

March 25, 2012

City Council  
City of Scandia  
14727 209th St. N.  
Scandia, MN 55073

Subject: Zavoral Mine and Reclamation Project  
Ref: Draft Environmental Impact Statement (2/14/2012)

Dear City Council Members:

I respectfully submit the following comments regarding the Zavoral mining proposal, and specifically the DEIS dated February 14, 2012.

In general, I was expecting the subject document to present an independent, unbiased analysis of the proposed operation and its potential environmental, social, and economic impacts. Indeed the scope of the study and the DEIS summary is impressive, but I was disappointed to find that it reads as if the consultants were paid to prove that the project presents no real problems or issues.

The environmental effects of the operation on the surrounding areas (not only the site itself) are of high interest to my family, and frankly I cannot believe we are even considering allowing a mine to open in that location. But I am also not qualified to comment on such environmental issues. It is my hope that local experts will continue to make the issues known. As a resident of the Lofton Ave./Scandia Trail intersection, however, I do consider myself an expert on the subject of Tiller Corporation mining traffic noise. I challenge the notion that the alternatives proposed would all result in similar material transport volume. It seems that the transportation costs of the material must be a significant component in the economics of manufacturing the final product. The current locations for material are 2.5 times further than the proposed location. It seems logical that this would allow the company to produce cheaper product, sell more product, and thus need more material transported.

#### **4.15.4.2.2 Traffic Noise**

As a licensed professional engineer, I can appreciate the scientific approach taken in studying the potential noise effects. However, traffic generates a very complex spectrum of frequencies and I suspect the perceived noise is a bit more complicated and subjective than comparing average dBA measurements- especially when dealing with the dynamic sounds generated by heavy load trucks. Since many Scandia residents already endure periodic hauling blitzes by Tiller Corp, perhaps a survey of the affected residents during high traffic periods might have been more telling.

Our residence and work place is on the SE corner of Scandia Trail and Lofton Avenue. As such, we have first-hand knowledge of the typical mining traffic volume and the problems it presents. Our personal observation is that the mining trucks approaching and turning in this intersection stand out among all other traffic, generating sounds and sound levels that are unreasonable. There is no hiding from the permeating screech of truck brakes under heavy load. The practice of jake-braking vibrates the ground so violently that the walls and windows of our house shake. Our efforts over the years to curb engine braking at the intersection include numerous calls to the County Sheriff, calls (and a letter) to the Scandia Town Board, and personal conversations with County police in the area- all of which have been in vain. We were told by one deputy that the practices of engine braking, lifting axles illegally, and speeding are very difficult to police because the mining truckers, unlike typical vehicular traffic, communicate via radio- alerting one another if there is a squad car in the area.

At times, Tiller more or less monopolizes the roadway, sending a continuous stream of trucks through the intersection and generating an ungodly amount of noise. So if the consultants want to know if the sound is "perceivable" to Scandia's residents, feel free to give them our phone number. My wife, two kids, or I would be happy to relay our perceptions.

#### **4.3.5 Nearby Property Values**

The DEIS makes the following statement: *"Based upon this study, it was concluded that a negative impact would most likely occur to property values within, but not beyond, 1/4 mile of the Zavoral Site."*

In our opinion, this is absolutely ludicrous. Any rational person could predict that increased mining traffic, especially to the levels discussed in the subject document, could negatively affect the values of homes all along the hauling routes and well beyond. Our neighbors, located half a mile from the roadway and separated by mature forest, have complained that the mining truck noise is unreasonable.

Our home was recently appraised for a loan refinancing. As luck would have it, Tiller was in the midst of a hauling blitz on the day of the appraisal activity. We watched in horror as the appraiser observed the chaos and repetitively commented on the traffic noise. Of course there are many reasons why home values have dropped in recent years, but we have no doubt that the day's mining activity negatively impacted our home valuation.

#### 4.13.1.6.1 Safety Evaluation

In general we feel that the safety study is inadequate in that the conclusions seem to be based on past and current traffic levels, rather than the potential traffic volume increases presented by the proposal. It also seems to offer the conclusion that, because vehicle collisions in the area have not involved mining trucks, the trucks do not present safety risks.

#### Scandia Trail and Lofton

The DEIS states *“No significant crash problems were identified in the study area during the 3-year period (2008–2010).”*

It goes on to say *“The TH 97 and CR 1 (Lofton Avenue) intersection had the highest number of crashes during the 3-year period (12 crashes), including five right angle crashes... The crashes were likely caused by drivers erroneously turning in front of vehicles on TH 97. Concerns about speeding on TH 97 are an enforcement issue that requires the attention of the State Patrol.”*

The assertion that 12 crashes in a 3-year period (in a rural intersection) are insignificant seems quite nonsensical.

This particular intersection suffers from a number of potential safety issues:

1. Our driveway is located just 200 ft. downstream of the intersection on the major thoroughfare (Hwy 97). MN/DOT's Access Management Manual, Section 3.4.4 (“Access within the Functional Area of an Intersection”) recommends a minimum downstream corner clearance of 650 feet.
2. The east-bound bypass lane merges with the primary lane 30 feet downstream of the outlet of our driveway. Drivers often turn out in front of us from Lofton, thinking we are signaling to turn on to Lofton, when in fact we are signaling to turn into our driveway. Likewise, vehicles moving at high speeds behind us are forced to merge quickly to the primary lane, missing us by a narrow margin as we turn into the drive.
3. A deep “valley” exists just east of the intersection, making it very difficult to see high-speed traffic approaching from the east.
4. Tiller Corp creates chaos during its major hauling campaigns by sending hundreds of trucks per day turning through the intersection.

The DEIS States *“The data captures actual crashes and does not record near-miss or other close call data.”* This is an important observation. Living at this intersection, we can attest that there are “close calls” on a routine basis. We know first-hand that the level of truck volume induced by the mining operation increases the safety risk. Allowing more mining traffic and/or evening traffic would greatly amplify the situation.

#### 4.13.1.6.2 Scandia Elementary School

The DEIS states *“the traffic operation, capacity, and safety were evaluated for the school driveways (at TH 97 and Oakhill Road). No problems were found with capacity or safety based on traffic volumes and turning movements out of the driveway.”*

We would be interested to know more about this part of the study. What year were these driveways built? Discussions with long-time Scandia residents indicate that they have been in place for a very long time, and were built when there were extremely low traffic volumes on Scandia Trail.

Who was interviewed to draw the conclusion that *“the school does not cite any major concerns with traffic and safety on TH 97?”* Were the school bus drivers surveyed to determine what effect the mining blitzes have on the efficiency and safety of transporting our children? It might be eye opening to observe the situation when Bus 100 tries to turn from Lofton onto Scandia Trail, stopping 200 ft. from the intersection at our driveway, as numerous mining trucks attempt to keep the pace turning through the intersection.

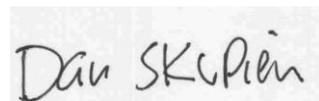
### Conclusion

Mining is an industrial operation, best suited for industrial corridors. The people of Scandia have made it clear that our desire is to remain a bedroom community with rural character. Allowing mining to develop amidst our unique natural resources and our pleasant residential areas goes against the grain of our vision. Mining and the related traffic has negative impacts on the environment, public safety, and the general quality of life in Scandia.

At this point in our history, Scandia has the opportunity to model its future through the decisions it makes. Of course we cannot stop commerce on a state highway, but do we really want to implement policy that promotes the use of our roads as a thoroughfare for industrial traffic? The only tangible benefit to the people of Scandia is a completely trivial increase in tax revenue, while the detriments are numerous.

I implore the City Council of Scandia to deny permission to operate mining activities at the Zavoral site, and we welcome any questions or comments regarding this letter.

Best regards,



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