

Committee Requests Information from the Office of Surface Mining on the Drafting Process of the New Stream Protection Rule

Agency's Actions Evidence Flouting of Federal Regulatory Requirements

WASHINGTON, D.C., April 2, 2015 - Today, House Committee on Natural Resources Chairman Rob Bishop (R-UT) and Chairman of the Subcommittee on Oversight and Investigations Louie Gohmert (R-TX) sent a letter to Director of the Office of Surface Mining, Reclamation, and Enforcement (OSM) Joseph Pizarchik, requesting documents and information regarding the development of the environmental review documents for the new Stream Protection Rule (SPR). The state agencies have alleged that OSM has "not provided for meaningful participation in the process," which is required by regulations under the National Environmental Policy Act and the U.S. Department of the Interior's own regulations.

The letter stated, "Consistently failing to include cooperating agencies throughout the EIS drafting process – and then making a disingenuous offer to 'update' the states after the rule has already been submitted to the Office of Management and Budget – is grossly insufficient and does not satisfy OSM's legal obligations as the lead agency."

"Despite these regulations, which clearly give cooperating agencies the right to ongoing participation, Secretary Jewell recently testified that the states would have an opportunity to comment on the Stream Protection Rule 'when [the] rule is released and we're in the public comment period,'" the letter continued. "Secretary Jewell's testimony and your March 17, 2015 letter exemplify the Department's blatant refusal to include the cooperating agencies, as the regulations require."

Click here to view the full letter.

Subcommittee on Energy and Mineral Resources Chairman Doug Lamborn (R-CO) and Committee Member Rep. Alex Mooney (R-WV) also signed the letter.

On March 18, 2015 Subcommittee Chairman Lamborn questioned Director Pizarchik about the matter during the Subcommittee's OSM budget hearing.

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Contact: Committee Press Office 202-226-9019