

Annapolis, Maryland 21404

The Honorable Benjamin L. Cardin
Speaker of the House of Delegates
State House
Annapolis, Maryland 21404

Dear Mr. President and Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 466 and Senate Bill 230 which would have repealed the State's prohibition on steep slope mining. I remain uncomfortable with both the environmental risks and the regulatory framework under which such mining activities would be permitted and, with those doubts in mind, see no compelling reason to sign this legislation.

Substantial controversy has surrounded this legislation which, unfortunately, contrasts legitimate economic development needs in Western Maryland with concerns related to the past ravages of strip mining and the ongoing efforts to protect our watersheds and other natural resources. The symbolism attached to this legislation is very strong; however, this veto is premised not on symbolism, but on the understanding that the environmental damage caused by improperly controlled steep slope mining may be largely irreversible. The economic benefits of steep slope mining, while perhaps significant in the long term, are not immediate.

I have reached this conclusion after much discussion and consideration. Over the past week, I have met with members of the Western Maryland Delegation as well as members of my Cabinet. My staff has reviewed the Senate and House Committee bill files, the report of the State Land Reclamation Committee, applicable State and federal regulations, and other relevant information. Correspondence has been received from the Commissioners of Garrett County requesting me to sign the bill and a majority of the Allegany County Commissioners urging my veto. I have received over 1,000 letters from across the State representing both sides of this difficult issue.

Specifically, House Bill 466 and Senate Bill 230 would remove the existing statutory prohibition on strip mining for coal on slopes steeper than 20 degrees. Under the provisions of the House Bill, the Department of Natural Resources may deny a permit for strip mining based on a finding that the proposed mining poses a likelihood of harm to any person or property; certain environmental conditions could not be adequately controlled; or the applicant for the permit fails to demonstrate an ability, or has a history of failing, to comply with the permit requirements. Senate Bill 230 would require the denial of a permit for any of the above reasons. The Department has indicated that the practical effect of the two bills is the same.