

Environmental Impact Statement (EIS) Scoping Process

**Zavoral Property Mining and Reclamation Project
Scandia, Minnesota**

Written Comments Received through 1:00 p.m., Friday April 17, 2009

| # | Comment from: | Date - Date Received: |
|-----|--|--------------------------|
| 1. | Gregory Page page@riverfrontcorporation.com | 4/08/09 (e-mail) |
| 2. | St. Croix River Association and the St. Croix Scenic Coalition | 2/6/09 – 2/7/09 (e-mail) |
| 3. | Georgiana Anderson 20453 Quinnell Ave. N., Scandia | 4/7/09 (e-mail) |
| 4. | Pamela Arnold & Ann Bancroft 16560 220 th St. N., Scandia | 4/7/09 (e-mail) |
| 5. | Chauncey Anderson Portland, Oregon | 4/7/09 (fax) |
| 6. | Suzanne Lundgren Suzanne.lundgren@mpls.k12.mn.us | 4/7/09 (e-mail) |
| 7. | Dan Seemon U.S. Army Corps of Engineers | 4/8/09 (e-mail) |
| 8. | Corinne Moncur 209780 quadrant Ave. N. | 4/8/09 (e-mail) |
| 9. | Christopher E. Stein, Superintendent National Park Service, St. Croix National Scenic Riverway | 4/3/09 / 4/8/09 |
| 10. | Louie DiBerardini 20680 St. Croix Trail | 4/9/09 (e-mail) |
| 11. | St. Croix River Association and the St. Croix Scenic Coalition | 4/9/09 (e-mail) |
| 12. | Judy Herbert 15125 220 th St. N., Scandia | 4/9/09 (e-mail) |

Anne Hurlburt

From: Gregory Page [page@riverfrontcorporation.com]
Sent: Monday, April 06, 2009 4:12 PM
To: Anne Hurlburt
Cc: azconley@comcast.net
Subject: Zavoral & Tiller Mining and Reclamation Proposal EIS
Attachments: EIS concerns.doc

Date: April 6, 2009

To: Anne Hurlburt, Administrator
 City of Scandia

From: Gregory Page

Re: Zavoral/Tiller Mining and Reclamation Project EIS

I have voiced two main concerns about the Zavoral/Tiller Mining and Reclamation Project: sound impacts and potential water quality and/or water quantity impacts. As the process moves into EIS, I want to clarify my concerns on those two points.

Sound
 Gravel mining, cleaning, and transport – as well as the proposed concrete and asphalt crushing, are very noisy (and dusty) activities. I know. I own the property immediately north of the gravel pit and was there when Barton was still operating the pit.

Prior to the February 3 City Council/Planning Commission Meeting, Mr. Zavoral recognized my concern and agreed to foresting the northern 4 acres of the site in a manner suitable to reducing the sound (and dust) from mining operations as much as possible, as a precondition to beginning mining – so that the plants and trees would grow in and up as mining moved more towards my property (homestead) over the next decade or so. I would like to have this stipulated in the Alternative #1—Applicant's Preferred Alternative section, as well as in Alternative technologies, Alternative designs or layouts, and Modified scale or magnitude sections, in appropriate language, such as:

"Tiller Corporation will plant appropriate native trees and shrubs on the northern four acres of the site (which are not planned for mining), marked on figure 2, during the initial phase of mining operations, suitable to mitigating mining operation noise and dust to the greatest extent possible. Tiller Corporation shall coordinate and consult with the Minnesota DNR, National Park Service, City of Scandia, and others to develop the plan.

Water Quality and Water Quantity

The trout stream, noted as "Zavorals' Stream" in documents (I call the stream Minniboha, an Ojibwa word for gully or ravine caused by water), actually has its beginnings on my property. Two springs on my property, about 100 or so feet from the proposed mining site's northern property line are the source of the stream's year 'round flow, flowing through the coldest winter and driest summer. I am deeply concerned over the potential of something happening to the springs and steam – either water quality degradation from chemicals or sedimentation seeping through the soil, and/or loss of year 'round flow from the water table being disturbed. The water from the spring is now good enough to drink (tested 4 years ago) My historical research finds the spring/stream was called Crystal Spring by early settlers and it was a drinking water source for early residents in the area. I would like to make sure that hydrologists thoroughly investigate any and all potential issues relating to proposed mining operations and these springs and trout stream. They can contact me for a site visit.

Thank you, the Planning Commission and City Council for your consideration.

Copy:
 Jim Zavoral azconley@comcast.net

4/6/2009

COMMENTS ON THE DRAFT SCOPING AND DECISION DOCUMENT FOR THE TILLER/ZAVORAL PROPERTY MINING AND RECLAMATION PROJECT— APRIL 6, 2009

Presented jointly by the St. Croix River Association and the St. Croix Scenic Coalition.

The St. Croix River Association and the St. Croix Scenic Coalition submit the following recommendations for the scope of the Environmental Impact Statement that the City of Scandia has ordered be prepared for the Tiller/Zavoral mining proposal. This builds on the issues we raised in our January 28, 2009 letter to the City addressing the EAW.

Statutory guidance for the EIS is found within Minnesota Statutes section 116D.04, subdivision 2a:

The environmental impact statement shall be an analytical rather than an encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment and sociological effects that cannot be avoided should the action be implemented.

We have reviewed the Draft Scoping and Decision Document put forward by the city on its web site. We find it thorough and responsive to the above statutory guidelines, with regard to the EIS Issues put forward in section III of the draft. We have nothing to add in those areas.

We do see opportunities for improvement in the Alternatives discussion in section II of the scoping draft.

The EAW pictured an operation running from April through November, 7 a.m. to 7 p.m., Monday through Friday, for perhaps ten years. At the hearing on the EAW, Tiller described a periodic operation, with the processing equipment running for a time, then being taken away for a time, then coming back. The EIS needs to pin all this down. What quantity of material does Tiller envisage removing from the pit over its operational lifetime? How many days of excavating and processing does it take to generate that much material? How many days does it take to haul that much material away? Does Tiller expect to operate the facility until the target amount of material has been excavated, processed, and hauled away, however many years that may take? How did Tiller come up with the ten year lifetime projection? What about an alternative that gets Tiller in and out of there in five years, processing in April/May and October/November only, Tuesdays through Thursdays, 9 a.m. to 4 p.m. In short, Alternative #5 should explore all the options for limitations on when the mine would (1) excavate, (2) process, and (3) ship out.

The scoping document's Alternative #3 re reprocessing trucked-in materials, is not an independent alternative. Not allowing such activity, can go with any other alternative operating scenarios discussed.

The discussion of the no-build alternative should be expanded beyond the do nothing scenario. What would it cost to restore the existing pit? What if it is not restored, but just left alone? Would the city like to have it as a park? Will the county buy a conservation easement on the area as it presently exists, and if yes would the county require the owner to undertake restoration. Would removal of only the present stockpiled material provide sufficient funds for

restoration of the area?

The description of the project as proposed, is weak on restoration. What slopes will the sides of the pit be graded to? How much dirt will be trucked in to provide what thickness of base for vegetative planting? Where will that dirt come from and what will be the impact on the source(s) from which it is removed? What grasses will be used? What continuing oversight will be provided to assure that the revegetation takes proper hold?

The owner talks of placing a conservation easement on the restored area. What would be the terms of the easement? Does the owner intend to donate the easement, or does he expect fair market value, or what?

The statute cited at the beginning of these comments asks for analysis in the EIS of the "economic, employment and sociological effects that cannot be avoided should the action be implemented".

When given a choice of where to go and where to spend their money, visitors will not return to places that have permitted significant erosion of community character or significant damage to the environment. It would be far better to capture the tourism potential in Scandia by making the Zavoral parcel into a public park rather than to erode tourism income by permitting a gravel pit that will help to move tourists to enter the St. Croix valley on Highway 8 instead of Highway 97.

The St. Croix Scenic Byway, which follows along Highway 95 through Scandia, was designated by the State of Minnesota in 2004. The purpose of the scenic byway designation is to afford scenic protection to the highway route and to promote local economic benefits by promoting byway communities as important destinations for the traveling public. The Zavoral proposal conflicts with the

purpose of the scenic byway and may cause irreparable economic impacts to the local economy. Protecting the Highway 95 scenic byway corridor from unnecessary expansion of gravel mining and truck traffic serves a number of important environmental and economic purposes. A gravel pit in this location would conflict with Scandia's environmental protection goals. It could not escape notice of residents and tourists that the City is the only entity that could have permitted such an environmental blunder if Highway 97 is permitted to run headlong into an unscreened driveway leading to a gravel pit. Permitting this proposed industrial use with its visual eyesore and increased truck traffic in immediate proximity to a State-designated scenic byway and National Scenic Riverway would be seen by tourists and residents as a real local failure to correctly assess the high potential for significant environmental impacts.

Thank you for inviting comments on the draft scoping document.

Randy Ferrin, president
St. Croix River Association

Bill Neuman, president
St. Croix Scenic Coalition

Anne Hurlburt

From: georgiana anderson [simba@backpack.net]
Sent: Tuesday, April 07, 2009 10:59 AM
To: Anne Hurlburt
Subject: Re: EIS Scoping Meeting for Zavoral Mining and Reclamation Project

The recent,very recent,information in the Startribune about the deteriorating state of the St. Croix below Stillwater,should be a heads up. We need to be sure we do not follow the threat, from the area South of Stillwater, into degradation. We need to be sure our river stays clear of run off from any source. The gravel pit plan is going to require over sight systems not yet divulged. I am not confident that Tiller's ,or anybody's for that matter,ability to protect the river absolutely does not exist. This is too important to experiment with.

Georgiana Anderson
20453 Quinnell Ave
Scandia,Mn

On Apr 3, 2009, at 9:54 AM, Anne Hurlburt wrote:

You are receiving this message because you either submitted comments on the EAW (Environmental Assessment Worksheet) for the Zavoral Mining and Reclamation Project or requested to be notified of meetings and/or city actions regarding this proposed project.

The Scandia Planning Commission and City Council will hold a public meeting on Tuesday, April 7, 2009 at 7:30 p.m. at the Scandia Community Center, 14727 209th St. N, Scandia, MN 55073. The purpose of the meeting is to receive comments on the proposed scope of the EIS (Environmental Impact Statement) for the project.

Materials related to this project, including a draft scoping decision document, are available for review at the City of Scandia Office, 14727 209th St. N., during office hours (9:00 a.m. to Noon and 1:00 p.m. to 4:00 p.m., Monday through Friday) and on the City's website (www.ci.scandia.mn.us) . The public is invited to attend the meeting to offer comment on the scope of the EIS. Written comments will also be accepted.

After the public scoping meeting, a final scoping decision document will be prepared. The City Council is expected to approve the final scoping decision at its April 21, 2009 meeting.

Written comments should be directed to my attention. Please feel free to contact me with any questions.

Anne Hurlburt, Administrator
City of Scandia
14727 209th Street North
Scandia, Minnesota 55073
651 433-2274
Fax: 651 433-5112
Cell: 651 746-4080
a.hurlburt@ci.scandia.mn.us
<http://ci.scandia.mn.us>

7 April, 2007

Anne Hurlburt, Administrator

City of Scandia

14727 209th Street North Scandia, Minnesota 55073

651 433-2274 Fax: 651 433-5112 Cell: 651 746-4080

a.hurlburt@ci.scandia.mn.us

<http://ci.scandia.mn.us>

To Scandia Council, and Administrators:

Thank you for another opportunity to contribute to the Zavoral Mine planning process.

The Scandia Strategic Plan, in our view, is a thoughtful and balanced vision for Scandia...

we are very proud to be represented by a thoughtful and hardworking group of staff and volunteer commissioners. The decision to require an EIS as part of the planning of the Zavoral Quarry Mine is another indication of both the conservation-oriented value that Scandia brings to all discussions regarding development, but also reveals a consciousness that we do represent larger interests. The impact of the Zavoral Mine on the St. Croix River is at the center of the EIS, as it should be. We predict that the outcomes of the EIS will be comprehensive, and systemic, and it may inform all property owners along the river about our role in the larger life of the river's social and ecological communities.

Among the many issues that concern us, most have been included in the Scoping outline, is the issue of economic impact of the mine located at a juncture that we now call The Gateway to Scandia (referring the Strategic Plan). Hwys 97 and 95 are main arteries for north and southerly traffic, as well as connections to 35W/35E at Forest Lake; the impact of the proposed mine should be considered as potentially beneficial to, or harmful to, many economic interests within a 22 mile radius. The bridges to Wisconsin along 95 (Stillwater, Osceola, Taylors/St Croix Falls) might provide geographic references that show traffic intersections effecting commercial, tourist, as well as residential traffic. As we propose to envision Scandia as a rural and agricultural community mixed with low impact residential development, imagine *that* vision in the context of a working mine, producing 120 truckloads (to and from) per day. If one considers the future development of the Scandia vision, the attraction of businesses and families to the rural/agricultural landscape, and in proximity to a rare Natural and Scenic River, how does a mine –that both greets visitors to Scandia at its geographic entrance, as well as frustrates visitors as they try to travel to other destinations along the river– signify our commitment?

Among the consequences that a Scoping plan could consider are the economic interests of existing and future endeavors among the many surrounding communities. Many of these are

small scale and integrated with the purpose and value of rural/agricultural/scenic river. Many employ local people, including high school kids. Many support families and individuals who are part of a potentially thriving Scandia, and consistent with the Scandia Brand Identity that the Strategic Plan proposes. Among these are cafés and shops that attract visitors and sustain local residents; canoe and bike rental; retreat and residency programs (Scientific Research Station, Dunroven, Wilder Forest, Warner Nature Center, Will O'Brien Park, Wild Mt; CSAs here and in Wisconsin; Prairie Restoration, Landscape Alternatives...), hiking and camping trails/areas, bed & breakfasts, small scale commercial businesses, including landscaping, farm/ag sales, school programs, ski slopes, schools and school programs. Would a mine at the intersection of 95/97 present an economically beneficial addition to the economies of local businesses? How will traffic congestion encourage residential development in concord with the Strategic Plan? How will we as a community present ourselves as the Scandia of our vision?

How will the future economic interests of others be impacted by the mine? That is a question to be considered. We live just a stone's throw north of the proposed mine. We have been developing our plan for a sustainable life style here for the last 20 years. The thought of hours of mining noise, and the night sky littered with security lights, is almost surreal to contemplate. How will a gravel pit effect property values in the vicinity? Our fear is that the waters of Zavoral creek will be polluted with sediment, and toxins... that the zoning rules by which residences along the river abide might be waved for a mining operation that offers a lucrative future for a few, and an unknown future for the land it excavates. Our well water shares its source with the quarry, we all share our water with the River. It is hard to fathom that our ability to dream a healthy, sustainable future—in harmony with the river, and with the Scandia community—might be curtailed by a gravel mine. The Scoping Plan should include a model for local economic viability with and without a mine at the Zavoral location, including future plans, consistent with the strategic comprehensive plan.

Once again, thank you.

Pamela Arnold, Ann Bancroft
16560 220th Street North Scandia



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Date 4/7/09

Number of pages 3 (including cover page)

To: Anne Hurlburt

From: Chauncey Anderson

Name City of Scandia, MN

Name PORTLAND, OR

Company _____

Company _____

Telephone _____

Telephone 503 256-3271

Fax 651-433-5112

Comments

Comments on Draft ROD for
Zavoral Mine EIS Scoping Document.
Please accept this fax in lieu of mailed documents
- Chauncey Anderson

651-433-5112

Comments on Zavoral ROD and supporting documents.

Chauncey Anderson, Portland, Oregon

Comments submitted April 7, 2009

Dear Ms. Hurlburt,

Thank you for accepting my brief comments regarding the EIS scoping process for the Zavoral mine proposal. My family owns a seasonal property adjacent to (downstream) the Log House Landing on the Minnesota side of the St. Croix River, and we have several concerns about the proposed mine. I submitted a letter to the City of Scandia via email on February 9, 2009, and I am pleased to see that most of my comments are addressed by the proposed Scope of the EIS, as outlined in the Record of Decision (ROD) on the Draft Scoping Decision Document for the EIS process associated with the Zavoral Mine. Listed below are a few comments on some aspects of the ROD.

1. The Modified Scale Alternative should be included, specifically with modifications to exclude any areas that fall within the catchment boundaries for the stream on the North side of the property (i.e. Zavoral Creek). Also evaluate exclusion of any areas that may drain directly to the St. Croix River. .
2. Alternative 3 – Need to include discussion of the type of asphalt that will be crushed or recycled. Some asphalts can contain PAHs and other compounds that could become a mobile contaminant in a recycling process, and should be specifically excluded from any such process at this location. In particular, asphalts made with Coal Tar, or those with Sealcoat applications, can be significant sources of PAHs. These types of asphalt should be excluded from the recycling process at the Zavoral mine.
3. Alternative 4 is good – water use needs to be better defined and potential impacts on groundwater detailed
4. Item 13 – Water Use. Need to evaluate not just quantity of water used but timing of use and different quantities used at different times. Times evaluated should include both times of day and seasonal aspects (e.g. late summer low-flow, fall rains, and spring melt). Please conduct a pump-test to determine connections, if any, with other local wells. The request for a pump test could apply to Item 19 too.
5. Item 16—Erosion and Sedimentation - What are the monitoring plans to detect any effects of erosion and sedimentation from the Zavoral mine, and what are the applicable standards or mitigation measures that may be required if erosion and sedimentation occur, especially in the St. Croix River.
6. Item 17—Surface Water Quality and Quantity -- Identify specific monitoring processes that will provide notification if there are impacts
7. Item 19 -- Groundwater monitoring -- See comment # 3. Need to include the types of asphalt that will be recycled in the evaluation of potential threats to groundwater resources.

8. *Item 26—Visual Impacts* – Include seasonal considerations (e.g. after leaf fall)

Thank you for your consideration.

Chauncey Anderson
430 SE 69th Ave
Portland, OR 97215
503-256-3271
andrgant@hevanet.com

6

Anne Hurlburt

From: Suzanne Lundgren [Suzanne.Lundgren@mpls.k12.mn.us]
Sent: Tuesday, April 07, 2009 11:56 PM
To: Anne Hurlburt
Subject: Comments on the EIS for the Zavoral Mining and Reclamation Project

Anne, I attended the meeting this evening but did not comment due to lack of information on my part. I have been traveling and was not able to read the EIS thoroughly. Many of my concerns were voiced this evening i.e. economic impact. What will be the impact on property values ? My property lies very close to the Zavoral property (31565 St Croix Trail N.) which is the second property north of the 97/95 intersection.

My major concern, however, is the effect any mining will have on water quality. If you walk the railroad tracks from Log House Landing north to the Swing Bridge you will see literally hundreds of streams, creeks, and seepages flowing from the bluffs and toward the St. Croix.

It would seem to me that all of this is interconnected in some way and whatever occurs at the Zavoral mining pit will ultimately show up somewhere else. Up until a few years ago we were drinking water directly from a spring box. We discontinued, not because of contamination from above, but from the river during high water in the spring. Ultimately all water drains into the river. As was noted this evening the St. Croix is on a list of ten endangered rivers in the U.S.

There are many environmental concerns regarding this project. I believe that over time some of these concerns can be reversed. Not in my lifetime but in the next couple of generations. Some issues cannot be reversed and I feel water quality is one of those. For that reason I urge the council and all responsible parties to do everything possible to avoid contamination/depletion of waters that may be affected. I urge you to include every study possible to make sure that this project, if it moves forward will not degrade the water quality from what it is presently.

I also want to commend the council and board for moving ahead with an EIS and addressing some very difficult issues.

Sincerely, Sue Lundgren

Anne Hurlburt

From: Seemon, Daniel J MVP [daniel.j.seemon@usace.army.mil]
Sent: Wednesday, April 08, 2009 8:16 AM
To: Anne Hurlburt
Subject: EAW/Zavoral Property Mining and Reclamation, Tiller Corporation

The Corps of Engineers offers the following comments regarding the EAW:

The EAW page 7, item 12 indicates that the site has no jurisdictional wetlands. The wetland delineation took place on November 11, 2003. This determination is outside the normal boundaries of the growing season. Wetland delineations are valid for the Corps' for five years. We strongly suggest that a new wetland delineation be done within the growing season, using the new supplemental criteria for the Corps of Engineers 1987 Delineation Manual. Furthermore, the delineation will need to be approved in the field by the Corps' and the Technical Evaluation Panel (TEP). It would appear from comments by other agencies, that "all" wetlands, groundwater seeps, and Zavoral Creek are all within the jurisdiction of the Corps' under Section 404 of the Clean Water Act (CWA). Compensatory mitigation for wetland impacts begins at a ratio of 1.5:1 and can increase substantially based on the type of wetland. The Corps' uses a criteria of on-site and in-kind for mitigation of wetland impacts.

The EAW page 14, item 29 Cumulative Impacts is not fully addressed with substantial data. This should include areas such as threatened/endangered species, impacts to the trout stream, groundwater and to the St. Croix River.

The Corps of Engineers appreciates the opportunity to comment on the EAW and to fully participate in the EIS process with the City, other agencies and the applicant.

Sincerely,

Dan Seemon
Ecologist
U.S. Army Corps of Engineers
190 5th Street East
St. Paul, MN 55101
(Office) (651)290-5380
(Cell) (612)770-6445
e-mail daniel.j.seemon@usace.army.mil

Customer Survey
<http://per2.nwp.usace.army.mil/survey.html>

**Anne Hurlburt**

From: Moncur, Corinne [Corinne.Moncur@ecolab.com]

Sent: Wednesday, April 08, 2009 4:02 PM

To: a.hurlburt@ci.scandia.mn.us

Subject: Zavoral Mining and Reclamation Project

We are against the proposed mining pit, for any reason. This is a very busy intersection and we have serious safety concerns with the additional truck traffic. Scandia would be asking for trouble allowing this proposed operation. There are so many objections I'll voice a few only; the environmental run off, airborne dirt & noise pollution, unsightliness to our beautiful river valley, and further reduction in our property values for Scandia homes in the vicinity of this pit. We hear traffic on both Hwy 97 and 95 very clearly and the current Jake braking of the trucks especially in the summer is more than enough! The council should listen to the residents on this issue.

Corinne and Scott Moncur
20970 Quadrant Ave. North
Scandia Minnesota

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United States Department of the Interior

NATIONAL PARK SERVICE
St. Croix National Scenic Riverway
401 Hamilton Street
St. Croix Falls, Wisconsin 54024-0708

RECEIVED
APR - 8 2009
CITY OF SCANDIA

IN REPLY REFER TO:

April 3, 2009

L7615(SACN)

City of Scandia
Attention: Anne Hurlburt, City Administrator
14717 209th St. N.
Scandia, Minnesota 55073

Dear Ms. Hurlburt:

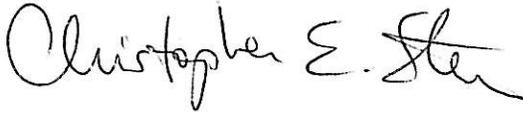
This is in response to the "Notice of Scoping Meeting" to review the scope of the Environmental Impact Statement (EIS) that will be prepared for the proposed Zavoral Mining and Reclamation Project. The purpose of the EIS is to provide sufficient information for the City of Scandia, the Responsible Governmental Unit, to make a reasoned decision about the proposed project.

As stated in our February 2 comments on the Environmental Assessment Worksheet for the proposed project, the National Park Service (NPS) is very concerned about the potential impacts of the proposed gravel mine on the St. Croix National Scenic Riverway (Riverway). The Riverway was established in 1972 under the Wild and Scenic Rivers Act (WSRA) (Public Law 90-542) to protect its scenic, recreational and geologic values for enjoyment by this and future generations. Our concerns fall into five main areas; 1) noise; 2) traffic conflicts; 3) water quality impacts; 4) visual impacts, and 5) cumulative impacts. Therefore, the NPS recommends that the EIS include a thorough analysis of the proposed gravel mine on these impact topics.

A noise study should be conducted to model projected noise levels for both land-based and river based receptors within the Riverway boundary. A traffic study should be done to determine the potential level of conflict between mine and recreational traffic. The EIS should take a hard-look at the potential for run-off of soil and pollutants from the mine and the potential impacts to the water quality and aquatic resources of the St. Croix River and its tributaries. To determine the potential extent of visibility of the mine, a viewshed analysis using Geographic Information Systems (GIS) technology should be conducted. Visual simulations from key viewpoints should also be included in the visual impact analysis. The discussion of cumulative impacts should include the potential impacts of any related or anticipated future project in the area, regardless of the project sponsor.

Thank you for the opportunity to provide comment. We look forward to continuing to work with the City of Scandia to protect the Riverway. If you have any questions, please call our Resource Management Specialist, Jill Medland at 715-483-2284.

Sincerely,

A handwritten signature in black ink that reads "Christopher E. Stein". The signature is written in a cursive style with a large initial "C" and a stylized "E".

Christopher E. Stein
Superintendent

Anne Hurlburt

From: Louie DiBerardini [lsd25350@yahoo.com]
Sent: Thursday, April 09, 2009 8:04 AM
To: a.hurlburt@ci.scandia.mn.us
Subject: EIS

After attending the meeting on the EIS on April, 7, 09, I was impressed again to here all the comments of concern on the Tiller Corp. mining project and hope the city council was listening. All the topics (1 thur 29) should be admitted in the final scop of the decision. At the end of all this I hope there will be no mining allowed at this site. It all boils down to money for Tiller Corp and they have very deep pockets. Thank You

Louie DiBerardini

20680 St. Croix Trl N

ADDITIONAL COMMENTS ON THE DRAFT SCOPING AND DECISION
DOCUMENT FOR THE TILLER/ZAVORAL PROPERTY MINING AND
RECLAMATION PROJECT—APRIL 9, 2009

Presented jointly by the St. Croix River Association and the St. Croix Scenic Coalition.

The public meeting on Tuesday April 7 to discuss the scoping document, stimulated some additional thoughts.

1. As was alluded to by one of the Planning Commission members, a needed additional alternative is to not expand the mining area by 8 acres into places which have not previously been mined.
2. In order to analyze alternatives re times of operation, in terms of hours of the day, days of the week, weeks of the year, and number of years, it would help greatly to know the number of processing hours needed to generate the amount of material Tiller expects to ship from the mine. Then alternatives for allocating those hours over time can be presented.
3. The analysis for times of operation should include alternative specific end dates for the mine, at which time all restoration has been completed and after which there will be no more mining.
3. The discussion at the meeting on alternative sites drifted a bit off the mark. Just because Tiller has found a willing landowner in Mr. Zavoral, does not mean that the applicant's desire to mine there has to be satisfied. There are doubtless other sites for gravel mining, outside of Scandia. The EIS should analyze this.
4. Regarding the discussion at the meeting of historic sites, Minnesota's SHPO identification of historic places in the vicinity of the mine is attachment three to the EAW.

5. We agree with the comment at the meeting that the economic analysis of the impact of implementing the project should include the impacts to neighboring property values and the economic impact to the city, including tourism losses to local businesses and to entities such as Gammelgarden.

Thank you.

Randy Ferrin, president
St. Croix River Association

Bill Neuman, president
St. Croix Scenic coalition

Ms. Anne Hurlburt, City Administrator
14727 209th St. N.
Scandia, MN 55073

April 9, 2009

Dear Anne,

I am writing to request that the following items be included in the EIS for the Tiller Corporation proposal to operate a gravel mine and processing facility at State Hwy 95 & State Hwy 97. I also have other concerns that you may duplicate to the EIS as seems fitting.

I raised a number of these items at the April 7, 2009 City Council/Planning Commission meeting (some are new), and wanted to formalize them in writing.

Items for Inclusion in EIS

1. Statement of what the review process will be on the completed EIS and who (experts, agencies, etc.) will be asked to evaluate the completeness and probable accuracy of the EIS results. [Quality check on the work of the 3rd party EIS vendor.]
2. What exactly will be extracted from the site, in what quantity and what the impact will be to the surrounding area.
3. Maximum height proposed for the stockpiles of material on the site. [Elevation will potentially impact airborne material, visual impact of the site and potential dangers for children / dirt bikers and others who get onto the site.]
4. Potential impact of all local wells that could experience negative consequences as a result of the site. This should include a comprehensive, current inventory and map of all business and private wells in the area that could potentially be impacted, showing location, well / property owner, well depth and which aquifer the well taps. [When the site was operated formerly, local wells went dry. Homeowners had to have their wells re-dug at much deeper depths, were without water until they had remedied the situation, and had to pay for the work themselves.]
5. Depth and width of all wells that are existing or will be added to the gravel site, the maximum number of gallons that each well will draw in a given day, as well as which aquifer each well will tap. [Contamination issues, reducing water and water pressure available to local businesses and homeowners.]
6. List of all chemicals and tools that will be used for washing extracted material, imported material and equipment, and how oil, gas and chemical contamination will be prevented. [Ground water, aquifer, river and soil contamination.]

7. Quantify possible emissions from the site that would cause or add to any air pollutants in the area. [Plant, hauling trucks, etc. Baseline samples should be taken and analyzed.]
8. Definition of load and impact on local roads. Maximum number of truck trips per day, per type of truck. Weight of trucks when full. Mitigation measures to ensure that road quality and safety do not diminish further as a result of operations.
9. Which roads will be used to bring material for the site into Scandia and to remove material from Scandia.
10. Quantify maximum amount of time after ending operations in each site area, reclamation or restoration would begin and the maximum duration to complete the reclamation or restoration of each area. Define how it would be determined that work had in fact, ended in an area. [Current draft EIS only states that it would begin after operations were complete in an area.]
11. How any topsoil, vegetation or other materials brought in as part of reclamation or restoration of the site, as well as the portion of the old site to be reclaimed or restored, would be determined to be free of contaminants, pests and disease not already native to or found in the area, and the potential impacts if they were brought in. [Samples should be taken and analyzed to establish the baseline.]
12. The maximum depth, in proximity to ground water, that mining will come. Report on the effect of the ground water table dropping as a result of site operations. Include site plans if the ground water table were to drop due to causes other than site operations, threatening the water supply of residents.
13. The allowable hours of operation for all 7 days of the week, to include seasonal variances and holidays.
14. As a 3rd party will be contracted to conduct and document the EIS, the Request for Proposal that will be sent to prospective vendors should be made available to the public for comment, prior to being sent out to potential vendors. For further process transparency, documentation regarding the criterion that the City Council will use to evaluate and rank all vendor RFP responses, as well as in the selection of the vendor of choice, should be made available to the public for comment, prior to RFPs being issued for response.
15. The EIS should contain detail on who executed the work in each item included in the EIS, and who defined each item in the EIS (Tiller or Tiller agent, City of Scandia, etc.). It should also include the tests and testing /assessment methods that were used to reach each conclusion or statement of risk, as well as the quality controls that were used.

Other Items for City Council to Weigh in Tiller Proposal Decision

16. Impact on local property values as a result of an operating gravel mine and processing operation. Existing studies are available on the negative impact of

similar mines in the U.S., on the value of property and homes as far away as 5+ miles from the mine sites.

In fairness to the residents of Scandia whose tax dollars support our city, a study needs to be completed on the impact to property and home values and future sales and made available for public comment prior to any decision being made by the City Council that would allow the mine to operate.

Many local homeowners have seen dramatic (1/3 or larger) reductions in the value of their homes and property as a result of the economic and mortgage crises over the past 2+ years. Many homeowners are now living in Scandia properties that are valued below the price they paid for them. Approval of the Tiller project will negatively impact the value and salability of properties in the area. Residents have lost enough of their net worth as a result of poor government oversight of other industries. We don't need to lose more as the result of this project.

17. What will be done to secure the site, and prevent the same rise in police calls, dirt bike noise, etc. that have been experienced as a result of the gravel pit near State Hwy 97 and Manning, in Scandia?
18. The extent of liability of Tiller, their agents and the site landowner(s) in the event that negative risks noted in the completed EIS and local property value study, come to pass if the city approves the project, and what recourse those effected would need to use to receive compensation. What recourse the City of Scandia or local residents will have should Tiller or any of its agents in the site operations go out of business prior to completing site reclamation or restoration.
19. What the implications would be should Dr. James Zavoral or other owners of the site, sell the site prior to the site closing down with complete reclamation or restoration of the site having been performed.

Thank you for all of the work you are putting in to getting the documentation ready,
Anne.

Best Wishes,

Judy Herbert
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