

## Meeting Minutes

Wisconsin Council on Forestry  
State Capitol – Madison, Wisconsin  
February 15, 2012

### **Members Present:**

Matt Dallman, Paul DeLong, Jim Hoppe, Jim Kerkman, Jane Severt, Paul Strong, Virgil Waugh, Kimberly Quast, Mark Sherman, Mark Rickenbach, Dick Wedepohl, Henry Schienebeck, Rep. Jeffrey Mursau, Troy Brown, Randy Champeau

### **Members Absent:**

Bruce Allison

### **Guests Present:**

Mary Brown, Gunnar Bergersen, Fred Souba, Jim Warren, Earl Gustafson, Linda Parker, Manny Vasquez, Paul Pingrey, Rebecca Gass, Suzanne Fleury

### **Welcome and Introductions**

Chair Schienebeck called the meeting to order at 9:10 a.m., and thanked Vice Chair Severt for leading the December meeting in his absence. He then introduced Fred Souba, who chaired the Council since 2003. Fred formally “passed the gavel” on to Henry. Henry said that after discussions with Fred, he has concluded that they both share the same vision of multiple-use, sustainable forestry, and that he would be checking in with Fred often. He wants the Council to work toward finding socio-economic and ecological balance, and to do what it can to keep jobs here. Henry asked those present to introduce themselves.

### **Finalize Council Operating Procedures – Henry Schienebeck**

After reviewing the *Wisconsin Council on Forestry Operational Guidelines*, Chair Schienebeck noted that despite the fact that the two Senate members, one of the Assembly members, and the member representing a labor union have not yet been appointed by the Governor, the current group of 16 members is large enough to hold productive meetings and to have a quorum. He’ll be naming a Secretary soon. He emphasized the importance of bringing people from outside the Council into working groups formed by the Council to work on issues to reap the benefits of input given from other perspectives. He also emphasized the importance of treating one another in a respectful manner, and reinforced the statement that audience members should stand to be recognized when they wish to participate in a discussion. Henry believes the current pattern of quarterly meetings is appropriate for staying on top of the issues, and in general, the Council will still meet on the third Thursday of every third calendar month. Some leeway will be given when necessary, i.e. when there is another major Forestry event scheduled on that date or when the Chair can’t be present.

Because the Council met today with a full agenda, Henry suggested it would be best to wait until June to meet again, and to have a field tour for the Council members on the preceding day, as was the habit of the Council during the previous administration. Jane Severt suggested visiting the area in Iron County that could be affected by the proposed mining legislation and where the Shared Landscape Initiative demonstration project is being done. Troy Brown also thought that would be a good idea. Jane suggested Mellen as the location since the WCFA tour would be taking place there the preceding week. Kim Quast suggested Stevens Point for the September meeting, as it is a central location that would not pose travel problems for most folks. Randy Champeau offered assistance with securing a meeting facility.

### **DECISION ITEMS:**

- The Council on Forestry will meet in Mellen on June 21, 2012 at 9:30 a.m., and will be preceded by a field tour for Council Members on June 20.
- The Council will meet on September 27, 2012 in Stevens Point at 9:30 a.m.
- The Council will meet on December 20, 2012 in Madison at 9:30 a.m.
- A motion by Mark Rickenbach (seconded by Mark Sherman) that the Operational Guidelines be modified to remove specificity in regard to meeting dates was approved unanimously.

### **Council Member Core Values – Henry Schienebeck**

#### What do you define as “sustainable forest management”?

Because “sustainable management” means different things to different people, Henry asked each meeting participant to share his or her own definition in an effort to find out if everyone was on the same page. Paul DeLong offered the definition from the Wisconsin Statutes, Section 28.04: “the practice of managing dynamic forest ecosystems to provide ecological, economic, social and cultural benefits for present and future generations” as the DNR perspective. Kim Quast’s definition was “managing the resource to the best of our ability using quantifiable scientific applications and collaboration with management objectives, and finding a balance between the two.” Going around the room, it soon became apparent that finding ecological, economic, and social balance was a common theme in most of the definitions given. Council members were very receptive to an analogy Jim Hoppe made to a three-legged stool which is off balance when one leg is longer than the other two. Mark Sherman made the assertion that keeping forests as forests is critical to sustainable forestry, and that MFL is a tool for doing that.

The need to educate the public about sustainable management was another theme that emerged from the discussion. The message being conveyed in many schools is that cutting trees is a bad thing. Randy Champeau observed that for some people who own thousands of acres, the analogy of the three-legged stool means nothing. Public perception is a huge factor, and could be a reason that some private landowners aren’t in MFL. Jane Severt, Kim Quast, and Mark Sherman asserted that there is a definite lack of trust among non-MFL private landowners that the Department or other forestry professionals will do the best thing for their land. Jane Severt gave the example of a party that had suffered significant blow-down on their land during the devastating storms in the northwestern part of the state recently, yet was adamantly opposed to cutting any trees. Jim Hoppe observed that private landowners don’t understand why they can’t get the same price that public sales bring. Trying to get them to see the bigger picture is a challenge. In general, they are not giving much access to their wood fiber. Henry asked everyone to keep all of these ideas in mind for the discussion on Council priorities.

#### *ACTION ITEM:*

- Paul DeLong will distribute 2010 data on jobs and the economic value of the forest products industry to Council members.

### **Biomass Harvest Guidelines Review Process – Paul DeLong**

#### Timing of Review Process

Carmen Hardin updated the Council on the Biomass Harvest Guidelines (BHG) at its December meeting. At that time the Council agreed to make a decision at its next meeting whether or not to hold off on revisiting the BHGs until more results of the research were available. To help inform the decision, Paul distributed a report containing a summary outlining the pros and cons of reviewing them this Spring versus waiting until Fall 2013, as well as a summary of the various research projects listing the availability or expected dates of availability for the results from each. Paul introduced Jim Warren, Public Lands and Conservation Services Section Chief, who worked with Carmen on the BHGs. He updated the Council on what has happened since December.

The Guidelines became available in August of 2009. Training was provided for state and county foresters, and the Guidelines were implemented on public lands with sales in Spring 2010. Efforts were undertaken to train private landowners and Cooperating Foresters in 2010. Implementation took place on private lands under MFL with cutting notice approvals beginning January 1, 2011. Training efforts continue, and attempts are constantly being made to identify gaps as well as opportunities in the training. As of February 1, 21 county forests and 32 State properties have had sales that included fine woody debris, indicating that biomass harvests are increasing to some extent. Those numbers are expected to go up when harvests associated with the blowdown from the 2011 storms in the northwest are counted. Carmen identified an opportunity to identify some sales that actually modified the BHGs due to the northwest storms. The Rittenhouse research project focused on biomass harvests in the same area of the state. The same data could be gathered for sales in the blowdown, comparing sales where the BHGs were followed with sales where they were modified. The BHGs have been added to the Harvest Inspection Form, allowing tracking of sales.

It is now time for a Council decision on the review of the Guidelines, originally scheduled for March 2012. Jim informed the Council that there had been a lot of discussion about Appendix D, containing soil information and sites

limited under 3.B, 4.B, and 5.B, the intent of which was to give users an idea of soils that could be limiting to a potential biomass harvest, not to give the impression that there could be no harvest if present. So Carmen and the Soils Committee developed a rewrite of Appendix D. They also worked on changes to the soils list. Both were distributed to the Council. Paul DeLong suggested that the Council wait until the soil maps are done to review Appendix D. Jim Hoppe advised looking at the scoping document as part of the BHG review, and pointed out that it should include the ecological, social, and economic benefits discussed earlier.

Jim Warren went over the pros and cons of waiting until 2013 versus starting a review this spring, noting that more could be learned from a longer period of implementation and that more information would be available from the northwest storm area further out. He anticipates that a review would take between six and nine months to complete. When asked if there was a target time to start a review before Fall 2013, he said that it would be helpful internally if it did not begin before July 1. Paul agreed that waiting until summer would be helpful because Division staff are now engaged in alignment work. Matt Dallman asked if a group would be available to help the Council assess the research findings as Eunice Padley, Joe Kovach, and Carmen Wagner had. Paul Strong has asked Eric Gustafson from the Forest Service to assist, but hasn't received a reply yet. He'll follow up with him. One of their Rhinelander scientists, Dion Donna Wright, subsequently volunteered to participate if requested by the DNR. Paul DeLong said that Brad Hutnick moved into Eunice's silviculturalist/ecologist position effective January 30. He noted that he was hearing that the Council wanted a group put together that would review research results.

Jim Hoppe said that because people are anxious to know what the Council is doing, Fall 2013 is too late for the BHG review, and that something in between the two dates would work better. There is preparation work that can be started to get the process going. If an Advisory Committee is going to be utilized, for instance, it could be populated now. Henry asked if Jim would be willing to lead a subcommittee to get that started. He replied that he'd be interested in being involved in an Advisory Committee if there was one. Jane Severt recommended reassembling the Advisory Committee. Paul DeLong advised having it work on the scoping document. The conclusions that Chair Schienebeck drew from the discussion he'd heard thus far were that the Advisory Committee should be brought back, that Jim Hoppe would like to be involved with it, but not necessarily lead it, and that it could get started ahead of time. A scientific review panel would be doing a study themselves, and could present its findings to the subcommittee for the Council to take action on. Henry asked who would be willing to chair a subcommittee to frame out all the elements of the process, including defining an Advisory Committee. Matt Dallman said he would if no one else came forward. Jim Hoppe, Jane Severt, and Mark Sherman volunteered as members. Matt would like to have someone from the DNR as well. Paul DeLong agreed to provide someone.

#### DECISION ITEMS:

- A motion by Paul Strong (seconded by Matt Dallman) that the Council will forego making a decision to conduct a review of the Biomass Harvest Guidelines in either Spring 2012 or Fall 2013 as previously planned, and instead go through the process outlined above passed unanimously.
- A subcommittee consisting of Council members Jim Hoppe, Jane Severt, Mark Sherman, and Matt Dallman as Chair, as well as on DNR staff person was formed and charged with framing out the entire BHG review process including the evaluation of research, re-forming the Advisory Committee, the public input process, and Council deliberation on changes to the Guidelines.

#### ACTION ITEMS:

- Paul DeLong will see that that the soil survey maps are sent out to Council members when they are done.
- Paul DeLong will provide a staff person to serve on the subcommittee charged with defining the review process.
- Paul Strong will follow up with Eric Gustafson at the USDA in Rhinelander on his request for temporary help from the scientists there to support the research review.

### **Clean Water Act Silviculture Exemption Resolution – Henry Schienebeck**

For 35 years, the EPA's Silvicultural Rule has been interpreted to exempt stormwater runoff from forest roads from National Pollution Discharge Elimination System permit requirements because it was considered to have originated from indirect, or "non-point" sources. A recent court ruling involving two roads in an Oregon State Forest has threatened the exemption by holding that the runoff from logging roads originates from direct, or "point" sources because it is associated with industrial activities. In Wisconsin, this would mean thousands of new stormwater permit applications. The permit requirements could discourage many landowners from harvesting timber and increase costs for the logging industry. Landowners and operators could be subject to third party challenges under

the Clean Water Act (CWA). As a result, the amount of timber harvested in Wisconsin could decline, posing a very serious threat to our state's economy.

Chair Schienebeck said that it was important for the Council to consider a resolution to support the longstanding interpretation of the CWA as it applies to forest road construction and maintenance. Paul DeLong said that both the National Association of State Foresters and the Association of Clean Water Administrators support this position. Wisconsin's U.S. Senators are co-sponsoring the Silvicultural Regulatory Consistency Act, a bill that would codify the silvicultural exemption, and has bi-partisan support in Congress. Jane Severt said that the Solicitor General is seeking input, and that it would be appropriate for the Council to write a letter. Mark Rickenback offered to draft a letter which would emphasize the history of the BMPs for Water Quality in Wisconsin, how this is a diversion from other water quality issues, and the Council's support for the Silvicultural Regulatory Consistency Act.

DECISION ITEM:

- Mark Rickenbach will draft a letter on behalf of the Council communicating its support of maintaining the Clean Water Act silvicultural exemption for forest roads, and distribute it electronically to the Council within the next three weeks for comments before finalizing.

ACTION ITEMS:

- Council members will send Mark suggestions on the content of the letter electronically within the next ten days.
- Paul DeLong will redistribute a paper detailing the history of the exemption and the specifics of the court decisions that he had originally sent electronically to Council members in early January.

**Council Priorities**

Establish priorities for Council work in 2012

The Council members present at the December meeting generated a preliminary list of 10 possible priority items.

- Review and expand list generated in December  
After the December meeting, members submitted additional options to Henry, and a consolidated list of 20 items was created and distributed to members for consideration:



Reference  
List.Priorities.doc ...

- Evaluate priorities  
Henry reminded Council members to keep the definition of sustainability in mind from their earlier discussion while evaluating the priority options. He reminded them that they could only accomplish so much in a limited amount of time. He suggested working on only a few items at a time, concentrating on items that are not already being dealt with by other groups. He proposed that subcommittees be formed to look at the items selected. Paul DeLong said that it was important for the Council to think about what it is in the best position to do, to look for key priorities where nothing will be accomplished without Council engagement, and for issues that have risen to a point where the Council should take them on. It should look for ways it can influence the work of others. One possible role of the Council could be to provide a focal point for the collective work of other groups working on a particular issue, such as education. Paul Strong pointed out the importance of doing a gap analysis to test the validity of any assumptions about the issues chosen to prevent wasting time and energy on them. Henry said that that conducting a gap analysis should be the first job of the subcommittees before commencing work on the items chosen.

Keeping these points in mind while looking through the list of possible priorities, three items that had emerged in the earlier discussion about achieving sustainable management were identified as important for the Council to work on: education, timber supply, and MFL. Henry appointed subcommittees to work on each. Paul DeLong said that deer should continue to be a Council priority as in past years, and that the Council needs to be able to respond with its comments to Dr. James Kroll's draft report on deer in Wisconsin, which is due to come out in March. Dr. Kroll will be taking comments from March through June. Jane Severt, Jim Kerkman, Matt Dallman, and Kim Quast volunteered to draft a response for Council consideration once the report comes out.

Jane said that hosting the Legislative Tour was a good role for the Council that should be continued, as its purpose is to educate and expose the Legislature to forestry issues. Rep. Mursau, who was in attendance for the last tour, agreed wholeheartedly, and said that if a tour took became an annual event, more legislators might be likely to attend. A committee was formed to plan the next tour, headed by Jane and John DuPlissis. At this point Chair Schienebeck remarked that with the five items identified, the Council was off to a good start with plenty to work on for now, adding that other items could be added later.

DECISION ITEMS:

- The Education Task Force will develop a framework, to be reviewed by the Council, which it will use to identify gaps, inventory recurrent activities and funding, assess desired outcomes, and recommend actions. Members will include Randy Champeau as lead, Jim Hoppe, a UW-Extension person (likely Ken Genskow or Mark Rickenbach), and someone from the DNR.
- The Education Task Force will report its findings at the June 21<sup>st</sup> Council meeting.
- The Timber Supply Task Force, consisting of Virgil Waugh, Kim Quast, Mark Rickenbach, Troy Brown as Chair, and a DNR staff person, will frame out the issue and identify the variables, including logger supply, who is cutting and who is not, barriers to management, factors to influence change, and seasonality issues.
- The Timber Supply Task Force will report on its progress at the June 21<sup>st</sup> Council meeting.
- A committee chaired by Jane Severt including Kim Quast, Matt Dallman, and Jim Kerkman will draft a response on behalf of the Council to Dr. Kroll's report on deer once it comes out, and will distribute it to Council members electronically for their input before finalizing.
- The MFL Task Force, consisting of Mark Sherman, Kim Quast, Virgil Waugh, Rep. Mursau, Troy Brown, Dick Wedepohl as Chair, Jim Kerkman or another SAF staff member, George Meyer from the Wisconsin Wildlife Federation if possible, and a DNR staff person, will assess all aspects of the MFL in order to develop possible recommendations for the Legislature to consider in its next session.
- A Legislative Tour Committee headed by Jane Severt and John DuPlissis, with Henry Schienebeck, Troy Brown, and tentatively Earl Gustafson, will plan tour for 2012-2013.

ACTION ITEMS:

- Paul DeLong will provide Division staff to serve on the Education, MFL, and Timber Supply Task Forces.
- Jim Kerkman will designate a Society of American Foresters representative to serve on the MFL Task Force.

**Legislative Report – Rep. Mursau**

Rep. Mursau has asked Paul DeLong to come to the next hearing of the Forestry Committee to give an update on a number of issues. He gave a synopsis of items relating to forestry that his District office has been working on:

- PILT Payments – There is a problem with PILT payments not going to the schools. They now go first to the Towns, with some of the money being sent back through and going to roads, not to education. If the payments went first to the schools, we'd be able to get all of the money meant for Wisconsin. The problem is that there is a one-year lapse. Rep. Mursau is working with Rick Stadelman of the Towns Association and John Forester of the Department of Public Instruction on how to overcome that obstacle.
- MFL Legislation – Sen. Schultz will soon be sending Rep. Mursau the MFL legislation. There have been many comments received on it, both positive and negative. He feels that the MFL Program is very important to Wisconsin, and that any decisions made need to be made very carefully to avoid inadvertently negating any of its many beneficial effects. He wants to be sure all the right people, including the Council, are at the table first, and if they are not, this legislation may not come up during the current session.
- Timber Harvests on National Forests – Many communities in Forest and Florence Counties contain large tracts of National Forestland, and Rep Mursau is working with the Forest Service to get them cut. Some of the mills are shipping hardwood in from Canada to keep going, but they won't be able to do that forever. They are losing loggers because when they have no work, they tend to get out of the business. Eventually, there will be sawmills and paper mills to supply.

Some bills are coming through this session that affect our outdoors, including the Wetlands Bill, which was held up for a third reading in the Senate due to objections to messaging, and taken up again the next day, so the Assembly won't be taking it up on February 16<sup>th</sup> as planned. Rep. Mursau said that the bill drafters have been working very closely with the DNR to ensure that what they are doing will help the environment, and said that it would in fact result in a net gain to our wetlands. The most contentious issue has been over the seven wetland types designated Areas of Special Natural Resource Interest (ASNARI). Wolf bills are coming up and some hunting bills have

already been passed. The bill affecting truck weigh limits went through the Committee and went into Executive Session.

Paul Strong updated the Council on some proposals in the Forest Service portion of the President's budget which was submitted to Congress. One of them involves payments to communities from the 25% Fund for Schools. The Administration is proposing a five-year reauthorization of funding and revision of the allocation split between three titles. Another proposal would give the Agency permanent authority to enter into Stewardship contracts.

### **State Forester's Report – Paul Delong**

Paul announced that the Forest Products Laboratory in Madison celebrated its Centennial in 2010 and produced a very attractive book to commemorate it. The Lab wanted all Council members to receive one of the books, and Paul distributed copies to all who were not already in receipt of one.

### Update on Annosum treatment

The efficacy and efficiency of applying Sporax has improved, and the price is going down. FISTA, DATCP, and GLTPA have all been working toward these goals. There are now a DVD available, and training course followed by a certification test on the same day. The use Sporax with an antifreeze was approved; the effectiveness of this is still being assessed. The Department is using the same protocol that was in place last winter. An effort has been made to improve its ability to identify where treatment is really needed, based on risk. Paul will keep the Council informed of the process.

- Licensing (DATCP)

DATCP is responsible for licensing fungicide applicators, and is requiring those who plan to apply Annosum treatments to obtain Pesticide Applicator Licenses. Unlike farmers, loggers are considered commercial applicators. Sporax is the agent being used most extensively. The DNR and DATCP Secretary's Offices have discussed the licensing requirements, and are planning future discussions, which will include GLTPA.

- Timber sale bids

Discussions are taking place about whether to separate annosum treatments from the bid itself in the bidding process, and about whether to bid the treatments separately. The DNR's standpoint is that it could be a separate part of the bid, however, the total dollar amount would be the deciding factor in selecting a contractor for the sale.

### Research accomplishments

In 2006, the Council on Forestry Task Force on Forestry Research produced a report which grouped research into eight areas of emphasis:

- 1) Sustainable Management Certification for Wisconsin's State, County, and Private Forests
- 2) Conserving Wisconsin's Biological Diversity
- 3) Enhancing Wisconsin's Urban Forests
- 4) Managing the Impacts of Changes in Wisconsin's Land Use and Forest Ownership
- 5) Enhancing Assistance to Wisconsin Private Forest Landowners
- 6) Minimizing the Threat of Invasive Exotic Species to Wisconsin's Forests
- 7) Maintaining Wisconsin's Forest-Based Economy
- 8) Minimizing Recreational Use Conflicts in Wisconsin Forests

Paul distributed a summary report of research projects currently in progress in each of the areas of emphasis, prepared by Dr. Karl Martin, Wildlife and Forestry Research Section Chief in DNR's Bureau of Science Services. The report is not all-inclusive, but Paul hopes it will stimulate thinking, as it would be valuable to have the Council weigh in on this area. Mark Rickenbach said that he would provide a summary of current research projects at the UW as well.

### ACTION ITEM:

- Mark Rickenbach will prepare a summary of research projects at the UW and distribute it to Council members.

### Business Plan process

After the Department completed the process of developing the Division of Forestry Strategic Direction last year, it initiated a process to develop a plan for its implementation. Comments were solicited from forestry stakeholders, and concerns were voiced that the contents of the intent statements pertaining to the eight main Division Programs did not clearly outline outcomes to ensure they would be considered valuable by partners and customers.

Further discussion led to the decision to develop Business Plans to clearly define the outcomes in each major program area and lay out exactly what steps need to be taken and what needs to be acquired. The proposal was made to form teams for each program area composed of partners and stakeholders, a Division of Forestry employee, and a Council member who will serve as the Liaison between the team and the Council. The DNR will be engaging the tribes throughout the process. The Business Plans are scheduled to be completed by June 30<sup>th</sup>, and will be reviewed by the Council at its June meeting before finalization.

Council Liaisons were assigned to work on each of the program teams as follows:

- 1) Fire Protection – Owen Martin, CNNF Deputy Forest Supervisor (at Paul Strong’s recommendation)
- 2) Forest Management on Private Lands – Kim Quast
- 3) County Forest Management – Jane Severt
- 4) State Lands Management – Matt Dallman
- 5) Forest Health – Jim Kerkman
- 6) Urban Forestry – Bruce Allison
- 7) State Nurseries – Paul Strong
- 8) Market Development – Troy Brown

### DECISION ITEM:

- The business plans developed by the program teams will be brought to the June 21<sup>st</sup> meeting for Council review before being finalized.

### **Next Meeting Date and Agenda – Henry Schienebeck**

The Council will not meet again until June 21<sup>st</sup>, most likely in Mellen. Agenda items will include:

- BHG Subcommittee Update on Review Process
- Education Task Force Findings
- Timber Supply Task Force Progress Report
- Deer Task Force Update
- MFL Task Force Report
- Legislative Tour Committee Update
- Business Plan Review with Council Liaisons
- Legislative Update
- State Forester’s Report

The field tour for the Council members will take place on June 20<sup>th</sup> in the same general area, and will offer, among other things, opportunities to study examples of climate adaptation techniques and to visit the Shared Landscape Initiative demonstration project. Matt Dallman and Jane Severt will assist in planning the tour.

### DECISION ITEMS:

- The Council will forego its March meeting to allow members time to complete assignments received today.
- The Driftless Forest Initiative will be an agenda item for a future Council meeting.

The meeting was adjourned at 3:40 p.m.

Submitted by:

Mary Brown, WDNR