

*131<sup>st</sup> Legislature*  
*Senate of*  
*Maine*  
*Senate District 2*

**Senator Harold 'Trey' Stewart**  
**Senate Republican Leader**  
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October 16, 2023

Good evening. Commissioner Worcester, Counselor Elwell, and Distinguished Members of the Land Use Planning Commission:

My name is Harold Stewart, but most folks call me Trey. I'm a resident of Presque Isle, Maine; and I currently represent District 2 the Maine Senate, which includes roughly 50 communities in Northern Maine. My district is a wide swath of Aroostook and Northern Penobscot Counties, including, Hersey, Mount Chase, Patten, and Moro Plantation, which are the communities immediately adjacent to the project site.

I'm here with you tonight in Millinocket because I believe in this project. I first met Jeremy Ouellette and the Wolfden team over two years ago; and through a series of meetings, these folks have answered every question I've had along the way. I'll address what I feel are the policy reasons for supporting this project; but first, I'd like to talk about my personal experience as a resident of Aroostook County.

I'm 29 years old and I've lived the bulk of my life on State Street in Presque Isle (the Star City). Eleven years removed from high school, I can count more of my friends from the class of 2012 who moved away than who stayed in Northern Maine. Mind you that Presque Isle is a service center for dozens of smaller communities where attractive employment is even less significant. Here's what I'm getting at: We should be embracing every opportunity when it comes to career opportunities for our families and the future.

As a State Senator, this project is even more appealing because it will serve as the first test of what I understand to be the most environmentally conscious mining statute in the developed world – one I supported when I previously served in the House. I'm currently in my seventh year serving the State of Maine; and rarely have I encountered a piece of legislation that was supported by both political parties, the environmental advocacy community, and the Maine business community. These Chapter 200 mining rules allow for a new business opportunity in our working forests but with considerable protections for our natural resources. This is the type of balance that I wholeheartedly support and that Northern Maine needs.

Over these three days, you'll no doubt hear about the need to protect the valuable resources in the North Maine Woods. I couldn't agree more. In fact, my family has a multi-generational camp that we use up there; and my favorite days are ones enjoyed there. I've got a personally-vested interest in protecting this asset. However, I would ask that you remember that in addition to our woods and waters, perhaps our most precious resource is that of the Northern Maine people. I respectfully ask that you listen to the support that you hear from folks who live in these communities. These folks support this rezoning application and are interested to see the project move to the next phase. I'm here today to join those voices and ask that you please approve this petition.

Thank you for your time and attention.

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# HOUSE OF REPRESENTATIVES

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## **Kathy Irene Javner**

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October 16, 2023

Good evening. I am Kathy Javner, Representative for District 29 which consists of Chester, Woodville, Medway, East Millinocket, Millinocket, Patten, Mount Chase, North Penobscot, Herseytown Township, Long A Township, Grindstone Township, and Soldiertown Township.

My interest in this project in T6R6 has grown over the last year and a half. I first met with Jeremy Ouellette 18 months ago. I had several questions about the potential environmental impacts of the project, the company's commitment to creating a local workforce, and the quality of the jobs that would be offered during their project.

I greatly appreciate the due diligence that the company has undertaken regarding outreach in the Katahdin region, especially the areas in immediate proximity to the proposed site. Through conversations with the petitioner-company, and with several businesses and constituents in the host communities, I've come to the conclusion that the company should be granted this request for rezoning and allowed to move to the DEP permitting phase of the project.

My understanding of Maine's Chapter 200 law, passed with bi-partisan support, including an override of Governor LePage's veto in 2017, is that our legislature has effectively established the most environmentally stringent mining regulations in the world. I've looked at the required water quality and monitoring processes, as well as the required financial commitment for any foreseeable reclamation efforts and I'm comfortable that, should the DEP eventually allow this mine to go forward, Wolfden will have proven beyond the shadow of a doubt that their processes for protecting the water and the ecosystem are rock solid. I like to think of Maine as a national leader, so when I hear 'Most stringent in the world' is the standard that we are working with to protect our natural resources, that makes me feel comfortable supporting the project.

Now that I've covered the reasons why I disagree with the groups that are here attacking this company and the proposed project, I'd like to tell you why I think this is a good idea for our area. The employment opportunities that would be available working on this type of mine are high-skill, high wage jobs. Wolfden is committed to hosting a fourteen-week training program, sited at the community colleges and the regional vocational and technical high schools, which will provide a new opportunity for graduating students interested in a skilled-labor trade.

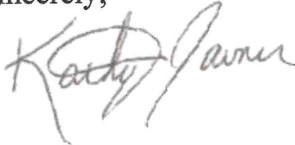
I've heard skepticism in the form of "Where are you going to get people to do these jobs?" and it is really disturbing to hear that. Think of the number of talented Maine young people you know that at 18, 19, 20 years old who are traveling to work on a rig in the Gulf of Mexico or working construction in the Southern United States for top dollar. This is a way to help a good number of our young people stay in the Katahdin region after they graduate high school and start a life here.

Finally, I feel compelled to voice my frustration regarding a letter sent by several of my legislative colleagues from, well, let's just say, not from here. This communication, sent to the honorable members of this commission, made it clear that most who signed it have a very limited understanding of our lives here, in rural Maine. Sending such a letter is apropos of the type of behavior we see every day in the state house-Portland solutions for rural Maine's economic needs. I personally commute roundtrip from Chester to Augusta on a regular basis during session and for any and all other scheduled Legislative meetings.

I respect your decision to hold an additional public hearing in Bangor, which I will also be in attendance for, but I ask that you place significant weight in our words, of the folks you'll hear from over these two nights in Millinocket. Folks from Patten, Mount Chase, East Millinocket, Medway- those that have sat through several information sessions and have developed a trust with the folks working to make this project a reality. I thank you for your time tonight, and your willingness to serve the people of rural Maine.

If I can ever be helpful to any of the commissioners or staff on any matter, I'd welcome a call or email.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Javner". The signature is written in dark ink and is positioned below the word "Sincerely,".

Kathy I. Javner  
State Representative



Executive Director Stacie Beyer, members of the Land Use Planning Commission

Thank you for this opportunity to testify in opposition to the Wolfden application. I am Alice Bolstridge from Presque Isle. I was born and grew up in Portage Lake near the Bald Mountain site considered for a mine like the one being proposed at Pickett Mountain. For more than a decade, I have been researching risks and benefits of metallic mineral mining and testifying in opposition to plans that pose unacceptable risks to the environment in Maine's wet climate. In 3 minutes, I can't talk about all the worries I have about this proposed mine, so I will focus on threats to waters surrounding the site.

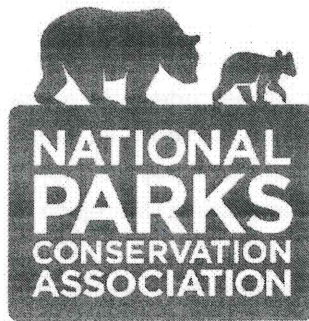
Wolfden's application lists numerous water bodies there. Recreational water areas within 3 miles of the Project Area include 1 lake, 4 ponds, and a river. Inside the Project Area are 29 wetlands, 22 watercourses, 8 vernal pools and 2 potential vernal pools. Mine infrastructure, the application says, will be sited at least 75 feet away from wetlands, streams, and vernal pools to avoid direct impacts to these resources during construction and mine operations. Within 3 miles is about the distance of a 1-hour walk even for me at 85. And 75 feet is about the length of my small backyard. Since water always flows downward with the force of gravity, how can those distances possibly prevent toxic pollution from reaching all that water? Wolfden promises the project's water treatment approach will return clean, treated water back to the environment and maintain current water quality within the project area and downgradient water bodies.<sup>1</sup>

I have looked for and never found an example of a metallic mineral mine anywhere in the world that lived up to promises like that. At every forum on the subject I have attended over these years, I asked for an example of a mine that has not polluted surrounding waters with toxic chemicals. Every example given proves to be false when I follow up with research. Ann Maest in pre-filed testimony says the ultrafiltration and reverse osmosis Wolfden proposes "can in theory produce high-quality effluent." The phrase "in theory" is important because, as she goes on to say, "Wolfden provides no example of a comparable mine that accomplishes the levels required."<sup>2</sup>

If I had more time, I would talk about false promises made for economic and community benefits. Instead, I will close with these thoughts: metallic mine closures (Wolfden expects 10-15 years for this one) leave communities economically, socially, and environmentally depressed.<sup>3</sup> This kind of mining is among the dirtiest industries in the world.<sup>4</sup> There has never been such a mine anywhere that lives up to promises of economic benefits and environmental safety. Please, do not rezone this area for a metallic mineral mine unless or until the technology and the social and political will can succeed in preventing toxic contamination of our waterways. Documentary sources are enclosed that support my opinions if you need them.

## Works Cited with some notes

1. “Pickett Mountain Mine Rezoning Application, ZP 779A – Wolfden Mt. Chase LLC.” *Land Use Planning Commission*. October 12, 2023.  
[https://www.maine.gov/dacf/lupc/projects/wolfden/wolfden\\_rezoning.html](https://www.maine.gov/dacf/lupc/projects/wolfden/wolfden_rezoning.html)
2. Ann Maest. “VII. Water Balance,” pp 29 ff.  
[https://www.maine.gov/dacf/lupc/projects/wolfden/pre-filed-testimony/ZP779A\\_Intervenor2\\_PreFiledTestimony-PartII.pdf](https://www.maine.gov/dacf/lupc/projects/wolfden/pre-filed-testimony/ZP779A_Intervenor2_PreFiledTestimony-PartII.pdf)
3. “Blocking Destructive Mining.” *Sierra Club*.  
<https://www.sierraclub.org/wisconsin/issues/mining> Mining “generally leads to brief spurts of inequitable economic growth followed by inevitable crashes and periods of depression.” Wisconsin “challenged the mining industry to give one example of a metallic sulfide mine that had been safely operated and closed without polluting the environment. Predictably, the industry has failed to identify a single example to this day.” “In a **1995 report**, Wisconsin’s DNR confirmed the inherent destructive nature of mining, writing: “There are no ideal metallic mineral mining sites which can be pointed to as the model approach in preventing acidic drainage industry-wide.” In 2023, these statements still apply.
4. C. Thomas. “Global Study Reveals Extensive Impact of Metal Mining Contamination on Rivers and Floodplains.” *University of Lincoln*. 22 September 2023.  
<https://news.lincoln.ac.uk/2023/09/22/global-study-reveals-extensive-impact-of-metal-mining-contamination-on-rivers-and-floodplains/> “A groundbreaking study, published today in *Science*, has provided new insights into the extensive impact of metal mining contamination on rivers and floodplains across the world, with an estimated 23 million people believed to be affected by potentially dangerous concentrations of toxic waste.”
  - a. “Dirty Metals.” *Earth Works*. June 16, 2004.  
[https://earthworks.org/resources/dirty\\_metals/](https://earthworks.org/resources/dirty_metals/) “This report will show you what lies behind that stupendous lode of copper and tantalum, gold and platinum. We’ll explain how the mining of these and other metals damages landscapes, pollutes water, and poisons people. We’ll show you why modern, industrial mining is one of the world’s most destructive industries.”



**Todd Martin**  
**Northeast Senior Program Manager**  
**National Parks Conservation Association**  
**Testimony in opposition to Wolfden Resources' petition to rezone**

Chairman Worcester, member of the Land Use Planning Commission, my name is Todd Martin. I live in Winslow, Maine and serve as the Northeast Senior Program Manager for the National Parks Conservation Association, our nation's largest nonprofit advocate for our National Parks Service sites founded in 1919. On behalf of our 7,000 members in Maine and 1.6 million members across the country, I am here tonight to urge you to deny Wolfden's application to rezone 374 acres in T6 R6 in the unorganized territories at Pickett Mountain for their dangerous zinc mine. After reading Wolfden's application it is abundantly clear that their mining proposal is a serious threat to the clean waters, dark skies, quiet solitude, viewshed, and endangered species of the Katahdin Woods and Waters National Monument, whose border is just seven miles from the proposed mine site.

A metallic mine at Pickett Mountain threatens the clean waters of the Penobscot River watershed. According to the Maine Geological Survey, Pickett Mountain contains an indicated and inferred resource of 5 million metric tons of sulfide. When exposed to air and rain or snow, sulfide-rich tailings from the mine would create sulfuric acid mine drainage, polluting nearby state heritage waters, the West Branch of the Mattawamkeag River, and in turn, the Penobscot River. While polluted water is not expected to flow through the three rivers in the monument, we stand in solidarity with the Penobscot Indian Nation in strong opposition. Wolfden's mine threatens the tribe's sacred river and the endangered Atlantic Salmon who are returning to its watershed thanks in large part to their efforts. Furthermore, Wolfden refuses to indicate where it will site ore concentration and tailing's management facilities. This is crucial information the commission needs to fully evaluate Wolfden's rezoning petition. As demonstrated by Stu Levit of the Center for Science in Public Participation in pre-filed testimony, Wolfden does not have the financial resources or capacity to treat wastewater to background standards, as required by Maine law, using ultra filtration and reverse osmosis at the scale required before release back into local waters.

The Katahdin Woods and Waters National Monument is the only International Dark Sky Sanctuary East of the Mississippi River, and only the second National Park unit to achieve this designation. This past Saturday, the monument hosted its 10<sup>th</sup> annual Stars Over Katahdin event. Future plans call for night sky viewing infrastructure and programming on the Sebois parcel of the monument, just seven miles from

the proposed mining operation. Light pollution from the mine operation would pollute the darkest skies in the east and risk the monument losing its designation, which has earned it a global reputation.

We are deeply concerned that blasting with explosive magazines, rock crushing with heavy machinery, and construction noise will disrupt the quiet solitude of the monument. The fifty-five ore-laden dump trucks traveling route 11 each day enroute to the yet-to-be-sited ore concentration and tailings management facility will disrupt the peaceful gateway communities and threaten visitor and residential safety. Visitors flock to the national monument, and this region of Maine, to escape hectic and noisy urban areas. The national monument welcomed 43,000 visitors in 2022 who spent \$3 million in the local economy. Baxter State Park welcomed 64,000 visitors in 2022 who spent millions in the local economy as well. An industrial operation in the middle of Maine most famous outdoor recreation destination is a direct threat to the region's outdoor economy.

We have strong concerns about the construction of a new transmission line extending 8.8 miles along route 11 through Patten, a gateway community to the north end of the national monument. Route 11 provides phenomenal views of Mt. Katahdin and the surrounding landscape. A transmission line along this roadway would diminish the visitor experience. Furthermore, the mine site and the 46-acre solar array would be an eyesore during scenic flights of the monument, which I had the pleasure of enjoying just a few weeks ago with Katahdin Air from Ambajesus Lake.

The national monument and surrounding landscape provide critical habitat for two federally listed endangered species Atlantic Salmon and Canada Lynx and a federally listed threatened species, Northern Long Eared Bat. Rivers and streams polluted by acid mine drainage would kill Atlantic Salmon and other aquatic species. Chain link fencing would limit the mobility and habitat of Canada Lynx and increased truck traffic could lead to strikes. Light and noise pollution from the mine operation would drive Northern Long Eared Bats from the area to seek new habitat.

In closing, Wolfden's proposed zinc mine at Pickett Mountain is a direct threat to the clean waters, dark skies, quiet solitude, viewshed, and endangered species of the Katahdin Woods and Waters National Monument. The project threatens the region's outdoor recreation economy and does not meet the standards of the Commission's Chapter 10 and Chapter 12 rules and would have an undue adverse impact on the surrounding landscape and existing users. Thank you for your time and I am happy to answer any questions.