



February 14, 2019

Deb Garross
City Planner
City of Burnsville
100 Civic Center Parkway
Burnsville, MN 55337

RE: BSLI Concept PUD Amendment (DEV2018-0038) - 2650 Cliff Road West

Dear Ms. Garross,

Thank you for your e-mail dated February 4, 2019 regarding a Planning Commission public hearing scheduled for February 25, 2019 to discuss a proposal by Burnsville Sanitary Landfill Inc. (BSLI) to create a 362 foot tall, 26 million cubic yard landfill mound in the Minnesota River Valley. Since receiving your e-mail, our staff has been reviewing materials and trying to better understand the many issues involved. We've reviewed video of the October 15, 2018 Burnsville Council Work Session and attended the February 12, 2019 Burnsville Council Work Session. We've also prepared computer models of the proposed 362 foot tall, 26 million cubic yard BSLI Landfill Expansion to better understand how a mound of that size would visually appear within the Minnesota River Valley.

Through this review, we've come to better understand Burnsville's many interests related to the BSLI Landfill Expansion including:

- Addressing the environmental concerns with the Freeway Landfill and Freeway Dump sites along I-35W;
- Protecting the Burnsville water supply;
- Freeing up land for redevelopment on the Freeway Landfill and Freeway Dump sites; and
- Protecting and increasing Burnsville revenue streams from landfill host fees and tipping fees.

As an adjacent city with many residents who would be directly impacted by the BSLI Landfill Expansion and as one of many stewards of the Minnesota River Valley, we respect all of Burnsville's interests and have additional interests related to the proposal including:

- Minimizing the visual, noise and odor impacts on surrounding neighbors;
- Keeping the BSLI Landfill Expansion at a height and volume such that it does not become the dominant and defining visual landmark of the area; and
- Environmentally protecting the surrounding ecosystem and public water supplies.

MAYOR AND CITY MANAGER

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AN AFFIRMATIVE ACTION/EQUAL
OPPORTUNITIES EMPLOYER

We believe all of these additional interests are shared between Bloomington, Burnsville and many other stakeholders. We offer the following comments, concerns and questions in the spirit of addressing mutual interests.

Scale

1. Context.

- a. The proposed BSLI Landfill Expansion Mound would be 362 feet tall, rising from an elevation of 720 feet above mean sea level (msl) to an elevation of 1,082 feet above msl.
 - b. The landfill mound will rise 389 feet above the Minnesota River, which is at an elevation of 693 feet msl at this point.
 - c. With a peak elevation of 1,082 feet, the top of the mound will be higher than either Mount Gilboa, Bloomington's highest elevation in Hyland Ski Area, or Buck Hill. However, the mound will read as much taller than either Mount Gilboa or Buck Hill as it will rise from the low elevation of the river valley rather than from the much higher elevation present at the base of Mount Gilboa or Buck Hill.
 - d. The top of the landfill mound will be more than 340 feet higher than the nearest residence in Burnsville, which is approximately 1,000 linear feet from the base of the mound and 250 feet higher than the nearest residence in Bloomington, which is approximately 3,400 linear feet from the base of the mound.
 - e. 26 million cubic yards is difficult to visualize. To put that volume in context, the proposed landfill mound would be over seven times the volume of the largest pyramid in Egypt (3.37 million cubic yards).
 - f. *We strongly encourage all parties to review the computer visualizations of the mound we've made available at: <http://blm.mn/landfill>. We've also shared the model with Burnsville staff to allow views from various angles.*
2. **Aviation Impacts.** Given the height of the landfill mound exceeds 200 feet above ground level, a 7460 Airspace Review is needed through the FAA.
 3. **Visual Icon.** We are concerned that the landfill mound will become the dominant and defining visual feature of this portion of the Minnesota River Valley. As the great pyramids of Egypt (which are much smaller in volume), the landfill mound will serve as the enduring visual icon for this area.
 4. **Moved Waste vs. New Waste.** We understand that the environmental problems associated with the Freeway Dump (with approximately one million cubic yards of waste) and the Freeway Landfill (with approximately five million cubic yards of waste) may necessitate the creation of some type of landfill mound in this area. Moving the existing six million cubic yards of waste to the BSLI Landfill addresses environmental concerns and is understandable. However, BSLI is proposing 26 million cubic yards of waste. What amount of height and volume of the proposed expanded landfill is attributable to the relocated Freeway Dump and Freeway Landfill waste and what amount is attributable to new waste brought into the area over the years?

Timeline

5. **Approvals Process.** Please detail the various elements necessary to approve this project. How long will the land use approvals process for the landfill mound take and what steps are involved? What approvals are necessary by other governmental entities, from watershed districts to state and federal regulatory agencies? What contracts, host agreements, and other documents will the Burnsville City Council enter into with land owners, landfill operators, or other interested parties?
6. **Duration.** If approved, when is filling anticipated to commence and to end?

Noise

7. **Activity.** During filling of the landfill mound, how many vehicles will be on the mound at any one time?
8. **Vehicle Types.** What type of vehicles will be used to dump trash into the mound and to cover the trash?
9. **Sound Level.** What will sound levels be at neighboring properties in Burnsville and Bloomington?
10. **Hours of Operation.** What hours will the landfill be active each day? Will there be any variation to the schedule for weekends or holidays?

Odor

11. **Trash Odors.** Given that trash will be added to the landfill mound at elevations well above the surrounding area, what degree of odor is likely to emanate to surrounding property in Bloomington and Burnsville?
12. **Methane Odors.** We understand methane venting is planned for the mound. To what extent will the methane odor be detectable from surrounding property in Bloomington and Burnsville?

Escaping Trash

13. **Windborne Trash.** At other landfills, we've observed that certain types of trash, especially paper, are sometimes caught in the wind prior to being covered and blow to surrounding areas. Given that this landfill will be highly elevated, we are concerned that trash could be caught in the wind and carried long distances. What best practices will Burnsville and/or the MPCA require to avoid this situation?
14. **Frequency of Cover.** How often will trash dumped on the mound be covered? How many truckloads of trash will be deposited between periods of covering?

Visual Impacts

15. **Cover.** What is the proposed temporary and permanent cover material of the mound? Can grass grow on the mound? If so, what type? Will it survive during periods of drought? Is it possible for tree cover to be added?
16. **FAA Warning Lights.** We understand that blinking FAA warning lights will likely be required on top of the mound. How large and bright will these lights be? How many are required?
17. **Headlights.** Will equipment circling up the mound to dump trash outside of daylight hours use headlights?

Environmental Impacts

18. **Sensitive Location.** Many of the problems with Burnsville's existing Freeway Landfill and Freeway Dump are a function of their location in an ecologically sensitive location. Clearly, there are better locations to place landfills than in a river valley near public water supplies. While we understand the proposed Burnsville Landfill expansion will have liners that the older landfills do not have, we believe it is not wise to bring additional waste from throughout the region into this sensitive area. Given the sensitive location, Bloomington requests that Burnsville and the MPCA limit the volume of the proposed BSLI Landfill expansion to the volume previously approved plus the volume of waste relocated from the Freeway Dump and Freeway Landfill.
19. **Floodplain.** Does the landfill expansion add any volume within the 100 year floodplain? Within the 500 year floodplain?
20. **Wildlife.** The Minnesota Valley National Wildlife Refuge is one of the largest urban refuges in the United States. It is an important area of traverse for migratory bird species, as well as serving as habitat for many animals, fish and birds. To what extent has Burnsville actively engaged the U.S. Fish and Wildlife Service, managers of the Refuge, in the review of this concept?
21. **Environmental Impact Statement.** We understand a Supplemental Environmental Impact Statement (SEIS) for the expansion is mandatory under state law. That SEIS should help to answer many questions and may raise many other issues. Until the SEIS has been completed, we request that the City of Burnsville not take action upon the Concept PUD plan application.

Land Use Approvals

22. **Comprehensive Plan Amendment.** Reviewing the Burnsville Comprehensive Plan, it appears the BSLI Landfill is guided Commercial Recreation Business under the existing comprehensive plan and Minnesota River Quadrant under the proposed comprehensive plan. Significant discussion is offered in the proposed 2040 Comprehensive Plan about this site, including its future as an 18-hole championship golf course and recreational open space (Page 2-63). We believe the proposal is inconsistent with both the existing and proposed Burnsville Comprehensive Plan and that the plan would therefore need to be amended prior to the City of Burnsville taking action on the Concept PUD application.

Summary

23. **Requests.** The City of Bloomington requests that the City of Burnsville:
 - a. Wait to take action on any application for expansion of the BSLI Landfill (concept or development stage) until a Supplemental Environmental Impact Statement (SEIS) has been completed. The SEIS will answer many outstanding questions, may raise new issues not yet considered and will help Burnsville determine the appropriateness of the proposal. The intent of Minnesota state environmental review laws is to have the review assist in decision making.
 - b. Limit the volume of the proposed BSLI Landfill expansion to the volume previously approved plus the volume of waste relocated from the Freeway Dump and Freeway Landfill while considering design alternatives to lower the visual profile of the mound. This approach will help avoid a landfill mound becoming the enduring visual icon of the surrounding area.

Again, thank you for providing notice regarding the proposal. Given that we received written information about this proposal just last week, please understand that we will have additional comments and questions as the project moves forward. We look forward to working with the City of Burnsville to proactively address our collective interests. Ultimately, we want residents and visitors to appreciate, enjoy and remember the Minnesota River Valley and Minnesota Valley National Wildlife Refuge for its accessible active and passive outdoor recreation, environmental assets, and natural beauty; not for a 362 foot tall landfill mound.

Sincerely,



James D. Verbrugge
City Manager

Copy via e-mail: Bloomington Mayor Winstead and City Council Members
 Burnsville Mayor Kautz and City Council Members
 Melanie Mesko Lee, Burnsville City Manager
 Debbie Goettel, Hennepin County Commissioner
 Liz Workman, Dakota County Commissioner
 Laura Bishop, Minnesota Pollution Control Agency Commissioner
 Sarena Selbo, Manager, Minnesota Valley National Wildlife Refuge