

PLANNING COMMISSION MINUTES

DATE: July 23, 2012

TIME: 4:30 p.m.

PRESENT: Chairperson Porter; Commissioners Boettcher, Gromek, Davis, Eyden, Olson and Buelow

ABSENT: Commissioner Ballard and Briggs

STAFF PRESENT: City Planner, Mark Moeller and Assistant City Planner, Carlos Espinosa

The meeting was called to order at 4:30 p.m. by Chairman Porter.

Approval of Minutes – July 9, 2012

The minutes from the Commission's meeting of July 9, 2012 were reviewed, and upon motion by Commissioner Olson and second by Commissioner Gromek, were unanimously approved as submitted.

Sand Moratorium Study: Water Quality/Permitting

Chairman Porter noted that although the first formal item on this afternoon's agenda related to a discussion of water quality/permitting. This discussion would be preceded by a public comment period.

Given invitation, no one from industry or blasting categories wished to provide comments. At this point, Chairman Porter asked if a representative from the CASM group was present to provide comments.

Marie Kovesci noted that given this afternoon's pending discussion relative to water quality/permitting as related to the sand moratorium study, for most, the issues pertain to the unknown rather than the known. She emphasized that although this region in the country does have an abundance of a reliable water supply, all needed to take part in ensuring that this resource is protected and maintained. As it relates to the mining industry, CASM has a concern that once mining activities extend to certain elevations, they can compromise the quality of currently stable aquifers. Given this, CASM's position was that all efforts needed to be taken to ensure that this did not happen.

Ms. Kovesci further noted concerns relative to the use of various chemicals in the sand processing process and dewatering. Additionally, in consideration of water issues, provisions needed to be included in licensing requirements that protect shorelands and floodplains.

In addressing CASM's concerns, it was being suggested that the Commission address water use through its permit process of sand mining and processing facilities. She

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further suggested that new applications be reviewed by staff of the Soil and Water Conservation District for objective opinions.

Ms. Kovesci stated that given most recent data available to her, the number of sand mines within Wisconsin have doubled in the past couple of years. Sand from many of these mines does enter the City of Winona for processing and shipment. Again, the proper control of impacts from this activity can only occur with adequate licensing/permitting requirements.

Chairman Porter then opened the public comment period to others.

Steve Schild, 1282 West Broadway, referenced the Star and Tribune article noting that mine facilities had doubled in Wisconsin in the last year. Given this, he emphasized that the industry is growing very fast. However, not all of this industry is fully understood. He stated that although local governments can rely on State agencies to assist in the management of mining/processing affects, many of these agencies are currently understaffed and the man power does not exist to properly mitigate industry concerns.

Mr. Schild noted that during the past weekend, he and his wife had taken a drive through some of the valleys within Buffalo County and did find one large sand mining operation located along a hillside. He encouraged all present to take the same drive.

James Johnson, 802 West Broadway, noted that although he had no immediate comment relating to the water permitting discussion, he does have general concerns of the negative impacts that result from frac sand use and the slurry of various harsh chemicals that are used in the well drilling process. Given that well drilling occurs deep below the surface of the ground, it is unclear if anyone fully understands what the effect of many of these activities within an area might have. He further explained that he had similar concerns with the mining industry.

At this point, Chairman Porter noted that the next item on the agenda for this afternoon included discussion of water quality/permitting relative to the sand moratorium study. With that, he called upon Carlos Espinosa, Assistant City Planner, to provide a summary of this item.

Mr. Espinosa explained that potential impacts to water resources from frac (fractured) sand operations are covered by a number of state and local regulations. Pursuant to MPCA requirements, "Based on our current understanding of frac sand mining operations, we do not anticipate specific or unique environmental or health risks that are not already addressed though the current water permitting processes". As such, staff is not recommending any changes to City Code regarding water other than the amendments already recommended for the extraction ordinance (discussed at a previous Planning Commission meeting).

At this point, Mr. Espinosa summarized the various permits that are required for frac sand facilities and including wells, water withdrawal, wetlands, general construction, storm water/water runoff, dewatering, and the use of flocculants/polyacrylamides. He

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further noted that no matter what type of operation is involved, some version of a water permit is likely required. Given this, staff has ensured that all sand operations previously reviewed (CD Corp, Biesanz, and 1280-1330 Frontenac Drive) have the necessary water permits and will do the same for other operations in the City as part of the site by site analysis.

Given the previous, Mr. Espinosa stated that Commissioners may make recommendations regarding water quality after hearing input from those present at the meeting. Although a speaker from the MPCA was not able to attend this meeting, that agency has reviewed this afternoon's agenda for accuracy. He further directed the Commission's attention to a number of PowerPoint slides included in the agenda. He noted that those had evolved from the meeting which was held at the Winona Middle School.

Commissioner Eyden stated that although she understood that none of the frac sand operations located within the City of Winona use flocculants or other chemicals, she asked if there was some way that those could simply be prohibited completely. Mr. Espinosa responded that he was not sure but would check with the MPCA on this. Commissioner Eyden further clarified that even if the MPCA does not regulate this item, it may be conceivable that the City, through its permitting process could simply prohibit it.

Marie Kovesci noted concerns of this issue and questioned whether chemicals are used in processing mine sand in Winona.

In following up on Ms. Kovesci's question, Chairman Porter stated that it was his understanding that current processing facilities within the City used closed loop systems and that the systems do not require the use of flocculants or other chemicals.

Tony Wasinger, representing Winona Aggregate, generally explained the closed loop sand processing process that his company uses. Generally, the process employs three settling ponds that remove fines from sand over a period of time. No chemicals are used in this process and it is time which is the settling factor.

In response to a question from Commissioner Gromek, Mr. Espinosa responded that the sand processing operation at Goodview Road and Highway 14 operates in the same way.

Pete Schwab, representing Biesanz Stone, noted that the Commission's agenda package does highlight the fact that most water quality issues related to sand mining and processing are regulated through the MPCA. He did not see any reason to include significant standards over and above those required by this State agency.

In response to a question from Commissioner Buelow, Mr. Wasinger again noted that after sand has been processed in the third and final pool, fines have completely settled.

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Commissioner Buelow suggested that if flocculants or other chemicals are used in the sand processing process, they should be properly addressed in the Conditional Use Permit.

In response to a question from Chairman Porter, Mr. Espinosa noted that, pursuant to information provided by the State DNR, no issues with karst topography exist within the Biesanz Stone area.

Chairman Porter asked where stormwater evolving from mines located at bluff tops drains. Mr. Espinosa responded that he would return during the Commission's next meeting with answers to this and other questions raised this afternoon.

At this point, Chairman Porter asked if there were additional comments from those in attendance this afternoon.

Marie Kovesci noted that in addressing the water quality issue, she still has severe concerns related to the potential use of flocculants or other chemicals in the sand processing process. She emphasized that although such chemicals are not being used at this time, it is conceivable that they could be in the future. With this, the City needs to be prepared for this scenario under its permitting process.

Steve Schild noted that if a particular process will employ flocculants and other chemicals, the public has a right to know this. As such, permitting requirements should reference this.

There being no further public comment, Chairperson Porter closed this portion of the Commission's agenda.

Bicycle Friendly Community Presentation

Chairman Porter called on Mr. Espinosa to provide a summary of this item. Mr. Espinosa noted that in late 2011, staff completed an application to Mn/DOT for enhanced benefits related to the Mississippi River Trail (MRT) project. The MRT is a bike trail that runs along the Mississippi from the river's headwaters to New Orleans. The trail goes right through the center of the City on Huff Street and Mn/DOT's MRT project is an effort to establish the trail in Minnesota through route designation, promotion, and signage.

The enhanced benefits awarded to Winona included expert bicycling planning assistance. The planning assistance was completed by the Bicycle Alliance of Minnesota. During early 2012, the Bicycle Alliance completed an assessment of Winona's Bicycle Friendly Community characteristics. Dorian Grilley, Executive Director of the Alliance, has agreed to give a presentation this afternoon on the assessment for informational purposes. The intent of the assessment is to help guide efforts to make Winona friendlier to bicyclists.

At this point, Chairman Porter introduced Mr. Grilley who provided a summary of the document entitled "Bicycle Friendly Community" City of Winona Assessment Report

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published April 3, 2012. He noted that a copy of the report had been included in the Commission's agenda package.

In his summary, Mr. Grilley commended the City of Winona for the work it has undertaken relative to promoting sustainable bicycle facilities within the City. Given this, it is moving towards becoming a nationally recognized bicycle friendly community. Mr. Grilley noted that some of the best practice initiatives that had been implemented by the City and included the preparation of bike route maps for different types of users and a model bicycle boulevard that rivals or exceeds those done elsewhere in Minnesota. He also commended Mr. Espinosa for his leadership and coordination in these efforts.

Although successes have occurred, he encouraged Winona to continue investing and building upon what had been started and on Winona's strengths of being a vibrant bikeable livable City that attracts new residents, businesses, and visitors. In rounding out its programs, Mr. Grilley recommended that the City begin expanding connections and investing in its own plans. He suggested a greater level of staff time combined with a well balanced advisory group and firm priorities for bicycle projects would be beneficial.

Again, in implementing these recommendations, it was suggested that the City implement the "Five E's" in order to be considered a bicycle friendly community. Generally these E's relate to encouragement, education, evaluation/planning, engineering, and enforcement. Examples of this philosophy include the establishment of open street events. The establishments of various biking activities as a club sport the development of a bike education curriculum through Mn/DOT, and a complete street policy. With the later, he felt that Winona, with its wide boulevards, would be an excellent candidate.

Mr. Grilley emphasized that if desirable biking facilities exist, people will come to use them. He noted that City's such as Rochester and Mankato are heavily promoting bike facilities. Again, Winona has made great strides in this area and he encouraged all to keep up the good work.

Commissioner Eyden referenced "Prairie Island Road" and noted concerns with present river trail markings.

Chairman Porter thanked Mr. Grilley for his presentation and as a biker himself he is very interested in promoting this issue.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned.



Mark Moeller
City Planner