

Clearinghouse Rule 09-103

Report to
Legislative Council Rules Clearinghouse
NR , Wis. Adm. Code
Natural Resources Board Order No.FR-25-09

Wisconsin Statutory Authority

Sections. 23.09(2)(intro), 23.091, 23.11(1), 23.22(2)(b) 1., 23.28(3), 27.01(2)(j) and 227.11(2)(a), Stats.

Federal Authority

The Apostle Islands National Park has prohibited bringing any firewood into the park since 2006. The Chequamegon-Nicolet National Forest prohibits firewood from greater than 25 miles onto the forest. The Army Corp of Engineers regulates the firewood they allow onto their lands along the upper Mississippi.

Court Decisions Directly Relevant

None.

Reason for the Rule

The DNR currently limits wood entering state lands to that wood originating from within 50 miles and within the state or from dealers that are certified by the state as treating their wood to prevent transmission of pests or diseases. A recently completed model suggests, however, that once an invasive is established at several sites within the state, this 50 mile radius may be too large to meaningfully reduce the risk of introduction of the invasive onto state lands. We propose the distance for allowable wood be reduced to 25 miles. This distance will increase protection while ensuring adequate firewood supplies for state campgrounds. In addition to changing the allowable distance for firewood, we will also address issues that have arisen in the implementation of the rule in the past three years. We propose adding a statement to allow properties outside areas quarantined or declared zones of infestation for wood borne invasive pests and diseases to exclude wood from these areas within Wisconsin that otherwise would be allowable. We also need to clarify the definition of firewood to include all raw wood even if it is not intended for use in a fire, for example, logs used as wheel chocks.

Agency Procedures for Promulgation

Public hearings, Natural Resources Board final adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None.

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