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## ***LEGISLATIVE ROUNDUP***

### ***STATE***

#### **Lawmakers elect leadership:**

Pennsylvania Senate President Pro Tempore Kim Ward (R-Westmoreland) and House Speaker Joanna McClinton (D-Philadelphia) were both reelected to lead their respective chambers.

### ***FEDERAL***

#### **House Bills**

- **Community Reclamation Partnerships Act (CRPA) H.R.6233 (*Previous number: HR 1146*)**

This is the third iteration of this bill. It was debated on April 9<sup>th</sup> 2024 and passed the House. It was received in the Senate and referred to the Committee on Energy and Natural Resources. It did not move. It now has to be re-introduced in the new Congress.

WPCAMR had supported CRPA in the past, but recognizes it needs more work to be relevant to our community. The IMCC and states, which had previously supported this bill, recognize that a better bill could be fashioned modeled after the current Hard Rock Good Sam bill in Congress and are not that supportive of CRPA. Given the past history of this bill, it is unlikely it will move forward.

- **S2781 Hard Rock Good Sam**

Related to this topic is the Hard Rock Good Sam bill (S 2781) introduced by Sens Risch (R-ID) and Heinrich (D-NM) that made it out of the Senate Committee and passed through the House. It has had broad bi-partisan support from the Senate. This bill, in order to go through the House, needed to go through several committees of jurisdiction but that process was bypassed. We understand that one of the chairs of these House committees doesn't like Good Sam bills like this and isn't likely to help it along. TU has been the main push for this Hard Rock Good Sam bill. The proposed program is a "pilot" program which would provide no more than 15 remediation permits. If this goes through and is successful, it may be a model for a coal Good Sam bill as stated in the previous paragraph. The Bill

passed on December 17, 2024. This is a good sign as it may assist the coal regions in our efforts to craft a good sam bill. <https://www.congress.gov/bill/118th-congress/senate-bill/2781>

### **Additional House Bills Introduced**

**HR 7941** Bond Improvement and Reclamation Assurance Act. Referred to committee April 2024.

<https://www.congress.gov/bill/118th-congress/house-bill/7941>

Requires regulators to consider important financial and environmental factors when calculating and recalculating bond amounts. This bill will have to be re-introduced in the new Congress.

**HR8062** Stream Protection and Vegetation Restoration Act. Referred to committee April 2024.

[https://beyer.house.gov/uploadedfiles/beyer\\_104\\_xml.pdf](https://beyer.house.gov/uploadedfiles/beyer_104_xml.pdf)

Imposes strict deadlines for coal mine reclamation and increases monitoring of surface and groundwaters during mining and cleanup. This bill will have to be re-introduced in the new Congress.

The above bills were referred to the House Natural Resources Committee

### **Continuing Resolution**

Before the Christmas holiday, Congress passed a continuing resolution to continue to fund federal agencies at their current levels until March 14, 2025.

### **Executive Orders**

At this point, it is unknown whether the existing Executive Orders not under a restraining order to reverse will affect our community and AMR in general. However, the initial Executive order from Jan 20, 2025 seems to still be in effect. There are a veritable kaleidoscope of programs that could be affected. The major part of this “pause” that affects our community is the BIL funding but it is unclear as to how this “pause” will affect our current 319 operations grant or future 319 grants. Needless to say, the “pause” is forcing many BIL recipients to temporarily halt work on their projects in fear that they might be held liable to paying contractors if the federal government does not come through with the funds. We encourage everyone and our constituent Conservation Districts to communicate the importance of 319 funding to WPCAMR and the state as well as the importance of the BIL funding to the great environmental work being done in PA. If their phone lines are clogged or their voicemail box is full, keep trying. This “pause” is supposed to be finished by March but, at this time, who’s to say?

## **New Federal Lawmakers elect Leadership**

On the federal level, U.S. Representative Mike Johnson (R-LA) was reelected as Speaker of the House earlier this month. Senate Majority Leader John Thune (R-SD), Senate Minority Leader Chuck Schumer (D-NY), and House Minority Leader Hakeem Jeffries (D-NY) complete the leadership of the 119th Congress.

## **Reauthorization and AML Campaign Work**

With reauthorization having passed and the Infrastructure funding secured along with the STREAM Act passed, the AML Campaign continues to meet weekly with regard to understanding and potentially mitigating issues surrounding implementation of the Infrastructure funding . With the coming of the new Administration in January and the myriad of Executive orders that could affect our community, we are shifting to keeping abreast of the ever-changing landscape with regard to BIL as well as any implementation issues that come about.

## ***OTHER ITEMS***

### **Growing Greener Quick Response Program**

We are taking applications for funding to conduct urgent repairs to water quality BMPs, not just for AMD-related projects but other water quality BMPs under our Growing Greener-funded QR10 grant. I intend to apply for a QR11 grant this spring round.

### **WCAP Quick Response Program**

We had a Watershed Cooperative Agreement Program grant from OSMRE, to provide funding for materials for Quick Response-type projects that deal only with AMR. This grant is only for AMD projects and expired in January of 2025. We have asked for an extension and heard back from OSMRE that it wasn't extended. We won't report on this project again.

Related to this, we had been told that mid-level people at OSMRE are preventing us from utilizing this good program. We have a contract with OSMRE and preventing us from using these funds will prevent AMD remediation work from happening. I spoke to OSMRE head Sharon Buccino about this in person at the AMR conference in October and she said this shouldn't be happening and she would take care of it. Apparently, OSMRE attorneys have nixed our WCAP Quick Response Program because they appear to be risk averse. They see the program as too unusual to be comfortable with. Just a reminder, this program had oversight from OSMRE staff and is modeled after the Growing Greener Quick Response (which has been in

operation since 2007). Halting this program also affects WPCAMR by preventing us from having budgeted administrative funding to run the program.

Related to OMR, OSMRE may have funding to begin a passive treatment OM&R grant program different from WCAP. However, with the Executive orders, everything appears to be uncertain. We are not sure when this program will begin.

## **2025 Statewide AMR Conference**

The conference will be held in mid to late October (dates to be determined) at State college. The venue will be determined. Anne will have more information about our conference and the planning.

## **Administrative**

I continued to perform the usual administrative duties and work with our Treasurer Kelly Williams on account reconciliations, check signing, etc. Due to the holdback on our 319 funding (which provides the bulk of our payroll and benefits expenses, we had to draw upon our Operational Reserve Account and in July, begin withdrawing from our Line of Credit. The end of any 319 grant cycle is challenging due to the holdback. Also, our new 319 grant which started in July, only pays for most of our payroll. There is no funding for travel or administrative costs (insurances, other bills). Additionally, another challenge is the fact that we haven't received any Administrative funding from most of our WCAP grants because the projects haven't begun yet. The only WCAP grant where we got some administrative funding is the WCAP Quick Response grant which is no longer available. As a result of all these issues, we've made cuts in the proposed 2025 budget.

We did however, get a donation of \$10,000 from Conifer Infrastructure Parntners in western PA. This donation came at a critical time for our organization and we are very grateful.

I continue to look for additional grant funding to help pay for our general operational expenses.

We also look forward to running the AMD passive treatment course again this September thanks to the cooperation of DEP BAMR and OSMRE and the Foundation for PA Watersheds for their funding support. EPCAMR will continue to assist with the class. However, due to concerns revolving around OSMRE's availability to do the class given the situation in DC, we will see if this transpires.

## **WPCAMR/EPCAMR Visioning Session**

We had our visioning session with EPCAMR in late November 2024. The list of project ideas generated by the session follows. The final report should be ready by mid-March and will be presented at the next WPCAMR meeting.

### ***Other Meetings***

- PA annual AMR conference planning committee
- Weekly AML Campaign phone calls ongoing.
- Various phone calls from watershed groups and/or others.

Buckets – top needs and actions where CAMRs can coordinate over the next 2 years

1. AMD hub - place for information and resources, central clearinghouse...
2. Advocacy, legislation and policy – tell the story about reclamation in PA...
3. Technical assistance and project support – GIS help, outreach to landowners, OM&R, fiduciary for grants...
4. Administration and Organizational Capacity of CAMRs and NGOs – internal operations and how to fund it...

## Brainstorm discussion of potential projects for future collaboration (What and Why)

### 1) AMD Hub/Info Clearing House (Education + Outreach):

- a) Online Forum (Rivernetwork) – being able to upload files (photos, pdfs) to share issues, discussion threads, subscribe to topics
- b) Overhaul of all Websites: AML clearing house, wpcamr.org, epcamr.org
- c) Quarterly Technical Webinars – offer PDHs
- d) Storytelling – panels of successful projects (graphically)
- e) Virtual Fishing Derby w/Education focus
- f) Joint Rebranding of E/WPCAMRs
- g) Conference Growth
- h) Podcast

### 2) Advocacy, Legislation + Policy:

- a) Education of new legislators and staffers on AMD/AML
  - i) Federal and State Officials
  - ii) Tell the story with good #s
    - (1) Economic benefits + impacts
    - (2) Job creation
    - (3) Recreational
    - (4) Property value
    - (5) Wildlife habitat
      - (i) How do we quantify it? (downstream strategies approach)
- b) Development of a consistent message
- c) Joint Op-Ed with EPCAMR/WPCAMR signing off on it
- d) Opinion article development

- e) Prioritize educating legislators (GT, Shelly Mor Caputo, Braun, McCormick, Bresnahan)
  - f) Become a part of the Choose Clean Water Coalition
    - i) Peter Marx
    - ii) Kristen Reilly
    - (1)300+ organizations (Bay-centric)
  - g) Find out more about similar efforts (ie. ORSANCO, Ohio River Watershed)
  - h) Get AMD in the equation along with Nitrogen, Phosphorus, and sediment into Chesapeake Bay Model to receive nutrient reduction credits
  - i) Target the Chesapeake Bay members of the Chesapeake Bay Caucus on AMD/AML
  - j) Facilitate tours with legislators and state + federal officials to AMD/AML sites that are reclaimed, remediated, and restored
  - k) Promote alternative clean energy projects (solar on AML, geothermal, metals recovery)
  - l) Get involved (do our own) in podcasts and video production
    - i) On YouTube (for example) explain topics, successes etc. like our AML campaign
    - ii) Introduce/Interview key players, even do virtual tours
    - iii) Live Stream – to engage audience
    - iv) Commercials/sponsors
  - m) Continue to educate the public, local watershed folks, on advocacy, legislation, and how to take action and connect to legislators as constituents (take them into the watersheds)
- 3) Technical Assistance - GIS help, outreach to landowners, OM&R, fiduciary for grants: Top 4 Ideas Highlighted
- a) OM&R 1-page fact sheets – with staff turnover would be helpful to have a cheat sheet for new staff on operation and maintenance on the most common treatment systems.
  - b) Sub Reddit, having an AMD specific list serve like watershed specialist list serve from PACD is helpful (and regional ones)



- c) Have quarterly (biannual) meetings to chat about treatment system ideas (5-10 minutes “what we do” presentations time for Q&A).
- d) Funding to retroactively have a consultant make an O&M plan. Not with BIL, but with foundation sources or TU Technical Assistance Program for example.
- e) Use BIL funds to fund a position (person) to maintain a system.
- f) Maintaining institutional knowledge can be an issue. If previous WS still work at district it’s good.
- g) Passive Treatment Protection Program (maintenance is a good idea, but not currently funded) Potentially funded by FPW or other foundations?
- h) Extra points if you have O&M plan and/or trust funding for a BIL. Follow Somerset model for OM&R trust fund
- i) Work with BAMR to setup an OM&R trust fund (going forward 2/3 of treatment systems the have decided to touch)
- j) Creating procurement template, solicitor on retainer... 2CFR200 assistance.
- k) Study on uses for mine pool water statewide (ex. potable water, flush water, or industrial process water). Making it attractive to industry. EMARR study on infiltration points into mine pools, Hazleton mandate on water use restrictions and potentially a second pipeline taking water out of Lehigh River (outside of the watershed). Brickwall at Hazleton Water Authority. General Electric have info on a electro-plating similar system (in a trailer). Stratified water...
- l) Energy development on AML/AMD and NIMBY aspect. Hydroelectric. Geothermal. Solar. Wind. Technical symposium or track at the AMR Conference.
- m) General development... Local land development ordinances within 1/2 mile of mining study needed to show how mines could impact your project. CAMRs could be a source to research and satisfy that ordinance (Charge a fee?).
- n) Continue Technical training and expand (like NTTTP). Potentially invite consultants as well.
- o) Fiduciary to hold the funds is OK, but if it takes more administrative support CAMRs would need additional funding from that grant potentially.

- p) Education for NGOs on typical landowner issues. DEP BAMR likely has experience with that landowner of AML or AMD lands.
- q) Mine subsidence insurance education for insurance agencies.

#### 4) Administration & Organization Capacity Needs:

##### a) Admin Hub:

- i) Project management
- ii) Legal
- iii) Policy
- iv) Grant management
- v) Account + Auditor

##### b) Need survey of what's needed most

##### c) How?

- i) DEP Funding (specific to BIL)
- ii) Philanthropy (non-BIL)

##### d) Clear up direct/indirect issue for BIL

Highlights from Brainstorming potential projects for future collaboration (chosen by nominal process)

1. AMD Hub/Info Clearing House: Top 3

- Online Forum (Rivernetwork) – being able to upload files (photos, pdfs) to share issues, discussion threads, subscribe to topics
- Quarterly Technical Webinars – offer PDHs
- Podcast

2. Advocacy, Legislation + Policy: Top 4

- Education of new legislators and staffers on AMD/AML
  - Tell the story with good #s (downstream strategies approach)
  - Prioritize educating legislators (GT, Shelly Mor Caputo, Braun, McCormick, Bresnahan)
- Development of a consistent message
- Joint Op-Ed with EPCAMR/WPCAMR signing off on it
- Opinion article development

3. Technical Assistance: Top 4

- OM&R 1-page fact sheets – with staff turnover would be helpful to have a cheat sheet for new staff on operation and maintenance on the most common treatment systems.
- Have quarterly (biannual) meetings to chat about treatment system ideas (5-10 minutes “what we do” presentations time for Q&A).
- Study on uses for mine pool water statewide (ex. potable water, flush water, or industrial process water). Making it attractive to industry. EMARR study on infiltration points into mine pools, Hazleton mandate on water use restrictions and potentially a second pipeline taking water out of

Lehigh River (outside of the watershed). Brickwall at Hazleton Water Authority. General Electric have info on a electro-plating similar system (in a trailer). Stratified water...

- Energy development on AML/AMD and NIMBY aspect. Hydroelectric. Geothermal. Solar. Wind. Technical symposium or track at the AMR Conference.

#### 4. Administration & Organization Capacity Needs: All 4

- Admin Hub:
- Project management
  - Legal
  - Policy
  - Grant management
  - Account + Auditor
- Need survey of what's needed most
- How?
  - DEP Funding (specific to BIL)
  - Philanthropy (non-BIL)
- Clear up direct/indirect issue for BIL

## **Discussion of current and future financial and staffing needs for the \*PCAMRs (Who and How)**

Who is lead, how is it funded, who is missing and who has stock in the discussion?

\*\*This session was cut short due to an impending storm. More discussion needed...

1. AMD hub - place for information and resources, central clearinghouse...
  - How - engineering firms sponsor the forum/podcast (1h)
  - Who - OSM Hydrologists for guest speakers on forum/podcast (1h)
  - Look into separate group (online forum) created by River Network (ask PEC) (1a)
  - Promote <http://education.epcamr.org> is EPCAMR's EE Hub
2. Advocacy, legislation and policy – tell the story about reclamation in PA...
  - See “hows” in brainstorming section. More discussion needed...
3. Technical assistance and project support – GIS help, outreach to landowners, OM&R, fiduciary for grants...
  - Discussion skipped due to time. More discussion needed...
4. Administration and Organizational Capacity of CAMRs and NGOs – internal operations and how to fund it...
  - How – DEP funding, specifically for BIL funded projects, allows admin money and keep accountants, auditors and legal on retainer at one CAMR for both and NGOs (4c)
  - Another survey on specific needs in light of POWR CWO survey (4b)