



Western Interstate Energy Board/ WINB

Douglas C. Larson, Executive Director
Energy Minerals Reclamation Committee
Western Interstate Energy Board

March 17, 2010

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The Honorable James P. Moran, Chairman
The Honorable Michael K. Simpson, Ranking Member
Subcommittee on Interior, Environment and Related Agencies
House Appropriations Committee
Room B-308 RHOB
Washington, DC 20515

Dear Chairman Moran and Congressman Simpson:

On behalf of the coal mine reclamation agencies in the States of Colorado, Montana, New Mexico, Utah and Wyoming, we are writing to convey our concerns with the Administration's proposed 15 percent (\$11 million) reduction in state regulatory grants in FY 2011 authorized under the Surface Mining Control and Reclamation Act (issued by the Office of Surface Mining Reclamation and Enforcement). More than one-half of the nation's coal is mined in our states.

In Fiscal Year 2010, Congress approved an additional \$5.8 million increase for state Title V grants over the FY 2009 enacted level, for a total of \$71.3 million. Congressional action helped avert serious problems in the funding of Western state regulatory programs as outlined in a report we prepared in November 2006, "An Impending Crisis for Coal Supplies" (<http://www.westgov.org/wieb/reclamation/2006/12-01-06finalrpt.pdf>). Congressional action was essential to restoring the federal share of state regulatory programs and reversing a 12-year period during which OSM costs were adjusted for inflation but state regulatory grants were not.

The Administration's proposed FY 2011 budget threatens to undo the progress made by Congress. The Administration's proposal to cut state regulatory

Steve Ellenbecker
Chairman

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Executive Director

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grants – a proposal that is based on the unsupported assumption that state permit fees can be quickly raised to fill the budget hole – is completely unrealistic. The most likely outcome of the Administration's proposal is serious erosion of state program capabilities as positions go unfilled, personnel are laid off, and needed equipment purchases are deferred. As state program capabilities erode, so do our abilities to orderly review and enforce coal mine permits and to protect the public from any potential health and environmental impacts of coal mining.

We appreciate the support Congress has provided state regulatory programs through Title V grants and the funding of critical OSM training and technical assistance programs. We urge you to block the Administration's proposals that would undercut effective regulatory of coal mining by the states and maintain the constructive course Congress has been on in the last several years.

Sincerely,

A handwritten signature in dark ink, appearing to read "Douglas C. Larson". The signature is written in a cursive style with a large initial "D".

Douglas C. Larson
Executive Director
Western Interstate Energy Board