

Letter to Board of Supervisors and the P&Z Commission

Dear Board and Commission Members,

It was my task for the Winneshiek County Protectors to contact those agencies that may have regulatory control over frack sand mining in Iowa. In that effort I put together a questionnaire asking if, what, and how, those agencies regulated frack sand mining in Iowa. The agencies contacted suggested other agencies which might have regulatory control also.

The list of agencies and people in those agencies that were contacted, or who received the questionnaire (included in this packet) through internal agency channels, is as follows:

Iowa DNR – Chuck Gipp, Director; Catharine Fitzsimmons, Air Quality Bureau Chief; Shelli Grapp, Water Quality Bureau Chief; Solid Waste Bureau, no Chief at this time; Joe Sanfilippo, Region 1 Director; Doug Hawker, Region 1 Field Technician;

Iowa Geologic Survey – Bob Libra, State Geologist; Ray Anderson, Geologist;

Iowa Dept of Agriculture – Todd Coffelt, Chief of Mines and Minerals; Susan Kozak, State Minerals Inspector;

Iowa DOT – Vehicle Enforcement Division, Chris Wicklund, local Enforcement Officer;

State Fire Marshall Office – Ray Reynolds;

Federal Mine Safety and Health Administration – Troy VanWey, Regional Director for Iowa and southern Minnesota;

Winneshiek County Engineer – Lee Bjerke;

Department of Interior U.S. Geological Survey Iowa District – Jim Caldwell, Hydrologist/Geologist.

I will refer you to the document titled “Frack Sand Mining Regulations and Agencies” that is included in this packet for the actual areas that are regulated. Some of these agencies have no oversight, and others are administrative oversight only. Still others have oversight but no budget for that oversight and therefore visit sites on a complaint basis only. In other words, much of the regulation is left up to citizen diligence.

It is perfectly clear that NO agency regulates frack sand mining itself. Or the process of frack sand mining; or where and when that mining takes place. That is all left up to the mining company.

There is NO agency that has overall authority to make sure that any and all regulations that should be enforced are enforced, or that all agencies even know that a mine or quarry is being operated.

Further, it is perfectly clear that if Winneshiek County does not write regulations, there will be no regulation of those things that are considered externalities by mining companies; ergo, neighbor's health; quality of life including noise, lights, and views; fugitive dust; water table issues including groundwater, spring, and well contamination; hill and bluff removal; forest removal; the filling of adjacent valleys; roads, bridges and traffic; ability to enjoy your own property; ability to enjoy the environment through tourism and outdoor activities. And, "you fill in the blank."

It is my hope that the Board of Supervisors and the Planning & Zoning Commission will adopt a 24 month moratorium on frack sand mining in Winneshiek County. That time frame would give all county agencies and citizens the time to discuss the issues that surround frack sand mining, and bring those issues to the P&Z. That way the P&Z would be able to put good regulations in place that would protect those living in the county; protect those things which the county already benefits from, tourism, etc; and would not break the bank though the unsustainable use of our roads and bridges infrastructure.

Thank you for taking the time to consider this letter and the additional documents in this packet. This packet includes: this letter to P&Z and Supervisors, Agency Questionnaire, Frack Sand Mining Regulations and Agencies, and Zoning Code Sections.

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