



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #890

Kickapoo Valley Reserve Law Enforcement Funding (Tourism)

[LFB 2001-03 Budget Summary: Page 645, #4]

CURRENT LAW

The Kickapoo Valley Reserve refers to approximately 8,600 acres of land north of La Farge in Vernon County. The property was the site of a U.S. Army Corps of Engineers dam and reservoir project on the Kickapoo River that was abandoned in approximately 1975. The Corps transferred ownership of approximately 7,400 acres to the State of Wisconsin in December, 2000. Additionally, 1,200 acres were transferred to the Bureau of Indian Affairs in trust for sites sacred to the Ho-Chunk tribe. However, in a 1997 memorandum of understanding (MOU), the state and the Ho-Chunk nation agree the entire acreage will be managed as one property.

Appropriations from the forestry account of the conservation fund support administrative functions for the Kickapoo Reserve Management Board. The Board is responsible for: (a) managing the land in the Kickapoo River valley to preserve and enhance its unique environmental, cultural and scenic features; (b) providing facilities for the use and enjoyment of visitors to the Reserve; and (c) promoting the Reserve as a destination for vacationing and recreation.

GOVERNOR

Provide \$31,300 in 2001-02 and \$41,800 SEG in 2002-03 from the forestry account of the conservation fund for limited-term employee staff to provide law enforcement at the Kickapoo Valley Reserve.

DISCUSSION POINTS

1. Prior to the transfer of property from the Army Corps of Engineers, the Corps was responsible for providing law enforcement at the Reserve, with Vernon County providing support

when requested and Wisconsin Department of Natural Resources conservation wardens covering state hunting and fishing laws. However, since the transfer, it has become the state's (along with the Ho-Chunk tribe's) responsibility to enforce state laws and rules at the Reserve. For the upcoming visitor season, the Board is contracting with Vernon County to provide law enforcement at the Reserve at a cost of \$35 per hour. At this rate, the bill would allow the Reserve to contract for approximately 900 to 1,200 hours of law enforcement services. Reserve officials anticipate contracting for approximately 28 hours per week from May through October, with an additional 32 hours during the deer hunting season and 40 hours total for the rest of the year. Since the Kickapoo Valley Reserve has not provided enforcement in the past, Reserve officials anticipate modifying future enforcement levels based on 2001-02 experiences. The Ho-Chunk tribe is negotiating an agreement with the County to cover such things as law enforcement and fire protection and has paid for enforcement and special events activities in the past. In addition, DNR wardens will continue to enforce hunting and fishing regulations on the Reserve.

2. According to Kickapoo Valley Reserve officials, the Corps was rather inactive in enforcement at the Reserve, and the area has seen problems such as littering and property destruction from unauthorized off-road vehicle usage. The Board has promulgated administrative rules prohibiting disorderly conduct, the removal of natural items from the Reserve and the launching of watercraft from unauthorized locations, among other things. Further, it is anticipated that the number of visitors to the Reserve will increase, especially if a visitor center included in the Governor's capital budget is completed. The Reserve estimates that approximately 10,000 people will visit the area annually. In addition, it has been estimated that over 1,000 hunters typically use the Reserve during the opening weekend of the gun deer hunting season.

3. The Reserve obtains revenues from customers for certain trail use, camping and special events. In the past, funds were collected from self-registration with no enforcement measures. Approximately \$3,300 has been collected since July, 2000 from visitors, and the Reserve anticipates collections may reach \$10,000 in 2001-02 and \$15,000 in 2002-03 with better registration and enforcement measures.

4. Approximately 1,000 acres of the Kickapoo Valley Reserve are leased for agricultural purposes. In the past, agricultural lease revenues went to the Corps, but it is estimated that the Reserve will earn \$25,000 from these leases in 2001. Further, the Reserve estimates receiving \$16,000 from its first timber harvest in 2001. In addition, federal funding has been granted for portions of trail and bridge construction projects.

5. Much of the revenue collected by the Reserve has been used to purchase grounds equipment and for the upkeep of trails. As visitor numbers increase, while additional maintenance may also be required, more funds will be available to maintain the area. In addition, since it is estimated the Kickapoo Valley Reserve will earn \$41,000 in 2000-01 in new revenues from agricultural lease payments and a timber harvest, these revenues could be considered for additional staff resources. The Committee could choose to fund a portion of the law enforcement costs from these program revenues instead of using forestry account dollars. However, Reserve officials anticipate that agricultural lease revenues will diminish in future years. Further, revenue from timber harvesting will fluctuate annually, with the potential that in some years, no funds may be

received. Finally, use of Reserve revenues for enforcement staff would limit maintenance and trail development activity.

6. The primary source of revenue deposited in the forestry account of the conservation fund is the forestry mill tax, a state tax on property of 0.2 mill (20¢ per \$1,000 of property value). Other sources of revenue to the forestry account include: (a) revenue from the sale of timber on state forest lands; (b) revenue from the sale of stock from the state's tree nurseries; (c) camping and entrance fees at state forests; and (d) severance and withdrawal payments from timber harvests on cooperatively-managed county forests and on privately-owned land entered under the forest crop land and managed forest land programs.

7. Forestry account revenues are used to fund several forestry programs and related administrative activities in DNR. The main expenditure from the forestry account relates to the operations of state forest and nursery properties. Other DNR activities funded from the forestry account include: (a) forest management assistance for private landowners and county foresters; (b) aid payments under forest tax law programs; (c) county forest acreage payments and loans; and (d) forest fire control activities. The forestry account also funds programs in seven other agencies, the largest expenditures being for administrative and worker salary costs of the Wisconsin Conservation Corps and the gypsy moth program in DATCP.

8. Some would argue that funding law enforcement activities at the Kickapoo Valley Reserve is not an appropriate use of forestry account revenues and that the public should support the Reserve through user fees. On the other hand, the majority of the Reserve is forestland and the Reserve has a forestry management plan that includes timber harvesting. Thus, funding the operational costs at the Reserve from the forestry account may be viewed as appropriate.

ALTERNATIVES

1. Approve the Governor's recommendation to provide \$31,300 in 2001-02 and \$41,800 in 2002-03 from the forestry account of the conservation fund for limited-term employee staff to provide law enforcement at the Kickapoo Valley Reserve.

2. Modify the Governor's recommendation to provide \$15,700 in 2001-02 and \$20,900 in 2002-03 from the forestry account of the conservation fund and \$15,600 in 2001-02 and \$20,900 in 2002-03 from Reserve program revenues for limited-term employee staff to provide law enforcement at the Kickapoo Valley Reserve.

Alternative 2	PR	SEG	TOTAL
2001-03 FUNDING (Change to Bill)	\$36,500	- \$36,500	\$0

3. Maintain current law.

Alternative 3	SEG
2001-03 FUNDING (Change to Bill)	- \$73,100

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