

2/13/26

Dear Members of the Select Board and Planning Board,

First, thank you for the extraordinary time that you have devoted to developing a mining ordinance for Alna. Like the last mile of a marathon or the final stretch of clearing out a long-lived home, I'm sure you're exhausted and ready to be done.

Let's hope that this last round of public comments ensures that the final ordinance earns the confidence and enthusiastic support of the entire town. I appreciate your consideration of my three comments below:

### **1. Municipal Costs**

The ordinance includes bonding requirements which are important and responsible. However, it does not appear to address the ongoing costs to the town associated with mining activity such as:

- Staff time for application and registration review
- Ongoing compliance monitoring by the Code Enforcement Officer
- Increased wear and tear on town roads
- Potential legal or enforcement expenses

As written, expanded mining operations are likely to increase town administrative and infrastructure burdens. Why would we not establish an extraction fee, or some other revenue mechanism, to offset municipal costs?

### **2. Review Structure and Oversight Capacity**

Under the proposed ordinance:

- The Planning Board reviews and approves new mining applications
- The Code Enforcement Officer (CEO) review registrations and monitors compliance

For larger operations—especially those exceeding the 5-acre working pit threshold—the review process becomes more complex. As written, the tiered classifications put a greater burden on the Planning Board and CEO that can lead to discretionary interpretation, inconsistent application of the ordinance over time and greater risk of appeals or legal challenges.

Establishing objective standards such as maximum acreage limits would make the ordinance easier to administer, easier to understand and be more defensible if challenged.

### **3. Maximum Size Limit on Working Pits**

The proposed ordinance uses 5 acres as a regulatory threshold, not a cap, with no defined upper limit on pit size. Instead the ordinance relies on regulatory procedures and compliance review by local officials scaled to the size of the operation.

If the goal is to allow and support smaller, local operations, then the ordinance should define “small” in more practical terms. We need only look to neighboring communities for lessons. Whitefield serves as an example of how the scale of operations can have impacts that are difficult to reverse.

Why not establish a clear maximum size cap for future gravel pits?

Thank you for your consideration.

Respectfully,

Bridget Mullen

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