

Oral Testimony of Fritz Boettner
Hearing on H.R. 1731, the “RECLAIM Act”
Subcommittee on Energy and Mineral Resources
House Natural Resources Committee
April 5, 2017

Thank you Chairman Gosar, Ranking Member Lowenthal, and members of the Committee for the opportunity to testify on H.R. 1731, the RECLAIM Act of 2017.

I am a Principal at Downstream Strategies, an environmental and economic development-consulting firm in West Virginia. Since 1997, Downstream Strategies has worked with communities across Appalachia, focusing on linking economic development and natural resource stewardship. I have had—and continue to have—the fortunate experience of witnessing the positive impact of community-based economic development. I am presently managing an innovative economic and workforce development project in Mingo County funded by the Abandoned Mine Land (AML) Pilot Program, and have recently completed a community-based feasibility study for the potential use of RECLAIM funds in Southwest Virginia.

There is significant need to clean up Abandoned Mine Lands from Pennsylvania to Utah. Disbursing a portion of the AML Fund presents an opportunity to address environmental impacts of legacy mining. At a moment when coal communities—including many in West Virginia—are faced with an uncertain economic future, H.R. 1731 presents vital economic opportunities, like creating jobs for laid-off coal miners and other who have the skills necessary for reclamation work.

As Congressman Rogers expressed in his introduction, the RECLAIM Act of 2017 is intended to do two things:

1. Accelerate reclamation of abandoned mine lands by disbursing \$1 billion of the AML Fund to states and tribes, and
2. Leverage increased mine reclamation projects to spur long-term economic and business opportunities on reclaimed mines.

In its current form, the bill promotes the first goal of restoring abandoned mines, however, H.R. 1731 as written does not sufficiently promote the second stated goal of the RECLAIM Act, spurring economic diversification on reclaimed sites. This is because current language does not incentivize tying mine reclamation with creating long-term economic projects on *Priority 1 and 2 AML* sites.

In *The Hill* yesterday, Senator McConnell and Congressman Rogers referred to the success of last year’s AML pilot program as “very encouraging.” Downstream Strategies has the privilege of participating in a project funded by the AML pilot. We are leading the development of an aquaponics project located on an AML site in Mingo County, West Virginia. After receiving funds from the AML Pilot Program in late 2016, The Mingo County Redevelopment Authority and its partner, Refresh Appalachia, will reclaim several High Priority AML features and construct an aquaponics facility that will grow fish and produce at commercial-scale for local and regional markets. The facility

will be powered by renewable energy. It will support immediate jobs remediating the AML features, constructing project facilities, and installing solar panels and geothermal energy on-site. The project is also expected to create 10-12 full-time, permanent jobs and demonstrates the economic diversification opportunities possible with RECLAIM investments. With proper planning, investments like the one in Mingo County pose tremendous long-term jobs potential in communities seeking to diversify their economies.

Under H.R. 1731's current language states need only apply economic development considerations when reclaiming *Priority 3 sites*, which make up just one quarter of the country's unreclaimed mines by cost. This was not the case under the successful AML Pilot, which guided states to apply economic development to *all* AML sites. At this crucial time in rebuilding our economies, we cannot limit our opportunity for real change. The aquaponics project is a prime example of a High Priority AML site that will be reclaimed and the site re-used to create long-term jobs. There is significant potential for creating permanent jobs with projects like this one. Maximizing that potential requires us to ensure that the economic development criteria are applied to AML sites—not just Priority 3 sites.

While public interest in the RECLAIM Act stemmed mostly from Appalachian states, the bill is intended to provide resources for AML reclamation as well as economic benefits to all states and tribes with AML programs. I hope that H.R. 1731 can be implemented in a way that allows states and tribes with diverse circumstances to take full advantage of their RECLAIM allocations while maintaining a main purpose of the bill: leveraging the reclamation of AML sites to optimize lasting economic development opportunities.

Before and since the introduction of the RECLAIM Act of 2016, there has been strong bipartisan support for a proposal to accelerate the disbursement of the AML Fund *and* to strategically tie mine reclamation with long-term economic opportunities. It is a bold idea at a time of urgent need.

I speak from direct experience with the Mingo County Aquaponics Project when I say that investing mine reclamation funds in projects that leverage long-term economic opportunities can create immediate and long-term jobs in new and exciting sectors. Leveraging AML funds empowers communities to pursue a local economic future that they see fit—and provides tools to initiate projects that build on place-based assets and benefit local people. Communities are ready for these investments. I learned from our feasibility study in Southwest Virginia that creating innovative projects on reclaimed mines is a realistic and hopeful proposition to help diversify local economies, and using existing funds to kick-start those projects is a opportunity that should not be missed. If Congress finds a way to maintain a crucial purpose of the bill— leveraging AML funds for long-term economic benefit—in a way that enables all states and tribes to take full advantage of the funds available to them, then H.R. 1731 should be passed quickly.

Thank you very much for the opportunity to testify on behalf of West Virginia. I want to thank Congressman Rogers for introducing the legislation and I'm happy to answer any questions you may have.