



Purpose and Duties of a Mining Impact Committee
May 1, 2018

To obtain maximum local benefit under the mining statutes, it is important to form a “Local Impact Committee” (“LIC”). A properly formed LIC is eligible for state funding from the Investment and Local Impact Fund Board (“LIFB”), however only one LIC per mining project is eligible to receive LIFB funding unless a joint LIC has been established, so there is financial incentive to form “joint” LIC with other eligible units of government. If there is a joint LIC, a separate LIC formed by a member government of the joint LIC is eligible to receive funding in addition to the funding granted the joint LIC, but if a joint LIC seeks LIFB funds, none of the non-joint LICs may receive LIFB funding. Any LIC can hire staff and enter into consulting contracts for mining related and tax distribution related purposes.

“Local Impact Committee” is not a defined term under Wisconsin Statute Ch. 293, but s. 293.33 describes the role of such committee, as follows:

- (a) Facilitating communications between operators and itself.
- (b) Analyzing implications of mining.
- (c) Reviewing and commenting on reclamation plans.
- (d) Developing solutions to mining-induced growth problems.
- (e) Recommending priorities for local action.
- (f) Formulating recommendations to the investment and local impact fund board regarding distribution of funds under s. [70.395 \(2\) \(g\)](#).
- (g) Negotiating a local agreement under s. [293.41 \(3\)](#).

Once a LIC is established, a person providing NOI to the state must: designate an individual to serve as liaison with the LIC; provide reasonable information requested by the LIC, and; make reasonable efforts to design and operate the mine in harmony with community development objectives. That means the LIC is the conduit for communications between the mine permit applicant and the local governments.

If the County wants to have a mandatory County Local Agreement that is not directly influenced by other local governments, the County should plan on having its own independent LIC under Wisconsin Statute, s. 293.33 (1). If the County also wants to cooperate with other local governments in negotiating a mutually acceptable mining project, and wants to maximize availability of funds from the LIFB, the County should plan on participating in a joint LIC with other affected local governments. The ability to come to agreement with other members of the joint LIC may interfere with the County’s ability to negotiate its own best terms in the County’s independent LIC.

The existing Oneida ordinance provides for forming a Mining Oversight and Local Impact Committee (“MOLIC”). The MOLIC would operate to review mining issues in the County until a prospective mine permit applicant file a Notice of Intent (“NOI”). At that point, the MOLIC would serve the purpose of a joint LIC. The new ordinance could provide for a joint LIC or an independent LIC or both, either by express provision of the ordinance or at the future discretion of the County Board. The effectiveness of a mandatory County Local Agreement that is not strongly influenced by demands of other local governments as exerted through a joint LIC is admittedly made complicated by the LIFB funding only any joint LIC.