



ALABAMA ALASKA ARIZONA ARKANSAS CALIFORNIA COLORADO CROW HOPI ILLINOIS INDIANA IOWA KANSAS
KENTUCKY LOUISIANA MARYLAND MISSISSIPPI MISSOURI MONTANA NAVAJO NEVADA NEW MEXICO NORTH DAKOTA
OHIO OKLAHOMA PENNSYLVANIA TENNESSEE TEXAS UTAH VIRGINIA WEST VIRGINIA WYOMING

**MEETING MINUTES
2015 WINTER BUSINESS MEETING
ORANGE BEACH, ALABAMA
March 5, 2015**

CALL TO ORDER

The NAAML P Annual Business Meeting was called to order at 8:00 a.m. by President Eric Cavazza. The meeting began with a greeting from President Cavazza and an introduction from all meeting attendees.

PROXIES

There was only one proxy, Bruce Stover of Colorado for Glenda Marsh of California.

ROLL CALL BY SECRETARY TREASURER (Justin Ireys) – MEMBERS PRESENT

AL (Chuck Williams, Jeff Butler); AK (Justin Ireys); AR (Charles McCool, Wayne Van Buren); CA (Glenda Marsch/phone) CO (Bruce Stover, Steve Renner); IL (Greg Pinto/phone); IN (Marvin Ellis); IA (Susan Kozak); KS (Murray J. Balk); KY (Bob Scott); MD (Mike Garner, Connie Loucks); MT (Autumn Coleman, Thad Adkins); Navajo (Madeline Roanhorse); NM (John Kretzmann); NV (Jeryl Gardener); ND (Joan Brinner); OH (Jim Bishop); OK (Mike Sharp, Robert Toole); PA (Eric Cavazza, Brian Bradley, John Stefanko, Michael Smith); TN (Trevor Martin/phone); TX (Mark Rhodes); UT (Dana Dean); VA (Richard Davis/phone); WV (Robert Rice/phone, Travis Parsons); WY (Alan Edwards).

MEMBERS ABSENT FROM MEETING:

Arizona, Crow, Hopi, Louisiana, Mississippi, Missouri,

ALSO IN ATTENDANCE

IMCC (Greg Conrad); OSM (Yolande Norman, Ervin Barchenger, Sherry Wilson, Sterling Rideout); BLM (Larry Jackson), Nevada (Jeryl Gardener/phone), California (Glenda Marsh/phone)

APPROVAL OF MEETING AGENDA

President Cavazza made one change to the agenda to include a discussion on bat guidelines. Alabama moved to adopt the agenda, Kansas seconded, motion carried unanimously.

APPROVAL OF MINUTES FROM SEPTEMBER, 2014 MEETING IN COLUMBUS, OHIO

Minutes were distributed to the membership in advance by e-mail. Comments were received and the minutes were so edited for final distribution. Colorado moved to accept the minutes as finalized, Kentucky seconded and the motion carried unanimously.

TREASURER'S REPORT (Justin Ireys)

State of Ohio sent a check for \$34,000 from the fall conference. Total available balance is \$61,200. Provided 2014 tax info to Murray Balk. Provided sign in sheet and a contact list for Association fees, \$250 annual fee, letter to be sent in early April.

Kansas moved to accept Treasurer's report, seconded by Wyoming, motion carried unanimously.

OSM UPDATE

1. OSM Government Efficiency Workgroups

Reports came out at the end of July. Joe Pizarchik met with OSM and States to seek feedback, next step is for senior management to reconvene with Joe Pizarchik to figure out next step, delays due to other high priority issues and lack of resources. OSM in internal discussions but reports are sitting on Joe's desk for decisions to be made.

In training news, discussion between NTTP and TIPS has occurred to discuss how to move forward.

Eric Cavazza: He hopes OSM knows how much work the States put in on the workgroups, and hopes that OSM takes it serious and asks not to let the reports fade away.

2. 2015 Budget and Legislative Updates

FY2015 budget \$115 million for OSM. \$226 million made available for AML, \$68.5 million for Regulatory grants. 7.3% was sequestered from AML grants. Sequestered funds remain in the AML trust fund.

Legislative updates, same three proposals show up in administration's proposed FY16 budget including taking funds from certified states; trying to establish an AML hardrock program; and trying to change coal fee collection to original AML historical number.

Eric mentions the AML economic revitalization (AMLER) proposal, \$200 million per year for 5 years. He expresses to OSM how interested NAAMLPLP is in this issue, and that the proposal affects this group the most. He asks for a fact sheet to be provided by OSM, Sterling says it should be released soon but gave no indication as to when.

Greg Conrad asks for clarification on how the PowerPlus proposal will work, but OSM could not provide details and states PowerPlus is part of a larger proposal and that OSM needs OMB support. IMCC states NAAMLPLP is not another stakeholder but a government partner and needs to be included in the development of any proposed legislative language. Many questions were asked about who will craft the legislation, OSM could not answer.

Wyoming asks about whether OSM will develop an economic model for PowerPlus and wonders if OSM will demonstrate how economic benefits will be realized, and asks OSM to share that information.

3. Update on OSM Rule Making

Stream Protection Rule: high priority, rules and EIS have been drafted, going to OMB next, OMB has 90 days to review. April or May time frame for publish date.

Cost Recovery Rule: In final stage, being reviewed by solicitors, reviewing comments, hoping for an early to mid-summer finalization.

Coal Combustion Rule: Also being reviewed by solicitors, late summer or early fall for publishing in federal register.

Dam Safety Rule: Being reviewed by solicitor hopefully for a summer publishing date.

Limited Liability Rule: Completed and was published on February 5th.

4. NEPA and Categorical Exclusion (CE) update (follow up)

OSM is reviewing the 1989 handbook for possible revisions and expansion to the categorical exclusion process. OSM will update prior to the next conference in Santa Fe. There are concerns that the CE process isn't consistent among States.

5. Update on Progress of OSM Priority Documentation and Cost Estimation Teams

OSM hopes to have AML 1 directive updates completed by summer. Developing more forms/categories for priority documentation, trying to stream line the process. Kansas pleads to get the process completed for re-authorization, move P3's to P2's. OSM states that losing Tara Shifflet had a big negative impact on progress to AML 1. OSM is hopeful to hire Tara's replacement within 6 weeks.

6. MSHA Jurisdiction at AML Project sites (AML Enhancement Rule Sites and Title IV Funded AML Projects)

This issue was raised shortly before the last conference, Yolande tasked with doing policy analysis review. She and Sterling met with MSHA to explain AML projects. The bottom line is does MSHA have jurisdiction on title IV projects, under enhancement or traditional AML work. Yolande believes when the sale of coal is involved in an AML project that MSHA has jurisdiction. Yolande questions who has jurisdiction in the case of an accident, MSHA or OSHA? Cavazza states MSHA has never visited a site and accidents have always been investigated by OSHA. OSM suggests starting to forge a relationship with local MSHA offices, to which Eric says that is impossible and states MSHA is very confrontational. OSM states MSHA is working on an informational message in terms of when and where they might have jurisdiction. OSM anticipates having more meetings with MSHA in the near future. Kansas asks OSM if MSHA feels they have jurisdiction on AML sites if there is an injury, OSM responds by saying they believe MSHA does in fact feel they have jurisdiction. OSM, States, and IMCC have a meeting with MSHA on March 17th to further discuss the issue.

OLD BUSINESS

1. Sequestration Update (OMB Response)

Eric mentioned that the Association met with OMB and then followed up with a letter which explained why the Association felt funds should be exempt from sequestration. No response to date from OMB. OMB stated they did not have authority to exempt AML funds, that only Congress could do that. IMCC states OMB did not promise a response to our letter. OMB generally does not respond to letters from stakeholders, however OMB understands the importance of our concerns, but IMCC is not counting on a meaningful response. It's likely

that in order to be exempt from sequestration the Association will need to take the issue to Capitol Hill. Two potential routes are, meeting with budget committee staff, and working with OSM on legislative proposals. IMCC recommends getting a Governor to represent the Association with OMB to receive a response.

Kansas makes a motion to have IMCC prepare a letter for the Governor of Alabama's signature requesting a response from OMB and in addition to authorize IMCC to open dialog with the budget committee on Capital Hill, Alabama seconds the motion. Motion passes unanimously.

2. OSM Government Efficiencies Workgroups-Discussion of the Results/Progress

OSM has the reports, and reached out for further input from stakeholders, progress slow because of other priorities and lack of resources. Colorado and PA on Training Committee, PA also on Financial Stability committee, no representation on third committee. Eric asks for further thought or opinions, Colorado adds something needs to be done on training with TIPS and NTTP, changes need to be made, courses are old and need to be updated or the training program will be considered obsolete. PA states how important the training program is to States especially with new staff coming on board. Kentucky asks if any progress has been made to merge NTTP and TIPS, OSM states no decision has been made. No apparent progress since the meeting in Columbus. Wyoming states they understand that OSM has other higher priorities, but asks if the subject will receive higher priority in the future, OSM answers yes. IMCC states concern with OSM's new budget, they are adding 12 FTE's which focus on oversight, and feels the Efficiencies Workgroups will still not take a priority with the new budget, and states' disappointment in OSM for not taking a more serious approach and ignoring the work groups' recommendations.

3. Regional consistency in OSM's review of ATP requests for waterline projects-Bob Scott
Kentucky states no updates.

4. Reclamation of Priority 3 Features-Definitions and options for reclamation of Priority 3 features as outlined in 30CFR874.13-Eric Cavazza

PA raised the issue in Columbus because of a report by OSM showing reclamation accomplishments, PA felt the numbers were "out of whack" and started asking questions and through discussion with other states felt there are inconsistencies in the guidance OSM was providing to the states in how to deal with accounting for priority 3 features. After Columbus a questionnaire was developed, responses were received from almost all States. Some states felt their numbers were overinflated. PA states suggests OSM should review the regs and guidance they provide the States and Tribes, standardize the guidance, different regions of OSM are not providing consistent guidance, and to make it uniform across the country. Standardize how information gets reported in AMLIS. IMCC says PA did a great job of collecting data from the states.

5. MSHA Jurisdiction at AML Project sites (AML Enhancement Rule Sites and Title IV Funded AML Projects)-Eric Cavazza

PA states the site that got this ball rolling was in PA. 9 states indicated that they move/sell coal in some fashion during the AML projects. PA sent a questionnaire to those nine states, they are as follows.....Colorado, Kentucky, Maryland, Ohio, Pennsylvania, Tennessee, Utah, Virginia, and West Virginia. A number of those state have also undertaken projects under the AML enhancement rule, which allows for reclamation of AML sites, any priority, where removal and sale of coal offsets the cost of the reclamation in its entirety. Results are summarized. A meeting will occur with IMCC, eastern States, OSM, and MSHA on March

17th. Copies of the agenda are available, as well as fact sheets for background information. Copies are available to all States if requested. PA will provide an update on results of the meeting regarding impacts. The biggest point is that MSHA is highly inconsistent in how they treat these sites from region to region. In PA there could be a 100 acre project, and only 1 acre may have coal which could be sold then questions whether the whole site falls under MSHA jurisdiction or just the 1 acres? PA is unable to get answers. PA states MSHA is a difficult federal agency to work with as they simply cannot provide answers to our questions. One state feels OSM should advocate for the states with MSHA, to help get answers so that states can bid projects appropriately to avoid project cost overruns. Kansas asks for OSM not to engage MSHA because they feel it could bring unnecessary attention to AML projects in Kansas who at this particular juncture does not have MSHA involvement. OSM states they don't want to make it apparent that they are lobbying on the Association's behalf. OSM basically will not support the States. Wyoming requests that MSHA at least be cooperative. IMCC asks OSM if they are willing to lobby on behalf of one of the most successful programs that exist within the DOI, are you willing to fight for the AML program? OSM states that MSHA has the jurisdiction and OSM doesn't want to argue with regard to MSHA's jurisdiction, IMCC responds by saying AML programs could be undermined. Kansas asks if MSHA oversight is becoming common, PA states only beginning this year. PA states OSM should be more engaged, OSM feels they are engaged. Navajo asks if MSHA oversight would apply to non-coal, IMCC responds with "potentially", especially uranium. IMCC hopes the situation is limited to only projects where coal is being sold. Colorado has dealt with the MSHA situation only when the mine is producing, not during reclamation only. Colorado also states if MSHA takes jurisdiction costs will significantly increase, only large companies will be able to bid, and mom and pop companies will no longer be able to be competitive. Kentucky voices the same concerns as Colorado. PA feels MSHA role should be mine safety in mining operations, and AML programs are not mining operations.

6. Grant Modification Proposal (Input/Feedback from NAAML P Members)-Murray Balk
Originally brought in up in Columbus, requests that grant periods should be longer than 3 years, and then every year during distribution instead of creating a new grant request, amend the old grant. OSM asked states to speak with the regional OSM offices to "feel them out". Kansas states this issue has not made any traction and wonders if any states have reached out to OSM. PA did reach out to OSM, currently has 5 open grants, hopes to eliminate producing 5 identical annual reports. West Virginia is also working with OSM, Kansas was instructed by OSM to apply for their grants in the manner proposed by Murray but so far has not received an indication that the grant proposal would be accepted.

IMCC UPDATE

1. OSM and DOI Budget/Appropriations/Sequestration update
FY16 briefing was given by OSM on February 2nd, the budget has been distributed to the states. The budget included 5 legislative proposals, elimination of funding to certified states, increase of AML fee, creation of a hardrock AML program to be administered by BLM with OSM collecting the fees, PowerPlus plan of \$1billion, and funding for United Mine Workers pension funds (one shot payment of \$360 million to fund pensions). The UMW payment could cause us to bump up against the \$490 million cap, which also assumes certified states and tribes do not receive funds. Title V would be affected as well, \$5 million in cuts would be made. Miscellaneous proposals in the budget for enhancements to program funding and program operations and FTE's, applied sciences funding for Title V and IV, proposal for increased FTE's in Title V that does not line up with government efficiencies recommendations, 2 additional recommendations one used for administering the PowerPlus plan and another

amount of money to provide for enhancements for OSM administration of the Title V programs, all proposals total about \$5 million. All Legislative Proposals require legislation to be drafted with justification and will need a “champion” (i.e. sponsor) on Capitol Hill. IMCC states the 5 proposals have mostly fallen on deaf ears on the Hill. The funding proposals will go in front of various committees including House Natural Resources, Senate Energy and Natural Resources and Appropriations Committees, which in our case are Senate Interior Appropriations and House Interior Appropriations. We requested an opportunity to testify as an outside witness before the House Interior subcommittee, we were approved, and on March 18th Eric will be testifying on behalf of the AML association and John Stefanko will be testifying on behalf of the IMCC. John will cover Title V and Eric Title IV. We have been invited to submit a statement for the record for a hearing that will likely be held by the House Natural Resource committee re OSM’s budget on the morning of March 18. Joe Pizarchik will be the only witness. Copies of statements will be submitted to committees of jurisdiction after testifying. Focus is only on discretionary funding from federal share, not on mandatory funding or certified states.

2. SMCRA Legislation

The only legislation being discussed right now is with regard to reauthorization.

3. Other possible legislation-Mining Law Reform, including Hardrock AML program, and the Latest on Good Samaritan Bills

Mining Law reform bill introduced by the ranking member of the House Natural Resources Committee, Rep. Grijalva from Arizona, same type of bill we’ve seen in the past, revision of 1872 mining law (new royalty structure and new environmental standards), second is a hardrock AML program, and third is Good Samaritan protections. This bill was introduced to the last congress but no action occurred and IMCC does not anticipate seeing any action with the current Congress. We do however continue to work the House Natural Resources committee in drafting legislation for Good Sam for both coal and hardrock mining. PA asked if IMCC they think the Grijalva bill has any support, IMCC thought “no”.

4. OSM Rulemakings review, CERCLA 108(b) financial responsibility update

No real update beyond what Sterling provided. OSM budget includes money to allow hiring of 2 to 3 new solicitors to help with the work load. CERCLA 108(b) not moving. EPA successfully defended their position.

5. IMCC Contract for Services with NAAML- (Review of to-date Services Rendered)

Short discussion but IMCC highlighted the last 6 months which has included many hours of work on all the big issues now facing NAAML. Both PA and Kansas express gratitude for the work that IMCC does for the Association.

6. SMCRA Reauthorization –Current Perspectives

How do we pull all the moving parts together for reauthorization? There are various components, get guidance from the Association so that IMCC can accurately advocate for our Association. Increasing levels of interest on the Hill regarding reauthorization, state and environmental groups (Trout Unlimited) are working together for reauthorization beyond 2022, attempting to make a case to highlight the importance of reauthorization. County Commissioners from PA and Wyoming are also interested. Discussions with Congressional staff continue, developing working relationships with congressional staff who are wondering how they can contribute and be champions for reauthorization. Very productive calls with OSM to work through key elements of reauthorization along with PA and Kansas and IMCC,

brain storming certain topics like inventory, unappropriated balance, and future payouts from the fund. Helpful conversations. Regular meetings are being held with OSM, every two weeks. IMCC is meeting with White Staff to learn more about PowerPlus and how OSM fits in to that, a plan for implementation, and to air our concerns about the proposal. Other stakeholder activity includes meetings with PA watershed groups to discuss reauthorization, meetings will continue. Lots of work with the Alliance for Appalachia, IMCC is impressed with their paper. Meeting informally with Mining Industry.

Most critical issue, PowerPlus, is this an opportunity to bring reauthorization to the forefront? This is maybe a good time to begin reauthorization because of discussions regarding PowerPlus. The Association needs to decide whether to oppose PowerPlus or support it, but we must take a position one way or another.

UMW legislative proposal, many questions, the retiree pension fund folks do not seem to engage IMCC. UMW can play a huge and important role in reauthorization. The Senate last year did say in their report that if there are continuing problems with the UMW pension funds the Administration is requested to suggest legislative proposals.

How will Congress react to reauthorization, seemingly uninterested in pursuing anything so far. Our Association is on track but needs to keep working to be prepared for early reauthorization. There are many moving parts that Congress is now aware of due to the several appearances on Capitol Hill by IMCC and NAAML. P.

The Association subcommittees are important for reauthorization and need to keep working diligently. The "What If" group is the most important especially in determining the impact of PowerPlus. The inventory group is important for showing the landscape of future AML work and for showing the current lay of the land.

Expenditure workgroup is important to show past, current, and future use of grant funding especially in terms of obligation vs distributions vs undelivered orders.

Need to be ready to respond to the Alliance for Appalachia's whitepaper especially with regard to our survey responses.

Kansas asks if there might be a conference call after IMCC's meeting with Capitol Hill. IMCC states that at least an e-mail will be sent, and suggests a special meeting for reauthorization possibly sometime during summer, June or July. PA and Wyoming both agree. Alabama states that reauthorization is more far reaching than in 2006.

Wyoming thinks a meeting would be well justified. PA looking in to bylaws for calling a special meeting. Colorado looked at bylaws and determined that special meetings can occur. PA asks for a vote for a special meeting. Wyoming makes a motion for a special meeting, seconded by Colorado, unanimously approved. IMCC will work with officers for location, venue, dates, etc.

PA states data collection will be very important for any future special meeting, return responses quickly.

IMCC has so far reviewed Chapter 2 of Alliance for Appalachia's white paper. Chapter 2 is 55 pages and discusses fees, AML funding overview (total history), 5 subdivisions (state and tribal share distribution, historical coal distribution, minimum programs states and tribes, prior balance replacement funds, and certified state and tribe AML programs), and federal expenditure share, and finally a section on AML's unappropriated post 2022 funding including history of interest and UMW funding. Very broad white paper similar to a 2002 paper OSM put together for the 2006 reauthorization. IMCC thinks OSM should update that paper.

Wyoming appreciates the fact the Alliance for Appalachia is working with IMCC for accuracy but wonders if OSM has been afforded the opportunity to review and discuss. OSM states they have, but didn't recall what chapter they were provided. Sounds as if OSM has not looked at it. Eric Dixon is doing all the research and writing of document. He has a master's in economics, IMCC feels he's well qualified to write this paper.

Eric asks for minimum lead time to set up a special meeting. The response was 30 days minimum, 60 days preferable.

Change of agenda, lunch at 12PM instead of 12:30. 1PM still start the executive discussion. New business starts 1:30PM.

Other Federal AML Program Updates

1. USFS-(Scott Ludwig, AML Coordinator, Region 2)

FY15 budget are finally getting to the regions and the final AML safety budget is \$3.7 million, down 5% from FY14, overall between CERCLA program and AML safety is down 5%. More concerning is over the last 4 years the program has taken a 22% percent hit, he states he hopes the bleeding has stopped but is not optimistic. Trying to do what they can to be productive with limited funds. Signed an MOU with AEMA out of Spokane that represents the hardrock mining industry in the US, with hopes of leveraging funds that they generate for closures of hardrock features on USFS lands. Looking at pilot project in Colorado in Grand Mesa National forest to see how the MOU works. Looking for more partnerships with industry.

Gold Rush Expedition has gone on the internet to sell abandoned mines on public lands, this company stakes claims which they'll sell on e-bay, this is affecting all regions of both USFS and BLM. These individuals then go out and start mining on the claims often times without permits or approvals.

Submitting response to the GAO audit on contaminated sites and discussions regarding DOE's abandoned uranium mine audit.

2. BLM-(Larry Jackson, BLM DC Office)

FY15 budget went ok, \$17 million to spread out to 11 different states. Fixed costs keep going up, half of the money goes to closure projects, half goes to environmental projects (\$1.4 million/state). FY16 budget, big project in Alaska known as Red Devil. Physical safety closures needs total about \$400 million. Also working on establishing an estimate for environmental issues. 47 district offices, 134 field offices. Encouraging managers to hire people and place them more strategically at the district level so that they can oversee multiple field offices. Additionally, we have the DOI Central Hazmat fund, \$10 million fund available for AML projects, typically BLM receives \$2 to \$3 million from that fund. Always looking for partners, particularly SMCRA partners because they have money. Looking for new partners, working with DOE, BLM has half the abandoned uranium mines on their property. Recently finished an analysis on mining symbols on USGS maps, USGS is doing a similar analysis, we have a comprehensive database, but understand they are many sites which are unaccounted for. Up to 23,000 additional sites in California they do not know about and up to 70,000 sites in Nevada, and 1400 sites in Utah. Next step will be to spend time in the field to verify. \$212 million worth of inventory work in just those three states.

Wyoming has established a good working relationship with BLM and expresses gratitude. Colorado asks if DOE may receive additional funding for the uranium mines, it is a possibility.

3. NPS-(John Burghardt, National Park Service)

John was not able to attend however he sent an e-mail to the President who presented some of the key bullet points.

In Columbus NPS mentioned they completed an inventory titled "Abandoned Mineral Land in the National Park System" available on the website. The features were in 26 different states, need \$141 million over 12 years to address the problems. Requesting an average of \$5 million per year for reclamation.

Kansas makes a motion to go into executive session from 1pm to 1:30pm, but invites IMCC to attend, seconded by Alabama. Motion carries unanimously.

NEW BUSINESS

1. Potential NAAMLPA AML Award-Non-Coal and Non-Title IV Funded Projects-Jeryl Gardner
Jeryl to make presentation on the idea of creating a new award category. Hardrock reclamation award category, Nevada has two AML programs, Division of Minerals and DEP. Jeryl is the program manager for the Environmental Hazards Division and states the main challenge is finding a way to generate revenue from a fee because very little money is available to the program. Nevada partners with many agencies and non-government groups which they appreciate and they realize no one agency can do it all. Nevada has the majority of hardrock AML sites, estimates 80% of all sites in the US are in Nevada. 85% of Nevada is public lands, most all funding is for physical hazards, not enough funds available for environmental hazards. RAMS cannot be used for construction work, only design work. Provides a project example, Rio Tinto copper project in northern Nevada, believes is a good candidate for an award. Rio Tinto is in its 3rd year of reclamation having moved nearly 800,000 yards of mill tailings and placing them in an on-site repository and 1 mile of stream restoration. Jeryl believes Rio Tinto is deserving of an award. Additional details will be provided in Santa Fe.

The Association doesn't feel the award fits in OSM awards program because of the SMCRA work but NAAMLPA would be the best place have such an award. Eric states we welcome the proposal in Santa Fe and we like your chances to create such an award. Very inexpensive to create an award. Navajo supports it, but wonders if sites such as the Rio Tinto site is considered a CERCLA site and does EPA have an award program? The general consensus is "no". Alaska asks if ASMR has been considered as an option to host the award, the answer is no.

2. Update of State Reclamation Plans-Chuck Williams
Chuck makes the point that there is no mandate for updates to state reclamation plans. From time to time OSM reminds states to keep plans updated. There are many good reasons for plans to be updated. Alabama says their plan is woefully out of date, but has been amended occasionally on an as needed basis. Items out of date include organization charts, forms, contracting procedures, project selection procedures, etc. Things we could take advantage of if the plan was updated are 30% AMD set aside, priority 3 changes, no funding limits on water supply projects, etc. Chuck asks for questions. Kansas wants assurances from OSM that if Kansas updates its plan the state won't be asked to update it again in a year from now. Len Meier states OSM cannot predict what Congress will do with SMCRA, OSM is not currently proposing any changes. Len Meier believes future plans should be much shorter documents like 20-40 pages not 300+ pages. Eric asks how many states have updated plans, nobody spoke up, Colorado states their plan works well and only a few minor things could use updates. Alabama asks if there are any more questions. Eric makes a statement that if OSM wants updates to plans that they should supply a template or draft that shows specifically what they want. The Association wants informal direction from OSM.
3. Discussion of Updated NAMMLP Policies and Procedures-Group Discussion
This was handled by e-mail, most input received from States was incorporated by the President. Asks the group if there are additional updates needed. Possibly include guidance for annual conference planning. Ohio states a spreadsheet will be created for conference planning regarding key dates etc.

4. Documenting Economic Benefits of AML Projects for Reauthorization-Group Discussion

The “What if” sub-committee is working on these topics. We are on track with doing some of this already. Colorado is working on a questionnaire to distribute to States and Tribes. NRCS provides economic analysis on their website for restoration projects and how many jobs are directly created. It was suggested that maybe we adopt a similar approach...economic multipliers. IMCC encourages further review of the NRCS website. IMCC points out that some really helpful economic information was supplied to the Alliance for Appalachia during their survey request.

In a related topic IMCC asked Eric Dixon if it was ok to share Chapter 2 of the white paper by e-mail, the answer was yes, but with the caveat that it is in draft form and content could be added or deleted.

5. Presentation by NASLR-Possible Joint NASLR/NAAML P Conferences-Mike Smith

Mike Smith is President of NASLR and manager of the active mine program in PA. Their association focuses on reclamation rather than policy which is more the focus of NAAML P. Who is NASLR? Composed primarily of Title V states and some non-coal states, 12 active member states. Started over 40 years ago, back in the early 1970’s. During the recession of 2008 membership greatly dropped, conference attendance was reduced, they nearly dissolved the association. Membership is now starting to rebound. Jennifer Keese heads up the membership committee and is charged with recruiting more member states. Their annual conference is really small but a lot of good technical information is usually presented. He believes the conference deserves a bigger stage. Now they are looking for a partnership and proposes having a joint conference. They want and need more exposure. They are suggesting participating with NAAML P at the annual conference in 2016 in Montana if it’s administratively possible.

Alabama asks if this was brought up before, answer is yes. NASLR has also held joint conferences with IMCC in previous years.

Eric suggests coming to Montana to have an exhibit and attempt to solicit interest, NASLR is doing this already in Kentucky, and is also invited to have a booth in New Mexico.

Montana states there is some capacity to include an additional 30 or so people for technical talks and an awards ceremony. Eric asks how many people might possibly attend in Montana since they are mostly eastern based. Mike states he doesn’t expect too many people to attend. Keese will be in touch with Montana’s Title V program to attempt to make them a member state. Kentucky doesn’t feel it appropriate to merge the conference, and asks them to just register for our conference. Mike states they usually only have about 6 vendors. The general consensus is that NAAML P would prefer to keep NASLR separate from our annual conference. Bozeman hotel Grand Tree, 2 small meeting rooms, prep rooms, staging areas, but surrounded by a complex of hotels. NASLR could reserve a separate hotel nearby. NASLR is interested in joint tours. The majority of NASLR attendees are State agencies. Any further questions or comments, none. Eric suggests NASLR and Montana discuss further details to see if things can be worked out.

6. NAAML P AML Performance Measures Steering Committee Discussion-Eric Cavazza

This committee does not exist at this time, does not meet, but could be restarted and could benefit people working on reauthorization. Kansas states it was created to get information for the 2006 reauthorization, it did its job was dissolved after 2006, under the assumption that States would continue to add information in to the fields that were developed.

Eric states that the Inventory sub-committee of the Reauthorization Committee should look at the Policies and Procedure manual to see what's included to see if there's benefit to rekindling or adding it to the work being done for the current reauthorization.

Kansas feels the Steering Committee fits in well with the current Inventory sub-committee.

Wyoming asks if any of the old inventory forms are available, Kansas says "yes". Eric asks the Inventory sub-committee to at least view.

7. Impacts of the new USFWS Indiana Bat (and soon to include the Northern Long-ear) habitat documentation requirements-Group Discussion

Alabama included this topic because of the significant impact this issue is now creating for project planning. Alabama stated about 1 year ago USFWS requested a bat survey despite no indication of bats being present, the issue effects commercial construction, Highway projects, and other agencies. Alabama had to put out a contract for bat studies on 6 different projects, increases costs, and slows down project planning. The level of effort required is burdensome, to do a \$5000 project requires a \$5000 bat survey. All projects not occurring during winter are now requiring surveys, a requirement which came out of nowhere with no warning from USFWS. Alabama is wondering if other states are having similar issues. Alabama states the guidelines are new, and there are very few qualified specialists available to perform the surveys. More and more states have to do bat surveys, and many of the mine closures projects are requiring bat gates rather than the traditional backfill method. Many states having been doing surveys for years, winter time tree clearing is becoming common practice this is when surveys are not required. Winter tree clearing is the only mitigation that USFWS will consider. Eric has Ohio's response to USFWS and will distribute to other States. In West Virginia they are exempt from bat studies if the clearing is less than 17 acres. Different regions have different exemption rules. IMCC has been part of the Indiana bat working group for many years and helped developed guidelines and will continue to be an active member moving forward. A draft MOU between OSM and USFWS is currently being developed. Eric asks if NAAMLPC should provide comment regarding threatened and endangered status, IMCC suggests remaining silent.

8. Any Other New Business

No new business.

COMMITTEE REPORTS AND DISCUSSION

1. Finance Committee-Murray Balk

Discussed resources available to the Association. Talked taxes for 2014. Discussed payment to IMCC. Navajo asks if there is there a copy of the finance report, no, but will be forth coming from Justin.

2. Research Committee-Bob Scott

The committee was established to look at funds that became available but over the last few there hasn't been any. In the new budget proposal there is an applied science project \$1.9 million in the budget. Eric states if Bob needs help to let the Association know. If that budget passes there will be more work for the committee. No further questions or comments.

3. Training Committee-Bob Scott

Mike Sharp and Richard Davis are also on the committee, a list of training courses have been provided this year for both NTTP and TIPS, and some classes are currently being revamped. There are 27 TIPS classes and 36 NTTPS classes. The goal is to train nearly 700 students

during the upcoming year. The training survey will be released in the next month. It is very important to fill out the survey, the classes are offered as part of the results of the survey. Kansas asks about the Underground Mining Technology class, and what it involves, that class appears to be on hold. The NTTP position is currently being advertised. Grants training is being discussed, many states need this training. Grants and AVS training are separate from NTTP and TIPS. Can states take classes through DOILearn despite not being a federal employee?

Mike Sharp sent an email to Bob Welch regarding collaboration between NTTP and TIPS to see about merging the programs. There is also a new GIS branch chief. Kentucky puts together the newsletter, and is looking for articles. Alaska asks for an email reminder asking for articles.

4. Scholarship Committee-Murray Balk

This committee did not meet, usually get really busy in June, 3 applications so far. Not much action. 3 scholarships will be offered this year.

5. Minimum Program Committee-Justin Ireys/Mike Mueller

Mike Mueller was not able to attend the meeting, Alaska spoke with Kansas last month to discuss if anything should be discussed at the meeting, and decided there was no pressing business. Alaska states that on behalf of all the minimum program states especially those with rather large unfunded inventories that we miss the 7.3% taken from sequestration. Kansas has \$350 million left of P1 and P2 issues.

6. Membership Committee-Chuck Williams

No new member since CA, AZ, and NV joined. Any ideas of other states who may have interest in joining the Association? IMCC stated they are pursuing 6 states, Wisconsin, Minnesota, Michigan, Arizona, Montana and Idaho. Publication fee/membership fee is now \$250. Justin will be sending out letters for fees in early April. Send checks to Alaska, not Alabama.

7. Public Information and Education Committee-Jim Bishop

IMCC has a minerals education workgroup, sponsoring teacher work groups, prepared a poster of reclaimed mine sites, Title V activating mining operations, on the back is information on before, during, and after operations. IMCC is wondering if the association is interested in preparing a poster of reclamation projects. The posters are very popular and they get out a positive word on mining and reclamation. Selling cost for one poster is \$1 and that covers basic costs. Eric thinks it is a good idea for the Association to create a poster.

Jim is working to create a link on the website to share abstracts from the previous annual conference, dates for nomination awards, etc.

8. Hardrock Committee-Glenda Marsh/Steve Fluke

Last fall a survey was sent out to gather information on how states fund non-coal projects. 15 states responded. Non-SMCRA states have more diverse funding sources which include working with other agencies and partnering with other non-government organizations. Due to federal cuts, the question is does this affect funding for non-coal sites. No real answer but different states are experiencing different situations. Federal budget cuts largely affect western states as these states contain most of the abandoned non-coal mines.

Colorado has been tracking Good Sam projects for non NGO's, EPA was trying to craft an administrative way around good Sam for NGO's to take over some hard sites, it was unsuccessful. Colorado had a meeting with Dept. of Defense to look at strategic materials, 2

year study of the US's ability to produce and supply materials to DOD, bottom line is that permits are generally held up at the federal level.

IMCC says OK and AR entries are incorrect from Glenda's survey, non-coal spending is inaccurate and Glenda asks that any errors be brought to her attention.

9. National Coal Mining Geospatial Committee-Mike Sharp

At the meeting in Columbus an idea came up to create a GIS symbol set for SMCRA features. Pittsburgh's office is heading that up but no real progress has been made to date.

10. SMCRA Reauthorization Committee-Brian Bradley/Murray Balk

Very active since the fall meeting, numerous conference calls on each of the sub-committees. 2 hour meeting yesterday, very productive discussion. Each sub-committee is busy generating information. The whole topic has really been accelerated, and programs are encouraged to aggressively participate. Several surveys have been sent out and good results have been submitted. A summary of surveys will be compiled and sent out in the future. Lots of discussion on the PowerPlus, what ifs, etc. Bottom line is the Association needs more information. Sub-committees will continue to work together.

Expenditures Sub-Committee: Painted a picture of past expenditures and accomplishments. Developed an action plan, and broke the broad goal in to 4 sub-tasks. Task 1 was to collect committed funds info, received feedback from all but 4 states or tribes. Task 2, e-AMLIS data, and asks if the data from e-AMLIS is accurate, is it up to date at the federal level, much data will be pulled from e-AMLIS. The opinion is inaccuracies exist. Make sure that if a separate inventory exists it gets incorporated into 1 spot to improve accuracy. Task 3, IMCC stepped up to help out with future coal production numbers and how that will impact fee collection and future impacts to the coal industry. A copy was offered to the Association. Task 4, was to look in to AMD set aside programs, initial data came from OSM, there appears to be some discrepancies. Nine states have set aside programs, will be reaching out to states to validate numbers, and to collect current balances, management philosophies, interest gained, etc.

Colorado discusses the "what ifs", a number of questions were developed and will be sent out to states in the next few weeks, asks for feedback regarding additional questions to be asked. The data will be shared as it is compiled.

Inventory Sub-Committee: Working to compile data and sort results, figuring how best to present the data, and working on ideas of how best to get the message conveyed.

FUTURE MEETINGS UPDATE

1. **Fall 2015 (John-New Mexico)**

- Website is up and running, registration is open.
- Working on an overflow hotel nearby to La Fonda Hotel.
- 4 tours have been selected
- Navajo AML staff is organizing a pre-conference tour
- Recommends early hotel reservations
- Call for Papers just came out, continuing to look for sponsors

2. **Winter 2016 (Glenda-California)**

- Working on bids for different venues
- Asks budget questions regarding room rates, food costs, focus is on downtown

- Nearby activities include wine tasting, skiing, and visit to San Francisco
- Dates look to be end of February, March or April could also work

3. Fall 2016 (Autumn- Montana)

- Grand Tree Hotel in Bozeman, room rate will be high \$80's
- Date will be 9/25-29, 2016
- Tours will be Berkeley Pit, Mining Museum, and Streamside Tailings, Red Lodge, McLaren Tailings

4. Winter 2017 (Steve-Colorado)

- Glennwood Springs, 2 ½ hours west of Denver

5. Fall 2017 (Bob-Kentucky)

- Lexington, KY
- Room rates \$129

6. Winter 2018 (Mark-Texas)

- Texas (South Padre Island or Big Bend)

7. Fall 2018

- To Be Determined

8. Winter 2019

- To be Determined

9. Fall 2019

- Pennsylvania?

Kansas makes motion to adjourn, seconded by Arkansas, motion passes unanimously.

END