



**GROUND WATER PROTECTION COUNCIL**

Resolution 04-2

**CONCERNING THE EXTENSION/RE-AUTHORIZATION  
OF THE ABANDONED MINE LANDS FEE**

WHEREAS, the Surface Mining Control and Reclamation Act (SMCRA) of 1977 (30 U.S.C. 1201 et seq.) created the Abandoned Mine Land Reclamation Program funded by fees on coal production, for the purposes of protecting the public health and safety as well as enhancing the environment by restoring lands and waters adversely affected by past mining practices prior to August 3, 1977; and

WHEREAS, those fees were sent to the Secretary of Interior for deposit into the Abandoned Mine Land Fund to fulfill the obligations of the Abandoned Mine Land Program; and

WHEREAS, over \$6.7 billion in reclamation fees have been deposited into the Abandoned Mine Land Fund as of March 31, 2003, of which over \$1.4 billion remains un-appropriated to the states, including over \$1.0 billion in state and tribal share funds; and

WHEREAS, abandoned mines continue to contaminate drinking water supplies, aquifers, surface waters and wetlands throughout historic mining regions; and

WHEREAS, though significant progress has been made to address high priority public health and safety and environmental problems by the twenty-three states and three Indian tribes with approved abandoned mine reclamation programs, \$6.6 billion worth of identified problems remain nationally; and

WHEREAS, the people living in the nation's mining regions have the right to a safe environment, clean drinking water, healthy streams and viable communities; and

WHEREAS, the authority to collect the coal severance fee for abandoned mine reclamation will expire September 30, 2004, eliminating additional revenue to the Abandoned Mine Land Program.

NOW THEREFORE BE IT RESOLVED THAT, the Ground Water Protection Council urges Congress to:

- Extend the fee collection authority under SMCRA to maintain a source of revenue for the AML fund; or
- Reauthorize the AML fee while preserving the “general welfare clause” allowing states to fund priority reclamation and water quality restoration projects in accordance with the diverse and unique needs for individual state programs.