

FINAL SCOPING DECISION DOCUMENT

Merriam Junction Sands, LLC Mining and Processing Facilities

Louisville Township
Scott County, Minnesota

June 3, 2014

**Responsible
Governmental Unit:** Scott County

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Proposer: Merriam Junction Sands, LLC

Abstract: The Final Scoping Decision Document (Draft SDD) is a companion document to the Scoping Environmental Assessment Worksheet (EAW) prepared for the Project in accordance with Minn. R. 4410.4400, Subp 9B. The purpose of the Draft SDD is to facilitate the delineation of issues and analyses to be contained in the Environmental Impact Statement (EIS) and to give the public and the government agencies a preliminary view of the intended scope of the EIS. This document identifies issues and alternatives that will be examined in depth in the EIS. This is a draft SDD and the information presented here is subject to modification based on the comments received during the scoping process. The Draft SDD also presents a tentative schedule of the EIS process.

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1.0 INTRODUCTION AND PURPOSE

Merriam Junction Sands, LLC is proposing to develop approximately 682 acres of land for non-metallic mineral mining and processing operations (Project). The Project is situated on property located in Louisville Township, Scott County, MN (Site). The Site consists of several parcels owned by two separate property owners. Some of the parcels have been mined in the past for sand and gravel and limestone resources; some of the parcels are currently being mined; and some of the parcels have not been mined and currently have non-mining uses. The purpose of the Project is to further develop mining and processing operations on the Site to accommodate the production of silica sand in addition to the continued production of construction aggregates.

The preparation of an Environmental Impact Statement (EIS) is mandatory pursuant to MN Rules 4410.4400 Subpart 9B which states *“For development of a facility for the extraction or mining of sand, gravel, stone, or other nonmetallic minerals, other than peat, which will excavate 160 acres of land or more to a mean depth of ten feet or more during its existence, the local government unit shall be the RGU.”*

Scott County is the Responsible Governmental Unit (RGU) for the Project. The contact person for Scott County is:

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The purpose of this Final Scoping Decision Document Draft (SDD) is to give the public a preliminary view of the EIS’s intended scope. The Final SDD will identify the issues and alternatives that will be examined in depth in the EIS. The information in this Final SDD should be considered as preliminary and subject to revision based on the entire record of the scoping process.

2.0 ALTERNATIVES

The EIS must evaluate the “economic, employment, and sociological impacts” as well as environmental effects of the Project and will compare the potentially significant impacts of the proposal with a No Action Alternative and other reasonable alternatives to the Project. The MN Environmental Review Rules require the EIS to address at least one alternative of each of the following types of alternatives or provide an explanation of why no alternative of a particular type is included in the EIS (Minn. Rule 4410.2300, Item G.):

1. No Action Alternative (No Build Alternative);
2. Alternative Sites;
3. Alternative Technologies;

4. Modified Designs or Layouts;
5. Modified Scale or Magnitude;
6. Alternatives incorporating reasonable mitigation measures identified through the EIS scoping and draft EIS process.

An alternative may be excluded from analysis in the EIS if:

1. It does not meet the underlying need for or purpose of the Project;
2. It would likely not have any significant environmental benefit compared to the proposed Project;
3. It would likely not have any significant environmental benefit compared to another alternative that will be analyzed in the EIS that would likely have similar environmental benefits but substantially less adverse economic, employment, or sociological impacts.

2.1 ALTERNATIVES

A summary of the proposed Alternatives is provided below. A complete detailed description of the proposed Project and each Alternative is included in the Merriam Junction Sands Scoping EAW, a companion document to this Final SDD. There will be a total of seven alternatives studied in the EIS. In addition to the No Build Alternative, other alternatives will evaluate different plant locations, capacities and sequences of mining. The number of alternatives is necessary to provide flexibility as the Project moves forward and takes into consideration potential changes in the sand market. With each alternative, plant production will begin at a lower production rate, increasing to maximum capacity as market conditions warrant.

Alternative 1: Two 1.2 million ton (MT)/year processing plants. “Processing plants” refers to both a wet plant and a dry plant throughout this document. One plant to be located on the Bryan Rock plant site and one plant located on the Malkerson Sales northern plant site. Alternative 1 includes two separate rail yards and loadout facilities.

Alternative 2: Two 1.2 MT/year processing plants. One plant to be located on the Bryan Rock plant site and one plant located on the Malkerson Sales southern plant site. Alternative 2 includes two separate rail yards and loadout facilities.

Alternative 3: One 2.4 MT/year processing plant located on the Bryan Rock plant site. Alternative 3 includes one rail yard and loadout facility.

Alternative 4: One 2.4 MT/year processing plant located on the Malkerson Sales northern plant site. Alternative 4 includes one rail yard and loadout facility.

Alternative 5: One 2.4 MT/year processing plant located on the Malkerson Sales southern plant site. Alternative 5 includes one rail yard and loadout facility.

Alternative 6: One 2.4 MT/year processing plant located on the Malkerson Sales northern plant site. Alternative 6 includes one rail yard loadout facility.

Alternative 7: No Build Alternative: This alternative considers continued limestone quarry, sand and gravel mining and processing operations. No silica sand mining, processing or rail loadout are associated with this alternative.

The EIS will include an analysis of a number of different topics. Some of the subjects of the analysis are not impacted by the number of alternatives to be studied (e.g. cultural resources, economic impact). For these topics, one study will be sufficient in characterizing the potential for environmental effects as a result of the Project compared to the No Build Alternative. Other topics may require a separate analysis of each alternative because the location or size of the plant will elicit different results (e.g. air emissions, noise). Finally, other topics may require that more than one analysis is needed in order to evaluate potential worst case scenarios, but something less than an analysis for each separate alternative is required.

Alternatives 1-6 propose to develop approximately 682 acres land for nonmetallic mineral mining and processing operations. The proposed mining will include processing, loading and Site reclamation. The following information provides a complete description of the Site and all Project related activities. The property is located in Louisville Township, Scott County, MN. The general Project location is south of State Highway 41, East of the Minnesota River and Associated Floodplain and west of US Highway 169.

The Project is located on property owned by Malkerson Sales, Inc. (Malkerson Sales) and Bryan Rock Products, Inc. (Bryan Rock) and the property has a history of mining activity including the production of construction aggregates from both sand and gravel mining and limestone quarrying and processing. Some of the parcels have been mined in the past, some are currently being mined and some have not been mined. Several of the parcels have current non-mining related uses, such as the Renaissance Festival and other seasonal events and a stable and horse training area.

The Project involves the continuation of the production of construction aggregates from the sand and gravel and limestone deposits as well as mining industrial silica sand associated with the Jordan Sandstone, which underlies the sand and gravel and limestone deposits. Past mining and quarrying activity have removed the overlying unconsolidated sediments and the limestone over much of the Site. Currently, there are active quarry operations on both the Malkerson Sales and Bryan Rock properties. Mining activity associated with the unconsolidated sand and gravel and quarrying of the Prairie du Chien Group will continue in the current fashion. The mining activity includes clearing of trees and vegetation as may be necessary, removal of topsoil and overburden, blasting, extraction, processing (crushing, washing, screening), and stockpiling.

The basal member of the Prairie du Chien Group, the Coon Valley member, is a layer of bedrock typically between 5 feet and 20 feet in depth that contains layered limestone, sandstone and shale. The Coon Valley does not contain appreciable quantities of marketable limestone or sandstone. This material is referred to as the “transition layer” in the mining plan. Before sandstone mining can begin, the transition material will be

removed within a given phase. This will require blasting and subsequent removal of the transition material with an excavator and/or loader. The transition material will be stockpiled for later use in reclamation, or once a large enough mining area has been completed, the transition material will be hauled to the active reclamation area and placed directly as reclamation fill. Portions of the transition are located above the water table and portions of the transition are located below the water table. The mining plan anticipates dewatering in cells as needed to remove the transition material under dry mining conditions. Dewatering discharge will be used to supply process water to the wet plant.

The sandstone will be blasted as necessary to break up the lightly cemented sand particles without causing the fracturing of the sandstone grains. Where the sandstone is located above the water table and/or dewatering level, it will be removed with dry mining methods. Where the sandstone is located below the water table/dewatering level, it will be removed with wet mining techniques utilizing an excavator, dredge or dragline. Water removed from the active mining area will be pumped to the processing plant area and utilized in wet processing of the sand and in the return of waste sand to the reclamation area.

The excavated sandstone will be processed in a wet plant to clean and size the sand and then it will be sent to a dry plant where it will be dried, screened and further sized into appropriate gradations. The processed material will be stored in enclosed silos, containers, or bags and transported to market via rail cars and/or haul trucks. Wet and dry plant operations may occur year round. A winter feed pile of washed sand will also be located in the processing area. The volume of this stockpile will be continually added to throughout the mining season, reaching maximum volumes in mid-November. Once mining and washing shuts down for the winter, the winter feed stockpile will diminish over the course of the winter months.

Reclamation activities will be performed in phases as mining in a given area is completed. Reclamation will leave the Site in a mix of water and upland areas. Final contours and establishment of native vegetation will be developed to provide diverse wildlife habitat over portions of the Site that will complement the Minnesota River Valley and adjacent public lands. Final contouring and establishment of native vegetation will be performed on upland areas surrounding the water bodies. Other portions of the Site will be reclaimed to allow future development of the land consistent with current comprehensive plan land use policies. Areas suitable for future redevelopment will be located in the northern portion of the Malkerson Sales property, where there is no sandstone resource and in areas backfilled with structural fill to upland conditions as part of the reclamation process. The northern portion of the Bryan Rock property may also be backfilled with structural fill to allow future industrial development of portions of this property. Areas associated with the processing facilities on top of sandstone resources located on either or both Malkerson Sales and Bryan Rock properties, (depending upon the alternative that is developed), will be mined and reclaimed last.

2.2 NO BUILD ALTERNATIVE

The EIS must include a No-build Alternative. The No-build Alternative will be evaluated in the EIS as required by the State of Minnesota and Environmental Quality Board's (EQB) rules. The evaluation of the No-build Alternative assumes that existing sand and gravel mining and limestone quarry activities, and stable business land uses continue and considers that other projects, consistent with the zoning and, comprehensive plan guided land uses of the area, could occur on the property in the future.

2.3 ALTERNATIVE SITES

No alternative sites will be evaluated in the EIS. The Site represents a significant resource that is well situated to cost effectively produce a significant quantity of industrial sand. The needs of the mining Project can only be located where mineral deposits exist, are under control of the Proposer, and can economically be mined, processed and sold. There are no Alternative Sites that meet this underlying need or purpose of the Project.

2.4 ALTERNATIVE TECHNOLOGIES

In general, alternative mining technologies as a standalone alternative will not be studied within the EIS. Non-metallic mineral mining technologies typically consider either dry mining or wet mining technologies. When the resource is located below the water table, dewatering is required in order to dry mine the deposit. The Project alternatives consider a limited amount of dewatering to allow the removal of any remaining limestone and the very uppermost portion of the sandstone with traditional dry mining technologies that are currently utilized on Site, and then utilizing wet mining technologies (e.g. dragline, excavator, or dredge) to mine the remaining portion of the sandstone. Preliminary dewatering evaluations concluded that dewatering the entire thickness of the Jordan Sandstone and subsequently dry mining the entire deposit was not feasible. Therefore no further study of this alternative technology will be presented in the EIS.

As noted in the description of the Project alternatives, where two separate technologies may be utilized for specific activities within the Alternative that is being evaluated, the impacts of both technologies will be considered. For example, both rail and trucks may be used to haul the silica sand from the Site. The EIS will evaluate impacts that may be associated with both technologies assuming the maximum amount of use by either alternative that would be considered within the Project.

2.5 MODIFIED DESIGNS OR LAYOUTS

The EIS will evaluate several modified designs or layouts of the processing plant and rail yard locations and configurations. The alternatives will be evaluated to determine

how the modified layouts may result in different environmental, economic, employment, or sociological impacts.

2.6 MODIFIED SCALE OR MAGNITUDE

A Modified Scale or Magnitude Alternative is presented in the alternatives where impacts from different capacity plant sites are evaluated. Although total production capacities remain the same, Project alternatives include different scales of production at the same plant locations.

2.7 REASONABLE MITIGATION MEASURES

Alternatives incorporating reasonable mitigation measures identified through the EIS scoping and Draft EIS process will be further evaluated in the EIS. Mitigation measures will be identified to provide decision makers with a list of possible measures to reduce impacts. Mitigation will be discussed in the impacts sections and listed as a separate chapter in the EIS to make it easier for decision makers to find and consider these measures as they develop permit conditions and issue Project permits. Scott County will take into consideration the Environmental Quality Board's "Tools to Assist Local Governments in Planning for and Regulating Silica Sand Projects", March 7, 2014, in proposing appropriate monitoring and mitigation for this project and in developing appropriate conditions for the required land use permits.

3.0 ISSUES TO BE ADRESSED IN THE EIS

The Scoping EAW is intended to streamline the EIS processes by identifying only potentially significant issues. This section identifies issues which will require further analysis in the EIS as defined by the Scoping EAW process. The general criteria used to select issues for further analysis in the EIS are as follows:

1. The potential for significant environmental effects;
2. Adequacy of information available;
3. Type, extent, and reversibility of environmental effects;
4. Extent to which environmental effects are subject to mitigation by ongoing public regulatory authority.

Table 3.1 identifies the issues that are not relevant and will not be addressed in the EIS, are minor but will be addressed using the same information as included in the scoping EAW, or will be addressed in greater detail in the EIS.

Table 3.1 – Final Scoping Decision Item Summary

EIS Content	Topic Not Relevant Not Addressed in EIS	Topic is Significant – Information Beyond EAW Included in EIS
Project Description		X
Land Use		X
Cover Types		X
Fish, Wildlife, & Sensitive Resources		X
Physical Impacts on Water Resources		X
Water Use		X
Water Related Land Use Management District		X
Water Surface Use	X	
Erosion & Sedimentation		X
Water Quality & Surface Runoff		X
Water Quality – Wastewaters		X
Geologic Hazards & Soil Conditions		X
Solid & Hazardous Wastes		X
Traffic		X
Vehicle Related Air Emissions		X
Stationary Source Air Emissions		X
Odors, Noise, & Dust		X
Archeological, historical and architectural		X
Prime or Unique Farmlands	X	
Designated Parks, recreation areas or trails		X
Scenic Views and Vistas		X
Visual Impacts		X
Compatibility with Plans & Land Use Regulations		X
Infrastructure & Public Services		X
Cumulative Potential Effects		X
Other Potential Environmental Impacts		X

4.0 IDENTIFICATION OF NECESSARY STUDIES

This section describes the topics which will be studied to varying degrees within the EIS which may include compilation and analysis of existing information or conducting studies that include the development of new data that can be generated within a reasonable amount of time and at a reasonable cost (Minn Rule 4410.2100 Subpart 6G).

4.1 Project Description

- a) The EIS will provide an updated Project Description and Mine Plan to fully describe the Project including an estimate of years of operation and an estimation of the percentage of marketable sand verses the percentage of unmarketable mined material.

- b) The EIS will provide a detailed Reclamation Plan developed in conformance with Scott County requirements and input from relevant local, state and federal agencies.

4.2 Land Use

- a) The EIS will evaluate existing groundwater quality impacts associated with adjacent land uses including the Louisville Landfill, and assess how these might be impacted by each of the Project Alternatives. (See item 4.5).
- b) The EIS will assess the impacts of each of the Project Alternatives on the current and future land use in the areas adjacent to the Project.
- c) The EIS will provide a description of planned end use of the Project area and an assessment of its compatibility with surrounding land uses and recreational goals.

4.3 Cover Types

- a) The EIS will evaluate existing cover types, (including the processing area) as well as projected cover types upon conclusion of mining activity based upon final reclamation of the Site.

4.4 Fish, Wildlife and Ecologically Sensitive Resources

- a) The EIS will evaluate potential impacts to rare features. A field study of the Project Area will be conducted to help address whether the proposed Project has the potential to adversely affect rare features.
- b) The EIS will address indirect impacts to on-site or adjacent native plant communities including the introduction or spread of invasive species.
- c) In coordination with the Minnesota DNR, a natural resources survey has been conducted in areas where rock outcroppings or native prairie were identified on-site that may be impacted by the Project. The survey results will be presented in the EIS. Sufficient information will be presented to adequately describe the environmental impact of the proposed Project. Ecologists will report on results from surveys for state-listed plants and animals and provide additional analysis of the biodiversity significance of the Site.
- d) The EIS will provide recommendations for wildlife habitat reclamation as a component of the reclamation plan.
- e) If protected species are found on Site, the EIS will include an evaluation of alternatives that would avoid, minimize or mitigate impacts to the protected population. If any of the Project alternatives results in the taking of a protected

species, the EIS will include an analysis of the impact of the taking of these species on a statewide level and potential mitigation measures.

- f) The EIS will assess changes in habitat with the introduction of groundwater fed ponds.

4.5 Physical Impacts on Water Resources

- a) The EIS will include a wetland delineation completed in accordance with the criteria set forth in the USACE 1987 Manual and Regional Supplements. Wetland impacts will be mitigated in accordance with the 1991 Minnesota Wetland Conservation Act and Section 404 of the Clean Water Act. As part of the wetland delineation, springs and seeps will be mapped and characterized in relationship to the wetlands.
- b) The EIS will assess impacts from dewatering and surface drainage on the floodplain wetland and Gifford Lake.
- c) The EIS will include the development of a Natural Resources Plan which will include an evaluation of stormwater management and assess potential impacts to wetland areas as a result of proposed modifications to the existing stormwater system.
- d) Wetland replacement plans will be prepared as may be necessary if the Project proposes to impact any regulated wetlands within the Site or Project area.
- e) The EIS will determine the existing watershed draining into and through the Site and determine both existing and future anticipated rates and volumes associated with full development of the watershed, to evaluate appropriate design of future stormwater conveyance measures through the Site upon final reclamation to preclude introduction of surface water runoff into the open water mine pits in the Jordan aquifer.

4.6 Water Use

- a) The EIS will include a hydrogeologic assessment to identify any potential impacts to groundwater resources from mining activities, including mine dewatering scenarios. This assessment will include both existing and new information, including information on the installation of piezometers, geologic borings, aquifer pump testing and development of a comprehensive geologic and hydrogeologic conceptual model. A 3-D groundwater flow model will be constructed to simulate the effect of different dewatering scenarios on the groundwater system, including changes to the landfill leachate plume, nearby water supply wells and surface-water features.
- b) The EIS will include an analysis of the impact resulting from a leveling of the groundwater table across the open water bodies, including potential changes to flow into receiving waters such as the wetland complex, Louisville Swamp and Gifford Lake.

- c) The EIS will include a well survey within 1.5 miles of the project site consisting of a review of wells within the County Well Index (CWI) and other well locations not within the CWI as determined by field observations to determine the locations of water supply wells that may be impacted by mining operations. Data will be collected regarding well construction, source aquifers, and elevations where readily available.
- d) The EIS will include an evaluation of the Project's impact on water quality and anticipated future public water supply wells and future municipal wells needed to serve future growth in surrounding communities.
- e) The model run to evaluate the Project's potential impact on future municipal water supply wells will be run under drought conditions to determine if the Project will have any additional impacts during drought conditions when flow reversals or increased water demands could impact regional hydrogeology.
- f) The EIS will include water conservation and reuse measures where feasible in both the mining phase and the reclamation phase of the Project.

4.7 Water-Related Land Use Management District

- a) The EIS will include the development of more detailed processing plant layouts for Alternatives 1, 4 and 6 (These alternatives have a processing plant located within the Shoreland District) to evaluate conformance with the County Shoreland District and necessary height variances. The plant layouts will be developed taking into consideration ways to minimize building heights, minimize placement of fill or structures within a designated floodway in conformance with the County Shoreland District and minimize the potential environmental impacts from flooding of sediment ponds, storage areas, etc. located within the 100 year floodplain.

4.8 Erosion & Sedimentation

- a) The EIS will include Project magnitude data including the approximate acreage and cubic yards of overburden and rock to be excavated.
- b) The EIS will include a description of Identification of erosion & sedimentation control measures to be used within the Project. The EIS will also include the methods of how vegetation will be established and maintained on disturbed stony overburden during dry periods and how side walls with exposed sandstone faces above or below the water table will be protected from eventual erosion and undermining.
- c) The EIS will include a description of potential erosion and sedimentation impacts to the Minnesota River specifically related to its status as an impaired water of the state and a discussion of appropriate mitigation measures.

4.9. Water Quality: Surface Water Runoff

- a) The EIS will include hydrologic modeling and watershed analysis that will include hydrologic calculations and descriptions of pre-settlement, project development and reclamation conditions. This plan will address BMPs that will need to be implemented throughout all phases of the Project.
- b) The EIS will include an evaluation of conveyance of stormwater east of U.S. Highway 169 through the Site, identifying design capacity and taking into consideration increased runoff that may need to flow through the Site as a result of future development of the contributing watershed area.
- c) The EIS will develop a stormwater pollution prevention plan for mining and processing activities and evaluate the Project's impact on the quality of receiving waters, especially as it relates to the adjacent downstream wetland complex and the Minnesota River.

4.10 Water Quality: Wastewater

- a) The EIS will evaluate the quantities of domestic wastewater to be generated by the Project and design wastewater treatment systems that meet the requirements of Scott County and the State of Minnesota.
- b) The EIS will describe the quantities of industrial wastewater generated by the Project and how this water will be managed. The EIS will describe the types of flocculants used and their potential impacts on receiving waters. Separate descriptions will be provided for the 1.2 MT/yr and 2.4 MT/yr plant capacities.
- c) The EIS will evaluate the management of dewatering discharges within and/or from the Site including an evaluation of potential impacts to receiving waters.

4.11 Geographic Hazards and Soil Conditions

- a) The EIS will include a slope stability analysis of the unconsolidated materials and the underlying bedrock units remaining above and below the water table. This analysis will be used to properly design mine walls and establish sufficient setbacks from property lines, railroad tracks, roadways, structures, etc. with an appropriate factor of safety.
- b) The EIS will include the development of a spill prevention and response plan, evaluation of imported material to prevent aquifer contamination, and the development of a comprehensive groundwater monitoring and mitigation plan that continues for a period of time beyond completion of final reclamation.

4.12 Solid Wastes, Hazardous Wastes, Storage Tanks

- a) The EIS will address the management of existing buildings, equipment and solid waste remaining from the closing of the Renaissance Festival and from the prior uses of the Malkerson Sales property and generation of solid or hazardous wastes and materials related to the Project including a plan for the minimization of waste and containment of contamination.
- b) The EIS will address existing and proposed storage tanks associated with the Project.
- c) The EIS will address potential impacts to ground and surface water from agents introduced through the mining process.

4.13 Traffic

- a) The EIS will perform a Site specific traffic impact analysis on each of the access options that will provide an estimate of Project activities and take into consideration traffic generated from existing mining operations, the Renaissance Festival, Trail of Terror as well as impacts to area traffic from the additional truck and rail car traffic at key rail intersections within Scott County, and neighboring municipalities (Shakopee and Chaska), and access to the wildlife refuge parking lot off of 145th Street West. This will include a review of how the Dem Con Dr. connection will be made through private property, internal siding and circulation to accommodate a frontage road and future ponds outside of the US169 clear zone, and the ability to remove any direct traffic off of US169. The EIS will define the Project alternatives to include different percentages of trucked and railed product. Impacts to planned improvements of roads in the immediate area such as improvements along State Highway 41, U.S. Highway 169, 145th Street West and Dem-Con Drive will be considered.
- b) The EIS will identify potential roadway improvements and/or other mitigation measures which may be necessary to mitigate traffic conditions as determined in the traffic analysis including the evaluation of closing unused access points.

4.14 Vehicle-Related Air Emissions

- a) The EIS will discuss this issue and additional air quality information will be acquired with guidance sought from the Minnesota Pollution Control Agency (MPCA).

4.15 Stationary Source Air Emissions

- a) The EIS will include an assessment of the area that may be impacted by air emissions from the Project.

- b) The EIS will identify the quantity, the type, sources and composition of emissions associated with the various plant layouts, locations and capacities.
- c) The EIS will identify pollution prevention techniques and controls on the processing operations.
- d) The EIS will identify fugitive dust prevention and control measures.
- e) The EIS will include a draft ambient air monitoring and mitigation plan. The plan will identify the parameters of testing, equipment, schedule, frequency, etc. The final details of the plan, including the location of monitors will be developed as part of the MPCA air permit. Prior to the release of the DEIS Draft, the Project Proposer will meet with MPCA air quality staff to review the Project details.

4.16 Odor, Noise and Dust

Noise:

- a) The EIS will include noise modeling to demonstrate that anticipated noise emissions will comply with State Standards applicable to all surrounding Noise Area Classifications (NACs) including residential receptors, public lands and surrounding industrial uses.
- b) The EIS will include a discussion of impulse and nuisance noise emissions resulting from blasting, back up alarms and other mining related sources.
- c) The EIS will address potential nuisance noise during nighttime operations.
- d) The EIS will provide a noise assessment of impacts to Refuge visitors as well as susceptible wildlife such as colony nesting birds and raptors. Active eagle nests within the immediate area will be mapped and considered. This will be coordinated with the U.S.F.W.S
- e) The EIS will include the development of a blast monitoring plan which will include the practice of seismograph monitoring during each blast to verify that air blast levels and ground vibrations do not exceed levels established to protect structures and groundwater wells in the vicinity. The EIS will evaluate the potential for differential ground vibration impacts to area wells and structures in consideration with the different geologic conditions proximate to the Project Site.

Dust:

- f) Fugitive dust will be addressed together with air emissions in item 4.15 above. If calcium chloride is proposed to be used for dust control, it will be evaluated as a part of the mitigation measures to reduce the potential for groundwater contamination described in Item 4.11 above.

4.17 Nearby Resources

Archaeological, historical or architectural resources:

- a) The EIS will evaluate potential archeological, historical or architectural resources;
- b) The EIS will include a Phase 1 cultural resources survey in order to adequately define the Project's potential to impact unidentified cultural resources including historic properties, architectural history sites, and archaeological resources.
- c) The EIS will identify strategies to avoid, minimize or mitigate identified potential impacts as a result of the Project to cultural resources, including the historic districts in Carver and Chaska, deemed to be protected by state or federal laws

Designated parks, recreation areas or trails:

- d) The EIS will discuss the potential for impacts to nearby parks, recreation areas, and trails, including the adjacent US Fish and Wildlife Preserve, The Minnesota Valley Trail, trail connections to Chaska City Parks, and the proposed regional trail that will connect Scott and Carver County along the abandoned Union Pacific Railroad spur corridor that runs adjacent to the proposed mining area. The EIS will discuss and analyze the potential impacts of the Project, including proximity of quarry walls to public trails.

Scenic views and vistas:

- e) The EIS will address the potential for impacts by the Project on the visual quality and integrity of the surrounding area.

Other unique resources:

- f) The EIS will address the timing and removal of the Renaissance Festival and parking facilities and the resulting potential economic impacts to the surrounding communities.

4.18 Visual Impacts

- a) The EIS will evaluate the effect of lighting including potential impacts to scenic views and vistas.
- b) The EIS will include a viewshed analysis that addresses key viewing areas (likely to be the trail system, trail access parking areas, State Highway 41 and U.S. Highway 169 corridors, Carver County Road 40 in the City of Carver, the river itself, and the bluffs across the Minnesota River in Carver County). The analysis will include the development of a model of Site specific conditions such as topography, vegetation,

equipment, stockpiles and proposed Site structures. Key view areas will be represented through drawings, photos or other imaging methods.

4.19 Compatibility with Plans and Land Use Regulations

- a) The EIS will address future land use including frontage roads, future developable lots and future septic system locations and will include a review of potential long term economic impacts to the community as a result of removal of portions of the Site.

4.20 Impacts on Public Infrastructure and Public Service

- a) The EIS will discuss this topic in terms of transportation and future infrastructure needs during the Project and as it may relate to the reclamation plan and end use plan.

4.21 Cumulative Potential Effects

- a) The EIS will identify and evaluate adjacent land uses that may contribute to a cumulative impact related to air emissions and air quality.
- b) The EIS will identify and evaluate adjacent land uses (including one existing mining project , Shakopee Sands and one proposed mine Jordan Aggregates) that may contribute to a cumulative impact related to air emissions, air quality, noise, groundwater and traffic (road and rail).
- c) The EIS will identify and evaluate potential cumulative impacts associated with the proposed Project and one other proposed mining project (Jordan Aggregates) located along the Minnesota River within the County, including specifically potential cumulative impacts associated with groundwater and surface water resources as well as those that may result from the additional rail or truck traffic associated with these projects.
- d) The EIS will identify and evaluate potential cumulative traffic impacts from existing entertainment uses on the Site, expanding mining operations proposed for the area and expanded reliance of rail transport of product from this mining operation and Shakopee Sand. The need for improvements to the Union Pacific Railroad and associated crossings within Scott County will be assessed.

4.22 Other Potential Environmental Impacts

- a) The EIS will determine the areas and types of potential economic and social impacts of the proposed Project.

- b) The EIS will quantify the social and economic impacts on the local community, including impacts to the local economy.

5.0 IDENTIFICATION OF POTENTIAL IMPACT AREAS RESULTING FROM RELATED ACTIONS

There are no phased elements or connected actions associated with the Project. The Cumulative Impacts section for the EIS will address potential cumulative impacts from other projects in the same geographical area.

6.0 PERMITS AND APPROVALS

This section identifies permits and approvals anticipated to be required for this Project. If during the scoping process, it is found that additional permits are required, this table will be modified accordingly in the EIS. Information will be gathered concurrently with EIS preparation of all permits listed. Some permit application review is expected to occur concurrently with EIS preparation in an attempt to facilitate the permit review process and reduce review time after the final EIS decision is made and environmental review is completed. However, the EIS will not contain permit application materials or all material required for a decision for all permits. No permits require the preparation of a record of decision.

The Scoping EAW and Final SDD are sent to all coordinating agencies for review and comment. Coordination with multiple government agencies is required as part of the permitting process as seen in Table 6.1, Government Permits & Approvals. In order to streamline the permitting process, coordination with Scott County, the MnDNR, the MPCA, USACE, and other appropriate jurisdictions has already begun.

Table 6.1 Government Permits & Approvals

Unit of Government	Type of Application	Status
U.S. Army Corps of Engineers (USACE)	Section 404 Permit, Clean Water Act	To be submitted if required
Minnesota Pollution Control Agency (MPCA)	Discharge Permit (Water Quality Permit)	To be submitted if required
	Air Emissions Permit	To be submitted
	NPDES/SDS MN G490000 General permit for non-metallic	To be submitted
	Section 401 Water Quality Certification	To be submitted if required
Minnesota Department of Natural Resources (MnDNR)	Amendment to Existing Water Appropriations Permit or new water appropriations Permit	To be submitted

Unit of Government	Type of Application	Status
Minnesota Department of Health (MDH)	Drilling/Sealing of Wells	To be submitted
Scott County	Interim Use Permit (IUP)	To be submitted
	Variance for height of buildings	To be submitted
	CUP for rail yard(s)	To be submitted if required
	Septic system, building permits, etc.	To be submitted
Union Pacific Railroad	Approval of rail yard(s) design	To be submitted
Louisville Township	Wetland Conservation Act	To be submitted
Lower Minnesota River Watershed District	Grading permit, if applicable	To be submitted
State Historic Preservation Office	Section 106 Review	To be completed if federal permits are required

7.0 TIMELINE

The timeline for the scoping period and EIS preparation will be in accordance with the time limits for preparation as set forth in Minn. R. 4410.0200 to 4410.6500. A preliminary schedule and list of activities for the completion of the EIS for the Project is outlined in Table 7.1 Anticipated EIS Schedule:

Table 7.1 Anticipated EIS Schedule

Activity	Date	Information
Scoping EAW and DSDD notice sent to EQB	April 7, 2014	Scott County will provide a copy of the Scoping EAW and Draft SDD to the EQB.
Start EIS Scoping Period	April 14, 2014	30-day scoping period begins after the notice of availability of the EAW is published in the EQB Monitor.
Public Scoping Meeting	April 29, 2014	The RGU will provide at least one scoping meeting during the scoping period held not less than 15 days after publication of the notice of the EAW.
End Scoping Period	May 14, 2014	Close the 30-day public comment period
Scoping Decision	June 3, 2014	The RGU must make its final scoping decision within 15 business days after the close of the thirty day comment period.
EIS Preparation Notice in EQB Monitor	June 15, 2014	EIS preparation notice published in the EQB monitor and a press release sent to a local paper.

Scott County Approval of DEIS	September 1, 2014	Scott County will provide a copy of the DEIS to the EQB within 5 days of approval of the DEIS.
Publish DEIS, Start Public Comment Period	September 15, 2014	EQB Monitor Publication
Public Meeting	October 7, 2014	At least 15 working days after EQB Monitor publication
End DEIS Comment Period	October 21, 2014	At least 10 working days after public meeting
Scott County Approval of FEIS	November 4, 2014	Scott County will provide a copy of the FEIS to the EQB within 5 days of approval of the FEIS.
FEIS Notice, begin 10 day comment period	November 10, 2014	EQB Monitor Publication
FEIS Comment Period Ends	November 24, 2014	At least 10 working days after EQB Monitor Publication
EIS Adequacy Decision	December 16, 2014	At least 5 working days after the end of the public comment period
Notice of EIS Decision	December 22, 2014	Final notice in the EQB Monitor