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**Planning & Environmental Services Director**  
**Winona County, 177 Main Street**  
**Winona, MN 55987**  
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### **Comments to EAW for Dabelstein mine, Saratoga Township**

Dear Mr. Gilman,

I have read through the EAW for the Yoder frac sand mine proposal and have multiple concerns. Most are the same as the concerns I recently communicated about the Dablestein proposal, though there are a few differences (see comments on Part 12). Since they are so similar, it seems like it would've been more respectful of everyone's time to group them as one proposal. Anyway, I am sending comments about specific parts of the Worksheet, as well as general comments which I will include at the end. Please recommend to the County Commissioners that they order a full EIS before this proposal moves ahead any further.

**Description (Part 6, e)** Since this project has been expanded beyond its original scope, it seems to me it would have been more transparent to mark this item Yes.

**Water Resources (Part 12)** Part of this section discusses an intermittent waterway running between the two mining areas (a route for runoff during spring melt and heavy rain), and how this could be managed to lower the risk of pollutants being carried a little over two miles into the Pine Creek watershed, through construction of berms and swales. The EAW argues that since mining equipment uses the same fuels and lubricants as farm equipment, the risk will be no greater for this proposed mine than it is presently with the land being farmed (15). However, the mining operations would be running 16 hours and filling 600 trucks daily. Surely, this will involve vastly more exposure to fuels and lubricants than the current use of row-cropped corn. A potential increased risk of polluted runoff making its way into Pine Creek ought to be investigated more thoroughly than it is in the current proposal.

**Water Quality (Part 17a)** This section further discusses mediation of surface water run-off, stating that "proper engineering standards will need to be employed to assure sufficient cover during these excavations to avoid sinkhole formation risk." (21) Again, are those engineering standards in place? The proposal also includes removal of sediment when 50% of the basin's capacity is reached. The EAW fails to state how this will be monitored.

**Geologic Hazards (Part 19a)** Note that this mine's location is rated "low to moderate" for sinkhole risk. (23)

**Traffic (Part 21)** The Traffic Impact Study addresses the traffic between the quarry and the I-90 corridor, and finds those roadways adequate with one minor exception (ie, a speed limit reduction is anticipated where County 29 meets I-90.) The scope of this study seems too narrow in several respects, leaving a number of issues that should be addressed in an EIS:

(1) Even if the estimated truck traffic will not exceed the maximum capacity of the roadways, what about the impact of noise and diesel fumes for residences between the quarry and the interstate?

(2) What will the impact be on traffic on Hwy 43 and Hwy 61, from the top of the ridge at Wilson to the 43/61 intersection (already congested at peak traffic times) and then through the multiple controlled intersections from there to Goodview and MN City?

(3) What about noise and diesel fumes for residences and other motorists in the vicinity of turnoffs at the two existing processing facilities, where trucks are likely to be stacked up to exit Hwy 61?

The EAW notes a proposal from the MN DNR to stagger trucks in order to minimize impact on school bus schedules but it is not clear whether Minnesota Sand intends to follow the DNR suggestion, and/or whether this is something that is enforceable by local authorities.

The EAW also acknowledges that MNDOT anticipates “potential safety concerns related to the proposed volume of trucking (1 truck every 1.6 minutes) due to the slow acceleration rates of heavy vehicles.” (28) Unfortunately, the worksheet does not suggest how (or even whether) the operators of the quarry intend to address those safety concerns.

**Vehicle-related Air Emissions (Part 22)** Again, the EAW considers emissions from trucks at the site but not elsewhere in their proposed routes to Winona processing facilities. The proposal states that “mobile source emissions from the added traffic will be *ephemeral*.” (29, emphasis added) “Ephemeral” seems like a questionable word choice! With an anticipated frequency of 38 trucks/hour, it seems pretty safe to imagine that the emissions will be a potential hazard at some locations. I am picturing two or three northbound trucks idling in the left turn lane at the U.S. 61/14 intersection, where children from Maplewood Townhomes can often be seen next to the roadside in the summer, riding bikes or fishing in the Gilmore Creek diversion. On a windy day, I picture sand blowing off tarps and wheel wells. On a still day, I picture diesel fumes pooling in the humid air. Either way, the potential effects go beyond the usual meaning of ephemeral.

Estimates for annual vehicle-related air emissions are listed in a table (28) but not evaluated in terms of recognized health and air-quality standards, so this concern is not adequately addressed by the current document.

As for health risks related to ambient airborne silica dust, the EAW states that no data is available because those risks are “the subject of on-going research” (28), presumably by the MN Department of Health. Apparently all of the existing data relates to higher (occupational) concentrations of dust. I think this is important to note. The lack of safe standards for ambient airborne dust and non-occupational exposure does not indicate that this is a trivial or frivolous concern. It indicates that pertinent research has not been conducted, and further points to the need for a more detailed environmental impact study.

**Stationary Source Air Emissions (Part 23)** The proposal admits that “blasting, crushing and screening may induce airborne particulate.” (31) Several MSHA best practice methods of mitigation are listed, but no commitment is made in this document to following any specific combination of these practices. The EAW mentions DNR recommendations for air monitoring upwind and downwind (30), but does not state that such monitoring will take place, or identify who would be responsible for the monitoring and data analysis. The only monitoring and enforcement of dust exposure addressed in the EAW is a reference to OSHA standards for mine workers, which obviously do not address concerns for non-employees in the area near the quarry.

**Odors, Noise and Dust (Part 24)** The EAW lists noise compliance standards that the operator plans to observe, in accordance with Winona Zoning Code and MN Noise Rules. Common sense tells me that 80 dB 10% of the time at the property line may be in compliance but would still definitely qualify as “annoyance” for me if I lived as near this facility as the closest neighbors, some as close as 390 feet. (3). It would be interesting to know what the neighbors think of the 6AM to 10 PM work schedule. Personally, I think 8 AM to 5 PM would be more reasonable in terms of noise and dust exposure for neighboring residents. The EAW states (33) that operations will comply with CDC best practices for dust control, but are those best practices enforceable, and how will they be monitored?

**Nearby Resources (Part 25b)** The EAW states that mining operations will damage an unstated number of acres that are classified as Prime Farmland, with no plans to reclaim for tillable purposes. A more detailed study might specify how much of the property is classified as prime, and what the longterm economic cost is to the County’s tax base. As I am writing this, the Winona Daily News (2-3-13) quotes County Recorder Bob Bambanek as estimating average land values in the coming year around \$9000/acre for “top cropland.” While the short-term impact of cropland loss is mainly on the landowner, the long-term impact is on everyone who pays property taxes in Winona County, especially if this proposal is merely the tip of the frac sand iceberg (see comments for Section 29 below.) Once this mining boom is over (sometime in the next 20 years according to this proposal), the minimally-rehabilitated pasture left behind will certainly be valued much lower than the prime crop land it replaced. And questionable pasture is the best-case scenario, given concerns about monitoring and enforcement (see general comments below) and the historical tendency for mining operations to pack up quickly and bail out at the end of their period of market viability.

**Nearby Resources & Visual Impact (Part 25d and 26)** The EAW reports that the facility will be plainly visible from the roadway, but that there are no “identified” scenic views or vistas. It also reports no anticipated adverse visual impact during or after construction. Many of us who live in Winona County would consider any typical rural portion of the Driftless Region as being a scenic view. Even though there will not be tall stacks or bright lights, it seems ludicrous to suggest that there will not be an adverse visual impact to this project. Perhaps a more in-depth study would include a rendering of what the facility would look like from the roadside, and a better analysis of how it would impact the “viewshed.”

**Compatibility with Land Use Regulations (Part 27)** The second paragraph of this section seems patently illogical to me. Even if “extraction of mineral resources has been a historic land use attributable to agricultural areas,” that doesn’t make mining compatible with “the promotion of protection and preservation of agricultural lands,”(35) which the EAW characterizes as a primary goal of the County’s comprehensive land use plan. Since the proposal relies on minimal reclamation efforts to address this issue, perhaps a more complete EIS could indicate whether those parts of the plan are adequate in that regard.

**Cumulative Potential Effects (Part 29)** I think this section offers the strongest reasons for requiring a full EIS. If and when the Dabelstein and Yoder mines are approved, they will very likely be the first in a flood of new applications, a few of which are anticipated and listed, others of which are unknown but predictable. As long as fracing operations are allowed to move forward in other parts of the country, market forces will push landowners in the direction of converting agricultural land to sand mining.

I appreciate the bulleted list of “cumulative potential effects” (38-9), which I think makes a compelling case for further in-depth study. As I’ve pointed out in specific comments, I think several of these areas are inadequately addressed in the EAW *for this particular site*, but none of these potential effects are effectively anticipated if we multiply the effects of the proposed operation by several times to account for the known existing other proposed site in the county, and by even more if we factor in likely new proposals that have not yet surfaced. If this and/or the Yoder project are approved without an EIS, the precedent will be set and floodgates will be open to “development” that will undermine County land use goals and adversely affect the quality of life in Winona County for decades to come.

One further general concern I have relates to monitoring and enforcement. As an educator, I work closely with several Winona Country agencies in the areas of human services and public health, and I am painfully aware of staff cutbacks and restructuring in the on-going effort to stretch tax dollars further. Regardless of the relative merits of that process, I’d like to suggest that consideration of this and other frac sand mining proposals needs to include an assessment of the County’s ability in real and practical terms to effectively monitor mining operations and enforce regulations (to say nothing of standards or “best practices”). Unless the County really can allocate adequate resources for monitoring and enforcement, this entire process will risk becoming window-dressing for a rampant assault on our common values around land use.

Thank you very much for considering my comments.

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