

(5) "Correction order" means an order of the department to correct a previously issued managed forest land order.

(6) "Cover type" means vegetation of a predominant species or group of species, or, if timber, by predominant species or group of species, size and density, which is an area 2 acres or more in size.

(7) "Department" means the department of natural resources.

(8) "Developed for commercial recreation" means the alteration of the land or its features or the addition of improvements which impede, interfere with or prevent the practice of forestry.

Note: This definition is not meant to preclude or prohibit a landowner from leasing land for hunting or other recreational activities compatible with the practice of forestry which are consistent with the open or closed area restrictions under s. 77.88, Stats.

(9) "Developed for human residence" means the construction or use of a building as a domicile.

(10) "Developed for industry" means the alteration or use of the land for the purpose of conducting trade, production or manufacturing activities other than forest products production.

(11) "Developed for use incompatible with the practice of forestry" means the alteration or use of the land for any purpose which impedes, interferes with or prevents the practice of forestry.

Note: This definition does not prevent activities authorized in a department approved management plan.

(12) "Domicile" means a place of permanent residence evidenced by voting, personal income tax or driver's license records.

(13) "Encumbrance" has the meaning specified in s. 409.105 (1) (g), Stats.

(14) "Farmland" means former agricultural land lying idle and presently not producing 20 cubic feet of merchantable timber per acre per year.

Note: Active agricultural land is not eligible for entry as it is an incompatible use.

(15) "Fishing" has the meaning specified in s. 29.01 (3), Stats.

(16) "Grazing" means the feeding on living plants by domestic animals except animals used during timber cutting operations.

(17) "Hunting" means shooting, shooting at, pursuing, taking, catching or killing any wild animal or animals other than by trapping.

(18) "Incompatible with existing uses of the land" means the designation of land which is within a recorded plat, whether as a subdivision defined under s. 236.02 (12) or other division of land recorded pursuant to s. 236.03 (1), Stats., as managed forest land unless the land is entered under the forest crop or woodland tax law at the time of application for designation of the lands as managed forest land.

(19) "Legal description" means the location of land as determined by U.S. government survey plat by township, range, section and quarter quarter section, fractional lot or government lot.

(20) "Managed forest land" means land designated as such under the forest tax program established in ss. 77.80 to 77.91, Stats.

(21) "Municipality" means a town or village.

(22) "Non-stocked land" means land capable of producing 20 cubic feet of merchantable timber per acre per year but not adequately stocked with appropriate forest trees meeting one of the size and minimum density classifications established in sub. (2) at the time of designation.

(23) "Owner" or "ownership" means one with an interest in the land in fee or in equity, including that of a grantee of a land contract prior to satisfaction of all conditions of the contract, or as established by statute.

(24) "Owner's dwelling" means the landowner's domicile.

(25) "Parcel" means for the purpose of determining eligibility for designation as managed forest land under s. 77.82, Stats., the acreage of contiguous land described in the petition which is under the same ownership in the same municipality.

(26) "Petitioner" or "applicant" means any person who has an ownership interest either in fee or equity or established by statute.

(27) "Renewal" means a continuation of an order of designation in accordance with s. 77.82 (12), Stats., upon mutual consent of the landowner and department.

(28) "Same ownership" means an ownership interest in land in fee or equity by the same person or in joint or co-ownership, whether owned by one owner "and" another or one owner "or" another, as indicated on the instrument of title.

(29) "Sound forestry practices" means timber cutting, transporting and forest cultural methods recommended or approved by the department for the effective propagation and improvement of the various timber types common to Wisconsin. "Sound forestry practices" also may include, where consistent with landowner objectives and approved by the department, the management of forest resources other than trees including wildlife habitat, watersheds, aesthetics and endangered and threatened plant and animal species.

(30) "Standard units of measurement" has the meaning established in s. NR 46.02 (22).

(31) "Stumpage" has the meaning established in s. NR 46.02 (23).

(32) "Tree scale" has the meaning established in s. NR 46.02 (24).

(33) "Wood products" or "forest products" means those items listed on the current schedule of stumpage values for severance or yield tax in s. NR 46.30.

History: Cr. Register, October, 1986, No. 370, eff. 11-1-86; r. and recr. (8), Register, October, 1992, No. 442, eff. 11-1-92; r. (25) (a), renum. (intro.) and (b) and am., Register, October, 1994, No. 466, eff. 11-1-94.

NR 46.16 Managed forest land petition. (1) FORMS. (a) A petition for designation of land as managed forest land shall be signed by all owners, be fully completed on forms provided by the department and filed in accordance with par. (b).

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(b) Petitions shall be postmarked or received by the department at P.O. Box 7963, Madison, WI 53707 no later than March 31 of each year to be considered for designation effective the following January 1.

(c) *Application fee.* Each petition submitted to the department for a new designation or an addition shall include a nonrefundable application fee of \$20.00.

(2) **ATTACHMENTS.** A certified copy of the legal instrument giving the petitioner an ownership interest in the land subject to the petition shall accompany and be part of the petition. Upon request by the department, the petitioner shall also submit a certified copy of the legal instrument giving the petitioner an ownership interest in all land in the same municipality which is contiguous to the land subject to the petition.

(3) **ENCUMBRANCES.** Any person holding encumbrances on the land subject to the petition shall sign the petition prior to its filing to indicate agreement with it.

(4) **UNPAID TAXES.** The petitioner shall upon request of the department furnish proof acceptable to the department that taxes are paid in full.

(5) **SAME OWNERSHIP.** All eligible land under the same ownership and located in the same municipality, when applied for designation in the same year, shall be designated under the same order of designation.

(6) **PETITION RESTRICTIONS.** A petition for designation of land as managed forest land may not be altered or amended in a manner which will split a cover type.

(7) **ADDITIONS.** An owner petitioning the department to designate 10 or more acres of land as managed forest land which is contiguous to designated managed forest land shall indicate on the petition whether the land subject to the petition is to be ordered designated as managed forest land under a separate order or as an addition to the previously designated and contiguous managed forest land.

Note: This section interprets and administers ss. 77.82 (1), 77.82 (2) and 77.82 (7) (c), Stats., relating to submission of a petition for designation, and s. 77.82 (7) (a) 5., Stats., regarding payment of taxes. Further petitioning requirements and provisions are contained in s. 77.82 (2), Stats.

History: Cr. Register, October, 1986, No. 370, eff. 11-1-86; cr. (7), Register, October, 1987, No. 382, eff. 11-1-87; am. (4), Register, October, 1990, No. 418, eff. 11-1-90; cr. (1) (c), Register, October, 1994, No. 466, eff. 11-1-94.

NR 46.17 Managed forest land eligibility. (1) **REQUIRED TIMBER PRODUCTION.** (a) A minimum of 80% of an entire managed forest land parcel shall be capable of producing merchantable timber as defined in s. NR 46.15 (2).

(b) No more than 20% of a managed forest land parcel may consist of land unsuitable for producing merchantable timber as provided in s. 77.82 (1) (b) 1., Stats., or non-stocked land as defined in s. NR 46.15 (22) or a combination of those types of land.

(2) **MINIMUM WIDTH.** The minimum width of managed forest land is 120 feet except that segments less than 120 feet in width are permitted if the length to width ratio does not exceed 4 to 1.

(3) **BUILDINGS ON MANAGED FOREST LAND.** Land adjacent to buildings which is landscaped, improved or has ornamental planting or other alteration of vegetation and the land under such buildings is not eligible for designation.

Note: This section interprets and administers s. 77.82 (1), Stats., which describes further the eligibility requirements.

History: Cr. Register, October, 1986, No. 370, eff. 11-1-86; r. and recr. (2), Register, October, 1989, No. 406, eff. 11-1-89.

NR 46.18 Management plan. (1) MAP. (a) The management plan shall include a map, on forms provided by the department, at a scale of 8 inches equals one mile, showing land eligible for designation and areas designated as closed to public access under s. 77.83, Stats.

(b) The map shall show major land features, using conventional map symbols, and vegetation cover types indicating species, size and density where appropriate.

Note: Copies of conventional map symbols are available at the Department of Natural Resources, 101 South Webster St., Box 7963, Madison, WI 53707.

(2) **FORMS: MANDATORY PRACTICES.** The management plan shall be prepared on forms provided by the department, signed by all owners and shall include a list of stands subject to mandatory practices, a schedule of completion dates and a description of the mandatory practices to be undertaken during the term of the order. The following practices, if determined applicable by the department, shall be addressed in the management plan:

- (a) Harvesting mature timber according to sound forestry practices.
- (b) Thinning plantations and natural stands for merchantable products according to sound forestry practices.
- (c) Release of conifers from competing vegetation.
- (d) Reforestation of land to meet one of the following size and minimum medium density classifications:

STAND SIZE CLASSES	TREE DIAMETER RANGES at 4.5 FEET from GROUND LEVEL	MINIMUM MEDIUM DENSITY
Seedlings	0"-1"	800 trees per acre for natural stands. 600 trees per acre for planted stands.
Saplings	1"-5"	400 trees per acre for natural stands. 300 trees per acre for planted stands.
Pole timber		
For conifer species	5"-9"	7 cords per acre
For other species	5"-11"	
Sawtimber		
For conifer species	9" +	3,000 board feet per acre.
For other species	11" +	

(a) Logs (stumpage value per thousand board feet measurement by the Scribner Decimal C log rule).

1995 Rates - Effective November 1, 1994						
	ZONES					
	1	2	3	4	5	6
	Southern	Green Bay	Marinette	Blk River Falls	La Crosse	Eau Claire
Cedar	18.00	16.00	21.00	21.00	21.00	21.00
Fir	33.00	43.00	43.00	38.00	33.00	33.00
Hemlock	46.00	55.00	50.00	32.00	25.00	25.00
Pine						
Jack	18.00	26.00	38.00	24.00	22.00	22.00
Red	49.00	108.00	94.00	72.00	74.00	57.00
White	50.00	108.00	76.00	62.00	60.00	52.00
Spruce	62.00	40.00	50.00	62.00	62.00	31.00
Tamarack	12.00	21.00	21.00	21.00	18.00	18.00
Aspen	21.00	28.00	47.00	26.00	38.00	41.00
Ash	125.00	158.00	154.00	144.00	150.00	97.00
Basswood	154.00	158.00	142.00	94.00	94.00	118.00
Birch						
White	93.00	104.00	114.00	93.00	93.00	93.00
Yellow	90.00	126.00	118.00	85.00	85.00	113.00
Elm	108.00	103.00	123.00	100.00	111.00	87.00
Maple						
Sugar	156.00	196.00	188.00	114.00	178.00	149.00
Other	110.00	115.00	97.00	102.00	93.00	98.00
Other Hardwood	140.00	102.00	93.00	106.00	140.00	94.00
Oak						
Other	142.00	103.00	72.00	69.00	58.00	56.00
Red	258.00	287.00	267.00	198.00	258.00	179.00
White	134.00	159.00	179.00	107.00	133.00	85.00
Black Walnut	770.00	640.00	640.00	642.00	770.00	642.00

1995 Rates - Effective November 1, 1994						
	ZONES					
	7	8	9	10	11	12
	Woodruff	Antigo	WI Rapids	Brule	Cumberland	Park Falls
Cedar	24.00	24.00	18.00	18.00	17.00	21.00
Fir	31.00	31.00	31.00	31.00	31.00	31.00
Hemlock	30.00	37.00	32.00	48.00	32.00	30.00
Pine						
Jack	28.00	28.00	28.00	24.00	33.00	31.00
Red	64.00	81.00	52.00	115.00	82.00	83.00
White	75.00	62.00	52.00	86.00	60.00	81.00
Spruce	40.00	60.00	68.00	50.00	42.00	62.00
Tamarack	34.00	37.00	12.00	12.00	12.00	12.00
Aspen	47.00	47.00	30.00	34.00	24.00	33.00
Ash	112.00	99.00	100.00	80.00	51.00	80.00
Basswood	90.00	121.00	132.00	92.00	60.00	67.00
Birch						
White	83.00	75.00	77.00	81.00	82.00	54.00
Yellow	111.00	109.00	88.00	86.00	53.00	58.00
Elm	100.00	100.00	100.00	48.00	62.00	62.00
Maple						
Sugar	103.00	140.00	100.00	143.00	97.00	70.00
Other	54.00	72.00	76.00	67.00	32.00	51.00
Other Hardwood	82.00	80.00	58.00	89.00	44.00	58.00
Oak						
Other	88.00	81.00	52.00	55.00	41.00	78.00
Red	163.00	184.00	159.00	134.00	198.00	153.00
White	110.00	94.00	84.00	125.00	73.00	125.00
Black Walnut	454.00	642.00	642.00	454.00	642.00	642.00

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(b) Cord products—128 cubic feet of wood, air and bark assuming careful piling.

1995 Rates - Effective November 1, 1994						
	ZONES					
	1	2	3	4	5	6
	Southern	Green Bay	Marinette	Blk River Falls	La Crosse	Eau Claire
Cedar	4.00	9.80	10.10	7.60	11.40	3.80
Fir	4.90	10.80	12.90	4.00	4.90	3.20
Hemlock	7.20	11.40	13.90	8.50	7.20	8.50
Pine						
Jack*	9.60	17.10	27.60	20.10	17.60	18.20
Red*	13.60	22.00	21.80	19.00	17.80	18.20
White*	13.80	16.10	17.00	7.90	11.00	9.60
Spruce	6.90	14.90	15.30	13.90	8.10	10.30
Tamarack	4.60	15.80	14.80	4.70	2.90	2.80
Aspen	7.80	12.00	18.30	6.80	3.00	5.50
Birch	9.70	10.00	17.20	4.70	5.40	4.70
Other Hardwood	6.80	10.70	16.80	6.00	4.20	4.40
Oak	7.40	10.90	13.40	5.50	4.90	4.00
Fuelwood	5.00	7.80	13.70	5.50	4.00	5.00

1995 Rates - Effective November 1, 1994						
	ZONES					
	7	8	9	10	11	12
	Woodruff	Antigo	WI Rapids	Brule	Cumberland	Park Falls
Cedar	3.10	3.10	3.30	3.20	3.10	2.50
Fir	5.60	4.60	3.80	5.60	4.20	5.60
Hemlock	5.90	6.50	5.90	5.90	5.40	5.90
Pine						
Jack*	25.60	26.20	21.50	13.90	14.20	13.70
Red*	18.80	21.90	20.80	18.80	10.30	17.30
White*	9.10	8.30	11.80	7.50	6.80	7.50
Spruce	14.50	15.00	14.00	11.00	10.50	8.80
Tamarack	6.80	5.80	7.00	5.70	3.00	4.60
Aspen	10.90	9.50	6.00	8.70	9.80	8.70
Birch	10.80	9.20	4.80	8.40	6.30	7.40
Other Hardwood	9.30	8.20	5.30	6.40	5.90	5.30
Oak	8.60	8.70	6.90	8.70	6.50	5.70
Fuelwood	4.20	6.20	5.20	5.00	4.80	3.80

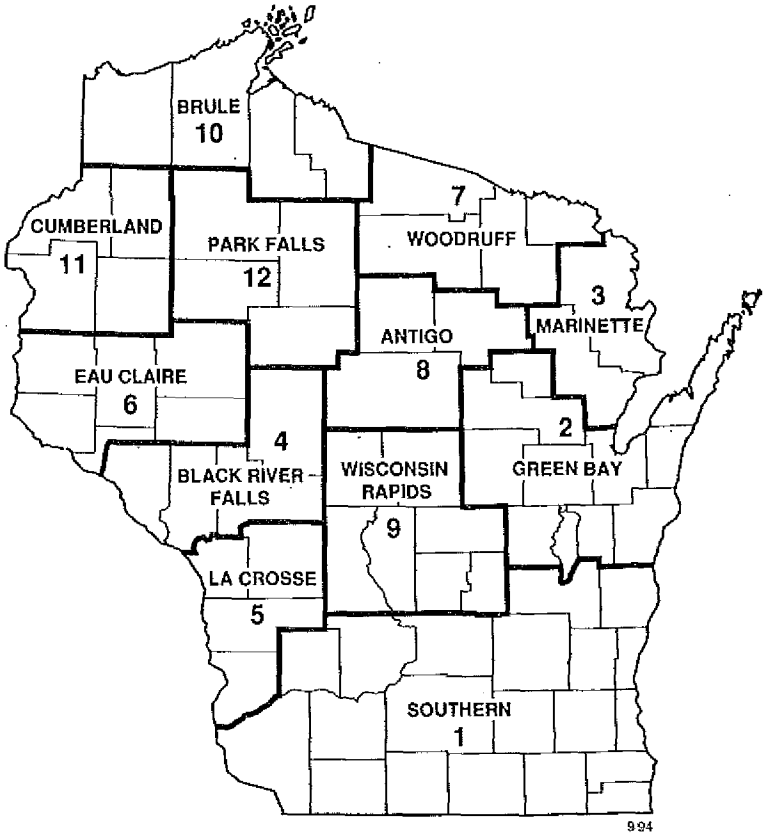
*A 30% reduction in the listed price will be applied to pine cordwood harvests in the following counties: Buffalo, Crawford, Dane, Dodge, Door, Grant, Green, Iowa, Jefferson, Kenosha, La Crosse, LaFayette, Manitowoc, Pepin, Pierce, Racine, Richland, Rock, St. Croix, Trempealeau, Vernon, Walworth

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

1995 Rates - Effective November 1, 1994						
	ZONES					
	1	2	3	4	5	6
	Southern	Green Bay	Marinette	Blk River Falls	La Crosse	Eau Claire
<u>Posts & Poles</u>						
7 and 8 ft	0.25	0.54	0.47	0.36	0.37	0.29
10 and 12	0.74	1.62	1.41	1.08	1.11	0.86
14 and 16	1.23	2.70	2.35	1.80	1.85	1.43
18 and 20	2.43	5.37	4.67	3.58	3.68	2.83
21 and 30	3.49	7.70	6.70	5.13	5.27	4.06
31 and 40	6.03	13.30	11.57	8.86	9.11	7.02
41 and 50	9.02	19.89	17.31	13.26	13.63	10.50
51 and 60	12.46	27.47	23.91	18.31	18.82	14.50
61 and 70	16.30	35.93	31.27	23.95	24.62	18.96
<u>Christmas Trees</u>						
Unsheared	0.50	0.50	0.50	0.50	0.50	0.50
Sheared	2.50	2.50	2.50	2.50	2.50	2.50

1995 Rates - Effective November 1, 1994						
	ZONES					
	7	8	9	10	11	12
	Woodruf	Antigo	WI Rapids	Brule	Cumber-land	Park Falls
<u>Posts & Poles</u>						
7 and 8 ft	0.32	0.41	0.26	0.58	0.41	0.42
10 and 12	0.96	1.22	0.78	1.73	1.23	1.25
14 and 16	1.60	2.03	1.30	2.88	2.05	2.08
18 and 20	3.18	4.02	2.58	5.71	4.07	4.12
21 and 30	4.56	5.77	3.71	8.20	5.84	5.92
31 and 40	7.88	9.97	6.40	14.16	10.10	10.22
41 and 50	11.78	14.92	9.58	21.18	15.10	15.28
51 and 60	16.28	20.60	13.23	29.25	20.86	21.11
61 and 70	21.29	26.94	17.30	38.25	27.28	27.61
<u>Christmas Trees</u>						
Unsheared	0.50	0.50	0.50	0.50	0.50	0.50
Sheared	2.50	2.50	2.50	2.50	2.50	2.50

(d) Map of severance and yield schedule zones.



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History: Cr. Register, January, 1980, No. 289, eff. 2-1-80; r. and recr. (2), Register, October, 1980, No. 298, eff. 11-1-80; r. and recr. (2) (a) to (c), Register, October, 1981, No. 310, eff. 11-1-81; r. and recr. (2) (intro.), (a) to (c), Register, October, 1982, No. 322, eff. 11-1-82; am. (1) (d), r. and recr. (2) (a), (b) and (c), Register, October, 1983, No. 334, eff. 11-1-83; am. (2) (a) (b) and (c), Register, October, 1984, No. 346, eff. 11-1-84; r. and recr. (2) (a), (b) and (c), Register, October, 1985, No. 358, eff. 11-1-85; renum. from NR 46.09 and am. (1) (d) and (2) (intro.), r. and recr. (2) (a) to (d), Register, October, 1986, No. 370, eff. 11-1-86; r. and recr. (2) (a) to (d), Register, October, 1987, No. 382, eff. 11-1-87; r. and recr. (2), Register, October, 1988, No. 394, eff. 11-1-88; r. and recr. (2) (a) to (c), Register, October, 1989, No. 406, eff. 11-1-89; r. and recr. (2) (a) to (c), Register, October, 1990, No. 418, eff. 11-1-90; r. (1) (e), renum. (1) (f) to be (1) (e), r. and recr. (2) (a) to (c), Register, October, 1991, No. 420, eff. 11-1-91; r. and recr. (2) (a) to (c), Register, October, 1992, No. 442, eff. 11-1-92; r. and recr. (2) (a) to (c), Register, October, 1993, No. 454, eff. 11-1-93; r. and recr. (2) (a) to (d), Register, October, 1994, No. 466, eff. 11-1-94.