



WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Assembly

(Assembly, Senate or Joint)

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)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Assembly

Record of Committee Proceedings

Committee on Forestry

Clearinghouse Rule 07-085

Relating to voluntary certification of firewood dealers.

Submitted by Department of Agriculture, Trade and Consumer Protection.

January 02, 2008 Referred to Committee on Forestry.

February 12, 2008 **PUBLIC HEARING HELD**

Present: (6) Representatives Friske, Mursau, A. Ott, M.
 Williams, Hubler and Sherman.

Absent: (1) Representative Boyle.

Appearances For

- Kathy Pielsticker, Madison — Wisconsin Department of Agriculture, Trade and Consumer Protection

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Paul DeLong, Madison — Chief State Forester, Wisconsin Department of Natural Resources
- Gunnar Bergersen, Madison — Lake States Lumber Association and Great Lakes Timber Producers Association

Registrations Against

- None.

Registrations for Information Only

- None.

February 12, 2008 **EXECUTIVE SESSION HELD**

Present: (6) Representatives Friske, Mursau, A. Ott, M.
 Williams, Hubler and Sherman.

Absent: (1) Representative Boyle.

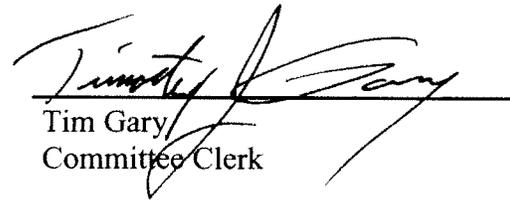
Moved by Representative Hubler, seconded by Representative Mursau that **Clearinghouse Rule 07-085** be recommended for review period waived.

Ayes: (6) Representatives Friske, Mursau, A. Ott, M. Williams, Hubler and Sherman.

Noes: (0) None.

Absent: (1) Representative Boyle.

REVIEW PERIOD WAIVED RECOMMENDED, Ayes 6, Noes 0


Tim Gary
Committee Clerk

Vote Record

Committee on Forestry

Date: 2-12-2008

Bill Number: CR-07-085

Moved by: HUBLER

Seconded by: MURSAU

Motion: Waive jurisdiction

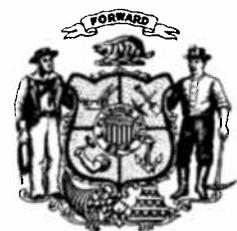
<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Donald Friske, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jeffrey Mursau	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Alvin Ott	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mary Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mary Hubler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Frank Boyle	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Gary Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>6</u>	<u>0</u>	<u>1</u>	<u> </u>

Motion Carried

Motion Failed



WISCONSIN STATE LEGISLATURE



Testimony of
Kathy F. Pielsticker
Before the Assembly Committee on Forestry
Clearinghouse Rule 07-085
February 12, 2008

Chairman Friske and Vice-Chair Mursau, thank you for this opportunity to testify before you today on the permanent rule on Voluntary Certification of Firewood Dealers. I am Kathy Pielsticker, Administrator for the Division of Agricultural Resource Management at the Department of Agriculture, Trade and Consumer Protection.

As part of the State's collective effort concerning emerald ash borer, a new DNR rule prohibits firewood from out of state from entering state lands. It also prohibits firewood that comes from greater than 50 miles from a state park or other state lands where fires are allowed, unless it is from a source that DATCP has approved. The DNR rule was promulgated primarily to address artificial movement of emerald ash borer in firewood, but it addresses many other invasive plant pests as well. This rule allows for the voluntary certification of firewood producers/dealers so they can sell to state parks and other state lands where fires are allowed and sell to park visitors that are purchasing wood greater than 50 miles from state land where they intend to camp. It does not compel anyone to become certified. This certification may be used by firewood businesses in advertising to promote the clean quality of their firewood. The certification is \$50 annually and inspections for certification will be absorbed by existing staff.

We held two public hearings in October 2007, on the draft rule, one in Wausau and one in Madison. During those hearings we received no testimony on the draft rule.

This rule:

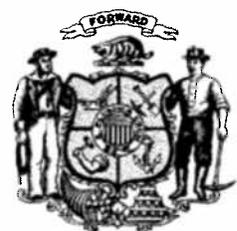
- Allows for voluntary certification of firewood
- Compliments DNR's rule for firewood going onto state land
- Provides for several methods for certification:
 - Heat treating/kiln drying
 - Fumigation
 - Seasoning for two years
 - Debarking
 - Any other method approved by the Secretary (Federal officials are looking at radio frequency, microwave and other technologies)
- Protects state natural resources from insect pests and diseases (Emerald Ash Borer, Gypsy Moth and many others)

Additional Information:

- Other states, the Forest Service, National Park Service and some county parks have followed the lead of the DNR on restrictions on out-of-state or out-of-county firewood.
- We have had a relatively low number of companies interested in obtaining this certification. During the emergency rule we had four businesses certified under this rule.
- The options that we provide in this voluntary certification program are the same options that will be available to firewood producers when we have a find of emerald ash borer and place a quarantine on a county.
- Over the past two years, DATCP, DNR, FS, APHIS and others have all been working cooperatively as part of a Firewood Working Group to address these firewood management issues.



WISCONSIN STATE LEGISLATURE





State of Wisconsin
Jim Doyle, Governor



Department of Agriculture, Trade and Consumer Protection
Rod Nilsestuen, Secretary

Department of Natural Resources
Matthew J. Frank, Secretary

February 12, 2008

Dear Concerned Legislator:

It has been slightly more than a year since our last formal communication to you regarding our agencies' efforts to detect and prepare for the arrival of the emerald ash borer (EAB) in Wisconsin. The growing areas of known infestation in Illinois and the recent discoveries of EAB in new states – Pennsylvania and West Virginia – remind us of the importance and urgency of these efforts.

In 2007, our agencies conducted extensive surveys of ash trees on public lands and inspected many private trees at the request of landowners. We established regulations to help prevent the introduction of EAB and other invasive species, and initiated outreach activities to thousands of people who live, work, and enjoy the great outdoors in Wisconsin.

While there are still issues to explore, our staff and our colleagues at the University of Wisconsin – along with partners at the federal level – continue to work diligently on matters of early detection, regulatory safeguards and public outreach in an effort to protect and preserve the ash resource across the entire state.

It should be noted that, to date, emerald ash borer has NOT been discovered in Wisconsin. We are excited to report that news since many of our tree surveys and inspections have taken place in high risk areas of the state. Despite that good news, we must remain vigilant in our efforts to find the beetle as Wisconsin remains a high risk state for EAB introduction.

In 2007, emerald ash borer-related activities in Wisconsin fell into four general categories: organization, detection, regulatory and outreach.

Organization

In August 2007, the Secretaries of the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) and the Department of Natural Resources (DNR) signed a joint letter outlining the state EAB program organizational structure and how this structure will function. The structure provides coordination, oversight and direction to the state's interagency preparations for the arrival of, and eventual response to, EAB. Prior to the development of this structure, the partners were coordinating efforts informally.

The EAB program structure consists of a six-person Advisory Group made up of managers from DATCP, DNR, University of Wisconsin, UW-Extension, USDA-APHIS and USDA-Forest Service. The Advisory Group sponsors three working groups: Outreach and Communication, Operations, and the Science Panel. These groups have specific charges and assignments and provide input and recommendations to the Advisory Group.

Detection

In 2007, Wisconsin became the first non-infested state to conduct a widespread early detection program. Surveyors with DATCP peeled 940 trees to look for EAB, and girdled another 1,240 to serve as "traps." The girdled trees, stripped of a ring of bark and then left standing during the summer to attract nearby beetles if present, are in the process of being felled and inspected as part of the current 2007-2008 survey.

The DNR conducted its fourth year of EAB detection activities, peeling and examining just over 100 trees in 2007, and establishing another 146 girdled "trap trees" in 26 state parks for sampling in 2008. DNR surveyors also inspected more than 5,600 private and county campsites, visually evaluating roughly 2,600 ash trees at those locations.

During the middle and late summer months, both agencies participated in an experimental detection program using triangular, purple-colored traps in dozens of locations throughout the southern part of the state. These traps may be used extensively in 2008 and, as the science and technology behind them improves, may ultimately replace the need to sample live ash trees as part of our detection efforts.

Regulatory

There were two significant regulatory actions either in place or taking effect in 2007. Both addressed concerns regarding firewood, which is known to be one of the primary pathways for spreading emerald ash borer and other forest pests and diseases.

The DNR's firewood rule, prohibiting firewood on state property that originates from distances greater than 50 miles or from any other state, became permanent in December, 2006 and was in place for the entire camping season of 2007. DNR notified thousands of campers of this policy through direct mailings in addition to other contacts made by its reservation partner, Reserve America.

DNR's rule makes an exception for firewood from a "DATCP-certified" vendor. DATCP has developed a voluntary firewood certification program that was implemented under an emergency rule in 2007. It is expected to become a permanent rule by April 1, 2008.

The voluntary certification program allows firewood dealers the opportunity to market their product as "safe for all state parks," provided their firewood meets any of several different requirements for certification (kiln dried, aged, heat treated, etc.). To date, four firewood manufacturers in Wisconsin have received certification.

We are also enforcing to the fullest extent possible the federal quarantine on hardwood firewood and ash products from states infested with EAB. In January, it was discovered that "planter boxes" containing some ash wood, were produced and shipped from Indiana in violation of the federal quarantine. DATCP and federal inspectors visited each of the 10 Lowe's stores in Wisconsin to confirm that any remaining planters were properly contained and secured. The planters were subsequently shipped back to the manufacturer for treatment. Additionally, we have our own state-sponsored ban on materials from infested states, a move that will make it easier for us to quarantine infested areas should EAB arrive.

It's also encouraging to note that many private campgrounds have also taken it upon themselves to restrict the firewood that is used on their private properties. Several Wisconsin counties have also taken steps to restrict firewood use in their county parks and other county lands.

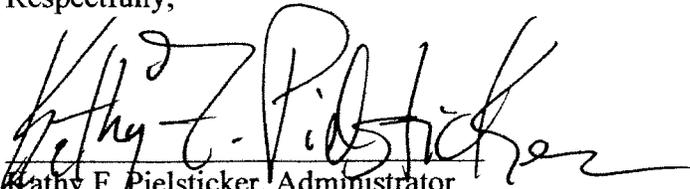
Outreach

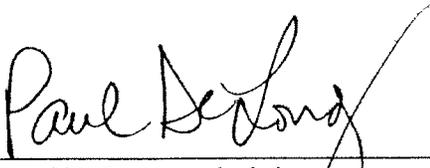
Significant efforts continued in 2007 to inform and educate outdoor recreation enthusiasts and the general public about the emerald ash borer and problems associated with transporting firewood over long distances. Both agencies undertook direct mail campaigns to targeted individuals, resulting in roughly 500,000 "messages" getting into the hands of campers, outdoor enthusiasts, vacation homeowners and the like. A statewide radio campaign that ran from Memorial Day to Labor Day caught the ears of millions of state residents and visitors. These efforts and similar outreach activities will continue in 2008.

In addition to the efforts of DATCP, DNR and various county and municipal governments, your constituents can help play an important role in the prevention or management of EAB. Please consider encouraging people to limit their movement of firewood and to only use firewood from local sources when they are enjoying Wisconsin's great outdoors and to learn the basics of ash tree identification and the signs and symptoms of EAB infestation.

If we, or any of our staff, can be of assistance to you in regards to providing information to your constituents or other interests, please do not hesitate to ask.

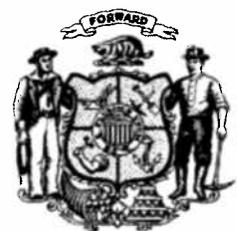
Respectfully,


Kathy F. Pielsticker, Administrator
Division of Agricultural Resource Management
Department of Agriculture,
Trade and Consumer Protection


Paul DeLong, Administrator
Division of Forestry
Department of Natural Resources



WISCONSIN STATE LEGISLATURE

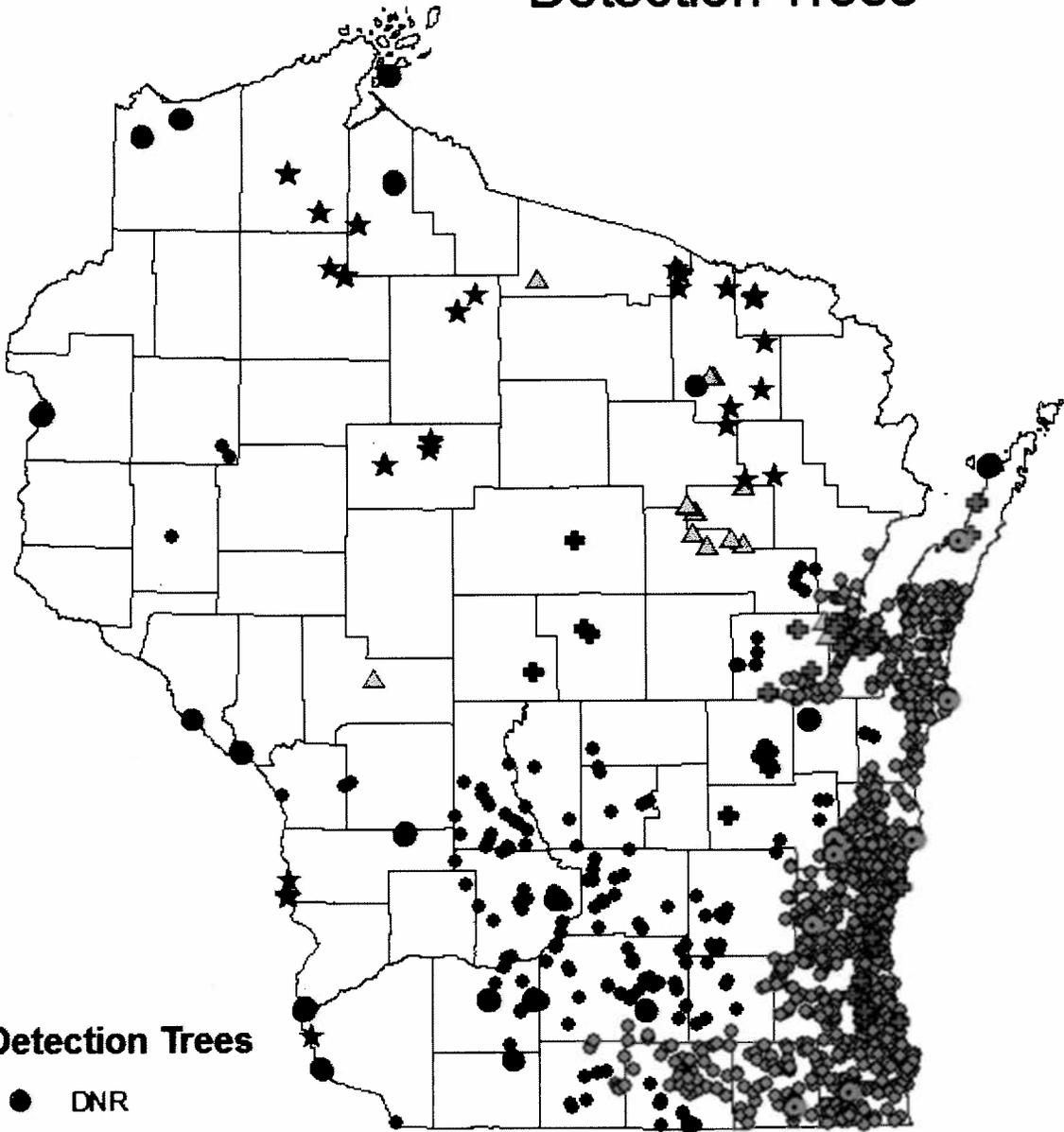


**Lawson's 'Nature's Own' wooden planters
Item # 141607 Model # 16018**





Wisconsin Comprehensive All-Agency 2007 Emerald Ash Borer Detection Trees



Detection Trees

- DNR
- ★ USFS
- ✚ University of Wisconsin Extension
- △ WI Tribal Conservation Advisory Council
- DATCP

1/17/08 A. Barta
WI DATCP

