

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

NR 40.045 Firewood

3. Subject

Regulation of firewood that may enter state lands

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.370(1)(mv)

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

In order to provide better protection from an increasing threat from wood borne invasive pests and diseases to forests of the state, the proposed change to NR 45.045(2)(a) would reduce the distance from the state campground campground or property from which allowable firewood may originate from 25 to 10 miles. The proposed elimination of NR45.045(2)(b) would remove a regulation that would no longer provide significant additional protection if the change to (a) is approved.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

WDATCP certified firewood vendors and firewood vendors near state campgrounds identified by State Park and Forest staff. We assembled a package of a letter with the solicitation for input on the EIA, a copy of the proposed rule and a draft of the EIA. This package was sent to all certified firewood vendors and state campgrounds were asked to give packets to the firewood vendors outside the property.

11. Identify the local governmental units that participated in the development of this EIA.

None, as this rule change is unlikely to affect local governments

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The changes proposed to this rule would affect some firewood vendors. Those sourcing their wood within 10 miles of state properties where they sell and those that are certified as treating their wood to kill infesting organisms would be benefited by these changes. Those vendors getting their wood from less than 25 miles but more than 10 miles and who are not certified would lose sales to campers going to the park.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Firewood vendors within 10 miles of state properties and those that are certified as treating their wood to kill infesting organisms would be benefited by these changes. Campers at state campgrounds near the borders of WI would have a greater choice of firewood vendors. The alternative is to leave the distance from a state campground or property from which allowable firewood may originate at 25 miles.

14. Long Range Implications of Implementing the Rule

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These changes would slow the spread of wood borne invasive pests and diseases onto state lands, delaying losses and damage and allowing more time to prepare and deal with them . By delaying establishment of pests in state properties, we will benefit from development of management tools such as pesticides, biological controls and resistant trees. Modeling a cautious approach to the movement of firewood can also influence the behavior of the public as we have seen already from the current regulation. As more people get their wood from local sources or from vendors who treat the wood to prevent infestation, the rate of spread of all pests and diseases moving on firewood will be slowed to the general benefit of the residents and forests of WI.

15. Compare With Approaches Being Used by Federal Government

The Apostle Islands National Park has prohibited all firewood into the park since 2006. The Chequamegon-Nicolet National Forest prohibits firewood from south of Route 29 or from outside Wisconsin. The Army Corps of Engineers allows only firewood certified or approved by a state or federal agency to enter their camping area at Blackhawk in WI.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Minnesota only allows wood from approved vendors for the state property the wood will be entering. Illinois state properties prohibit wood from state and federally quarantined counties and also the counties bordering the quarantined area for EAB. Michigan state properties prohibit ash firewood and also enforce the state and federal EAB quarantines on all hardwood firewood. Iowa state properties enforce state and federal quarantines for EAB on hardwood firewood and requires all firewood to be labeled with county and state of origin. Indiana only allows state or federally certified treated wood, lumber scraps or debarked wood onto its state properties

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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
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