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*Steve Moyer*  
*Vice President of Government Affairs*

**November 14, 2019**

The Honorable Alan Lowenthal  
Chairman  
Subcommittee on Energy and Mineral  
Resources  
House Natural Resources Committee  
1324 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Paul Gosar  
Ranking Member  
Subcommittee on Energy and Mineral Resources  
House Natural Resources Committee  
13294 Longworth House Office Building  
Washington, D.C. 20515

**RE: Trout Unlimited supports H.R. 4248, the Surface Mining Control and Reclamation Act Amendments of 2019**

Chairman Lowenthal, Ranking Member Gosar, and Members of the Subcommittee:

I'm writing today to thank you for meeting this week to consider important legislation that would continue a successful, four-decade federal effort to clean up the nation's abandoned mines.

Trout Unlimited (TU), which represents more than 300,000 sportsmen and women around the country, strongly supports H.R. 4248, the Surface Mining Control and Reclamation Act Amendments of 2019. This bill would reauthorize the fees that support the Abandoned Mine Reclamation Fund (AMRF) before they expire in 2021. Ongoing federal funding is essential to states, tribes, and groups like TU that work with local communities to address hazardous conditions, improve water quality, and promote economic development in historic coal mining areas.

We want to take this opportunity to express our appreciation for the bipartisan leadership that Representatives Cartwright and Thompson have shown in sponsoring this bill, and for the support from the bill's cosponsors. We urge you to work with your congressional colleagues to advance it into law this session.

The Abandoned Mine Reclamation Fund, established in 1977 with the passage of the Surface Mining Control and Reclamation Act (SMCRA), is supported by a small, per-ton fee on current coal operations. Distributed to states with historic coal mining, the funds are used to address legacy pollution and public safety issues on abandoned mine lands. Thanks to SMCRA, we have accomplished much since 1977—875,000 acres of high-priority sites reclaimed, 46,000 open mine shafts sealed, \$600 million invested in abandoned mine drainage projects. But the scope

of the remaining need is enormous. Nationwide, at least \$10.5 billion worth of reclamation and remediation work is needed, according to the Interstate Mining Compact Commission and the Office of Surface Mining Reclamation and Enforcement. Additional projects to address water pollution would add billions more to the cost.

H.R. 4248 would ensure that states and tribes can continue addressing challenges presented by historic mining operations. The legislation includes a number of elements that are critical to the continued success of state and tribal abandoned mine cleanup efforts:

#### **Extension for 15 years**

H.R. 4248 would extend the collection of per-ton fees from mine operators through 2036. This reflects the reality that without federal support, there would not be enough funding available to fully address America's abandoned mines. More than 90 percent of funds allocated to the state and tribes would continue to be spent on projects to clean up abandoned mine lands and related water pollution. These investments provide direct economic benefits to communities. For every federal dollar expended, \$1.59 is returned to local economies, and every mile of restored stream translates into an \$80,000 annual economic benefit.

#### **Increase in minimum state funding**

Currently, minimum state program funding is set at \$3 million; H.R. 4248 would increase the minimum to \$5 million, providing additional resources to 10 states. In places like Colorado, this funding is helping the state address more than 30 active underground mine fires and clean up historically mine-scarred lands. In addition, these funds are essential to mitigating Priority 1 public safety hazards, such as subsidence and open shafts. Without federal funding, Colorado's ability to address with these problems would be severely limited.

#### **Maintaining the AMD set-aside option**

In many ways, SMCRA is working well. Under H.R. 4248, states and tribes would continue to have the option to set aside up to 30 percent of their funding for projects to address abandoned mine drainage. This is essential to the work TU and our partners do in the central Appalachian states to design, build, and maintain systems that treat water pollution.

AMD projects funded via the set-aside option do not just improve water quality. They also help return wild trout populations to their historic waters and boost the local and state economy.

For example, over the past two decades in the West Branch Susquehanna River watershed in Pennsylvania, TU has worked with our partners on more than 200 AMD projects, many of which rely on funding from the AMRF and the state's Environmental Stewardship Fund. Over the past several decades, West Branch Susquehanna fish populations have exploded by more than 3,000 percent. The lower Kettle Creek watershed is a prime example of how this funding is working: TU and our partners have reclaimed 160 acres of abandoned mine lands and installed nine AMD treatment systems to reduce the acidity and metals that had left the stream lifeless. Today, a native brook trout population is flourishing along six miles of restored and reconnected stream. Opportunities like this can be found all over Pennsylvania. More than 5,500 miles of the state's streams are still impaired by AMD, and in a state where sportsmen and women contribute \$1.3

billion to the economy, the lost recreational value of this legacy pollution is estimated at \$145.8 million annually.

These restoration projects also directly create local jobs. We hire equipment operators, truck drivers, laborers, material suppliers, engineers, technicians, and water testing labs. Completion of a single AMD system in Clearfield County, for example, is estimated to have generated an additional \$1.3 million for the county. In Pennsylvania's stream restoration economy, former mining industry employees go to work restoring degraded lands and polluted waters.

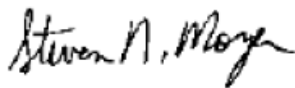
In addition to maintaining the set-aside option, H.R. 4248 would also continue the current ranking system in which projects addressing public health and safety hazards are Priority 1 or 2, while projects dealing specifically with AMD are Priority 3. State and tribes would continue to have the flexibility to fund water-quality projects under Priorities 2 or 3.

Mandatory annual distributions of funds to the states and tribes would also continue under the legislation.

More than \$5.5 billion has been invested in state and tribal programs since 1977, and we are making progress in cleaning up the legacy of abandoned mines. With the passage of H.R. 4248, we can finish the job.

We are pleased to see that this bill has bipartisan support, and we look forward to working with you to move it through Congress this session.

Sincerely,

A handwritten signature in black ink that reads "Steven A. Moyer". The signature is written in a cursive style with a large, stylized 'S' and 'M'.

Steve Moyer