

Testimony of
Ben Gilman for
The Maine State Chamber of Commerce
In regards to
Ch. 200 Metallic Mineral Exploration, Advanced Exploration and Mining
October 17, 2013

Chairman Foley and Members of the Board of Environmental Protection, my name is Ben Gilman from Gorham, and I represent the Maine State Chamber of Commerce, a statewide business association representing large and small employers alike across the state, here to provide you with our testimony in support of **Ch. 200 Metallic Mineral Exploration, Advanced Exploration and Mining.**

In July of 2010, in partnership with the Maine Development Foundation, we released *Making Maine Work: Critical Investments for the Maine Economy*, which was focused on the importance of renewing our economic heritage. In this report, we surveyed over 1,100 Maine businesses and received their feedback on how to improve our economic standing as a state. When you receive responses from over 1,100 businesses you get a very good picture of what businesses are looking for and how best to improve our economy and in my line of work, when 1,110 businesses participate in a survey, it's a homerun.

In *Making Maine Work's* opening page we state that: "Now, Maine must build a new future. We need the intelligence to analyze our position; the insight to create a focused strategy; and, the courage to make the tough decisions and carry it out. We must create the cost incentives and infrastructure to support a new wave of private sector investment." When we made that statement, we did not do so lightly. Before us is an opportune time to support just such a new wave — one that turns to an industry, which has been part of our state's heritage since the 1800's and is positioned to consider significant investments in the near future. That industry is mining.

Very briefly, during the 125th Legislature, Governor LePage and the legislature approved LD 1853 *An Act To Improve Environmental Oversight and Streamline Permitting for Mining in Maine* sponsored by John Martin (D-Eagle Lake). LD 1853 helped use on a path of revitalizing the mining industry in Maine, specifically aimed at a site in Northern Maine at Bald Mountain. The bill called for stringent oversight of the mining industry by a single agency, the DEP, and eases the excessive, and often times redundant, regulations. LD 1853 set up a framework law that instructed the DEP to undergo a major substantive rulemaking process, which are the rules before the BEP today, that if approved by this board will then need to be approved by the Legislature when they return in January.

Current regulations are so restrictive that no new mines have been developed since the laws were changed in 1991 – a true illustration of zero growth in this industry. Revising the rules and regulations may well expand the mining industry and, in turn, strengthen our economic outlook. The single mining development at Bald Mountain in Aroostook County could create up to 700 direct and indirect jobs and generate as much as \$120 million in state and local taxes. The Maine Chamber was in full support of moving LD 1853 and its economic benefits forward while balancing our natural resources. The Maine Chamber stated from the beginning that LD 1853 was not about choosing between our economy and our environment, as laid out in *Making Maine Work*, we can and we must choose both and LD 1853 did just that.

It is important to note that during the 125th Legislature, the Environment and Natural Resources committee dedicated and worked many hours on LD 1853 to get it right. We finally have a framework for this law to move forward and bring back to life an industry that for all intents and purposes was dead. The framework law required DEP to undergo substantive rulemaking – which they have now done and is before you today - to implement the law and report back to the Legislature where the rules can be accepted, rejected, or modified.

The proposed Ch. 200 rules that are before you today represent a comprehensive document drafted by DEP staff that updates Maine's mining laws to incorporate modern technology in the industry and protect our pristine environment. Whether it be exploration, advanced exploration or mining itself, these rules take into account that not only the best practices of the industry but also ensure that our most precious resources are protected. When looking at the most important aspects of comprehensive mining rules – financial assurance, water quality, closure and enforcement – these rules get it right. If there is a need to tweak and slightly change the rules as currently drafted, please remember that the legislature has that authority during the next step in the process.

In closing, metals are part of our lives, we use them every day in every facet of our environment and they have to come from somewhere. Some of these metals come from parts of the world that have very little regulation and do not protect the environment. If metals are going to be part of the lives of Maine citizens then we should show the world that it can be done in a manner that protects the environment and is good for the economy – which these rules do – or we can continue to use metals and bury our head in the sand and not care where they come from.

The Maine State Chamber of Commerce appreciates your time today and urge the acceptance of the proposed changes to Ch. 200.

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