

## **Ranking Member Dan Maffei Statement Oversight Subcommittee Hearing: “EPA’s Bristol Bay Watershed Assessment – A Factual Review of a Hypothetical Scenario”**

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Thank you, Mr. Chairman.

My district in Upstate New York has a unique connection to Alaska. It was home to William H. Seward, who resided in Auburn, New York. Seward served as a Republican Governor, U.S. Senator, and Secretary of State under President’s Lincoln and Johnson. Seward most notably was responsible for the purchase of Alaska from Russia in 1867.

At the time, the Alaska purchase was unpopular and known as “Seward’s Folly.” Later in life Seward was asked to name his greatest achievement, and he said, “The purchase of Alaska, but it will take the people a generation to find out.”

It is hard to look at the proposal to place a mine in the watershed feeding Bristol Bay and not think that Seward’s words ring true more a century later.

On the one hand is the prospect of great wealth, great resources and all the jobs that flow from that pouring out of the mining efforts in that beautiful place. That will last a few decades, perhaps a “generation” as Seward stated. And then the mining company will be gone, leaving behind a huge hole in the earth and billions of tons of acid mine waste. Even if the company can do what no mining company has ever done in a wet environment, and dig a massive open pit mine that results in no leaks, no accidents, no pollution, who can guarantee that the massive amount of waste left behind in tailings dams will not leach out, or that the dam itself will not fail?

In 2010, a tailings dam holding mining waste collapsed due to heavy rain releasing toxic sludge flooding nearby towns, killing 10 and injuring 120. In 1998 in France, a tailing dam collapsed releasing sulfur, zinc, copper, iron, and lead into nearby farmland. A study of the incident estimated that about 5,000 jobs were lost in the dam failure's aftermath. These are just a few examples of potential failures that could occur in Bristol Bay.

A dam here must work for thousands of years – not just one generation from now but generations and generations and generations beyond counting. And it must work in a very wet environment that is one of the most seismically active on earth. It is simply not worth the risk

On the other hand we have the returning wealth of the salmon. They feed the earth in one of the most pristine locations in the world. They feed the people of the region – the last truly sustainable salmon-based culture left in the U.S. Through the efforts of the commercial fishermen we too all get a chance to share in that bounty. The salmon of Bristol Bay, who spawn in the rivers there, are a sustained resource that – if we do not destroy them – will be there for as long as we can see into the future.

Bristol Bay's "clean water economy" supports one of Alaska's most natural and bountiful resources – Salmon – and will yield economic returns and generate revenue far beyond the short-term economic impact of mining. This "clean water economy" will support jobs today, tomorrow and for future generations, whereas mining and its harmful environmental impacts will eliminate all future jobs supported by the fishing industry.

If you hold those two prospects in the balance, and weigh them in a scale for what is best for future generations, the question is very simple and the answer is very clear. Do we gorge ourselves for a generation or two and then regret it or do we embrace the sustained wealth of nature that returns every year for our use so long as people live on this earth?

It is Seward's words that inform my perspective on the issue before the Committee today. If we allow this dangerous proposal to go forward today, will the next generation realize our folly?

Just a few other points:

I want to remind the Members that EPA has began their risk assessment in response to local pressure for the EPA to intervene. EPA was asked to take up the 404(c) process, which under the Clean Water Act gives EPA the power to protect water quality by establishing standards that can virtually veto development. EPA might be chided for taking on a science-based watershed assessment rather than moving immediately to the 404(c), but I think the agency was trying to show everyone involved that they were willing to listen and study the issue thoroughly before acting.

The draft assessment is solid science that demonstrates hard rock mining cannot coexist side by side with salmon without harm to the salmon, to the fishing and sportsman's economy, and to the native communities. Claims that some magical technology can make this all work out have been made many times, and rarely does technology work the way it is promised. Mining is an inherently destructive and dirty business and technology cannot make it clean and harmless. I certainly agree we need mining and I am not an opponent of mining, but I think we have to be honest with

ourselves about where such projects can work and where they simply do not make sense.

Finally, I believe that EPA should complete their assessment and then promptly move to take up a 404c that gives everyone certainty that Bristol Bay and the surrounding rivers and lakes will remain pristine. If the EPA's 404(c) amounts to a preemptive veto of mining, then that will free up the mining companies and capital to turn to more promising locations for ore.

A contemporary of Seward described him as "one of those spirits who sometimes will go ahead of public opinion instead of tamely following its footprints."

I hope the Members of this committee will be mindful of these words as we explore the issues surrounding development at the Pebble Mine. I yield back...