

18 May 2012

To: City of Scandia

Re: Comments in response to the EIS: Tiller Mining and Reclamation Proposal

Mayor Simonson, and Council Members, Anne Hurlburt and Planning Commission:

Thank you for the opportunity to comment, and for organizing the PAC—which gave all citizens an opportunity to interface with agencies, scientists and others on a key proposal that will effect Scandia, and our neighbors, including the St Croix River, for many years. I hope that the processes and considerations taken to discuss this one building permit proposal, albeit exhaustive, give Scandia a unique perspective on its own future as a city.

My concerns about the adequacy of the EIS are many. I will focus my comments on one key issue. The EQB guidelines for the purpose of an EAW include a 30-day scoping period in advance of an EIS. The guidelines state, “The purpose of the scoping is to focus the EIS analysis on the pertinent issues and to determine what reasonable alternatives will be compared to the project.”

We were informed that the scope for the Tiller Mine proposal on the St Croix River did not need to include an alternative site. Yet, this is a requirement of the EQB Guidelines.

I am concerned about the many changes made to the proposal during the 3 years of the EIS process. It’s hard to believe that Tiller, who had years to consider their application to reopen this site, would somehow neglect the issue of water pumping volumes in their initial proposal. The subsequent change to the proposed use of this site, eliminating washing and processing, initiated many changes to the proposal over the 3+ years. And, I believe, confused the process and misrepresented Tiller’s intent. By avoiding a permit to use the existing well on the Zavoral site, Tiller has side stepped the over sites that a pumping permit requires. But, they were able to submit their proposal to reopen this settled, and on-the-way-to-recovery site, in the nick of time, before a new comprehensive plan was officially adopted. And, they began the review process with a confusing, and surprising side-step to the initial scope.

Meanwhile, the proposed scope of this mine has changed (amount of water to be used, how and where that water will be discharged, the kind of mining operation, the size of the mine and the depth of digging, years of proposed operation, truck traffic volumes and patterns, chemical storage on the site, etc.) without adequately showing the equal value of an alternative site, nor the real value of a “no build” alternative. These are measures that, when not adequately considered, will impact all of us in Scandia, and our neighbors, but in ways that we cannot imagine. The scopes have fluctuated, but the analysis does not give us a clear picture of the outcomes. Who can keep up?

This issue of scope is a legal one. There may be many instances when an alternative site is not included in an EIS. But there is legal precedent to show that the issue of scope changes, without adequate alternative analysis, is de facto outside the EQB guidelines.

Sincerely,

Pam Arnold, Scandia
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