



September 26, 2019

Kevin Kain
MPCA
520 Lafayette Road N.
St. Paul, MN 55155

RE: Burnsville Sanitary Landfill Expansion – Comments on the Draft Final Scoping Document for the Supplemental Environmental Impact Statement (SEIS)

Dear Mr. Kain,

Thank you for sending us a copy of the draft final scoping document for the SEIS for the Burnsville Sanitary Landfill Expansion. In reviewing the document, we note that the MPCA has added to the scope many of the items Bloomington requested in our July 24, 2019 letter. Thank you for including those items of critical importance. We also note that several other Bloomington requests, also of critical importance, were not added to the scope. We request that the following items that have not been added be included in the final SEIS scoping document to ensure that decision makers fully understand the environmental impacts of placing 26 million cubic yards of additional waste in a sensitive ecological area:

1. **Visual Impacts.** The expansion is proposed to increase the height of the landfill to an elevation of 1,082 feet above mean sea level, which is 389 feet above the nearby Minnesota River. The top of the mound will be higher than Mount Gilboa, Bloomington's highest elevation in Hyland Ski Area. 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. We are concerned that the landfill mound will become the dominant and defining visual feature of this portion of the Minnesota River Valley. The SEIS should include:
 - a. Renderings showing the appearance of the mound from homes at three locations on the Minnesota River Bluff in Bloomington (slightly to the west of the landfill, slightly to the east of the landfill and directly north of the landfill). Please also include renderings taken from existing trails in the Minnesota River Valley National Wildlife Refuge closest to the landfill.
 - b. A calculation of how many homes have a direct or indirect view of the landfill?
 - c. Will equipment circling up the mound to dump trash between 6:00 a.m. and 6:00 p.m., which in the winter can be outside daylight hours, use headlights and, if so, what impact would those lights have on adjacent uses and aircraft?
2. **Aviation Impacts.** Landfills are notorious for attracting large birds. During a recent visit to the Burnsville Sanitary Landfill, our staff observed numerous eagles, seagulls and

other birds. The birds attracted by landfills and corresponding concerns regarding mid-air collisions with birds are the primary reason the Federal Aviation Administration (FAA) has serious concerns about placing landfills near airports. The Burnsville Sanitary Landfill expansion is proposed near MSP and FCM Airports and directly underneath a very frequently used flyway departing MSP, one of the nation's busiest airports. The tall height of the landfill will bring birds closer to aircraft and may present special concerns.

- a. The FAA uses the 7460 review process to analyze potential impacts to aviation. Given a height above 200 feet, a 7460 review is mandatory. The SEIS **should not be finalized** until the FAA 7460 review process is complete and the FAA has had a chance to rule on whether or not a major landfill expansion of this height will present an impact to aviation.
 - b. The SEIS should analyze the types of birds that are presently attracted to the landfill, the types of birds that may be attracted to the landfill in the future, the flight patterns of such birds and the potential impacts to aircraft given the proposed height of the landfill.
 - c. The SEIS should analyze whether a landfill of this volume has been placed under a flyway to a major airport in any other locations and, if so, the extent to which bird strikes have occurred.
 - d. The SEIS should analyze the extent to which aircraft safety lighting will be required on the top of the expanded landfill. How many lights will be required? Of what size? What brightness? What color? How often will they be required to blink at night?
3. **Flood Impacts.** The SEIS should analyze:
- a. What is the largest flood that can be realistically anticipated within the time period the landfill would be present? The response to comments states that "a 500-year flood profile is the largest flood profile available and is what will be evaluated in the SEIS". The SEIS should examine flooding based on the **worst case scenario** for the **lifespan** of the facility instead of selecting a flood size based solely on what information is readily available.
 - b. What impacts would occur with a worst case scenario flood?
 - c. Could the landfill become eroded or otherwise lose its integrity due to catastrophic floods or repeated floods?
 - d. What would be the environmental impacts of catastrophic floods or repeated floods?
4. **Noise Impacts.** The landfill expansion will generate noise through vehicles dropping off waste, through vehicles moving the waste up the mound and through vehicles adding cover materials. Conveyers shifting waste from nearby landfills may also generate noise. The MPCA response to our July 24, 2019 comment on noise was that it was examined with the 2005 EIS. Given the major increase in height to 389 feet above the Minnesota River, noise propagation will change dramatically relative to the 2005 analysis. The SEIS should update the 2005 review and analyze:
- a. How many vehicles will visit the site per day?
 - b. How many vehicles will be used to dump trash into the mound and to cover the trash?
 - c. How many vehicles will be operating on the mound on a typical day?
 - d. What hours will the landfill be active each day?
 - e. Will there be any variation to the schedule for weekends or holidays?
 - f. Over what geographic area will noise from the expanded landfill be audible?

- g. Where are the noise contours surrounding the landfill on a peak day and how do they relate to noise sensitive surrounding uses?
 - h. How would the increased noise impact wildlife that lives near the site?
5. **Escaping Trash Impacts.** At other landfills, we have observed that certain types of trash, especially paper, are sometimes caught in the wind prior to being covered and blow to surrounding areas. The MPCA response to Bloomington's July 24, 2019 comment on escaping trash is that litter management is not expected to change due to the Project. Bloomington remains concerned that the dramatic increase in height will dramatically change the dynamics of escaping trash due to higher winds and a wider area of impact. Given the increased proposed height of the landfill, the SEIS should analyze:
- a. Will wind-blown escaping trash be a concern?
 - b. Given the height of the landfill and prevailing winds, where is wind-blown escaping trash likely to land?
6. **Transportation Impacts.** The MPCA response to Bloomington's July 24, 2019 comment on transportation impacts is that they were evaluated in 2005, so will not be updated. We note that background traffic conditions have changed dramatically since 2005. Therefore, the SEIS should analyze:
- a. How many trips per day will the expansion generate and over how many years?
 - b. What routes will the trips use?
 - c. What impact will the trips have on traffic levels?
 - d. What impacts will the trips have on roadway lifespan?
 - e. What secondary impacts will the traffic generated have on air quality and traffic related noise?
7. **Consistency with Local and Regional Plans and Requirements.** The MPCA response to Bloomington's July 24, 2019 comment on consistency with local and regional plans is that it is addressed in a City of Burnsville PUD approval. Bloomington's request is that consistency with other local and regional plans be evaluated. The SEIS should analyze:
- a. Is the proposed expansion consistent with federal and state agency plans and requirements, including U.S. Fish and Wildlife and the Minnesota Department of Natural Resources?
 - b. Is the proposed expansion consistent with the Metropolitan Council's regional plan?
 - c. Is the proposed expansion consistent with applicable watershed district plans and requirements?
 - d. Is the proposed expansion consistent with applicable county requirements?
8. **Recreational Use Impacts.** Burnsville plans indicate a long term recreational use once expansion of the mound is complete. The SEIS should analyze:
- a. Given the ongoing methane venting and slopes, will the mound be compatible with future recreational use?
9. **Earthquake Impacts.** While seismic activity is not as common in Minnesota as in some other areas of the country, earthquakes can occur. Even though current Minnesota solid waste rules do not require analysis pertaining to seismicity, the permanent lifespan of the facility means that it is likely to have to endure an earthquake at some point. Therefore, the SEIS should analyze:
- a. What is the largest earthquake that can be realistically anticipated within the time period the landfill would be present?
 - b. What impacts would occur with an earthquake of that size?
 - c. Could the landfill become damaged due to an earthquake of that magnitude?

- d. What would be the environmental impacts caused by damage to the landfill sustained during an earthquake of that magnitude?

Thank you for your consideration of our July 24, 2019 comments and for the chance to provide input on the final scope of the SEIS. We look forward to better understanding the impacts and remain extremely concerned about placing this volume of additional waste in a high profile and environmentally sensitive location.

Sincerely,



James D. Verbrugge
City Manager

Copy via e-mail: Bloomington Mayor Winstead and City Council Members