

**FORESTRY, LAND, & OUTDOOR RECREATION COMMITTEE**  
**MINUTES OF MEETING # 9 - 2012**

**DATE:** June 26, 2012

**TIME:** 1:30 p.m.

**PLACE:** Committee Room 2, Court House, Rhinelander, WI

**PRESENT:** Chair Baier; Committee Members: Sorensen, Martinson, Schatzley, Shidell. Advisor Hintz. Forestry Staff: Bilogan, Bradley. Brian Desmond, Corporation Counsel. Joseph Wildcat, Lac du Flambeau member.

**OTHERS:** Sharon VanRaalte, Tracy Benzel, Lloyd & Kriste Strasburg, Karl Fate, Bob Martini, Bob Metropulos, Alan VanRaalte, Christine Neidlein, Carol Schatzley, Dee Allen, Kathleen Kelly.

**CALL MEETING TO ORDER—** At 1:05 p.m. Chair Baier called the meeting to order, noting that it had been properly posted in accordance with the procedures set forth by the Wisconsin Open Meeting Law.

**APPROVE CURRENT AGENDA WITH THE ORDER OF AGENDA ITEMS AT CHAIR'S DISCRETION—** It was moved by Sorensen, seconded by Martinson, to approve the current agenda with the order of agenda items at Chair's discretion. All aye. Motion carried.

**APPROVE MINUTES OF THE JUNE 11, 2012 FORESTRY COMMITTEE MEETING—** It was moved by Sorensen, seconded by Martinson, to approve the minutes of the June 11, 2012 Forestry Committee meeting. All aye. Motion carried.

**APPROVE PER DIEM/MILEAGE FOR COMMITTEE ATTENDEES AT UW PANEL DISCUSSION ON LAND-USE CHALLENGES OF MINING IN NORTHERN WISCONSIN, HELD ON 6/15/12 IN MINOCQUA.** Sorensen and Martinson attended the meeting. It was moved by Rudolph, seconded by Baier to approve the per diem. All aye. Motion carried.

**LETTER FROM TOWN OF LYNNE, DATED JUNE 4, 2012.** Martinson asked whether the committee will revisit the issue of having an Lac du Flambeau member added to the committee. Baier said that the tribal member will have a seat at the table in an advisory capacity but not be a voting member, so it will not need to go to the board. That will be approved at the July 24 Forestry meeting.

Joseph Wildcat, Sr. introduced himself to the committee. He asked whether there is a process for the Lac du Flambeau member to become a voting member of the committee. It was agreed that the topic is not included on this agenda and will be put on the next agenda.

**MINING REFERENDUM QUESTIONS.** Shidell presented two resolutions, each containing one question for a referendum for the November 4, 2012 ballot. Hintz stated that the questions could be supplemented by a wider survey to get opinions of landowners who are not Oneida County residents and other interested parties not eligible to vote on the ballot.

Rudolph moved that the bid question resolution be sent to the County Board. Shidell seconded. Motion carried, with Martinson voting no.

Shidell moved the policy question resolution be sent to the County Board. No second, motion fails.

**DEVELOP PROPOSED INFORMATIONAL GATHERING AND DISSEMINATION PLAN RELATED TO MINING IN ONEIDA COUNTY.**

Sorensen moved that Bob Martini be invited to assist with a subcommittee of Shidell and Rudolph. Rudolph seconded. Sorensen voted aye, all others voted no. Motion failed.

**REQUEST FOR PROPOSALS.** No Action Taken.

**POLL / QUERY FOR ONEIDA COUNTY BOARD MEMBERS ON PROCEEDING WITH EXPLORATION, PROSPECTING AND MINING.** A resolution is presented asking the County Board to determine whether Oneida County should pursue metallic mining. Shidell moved the resolution be sent to the County Board, subject to any changes by Corp Counsel. Sorensen seconded. All aye. Motion passed.

**AGENDA ITEMS FOR FUTURE FORESTRY COMMITTEE MEETING(S).**

- Lac du Flambeau tribal member voting status
- Poll/Query for County Board
- Ratification of committee actions where Schatzley voted
- Develop Proposed Informational Gathering And Dissemination Plan Related To Mining In Oneida County to include:
  - Preparation of timeline for mining project
  - Bob Martini participation

**NEXT (MINING ONLY) COMMITTEE MEETING**—July 24, 2012 at 9:00 a.m.

**NEXT (FORESTRY ONLY) COMMITTEE MEETING**—July 11, 2012 at 8:30 a.m.

**PUBLIC COMMENTS—**

Lee Calvey – I would suggest the public comments come before the decisions are made. My views on the subject don't count because there is no opportunity to speak prior to all the actions you did today. Perhaps one or two comments for each agenda item.

John Schneider – I would respectfully say that we need information before any votes are taken, before any referendum. Because you said there are no mines that have created a problem. You don't know anything about Ladysmith. The groundwater around Ladysmith is polluted right now. The people cannot sell their properties, they wanted to pass that value down to their grandchildren, now it's worthless. The fish in the river coming from the Ladysmith mine, is contaminated. It's a horrible nightmare. If that's your level of knowledge about mining, the public needs education before there are any votes. There's no violations but there's all this damage. That means the regulations in place at the state and federal level are not adequate to protect the public. That's why the people of Lynne don't want the mine and neither do we.

Karl Fate – It's rather obvious to me that this committee did not take the memo very seriously from the last county board meeting. Especially disappointing that the issue of public process was not looked at as far as developing a plan on that. It seems that should have been the most urgent item that you should have been talking about today. Specifically the resolutions, the referendum you talked about is not an honest referendum. Let's be clear about the facts here. You explore for something to try to find something that might not even exist. The Lynne deposit was discovered over 20 years ago. This has nothing to do with exploration. If you send out and advertise for bids for this, Oneida County is saying Oneida County wants a mine

at Lynne, here is your chance to bid on a mining lease. Whoever receives that mining lease will then have exclusive rights to those minerals. You have to have an open public process on this issue right now. People have been asking for that for three years and you're still screwing around. I personally think that the only way the public interest can be serviced on this issue is this particular committee should be disbanded. Because I believe the selections made for this committee was to promote a mine at Lynne. We cannot have objective decision making until that changes.

Kriste Strasburg – In reference to the information hearings, meetings, whatever. We have been discussing them, we have scheduled them, they were somehow cancelled, we don't know how that happened but they were. According to Corporate Counsel, there's a time when we have to have them. But sometimes this committee just has to say we're going to do what's right for the people. Not what's by the letter of the law. We're not going to wait until the law tells us we have to have those hearings. We're going to do it now so people can become informed. You yourselves can become further informed. We bring information all the time yet I don't think you hear us. I don't think you heard when Tribal Chair Maulson stood at the Minocqua meeting and told a very passionate story about his mother attending ceremonies out at the village in Lynne. Mr. Maulson told a great story about that and how that site was important to the Lac du Flambeau people. But I don't think you heard him. I want you to have the hearings. Get more information for yourselves. Over the three years, we've become informed, I've become informed. I sure have been doing my research. I would encourage you to do the same.

Alan Van Raalte – Sitting here at this committee meeting here today, apparently there's been two county board meetings. One I attended, I understood that the county board sent resolutions, 50-2012 and 51-2012 back to the committee with instructions to return to the board with a plan of action. Yet that's the only item on the agenda that didn't get acted on. They didn't tell you to come back with another go around on bidding. That's been kicked back to the committee twice. I heard the County Board chair interviewed and he said this is intended to slow the process down. My comment, I think the reason to slow the process down is so that time is taken to adequately understand the impact of mining in the Town of Lynne. The impact on ground water, surface water, and the flora and fauna in this environmentally sensitive area. The economic impact on the county's tourism industry. This is one of the top 20 areas in the state for tourism dollars. The cultural impact on the people who were here millennia before we showed up. The legal implications of mining in ceded territories to which the Ojibwa nation has treaty rights as negotiated with the federal government and that is defined in Article 6, Section B of the constitution. When you consider a plan, these are the things you need to know: 1) The potential impact on ground and surface water, 2) the potential impact on the flora and fauna in the deposit site, 3) the potential impact on our tourism industry 4) the implications of soliciting bids with some of the provisions of NAFTA. I haven't heard that mentioned at all. 5) The potential benefits and 6) the mining process itself. There are any number of resources to which you can turn to determine the answers without running a referendum. The tribal council offered the assistance of their resource people, their resource people offered assistance, and as you pointed out, you have a hydrologist on the County Board. There are experts in ecology and biology in the university system and experts on tourism in the Dept of Tourism. If the state university system doesn't have a mining program from which you can get expert information regarding the mining process, the university of Minnesota has one, so does Michigan Tech in Houghton. Any opinions about benefits of mining must be sought from independent third parties who don't have a vested interest in mining the deposit themselves. Any business and economics department in any of the state universities has qualified economists, including those specializing commodity pricing and market analysis, who can quantify any economic benefit. Yes, I'll need to know how much ore is located in the site and how much is recoverable. The Noranda exploration...is a

matter of public record. They should provide information for them to give you a reasonable estimate. You'll also need to know the answers to those first three questions. I have read in various sources that NAFTA contains provisions that may allow foreign companies to sue local governments for loss of revenue, not just potential costs, if they can show that local government regulations, including environmental regulations or negotiating in bad faith has impacted their potential earnings. Letting out bids and pulling the rug out from under them is acting in bad faith. Any bid proposal you send out will have to contain language to negate or at least assuage that possibility. I expect the university has someone with expertise in international trade that can at least point you in the right direction. To not take advantage for a little bit of cost compared to what you've already spent on an outside attorney would be absolutely irresponsible. I've heard county board members are paid to do a job. I suggest you start doing it.

Kathleen Kelly – You keep talking about putting a timeline together, but I don't see anybody on this committee talking about putting in that timeline, gathering information...what would be effective and how it would be effective. You also talk about jobs. When Tamarlane first came to town, they talked about 200 high-paying jobs. Well, no one seems to be talking about that anymore. Have you actually found out how many jobs they are talking about and how many of those jobs would be for local people? I was living in Ladysmith area when the mine was there. Jobs that people got were trucking, that was it. Any mining enterprise hires experienced miners, not people off the street in the town where they're located. They bring in their own people from wherever. Another thing to look at is the Canadian stock market. They're pushing to get bids for exploration because the Canadian stock market requires them to have some exploration in place in order to sell stock. Once they start being able to sell that stock, they can sell it all to a big mining company, perhaps with a bad reputation, and you would not have anything to say about that. I did a little research about tribes and lands, and in documents about how land was chosen for reservations, it stated that villages that have more than one tribe living in them, were considered to belong to no tribe and therefore were not put into reservations. That's why Lac du Flambeau did not have McCord put into their reservation because there were Potawatomi living there too.

Roman Ferdinand. Sokaogon Chippewa community. Mr. Chairman I would like to mention your unfortunate comparison at best, comparison about giving voting to the tribe and giving a vote to a son of a friend who is a mining engineer. The tribe signed treaty with the government of the United States as a sovereign nation. They should be treated as sovereign nations meaning they have authority almost like when US signs a treaty with Germany or Canada for going to war in Afghanistan. Back then it was a treat so the tribes did not fight the US troops in their struggle with England. So your comparison about considering Lac du Flambeau to become a voting member with somebody's son who is an engineer is quite inappropriate.

Alice Soulier - Lac du Flambeau tribal council member. IN being here today and listening to discussion you keep talking about gathering information. I think you have enough information from what I gathered from the people here today. I don't know what the problem is, why people aren't listening. You talk about getting business people here, getting chambers here. The meetings are posted, or how did everybody else know to come here today. And I just want to say...the person who just spoke there. Because for a while there, I'm not, I don't clam up that easily, but when that comparison was made, as far as respecting us as neighbors, as another nation, and to put that comparison, let's just throw in that guy whose a friend of mine whose dad is in mining. Please. Check yourselves. We're not just some person off the street that's going to be going away. We were here long before you were here and if you would start recognizing that fact and actually thinking about the things that you say regarding tribes. We're not natives, we're tribal people. Thank you for listening.

Gary Baier – I don't like being accused of making some changes here. When I used the term, and I do have a good friend whose son is in the mining business, it was in regards to the Bob Martini, now we're going to bring in the Bob Martinis and everybody else, where are we going to draw the line? I invited the tribe. I asked the tribe to come because I definitely think they need a seat a table. Anybody is able to come to the meeting as we all know. But when we get down to a point for voting, we have five elected people doing the voting. But I don't want to be accused of saying something, because I don't believe in that.

Tracy Benzel – I am an environmental consultant and industrial consultant... All these committee members know that I was recently hired by Aquila Resources to start a public education program in this community as a consultant, not as an employee. Starting an education general mining, ground water, ... standards, quality and quantity. Surface water...standards. Public participation processes, timelines, ...permit. Environmental impact statement, process all these parts of state law...local agreements, net proceed taxes and how other communities have benefited, tax royalty issues. As a member who's been sitting out here for many, many meetings I don't feel it's my place in public comments where you folks should go.. Much of the information I'm talking about is as the process goes forward. The information I want to present to people is not an advertisement for Aquila Resources, it is an advertisement for the process. Not advocating mining, is advocating a mining evaluation process. If you would like me to come in and make a presentation from the mining sector, I would be glad to do that. I would also be glad to talk to Aquila and offer their mining experts and their consultants. If you have particular issues you want to start talking about, groundwater, that can be a 2-3 hour discussion, we can get PhD's talking about that stuff. I look at that as somewhere down the road, perhaps when there's a notice of intent. All the environment questions, impacts on the water and the fauna, that's part of this entire process that a mining company will foot the bill for. If you would like more factual information to add to the other facts that have been talked about in the Ladysmith mine, I would love to offer that. I also want to add that stopping this evaluation process now would be a mistake for Oneida County. This is an evaluation process, not pursuit of a mine, it's pursuit of more information.

Lynn Broydrick – I represent Tamarlane Ventures. Three years ago, Tamarlane came to the county because they recognized that your county was suffering from unemployment, that there was an opportunity...discovered in the 80's by Noranda, to look at the possibility of developing mining. I have been doing government affairs work for 20 years and I've never seen anything like this in my life. It's really a shame. People are not respecting each other, not communicating with each other. This issue is now going back to the county board, and unfortunately the county board doesn't know any more about mining that anyone in this room quite frankly. I think it's a shame that we are not moving forward. I agree with Mr. Fate that information needs to be out in the public. If you don't take the time to educate the public you slam the door on an opportunity that may come now and may come in 20 years. The state is just beginning the process of looking at mining itself. Not in a political spectrum, the state is just beginning to look at mining again. I would really strongly, strongly, please look at going back to the county board, and saying to them do you want this to come or to go. I don't think that's fair. They don't have any more information than all of the public has at this point. Allow us, Tracy, Aquila, Tamarlane, Josephine, to come into the public and educate them. What's wrong with that. I think we need to respect the tribes, we need to respect the people in the town of Lynne, and I think you need to have some respect for experts who do this work day in and day out. I wish we could have spoken earlier, there were motions made and things decided without public input and I think that's a shame. I think everyone in this room wants to be respected and wants to be heard. And as I said, I've done this for 20 years. I've worked on coal-fired plants, wind farms, all sorts of things and I have to tell you this has been like nothing I've ever seen. And it's unfortunate. Please open up the lines of communication. I ask you not to go back to the county board and vote yes or no on this.

David Schatzley – I didn't think it would be connected to the last two speakers but I think that the people in this audience, the people at this table, and the county board members who have shown that they're not comfortable with this would all benefit from more information. I've said this before, the tribe has said it, cart before the horse, and I said we're going ahead with how to do this, rather than should we. I think it would be a good idea to hire an outside expert to do an environmental analysis of the Lynne site. You could go to UW extension, maybe one of their people in the UW system would do it for free. You could probably ask for a project to be completed on an economic impact on the Lynne site. They study these kinds of things. It would be a wonderful thing. If you have to pay several thousand dollars for somebody to do this environmental analysis it's a drop in the bucket from where we're at now. People would be a lot more comfortable with this information. I think the committee or county board needs to do it with a person or a company that is not related to this mine so that it appears to be unbiased. With all due respect to Tracy and Lynne from the mining companies, it will appear that we're asking the fox how to guard the henhouse. If you have to spend money, look at the money we spent on the attorney, let's hire another expert and educate ourselves. Educate ourselves and the public in the meantime as to what the environmental impact of the Lynne site is and the economic impact of the Lynne site is. It's money well spent and should have been done years ago. You could do this without putting bids out first. This would be putting the horse in front of the cart again. Let's get an unbiased expert is my suggestion.

Jack Martinson – We have an attorney who has been hired by this committee to represent the committee.

Norm – Am I correct that 80% of folks in Lynne are against this. I just want to say that both the Willow flowage and the Tomahawk River have been designated Outstanding Resource Waters.

**ADJOURNMENT—With business completed, it was moved by Rudolph, seconded by Shidell to adjourn the meeting at 3:55 p.m. All aye. Motion carried.**

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GARY BAIER  
CHAIR

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JILL BRADLEY  
RECORDING SECRETARY