



# Eastern Coal Regional Roundtable

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## **Mission Statement**

*The Eastern Coal Regional Roundtable serves mine scarred coal country watersheds through training, capacity building and providing a collective voice for underserved communities seeking to restore the well being of their citizens and environment.*

## **Staff**

Dvon Duncan  
*Executive Director*

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*OSM/VISTA*

## **Nonpoint Source Management Program –**

### **Clean Water Section 319**

Congress amended the Clean Water Act (CWA) in 1987 to establish the section 319 Nonpoint Source Management Program because it recognized the need for greater federal leadership to help focus State and local nonpoint source efforts. Under section 319, State, Territories, and Indian Tribes receive grant money which support a wide variety of activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring to assess the success of specific nonpoint source implementation projects.

### **THIS INCLUDES MINE DRAINAGE PROJECTS**

For 10 years, the Watershed Cooperative Agreement Program (WCAP), a source of funding for Acid Mine Drainage (AMD) projects provided through the U.S. Office of Surface Mining (OSM), has provided valuable complimentary funds for non-profits doing water treatment projects to clean up AMD. By only being available to non-profits groups, typically local watershed groups, WCAP ensures locally driven stakeholder supported projects that leverage additional monies from other federal programs. WCAP funds are made possible through the Surface Mining Control and Reclamation Act (SMCRA).

The annual Federal Appropriations Bill is part of the mechanism by which WCAP gets funded. In the past, Federal Appropriations Bills contained language which expressly stated that WCAP funds could be used as matching funds for any other federal grant source however, in recent years, that hasn't been the case. The Fiscal Year (FY) 08 Appropriations Bill did not include the explicit language necessary to allow this match and for the FY 09 Appropriations Bill currently being considered, we understand that it has again, not been inserted. We understand that this has been an oversight, but one that needs to be corrected. Immediate action at the congressional level will be needed to do so.

Specific language must be inserted into the FY 09 Federal Appropriations Bill to allow WCAP funds to be used as non-federal match where other federal grant programs are involved (Note: by default, federal money is not allowed to be used as a match for other federal money).

The fix itself is relatively simple but we need to act now. It is imperative to have the following language inserted in the FY09 and all future appropriations bills to allow the match exemption:

*Provided further, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act.*