



Citizens Advisory Committee

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May 15, 2020

The Honorable Jim Justice
Governor of West Virginia
State Capitol, 1900 Kanawha Blvd. E
Charleston, WV 25305

The Honorable Tom Wolf
Governor of Pennsylvania
508 Main Capitol Building
Harrisburg, PA 17120

Dear Governor Justice and Governor Wolf,

On behalf of the Citizens Advisory Committee (CAC) to the Chesapeake Executive Council, we hope you and your family are well during this very challenging time. Thank you for your continuing efforts to mitigate the serious public health and economic impacts of the COVID-19 outbreak on the residents of the watershed. Protecting the health and safety of the 18 million residents living in the Chesapeake watershed must be a top priority for all elected officials, and that requires also continuing to restore our environment.

While we acknowledge that in these unprecedented times it may be difficult to focus on our normal work to restore and protect the streams and rivers in the Chesapeake Bay Watershed, we write to highlight for you sources of federal funds that are available to help with implementing the Phase III Watershed Implementation Plans (Phase III WIP). Abandoned Mine Lands (AML) comprise 119,000 acres of dead, toxic land in Pennsylvania alone, rendering 2,000 miles of stream devoid of life in the state's Bay watershed. As such, AML restoration is a part of PA's Phase III WIP. Similar situations exist in WV. Existing and potential funding vehicles are available to most watershed states that can be used for stream restoration related to abandoned mine lands that mitigate acid mine drainage into waterways. Addressing the AML impacts does not simply remove pollution load from the landscape, but transforms those thousands of miles of streams into functional ecosystems which process and remove pollutants such as nitrogen and sediment. Utilizing these funding sources to perform the double duty of restoring the landscape and empowering our streams to work for us is a critical opportunity.



Jessica M. Blackburn, CAC Coordinator
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There is an annual mandatory payout from the Abandoned Mine Lands Fund by the Department of the Interior's Office of Surface Mining Reclamation and Enforcement (OSMRE). The source of funding is fees OSMRE annually collects from the coal mining industry and is not tax payer funded (this source will expire in 2021 without Congressional action). Last year the funds states received are: Pennsylvania \$32,171,975 and in West Virginia \$22,865,581.

The Abandoned Mine Land Economic Development Program is an innovative program within the federal budget process that provides general treasury funds for job creation in communities impacted by coal mines abandoned before 1977. In 2016 the funds each state received are: Pennsylvania \$25,000,000 and in West Virginia \$25,000,000.

The RECLAIM Act (Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More) is federal legislation that uses a need-based formula, based primarily on a state's historic coal production, to distribute \$1 billion of the \$2.3 billion in the unappropriated balance of the AML Fund. If this legislation passes, Pennsylvania for example, would receive an approximate additional \$55,000,000 per year for 5 years to create jobs and complete more mine reclamation projects.

A small percentage of these funding sources could also help with the operation and maintenance of some existing acid mine drainage passive treatment systems, many of which have been constructed through the leadership of local watershed associations and community leaders. We hope bringing these resources to your attention will facilitate cooperation among your state agencies of environment and mining to increase both job creation and the biological function and health of streams impacted by acid mine drainage.

Thank you for your consideration.

Sincerely,



Matt Ehrhart
Chair, Citizens Advisory Committee

cc:

Dana Aunkst, Environmental Protection Agency Chesapeake Bay Program
Austin Caperton, West Virginia Department of Environmental Protection
Cindy Dunn, Pennsylvania Department of Conservation and Resources
Kent Leonhardt, West Virginia Department of Agriculture
Patrick McDonnell, Pennsylvania Department of Environmental Protection
Jennifer Pauer, West Virginia Department of Environmental Protection
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Ann Swanson, Executive Director, Chesapeake Bay Commission
Jill Whitcomb, Pennsylvania Department of Environmental Protection



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