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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Environment and Natural Resources (SC-ENR)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... **HR** ... **bills and resolutions** (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (August 2012)

June-2014

Senate

Record of Committee Proceedings

Committee on Environment and Natural Resources

Senate Bill 208

Relating to: the leasing of land in the Northern Highland-American Legion State Forest for the purpose of gravel extraction.

By Senator Breske.

June 11, 2007 Referred to Committee on Environment and Natural Resources.

October 9, 2007 **PUBLIC HEARING HELD**

Present: (4) Senators Miller, Wirch, Kedzie and Schultz.
Absent: (1) Senator Jauch.

Appearances For

- Randy Palmer, Antigo — Duffer Sand & Gravel, Trapp Brothers

Appearances Against

- None.

Appearances for Information Only

- Dick Steffes, Madison — DNR

Registrations For

- Roger Breske, Eland — Senator, 12th Senate District

Registrations Against

- None.

Registrations for Information Only

- None.

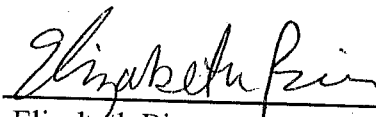
December 4, 2007 **EXECUTIVE SESSION HELD**

Present: (5) Senators Miller, Jauch, Wirch, Kedzie and Schultz.
Absent: (0) None.

Moved by Senator Wirch, seconded by Senator Jauch that **Senate Bill 208** be recommended for passage.

Ayes: (5) Senators Miller, Jauch, Wirch, Kedzie and
Schultz.
Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0



Elizabeth Bier
Committee Clerk

Vote Record

Committee on Environment and Natural Resources

Date: 12/4/07

Moved by: Wirch

Seconded by: Jauch

AB _____

SB 208

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage
 Adoption
 Confirmation
 Concurrence
 Indefinite Postponement
 Introduction
 Rejection
 Tabling
 Nonconcurrence

Committee Member

Senator Mark Miller, Chair

Aye No Absent Not Voting

Senator Robert Jauch

Senator Robert Wirch

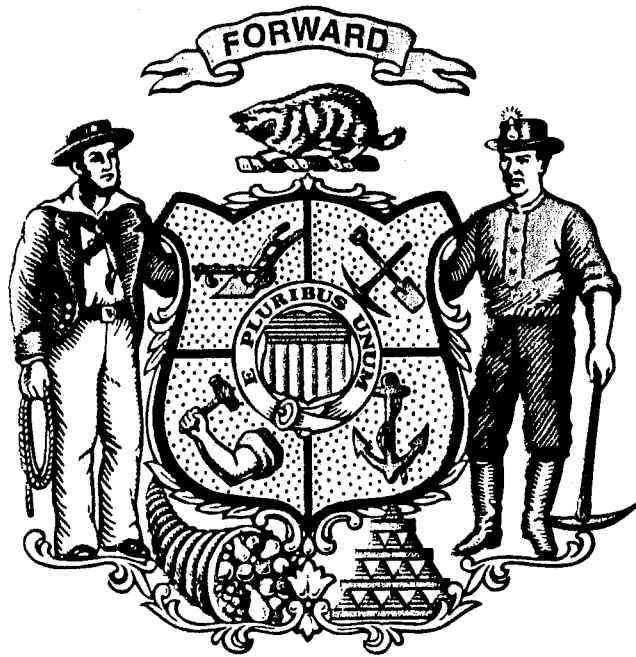
Senator Neal Kedzie

Senator Dale Schultz

Totals: 5 0 _____ _____

Motion Carried

Motion Failed





Trapp Brothers, Inc.

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READY MIX

EXCAVATING

HAULING

TOP SOIL

GRAVEL

October 8, 2007

Senator Roger Roger Breske
 12 TH Senate District Representative
 Room 310, SOUTH State Capital
 P.O. Box 7882
 Madison, Wi. 53707

RE: OPEN PIT MINING

Senator Roger Breske:

We would like to introduce ourselves to you. We are, Trapp Brothers, Inc. of Woodruff, Wi. 54568. Our business is family, owned and operated since 1945, and is four generations. We are natives in the area, born and raised.

The northwoods has been our livelihood, we rely on the need for open pit mining resources to see our product. Many, may not be in favor of pits but it is necessary for all road building, home construction, and the growth of our community and all communities in our area.

Our pit at the present time borders DNR (STATE OF WI), therefore we contacted the STATE to negotiate or lease from them, because it was more advantageous to us to maintain the open pit mining where we are at, then to move to a different location that is east of us. This site is only 1/2 mile from us now, and the price of fuel now would be alot easier to maintain a price for our product.

Sincerely,

Michael Trapp

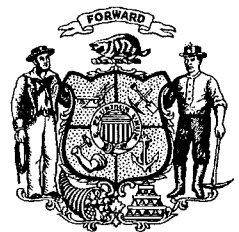
Trapp Brothers, Inc.
 Michael Trapp
 President

SB 208
 file

To: CHAIRPERSON
 MILLER &
 COMMITTEE
 MEMBERS



WISCONSIN STATE LEGISLATURE



Bier, Beth

From: Stolzenberg, John
Sent: Thursday, October 25, 2007 10:17 AM
To: Bier, Beth
Subject: SB 208 question

Attachments: PBrush; PBrush; PBrush

Beth,

Re your question on the reclamation standards that will apply to the gravel pits authorized under 2007 Senate Bill 208, the standards in ch. NR 135 will apply. These statewide standards are administered via county ordinances. These pits are located in Oneida and Vilas Counties. According to Tom Portle at the DNR, Oneida County has revised its nonmetallic mining reclamation ordinance to reflect changes in ch. NR 135 that went into effect in late 2006; Vilas County is still working on its revisions.

Note that the heart of the reclamation is the reclamation plan. A key factor in the design of this plan is the specification of the post-mining land use. Section NR 135.19 (3) states:

NR 135.19 (3) POST-MINING LAND USE.

(a) The reclamation plan shall specify a proposed post-mining land use for the nonmetallic mine site. The proposed post-mining land use shall be consistent with local land use plans and local zoning at the time the plan is submitted, unless a change to the land use plan or zoning is proposed. The proposed post-mining land use shall also be consistent with any applicable state, local or federal laws in effect at the time the plan is submitted.

Note: A proposed post-mining land use is necessary to determine the type and degree of reclamation needed to correspond with that land use. The post mining land use will be key in determining the reclamation plan. Final slopes, drainage patterns, site hydrology, seed mixes and the degree of removal of mining-related structures, drainage structures, and sediment control structures will be dictated by the approved post-mining land use.

(b) Land used for nonmetallic mineral extraction in areas zoned under an exclusive agricultural use ordinance pursuant to s. 91.75, Stats., shall be restored to agricultural use.

As owner of the land, DNR could also address post-mining land use in its contract with the mine operator.

As an aside, here are some aerial views from Live.com of the 2 sites, based on the location of the sites on Dick Steffes' plat maps. These photos show the existing quarries mentioned by Dick Steffes. If you click on the links, you can go directly to the photos on Live.com and zoom in and out of these photos using the scroll wheel on your PC mouse and move in any direction by holding down the left mouse button and moving the mouse.

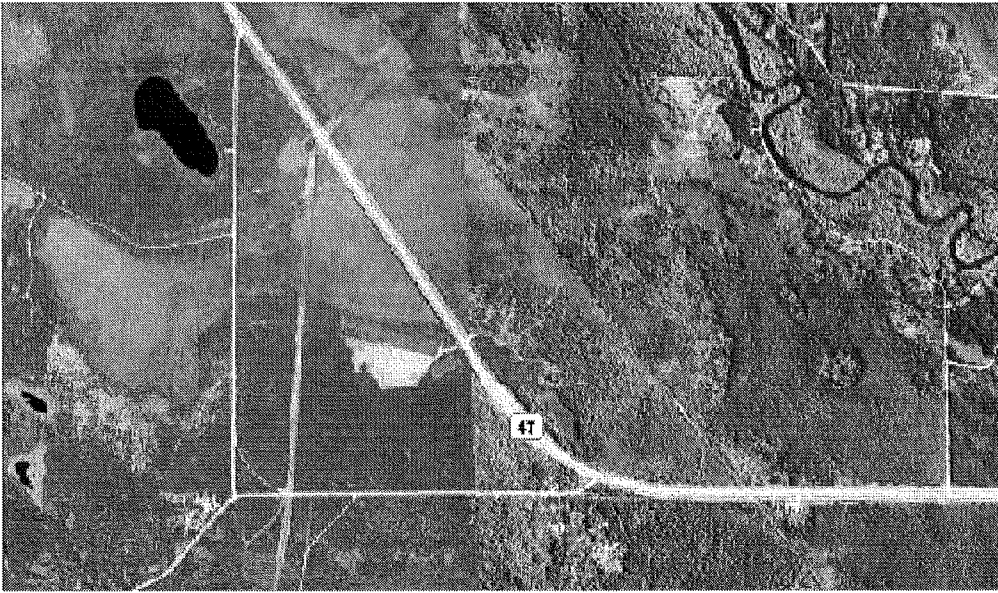
- Town of Arbor Vitae (Vilas County) – the DNR property in question is on the eastern edge of the pit east of US 51.

<http://maps.live.com/default.aspx?v=2&cp=45.946092~-89.701009&style=h&lvl=15&tilt=-90&dir=0&alt=-1000&trfc=1&encType=1>

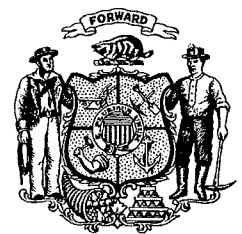
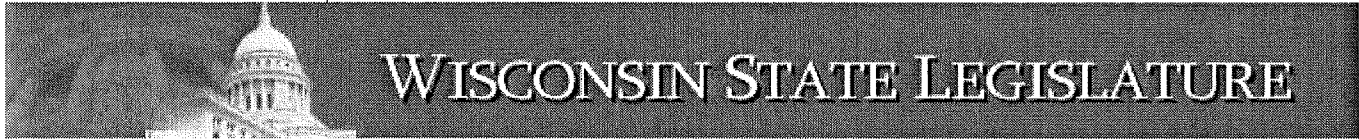


- Town of Newbold (Oneida County) - the DNR property in question is on the southern edge of the pit south of WI 47.

<http://maps.live.com/default.aspx?v=2&cp=45.736335~-89.559689&style=h&lvl=15&tilt=-90&dir=0&alt=-1000&trfc=1&encType=1>



John



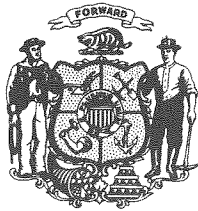
ROGER BRESKE

STATE SENATOR

12th District

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Eland, WI 54427
(715) 454-6575

E-Mail Address:
Sen.Breske@legis.state.wi.us

November 20, 2007

Senator Mark Miller, Chair
Senate Environment and Natural Resources Committee
Room 409 South, State Capitol Building

Dear Mark:

I write to request a formal vote by the Environment and Natural Resources Committee on Senate Bill 208, legislation which allows the Department of Natural Resources to lease land within the Northern Highland-American Legion State Forest for the purpose of gravel extraction. I appreciate your consideration of my request.

I am grateful you took the time to allow the Committee to hear testimony on this bill in early October. As you heard, this legislation is narrowly written to apply to two parcels specifically and would only allow the land to be leased for up to 30 years, at which time the State Forest Land would return, in full, to State ownership. This legislation is needed because, while the State DNR is allowed to purchase land, it is not allowed to lease State Forest land. I hope that the Committee will be able to vote on SB208 in a reasonable time so that it can be considered by the full Senate soon.

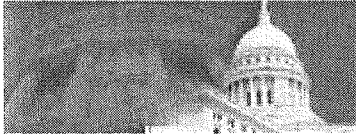
Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Roger Breske".

ROGER BRESKE
State Senator, 12th District

RB/ekp



WISCONSIN STATE LEGISLATURE

