

<b>FISCAL ESTIMATE</b> DOA-2048 (R 10/94)  SUPPLEMENTAL	<input checked="" type="checkbox"/> ORIGINAL	<input type="checkbox"/> UPDATED	<b>LRB or Bill No. / Adm. Rule No.</b> Ch. ATCP 21
	<input type="checkbox"/> CORRECTED	<input type="checkbox"/>	

**Subject:**  
**Emergency Rule for Quarantine of Jefferson County for Emerald Ash Borer**

<b>Fiscal Effect</b> State: <input checked="" type="checkbox"/> No State Fiscal Effect  Check below only if <b>bill</b> makes a direct appropriation or affects a sum sufficient appropriation.  <input type="checkbox"/> Increase Existing Appropriation <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation	<input type="checkbox"/> Increase Costs –  May be possible to absorb within agency's budget? <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Decrease Costs
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<b>Local :</b> <input checked="" type="checkbox"/> No local government costs 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Gov. Unit Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Counties <input type="checkbox"/> Cities <input type="checkbox"/> Other: <u>County Drainage</u> <b>Boards</b> <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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<b>Fund Source Affected:</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	<b>Affected Ch. 20 Appropriations:</b>
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**Assumptions Used in Arriving at Fiscal Estimate**

The Wisconsin Department of Natural Resources (“DNR”) positively identified EAB in Walworth County at the University of Wisconsin’s Whitewater Campus on June 25, 2013. This detection is located about 750 meters or half a mile from the Jefferson County border. This emergency rule creates a Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) quarantine for Jefferson County. A federal quarantine will be enacted approximately six to eight weeks after a formal submission by the state plant regulatory official. EAB is carried and spread by untreated ash wood products. A six week delay until enactment of the federal quarantines leaves too much time for businesses or individuals to move potentially emerald ash borer infested material out of the counties to areas of Wisconsin or other states that are not infested with EAB.

EAB is an injurious exotic pest that now endangers Wisconsin’s 750 million ash trees and ash tree resources. This insect has the potential to destroy entire stands of ash, and any incursion of EAB can result in substantial losses both to forest ecosystems and to urban trees, as well as the state’s vital tourism and timber industries. The emerald ash borer has killed over fifty million trees in the Midwest and has cost several hundred million dollars in losses to the woodlot, nursery, landscape industries and municipalities. The United States Department of Agriculture predicts the national urban impact alone from this pest may exceed \$370 billion.

DATCP has plant inspection and pest control authority under s. 94.01, Stats., to adopt rules establishing quarantines or other restrictions on the importation into or movement of plants or other materials within this state, if these measures are necessary to prevent or control the spread of injurious plant pests. A quarantine order may prohibit the movement of any pest, or any plant, pest host or pest-harboring material which may transmit or harbor a pest.

The proposed rule will do the following:

- Create a quarantine for EAB for Jefferson County that prohibits the movement of all hardwood species of firewood, nursery stock, green lumber, and other material living, dead, cut or fallen, including logs, stumps, roots, branches and composted and uncomposted chips of the genus *Fraxinus* (Ash wood), out of the contiguous quarantine area in southeastern Wisconsin.
- Provide an exemption for items that have been inspected and certified by a pest control official and are accompanied by a written certificate issued by the pest control official.
- Provide an exemption for businesses that enter into a state or federal compliance agreement. The compliance agreement describes in detail what a company can and cannot do with regulated articles.

This rule will be administered by DATCP. DATCP will have additional workload related to enforcing the quarantine but it will be able to absorb the projected workload and costs within DATCP's current budget and with current staff. The presence of EAB may produce additional workload for local governments in Jefferson County, but the quarantine itself will not produce any local fiscal impact.

### **Long - Range Fiscal Implications**

If multiple infestations are found in this state, DATCP may experience substantial costs and personnel demands for providing regulatory oversight and working with affected industries. Costs may vary, depending on the nature and scope of the infestations, and cannot be accurately predicted at this time.

**Agency Prepared by (Name & Phone No.):**  
DATCP / Christopher Deegan  
(608-224-4573)

**Authorized Signature:**

**Date:**

July 9, 2013

**FISCAL ESTIMATE WORKSHEET**

**2012 SESSION**

Detailed Estimate of  ORIGINAL  UPDATED  
 Annual Fiscal Effect  CORRECTED   
 DOA-2047 (R10/94) SUPPLEMENTAL

<b>LRB or Bill No/Adm. Rule No.</b> ATCP 21	<b>Amendment No.</b>
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**SUBJECT**  
Emergency Rule

**I. One-time Cost or Impacts for State and/or Local Government (do not include in annualized fiscal effect):**

<b>II. Annualized Cost:</b>	<b>Annualized Fiscal Impact on State funds from:</b>	
<b>A. State Costs by Category</b>	<b>Increased Costs</b>	<b>Decreased Costs</b>
1. State Operations - Salaries and Fringes	\$-0	\$ - 0
2. (FTE Position Changes)	( FTE)	(- FTE)
3. State Operations - Other Costs		
4. Local Assistance		- 0
5. Aids to Individuals or Organizations	0	- 0
<b>TOTAL State Costs by Category</b>	<b>\$-0</b>	<b>\$ - 0</b>
<b>B. State Costs by Source of Funds</b>	<b>Increased Costs</b>	<b>Decreased Costs</b>
1. GPR	\$	\$ - 0
2. FED	0	- 0
3. PRO/PRS	0	- 0
4. SEG/SEG-S	\$-0	- 0
<b>III. State Revenues -</b>	<b>Increased Revenue</b>	<b>Decreased Revenue</b>
<small>Complete this section only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fees)</small>		
• GPR Taxes	\$ 0	\$ - 0
• GPR Earned	0	- 0
• FED	0	- 0
• PRO/PRS	0	- 0
• SEG/SEG-S	0	- 0
<b>TOTAL State Revenues</b>	<b>\$ 0</b>	<b>\$ - 0</b>

**NET ANNUALIZED FISCAL IMPACT**

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$ <u>0</u>	\$ <u>0</u>
NET CHANGE IN REVENUES	\$ <u>0</u>	\$ <u>0</u>

<b>Agency Prepared by (Name &amp; Phone No.):</b> DATCP / Christopher Deegan (608-224-4573)	<b>Authorized Signature:</b>	<b>Date:</b> July 9, 2013
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