

RESOLUTION: MORATORIUM ON NEW STATE PERMITS FOR FRAC SAND MINING AND PROCESSING

The DNR states Frac Sand mining and processing sites now number more than 150 in 2015 versus fewer than 6 only 5 years ago. DNR states that the “footprint” of these operations can be up to 5,000 acres and the industry could grow 200% larger than current production. The continued explosive growth of this industry threatens public health and safety, property values and dramatically changes our landscape due to loss of wildlife habitat, scenic bluffs and farmlands.

Frac Sand mining and processing sites are not required to conduct air sampling for dangerous air impacts including the smallest particulates that can cause cancer-causing silicosis. These operations may cause surface and groundwater pollution from acid mine drainage and chemicals used to wash sand. Several operations have been found in noncompliance of state law and/or have caused pollution when ponds overflowed. They also impact wetlands, groundwater, threatened and endangered species, and turn peaceful rural areas into noisy, dusty, dangerous industrial zones.

A citizen petition citing serious concerns about the explosive growth of frac sand mining led to the Natural Resources Board’s recent unanimous vote to publish a Strategic Analysis of Frac Sand mining by early 2016. The Board agreed that this comprehensive scientific study of environmental and public health impacts was necessary to inform future decision-making on regulation of the industry.

RESOLVED, the Conservation Congress supports a moratorium on the issuance of new state Frac Sand mining and processing permits by the DNR until recommendations from the DNR Strategic Analysis can be implemented.

Name:

Address:

Telephone Number:

Name of County in Which Introduced

Signature: _____

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Background/Talking Points

DNR reported in March to the Board of the Department of Agriculture, Trade and Consumer Protection (DATCP) that industrial frac sand sites have expanded from less than a half-dozen five years ago to more than 150 in 2015*. Most of the sand mines are in western Wisconsin. The mines produced about 30 million tons of frac sand in 2014. DNR told the Board that the sand industry believes the state is producing at one-third of potential production and that the footprint of an industrial sand mine might be 5,000 acres, with 400 to 600 acres open at a time. All sand is shipped out of Wisconsin by truck and rail to the gas and oil fields of North Dakota, Oklahoma, Texas and Pennsylvania.

*"Frac sand industry could get bigger" The Country Today, Jim Massey, 3/16/15, http://www.thecountrytoday.com/front_page/article_b99c7310-cc05-11e4-b393-bbd9f0cd45dc.html

What is a strategic analysis?

With the recommendation of the DNR, the state Natural Resources Board voted unanimously in January 2015 to move forward on a strategic analysis of the impacts of frac sand mining in Wisconsin.

A strategic analysis is a broad-based study by the DNR to gather comprehensive, science-based information to benefit citizens, lawmakers and regulatory agencies. Through the strategic analysis process, the DNR evaluates potential alternative approaches to its current regulation, identifies potentially affected natural resources and likely effects of various alternatives on those natural resources. The purpose is to develop the best information to aid decision-makers in dealing with a controversial resource issue such as frac sand mining. **The DNR won't create any new regulation through the strategic analysis process, but the information developed may lead the DNR to revise its regulations, permits, or policies, and could also be used by the legislature or local governments to create more effective and protective laws.**

Why should DNR conduct a strategic analysis of frac sand mining?

The frac sand mining industry is growing at a frantic pace with citizens and our government struggling to keep up. Unlike the Minnesota legislature, our state government has not required in-depth study of this industry's impacts or the adequacy of current regulations. The DNR's past decisions to maintain the status quo have deferred to the lack of data or research regarding the scope of impacts from frac sand mining. The number and concentration of frac sand mines has greatly increased since the DNR last examined the frac sand industry. New developments in research, data collection, and regulation, as well as several documented instances of noncompliance and pollution by frac sand mines and processing facilities support the need for a strategic analysis now. Decision makers and Wisconsin citizens need a detailed study

of the environmental and public health impacts of frac sand mining and alternative ways to manage this natural resource extraction industry.

What are some of the potential impacts of frac sand mining in Wisconsin?

Air and Public Health Impacts

Frac sand mines and processing facilities emit air pollutants such as fine particulate matter that may include crystalline silica dust. Fine particulate matter travels deep into the lungs and causes serious respiratory and cardiovascular problems and studies show that this dust causes cancer in mine workers. Particulate matter made of crystalline silica causes silicosis, a deadly and incurable lung disease.

The DNR currently does not require facilities to monitor for the smallest and most dangerous particulate matter, including silica dust, and has refused to set more stringent limits.

Water Impacts

Frac sand mines and processing facilities pump and use large quantities of groundwater for mining and processing sand. This groundwater use can lower water levels in nearby wells and surface waters.

These facilities also may cause surface water and groundwater pollution. They use chemicals like polyacrylamide in the sand washing process. Water from these sites also has clays and sediment that can affect water quality and aquatic life. Recent storm water pond sampling at several facilities indicates that there may be high levels of metals in water that is released either to surface water or groundwater.

Threatened and Endangered Species Impacts

As a high-impact, landscape-scale industry, frac sand mining can impact a variety of threatened and endangered species. The primary species of concern is the Karner blue butterfly. Its habitat overlaps a great deal with land used for frac sand mining. The majority of facilities are not participating in the state plan to prevent harm to this species.

Wetland Impacts

Wetlands are common throughout our water rich state and are critical to protect water quality, prevent flooding, and provide habitat for numerous species. Frac sand mines may fill in wetlands for construction or harm water quality in wetlands.

Long-term Impacts –Limitations of Reclaiming Mine Sites

It is unclear whether reclamation plans will result in sites that are suitable for other uses and that will not continue to pollute the environment.

Tribal Impacts

Tribal nations and its members have a long history with the land of western Wisconsin. As out-of-state frac sand mining companies are leveling bluffs and hills in close

proximity to Tribal territory, the members and leaders of Tribal Nations have sovereign power to protect its land and people from exploitation

Economic Impacts

Frac sand mining brings questionable boom and bust economic benefits to communities and creates numerous negative economic impacts for the tourism industry.

Quality of Life Impacts

Frac sand mines and processing facilities dramatically affect life in rural areas. Constant noise, light, train and truck traffic, vibrations from blasting, dust and water pollution turn quiet rural communities into industrial areas