

Politics and Policy in Formulating Integrated Forest Management: The 1985 Wisconsin Managed Forest Law

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Introduction

To assist private woodland owners, the Wisconsin Legislature in 1985 enacted the Managed Forest Law (MFL) as a replacement for two earlier laws—the 1927 Forest Crop Law (FCL) and the 1954 Woodland Tax Law (WTL). This new program brings innovations to Wisconsin's private forest management: more landowner options to manage for wildlife, aesthetics and recreation; well-defined criteria for management plans; owner options to open or close land to public access and, on open land, to permit hiking and skiing, in addition to hunting and fishing; increased public information on location of open land; increased landowner educational programs; and a systematic program evaluation.

This paper outlines the history of these programs, the events surrounding enactment of the MFL, and the difficulties of integrating owner values into programs that historically emphasized wood production. The conclusions from this case study may provide useful insights for other states.

Destructive Logging

Well-before the turn of the century, admonitions of scientists and foresters regarding the destruction of the Wisconsin forest went unheeded. Colonization and logging companies left a legacy of short-term unplanned development and ruthless exploitation of both people and natural resources. By the turn of the century, in central and northern Wisconsin, millions of acres were blackened with charred remains of forest fires and lay tax delinquent. Isolated settlers attempting to eke out a living in the "cutover" faced an uncertain and grim future. The land tenure pattern precluded rational management.

Early efforts to deal with the chaos included state forests and parks programs, fire control, tree nurseries, planting and incentives for private forestry. The program was emasculated in a 1915 State Supreme Court decision which held state forestry programs unconstitutional. The fight was described as "... a long, sustained, vigorous,

and sometimes unfair, sometimes downright dishonest attack upon the forestry plans and any state policy which sought to limit the extent and nature of the use of the lands of northern Wisconsin" (Carstenson 1958).

In the early 1920s, an agricultural depression exacerbated the crisis and, in 1924, voters approved an amendment to the state constitution "for acquiring, preserving and developing the forests of the state." In 1927, the FCL was enacted to provide property tax relief for lands devoted to forestry. The incentives were insufficient; millions of acres still lay idle and tax delinquent. Thus, in 1929, the law was amended to permit counties to enter lands in the program. Other programs included relocation of isolated settlers, land-use planning and zoning, in lieu of tax payments to local governments, forestry assistance, and acquisition of land for public forests, wildlife refuges and parks. Vast areas were zoned for agriculture, recreation and forestry. Some 5 million acres were acquired for public purposes.

The purpose of the FCL was "to encourage a policy of protecting from destructive or premature cutting the forest growth in this state, and of reproducing and growing for the future adequate crops through sound forestry practices on lands not more useful for other purposes, so that such lands shall continue to furnish recurring forest crops for commercial use with public hunting and fishing as extra public benefits . . ." Forest management plans were optional, and lands were open to public hunting and fishing.

Although the program grew slowly, changes in demand for forest products and rising property taxes eventually made entry attractive. By 1981, 1.3 million acres were enrolled.

Because small, irregular woodlots in agricultural regions did not qualify for FCL, the WTL was enacted in 1954 to provide tax subsidies. Lands had to be more suitable for the growing of timber and other forest products than for other purposes. Forest management plans were required, with approval by the Wisconsin Department of Natural Resources (WDNR). Lands were not open to public hunting and fishing. By 1981, there were 286,000 acres in the WTL program.

Setting the Policy Agenda

Changes to established programs, such as FCL and WTL, are often incremental and carefully measured against existing policies. Conferences, committees and task forces are used to test revisions. This was the case when it came to revising the FCL and WTL. A review of the significant early events that led to the MFL proposal, indicates that nontimber resources did not have strong advocates. As the policy evolved, nontimber resources—wildlife, aesthetics, recreation and watershed management—though not outrightly dismissed, were carried as a residual of timber production. The following events led to the debate on the MFL.

Governor's Committee on State-Owned Lands

Widely different opinions related to forest practices have generally existed in Wisconsin. In 1971, the Governor, a Democrat holding a progressive political ideology, appointed a committee to review timber management practices on state-owned land and to determine if new policies were needed. The committee proposed several, including emphasis on "big tree silviculture," expanded recreation use and multi-disciplinary forest planning. In addition, the committee found "the procedure for

formulating Wisconsin's forest land policy inadequate to non-existent" (Wisconsin Governor's Committee 1974). The committee also emphasized that having appropriate data and a forum for interested parties was needed to formulate good public policy.

Governor's Conference on Forest Productivity

The Wisconsin Governor's Conference on Forest Productivity was held in 1980. The Governor was a Republican holding a politically conservative ideology. Although several speakers commented on the need for balanced resource management, the overall theme emphasized intensive timber practices and educational programs to persuade owners to maximize wood production. Among the 10 workshops conducted, 2 related to private nonindustrial forests (PNIFs) and integrated resource management. The tax policy group addressed concerns related to FCL and WTL, including consolidating the laws, lower acreage limits, eliminating public access, severance tax modifications, and the issue of the highest and best land-use provision of FCL. The multiple-use group was concerned with the increasing role of special interests and their adverse impacts on integrated management.

Governor's Council on Forest Productivity

Out of the 1981 Governor's Conference came the establishment of a Governor's Council on Forest Productivity, which was to study and advise the Governor on opportunities to meet the growing demand for wood fiber, with the expectation that forest resource shortages may exist in Wisconsin by the year 2000. In its subsequent report, the council strongly suggested that timber resources were the dominant resources and were to be given the highest priority (nontimber resources were given minimal consideration, if recognized at all) (Wisconsin Governor's Council 1982). For example, the cover letter stated, "While our report *focuses on wood productivity* we would be remiss to overlook the value and importance of Wisconsin's forest relative to esthetics, quality fish and wildlife habitat, recreation and vital soil and water resources" (emphasis added).

The executive summary stated, "Although the *production of wood and fiber remains a primary purpose* of forest management, other values are recognized" (emphasis added). The report, however, failed to suggest how these "other values" were to be recognized.

Three of the seven task force reports, addressed to the council, raised issues relative to PNIFs and the FCL and WTL programs. The PNIF task force included issues of public hunting and fishing, severance taxes, minimum acreages, and new incentives. The task force on training and education reported that only about 5 percent of the PNIFs lands were being intensively managed for multiple use, including wood, and that landowners do not understand practices of multiple-use forestry.

The task force on FCL and WTL recognized that the long-term goal of increased wood productivity would require a strong contribution from the PNIFs, and stated that the major obstacle was that "other" landowner objectives compete with and may effectively preclude maximization of forest productivity. In a carefully worded statement, the task force suggested that modifications of the FCL and WTL might constitute the most effective vehicle for influencing forest activity. While recognizing that "other" forest values were important, it questioned whether change in the forest tax laws could have a significant impact on forest productivity or protecting the

forestland base. Nine recommendations were made and most were incorporated in early drafts of the MFL. An important recommendation related to landowner plans included a proposal that *required management practices to enhance other values* (emphasis added) of the forest, such as fish, wildlife and water quality.

The committee's executive summary highlighted key recommendations and greatly limited the task force recommendation on required management practices to read "management plans required for all new entries to the program." The strong multiple-resource recommendation was lost to the single-purpose objective of wood production. Obviously, the Governor's council did not want to mandate, let alone encourage, management for nontimber resources. Later, the issue of integrated or multiple-resource management would surface with the "Stewardship" proposal.

Forest Inventory and Strategic Plan

A hierarchy of planning was required to meet the objectives of the 1974 and amended 1976 Forest Range Renewable Resources Planning Act and the 1978 Co-operative Forestry Assistance Act. To address these needs, the WDNR's Bureau of Forestry prepared two plans.

The first plan published was "Wisconsin Forests: An Assessment" (WDNR 1980), which described the status of current resources, major ownership categories, supporting programs and activities related to forested lands. The assessment also included information on the FCL and WTL programs. It was estimated that Wisconsin had 14.5 million acres of commercial forestland, and that 68 percent of this land was privately owned. As of January 1, 1979, there were approximately 1,160,000 acres in FCL and 226,000 acres in WTL. Forest industries own 8 percent of all the commercial forestland (1,150,000 acres) in the state—the bulk of this land is owned by less than a dozen corporations who had enrolled approximately 68 percent of their acreage in FCL. A more recent assessment states that, as of January 1984, there were approximately 1,400,000 acres in the program, with about 75 percent industry lands, and that about 90 percent of all forest industry's ownership is in FCL. By contrast, private nonindustrial owner's were reported to have only 6½ percent of their ownership in FCL and WTL (WDNR 1985).

Industry lands are managed primarily for wood fiber production and most are open to the public for hunting and fishing. Their objectives would be consistent with the FCL program. Given high industry participation in FCL, there was no problem in making minor changes to bring more PNIFs under timber management requirements.

The report addressed management of private lands and noted that owners, for justifiable reasons, prohibit use or are unwilling to engage in multiple-use management through timber practices. The Bureau of Forestry concluded that these affects are most adverse to recreation, game and nongame wildlife, environmentally sensitive areas, and lands with high esthetic value. Under private forest opportunities, it stated ". . . PNIF owners often hold forest land for purposes other than timber production, a point that foresters must be cognizant of when promoting the managed forest . . . timber in this sense can be a by-product of outdoor recreation, wildlife production or aesthetics" (WDNR 1983:39).

Proponents of integrated resource management were concerned that the two studies by the Bureau of Forestry and the reports of the Governor's Conference and Governor's Council could be interpreted several different ways. Generally, there was some mention of resource management in addition to timber. However, forest re-

sources such as wildlife, recreation, aesthetics and watershed management were never given a prominent position for policy implementation. At best, these resources were provided low levels of mitigation in the development and implementation of the timber strategy. Landowner needs, other than public access, did not seem to influence proposed policies. Rather, the landowners were to be "educated" to understand that multiple use provides not only optimum timber benefits, but would benefit nontimber resources. The Bureau of Forestry attempted to address these nontimber resources by referencing existing agency plans or by stating that it would be mindful of nontimber resources.

At this point, an attorney in the Public Intervenor's office (an agency in the State Justice Department, with responsibilities to represent broad public environmental interests) objected to the plan being adopted as policy by the WDNR Board because of its' single-purpose emphasis. A compromise was reached between the Bureau and the Intervenor, and the WDNR Board (1984) passed a resolution that "... acknowledges the plan is an important first step . . . [and they] endorse[d] the interdisciplinary forest planning process [and] acknowledged the plan as an important first step in the planning process, recognized the need to include 'multiple use goals and policies' in the context of producing wood fiber and endorse interdisciplinary forest resource planning process and direct[ed] it to be continued and expanded" Therefore, while the report was recognized through Board resolution, it did not constitute WDNR policy.

Policy Development

MFL Proposal

In June 1983, and as a result of the Governor's committee actions, a technical committee from the Bureau of Forestry, presented to the Assembly Committee on Forest Productivity and Rural Development a first draft MFL. The Bureau used recommendations from the earlier reports to improve administration and changes to attract more landowners into incentive programs.

Significantly, the Bureau followed the FCL purposes section with the emphasis on growing timber, rather than integrated resource objectives. Forestry was defined as commonly accepted timber cutting and cultural methods for propagation and improvement of various timber types. This proposal did not have the advice and support of other DNR bureaus, or the agency policy board. Overall, the more significant highlights were: combining FCL and WTL into one new program; public access was optional, with landowners who provided access given a tax incentive; a management plan was required; and local units of government could object to the petition only when eligibility was in question.

Forestland Stewardship and Development Act

The draft MFL was routed to the Public Intervenor who requested that we, along with an interested graduate student, review it. We were familiar with forest policy, owned forestland and were proponents of integrated management.

We concluded that the draft MFL, as a revision of the FCL and WTL programs, did not address: (1) current and future public policy needs; (2) concerns expressed by landowners; and (3) the needs of wildlife, aesthetics, recreational and watershed

management. Two courses of action seemed appropriate. Either the draft needed selected "cut-and-paste" revisions or a new bill needed to be drafted. We discussed these concerns and options with the cochair of the Assembly Committee, who made two decisions. First, he requested that we develop a proposal as an alternative to the draft MFL; second, he asked the graduate student to serve as staff to his Committee.

In September 1983, we presented our alternative and titled it "Forest Stewardship and Development Act" (Jordahl and Tlusty 1983). It was a completely new bill, which emphasized options for landowners and diverse public benefits as follows:

- A broad purposes section for integrated management with a landowner option to select primary and secondary management emphasis.
- County planning—eligible forestlands would be inventoried in each county and incorporated with farmland preservation planning (see Figure 1, Step 1).
- Minimum statewide resource protection standards would be developed by an interdisciplinary team and modified through administrative rules; included were scenery, wildlife, fisheries, dispersed recreation and watershed protection.
- Inventories would be conducted for timber production sites and significant forest resources, including wildlife, scenery, recreation and watershed values (see Figure 1, Step 2).
- Increased landowner options (See Figure 1, Step 3).
- Required management plans that included approval by a certified silviculturist and review by several different resource specialists.
- Distinction in public access—small parcel landowners would have more options, and dispersed recreation was a separate option from the public hunting option.

The "stewardship" proposal was presented to the Assembly Committee along with a comparison of the two proposals. The Forestry Bureau criticized the "stew-

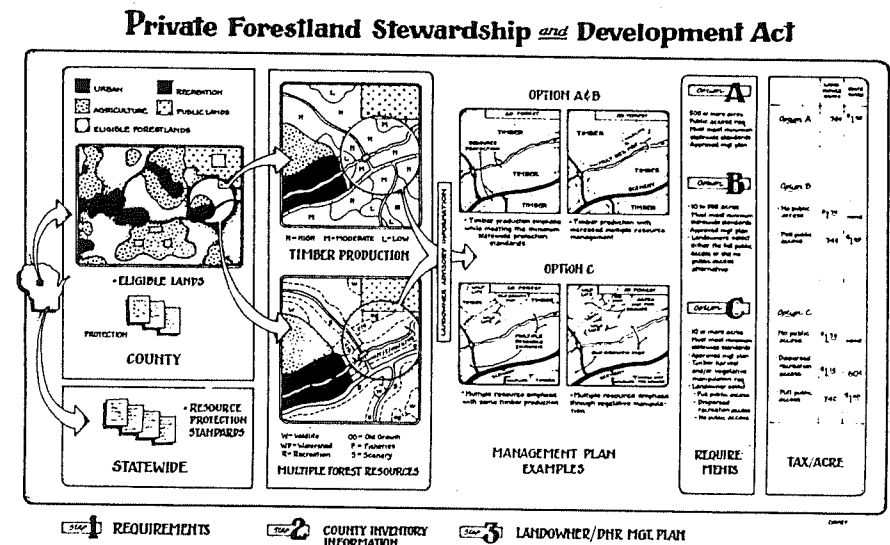


Figure 1. Major integrated resource policy components of the Private Forestland Stewardship and Development Act, presented to the Wisconsin Assembly Committee on Forest Productivity and Rural Development, September 1983.

ardship" proposal, but noted that it contained many innovative concepts. Because of the conflict, the Committee requested both proposals be put in draft bills that would be reviewed at later public hearings. In 1982, a new Governor (Democrat) had been elected, with a broad view of government intervention in natural resource management. He reconstituted the Council on Forest Productivity and appointed a university professor, who formerly was state planning director, to chair the Council. The Council, with new appointments, supported multiple resource management concepts at key points in the policy process.

Legal, Constitutional and Political Issues

The policy differences between the two groups became legal and constitutional as well as political—industry versus public interest groups issues. Because there were no definitive court decisions on the matter, the Assembly Committee sought a legal opinion. The staff attorney to the Wisconsin Legislative Council, in a carefully worded opinion, reached three significant conclusions. The first conclusion, based on the language in the constitution, indicated that lands could be classified as forests for tax purposes, leaving the purposes of such lands to the discretion of the Legislature. Second, multiple use of forests is constitutional. And third, lands to be entered in a new program could be taxed at different rates, depending on their availability for public access (Wisconsin Legislative Council 1984). The opinion cleared the way to argue for an integrated resource program.

MFL/Stewardship Hearing

In early January 1984, an ad hoc meeting of several WDNR Board members was held to review the proposals. The meeting was also attended by elected officials, members of the Governor's Council, several organizations and the press. A statewide newspaper title captured the many different views—"First Squalls Felt in Storm Over Forest Tax" (*Milwaukee Sentinel* 1984). In addition to differences over the proposals, the Wisconsin Wildlife Federation wanted all lands in the program open to hunting and fishing. They claimed both proposals closed too much land and would lead to a European style of hunting, where only the rich could afford the opportunity.

Both bills were reviewed by the Assembly Committee later that month. The MFL was not appreciably changed from earlier proposals and relied on support from the Bureau of Forestry, forest industries, Wisconsin Woodland Owners Association (WWOA), and the earlier reports of the Governor's Conference and Council.

The opening statement of the cochair at the public hearing recognized the conflicting issues. He told the story of the army messenger sent out to scout enemy positions "Great news, sir! We can attack on all sides—we're surrounded!" He made it clear, however, that issues would not be resolved for short-term gain, special interest demands or legislative politics—"we are pro-Wisconsin in terms of quality of life for all" (Wisconsin Assembly Committee 1983).

There were now six major differences between the two proposals: (1) purposes section; (2) landowners options for open/closed land; (3) harvest tax; (4) management plan requirements; (5) landowner dispersed recreation option; and (6) relating the program to the farmland preservation model.

The stewardship proposal, although modified, retained the essential components of multiple use and landowner options (Jordahl and Tlusty 1984a). The major challenge was to convince the committee that it was good public policy and would benefit

a large group of landowners. We believed our role to be both advocates for integrated management, while at the same time assisting the Committee in understanding program differences. Position papers and visual illustrations of alternatives were especially useful (figures 1, 2, 3). In addition, the results from (1) WWOA membership applications review (approximately 1,100) were used to show owners diverse resource interests, (2) the relationship of the stewardship proposal to the many reports and recommendations of the WDNR, and (3) most importantly, multiple-use options were highlighted to illustrate how they related to landowner needs.

The Committee decided to use both bills to develop a new proposal. Although it did not specifically state the manner of integrating the proposals, the Committee wanted it titled MFL, with parcels of 80 acres or more open to the public. Also, it was evident that a broader purposes section was expected. The task of redrafting was assigned to the Committee staff, who was the former graduate student who assisted in drafting the initial Stewardship proposal.

Assembly Bill 1126—Managed Forest Act

The staff person to the Committee reviewed the testimony of the January hearing and worked with cochairs to draft a compromise MFL bill (Wisconsin Assembly Committee 1984). In March, prior to introduction, staff discussed sections of the bill with the Bureau of Forestry, forest industry representatives, Wisconsin Wildlife Federation lobby and proponents of the stewardship concept. Although a consensus did not develop, the Assembly Committee cochairs wanted a single bill for further discussion. Hearings were not held during the remainder of 1983–84 Legislative session, which officially killed the bill. However, to set the stage for the 1984–85 session, public hearings were held in May 1984.

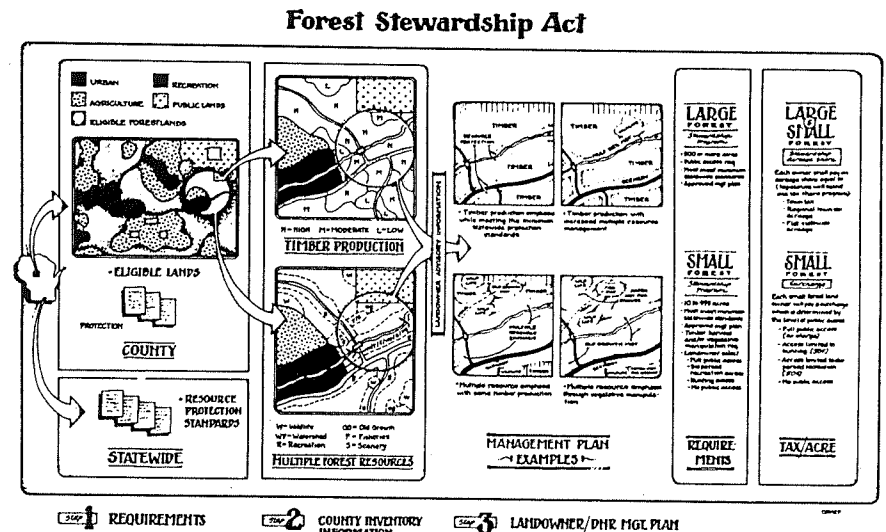


Figure 2. The Forest Stewardship Act—revision of the Private Forestland Stewardship and Development Act, presented to the Wisconsin Assembly Committee on Forest Productivity and Rural Development, January 1984.

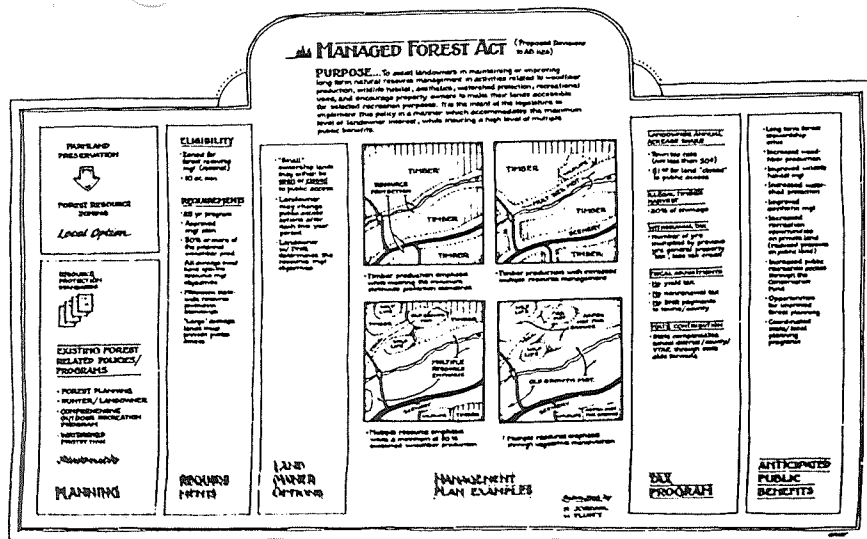


Figure 3. Proposed revisions to the Managed Forest Act (AB 1126) presented to the Wisconsin Assembly Committee on Forest Productivity and Rural Development, June 1984.

These hearings highlighted the controversy rather than developing a consensus. A statewide newspaper titled it "New Forestry Plan is Running Aground" (*Milwaukee Journal* 1984). An editorial in a regional newspaper, however, commented on the need for change in the 57-year-old law, as it "was showing signs of age and needed attention" (*Rhineland Daily News* 1984). It also was contended that, because both industry and environmentalist were equally unhappy, it must be essentially a good and balanced bill.

Three sections of the bill were the most controversial. First, lands of more than 80 acres were required to have public access, while those less than 80 acres were open or closed at the options of the landowner. Second, the management plan required landowner objectives and a review by experts from five disciplines—forestry, wildlife, aesthetics, recreation and watershed. Third, the purposes section referred to timber production for commercial use through sound forestry practices which *may* integrate with wildlife habitat management, aesthetic considerations, watershed stabilization and recreational uses. The word "may" became an issue. It was too close to mandating integrated management for some and too limiting for others. The Bureau of Forestry, forest industries and the Wisconsin Wildlife Federation were against some sections of the bill. Proponents of integrated management also were against the bill and provided testimony on 12 specific sections in need of revision (see Figure 3 for some of the revisions). In addition, we posed 11 questions for further study (Jordahl and Tlusty 1984b). The Committee asked for a prioritization of issues needing revision. Our priority issues included the following: (1) an explicit purpose section; (2) an option to close lands to public access on lands up to 320 acres; (3) not less than 50 percent of lands mandated for wood fiber (this would permit a landowner

to use up to 50 percent for nontimber emphasis); (4) planning at the county level; and (5) minimum statewide resource-protection standards.

The cochairs reviewed the testimony and decided two issues needed further resolution—public access and forest management. An ad hoc committee was established to work on the issues during the summer of 1984.

Ad Hoc Committee

We were on the committee, along with representatives of the Wisconsin Paper Council, Wisconsin Wildlife Federation, WWOA, Sierra Club and WDNR Bureau of Forestry. The staff to the Assembly Committee was chair. Three meetings were held between June and October, and the draft bill was revised five times.

Public access issue. After considerable debate and strong arguments from the Wisconsin Wildlife Federation for keeping all lands open (or not more than 40 acres to be closed) an agreement was reached. It allowed landowners to close up to 80 contiguous acres by paying an additional \$1.00 per acre per year. It also required, as proposed in the Stewardship proposal, that public access include, hunting, fishing, sightseeing and cross-country skiing. The new public uses of sightseeing and cross-country skiing were never an issue with the Committee.

Forest management issue. Forest industry representatives criticized the purposes section as being too broad and felt the "productivity" intent had been lost from the FCL and early MFL proposals. Integrated management advocates argued it was too narrow and did not allow sufficient nontimber resource management, and that the intent was not clear and would permit vastly different interpretations. However, on several topics, there was agreement. First, the program was not intended to be for nonforested lands. Therefore, 80 percent or more of the parcel had to be capable of producing 20 cubic feet per acre per year of wood fiber. This controlled the amount of nonproductive timber lands entered in the program—such as wetlands, bogs, and sand dunes and rock outcrops.

Second, all were in agreement that lands in the program had to produce some wood fiber. While it was agreed that 20 percent of the land did not have to produce wood, it was not clear what multiple resource options, if any, were available to landowners on the remaining 80 percent of the land. Ad hoc committee members could not agree on an explicit statement in the "purposes section" to clarify program intent. To "integrate" forest crop production with non-timber resources was unacceptable to industry because the word "integrate" appeared to mandate multiple use. The forest industry representatives, WDNR foresters and foresters representing the WWOA wanted timber practices on 80 percent or more of the land. They claimed that with "good forestry practices" there would necessarily follow "good multiple-use" outputs. We urged specific language to the effect that on "at least 50 percent of the land wood fiber would be produced."

A third area of agreement was that landowners could choose to optimize wood production on all their land. Although industry agreed, they suggested separate legislation would be more appropriate for those landowners who wanted broad multiple-use resource management.

Resolution

To resolve the purposes section issue, materials were presented to illustrate a variety of multiple resource practices, from permanent openings to old-growth management (Tlusty and Jordahl 1984). In addition, the management plan examples in figures 1-3 were used to illustrate acceptable options for the 80-percent productive lands. During the committee meetings, there was agreement that the examples were acceptable management practices under MFL. However, during the development of administrative rules, industry and the Bureau of Forestry changed their position.

Consensus on the purposes section could not be reached, and the Assembly Committee cochair and staff elected to include the following language in the bill, "... through sound forestry practices which *may* integrate . . ." The bill was to be included in an omnibus Governor's budget proposal to the Legislature. The Governor's staff was subsequently lobbied by an influential member of the Governor's Productivity Council, and a former Governor, and then-chairman of The Wilderness Society. They were successful in changing the intent of the bill by having "may" removed. The purposes section then read, "... which integrate wildlife habitat, aesthetic, watershed and recreational considerations . . ." (State of Wisconsin 1985a). The change was controversial. The Wisconsin Paper Council wanted the word "may" reinserted; otherwise, emphasis on wood production would be difficult. It also argued that consensus had been reached by the ad hoc committee.

The Governor's staff needed to resolve the issue and consulted the former Assembly Committee staff and requested his assistance in drafting a version different than earlier drafts. His new version was not totally acceptable to any of the participants. It was adopted, however, and the purposes section states "... recognizing the objectives of individual property owners, compatible recreational uses, watershed protection, development of wildlife . . ." (State of Wisconsin 1985b). Aesthetics was dropped inadvertently from the purposes section, but continued to be included under acceptable management plan activities. The bill was adopted as part of the Governor's budget bill and signed into law in July 1985. The policy development of two issues and some of the program highlights have also been reported in a paper on integrated resource management (Stoddard 1988).

Administrative Rule Making

Throughout the policy process, it was not clear who spoke for private owners. WDNR staff used anecdotal evidence developed by field foresters to advocate their position. The WWOA had association foresters present at hearings and meetings. We used studies from other states as evidence to argue for landowner discretion and resource integration. Agreement was never reached on the question of woodland owner interest for resources such as wildlife, aesthetics and recreation, and whether owners thought the purposes of a new MFL should provide integrated resource options.

To fill this void, the first comprehensive survey of private, nonindustrial forestland owners in Wisconsin was initiated in late 1984 and early 1985 (Roberts et al. 1986). Although the survey was too late to influence debate on the bill, the findings were useful in the process of developing administrative rules to implement the program. The same issues debated in the legislation resurfaced in development of the rules.

Findings of significance to our position on the policy debate were as follows (estimates):

- 218,000 ownership units; 9,082,000 acres (average size—42 acres);
- 80 percent indicated wildlife and scenery as important reasons for owning land;
- reasons for not participating in MFL and WTL included lack of information, public access requirement, long-term contracts, not eligible and incompatible with their objectives.
- a large majority supported broadening the purposes of the WTL and FCL to emphasize wildlife, scenery and recreation as well as wood production.
- responses on limiting public access by payment of an additional fee were mixed—47 percent disagreed, while 41 percent agreed.

In May 1985, WDNR issued the proposed administrative rules for public hearings. The Public Intervenor's office requested a review of the proposed rules. Those arguing for integrated management identified five areas of disagreement with the draft rules: (1) how the 80-percent rule was to be interpreted; (2) landowner's option to change public access; (3) leasing lands in the program for hunting; (4) definition of sound forestry; and (5) management plan and nontimber practices.

Although it was agreed landowners could manage for multiple use, there was no agreement on which nontimber practices were acceptable on the 80-percent productive timber land. The WDNR proposed a maximum reduction of 10 percent of the annual growth for nontimber purposes. We argued for resource management practices that produced not less than 20 cubic feet per acre per year of growth. The WDNR argued a 10-percent reduction would be enough to satisfy landowner interests in den trees, seed trees, shelterbelts and scenery, and that the legislative intent supported their position. The Intervenor countered that the new bill was intended to emphasize "multiple use" and the 10-percent proposal was unduly restrictive.

The issues were again debated at the hearings. Along with the Intervenor, we presented testimony supporting integrated management. Following the hearings, the Intervenor requested a meeting with WDNR staff to discuss the issue further. The new director of the Bureau of Forestry, who had not been involved in the issues, brought new insights into the integrated management question and indicated his desire to develop rules reflecting other interests in WDNR and the interests of groups outside the WDNR supporting integrated management. Changes in the draft rule were more supportive of integrated management.

The amended rule permitted the following on lands meeting the 80-percent requirement: openings and vegetation not producing forest products could total no more than 10 percent of the 80 percent; other practices related to forest resources could be approved if they did not significantly alter the value of merchantable stands or preclude the growing of future forest crops. Examples included modifying timber rotations, allocating clearcut limits to the entire tract, permitting irregular cutting boundaries, leaving small uncut tree islands, modifying species composition, modifying residual basal area and substituting partial cuts for clearcuts.

The amended rules were a positive step towards integrated management and were recommended to the WDNR Board for approval. All the rules were adopted with the exception of the leasing question. Landowners enrolled in MFL may not close their lands and lease for hunting or cross-country skiing. This, the Board considered as "developed recreation" and unacceptable under MFL rules (WDNR 1986a).

Collaborative Programs

The MFL also required the WDNR and UW-Extension to cooperate on public information and education programs. First, it required that they "publish and distribute information describing the MFL program . . . and forestry and resource management practices that are acceptable . . ." The first fact sheet explaining the program has been completed (Tlusty and Rodgers 1987), and others are being prepared.

The law also required that WDNR and UW-Extension ". . . shall study and evaluate the first five years of . . . the managed forest land program to determine whether it has achieved the purposes specified [and to] . . . report their findings . . . [to] each house of the legislature." The study group, now underway, includes the WDNR bureaus of Forestry and Wildlife, and University of Wisconsin faculty from the disciplines of planning, landscape architecture, wildlife ecology, forestry, agricultural economics and watershed management. For the first time, a reporting system also will be used to determine landowner objectives and practices to benefit wildlife and aesthetics.

Program Participation

Current enrollment data for the first two years are very preliminary and should be used with caution. In 1986, the first year, approximately 1,600 owners entered 114,000 acres—65,000 open to public access and 49,000 closed. In 1987, approximately 1,500 owners entered 95,000 acres—53,000 open to public access and 42,000 closed.

In the five years previous to MFL, an average of about 100,000 acres was entered annually under the FCL and WTL programs. Early expectations were for a 50,000-acre increase through MFL. This has not occurred. However, it is too early to predict trends. Several events may explain why entered acreages have not been higher. The totals for five previous years may be atypical in that inflated land values and increased property taxes caused many owners to enter lands. In addition, owners elected to enroll in the established programs of FCL and WTL for 25 or 50 years because they were uncertain about new program options. Other reasons could include lack of educational information and the unsettling issue of Native American treaty rights in northern Wisconsin, which might affect lands in the program. Limiting public access to 80 acres is a concern of some landowners. In the first year, owners applications were submitted for 138,000 acres. Some owners later withdrew lands when they were informed of the 80-acre public access limit. On the other hand, the ratio of open to closed public access lands is about the reverse of what was predicted—more lands are open than closed to public access.

Conclusion

There were a number of factors that influenced the acceptable level of policy development for integrated forest management. First, forestry had been an agenda item for two Governors—one a Republican, the other a Democrat. Although their

personal interest was at best peripheral, it did provide legitimization and momentum for those who viewed change as desirable and a reasonable expectation.

Second, public policy—once established by law, administrative rules and practice within a bureaucracy—is difficult to change. In this instance, more than 50 years of practices that emphasized wood production were being modified.

Third, there was a legal basis to argue for integrated management. The language in the constitution was broad enough to authorize integrated management. A legal opinion supported the concept. Moreover, in Wisconsin and elsewhere, forestry laws, policies and programs were being broadened to encourage integrated management. Furthermore, the Society of American Foresters definition of forestry supported the concept.

Fourth, proponents of integrated management had a place at the table where issues were debated. The cochairs of the Assembly Committee, both of whom were supportive, requested a proposal that emphasized multiple values as an alternative to one emphasizing wood production. When a consensus did not exist, in lieu of selecting either option, an ad hoc committee was formed, and proponents of integrated management were given equal status in bargaining compromises. The Assembly member and Committee cochair was persevering, sympathetic and permitted full debate on the issues.

Fifth, despite several attempts to constrain us, our positions at the University permitted us to make suggestions, develop ideas and debate issues without fear of sanctions. The only constraints were the political and economic realities of the time. In fact, the University made a special effort to support our participation in the debates, which was in keeping with the "Wisconsin Idea" of faculty involvement in public policy issues.

Sixth, although conservation/environment client group support was not aggressive, the proponents were able to argue persuasively that a broad base of public support existed. Conservation lobbyists made strong statements in support of integrated management at the hearings, and participated from time to time in meetings where compromises were forged. The presence of the Public Intervenor and his active participation at contentious points was an important base of support.

Seventh, when trust or mutually compatible goals do not exist, the policy process becomes longer and more difficult, and advocates strive to insert or delete statutory language that would be more appropriate in administrative rules, handbooks or field decisions.

Eighth, there was passive internal support in the WDNR for the concept. Although foresters represented the agency and emphasized wood production, they recognized that, when integrated forest management agreements were reached, the agency would support the concepts. And, although the department's policy board did not play a significant role in the process, its support was a given once decisions were made. Its approval of the administrative rule, which substantially broadened the basis for integrated management, supports this observation.

Ninth, there was evidence from studies in other states that indicated strong preference for integrated management among small woodland owners. A subsequent study in Wisconsin, completed after the law was passed but before the administrative rule was adopted, documented significant owner preferences for wildlife, aesthetics and recreation. Thus, the arguments for integrated management had a strong basis

in facts and lent credence to the proponents' arguments. However, it is important to note that a research base documenting landowner interests in other states did not ensure recognition of that interest in formulating Wisconsin policy. A vigorous advocacy role was required.

Tenth, the MFL was another incremental step in the process of evolving public policy that emphasizes integrated management. There are significant innovations in the law to effect changes on the land. However, the more dramatic changes in policy suggested in the stewardship proposal were not debated because they either were too complex or too much of a radical departure from past policy. These innovations included the following: (1) a process of land-use planning at the county level to identify forest regions of high value for wood production, wildlife, scenery, etc., where incentive programs would be targeted; (2) statewide resource protection standards for major forest resources; (3) field-level interdisciplinary review and approval of owner management plans, including approval by certified silviculturists; (4) analysis of means other than property tax relief to induce owners to participate; (5) in lieu of a statewide formula, compensation to local taxing districts for taxes foregone based on their actual tax loss; (6) variation in landowner's payments by regions of the state, reflecting differences in land values; and (7) giving landowners' increased public access options, based on incentives and sanctions, to close their land to the public, to open it for nonhunting recreation (skiing, hiking, etc.) or to open it for both nonhunting activities and hunting.

Eleventh, a forum for continuing the studies, discussions and debates on the program with its many facets was institutionalized by establishing a joint WDNR/UW-Extension committee to report to the Legislature in 1992. Representatives on the committee reflect broad integrated management interests and, thus, will not be constrained by short-run objectives or temporal political and economic circumstances. Subsequent legislative debates on amendments to the program, hopefully will be based on a wide range of options and alternatives that will assure full consideration of integrated management goals.

References Cited

- Carstensen, V. 1958. Farms or forests: Evolution of a state land policy for northern Wisconsin. Univ. of Wis. Ext., Madison. 108p.
- Jordahl, Harold C., Jr. and Wayne G. Tlusty. 1983. Private forestland stewardship act. Unpub. report, Univ. of Wis. Ext., Madison. 54p.
- Jordahl, Harold C., Jr. and Wayne G. Tlusty. 1984. Forest stewardship act. Unpub. report, Univ. of Wis. Ext., Madison. 23p.
- Jordahl, Harold C., Jr. and Wayne G. Tlusty. 1984. Statements to Assembly Committee on forest productivity and rural development. Unpublished report, Univ. of Wis. Ext., Madison. 15p.
- Milwaukee Journal*. May 22, 1984. New forestry plan is running aground.
- Milwaukee Sentinel*. Jan. 10, 1984. First squalls felt in storm over forest tax.
- Rhineland Daily News*. May 22, 1984. Opinion.
- Roberts, John C., Wayne G. Tlusty, and Harold C. Jordahl, Jr. 1986. The Wisconsin private non-industrial woodland owner: A profile. Occasional paper series No. 19, Dept. of Urban and Reg. Plan., Univ. of Wis., Madison. 296p.
- State of Wisconsin. 1983. Assembly bill 1126: Managed forest land. Legis. Ref. Bur., Madison. 32p.
- . 1985a. Assembly bill 85; chapt. 77—managed forest land. Legis. Ref. Bur., Madison. Pages 497–512.
- . 1985b. Wisconsin Act 29. Sub. Chapt. 77.80–77.91, Leg. Ref. Bur., Madison. 5p.

- Stoddard, Glenn M. Feb. 1988. Integrated resource management and private forestry: One state's approach. *J. Forestry* (Feb):38–40.
- Tlusty, Wayne G. and Harold C. Jordahl, Jr. 1984. Support material to illustrate multiple resource management practices which meet the intended purposes of the proposed managed forest act. Unpub. report, Dept. of Land. Arch., Univ. of Wis., Madison. 23p.
- Tlusty, Wayne G. and Guy W. Rodgers. 1987. Wisconsin woodlands: The managed forest law program. Univ. of Wis. Ext., pub. G 3413. Madison. 6p.
- Wisconsin Assembly Committee. 1983. Opening remarks of Committee objectives. January 20 memo, State Rep. Harvey Stower, Comm. cochair, State Capitol. Madison. 2p.
- Wisconsin Department of Natural Resources. 1980. Wisconsin forests: An assessment. Bur. of For., Madison. 83p.
- . 1983. A strategic plan for Wisconsin's forest. Bur. of For., Madison. 12p.
- . 1986a. Order repealing, renumbering, amending and creating rules for NR 46. FR-19-86. Bur. of For., Madison. 16p.
- . 1986b. Chapt. NR 46 forest tax program. Wis. Admin. Code:(11)403–412. Bur. of For., Madison.
- Wisconsin Department of Natural Resources Board. 1984. Natural resources resolution concerning—a strategic plan for Wisconsin's Forests. Off. Sec., Madison. 2p.
- Wisconsin Governor's Committee. 1974. Governor's committee to review timber management policies on state-owned lands. Off. Gov., Madison. 29p.
- Wisconsin Governor's Council on Forest Productivity. 1980. Final report. Off. Gov., Madison. 70p.
- Wisconsin Legislative Council. 1984. Constitutionality of 1983 Assembly bill 1226, relating to creating a managed forest land program. Memo (April 19) from staff attorney to Assembly Comm. on Forest Prod. and Rural Dev., State Capital, Madison. 6p.