

Title: Nature reveals its treasures in its own time

It seems to me that the real issue as to why we can not move forward on the Maine Metallic Mining Rules, is due to a conflict between Previous legislation, that depends on another piece of legislation where both refer to the other for compliance requirements or something to this nature.

We, as the state of Maine, and its citizens have endured great expense in trying to resolve this issue over several legislative sessions:

- 1) These expenses have come both in personal time from jobs and associated costs for attendance.
- 2) Industry personnel & transportation expenses.
- 3) Taxpayer-funded expenses in time consumed by committee(s), legislators, departments / agencies, legal analysts and others involved along with all associated costs.
- 4) Funds expended for professional sought testimony when required and other compensations.

The DEP was established back in the 1970's (thereabouts) to be a defense mechanism against willful destruction by out of control industry.

Irresponsible Industries that left not just the environment without a protective measure within the courts but also the unintended consequences to the environment and the human lives it sustains.

Destructions of which when the courts saw past actions as excusable.
so long as corrective measures were instituted only by court order
to an offending industry's biased scientific suitable presumed safe level for people.

A court viewed compliance (sometimes never completed) even if the environment remained somewhat or permanently damaged.

Today, however, the EPA and State DEP functions are not seemingly serving their intended purpose.
One of protection at the bequest of the people as instituted by congress not so many years ago.

They seem to rather now operate as and are viewed by the public to be the "Department(s) of Eventual Permissions"
Forever bending over backward tweaking out protections to serve the still willful destruction of careless people.
Sometimes with individual active participation to ensure that a corporate need is served.

Maybe a legal RESET is needed on Metallic Mining in Maine.

First discarding all statutes concerning the issue of Metallic Mining in Maine which currently place it in an ambiguous deadlock situation.

As the current statutes, rules, regulations were obviously written and enacted with thoughts of

- 1) Either never having to deal with the issue within the envisionment of Maine's future,
- 2) Or a total lack of desire by previous legislators to provide a correct methodology to an achievement of the goal.

Possibly stemming from a lack of prior legislators with the required knowledge or skillsets as to which

- 1) questions to ask,
- 2) components of / for consideration
- 3) surrounding, impending / future issues
- 4) vitalness to Maine immediate needs
- 5) outlook for Maine's future after Mining destructions
- 6) Responsibilities, physically, financially, socially for possible associated ongoing damages.

Maine's Current Set of Statutes is a prime example where quick action to appease or show an attempt lead to a bad result with conflicts of such ambiguity that it has generated an inability to move forward.

A First step must be taken in the right direction by biting the bullet !

Instead of applying an infected bandaid of more complexities.

I would suggest, instead of a Legislative "Ping Pong", an indefinite (minimum 10-year) moratorium
on any Metallic Mineral Mining statute or rulemaking attempt,

and request that a panel of "the best Qualified Scientists and Educators" on the subjects of concern be established

- 1) utilizing all facts of the past,
- 2) currently known problems
- 3) plausible future problems

as a fact based basis of drafting a single new statute with supporting rules.

Rules applied to the statute that mandate that

- 1) Maine as a state,
- 2) it's citizenry's needs,
- 3) that which sustains their lives over their economy in order to preserve their future comes first and foremost with all due protections.

A statute, with its rules, that serves us as the "Primer Basic" for Maine on Metallic Mining.

Possibly leading to improvements in or redrafting of other types of resource extractions / use priorities.

A statute never to be degraded by another statute / rule or at the bequest of an industry sector, but strengthened when / as needed with protections as issues arise never to allow a grandfather type clause but to upgrade to the new standards current operators / or responsibilities of the participating entities.

This would require:

A NO lobbyist interaction restriction.

Non use of industrial biased data set interjection style research for considerations.

It would be long and arduous, It would need to encompass

- 1) current technology,
- 2) Current practices which are succeeding
- 3) Past practices that have failed
- 4) Non Speculative options must take priority for both "in practice" and "aftermath consequences".
- 5) Ongoing physical and financial responsibility in any upgrades deemed needed until hazards are fully removed.

After the indefinite (minimum 10-year) moratorium expires with the presentation of a comprehensive Statute and rules draft proposal

It would be put forth to first legislative committee for review seeking a committee recommendation for or against,

Then sent to the legislative body for the appropriate consideration so as to provide a resident citizen and resident industrial review of not less than 1 legislative session.

After which without substantial objection (or a Citizens Vote of yea or nay) concerns either a rejection or enactment by the appropriate legislative bodies.

Any statute enactment shall contain permanent exemptions of any financial burdens on / upon the public, whether front end investments, credits, taxes, assessments or otherwise of a facility's operation opening or likewise the tail end expenses or liabilities of closing a facility or operation and its aftermath potential dangers.

But the first questions should be,

- 1) Do we need to do Mining in Maine?
- 2) If so, how badly do we need the resources?
- 3) Is it necessary for Life in Maine?
- 4) Is it for convenience products or luxury item motivated?
- 5) Does this activity benefit Maine in both quality of life or its sustenance?
- 6) Is it beneficial beyond any utilization of a Maine temporary workforce?
- 7) Are the benefits to be existing well into Maine's future and will they be viewed as having been worth the sacrifices presented by the remnants of destruction that will also exist well into the future?

Respectfully,

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