



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

DATE: March 24, 2017

TO: Bruce Hoesly, Legislative Reference Bureau
1 East Main Street, Suite 200

FROM: Ben Brancel, Secretary

SUBJECT: **ATCP 21 Mountain Pine Beetle Quarantine; Final Rule
(Clearinghouse Rule 16-032)**

The Department of Agriculture, Trade and Consumer Protection (the "Department") hereby submits the following rule for publication:

CLEARINGHOUSE RULE #: 16-032

SUBJECT: Mountain Pine Beetle Quarantine

ADM. CODE REFERENCE: ATCP 21

DATCP DOCKET #: 15-R-01

We are enclosing a copy of the final rule, as adopted by the Department. We are also providing the following information for publication with the rule, as required by s. 227.114(6), Stats.

Business Impact Analysis (Summary)

This proposed rule will restrict the import of certain pine wood products from states and provinces with infestations of the mountain pine beetle into Wisconsin. Pine products effectively treated to preclude the transmission of the mountain pine beetle will be exempt from the rule or permitted under a compliance agreement.

The Department expects the proposed rule to have minimal economic impact statewide. This rule will benefit Wisconsin wood industries by helping to preserve Wisconsin's economically important pine forest resource. Data from the latest U.S. Forest Service Timber Products Report for Wisconsin (2008) indicates that 94% of pine wood utilized by Wisconsin's timber industry is harvested from within Wisconsin. Of the remainder, about 4% comes from Michigan, 1% from Minnesota, and 0.5% from Canada. Less than 0.5% of pine is sourced from western states that have been impacted by mountain pine beetle. Implementation of an exterior quarantine will protect Wisconsin's pine wood products industry, valued at \$70 million annually.

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Pine is a valuable tree, primarily used in pulp and paper industries, as well as lumber production, posts, and pole and log home building. Pine is also used in making paper, furniture, and other important value-added wood products. There are approximately 43 million pine trees growing in Wisconsin's state forests alone, with an estimated annual stumpage value (2014) of \$38 million.

This rule will not have a significant adverse impact on businesses in this state. This rule restricts the import of firewood and pine wood from areas outside this state, but does not otherwise restrict the distribution or sale of wood or wood products. This rule will restrict the activities of a small number of businesses in this state, and offers ways for those businesses to minimize any potential adverse impacts.

Comments from Legislative Committees (Summary)

On January 10, 2017, the Department transmitted the above rule for legislative committee review. The rule was assigned to the Senate Committee on Insurance, Housing and Trade and the Assembly Committee on Environment and Forestry. Neither committee took action. The Senate referred the rule to the Joint Committee for Review of Administrative Rules ("JCRAR") on February 17, 2017, and the Assembly referred it to JCRAR on February 23, 2017. JCRAR took no action on the rule.