



NAAML P Winter Business Meeting

February 15, 2017

Golden, Colorado

CALL TO ORDER

The NAAML P Winter Business Meeting was called to order at 1:00 PM by Justin Ireys. The meeting began with a greeting from President Ireys and an introduction from all meeting attendees.

PROXIES

Steve Fluke for Glenda Marsh, CA and Justin Ireys for Trevor Martin, TN.

ROLL CALL BY SECRETARY TREASURER (Autumn Coleman) — MEMBERS PRESENT

AL (Chuck Williams); AK (Justin Ireys); AR (James Stephens and Clark McWilliams); CO (Jeff Graves, Erica Crosby, Tara Tafi and Kimberly Seymour); Hopi (Keith Pahovama Sr.); IN (Marvin Ellis); IA (Susan Kozak); KS (Murray J. Balk); KY (Bob Scott); MD (Mike Garner); MO (Mike Mueller); MT (Autumn Coleman); Navajo (Madeline Roanhorse); NM (John Kretzmann); ND (Bill Dodd); OH (Jim Bishop); OK (Mike Sharp, Robert Toole); PA (Eric Cavazza, Brian Bradley, John Stefanko); TX (Cory Gretlein); UT (Dana Dean and Steve Fluke); WV (Travis Parsons); WY (Jeff Mena).

MEMBERS ABSENT FROM MEETING

AZ, CA, Crow Tribe, IL, LA, MS, NV, TN, VA

ALSO IN ATTENDANCE

IMCC (Greg Conrad and Ryan Ellis); OSM (David Berry, Yolande Norman, Sterling Rideout); BLM (Myoshi Stith); Foundation for PA Watersheds (Louise Dunlap); USFS (Scott Ludwig), NPS (Julia Runner).

ATTENDING BY PHONE:

CA (Glenda Marsh); IL (Greg Pinto), MT (Bill Snoddy), OH (Mike Bowden), TN (Trevor Martin); VA (Richard Davis and Lisa Baker), NV (Robert Ghiglieri), WY (Alan Edwards)



APPROVAL OF MEETING AGENDA:

Alabama motioned to approve the agenda, second by Pennsylvania. Motion passes, agenda is approved.

APPROVAL OF MINUTES FROM SEPTEMBER 2016 MEETING IN BOZEMAN, MT:

Minutes were distributed to the membership in advance by e-mail. Comments were received, the minutes were so edited for final distribution. Kansas motioned to approve the minutes, second by Alabama, motion carries unanimously, and minutes are approved. See attached minutes.

TREASURER'S REPORT (Autumn Coleman)

Treasurer's report highlights, the current balance in the account is \$106,979.66. There were three expenditures, payouts for scholarships, IMCC payment for six month services, and deposit for the Golden Hotel. Deposits include publication fees, the Bozeman Conference and Oklahoma conference registrations. The Treasurer's Report was distributed to the meeting attendees, see attached treasurer's report.

Kentucky motioned to approve the treasurer's report which was seconded by Pennsylvania, the motion passes. Alabama moves for a vote of appreciation to Montana for the revenue. There was no second or final action.

OSM UPDATE (Sterling Rideout, Yolande Norman and David Berry, OSMRE):

1. OSMRE's New Leadership
(Sterling Rideout) Joe Pizarchick is no longer with OSMRE. Glenda Owens is the acting director. No news on appointment.
2. AML Grant Distributions
(Sterling Rideout) On Jan 6th OSMRE announced that \$181 million dollars will go to AML States.
3. Update on SMCRA Reauthorization Legislation – Include Impacts of Coal Market Downturn
(Sterling Rideout) There is a coal market downturn. There is no news on reauthorization from OSMRE contacts.
4. Update on FY 2017 Budget and Legislative Updates



(Sterling Rideout) Update on the 2017 budget and legislation is waiting on news on a continuing resolution in April. With the new administration, wait and see on the FY18 budget.

5. Pilot Program updates for 3 Appalachia States @ \$90M / 6 Appalachia States @ \$105M Pilot Program (Yolande) under the 2016 appropriations act, KY, PA and WV. Aug 4th celebrated first pilot project in PA. At the threshold of all of the \$30 million grants given out. Received and reviewing 14 packets PA, 6 in WV have been vetted and received initial approvals, but only two waterlines had received ATP's at the time of the meeting, 9 in KY reviewed projects and preliminary approval of 6. Happy with the process, work collaboratively with the states. OSMRE is tasked with developing an AML pilot report which is under review. There was another proposal for another investment similar to AML Pilot, but there has been no updates, wait to see.

Appalachian region reviewed projects and figuring out the ATPs to a similar standard.

6. Status of RECLAIM
(Sterling Rideout) There is no information on the status of RECLAIM with the big transition with the new administration.
7. e-AMLIS (OSM's proposal for resolving issues)
(Sterling Rideout) OSMRE is working toward updates of IT systems, going through the acquisition process which is long and delayed due to turnover. OSMRE is working to get a new vendor with the old contract in place. OSMRE is rebidding for a new contractor. Questions about prioritizing the fixes. Yolande said it is a priority to make sure system is robust. OSMRE recognizes that some fixes need to be made sooner than later. They recognize that there will be a transition period between old and new contractor. Old contract is still in place during the acquisition process.
8. Update on Recent OIG Investigations of State AML Programs – OSM's Response
(Sterling Rideout) There were two OIG investigations. Indiana AML Program OIG investigation is final and they are working with OSMRE Midcontinent to resolve issues and close items out. The OIG investigation on certified states is in the draft phase. OSMRE is responding to draft recommendations internally. This is taking up a lot of time and resources within OSMRE.
9. Update on MSHA Jurisdiction at AML Sites



(Sterling Rideout) MSHA jurisdiction at AML sites – no updates. Thought it was already resolved?

Ryan thought that resolution was to have OSM and MSHA have discussions, MSHA was going to stop asserting jurisdiction on new sites.

MSHA has not reached out to OSMRE. Things will proceed as they have been doing in the past under an informal agreement, OSMRE letting that situation play out. MSHA has not reached out to OSM.

Ryan asked if a more formal resolution would be beneficial.

From PA, MSHA came out to Erhenfeld site, where PA brought up the informal agreement; MSHA took copies of files, sent it to the solicitors for an opinion. Not holding to the agreement from Arlington. PA is moving a coal refuse pile on an AML project. Ryan agrees that informal agreement problematic and field offices not understanding, adding coordination issues. Continue to keep an eye on this.

10. Update on UMWA Pension Fund re: Title IV of SMCRA

Sterling does not have any update.

11. Davis Bacon Act, Applicability to and impact on AML Program

Yolonde said that the solicitor was looking at the issue, still have not come to a resolution. FAM language online revert back to the prior language. There is no timeline for the solicitor to respond. SPR taking priority.

12. Status of OSM Rule Makings (Stream Protection, Bonding, others?)

Sterling said that the SPR will fall under Congressional Review Act. As soon as the new administration came in, pull back any rules in the Federal Register. Any new rule making is on hold. State program amendments are still being processed with more rigorous review before the Federal Register.

13. Training Program Joint Steering Committee

(David Berry) Joint training committee met early December 2016 in Denver, with the new steering committee members, Bob Scott, Rich Beam, Dustin Johnson, Steve Weinzapfel, Chris Yde, Zaman Akhtar, Greg Baker and Travis Wootton. OSM membership: David Berry,



Lois Uranowski, Alan Boehms, Len Meier, Ann Walker, Tony Herrell, Keith Closson, Tonya Mullins and Paul Ehret.

The Steering Committee went well. During the meeting we did present the letter sent from Justin and Mike which expressed a concern with the disposition of the previous TIPS steering committee process. Discussion on consolidating training functions, and address the technical aspect of the TIPS process. There was a response back to Justin (NAAML P)

From the discussion, it was recognized that we cannot lose TIPS technical function. From that a subgroup was formed. They are working on what the subgroup will function like and won't let it drop. They are working on a formal charter for combined steering committee. The charter draft is largely in place. Note that the charter committee/subcommittee will include signoff from the executive sponsor Dave Berry, Sterling, Greg, Justin. It is a priority coordinate day to day functions between two functions NTPP and TIPS. Due to the hiring freeze and the contracting function securing hotels, there is some difficulty. There are issues affecting logistics. Hope to have your support moving forward and understand the importance of these programs.

14. Question about Civil Rights/EEO audit to Sterling
Civil Rights EEO office sent out an audit schedule.

OTHER FEDERAL AGENCY PROGRAM UPDATES:

1. NPS- Update on NPS AML Activities (Julia Brunner)
John Berghart retired end of 2015. Due to hiring freeze, his position has not been backfilled. Scope of NPS AML issues, 413 Park Units, 133 parks have AML sites. 37,000 features in Parks only 3,800 need mitigation. Audit by OIG many years ago on the inventory assessment drove the report, copies of the Park Service AML available. Holding pattern until the position will be backfilled. \$148 million is needed to remediate the sites that need work. NPS is looking for money.
2. BLM – Update on BLM AML Activities (Miyoshi Stith)
Larry Jackson retired. BLM has a comprehensive AML Program in states. There are 52,000 sites 92,000 features. Numbers change daily. 5,400 sites added every year. 93,000 sites need to be validated. 80% backlog. BLM's budget (CR 2009 – 2017) is \$17 million. Would like to hire more and address physical safety. Estimate total cost to remediate KNOWN is \$700 million, but could be in the billions of dollars perhaps.



BLM will continue to support the AML hard rock reclamation fund (perhaps not with the current administration). BLM is working to update the database and developing partnership with FS to update the database. BLM is working with USDOE on uranium. FORMOSA – Red Devil – Bonita Peaks

3. USFS – Update on USFS AML Activities (Scott Ludwig)

Forest Service is similar to BLM program management, due to the hiring freeze and the continuing resolution. Forest Service is working on database issues in response to a GAO audit. There is a proposal for all federal agencies to use a common database. There are geospatial issues with a lack a data standard at a national level and a uniform effort. Push any efforts to combine on a state and federal level to standardize at a state and national level. Accuracy based on data collection types. USDOE is looking at USDA coming out with a data standard.

Mike Sharp noted that OSM has a set of data standards for AML and regulatory.

Forest Service did comment on EPA CERCLA 108b. Not sure how it would impact FS ability to manage mining on lands.

Forest Service is looking at ECAP and Restoration with Safety Closure Program. ECAP competition will be sent to the regions and is set on funding based on the last 5 year average.

Forest Service lands will be impacted by the Bonita Peak NPL listing. Unsure where EPA will go on the site.

IMCC UPDATE (Greg Conrad and Ryan Ellis, Interstate Mining Compact Commission):

1. Update on FY 2017 Budget

Current continuing resolution (CR) runs out in April and Congress is looking to pass an omnibus or another CR. Bills for FY18 are expected around May. Congress is leaning towards including pilot funds in the omnibus expanding to 6 states (additional 3) in the 2017 budget. A further CR would leave FY16 levels in place which would include another round of \$90 million for the three states. An expanded version of pilot is in the House appropriations budget for FY17.

FY18 would be first budget from the new administration. Administration has delayed delivery of the new budget, expected in May. Initiate a new round of appropriations



process. IMCC and AML have submitted testimony in the past, not requested to appear, anticipate expedited outside witness process. Still submit written testimony in the May-June timeframe.

2. Impacts of OSM Rulemakings on AML Programs (Stream Protection, Bonding, etc.)
See discussion below.

3. Update on Coal Miner Protection Act (Manchin Bill)

The new coal miner protection bill proposes to expand coverage but has a no connection to state funding under Title IV. During last Congress Manchin was intent on resolving the issues with solvency of the Miners Protection Fund using Treasury funds. This is authorized through Title IV of SMCRA. There are shortterm miner protection funding fixes in the CR. This is not the long-term solution. There is language in the CR that protects payments to certified states concerning the cap such that if the cap is triggered, any reduction will fall on other payments to the UMWA, not to the states. Two bills were introduced mirroring the past bills, but a longer term solution. No longer a concern for AML programs.

4. Legislative Updates – AML Reauthorization, Good Samaritan Protections, Sequestration, etc.

Status of reauthorization was discussed earlier during the special legislation update provided by IMCC. See other meeting notes.

No new Good Samaritan or other hardrock AML proposals. Expect to see new bills based on the momentum from last year. The hardrock Good Samaritan bill had good momentum by the Colorado delegation. A Coal Good Samaritan program was included in the Lamborn mining package which included RECLAIM and Mining Claim Maintenance Fees. Not sure about reintroduction.

IMCC has been working with HNR for a coal Good Samaritan legislation. Modeled after PA Good Sam program, worked with watershed groups. Sub program for AMD and to facilitate the work of Good Sams, and NPDES waiver for AML work within the Title IV of SMCRA. Hardrock falls under CERCLA (EPA) and coal falls under SMCRA (OSMRE).

Sequestration has been brought to the attention of the committees. They agree that it should be fixed, as part of AML legislation. Sequestration has been extended until 2025. Unless the AML fund is exempted, that is a lot of funds not spent on AML.



5. Forecast for Future Hardrock Legislation

Covered in the hardrock subcommittee. IMCC has a basic set of recommendations on a program. Generally the plan would be to react to proposals instead of putting a program forward.

Bills introduced for National hardrock program HR520 S145. Miner protection acts HR179, Senate two bills, Manchin S175 and McConnell S176.

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6. Impacts of Transition in Administrations

Covered in the earlier meeting. See attached Special Legislative Update Meeting Minutes (NAAMLPLP Members only).

The new administration is getting established, working through beachhead or landing teams. IMCC has had the opportunity to work with EPA and DOI beachhead teams. They are very responsive to and interested in the views of the states and what our priorities are. Transition reports from NAAMLPLP and IMCC were provided to the transition team with summary documents. Discussed OSM regulatory issues and AML issues, but the predominate issue is the SPR. President will be signing the SPR resolution tomorrow pursuant to the Congressional Review Act. What remains in place, what happens next? How does it impact the permitting scheme? Status quo is working with states.

Other rules include coal ash and cost recovery. IMCC encouraged administration to take a time out and review the rules and integrate a more meaningful collaboration with states. As for federal coal leasing and financial assurance requirements under CERCLA 108b, input has been minimized or ignored in the past. This may be an opportunity for a new day. The Administration is fully in support of better working relationships with feds and states. The next steps: delayed until confirmations, executive level cabinet secretaries. The transition team is meeting with stakeholders and is working with acting directors at the time. Should see another round of activity once the executive is in place. Caution is recommended on how quickly the new initiatives should move forward.

7. Status of RECLAIM

Covered in the earlier meeting. See attached meeting notes.

8. IMCC Contract for Services with NAAMLPLP



Handout list of services is attached. Finance committee has invoice. NAAML would like to acknowledge Ryan's work on AML.

OLD BUSINESS:

1. Status of NAAML/IMCC Poster (Jim Bishop)

Jim recommended that the poster be tabled due to issues regarding format. NAAML allocated \$1,500 for the poster. Work has been done, and waiting to get to a decision point.

Discussion involves moving forward or delay? From the standpoint of the Reauthorization Committee, a congressional briefing would be better in a report. Accomplishments are better represented in a report. Public information committee should spend time on an accomplishments report. The report needs to make the case for what has been done and what remains to be done.

2. Update on NAAML Website (Dana Dean and/or Steve Fluke)

Dana and Steve have been very helpful updating the website. Moved the website to a new server and updating information. PI subcommittee discussed putting conference information which can be located behind a login. Adding a login would include a redesign of the webpage. PIO committee should look at what we would like the website to look like and what should still be open to the public; this assignment should go to the public information committee and may include an update to the by-laws. Can a redesign be presented by the fall meeting? Look at a redesign by next March.

3. Status UDO Data Submittals (Mike Garner)

See the attached handout from Mike Garner. An undelivered order is money delivered to the states that has not yet been spent. This report makes the states look bad. NAAML needs to present the data in a way that makes sense and shows the state spending money on AML projects. The UDO covers the period of open grants. The chart represents the adjusted grant amount, the award amount plus or minus carryovers; there are three ways to present the data. Raw data is available if others want to look.

West Virginia has reached out to region and Keith Closson to include design or maintenance in eAMLIS to include salary costs. Work has been promising. NAAML needs to continue to have conversations with OSM about using annual grant reports rather than eAMLIS for reporting financial data.



4. Update on Pilot Projects (PA- Eric Cavazza, WV- Rob Rice, KY- Bob Scott)

Eric shared links to videos on pilot projects <http://www.dep.pa.gov/Pages/default.aspx>. Videos share the locals' perspectives. See the attached handout from PA AML program.

Pennsylvania has earmarked the \$30 million for 14 AML pilot project sites with 17 total projects or contracts. A few of the project sites have more than one contract. Submitted and received 13 of 17 ATPs from OSMRE, working on development of the other 4. 8 subcontracted with partners through grant agreements, 3 are fully executed, 2 are routed and 2 are under development, 1 is working on scope of work. 1 project is under a rework to deal with private property issues, revising the scope of work. 5 projects currently under construction, 3 designed in house, 2 of the grant agreement projects are under construction. 9 of 17 projects are being designed and bid by program. 4 are bid out and should be under construction later this year. 2 other in design are waiting on resolution of other issues, water line and phase 1 archeological survey.

Of \$30 million, committed \$11,840,000. PA has been completing quarterly update reports to OSMRE. These will be the basis for first OSMRE required update report to congress, meet needs of OSMRE. Groundbreaking/media events at 4 projects with great local support.

Discussion of pass through grants. PA is allowed to contract to outside groups, sole source contract. It has to be a defined group, city, watershed group. Develop a scope of work that commits them to do the work within the scope of work and budget. Invoice PA in accordance with the contract. Groups have to front the money and wait for PA to pay back.

2016 AML Pilot Grant was approved by OSMRE June 1, 2016.

Travis Parsons report West Virginia has 6 projects that have made it through initial vetting process. 2 waterline projects and have ATPs for both. 4 are awaiting the applicants to procure design services. None of the 6 have drawn down on money yet, approval to draw down preliminary costs. Apple orchard get out and perform simple grading and tree work started and approved to spend money on that. WV spends money through subgrants, submit invoices to the subgrant committee. It took 3-4 months back and forth with applicants and OSM. Working through NEPA and getting consultations done. WV waiting on design and contracts.



Bob Scott, Kentucky is pushing the economic development envelope. 43 applications submitted with an ask of \$142 million. None proposed AML reclamation, pushing economic development and located on or adjacent to AML sites. One is modeled after PA Elk viewing site. ATP request in. Several others worked through MOA with groups city, county governments, area development districts waiting for designs to come back. 9 projects submitted to OSM, 6 ATPs are approved, others have issues with a link to an AML site. Rails to trails program converting abandoned railroads, last few are adventure tourism. Factory spec building adjacent to AML sites on reclaimed mine site. Kentucky has had involvement from the new governor's cabinet and Congressman Hal Rogers' office, and both have expressed interest in the pilot projects

Discussion of adjacent to, previously reclaimed, addressing AML problem guided by states. This is different than the RECLAIM act which calls for reclamation with an economic development. Discussion on issues with partnerships. Discussion about creating long term sustainable jobs.

Update: Ashley Nichols offered contact information to call, email. 202-225-4601 ashley.nichols@mail.house.gov. Don't hesitate to contact with questions or suggestions. Open to hearing from NAAML P.

MEETING ADJOURNED FOR THE DAY (Justin Ireys) 4:00 PM

Meeting will be called to order at 8:00 AM 2/16/17.

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Golden, Colorado

CALL TO ORDER

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

PROXIES

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ROLL CALL BY SECRETARY TREASURER (Autumn Coleman) — MEMBERS PRESENT

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ATTENDING BY PHONE:

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NEW BUSINESS

1. Policies and Procedures Manual update and posting to the website (Eric Cavazza)
The policy and procedures manual (dated 9/27/16 and sent out to membership) has been updated to include the 2 day meeting format for the annual conference and the option for either a 1 or 2 day meeting for the winter meeting. Eric got rid of the performance measures section and reference to subcommittee. Updated with the Reauthorization Resolution, put the most recent committee member list, updated the scholarship flier and the table of contents. Eric will look into the taxes section about responsibility. Jim Bishop said the policy and procedures manual will need to add the hardrock award, and will send Eric information to update. Eric will send to Justin and Utah to post to the website. Steve and Tara will update the policy and procedures for hardrock award.

Murray moves to approve the policy and manual with Eric's edits with the future addition of the HR award procedure. Bill Dodd seconds the motion. The motion passes.

2. NAAML P Hardrock Awards (Jim Bishop, Glenda Marsh, Steve Fluke)
Steve Fluke and Tara Tafi have been tasked with putting together the HR awards, new nomination trifold, with minor tweaks to the nomination due date. Nominations are due



June 9th. Emails sent to UT, nominations judged through Survey Monkey. The votes are tabulated automatically. There will be a meeting to discuss HR committee to discuss the awards. The two awards need to be engraved, the winners will handle the engraving and ship to the conference. Awards have brass plaques. 2017 HR Award nomination form. Steve will send out the nomination form to delegates to each state and will need delegates to distribute out to BLM, FS, other groups.

3. Training Update – NTPPS & TIPS (Mike Sharp and/or Bob Scott)

Steering committee TIPS and NTPP combined, met in December and formed a charter. The NTPP was an advisory role, but TIPS did that as well, plus software and technical. TIPS formed a subcommittee as part of the overall steering committee to address the technical issue. They have reached out and hopefully Mike Sharp can join the subcommittee.

Training committee sends a “needs survey” for training. Be mindful and pay attention as that is how they format the training/classes can only fill 700 – 800 slots for students. TIPS does the same thing. It is not a wish list, but which classes willing/need to take.

New instructor training. OSMRE has reached out to recruit for a new training in Shepardstown in July and a second class in December. Look for emails for teachers for instructor training. Troy Copeland is new and working with Richie and Arlene.

Overall objective from government efficiency study was to combine TIPS and NTPP this will cause a big re-org. The steering committee combination was the first step from the recommendations of the government efficiency study.

Mike is glad to see that they are going to take care of technical issues important to the states.

4. Update on OIG Investigations and Audits of State AML Programs

Autumn: The OIG completed the performance evaluation on certified states. The draft findings are back. OIG audited OSMRE’s handling of the certified state programs. OSMRE is working on the response to the draft findings. Issued boiled to the surface, out of date state plans, prioritization of features, eAMLIS, and OSMRE has little enforcement authority with the states, need a more regulatory stance.

Marvin: The Indiana report was finalized in September 2016. The OIG reviewed to see if OSM adequately oversaw the AML program. Currently working with OSMRE Mid-



continent to fix issues with the 8 findings. Some are straightforward, some were misunderstanding that could have been addressed if IN was given a chance for an exit interview. Final 4 working on, payroll costs, split costs between regulatory program and Title IV program. Indiana drafted correction actions which need to be approved by OSMRE. The deadline is September 30th. <https://www.doioig.gov/reports/audit-abandoned-mine-land-reclamation-program-state-indiana>

The OIG did come to PA for 2-3 days tied to review of the certified programs. They are currently working up a report for their time in PA. OIG came to PA in the fall of 2015.

Wyoming also was visited by OIG it appeared that they already had conclusions and the interviews were structured around formalizing conclusions.

Chuck stated that the Alabama state plan federal register response is delayed. Advise that revising state plan is coming.

Jim Stephens added that Arkansas redid the State Plan in 2012. OSMRE did approve a program amendment but didn't approve legislative changes. The State Plan has been stalled in the solicitor's office in DC since 2014. Arkansas has been operating under old state plan.

State plan discussion regarding federal register and challenges working with OSMRE.

5. EEO/Civil Rights Audit (Autumn Coleman)

EEO/Civil Rights audit schedule for all states schedule is available. So far TX, PA, MT, WY addressed questions and answers with input from financial, legal, human resources. Caution on the 508 compliance for public documents.

6. Fall 2017 Conference – Lexington, KY (Bob Scott)

Bob Scott reminded everyone of the annual meeting Sunday Sept 24 – Wed 27 the business meeting 27-28. The conference is in the same format, Monday opening session, banquet. Tuesday 5 tours each one will have some mining and reclamation element. Active process plant, limestone quarry, distilleries, horse farms, mega cavern, limestone quarry, Churchill Downs. There is a pre-conference tour as part of the registration, minimum number of 10.



Abstracts call is open and due June 1, notification July 1, materials due Aug 31. Link is live through the NAAML P website. \$350 to \$400 projected registration fee, tours planned. There are 3 concurrent technical sessions.

7. 2017 OSM Awards

The 2017 OSM Awards nominations for surface mining are due March 27. Reclamation awards due April 24th.

8. Extending Invitations to the Bucknam and Barnard families

The question was raised about allowing the Bucknam and Bernard families to attend conference. The Finance Committee proposed that NAAML P would comp the families one night or two nights at the hotel and a meal at awards banquet. No travel funds. Sue and son attend. Justin will contact each of the families to extend invitation. There was discussion but, no input.

9. AML Projections, Return of Phase-In Funds Withheld, and Mandatory Distributions (Eric Cavazza)

See the attached handouts from Eric Cavazza. Many states review projections and noted that there are bumps for certified states/tribes and several uncertified states in 2018 and 2019. Phase in money withheld from the certified programs in 2008 - 2010 will be returned to the certified states. Provisions in Sect. 401 of SMCRA that certified phase in money is different than uncertified programs. Certified programs get the money that was withheld in 2008, 2009, and 2010 (75%, 50% and 25% respectively) in accordance with SMCRA Section 411 (h)(3). The total funding withheld from each of the certified programs will be returned in two equal payments in 2018 - 2019. The phase in money is subject to reallocation for the historic coal share for distribution to eligible uncertified programs. Eric is working with Jay Bautista of OSMRE (see attached email) to understand the calculations. Figured how much will be sent to certified states and calculated the reallocation, but it goes into the historic coal share. No money to minimum program states because of the historic coal share. There are 8 uncertified states that will see additional funding as result of the phase in money from reallocation. Jay confirmed the calculation was reasonable. OSMRE sent emails with past distributions and future projections. The projections have the wrong amounts for 2017 but beyond 2017 the projections are correct. Past versions of the projections provided by OSMRE go out beyond 2032 which is a question for Jay. Why did they stop at 2027 this year? The calculations do not take into account sequestration.



NEW AGENDA ITEMS:

1. Coal Good Samaritan Proposal (Ryan Ellis, IMCC)

IMCC is working on a proposal for a new approach for Coal Good Samaritan (Sam). See attached handout. The highlights include:

- Coal and hardrock Good Sam are separated.
- Hardrock Good Sam has higher profile, and a legislative strategy for success would be to proceed without considering coal Good Sam.
- Enhance water treatment by clarifying CWA (NPDES), SMCRA, CERCLA, etc.
- There are concerns with Lamborn Good Sam, EPA concerns. Listed at the top of the proposal.
- Scale back to a State level Good Sam program working through Title IV, sub program for an AMD enhancement plan.
- Not dealing with EPA jurisdiction, Title IV excluded CERCLA.
- Section 405 SMCRA provides liability waiver. Clarify or modify Section 405. Good Sam projects would be covered by the Section 405 liability and extend to partners with spelling out in the contract that the liability will fall to the states, not including gross negligence, etc.
- Discussions to implement Good Sam with EPA or State Water Programs.
- Input on the coal Good Sam is due mid-march to Ryan.

2. AML Emergency Projects (Eric Cavazza)

PA was contacted by OSMRE about funding for the Emergency Program through a separate line item in the federal budget proposal.

EXECUTIVE SESSION CALLED BY JUSTIN IREYS

See separate meeting minutes.

COMMITTEE REPORTS AND DISCUSSION:

See the attached committee update.

1. Finance Committee (Eric Cavazza) the finance committee met Tuesday 2/14/17. The highlights include: Murray provided with details on taxes for the Assn. which need to be filed by May 15th of each year. Officers need to provide information for hours/week spent on NAAML P duties/business. The finance committee covered the status of all upcoming meetings and conferences, contracts executed for fall conferences and winter meeting. Committee discussed idea of acquiring a credit/debit card(s) and decided not to get one. Increased scholarships to 4 \$2,500 which is up to scholarship committee, final decision, the increase is set for 2018, not for 2017.



2. Research Committee (Travis Parsons). There is no committee action to report. The National Tech Transfer team is in an internal audit, and going back through policies and procedures. 2017 topics approved for applied science and can provide a list. Website not updated since 2014 and they are trying to address. Topics and applications updated. Active projects, need to close out, 7 still open. Further funding won't be provided until those projects get closed out. .
3. Training Committee (Bob Scott and Richard Davis). No additions. Topic was covered under new business.
4. Scholarship Committee (Mike Garner) the committee sent out a new flyer, modified and changed web address. NAAML P Members should have the flyer to distribute. The finance committee raised money for 2018. Increasing scholarships and adding just a 4th for graduate students. The fund increase hasn't been discussed with committee, but funds were pre-approved by finance committee.
5. Minimum Program Committee (Justin Ireys) RECLAIM as it is currently worded, the minimum program states will not support. Even with fee extension, support is mixed. There is a support to increase funding \$3 Mill to \$5 Mill.
6. Membership Committee (Bob Scott) NAAML P has 31 states and tribal members, 3 that do not receive funding. Bob will reach out to Idaho.
7. Public Information and Education Committee (Jim Bishop) The Stan Barnard award nominations are due to Justin June 30th The Bucknam nominations are due to Justin June 15th.
8. Hardrock Committee (Jeff Graves) Colorado and Utah was contacted by DOE for help for inventory with Uranium sites funds could potentially address physical and environmental hazards. Ryan provided updates any potential hardrock or Good Sam Bills. The NAAML P Hardrock Awards policy needs to get into Policies and Procedures.
9. National Coal Mining Geospatial Committee (Mike Sharpe) OSMRE is focused on getting geomine online. They released geomine.osmre.gov layers on there from USGS, FWS, EPA, Title V layers. Would love to have AML data can mark as sensitive so zooming in is blocked. eAMLIS is in there as well.



10. Reauthorization Committee (Brian Bradley) See other attached meeting minutes. No other update.

FUTURE MEETING UPDATE

1. Winter 2018 - San Antonio Meeting (Cory Gretlein) will be held at the Menger Hotel February 5-7, 2018. Justin will firm up dates and send out.
2. Fall 2018 – Williamsburg VA – Bring Golf Clubs, fishing rods and family.
3. Winter 2019 – St. George UT. Possible to Zion!
4. Fall 2019 – Pittsburgh, PA – can be pinned down by the fall. Draft contract for association.
5. Winter 2020 –Canaan Valley, WV?
6. Fall 2010 – NV – S. Lake Tahoe or Reno?

Alabama made a motion to adjourn, seconded by Pennsylvania. Meeting was adjourned 11:53 AM.