



MEETING MINUTES
2018 Annual Business Meeting
Williamsburg, Virginia
September 12, 2018

CALL TO ORDER

The NAAML Annual Business Meeting was called to order at 8:00 AM by President Bob Scott. The meeting began with a greeting from President Scott, along with minor changes to the agenda. Roll call was followed by an introduction from all meeting attendees.

PROXIES

Steve Fluke (UT) for California & New Mexico; Mike Garner (MD) for Kansas; Travis Parsons (WV) for Missouri; Susan Kozak (IA) for Oklahoma.

ROLL CALL BY SECRETARY TREASURER (Travis Parsons) – MEMBERS PRESENT:

AL (Les Kearley, Dustin Morin, Jeff Butler); AK (Justin Ireys); AR (James Stephens, Ben Reynolds); CO (Jeff Graves); IL (Bryan Johnsrud); IN (Marvin Ellis); IA (Susan Kozak); KS (Marlene Spence); KY (Bob Scott); MD (Mike Garner, Tim Miller); MS (Teague Duncan); MT (Autumn Coleman); Navajo (Madeline Roanhorse); NV (Robert Ghiglieri); ND (William Dodd); OH (Jim Bishop, Mike Bowden); PA (Eric Cavazza, Brian Bradley, John Stefanko, Patrick Webb); TN (Trevor Martin); TX (Cory Gretlein); UT (Steve Fluke); VA (Lesa Baker); WV (Rob Rice, Travis Parsons); WY (Alan Edwards, and Jeff Meena).

MEMBERS ABSENT FROM MEETING:

AZ, CA, Crow, Hopi, ID, LA, MO, NM, OK

ALSO IN ATTENDANCE:

IMCC (Greg Conrad, Ryan Ellis, Tom Clarke); OSMRE (Roger Calhoun, Yolande Norman, Sterling Rideout, Ann Walker); US Government Accountability Office (Raj Verma), Foundation for Pennsylvania Watersheds (Louise Dunlap).

ATTENDING BY PHONE:

Technical Difficulties

APPROVAL OF MEETING AGENDA (AS MODIFIED):

Pennsylvania made a motion to approve the agenda as modified, seconded by North Dakota. Agenda is approved.

APPROVAL OF MINUTES FROM FEBRUARY 2018 MEETING IN SAN ANTONIO, TX

Minutes were distributed to the membership in advance by email. Comments were received, and the minutes were so edited for final distribution. Ohio made a motion to approve, seconded by Alaska, motion carries unanimously, minutes are approved.

TREASURER'S REPORT (Travis Parsons):

Beginning Balance (February 2, 2018) = \$99,067.26; Current Balance (September 2, 2018) = \$68,772.37; Major expenditures since 2018 Annual Business Meeting were Six-month services to IMCC (\$15,000), NAAML P Booklet (\$5,991.60); Winter Business Meeting at the Menger (\$6,893.96); 20019 Winter Business Meeting in Utah (\$2,250); 2019 Conference in PA Seed Money (\$5,000); Deposits include Publication Fees (\$6,000). Fees are still needed from nine states (\$2,250); Three scholarship checks were written during conference (\$7,500). The Treasurer's Report was distributed to meeting attendees. Pennsylvania made a motion to approve the report, Wyoming seconded, motion carries unanimously.

AML SUMMIT UPDATE

e-AMLIS: (Sterling Rideout): The team has created a comprehensive list of enhancements and fixes. This list has been assigned priorities. A new contractor is on-board, and has made some progress. They have corrected issues with Crystal Reports. An internal base code was built and moved to a secure Cloud environment, which enhances IT security. They have also addressed proper industry standards for control of documentation and reports. The coordinate issues have also been corrected. The next meeting is planned for the end of September.

AML-1 (Autumn Coleman & Yolande Norman): The States put together a list of edits, and sent to OSMRE for their comments. Jan Morse (UT) has reformatted the Priority Documentation forms. OSMRE is working with Ohio on an AML-1 training because of high turnover. The training will focus on data entry and user-friendly forms.

Data Reporting (Brian Bradley): Focused on three areas. 1) Review of FBMS system for grants in the period of 2008-2017, in which \$3.3Billion was distributed to the States/Tribes. The data collected confirms Rob Rice's testimony that every dollar is accounted for. A breakdown of spending categories was given. 2) Review of e-AMLIS data, and the consistency of reporting. The group looked at the various sources of data, and how the data is used. This includes looking at which programs are being included/excluded in OSMRE's annual budget book and tables. They currently do not show full extent of inventory. The group developed a matrix to accurately depict the full scope of data. This will help clear up the misconceptions made by NMA. Two documents discussed were sent out via email. 3) AML-1 & this group used completion data to develop a 5-year average cost values for unit feature types. This will enable a national average to help answer current value of unfunded inventory. Still working on the details. Steven Lee (Bloomberg Environment) wrote an article in which he contacted NMA, who misstated financial information again. A discussion with OSMRE is requested to follow-up on that and neutralize the untrue statements. Bob reminded the group to reach out to Legislators and have good communication. It is very important to educate and inform elected officials, and the public.

Messaging (Alan Edwards & Eric Cavazza): Main purpose is to educate and inform, not lobby. IMCC developed stakeholders outreach plan, which identifies groups, and schedules when to make contact. OurWorksNotDone website is operational, and states are encouraged to add their data and successes. Be careful to only state facts, not advocacy work. Developing a FAQ list, with common answers among States/Tribes. Working with Moshay (OSMRE) to determine what information OSMRE can share, and how it can be linked. Would like to start those in the Fall. The next initiative is to interweave this effort with the Data group, and get data on both NAAML P's website and OSMRE's website. State/tribes are invited to post links to their award nominations, even if they weren't winners. A lot of work goes into preparing those stories, and they should be shared.

NEPA (Travis Parsons & Sterling Rideout): The team began by giving brief overviews of their State's SOP's and interagency relationships. Utah has a Memorandum of Understanding (MOU) with their State Wildlife for Bat Protocols. They also use an ATP Checklist, which lists the required documentation and procedures to aid OSMRE & AML staff as they work through project submissions. Alabama has an expired Programmatic Agreement (PA) with USFWS. Colorado hires Bat Conservationists to conduct "Desk Surveys." They are working on a PA between CO AML, OSMRE, and SHPO. BLM may be a signatory, but mostly pertaining to Title V. West Virginia has a PA with USFWS, but it is currently under revision to include streamlined guidance for mitigation and avoidance measures for listed T&E species (Bats, Freshwater Mussels, and Crayfish). WV Title IV & Title V programs split the funding for two positions (Archaeological & Architectural Historians), and a vehicle at SHPO. The dedicated positions enable quicker review of projects. Iowa and West Virginia encounter problems with the Corps of Engineers every 6 months-to a year, which seems to coincide with personnel changes. To aid in this effort, field visits are scheduled each year to educate the new employees and reeducate the veteran employees.

Focus of the team then shifted to proposing new eligibilities for Categorical Exclusions (CATEXs). Initial projects discussed included Waterline Extensions, Subsidence, Underground Mine Fires, Explosives, and Dangerous Slides. OSMRE collected regional data to show which projects requiring EAs resulted in FONSI's. Octavia Conerly (OSMRE HQ) provided the CATEX application process. Team members were provided an extensive list of current ~120 CATEX's currently used by 59 Federal Agencies. They were assigned a list of agencies to review, and try to identify current CATEX's that are similar in scope to AML projects. DOI is committed to streamlining the NEPA process, including the addition to new CATEXs. This will take a lot of time and effort, but do have the national team working on it. In addition, they are working to improve time limitations on EAs & EISs.

Grant Process (Yolande Norman): OSMRE has a general overview of how states request grants. One reoccurring concern among various Summit Groups is how OSMRE can track all costs (design, admin, & construction) in a way that isn't too burdensome. One possibility is through subaccounts. States strongly support the "Simplified Grant" process. It would be very difficult and burdensome for States & OSMRE to modify the grants every time a new project is selected, or dropped. Alan discussed the OIG Report, and offered to provide "break-outs" of data to OSMRE to help resolve the misconceptions, and aid in future inspections.

- **Ryan:** There is still a mutual interest for a follow-up Summit to assess the status of each group, and determine what additional actions are need. Looking at the possibility of holding a Summit Reprieve at the IMCC meeting in October. Need to figure out how to structure the format. A lot of progress has been made, and the groups are working towards compromises on identified issues. Bob pointed out that some of the AML Summit members do not typically attend the IMCC meetings, and requested Tom provide information as early as possible, so accommodations can be made.

OSMRE UPDATE (Sterling Rideout and Yolande Norman):

1. **The AML Pilot Program** began in 2016 as a nexus for economic and community development. Initially, \$90M was given to three states (PA, KY, WV). In 2017 three more states (AL, OH, VA) were added. In 2018, Navajo, Crow and Hopi Tribes were added to the program. There are many types of activities taking place as part of these projects (purchase of property, equipment, etc.), which requires stronger guidance for FY18. Many folks are involved, including OSMRE Acting Director, ASLM, and Office of Management and Budget. They are trying to evaluate the success. Criteria hasn't changed. We're in a good place to dispel NMA's comments. Eric requested the annual projections beyond 2022 to help with Reauthorization effort.

2. **Tech Training Programs (Ann Walker)**: In FY18, 36 courses (27 regular & 9 special workshops) were offered. A Steering Committee met (July/Aug) and decided to be more cooperative with States/Tribes/Federal Programs. Looking to tie information together to support TIPs/NTTP and provide a Segway for participants and provide information back to OSMRE. Some courses are being eliminated, but may still be needed. Training courses are only as valuable as the stakeholder's feedback, and evaluations are underway to see if the courses are where they should be. "Bonding: Administrative and Legal Aspects" & "Cost Estimation" courses will be offered biannually in FY19, as well as the "NEPA" course. This year, 16 new instructors were trained, which is a great move forward. Anticipating 800 students this next year. TIPs trained 242 people this past year. There have been 1,507 requests for NTTP courses in FY19. Funding and manpower are current hurdles that will dictate available training opportunities. DOI is migrating from DOI Learn to "Talent" system that can enhance learning, and is designed for large training program. States need to provide input on the new system. New TIPs courses include Drone Use & Processing.

OTHER FEDERAL PROGRAM UPDATES

1. **BLM-Update on BLM AML Activities (John Allison, Erinn Shirley)**: AML vacancy has been pending for last year and a half. Still has Acting Director because of operating under a Continuing Resolution. This has also caused a drastic decrease in funds for the AML, HAZMAT programs, as well as other technical positions. FY19 budget proposes \$5M reduction, which will require the agency to prioritize its efforts. The BLM is currently going through an audit with the Accountability Office, which is focused on inventory and partnerships. This is anticipated to last for the next 6 months. The BLM continues to work with DOE for Uranium Project, which will continue through 2021. They updated their database in March, with improvements still being added. A GIS Analysis is being conducted on data received in 2016, while digitizing their topographic maps to determine extent of AML features across BLM land.

Raj Verma: The US Government Accountability Office (GAO) is working on a review of Federal and State Abandoned Hardrock Mining inventories, and their spending on cleanup efforts. They also want to review success stories that may be available to help address physical hazards or environmental degradation. They are working with Montana, Nevada, Colorado, EPA, Corps of Engineers, and BLM.

2. **Summit/IMCC (Alan Edwards)**: If the Summit Reprieve is planned for the IMCC meeting in October, it would be good to have most of the original participants there. Some states involved in the Title IV Summit do not normally attend IMCC meetings. To help ensure the greatest attendance, it may be helpful to set a schedule for the meeting, and send a letter from Glenda Owens to those members, notifying them of the meeting and inviting their participation. Logistically, that may be something needed to assist them with obtaining travel authorization. These Summits are important, and we truly value them as a partnership between OSMRE and the States and look forward to them.

Bob Scott called for an Executive Session @ 9:27 AM. Reconvene business meeting at 10:00 AM

Election of Officers: Bob Scott nominated Autumn Coleman for President, Cory Gretlein seconded. No discussion, motion passed. Alan Edwards nominated Travis for VP, Justin Ireys seconded. No discussion, motion passed. Marlene Spence nominated Susan Kozak for Secretary-Treasurer, Autumn Coleman seconded. Rob Rice nominated Brian Bradley, Mike Garner seconded. Discussion ensued, and

Brian Bradley declined nomination due to current heavy workload. Rob withdrew his nomination. Motion/nomination passes unanimously for Susan to become Sec-Treasurer. Alan suggested Officers serve 2-terms moving through Reauthorization efforts to maintain consistency with contacts in D.C. and other stakeholders. Officers did not comment.

IMCC Contract (Eric Cavazza): The 2019 Contract has been approved by the Finance Committee. The 2018 Contract was increased because of transition with Greg, Tom, Brittany, and Beth. There was a discussion about moving the amount back to \$20,000, but it was decided to keep it at \$30,000, with a strong recommendation that they bring Greg back to help NAAMLPLP exclusively on Reauthorization efforts. The funding level will be reviewed annually. Pennsylvania has submitted a formal proposal to IMCC for Greg to come back and work exclusively with NAAMLPLP toward Reauthorization. The proposal will require an additional investment by IMCC, and will be presented in Executive Session during the October meeting in Biloxi, MS. Alan requested that Todd Parfitt is included in future discussions concerning these measures, as the official IMCC representative. A discussion ensued about IMCC accepting the proposal, and what their workloads will involve. Other discussions included funding breakout, and expectations on both sides. Alan Edwards made a motion to approve the IMCC contract being kept at the \$30,000. Travis Parsons seconded. Alan suggested that a description of work to be provided by Greg, along with the performance period, be included into NAAMLPLP's accounting records once the additional contract is enacted by IMCC. There was more discussion about the proposed funding level of the IMCC/NAAMLPLP contract. No objections, motion carries unanimously.

Rob Rice brought up the recent Bloomberg article, and how groups like the NMA are trying to paint a negative perception of AML programs nationwide. Oftentimes, as with e-AMLIS, perception means more than reality. As we attend future conferences, the Association may want to be conscientious of activities or spending that NMA can use against us to show we are wasteful with our funds.

Bob called for a Break @ 9:55 AM. Reconvene @ 10:00 AM

Joe Balash Briefing (Brian Bradley, Susan Kozak, Ryan Ellis, Tom Clarke): There were discussions about AML grants, and how funding is currently being spent. The group informed Secretary Balash about the remaining inventory, and what will not be achieved if Reauthorization is not passed. Sec. Balash asked "How much time, and how much money is required to complete the inventory"? Eric told him that great success and growth can be expected, but completion is a very difficult number to pinpoint. He listened very intently, and seems to be on same page, and supports Reauthorization. Similar briefings can be expected over the next 6 months or so. We got 1.5 hours of his focused time, versus 30 min of distracted time had it been held in D.C. Balash recommended that NAAMLPLP submits the Reauthorization Packet to Congress in 2019, or it could be too late. The State/Tribes need to reach out to their representatives and elected officials for support. The briefing also highlighted the collaboration between Pennsylvania and Wyoming, which eliminated the notion of the East vs. West contention. Sec. Balash also said that NAAMLPLP needs to condense the presentation down to 30 minutes, or less, and only focus on the most important issues. The revised briefing should be used by the States and Tribes to promote support of Reauthorization. The unappropriated balance was discussed, and how it will only cover a fraction of continued inventory.

SMCRA Reauthorization (Ryan Ellis)

- The debate over Reauthorization in Congress and the public will pick up quickly in the new year. We've been preparing for this moment for a few years. It is very important that we all stay engaged, and continue working together over the next 18 months to two years. The year 2019 will

be crucial, especially regarding Congress. Ryan has a meeting with House Natural Resources staff in two weeks. The prepared documents are key to those conversations.

- **Straw Legislation:** List of recommendations, maintaining fee tables, changes to SMCRA, and serves as a “Starting Point.” Extend fee collection for 15 years, which is justified given the \$10B inventory left. Delay the payout of the unappropriated balance until the end of proposed Reauthorization (2036). Increase Minimum program funding to \$5Million, and allow certified Programs to contribute to AMD Set-Aside. Have the previously sequestered AML funds returned, and make AML funds exempt from future sequestration. Have OSMRE reimburse States from the Discretionary Share for their Emergency projects, so they can use their grant funding solely on inventory reclamation. Eric pointed out the heavy burden that raising Minimum Program funding and funding Emergencies would place on OSMRE, and suggested that we prioritize which is more important as a contingency. The Association needs to research if there are strings attached to various sub-accounts in the unappropriated balance, and know what is available to the different programs. Obtaining a fifteen-year extension is preferred, but there is a 7-year limitation set by the Republican Congress. If there is a Democratic Congress next year, this may change.
- **FAQ’s:** Make sure we have discussions for the specific documents recently created to help add clarity and details. This sheet is a valuable resource that States/Tribes can utilize for their Reauthorization efforts. The purpose is to help guide folks through the complicated processes of AML, and provide education to the public. A suggestion was made to keep the list very simple, with short answers. If the viewer requires more detail, they can click a link for a fuller description. OSMRE was unsure about the presence of a FAQ page on their website. Request was made for a NAAMLPA FAQ be added to their website. Sterling acknowledged this could be done. The Steering Workgroup can help reorganize the form, and focus on most appropriate issues with hierarchy of information in-mind.
- **Data Tables:** Discussions with OSMRE are needed to attain their comfort level. OSMRE has asked we keep that data confidential, until they can further review. Ryan pointed out this information is critical, and is needed soon, as the House Natural Resources meeting is quickly approaching.
- **Messaging Plan:** We need to create a comprehensive list of stakeholders (public, NGO’s, committee members, Governor’s Offices) and begin conversations with stakeholders, and plan how we will move forward. Assess where we stand, and where support is growing. States/Tribes will be given a survey for whom they plan to contact. They will also be provided with a Briefing Template to be catered to their specific programs. Bob encouraged members to take the time to review materials created and distributed by the team. The Accomplishment Report template provided by Ohio provides a high-level understanding of how the program is run nationally. It is very important for States to have conversations with their governors (early/often) and include how the governors view the effort. We are also encouraged to include our state mining associations. States are encouraged to add questions/answers on their own websites. The members were asked to comment on expectations for their administration’s position on Reauthorization:
 - Arkansas is scheduled to get their last grant in 2021, but fully support Reauthorization for the other programs.
 - North Dakota will need funding for the next 20 years. They are unsure of their Governor’s stance, but expect support from Industry.
 - Utah is likely to be supportive, but nothing made publicly. They are supportive of Hardrock Legislation.
 - Indiana is unsure of their Governor’s position, as he has not indicated one at this time. The Department Director is aware of AML and sees the value of the program. Indiana has made a conscious effort to highlight State Lands impacted by AML to help show need to state officials. There is often confusion over AML and the Pilot program.

- Iowa will be supportive, and has laid groundwork with administration, who are already supportive. Scheduling field visits for legislators and governor out to see AML work.
- Maryland is unsure of support. There is no active mining. Education is needed, but they feel there will be support.
- Colorado has had support but have new election in two months. Unsure of what new governor's stance will be. State legislators are supportive of Hardrock.
- Texas will most likely not be supportive. They are also unaware of the issues.
- Virginia's Congressman Griffith is supportive of Reauthorization and Pilots, but not sure of their governor's stance. There is an ever-changing need [for AML], especially with the current weather trends and topography (physical characteristics). Priority 3 problems are turning into Priority 1.
- Alaska has at least 15 years worth of future reclamation needs. There is an election in November. Administration is aware, and full support is anticipated.
- Tennessee is about to get a new governor, and could change drastically. They have support on the Department level. Currently they are aware of the issues. Adding missing inventory. Have concern on industry's view.
- Ohio will be getting a new governor as well. There is a need, and the Governor's Office currently is aware of what is possible through AML and the Emergency Program.
- Kansas has lost 50% of staff (Title IV & V). They are distributing the new FAQ document to new employees as they walk in the door. Regulations are under review. As those are presented to Legislation, the door will be opened for Reauthorization discussions.
- Pennsylvania is expecting their governor to get reelected, but has no official position, but they would be surprised if there was not support.
- Alabama's Governor is up for reelection, and will likely get it. She is aware of AML through Pilot Program, but unsure of her stance on Reauthorization. Corruption trials have caused distractions, but they are working hard to promote education, especially after the election.
- Illinois has uncertain elections approaching. There elected representatives are aware Reauthorization, but not much has been said. An increase of fees would cause an upset. Coal companies do not seem too concerned with current fee collection. An increasing number of subsidence events have made the news over the last year, and the AML program has taken advantage of that opportunity for education. Coal Association has not voiced a strong opinion.
- Navajo is getting a new administration. It is uncertain if they will support the effort and may have its own position. Many governors will likely not have a stance until an official proposal is submitted.
- Mississippi has an election as well. Governor and Legislators are aware of issues and Reauthorization.
- Wyoming's Governor is term-limited, but they have full support from their legislative leadership. They have not approached the governor candidates, but have developed educational packets. The Director is fully supportive, but need to wait on guidance from the new governor. Legislative leadership is aware of and understands money generated from Wyoming, which will be beneficial.
- Montana has strong letters of support from their Governor and two Senators. They haven't discussed Reauthorization specifically, but do spend a lot of time discussing the value of AML. The governor will remain for two more years. Mining issues are controversial for active hardrock permitting, and they need help to identify a good time

to approach them. The likely governor elect is a past attorney for the AML program, is a friend of the program and is very supportive.

- Kentucky's Governor is very supportive of Pilot program, and incorporated it into his campaign speech. Their Coal Association mirrors NMA stance. We need to educate our fellow Associations and County Commissioners to make enemies our friends. The AML issues are going to continue to exist. Without AML programs, people will look to the coal industry to solve them. In that regard, we are their best friends in keeping the public off their back. Members need to utilize the Safeguarding booklet to educate our governors.
- West Virginia's Governor has a neutral stance. Complaints that come through Constituent Services have shown him that we do good things, but the Coal Association has been in his ear. They are still looking for political champion for Reauthorization.

Louise Dunlap suggested NAAML work with National Governors Association soon after the midterm elections. Preferably at their late-February meeting in DC, then to White House. IMCC will continue supportive role.

Thought Piece:

- **Unappropriated Balance:** There will be a balance at the end of the AML Fee Collection of approximately \$1.2Billion, which will provide 7-9 years of funding to Uncertified States starting in 2023. The current Straw Legislation aims to delay payout until end of the new expiration. Recommend how the money should be spent, and protect it from future attempts to change (RECLAIM). Is PAYGO necessary for distribution of funds after expiration, as it would if the balance was distributed prior to expiration, as with RECLAIM? Only uncertified programs will receive money from the unappropriated balance, as written in SMCRA. If the expiration is extended, distribution will begin after new date, it will show a PAYGO savings in budgets. Discussion on pushing payout to end of new fee authorization date, vs leaving payout at the current 2023 date. Leaving the payout in 2023 will provide uncertified states with a "double grant." There was a discussion about use of the State Future Reclamation Set-Aside programs. States that participated in that program include CO, IL, IN, MO, NM, ND, UT, VA, and WY.

2019 Winter Business Meeting: St. George, Utah, February 5-7 at the Inn at Entrada. Attendees can fly into St. George, or drive two hours from Las Vegas. Federal per diem rates are being honored through the weekends before and after the meeting. Officers will distribute a "skeleton" agenda to help states obtain approval.

2019 Annual Conference: Pittsburgh, Pennsylvania, September 9-11. Website is live, and the Call for Papers has gone out. Bob encouraged OSMRE to have their experts present on grant funding.

Bob called for lunch at 11:40 am. Reconvene at 12:30 PM

Reauthorization Update (Continued): House Natural Resources has considered ways of reducing AML formula's reliance on Treasury Funding, out of fiscal responsibility. We need to be thinking about options if Treasury funding is eliminated (Certified In-Lieu). This is critical for balancing the formulas. If they are eliminated, there will be no incentive for programs to certify. Likewise, Certified Governors will not support Reauthorization. How do we ensure some type of funding will be available for Certified programs? Care must be taken not to allow this create a wedge to our cooperation and united front. Certified programs will request to continue receiving their 50% share of contributions. It should be noted that these funds benefit tax payers by allowing AML to continue reclamation efforts. In addition, it is a small percentage of the National Budget. It may be beneficial to leave formula and structure "as-is." Making too many changes can complicate the process, and lead legislators to be reluctant to get involved.

Discussion about the impacts to UMWA contributions with elimination of Treasury Funds. Working with House Natural Resources Committee for clarification on these funding questions, and how PAYGO may be an influence.

Upcoming Plans: Begin having conversations with Congress and other direct stakeholders this Fall, to determine where we sit. NAAMLPA booklets will be distributed to all of Congress after mid-terms (late January?) and include “Dear Colleague” letters. Should we include non-AML states with initial efforts, or just focus on AML States?

IMCC Update (Tom Clarke and Ryan Ellis): Congress is attempting to pass a budget before the fiscal year starts. They have passed four “mini buses.” The third one includes appropriations for the Department Of Interior and environment, which is important for AML purposes. The Senate version includes \$75M for the Pilot Program for the three largest Appalachian States, \$30M for the next three Appalachian States, and \$10M for the Tribes. The House version provides \$90M to the three largest Appalachian States, \$10M to the Tribes to be distributed through the Bureau of Indian Affairs rather than through Title IV. The House and Senate had a conference committee to reconcile their differences. The House Bill had cleared numerous policy riders. Results from that conference have not been heard. The application for funding deadline is September 30th.

EPA “Waters of the US” Rule: In process of repealing the previous rule. They are nearing the end of the comment period. EPA promulgated a rule that delayed the effective date until 2020. A Federal Court in South Carolina issued a Nationwide Injunction against the 2020 effective date for the latest rule due to improper procedure. This affects 26 states, as the other 24 states are subject to an Injunction from other Federal Courts.

NEPA Update: Disclosed that OSMRE completed a draft revision of their NEPA manual, which is supposed to be finalized by December 1. The CEQ has published advance notice of rule making for basic revisions to NEPA implementation regulations. The deadline for comment on that proposal is Sept 24. Ten Democratic States Attorneys General plan to sue once rules are implemented. Endangered Species Act comment closes on Sept 25 for designations of critical habitat, definitions of “foreseeable future” and “threatened species.” Clarify tests for when a species can be removed from the list, as well as added. USFWS withdrew policies of mitigation and the requirement of “net conservation gained,” which were implemented under the last Administration. There was a discussion on establishing a response time requirement for consultations. DOI is going through reorganization based on watersheds and political boundaries, and OSMRE is not one of the exempted agencies. Further details will follow.

Good Sam: The Community Reclamation Partnerships Act (Coal Good Samaritan Rule) successfully passed House this past year. Trout Unlimited is actively working for Senate sponsors. Chances are decreasing for this legislation, but it was a big step forward. IMCC worked with the House Natural Resources Committee on a Hardrock Good Samaritan Rule. The effort unraveled before it could have a hearing, but anticipate House Natural Resources will continue working on it over the next year. Main obstacles include disputes over framework, and how it will work. EPA looking for ways to make it work. A paper has been created, and they are interested in working with states on CERCLA-related water treatment projects. The GAO (Raj) has been conducting a 10-year study on AML Hardrock. A recent update to the study has primarily focused on inventory, but they also have a special interest in Good Samaritan. They have reached out to IMCC, NV, CO and MT to gather input and various points of view from State Programs. Three productive conversations have taken place. The GAO is interested in all things AML (hardrock & coal), including Reauthorization.

USFS (Scott Ludwig provided the following written statement, read by Autumn Coleman):

Scott Ludwig is currently on a 120-day detail as Program Manager for the National AML and ECAP programs since Kathleen Adam is on a detail as Regional Engineer in Region 8. Along with BLM and Park Service, the Forest Service is starting the GAO audit on abandoned mine reclamation/cleanup and financial assurance. Given the work we do across the U.S. with many of you all at the State level, Forest Service Regional program managers may be contacting some of you given GAO is focusing on partnership efforts that we have had with the States and NGO's over the years. The Federal Government went thru FY 18 under Continuing Resolutions. No budget has been passed for FY 19, so pending a shutdown, we will likely continue under CR's in FY 19. We will just need to wait and see what happens. The FY 20 National Call letter for AML Safety and ECAP projects will be going out to the Forest Service Regions in the next month.

National Park Service (Hillary Smith provided the following written report):

Issue: Past mineral development has left over 3,400 AML sites with approximately 37,000 individual mined features or orphaned oil and gas wells in 133 units of the National Park System. Some of these features have public safety or environmental impacts. Many sites also have cultural values and provide critical wildlife habitat. The NPS seeks to mitigate hazards and ecological impacts at the sites and features that require remedial action while protecting cultural resources and wildlife habitat. Dedicated funding is needed to accomplish these goals. In the current budget, \$4,000,000 a year has been set aside from the line item construction budget to mitigate AML features. **Background:** The Service wide AML Program is managed by the Geologic Resources Division (GRD) within the Natural Resource Stewardship and Science Directorate. The 2014 NPS report identifies 37,050 AML features at 3,421 sites in 133 NPS units. Of these, 10.3% (3,814 features) pose human safety threats and/or resource impacts that require mitigation; 4.9 % (1,799 features) have been fully mitigated; and 84.8% (31,437 features) need no action but were recorded to characterize each site.

Current Status: In 2018, sixteen AML projects at eleven parks were funded, in seven States/ District of Columbia. As the budget was approved late in the year, these projects are in the process of getting started. In 2019, fourteen AML projects were selected to receive funding, at eleven parks, in seven states. These projects should receive funding shortly after the start of the fiscal year, October 2018. NPS is in the process of currently selecting the AML projects and parks who will be slated to receive funding for 2020 and this should be finalized before the end of September of this year. The 2021 projects will be selected in April of 2019, assuming that we continue to receive funding.

Special Thanks:

- **State of Colorado – Tara Tafi and Jeff Graves** –Tara came to NPS and the AML program Lead with a damaged bat gate that NPS was not aware of in one of our parks and the State repaired it for us.
- **State of Virginia – Phil Skorupa and Josh Rubinstein** – NPS is working on a possible AML project on the Appalachian Trail, and the State accompanied Park Staff on a site visit providing expertise. The State also visited AML sites along the Blue Ridge Parkway and performed a site assessment with Park Staff. The State also has plans to attend a site visit with Park Staff in late September, on an AML site in Shenandoah.
- **State of Arizona – Jerry Tyra** – May accompany Park Staff and the AML program Lead to numerous AML sites in Organ Pipe Cactus and Saguaro, near the end of September.
- **State of Utah, - Steve Fluke** - In initial discussions about a project at Capital Reef and possible site this winter.

Contact: Hillary_Smith@nps.gov, Mining Engineer & AML Program Lead, 303-969-2810

Old Business

Literature and Website (Jim Bishop and Steve Fluke): Distributed hard copies of the “Safeguarding” booklet. An electronic version is available for reproduction and printing by each state and tribe. There are plenty of extra copies available. Website has been updated and should be going “live” within the next week or two. The *OurWorksNotDone* website is linked, and will possibly add OSMRE awards link. A banner was added that shows before and after photos of reclamation projects. States are encouraged to send good before and after photos to include on the site. The promotional flyer has been published, and is now available. The two-page summary, Safeguarding booklet, and NAAML P’s Resolution for Reauthorization are now on the website also. There is also a link to BLM’s website.

OurWorksNotDone – Reemphasize the need to participate. It is an easy process to get your State’s information published to the site.

Retirements: John Kretzman (New Mexico) – The position will be filled by someone within next month or two. Lloyd will remain the NAAML P delegate; Murray Balk (Kansas); Greg Pinto (Illinois); Glenda Marsh (California) – Downsizing the agency, and there may be a new contact in the future; James Stephens (Arkansas) will be around for 10 months, then retiring; Jay Bautista (OSMRE); Bob requested that any new potential retirements be announced as earlier as possible.

AML Pilot updates– Information is available if needed

New Business

- New Members: Idaho – Tom Jordan: looks forward to networking with the Association. Their program is new, and they will likely need guidance.
- Next steps for Reauthorization: Please follow up with requests and emailed documents
- AML Summit Follow-up meeting: Request IMCC to send info to State representatives for travel authorization.
- 2019 Winter Business Meeting: Strongly encourage folks to attend.
- 2019 NAAML P Conference (Pittsburgh PA) September 8-12, 2019: partnering with IWPR and NASLR
- Louise Dunlap: Discussed NGO concerns and wish list for Reauthorization, which is similar to IMCC. NGO’s will push for larger AML fees. Trying to obtain largest benefit from Pilot funding. Doesn’t think RECLAIM will go anywhere this year. Joe Pizarchik is a member of the PA AML Campaign, and an advocate for industry’s ability to support a fee increase. Citizen groups do not feel the coal industry is paying what they should be.

Committee Reports and Discussion

- Finance Committee (Eric Cavazza): Covered previously
- Research Committee (Travis Parsons): The Applied Science Program was the subject of an Internal Control Review in 2017. The team saw that as an opportunity to define steps in all four (4) key processes and create SOP’s. NTTT has formed a sub-team in the Appalachian Region to develop and implement a plan for collecting, organizing and sharing the Teams data. The plan includes a quarterly newsletter, webinars, webpage links, and social media.
- Training Committee (Bob Scott): OSMRE is getting rid of DOI Learn. Rob Welch has been named TIPs Coordinator in Denver. It is very important for State and Tribal programs to complete the Needs Surveys.

- Scholarship Committee (Mike Garner): Continue 4 scholarships (\$2,500 each), and discussion on improving payment procedures and simplifying travel reimbursement. Scholarships do not require vote from full Association. Winners can receive the scholarship without requiring them to attend the conference. Removed language establishing \$1,000 for travel, because they are typically ~\$1300.
- Minimum Program Committee (Mike Garner): Drafted a letter to OSMRE requesting money be put back into the Emergency Program. May impact funding for training, or WCAP grants. Discussions should include full membership for OSMRE to add more money back in bucket.
- Membership Committee (Autumn Coleman): Future members could possibly include Florida and Michigan. Florida had approached IMCC, and Michigan has a mining program. Washington and Oregon are also potential prospects.
- Public Information and Education Committee (Jim Bishop): Nothing further
- Hardrock Committee (Jeff Graves): Did not have full committee support for Good Sam, and it died on the vine shortly after testimony. There have been some discussions with GAO on partnerships between state and federal agencies, and how States are subsidizing Federal dollars for project costs. There is a push to identification inventory of hardrock features, existing liability and cost. Need to keep contacting legislators about Hardrock AML Program.
- SMCRA Reauthorization Committee (Brian Bradley/Susan Kozak): Nothing further. Stay tuned next 6-12 months. Be prepared to respond on future data request.

Future Meetings Update

Feb 5-7, 2019, St. George, UT

Winter March 2-6, 2020 – Charleston, WV

Winter 2021 – Orange Beach, AL

Winter 2022 – MT/WY @ Jackson Hole

Sept. 8-12, 2019 – Pittsburgh, PA

Fall 2020 – South Lake Tahoe, NV

Fall 2021 – Colorado/Utah – Grand Junction

Autumn presented Bob with his President's Gift

*****Meeting Adjourned at 1:55 PM due to Hurricane Florence*****

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