



WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

FA-20-0010

DOCUMENT TITLE

Weed Management Area – Private Forest Grant Program Application Instructions

PROGRAM/BUREAU

Forest Health, Applied Forestry Bureau

STATUTORY AUTHORITY OR LEGAL CITATION

S. 26.38, Wis. Stats. & Ch. 47, Wis. Admin. Code

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

2/10/2020

DATE FINALIZED

4/6/2020

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

A handwritten signature in cursive script that reads 'Cameron Hardin'.

March 27, 2020

Signature

Date

WMA-PFGP Application Instructions

The Application Instructions are considered part of the application and any requirements found in the application instructions must be included for a complete application.

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A. Introduction

Grants under the Weed Management Area-Private Forest Grant Program (Program) may not exceed \$15,000 (the amount to be reimbursed) to any Weed Management Group (WMG) excluding a rapid response practice and only applies to practices addressing invasive plants that impact forest communities. Each application must have a person participating. The Program allows qualified WMGs to be reimbursed up to 75% of the cost of eligible practices (Practices); 25% match is required. The grant cycle is 24 months and is based on the state fiscal which begins July 1st and ends June 30th.

B. DEFINITIONS

Any term not defined in this section shall have the meaning of that term as it is found in the relevant statutes or administrative rules.

- 1) Invasive Species - has the meaning given in s. 23.22(1)(c), Wis. Stats. In addition, invasive species means nonnative species including hybrids, cultivars, subspecific taxa, and genetically modified variants whose introduction causes or is likely to cause economic or environmental harm or harm to human health, and includes individual specimens, eggs, larvae, seeds, propagules, and any other viable life-stages of such species.
- 2) Inventory - an extensive point-in-time effort to determine the location of invasive plants, including the presence, distribution, and status of plants, and abiotic components such as water, soils, landforms, and climate. Inventories may involve both the compilation of existing information and the acquisition of new information.
- 3) Landowner - any private individual, group, association, corporation, Indian tribe or other native group, or other private legal entity, excluding corporations whose stocks are publicly traded or legal entities principally engaged in the production of wood products.
- 4) Monitoring - Monitoring differs from inventory in adding the dimension of time, and the general purpose of monitoring is to detect changes or trends in a resource. The collection and analysis of

repeated observations or measurements to evaluate changes in condition and progress toward meeting a management objective. Monitoring is often done by sampling the same sites over time, and these sites may be a subset of the sites sampled for the initial inventory. Natural resource monitoring is conducted primarily for two purposes: (1) to detect significant changes in resource abundance, condition, population structure, or ecological processes; or (2) to evaluate the effects of some management action on population or community dynamics or ecological processes. Monitoring should have a specific purpose.

- 5) Nonindustrial private forest land (NIPF) - rural lands with existing tree cover or which are suitable for growing trees and owned by any landowner as defined in these instructions.
- 6) Participation Agreement - agreement signed by the WMG and all landowners on whose property inventory, control, or monitoring takes place. It must be signed by each landowner prior to work being done on his or her property.
- 7) Person - includes all partnerships, associations and bodies politic or corporate.
- 8) Person Participating - a person who owns 500 acres or less of Non-Industrial Private Forest land in the state on which a practice or portion of a practice under the grant will be implemented.
- 9) Practice - an activity or conservation measure intended to control invasive plant species.
- 10) Rapid Response Practice - a practice to control or eradicate prohibited invasive plants and those invasive plants new to the state or to a region of the state as determined by the chief state forester.
- 11) Responsible Party - The individual or group with a tax ID number who fills out the W-9 and receives the grant payment.
- 12) Weed Management Group (WMG) - includes persons that are concerned about invasive plants within a WMA. A WMG is a minimum of 3 people, there is no maximum.
- 13) Weed Management Area (WMA) - a geographic unit defined by a Weed Management Group.

C. Eligible Applicants

Weed Management Group (WMG): must consist of 3 or more persons of which at least one person shall be a person participating.

The applicant (WMG) has to identify a responsible party. The responsible party can be changed before the payment is made, by submitting a new [W-9](#).

The responsible party may be the WMG, an individual, non-profit organization, government entity, LLC, or a company or corporation.

Non-profit organizations and government entities may be applicants as long as the funding is used on NIPF land. The non-profit organizations and government entities can be one of three persons participating and can apply if they are part of a WMG.

Participation Agreement

For specific practices on NIPF land (generally inventory, control, and monitoring), the WMG must submit a Participation Agreement with the application.

The "Participation Agreement" must include:

- The NIPF landowner as a person participating.
- Contact information for the NIPF landowner.
- The location of the NIPF land.
- Advanced written permission by the NIPF landowner for the WMG to enter and conduct practices on NIPF land.
- Advanced written permission by the NIPF landowner to allow WMG to share contact information with the Department of Natural Resources (department).

If the NIPF landowners are not known at the time of application, they must be added to the participation agreement before the WMG conducts an eligible practice.

The participation agreement must be revised if new NIPF landowners or lands are included in a specific practice for which the WMG requests reimbursement. The revised participation agreement must be submitted along with the interim report or any request for reimbursement.

Note: A W-9 must be submitted in order to receive money from the State of Wisconsin. To minimize tax liability of individual members, the WMG may want to form an LLC or other entity. There is a minimal fee to do so electronically in Wisconsin. Contact the [Department of Financial Institutions](#) for more information.

D. Eligible Practices

Applicants are encouraged to contact the Forestry Invasive Plant Coordinator (FIPC) for guidance prior to completing the application. Applications will be funded on the basis of priorities, need, and feasibility.

Rapid Response Funding

Up to 20% of WMA funds will be designated annually for the rapid response to early detection species upon discovery, but may change based on knowledge gained throughout the year. Rapid response practice means a practice to control or eradicate prohibited invasive plants listed in s. NR 40, Wis. Admin. Code and early detection species. Prohibited invasive plants are new to the state or a region of the state as determined by the department.

Applications for rapid response practices can be submitted at any time. As appropriate, applications submitted for rapid response funding may receive immediate approval and not be required to wait until the April 1st deadline. As species may be detected and reported by anyone, the department will coordinate the distribution of the funding based on the species and the feasibility of control. Consult with the FIPC to determine if the species is considered early detection.

Rapid response funding does not require match.

Eligible Cost Sharing Practices

The practices listed below are eligible for cost sharing. Eligible practices only apply to invasive plants that impact forests but may include plant species growing adjacent to non-forested areas that have the potential to impact the forest.

- 1) **Education, information and outreach**: including but not limited to publications, field days, websites, demonstrations, trainings, and planning workshops.
- 2) **Coordinating a Weed Management Group**: this includes one-time start-up costs, assisting a WMG in the formation of partnerships, goals, and objectives for the management of the WMA, and a WMG coordinator salary for up to one grant cycle. It is recognized that funding is needed for coordination beyond the one-time grant cycle. If you have already received the coordination funds as described above, coordination funds can still be requested but it should be under another practice with a detailed description.
- 3) **Inventory of invasive plant species occurrences**: includes surveying and mapping with methods approved by the department and described in the application.
- 4) **Control of invasive plant species that impact NIPF land**. This only applies to plants that impact forests, but could include a plant that is growing in the forest and adjacent non-forested areas, with the potential to impact the forest. This also includes the purchase of herbicides, tools, etc.
- 5) **Monitoring**: is a post-activity assessment and documents results of management activity using methods approved by the department and described in the application.

- 6) Miscellaneous practices: pertaining to management of invasive plants that impact forests, include:
 - a) Reforestation and afforestation which includes establishment or reestablishment of diverse stands of native forest trees through natural regeneration, planting or direct seeding for conservation purposes and sustainable timber production.
 - b) Forest improvement which includes practices to increase tree growth, tree quality, biological diversity, tree vigor and forest health.
 - c) Soil and water protection and improvement which includes the maintenance or improvement of water quality and soil productivity, and the reduction of erosion on forest and related land.
 - d) Wetland and riparian protection and improvement which includes the management, protection, and improvement of wetlands and riparian areas to maintain water quality, protect and improve wetlands and riparian areas, reduce sedimentation and enhance or improve fish or wildlife species.
 - e) Terrestrial wildlife and habitat enhancement which includes the establishment, management and enhancement of permanent habitat for game and non-game wildlife species.
 - f) Forest historic cultural and archeological site protection.
 - g) Endangered, threatened or rare natural resource protection, management, restoration and enhancement targeted at threatened or endangered species habitat maintenance or enhancement, and management of significant natural communities or rare native vegetation.
- 7) Long term invasive plant management plan development: includes a written prioritization plan for management of invasive plants within a WMA.

NOTE: Funds for inventory, control and monitoring may only be used on NIPF lands of 500 acres or less.

E. Eligible Costs

Eligible costs are all those identified in an application and associated with the preparation or implementation of one or more eligible practices. The following are costs that are eligible for awards. Eligible costs can be incurred by any member of the WMG on NIPF land in the WMA.

- 1) Documented Reasonable Costs: Costs associated with implementing approved practices as described in the application or approved by the FIPC.
- 2) Labor Costs: In general, \$15/hour is used for landowner, applicant or volunteer labor (if used as in-kind match). Rates may vary for more skilled labor such as heavy equipment operation. Landowner and volunteer labor may not be as cost-effective as professional labor and should not be funded at that higher rate. See Labor Costs in G. Match Requirements.
- 3) Equipment and Space Rental: Actual rental costs for necessary equipment or comparable rate if applicants are using their own equipment. It also includes rental of space including equipment storage and meeting facilities. Farm equipment rates are often available by county from the local Farm Service Agency office.
- 4) Capital Purchases: Purchase of equipment and supplies, such as chainsaws, sprayers, herbicide, fuel to operate equipment, etc. with a cap \$5,000.

F. Ineligible Costs

- 1) Costs incurred before a grant is awarded on July 1 (when project grant money is set aside or encumbered).
- 2) Mandatory Practices - The implementation of any practice already required or mandated by law, rule, regulation, or other authority. In contrast, a practice required in the Managed Forest Law (MFL) program (under ch. 77, Wis. Stats.), or a practice required under ch. NR 40, Wis. Admin. Code for prohibited and restricted terrestrial plant species are eligible costs. Other ineligible mandatory practices include wetland mitigation or disposal site clean-up.

- 3) A practice not approved by the department in writing, or changes to a previously approved practice, unless authorized by the department in writing.
- 4) Costs associated with fixing, repairing or redoing a cost-shared practice damaged or lost because of poor practice implementation or inadequate protection.
- 5) Costs associated with work on public lands.
- 6) Costs associated with work on industrial forests.
- 7) Costs in excess of \$5,000 for equipment purchase.
- 8) Travel - any costs associated with traveling. This includes any travel to or from the WMA by WMG members, landowners, volunteers, students, or anyone else. It also includes the transportation of equipment.
- 9) Costs associated with work on aquatic plant species.
- 10) Costs associated with work on NIPF land without permission or agreement.
- 11) Purchase of property and associated fees and costs.
- 12) Costs already being paid for or reimbursed by another program.
- 13) Costs associated with maintaining a practice the landowner has agreed to maintain under another program.

G. Match Requirements

The program allows qualified WMGs to be reimbursed up to 75% of the cost of eligible practices; a 25% match is required. In-kind match includes services, supplies, labor costs, equipment, and cash.

Labor Costs: Costs reasonable for the type of work being done. For example, if an attorney does brush clearing on a property, they could not charge \$150/hr. towards the project cost, even if that is what they normally make as an attorney. In general, \$15/hour is used for landowner or volunteer labor (if used as in-kind match). Landowner and volunteer labor may not be as cost-effective as professional labor and should not be funded at that higher rate.

The minimum cost for a practice is \$200 per applicant per year and this is the total cost, including the match.

State funding and state employee time is not eligible as match.

Federal funds can be used as match as long as they do not exceed the total amount of the project. This program only reimburses for actual expenses, not expenses paid for by another grant source.

Example: Total project cost = \$20,000, the grant awarded = \$15,000, the WMG match is \$5,000.

H. Limitations

- 1) A grant under the program may not exceed \$15,000 (the amount to be reimbursed) to any WMG excluding a rapid response practice.
- 2) The WMG cannot combine cost sharing from state and federal sources to exceed the entire cost of the project.
- 3) Cost share reimbursement may not exceed 75% of the approved, actual eligible costs and may be less than 75%.
- 4) The minimum cost for a practice is \$200 per applicant per year and this is the total cost, including the match.
- 5) Applications must be approved by the FIPC before being awarded funding.
- 6) The WMG cannot begin a practice before they receive written approval from the department. Work done prior to award date is ineligible.
- 7) Cost sharing will not be approved for commercial practices. A commercial practice is something where the applicant is paid for the project approved under the grant.

I. Completing the Application *Boxes indicate items that must be included in the application*

Complete the application, including the signatures from 3 persons one of which must be a person participating.

A W-9 must be submitted with the application by the responsible party. See below for tips.

The application should include a narrative with the components listed below. Write the narrative organized by these components and reference the practice number. Payments are tracked by practice and this will allow us to review the proposal and reimbursements more efficiently.

- a) Description of the project in greater detail, including: the need for the project, all practices and costs being proposed. The need shall reflect the Section J. Approval Criteria below. The description should be listed by the practice as detailed below under “Section L. Reporting Requirements.” For control practices, include abundance information within the adjacent area.
- b) The geographic area that the WMG covers (the WMA).
- c) All members of the WMG, if applicable, and their affiliation.
- d) Explain if you have you applied for other sources of funding for the same project.
- e) Explain what you plan to use as match for the grant.

- f) Other pertinent information.

The narrative should follow the format listed above (a-f).

A detailed budget listed by practice. The budget shall be submitted electronically in the format provided.

A participation agreement must be submitted, if applicable.

Submit the application to:

Forestry Invasive Plant Specialist
WDNR
107 Sutliff Ave.
Rhineland, WI 54501

Applications, except those for rapid response projects, are due by April 1 for consideration for grants to be awarded in the upcoming (next) fiscal year. All applications received by April 1 will be reviewed together. Incomplete applications will be returned. The deadline for returning complete and corrected applications is May 15. Grants are awarded as soon after July 1 (beginning of the fiscal year) as possible.

Applications for rapid response projects can be submitted at any time and are reviewed immediately. Rapid response grants are awarded as approved, if funding is available. The award may not always be the full amount requested. The grant cycle for all grants is 24 months.

J. Approval Criteria

The department will review applications to determine if the practice is needed and feasible, that there is evidence of at least one participation agreement at the time of application, and that there is a person participating who owns 500 acres or less of NIPF land. Funding is not guaranteed if the proposal is deemed not needed or not feasible.

For Control projects, the department shall give preference to projects which include the following:

- 1) Rapid response practices – note: this may be applied for separately at any time of year.
- 2) Control practices that accomplish objectives or groups of objectives identified below:
 - (a) Work on the control of prohibited invasive plant species as identified in ch. NR 40.
 - (b) NIPF land where invasive populations of plant species identified in the application are small enough to be contained or eradicated.
 - (c) A WMA where management will occur on and be coordinated amongst multiple properties.
 - (d) NIPF lands will be managed for invasive plants for the long term.

Eligible applications shall be approved, provided grant funds are available. Partial funding for eligible applications may be provided. The department can approve a portion of any request, or decrease the amount of a request per practice. Department approval of an application constitutes an agreement between the state and the WMG.

K. How to Get Reimbursed

The WMG is required to provide proof of payment for money spent and in-kind match. Proof of payment includes: invoices marked paid, canceled checks, credit card statements, volunteer time logs, etc.

The WMG must inform the department as soon as possible, if the total award is not going to be spent.

L. Reporting Requirements

The following is a list of reporting items based on each practice. This list may change depending on the application details. The FIPC will provide more detail in the award letter.

- An interim report shall be provided half way through the project and will be noted in the award letter.
- A final report shall be provided prior to or along with the final reimbursement request as noted in the award letter. It should be organized by practice.

The interim and final report shall include the following elements as noted in the award letter.

1. Outreach/education:

- Target audience, materials developed (provide a copy of each), number of people contacted, dates
- Workshops/events: number of people, content, location, agendas, dates
- Specific outcomes
- Future needs

2. Coordination:

- Who is involved, kinds of organizations
- Did you set up an LLC or nonprofit, etc.?
- Goals and objectives for group
- Planned actions
- Specific outcomes

3. Inventory:

- Landowner information, location, contact info, coordinates
- Plant species of concern (Note abundance and distribution)
- Provide maps or location information for targeted species
- Method of inventory (meander, high use areas, drive-by, etc.)

4. Control:

- Landowner information, location, contact info, coordinates
- Plant species of concern (Note abundance and distribution)

- Plant species controlled
- Acres or square footage treated
- Type of control method(s)
- Type of herbicide(s) and rate
- Time(s) of year of control
- Level of success

5. Monitoring:

- Outcome
- Future needs, including control, additional properties to be included in control (example: 12 properties have plant x, but can only gain access to 10)
- Level of success of control
- Is the goal of control being met? What is the management goal? I.e. tree regeneration, community restoration, rare species, etc.

6. Miscellaneous practices:

Report on whether any of the following miscellaneous practices were implemented and their outcomes:

- Reforestation and afforestation
- Forest improvement
- Soil and water protection and improvement
- Wetland and riparian protection and improvement
- Terrestrial wildlife and habitat enhancement
- Forest historic cultural and archeological site protection
- Endangered, threatened or rare natural resource protection, management, restoration and enhancement

7. Long Term Management Plan development:

- Provide the plan to FIPC.

8. Tips on Proper Completion of the W-9 Form for Landowners

It is imperative that W-9 forms be filled out correctly by the responsible party since this will determine how the cost-sharing moneys are considered by the IRS for tax purposes. The responsible party should read the accompanying instructions carefully before completing a W-9.

- a) The responsible party must fill in their tax identification number (TIN) and check the appropriate box underneath to indicate whether this number represents a social security number (SSN), employer identification number (EIN), etc.
- b) Social security numbers should only be used in the TIN field when you are applying as an individual, sole proprietor, or LLC-Single Owner.
- c) If the responsible party is applying as a legally recognized partnership, corporation, company, etc., then they must provide the corresponding EIN in the TIN field.
- d) The applicant's TIN must match that of the entity they specified in the Legal Name field of the W-9 form.
- e) If the responsible party is not considered a legal partnership, corporation, etc. with a federally recognized EIN but the property involved is jointly owned, then the entity designation on the W-9 form must be designated as an Individual/Sole Proprietor.
- f) Only one individual's name and TIN may be written on the W-9.
- g) Property jointly owned by a married couple is eligible for cost sharing, but only one co-owner's name may appear on the W-9.
- h) Either co-owner may apply for cost sharing, but it is important that one co-owner's name be used consistently on both the Weed Management Area Private Forest Grant Program Application (Form 2400-141) and the W-9 form.