



STATE OF INDIANA
OFFICE OF THE GOVERNOR
State House, Second Floor
Indianapolis, Indiana 46204

Eric J. Holcomb
Governor

January 24, 2017

The Honorable Joe Donnelly
U.S. Senate
Washington, D.C. 20510

Dear Senator Donnelly:

Thank you for the leadership you demonstrated previously to oppose regulations that can negatively impact Indiana's economy and, as a result, its citizens.

We ask for your assistance to oppose what the federal Office of Surface Mining refers to as the Stream Protection Rule, which was finalized late last year despite strenuous objections from state mining regulators. In fact, Indiana has joined 11 other states in a lawsuit against the Office of Surface Mining for its overreach in adopting these unnecessary regulations, which have the potential to jeopardize Hoosier workers.

The Department of Natural Resources, Division of Reclamation administers Indiana's Surface Coal Mine Reclamation Act following the grant of primacy to the state by the United States Department of Interior, Office of Surface Mining, in 1982. With over 30 years of experience, we understand how the Surface Mining Reclamation and Control Act (SMCRA) should be implemented in Indiana and we have done so with great success. This rule will cause permitting delays, significantly increase costs to both the state and industry, and duplicate numerous requirements already mandated by other federal agency permitting frameworks. Simply put, this rule oversteps the primacy provided by SMCRA.

I ask for your vote for a Congressional Review Act resolution that would reject this damaging and duplicative regulation. The review resolution is expected to be voted upon soon, and your vote will help to ensure this unnecessary regulation does not place an undue burden on our state.

I look forward to working with you on many matters of interest to Hoosiers. Thank you for your consideration of this matter on behalf of the people of Indiana.

Sincerely,

Eric Holcomb