

Governor's Council on Forestry

Forest Products Laboratory
One Gifford Pinchot Drive
Madison, WI 53726

May 26th, 2016

Council Members Present: Bruce Allison, Paul DeLong, Henry Schienebeck (Council Chair), Jane Severt (Vice-Chair), Richard Wedepohl, Tom Hittle, Senator Janet Bewley, Paul Strong, Ken Price, Jim Hoppe, Virgil Waugh, Matt Dallman, James Kerkman, Representative Jeff Mursau, Mark Rickenbach

Council Members Absent: Troy Brown, Senator Tom Tiffany, Representative Nick Milroy

Guests Present: Ken Zabel, Carmen Hardin, Deanna Jones, Nancy Bozek, Steve Ring, Fred Souba, Sarah Gilbert, Rebecca Diebel, Jessie Augustyn, Kelsey Pickart, Scott Walter, Dan Peterson, Gerry Mich, Ron Eckstein, Ron Gropp, Danielle Jones

Chair Schienebeck called the meeting to order at 9:05 AM with introductions of Council Members and guests.

Meeting Minutes

Wisconsin Forest Practice Study: Update on Reports and Committees **Fred Souba**

Fred provided updates regarding the committees that had been formed to develop recommendations from the Wisconsin Forest Practice Studies. Three committees have been formed: Wood Supply Analyses, Effects of Forest Practices and Restrictions, and Silvicultural Considerations for Northern Forest Types. Each committee will be given a standard template to present the information and recommendations that they develop in June, 2016. These recommendations will be presented to the Council in September, 2016. Committees should be evaluating whether conclusions from the studies can be used to guide policy decisions in the future.

Henry and Jane explained that there has been quite a bit of interest in the studies from the media, and that council members should remind media contacts that we would like the studies to stay as one cohesive project and conclusions and recommendations have not been made yet. Henry advised that folks who published the studies are free to answer questions from media, but urged them to remember that they are part of a larger project.

MFL Legislation (Act 358) Update **Ron Gropp (WDNR)**

Ron Gropp (WDNR) provided an update on MFL legislation (Act 358). [A copy of Ron's presentation will be posted on the Council's website. More detail on the changes are included in the presentation.] Major changes will include:

1. Additions
 - a) Applies to all entries regardless of year of entry

- b) Withdrawal and re-designation no longer applies; must be converted to additions
 - c) Additions must meet requirements
 - d) Acres not limited
 - e) Taxed at the rate of the current entry
2. Voluntary Withdrawal Options
 - a) An entire parcel or parts of a parcel of MFL land
 - b) All MFL land within a quarter-quarter section, government lot, or fractional lot
 - c) An entire MFL order
 3. Land Remaining After Withdrawal
 - a) Pre-2017 Entries:
 - must meet pre-Act 358 and new eligibility requirements
 - Productivity – LO (landowner) may be able to withdraw under the productivity or sustainability provision w/o fee & tax assessment
 - b) 2017 & Later Entries:
 - must meet Act 358 eligibility requirements
 - Productivity – LO may be able to withdraw under the productivity or sustainability provision w/o fee & tax assessment
 - If renewed using the one-time option (e.g. < 20 acres), remaining land must be at least 10 acres
 4. Transfer of Ownership
 - a) Transfer eligibility based strictly on whether the land involved meets eligibility requirements
 - b) Any remaining land < 10 acres created as the result of a transfer involving a pre-2017 entry/order must be withdrawn; withdrawal tax and fee assessed.
 5. Contracts
 - a) All current and future MFL orders are now considered contracts
 - b) Re: future statutory or promulgated rules that “materially changes” the terms of the order, LO must accept contract modifications, or voluntarily withdraw without withdrawal tax and fee
 - c) Material changes will be defined during the rule making process
 6. Renewals
 1. 2017 and future entries: to be eligible as a renewal (not need a management plan):
 - Land must:
 - >meet the eligibility requirements under s. 77.82(1), Wis. Stats.*
 - >be identical to the land under the existing entry/order
 - Landowner must be in compliance with their current management plan, and the management plan must:
 - > contain mandatory practices during the term of the renewed order (i.e. the next 25 or 50 years) if determined to be required
 - > have been updated within the 5 years prior to the application date of the renewal to reflect the completion of mandatory practices
 - > Mandatory practices must have been reviewed within the 5 years prior to the application date of the renewal
 - No delinquent taxes on the land
 - *Act 358 allows for a one-time renewal option for pre-2017 entries between 10 – 20 acres without meeting the new 20 acre requirement. At the time of renewal:

>Must meet the new eligibility requirement (i.e. no buildings or improvements).
>Any acreage exclusion (e.g. building or an improvement), deems the land not identical to the land in the current entry/order, and therefore would not qualify as a renewal.

- Lands less than 20 acres must be considered a renewal in order to qualify for continued enrollment.

Paul DeLong clarified that these law changes enable a broader group of individuals to proceed with implementing practices under approved plans, but it does not give them the ability to conduct a practice inconsistent with approved forest management guidelines, nor inconsistent with the landowner's MFL plan. Accountability lies with the landowner. Paul also noted that a set of guidelines will be going out for a 21 day review to provide guidance between when the MFL changes go into effect and the development of an administrative rule.

Nancy Bozek commented that she believes there is a misinterpretation of the withdrawal fees and tax. The intent was to maintain compatibility with the local ordinance.

Action Item:

Paul DeLong will seek legal counsel to address Nancy's concern and report back at the July 14th meeting.

Governor's Economic Summit Committee Updates

Paul DeLong

Paul provided an overview of the work committees had done to address actions after the Summit. Each committee reported out on what has been done to date and made a recommendation on future steps. The Council discussed their role and what next steps should be. Many felt that the Council could be a sort of "clearing house" for information but that it was not necessary for the Council to have its own committees in all cases. It was also noted that because there was so much interest from organizations in the industry, the workforce development committee could be lumped with public outreach.

Action Item: The council will disband the workforce development committee, market development committee, and private forestry committees with the acknowledgement that important gains and accomplishments have been made and these continue to be a priority for the Council. The work by Don Peterson will be carrying forward many of the items from the market development committee.

Action Item: Jane will combine and lead the Public Understanding committee and the Workforce Development committees to develop a core marketing message for general forestry promotion throughout the state.

The council discussed whether to hold another summit and what it would look like. Many expressed interest in having an organized annual or biannual event to showcase achievements in Wisconsin forestry. Some believed that this would be a wonderful public event that would draw national attention.

Some considerations that were discussed included time of year, holidays, partnership with related organizations, and timeline of Forest Practice Study report finalization.

Action Item: The council is in favor of hosting some sort of event. The DNR Forest Products Services Advisory Committee will be asked to put together suggestions and ideas and report back to the council at the September meeting. Council member Mark Rickenbach will also consult with members of the Ag Council to gather insight on their annual Ag event.

LUNCH

Tree Farm 75th Anniversary Plaque Presentation

Dan Peterson

Paul presented the Governor's Commendation to Dan Peterson to congratulate the American Tree Farm organization on their 75th anniversary.

Wood Turtle Status Update

Drew Feldkirchner

Drew Feldkirchner (WDNR) met with the Council to update them on the Wood Turtle status and how it could affect forestry practices. The Broad Incidental Take Permit will likely be finalized by the end of May and will be distributed to the Council. Drew also reminded the council that the likelihood of forest management activities affecting overall health of wood turtle populations is very low.

Board of Commissioners of Public Lands (BCPL)

Jonathan Barry

Executive Secretary Jonathan Barry and Deputy Secretary Tom German visited the Council to provide updates on BCPL lands. He explained that BCPL continues to harvest land for income using sustainable forestry management techniques. The proceeds from harvests are used to increase trust funds for education.

Legislators' Report

Representative Jeff Mursau

Representative Mursau updated the Council on current happenings in legislature. Comments and suggestions are now being accepted regarding guidance on MFL bill. He does not feel legislature is opposed to having a trailer bill next session to correct items in the bill just passed.

Chief State Forester Report

Paul DeLong

1. WDNR Alignment

The department is still working on Alignment; no concrete decisions have been released yet but anticipating sharing results in late summer.

2. Forestry headquarters Update

As requested under WI Act 55, the DNR is developing a proposal for the potential relocation of the Division of Forestry headquarters outside of Madison. Proposal needs to include: costs of relocating the headquarters, a timeline for implementing the relocation, and a list of options for northern locations in

the state. The department is responsible for submitting a proposal, which the Secretary will do as part of the agency's budget submission in September of this year. The resulting proposal will go to Gov. Scott Walker and the Legislature for consideration as part of the 2017-2019 biennial budget, a process that will begin during the winter and spring of 2017. The Department put out a request for information, or RFI, in order to learn which communities may be interested in serving as home to the forestry headquarters and could meet the needs for a headquarters site. RFI due May 26.

3. Good Neighbor Authority Update

The first tree has been cut! Many thanks went to Paul Strong and his staff for making GNA possible. Paul (Strong) expects about 1 million dollars of excess funds to be left over that will be eligible for other activities in the National Forests. He plans to bring back project plans to the council in the future to gather input.

The department is nearing the completion of the prescriptions written for the 5700 acres being worked on this year. Over 50% of the acreage has timber sales established. The department is establishing and has plans to complete all year one areas by October. Many of these stands are in different stages of completion. Crews are writing up sales now for approval. 12 contractors are marking and cruising on 1329 acres of GNA sale stands.

First sale to be harvested is occurring right now, a salvage operation from the wind storm September 2014 (Weasel Creek). April 20th timber sale bid opening for 8 sales on both West and East side.

- West side: 6 sales, 22 different bidders, 831 acres sold
 - a. Volume sold: 11,123 cords and 217 MBF
 - b. Appraised value: \$210,848
 - c. Sold value: \$510,557
- East side: 2 sales, 9 different bidders, 497 acres sold
 - a. Volume sold: 3615 cords of red pine, 255 cords of aspen
 - b. Appraised value: \$238,236
 - c. Sold value: \$301,310

The department will be holding another timber sale bid opening in July with roughly 8-10 sales.

Counties and consultants are working with the department on these acres. Bayfield just signed an MOA. Six counties total (Bayfield, Oconto, Langland, Florence, Sawyer, Forest).

4. Fire Season

It was an average year in terms of total fire numbers with a few days of very challenging conditions. Prevention and awareness seem to be working as fire start numbers were relatively low. Although the number of fires was normal, the acreage burned is only 1/5 of the normal amount, reflecting in part compliance by the public with notices of high fire danger, including red flag warnings.

5. Forest Management Guidelines

The guidelines are scheduled to be updated this year. The department is proposing the approach to simply update rather than redo the guidelines. Information regarding this will come out soon with proposals for sections that need to be done. It will go back to NRB for approval following updates. The guidelines should be completed by early 2017.

6. Deer

Paul encouraged the Forestry community to constructively engage on issues like this as a collective group. Policy is made by those who are present, and he feels that the forestry community could be helpful in supporting and forming deer management proposals. Forest regeneration is a factor in the new metrics system being used to inform deer hunting season regulations. These sentiments were echoed by many members who agreed that it is the Council's responsibility to bring forestry stakeholders together. Paul also stressed that these discussions need to happen sooner rather than later.

Action Item: A discussion regarding deer impacts to forestry and the Council's role in this issue will be added to the July 14th meeting agenda.

7. Forest Economic Fact Sheets for each county and statewide

A forest economic fact sheet for each county and statewide is now on the WDNR website for each county in Wisconsin. Julie Ballweg put this together and we thank her for all of her effort. Profiles will be updated as more data is collected – likely every 2 years. Web address: <http://dnr.wi.gov/topic/ForestBusinesses/factSheets.html>. These sheets show the direct economic effect of forestry in the county (e.g., employment, output, and value added).

8. Forest Legacy Purchase

A 7,000 acre addition was made during the 3rd phase of the Forest Legacy project on May 25th.

Brule St. Croix Phase 3 conservation easement purchase of 7,090 acres in Douglas County from Lyme Solon Springs Forest Company, LLC. Funding of \$3,545,000 came from the Knowles-Nelson Stewardship fund. This Property is comprised of scattered parcels located within the boundaries of the previous 2 phases on the Brule St. Croix Legacy Forest. Phase 3 fills in gaps within conservation and management from the previous conservation easements. Approximately 1,924 acres of the easement property is located within the Brule River State Forest acquisition boundary. In April 2016 Lyme Solon Springs Forest Company acquired the property from another Timber Management Investment Organization. This purchase and subsequent conservation easement encumbrance by the State unites this previously fragmented landscape into a single ownership.

Lyme and future owners will need to manage the forest consistent with the purposes of the conservation easement and ensure the conservation values are protected in perpetuity. The Brule St. Croix Legacy Forest conserves 72,957 acres of forestland and ensures this large block of northern forest will continue to provide for sustainable timber management and harvest, and continue to provide wildlife habitat and public outdoor recreation opportunities in the region.

Summer Field Trip

Ideas for the 2016 Summer Field Trip were proposed. A few suggestions include:

- Lands heavily impacted by deer browsing
- Fort McCoy
- Florence County
- GNA lands

Action Item: The council will discuss and vote on a location for the Summer Field Trip.

Next Meeting: July 14th someplace centrally located

Adjourn @ 3:20 PM