

(Related to Article 47)

Summary of Proposed Mining and Blasting Ordinance March, 2024

Purpose of Ordinance: To regulate gravel extraction, bedrock quarrying and blasting and to prohibit industrial metallic mineral mining to protect Alna’s public health, safety and general welfare, surface and groundwater, neighbors and their property values, town roads, and our historic and scenic character.

Two types of operations covered by this ordinance:

- **Mining operations:** the extraction of **unconsolidated** surface materials such as sand, gravel, borrow, and topsoil; two classes (Class A and Class B) with different requirements:

Table 1: Class Thresholds	Cubic Yards/12 consecutive months	< 1 acre	≥1-25 acres
Non-commercial	< 500 yards/12 consecutive months	Exempt (3.C.5)	A
Commercial	< 500 yards/12 consecutive months	A	A
Non-commercial	> 500 yards/12 consecutive months	B	B
Commercial	> 500 yards/12 consecutive months	B	B

- **Bedrock quarrying and blasting:** the extraction of **consolidated** rock by methods such as blasting.

Exemptions: The regulations do not apply to mining operations smaller than 1 acre where fewer than 500 cubic yards of material per year is removed for personal use, or to extraction for the purpose of constructing buildings, roads, on-site (*e.g.*, digging basements, footings, grading for driveways, *etc.*)

Prohibited Activities: To protect the public interest and avoid unreasonable adverse impacts, the following activities are prohibited: Industrial metallic mineral mining; Rock crushing; Asphalt batch plants; Concrete mix operations; Pits larger than 25 acres; Bedrock quarrying and blasting after Jan. 1, 2029.

Standards: The ordinance establishes regulations to protect the town’s public interest addressing a number of issues including protection of groundwater, dust, noise, truck traffic, protection of wildlife habitat, exterior lighting, hours of operation, setbacks and screening, liability insurance, performance guarantees, spill containment, and reclamation. The standards vary depending on the size and type of operation, and limit the amount of extraction.

Nonconforming Uses: A legally existing, nonconforming mining or quarrying operation may continue to operate if it meets specific requirements. Expansions of nonconforming uses must comply with the standards of this ordinance.

Examples of Requirements include but are not limited to:

- Notice: Landowners within 2000 feet of the property and the public must be notified.
- Expert Consultants: Applicants may be required to provide funds to enable the town to hire experts to help review any application, renewal application, or annual report.
- Annual Reports and Inspections: Annual reports are required for all mining operations and quarrying permits. Quarries must be inspected annually; other mining operations inspected as needed.
- Permit Expiration: Mining operations and quarrying permits last for five years. Blasting operation permits last one year. After permit expiration, a renewal application is required.
- Groundwater: No excavation may occur within 5 feet of the seasonal high groundwater table.
- Reclamation: The non-vegetated extraction area may not exceed three (3) acres at any given time.