

Comments to Proposed Alna Mining Ordinance

Article IV.

Section 1, A-1. There should be a check list sheet for the applicant (to be submitted with the application and to ensure all application items have been submitted). This would also assist in the Town Clerk's complete application determination.

A-6. Should include "... a copy of the last permit and copies of all State permit referenced maps and drawings associated with the existing permit, and available aerial photographs of the site depicting the history of activities performed on the site (these could be obtained from google earth or State of Maine ArcGIS).

A-7. should include: "...current photographs, aerial photographs (depicting the history of the site activities) of the site together with a" This section should also depict and outline their 10 year future expansion activities. If no activities are proposed the aerial or drawings should at a minimum depict all possible expansion areas on site, regardless if proposed or not.

This Article should include an additional item requirement, a Reclamation/Closure Plan, and a Reclamation Closure Report (once site is closed) indicating with photographs that all Reclamation required tasks have been completed. A follow-up authorization site visit should occur within 30-days of submission to document the close out of the site, followed by a closure letter documenting acknowledged closure. If a site is considered in non-compliance with the Reclamation/Closure Plan, followup enforcement actions should be taken to bring the site into compliance including reasons for non-compliance, and potential fines and timeframes for remedial actions to be completed.

What happens if the owner doesn't perform the Reclamation Plan, should escrow monies be set aside to ensure compliance. What if the Reclamation/Closure Plan for the site requires on-going maintenance, erosion control, fencing maintenance, a special condition in any permit should be included requiring yearly inspections and report submittal over a 5 year timeframe or until three consecutive year monitoring reports show that the reclamation/closure requirements have been met.

Section 2, A-1, Should include a checklist as indicated Sec.1, A-1.

If blasting is proposed at any site (i.e. a newly proposed site or at an existing site) and if not already installed, applicants should be required to install groundwater monitoring wells (at appropriate determined locations) prior to blasting around the site to monitor adjacent groundwater. A proposed groundwater monitoring well location plan should first be submitted for review and approval to determine appropriate well locations.

A-4. Should include site photographs and aerial photographs (for site activity history review).

A-10. Should include aerial photographs of the site (as indicated above).

Article V.

Section 1. Permit Required Paragraph should state: “.....on affected land of ANY size may”. Also, if quarries are limited to 1 acre, "borrow pits" should be limited to 1 acre.

Comment: commercial mining entities of any size should be known if occurring with the town boundary. Further, "working pit" areas should be defined and include all pertinent mechanized equipment, mechanized equipment storage areas, access roads, parking areas, power supply areas, and buildings.

Section 2. C. Should include an application checklist.

Section 2. E. Items 3 and 4. Should include aerial photographs (as described above)..

Article VI.

Section 1-C; Hours of Operation, paragraph should include “Truck engine braking is prohibited on all roads within Alna Town Boundaries”.

Section 1-G; Appropriate soil erosion and sediment control plan (to be reviewed and approved) should be required along all waterways/wetlands within the site to manage runoff and water quality within the site.

Section 1-H; Should include an additional item requiring a Post Reclamation Report be submitted with 90 days of closure. To be followed up by a site visit within 30-days of submission. Comment: what happens if the owner doesn't perform Reclamation Plan, should escrow monies be set aside to ensure compliance. What if the site requires on-going maintenance, erosion control, fencing maintenance, a special condition in the permit requiring yearly inspections and report submittal over a 5 year timeframe or until three consecutive year monitoring reports show that the reclamation/closure requirements have been met. If a site is considered in non-compliance with the Reclamation/Closure Plan upon inspection, followup enforcement actions should be taken to bring the site into compliance including reasons for non-compliance, with potential fines and timeframes for remedial actions to be completed.

Section 1-J; If blasting is proposed at any site (i.e. a newly proposed site or at an existing site) applicants should be required to install groundwater monitoring wells (at appropriate determined locations) around the site to monitor adjacent groundwater. A proposed groundwater monitoring well location plan should first be submitted for review and approval to determine appropriate well locations. Monitoring well reports should be submitted for review at appropriate timeframes within each year of site activity to determine potential blasting effects to surrounding groundwater. Appropriate actions should be taken depending on the submitted report findings. Also, .”The permit holder must offer to any adjacent property owners and landowners within 2500 feet”. Previous commenters have indicated that their homes, situated further than 1,000 foot radius, have been affected by the blasting activities.

Section 2 Heading; should state: “...new mining operation ANY affected land and new bedrock...”. The following paragraph should not include any acreage amount, it should just be any state affected land. Comment: All new mining operations of any size within Alna Town limits should be known, to ensure historical records for the site for the purposes of future expansions..

Section 2-A: Escrow monies should be held to ensure Reclamation/Closure Plans remain in compliance during the five year of monitoring requirement, or if three consecutive monitoring year reports have documented compliance. Non-compliance sites should be treated as discussed above.

Section 2-E: Should prohibit truck engine braking on all roads within Alna Town Boundaries.

Section 3, A-2: Comment, after the applicant's first approved ½ acre expansion, any subsequent expansion regardless of its size should be reviewed and approved by the Town.

Section 3, A-3: Sentence should include "...has been reclaimed as determined by written approval from the Town."

Section 4: Application should include an application checklist that is filled out by the applicant to ensure all required items have been submitted, and this can be used by the Town Clerk to aid in the complete submission determination.

Article 9, Definitions: CEO should be defined.

Borrow Pit definition should include maximum size limit.

Question: Have Alna commercial mining properties been assessed by applying the local municipal mill rate to the assessed "just value" (market value) of land, buildings, and personal property (transmission lines/infrastructure)? Was an assessment completed for all commercial mining entities within Alna as part of the reassessment of the town.

Question: Does Alna tax all equipment, machinery, and furniture, etc. owned by a mining business that is located within Alna. Do mining businesses file a declaration of their taxable personal property with the local assessor.

Instead of a property tax, has a mining production based tax, or a tailored local taxation (i.e. specialized excise or production taxes) with negotiated community benefit agreements (CBAs) been evaluated. It may aid the municipality to receive additional funding (impact fees) to compensate for local infrastructure wear and tear.

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