

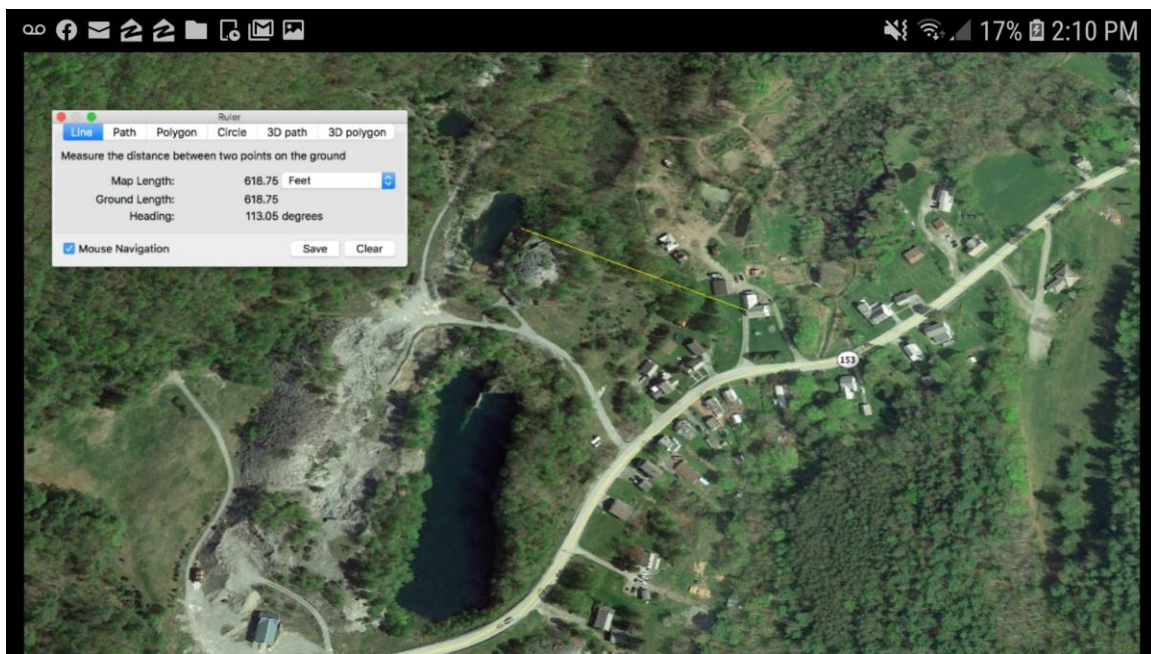
Dear Committee on Natural Resources, Fish & Wildlife,

Last year I had the opportunity to testify in front of you all regarding the slate quarry exemption from Act 250 and how it has impacted my family.

We have been in Vermont for just over two years now. This exemption has been something that has weighed on our minds daily for the past year-and-a-half.

I had hoped for some relief last year after my testimony. I truly hoped the activity next door would cease and there would be more consideration for neighbors after all of the controversy, the newspaper articles, etc.

Unfortunately that did not happen. Instead they started drilling areas in the rock next door to place their explosives. A gentleman came to my house in September and informed me he was going to be blasting next door within the month. He informed me my home was 600 feet from where they would be setting off the explosives.



Distance from Quarry to my family's home – 600+ feet. Please also note all of the other surrounding homes. To the southwest of the Quarry in the photo is the old town dump closed since the 90s. We are scared of it causing contamination to our water, or sewer line rupture as our village is on a sewer system. There has been no blasting in our village since the sewer line was built.

Only 600 feet from my couch!! At this point I went into panic mode and told him I would be videoing his every move and I would be holding him accountable for anything that ended up in my yard or damaged my home. I informed him of federal regulation CFR 30 which states you are not to blast within 1000 feet of dwellings, schools, churches. I informed him it also stated homes within a half-mile are

entitled to pre-blast assessments. He claimed to know nothing of this regulation but it is on the Cornell Law website and to my knowledge licensed blasters are supposed to know the federal laws! I have contacted the Vermont Department of ATF multiple times and they always tell me there is nothing they can do! The last time I spoke with them I informed them if they are going to allow federal regulations to be disregarded I would contact the FBI. I just don't know what else I can do to protect my home and family.

Myself and another neighbor decided to go door to door handing out notices informing neighbors someone was trying to reopen the 40-year dormant quarry in the village. We informed them they were within the half-mile blast zone and encouraged them to request a pre-blast assessment to protect their homes. Numerous neighbors contacted the blaster and were told no to their request. Even though CFR 30 states if neighbors within 1/2 mile radius request pre-blast assessments they are entitled to receive them.

At this point I personally was contacted by an affiliate of Maine Drilling and Blasting who told me she wanted to do a pre-blast assessment of my home at the request of Newmont Slate. At this point I was leery because the regulations we read state that pre-blast assessments must be done by someone approved by the regulatory authority. I knew the woman coming in had affiliations with the industry but I felt backed into a corner so I agreed so long as I received a copy of the assessment as well.

The pre-blast assessment was something I never want to do again. It was extremely violating. You could cut the tension in the house with a knife. She had been so nice and friendly on the phone but once she was in my home the assessor was downright nasty trying to point out areas that have long since been repaired calling them "separations" when in fact they were areas above the windows that had been previously repaired, taped and repainted long before we moved in. When I confronted her and said those are clearly not separations, but areas that have been repaired years ago she got very nasty with me and snapped at me not to prevent her from doing her job. It was abundantly evident that she was doing this assessment to protect the slate company and certainly not our family. She even went as far as to go into my bathroom closets and move my living room furniture. We put in two new tile floors last summer and she scrutinized them looking for cracks. Apparently tile is more susceptible to cracking from blasting and the ground movement. She videoed every single tile, moving our bench, etc.

To me there was almost an air of desperation. I felt she really thought we were trying to hide cracks and was intent on videoing each and every tile. It was an awful feeling, almost accusatory, as though I was going to try to pull a fast one on the slate company and try to accuse them of damages that were previously here. It was a bad experience all around and something I would rather not go through again. I was anxiety ridden and stressed out for days after.

I never received my copy of the pre-blast assessment as promised.

Also in September a crusher was brought in and for a week straight it crushed all day. I could see the clouds of dust rising from my yard. It was evident they were not wetting it down which is a requirement for air quality. I went out in my yard to take a quick video and after 2 minutes I couldn't stay out because my contacts were ready to fall out of my eyes. I kept my kids in for that week which was difficult because it was prime trampoline weather! The video I took I sent to the DEC air quality division. They determined from the video it appeared they were not wetting down the dust and they did not have a permit for a crusher at that location. There was supposed to be a site visit the following Wednesday and on the Tuesday before the crusher truck was removed. To me this is just a typical slimy maneuver on their part.

After I called the DEC they started to install a fence immediately behind my neighbor's property and abutting ours. This is not to prevent fly rock as it is approximately 300 feet from area they want to quarry. It is to try to prevent me from videoing there.

They continually fail to comply with regulations. They bulldozed a tagged Vernal pool the first day they were on the property, they have been reprimanded multiple times by the health officer for leaving human feces out in the open on the site, they bring in a crusher and do not follow regulations to ensure air quality is safe for those around. They are not following safe blasting procedures. I say that because when my husband spoke with the blaster he informed him that they would not be using blasting mats because it costs too much. Blasting mats help prevent fly rock. I suppose our safety isn't worth the added expense.

Please, do not allow the slate industry a free pass regarding Act 250 regulations. The implications would be long lasting and would result in serious repercussions for the neighbors! The industry already sees us as an enemy which is evident from their testimony. Allowing the continuation of their exemption would mean no protections, consistency or security for anyone living in this Southwestern portion of the state. Allowing them to be unregulated thus far has resulted in massive mounds of waste slate to be piled right up to property lines, right up to heavily traveled roads and has obstructed views and affected property values of New York as well as Vermont.



As seen from Route 22 in New York.

You have seen pictures and footage of the mountains of waste shrouding the landscape of this part of Vermont. You have seen drone video evidence of wetlands filling. There have been photographs and reports of leaking barrels and machinery. But worse than that you have seen what this has done to area families. Going as far as making families with children feel unsafe in their homes, contaminating their water and forcing them to repair damages at their own expense. (Please see the testimony Kristen Silverman submitted last year.)

I know that you have groups pulling you in different directions. But know that by repealing the exemption you are not destroying their industry. You are just bringing them in line with regulations followed by other extractive industries in the state. You are doing right by the environment and the people who live in this community as many of them are scared to speak out! These industries hold a tremendous amount of power and influence over their towns. Us as neighbors feel our voice is never heard over theirs at the town level. Our only hope is to bring them under some kind of regulation at the state level.

After my last testimony I was contacted by multiple other local families via email and Facebook who encouraged me to continue fighting for change. One family left this area and relocated due to this exact issue. They sold their house for a \$15,000 loss a year after they purchased. And that loss is not including realtor fees. This was a family also located in West Pawlet.

I am not someone who can sit down and quietly accept this problem. I will continually fight loudly for change and share this issue because I never want to see another family be put through what ours has been put through. The excitement of

moving to what we thought was our dream home only to be faced with this battle practically from the beginning has put such a dark cloud over our family. Our home is in a designated historic district. To have to fight so hard to protect it is exhausting and wrong. This area is not an area where people are beating down the doors to come in. The more stories like ours that get out the worse it looks for the industry as well as the state. We are certainly not the first to fight this battle but I hope to be one of the last.

We have been following the testimony from the past couple of weeks. The Slate industry uses the same talking points, fails to acknowledge any problems, and continues to just see neighbors as a burden. They downplay issues and act as if everything is roses but my experience is that they are bullies. Throwing garbage in our yard, racing by our home, burning rubber down the length of our property. This is not acceptable.

As far as the mapping process, I don't have faith in that protecting future potential home buyers. The gentleman working on the maps didn't even know how many exempt quarries are in the state. Stating 10% or approximately 20 quarries have yet to be mapped. There are over 400 exempt Quarries in Rutland County. I don't foresee real estate agents studying the maps or presenting the maps to potential buyers. It's unrealistic.

Act 250 District coordinators have also testified to the problems with this exemption. They have even testified of threats! How can we turn a blind eye when employees of the state are being threatened by these men? Our district coordinator put his neck on the line and risked repercussions and his reputation because he feels this is wrong. He is the one that families call when they have this problem and he has to be the one to tell them they have no options. He had the Integrity to give an honest testimony regarding what he has seen in his many years. (I know he has been there since at least the 90's when this exemption was pushed through.) He had strong reservations back then! He knew this was going to be a problem and here we are 25 years later and we have the chance to do right by the environment and people of Vermont. I just hope and pray that our voices are being heard. That our homes matter, that our children matter. And for once money doesn't prevail over doing the right thing.

Thank you so much for reading our testimony. Wishing a 2020 filled with peace for all!

Sincerely,

The Gaschel Family
West Pawlet, VT