

Council on Forestry Meeting
Aldo Leopold Legacy Center, Baraboo, WI
September 9-10, 2013

Council Members Present: Rep. Fred Clark, Troy Brown, Matt Dallman, Paul DeLong, Tom Hittle, Jim Hoppe, Jim Kerkman, Rep. Jeff Mursau, Kim Quast, Mark Rickenbach, Jane Severt (Council Vice-Chair), Henry Schienebeck (Council Chair), Sen. Tom Tiffany, Richard Wedepohl, Virgil Waugh, and Bruce Allison

Council Members Absent: N/A

Guests Present: Matt St. Pierre (for Paul Strong), Terrisa Mulder, Allison Hellman, Teague Prichard, Carmen Hardin, Tia Nelson, Greg Rebman, Jeremy Solin, Fred Souba, Bob Mather, Earl Gustafson, Gunnar Bergersen, and Andy Gill

Chair Schienebeck called the meeting to order at 8:03 am with introductions of Council members and guests.

The meeting began with a brief discussion and comment session on the previous day's tour. On September 9, 2013, the Council combined with members of Legislature completed a tour of The National Historic Landmark Aldo Leopold Shack where they learned about the history of Leopold pines in addition to the thinning and utilization of said pines. The second stop on the tour was Devil's Lake State Park. At the park, a tour was given of an established timber sale and high-density reforestation. The final stop on the tour was the property of Doug Duren in Cazenovia. An overview of forest management was given and a tour of the Duren property. In addition to the stops along the tour, discussion took place regarding Emerald Ash Borer, Management on state owned forest lands, The Driftless Forestry Network (DFN), and wood markets in Southwest Wisconsin.

Meeting Minutes

MFL Summary Statement –

Tom Hittle

At that last Governor's Council on Forestry (Council) meeting we supported a statement of general approval, a summary report which was complete and has since been added to the Council website. There are still three remaining items requiring additional discussion.

Jane and Henry met with Deputy Secretary Matt Moroney and Darrell Zastrow of the WDNR to get some direction on moving forward with the three outstanding items. The decision was made to create a separate committee for each item which would include various stakeholders in addition to Council members. Regarding the open/closed rate issue, concern was expressed regarding the two rates being too close together, possibly devaluing the public access component of MFL, if changes were made. The Council will discuss and make decisions regarding who the committee members for each topic should be. Rep. Mursau stressed the importance of having a diverse group of individuals within each committee so that the outcome isn't viewed as more favorable for one group. The focus needs to be centered on the overall best outcome for the state. The intention is to move forward with drafting legislation addressing the 21 items that have Council consensus. In the meantime, the Council and said committees

will continue to dissect the three proposed modifications that are outstanding. Sen. Tiffany and Rep. Mursau will be meeting Thursday, September 12th to prepare the package of 21 recommendations for legislative consideration.

Wisconsin Woodland Owner's Association (WWOA) has asked Bob Mather and Tom Hittle to give a brief update on the current state of Managed Forest Law (MFL) and the proposed revisions at their meeting this month.

Action Item(s)

- ***Tom Hittle will prepare a letter of support to accompany The Council's suggested MFL revisions. The draft will be sent to Council members electronically for comment with a 2 week deadline. The letter should be addressed to all Legislators and reference the Council report.***

George Meyer, Executive Director of Wisconsin Wildlife Federation addressed The Council. His group generally supports the proposed package but would like to stress to The Council the importance of maintaining public access on MFL lands and he urges the Council to take this into consideration.

MFL Streamlining –

Teague Prichard

The purpose of this project is to identify potential actions, policies, procedures or products that can reduce the amount of time the DNR spends administering Wisconsin's forest tax programs.

In June 2013, an internal DNR Tax Law Efficiency Team was commissioned to identify areas within the program that take the greatest amount of staff time and resources that were identified in the 2012 Dovetail report; and that are related to the administration and implementation of the MLF program. More specifically, the team was directed to address the following:

- 1) Define Acceptable Practices and Standard Operating Procedures for Cutting Notices and reports.
- 2) Determine if there are differences between what MFL allows and how the Silvicultural Handbook is applied.
- 3) Review Tax Law Handbook processes, rules, and requirements in addition to determining their value and identify ways to improve efficiencies.

Discussion:

Teague communicated to the Council the team's findings. Some of the ideas identified for further discussion include:

- 1) Reinvent the Cutting Notice with a renewed and focused name
- 2) Resolution of different definitions between Tax Law Statutes and Silviculture Handbook Guidance
- 3) Develop a clearly defined policy that defines sound Forestry for MFL using the DNR Silvicultural Handbook and the Wisconsin Forest Management Guidelines (FMGs) as generally acceptable practices
- 4) Identify and share a list of known Silviculture Variance Requests to date with Silviculture team (internal and external)
- 5) Consolidate current Standard Operating Procedures for Cutting Notices

- 6) Create a revised and expanded Cutting Notice form
- 7) Create a new, webpage for Cutting Notice guidance
- 8) Develop a centralized process for Cutting Notices
- 9) Develop criteria to determine when to invest in a field review to approve a Cutting Notice
- 10) Use a standard evaluation process – providing a consistent method to evaluate a proposed harvest on MFL land
- 11) Develop an accountability measure for Cooperating Foresters regarding Cutting Notice elements
- 12) Expedite the development of electronic submission and review of Cutting Notices within WisFIRS private lands
- 13) Create dynamic, timely, transparent, and institutional process for updating Standard Operating Procedures
- 14) Evaluate opportunities to streamline the NHI Review Process as it relates to Cutting Notices

There was a question regarding the role of consultant foresters versus that of department foresters. Paul stated the DNR Forester would still be involved with landowners; however their focus would be better directed to those owners that need education and are not yet working with a Cooperating Forester. Building relationships is still very important but the overarching goal is to reduce the overall time commitment spent on administration and get the most “bang for the buck.” There was a question regarding development of criteria to be used in making department determinations of work being done by consulting or cooperating foresters. Kim had concerns with the fact this information would be open record which would cause concern among Cooperating Foresters. Richard feels the information within the MFL contract documents is far too complex and the average landowner may not understand what they are signing. Paul stated this would encourage landowners to hire a Cooperating Forester. *Paul clarified that these aren't Department proposals or recommendations. Rather, they are a set of ideas and concepts that have been generated for the purpose of stimulating dialogue and are meant to generate more focused discussion by Council and others in the forestry community.*

Action Item(s)

- ***Paul will send the report to Council members by September 20 and they will be given the opportunity to provide feedback.***

Biomass Harvesting Guidelines –

Matt Dallman

Supporting Documentation

Matt Dallman gave a presentation of the recommended changes suggested by the Biomass Harvesting Guideline Advisory Committee (BHG AC).

Suggested Next steps

- October: Technical Committee begins work on Field Manual revisions & soils subcommittee will be reconvened
- December or January: BHG AC meets again to review results of soil subcommittee & review recommendations for research, monitoring, training & implementation steps

- February or March: BHG AC reviews field manual & opportunity for public input provided as required for DNR program guidance
- April or May: Final draft of BHG Field Manual presented for approval

Discussion:

Jane acknowledges the BHG AC understands Biomass markets haven't developed as quickly as people thought they might. Henry wanted clarification regarding potential items the new soils committee will evaluate. Carmen suggested the group will be reviewing what is there and verify nothing has been missed in addition to addressing anything that may have been missed in an attempt to assist the science. Current guidelines have been implemented since 2010 on state and county land and 2012 on MFL. Council agrees to allow the BHG AC more time.

MOTION:

Jim K. made a motion to approve the next steps in the Biomass Harvesting Guideline Review document as outlined above, Fred seconded the motion. Motion approved.

Forest Practices –

Mark Rickenbach/Henry Schienebeck

Supporting Documentation

Henry presented the Draft Research Direction document prepared by Mark Rickenbach. This document details potential research direction possibilities for the upcoming grant. Henry and Jane made a decision not to complete the request for proposal (RFP) process and move forward with having the National Council for Air and Stream Improvement (NCASI) serve as the "general contractor" for the study. Henry and Jane addressed questions regarding why an RFP process is not going to be used. They did note that RFPs will like be developed for specific areas of study. Henry was asked to add "what is the definition of sustainability." Fred would like to see a complete proposal from the company showing goals/outcomes/methods/cost, etc.

Governor's Forest Economic Summit –

Henry Shienebeck

Don Peterson is Chair of the Summit Committee and there have been several meetings to date. The Governor's Forest Economic Summit will be held on December 12-13th and logistical arrangements are well underway. Questions still remain regarding who will be invited as this will be an invite only event and how to ensure productivity and useful outcomes from the event. The Summit will be held in Madison at the Concourse. Day one, Governor Walker will kick off the event followed by panel discussions to layout the issues. The second day will consist of breakout sessions oriented toward a set of eight identified issues. The Forest Economic Summit Committee is meeting again Thursday, September 12 to further discuss the agenda. Henry feels there may be some opportunities available for sponsorships for the event. The goal is to have a set of actions developed from the Summit. This is not meant to be simply a discussion; there is a desire to identify action steps for the council and others to work on following the summit. A question was raised regarding facilitation and support for the various breakout sessions. It will be important to track this information. Matt Dallman asked whether the "issues" will be identified in advance and Paul confirmed they will be. He also mentioned attendees will have the ability to identify preferred breakout sessions when registering for the event. The planning

committee did reach out to constituencies to determine the “hot topics/issues” that need to be discussed in breakout sessions.

Funding conversation: There was discussion about offering a sponsorship opportunity to cover some of the expenses. The exact sponsorship details and levels have yet to be determined. In addition a grant has been provided to assist in the coverage of planning expenses. There will also be a modest registration fee for attendees. There will be more concrete information available after Thursday’s meeting. Paul mentioned the Department is in the process of cleaning up “gift” accounts (which are handled distinct from operations budgets). As part of this process two Council accounts have been found. Paul asked the Council if they would like to use the funds for this event. The two accounts include: \$1400.00 from unexpended funds for the 2004 Governor’s Conference on Forestry and \$3,700.00 from the membership dues paid to support the precursor to the current statutory Council.

MOTION:

Troy made motion (Jim Hoppe seconded) to use the funds for the economic summit if needed. The motion was amended by Tom to read, “the available funds can be used for the economic summit if needed but not until after all other fees (i.e. sponsorship, registration, etc.) have been applied.” The amendment was seconded by Jim Hoppe. The motion passed.

Legislative Updates

Rep. Mursau – Representative Mursau mentioned to the group that the assembly is back in session. He has a meeting scheduled with Senator Tiffany and Representative Clark on Thursday, September 12. The purpose of the meeting is to review the 21 MFL items presented by the Council. He also mentioned that legislation may be drafted addressing forestry program needs identified during the budget process but not considered at that time: K-- 12 School Forest Education Transportation Grants, Closed Acreage Fee Property Tax Relief, County Forest Acreage Share Payment, WisFIRS, and others.

Sen. Tiffany – Senator Tiffany discussed legislation introduced the previous week which temporarily affects public access to MFL open lands associated with the proposed mine in Iron County. Senator Tiffany expressed great concern over recent disturbances at the proposed iron mine site in northern Wisconsin and considers the events eco-terrorism. Senator Tiffany encourages the Council to watch the video released from the event. Throughout the summer Senator Tiffany’s staff reviewed other states and how they battle eco-terrorism. The key to provisions of the proposed legislation is that closing the land to public access would be temporary and the land stays in MFL until such time as the permit process is completed and the company moves forward to initiate mining.

Rep. Clark – Representative Clark is looking forward to working together on the MFL report and coming to consensus on something that will be passed by the legislature.

State Forester’s Report –

Paul DeLong

Federal Budget

Paul reported to the Council that federal funding designed to cover expenses incurred by fighting forest fires has run out. Disasters such as forest fires are not covered in a FEMA format and about 40% of the USFS budget is now spent on forest fires. The bottom line is funding has been pulled from other areas in

forestry to fund the fire expenses. State foresters are currently trying to change how fire is funded. The positive news is, for the first time, we are seeing the federal administration and OMB looking at the need to fund forest fire efforts a different way.

There was discussion on the effects of sequestration on Secure Rural Schools (SRS) funding in Wisconsin. The USFS is requesting return of SRS dollars from local governments. The National Governors Association has been involved in challenging this demand. There are questions regarding the legality of the ability to the federal government to recall these funds

MOTION:

Fred made motion for Council to draft a letter addressed to Washington congressional delegates outlining the impact state and local municipalities of federal forest fire fighting expenditures and the federal Secure Rural Schools sequester. Jane seconds motion. Motion passed.

ACTION ITEM(S)

- ***Paul will draft the letter mentioned above and forward to Henry, Jane, and Fred to review before sending.***

NOTE: Matt St Pierre, in attendance representing Paul Strong, recuses/abstains from discussion and approval of letter.

Germann Road Fire

Paul gave the Council an update on the Germann Road Fire. As of this morning, the state Department of Natural Resources will bill the logging company \$633,000 for starting the wildfire earlier this year. After investigation it was determined that the logging company withheld information regarding a fire suppression unit on one of their vehicles which was improperly maintained and, therefore, did not function properly. There will be no criminal prosecution as there was no intent to set the fire.

Upcoming Meeting(s)

November 12, 2013 – Central Wisconsin, Jim Hoppe suggested Tomahawk

Meeting adjourned @ 2:16 pm

Respectfully submitted by Terrisa Mulder, Wisconsin Department of Natural Resources