(1)

Kristina Handt

From: John W. Fitzpatrick [jwf7@cornell.edu]
Sent: Thursday, December 13, 2012 7:46 AM
To: k.handt@ci.scandia.mn.us
Subject: Comment Regarding Zavoral Mine and Reclamation Project Conditional Use Permit

Dear Planning Commission, friends and neighbors,

I am a local landowner. Together with my three brothers, I own a house and property on Quint Avenue N that has been in our family for four generations. I am also a professional ecologist at Cornell University, and am very familiar with the globally unique features of the Scandia-Copas-Otisville stretch of the St. Croix River and its bordering hills and ravines. As you probably already appreciate, this area supports an outstanding and highly unusual assemblage of plants, animals, and freshwater communities that represent a union of three distinct American biomes – the boreal north, the deciduous forests of southern bottomlands, and the dry oak-savanna hillsides of the glaciated eastern prairie.

It is no accident that this area is so popular, both as an economy-supporting recreational hotspot and as a quiet and beautiful neighborhood in which to live year round. It is a preposterous idea that the Planning Commission could consider granting the Tiller Corporation a conditional use permit to open a major mining project, carrying with it (1) year-round disruption of the ecological balances in forest and water quality at that extraordinary place, (2) daily disruption through industrial noise, mining debris, truck traffic, destroying the neighborhood values of which your Commission should instead be fiercely proud and protective, and (3) considerable safety concerns for residents, tourists, and itinerant motorists at that important region where highways 95 and 97 come together.

I urge you in the strongest possible terms to reject this mining project and its conditional use permit, as the project is utterly unfit for the place and values of the public community you represent. Thank you for doing the difficult but essential task that a responsible Planning Commission must occasionally execute, namely refuse to grant permission for a private entity to ruin an area enjoyed and valued by the much larger public.

Sincerely,

John W. Fitzpatrick
Director, Cornell Laboratory of Ornithology
Cornell University
Ithaca, NY 14850

(2)

Kristina Handt

From: Grant Wheaton [granta@frontier.com]
Sent: Thursday, December 13, 2012 10:58 PM
To: k.handt@ci.scandia.mn.us
Subject: question

if the planning comm. votes to approve the mine, and the city council approves the mine, do you see tacos sueing to stop the mine? it seems that the city has many legal reasons to stop the cup, why are they so set on approving something that absolutely nobody wants?

thank you; grant wheaton

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Kristina Handt

From: Ross Grotbeck [ross8271@gmail.com]
Sent: Friday, December 14, 2012 2:51 PM
To: k.handt@ci.scandia.mn.us
Cc: Dawn Hughes
Subject: Zavoral Mine

Hello All,

We oppose the Zavoral Mine location at Hy 97 &95. We feel this community is about farming, living, wildlife and recreation NOT about mining and loud trucks roaring down our roads.

Ross Grotbeck
Dawn Hughes
17491 Olinda Trail N
Marine On St Croix, MN 55047

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SARAH JOHNSON PHILLIPS
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December 14, 2012

VIA EMAIL (steven.gorg@state.mn.us)

Steven J. Gorg, M.S., P.E.
Air Quality Permits Section
Industrial Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155

Re: Comments on Issuance of Air Emission Permit No. 02500056-001 to Tiller Corp.

Dear Mr. Gorg:

I am writing on behalf of Unimin Corporation to express concerns about the industrial sand processing facility recently constructed by Tiller Corp. in North Branch, Minnesota. Unimin has no objection to the facility itself, but is concerned that Tiller's facility was constructed without undergoing any environmental review and without a necessary air permit.

Unimin owns and operates significant industrial sand mining operations in Minnesota, and therefore has a significant stake in ensuring that all participants in the industry follow the requirements and respect the spirit of Minnesota's environmental review rules. These rules protect important public interests and adherence to the rules is important for preserving public trust in the industry. However, Unimin has observed a recent trend of projects being proposed in a piecemeal manner that results either in piecemeal environmental review or avoiding it altogether. Environmental review is necessary to address a project's full magnitude (including phased and connected actions), required government approvals, land use impacts, wildlife impacts, water use, impacts on water resources, plans for erosion and sedimentation control, plans for handling waste, traffic impacts, air emissions, odors, noise, dust, visual impacts, infrastructure needs, and cumulative impacts.

For reasons explained further below, Unimin believes that an Environmental Assessment Worksheet ("EAW") and possibly an Environmental Impact Statement ("EIS") may be required for Tiller's North Branch facility. Since neither an EAW nor an EIS was conducted prior to construction, we are writing to request that the Minnesota Pollution Control Agency ("MPCA") consider ordering environmental review before issuing the facility an air permit.

Tiller has applied to MPCA (after the construction of the North Branch facility) for an air permit that authorizes construction and operation of a dry processing facility for industrial sand in North Branch. We understand that MPCA is currently considering whether an EAW is necessary prior to issuing the air permit and that a petition for an EAW has been submitted to the Minnesota Environmental Quality Board ("EQB") by citizens from Harris, Minnesota. Under Minn. R. 4410.1000, subp. 3(A), an EAW "shall be prepared" when "a governmental unit with approval authority over the proposed project determines that, because of the nature or location of the proposed project, the project may have the potential for significant environmental effects." The standard is similar when responding to a citizens' petition for an EAW.[i] Then, pursuant to Minn. R. 4410.1700, subp. 1, an EIS must be ordered for projects that are determined to have the potential for significant environmental effects. In this case, environmental review appears to be appropriate based on size of the plant and the scale of the mining that will be induced to supply it. Considered in total, projects of this nature may have potential for significant environmental effects and thus require, at minimum, an EAW.

Based on information provided by Tiller in its application to the City of North Branch for a conditional use permit and variance for the facility, Unimin estimates that during the first phase of the project, the North Branch facility is capable of processing 3,000 tons of sand per day (or more than 1,000,000 tons per year). To run at full capacity, a plant of that size will require the mining of sand approximately equivalent to the amount that could be produced from 20 to 25 acres each year. Tiller also has indicated that it plans a second phase in which the plant would be expanded to process construction aggregates. Notably, the amount of sand mining to support the initial phase would exceed the threshold for triggering a mandatory EAW in about two years and a mandatory EIS in six to eight years.[ii] Further, Tiller anticipates that in the second phase of the project, the North Branch facility will be expanded to include aggregate processing, which would be associated with a substantial amount of aggregate mining.

In Unimin's experience, a facility of the size and type of the North Branch facility typically would require investment in the range of $25-$35 million. An investment of that size would normally require a detailed business plan that would include both short and long-term plans for obtaining sand to operate the plant. As a result, Unimin believes that as the responsible government unit ("RGU"), MPCA must consider whether this project includes "planned future stages of development or additional projects will occur as a result of the initial project."[iii] Under Minnesota law, such connected and phased actions must be considered in total when determining the need for an EAW or an EIS.[iv]

Minnesota law defines phased and connected actions as follows:

- A "phased action" means two or more projects undertaken by the same proposer that an RGU determines: (1) will have environmental effects on the same geographic area, and (2) are substantially certain to be undertaken sequentially over a limited period of time.[v] Project sites do not need to be adjacent or even nearby if their impact zone is large.[vi]

- Two actions are "connected actions" if an RGU determines that: (1) one project would directly induce the other, (2) one project is a prerequisite for the other and the prerequisite project is not justified by itself, or (3) neither project is justified by itself. Projects may be connected even if they have different owners or timing.[vii]

As described above, the amount of sand needed to supply the North Branch facility translates to the mining of about 25 acres per year. Based on news reports and other sources, Tiller intends to obtain sand for the plant from sources within an approximate 25-mile radius of the plant. Tiller has said publicly that sand will initially come from a mine in Grantsburg, Wisconsin and that when the supply from Grantsburg is exhausted, it will obtain sand from sites south of North Branch. Tiller also has said that the supply from Granstburg will last for as little as one or two years.[viii]

Based on these statements and review of various known mining and processing facilities in the area, it appears that the following sites are or could be associated the North Branch facility:

- *Grantsburg, Wisconsin Mine*. As described above, Tiller reports that it will initially obtain sand for the North Branch facility from a mine in Grantsburg, Wisconsin. This 141-acre mine is owned by Interstate Energy Partners, but is operated by Tiller. Tiller has described the Grantsburg mine as the source of the North Branch facility's sand supply for as little as one or two years.

- *Sunrise Township Wet Processing Facility*. Tiller operates a gravel mine in Sunrise Township, Chisago County, approximately 22 miles from the North Branch facility. In 2009, Tiller obtained approval from Sunrise Township to expand this operation to allow for wet processing of materials brought in from other sites. Unimin understands that Tiller has been stockpiling sand output from the Grantsburg mine at Sunrise in anticipation of processing it at the North Branch Facility. The Sunrise Township board recently expressed concerned about the 70 to 80 trucks per hour running from this location.[ix] This site is connected to the North Branch facility by its role as a wash facility for the Grantsburg mine, and by the initial plans to move the stockpiled material from Sunrise to North Branch.

- *Zavoral Mine*. Tiller has proposed to reopen a sand and gravel mine in Scandia, Minnesota. In October, the City of Scandia approved a final EIS for the Zavoral mine project, which would include mining on 64 acres to a mean depth of 15 feet. Notably, the geology of this site appears suitable for mining of the Jordan Sandstone. The Jordan Sandstone is a geological formation that contains the type of sand that will be processed at the North Branch facility. At Zavoral, the Jordan Sandstone lies below the aggregate material described in Tiller's mining plans for this site.[x] According to the final EIS and related documents, Tiller plans for aggregate material mined at Zavoral to be transported to another of its mine sites in Scandia that is equipped with an aggregate processing facility. During the EIS comment period, the National Park Service expressed concern that the planned mining at the Zavoral site would make the Jordan Sandstone more accessible and economically viable to mine. In Unimin's experience, the type of sand produced from mining the Jordan Sandstone is a higher revenue product than aggregate. Given that Tiller's new North Branch facility was constructed and designed to process this type of sand, it is unclear why Tiller would not plan to mine the Jordan Sandstone at the Zavoral site. Despite the possibility of the Jordan Sandstone being mined during the lifespan of the North Branch facility, this possibility was minimally addressed in the final EIS.[xi]

- *Scandia Mine*. As described above, Tiller intends to bring aggregate material from the Zavoral mine to its existing Scandia mine site for processing.[xii] In addition to being permitted for aggregate processing, this site is permitted for mining of sand and gravel below the water table. As with the Zavoral mine, the geology at this location appears potentially suitable for industrial sand mining and therefore the Scandia mine may be another of the sites "south of North Branch" from which Tiller could supply the North Branch facility in the future. An EAW was last prepared for the Scandia mine in 1999. The City of Scandia decided not to require an EAW for a substantial expansion of the mine in 2008.

- *Other mines*. Tiller and its affiliates own or operate numerous aggregate pits in Minnesota that may be suitable for industrial sand mining, including in the vicinity of the North Branch facility. Therefore, the mines listed above likely are not the only locations at which new mining may be induced by construction of the North Branch facility.

Any approvals needed for sand mining at these sites to supply the North Branch facility should be considered phased or connected actions. If there are any approvals needed for anticipated new activities at these or other sites associated with supplying the North Branch facility, they should be considered "connected actions" because they are being induced by construction of the

North Branch facility. Alternatively, if such approvals are needed in the future, they should be considered phased actions because they will have environmental effects on the same geographic region and are substantially certain to be undertaken over a limited period of time.

As previously described, the North Branch facility will require a supply of sand at a rate of approximately 20 to 25 acres mined per year. The Grantsburg mine is likely to be exhausted within two years. The investment required to construct the North Branch facility and normal business practices would require planning for the plant to have at least a 15 or 20 year lifespan. Therefore, it is substantially certain in a limited period of time that additional sand mining will occur due to the construction of this plant. Unimin estimates that the amount of mining required would be about 75 acres over three years and about 375 acres over a 15-year period, far exceeding the 40-acre threshold for a mandatory EAW and the 160-acre threshold for a mandatory EIS. And, further, Tiller has indicated that such mining will occur within a 25-mile radius of the plant at locations "south of North Branch." Even if MPCA determines that there is insufficient information available to establish that the various mining sites are phased or connected actions, these projects still are strongly associated and have potential cumulative effects. Therefore, in the alternative, MPCA should consider joint environmental review of the North Branch facility and associated sand mining proposals in the form of a related actions EIS.[xiii]

In summary, Unimin has no objection to the North Branch facility or Tiller's mining operations. However, Unimin believes that Minnesota's environmental review rules must be applied consistently and in a manner that allows RGUs and Minnesota citizens to effectively evaluate environmental impacts. It is Unimin's belief that, by its nature, the scope of this sand processing facility is not limited to the plant itself – it necessarily includes mining that will be induced by the plant. And particularly when, as in this case, mining appears to be planned for the same geographic region to be conducted by the owner of the plant, the processing facility and the mines should be included together for purposes of environmental review. For these reasons, Unimin believes that at least an EAW – and potentially a full EIS – is warranted for the North Branch facility when considering the full scope of the project, i.e. including the sand mining that will be induced by the plant within its anticipated lifespan. As noted above, even if the plant by itself does not trigger a mandatory EAW or EIS, the amount of mining that will be induced crosses those mandatory thresholds. Therefore, even if the North Branch facility does not definitively trigger mandatory environmental review, the nature of the project means that it has potential for significant environmental effects. The "potential for significant environmental effects" requires, at minimum, that an EAW be prepared.[xiv]

Very truly yours,

Stoel Rives LLP

Sarah Johnson Phillips

cc: Unimin Corporation, c/o Rick Solazzo
Don Smith, MPCA
Craig Affeldt, MPCA
EQB, c/o Kate Frantz
City of North Branch City Council, c/o Bridgette Konrad, City Administrator
City of Scandia City Council, c/o Kristina Handt, City Administrator
City of Harris City Council, c/o Donna Heidelberger, City Clerk
Sunrise Township Board, c/o Wendy Kowalke, Town Clerk
Chisago County Board, c/o DeAnna Lilienthal, Clerk

[i] See Minn. R. 4410.1000, subp. 3(B).

[ii] The threshold for a mandatory EAW for nonmetallic mineral mining is excavation of 40 acres or more to a mean depth of ten feet or more during a facility's existence. Minn. R. 4410.4300, subp. 12(B). The mandatory EIS threshold is excavation of 160 acres or more to mean depth of ten feet or more. Minn. R. 4410.4400, subp. 9(B).

[iii] Guide to Minnesota Environmental Review Rules, Minnesota Environmental Quality Board, May 2010 ("EQB Guidance"), at p. 8.

[iv] Minn. R. 4410.1000, subp. 4.

[v] Minn. R. 4410.0200, subp. 9c.

[vi] EQB Guidance, at p. 9.

[vii] Minn. R. 4410.0200, subp. 60.

[viii] Mike Carron of Tiller Corp. is quoted in the Chisago County Press as saying that in a matter of a year or two the supply line coming from the east (Grantsburg, Wisconsin and a Sunrise Township pit) will no longer be the source of materials. Product will come from pits to the south of North Branch. See "Air emissions review creating concerns over plant," Denise Martin, Chisago County Press, November 15, 2012.

[ix] Sunrise Township Board meeting minutes, Thursday, October 18, 2012.

[x] See Tiller Conditional Use Permit Application for the Zavoral Mining and Reclamation Project, submitted to City of Scandia, November 4, 2008.

[xi]Zavoral Mine & Reclamation Project, Final Environmental Impact Statement, August 8, 2012, Responses to Comments on the Draft EIS, Sec. 4.17, p. 70.

[xii] See Zavoral Mining and Reclamation Project, Revised Scoping Decision Document at p. 3-4, January 2010, adopted Scandia City Council Resolution No. 01-18-10-05, January 19, 2010.

[xiii] As explained in the Minnesota Environmental Quality Board's ("EQB") Guide to Minnesota Environmental Review Rules, independent projects can be considered jointly for environmental review. Joint environmental review is an option available at the discretion of the RGU (but paid for by the proposer(s)) so long as it does not unduly delay the review of any one project. Minnesota Environmental Quality Board's Guide to Minnesota Environmental Review Rules, at p. 12, May 2010; Minn. R. 4410.2000, subp. 5.

[xiv] Minn. R. 4400.1000, subp. 3.

5

Kristina Handt

From: Julie Kilpatrick [jkilpatrick@me.com]
Sent: Friday, December 14, 2012 8:47 PM
To: k.handt@ci.scandia.mn.us
Subject: Tiller mine comment

To: Members of Scandia Planning Commission and Scandia City Council,

We are not residents of Scandia. We are members of the St Croix River Assn and former volunteers with the National Park Service and residents of Stillwater. We attended the Planning Commission meeting about the Tiller mine a few weeks ago.

The Scandia Parks Committee, National Park Service, St Croix River Association and TA-COS made clear recommendations to not provide a permit to the Tiller Mine.

As members of the St Croix River Association. We encourage the City Council to adopt the recommendations of these representative groups.

Sincerely,

Julie Kilpatrick

Andrew Jenks

1209 2nd St N

Stillwater MN 55082

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Kristina Handt

From: Gordon Mmarinkovich [corkman7@comcast.net]
Sent: Sunday, December 16, 2012 1:37 PM
To: k.handt@ci.scandia.mn.us
Subject: Gravel pit

The thought of activating gravel pit is not only an eyesore, but historically impedes traffic. Would not be quality addition to area. Traffic would also be factor with truck activity. Vote no.

Sent from my iPhone=

7

Kristina Handt

From: Lindell, John [John.Lindell@ag.state.mn.us]
Sent: Tuesday, December 18, 2012 1:37 PM
To: 'k.handt@ci.scandia.mn.us'
Subject: Comments for the Zavoral mining applicaion

To the Planning Commission and City Council:

As discussed at the December 12 public hearing, it appears that the land use consideration for the mine can be reviewed under the 2010

comp plan and land use map which would allow for the mining operation at the Zavoral pit or it can be reviewed (and denied) under the 2020 land use map.

Unfortunately, the previous city administrator misinformed the council that the timing of the application required a review under the 2010 plan and this

misinformation was also repeated but the current city planner. Then the city attorney at the time failed to advise the City council members of those

mistaken representations by the city administrator and city planner. Regardless, a well known legal principle is that ignorance of the law is no defense. Tiller knew

or should have known that the City Council could review its application under the 2020 Comp plan map and chose to proceed regardless.

In addition, after reviewing the many conditions that the city planner has offered to address the many flaws with the Tiller EIS and conditional use permit,

its apparent that granting a permit would not be in the public interest nor does it satisfy the legal standards to protect the environment and address the safety

concerns raised with this request. Having to put a hundred band aide conditions on an application only shows the how rediculous it would be to grant it.

Further, as noted at the public hearing, Tiller has a long history of violating the law and therefore putting a ton of conditions on the permit would

not satisfy the public interest. The conditions become meaningless unless Tiller can show that it abildes by the law but it can't.

Thank you for your consideration in this very important decision that the community almost universally objects to.

John Lindell
Scandia, MN

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8

Kristina Handt

From: Kenneth L Sogge [ksogge@frontiernet.net]
Sent: Tuesday, December 18, 2012 3:19 PM
To: City of Scandia
Subject: appeal
Attachments: Reject the Conditional Use Permit for Tiller Corporation.doc

We earnestly appeal to the Scandia City Council and the Planning Commission to reject the Conditional Use Permit for Tiller Corporation to open the Zavoral Mine. You were elected to represent the people. The people have spoken. We showed up at numerous meetings, researched, formed opposition (TACOS), and hired lawyers. A decision in behalf of our community is overdue. We still feel you are waffling on making a decision.

We do not want mining in the beautiful, scenic and sensitive area. Nor do we want all the inherent dangers with truck traffic at an awkward intersection. Please have the guts to say "NO".

Karen and Ken Sogge

21350 Pomroy Avenue, No.

Scandia

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(9)

Kristina Handt

From: Suzanne Lundgren [suzanne.lundgren@yahoo.com]
Sent: Tuesday, December 18, 2012 10:37 PM
To: k.handt@ci.scandia.mn.us
Subject: Zavoral/Tiller Conditional Use Permit

I lost my document and am going to try and redo it. If you received it on windows would you please let me know. You may receive two similar responses. If so use the first. Respectfully, Sue Lundgren

To: The Planning Commission of the City of Scandia
From: Suzanne Lundgren (Sue), 21565 St. Croix Trail N
Re: Zavoral/Tiller Conditional Use Permit

The entrance to my property is .3 of a mile north of the 95-97 intersection, and begins at the tree line running directly to the river. It is approximately 24 acres. My parents built a cabin on the river in 1937 and I was born in 1943. I spend a great deal of time there and have been a steward of the land for close to seventy years. I have a deep passion for the river, and the land surrounding it. One of my first concerns is the access point we use to get to our property. The close proximity to the proposed mine allows us little time to enter and leave from the north or the south. On any given day the traffic in the morning when people are going to work and the afternoon when they are returning makes for a long/dangerous entrance/exit. With the addition of large gravel trucks it increases the time and safety of many. There are eight families with children who use this entrance regularly in the spring, summer, fall, and occasionally the winter. There is a similar situation at 220th. and 95 but they do have a two way stop on 220th. People are worried about the intersection at the entrance of the proposed mine and neglecting other points of access to 95. I do not want to spend the next ten yearsof my life reliving this! Nobody wants a gravel pit in their back yard or next door to them but there are other reasons of greater importance. I grew up when the former mine was operating. We could hear the digging, the mining, the trucks loading, and unloading, backing up, and the constant beep, beep, beep. What was once a black sky where the stars could be seen for miles, became an area of unnatural light from mining in the dark, and security lights that were on all night. It affected our serenity, our experience and our well being.

The mining finally stopped and the noise stopped but the land had been raped never to look the same with huge stands of old growth white pines, mature, oaks and several other species of trees gone. It became an ugly " moonscape " as several in the area refer to it. It was never reclaimed professionally but left nature to do her thing.

Aside from safety, noise and desecration of the land is the actual location for this proposed mine. As close to the Saint Croix Scenic Riverway, and within the Saint Croix Corridor is no place to continue to mine gravel! A few years after the mining stopped four out of five families land in our little cluster were becoming very wet. The water table was rising rapidly. Two of the cabins were destroyed and I lost about twenty maple trees because of the rising water table. Four of us installed drainage tiles which has solved the problem for now. I think of Newton's Third Law....to every action there is an equal and opposite reaction. What will happen to the trees, the soil, the seeps, the streams, and the bedrock when mining disturbs the natural flow of what presently exists? What will happen to the great ravine which is directly north of Zavorals boundary line where springs bubble to the surface through the cracks of the sandstone? What will happen to the natural flow of water toward the river when the land surrounding the site is so disturbed it affects not only Zavorals property but the surrounding property? Water is a great force and seeks a path of least resistance. What affects Zavarol's property will affect us all...people who enjoy the river, live on the river, live near the mine and seek out the river for solitude and beauty. This includes the people of Scandia, Marine, Osceola and surrounding

communities. People across Minnesota, other states and countries come to Minnesota for our lakes and rivers not to see gravel mines but to see the beauty and enjoy recreational activities.

Based on the EIS and the City of Scandia's 2030 Comprehensive Plan the city has the right and respobsibility to DENY Tiller's application for a CUP due to the harmful impacts the mine would have on the Scandia community and the environment....both within Zavorals property lines and two or more miles within the radius of the Zavoral property. It will affect the well being of people in Wisconsin, people to the north of the mine, the south of the mine and west of the mine. It is NOT compatible with residential or agricultural land and certainly not next to a National Park!

For these reasons and the inadequate Criteria cited in the CUP, I urge the Planning Commission to DENY the Conditional Use Permit.

Whereas; the City of Scandia is operating under the 2030 Comprehensive Plan the CUP should be unequivocally DENIED . By approving it a very serious precedent will be set by the city which may come back to haunt you.

Whereas; the approval of the CUP will NOT promote and enhance the general public welfare and WILL be detrimental or endanger the safety, public health, and comfort of Scandia residents, visitors to Scandia, and the scenic river, THE CUP SHOULD BE DENIED!

Whereas; the CUP will be injurious to the use and enjoyment of other property in the immediate vicinity of the mine. People who live within a 2-3 mile radius of the mine will be affected directly by noise, traffic, and the degradation of their property. Newtons Third Law of Motion...for every action there is an equal and opposite reaction canot predict what will happen to the bluffs, seeps, contiguous property to Zavorals, and the river. We don't know how property values will be affected. Once the mining begins we can't go back and it will continue until it has been reclaimed. THE CUP SHOULD BE DENIED!

I urge the Planning Commission to DENY THE CUP and recommend the NO BUILD ALTERNATIVE. If for some reason Scandia owes Tiller/Zavoral I recommend a 1 year plan for complete removal and reclamation with a stipulation that nothing be renewed. After 1 year there would be no more mining on this land. Get it done Quick!

You have a big decision to make as the acting Planning Commission and your decision will affect many people,and the environment for years to come. That area can never be reclaimed but will be dramatically changed by your decision. Happy Hoilidays to all!

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What happens in Scandia does not stay in Scandia

Like the ripple effect that one sees when a pebble is tossed into a smooth lake or river, the impacts of this decision are not solely confined to the city limits of Scandia. The Council Members and Planning Commissioners are given the responsibility by your constituents to respond with what is best for Scandia, yet the implications will reverberate far beyond the valley and our fair city.

As was pointed out in the latest meetings, this decision will have impacts on our neighbors, residents of the valley to the north and south, east and west, the entire watershed district, the greater metropolitan area and even to the people from around the nation and from abroad who come to the St Croix River Valley to enjoy this scenic natural treasure in it's current state. Tourism is a source of revenue for many people in the area who depend upon the serenity and beauty of the river and its environs to draw customers to their restaurants, coffee shops, bed and breakfasts, gas stations, grocery stores, museums, gift shops, canoe and kayak rental businesses, bicycle rental shops, visitors to our own William O'Brien State Park, Interstate State Park, the National Wild and Scenic Riverway and the National Park Service Headquarters and so on . People like to shop in quaint places away from the Wal-marts and Targets that pervade the ever-expanding suburban sprawl. We as a city do not align ourselves with that sprawl through the vision of our Comphrehensive Plan. Let us maintain that vision and not allow the industrialization of a very significant portion of our area and the St Croix Valley.

What will happen if Tiller gets a contract to provide gravel for the new Stillwater Bridge? Will 560-740 trucks a day leave the Zavoral Site, and go to the Scandia Mine to unload their rock and then have 560-740 more trucks a day go from the Scandia Site down to Stillwater with the amended loads of gravel for the bridge? I can envision such a horrible mess for all of Scandia, if that were to be the case. I am afraid that not all of the potentialities and consequences have been thought out, and of course, TIller is not letting on that there will be anything other than just taking the gravel from Zavoral's land to the Scandia Mine. But their business is gravel, therefore money and contracts will prevail.

I am afraid that if you give Tiller an inch, they will take a mile and continue to mine in that spot for many more years than has been outlined in any of the proposed alternatives. It has been made clear that there is no end date to a CUP unlike an "Interim Use Permit" as specified in the League of CIties handout. I don't think that anyone would call this mine an "asset" for our community. So then, if it is not and asset, I say, it is a "liability". Why would we open ourselves up to the potential of an undetermined length of time for this liability to occupy our city, our valley and our river.

You asked what our preferences would be if mining were to occur. My preference would be to issue an "Interim Use Permit", specifically for the duration of removing the stockpiles of previously mined gravel only. No new mining to be allowed, only to reclaim or regrade the previously mined site to be compatible with other potential uses such as development. No mining of the previously untouched 9 acres. With Tiller's history of non-compliance of imposed conditions and examples of extreme negligience in their other mines including the Scanida Mine and the Grantsburg mine, I feel it would not be in the best interest of Scanida to issue a CUP under any of the proposed plans and that the "No Build Alternative" is the only safe and prudent option.

Additionally, I would like to make a comment based on my obsesrvations of the proceedings. I have attended almost all (if not all) of the of the PAC meetings and those officiated by Sherri Buss. As the city planner I would assume that it is her charge to present all of the points of view and not to try to influence the commissioners and council members to her bias. This has clearly not been the case.

As far as I know, she is not a resident of Scandia and yet she draws part of her income from us. She does not live where she will be impacted by the numerous issues that the citizens of Scandia have raised. I feel sorry for the poor woman who spoke at the December 4 meeting who suffers from COPD and lives right across the road from the pit. I feel that her viewpoint and opinion are more valid than that of a non-resident who is displaying incredible bias and partiality from a pulpit of authority given her by her position.

You have had people from a wide range of professions and backgrounds speak out on this issue. From a former Vice President and Senator to an Arctic explorer, both of whom have internationally acclaimed reputations. Not that their opinions are any more valid than yours or mine, but they have achieved a certain level of renown for their works on behalf of the environment and for the salvation of natural areas for the use and enjoyment of the people: you, me and all of the other 316,000,000 Americans and let's face it, citizens of the world.

On December 12th, Mr Clapp stated that City Planner Buss made him nervous or concerned, (I forget the exact word he used). I have a different feeling. Her performance raised a "red flag" for me. I couldn't help but thinking "Why is she being so adamant and contentious?" "What does she have to gain from Tiller getting this CUP?"

As the city planner, my feeling is that she should be presenting the views of all sides, pro and con in an impartial manner and then allowing the Planning Commission members the freedom to deliberate and do what it is that they are required to do, which is to make a recommendation, and then allowing the City Council members and Mayor to do what they are required to do, without trying to influence anyone on the council or commission. If the members of those bodies were to ask specifically for her recommendations as part of their deliberations, then it would be appropriate for her to share her views, but not before. Her bias has been evident since I first started attending the PAC meetings, at times in subtle ways and now in no uncertain terms. If I have noticed it, so have all of you, but you may know her personally better than I and say "Well, that's just how she is", or "She is passionate about her work". That may very well be, but from the observers point of view, I see that she is trying to manipulate the situation and the outcome of the vote.

Her attitude and inhospitable demeanor towards the Planning Commissioners who asked valid questions and to the members of the public who were presenting their views was totally unprofessional and quite frankly, for me, calls into question the validity of the entire process that has taken so many years, and the time and money of so many people, not just Tiller. I recall sitting through the PAC meetings so many months ago and thinking that she had already made up her mind when the process was still in the fact-finding mode. Back then the feeling was slightly uncomfortable, on December 12th I was totally outraged by her inablility to treat our citizens and members of the Planning Commission who were asking pertinent questions with civility and with dignity. The animosity towards the members of the public made me feel that the tension in the room was palpable.

Is there a possible conflict of interest with her being in charge of these meetings? I understand that she is a senior planner at TKDA. Is it not possible that the corporation for which she works might enjoy some financial gain, contracts or recommendations from the Tiller Corporation and their players in the future, if there is a favorable outcome for Tiller, which will result in more work for her? Call me skeptical, but the red flag that her performance has raised is really screaming out "Conflict of Interest" to me.

Thank you for all of your work in this matter and for the opportunity for me to present my opinions and observations.

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