

February 3, 2009

The Scandia Planning Commission held their regular monthly meeting on the above date. The following were in attendance: Chairman Chris Ness, Commissioners Tom Krinke, Christine Maefsky, Susan Rodsjo, Peter Schwarz and City Planner Sherri Buss. Chairman Ness called the meeting to order at 7:32 p.m.

APPROVAL OF AGENDA, MINUTES

Krinke, seconded by Rodsjo, moved to approve the agenda as presented. The motion passed unanimously.

Schwarz, seconded by Maefsky, moved to approve the January 6, 2009 regular meeting minutes. The motion passed unanimously.

Maefsky, seconded by Krinke, moved to approve the January 13, 2009 special meeting minutes. The motion passed unanimously.

PUBLIC MEETING, ENVIRONMENTAL ASSESSMENT WORKSHEET, TILLER CORPORATION'S ZAVORAL MINING AND RECLAMATION PROJECT

City Planner Sherri Buss presented an overview of the process and timeline regarding Tiller Corporation's application to operate a gravel mine and processing facility on a 114-acre site located east of State Highway 95 at State Highway 97 owned by Dr. James Zavoral. Tiller Corporation has prepared the required Environmental Assessment Worksheet (EAW) to determine whether or not the project has the potential for significant environmental impacts and further requires an Environmental Impact Statement (EIS). Following the 30-day review period, which ends on February 11, city staff and the applicant will prepare responses to comments and findings of fact. On March 3, Council will review the responses and determine the need for an EIS. Although Tiller has also submitted a Conditional Use Permit for operation of the gravel mine, no permit will be granted to begin the project until the environmental review is completed.

Kirsten Pauly, Sunde Engineering, presented Tiller Corporation's details of the proposed project. The site was mined by multiple operators before it was taken out of production without reclamation in the 1980's. Tiller proposes mining and restoration of 64 acres in phases, with the duration of the project expected to be no more than 10 years. Four acres lie within the St. Croix River District. This area will not be mined, but will be included in the final restoration. There will be no groundwater mining. Stormwater runoff will be contained by best management practices within the mining area of the site. Portable processing equipment will be brought on site to process and stockpile material as needed. Mike Caron, representing Tiller, estimated that this equipment will operate 6 to 14 weeks to produce adequate stockpiles for a year's worth of product. Permits must also be issued from multiple agencies such as the Minnesota Pollution Control Agency, MN DNR, Carnelian-Marine-St. Croix Watershed, and MnDOT.

The Commissioners asked the applicants to address the truck traffic volumes. Mr. Caron stated that hauling from sites in Franconia and Wisconsin will be replaced by a 1:1 ratio with trucks from the Zavoral site. Mr. Caron estimated an average of 60 truck loads per day (120 truck trips) during the mining season.

Commissioner Krinke asked how close to the water table will mining occur. *Pauly*: Extraction will be done no closer than 30 feet to the water table.

Chairman Ness opened the meeting to public commentary.

Anton Roggeman, 16015 Scandia Trail: How will noise be monitored? Will trucks be required to have covered loads? What weights will the trucks be operating at? He said he is opposed to re-opening of the mining pit.

Scott Westphal, 20685 Quinnell Avenue: There is no left turn lane on Highway 97; the road will need to be torn up to construct adequate lanes. He has observed at least 20 gravel trucks per hour going through Scandia in the summer. Trucks deteriorate the roads and are disruptive and a danger. He is against allowing the mine to operate from 7 a.m. to 7 p.m. due to high noise levels.

Gregory Page, 959 Bayless Avenue, St. Paul, MN 55114 (property owner of land south of 220th Street): He looks forward to reclamation of the pit. The permits obtained from the MN DNR will monitor the water table. He would like to see reclamation/reforestation along the northern property boundary as a first step to minimize noise during the duration of the project.

John Weinberg, 20220 Quinnell Avenue: Will asphalt reclamation be conducted at this site? This is a water pollution issue due to runoff and leaching of the stockpiles. He is concerned about the number of loaded trucks both entering and exiting the pit.

Ken Sogge, 21350 Pomroy Avenue: The EAW doesn't adequately address the impact to Highway 97 (noise, spillover gravel onto the highway, truck exhaust and fumes). He disagrees that the average number of trucks are stated to be 60 per day. He feels it will be much higher.

Don Mitchell, 20233 Quinnell Avenue: He has concerns regarding water issues. He stated that a dozen artesian springs below the hill enter the river. These may be vulnerable to change due to the mining operation. He feels that mining will occur closer than 30 feet to the water table.

Richard Leider, 23229 St. Croix Trail: He has safety concerns at the 95/97 intersection. Would a four-way stop be considered? Who oversees this scenic corridor for potential ruin? He feels that the scenic quality of the area will be damaged by allowing a mining operation at this site.

Lisa Schlingerman, 20661 Quint Avenue: In 1971, her mother addressed an environmental disaster which occurred on this site by a previous operator. Sediment flowed down the northern stream into the river and created a delta which altered the flow of the river and destroyed the trout stream. What measures will Tiller take to guarantee this will not happen again? Mining will occur too close to the ravine. The peace and tranquility of the river will be lost if this operation is allowed to go forward.

Jill Metland, National Park Service, St. Croix Falls, WI 55024: The NPS, which manages the riverway, has many concerns: noise, traffic conflicts (recreational versus industrial along Highway 95), water quality (sediment is a pollutant and a challenge to control on this site due to ravines and slopes), visual impacts (stockpiles; site known as the "gateway to the river";

recommends a view shed analysis be done) and cumulative impacts (what other developments are anticipated). The NPS is of the opinion that this mining operation is not compatible with protecting the river. These concerns will be more fully addressed in a letter to the city.

Luann Wheaton, 21399 Pomroy Avenue: Why did the gravel mining operation shut down in the 1980's?

Jim Dimmers, 125 Depot Road, Osceola, WI 54020: The trucks using the Franconia gravel pit along Highway 95 are a safety danger. Excessive dust is a product of this pit. Reclamation of a former gravel mine near the Franconia pit lacked any stability. The City should consider the aesthetics of a mining operation. He stated that stockpiles of asphalt are hazardous.

Bill Clapp, 19955 Quinnell Avenue: He referenced the joint letter sent by the St. Croix River Association and the St. Croix Scenic Coalition to have many valid points against a mining operation at this site. He stated that an EIS must be ordered. He felt that there are too many unknown factors. More information on noise and traffic should be studied. An economic impact analysis should be considered (costs of damage to roads, loss of tourism dollars, etc.).

Kristin Tuenge, 20595 Quinnell Avenue: The river valley is a unique feature to Scandia. Allowing a mining operation at this site could lead to a loss of quality of life. She stated that a full EIS should be ordered.

Mike White, 13310 188th Street: He stated that he is in agreement with Bill Clapp's comments.

Nancy Etwiler, 2323 Northridge Avenue Circle, Stillwater, MN 55082 (property owner of 20919 Quint Avenue): What will be the long-term effects on wildlife and bird populations?

Jim Maher, 14430 Racine Avenue, Marine: Blanding's turtles, a state listed threatened species, have been sighted in this area. The protection measures listed in the EAW are not adequate.

Gayle Knutson, 14430 Racine Avenue, Marine: The City should consider the noise level that will carry along the river.

Ann Bancroft, 16560 220th Street: Noise, economic hardships (cost to repair road damage), light pollution, should all be further studied. The proposal of digging new wells for property owners if necessary is a very negative impact. She feels that a mining operation will harm the quality of life in the area.

Ernie Kertzsch, 21350 Olinda Trail: How many gallons of water will the washing operation consume? He believes that there is a large well currently on the property. Will another well need to be dug?

Bill Neuman, 18837 Osceola Road, Shafer, 55074 (president of St. Croix Scenic Coalition): The City should make clear what is behind the logic that prohibits mining at this site in the current draft comprehensive plan.

Barbara Booth, 16080 Scandia Trail: She supports the ordering of an EIS. The Applicant should explain how dust dispersing into the river will be monitored.

Sally Leider, 23229 St. Croix Trail: How visionary is this pit? The City should work with the Applicant to consider other possibilities for the land at this site. She supports building a healthier watershed.

Kathleen Weinberg, 20220 Quinnell Avenue: She felt that the drainage plan should be more closely examined. She stated that the northern stream is considered one of the cleanest along the river.

Andy Shern, 14633 St. Croix Trail, Marine: He felt that there could be alternatives to a mining operation at this site. The Applicant should consider deeding the development rights to a land trust. The land could be restored for the benefit of all. He stated that an EIS must be required. He felt that a mining operation has potential to damage the environment. The water table could be impacted to the detriment of users in the area.

As there were no more statements from the public, Chairman Ness closed the commentary period at 9:00 p.m.

Commissioners discussed the procedures of moving forward. If the project appears to have the potential for significant environmental impacts, than an EIS may be ordered. The applicant has the right to appeal a decision in district court.

Planner Buss reviewed the criteria the City must use in determining the need for an EIS.

Commissioner Maefsky stated that she noted ten points within the EAW that give cause for further review. She will submit written comments to the City.

Commissioner Rodsjo would like to see further study on the effects to wildlife and what protection measures will be implemented.

Council member Lindell inquired about the distance that trucks will haul gravel from a mining operation. Mr. Caron answered that it depends on what is available in neighboring communities, but that an eight to twelve mile range is typical.

Commissioner Schwarz asked if it is a state law that loaded gravel trucks be covered by a tarp. Mr. Caron replied that it is not mandatory, but he will order haulers to cover loads if asked to.

Council member Peterson asked about the cost of an EIS. Ms. Pauly replied that costs can reach up to \$500,000 and that it is rare for an individual site to be studied. Generally, a mining region is studied and the costs shared among multiple operators. The study can take two to three years to complete. Individual studies can be requested that fall outside a complete EIS, such as a noise study.

Council member Crum asked for an estimate of total material that would be removed from this site. Mr. Caron projected that this site has the potential to produce a maximum of 1.5 million cubic yards of material. Mr. Caron stated that the Zavoral's have a high standard for reclamation on this site.

Responses to all comments will be prepared by the Applicant and staff for review at the March 3 meeting.

STAU OF NEW COMPREHENSIVE PLAN AND IMPLEMENTATION ACTIVITIES

Administrator Hurlburt reported that the Metropolitan Council's review of the new Comprehensive Plan is scheduled for their February 17 Community Development Committee meeting. Once their review is complete, the City will take final action and begin the implementation phase.

Commissioner Rodsjo has recruited several members to serve on the Design Standards committee and will begin meeting soon.

Commissioner Maefsky will head the Transfer of Development Rights subcommittee which will begin meeting in March.

Maefsky, seconded by Ness, moved to adjourn.

The meeting adjourned at 9:38 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk