

From: [Jackie Baker](#)
To: [Patton, Bob \(MDA\)](#); healingsystems@earthlink.net
Subject: A personal statement from the Baker's to be included in petition for GEIS
Date: Monday, August 13, 2012 11:37:19 AM
Attachments: [Baker statement for GEIS.pdf](#)

Mr. Patton,
Thank you for allowing us the opportunity to write a personal statement expressing our concerns for frac sand mining in our area. Am I sending this to the right person? I have attached the document. Please contact me if you have any questions.
Thank you,
Jackie

On Sun, Aug 12, 2012 at 9:33 AM, Jackie Baker <jbaker@smumn.edu> wrote:

Mr. Patton,
We would like to sign the petition calling for the General Environmental Impact Statement. Our information is as follows:
Cory R. Baker, 22848 State Hwy 16, Rushford, MN 55971
Jackie M. Baker, 22848 State Hwy 16, Rushford, MN 55971

I am also working on a statement about our personal experience to be included and will forward that to you and Kristen tomorrow morning. There is a proposed frac sand mine moving in next door - just 633 feet from our house.
Thanks so much! Please call or email if you have questions or need additional information.
Jackie

On Fri, Aug 10, 2012 at 6:11 PM, Jim Gurley <jgurley@hbc.com> wrote:
Friends,

A petition will be presented to the Minnesota Environmental Quality Board in St Paul on Wednesday the 15th, calling for a (state-wide) **Generic Environmental Impact Statement**. **You sign the petition by emailing Bob Patton** at Bob.Patton@state.mn.us -- and **also copy Kristen** at healingsystems@earthlink.net, -- Kristen's a fractivist outside Red Wing who helped draft the petition.

The text of the petition is below.

Also, you should include a statement (may be short or long) about your personal experience with living in an area of frac sand mining, or potential mining.

The meeting is this Wednesday and is from 1:00 to 4:00. Here (below) is a note from Kristen, and one from Bob Patton, exec dir of the EQB (Environmental Quality Board), which is holding the hearing.

For further info, probably best to call Kristen Eide-Tollefson:

[\(651\) 345-5488](tel:(651)345-5488) (home)

[\(715\) 317-0228](tel:(715)317-0228) (cell)

[\(612\) 331-1430](tel:(612)331-1430) (work)

You may also wish to call Mr. Patton - his contact info is below.

I hope to go to St Paul Wednesday and testify, and I encourage anyone else who can go, to do so.

Onward!

Jim

Neighbor greatly concerned about proposed frac sand mining moving in next door and the future of Southeast Minnesota.

Submitted by:
Cory and Jackie Baker
22848 State Hwy 16
Rushford, MN 55971
507-864-7463

We are writing to express our concerns about the frac sand mining industry moving into Southeast Minnesota. Even more concerning to us is the proposed frac sand mining operation that may be moving in next door, at the Erickson Quarry in Houston County, MN. This quarry is located just 633 feet from our house, the dirt road they will use is located within 10 feet from our property line, and geographically our property abuts the entire East side of the proposed mining operation site (a distance spanning approximately 1,350 feet). The operation plan states they will be removing over 2 million cubic yards of sand - they will be removing the entire hill located along the Scenic Byway Highway 16. The hill can be seen in the pictures below. Our major concerns are as follows:

1. **Health and safety of our family:** For my husband and I, our number one priority is keeping our 4 year old son safe and providing a healthy environment for him to live in. Crystalline silica has been classified by the National Institute for Occupational Safety and Health (NIOSH), the EPA, and the CDC as a human lung carcinogen. It has the potential to cause Silicosis, cancer and other debilitating diseases. This is very concerning, especially since we will be living in close proximity to the proposed mine. I do not want my son exposed to this harmful material.

In the proposed operation plan there is evidence that the operators are not concerned with the health issues imposed on our family. When asked to address Screening they state "The use to the east is currently agricultural which does not require screening" and when referring to Setback Requirements: Dust and Noise they state "Exempt from this are the existing on-site residential structure, the adjacent seasonal cabin to the north and the adjacent residential structure to the east." Our home is the adjacent residential structure to the east. They are simply doing the bare minimum and seem to have absolutely no concern about dust and noise and the other health hazards imposed on the neighbors and community. The trucks will be hauling within 10 feet from our property line. We regularly use that side of our property for hiking, my son drives his battery powered vehicle on trails there, and he climbs on trees and plays in the area. If a frac sand mine moves in next door and starts hauling up to 180 truckloads of silica sand per day, it will not be safe for my son to enjoy these simple things in life. The dust and noise will make living here unbearable.

2. **Damage to our property:** What would happen if a containment berm failed or a retention pond overflowed/failed? Where would all the sediment and run off go? We are located to the south and east of the hill to be mined so if there ever was an issue with sediment running off site it would likely end up on our property causing damage to our prairie restoration project, our yard and landscaping, and most serious of all is the potential threat to our safety and lives. We survived the flood in 2007 and have first hand experience with the power of moving debris and water. We regularly utilize hiking trails and four wheeler trails on our property. Additionally, the reclamation plan features a large pond to be permanently added to the property. Again, the potential failure of a pond wall is concerning to us. I have attached photos for your review.

Frac sand mining poses a huge detriment to our natural resources, scenic beauty and recreation area in Southeast Minnesota. We have lived in this community our entire life and are shocked that people would attempt to ruin the natural beauty and resources we have in Southeast Minnesota. People vacation in the area and relocate here because it's a great place to be. Allowing the mining industry to take over could potentially change Southeast Minnesota forever. This area is special and we need to protect it.

Front yard view. Hill to be mined in background



Hill to be mined. View from our back yard. Trucks right on our property line.



Additional backyard views



A sign we had put in our front yard with the hill in the background.



GEIS Petition

tillie81@hbc.com

Sent: Tuesday, August 14, 2012 10:10 PM**To:** Patton, Bob (MDA); healingsystems@earthlink.net**Cc:** tillie81@wabasha.net

Dear Mr. Patton. My husband and I have lived in Wabasha County for the last 32 years. What an absolutely gorgeous area. We are hikers and kayakers. My husband is an avid flyfisherman. The beautiful scenery and the endless outdoor activities are just a couple of the reasons we moved here (from St. Paul). This place is near and very dear to us. We want to sign the petition requesting the MNEQB to issue a state-wide Generic Environmental Impact Study for frac sand mining in Minnesota.

Respectfully,

Bruce Eng

Liza Eng

208 Alpine Ridge

Wabasha, Minnesota 55981

From: [Michael Fields](#)
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Subject: GEIS Petition/Testimony
Date: Tuesday, August 14, 2012 8:47:26 AM
Attachments: [GEIS Petition.doc](#)

Dear Bob & Kristen,

Attached you'll find testimony from my wife, Diane, and I. The gist of the testimony concerns what appears to be a cozy relationship between the county and mining companies, a miner-friendly interpretation of the zoning ordinance and an unwillingness on the part of the county to enforce its own regulations when violations are pointed out.

I hope this helps.

Mike Fields

My wife, Diane, and I own an 80-acre farm next to a gravel quarry in Winnebago Township. Our sad tale began almost two years ago when the blasting got out of hand. The blasting company, Olson Explosives, started to send a truck labeled "explosives" (and containing all sorts of odious warnings) up to our front yard to set up seismograph equipment. The blasts rattled windows and, on two occasions, rocks could be seen hurtling over the tree line. Later, we learned they had landed in our tillable acreage and one of them, as measured by MSHA field reps, was 17"x9"x9".

Diane contacted various agencies and eventually discovered that Olson did not have a permit to transport explosives in Houston County. When the Sheriff's office learned about this, there were no negative consequences for the company. According to the State Fire Marshall, a copy of the company's transportation permit and federal blasting permit is supposed to be on file with the County Sherriff. They were not.

We decided to look at the mine and read the Houston County Zoning Ordinance. We discovered that the mining company, Skyline Materials out of Decorah, Iowa, had encroached (by 27-feet) upon the 50-foot setback that is required by the ordinance and asked Zoning Administrator, Bob Scanlan to come out for an on-site inspection. Scanlan also measured the distance between the line fence and the mine and agreed that the setback had been violated. He also noted that the mining company had bulldozed "overburden" into ravines – another violation because it impedes drainage.

We asked him what happens next and were told Skyline had to replace all the material and return the encroachment zone to its original elevation OR apply for and receive an after-the-fact variance from the County Board of Adjustment. We were astounded since the zoning ordinance clearly states the ONLY way a setback can be encroached upon is with the written consent of the adjacent landowner. So, we "lawyered up" and attended the Board of Adjustment meeting with a lawyer from Skyline Materials opposing us. Even though Skyline said they were willing and able to replace the material, the Board granted the after-the-fact variance with the condition that Skyline would "do some ground work" and "seed down" the slope to prevent erosion.

In an advisory letter to the Board, Scanlan stated, "The reason Skyline must apply for a variance is precisely because they cannot obtain written consent. Had the landowners given consent, the variance may or may not have been applied for." County Attorney, Jamie Hammell apparently agreed with this convoluted logic. According to the minutes of the 3/10/11 Board of Adjustment meeting, "County Attorney, Jamie Hammell concurs in all respects that the encroachment issue be addressed via a variance application and not by application for a Conditional Use Permit." It apparently never occurred to either Scanlan or Hammell that any negative consequences should befall Skyline for violating the county's zoning ordinance or our property rights.

It is our position that quarries must adhere to all provisions of the zoning ordinance regardless of when they first started and that the County Attorney and Zoning Administrator misapprehend the concept of “non-conforming use” sometimes called “grandfathering.”

The purpose of our appeal was to present this notion of “non-conforming use” to a District Judge and have it finally settled. (Ms. Hammell, it should be noted, had to recuse herself earlier this year from advising the County on mining issues because of a conflict of interest. Her husband, Caledonia attorney, Jed Hammell, is financially involved with mining interests.)

In April of 2011 we filed an appeal in District Court. The County moved to dismiss the appeal arguing that there had been a procedural lapse in the manner our appeal had been filed. And this is when our legal bills really started to pile up. On June 3, 2011, we found ourselves in front of District Judge, Robert Benson defending the manner in which our complaint against the county had been filed. The judge ruled in our favor.

Houston County appealed that decision via Minneapolis attorney, Jay Squires, and almost a year later (early May of this year) the appeal was heard.

On July 30, 2012, the Minnesota Court of Appeals ruled unanimously in our favor. So far, Houston County’s legal machinations have cost us hundreds in filing fees and thousands in legal bills and have kept the merits of our case (remember mining violations?) from being heard in a court of law.

I work part-time from home and Diane is a part-time letter carrier with the US Postal Service. We are not wealthy and this does hurt.

Though not specifically about frac sand mining, this story is pertinent to the issue at hand because the County Commissioners say they don’t have the budget or manpower for regular and thorough mine inspections and will rely, instead, on the public to bring any violations to their attention. However, we see what happened when citizens did report a mining violation. The County’s response was to side with the mining company and retaliate against the citizens.

If the County can’t get it right with a gravel pit, its assurances of rigorous oversight and enforcement of the far more intensive and potentially dangerous frac sand industry should be taken with a grain of salt.

Sincerely,
Michael & Diane Fields
11191 Wildflower Drive
Caledonia, MN 55921
507-724-2280
mdfields@q.com

P.S. The “ground work” that Skyline Materials was required to do resulted in a further encroachment on the setback. And they must have seeded it down with Crown Vetch – an invasive species - because that’s what’s growing there now.

From: [Dean Flugstad](#)
To: [Patton, Bob \(MDA\)](#)
Subject: Frac Sand
Date: Monday, August 13, 2012 12:02:58 AM

Dear Mr.Patton

As an avid trout fishing I am very nervous about the idea of the proximity of large sand mines and trout streams. Millions of dollars of Lessard funds, our tax dollars, that have been and will be designated to trout stream improvement would be at risk be of being wasted because of threats to the quality of ground water, depletion of that resource and siltation of our streams and rivers from the inevitable spills that mining is so well known for throughout the world.

I am the chair of Lake Township's, in Wabasha County, Moratorium Committee and have been attending the meetings at which our county's Planning Comm. is writing their mining ordinance. They are really struggling to deal with this huge issue and if they do not get it right our township will have greater problems writing our own ordinance at extra cost to local tax payers with unnecessary stress on elected and appointed officials trying to cope with this issue.

I would like to see the EQB do a generic EIS to bring your experts to our aid in learning the true risks and benefits and solutions for silica sand mining. We need your help, please consider this request carefully. Thank you.

Dean Flugstad DDS
72243 300th Ave.
Lake City, MN 55041

Sent from my iPad

From: [susan williams](#)
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Subject: Frac Sand Mining
Date: Sunday, August 12, 2012 1:08:07 PM

Dear Sir,

I am writing to request that a General Environmental Impact Study be done on frac sand mining in the State of Minnesota.

Best regards,

Susan F. Williams

9216 James Ave. N.

Brooklyn Park, MN 5544-1234

612-685-0570

53 Year Old Mom Looks 33

The Stunning Results of Her Wrinkle Trick Has Botox Doctors Worried
consumerproducts.com

From: [Ann & Judy](#)
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Subject: Frac Sand Mining in Houston Co.
Date: Saturday, August 11, 2012 8:46:28 PM

Hi,

I'm Ann Kramer and I oppose frac sand mining in Houston County. I believe it will negatively affect us in so many ways...environmentally, socially, financially, quality of life.

Thank you,
Ann Kramer
5368 Oak Forest Lane
Houston, MN 55943

From: BCMAdhouse@aol.com
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Subject: Frac Sand Petition
Date: Sunday, August 12, 2012 9:22:13 PM

I would like to sign the petition if I may. I cannot attend the meeting so let me know how to go about it.
Thanks,
Brenda Coleman

From: [Donna Buckbee](#)
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Subject: GEIS
Date: Friday, August 10, 2012 5:56:46 PM

Dear Mr. Patton,

I ask that this email to you be considered my signature and support for a General Environmental Impact Study for frac sand mining in the state of Minnesota.

I want to see this scenic treasure preserved for all future generations. I want this area to be saved for agriculture, recreation and a healthy, peaceful country experience for residents and visitors alike. As important as these things are to me, our democracy is possibly even more important. Big oil and gas concerns come here to dictate to our elected officials that we--residents and elected officials alike--will do as we are told by powerful corporations or be sued by the most profit-reaping companies in the history of the planet. If we submit, our democracy is finished!

Thank you.

Donna Buckbee
5853 Ferndale Road
Rushford MN 55971
507 864 2632

From: [Jim Gurley](#)
To: [Patton, Bob \(MDA\)](#)
Cc: [Kristen Eide-Tollefson](#)
Subject: GEIS petition
Date: Sunday, August 12, 2012 8:57:42 PM

Dear Mr. Patton:

I wish to sign the petition for a state-wide Generic Environmental Impact Statement for Minnesota.

Further testimony coming under separate cover. Thank you.

Sincerely,

Jim Gurley
22505 Betty Jane Drive
Winona MN 55987
507-523-3113
jgurley@hbci.com

From: [Katie Himanga](#)
To: [Patton, Bob \(MDA\)](#)
Cc: [Kristen Eide-Tollefson](#)
Subject: GEIS petition
Date: Tuesday, August 14, 2012 9:56:25 AM

I wish to add my name to the list of petitioners for the GEIS for industrial silica sand mining.

I am a 31 year resident of Wabasha County, former mayor of Lake City and longtime advocate for Lake Pepin.

Katie Himanga
Lake City, Wabasha County, MN

--
Katie Himanga, CF
Heartwood Forestry
Lake City, Minnesota
(651) 380-9680

From: [sarahjoy](#)
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Subject: GEIS petition
Date: Tuesday, August 14, 2012 2:51:22 PM

We would like to add our names to the petition for a GEIS.

We live in rural Yucatan Township in Houston County Minnesota. We moved here about two years ago with the hope of restoring an old farm property and opening a bed and breakfast / community center... that was until frac sand mining came to town. Since January 2012 I have been dedicating 20+ hours a week to educating myself and others to the dangers that frac sand mining poses to our rural way of life. This is NOT what Houston County needs. This is not what Minnesota needs. The dangers outweigh the benefits. Frac sand mining will have LASTING effects for generations to come.

Please add our names to the petition for a GEIS.

thank you.
Sarah Wexler-Mann
Daniel Drazkowski

I also manage a website for dedicated to this issue:
<http://www.sandpointtimes.com/>

From: [Kathie Wilkinson](#)
To: [Patton, Bob \(MDA\)](#)
Cc: [Kristen Eide Tollefson](#)
Subject: Generic Environmental Impact Study
Date: Tuesday, August 14, 2012 12:06:38 PM

Dear Mr. Patton,

As a concerned resident about the potential for silica sand mining and processing in SE Minnesota I want to sign the petition for the generic environmental impact study.

Having attended countless meetings at the county level and regionally since January of this year, I see a huge need for state support in helping citizens and elected officials and city, county and township employees as we all try to wrestle with the impact that these potential, and existing, large-scale, industrial and corporate owned mines can have on our communities.

In my own county of Wabasha, the county planning commission is still working in the dark on many issues that concern them and the general public such as the potential economic costs to the county and its' citizens if large scale mines damage the environment, health and welfare of the people, their livelihoods, and our general quality of life. And while our county has now extended their original one-year moratorium, the planning commission still lacks leadership, concrete information, and guidance as they continue to work on drafting a revised ordinance for non-metallic mining.

I appreciate the opportunity to sign the petition in support of a state or regional GEIS that is specific to silica sand mining.

Sincerely,

Kathie Wilkinson

--

Kathie Wilkinson
67994 County Road 76
Wabasha, MN 55981
Home [651-565-4845](tel:651-565-4845)
Cell [507-279-2903](tel:507-279-2903)

From: [Steven Schild](#)
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Subject: I support a Generic Environmental Impact Statement
Date: Monday, August 13, 2012 9:37:54 AM

Dear Mr. Patton,

I'm writing to sign the petition calling for a state-wide Generic Environmental Impact Statement to examine the possible effects of mining, transporting and processing of frac (silica) sand in Minnesota. A GEIS should help provide the information needed to determine whether frac-sand activity will harm the economy, environment and general quality of life in the region.

Sincerely,
Steven Schild
1282 W. Broadway
Winona, MN 55987

--

Steve Schild, Ed. D.
Associate Professor
Mass Communication Program
322 Saint Mary's Hall
(507) 457-1753
sschild@smumn.edu

From: [Kelley Stanage](#)
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net; avila@acegroup.cc
Subject: I wish to sign the GEIS Petition regarding frac sand mining in MN
Date: Monday, August 13, 2012 2:44:25 PM

Bob,

Both my husband, Charles Avila, and I, Kelley Stanage, support the GEIS and a statewide moratorium on frac sand mining in Minnesota.

Frac sand mining poses a multitude of risks to the health, safety and welfare of our communities, especially in Southeastern Minnesota. Widespread industrial sand mining threatens to deplete our wells, contaminate our water (with acrylamide), pollute our air (silica dust), ruin rare animal and plant habitats, ruin our roads, reduce the values of our homes, destroy the beauty of our bluff country landscapes, and shred the social fabric of our communities.

All because of greed.

Charles Avila
Kelley Stanage
4890 County 9
Houston, MN 55943

From: [Nancy Falkum](#)
To: [Patton, Bob \(MDA\)](#); healingsystems@earthlink.net
Cc: [Kathie Wilkinson](#)
Subject: Important Petition to Sign for Generic Environmental Impact Study
Date: Tuesday, August 14, 2012 11:28:03 AM

Bob,

I am interested in signed the petition for the Generic Environmental Impact Study.

Nancy Lee Falkum
212 2nd Street East
Wabasha Minnesota 55981
Work: 651-565-5312
Home: 651-565-2360

RE: Environmental Impact Study Petition

Patton, Bob (MDA)

Sent: Wednesday, August 15, 2012 5:10 AM**To:** Gina Lynch [lynch.gina.m@gmail.com]**Cc:** healingsystems@earthlink.net; kathie.wilkinson [kathie.wilkinson@gmail.com]

Dear Mr. Lynch:

I have received your e-mail regarding the frac sand issue and the upcoming meeting of the Environmental Quality Board. Although I cannot add names to any petition being submitted by the public to the EQB, we will be compiling all correspondence on the issue, and will present that compilation to the EQB at the meeting. Additionally, I am copying this message to Kristen Eide-Tollefson, a member of the public who is coordinating the petition.

The EQB will be meeting this week:

Environmental Quality Board Meeting

Wednesday, August 15

1:00-4:00 p.m.

MPCA Boardroom

520 Lafayette Road North

St. Paul, MN 55155

The agenda and materials for the meeting may be found at <http://www.eqb.state.mn.us/resource.html?Id=32821>.

Please let me know if you have any questions. Thank you for your interest.

Sincerely,

Bob Patton

Executive Director

Environmental Quality Board

520 Lafayette Road North

St. Paul, MN 55155

Ph: 651-201-6226

From: Gina Lynch [lynch.gina.m@gmail.com]**Sent:** Tuesday, August 14, 2012 10:06 PM**To:** Patton, Bob (MDA)**Cc:** healingsystems@earthlink.net; kathie.wilkinson**Subject:** Environmental Impact Study Petition

Greetings Mr. Patton,

I am from Lake City, MN and cannot attend the meeting tomorrow, but would like to sign the petition.

My full address is: 321 W. Lakewood Ave., Lake City, MN 55041. I am a registered voter, a tax payer, a home owner and most importantly, a mother to two young children. I do not want the frac sand mines to destroy this unique and beautiful area.

Thank you,

Gina Lynch

----- Forwarded message -----

However, even if you cannot attend please sign the petition requesting the state-wide Generic Environmental Impact Study.

The agenda and materials for the meeting may be found at <http://www.egb.state.mn.us/resource.html?Id=32821>. The petition is a lengthy document, 17 pages long and while I would recommend reading it in its' entirety, I am cutting and pasting some of the key points so that you have a quick view of the key sections - see the end of this email. The full petition is attached. Please feel free to share this email with any others that you think would be interested in signing the petition, and/or testifying. But most important, get your email off to Bob Patton stating your desire to sign the petition.

Environmental Impact Study Petition

Gina Lynch [lynch.gina.m@gmail.com]

Sent: Tuesday, August 14, 2012 10:06 PM**To:** Patton, Bob (MDA)**Cc:** healingsystems@earthlink.net; kathie.wilkinson [kathie.wilkinson@gmail.com]**Attachments:** GEIS Petition Final for 8~1.doc (135 KB)

Greetings Mr. Patton,

I am from Lake City, MN and cannot attend the meeting tomorrow, but would like to sign the petition.

My full address is: 321 W. Lakewood Ave., Lake City, MN 55041. I am a registered voter, a tax payer, a home owner and most importantly, a mother to two young children. I do not want the frac sand mines to destroy this unique and beautiful area.

Thank you,

Gina Lynch

----- Forwarded message -----

However, even if you cannot attend please sign the petition requesting the state-wide Generic Environmental Impact Study.

The agenda and materials for the meeting may be found at <http://www.eqb.state.mn.us/resource.html?Id=32821>. The petition is a lengthy document, 17 pages long and while I would recommend reading it in its' entirety, I am cutting and pasting some of the key points so that you have a quick view of the key sections - see the end of this email. The full petition is attached. Please feel free to share this email with any others that you think would be interested in signing the petition, and/or testifying. But most important, get your email off to Bob Patton stating your desire to sign the petition.

From: mzerbe@acegroup.cc
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Date: Sunday, August 12, 2012 9:06:55 AM

Bob, pleas add my name to the pettition and John Jordan, Ralph zerbe, Drue Fergison. Thank you.
Marianne

From: [JOEL AND MARILYN BJORLO](#)
To: [Patton, Bob \(MDA\)](#); healingsystems@earthlink.net
Subject: Petition for Aug 15 meeting
Date: Monday, August 13, 2012 7:45:31 AM

Mr. Patton and Kristen

Please add our names to the petition you will be giving to the EQB board on August 15. We are unable to attend this meeting. Can you also include in your EGIS study the intermodel rail lines that will haul frac sand? They have put one 200 feet from our home in Winona and would like the study to include these factors: noise, diesel fumes, truck traffic, vibrations, dust, lighting, air quality, and quality of life due to these factors.

Regards,
Joel and Marilyn Bjorlo
1890 W. 4th St.
Winona MN 55987

Ph: (507)-454-5273
cell: (507)-313-3078
(507)-313-3074

From: [Lowell Noreen](#)
To: [Patton, Bob \(MDA\)](#)
Cc: tnoreen@embargo.com; healingsystems@earthlink.net
Subject: Petition for GEIS Wednesday August 15
Date: Sunday, August 12, 2012 9:09:39 PM

Dear Mr. Patton,

I am sending you this letter to add my wife, Tricia, and myself support for signing the petition requesting the state-wide Generic Environmental Impact Study.

As you are well aware, Minnesota is fast attempting to get into the sand frac mining business. Since these processes are new and potentially hazardous and or not good for the fragile environment along the Mississippi river. I believe that by having a thorough study of the processes and potential impact on our resources will help all of us in our great state. Wisconsin has some serious problems as they charged ahead.

Thank you for your time.

Sincerely,

Lowell Noreen

34741 Wells Creek Ct., Frontenac, MN, 55026

From: [charlotte brooker](#)
To: [Patton, Bob \(MDA\)](#)
Subject: Petition for GEIS
Date: Tuesday, August 14, 2012 10:46:50 AM

Mr. Patton

We would like to be added to the signers of the Petition for a Generic EIS on Industrial Silica Sand Mining.

As property owners in Wabasha County we have been following the issue at the county level and city level.

The noticeable increase in truck traffic already, both on our roads and bridges from Wisconsin, has gotten the attention of citizens who do not know anything about the mining issue.

We are concerned about protecting ag land and the natural land formations that make the Driftless Area so special.

Gene Mammenga
Charlotte Brooker
2172 Woodlynn Avenue
Maplewood, MN 55109 651-777-4945
and
206 Alpine Ridge #2
Wabasha, MN 55981 651-565-0326

Thank you

From: [Rosemary Iversen](#)
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Subject: petition requesting GEIS - Frac Sand Mining
Date: Friday, August 10, 2012 12:09:50 PM

Dear Mr. Patton:

I would like my name added to the petition requesting the State of Minnesota perform a GEIS on frac sand mining.

My property abuts the proposed Erickson Frac Sand Quarry in Rushford, Minnesota. I have seen how Houston County is struggling to make decisions with outdated ordinances and regulations which were not designed to deal with issues of this magnitude.

It is apparent that Houston County along with many other counties in the southeast part of the state do not have the expertise or knowlege to be making decisions relating to long term industial frac mining operations.

They are being rushed into making decisions with inadequate information regarding the long term effects and ramifications their decisions will have on the landscape, the surrounding communities and those who live in the area.

I respectfully ask that the issues and concerns of Frac Sand Mining in our state be thoroughly investigated and evaluated to aid all communities who are wrestling with the this epidemic.

Sincerely,

Rosemary Iversen
2835 Casco Point Road
Wayzata, MN 55391
612-701-7713

From: bvangorp@acegroup.cc
To: [Patton, Bob \(MDA\)](#)
Subject: petition
Date: Friday, August 10, 2012 1:51:58 PM

Bryan Van Gorp and Susan Van Gorp
4382 Ferndale Rd.
Rushford, Mn. 55971
Want to sign the petition for a GEIS.

From: [Larisa Walk](#)
To: [Patton, Bob \(MDA\)](#)
Cc: healingsystems@earthlink.net
Subject: Petition
Date: Saturday, August 11, 2012 8:48:34 AM

Hi,

We would like to sign the GEIS petition for silica sand mining.

Larisa Walk & Bob Dahse
30319 Wiscovy Ridge Road
Winona, MN 55987

From: [Donna Buckbee](#)
To: [Jackie Baker](#)
Cc: [Patton, Bob \(MDA\)](#); healingsystems@earthlink.net; [Jim Gurley](#); [Kelley Stanage](#)
Subject: Re: Frac Petition
Date: Sunday, August 12, 2012 10:05:47 AM

Jackie this is great. Can you make sure Scott and Laurie know about this? As well as the meeting here at my place. Also pass this petition address on to everyone you can think of. Great.

Donna

On Aug 12, 2012, at 9:33 AM, Jackie Baker wrote:

Mr. Patton,
We would like to sign the petition calling for the General Environmental Impact Statement. Our information is as follows:
Cory R. Baker, 22848 State Hwy 16, Rushford, MN 55971
Jackie M. Baker, 22848 State Hwy 16, Rushford, MN 55971

I am also working on a statement about our personal experience to be included and will forward that to you and Kristen tomorrow morning. There is a proposed frac sand mine moving in next door - just 633 feet from our house.
Thanks so much! Please call or email if you have questions or need additional information.
Jackie

On Fri, Aug 10, 2012 at 6:11 PM, Jim Gurley <jgurley@hbc.com> wrote:
Friends,

A petition will be presented to the Minnesota Environmental Quality Board in St Paul on Wednesday the 15th, calling for a (state-wide) **Generic Environmental Impact Statement**. You sign the petition by emailing Bob Patton at Bob.Patton@state.mn.us -- and also copy Kristen at healingsystems@earthlink.net, -- Kristen's a fractivist outside Red Wing who helped draft the petition.

The text of the petition is below.

Also, you should include a statement (may be short or long) about your personal experience with living in an area of frac sand mining, or potential mining.

The meeting is this Wednesday and is from 1:00 to 4:00. Here (below) is a note from Kristen, and one from Bob Patton, exec dir of the EQB (Environmental Quality Board), which is holding the hearing.

For further info, probably best to call Kristen Eide-Tollefson:

[\(651\) 345-5488](tel:6513455488) (home)

[\(715\) 317-0228](tel:7153170228) (cell)

[\(612\) 331-1430](tel:6123311430) (work)

You may also wish to call Mr. Patton - his contact info is below.

I hope to go to St Paul Wednesday and testify, and I encourage anyone else who can go, to do so.

Onward!

Jim

From: [fundamentalfred](#)
To: [Patton, Bob \(MDA\)](#)
Subject: remarks for Environmental Quality Board
Date: Friday, August 10, 2012 1:13:39 PM

Dear Mr. Patton,

I am a resident of the West Coast of Wisconsin, in a village called Maiden Rock. I can see Red Wing and Lake City out my front windows.

I happen to live four houses down from Wisconsin Industrial Sand Company's Maiden Rock Branch. As such, I believe I am somewhat qualified to speak about mining company behavior in our region.

The Mine is currently part of a feeding frenzy to mine a special type of sand for fracking purposes, which is used to extract oil and natural gas in remote locations. If one were to believe the Mine, everyone in the world loves them.

Sadly, the Maiden Rock Concerned Citizens do not share that belief.

The mine is a noisy neighbor, and the mine appears not to be overwhelmingly concerned about the health and well being of its neighbors. The mine uses a rail load out facility across the street from my house, and fugitive dust issues are simply not addressed. The mine indicates that they are testing for that type of thing, and, to be fair, they did test. Once. Last January. Miles from where the fugitive dust source is located.

The mine not only extracts sand, but they also mine water. The current mine has a permit for four high capacity wells, which draw an average of 1.3 Million gallons of water per day.

The mine uses compounds to help clean their product before shipping, using polyacrylamides as a flocculent. That compound breaks down to a deadly neurotoxin, acrylamide. The mine has resisted testing for those compounds in the village water supply. The spent water is left in holding ponds within the mine, where a certain amount settles into the ground water.

Are they good neighbors? If you count support for the local 4H club, yes. If you count health and welfare of their neighboring community, you be the judge. I would say no.

Please keep these items in mind as you research the expansion of silica mining throughout our region. Long term health and economic vitality for all should matter more than short term profit taking by corporations based in Texas and Connecticut.

Fred Harding
PO Box 84
Maiden Rock, Wisconsin 54750

Fw: GEIS petition ATTN: MEQB

Dale Schauer [dalevics@yahoo.com]

Sent: Tuesday, August 14, 2012 8:31 PM**To:** Patton, Bob (MDA)

My apologies- initial msg. had an incorrect e-mail address

----- Forwarded Message -----

From: Dale Schauer <dalevics@yahoo.com>**To:** "Bob.patton@statemn.us" <Bob.patton@statemn.us>**Cc:** "healingsystems@earthlink.net" <healingsystems@earthlink.net>**Sent:** Monday, August 13, 2012 3:45 PM**Subject:** GEIS petition ATTN: MEQB

I will not be able to attend the hearing on August 15th and want to go on record in support of a GEIS of the frac sand industry. I am a resident of Winona, MN and have experienced some of its impact. My experience has not been positive. My commentary is lengthy, for which I apologize, but I felt the need to be complete .

AN INTRODUCTION TO FRAC SAND

I'm at home watching TV when the house shakes as if hit by an earthquake. My spouse exclaims " what was that?. I answer " it was just the Biesanz quarry blasting limestone. It occurs every month or two; however I have to admit the house really shook. Three months and "**90"plus blasts** later they have my attention-something has changed. There is more blasting then in the total 13 years We have been in this neighborhood. Besides the shaking, neighbors are complaining about walls and windows cracking. Inquires as to whats going on reveal the mine ownership has changed; however no one can or will disclose who all the owners are. The response given is its a privately owned, company and ownership doesn't have to go on public record.

OK, there are new owners. With all the blasting they must be hauling lots of limestone. I drive up highway 14 several times and truck traffic has increased dramatically. Its NOT stone they are hauling, but a golden colored sand. With further inquiry, I find its frac sand. Interesting, new neighbors won't disclose who they are and they are definitely in a new line of business. Why all the secrecy ? Can they change ownership and business without restrictions ? Yes, I'm told they are "grandfather in". Increased truck traffic, a new scope of business and unknown owners, whats going on ? And no one is able to provide a specific definition of what "grandfathered in " entails.

I also notice more then the usual amount of dust on the window ledges. Several neighbors mention the same. My next door neighbor doesn't put his one vehicle in the garage and is constantly complaining on how dusty it is. A retired nun that that lives along the truck route states she is continually dusting. A neighbor on the opposite side of the mine says she has to dust her patio furniture daily. This all started when mining of frac sand began. More disconcerting is the fact that it could be hazardous to your health AND IS NOT BEING MONITORED. It apparently is monitored at worksites, but not the ambient air off site. SO.....if I can see it, what are my family , friends and I breathing that we can't see? NOTE: none of this was disclosed by our "good neighbor". Who is trained to monitor ? Are there penalties if certain limits are exceeded ? Then there is the question will the mining impact our aquifers ?

In WI I'm told the mining companies are responsible for monitoring themselves. That worked well in the banking profession and appears to be consistent with frac sand mining.; there have already been two spills from processing ponds. One was discovered by a hiker and it had been leaking for "five" days.

Blasting, lack of information disclosure, dust, air and water quality, truck traffic. lack of monitoring systems, these are all questionable today. This does not take into account the unknown cumulative effect on the quality of life and the environment. With so many questions unanswered and issues not addressed, I strongly support a GEIS before moving forward.. Accompanied by a moratorium would even be better. Our air, water, quality of life and scenic bluffs are all limited resources that once

tainted or destroyed cannot be replaced. I urge to approach with caution.

Dale V. Schauer
1620 49th Ave.
Winona, MN 55987
dalevics@yahoo.com

From: [Mary Broeker](#)
To: [Patton, Bob \(MDA\)](#)
Subject: Signing Petition
Date: Monday, August 13, 2012 9:37:28 AM

I cannot attend the meeting but strongly support the petition requesting a state wide generic environmental impact study. Please sign my name on the petition.

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Mary Broeker
30125 719th Street
Lake City, Mn 55041

From: [M&R Meyer](#)
To: [Patton, Bob \(MDA\)](#)
Subject: Support for a state GEIS
Date: Tuesday, August 14, 2012 3:01:08 PM

To the Environmental Quality Board,

In regards to a state wide GEIS there are many important questions to ask. One that lingers in our minds is: What are we supposed to say to neighbors whose lives will be disrupted and possibly destroyed by granting frac sand mining into Minnesota? When the firm Envirosolutions was asked this question in Goodhue County, no one had an answer.

Why was this question so difficult to address? When there's a flood, a fire, a death in the family or a tragedy of some sort in the community we, as neighbors, try to help each other out. Our house or lives may not be directly impacted by a sand mine, but many others will. And that bothers us.

If there were dump trucks driving past our house 400 times a day for 16 hours, 6 days a week, we imagine our quality of life and property values would severely diminish. As residents we can prepare ourselves for a two-week project of this magnitude. But we can't prepare ourselves for a 20-year project. Can anyone?

We are writing because we care about the people who face such consequences if frac sand mining enters Minnesota. We've seen the effects on our Wisconsin friends and it's devastating. Neighbors are what make a community a community. If we cease to include the effects that mining will have on our neighbors into this equation, then we cease to be a community.

No one from the consulting firm was able to respond to the above question because they aren't our neighbors. And they have no responsibility to any of us. If we take on that attitude our communities will die. Literally. Frac sand is a known carcinogen. There is no data to measure what might be a reasonable amount of ambient exposure, yet the mining companies tout jobs. It is our conviction that if we want to bring jobs to Minnesota we can do better than to invite jobs that cause cancer.

So we are asking you, as a responsible agency, to require a state GEIS on frac sand mining for the sake of Minnesotans young, old and not yet born. The current and future health of our bodies and our ever more fragile environment is at stake.

Sincere Regards,
Robert & Michelle Meyer
1233 Phelps Street
Red Wing, MN 55066

651-385-7705



August 15, 2012

Mr. Bob Patton
Executive Director
Environmental Quality Board (EQB)
520 Lafayette Road N
St Paul MN 55155

Dear Mr. Patton – members of the Board:

On behalf of the Minnesota River Valley Audubon Chapter (MRVAC) of the National Audubon Society, I am submitting these comments to voice concerns for the fast increasing silica sand mining development happening in Minnesota.

The industrial scale silica sand mining coming to Minnesota is relatively new to our state. MRVAC supports Minnesota embarking on a Generic Environmental Impact Statement (GEIS) to study statewide what effects silica sand mining will have on our natural areas, water quality, wildlife, and citizens due to dust, noise and habitat fragmentation and disturbance.

We also support Minnesota moving forward with regulations specific to this type of mining – and a moratorium on new projects until we have the research needed and the regulations in place - to best protect our environment and our citizens.

The Minnesota River Valley Audubon Chapter has formally adopted the Minnesota Valley National Wildlife Refuge (Refuge) under the National Audubon Society's Program called Refuge Keepers. Our chapter membership consists of approximately 1500 nature enthusiasts, residing along the Minnesota River in the Twin Cities. Our members use the Louisville Swamp Unit of the Refuge for many activities including birdwatching, photography and nature study.

One particular area of concern is Louisville Swamp – although there are many other high quality bird habitats along the Minnesota and Mississippi Rivers that are threatened by this mining.

The Louisville Swamp Unit is very important because it is the must-see stop on the new Minnesota River Valley Birding Trail (<http://www.birdingtrail.org/MendotaRegionWest.htm>). This trail is a combination of roads, paths, and bike trails along the Minnesota River watershed. It was originated to help focus recreational use towards the many great bird habitats along the Minnesota River, bring local and national tourists into the region, and help educators as a tool for using the local region in nature programs and studies.

In particular we are concerned about the impacts to our natural habitats, and the birdwatching that our members enjoy, but are also concerned for the resident and migratory birds and other wildlife that use these places for nesting, feeding and migration rest-stops.

The long-term effects of silica sand mining include the leaching of toxic substances into soil and water, noise impacts on wildlife and humans, visual impacts to people searching for an experience of solitude in our over-developed world, as well as the dust that is generated. Dust from silica sand is considered a carcinogen and has been linked to cancer and silicosis, a deadly disease. The environmental and human health affects of this type of mining are only now being researched and analyzed. The potential for dramatic impacts to both human health and the environment appear likely.

The dramatic affects of respirable dust will also impact the birds and other wildlife in and near development sites – it is of great concern that this impact is silent, invisible, and deadly.

Noise:

“Birding by ear”, is a popular activity where birders identify species by song and this activity is enjoyed by our Chapter members a great deal. Noise is not only a pollutant and a very disturbing social impact, but can disrupt this type of birding. Blasting and the other noise proposed by the development may be inappropriate in some settings. Annoyance is a common judgmental response to noise regardless of its level, it has its base in the unpleasant nature of some sounds, and in the activities that are disturbed or disrupted by noise. Minnesotans seeking peace and quiet, fresh air, personal safety and a healthy environment are continually losing access to these experiences as increasing areas of the state are impacted by noise and development.

In particular it is important to take into account wildlife impacts of noise. Animals exposed to high-intensity sounds suffer both anatomical and physiological damage, including both auditory and non-auditory damage (Brattstrom and Bondello 1983). Intermittent sounds or startle noises, like the blasting proposed in these projects, have been shown to have many effects on wildlife and humans including annoyance, disruption of activity, and some physiological reactions. In addition to this OSHA and EPA recommended noise guidelines for humans may not provide protection for wildlife hearing.

According to the EPA, noise acts as a physiological stressor producing changes similar to those brought about by exposure to extreme heat, cold, pain etc. (EPA 1971). The EPA states that:

“Clearly, the animals that are directly affected by noise are those capable of responding to sound energy and especially the animals that rely on auditory signals to find mates, stake out territories, recognize young, detect and locate prey and evade predators. Further, these functions could be critically affected even if the animals appear to be completely adapted to the noise (i.e. they show no behavioral response such as startle or avoidance). Ultimately it does not matter to the animal whether these vital processes are affected through signal-masking, hearing loss, or effects on the neuro-endocrine system. Even though only those animals capable of responding to sound could be directly affected by noise, competition for food and space in an ecological niche appropriate to an animal’s needs, results in complex interrelationships among all the animals in an ecosystem. Consequently, even animals that are not responsive to or do not rely on sound signals for important functions could be indirectly affected when noise affects animals at some other point in the ecosystem. The “balance of nature” can be disrupted by disturbing this balance at even one point.”

There are many species of birds and other wildlife that fit the category of those that need direct response to sound energy along both of the Minnesota and Mississippi Rivers, as well as other natural areas throughout southern Minnesota.

Dust:

Silica is a compound made of oxygen and silicon. Silica is in sand, rock and mineral ores. Silica exists in smooth and sharp forms. The sharp forms are called Crystalline Silica. SILICA SAND GRAINS are made up of crystalline silica particles. When silica sand grains are broken (fractured) from blasting, abrasion, or crushing, tiny particles of crystalline silica “dust” are produced. Some of these particles are so small and light-weight they can stay in the air for a long time and can travel long distances. The RESPIRABLE SILICA is very tiny, sharp silica particles, small enough to be breathed deep into our lungs. Once they settle in the lungs, they never dissolve and never leave.

There are special health concerns with silica dust smaller than PM10. The International Agency for Research on Cancer (IARC) has determined that Respirable Crystalline Silica is a Carcinogen, or cancer causing substance. Prolonged or repeated exposure to fine airborne crystalline silica dust may cause severe scarring of the lungs, a disease called silicosis. Silicosis can develop quickly or over many years, depending upon the amount of silica a person breathes and for how long.

Exposure to silica dust can lead to obstructive pulmonary disease. It can create breathing problems for people who have asthma, emphysema, and other obstructive lung diseases. Because the dust never leaves the lungs, its sharp edges can continue to cause irritation and inflammation for many years to come. Disease may not show up until years later, even if a person is no longer breathing silica dust.

Children, the elderly, and people who already have health problems are more affected by silica dust, but anyone can be made ill by breathing this air pollutant.

There is a very real possibility that silica sand mining throughout Minnesota will produce significant amounts of silica dust from mining, transporting, and processing operations for the decades it is in operation. Blasting will be used to break up the cemented sandstone, and this will produce more silica dust at mine sites. Other contaminants may also be present.

Silica and other dust will escape as the unwashed and freshly mined sandstone is loaded onto trucks, transported, stockpiled, and as it travels over conveyors. Crushing operations at the plant will also produce crystalline silica dust.

MRVAC is concerned that there does not seem to be a requirement for accurate air monitoring proposed as a part of this mining. As an example, the proposed Great Plains sand mining facility bordering the Louisville Swamp will be the first sand mine to even monitor for air particulates and silica. The needed research to understand the link between levels of silica dust in the air and the regulatory limits to ensure human health is still in its infancy. We request that through further permitting air monitoring is required so that we know how much harmful dust is being released as a first step in developing limits.

This is not only a human health issue – these respirable dusts can also have the same irreparable impacts to wildlife species living in and near the development site.

In conclusion:

The fast increasing industrial scale silica sand mining coming to Minnesota is relatively new to our state. MRVAC supports Minnesota embarking on a Generic Environmental Impact Statement (GEIS) to study statewide what effects silica sand mining will have on our natural areas, wildlife, citizens and water quality. We also support Minnesota moving forward with regulations specific to this type of mining – and a moratorium on new projects until we have the research needed, and the regulations in place, to best protect our environment and our citizens.

We suggest a regular monitoring of resident bird and other wildlife species populations as a part of any ongoing impact analysis study. We fear that there will be population declines, although most likely unnoticeable for some years, and without true species counts this will be hard to quantify

Thank you for the opportunity to prepare feedback on this project.
Sincerely,

Lois Norrgard,
Chair, Environmental Action Committee

Minnesota River Valley Audubon Chapter
952-881-7282 lnorrgard@lnmn10.com

As the City Planner for the City of Wabasha, I advocate a regional approach to the study of the impacts of 'frac' sand mining and the associated activities of this industry in Southeastern Minnesota.

In Wabasha we see this industry as a potential benefit to our local and regional economy. However, we also see the potential for collective & cumulative impacts which are beyond the control of our City jurisdiction. The size and scope of this rapidly growing industry clearly impacts 'systems' that extend across political boundaries. This includes environmental, transportation, and economic to name but three.

As a local authority, we along with our neighboring government entities are attempting to better understand potential results and the tools that we have now or may have in the future to maximize benefits while minimizing negative impacts. From my observations, many of us are striving to comprehend the potential effects not only of mining, but also the related transportation and processing needs of the industry and the consequences these may have on our communities. It appears that the regional and statewide significance of these impacts and the degree to which they can be addressed on a project-by-project basis and a by individual political jurisdictions is limited and fails to give us a comprehensive understanding of these interrelated issues. Thus, a coordinated regional approach to this line of study would be beneficial to the City of Wabasha and to the entire region.

Molly Patterson-Lundgren
CITYPLANNER, CITY OF WABASHA
900 Hiawatha Drive East
P.O. Box 268
Wabasha MN 55981
651-565-4568
cityplan@wabasha.net

EQB Testimony

Aug 15th, 2012

The presentations from the July 18th meeting were missing some significant facts of frac sand mining which I share with you today regarding the potential impacts upon our environment in Goodhue County and all the southeastern Minnesota counties:

None of the presentations addressed the volume of water used by these large scale sand mining operations. The Maiden Rock mine in Wisconsin has a permit to use up to 3 MILLION gallons per day. We must consider the impact on Goodhue County and in an already sensitive water table area. It must be studied. As another water concern, land in our area is karst and of course bluffs which makes the likelihood of the runoff water from the mines getting into our watershed quite high. This in turn would significantly impact our trout streams which run throughout our county. That is why Trout Unlimited supports our efforts and are opposed to the frac mines being located by streams. They have just spent thousands of dollars cleaning up Hay Creek which runs directly below the land purchased for a mine.

Flocculants- Polyacrylamide appears to be the flocculant of choice. In a study conducted in 1997 at [Kansas State University](#), the effect of environmental conditions on polyacrylamide were tested, and it was shown that degradation of polyacrylamide under certain conditions does in fact cause the release of acrylamide.^[5] The experimental design of this study as well as its results and their interpretation have been questioned,^{[6][7]} and a 1999 study by the [Nalco Chemical Company](#) did not replicate the results. What do we really know about the long term effects and stability of polyacrilamide being widely used in frac sand mining? ^[8]

The presentations also did not cover the volume of sand required per well. The latest known figures are 10,000 tons per well. The Bakken field currently has 3000 wells and intends to increase to 30,000 wells. Consider the high demand for sand and the need to consume it- regardless of environmental impacts to those locations which contain this valuable resource.

It is also important to note that silica frac sand is classified differently than construction/aggregate sand according to Federal and State standards and it should be treated differently in terms of regulations in safety and zoning standards.

We ask for an in-depth Environmental study of all the potential impacts of frac sand mining in Goodhue County.

Jody McIlrath
Florence Township Planning Commissioner
Save-The-Bluffs, Chairman
34767 Rainwater Ct
Frontenac MN 55026
651.345.4779
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