



February 1, 2022

Tom Hittle
Chair, Council on Forestry

RE: Forest Tax Law Dispute Resolution Process – Annual DRP Use Report for 2022

Dear Mr. Hittle,

This report is being provided to the Chair of the Council on Forestry (CoF) as outlined in Chapter 31 of the Forest Tax Law Handbook.

Under 31-II, IV Item 9, the following report parameters must be submitted: *By February 1st of each year provide a report on the use of the DRP to the Council on Forestry. The report will include; the number of disputes, analysis of types of disputes, who was involved including statistics on number initiated and by whom (cooperator, logger, landowner), number approved and not approved to enter process, number ending with step one (working with Mediators) and duration of process, number going to step two (Expert Panel) and duration of process and recommendations of the Expert Panel, feedback received from participants and any other pertinent information. Ensure that in February of even numbered years the DRP is analyzed for process improvements and lessons learned and provide recommendations to address unforeseen complications in its administration.*

As the current DRP Administrator, Renewable Resource Solutions, LLC, (RRS) is providing the following information for calendar year 2021 as detailed in the above description.

- Number of contacts = 3
- Number of formal disputes = 0

Summary of contacts:

1. June 3, 2021, Sauk Co.

Complaint: This complaint was initially received in 2021. The timber sale was set up by a timber buyer and landowner MFL plan was not followed. The cutting notice was not approved. The landowner did not want to file a formal dispute and wanted to reach an acceptable harvest plan between the MFL plan and timber buyer. In 2022, the DRP administrator followed up with the landowner who indicated that he was pursuing contracting a new forester to mark and administer the sale according to the DNR forester's instruction and would be in touch with those foresters in spring of 2023. He does not want to pursue the DRP process at this time.

2. July 19, 2021, Price Co.

Compliant: This complaint was initially received in 2021. The landowner reached out to RRS, LLC with the complaint that the DNR rewrote the MFL plan without his consent to include a clearcut. Resolution: Landowner was connected through email with RJ Wickham and the DNR MFL staff for that area. DNR staff provided an update on October 12, 2022 that the DNR forester had worked with the landowner and had

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updated the plan to remove the mandatory practice from the plan due to the current good health of the stand.

3. September 21, 2022, Douglas County.

Complaint: The landowner contacted the DRP administrator regarding a previous request to DNR MFL staff that any business that benefits forestry be exempt from being prohibited from being on MFL lands. In this case, the landowner referenced the example of refrigerated storage trailers used for overwintering commercial bees being located on MFL lands. The DRP administrator conferred with DNR staff and it was determined that this policy change request was not within the purview of the dispute resolution process.

There were not any formal disputes filed during the calendar year; therefore, there are not any approved to proceed past step 1 of the process.

Additional updates involving the administration of the DRP includes:

- Award of DRP contract to RRS, LLC, effective 12/2/2020 was extended through June 30, 2023.
- RRS Representative was changed to Kari Divine effective January 2022. RRS subcontracts VanOss Forestry Services, LLC's Brock VanOss, Bachelor of Science in Forestry.
- DPR information on the DNR website was updated, <https://dnr.wisconsin.gov/topic/forestlandowners/mfl/drp>
- Ongoing communications with the Forestry Experts and Mediators were completed in 2022 to verify and update available resources.
- The DRP Administrator does not currently suggest any major process improvements at this time. On-going data analysis should be considered for future process improvements along with overall user feedback of the program; however, Mediator and Forestry Expert selection could be revised to every two or three years instead of annually. Due to the number of disputes that come through the process and the longevity of the mediators and experts, annual renewal seems unnecessary.

Please contact me if you have questions or would like further information. Thank you for the opportunity to continue providing DRP Administrator services.

Kari Divine
Renewable Resource Solutions