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Miscellaneous

(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2003-04

(session year)

Committee on Forestry...

## **COMMITTEE NOTICES** ...

- Committee Reports ... CR
- Executive Sessions ... ES
- Public Hearings ... PH

# INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... Appt (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... CRule (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (ar = Assembly Resolution) (ab = Assembly Bill)
  - (sr = Senate Resolution) (sb = Senate Bill)
- (ajr = Assembly Joint Resolution) (sir = Senate Joint Resolution)

Miscellaneous ... Misc



## GOVERNOR'S COUNCIL ON FORESTRY

STATE OF WISCONSIN

241 Shore Acres Drive Reply to: Wisconsin Rapids WI 54494

715/423-7550

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Dan Meyer Chairman Wisconsin Rapids

William "Butch" Johnson Vice Chairman Hayward

DATE:

November 22, 2002

John Ahl Black River Falls

Miles Benson

TO:

Governor's Council on Forestry MFL Review Committee

Wisconsin Rapids

Sen. Roger M. Breske Eland

FROM:

Gene Francisco - Chief State Forester

Leon Church Appleton

**Richard Connor** Long Lake

SUBJECT: Draft MFL Review Report

Gene Francisco Madison

Rep. Don Friske Merrill

Robert Govett Stevens Point

Steve Guthrie Minocqua

**Byron Hawkins** Bangor

Richard Hall Oshkosh

James Holperin **Eagle River** 

Rachel Jordan Dodgeville

Tim Laatsch Wisconsin Rapids

> Nick Moncel Eau Claire

**Cathy Nordine** Land O'Lakes

Thomas Schmidt Neenah

**Eugene Schmit** Tomahawk

Rep. Lorraine Seratti Spread Eagle

Thank you for your participation on the Governor's Council on Forestry Special Committee on the Review of the Managed Forest Law (MFL). Attached is a draft report that includes the recommendations we developed during the two meetings of the committee.

Please take a moment to review the draft report and send me any comments you have by Monday December 2, 2002. Your comments will be incorporated into the final report that will be presented at the December 5, 2002 Governor's Council on Forestry meeting at the Inn on the Park.

Keep in mind this is a draft report. The final report will have a table of contents, recommendations summary page and will look a little more presentable.

Thanks again for your work on this report.

# REPORT ON A REVIEW OF THE MANAGED FOREST LAW

Review Conducted by a Special Committee of the Governor's Council on Forestry - November 2002

## MANAGED FOREST LAW REVIEW

#### Introduction:

This report is a product of a special Managed Forest Law Review Committee appointed by the Wisconsin Governor's Council on Forestry at its September 2002 meeting. Committee members include; Council members- Gene Francisco (Chair), Senator Roger Breske, Representative Don Friske, Tom Schmidt, Eugene Schmit, Cathy Nordine, and Jim Holperin. Interest group members - Nancy Bozek, Wis. Woodland Owners Association, Colette Mathews-Wis. County Forest Association, Laura Jean Blotz-Wis Real Property Listers Association, Jennifer Sundstrom and Allison Bussler-Wis. Counties Association and Rick Stadelmann-Wis. Towns Association.

#### **Review Objectives:**

- Review the Managed Forest Law (MFL) in the context of the Forestry Division's ability to meet the burgeoning workload, Forestry Account Legislative Audit concerns and concerns expressed about its impact on local tax revenue.
- Recommend changes in the MFL that improve efficiency in application processing, enforcement and contract compliance as well as perceived inequities in the distribution of taxes, fees and aides.

#### **Review Process:**

The MFL Review Committee assessed MFL background material and input from an internal Forestry Division team during two meetings held in October and November 2002.

The Committee identified adjustments in the MFL that require statutory/administrative rule amendments, budget initiatives or internal Forestry Division procedural changes. The Committee identified the following eleven (11) issue areas that are recommended for improvement:

- 1. Managed Forest Law Plans
- 2. Application Process
- 3. Law Enforcement
- 4. Backlog Mandatory Practices
- 5. Yield Tax, Cutting Notice/Report
- 6. Compensation to Municipalities and Counties
- 7. Open and Closed Lands
- 8. Transfers and Withdrawals
- 9. Buildings on MFL Parcels
- 10. Record Keeping
- 11. Internal Forestry Process/Policy

#### **BACKGROUND**

## The Managed Forest Law Program:

The forest tax laws were initiated by the Legislature in the 1920s in response to the negative impact tax policies were having on the practice of sound forestry. Taxing the land based on the value of standing timber, the income from which would not be received potentially for decades, caused many landowners to prematurely an destructively harvest their forest to pay their taxes. The Legislature created the Forest Crop Law in 1927, the first law in the nation to defer a portion of the property tax until such time as income were realized from the sale of timber. The Woodland Tax Law followed in 1953, and the Managed Forest Law in 1985.

The tax laws have had a tremendous impact on forest management of private forest lands within the state. These laws have been extremely successful at encouraging the sustainable management of Wisconsin's private forest lands. Current participation in the forest tax laws covers approximately 2.67 million acres, roughly 32,000 contracts and approximately 27,000 landowners. This is the largest land management program in the state in which management plans have been developed and landowners are committed to program in the state in which management plans have been developed and landowners are committed to following them. As of 2002, the MFL program has 2.23 million acres or 83% of all tax law acreage. The remaining acreage is under the Forest Crop Law, which has been closed for new entries since 1986. The Woodland Tax Law expired in 2000, the year the last remaining contracts expired.

Timber harvesting on tax law lands must have prior approval by and be reported to the Department of Natural Resources when complete. Management recommendations include forest management, watershed protection, recreation, wildlife, endangered resource, aesthetic, and other management considerations.

Landowners must consider their objectives for owning the land and then, based on those objectives, make a commitment for the next 25 or 50 years. With that commitment, the landowner receives an average of 80% property tax savings annually, according to a Legislative Audit in 1994.

From 1994 to 1998, forestry accepted applications to convert Forest Crop Law lands to Managed Forest Law on an accelerated basis due to special legislation. Sixty percent of the FCL lands (900,000 acres) were converted to MFL through this process.

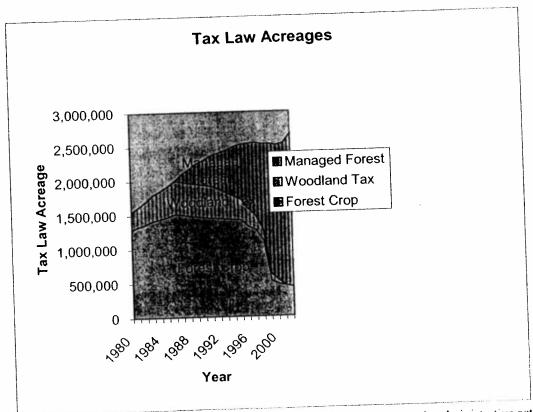
The DNR has documented the activity differences between the FCL and MFL and found the MFL administrative activity to be 3.4 times higher than FCL on the same acreage. These activities include cutting notices and reports, transfers and withdrawals. The intensity of activity is present both at the field level with increased harvest activity, questions from landowners, land transfer, etc. and with increased administrative activity in the Forest Tax Section (FTS) within the Bureau of Forest Management in the Division of Forestry.

## The Development of a Backlog Workload:

The number of MFL applications has been growing for a number of years. Applications have more than doubled in the last four years and tripled since 1990. The following table documents the application numbers by year. It does not include the FCL conversion to MFL applications from 1994 to 1998 since the Department had up to 3 years to process each application.

			1/ I- Alientions
Year	Number of .	No. Change	Yr's Applications
for Entry	Applications	from Prev. Yr	as % of 1990
1990	1291		100.0%
	1607	316	124.5%
1991		237	142.8%
1992	1844		153.2%
1993	1978	134	175.6%
1994	2267	289	
1995	1999	-268	154.8%
1996	1794	-205	139.0%
1997	1919	125	148.6%
1998	1795	-124	139.0%
	1843	48	142.8%
1999		-206	126.8%
2000	1637	981	202.8%
2001	2618		252.9%
2002	3265	647	298.8%
2003	3857	592	290.0%

This application increase has overwhelmed the Forestry Division field staff and limited their ability to work on other priority workloads. The following graph emphasizes the dominance the managed forest lands have gained on the program.



The increasing popularity of the MFL program, combined with the increase in administrative activity levels under MFL as compared with FCL has generated a severe increase in workload. The addition of 23 new foresters in the 01-03 State Budget to address the backlog MFL work have been completely consumed by

the increase in new applications for entry into the MFL. This has created an even larger unmet workload in mandatory MFL practices and other work that exists in private forestry.

Efforts to contract with private consultant foresters to write tax law management plans for new entries in to the MFL program over the past six years has helped with this workload, but the capacity of the private sector is limited. Estimates show that the private sector currently has the capacity to complete less than 25% of the plans required for the new entries this year, even if the amount of contracting funds were not a limiting factor.

Recent changes in the private forestry administrative code more clearly define the department's private forestry priorities and emphasize the important role cooperating consultant foresters can play. However, until the partnerships with private consultant foresters, cooperatives, associations and other landowner groups develop further, services to the private forest landowners will be in short supply.

## **Mandatory Practices Backlog:**

The mandatory practices written in the MFL management plans require a deadline for completion. Practices designated as mandatory in the statute include harvesting, thinning, reforestation and soil conservation practices related to the first three activities. Foresters must notify the landowners in advance of practices coming due. Foresters then work with the landowner, consultants, and loggers to secure completion of the practices. Department foresters monitor implementation of contracts and conduct enforcement actions on practices not completed. They also document the status of each practice in PlanTrac and the central office database. PlanTrac is a customized PC-based software to assist foresters in writing MFL management plans, maintaining forest stand inventory data and tracking landowner management practices.

Private consulting foresters are notified each year of upcoming mandatory practices due on tax law lands when they file an agreement with the department as a "Cooperating Consultant Forester". The private foresters have the first chance and are encouraged to contact landowners and offer their services. A significant number of mandatory practices are not picked up by consultants, due to their location, size, marketability or workload.

As identified earlier, MFL applications have tripled since 1990 and doubled in just the last four years. The number of mandatory practices being written into MFL management plans is growing faster than the foresters can insure their completion. In studying the mandatory practices overdue in 1995 versus 2001, we find a tremendous increase in all areas of the workload. An overdue (backlog) practice is defined as a practice that has not been completed by the end of the year for which it was scheduled. The following table demonstrates the level of increases.

Over	due Mandatory Pra	1995	2001	% change
	# of Practices	3,694	13,984	279%
MFL	Total Acres	58,269	216,415	271%
501	# of Practices	2,355	16,427	598%
FCL	Total Acres	52,332	273,051	422%
TOTAL	# of Practices	6,049	30,411	403%
TOTAL	Total Acres	110,601	489,466	343%

The large backlog of mandatory practices is due in part to inadequate staffing to record practices on the database as they are completed. This created an inaccurate database of mandatory practices and hinders its usefulness in referring backlog practices to cooperating foresters. As a result of this large backlog of

mandatory practices, the DNR Forestry Division has placed a temporary moratorium on private timbersale establishment by its staff until the MFL database is updated and all backlogged mandatory practices are referred to private cooperating foresters.

## OBSERVATIONS AND RECOMMENDATIONS

ISSUE 1 - MANAGED FOREST LAW PLANS: In the last 4 years the numbers of MFL application have doubled from just under 2,000 in 1999 to almost 4,000 in 2002. Even with 400 to 700 plans being prepared by private forestry consultants contracting with the DNR, most Department private lands foresters are spending more that half of their time writing and processing MFL plans required for the new MFL applications. Additional time is spent by department foresters to review and approve the plans prepared by the consultants under contract. Both DNR & consultant plans are subject to this review. Five to ten percent of plans prepared each year are not signed by the landowner and thus not entered into MFL, costing approximately \$280,000. The increased time spent on MFL planning has resulted in a decrease of time for other landowner requests and follow-up on overdue mandatory MFL practices. Given that MFL participants receive about an 80% reduction in property tax liability under MFL it seems appropriate that they pay part of the cost of entry into the law.

#### RECOMMENDATION

Raise the non-refundable MFL application fee from \$100 to \$300 to encourage follow through with MFL entry and earmark additional funds collected for contracting with consultant foresters to prepare MFL plans.

• 4,000 MFL applications are submitted annually. Existing DNR staff can complete the work for approximately 2,000 applications annually leaving 2000 to be contracted. Based on current contracting costs it would take \$1.5 million to contract 2,000 plans or an additional \$1.2 million over current available funding. A fee of \$300/application would provide funds to costshare 50% of cost to prepare the average MFL plan. Under this recommendation, the forestry account would fund the remaining 50% of the cost. Through extensive contracting for MFL plans Forestry Division staff will be able to redirect approximately 20 FTE to MFL contract compliance.

Require that certified plan writers prepare all MFL plans. (Recommend delayed implementation)

- DNR staff spend an inordinate amount of time reviewing plans prepared by others that do not meet the requirements of the MFL, do not follow standard department approved silviculture, or are written so poorly that they fail to qualify as an MFL plan. Certification (with periodic re-certification) of plan writers would provide a standard by which landowners could judge the qualifications of the plan writer they hire and would reduce the amount of time needed for DNR foresters to review and approve plans.
- ISSUE 2 APPLICATION PROCESS: The Managed Forest Law application process can be cumbersome and time consuming due to the increasing number of applications and the need to verify completeness of the petition (deeds, tax bill, signature, lien holders, etc.). The time needed to assist landowners, processing and distribution to the field has increased beyond the resources of the Forest Tax Section (FTS). The gerrymandering of deeds to avoid "open" designation is adding to the problem. The

foresters need the applications as early as possible to be able to completely and adequately complete the filed work.

## RECOMMENDATION

Move application deadline to July 1 (18 months before effective date).

Coordination and timing of contracting with private consultants would improve. This would provide consultants more field time and, as a result, they would be able to contract more plans. It would give the Forest Tax Section (FTS) and field adequate time to process applications, prepare plans and field packets, and review entries. Landowners would have more time to consider and understand what they are applying for after receiving their tax bill (sticker shock), which would decrease the number of plans not signed. This change would increase the amount of time available to foresters to meet with each landowner and discuss requirements, obligations, landowner objectives and provide better education/preparation of participating landowners.

Require a recorded deed be submitted with the application. Requires a change in administrative code (NR.16 (2)(a)) and not statute.

Reduces the ability of landowner to change ownership at last minute (usually associated with gerrymandering to "close" more acres). This would match requirements that counties have for tracking ownership.

Require landowner to supply copies of pertinent Certified Survey Maps (CSM) with the application. This may only require a change in administrative code.

This would decrease the forester's time required to track down CSM information. Having all this information available makes reviewing easier, decreases the expenses of the forester in obtaining and paying for copies of information.

ISSUE 3 - LAW ENFORCEMENT: Concerns have evolved since the beginning of the Managed Forest Law program in 1987 about the lack of landowner follow through on mandatory practices. Landowners have limited understanding of their obligations under the MFL. Enforcement actions can take a considerable amount of time and there is concern as the foresters begin to deal with the large number of overdue (backlog) mandatory practices that law enforcement will overwhelm their already full workload.

## RECOMMENDATION

Provide a penalty/fine for failure to complete a mandatory practice.

Develop a penalty for not completing mandatory practices on time. The DNR would certify to the County treasurer a \$250 penalty that would be assessed on the tax bill for collection for a noncompliance violation. Revenue collected would be split between the municipality and county. This would provide a lesser penalty than an involuntary withdrawal as a first step in compliance enforcement and help build a case for involuntary withdrawal if the penalty isn't enough incentive to gain contract compliance.

ISSUE 4 - BACKLOG MANDATORY PRACTICES: Over the years inadequate record keeping, lack of follow up in tracking mandatory practices, time needed for enforcement, and the ever increasing popularity of the MFL program has lead to a large number of mandatory practices that are overdue (backlogged). Much of this backlog is a direct result of insufficient staffing to provide technical assistance and contract compliance work. The DNR estimates that about \$74 million worth of timber value including nearly \$5 million in uncollected state/county and local tax revenue is tied up in backlogged mandatory tax law practices.

#### **RECOMMENDATION**

Dedicate some new DNR forester positions (project) to eliminate the large number backlog practices or contract with consultants to establish backlog practices. Would require 20 project foresters to manage the current number of identified backlog practices. (Budget Initiative)

- This alternative may not be necessary if the recommendation to increase the application fee and thus the contracting of MFL plans is enacted. The committee recommended delaying action on this recommendation but to keep it as a potential future initiative.
- ISSUE 5 YIELD TAX, CUTTING NOTICE/REPORT: The tax laws defer a portion of property taxes annually, and shift some of the tax load to a yield tax, which is collected when income is received from a timber harvest. An increasing number of landowners have been harvesting their timber before entry in to the MFL to avoid paying the 5% yield tax that is assessed when timber is harvested under the law. Often the harvest is considered destructive and limits the future opportunities and benefits that the forest could have provided had they been harvested correctly. The assessment of yield taxes is based on an average stumpage rate rather than the actual sale receipt, which is confusing and frustrating to landowners. The process of establishing the stumpage rates annually is administratively cumbersome and time consuming. Enforcement of the MFL cutting notice and reporting process is time consuming with citations being the only way to assess a penalty on destructive cutting. It is unclear whether the current system of assessing and collecting yield tax is cost effective.

## RECOMMENDATION

The committee did not reach agreement on a desirable change to the current system so no modification is recommended.

- Consider this issue in possible future MFL revisions.
- ISSUE 6 COMPENSATION TO MUNICIPALITIES AND COUNTIES: The perception exists that municipalities are losing money when land is entered under MFL. The rapid increase in the amount of land being entered under MFL is generating numerous concerns from municipalities and counties. There is also a frustration that lands are being entered and mandatory practices are not being

The yield and withdrawal tax revenues are currently distributed as follows: 50% state, 40% municipality and 10% county. Since these are deferred taxes, the rationale for the state collecting 50% is unclear. In addition, the increase in acreage share (MFL per acre) tax doesn't reflect the increase in property tax for forest lands not entered into the MFL.

## RECOMMENDATION

Modify the formula that determines the distribution of funds collected for the Yield and the Withdrawal taxes. Redistribute funds currently going to the State to municipalities and counties.

This recommendation will double the revenues received by municipalities and counties but reduce revenue to the Forestry Account. Estimated reduction to the account based on CY 2001 data: Yield Tax -\$444,000, Withdrawal Tax -\$414,000. A correlative increase in revenue will be realized by the Towns (80%) and Counties (20%).

Modify the calculation of the acreage share tax to more closely reflect the changes in actual property taxes paid on non-tax law forest land.

Change the current calculation formula to remove agricultural land values. Consider a base rate equal to 10 percent of the average property tax paid per acre for forest, swamp and waste lands the previous year. The rate would be set by county and adjusted annually.

Modify the Resource Aid payment formula. Gradually reduce the number of acres required to qualify from 40,000 acres of tax law lands to 20,000 acres.

Currently the Resource Aid payment (\$1.25 million per year) is only paid to counties with 40,000 acres or more of MFL and FCL land. Reduce the acreage requirement to 20,000 acres in a series of steps. This would provide a more equitable distribution of these forestry account funds to counties that have significant acreage in MFL/FCL. (See attached spreadsheet for potential fiscal impacts.)

ISSUE 7 - OPEN and CLOSED LANDS: When the MFL was created there were public benefits identified as partial compensation for reducing some of the property taxes not paid by the landowners involved. Underlying the program is the public benefit associated with sustainably managed forests that provide a range of public benefits including a continuous supply of forest products. Another public benefit is the availability of having private lands open to public access for hunting, fishing, cross-country skiing, sightseeing and hiking. The MFL program allows an owner to have up to 80 acres "closed" to public access per municipality; any enrolled lands over the 80 acres has to be "open" to public access. The vast majority of landowners want to be able to control access to their land and as such there have been fewer and fewer acres entered as "open" each year. Landowners are also finding ways to change the ownership on larger tracts of land in order to be able to enter more lands

as "closed". This practice has increased the number of applications, workload, the complexity of the entries and the frustration level of the public.

#### RECOMMENDATION

Increase the closed acreage fee to a percentage of regular property taxes. The value should be 20% of average tax per acre on class 5 and 6 lands in towns and villages.

Earmark funds collected to establish a program to purchase public hunting/recreational easements and land acquisition. The Department, local units of government and land trusts should be able to apply for these funds. The focus should be on purchasing permanent easements for hunting/fishing/hiking/sightseeing/x-country skiing.

Increase the acreage allowed to be closed to public access to 160 acres per municipality.

This Change will decrease gerrymandering of deeds by landowners and result in fewer applications for the same landowner. Overall, landowners would be happier with being able to control public access to their lands.

ISSUE 8 - TRANSFERS AND WITHDRAWALS: Several workload issues and concerns arise regarding transfers and withdrawal of MFL lands. Landowners are required to notify the DNR when MFL/FCL is sold/bought, however, often this is not done. The lack of notification can lead to more lengthy and complex enforcement issues later on. Many buyers are not aware that the land is under the MFL/FCL much less that they have obligations under the law. Landowners can withdraw their land at any time but must pay a penalty. The withdrawal tax on land withdrawn in the first few years of the contract is usually not much more than the taxes saved, which creates a limited deterrent to encouraging continued entry. Land withdrawn within a few years of entry does not provide the long-term benefits, yet a significant cost is incurred in the entry and withdrawal processes.

#### **RECOMMENDATION**

Create a withdrawal fee of \$300 to be retained by the DNR to cover administrative costs associated with a withdrawal.

This fee would be a partial reimbursement of costs associated with a withdrawal and not a penalty because a reimbursement can be returned to the department as revenue to the Forestry account. The rate should be set in statute and not in administrative code. The average estimated costs to the department per withdrawal is 20 hours x \$30/ hour (salary & benefits) = \$600.

## Increase the MFL transfer fee from \$20 to \$100 with the funds going to Forestry Account.

The number of MFL transfers is increasing. The department has a number of costs associated with each transfer including issuing a transfer order, recording fees, contacts with the new landowners and in a number of instances revision of the existing management plan to better meet the new landowners objectives. DNR will work with Department of Revenue to improve the notification system when MFL lands are transferred.

ISSUE 9 - BUILDINGS ON MFL LAND: Any structure on MFL lands must be taxed as personal property tax, not as real estate. The method to collect delinquent taxes on personal property is more difficult and time consuming for the county than collecting delinquent property taxes. Changes in the definition of what types of structures are allowed on MFL lands were put into effect on January 2, 1999. It has decreased the number of building on MFL but has not alleviated the delinquent personal property tax collection issue.

## RECOMMENDATION

1st option: Allow a Town to certify to the DNR Forestry Division that personal property tax is not paid. DNR would be required to withdraw the lands from the MFL. Landowners would not be allowed an appeal hearing on this type of action.

Landowners would not have the right to appeal the department's decision under this circumstance as they do in a failure to file transfer notice. This option would still allow landowners to have structures but would allow for easier enforcement of unpaid personal property taxes.

2<sup>nd</sup> Option: Do not allow any structures with living quarters whether permanent or temporary on MFL lands. Continue to allow structures used for storage on MFL land.

This option reduces problems with collecting delinquent taxes on personal property because there would be fewer buildings allowed on new entries. It still allows landowners to store equipment for working or recreating on the land on site. This option does not allow landowners to easily stay on property for recreating or working.

ISSUE 10 - RECORD KEEPING: The current system creates problems for tracking ownership changes, management plan revisions and mandatory practices because there are two separate databases with different software. The first program is a PC database in the field forester's office running on Access and PlanTrac software. The FTS in Madison utilizes a mainframe database with Oracle and custom MFL software. Data is shared between the foresters and FTS but the current process is cumbersome and data is often outdated. Dial in access to the mainframe is currently the biggest single draw back to having one MFL database system. In addition some processes on the PlanTrac software are cumbersome and could be improved.

## RECOMMENDATION

# Seek additional funding in the 03-05 budget to allow all field forester offices to have a high speed Internet connection.

• Currently thirty-nine forestry field offices do not have a high speed Internet connection capability available to them.

# ISSUE 11 - INTERNAL FORESTRY PROCESS OR POLICY OPTIONS: The committee identified a number of other changes that the Division of Forestry should consider for improving MFL program management. The Division is committed to pursuing these options to further improve and streamline the program. Examples include:

- Provide improved technical support to field foresters for PlanTrac. This has been
  proven successful in the northern region and has improved the efficiency and attitude
  of the staff using PlanTrac, which also improves the quality of the data. This should
  be implemented statewide.
- Provide better education to landowners, Realtors, and recreational users of MFL lands and the obligations, opportunities and restrictions. Focus on workshops, forest tax and stewardship newsletters, etc. Continue to work with WWOA, Forest Productivity Council, Towns Association, Counties Association and others on MFL education.
- Simplify filing of the MFL cutting notice/report, making it easier to complete and more available. Examine possible electronic filing options.
- Examine opportunities for the DNR to charge for forester services for which landowners receive income.
- Incorporate enforcement policies and procedures into annual or biannual forester and technician training. There currently is a policy/process in place but it is not being used to its fullest extent by staff. A new forester position was established and is in the process of being filled to work on Tax Law and private forestry enforcement issues. This person should be able to address this issue.
- Develop a statewide database of citations, enforcement actions and/or notice of investigations, which is readily available to field foresters.
- Develop and conduct voluntary MFL workshops targeted at new applicants. This
  would improve education of landowners about the requirements for entry and their
  obligations once under MFL. These sessions could be used to assist landowners in
  filling out an application correctly which would reduce the time needed for review of
  applications.
- Provide an opportunity for landowners to designate one person to sign for all
  landowners on the management plan. Currently all owners and spouses must sign the
  application and management plan. This would make it easier for the landowners and
  reduce forester/FTS workload.

• Increase/allow for electronic filing of documents such as the MFL field packets. Not all documents can be submitted electronically due to signature and recording requirements. Speed and access to computers and the Internet still varies greatly across the state. As technology/access improves and ways are found to deal with other requirements we may be able to use electronic filing.

## **CONCLUSION**

The forest tax laws have served the people of Wisconsin well for over 70 years. These laws have helped realize significant ecological, economic and social benefits that are derived from sustainably managed forest land. In order to continue realizing these benefits under changing circumstances, most notably the dramatic increase in landowners participating in the program, changes are needed to ensure the program meets its full intent. The recommendations outlined in this report will address workload concerns, fair compensation to local governments, and the responsibility of landowners within the program for costs associated with program implementation.

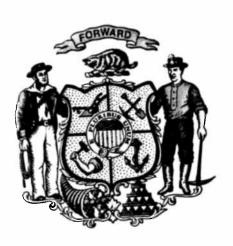
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			3.59%		5.69%	4.69%					1.00/0	2 050/		4.03%	1.58%				5.98%		3.62%		1.51%	5.75%						1.95%						3.91%		3.80%	4.18%	-		2	ac. to quali	stribution	
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		90 79,787.55	Γ		115,004.40	T	05 201 83					37,528.66		1	82 323.26				T	101 456 80	73,313.41	T	T	30 694 75	T	22 215 71		21,770.00	24 773 65	08,000.40	20 669 40		20,370.40	20,113.01	00 445 54	19,401.60	79 461 23		77 252 12	익	eligible ac e		% % Asec on 20,000	39 counties it distribution	
		0.32/0					4 20%					1.65%		1.11%	3.63%	1.42%				5.35%	0.1	3 24%	0.94%	1.35%	5.15%	0.98%			0 96%		1 75%		0.00	0 90%	1 15%		3.50%		3.41%	3.74%	eligible	acres	% of total	ac to quali	
				40 206 66			52,518.48					20,681.11		13,861.03	45,366.31	17,726.11				66,931.84		40,511.42	11,706.58	16,915.12	64,376.54	12,242.53			11,998.92		21,860.27			11,228.93	14,391.61		43,789.11		42,571.73	46,783.64	amount	payment		<b>₹</b>	

TOTALS	Winnebago	Waushara	Waupaca	Washington	Machinaton	Washburn	Walworth	Vilas	Vernon	Trempealeau	Taylor	Sheboygan	Shawano	Sawyer	Sauk	Saint Croix	Rusk	Rock	Richland	Racine	Price	Portage	Polk	Pierce	Pepin	Ozaukee	Outagamie	Oneida	Oconto	Monroe	Menominee	Marquette		-	-	CY 2001 data	
į.	37,571.93	34,206.72	59,089.55	2,430.77	5,801.34	48,945.96	2,451.67	38,297.82	30,992.11	24,180.24	29,268.57	9,472.60	59,559.73	119,657.01	21,646.64	12,845.17	69,291.45	5,108.98	39,095.77	1,033.66	88,818.04	32,210.47	21,966.02	19,764.40	13,169.42	1,797.95	14,587.38	201,872.23	32,297.32	23,313.20	516.75	12,295.50			<u> </u>	1 to 2	-
1,646,610.24	<u>ω</u> (	70	59,089.55		4	6 48,945.96			+		7		59,559./3	_			69,291.45	2000			88,818.04	20 040 04						201,8/2.23					eligible ac el		) %	RESOURCE AID 18 counties under current distrib. hased on 40,000 ac. to qualify	
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100.00% 1,250,000.00 2,031,340.60	37,571.93	27 272 00	34,206.72			1	1 48,945.96		38,297.82	30,992.11					_			69,291.45		39,095.77		88,818.04	32,210.47						201,872.23	32,297.32				eligible ac el	, S	29 counties if distribution based on 30,000 ac. to qualify	
0 100.00%		1 85%	1.68%	1 N			2.41%		1.89%	1.53%				2.93%	5.89%			3.41%		1.92%		4.37%	1.59%						9.94%						acres p	stribution ac. to quali	i
		23,120.16		36,361.18 21,049.35			30,118.23	30 440 3	23,300.0	73 566 84	10 071 33			36,650.51	73,031.00	70 634 60		42,030.33	00 000 00	24,057.00	20 630 10	54,654.82	19,820.94	00000					124,223.32	19,8/4.39	10 074 20		-	amount	payment		-
1,250,000.001 2,200,232.33	20 20 20 20 25	16 37,571.93		35 34,206.72			T	مر 48.945.96		١		24 180.24	29 268 57	T	T	119 657.01		T	69.291.45		39 095.77	T	T		23 313 20				201,012.20	201 872 23	32 297 32	23.313.20		eligible ac e		based on 20,000 ac. to qualify	20 counties if distribution
	5 100.00%	3 1.66%			2.61%			2.16%		1.69%	1.37%	1.07%	1.29%		2.63%	5.28%			3.05%		1.72%	1	3.92%	1.42%	1.03%					8.90%	1.42%	1.03%		eligible		<u>a</u>	tribution
	1,250,000.00	20,704.96			32,562.79			26,972.90		21,104.98	17,078.98	13,325.13	16,129.18		32,821.89	65,940.01			38,184.80		21,544.71		48,945.42	17,750.39	12,847.33					111,246.78	17,798.25	12,847.33			payment   amount	<b>*</b>	

TOTALS	Wood	Winnehau	Waushara	Waupaca	Waukesha	Washington	Washburn	Walworth	Vilas	Vernon	Trempealeau	Taylor	Sheboygan	Shawano	Sawyer	Saux	Sank	Saint Croix	Rusk	Rock	Richland	Racine	Price	Portage	Polk	Pierce	Pepin	Ozaukee	Outagamie	Oneida	Oconto	Monroe	Menominee	Marquette	Marinette				CY 2001 data
\$889,291.24	\$11,2		\$14,431.51	\$19,029.70		\$8	\$10,852.8	\$820.75	\$14,347.40	64, 100.0			\$0,700.10	¢2 730 15	\$16 524 89	1			\$13,333.26	\$1,453.27	\$17,422.46	\$0.00	\$25,247.93	\$8,102.28	\$3,376.17	\$5,812.44	\$10,959.97	\$0.00	\$3,720.41	\$82,740.20	\$4,260.37	\$6,952.32	\$0.00	\$2,505.29	\$67,811.01	202		Collected in 2001	YIELD TAX
24 \$444,645.62	<u>\$5,601.85</u>		\$7,2				27 77 04 27 75		\$410.38						9 \$8,262.45			\$1,089.85				\$0.00		\$4,001.14		\$2,900.22	Ī		<b>₩</b> 1.0	6		\$3,4/6.16		\$1,c	\$30,900.0 -	\$22 QOS 51	DNR 50%	Current Distribution (50/40/10)	
\$355,716.50	\$4,481.40		90,1	06 773 60 06 100 100	\$7 611 88		\$358.20		\$328.30	\$5,738.90	\$1,675.84	\$2,735.93	\$1,953.42	\$1,495.66	\$6,609.96	\$22,744.34	\$1,0/2.51	\$67.1.00	\$0,000.00	\$500.01	\$0,000.00 \$E04.24	46 068 08	\$0.00	\$10 099 17	\$3.740.91	\$1 350 47	\$2,324,98	\$4.383.99	\$0.00	\$1 A88 16	\$1,704.10	\$2,700.95	\$2.780 Q3	\$0.00	\$1,002,12	40		n (50/40/10)	
\$88,929.12	÷1,100	\$1 120 37	\$0.00	\$1 443.15	\$1,902.97	\$0.00	\$89.55	\$1,085.30	\$82.08	\$1,434.73	\$418.96	\$683.9	\$488.35	\$3/3.92	\$1,552.49	\$3,000.00	85 08 08 00 100 100	\$268 1.3	\$217.97	\$1 333 33	\$145.33	\$1.742.25	\$0.00	\$2,524.79	\$810.23	\$337.62	\$581.24	\$1,096.00	\$0.00	\$372.04	\$8 274 02	\$426.04	\$695.23	\$0.00	\$250.53	\$6,781.10	County 10%		=
\$0.00											\$0.00		\$0.00		\$0.00					\$0.00							\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	DNR 0%	Proposed Distribution	
)  \$711,432.99		\$8,962.95		\$11,5				\$0,002.30				\$3 351 69	\$5,000.00	\$3 906 83	\$2,991.32	\$13.219.91	\$45,488.67	\$2,145.02	\$1,743.75	\$10,666.61	\$1,162.62	\$13,937.97	\$0.00	\$20,198.34	\$6,481.82	\$2,700.94	\$4,649.95	\$8,767.98	\$0.00	\$2,976.33	\$66,192.16	\$3,408.30	\$5,561.86	\$0.00	\$2,004.23	\$54,248.81	٦.		
9-7-7-000-100	¢177 858 75	\$2,240.74	\$0.00	\$2,000.00	\$3,000.94 10.000.94	#3 005 0A	\$0.00	\$179.10	\$2 170.59	\$164.15	\$2,869.45	\$837.92	\$1,367.96	\$976.71	\$747.83	\$3,304.98	\$11,372.17	\$536.25	\$435.94	\$2,666.65	\$290.00	\$3,484.49	\$0.00	\$5,049.58	\$1,020.40	02.07.04 04.07.07.00	\$1,102.49	\$2, 191,99	\$0.00	\$/44.08	\$16,548.04	\$852.07	\$1,390.46	\$0.00	\$001.00	\$10,002.20	County 20%	)	

Marinette	Marathon	Manitowoc	Lincoln	Langlade	Latayette	La Crosse	Kewaunee	Vellogila	Vanceha	lineall .	Jefferson	Jackson	Iron	lowa	Green Lake	Green	Grant	Forest	Fond Du Lac	Florence	Eau Claire	Dunn	Douglas	Door	Dodge	Dane	Crawford	Columbia	Clark	Chippewa	Calumet	Burnett	Buffalo	Brown	Bayfield	Barron	Ashland	Adams				CT 2001 data	
<b>*</b> 10, 0	\$43,696,10	\$12,000,E0	\$12 655 28	€44 509 79	\$786 13	\$3 658.53	\$0.00	\$0.00	\$0.00	\$18,012.50	\$1,921.54	\$1,6/6.8	\$1,3/1.6	\$10,714.21	\$0.00	\$2,974.78	\$6,600.41	\$30,085.66	\$917.04	\$4,232.70	\$15,389.61	\$/,//5.42	\$6,806.77	\$6,582.70	\$120.47	\$1,213.13	\$5,920.09	\$5.000	\$12,625.30	\$68,898.30	\$0.00	\$4,143.94	\$5,234.30	\$0.00	\$31,814.28	\$4,056.68	\$4,412.00	\$00,700.07	700 07		Collected In 2001		WITHDRAWAL TAXES
Ī	Ī		T			\$				\$9,0					es 257 11	6-,1	T	#3 300 21	T	T	¢7,1037.01	T	T	\$3,403,39		\$64.24	\$3 637 57	\$2 963 35	\$0.00	\$6.312.68	\$3.000 18	\$2,071.97	\$2,617.10	\$0.00	\$10,807.14	\$2,020.04	VE 800 CB	\$2,000,09	\$33 354 49	DNR 50%	Current Distribution		AXES
	517,478.44	5 \$9,884.28		40		8			\$0.00	4.	A				\$4.				\$12,034.27	\$366.82	\$1,693,10	\$6,155.84	\$3,110.57	\$2,722.71	\$2,633.10	\$51.39	\$2,910.05	\$2,370.68	\$0.00	\$5,050.14	\$27,559,34	\$0.00	\$1 657 58	\$2.003.72	00 08	\$12,725.71	\$1 622.67	\$1,765.03	\$26,683.59	Muni 40% C			
Page 1	4 \$4,305.0					\$78.61					\$1,8			\$137.17	\$1,071.42	\$0.00	\$297.48	\$660.04	\$3,008.57	\$91.70	\$423.28	\$1,538.96	\$777.64	\$680.68	\$658.28	\$12.85	\$727.51	\$592.67	\$0.00	\$1,262.54	\$6,889.84	\$0.00	\$414.39	\$523.43	\$0.00	\$3,181.43	\$405.67	\$441.26	\$6,670.90	County 10%			
							\$0.00								\$0.00			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	80.00	\$0.00	\$0.00	CNX C%	Proposed Distribution		
							€					9			\$1,07,34						\$733.63			\$6 221 14					\$4.741.35		١	\$0.00	1	1		\$,C2¢	1	\$3.005.60 \$3.045.34	\$3 530 06	8	n: 80%	•	
		\$8,/39.22		2 \$2,531.00			2 0/31./1		\$0.00			8				\$2				ام	\$183.41		\$3,077.92	\$1,555.28	\$1,361.35	\$1,316.55	\$25.69	\$1,455.03	\$1,185.34	\$0.00	\$2,525.07	\$13 779.67	00 08	\$80879	\$1 046 86	\$0.00	\$6 362.86	\$811.34	\$882.52	\$13,341.79	County 20%		

TOTALS	Wood	Winnebago	Waushara	Waupaca	Waukesha	Washington	Washburn	Walworth	Vilas	Vernon	Trempealeau	Taylor	Sheboygan	Shawano	Sawyer	Sauk	Saint Croix	Rusk	Rock	Richland	Racine	Price	Portage	Polk	Pierce	Pepin	Ozaukee	Outagamie	Oneida	Oconto	Monroe	Menominee	Marquette				CY 2001 data	
\$827,009.91	\$5,981.60	\$0.00	\$9,050.12	\$15,691.40	\$6,419.46	\$27,299.81	\$20,083.43	\$0.00	\$61,084.44	\$5,697.39	\$1,755.38	\$15,805.93	\$1,823.32	\$3,118.79	\$7,884.09	\$6,374.68	\$19,865.93	\$1,700.00	\$9,408.94	\$8,136.67	\$1,290.98	\$22,073.00	\$12,003.13	\$738.39	\$17,32.20	\$6,470.81	\$1,835.04	\$2,786.50	\$51,930.49	\$20,732.64	\$0.00	\$0.00	\$0,040.70	#F 6.46 70		2001	WITHDRAWAL TAXES	
1 \$413,504.96	\$2,990.80		\$4,0			4	T		\$30,		\$8//.69					\$3,187.34		#0 000 07		\$4,000.0T		6	\$11 036 78	\$6 301 57	\$360.10	\$3,233.41	\$977.52	\$1,393.25	\$25,965.25	\$10,366.32	\$0.00	#0.00	\$0.00 0.00	\$7 873 37	DNB #0%	<b>Current Distribution</b>	AXES	
\$330,803.96	\$2,392.04			\$3,60,05	\$2,007.76 86,076.56	\$10,5,5778 20,5,5778		\$6.00 0.00	00.08		87 876 CD		\$6 277 37 20.00		\$4 347 K3		\$3 5.40 87	\$7 Q46 37	\$705.44	\$3 763 58	\$3.254.67	\$516.39	\$8,829,42	\$5.041.25	\$295.44	\$6,000.02	20.48.70 20.40.74	\$1,114.00	\$20,772.20	\$8,293.00	\$0.000 0.000	\$0.00	\$0.00	69	uni 40%	on		
\$82,700.99		Ą			<b>₩</b>			\$2,008,34	\$0.00	\$6,108.44	\$569.74	\$175.54	\$1.580.59	\$182.33	\$311.88	\$788.41	\$637.47	\$1,986.59	\$176.36	\$940.89	\$813.67	\$129.10	\$2,207.36	\$1,260.31	\$73.86	\$1,735.22	\$647.08	\$183.50	\$278.65	\$5,070.50	\$2 073 26	\$0.00	\$0.00	\$564.67	County 10%	TO		
<b>\$</b> 0.00																\$0.00			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	DNR 0%	Proposed Distribution		
0  \$661,607.93	١	0 \$4,785.28	\$0.00	\$7,2			\$21,839.85			\$48,8												\$1,032.78		\$10,082.50	1		l	١	- 1	\$41,544.39	\$16,586.11	\$0.00	\$0.00	\$4,517.38	Muni 80%	ution		
3  \$165,401.98		8 \$1,196.32		\$1,8		7 \$1,283.89				\$12,2			49						\$352.12	\$1,881.79	\$1,627.33		\$4,4 4.7 -				\$1,294.16		\$557.30	\$10,386.10	\$4,146.53	\$0.00	\$0.00	\$1,129.35	County 20%			



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# GOVERNORS COUNCIL ON FORESTRY

Special Committee Report, Approved December 5, 2002

- Review of Wisconsin's Managed Forest Law (MFL) -

## GOVERNORS COUNCIL ON FORESTRY - SPECIAL COMMITTEE REPORT

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GOVIENORS COUNCIL ON FORESTRY - SPECIAL COMMITTED REPORT

## Executive Summary

This report is a product of a special Managed Forest Law Review Committee appointed by the Wisconsin Governor's Council on Forestry at its September 2002 meeting. The full Governor's Council on Forestry approved the report unanimously at its December 5, 2002 meeting.

## Committee members include:

Council membersGene Francisco (Chair)
Senator Roger Breske
Representative Don Friske
Tom Schmidt
Eugene Schmit
Cathy Nordine
Jim Holperin

Interest group members –
Nancy Bozek, Wis Woodland Owners
Association
Colette Mathews-Wis County Forest
Association
Laura Jean Blotz-Wis Real Property
Listers Association
Jennifer Sundstrom-Wis Counties
Association
Allison Bussler-Wis Counties
Association
Rick Stadelmann-Wisconsin Towns
Association.

## **Summary of Recommended Actions:**

teference	Recommendation ** ** *** *** *** *** *** *** *** ***
1.1	Raise the non-refundable MFL application fee from \$100 to \$300 to encourage  Raise the non-refundable MFL application fee from \$100 to \$300 to encourage  Raise the non-refundable MFL application fee from \$100 to \$300 to encourage
1.1	through with MFL entry. Use this addition
1.2	
2.1	Require that certified plan writers prepare unit application deadline to July 1 (18 months before effective date).  Move application deadline to July 1 (18 months before effective date).
2.2	Require a recorded deed be submitted with the statute
2.2	Require a <u>recorded</u> deed be submitted in administrative code (NR.16 (2)(a)) and not in statute.  In administrative code (NR.16 (2)(a)) and not in statute.
2.3	in administrative code (NR.16 (2)(a)) and not in statute.  Require landowner to supply copies of pertinent Certified Survey Maps (CSM) with Require landowner to supply require a change in administrative code.
2.0	Require landowner to supply copies of pertinent certained by the application. This may only require a change in administrative code.  the application. The failure to complete a mandatory practice.
3.1	the application. This may only require a change in the application. This may only require a change in the application. Provide a penalty/fine for failure to complete a mandatory practice.  Provide a penalty/fine for failure to complete a mandatory practice.  Provide a penalty/fine for failure to complete a mandatory practice.
4.1	Dedicate some new DNR forester positions (projects to establish backlog practices,
	Dedicate some new DNR forester positions (project) to chiminete some new DNR forester positions (project) (project) to chiminete some new DNR forester positions (project) (proj
6.1	of backlog practices or contract with consultants to establish backlog processes of backlog practices or contract with consultants to establish backlog processes of backlog practices of backlog practices and backlog processes and backlog processes and backlog practices of backlog practices and backlog practices and backlog practices and backlog practices of backlog practices and backlog practices are processes and backlog practices of backlog practices or contract with consultants to establish backlog practices are processed as a practice of the practices of
	and the Withdrawai taxes. Re-distribute taxes
	municipalities and counties.
6.2	municipalities and counties.  Modify the calculation of the acreage share tax to more closely reflect the changes have tax law forest land.
	in actual property taxes paid on non-tax is reduced the number of acres
6.3	Modify the Resource Aid payment formula. Gladdan, 1500,000 acres. required to qualify from 40,000 acres of tax law lands to 20,000 acres. required to qualify from 40,000 acres of average tax per acre on class 5 and 6
	required to qualify from 40,000 acres of tax law lands to 20/000 acres of tax law law lands to 20/000 acres of tax law law lands to 20/000 acres of tax law
7.	Change the closed acreage fee to 20 % of average take
	lands in towns and villages.  Increase the allowable acreage to be closed to public access to 160 acres per
7.	2 Increase the allowable acreage to be closed to part
	municipality.  1 Create a withdrawal fee of \$300 to be retained by the DNR to cover administrative
8.	1 Create a withdrawal
	costs associated with a withdrawal.  Increase the MFL transfer fee from \$20 to \$100 with the funds going to Forestry
8.	2 Increase the MFL transfer fee from \$25 to \$45.
	Account.  Allow a Town to certify to the DNR Forestry Division that personal property tax is  Allow a Town to certify to the DNR forestry Division that personal property tax is
9	
	not paid. DNR would be required to without this type of action.  would not be allowed an appeal hearing on this type of action.
10	have a high speed Internet connection.

## Committee's Review Process

The objectives of this review are to:

- Review the Managed Forest Law (MFL) in the context of the Forestry Division's ability to meet the burgeoning workload, Forestry Account Legislative Audit concerns, and concerns expressed about its impact on local tax revenue.
- Recommend changes in the MFL that improve efficiency in application processing, enforcement and contract compliance as well as perceived inequities in the distribution of taxes, fees and aides.

## **Review Process:**

The MFL Review Committee assessed MFL background material and input from an internal Forestry Division team during two meetings held in October and November 2002. The Committee identified adjustments in the MFL that require statutory/administrative rule amendments, budget initiatives or internal Forestry Division procedural changes.

The Committee identified the following eleven (11) issue areas that are recommended for improvement

## **Issue Areas:**

- Managed Forest Law Plans
- 2. Application Process
- 3. Law Enforcement
- 4. Backlog Mandatory Practices
- Yield Tax, Cutting Notice/Report
- 6. Compensation to Municipalities and Counties
- Open and Closed Lands
- 8. Transfers and Withdrawals
- Buildings on MFL Parcels
- 10. Record Keeping
- 11. Internal Forestry Process/Policy

## **BACKGROUND**

## The Managed Forest Law Program:

The forest tax laws were initiated by the Legislature in the 1920s in response to the negative impact tax policies were having on the practice of sound forestry. Taxing the land based on the value of standing timber, the income from which would not be received potentially for decades, value of standing timber, the income from which would not be received potentially for decades, value of standing timber, the income from which would not be received potentially for decades, value of standing timber, the income from which would not be received potentially for decades, value of standing timber, the Legislature caused many landowners to destructively harvest their forest to pay their taxes. The Legislature created the Forest Crop Law in 1927, the first law in the nation to defer a portion of the property tax until such time as income was realized from the sale of timber. The Woodland Tax Law followed in 1953, and the Managed Forest Law in 1985.

The tax laws have had a tremendous impact on forest management of private forest lands within the state. These laws have been extremely successful at encouraging the sustainable management of Wisconsin's private forest lands. Current participation in the forest tax laws covers approximately 2.67 million acres, roughly 32,000 contracts and approximately 27,000 landowners. This is the largest land management program in the state in which management plans have been developed and landowners are committed to following them. As of 2002, the MFL program has 2.23 million acres or 83% of all tax law acreage. The remaining acreage is MFL program has 2.23 million acres or 83% of all tax law acreage. The woodland under the Forest Crop Law, which has been closed for new entries since 1986. The Woodland Tax Law expired in 2000, the year the last remaining contracts expired.

Timber harvesting on tax law lands must have prior approval by and be reported to the Department of Natural Resources when complete. Management recommendations include forest management, watershed protection, recreation, wildlife, endangered resource, aesthetic, and other management considerations.

Landowners must consider their objectives for owning the land and then, based on those objectives, make a commitment for the next 25 or 50 years. With that commitment, the landowner receives an average of 80% property tax savings annually, according to a Legislative Audit in 1994.

From 1994 to 1998, forestry accepted applications to convert Forest Crop Law lands to Managed Forest Law on an accelerated basis due to special legislation. Sixty percent of the FCL lands (900,000 acres) were converted to MFL through this process.

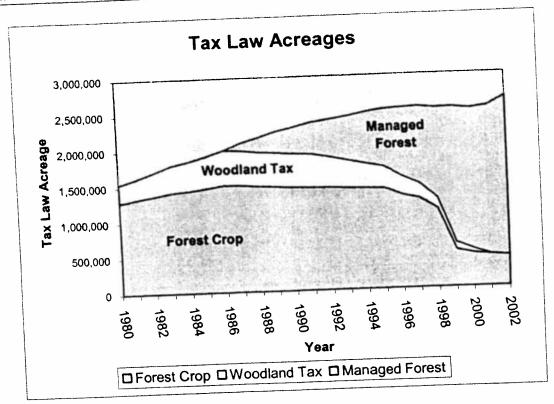
The DNR has documented the activity differences between the FCL and MFL and found the MFL administrative activity to be 3.4 times higher than FCL on the same acreage. These activities include cutting notices and reports, transfers and withdrawals. The intensity of activity is present both at the field level with increased harvest activity, questions from landowners, land transfer, etc. and with increased administrative activity in the Forest Tax Section (FTS) within the Bureau of Forest Management in the Division of Forestry.

# The Development of a Backlog Workload:

The number of MFL applications has been growing for a number of years. Applications have more than doubled in the last four years and tripled since 1990. The following table documents the application numbers by year. It does not include the FCL conversion to MFL applications from 1994 to 1998 since the Department had up to 3 years to process each application.

Year for Entry	Number of Applications	No. Change from Prev. Yr	Year Applications as % of 1990
1000	1291	-	100.0%
1990	1607	316	124.5%
1991		237	142.8%
1992	1844	134	153.2%
1993	1978	289	175.6%
1994	2267	-268	154.8%
1995	1999	-205	139.0%
1996	1794	_	148.6%
1997	1919	125	139.0%
1998	1795	-124	142.8%
1999	1843	48	126.8%
2000	1637	-206	202.8%
2001	2618	981	252.9%
2002	3265	647	298.8%
2002	3857	592	298.870

This application increase has overwhelmed the Forestry Division field staff and limited their ability to work on other priority workloads. The following graph emphasizes the dominance the managed forest lands have gained on the program.



The increasing popularity of the MFL program, combined with the increase in administrative activity levels under MFL as compared with FCL has generated a severe increase in workload. The addition of 23 new foresters in the 01-03 State Budget to address the backlog MFL work have been completely consumed by the increase in new applications for entry into the MFL. This has created an even larger unmet workload in mandatory MFL practices and other work that exists in private forestry.

Efforts to contract with private consultant foresters to write tax law management plans for new entries in to the MFL program over the past six years has helped with this workload, but the capacity of the private sector is limited. Estimates show that the private sector currently has the capacity to complete less than 25% of the plans required for the new entries this year, even if the amount of contracting funds were not a limiting factor.

Recent changes in the private forestry administrative code more clearly define the department's private forestry priorities and emphasize the important role cooperating consultant foresters can play. However, until the partnerships with private consultant foresters, cooperatives, associations and other landowner groups develop further, services to the private forest landowners will be in short supply.

## **Mandatory Practices Backlog:**

The mandatory practices written in the MFL management plans require a deadline for completion. Practices designated as mandatory in the statute include harvesting, thinning, release from competitive vegetation, reforestation and soil conservation. Foresters must notify the landowners in advance of practices coming due. Foresters then work with the landowner,

er, 2002

consultants, and loggers to secure completion of the practices. Department foresters monitor implementation of MFL contracts and conduct enforcement actions on practices not completed. They also document the status of each practice in a database tracking system called PlanTrac NOTE: PlanTrac is a customized PC-based software to assist foresters in writing MFL management plans, maintaining forest stand inventory data and tracking landowner management practices.

Cooperating private consulting foresters are notified each year of upcoming mandatory practices due on tax law lands when they file an agreement with the department as a "Cooperating Consultant Forester". These private foresters have the first chance and are encouraged to contact landowners and offer their services. A significant number of mandatory practices are not picked up by consultants, due to their location, size, marketability or workload.

As identified earlier, MFL applications have tripled since 1990 and doubled in just the last four years. The number of mandatory practices being written into MFL management plans is growing faster than the foresters can insure their completion. In studying the mandatory practices overdue in 1995 versus 2001, we find a tremendous increase in all areas of the workload. An overdue (backlog) practice is defined as a practice that has not been completed by the end of overdue (backlog) the workload. The following table demonstrates the level of increases.

Table 1. Mandatory practices due in tax law programs.

labic 1.		4005	2001	% change
		<u>1995</u>		279%
		3,694	13,984	<del>-</del> :
MFL	# of Practices	58,269	216,415	271%_
• –	Total Acres	2,355	16,427	598%
FCL	# of Practices	52,332	273,051	422%_
102	Total Acres	6,049	30,411	403%
TOTAL	# of Practices	•	489,466	343%_
	Total Acres	110,601	4,00/100	

The large backlog of mandatory practices is due in part to inadequate staffing to record practices on the database as they are completed. This created an inaccurate database of mandatory practices and hinders its usefulness in referring backlog practices to cooperating foresters. As a result of this large number of backlog mandatory practices, the DNR Forestry Division has placed a temporary moratorium on private timbersale establishment by its staff until the MFL database a temporary moratorium on private timbersale establishment by its staff until the MFL database is updated and all backlogged mandatory practices are referred to private cooperating foresters.

# ISSUES AND RECOMMENDATIONS

## ISSUE 1 - MANAGED FOREST LAW PLANS:

In the last four years the numbers of MFL application has doubled from just under 2,000 in 1999 to almost 4,000 in 2002. Even with 400 to 700 plans being prepared by private forestry consultants contracting with the DNR, most Department private lands foresters are spending more than half of their time writing and processing MFL plans. Additional time is spent by department foresters to review and approve the plans prepared by the consultants under contract. Both DNR and consultant plans are subject to review. Five to ten percent of plans prepared each year are not signed by the landowner and thus not entered into MFL, costing approximately \$280,000. The increased time spent on MFL planning has resulted in a decrease of time for other landowner requests and follow-up on overdue mandatory MFL practices. Given that MFL participants receive about an 80% overdue mandatory tax liability under MFL it seems appropriate that they pay part of the cost of entry into the law.

## RECOMMENDATIONS



1.1 Raise the non-refundable MFL application fee from \$100 to \$300 to encourage follow through with MFL entry. Use this additional revenue for contracting with consultant foresters to prepare MFL plans.

If we assume the current application rate of 4,000 MFL applications will be submitted annually and existing DNR staff can complete the work for approximately 2,000 applications, then annually leaving 2000 plans that need to be contracted. Based on current contracting costs it would take \$1.5 million to contract 2,000 plans or an additional \$1.2 million over current available funding. A fee of \$300/application would provide funds to costshare 50% of cost to prepare the average MFL plan. Under this recommendation, the forestry account would fund the remaining 50% of the cost. Through extensive contracting for MFL plans Forestry Division staff will be able to redirect approximately 20 FTE to MFL contract compliance.



## 1.2 Require that certified plan writers prepare all MFL plans.

DNR staff spend an inordinate amount of time reviewing plans prepared by others that do not meet the requirements of the MFL, do not follow standard department approved silviculture, or are written so poorly that they fail to qualify as a MFL plan. Certification (with periodic re-certification) of plan writers would provide a standard by which landowners could judge the qualifications of the plan writer they hire and would reduce the amount of time needed for DNR foresters to review and approve plans.



## **ISSUE 2 - APPLICATION PROCESS**

The Managed Forest Law application process can be cumbersome and time consuming due to the increasing number of applications and the need to verify completeness of the petition (deeds, tax bill, signature, lien holders, etc.). The time needed to assist landowners, processing and distribution to the field has increased beyond the resources of the Forest Tax Section (FTS). The gerrymandering of deeds to avoid "open" designation is adding to the problem. The foresters need the applications as early as possible to be able to completely and adequately complete the field work.

#### RECOMMENDATIONS



2.1 Move application deadline to July 1 (18 months before effective date).

Coordination and timing of contracting with private consultants would improve. This would provide consultants more field time and, as a result, they would be able to contract more plans. It would give the Forest Tax Section and field adequate time to process applications, prepare plans and field packets, and review entries. Landowners would have more time to consider and understand what they are applying for after receiving their tax bill (sticker shock), which would decrease the number of unsigned plans. This change would increase the amount of time available to foresters to meet with each landowner and discuss requirements, obligations, landowner objectives and provide better education/preparation of participating landowners.



2.2 Require a <u>recorded</u> deed be submitted with the application. This requires a change in administrative code (NR.16 (2)(a)) and not in statute.

Reduces the ability of a landowner to change ownership at last minute (usually associated with gerrymandering to "close" more acres). This would match requirements that counties have for tracking ownership.



2.3 Require landowner to supply copies of pertinent Certified Survey Maps (CSM) with the application. This may only require a change in administrative code.

This would decrease the forester's time required to track down CSM information. Having all this information available makes reviewing easier, decreases the expenses of the forester in obtaining and paying for copies of information.

#### **ISSUE 3 - LAW ENFORCEMENT**

Concerns have evolved since the beginning of the Managed Forest Law program in 1987 about the lack of landowner follow through on mandatory practices. Landowners have limited understanding of their obligations under the MFL. Enforcement actions can take a considerable amount of time and there is concern as the foresters begin to deal with the large number of overdue (backlog) mandatory practices that law enforcement will overwhelm their already full workload.

#### RECOMMENDATION



3.1 Provide a penalty/fine for failure to complete a mandatory

Develop a penalty for not completing mandatory practices by the scheduled date in the approved management plan. The DNR would certify to the County treasurer a \$250 penalty that would be assessed on the tax bill for collection for a noncompliance violation. Revenue collected would be split between the municipality and county. This would provide a lesser penalty than an involuntary withdrawal as a first step in compliance enforcement and help build a case for involuntary withdrawal if the penalty isn't enough incentive to gain contract compliance.

#### **ISSUE 4 - BACKLOG MANDATORY PRACTICES:** Ш

Over the years inadequate record keeping, lack of follow up in tracking mandatory practices, time needed for enforcement, and the ever increasing popularity of the MFL program has lead to a large number of mandatory practices that are overdue (backlogged). Much of this backlog is a direct result of insufficient staffing to provide technical assistance and contract compliance work. The DNR estimates that about \$74 million worth of timber value including nearly \$5 million in uncollected state/county and local tax revenue is tied up in backlogged mandatory tax law practices.

## RECOMMENDATION



4.1 Dedicate some new DNR forester positions (project) to eliminate the large number backlog practices or contract with consultants to establish backlog practices.

Would require 20 project foresters to manage the current number of identified backlog practices. (Budget Initiative) This alternative may not be necessary if the recommendation to increase the application fee and thus the contracting of MFL plans is enacted. The committee recommended delaying action on this recommendation but to keep it as a potential future initiative.

#### ISSUE 5 - YIELD TAX, CUTTING NOTICE/REPORT

The tax laws defer a portion of property taxes, and shift some of the tax load to a yield tax; which is collected when income is received from a timber sale. An increasing number of landowners harvest their timber before entry into the MFL to avoid paying the 5% yield tax that is assessed when timber is harvested under the law. Often times, the

harvest is destructive and limits the future opportunities and benefits that the forest could have provided had it been harvested properly. The assessment of yield taxes is based on an average stumpage rate rather than the actual sale receipt, which is confusing and frustrating to landowners. The process of establishing the stumpage rates annually is administratively cumbersome and time consuming. Enforcement of the MFL cutting notice and reporting process is time consuming with citations being the only way to assess a penalty on destructive cutting. It is unclear whether the current system of assessing and collecting yield tax is cost effective.

#### RECOMMENDATION

The committee did not reach agreement on a desirable change to the current system so no modification is recommended. Consider this issue in possible future MFL revisions.

# ISSUE 6 - COMPENSATION TO MUNICIPALITIES AND COUNTIES:

The perception exists that municipalities are losing money when land is entered under MFL. The rapid increase in the amount of land being entered under MFL is generating numerous concerns from municipalities, school districts, and counties. There is also a frustration that lands are being entered and mandatory practices are not being completed or enforced. The yield and withdrawal tax revenues are currently distributed as follows: 50% state, 40% municipality and 10% county. Since these are deferred taxes, the rationale for the state collecting 50% is unclear. In addition, the increase in acreage share (MFL per acre) tax doesn't reflect the increase in property tax for forest lands not entered into the MFL.

## **RECOMMENDATIONS**

- 6.1 Modify the formula that determines the distribution of funds collected for the Yield and the Withdrawal taxes. Redistribute funds currently going to the State to municipalities and counties. This recommendation will double the revenues received by municipalities and counties but reduce revenue to the Forestry Account. The annual estimated reduction to the Forestry Account based on calendar year 2001 data: Yield Tax -\$444,000, Withdrawal Tax -\$414,000. A correlative increase in revenue will be realized by the Towns (80%) and Counties (20%).
- 6.2 Modify the calculation of the acreage share tax to more closely reflect the changes in actual property taxes paid on non-tax law Change the current calculation formula to remove agricultural land values.

Consider a base rate equal to 5 percent of the average property tax paid per acre for forest, swamp and waste lands the previous year. The rate would be based on the statewide average and adjusted every five years. According to Department of Revenue 2001 tax data: Statewide average assessed value per acre of forest,

swamp and waste lands was  $$1,116 \times 0.02103$  (statewide average tax rate) = \$23.46. \$23.46 was the average property tax paid per acre x 5%(suggested rate) = \$1.17/acre of acreage share tax.

6.3 Modify the Resource Aid payment formula. Gradually reduce the number of acres required to qualify from 40,000 acres of tax law lands to 20,000 acres.

Currently the Resource Aid payment (\$1.25 million per year) is only paid to counties with 40,000 acres or more of MFL and FCL land. Reduce the acreage requirement to 20,000 acres in a series of steps. This would provide a more equitable distribution of these forestry account funds to counties that have significant acreage in MFL/FCL. (See appendix spreadsheet for potential fiscal impacts.)

## ISSUE 7 - OPEN and CLOSED LANDS:

When the MFL was created there were public benefits identified as partial compensation for reducing some of the property taxes not paid by the landowners involved. Underlying the program is the public benefit associated with sustainably managed forests that provide a range of public benefits including a continuous supply of forest products. Another public benefit is the availability of having private lands open to public access for hunting, fishing, cross-country skiing, sightseeing and hiking. The MFL program allows an owner to have up to 80 acres "closed" to public access per municipality; any enrolled lands over the 80 acres must be "open" to public access. The vast majority of landowners want to be able to control access to their land and as such there has been a steady decline in the acres entered as "open" each year. Landowners are also finding ways to change the ownership on larger tracts of land in order to be able to enter more lands as "closed". This practice has increased the number of applications, workload, the complexity of the entries and the frustration level of the public.

### RECOMMENDATIONS

7.1 Change the closed acreage fee to 20% of average tax per acre on class 5 and 6 lands in towns and villages.

Earmark funds collected to establish a program to purchase public hunting/recreational easements and land acquisition. The Department, local units of government and land trusts should be able to apply for these funds. The focus should be on purchasing permanent easements for hunting/fishing/hiking/sight-seeing/x-country skiing. The rate would be adjusted the same time the acreage share tax is, every five years. Utilizing the information from the Department of Revenue in Recommendation 6.2, \$23.46/acre (average property tax paid in 2001 on forest, swamp & waste) x 20% = \$4.69/acre. The \$4.69/acre would be the closed acreage fee and would be in addition to the acreage share tax. The total taxes/fees paid under Recommendation 6.2 and 7.1 for lands closed to the public would be \$1.17/acre + \$4.69/acre = \$5.86/acre.



7.2 Increase the allowable acreage to be closed to public access to 160 acres per municipality.

This Change will decrease gerrymandering of deeds by landowners and result in fewer applications for the same landowner. Overall, landowners would be happier with being able to control public access to their lands.

# ISSUE 8 - TRANSFERS AND WITHDRAWALS

Several workload issues and concerns arise regarding transfers and withdrawal of MFL lands. Landowners are required to notify the DNR when MFL/FCL is sold or bought, however, often this is not done. The lack of notification can lead to more lengthy and however, often this is not done. The lack of notification can lead to more lengthy and however, often this is not done. The lack of notification can lead to more lengthy and however, often this is not done. The lack of notification can lead to more lengthy and however, often this is not done. The lack of notification can lead to more lengthy and however, often the law. Landowners can withdraw MFL/FCL much less that they have obligations under the law. Landowners can withdrawn in their land at any time but must pay a penalty. The withdrawal tax on land withdrawn in the first few years of the contract is usually not much more than the taxes saved, which creates a limited deterrent to encouraging continued entry. Land withdrawn within a few years of entry does not provide the long-term benefits, yet a significant cost is incurred in the entry and withdrawal processes.

### RECOMMENDATIONS



8.1 Create a withdrawal fee of \$300 to be retained by the DNR to cover administrative costs associated with a withdrawal.

This fee would be a partial reimbursement of costs associated with a withdrawal and not a penalty because a reimbursement can be returned to the department as revenue to the Forestry account. The rate should be set in statute and not in administrative code. The average estimated costs to the department per withdrawal is 20 hours x \$30/\$ hour (salary & benefits) = \$600.



8.2 Increase the MFL transfer fee from \$20 to \$100 with the funds going to Forestry Account.

The number of MFL transfers is increasing. The department has a number of costs associated with each transfer including issuing a transfer order, recording fees, contacts with the new landowners and in a number of instances revision of the existing management plan to better meet the new landowners objectives. DNR will work with Department of Revenue to improve the notification system when MFL lands are transferred.



Any structure on MFL lands must be taxed as personal property tax, not as real estate. The method to collect delinquent taxes on personal property is more difficult and time consuming for the county than collecting delinquent property taxes. Changes in the definition of what types of structures are allowed on MFL lands were put into effect on January 2, 1999. It has decreased the number of building on MFL but has not alleviated the delinquent personal property tax collection issue.

\*

### RECOMMENDATION

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Option 9.1 Allow a Town to certify to the DNR Forestry Division that  $\sim$ personal property tax is not paid. DNR would be required to withdraw the lands from the MFL. Landowners would not be allowed an appeal hearing on this type of action. Landowners would not have the right to appeal the department's decision under this circumstance as they do in a failure to file a transfer notice. This option would still allow landowners to have structures but would allow for easier enforcement of unpaid personal property taxes.

### **ISSUE 10 - RECORD KEEPING:**

The current system creates problems for tracking ownership changes, management plan revisions and mandatory practices because there are two separate databases with different software. The first program is a PC database in the field forester's office, the second utilizes a mainframe database in the Madison Central office. Data is shared between the foresters and Central Office but the current process is cumbersome and data is often outdated. Dial in access to the mainframe is currently the biggest single draw back to having one MFL database system. In addition some processes on the PlanTrac software are cumbersome and could be improved.

### RECOMMENDATION

10.1 Seek additional funding in the 03-05 budget to allow all field forester offices to have a high speed Internet connection. Currently thirty-nine forestry field offices involved in MFL do not have a high speed Internet connection capability available to them.

# **ISSUE 11 - INTERNAL FORESTRY PROCESS OR POLICY OPTIONS:** The committee identified a number of other changes that the Division of

Forestry should consider for improving MFL program management. The Division is committed to pursuing these options to further improve and streamline the program. Examples include:

- 11.1 Provide improved technical support to field foresters for computer applications, e.g PlanTrac. This has proven successful in the northern region and has improved the efficiency and attitude of the staff, which also improves the quality of the data. This should be implemented statewide.
- 11.2 Provide better education to landowners, Realtors, and recreational users of MFL lands regarding obligations, opportunities and restrictions. Focus on workshops, forest tax and stewardship newsletters, etc. Continue to work with

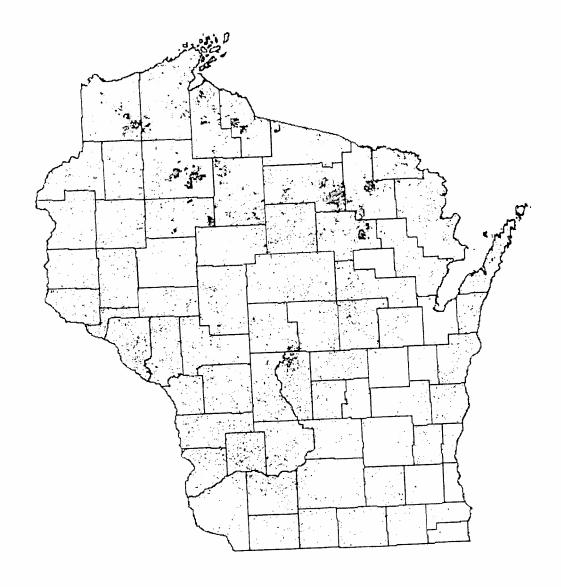
WWOA, Forest Productivity Council, Towns Association, Counties Association and others on MFL education.

- 11.3 Simplify filing of the MFL cutting notice/report, making it easier to complete and more available. Examine possible electronic filing options.
- 11.4 Examine opportunities for the DNR to charge for forester services for which landowners receive income.
- 11.5 Incorporate enforcement policies and procedures into annual or biannual forester and technician training. There currently is a policy/process in place but it is not being used to its fullest extent by staff. A new forester position was established and is in the process of being filled to work on Tax Law and private forestry enforcement issues. This person should be able to address this issue.
- 11.6 Develop a statewide database of citations, enforcement actions and/or notice of investigations, which is readily available to field foresters.
- 11.7 Develop and conduct voluntary MFL workshops targeted at new applicants. This would improve education of landowners about the requirements for entry and their obligations once under MFL. These sessions could be used to assist landowners in filling out an application correctly which would reduce the time needed for review of applications.
- 11.8 Provide an opportunity for landowners to designate one person to sign for all landowners on the management plan. Currently all owners and spouses must sign the application and management plan. This would make it easier for the landowners and reduce forester/FTS workload.
- 11.9 Increase/allow for electronic filing of documents such as the MFL field packets. Not all documents can be submitted electronically due to signature and recording requirements. Speed and access to computers and the Internet still varies greatly across the state. As technology/access improves and ways are found to deal with other requirements we may be able to use electronic filing.

### CONCLUSION

The forest tax laws have served the people of Wisconsin well for over 70 years. These laws have helped realize significant ecological, economic and social benefits that are derived from sustainably managed forest land. In order to continue realizing these benefits under changing circumstances, most notably the dramatic increase in landowners participating in the program, changes are needed to ensure the program meets its full intent. The recommendations outlined in this report will address workload concerns, fair compensation to local governments, and the responsibility of landowners within the program for costs associated with program implementation.

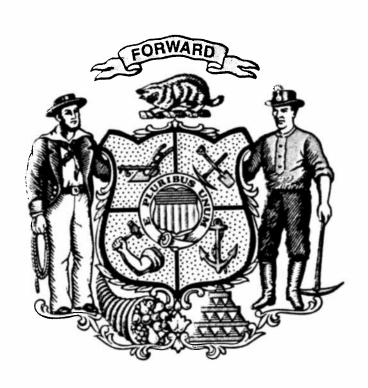
Figure 2. Tax Law Lands Distribution 2002



/ 2001 data	1	based or	CE AID les under n 40,000 ac	current d	istrib.		29 counties if distribution based on 30,000 ac. to qualify					based	39 counties if distribution based on 20,000 ac. to qualify			ment
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iams	84,895.20 77,252.12		7,252.12	4.69		3,644.81	77,2	52.12	3.8	0%	47,537.0	~	11,202.10			
shland	23,553.54						70.4	61.23	3.9	11%	48,897	34	79,461.23	3.479	43	,375.18
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Langlade	95,30	1.83	95,301.		5.79% 7.02%	87.759		15,604		5.69%	71,1	38.05	115,604.4	18 5.	05%	05,104.
Lincoln	115,60		115,604	48	7.02.7	07,1.01							70.000	30 3	19%	39,826.
Manitowoc	14,23		72,960	39	4.43%	55,38	6.80	72,960.	38	3.59%		96.69	72,960.3 79,787.6		48%	43,553
Marathon	72.9		79,787		4.85%	60,56	9.62	79,787	65	3.93%	49,0	97.90	79,707.			
Marinette		95.50	75,75.										<u></u>			
Marquette		16.75										<del></del>	23,313.	20 1	.02%	12,725
Menominee	11	13.20								1.59%	19	874.39	32,297.		.41%	17,630
Monroe		97.32						32,297		9.949		223.52	201,872.	23 8	.82%	110,195
Oconto Onelda		72.23	201,87	2.23	12.26%	153,24	8.34	201,872	.23	3.347						
Outagamie	14.5	587.38														
Ozaukee	1.	797.95														
Pepin	13,	169.42													028	12,725
Pierce	- 11	764.40											23,313		.02%	17,582
Polk		966.02						32,21	0.47	1.59		820.94	32,210		3.88%	48,48
Portage	11	210.47	88,81	8.04	5.39%	67.4	24.91	88,81	8.04	4.37	% 54	654.82	88,818			
Price	11	818.04	00,0									,057.86	39,095	5.77	1.71%	21,34
Racine	11	,033.66						39,09	5.77	1.92	70 24	,051.00	33,334			
Richland	11	108.98							14.45	3.41	% A'	,638.99	69,291	1.45	3.03%	37,82
Rock	11	.291.45	69,2	91.45	4.21%	52.6	501.59	69,29	11.45	3.41	/ <del>*</del>	.,505.55				
Rusk	11	.845.17											21,640		0.95%	11,81
Saint Croix Sauk		,646.64					925 98	119,6	7 01	5.89	7	3,631.80	119,65		5.23%	65,31
Sawyer	II	657.01		57.01	7.27%		835.86 213.90		59.73	2.93		6,650.51	59,55	9.73	2.60%	32,51
Shawano		9,559.73	59,5	59.73	3.62%	40,	- 13.30							0.52	1 204	15,97
Sheboygan		9,472.60											29,26		1.28%	13,19
Taylor		9,268.57										0.034.5-	24,18 30,99		1.35%	16,91
Trempealeau	11	4,180.24							92.11	1.5		9,071.22			1.67%	20,90
Vernon		0,992.11						38,2	97.82	1.8	9% 2	3,566.84	30,23			
Vilas		8,297.82									-	0,119.25	48,94	15.96	2.14%	26,7
Walworth		2,451.67 18,945.96	48	945.96	2.97%	37	,156.61	48,9	45.96	2.4	176	W, 113.25	1 70,35			
Washburn	H <u>'</u>	5,801.34	<del></del>													
Washington		2,430.77	<del>                                     </del>						100 FF	3.0	1%	36,361.18	59.08	39.55	2.58%	32,2
Waukesha		59,089.55	59	089.55	3.59%	, 44	,856.96		089.55			21.049.3		06.72	1.49%	18,6
Waupaca		34,206.72						34,	206.72	1.0	~~		1			
Waushara	<del></del>	2,032.10						27	571.93	1 6	35%	23,120.1	6 37,5	71.93	1.64%	20,5
Winnebago	<del></del>	37,571.93						31,	J. 1.33							
							1					50,000.0	0 2,289,9	20 50 1	UO.00%	1,250,0

2001 data	WITHDRAWAL TAXES  Collected in 2001	Current Dis		Muni 40°	% C	ounty 101		d Distribution DNR 0%	Muni	180% Co	unty 20%
	COMO	DI	NR 50%	MUIN				\$0.00	\$53	,367.18	\$13,341.79
	\$66,708.97	<b> </b>	\$33,354.49	\$26,68		\$6,670		\$0.00	\$3	5,530.06	\$882.52
iams	\$4,412.58		\$2,206.29	\$1,76		\$441 \$405		\$0.00		3,245.34	\$811.34 \$6,362.86
hiand	\$4,056.68		\$2,028.34	\$1,62 \$12,72		\$3,18		\$0.00	\$25	\$0.00	\$0.00
arron ayfield	\$31,814.28		\$15,907.14 \$0.00		50.00		0.00	\$0.00	-	4,187.44	\$1,046.86
OWN	\$0.00		\$2,617.15	\$2,09	93.72		3.43	\$0.00 \$0.00	-	3,315.15	\$828.79
uffalo	\$5,234.3		\$2,071.97	\$1,6	57.58		4.39	\$0.00		\$0.00	\$0.00
urnett	\$4,143.9 \$0.0		\$0.00		\$0.00	\$6,88	0.00	\$0.00		5,118.69	\$13,779.67 \$2,525.07
alumet	\$68,898.3		\$34,449.18	\$27.5		\$1,26		\$0.00		0.100.28	\$2,525.07
hippewa	\$12,625.3		\$6,312.68 \$0,00		\$0.00		0.00	\$0.0	_	\$0.00 \$4,741.35	\$1,185.34
Columbia	\$0.0		\$2,963.35		370.68	\$59	92.67	\$0.0 \$0.0		5,820.10	\$1,455.03
Crawford	\$5,926.		\$3,637.57		910.05		27.51	\$0.0		\$102.78	\$25.69
Dane	\$7,275. \$128.		\$64.24	1	\$51.39		12.85	\$0.0		\$5,286.21	\$1,318.55
Dodge	\$6,582		\$3,291.38	1	633.10		58.28 80.68	\$0.0	XO	\$5,445.42	\$1,361.35
Door	\$6,806		\$3,403.39		722.71		777.64	\$0.0	• • •	\$6,221.14	\$1,555.25 \$3,077.90
Douglas	\$7,778		\$3,888.2	4	110.57		538.96	\$0.0		12,311.69	\$848.55
Dunn Eau Claire	\$15,389		\$7,694.8 \$2,116.3		.693.10	¥	423.28	\$0. \$0.		\$3,386.21 \$733.63	\$183.4
Florence	\$4,232		\$2,116.3 \$458.5		\$366.82		\$91.70	\$0. \$0.		\$24,068.54	\$6,017.1
Fond Du Lac	\$917		\$15,042.8	4 \$12	.034.27		008.57	\$0.		\$5,280.33	\$1,320.0
Forest	\$30,085 \$6,60		\$3,300.2		2,640.16		660.04 297.48	\$0		\$2,379.82	\$594.9
Grant	\$2,97		\$1,487.3	~	1,189.91	<u>\$</u>	\$0.00	\$0		\$0.00	\$0.0 \$2,142.8
Green		0.00	\$0.0		\$0.00 4,285.68	<u>\$1</u>	,071.42		.00	\$8,571.37	\$2,142.0
Green Lake	\$10,71		\$5,357. \$685.		\$548.67		137.17		.00	\$1,097.34 \$1,341.47	\$335.3
Iron	\$1,37		\$838.		\$670.74	`L	\$167.68		.00	\$1,537.23	\$384.3
Jackson	\$1,67		\$960.		\$768.62	• 1	\$192.15			\$14,410.00	\$3,602.5
Jefferson	\$1,92 \$18,0		\$9,006	25 \$	7,205.00		1.801.25		0.00	\$0.00	\$0.0
Juneau		\$0.00	\$0	.00	\$0.00		\$0.00 \$0.00	\$(	0.00	\$0.00	\$0.
Kenosha		\$0.00		.00	\$0.00 \$0.00		\$0.00		0.00	\$0.00	\$0. \$731.
Kewaunee		\$0.00	\$0 \$1,829	.00	\$1,463.4	_	\$365.85		0.00	\$2,926.82 \$628.90	\$157.
La Crosse Lafayette		58.53	\$1,82°		\$314.4		\$78.61		0.00	\$35,607.83	\$8,901
Langlade		86.13	\$22,254	.90 \$	17,803.9	<u> </u>	4,450.98		0.00	\$10,124.22	\$2,531
Lincoln		509.79 555.28	\$6,32		\$5,062.1		1,265.53		0.00	\$19,768.55	\$4,942
Manitowoc.		710.69	\$12,35		\$9,884.2		\$2,471.07 \$4,369.61		0.00	\$34,956.88	\$8,739
Marathon .		696.10	\$21,84	7.77	\$2,258.		\$564.67		0.00	\$4,517.38	\$1,129 \$0
Marinette		646.73	\$2,82		\$2,230.0		\$0.00		0.00	\$0.00 \$0.00	- SC
Marquette Menominee		\$0.00		0.00	\$0.		\$0.00		\$0.00	\$16,586.11	\$4,146
Monroe		\$0.00	\$10,36	6.32	\$8,293.	.001	\$2,073.26		\$0.00	\$41,544.39	\$10,386
Oconto		,732.64 ,930.49	\$25,9		\$20,772.	.20	\$5,193.05		\$0.00	\$2,229.20	\$55
Oneida		786.50	\$1,3	3.25	\$1,114		\$278.65 \$183.50		\$0.00	\$1,468.03	\$36
Outagamie		.835.04		17.52	\$734		\$647.08		\$0.00	\$5,176.65	
Ozaukee		,470.81		35.41	\$2,588 \$6,940		\$1,735.22		\$0.00	\$13,881.76 \$590.87	
Pepin Pierce	<b>S</b> 1	7,352.20		78.10 69.30	\$295		\$73.86		\$0.00	\$10,082.50	
Polk		\$738.59		01.57	\$5,041		\$1,260.31		\$0.00 \$0.00	\$17,658.85	\$4,41
Portage		2,603.13 2,073.56		36.78	\$8,829	9.42	\$2,207.36		\$0.00	\$1,032.78	\$25
Price		1,290.98		45.49	\$510		\$129.10 \$813.67		\$0.00		
Racine		8,136.67		068.34	\$3,25		\$940.89		\$0.00		
Richland		9,408.94		704.47	\$3,76 \$70	5.44	\$176.36		\$0.00		
Rock Rusk		1,763.60		932.97	\$7,94		\$1,986.59		\$0.00		<u> </u>
Saint Croix		19,865.93		187.34	\$2.54		\$637.47		\$0.00		7 \$1,5
Sauk		\$6,374.68 \$7,884.09		942.05	\$3,15		\$788.41		\$0.00	\$2,495.0	3 \$6
Sawyer		\$3,118.79	\$1	,559.40		47.52	\$311.88 \$182.33		\$0.00	\$1,458.6	
Shawano		\$1,823.32		911.66		29.33	\$1,580.59		\$0.00		
Sheboygan		15,805.93		,902.97		22.37 02.15	\$175.54		\$0.00		~
Taylor Trempesiesu		\$1,755.38		\$877.69 2,848.70		78.96	\$569.74		\$0.0		
Vernon		\$5,697.39		0,542.22		33.78	\$6,108.44		\$0.0		00
Vilas		\$61,084.44 \$0.00	•	\$0.00		\$0.00	\$0.00		\$0.0		74 \$4.
Walworth		\$20,083.43		0,041.72		33.37	\$2,008.3		\$0.0	0 \$21,839.	85 \$5,
Washburn		\$27,299.81		3,649.91		919.92	\$2,729.9 \$641.9		\$0.0	xO \$5,135.	
Washington		\$6,419.46		3,209.73		567.78 276.56	\$1,569.1		\$0.0		
Waukesha Waupaca		\$15,691.40		7,845.70 4,525.06		620.05	\$905.0		\$0.0		
Waushara		\$9,050.12		\$0.00	<del></del>	\$0.00	\$0.0		\$0.0 \$0.0		
Winnebago		\$0.00		2,990.80	\$2.	392.64	\$598.1	6	\$0.0	37,100	-
		\$5,981.60	-							00 \$661,607	.93 \$165

Y 2001 data	Collected in	Current Dis	tribution (50/	40/10) ni 40%	County 10%	Proposed Distrib	Mu	ni 80% C	ounty 20%
ELD TAX		DNR 50	329.01	\$9,863.20	\$2,465.80	\$0.00		\$19,726.41	\$4,931.60
dame .	\$24,658.01		250.91	\$9,000.73	\$2,250.18	\$0.00	1	\$18,001.46	\$4,500.36
shland	\$22,501.82		696.40	\$3,757.12	\$939.28	\$0.00		\$7,514.23	\$1,878.56 \$6,006.03
LITOR	\$9,392.79			\$12,012.07	\$3,003.02	\$0.00	1	\$24,024.14	\$0.00
ayfield	\$30,030.17	<u> </u>	\$0.00	\$0.00	\$0.00	\$0.0		\$0.00	\$535.23
Irown	\$0.00		338.07	\$1,070.46	\$267.61	\$0.0		\$2,140.91	\$1,379.30
3uffalo	\$2,676.14 \$6,896.50		448.25	\$2,758.60	\$689.65		_	\$5,517.20 \$488.22	\$122.05
Burnett	\$610.2		\$305.14	\$244.11	\$81.03			\$2,432.43	\$608.11
Calumet	\$3,040.5	1	.520.27	\$1,216.22	\$304.0			\$12,732.67	\$3,183.17
Chippewa	\$15,915.8		7,957.92	\$6,366.34	\$1,591.5			\$39.20	\$9.80
Clark	\$49.0		\$24.50	\$19.60	\$4.9			\$2,717.07	\$679.2
Columbia	\$3,396.3		1,698.17	\$1,358.54	\$339.6			\$2,334.18	\$583.5
Crawford	\$2,917.7		1,458.86	\$1,167.09	\$291.7			\$720.62	\$180.10
Dane	\$900.7		\$450.39	\$360.31	\$90.0			\$2,259.47	\$564.8
Dodge	\$2,824.3		1,412.17	\$1,129.74	\$282.4			\$26,938.44	\$6,734.6
Door	\$33,673.0		6,836.53	\$13,469.22	\$3,367.3	1		\$5,759.86	\$1,439.9
Douglas	\$7,199		3,599.92	\$2,879.93	\$719.9	<u> </u>		\$4,941.09	\$1,235.2
Dunn	\$6,176.		3,088.18	\$2,470.54	\$617.6			\$59,513.89	\$14,878.4
Eau Claire	\$74,392		37,196.18	\$29,756.94	\$7,439.			\$660.77	\$165.1
Florence	\$825	-	\$412.98	\$330.38	\$82.	~	.00	\$40,038.22	\$10,009.5
Fond Du Lac	\$50,047		25,023.89	\$20,019.11	\$5,004.		.00	\$3,096.14	\$774.0
Forest	\$3,870		\$1,935.09	\$1,548.07	\$387.	-	.00	\$1,420.58	\$355.
Grant	\$1,775		\$887.87	\$710.29	\$177.	<u> </u>	.00	\$0.00	\$0.0
Green		.00	\$0.00	\$0.00	\$0.	-	.00	\$4,200.06	\$1,050.0
Green Lake	\$5,250		\$2,625.04	\$2,100.03	\$525	<u> </u>	0.00	\$4,200.00	\$3,720.
lowa	\$18.60		\$9,301.43	\$7,441.14	\$1,860		0.00	\$13,834.88	\$3,458.
tron	\$17,29		\$8,646.80	\$6,917.44			0.00	\$196.38	\$49.
Jackson	\$24		\$122.74	\$98.19		.00	0.00	\$14,958.73	\$3,739.
Jefferson	\$18,69		\$9,349.21	\$7,479.36		.0.1	0.00	\$1,108.80	\$277
Juneau	\$1,38		\$693.00	\$554.40		.00	0.00	\$1,313.27	\$328
Kenosha	\$1,64		\$820.80	\$656.64		.10	0.00	\$2,453.01	\$613
Kewaunee	\$3.06		\$1,533.13	\$1,226.5		,.00	0.00	\$32.52	\$8
La Crosse		0.65	\$20.33	<b>\$</b> 16.2	~l		0.00	\$44,599.33	\$11,149
Lafayette	\$55.74		\$27,874.58	\$22,299.6			0.00	\$20,167.56	\$5,041
Langlade	\$25,20		\$12,604.73	\$10,083.7		J.50	0.00	\$2,129.09	\$532
Lincoln		51.36	\$1,330.68	\$1,064.5		J. 1 - 1	0.00	\$9,997.86	\$2,499
Manitowoc	\$12,4		\$6,248.66	\$4,998.9	3 \$1,24	9.7 0	0.00		\$13,562
Marathon	\$67.8		\$33,905.51	\$27,124.4	\$6,78	1,10	\$0.00	\$54,248.81	\$501
Marinette		05.29	\$1,252.65	\$1,002.	12 \$25	0.00	\$0.00	\$2,004.23 \$0.00	\$00
Marquette		\$0.00	\$0.00	\$0.0	00 1	V.40	\$0.00	\$5,561.86	\$1,390
Menominee	<b>I</b>	52.32	\$3,476.18	\$2,780.	93 \$69	020	\$0.00	\$3,408.30	\$85
Monroe		60.37	\$2,130.19	\$1,704.	10	.0.0 1	\$0.00	\$66,192.16	\$16,54
Oconto		740.20	\$41,370.10	\$33,096.			\$0.00	\$2,976.33	\$74
Oneida		720.41	\$1,860.21	\$1,488	. ' -	72.04	\$0.00	\$0.00	\$
Outagamle		\$0.00	\$0.00	\$0	.00	0.00	\$0.00	\$8,767.98	\$2,19
Ozaukee	\$10	959.97	\$5,479.99	\$4,383	.00	98.00	\$0.00	\$4,649.95	\$1,16
Pepin		812.44	\$2,906.22	\$2,324		81.24	\$0.00	\$2,700.94	\$67
Plerce		376.17	\$1,688.09	\$1,350		37.62	\$0.00	\$6,481.82	
Polk		102.28	\$4,051.14	\$3,240		10.23	\$0.00	\$20,198.34	
Portage		247.93	\$12,623.97	\$10,099		24.79	\$0.00	\$20,190.3	<u> </u>
Price		\$0.00	\$0.00		00.0	\$0.00	\$0.00	\$13,937.97	
Racine	\$17	422.46	\$8,711.23	\$6,968		42.25	\$0.00	\$1,162.62	
Richland		453.27	\$726.64	\$58		45.33	\$0.00	\$10,668.6	<u> </u>
Rock		3,333.26	\$6,666.63	\$5,33	-	333.33	\$0.00	\$1,743.7	
Rusk Saint Crot		2,179.69	\$1,089.85	\$87	1.00	217.97	\$0.00	\$2,145.0	
	_	2.681.27	\$1,340.64		2.01	268.13	\$0.00	\$45,488.6	
Sauk		5,860.84	\$28,430.42	\$22,74		686.06	\$0.00	\$13,219.9	
Sawyer		6,524.89	\$8,262.45	\$6,60	0.00	652.49	\$0.00	\$2,991.3	
Sheboyga		3,739.15	\$1,869.58	\$1,49	0.00	373.92	\$0.00	\$3,906.8	
Taylor		4,883.54	\$2,441.77		O. 12	488.35	\$0.00	\$5,471.8	
Trempeal		6,839.82	\$3,419.91			683.98	\$0.00		
Vernon		4,189.61	\$2,094.81		0.0.	418.96	\$0.00		
Vitas		4,347.25	\$7,173.6			,434.73	\$0.00		
Walworti		\$820.75	\$410.3		28.30	\$82.08	\$0.00		
Washbur		10,852.95	\$5,426.4	- I		,085.30	\$0.00		
Washing		\$895.49	\$447.7	Ÿ	58.20	\$89.55	\$0.00		
Waukesi		\$0.00	\$0.0	~i	\$0.00	\$0.00		1	
		19,029.70	\$9,514.8	~		,902.97	\$0.00		
Waupac		14,431.51	\$7,215.7			1,443.15	\$0.00		
Wausha		\$0.00	\$0.0		\$0.00	\$0.00	\$0.00		
Winneb	-W'	11,203.69	\$5,601.8	85 \$4,4	181.48 \$	1,120.37	\$0.00	30,502.	<del></del>
Wood									



## CORRESPONDENCE/MEMORANDUM ·

DATE:

January 21, 2003

TO:

County Forest Liaison Foresters County Forest Administrators State Forest Superintendents

FROM:

Jeff Barkley - FR/4 Ah.

SUBJECT: Calendar Year Reports - Public Forest Timber Sales

Attached are two calendar year reports for the year 2002 for your information and files. If you have questions please contact me at 608-264-9217 or e-mail at jeff.barkley@dnr.state.wi.us

Cc:

Regional Foresters

Regional Forestry Staff Supervisors

Bureau / Office Directors Gene Francisco - AD/5 Paul DeLong - FR/4 Area Forestry Leaders

Area Forestry Staff Supervisors

Forestry Team Leaders

Kent Van Horn - FR/4 Colette Matthews - WCFA Secretary

Bill Walker - WCFA President - 721 Main St., Marinette, WI. 54143

Jim Whipple - Tomahawk

Vern Everson – FR/4

Anne Archie - Chequamegon-Nicolet N.F., 1170 Fourth Ave. South, Park Falls, WI. 54552

Milt Reinke Harry Mills

Representative Donald Friske Representative John Gard



		* * * /
	CONTRACTOR OF THE PROPERTY OF	

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WISCONSIN DEPARTMENT O	TOTATES SAYENDO
096-0390	000 - CC00

DATE: 01/21/03 PAGE: 1

1/03	\$/ PROPERTY * ACRES	4.37 20.95 11.41 11.47 11.47 5.82 6.18 6.08 8.17 14.02 1.51 6.73	17.33 8.86 10.87 14.35	11.40 3.51 7.04 7.04 7.69 12.44 7.42 7.42	27.08 4.41 1.74 10.43 2.92 2.40 5.33 3.18 3.70
DATE: 01/2 PAGE: 1	CORD EQUIV/ CUT ACRES	13.22 10.61 17.21 18.89 13.40 25.48 11.17 12.17 16.59	20.29 16.38 16.26 19.45	16.09 16.93 12.96 19.70 7.62 16.39 18.26 13.07	18.66 8.11 228.58 23.14 13.71 11.92 19.18 14.67
	\$/cut Acres	236.68 559.46 531.10 466.37 295.68 580.00 589.03 369.13	562.01 414.77 379.54 508.71 567.56	554.77 394.59 496.56 411.64 111.64 108.00 408.15 341.88 554.89 554.89	672.98 253.17 5104.55 778.09 254.34 191.72 833.36 650.23 399.67
	AVG. \$ /CORD EQUIV	22.07 22.07 22.07 22.07 22.07 22.07 20.17 20.33	7.53.37	34.48 239.31 388.30 20.90 224.28 37.27 22.142 22.144	36.07 31.20 22.33 33.63 18.55 16.08 43.44 44.32 30.34
w	AVG. \$ /SALE	14575.74 40976.10 39230.99 12840.72 10397.49 21021.10 10406.20 21683.38 13803.72	2115.1 22115.1 3999.2 3999.2	26103.41 24069.71 118180.50 20001.10 18733.57 22916.61 21846.03 34710.22 26837.26 22353.83	32560.35 14068.75 5104.55 47463.56 8248.02 14443.13 56199.93 30994.47 25711.87
NATURAL RESOURCES S.T. T.I.M.B.E.R. S.A.L.E	TOTAL \$ VALUE	174908.85 327808.81 1920059.69 1219401.99 192610.77 193645.94 426654.06 130100.28 152083.30	48969.3 24031.3 94962.1 07987.1	495964.78 288836.56 118180.50 340018.73 636941.26 779164.66 779164.66 779164.96 1100339.90 335337.46	1107051.93 295443.81 10209.10 569562.68 57736.13 216646.96 899198.93 92983.42 77135.61
	ORD QUIV SALE	814 982 1088 1080 471 732 732 627	4 200444	757 1033 3085 3085 957 771 919 919 912 1010	903 451 229 1411 445 898 1294 699 848
	TOTAL CORD EQUIV /	9769 7859 33489 33489 72041 72043 14144 4393 12205	735 898 898 690 512 512	14382 12393 3085 16272 26272 31095 9194 5587 37399 15144	30690 9469- 457 16935 3113 13473 20698 20698 2543
	· ம	00000000000000000000000000000000000000	57 44 77 51 55	47 61 238 238 101 56 64 64 64 64 77	48 56 1 32 7 75 64 64 64 64 64 64
DEPART			4 44000	894 732 732 238 3,443 1,909 1,983 1,159	1,64 1,164 222 222 22 1,13 1,07 1,07 1,07 1,07 1,07
WISCONSIN S T A	NO. COMPL SALE	120 130 131 131 14 14 16	29 10 110 117 78	00 11 11 12 14 14 11 11 11 11 11 11	
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COUNT	ROPER	40003.22 15645.11 168249.23 33106.91 132847.33 269624.90 52251.89 36352.00	44363.3 6921.3 6708.6 1609.6	6706.0 43515.8 82211.5 16781.7 16781.7 17866.3 17866.3 17866.3 17866.3 37553.5	40881.9 67069.1 2971.8 2971.8 463.1 19752.7 1086.3
S659-36A	PROPERTY	COUNTY FORESTS  ASHLAND COUNTY BARRON COUNTY BAYFIELD COUNTY CHIPPEWA COUNTY CLIPPEWA COUNTY CLARK COUNTY DOUGLAS COUNTY EAU CLAIRE COUN FLORENCE COUNTY FOREST COUNTY	IRON COUNTY JACKSON COUNTY JACKSON CO. IRO JUNEAU COUNTY LANGLADE COUNTY LINCOLN COUNTY MARATHON COUNTY MARATHON COUNTY	MONROE COU MONROE CO. OCCONTO CO. OCCONTO COUNT PRICE COUNT RUSK COUNT SAWYER COU TAYLOR COUNT VILAS COUNT WASHBURN C	** COUNTY TOTAL  STATE FOREST BLUCK RIVER STA BLACK RIVER STA COULEE EXPERIME PESHTIGO RIVER AMERICAN LEGION GOVERNOR KNOWLE LOEW LAKE UNIT- UHRENHOLDT MEM FLAMBEAU RIVER CHAMPION VALLEY NORTHERN HIGHLA KET. MORAINE N. KET. MORAINE S. GRIFFITH NURSER

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# WISCONSIN DEPARTMENT OF NATURAL RESOURCES 0

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48.15 59.47 59.00 903.01 46.82 1177.34 458.14 171.72 2869.65	243.34 706.96 991.57 295.61 337.37 504.73 323.05 107.75 29.81 139.03 450.88 435.76 486.72 940.89 119.98 892.45 510.23 169.39 134.13 134.13 114.71 114.08	I M B E R ALL < SAWLOGS MBF
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73.36 45.48 170.03	262.46 76.56 47.73 3620.57 18.00 292.64 319.19 2582.98 2284.40 1749.63 25.30 763.35 177.40 773.73 514.20 118.47 257.15	O1-
1093.74 2715.76 241.71 1385.90	3495.02 3224.34 3224.34 3742.40 216.95 2998.06 599.95 771.35 1434.81 20.00 611.38 337.25 143.83 2711.06 2711.06 33693.5	MATURAL 17 & S 01-02 TO M E S OAK
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