



From: Jesse Wesolowski jweslaw@aol.com
Subject: Transportation Budget Motion #130 preemption of Local Regulation of Nonmetallic Mining
Date: June 18, 2019 at 2:30 PM
To:

Draft 6/18/19

Dear [Governor] [Senator] [Representative] _____:

The City of Franklin has a limestone quarry. The substantial area of the properties adjoining the Franklin quarry are residential properties, primarily single-family homesteads.

After years of efforts by the City, working with the Wisconsin Department of Natural Resources and other Department(s) staff, the quarry operators and their representatives, and the Franklin residents and property owners, and numerous public meetings and hearings on the subject matter of the quarry use and operations, the City of Franklin, more than 22 years ago, on June 3, 1997, adopted Planned Development District Ordinances Nos. 23 and 24 (Limestone Quarry and Mixed Use). The then quarry operators participated in the drafting of the Ordinances and concurred with the result of their approval and adoption. Payne & Dolan, Inc. was one of the then two operators and now is the singular operator of the entire quarry which is the entirety of the property regulated by the Ordinances. The Ordinances provide regulations for the operator's extraction and related quarry operations which provide for and protect the public health, safety and welfare and will satisfactorily mitigate any potential negative impacts of such uses on surrounding properties. The regulations include in part, limits on blasting, specified hours of operation, extraction area boundaries, standards for opacity and air quality, and stormwater management and for a water quality plan. The Ordinances provide for the monitoring of blasting and the City as such has been assisted by a consultant for such ongoing services through the years. The City also has a Quarry Monitoring Committee which has regular public meetings through the years and attendees include the quarry operator and the City consultant.

The City of Franklin is opposed to the Transportation budget Omnibus Motion provisions adopted by the Joint Committee on Finance on the night of June 6, 2019, that preempt *Local Regulation of Nonmetallic Mining at Quarry Operations* (Motion #130, pp. 19-22). We understand that a similar provision was included in the 2017-2019 state budget, which was vetoed by former Governor Scott Walker, who said at the time he objected to "inserting a major policy item into the budget without sufficient time to debate its merits." The current Transportation budget should not preempt *Local Regulation of Nonmetallic Mining at Quarry Operations* and you should oppose that provision. If adopted, it should be vetoed by the Governor.

Sincerely,

Stephen R. Olson,
Mayor

cc: Attorney Curtis A. Witynski,
Deputy Director,
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