



**N E W S L E T T E R**  
Spring 2018 Vol. 40 No. 1

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**UPCOMING MEETINGS**

**2018 NAAML P CONFERENCE**  
Williamsburg, VA Sept. 9 - 12

**MISSION STATEMENT**

1. To provide a forum to address current issues, discuss common problems and share new technologies regarding abandoned mine land reclamation;
2. To foster positive and productive relationships between the states and tribes represented by the Association and the federal government;
3. To serve as an effective, unified voice when presenting the states'/tribes' common viewpoints; and
4. To coordinate, cooperate and communicate with the Interstate Mining Compact Commission and all other organizations dedicated to wise use and restoration of our natural resources.

**Dear NAAML P Members, friends and partners,**

The National Association of Abandoned Mine Land Programs (NAAML P) organization represents 31 states and tribes having Abandoned Mine Land Reclamation (AML) and/or Hard Rock Mining Reclamation programs. By reclaiming historic abandoned mining sites, these organizations protect the public's health and safety and eliminate environmental degradation. NAAML P provides a setting for member organizations to exchange technical and programmatic information, ensuring each organization achieves maximum reclamation with the monies provided by the Abandoned Mine Land fund. I thank you for your interest and participation in this worthy cause.

Greg Conrad of the Interstate Mining Compact Commission (IMCC) has turned over the reins of IMCC to Tom Clark and that transition has been seamless. We thank Greg for collaborating with and making NAAML P a strong and relevant organization throughout his years of service at IMCC. Ryan Ellis, while still IMCC's liaison with NAAML P, will step in and assume an even larger role now with IMCC. The work groups established at the AML Summit in Washington DC in December of 2017 still continue to make progress. The work groups are composed of State, Tribe, and OSMRE members and are designed to tackle some of the tougher issues facing our program.

These groups, and NAAML P leaders/co-leaders, are:

- E-AMLIS (Ryan Ellis and Travis Parsons)
- AML-1 (Autumn Coleman)
- Grant Reporting (Marvin Ellis)
- Data (Brian Bradley)
- NEPA (Travis Parsons)
- Messaging (Alan Edwards and Eric Cavazza)

There was duplication of tasks among some of these work groups and the Reauthorization Sub-Committees. As a result, roles of the latter have been modified. There will be much time allocated to Reauthorization and to these Summit work groups at the NAAML P conference in September.

Speaking of the NAAML P fall conference, Virginia's Lesa Baker and Tarah Kesterson are putting forth a remarkable effort in preparing for the conference to be held in Williamsburg, Virginia, from September 9 – 12, 2018, at the Kingsmill Resort on the James River. The annual business meeting will begin at noon on Wednesday, September 12<sup>th</sup> and continue for the entirety of Thursday, September 13<sup>th</sup>. Additional information regarding the conference can be found in following pages of this newsletter.



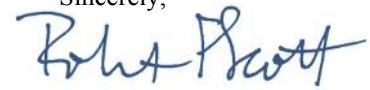
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The NAAMLPLP Winter Business meeting was held on February 5-6, 2018, in San Antonio, Texas, at the Menger Hotel. Cory Gretlein of Texas AML, and his staff, organized a productive event and were superb hosts. Brian Bradley especially enjoyed watching from the San Antonio Riverwalk as his Philadelphia Eagles won the Super Bowl.

Jim Bishop and the Public Information and Education (PIE) Committee created some excellent documents to help NAAMLPLP and each state and tribe tell the AML story. This includes an excellent regeneration of the Safeguarding/Reclaiming/Restoring booklet with updated projects. These are in print and will be distributed at the fall conference, but each state or tribe can print these on their own if needed from the NAAMLPLP website. The PIE Committee also put together a “two-pager” which packs compelling AML statistics into an easy-to-read and easy-to-distribute information pamphlet. My thanks goes out to Jim and the PIE committee.

I encourage each of you to stay engaged in events current to the Association as we continue through this year. Please make every effort to attend the NAAMLPLP conference in the fall. We are stronger together as we meet the uncertainties that face our AML programs. Autumn Coleman (NAAMLPLP vice-president), Travis Parsons (NAAMLPLP secretary/treasurer) and I are thankful for your help as our NAAMLPLP group continues to reclaim and restore the historic coal mines spread throughout our great nation.

Sincerely,



Bob Scott, NAAMLPLP President

## Welcome to Virginia!

Virginia is gearing up for what we hope is the biggest [National Association of Abandoned Mine Land Programs \(NAAMLPLP\) conference](#) to date. The 40th Annual NAAMLPLP Conference is being held this year jointly with the [National Association of State Land Reclamationists \(NASLR\)](#).

The event will be held September 9th-12th at the pristine [Kingsmill Resort](#) in historic Williamsburg, which is nestled along the James River. While the setting is beautiful and there is plenty to do during your free time, the conference will be packed with opportunities to learn about unique reclamation practices and techniques to advance your program.

This year's field trips offer a variety of experiences. A technical tour will take attendees to the Mid-Lothian Mines Park in Chesterfield County. This is a unique abandoned mine land project in which the Virginia Department of Mines, Minerals and Energy worked with the county to preserve what was left of one of the first commercial coal mines in America. It was the very site that is credited with starting the industrial revolution in our country. Attendees can also choose to visit historic Jamestown where an active excavation is underway of artifacts left by the first settlers. A day in Williamsburg will be another option. See the first capitol and tour homes and other buildings. Lastly, attendees can jump aboard the USS Battleship Wisconsin—one of the last of its kind.

The annual NAAMLPLP awards banquet will be held Monday night and a cookout complete with a live band is scheduled after the tours on Tuesday.

While we do have numerous rooms reserved, there is a good chance that attendance at this year's conference will be big so get your rooms reserved early. [See the NAAMLPLP conference website for hotel information](#).

Virginia is currently recruiting conference sponsors and presenters for Monday and Wednesday's technical sessions. If you would like to volunteer for either, please visit the [NAAMLPLP conference website](#) for more information.

Come early or stay late and explore our great commonwealth, our treasures are awaiting you. To learn more about what our state has to offer visit the [Welcome to Virginia](#) web site.

**Lesla C. Baker**  
**Abandoned Mine Land Project Coordinator**  
**Virginia Department of Mines Minerals and Energy**



# Kingsmill On The James and Williamsburg, Virginia



## **Kingsmill Resort**

1010 Kingsmill Road, Williamsburg, Virginia 23185

Toll Free: 1.800.832.5665

Direct Dial: 757.253.1703

## **Rates and Registration**

The conference rate is \$129 per night (plus taxes and fees).

This rate is available September 8 - 13.

The rate for qualifying state and federal government employees will be the prevailing government per diem rate. There will be limited rooms at this rate. When you make a reservation with the hotel, the rate will be listed as \$129, State and Federal government ID's will be required at check-in in order to receive the GSA rate for Williamsburg, VA. Due to the rate, reservations must be made by calling (800) 832-5665.

To receive conference rates, please identify yourself and your affiliation with NAAML or NASLR. Rates cannot be changed at check-in or check-out for guests who fail to identify their affiliation at the time the reservation is requested. Please note that refunds will not be given to attendees who check out early.

Individual reservations may be cancelled without penalty up to seven (7) days before arrival. Cancellations that occur inside seven (7) days of arrival will be charged one (1) night's room and tax. Cancellation requests must go directly to the Kingsmill Reservation Department phone at (800) 832-5665.

## **Kingsmill Amenities**

For thrills, tee it up on one of two 18-hole championship golf courses, serve an ace on one of the 15 clay and hard-surface tennis courts, or make a big splash at the mammoth outdoor pool. You can also find a little bliss with more tranquil pursuits on peaceful Wareham's Pond or even a relaxing visit to the world-class spa, there's truly something for everyone.



## **Williamsburg Area Airports**

[Newport News/Williamsburg Airport \(PHF\)](#) - The closest airport to Kingsmill, 25 minutes east of Kingsmill along Interstate 64.

[Norfolk International Airport \(ORF\)](#) - Located 50 minutes east of Kingsmill along Interstate 64.

[Richmond International Airport \(RIC\)](#) - Located 50 minutes west of Kingsmill along Interstate 64.

## **Williamsburg Virginia**

Come experience history in the making. It's revolutionary fun with something for everyone. Enjoy everything from luxurious spas, world-class golf and award-winning restaurants to living-history museums, surprising thrills, biking and hiking. Whatever your idea of fun is, you'll find it all in Greater Williamsburg. Experience Virginia tourism at its best and plan your trip to Williamsburg today!

Williamsburg was named one of the top 15 cities in the U.S. in Travel + Leisure's "2017 World's Best Awards" survey.

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# Call For Papers and Presentations

In 2018, the Virginia Department of Mines, Minerals and Energy will serve as the host of the [40th Annual National Association of Abandoned Mine Land Programs \(NAAML\) Conference](#). The NAAML Annual Conference is an opportunity for networking, strengthening ties between member programs, discussion of national issues, and information sharing. This year the [National Association of State Land Reclamationists \(NASLR\)](#) is joining the NAAML conference and is bringing additional insights on reclamation to the conference. Technical Sessions for the conference provide a platform for individuals to share successful, unique presentations related to a broad array of industry and reclamation topics.



## Suggested Topics

### Reclamation / Safeguarding / Project Implementation

- Revegetation/Reforestation Success
- Partnerships in Reclamation
- Innovative/Unique Reclamation Techniques
- Non-Traditional Design Techniques
- Techniques in Challenging Public Locations
- Sediment and Erosion Control
- Monitoring and Maintenance Techniques and Implementation
- Mine Reclamation/NASLR Acid Mine Drainage
  - AMD Characterization
  - AML or AMD Case Studies
  - Resource Recovery from AMD

### Technology

- Geophysical Methods or Investigations
- GPS/GIS/LiDAR Technologies
  - Digital Collection of AML Data
  - Inventory Technique

### Economics / Policies

- AML Program Policy Issues
- NEPA and/or Public Participation
- Economic Development of AML Sites
- Public Relations

### Cultural / Historical

- Historic Preservation
- Archeological Issues and Preservation
- Citizen Involvement
- Mining History

### Pilot Projects / Re-mining / AML Enhancement

- AML Pilot Projects
- Coal Refuse Reprocessing
- AML Projects

[Abstract proposals should be submitted in PDF format on or before June 1, 2018.](#) Abstracts should be 300 words or less, Times New Roman - 12 font, and should include the presentation title, along with the presenters name, title, organization or company, business address, phone number and email address. In addition, please identify if you are presenting as part of the Mine Reclamation/NASLR technical session. All abstracts should be emailed to <mailto:NAAML2018@dmme.virginia.gov>.

Selected presenters will be notified by July 1, 2018, and final presentation material will be due on or before July 31, 2018. Details pertaining to the final presentation format, speaker guidelines and other presentation information will be provided to authors and/or presenters at the time of abstract acceptance.

In an effort to facilitate scheduling, anyone interested in presenting should consider sending notification with anticipated topic early. If you are with a state or tribe and intend to present please indicate if you are applying for an OSM award or participating in the NAAML business meeting. Presentations are anticipated to be 20 minutes with a five minute Q and A to follow.

For more information or for questions please contact:

Jon Fleming, AML Project Manager at <mailto:jon.fleming@dmme.virginia.gov> Phone: 276-523-8238.

## Tour 1 - Colonial Williamsburg



When you visit the world's largest living history museum, you become part of one of the greatest stories ever told. This is the dawn of America. Our 18th-century city is alive where the dreamers with a bold vision quite literally changed the world. You'll meet artisans, craftsmen (and women), and talk with America's founding generation whose diversity, aspirations, and struggles shaped who we are today. 18th-century artifacts take center stage at the Art Museums, many of which were discovered by archaeologists just blocks away. This isn't just history. This is where history comes alive.

When you visit [Colonial Williamsburg's](#) 18th-century city, you'll discover why Williamsburg was the capital of Virginia, the largest and most prosperous American colony. At the Capitol, independence was declared before all other colonies, setting the pace for the American Revolution. Men and women from all walks of life walked these streets, and you're following in their footsteps.

Tradespeople use real 18th-century tools and techniques in their crafts, many of which have been around since the beginning of our civilization. These skilled men and women are true apprentices, journeymen, and masters and they hone their skills with every hammer, needle, or plow.



### GEORGE WYTHE HOUSE

Our most famous buildings give you a new understanding of life in the 18th century and you'll feel as if you stepped off a time machine. At the [George Wythe House](#), you'll be transported to the age of enlightenment, when students of George Wythe, such as Thomas Jefferson, were introduced to revelations in science and the arts. When you visit these sites, you're standing on the exact same ground as influential nation builders such as George Mason, Martha Washington, and James Madison.

For more information on Colonial Williamsburg visit their website at <https://www.colonialwilliamsburg.com>

## Tour 2 - Jamestown Settlement



### HISTORIC JAMESTOWNE

Visit with the [Jamestown Rediscovery](#) archaeologists and ask them about their latest excavations in front of you. This tour allows you to walk the surface of the ground once trod by Captain John Smith, Pocahontas, and Queen Elizabeth II. Hear how the original fort site, once thought eroded into the James River, was relocated in 1994 and how the archaeological findings are changing our understanding of life in the settlement's early years.

The 1907 Memorial Church is a place where men contemplated the beginning of English representative democracy in North America. [The Archaearium museum](#) houses some of the most spectacular finds of the two million artifacts uncovered since the Jamestown Rediscovery Project began in 1994.

### JAMESTOWN SETTLEMENT

Near the site of the original colony, [Jamestown Settlement](#) tells the story of 17th-century Virginia; from the arrival in 1607 of English colonists in Jamestown to the cultural encounters and events that planted the seeds of a new nation. The world of Jamestown, America's first permanent English colony, comes to life through film, gallery exhibits and outdoor living history.

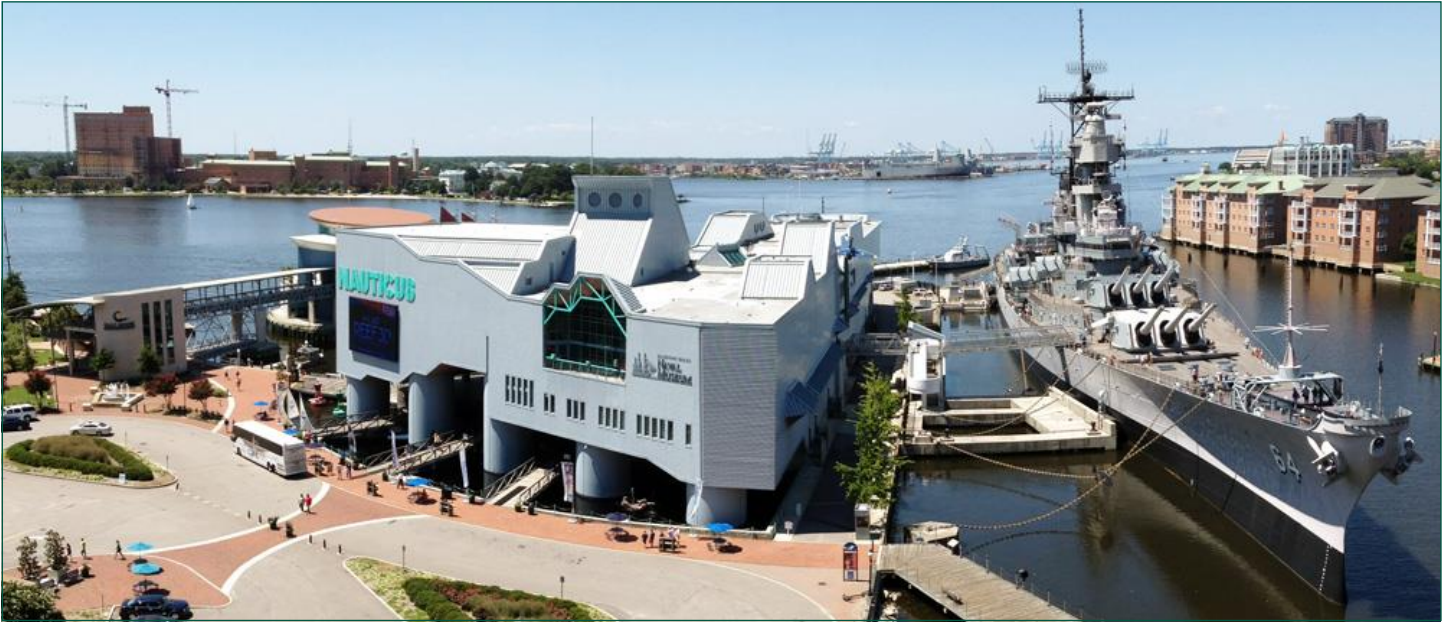


Explore the world of America's first permanent English settlement and the Powhatan Indian, English and African cultures that came in contact in 17th-century Virginia. Learn about Jamestown and its people-Powhatan, Pocahontas, John Smith and John Rolfe and see 1600s artifacts and dioramas. You'll take part in an immersive outdoor living-history experience and opportunities to try on 17th-century style clothing.

Climb aboard re-creations of the three ships that sailed from England to Virginia in 1607 and explore life-size re-creations of the colonists' fort and a Powhatan village. In the outdoor areas, costumed historical interpreters describe and demonstrate life in early 17th century Jamestown.

For more information on Historic Jamestown and Jamestown Settlement visit their websites at <https://www.historyisfun.org> and <http://historicjamestowne.org>

## Tour 3 - USS Battleship Wisconsin



### NAUTICUS

Nauticus is a maritime-themed science center and museum located on the downtown waterfront of Norfolk, Virginia and features hands-on exhibits, interactive theaters, aquaria, digital high definition films, and the Hampton Roads Naval Museum.

The second floor of Nauticus houses the Hampton Roads Naval Museum and the entrance to the Battleship Wisconsin. The museum's exhibits include material on the Battle of the Chesapeake (1781), the American Civil War in Hampton Roads, the Great White Fleet, World War II and the Cold War. Museum holdings are strong in the areas of naval prints, ship models and underwater archaeology. The Hampton Roads Naval Museum is the official repository of the remains of two Civil War shipwrecks: USS Cumberland and USS Florida.



### USS BATTLESHIP WISCONSIN

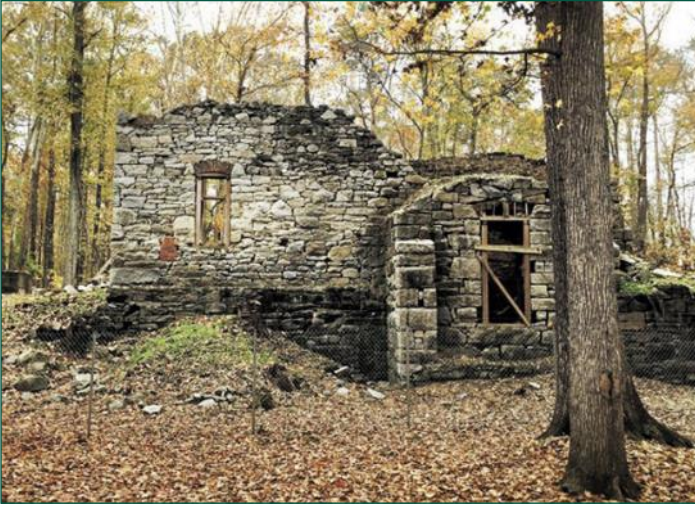
One of the largest battleships ever built arrived at Nauticus on the downtown Norfolk waterfront on December 7, 2000. That date was significant because it marked the 57th anniversary of the USS Wisconsin's launching in 1943 – two years to the day after the attack on Pearl Harbor.

The USS Wisconsin, one of four Iowa-class battleships constructed by the U.S. Navy, was built from 1941 to 1943 at the Philadelphia Navy Yard and commissioned in 1944. She played a major role in World War II, earning five battle stars for service against Japanese forces. She served during the Korean War, and led the Navy's surface attack on Iraq during the Persian Gulf War in 1991, firing not only her first but also the campaign's first Tomahawk Missile. She was decommissioned at Philadelphia and retired to the Naval Inactive Reserve Fleet in Portsmouth, Virginia, in October 1996.

On April 16, 2010, exactly 66 years from the day she was commissioned at Philadelphia Naval Shipyard, the United States Navy ceremoniously transferred ownership of the vessel to the city of Norfolk, Virginia. Vice Admiral David Architzel joined Mayor Paul Fraim, other city and military leaders, and former crew members on deck to conduct the ceremony. VADM Architzel presented the long glass to Norfolk Mayor Paul Fraim signifying that the Mayor now has the watch.

By the end of November 2009, more than 2,495,296 visitors have walked the teak decks of historic BB-64. These visitors have come from all fifty U.S. states and from many other nations to experience the awesome battleship.

## Tour 4 - Mid-Lothian Mines Park



### MID-LOTHIAN MINES PARK

For generations of early Chesterfield County residents, the area around Midlothian was known for its coal and its railroads. Today, this site is among the county's treasured parks.

It is here where coal was first discovered in the early 1700s. During the Revolutionary War, coal pits from Chesterfield County supplied a cannon factory near Richmond with fuel to manufacture ammunition for the Continental Army. As the mining industry grew, coal from Midlothian was shipped throughout the nation.

The Chesterfield Rail Road began service in 1831 and was the first railroad in Virginia. In the mid-1830s, a vein of coal 36 feet thick was found in the Mid-Lothian Mine, and this mine soon became the largest in the county.

Coal continued to be mined in the Midlothian area by a number of companies until the early 1930s. Today, [Mid-Lothian Mines Park](#) is a 44-acre preserve. Dedicated to the residents of Chesterfield County, past and present, the cut-stone ruins of the mines, surrounded by beautiful woodland and walking trails, stand in remembrance of the courage, innovation and sacrifice of those whose work so long ago heralded the beginning of an American Industrial Revolution.



### TUCKAHOE PLANTATION

#### Old Tredegar

Tuckahoe Plantation is the boyhood home of Thomas Jefferson and is a National Historic Landmark.

In 1745 Peter and Jane Jefferson moved to Tuckahoe with their children, including two-year old Thomas, to care for the plantation and the Randolph children, who were orphaned at Tuckahoe after the untimely death of both their parents.

This was where Thomas Jefferson spent his youth at Tuckahoe and received his first education in the small one-room school house that still stands today. It is interesting to note the architectural features of Tuckahoe, including elaborate cornices, alcoves, grand staircases, and domed ceilings that may have influenced Jefferson's thoughts of architecture.

#### Tuckahoe Garden

The mansion was built in the era of great plantations in Virginia, during the 17th and 18th centuries. There were few towns and cities in the colony, therefore, plantations developed as economically and geographically independent entities. At its height, Tuckahoe consisted of 25,000 acres that farmed tobacco, livestock, and wheat with three mills on the property.





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**Statement of Bob Scott, Director of the Division of Abandoned Mine Lands within the Kentucky Department of Natural Resources on Behalf of the National Association of Abandoned Mine Land Programs regarding the FY 2019 Proposed Budget for the Office of Surface Mining Reclamation and Enforcement (OSMRE) and Bureau of Land Management (BLM) before the House Interior, Environment and Related Agencies Subcommittee – April 26, 2018**

My name is Bob Scott and I serve as Director of the Division of Abandoned Mine Lands within the Kentucky Department of Natural Resources. I am providing this statement on behalf of the National Association of Abandoned Mine Land Programs (NAAML), for which I currently serve as President. NAAML represents 31 states and tribes, of which 28 implement federally approved Abandoned Mine Land reclamation (AML) programs authorized under Title IV of the Surface Mining Control and Reclamation Act (SMCRA).

As you know, the 2006 amendments to Title IV of SMCRA significantly changed how state and tribal AML grants are funded. These grants are still based on receipts from a fee on coal production, but beginning in FY 2008, the grants are funded primarily by mandatory appropriations. As a result and based on current OSMRE projections, the states and tribes should receive \$327.6 million (before sequestration) in FY 2019.

OSMRE's budget includes a discretionary funding request that would provide \$20.4 million, a decrease of \$6.6 million from the previous year. From this amount, OSMRE must meet the supplemental grant needs of states operating at "minimum program" status ("minimum program make-up funds"), as well as fund other activities and obligations including the agency's own AML work, administration of the AML Fund, and other activities in support of the AML program. While the amount provided should be sufficient to cover minimum program funding needs<sup>1</sup>, it should be noted that the decrease might strain the agency's ability to meet its other programmatic obligations.

SMCRA has been successful largely as a result of the cooperative federalism model that it employs. While the states and tribes understand and appreciate OSMRE's role in the AML program under SMCRA, we caution against using limited OSMRE funding for unproductive ends, for example OSMRE oversight that second-guesses state/tribal assessments or requires unnecessary levels of supplemental information that does not advance program purposes. Rather than having OSMRE simply engaging in more oversight, the states and tribes would benefit from a more collaborative relationship with OSMRE in completing the hard work associated with these program requirements. Minimum program states are particularly reliant on this type of support.

For example, we believe that funding for technical assistance and applied science projects related to AML work is particularly important. We also urge the Subcommittee to maintain necessary funding for OSMRE's training program and TIPS, including moneys for state/tribal travel. These programs are central to the effective implementation of state and tribal AML programs as they provide necessary training and continuing education for state/tribal agency personnel, as well as critical technical assistance.

We also strongly support maintaining funding for the Watershed Cooperative Agreements in the amount of \$1.5 million, which is proposed to be eliminated in OSMRE's 2019 budget request. This funding serves an important role in facilitating state and local partnerships, thereby helping to leverage outside sources of funding and preserve precious reclamation grant funding<sup>2</sup>.

IMCC and NAAML strongly recommend an increase in annual funding available to minimum program states. These states often have very significant AML inventories but funding under the current grant distribution formula is not enough to make efficient progress with their AML inventories<sup>3</sup>. In the interest of enabling these AML programs to fulfill their potential, NAAML believes an increase in minimum program funding to an annual grant amount of at least \$5 million would be very beneficial.

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<sup>1</sup> In FY 2018 for example, 12 minimum program states received minimum program make-up funds totaling approximately \$18 million. It should be noted that other AML programs may become minimum programs in the future requiring additional funds for this category.

<sup>2</sup> Funding for these agreements will also potentially be a key support for Good Samaritan programs and projects should Congress adopt legislative language supporting Good Samaritan clean up activities.

<sup>3</sup> At the current rate, some minimum program states have AML inventories that would literally take hundreds of years to reclaim completely.

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Further to the goal of efficiency in the use of limited AML grant funding, sequestration of AML grants under the Budget Control Act of 2013 is an increasing concern to the state and tribal AML programs. In FY 2018, a sequestration reduction of 6.8% translated to \$21.2 million withheld for a total of approximately \$118.6 million withheld since 2013 <sup>4</sup>.

NAAMLP recommends that Congress consider the exemption of the AML fund from sequestration a priority as it pursues legislative initiatives related to AML, as the benefits are patent, and every dollar of AML funding is needed. Because the AML fee is paid by the coal mining industry for the exclusive purpose of AML remediation, withholding that funding does not actually reduce the federal budget deficit. NAAMLP also recommends that the Subcommittee explore mechanisms to release the growing balance of withheld AML moneys related to sequestration as part of the appropriations process <sup>5</sup>.

NAAMLP also recommends attention be given to the way AML emergencies are funded under Title IV. Responding to sudden emergencies such as mine subsidence, blow-outs, sinkholes and landslides is one of the AML programs' most important functions. Starting in 2010, OSMRE instituted a policy whereby state and tribal AML programs must fund AML emergencies from their regular AML grants. This change has proven problematic in that it diverts grant funding away from progress with AML inventories <sup>6</sup>. For minimum program states, a single emergency can preempt a year of progress. NAAMLP recommends a return to the pre-2010 system wherein AML programs received reimbursement from the OSMRE discretionary share for emergency projects. This will encourage efficient progress with reclamation as well as ensure that the state and tribal AML programs are well equipped to fulfill their important public safety role.

The Committee's recognition of the important role played by the AML program is evidenced by the ongoing provision of AML Economic Development Grant Pilot funds. The projects underway due to this pilot program exhibit potential economic as well as safety and environmental benefit, though the types of projects undertaken and benefits they hope to achieve have varied significantly between the states. The pilot program has also served to inform potential future economic development-focused reclamation efforts. NAAMLP therefore opposes the reduction of funding for the pilot program in OSMRE's FY 2019 proposed budget, and notes that these grants are not redundant to regular AML grant funding; pilot funding has a distinctly economically-focused purpose, whereas regular AML grant funding is focused on human and environmental health.

While the pilot program has been generally successful so far, and OSMRE's guidance documentation has been helpful, the states involved with the pilot program recommend that OSMRE's project vetting process could be more efficient. Several states are experiencing back ups as they await project approvals from OSMRE for their pilot project proposals, which could cause significant delays if construction seasons are allowed to pass before projects can get underway. A degree of shift in the direction of efficiency may aid the overall success of the program at this juncture.

Beyond the coal sector, NAAMLP represents many states with significant hardrock AML problems within their borders <sup>7</sup>. In the absence of a hardrock AML funding source comparable to Title IV funding for coal AML, state and tribal hardrock AML programs struggle to maintain adequate funding and make consistent progress. There is no comprehensive account of the scale of the hardrock AML problem, but it is often cited as being in the tens of billions of dollars. In light of the disparity between available funding and the scale of the problem, NAAMLP is concerned with significant reduction to hardrock AML funding contained in the BLM FY 2019 proposed budget. The proposal for BLM's hardrock AML program would combine the AML program with the hazardous materials program, with the amount appropriated for the combined program (approximately \$13 million) being less than what was previously

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<sup>4</sup> For minimum program states only receiving \$3 million per year the loss is especially problematic.

<sup>5</sup> According to OSMRE, the specific amounts that have been withheld from each state or tribe are being held in the AML Fund and are being tracked so that, once OSMRE has authority to distribute those funds, they can be returned to the state and tribal AML programs for which they were originally intended. According to OSMRE, there is no authority to distribute withheld funds unless provided by Congress.

<sup>6</sup> This is a particular problem for minimum program states, who can have entire years worth of progress with their limited annual grant be preempted by a single emergency project

<sup>7</sup> For example, Arizona alone estimates that they have in excess of 50,000 hazardous historic-mining hazards. More information about remaining AML reclamation costs and reclamation accomplishments can be found in NAAMLP's 2018 Update of the

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provided just for AML (approximately \$19 million). BLM hardrock AML funding is one of very few resources available for hardrock AML reclamation and water treatment. The majority of hardrock AML problems occur on federal lands, meaning that the BLM AML program is the primary means of addressing public safety and environmental impacts. What's more, BLM cooperates closely with the state and tribal AML programs to conduct this work, meaning that the cut to BLM funding will have a cascading negative effect on the state- and tribal-level programs. NAAML P therefore recommends that funding for BLM's hardrock AML program be maintained at \$15 million and the reduction to that funding recommended in BLM's proposed FY 2019 budget be rejected.

Returning to discussion of coal AML - with the AML fee on which the Title IV program relies set to expire in 2021, NAAML P has been engaged in serious discussions regarding the program's future. It is clear that the continuing need for these programs is strong. The AML pilot highlights the fact that AML work is especially important to the struggling communities in Appalachia who have been hit hardest by downturns in coal related employment – the mitigation of which has been a congressional and Administration priority in recent years. AML sites endanger public health and safety, degrade the environment, and dampen economic prospects, which severely constrains well-being and growth in AML-impacted communities nationwide. AML programs have been contending with these issues for 40 years or more and have learned much about the true depth and scale of AML impacts over that time, as well as the health and economic benefits these projects bring to nearby communities.

Despite the progress that has been made, the time allotted to the AML programs to restore impacts from more than two hundred years of unregulated coal mining has simply not been adequate to complete that mission by the time the AML fee expires in 2021. Current OSMRE estimates project that over \$10 billion in reclamation costs will remain, and NAAML P believes the true costs are significantly higher. There can be little question that if the AML program is to complete its mission, and if its fundamental contributions to living conditions and economic circumstances in coalfield communities are to continue, additional AML funding will be required beyond 2021. If the AML fee is not reauthorized, consideration must be given to how the more than \$10 billion in public liability represented by remaining coal AML costs will be addressed.

Discussion around reauthorization of the AML program will soon come to the forefront. At that time, important questions will be asked about how much and what type of AML work is being accomplished and what types of AML problems remain. It should be noted that the AML accomplishments data furnished by OSMRE through its budget justifications document and the e-AMLIS database represent only a selective portion of the work that is being accomplished through AML grant funding. This is mainly due to the fact that e-AMLIS only records construction costs and does not include data on costs such as program administration, project management, and most importantly, project design. NAAML P has been working with OSMRE to examine data related to the AML program and is in the late stages of developing information to more accurately tell the story of the AML program. As an example of what has so far been produced by that effort, the NAAML P 2017 Accomplishments report can be found in the footnote below <sup>8</sup>. The state and tribal AML programs have been in the lead role in conducting reclamation and tracking progress for the last 40 years. We hope to work closely with the Committee as it considers the future of the AML program. Thank you for the opportunity to submit this statement regarding OSMRE's proposed budget for FY 2019. I would be happy to answer any questions you may have or provide additional information.

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<sup>8</sup> NAAML P 2017 Accomplishments Report: <http://www.naamlp.net/memberinfo/NAAMLPAccomplishmentReport2017.pdf>

**Great appreciation is expressed to Ryan Ellis of IMCC for his participation in preparing this statement.**

#### **NEWSLETTER ARTICLE SPECIFICATIONS**

400 - 500 words. Articles subject to editing. Submit in e-mail or hard copy. Include author's name, title of article, captions for photos. Submit photos in TIF (preferred) or JPG format, and original photo size.

E-mail photos as individual files, not embedded.

**Deadline for Fall Edition is November 15, 2018.**

Email articles to **Bob Scott** ([bobf.scott@ky.gov](mailto:bobf.scott@ky.gov)) or

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