

Debra Lindner  
902 Pine Street  
Antigo, Wi 54409

October 13, 1997

Representative Marc Duff  
Chairman - Environment Committee

I live and work in Antigo and I have been following the debate about mining with some interest. I am writing to urge you to support environmentally responsible mining and to oppose any attempts to ban mining in our state.

Opponents of mining would like to pretend that mining and mining technology are something new and different and downright scary. The fact is, mining is part of Wisconsin's past, present and future. Early lead and zinc miners gave us our "badger" nickname. Right now, The Flambeau Mine in Ladysmith is beginning reclamation after operating for more than three years and meeting all our State's tough environmental requirements. I read recently that Flambeau paid twice the amount of taxes the mine said it would and that the wastewater treatment plant's treated water is even better than the Mine's permits demanded.

That same kind of technology is going to be used at the Crandon Mine and if the company can prove to the DNR, that its project can also meet the State's standards, it should be granted a permit. This area needs the economic benefits of modern mining to give us a better future. Please support environmentally responsible mining and oppose the moratorium.

Sincerely,



Debra Lindner

# Wolf River Realty

2032 NEVA ROAD • ANTIGO, WISCONSIN 54409 • (715) 627-4349

October 13, 1997

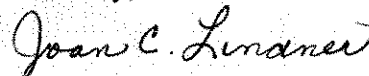
Representative Marc Duff  
Chairman - Environment Committee

I am writing to express my support for environmentally responsible mining and to urge you to oppose any moratorium on mining.

The fact is, Wisconsin already has some of the toughest mining laws in the nation. If a mining company cannot PROVE it can build, operate and reclaim a mine in a way that meets those tough standards, the DNR will not allow the mine to proceed. That's the way the laws are written and judging from the success of the Flambeau Mine in Ladysmith, that's the way the laws work, too.

In summary, I believe that environmentally responsible mining is the ONLY kind of mining that will be allowed in the State of Wisconsin. If a mine can meet our regulations, it should be allowed to operate and bring its economic benefits to our state. Once again, I urge you to oppose the moratorium bill.

Sincerely,



Joan C. Lindner  
Broker

Lindner Income Tax Service  
717 5th Avenue  
Antigo, Wi 54409

October 13, 1997

Representative Marc Duff  
Chairman - Environment Committee

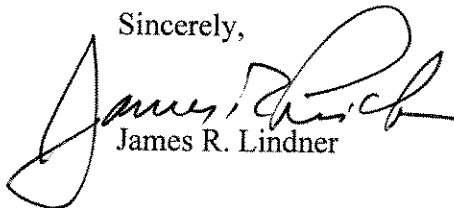
I am writing to urge you to oppose any moratorium on mining. This legislation is simply unwise and unnecessary.

I care about Wisconsin's environment as much as anyone. However, I also care about jobs and responsible economic growth for northern Wisconsin. A mining project such as the one planned near the City of Crandon, could bring hundreds of badly needed jobs to the area.

I agree that the mine must be able to meet all of the applicable local, state and federal regulations before they can receive a permit to mine. I also believe that the Wisconsin Department of Natural Resources and the federal agencies involved in the permitting process provide that proper forum in which to make an objective decision on whether the mine can be operated in a safe manner and it is determined that it won't harm the environment, then it should be permitted and allowed to operate.

Therefore, I urge you to oppose any mining moratorium bill. We should let the permitting and regulatory process work as it was intended.

Sincerely,



James R. Lindner

Knutson Bros. Remodelors, Inc.  
1025 S 108th St, Suite 201  
West Allis, WI 53214

October 14, 1997

Representative Marc Duff  
Chairman - Environment Committee

I am writing to urge you to oppose any moratorium on mining. I believe modern mines - such as the one at Ladysmith - can, must and will protect our environment and bring real economic benefits to our communities and State.

Why? Because the technology mining uses these days is reliable and has proven it is effective. Plus, Wisconsin has some of the toughest mining laws in the country. A mine must PROVE it can meet those requirements and then is tightly monitored during operation. A company must also provide financial guarantee that the site will be properly reclaimed and is responsible for the site FOREVER.

Right here in Wisconsin, the Flambeau Mine has done just what it said it would do. There is no reason to ban mining. Instead, as we consider other mining projects such as the Crandon mine, we should let the facts and our laws work so that mining can work for all of us.

Sincerely,



D. Lindner

Lindner Computing  
902 Pine Street  
Antigo, Wi 54409

October 13, 1997

Representative Marc Duff  
Chairman - Environment Committee

I am a resident of Antigo and I am writing to urge you to support environmentally responsible mining and to reject calls for a moratorium on mining in our State.

Opponents of mining have been very vocal in their campaign against the Crandon Mine and the mining industry. But I believe, and from what I've read and heard, the majority of people who live and work here support mining as long as it is environmentally sound.

The people of this area deserve a strong voice in shaping our economic future and way of life. We aren't willing to trade a quality environment for jobs and we don't believe we're being asked to. Wisconsin has some the toughest mining laws in the nation and if a project can meet those requirements and bring the very real economic benefits of mining to our area, we support it. I respectfully urge you to do the same.

Sincerely,

  
Robert J. Lindner



Wisconsin  
Manufacturers  
&  
Commerce

Memo

TO: Assembly Committee on Environment  
FROM: James A. Buchen, Vice President, Government Relations  
DATE: October 14, 1997  
RE: 1997 Senate Bill 3 (As Amended by the Wisconsin Senate)  
Moratorium on Metallic Mining

Wisconsin Manufacturers & Commerce (WMC) strongly opposes 1997 Senate Bill 3 introduced by Senator Shibilski and Representative Black. Senate Bill 3 in effect places an indefinite moratorium on sulfide metallic mining in Wisconsin.

Senate Bill 3 states that before a mining permit can be issued in Wisconsin there must be proof that a mine has operated in the US or Canada for at least 10 years without polluting groundwater or surface water, and that the mine has been closed for 10 years without polluting groundwater or surface water.

### SENATE BILL 3

#### *Neutralizing Language*

The Senate revised the bill to require examples of mines that have operated "in a sulfide ore body which is not capable of neutralizing acid mine drainage." This is extremely vague language and may be interpreted in many ways. Taken literally, virtually all ore bodies are capable of neutralizing acid mine drainage to some extent. The bill, sets no standards on the extent of the acid neutralizing capability of the ore body, thus opening the door for endless litigation.

#### *Requires Old Technology*

Senate Bill 3 is definitely a step in the wrong direction because it *requires* that old technology be examined for current or future mining projects in light of today's technology. Mining projects currently operating are using the most state-of-the-art technology of today, and continuously upgrade operations to ensure that the environment is being protected.

#### *Ambiguous*

Although the Senate included language to define pollution as "degradation that results in any violation of any environmental law," it provides no standards for how an alleged violation should be determined. Again, this opens the door for endless interpretation and potential litigation.

### LORGE/BLACK AMENDMENT

The Lorge/Black amendment would define pollution as causing groundwater or surface water to be less suitable for human consumption or causing damage to aquatic organisms or causing damage to other organisms. Under this definition, if you destroyed a plant or killed an aquatic insect in the process of opening or operating a mine you would not meet the test. No Boy Scout Troop, let alone a mining project, could meet this standard. This amendment would clearly make SB 3 a ban on mining in Wisconsin.

### CURRENT LAW

Wisconsin law is clear. The Wisconsin Legislature has specifically allowed for mining in the state as long as it is accomplished in an environmentally sound manner.

Under current law a mine cannot be granted a permit unless it can be determined that the environment, public health, safety and welfare will be protected. The Department of Natural Resources will only grant a permit if all of the following conditions are met:

- All state and federal laws, as well as local zoning ordinances, are complied with;
- Land with unique features such as critical ecological importance or historical value is safeguarded;
- A suitable plan for reclamation is included; and
- A net positive socioeconomic impact will be provided.

These requirements include protecting groundwater, surface water, wetlands, air, unique land, endangered species, etc. It requires a tailings management plan, a feasibility report, a plan of operation and several other reports and studies. Finally, financial and perpetual responsibility is required under the law.

### ECONOMIC DEVELOPMENT

There are literally hundreds of Wisconsin-based companies employing 10,000 plus individuals in mining and mining-related companies, whether it be manufacturers, suppliers or transporters to the industry.

#### *Crandon Mining Company*

Metallic mining is an extremely important industry in Wisconsin. The Crandon mine, for example, will provide hundreds of long-term mining and mine-related jobs to Forest, Oneida and Langlade counties. \$43 million will be spent for goods and services in the tri-county areas during three years of mine construction, and an average of \$1.2 million more will be spent each year during its 28 years of operation.

The mine will contribute up to \$110 million to the local tax base in property taxes to benefit the Towns of Lincoln, Nashville, Forest County and the Crandon School District. In federal and state income taxes, Crandon Mining Company will pay an estimated \$175 million over the life of the mine.

The net proceeds tax, which is an additional tax that only mining companies pay, will generate approximately \$119 million in revenue to local communities and the Native American tribes over the mine's life.

#### *Flambeau Mining Company*

Since 1991, the Flambeau mine in Ladysmith, Wisconsin, one of the world's richest concentrations of copper has created jobs for an area of the state where jobs were badly needed. They have contributed \$20 million to the tax base and will contribute even more before their project is finished.

The Flambeau mine in Ladysmith has operated without any of the environmental problems predicted by its opponents. Its state-of-the art technology has proven to be exceptional in protecting the environment.

### MINING IS FUNDAMENTAL

Mining is fundamental to society. Everything used in modern society is a product of mining: cars, roads, planes, telephones, appliances, computers, stereos, TVs, electricity, roads, heat, buildings, machinery, equipment, agricultural equipment, fuel, fertilizers, etc.

Placing an outright moratorium or ban on an essential and legal economic activity that must comply with all state and federal environmental laws, as well as all mining laws and regulations, is unreasonable. Senate Bill 3 sets a bad precedent by singling out the mining industry. If the ban becomes law, other industries could become the target for extremists bent on legislating an industry out of existence.

WMC urges the Assembly Committee on Environment to reject 1997 Senate Bill 3.

875 Rydzewski Rd.  
Three Lakes, WI 54562

October 13, 1997

Representative Marc Duff  
Wisconsin State Assembly  
P.O. Box 8952  
Madison, Wisconsin 53708

Dear Representative Duff and members of the Mining Moratorium Committee

I am writing because I am not in favor of the Mining Moratorium Bill, AB 70.

There are a number of reasons why I am not in favor of AB70, especially in its current (original) form. In the first place this bill sends a terrible message to all industry not just the members of the mining industry. In effect what this bill says is that "Wisconsin has good and strong regulations some of which require at least five years of permitting and scientific study. If any industry shows that it can comply with the regulations, or do such a good job that they operate in a manner that is even better than required by the regulations, **WISCONSIN WILL PROPOSE NEW LEGISLATION THAT MAKES IT IMPOSSIBLE FOR THAT INDUSTRY TO EXIST**" Is it any wonder that there is such a large exodus of industry outside of our borders.

The Mining moratorium Bill cannot be met as it is written. The bill was written in a very vague manner. It fails to define some key words. The author of the bill is a very intelligent and a shrewd politician and I can only assume that the omission of clear definitions was intentional so that the bill if passed, could be applied in a capricious manner and effectively ban an industry that has proven that it acts in a responsible manner in Wisconsin.

There is no definition what is truly meant by pollution. It could be considered as noncompliance of existing environmental regulations. It could also mean a variance from some sort of subjective ambient condition, and by this criteria breathing would be considered pollution. It could also mean the application of current environmental regulation and standards to situations hundreds of years ago. The definition of a "sulfide ore body" is described in the bill as "means a mineral deposit in which metals are mixed with sulfide mineral". This is not a correct definition of a sulfide ore body. Using this definition the Inland Steel iron ore deposit near Black River, Wisconsin and which contains a very minor amount of sulfide minerals would also be considered a "sulfide ore body". In an extreme case, some of the gravel quarries around the state contain tiny amounts of sulfide minerals and by the definition they would be "sulfide ore bodies" since they may contain some metal in sulfide form. Obviously this last example is somewhat ridiculous but it is intended to demonstrate the vagueness in the language.

The requirement for similar geological characteristics is also undefined and vague. Both the words similar and geological characteristics are unclear. By "similar", does the author mean exactly alike? If this is the case this stipulation could never be met because no two ore deposits



are perfectly identical in the same manner that no two politicians from the same party are identical. "Geological characteristics" could also mean anything and should have been defined.

This bill implies Wisconsin's laws and regulations are meaningless and don't work. During your visit to the Flambeau Mine last May, it should have become apparent that Wisconsin's mining laws do work. I doubt that you would find very many industries in Wisconsin that have not had a violation or citation during its life. The environmental protections applied by Flambeau Mining Company to the mine have become the models for all industries throughout the country.

The same doom and gloom forecasts that are being made about The Crandon Mine were made about the Flambeau mine. Not one of the forecasts has come true. As pointed out during the May hearing the only dead fish associated with the mine were the fish the anti-mining activists threw at the committee during the Permit hearings for the Ladysmith Mine. There is absolutely no change in the water quality of the Flambeau River above and below the mine. Once Flambeau Mining began releasing the analyses of their discharge waters it was no longer referred to as "toxic" by the anti-mining groups. I have enclosed a table of the analysis of the discharge water from the Flambeau Mine. Not only did they (Flambeau) comply with the DNR set levels, their water was significantly better. Look at copper for example, Flambeau Mine's discharge was less than 1 percent of drinking water standards and only about 20% of the levels set by the DNR. Most importantly, the science was correct, everything that the permitting study (EIS) predicted, actually occurred as planned.

Crandon Mining Company predicts that their "non toxic" water discharges will be even better than the Flambeau Mine's discharge, since their water treatment facility will be an improvement of the Flambeau Mine's design. A comparison was recently made between the Crandon Mine proposal and other entities discharging into the Wisconsin River. When you compare the metal loading of the Crandon Mine with that of one of the paper mills, it is interesting to note that the amount of copper that the Crandon Mine will discharge in its entire 30 year life span is discharged by a paper mill in less than four months. The city of Rhinelander discharges five times the copper each day (compared to Crandon's proposed discharge). I have also included a copy of this data which is an excerpt from data presented by the DNR in Rhinelander.

Wisconsin's mining laws are very tough and they work. They are no longer alone around the country because they have been used as an example around the country by many other states to re-write their own antiquated regulations. Residents of Wisconsin should be proud of the fact that their laws are being used as the example to achieve.

The last reason that I am opposed to the moratorium is somewhat more philosophical. Each of us, whether you are in favor of mining or not is a direct or indirect consumer of mining products. If you use any product which contains copper and/or zinc you are using the products of sulfide mining. Lets just talk about copper. According to the Mineral Information Institute, In the United States there is a per capita consumption of 19 pounds. This translates into an annual consumption of about five billion pounds of copper in the United States. In Wisconsin with a population of about 5,150,000 this means a direct and indirect annual consumption of about 97 million pounds which is more than the Flambeau Mine produced in its best year. Like it or not, mining is a part of our lives. I feel that mining is best done in places like Wisconsin where there are laws proven to be very effective, rather than some other part of the globe where regulations

are poor to non-existent. I further feel that the residents of Wisconsin should have the opportunity to benefit from the very metals that they use every.

Lastly during hearing last May, an elderly gentleman with Northern Thunder submitted a newspaper which was a compilation of a series of short unsigned ads and some ¼ page ads that were published in the Jackson County area newspapers. These ads to be polite are inaccurate, misleading and poorly researched (I'm being polite). I've included a review of the facts associated with the topics of the ads. This will help put the ads which were submitted last spring into the context that they deserve. I'm sorry that I was not able to respond to all of the ads, but I'm sure that you can appreciate that it takes more time to properly research a subject than to just make something up.

I thank you and the other committee members for both your time and your patience

Sincerely

John F. Gartner

## Flambeau Mine Discharge Water Quality

Element	State and Federal Drinking Water Standards (ppb)	DNR Set Mine Permit Levels (ppb)	Flambeau Discharge; Average March 1993 to November 1996 (ppb)
Aluminum	200	1500	116.00
Arsenic	50	730	2.00
Beryllium	4	70	0.33
Cadmium	5	7.1	0.02
Copper	1300	50	11.75
Lead	15	140	0.28
Mercury	2	0.002	<0.340
Nickel	100	166	24.00
Selenium	50	120	4.78
Silver	100	6.6	0.64
Total Chromium	100	980	2.87
Zinc	5000	300	34.00

ppb = parts per billion

< = less than instrument detection limits

# COPPER Effluent Quality

<u>Discharger</u>	<u><math>\mu\text{g/L}</math></u>	<u>Lbs/Day</u>
Crandon Mine	5.7	0.03
Flambeau Mine	11.5	0.04
Tenneco Packaging	56	2.35
Rhineland Paper	9.7	0.74
American Tissue	2.9	0.0023
City of Rhineland	14.6	0.16
City of Tomahawk	47.4	0.19

Background = 0.33  $\mu\text{g/L}$   
Wisconsin River at Hat Rapids Dam

*Taken From DATA Released  
by the DNR During a Hearing  
in Rhineland in 1997*

Ads Published  
in Jackson Co.  
Area Newspapers

ious?

What is the truth about sulfide mining?

On-site Ore Processing in Ontario with Sodium Cyanide

At a recent public meeting in Fairchild, the mining company General Manager could (or would) not "characterize" the nature of the chemicals that might be used at a local metallic mine ore-processing site.

Let's look at the missing pieces

mining officials like to talk about Ladysmith as a mine, another mine employee informed us that they produce as much as three ounces of gold per ton of ore—three times the value of the copper extracted.

A newspaper, *The Northern Miner* (October 7, 1990) has the on-site process as follows: "The mill recovers 96% of the gold and 96% of the copper in the process. Only 42% of the gold is recovered in a gravity circuit from the flotation circuit go into a direct-current circuit to leach the rest of the gold."

Flambeau mining is a major pollutant to surface and groundwater from the Amazon to Zimbabwe and is still the choice for gold miners across the globe—Canada, Ontario, Canada and the U.S. Rocky Mountains. It is classified as a "priority pollutant" by the U.S. Environmental Protection Agency.

Flambeau is an acute and chronic criteria for toxicity to aquatic life at one part per billion.\*

\*Manual for the Investigation of Fish Kills, US Department of the Interior, Wildlife Service Resource Publication 177, 1990.

Brought to you by the Headwaters Group of Northern Thunder  
P.O. Box 124, Fairchild, WI 54741 715/334-2271



## Truth In Advertising

These display ads have appeared in several West Central Wisconsin newspapers over the last six months.

The ads parody and refute a similar series of advertisements and other statements by the Flambeau Mining Company that seeks to expand its mining activities into this area.

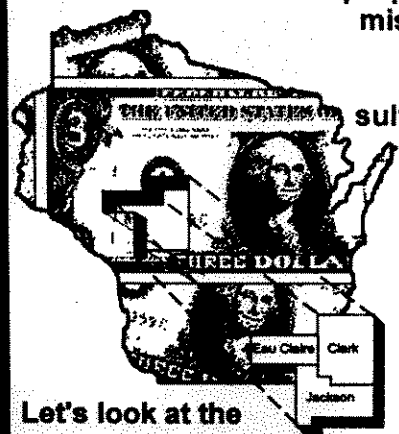
Mining company officials have obviously been reading our ads... they have contacted us several times asking about the sources of our materials and once claimed that when we said the Ladysmith mine yielded "up to 3 ounces of gold per ton," we were inflating that figure (Whoops—they were right. The 3-ounce rate lasted only for the first year and then dropped to about half that amount.)

The original ads measure about 5 x 8 inches. Original camera ready copy is available for other groups that would like to reprint them in their local publications. For further information, please contact:

The Headwaters Group of Northern Thunder  
P.O. Box 124, Fairchild, WI 54741  
715/334-2271 [resenergy@aol.com](mailto:resenergy@aol.com)

Bamboozled?

prop  
mis



Let's look at the missing pieces

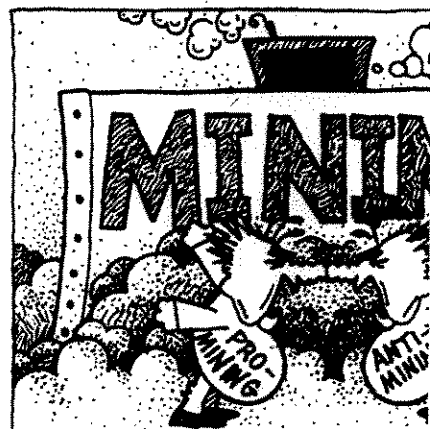
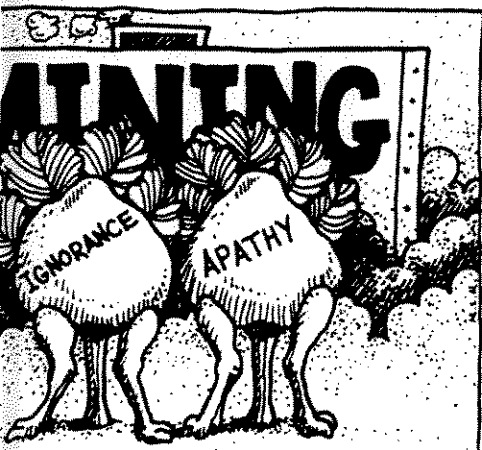
- Earlier this year, the Board of Supervisors of Eau Claire and Clark Counties all rejected the Mining Company to explore contracts.
- With guidance from their lawyers and boards concluded the environmental threat and the promised financial benefits were not realized.

- In short, it was a win-lose-lose deal; the Mining Company would clearly win, while the local economic and environmental would be the biggest loser.

- Rejected by the counties, the mining company is tempting unsuspecting landowners the same way.

- Don't sign any contract until you have had a lawyer review it and look out for your interests.

Brought to you by the Headwaters Group of Northern Thunder  
P.O. Box 124, Fairchild, WI 54741 715/334-2271



**MILLION DOLLAR**  
tax breaks for multi-national mining companies were authorized by the State Legislature in 1977. The tax was based on the amount of metal removed from the earth, however, now known as the "net proceeds tax", corporations only pay if they register a profit.

2TP48

You and I pay income taxes based on our net income and property taxes based on property we own in each county. All businesses also pay such income and property taxes.

Mining companies pay property taxes and income taxes based on their net income but also pay an additional tax based on "net proceeds (gross revenue minus only certain specific deductions allowed by the Statute)." Metallic mining companies are the only companies in Wisconsin that pay this additional tax.

Farmers and businessmen, and most taxpayers understand that taxes based on income must be calculated from "net" whether it's income, profit or proceeds, in order to be workable and fair.

**LAWS MORE** than a hundred years old allow railroad companies to run tracks pretty much wherever they want. They can confiscate your land without your permission. Mining companies can't do this but they can contract with the railroad companies to do it. To stop it you must stop the mining company. The way to stop the mining company is to stop it now. **Say no to sulfide mining!**  
2TP44

Laws more than a hundred years old gave the railroad companies the odd-numbered sections for some miles on either side of a railroad route as a way to finance the building of railroads and thereby encourage and facilitate settling of the frontier. Most of us are aware of this from history classes in grade and high school.

The railroads cannot "confiscate your land without your permission". At most, railroad companies can, under the laws of the State, exercise the power of eminent domain just as this power can be exercised for highways, pipelines, powerlines, and damsites, etc., paying the landowner no less than the fair market value of the land.

There is no doubt that the anonymous writer of this ad cannot cite even one case of a railroad company "confiscating" anyone's property. It is simply another attempt at scare tactics.

**UNTIL** A mining company drills, they are not sure of the value of a mineral deposit. Once they know the value, they can spend a lot of money defeating the will of the people. They can import strangers just long enough to hold an election. They can bribe certain voters- yes it's legal, etc., etc., etc. The time to stop them is before they drill. **Say no to sulfide mining!**  
2TP44

The first sentence of this ad is true. Most often the value of the mineral deposit will be zero.

After the first sentence, it is senseless and disturbing. Does the clique putting out these ads represent "...the will of the people"? What strangers are imported to hold what election? Who are these "certain voters" that can be bribed?

The obvious purpose of this ad is to incite and inflame the readers without regard to reality. Read it carefully.



**THE MINERAL** rights  
for much of the land in  
Wisconsin were separated  
from the surface rights a  
hundred fifty or so years  
ago. Before statehood, be-  
fore abstracts. The mineral  
rights owner pays no taxes  
and isn't even required to  
tell you that you don't own  
them. But when royalties  
are due, he'll tell you. Who  
owns your mineral rights?  
**Say no to sulfide  
mining!**  
2TP43

This ad is blatant misinformation. Your attorney, real estate broker, banker, abstractor, or anyone somewhat familiar with land titles, can tell you it's wrong.

Initially, and subject to Indian rights, the U.S. owned all Wisconsin land. Over the years, the State of Wisconsin got land for schools (Section 16 & 36), grants for the state college, swamp lands; railroad companies received land for building railroads, settlers got land under homestead laws, etc. In virtually every case, the mineral rights went with the land. As the State, railroads and individuals then sold their land, they occasionally retained the mineral rights. As an example, in 1911 the state legislature passed a law requiring that the State of Wisconsin keep the mineral rights whenever it sells land.

Your legislature passed a law, effective July 1, 1984 providing that an owner of only mineral rights (not the surface) had until July 1, 1987 to file a "Statement Of Mineral Claim" in the county Register Of Deeds office to retain the mineral rights. If this owner did not file a statement by this date or had not otherwise "used" the mineral rights during the previous 20 years, the surface owner could then file such a "Statement Of Mineral Claim" and take the mineral rights from the mineral rights owner.

In beginning an exploration program, we check the county records to determine ownership of the mineral interest before beginning our leasing efforts. In this area, the surface and mineral interest are most often owned by the person. Some examples of exceptions are:

- 1) The Federal Land Bank (now Farm Credit Services) retains all or part of

the mineral interest when it sells land it had previously obtained by foreclosure.

2) The U.S. Government kept all or a portion of the mineral rights when it sold land it had purchased under the Bankhead/Jones Act during the depression of the 1930s.

It is not possible to explain ownership of the surface interest and mineral interest of property in such a limited space but in this area of Wisconsin, it would not be an exaggeration to say that, at least, 95% of the surface owners also own the minerals.

One final observation; there was no time "before abstracts". The first conveyances (patent from the U.S.A.) are available to read in the county courthouse Register Of Deeds office.

**MINING ROYALTIES**  
are based on profits. When  
you have companies within  
companies, it becomes like  
the old shell game. Follow  
the pea. The profits will  
show up where they want  
them not where you want  
them. Say no to sulfide  
mining!  
2TP43

The following is a portion of the royalty provision contained in our Mineral Lease:

The production royalty shall be seven (7) percent of net proceeds as defined in Section 70.375 of Wisconsin statutes as written as of the effective date of this Agreement and determined pursuant to the pertinent parts of State of Wisconsin Report of Net Proceeds Occupation Tax on Mining of Metallic Minerals for the Calendar Year Ending December 31, 1994.

Wisconsin law requires that we determine our "net proceeds" according to the provisions of Section 70.375 of the statute in order to calculate taxes owed the State on the minerals sold. As you see, the royalty payable to the owners is calculated from this same figure. The Wisconsin Department of Revenue essentially acts as an auditor for the landowners.

Flambeau Mining Company was formed as a wholly-owned subsidiary of Kennecott Minerals Holding Company for the sole purpose of being a separate company to mine the mine the mineral deposit near Ladysmith. Every penny of income from the mine is entered on the books of Flambeau Mining Company. None is diverted or transferred until all obligations, including landowner's royalty are paid.

**DEPENDING ON** the aquifer, a deep mine may suck the water from wells 3 miles or more away. Homes and farms in that area, the size of a township, could have dry wells. The mining company will not stop if this happens. A truck will deliver you water. After the mine is closed and they stop pumping, the water will slowly return to the aquifer and then, years later, the pollution will seep out from the mine into the aquifer to stay forever. Good-bye dairy industry! Say no to sulfide mining!  
2TP44

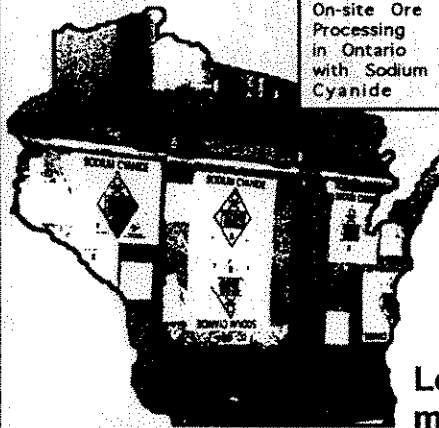
An important part of the mine permitting process is to determine what, if any, effect a hole in the ground will have on water wells in the area. The mining company will not receive a permit and be allowed to mine until the water level of the well is protected or a permanent alternative water supply is installed.

At an informational meeting in Cleveland Township, an audience composed largely of those opposed to mining were informed by Archie Wilson of the Wisconsin DNR that state laws do not allow a mine to "suck" the water from wells at any distance from the mine. If wells were to be going dry, the state would stop all mining until a permanent solution could be put in place.

Upon completion, mines must be closed in accordance with the restoration plan approved by the State of Wisconsin during the permitting process.

This ad is again an example of inflammatory statements based on nothing. The writer of this ad cannot produce even one example of a mining company leaving a residence, farm or dairy farm without a permanent water supply.

## Anxious?



## What is the truth about sulfide mining?

At a recent public meeting in Fairchild, the mining company General Manager could (or would) not "characterize" the nature of the chemicals that might be used at a local metallic mine ore-processing site.

## Let's look at the missing pieces

- Although mining officials like to talk about Ladysmith as a "copper" mine, another mine employee informed us that they recovered as much as three ounces of gold per ton of ore—over four-times the value of the copper extracted.
- An industry newspaper, *The Northern Miner* (October 7, 1996) describes the on-site process as follows: "The mill recovers about 96% of the gold and 96% of the copper in the ore. Roughly 42% of the gold is recovered in a gravity circuit... Tailings from the flotation circuit go into a direct-cyanidation circuit to leach the rest of the gold."
- Cyanide from mining is a major pollutant to surface and groundwater from the Amazon to Zimbabwe and is still the chemical of choice for gold miners across the globe—including Ontario, Canada and the U.S. Rocky Mountains.
- Cyanide is classified as a "priority pollutant" by the U.S. Department of the Interior Fish and Wildlife Service.
- The marine acute and chronic criteria for toxicity to aquatic life for cyanide is one part per billion.\*

\* Source: *Field Manual for the Investigation of Fish Kills*, US Department of the Interior Fish and Wildlife Service Resource Publication 177, 1990.

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P.O. Box 124, Fairchild, WI 54741 715/334-2271

Unfortunately, in attempting to equate treatment of gold ore with the milling (concentrating) of copper ore, there was confusion and a satisfactory clarification was not given.

First, it needs to be understood that a mill or concentrator, process copper ore containing some gold and silver is entirely different than a mill processing gold ore. In concentrating copper ore, the pulverized ore material is fed to large, low vats filled with water to which a "frothing agent" such as pine oil has been added. Air pumped into this liquid causes a foaming, bubbling action and, adding a compound such as xanthate (an organic compound) causes the copper minerals to adhere to the bubbles. A rotating skimmer then skims off the copper-rich froth. Any gold and silver recovered in this operation is considered a plus. Gold not recovered with the copper is lost in the waste material.

In a gold ore operation, sodium cyanide (yes, the famous sodium cyanide) is the chemical introduced into the system because it

has the ability to collect or separate the gold from the waste rock.

Going back to the above advertisement:

In a telephone conversation, when asked about the mine employee informing them that Flambeau recovered as much as three ounces of gold per ton of ore, Mr. Tom Wilson of Northern Thunder, stated that several years ago "someone" had been told by "someone with the mine" that, when the mine was originally opened, the weathered zone at the top contained some ore that rich. The truth is that Flambeau Mine produces about one-tenth of an ounce of gold per ton of ore. That is, one ton of rock yields an amount of gold about the size of a pea.

The Northern Miner article describing the "on-site process" has nothing whatever to do with the Flambeau Mine. This quasi-masterful misinformation is quoting from an article about the Joe Mann gold mine near Chibougamau, Quebec, Canada.

It would be interesting to know the basis for the statement that cyanide from mining "...is a major pollutant...." Upon being exposed to sunlight and oxygen, cyanide quickly breaks down into carbon dioxide and nitrogen. It does not collect in surface or groundwater.

To date, the basis for stating that the USDI Fish and Wildlife Service classifies cyanide as a "priority pollutant" has not been determined. It is interesting to note that the government publication quoted also says that in the State of Missouri (an important mining state), fish kills from mining rank well below kills from municipal-related sources, agricultural operations, transportation accidents, oxygen depletion and other nonindustrial operations.

The last statement in the above ad is from a lengthy table of substances and their effect of fish. An example is Malathion (a common herbicide) chronic toxicity criteria of .1 part per billion. In other words, this common compound is more toxic than cyanide.

**WHEN THE** mining  
companies have cleaned up  
all the old mining pollu-  
tion, maybe then we could  
believe they would not  
cause new pollution. But  
that won't happen in our  
lifetime, even with the bil-  
lions of taxpayer's super-  
fund money. **Say no to  
sulfide mining!**  
2TP43

Mining companies have done, and are doing, much to restore old mining sites--many of which pre-date the existence of the company doing the restoration.

Most of this mining was done in an age when no one realized the danger to the environment. Factories, farmers, and people and industry in general were fully as guilty as miners and mining companies in disregard for the environment. Today, mining companies are more careful and caring of the environment than virtually any industry.

# Reassured?

The mining company ads say:  
"A company is liable forever for the mine site, regardless of any change in ownership of the mining site and of any changes in organization of the company"

Let's look at the missing pieces

- Flambeau Mining is a subsidiary of the Kennecott Corporation, headquartered in Delaware.
- Kennecott, in turn, is a subsidiary of the RTZ Corporation, a multinational conglomerate based in England.
- DNR Administrative Rule NR 132 on Metallic Mineral Mining defines the Operator as: "Any person who is engaged in, or who has applied for or holds a permit to engage in mining, whether individually, jointly or through subsidiaries, agents, employees [sic] or contractors" but *not* as the parent company of that operator subsidiary.
- Wisconsin Towns Association Lawyer Tom Harnish commented on this arrangement as follows: "That's why you set up subsidiaries...so that when something goes wrong, all you can get is the subsidiary...You look under the shell and what's there? Nothing!"
- When Sister Toni Harris of the Ecumenical Committee on Corporate Responsibility asked as a stock holder about liabilities to the shareholders for future pollution accidents at the Ladysmith mine, John Hughes, Head of Public Affairs at RTZ, replied that by that time, it was most unlikely that RTZ would have any involvement with the Flambeau mine.

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## This Is The Truth About Sulfide Mining.

- Flambeau Mining is a subsidiary of Kennecott Minerals, headquartered in Salt Lake City, Utah, not Delaware.
- This statement is correct.
- The writers of this ad are apparently trying to infer something sinister in the wording of NR 132.
- We will not comment on Mr. Harnish's statement. Cleveland Townships own attorney, Bill Thiel, has stated that large mining companies most always form a subsidiary to mine an orebody in order to:
  - (a) Have a local (Wisconsin) entity accountable to the regulatory agencies of the state.
  - (b) Facilitate bookkeeping and accounting. "Net proceeds" would be difficult to ascertain if proceeds the ore sold and the mining costs were combined with Kennecott Minerals' operation throughout the U.S..
- We do not know the context in which this alleged statement was made. By law, we are, in fact, clearly liable in perpetuity for any problems which might occur.



**Questioning?** What is the truth about sulfide mining?

The mining company says, "Citizens will have many chances to ask questions, express their concerns and make sure that any project Kennecott might design will be safe."

**Let's look at the missing pieces**

- Private mineral lease agreements deny the landowners the right to "...disclose any information [they] may obtain with respect to the results of the operations" no matter what the mining company does on that land.
- Mining company supporters have attacked the right of a local newspaper editor to question the company's claims.
- Company officials only seem to attend informational meetings if they expect to hear pro-mining presentations but not if issues of environmental dangers are being discussed.
- The mining company does not allow the distribution of information at the Ladysmith mine site.
- Last week in Fairchild, the mining company's General Manager refused to identify the chemicals used in ore processing.
- The mining company quit running ads in this paper as soon as we started questioning their claims.
- It seems it is important for you to get all the pieces—only if the mining company is supplying all the information.

Brought to you by the Headwaters Group of Northern Thunder  
P.O. Box 124, Fairchild, WI 54741 715/334-2271

**THIS IS THE TRUTH ABOUT SULFIDE MINING**

Please carefully read the following section of our lease providing for confidentiality:

**SECTION 13. CONFIDENTIALITY**

Lessor shall not, without the express written consent of Flambeau, disclose any information it may obtain with respect to the results of the operations hereunder nor issue any press releases concerning the operations; provided, however, that if Lessor contemplates selling or assigning its interest, it shall have the right to disclose such information to a potential purchaser if it first obtains an agreement in writing from such third party, and furnishes a copy of such agreement to Flambeau, that the third party shall hold confidential the information furnished to it. The preceding sentence notwithstanding, Lessor shall have the right to disclose information with respect to this Agreement, in strict confidence to Lessor's attorneys or financial consultants.

Our lease provides that:

- 1) the landowner and representative have the right to inspect the operations.
- 2) Flambeau shall deliver certified statements of net proceeds and production royalty liability to the landowner.
- 3) The landowner shall have the right to examine Flambeau's accounting records.

4) Flambeau shall make reports to the landowner pursuant to the following provision of the lease:

**Reports.** While mining operations are being conducted on the Premises, it is agreed that within thirty (30) days after the end of each calendar quarter, Flambeau will make a report to Lessor, which report shall include monthly production statistics on ore mined, ore grades, metal recovery and sales volumes. The quarterly report shall also include an estimate of the net proceeds royalty earned during the previous quarter and the calculation thereof. Further, Flambeau shall annually furnish a map showing all workings, depths, and thicknesses of ore with the location of same tied to a corner established by United States survey or other acceptable corner certified by a licensed surveyor. With each net proceeds royalty payment, Flambeau will make a certified report to Lessor of the calculation of the net proceeds royalty.

5) The landowner shall have the right to inspect Flambeau's operations pursuant to the following provision of the lease:

**Inspection.** At all times during mining operations, Lessor or Lessor's duly authorized agent, shall be, and is hereby, authorized to audit the net proceeds royalty statement to check its accuracy, to go through any of the workings on the Premises, and to examine, inspect, survey and take measurements of the same and make extracts from or copies of all books and records which show in any way information pertaining to the calculation of the production royalty. A copy of Flambeau's net proceeds tax statement filed with the State of Wisconsin under s.70.375 Statutes will be made available for inspection by Lessor.

Providing all the foregoing information to the landowner is the reason we require confidentiality. Is it sinister or unreasonable? We don't believe so.

We do not know of a supporter attacking a local editor.

Company officials never avoid meetings if environmental dangers are being discussed. We may not attend a meeting where we know that the speakers will preach and inflame but will not allow science and reason to be presented.

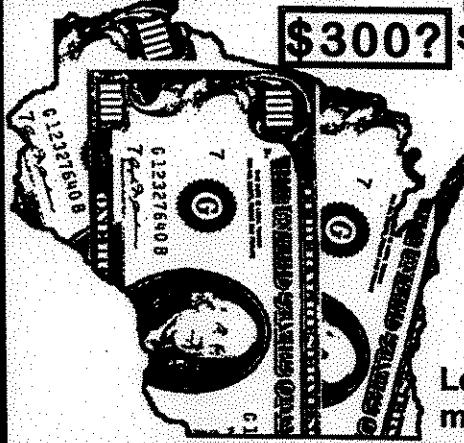
There was confusion at the Fairchild meeting but not a refusal to provide information.

Flambeau had a 16 week program of ads scheduled in the Banner Journal which went to completion. The editor and others of the Banner Journal know that we did not quit running ads because of these anti-mining ads.

# Satisfied?

What is the  
Truth about  
Sulfide Mining?

**\$300?**



The mining  
company ads say:  
"Exploration  
offers economic  
benefits and  
poses no  
environmental or  
financial risk to  
the landowner."

Let's look at the  
missing pieces

- Some local landowners have accepted as little as \$300 to allow the mining company to explore on their land.
- Most homeowners do not know their rights regarding the ores beneath their farms and homesteads.
- Historically, mineral rights from many private lands in Wisconsin were transferred to the railroads or groups like Cornell University in New York State or other interests.
- The mining company may already have acquired these mineral rights without your knowledge.
- Mineral rights take legal precedents over surface rights. This means the holders of your mineral rights can force you off your land with only minimal compensation.
- Even owners who expect to get a percentage of the profit from the ores on their lands may end up with no royalties.
- Not one landowner in Rusk County received any royalty at all for the minerals on the land they sold.
- Don't sign any contract with the mining company without hiring a good lawyer familiar with mineral rights to protect your interests.

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## THIS IS THE TRUTH ABOUT SULFIDE MINING.

### Point One:

We are offering the landowners an initial payment of \$5.00 per acre plus \$150.00 per lease with increasing annual payments. Therefore, the owner of 40 acres would receive an initial payment of \$350.00. The owner of 160 acres would receive \$950.00.

### Point Two:

This statement is very often true. We work very hard to explain the lease and the nature of the mineral interest ownership. Most landowners have a good knowledge of property rights before they sign the lease.

### Point Three:

This statement is incorrect. Railroad companies and Cornell University owned the land and retained the mineral rights when they later sold the land.

### Point Four:

We have found several instances of mineral rights being partially

or wholly owned by other than the surface owner. In every case, we informed the surface owner found that, in every case, the surface owner was already aware of the situation. This severed mineral interest ownership seems to be a mystery only to the Headwaters Group of Northern Thunder, Inc.

Point Five:

This statement is generally correct. The common law of England as adopted in this country provides that, if the surface and mineral interests are separately owned, the mineral interest owner can use a much of the surface as is reasonably necessary to mine and remove the minerals. The surface owner must be paid reasonable compensation. Many states have modified this rule of law by legislative action.

Point Six:

This not a true statement. The millions of dollars necessary to develop a mine can be invested only if the feasibility study shows that the mineral deposit can be removed and sold at a reasonable profit. The landowner will receive 7% of the net proceeds of ore from his land. The landowners royalty will amount to millions of dollars over the life of the mine.

Point Seven:

The owners of the land at Flambeau Mine sold their interests in the 1960's at a premium price and have always been satisfied. Mining did not begin until 1993 with the delay due largely to vociferous opposition by a few persons opposed to mining under any circumstances.

Point Eight:

We encourage landowners to consult with an attorney "familiar with mineral rights" and we make it clear that we are glad to meet with the attorney if so requested.

## Vote Against SB3

We are here today because of a small, but vocal group of mining opponents who would like you to believe that their view is the majority view. When I entered the hall today, I was surprised by the small number of anti-mining representatives, especially after reading in the local papers about the bus loads of people planning to come to Milwaukee, and after seeing the dozens of "NO EXXON"/NO mining signs in the parking lot. For every opponent present today, I see there are dozens, perhaps hundreds, at home who are pro-mining, pro-business/economic development, or who unfortunately, just don't care. Don't let these groups with their emotional pleas, rhetoric, and mis-guided views fool you into believing that theirs is the majority view.

The hypocrisy among this group runs rampant, from their daily use of products containing copper and zinc, from their pollution of the environment by leaving their anti-mining signs scattered throughout the North woods,

Steve Hejnal

Good \_\_\_\_\_ Mr/Ms Chairperson and members of the committee.

My name is Steven Hejnal and I work for P & H Mining Equipment in Milwaukee as an Employee Development Manager. Thank you for the opportunity to speak to you regarding this important issue.

I am here to <sup>testify</sup> profess that mining can work in the State of Wisconsin and I am here in opposition to the Mining Moratorium Bill, SB3 for several reasons.

Prior to moving back to the Milwaukee metropolitan area, I worked at Barrick Goldstrike Mine in Elko, NV. Barrick Goldstrike is viewed on a world-wide basis as a "World Class Operation." Barrick and all the other mines in the surrounding area not only boosted the local economy but were also staunch supporters in protecting the environment. Complying with environmental laws and issues were first and foremost in the minds of all of its employees. We did not want to pollute the environment or disrupt the wildlife and we took the necessary steps to ensure that it did not occur. Mining companies and miners enjoy the same recreational activities that you and I do and are also concerned about the environment in which we live. I

am sure Barrick Goldstrike Mine would be happy to show you or anyone else their operation so you can judge for yourself.

Another concern of mine is that mining supports many of the businesses in the state and the City of Milwaukee. To date, over 150 major businesses rely on mining to manufacture their products. Senate Bill 3 only hampers the opportunity for these businesses in the state to produce their goods. It is estimated that over 98,000 jobs in Wisconsin are directly or indirectly due to the mining industry. A list of the businesses effected can be provided at your request.

Lastly, Senate Bill 3 does not offer any specific information or guidelines for mining companies. It talks in generalities and if there are specific issues needing to be addressed, then the issues should be brought forward and discussed to a mutual "win-win" conclusion for all parties.

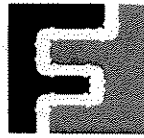
*Most of the products of luxuries used today began w/ ~~mining~~ mining.*

In summary, I know that Barrick Goldstrike provided tremendous opportunity for the region to prosper and grow WITHOUT DAMAGING

OR POLLUTING the environment. If mining legislation is necessary, than it should address specific issues that mining companies need to adhere too.

The Senate Bill 3 legislation that has been forwarded to this point is vague and misguided. As taxpaying citizens, it is important that we pass legislation that is fair and equitable and that it is in the best interest of ALL concerned parties. The Senate Bill 3 does not provide any vision for mining companies to follow. It will prohibit mining companies from providing economic growth and prosperity to the State of Wisconsin. Once again, I oppose the Mining Moratorium Bill, SB 3...Thank you.





**Forrer Supply Co., Inc.**

W194 N11811 McCormick Drive  
P.O. Box 220  
Germantown, WI 53022  
(414) 255-3030 FAX (414) 255-4064

October 14, 1997

Rep. Marc Duff (New Berlin)  
Chairman of the Assembly  
Committee on the Environment

Re: Public Hearing for the proposed Mining Moratorium Bill (SB3)

Dear Chairman of the Assembly:

Forrer Supply Company, Inc. of Germantown, Wisconsin has been a supplier of materials serving the environmental, construction, OEM, maintenance, and industrial markets since 1982. We are opposed to the Mining Moratorium Bill (SB3) for the following reasons.

Moratoriums such as this can create a domino effect that will branch out and touch all aspects of business in Wisconsin. This moratorium will hinder growth in many markets in Wisconsin, not only mining. The Wisconsin DNR already regulates the mining industry and further regulation by the state will open the door to further regulation of other industries.

We feel regulation of industry such as this moratorium proposes, is a step in the wrong direction for Wisconsin. Let us compete with the rest of the country with a healthy and diverse economy.

Sincerely,

Mr. Stephen R. Forrer  
President, Forrer Supply Co., Inc.

October 14, 197

Committee Members,

My name is Opal Adams and I am a resident of the Town of Nashville in Forest County.

I am opposed to the mining moratorium bill because many of the same things that are being said about the Crandon mine were said about the Flamabeau mine and not one of the gloom and doom forecasts about that mine came true. The DNR is qualified to make the decision let them do their job.

Please do not allow this bill to pass.

Thank You,

*Opal Adams*

Opal Adams  
Rt. 1, Box 544  
Crandon, WI 54520

October 14, 1997

Committee Members,

My name is Bernie Torgerson and I am a resident of the town of Nashville in Forest County.

I am opposed to the mining moratorium bill because I feel the DNR is capable of making this decision. The DNR has publicly stated that it will not allow a mine to proceed if it cannot be proven to be done in an environmentally safe manner.

Please do not allow this bill to pass.

Thank You,

A handwritten signature in cursive script that reads "Bernie Torgerson".

Bernie Torgerson  
Rt. 1, Box 546  
Crandon, WI 54520

October 14, 1997

Committee Members,

My name is Mary Torgerson. I am a resident of the Town of Nashville and also the Town Treasurer. I am not for the mine nor am I against the mine. What I am for, though, is doing what is right. What I feel is right is that this mining moratorium bill not be passed but rather let the DNR and the Army Corp of Engineers do their job and decide if this mine can be done safely. That is their job and they are the ones who are qualified to make that decision. Wisconsin has some of the toughest mining laws in the country, and these decisions will be based on those laws.

Contrary to what the media reports, there are many people in Forest County and the Town of Nashville who are not against the mine but who are for an environmentally safe mine and who feel that the DNR will thoroughly study the proposed mine and make a decision based on the facts not on personal opinions based on scare tactics and the performance of antique mines. Some of those who want this moratorium bill passed are from Forest County but are retired and did not make their money in Forest County but in the southern part of the state or outside of Wisconsin. Those of us who are for doing what is right have been portrayed as not caring for the environment, this is not true. We live in the area, why would we want anything to destroy its beauty? That's where Wisconsin's tough mining laws come into play.

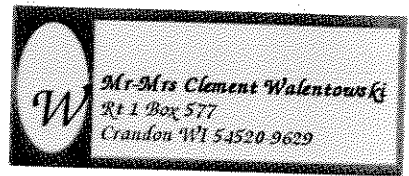
I have four sons, one who is in high school and three who have graduated from high school. One has graduated from college and lives in another state, one will graduate from college in December and does not feel he can come back to Forest County to live and earn a decent wage. The third son has left Forest County to get a good paying job but hopes one day to return to Forest County and work for the Crandon Mining Co. He has applied with the mining company for a job and is a skilled worker who will have preference in getting a job because of the Town of Nashville's local agreement which gives job preference to those from Nashville who attended school in Crandon. Why not give our children a chance at a wage comparable to the Southern and Central parts of the State? The agreement did not give the Crandon Mining Co. a permit to mine it safeguarded the town if mining happens. Mining can only begin if the DNR and the Army Corp of Engineers conclude that CMC will abide by the laws.

In conclusion I ask that you make the right decision and let those who are most qualified do their jobs and do not pass this mining moratorium bill.

Thank You,



Mary Torgerson  
Treasurer and Resident, Town of Nashville  
3491 Highway 55 South  
Crandon, WI 54520



October 7, 1997

Rep. Mark Duff, Ch.  
Environmental Comm.  
Madison, WI 53708

Dear Sir:

We encourage you and your committee  
to Not Support the Mining Moratorium Bill.

We feel that the oversight of the DNR, the permitting  
process and good science will provide protection.

We live very close to the mine area and feel  
the DNR will provide adequate safeguards.

Sincerely,

Sandra Walentowski  
Clement Walentowski

**Buchholz, Marsha**

**From:** Prentiss, Mike  
**Sent:** Monday, August 25, 1997 8:40 AM  
**To:** Buchholz, Marsha  
**Subject:** FW: MINING/DOGS/KKK

**From:** fkoehn@win.bright.net(SMTP:fkoehn@win.bright.net)  
**Sent:** Sunday, August 24, 1997 10:30 PM  
**To:** Rep.Ainsworth; Rep.Albers; Rep.Baldwin; Rep.Baumgart; Rep.Black; Rep.Bock; Rep.Boyle; Keleher, Marylou; Rep.Brancel; Rep.Brandemuehl; Rep.Carpenter; Rep.Coggs; Rep.Cullen; Rep.Dobyns; Rep.Dueholm; Rep.Duff; Prentiss, Mike; Arbiture, Michelle; Hanson, Linda; Jensen, Jodi; Rep.Freese; Rep.Gard; Rep.Goetsch; Rep.Green; Rep.Gronemus; Rep.Grothman; Rep.Gunderson; Rep.Hahn; Rep.Handrick; Rep.Hanson; Rep.Harsdorf; Rep.Hasenohrl; Rep.Hebl; Rep.Hoven; Rep.Huber; Rep.Hubler; Rep.Huebsch; Rep.Hutchison; Rep.Jensen; Rep.Jeskewitz; Larson, Rebecca; Rep.Johnsrud; Rep.Kaufert; Rep.Kedzie; Lindstedt, Rebecca; Rep.Kelso; Rep.Klusman; Rep.Kreibich; Rep.Kreuser; Rep.Krug; Rep.Krusick; Rep.Kunicki; Rep.Ladwig; Rep.LaFave; Rep.Lasee; Rep.Lazich; Rep.LehmanJ; Rep.Lehman; Rep.Linton; Rep.Lorge; Rep.Meyer; Rep.MorrisTatum; Rep.Murat; Rep.Musser; Rep.Nass; Rep.Notestein; Rep.Olsen; Rep.Ott; Rep.Ourada; Rep.Owens; Rep.Plouff; Huber, Grant; Starzyk, Samantha; Rep.Potter; Cieslewicz, Diane; Koloen, Jan; Rep.Powers; Rep.Reynolds; Mielke, Jon; Zimmerman, Terri; Rep.Riley; Lorentz, Daniel; Rep.Robson; Soderbloom, Kathy; Rep.Rutkowski; Loehe, Rex; Wagnitz, John; Rep.Ryba; Hyatt, Margaret; Zehren, David; Rep.Schafer; Marthaler, Barry; Rep.Schneider; Frydenlund, Judy; Pries, Mary; Wadd, Jay; Rep.Seratti; Perrett, Elsie; Rep.Skindrud; Colvin, Alan; Junck, Linda; Rep.Springer; Janssen, Andy; Rinehart, Mark; Rep.Staskunas; Rep.Steinbrink; Rep.Sykora; Pickens, Brent; Rep.Travis; Bussan, Traci; Graf, Bill; Rep.Turner; McAdams, Nancy; Rep.Underheim; Conley, Julie; Thompson, Peter; Rep.Urban; Buschman, Sara; Rep.VanderLoop; Langer, Dan; Zehren, David; Rep.Vrakas; Hamilton, Therese; Kettner, Jackie; Rep.Walker; Rep.Ward; Koerner, Amy; Moede, Aaron; Rep.Wasserman; Woker, Kristine; Rep.Wieckert; Rep.Williams; Harwell, Lawrence; Oby, Joe; Rep.Wood; Brumm, Dottie; Rep.YoungL; Stewart, Greg; Rep.YoungR; Ziegelbauer, Bob; Kostelic, Luanne; Ramirez, Adrienne; Rep.Zukowski; Suder, Scott; Thompson, Anne; Brian.Casey@legis.state.wi.us; Timothy.Bewer@legis.state.wi.us; Jim.Siegman@legis.state.wi.us; Scott.Wilson@legis.state.wi.us; Lynn.Wilk@legis.state.wi.us; Shirley.Lake@legis.state.wi.us  
**Subject:** MINING/DOGS/KKK

The Waters's Edge is an electronic newsletter published every so often by the Northern Lights News Net and the Lake Superior Greens/North Coast. Comments, contributions, and/or suggestions are welcomed.

**Contents:**

1. KKK Meeting in Ironwood - Gimme a Break!  
By Walt Bresette
2. Mining Moratorium Bill Stonewalled by Representative Mark Duff!
3. Ogichidaa encampment in the Kakagon Sloughs raises the question: Who is in charge?
4. Department of Natural Resources and other others want to continue chasing bears through the Northwoods.
  1. Klu Klux Klan is recruiting in the Northwoods. KKK will be in Ironwood, MI on Saturday, September 13. KKK will be on the court house steps from 1-3 P.M.

Gimme a break!

Can you imagine - Ironwood! My god, you'd think they could pick a better spot. Tourists will be long gone; maybe they'll get lost in an early snow drift with those silly white sheets.

And those sheets! What the hell' the deal about a bunch of grown men running around in robes and hoods? Sounds like a transvestite gathering in need of serious fashion counseling.

However, they make some sense. As a Chippewa, immigration is a problem we've struggled with for over 500 years. Maybe the KKK will lead the procession back to their homelands. And there are other messes.

We can't eat the fish because of the poisons. Our wild rice beds are being lost because people want to fish for bass. We can't eat the bass because they're overfished. And the English mining giants have contaminated our air, land, and ground water.

Marc Duff (ethnic origin unknown), a pinstriped Assemblyman who runs the Natural Resources Committee, is far more dangerous than a Wannabee KKK'er from Mercer. When, I wonder will people protest him?

It's Duff and Governor Thompson with their non-Wisconsin corporate sponsors who will destroy the Mole Lake wild rice with the Exxon Mine. Duff's refusal to hold more hearings on the Mining Moratorium is holding Wisconsin waters hostage to mining interests.

Who's more dangerous here. An out-of-the-closet racist punk or the guy in the pinstripe suit. It wasn't David Duke who invited Exxon to rape Wisconsin, it was Thompson's Administrative Secretary James Klauser. C'mon let's understand all the dangers afoot here.

Yes, the KKK things needs to be looked at and dealt with. But I suspect the good folk in Ironwood have things in hand; we should offer them assistance as needed. After all, racism was here before the KKK.

Let's not forget that only a few years ago "timber nigger" was the cry of the northwoods as Dean Crist's STA and Larry Peterson's PARR attacked the Chippewa nightly at boat landings.

Let's not be naive to think that it couldn't happen here. Some of the early anti-Indian organizing came from the Ashland Rod and Gun Club. Racists gunfire drove Chippewa spearers off lakes in Bayfield County; pipe bombers were convicted in Douglas County.

The mass rallies of blaze orange anti-Indian mobs burned deeply in the hearts of many Chippewa grandmas. Recruitment then came when people were vulnerable. White sports fisherman were told "the Chippewa was the cause of all your ills." Sounds familiar to me.

There's little difference between anti-Indian racists at boat landings and pitiful white wannabee white supremacists from Mercer. Both are stooges and perhaps victims of larger forces - for sure a failed economy for the north woods and of sold out resource managers.

Yeah, I'll be there when the KKK'ers come to town. I'll offer a prayer that they someday feel okay with themselves so that they needn't fear those who do; or throw rocks at the wrong people.

At the boat landings it was clearly in the state's and mining company's interests to fuel racial divide. I wonder who might be benefiting from the sideshow that's now surfacing in Ironwood.

(The author is helping organize a local Klanwatch group - the next meeting will be on the evening of August 29 at the Black Cat Cafe in Ashland: For into all 715.774.3333 or 715.779.5071.)

2. Representative Mark Duff is using his position as chair of the committee

to stonewall the mining moratorium bill. Using the tactics exposed by Jessie Helms, Duff is ignoring the public outcry for protection from international mining cartels. If the mining moratorium bill is going to become reality, it will take letters, cards, and phone calls to Mark Duff (1.888.534.0098) and your representative to get this bill back on track. (Note: Every member of the legislature now has her/his own toll free number) Duff's action is just another example of how politics in Wisconsin has come to serve the interests of big business. Calls to Duff and your representative supporting the mining moratorium bill will make a difference!!!!

3. The Ogichidaa ceremonial camp on Oak Point has produced results, raised very significant questions, and let us know racist attitudes still lurk in the Northwoods. Ogichidaa actions have prompted the Bad River Tribal Council to pass a comprehensive ordinance which will help protect the Kakagon Sloughs and its wild rice crop. The water levels have been determined to be extremely important to the health of the wild rice. Seasonal variations, climatic conditions, wake from motor boats, dredging, increased user group pressure, shipping, international treaties, and the wetland water levels in the other Great Lakes are all factors affecting the Kakagon Sloughs.

Currently the sloughs produce the wild rice that has been harvested for generations. Prophecies foretold the importance of "food that grows on water. Wild Rice has been the subject of dissertations, a traditional food source, and an important part of the Kakagon Sloughs. The Kakagon Slough is the last wetland complex found on the shores of Lake Superior and may be the last wetland of its size on the Great Lakes. According to the first hand reports, the wild rice crop has declined significantly in the past twenty years. The ordinance governing the use of motors in the sloughs is a start preserving the integrity of the sloughs. This local initiative will be effective only if it is supported by a "global initiative". This larger effort to preserve the sloughs and the wild rice will require an analysis of the factors governing the water level of Lake Superior. What if any effect did the completion of the St. Lawrence Seaway have on lake levels? Who benefits from the artificial controls on lake water levels and to what extent are climatic conditions affecting wetlands? To what extent, if any, is the influence of property owners on the coasts of the other Great Lakes considered as Lake Superior water levels are established. International agreements must be reviewed to determine to what extent the treaty resources such as wild rice were considered as these agreements were reached.

The reports of racial slurs and confrontation need to be investigated. Reports that current and/or retired Ashland area police officers were throwing racial taunts and threatening the Ogichidaa camp must be investigated and if true the participants held accountable and charged!

4. Bear hunting with dogs was the subject of a recent Assembly hearing in Rhinelander. Following the example of Marc Duff, Assemblyman DuWayne Johnsrud has decided to hold only one hearing and will use his position as committee chair to strangle the legislation that would have stopped hunting bears with dogs. His major ally, DNR boss George Meyer, who fear losing revenue for the DNR'ers, used this hearing to express his department's support for the practice of running bears with dogs throughout the northwoods. Thanks to a department that is supposed to protect resources, chaos may well rule in the northwoods - unless we take action. Call



Johnsrud (1.888.534.0096) and tell him to hold more hearings and take this bill to the floor. And give George Meyer (1.608.266.0087) a call and tell him his support for hunting bears with dogs is almost as ludicrous as opposition to the mining moratorium legislation.

Representative Barb Linton (1.888.534.0074) and Representative Mary Hubler (1.888.534.0075) need to hear from you also. Their active support for these bills is important and needed!!!!

Northern Lights News Net  
Lake Superior Greens/North Coast  
P.O. Box 3, Herbster, WI  
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Phone 715.774.3333  
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WISCONSIN'S  
ENVIRONMENTAL DECADE

## Memorandum

608.251.7020

FAX 608.251.1655

122 STATE STREET

SUITE 200

MADISON

WISCONSIN

53703.2500

MILWAUKEE OFFICE

414.964.6081

1001 E. KEEFE AVE.

MILWAUKEE

WISCONSIN

53212.1710

January 20, 1998

TO: Members of the Wisconsin State Assembly

FR: Keith Reopelle, Wisconsin's Environmental Decade

RE: Senate Bill 3, the Mining Moratorium Bill

We are pleased that Senate Bill 3 has been scheduled for a floor vote tomorrow. However, we are very concerned that opponents of the bill may try to kill the bill through an amendment. It is our view that this late in the session **any amendment will have the affect of killing the bill.**

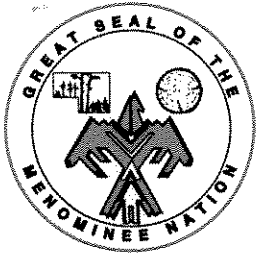
Therefore, we urge you to **vote against all amendments** and for passage of the bill as it was reported favorably from the Environment Committee. Recognizing that votes on any amendments will be just as important as the finale passage vote, we want you to be aware that votes on amendments will be used in our legislative voting record.

We feel strongly that the intent of the bill is clear in the current language and that bill, without amendments, will effectively create an additional standard to safeguard the environment. We will recognize any proposed amendments for what they are sure to be—efforts to kill this bill; and we are confident that the public will share this view.

Thank you for your consideration of this critical issue for Wisconsin.

Member of





# MENOMINEE INDIAN TRIBE OF WISCONSIN

P.O. Box 910  
Keshena, WI 54135-0910

July 3, 1997

Apesanahkwat, Chairman  
Menominee Nation

Marc Duff, Chairman  
State Assembly Environment Committee  
P.O. Box 8952  
State Capitol  
Madison, WI 53708-8952


Dear Chairman Duff,

Information I have recently received indicates various agency and legislative attorneys are suggesting SB 3 is not a mining moratorium at all and that it will not stop the Crandon mine. I understand you have asked legislative attorneys to analyze the language of SB 3 for a clear interpretation of what the bill would do.

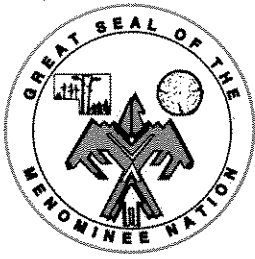
The Menominee Nation would be interested in what the legislative attorneys conclude about SB 3. Please forward a copy of the legislative attorney's analysis on SB 3 when it is completed.

Thank you.

Sincerely,

  
Apesanahkwat

*change?*



# MENOMINEE INDIAN TRIBE OF WISCONSIN

P.O. Box 910  
Keshena, WI 54135-0910

715  
799-5113  
Jerry

July 10, 1997

Ken Fish, Director  
Menominee Nation Treaty Rights & Mining Impacts

Dear Wisconsin State Official:

In an article titled "Thompson: If there's danger, mine won't win OK" published in the May 11, 1996 issue of the Green Bay Press Gazette, Governor Tommy Thompson was quoted as stating,

"We have the toughest mining laws of anywhere in the country."

State officials from the DNR, the Legislature, and other Departments have continually stated Wisconsin has the most stringent mining laws in the country. Newspapers, television, and radio stations report the state has the toughest mining laws in the country. Exxon's ads claim Wisconsin's mining laws are the toughest in the country.

As Director of the Menominee Nation Treaty Rights & Mining Impacts office, I formally request that you provide my office with:

1. Complete copies of any studies *with references cited* which demonstrate that Wisconsin currently has the toughest/most stringent mining laws in the United States.
- Or
2. Complete citations with the location and ordering information of any studies you are aware of which conclusively prove *with references cited* that Wisconsin currently has the toughest/most stringent mining laws in the United States.

Thank you

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Fish".

Ken Fish, Director  
Menominee Nation Treaty Rights & Mining Impacts

June 6, 1997

Mr. Larry Lynch  
Bureau of Waste Management  
P.O. Box 7921  
Madison, WI 53707

CERTIFIED MAIL

**Re: Proposed Trust Fund and Groundwater Rule Changes Regarding Mining**

Please accept the following written comments in lieu of my attendance at the scheduled public hearings as allowed by the Wisconsin Natural Resources Board regarding the proposed mining rule changes to State Statutes - Chapter 132 and Chapter 182 respectively:

First and foremost, it should be clear to the DNR and the appointed members of the Metallic Mining Council (who primarily represent the mining industry) the above noted proposed rule changes will not be accepted by the citizens of Wisconsin as an abatement to the proposed Mining Moratorium Bill (S.B. 3/A. B. 70) - which has vital importance to the preservation of Wisconsin's natural resources and unprecedented public support. The primary focus of the DNR should include actions that promote accountability and support rule changes that are both substantially rational and procedurally fair. The DNR is legally responsible for the protection of our living environment and wildlife from the highly dangerous affects of metallic sulfide mining. Therefore, promoting and supporting laws that prevent pollution is of utmost importance. Of secondary consideration is the need to secure financial liability and responsibility by the mining industry in the event remedial action becomes necessary to avoid transferring this responsibility to Wisconsin tax payers.

After examining the proposed revisions to Chapter 132, it's apparent that it would be difficult for the DNR to determine whether this rule change as proposed, would provide sufficient available funding for remedial action. It is not uncommon for the mining industry to spend millions of dollars on legal fees for environmental *accidents* in order to reduce fines or punitive damages and avoid felony charges. Consequently, a loop-hole in Wisconsin's Bad Actor Law (Chapter 144.85 - regarding felony charges) allows industry polluters the opportunity to apply for mining permits while moving from state to state leaving a *trail of pollution* in each state. While the proposed rule change to Chapter 132 may provide additional liability insurance, it does not take into account that some of these mining companies may already have pending law suits that could subsequently affect the company's financial ability to contribute appropriate funds according to a proposed schedule. Also, the process by which the DNR would periodically assess and determine what is *sufficient* funding for the proposed trust account is vague and needs to be more clearly defined. The proposed rule change to Chapter 132 to develop a mining industry trust account is unacceptable as written.

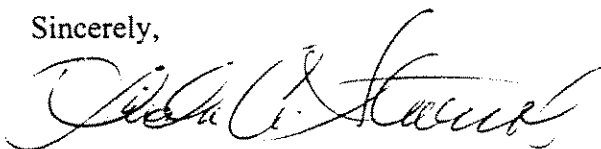
In reviewing the proposal to revise Chapter 182 for the purpose of defining groundwater rules relevant to metallic sulfide mining, it's apparent the mining industry would continue to be allowed to legally pollute up to 1200 feet within the Design Management Zones (DMZ) at both the mine site and tailings waste dump site. Considering new hazardous waste facilities not associated with a mine have a "0" DMZ, landfills have a 150 ft. DMZ, and sewage treatment lagoons have a 100 ft. DMZ, why would hazardous and toxic mine wastes with the potential for long-term adverse environmental impacts be allowed to pollute up to 1200 feet within the DMZ when other hazardous waste facilities are not?

Larry Lynch  
Mining Industry - DNR Rule Change Proposal  
Page -2-

According to Bill Tans, DNR Mine Project Coordinator, the industry regulatory variances are based on "*predictive computer modeling*" vs. "*facility design requirements*". **Essentially, the DNR is asking the citizens of Wisconsin to accept and trust a mining company's groundwater computer model as assurance for the protection of our state's groundwater.** As you know, human error and obscure private interests or improper regulatory oversight can render any technology ineffective. The citizens of Milwaukee County who suffered (or the families of those who died) from the waterborne cryptosporidium parasite can attest to the serious consequential health affects and unnecessary health care costs associated with improper regulatory oversight. As an Administrator of quality management within the health care industry, I - along with many of my peers have serious doubts that these groundwater rule changes as proposed would provide sufficient protection for the health, safety, and welfare of the citizens of Wisconsin and our wildlife.

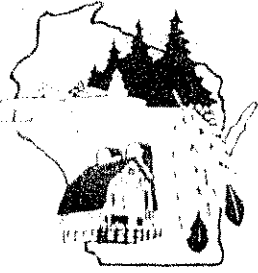
In reviewing the proposed groundwater rule changes, it was noted Preventive Action Limits (PAL) within the design management zone are either at 10%, 20%, or 50% of the Enforcement Standard (ES) as specified by state statute (Chapter 160) - based on the health-related characteristics of the particular substance. The statute indicates 10% is used for cancer-causing substances, 20% for substance with other health effects and 50% for substances having aesthetic or other public welfare concerns. As you know, the chemistry of milled tailings from metallic sulfide mining contains elements that can be extremely toxic. Elements such as lead, arsenic, sulfur, zinc, uranium, cadmium, selenium, thallium, cobalt and mercury - just to name a few, can change or destroy sensitive and balanced life functions and ecosystems. And yet the DNR proposal - Section 16. N 182.08 (2) (e) 9 is amended to read "If it is expected, with reasonable certainty that a preventive action limit will be exceeded beyond the design management zone, the applicant shall request an exemption under ss. N 182.19 and 140.28 which shall include an assessment of why it is not technically and economically feasible to achieve the preventive action limit for the given substance(s)". If the PALs are not properly regulated or enforced within the DMZ (or in the case of this exemption - beyond the DMZ), where is the DNR oversight? *This additional exemption for the mining industry increases the risk of endangering the health, safety, and welfare of the citizens of Wisconsin and our wildlife. Any obvious special exemptions for the mining industry from the prevention of the degradation of Wisconsin's groundwater is simply unacceptable.* The proposed rule changes to Chapter 182 are unacceptable as written.

Sincerely,



Linda A. Sturnot  
4212 W. Central Avenue  
Franklin, WI 53132

cc Lynn Adelman, 23rd Senate District Representative  
James Rutkowski, 82nd Assembly District Representative  
Scott Gunderson, 83rd Assembly District Representative



# Wisconsin [REDACTED] Resources Protection [REDACTED] Council

Box 263, Tomahawk, WI 54487

September 1, 1997

Dear WRPC/WATER Network Member,

While Exxon continues to spend big bucks trying to defeat the Mining Moratorium Bill (see *WSJ*, 8/22/97 and *Capital Times* 8/16/97 enclosed), our grassroots organizing is building toward the Assembly vote on the bill this fall. About 75 members of ECCOLA (Environmentally Concerned Citizens of Lakeland Areas) and POWR (Protect Our Wisconsin River) turned out on July 12 for an impressive canoe flotilla on Lake Alice to raise awareness about Exxon's plans to dump mine wastewater into the Wisconsin River.

Meanwhile, the Wolf Watershed Educational Project (WWEP) has been busy with its statewide speaking/organizing tour on the proposed Metallic Sulfide Mining District and Exxon's proposed Wolf River mine. The 1997 Circle Tour for a Sulfide Mining Moratorium started in Southeast Wisconsin and is now touring western Wisconsin. Upcoming stops include Humbird at the old community hall on King Street on 9/8; at the U.W. Stout Student Center's Great Hall in Menomonie on 9/9, and at the Pleasant Ridge Waldorf School on 431 E. Court St. in Viroqua on 9/10. All events begin at 7:00pm.

Despite growing public support for the bill and despite Rep. Marc Duff's public assurance at the May 12 hearing in Ladysmith that he would report the bill out of his committee so that it could come up for a vote in the Assembly, he has now reneged on that promise. Instead, Rep. Duff will be drafting a bill along the lines proposed by Governor Thompson in his budget address. It will require the mining companies to use available technologies to prevent pollution regardless of whether those technologies have been effective at preventing sulfide mine pollution. It is a do nothing bill that is simply a diversionary tactic. Please call your State Representative and ask them to support the Mining Moratorium Bill (Assembly Bill 70/ Senate Bill 3). The Legislative hotline is 1-800-362-9472. If you'd like Mining Moratorium Bill postcards to distribute in your community, call (608) 784-4399 or drop me a note at 210 Avon St. #4, La Crosse, WI 54603.

The Forest County chapter of WRPC is proceeding with its lawsuit against the local agreement with Exxon in the town of Nashville and can use your financial help as we ask you to renew your annual membership in WRPC. Please use the enclosed envelope to mail in your WRPC membership renewal. Annual dues are \$15 or \$5 senior/low income. If you can contribute to the Forest County WRPC legal defense effort, please earmark your contribution "legal" on the memo line of your check. Please put your check in the mail today. We cannot match Exxon's money, but we can continue our efforts to build the broadest, multiracial grassroots movement against sulfide mining that the international mining industry has ever seen.

Sincerely,

Al Gedicks, Executive Secretary

#### CHAPTER OFFICES:

2610 Log Cabin Drive  
White Lake, WI 54491

210 Avon St. #4  
La Crosse, WI 54603

Rt. #1 Box 795  
Crandon, WI 54520

**STATE ASSEMBLY MINING MORATORIUM BILL  
PETITION TO BRING BILL TO THE FLOOR**

Re.  
Jon  
Wilson

We, the undersigned Wisconsin residents encourage our State Assembly Representatives to allow the Sulfide Mining Moratorium Bill to come to the floor this session to allow a free vote on this most important issue for our communities.

Name	Address	Town	Zip
LORI REGNI	121 Klima Rd	Etcho WI	54428
Jeff Demaul	5580 S. St Marys Dr	New Berlin WI	53151
Maryann Gray	W250 S 3625 Center	Waukesha WI	53186
Pat Lynch	53625 Center Rd	Waukesha WI	53186
Randall Colton	920 Woodlawn Rd.	Wausau	54403
Debbie Grills	2057 Bystrom Ln	Lusk	54853
Elaine Sefert	135 Edgewood Dr	Oxford	53952
Frank Schalk	135 Edgewood Dr	Oxford	53952
Jim Hall	8400 DEFTWOOD PLACE	MINOCQUA, WI	54548
Francis Burgeim	5746 W 2502 Kahala	Muskegon	53152
GEORGE F. REIF	W-13206 Hy. A. Bowler	WI	54416
Al Gedicks	210 Avon St. #4	La Crosse, WI	54603
George Rock	N2610 Lake Cabin Dr.	White Lake	54491
Dorothy Tapa	9343 Pickeral LK. Rd.	Pickeral/WI.	54465-9375
Zoltan Grossman	731 State St.	Madison WI	53704
Dave Brenin	3918 PAUNACK AVE	MADISON WI	53711
Tim Tynen	1925 VAHLEN ST	MADISON, WI	53704
Kathy Wolf	4931 Hickory Tr.	Middleton, WI	53562
Alice McCombs	P. O. Box 573 Shawano,	WI	54166
Brian Hirsch	229 Merry St	Madison, WI	53704
Walter Abene,	23 WISCONSIN,	MONTREAL, WI	54550
Matthew Muller,	N4176 Fookell Rd,	New London WI	54981
Kathleen Kelly,	101 Fernite Dr, #221,	Madison, WI.	53716
CLAIRE VANDERSLICE	2276 HWY E	GRAFTON, WI	53024
JEN FALCK	821A MEADOW ST	STEVENS POINT, WI	54481
Laura ROUTH	753 Franklin st.	Stevens Point, WI	54481
Jeff RYAN	3780a Paukotuk Ln.	Oshkosh, WI	54901