



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
OFFICE OF THE COMMISSIONER
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March 24, 2025

Senator Denise Tepler
Representative Victoria Doudera
Committee on Environment and Natural Resources
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

Dear Senator Tepler and Representative Doudera:

Please accept this letter concerning LD 795, **An Act to Exempt Pegmatite Mining from the Maine Metallic Mineral Mining Act and Establish a Permit-by-rule Process**. The Act would exempt "pegmatite mining" from most of the requirements of the Maine Metallic Mineral Mining Act (MMMA; Title 38, Article 9) if the activity is subject to standards of the rock quarrying law (Title 38, Article 8-A). The bill would define "pegmatite mining" as, in part, "the extraction for commercial sale of pegmatite or similar minerals commonly found in pegmatite rock formations."

The Maine Geological Survey (MGS), within the Bureau of Resource Information and Land Use Planning (BRILUP) in the Department of Agriculture, Conservation and Forestry (DACF), has worked closely with this Committee, the Maine Department of Environmental Protection (DEP), and the Board of Environmental Protection on policy related to the mining of metal-bearing minerals and with DEP on this bill.

MGS believes that the definition of "pegmatite mining" in LD 795 is not an appropriate category for exclusion from the MMMA. Pegmatite is a general geologic term without a precise definition, which refers to an exceptionally coarse-grained igneous rock with interlocking mineral crystals. Although pegmatites often share an overall chemical composition like granite, their composition can vary widely and can be very different from the host rocks that they are found within. Pegmatites can include rare minerals rich in certain notable elements, which in some circumstances might be desirable products for mining, and, in other circumstances, might be harmful to the environment or human health. The mere fact that a rock is or is not a pegmatite does not indicate what its composition may be or the level of risk it may pose to environmental or human concerns.

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