

CR 85-77

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

RECEIVED

SEP 13 1985

1:53 PM  
Revisor of Statutes  
Bureau

STATE OF WISCONSIN )  
DEPARTMENT OF NATURAL RESOURCES ) ss

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. Fo-10-85 was duly approved and adopted by this Department on July 24, 1985. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 13<sup>th</sup> day of Sept., 1985.

*Bruce B. Braun*  
Bruce B. Braun, Deputy Secretary

(SEAL)

4553I

11-1-85

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
AMENDING AND REPEALING AND RECREATING RULES

.....  
IN THE MATTER of amending section .  
NR 46.07(1)(c) and repealing and .  
recreating section NR 46.09(2)(a), (b) . FO-10-85  
and (c) of the Wisconsin Administrative .  
Code pertaining to eligibility criteria .  
and the stumpage values for severance tax .  
under the Forest Crop Law. .  
.....

Analysis Prepared by Department of Natural Resources

SECTION 1 amends the procedure used to calculate the 20% non-productive area allowed for Forest Crop Law entry or renewal by considering the non-productive acreage proposed for entry or renewal in relation to the applicant's total contiguous acreage proposed and presently under the law. If the total non-productive area of contiguous lands following entry or renewal does not result in more than 20% non-productive area under contract, it would be eligible for entry or renewal.

The present law results in individual land descriptions being ineligible for entry or renewal because they exceed the 20% non-productive level permitted even though the land description is contiguous to other Forest Croplands owned by the same applicant that, if taken into account, would not exceed the 20% level.

The proposed change will reduce severity of several problems including a tendency towards fragmented ownership and increased boundary survey costs, together with less efficient and more costly forest management planning, administration and record keeping.

SECTION 2 revises section NR 46.09(2), Wis. Adm. Code by repealing and recreating annual stumpage values used to calculate severance tax due on timber cut from Forest Crop Law lands as of November 1, 1985, as required by s. 77.06(2), Stats. There are five separate severance schedule zones reflecting varying stumpage prices for different species and products across the state. This makes it possible to levy severance taxes which more nearly represent 10% of the actual stumpage value which is the basic legislative intent.

---

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 77.06(2) and 227.014(2)(a), Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby amends and repeals and recreates rules interpreting sections 77.02(3) and 77.06(2), Wisconsin Statutes, as follows:

SECTION 1. NR 46.07(1)(c) is amended to read:

NR 46.07(1)(c) ~~Lands which contain more than 20% non-productive area taking into consideration the total contiguous proposed entry or renewal, if entered, continued or renewed, would result in the petitioner or owner having contiguous forest croplands of which the total non-productive area exceeds 20%.~~

SECTION 2. NR 46.09(2)(a), (b) and (c) are repealed and recreated to read:

NR 46.09(2)(a) Logs (stumpage value per M board feet measure).

	Zone				
	NC 1	NW 2	WC 3	LM 4	S 5
Cedar (white)	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
Fir (balsam)	20.00	20.00	20.00	20.00	20.00
Hemlock	56.00	56.00	56.00	56.00	56.00
Pine					
Jack	36.00	36.00	36.00	36.00	36.00
Red	57.00	54.00	63.00	57.00	77.00
White	67.00	64.00	77.00	67.00	90.00
Spruce	28.00	28.00	28.00	28.00	28.00
Tamarack	24.00	24.00	24.00	24.00	24.00
Aspen	20.00	17.00	21.00	25.00	20.00
Ash	80.00	80.00	80.00	80.00	80.00
Basswood	58.00	58.00	82.00	61.00	82.00
Birch					
White	39.00	39.00	39.00	39.00	39.00
Yellow	70.00	70.00	70.00	70.00	70.00
Elm	70.00	63.00	60.00	84.00	95.00
Maple					
Sugar	80.00	64.00	92.00	92.00	108.00
Other	76.00	76.00	76.00	76.00	76.00
Misc. hardwoods	61.00	57.00	117.00	96.00	117.00
Oak					
Other	84.00	84.00	84.00	84.00	84.00
Red	116.00	100.00	155.00	178.00	178.00
White	142.00	142.00	142.00	142.00	142.00
Walnut	664.00	664.00	664.00	664.00	664.00

(b) Cord products - rough volume (unpeeled; stumpage value per piled cord, 4' x 4' x 96"-100" or 4' x 8' x 4').

	Zone				
	NC 1	NW 2	WC 3	LM 4	S 5
Cedar (White)	\$7.50	\$7.50	\$7.50	\$7.50	\$7.50
Fir (Balsam)	4.50	3.40	4.50	6.10	4.30
Hemlock	4.60	4.60	4.60	4.60	4.60
Pine					
Jack	17.60	15.20	14.40	18.40	15.20
Red	16.20	13.90	14.60	18.50	14.60
White	8.60	6.20	7.50	11.40	11.40
Spruce	7.00	5.20	7.40	8.90	7.00
Tamarack	6.10	6.10	6.10	6.10	6.10
Aspen	6.90	4.70	5.00	8.50	5.00
Birch	6.90	4.50	5.00	6.60	7.20
Misc. hardwoods	6.20	4.00	4.90	6.80	7.00
Oak	6.20	4.60	5.10	7.30	5.40
Fuelwood	6.20	4.00	4.90	6.80	7.00
Sawbolts					
a. Spruce, hemlock, cedar, fir, tamarack, aspen	8.40	6.60	7.80	10.50	7.50
b. All other species	18.40	16.20	31.70	27.40	32.80

(c) Piece products (stumpage value per piece).

	Zone				
	NC 1	NW 2	WC 3	LM 4	S 5
Posts and Poles					
7 and 8 ft.	\$.16	\$.14	\$.15	\$.19	\$.15
10 and 12 ft.	.32	.28	.29	.37	.29
14 and 16 ft.	.67	.61	.69	.71	.80
18 and 20 ft.	1.12	1.02	1.15	1.18	1.33
21 to 30 ft.	2.85	2.70	3.15	2.85	3.85
31 to 40 ft.	6.27	5.94	6.93	6.27	8.47
41 to 50 ft.	9.98	9.45	11.03	9.98	13.48
51 to 60 ft.	13.68	12.96	15.12	13.68	18.48
61 to 70 ft.	17.67	16.74	19.53	17.67	23.87
Christmas Trees					
Unsheared	1.00	1.00	1.00	1.00	1.00
Sheared	3.50	3.50	3.50	3.50	3.50

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on July 24, 1985.

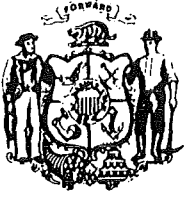
The rules contained herein shall take effect on November 1, 1985.

Dated at Madison, Wisconsin September 13, 1985

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

September 13, 1985

IN REPLY REFER TO: 1020

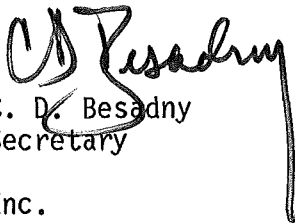
Mr. Orlan L. Prestegard  
Revisor of Statutes  
411 West  
C A P I T O L

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. Fo-10-85. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Forest Productivity and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.018, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

  
C. D. Besadny  
Secretary

Enc.  
4553I