

Maine



Rivers

**OUR MISSION IS TO
PROTECT, RESTORE
AND ENHANCE THE
ECOLOGICAL
HEALTH OF
MAINE'S RIVER
SYSTEMS**

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April 13, 2023

RE: An Act to Support Extraction of Common Minerals by Amending the
Maine Metallic Mineral Mining Act (LD 1363)

Dear Senator Brenner, Representative Gramlich, and members of the
Environment and Natural Resources Committee,

We understand that you will be taking testimony on several bills that
relate to metallic mining, and these bills reflect a broad range of interests
and directions. We offer our support for LD 1363 as noted below. We were a
part of the early discussions that ultimately led to the Chapter 200
Performance Standards that are in place today. We acknowledge the hard
work by many parties over many seasons to bring those standards into place.

We appreciate the safeguards that the current standards represent, including
the significant and appropriate financial assurances which protect Maine's
waters as well as Maine's people and economy. We believe it is appropriate
to ban the permitting of mines that would require perpetual treatment. We
further appreciate the fact that tailing impoundments are not allowable, as
Maine's climate makes them highly problematic.

As you hear discussion of the many mining bills proposed, we encourage
you to consider with the greatest caution any proposed permitting for a
mining operation which could result in acid mine drainage. As such, LD
1363 offers this language:

The mining operation will not use open-pit mining, ~~except that the mining operation may use open-pit mining if the mining operation will only generate mine waste that does not have the potential to create acid rock drainage, alkali rock drainage or metal mine drainage, or does not violate water quality standards other than sedimentation and turbidity.~~

We appreciate the continued focus on avoiding operations that could result
in acid rock drainage. However, encourage you to review this language and
adjust it so that water quality standards cannot be violated for sedimentation
and turbidity. And while the present bill would allow an exception for some
open pit mining to occur, we are concerned that it would allow the actively
mined area to be as much as 100 acres "at any one time" which means the
open pit could be a large, ever spreading excavation of the landscape
increasing the potential to intercept rock types that would have acid or alkali
rock drainage or mine drainage contaminating our waters. We suggest that
any open pit mining be conducted at a much smaller scale that can avoid
possible contamination problems.

Sincerely,

Landis Hudson
Maine Rivers Executive Director