

8.18 LAND USE CONFLICTS

One of the primary goals of comprehensive planning is to reduce the potential for land use conflicts. In a rural setting, such as that found in Iron County, land use conflicts are generally either conflicts with the individual landowner or uses that are undesirable to the community as a whole.

Land use conflicts may arise through sights, sounds, smells, or other activities on the landscape. This type of conflict is relatively common in cases where residential land use infringes upon areas of agricultural use. Typically, these types of conflict represent conflicts with individual landowners as both agricultural and residential uses are generally considered “desirable” land uses by the community.

The second type of land use conflict arises when a use conflicts with the wishes of the larger community. For example, a proposed electrical transmission line or large-scale landfill may be widely opposed by the community as a whole. These types of conflict can sometimes be difficult to avoid completely due to existing regulations and because these conflicts may involve many independent jurisdictions.

A primary tool for reducing the potential for conflict is by establishing clear growth and development policies and by providing for a thorough review of development proposals. Plan policies should establish the framework for evaluating future development proposals and establish the criteria or performance standards required.

Examples of Potential Land Use Conflicts

Wireless communications facilities
Utility lines
Landfills
Industrial operations

Jails, prisons, or group homes
Mining operations
Transportation, and related facilities
Large-scale animal operations

All town planning commissions and the Iron County Ad Hoc Comprehensive Planning Committee exercised care to provide future land use patterns that are coordinated and minimized the potential for land use conflict. In order to continue to reduce the potential for conflict, the county and towns should remain cognizant of changes in planning and development requirements of adjacent and overlapping jurisdictions. Furthermore, the county and towns should continue to communicate with neighbors and overlapping jurisdictions on land use issues and policies.

8.19 IRON MINING

Historic Role

Iron mining has played a significant role in the history of Iron County. The Gogebic Iron Range hosted several iron mines from the late 1800's through the 1960's, including the Pence, Carey, Mather, Montreal, Hennepin-Snyder, Atlantic, Iron Belt, and Shores mines. Most were

underground operations, with some operating at up to depths of over 4,300 feet. The primary target of early mining was the mineral hematite, a high-grade iron oxide ore.

Known Remaining Deposits

Much of the remaining iron deposits consist of low-grade magnetic taconite, comprised of 20 percent magnetic iron, or 30 percent total iron. The remaining deposits are found at inclines of 55 to 80 degrees, and range from 400 to 560 feet thick.

Potential Iron/Taconite Development Area

The LaPointe Mining Company and other mining interests have identified a 49,154-acre conceptual iron/taconite development area, Map 8.4. This area extends from the Town of Morse, Ashland County, eastward through the towns of Anderson and Knight in Iron County. Within the Iron County portion of the development area, land ownership is divided among mining interests (45%), County Forest (34%), and private ownership (21%).

Table 8.14: Total Conceptual Development Area (Acres & %)

	LaPointe et al**	Other**	County Forest	County Total
Ashland County	14,947(65%)	7,879(35%)	None	22,826(46%)
Iron County	7,327(28%)	2,324(9%)	16,677(63%)	26,328(54%)
TOTAL	22,247(45%)	10,203(21%)	16,677(34%)	49,154(100%) [77 Sq. Miles]

Source: LaPointe Iron Company

** Area of "LaPointe et al" (Iron Development Company) Lands and "Other" Privately Owned Lands in Conceptual Development Area

Mine Development Issues and Opportunities

Potential iron mine development presents several challenges for both the county and local units of government. Listed below are several concerns, issues and opportunities that should be addressed at the local level. This list is not intended to be comprehensive, and there will ultimately be many additional issues and concerns that must be addressed prior to mine development.

Environmental and Natural Resource Issues

- Impacts on water quality and quantity
- Impacts on air quality
- Habitat loss
- Acid mine drainage
- Management of waste output
- Metals deposition and pollution control
- Ecosystem sensitivity

Land Use Issues

- Impact on public lands and activities
- Impact on individual property owners
- Mine reclamation and long-term site responsibility
- Facilities development (mine support facilities)
- Conflicts with other land uses
- Noise, dust, and other concerns
- Additional housing needed to support activities
- Impacts on land and property values

Economic Development and Recreation Issues

- Long-term job opportunities for local residents
- Employment opportunities outside of the minerals sector
- Opportunities to expand economic growth through business development
- Mining support business development
- Economic impact of mine closure (boom-bust cycle)
- Recreational opportunities associated with mine reclamation

Transportation and Infrastructure Issues

- Energy demand
- Impacts on existing transportation and infrastructure networks
- Social and environmental impacts of transportation and infrastructure improvements
- Costs of improvements or expansion

Local Government and Community Issues

- Cost to provide additional services
- Leases or withdrawal of public lands
- Tax revenue and other payments to local units of government
- Local agreements
- Investment in institutional and social capacity
- Mine reclamation and contingency planning

Wisconsin's mining law (293.01 - 293.95, Wisconsin Statutes) mandates that before state permits for mining can be granted, the local unit of government (town, city, village, county or tribal government) where the proposed mine would be located must have granted the necessary permits or approvals under its applicable zoning or land use ordinance. The mining law also provides provisions for extending additional authority for local units of government related to mining proposals in their communities.

Local Mining Impact Committees

Wisconsin's mining law (s. 293.33, Wis. Stats.) provides opportunities for local units of government to establish local mining impact committees for the purposes of:

- facilitating communications between operators and itself;
- analyzing the implications of mining;
- reviewing reclamation plans;
- developing solutions to mining-induced growth problems;
- recommending priorities for local action;
- making recommendations to the state for mining impact fund distribution;
- negotiating a local agreement.

Local mining committees may hire staff, or contract with private consultants or RPC's for staff services. These committees typically comment on the mining company's Notice of Intent and the draft and final Environmental Impact Statements. Local committees have the option to organize public meetings to discuss the proposal and/or the impacts of the proposal. State legislation signed in 1992 requires a mining company to deposit up \$150,000 in the Mining and

Local Impact Fund for use by local communities that are negotiating *local agreements* with that mining company. This payment is required at the time the mining company submits a Notice of Intent to the Wisconsin Department of Natural Resources.

Local Agreements

Wisconsin's 1988 Mining law provided communities with zoning or land use authority with a mechanism for approving a proposed mine. This revision provided these communities with the opportunity to enter into local agreements with the mining company. These agreements function essentially as contracts, and may specify the conditions, terms, restrictions, protective measures, and other requirements for the proposed mine which the municipality believed necessary for protecting the public health, safety, or welfare of its residents. Although not a requirement of a local agreement, the provisions could substitute for existing community zoning or land use controls. The law still provides for local community approval of a mining proposal, either through its zoning or land use authority or by means of a local agreement, or both, whichever the community chooses.

Under the local agreement revision, a community may appoint a mining impact committee to work with a mining company to development the agreement. A public hearing on the local agreement must take place prior to formal approval, which is granted by the municipality's governing body in a public meeting.

8.20 LAND USE GOALS, OBJECTIVES, AND ACTIONS

A set of recommended goals, objectives and action steps has been developed to assist Iron County with existing and future land use activities.

Goal: Encourage long-range land use planning in order to manage growth and to preserve the quality of life in Iron County, while protecting the natural environment.

Objective 1: Review existing county and town regulations related to land use to ensure that they are consistent with the adopted county and town comprehensive plans. If necessary, work to revise pertinent regulations to ensure consistency.

Action: *Ensure that the development and implementation of town and county comprehensive plans are consistent by incorporating all town comprehensive plans into the countywide plan.*

Action: *Work with all of the towns involved in comprehensive planning to gather proposed amendments to the County Zoning Ordinance that would be necessary to implement their respective comprehensive plans.*

Action: *Compare the County Comprehensive Plan with the current Zoning Ordinance to identify proposed amendments to the Zoning Ordinance.*