

May 18, 2012

Ms. Anne Hurlburt, City Administrator
and Scandia Planning Commission
City of Scandia
14727 209th Street
Scandia, MN 55073

Re: Zavoral Mining Project draft Environmental Impact Statement

Dear Ms. Hurlburt and Planning Commission Members

The Environmental Impact Statement was not properly scoped in terms of the area studied, issues addressed and potential cumulative effects - and many of its findings are inadequate or in question. Expert witnesses have given testimony that has raised significant questions about numerous areas of the Worksheet's findings, to date, including traffic/safety issues.

Two recently reported incidents, the gravel truck roll over at HW 95 and HW 97 and the containment dam failure at a mining operation in Grantsburg, Wisconsin, prove that things can go wrong, confirming, or in spite of, expert opinions on both sides of issues, and prudent cautions.

Further, the EIS was restricted in physical scope to an area so small so as not to deal with effects on adjacent water, wildlife and fauna, and the Scandia community as a whole, as well as limiting the issues addressed.

The flora and fauna examined in the EAW was inadequate, dealing only with endangered, threatened or special concern species on "or near" the site. This scoping did not propose to adequately address the impact of the potential natural habitat degradation of the immediately adjacent St Croix Wild and Scenic River corridor or the immediately adjacent Crystal Spring (also known as Zavoral Creek) trout stream and southern mesic cliff/ravine.

The hydrology studies have still not adequately addressed the question about the proposed mine's effect on the springs, seeps and trout stream. The proposed depth of the mining will, I believe, reach into and below the depth of the ground water that gives life to Crystal Spring and flows out of the southern mesic cliff that wraps the north and east side of the proposed mine. Words to the contrary in the EIS do not suffice; simple math can provide the answer: mine down up to 70 feet from original ground level and you exceed the depth from ground level of source of Crystal Spring and the seeps emanating from the southern mesic cliff.

NOTE: the depth to the "aquifer level" in the area is different than the depth of the seam of sandstone that feeds the Crystal Spring and the mesic seeps. What happens to the trout stream when the water source for Crystal Spring and seeps that give the trout stream life are laid open or polluted by close proximity of such a wound? What happens to the unique ecosystem of the mesic (cool damp)

cliff/ravine? And how does one reconcile that the mining will dig down 10 – 70 feet, but the post-mining reclaimed surface will be down further down: 40 – 75 feet?

It seems ironic that the field north and west of Crystal Spring/Zavoral Creek ravine was just last year graded, planted and silt fenced to treat and IMPROVE storm water runoff that might enter the creek.

The EAW has quantified the potential tax income to Scandia, should the proposed mine become operational, but I don't believe that it has adequately identified the hard costs of the project that must be borne by Scandia – or someone; e.g. additional traffic and/or warning signage, moving or terminating the bikeway adjacent to the proposed mine, road repair necessitated by the truck traffic and gravel debris (of note as bids are requested for the 2012 Scandia Seal Coat and Bituminous Patching Project), and loss of tax valuation in the area (there has been expert testimony calling into question the draft EIS's finding of only a modest drop in adjacent property values. (Imagine living next to the gravel pit for 10 years – or on the hauling route. The drop in value is most certainly more than 5%.)

Certainly the soft costs are harder to quantify – but ultimately part of your decision: quality of life for residents, wildlife and flora in the adjacent area, noise effect on quiet river traffic, the scenic quality of Scandia's approach to the St. Croix (at best a raised mound – proposed to try and mask mine operations from view and deaden some of the sound, but all but obliterating the view of the scenic valley from HW 97, the gateway to the St Croix Wild and Scenic River valley and HW 95 Scenic Byway.

I would like to note that the word “restore” the site was use several times in the 2008 EAW and now (as often also used in the EAW), “reclaim” the site is used exclusively. Too bad.

To “restore” something means to: “To bring back into existence or use; reestablish; To bring back to an original condition.”

To “reclaim” something means only: “ To bring into or return to a suitable condition for use, as cultivation or habitation; To procure (usable substances) from refuse or waste products; To bring back, as from error, to a right or proper course.” The proposed reclamation will not even make the site suitable for cultivation or habitation.

The EIS should clearly state that, and Scandia should understand that “reclaiming” the deep pit - remnant of the proposed gravel mine with a modicum of topsoil and growing predominantly grasses is a far cry from “bringing back into existence, reestablishing, or bringing back to an original condition” the land contour and forestation of the site, or even restoring it to its current modest depression with groves of trees and cropland (6.92 acres of existing forest will be sacrificed for new mining, and an additional 8.54 acres of regrowth cut down and to be mined again. Plus the permanent loss of 2.04 acres of cropland for mining and reclamation.) Adding a small amount of White Pine monoculture reclamation, susceptible to White Pine Blister Rust, is not even good reclamation.

It bears mention that on May 15 the City Council accepted the Planning Commission's recommendations to adopt new “Guidelines for the Protection of Scandia's Scenic Viewsheds” and a related zoning ordinance amendment increasing incentives for property owners to protect scenic views when they

develop their land. The plan includes a goal (LU Goal 14) to “protect scenic rural roads, viewpoints and vistas identified through the planning process from visually intrusive or incompatible development”.

Alas, again, Scandia’s Zoning Ordinances are (will be) implemented too late to impact development proposals already submitted, such as the Zavoral Mine proposal. And although the guidelines are all voluntary and have no effect on property owners who do not want to take advantage of the incentives when they develop their land, proceeding with the “no build” scenario of the proposed mine site – and remediation of the site as legally contracted years ago could afford Zavoral and the City the opportunity to designate the property as a “Scandia Scenic Heritage Partner” in recognition of private efforts to preserve the scenic, rural and historic character of the community.

The draft Environmental Impact Statement is inadequate as currently written, and needs significantly more work – unless you believe, as I do, that it already shows that this propose project should not proceed.

Thank you for your time and careful consideration of this critical issue.

Gregory Page

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