acres throughout the state. Some examples include:

- ◆ The Fisheries Management program purchases boat access sites on lakes and large rivers.
- ◆ The Forestry program purchases easements on large blocks of working forests that ensure sustainable forest management practices and allow public access for hunting, fishing, cross country skiing, hiking, and berry picking.
- ◆ The Natural Area program purchases critical sites for endangered species and high-quality remnants of native plant communities such as dry prairies, pine barrens, oak savannas, and calcareous fens.
- ◆ The Park program purchases lands that provide high-quality camping, swimming, hiking, biking, horseback riding, wildlife watching, paddling, and other outdoor experiences.
- ◆ The Wildlife Management program purchases lands that harbor a range of game and non-game species, which in turn support a wide variety of wildlife-related outdoor activities.

How does the DNR pay for land?

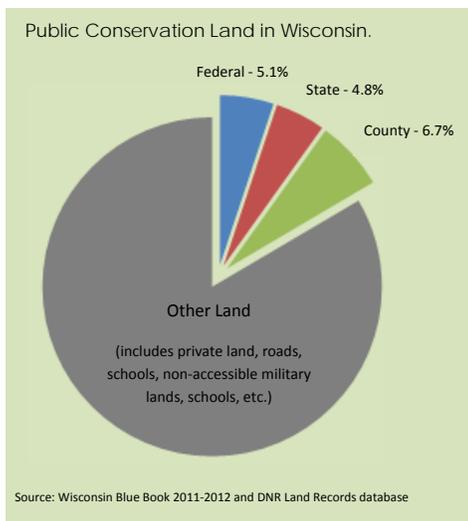
Over the last 100 years the legislature has authorized a variety of funding sources for the DNR to acquire land, including general purpose revenue, fishing and hunting licenses, and a “penny a pack” tax on cigarettes. Currently, the vast majority of the DNR’s land and easement purchases are paid by the Stewardship program, which is funded through the state’s issuance of long term bonds. The DNR’s Stewardship acquisition program is currently funded at about \$25 million/year through 2020. Stewardship funds are often used to “match” other federal or private funding sources, thus stretching state dollars.

When does the DNR acquire land in fee vs. easements?

The DNR acquires different types of interests in land depending on the goals of different programs. In legal terms, land is often referred to as a “bundle of rights” - that is, a set of distinct and separable rights. Some commonly known parts of the “bundle” include mineral rights, public access rights, and development rights. These rights can be bought and sold individually, in combination, or as a complete set (often stated to as “fee simple” or “fee title”). The sale or transfer of rights can be for a set period of time (e.g., 20 years) or can be permanent. Easements are the most common legal agreement used by landowners to sell or donate specific rights. In most cases, particularly for conservation and public access purposes, easements involve the permanent transfer of rights. Easements are recorded on the property's title so that all future owners of the land are bound by the original agreement.

In most cases, it is more appropriate and cost-effective for the DNR to purchase conservation and recreation lands in fee title. However, there are some instances when the goals of the Department can be met through the purchase of an easement. For example, one of the DNR's most successful and popular programs is providing opportunities for angling along trout streams.

In this case, the part of the “bundle of rights” that is needed is public access, which can be accomplished through purchasing a public access easement rather than through fee ownership.



How do DNR land purchases affect local property taxes?

Prior to 1992, the State of Wisconsin made payments to local jurisdictions where it owned land instead of paying property taxes. These payments were based on a rather complicated formula that left many local governments concerned that they were not being adequately compensated for the loss in property tax revenue. To simplify the payment process and alleviate local concerns, the legislature created a new law in 1992 (s. 70.114) that requires the Department of Natural Resources to pay aids in lieu of taxes on lands it acquires in a



Frog Lake in Northern Highland-American Legion State Forest

manner that replicates how property taxes would have been paid, had the land remained in private ownership.

To avoid the need for local assessors to continually assess DNR property and for the DNR to review and possibly appeal assessments, the new law states that initial assessed value is set at the DNR purchase price of the property. Subsequently, this value is adjusted to reflect the change in the equalized value of land in the taxation district. For example, if the equalized value of land in a Township increases by 5%, then the assessed value of DNR land in the Township is automatically increased 5% and the payment in lieu of taxes also increases 5%. All other aspects of the way the DNR makes payments in lieu of tax under this new program are the same as those for a local taxpayer.

How does the DNR set its offer price?

Unlike other buyers, the Department is required by state and federal laws to offer “just compensation,” which is the estimated fair market value based on a formal real estate appraisal. This practice ensures that landowners are offered a fair and competitive price and that taxpayers, as the ultimate buyers, pay only what a property is worth. Fair market value is defined as the most probable price that a property is estimated to bring if placed for sale on the open market for a reasonable period of time.

Contacts:

The DNR's web site has additional information about the land acquisition program, selling or donating land, and local contacts (web address: “dnr.wi.gov” and search for “real estate program”). Or, contact:

Real Estate Program
101 S Webster Street - LF/6
Madison WI 53707-7921
608/266-2135