



HAL QUINN  
*President & CEO*

July 31, 2018

The Honorable John Barrasso  
Chairman  
Senate Committee on Environment and Public Works  
410 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Barrasso,

The National Mining Association (NMA) supports the introduction of the Water Quality Certification Improvement Act of 2018. Clean Water Act Section 401 water quality certifications are an important component of mine permitting and of key infrastructure development upon which the mining industry relies. Today's legislation will bring much-needed clarity and transparency to the 401 process, while preserving the central role of states in protecting local waterways.

Section 401 was intended to ensure the application of rigorous water quality requirements to federally permitted activities. However, certain states have misused the process to block projects for political reasons that have nothing to do with water quality concerns. These states have thwarted Congressional intent by hijacking the 401 certification process as a means to interfere with international trade policy in violation of the Commerce Clause of the U.S. Constitution.

The U.S. holds more of the world's coal reserves than any other country, and western U.S. coal is preferred for high efficiency, low emission power plants that are in operation and being built around the world. These resources are critical to our export trade, but the ability for U.S. coal producers to serve fast-growing Asian markets is hindered by the inability to gain state approval to build state of the art coal export facilities on the West Coast. In 2017, 97 million short tons of U.S. coal were exported, and the demand for coal worldwide continues to grow with May 2018 representing the 19<sup>th</sup> straight month for year-over-year gains in exports from the U.S.

The Water Quality Certification Improvement Act of 2018 ensures that water quality certifications focus on their intended environmental purpose – the protection of local waterbodies potentially impacted by federally licensed activities – and will therefore help promote U.S. trading power while protecting the health of local communities. The

National Mining Association is grateful for your leadership on introducing this much needed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Hal Quinn", with a long horizontal flourish extending to the right.

Hal Quinn