

STATE ENGINEERING ASSOCIATION

4510 REGENT STREET

MADISON, WISCONSIN 53705

(608) 233-4696

9

April 6, 1999

TO: Co-chairs Senator Brian Burke &
Representative John Gard
Joint Finance Committee

RE: State of Wisconsin Investment Board Budget

The State Engineering Association wants to support the following areas of the Investment Board budget:

1. Recruit and retain experienced staff (LFB Summary Item #2)
We support the bonus increase recommended by the Governor.

We also support the proposed salary adjustment being proposed by DER to fund base salary increases for closing the gap between SWIB salaries and the private investors.
2. Critical staffing needs (LFB Summary #4)
The Governor's budget recommendation provides three new positions for Assistant Portfolio Managers.
3. We continue to support the IT project and the second phase to provide user support & training (LFB Summary Item #6).
4. Outside Management.
We agree with flexibility; however, we don't agree with increasing the outside management to 25% of the total retirement fund.

We totally support the more economical internal management of retirement funds and outside management only used when there is an emergency.

Co-chairs Senator Brian Burke &
Representative John Gard
Joint Finance Committee
Page 2
April 6, 1999

We trust that your committee would make the necessary changes to the SWIB budget to provide them more flexibility for outside management only when they have a critical shortage of qualified internal staff.

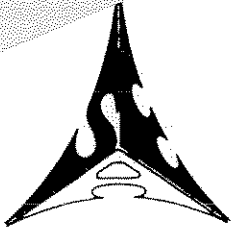
We want to thank your committee for this opportunity to communicate our concerns about our retirement system and appreciate your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert Anderson".

Robert Anderson, President
Eau Claire Section
STATE ENGINEERING ASSOCIATION

cc: Pat Lipton, Executive Director, SWIB



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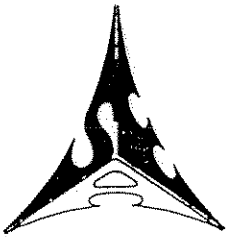
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4510 REGENT STREET

MADISON, WISCONSIN 53705

(608) 233-4696

April 6, 1999

TO: Co-chairs Senator Brian Burke &
Representative John Gard
Joint Finance Committee

RE: Dept. of Employee Trust Funds Budget

The State Engineering Association wants to communicate our support for the following areas of the Dept. of Employee Trust Funds Budget to your committee:

. We support the ETF New Call Center. However to maintain the future continuity of call service, the one permanent position cut by the Governor should be reinstated, unless it is the intent of the Legislature to provide poor service to annuitants and employees who now total 349,375 individuals.

. We also support the 1.0 permanent position and 1.0 project positions to support the increased work load for duty disability in both budget years.

. We disagree with the funding cuts by the Governor in the area of replacement and training of any new Trust Fund counsellor. Without proper training, the existing wealth of knowledge will be lost and the level of service will diminish. We feel some provision should be replaced in the ETF Budget because it is program revenue, not GPR funds.

We appreciate this opportunity to communicate our concerns about the Wisconsin Retirement System to your committee and want to thank you for your consideration.

Sincerely,

Robert Anderson, President
Eau Claire Section
STATE ENGINEERING ASSOCIATION

cc: Eric Stanchfield, Secretary
Dept. of Employee Trust Funds

Barbara Singerhouse

2215 Ravine Drive
Dresser, Wisconsin 54009
Home Phone 715-755-3868

February 18, 1999

Public Service Commission of Wisconsin
610 North Whitney Way
P.O. Box 7854
Madison, Wisconsin 53707-7854
Re: Chisago Electric Transmission Line Project (CETLP)

Dear Commissioners Bie, Mettner, and Farrow,

I am writing to you as a private citizen representing my family.

I would like to thank PSCW staff, Mayor Terry Lundgren, Lawyers for St. Croix Falls and Taylors Falls, Members of CRVC, Larry Wolfe of the Rural Utilities Service (RUS), Mr. John Hynes and staff at the MEQB, Rep. Ron Kind, Sen. Alice Clausen and Administrative Law Judge Richard Luis for all their assistance in helping me understand the Chisago Electric Transmission Line Project (CETLP), answering questions and/or getting me information. All of your assistance was greatly appreciated.

I would like to begin by having you read the letter I wrote to the PSCW in November 1998. I was assured my letter would be a part of the final Environmental Impact Statement (EIS). All that appeared was my name at the end of the document. Please find my letter enclosed and read it at this time. Thank you.

Since I wrote the letter you just finished reading I have received additional information on the CETLP. I received from the RUS a copy of the Final Alternative Evaluation and Macro Corridor Study on the CETLP prepared by Dairyland Power Cooperative (DPC), Northern States Power (NSP), and Greystone prepared for the RUS in Washington, D.C.. Within that document I learned that there are three areas for routing a power line; opportunity areas, avoidance areas, and exclusion areas. Avoidance areas include sand and gravel pits and other buried mineral resources. A mining operation, Dresser Trap Rock Co., is located on segment KK2 of the proposed CETLP. The quarry has been in operation since 1900. The current owner has been operating the quarry since 1979. The mining of the geological resource trap rock entails the use of explosives. The explosives are used once a week nine months out of the year. Depending on the seasons it is usually March through November. The vibrations from the explosions can be felt for miles around and the closer you are to the quarry, obviously, the stronger the vibration.

The proposed power line would be routed right next to the quarry which should have been an avoidance area. The powerline would be susceptible to the vibrations, the large equipment utilized in moving, distributing, and stockpiling the mined and crushed trap rock. Also, a 230kV line could interfere with vital communications used to execute the detonation of the explosives. Although rare that may occur at the most inopportune time.

I did not find adequate documentation of these facts regarding the quarry

in the EIS or the application submitted by NSP and DPC. There are two sentences in the EIS on page 79 regarding the quarry. That's all I could find. The application submitted in September 1996 to the PSCW misrepresents the quarry on figure 5-17. The quarry is a huge operation. The area south of Ravine Drive is a stockpile area only. The area north of Ravine Drive is the trap rock crushing and mining operation and the area where the explosions occur. In the application in chapter 5 descriptions of route alternatives that include Segment KK do each contain one sentence in regard to the quarry after "Mining" although the wording seems to change they all in effect are referring to the trap rock quarry. The tables found in chapter 5 which are route summaries do not list Dresser Trap Rock Co. under segment KK in Commercial/Industrial Zones (feet), nor is there a spot reserved for Existing Sand, Gravel and Other Mineral Resources listed on the tables.

I questioned Mr. Chuck Thompson of DPC about the quarry at the Administrative hearings in Minnesota for the MEQB presided over by the honorable Richard Luis and have a copy of the transcript enclosed. The date of the testimony was November 9, 1998 in the evening session of that day's hearing. The testimony can be found in the transcripts volume 9-B/11-9-98 pages 36-52. On page 50 Mr. Thompson states "Why the mine was omitted, I can't explain it, but now that we know about it we can include it in those draft environmental impact statements." I searched the final EIS for the correction to no avail. There was plenty of time between the Nov. 9th hearing date and the publishing of the final EIS for DPC to get the information to the PSCW.

I would also like to say that I feel the letter that Governor Tommy Thompson wrote on November 4, 1998 to Mr. John Hynes of the MEQB encouraging the approval of NSP and DPC's application for a permit for the CETLP before due process of law could be completed has impeded upon my rights for my opinions to be objectively considered during the PSCW hearings on the CETLP.

I feel there is significant evidence within the PSCW's hearing record that reflect that reasonable alternatives to the CETLP exist and the project is not needed.

As stated in WI statute 196.491 section (3), subsection (d) paragraph 4. "The proposed facility will not have undue adverse impact on other environmental values such as, but not limited to, ecological balance, public health and welfare, historic sites, geological formations, the aesthetics of land and water and recreational use." Clearly the Chisago Electric Transmission Line Project includes all of the aforementioned adverse impacts and Northern States Power and Dairyland Power Cooperative's application for a Certificate of Public Convenience and Necessity should be denied.

I can only hope that the three of you will be impartial instruments of the due process of law and follow the Wisconsin Statutes to the letter in your decision.

I appreciate the opportunity to express my opinions.

Sincerely,

Barbara Singerhouse

Enc: 2

Barbara Singerhouse
2215 Ravine Drive
Dresser, WI 54009
715-755-3868

November 6, 1998

Mr. Udaivir S. Sirohi
Public Service Commission
P.O. Box 7854
Madison, WI 53707-7854

Dear Mr. Sirohi and Commission Staff:

I have read both documents prepared on the Chisago Electric Transmission Line Project (CETLP) prepared by the Public Service Commission of Wisconsin (PSCW) and the Minnesota Environmental Quality Board (MEQB) along with the prefiled testimonies presented to MEQB by John P. Hynes, EQB Staff, Robert D. Cupit, EQB staff, and Gregory L. Booth, PE, who was retained by MEQB and the Department of Public Service to assess the need for the CETLP.

Both the Draft Environmental Impact Statement (EIS) by PSCW and the Draft Environmental Impact Assessment (EIA) by MEQB were well done documents. They were filled with a wealth of information to help me understand the proposed CETLP, our transmission system, environmental issues affected by the project, agencies involved in the project, tables, figures, maps of proposed project, and the alternatives.

Staff of PSCW, Barbara Pickhardt, Kathleen Zuelsdorff and Udaivir Sirohi, were helpful and patient with me as I asked many questions over the phone regarding the EIS and various other technical questions that I needed answered to more fully understand what I was reading. Mr. John Hynes of the MEQB also was helpful in returning calls and answering questions I had and in getting me the EIA in a timely manner.

It is my opinion that the 230 kV transmission line proposed by the applicants, Northern States Power (NSP) and Dairyland Power Cooperative (DPC), is not needed to alleviate the forecasted demand for electricity in the area that the CETLP is being proposed. What our area needs to meet present and future needs is to update or replace the existing transmission lines with new ones and reconductoring of the existing transmission lines as needed.

As stated in the PSCW EIS, page 125, "Infrastructure improvements will be necessary to restore and maintain acceptable reliability of the interconnected network." If the applicants would reconductor/rebuild existing lines of transmission and use the existing 20 hydroelectric power plants more efficiently as stated on page 14 of the EIS, "by: upgrading existing facilities to obtain greater capacity and efficiency," along with the already approved and under construction Stone Lake-Bay Front 161/69 kV, Rock Creek-Grantsburg 69 kV line, and the

Baldwin-Marathon City 161 kV line, this will sufficiently improve reliability and meet local customer needs.

Mr. Gregory Booth noted in his prefiled testimony on page 11 of 22, lines 10-14:

"The recent approval by Wisconsin of the Stone Lake to Bay Front line significantly reduces the urgency for the St. Croix National Scenic Riverway transmission line crossing. I believe the applicants NSP (DPC) should re-evaluate the transmission planning between Minnesota and Wisconsin considering the numerous deficiencies I have enumerated throughout my report."

I think Mr. Booth's prefiled testimony should be given careful consideration by all those at the PSCW that will play a role in deciding whether or not to approve the proposed Chisago Electric Transmission Line Project. Mr. Booth's prefiled testimony can be found under MEQB OAH Docket No. 7-2901-11843-2. I encourage all involved to read and/or re-read this document.

Also, if PSCW approves the CETLP, it will not serve future needs according to Mr. Booth as stated on page 11 of 22 lines, 1-3, "... the CETLP does not appear to sufficiently strengthen the transmission systems over a long range time horizon."

I also suggest that the PSCW use Booth and Associates as consultants in solving our long-term deficiencies, such as Total Transfer Capability (TTC) and Available Transfer Capability (ATC) needs between Minnesota and Wisconsin. He has been an expert witness in areas much more heavily populated than Minnesota and Wisconsin and could be a valuable tool in solving our long range needs for reliable electrical service.

The lack of Demand-Side Management (DSM) by DPC should also be a factor in denying their application. NSPW has successfully met goals set for DSM and, as stated on page 13 of DEIS, NSPW reduced system demand by energy conservation programs and load management programs by 135.2 MW. "DPC, however, has not met goals it set for itself in past Advance Plans." If they haven't met goals in the past, what indication is there that they will meet goals in the future. I believe that if DPC is required to reduce present loads on the transmission system through DSM, it would help to relieve some of the forecasted problems with our transmission system.

Environmentally, the CETLP would be a complete disaster. If the committee were basing their decision solely on the environmental effects of the proposed project, the answer would be an easy no, but as all the documents that I have read indicate, it is much more complicated than just the environment.

Mr. Udaivir S. Sirohi
Public Service Commission
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I feel the PSCW should deny the applicants' proposal for the CETLP because it has not been found to solve long range problems. The project would require additional upgrades to serve the transfer capabilities they are trying to acquire, and it does not include ancillary projects that will be needed to complete the project successfully. Also, as the MEQB expert, Mr. Gregory Booth, pointed out on page 8 of 11, lines 9 and 10, "The applicants failed to apply the basic principals and methods for development of a Power Requirement Study." The CETLP would also proliferate areas that have never seen transmission lines before when other options of going along current right of ways (ROW) are available. PSCW should not approve now, nor in the future, the north and south crossings. The north crossing is untouched wetland and the south crossing is a wide enough ROW for the Viking Pipeline. Improvement at the dam should never be allowed to go above the height of the existing structures already present at the dam crossing so as to maintain as little disruption of our beautiful St. Croix River Valley as possible.

Health concerns are also on my mind as I decipher all the information on the CETLP. The impacts of 140' transmission towers would be devastating to our pristine area. I am concerned about the value of my property. As homeowners, my husband and I have invested a great deal in our property for our future and the future of our two daughters. I plan to be a grandma one day in my home and shudder to think the area I've grown to love and respect will be proliferated by 140' towers to allow electric utilities more transfer capabilities and to increase their portfolio.

Electric utilities have the power of eminent domain that surpasses any I have been privy to. CETLP will require the utility companies to invoke the law of eminent domain if this project is approved. All measures should be taken to see that before our pristine area is destroyed out of Economic Convenience, the applicants be diligently scrutinized.

Please make the appropriate decision and deny the applicants, NSP and DPC, their request for the Chisago Electric Transmission Line Project. I would urge you to require the applicants to upgrade and replace the current system to today's available technology to meet our area's needs for reliable service.

Thank you for your time, hard work, and consideration of my opinion.

Sincerely,


Barbara Singerhouse

P.S.

My family and I live on Ravine Drive which was incorrectly stated in the DEIS as Trap Rock Road on pages 31, 66, and 72. There is a Dresser Trap Rock quarry on Ravine Drive and a Trap Rock Drive north of here, but no Trap Rock Road. Please correct this error in your final EIS.

1 Q If we look at the history of similar projects,
 2 they've taken quite a long time to get
 3 implemented?
 4 A I can't think of too many projects that are close
 5 parallel to this one. So I don't have too much to
 6 compare it against.
 7 Q I would say that -- if you've been following the
 8 Stillwater Bridge controversy and the -- the route
 9 of the Department of the Interior in delaying that
 10 project, it's been pretty significant. I don't
 11 know, maybe eight years, something like that. My
 12 point is, Mr. Gonzalez, if you were having a heart
 13 attack, would you send for a circus wagon?
 14 A I would send for some immediate assistance rather
 15 than further studies. That's what I would send
 16 for.
 17 Q I agree with you. You and Mr. Gartner and
 18 Mr. Jones have just spent the better part of a
 19 week telling us that the electrical situation in
 20 northwestern Wisconsin is dire, critical. Those
 21 are some of the words we've heard. In fact, we
 22 even heard that people could possibly freeze to
 23 death if there was a blackout. And yet, you have
 24 proposed a solution to this purported emergency
 25 situation, a project that anyone who reads a

1 going to be started immediately, does it? As I
 2 understand it, this is when the agencies really
 3 kick in, the Department of the Interior, Fish and
 4 Wildlife, DNR.
 5 A Again, our permitting expert, Mr. Alders, can
 6 address how the logistics of that work. But my
 7 understanding is, yes, the states go first here in
 8 this process. But they have been working -- the
 9 other agencies have been working on the issue.
 10 JUDGE LUIS: Just a moment. That's
 11 Alders with an A. Ask him a question.
 12 MS. LUHRS: Pardon me?
 13 JUDGE LUIS: Have you got a question for
 14 him?
 15 MS. LUHRS: Yes.
 16 JUDGE LUIS: Proceed.
 17 MS. LUHRS: I'm finished.
 18 JUDGE LUIS: Anyone else with questions
 19 for Mr. Gonzalez?
 20 (Applause.)
 21 JUDGE LUIS: Thank you for your
 22 cooperation, Mr. Gonzalez. You may step down.
 23 All right, there's been presented to me a set of
 24 written questions for the record. One of them was
 25 presented on -- last Thursday night, the 4th, and

1 newspaper could have predicted would be extremely
 2 controversial, cumbersome, and likely to be
 3 dragged out. Does this demonstrate a general
 4 concern for the pressing needs of the people, the
 5 electric needs of the people in northwestern
 6 Wisconsin?
 7 A Different persons could have different opinions on
 8 the matter given the information that's
 9 available. We believe we're proposing a logical,
 10 prudent project to address these needs in eastern
 11 Minnesota and Wisconsin.
 12 Q Mr. Gonzalez, do NSP and Dairyland have a
 13 contingency plan for the northwestern Wisconsin
 14 area in the event that the Chisago project is
 15 protracted at the least and rejected at the worst?
 16 A I do not know of any detailed contingency plan.
 17 We are progressing with the procedural matters
 18 here, and we believe we're making progress. You
 19 know, we'll be anticipating a decision sometime in
 20 the next number of months. So we're biding our
 21 time, waiting -- waiting the results.
 22 Q You don't know if they have a contingency plan?
 23 A I don't know of any.
 24 Q And even if the permit -- even if the permit is
 25 granted, that doesn't mean that the project is

1 I'll read that right now, and the person to whom
 2 it was directed was not here.
 3 MS. SINGERHOUSE: Can I approach? Is it
 4 for me?
 5 JUDGE LUIS: The question came from
 6 Barbara Singerhouse, S-I-N-G-E-R-H-O-U-S-E, and
 7 it's for Chuck Thompson from Dairyland. So,
 8 Mr. Thompson, come on up. Mr. Thompson, have you
 9 been sworn in yet in this proceeding?
 10 MR. THOMPSON: Yeah.
 11 JUDGE LUIS: Yes, all right. You're
 12 still under oath. Do you want your written
 13 question back?
 14 MS. SINGERHOUSE: Yeah. Hi.
 15 JUDGE LUIS: Good evening. I note that
 16 you've just unloaded about 12 documents here.
 17 MS. SINGERHOUSE: I know. I can't
 18 believe --
 19 JUDGE LUIS: Whereas you only had one
 20 nice little question here on Thursday night.
 21 MS. SINGERHOUSE: I know. Sorry. I
 22 actually -- I came up with some of the things
 23 that's in that --
 24 JUDGE LUIS: Is this related to this?
 25 MS. SINGERHOUSE: But I don't have to

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1 ask it now or do this now if you don't want. I
 2 can just ask this and sit down if you would like.
 3 JUDGE LUIS: Ask him the question that
 4 you have for him. Now, is all of this other stuff
 5 for Mr. Thompson too?
 6 MS. SINGERHOUSE: Well, this -- yeah,
 7 actually it's for him and --
 8 MR. THOMPSON: We have plenty of NSP
 9 witnesses here, so --
 10 MS. SINGERHOUSE: Well, someone from
 11 NSP, I'll need them up here too for part of this
 12 because it has to do with the --
 13 JUDGE LUIS: Ask him this single
 14 question now because there's a lot of people here
 15 that are waiting that I think will be shorter than
 16 you, and I'd like to get through a lot of them
 17 before I come back. So just go to the question
 18 that's still pending from Thursday night.
 19 CROSS-EXAMINATION
 20 BY MS. SINGERHOUSE:
 21 Q Yeah, hi. I was wondering -- you're buying power
 22 from NSP to supply your customers with power; is
 23 that correct? Or you buy some?
 24 A We may exchange power from time to time, but --
 25 well, we have our own capacity.

1 MR. THOMPSON: Right close to it?
 2 MR. HYNES: Yes.
 3 JUDGE LUIS: Are you sure it's not a
 4 switch?
 5 MR. HYNES: It is on.
 6 JUDGE LUIS: The switch is on?
 7 MR. HYNES: It's on.
 8 BY MS. SINGERHOUSE:
 9 Q Now, in the information that I got was that --
 10 from Mr. Larry Wolfe was that you purchased from
 11 NSP power, and in those purchases it was found by
 12 calculations that were done at the Public Service
 13 Commission of Wisconsin that you were overcharged
 14 for that power in the tune of millions of
 15 dollars. And if that was the case, then it's a
 16 possibility that in this project the -- that
 17 Dairyland Power may not have to put any money into
 18 it at all, just let NSP kind of use your area; is
 19 that correct?
 20 A Well, I like how you think, but that's not quite
 21 true. The money that Mr. Wolfe was talking about
 22 has nothing to do with an exchange of power
 23 between the companies. It has to do with a cost
 24 sharing agreement that we have with NSP as far as
 25 which facilities we build and which facilities

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1 Q Okay. I was speaking with Mr. Larry Wolfe from
 2 the Rural Utility Service, and that's the
 3 organization that Dairyland Power Cooperative
 4 would go to in case they needed some financing
 5 done?
 6 A That's correct.
 7 Q And the project that is proposed, the Chisago
 8 electric transmission line project, is one that
 9 may require some funding through the Rural Utility
 10 Service. If more than -- or I believe 50
 11 percent. There's a 50-percent margin in there.
 12 If more than 50 percent of the money comes from
 13 somewhere else or something or you can't go
 14 anything over, something to that effect. Is that
 15 correct? I'm not sure on those percentages at
 16 all, but --
 17 A Yeah, the rules are changing right now, but it has
 18 to go a lot less than that. Their approval goes
 19 down to -- I believe it's 10 -- 10 or 15 percent.
 20 If we have even that low amount of money involved,
 21 that they -- we need their approval.
 22 JUDGE LUIS: Is his mike on? Is that
 23 all right? Is that coming up here?
 24 MR. HYNES: You have to get right up
 25 close to it.

1 they build.
 2 Q Uh-huh.
 3 A And right now we are in front of FERC trying to
 4 determine a rate as far as what is the fair
 5 compensation for the use of those facilities. So
 6 that's what Mr. Wolfe was referring to, not the
 7 exchange of power.
 8 Q Well, not exchange of power, but you're owed a lot
 9 of money by NSP; is that correct?
 10 A We're owed some, I believe. Yes.
 11 Q Some millions or some --
 12 A I don't know. I don't get involved in that end of
 13 the business.
 14 Q Well, who would know that? I mean, someone would
 15 know if it's like a few thousand or a few
 16 million.
 17 A Well, that's what's being negotiated right now.
 18 Because we entered into a networking agreement
 19 with NSP.
 20 Q Right.
 21 A And that's what they're negotiating right now, is
 22 what is the fair exchange of our facility -- or
 23 use of our facilities by NSP.
 24 Q Their exchange for being repaid that money?
 25 A Right.

1 Q Right.

2 A And in determining just how much needs to be --

3 who owes what.

4 Q Okay.

5 A One of the things you need to consider here --

6 what Mr. Wolfe probably wasn't thinking about is

7 that there's two projects involved here. One is

8 the Stone Lake-Hayward line, which is being built

9 solely by NSP. So at some point we need to take

10 into account the amount of money they're spending

11 there and the amount of money that we're proposing

12 to spend on this project to determine where that

13 balance is right now.

14 Q The Stone Lake-Bay Front has already been approved

15 and it's being built as we speak now and that

16 project is -- you were saying is being solely done

17 by NSP?

18 A That's correct.

19 Q But that -- you're going to be benefiting -- your

20 cooperative will be benefiting from that venture?

21 A That's correct too.

22 Q Right. And then that benefiting could help in

23 getting your money back that you're owed?

24 A I'm not exactly sure who owes what money.

25 Q Well, he was pretty sure that NSP owes you a lot

1 trying to determine the rate is really not

2 relevant to what's going on here.

3 Q Would that -- would that -- would that be a

4 benefit though to take care of this project in an

5 area that it's -- it's just between NSP and

6 Dairyland Power Cooperative and doesn't involve

7 any other utilities so that any monies that are

8 owed to you doesn't get complicated or taken by

9 other utility companies? Does that sound like

10 something that is feasible to you with what's

11 going on with the project? I know it's just boom,

12 right in this area, it seems to be targeted here,

13 and it seems to be just NSP and just Dairyland

14 Power. You know, if they owe you a lot of money,

15 this is a nice way to get that back.

16 A Well, any money we can get from NSP is a benefit

17 to our customers, but really it's just a rate

18 determining case for the fees that we'll be

19 charging each other and that -- as far as this

20 case goes, we're just talking about joint

21 ownership of this so that Dairyland actually owns

22 some facilities and controls those facilities, and

23 we feel that's important.

24 Q But NSP, are they going to be building it and

25 everything else, and you're just going to let them

1 of money.

2 A What he's talking about is our old agreement

3 before we signed into the networking agreement

4 with NSP. Under that contract -- or under that

5 agreement NSP had a few -- we had built more

6 facilities than they had. And things have changed

7 since then. And I'm really not involved in that

8 area. But that's really what's happening right

9 now is that --

10 Q Well, I was on the phone with the Federal Energy

11 Regulatory Commission today, and I spoke to quite

12 a few people there. And I was trying to get

13 docket numbers. Because nobody can seem to do

14 anything without a docket number. I talked to

15 Udaivir Sirohi at the Public Service Commission of

16 Wisconsin, and they don't know anything about it.

17 What's the docket number, you know. So I was

18 talking to a lady there, and I have their name and

19 number, and they're going to have someone call

20 me. And they were supposed -- well, hopefully I

21 was going to get the information today. Because I

22 wanted something firm to have when I came here. I

23 was hoping that -- I was hoping that you would say

24 something different.

25 A Yeah, really with the rate case going on there and

1 use your --

2 A No, actually we'll probably own approximately 20

3 miles in Wisconsin. That's what we're planning

4 right now.

5 Q Okay. Thank you, Mr. Thompson.

6 A You're welcome.

7 (Applause.)

8 JUDGE LUIS: All right, thank you. Can

9 you give us an outline then of -- so that

10 Mr. Thompson can maybe plan a little bit -- what

11 else is it that you're going to bring up now with

12 all this material with Mr. Thompson or whoever

13 else? Briefly.

14 MS. SINGERHOUSE: Yes, it is brief. I

15 got from -- I got from Mr. Larry Wolfe -- he sent

16 me a scoping process, and he happened to come

17 across the final alternative evaluation and macro

18 corridor study that was presented to the Rural

19 Utility Service in Washington, D.C. And this

20 macro corridor study -- I read through the

21 portions that had to do with the Chisago

22 transmission line project, and they had in here

23 avoidance areas. And avoidance areas are

24 avoidance areas, where they shouldn't --

25 objectionable areas for them to route transmission

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1 lines through. Are you familiar with what I'm
2 talking about? And one of those was the sand and
3 gravel pits and other buried mineral resources.
4 And I'm looking through these maps. And I live on
5 Ravine Drive, which is all three -- all three
6 segments that would come across the river would
7 come down our road. So we're kind of in a check
8 situation, check, and every map and every page
9 that I try to find the Dresser traprock quarry,
10 it's not listed. It's not listed on the map.
11 It's not listed -- it's not listed on the -- you
12 know, the tables that they show you land use and
13 they have the little mining deal. They show one
14 north, and they show one south, which are
15 different areas. And there's not one map in here
16 that includes the Dresser traprock quarry. Now,
17 that quarry is a mining operation, and I spoke to
18 its owner, Ivan Bowen.

19 JUDGE LUIS: Okay, that's one area.

20 What other areas do you have to cover with all
21 this material?

22 MS. SINGERHOUSE: That's it. See, this
23 tells me that --

24 JUDGE LUIS: Well, this is all about
25 this then?

1 got to be wrong. You know, this somehow -- but
2 it's not, it's not wrong. I looked at all the
3 maps. I looked at all the geological resources.
4 This has been conveniently left out of
5 everything. Left out of the -- even the one that
6 NSP and Dairyland Power gave the environmental
7 impact assessment, it's left out, and it's -- but
8 it's in here (pointing). I mean, and I -- in the
9 DeLorme mapping, this atlas deal, it's in here,
10 and this was part of what is used. Like in the
11 appendix where they tell you what they use and
12 stuff. It's in here, but it's not in here. And
13 Mr. Wolfe found that very interesting too. I did
14 too. I just couldn't believe that they forgot to
15 mention that they were going to put 230 kilovolt
16 power lines with 140-foot poles right next to a
17 blasting area.

18 JUDGE LUIS: Do you know whether or not
19 it's been left out of discussion in the Wisconsin
20 environmental impact statement, which is in this
21 record is Exhibit 74, the one introduced by the
22 state of Wisconsin?

23 MS. SINGERHOUSE: The draft
24 environmental impact statement?

25 JUDGE LUIS: Yes.

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Page 48

1 MS. SINGERHOUSE: Just this one thing.
2 And this is all the stuff I've just accumulated on
3 this. That's (pointing) my dictionary.

4 JUDGE LUIS: On the issue of the
5 quarry?

6 MS. SINGERHOUSE: No, this is the MEQB
7 and the Public Service Commission --

8 JUDGE LUIS: But is this issue on the
9 quarry the only other topic that you --

10 MS. SINGERHOUSE: That's it. That's all
11 I have.

12 JUDGE LUIS: Go ahead.

13 MS. SINGERHOUSE: They have failed to
14 put that in all of their maps. Even in the
15 MEQB's. I looked for it in here. I said, well,
16 it's got to be in here. And I looked in all these
17 maps. It's not listed. They blast there once a
18 week to mine this traprock. Once a week,
19 approximately ten months out of the year, and
20 that's not listed as an avoidance area at all.
21 Nor is it listed -- or nor did you tell the Rural
22 Utility Service that there was a quarry operation
23 going on there that dealt with explosions that
24 happened once a week right next to where this
25 power line would run. So I said, well, this has

1 MS. SINGERHOUSE: It's not listed as a
2 geological resource or an avoidance area. There's
3 no avoidance areas that --

4 JUDGE LUIS: It's not 74. It's 25,
5 Exhibit 25. Go ahead.

6 MS. SINGERHOUSE: I don't know. I
7 looked in here too. But they don't have the maps
8 that the MEQB has in their book, but your -- the
9 MEQB's map should have it on there too because,
10 you know, this is the line that it's going down.
11 And I just found this to be completely
12 unbelievable, that something of this much of a
13 magnitude would be left out. Because what if
14 there's a mistake and one of your poles falls
15 over, and what if they're -- I feel the vibrations
16 at my house. I'm a mile away from the quarry.
17 And Mr. Bowen says to me that the closer you are
18 the more vibrations you feel. So this has been
19 conveniently left out of all the documents that
20 have been presented. Although Mr. Wolfe tells me
21 that there is one line listed in the application,
22 the TR -- oh, what is it? It's the NSP-TR-4, the
23 docket number. There was one line on page 5 of
24 82, section existing land use, where they mention
25 the quarry, but nowhere in there does it say that

1 once a week for ten months out of the year they
2 blast there, and that's the corridor segment KK2
3 that is in the Wisconsin Public Service
4 Commission's document, the EIS. And I don't know
5 who prepared the maps for the MEQB. I guess NSP
6 and Dairyland Power Cooperative and Graystone, all
7 those folks, and you can't miss this place. If
8 you fly over it, there it is. If you drive by it,
9 there it is. And if you live around here, you
10 know, or near it, you know what they -- they do
11 blasting there. So can you explain how that might
12 have happened?

13 MR. THOMPSON: I'll try. One, it's --
14 that's why we have public meetings is for that --
15 citizens like you can come in and tell us where
16 we've left something out. And I think that's why
17 they have draft environmental impact statements is
18 so now that the Public Service Commission can
19 include that in their document. We do have a
20 power line that goes through that mine.

21 MS. SINGERHOUSE: A 69 kilovolt. It's
22 not through the mine. It's next to it where this
23 existing -- where the 230 69 double circuit
24 140-foot pole would go.

25 MR. THOMPSON: Well, the height varies,

1 and macro corridor study that you sent to
2 Washington.

3 MR. THOMPSON: Sure.

4 MS. SINGERHOUSE: And there in
5 Washington they don't know what's here. They have
6 to go and rely on your accurate -- you know, your
7 accuracy.

8 MR. THOMPSON: Actually, they do know
9 what's going on here. They've been here and held
10 several public meetings. And I think there's some
11 misunderstanding what that document is and what it
12 does, what the Rural Utility Service --

13 MS. SINGERHOUSE: This (indicating)?

14 MR. THOMPSON: That's -- that's
15 following their process, and what that's -- that's
16 their first document that they're required to have
17 finished. Once we're done with both states and
18 them completing their EIS's, the federal
19 government will prepare a joint EIS to complete
20 their process, which will include that document.

21 MS. SINGERHOUSE: Okay. Well --

22 JUDGE LUIS: Ms. Singerhouse, may I look
23 at the Wisconsin atlas?

24 MS. SINGERHOUSE: Yes, you may. It's --
25 Your Honor, it's on page 70. And this (pointing)

1 but -- so we are aware of the blasting. It hasn't
2 been a problem. That line has been in place
3 for -- I think 1950. So as far as the blasting
4 goes on the structures, it has not been a concern
5 or a problem with our facilities there. Why the
6 mine was omitted, I can't explain it, but now that
7 we know about it we can include it in those draft
8 environmental impact statements.

9 MS. SINGERHOUSE: Now that you know
10 about it. I find it very hard to believe that you
11 would miss a quarry that size. I think the people
12 who are involved in making these maps -- there is
13 nobody here that could tell me that it's not
14 listed on the maps. Is he finding where it is
15 listed on there, the quarry?

16 MR. THOMPSON: Yes, it's shown on one of
17 our maps. It's Figure 5-17.

18 MS. SINGERHOUSE: In the --

19 MR. THOMPSON: In the applicants' -- in
20 our --

21 JUDGE LUIS: The application? The
22 application is Exhibit 1A.

23 MS. SINGERHOUSE: No, I don't have an
24 application. But I have all these other maps, and
25 it -- and it's not in your alternative evaluation

1 is St. Croix Falls. This (pointing) is Dresser.
2 This (pointing) is Ravine Drive. And if you
3 notice here (pointing), you have the access going
4 up, across. That means that it's a -- it denotes
5 one thing, and the access down denote a second
6 thing. So it is on the atlas.

7 JUDGE LUIS: I've got it. All right,
8 the publication called the Wisconsin Atlas and
9 Gazetteer from the DeLorme, D-E capital L-O-R-M-E,
10 a mapping company, which I recognize as something
11 you can buy at book stores. There is indicated a
12 quarry, and it's called that. And there's two
13 crossed picks indicating such on -- okay, on
14 what's called Ravine Drive, at the intersection of
15 Ravine Drive and East Avenue. I see East Avenue
16 right there as the closet, more south. It is
17 shown -- it is shown there on that map as a --
18 that there's a quarry located there. Was there
19 anything else then?

20 MS. SINGERHOUSE: No, sir, that's all I
21 have.

22 JUDGE LUIS: All right, thank you very
23 much, Ms. Singerhouse. Mr. Thompson, thank you.
24 (Applause.)

25 JUDGE LUIS: I have agreed to keep this

AJ



TOMMY G. THOMPSON

5

**Governor
State of Wisconsin**

November 4, 1998

ENVIRONMENTAL QUALITY BOARD POWER PLANT SITING	
NOV 4 1998	
DOCKET # _____	

John Hynes
Minnesota Environmental Quality Board
300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

Dear Mr. Hynes,

I am writing to you today regarding the joint application of Northern States Power Company and Dairyland Electric Cooperative to construct facilities to assure electrical reliability for eastern Minnesota and northwestern and northern Wisconsin.

→ I encourage the Minnesota Environmental Quality Board (MEQB) to support NSP and Dairyland's application. Electric reliability is critical for both the health and economic security of the State of Wisconsin. More than 600,000 Wisconsin-Minnesota residents live within the boundaries of the project, including many rural customers and farmers which rely on electric heat to keep their families warm.

In addition, the need for continued reliable electrical service is also critically important for jobs and economic growth. Without prompt regulatory action in both Wisconsin and Minnesota, this basic level of security cannot be guaranteed.

I ask you to support immediate action to assure electrical reliability for the region and ask that you please include my comments in the public testimony on this matter.

Sincerely,

TOMMY G. THOMPSON
Governor

TGT/cl

1515 CE 108
4420 CE 155
EXHIBIT NO. 36
2/11/99 DL



136

Patricia Messici, Village of Turtle Lake

Objecting to the uses planned for the Revenues gained from
Tribal Gaming Compact Amendments of 1998

As President of the Village of Turtle Lake, I have come to ask

- 1) that you make the County-Tribal Law Enforcement funds available to municipalities like ours which are responsible for law enforcement in and around our casino. Unlike most casinos, ours is located within a Village at the far edge of the county. It would be irresponsible and ^{often} life threatening if we insisted that the county police this area. We have had to add 3 FTE police officers and an additional squad car since the casino was built in 1992.
- 2) that provisions be made to assist municipalities around casinos with the additional infrastructural needs due to the growth and tourism (roads, new sewer plant, storm sewer needed because of new asphalt, etc.).
- 3) that additional emergency services be assisted due to more accidents, heart attacks, etc.
- 4) that \$1.5 - \$2 of the new dollars going for economic development be designated to a pilot program assisting with 10% owner equity injection for businesses which serve casino clientele (hotels, restaurants, recreation, etc) and industries which create several jobs or diversify the economy. Make this a 4% interest loan with a 2 year interest free deferral. Restrict eligibility to communities under 5,000 population within 15 mile radius of a casino or reservation.
- 5) that the economic development funds available to Native Americans be increased since this was the #1 item listed in the Compact Memoranda of Agreements.
- 6) that no Native American dollars be used to bail out taverns. The tribes have waged a huge effort for years to discourage alcohol abuse, and to use their money for a society ill such as this is a low blow. It is also an insult to the counties who had hoped to use part of these funds for good social programs.

Patricia Messici, page 2

The tribes were given the impression their contributions would be used for new tribal programs and assistance to surrounding communities and counties. Much of what is proposed by the Governor is, instead, a fee for service type of reimbursement which uses tribal dollars to replace most or all programs the state has previously funded for Native Americans. Although this is not unprecedented, it was not what was agreed to in the compacts. The tribes may have been willing to agree to it, if it had been mentioned, but it was not.

In fact, when I and a group of 22 local officials from 3 counties and St Croix County leaders met with Mark Bugher in Madison on August 31, 1998, I specifically mentioned how the mandated payments from one government to another was unprecedented except for fee for service payments. He never mentioned, during this opportune moment, any intent to use tribal funds to reimburse the state for services to Native Americans.

He also frequently assured me in front of these 22 witnesses plus State Budget Department staff that the state was bound to and would use the tribal contributions for the criteria listed in the signed Memorandum of Agreement relating to Government to Government Matters. I said we had heard that the Governor had said he would use these funds for a new business in Wisconsin Rapids or Racine if the need was indicated. Mr. Bugher assured us these funds would be used communities and counties where casinos and reservations are located. We urge the legislature to keep these promises and designate the dollars from the tribes which go to Departments of Commerce, Tourism, etc. as usable only by tribes, schools, local and county governments directly affecting and affected by casinos, reservations, and tribal affairs. Thank you.

To The Honorable Members Of The Joint Finance Committee:

Thank you for the opportunity to address you today and thank you for making the effort to travel to various parts of the State to hold these hearings.

I am here today as the County Administrator for Burnett County to comment on the Governor's proposed budget from Burnett County's viewpoint. I am not going to address all the various aspects of the budget that affect Burnett County such as Youth Aids, Court System Funding, Community Aids, Shared Revenue, etc. I'm sure you have and will continue to hear from Counties regarding our view of the inadequacy of funding for Counties in these areas in the proposed budget.

Rather, I would like to comment on one particular part of the budget that is extremely disturbing to Burnett County - the Indian Gaming Initiative. Burnett County has two Casinos and the St. Croix Chippewa headquarters located in the County. We have had a very good relationship with Lewis Taylor - Tribal Chairman and the St. Croix Tribe and I want to make it perfectly clear that Burnett County does not have a problem with the Tribe regarding the Indian Gaming Compact. The Tribe has negotiated with the State in good faith and they are living up to their part of the deal. Our problem is with the State and the Governor's proposed Indian Gaming Initiative.

The Memorandum of Understanding Regarding Government to Government Matters between the State and the St. Croix Chippewa (copy attached) which is part of the Compact Agreement states in part "it is agreed that the Governor shall undertake his best efforts within the scope of his authority to assure that monies paid to the State hereunder shall be expended upon:

1. Economic development initiatives to benefit Tribes and/or American Indians within Wisconsin,
2. Economic development initiatives in regions around casinos,
3. Promotion of Tourism within the State of Wisconsin,
4. Support of programs and services of the County in which the Tribe is located, and
5. Law enforcement initiatives on reservations."

Upon review of the Indian Gaming Initiative included in the Governor's proposed budget, the State clearly falls short of meeting the commitments contained in the Compact. In many instances it appears the proverbial budget "shell game" is being played. Programs that had been funded with General Purpose Revenue (GPR) funds are now being funded by Indian Gaming revenue, thereby freeing up GPR funds for other areas and uses.

Of particular concern to Burnett County is the total and I mean total absence of any funding to fulfill commitment #4 "Support of programs and services of the County in which the Tribe is

located." Burnett County spends nearly \$500,000 annually on out-of-home placement of juveniles and over 50% of these placements are Native American. Burnett County spends over \$1.1 million annually for our Court System, District Attorney's Office and Jail. The Jail population consistently averages over 40% Native American. The costs for these services are borne by the property taxpayers of Burnett County. This burden is being placed on citizens of the County whose average annual income is 27% below the State average.

We have been told that the Compacts provide for local units of government to negotiate individually with the Tribe to secure funding for services that are provided. Why should the Tribe negotiate with us? They have in good faith lived up to their obligation of providing funds to the State that were supposed to be used to pay for the programs and services provided by the County in which they are located. It is the State that failed to do what they said they would do. Why should the Tribe pay twice?

This is a severe injustice that has been dealt to the County and to the Tribes and it must be rectified. I certainly hope members of this Committee will see fit to do so. Thank you.

Attachment

**MEMORANDUM OF UNDERSTANDING REGARDING GOVERNMENT TO
GOVERNMENT MATTERS**

This Memorandum of Understanding is entered into by and between the St. Croix Chippewa Indians of Wisconsin ("TRIBE") and the State of Wisconsin ("STATE").

WHEREAS, TRIBE and STATE on this date have entered into Amendments to the St. Croix Chippewa Indians of Wisconsin and the State of Wisconsin Gaming Compact of 1991; and

WHEREAS, said amendments provide for the payment of monies by TRIBE to STATE; and

WHEREAS, the parties desire to specify the usage to be made of such monies; and

WHEREAS, the parties wish to meet on a regular basis to address government to government issues of mutual concern;

NOW THEREFORE IT IS AGREED that the Governor shall undertake his best efforts within the scope of his authority to assure that monies paid to the STATE hereunder shall be expended upon:

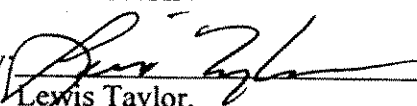
- 1) Economic development initiatives to benefit Tribes and/or American Indians within Wisconsin,
- 2) Economic development initiatives in regions around casinos,
- 3) Promotion of tourism within the State of Wisconsin,
- 4) Support of programs and services of the County in which the Tribe is located, and
- 5) Law enforcement initiatives on reservations.

IT IS FURTHER AGREED that the STATE and the TRIBE shall establish a schedule of regular meetings to address government to government issues of mutual concern.

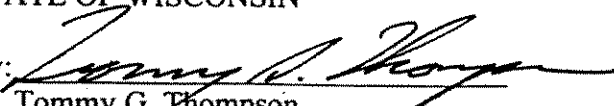
IT IS FURTHER AGREED that the STATE shall consult with the TRIBE regarding the content of the proposals for distribution of the monies paid to the STATE hereunder.

IT IS FURTHER AGREED that the STATE and the TRIBE shall negotiate additional memoranda of understanding on government to government issues of mutually agreed upon concerns no later than December 19, 1998 and each December 19 thereafter for the duration of this Compact. One meeting between the STATE and the TRIBE each year shall contain an accounting of the funds expended in accordance with this agreement.

ST. CROIX CHIPPEWA INDIANS
OF WISCONSIN

By: 
Lewis Taylor,
Tribal Chair

STATE OF WISCONSIN

By: 
Tommy G. Thompson,
Governor

Date Signed: 6/18/98

Date Signed: June 18, 1998

TESTIMONY OF DONALD CARLEY, SECRETARY-TREASURER
LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

Wednesday, April 14, 1999

Honorable Committee Members, I am Donald Carley, Secretary-Treasurer of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians. I came here to express the great disappointment that LCO shares with other Tribes over the approach taken by Governor Thompson and the Department of Revenue as to the proposed expenditures being termed "Governor's Native American Gaming Initiative." These monies, in excess of \$20,000,000 per year, are available to the State for particular usage pursuant to Memoranda of Understanding which were signed in connection with gaming compacts that the State negotiated separately with each Tribe, including ours. These are not general revenues. ~~_____~~
~~_____~~

In the agreement that our Tribe signed with the State, the monies that we annually pay from gaming revenues, initially \$420,000 per year, are to be used for

- 1) Economic development initiatives to benefit Tribes and/or American Indians within Wisconsin
- 2) Economic development initiatives in regions around casinos
- 3) Promotion of tourism, and
- 4) Support of programs and services of the county in which the Tribe is located.

The Agreements also provide that the Tribe and the State are to address issues on a government-to-government basis. Despite this express mandate, it was only on the holiday before the Governor's budget message that we and other Tribes were contacted regarding the budget initiatives, and, even then, we only received a fax to preview what the Governor was to announce the next day.

The recommendations for the Governor's Native American Gaming Initiative appear to be directed to filling holes in the governor's budget with little guidance from the Agreements we executed in good faith. We understood that the monies we contributed would address needs of American Indians and the counties where our reservations are located.

The proposed "Gaming Initiative" budget includes suggested expenditures that are not specified in Tribal agreements at all, and which in some cases are even offensive to Indian people. Examples include:

- 1) hiring an attorney for the State to fight Indian jurisdictional issues with Indian tribes;
- 2) paying \$2,000,000 per year to the Department of Natural Resources to avoid increases in hunting and fishing licenses while our treaty rights continue to be ignored;
- 3) spearfishing enforcement;
- 4) snowmobile-related expenditures.

Some portions of the proposed Gaming Initiative provide for expenditures that should be redirected in a manner consistent with the Agreements.

For example: Monies would be used to give the Department of Tourism \$4,000,000 during each of the two years without any designation whatsoever, rather than targeting the monies to the counties where Tribes have casinos. A better approach would be to use the JEM process which provides 50% matching grants for tourism promotion to counties and Tribes where the casinos are present.

As another example: Economic development monies under the Gaming Initiative would not be provided to enhance the opportunities facilitated by the businesses we have built up, but rather they are proposed to be directed to parties "negatively impacted by gaming." We need cooperation and opportunity, not confrontation. Additionally, the focus should be on counties in

the immediate vicinity of tribal casinos.

There are programs that have been previously funded within the Wisconsin State Budget and others that were suggested in the budget process by the Departments of State government that would far better serve Tribes, and the State, than many of the suggestions for expenditures in the Governor's Budget. Examples include:

- a) grants to school districts to hire specialists in American Indian culture and history;
- b) development of capacities by Tribes and the State to address Indian child welfare matters;
- c) American Indian student assistance;
- d) block grants to address health needs for Tribes and surrounding counties;
- e) Badger-link Internet programs into schools, homes and libraries.

I would note also that much of the Gaming Initiative budget consists of shifting existing obligations of State government for replacement by monies from Tribes.

The Tribal-State Compacts each provide for revenue sharing whereby monies raised would be directed to Tribes generating the least gaming revenues. This is not even addressed in the Governor's Gaming Initiative. Rather, all the monies would be directed to the State for redistribution, largely without any benefit to Indian people at all. Understandably, we find this offensive.

Another troubling element in the budget is the recommendation that cigarette tax revenues raised within Indian reservations be subject to a new split, not the 70% to the Tribes and 30% to the State, as required within contracts between the State and each of the Tribes, save one. Rather, it is suggested that the State unilaterally break these contracts and impose an new 50-50 split.

What does it say about a state government that enters into agreements and then chooses to break

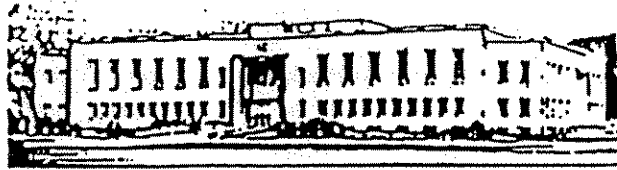
them? It is incomprehensible that you are actually being asked to legislate to break contracts.

We ask of you a fair consideration of the topics I have only been able to highlight. Now that the Gaming Initiative has been separated from the General Budget, a Joint Finance Committee meeting should be scheduled to specifically consider usage of these monies and to provide Tribes and interested citizens with an opportunity to comment.

We must be fair with each other. There is room for differences of opinion as to how goals would best be served. I would submit that it does not serve either the goals of the Tribes or those of the State for Wisconsin to simply ignore agreements with Tribes.

Thank you for your consideration.

Courthouse
311 North Main Street

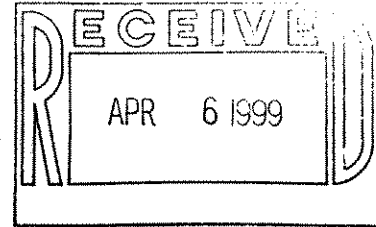


April 1, 1999

SHAWANO COUNTY BOARD OF SUPERVISORS

Shawano, Wisconsin 54166

Representative John Gard, Co-Chair
Joint Finance Committee
Room 315 North
State Capitol Building
Madison, WI 53703



Dear Representative Gard,

I am writing to express Shawano County's extreme disappointment with the components of Governor Thompson's Native American Gaming Initiative as described in the Governor's proposed 1999 - 2001 State budget. This proposal would take over \$42 million in funds intended for use in Counties containing gaming facilities and spend it almost entirely on State programs, many of which replace existing programs already funded by the State. This action breaks a trust that the Governor established with the Tribes and Counties when the compacts were signed. The compact negotiated with the Sockbridge-Munsee Tribe indicates that, "The Governor shall undertake his best efforts within the scope of this authority to assure that monies paid to the State will be used for . . . Support of programs and services of the County in which the Tribe is located." Only one of the 31 programs in the Initiative, the County-Tribal Law Enforcement Fund, even refers to County government. There is no recognition of increased County expenses for human services, transportation, jails or courts related services that result directly from gaming activities. Shawano County is experiencing increasing service needs in all of these areas.

Unlike the State, Counties operate with a tax rate limit. Our revenue raising ability has been restricted by the State. Now it appears that Counties are being denied use of an alternative to the property tax while still being expected to fund activities resulting from gaming. The State has many different methods available for raising revenue. The State should use existing sources to fund its programs, not usurp a funding source designated for Counties.

We would hope as the Legislature deliberates the Budget that it would recognize the responsibility that the State has to support counties which contain gaming facilities. The language in the compacts acknowledges this responsibility. Unfortunately the Governor's Initiative ignores this commitment and instead uses the money intended for Counties to fund State programs. The Legislature should correct this mistake and direct these funds to programs operated by Counties which contain gaming facilities.

Sincerely,

Clarence Natzke
County Board Chairman

Cc: Governor Thompson
County Board
Members of the Joint Finance Committee
Senators Cowles and Breske
Representatives Ainsworth and Seratti
Robert Chicks, President, Stockbridge-Munsee Tribe
Apesanahkwat, Chairperson, Menominee Indian Tribe
Wisconsin Counties Association

GEORGE C. MCDOWELL

County Auditor
(715)726-7948
FAX (715)726-7987



CARLA BROWN

Deputy Auditor
(715)726-7946

LORI ZWIEFELHOFER

Deputy Auditor
(715)726-7947

711 N. Bridge Street
Chippewa Falls, WI 54729-1876

April 12, 1999

The Honorable Members of the State of Wisconsin Joint Finance Committee
Osceola Public Hearing

Re: Chippewa County Quality of Life/Land Stewardship Program

Dear Members of the Joint Finance Committee,

For the past year, Chippewa County has been working on the creation of a Quality of Life/Land Stewardship program, which we feel is now ready to commence. It is felt that the County has a narrow window of opportunity to achieve the goals of the program and that there may not be another opportunity to accomplish these goals. Time is a very critical factor. Chippewa County believes that this pilot program needs to be included in the State Stewardship 2000 Program bonding and funding initiatives.

The program is designed to increase the amount of lands under public ownership for the benefit of future generations. The County has targeted over 10,000 acres with over 400 largely undeveloped lakes to be purchased and added to the Chippewa County Forest to be managed for timber, wildlife, water quality, recreation and ecosystem maintenance. The Chippewa County Board has committed \$1.7 million over an eight-year period to accomplish this program. The Chippewa Valley Outdoor Resource Alliance has been formed as a not-for-profit group by conservation groups within the County to help facilitate this program. The Wisconsin DNR is on board as a partner. Immediate State funding is needed to make the program a success.

This purchase has the significance of projects like the Ice Age Trail, the Chippewa Morain, and the Ice Age National Scientific Reserve. The County has a very narrow window of opportunity to acquire these lands from willing private sellers, but time is of the essence. Land costs are rising significantly, and outside developers are inquiring about some of these properties. There are significant recreational opportunities involved that depend upon these purchases. Also, economic development will be controlled and enhanced for the surrounding areas.

Attached is a sheet of Public Hearing Information, a letter of commendation from DNR Secretary George Meyer, a sample of letters and information sent to our area legislators, and a rough copy of the Proposed Statutory Changes for the 1999-2001 State Building Program, including an approved amendment to the Stewardship 2000 Program for your review.

Chippewa County is requesting your support for inclusion of the Chippewa County Quality of Life/Land Stewardship Program as a special pilot project in the Stewardship 2000 Program. Your consideration of this request is greatly appreciated. Please let us know if further information is needed regarding this request.

Respectfully,

A handwritten signature in cursive script that reads "Richard G. Schafer".

Richard G. Schafer, Chippewa County Finance Committee Chairman

cc: Thomas J. Goettl, Chippewa County Board Chairman

Public Hearing Information

I. Chippewa County Stewardship/Chippewa County Quality of Life Plan

- A. County has put in \$1.7 Million over 10 years ***
- B. Local Chippewa Valley Outdoor Resource Alliance supports the project with grass roots support. ***
- C. Partnership with non-profit, County Government, State Government and potential Federal Government ***

II. Property

- A. National and State recognition of the significance of Chippewa County's Lake Region ***
 - 1. Ice Age Trail
 - 2. Chippewa Morain
 - 3. Ice Age National Scientific Reserve
- B. Water Quality, lakes classification-significant water resource
- C. County Forest, green spaces - significant land resource
- D. Recreational Quality
 - 1. Hiking trail for geological factors
 - 2. Observation & Education of significant biological communities, (ie) small lake eco-systems, marsh, mix hardwoods, etc.
 - 3. Canoe portage - hiking trail through County and State properties. Management Partnership ***
 - 4. Increased opportunities for hunting, fishing, trapping, berry picking, etc.
 - 5. Cross Country skiing, snowmobiling and ATV recreation
 - 6. Multiple outdoor recreational use as described above ***
- E. Economics for the Chippewa Valley
 - 1. Preserving these key lands for Public use preserves, a key attraction for people to locate in the Chippewa Valley.
 - 2. Close proximity to Chippewa & Eau Claire Counties gives the communities a recreational base to attract high tech industries and their employees
 - 3. Preserving these lands for recreational & other factors helps to focus development outside these lands, ensuring this key attraction remains for many future generations.

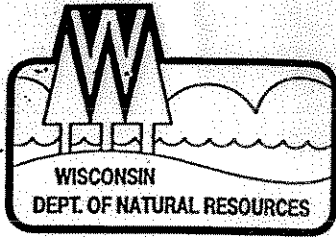
III. Key Issues

- A. Land acquisition from willing sellers
- B. Easements from willing landowners for water quality
- C. Land cost going up - State & National significant. We need State & Federal Dollars!!!
- D. Local commitment is already there at \$1.7 million
- E. True partnership to accomplish task
- F. Local control, local project with partnering a ground level project
- G. Pilot project to accomplish a task through partnership that would otherwise not be obtainable. Can be a model for other groups & Counties

IV. Issues Current Stewardship 2000

- A. Must use appraised value at market value not tax assessment value for matching funds
- B. Need category for significant projects like ours
- C. Need separate formula for funding options that could exceed the 50%
- D. Allow monies for County projects & lands to be in County ownership
- E. Put more of the monies into aids for Counties & non-profit conservation groups

***** denotes key buzz words*****



State of Wisconsin | DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

October 22, 1998

Thomas Goettl and Richard Schafer
Chippewa Co. Board of Supervisors
c/o County Auditor's Office
Chippewa County Courthouse
711 N. Bridge Street
Chippewa Falls, WI 54729

SUBJECT: Chippewa County Quality of Life Initiative

Dear Mr. Goettl and Mr. Schafer:

I recently received news of the initiative you are considering to enhance your County Forest Lands. I'd like to extend my personal congratulations to each of the County Board Supervisors, Chippewa County officials, partners and organizations who've assumed leadership roles in pursuit of this initiative. Together, you and the residents of Chippewa County are taking an important step toward preservation of your county's natural heritage and protection and enhancement of recreational opportunities in one of Wisconsin's most beautiful and geologically rich areas.

The availability of core funding through county sales tax revenues would place Chippewa County in an excellent position to benefit from a variety of matching grant programs financed through the state Stewardship Fund. Your strong partnership with outdoor and environmental clubs and organizations represented by the Chippewa Valley Outdoor Resource Alliance further broadens the availability of those resources.

Our West Central Region staff stands ready to help you and your partners make the best possible use of grant, loan and technical assistance programs designed to help you stretch and protect your investment. We're confident your initiative will serve as an important example of achievement made possible through cooperation between state, county and local governments and non-profit conservation organizations.

We hope you and your partners will share your enthusiasm and news of your successes with other public officials and committees now considering re-authorization of Wisconsin's Stewardship Fund. The Stewardship Fund has been a vital tool in preserving the quality of life that people have come to expect in Wisconsin. If continued, we hope to see it play an important role in protection of the diverse forest types, undeveloped lakes, scenic vistas, and exceptional recreational opportunities that Chippewa County has been blessed with.

Sincerely,

George Meyer
Secretary



GEORGE C. MCDOWELL
County Auditor
(715)726-7948
FAX (715)726-7987



CARLA BROWN
Deputy Auditor
(715)726-7946

LORI ZWIEFELHOFER
Deputy Auditor
(715)726-7947

711 N. Bridge Street
Chippewa Falls, WI 54729-1876

April 12, 1999

State Senator David A. Zien
State Capitol, Room 4 South
P. O. Box 7882
Madison, Wisconsin 53707-7882

21 E. Columbia St.
Chippewa Falls, Wisconsin 54729

Re: Proposed Statutory Changes to the Stewardship 2000 Program.

Dear Senator Zien,

Chippewa County recently received the attached copy of the Proposed Statutory Changes to the 1999-2001 State Building Program, including an approved amendment to the Stewardship 2000 Program giving substantial annual bonding authorization for a special Lake Michigan bluff protection pilot program. We strongly feel that Chippewa County has a very critical pilot program that should be included on this list.

For the past year, Chippewa County has been working on the creation of a Quality of Life/Land Stewardship program, which we feel is now ready to commence. It is felt that the County has a narrow window of opportunity to achieve the goals of the program and that there may not be another opportunity to accomplish these goals. Time is a very critical factor. Chippewa County believes that this pilot program needs to be included in the State Stewardship 2000 Program bonding and funding initiatives.

These programs are ready to go. There is a County commitment of \$1.7 million towards this initiative. There are willing sellers and easements from willing landowners available. The Chippewa Valley Outdoor Resource Alliance has been incorporated as a not-for-profit representing all conservation groups within the County to help facilitate these goals. The DNR is on board as a partner. The local support and effort is there to accomplish these objectives.

The ability to obtain these goals will help develop recreational opportunities on these lands, which are already of State and national significance (i.e. the Ice Age Trail, the Chippewa Morain, and the Ice Age National Scientific Reserve). Economic development opportunities in the tourism area will be enhanced. Maintaining the quality of life in the area will make the surrounding areas more attractive for development. Targeted areas will be preserved for future generations, not future private owners.

However, time is of the essence. Land costs are rising dramatically. There is competition from outside developers to develop some of the areas targeted in this objective before the County can acquire them. Therefore, it is imperative that this Chippewa County Quality of Life/Land Stewardship pilot program be added to the State Stewardship 2000 Program before what could be the final opportunity passes us by.

The Quality of Life part of the program is designed to increase the amount of lands under public ownership for the benefit of future generations. These benefits include:

1. Providing large forested tracts of land to be managed for timber, wildlife, water quality, recreation and ecosystem maintenance as part of the Chippewa County Forest.
2. The protection of sensitive wetlands and stream corridors from soil erosion and non-point pollution sources.
3. The preservation of undeveloped lakes for current and future recreation opportunities while protecting the quality of the waters from pollution problems caused by development.
4. The creation of green spaces around designated urban sites for future generations.

The County has identified approximately 10,000 acres in northern Chippewa County to acquire to achieve these goals. This area includes over 400 mostly undeveloped lakes.

The Land Stewardship portion of the program will be established to meet long-range and resource management objectives in Chippewa County. These objectives would include:

1. The purchasing of development rights or conservation easements in order to achieve land use policy objectives specified in approved Township or County land use plans. Examples would be the purchase of easements to preserve farmland, woodlots, environmental corridors, shorelands, wetlands, municipal well recharge areas, or planned open space.
2. The purchase of land through fee title for future community needs.
3. The restoration or reclamation of degraded lands having direct public benefit.
4. The purchase of land or easements in support of local fish and wildlife habitat development and improvement projects.
5. Providing cost-share funding to assist landowners to plan and construct best management practices to control stormwater runoff and/or non-point source water pollution from existing sources.

The County is currently working with local townships to obtain these goals.

Chippewa County is requesting your assistance in adding this pilot program to the State Stewardship 2000 Program list. Attached is a list of public hearing information as well as the information received regarding the Stewardship 2000 Program. If there are any questions regarding this request, please call me.

Respectfully,



George C. McDowell, C.P.A., C.G.F.M.
Chippewa County Auditor

Cc: Thomas J. Goettl, Chippewa County Board Chairman
Richard G. Schafer, Chippewa County Finance Committee Chairman
State Representative Tom Sykora
State Representative Larry Balow
United States Senator Herbert Kohl
United States Representative David R. Obey
United States Representative Ron Kind
George Meyer, DNR Secretary
Bruce Neeb, DNR Government Outreach

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711 N. Bridge Street
Chippewa Falls, WI 54729-1876

April 12, 1999

State Representative Tom Sykora
Room 310H, 100 N. Hamilton St.
P. O. Box 8953
Madison, Wisconsin 53708

912 Pearl St.
Chippewa Falls, Wisconsin 54729

Re: Proposed Statutory Changes to the Stewardship 2000 Program.

Dear Representative Sykora,

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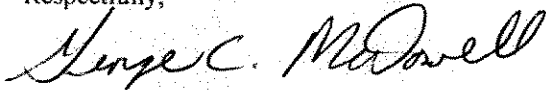
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711 N. Bridge Street
Chippewa Falls, WI 54729-1876

April 12, 1999

State Representative Larry Balow
409 N. State Capitol
P. O. Box 8952
Madison, Wisconsin 53708

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Proposed Statutory Changes 1999-2001 State Building Program

10. Stewardship 2000 Program

A. Modifies the language of the existing Warren Knowles-Gaylord Nelson Stewardship Program to allow the remaining bonding authority to be spent beyond FY00.

B. Creates the Stewardship 2000 Program which will provide \$350 million of bonding authority over 10 years (from FY01 to FY10) for land acquisition, property development and local assistance. The following categories, except as indicated below, are administered by the Department of Natural Resources (DNR):

1) **Land Acquisition**

This category will provide bonding authority for general land acquisition, which includes, but is not limited to, acquisition of land and conservation easements for:

- a) State forests, state parks, state shooting, trapping or fishing grounds or waters, state fish hatcheries, state forest nurseries or experimental stations, state recreation areas and state natural resources areas;
- b) State trails, including grants for trails;
- c) Preservation of endangered or threatened species;
- d) Lower Wisconsin State Riverway;
- e) Natural areas;
- f) Ice Age Trail;
- g) Habitat areas and fisheries;
- h) Stream bank protection.

2) **Property Development**

This category will provide bonding authority for property development on DNR lands and on conservation easements adjacent to DNR lands, including \$500,000 in FY01 for the Milwaukee Lakeshore State Park (\$500,000 will be allocated in FY00 from the current program).

3) **Local Assistance**

This category will provide bonding authority for local assistance programs, including, but not limited to, grants for urban green space, local parks, urban rivers and other recreational projects. In each year, \$1 million will be set aside for projects related to brownfields redevelopment. If federal funding becomes available for grants to local units of government for conservation and recreational activities, an amount of bonding authority equal to the federal funding will be transferred from this category to the Land Acquisition (75%) and Property Development (25%) categories.

4) **Conservation Reserve Enhancement Program**

This category will provide \$40 million of bonding authority as state match for the federal Conservation Reserve Enhancement Program (CREP). The funds would be administered by the Department of Agriculture, Trade and Consumer Protection (DATCP) and be used to provide one-time incentive and cost-sharing payments to farmers who enter into 15-year contracts with the federal government to set land aside for water quality or grassland bird habitat improvement and protection. The funds may also be used to acquire state easements that extend beyond the 15-year federal contract period.

Why not out of Greenland Preservation

80% of 20%

5) **Bluff Protection**

This category will provide \$500,000 of bonding authority annually from FY01 to FY04 for acquisition of bluff land or conservation easements to protect bluff land. DNR may acquire the land or easements directly or award grants to local units of government or nonprofit conservation organizations for acquisition. Any unused bonding authority at the end of FY04 will be redistributed to the Land Acquisition (75%) and Property Development (25%) categories.

No Department of Agriculture access

- 6) **Baraboo Hills** - *Needs to be spent by 2006 & reverts to land acquisition program*
- This category will provide \$5 million of bonding authority in FY01 for acquisition of land or conservation easements to protect the Baraboo Hills. The Department of Natural Resources may acquire the land or easements directly or award grants to local units of government or nonprofit conservation organizations for acquisition. The bonding will be released as matching funds become available. The match must be raised by 2005, and 50% of the match must be provided from federal non-transportation sources.

*Blanchon
Randy Max
J. J. Jaminet*

C. Adjustments to Categories

In addition to the adjustments listed under the Local Assistance and Bluff Protection categories, the following adjustments may be made to the Stewardship 2000 categories:

- 1) Any authority not expended or encumbered in a previous fiscal year is added to the current fiscal year's authority for each category;
- * 2) If the Natural Resources Board finds that insufficient funding is available for a project or activity; that the land involved in the project or activity covers a large area or is uniquely valuable in conserving natural resources; and that delaying or deferring all or part of the cost to a subsequent fiscal year is not reasonably possible, DNR may:
 - a) Increase by up to 50% the annual bonding authority in the Land Acquisition, Property Development, Local Assistance and Bluff Protection categories;
 - b) Transfer authority between the Land Acquisition, Property Development, Local Assistance and Bluff Protection categories. This does not apply to the Bluff Protection category after June 30, 2004.
- * 3) If the Board of Agriculture, Trade and Consumer Protection finds that insufficient funding is available for the state match for CREP in a fiscal year and that delaying all or part of the cost to a subsequent fiscal year is not reasonably possible, DATCP may increase the annual bonding authority by up to 50% of the annual bonding authority.
- 4) The Board of Agriculture, Trade and Consumer Protection may approve a transfer of bonding authority from the CREP category to the Land Acquisition, Property Development and Local Assistance categories. Require the board to reimburse the current Stewardship general land acquisition category for any CREP payments made by DNR before July 1, 2000.
- 5) If a transfer or increase is made to a category, a reduction to the increased category will be made in the following or a subsequent fiscal year in an amount equal to the transfer or increase. Transfers from the CREP category after June 30, 2004, are not subject to this reimbursement requirement.

D. Limitations

- 1) DNR must submit any expenditure or encumbrance for a project or activity that exceeds \$250,000 to the Joint Committee on Finance for passive approval before the expenditure or encumbrance is made.
- 2) DNR must report to the Governor the property tax assessments for the three most recent taxable years for any land proposed for acquisition under the Land Acquisition, Bluff Protection and Baraboo Hills categories
- * 3) DNR may award grants for land acquisition which provide 50% state match, where the state match equals 50% of the average of the property tax assessments for the three most recent taxable years.
- 4) DNR may not expend or encumber funds for the acquisition or development of golf courses.
- 5) DNR may not award grants to a local unit of government which acquires the land involved in the project or activity by condemnation.
- 6) DNR may not award grants to a city, village or town for the acquisition of land that is outside the boundaries of the city, village or town unless both the acquiring government and the city, village or town in which the land is located approve the acquisition.

E. Annual Funding Levels - See Attached

~~APP~~ APPROVED AMENDMENT

**Proposed Statutory Changes to the Stewardship 2000 Program
Motion to Create a Lake Michigan Bluff Protection Pilot program
State Building Commission: 1999-2001 Capital Budget
March 17, 1999**

REQUEST: Requests authority to transfer \$1,400,000 of stewardship funds (\$750,000 from the Land Acquisition category and \$650,000 from the Property Development category) to provide one-time funding (beginning in FY 01) for a Lake Michigan bluff protection pilot program.

PROJECT DESCRIPTION: Under the Lake Michigan bluff protection pilot program, the DNR may award matching funds (50-50 split) to cities, villages, towns or counties to purchase Lake Michigan bluff land for restoration and preservation. The pilot will be conducted in the area defined by the Public Lands Survey System as Ranges 21, 22, 23 and Towns 9 through 12.

JUSTIFICATION: The erosion and recession of shorelines and bluffs constitutes one of the more difficult and costly problems facing local governments and private property owners along the Lake Michigan coastline. From 1963 through 1995, average rates of bluff recession ranged up to about 10 feet per year in Southeastern Wisconsin, although episodic rates were as high as 100 feet during major storms. For this reason, shoreline erosion and bluff stability conditions are important considerations in planning for the sound development and redevelopment of land located along the Lake Michigan shoreline.

BUDGET: \$1,400,000

Stewardship Program

Proposed Annual Bonding Authorization

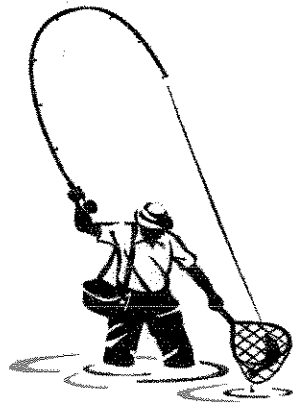
Fiscal Year	Total Bonding Authorization	Land Acquisition	Property Development	Local Assistance	CREP	Bluff Protection	Baraboo Hills
2001	\$25,000,000	\$6,325,000*	\$2,875,000*	\$2,300,000	\$8,000,000	\$500,000*	\$5,000,000
2002	\$25,000,000	\$6,875,000	\$3,125,000	\$2,500,000	\$12,000,000	\$500,000	\$0
2003	\$27,000,000	\$9,075,000	\$4,125,000	\$3,300,000	\$10,000,000	\$500,000	\$0
2004	\$30,000,000	\$10,725,000	\$4,875,000	\$3,900,000	\$10,000,000	\$500,000	\$0
2005	\$33,000,000	\$18,150,000	\$8,250,000	\$6,600,000	\$0	\$0	\$0
2006	\$36,000,000	\$19,800,000	\$9,000,000	\$7,200,000	\$0	\$0	\$0
2007	\$39,000,000	\$21,450,000	\$9,750,000	\$7,800,000	\$0	\$0	\$0
2008	\$42,000,000	\$23,100,000	\$10,500,000	\$8,400,000	\$0	\$0	\$0
2009	\$45,000,000	\$24,750,000	\$11,250,000	\$9,000,000	\$0	\$0	\$0
2010	\$48,000,000	\$26,400,000	\$12,000,000	\$9,600,000	\$0	\$0	\$0
Total	\$350,000,000	\$166,650,000	\$75,750,000	\$60,600,000	\$40,000,000	\$2,000,000	\$5,000,000
% of Total		48%	22%	17%	11%	1%	1%

* - 750,000

-- 650,000

\$1,9M

02/28/20



Ted L. Mackmiller

1304 Fifty-third Street
Hudson, Wisconsin 54016
E-mail: rumackmi@presenter.com
Phone: 715 549-6777
715 549-6775
651 439-2228

April 14, 1999

State of Wisconsin Joint Finance Committee
Committee Hearing April 14th, 1999
In Osceola, Wisconsin

SUBJECT: Wisconsin Rivers & Streams Protection Grants Program.

Dear Committee Members:

The Chairman of the Wisconsin State Council of Trout Unlimited Water Resources Committee, Gary Horvath, has authorized me to present this letter to you urging you to support the Wisconsin Rivers & Streams Protection Grants Program. We commend Governor Thompson for including this program in his budget.

We also urge you to support Senator Shibilski and Senator Cowles amendments to this program.

Clean up and better management of the State's rivers and their watersheds are essential for both our present and future welfare.

Your support is much appreciated. Thank you.

Sincerely,

Member of WI State Council TU Water Resources Committee

CC: Governor Tommy G. Thompson
Senator Robert Cowles
Senator Kevin Shibilski
Senator Alice Clausing
Representative Kitty Rhodes
George E. Meyer, DNR Secretary
Gary Horvath

**Statement to Wisconsin Joint Finance Committee, April 14, 1999, by
Audrey Kelly for the Minnesota-Wisconsin Boundary Area Commission**

Co-Chairs and Committee Members,

I am Audrey Kelly, a resident of Bayport. I thought you might be interested in knowing what the press in the St. Croix Valley is saying about eliminating the Commission.

I have copies for you of the three articles and one editorial that have appeared in local newspapers. All support continuing the Commission.

BAC

75¢

seneg

EXPRES 10-11-98
Minnesota Wisconsin Boundary Area Com.
619 2ND ST
HUDSON WI 54016

ndia, Minnesota Vol. 13, No. 46

Local legislators fight elimination of river protection agency

Country Messenger
3/31/99

By Jeff Holmquist
Editor

The future of a 34-year-old river planning and protection group could be swept away in the current flood of state government reductions.

Early in his new term, Minnesota Governor Jesse Ventura said he supported a plan to re-evaluate the Minnesota-Wisconsin Boundary Area Commission (MWBAC).

The MWBAC was established in 1965 and employs five staff members. The commission itself is made up of 10 volunteer representatives (five from each state) who are appointed by their respective governors.

The organization is charged with conducting studies on the St. Croix and Mississippi, recommending steps for the protection of the rivers, and planning for development along the states' border.

The commission recently completed a 60-meeting effort with the Lower St. Croix Planning Task Force in an effort to develop a management plan for the National Scenic

"It would appear to be a bad time to get rid of the commission."
Buck Malik

Riverway

The organization was also active in the effort to find a compromise for the proposed Stillwater bridge.

Despite the MWBAC's long history, Ventura claimed the duties of the commission could likely be handled by other agencies that oversee the St. Croix and Mississippi rivers.

Ventura's state budget proposal cut out \$183,000 in funding for the organization.

Because the MWBAC is a joint program between two states, Wisconsin's Governor Tommy Thompson also left the \$183,000 annual funding out of

River/See page 3

Page 2/Country Messenger/March 31, 1999

Jeff Holmquist
Publisher

What needs more security: Ventura's home or the river?

What's more important? Protection of an individual or protection of an entire watershed?

Gov. Jesse Ventura wants to spend an additional \$1.1 million for his family's protection. His proposal announced last week would provide security at his horse ranch and home in the northern suburbs.

The news came during the same week that supporters of the Minnesota-Wisconsin Boundary Area Commission were begging state officials for \$183,000 in continued state funding.

The commission, which has helped protect and preserve the St. Croix and Mississippi rivers since 1965, is a huge bargain in terms of the overall state budget.

Yet, Ventura (and, apparently, Wisconsin Governor Tommy Thompson) would rather the commission fold up and fade away.

Ventura may view the commission as a governmental body which seeks to institute more rules that infringe on the public's right to use the waterways.

He's dead wrong. It's a volunteer citizen group that helps to focus efforts on planning and riverway protection.

The pocket change to operate a valuable commission pales in comparison to the bucks Ventura is seeking to protect himself and his family.

I don't begrudge Ventura his right to feel safe and secure, but it comes with the territory. His family should perhaps take up permanent residence in the government mansion, which is a far more secure home.

How can Ventura justify his proposed expenditure in light of his attempts to cut the fat from state government?

Perhaps it's time for a little lesson in political dealings.

If Ventura wants his personal protection, the St. Croix should have its protection as well.

Ventura's communication director John Woodley said the governor needs to set priorities in setting his budget. "You have to do what's necessary, not necessarily what's nice," he said. "It's his job to determine what's necessary."

Woodley said the eliminated funding is not a commentary on the work of the commission. "The governor determined the mission of that particular organization could be handled through other means," Woodley said.

Gov. Thompson has spearheaded the effort to personally communicate with Ventura that he agrees with the organization's assessment of the roll. "My personal feeling is it wouldn't be a big mistake to drop the funding," he said. "The kind of money is a pitance when you look at the state budget."

If the commission has an impact on two or three river issues a year, Williams said it's a worthwhile effort. "It's been a bargain," he said. "And I don't know what's going to fill the vacuum if the commission is gone."

Williams said the MWBAC helps to coordinate enforcement efforts among all the agencies involved in the river. "Without that assistance, many more problems may surface."

"The commission makes sure the left hand knows what the right hand is doing," he said. Williams said the commission should not threaten anyone, because it has no real power. It simply serves as a watchdog for the St. Croix and Mississippi. "They don't have any power to put in rules," he said. "All they can do is suggest what the legislators should do."

Commission members met with Wisconsin Rep. Mark Pettis (R-Herf) on Wednesday, although they didn't get a firm commitment of his support. "I think both administrations (Thompson's and Ventura's) think that the commission's responsibilities are duplicated by other oversight commissions," Pettis said. "You can't have a one-legged partnership."

In his four years of working with the commission, Malik said he has learned how important the citizen group is. "At the present time, the commission is in the middle of a 25-year plan for the riverway. It would appear to be a bad time to get rid of the commission," he said.

Malik said Gov. Thompson has suggested the commission's duties be transferred to the Upper Mississippi River Basin Association. "That's not even a close fit," Malik said. "Whether they are going to be in the budget, I can't say right now," Pettis said. "All I can say is they are a very active group, and they've done a lot of good things."

Wisconsin State Senator Alice prepare for the river's future.

We've accomplished a lot. We are kind of a catalyst for getting people together.

Wayne Tomlin

Clausing (D-Memomnie) said she's been spending much of her spare time on the MWBAC issue together. "The commission has been successful in bringing the Wisconsin and Minnesota natural resources departments together to work on joint issues. The various law enforcement agencies have also been assisted. You have to have someone spearheading the effort. If you don't get the ball rolling, it won't roll."

Dan Williams, Scandia, has been working with the commission for the past two years to help develop a new management plan for the St. Croix River. "My personal feeling is it would be a big mistake to drop the funding," he said. "The kind of money is a pitance when you look at the state budget."

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Wisconsin State Senator Alice prepare for the river's future.

Wisconsin State Senator Alice prepare for the river's future.

From previous page

unique qualities, the states of Minnesota and Wisconsin would have to take responsibility for that preservation.

The Lower St. Croix Management Commission was formed to manage the river through a joint process. The basis of the management commission is that the two states and the National Park Service each have an equal say in what will happen on the river.

"As far as we know, it's the only river that has this tripartite management scheme built into the law," says Harrison. "Internally there needs to be a coordinator."

Enter the Boundary Area Commission, which isn't able to vote on issues, but acts as an intermediary between the three agencies. It represents none and it represents all, and even though there is no vote, says Harrison and Malick, there is power in knowledge and persuasion.

Not having a vote is not a bad thing, says Malick. "It's one of our strengths. We're not an overlord. We're not a ruling party."

The Boundary Area Commission has five employees, and it is governed by 10 board members, five from each state. The board members are appointed by the governor of each respective state for four-year terms.

It also has a technical committee that studies areas of concern regarding the river, and the BAC has made recommendations regarding the bridge, zebra mussel containment and more.

The vast majority of the funding for the BAC is split fairly evenly between the two states, says Malick, about \$180,000 per year for each state.

"That seems like a lot of bang for one year," says Malick.

Supporters of the Minnesota-Wisconsin Boundary Area Commission feel bushwacked by Ventura's budget proposal to close the office with a one-time appropriation of \$70,000.

Malick and Harrison were never contacted by anyone from the Ventura's budget team and are a bit perplexed. All they know is what is outlined on Page D-132 of the 2000-01 Biennial Budget:

"The Governor believes the commission represents an unnecessary duplication of effort, and should be eliminated. The commission's primary purpose is to conduct studies and make recommendations. It has no authority to enforce those recommendations, or to make them binding on any government entity. The purposes for which the commission was created largely overlap with existing programs in other agencies, and could be assumed by these agencies."

Phone calls by *The St. Croix Valley Press* to Ventura's media relations office to learn more about the recommendation were not returned.

"It sure does seem ironic," Malick says. "After all, the Reform Party is a grass roots, citizen-based party. ... And we're a citizen-based group with our 10 commissioners serving on a voluntary basis."

This is not the first time the BAC has been scrutinized. Two years ago in the House of Representatives a movement was afoot to phase out the commission. Malick and Harrison weren't sure of the motivation then either, but it came just after the National Park Service put the kibosh on the old Minnesota Department of Transportation plan to build a new bridge across the river from Oak Park Heights to Houlton, Wis. They have a sneaking suspicion that the two events were connected.

In that case, though, they point to the fact they had a

governor who supported the commission.

Also, a couple of years ago, the lieutenant governor of Wisconsin conducted a systematic study of the commission and 143 other small agencies. Harrison had to send boxes of minutes from commission meetings to Madison for scrutiny. The Boundary Area Commission survived.

Everyone realizes it is too early in the legislative game to start the dirge for the commission, but there is a level of concern. The proposal needs to go through the House and the Senate.

Malick says the commission is anxious to defend itself.

If the BAC is disbanded, says Malick, he believes the two states will be forced to hire four people to fill its role.

And that, he says, is without the extra work that the volunteer commissioners do on a day-to-day basis.

"If we get the chance to be really evaluated, I personally think our commissioners, and staff, too, will show up as people who are conservationists who will save money."

Part of the Minnesota-Wisconsin Boundary Area Commission's problem lies in its low-profile style of work.

As an agency, it prefers a "sit down at the table and talk" style of operation rather than an "in-your-face" way of doing things. It seeks consensus and avoids controversy. It was one of the first to suggest that everyone sit at a

Continued on next page



Gov. Jesse Ventura's budget proposal to cut the Minnesota-Wisconsin Boundary Area Commission caught a lot of flak by surprise, and not many details are known, even to staff members of the commission. Phone calls to Ventura's office for a more detailed explanation were not returned. Here Ventura is shown attending an education rally at the Capitol last week. (Photo by Jeff Schrock)

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From previous page

table and talk as a way of solving the sticky bridge crossing problem.

"A famous person once said, 'You can accomplish anything if you let someone else take the credit,'" says Malick. "That's been a personal philosophy of mine for several years."

Malick, a Hudson attorney who went to Harvard Law School after serving in the Navy during the Vietnam War, knows the BAC frontwards and back. He was appointed commissioner by Wisconsin Governor Tommy Thompson before stepping down to take the executive director position.

Supporters of the BAC believe the Ventura's budget team didn't look close enough at the agency before deeming it "an unnecessary duplication."

Robin Grawe, a BAC commissioner from Winona, has taken steps to assure legislators know some of the lesser known accomplishments of the Minnesota-Wisconsin Boundary Area Commission. She was at the State Capitol last week pressing her case.

Included in a handout prepared (and paid for) by Grawe are some of the following points:

• The MWBAC saves the state of Minnesota money by mediating disputes.

• The MWBAC coordinates joint-agency projects.

• The MWBAC is a voice for the citizens on river management and policy.

• It provides public education.

The agency is "just a favorite of mine," says Stillwater Republican State Sen. Gary Laidig. "Right now, if I have a question or concern (about the river), I call Buck Malick. He works with both Minnesota and Wisconsin and he is qualified to give me a response. ... The question is: If I can't call Buck Malick, who do I call? Which agency will work with Wisconsin?"

Laidig, one of the co-authors of the Wild and Scenic Rivers legislation at the state level,

The Governor believes the commission represents an unnecessary duplication of effort, and should be eliminated. The commission's primary purpose is to conduct studies and make recommendations. It has no authority to enforce those recommendations, or to make them binding on any government entity. The purposes for which the commission was created largely overlap with existing programs in other agencies, and could be assumed by these agencies.'

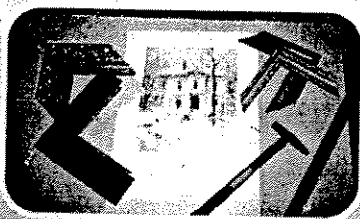
— Excerpt of Gov. Jesse Ventura's budget

'Right now, if I have a question or concern (about the river), I call Buck Malick. He works with both Minnesota and Wisconsin and he is qualified to give me a response. The question is: If I can't call Buck Malick, who do I call? Which agency will work with Wisconsin?'

— Sen. Gary Laidig

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says the move to ditch the Minnesota-Wisconsin Boundary Area Commission is in essence a way of seriously eroding the values of that special designation.

"What is it worth to enforce the wild and scenic legislation? A hundred and seventy-thousand dollars? That's probably what (Ventura's) security is," says Laidig. "The Ventura proposal is to repeal the wild and scenic legislation, pure and simple. Because the wild and scenic legislation won't be enforced."

As far as duplication of effort, Laidig disagrees. The state could have one person process-


ing income tax forms; he says but it would be a monstrous task and take a long time. Laidig rhetorically asks: Is hiring more people to process the forms to get them out in a timely fashion a duplication of effort?

Laidig also tried to get personal answers about the BA decision from Ventura's office. No luck.

"That is the number one problem. We have a government more concerned about repealing the fee on Jet Skis, the studs on snowmobiles than getting back to the problems of the state," says Laidig.

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Citizen led commission transcends big government

"Penny wise and pound foolish," as the old saying goes is what describes Governor Ventura's proposal to kill the Minnesota-Wisconsin Boundary Area Commission (BAC) in his recent budget proposal. I suspect that if the Gov really looked at the vital function that the BAC serves along the arbitrary line which separates our two states, he would un-abashedly rescind his proposal.

The BAC is a citizen-based group whose members are appointed by each state's respective governors. The citizen-commissioners are charged with managing complex, often fraught with conflict, interstate natural resource issues that abound in the St. Croix and Mississippi River border regions.

Why has there been a BAC for the past 34 years?

Imagine you have a highway that runs exactly on the boundary of two communities and serves a vital role in the area.

Who owns the highway?

Who is responsible for the upkeep and repairs?

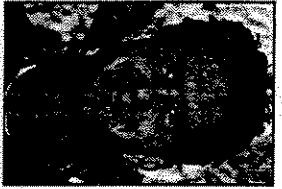
Who is responsible for making and enforcing laws.

Who manages the disputes over maintenance and upkeep?

Who plans for the future needs of the highway infrastructure?

In the world of highways and main-made infrastructure, there is a framework in place for managing these boundary entities — with natural resources such as rivers, there is not.

Thus, in 1965 the BAC was born in recognition that there was a real need to have a forum for citizens and agen-



Jon Michels
Columnist

cies in managing boundary area issues. It was the construction of the NSP Allen S. King plant, and the resulting controversy over natural resource impacts which was to serve the growing metro urban area that instigated the formation of the commission. This role of managing conflict over cross border issues really is the heart and soul of the BAC's function.

The need has grown with the population

Governor Ventura, in his announcement of the abolition of the BAC, claimed that the commission had completed its intended mission and the present functions should be rolled into other resource management agencies.

With all due respect to the governor, he could not be further from right in this statement.

As the population of the boundary area region has grown, there has been an equally growing pressure on the St. Croix and Mississippi River resources and there has been a growing incidence of conflict related to balancing resource concerns with population growth.

Granted, there are natural resource

management agencies on both sides of the rivers, but the issues and resources know no political boundaries. The BAC is vital to bridging interstate politics and resource questions between interstate entities. No other agency has the ability to function in this capacity.

What others are saying!

We have in the area three key state legislators, two who are strongly in support and one who is cautiously pragmatic about maintaining the BAC.

Senator Jane Kentz of May Township, who is the Legislative Advisory Chair to the BAC, feels strongly that the Commission should remain intact.

"Natural resources do not understand arbitrary political boundaries," she said. "It seems shortsighted."

Senator Gary Lading of Stillwater, though not contacted by this writer, indicated last week his strong support for the BAC.

Representative Mark Holsten of Stillwater acknowledges that "the Boundary Area Commission has done a tremendous amount of good in the past, but they are now in the position of having to justify their role as a natural resource expenditure to the State."

Holsten chairs the House Environment and Natural Resource Finance Committee, which will either approve or deny the governor's budget elimination for the BAC. Holsten is uncommitted at this time as to whether he is in support, but indicates he is willing to listen to the BAC when they make their case in front of his committee.

At the federal level, Sixth District

Congressman Bill Luther was supportive of the BAC for their support in managing cross border issues such as the Stillwater river crossing.

"They provided us an invaluable service in supplying historic files and correspondence dating back 20 years," he said.

Luther provided a silver lining to the cloud which hangs over the commission stating that "this will be a good opportunity for them (the BAC) to show their value to the governor."

Show me the money!

The state of Minnesota's total investment in the BAC would be \$183,000 for this year under their requested budget. The governor has recommended eliminating the commission in two years.

Now I recognize that every dollar counts, but I look at this amount as being a worthwhile investment when you consider what costs could be incurred in just one multimillion dollar litigation case over a major resource dispute.

What are the alternatives?

So, if we give the ax to the BAC, who will step in to fill the void. There currently is no other forum or agency

in which interstate resource issues can be addressed.

Shall we pass the buck on to the Feds? The federally protected St. Croix and Mississippi Rivers are natural resources that will need constant guardianship and care and interstate issues such as transportation infrastructure, urban growth planning, recreational management and environmental protection are not going to go away with the abolition of the one agency which has been tracking them.

I would venture to guess that the last thing the powers that be would want to see is an increased role of federal involvement in state and local issues.

In this era of "reinventing" big government, the loss of such a relatively low-cost, citizen-driven organization would be tragic. The Minn.-Wis. Boundary Area Commission functions like no other organization can or will. It provides a cohesive force for managing boundary area issues circumventing the federal bureaucracy and provides a framework for state, regional and local governments to resolve resource issues.

Jon Michels is a freelance writer whose columns appear every other week in the Stillwater Evening Gazette.

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Gazette Editorial

Ventura demonstrates he can be insensitive, too

Our governor, bellicose, colorful, outspoken Jesse Ventura, aka James Janos, is a sensitive guy. Poke him and he erupts. Last week, for example, he suggested term limits for capital reporters because they become cynical, etc., after a few years. The proposal, apparently serious (though who knows with Jesse?) was an obvious reaction to criticism from the press corps over various Ventura misfires.

That would include his attempted appointment to the top DNR job of a guy who has been ticketed for violating fishing and hunting laws, his suggestion that his wife receive a salary, and more recently his questionable decision to carry a weapon for self protection.

So, no wonder various news organizations, including some that are national, have set up what they call Jesse Watches. The guy is a newsman's dream. Barely a day passes that he fails to say or do something that is out of the ordinary, which is the very essence of news.

Yes, Jesse makes the news, then expresses dismay when he is criticized. So, clearly he is sensitive about how the press and the public react to what he says and does.

Unfortunately, it is questionable whether that sensitivity extends to protecting the environment. He's pro jet ski, pro snowmobile, etc.; positions that are arguable, depending on whether you own one of these machines or merely have to listen to them disturb the peace and scare off our wild critters.

We understand where Jesse is coming from on his defense of these machines, and in some respects (they are important to the livelihoods of those who manufacture them, for example, and, in the case of snowmobiles, to resort owners whose customers use them) we agree with him. But his suggestion we disband the Minnesota-Wisconsin Boundary Area Commission and the Citizens' Council on Voyageurs National Park displays an alarming insensitivity to environmental issues. Eliminating these citizen organizations would put control of our environment right back where it was: solely in the hands of politicians. That does not sound like the Ventura we elected to lead us.

Come on, Jesse. Get real.

Under the magnifying glass

A Ventura axe has supporters of the Minnesota-Wisconsin Boundary Area Commission defending the agency

Story by Keith Uhlig
Photos by Paul Dois
Design by Barbara Sloboden

The offices of the Minnesota-Wisconsin Boundary Area Commission can be considered modest.

Five employees work in a series of rooms located in the upstairs of a brick business building on the north end of the downtown Hudson, Wis.

If you visit the commission, and have to wait, you sit down in a hallway on a chair and stare directly into a copying machine just a couple of feet in front of your knees.

If you are waiting for Clarence "Buck" Malick, executive director of the commission, he just might greet you with a warm hello and a toothbrush mingling with a couple of pens in his shirt pocket. He'll most likely be wearing jeans and a casual shirt, and you'll follow him to his office. He'll take you through crowded hallways, around loaded filing cabinets. You'll pass walls that are full of posters, maps and photos of rivers.

The Minnesota-Wisconsin Boundary Area Commission is respected as a low-key agency that advocates mediation and talk in disputes which could easily disintegrate into fiery rhetoric and lawsuits. It has a distinctly environmental bent to it, but as an institution it is often a voice of moderation.

The Minnesota-Wisconsin Boundary Area Commission acts as a liaison between the two states in environmental matters, paying particular attention to the St. Croix and Mississippi rivers.

Its role is particularly important in the realm of the Lower St. Croix Wild and Scenic River, that portion running from Stillwater to Prescott.

The administration of that area falls under the jurisdiction of the Lower St. Croix Management Commission. This commission is made up of the National Park Service, the Wisconsin Department of Natural Resources, the Minnesota Department of Natural Resources and the Boundary Area Commission. The BAC is an ex officio member of the management commission, but it sits at all the meetings and

Malick and the other BAC employees also act as staff members for the Lower St. Croix Management Commission.

Confused?

That's precisely why the Boundary Area Commission exists. It is the mortar between the bricks, the glue holding the two states together. There are checks and balances in managing the river boundaries between the two states, and the BAC makes it its business to work between the two entities.

"We're the 'only man in the middle' ... that bridges all these boundary area things," says Malick.

But with a new governor elected in Minnesota, the BAC has its head on the chopping block. Gov. Jesse Ventura's recently released budget calls for the phasing out of the Minnesota-Wisconsin Boundary Area Commission. The move is mysterious and confusing for the BAC staffers and their supporters.

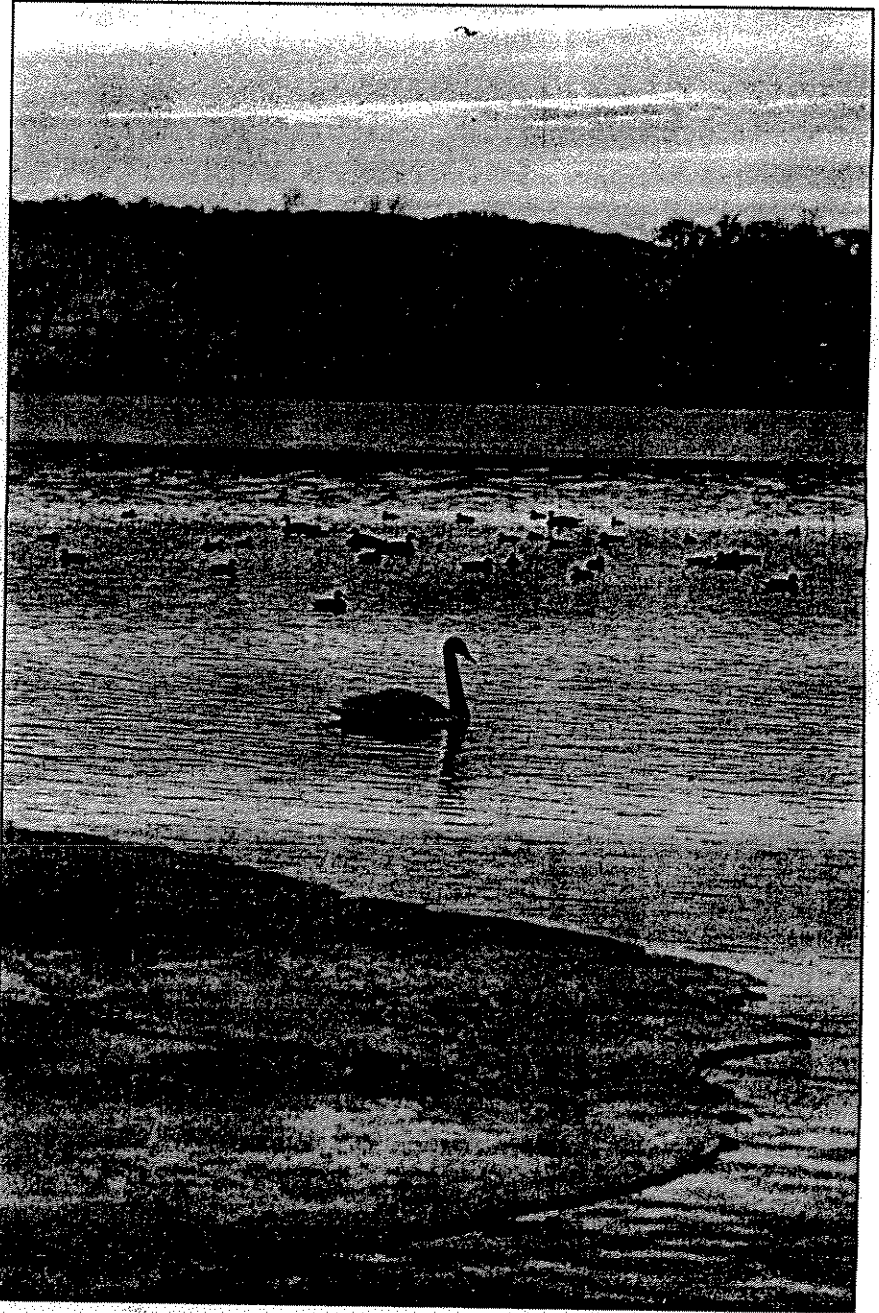
And it has got them on both the defensive and offensive as they start up a bid for survival.

In order to understand the Minnesota-Wisconsin Boundary Area Commission's role in river and land management in the area between the two states, it is important to understand its history, says Jim Harrison, BAC public affairs director.

Harrison joined the BAC on Oct. 1, 1968, the day before Lyndon Johnson signed the original Wild and Scenic Rivers Act setting up the new nationwide program for protecting outstanding rivers.

The upper St. Croix River, north of Stillwater, including the Namekagon River, was among the first group of rivers authorized under the act. Four years later, in 1972, President Richard Nixon authorized the Lower St. Croix under the act, but with a twist.

Harrison says the political environment was a conservative one, aiming for less federal government and more state emphasis. While the federal government designated the river "wild and scenic" to better preserve the



Supporters of the Minnesota-Wisconsin Boundary Area Commission, such as State Sen. Gary Laidig (R-Stillwater), believe the commission is crucial to protecting the wild and scenic legislation as it relates to the St. Croix River. Here tundra swans ply the river north of Hudson.

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Struggle to survive



Gov. Jesse Ventura moves to phase out the Minnesota-Wisconsin Boundary Area Commission

Executive Director Buck Mallick and Public Affairs Director Jim Harrison of the Minnesota-Wisconsin Boundary Area Commission are confused by a Gov. Jesse Ventura proposal to shut down the agency.

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