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LEGISLATIVE ROUNDUP

STATE

The PA State House passed HB2400 to begin the process of budget negotiations in April. Expectations are that a budget will be passed on time by June 30th.

Governor Josh Shapiro recently filed a motion to enter into a consent decree with Keystone-Conemaugh Projects, LLC to keep two coal-fired plants in Pennsylvania open. The Keystone and Conemaugh Generating Stations were both scheduled to cease operations at the end of 2028. They will now continue to run through 2032 with upgraded wastewater treatment equipment.

FEDERAL

Senate Bills

The Senate passed HR6938 (PL 119-74) which redirected a portion of the IJA funding that was meant for AML. These funds will be redirected to DOI for wildfire management in western states and general operations at the Forest Service.

Because of this, Pennsylvania will lose approximately \$169M from the remaining 11 years of IJA funding. OSMRE has been working on how they will redirect the funds to the western states and seems intent on doing it in a way that is the least problematic for the states. According to the IMCC, while pulling the cut out of the last year was generally preferred by the States and OSM leadership indicated support for this approach, if their lawyers would support it. However, recently, the lawyers decided that the cut was required to be taken evenly over the remaining years of the IJA.

The new amount being distributed annually is \$679.5 million (down from \$724 million). OSM has yet to announce FY 26 IJA grants, but each State should receive the same percentage of the new annual amount that it got from the original annual amount.

We mentioned to Sen. Fetterman's staff the importance of OSMRE working with the states and tribes on this and the importance of those funds.

2027 White House Budget Request

Earlier in April, the White House released its fiscal year 2027 budget request that proposes major cuts (10% from the current fiscal year). Highlighted budget cuts include EPA at 52% and DOI at almost 13%, Congress is now developing appropriations bills for FFY27.

Looking at the numbers closer, these amounts do seem to indicate an intention to maintain IJJA spending at FY 26 levels in FY 27, i.e., no further reduction in amounts available for AML grants to States and tribes under the IJJA in FY 27 however, it appears that OSM is still in need of proper funding.

Industry

ARIPPA opposed the redirection of IJJA funds in HR6938. We are grateful for the industry support in this matter. The ARIPPA awards closed on April 15, 2026 and the selection committee decided on awardee(s). See Anne for details.

AML Campaign Work

The AML Campaign continues to meet weekly with regard to understanding and potentially mitigating issues surrounding implementation of the Infrastructure funding . The Campaign communicated with the PA Delegation on the importance of the IJJA funding and was opposed to the redirection of a portion of those funds. Unfortunately, our (and other groups) efforts were unsuccessful in preventing the redirection. The Campaign now has set its sights on preventing any further redirection in the 2027 budget.

As the chair of the Campaign, I wrote a letter on behalf of the Campaign to the PA Congressional Delegation about the importance of not redirecting IJJA funds.

Additionally, I wrote a letter to Tom Shope at OSMRE inquiring about FY24 WCAP funding that hasn't been awarded yet. No word from OSMRE in response. According to Kelly Williams, Fettermana's staff say what we've heard all along...that it's in front of the right people for decisions.

OSMRE

Tom Shope is working in DC for the foreseeable future while Lanny Erdos has been assigned the DOI assistant Secretary position as well as the directorship of OSMRE. We understand that Erdos is keen on getting the education part of OSMRE back up and running again and, in fact, the schedule for states training is set. We have requested the AMD class for CDs and NGOs from OSMRE once again after a two year hiatus and we

are grateful that it appears that it will happen. We are awaiting grant funding to cover expenses for NGO attendees.

OSMRE has been in contact with the states to try to determine the best way to redirect the IJA funds without causing too much disruption to the States. But, as already reported above, their attorneys have decided that OSMRE should take those funds yearly.

2026 AMLER direct payments were announced in April by OSM. PA is to receive \$29.5 Million more for AMLER.

IMCC is prepared testimony for the Appropriations subcommittee in April. It is calculated that there is a \$30 Billion gap in what is available for funding and what is needed to complete AMR across the country.

EPA

In an effort to streamline permitting, the EPA issued a proposed rule last month to narrow the scope of the Clean Water Act (CWA) section 401 water quality certification process. Section 401 gives states and tribes authority to assess potential water quality impacts of discharges from federally permitted or licensed projects that may affect navigable waters within their borders. This latest proposal limits the state review of projects to the project's potential to discharge pollutants into waters of the U.S. (WOTUS), opposed to the current scope established by the Biden administration in 2023 that allows states to consider the activity as a whole. The change would prevent states from blocking projects by citing objections that are outside the scope of the project's impacts from its discharges to a WOTUS. A public hearing on the matter was held January 28, 2026.

ACOE

Regarding the WRDA (Water Resources Development Act) funding from the Army Corps of Engineers, Section 1345 AMD funding. It is not being implemented just yet as they are developing implementation guidance. According to what we know, sites up to 1982 may be eligible.

Visit this site for any updates:

this website to track when the guidance for this section is published:

https://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/wrda_2024/

OTHER ITEMS

Growing Greener Quick Response Program

We are getting toward the end of our 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. We applied for an extension on QR10 and have received it. We have approximately \$14,000 left to spend on it. I applied for a QR11 grant during the last round. We have unofficial news that we have gotten that grant and are getting all of our documents for that grant contract completed.

2026 Statewide AMR Conference

The committee is planning the 2026 conference which will be in Grantville, PA (near Hershey). 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. Kelly's term is up and we're looking for a new Treasurer.

Due to oversights from section 319 staff and us, we will be getting our new 319 grant funding around Oct/November 2026 instead of July 1 2026 (when our current grant expires). I requested an amendment to our existing 319 contract in the fall of 2025 to bridge the gap between where our current grant ends (June 2026) and fall 2026. However, in order to amend the current grant, we will have to go without reimbursements for about 3 or 4 months. Those funds will come to us but only once the extension approval process is completed. We received a working capital loan for our salary and benefits from FPW while we wait on our extension request to be approved. EPA approved our extension request and we've started the extension request process. We are close to the 3 month wait time, using the FPW loan to meet payroll. Once our extension is approved, we will be able to submit the backlogged reimbursements to DEP and continue with our extension until fall 2026. Once we received the backlogged reimbursements, we will pay back the FPW working capital loan.

I continue to look for additional grant funding to help pay for our general operational expenses. FPW has generously granted WPCAMR \$5,000 in general operating expenses in spring 2025. I will see if they are granting those for spring 2026.

Other Meetings

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