

Markowitz, Ajri McArthur, Sara Mirels, Brad Rasmussen, Ashley Rillamas, Lizette Sauque, Noelle Spring, Shirly Tagayuna, Joseph Trisolini, and Morgan Wright. You have all done your Hawaii proud, and we wish you only best wishes and aloha in all of your future endeavors.

IN HONOR OF THE NEWLY NAMED,
WALTER F. EHRNFELT, JR. U.S.
POST OFFICE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2005

Mr. KUCINICH. Mr. Speaker, I rise to today in tribute and remembrance of Mayor Walter F. Ehrnfelt, Jr., as the U.S. Post Office in the City of Strongsville is renamed in honor of his outstanding legacy. Mayor Ehrnfelt was a devoted family man, accomplished community leader, and admired friend and mentor. His vision, integrity and love for his community led the City of Strongsville through an amazing journey that extended over a quarter of a century, leading this quiet, rural village through the evolution of inevitable progress, without compromising the City's historical significance or rustic charm.

Members of the United States House of Representatives and the United States Senate came together to pay official tribute to the life and legacy of Mayor Ehrnfelt. The United States House of Representatives unanimously adopted House Resolution 3300, co-sponsored by Congressman STEVEN LATOURETTE, and myself, in November 2003. In June 2004, the United States Senate adopted the Resolution.

Mayor Ehrnfelt did not seek a path of public leadership—it sought him. In 1973, Mayor Ehrnfelt's neighbors and friends urged him to run for a District School Board seat, against a divisive member who was leading an effort to ban books and fire teachers. He won that race, and again at the urging of those around him, reluctantly ran for a Council seat and won. Just five years later, Mayor Ehrnfelt was appointed Mayor. In 1979 he won his first mayoral race by a landslide, and served as Mayor for 25 years. He quickly became the most popular and beloved Mayor in the history of Strongsville.

Mr. Speaker and Colleagues, please join me in honor, gratitude and remembrance of Mayor Walter F. Ehrnfelt—an exceptional man and caring leader whose life profoundly impacted the lives of thousands. His passing marks a deep loss for countless people who called him friend including me. The power of his kindness, grace, tenacity and heart served to uplift every level of the Strongsville community, and his memory and legacy will never be forgotten.

REINTRODUCTION OF THE WESTERN WATERS AND FARM LANDS PROTECTION ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2005

Mr. UDALL of Colorado. Mr. Speaker, today I am again introducing the Western Waters and Farm Lands Protection Act.

The bill's purpose is to make it more likely that the energy resources in our Western states will be developed in ways that are protective of vital water supplies and respectful of the rights and interests of the agricultural community. It would do three things:

First, it would establish clear requirements for proper management of ground water that is extracted in the course of oil and gas development.

Second, it would provide for greater involvement of surface owners in plans for oil and gas development and requires the Interior Department to give surface owners advance notice of lease sales that would affect their lands and to notify them of subsequent events related to proposed or ongoing energy development.

Finally, it would require developers to draft reclamation plans and post reclamation bonds for the restoration of lands affected by drilling for federal oil and gas.

The bill is based on one I introduced in the 108th Congress that was endorsed by the Colorado Farm Bureau. I have made revisions suggested by the American Farm Bureau Federation, which has indicated its support for the bill as I am introducing it today.

Mr. Speaker, the western United States is blessed with significant energy resources. In appropriate places, and under appropriate conditions, they can and should be developed for the benefit of our country. But it's important to recognize the importance of other resources—particularly water—and other uses of the lands involved—and this bill responds to this need.

PURPOSES OF LEGISLATION

The primary purposes of the Western Waters and Farmlands Protection Act are—(1) to assure that the development of those energy resources in the West will not mean destruction of precious water resources; (2) to reduce potential conflicts between development of energy resources and the interests and concerns of those who own the surface estate in affected lands; and (3) to provide for appropriate reclamation of affected lands.

WATER QUALITY PROTECTION

One new energy resource is receiving great attention—gas associated with coal deposits, often referred to as coalbed methane. An October 2000 United States Geological Survey report estimated that the U.S. may contain more than 700 trillion cubic feet (tcf) of coalbed methane and that more than 100 tcf of this may be recoverable using existing technology. In part because of the availability of these reserves and because of tax incentives to exploit them, the West has seen a significant increase in its development.

Development of coalbed methane usually involves the extraction of water from underground strata. Some of this extracted water is reinjected into the ground, while some is retained in surface holding ponds or released and allowed to flow into streams or other water bodies, including irrigation ditches.

The quality of the extracted waters varies from one location to another. Some are of good quality, but often they contain dissolved minerals (such as sodium, magnesium, arsenic, or selenium) that can contaminate other waters—something that can happen because of leaks or leaching from holding ponds or because the extracted waters are simply discharged into a stream or other body of water. In addition, extracted waters often have other

characteristics, such as high acidity and temperature, which can adversely affect agricultural uses of land or the quality of the environment.

In Colorado and other States in the arid West, water is scarce and precious. So, as we work to develop our domestic energy resources, it is vital that we safeguard our water—and I believe that clear requirements for proper disposal of these extracted waters are necessary in order to avoid some of these adverse effects. That is the purpose of the first part of the bill.

The bill (in Title I) includes two requirements regarding extracted water.

First, it would make clear that water extracted from oil and gas development must comply with relevant and applicable discharge permits under the Clean Water Act. Lawsuits have been filed in some western states regarding whether or not these discharge permits are required for coalbed methane development. The bill would require oil and gas development to secure permits if necessary and required, like any other entity that may discharge contaminants into the waters of the United States.

Second, the bill would require those who develop federal oil or gas—including coalbed methane—under the Mineral Leasing Act to take steps to make sure their activities do not harm water resources. Under this legislation, oil or gas operators who damage a water resource—by contaminating it, reducing it, or interrupting it—would be required to provide replacement water. And the bill requires that water produced under a mineral lease must be dealt with in ways that comply with all Federal and State requirements.

Further, because water is so important, the bill requires oil and gas operators to make the protection of water part of their plans from the very beginning, requiring applications for oil or gas leases to include details of ways in which operators will protect water quality and quantity and the rights of water users.

These are not onerous requirements, but they are very important—particularly with the great increase in drilling for coalbed methane and other energy resources in Colorado, Wyoming, Montana, and other western states.

SURFACE OWNER PROTECTION

In many parts of the country, the party that owns the surface of some land does not necessarily own the minerals beneath those lands. In the West, mineral estates often belong to the federal government while the surface estates are owned by private interests, who typically use the land for farming and ranching.

This split-estate situation can lead to conflicts. And while I support development of energy resources where appropriate, I also believe that this must be done responsibly and in a way that demonstrates respect for the environment and overlying landowners.

The second part of the bill (Title II) is intended to promote that approach, by establishing a system for development of federal oil and gas in split-estate situations that resembles—but is not identical to—the system for development of federally-owned coal in similar situations.

Under federal law, the leasing of federally owned coal resources on lands where the surface estate is not owned by the United States is subject to the consent of the surface estate owners. But neither this consent requirement