From:	John F. Apitz
To:	*EQB_Silica Sand; "jeff.symser@state.mn.us"
Cc:	Emily E. Pugh; John F. Apitz
Subject:	Comments regarding Guidelines to Assist Local Governments in Planning for and Regulating Silica Sand Projects
Date:	Monday, January 27, 2014 1:41:39 PM
Attachments:	3153_001.pdf

Mr. Symser and Members of the Environmental Quality Board:

Attached please find comments from the Minnesota Regional Railroads Association in response to your Draft Guidelines to Assist Local Governments in Planning for and Regulating Silica Sand Projects.

We wish to raise a number of concerns regarding the fact that state and local laws and regulations involving transportation by common carrier, in this instance railroads, are preempted by certain federal laws and regulations. A number of items in your draft guidelines would seem to be in conflict with federal law.

We appreciate the opportunity to comment on your draft guidelines. If you have any questions or need further clarification, please feel free to contact me at 651-556-9211.

John F. Apitz, Counsel
Minnesota Regional Railroads Assn.