

# Dane County Landfill No. 3 Local Negotiated Agreement (LNA) Committee Public Hearing

4:00 PM, March 6, 2024

1919 Alliant Energy Center Way, Madison WI 53713

Mendota Room 5

# Existing Rodefeld Landfill

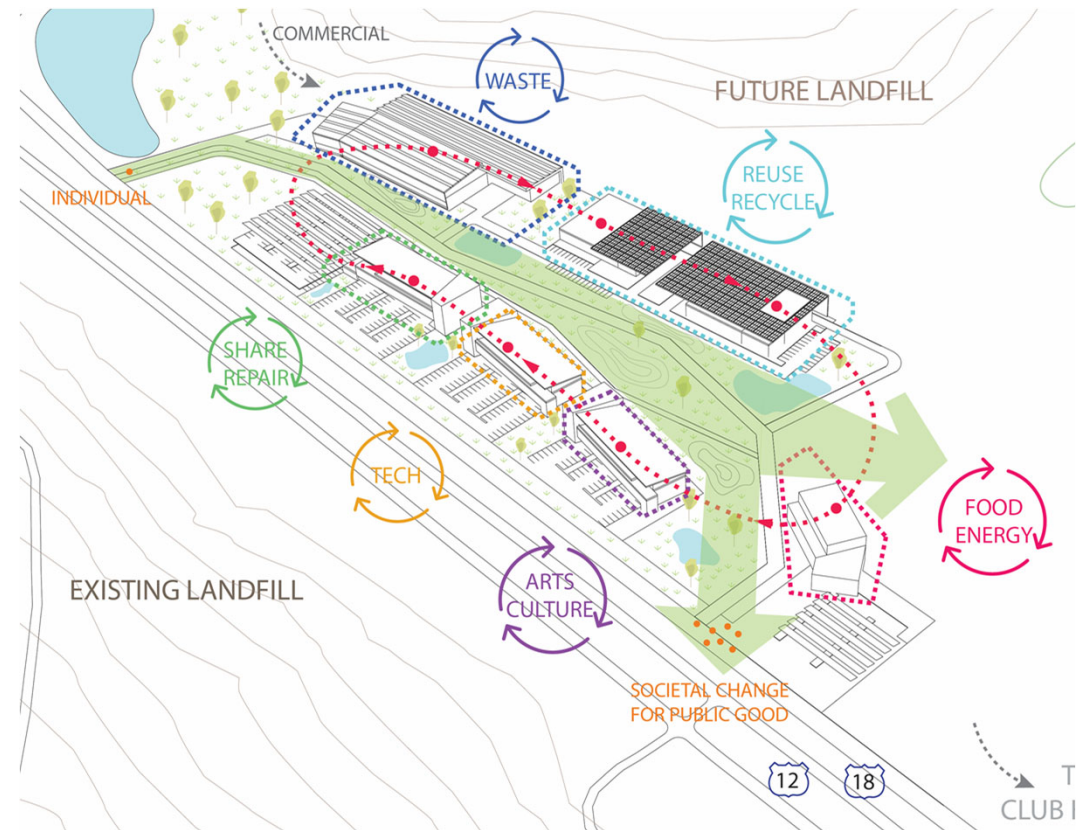
- Existing Dane County Landfill Site No. 2 (Rodefeld Landfill) in operation since 1985.
- Expanded in 1994 and 2014.
- Landfill is expected to reach capacity by approximately 2028.
- Dane County is recognized as a leader in waste management and renewable energy and will not be building *just another landfill* to meet our residents' waste management needs.



*Landfill entrance looking south towards the Yahara Hills Golf Course during the first phase of construction in 1985.*

# Sustainability Campus - Project Background

- In 2020, the City of Madison's Golf Course Task Force recommended Yahara Hills be reduced from 36 to 18 holes of golf.
- Preliminary concepts for a Sustainable Business Park and landfill proposed by Dane County for eastern portion of the Yahara Hills Golf Course in approximately 2021.
- Following numerous public meetings, City of Madison Common Council authorized sale of 230 acres of the golf course to Dane County in May 2022.
- Urban service area/utilities extended, zoning changed to Industrial, Subdivided into 2 Lots, Conditional Use Permit approved.



*Preliminary concept for waste collection, processing, and reuse at the Campus.*

# Sustainability Campus - Project Status

- Contract awarded to Purple Cow Organics to expand food waste composting options in Dane County. Dane County will be ready to accept food waste by Aug 2024, ahead of schedule.
- Funding for food waste collection kiosks secured from USDA. Kiosks to be operational by 2025.
- Wider solicitation for potential campus tenants to be released in Fall of 2024.



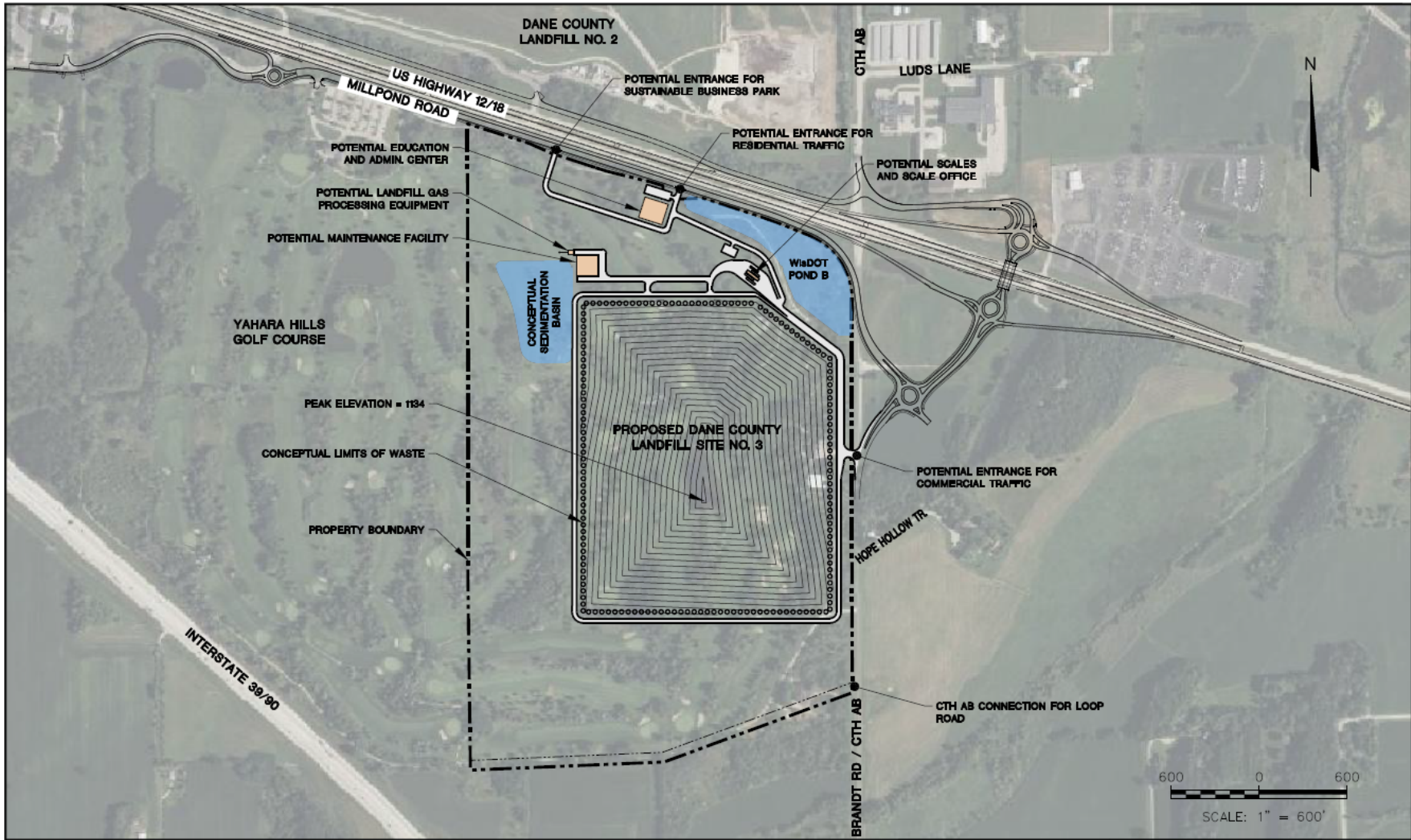
The Town of Cary, IN completed a one-year food waste pilot program in 2023, which involved residents dropping off food waste at the location pictured left. Credit: Town of Cary

# Dane County Landfill No. 3 – Permitting/Design Timeline

- Initial Site Inspection completed on April 14, 2022
- Initial Site Report submitted on September 1, 2022
  - WDNR issued opinion on November 29, 2022
- Feasibility Report submitted on February 13, 2024
  - **Local Approvals and Negotiations are required to be initiated as part of this step of permitting.**
  - After WDNR determines all information has been submitted, a 30 day public comment period begins (as soon as April/May 2024, likely Summer 2024)
- Plan of Operation to be submitted by 2025/2026
- Construction proposed for 2027/2028



Geotechnical drilling occurring at the Yahara Hills Golf Course.



PROJECT NO. 25222268.00	DRAWN BY: KP	<b>SCS ENGINEERS</b> 2830 DARY DRIVE MADISON, WI 53718-6751 PHONE: (608) 224-2830	GUEST: DANE COUNTY DEPARTMENT OF WASTE AND RENEWABLES 1919 ALLIANT ENERGY CENTER WAY MADISON, WI 53713	-SITE- DANE COUNTY LANDFILL SITE NO. 3 US HWY 12/18 MADISON, WISCONSIN	LOCAL NEGOTIATIONS FOR PROPOSED DANE COUNTY LANDFILL SITE NO. 3	FIGURE 1
DRAWN: 10/03/2023	CHECKED BY: RR					
REVISED: 03/05/2024	APPROVED BY:					

12822228.000.dwg 03/05/2024 11:55:41 AM

# What is the Local Approval and Local Negotiation Agreement (LNA) Process?

- Administered by the State of Wisconsin Waste Facility Siting Board.
- Required as part of the Feasibility Report for landfill permitting.
- Governed by State Statute:  
<https://docs.legis.wisconsin.gov/statutes/statutes/289/iii/33>
- Allows for neighboring municipalities to form a Committee and negotiate directly with the landfill owner/operator (Dane County) about operational concerns and/or compensation for economic impacts that are a direct result of the facility.

# Who is part of the Negotiations?

- Affected municipalities are defined as municipalities that are within 1,500 feet of the proposed limits of waste of the landfill.
  - As defined, includes the City of Madison and Town of Cottage Grove.
  - City of Madison received 4 seats on the Committee because the facility is entirely located within the City limits.
  - Cottage Grove received 1 seat on the Committee.
- Municipalities beyond 1,500 are allowed to be brought into the LNA process with consent of the LNA committee.
  - Approval was granted by the LNA Committee to the Village of McFarland in January 2024 to be added as an additional party.



# Role of the Committee

- The goal of local negotiations is to reach a Negotiated Agreement.
- Since all of the proposed facility is located in the City of Madison, any Negotiated Agreement must be approved by the Madison Common Council.
- Almost any issue is negotiable except:
  - the **need** for the proposed landfill.
  - conditions which would make the owner's responsibilities **less stringent** than those required by the Wisconsin Department of Natural Resources.

# Committee Members

- City of Madison (4 members)
  - David Schmiedicke, LNA Committee Chair, Finance Director
  - Jael Currie, District 16 Alderperson/Council President
  - Rob Phillips, Former City Engineer
  - 1 spot vacant
- Town of Cottage Grove
  - Kris Hampton, Town Chair
- Village of McFarland
  - Carolyn Clow, Village President

# Contents of the Agreement

Article I: Definitions

Article II: Transportation

Article III: Facility Operations

Article IV: Environmental Compliance And Reporting

Article V: Operational Concerns And Enforcement Systems

Article VI: Limitations And Final Use

Article VII: Compensation

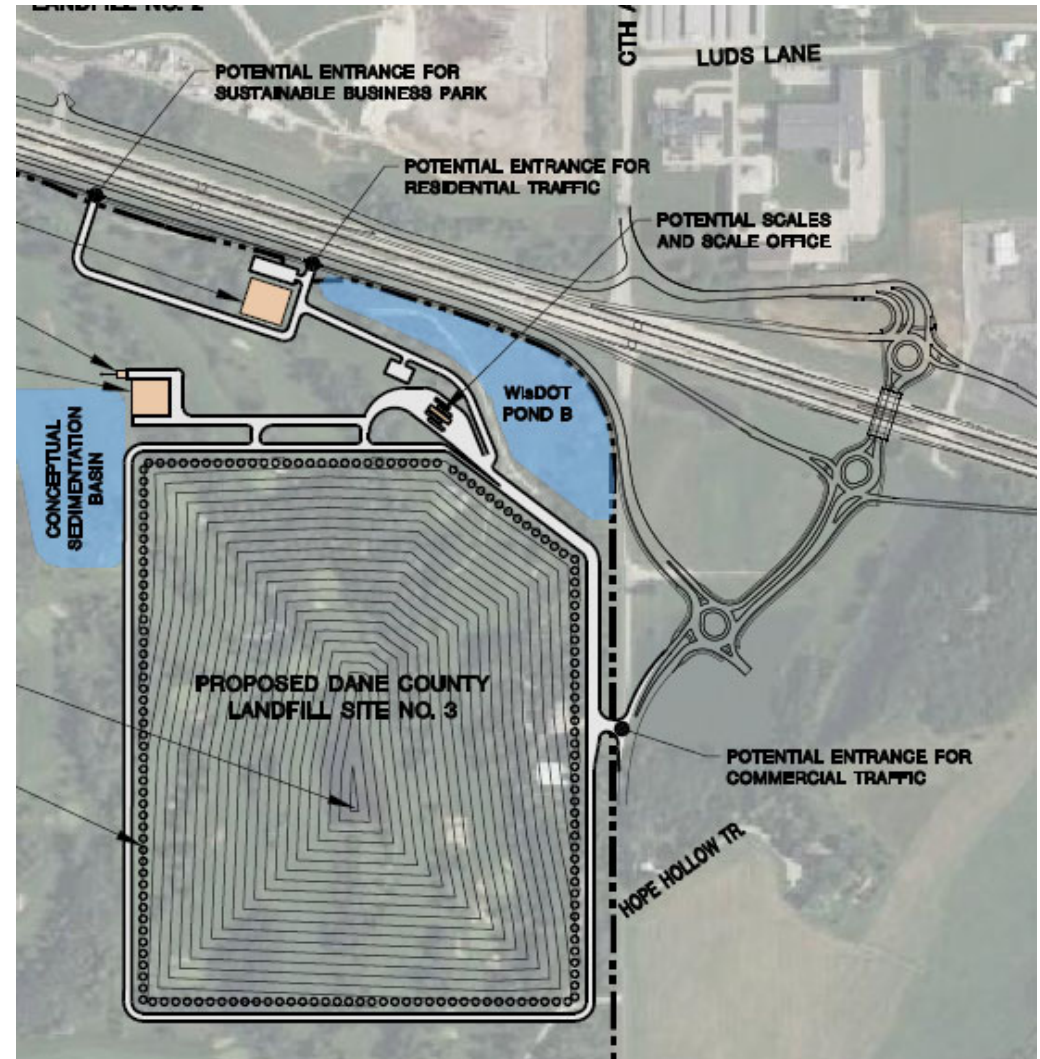
Article VIII: Contract Provisions

## Article I: Definitions

- Defines key industry specific and regulatory terms (Active Site Life, Limits of Waste, etc.).
- The term “Facility” is used throughout the document to refer to the Landfill.
- Document does not directly pertain to the Campus

## Article II: Transportation

- Limits hauling to US Hwy 12/18.
- Sets requirements for Dane County to maintain roadways free and clear of litter and mud.



## Article III: Facility Operations

- Sets limits on the amount of waste that is accepted from outside of Dane County.
- Defines maximum standard hours of operation as:
  - Monday through Friday from 6:00 am – 5:00 pm
  - Saturday from 7:00 am – 2:00 pm.
- Includes measures for Dane County to prevent nuisance conditions (screening, dust, odors, litter, birds, etc.).



## Article IV: Environmental Compliance & Reporting

- Defines what information Dane County must report to municipalities.
- Sets requirements for monitoring private drinking water wells in addition to other environmental monitoring requirements.
- Establishes the voluntary residential drinking water monitoring program.



# Article V: Operational Concerns & Enforcement Systems

- Requires Dane County to publish staff contact information and maintain an online reporting system for feedback and complaints.
- Details a progressive complaint system and required response times for Dane County to correct operational concerns.



The screenshot shows the top of a website with a dark blue header containing 'COUNTY OF DANE WISCONSIN' and a 'Translate' link. Below the header is a green banner with the text 'Dane County Department of Waste & Renewables'. The main content area is white and features the heading 'Report an Odor' in green. Below the heading is a paragraph of text: 'We are committed to doing everything possible to minimize odors, and your feedback is a critical part of this work. We thank you for taking the time to report any odor issues you may be experiencing.' The form consists of five input fields: 'First Name \*', 'Last Name \*', 'Email Address \*', 'Phone Number', and 'Home Address'. Each field is a simple white box with a thin border.

Dane County's Odor Reporting website:

<https://landfill.countyofdane.com/OdorReport/Index>

# Article VI: Limitations And Final Use

- Sets height limitations on final landfill elevations.
- Details what the property may be used for after the landfill is closed.



*Native prairie in bloom on the existing Rodefeld landfill cap.*

# Article VII: Compensation

- Establishes which properties are eligible for compensation, sets annual payment amounts, and details residential property value guarantees.
- Requires Dane County to maintain a contingency fund for unforeseen repairs, maintenance, or damages.

## Article VII.A. Residential Property Compensation

- Annual compensation payments made directly to eligible property owners based on level of potential impact.
  - Modelled after existing compensation program.
  - Owners eligible if property owned prior to date of Plan of Operation approval (2026). If purchased after that date, new owner no longer eligible for annual payment.
  - Payments begin when waste acceptance begins.
  - Increase annually by inflation.
  - Does not include commercial properties.
  - Dane County will need a returned signed agreement from property owners to allow pickup of litter and well monitoring.

## Article VII.B. Property Value Guarantee

- Property value guarantee is provided to protect value of eligible residential properties.
  - Modelled after existing program.
  - Owners eligible if property owned prior to approval date of Plan of Operation (2026). If purchased after that date, new owner no longer eligible for property value guarantee.
  - Owner to notify Dane County when property listed for sale. Appraisal to occur assuming no landfill exists.
  - If no offer or an offer lower than the appraised Fair Market Value is received, the County will purchase the property or pay the difference.

# Who is eligible?

- Dane County coordinated an impact assessment of nearby properties in October 2023 to determine which properties may potentially be impacted and eligible.
  - Assessed properties and neighborhoods within about 1 mile of the proposed limits of waste.
  - Assessed the properties for the potential for visual, dust, birds/vectors, odor, traffic, noise, and litter impacts.
  - Scored individual properties from 1-16.
  - Scores included in Appendix A of impact assessment.

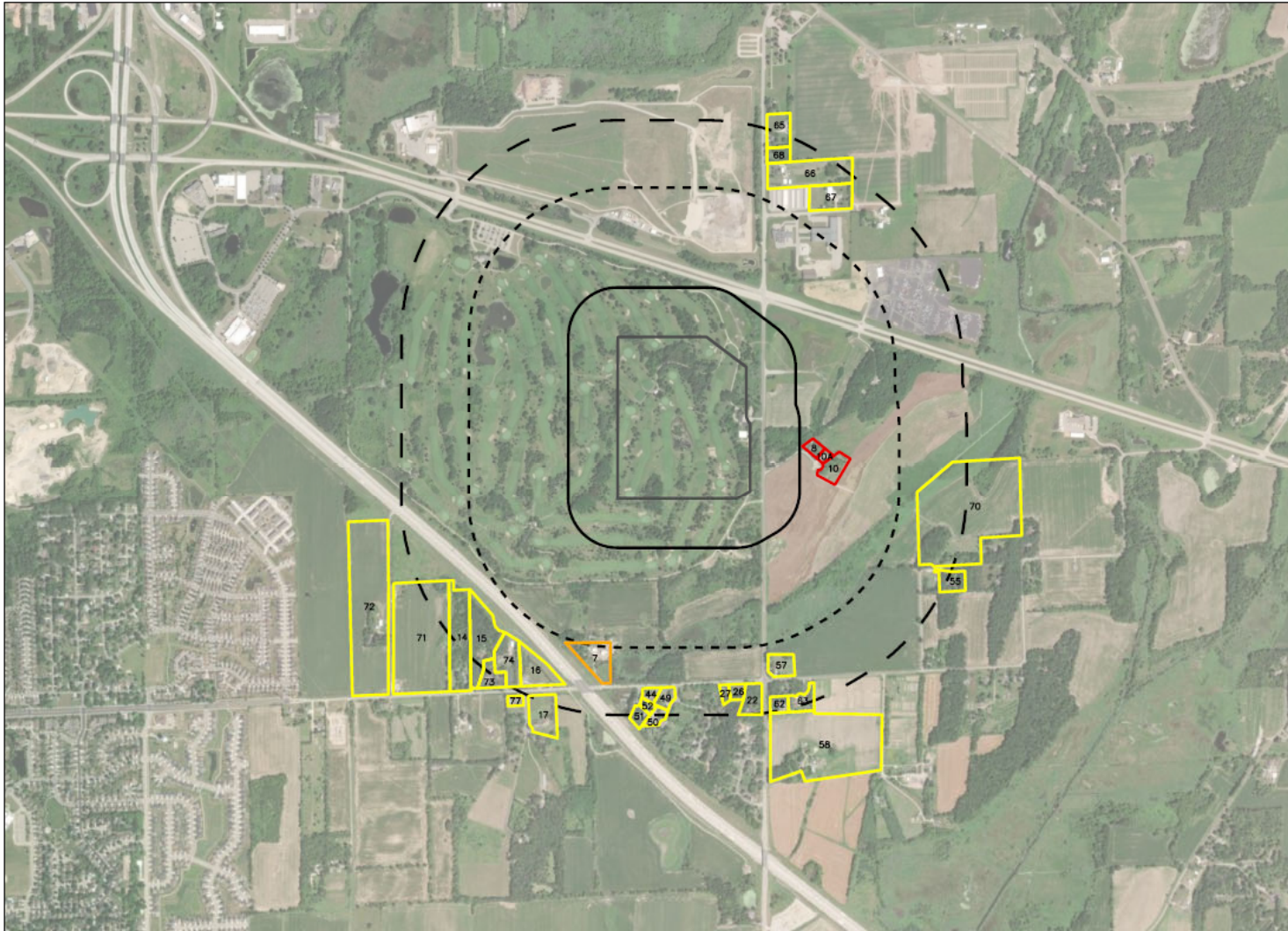
**Table 2-1: Qualitative Scoring Rubric**

IMPACT SCORE	0	1	2	3	RATIONALE
IMPACT CATEGORY	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	
<b>Visual Impacts</b>	No potential for visual impacts from the proposed landfill. Assessed from the driveway of the proposed residence.	Potential for visual impacts from the proposed landfill. Assessed from the driveway of the proposed residence. One of the following visual impacts are likely: - Landfill Site Visible - Landfill Entrance Visible - Landfill Hill at Final Elevation Visible	Potential for visual impacts from the proposed landfill. Assessed from the driveway of the proposed residence. Two of the following visual impacts are likely: - Landfill Site Visible - Landfill Entrance Visible - Landfill Hill at Final Elevation Visible	Potential for visual impacts from the proposed landfill. Assessed from the driveway of the proposed residence. Three or more of the following visual impacts are likely: - Landfill Site Visible - Landfill Entrance Visible - Landfill Hill at Final Elevation Visible	Refer to Conditional Use Permit renderings and Qualitative Assessment data.
<b>Dust (PM 2.5)</b>	Relative modelled increase of PM 2.5 less than 2 ug/m3	Relative modelled increase of PM 2.5 greater than 2 ug/m3	Relative modelled increase of PM 2.5 greater than 5 ug/m3	Relative modelled increase of PM 2.5 greater than 12 ug/m3	Refer to Figure PM-1. Note that though 12 ug/m3 is the current National Ambient Air Quality Standard (NAAQS), draft language has recently been proposed to revise the Standard to 9 ug/m3. Although some properties may experience more PM 2.5 relative to the existing site, air quality at all properties is expected to remain below the current or revised NAAQS.
<b>Birds &amp; Vectors</b>	Impact from birds or other scavenging vectors unlikely	Impact from either birds or other scavenging vectors possible	-	-	Refer to Qualitative Assessment data.
<b>Odor</b>	Less than 100 exceedances (<0.23%) of 1 OU over 5-year period	Greater than 100 but less than 200 exceedances	Greater than 200 but less than 500 exceedances	Greater than 500 exceedances (>1.14%) of 1 OU over 5-year period	Refer to Figures O-1A, O-1B, O-2, and O-3 in Appendix C. Exceedance is defined as the frequency of a 10-minute occurrence within a 1-hour period. An incident of 50 minutes within 1-hour is one exceedance, but an incident lasting 3-hours is 3 exceedances.
<b>Traffic</b>	Potential for traffic impacts unlikely or no impact expected at location of property's driveway.	Potential for traffic impacts.	Potential for significant traffic impacts.	-	Refer to Qualitative Assessment data and proposed Local Negotiated Agreement language.
<b>Noise &amp; Litter</b>	No potential for noises or litter from landfill activities expected at the property.	Potential for noises or litter from landfill activities expected at the property.	-	-	Refer to Qualitative Assessment data.
<b>Distance</b>	Greater than 2,760 feet from proposed waste limits of waste.	Between 1,900 and 2,760 feet from proposed limits of waste.	Between 630 and 1,900 feet from proposed limits of waste.	Less than 630 feet from proposed limits of waste.	

# Proposed Compensation Levels based on Impact Scores

Group	Impact Score (Max = 16)	Proposed Annual Compensation
A	$\geq 10$	\$ 8,800.00
B	$\geq 6 - <10$	\$ 3,500.00
C	$\geq 2 - <6$	\$ 1,800.00
No Compensation	$<2$	\$ -

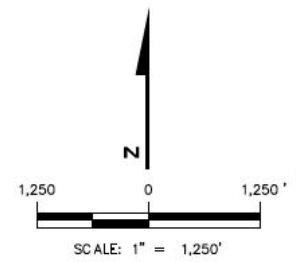




- LEGEND**
- DANE COUNTY LANDFILL SITE NO. 3
  - 630 FT OFFSET FROM LOW
  - 1,900 FT OFFSET FROM LOW
  - 2,760 FT OFFSET FROM LOW
- PROPERTY COMPENSATION GROUP**
- A
  - B
  - C

- NOTES**
1. BASEMAP SOURCE: MAXAR. IMAGE DATE: 07/10/2022.
  2. COORDINATE SYSTEM: NAD 1983 HARN STATEPLANE WISCONSIN SOUTH FIPS 4803 (US FEET).
  3. PARCEL DATA FROM [HTTPS://WWW.SCO.WISC.EDU/PARCELS/DATA/](https://www.sco.wisc.edu/parcels/data/).

**PRELIMINARY  
DRAFT**



PROJECT NO. 25222288.00	DRAWN BY: AA	 2830 DAIRY DRIVE MADISON, WI 53718-6751 PHONE: (608) 224-2830	 DANE COUNTY DEPARTMENT OF WASTE AND RENEWABLES 1919 ALLIANT ENERGY CENTER WAY MADISON, WI 53713	CLIENT	DANE COUNTY DEPARTMENT OF WASTE AND RENEWABLES 1919 ALLIANT ENERGY CENTER WAY MADISON, WI 53713	SITE	PROPOSED DANE COUNTY LANDFILL NO. 3 MADISON, WISCONSIN	LOCAL NEGOTIATED AGREEMENT – PROPOSED COMPENSATION MAP	FIGURE
DRAWN: 08/24/2023	CHECKED BY: MRH								1
REVISED: 03/04/2024	APPROVED BY:								

## Article VIII: Contract Provisions

- Contains general contract language on scope, Agreement construction, indemnification, and binding effect of the Agreement.

# How to access this information

SCAN QR CODE TO VIEW THE FULL AGREEMENT



To view the full Negotiated Agreement, outlined to the left, scan the QR code above.

Home Legislation Calendar Board of Supervisors Committees People

Email Updates  
To sign up for email updates or to access your subscriber preferences, please enter your contact information below:  
\*Email Address  Submit

List View Calendar View

Search:  Last Month Dane County Landfill No. 3 Local Negotiated Agreement Committee  notes  closed captions

Search Calendar Help

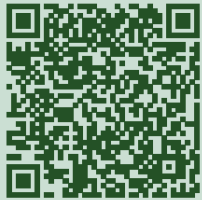
2 records Group Export

Name	Meeting Date	Meeting Time	Meeting Location	Meeting Details	Agenda	Accessible Agenda	Minutes	Accessible Minutes	Video
<a href="#">Dane County Landfill No. 3 Local Negotiated Agreement Committee</a>	2/21/2024	4:00 PM	Hybrid Meeting, attend in person at the Dane County Alliant Energy Center, Admin/Public Works Building, 1919 Alliant Energy Center Way, Madison, WI in the Large Conference Room. Attend virtually via zoom. See below for additional instructions on how to attend the meeting and provide public testimony.	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	<a href="#">Accessible Agenda</a>	<a href="#">Minutes</a>	<a href="#">Accessible Minutes</a>	Not a
<a href="#">Dane County Landfill No. 3 Local Negotiated Agreement Committee</a>	2/7/2024	4:00 PM	Hybrid Meeting, attend in person at the Dane County Alliant Energy Center, Admin/Public Works Building, 1919 Alliant Energy Center Way, Madison, WI in the Large Conference Room. Attend virtually via zoom.	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	<a href="#">Accessible Agenda</a>	<a href="#">Minutes</a>	<a href="#">Accessible Minutes</a>	<a href="#">Video</a>


<https://dane.legistar.com/MeetingDetail.aspx?ID=1146244&GUID=A9352D22-553D-4253-A7CE-481E47478DB9&Options=info|&Search=>


# How to access this information


SCAN QR CODE FOR  
SITE NO.3 BACKGROUND





Please scan the QR code above to view more information about Site No.3. At the bottom of the "Sustainability Campus" page you can find related FAQs, public documents, event minutes, and more!


 Opportunities

 Engage


 Timeline


 Press

 Presentations

 Past Events

 Documents

 FAQs

 Contact

## Documents

[Negotiated Agreement for Dane County Landfill No. 3 February 21, 2024](#)

[Landfill Site No. 3 Impact Assessment February 21, 2024](#)

[Landfill Site No. 3 Impact Compensation Map](#)

[Landfill Site No. 3 Feasibility Report sharefile February 13, 2024](#)

[Landfill Site No. 3 Feasibility Report Diagrams February 13, 2024](#)

[Dane County Sustainability Campus Stakeholder & Public Engagement Plan December 29, 2023](#)

<https://landfill.countyofdane.com/projects/WastandRenewableProjects/Sustainability-Campus>

# Have questions? Who to contact:

- David Schmiedicke, [DSchmiedicke@cityofmadison.com](mailto:DSchmiedicke@cityofmadison.com)
- Jael Currie, [district16@cityofmadison.com](mailto:district16@cityofmadison.com)
- Rob Phillips, [rfphillips4@gmail.com](mailto:rfphillips4@gmail.com)
- Kris Hampton, [khampton@towncg.net](mailto:khampton@towncg.net)
- Carolyn Clow, [cclow@mcfarland.wi.us](mailto:cclow@mcfarland.wi.us)

# Q&A

- Open to online and in person attendees. Able to:
  - Submit in writing in advance of the hearing.
  - Submit in the Q&A function on the zoom call.
  - Submit a written question in person.
  - Ask verbally on zoom.
  - Ask verbally in the room.

# Public Testimony

- Please register on the paper forms.
- Testimony limited to 3 minutes per person.
- Guidelines:
  - Goal of this process is to reach an Agreement
  - Items that are not negotiable:
    - the need for the proposed landfill.
    - conditions which would make the owner's responsibilities less stringent than those required by the Wisconsin Department of Natural Resources.