

August 18, 2014

William P. Breitsprecher
Friends for Responsible Rail Development
318 W Main Street
Sun Prairie, WI 53590Honorable Judge Cynthia T. Brown
Chief, Section of Administration
Office of Proceeding
Surface Transportation Board
395 E Street S.W.
Washington DC 20423RE: WATCO Filing FD_35848_0 Wisconsin & Southern Railroad L.L.C. Petition For
Exemption (Filing ID 236421) and Petition For Waiver (Filing ID 36422)

Honorable Judge Cynthia T. Brown:

Any and all petitions and requests for exemptions, waivers, and filings to expedite the process of formalizing a state-subsidized rail purchase of the Union Pacific's Reedsburg-Madison rail line must be denied. This includes FD_35848_0 FD_35848_0 Wisconsin & Southern Railroad L.L.C. (filing ID 236421) and Petition For Waiver (Filing ID 36422).

In 2011, Honorable Judge Cynthia Brown was substantially and materially misled by Wisconsin Department of Transportation Attorney Kathleen Chung and WATCO and a fast-tracked process over the 2011 Christmas Holiday Season was abused to ensure that material facts were omitted from the docket and decision process to approve the sale of controlling interests in Wisconsin & Southern Railroad after the railroad's operations were discovered to have been repeatedly abused to illegally launder money largely to the benefit of current Wisconsin Governor Scott Walker.

All parties involved in promoting and then implementing Bill Gardner's fraudulent sale of operating agreements he breached via criminal & felonious abuses of WSOR's operations have, since 2011, refused to cooperate with requests for information, even when public agencies and servants are obliged by Wisconsin's Open Records law to cooperate.

An attorney for the major transit authority overseeing and administering operating agreements, Eileen Brownlee, has misstated directly to me that it was permissible under binding contracts in-force at the time for Bill Gardner to intentionally and repeatedly use WSOR operations to commit felonies. The same misrepresentation has been made by WI DOT Attorney Kathleen Chung. Wisconsin's code of ethics do not allow lawyers to make misleading statements and to make irresponsible claims that they ought no better to utter. All parties have prevented Honorable Judge Cynthia Brown from being informed of key and material facts.

Surface Transportation Board cannot approve any filings on the docket related to Union Pacific's sale of Reedsburg – Madison line in Wisconsin to WI DOT because:

- A Petition to Revoke Docket Number: FD_35573_0, WATCO Holdings, Inc. And WATCO Transportation Services, L.L.C.--Acquisition of Control Exemption--Wisconsin & Southern Railroad, L.L.C. will be submitted once parties delaying and obstructing necessary and just requests for information are compelled to comply.
- Once the facts are known about Bill Gardner's criminality directly abusing WSOR operations almost exclusively for sitting Gov. Scott Walker and once it is revealed how parties filing requests for waivers, exemptions, and expeditions have concealed this material and critically relevant information; STB will need to void Honorable Judge Cynthia Brown's decision in that filing ab initio.
- No Petition to Revoke can yet be filed, however, until a series of open records requests are justly, completely, and accurately fulfilled. As I will show, serious criminality clouds previous decisions and this matter needs to be resolved. Parties at DOT and transit authorities that administer and oversee operating agreements that clearly prevent operations on state-owned track from serially launder money for partisan purposes, pay-to-play, or outright bribes.
- The current petitions/filings by WATCO and Attorney Kathleen Chung, WI DOT are inaccurate and misleading. The only reason she can state there is no opposition is that:
 1. Little or no details have been released to anyone – like the fraudulent transfer of breached operating agreements in 2011, everything about filings before STB at this time related to WI DOT's purchase of Reedsburg-Madison rail line is cloaked in secrecy.
 2. Per a WI DNR top state park administrator, Peter Beirmeier, Recreational Planning And Development Chief (phone conversation on Tuesday, August 12, 2014) no information about the proposed Reedsburg/Madison rail line purchase has been shared with his agency – even though all traffic on that line filters through the public access and even campgrounds of Wisconsin's #1 tourist attraction.
 3. Peter Beirmeier; Recreation, Planning and Development Chief, Wisconsin Department of Natural Resources and Devils Lake State Park Superintendent Steve Schmelzer both state that developing the Reedsburg-Madison rail corridor is incompatible with the public's use and investments in Devils Lake State Park. They also state that serious safety issues put the public in danger, especially if the line is developed into a rail hub and corridor to haul silica sand.
- Illegitimately fast-tracking the 2011 decision cited above resulted in grave and great injustices. Current filings are demanding an expedited process that cannot be approved as their only purpose is to prevent a complete and accurate docket for any and all STB

decisions on petitions, waivers, and exemptions related to the Reedsburg-Madison rail line purchase.

- Until the facts are known about the 2011 transfer of operating agreements that specifically preclude the operations of WSOR from being criminally abused, STB has no choice but to deny everything before it by WI DOT & WATCO/Wisconsin & Southern.
- I urge STB to exercise any and all powers it has to compel all parties to completely and accurately release any and all information related to why operating agreements were not enforced after they were proven to have been breached via serial criminality on the part of Wisconsin & Southern operator Bill Gardner and key employees like current WATCO Director Of Government Relations, Ken Lucht.
- It appears that certain parties may be colluding to prevent timely fulfillment of open-records requests that would allow the errors of FD 35573 to be redressed. These same parties cannot be allowed to expedite any other filing, petition, waiver, exemption and/or transaction until the underlining concerns, criminality, and issues related to a transfer of operating agreements that appears fraudulent are on the docket and part of the public record.
- No approval of the Reedsburg-Madison corridor can be justly made; nor can any requests for waivers, exemptions, and expeditions be justified until WI DOT, transit authorities, and WATCO are compelled to put on the record the economic justification for massive state & federal subsidies to the largest privately-held multinational transportation holding company in the world.
- The record will show that, as a result of proposed rail development and entirely withheld from the public record, Wisconsin DNR, and Surface Transportation Board, is to enable silica sand mining in Sauk County. It is absurd on its face to represent that 7 shippers that historically have minimally used rail service justify tens-of-millions in public grants and subsidies. WI DOT and WATCO cannot be allowed to shield the public and STB from any and all information as to what commodities, traffic, and future train densities will be on the line.
- If all relevant information was made public, many citizens would object to the Reedsburg-Madison rail line purchase. Attorney Chung's representations to the contrary in her Petition for Declaratory Order, Filing ID 236416 are patently false. That transaction and her filing underlie FD_35848_0 FD_35848_0 Wisconsin & Southern Railroad L.L.C. Petition for Exemption (filing ID 236421) are materially misleading because critical information is not being released. These 2 filings and any other pending or future filings related to state and federal subsidies and grants to WATCO need to be declined by STB until WI DOT, WATCO, and certain other parties are compelled to put accurate and complete information on the docket.

Over the Christmas Holidays of 2011, a travesty of justice, the fraudulent and largely secret transfer of operating agreements that serial criminal Bill Gardner & key employees such as Ken Lucht intentionally breached, was fast-tracked through Surface Transportation Board. This is not the fault of Honorable Judge Cynthia Brown & Surface Transportation Board. It is the result of what appears to be collaboration across a number of key players. If it can be shown this happened to withhold information, these actions could be deemed criminal. Abuses of the fast-tracking process in 2011 resulted in material facts from being part of the record. Those facts are material to all current and future petitions and filings before STB related to direct and indirect acquisitions and subsidies for WATCO/Wisconsin and Southern.

To date, the most salient facts related to how Bill Gardner was able to hold and then suddenly transfer without scrutiny operating agreements that were intentionally breached are still unknown. The only parties with information have yet to respond to legally binding, just, fair, and necessary open-records requests.

In-fact, Wisconsin River Rail Transit Commission and their attorney, Eileen Brownlee, appear to have now retained third-party counsel from Kopp McKichan, LLP, to prevent prompt release of information that WRRTC and related organization clearly have and likely know to be detrimental to related filings made at Surface Transportation Board.

Charles Anderson, Secretary, Wisconsin River Rails Transit Commission, has repeatedly and emphatically stated "OF COURSE" Bill Gardner and key employees criminality was discussed including how it directly violated binding "Representations, Warranties, and Covenants" in operating agreements. To date, however, no party will comply with legal, just, and necessary open records requests. Any and all such dialogs needs to be part of the record at STB.

What is known, however, presents clear and convincing evidence that any and all information related to the serious crimes that Bill Gardner and his criminal cohorts, including Ken Lucht, commissioned was intentionally omitted from the record & decision process over a fast-tracked Christmas Holiday approval process in 2011, preventing Honorable Cynthia Brown from properly and completely assessing Docket No. FD 35573.

Her decision 42057, Service Date December 15, 2011, DO FR 4915 - 01 - P must be reconsidered. The rule-of-law demands that Bill Gardner's serial criminality and then transfer of operating agreements he clearly and intentionally breached in collusion with key employee's like Ken Lucht has to be overturned. It is impossible that Gov. Scott Walker's DOT was unaware of Bill Gardner's illegal use of WSOR's checkbook to launder more than \$50,000 to Friends of Scott Walker. When Gardner's and Lucht's criminality was announced, secret "John Doe" probes into Scott Walker's political career also became public and were a key point-of-contention in his 2012 recall.

WI DOT and/or transit authorities had a duty to ensure that operating agreements were enforced before recommending approval of the 2011 transfer to WATCO. It is implausible that WATCO was unaware of the criminality and its impact on operating agreements. WATCO had a duty to ensure that assets and rights being purchased in 2011 were actually legal, binding, and not tainted by criminality that might render contracts like operating agreements null-and-void. It is

implausible to assume that WATCO negligently structured a multi-million dollar purchase without protecting itself from charges that the deal and subsequent filings with STB could possibly be nullified due to crimes on the part of any and all parties in the transaction.

For this reason, WATCO cannot be allowed to receive any waivers, exemptions, or expeditions from Surface Transportation Board. It appears that they may have abused the process at STB in the past and it is imperative that they not be allowed to abuse it again. If there was any collusion by any parties to mislead STB, the appropriate legal sanctions need also be applied.

The only proper course of action that STB can fairly and justly take is to:

1. Deny any and all waivers, petitions, and requests to expedite; including the 2 pending filings from WATCO, related to the Wisconsin & Southern Railroad.
2. Demand that, if WATCO and other parties are going to continue to sanctify the criminality, felonious money laundering, and fraud that resulted in the transfer of breached operating agreements in 2011, all parties must comply with a discovery process that includes prompt and full disclosures under Open Records laws, especially as they relate to oversight, discussions, deliberations, approvals, and processes to enable what appears to potentially be a fraudulent transfer of operating agreements that all parties knew could not be valid. WATCO and WI DOT must be compelled to fully comply with the intent, letter of, and timelines of all procedures at Surface Transportation Board that serve to protect the public, the rail industry, and the transportation industry as a whole.
3. There can be no just expeditions of anything before STB related to WI DOT and WATCO. Instead, there needs to be an adequate and extended timeline for any and all future considerations involving Wisconsin & Southern Railroad. It is unfair and unjust to grant any expeditions or waivers/exemptions of any kind until Gardner, WATCO, WI-DOT, transit authorities, and certain others come forward with material facts intentionally and materially omitted from previous filings.

Honorable Judge Cynthia Brown must retroactively declare her December 15, 2011 approval void ab initio per declarations in her decision 42057, Service Date December 15, 2011, DO FR 4915 - 01 - P. If this requires a formal Petition to Deny, then STB must decline to act on any and all requests filed and pending from WI DOT & WATCO. STB has a duty to ensure that information necessary to submit a Petition to Revoke is part of the public record so that said petition can be filed. STB cannot act on anything to further engrain and institutionalize previous errors directly caused by previous petitioners filings which intentionally and misleadingly omit relevant and material information.

There are other compelling reasons to prevent any and all subsidized transactions that fall under the jurisdiction of STB, any of which provide grounds to deny petitions and filings for waivers, exemptions, and expeditions which WATCO and others have abused in the recent past and appear to be abusing again.

I humbly submit to STB the following facts that WATCO & WI DOT cannot refute. Each needs to put on the docket why the following material information was intentionally withheld from STB:

- Bill Gardner is a serial felon who had no choice to accept a very generous plea agreement from Milwaukee County District Attorney's office – the criminal complaint, settlement offer, settlement agreements, and final Government Accountability press release irrefutably document that Wisconsin and Southern was repeatedly used to criminally launder money. One of the architects & enablers of Reedsburg-Madison rail purchase, Ken Lucht, was part of the serial criminality which used Wisconsin & Southern freight operations. From 2005-2010, criminal abuse of Wisconsin & Southern's operations were overwhelmingly used to fund Friends of Scott Walker, the man that currently oversees Wisconsin Department of Transportation.

Ken Lucht, who is now identified as Director of Government Relations for WATCO played a key role in Gardner's criminality (documented in documents referred to as Exhibit A-D), advocated for the transfer of operating agreements that he criminally conspired to breach, and advocates for the purchase of Reedsburg-Madison line which will have the effect of continuing to codify illegal money laundering, pay-to-play, and outright bribes directly from Wisconsin and Southern freight operations.

Disturbingly, Ken Lucht's job responsibilities at the time of his collusion with serial money-laundering were as follows:

- 75% *"of his time [is spent] with contacts on tasks involving government contacts, mostly with the State of Wisconsin."*
- Lucht's job description identified the other 25% of his time as *"Lobby our State and Federal lawmakers for railroad-friendly legislation"* and *"Lobby our State and Federal Lawmakers for track & structures upgrades"* (Criminal Complaint, pg. 2-3).
- It is public record (see criminal complaint) that WSOR is not only entirely dependent of public subsidies to turn profits, but that the railroad itself is structured to keep public monies flowing into the operation. The criminal investigation (State of Wisconsin vs William E. Gardner) demonstrates that Wisconsin and Southern is not economically viable without massive public (federal and state) subsidies.
- The record shows that WATCO's current Director of Government Relations Ken Lucht, is willing to commit crimes for partisan purposes, apparently to extract public monies that keep Wisconsin & Southern solvent.
- Not only were revenues from WSOR's freight operations used to influence key Wisconsin elections, including the successful gubernatorial campaign of current Gov. Scott Walker, but the railroad appears to have used criminal campaign contributions as pay-to-play. It is a matter of public record (State of Wisconsin vs William E. Gardner) that the operator of Wisconsin and Southern pledged to do *"everything I can to get you [Scott Walker] into the Governor's Mansion (figure 9, pg 10, State of Wisconsin vs William E. Gardner)*

- It is remarkable that WATCO appears to have promoted Ken Lucht, now identified as Director of Government Relations for the largest privately-held transportation holding company in the world. WATCO cannot credibly state that the criminality of Bill Gardner, key railroad employees, and the clear and concise language in operating agreements that it purchased were unknown to them.
- While all facts related to what the preponderance of evidence proves to be a fraudulent sale of operating agreements that Bill Gardner, as operator identified in legally binding contracts, are unknown or incomplete and improperly absent from STB proceedings; the criminal complaint, related documents, and Wisconsin DOT complicity with covering-up these crimes as they relate to the continued validity of operating agreements, are disturbing. Wisconsin DOT is now controlled by Governor Scott Walker – by far the largest benefactor of the tens-of-thousands of dollars illegally laundered through the freight operations of WSOR.
- The criminal complaint, in Exhibit A, persuasively demonstrates that, without state and federal grants and other direct & indirect subsidies, Wisconsin and Southern railroad is not economically viable and would not exist. Even if STB wants to ignore the misuse of state and local monies, STB must act on Gardner’s criminality as it was also enabled by federal funds.
- This [dispersal of federal funds] may even demand that STB refer the facts and merits of my complaints to other federal agencies and oversight authorities for further investigation and action. The Wisconsin and Southern Railroad was used to create great crimes against the Citizens of Wisconsin, our Great Nation, and the rail industry as a whole.
- Statutes of Limitations related to fraud generally do not apply until it has been discovered. By keeping certain facts off-the-record, it is reasonable and justifiable to consider any collusion to transfer breached operating agreements is still subject to investigation, trial, and conviction. Perpetrators of these crimes cannot be allowed to stonewall, delay, deny, and file incomplete and misleading statements with Surface Transportation Board.
- Many key facts are still unknown and responsible parties have not cooperated with open records requests which were initiated in 2011. Key players even appear to be continuing to file statements with material representations on the docket of STB:
 - WI DOT Attorney Kathleen Chung claims that her department, no transit authority, nor any of their boards of directors ever considered the impact of serial criminal money laundering from freight operations and the boiler-plate “Representations, Warranties, and Covenants” spelled out as actionable in operating agreements.
 - This is contradicted by Charles Anderson, a Secretary for Wisconsin Rivers Rail Transit Commission. Anderson repeatedly and emphatically states that “OF COURSE!” there we discussions about this at board meetings. Anderson points out that the criminal abuse of WSOR’s freight operations were prominently

covered in the news – everybody knew about the criminality at WSOR – it was impossible to escape.

- Open records requests to Attorney Eileen Brownlee, attorney for Wisconsin River Rails Transit Commission, will not cooperate in any way with documenting Charles Anderson’s statement. In fact – when I first talked to her in July, she misrepresented that operating agreements did not preclude any remedies for the serial use of WSOR’s freight operations to illegally launder money. This is patently false.
- A third-party Attorney, Michael Olds (documentation attached) was retained by 2 transit authorities to obstruct the discovery of evidence. Note that the document emailed to me provides no helpful information other than a vague reference to “commission boards” that passes-the-buck and, on behalf of said public commissions/authorities, improperly consider my open records request “closed”.
- Wisconsin DOT has not cooperated with open records requests to find out why Bill Gardner was able to use WSOR freight operations to serially launder money and yet retain operating agreements.
- Wisconsin DOT cannot be allowed to codify and institutionalize this criminality by imposing the exact same boiler-plate “Representation, Warranties, and Covenants” into new operating agreements currently on the docket at STB.
- Frank Huntington, at WI DOT, apparently at the direction of John Corey, Dodge County Corporation Council Counsel or other parties, is misstating and obstructing the necessary and just discover process by claiming that public attorneys, employed by the citizens to protect the public good and public investments, are not allowed to release information with outside parties under “attorney-client privilege or constitute attorney work product”.
- If Wisconsin DOT, DNR, public transit commissions/authorities, and their boards are obstructing and circumventing the release of any-and-all information to provide a materially complete and adequate process for any type of decision at STB, they are responsible for any and all resulting delays. It is unjust, unfair, and impossible to STB to expedite or approve anything for said parties when they are hiding information and doing so intentionally and apparently in bad faith.
- Wisconsin Government Accountability Board (GAB), which lead the way to minimizing the final plea agreement that gave serial criminal Bill Gardner and his co-conspirators a slap on the wrist, appears to be complicit with the fact that simple, plain, and clear language in WSOR operating agreements was never enforce nor resolved and were entirely kept off the public record.
- GAB and the Milwaukee DA that prosecuted the case had/have no authority to formally or informally protect Gardner, Lucht, and others from just and necessary

enforcement of operating agreements that prohibit Wisconsin and Southern's operations from being used to serially commit crimes.

- WATCO cannot be allowed to again exploit the decision process at STB with demands for waivers, exemptions, and expedited timelines at STB. Atty. Chung's petition from August 7th (listed at 8th on docket), which underlies the petitions/filing this response is to, is invalid and misrepresenting because:
 1. If operating agreements contain "Representations, Warranties, and Covenants" that prevent criminal activity from WSOR's operations were violated by Bill Gardner's serial use of his railroad to illegally launder money (with Ken Lucht's participation), DOT and transit authorities had a duty to act on these violations and had a duty to put them on the record at Surface Transportation Board when Gardner transferred these breached agreements to WATCO.
 2. If the operating agreements that were transferred to WATCO in 2011 allow WSOR to be repeatedly used to criminally launder money, then these contracts are entirely inadequate and negligently written to potentially enable more illegal campaign donations, pay-to-play, and outright bribes. Atty. Chung cannot be allowed to impose the same negligent contractual language in the proposed operating agreement identified in STB Finance Docket No. 35854, Wisconsin Department of Transportation – Petition for Declaratory Ruling

As a result of many unanswered and vital open records requests, any and all requests by any party to directly or indirectly enable approval of the Reedsburg-Madison rail purchase must be summarily and promptly declined. Additional information that needs to be on the record, which it appears DOT and transit commissioners are not cooperating with, include:

1. Any and all documents and information related to the decision to not hold Bill Gardner responsible for criminally using WSOR's operations to illegally launder money by revoking operating agreements that appear to specifically preclude these types of crimes.
2. Any and all documents and information related to the decision(s) to withhold material information about the serial criminality that WSOR's operations have been used for from Surface Transportation Board in December 2011 and in Atty. Chung's filings this August.
3. Identifies and contact information for all agencies and board members with oversight responsibilities for operating agreements that give WSOR the exclusive rights.
4. Surveys of potential traffic, frequency of freight trains, and commodities likely to be hauled on Reedsburg-Madison rail line after purchase from UP.

5. Communications and information shared with DNR and all other public officials involved with the administration & operations of Devils Lake State Park.
6. Communications and information shared with board members of "Friends of Wisconsin State Parks" and "Friends of Devils Lake State Park.
7. Any and all communications and information, including but not limited to, safety plans and ensuring that a dangerous situation does not develop along the shores of Devils Lake, Devils Lake State Parks, and along the trails that frequently run adjacent to and cross railroad tracks amid the steep bluffs and rock outcroppings at Devils Lake State Park.
8. The record will show that for at least 50 years, the rail corridor from the north end of Devils Lake to the South End has been used by the public as a de-facto path to move from one end of Wisconsin's most popular tourist attraction to the other. This is a line that Chicago and North Western (original owner) would have abandoned if not for a quarry that mined its "pink lady" ballast – the line has been essentially dormant for decades and, even today, reportedly does not handle more than one train per day.

There are other manifestly legitimate reasons for Honorable Judge Cynthia Brown to immediately deny WATCO's Finance Docket No. 35848, Wisconsin & Southern Railroad, L.L.C. – Acquisition and Operation Exemption – Union Pacific Railroad Company. The petition here is entirely moot if FD_35854_0 Case Title: Wisconsin Department of Transportation--Petition for Declaratory Order is denied. If the rule of law is to prevail – STB has not choice to promptly deny.

Only then will WI DOT and other parties decide it is in their best interest to cooperate with open records requests. In short, by even allowing Atty. Chung's recent filing to remain under consideration, no discovery of material facts via legal, just, and necessary open records requests will occur.

No party in this case and all related filings can credibly cite previous decisions as relevant and compelling in requests for waivers, exemptions, expeditions, and other filings. WSOR, unlike every other railroad case being misrepresented as supporting these filings, has a history of being a criminal enterprise – illegally laundering tens-of-thousands of dollars thought freight operations.

The prime beneficiary since 2005 has been the man responsible for the transaction before STB now, Gov. Scott Walker. Attorney Kathleen Chung serves at the pleasure of Scott Walker. It is not credible that the man who accepted the criminal donations laundered through WSOR operations and is at the center of current investigations can directly or indirectly be part of hiding these material facts from STB and misrepresenting that all operating agreements allow and enable this type of criminality in the past and in the future. This alone is enough for STB to deny this petition and all others related to the acquisition of Reedsburg-Madison rail corridor.

It is an indisputable and objective fact that Gov. Scott Walker is described by prosecutors in ongoing criminal investigations as having participated in a “criminal scheme” to coordinate fundraising for Republicans. Until STB is allowed to see the evidence and contemplate whether approving massive subsidies & acquisitions for WATCO is directly or indirectly related to this “criminal scheme”, no decision to approve anything related to the Reedsburg-Madison rail line can be justly made.

Because Bill Gardner’s criminality was the first indictment and conviction in the ongoing drama referred to as “John Doe” and “Walkergate”, At the very least, Surface Transportation Board needs to stay any and all petitions and expeditions until said criminal investigations are fully resolved.

Despite the fact that the largest privately held transportation holding company in the world, WATCO, demands and receives massive federal and state public subsidies, it can be objectively shown to be a very poor corporate citizen. WATCO’s representations on page 8 (WATCO Filing FD_35848_0 Wisconsin & Southern Railroad L.L.C. Petition For Exemption [Filing ID 236421]) of about increases in rail traffic cannot be taken seriously:

1. Other cases cited as precedence were not tinged with criminality and potential fraud. It is common to consider a “discovery rule” for these type of crimes which allows for the possibility that a crime might not be discovered at the same time that it is committed.
2. Wisconsin DOT, Bill Gardner, WATCO, and certain other parties are obstructing the release of information needed to determine if and when fraud may have been committed. These issues are still valid and potentially subject to criminal and civil action.
3. Facts 1 & 2 above mean every precedent cited by WATCO in their filing does not apply and no future filings related to Wisconsin and Southern can be approved.
4. Representation on page 8 of WATCO’s filing cannot be taken at face value because (a) they provide no context nor timeline for when freight train density will increase (b) if their request is granted, there can be no recourse even if WATCO’s statements to STB can be shown to be disingenuous or inaccurate.
5. WATCO and WI DOT need to be compelled to release traffic studies and any and all documentation of future rail use (critical parts of open records request cited above). If, in fact, WI DOT knows that Sauk County is going to experience a rapid and exponential development of frac sand mining, then the fact that, overtime, this will create an exponential increase in traffic greatly exceeding WATCO’s representations on page 8 needs to be considered.
6. DNR geological studies, which have been scrubbed from DNR Website when Gov. Scott Walker because executive, clearly indicate that the region contains unique, valuable, and highly-demanded quartz silica sand crystal structures. It appears that this underlies the motivation to purchase the Reedsburg rail line, yet WI DOT is refusing to provide

information and has even refused to inform WI DNR officials that oversee Wisconsin's #1 tourist attraction – Devils Lake State Park, through which this traffic must pass.

7. I have contacted that park's Superintendent; Friends of Devils Lake State Park Board President, Todd Persche; Peter Beirmeier, Recreational Planning And Development Chief, Wisconsin State Parks; and Devils Lake State Park Superintendent, Steve Schmelzer. All confirm and are disturbed by the secrecy in which DOT and WATCO are proceeding. Wisconsin's #1 tourist attraction is at-risk.
8. Public safety is clearly at risk even using WATCO's representations on page 8 of their filings – but these numbers can reasonably be shown to be nothing more than arbitrary guesses entirely contrived to conform with previous decisions – precedents that do not apply given the criminality, potential fraud, ongoing unresolved criminal investigations, and lack-of-disclosure that exists across all filing related to WATCO, Bill Gardner, & WI DOT in 2011 and now 2014.
9. The public's investments developing Devils Lake State Park are at-risk and the public's ability to enjoy said park is greatly diminished even using WATCO's representations on page 8 (WATCO Filing FD_35848_0 Wisconsin & Southern Railroad L.L.C. Petition For Exemption [Filing ID 236421]). The record will show, however, that withheld from STB and the public at-large is the fact that this transaction is likely all about frac sand mining and this rail traffic is being concealed from STB and other stakeholders.

It isn't just in this case before STB that WATCO can be shown to be materially misrepresenting key facts. While not before the STB, it is appropriate and necessary to add to the docket that WATCO proclaims it has no duty to follow the rule-of-law. WATCO's Wisconsin and Southern Railroad is not a series of disconnected assets. Subsidizing any one aspect of a railroad inherently subsidizes the entire railroad and The Nations interconnected rail network.

While not before STB, it is materially relevant and necessary to point out that WATCO's legal opinion, as stated in legal opinion submitted to Wisconsin Department of DNR (Exhibit H, Ryan Sauter, Short Elliott Hendrickson):

Concurrent to this effort, WSOR has indicated that they intend to initiate development of this property under the authority granted by the commerce clause and will use federal pre-emption to begin this project without regulatory permits in place. WSOR has indicated and has reiterated in the past that they intend to comply as much as possible with the regulations or general requirements of the regulations under your jurisdiction; however, given the time constraints of the application and approval processes, WSOR is unable to complete the permitting and approval processes before breaking ground and commencing construction activities.

WATCO is directly stating that they refuse to acknowledge any and all oversight, regulation, and even permitting processes – their stated contempt for the rule of law is related to their integrity in the filings this petition objects to. If WATCO can circumvent decades of clear and consistent

legal precedence no representation made in WATCO Filing FD_35848_0 Wisconsin & Southern Railroad L.L.C. Petition For Exemption 236421 has any meaning.

WATCO credibility in the above-cited filing is related to their use of accounting/bookkeeping tricks to falsely claim that certain investments made in their freight operations are private and others are public. These misrepresentations of the economic realities of WSOR are used to justify claims that they are exempt from regulation and oversight. In fact, according to the criminal complaint against Bill Gardner (Exhibits A-D) WSOR cannot economically exist without public subsidies. The current filings by WI DOT and WATCO are entirely related to massive public subsidies and investments.

A rail system is not a series of disconnected tracks, facilities, and other infrastructure. Public investments in any part of the infrastructure or operations subsidize the entire railroad. It is entirely arbitrary for WATCO to proclaim that one type of money (i.e. private funds) is being used to develop or fund any asset or section at WSOR. In-fact, each and every dollar of public investment is what enables each and every dollar of private capital to be spent anywhere else.

The Reedsburg-Madison issues are critical -- the tens-of-millions of dollars in public subsidies here enable WATCO to allocate resources elsewhere and misrepresent certain developments as "private" funding. These false distinctions between public and private, when the railroad's viability is based on public investments is a lie that cannot go unchallenged. WATCO is trying to misrepresent arbitrary distinctions between the allocations of funds as:

1. Justifying its rights to violate applicable and just regulations and laws
2. Falsely promote itself as a "white knight" that is using private funds in the best-interest of the public which subsidizes the railroad.

In fact, the exact opposite is true. WATCO knowingly or unknowingly bellied up to the public trough and bailed serial criminal Bill Gardner out of an untenable situation, enabling him to parlay his serial criminal money laundering through WSOR freight operations into a payday reportedly worth more-than \$70 million dollars.

If there was collusion in this process to hide or misrepresent Gardner and key employees, including Ken Lucht's crimes and prevent enforcement of "Representations, Warranties, and Covenants" in operating agreements; the sale itself in 2011 could be considered fraudulent. Parties with duties to follow open records laws are not cooperating with just, fair, and necessary requests for information. This means that they are preventing discover of potential fraud – therefor applicable statutes of limitations for such crimes do not apply in this case.

No statute of limitations applies until information necessary to set the record straight is released and reviewed. It may be that only the discovery process of civil litigation will compel the truth to emerge.

WATCO's filing, Finance Docket No. 35848, Wisconsin & Southern Railroad, L.L.C. – Acquisition and Operation Exemption must be denied as must all other attempts to enable and enforce approval of further public subsidies to WATCO and their apparent attempt to develop a frac sand hub and high-density corridor along Reedsburg-Madison line which will impact other

operations and unresolved issues along this heavily subsidized railroad – including the recent developments at Prairie du Chien and the original historic Milwaukee & Mississippi rail corridor.

History shows that the development of railroad in Wisconsin in the 1850s were corrupt and criminal to the extreme. Indeed, Surface Transportation Board exists to prevent the public from being hijacked and exploited by robber barons. Surface Transportation Board must expect more from Scott Walker's WI DOT and the largest privately-held transportation holding company in the world, of Wichita, KS, WATCO.

Exhibits

Exhibit A: State of Wisconsin vs William E. Gardner

Exhibit B: Milwaukee District Attorney Settlement Agreement Letter

Exhibit C: Government Accountability Board Settlement: State of Wisconsin vs William E. Gardner.

Exhibit D: Government Accountability Board Press Release: Case #2010-05

Exhibit E: Request for 60 Day Stay for Fact-Finding by Rep. Brett Hulsey and other Wisconsin Assembly Members

Exhibit F: Request from Sen. Tim Cullen for Reconsideration of Gardner/WATCO Fast-Tracked Approval over Christmas Holiday of 2011

Exhibit G: WATCO Letter to DNR Stating They Are Not Bound by City, County, and State Oversight.

Exhibit F: Open Records Request & Denial (**NOTE:** *Transit Commissions Will Not Release Information about Failures to Enforce Operating Agreements Nor Will They Identify Board of Directors. This reply disingenuously only makes vague references to "Commission Boards" despite repeated and specific request for information from and about Southwest Wisconsin Regional Transit Commission and all entities associated with said group and oversight and administration of WSOR leases.*)

Exhibit G: Reiteration of key open records requests pending before WI DOT (**NOTE:** *This document was prepared per a request from a prominent Wisconsin Senator's office. Nothing in this request is a new demand under open records laws. All the information identified by this document is material to Docket Number: FD_35573_0, WATCO Holdings, Inc. And WATCO Transportation Services, L.L.C.--Acquisition of Control Exemption--Wisconsin & Southern Railroad, L.L.C. (fast-track Christmas Holiday approval, 2011).*)

Exhibit H: Memo, Ryan Sauter, Short Elliott Hendrickson

Exhibit I: Wisconsin's Silica Sand Formation, Rail Service, and Development of Frac Sand Mining in Wisconsin

This investigation was formally initiated on May 10, 2010 by the Government Accountability Board. It was based upon a complaint by a former woman friend of William Gardner. Described in greater detail below, on April 19, 2010, the former friend contacted Attorney Michael Haas of the Government Accountability Board. She said an unnamed individual was supporting a candidate who was "for" the individual's business, and that he (the unnamed man) had asked her (the friend) to make a contribution to the candidate using the unnamed man's funds. She is not identified by name in this complaint at her request.

Although the friend did not identify William Gardner by name, based upon information that she did share, Attorney Haas was able to identify the person as William Gardner and the business as the Wisconsin & Southern Railroad.

Jurisdiction & Venue

William Gardner is a resident of Hartford, Wisconsin having an address of [REDACTED]. By operation of law, notwithstanding the fact that all transactional events took place in the City and County of Milwaukee, the County of Washington is the proper jurisdiction and venue for the prosecution of these crimes. See Wis. Stats. §§11.61(2) and 971.19(12).

On May 18, 2010, William Gardner, through his attorneys, contacted the Government Accountability Board. Gardner thereafter provided information in the form of Exhibit A. His disclosure reflects a continuing pattern of railroad employees (and his daughter Stephanie Schladweiler) who were reimbursed – with either Gardner's personal funds or the funds of the Wisconsin and Southern Railroad – for contributions made to political candidates.

In May 2010, the Government Accountability Board consulted with Milwaukee County Assistant District Attorney Bruce J. Landgraf, whose office had the responsibility to investigate the corporation inasmuch as Railroad is headquartered in Milwaukee County. Subsequently, Assistant District Attorney Landgraf, as the designee of Milwaukee County District Attorney John Chisholm, was appointed to serve as a Special Prosecutor for Washington County, thereby allowing him to handle issues involving both jurisdictions.

This investigation was thereafter conducted under the auspices of an ongoing Milwaukee County John Doe investigation, Milwaukee County Case No. 10JD000007. The Honorable Neal Nettessheim presides over this John Doe proceeding. The John Doe is subject to a Secrecy Order. To the extent that the John Doe investigation relates to William Gardner and the Wisconsin and Southern Railroad, Judge Nettessheim has authorized the release of information necessary for the prosecution of William Gardner, the Railroad and all railroad employees.

At all relevant times for purposes of this complaint, I know that Scott Walker was a candidate for the Office of Governor. Having received the nomination of his party, Mr. Walker was elected Governor in November 2010.

Summary of the Investigation

As developed during the course of this investigation, William Gardner and the Wisconsin and Southern Railroad have cultivated an ongoing relationship with the State of Wisconsin, local governments and their policy makers. Based upon testimony and documentary evidence gathered in this John Doe investigation, I know that the Railroad receives millions of dollars in grants and loans from the State of Wisconsin. Indeed, the corporate chief financial officer described this revenue source as "essential" to the operation of the Railroad. To this end, the Railroad employs Ken Lucht to function as a government liaison. For example, according to his 2009 job description, he spent more than 75% of his time on tasks involving contact with government agencies, especially the State government. Specifically, 25% of his job was described as "Lobby our state and federal lawmakers for railroad-

friendly legislation," and "Lobby our state and federal lawmakers for increased funding for track & structure upgrades."

On or about November 15, 2005, GAB records reflect that Mr. Gardner paid a \$1,000 forfeiture to the State of Wisconsin Ethics Board for a violation of campaign finance laws. He made a \$5,000 contribution in July of 2005 during a period while he was acting as a lobbyist. At the time of the contribution, Gardner, as a registered lobbyist, was prohibited from making such a contribution. Gardner was reimbursed by the Friends of Scott Walker for this contribution on November 17, 2005. See Exhibit A. As reflected on Exhibit A (provided to the investigation by William Gardner), Gardner "donated back" the same amount to the Friends of Scott Walker through his daughter, Stephanie Schladweiler, on the same day, November 17, 2005.

On November 19, 2009, during the recent election cycle, Gardner made a \$5,000 contribution to the Friends of Scott Walker. A Subpoena for Documents was issued for the Wells Fargo Bank account of William Gardner and bank records indicate that Check No. 4007 was issued to, and negotiated by, the Friends of Scott Walker (also referred to hereinafter as "FOSW"). See Figure 1.

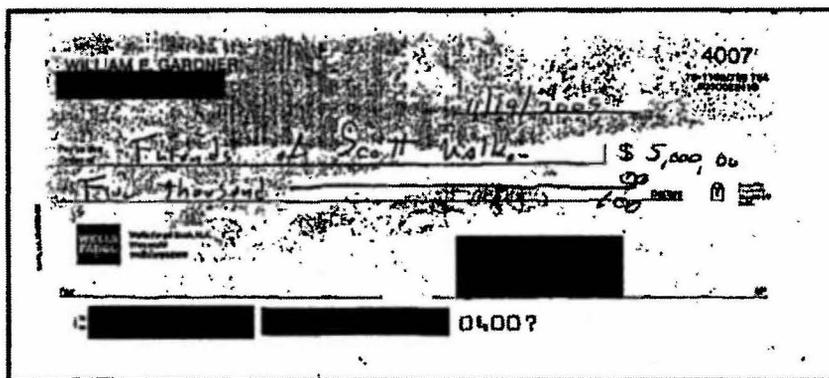


Figure 1

On November 19, 2009, e-mails exchanged by FOSW staffers Luke Fuller and Joe Fadness reflect that: "I (Fuller) just spoke with Bill Gardner, he said he is going to mail a check for \$5,000 today. He would like Scott to give him a call also. His cell is . . . [REDACTED]."

On or about November 20, 2009, based upon my review of WSOR documents provided to the investigation by William Gardner, Gardner submitted an expense statement to the Railroad that included an expense for "Friends of Scott Walker" "Contribution for Governor" in the amount of \$5,000. Gardner's Wells Fargo Bank records reflect that a WSOR corporate expense check in an amount matching the November 20, 2009 expense statement was deposited into his account on November 23, 2009.

In November 2009, Gardner also wrote checks to Representative Mike Sheridan and the Assembly Democratic Campaign Committee in amounts of \$2,000 each. A State Assemblyperson is limited by law to a maximum donation of \$500 per election cycle. Mr. Gardner ultimately issued checks in the amount of \$500 to Representative Sheridan and \$3,500 to the ADCC. This gives rise to the fair inference that Mr. Gardner was informed as to the law of campaign contribution limits. Indeed, in his testimony before John Doe Judge Neal Nettlesheim, lobbyist Ken Lucht testified that he did research and "very well could have" created a document that digested the limits that could be contributed to a candidate in the races for Governor, Assembly and Senate. The document (see Figure 2 below) was recovered as part of the Search Warrant executed on June 24, 2010 at the Railroad for digital evidence

Campaign Finance Rules

For anyone giving money to candidate:

Gubernatorial Race	\$10,000 aggregate limit Per Election Cycle
Assembly Race	\$500.00 aggregate limit per election cycle
Senate Race	\$1,000 aggregate limit per election cycle

Figure 2

in the form of e-mails and network files. The "meta-data" for the Microsoft WORD file shown in Figure 2 lists Lucht as the "Author" of the document. The document specifically identifies \$10,000 as the maximum sum which could be contributed to a gubernatorial candidate in an election cycle. Concerning this document, Lucht testified as follows:

- Q. My first question would be, what were the circumstances as best you recall that led to the research that's represented by this document?
- A. Bill Gardner had asked some questions. He asked me questions about how much he could contribute towards a candidate or candidates. I did not have the answers that he was looking for, so I did some research.

Lucht further testified that he shared his research with Gardner. The "Last Modified" date of this document was January 28, 2010, as reflected in the "meta-data" for the WORD file.

On December 10, 2009, FOSW staffer Joe Fadness wrote to William Gardner in an e-mail, "This is confirmation of your breakfast meeting with County Executive Scott Walker on Monday, December 21."

On December 14, 2009, Railroad employee Steven Beske donated to the Friends of Scott Walker. In his John Doe testimony, Steven Beske stated that he is the Superintendent of Transportation for the Railroad. Beske testified that he contributed \$5,000 to the Friends of Scott Walker "because Bill Gardner asked me (Beske) to." Beske was asked the following question and gave the answer set forth below:

Q. Okay. And tell me what you recall about that conversation that you had with Mr. Gardner.

A. It was very brief. Just could you write out a check for \$5,000 to the Scott Walker campaign. I'll get you the exact name to put on the check and I'll get you an address of where to send it. And then fill out an expense form for reimbursement and give that to Gibby. And then don't send in your check until you get the check from WSOR, so your account isn't overdrawn or you're having problems of that nature.

"Gibby" is identified as Gilbert Loberg. He works in the Accounting Division of the Railroad and he processes expense reimbursement requests. Beske testified that he wrote out a contribution check payable to the Friends of Scott Walker dated December 14, 2009. The John Doe Judge issued a Subpoena Duces Tecum for the bank records of Mr. Beske at Chase Bank. Those records confirm the deposit of a Railroad check in the amount of \$5,000, posted on December 17, 2009. Further these bank records indicate that on December 18, 2009, Chase Bank processed a check payable to, and endorsed by, the Friends of Scott Walker in the amount of \$5,000.

On December 14, 2009, the same day that Mr. Beske wrote out his contribution check, Gardner's former friend made out a check payable to the Friends of Scott Walker in the amount of \$10,000. She has told GAB attorneys and investigators that William Gardner directed her to do this. She further stated that she received a personal check from William Gardner in the amount of \$10,000 to fund this contribution. Her bank records, obtained by order of the John Doe Judge from Chase Bank, confirm her statements. The friend also stated that she left William Gardner during an argument in December 2009. After the break-up, but before the \$10,000 check cleared the bank, she learned from a friend, Gregory Edminster, that this activity was probably illegal. She stopped payment on the \$10,000 check to the Friends of Scott Walker and thereafter returned the money to Gardner. These facts are also confirmed by an examination of her Chase Bank records.

A dispute ensued concerning personal property. The dispute concerned both items given to the friend and items belonging to the friend but retained by Gardner. This dispute ultimately led to the contact between the friend and the Government Accountability Board on April 19, 2010 described below.

WSOR corporate records provided to the investigation by the Railroad, as well as Wells Fargo Bank records obtained by court order, indicate that Gardner was issued a check by the Railroad for a sum including the \$10,000 contribution by the friend. See Exhibit A. The reimbursement check was issued on or about December 17, 2009 and was deposited into Mr. Gardner's account on December 18, 2009.

On December 14, 2009, William Gardner wrote out a second check to the Friends of Scott Walker in the amount of \$5,000. Gardner received the sum of \$5,000 in the form of reimbursement from the

corporation. See Exhibit A. The check was cashed by the campaign committee. Wells Fargo Bank records confirm these facts.

On December 15, 2010, James Lombard wrote a check out to the Friends of Scott Walker in the amount of \$5,000. In his John Doe testimony, Mr. Lombard testified that he is the Vice-President of Marketing and Sales for the Railroad. Lombard testified that he contributed \$5,000 to the Friends of Scott Walker at the request of William Gardner. He further testified that he submitted an expense reimbursement request for \$5,000 and thereafter he received and cashed a check in that amount issued by the corporation. Mr. Lombard's bank records confirm his testimony.

On December 21, 2009, FOSW staffer Joe Fadness wrote in an e-mail (produced by the campaign to the GAB investigators) the following concerning William Gardner:

Bill Gardner pledged to raise \$30K by 12/31/09. To that end, please be on the lookout for the money listed below. It should be categorized as follows - Category type: Misc; Category: Finance Committee (2010). Please put "Bill Gardner Commitment" in the internal memo.

The FOSW campaign provided records indicating that William Gardner met with the candidate Scott Walker on December 21, 2009 at the Crowne Plaza and Suites in Milwaukee.

On January 5, 2010, based upon my examination of e-mails exchanged between Gardner and his ex-friend, Gardner learned from the FOSW campaign committee that a "Stop Payment" on the friend's \$10,000 contribution check had been issued. Except as otherwise noted in this paragraph, there is no indication in e-mail evidence or otherwise that the illegal character of the reimbursed contributions was discussed with Gardner until April. Likewise, it appears that the friend did not explain the reason for the Stop Payment to the campaign. However, I did conduct an interview of Gregory Edminster, the person who told the friend that the practice of reimbursing political campaign contributions was likely illegal. He stated that he contacted the campaign and he was assured by a campaign committee management staff member that the campaign "had methods to detect illegal contributions and that they were confident that there were no illegal contributions coming into the Walker campaign."

In February 2010, Ken Lucht, the Governmental Relations person for the Railroad, was solicited by William Gardner to contribute \$5,000 to the Friends of Scott Walker. He was in fact "reimbursed" by the Railroad for that amount and this is confirmed by a review of Lucht's Summit Credit Union financial records. However, as Lucht stated in his John Doe testimony, he did not forward this contribution to the Walker campaign. He kept the money, he testified, because he did not think it was "right" to contribute the money. He returned the money to the WSOR corporation in May of 2010 after William Gardner publicly disclosed his conduct in violation of the campaign finance laws.

In February 2010, Bernard Meighan contributed to the Scott Walker campaign. Mr. Meighan testified at the John Doe proceeding that he is the Superintendent for Maintenance for the Railroad. He further stated that he was asked by William Gardner to make a \$5,000 contribution to the Friends of Scott Walker under circumstances like those described above by other employees. Namely, he expected to submit an expense form to the corporation and be reimbursed for the contribution. He forwarded a personal check dated February 3, 2010 in the amount of \$5,000 to the Friends of Scott Walker. An examination of his bank records, subpoenaed by the John Doe Judge from the Horizon Bank, confirm that on February 16, 2010 a WSOR check in the amount of \$5,000 was deposited into Meighan's personal bank account. Bank records further reflect that on February 24, 2010 a check payable to, and endorsed by, the Friends of Scott Walker was posted to, and paid out of, Meighan's personal account.

On March 16, 2010, based upon a review of e-mails provided by the campaign committee, Gardner wrote to Walker fundraiser Dan Morse telling him that he (Gardner) had "rounded up" two others for \$5,000 each, referring to Lucht and Meighan.

Based upon e-mails developed through the execution of the Search Warrant at the Railroad for digital evidence from the WSOR network and e-mail system, the e-mail represented by Figure 3 was discovered. On March 2, 2010, Gardner wrote to FOSW fundraiser Dan Morse, "Do I need to buy a ticket for the dinner on Monday?????????????????" a reference to a fundraiser dinner featuring Jeb Bush. Morse wrote back to Gardner (as shown in Figure 3) that he was "maxxed out," meaning he could not legally contribute more to the Friends of Scott Walker.

From: Dan Morse [REDACTED]
Sent: Tuesday, March 02, 2010 4:36 PM
To: Bill Gardner
Subject: RE: Dinner with Jeb Bush

Let me put you in touch with Mary Stitt, the person in charge of the event. Since you are maxxed out, that will not be a problem.

Please let me know if you do not hear from her in the next 24 hours.

Thanks
Dan

Figure 3

Morse then immediately contacted Mary Stitt, another campaign fundraiser, indicating that Gardner was raising \$100,000 for Scott Walker and needed a seat at the Jeb Bush dinner.

From: Dan Morse [REDACTED]
Sent: Tuesday, March 02, 2010 4:36 PM
To: 'Mary Stitt'
Subject: FW: Dinner with Jeb Bush

Can you please email Bill Gardner? He maxxed out already and is in the middle of raising \$100,000 for Scott. Can we take care of him at the Roundtable and whatever else he wants?

I told him you would call or email him.

Dan

Figure 4

On the same day, March 2, 2010, David Hackbarth was solicited by Gardner to make a contribution to the Friends of Scott Walker. David Hackbarth testified at the John Doe proceedings that he is the Chief Mechanical Officer for the Railroad. He identified a copy of a check, No. 4333, dated March 22, 2010 payable to the Friends of Scott Walker in the amount of \$4,900. Like the other employees identified earlier in this complaint, he stated he was reimbursed for this contribution by the Railroad.

At the same time that David Hackbarth was solicited to make a contribution, on March 2, 2010, Dale Thomas was also solicited. At the John Doe hearings, Thomas testified that he is the Chief Mechanical Officer / Cars for the Railroad. He too confirmed that he was solicited by Gardner to make a contribution to the Friends of Scott Walker in the amount of \$4,900, that he made the contribution and that he was reimbursed by the Railroad in that amount. An examination of Thomas' M&I Bank records, subpoenaed by the John Doe Judge, confirms these statements by Thomas.

Moreover, Thomas testified to the following series of e-mails (Figure 5 to Figure 8 below).

From: Bill Gardner
Sent: Tuesday, March 02, 2010 14:43
To: Dale Thomas
Subject: Scott Walker

Dale,

In the next week turn in an expense report showing that you paid to Scott Walker (Friends of Scott Walker) a check for \$4,900.00.

Once Gibby give you the check deposit it in your checking account. Once that is done then write a check to Scott Walker from your own personally account for the sum of \$4,900.00 and send the Check to

Friends of Scott Walker
Post Office Box 100828
Wauwatosa, WI 53210

Keep me posted on this and when the check is sent.....

bg

Figure 5

From: Dale Thomas
Sent: Tuesday, March 02, 2010 5:07 PM
To: Bill Gardner
Subject: RE: Scott Walker

Will Do.

Dale

Figure 6

From: Bill Gardner
Sent: Tuesday, March 02, 2010 17:30
To: Dale Thomas
Subject: RE: Scott Walker

And lets not blab this around.....

bg

Figure 7

From: Dale Thomas
Sent: Tuesday, March 02, 2010 5:54 PM
To: Bill Gardner
Subject: RE: Scott Walker

I kinda figure that, my lips are sealed.

Dale

Figure 8

When asked to explain his "my lips are sealed" response, Thomas stated that he "wondered" if it was illegal and that he "found it all to be quite odd:"

Q. And if I'm reading this correctly, you replied to him, I kind of figured that, my lips are sealed; correct?

A. Yes.

Q. What did you mean by that?

A. I wasn't going to take this outside of the company or to somebody that was not at a management level.

Q. Okay. Did you believe when you read it -- when you made that reply that this process might be illegal?

A. I'm sure I wondered it, because as I stated before, I found it all to be quite odd.

Concerning the foregoing series of e-mails, Mr. Gardner's attorneys have stated that Gardner solicited Thomas' silence out of a concern for lavish political spending during tight economic times requiring Railroad wage cuts.

Based upon my review of documents that were released to the investigation by the campaign, William Gardner had another meeting with Scott Walker on April 13, 2010 at Noodles & Company in Madison.

Recovered from the WSOR e-mail system on June 24, 2010, Figure 9 is an e-mail exchange in the days following the April 13, 2010 meeting between the candidate Scott Walker and William Gardner. It provides a record of the matters that Gardner discussed with the gubernatorial candidate.

From: [REDACTED]@scottwalker.org
Sent: Saturday, April 17, 2010 7:19 PM
To: Bill Gardner
Subject: Re: thanks for meeting me at Noodles this week.....

Thanks a million!

Sent from my Verizon Wireless BlackBerry

From: "Bill Gardner" [REDACTED] >
Date: Thu, 15 Apr 2010 11:37:50 -0500
To: [REDACTED]@scottwalker.org >
Subject: thanks for meeting me at Noodles this week.....

Dear Scott,

Again thanks for taking the time to meet with me this week at Noodles. I know you have a busy schedule again of your successful run for Wisconsin Governorship.

As I said, I hope you pick a Secretary of Transportation that understands that the State of Wisconsin owns about 700 miles of RR in the state of WI. that I currently operate for the state. I have take off the WI. roadways 250,000 trucks each year and will continue to do the same as long as I get support in upgrading this old warn out rail system that I currently operate on for the State of WI..

With all the necessary tools provided by State Government, including adequate funding for capital upgrades to the state-owned freight railroad system, the Wisconsin & Southern Railroad Co. will continue to spur economic development throughout the state and do what we do best – bring good high-paying jobs to Wisconsin by providing an alternative mode of transportation for Wisconsin Communities and Businesses.

As for me, I enjoy coming to work each day and working with existing customers building new additions to their existing facilities or working with new customers that build new facilities on the WSOR system which brings new jobs and new tax dollars to the State of WI. and local communities.

Keep up the good work and I will do everything I can do to get you in the Governors Mansion.....

bg

Figure 9

Several days later, Gardner's former friend contacted the GAB in an apparent attempt to force Gardner to return her personal property to her. Figure 10 is a re-print of the e-mail exchanged between William Gardner, his attorney and his former friend on the same day that the GAB was initially contacted concerning this violation of campaign finance laws, April 19, 2010. Attorney Brian Baird, who was mediating the property dispute between Gardner and his ex-friend, was the original recipient of the friend's e-mail, with a copy being sent to William Gardner.

Subject: RE: I think you should know
From: "Bill Gardner" [REDACTED]
Date: Mon, 19 Apr 2010 13:05:19 -0500
To: "S [REDACTED]", <bba[r]c [REDACTED]>
S [REDACTED].

Knock yourself out. I did nothing wrong and have broken no law.....

bg

From: S [REDACTED]
Sent: Mon 4/19/2010 11:24 AM
To: bba[r]c [REDACTED]
Cc: Bill Gardner
Subject: Re: I think you should know

Brian,

I am writing this e-mail letting u know that I have been speaking with the attorney (Michael Haas), for the State of Wisconsin Department of Elections Accountability Board, located in Madison, WI. Attorney Mike Haas is very receptive to the information I have given to him so far, the only part I have left out is the name of the individual and the business concerned. Which I will do, and we have all the necessary documents to go further with this, If I do not receive all of my belongings, and I mean everything belonging to me, by the 30th of April, 2010. That gives you 10 bussiness days to have them delivered to me. I think I have been quite patient concerning this matter, and it is illegal to hold them any longer period. (ie: legal documents included)

I do not think Bill, The WSOR, or any other parties or individuals concerned in any of his business dealings would like any legal problems, or the public embarrassment that this will cause.

Sincerely, S [REDACTED]

Figure 10

At the end of April 2010, Gardner solicited other Railroad employees for contributions. Based upon my interviews of two additional employees, Ken Clemmons and Kathleen Sackett, I know William Gardner continued to solicit Railroad employees to contribute to the Friends of Scott Walker after April 19, 2010. On April 25, 2010, Gardner asked Clemmons and Sackett to make contributions to the Scott Walker campaign and then submit expense forms for reimbursement from the Railroad. The sum of \$4,900 was specified. Ms. Sackett states she refused to make the contribution. Mr. Clemmons states that the legality of the practice was questioned when he and Sackett travelled from their offices in Madison to Milwaukee during the first part of the business week in the days following the April 25 e-mail. Gardner was not present for the meeting; he was vacationing out of state. The attorneys for William Gardner state that it was this exchange between Sackett and other Railroad employees that led to the decision to publicly admit these campaign finance violations.

On May 10, 2010, the Government Accountability Board formally commenced its investigation based upon the April 19, 2010 information provided by the former friend.

On May 18, 2010, attorneys representing William Gardner contacted the Government Accountability Board and disclosed the violations recounted in this complaint and other violations as well. See Exhibit A. Further, at about that same time, Gardner released a public statement accepting responsibility for these violations.

In all instances, except as reflected on Exhibit A, the Friends of Scott Walker confirmed the receipt of the contributions described in this complaint. These contributions were returned by the campaign to the nominal contributors in May 2010.

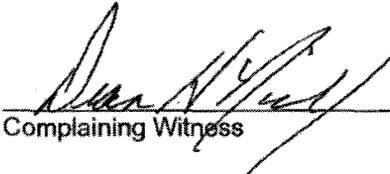
Mr. Gardner's attorneys state that all returned contributions have been donated to charity.

In addition to the employees identified on Exhibit A, the John Doe investigation identified an additional illegal transaction in early 2006, at about the same time as the Lombard, Meighan and Schladweiler transactions set forth in Exhibit A. Based upon a review of the Wells Fargo Bank records of William Gardner, the Fond du lac Credit Union records of Suzanne and Craig Immel, and the John Doe testimony of Suzanne Immel, I know that Suzanne Immel was reimbursed for a \$500 contribution that her husband Craig made to the Friends of Scott Walker in February 2006.

Both Mr. Gardner and the FOSW campaign committee haven been cooperative with the GAB in its investigation of this matter.

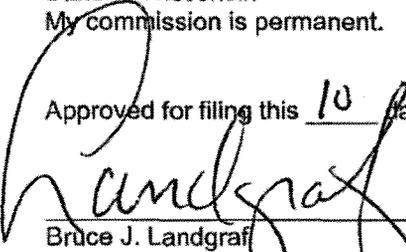
****End of Complaint****

By authority of §968.01(3)
Subscribed and sworn to before me
at Milwaukee, Wisconsin on
this 1 day of APRIL 2011.


Complaining Witness

1/5/ Bruce J. Landgraf
Notary Public, Milwaukee County
State of Wisconsin
My commission is permanent.

Approved for filing this 10 day of April, 2011.


Bruce J. Landgraf
Milwaukee County Assistant District Attorney
& Washington County Special Prosecutor
State Bar Number 01009407

Supplement to William Gardner's Self-Reporting Information to GAB

5/28/2010

CONTRIBUTIONS REIMBURSED BY WSOR						
Contributor	Reimb. Date	Recipient	Contribution		Notes	Returned by Campaign
			Date	Amount		
Lucht, Ken	5/30/2005	Friends of Alberta Darling	5/9/2003	\$500		No
Gardner, William	4/4/2005	Ted Kanavas for Senate	3/7/2005	\$500		No
Lucht, Ken	6/22/2005	Friends of Scott Walker	6/11/2005	\$1,000	\$500 returned by Walker in 2005	\$500 - Oct. 2005
Gardner, William	7/14/2005	Friends of Scott Walker	6/10/2005	\$5,000	Returned by Walker in 2005	Yes - Oct. 2005
Gardner, William	8/31/2005	Doyle for Wisconsin	8/30/2005	\$5,000		No
Gardner, William	11/23/2009	ADCC	11/19/2009	\$2,000	Orig. contribution rewritten for \$3,500	Donated by ADCC
Gardner, William	11/23/2009	Friends of Mike Sheridan	11/19/2009	\$2,000	Orig. contribution rewritten for \$500	?
Gardner, William	11/23/2009	Friends of Scott Walker	11/19/2009	\$5,000		Yes - May 2010
Gardner, William	12/16/2009	Friends of Scott Walker	12/14/2009	\$5,000		Yes - May 2010
	12/16/2009	Friends of Scott Walker	12/14/2009	\$10,000	WSOR reimb to Gardner; Long stopped payment on check and returned funds to Gardner	n/a
Beske, Steve	12/16/2009	Friends of Scott Walker	12/14/2009	\$5,000		Yes - May 2010
Lombard, James	12/16/2009	Friends of Scott Walker	12/15/2009	\$5,000		Yes - May 2010
Meighan, Bernard	2/1/2010	Friends of Scott Walker	2/3/2010	\$5,000		Yes - May 2010
Thomas, Dale	3/15/10 (est.)	Friends of Scott Walker	3/8/2010	\$4,900		Yes - May 2010
Hackbarth, David	4/22/2010	Friends of Scott Walker	3/22/2010	\$4,900		Yes - May 2010
				<u>\$60,800</u>		

CONTRIBUTIONS REIMBURSED BY WILLIAM GARDNER						
Contributor	Reimb. Date	Recipient	Contribution		Notes	Returned by Campaign
			Date	Amount		
Schladweiler, Stephanie	11/17/2005	Friends of Scott Walker	11/17/2005	\$5,000	Stephanie is Bill Gardner's daughter	\$5,000 returned May 2010;
Schladweiler, Stephanie	1/23/2006	Friends of Scott Walker	1/23/2006	\$5,000		unknown which contrib.
Lombard, Jim	2/28/2006	Friends of Scott Walker	2/28/2006	\$1,000		No
Meighan, Bernard	2/28/2006	Friends of Scott Walker	2/28/2006	\$1,000		No
				<u>\$12,000</u>		

WSOR REIMBURSEMENTS FOR WHICH NO CONTRIBUTION ULTIMATELY MADE						
Contributor	Reimb. Date	Intended Recipient	Contribution		Notes	Returned by Campaign
			Date	Amount		
Lucht, Ken	8/7/2006	Unknown	n/a	\$1,000	Unclear what this relates to	n/a
Lucht, Ken	2/3/2010	Friends of Scott Walker	n/a	\$5,000	Contribution never sent	n/a
				<u>\$6,000</u>		

CONTRIBUTIONS BY WILLIAM GARDNER FOR WHICH NO REIMBURSEMENT MADE						
Contributor	Reimb. Date	Recipient	Contribution		Notes	Returned by Campaign
			Date	Amount		
Gardner, William	n/a	Friends of Alberta Darling	5/15/2003	\$500		n/a
Gardner, William	n/a	Friends of Alberta Darling	4/23/2007	\$500		n/a



000126



OFFICE OF THE DISTRICT ATTORNEY
Milwaukee County

JOHN T. CHISHOLM · District Attorney

Chief Deputy Kent L. Lovern, Deputies James J. Martin, Patrick J. Kenney, Lovell Johnson, Jr., Jeffrey J. Altenburg

March 18, 2011

VIA U.S. MAIL & ELECTRONIC MAIL

Attorney Dean A. Strang
Hurley, Burish & Stanton S.C.
33 East Main Street, Ste. 400
P.O. Box 1528
Madison, WI 53701-1528

Re: State of Wisconsin vs. William Gardner

Dear Mr. Strang:

Please accept this correspondence as the State's Offer of Settlement. As I have advised you, I act under the terms of an appointment as a Special Prosecutor on behalf of Washington County.

Mr. Gardner is the subject of a John Doe investigation and the scope of this investigation includes within it Mr. Gardner's contributions to political candidates generally and to the Friends of Scott Walker specifically. As it relates to Mr. Gardner, the John Doe investigation has focused on the laundering of campaign contributions in violation of Wisconsin Statutes §§11.24(1) and 11.61(1)(a) and gubernatorial campaign contributions in excess of the \$10,000 limit in violation of Wisconsin Statutes §§11.26(1) and 11.61(1)(b). Each of these crimes is a Class I felony punishable by a term of imprisonment of forty-two (42) months, comprised of eighteen (18) months Initial Confinement and twenty-four (24) months Extended Supervision.

Mr. Gardner has expressed an interest in bringing this matter to an efficient close. To this end, we have met to discuss the possibility of a negotiated issuance of criminal charges followed upon by a guilty plea and sentencing proceeding. Our pre-charging settlement discussion has been specifically authorized by the terms of the John Doe judge's Thirteenth Addendum to the Secrecy Order entered in that proceeding.

In exchange for Mr. Gardner's plea to one count each of the charges of Campaign Money Laundering in violation of Wisconsin Statutes §§11.24(1) and 11.61(1)(a) and Exceeding Campaign Contribution Limits in violation of Wisconsin Statutes §§11.26(1) and 11.61(1)(b), the State will recommend that Mr. Gardner be sentenced to concurrent terms of thirty months imprisonment (fifteen (15) months Initial Confinement plus fifteen (15) months Extended Supervision) on each count. I will further recommend that this sentence be stayed and that Mr. Gardner be placed on a twenty-four (24) month term of probation. I will recommend to the court that this be a period of straight probation without confinement conditions. I find that this recommendation is justified on the basis of Mr. Gardner's conduct since the commencement of the Government Accountability Board investigation, including his acceptance of responsibility for these criminal law violations at the beginning of this investigation, the donation of the illegal contribution money to charity after these funds were returned by various political committees,

FILED

APR 11 2011

CLERK OF CIRCUIT COURT
WASHINGTON CO., WI 53095

- William J. Kozar
- Debra S. Jackson
- Gale D. Shelton
- Clay D. Erickson
- Urvashi Reddes
- Cynthia G. Brown
- Thomas A. Gahn
- Steven H. Gamm
- Mark S. Williams
- John H. Stuber
- Thomas L. Pelzer
- David Felsa
- Rajann Choudhary
- Carla Mancheske
- Kenneth R. Berg
- Warren D. Eise
- Timothy J. Collier
- Carol Berry Crowley
- Steven V. Licata
- Ered Vorpahl
- Paul Tiffin
- Hilary S. Folk
- Phyllis M. DeCarnato
- Dennis B. Murphy
- Bruce J. Lerdogref
- Dennis J. Strigl
- David M. Lerman
- Janet C. Probasewicz
- Dakota L. Ward
- Patricia A. McGowan
- Irene E. Portnum
- Karen A. Loebel
- Ronald S. Dague
- Lois S. Korrbum
- Karlyn D'Ernye
- Hana Dorsey
- James W. Frisch
- Kurt B. Bentley
- James C. Griffin
- William P. Pipp
- James L. Handick
- Christopher A. Engel
- Hogan P. Cannady
- Laura A. Cimico
- Shawn Pompe
- Kevin B. Shornin
- Beth D. Ziegler
- Karen A. Vespalec
- Mark A. Sanders
- Raul C. Decorsky
- David T. Malone
- Kelly L. Hedger
- Rachael Stencel
- Mary H. Sosinski
- Kathryn K. Turner
- Daniel J. Gubler
- Sara P. Scuderi
- T. Christopher Dea
- Joseph B. Corr
- Jay Hammond
- Katherine F. Kucharski
- Elizabeth Mueller
- Grant L. Huebner
- Stephen Edward Hoffman
- Alanna Robinson Hayes
- Jennifer K. Rhodes
- Claire Stalling
- Zach Whinery
- Rebecca A. Klafar
- Matthew J. Trevisan
- Katelyn L. Gibbs
- Carla Hering
- Anthony White
- Amori Apolo
- Nicola D. Loeb
- Erin Karshen
- Lucy Krenfiet
- Thomas J. Koski
- Paul H. Heuer
- Sara Beth Lewis
- Aaron E. Hall
- Jessal Spies
- David M. Siegel
- Amanda Kulkarni
- Benjamin Weston
- Renee Hennig
- Xuli P. Hayes
- Jessica Zolter
- Holly L. Bunch
- Jacobi A. Harlan
- Heather M. Paszak
- Megan M. Williamson
- DeWay B. Martin
- Sarah Eberle
- Christopher J. Ledwith
- Kenneth D. Sherris
- Wesley J. Sheldon
- Dan C. Odum
- Maureen A. Ahnold
- Christopher W. Reathorne
- Rachel E. Schuler
- Jennifer L. Hanson
- Patricia L. Dougherty
- Marissa L. Smithey
- Stephen C. Lindberg
- Jon Healy
- Ann M. Romero
- Brian Sammons
- Peter H. Tempel
- Steffan G. Pulukalam
- Jeremiah C. Van Hecke
- Edward L. Wright
- Randy Sauerger
- Keyn E. Behring
- Kristen Shimokawa
- Douglas R. Martin
- Kasey H. Deiss
- Andrew A. Hart
- Kristin J. Heilman
- Chad Watson
- Estee E. Hart
- Kristin M. Schank
- Claire E. Trimalco
- Francisco G. Nunez
- Jana Christopherson
- Tyonna M. St. Junior
- Henna R. Kolberg
- Joshua H. Matthe
- Joan O. King

and the filing of amended tax returns adjusted by contribution amounts which were previously claimed as corporate expenses and offsets to corporate income. The State will be otherwise free to argue for terms and conditions of the disposition except it will not request any monetary fine.

In connection with this disposition, I will ask Mr. Gardner to provide satisfactory proof in the form of an Affidavit setting forth the fact that he has made the charitable donations and filed the amended tax returns as described in the previous paragraph.

This agreement is intended as a full and final settlement of all criminal charges that will be brought and that could be brought by the State of Wisconsin against Mr. Gardner as a result of the information contained in the criminal complaint. The information contained in the attached Exhibit A, together with details regarding a 2006 reimbursed campaign contribution of Ms. Suzanne Inmel to the Friends of Scott Walker, will be included in any criminal complaint filed against Mr. Gardner. Upon Mr. Gardner's plea of guilty to the charged crimes, the State of Wisconsin will institute no further criminal proceedings against him. Except as to proceedings instituted by the Government Accountability Board, the State of Wisconsin will initiate no further civil forfeiture proceedings against Mr. Gardner. Mr. Gardner understands and agrees that, in exchange for these promises, the court will be free to consider the totality of the violations alleged in the complaint and that the court may consider such violations, including uncharged violations, in sentencing him.

Mr. Gardner has expressed his wish that criminal responsibility for these illegal campaign contributions fall exclusively to him. Having taken the statements of the railroad employees involved in laundered contributions during the course of the John Doe investigation, and in light of all of the evidence gathered, I agree that responsibility lies with Mr. Gardner and criminal proceedings are not appropriate for the employees. Mindful that the Government Accountability Board will institute proceedings involving the railroad employees, the State of Wisconsin will not commence criminal proceedings against any employee named in the criminal complaint. To this end, prior to the initiation of criminal proceedings, I will obtain a commitment to this effect from other state prosecutors who have jurisdiction over those employees residing outside of Milwaukee and Washington Counties.

Mr. Gardner is, for all practical purposes, the sole shareholder of the Wisconsin & Southern Railroad Co. The corporation is headquartered in Milwaukee, Wisconsin. Recognizing that the Government Accountability Board will institute proceedings involving the corporation, the Milwaukee County District Attorney's Office, as the office with the sole responsibility for the prosecution of the corporation under Chapter 11 of the Wisconsin Statutes, will not commence criminal or civil forfeiture proceedings against the corporation.

Mr. Gardner represents that he is a full-time resident of Washington County. Washington County is therefore the proper venue for the litigation of violations of Wisconsin Statutes §§11.24(1) and 11.26(1), as required by Wisconsin Statutes §971.19(12).

As part of this overall settlement agreement, Mr. Gardner agrees to cooperate in a booking procedure. I will make reasonable efforts to accommodate a booking procedure in Washington County.

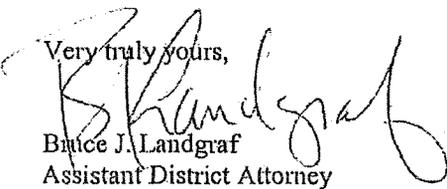
In addition, this offer is based upon the following terms and conditions:

1. Mr. Gardner agrees to appear at all court proceedings in connection with any criminal prosecution commenced in connection with this agreement.

2. Mr. Gardner agrees he will abide by all conditions of his bail ordered in connection with any criminal prosecution commenced in connection with this agreement.
3. Mr. Gardner agrees that he has not been and will not become involved in any further criminal conduct. For purposes of this paragraph, "criminal conduct" is defined as any activity in contravention of a criminal statute that rises to the level of probable cause supporting the issuance of a criminal complaint. It is immaterial whether or not criminal charges are actually filed.
4. Mr. Gardner represents that he has no criminal record. This offer is made in reliance upon this representation. The State's obligation to make the recommendations contained in this settlement offer is conditioned upon the accuracy of this representation.
5. The State and Mr. Gardner agree that restitution is not due and owing for this crime. Noted above, Mr. Gardner will provide acceptable proof of the fact that monies returned to him as illegal campaign contributions have been donated to charity.
6. Acceptance of this Settlement Offer is accomplished by virtue of the entry of guilty pleas to the crimes charged. Mr. Gardner must plead guilty promptly before the trial court on a date no later than ninety days after the filing of the criminal complaint.
7. In the event that there is a breach of this agreement by Mr. Gardner under paragraphs 1, 2 or 3 above, which breach occurs after he has entered a plea of guilty but before sentencing, the State of Wisconsin shall be relieved of its obligations to make the recommendations set forth in this letter and will be free to argue for any disposition that it sees fit.

If you have questions about this offer, kindly contact me at 278-2178. Thank you for your attention to this matter.

Very truly yours,


Bruce J. Landgraf
Assistant District Attorney

BJL/bl

CONTRIBUTIONS REIMBURSED BY WSOR						
Contributor	Reimb. Date	Recipient	Contribution		Notes	Returned by Campaign
			Date	Amount		
Lucht, Ken	5/30/2005	Friends of Alberta Darling	5/9/2003	\$500		No
Gardner, William	4/4/2005	Ted Kanavas for Senate	3/7/2005	\$500		No
Lucht, Ken	6/22/2005	Friends of Scott Walker	6/11/2005	\$1,000	\$500 returned by Walker in 2005	\$500 - Oct. 2005
Gardner, William	7/14/2005	Friends of Scott Walker	6/10/2005	\$5,000	Returned by Walker in 2005	Yes - Oct. 2005
Gardner, William	8/31/2005	Doyle for Wisconsin	8/30/2005	\$5,000		No
Gardner, William	11/23/2009	ADCC	11/19/2009	\$2,000	Orig. contribution rewritten for \$3,500	Donated by ADCC
Gardner, William	11/23/2009	Friends of Mike Sheridan	11/19/2009	\$2,000	Orig. contribution rewritten for \$500	?
Gardner, William	11/23/2009	Friends of Scott Walker	11/19/2009	\$5,000		Yes - May 2010
Gardner, William	12/16/2009	Friends of Scott Walker	12/14/2009	\$5,000		Yes - May 2010
	12/16/2009	Friends of Scott Walker	12/14/2009	\$10,000	WSOR reimb to Gardner; Long stopped payment on check and returned funds to Gardner	n/a
Beske, Steve	12/16/2009	Friends of Scott Walker	12/14/2009	\$5,000		Yes - May 2010
Lombard, James	12/16/2009	Friends of Scott Walker	12/15/2009	\$5,000		Yes - May 2010
Meighan, Bernard	2/1/2010	Friends of Scott Walker	2/3/2010	\$5,000		Yes - May 2010
Thomas, Dale	3/15/10 (est.)	Friends of Scott Walker	3/8/2010	\$4,900		Yes - May 2010
Hackbarth, David	4/22/2010	Friends of Scott Walker	3/22/2010	\$4,900		Yes - May 2010
				<u>\$60,800</u>		

CONTRIBUTIONS REIMBURSED BY WILLIAM GARDNER						
Contributor	Reimb. Date	Recipient	Contribution		Notes	Returned by Campaign
			Date	Amount		
Schladweiler, Stephanie	11/17/2005	Friends of Scott Walker	11/17/2005	\$5,000	Stephanie is Bill Gardner's daughter	\$5,000 returned May 2010;
Schladweiler, Stephanie	1/23/2006	Friends of Scott Walker	1/23/2006	\$5,000		unknown which contrib.
Lombard, Jim	2/28/2006	Friends of Scott Walker	2/28/2006	\$1,000		No
Meighan, Bernard	2/28/2006	Friends of Scott Walker	2/28/2006	\$1,000		No
				<u>\$12,000</u>		

WSOR REIMBURSEMENTS FOR WHICH NO CONTRIBUTION ULTIMATELY MADE						
Contributor	Reimb. Date	Intended Recipient	Contribution		Notes	Returned by Campaign
			Date	Amount		
Lucht, Ken	8/7/2006	Unknown	n/a	\$1,000	Unclear what this relates to	n/a
Lucht, Ken	2/3/2010	Friends of Scott Walker	n/a	\$5,000	Contribution never sent	n/a
				<u>\$6,000</u>		

CONTRIBUTIONS BY WILLIAM GARDNER FOR WHICH NO REIMBURSEMENT MADE						
Contributor	Reimb. Date	Recipient	Contribution		Notes	Returned by Campaign
			Date	Amount		
Gardner, William	n/a	Friends of Alberta Darling	5/15/2003	\$500		n/a
Gardner, William	n/a	Friends of Alberta Darling	4/23/2007	\$500		n/a



State of Wisconsin

Government Accountability Board

In the Matter of

)

SETTLEMENT AGREEMENT

)

William Gardner

)

GAB Case #2010-05

This agreement is entered into pursuant to the authority granted in §5.05 (1) (c), *Wisconsin Statutes*, for the purpose of settling a potential action for a violation of subch. III, Ch.13, *Wisconsin Statutes*. The parties hereto acknowledge and agree as follows:

1. That Wisconsin & Southern Railroad Co. is a corporation doing business in Wisconsin.
2. That William Gardner is the President and owner of Wisconsin & Southern Railroad Co.
3. That from December 2009 through April 2010 Mr. Gardner requested a number of company employees to make campaign contributions to Friends of Scott Walker in the amount of either \$4,900 or \$5,000. Mr. Gardner told these employees that Wisconsin & Southern Railroad Co. would reimburse them for the contributions.
4. That in November 2009 Mr. Gardner made contributions to Friends of Mike Sheridan and the Assembly Democratic Campaign Committee totaling \$4,000.
5. That in November and December 2009 Mr. Gardner made two \$5,000 campaign contributions to friends of Scott Walker.
6. That in December 2009 Mr. Gardner requested a friend to make a \$10,000 contribution to Friends of Scott Walker, which Mr. Gardner reimbursed.
7. That from November 2009 through April 2010 Wisconsin & Southern Railroad Co. reimbursed Mr. Gardner and the company employees for these contributions.
8. That Wisconsin & Southern Railroad Co. reimbursed 11 political contributions made by individuals totaling \$53,800.
9. That §11.24 (1), *Wisconsin Statutes*, provides that no person may, directly or indirectly, furnish funds to another person for the purpose of making a contribution in other than the person's own name.
10. That §11.38 (1), *Wisconsin Statutes*, provides that no corporation may make any contribution, directly or indirectly, to any candidate or committee, other than to promote or defeat a referendum.

State of Wisconsin	Government Accountability Board
In the Matter of)
	) SETTLEMENT AGREEMENT
)
William Gardner	) GAB Case #2010-05

This agreement is entered into pursuant to the authority granted in §5.05 (1) (c), *Wisconsin Statutes*, for the purpose of settling a potential action for a violation of subch. III, Ch.13, *Wisconsin Statutes*. The parties hereto acknowledge and agree as follows:

1. That Bernard Meighan is an employee of Wisconsin & Southern Railroad Company.
2. That William Gardner is the President and owner of Wisconsin & Southern Railroad Company.
3. That in February 2010 Mr. Gardner requested Mr. Meighan to make a campaign contribution to Friends of Scott Walker in the amount of \$5,000. Mr. Gardner told Mr. Meighan that Wisconsin & Southern Railroad Company would reimburse him for the contribution.
4. That Mr. Meighan made a \$5,000 contribution to Friends of Scott Walker on February 3, 2010.
5. That Wisconsin & Southern Railroad Company paid this amount to Mr. Meighan on February 1, 2010.
6. That §11.24 (1), *Wisconsin Statutes*, provides that no individual may, directly or indirectly, make any campaign contribution other than from funds belonging to that individual.
7. That Mr. Meighan violated this statute by making a contribution of \$5,000 to Friends of Scott Walker for which contribution he received full reimbursement from Wisconsin & Southern Railroad Company.
8. That Bernard Meighan has agreed to pay a civil forfeiture of \$250 in settlement of this matter.

Bernard M Meighan April 8, 2011

 BERNARD MEIGHAN Date

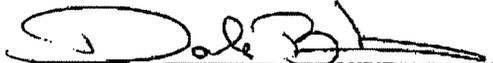
Kevin J Kennedy 4/11/11

 STATE OF WISCONSIN Date
 GOVERNMENT ACCOUNTABILITY BOARD
 By: Kevin J. Kennedy
 Director and General Counsel

State of Wisconsin	Government Accountability Board
In the Matter of	) SETTLEMENT AGREEMENT
William Gardner	) GAB Case #2010-05

This agreement is entered into pursuant to the authority granted in §5.05 (1) (c), *Wisconsin Statutes*, for the purpose of settling a potential action for a violation of subch. III, Ch.13, *Wisconsin Statutes*. The parties hereto acknowledge and agree as follows:

1. That Dale Thomas is an employee of Wisconsin & Southern Railroad Company.
2. That William Gardner is the President and owner of Wisconsin & Southern Railroad Company.
3. That in March 2010 Mr. Gardner requested Mr. Thomas to make a campaign contribution to Friends of Scott Walker in the amount of \$4,900. Mr. Gardner told Mr. Thomas that Wisconsin & Southern Railroad Company would reimburse him for the contribution.
4. That Mr. Thomas made a \$4,900 contribution to Friends of Scott Walker on March 8, 2010.
5. That Wisconsin & Southern Railroad Company reimbursed this amount to Mr. Thomas on or about March 15, 2010.
6. That §11.24 (1), *Wisconsin Statutes*, provides that no individual may, directly or indirectly, make any campaign contribution other than from funds belonging to that individual.
7. That Mr. Thomas violated this statute by making a contribution of \$4,900 to Friends of Scott Walker for which contribution he received full reimbursement from Wisconsin & Southern Railroad Company.
8. That Dale Thomas has agreed to pay a civil forfeiture of \$250 in settlement of this matter.


 DALE THOMAS 4/8/11
Date


 STATE OF WISCONSIN 4/11/11
Date
 GOVERNMENT ACCOUNTABILITY BOARD
 By: Kevin J. Kennedy
 Director and General Counsel

State of Wisconsin	Government Accountability Board
In the Matter of	) SETTLEMENT AGREEMENT
William Gardner	) GAB Case #2010-05

This agreement is entered into pursuant to the authority granted in §5.05 (1) (c), *Wisconsin Statutes*, for the purpose of settling a potential action for a violation of subch. III, Ch.13, *Wisconsin Statutes*. The parties hereto acknowledge and agree as follows:

1. That Steve Beske is an employee of Wisconsin Southern Railroad Company.
2. That William Gardner is the President and owner of Wisconsin & Southern Railroad Company.
3. That in December 2009 Mr. Gardner requested Mr. Beske to make a campaign contribution to Friends of Scott Walker in the amount of \$5,000. Mr. Gardner told Mr. Beske that Wisconsin & Southern Railroad Company would reimburse him for the contribution.
4. That Mr. Beske made a \$5,000 contribution to Friends of Scott Walker on December 14, 2009.
5. That Wisconsin & Southern Railroad Company reimbursed this amount to Mr. Beske on December 16, 2009.
6. That §11.24 (1), *Wisconsin Statutes*, provides that no individual may, directly or indirectly, make any campaign contribution other than from funds belonging to that individual.
7. That Mr. Beske violated this statute by making a contribution of \$5,000 to Friends of Scott Walker for which contribution he received full reimbursement from Wisconsin & Southern Railroad Company.
8. That Steve Beske has agreed to pay a civil forfeiture of \$250 in settlement of this matter.


April 8, 2011

 STEVE BESKE Date


4/11/11

 STATE OF WISCONSIN Date
 GOVERNMENT ACCOUNTABILITY BOARD
 By: Kevin J. Kennedy
 Director and General Counsel

State of Wisconsin	Government Accountability Board
In the Matter of)
)
	) SETTLEMENT AGREEMENT
)
William Gardner	) GAB Case #2010-05

This agreement is entered into pursuant to the authority granted in §5.05 (1) (c), *Wisconsin Statutes*, for the purpose of settling a potential action for a violation of subch. III, Ch.13, *Wisconsin Statutes*. The parties hereto acknowledge and agree as follows:

1. That James Lombard is an employee of Wisconsin & Southern Railroad Company.
2. That William Gardner is the President and owner of Wisconsin & Southern Railroad Company.
3. That in December 2009 Mr. Gardner requested Mr. Lombard to make a campaign contribution to Friends of Scott Walker in the amount of \$5,000. Mr. Gardner told Mr. Lombard that Wisconsin & Southern Railroad Company would reimburse him for the contribution.
4. That Mr. Lombard made a \$5,000 contribution to Friends of Scott Walker on December 15, 2009.
5. That Wisconsin & Southern Railroad Company reimbursed this amount to Mr. Lombard on December 16, 2009.
6. That §11.24 (1), *Wisconsin Statutes*, provides that no individual may, directly or indirectly, make any campaign contribution other than from funds belonging to that individual.
7. That Mr. Lombard violated this statute by making a contribution of \$5,000 to Friends of Scott Walker for which contribution he received full reimbursement from Wisconsin & Southern Railroad Company.
8. That James Lombard has agreed to pay a civil forfeiture of \$250 in settlement of this matter.


 JAMES LOMBARD 4-8-11
Date


 STATE OF WISCONSIN 4/11/11
 GOVERNMENT ACCOUNTABILITY BOARD Date
 By: Kevin J. Kennedy
 Director and General Counsel

State of Wisconsin	Government Accountability Board
In the Matter of)
)
	) SETTLEMENT AGREEMENT
)
William Gardner	) GAB Case #2010-05

This agreement is entered into pursuant to the authority granted in §5.05 (1) (c), *Wisconsin Statutes*, for the purpose of settling a potential action for a violation of subch. III, Ch.13, *Wisconsin Statutes*. The parties hereto acknowledge and agree as follows:

1. That David Hackbarth is an employee of Wisconsin & Southern Railroad Company.
2. That William Gardner is the President and owner of Wisconsin & Southern Railroad Company.
3. That in March 2010 Mr. Gardner requested Mr. Hackbarth to make a campaign contribution to Friends of Scott Walker in the amount of \$4,900. Mr. Gardner told Mr. Hackbarth that Wisconsin & Southern Railroad Company would reimburse him for the contribution.
4. That Mr. Hackbarth made a \$4,900 contribution to Friends of Scott Walker on March 22, 2010.
5. That Wisconsin & Southern Railroad Company reimbursed this amount to Mr. Hackbarth on April 22, 2010.
6. That §11.24 (1), *Wisconsin Statutes*, provides that no individual may, directly or indirectly, make any campaign contribution other than from funds belonging to that individual.
7. That Mr. Hackbarth violated this statute by making a contribution of \$4,900 to Friends of Scott Walker for which contribution he received full reimbursement from Wisconsin & Southern Railroad Company.
8. That David Hackbarth has agreed to pay a civil forfeiture of \$250 in settlement of this matter.


4-8-11

 DAVID HACKBARTH Date

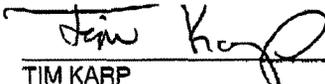

4/11/11

 STATE OF WISCONSIN Date
 GOVERNMENT ACCOUNTABILITY BOARD
 By: Kevin J. Kennedy
 Director and General Counsel

State of Wisconsin	Government Accountability Board
In the Matter of)	
)	SETTLEMENT AGREEMENT
)	
William Gardner	) GAB Case #2010-05

This agreement is entered into pursuant to the authority granted in §5.05 (1) (c), *Wisconsin Statutes*, for the purpose of settling a potential action for a violation of subch. III, Ch.13, *Wisconsin Statutes*. The parties hereto acknowledge and agree as follows:

1. That Tim Karp is the Chief Financial Officer of Wisconsin & Southern Railroad Company.
2. That William Gardner is the President and owner of Wisconsin & Southern Railroad Company.
3. That from December 2009 through March 2010 Mr. Gardner requested a number of company employees to make campaign contributions to Friends of Scott Walker in the amount of either \$4,900 or \$5,000. Mr. Gardner told these employees that Wisconsin & Southern Railroad Company would reimburse them for the contributions.
4. That Mr. Karp signed a number of checks from Wisconsin & Southern Railroad Company's checking account to reimburse these employees.
5. That §11.24 (1), *Wisconsin Statutes*, provides that no individual may, directly or indirectly, furnish funds to another person for the purpose of making a contribution in other than the individual's own name.
6. That Mr. Karp violated this statute by signing checks from Wisconsin & Southern Railroad Company in order to reimburse employees for making political contributions to Friends of Scott Walker.
7. That Tim Karp has agreed to pay a civil forfeiture of \$250 in settlement of this matter.


4/7/11

 TIM KARP Date


4/11/11

 STATE OF WISCONSIN Date
 GOVERNMENT ACCOUNTABILITY BOARD
 By: Kevin J. Kennedy
 Director and General Counsel

Government Accountability Board

State of Wisconsin

212 E. Washington Ave., Third Floor • Madison, WI 53703 • gab@wi.gov • (608) 266-8005 • Help Desk (608) 261-2028 • <http://gab.wi.gov>

FOR IMMEDIATE RELEASE:
April 11, 2011

FOR MORE INFORMATION, CONTACT:
Reid Magney, 608-267-7887

G.A.B. and Milwaukee County District Attorney Announce Resolution of Significant Campaign Finance Investigation

William Gardner to Plead Guilty to Two Felonies and Wisconsin & Southern Railroad to Pay \$166,900 Forfeiture in Campaign Money Laundering Scheme

MADISON – Today, the state’s Government Accountability Board and the Milwaukee County District Attorney’s Office announced the conclusion of a months-long joint investigation into money laundering allegations involving campaign contributions by William Gardner and the Wisconsin & Southern Railroad Company (WSOR). Mr. Gardner has agreed to plead guilty to two felony counts, and the corporation has paid a civil forfeiture of \$166,900. Seven employees of WSOR will also pay forfeitures of \$250 each.

The investigation found that Mr. Gardner, the owner and president of Wisconsin & Southern Railroad, directed the railroad company to reimburse 11 political contributions totaling \$53,800 from himself, a number of railroad employees, an acquaintance of Mr. Gardner, and his daughter. The investigation also found that Mr. Gardner specifically directed or requested the individuals to make the contributions. The contributions and reimbursements were made from November 2009 through April 2010. Except for two contributions totaling \$4,000 to former Assembly Speaker Mike Sheridan and the Assembly Democratic Campaign Committee, the remaining contributions were made to the Friends of Scott Walker committee.

Wisconsin law prohibits any person from furnishing funds to another for the purpose of making a political contribution or disbursement in another person’s name. It also prohibits anyone from accepting funds for the purpose of making a contribution. §§11.24, 11.25, *Wisconsin Statutes*.

Wisconsin law also prohibits a corporation from making a political contribution. 11.38, *Wisconsin Statutes*.

The investigation uncovered no evidence that any individual connected with Friends of Scott Walker had any knowledge of the illegality of the contributions. The Walker campaign returned the illegal contributions to the individuals who sent them.

The Milwaukee County District Attorney's office filed a criminal complaint today in Washington County, Mr. Gardner's county of residence. Mr. Gardner has agreed to plead guilty to one felony count each of making excessive political contributions and making unlawful political contributions as a party to a crime. The District Attorney is not recommending any incarceration but is asking for two years of probation. State law will prohibit Mr. Gardner from voting while serving probation.

"Because Mr. Gardner attempted to corrupt the political process, it is appropriate that he be deprived of the right to vote for a significant period of time," said John Chisholm, the Milwaukee County District Attorney. "He will also have two felony convictions on his record. Our sentencing recommendation also takes into consideration the significant cooperation of Mr. Gardner and the railroad with the investigation."

Wisconsin & Southern Railroad Company has signed a Settlement Agreement with the Government Accountability Board admitting to violating the law and agreeing to pay a civil forfeiture of \$166,900. Seven employees of the railroad have also signed Settlement Agreements acknowledging violating the law, and each will pay a civil forfeiture of \$250.

"The forfeiture paid by the railroad is the single largest forfeiture ever paid to the Government Accountability Board or to either of its predecessor agencies, the State Elections Board or the State Ethics Board," said Kevin J. Kennedy, Director & General Counsel of the Government Accountability Board. "The forfeiture reflects the size and scope of the money laundering scheme engineered by Mr. Gardner. The railroad's employees, while violating the law, had little

choice after Mr. Gardner personally asked them to make the contributions with a promise of reimbursement.”

Ethics and Accountability Division Administrator Jonathan Becker said the outcome of the investigation sends a strong signal to other corporations, political contributors, and the public that illegal contributions will be aggressively investigated and prosecuted. “It is no secret that Wisconsin Statutes prohibit corporations from making direct political contributions,” Becker said. “In addition, employees of corporations should not be pressured into making political contributions, and the laws protect their right to say no to illegal schemes of this sort. We appreciate that some individuals declined to participate in Mr. Gardner’s efforts to launder campaign contributions, and assisted in our investigative efforts.”

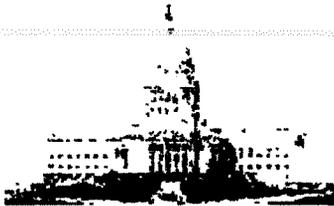
The Government Accountability Board began its investigation in April 2010 based upon a complaint by a former woman friend of Mr. Gardner who had been asked to participate in the scheme. The Board subsequently contacted the Milwaukee County District Attorney’s Office and the two agencies worked closely together over the past year to complete a John Doe investigation before Judge Neal Nettlesheim. The investigation involved obtaining and reviewing hundreds of digital documents and e-mails from WSOR, bank records, and the testimony of over a dozen witnesses.

A copy of the criminal complaint, including a list of the contributions that were reimbursed, as well as copies of the Board’s settlement agreements with WSOR and its employees, is available on the Board’s website: <http://gab.wi.gov/news>.

###

The Government Accountability Board (G.A.B.) is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The G.A.B. is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members.

231588



The Wisconsin State Legislature

ENTERED
OFFICE OF PROCEEDINGS

DEC 28 2011

Part of
Public Record

December 29, 2011

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, DC 20024

Re: Docket No. FD 35573, Watco Holdings, Inc. and Watco Transportation
Services, LLC Acquisition of Control - Wisconsin & Southern Railroad, LLC

Dear Ms. Brown:

Please refer to the Board's procedural notice in the above proceeding bearing service date of December 15, 2011. This letter is to respectfully request a 60-day delay of the December 29, 2011 effective date of WATCO's acquisition of control of Wisconsin & Southern Railroad, LLC (WSOR).

The requested delay is justified in order to provide representatives of the State of Wisconsin with an adequate opportunity to investigate the effects of loss of WSOR's independence. Accelerated notice of exemption procedure is not appropriate for consideration of the effect of control of a rail carrier, such as WSOR, that has important regional significance. Wisconsin rail shippers experienced severe adverse effects when control of another rail carrier of regional significance, Wisconsin Central, Ltd., was acquired by Canadian National Railway Company several years ago.

On behalf of Wisconsin's rail shippers, the State of Wisconsin should be provided with a reasonable opportunity to investigate whether Wisconsin shippers who rely on WSOR rail service might experience similar adverse effects under WATCO control. Accelerated notice of exemption procedure does not provide that needed opportunity.

The requested delay is in the nature of a request for a housekeeping stay for 60 days to enable adequate State investigation of the proposed control. The short delay in consummation of the control is justified by the need for more reasoned consideration of a transaction of important regional significance.

WHEREFORE, the December 29, 2011 effective date of the proposed control should be extended for 60 days.

Thank you for your consideration.

Respectfully submitted,

Rep. Brett Hulsey, Madison
Rep. Louis Molepske, Stevens Point
Rep. Kelda Helen Roys, Madison
Rep. Fred Clark, Baraboo
Rep. Terese Berceau, Madison

231620

TIM CULLEN
STATE SENATOR

15th District

Capitol Address:
State Capitol, South Wing
P.O. Box 7882
Madison, WI 53707-7882
(608) 266-2253

Toll Free:
1 (800) 334-1468



E-Mail Address:
Sen.Cullen@legis.wi.gov

Web Address:
<http://cullen.senate.wi.gov>

District:
(608) 754-0947

January 5, 2012

Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street SW
Washington, D.C.

ENTERED
Office of Proceedings

JAN 06 2012

Part of
Public Record

Re: Docket No. FD 35573, Watco Holdings, Inc. and Watco Transportation Services, LLC Acquisition of Control – Wisconsin & Southern Railroad, LLC.

Dear Ms. Brown:

I am writing to ask the Board to reconsider the acquisition of control exemption granted to Watco relating to the purchase of Wisconsin & Southern Railroad.

Wisconsin taxpayers have invested nearly \$100 million in state-owned railroads over the past six years in order to allow Wisconsin & Southern to continue operations. This proposed sale should be carefully reviewed by state and federal officials before we risk taxpayer investment in a new owner/operator. Specifically, I would like to know what assurance there is that Watco will not increase shipping fees to recoup the price it paid for the railroad. I would like to know if there is an assurance that Watco will continue existing service to Wisconsin businesses. Finally, I would like to know what level of capital investment Watco intends to make in Wisconsin's rail infrastructure.

I believe the State of Wisconsin needs more time to investigate these questions and take a position on this proposed acquisition. At a minimum, a public comment period is in order. For these reasons, I respectfully request reconsideration of the exemption granted to Watco.

Sincerely,

Tim Cullen
State Senator

TIM CULLEN

STATE SENATOR

15th District

Capitol Address:
State Capitol, South Wing
P.O. Box 7882
Madison, WI 53707-7882
(608) 266-2253

Toll Free:
1 (800) 334-1468



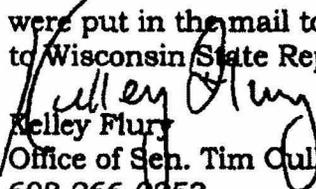
E-Mail Address:
Sen.Cullen@legis.wi.gov

Web Address:
<http://cullen.senate.wi.gov>

Districts:
(608) 754-0947

CERTIFICATE OF SERVICE

This certifies that the three parties of record listed below have been served with Sen. Cullen's letter dated January 5, 2012, in reference to FD 35573. Copies of the letter were put in the mail to the first two parties. A copy of the letter was hand-delivered to Wisconsin State Rep. Brett Hulsey.


Kelley Flury
Office of Sen. Tim Cullen
608-266-2253

PARTY OF RECORD

Kathleen Chang

P. O. Box 7910

Madison WI 53707-7910 US

Represents: Wisconsin Department Of Transportation

PARTY OF RECORD

Karl Morell

655 Fifteenth Street, Nw
Suite 225

Washington DC 20005 US

Represents: Watco Holdings, Inc.

PARTY OF RECORD

Brett Hulsey

P. O. Box 8952

Madison WI 53707-0910 US

Represents: State Of Wisconsin



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for All of Us®

MEMORANDUM

TO: Jim Devlin, Wisconsin Department of Natural Resources
Carrie Olson, Wisconsin Department of Natural Resources
Jordan Thole, Wisconsin Department of Natural Resources

FROM: Ryan Sauter, Short Elliott Hendrickson

DATE: July 17, 2014

RE: Permit Summary Memo
SEH No. WATPS 128572

On behalf of Wisconsin & Southern Railroad (WSOR) and Watco Companies (Watco), Short Elliott Hendrickson Inc. (SEH) is submitting this memorandum to update the Wisconsin Department of Natural Resources (WDNR) of the progress towards permitting WSOR's proposed rail siding and trans load facility expansion in Prairie Du Chien, Wisconsin. In accordance with and based on our meetings in Prairie du Chien and numerous telephone discussions, SEH is preparing numerous correspondence and permit applications for submittal to WDNR.

Concurrent to this effort, WSOR has indicated that they intend to initiate development of this property under the authority granted by the commerce clause and will use federal pre-emption to begin this project without regulatory permits in place. WSOR has indicated and has reiterated in the past that they intend to comply as much as possible with the regulations or general requirements of the regulations under your jurisdiction; however, given the time constraints of the application and approval processes, WSOR is unable to complete the permitting and approval processes before breaking ground and commencing construction activities. SEH has been informed that WSOR currently intends to initiate ground disturbing activities at the site on July 21, 2014.

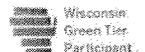
In light of WSOR's intention to break ground on July 21, 2014, SEH is providing this progress memorandum to document the substantial progress made towards preparing permit applications and supporting documentation. WSOR has undertaken these efforts based on their commitment to design, construct and operate the facility in a manner that attempts to minimize the impacts of this project on the natural environment and community.

Following are brief summaries of the primary permitting activities underway.

Floodway Zoning: SEH's Certified Flood Plain Manager (CFM) is currently modeling the impact of the project on the base flood elevation. Preliminary results indicate the fill to be placed onsite for rail siding will not raise the base flood elevation by more than 0.01 ft. The final modeling along with a technical memorandum is anticipated to be submitted to the WDNR when complete. WSOR intends to build the trans loading structure as an accessory to an open space use (the rail yard) that is dependent on a waterfront location. WSOR contends that the operation is dependent on the existing rail line that is located near the waterfront and therefore their operation is dependent upon a waterfront location. WSOR intends to build the structure at or near the existing site grade and will flood proof said structure in general

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 312 South 3rd Street, La Crosse, WI 54601-4007
SEH is 100% employee-owned | sehinc.com | 608.782.3161 | 888.908.8166 fax



accordance with NR116.16. In addition, WSOR has designed the structure so that the lower wall panels can be removed if a flood event occurs. This will allow floodwaters to flow through the structure without obstruction, thus eliminating any large scale effect on the flow of floodwaters. WSOR intends to build the rail siding at the same elevation as the current track as has been shown on several maps previously submitted to the WDNR.

Construction Stormwater: The construction stormwater permit will not be in place when ground disturbing activities commence; however, contractors will be instructed by WSOR to follow an erosion and sediment control plan that is designed in substantial compliance with Subchapter III of NR 216. This erosion and sediment control plan will be in place by the time land disturbing activity commences.

Post Construction Stormwater: Post construction stormwater will be managed according to NR 151. Additional discussions with the WDNR regarding post construction stormwater management on the northern portion of the site in the area of the rail siding will occur. WSOR contends they do not need to alter stormwater management for the southern portion of the site where the transloading facility will be expanded because they do not intend to increase the amount of impervious surface as compared to current site conditions. On the northern portion of the site, WSOR plans to construct using a ballast material to mimic the undeveloped condition. WSOR proposes to utilize a pervious ballast material that will allow stormwater to penetrate vertically, through the cross-section and then encourage a slow, filtered, horizontal disconnected displacement and weep of any excess runoff that maintains sheetflow conditions to the adjacent wetlands. We understand that this design has been accepted by the WDNR at other locations.

Industrial Stormwater: WSOR intends to submit an NOI to WDNR. The NOI will be submitted without the operating SWPPP; however, the SWPPP will be developed within a reasonable time frame and submitted to the WDNR.

Wetlands: WSOR will not have wetland fill permits in place when land disturbing activities commence. WSOR has indicated and provided data to show they have done significant alternative site analysis and have selected the only suitable site for this project and have attempted to minimize impacts to the wetland by minimizing the footprint of the project. A full wetland delineation report has been completed and at this time it appears that the project will impact 1.8-2.0 acres of established wetlands. WSOR intends to mitigate unavoidable impacts through permittee responsible mitigation and is currently actively engaged with a landowner that may be willing to sell suitable acreage for the purposes of mitigation. The land appears to be suitable but has not undergone a detailed evaluation for suitability. WSOR will continue to research and pursue other possible locations or methods for mitigation as well.

Application materials and supporting documentation will be submitted once SEH's wetland specialists have completed their assessment of the wetland and compiled the results. Site personnel have indicated that the water levels have dropped significantly and ground surface should be exposed soon; this will allow the wetlands professionals to complete their analysis with a tentative submittal date to the WDNR of the week of July 28th.

In an effort to increase the efficiency of the WDNR permit application analysis, SEH conducted an environmental review. The purpose of the review was to assess whether existing and potentially affected environmental features are located in the project area. More specifically the site was evaluated for the likelihood of the presence of threatened and endangered species as well as historical and cultural resources. The report will be submitted to WDNR under separate cover.

It appears as though the project has low potential to impact threatened or endangered species. However, WSOR requests the WDNR review the information in the report, when submitted, and provide comment.

Cultural resources were evaluated as well. SEH contacted the Wisconsin Historical Society and requested a site screening. The screening indicated there are three documented historical sites in the vicinity of the project but did not identify documented historical sites on the project site. Given the sensitive nature of archaeological sites in Prairie du Chien, WSOR is in the process of contracting with Mississippi Valley Archaeology to conduct a site evaluation in accordance with Section 106 of the National Historic Preservation Act (NHPA). This survey is currently scheduled for July 23, 2014. The preliminary results of this survey will be included with the wetlands application package and the formal report will be submitted once it becomes available.

Chapter 30 outfall permit: WSOR will be extending an existing culvert in order to accommodate the rail siding. Based on conversations with the WDNR, a chapter 30 outfall permit was not anticipated to be necessary because the outfall will be placed above the ordinary high water mark of 616.3 ft.

Air Permit: WSOR proposes to obtain a Registration Operation Permit, Type A (a "ROPA") for the site and, based on review of the regulations and conversations with DNR representatives, believes that the facility meets the requirements of said permit. As of July 17, 2014 the permit application, supporting calculations, and a technical memorandum have been completed in draft form. They are under review by the WSOR and will be submitted to the WDNR upon completion of the review.

Thank you for your cooperation with the project thus far. As stated above, WSOR intends to comply as much as possible with the regulations or general requirements of the regulations under your jurisdiction and has indicated they would like SEH to continue in their efforts towards acquiring the permits despite the timeline. We look forward continuing to work with the WDNR on this project.

RPS/BKO

cc: John Derinzy, U.S. Army Corps of Engineers
WATCO/WSOR Stakeholders

Kopp McKichan, LLP - Attorneys at Law

Established 1901

Thomas H. Geyer
Kim John Skemp
Sheila Stuart Kelley - Also licensed in Iowa

Michael J. Olds
Nathaniel W. Curry
Lukas L. Steiner

W. Roy Kopp (1905 - 2003)
Mac A. McKichan (1911 - 1996)
Harold K. Geyer (1912 - 1997)
Mac A. McKichan, Jr., of counsel

Writer's direct e-mail: michaelo@kopplaw.net

August 5, 2014

Bill Breitsprecher

Re: Open Records Request

Dear Mr. Breitsprecher:

This office represents the Southwestern Wisconsin Regional Planning Commission (hereinafter "SWWRPC"). On both July 18th, 2014 and again on July 21st, 2014, you emailed Larry Ward, the Executive Director of the SWWRPC, and Attorney Eileen Brownlee, Corporation Counsel for the Wisconsin River Rail Transit Commission. That email was also copied to several other individuals.

We consider that email a Public Records Request under Wisconsin Law. For your reference, a copy of your request is attached hereto. This letter is a response to that request.

In previous correspondence, the SWWRPC advised you that its role in relation to the various transit commission it serves is "administrative". "Administrative" was used to describe the role of the SWWRPC which is actually solely and singularly to provide "administrative support" services. Thus, to the extent it was construed as involving "authority", the use of only the word "administrative" was a misnomer. Likewise, though SWWRPC is often referred to as the "administrator" for such transit authorities, it is only in the capacity of secretarial functions. Simply put, the SWWRPC has no authority related to decisions or policy in the respective transit commissions nor does it enforce the lease agreements and/or operating agreements. Those roles are reserved to the commission boards.

Accordingly, we do not have any records which would be responsive to your request. Please do not hesitate to contact me further if you have questions regarding this matter. At this time, I will consider this records request closed.

Kopp McKichan, LLP - Attorneys at Law

August 5, 2014

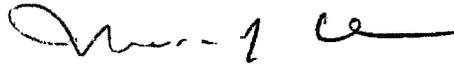
Page 2

Thank you.

Sincerely,

Kopp McKichan, LLP

By:

A handwritten signature in black ink, appearing to read "Michael J. Olds", written in a cursive style.

Michael J. Olds

MJO

County of Dodge

Office of Corporation Counsel

127 E. Oak Street
Fourth Floor, Administration Bldg.
Juneau, WI 53039-1329
Fax (920) 386-3596

August 8, 2014

John F. Corey
Corporation Counsel
(920) 386-3592

Zev D. Kianovsky
Asst. Corporation Counsel
(920) 386-3881

Peter M. Navis
Asst. Corporation Counsel
(920) 386-3593

Kelly L. Lepple
Secretary to Corporation Counsel
(920) 386-3590

Karen S. Schultz
Administrative Assistant
(920) 386-3964

Rachel E. Strohmusch
Legal Secretary I
(920) 386-3591

SENT VIA EMAIL ONLY

Email Address: webmaster@clubtnt.org

Bill Breitsprecher

RE: Open Records Request

Dear Mr. Breitsprecher:

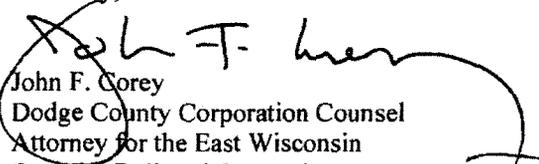
On August 5, 2014 at 4:04 PM, I received an email message which appears to have been sent by you to Attorney Michael J. Olds and carbon copied to Senator Risser, Senator Erpenbach, Senator Vinehout, Frank Huntington, myself, Attorney Eileen Brownlee, and l.ward@swwrpc.org, reference Open Records Request.

You will recall that you have previously submitted a records request via email to me on July 23, 2014, and I have responded in writing to the same on July 28, 2014. My response to you on July 28, 2014 is accurate as it relates to the records request which you submitted on July 23, 2014.

As the email dated August 5, 2014, referenced above, I do not interpret that it was directed to me as a records request as it is addressed to Attorney Olds, and appears to contain a reference to some communication which was not from me ("I demand to know the identities and contact information of the parties your reply vaguely refers to as the 'commission board'" - my earlier correspondence to you made no mention of a "commission board," so I must assume this comment is directed at someone other than me.) However, I am responding to your August 5, 2014 email simply to advise you that I did receive this email and that I did not interpret it as a new records request directed at me for any records of the East Wisconsin Counties Railroad Consortium. If I am incorrect in this interpretation, please advise.

Next, on August 6, 2014, I was copied on an email from you addressed to m.penn@swwrpc.org, and cc.'d to ebrownlee@tds.net, Sen.Risser@legis.wisconsin.gov, Frank.Huntington@dot.wi.gov, myself, and l.ward@swwrpc.org, wherein you state "I demand the identities and contact information of the members of the Rail Transit Commissions Board." While this email request does not seem directed at me, it does describe the contents of a record which I possess as custodian of records for the EWCRRC, which is a Rail Transit Commission. Enclosed is a copy of the current roster of the EWCRRC Board of Directors, including contact information for each member.

Sincerely,


John F. Corey
Dodge County Corporation Counsel
Attorney for the East Wisconsin
Counties Railroad Consortium

JFC:kl
Attachment

**EAST WISCONSIN COUNTIES RAILROAD CONSORTIUM
MEMBERS OF THE BOARD OF DIRECTORS (2014-2016)
(REVISED August 7, 2014)**

COLUMBIA COUNTY

Kenneth W. Hutler
[Redacted]
Phone: [Redacted]
Email: [Redacted]

James E. Foley
[Redacted]
Phone: [Redacted]

DODGE COUNTY

Russell Kottke (Treasurer)
[Redacted]
Phone: [Redacted]
Cell: [Redacted]
Email: district2@co.dodge.wi.us

Harold J. Johnson
[Redacted]
Phone: [Redacted]
Email: district15@co.dodge.wi.us

FOND DU LAC COUNTY

Joseph W. Koch (Secretary)
[Redacted]
Phone: [Redacted]

Karen Madigan
[Redacted]
Phone: [Redacted]
Email: Karen.madigan@fdlco.wi.gov

GREEN LAKE COUNTY

Vicki Bernhagen
[Redacted]
Cell: [Redacted]

MILWAUKEE COUNTY

Steve F. Taylor
Milwaukee County Courthouse
901 North 9th Street, Room 201
Milwaukee, WI 53233
Phone: 414-278-4267
Email: steve.taylor@milwaukee countywi.gov

Khalif Rainey
Milwaukee County Courthouse
901 North 9th Street, Room 201
Milwaukee, WI 53233
Phone: 414-278-4278
Email: khalif.rainey@milwaukee countywi.gov

OZAUKEE COUNTY

Thomas E. Winker
[Redacted]
Phone: [Redacted]
Email: twinker@co.ozaukee.wi.us

Donald Dohrwardt
[Redacted]
Phone: [Redacted]
Email: ddohrwardt2@wi.rr.com
ddohrward@co.ozaukee.wi.us

SHEBOYGAN COUNTY

Richard C. Bemis
[Redacted]
Phone: [Redacted]

Charles Conrardy (Alternate)
[Redacted]
Phone: [Redacted]

Mark Winkel
[Redacted]
Phone: [Redacted]
Email: [Redacted]

WASHINGTON COUNTY

Daniel Goetz
[Redacted]
Phone: [Redacted]
Cell: [Redacted]

Rick Gundrum (Chairman)
[Redacted]
Phone: [Redacted]
Cell: [Redacted]
Email: rick.gundrum@co.washington.wi.us

WINNEBAGO COUNTY

Ron Hardy
[Redacted]
Phone: [Redacted]
Email: ron.hardy@co.winnebago.wi.us

Joel Rasmussen
[Redacted]
Cell: [Redacted]
Email: joel.rasmussen@co.winnebago.wi.us

Subject: RE: Open Records Request: Commission Boards

From: "Michael Olds" <MichaelO@kopplaw.net>

Date: Thu, August 14, 2014 12:20 pm

To: webmaster@clubtnt.org (more)

Cc: "Sen.Risser@legis.wisconsin.gov Frank.Huntington@dot.wi.gov jcorey@co.dodge.wi.us" <l.ward@swwrpc.org> (more)

Priority: Normal

Options: [View Full Header](#) | [View Printable Version](#) | [Download this as a file](#) | [View Message details](#)

Mr. Breitsprecher,

From a message left by my secretary, you called my office earlier to discuss why your original request was considered "closed". As you should know from making these requests frequently, once an "open records request" is answered, the standard practice of the responding party is to indicate "closed" once that request has been answered. If from that request, you then seek additional info, then you can make another "open records request". I note that you have made another such request via the email below and a similar one I received late last Tuesday. Additionally, you made a couple more directly to Larry Ward of the Southwest Wisconsin Regional Planning Commission (SWWRPC)

This is to inform you that the SWWRPC provides services only for the following commissions: Pecatonica Rail Transit Commission, South Central Wisconsin Rail Transit Commission, and Wisconsin River Rail Transit Commission. Accordingly, the response of the SWWRPC to your request shall only concern those Commissions.

We are working toward gathering the information sought concerning those three (3) Commissions to any extent we have such information.

Likewise, because some of the information sought by you would likely be held by the respective Rail Commissions as well as the SWWRPC, we are coordinating the response with those Commissions, so that you are not deluged with the same documents. We hope to get back to you in short order concerning the same. Thank you for your patience.

Attorney Michael J. Olds

Kopp Mckichan, LLP

PO Box 253

44 E. Main Street

Platteville, WI 53818

(608) 348-2615 [work]

(608) 348-2415 [fax]

THIS COMMUNICATION, INCLUDING ATTACHMENTS, IF ANY, IS FOR THE EXCLUSIVE USE OF ADDRESSEE AND MAY CONTAIN PROPRIETARY, CONFIDENTIAL OR PRIVILEGED INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT, ANY USE, COPYING, DISCLOSURE, DISSEMINATION OR DISTRIBUTION IS STRICTLY PROHIBITED. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE NOTIFY THE SENDER IMMEDIATELY BY RETURN EMAIL AND DELETE THIS COMMUNICATION AND DESTROY ALL COPIES.

Open Records Requests
As of August 15, 2014
Sent to "Graff, Daniel A - DOT"
Daniel.Graff@dot.wi.gov
Submitted Friday, August 15, 2014

At the advice of counsel, I am going to restate and specify open records requests that WI DOT has a duty to respond to in good faith, reasonably accurately, and with reasonably complete information.

I suggest you to comply promptly as there are filings being made with certain agencies about activates and transactions that WI DOT is advocating for. Since the public record in the areas I am concerned about have been cloaked in relative secrecy, it is reasonable to contend that announced plans for rail subsidies by WI DOT cannot be justified or go forward.

This email summarizes, restates, and confirms some outstanding requests that I have been assured you or Frank Huntington at DOT are "working on". This listing does not mean anything you have received from me that is not restated here is not still open.

The purpose of this email is to allow me to document with my collaborative partners so that we may go forward with certain filings and other requests. The fact that these issues remain open undermines certain statements made by WI DOT and others to the agencies I reference in the first paragraph above.

My open records requests include, but are not necessarily limited, to the items below. Every item you have indicated is being "worked-on" still must be fulfilled.

I demand:

1. Complete identities and contact information including addresses, phone numbers, and emails for each member of the Board of Directors for the following three transit authorities: *Pecatonica Rail Transit Commission*, *South Central Wisconsin Rail Transit Commission*, and *Wisconsin River Rail Transit Commission*.
2. Any and all documents, information, and evidence of discussions, fact-finding, deliberations, opinions, decisions, and justifications for any party at

DOT which concludes or infers that serial criminal Bill Gardner had a right to, under legally binding operating agreements, abuse Wisconsin and Southern Railroad's freight operations, specifically freight revenues and bank accounts, to illegally and repeatedly launder money – mostly for the benefit of *Friends of Scott Walker*.

3. Any and all documents, information, and evidence of discussions, fact-finding, deliberations, opinions, decisions, and justifications for WI DOT to continue to use boiler-plate "*Representations, Warranties, and Covenants*" that Attorney Kathleen Chung and, apparently, transit authorities, believe allow Wisconsin and Southern Railroad's operations to be used to illegally launder money. If the original agreements are inadequate to enforce when serial criminal money laundering occurs directly out of WSOR's freight operations – *why is WI DOT pushing the same negligent contract language!*
4. All documents, information, and evidence of discussions, fact-finding, deliberations, opinions, decisions, and justifications that underlie DOT's decisions to omit material and/or relevant information in filings to Surface Transportation Board in December 2011 when Bill Gardner transferred operating agreements that the criminal complaint *State of Wisconsin vs William E. Gardner* demonstrates were breached.
5. Identities of any and all parties that were involved with decision to entirely omit from the public records and filings with Surface Transportation Board issues, interpretations, opinions, and decisions to cover up potential breaches of "*Representations, Warranties, and Covenants*" in Gardner's operating agreements with transit authorities.
6. All records and information about any contacts from Gov. Scott Walker and his administration that recommend, promote, suggest, or demand that WI DOT enable or support the transfer of operating agreements after Bill Gardner plead guilty to 2 counts of illegal & excessive campaign contributions (**NOTE:** *The record shows more than \$50,000 was illegally laundered through the operations of Wisconsin & Southern*).
7. All records and information about inquiries, contacts, requests, demands, recommendations, and follow-up between Wisconsin and Southern Railroad and WI DOT between April 2010 and August 2014 related to transfer/sale of operating agreements, controlling interests in Wisconsin & Southern, and public subsidies and investments in WSOR itself and rail infrastructure.

8. All records and information about inquiries, contacts, requests, demands, recommendations, and follow-up between WATCO and WI DOT April 2011 and August 2014.
9. All records and information about inquiries, contacts, requests, demands, recommendations, and follow-up between General Accountability Board (GAB) and WI DOT April 2011 and August 2014 related to Wisconsin & Southern, Bill Gardner, WATCO, public subsidies, and investments in WSOR or rail infrastructure.
10. All records and information about inquiries, contacts, requests, demands, recommendations, and follow-up between Bill Gardner and WI DOT between April 2011 and August 2014.
11. Any and all traffic surveys, including commodities hauled & projected future train densities that were used in the decision process to pursue and then close a purchase of the Reedsburg – Madison rail line from Union Pacific. I demand all documents used to justify plans to subsidize WATCO directly and/or indirectly to the tune of tens-of-millions of dollars.
12. Any and all assessments and valuations that were used in negotiations to reach agreement on a purchase of the Reedsburg-Madison rail line from Union Pacific.
13. Any and all communications with Wisconsin Department of Natural Resources, including but not limited to Friends of Wisconsin State Parks, Friends of Devils Lake State Parks, Peter Beirmeier, Recreational Planning and Development Chief, and the Board of Directors for each “Friends of” cited above related to the acquisition of the Reedsburg-Madison rail line and the Board of Directors for each “friends”
14. All documents, information, and evidence of discussions, fact-finding, deliberations, opinions, decisions pertaining to silica formations and sand mining in Sauk County, other locations along the Reedsburg to Madison rail line, and any location that would be suitable to truck frac sand to transload on the Reedsburg to Madison rail line.

15. All documents, information, and evidence of discussions, fact-finding, deliberations, opinions, decisions pertaining to any and all possible extensions of the Reedsburg Madison rail line to any points north, west, or east. This includes, but is not limited to, reverting *The 400 Trail* back into a rail corridor that could potentially serve the entire spine of Wisconsin's extensive silica formations that reach up the Western part of the state.
16. All documents, information, and evidence of discussions, fact-finding, deliberations, opinions, and decisions pertaining to filling wetlands and creating a rail yard in Prairie du Chien.
17. All documents, information, and evidence of discussion, fact-finding, deliberations, opinions, decisions pertaining to transloading facilities that would allow Wisconsin & Southern/WATCO to transload frac sand onto barges on the Mississippi river.
18. Any and all documents and information related to contacts and collaborations with Koch Industries of Wichita, KS, related to Wisconsin & Southern, WATCO, and/or the development of frac sand mining, transit, transloading and final destination & use of said commodity.

The record needs to show what documentation and other information falls within the requests above. The record also needs to show when there is not records or evidence that supports the inquiries above.

Statements that WI DOT has no information in any of the above areas will be forwarded to certain agencies that are assessing the validity and appropriateness of issues and filings placed before them.

Thank you in advance for your help and good-faith compliance.

William P. Breitsprecher
Friends of Responsible Rail Development
318 W Main Street
Sun Prairie, WI 53590



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for All of Us®

MEMORANDUM

TO: Jim Devlin, Wisconsin Department of Natural Resources
Carrie Olson, Wisconsin Department of Natural Resources
Jordan Thole, Wisconsin Department of Natural Resources

FROM: Ryan Sauter, Short Elliott Hendrickson

DATE: July 17, 2014

RE: Permit Summary Memo
SEH No. WATPS 128572

On behalf of Wisconsin & Southern Railroad (WSOR) and Watco Companies (Watco), Short Elliott Hendrickson Inc. (SEH) is submitting this memorandum to update the Wisconsin Department of Natural Resources (WDNR) of the progress towards permitting WSOR's proposed rail siding and trans load facility expansion in Prairie Du Chien, Wisconsin. In accordance with and based on our meetings in Prairie du Chien and numerous telephone discussions, SEH is preparing numerous correspondence and permit applications for submittal to WDNR.

Concurrent to this effort, WSOR has indicated that they intend to initiate development of this property under the authority granted by the commerce clause and will use federal pre-emption to begin this project without regulatory permits in place. WSOR has indicated and has reiterated in the past that they intend to comply as much as possible with the regulations or general requirements of the regulations under your jurisdiction; however, given the time constraints of the application and approval processes, WSOR is unable to complete the permitting and approval processes before breaking ground and commencing construction activities. SEH has been informed that WSOR currently intends to initiate ground disturbing activities at the site on July 21, 2014.

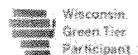
In light of WSOR's intention to break ground on July 21, 2014, SEH is providing this progress memorandum to document the substantial progress made towards preparing permit applications and supporting documentation. WSOR has undertaken these efforts based on their commitment to design, construct and operate the facility in a manner that attempts to minimize the impacts of this project on the natural environment and community.

Following are brief summaries of the primary permitting activities underway.

Floodway Zoning: SEH's Certified Flood Plain Manager (CFM) is currently modeling the impact of the project on the base flood elevation. Preliminary results indicate the fill to be placed onsite for rail siding will not raise the base flood elevation by more than 0.01 ft. The final modeling along with a technical memorandum is anticipated to be submitted to the WDNR when complete. WSOR intends to build the trans loading structure as an accessory to an open space use (the rail yard) that is dependent on a waterfront location. WSOR contends that the operation is dependent on the existing rail line that is located near the waterfront and therefore their operation is dependent upon a waterfront location. WSOR intends to build the structure at or near the existing site grade and will flood proof said structure in general

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 312 South 3rd Street, La Crosse, WI 54601-4007
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accordance with NR116.16. In addition, WSOR has designed the structure so that the lower wall panels can be removed if a flood event occurs. This will allow floodwaters to flow through the structure without obstruction, thus eliminating any large scale effect on the flow of floodwaters. WSOR intends to build the rail siding at the same elevation as the current track as has been shown on several maps previously submitted to the WDNR.

Construction Stormwater: The construction stormwater permit will not be in place when ground disturbing activities commence; however, contractors will be instructed by WSOR to follow an erosion and sediment control plan that is designed in substantial compliance with Subchapter III of NR 216. This erosion and sediment control plan will be in place by the time land disturbing activity commences.

Post Construction Stormwater: Post construction stormwater will be managed according to NR 151. Additional discussions with the WDNR regarding post construction stormwater management on the northern portion of the site in the area of the rail siding will occur. WSOR contends they do not need to alter stormwater management for the southern portion of the site where the transloading facility will be expanded because they do not intend to increase the amount of impervious surface as compared to current site conditions. On the northern portion of the site, WSOR plans to construct using a ballast material to mimic the undeveloped condition. WSOR proposes to utilize a pervious ballast material that will allow stormwater to penetrate vertically, through the cross-section and then encourage a slow, filtered, horizontal disconnected displacement and weep of any excess runoff that maintains sheetflow conditions to the adjacent wetlands. We understand that this design has been accepted by the WDNR at other locations.

Industrial Stormwater: WSOR intends to submit an NOI to WDNR. The NOI will be submitted without the operating SWPPP; however, the SWPPP will be developed within a reasonable time frame and submitted to the WDNR.

Wetlands: WSOR will not have wetland fill permits in place when land disturbing activities commence. WSOR has indicated and provided data to show they have done significant alternative site analysis and have selected the only suitable site for this project and have attempted to minimize impacts to the wetland by minimizing the footprint of the project. A full wetland delineation report has been completed and at this time it appears that the project will impact 1.8-2.0 acres of established wetlands. WSOR intends to mitigate unavoidable impacts through permittee responsible mitigation and is currently actively engaged with a landowner that may be willing to sell suitable acreage for the purposes of mitigation. The land appears to be suitable but has not undergone a detailed evaluation for suitability. WSOR will continue to research and pursue other possible locations or methods for mitigation as well.

Application materials and supporting documentation will be submitted once SEH's wetland specialists have completed their assessment of the wetland and compiled the results. Site personnel have indicated that the water levels have dropped significantly and ground surface should be exposed soon; this will allow the wetlands professionals to complete their analysis with a tentative submittal date to the WDNR of the week of July 28th.

In an effort to increase the efficiency of the WDNR permit application analysis, SEH conducted an environmental review. The purpose of the review was to assess whether existing and potentially affected environmental features are located in the project area. More specifically the site was evaluated for the likelihood of the presence of threatened and endangered species as well as historical and cultural resources. The report will be submitted to WDNR under separate cover.

It appears as though the project has low potential to impact threatened or endangered species. However, WSOR requests the WNDNR review the information in the report, when submitted, and provide comment.

Cultural resources were evaluated as well. SEH contacted the Wisconsin Historical Society and requested a site screening. The screening indicated there are three documented historical sites in the vicinity of the project but did not identify documented historical sites on the project site. Given the sensitive nature of archaeological sites in Prairie du Chien, WSOR is in the process of contracting with Mississippi Valley Archaeology to conduct a site evaluation in accordance with Section 106 of the National Historic Preservation Act (NHPA). This survey is currently scheduled for July 23, 2014. The preliminary results of this survey will be included with the wetlands application package and the formal report will be submitted once it becomes available.

Chapter 30 outfall permit: WSOR will be extending an existing culvert in order to accommodate the rail siding. Based on conversations with the WDNR, a chapter 30 outfall permit was not anticipated to be necessary because the outfall will be placed above the ordinary high water mark of 616.3 ft.

Air Permit: WSOR proposes to obtain a Registration Operation Permit, Type A (a "ROPA") for the site and, based on review of the regulations and conversations with DNR representatives, believes that the facility meets the requirements of said permit. As of July 17, 2014 the permit application, supporting calculations, and a technical memorandum have been completed in draft form. They are under review by the WSOR and will be submitted to the WDNR upon completion of the review.

Thank you for your cooperation with the project thus far. As stated above, WSOR intends to comply as much as possible with the regulations or general requirements of the regulations under your jurisdiction and has indicated they would like SEH to continue in their efforts towards acquiring the permits despite the timeline. We look forward continuing to work with the WDNR on this project.

RPS/BKO

cc: John Derinzy, U.S. Army Corps of Engineers
WATCO/WSOR Stakeholders

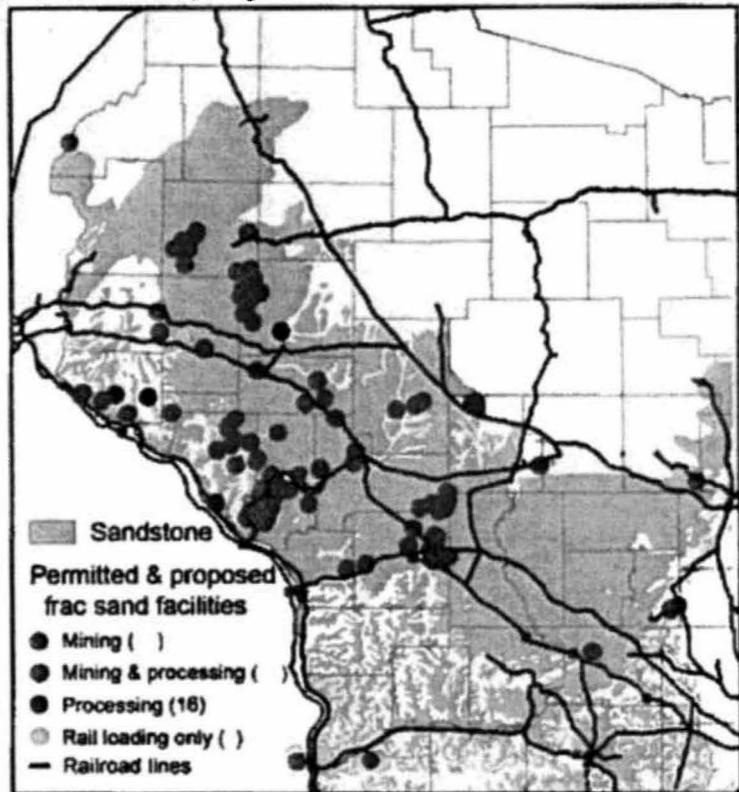
Wisconsin's Silica Sand Formation, Rail Service, and Development of Frac Sand Mining in Wisconsin

The unstated purpose of rail subsidies and development of the Reedsburg and Madison rail line is to develop another frac sand rail corridor in Wisconsin. This is being withheld from the public, just like WI DOT, Bill Gardner, and WATCO withheld critical and material information about the 2011 transfer of operating agreements which Gardner and key employees breached when they repeatedly used Wisconsin and Southern Railroad operations to criminally launder money, more than \$50,000, to Friends of Scott Walker.

It is a fact that:

1. The State of Wisconsin possesses unique quartz-rich silica sand formations containing crystal structures ideal for gas and oil fracking.
2. These formations are concentrated in certain regions of the state (demonstrated to right).
3. While these deposits are currently being exploited and extracted, in areas with adequate rail service, this activity is increasing exponentially.
4. Reedsburg is at the tip of where the lodes of silica formations converge – it is ideally located to be developed into a frac sand hub.
5. The Comprehensive Plan of the City of Reedsburg (2012 draft) acknowledges the huge potential of large-scale silica and mining.
6. The Merrimac Bridge on the line and the fact that this rail line is intertwined with The State of Wisconsin's #1 tourist destination, Devils Lake State Park, hinder development. This is the only reason Sauk County is not currently actively mined for quartz-silica sand.

Frac Sand Mining and Processing Facilities in Wisconsin, July 2012



Source: Crawford Stewardship Project combined maps from Sandstone, U.S. Geological Survey; Mine Sites, WCIJ reporting and Wisconsin Department of Transportation.

7. Gov. Scott Walker's DOT is addressing the first obstacle above by continuing to provide grants and public money to repair and upgrade the Merrimac Bridge. This structure, however, was designed for axel loadings for steam locomotives – the bridge will need to be substantially rebuilt/reinforced, at estimated cost between \$30- \$60 million dollars, to safely handle the axel loadings of modern freight trains – especially frac sand cars.
8. Gov. Scott Walker's DOT is withholding any and all plans to develop the Reedsburg-Madison rail line from Wisconsin DNR add their park services.
9. As the map on the previous page indicates, rail access is the key component to the development of frac sand mining and processing facilities.
10. WATCO is currently filling wetlands without a permit (per DNR regulations and federal law) for the purpose of building a frac sand marshalling yard. Their legal opinion stating they have a right to do so provides the justification for any and all Wisconsin & Southern Railroad partners, such as Paterson Sand, to proclaim themselves free from any and all city, county, and state regulations as well.
11. WATCO, a transportation holding company with barge operations, appears to be developing a frac sand hub in Reedsburg and infrastructure in Prairie du Chien to allow it to store and eventually potentially transload silica frac sand to the Mississippi River for points south and then via Gulf of Mexico to any point in the world where operations extract oil and gas.
12. Silica dust and sand are known to be dangerous carcinogens.

The record clearly shows that it is reasonable to consider and even probable that the result of the Reedsburg-Madison rail purchase, entirely withheld from the public, is not to accommodate 7 shippers on that rail line (1. Grede Foundries, 2. Primex Plastics Corp, 3. Reedsburg Hardwoods, 4. Meister Log and Lumber, 5. Henke Trucking, 6. Loeb Lorman Recycling Company, and 7. Hartje Lumber Company). These rail customers have not indicated they will increase rail shipments significantly if Wisconsin DOT purchases the rail line. They minimally, if at all, use rail service today.

Wisconsin DOT has released no data, studies, surveys or other information to justify the public investment of tens-of-millions of dollars into developing the minimally used rail corridor that was subject to talk of abandonment with owned by Chicago and North Western Railroad. Because of the secrecy surrounding the proposed rail acquisition proposed by Wisconsin DOT, it is entirely misleading and a material misrepresentation for any filing with Surface Transportation Board to proclaim there is no opposition to their plans for this rail corridor.

If Attorney Kathleen Chung wants to directly state on the docket that there is no opposition to proposals before STB, she is being demonstrably disingenuous. Wisconsin DOT must not be granted any waivers, exemptions, or expeditions. Instead, Surface Transportation Board must compel WI DOT and WATCO to:

1. Promptly release any and all data, surveys, and justification for this proposed transaction, especially since it is entirely subsidized by taxpayers' dollars.
2. Inform Wisconsin Department of Natural Resources of the acquisition of this rail line and work with the Parks & Recreation division to develop a workable plan to protect the public's use, investment, and safety at Devils Lake State Park.
3. File materially accurate, complete, and honest information with the Surface Transportation Board and accept an adequate and extended approval process so that all material facts, including all concerns, be part of the docket.
4. Submit for public and STB scrutiny the legal position of WATCO and other stakeholders in-terms of acknowledging and accepting comments, input, oversight, regulation, and permits required by any legitimate authority. If WATCO feels they can begin filling wetlands in Prairie du Chien without a permit and in defiance to all applicable rules, laws, regulation, and permits; they cannot be allowed to develop a rail line that appears to be intended to serve as a frac sand hub and corridor in the near future without cooperating to put all material facts and information on the public record.

There appears to be an ongoing pattern of incomplete and misleading statements being filed at STB by Wisconsin Department of Transportation and WATCO. No approval of any petition for waiver, exemption, and expedition related to a subsidized rail purchase of the Reedsburg-Madison rail corridor can be approved until:

1. Issues related to material omissions of filings in 2011 are redressed.
2. Complete information about Bill Gardner & key employee's serial criminal use of Wisconsin and Southern Railroad and the legal ramifications per "Representations, Warranties, and Covenants" in operating agreements are released, verified, and presented to STB completely and accurately on current docket filings and under a Petition to Revoke which will be submitted when all pertinent information is released.
3. Wisconsin Department of Transportation informs the public and acknowledges any and all issues related to traffic and safety that arise directly and indirectly from the proposed heavily publicly subsidized purchase of the Reedsburg-Madison rail line. This includes publicly stating the purpose of massive subsidies, commodities likely to be hauled, and all issues related to the material fact that silica frac sand mining reasonably appears to underlie

Exhibits

Exhibit A: Proposed Sale, Reedsburg-Madison Rail Line, to Wisconsin Department of Transportation

<http://breitlinks.com/pdfFilesSTB/WISDOT%20SALE%20EXHIBIT%20A%20Revised%201-17-2014%20%284%29.pdf>

Exhibit B: Wisconsin & Southern Rail Lines – Essentially all owned by the State of Wisconsin

<http://breitlinks.com/pdfFilesSTB/southwestWisconsinCommissionRailLinesAndTrails.jpg>

Exhibit C: WATCO Presentation, ENERGY! ENERGY! ENERGY! Reveals that Frac Sand is a Key Commodity that Future Growth Hinges On.

<http://breitlinks.com/pdfFilesSTB/10-31-12%20NW%20University%20Sandhouse%20Gang%2011%201%2012.pdf>

Exhibit D: WSOR Pre-emptive Notice to Wisconsin Department of Natural Resources

<http://breitlinks.com/pdfFilesSTB/wsorPreemptionNoticeToWDNR-1.pdf>

Exhibit E: Rail storage yard proposed at sand loading site in PdC

<http://breitlinks.com/pdfFilesSTB/sandStorageAndYardPrairieDuChien.pdf>

Exhibit F: Frac sand in Wisconsin

<http://breitlinks.com/pdfFilesSTB/frac-sand-factsheet.pdf>

Exhibit G: Geology of Sauk County

<http://breitlinks.com/pdfFilesSTB/Sauk%20Jordan%20Sand%20.jpeg>

Exhibit H: Probable Frac Sands, Sauk County

http://breitlinks.com/pdfFilesSTB/ProbableFracSands_V1.0.pdf

Exhibit I: Probable Frac Sands, Sauk County-Jordan

http://breitlinks.com/pdfFilesSTB/ProbableFracSands_V2.0-B&W.pdf

Exhibit J: Probable Frac Sands, Sauk County-Jordan Twenty Foot Contour Map

http://breitlinks.com/pdfFilesSTB/ProbableFracSands_V2.0Contours.pdf

Exhibit K: Planning and Zoning for “Frac Sand” Mining

<http://breitlinks.com/pdfFilesSTB/planninAndZoningFracSandMining.pdf>

Exhibit L: Comprehensive Plan of the City of Reedsburg

http://breitlinks.com/pdfFilesSTB/2012_Comp_Plan_Update.pdf

Exhibit M: Trail Guide, Devils Lake State Park (NOTE: *The Reedsburg-Madison rail corridor is commonly used by park visitors and campers to move from the north end and beach to the south end*).

<http://breitlinks.com/pdfFilesSTB/devilsLakeTrailsRails.pdf>

Exhibit N: Some links useful for more education about Frac Sand Mining in Wisconsin

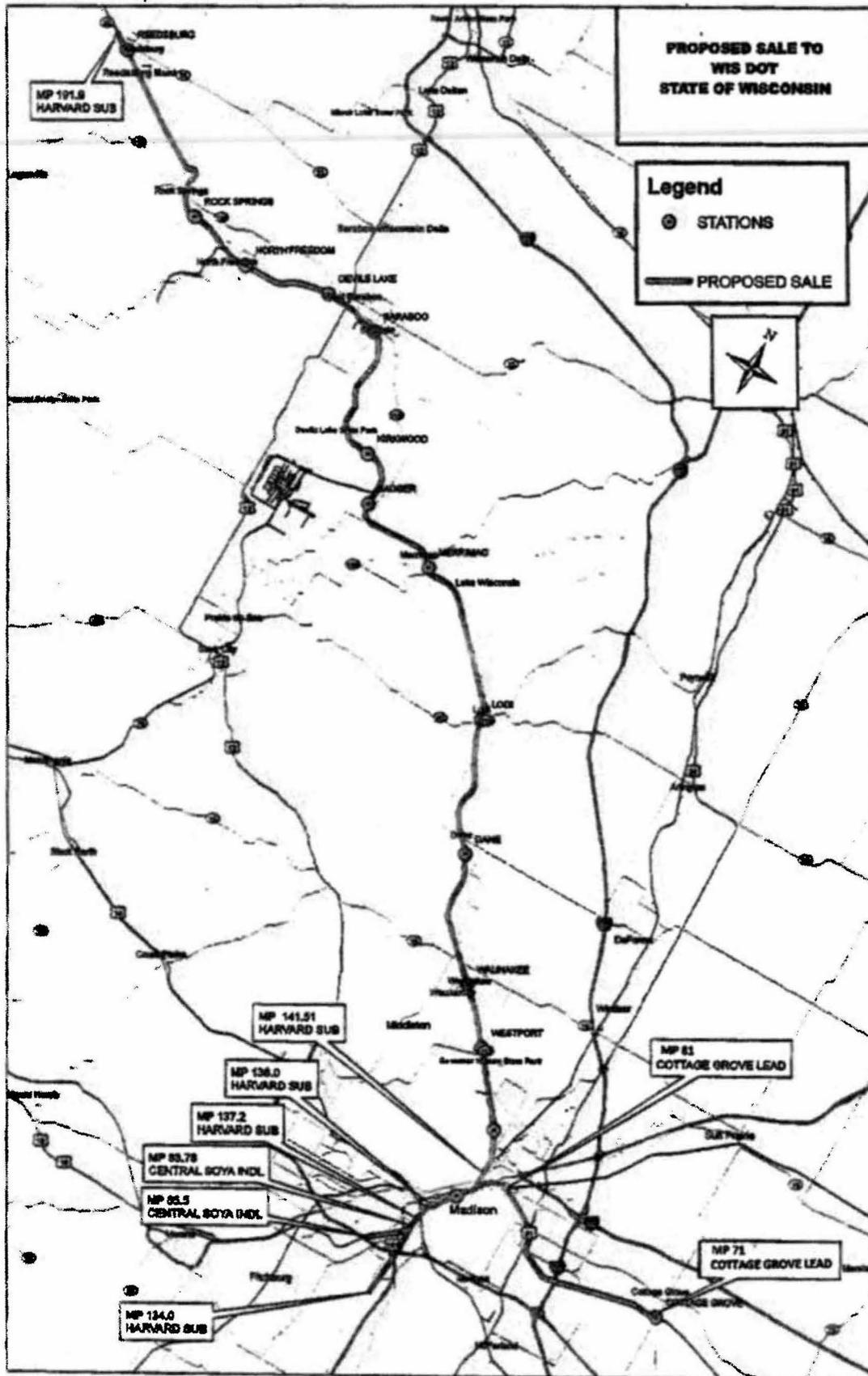
<http://breitlinks.com/pdfFilesSTB/Frac%20Sand%20mining%20reference%20links.pdf>

Exhibit O: Wisconsin Frac Sand Mines and Silica Dust

<http://breitlinks.com/pdfFilesSTB/MEA%20Health%20Effects%20of%20Silica%20Dust%20from%20Frac%20Sand%20Mines.pdf>

Exhibit P: Silica as a Carcinogen, Report on Carcinogens, 12th Edition, National Institute of Health

<http://breitlinks.com/pdfFilesSTB/Silica%20as%20Carcinogen%20NIH%20report.pdf>



**Exhibit C: WATCO Presentation, ENERGY! ENERGY!
ENERGY! Reveals that Frac Sand is a Key Commodity that
Future Growth Hinges On.**

NOTE: This file is too large for the limitations of STB e-Filing System. It provides important context and must be part of the record.

It is available to view and/or download at:

<http://breitlinks.com/pdfFilesSTB/10-31-12%20NW%20University%20Sandhouse%20Gang%2011%201%2012.pdf>



Watco Companies

**Sandhouse Gang - Northwestern University
November 1, 2012**



Agenda

- Watco Overview
- A New Shortline Model / Shortlines - Stefan
 - Unique Set of Services
 - Unique Partnerships
 - Unique Structures
- A New Shortline Model / Energy by Rail - Allan
 - New frontier
 - Reinventing the oil train
- Questions



Watco Companies

- Watco Companies was started in 1983 by Charles R. "Dick" Webb with a switching operation in DeRidder, LA that is still in existence today
- Coffeyville, KS was our next expansion in 1985 with a car repair facility. This expanded into what is now the SKOL railroad which was the first shortline purchase completed with the Union Pacific
- Watco's focus on Customer satisfaction has grown the company into an all encompassing industry serving rail, mechanical, switching, storage, trucking, warehousing and intermodal needs of Customers throughout twenty-six states



Customer First Foundation Principles

■ Improve Customer Satisfaction

- ✓ *Right Service*
- ✓ *Right Time*
- ✓ *In the Right Condition - Delivered SAFELY*
- ✓ *At the Right Price*

■ Improve Profitability

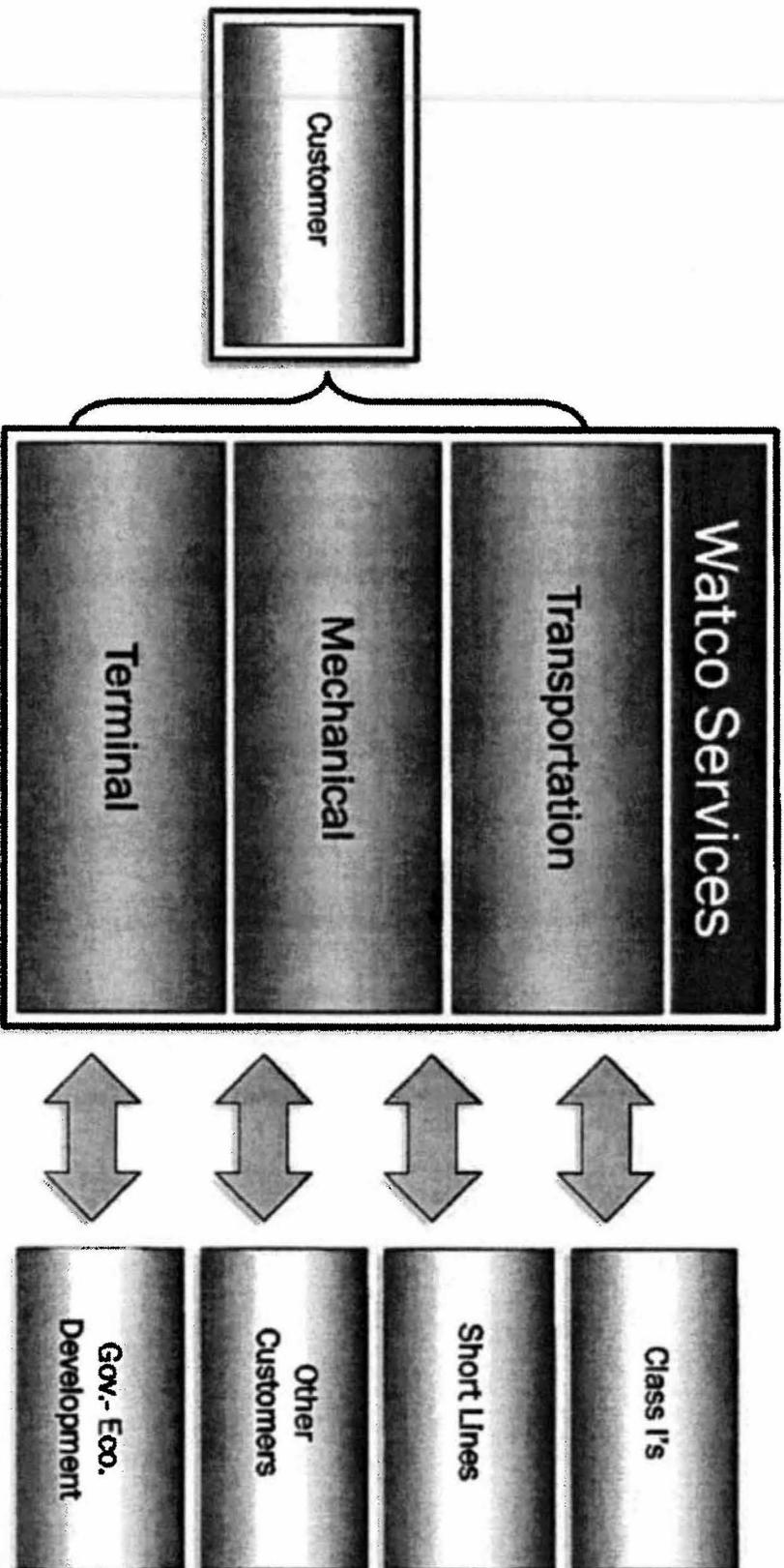
- ✓ *Revenue Growth Rate*
- ✓ *EBITDA Growth*
- ✓ *Return on Assets > WACC%*
- ✓ *Free Cash Flows*
- ✓ *Economic Value Add (EVA)*

■ Do Both Over the Long-Term

- ✓ *Building Relationships*
 - *Customers*
 - *Watco Team*
 - *Communities*
 - *Vendors*
 - *Investors*



Strategic Business Model



Watco's goal is to improve profitability and customer satisfaction over the long-term by providing services to fill all customer needs



Statistics

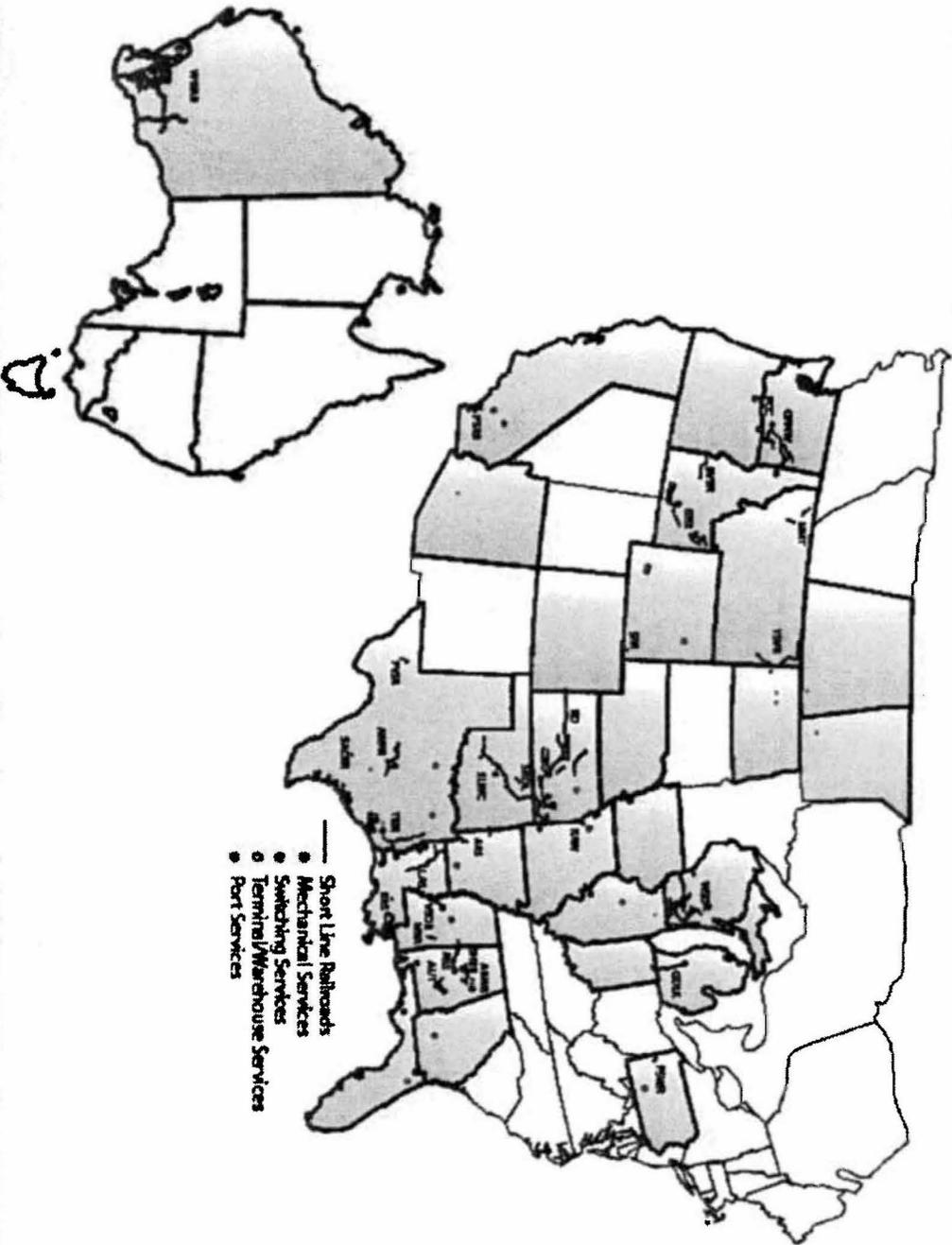
- Largest car repair shop service provider in U.S.
- 3rd largest short line railroad operator in U.S.
- 3rd largest industrial contract switching provider
- 610,000+ annual carloads
- 4,500 track miles
- 3,120 Watco team members
- 400+ locomotives
- 3,900 railcars



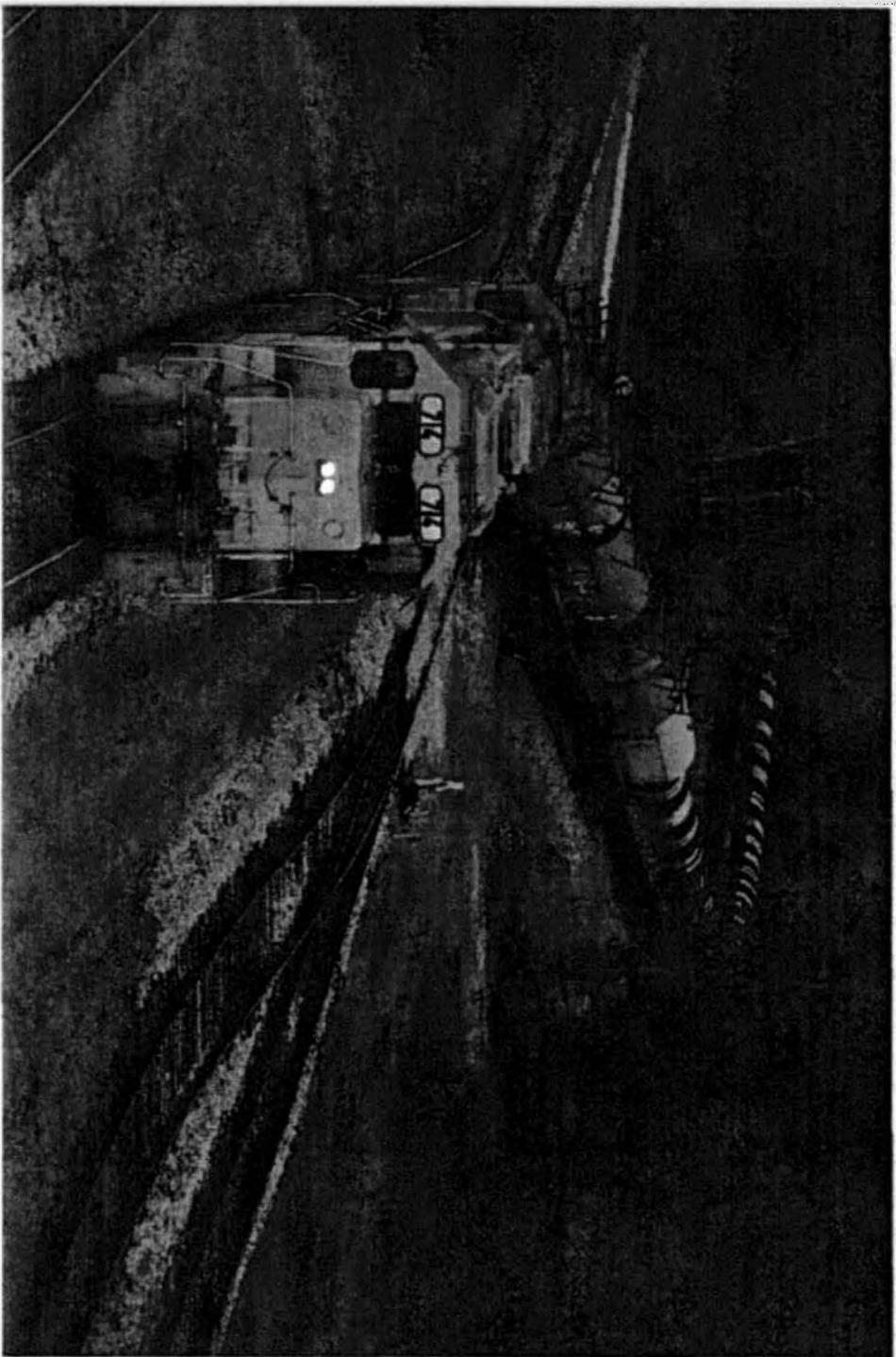
- 26 states served
- 27 switching operations
- 29 short line railroads
- 16 mechanical shops, 23 railroad repair shops, 8 locomotive shops and 5 private railcar shops
- 20 terminal locations
- 10 warehouses & 2 port locations
- International service in Canada and Western Australia



Watco System Map

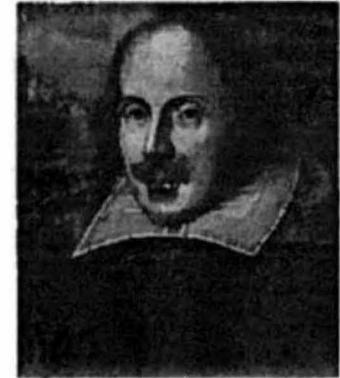


The New Shortline Model



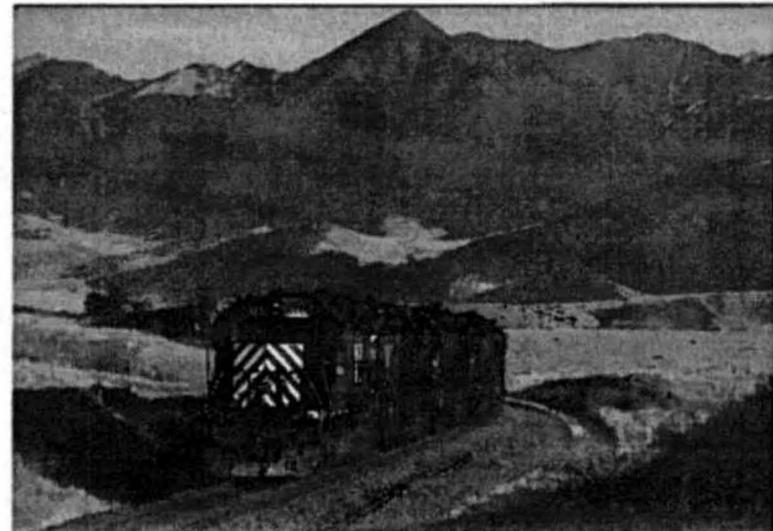
Shortline History - A Shakespearean Play?

- Three Acts (So Far)
- Act One – Exposition
 - Introduces Characters
 - A dramatic situation occurs and ensures life will never be the same
- Act Two – Rising Action
 - Characters attempt to resolve the first act turning point
 - Characters struggle doing so because they do not yet have the skills needed
 - New skills and are awareness are needed
- Act Three – Resolution
 - Newly acquired skills help resolve the Act Two struggles
 - Characters have a new sense of who they really are
- THE BIG QUESTION: Is this a Three Act Play (Five Act? – More?)



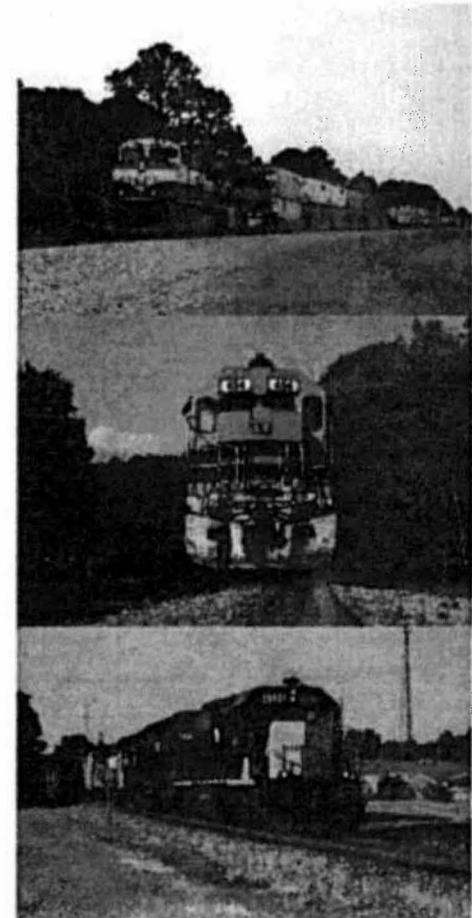
Act One – NEVER AGAIN!!!!

- Stagers Creates New Industry
- Regional Railroads
 - Large integrated networks
- Motivated Sellers
 - Network optimization
 - Work rule Improvements
 - MAIN lines
- Buyer Benefits
 - Premium properties
 - Unparalleled commercial opportunities
 - Limited seller controls



Act Two – THE EMPIRE STRIKES BACK

- Lessons Learned - No more MRL's
- Shortlines
 - Less connectivity / Reliant on one connection
- Motivated Buyers
 - Rise of the Hold Co's(States Rail, Park Sierra, RailAmerica, G&W, RailTex)
 - \$\$\$\$
 - Still plenty of transactions
- Seller Benefits
 - Interchange agreements
 - Handling line / lease structure
 - Decent seller/lessor controls



The Act Three Model – THE NEW ACT

■ Current Outlook – Challenges

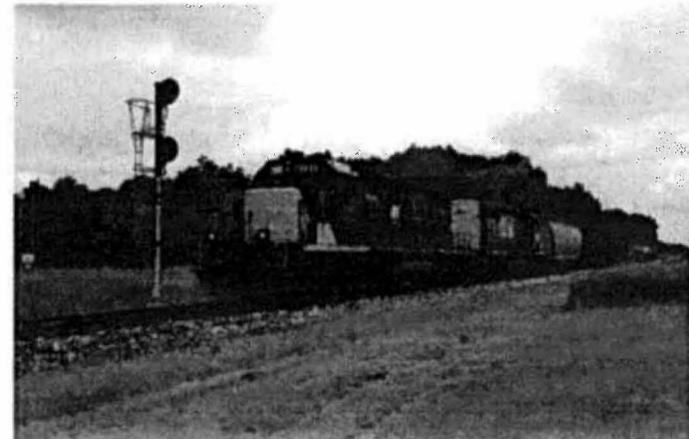
- High consolidation
- High multiples / seller expectations
- Highly competitive market
- Limited Class 1 opportunities

■ Partnerships/Structures

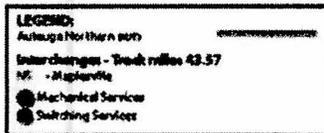
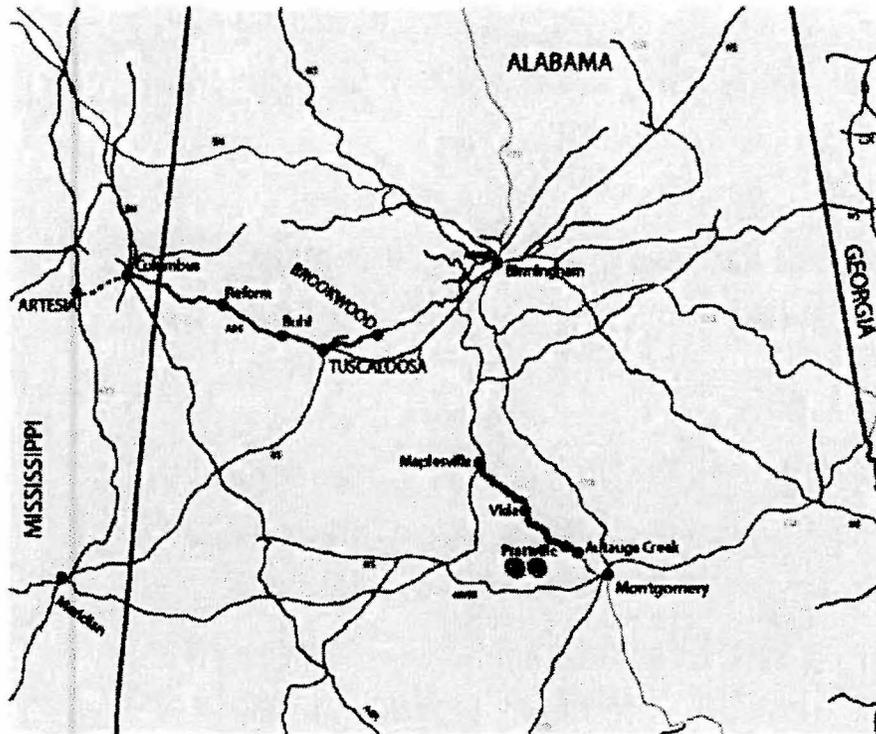
- Shippers outsourcing
- Unique structures
- Eliminate the “bid up”
- Constantly looking for the new mouse trap
- Investors that bring more than money

■ Terminals

- Unit Train and Single Car Compatible
- Leverages Watco’s Core Competencies
- First Mile / Last Mile while maximizing Class 1 network efficiencies



Case Study: Autauga Northern Railroad



QUICK FACTS:

Start Date: April 2011

Track miles: 43.62

Carloads: 5,627

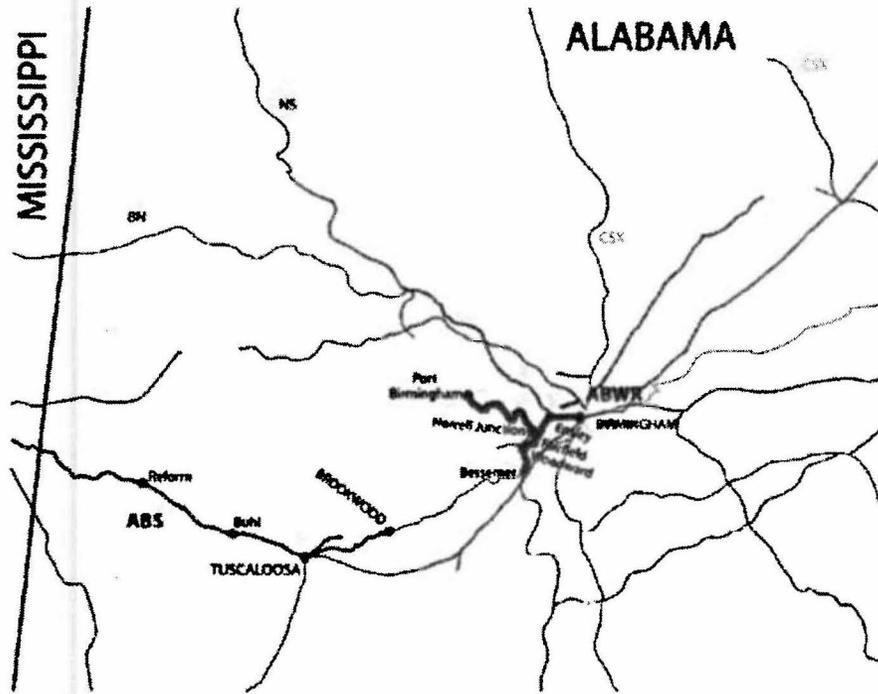
Team Members: 10

Top Commodities: Paper products and aggregates

Key Takeaways: Leverage the Customer First! model via the switching service and mechanical offerings



Case Study: Birmingham Terminal Railway



LEGEND:
Birmingham Terminal Railway (BTR) 
Interchanges - Track miles 75.9
MS - Emory Fairfield
AL - Emory Fairfield
AL - Birmingham

QUICK FACTS:

Start Date: **February 1, 2012**

Track miles: **75.9**

Carloads: **50,000**

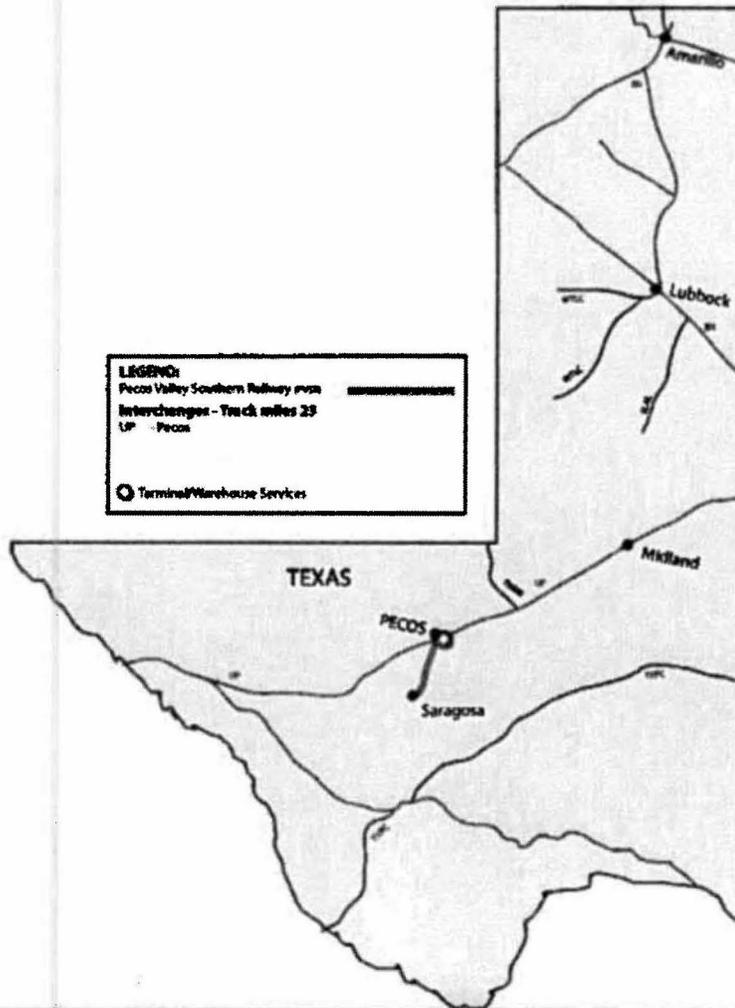
Team Members: **109**

Top Commodities: **Iron ore, coal, steel sheets and pipe**

Key Takeaways: **Strategic partnership with the Seller and Port Birmingham**



Case Study: Pecos Valley Southern Railway



QUICK FACTS:

Start Date: **September 1, 2012**

Track miles: **23**

Carloads: **3,500**

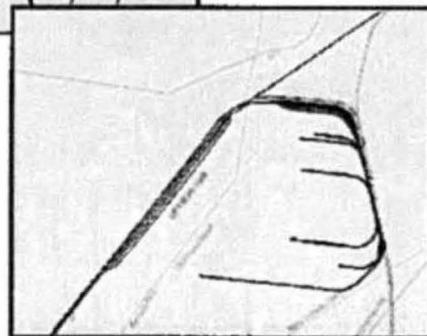
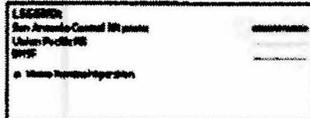
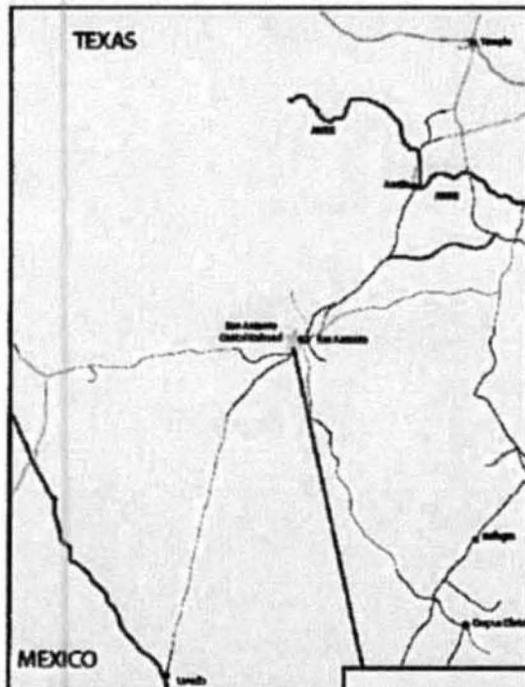
Team Members: **6**

Top Commodities: **Crude oil**

Key Takeaways: Leverage crude by rail expertise and customer relationship



Case Study San Antonio Central Railroad



QUICK FACTS:

Start Date: **September 1**

Carloads: **59,500**

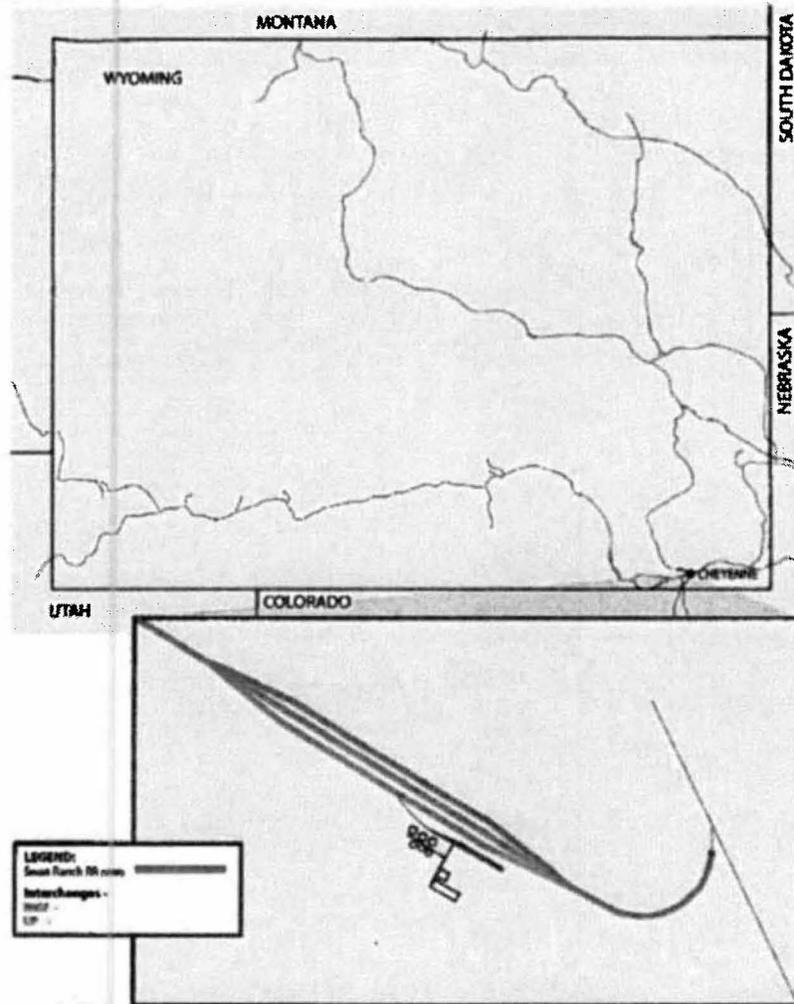
Team Members: **88**

Top Commodities: **Cement,
fertilizer, aggregates, coal, sand
and grain**

**Key Takeaways: The Terminal
Model and leveraging WTS and
WTPS**



Case Study: Swan Ranch Railroad



QUICK FACTS:

Start Date: **2011**

Facts: **Serves the Swan Ranch Industrial Park**

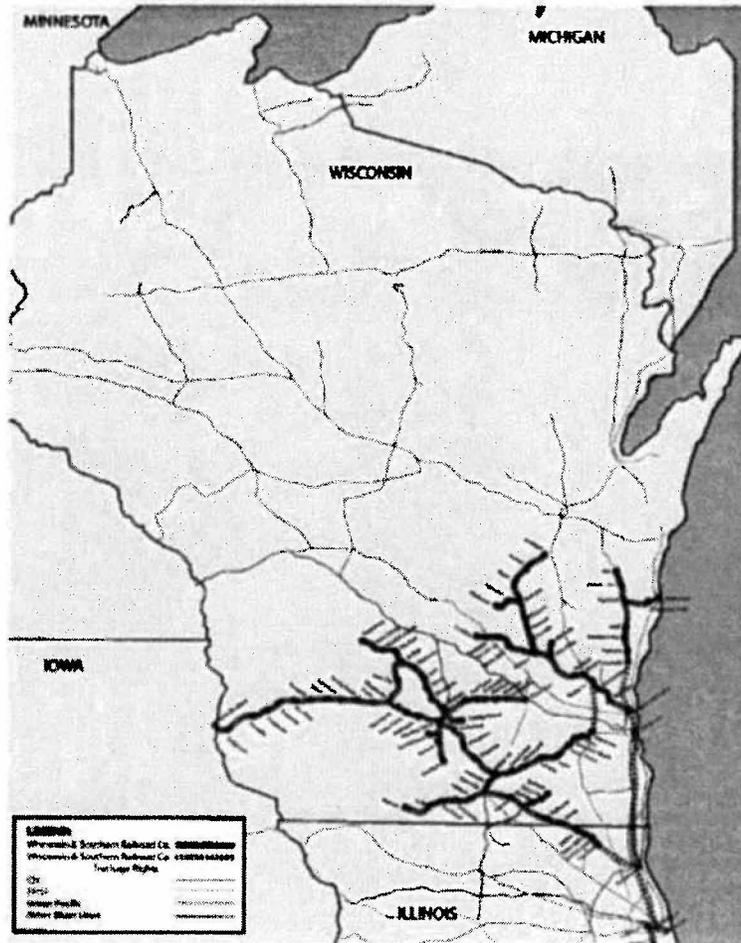
Team Members: **2**

Top Commodities: **Asphalt**

Key Takeaways: **The Terminal Model**



Case Study: Wisconsin & Southern Railroad



QUICK FACTS:

Start Date: **January 1, 2012**

Track miles: **700**

Carloads: **50,000**

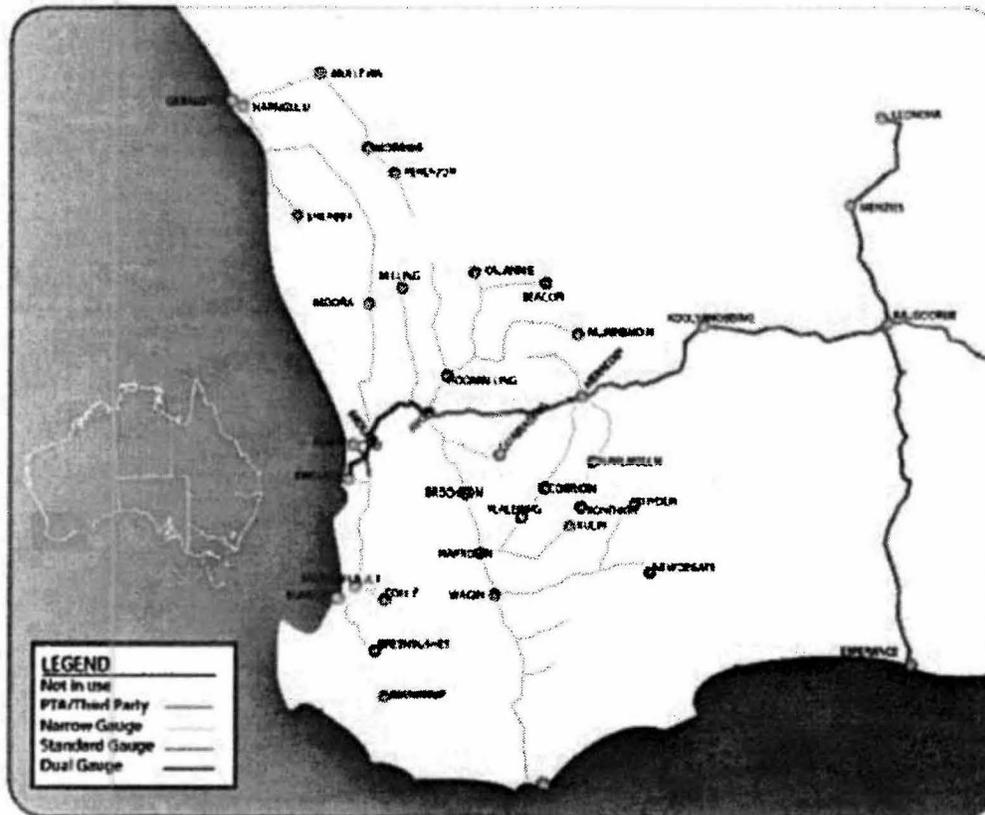
Team Members: **220**

Top Commodities: **Lumber, coal, fertilizers, grains, plastics, aggregates, ethanol, and liquid petroleum**

Key Takeaways: **Structure, leverage partnerships with Class 1 RR's**



Case Study: Western Australia



QUICK FACTS:

Start Date: **May 1, 2012**

Carloads: **118,000**

Team Members: **114**

Commodities: **Grain**

Key Takeaways: **KO Model**

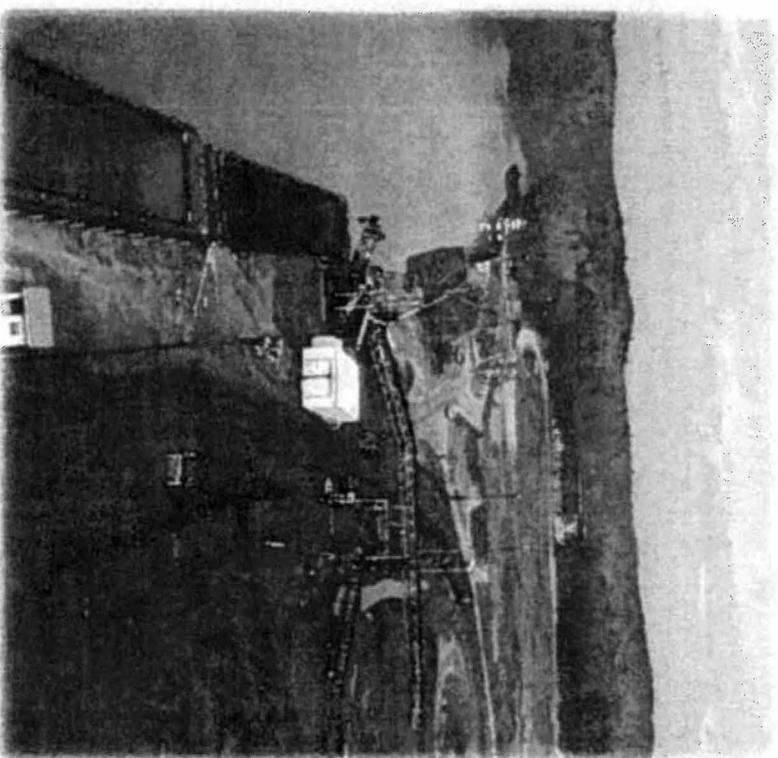
Watco has been awarded a long-term grain rail contract to provide services to the CBH Group of Western Australia. The CBH Group is a Western Australian farmer owned co-operative that was established in 1933. It's controlled by more than 4,800 grower-shareholders who plant and harvest grain grown across the 198,840 square miles that comprise the Western Australian grain belt.



Case Study: Terminal & Port Services



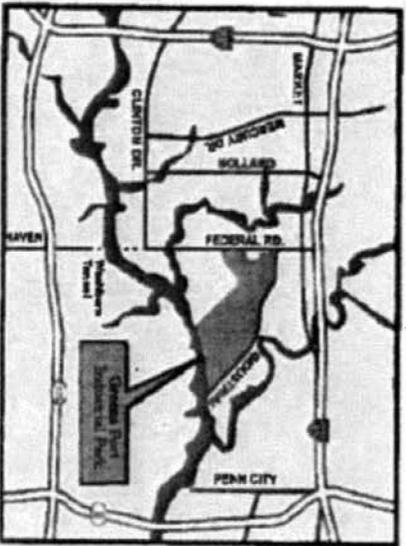
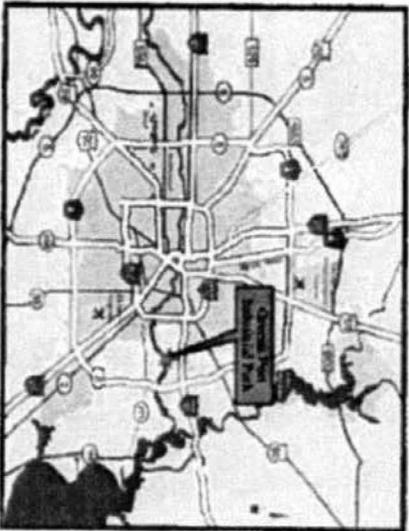
Greens Port Terminal



Port Birmingham Terminal



Greens Port Terminal



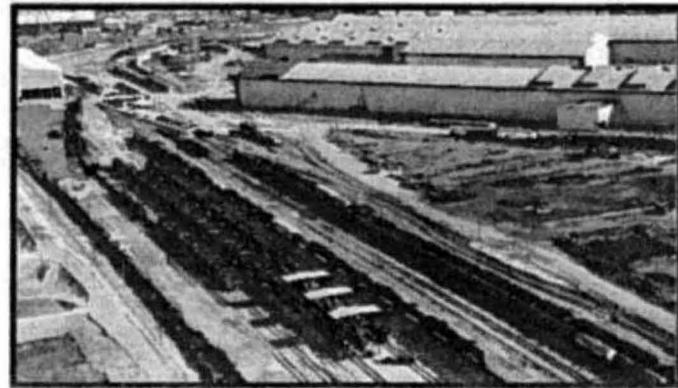
Greens Port Terminal

- **Watco's Greens Port Terminal** is located on 655 acres in the heart of the Houston Ship Channel in Harris County, Texas and is the largest private multi-tenanted industrial park in the Gulf Coast market. Greens Port offers deep water and barge docks along the Houston Ship Channel with services through two non-union stevedores. Greens Port provides approximately 3 million square feet of indoor facilities in 20 buildings that feature large bay widths, numerous cranes ranging from 5 to 125 ton capacity, the ability to clear heights ranging from 20 to 45 feet, and heavy floor loading capacity. Direct rail served buildings and rail storage yards are available within Greens Port.
- **Rail Services:** Greens Port is served by 22 miles of rail infrastructure with four rail yards capable of storing up to 1,200 railcars. Plastic pellets, resins, petroleum commodities and bulk materials are staged in our easily accessible rail yards which can be utilized for storage in transit or for transloading into the Gulf Region. This service provides a flexible option for many shippers who don't have the space at their facility to stage finished products or to hold empty railcars waiting to be loaded. Greens Port has direct interchange with the Port Terminal Railroad (PTRA) facilitating easy interchange with the UP, BNSF and KCS Railroads. Greens Port also offers the ability to build and receive unit trains.



Greens Port Terminal

Port Services: More than 4,000 linear feet of frontage to the Houston ship channel is available, including a 1,080 linear foot deep water dock (depth of 41' MLT) capable of serving Panamax Class vessels. Also available with the main dock is a separate river barge terminal equipped with a 40 ton overhead crane. The docks include large adjacent concrete staging areas and roll on roll off capacity. These facilities make Greens Port a preferred destination or origin for a diverse variety of freight including large equipment, vessels and machinery.



Port Birmingham Terminal

Port Birmingham is comprised of 184 total acres with 1 ½ miles of frontage on the Black Warrior River. The Port handles a variety of bulk and break bulk material via barge and railcars. River service connects to the deep water Port of Mobile and rail service connects with the BNSF, CSXT, and NS over the Birmingham Terminal Railway.

Barge Services: Port Birmingham offers fleeting and shifting services and can store up to 40 barges. The facility also has a loop track for unit train and can direct discharge from rail to barge. Onsite equipment allows for bulk materials to be loading in to hopper cars from barge or storage.

Transload Services: There are 5 barge to rail - rail to barge stations at the Port, they include: 1) a 25 ton gantry crane with clamshell and hook capabilities, 2) a 23 ton gantry crane with clamshell capacity with on dock rail and truck loading and unloading, 3) a rapid load out conveyor system that has a bottom/end dump rail/truck unloading pit that can go direct to barge or to ground storage, 4) a direct truck to barge load out, and 5) a 100 ton derrick that can load or unload structural or project cargo to or from a barge. The types of materials handled include heavy machinery, structural steel, coils, slabs and other project cargo.

Rail Services: Port Birmingham's rail facilities are well designed and well built. There is a loop track and yard on the Port property with each having the capacity to handle a 75 to 100 car unit train for movement to and from the Port.

Location: The facility is 22 miles west of Birmingham and located on a major truck route (State Route 269). In addition to Watco's now famous Customer First Service Port Birmingham offers superb rail – river- truck connectivity.

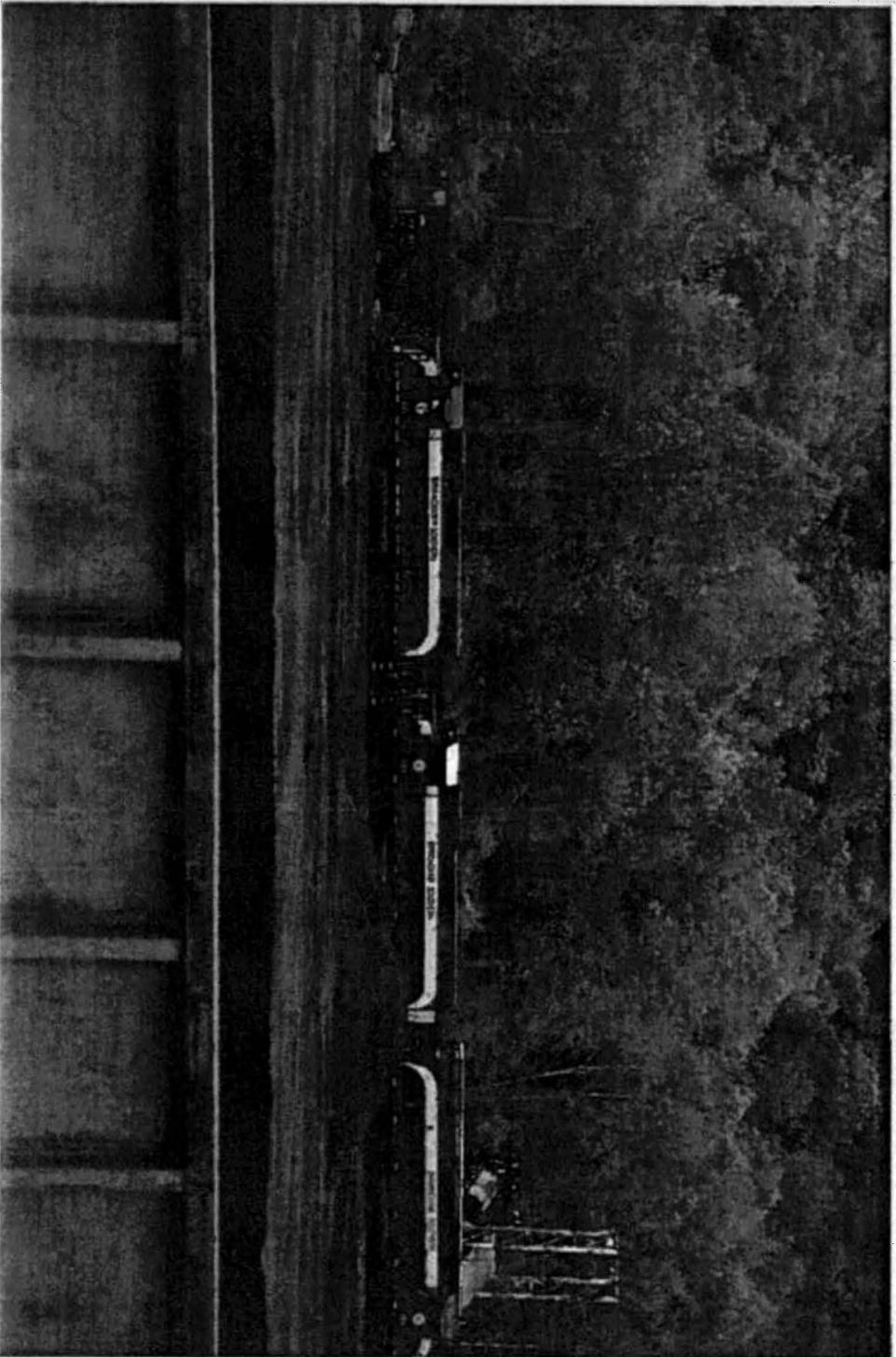


Case Study: Watco-Kinder Morgan

- On December 15, 2010, Watco Companies and Kinder Morgan Energy Partners announced an agreement where Kinder Morgan would invest up to \$150 million over the next year in Watco Companies in exchange for a preferred equity position in the company. The advantages of this partnership are:
 - Significant Growth Opportunities
 - Transaction provides an avenue for significant investment into a high growth business
 - Class I connections will continue to divest of non-core assets and focus on unit train movements
 - Investment opportunities will be more significant over time
 - Proven track record of successful investments with recent acquisitions and expansions
 - Entrepreneurial mindset towards growth
 - Significant Synergies
 - Over 690,000 railcars handled at KM Terminal facilities annually
 - Over 100 Class I railroad connections at KM Terminals and 12 short-line connections
 - Terminating and railroad industry are integral to each other



New Shortline Model - Energy



What is Transloading?

- Transload facilities, taking product from trucks to railcars or vice versa, provides an option for non-railroad served industries to utilize rail transportation. The design of the facility, its level or frequency of service from the railroad, its internal layout, operational and inventory systems, and material handling systems for the product being handled are all important considerations that must be understood and optimized for these facilities to be successful.
- Efficient operations are required to compete effectively against direct truck or direct rail shipments. The design of the facility, its level or frequency of service from the railroad, its internal layout, operational and inventory systems, and material handling systems for the product being handled are all important considerations that must be understood and optimized for these facilities to be successful.

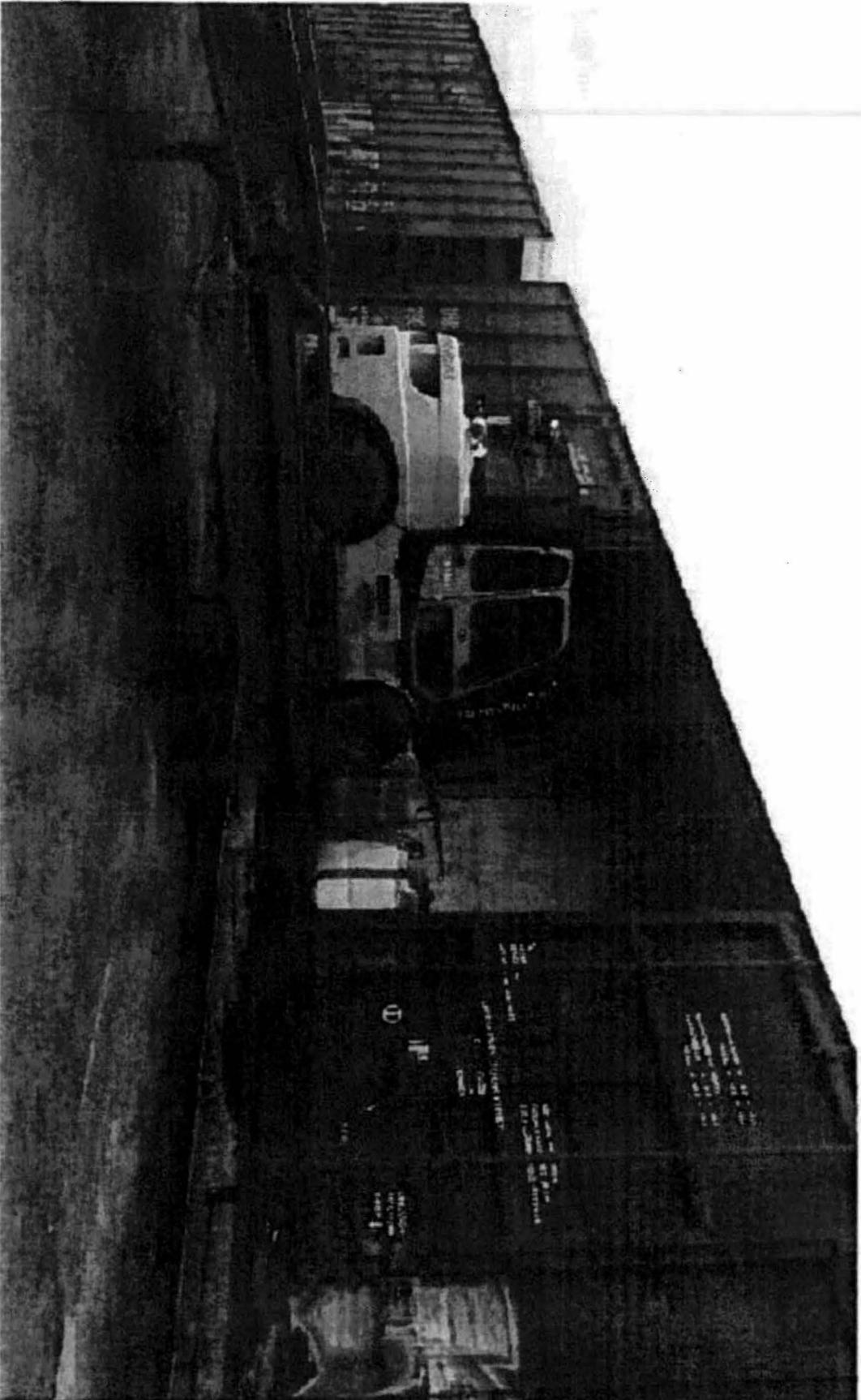


What do Transload Sites look like?

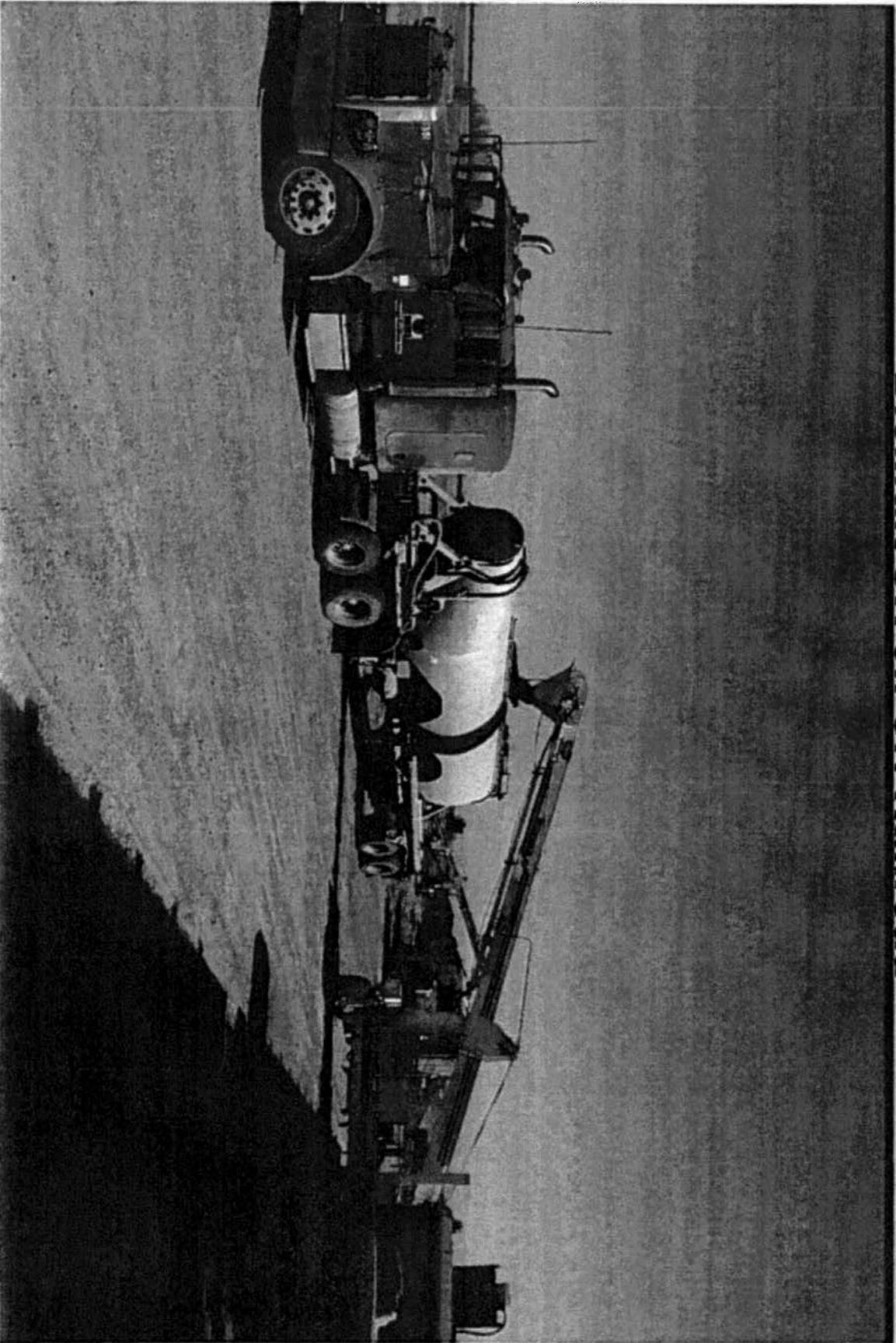
- Understanding what existing and planned future rail facilities look like
- They come in all sizes!
- 500 track feet for a 5 railcar per day terminal to 10,000 track feet for a 100 railcar unit train terminal



**Watco pallet unloading
Blenfait SK on CN Railroad**



**Watco frac sand transloading
Bienfait SK on CN Railroad**



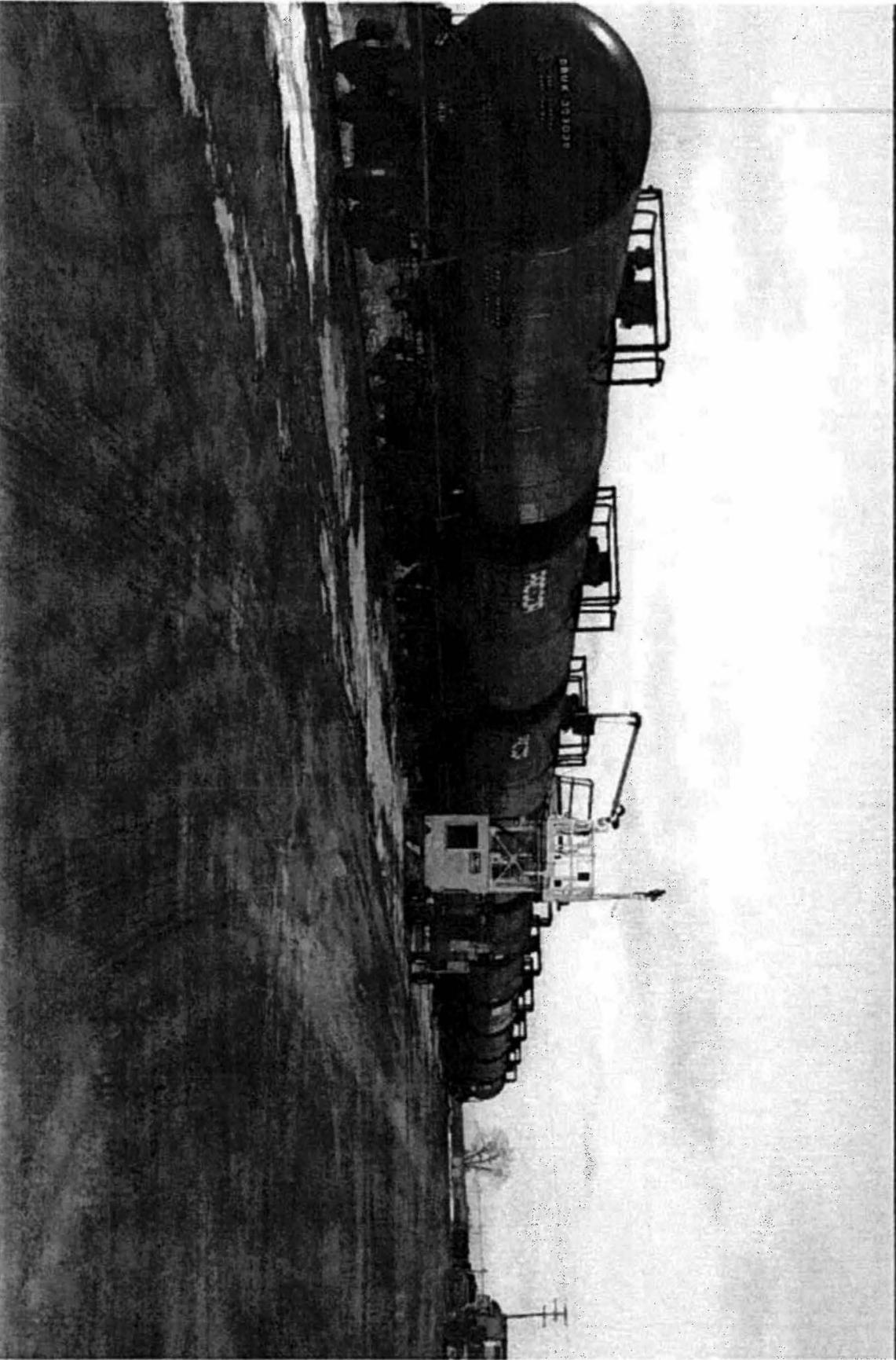
**Watco pipe unloading
Bienfait SK on CN Railroad**



**Watco Manifest Crude Loading Terminal
Bienfait SK on CN Railroad**



**Watco Crude loading
Bienfait SK on CN Railroad**



New Watco Bakken Industrial Park

Location – Dore ND on Yellowstone Valley RR

50,000 Sq. Ft. Warehouse - Dry/bulk, hazmat, wet/bulk

55 acres

300 railcar spots (phase III)



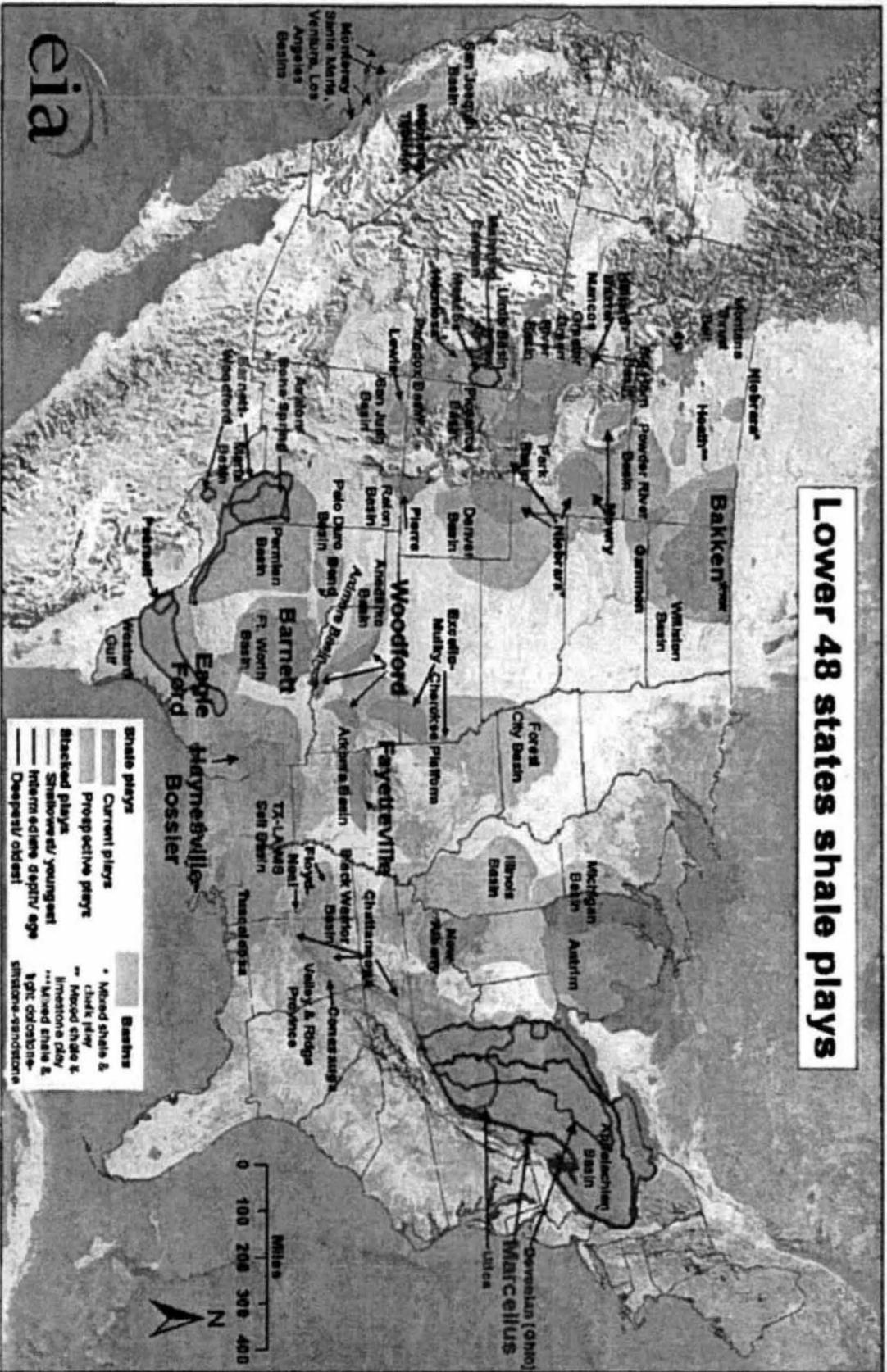
Geographic Demand

- What is the current demand based on geographic locations?
- ENERGY, ENERGY, ENERGY!!!
- Crude oil, frac sand, pipe, aggregate, cement.

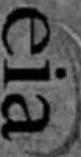


Shale Plays

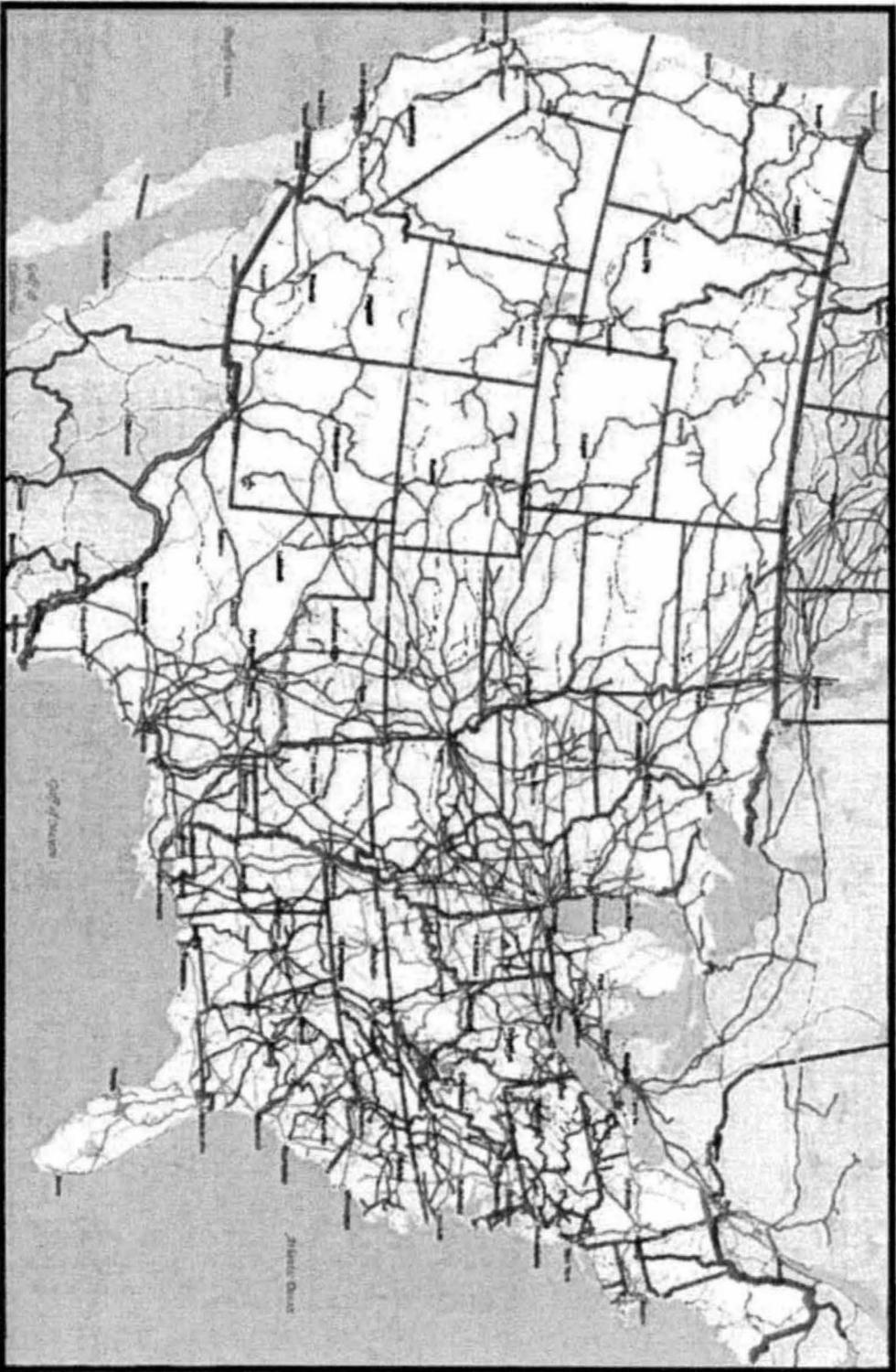
Lower 48 states shale plays



Source: Energy Information Administration based on data from various published studies.
 Updated: May 8, 2011



United States Rail System Map

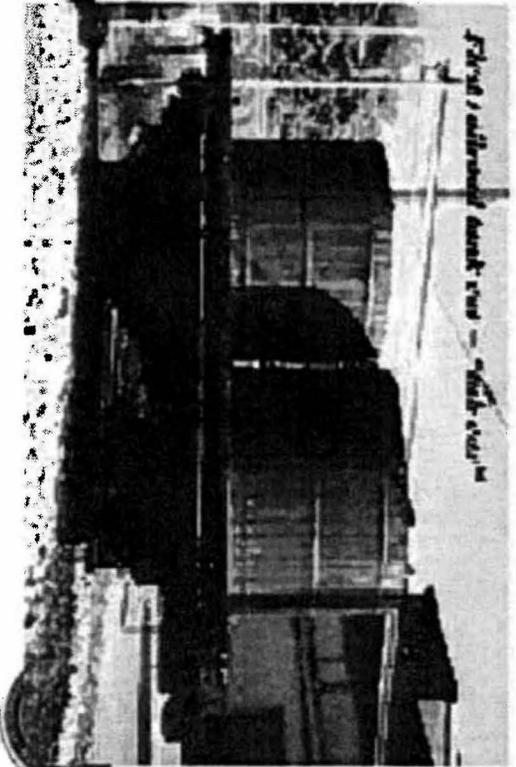
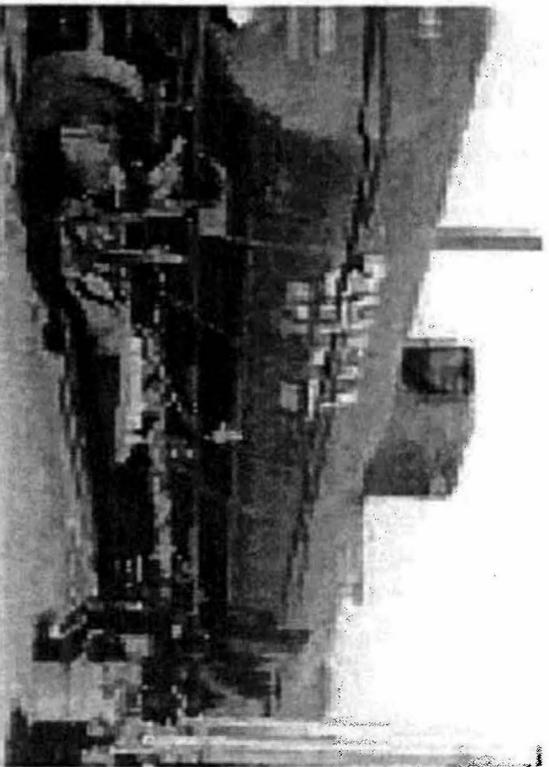
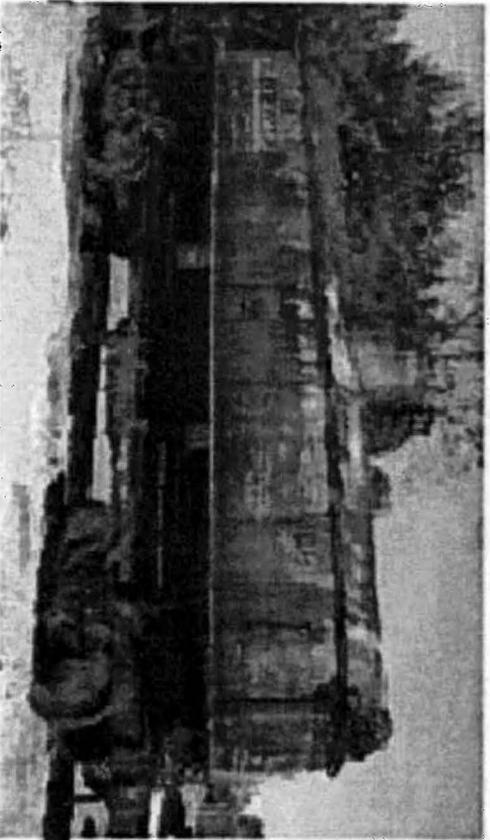
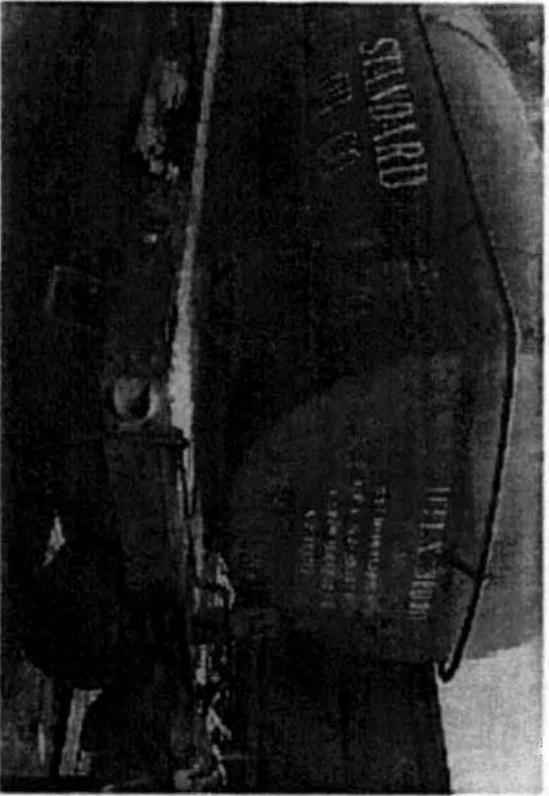


Why move crude by rail?

- Moving a barrel by rail can cost \$7 to \$14, compared with \$2 to \$5 by pipe, depending on destination. But that price difference pales in comparison to a \$15 to \$30 premium for reaching the right markets
- Producers are working shale everywhere and rail transload terminals are a cost-effective, very quick way to start moving crude to market
- Flexibility to serve all markets using existing N.A. rail infrastructure. Existing rail routes have capacity to reach East and West Coast markets in the U.S. that may not have sufficient pipeline capacity.
- Isolation of commodity to provide a “pure barrel” to the destination
- Speed to market - 12 months to build a unit train rail terminal
- Comparatively low entry level capital requirements

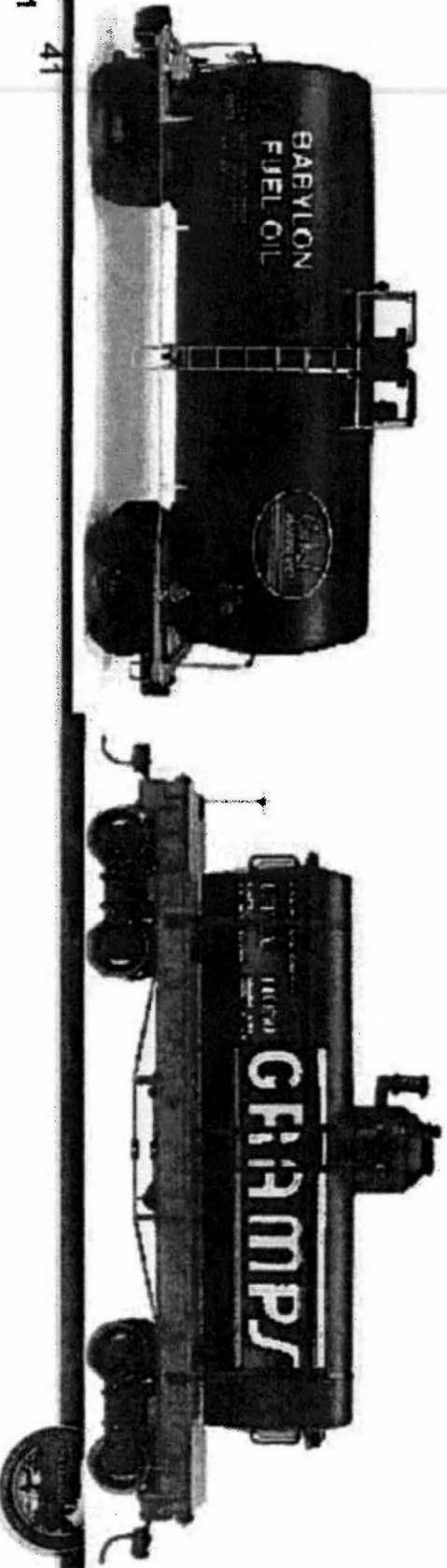
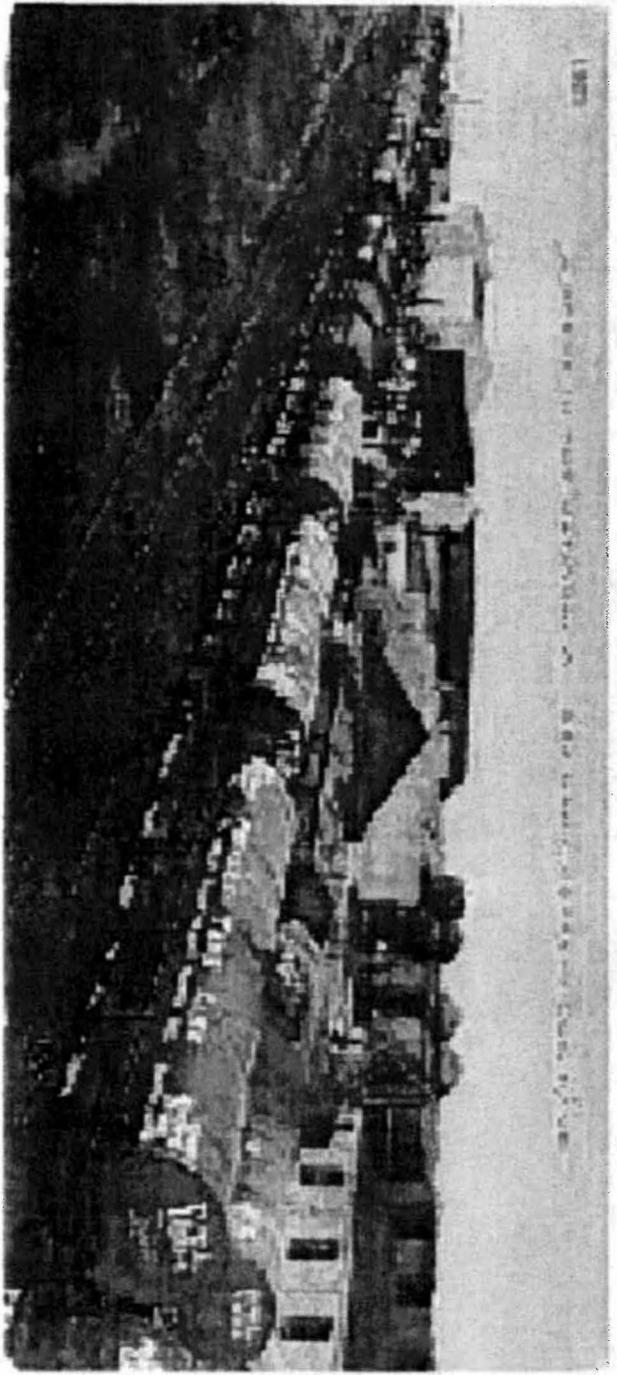


Everything old is new again



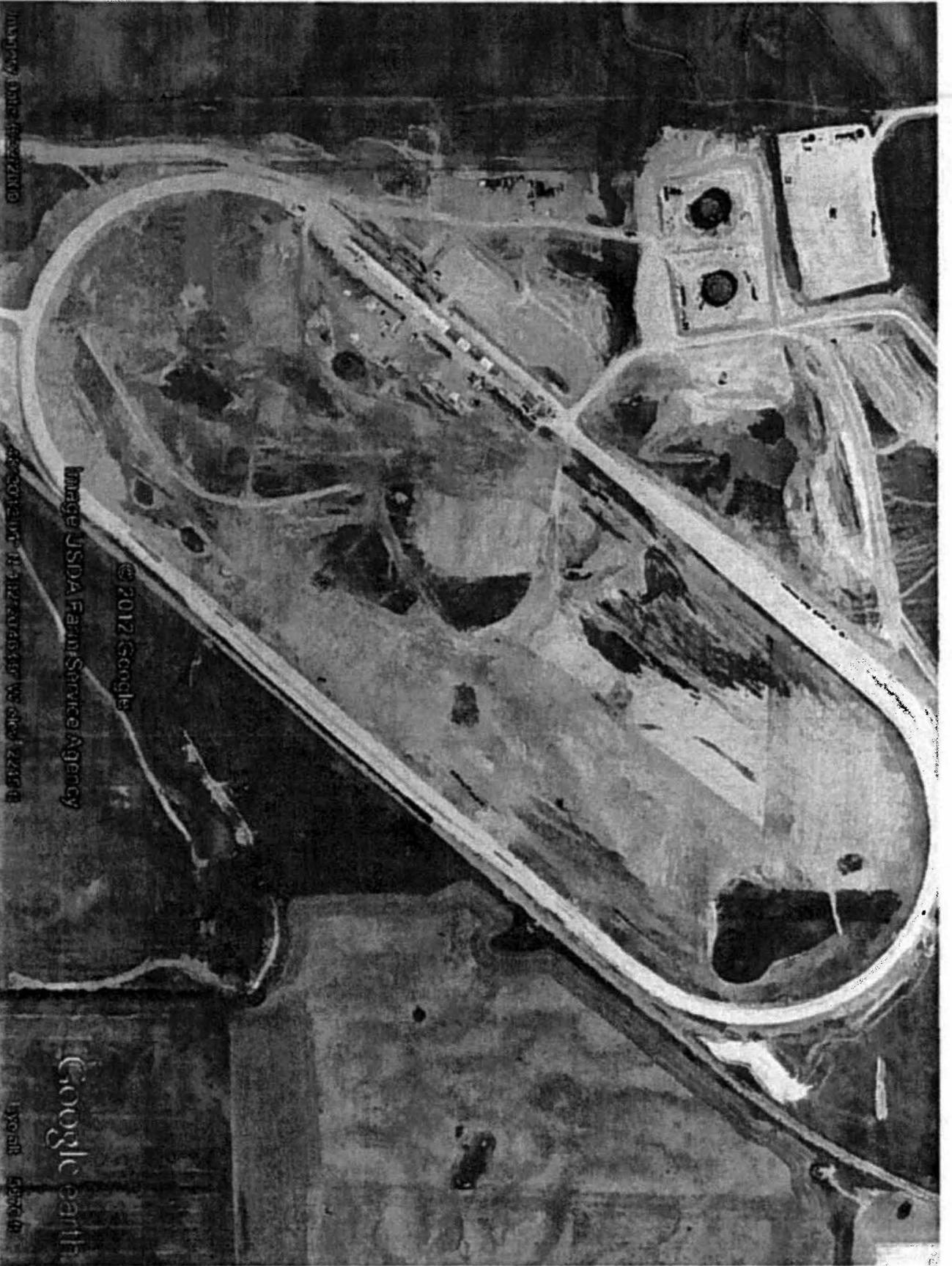
First automobile built in 1911

Everything old is new again



41

41



IMPROVING THE FUTURE

© 2012 Google

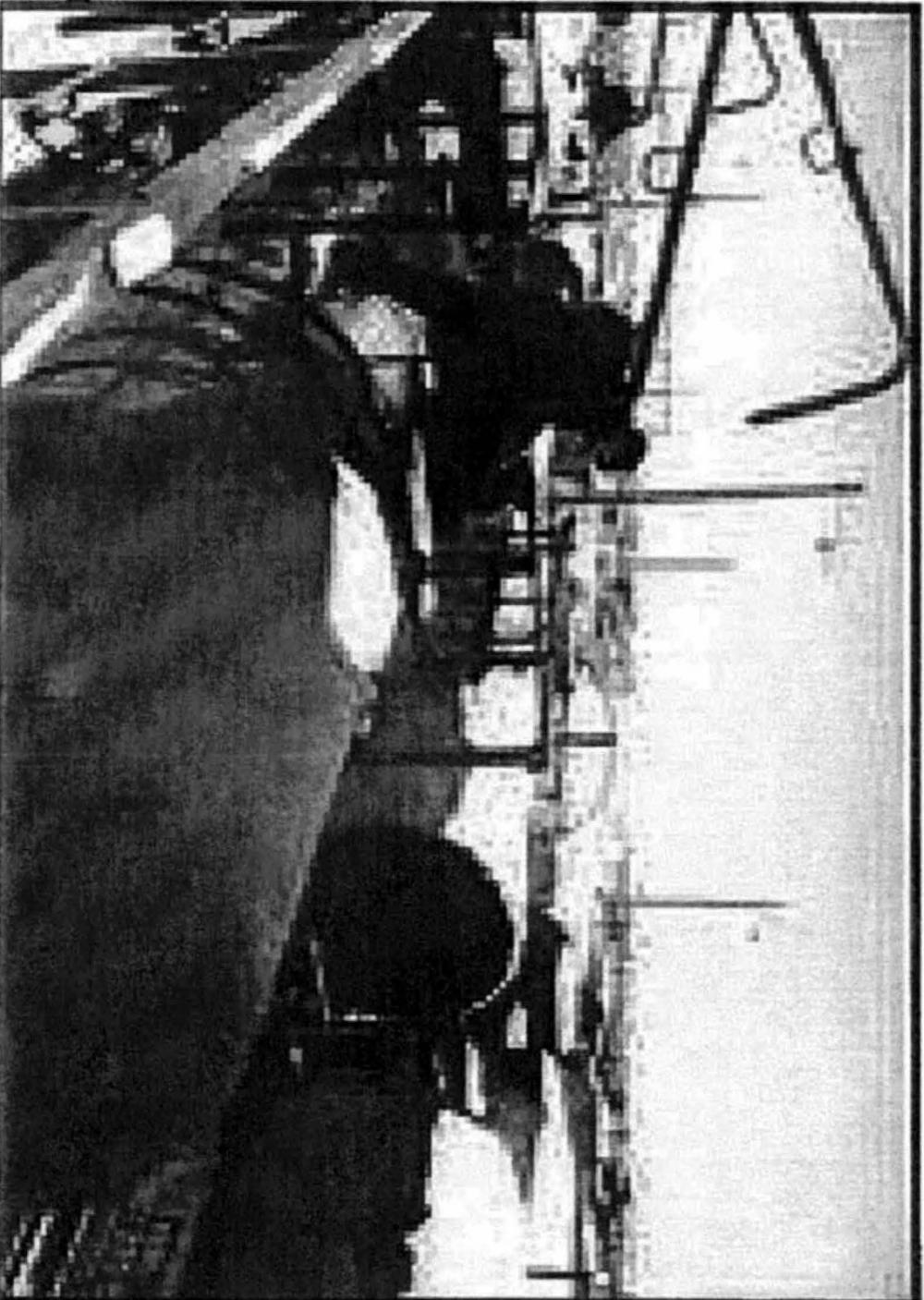
Image USDA Farm Service Agency

Google earth

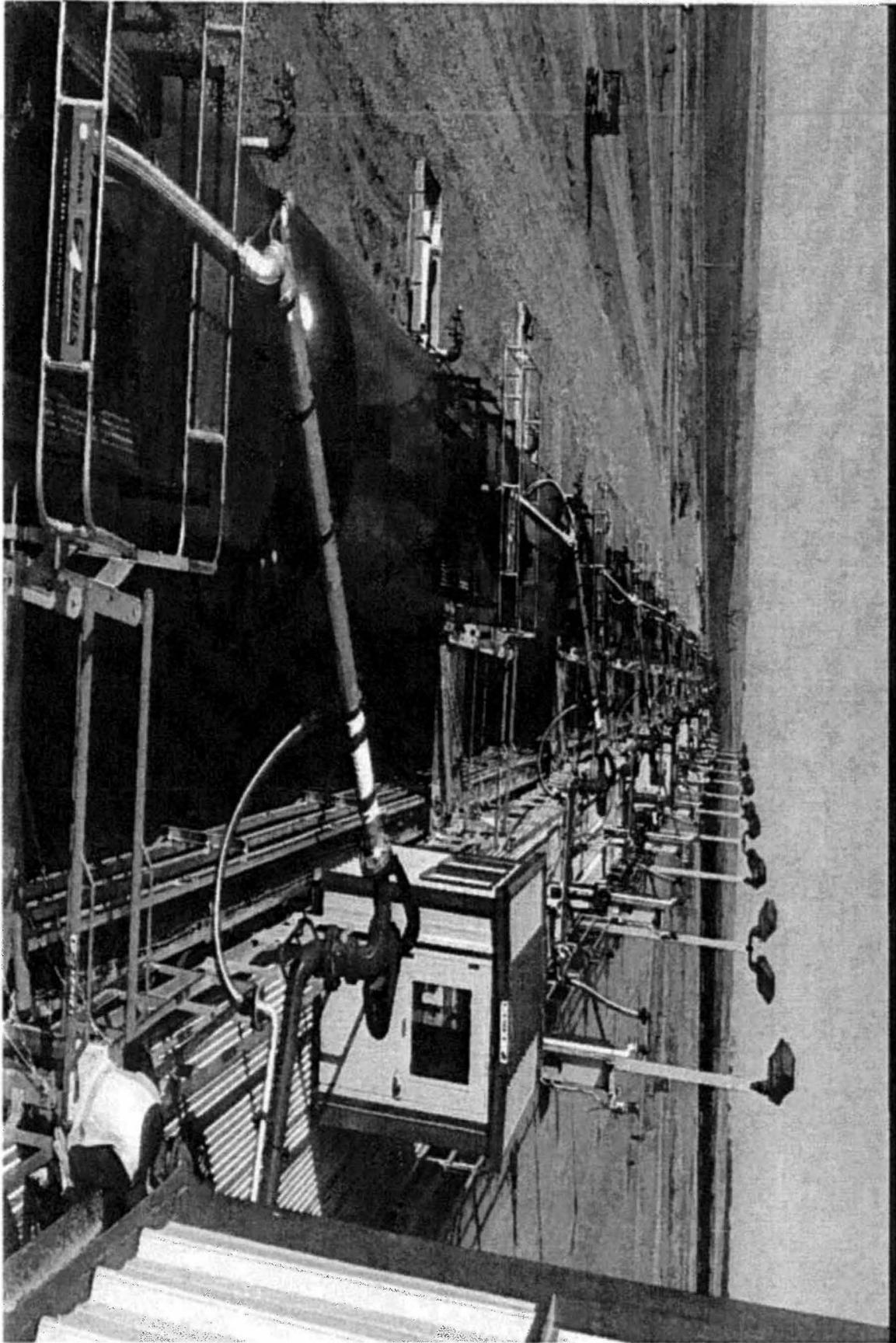
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Crude Unit Train Loading Facility

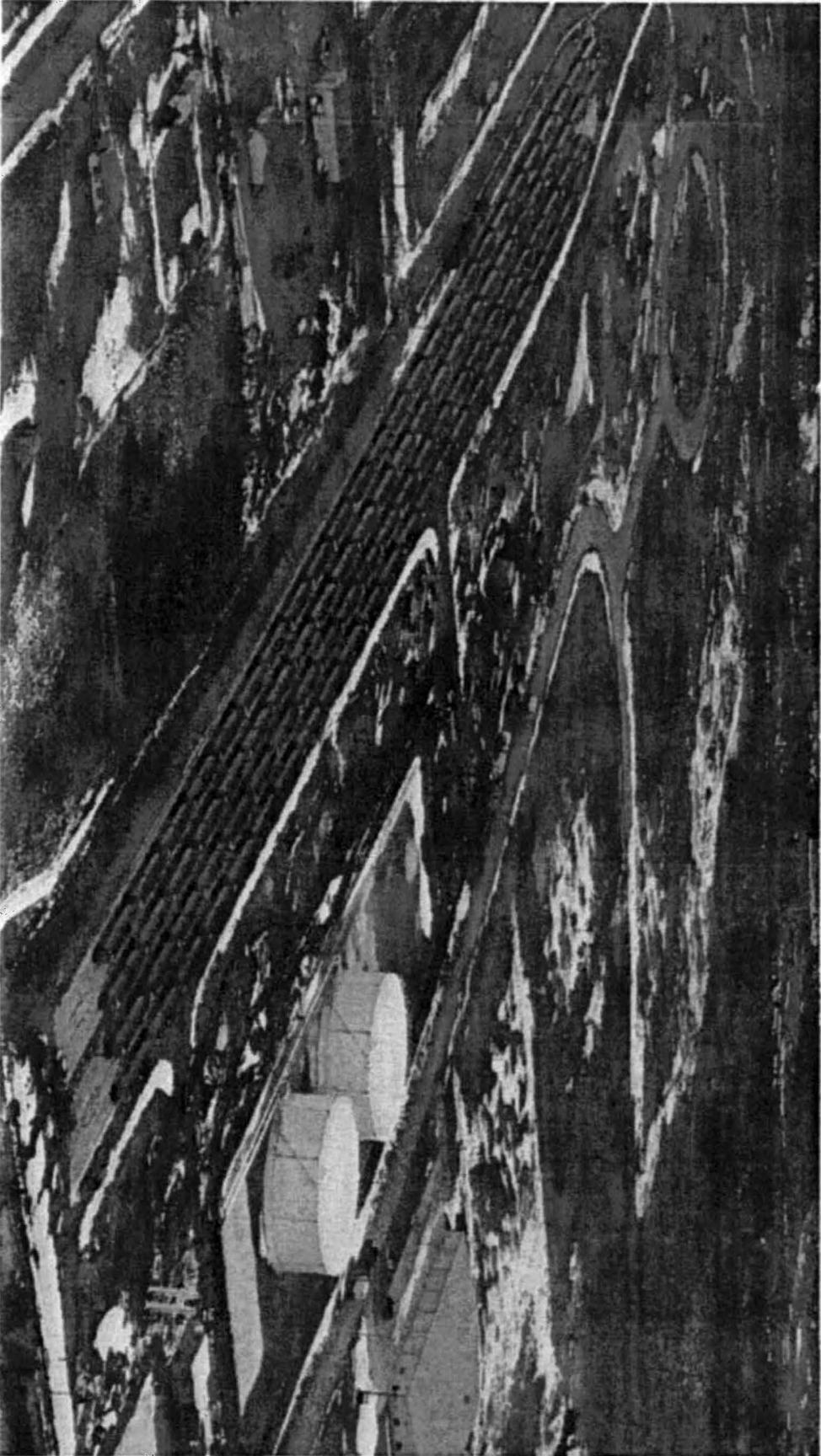
early 1900's



Crude Unit Train Loading Facility



Unit Train Unloading Facility



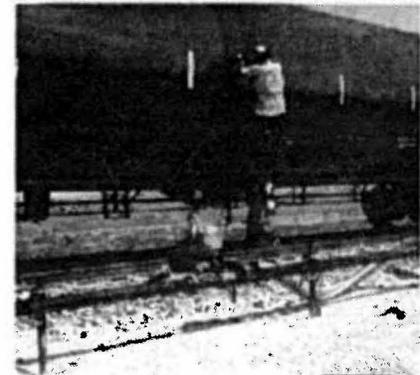
Watco "Energy" Transloading Locations

Bienfait	Bienfait SK, Canada	(NEW)
Woodnorth	Woodnorth MB, Canada	(NEW)
Dore	Dore ND	(NEW)
PSWR	Midland PA	(NEW)
Pecos	Pecos TX	(NEW)
Swan Ranch	Cheyenne WY	(NEW)
Stroud	Stroud, OK (2)	(Private and Open)
Stanley	Stanley ND	(Private)
Tioga	Tioga ND	(Private)
Harwood	Harwood TX	(Private)
Refugio	Refugio TX	(Private)
St. Louis	St. Louis MO	
TIBR	Silsbee TX	
LAS	Minden, LA	
La Crosse	La Crosse WI	
Lawton	Lawton OK	
OKC	Oklahoma City OK	



Seamless Services

- **Transloading, Warehousing, Rail Logistics, Consulting and Trucking**
 - Consulting
 - Consolidation and deconsolidation of truckloads to rail, rail to multi-destination truckloads
 - Railcar ordering and fulfillment
 - Billing railcar shipments
 - Bundled pricing
 - Transloading
 - Cross Dock
 - Storage
 - Inventory management
 - Truck dispatching
 - Flatbeds, vans, stretch and drop deck trailers



Capital for Crude Terminals

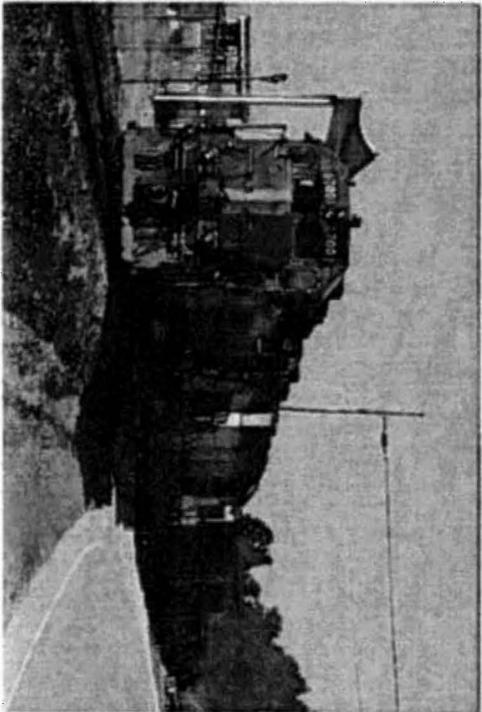
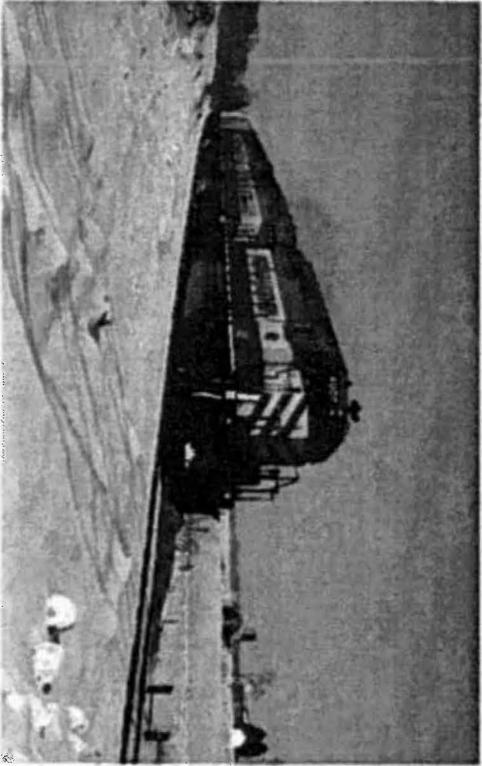
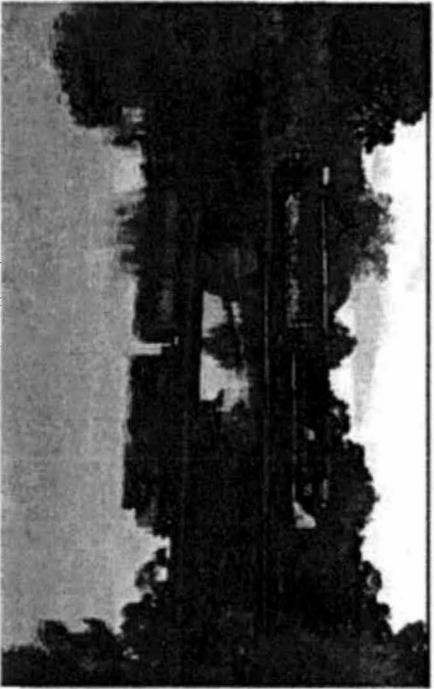
- Average cost to build a unit train terminal is \$30-\$50m
- Typical capital payoff is 5 years or less. No long term take or pay commitments required.
- KM and Watco can provide capital to build crude by rail terminals
- Origin and destination terminals are built simultaneously
- U.S. rail network provides a readymade “pipeline on wheels” that can move crude to virtually anywhere in the U.S.



Conclusions/Review

- Transloading provides options in the movement of intercity freight for shippers that do not have rail access. It is a complex operation that brings disparate industries together.
- Watco is an experienced leader in the Transportation Industry
- Turn key operation includes all freight and transload services, scheduling fleet management and transportation logistics
- Comprehensive logistics system for railcar planning, scheduling, tracing and inventory control
- Proactive goal and trend measurement. Watco believes that you cannot improve what you cannot measure. We believe strongly in establishing baselines, trending, and tracking to measure productivity
- Experienced management and crew base for smooth transition on startups. We will keep your operations running 365 days a year, guaranteed!





Questions



Building a Better World
for All of Us®

MEMORANDUM

TO: Jim Devlin, Wisconsin Department of Natural Resources
Carrie Olson, Wisconsin Department of Natural Resources
Jordan Thole, Wisconsin Department of Natural Resources

FROM: Ryan Sauter, Short Elliott Hendrickson

DATE: July 17, 2014

RE: Permit Summary Memo
SEH No. WATPS 128572

On behalf of Wisconsin & Southern Railroad (WSOR) and Watco Companies (Watco), Short Elliott Hendrickson Inc. (SEH) is submitting this memorandum to update the Wisconsin Department of Natural Resources (WDNR) of the progress towards permitting WSOR's proposed rail siding and trans load facility expansion in Prairie Du Chien, Wisconsin. In accordance with and based on our meetings in Prairie du Chien and numerous telephone discussions, SEH is preparing numerous correspondence and permit applications for submittal to WDNR.

Concurrent to this effort, WSOR has indicated that they intend to initiate development of this property under the authority granted by the commerce clause and will use federal pre-emption to begin this project without regulatory permits in place. WSOR has indicated and has reiterated in the past that they intend to comply as much as possible with the regulations or general requirements of the regulations under your jurisdiction; however, given the time constraints of the application and approval processes, WSOR is unable to complete the permitting and approval processes before breaking ground and commencing construction activities. SEH has been informed that WSOR currently intends to initiate ground disturbing activities at the site on July 21, 2014.

In light of WSOR's intention to break ground on July 21, 2014, SEH is providing this progress memorandum to document the substantial progress made towards preparing permit applications and supporting documentation. WSOR has undertaken these efforts based on their commitment to design, construct and operate the facility in a manner that attempts to minimize the impacts of this project on the natural environment and community.

Following are brief summaries of the primary permitting activities underway.

Floodway Zoning: SEH's Certified Flood Plain Manager (CFM) is currently modeling the impact of the project on the base flood elevation. Preliminary results indicate the fill to be placed onsite for rail siding will not raise the base flood elevation by more than 0.01 ft. The final modeling along with a technical memorandum is anticipated to be submitted to the WDNR when complete. WSOR intends to build the trans loading structure as an accessory to an open space use (the rail yard) that is dependent on a waterfront location. WSOR contends that the operation is dependent on the existing rail line that is located near the waterfront and therefore their operation is dependent upon a waterfront location. WSOR intends to build the structure at or near the existing site grade and will flood proof said structure in general

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 312 South 3rd Street, La Crosse, WI 54601-4007
SEH is 100% employee-owned | sehinc.com | 608.782.3161 | 888.908.5166 fax



accordance with NR116.16. In addition, WSOR has designed the structure so that the lower wall panels can be removed if a flood event occurs. This will allow floodwaters to flow through the structure without obstruction, thus eliminating any large scale effect on the flow of floodwaters. WSOR intends to build the rail siding at the same elevation as the current track as has been shown on several maps previously submitted to the WDNR.

Construction Stormwater: The construction stormwater permit will not be in place when ground disturbing activities commence; however, contractors will be instructed by WSOR to follow an erosion and sediment control plan that is designed in substantial compliance with Subchapter III of NR 216. This erosion and sediment control plan will be in place by the time land disturbing activity commences.

Post Construction Stormwater: Post construction stormwater will be managed according to NR 151. Additional discussions with the WDNR regarding post construction stormwater management on the northern portion of the site in the area of the rail siding will occur. WSOR contends they do not need to alter stormwater management for the southern portion of the site where the transloading facility will be expanded because they do not intend to increase the amount of impervious surface as compared to current site conditions. On the northern portion of the site, WSOR plans to construct using a ballast material to mimic the undeveloped condition. WSOR proposes to utilize a pervious ballast material that will allow stormwater to penetrate vertically, through the cross-section and then encourage a slow, filtered, horizontal disconnected displacement and weep of any excess runoff that maintains sheetflow conditions to the adjacent wetlands. We understand that this design has been accepted by the WDNR at other locations.

Industrial Stormwater: WSOR intends to submit an NOI to WDNR. The NOI will be submitted without the operating SWPPP; however, the SWPPP will be developed within a reasonable time frame and submitted to the WDNR.

Wetlands: WSOR will not have wetland fill permits in place when land disturbing activities commence. WSOR has indicated and provided data to show they have done significant alternative site analysis and have selected the only suitable site for this project and have attempted to minimize impacts to the wetland by minimizing the footprint of the project. A full wetland delineation report has been completed and at this time it appears that the project will impact 1.8-2.0 acres of established wetlands. WSOR intends to mitigate unavoidable impacts through permittee responsible mitigation and is currently actively engaged with a landowner that may be willing to sell suitable acreage for the purposes of mitigation. The land appears to be suitable but has not undergone a detailed evaluation for suitability. WSOR will continue to research and pursue other possible locations or methods for mitigation as well.

Application materials and supporting documentation will be submitted once SEH's wetland specialists have completed their assessment of the wetland and compiled the results. Site personnel have indicated that the water levels have dropped significantly and ground surface should be exposed soon; this will allow the wetlands professionals to complete their analysis with a tentative submittal date to the WDNR of the week of July 28th.

In an effort to increase the efficiency of the WDNR permit application analysis, SEH conducted an environmental review. The purpose of the review was to assess whether existing and potentially affected environmental features are located in the project area. More specifically the site was evaluated for the likelihood of the presence of threatened and endangered species as well as historical and cultural resources. The report will be submitted to WDNR under separate cover.

It appears as though the project has low potential to impact threatened or endangered species. However, WSOR requests the WDNR review the information in the report, when submitted, and provide comment.

Permit Summary Memo
July 17, 2014
Page 3

Cultural resources were evaluated as well. SEH contacted the Wisconsin Historical Society and requested a site screening. The screening indicated there are three documented historical sites in the vicinity of the project but did not identify documented historical sites on the project site. Given the sensitive nature of archaeological sites in Prairie du Chien, WSOR is in the process of contracting with Mississippi Valley Archaeology to conduct a site evaluation in accordance with Section 106 of the National Historic Preservation Act (NHPA). This survey is currently scheduled for July 23, 2014. The preliminary results of this survey will be included with the wetlands application package and the formal report will be submitted once it becomes available.

Chapter 30 outfall permit: WSOR will be extending an existing culvert in order to accommodate the rail siding. Based on conversations with the WDNR, a chapter 30 outfall permit was not anticipated to be necessary because the outfall will be placed above the ordinary high water mark of 816.3 ft.

Air Permit: WSOR proposes to obtain a Registration Operation Permit, Type A (a "ROPA") for the site and, based on review of the regulations and conversations with DNR representatives, believes that the facility meets the requirements of said permit. As of July 17, 2014 the permit application, supporting calculations, and a technical memorandum have been completed in draft form. They are under review by the WSOR and will be submitted to the WDNR upon completion of the review.

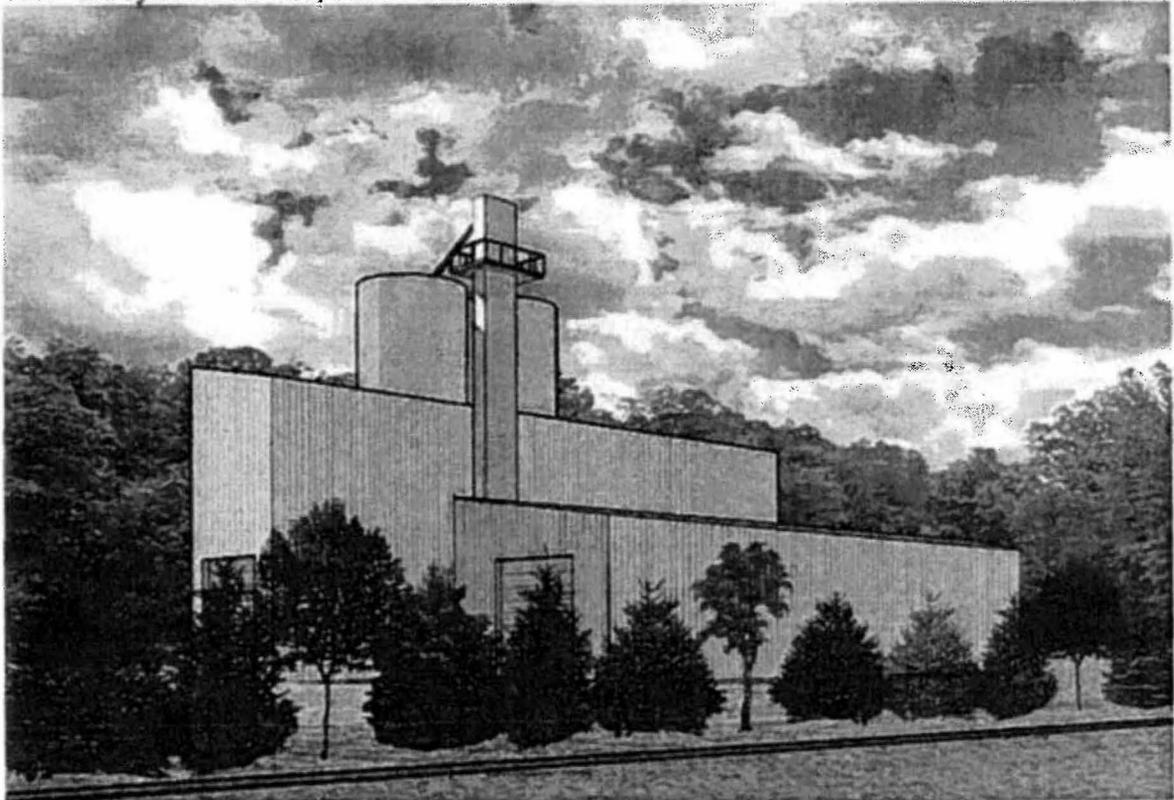
Thank you for your cooperation with the project thus far. As stated above, WSOR intends to comply as much as possible with the regulations or general requirements of the regulations under your jurisdiction and has indicated they would like SEH to continue in their efforts towards acquiring the permits despite the timeline. We look forward continuing to work with the WDNR on this project.

RPS/BKO

cc: John Derinzy, U.S. Army Corps of Engineers
WATCOWSOR Stakeholders

Rail storage yard proposed at sand loading site in PdC

Submitted by admin on Mon, 06/30/2014 - 12:10



Illustrated here, Wisconsin Southern Railroad proposed this drawing of a \$1 million facility, yet to be constructed at the unloading site utilized by Pattison Sand Company on the Highway 18 Bypass in Prairie du Chien. Now, WSOR is also proposing the addition of a seven-track rail engine and car storage yard to the north of the building on the property.

By Correne Martin

On Tuesday, July 1, at 7 p.m., the Prairie du Chien Common Council will hear a proposal from Wisconsin Southern Railroad (WSOR) regarding an expansion to its unloading site where Pattison Sand Company conducts work along the Highway 18 Bypass in the city. The proposal is an informational presentation only and does not require council approval for WSOR to move forward, as all track and building improvements will be done on the state-owned railroad right-of-way.

Representatives from Wisconsin Southern Railroad will be present at Tuesday's regular council meeting to update the government officials about the progress of its proposed building project at the loading site. WSOR's plans, introduced to the council last year, have been expanded to include a seven-track rail engine and car storage yard to the north of the already intended \$1 million building. "The storage yard north of the current unloading site is what is new from the proposal that was presented to the Council last year," said City Administrator Aaron Kramer. "The part that intrigues us (the City) is the possibility that the storage yard will considerably reduce or even eliminate the need to store rail cars on St. Feriole Island, and on other points along the track."

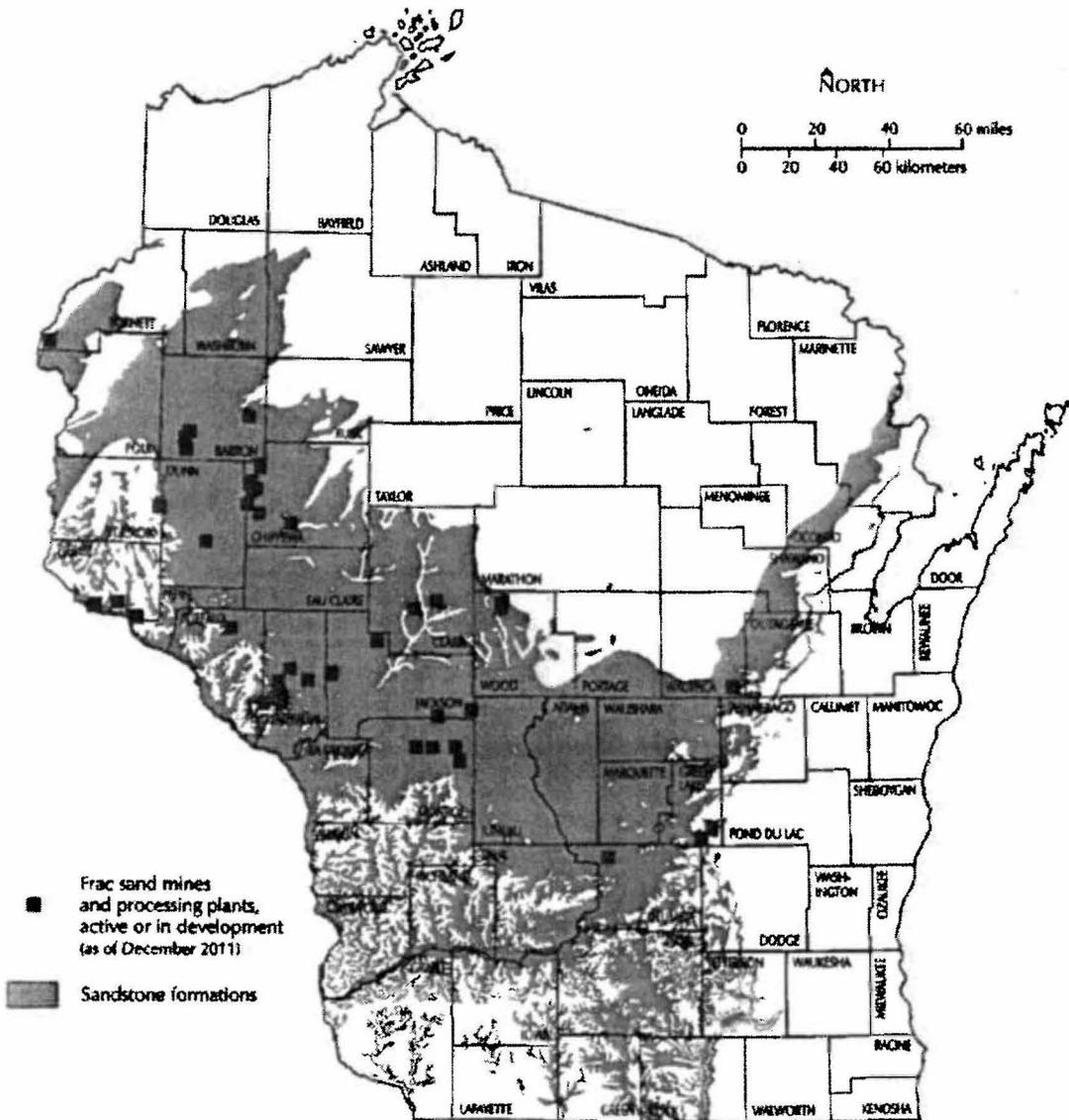
According to its proposal, WSOR believes "this is an opportunity to invest private capital in long-term sustainable growth in rail and commerce here in Wisconsin and to expand our capacity in a geographic bottleneck in western Wisconsin." WSOR also states that the improvements should help better serve all its customers and boost operational efficiency at the site. "The presentation is simply that, a presentation," said Kramer. "WSOR has asked for time to present the proposal to the council, receive feedback and suggestions from the council on items such as landscaping and building colors. Then, from what they have expressed in previous discussions with city staff, they wish to move forward with construction later this fall."

<http://www.guttenbergpress.com/articles/2014/06/30/rail-storage-yard-proposed-sand-loading-site-pdc>

Frac sand in Wisconsin

Wisconsin Geological and Natural History Survey

Factsheet 05 | 2012



Extension
Cooperative Extension

Wisconsin Geological and Natural History Survey 3817 Mineral Point Road • Madison, Wisconsin 53705-5100

Tel 608.263.7389 • Fax 608.262.8086 • www.WisconsinGeologicalSurvey.org

Director and State Geologist: James M. Robertson

Frac sand in Wisconsin

Wisconsin Geological and Natural History Survey

Factsheet 05 | 2012

Wisconsin has abundant resources of sand that have been mined for more than 100 years. Our sand is used for glass manufacture, foundry molds, even golf course traps. It has been mined for the petroleum industry for many years. Recent advances in extracting oil and gas using a process called "fracking" (short for hydraulic fracturing) have greatly increased the demand for Wisconsin's sand.

What is frac sand?

Frac sand is quartz sand of a specific grain size and shape that is suspended in fluid and injected into oil and gas wells under very

high pressure. The fluid pressure opens and enlarges fractures as well as creates new ones. Sand grains are carried into these fractures and prop them open after the fluid is pumped out.

The type of sand used in this process must be nearly pure quartz, very well rounded, extremely hard, and of uniform size. Before shipment, frac sand is washed, sorted to ensure uniformity, and dried.

Wisconsin has some of the best frac sand in the country because several of our geologic formations meet these specifications and are found near the surface.

Where is frac sand found?

Frac sand is currently being mined from sandstone formations in much of western and central Wisconsin. The same formations are less well exposed and generally more fine-grained in the eastern and southern parts of the state. Sand from younger glacial deposits as well as most beach and riverbank sand is too impure and too angular to be used as frac sand.

Where is fracking performed?

Fracking has been used by our domestic oil and gas industry for the past 75 years. Recently, the development of new horizontal drilling technology using hydraulic fracturing has made possible production of previously unrecoverable

natural gas resources in the eastern, western, and southwestern United States.

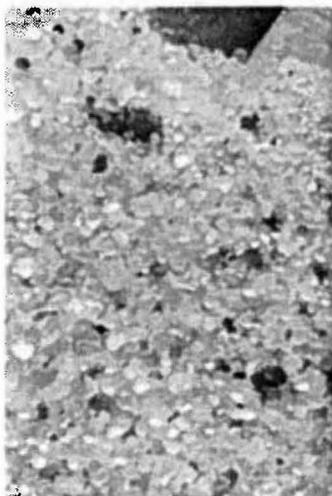
In Wisconsin, a different kind of fracking is used to increase the productivity of water supply wells in relatively impermeable rocks, such as the granite in the central part of the state. In these cases, only pressurized water is injected into the well—no sand is added.

Permits and regulations

Concerns have been raised regarding environmental and nuisance problems as sand mines proliferate. Mine siting is regulated at the local zoning level. Mine reclamation plans, required by NR 135, must be in place before mining begins. The Department of Natural Resources provides technical assistance to local authorities for these plans. For a summary of regulations that apply to nonmetallic mining in Wisconsin, visit the DNR website at <http://dnr.wi.gov/org/aw/wm/mining/nonmetallic/>.

For more information, contact

Bruce Brown, Senior Geologist
Wisconsin Geological and
Natural History Survey
phone: 608.263.3201
email: babrown1@wisc.edu



©2011 Mike Perrett

▲ Frac sand: Wisconsin's silica sand is highly sought after for its purity, well-rounded grains, uniform size, and strength.

Extension
Cooperative Extension

Wisconsin Geological and Natural History Survey 3817 Mineral Point Road • Madison, Wisconsin 53705-5100
Tel 608.263.7389 • Fax 608.262.8086 • www.WisconsinGeologicalSurvey.org

Director and State Geologist: James M. Robertson

Exhibit H: Probable Frac Sands, Sauk County

NOTE: This file is too large for the limitations of STB e-Filing System. It provides important context and must be part of the record. It is available to view and/or download at:

http://breitlinks.com/pdfFilesSTB/ProbableFracSands_V1.0.pdf

Exhibit I: Probable Frac Sands, Sauk County-Jordan

NOTE: This file is too large for the limitations of STB e-Filing System. It provides important context and must be part of the record. It is available to view and/or download at:

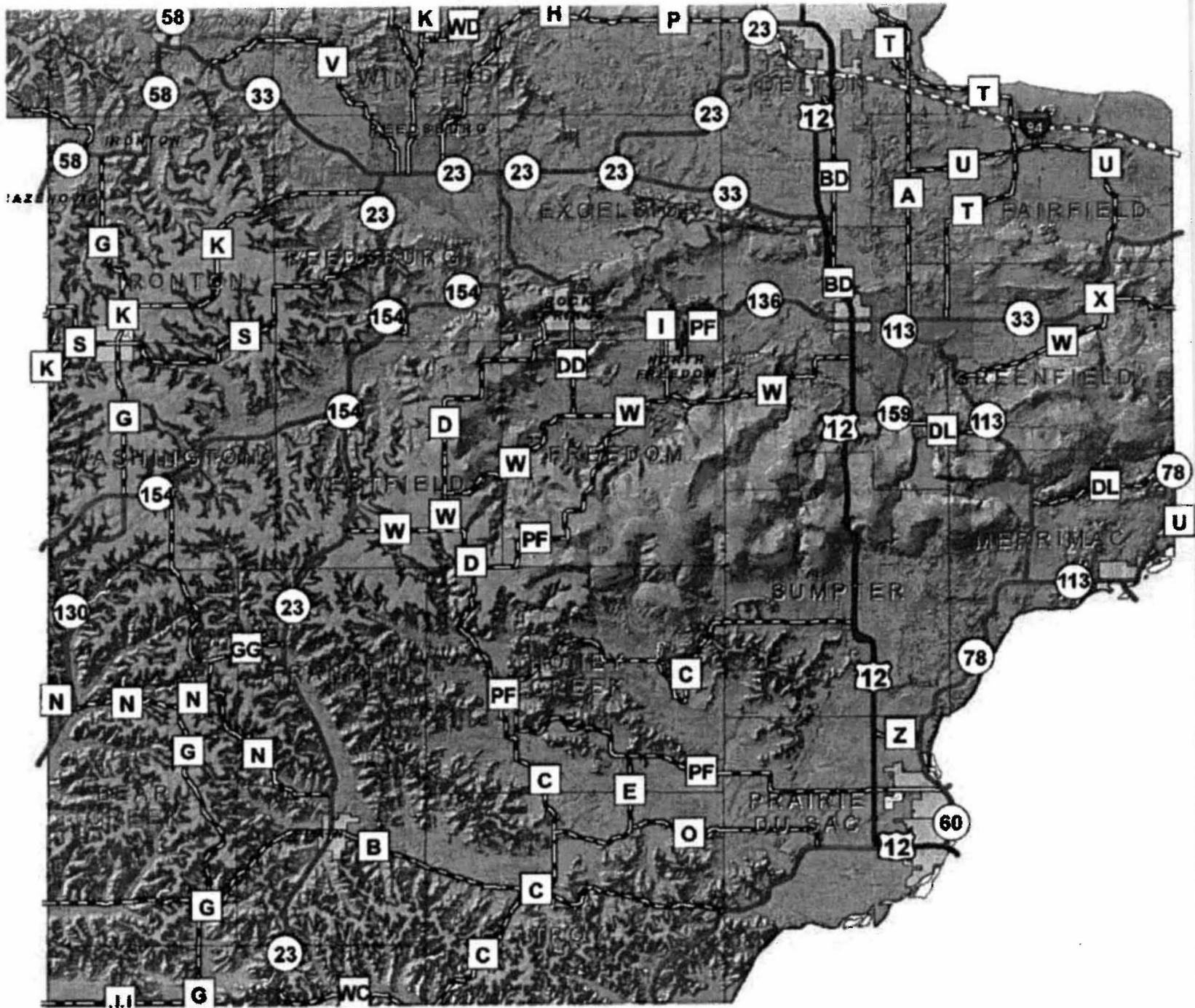
http://breitlinks.com/pdfFilesSTB/ProbableFracSands_V2.0-B&W.pdf

Exhibit J: Probable Frac Sands, Sauk County-Jordan Twenty Foot Contour Map

NOTE: This file is too large for the limitations of STB e-Filing System. It provides important context and must be part of the record. It is available to view and/or download at:

http://breitlinks.com/pdfFilesSTB/ProbableFracSands_V2.0Contours.pdf

NOTE: *All three files referred to above demonstrate that, once a rail line is upgraded to handle modern freight car axel loadings, Sauk County will experience and explosion of frac sand mining just like every other part of the state with the unique quartz-silica formations – ideal frac sand not available in this quality anywhere else in the world.*





Planning and Zoning for “Frac Sand” Mining



Center for Land Use Education

www.uwsp.edu/cnr/landcenter

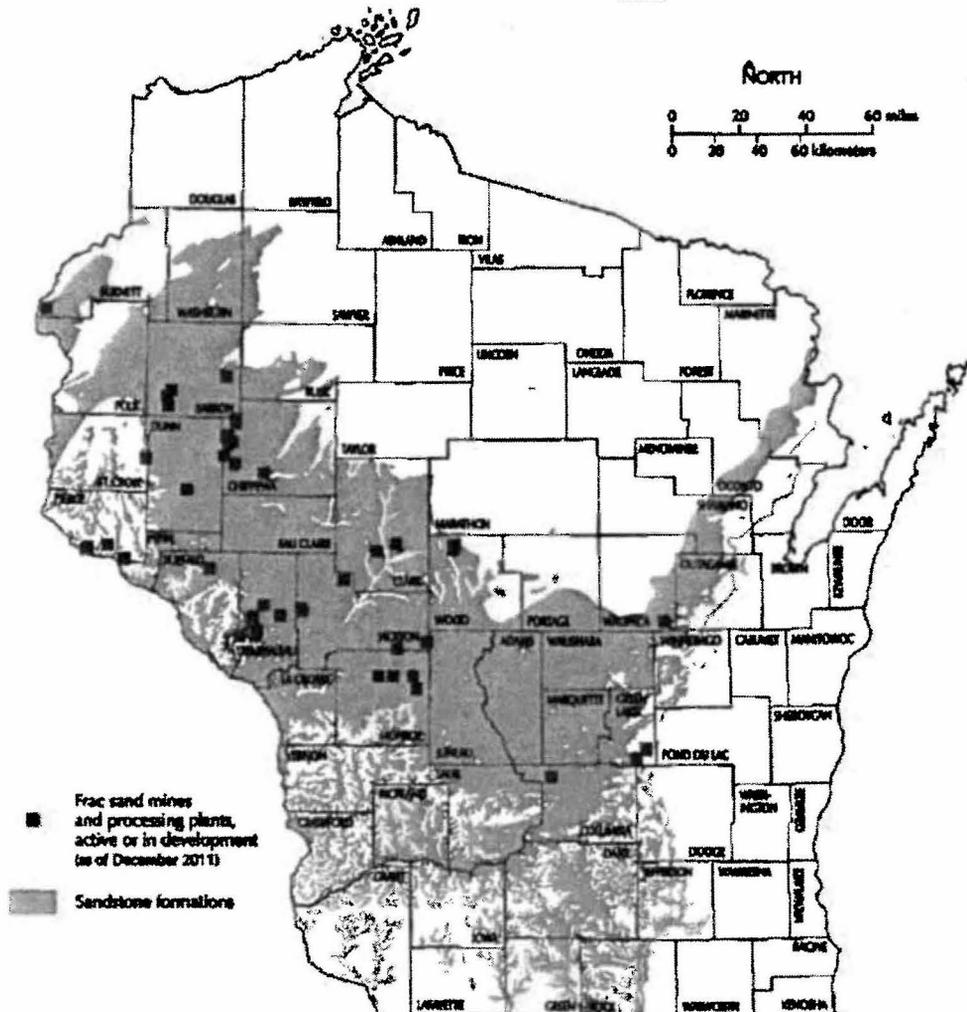
April 2012

Wisconsin is in the midst of a sand mining boom. The natural gas and oil industries use a method of extraction called hydraulic fracturing or fracking. A slurry of sand, water, and chemicals is injected into shale formations that creates fractures in the rock and the sand holds the fractures open so the natural gas or oil can flow to the wellhead. The sand injected into these fractures are referred to as a proppant. Fracking is occurring in places where there are deposits of natural gas and/or oil that cannot be produced with more conventional means. This new extraction technique has opened up new sources of petroleum resources in Pennsylvania, Texas and North Dakota among others. Wisconsin has no formations

known to contain oil and/or gas, but the state has lots of sand – and the right kind of sand. Because of the large sand demand for the fracking industry, Wisconsin has seen many out-of-state and in-state companies developing new sand mines and expanding others. There are about 60 mining operations involved in extracting frac sand with another 40 or so being proposed (WCA p.25). Many communities and their residents are concerned about what this means. This article focuses on the planning and zoning aspects of sand mining.

Wisconsin has no known petroleum deposits, but the state has lots of sand – and the right kind of sand.

Map 1: Frac Sand in Wisconsin
Source: WGNHS, Factsheet 05, 2012



WHAT IS "FRAC SAND" MINING?

Frac sand is a type of sand perfect for fracking. Characteristics of frac sand include: spherical shape, high silica (quartz) content, hardness (can withstand high pressure), uniform particle shape and size. Wisconsin's sands, especially from the bedrock of western and central Wisconsin, have all the right characteristics in addition to being near the surface and easy to mine. Glaciation in Wisconsin led to the deposition of sand as melting and glacial retreat occurred, but those sands are too impure to make frac sand. The frac sand industry in Wisconsin involves removal of the sand and processing it. The map on page 1 shows where sandstone formations are located. Sand in Wisconsin is suitable for a variety of uses including frac sand, foundry sand, glass sand, bedding sand, filter sand or aggregate (gravel and sand) for roads and other types of construction, and other types of uses. West Central Wisconsin has an abundance of easily accessible sand perfect for the fracking industry, but which is also used for many of the uses mentioned above. Many operations may be mining sand for multiple uses.

HOW IS THE SAND PROCESSED?

As sand is extracted from the earth, it needs to be processed and graded. Raw material is transported from a mine site to a sand processing facility. There are two ways in which Wisconsin companies process sand – a wet process and a dry process. In the wet process, the sand is washed through a series of screens to separate or grade the different size sand particles. In the dry process, the sand is kiln dried and sieved again for size. In some instances the necessary properties to make for a good proppant can be enhanced by coating with a resin in a separate process. Once processed, the sand is loaded onto trucks, barges or rail cars and sent to other states.

Characteristics of frac sand include:

- ✓ *spherical shape*
- ✓ *high silica (quartz) content*
- ✓ *hardness (can withstand high pressure)*
- ✓ *uniform particle shape and size*

*Photo 1: Marshfield: Sand Processing Facility
Source: Haines: CLUE*



HOW IS SAND MINING REGULATED?

The increased interest in sand mining has created a number of concerns and issues to local and state regulators. This section provides a brief review of the regulations pertinent to non-metallic mining in Wisconsin. Planning and zoning at the local level – in particular for counties and towns – is the primary emphasis.

STATE LEVEL

DNR is the primary state agency regulating environmental impacts of sand mining and processing plants. Companies generally need to apply for and receive three permits. Many non-metallic mines, including sand mines, use water and must receive a high-capacity well¹ permit. A high proportion of the water is recycled. Non-metallic mine owners or operators need a stormwater permit to manage both storm water and well water from the processing and from the site itself. Often a flocculant is used to settle out suspended solids in the water. Because of the nature of non-metallic mining, the potential to generate dust is ever present. Mines regularly water their internal roads and sand/gravel piles to decrease the amount of dust blown around. To deal with fugitive dust and truck exhaust, for examples, an air quality permit is required to assure ambient air quality standards are met to protect human health and the environment. As part of the air management permit a particulate monitor is required unless a variance from the Department is granted. Monitors may be placed at the edges of the mines. If a mining site is located adjacent to wetlands or surface waters, DNR water and wetland regulations may need to be addressed (WCA, 2011). The DNR also will conduct an endangered and threatened species, and archaeological review on all mine and processing facility sites.

LOCAL LEVEL

Local governments play an important role in regulating non-metallic and sand mining. One key role of counties is to review and approve reclamation permits and plans. Wisconsin Administrative Code NR 135 – non-metallic mining operations – requires reclamation of non-metallic mining sites. Reclamation of sites must comply with the standards set forth in this administrative rule. However, while this is a State administrative rule, in order to pursue non-metallic mining, a company/operator must apply for and receive a permit from the responsible unit of government (usually the county) in which the mine operation is located. In addition, the operator must submit a reclamation plan that meets the minimum standards set forth in NR 135 to the County in which it will operate (see Endnote 1, p. 9).

Other tools used by local governments are also important. These tools include comprehensive plans, zoning ordinances, developer's agreements, road use agreements, and moratoria. Box 1 (p. 4) lists a variety of tools and some of the advantages and disadvantages of each one. Some of these tools can be important to communities that do not have zoning.

Box 2: Comprehensive Planning Law

Section 2(e) *Agricultural, natural and cultural resources element*. A compilation of objectives, policies, goals, maps and programs for the conservation, and promotion of the effective management, of natural resources such as groundwater, forests, productive agricultural areas, environmentally sensitive areas, threatened and endangered species, stream corridors, surface water, floodplains, wetlands, wildlife habitat, metallic and **nonmetallic mineral resources** consistent with zoning limitations under s. 295.20 (2), parks, open spaces, historical and cultural resources, community design, recreational resources and other natural resources.

¹ A high capacity system is defined as any well, or combination of wells on a single property, that in aggregate has a combined pumping capacity of 70 or more gallons per minute. <http://dnr.wi.gov/org/water/dwr/hicap.html> Retrieved Dec. 16, 2011.

BOX 1: LOCAL TOOLS

Tools	Advantages	Disadvantages
Planning tools		
Non-metallic mining: Reclamation permits (NR 135)	Legal Mandatory Reclamation plan is required for post-mining land use	The reclamation permit is required before mining can begin It applies immediately because the removal of topsoil during site development is covered in NR 135 (.03 and .07)
Comprehensive plan and/or amendment to plan	Legal Zoning and other implementation tools would be consistent with plan Provides guidance to decision makers	Political approval could be challenging Involvement from towns is necessary Takes time
Regulatory tools		
Zoning: Conditional Use Permit	Specific to particular operation Normal and routine for staff and elected and appointed officials	Challenging to come up with all possible conditions prior to operations
Zoning code amendment as a comprehensive rewrite	Legal precedent All towns under county zoning participate	Takes a long time Towns can drop out of county zoning
Zoning code minor amendment	Legal precedent Quick	Potential lack of participation from towns with village powers
Development moratoria (see Resources: WTA)	Legal precedent County board decision Allows time to amend ordinances and "get it right"	Political approval could be challenging Possibility of chasing businesses away Need public health official or engineer to write a report verifying rationale
Non-metallic mining ordinance	Legal precedent (Zweifelhofer v. Town of Cooks Valley, 2012 WI 7, Wisconsin Supreme Court) Non-metallic mining ordinance is not a zoning ordinance An important non-zoning tool which can specify conditional uses An unzoned town with village powers may use this tool	It applied equally across the jurisdiction
Incentive tools		
Development agreement	Legal; although not expressly authorized by the State of Wisconsin Specific to particular operation	Takes time and willingness to negotiate by both parties
Road use agreement	Legal Wis. State Statute 349.16 Can contain terms for payments for roadway improvement and maintenance	Often through the Highway Department rather than Zoning Department Collaboration is necessary

The Role of the Comprehensive Plan

One of the key tools used by communities to identify future land uses is comprehensive planning. Non-metallic mining should be addressed within the natural resources element of a comprehensive plan (Box 2: Element language). Maps that show locations of mineral resources in a community and possible appropriate locations for metallic or non-metallic mining are important. It's also important to discuss the role of non-metallic mining in the community as goals and objectives are formulated. Because the comprehensive plan guides decisions, goals and objectives should provide direction to decision-makers, including elected and appointed officials, and staff. If a community's comprehensive plan does not explicitly discuss non-metallic mining, the community can go through a process to amend the plan (CLUE 2012). Box 3 provides an example from the Town of Stockton, Portage County. The town recognizes the non-metallic mining industry and the gravel and sand resource, and also provides direction for decision-makers at the town and county level.

Box 3: Town of Stockton, Comprehensive Plan, Agricultural, Cultural, and Natural Resources Element

Section D. Nonmetallic Mining Resources / Sand and Gravel Extraction

The central portion of the Town of Stockton contains a large, high-quality supply of sand and gravel (See Map 5.8). This has resulted in numerous sand and gravel extraction operations in the Town over many years. It is currently estimated that 8 of 11 major pits in Portage County, either currently active or intermittently active, are located in the Town of Stockton.

Readily accessible sources of sand and gravel are needed for roads and other types of construction. The Town of Stockton works with sand and gravel extraction operations to up keep and maintain roads to current industrial road standards. The gravel operations should work with the Town of Stockton and Portage County to maintain and beautify the boundaries of their extraction areas to keep down dust, noise, land use conflicts, and for safety reasons as well as reclaim the spent portions of their pits according to NR 135.

Sand and gravel extraction operations are regulated under the County's Zoning Ordinance as special exception uses in the Agricultural and Industrial Districts. Special exceptions uses require a public hearing before the County's Board of Adjustment, at which time specific conditions of operation are typically applied to the proposed use.

The Stockton Town Board has been proactive in recommending more stringent conditions of operation to the Board of Adjustment than have traditionally been required.

As part of NR 135, Wisconsin Administrative Code, Portage County adopted a Nonmetallic Mining Reclamation Ordinance in June of 2001. The purpose is to establish a local program to ensure the effective reclamation on nonmetallic mining sites. Please see Ordinance for complete detail. Table 5.2 below is a listing of nonmetallic mining operations in the Town of Stockton, along with date of their reclamation plan. The Town currently has about 750 acres of active nonmetallic mining operations.

Objectives from plan:

6. Monitor non-metallic mining operations through Portage County Ordinances.
7. Support a tipping fee for non-metallic mining operations in the Town for general revenue and infrastructure maintenance.

The Role of Zoning

The comprehensive planning law requires consistency between the plan and zoning among other implementation tools. Counties, towns, cities and villages regulate land use through zoning, including industrial uses.

A zoning ordinance identifies districts (residential, agricultural, commercial, and industrial) and the types of uses permitted under each district. Uses are permitted provided certain criteria are met, or permitted as a conditional use. If a particular use is not listed as a conditional or permitted use, it is generally prohibited in that particular zoning district. Most zoning ordinances list land uses that qualify as conditional uses. A conditional use permit (CUP) allows the local government to consider the specific operation, determine whether or not it meets the ordinance standards, and apply conditions for how the business/use operates. Truck traffic, blasting, lighting, hours of operation, noise levels, dust, odors, and other impacts on nearby property can be considered when conditions are placed on a CUP. Endnote 2 (p.9) provides an example of a portion of a CUP from Columbia County.

Counties and towns with village powers can also amend their zoning ordinances. These amendments must go through the necessary approval process. Endnote 3 (p. 10) is an example of a non-metallic mining regulation from Shawano County.

The Role of Development Agreements

"A development agreement is a consensual, binding contract between two or more parties, typically between a land owner/land developer and a government agency(ies)" (MDA). However, the State of Wisconsin does not expressly authorize local governments to enter into development agreements (Ohm).

Cities regularly use development agreements. The City of La Crosse has a development agreement checklist. Box 4 provides the checklist. Two examples of communities that have used development agreements with the sand mining and processing industry are the City of Marshfield and the Town of Greenfield (Monroe County). The City of Marshfield issued a conditional use permit with a development agreement for a sand processing facility in its south-eastern industrial park. The Town of Greenfield entered into a development agreement with Unimin Corporation for sand mining.

The Role of Development Moratoria

Cities, villages and towns have express authority to enact a development moratorium (see Wis. Stat. §§ 62.23(7)(da) and 66.1002 created by 2011 Wisconsin Act 144). Counties do not have express authority under State Statutes to impose a moratorium. A development moratorium may be used to limit development while preparing or revising a comprehensive plan or land use ordinance. The purpose of a moratorium is to prevent nonconforming or incompatible uses from developing that would be at odds with the new plan or ordinance.

While municipalities have express authority to enact a development moratorium, they may do so only under certain circumstances: if it has "enacted a comprehensive plan, is in the process of preparing its comprehensive plan, is in the process of preparing a significant amendment to its comprehensive plan in response to a substantial change in conditions in the municipality, or is exempt from the consistency requirement (s.66.1001 (3m)). The municipality also must

Box 4: General Considerations or Provisions of Development Agreements

- a. Employment requirements, including duration
- b. Investment and maintenance of assessed value requirements
- c. Property insurance requirements
- d. For TIF projects, guarantee tax increments
- e. Require proof of financing
- f. Public share comes in last
- g. Adequate enforcement mechanisms
- h. Personal guarantees

Source: La Crosse

adopt a resolution stating that a moratorium is needed either to prevent a shortage in, or the overburdening of, local public facilities or to address a significant threat to the public health or safety that is presented by a proposed or anticipated activity due to a request for rezoning, a plat or certified survey map, or a subdivision plan or other land division. This resolution must be accompanied by a written report from a registered engineer or a public health professional that states that the moratoria is justified based on overburdened public facilities and/or a threat to public health or safety.

OTHER ISSUES TO CONSIDER

In considering any of the local strategies outlined above, there are a number of local issues to consider when a non-metallic or sand mine applies for a permit in a community. Box 5 (p. 8) lists three types of considerations (environmental/public health, neighborhood, and community) and accompanying issues. Many of the environmental considerations are handled through DNR permits or through NR 135. Many of the neighborhood consideration issues can be included in a conditional use permit. The community considerations should be discussed and examined prior to making a decision (see UWEX).

SUMMARY AND CONCLUSION

While frac sand mining is creating a variety of challenges for many communities in Wisconsin, there are a number of land use tools to use some of which are regulatory in nature and others that are not. In addition, more and more counties and towns are gaining valuable experience in handling new non-metallic mining inquiries and permitting.

RESOURCES

- CLUE. Center for Land Use Education. 2012 (Forthcoming). Plan Commission Handbook. Chapters on Planning and Zoning.
- Columbia County. Conditional Use Permit. Zoning staff.
- La Crosse, City. Development Agreement Checklist. <http://www.cityoflacrosse.org/index.aspx?NID=93> Retrieved December 29, 2011.
- MDA (Model Development Agreement Bylaw). www.umass.edu/masscptc/docs/DevAgree_CC.doc Retrieved December 29, 2011.
- (NCI) National Cancer Institute at the National Institutes for Health. **Acrylamide in Food and Cancer Risk**, <http://www.cancer.gov/cancertopics/factsheet/Risk/acrylamide-in-food> Retrieved December 29, 2011.
- Ohm, Brian. 1996. Vested Rights. <http://urpl.wisc.edu/extension/perspectives/VestedRights.pdf> Retrieved December 29, 2011.
- Ohm, Brian. 1999. Guide to Community Planning in Wisconsin. Section 2.42 Local Authority to Impose a Moratorium. http://www.lic.wisc.edu/shapingdane/resources/planning/library/book/chapter02/chap2_2-4.htm Retrieved January 24, 2012.
- Shawano County. Non-metallic mining ordinance language. Zoning staff.
- UWEX. 2012. Frac Sand Mining Fact Sheets. <http://buffalo.uwex.edu/land-owner-network/economic-stability-of-mining-fact-sheet>
- Wisconsin Counties Association. Dec. 2011. Wisconsin Counties. "Mining." Vol. 75. No.12. p.22.
- Wisconsin Department of Natural Resources. Dec. 2011. Frac Sand Issue Brief. <http://wisctowns.com/uploads/ckfiles/files/DNR%20handout.pdf> Retrieved December 16, 2011.

Resources continued on page 12

BOX 5: LOCAL ISSUES TO CONSIDER

Environmental and public health considerations

- Groundwater usage and potential for contamination
- High capacity well permit may be necessary
- Air quality
 - Air quality permit is necessary particularly for fugitive dust (sand that blows off site)
- Stormwater runoff
 - Stormwater runoff permit is necessary
 - Use of flocculants to settle clays, etc. from the water in stormwater ponds
 - Polyacrylamide is often used – possible carcinogen (NCI) that may enter groundwater, lakes or streams
 - Use of coagulants such as ferric chloride used in the treatment process
- Post-mining
 - Reclamation plan is required by NR 135

Neighborhood considerations

- Truck traffic
- Blasting
- Noise level
- Lighting
- Hours of operation
- Dust
- Odors

Community considerations

- Supply and demand for sand and boom and bust economies
- Boom economy
 - Currently, high demand = lots of competition and new mines
 - New jobs
- Bust economy
 - Bankruptcy
 - Lost jobs
- Taxes
 - On the sale of sand the State (5%) and county (0.5%) sales tax
 - Manufacturing assessment determined by DOR and whether there is an exemption or not for machinery and equipment from local real estate tax
- Local roads: local governments can monitor weight limits, direct traffic and bond for damage (see Wisconsin Transportation Information Center)

ENDNOTES

ENDNOTE 1: NR 135

According to NR 135, a reclamation permit is required before mining and a reclamation plan is required and needs to be submitted to the regulatory body – since counties are required to have NR 135 reclamation permitting programs, it is most likely the county; however, cities, villages and towns may opt to enact a reclamation ordinance and secure control from the county in their jurisdiction.

The plan must contain certain information. In part it should contain the following:

(a) Maps of the nonmetallic mining site including the general location, property boundaries, the areal extent, geologic composition and depth of the nonmetallic mineral deposit, the distribution, thickness and type of topsoil, the location of surface waters and the existing drainage patterns, the approximate elevation of ground water as determined by existing hydrogeologic information. In specific instances where the existing hydrogeologic information is insufficient for purposes of the reclamation plan, the applicant may supplement the information with the opinion of a licensed professional geologist or hydrologist.

NR 135.19(2)(am) (am) Topsoil or topsoil substitute material, if required to support revegetation needed for reclaiming the site to approved post-mining land use, can be identified using county soil surveys or other available information including that obtained from a soil scientist or the University of Wisconsin soil science extension agent or other available information resources.

(3) Post-mining land use.

NR 135.19(3)(a)(a) The reclamation plan shall specify a proposed post-mining land use for the nonmetallic mine site. The proposed post-mining land use shall be consistent with local land use plans and local zoning at the time the plan is submitted, unless a change to the land use plan or zoning is proposed. The proposed post-mining land use shall also be consistent with any applicable state, local or federal laws in effect at the time the plan is submitted.

NR 135.19 Note Note: A proposed post-mining land use is necessary to determine the type and degree of reclamation needed to correspond with that land use. The post mining land use will be key in determining the reclamation plan. Final slopes, drainage patterns, site hydrology, seed mixes and the degree of removal of mining-related structures, drainage structures, and sediment control structures will be dictated by the approved post-mining land use.

NR 135.19(3)(b) (b) Land used for nonmetallic mineral extraction in areas zoned under a farmland preservation zoning ordinance pursuant to subch. III of ch. 91, Stats., shall be restored to agricultural use.

ENDNOTE 2: EXAMPLE OF COLUMBIA COUNTY CUP FOR A NON-METALLIC MINE²

- ✓ The buffer zone at the west edge of the quarry area, as described in the submittal ..., shall be maintained in a natural state on its west/southwest facing slope. Said buffer shall be a minimum of 100 feet wide, measured in a horizontal direction to the west, southwest, and south from the 1,000 foot contour line. Within this buffer there shall be no timber harvesting except upon approval of a cutting plan by the Planning and Zoning Committee. In addition, there may be timber removal but there shall be no soil stripping, in a direction toward the quarry interior, for a horizontal distance of 50 feet as measured from the 1,000 foot contour, for the protection of existing trees and other vegetation within the buffer area.
- ✓ The entrance to the quarry shall be limited to an opening not exceeding 150 feet, measured at the top the walls at the quarry entrance, in width so as to maximize the maintenance and preservation of the sideslope as a buffer area.
- ✓ No fuel shall be stored in the mine site area or initial processing area other than truck-mounted storage tanks or tanks located within a spill containment structure.
- ✓ The operator shall require all trucks, excavation and processing equipment to have exhaust systems that meet or exceed current industry standards to ensure that noise levels are kept at or below allowable limits. The level of noise or sound generated by the facility shall not exceed 65 decibels at the property line.

² Extracted out a portion of the conditions. There are a total of 33 conditions. This is not an unusual number of conditions for this type of use.

- ✓ The owner and operator shall minimize the generation of airborne dust resulting from excavating, screening, processing and hauling operations within the mine site and on the driveway. Water trucks shall apply water around the quarry as needed or upon request of the Town or County to reduce dust, weather permitting.
- ✓ Installation of a well for the purpose of serving the mine site shall be subject to the approval of the Planning & Zoning Department. At the time of installation a baseline sample shall be taken tested for the presence of petroleum, petroleum compounds, and or distillates. Subsequent testing shall be done at the request of the Department.
- ✓ Hours of operation, including, but not limited to, excavating, blasting, crushing, screening, stockpiling, loading and hauling are limited to the hours between 7:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 2:00 p.m. on Saturdays. Necessary maintenance such as welding, tire repair, or changing of engine fluids may be conducted at other times provided such activities do not constitute a nuisance.
- ✓ Nighttime lighting of the site or initial operations area is permitted only for the purpose of making emergency repairs or during special hours of operation as approved by the Zoning Administrator. All such lighting shall be placed such that lighting elements or transparent shield are not visible from adjacent property or road right of way.
- ✓ The site operator shall install a locked gate at the site entrance on CTH E.
- ✓ The harvesting, cutting, trimming or other disturbance of oak trees is permitted only during the period between October 1 and April 15 in order to minimize the potential for the spread of oak wilt.

ENDNOTE 3: NON-METALLIC MINING CODE LANGUAGE FROM SHAWANO COUNTY

- (1) **Non-Metallic Mineral Extraction (land use):** Any land use involving the removal of soil, clay, sand, gravel, rock, non-metallic minerals, peat, or other related material. May include on-site processing of extraction material if part of the application and conditional use permit approval. Does not include relocation of materials required for domestic use on the same lot or a contiguous lot under the same ownership, approved on-site development grading, excavations within public road rights-of-way or easements, agricultural grading, or any soil removal activities on a hazardous waste site. Any "asphalt or concrete rock crushing facility or batch/ready-mix plant" associated with such a facility shall be allowed as separately listed under this Zoning Ordinance and subject to the performance associated with such land use. This use shall meet the following performance standards:
- (a) In addition to the submittal information required under Section X.8.09(4)(h), the application for conditional use permit and land use permit shall include the following information:
1. A written description of the proposed operation, including the types and quantities of the materials that would be extracted; proposed dates to begin extraction, end extraction, and complete reclamation; geologic composition and depth and thickness of the mineral deposit; existing use of the land and proposed use after reclamation; existing natural and archaeological features on and adjacent to the site; where extracted materials would be hauled and over what roads; types, quantities, and frequency of use of equipment to extract, process, and haul; whether and how frequently blasting, drilling, mining, crushing, screening, washing, refueling, fuel storage, asphalt batching, or concrete mixing would be performed on site; whether excavation will occur below the water table and, if so, how ground water quality will be protected; description and elevations of all temporary or permanent structures; proposed hours and days of operation; any special measures that will be used for spill prevention and control, dust control, or environmental protection; and assurances that the site will be developed, operated, and reclaimed in accordance with all approved plans and all county, state, and federal regulations, including a listing of all applicable regulations.
 2. A site/operations plan map, drawn to scale by a qualified professional, and including site boundaries; existing contour lines; existing roads, driveways, and utilities; existing natural features including lakes, streams, floodplains, wetlands, and shoreland areas; all residences and private and municipal wells within 1,000 feet; location of the proposed extraction, staging areas, fueling, fuel storage, and equipment storage areas; proposed location and surfacing of roads, driveways, and site access points; proposed phasing plan, if any; proposed fencing of property and gating of access points; proposed locations of stockpiles; proposed location and types of

screening berms and landscaping; and proposed temporary and permanent structures, including scales and offices.

3. An erosion control plan, drawn to scale by a professional engineer, meeting all applicable state and county requirements.
4. A reclamation plan prepared in accordance with the Wisconsin Administrative Code and the Shawano County Non-metallic Mining Reclamation Ordinance.
 - (b) The appropriate County approval authority shall require a landscaped bufferyard in the yard where the use abuts a residential use or a residential zoning district, per the standards in Section X.5.06(1).
 - (c) The appropriate County approval authority may place limits on the amount of time the non-metallic mineral extraction use shall remain in operation.
 - (d) The nearest edge of all buildings, structures, and surface activity areas, including pit edges, shall be located a minimum of 200 feet from all dwellings on adjacent properties, and no less than 10 feet from any lot line.
 - (e) To prevent tracking of mud onto public roads, access driveways shall be paved within 100 feet of public roads, unless the adjacent road is unpaved.
 - (f) All public roads shall be kept free of all mud, debris, and dust by sweeping or other means as necessary, or as requested by the applicable town.
 - (g) Access to the site shall only be through points designated as entrances on the site/operations plan; such access points shall be secured when the site is not in operation.
 - (h) Provisions for the upgrade, repair, and maintenance of town and county roads shall depend on the intensity of the operation and the existing condition and capacity of such roads. A bond or other performance guarantee for such work may be required provided that a clear relationship is established between the operation and the need for road upgrades, repair, and maintenance. If any town or county road is damaged or destroyed as a result of owners operations, the owner shall restore or pay for the restoration of the same to an acceptable condition and value. The owner shall have the right to show and bear the burden of proof in showing that the indicated damage was not the result of its operations.
 - (i) Spraying of the site and driveways shall be conducted to control dust, except when the temperature is below freezing. The applicable town may request that water be applied in and around the excavation pit to further reduce dust.
 - (j) On-site bulk fuel storage areas and appropriate places for fueling of equipment (e.g., above the water table) shall be located to minimize the potential for groundwater contamination and in accordance with the Wisconsin Administrative Code and Wisconsin Statutes.
 - (k) Hours or days of operation may be limited as deemed appropriate by the Planning, Development, and Zoning Committee.
 - (l) Expectations for any blasting, drilling, screening, and asphalt batching shall be clearly understood, and separate acceptable hours for these activities may be established. Blasting is also regulated under Wisconsin Statutes and Wisconsin Administrative Code. The conditional use permit may specifically restrict such activities from occurring if the conditional use permit standards cannot be met.
 - (m) If blasting or drilling is requested, additional standards or conditions may be applied with relation to frequency, noise and vibration levels, notice to neighbors, pre-inspection of neighboring basements and wells, and claims procedures in accordance with the Wisconsin Administrative Code.
 - (n) All trucks, excavation, and processing equipment shall have exhaust systems that meet or exceed current industry standards to ensure that noise levels are kept at or below allowable limits. The mine operator shall demonstrate that the level of noise generated by the facility or equipment does not exceed 65 decibels at the property line.
 - (o) Unless the extraction site is inaccessible, the area of extraction shall be completely enclosed by a safety fence or maintained at a slope not to exceed 3:1.
 - (p) The applicant shall furnish a certificate of insurance before operations commence.
 - (q) Approval shall be subject to amendment or revocation if non-compliance with approved plans, this Section, or approval conditions is identified.
 - (r) Approval shall be subject to periodic review of the operation to ensure compliance with the conditional use permit, and to specific limitations over the portion of the lot or parcel where extraction may occur.
 - (s) The conditional use permit shall expire 5 years from the date of approval except where the Planning, Development, and Zoning Committee in its conditional use approval grants otherwise. In order to

continue operation beyond the specified time frame, the applicant must apply for an extension to the original conditional use permit which shall follow the normal conditional use permit process every 5 years or the timeframe granted by the Planning, Development, and Zoning Committee.

(t) Additional Performance Standards for lands zoned FP-1 and FP-2:

1. The operation complies with Wisconsin Statutes subchapter I of Section 295, and rules promulgated under that subchapter, with applicable provisions of the local ordinance under Section 295.13 or 295.14, and with any applicable requirements of the WisDOT concerning the restoration of nonmetallic mining sites.
2. The operation and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.
3. The operation and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations outside the farmland preservation zoning district, or are specifically approved under state or federal law.
4. The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use.
5. The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
6. The farmland preservation zoning ordinance requires the owner to restore the land to agricultural use, consistent with any required locally approved reclamation plan, when extraction is completed.

RESOURCES CONTINUED

- Wisconsin Department of Natural Resources. Jan. 2012. "Silica Sand Mining in Wisconsin." Non-Metallic Mining in Wisconsin. <http://dnr.wi.gov/org/aw/wm/mining/nonmetallic/>. This resource has an exhaustive list of applicable statutes and administrative codes.
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ACKNOWLEDGEMENTS

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Exhibit L: Comprehensive Plan of the City of Reedsburg

NOTE: This file is too large for the limitations of STB e-Filing System. It provides important context and must be part of the record. It is available to view and/or download at:

http://breitlinks.com/pdfFilesSTB/2012_Comp_Plan_Update.pdf

NOTE: *The file above indicates that The City of Reedsburg acknowledges and will potentially target the development of silica frac sand mining once a rail line is upgraded to handle modern freight car axel loadings, Sauk County will experience and explosion of frac sand mining just like every other part of the state with the unique quartz-silica formations – ideal frac sand not available in this quality anywhere else in the world.*



**Comprehensive Plan of the
City of Reedsburg
2012 Update**



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2012 Comprehensive Plan Acknowledgements

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Reedsburg Historic Preservation Committee
Reedsburg Industrial & Commercial
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COMMUNITY PROFILE

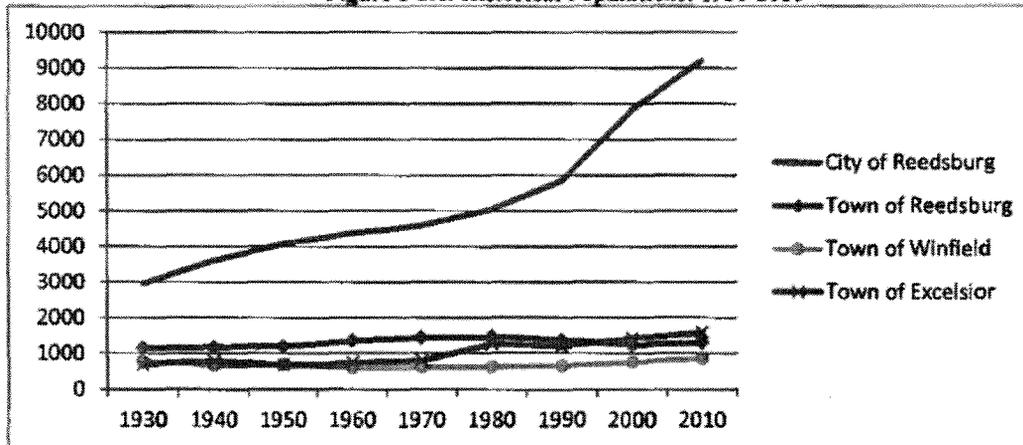
1.0A Population

Table 1-1A: Historical Population Counts and Growth Rates
 City of Reedsburg, Town of Reedsburg, Town of Winfield, Town of Excelsior, Sauk County, and Wisconsin -
 1930-2010

Year	City of Reedsburg		Town of Reedsburg		Town of Winfield		Town of Excelsior		Sauk County		Wisconsin	
	#	% Change	#	% Change	#	% Change	#	% Change	#	% Change	#	% Change
1930	2,967	---	1,149	---	770	---	694	---	32,030	---	2.9 M	---
1940	3,608	21.6	1,167	1.6	666	-4.4	782	12.7	33,700	5.21	3.1 M	6.8
1950	4,072	12.9	1,188	1.8	685	2.9	680	-13.0	38,120	13.1	3.4 M	9.5
1960	4,371	7.3	1,349	13.6	590	-13.9	733	7.8	36,179	-5.1	3.9 M	15.1
1970	4,585	4.9	1,442	6.9	608	3.1	786	7.2	39,057	7.4	4.4 M	11.8
1980	5,038	9.9	1,468	1.8	624	2.6	1,266	61.2	43,469	11.3	4.7 M	6.5
1990	5,834	15.8	1,367	-6.9	649	4.0	1,194	-5.7	46,975	8.1	4.9 M	3.5
2000	7,827	34.2	1,236	-9.6	752	15.9	1,410	18.1	55,225	17.6	5.3 M	8.3
2010	9,200	17.5	1,293	4.7	856	13.8	1,575	11.7	61,976	12.2	5.7 M	7.5
1930-2010 Change	6,233	210.1	144	12.5	86	11.2	881	127	29,946	93.5	2.8 M	96.6

Source: Wisconsin DOA (2000) and US Census Bureau, 2010.

Figure 1-2A: Historical Populations: 1930-2010



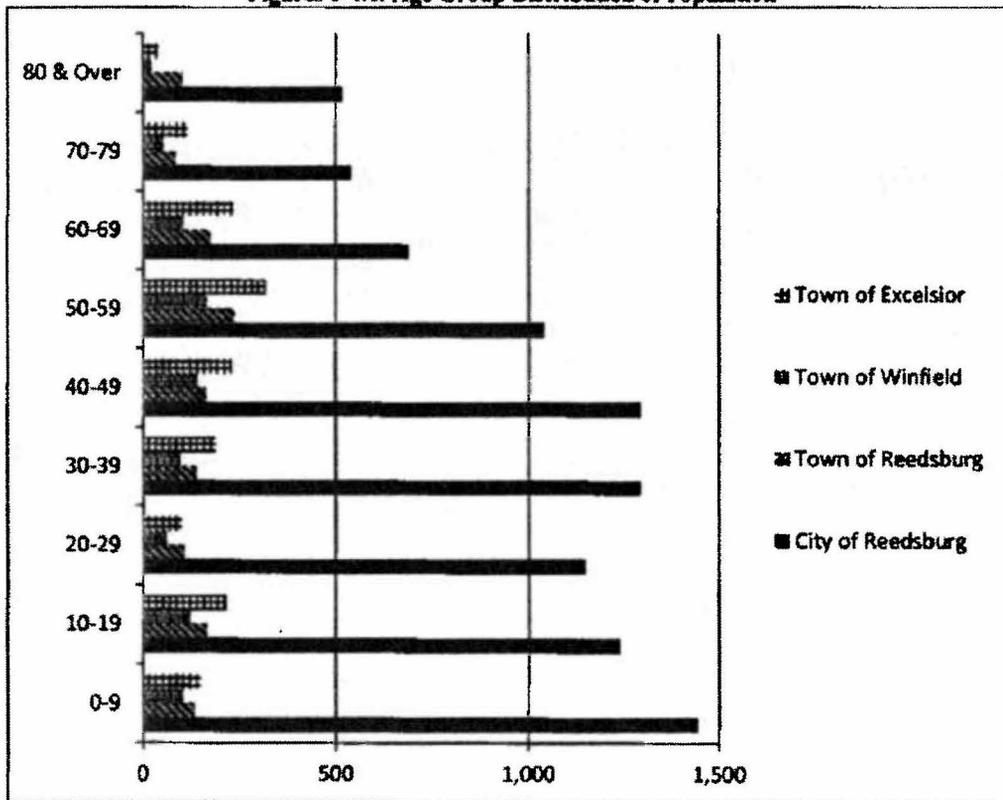
Source: Wisconsin DOA (2000) and US Census Bureau, 2010.

Table 1-3A: Age Group Distribution of Population
City of Reedsburg, Town of Reedsburg, Town of Winfield, Town of Excelsior, Sauk County, and Wisconsin
2010

Age Groups	City of Reedsburg		Town of Reedsburg		Town of Winfield		Town of Excelsior		Sauk County		Wisconsin	
	#	%	#	%	#	%	#	%	#	%	#	%
0-9	1,444	15.7	131	10.1	102	11.9	148	9.4	7,993	12.9	727,060	12.8
10-19	1,240	13.4	164	12.7	124	14.5	215	13.7	8,100	13.0	775,136	13.6
20-29	1,148	12.5	107	8.3	59	6.9	98	6.2	7,330	11.8	758,899	13.3
30-39	1,292	14.1	138	10.7	95	11.1	186	11.8	7,604	12.2	694,675	12.2
40-49	1,291	14.0	162	12.5	140	16.3	228	14.5	8,922	14.4	817,965	14.4
50-59	1,040	11.3	236	18.2	163	19.1	317	20.1	9,096	14.6	822,112	14.5
60-69	689	7.5	172	13.3	102	11.9	233	14.8	6,388	10.3	540,854	9.5
70-79	539	5.9	82	6.3	51	6.0	113	7.2	3,632	5.9	314,719	5.6
80 & Over	517	5.6	101	7.8	20	2.3	37	2.4	2,911	4.7	235,566	4.2
Totals	9,200	100.0	1,293	100.0	856	100.0	1,575	100.0	61,976	100.0	5,686,986	100.0

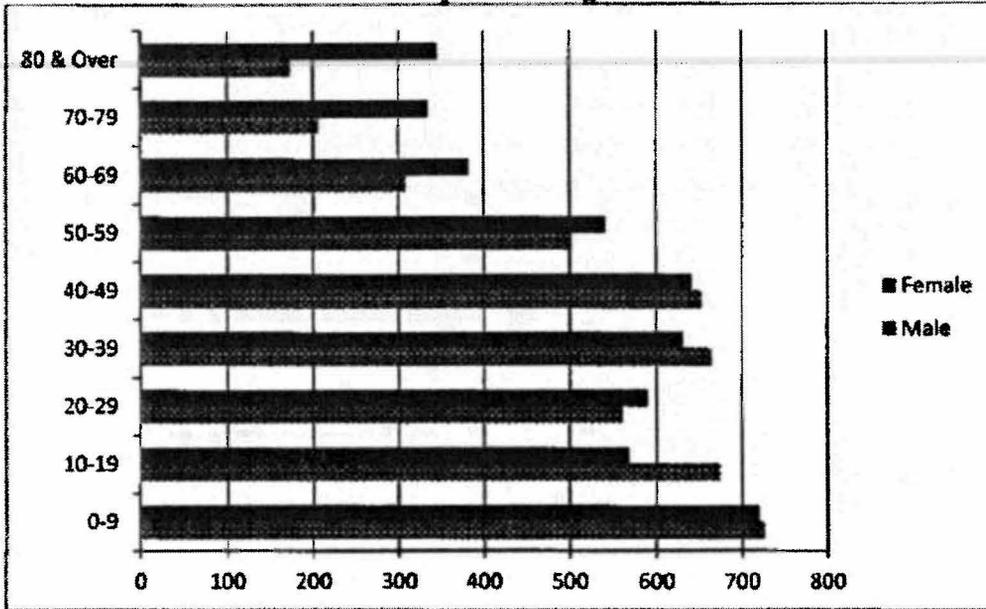
Source: US Census Bureau, 2010.

Figure 1-4A: Age Group Distribution of Population



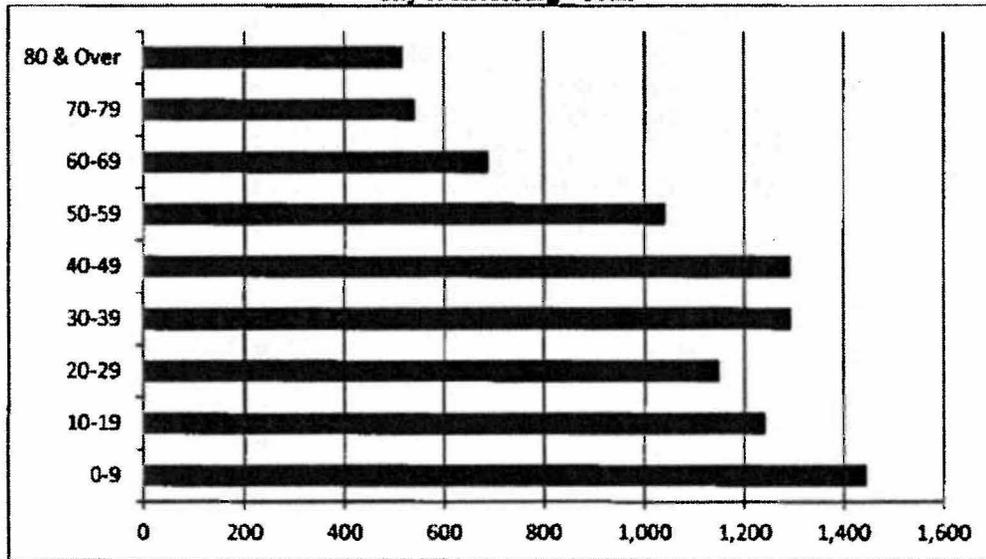
Source: US Census Bureau, 2010.

City of Reedsburg

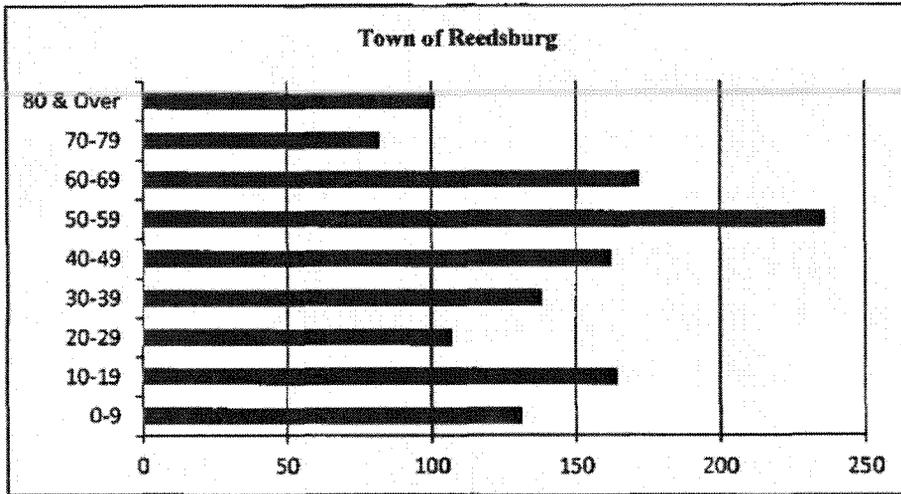


Source: US Census Bureau, 2010.

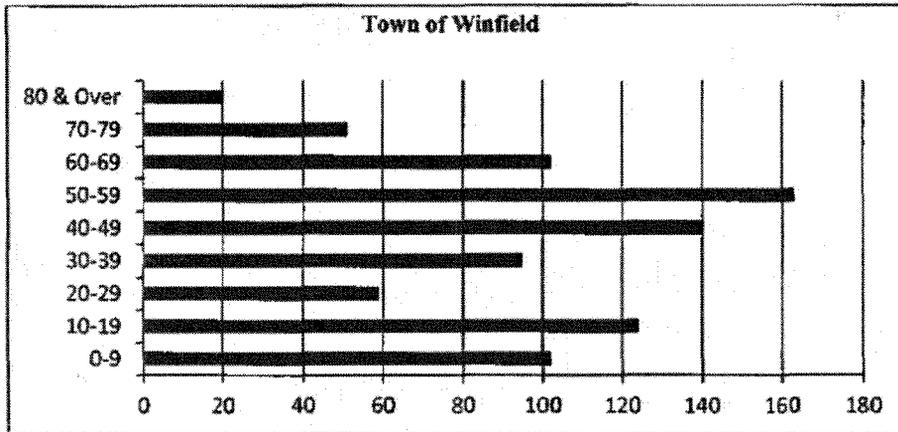
City of Reedsburg - Total



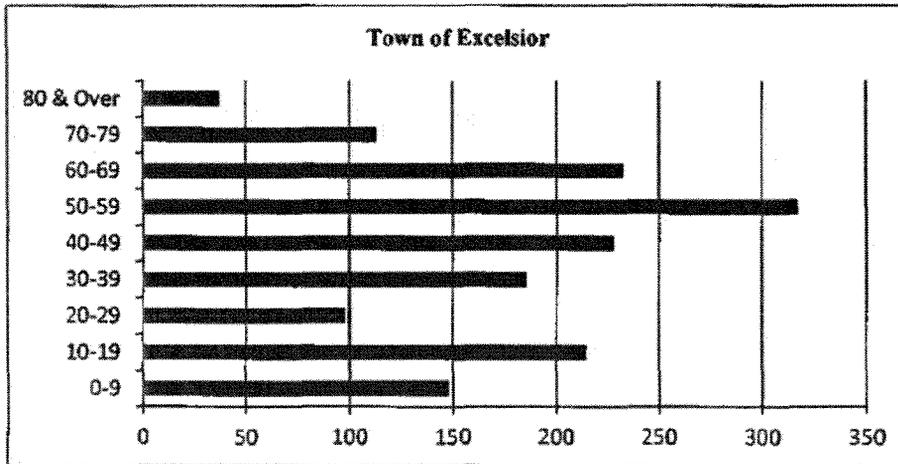
Source: US Census Bureau, 2010.



Source: US Census Bureau, 2010.



Source: US Census Bureau, 2010.

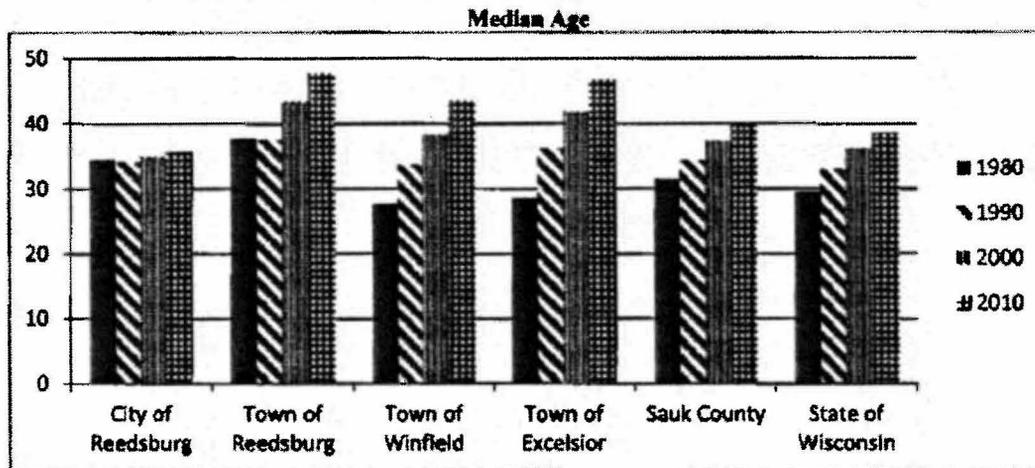


Source: US Census Bureau, 2010.

Table & Figure 1-5A: Median Age
City of Reedsburg, Town of Reedsburg, Town of Winfield, Town of Excelsior, Sauk County, and Wisconsin
1980-2010

Area	1980	1990	2000	2010
City of Reedsburg	34.4	34.1	34.9	35.7
Town of Reedsburg	37.7	37.4	43.3	47.7
Town of Winfield	27.6	33.6	38.3	43.4
Town of Excelsior	28.5	36.1	41.8	46.7
Sauk County	31.5	34.2	37.3	40.0
State of Wisconsin	29.4	32.9	36.0	38.5

Source: US Census Bureau, for year cited.



Source: US Census Bureau, for year cited.

Table 1-6A: Number of Persons by Race
City of Reedsburg, Town of Reedsburg, Town of Winfield, Town of Excelsior, and Sauk County
2010

Race	City of Reedsburg		Town of Reedsburg		Town of Winfield		Town of Excelsior		Sauk County	
	#	%	#	%	#	%	#	%	#	%
European American	8,766	95.3	1268	98.1	850	99.3	1546	98.2	58,588	94.5
African American	52	0.6	4	0.3	2	0.2	2	0.1	357	0.6
Native American	96	1.0	3	0.2	1	0.1	6	0.4	769	1.2
Asian American	39	0.4	4	0.3	2	0.2	5	0.3	337	0.5
Hawaiian/Pacific Isl.	0	0.0	0	0.0	0	0.0	0	0.0	13	0.0
Other Races	146	1.6	3	0.2	0	0.0	4	0.3	1,156	1.9
Two or More Races	101	1.1	11	0.9	1	0.1	12	0.8	756	1.2
Total	9,200	100.0	1,293	100.0	856	100.0	1,575	100.0	61,976	100.0
Hispanic*	393	4.3	11	0.9	0	0.0	30	1.9	2,675	4.3

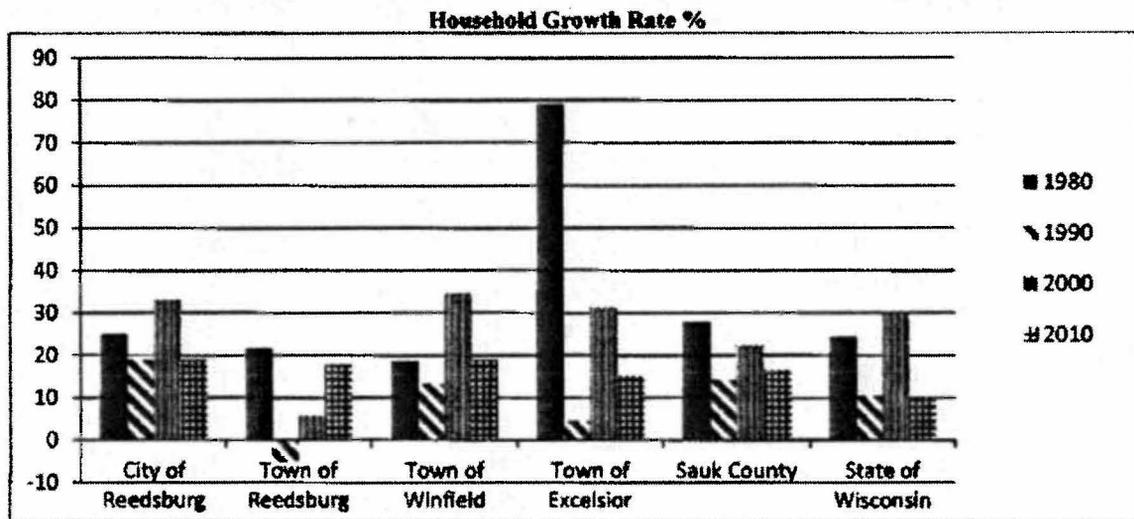
*Numbers are included amongst the other races.
 Source: US Census Bureau, 2010.

1.1A Households & Income

Table & Figure 1-7A: Number of Households
 City of Reedsburg, Town of Reedsburg, Town of Winfield, Town of Excelsior, Sauk County, and Wisconsin
 1970-2010

Year	City of Reedsburg		Town of Reedsburg		Town of Winfield		Town of Excelsior		Sauk County		Wisconsin	
	#	%	#	%	#	%	#	%	#	%	#	%
1970	1,620	---	320	---	147	---	214	---	12,133	---	1.3 M	---
1980	2,021	24.8	389	21.6	174	18.4	383	79.0	15,510	27.8	1.7 M	24.3
1990	2,400	18.8	373	-5.0	197	13.2	400	4.44	17,703	14.1	1.8 M	10.3
2000	3,193	33.0	394	5.6	265	34.5	527	31.2	21,644	22.3	2.1M	30.0
2010	3,795	18.9	464	17.8	315	18.9	606	15.0	25,192	16.4	2.3M	10.0
% Change 1970-2010	134.3		45.0		114.3		183.2		107.6		76.9	

Source: US Census Bureau, for years cited.



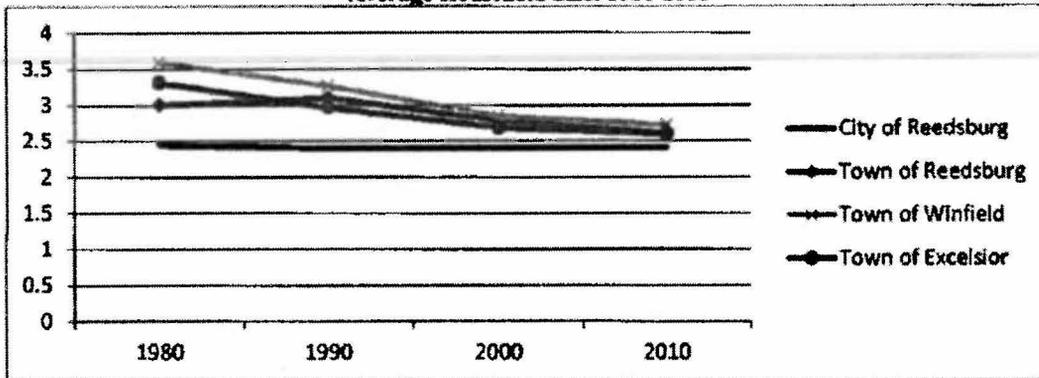
Source: US Census Bureau, for year cited.

Table & Figures 1-8A: Average Household Size
 City of Reedsburg, Town of Reedsburg, Town of Winfield, Town of Excelsior, Sauk County, and Wisconsin
 1980-2010

Area	1980	1990	2000	2010
City of Reedsburg	2.44	2.40	2.41	2.41
Town of Reedsburg	3.00	3.10	2.78	2.60
Town of Winfield	3.59	3.26	2.84	2.72
Town of Excelsior	3.31	2.96	2.68	2.59
Sauk County	2.75	2.61	2.51	2.43
Wisconsin	2.77	2.61	2.50	2.43

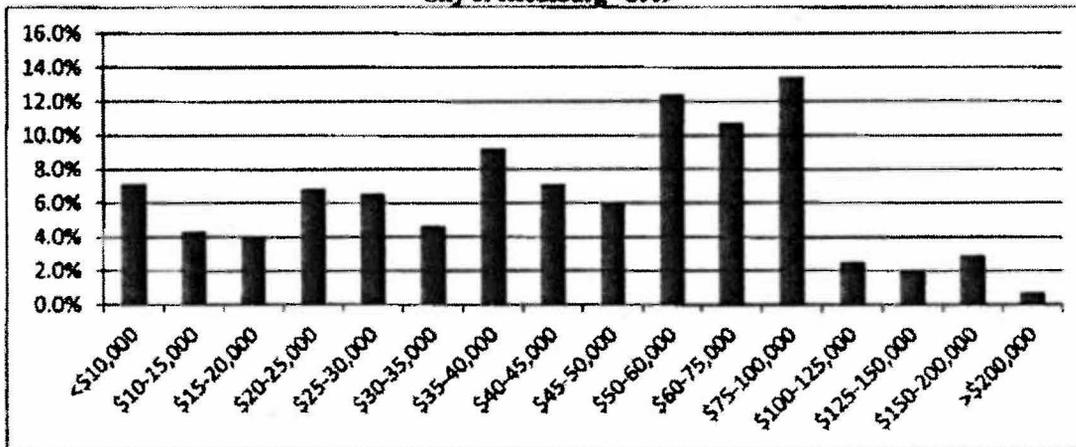
Source: US Census Bureau, for years cited.

Average Household Size: 1980-2010



Source: US Census Bureau, for years cited.

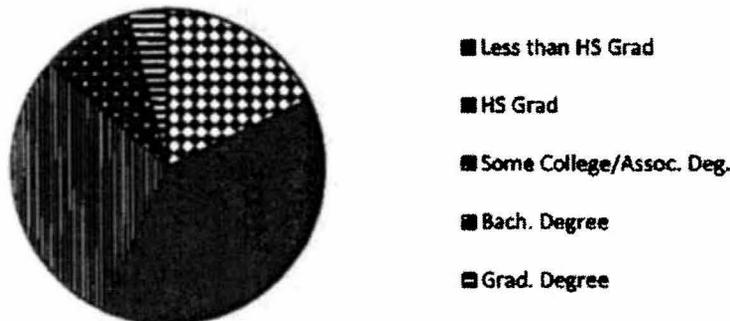
**Figure 1-9A: Household Income Levels
City of Reedsburg - 2009**



Source: <http://www.city-data.com/income/income-Reedsburg-Wisconsin.html>

1.2A Educational Attainment

**Figure 1-10A: Educational Attainment
City of Reedsburg - 2010**



Source: <http://www.homefacts.com/demographics/Wisconsin/Sauk-County/Reedsburg.html>

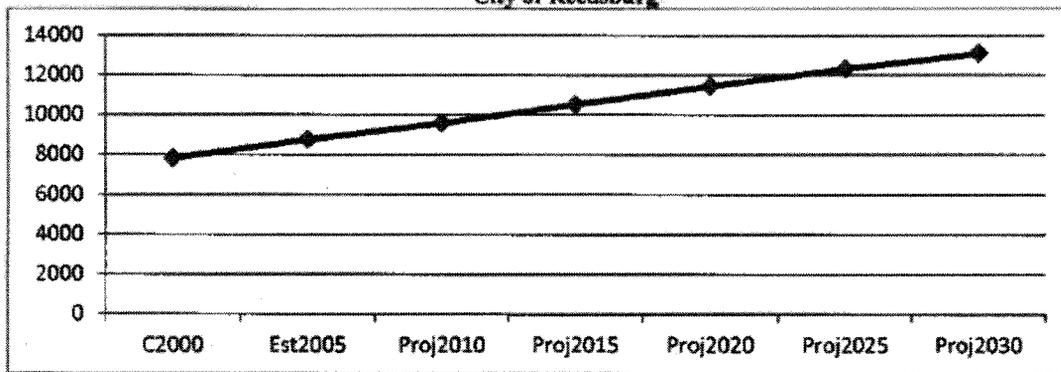
1.3A Population and Household Projections

Table & Figures 1-11A: Method #1 - Population Projections: WI Dept of Administration

	2000	Est2005	Proj2010	Proj2015	Proj2020	Proj2025	Proj2030
C Reedsburg	7827	8748	9580	10502	11427	12290	13064
T Reedsburg	1226	1266	1234	1212	1189	1160	1124
T Winfield	752	812	860	913	967	1016	1056
T Excelsior	1410	1529	1614	1714	1814	1905	1981

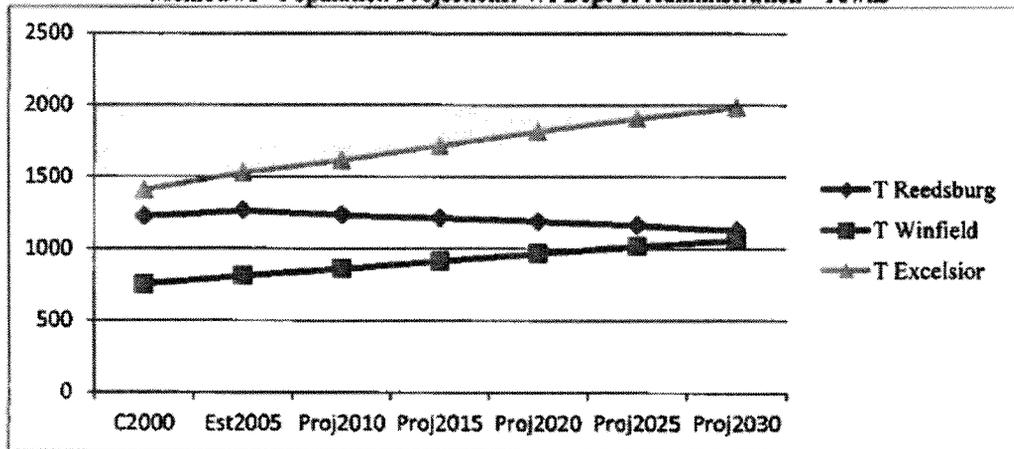
Source: WI Dept of Administration, 2008.

Method #1 - Population Projections: WI Dept of Administration
City of Reedsburg



Source: WI Dept of Administration, 2008.

Method #1 - Population Projections: WI Dept of Administration - Towns



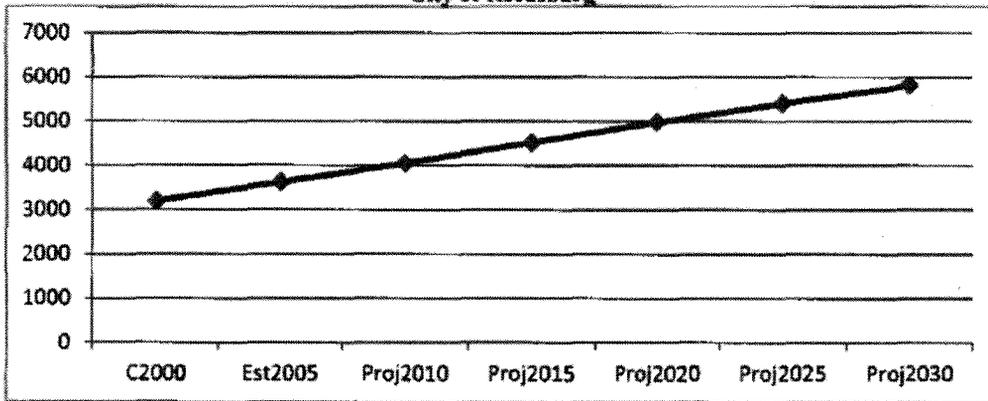
Source: WI Dept of Administration, 2008.

Table & Figures 1-12A: Method #1 - Household Projections: WI Dept of Administration

	C2000	Est2005	Proj2010	Proj2015	Proj2020	Proj2025	Proj2030
C Reedsburg	3193	3626	4052	4520	4976	5407	5805
T Reedsburg	394	414	412	412	409	403	394
T Winfield	265	291	313	339	363	385	404
T Excelsior	527	579	624	675	722	766	805

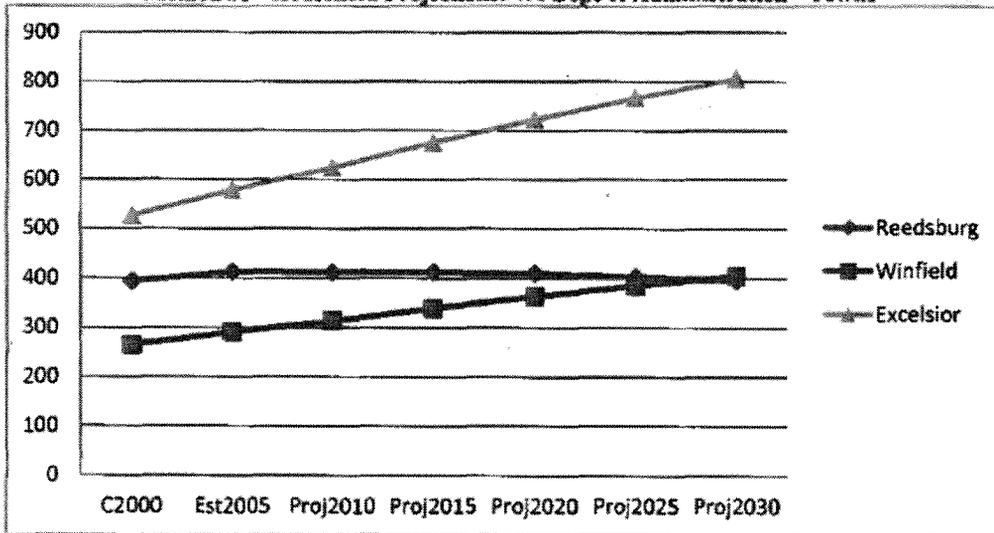
Source: WI Dept of Administration, 2008.

**Method #1 - Household Projections: WI Dept of Administration
City of Reedsburg**



Source: WI Dept of Administration, 2008.

Method #1 - Household Projections: WI Dept of Administration - Towns



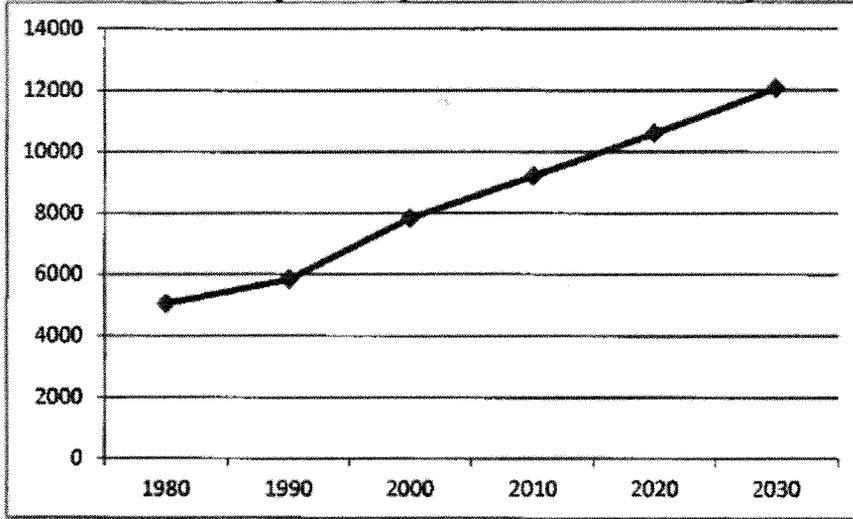
Source: WI Dept of Administration, 2008.

Table & Figures 1-13A: Method #2 – Population Projections: Forecast Trends

	1980	1990	2000	2010	2020	2030
C Reedsburg	5038	5834	7827	9200	10595	12043
T Reedsburg	1468	1367	1236	1293	1177	1112
T Winfield	624	649	752	856	920	1000
T Excelsior	1266	1194	1410	1575	1647	1762

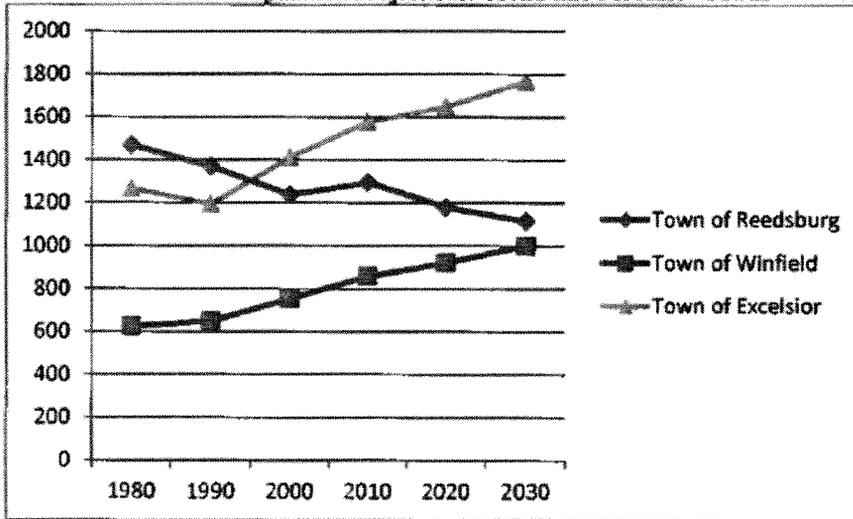
Source: US Census Bureau, 2010; City of Reedsburg, 2011

Method #2 – Population Projections: Trend-line Forecast - City



Source: US Census Bureau, 2010; City of Reedsburg, 2011

Method #2 – Population Projections: Trend-line Forecast - Towns



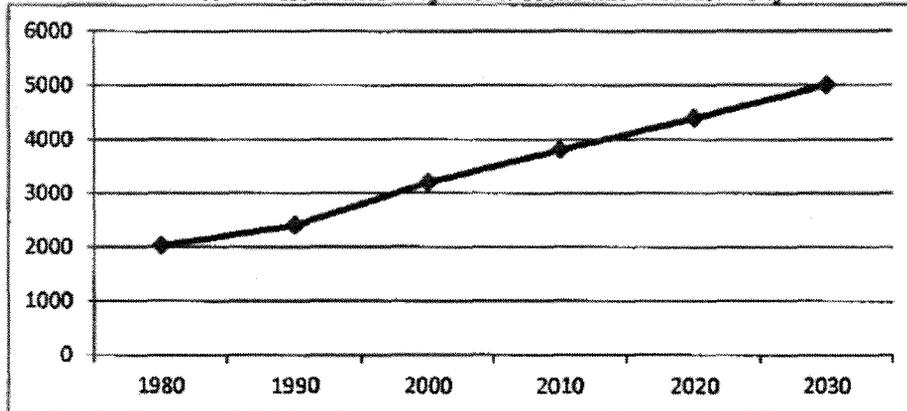
Source: US Census Bureau, 2010; City of Reedsburg, 2011

Table & Figures 1-14A: Method #2 – Household Projections: Trend-line Forecast

	1980	1990	2000	2010	2020	2030
C Reedsburg	2021	2400	3193	3795	4381	4993
T Reedsburg	389	373	394	464	467	492
T Winfield	174	197	265	315	361	410
T Excelsior	383	400	527	606	678	758

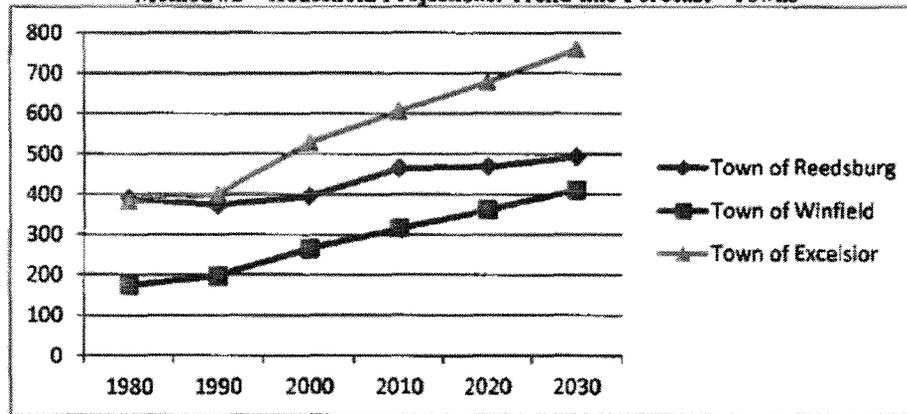
Source: US Census Bureau, 2010; City of Reedsburg, 2011

Method #2 – Household Projections: Trend-line Forecast - City



Source: US Census Bureau, 2010; City of Reedsburg, 2011

Method #2 – Household Projections: Trend-line Forecast - Towns



Source: US Census Bureau, 2010; City of Reedsburg, 2011

1.4A Summary of the City's Demographic Trends and Characteristics

- Over the past 10 years, the City population grew by 1,373 residents, a 17.5% growth rate.
- The population continues to age for the City, towns, County, and State.
- The average household size remained fairly consistent for the City while continuing to decline for the towns.
- The Town of Reedsburg is the only municipality expected to lose population; the others are expected to continue climbing in the future.

ECONOMIC DEVELOPMENT

2.0A Introduction

Several new and expanded businesses have developed in the Reedsburg area over the past 10 years. Some notable examples of expanded businesses include:

- NUK
- Foremost Farms
- Brides N' Belles
- Blue Heron
- United Cooperative
- Reedsburg Egg
- Wisconsin Metals
- Meister Log & Lumber
- Cellox
- Sound Devices

Notable new or replacement of former businesses includes:

- Dollar General
- Anytime Fitness
- Downtown strip mall
- Ark Alloy
- Downtown Fitness
- Tiny Tush
- Wisconsin Specialty Protein
- Croell Redi-Mix
- Hanke Trucking
- Sears
- Jay's Power Sports
- Cameron Aslaksen

2.1A Labor Force Employment Status

Table 2-1A
Employment/Unemployment
Sauk County
2001-2011

Year	Sauk County Labor Force			Unemployment Rates		
	Employed	Unemployed	Total	Sauk County %	South Central Region %	Wisconsin %
2001	33,182	1,249	34,431	3.6	3.3	4.4
2002	32,619	1,520	34,139	4.5	4.0	5.3
2003	33,082	1,644	34,726	4.7	4.3	5.6
2004	32,647	1,529	34,176	4.5	3.9	5.0
2005	32,829	1,540	34,369	4.5	3.7	4.8
2006	33,419	1,570	34,989	4.5	3.8	4.7
2007	33,560	1,624	35,184	4.6	3.9	4.8
2008	33,515	1,724	35,239	4.9	4.0	4.9
2009	32,698	3,011	35,709	8.4	7.1	8.7
2010	32,277	2,839	35,116	8.1	6.7	8.3

Source: Wisconsin Department of Workforce Development

**Table 2-2A
Employment/Unemployment
Sauk County
2011-2012**

Year	Month	Labor Force	Employed	Unemployed	Unemp. Rate
2011	Jan	34412	31245	3167	9.2
2011	Feb	34273	30980	3293	9.6
2011	March	34519	31386	3133	9.1
2011	April	34619	31878	2741	7.9
2011	May	35080	32551	2529	7.2
2011	June	37076	34377	2699	7.3
2011	July	36769	34280	2489	6.8
2011	August	36236	33871	2365	6.5
2011	Sept	35380	33121	2259	6.4
2011	Oct	34371	32190	2181	6.3
2011	Nov	34225	31895	2330	6.8
2011	Dec	34409	32073	2336	6.8
2012	Jan	34387	31637	2750	8
2012	Feb	34337	31363	2974	8.7
2012	March	34759	31926	2833	8.2
2012	April	34588	32175	2413	7
2012	May	35032	32631	2401	6.9

Source: Wisconsin Department of Workforce Development



Sound Devices shared space inside another Business Park building. In 2011, they moved to the former Liberty Flag building in the Town of Excelsior. Sound Devices designs and assembles audio mixing and recording equipment for film and broadcasting industries. They currently have 44 employees with plans to add up to 20 more.

2.2A Employment by Industry Group

Table 2-3A
Employment by Industry Group - Reedsburg

2007 NAICS code	Industry description	Number of employer establishments	Employer sales, shipments, receipts, revenue, or business done (\$1,000)	Annual payroll (\$1,000)	Number of paid employees for pay period including March 12
31-33	Manufacturing	28	667,234	89,298	2,323
331	Primary metal manufacturing	1	D	D	r
44-45	Retail trade	55	143,660	14,014	647
441	Motor vehicle and parts dealers	9	35,197	3,189	73
442	Furniture and home furnishings stores	2	D	D	a
443	Electronics and appliance stores	3	D	D	a
444	Building material and garden equipment and supplies dealers	10	18,228	2,235	90
445	Food and beverage stores	5	D	D	c
446	Health and personal care stores	4	16,211	2,913	109
447	Gasoline stations	6	32,123	1,092	64
448	Clothing and clothing accessories stores	5	1,305	217	21
451	Sporting goods, hobby, book, and music stores	2	D	D	a
452	General merchandise stores	2	D	D	b
453	Miscellaneous store retailers	4	645	166	12
454	Non-store retailers	3	D	D	a
51	Information	5	N	1,465	60
53	Real estate and rental and leasing	9	4,213	417	20
531	Real estate	8	D	D	a
532	Rental and leasing services	1	D	D	a
54	Professional, scientific, and technical services	22	12,600	4,468	150
541	Professional, scientific, and technical services	22	12,600	4,468	150
56	Administrative and Support and Waste Mang and Remediation Svcs	7	D	D	g

561	Administrative and support services	6	D	D	g
61	Educational services	1	D	D	a
62	Health care and social assistance	31	62,195	24,858	955
621	Ambulatory health care services	18	D	D	c
624	Social assistance	5	D	D	a
71	Arts, entertainment, and recreation	6	2,175	642	24
713	Amusement, gambling, and recreation industries	6	2,175	642	24
72	Accommodation and food services	27	13,007	3,485	341
721	Accommodation	4	2,076	523	58
722	Food services and drinking places	23	10,931	2,962	283
81	Other services (except public administration)	23	6,930	1,847	94
811	Repair and maintenance	9	4,866	1,215	46
812	Personal and laundry services	13	D	D	b
813	Religious, Grantmaking, Civic, Professional, and Similar Orgs	1	D	D	a

D: Withheld to avoid disclosing data for individual companies; data are included in higher level totals.

N: Not available or not comparable.

Q: Revenue not collected at this level.

S: Withheld because estimate did not meet publication standards.

X: Not applicable.

Z: Less than half the unit shown.

a: 0 to 19 employees

b: 20 to 99 employees

c: 100 to 249 employees

f: 500 to 999 employees

g: 1,000 to 2,499 employees

r: Revised.

s: Sampling error exceeds 40 percent

Source: U.S. Census Bureau, Economic Census and the 2007 Non-employer Statistics

2.1A Economy/Largest Employers

Table 2-4A
Major Manufacturing and Distribution Employers
Reedsburg Area, 2000 / 2012

Employers	2000 Employees	2012 Employees	Type of Industry
Lands' End	Winter 1,700 Summer 1,100	900 / 1500 seasonal	Clothing manufacturer/distributor
Grede Foundries	887	600	Ductile iron foundry
Gerber Products (NUK)	338	270	Plastic baby products
Seats, Inc.	317	401	Transportation & golf cart seats
Pace Industries	196	160	Extruded plastic
Skinner Transfer	135	120	Freight hauling
Plateco	110	98	Electroplating
Zinga Industries	70	66	Engine filters
Reedsburg Hardwood	64	59	Railroad ties, lumber, log cabins
Saputo Cheese	62	69	Mozzarella cheese
Columbia Par Car	79	29	Golf carts
Lakeside Foods	65	30 / 200 seasonal	Canned & frozen vegetables
Foremost Farms, USA	51	48	Butter
Cellox Corporation	41	30	Polystyrene moldings
Others:			
Meister Log & Lumber	-	69	Sawmill
Addison Machine	-	52	Tube & pipe manufacturing
DRM Corp.	-	46	Machining & fabrication
Sound Devices	-	44	Audio & recording equipment
Hankscraft Inc.	-	40	Motor manufacturing

Source: MSA Professional Services, March 2001; Sauk County Development Corporation, June 2012

Table 2-5A: Major Service Employers
Reedsburg, 2000 / 2012

Employers	2000 Employees	2012 Employees	Type of Industry
Reedsburg School System	380	364	Education
Reedsburg Area Medical Center	380	475	Hospital
City of Reedsburg	120	108	Public service

Source: MSA Professional Services, March 2001; City of Reedsburg, June 2012

2.3A Downtown

Business Improvement District (BID)

The BID was formed in the early 1990s to help fund downtown improvements following the reconstruction of Hwy 23/33 (Main St). Some of the items funded included street lights, benches, flower pots, and Christmas decorations. As time went on some BID members questioned the continuance of the BID, believing that it was supposed to be a temporary organization and

called for its end. A 2008 survey of its members indicated a majority favoring an end to the BID. The Council then dissolved the BID in June 2008.

Reedsburg Revitalization Organization (RRO)

The RRO was formed in January 2011 to help replace the BID and the functions it had performed. Their mission is "Community members working together for the revitalization of Reedsburg." The group describes themselves as "work(ing) together to organize events, advertise cooperatively, and enhance not only our individual businesses but our entire community" (RRO, 2012). The RRO currently meets the 1st and 3rd Thursday of each month at 7:30 am in the Reedsburg Chamber building.

This downtown strip mall was developed in 2011 after the removal of a blighted house and existing liquor store/dry cleaning business. The new building is almost 10,000 square feet and houses the previous businesses plus two areas for potential new businesses including a drive-thru restaurant.



Built in the 1890s, this warehouse building on Railroad St has been home to a variety of businesses over the years. It was purchased in 2011 by Cameron Aslaksen Architects who are in the process of renovation. When finished, it will contain the architects' offices on the second floor and additional commercial space(s) on the first floor.

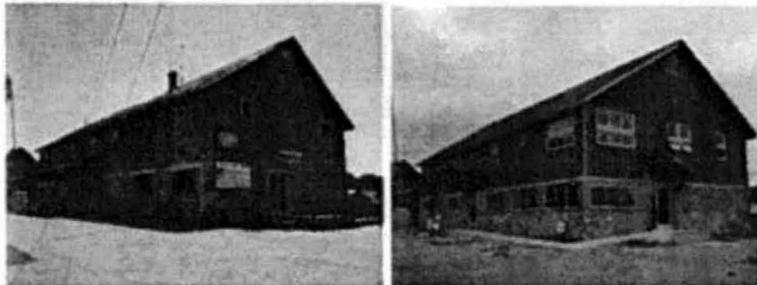


Photo Source: Cameron Aslaksen Architects, LLC

140 E Main St had most recently been used as two different pharmacies. Brides N' Belles remodeled and expanded their business to this second location in 2011. As part of the remodeling project, the first floor front window openings were again exposed and replaced with new glass, matching the façade more closely to its historic origins.



The Blue Heron relocated to this larger building at 162 E Main St in 2008. A toy store was also added to the development. The black metal screen was removed in order to uncover the second floor windows.



2.4A Retail Market Analysis

Completed by Vierbicher Associates in 2006, this BID-commissioned study analyzed existing and future retail conditions. Some conclusions that were made include:

- Encourage restoration and reuse of historic buildings.
- Maintain/install streetscape features unique to the downtown.
- Keep the downtown as a business/service and government center.
- Enhance downtown access and visibility to the Baraboo River.
- Coordinate a dependable set of hours.
- Fill in retail market gaps.
- Balance new retail downtown development with elsewhere in Reedsburg.
- Make better use of existing parking.
- Create a workforce training/development program.
- Market the downtown 'product'.
- Advertise downtown business sites.

Source: Retail Market Analysis, Vierbicher Associates, Inc.

2.5A Target Industry Study

Following the development of the Business Park and the new Municipal Communication Utility, the City commissioned a study in 2007 on which industries to target. Recommendations from the study include:

- Understand your community through meetings and research.
- Continue business retention and expansion.
- Continue marketing and spreading the word.
- Reach out to target industries and site selectors.

Source: Target Industry Study, Vierbicher Associates, Inc.

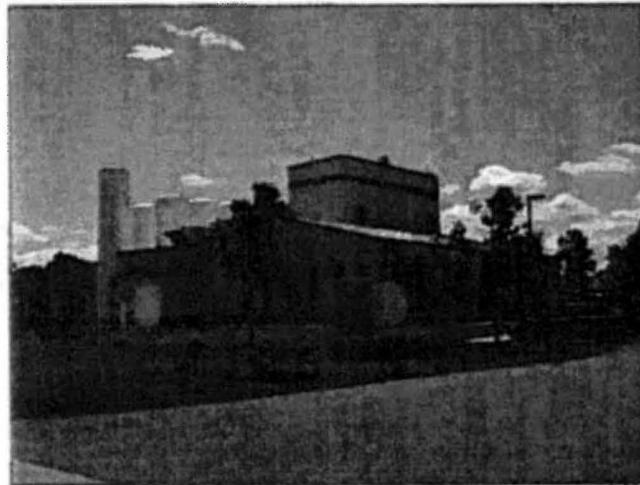
2.6A Industrial and Business Parks

Tax Incremental Finance District #8 (2008) – TID #8 was created in 2008. This TID includes a mix of commercial, residential, and industrial uses. It covers the intersection of K St and S. Albert Ave. and extends southward along S. Albert into the Southridge Subdivision.

Tax Incremental Finance Districts #3, #4, #5, and #6 (2010) – The State approved legislation that would allow performing TIDs to donate to distressed TIDs. These four TIDs were then amended where #s 4 and 5 (donors) were allowed to contribute funds to 3 and 6 (distressed).

Tax Incremental Finance District #4 (2010) – This districts second amendment in 2010 included adding a recently purchased lot by the City. The lot is located between Golf Course Rd and Zinga Dr and is intended to be part of the Business Park.

Tax Incremental Finance District #4 (2012) – This district was amended in 2012 for the third time to add in the NUK plant on Booster Blvd. A half-mile radius was added to the TIF overall.



Wisconsin Specialty Protein (WSP) began operations in 2009. Located in the City's Business Park, WSP manufactures whey protein into nutritional supplements.

2.7A Brownfields

Table 2-6A
2012 Active Brownfield Sites – City of Reedsburg

Activity Name	Activity Type	Address	Start Date	Last Action Date	Comments
R & L SUPPLY COOP - REEDSBURG	ERP	INDUSTRIAL PARK	11/12/1991	2/23/2011	TRANSFERRED TO DATCP
REEDSBURG CLEANERS	ERP	349 E MAIN ST	10/23/1995	6/17/2011	
CROP MATE CO/CONAGRA - REEDSBURG	ERP	56 EAGLE ST	5/25/1995	5/25/1995	TRANSFERRED TO DATCP
GERBER PRODUCTS PROPERTY	ERP	728 BOOSTER BLVD	4/17/2007	11/12/2010	
SPELLMAN MONUMENT	LUST	403 E MAIN ST	8/8/1991	12/26/2008	
REEDSBURG TIMES PRESS	LUST	117 S WALNUT ST	10/9/1992	9/16/2010	
REEDSBURG CLEANERS	LUST	349 E MAIN ST	7/11/1996	8/4/2010	
ZOBEL CONST	LUST	321 VETERANS DR	12/8/1998	7/7/2010	

Source: Wisconsin Department of Natural Resources

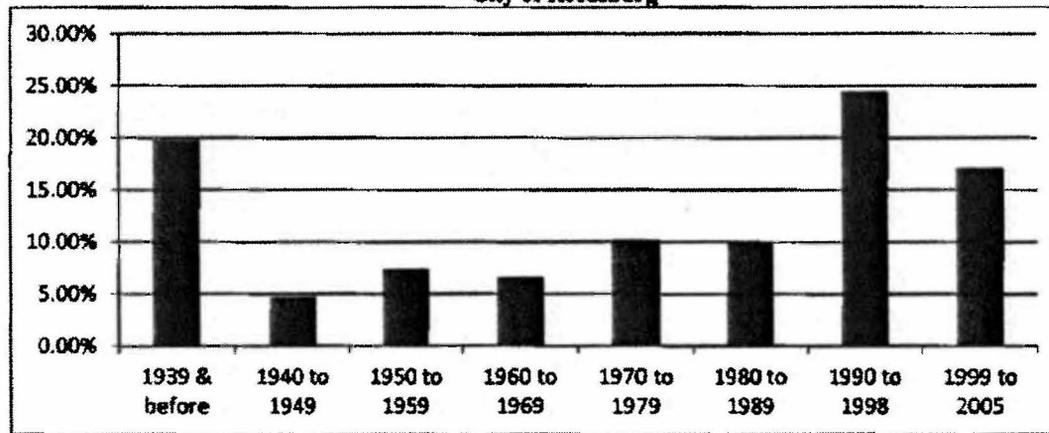
HOUSING

3.0A Introduction

New housing units grew fairly rapidly until the housing crisis hit in 2007-08. While the pace has slowed considerably to what it was in the 1990s and early 2000s, new housing is still in development. Most new units have been detached single-family dwellings, with a main exception being the development of 48-senior apartments located downtown.

3.1A Age of Housing

Table 3-1A
Housing Units by Year Structure Built
City of Reedsburg



Source: <http://www.bestplaces.net/housing/city/wisconsin/reedsburg>

3.2A Mortgage Status

Table 3-2A
Estimated Mortgage Status – Occupied Housing Units

	Reedsburg
Housing units with a mortgage, contract to purchase, or similar debt	1,741
With either a second mortgage or home equity loan, but not both	387
Second mortgage only	174
Home equity loan only	213
Both second mortgage and home equity loan	34
No second mortgage and no home equity loan	1,320
Housing units without a mortgage	813
Total	2,554

Source: U.S. Census Bureau, 2005-2009 American Community Survey

3.3A Housing Units

Table 3-3A
Total Housing Units, Occupancy, and Tenure
City of Reedsburg, Town of Reedsburg, Town of Winfield, Town of Excelsior, Sauk County, and Wisconsin, 2010

Units	City of Reedsburg			Town of Reedsburg			Town of Winfield			Town of Excelsior			Sauk County			Wisconsin		
	#	%	% Change	#	%	% Change	#	%	% Change	#	%	% Change	#	%	% Change	#	%	% Change
Total Units	4,103	100.0	21.4	415	100.0	20.7	359	100.0	20.9	558	100.0	20.3	29,708	100.0	22.3	2,624,358	100.0	13.1
<i>Occupied</i>	3,795	92.5	18.9	464	92.6	17.8	315	87.7	18.9	606	90.3	15.0	25,192	84.8	16.4	2,279,768	86.9	9.4
<i>Vacant</i>	308	7.5	64.7	37	7.4	76.2	44	12.3	37.5	65	9.7	110.0	4,516	15.2	70.2	344,590	13.1	45.6
Occupied	3,795	100.0	18.9	464	100.0	17.8	315	100.0	18.9	606	100.0	15.0	25,192	100.0	16.4	2,279,768	100.0	9.4
<i>Owner</i>	2,403	63.3	12.1	397	85.6	20.7	277	87.9	23.1	546	90.1	15.9	17,690	70.2	11.5	1,551,558	68.1	8.8
<i>Renter</i>	1,392	36.7	32.6	67	14.4	3.1	38	12.1	-5.0	56	9.9	7.1	7,502	29.8	29.8	728,210	31.9	10.6
Vacant	308	100.0	64.7	37	100.0	76.2	44	100.0	37.5	65	100.0	110.0	4,516	100.0	70.2	344,590	100.0	45.6
<i>Seasonal</i>	29	9.4	107.1	11	29.7	57.1	30	68.2	36.4	32	49.3	128.6	2,464	54.6	56.1	193,046	56.0	35.6
<i>Other</i>	279	60.6	61.3	26	70.3	23.8	14	31.8	20.0	33	50.7	135.7	2,052	45.4	90.9	151,544	44.0	60.7
Owner Vacancy Rate		3.3			2.2			1.1			2.7			3.0			2.2	
Rental Vacancy Rate		8.4			2.8			7.1			1.6			11.1			8.0	

Source: US Census Bureau, 2010

3.4 Housing Values and Age

**Table 3-4A
Housing Values
City of Reedsburg, 2011**

Housing Value	Percentage
Less than \$40,000	8.04
\$40,000-\$59,999	5.42
\$60,000-\$79,999	4.71
\$80,000-\$99,999	8.87
\$100,000-\$149,999	37.89
\$150,000-\$199,999	18.73
\$200,000-\$299,999	11.4
\$300,000-\$399,999	2.53
\$400,000+	2.42

Source: www.bestplaces.net, 2011

**Table 3-5A
Housing Values
City of Reedsburg, 2011**

Housing-Year Built	Percentage
1939 or earlier	19.8
1940-1949	4.66
1950-1959	7.41
1960-1969	6.57
1970-1979	10.15
1980-1989	9.87
1990-1998	24.43
1999-2005	17.1

Source: www.bestplaces.net, 2011



For a number of years, three of four parcels at the corner of E Main and N Park Streets sat vacant. After the 2008 flood, a combination of tax incentives helped lead to the development of Park Place Senior Apartments.

Construction of the building began in 2011 with a March 2012 opening. Park Place contains 48 senior apartments as well as a community room, exercise room, craft room, beauty salon, and underground parking. The original plans were reviewed by the Plan Commission, RICDC, and City Council. The Historic Preservation Committee also reviewed the plans for design consistency with the nearby historic downtown buildings.

TRANSPORTATION

4.0A Introduction

One of the main transportation changes in the last 10 years was the development of a Sauk County bus service. Additional updates include traffic and road information.

4.1A Inter-Community Bus Service

The Sauk County Aging & Disability Resource Center started a county bus service, aka The Bus, in June 2009. The Bus is 80% funded by grants. Based in Baraboo, it runs daily through southern and northern Sauk County. Reedsburg is located on the Blue Line with service on M, T, W, and F. Bus stops include the MATC campus, Viking Village, Lands' End, Sauk County Human Services, and RAMC. There are also two bus stops in Lake Delton on its route between Reedsburg and Baraboo. The target audience for The Bus is for those who need transportation assistance but is open to everyone. Current ticket prices are \$2 for most riders with \$1 for students, seniors, and those with disabilities.

4.2A Traffic Accidents

Table 4-1A
Intersection Related Vehicle Crashes
1990 – 2001 & 2005 – 2012*
City of Reedsburg

Intersection	Intersection Traffic Control Device	Accidents 1990-2001	Accidents 2005-2012
Main St. & Dewey Avenue	Signals – 4-way	129	50
Main St. & Webb Avenue	Signals – 4-way	111	50
Main St. & Viking Drive	Signals – 4-way	84	54
Main St. & Walnut Street	None; updated intersection	73	15
Main St. & Park Street	Signals – 4-way	57	38
Main St. & Veterans Drive	Signals – 4-way	47	12
Main St. & Albert Avenue	Stop signs (on Albert Ave)	45	18
Main St. & Logelin Street	Stop signs (on Logelin St.)	39	4
Main St. & Pine Street	Stop Signs (on Pine St)	34	14
Albert & K Street	Stop signs (on K Street)	33	16
Main St. & King Street	Stop signs (on King St.)	31	3
Viking Drive & 8 th Street	Stop signs – 4 way	24	25
Main St. & Preston	Stop signs – (on Preston)	21	7
Main St. & Oak Street	Stop signs – (on Oak)	20	11
Main St. & Golf Course Road	Stop signs – (on Golf Course)	19	7
8 th Street & Myrtle Street	Stop signs – 4 way	18	12
Main Street & Locust Street	Stop signs – (on Locust)	18	6
Webb & 2 nd Street	Stop signs – (on 2 nd)	17	2
Main St. & Grove	Stop signs – (on Grove)	17	10
Main St. & Laurel	Stop signs – (on Laurel)	17	8

Main St. & Granite	Stop signs – (on Granite)	16	4
Viking Drive & 19 th Street	Stop sign – (on 19 th)	16	8
Main St. & Myrtle Street	Stop signs – (on Myrtle)	16	8
Webb & Railroad	Stop signs	14	1
Dewey Avenue & Lucky	Stop sign – (on Lucky)	13	3
Webb & 4 th Street	Stop signs – 3 way	10	1
Dewey Avenue & 19 th Street	Stop signs – (on 19 th)	10	11
Main St. & Ellinwood	Stop sign – (on Ellinwood)	9	1
Main St. & Willow	Stop signs – (on Willow)	8	8
Dewey Avenue & Railroad	Stop sign – (on Railroad)	7	1
Main Street & James	Stop signs – (on James)	7	6
Pine Street & Railroad	Stop signs	6	2
Main St. & Alexander	Stop sign – (on Alexander)	1	5

*Records are only kept for seven years.

Source: City of Reedsburg Police Department, 1990 – March 2001 & January 2005 – June 2012

4.3A Traffic Volumes of Road System

Table 4-2A
Historic Vehicular Traffic Flows for Selected Road Segments
Average Weekday Volume
City of Reedsburg
1990-2008

Route	1990	1993	1996	1999	2002	2005	2008	% Change 1990-2008
Viking Dr, North of 8 th Street	2,510	3,100	4,900	6,600	6,900	NA	6,800	171%
Viking Drive, North of Main Street	4,620	8,700	7,100	9,600	8,800	10,100	9,600	108%
Main Street, West of Viking Drive	15,740	17,400	17,000	18,000	18,300	17,100	19,300	23%
Main Street, East of Viking Drive	9,950	12,400	14,400	15,500	15,600	14,200	15,300	54%
Main Street, West of North Webb Ave.	12,490	19,100	12,200	14,900	14,600	12,800	13,400	7%
Main Street, West of Locust Street	13,870	NA	NA	15,900	15,200	NA	15,400	11%
Main Street, West of Myrtle Street	13,030	NA	NA	NA	15,900	15,700	16,600	27%
Main Street, East of Myrtle Street	NA	15,300	15,800	18,000	14,100	15,100	16,300	7%
Main Street, West of Albert Ave.	7,930	8,100	7,900	8,400	9,700	8,700	9,100	15%
Vine Street, West of Walnut Street	1,210	2,400	1,700	1,300	1,300	1,300	1,300	7%
South Dewey Ave, South of Main Street	4,540	4,300	5,200	5,900	6,000	6,700	5,800	28%
North Dewey Ave, North of Main Street	2,790	4,600	2,900	3,400	3,500	3,000	3,400	22%
North Dewey Ave, North of 8 th Street	3,200	4,200	2,600	3,800	3,300	3,300	3,300	3%
8 th Street, West of North Oak Street	NA	NA	3,100	4,900	3,600	3,700	3,700	19%
8 th Street, West of North Park Street	2,780	5,000	2,600	2,800	2,900	2,900	3,700	33%
CTH K, North of 8 th Street	1,200	1,500	2,200	2,600	2,800	2,800	2,800	133%
North Myrtle, South of 6 th Street	1,820	1,800	1,800	2,000	2,000	2,000	1,600	-12%
CTH V, North of Riverview Road	1,110	1,300	1,300	1,300	1,300	1,300	1,300	17%
North Webb Avenue, South of 8 th Street	3,460	4,900	2,300	2,200	2,200	2,500	3,000	-13%
South Pine Street, South of Plum Street	870	1,100	750	630	570	570	570	-34%
Railroad Street, West of South Dewey Ave.	660	1,000	920	1,000	870	870	870	32%
Route	1990	1993	1996	1999	2002	2005	2008	% Change

UTILITIES AND COMMUNITY FACILITIES

5.0A Introduction

The past 10 years have seen several changes to Reedsburg's facilities and services. Some of these changes include minor improvements to City Hall and the Fire Dept., a new Police Dept. building, new Utility projects, RAMC expansion, and an elementary school closure.

5.1A Capital Improvements Program

The latest City of Reedsburg Capital Improvements Program (CIP) outlines a five-year schedule of public expenditures (2012-2016) presenting a capital budget for each year. Examples of future expenditures include the airport, street & police equipment, sanitary & storm sewers, street reconstruction, playground equipment, and the library. The total cost estimate for these five years is over \$18.5 million.

5.2A City Hall

Reedsburg City Hall is located at 134 S. Locust St. It currently consists of administrative offices (mayor, city administrator, clerk/treasurer and staff, public works director/city engineer, engineer tech/building inspector, planner/building inspector, and parks & rec director), council chamber, and conference meeting space. Additional uses were added in the last few years. In October 2006, the Council approved the creation of a municipal court.

5.3A City Fire Department

The City approved remodeling of the fire department basement in 2008. For many years contaminated groundwater had seeped into the basement from sources to the north, making the basement uninhabitable. The remodeling included a new storm sewer, water heater, drain tile, and sump pumps so that the area can once again be habitable and usable.

5.4A Police Department

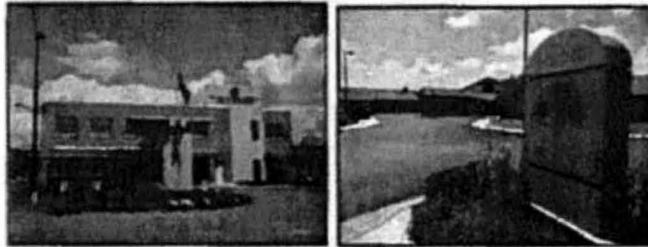


The current Police Department building at the corner of S. Park and Vine Streets was under construction at the time the original Plan was adopted. It was completed shortly thereafter in 2003. Currently, there are 20 officers, 10 communications employees, and two chaplains.

5.5A Emergency Medical Service

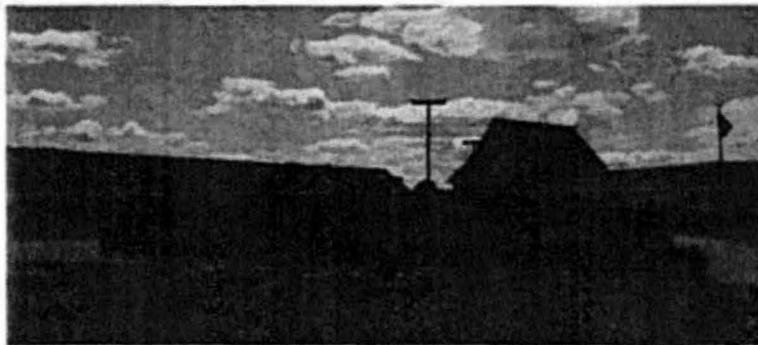
On January 17, 2011, Reedsburg Ambulance began operating as a Paramedic Level Service with 11 Paramedics, 16 Advance EMT's, and 3 Basic EMT's on staff. There are three full-time Paramedics who are on call 24 hours a day, 7 days a week on a rotating schedule. A First Response vehicle was purchased and is used by the Paramedics to respond immediately to 911 calls. The service includes inter-facility transfers out of Reedsburg Area Medical Center.

5.6A Medical Care



Reedsburg Area Medical Center completed two large projects in the last few years. They opened the Reedsburg Area Senior Life Center in 2005, which consists of 50 long term care units and 24 assisted living apartments. In June 2007, RAMC opened the Reedsburg Area Specialty Center & Surgery Center attached to the north side of the current hospital. The center houses such specialties as an orthopedic clinic, chemotherapy, ophthalmology, chiropractic, and behavioral health.

As proposed by Sauk County, the Plan Commission and Council approved the use of a new county health care center on Clark St. The 82-bed building was completed in 2009 and cost \$15 million to construct. The former health care center in the Town of Reedsburg was razed the following year.



5.7A Library

Reedsburg Public Library, located at 370 Vine Street, is a public library owned and maintained by the City of Reedsburg. Over the past 113 years, the Library has operated in a number of locations, including the Carnegie building on the Northwest corner of Vine and Locust streets from 1911-1998, and its current location on the Southwest corner of Vine and Locust. Today's library boasts a collection of over 90,000 items (plus millions more available through membership in the South Central Library System). In addition to providing books, audio materials, videos, magazines, newspapers, the library hosts a variety of children's and adult programming as well as providing meeting spaces, rental of AV equipment, free Internet access including wireless access and more.

5.8A Educational Facilities

Following a failed spring referendum, the Reedsburg School District closed Rock Springs Elementary School in 2010. The building, located at 306 Elm St in Rock Springs, is currently listed for sale.

Following a successful referendum in 2010, the Madison Technical College – Reedsburg began construction of three additions to the Reedsburg campus. The additions include a science room, entry commons, and classrooms. The additions will add 8,486 square feet to the existing building.

The Reedsburg School Board instituted a new arrangement for the elementary schools in 2011. All 4th and 5th graders now attend Pineview, in addition to two classes of each grade K-3. The remaining K-3 students are now dispersed throughout the remaining elementary schools.

5.9A Wellhead Protection

The Reedsburg Utility adopted a Wellhead Protection Plan in June 2010. The Plan covers well #s 3, 4, 6, 7, and 8. Well #s 1 and 2 were for emergency use and were later abandoned once well #8 came online. The wells serve a demand of about 2,000,000 gallons per day (gpd), with a maximum of 3,000,000 GPD during the summer canning months. Most water demand is from commercial and industrial uses. The Plan addresses such protection strategies as well-abandonment, cross-connection and wellhead protection ordinances, public education, water conservation, and contingency planning.

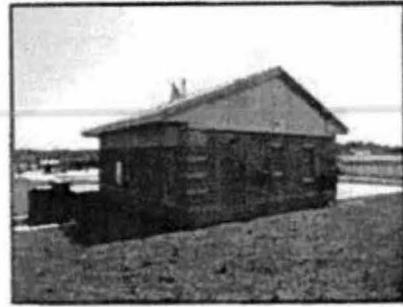
5.10A Reedsburg Utility Commission

Water Department:

Past Projects

- Well #8 construction
- Abandonment of Well #1

- Eagle St. Water main upgrade
- S. Grove St. Water main upgrade
- S. Pine St. Water Main upgrade



Well #8

Present and Future Projects

- Ernstmeyer 16th addition water main extension
- Abandonment of Well #2
- AMI metering upgrades
- West side reservoir
- Water main replacements coordinated with Public Works street projects

Electric Department:

Past Projects

- Main Substation /New Control Building for electrical and fiber controls.
- New 3-phase extension for new industrial Park/ Fuhrman Dr.
- Ernstmeyer 1-phase extension/ 14th addition.

Present and Future Projects

- Voltage conversion from 4160v – 12470v to include north of main and west of 8th street. With this complete, it should bring 90% of the city up to the 12470 voltage. With this project, all cable/transformers are being updated where needed. Completion date of 2015.
- Industrial Park Substation controls are being updated.
- A larger transformer with more load capacity is planned to be upgraded at Grede Foundry.
- Electrical Mapping System is being updated. Completion date of 2015.
- Downtown Decorative Street Light Standards being replaced. Completion date of 2013.
- URD wire upgrade throughout the city. Completion date of 2016.

Telecommunications Department:

Present and Future Projects

- Communications Tower at 14th Street
- Rural Fiber Optics Project

5.11A Wastewater System

The wastewater plant will undergo a series of upgrades over the next 10 years. Bio-solids will be added in 2013 and further upgrades will allow the plan to meet stricter EPA regulations in the future regarding phosphorous.

5.12A Storm & Sanitary Sewer Systems

A study was done in 2006 concerning flood and pollution within the City. The major issues in the study were street sweeping, storm sewer cleaning and the central drainage ditch not being maintained. In March of 2007 a feasibility study was done and a technical advisory committee was formed in June of 2008. These actions culminated in the creation of a stormwater utility in

October 2008 that is overseen by Public Works Committee. In addition, the state requires permit compliance after a municipality reaches 10,000 in population.

Major sewer projects were completed in 2010 and 2011. The 2010 project added new sewers to the much of the City's west side along with a larger detention area on Alexander Ave and fill removal from the wetlands east of S. Albert Ave. This project has greatly reduced run-off and high water tables in the area. One of the 2011 project added new and larger storm sewers from the City's north side to connections along Railroad St. Another project from that year added new sewers along N. Dewey Ave to assist in what was a historically poor drainage area.

AGRICULTURAL, NATURAL, AND CULTURAL RESOURCES

6.0A Introduction

Updates for this chapter include information on the June 2008 flood, deer hunting, city parks and events, and historical structures.

6.1A Flood Hazard Areas

Flooding hit the Reedsburg area on June 2008. A number of factors led to this flooding including heavy rain the previous August, a record snowfall total during the 2007-08 winter, and approximately 13" of rain on June 8-9. The flooding that occurred was estimated to be a 250 to 400-year flood or a 0.4-0.25% chance, as it is technically labeled. Structures located in the FEMA flood zones were all flooded plus many structures outside the floodplain. A total of 21 buildings were razed and removed as a result of the flooding. This was accomplished through FEMA's Hazard Mitigation Grant Program (HMGP) with has a cost breakdown of 75% federal, 12.5% state, and 12.5% local. The City's match was funded through a community development block grant and ended up costing the City no money. The newly open space must remain that way according to the HMGP and was planned for in the 2011 Floodplain Transformation Plan.



June 2008 Flood

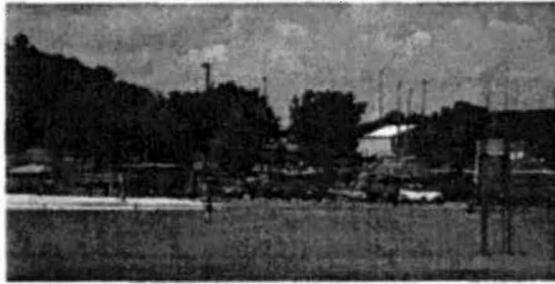
New floodplain maps and study were adopted by the City in December 2009, replacing the 2001 maps and study. But this 2009 floodplain will be short-lived as FEMA and the DNR have completed a more in-depth study of the floodplain areas. The preliminary maps and study were released in September 2011 and should be ready for approval in late 2012. The new maps indicate higher base flood elevations; hence more structures in Reedsburg will be located within the floodplain once adopted.

6.2A Recreational Resources

Oak Park: Oak Park was home to Wisconsin's first sanctioned Little League games. A ceremony was held on Memorial Day Weekend in 2011 in honor of Richard Quinlan for his contributions in founding Reedsburg's Little League. Thanks to donations from his family, the baseball diamond was renamed Quinlan Field and a granite monument was placed in front of it.



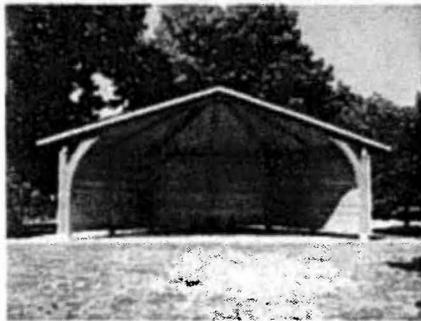
Oak Park/Quinlan Field



Nishan Park: Game Day USA tournament

Nishan Park: A dedication ceremony was held on July 4, 2011, at Nishan Park for the Veterans memorial Wall. The development of this wall was the result of a three-year fundraiser (\$300,000) by VFW Post 1916 and the American Legion. The wall later helped draw the 2012 Loyalty Day event. A March 2012 agreement between the VFW and the City set the parameters for maintenance of the site. Nishan Park also hosts Reedsburg's annual Game Day USA Tournaments June through July.

City Park: A new band shelter was added to the park's west side in 2010. It is used weekly in the summer for Concerts in the Park.



City Park Band Shelter



Reedsburg Dog Park

Reedsburg Dog Park: After numerous years of consideration, a new dog park was developed along Golf Course Rd in 2012. The dog park is located on industrial property so its location could change in the future to yield to industrial development.

Roloff Park: This 14,000 square foot park is located at the corner of Barbara Ann Dr and Thomas Rd on the City's NW side. The park contains playground equipment and is the only city park in the newest Ernstmeyer subdivisions located between County K and County V.

Granite Ave/City's west side: Twenty buildings on Granite Ave and the west side were razed and removed following a 2008 flood, leaving behind over seven acres of permanent open space. The Floodplain Transformation Plan was adopted in 2011 that describes future uses for these areas.

6.3A Historical Resources

**Table 6-1A
Buildings Listed on the State and/or National Historic Register
Reedsburg, 2012**

Address	Historic Name	Certification	Certification Date	Historic Function	Area of Significance	Period of Significance	Number of Buildings
220 Railroad St.	<i>Chicago & Northwestern Depot</i>	Listed - National/State Register	December 1984	Rail related	Transportation/ Architecture	1900-1949	1
125 Main St.	<i>City Hotel</i>	Listed - National/State Register	December 1984	Hotel	Architecture	1875-1899	1
121 S. Webb Ave.	<i>Corwith, J.W., Livery</i>	Determined Eligible/Owner Objection	December 1984	Road related	Transportation	1900-1949	1
612 E. Main St.	<i>Hackett, Edward M., House</i>	Listed - National/State Register	December 1984	Single-family dwelling	Architecture	1875-1899	1
226 N. Pine St.	<i>Harris, Abner L., House</i>	Listed - National/State Register	December 1984	Single-family dwelling	Commerce, Politics/Govt., Architecture	1850-1924	1
401 N. Walnut St.	<i>Reedsburg Brewery</i>	Listed - National/State Register	December 1984	Processing	Industry/Architecture	1900-1924	4
215 North Walnut St.	<i>Reedsburg Post Office</i>	Listed - National Register	October 2000	Post Office	Colonial Revival	1940	1
26 Main St.	<i>Reedsburg Woolen Mill Office</i>	Listed - National/State Register	December 1984	Business Warehouse	Industry	1875-1924	1
547 S. Park St.	<i>Riggers, William, House</i>	Listed - National/State Register	December 1984	Single-family dwelling	Architecture	1875-1899	2
432 S. Walnut St.	<i>Stolte, William, Jr., House</i>	Listed - National/State Register	December 1984	Single-family dwelling	Architecture	1875-1899	2
444 S. Walnut St.	<i>Stolte, William, Jr., House</i>	Listed - National/State Register	December 1984	Single-family dwelling	Architecture	1875-1899	2
Main Street area	<i>Main Street Commercial Historic District</i>	Listed - National/State Register	December 1984	Business, Financial Institution, Specialty Store, Department Store	Commerce, Architecture	1850-1949	21
Park Street area	<i>Park Street Historic District</i>	Listed - National/State Register	December 1984	Single-family dwelling	Architecture	1850-1949	45

Source: Wisconsin State Historical Society, 2012

6.4A Cultural Resources

Reedikulous Day: This annual event is now held the first Saturday in August and features sidewalk sales, tent sales, craft and food vendors and children's games. Much of the event's activities are centered in the downtown.



Reedikulous Day

Relay For Life of Reedsburg: Reedsburg's version of this national event takes place at either Webb Park or RAHS in late June. Relay For Life involves teams of 8-15 people who take turns walking or running around a track throughout the night while other team members camp out on the surrounding grounds. Music, food, entertainment and activities are also part of the event. Money is raised through donations, sponsorships, and team commitment fees.

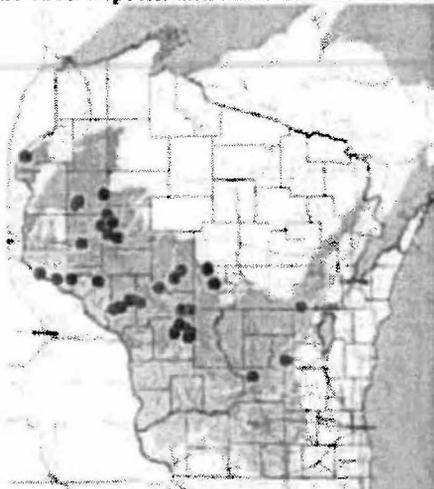
Fermentation Fest: The Smithsonian's traveling exhibit, Key Ingredients: America By Food, came to Reedsburg in October 2010. This helped spur the creation of Fermentation Fest which was developed by the Wormfarm Institute, Sauk County, and the Reedsburg Chamber of Commerce. The annual festival began in October 2011 and includes tastings, cooking classes, seminars, and farm tours.

6.5A Mining

Hydraulic fracturing, or 'fracking', uses a mix of water, proppants (sand or ceramic materials), and chemical additives. Some of the best frac sand in the US is located in Wisconsin, including the Reedsburg area. Known as Northern White, this sand is almost pure quartz and is mined from Cambrian and Ordovician sandstones.¹

¹ Brown, B.A. (2011). Hydrofrac Sand in Wisconsin. *Wisconsin Geological and Natural History Survey*, 1.

Frac Sand Deposits and Mine Sites in Wisconsin



Source: http://www.wisconsinwatch.org/wp-content/gallery/frac-sand/thumbs/thumbs_frac-sand-sites-700px.jpg

Since the current zoning does not take into account this newer type of mining, amended regulations will be needed to the zoning ordinance. Standards should include emissions, pollutants, and water management. Mining in Wisconsin is currently regulated by 16 chapters in the State Statutes and eight NR chapters in the Administrative Code.

6.6A Deer Hunting

The Wisconsin DNR regulates deer hunting through deer management units. Reedsburg is located in unit 54B which covers roughly the northern third of Sauk County and the southern end of Juneau County and is labeled a Chronic Wasting Disease Unit. The DNR estimated a 2010 Fall deer population of 10,500. Adjacent units had higher counts except those to the east, which had lower numbers. The total deer population broke down to 32 deer per square mile.

6.7A Archeological Resources

Table 6-1A: Archeological Sites and Cemeteries in the City of Reedsburg and extraterritorial:

State Site #	Site Name	Site Type	Cultural Study Unit	Town
/Burial Code#				Range
				Section
SK-0106	Reedsburg Mounds	1. Mound(s) - Other/Unk	1. Woodland	12, 4, E, 9
SK-0107	South Park	1. Mound(s) - Effigy	1. Late Woodland	12, 4, E, 15
		3. Campsite/village	2. Unknown Prehistoric	
SK-0108	THORNE #2	1. Campsite/village	1. Old Copper	12, 4, E, 22

SK-0109	Brooks Mounds	1. Mound(s) - Conical	1. Woodland	12, 4, E, 24
SK-0110	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 24
SK-0140	Unnamed Site	1. Campsite/village	1. Middle Woodland	12, 4, E, 1
		2. Campsite/village	2. Unknown Prehistoric	
SK-0141	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 1
SK-0142	REEDSBURG AIRPORT	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 11
		2. Campsite/village		
SK-0143	Adams	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 11
		2. Campsite/village	2. Woodland	
SK-0144	MILLER	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 3
		2. Campsite/village		
SK-0145	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 3
SK-0146	FOSNOTS WOODS	1. Cabin/homestead	1. Historic Euro-American	12, 4, E, 4
		2. Campsite/village	2. Unknown Prehistoric	
SK-0147	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 4
		2. Campsite/village	2. Woodland	
SK-0148	Unnamed Site	1. Campsite/village	1. Historic Indian	12, 4, E, 4
			2. Unknown Prehistoric	
SK-0149	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 23
		2. Campsite/village		
SK-0150	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 23
		2. Campsite/village		
State Site #	Site Name	Site Type	Cultural Study Unit	Town
/Burial Code#				Range
				Section
SK-0151	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 1
SK-0152	THORNE	1. Campsite/village	1. Old Copper	12, 4, E, 22
			2. Unknown Prehistoric	
SK-0153	Unnamed Site	1. Campsite/village	1. Historic Indian	12, 4, E, 13
			2. Unknown Prehistoric	
SK-0215	Sherwood	1. Campsite/village	1. Historic Indian	12, 4, E, 5
			2. Unknown	

			Prehistoric	
SK-0216	M. COLE	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 13
SK-0217	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 15
SK-0218	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 15
		2. Campsite/village		
SK-0219	SCHULTZ	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 15
		2. Campsite/village		
SK-0220	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 14
SK-0288	Babbs Prairie Garden Beds	1. Corn hills/garden beds	1. Unknown Prehistoric	12, 4, E, 8
			2. Historic Indian	12, 4, E, 9
SK-0295	STOLTE	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 23
SK-0379	SKI HILL ROAD	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 15
SK-0376	Yellow Banks	1. Campsite/village	1. Historic Indian	12, 4, E, 9
		2. Cemetery/burial	2. Unknown Prehistoric	
SK-0374	West Main Street Burials	1. Cemetery/burial	1. Unknown Prehistoric	12, 4, E, 9
				12, 4, E, 9
SK-0372	HAY CREEK ROAD	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 3
SK-0375	HIGH BANKS	1. Campsite/village	1. Unknown Prehistoric	12, 4, E, 9
SK-0377	Brewery Ice House	1. Campsite/village	1. Woodland	12, 4, E, 10
		2. Campsite/village		
SK-0378	BARABOO RIVER GARDEN BEDS II	1. Corn hills/garden beds	1. Unknown Prehistoric	12, 4, E, 14
State Site #	Site Name	Site Type	Cultural Study Unit	Town
/Burial Code#				Range
				Section
SK-0371	DON CARLOS BARRY MINE	1. Mine	1. Historic Euro-American	12, 4, E, 1
BSK-0033	BABB CEMETERY	1. Cemetery/burial	1. Historic Euro-American	12, 4, E, 8

BSK-0034	ST. PETER'S LUTHERAN CEMETERY (AKA GERMAN LUTHERAN CEMETERY)	1. Cemetery/burial	1. Historic Euro- American	12, 4, E, 3
BSK-0038	UNNAMED CEMETERY	1. Cemetery/burial		12, 4, E, 1
BSK-0039	GREENWOOD CEMETERY (AKA GLENWOOD CEMETERY)	1. Cemetery/burial	1. Historic Euro- American	12, 4, E, 3
BSK-0040	UNNAMED CEMETERY	1. Cemetery/burial		12, 4, E, 12
BSK-0041	COLE CEMETERY (AKA REEDSBURG EXCELSIOR CEMETERY; UNION CEMETERY)	1. Cemetery/burial	1. Historic Euro- American	12, 4, E, 13
BSK-0156	UNNAMED CEMETERY	1. Cemetery/burial		12, 4, E, 8
BSK-0355	ST. JOHNS LUTHERAN CEMETERY	1. Cemetery/burial	1. Historic Euro- American	12, 4, E, 3
BSK-0354	CALVARY CEMETERY (AKA SACRED HEART CEMETERY)	1. Cemetery/burial	1. Historic Euro- American	12, 4, E, 3

State Site #	Site Name	Site Type	Cultural Study Unit	Town
/Burial Code#				Range
				Section
SK-0456	PRIEST FARMSTEAD	1. Farmstead	1. Historic Euro-American	12, 4, E, 2
BSK-0358	Unnamed Site			12, 4, E, 10
SK-0189	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	13, 4, E, 33
SK-0190	Unnamed Site	1. Campsite/village	1. Unknown Prehistoric	13, 4, E, 33
		2. Campsite/village		

INTERGOVERNMENTAL COOPERATION

7.0A Introduction

One of the main changes from 2002 was the addition of the Town of Excelsior to the extraterritorial area in 2005. Another change was the adoption of an intergovernmental agreement in 2007 between the City and Towns.

7.1A Relationship to Other Governmental Entities

Adjacent Towns

With a population under 10,000, Reedsburg contains a zoning extraterritorial (ET) area of up 1.5 miles from the city limits. Three towns are located in this ET area: Reedsburg, Winfield, and starting in 2005 Excelsior. All three surrounding towns in Reedsburg's extraterritorial area adopted comprehensive plans in the past few years in anticipation of the State's 'smart growth' law deadline. The Town of Reedsburg adopted their plan in 2004 followed by Winfield in 2006 and Excelsior in 2009, the same year that Sauk County also adopted its comprehensive plan.

In late 2007, the City entered into intergovernmental cooperation agreements with all three towns. The agreements were several years in the making and include such topics as annexations, zoning, design standards, land divisions, sewer & water, and dispute resolution.

Wisconsin Department of Transportation

The Wisconsin Dept of Transportation conducted a study of the Hwy 33 corridor from County H to US HWY 12 in 2010. According to the WisDOT website (<http://www.dot.state.wi.us/projects/swregion/wis33corridorpas/index.htm>), the study overview included:

Access and safety study to preserve 11 miles of the WIS 33 corridor and prolong its useful life.

Analyze current safety and operations as well as access and recommend possible improvements and strategies that will allow WIS 33 to operate efficiently and safely into the future.

WIS 33 is an important regional truck and automobile route, which also carries a high degree of seasonally generated recreation traffic. Additionally, it's an important connector to US 12 and I-39.

Study will enable WIS 33 to be analyzed as one system in the context of current and future land use, access, operational efficiency and safety.

Planning and/or design began in July 2007.

7.2A Intergovernmental Planning Related Documents

Adjacent Towns / Sauk County

Town of Excelsior: The Town of Excelsior joined the extraterritorial area in 2005 and later adopted its Comprehensive Plan in 2009. Some highlights from their Plan include maintaining a rural community and atmosphere, identifying and balancing appropriate development areas, preserving resources, and working with surrounding local governments.

Town of Reedsburg: The Town of Reedsburg adopted its Comprehensive Plan in 2004. Some of its goals include preserving the rural character, farmland and tax base as well as promoting and encouraging smaller businesses.

Town of Winfield: The Town of Winfield adopted its Comprehensive Plan in 2006. Some of their goals include protecting farmland and natural resources, conservation subdivisions, maintaining government relations, annexation agreements, and encouraging compatible housing.

Sauk County: The Sauk County Plan was adopted in 2010 and includes such goals as protecting the rural character, encouraging affordable housing, developing a cost-effective transportation system, and assisting with job training and employment.

LAND USE

8.0A Introduction

Reedsburg added approximately 1,000 residents since the 2002 Comprehensive Plan was adopted. Much of the land use growth has been residential, primarily single-family dwellings with lesser amounts of duplexes and multi-family dwellings. Most of the remaining growth included several new businesses to the industrial areas of the city such as the business park and the area south of the railroad track.

8.1A Existing and Future Land Use

Table 8-1A
Reedsburg Land Uses
2012

LAND USE	Acres	Percent
Single Family E.T.	493.67	6.9%
Single Family in City	923.65	12.9%
Downtown Commercial	16	0.2%
General Commercial	269.64	3.8%
Industrial	454.68	6.4%
Manuf. Home	83.91	1.2%
Multifamily	174.04	2.4%
Parks	100.17	1.4%
Private Parks	240.68	3.4%
Public	435.34	6.1%
Woodland	1163.3	16.3%
Agriculture	2778.73	39.0%

**Figure 8-2A Reedsburg Land Uses
2012**

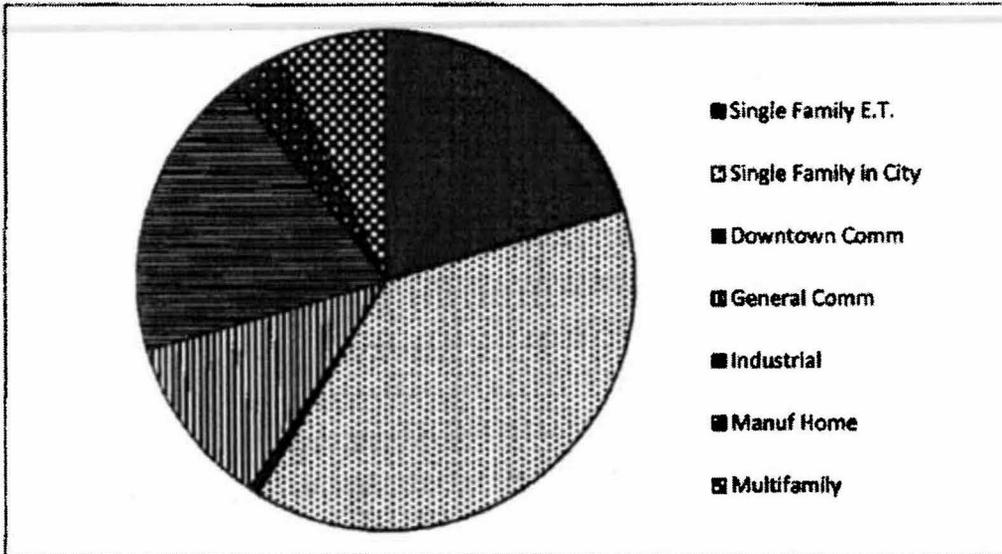
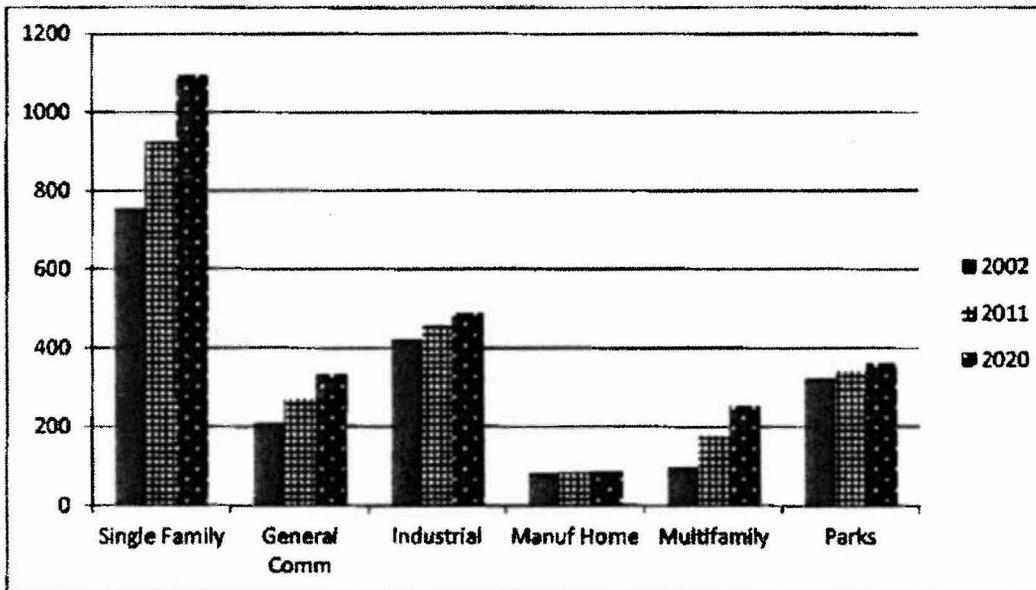


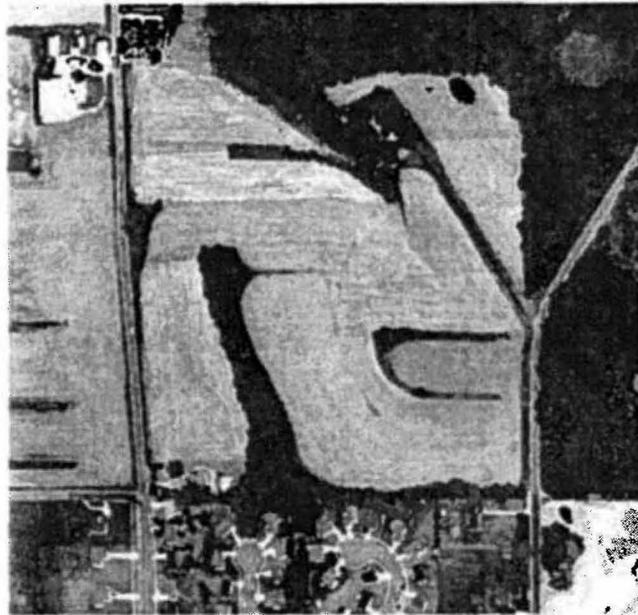
Table 8-3A Future Land Use Growth Trend (acres)



8.2A Land Use Growth Areas

Reedsburg has seen several areas of growth over the past few years. Most of that growth has been residential in nature and includes Hay Creek Subdivision near County K, Ernstmeyer subdivisions westward towards County V, Eastridge Subdivision on the east side of the City, Fawn Valley area near County H, and Clark St extending to the west. The outward growth consists primarily of Single-family and duplex development along with the Sauk County Health Care Center.

Figure 8-4A: Hay Creek Subdivision Growth



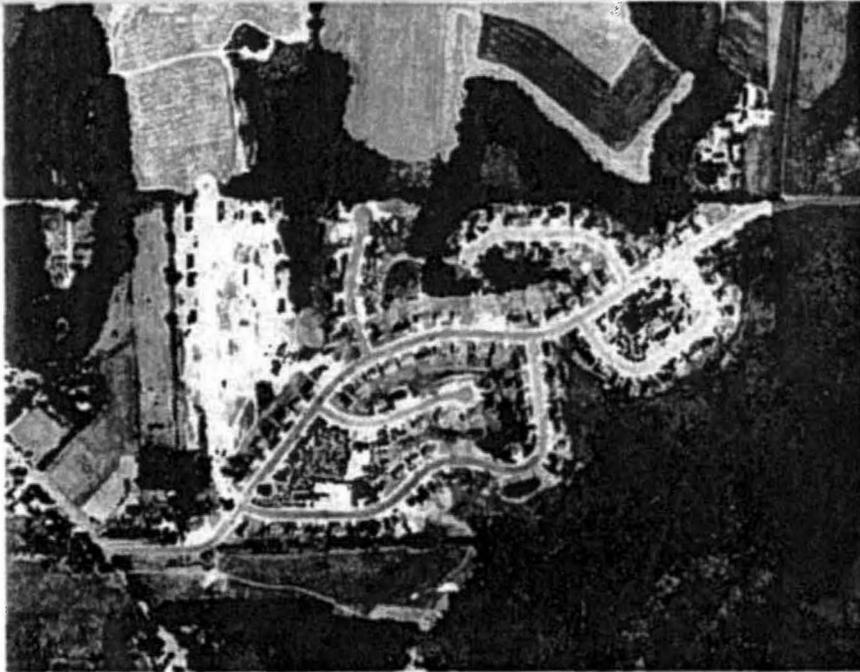
2005



2010

Source: Google Earth

Figure 8-5A: Ernstmeyer Subdivision Growth



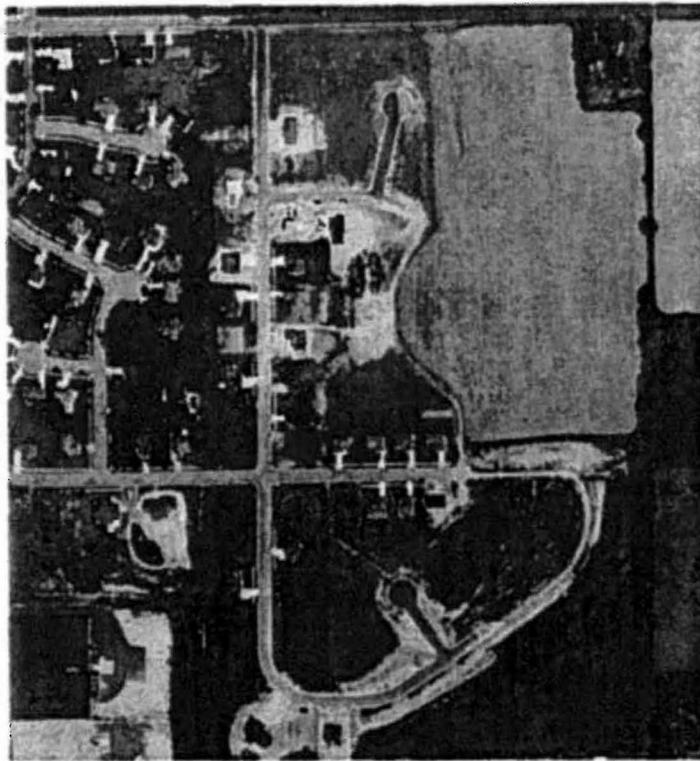
2005



2010

Source: Google Earth

Figure 8-6A: Eastridge Subdivision Growth



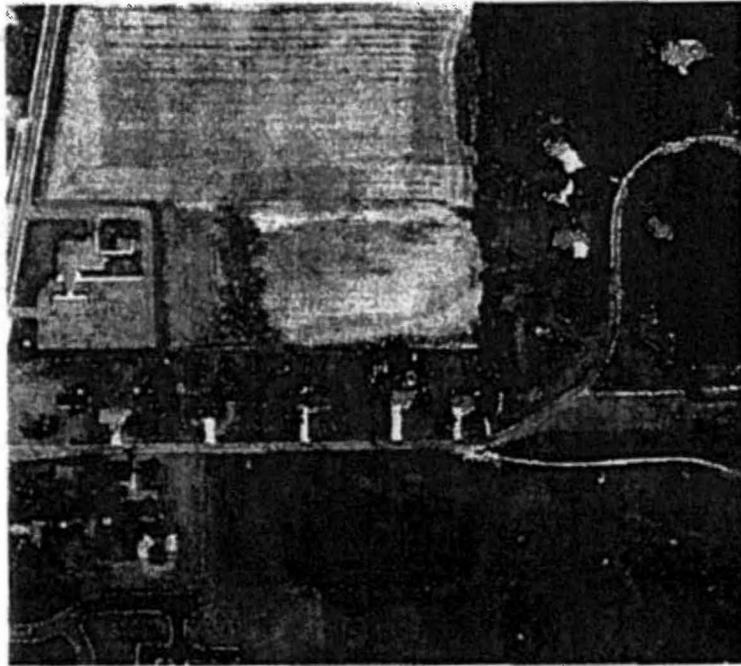
2005



2010

Source: Google Earth

Figure 8-7A: Fawn Valley Growth



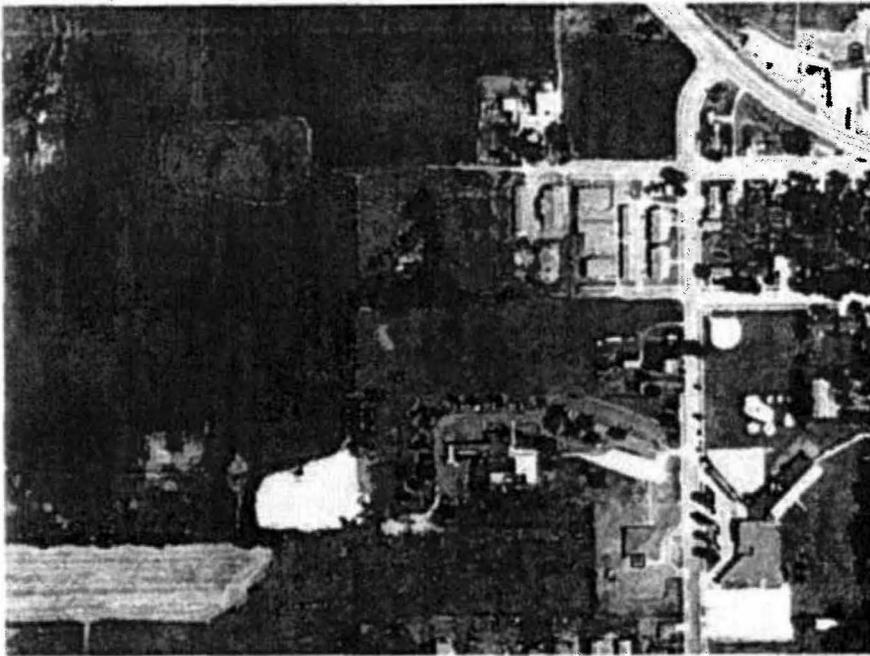
2005



2010

Source: Google Earth

Figure 8-8A: Clark Street Growth



2005



2010

Source: Google Earth

Figure 8-9A: Industrial Park Growth



2005



2010

Source: Google Earth

8.3A Eco-municipality

The Natural Step is a sustainability framework started in Sweden in the 1980s. It has four systems or conditions that it is based on which include eliminating systematic increases of physical degradation and ensuring future generations can still meet their needs.

Eco-municipalities are communities that adopt sustainability resolutions and then follow practices based on the Natural Step. Reedsburg joined 27 other Wisconsin communities and became an Eco-municipality in March 2010 with the adoption of a sustainability resolution. This resolution helped the City receive a 2011 EPA grant that brought a national expert to Reedsburg on sustainability and smart growth (see chapter 9A).

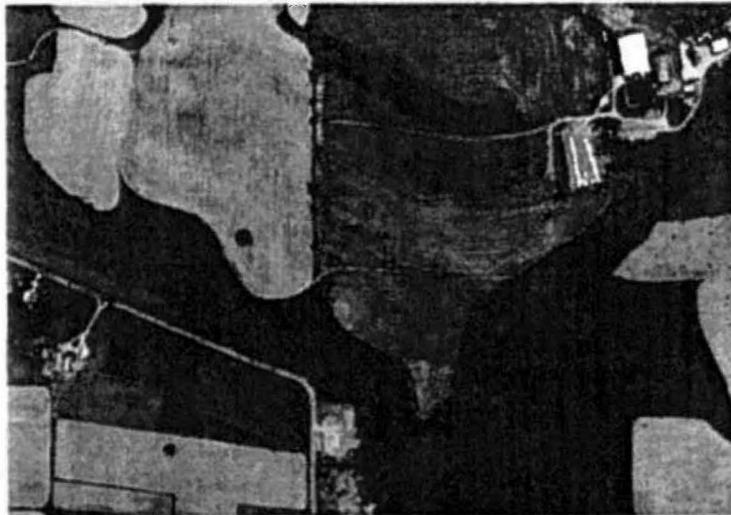
8.4A Land Use Sprawl

Because of the fairly rapid growth of Reedsburg and the surrounding area, additional subdivisions were platted and approved in the mid-2000s. Unfortunately, the housing market collapsed and the economy went into a recession in 2008. Below are two examples of

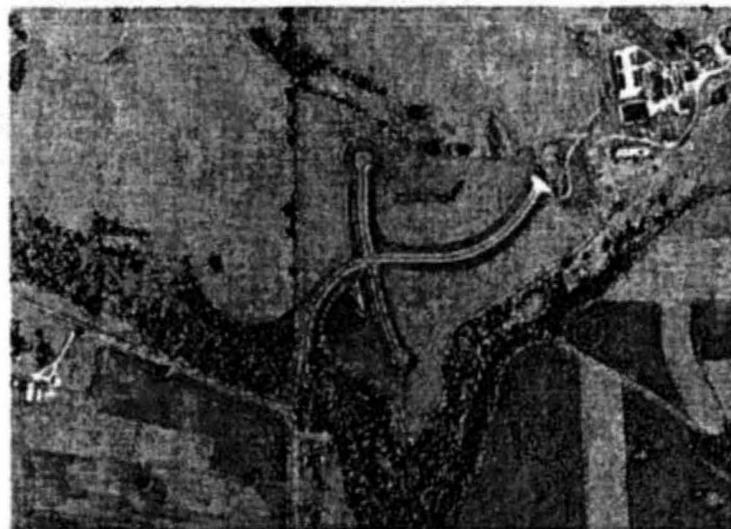
subdivisions that were platted in agricultural areas, but as of 2012 remain empty without a single dwelling.

These subdivisions were located roughly $\frac{3}{4}$ of a mile outside the city limits. This type of growth is termed 'leapfrog' development and is a type of land use sprawl. Leapfrog development is not contiguous with existing development, which leads to additional extension of traffic and services: school buses, utilities, road maintenance, snow plowing, emergency services, etc., not to mention the loss of farmland.

Figure 8-10A: Copper Creek Subdivision



2005



2010

Source: Google Earth

Figure 8-11A: Lighthouse Rock Subdivision



2005



2010

Source: Google Earth

SUSTAINABILITY/SMART GROWTH

9.0A Introduction

The City was awarded an EPA Building Blocks grant in March 2011. This award brought a national expert on sustainability and smart growth to Reedsburg for a one-day workshop. The workshop's purpose was to review our land development plan and ordinances and determine ways of making relatively simple changes to them in order to begin implementing more smart growth strategies. This chapter contains the report from that workshop.

9.1A Overview/Background

- 1) Reedsburg is embarking on an update of its well-written 2003 Comprehensive Plan which addresses key smart growth issues such as mixed-use development, historic preservation (the city has numerous National Register properties and Register-eligible structures in its downtown and neighborhoods), housing choices, and natural resource protection. This provides a great opportunity to address the key priority fixes discussed in the rural smart growth tool. The city also signed onto the natural Steps process in 2010 and has committed to reducing use of fossil fuels. Some of the key issues the city wanted to address in the workshop were addressing edge residential development, infill and development in the downtown and southwest side of town, development quality, resource protection, housing diversity, and energy conservation.
- 2) The city's major employers are a regional hospital, a Lands' End distribution center, and a foundry that produces auto parts.
- 3) The city has a young mayor who is eager to move the city forward in a progressive manner. The city also has a thoughtful, energetic head of the local chamber who is receptive to smart growth ideas and tools.
- 4) The city has only one planner and limited resources. However, the group that gathered for the workshop was very committed and receptive to moving the city forward. The group included the mayor, planning commissioners, the head of the chamber, a representative from the regional hospital who works with attracting and retaining employees, a local business man, a developer, and the city's public works director.
- 5) The city's development codes are very basic. They have been updated from time-to-time but have few progressive provisions (e.g. a section on multi-family development). There are no provisions relating to modern historic preservation, renewable energy, tree protection, recycling, stream buffers, or mixed-use development. Minimum residential lot sizes are 10,000 SF, which is very large compared to most other communities around the United States, and multi-family development is not allowed in free-standing buildings downtown. According to staff, most significant developments in the city, both commercial and residential, are negotiated through planned unit development processes. For example, the city recently approved a well-designed senior housing project in downtown although it needed special approvals because the maximum multi-family density in the code is 16 units/acre (which as discussed below, suggests the city may want to consider increasing the allowable density in some zone districts).

9.2A Key Issues Addressed during the Site Visit

- 1) Mixed Use and Infill – The city has approved hundreds of outlying, large single-family in the past 20 years (1/4 to 1/2 acre). Those developments are now not selling well and there is a growing demand for multi-family as is true in other communities in the region. The city is focusing on targeting development on the southwest portion of the city near the current high school and where city services already exist.
- 2) Development Quality – The city has a voluntary design review process in its historic downtown, but no protective standards. Remodels are often done in a way that obscures significant historic architectural detail (what preservationists call remuddling), and new construction often does not fit the existing character of downtown (blank walls vs. transparent store fronts with large windows, 1 vs. 2 stories, poor quality materials). Also, the quality of commercial development along the strip east of downtown Reedsburg in the city is very poor quality – no landscaping or buffering, too much parking, large, bright signage.
- 3) Energy Conservation/Renewable Energy – The city has signed onto the Natural Step process (which is a process to advance society towards greater sustainability and preserve ecosystem functions) and has agreed to reduce the use of fossil fuels.
- 4) Housing Choices – The city has an oversupply of single-family homes on larger lots and an apparent undersupply of multi-family.
- 5) Resource Protection – The current city plan focuses on protecting the Baraboo River and promoting it as an economic development asset.

9.3A Targeted Policies/Ideas/Strategies Discussed during the Workshop

- 1) Mixed use and Infill – City policy is to promote mixed use and infill development.
 - a. Allow multi-family residential development in the Central Business District zone district by right.
 - b. Target new residential development to the city's west side where infrastructure already exists. Do not rezone outlying areas for further residential development. Reduce minimum single family lot sizes in residential zone districts from 10,000 square feet to 6,000 square feet. Consider smaller residential lot sizes (e.g. 4,000 square feet) with design standards.
 - c. Consider reducing the size of streets required in new residential developments. Match street specifications in core city.
 - d. Increase the allowable base density for multi-family developments from 16 units/acre. Consider simple, clear design standards for multi-family development to be administered by staff (e.g. pitched roofs, articulated facades, no blank walls, full cut-off lighting, etc).
 - e. Revise so-called 'Resource Conservancy' zone district which allows 1 unit/5 acres. Require minimum 20 acre lots in this district and consider making conservation subdivisions mandatory for new developments on city's edge.

- f. Remove barriers for multi-family development such as excessive parking requirements.
- 2) Promote Development Quality – Protect historic character of downtown and improve commercial development quality along east gateway.
 - a. Adopt simple, clear standards for renovation of historic structures or new structures in historic district (e.g. minimum two stories to match most existing structures, no blank walls, quality materials, etc). Give preservation commission the power to recommend denial of projects that do not meet standards with final review by city council.
 - b. Adopt basic commercial building and site design provisions including parking lot buffering and landscaping, monument-style signage, and limits on bright electronic signs, building orientation, etc.
 - c. Reduce excessive parking space requirements for multi-family and commercial uses.
 - 3) Energy Conservation/Renewable Energy – Reduce fossil-fuel based energy use and increase use of renewable energy sources.
 - a. Promote bicycling by requiring bicycle racks in all developments and storage facilities/lockers in multi-family projects.
 - b. Support compact, mixed-use development (see above).
 - c. Remove potential barriers to alternative energy systems (solar, wind, ground-source heat pumps) by adopting clear authority for such in all zone districts with protective standards. Currently city staff apparently ‘interprets’ the development codes to allow alternative energy systems, but here is virtually nothing in the codes explicitly allowing them or establishing clear performance standards (e.g. height, noise, setbacks).
 - d. Require/create incentives for green roofs linked to stormwater management.
 - e. Adopt new historic preservation regulations to protect embodied energy in historic buildings. Current review process is voluntary.
 - f. Amend zoning regulations to protect mature trees on private property from removal during new construction or require mitigation (e.g. replanting of equal number of caliber inches). City desires to be a Tree City USA but has no protection of trees on private property as is done in many communities.
 - 4) Housing Choices – Offer a variety of housing choices for all age groups and incomes.
 - a. Increase maximum density for multi-family from 16 units/acre to at least 30 units/acre with design standards as noted above.
 - b. Allow residential development in the central business zone district by right.
 - 5) Natural Resources Protection – Protect key natural resources such as the city’s tree canopy and Baraboo River.
 - a. Adopt stream setbacks for new development (e.g. 50-100’). Allow transfer of density/intensity to uplands portion of site.
 - b. Consider tree protection provisions as discussed above. As an incentive, grant storm water management and landscaping credit for tree protection.

9.4A Actions to Address Policies/Strategies

- 1) The recently initiated effort to update the city's comprehensive plan is a great opportunity to address the key smart growth and sustainability issues discussed above. The process could be expanded to help develop an overall vision for the city and then specific goals and policies in each of these areas.
- 2) Consider forming an advisory committee of key community stakeholders (chamber, hospital, etc.) to advise the planning commission and make recommendations for key plan elements. This advisory committee might include members from the plan commission. This would allow the plan commission to continue to focus on day-to-day development issues while the advisory committee undertakes a more intensive review of the current plan and helps develop an overall vision to guide the update effort.
- 3) Take some immediate steps to remove barriers to sustainable, quality development such as reducing excessive parking standards and street paving/right-of-way requirements, removing the ban on residential in the downtown, and requiring bicycle racks for all new developments.
- 4) Undertake a thorough update of the zoning and subdivision regulations once the comprehensive plan update is completed. Use the planning update process to discuss specific implementation measures, including code revisions.

9.5A Timeframe and Accomplishing Actions – The comprehensive plan update could be the city's immediate focus along with targeted code amendments as outlined above. In the medium-term, the development codes could be completely revised.

9.6A Implementation Coordination – The Planning Dept will lead the plan update, working closely with the plan advisory committee. The various stakeholders who participated in the workshop could be included in the committee. It will also be very important for other city departments such as public works, police, and fire to be engaged in the process from the beginning. Importantly, the county planning department can play a very positive role by bringing best practice examples from elsewhere in the region to the table for consideration as well as model design and other standards it has produced.

ISSUES, GOALS & POLICIES/OBJECTIVES

10.0A Introduction

The Plan Commission developed additional issues, goals and policies to accompany the existing Comprehensive Plan. These items are based on Plan Commission discussions, committee reviews, and the public survey. Recommendations from the public survey are included as an appendix to the Plan update and supplement this chapter.

10.1A Economic Development

Issue:

The City should broaden the vision for opportunities for economic growth.

Goal:

Increase vibrant manufacturing, retail, and service industries.

Policies:

- Encourage and increase rail use.
- Support rail acquisition plan.
- Develop incentive programs for existing and new businesses.
 - TIF
 - Grants
- Support pro-economic policies, such as amending City codes as needed.
- Continue business recruitment, such as the sending of RICDC recruitment letters.

10.2A Housing

Issue:

There is an excess of vacant, older, and foreclosed homes competing with medium value homes, while there remains a lack of multi-family homes.

Goal:

Reduce foreclosed inventory and provide more opportunities for multi-family development.

Policies:

- Convert larger homes to duplexes, with guidelines for re-use.
- Establish and update housing codes/ordinances as needed.
- Work with the CDA and CDBG Committees regarding funding for housing rehabilitation.
- Provide additional R-3 Residential zoning.
- Work with banks to speed up loan and foreclosure processes.

10.3A Transportation

Issue:

Reedsburg needs more promotion and efficient use of conventional and alternative transportation modes.

Goal:

Propose and encourage safer and more efficient travel through the City using multiple transportation methods.

Policies:

- Develop alternative bike and pedestrian pathways through the City.
- Remove unused railroad track.
- Maintain existing railroad spurs.
- Develop a more efficient truck route to minimize impacts on residential areas.
- Explore airport and other improvements in TID #4 Plan.
- Review current parking regulations and amend Zoning Ordinance as needed.
- Review and plan for highway access management.

10.4A Utilities & Community Facilities

Issue:

Due to Reedsburg's population growth, additional and updated public spaces and facilities are needed to maintain the present quality of services to citizens.

Goal:

Provide adequate space for operational needs in order to offer quality services.

Policies:

- Continue and encourage coordination between the City and civic organizations & youth sport organizations to fund park improvements.
- Explore Webb Fund and impact fees for park upgrades.
- Update the space needs study and develop a new study as needed.

10.5A Intergovernmental Cooperation

Issue:

The town and City members of the RADC work together and support the development matters of the other towns and City.

Goal:

Continue to have good working relationships between the City, towns, and Sauk County.

Policies:

- Keep the towns and County informed on development issues that affect the extraterritorial area.
- Abide by and keep up-to-date the intergovernmental agreements.

10.6A Natural, Cultural & Agricultural Resources

Issue:

Reedsburg prides itself on its many local resources: farmland, Butterfest, City parks, 400 Trail, Independence Day fireworks, Fermentation Fest, Log Village, Rotary Fly-In, and the Baraboo River to name a few.

Goal:

Maintain current levels of resource protection and development while adding improvements and funding where needed.

Policies:

- Implement the Floodplain Transformation Plan recommendations along the Baraboo River.
- Maintain membership in Tree City USA.
- Join and maintain membership in the Community Rating System.
- Develop permanent funding for such events as the fireworks, downtown Christmas decorations, etc.
- Amend the future land use plan and land use ordinances to address farmland preservation.
- Assist local organizations in bringing events to Reedsburg such as Loyalty Day and Packer Tailgate Tour.
- Amend the Mineral Extraction section of the zoning ordinance to bring it up to date with current land uses and State laws.

10.7A Land Use

Issue:

Growth, while positive, has been mostly conventional and sprawl-like.

Goal:

Propose, implement, and encourage more sustainable and smart growth methods.

Policies:

- Amend the zoning ordinance to offer a range of residential lot sizes and permit existing non-conforming structures applicable with State law.
- Infill, contiguous, and brownfield development will be encouraged over greenfield development where feasible and appropriate.
- Amend the zoning ordinance in regards to signs, where signage would be both economically beneficial to the business and aesthetically suitable to the community.
- Amend the subdivision ordinance to prohibit new cul-de-sacs.
- Develop additional specific and detailed plans: Downtown, Hwy 23/33 corridor, etc.
- Follow the guidelines of the eco-municipality resolution.
- Future development shall be compatible with surrounding properties based on its use, impact, topography, and infrastructure, while following the overall intent of the Land Use maps.

APPENDIX A-A

ARCHAEOLOGICAL SITES AND CEMETERIES – City of Reedsburg

Our lives are influenced by our own experiences, by the events that have shaped our communities, and by the institutions and organizations we encounter. Our history gives us a sense of place and a framework to understand the world. It provides continuity and meaning in our lives and it can be a basis for economic development through preservation programs and Heritage Tourism.

People have been living in Wisconsin for thousands of years, with hunting, fishing, farming, and forestry playing a central role in their lives. This story of agriculture, resource use, and land stewardship is preserved in archaeological sites, buildings, landscapes, written accounts, photographs, governmental records, and the thoughts and ideas people remember and pass along by word of mouth. Planning can play a critical part in protecting these resources and in learning from this wealth of experience. Land-use planning and land-use decisions will directly impact historic buildings, archaeological sites, and cemeteries.

Archaeological sites include places where people lived, where they worked, and where they worshiped. These sites were made by the people who lived at the village, farm, or logging camp located just down the road. Archaeological sites occur figuratively and literally under our feet. Archaeology is well suited for providing important information about the lives of people who are not well represented in the written record. Archaeological sites are non-renewable resources and once a site is destroyed, either by natural or human related activities, it cannot be reclaimed.

The Wisconsin Historical Society maintains a list of archaeological sites and cemeteries referred to as the Archaeological Site Inventory (ASI), a component of the Wisconsin Historic Preservation Database (WHPD). The Archaeological Site Inventory (ASI) is the most comprehensive list of archaeological sites, mounds, unmarked cemeteries, marked cemeteries, and cultural sites available. The ASI does not include all of the sites and cemeteries present in the state, however. It includes ONLY those sites that have been reported to the Wisconsin Historical Society. The information in the ASI is a compilation of reports covering a period of 150 years. The information for each entry varies widely and the Society has not been able to verify all of the entries. Few of these sites have been evaluated for their importance. The ASI is changed and updated on a daily basis and recommendations about site importance may change as new information becomes available. The attached site list will become quickly out of date and a procedure for updating the list should be developed.

This ASI information is confidential and is not subject to Wisconsin's open records law (Wis. Stats. §§ 44.48 and 157.70). This information is also protected by Federal law (Section 304 of the National Historic Preservation Act, Section 9(a) of the Archaeological Resources Protection Act of 1979). This caution not only helps protect archaeological sites but also protects landowners since private landowners own the majority of archaeological sites in the City.

Under Wisconsin law, Native American burial mounds, unmarked burials, and all marked and unmarked cemeteries are protected from intentional disturbance. If you have any questions concerning the law, please contact Chip Brown at 608-264-6508.

Existing Information. The Wisconsin Historical Society maintains a list of archaeological sites and cemeteries referred to as the Archaeological Site Inventory (ASI).

Since only a small portion of the City has been surveyed for the presence of archaeological sites and cemeteries, the sites listed in the inventory represent only a fraction of the sites that are potentially present. Local residents and American Indian communities who have and do live and work in the area possess much additional information on other archaeological sites and cemeteries. Steps should be taken to have this information incorporated into the land use plan.

Up to this point in time, 49 archaeological sites and cemeteries has been reported for the City. While no systematic survey has been completed, the following types of sites may be present:

Cemeteries – unmarked graves, burial mounds, Effigy mounds
Campsite/villages
Corn Hills/gardens beds
Mine
Farmstead
Homestead

The garden bed and corn sites represent an early phase of agriculture and few of these sites have been identified and preserved. Other sites in the area be important even though no sites are currently listed on the National Register of Historic Places.

Where are archaeological sites going to be located? Using the results of archaeological surveys, relevant historical and environmental data, the following high priority areas were designated:

- higher, dryer areas adjacent to rivers, streams, creeks, lakes, wetlands
- higher, dryer areas adjacent to **older, abandoned** rivers, streams, creeks, lakes, wetland
- areas adjacent to rock outcrops
- areas adjacent to older historic features such as trails, early roads, rail corridors, and earlier communities

Cemeteries, Burial Mounds, and Other Burials. Cemeteries and burial areas have been set aside as special areas throughout Wisconsin history and they have been given special protection under the law.

Under Wisconsin law, Native American burial mounds, unmarked burials, and all marked and unmarked cemeteries are protected from intentional disturbance. If anyone suspects that a Native American burial mound or an unmarked or marked burial is present in an area, the Burial Sites Preservation Office should be notified. If human bone is unearthed during any phase of a project, **all work must cease**, and the local law enforcement should be contacted. If they decide

it is not a criminal case, they **must be contacted** the Wisconsin Historical Society at 1-800-342-7834 to be in compliance with Wis. Stat. 157.70 which provides for the protection of all human burial sites. **Work cannot resume until the Wisconsin Historical Society gives permission.** If you have any questions concerning the law, please contact Chip Brown at 608-264-6508.

At the present time, 13 cemeteries or burial sites have been identified in the City. Since a systematic survey of the county has not been completed, additional cemeteries and burials may be present. As part of the planning process, all cemeteries and burials in the City should be cataloged under Wis. Stat. 157.70 to provide for the maximum protection of these important sites and to clearly define their boundaries.

How do we know which archaeological sites need preservation? Under Wisconsin law Native American burial mounds, unmarked burials, and all marked and unmarked cemeteries are protected. In addition to these, a wide variety of archaeological sites may be worthy of preservation. Through the use of the State and National Register of Historic Places a procedure for identifying important sites is available. The criteria include: a good local example of an architectural style and period; association with a person important in our past; represent an important period, movement or trend in local, state or national history; or have the potential to yield important information about our past through archaeological investigations.

Protecting Important Archaeological Sites. The wide variety of methods used to protect natural resources can also be used to protect archaeological sites. For example, land purchases, conservation easements, zoning, and the state operated tax exemption program for property owners.

With the 1991 changes to Wis. Stats. 70.11 [see 70.11(13m)], it became possible to provide a property tax exemption for owners of archaeological sites listed on the National or State Register of Historic Places. To obtain the tax exemption, the landowner has to agree to place a permanent protective covenant for the site area in the deed for the property. The tax exemption program makes the landowner and subsequent owners stewards of Wisconsin's past. The intent of the program is not to discourage all use of the property containing a site, but to encourage land use planning that protects sites.

How are archaeological sites and cemeteries identified and evaluated? Archaeological identification and evaluations are required for a variety of projects that receive Federal or State funding, licenses, or permits. These projects are automatically forwarded to the Wisconsin Historical Society for review. Local residents frequently report sites and cemeteries.

RECOMMENDATIONS

- The development of a strong cultural resource component will allow the residents to identify valuable sites and locations and clarify the important role they play in the present and in planning for the future. This can provide a variety of rewards such as heritage tourism, economic development and other community enrichments.
- Local residents and American Indian communities who have or do live and work in the area possess much additional information on the history of the City and steps should be taken to have this information incorporated into the land use plan.
- As part of the planning process, all cemeteries and burials in the City should be cataloged under Wis. Stat. 157.70 to provide for the maximum protection of these important sites and to clearly define their boundaries.
- Archaeological investigations should be completed at the locations of known archaeological sites to assess the impacts of projects on these resources and archaeological investigations should be completed at high potential areas as identified through research.

CAUTION

- It is not uncommon to find evidence of American Indian villages and other earlier settlements in the form of houses, storage areas, burials, and other undisturbed deposits underneath the tilled layer in farm fields or in urban settings.
- Archaeological sites are non-renewable resources and once a site is destroyed, either by natural or human related activities, it cannot be reclaimed.

State Archaeology and Maritime Preservation
Historic Preservation-Public History Division
Wisconsin Historical Society
John H. Broihahn, 608-264-6496
State Archaeologist
John.broihahn@wisconsinhistory.org
[City of Reedsburg, Sauk County]

August 2012

Appendix B-A
Public Survey Results

1. Reedsburg needs more housing for low to moderate incomes:

		Response Percent	Response Count
Agree		36.5%	54
Disagree		45.3%	67
No Opinion		18.2%	27
answered question			148
skipped question			0

2. Reedsburg needs more housing for the elderly:

		Response Percent	Response Count
Agree		38.5%	57
Disagree		40.5%	60
No Opinion		20.9%	31
answered question			148
skipped question			0

3. Regulations (setbacks, height, separation of uses, size, etc) for housing in Reedsburg are:

		Response Percent	Response Count
Too Strict		19.0%	28
Too Lenient		8.2%	12
Just Right		42.2%	62
No Opinion		30.8%	45
		answered question	147
		skipped question	1

4. How do you rate the following Reedsburg facilities?

	VERY GOOD	ADEQUATE	POOR	Response Count
WATER SERVICE	53.3% (73)	43.8% (60)	2.9% (4)	137
SANITARY SEWERS	43.8% (60)	51.1% (70)	5.1% (7)	137
ELECTRICAL SERVICE	54.7% (75)	43.1% (59)	2.2% (3)	137
TELECOM SERVICE	48.1% (65)	45.9% (62)	5.9% (8)	135
FIRE PROTECTION	69.8% (98)	29.7% (41)	0.7% (1)	138
POLICE PROTECTION	56.2% (77)	40.1% (55)	3.8% (5)	137
SIDEWALKS	31.2% (43)	54.3% (75)	14.5% (20)	138
STREET LIGHTS	30.7% (42)	49.6% (68)	19.7% (27)	137
OFF-STREET PARKING	24.8% (34)	55.5% (76)	19.7% (27)	137
DRAINAGE	24.2% (32)	51.5% (68)	24.2% (32)	132
CITY APPEARANCE (WHEN ENTERING CITY)	32.6% (45)	54.3% (75)	13.0% (18)	138
CITY APPEARANCE (OVERALL)	30.7% (42)	57.7% (78)	11.7% (16)	137
			OTHER (please specify)	21
			answered question	139
			skipped question	9

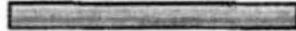
5. Commercial Truck traffic is a problem in Reedsburg:

		Response Percent	Response Count
Agree		34.8%	47
Disagree		51.1%	69
No Opinion		14.1%	19
answered question			135
skipped question			13

6. Downtown parking is a problem:

		Response Percent	Response Count
Agree		20.0%	27
Disagree		71.9%	97
No Opinion		8.1%	11
answered question			135
skipped question			13

7. Access and visual aesthetics along E. Main St/Hwy23-33 is a problem:

		Response Percent	Response Count
Agree		34.6%	47
Disagree		48.5%	66
No Opinion		16.9%	23
answered question			136
skipped question			12

8. Reedsburg should emphasize developing alternative transportation methods (bicycling, walking, etc):

		Response Percent	Response Count
Agree		70.1%	98
Disagree		17.5%	24
No Opinion		12.4%	17
answered question			137
skipped question			11

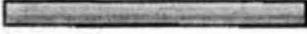
9. How do you rate the possible improvements or overall need for the following:

	NEEDED	ADEQUATE	NOT NEEDED	Response Count
ATHLETIC FIELDS	7.5% (10)	64.2% (86)	28.4% (38)	134
PLAYGROUNDS	19.4% (26)	67.2% (90)	13.4% (18)	134
PICNIC AREAS	23.9% (32)	64.9% (87)	11.2% (15)	134
OUTDOOR POOL	14.8% (20)	68.9% (93)	16.3% (22)	135
INDOOR POOL	43.4% (58)	24.0% (31)	32.8% (42)	129
REC CENTER	37.7% (49)	49.2% (64)	13.1% (17)	130
SENIOR CENTER	29.4% (37)	55.8% (70)	15.1% (19)	128
YOUTH REC PROGRAMS	39.3% (53)	58.3% (76)	4.4% (6)	135
ADULT REC PROGRAMS	33.3% (44)	59.1% (78)	7.6% (10)	132
SENIOR PROGRAMS	32.3% (41)	59.1% (75)	8.7% (11)	127
PUBLIC MUSEUM	32.3% (41)	24.4% (31)	43.3% (55)	127
BARABOO RIVER AMENITIES	61.1% (80)	26.7% (35)	12.2% (16)	131
			OTHER (please specify)	12
			answered question	135
			skipped question	13

10. Where do you work?

		Response Percent	Response Count
Reedsburg		71.3%	92
Sauk County		14.0%	18
Elsewhere		14.7%	19
answered question			129
skipped question			19

11. What businesses should Reedsburg have or have more of? (check all that apply)

		Response Percent	Response Count
Specialty Retail		42.4%	53
Family Restaurant		62.4%	78
Fast Food Restaurant		12.8%	16
Service Businesses		18.4%	23
Big Box Retail		51.2%	64
Entertainment Establishment		45.6%	57
Gas Station		4.8%	6
Upscale Dept Store		40.0%	50
National Chains		56.0%	70
OTHER (please specify)			32
answered question			125
skipped question			23

12. What shops or services are needed in downtown Reedsburg?

	Response Count
	65
answered question	65
skipped question	83

13. What shops or services are needed as highway commercial (E. Main/W. Main/S. Albert/Viking Dr)?

	Response Count
	58
answered question	58
skipped question	90

14. Reedsburg has zoning control up to 1.5 miles outside the city limits. This distance is:

	Response Percent	Response Count
Too far 	20.7%	28
Too small 	14.8%	20
Just right 	37.0%	50
No Opinion 	27.4%	37
answered question		135
skipped question		13

15. Reedsburg should help surrounding towns _____ the lands outside the city limits.

	Response Percent	Response Count
Protect the rural character of <input type="checkbox"/>	64.7%	86
Develop <input type="checkbox"/>	14.3%	19
No Opinion <input type="checkbox"/>	21.1%	28
	answered question	133
	skipped question	15

16. Reedsburg should annex additional property:

	Response Percent	Response Count
Agree <input type="checkbox"/>	25.9%	35
Disagree <input type="checkbox"/>	43.7%	59
No Opinion <input type="checkbox"/>	30.4%	41
	answered question	135
	skipped question	13

17. Reedsburg is growing:

	Response Percent	Response Count
Too Quickly <input type="checkbox"/>	8.0%	12
Too Slowly <input type="checkbox"/>	21.8%	29
Just Right <input type="checkbox"/>	69.2%	92
	answered question	133
	skipped question	15

18. What should Reedsburg's growth policy be?

		Response Percent	Response Count
No Growth		0.7%	1
Controlled Growth		84.4%	114
Unrestricted Growth		14.8%	20
answered question			135
skipped question			13

19. If you favor growth, what types of growth would you like to see? (check all that apply)

		Response Percent	Response Count
One/Two-Family Residential		62.7%	79
Multi-family Residential		12.7%	16
Commercial		69.8%	88
Offices		38.9%	49
Light Industrial		64.3%	81
Heavy Industrial		33.3%	42
Tourism		58.7%	74
Health Care		35.7%	45
Recreational		71.4%	90
OTHER (please specify)			11
answered question			126
skipped question			22

20. Reedsburg should emphasize historical preservation and pursue historical registrations:

		Response Percent	Response Count
Agree		68.7%	92
Disagree		13.4%	18
No Opinion		17.9%	24
answered question			134
skipped question			14

21. Land Use regulations (e.g. zoning, nuisances, signs, fences, etc) in Reedsburg are:

		Response Percent	Response Count
Too Strict		25.4%	34
Too Lenient		11.9%	16
Just Right		39.6%	53
No Opinion		23.1%	31
answered question			134
skipped question			14

22. How long have you lived in Reedsburg?

		Response Percent	Response Count
Less than 1 year		0.7%	1
1-5 years		21.5%	29
6-10 years		11.9%	16
11-15 years		11.9%	16
16-20 years		9.8%	13
21-25 years		6.7%	9
26-30 years		11.9%	16
31 years +		25.9%	35
		answered question	135
		skipped question	13

23. What is your age?

		Response Percent	Response Count
0-18		0.0%	0
19-24	<input type="checkbox"/>	2.2%	3
25-30	<input type="checkbox"/>	11.9%	18
31-35	<input type="checkbox"/>	19.3%	28
36-40	<input type="checkbox"/>	11.1%	15
41-45	<input type="checkbox"/>	14.1%	19
46-50	<input type="checkbox"/>	11.1%	15
51-55	<input type="checkbox"/>	12.6%	17
56-60	<input type="checkbox"/>	5.2%	7
61-65	<input type="checkbox"/>	3.0%	4
65-70	<input type="checkbox"/>	5.9%	8
70+	<input type="checkbox"/>	3.7%	5
answered question			135
skipped question			13

24. Highest level of education completed:

		Response Percent	Response Count
0-8 grade		0.0%	0
9-11 grade	<input type="checkbox"/>	2.2%	3
High School/GED	<input type="checkbox"/>	13.4%	18
Some College	<input type="checkbox"/>	23.9%	32
Associate Degree	<input type="checkbox"/>	20.1%	27
Bachelor Degree	<input type="checkbox"/>	24.6%	33
Graduate Degree	<input type="checkbox"/>	15.7%	21
answered question			134
skipped question			14

25. The number of individuals in your household:

		Response Percent	Response Count
1	<input type="checkbox"/>	10.4%	14
2	<input type="checkbox"/>	32.8%	44
3	<input type="checkbox"/>	17.9%	24
4	<input type="checkbox"/>	23.1%	31
5	<input type="checkbox"/>	11.2%	15
6	<input type="checkbox"/>	3.7%	5
7	<input type="checkbox"/>	0.7%	1
8+		0.0%	0
answered question			134
skipped question			14

26. Your primary occupation:

		Response Percent	Response Count
Student	<input type="checkbox"/>	1.5%	2
Sales/Clerical	<input type="checkbox"/>	5.2%	7
Stay at home	<input type="checkbox"/>	3.7%	5
Construction/Utilities	<input type="checkbox"/>	1.5%	2
Management	<input type="checkbox"/>	9.6%	13
Self-employed	<input type="checkbox"/>	6.7%	9
Finance/Insurance	<input type="checkbox"/>	4.4%	6
Government	<input type="checkbox"/>	8.9%	12
Industrial	<input type="checkbox"/>	5.2%	7
Professional	<input type="checkbox"/>	15.6%	21
Non-profit	<input type="checkbox"/>	1.5%	2
Transportation	<input type="checkbox"/>	1.5%	2
Health Care	<input type="checkbox"/>	7.4%	10
Food Service	<input type="checkbox"/>	0.7%	1
Education	<input type="checkbox"/>	8.9%	12
Real Estate/Leasing	<input type="checkbox"/>	0.7%	1
Entertainment/Recreation		0.0%	0
Agriculture/Forestry		0.0%	0
Unemployed	<input type="checkbox"/>	3.0%	4
Retired	<input type="checkbox"/>	14.1%	19
answered question			135
skipped question			13

27. Please list any additional comments:

	Response Count
	29
answered question	29
skipped question	119

Page 2, Q4. How do you rate the following Reedsburg facilities?

1	Costs of utilities are high	Oct 4, 2011 7:19 AM
2	Many streets need a lot of work.	May 31, 2011 12:33 PM
3	see www.completestreets.org	May 25, 2011 10:40 AM
4	While overall the city looks good overall, there are a few long term issues along Main Street (the Reedsburg Motel Area)	May 24, 2011 2:21 PM
5	I think there are some areas that need work such as the old Do-It Center building & the Lakeside foods building right there too. That little section right by the old RR crossing on Main is an eyesore. I loved the banners that hung during the Fermentation Fest & wish we had some banners like that more often. I also love the planters throughout downtown when they are planted for the seasons. I like that we try to utilize them year-round.	May 24, 2011 12:38 PM
6	downtown could use curbs repainted, general clean up, fix up. Eastside and Westside could use something to make it have more continuity with the downtown. The small town welcome needs to be from one end of town to the other	May 24, 2011 12:09 PM
7	Some of the houses closer to downtown could be cleaned up a bit, garbage in lawn, junk laying around, etc.	May 24, 2011 12:00 PM
8	sidewalk - the snow clearing rules are not consistently enforced. Drainage - the creek that runs near my backyard overflows and floods my neighbors yards and my yard with fast rain.	May 17, 2011 9:36 AM
9	I think downtown is improving, but has a ways to go.	May 16, 2011 10:52 PM
10	Alternate energy sources not easily available for moderate incomes	May 16, 2011 2:09 PM
11	too many ele lines on main st also too many houses that don't comply with city rules and look run down	May 4, 2011 9:42 AM
12	Way too much money is spent on Police Department!	May 4, 2011 8:12 AM
13	utility costs are too high	May 4, 2011 7:59 AM
14	Definitely keep the dispatch center.	May 4, 2011 5:12 AM
15	excellent services, beautiful community!	May 3, 2011 12:48 PM
16	It would be great if the "downtown feel" extended down Main Street to areas such as Pamida, etc.	May 3, 2011 10:45 AM
17	Do not allow lakeside to build migrant housing.	May 2, 2011 4:50 AM
18	The Police need to concentrate on more important issues other than kids/teenagers skateboarding.	May 1, 2011 6:15 PM
19	In regards to "City Appearance When Entering" it would be nice to see some sort of recognition for community sport accomplishments such as Football State Champe/Runner-Up	May 1, 2011 7:55 AM

Page 2, Q4. How do you rate the following Reedsburg facilities?

- | | | |
|----|---|-----------------------|
| 20 | I believe the police force is overstaffed, there are a number of spots in the city that could be better lit, and in heavy rain situations, the drainage in Reedsburg is very poor. The city could spruce up it's appearance coming in from the south and the west | Apr 29, 2011 10:14 AM |
| 21 | Sidewalk - The snow clearing is inconsistently enforced. | Apr 29, 2011 8:53 AM |

Page 4, Q8. How do you rate the possible improvements or overall need for the following:

1	I am not familiar enough with some of the programs to formulate an opinion	Oct 4, 2011 7:21 AM
2	small pocket parks, more trees downtown	May 28, 2011 8:02 AM
3	Opportunities for do it yourself facilities...community gardens, kitchens, shops (woodworking, garage, etc). Baraboo River Amenities are DESPERATELY needed. The lack of use and promotion of this resource is a shame. The sorry state of some of the building and properties along the 400 Trail are also embarrassing. A safe bike route through town should be developed. The sidewalks should not be used by cyclists, however, Main Street is dangerous to ride.	May 24, 2011 2:23 PM
4	Add a dog park please	May 24, 2011 12:01 PM
5	stop using Doris Rd as access to brush pile. Use CTH V and repave that road.	May 17, 2011 10:13 AM
6	it takes a comunity to raise a child and this town needs to do a better job the park by my house is more ofte a bug breeding ground then a place to play due to bad drainage kids need things to do to keep them out of trouble at little or no cost also with more river amenities would bring in more money for the town	May 4, 2011 9:48 AM
7	All the above items are things citizens love to use. If you cut those programs you are just being dicks! The parks and rec department does an excellent job on the budget they get. To threaten to cut budgets for any of the above programs is only a political scare tactic. Cut the budget of the police department and public works. There is where most of the money is.	May 4, 2011 8:16 AM
8	Through our business connections Reedsburg's founder of the baseball park received a 'Best in the World' recommendation!	May 4, 2011 5:14 AM
9	really need to clean up the 400 Trail area within City limits	May 3, 2011 12:51 PM
10	We should strive to be a ecologically, sustainable, "green" city!	May 3, 2011 10:46 AM
11	River Walk/Hiking Trail/Interpretive-Educational Trail	Apr 29, 2011 12:04 PM
12	Webb pool is a waste of money as well as the rec center	Apr 20, 2011 11:53 AM

Page 5, Q11. What businesses should Reedsburg have or have more of? (check all that apply)

1	we need a big department store like a walmart or target	Oct 23, 2011 9:25 AM
2	target	Oct 9, 2011 10:58 AM
3	Clothing store.	Oct 5, 2011 9:35 PM
4	WOMENS CLOTHING CHOICES ARE HUGE ISSUE FOR CITY	Sep 22, 2011 10:37 PM
5	A bakery	Sep 16, 2011 9:28 AM
6	Electronics Store	Jun 1, 2011 5:16 PM
7	more ethnic restaurants, music/arts incubator	May 28, 2011 8:09 AM
8	I am relatively happy with what Reedsburg has to offer. I have lived here four years, before that I lived in Madison and Milwaukee. The only things that I need to leave Reedsburg for are Aldi's and Wal-Mart. I don't need to leave Reedsburg to shop in these stores, but they are quite a bit cheaper. An indoor pool would be great, but definitely a huge expense.	May 28, 2011 9:29 AM
9	upscale lodging/spa	May 25, 2011 10:44 AM
10	fine dining	May 24, 2011 8:08 PM
11	more restaurants are only needed along S.Albert near the High School, otherwise we have plenty to choose from	May 24, 2011 2:23 PM
12	better selection of restaurants for healthy eating or a bit more upscale meal	May 24, 2011 12:11 PM
13	A night club that offers live music such as jazz or open mic nites	May 24, 2011 12:04 PM
14	TGI Friday's, Dairy Queen	May 17, 2011 10:14 AM
15	Family Entertainment	May 16, 2011 11:02 PM
16	daycare provider	May 16, 2011 5:09 PM
17	Target, trader joe's	May 15, 2011 6:00 PM
18	manufacturing, biotech, creative class businesses	May 15, 2011 5:05 AM
19	target, aldis	May 14, 2011 7:15 PM
20	Gas station on way out of town on Hwy H	May 14, 2011 6:53 PM
21	Better Sports Bars	May 14, 2011 3:24 PM
22	any business for industrial park and in town that will bring in money so taxes will be lower	May 14, 2011 7:15 AM
23	a store that caters to larger animals needs would be nice	May 4, 2011 9:51 AM
24	The government shouldn't be in the business of deciding which businesses are needed in Reedsburg. Let the free market work.	May 4, 2011 8:20 AM

Page 5, Q11. What businesses should Reedsburg have or have more of? (check all that apply)

25	More manufacturing	May 3, 2011 12:50 PM
26	I think it is important to maintain Reedsburg's integrity and not allow other box stores to develop, such as a Walmart or Kmart	May 3, 2011 10:53 AM
27	High quality preschools	May 2, 2011 5:05 PM
28	Starbucks	May 2, 2011 11:45 AM
29	Olive Garden	Apr 29, 2011 6:40 AM
30	Target	Apr 28, 2011 11:49 PM
31	camping	Apr 28, 2011 7:35 PM
32	We need better shopping, Walmart/Menards/Home Depot	Apr 20, 2011 11:54 AM

Page 5, Q12. What shops or services are needed in downtown Reedsburg?

1	better restaurants with EXCELLENT service!	Oct 13, 2011 3:10 PM
2	Bicycle repair, nick nack shops, better hours on Sat/Sun during the summer to make them more tourist accessible.	Oct 11, 2011 1:42 PM
3	specialty shops - clothing, gifts, antiques - similar to Galena, Illinois - to bring in tourists.	Oct 10, 2011 12:42 PM
4	Stores where you can get a dress or dress shirt at resonable prices	Oct 9, 2011 10:58 AM
5	Creating an artsy/antique atmosphere with the inclusion of river & bike/hike path stores (rentals/repairs/outdoorsy shops). These have been tried in the past but never marketed well as a community to bring in tourism.	Oct 4, 2011 7:27 AM
6	NICE LOUNGE-BILLIARDS TYPE BAR.	Sep 22, 2011 10:37 PM
7	A bakery	Sep 16, 2011 9:28 AM
8	Fashion	Jun 1, 2011 5:16 PM
9	Clothing for men, women, and children	May 31, 2011 12:36 PM
10	local food restaurant, small museums bike shop - rental, repair sales high end consignment, more antique shops canoe kayak rental, fishing/ sports equpt sales home brew supplies music lessons	May 28, 2011 8:09 AM
11	antique and other specialty shops, bike shop	May 25, 2011 10:44 AM
12	Coffee Shop	May 24, 2011 8:08 PM
13	Sporting goods, drugstore/general store, internet cafe, place for teenagers to hang out, place for 18-21 to hang out	May 24, 2011 2:23 PM
14	dept. store, health food store	May 24, 2011 1:41 PM
15	Nice variety provided currently.	May 24, 2011 12:53 PM
16	clothes & shoes	May 24, 2011 12:32 PM
17	A home decor store that is less expensive than Blue Heron (although I love that store, I just cant afford it)	May 24, 2011 12:04 PM
18	Something similar to a Target - Pamida is too expensive and does not have the selection	May 19, 2011 7:05 AM
19	Craft / Fabric / Sewing shops.	May 17, 2011 9:39 AM
20	Retail that is open later than 5I	May 16, 2011 11:02 PM
21	more parking and restraunts less bars	May 16, 2011 5:09 PM
22	downtown business owners want more going on downtown, but first to complain about the competition. Competition is what they need downtown...less tacky bars. Class it up a bit.	May 16, 2011 9:46 AM

Page 5, Q12. What shops or services are needed in downtown Reedsburg?

23	More department store options	May 16, 2011 8:39 AM
24	children's museum or other entertainment for children and families	May 15, 2011 6:00 PM
25	Department store	May 15, 2011 8:09 AM
26	no more of the same; a wholesale revolution to support and adjunct services to UW biotech outfits, medical research, writer and arts groups, specialist engineers and lawyers	May 15, 2011 5:05 AM
27	clothing, childrens, toys, etc.	May 14, 2011 7:15 PM
28	Department store	May 14, 2011 9:36 AM
29	stores with local products to have a draw for visitors using the river and 400 trail.	May 14, 2011 7:15 AM
30	I would like to see more family restaurants and perhaps some other forms of entertainment.	May 13, 2011 6:41 AM
31	big size clothingstore or a good clothing store	May 5, 2011 3:38 PM
32	nothing downtown is nice you just need to keep the stores that are down town and fill the empty ones instead of bulding new stores on the east side of town	May 4, 2011 9:51 AM
33	Whatever shops and services that can be successful. The government should not favor one establishment over another.	May 4, 2011 8:20 AM
34	family restaurant, specialty or family clothing	May 4, 2011 8:02 AM
35	Bakery...I miss the Wooden Spoon!!! We also miss the Norman Rockwell Museum. Unique shops with character seem to have a rough go in downtown area.	May 4, 2011 7:14 AM
36	Reedsburg needs a hardware store so people don't have to drive all the way to the Dells	May 4, 2011 5:42 AM
37	book store	May 3, 2011 2:00 PM
38	Sports Bars to enjoy games, large chain restaurants	May 3, 2011 1:38 PM
39	Play it again Sports, bike and canoe sales, repairs, rentals and shuttles, much more specialty retail	May 3, 2011 12:55 PM
40	I think it would be great if we could have our downtown area similar to that of State Street in Madison. Where it is closed to traffic except delivery. This would open it up and allow for more foot traffic. We should be more concerned with developing our city to the pedestrian and bike... making the city more aesthetically appealing.	May 3, 2011 10:53 AM
41	family clothing	May 2, 2011 6:50 PM
42	Youth services.	May 2, 2011 11:45 AM
43	Specialty Home Supplies/Decor Specialty Retail	May 1, 2011 7:04 PM

Page 5, Q12. What shops or services are needed in downtown Reedsburg?

44	book store	May 1, 2011 4:34 PM
45	Shoe/leather repair	May 1, 2011 3:09 PM
46	restaurants and retail - clothing	May 1, 2011 10:06 AM
47	Steak house	Apr 30, 2011 3:32 PM
48	clothing stores that can compete with the chain stores. Also specialty shops that will entice people that pass through to stop and shop	Apr 30, 2011 1:49 PM
49	Affordable shops – shoe store, dress shop, fabric and craft store.	Apr 30, 2011 1:18 PM
50	restaurants	Apr 30, 2011 11:53 AM
51	Affordable ones.	Apr 30, 2011 10:23 AM
52	Foot locker or similar,	Apr 30, 2011 9:49 AM
53	Clothing and anything besides bars that stay open past 5pm.	Apr 30, 2011 9:31 AM
54	Clothing stores, specialty stores, large stores to bring more people to town that will also shop at the specialty shops. Would be nice if downtown wasn't so overloaded with offices and was directed more towards retail.	Apr 30, 2011 6:45 AM
55	pet shop	Apr 29, 2011 4:23 PM
56	More Professional Offices	Apr 29, 2011 12:06 PM
57	Clothing, restaurants, no more bars!	Apr 29, 2011 11:36 AM
58	Clothing, computer and electronic	Apr 29, 2011 10:17 AM
59	Sewing, craft, fabric shop	Apr 29, 2011 9:03 AM
60	A place to get quality name brand clothing that you can go to baraboo or the dells to get.	Apr 29, 2011 7:23 AM
61	bakery	Apr 29, 2011 12:51 AM
62	Downtown is cluttered with Trees that block the view of the Businesses, unless your Lorraine Traeder she can cut hers down. 2 Traffic Lights and 2 oneway streets are no longer needed.	Apr 28, 2011 11:33 PM
63	Big mens store, Indoor archery shooting, Aldis	Apr 28, 2011 10:12 PM
64	More brand-name recognized retail. Not a lot, just one or two decent draws.	Apr 28, 2011 10:50 AM
65	Later open hours and be open on Sunday's	Apr 21, 2011 1:38 PM

Page 5, Q13. What shops or services are needed as highway commercial (E. Main/W. Main/S. Albert/ Viking Dr)?

1	restaurants	Oct 13, 2011 3:10 PM
2	Menards	Oct 12, 2011 1:21 PM
3	TARGET	Oct 11, 2011 1:42 PM
4	Target - Shopko or similar. Would allow us to shop local instead of going to Baraboo, Dells, etc.	Oct 10, 2011 12:42 PM
5	I do not think we can get a Wal-mart, but a Target would be great. I think an Aldis would do well.	Oct 4, 2011 9:18 PM
6	I don't understand this question.	Oct 4, 2011 7:27 AM
7	GOOD AMERICAN FAMILY RESTAURANT. BETTER SELECTION FOR WOMEN'S CLOTHING -MUST DRIVE TO BARABOO OR DELLS FOR CURRENT FASHIONS.	Sep 22, 2011 10:37 PM
8	Walmart	Jun 1, 2011 5:16 PM
9	trees	May 28, 2011 8:09 AM
10	Dining	May 25, 2011 7:32 AM
11	S. Albert: Restaurant, fast food,	May 24, 2011 2:23 PM
12	Target, restaurant in vacant Irish pub building	May 24, 2011 12:53 PM
13	I would like to see a restaurant put up somewhere on the west or south side of town.	May 24, 2011 12:41 PM
14	big box	May 24, 2011 12:32 PM
15	That is where I would put a Target - across from the H.S.	May 19, 2011 7:05 AM
16	Target or something of quality and comparability	May 17, 2011 3:42 PM
17	Something Baraboo or the Dells doesn't have!	May 17, 2011 9:39 AM
18	stoplight and more police patrol S.albert	May 16, 2011 5:09 PM
19	Target, Bed Bath and Beyond, large sporting goods store, sitdown restaurants	May 16, 2011 9:46 AM
20	Department Store options	May 16, 2011 8:39 AM
21	Dog Kennel	May 15, 2011 3:52 PM
22	other than services to the high school students along Abert St, who "needs" development when people have no moderate to high income jobs to support said retail or services? Need more, higher paying jobs.	May 15, 2011 5:05 AM
23	Target, Variety in Dining (Non-Fast Food)	May 15, 2011 12:35 AM
24	target, aldis	May 14, 2011 7:15 PM

Page 5, Q13: What shops or services are needed as highway commercial (E. Main/W. Main/S. Albert/ Viking Dr)?

25	Gas station on way out of town on Hwy H, past the Nison Park	May 14, 2011 6:53 PM
26	stores with products for everyday so people aren't driving to baraboo, lake delton, madison, lacrosse	May 14, 2011 7:15 AM
27	I don't think any are needed for this area specifically, I would actually like to see more trees etc here.	May 13, 2011 6:41 AM
28	target	May 4, 2011 8:23 AM
29	Lowes, Target, Shopko, Fashion Bug, Erin's Snug type upscale family restaurant	May 4, 2011 8:20 AM
30	Which ever shops and serviced that can be successful. The government should not favor one establishment over another.	May 4, 2011 8:20 AM
31	Target, Wal-Mart, Costco, IHOP, Chilis, Applebees, Olive Garden	May 4, 2011 8:02 AM
32	let market decide	May 3, 2011 2:00 PM
33	S. Albert would do well with a mini-mall or restaurant of some kind: family or fast food	May 3, 2011 12:55 PM
34	I feel it would be nice to have a place for recreation, such as a laser tag building. Either way, whatever is developed it should have to follow strict aesthetic requirements. No ugly sprawl box-like buildings. I also feel that there should be more sidewalk developed connecting the main "downtown" area with the rest of the businesses on Main Street like Pamida, Sears, Viking, Kwik Trip, etc. There should then be street trees added next to the newly created sidewalk in front of the Pamida shopping area. I think Reedsburg should be focused on aesthetically pleasing design and create a beautiful city that would attract more people and businesses. Working to develop bike friendly paths and roads such as in Oregon, Minneapolis, and Madison would help to make Reedsburg more of a bike-hub. We need to be innovative, creative, sustainable, and "green" to maintain competitiveness and attract people and businesses from other areas.	May 3, 2011 10:53 AM
35	s. Albert -restaurants , retail stores	May 2, 2011 6:50 PM
36	More of all businesses on the West Side to help have a balanced downtown.	May 1, 2011 7:04 PM
37	lumber retailer	May 1, 2011 4:34 PM
38	none	May 1, 2011 10:06 AM
39	target	Apr 30, 2011 3:32 PM
40	A super Target store, Lowes, a good family restaurant, perhaps an Aldi's. Reedsburg needs to compete with the surrounding towns to keep the business here.	Apr 30, 2011 1:18 PM
41	big box retail or national chain restaurants	Apr 30, 2011 11:53 AM
42	Affordable ones.	Apr 30, 2011 10:23 AM
43	Target	Apr 30, 2011 9:49 AM

Page 5, Q13. What shops or services are needed as highway commercial (E. Main/W. Main/S. Albert/ Viking Dr)?

44	Big Box, Retail	Apr 30, 2011 9:31 AM
45	Clothing store, bike repair shop, motorcycle sales, roller skate rink,	Apr 29, 2011 4:23 PM
46	Mid-scale Restaurant, Specialty Retail Outlets	Apr 29, 2011 12:06 PM
47	Big Box Retail - Something to draw people to Reedsburg	Apr 29, 2011 11:36 AM
48	Business quality eating establishment	Apr 29, 2011 10:17 AM
49	A Target and Lowes store because that will bring Baraboo and Dells residents to Reedsburg instead of having our community members leave town to shop.	Apr 29, 2011 9:03 AM
50	A good resturant. Why should we have to go to baraboo or the dells to eat good food? If I go there I will shop there	Apr 29, 2011 7:23 AM
51	Need a retail shopping large center as much money spent on theater could have more than likely bought in a shopping center BIG MISTAKE	Apr 29, 2011 5:40 AM
52	pet store	Apr 29, 2011 12:51 AM
53	More Retail Shopping.	Apr 28, 2011 11:33 PM
54	Target, Aldi's, Dairy Queen, Jimmy John's, Pawn shop	Apr 28, 2011 10:12 PM
55	Target / shopko ?	Apr 28, 2011 7:35 PM
56	No opinion.	Apr 28, 2011 10:50 AM
57	A big box retailer-Walmart Supercenter a Target Greatland	Apr 21, 2011 1:38 PM
58	Need restaurants on hwy 23 near high school	Apr 14, 2011 10:55 AM

Page 7, Q19. If you favor growth, what types of growth would you like to see? (check all that apply)

1	adaptive reuse of downtown buildings, increase density -offices above storefronts will lead to demand for more restaurants and other services	May 28, 2011 8:12 AM
2	any and all of the above	May 25, 2011 9:38 AM
3	Maybe some of the empty commercial and office buildings should be filled before more strip malls are built	May 24, 2011 2:24 PM
4	above, unchecked items will follow the items checked	May 15, 2011 5:06 AM
5	ATV on 400 trial in winter: at least would bring lots of people tp town	May 14, 2011 6:54 PM
6	How about the growth of Freedom and Liberty. How about the growth in the repeal of laws and codes from the municipality.	May 4, 2011 8:22 AM
7	Don't want industry to be given "freebies" unless they bring substantial, good-paying jobs, help pay for schools, and respect the environment, etc.	May 4, 2011 7:15 AM
8	Please connect all of the beautiful parks together with a trail..	May 4, 2011 5:22 AM
9	trendy and traditional art and cultural opportunities	May 3, 2011 12:58 PM
10	GOOD LOOKING GROWTH (Appearance Guide)	May 1, 2011 7:07 PM
11	ALL	Apr 28, 2011 10:13 PM

Page 8, Q27. Please list any additional comments:

1	would be nice to see traffic laws obeyed! getting too unsafe, speeding, running traffic lights, not obeying stop signs...needs to be better regulated. Need restaurant chains: e.g. Olive Garden, Chili's, etc.	Oct 13, 2011 3:16 PM
2	Am tired of driving to Baraboo or Dell to find what I need wake up and get some of those places here before we are only a senior capital of WI. with no place to shop.	Oct 9, 2011 11:04 AM
3	I LOVE REEDSBURG! It's a GREAT COMMUNITY! The people, themselves, gather to help, support, encourage one another as a true "community" should. I believe our governing bodies & protective (including healthcare) services have the community's best interest in mind and heart. I moved from Wisconsin Dells to Reedsburg nearly 15 years ago because of the public education & community itself. Yes, improvements can be made - but "improvements" can always be made within everyone and everywhere. I'm proud to raise my family here and to be able to call myself a "Reedsburgian"!	Oct 4, 2011 7:37 AM
4	ADDITIONAL SUGGESTIONS: DOG PARK. IMPROVED SKATE PARK. BETTER NATURE WALKING/RUNNING PATHS THROUGHOUT CITY (SIMILAR TO OVER PAST RAMC ASSISTED LIVING HOMES).	Sep 22, 2011 10:40 PM
5	there is huge potential for economic growth building on existing infrastructure and moving away from sprawl. Electric cars should be a central part of plan for a sustainable future and one in which we are already ahead the curve	May 28, 2011 8:18 AM
6	Many of the questions in this survey were not really open-ended, rather they were designed with "leading" language to steer people to suggested answers. I was very disappointed the breadth and scope of this survey. Very disappointed.	May 25, 2011 9:40 AM
7	I was unsure how to answer the land use question 21 as I'm not too familiar with them. I do feel, though, that nuisance ordinances either are not strict enough or not enforced, ie motorcycles and vehicles with loud mufflers and noxious emissions, barking dogs, feral cats, unmowed lawns and unsightly buildings along Main Street and the 400 trail detract from Reedsburg. And light pollution is an issue that should be addressed	May 24, 2011 2:25 PM
8	I think we need a Target store. It would bring people from surrounding communities to our city to shop and that will benefit all retail and restaurants on our city!!	May 17, 2011 9:43 AM
9	While I feel we need to grow, we need to take into account the 'cost' of that growth. When we make a budget, we need to stick to it and not allow desires to overrule our better judgement. Continue the things that have been enjoyable for residents over the many years (Christmas lights), while thinking to the futures of our youth and older residents. Providing the services and activities they both need to positively enrich their lives - and the lives of those who love them.	May 16, 2011 11:13 PM
10	Land use regulations need to be enforced if there is a concern regarding the appearance of the city.	May 16, 2011 9:24 PM
11	Reedsburgs charm is that it offers small town living with all the necessary amenities	May 16, 2011 2:19 PM

Page 8, Q27. Please list any additional comments:

12	All the "services" and retail that the bog daddy rabbits of the City wring their hands about are red herrings: To develop, this city needs higher paying jobs so people have money to spend. Then, your wished-for development would follow.	May 15, 2011 5:09 AM
13	We need a "middle" scale department store. I don't know if it would be possible given the current economy and the competition of Walmart & other box stores. Maybe the time for such a business is gone.	May 14, 2011 9:45 AM
14	We have many relatives in this area that we spent weekends and vacations visiting over the past 35 years and always wished we could live here and now our family does live here. We always loved Reedsburg.	May 14, 2011 7:20 AM
15	part-time worker	May 5, 2011 3:42 PM
16	we moved to this town because i wanted to live someplace that we could raise our kids but since we moved hear i have been disapointed things need to change in this town and the people who live hear are the ones who are responceable for doing it people need to take pride in our town	May 4, 2011 10:00 AM
17	I work retail in Reedsburg...it would be nice to see more promotion of Reedsburg than "Shop Downtown Baraboo" across the street.	May 4, 2011 7:18 AM
18	Reedsburg needs to remain a small town at least theologically. It had been trying to be Madison's protege when the people don't want to be. I.e. the school district	May 4, 2011 5:47 AM
19	Use existing downtown buildings. Don't build new. Promote revitalization of existing housing stock. Don't encourage new construction.	May 3, 2011 2:03 PM
20	Don't need a Community Garden in the city it will just get vandalized!	May 3, 2011 1:41 PM
21	Reedsburg is best community in State of WI! We have so much to be proud of, and are just beginning to realize the great possibilities that can be the future of Reedsburg for the next 20 years!	May 3, 2011 1:02 PM
22	I also agree with Reedsburg pursuing more of a community feel. It is important that we develop Reedsburg as a place that promotes a healthy lifestyle. I agree that we should try to follow more national register regulations and it would be great if the old library could be remodeled to fit National Register requirements. I know this would require a lot of money, but it could be done with the help of grants. It would also be wonderful if Reedsburg made it a point to consciously be at the forefront of preservation, sustainable practices, alternative forms of transportation like bikes (and alternative transportation routes), and basically made it a conscious effort to create the best possible projects in Sauk County and Wisconsin. It is a great area, but we need to make sure we are doing our best to make it better	May 3, 2011 11:00 AM
23	City employees should drive their own vehicles to work. City vehicles should not go home with employees.	May 3, 2011 5:20 AM
24	Need some good restaurants, appliance furniture stores, and some good clothing stores. Also more strict on junk cars in neighborhoods sitting in driveways ant being used.	May 2, 2011 8:59 PM

Page 8, Q27. Please list any additional comments:

25	question the need for a city administrator,lot of money for nothing.	May 2, 2011 6:55 PM
26	Thanks for posting this survey online!	May 2, 2011 5:08 PM
27	We need more QUALITY development, appearance guides - especially on our main routes, we need amenities that are attractive to higher income people to attract more of them to our town.	May 1, 2011 7:10 PM
28	I like Reedsburg!	May 1, 2011 4:38 PM
29	Reedsburg puts far too much money into NEW business, new construction via block grants etc than it does to existing business & property owners that are struggling. Taxes are very high in Reedsburg and we continue to subsidize new business and forget about those that are already IN business locally and need help. Perfect example....we have a large apartment building going in downtown for elderly, the investor won't have nearly the amount of money into that as many current multi-family property owners have invested...how about helping them? I understand that it will increase the tax base, but we're losing tax base in other areas via foreclosure, lower property values and business that cannot sustain their level of income and continue to grow. We have a local bank that is doing a very good job of putting people out of business in Reedsburg, how about helping those business owners? Reedsburg continues to only focus on new....and forgets the old. We continue to expand the city, but can't afford to take care of that expansion....i.e. new streets that need to be plowed, repaired etc. new parks/playgrounds, upgrades to water & sewer systems. Builders in our area are all hurting, but we continue to increase building fees... How many playgrounds/parks does this city need to have? Every subdivision has one...why? They need to be maintained it costs money to do that. I think it's time we take care of what we already have before putting more & more money into the new. Once the economy stabilizes, and property values increase, then possibly growth and new amenities could be added.	Apr 30, 2011 7:00 AM

Comprehensive Plan Survey – 2011

Housing

1. Reedsburg needs more housing for low to moderate incomes:

Agree	Disagree	No Opinion
1	5	3
2. Reedsburg needs more housing for the elderly:

Agree	Disagree	No Opinion
2	6	1
3. Regulations (setbacks, height, separation of uses, size, etc) for housing in Reedsburg are:

Too Strict	Too Lenient	Just Right	No Opinion
2	3	1	3

Utilities and Community Facilities

4. How do you rate the following Reedsburg facilities?

	VERY GOOD	ADEQUATE	POOR
WATER SERVICE	3	4	1
SANITARY SEWERS	3	1	4
ELECTRICAL SERVICE	3	2	3
TELECOM SERVICE	4	4	0
FIRE PROTECTION	5	3	0
POLICE PROTECTION	4	3	1
SIDEWALKS	1	5	4
STREET LIGHTS	1	4	3
OFF-STREET PARKING	2	3	3
DRAINAGE	0	5	3
CITY APPEARANCE (WHEN ENTERING CITY)	2	3	3
CITY APPEARANCE (OVERALL)	1	3	4
OTHER CLEAN			1

Transportation

5. Commercial Truck traffic is a problem in Reedsburg:

Agree	Disagree	No Opinion
6	3	0
6. Downtown parking is a problem:

Agree	Disagree	No Opinion
4	3	2
7. Access and visual aesthetics along E. Main St/Hwy23-33 is a problem:

Agree	Disagree	No Opinion
6	2	1
8. Reedsburg should emphasize developing alternative transportation methods (bicycling, walking, etc):

Agree	Disagree	No Opinion
7	2	0

Land Use

17. Reedsburg is growing:

Too Quickly	Too Slowly	Just Right
3	1	5

18. What should Reedsburg's growth policy be?

No Growth	Controlled Growth	Unrestricted Growth
0	8	1

19. If you favor growth, what types of growth would you like to see? (circle all that apply)

One/Two-Family Residential	Multi-family Residential	Commercial (3)
Offices (1)	Light Industrial (3)	Heavy Industrial
Health Care (4)	Recreational (5)	Other Forest preserve
		Tourism (6)

20. Reedsburg should emphasize historical preservation and pursue historical registrations:

Agree	Disagree	No Opinion
5	2	2

21. Land Use regulations (e.g. land uses, nuisances, signs, fences, etc) in Reedsburg are:

Too Strict	Too Lenient	Just Right	No Opinion
1	3	2	3

Background

22. How long have you lived in Reedsburg?

Less than 1 year	1-5 years (4)	6-10 years	11-15 years
16-20 years (3)	21-25 years	26-30 years (1)	31 years + (1)

23. What is your age?

0-18 (2)	19-24	25-30	31-35	36-40	41-45
46-50	51-55 (2)	56-60	61-65 (2)	65-70 (1)	70+ (3)

24. Highest level of education completed:

0-8 grade (1)	9-11 grade (1)	High School/GED (1)	Some College Associate
Degree (4)	Bachelor Degree (2)	Graduate Degree	

25. The number of individuals in your household:

1 (3) 2 (1) 3 (1) 4 (2) 5 6 7 (2) 8+

26. Your primary occupation:

Student (2)	Sales/Clerical	Stay at home	Construction/Utilities
Management	Self-employed	Finance/Insurance	Government
Industrial	Professional (1)	Non-profit	Transportation
Health Care	Food Service	Education	Real Estate/Leasing
Entertainment/Recreation	Agriculture/Forestry	Retired (5)	Unemployed (1)

27. Please list any additional comments:

I think that Reedsburg needs more things for families to do like roller rinks or _____. Maybe better transportation like bikes.

City should announce survey more effectively.

Need senior center separate from rec center

Need for museum/resource center close to library

Need for repair and sales shop close to Depot

People who don't mow their grass, have too many cars, etc, junk around their property

Better signage for visitors to the City

Appendix C-A

Public Participation Plan

PUBLIC PARTICIPATION PLAN Reedsburg Comprehensive Plan Update - 2011

Wisconsin Statutes, Section 66.1001(4)(a)

"The governing body of a local governmental unit shall adopt written procedures that are designated to foster public participation, including open discussion, communication programs, information services, and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan. The written procedures shall provide for a wide distribution of proposed, alternative, or amended elements of a comprehensive plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments. The written procedures shall describe the methods the governing body of a local governmental unit will use to distribute proposed, alternative, or amended elements of a comprehensive plan to owners of property, or to persons who have a leasehold interest in property pursuant to which the persons may extract non-metallic mineral resources in or on property, in which the allowable use or intensity of use of the property is changed by the comprehensive plan." (2007-2008).

Purpose

The City of Reedsburg Plan Commission will guide the process of updating the 2003 Comprehensive Plan. Principal staff support will be provided by the City Planner.

In order for the comprehensive plan update to operate effectively and to address the needs of the citizens of Reedsburg and its extraterritorial area, the entire population must be kept informed. The decision-making process must be open and consistent with State regulations. To accomplish this, the following plan will be followed:

Public Participation

- **Public Awareness** will be built through the use of direct mail, news releases, and local media in order to explain the planning process and opportunities to participate.
- **Public Education**, such as through public meetings, will provide citizens with information on planning issues and alternatives.
- **Public input** through surveys, focus groups, public meetings, and internet use will be important for assessing needs.
- **Decision-making** is placed in the hands of the Plan Commission, with the responsibility to implement what was gathered through the public participation process.

Notice of Hearings

Official notice of hearings will be by public notice in the official newspaper two weeks prior to the meeting. In addition, the public notices will be posted at Reedsburg City Hall and the Reedsburg Library. These notices will include time, place, and date of the meeting, as well as a brief agenda in compliance with Open Meeting Laws.

Public Hearings and Informational Meetings

Most meetings of the Plan Commission during this process will involve issues related to amending the Comprehensive Plan. Special meetings may also be held as necessary. The Plan Commission normally meets the 1st Tuesday of every month at City Hall, 134 S. Locust St at 7pm. Agendas are mailed to local media and others who have requested copies. Agendas are also posted on the bulletin board at City Hall.

A public informational meeting will be held at the beginning of the process to provide an overview of the planning process.

A 2nd informational meeting will be held by the Plan Commission prior to the meeting in which the Commission adopts a resolution recommending that the Common Council adopt the completed Plan update.

A formal public hearing on the proposed Comprehensive Plan update will be held by the Common Council prior to the regularly scheduled meeting.

A public notice containing a summary of the proposed Plan update will be published in the City's official newspaper at least 30 days prior to the Common Council public hearing.

The entire Plan update will be available for public review at City Hall at least 30 days prior to the Common Council public hearing.

Citizen Access and Input

- The Plan Commission will accept at any time during the update process written and verbal comments from the public.
- Project drafts and illustrative materials will be available at City Hall, Monday-Friday, 7:30am – 4pm.
- Project information will be made available on the City's website (www.reedsburg.wi.gov) and on *Facebook* (Reedsburg Planning & Bldg Inspection). These web pages may be used to solicit citizen opinion.
- The Plan Commission and staff may contact community organizations to solicit their input.
- Where feasible, GIS and other interactive technologies will be employed at meetings and hearings to help facilitate land use, transportation, and other planning related discussions.
- The City will make all efforts to accommodate non-English speaking persons and those with special needs to participate in the planning process.

Usefulness of Methods

Method	Public Awareness	Public Education	Public Input	Decision-Making
Direct Mail	High	Moderate		
News Release/Media	High	Moderate		
Public Meetings	Moderate	High	Possible	
Websites	Moderate	High	Possible	
Public Hearings		Moderate	High	
Visual Preference Survey		Moderate	High	
Opinion Surveys			High	
Focus Groups			High	
Visioning			High	High

Characteristics of Methods

Method	Citizen Time Commitment	Number of Citizens Engaged	Resource Commitment by Local Government
Direct Mail	Low	High	Moderate
News Release/Media	Low	High	Low
Public Meetings	Moderate	Moderate	Low
Websites	Moderate	Moderate	Moderate - High
Public Hearings	Moderate	Low - Moderate	Low
Visual Preference Survey	Moderate	Low	Moderate - High
Opinion Surveys	Moderate	Moderate	Moderate
Focus Groups	Moderate	Low	Low
Visioning	Moderate	Moderate	Moderate

References

- Erickson, J. (June 25, 2008). *Sauk County Comprehensive Plan: Public Participation and Education Plan*. Baraboo, WI. University of Wisconsin Extension Sauk County.
- Grabow, S., Hilliker, M., Moskal, J. (2006). *Comprehensive Planning and Citizen Participation*. Madison, WI. University of Wisconsin Extension.
- Miskowiak, D. (November 2004). *Crafting an Effective Plan for Public Participation*. Center for Land Use Education. Retrieved from <http://www.uwsp.edu/cnr/landcenter/pubs-bulletins.html>

Worksheet 1: Establish Planning Tasks

This worksheet is designed to help complete the *Purpose Cornerstone* of the Public Participation Plan.

- Instructions:
- 1) Define the stages of the local planning process.
 - 2) List planning tasks to complete at each stage.
 - 3) Determine participation objectives for each task.
 - 4) Gauge a timeline for completing tasks.

Define Planning Stages	List Planning Tasks	Determine Participation Objectives				Gauge a Timeline*
		Awareness	Education	Input	Decision-making	
Data Collection & Analysis	Identify data and information needs			x		1
	Gather technical, spatial, and citizen-based data	x				1, 2
	Verify data for accuracy	x	x	x		2
	Analyze data for patterns and trends	x	x			2
	Provide information to decision-makers					2
Issue Identification	Identify key community issues, challenges, opportunities, and desires	x		x		1, 2
	Verify and support issues using local data and analyses	x	x			1, 2
	Prioritize issues				x	2
Goal & Objective Formulation	Develop goals and measurable objectives	x	x	x	x	1, 2
Strategy Formulation	Develop planning alternatives to meet goals and objectives	x	x	x	x	2, 3
	Identify possible strategies to implement planning alternatives	x		x		2, 3
	Evaluate impacts of alternatives				x	3
	Select preferred alternatives and strategies	x			x	3
Plan Review & Approval	Present Plan update for community residents and officials to review	x	x	x		4
	Make changes to resolve plan update inconsistencies and reflect public concerns			x	x	4
	Plan Commission recommends final draft for adoption	x			x	4
	Common Council holds public hearing and formally adopts the Plan update	x		x	x	4

* 1 = Summer 2011, 2 = Fall 2011, 3 = Winter 2012, 4 = Spring 2012



Worksheet 2: Stakeholder Analysis

This worksheet is designed to help complete the *People Cornerstones* of the Public Participation Plan by identifying potential stakeholders to target for participation.

- Instructions:
- 1) Identify the broad topic or specific issue to address.
 - 2) Identify types of people or organizations that are potentially interested or affected by the issue.
 - 3) Note how each stakeholder type is potentially tied to the issue.
 - 4) As appropriate, identify a contact person to reflect stakeholder group or act as a liaison.

Identify the broad topic or specific issue to address	
---	--

Identify potential stakeholders types below	Directly Affected (Y/N)	Geo-graphically close to the issue?	Position potentially enhanced or worsened?	Potential supporter or naysayer?	Identify potential contact person(s) below	Place contact information below
---	-------------------------	-------------------------------------	--	----------------------------------	--	---------------------------------

Chamber						524-2850
School District						524-2016
Downtown Bus. Dist.						
Land Developers						
State / County						
Rotary						
Kiwanis						



Worksheet 5: Choosing Participation Methods

This worksheet is designed to help complete the *Methods Cornerstones* of the Public Participation Plan by helping to identify appropriate methods to achieve tasks and engage the public.

- Prerequisites:**
- 1) Define the planning task and participation objectives.
 - 2) Identify the people involved to implement and engage in the participation activity.

- Instructions:**
- 1) List participation methods relevant to achieving the planning task.
 - 2) Rate each method by filling in the worksheet blanks.

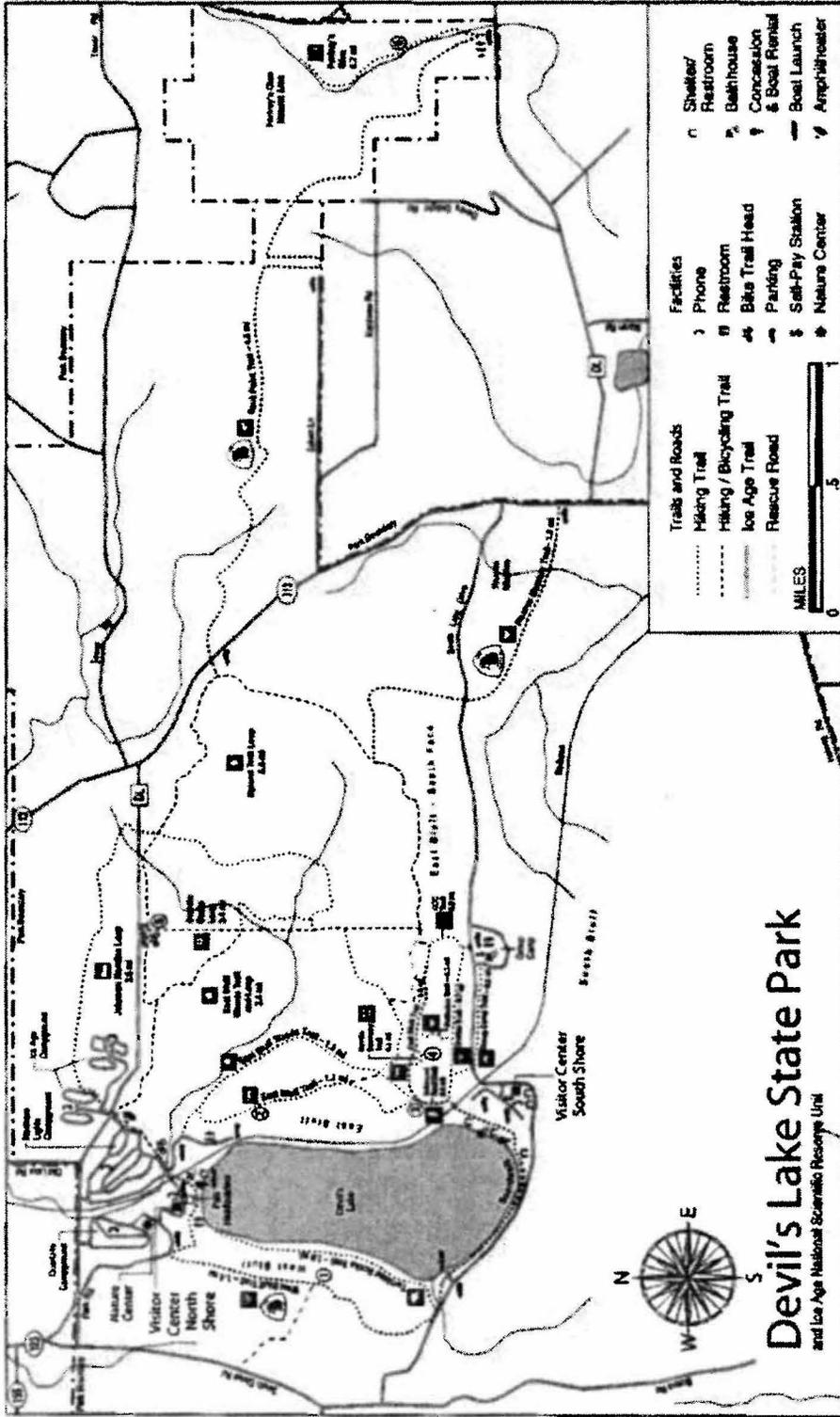
List all participation tools relevant to achieve the identified planning task	Participation Objective	EFFECTIVENESS	EFFICIENCY		EQUITY		TOTAL
		Tool achieves task	Time/cost commitment	Staff capacity to implement tool	Public perception of involvement	Engages public equally	25 Max Points
	Awareness	5 = High	High = 5	Has capacity = 5	Positive = 5	Yes = 5	
	Education	1 = Low	Low = 1	Can build = 2	Negative = 0	No = 0	
	Input			Cannot build = 0			
	Decision-making						
<i>Example: Opinion Survey</i>	<i>Input</i>	<i>Garners public opinion = 5</i>	<i>High = 4</i>	<i>Outside assistance required = 2</i>	<i>Positive = 5</i>	<i>Population sample = 5</i>	18 Points
Visioning	Input	5	3	4	5	5	22
Focus Groups	Input	4	5	4	4	3	20
Public Notice	Awareness Education	5	1	5	3	5	19
Website/Newsletter	Awareness Education	4	1	5	4	5	19
Media	Awareness Education	4	1	5	4	5	19

Trail Guide

Stop by the Visitor Center for more details about trails and hiking.

Trail Name	Distance
1 Balanced Rock Trail	0.4 mi
2 CCC Trail	0.3 mi
3 Devil's Journey Trail	0.1 mi
4 East Shore Loop Trail	1.7 mi
5 East Shore Loop Trail Loop	3.4 mi
6 East Shore Loop Trail	1.5 mi
7 Devils Tail	0.7 mi
8 Devils Canyon Trail	0.5 mi
9 Paradise Trail	0.5 mi
10 West Shore	
11 Tumbled Rocks Trail	1.0 mi
12 West Shore Trail	1.4 mi
13 Wildlife Habitat	
14 Johnson-McIntire Loop Trail	2.8 mi
15 Devils Basin Loop Trail	2.4 mi
16 Upper Loop Trail	3.8 mi
17 Parfrey's Glen	
18 Parfrey's Glen Trail	0.7 mi
19 Ice Age National Scientific Trail	
20 Ice Age Trail Estate Loop	13.7 mi
21 Sand Point Trail	4.8 mi
22 Parfrey's Member Trail	1.8 mi

Devil's Lake State Park is one of the state parks of the Ice Age National Scientific Preserve in Wisconsin. The Ice Age Trail circumnavigates outstanding glacial features and fossilizing scenic views.



Devil's Lake State Park
and Ice Age National Scientific Preserve Unit

- Trails and Roads**
- Hiking Trail
 - Hiking / Bicycling Trail
 - Ice Age Trail
 - Rescue Road
- Facilities**
- Phone
 - Restroom
 - Bike Trail Head
 - Parking
 - Self-Play Station
 - Nature Center
- Shelter/Restroom/Bathhouse/Concession & Boat Rental/Boat Launch/Amphitheater**



Please only use marked trails and respect the signs of public boundaries within the park boundaries.



Some links useful for more education about Frac Sand Mining in Wisconsin

Good background info on health issues with frac sand mining:

<http://www.wisconsinwatch.org/wi-frac-sand/>

<http://wisconsingeologicalsurvey.org/pdfs/frac-sand-factsheet.pdf>

(good map from 2014 of sites)

<http://www.buffalocountypublichealth.com/silica-frac-sand/resource-list/>

<http://wisair.wordpress.com/> (website of Concerned Chippewa Citizens)

https://www.osha.gov/dts/hazardalerts/hydraulic_frac_hazard_alert.pdf

Environmental impacts:

<http://www.wisconsinwatch.org/viz/document-potential-environmental-impacts-of-frac-sand-mining/>

<http://www.wisconsinwatch.org/2014/02/05/with-frac-sand-boom-in-full-swing-study-to-guide-mine-reclamation/>

Good general information for the public on air pollution (with cited references):

<http://www.psr.org/chapters/wisconsin/assets/pdfs/frac-sand-mining-health.pdf>

<http://www.stateoftheair.org/2013/health-risks/health-risks-particle.html>

<http://www.stateoftheair.org/2013/health-risks/health-risks-children.html>

<http://www.stateoftheair.org/2013/health-risks/health-risks-disparities.html>

<https://www.osha.gov/silica/> current OSHA rulemaking on crystalline silica dust

More scholarly articles:

<http://www.environmental-expert.com/Files/6477/articles/6906/1152006criticalreview.pdf>

<http://www.minnesotamedicine.com/Portals/mnmed/May%202013/Commentary-Fevereisn.pdf>

<http://www.tandfonline.com/doi/pdf/10.1080/02786820500191348>

Other health issues with 9000 frac sand trucks a day on the road in WI:

<http://www.dot.wisconsin.gov/safety/motorist/crashfacts/docs/teenfacts.pdf>

Who regulates nonmetallic mining in Wisconsin?

County and local zoning bodies are responsible for all mine siting requirements and regulation. County and local governments are also responsible for regulating mine operations other than reclamation activities. The DNR Storm Water Management Program may require mine operations to have Wisconsin Pollution Discharge Elimination System (WPDES) permits. Some mining operations will need to obtain air permits from the DNR Air Management Program as well.

<http://dnr.wi.gov/topic/mines/nonmetallic.html>

UW Extension Local Government Center Resources Page (learn about how county zoning may work in your community):

<http://lgc.uwex.edu/publications/publs.html>

Crystalline Silica Rulemaking: <https://www.osha.gov/silica/>

Wisconsin Frac Sand Mines and Silica Dust

A by-product of frac-sand mining, silica dust is a known human carcinogen based on sufficient evidence of carcinogenicity from studies on humans, per a 2011 National Institutes of Health report.¹

Silica dust blows off of mine sites and off of trucks transporting frac-sand, creating an emission known as “fugitive dust.” Although efforts can be taken to reduce the amount of fugitive silica dust that enters the air, such fugitive dust is still likely to enter the lungs of those who live near or downwind of frac-sand mines.

In Auburn, Wisconsin, citizens have found layers of silica dust on their belongings. They have also been particularly concerned about the health of children who attend a school located only a quarter of a mile away from a frac-sand loading station.² Studies show that humans who are exposed to silica dust can be at risk for negative health impacts even if the dust is not visible to the eye. If the dust is visible, the health risks are almost definite.³

Health Risks of Silica Dust

- Silica dust causes silicosis, a serious and incurable lung condition that causes scarring in the lungs, difficulty breathing, and in some cases, death.⁴
- Silicosis causes severe cough and weakness. It hinders the body’s ability to fight infections, leaving the patient vulnerable to other illnesses that can cause chest pains and respiratory failure.⁵
- The Occupational Safety and Health Administration lists susceptibilities to bronchitis, chronic obstructive pulmonary disorder, lung cancer, and tuberculosis as potential effects and risk factors of silicosis.⁶
- The symptoms of silicosis may not manifest themselves for fifteen to twenty years after silica dust exposure. The negative public health effects of frac sand mining in Wisconsin will not be fully understood for decades.⁷

Silicosis in Wisconsin

According to the National Institute for Occupational Safety and Health, 75 people have died of silicosis in Wisconsin between 1996 and 2005. Most of these victims were mining and manufacturing workers, but this demographic could change as more citizens are exposed to higher levels of silica dust outside the workplace.⁸ The federal office of Occupational Safety and Health Administration (OSHA) has set limits to work site dust exposure since 1971 and OSHA is currently updating their permissible exposure limits (PELs) to allow less silica dust exposure at US work sites.⁹

Wisconsin citizens petitioned the Wisconsin Department of Natural Resources in 2011 to adopt and enforce an air quality standard of 3 micrograms of silica per cubic meter of air, the standard adopted by California. The DNR denied the petition, even though the DNR itself had conducted a study that documented the health risks of silica dust and concluded that it meets the definition of a carcinogenic hazardous air pollutant.⁸

One of the only ways to prevent silicosis is to avoid sources of silica dust. This will be nearly impossible for families whose homes and communities are increasingly surrounded by frac-sand mines and mine transportation routes that emit silica dust.

References/Resources

¹ <http://ntp.niehs.nih.gov/ntp/roc/twelfth/profiles/Silica.pdf>

¹¹ http://www.earthisland.org/journal/index.php/elist/eListRead/in_frac_sand_land_residents_have_little_protection_against_silica_dust_expo/

¹² <http://www.lung.org/lung-disease/silicosis/preventing-silicosis.html>

¹³ <http://www.lung.org/lung-disease/silicosis/> and http://www.winonadailynews.com/special-section/fracsand/article_59128734-d543-11e1-a999-0019bb2963f4.html

¹⁴ <http://www.lung.org/lung-disease/silicosis/symptoms-diagnosis.html>

¹⁵ <https://www.osha.gov/Publications/silicosis.htm>

¹⁶ <http://www.lung.org/lung-disease/silicosis/symptoms-diagnosis.html>

¹⁷ http://www.winonadailynews.com/special-section/fracsand/article_59128734-d543-11e1-a999-0019bb2963f4.html

¹⁸ <https://www.osha.gov/silica/nprm.pdf>

¹⁹ <http://fracsandfrisbee.com/wp-content/uploads/2012/04/Final-Silica-Petition-Response-01-30-12.pdf>, and <http://dnr.wi.gov/files/PDF/pubs/am/AM407.pdf>



Physicians for Social Responsibility Wisconsin
2712 Marshall Court, Suite 2
Madison, WI 53704

608/232-9945 • info@psrwisconsin.org • www.psr.org/chapters/wisconsin

Silica, Crystalline (Respirable Size)

CAS No.: none assigned

Known to be a human carcinogen

First listed in the *Sixth Annual Report on Carcinogens* (1991)

Also known as crystalline silicon dioxide

Carcinogenicity

Respirable crystalline silica, primarily quartz dusts occurring in industrial and occupational settings, is known to be a human carcinogen based on sufficient evidence of carcinogenicity from studies in humans. Respirable crystalline silica was first listed in the *Sixth Annual Report on Carcinogens* in 1991 as *reasonably anticipated to be a human carcinogen* based on sufficient evidence of carcinogenicity from studies in experimental animals; the listing was revised to *known to be a human carcinogen* in the *Ninth Report on Carcinogens* in 2000.

Cancer Studies in Humans

Exposure of workers to respirable crystalline silica is associated with elevated rates of lung cancer. The link between human lung cancer and exposure to respirable crystalline silica was strongest in studies of quarry and granite workers and workers involved in ceramic, pottery, refractory brick, and diatomaceous earth industries. Human cancer risks are associated with exposure to respirable quartz and cristobalite but not to amorphous silica. The overall relative risk is approximately 1.3 to 1.5, with higher risks found in groups with greater exposure or longer time since first exposure. Silicosis, a marker for exposure to silica dust, is associated with elevated lung cancer rates, with relative risks of 2.0 to 4.0. Elevated risks have been seen in studies that accounted for smoking or asbestos exposure, and confounding by co-exposure is unlikely to explain these results (IARC 1997).

Cancer Studies in Experimental Animals

In rats, exposure to various forms of respirable crystalline silica by inhalation or intratracheal instillation consistently caused lung cancer (adenocarcinoma or squamous-cell carcinoma). Single intrapleural or intraperitoneal injections of various forms of respirable crystalline silica also caused lymphoma in rats (IARC 1997).

Studies on Mechanisms of Carcinogenesis

Respirable crystalline silica deposited in the lungs causes epithelial injury and macrophage activation, leading to inflammatory responses and proliferation of the epithelial and interstitial cells. In humans, respirable crystalline silica persists in the lungs, culminating in the development of chronic silicosis, emphysema, obstructive airway disease, and lymph-node fibrosis. Respirable crystalline silica stimulates (1) release of cytokines and growth factors from macrophages and epithelial cells, (2) release of reactive oxygen and nitrogen intermediates, and (3) oxidative stress in the lungs. All of these pathways contribute to lung disease. Marked and persistent inflammation, specifically inflammatory-cell-derived oxidants, may provide a mechanism by which respirable crystalline silica exposure can result in genetic damage in the lung parenchyma. In one study, human subjects exposed to respirable crystalline silica showed increases in sister chromatid exchange and chromosomal aberrations in peripheral blood lymphocytes. Most cellular genotoxicity studies with quartz gave negative results; however, *in vitro* exposure to some quartz samples caused micronucleus formation or cell transformation in several cell types, including Syrian hamster embryo cells, Chinese hamster lung cells, and human embryonic lung cells (IARC 1997).

Properties

Silica (SiO_2) is a group IV metal oxide that exists as colorless or white trigonal crystals and has a molecular weight of 60.1. It occurs naturally in crystalline and amorphous forms, and the specific gravity and melting point both depend on the crystalline form. The basic structural units of the silica mineral are silicon tetrahedra (SiO_4). Slight variations in the orientation of the tetrahedra result in the different polymorphs of silica; crystalline silica has seven polymorphs. In crystalline silica, silicon and oxygen atoms are arranged in definite regular patterns throughout (Parmeggiani 1983).

Quartz, cristobalite, and tridymite are the three most common crystalline forms of free silica (USBM 1992). Quartz is by far the most common; it is found abundantly in most rock types, including granites and quartzites, and in sands and soils. Cristobalite and tridymite are found in volcanic rocks. All three forms are interrelated and may change their form under different temperature and pressure conditions. The structure of quartz is more compact than that of tridymite or cristobalite (IARC 1987, 1997). Quartz melts to a glass, and its coefficient of expansion by heat is the lowest of any known substance. Silica is practically insoluble in water at 20°C and in most acids; but its solubility increases with temperature and pH and is affected by the presence of trace metals. The rate of solubility also is affected by particle size, and the external amorphous layer in quartz is more soluble than the crystalline underlying core. Silica dissolves readily in hydrofluoric acid, producing silicon tetrafluoride gas (Merck 1989, IARC 1997).

Use

Because of its unique physical and chemical properties, crystalline silica has many uses. Commercially produced silica products include quartzite, tripoli, ganister, chert, and novaculite. Crystalline silica also occurs in nature as agate, amethyst, chalcedony, cristobalite, flint, quartz, tridymite, and, in its most common form, sand (IARC 1997). Naturally occurring silica materials are classified by end use or industry. Sand and gravel are produced almost exclusively for road building and concrete construction, depending on particle size and shape, surface texture, and porosity (IARC 1987).

Silica sand deposits, commonly quartz or derived from quartz, typically have a silica content of 95%; however, impurities may be present at up to 25%. Silica sand has been used for many different purposes over many years. In some instances, grinding of sand or gravel is required, increasing the levels of dust containing respirable crystalline silica. Sand with low iron content and more than 98% silica is used in the manufacture of glass and ceramics. Silica sand also is used in foundry castings, in abrasives (such as sandpaper and grinding and polishing agents), in sandblasting materials, in hydraulic fracturing to increase rock permeability to increase oil and gas recovery, as a raw material for the production of silicon and ferrosilicon metals, and as a filter for large volumes of water, such as in municipal water and sewage treatment plants (IARC 1997).

Extremely fine grades of silica sand products are known as flours. Silica flour, not always labeled as containing crystalline silica and often mislabeled as amorphous silica, is used industrially as abrasive cleaners and inert fillers. Silica flour may be used in toothpaste, scouring powders, metal polishes, paints, rubber, paper, plastics, wood fillers, cements, road surfacing materials, and foundry applications (NIOSH 1981). Cristobalite is a major component of refractory silica bricks; the high temperatures at which the bricks are fired convert the quartz mainly to cristobalite (IARC 1997).

Production

Silica used in commercial products is obtained mainly from natural sources (IARC 1997). U.S. production of silica sand (industrial sand and gravel combined) was estimated at 28.5 million metric tons (62.7 billion pounds) in 1997 and 27.9 million metric tons (61.4 billion pounds) in 2001 (Dolley 2008). U.S. production of high-purity quartz was 315,000 lb in 1979, decreasing to 174,000 lb in 1981, and rising to 800,000 lb in 1983 (IARC 1987). Natural quartz crystals are no longer mined in the United States. Synthetic quartz crystals (hydropthermally cultured quartz crystals) now are used as the raw material for quartz production. The precursor material for synthetic quartz crystals is lasca (high-purity quartz dust), which was mined in the United States for many years; however, U.S. mining and processing of lasca ended in 1997. Lasca mining production was estimated at 1 million pounds in 1985 and 600,000 lb in 1988. In 2009, three U.S. firms produced cultured quartz crystals from imported and stockpiled lasca. No data on U.S. imports or exports of quartz crystal (industrial) were reported in 2009. Quartz-crystal import and export quantities and values reported in previous years included zirconia that was inadvertently reported as quartz crystal (Dolley 2009).

Exposure

Crystalline silica is an abundant and commonly found natural material. Human exposure to respirable crystalline silica, primarily quartz dust, occurs mainly in industrial and occupational settings. Non-occupational exposure to respirable crystalline silica results from natural processes and anthropogenic sources; silica is a common air contaminant. Residents near quarries and sand and gravel operations potentially are exposed to respirable crystalline silica. A major source of cristobalite and tridymite in the United States is volcanic rock in California and Colorado (NIOSH 1986). Local conditions, especially in deserts and areas around recent volcanic eruptions and mine dumps, can give rise to silica-containing dust (IARC 1987).

Consumers may be exposed to respirable crystalline silica from abrasives, sand paper, detergent, grouts, and concrete (IARC 1997). Crystalline silica may also be an unintentional contaminant; for example, diatomaceous earth, used as a filler in reconstituted tobacco sheets, may be converted to cristobalite as it passes through the burning tip of tobacco products (IARC 1987).

Respirable quartz levels exceeding 0.1 mg/m³ are most frequently found in metal, nonmetal, and coal mines and mills, granite quarrying and processing, crushed-stone and related industries, foundries, the ceramics industry, construction, and sandblasting operations (IARC 1997). The National Occupational Hazard Survey (conducted from 1972 to 1974) estimated that 81,221 workers potentially were exposed to quartz (NIOSH 1976). The National Occupational Exposure Survey (conducted from 1981 to 1983) estimated that 944,731 workers, including 112,888 women, potentially were exposed to quartz and that 31,369 workers, including 2,228 women, potentially were exposed to cristobalite (NIOSH 1990). The National Institute for Occupational Safety and Health (NIOSH 2002) estimated that 522,748 workers in nonmining industries and 722,708 workers in mining industries potentially were exposed to respirable crystalline silica in 1986.

Potential exposure to respirable crystalline silica has been studied in metal and nonmetal mining and milling operations. Workers in sandstone, clay, shale, and miscellaneous nonmetallic mineral mills had the highest exposure to silica dust. Within the mills, the workers with the highest exposure were baggers, general laborers, and personnel involved in the crushing, grinding, and sizing operations. Workers in the granite and stone industry and in construction also are potentially exposed to respirable crystalline silica. Potential exposure was highest for sculptors and carvers, stencil cutters, polishers,

and sandblasters; for these occupations, the silica content of respirable dust ranged from 4.8% to 12.2%. Concentrations of respirable crystalline silica ranged from 0.01 to 0.20 mg/m³ in clay-pipe factories and from 0 to 0.18 mg/m³ in a plant producing ceramic electronic equipment parts. Silica concentrations of at least twice the permissible exposure limit were found in 10% of 348 air samples collected from glass-manufacturing industries and 23% to 26% of samples from clay-products and pottery industries. One third of samples from fibrous-glass plants had concentrations of respirable crystalline silica in excess of 0.10 mg/m³, and 23% of samples collected in iron and steel foundries had concentrations in excess of 0.20 mg/m³ (IARC 1987). Occupational exposure to cristobalite may occur in industries where silica products are heated, including refractory brick and diatomaceous earth plants and ceramic and pottery manufacturing plants (IARC 1997).

Regulations

Mine Safety and Health Administration

Silica sand or other materials containing more than 1% free silica shall not be used as an abrasive substance in abrasive blasting in underground areas and underground mines.

Occupational Safety and Health Administration (OSHA)

While this section accurately identifies OSHA's legally enforceable PELs for this substance in 2010, specific PELs may not reflect the more current studies and may not adequately protect workers. Permissible exposure limit (PEL) = 250 mppcf/(%SiO₂ + 5), 10 mg/m³/(%SiO₂ + 2) for crystalline quartz (respirable); = 30 mg/m³/(%SiO₂ + 2) for quartz (total); = one half the value calculated from the count or mass formula for quartz for cristobalite and tridymite (mppcf = millions of particles per cubic foot).

Guidelines

American Conference of Governmental Industrial Hygienists (ACGIH)

Threshold limit value – time-weighted average (TLV-TWA) = 0.025 mg/m³ (respirable fraction).

National Institute for Occupational Safety and Health (NIOSH)

Recommended exposure limit (REL) = 0.05 mg/m³.

Immediately dangerous to life and health (IDLH) limit = 25 mg/m³ for cristobalite, tridymite; = 50 mg/m³ for quartz, tripoli.

Listed as a potential occupational carcinogen.

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Date: **September 13, 2014**

CERTIFICATE OF SERVICE

I certify that I this day have served a copy of the forgoing **reply to FD 35848** by First Class Mail to the offices of the following:

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Name
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NOTE: Per Kenatta Caly (Kenyatta.Clay@stb.dot.gov) my filing (cover memo and exhibits) is ready to submit to Rail Service Attorneys and then Processing.