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☞ Details: Miscellaneous correspondence

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Natural Resources and Transportation...

COMMITTEE NOTICES ...

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

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

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



STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 West Mifflin Street, P.O. Box 7843, Madison, WI 53707-7843

PHONE: (608) 266-1311 1-800-947-8387 (WIS VETS)

WEB SITE: <http://badger.state.wi.us/agencies/dva>

E-MAIL: Headquarters@dva.state.wi.us

FAX: (608) 267-0403

Jim Doyle, Governor
John A. Scocos, Secretary

January 19, 2005

Representative Mary Hubler
Room 119 North
STATE CAPITOL

Dear Rep. Hubler:

The Wisconsin Department of Veterans Affairs (WDVA) recognizes the need to make improvements to Wildcat Road. We also feel we have and should share in this effort. WDVA has always been committed to the Northern Wisconsin Veterans Memorial Cemetery evidenced by our agreement to pave that portion of the former Wildcat Road, now Veterans Way, with our own agency funds. Because we face critical budget shortfalls and competing priorities in today's fiscal environment, WDVA proposes to assist in pursuit of any federal funding that may be available.

WDVA will continue to look at internal options as well as external opportunities regarding the request from Washburn County to financially assist with the paving of the remainder of Wildcat Road. Listed below is some background information and assistance we have provided to date.

Background: When the cemetery was constructed in 2000, the Wisconsin Department of Veterans Affairs agreed to pay the Township of Beaverbrook the amount necessary to pave the portion of Wildcat Road that runs from Highway 53 to the entrance of the cemetery. That portion of the road was paved and is now named Veterans Way.

Washburn County has asked us for financial support towards paving the remaining portion of Wildcat Road to Bobcat Road, approximately 1 mile. We were informed that the initial cost of paving would be approximately \$50,000. The county stated they could contribute \$16,000 and the township \$5,000. Washburn County Executive Committee minutes, dated January 18, 2005 asked Beaverbrook Township to send out for bids on the road. The county has also requested that the Highway Department complete a cost estimate of the actual project cost.

Highway safety concerns: Local funeral directors north of the cemetery travel in procession south on Wildcat Road to the cemetery to avoid crossing Highway 53. On average, 30 funerals per year follow this route. This number will

continue to increase as cemetery burials increase. The number of cars in a procession range from 30 to 50.

The state patrol also prefers the cemetery to route larger processions, 100 -200 cars, out of the cemetery north on the unpaved portion of Wildcat road to Hwy 70 and then back to Hwy 53. Veterans Day and Memorial Day events at the cemetery bring in 400 plus cars.

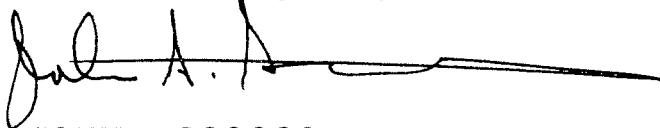
We recently contacted the director of the Cemetery Grants Program to see if Federal Cemetery Grant funds could be requested in the next cemetery expansion project. Unfortunately, that program is legally bound to only provide funds on land that belongs to the cemetery. He did however provide information on other possible grants the county could pursue.

On January 5, 2005 Mr. Peter Hubin, Washburn County Supervisor was provided information we obtained on federal and state grant programs and the local contact persons from the Wisconsin Department of Transportation. Those programs are listed as follows:

- FY 2005 National Scenic Byways Program: DOT contact: Jane Carrola (608) 266-0649
- FHWA Discretionary Programs (US DOT Federal Highway Administration): DOT contact: Rex Hendricks (608) 267-9617.
- WI State Program for The County: DOT contact: Maria Cole (608) 264-7336.

I look forward to working with you and other state and local officials in pursuit of this needed improvement.

Sincerely,
DEPARTMENT OF VETERANS AFFAIRS

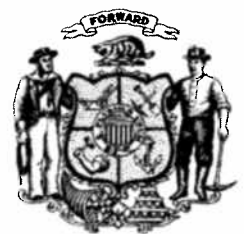


JOHN A. SCOCOS
Secretary

cc: Rep. Frank Boyle
Senator Ron Brown, Chair, Senate Committee on Veterans, Homeland Security and Military Affairs, Small Business and Government Reform
Rep. Gabe Loeffelholz, Chair, Assembly Committee on Veterans Affairs
Senator Neal Kedzie, Chair, Senate Committee on Natural Resources and Transportation
Rep. John Ainsworth, Chair, Assembly Committee on Transportation



WISCONSIN STATE LEGISLATURE





State Senator
Neal J. Kedzie

11th Senate District

February 14, 2005

Secretary Frank Busalacchi
Wisconsin Department of Transportation
120B, Hills Farms State Transportation Building
4802 Sheboygan Avenue
Madison, WI 53705

Dear Secretary Busalacchi:

Thank you for testifying last week before a Joint Hearing of the Senate Committee on Natural Resources and Transportation, the Assembly Committee on Transportation, and the Assembly Committee on Southeast Wisconsin Freeways. Your testimony was informative, and I appreciated the update from you on the Marquette Interchange and Governor Doyle's budget recommendations.

In recent weeks, a controversy has developed regarding the Department's recommendation that the North-South Corridor be re-constructed prior to the Zoo Interchange. In your testimony, you indicated that the State must begin preparing today so that it is ready to immediately begin work on the next leg once work on the Marquette Interchange is completed. To that end, Governor Doyle's budget recommends appropriating approximately \$30 million to begin preliminary engineering for the next phase.

To assist Legislators in their decision-making, I was hoping that the Department would be willing to put together a side-by-side comparison of the two projects. Specifically, I am interested in the following information being included:

- An overview of both corridors, including when each was constructed, their anticipated lifespan, and their anticipated capacities at time of construction.
- An overview of the work that needs to be performed on both routes, as well as a preliminary estimate of what each project might cost.
- The most recent traffic counts on each corridor.
- A description of the major maintenance projects that have been performed on each, as well as an estimation of how long those upgrades should last.
- Any other information that the Department believes would be beneficial to myself and other Legislators in determining which route the State should move forward with first.

Thank you in advance for your consideration of this request.

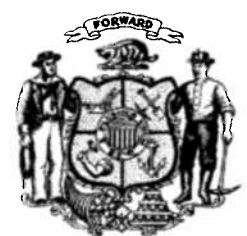
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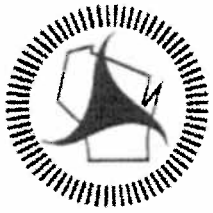
Neal Kedzie
State Senator, 11th Senate District
Chair, Senate Committee on Natural Resources and Transportation

Office: 313 South, State Capitol • Post Office Box 7882 • Madison, Wisconsin 53707-7882
(608) 266-2635 • Fax: (608) 267-5172 • Toll-Free: 1 (800) 578-1457 • Sen.Kedzie@legis.state.wi.us
District: N7661 Highway 12 • Elkhorn, Wisconsin 53121 • (262) 742-2025



WISCONSIN STATE LEGISLATURE





Wisconsin Department of Transportation

www.dot.wisconsin.gov

Jim Doyle
Governor

Frank J. Busalacchi
Secretary

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Telephone: 608-266-1113
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August 1, 2005

Dear Members of the Transportation Projects Commission:

I am pleased to provide you with the August 2005 Major Projects' financial status report as required by 2003 Wisconsin Act 217. I am pleased to report that a review will show no net cost increases in the program since the last report in February of this year.

Cost category estimates (design, real estate, construction) for 22 of the 27 enumerated projects remain unchanged from the February 2005 report. The remaining five projects had cost category estimate increases, but the Department's Change Management procedures required that these increases be offset by decreases in other categories so that the total project cost estimate remains unchanged. Cost estimates for the eight study projects have also remained unchanged since the last report.

The results of this report are indicative of the Department's commitment to delivering Major Highway projects in a cost-effective and responsible manner. The Department's Major Highway Programming Committee continues to meet on a regular basis to review the status of each major project, while implementing its Change Management system to ensure quality and control costs. The Department will continue to scrutinize all potential future cost increases on the basis of necessity, accuracy, and our overall goal of enhancing public safety.

If you have any questions about the contents or structure of this report, please feel free to contact Joe Nestler, WisDOT Chief of State Highway Program Development at (608) 264-7263.

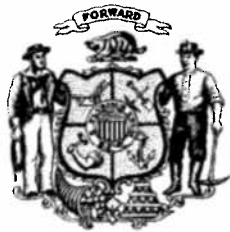
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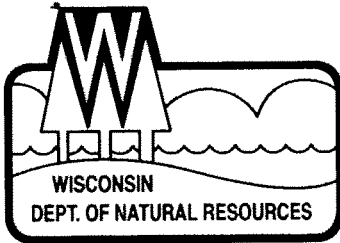
A handwritten signature in cursive script that reads "Frank J. Busalacchi".

Frank J. Busalacchi,
Secretary



WISCONSIN STATE LEGISLATURE





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

August 23, 2005

Senate Committee on Natural Resources and Transportation
Room 313 South
State Capitol
Madison, WI 53707-7882

Subject: Diesel School Bus Retrofit Program

Dear Committee Members:

The purpose of this letter is to inform you of our progress to retrofit school buses with diesel oxidation catalysts. Thanks to the efforts of the Senate Committee on Transportation, the Department of Natural Resources was able to reduce emissions on hundreds of school buses in eastern Wisconsin. In 2004, the Senate Transportation Committee, then chaired by Senator Leibham, amended 2003 Senate Bill 436 enabling the Department to leverage some of the savings from the Vehicle Inspection and Maintenance Program to retrofit about 300 school buses with the catalysts.

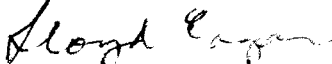
As part of a larger retrofit program, more than 600 school buses will have devices installed that reduce tailpipe emissions by as much as 50%. This not only improves the air for children riding the bus, but it also reduces emissions to help us meet our air quality goals for ozone, fine particles and visibility in Wisconsin.

To date, 300 school buses have been retrofitted and another 300-350 are underway. The fleets that have already been retrofitted include Riteway Bus Service, Durham School Services and Johnson School Bus Service. These fleets serve school districts in the counties of Milwaukee, Waukesha, Racine, Ozaukee, Washington and Sheboygan.

Our sizable project has stirred up interest throughout the state and around the nation. We received over \$22,000 in donations from local businesses and individuals, attracted more bus companies to join the program, have set a template for other states to follow, and have inspired other diesel fleets to work with us on similar projects. We are destined to see immediate and long-term air quality benefits from this project. Success is inevitable.

Thanks again for your support. Feel free to contact Jessica Lawent, 414/263-8653, Jessica.Lawent@dnr.state.wi.us, for more information about the project.

Sincerely,

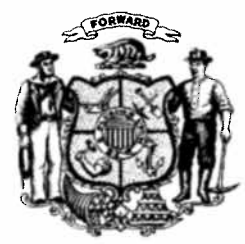

Lloyd Eagan, Director
Bureau of Air Management

Cc: Senator Joe Leibham,

Al Shea - AD/5,
Jessica Lawent - SER Air Management,
Amber Meyer-Smith - AD/5



WISCONSIN STATE LEGISLATURE





JOHN AINSWORTH

STATE REPRESENTATIVE • 6TH ASSEMBLY DISTRICT

CHAIRMAN:

COMMITTEE ON TRANSPORTATION

December 21, 2005

State Senator Neal Kedzie, Chairman
Senate Committee on Natural Resources & Transportation
Room 313 South – State Capitol
Madison, Wisconsin 53702

Dear Senator Kedzie:

Recent action by the Legislature to end indexed increases to the motor vehicle fuel tax requires us to begin the dialogue on necessary financial support of transportation projects in Wisconsin. Thus far, I have heard no suggestions pertaining to the issues of necessary revenues or reasonable reduction of costs.

I would like to begin this conversation by asking each of you to prepare two lists. One would list potential revenue sources and the second would consist of potential reductions of expenditures from the transportation fund. Please consider each item listed carefully and prioritize those included items. Use your own criteria for that priority.

After the holidays, I would like to meet and discuss your priorities with regards toward political possibilities. My office will be contacting you next year to establish a meeting date.

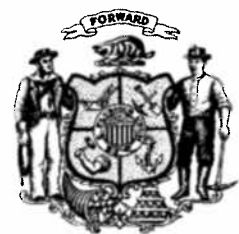
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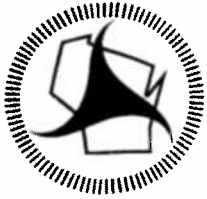
JOHN AINSWORTH
State Representative
6th Assembly District

JA/cr



WISCONSIN STATE LEGISLATURE





Wisconsin Department of Transportation

www.dot.wisconsin.gov

Jim Doyle
Governor

Frank J. Busalacchi
Secretary

Office of the Secretary
4802 Sheboygan Ave., Rm. 120B
P.O. Box 7910
Madison, WI 53707-7910

Telephone: 608-266-1113
FAX: 608-266-9912
E-Mail: sec.exec@dot.state.wi.us

February 14, 2006

The Honorable Neal Kedzie
Wisconsin State Senator
313 South, State Capitol
Madison, WI 53705

Dear Senator Kedzie:

Thank you for your concerns regarding the pavement selection process for the Marquette Interchange. This project will have a deep-strength asphalt pavement constructed on I-43, I-94, and the various ramps located within the project limits. This is a 75-year pavement design picked to match the bridge design year expectations.

Our normal pavement selection process only covers 50 years. We used two other methods to provide for the required 75-year design life. One recommended deep-strength asphaltic pavement (HMA) and the other recommended high-performance concrete pavement.

Originally the department chose to use the deep-strength asphalt on I-43 and the interchange ramps with the concrete pavement recommended for the I-94 mainline. Due to project changes in scope, the I-94 section became much shorter and, therefore, the Department made the decision to have one surface pavement structure of deep-strength asphaltic pavement (HMA).

Finally, WisDOT has not used "continuously reinforced concrete" or CPCP for many years. We believe a jointed plain concrete pavement with dowels to be much more cost effective. If there is other information the department can furnish, please contact Kevin Chesnik, our DTSD Administrator, at 608-266-6885.

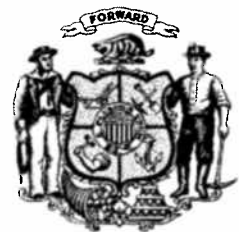
Sincerely,

A handwritten signature in black ink that reads "Frank J. Busalacchi".

Frank J. Busalacchi
Secretary



WISCONSIN STATE LEGISLATURE



**Lake Sinissippi Improvement District
PO Box 89
Hustisford, WI 53034**

March 14, 2006

Neal Kedzie, Chairman
Senate Committee on Natural Resources and Transportation
Room 313 South
State Capitol
PO Box 7882
Madison, WI 53707-7882

Re: Natural Resources Board Appointments

Dear Senator Kedzie:

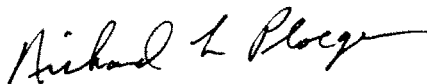
Lake Sinissippi Improvement District is a Wisconsin inland lake protection and rehabilitation district established by Dodge County. The effectiveness of our activities depends to a large extent on our cooperative efforts with, and the support of, the Wisconsin Department of Natural Resources ("DNR"). The policies and administrative regulations of the DNR as considered and approved by the Natural Resources Board ("Board") directly affect many of our programs and plans for lake rehabilitation. A responsible and responsive Board requires not only competent and dedicated members, but also timely service, term regularity of confirmed members and term rotation based on the appointment process.

We are aware that the Board does not comprise a current membership of confirmed appointees serving regular terms. The term of Steve Willett expired May 1, 2003, yet Mr. Willett is still a member of the Board. And, the vetting process on several Board appointments of Governor Doyle remains with your committee and no Senate action has yet been taken.

Sound public policy suggests that legislative action on executive appointments be made on a timely basis. Further, approval of such appointments is generally indicated, unless of course the vetting process reveals substantive defects in a nominee. We are not aware of such defects in any of the current nominees still awaiting Senate approval.

We respectfully request your committee to complete the vetting process of the unconfirmed Board nominees, so that Senate action can be taken on a timely basis.

Sincerely,

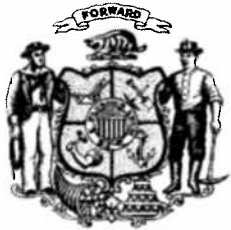


Richard L. Ploeger
Chairman

Cc: Senator Dale Schultz, Senator Alan Lasee, Senator Judith Robson, Senator Scott Fitzgerald



WISCONSIN STATE LEGISLATURE



Waterdown Farms
N5036 St. Helena Road
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waterdown@powerweb.net
www.waterdownfarms.com

March 31, 2006

Dan Johnson, Chief of Staff
Office of Senator Neal Kedzie
Room 313 South
State Capitol
PO Box 7882
Madison, WI 53707-7882

Re: Natural Resources Board

Dear Dan:

As a follow up to my recent conversations with you and Matt Phillips, I would like to confirm my concerns.

I understand that Wisconsin administrative regulation NR 243, Animal Feeding Operations, is under review by the Wisconsin Department of Natural Resources ("DNR") for possible amendments. Further, I understand that the regulation, if amended, will be considered by the Natural Resources Board ("NR Board") at its May meeting.

My first concern, and the concern of many in Dodge County, is that NR 243 not be altered in a way that reduces the ability of the DNR and local authorities to protect public water resources. Contamination of public waters, including groundwater, from animal manure runoff is a very real problem here in Oak Grove Township and in other rural communities located within dairy and livestock areas of the state. Our neighbors have become ill from drinking contaminated water. One day, someone with a suppressed immune system is going to die from ingesting manure contaminated water.

I caution that the state not further tighten a vice on our rural communities. On the one hand, we now have to contend with new state livestock siting provisions that have effectively stripped from local authorities the ability to regulate expansion of dairy and livestock operations in our backyards. And, on the other hand, any diminution in regulatory control of waste discharge and manure management practices under NR 243 will only exacerbate the water pollution problems and further tighten the vice.

The other concern I discussed with you pertains to the composition of the NR Board. I respectfully disagree with your apparent contention that legislative inaction on gubernatorial appointees to replace members whose terms of office have expired has no substantive effect on the function of the NR Board.

Public information indicates that ~~Steve Willett~~'s term of office expired May 2003, having been initially appointed and confirmed in 1991. Fifteen years on a citizen oversight board deprives the board of creativity and fresh perspectives that member replacement offers. I believe that is an important reason why such board appointments are for a term of office, rather than for life.

Dan Johnson
March 31, 2006
Page Two

~~Gerry O'Brien~~'s term of office expired May 2005, according to the same public information. Mr. O'Brien telephoned me several weeks ago to discuss a couple of issues raised in a letter I sent to him. The two issues were well contaminations from manure runoff and water pollution in Lac Courte Oreilles from a local cranberry operation.


Mr. O'Brien said that in his view someone else should take care of the well contaminations. Further, he indicated that he was one of the proponents of the decision by the Wisconsin Farm Bureau Federation to seek intervenor status in the cranberry pollution case and oppose the state's legal action against the alleged polluter. He also acknowledged that his priorities were his 2,700-acre soybean farm, the Farm Bureau and the so-called right-to-farm provision of the statutes. All of this from the individual serving as chair of the NR Board.

I think it is a stretch to conclude that the public interest is being well served in this regard.

I ask that you and the Senate Committee on Natural Resources and Transportation give serious consideration to these issues and their implications for protection of the public interest in waters of the state.

Thank you.

Sincerely,



Gregory M. Farnham

Attachment: *Dodge County Independent News* letter to the editor March 2, 2006

Cc: Senator Scott Fitzgerald

Opinion

Letters to the Editor

To the Editor,

I own farmland in the towns of Hustisford and Oak Grove in Dodge County. And, I am concerned that farm organizations and agencies appear to have turned a blind eye from the serious problems with contamination of groundwater and private wells due to runoff of animal manure.

One year ago a number of private wells in the Juneau area were contaminated with dairy manure that had percolated into the groundwater following snowmelt and runoff.

Children and several elderly people became ill from drinking manure-contaminated water. Several rural families needed to drill new, deeper wells at great financial cost to themselves.

I live close to the contamination area and had our house and farm wells tested for bacteriological quality.

This year a number of private wells in Brown County have been contaminated with manure as a result of snowmelt and runoff following application of liquid manure on frozen ground.

And, I understand that private wells near Markesan, Randolph and Watertown have been likewise contaminated.

Public records indicate that last year there were 52 major manure spills and contamination events statewide, and these rep-

resent the ones reported to the DNR. Many more spills go unreported.

Forty-four spills and contamination events resulted from runoff of manure spread on frozen and snow-covered ground. Most of the contamination events occurred during warm periods in February and March.

Regrettably, I don't see much effort being made by farm organizations such as the Dodge County Farm Bureau or the state department of agriculture to remedy this serious problem.

And I'm afraid that if we can't trust the dairy and livestock farmers to do the right thing, then our county will probably be revisited by well contamination problems next winter and every winter after that.

I ask our local farm leaders to take action to correct the water contamination problems associated with manure runoff.

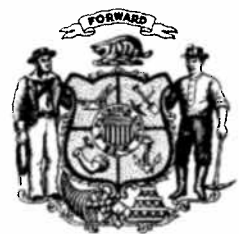
We are all members of a rural community and healthy agriculture depends on a healthy local community.

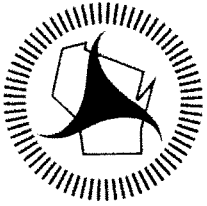
Farmers need to take responsibility and stop befouling their neighbor's land and water, otherwise the health of our communities will suffer. Ultimately, we drink from the same well!

Sincerely,
Gregory M. Farnham,
Waterdown Farms



WISCONSIN STATE LEGISLATURE





Wisconsin Department of Transportation

www.dot.wisconsin.gov

Jim Doyle
Governor

Frank J. Busalacchi
Secretary

Division of State Patrol
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PO Box 7912
Madison, WI 53707-7912

Telephone: 608-266-3212
FAX: 608-267-4495

August 11, 2006

Senator Neal Kedzie
Chair, Senate Natural Resources and
Transportation Committee
Room 313 South, State Capitol
Madison, WI 53702

Dear Senator Kedzie:

As you requested at the August 3, 2006 meeting, this letter serves as the Department's hours of service enforcement policy relating to ch. Trans 327, Wis. Admin. Code, currently under review by the Senate Transportation Committee. Chapter Trans 327 contains several changes to the current rule. The most significant change involves the minimum number of hours a driver must be off duty. More specifically, the proposed rule will require a driver to be off duty for a minimum of 10 hours rather than 8 hours as currently mandated. Although this change is not anticipated to significantly impact the majority of intrastate operations, it will result in a significant change in the way some carriers conduct business.

As a result, the Department of Transportation is committed to minimizing any adverse impacts this change may have on the motor carrier community by providing the information and outreach necessary to educate the industry on the new requirements. In addition to developing outreach material and making our staff available for meetings and conferences, the Division of State Patrol will use the first six months following the effective date of rule as an opportunity to educate drivers of the new requirements. More specifically, enforcement staff will primarily be issuing warnings rather than citations as a means of gaining compliance and educating drivers on the changes to the hours of service.

Thank you for your time and consideration in this matter. I would also like to thank you for your continued commitment to highway safety.

Sincerely,

A handwritten signature in cursive script that reads "Charles R. Teasdale".

Captain Charles R. Teasdale
Wisconsin State Patrol