

WPCAMR Regional Coordinator's Report

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LEGISLATIVE ROUNDUP

STATE

- SB 368. Introduced January 30, 2015 by Sen. White. providing for a waste coal energy and reclamation tax credit. Currently in appropriations committee as of June 25, 2015. ARIPPA will give more details.
- HB1370. Introduced June 29, 2015 by Rep. Gibbons. Both for establishing a coal refuse energy and reclamation tax credit. HB was referred to Committee on Environmental Resources and Energy on June 29, 2015. ARIPPA will give more details.
- Act 47 (SB875). Signed by Governor on October 8, 2015 Providing for the use of treated mine water by gas industry. Does not include abandoned sites.
- No state budget at this time.

FEDERAL

OSMRE Budget and Power + Plan

- It appears that the Administration's Power + plan (which includes the FY 16 OMSRE budget) continues to gain some degree of momentum, especially within municipalities in southern Appalachia. However, we have no specific legislation available that would show how the Administration proposes to amend SMCRA in order to make funds available. We have no word yet on how well (or poorly) this plan is being received in Congress at this time although Congress had presented their own version of this Plan earlier this summer. The current stop-gap funding measure expires December 11th. This Plan may continue to be in play just before that date. Or, Congress may push this plan down the road until the 2017 budget negotiations begin.

SMCRA Fee Re-authorization

- We continue to work with the PA AML Campaign/TU/State on re-authorization of the Title IV fees for SMCRA, participating in conference calls, etc. During the summer, the Campaign had come up with what it wanted to see in a re-authorization measure. Along with language supporting a restructuring of the fees, there is language to exempt the AML fund payouts from sequestration and return funds that have been sequestered since 2013 to the states. Anne and I attended the NAAML meeting to discuss re-authorization with the states and present the Campaign's proposal. The states are on board with re-authorization and are working on it from their end.

Operations and Maintenance Funding

- **H.R. 3844 (Rep. Jody Hice, Ga), “*Energy and Minerals Reclamation Foundation Establishment Act*”** This is a bill that proposes to set up a foundation (somewhat akin to the National Fish and Wildlife Foundation) that is able to accept donations from the private sector then grant out funds to assist with orphan well or abandoned hardrock and coal reclamation. The idea seems sound but there may be challenges with the particulars on this and how it is implemented. The bill proposes start-up funds to be directed to the foundation. It is unclear as to how this bill will “score” in DC and where the offsets would occur to account for the federal funds that are to be directed to this program. We do not want this program, if passed, to be a substitute for any other funding for OM&R for our region. WPCAMR and TU will continue working on a potential OM&R funding plan that may be much more effective in providing federal funds to our watershed groups and districts.

Federal Good Samaritan Protection

- **H.R. 3843 (Rep. Doug Lamborn-Co), “*Locatable Minerals Claim Location and Maintenance Fees Act of 2015*”**. This bill was also introduced last month to authorize for a 7-year period the collection of claim location and maintenance fees (hardrock mining), and for other purposes. H.R. 3843 is part of the Committee's three-pronged response to the Gold King Mine and the Standard Mine spills that occurred in Colorado in August and September of this year, which the Committee is continuing to investigate. This bill centers largely on hardrock sites and uses fees to set up a database for hardrock sites but Title III of this bill proposes Good Samaritan protection for those working on abandoned mine sites (coal and hardrock). While not exactly what watershed groups across the country want (for either hardrock or coal) but this is nevertheless, a very good beginning. Many stakeholders, including WPCAMR, are providing input into Congress's understanding of the issue and we hope that the momentum will continue to build. We continue to work closely with our partners, principally Trout Unlimited, in communicating the needs of our eastern coalfield watershed groups and conservation districts to Congress.

Sequestration

- Still goes on with PA losing funding from its annual Title IV grant. Part of what the AML Campaign is looking for is an end to the sequestering of Title IV grant funds. We will see how that progresses.

Waste Coal to Energy

- Representative Rothfus (Pennsylvania) has developed the “Sense Act”. This has not been introduced yet. ARIPPA will go into this in detail.

OTHER ITEMS

Quick Response

We are currently expending funds from QR6 and QR7. We will likely be finishing up QR6 during the winter/early spring.

2015 Statewide AMR Conference

Planning for the 2016 annual conference continues. We have narrowed down potential venues and will likely have a final selection in a few weeks. Anne will provide a more in-depth update of the conference in her report.

OM&R Workgroup

We continue to work with Amy Wolfe from TU as part of the OM&R Workgroup to fashion a proposal that addresses the OM&R need for treatment systems not in Qualified Hydrologic Units. We have received some positive comments from our government agency partners.

Administrative

After Chelsea was appointed Treasurer earlier this summer, I went with Jim Eckenrode and Chelsea to our bank to get Chelsea signed on as the treasurer on the accounts. Chelsea has assumed the Treasurer’s duties.

Without a state budget we will not be able to receive 319 reimbursements from DEP for our new grant year which began October 1. Previous reimbursements were held up due to personnel issues at the Department. We have since received the backlog of reimbursements. We are hopeful that we will have a state budget by the end of the year so our 2015 grant year reimbursements will be processed.

Meetings

- Met with ARIPPA at Cambria Cogen to discuss issues facing the industry and to tour the facility.
- 2015 Annual AMR Conference Planning Committee meeting at Slippery Rock Univ.
- Meeting with Representative Thompson (PA) at his Bellefonte office.