

# HOUSE BILL REPORT

## HJM 4018

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### As Passed House:

March 9, 1995

**Brief Description:** Requesting a variance in order to preserve man-made wetlands.

**Sponsors:** Representatives Casada, Chappell, Brumsickle, Kessler, Huff, Hankins, Kremen, Grant, L. Thomas and Mastin.

### Brief History:

#### Committee Activity:

Agriculture & Ecology: 3/1/95 [DP].

#### Floor Activity:

Passed House: 3/9/95, 96-0.

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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass. Signed by 17 members: Representatives Chandler, Chairman; Koster, Vice Chairman; McMorris, Vice Chairman; Mastin, Ranking Minority Member; Chappell, Assistant Ranking Minority Member; Boldt; Clements; Delvin; R. Fisher; Honeyford; Johnson; Kremen; Poulsen; Regala; Robertson; Rust and Schoesler.

**Staff:** Kenneth Hirst (786-7105).

**Background:** The federal Surface Mining and Control Act of 1977 as amended sets general performance standards that are applicable to all surface coal mining and reclamation operations. In general, such an operation is required to restore the approximate original contour of the land. The act also requires the land to be restored to a condition capable of supporting the uses for which it was capable of supporting prior to any mining, or higher or better uses.

Under the rules of the Office of Surface Mining Reclamation and Enforcement of the U. S. Department of the Interior, impoundments constructed of coal mine waste or constructed to impound coal mine wastes may not be retained permanently as part of the approved postmining land use. The operation must also minimize disturbances and adverse impacts on fish, wildlife and related environmental values and must achieve enhancement of such resources where practicable.

**Summary of Bill:** The President of the United States, the Congress, and the Department of the Interior are asked to continue encouraging the Office of Surface

Mining to: (1) find ways to preserve man-made wetlands during the reclamation of surface mines; (2) recognize the climatic differences in surface mining operations in regions throughout the nation; and (3) allow the states to encourage local mining industries to take advantage of opportunities to preserve and enhance wetlands for the benefit of wildlife, fisheries, and recreation.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Testimony For:** Unlike most surface mining operations, the Centralia coal mining operation is not in an arid area. It had to develop holding ponds to prevent runoff of water from rainfall; these have become areas important to wildlife. The Memorial requests support for retaining the enhanced wildlife habitat.

**Testimony Against:** None.

**Testified:** Ron Newbry, Pacificorp (pro).