



NATIONAL ASSOCIATION OF ABANDONED MINE LAND PROGRAMS

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
2016 Winter Business Meeting
Sacramento, California
March 10, 2016**

CALL TO ORDER

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

PROXIES

Travis Parsons was designated as a proxy for West Virginia.

ROLL CALL BY SECRETARY TREASURER (Bob Scott) — MEMBERS PRESENT

AL (Chuck Williams, Jeff Butler); AK (Justin Ireys); AR (James Stephens); CA (Glenda Marsh); CO (Bruce Stover, Jeff Graves); Crow (Laura Little Owl, Norman Honie, Sylvan Cover Up); Hopi (Keith Pahovama, Sr.); IL (Greg Pinto/phone); IN (Marvin Ellis); IA (Susan Kozak); KS (Murray J. Balk); KY (Bob Scott); MD (Connie Loucks); Louisiana (Luzma Mata De Leder/phone); MT (Autumn Coleman); Navajo (Madeline Roanhorse); NV (Robert Ghiglieri, Jeryl Gardner); NM (John Kretzmann); ND (Bill Dodd); OH (Jim Bishop/phone); OK (Mike Sharp, Robert Toole); PA (Eric Cavazza, Brian Bradley, John Stefanko); TN (Trevor Martin/phone); TX (Mark Rhodes); UT (Dana Dean,(Steve Fluke/phone)); VA (Richard Davis/phone); WV (Travis Parsons); WY (Alan Edwards).

MEMBERS ABSENT FROM MEETING:

Arizona, Mississippi, Missouri

ALSO IN ATTENDANCE

IMCC (Greg Conrad, Ryan Ellis); OSMRE (Yolande Norman, Sterling Rideout);

APPROVAL OF MEETING AGENDA Kansas makes a motion to approve agenda, seconded by Pennsylvania. Agenda is approved.

APPROVAL OF MINUTES FROM SEPTEMBER, 2015, MEETING IN SANTA FE, NEW MEXICO Minutes were distributed to the membership in advance by e-mail. Comments were received; the minutes were so edited for final distribution. Pennsylvania made motion to approve minutes, seconded by North Dakota, motion carried unanimously.

TREASURER'S REPORT (Bob Scott)

Beginning Balance-January 2015 = \$14,540.81; Ending Balance-December 31, 2015 = \$21,386.80; Current balance-(February 29, 2016) = \$ 56,437.91 Major 2015 expenditures, IMCC =\$17,500, Scholarship and Travel for recipients =\$ 8198.25, Seed Money 2016 and 2017 conferences = \$10,000; 2015 Winter Business meeting = \$8,503.32; St. Louis Meeting = \$ 2,369.10; 2015 Annual meeting = \$10,000; Deposit Holiday Inn Capitol Plaza for winter meeting = \$ 1,500

2015 NAAMLPL Conference deposit made in the sum of \$34,896.50

An information sheet was circulated asking each state or tribe to verify or provide information for contacts to send letters regarding Association Fees (\$250.00 invoice). These letters will be mailed in April. The Crow tribe has yet to pay membership dues for 2015. This will be requested with 2016 invoice.

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

OSM UPDATE

1. AML Grant Distributions AML grants have been announced and will be subject to 6.8% sequestration. Wyoming received additional money that had previously been withheld of \$241 million dollars
2. Update on SMCRA Reauthorization OSMRE has continued with conversations and conference calls with a general thinking of sooner is better than later.
3. 2017 Budget and Legislative updates Discussions revolved around discretionary funds, restoring AML fees to original fees, mandatory payments to states and tribes, OSMRE technical assistance, Secretaries initiative. (See attached press release)
4. Discussion of OIG Audit of OSMRE's Management of the AML Grant Program Yolande gave details of the OIG audit, interviews began in December 2015. Eric Cavazza of PA and Marvin Ellis of Indiana indicated that both of their states had received requests for information as part of this audit.
5. Update on OSMRE Rule Makings Stream Protection Rule (SPR) was discussed and Sterling Rideout indicated that OSMRE would be discussing this at the IMCC conference in April. It was pointed out that the IMCC agenda was full, that the technical personnel to discuss the SPR would

not be present and that a separate meeting would be needed. It was pointed to OSMRE that states needed time to go through the documents. Sterling indicated that the SPR would be finalized this summer. Alan Edwards indicated that would not give states sufficient time for review and comments. **Cost Recovery Rule** is still being worked on internally by OSMRE. **Coal Combustion Rule** is still being worked on by OSMRE but time and attention has been diverted to the SPR rule. **Blasting Rule, Dam Safety** There is a meeting set for May 11th in Saint Louis.

6. New Pilot Program for three Appalachia States \$90 million dollars from General Fund have been included from the 2016 Omnibus Bill as detailed in HR 2029 bill for the 3 Appalachian States with the highest documented inventory for AML reclamation in conjunction with economic and community development. OSMRE declared the funding to be available to the states through a letter dated in February. The details of project selection and guidelines for AML eligibility, economic development, community development and partnerships are being worked out. The three states are Pennsylvania, West Virginia and Kentucky.

7. MSHA Jurisdiction of AML Sites Currently, MSHA is asserting jurisdiction on AML sites that extract in-situ coal or extract coal refuse and remove these products from the site for sale.

8. Status of OSM Government Efficiencies Workgroups **Training and Sustainability** Sterling gave updates for the Training Workgroup on the recommendation of combining the steering committees and that has been accomplished. **Financial Stability Workgroup and Program Efficiencies** had nothing new to report indicating that OSMRE has been concentrating on SPR.

9. Training Program Update It was pointed out that the TIPS program has distinct services and functionality and this must be taken into consideration when combining the NTTP and TIPS programs. Sterling indicates that meetings have been held with Tony Herrell and Rob Welsh, both of OSMRE, but comments from those meetings have not been formalized.

10. Davis Bacon Act (DBA), Applicability to AML Program Yolande Norman gave updates indicating that OSMRE have asked for a solicitor's review as to applicability of DBA to AML grants. Marvin Ellis indicated this is a concern for Indiana as Indiana has eliminated required construction wages unless required by Federal Law.

Other Federal AML Program Updates

- NPS — no report
- USFW — no report

OLD BUSINESS

1. Status of OSM Government Efficiencies Workgroups

Eric Cavazza compliments OSMRE for their willingness to make some of the suggested changes for the Training Program and indicates that the changes made have shown good results and training is smoother.

2. MSHA Jurisdiction at AML sites

Richard Davis of Virginia (by phone) has concerns about MSHA as they have asserted

jurisdiction on a VA AML site involving coal removal. – Greg Conrad responds that MSHA has indicated that they will not take on AML sites but MSHA will take on Enhancement Rule Projects and AML projects where coal is being removed. Greg has this in minutes from previous meetings. Eric Cavazza responds about ATP Process, that MSHA asks how they can be notified, and this may not have been resolved completely. Bruce Stover says that getting notice of MSHA involvement is critical, you cannot bid without knowing if MSHA is involved as this greatly affects which contractors will bid a project due to equipment certification requirements. Eric Cavazza indicates PA will likely stockpile coal as the market value of coal usually results in a break even condition in hauling off site for input into the market place and does not justify extra expense incurred by meeting MSHA requirements.

3. Grant Modification Proposal-status (Murray Balk) Murray indicates that Kansas will be trying to operate with only one grant open. Chuck William says that Alabama has done this. There will be a Grants Training provided by OSMRE during the last week of July in San Antonio, Texas. More details will follow but states will have to cover their own travel expenses. This is not a class in which OSMRE pays for travel and expenses.
4. Update- NAAML P AML Performance Measures Steering Committee (Eric Cavazza)
Eric Cavazza brought up the matter of having an AML Performance Measures Steering Committee as suggested by the Policy and Procedures Manual. Discussion ensued. Kansas made the motion to do away with the AML Performance Measures Steering Committee, Colorado Second, and the motion passed.
5. NAAML P By-Laws Clarification: Voting/Consensus on Resolutions — Unanimous vs. "Opinion of the Association" (Chuck Williams) Discussion ensued regarding passing resolutions and the requirement for a unanimous vote and an alternate of offering an "Opinion of the Association". Discussion included details required to change by-laws, not being able to vote by phone, having a proxy vote in ones place. After much discussion, it was decided not to change anything, leaving in place the requirement for a resolution to pass that the vote be unanimous.

IMCC UPDATE - Greg Conrad and Ryan Ellis IMCC

1. FY 2016 Omnibus Appropriations Bill

Nothing more to add on this, would like to hear from the states and curious how this will be incorporated.

2. FY 2017 Proposed Budget

Budget Statement will be submitted on Monday, March 14th

3. Key OSMRE Rulemakings

Nothing more to add to this morning discussions.

4. Legislation Update — AML Reauthorization; AMLER Proposal; Good Samaritan Protections; Hardrock AML Program; Sequestration; Transportation Bill, Abandoned Mine Reclamation Safety Act (H.R. 4323); RECLAIM Act (H.R. 4456)

Greg informed the Association that Dillon Brown is a new press contact with whom he will

interact.

Reauthorization was discussed at length yesterday in committee meetings and that will be addressed this afternoon in committee reports.

FY 2016 AML Economic Revitalization (AMLER) Proposal has now been replaced with the RECLAIM Act (H.R. 4456). The Pilot Program for the 3 Appalachian States is designed as an assessment tool for the RECLAIM Act.

Good Samaritan was discussed at length yesterday. The Colorado bill will require a hard sit down discussion going line by line. The House and Senate pretty are far apart and melding will be required.

Hardrock AML- this will be discussed in committee reports

Sequestration- Greg does not have contacts with the necessary committees (or the energy) to develop a strategy to revoke the sequestration of AML funds. This would need to be a separate initiative. Ryan Ellis points out that Director Pizarchik did make the point that AML should be exempt from sequestration.

5. Legislative and Regulatory Forecast for 2016- Legislative days are growing short as congress rushes to complete deadlines and as campaign season approaches.

6. IMCC Contract for Services with NAAML P - (Review of Services Rendered in 2015-2016) Greg Conrad passed around an overview of what has transpired under the contract over the last 6 months. An invoice has been submitted to NAAML P and a check has been received.

NEW BUSINESS

1. NAAML P Awards for Hardrock/Non-coal (Glenda Marsh, Steve Fluke, Jim Bishop)

Glenda Marsh gave an update and provided a preliminary brochure, a scoring sheet, and a schedule for key dates and milestones for the Hard Rock Awards. The brochure is to be completed by end of March. It was summarized that a decision was already made at Santa Fe to proceed with Hardrock Reclamation Award so brochures will be completed by the Hardrock Committee and distributed in April.

2. NAAML P /IMCC Poster (Jim Bishop) NAAML P poster is being developed to get the "AML Message" out. Glenda passed out handout and discussions ensued regarding this being a collaborative effort, including NAAML P logo, the intended audience, and using current pictures and projects. The poster will be developed by the committee with a theme and presented hopefully at the September conference.

3. New Pilot Program for the Appalachian AML States (Eric Cavazza, Bob Scott, and Travis Parsons) Eric Cavazza states that this was covered thoroughly in the earlier session today. The recap is that 90 million dollars from General Fund have been included from the 2016 Omnibus Bill as detailed in HR 2029 bill for the 3 Appalachian States with the highest documented

inventory for AML reclamation in conjunction with economic and community development. OSMRE declared the funding to be available to the states through a letter dated in February. The details of project selection and guidelines for AML eligibility, economic development, community development and partnerships are being worked out. The three states receiving funding are Pennsylvania, West Virginia and Kentucky

4. Proposed Federal Legislation Discussion RECLAIM Act (H.R. 4456) Sterling Rideout gave an update on RECLAIM Act that would advance 1 billion dollars to AML programs over a 5 year period at \$200 million per year. Sterling stated that projects can be contracted out to state and local governments and to non government agencies. \$195 million annually would be allocated to non-certified states and tribes and \$5 million to certified states and tribes. Sterling recommended a thorough reading of the bill for further details. Much discussion ensued regarding reporting to congress, minimum program states, certified states, what constitutes economic development, this program falling outside of expertise of scientist / engineers and OSMRE, historic coal production and how loss of coal jobs will be determined, concerns about committed funds and previous OSMRE reports on Undelivered Orders, the number of higher priority projects that would be delayed or unfunded, and concerns regarding competition for additional or unobligated funding.

5. NAAMLN Conferences/Fresh Look: Planning Format, Agenda; 2016 Bozeman and Beyond (Chuck Williams)

Chuck Williams began this session asking that we all take a fresh look at conference with a goal of having a more effective and professional conference. There was planning session yesterday and Autumn Coleman gave summary for the Bozeman NAAMLN conference that focused on the conference website, detailed conference agenda, and plenary sessions designed for general audience (many session attenders were not NAAMLN). This year NASLR (National Association of State Land Reclamationists) will participate in the conference.

BANQUET- Discussion points about the banquet included concern about length of banquet and time constraints due to length of time to serve food, having a quiet time to socialize, coordinating NASLR awards (they can present awards and scholarships at banquet). After the Bozeman Conference, NAAMLN should evaluate if NASLR should remain partners. Hard Rock awards will be made presented at the banquet. Door prizes will not be presented at banquet except two, one by Montana and one by Wyoming. After a lengthy discussion on state sponsored gifts, Montana will devise a plan to present these, but not at the banquet.

BUSINESS MEETING for the NAAMLN annual conference will begin at noon on Wednesday with a lunch, Chuck wants to be done by noon on Thursday, but the meeting is scheduled until 5:00.

Montana in concert with the Public Relations Committee will gather and report information on the number of attendees of conference, rooms booked, banquet numbers, conference costs, tour attendees and costs and other information that can be shared with future conference hosts. Beth BOSTIS of IMCC has offered to help Virginia in planning the 2018 conference. This same information should be gathered for winter business meeting.

PRE-CONFERENCE TOUR Wyoming is planning Pre-Conference tour, September 23 – 25th; it will go from Bozeman to Cody, Wyoming with other stops including Yellowstone National Park tour. The Pre-Conference tour will be \$250 covers much of the tour costs but cabins are extra.

CONFERENCE TOURS - Amazing tours are being planned for Tuesday of the conference.
Tour 1 -Top of Yellowstone to Cooke City
Tour 2 - Old Faithful, Grand Prismatic Springs, and Mammoth Hot Springs
Tour 3 - Butte, America! Streamside Tailings Butte- (recommended by Autumn)
Tour 4- Virginia City, Nevada City, Garnet USA

TUESDAY NIGHT EVENT Autumn states that the Tuesday night event will be at the Museum of the Rockies. Crow will bring traditional dancers and CROW will serve the dinner from the reservation. Traveling exhibit Villas of Pompey will be at the Museum of the Rockies,

TECHNICAL SESSIONS will be held on Monday and Wednesday.

Other notes and discussion- Abstract deadline for Technical presentations is May 2. There was some discussion about student posters and student registration, guest registration and spouse registration. Autumn indicated that registrants will receive a backpack and a water bottle among other niceties.

6. Website Update (Dana Dean) Amazon Web Server will be host for NAAMLN website and maintained by Utah. It is free for the first year then \$12.00 per month after that. Dana Dean has supplied a personal credit card for this service and will seek reimbursement when charges are made. The current website has been moved to the new server, Utah's web master has cleaned up the web page and made it more in style, Dana welcomes comments for suggested changes. Nevada makes comment about adding links to state web sites to the NAAMLN page.

AFTERNOON SESSION The afternoon session began with Chuck Williams announcing that Bruce Stover of Colorado will be retiring this spring from AML in Colorado with 31 years of service. Bruce will be at Bozeman as a moderator.

COMMITTEE REPORTS AND DISCUSSION

1. Finance Committee-Murray Balk
The committee approved IMCC contract.
There will also continue to be 3 scholarships, one for each of the three regions in the country.
2. Research Committee-Bob Scott .There is nothing to report as there is no funding available to distribute.
3. Training Committee-Bob Scott Bob encourages all states to fill out surveys accurately because

that is what OSMRE bases the class selection on. NTTP and TIPS committees have merged into one steering committee. OSMRE is looking to recruit new instructors. OSMRE has scheduled a grants training class to be held in San Antonio, Texas the last week of July, 2016. States will be responsible for travel, lodging and per diem costs.

4. Scholarship Committee-Justin Ireys There will be 3 scholarships for \$2000 each. Travel will also be included to conference. The flier for the 2016 scholarship will be posted on the website. May 31st is the deadline for the applications to be submitted.
5. Minimum Program Committee-Justin Ireys/Mike Mueller Nothing to report, meeting was informal, increased funding request, Concerned about what Reclaim ACT would do to minimum program states.
6. Membership Committee- Justin Ireys Membership committee has decided not to pursue other states at this time.
7. Public Information and Education Committee-Jim Bishop (by phone) Hardrock Awards were discussed in the context of what type award will be presented at the banquet. Poster presentation update was given. There was discussion of keeping a "NAAML P Conference Spreadsheet" with key numbers from the previous conferences for attendance at all events, rooms booked, conference costs etc. This will allow future states holding conferences to have a readily available data base to present to potential host hotels. A sample Request for Proposal (RFP) will be developed.
8. Hardrock Committee-Glenda Marsh / Steve Fluke (by phone) No further report to add to what has already been discussed already.
9. National Coal Mining Geospatial Committee-Mike Sharp There is an ongoing project for SMCRA GIS Symbol Standardization led by Avishai Arielle of OSMRE. A first draft of GIS symbol standardization has been completed and circulated to Data Stewards and the second draft is near completion and will be fully distributed to Data Stewards. GeoMine is envisioned to be an interactive web-based digital map of coal mining and reclamation activities in the United States. It is not completely operational yet due to security issues.
10. SMCRA Reauthorization Committee -Brian Bradley/Murray Balk Brian Bradley handed out a summary from the reauthorization committee meeting from the previous day. After much discussion, Eric Cavazza makes a motion that the draft document be put on NAAML P letterhead, Bill Dodd seconds, and the motion passes unanimously.

FUTURE MEETINGS UPDATE

1. Fall 2016 Bozeman, Montana (Autumn Coleman)
September 25-29, 2016. The Grand Tree Inn is the host hotel. Three other hotels in the same area have room blocks. See additional remarks as part of item #5 of new business

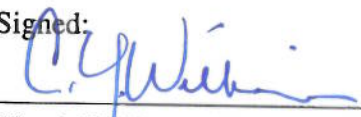
2. Winter 2017 Glenwood Springs, Colorado (Steve Renner)
Hotel Colorado will be the likely location. Dates have not been finalized.
3. Fall 2017 Lexington, Kentucky (Bob Scott)
September 24-29, 2017. Hyatt Regency in downtown Lexington will serve as the host hotel. 175 rooms have been blocked out for Sunday, Monday and Tuesday nights. Field trips will include stream restoration projects in the area, an AML enhancement project on the Kentucky River, horse farms, bourbon distilleries, underground blast laboratory operated by UK, Keenland Race track, Kentucky Horse Park and much more.
4. Winter 2018 Texas (Mark Rhodes) This winter meeting will be held at the Historic Menger Hotel in San Antonio Texas, Monday, February 5th through Wednesday, February 7th, 2018.
5. Fall 2018 Virginia (Richard Davis) The location and dates have not yet been determined. Richard is working in conjunction with IMCC Beth Bostis to determine location with a focus on Williamsburg.
6. Winter 2019 Utah (Steve Fluke) St. George area but dates have not been set.
7. Fall of 2019 - Pennsylvania

CONCLUDING REMARKS

Chuck Williams expresses thanks to Glenda Marsh for hosting this years NAAML P Winter Business meeting.

Kansas (Murray Balk) makes motion to adjourn, seconded by PA (Eric Cavazza), motion passes unanimously.

Signed:



Chuck Williams, NAAML P President

Date: 09/13/16



Bob Scott, NAAML P Secretary/Treasurer

Date: 9/13/16