



**VALLEY**  
**STEWARDSHIP**  
— NETWORK —

124 ½ South Main Street □ Viroqua, WI 54665  
608.637.3615 □ [vsngeneral@gmail.com](mailto:vsngeneral@gmail.com) □ [www.kickapoovsn.org](http://www.kickapoovsn.org)

November 7, 2012

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Lower Wisconsin State Riverway Board  
202 North Wisconsin Avenue  
P.O. Box 187  
Muscodia, Wisconsin 53573

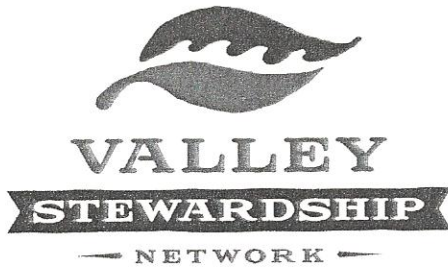
Members of the Lower Wisconsin State Riverway Board:

The Valley Stewardship Network writes to provide input on the 191-acre sand mine proposed by the Pattison Sand Company near the Town of Bridgeport, Wisconsin. The Valley Stewardship Network (VSN) is a locally based and funded non-profit organization in the Kickapoo Valley whose primary goal is to promote a balance between a healthy environment and strong communities. VSN urges the Lower Wisconsin State Riverway (LWSR) Board to deny this and any future requests to create any silica sand mining operations within the boundaries of the LWSR. The LWSR is a valuable asset to wildlife habitat as well as a tourism destination. For the reasons indicated below, silica sand mining does not fit with the mission of the LWSR Board “to protect and preserve the scenic beauty and natural values of the lower Wisconsin state riverway”.

Pattison Sand Company is proposing a 191-acre industrial sand mine in Bridgeport, including about 100 acres within the boundaries of the Lower Wisconsin State Riverway, which protects the largely undeveloped shorelines of 100 miles of river between Prairie du Sac and the Mississippi River at Prairie du Chien. Allowing sand mining within the boundaries of the LWSR would set a bad precedent, and could lead to significantly more proposed sand mines in the area, as this industry continues to expand in the state of Wisconsin.

As of this summer, 87 frac sand operations were operating or under construction in Wisconsin, with another 20 proposed across about 15 counties. Most of the operations have sprung up with little regulatory oversight, raising concerns about the impacts on Wisconsin’s land, air and water. Of particular concern in the LWSR is the destruction of wildlife habitat that will result from sand mining. Negative effects on human health will also result from crystalline silica, the dusty substance produced during the mining process that’s been linked to cancer and silicosis, a serious lung disease. Noise from large dump trucks taking the sand to the Mississippi for processing and transfer via rail lines to hydraulic fracturing (“fracking”) sites is another key concern. Sand mines like that proposed by Pattison will also have a detrimental effect on small town living and family farming typical of the area, as well as the burgeoning tourism industry.





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Sand mines have been shown to have a negative impact on nearby waterways. For example, the state of Wisconsin is suing Minnesota-based Interstate Energy Partners and Tiller Corp. for allegedly violating state law and contributing to a serious sand spill in the St. Croix River this spring. For an estimated five days, ultra-fine silica sand leaked from one of the Tiller facility's holding ponds into nearby wetlands and a creek that flows into the St. Croix River. This mine is located about 100 feet outside the St. Croix National Scenic Riverway. Deb Dix, DNR environmental enforcement specialist, states that "[Sand] can smother the small aquatics and damage habitats."<sup>1</sup>

VSN requests that the LWSR Board gather information and consider the potential impacts of the proposed Pattison sand mine very carefully. VSN urges the LWSR Board to deny Pattison's request and any similar proposed sand mines within the boundaries of the LWSR for the many reasons stated here.

Respectfully,

*Toril Fisher*

Toril Fisher  
Executive Director, The Valley Stewardship Network

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<sup>1</sup> More information on this case can be found in the following articles:

<http://www.startribune.com/local/west/158319005.html>

<http://minnesota.publicradio.org/display/web/2012/05/18/environment/frac-sand-sediment-saint-croix-spill/>





# RIVER ALLIANCE of Wisconsin

November 7, 2012

To: The Lower Wisconsin State Riverway Board (LWSRB)  
From: Denny Caneff, Executive Director *Denny Caneff*  
Re: Proposed sand mine in the town of Bridgeport

The River Alliance respectfully asks the LWSRB to give extra scrutiny to the Pattison Sand Co. frac sand mine proposed for the town of Bridgeport, within and adjacent to the Riverway, and to use all the authority at your disposal to minimize this mine's impacts on the Riverway.

We commend the Board's superb stewardship of the Lower Wisconsin River these past 23 years. Your management has created a true recreational gem and has helped make the LWR among the finest and most effective river protection programs in the Midwest.

The proposed frac sand mine may be the most disruptive land use in the Riverway ever confronted by the LWSRB. Deliberations over siding, windows and tree harvest pale in comparison. It is essential that the LWSRB consider carefully the precedent that an industrial extraction operation presents to the management of the Riverway. Even if it falls largely outside the boundaries of the Riverway and its excavation can't be seen from the Riverway, the "spillover" effects of its noise, dust and lights far surpass what is merely visible of the mine.

Because of that significant spillover, the frac sand mine is a greater threat to the integrity of the Riverway than just about any other land use. In fact, allowing this operation to go ahead without some reasonable restrictions and controls undermines the efforts of the Board and the hundreds of landowners within the Riverway who have strived to play by the rules and minimize the impact of their own property uses for the greater public good. When you consider the fact that Chapter 30 won't allow a mobile home to be visible from the river, for example, you get a sense of the affront posed by a sand mine to existing Riverway property owners.

With that backdrop, allow me to propose several regulatory ideas for your consideration. I have attempted to develop these ideas within what I believe to be the statutory and administrative authority of the Riverway Board. Nonetheless, I urge you to consider pushing the envelope for the good of the river. Nothing less is at stake than the best river protection program we have in Wisconsin.

1. Do not permit that part of the sand mine that lies inside the Riverway boundary. That leaves alone, from what I understand, about 2/3 of the proposed mine. It's not as if mining companies are struggling to find sand and launch these operations in western Wisconsin. A

*We Save Rivers*

few acres of "lost" sand from a Riverway restriction should not deter them from opening the mine.

2. As stated earlier, a frac sand mine's greatest impact will not necessarily be what you can see of the material itself, but it would be the considerable noise and light pollution from after-daylight operations. These impacts would be the most offensive for any recreational users of the Riverway. When the Chapter 30 regulations for the LWSR were developed, the code writers could not have foreseen that sand mining would have a much bigger and more pervasive impact than, as the code states it, "stockpiled minerals" or "nonmetallic mining activity" not being visible from the river.
3. We propose that the Riverway utilize the code's definitions of "visible from the river" and "visually inconspicuous" to limit the frac sand mine's time of operation so that it does not alter the esthetic and recreational experience for river users. Limit its time of operation to between the hours of 9:00 and 6:00 p.m., especially during peak use of the Riverway in the summer and fall months. Minimizing the effect of the glaring lights of the mine on Riverway users will also have the beneficial side effect of turning off the noise associated with these mines during peak Riverway use.
4. It is also the Board's purview under Chapter 30 that you advise or recommend a municipality with land outside the Riverway "as to the impact of land development on the Riverway." We strongly urge you to communicate our own concerns and those of the public to the Town of Bridgeport. Clearly the town has some authority over the mine that the Riverway Board does not. We hope you will let your concerns and your own actions be known to the Town.

November 7, 2012

Lower Wisconsin State Riverway Board  
202 N. Wisconsin Avenue  
Muscodia, Wisconsin 53573

RE: Proposed Pattison Sand Company frac sand mine in the Lower Wisconsin State Riverway

Dear Lower Wisconsin State Riverway Board members,

We are seven Lower Wisconsin River businesses whose bottom line relies on providing a quiet and remote paddling experience to our customers, within the boundaries of the Lower Wisconsin State Riverway. We write this letter with significant concerns about the proposed frac sand mine in the Town of Bridgeport.

The Lower Wisconsin State Riverway draws tourists from all over the Midwest who seek the solitude, scenic beauty, and recreational amenities that the Riverway provides. Our businesses send over 7,500 boat trips and 18,800 people down the Lower Wisconsin each season and accommodate visitors in other ways, as well. The impact of these tourism dollars extends well beyond our businesses to the restaurants, motels, retail stores, gas stations, and bait shops of the municipalities along the Riverway. In this way, our communities depend on the health of the Riverway to remain strong and economically vibrant.

Since 1989, river users have been coming to the Riverway with the expectation that they will find as rich a wilderness experience they could expect just hours from four major metropolitan areas. But this experience would be seriously damaged should a frac sand mine be permitted within the boundaries of the Riverway. Light and sound pollution, possible wastewater runoff into the river, and unabated train and truck traffic are just some of the many issues that would inevitably arise should this mine be permitted; all are in conflict with a quality recreational experience on the Riverway.

More concerning, perhaps, is the precedent that the permitting of this mine would set. The Riverway is rich in frac sand deposits and the Wisconsin and Southern Railroad parallels the river, making the sand readily accessible. If this mine is permitted, what is to stop additional mines in the future from further harming the solitude of the Riverway, and our businesses?

How will five or ten frac sand mines impact the Riverway experience? It's a question worth considering. We are also concerned with how the integrity of the Riverway itself could be harmed by permitting this sand mine. How can the Riverway Board expect landowners to abide by various rules and standards for comparably benign activities, compared to the affront that a sand mine represents?

We urge you to carefully consider the long-term, sustained benefits that a healthy Lower Wisconsin State Riverway provides for our communities and thousands of Wisconsinites, versus the short-term economic benefit that a badly-placed frac sand mine would provide to an out-of-state mining company for purposes that have a minimal direct benefit to Wisconsin residents.

Sincerely,

Blackhawk River Runs  
Captain's Cove Resort  
On the Creek Fly Shop  
Wauzeka Canoe Rental  
Waz Inn  
Wisconsin River Outings  
Wisconsin Canoe Company