

From: [Lindsay Newland Bowker](#)
To: [Buckland, Andrew](#); [Ben Chipman](#); [Bob Duchesne](#); [Breen, Catherine](#); [denise harlow](#); [White, Dustin](#); [Eric Brakey](#); [Hanley, Jeffery](#); [Martin, John](#); [Tucker, Ralph](#); [Campbell, Richard](#); [Senator Tom Saviello](#); [Tartakoff, Daniel](#)
Cc: [Livesay, Nicholas](#); [Marvinney, Robert G.](#); [Mercer, Paul](#); [Bertocci, Cynthia S.](#); [DEP, MiningComments2016](#); [Attorney General](#)
Subject: Audio Transcript BEP Mining Hearing: Clear Mandate For Legislative Action & For Finally Brining In Expertise In Mining
Date: Sunday, September 18, 2016 6:16:29 AM

So far the testimony of so many is not posted and it has been announced that DEP's findings will not be made public and will be available only by written request to Jeff Crawford. This violates MAPA. DEPs reconciliation of overwhelming public opposition to what they have initiated must be posted, the public must have opportunity for comment. The publics wise direction to BEP is to stop the clock on the rule which institutionalizes all the wrongly framed features of an irresponsible statutes and demand that DEP do what it has always done: initiate sounder and wiser law.

The only complete public record of these proceedings will be what we ourselves manage to get out through our own networks, and from the dedication of volunteer self funded videographers Eric A. Tuttle and Martha Spiess and others who collectively have compiled 80 hours of proceedings starting with the first BEP hearing several years ago..

The many expert voices in [these 5 hours of proceedings](#) (also see below) including the citizens experts who have researched, studied, read every word of statute and law is deeply moving and compelling. Each speaking from their own authenticity, including former chair Jim Boyle and many former long time DEP senior staff who helped initiate and build the better part of present law, Dr. Bruce Taylor who speaks from deep experience in the social and public health costs of IQ loss from arsenic, and its public cost together speak one voice.

- (1) The legislature had no idea what the implications of PL2011 C.653 were and are and it is simply bad law that must be fixed, this time with actual expertise not lobbyists framing it
- (2) The statutory limbo and resulting lack of clarity about mining on public lands is intolerable and must be fixed at once
- (3) these rules should not be advanced one step further

Only Dr. Marvinney argued, weakly and incorrectly on his facts, that the draft rules were strong and even better than Michigans. His testimony offered no clarity of comfort that realigns what is in law itself with overwhelming public majority will and opinion.

I urge you to address this crisis situation immediately to restore public faith in you, in the legislative process and in DEP itself.

That must include complete and immediate transparency on the BEP process itself. There was no audio of the hearings. Additionally all testimony submitted to date must be posted and all communication from DEP to BEP must be posted with MAPA required intervals for public review and correction on the reconciliation.

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----- Forwarded message -----

From: **Eric A. Tuttle** <tuttle.eric.a@gmail.com>
Date: Sat, Sep 17, 2016 at 10:29 AM
Subject: Audio of the BEP Public Hearing Sept. 15th 2016
To: "Bertocci, Cynthia S" <cynthia.s.bertocci@maine.gov>

Ms Bertocci,

I have been informed that there was no audio broadcast of the meeting so I offer this extracted audio from the video.

This Audio file includes the entire meeting.

It is shared globally by this link. Downloading is allowed though the file is quite large (679 Mb).

<https://drive.google.com/file/d/0B9CFRI2WWtywdFdtbVRQc2FTWVU/view?usp=sharing>

If there are any problems for access please advise.

(Here is the link to google music player Eric has suggested

http://www.driveplayer.com/?oauth#state=%7B%22ids%22:%5B%220B9CFRI2WWtywdFdtbVRQc2FTWVU%22%5D,%22action%22:%22open%22,%22userId%22:%22115171382583199018521%22%7D&access_token=ya29.CjVhA6hCYMFk1qxH2guDtx2kSbUBqYXbrXoAJW2ArEd8pDGvKhaIDTiWSE39WreWpHJF188-Xg&token_type=Bearer&expires_in=3600&authuser=0&session_state=18fc85566e9df2aec0325fcb3cb9fc470efbbab..1b64&prompt=none

however you may need to install it. Located at:

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&cad=rja&uact=8&ved=0ahUKEwji0JXY45bPAhVE4iYKHcv4ByUQFggMAM&url=https%3A%2F%2Fchrome.google.com%2Fwebstore%2Fdetail%2Fmusic-player-for-google-d%2Fhfnfeekfpjbdmelcapngdgkjhghgijkh%3Fhl%3Den&usq=AFQjCNGTDVrq7Pl7oNZekwUXv8JEDhUNTQ&sig2=zuY9xtaDnqGoBinhl1gCkw>

It is an Add on which is free.)

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