

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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### Opening Statement Rep. Matt Cartwright

**Committee on Oversight and Government Reform  
Subcommittee on the Interior  
and the Subcommittee on Health Care, Benefits and Administrative Rules**

### Joint Hearing on "Examining the Stream Protection Rule"

**2154 Rayburn HOB  
December 8, 2015**

Thank you, Mr. Chairman, and welcome Assistant Secretary Schneider. Thank you for being here today, I look forward to your testimony.

I come from a district in Northeast Pennsylvania that has a long legacy of coal mining. Coal brought jobs, prosperity, and economic development to Northeastern PA. Unfortunately coal also left a legacy of environmental catastrophe that we continue to struggle with to this day.

We have learned lessons about the dangers and costs of irresponsible mining practices in my district that inform the discussion we are having here today. My district is littered with coal refuse piles, most of which are decades or more old, that every day poison local streams and rivers. We have mines that have been abandoned for generations that pollute streams and create hazardous conditions for my constituents. Coal runoff from these mines and piles affects families, communities, and entire regions in Pennsylvania.

The companies that profited from the mining and created these messes are largely no longer around. That means the public is bearing the burden and slowing paying to clean up this environmental catastrophe

And it pains me to see the same mistake being made with the streams and mountains of Appalachia. Once again mining companies are destroying our environment and will leave it to future generations to pick up the pieces.

Critics of the stream protection rule have called it federal overreach. But what this rule does is provide basic standards to ensure we do not continue to destroy hundreds of mountains and thousands of miles of rivers and streams which our children and grandchildren will have to clean.

Despite the Majority's claims to the contrary, this is not a war on coal. These regulations are long overdue. Some parts of SMCRA ("smack-rah") are over 30 years old. We owe it to our constituents and our children to make sure that surface mining is done in a way that is safe and environmentally responsible. Mountaintop removal mining in Appalachia is already responsible for the destruction of over 500 mountains and approximately 2,000 miles of stream channels; we need to fix this problem.

If anything these regulations do not go far enough. While the proposal does improve baseline data collection, enhance monitoring and bonding requirements, and restore stream functions, it falls short in other areas. In particular I hope OSM will look at the many comments that have been submitted and strengthen the stream buffer zone rule.

I recognize that developing this regulation has been a long and tedious process. Out of seven alternatives, OSM chose a middle path. And while I would argue that it does not go far enough, it is a step in the right direction.

OSM projects that the rule will improve water quality, forest and biological resources, recreational opportunities, while increasing carbon storage, and reducing carbon emissions. And according to OSM's calculations, all of these benefits will come at a net loss of a mere 10 total jobs. I am interested in hearing from Assistant Secretary Schneider about how OSM came to calculate a net loss of 10 jobs, what assumptions were made, why this estimate differs so greatly from industry's projections, and how the costs compare with the projected benefits.

This rule is about taking reasonable steps to protect our environment, and not pillaging the land in the quest for the cheapest solution possible while leaving our children to clean up our mess.

I thank the Chairman again, commend the Office of Surface Mining for its progress, and look forward to hearing more details about this important rulemaking from Assistant Secretary Schneider.

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