

Committee on Natural Resources
Subcommittee on Energy and Mineral Resources Legislative Hearing
1324 Longworth House Office Building September 3, 2025
10:15 AM

H.R. 280 (Rep. Hageman), “Combating Obstruction Against Leasing Act of 2025” or the “COAL Act of 2025”

H.R. 1366 (Rep. Amodei), “Mining Regulatory Clarity Act of 2025”

H.R. 3872 (Rep. Fallon), “Mineral Extraction for Renewable Industry and Critical Applications Act of 2025” or the “MERICA Act of 2025”

H.R. 4018 (Rep. Ezell), To unleash America's offshore critical minerals and resources.

H.R. 4068 (Rep. Collins), “Streamlining NEPA for Coal Act”

H.R. 4090 (Rep. Stauber), To codify certain provisions of certain Executive Orders relating to domestic mining and hardrock mineral resources, and for other purposes.

Questions from Rep. Fulcher for Mr. Travis Deti, Executive Director, Wyoming Mining Association

1. My colleague’s bill, HR 4068, would help to streamline coal projects and exports under NEPA. Idaho has no coal deposits, though it is known for gold deposits such as the Stibnite Gold Project. This project took 8 years to get through NEPA permitting. How would these same provisions be useful to gold mining?

Mr. DETI: The NEPA process is a prime example of good intentions gone awry. Today it causes lengthy delays, is duplicative among multiple federal agencies, and is politically abused through the legal system. Protracted delays are costly and create uncertainty in the process, which thwarts investment in the exploration and development of all American mineral resources. Any Congressional effort to streamline, expedite or place sideboards on the NEPA process would benefit all mining sectors.

Questions from Rep. Westerman for Mr. Travis Deti, Executive Director, Wyoming Mining Association

1. Mr. Deti, you use the term “concept to shovel” in your testimony detailing the initiation of the leasing process all the way to the development of coal. Your estimation is that this takes 11 years of total process.
 - a. Is this timeline feasible for coal operators across the country?

Mr. DETI: No. With minimal leasing activity over the past 13 years due to adverse federal policy (with the exception to some modifications and program amendments to existing leases), we find ourselves in a situation where we may not have enough recoverable federal coal currently under lease to meet existing and projected demand. There is a significant need to resume active leasing and the estimated 11-year timeline, nearly 45% of which is taken up by NEPA work, is far too long.

b. Does this timeline actually achieve what it was established to do i.e. reduce emissions, protect species, etc.?

Mr. DETI: No. NEPA is process law and does nothing to protect the environment or reduce emissions. Rather, it has resulted in a quagmire for federal agencies and has become a tool for project opponents and activists to delay and kill projects through abuse of the courts. Environmental protections are realized in the excellent work done through state level permitting and regulatory regimens throughout the active mining and reclamation processes.

2. Mr. Deti, can you discuss the impact that the Obama and Biden administration's War on Coal has had or will have on mining reclamation efforts?

Mr. DETI: Wyoming coal mining reclamation is among the best in the world and is rigorously overseen by the Wyoming Department of Environmental Quality. It is done contemporaneously with mining activity as part of an approved plan. The actions of the Obama and Biden Administrations to deny coal operators access to federal coal, whether by leasing moratoriums or bans, or removing coal from the American electrical generation mix through onerous emission rules and regulations, has directly impacted the flow of capital necessary to not only reinvest in mining efficiencies, workforce and equipment, but maintain reclamation activities.

3. Mr. Deti, you touch on the reclamation process for coal mines in your testimony.

a. Can you briefly discuss the reclamation process for modern coal mining and how it allows for multiple uses such as recreation and grazing?

Mr. DETI: Surface coal mine reclamation in Wyoming is an ongoing process that takes place simultaneous with mining activities. It starts before the first shovel of earth is turned, with the development of a comprehensive plan which is reviewed, approved and bonded for by federal and state regulatory bodies. Once mining begins, reclamation begins as well. It starts with the careful stockpiling of topsoil, a critical Wyoming resource. As the coal is removed, the resulting void is then backfilled with overburden and contoured in accordance with the approved reclamation plan. Topsoil is replaced and approved seed mixtures are then sowed. Unique and critical wildlife habitat, productive grazing and pastureland, and valuable stream and aquatic resources are created and restored in the process. Progress is monitored by specialists from the mining companies and the state agencies to ensure compliance with rules and, most importantly, to ensure reclamation is successful and sustainable. Only after a multitude of challenging regulatory standards are met and affirmatively demonstrated can the reclamation bond be released. The goal is to return the land to a state equal to or better than the pre-mining condition. Once certain goals are achieved in the reclamation process, other multiple use activities, such as grazing and recreation can be accommodated. In many cases, the surface land over the federal coal is privately owned. Operators work closely with landowners to ensure they will be able to use their land again once mining activity is completed. The multiple use concept is very important to the people of Wyoming. This has been going on for decades in Wyoming and has proven very successful.