

BEFORE THE
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PUBLIC HEARING
FR-04-10

NOTICE IS HEREBY GIVEN that pursuant to ss 77.06(2), 77.82(2m) and (4), 77.88(2)(d)2., 77.91 (1) and 227.11 (2)(a), Stats., interpreting ss. 77.06(2) and subch. VI of ch. 77, Stats., the Department of Natural Resources will hold a public hearing on revisions to ch. NR 46, Wis. Adm. Code, relating to the administration of the Forest Crop Law and the Managed Forest Law. The proposed rule:

1. Revises the annual stumpage rates for the period between November 1, 2010 and October 31, 2011 as required in ss. 77.06(2) and 77.91(1), Stats. The average change from the current rate is a 3% decrease in sawtimber, a 4% decrease for pulpwood, a 3% decrease for mixed products, and a 1% increase in piece products.
2. Create an exemption for payment to forest crop law termination taxes if land ownership changes have occurred after the original landowner received notification of forest crop law expiration and new landowner certifies intent to enter into the managed forest law program.
3. Clarify the requirements for additions to existing managed forest law lands.
4. Amend the certified plan writer reporting requirements for plan preparation costs and requirements for making an offer to landowners for management plan writing services. Amend the department billing requirements when invoicing landowner for plan preparation fees.
5. Amend the stocking requirements for management of plantations.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to s. 227.114, Stats., the proposed rule may have an impact on small businesses. The initial regulatory flexibility analysis is as follows:

- a. Types of small businesses affected: Any business with land enrolled in either the Managed Forest Law or the Forest Crop Law or wishing to enroll land under the Managed Forest Law.
- b. Description of reporting or bookkeeping procedures required: No procedures not already required.
- c. Description of professional skills required: No new skills are required.

The Department's Small Business Regulatory Coordinator for this rule may be contacted at quinn.williams@wisconsin.gov or by calling (608) 266-1318.

NOTICE IS HEREBY FURTHER GIVEN that the Department has made a preliminary determination that this action does not involve significant adverse environmental effects and does not need an environmental analysis under ch. NR 150, Wis. Adm. Code. However, based on the comments received, the Department may prepare an environmental analysis before proceeding with the proposal. This environmental review document would summarize the Department's consideration of the impacts of the proposal and reasonable alternatives.

NOTICE IS HEREBY FURTHER GIVEN that the hearing will be held on:

April 14, 2010
Wednesday
at 10:00 AM

Video conference participation will be available at:
The Pyle Center, 702 Langdon St., Madison
Room 211, Communication Art Center (CAC), UW-
Stevens Point, 1101 Reserve St. Stevens Point

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Kathy Nelson (608) 266-3545 with specific information on your request at least 10 days before the date of the scheduled hearing. The proposed rule and fiscal estimate may be reviewed and comments electronically submitted at the following Internet site: <http://adminrules.wisconsin.gov>. Written comments on the proposed rule may be submitted via U.S. mail to Ms. Kathy Nelson FR/4 Bureau of Forest Management, P.O. Box 7921, Madison, WI 53707. Comments may be submitted until April 30, 2010. Written comments whether submitted electronically or by U.S. mail will have the same weight and effect as oral statements presented at the public hearings. A personal copy of the proposed rule and fiscal estimate may be obtained from Ms. Nelson.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Matthew Frank, Secretary