



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #578

### **Invasive Species Control (DNR -- Forestry and Parks)**

#### *Bill Agency*

[LFB 2007-09 Budget Summary: Page 417, #3]

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#### **CURRENT LAW**

Section 26.38 of the Wisconsin statutes authorizes the Department of Natural Resources (DNR) to establish a program to award grants for developing and implementing forest stewardship management plans by owners of nonindustrial forest land. The grants may be awarded to landowners owning 500 acres or less of nonindustrial private forest land. Forest stewardship management plans developed or implemented with a grant under this section must contain practices that protect and enhance all of the following: soil and water quality, endangered, threatened or rare forest communities, sustainable forestry, habitat for fish and wildlife, and the recreational, aesthetic and environmental benefits that the forest land provides. The statutes require DNR to promulgate administrative rules to implement and administer the program, including the criteria for determining the amount of a matching contribution, and minimum standards which must be included in a forest stewardship management plan.

The Wisconsin Forest Landowner Grant Program (WFLGP) is administered under Chapter 47 subchapter II of the Natural Resources administrative code, which specifies that the matching grants awarded through the program are to be given for not less than 50%, but not more than 65% of eligible costs, with a maximum grant award of \$10,000 annually. Eligible projects include but are not limited to: tree planting, timber stand improvement, road design, fencing, prairie and savanna restoration, creation of wildlife corridors, and vegetation management. Under the rule, DNR gives preference to projects that are directed to accomplish one or more of the following: (a) establish or reestablish forests through regeneration; (b) improve forest stand productivity, vigor, health or value (which may include controlling competing vegetation); (c) encourage sustainability; (d) provide protection of soil and water

resources; (e) include additional land under written forest stewardship management plans; (f) provide protection and enhancement of terrestrial wildlife habitat; or (h) provide endangered, threatened, or rare species habitat enhancement and natural community habitat maintenance and enhancement. Within these, DNR has created two levels of priority: (1) timber stand improvement practices; and (2) all other practices.

In addition, section 23.22 of the statutes requires the Department of Natural Resources (DNR) to establish a statewide program to control invasive species. The Department is directed to encourage cooperation among state agencies and other entities to control invasive species in the state, seek public and private funding for the program, provide education and encourage and conduct research concerning invasive species, and promulgate administrative rules to classify species for the program.

## **GOVERNOR**

Provide \$60,000 beginning in 2008-09 to support cost-sharing projects with local invasive plant management groups through the Wisconsin Forest Landowner Grant Program (WFLGP) and \$50,000 annually from the forestry account of the conservation fund for efforts to detect and monitor the Emerald Ash Borer (EAB).

## **DISCUSSION POINTS**

1. Administration officials indicate the \$60,000 provided under the bill in 2008-09 would be directed toward grants to Cooperative Weed Management Area (CWMA) groups for invasive plant projects identified by the local groups and approved by DNR. Cooperative Weed Management Areas represent partnerships of federal, state, and local government agencies; tribes; individuals; and various interested groups that manage noxious weeds or invasive plants in a defined area. CWMA's share a common geography, weed problem, community, climate, political boundary, or land use. There is no specific certification process for establishing a CWMA. According to the Midwest Invasives Plant Network (MIPN), a formal CWMA is a local weed management group that is: (a) led by a steering committee; (b) formally organized under an agreement; and (c) committed to facilitating cooperation and coordination across all jurisdictional boundaries. The Department indicates that it would use criteria similar to those used by the MIPN to determine whether a group is considered a formal CWMA. Currently, one formal CWMA, the Northwoods CWMA, has been established in Wisconsin (in May, 2006). The Northwoods CWMA shares resources and jointly pursues funding opportunities aimed at controlling non-native invasive plants in Ashland, Bayfield, Douglas, and Iron Counties. Additionally, several informal regional and county weed management groups exist throughout Wisconsin including groups in: Brown County, Door County, Greater Sauk County, Monroe County, and in portions of Central, Northeastern, Southeast, and Western Wisconsin.

2. Under the bill, funding would be provided from the appropriation which is used for the Wisconsin Forest Landowner Grant Program (WFLGP). The bill does not specify that this

funding must be used for any particular type of eligible activity within that program. (The program has a base budget of \$1,650,000 annually).

3. The WFLGP program provides grants to landowners who own at least 10, but less than 500 acres of private, nonindustrial forest land. DNR forest grant program staff indicate that groups such as partnerships, corporations, and limited liability corporations (LLCs) are eligible to receive WFLGP grants as long as the group meets the program eligibility requirements (including owning at least 10 but not less than 500 acres of private forestland). However, as CWMA groups do not own land as a group, under current law and administrative rule, they would not be eligible to receive WFLGP grants. Therefore, a statutory change would be necessary in order to make CWMA groups (as defined by DNR rule) eligible for WFLGP grants. The Department indicates that it would then direct the funding to be used for grants to CWMA groups through a modification to administrative rule NR 47.

4. The Department argues that working through local groups provides a structure for emphasizing projects that will have the greatest impact in reducing invasive plant problems over wider geographic areas and longer time frames. Invasive plants easily cross property boundaries, and therefore a coordinated control effort is necessary. Cooperative Weed Management Area groups would utilize the cost-share funds to control invasive plants on priority sites that have been identified locally and approved by the Department. Although only one formal CWMA has been established in Wisconsin (in May, 2006), the Department anticipates that many of the informal local weed management groups would establish formal CWMA groups if these cost-share grants were to become available.

5. The Department indicates that developing this program would position the state to receive federal funds that are likely to be appropriated to implement the federal Noxious Weed Control and Eradication Act. This federal funding would be distributed to states for the purpose of providing cost-share assistance to eligible weed management entities.

6. The Department indicates that invasive species control efforts would fall under the highest priority level for WFLGP grants (timber stand improvement). The Department argues that invasive control efforts by groups are more effective than individual efforts. One alternative could be to specify that at least \$60,000 annually, beginning in 2008-09, of WFLGP funding, be allocated for grant projects by CWMA groups. By setting aside funding for grants to CWMA groups, the Department would be able to ensure that a certain level of WFLGP grants would go to these groups, rather than to individual landowners. However, individual landowners would still be eligible for grants for invasive species control efforts under the remaining WFLGP allocations (up to \$1,650,000 annually). If federal funding for this purpose were to become available it could be used to fund additional invasive control projects by both groups and individuals under the WFLGP program.

7. Another alternative could be to create a biennial appropriation within the forestry account to which the \$60,000 would be deposited, to be used specifically for invasive control grants to Cooperative Weed Management Area (CWMA) groups (as identified by DNR rule) for projects identified by the local groups and approved by the Department. However, this alternative would

limit these grants to the \$60,000 SEG appropriation (plus any federal funding).

8. The Emerald Ash Borer (EAB) is an exotic insect, native to Asia, which is threatening the ash resource in the Great Lakes region. The EAB was detected in the Upper Peninsula of Michigan in 2005 and in Illinois in 2006, approximately 40 miles south of the Wisconsin border. Wisconsin has 717 million forest-grown ash trees, and approximately one-third of urban street trees are ash. The presence of EAB has not yet been detected in Wisconsin. Since 2004, DNR and DATCP have engaged in activities aimed at detecting the presence of EAB in the state. DNR activities include: (a) visual surveys throughout state parks and forests as well as private campgrounds to collect baseline data on the current health status of the ash resource in Wisconsin and to detect EAB infestations in Wisconsin; and (b) creating detection (stressed) trees to attract EABs along the Lower Wisconsin Riverway and in 25 state park properties considered to be at the highest risk for the introduction of EAB. State parks and forests were primarily targeted due to the potential transmittal of EAB through firewood transported from infected areas.

9. The Department believes that early detection and thorough monitoring of EAB is critical to conducting forest management practices that will minimize the impact of the insect on Wisconsin's ash resources. The bill would provide funding of \$50,000 annually for supplies and services to detect and monitor the EAB and to produce maps of the ash resource in Wisconsin through a cooperative project between DNR and the University of Wisconsin. The project, which is based on a similar North Carolina program, would include a ground plot data collection effort and a remote sensing effort (using satellite imagery) to locate ash trees throughout the state. In addition, DNR has reallocated \$150,000 and a three-quarter time position from gypsy moth control to EAB efforts beginning in 2006-07.

## ALTERNATIVES TO BILL

### A. Invasive Plant Management Grants

1. Adopt the Governor's recommendation to provide \$60,000 beginning in 2008-09 under the Wisconsin Forest Landowner Grant Program (WFLGP) for a cost-share program to provide landowner grants to control invasive plants.

ALT A1	Change to Bill Funding	Change to Base Funding
SEG	\$0	\$60,000

2. Adopt the Governor's recommendation, as modified to specify that at least \$60,000 annually beginning in 2008-09 be allocated under WFLGP to groups of interested parties for invasive plant projects in weed management areas (as defined by DNR rule). The groups would consist of landowners who each own less than 500 acres of nonindustrial forest.

<b>ALT A2</b>	<b>Change to Bill Funding</b>	<b>Change to Base Funding</b>
SEG	\$0	\$60,000

3. Adopt the Governor's recommendation. However, create a new biennial appropriation from which the \$60,000 forestry SEG in 2008-09 would be provided for grants to CWMA's for invasive plant control projects (as defined by DNR rule).

<b>ALT A3</b>	<b>Change to Bill Funding</b>	<b>Change to Base Funding</b>
SEG	\$0	\$60,000

4. Delete provision.

<b>ALT A4</b>	<b>Change to Bill Funding</b>	<b>Change to Base Funding</b>
SEG	-\$60,000	\$0

## **B. Emerald Ash Borer**

1. Adopt the Governor's recommendation to provide \$50,000 annually from the forestry account of the conservation fund for increased efforts to detect and monitor the emerald ash borer.

<b>ALT B1</b>	<b>Change to Bill Funding</b>	<b>Change to Base Funding</b>
SEG	\$0	\$100,000

2. Delete provision.

<b>ALT B2</b>	<b>Change to Bill Funding</b>	<b>Change to Base Funding</b>
SEG	-\$100,000	\$0

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