



Public Lands

Natural resources are an important part of Wisconsin's landscape and identity. Wisconsin covers 34.8 million acres of land and 7.4 million acres of water, and public lands make up over 5.7 million acres, or 16.5 percent, of this land and water. Federal, state, and local governments purchase public land to conserve and protect natural resources and for use as parks, forests, and trails. If you visit public lands to hike, fish, observe wildlife, bike, camp, or hunt, you benefit from a Wisconsin tradition of setting aside public land for use today and for future generations.

FEDERAL OWNERSHIP

The federal government owns over 1.5 million acres, or 4.4 percent, of the state's total land area. The U.S. Forest Service owns the most federal public land in Wisconsin. Nearly all federal forest land in the state is in northern Wisconsin in the Chequamegon-Nicolet National Forest, which is managed for multiple uses, including timber harvesting and recreation.

COUNTY OWNERSHIP

Counties own the most public land in the state. In 2006, individual counties owned 2.6 million acres, ranging from 93 acres in Richland County to 270,813 acres in Douglas County. All counties except for Menominee County own parks, forests, or both.

STATE OWNERSHIP

The state owns nearly 1.6 million acres of public land. Two agencies,

the Board of Commissioners of Public Lands (BCPL) and the Department of Natural Resources (DNR), manage state public land.

The BCPL is Wisconsin's oldest state agency and was established at statehood in 1848 to manage lands granted from the federal government. At one time, the BCPL was responsible for 10 million acres, almost one-third of the state's surface area. The majority of this land was sold over 100 years ago, the proceeds of which established four trust funds that continue to grow to this day. The BCPL manages these funds and oversees the remaining trust lands, about 78,000 acres in 34 counties. These lands are open to the public and generate revenue through timber management, conservation, and public recreation. Revenues from land management and past sales have helped support K-12 education, the UW System, and various public projects.

The DNR manages most state-owned public land, over 1.5 million acres, or 4.4 percent, of the state's total land in 2006.

STATE PURCHASING OF LANDS

In 1876, the state acquired the Nevin Fish Hatchery as the first land to be used for conservation and recreation. Since then, the state has steadily acquired land by purchase, gift, and exchange.

The DNR acquires land through both fee title ownership and easements. From 1990 to 2008, the DNR purchased nearly 450,000 acres through fee title acquisition or easement. A fee title owner is commonly referred to as "having clear title" to the property. As a fee

Program	Acres	% of Tot.
Fisheries and Stream Bank	38,199	8.5
Northern Forests	83,912	18.7
Southern Forests	5,278	1.2
Parks, Trails, Rec. Areas	28,987	6.5
Wild Rivers and Resource	142,326	31.7
Wildlife Mgmt.	90,073	20.0
Natural Areas	55,248	12.3
Other	5,282	1.2
Total	449,305	

Source: Legislative Fiscal Bureau

title owner, the DNR purchases land directly, holds all land rights, and has complete control over its management. A primary advantage of fee title acquisition is that the owner has the greatest possible flexibility in managing the property.

An easement is a limited property right that authorizes the holder of the easement to exercise only those rights in the property that are specifically set forth in the easement. The main difference between fee title ownership and easement is that easement does not permit possession of the property. As an easement holder, the DNR purchases some land rights for conservation purposes, but the land remains privately owned, and the landowner pays the property taxes.



The Ice Age Trail—a designated National Scenic Trail that is more than 1,000 miles of footpath through 30 Wisconsin counties and follows the southernmost location of the last continental glaciation—is an example of property the DNR acquired through a conservation easement. The land rights include permitting the general public to use the trail and allowing the DNR to operate and maintain it. Landowners cannot conduct or allow residential, commercial, or industrial use or development of the property.

STEWARDSHIP PROGRAM

Today, the main vehicle for DNR land acquisitions is the Warren Knowles-Gaylord Nelson Stewardship Program, the state's land acquisition fund administered by the DNR. The stewardship program was created in 1989 and continues the work of the Outdoor Recreation Act Program, which was enacted in 1961 and was the state's first comprehensive, long-term land acquisition program that protected 54,000 acres of land by collecting a one-cent-per-pack tax on cigarettes.

The stewardship program attempts to preserve the state's significant land and water resources and to provide land for recreation. It allows the DNR to acquire lands and to provide grants to local units of government and to nonprofit organizations for land acquisition and property development. Since 1989, the stewardship fund has been adjusted several times from its original funding level of \$25 million per year.

Where does the annual funding come from to purchase public lands? One of the ways the state pays for public land projects is to borrow money by issuing bonds, which are promises to repay the

borrowed money at a specified time and specified interest rate. Wisconsin sells bonds to investors to pay back the debt over 20 years. This spreads the cost over time so it is shared with future public land users. Debt payments come out of tax revenues, mainly income and sales tax collections. Because of this, all taxpayers in the state contribute to the stewardship fund and benefit from its investments.

When lands become public, owners of adjacent property worry that they will be burdened with higher taxes. To compensate, state and federal governments make annual payments to help offset lost property taxes. Since 1992, the DNR has made property tax payments, commonly called "payments in lieu of taxes," to all municipalities within which the state owns land. The payment is based on property taxes that would have been paid and is adjusted annually for changes in value. Municipalities are to distribute these dollars among the various taxing jurisdictions (e.g., the county, a school district, or a technical college district) based on their share of the property tax. In 2008, the DNR's payment in lieu of taxes totaled \$9.4 million or about \$40 per acre.

Wisconsin Act 20 reauthorized the stewardship program in 2007. It will continue through June 30, 2020, with an annual budget of \$86 million in bonding authority beginning July 1, 2010. Sixty percent of this amount is allocated for land acquisition.

LAND DONATIONS AND GRANTS

Lands and land rights are also donated each year to land trusts and, to a lesser extent, public agencies. Land trusts are nonprofit organizations that help protect land

for public benefit. There are more than 50 local and regional land trusts that have protected more than 200,000 acres of land in Wisconsin. Public land is also acquired through partnership grants. The stewardship program uses state funds to leverage federal dollars through programs such as the land and water conservation fund, the Forest Legacy Program, the North American Wetlands Conservation Act, and coastal wetlands grants.

CONCLUSION

Setting aside land for public use today and for future generations is a Wisconsin tradition. Besides anchoring a good portion of the state's economy through tourism, forestry, and the hunting and fishing industries, stewardship reflects the conservation and outdoor ethics of the people of Wisconsin and adds to the state's quality of life that would not be possible without federal, state, and local land protection.

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Study Questions

1	How much publicly owned land lays within Wisconsin (either as a number of acres or a percentage of the state's total area)?	
2	What is the stewardship fund, what is its purpose, and how is it used?	
3	How does the state acquire land to be used as public land?	
4	What is the difference between fee title ownership and easement? Is there an advantage of one over the other?	
5	If you were an owner of property adjacent to public land, would your property taxes be affected?	
6	Is there a public purpose that is achieved when the state owns land?	

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Study Questions in the Cognitive Domain

1	How much publicly owned land lays within Wisconsin (either as a number of acres or a percentage of the state’s total area)?	The federal government owns over 1.5 million acres, and the state and its counties own over 4.2 million acres. Publicly owned land comprises about 16.5 percent of the state’s territory.	Cognition
2	What is the stewardship fund, what is its purpose, and how is it used?	The stewardship fund is the state’s land acquisition fund and the main vehicle for the DNR to acquire public land. The state sells bonds that are repaid with taxes, and uses the proceeds to purchase and develop land for public use. The state retires the bonds with regular tax revenues.	Comprehension
3	How does the state acquire land to be used as public land?	With stewardship funding, the DNR acquires land through fee title ownership or easement. The state also acquires land by donations and partnership grants.	Application
4	What is the difference between fee title ownership and easement? Is there an advantage of one over the other?	A fee title owner has clear title to the property, i.e., owns the property outright. An easement does not permit possession of the property but gives the holder of the easement certain property rights. The advantage of fee title ownership is that the owner has the greatest flexibility in managing the property.	Analysis
5	If you were an owner of property adjacent to public land, would your property taxes be affected?	Your property taxes would be minimally affected. The state makes payments to local governments to compensate property owners for lost property taxes, so the effects of lost tax revenues are small.	Synthesis
6	Is there a public purpose that is achieved when the state owns land?	Yes, public ownership of land assists the tourism industry and promotes forestry, hunting, and fishing. Stewardship also promotes conservation and protects public lands for future generations.	Evaluation