



NEWSLETTER
Spring 2017 Vol. 39 No. 1

INSIDE

President's Message
NAAML P 2017 Conference.....2
Call For Papers.....4
Conference Tours.....5
AML Funding Hearing.....12
RECLAIM Act Hearing.....14
OSMRE Budget Proposal.....16
IMCC - Good Samaritan.....17

UPCOMING MEETINGS

2017 NAAML P CONFERENCE
Lexington, KY September 24 - 27

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, Western Interstate Energy Board and all other organizations dedicated to wise use and restoration of our

Dear Membership,

There is never a dull moment for the Association and this year has been no different. Since the last newsletter a new administration has taken over in Washington D.C., leadership at the top of OSM has changed, a key state AML program manager has retired, and new legislation has been introduced. The Association is busy, and the long-term outlook appears to be more of the same.

The 2017 Winter Business meeting was held in February in Golden, Colorado. Attendees of the meeting were pleasantly surprised with the 70 degree days that held on for the entire week. Jeff Graves of Colorado, and his staff, did an excellent job organizing all the details of the meeting. They were forced to plan it on short notice as the original meeting venue was sold and was not able to accommodate the meeting. During the meeting, we received updates from OSM as well as BLM, NPS, the USFS. Ironically, on day two of the meeting, President Trump signed H.J. Res. 38 which disapproved the Stream Protection Rule. That decision was applauded by most, if not all the attendees at the meeting. Related to the Power + Plan, RECLAIM Act, and now RECLAIM 2.0 the states of Pennsylvania, Kentucky, and West Virginia gave us an overview that included both positives and negatives of the \$90 million pilot program.

This spring has been a busy time and once again much of that work fell on the shoulders of IMCC's Greg Conrad and Ryan Ellis. Three times over the last few months we were given an opportunity to testify as witnesses in front of the Energy and Mineral Resources Subcommittee which is part of the House Committee on Natural Resources. On very short notice I might add.

On April 5th, Autumn Coleman (MT) and Bob Scott (KY) traveled to Washington D.C. and attended a [Legislative Hearing on RECLAIM 2.0](#). They delivered testimony on behalf of NAAML P and IMCC. The hearing lasted for an hour and a half. Bob and Autumn did an outstanding job not only delivering the testimony but then answering a series of very difficult questions from committee members. If you have not had an opportunity to watch it follow the link. [Legislative Hearing on the RECLAIM Act](#)

Their success was made possible by 18 pages of written testimony that was prepared by Greg and Ryan, not to mention the in-person prep time prior to the hearing. Did I mention this all occurred during the week of IMCC's annual business meeting?

On June 1st, John Stefanko delivered testimony of behalf of NAAML P and IMCC to the House Committee of Natural Resources regarding legislation for Good Samaritan protections. The bill remains as a draft but it has been sponsored by Representative Darin Lahood (R-IL). John did an outstanding job of delivering the testimony, furthermore, he was excellent choice to represent us because of Pennsylvania's own successful Good Sam program. Not to be forgotten is the fact that IMCC worked closely with the Committee to help shape the bill. If you're interested in reading the highlights, follow the link.

[Legislative Hearing on Discussion Draft of the Community Reclamation Partnerships Act](#)

Finally, on June 7th, and again on short notice, we had an opportunity to attend and provide testimony at an oversight hearing on OSM's AML program. The hearing was an examination of AML's efficiency and effectiveness related to the subject of a fee extension and reauthorization. Rob Rice (WV) and Todd Parfitt (WY) represented NAAML P and IMCC and as the others before them did a great job. [Panel Discusses Path Forward on the Abandoned Mine Lands Program](#)

On behalf of NAAML P I would like to extend our sincere gratitude for the hard work and effort of Autumn Coleman, Bob Scott, John Stefanko, Rob Rice, Todd Parfitt, and finally Greg Conrad and Ryan Ellis. The preparation was stellar and the delivery was excellent.

Bob Scott and his staff from the Kentucky AML Program have been hard at work for months planning and preparing for the 39th Annual Conference which will be held in Lexington, Kentucky on September 24-27, 2017. The conference and meeting location will be at the Hyatt Regency located in downtown Lexington. Field trips will include visits to stream restoration sites, AML reclamation sites, and a limestone quarry which hosts the University of Kentucky's underground blast laboratories. Additional tours include visits to horse farms, bourbon distilleries, Keenland Thoroughbred Race Track, and other Bluegrass sites in the greater Lexington area. Planning for these conferences is a huge undertaking so I want to acknowledge the hard work of all those involved within the Kentucky AML Program.

Lastly, we lost Richard Davis (VA) to retirement. Richard was the longtime leader of Virginia's AML program and a very active member within NAAML P. Before retiring he got the ball rolling for Virginia to host the 2018 annual conference and meeting. Richard, if you're reading this, we wish you nothing but happiness and success in all your future endeavors.

See you all in Lexington!

**Sincerely,
Justin Ireys, President**

NAAML P 2017 CONFERENCE

SEPTEMBER 24 - 27 LEXINGTON KENTUCKY

The National Association of Abandoned Mine Land Programs 39th Annual Conference will run from Sunday evening September 24th, through Wednesday the 27th. Registration is now open and welcome to all who have an interest in AML programs and reclamation projects.

Monday, September 25th, will have an opening plenary session, technical presentations unique to Abandoned Mine Land (AML) reclamation, and an awards banquet honoring National Reclamation Award winners. The technical sessions provide valuable exchanges of issues specific to reclamation specialists and have helped to make the conference a great value for all who attend. The networking opportunities between state employees, federal employees, engineers, contractors and suppliers who are sure to be key components of the NAAML P Conference.

Field trips on Tuesday, September 26th, will feature stream restoration sites, AML reclamation sites, limestone quarries that host the University of Kentucky underground blast laboratories and a tour of the Toyota Manufacturing Plant which has benefited from low electricity rates from the abundance of our Kentucky Coal.

Lexington is famous for Bluegrass Music, Thoroughbred Horses, Bourbon and Kentucky Wildcat Basketball. Tours will also be available to view horse farms, bourbon distilleries, the Kentucky Horse Park, Keenland Thoroughbred Race Track and other beautiful Bluegrass hotspots and destinations.

We look forward to hosting this year's conference and seeing you in the Commonwealth.

Bob Scott, Director KY AML



The Hyatt Regency and Lexington KY



Hyatt Regency Lexington

401 West High Street, Lexington Kentucky, 40507
Tel: 859-253-1234 , Fax: 859-233-7974

Rates and Registration

The conference rate is \$115 per night (plus taxes and fees).
This rate is available September 21 - 29.

The rate for qualifying state and federal government employees is \$108 per night (plus taxes and fees). When you make a reservation with the hotel, the rate will be listed as \$115, but when checking in, show your state or federal government ID and you will only be charged the GSA rate of \$108 for Lexington.

When calling the hotel for reservations, please reference the [NAAML 2017 Conference](#) to get the conference rate.

Directions to the hotel from Bluegrass Airport (LEX) 6 miles: Follow signs from US 60 East (Versailles Road) into downtown Lexington. Versailles Road turns into Maxwell Street. Turn left onto South Broadway at first traffic signal. The hotel is on the corner of High Street and South Broadway.

Complimentary Airport Shuttle

We offer a complimentary hotel shuttle to and from Bluegrass Airport. For further information or inquiries, please contact the hotel directly at 859-253-1234.

The Perfect Lexington Hotel Amenities

Take advantage of amenities designed with your stay in mind and accommodations tailored to the small details of your visit. To help you relax while vacationing, visit our indoor heated pool or soak up some sun in warmer months on the outdoor sun deck. Grab a bite to eat at the BlueFire Bar & Grill before heading out to explore the city. We've also thought of everything the modern business traveler needs, with amenities like complimentary Wi-Fi throughout the hotel, in-room workspace, free airport shuttle, nearly 20,000 square feet of flexible event space and a location that is adjacent to the Lexington Convention Center.



Enjoy the Bourbon Trail

Taste a bourbon from the beverage's birthplace, or trek across the state on the Kentucky Bourbon Trail. Visit Keeneland Race Track to place a wager on a horse race, or take your family horseback riding at other local horse attractions. From shopping and museums to theater and golf, activities will fill your planner quicker than the drop of the starting gate.

Walking and Driving Tours Around Lexington

There is no better way to discover the legendary landscape of the Bluegrass Region than driving or cycling the country roads around the Horse Capital of the World. Lush pastures, mile after mile of plank and stone fencing, horses grazing, magnificent homes and barns: all this and more is there for your viewing pleasure. Take a walking tour of historic downtown Lexington. There are 33 points of interest along the way with plenty of places to stop and rest, or eat, along the route. You'll see first hand the charming mix of old and new building that comprise the compact downtown core of Kentucky's second largest city.

Call For Papers/Presentations

Annually, the National Association of Abandoned Mine Lands Programs holds a conference, hosted by a participating member AML Program. In 2017, the Kentucky Division of Abandoned Mine Lands is honored to serve as host. The NAAML P Annual Conference is an opportunity for networking, strengthening ties between member programs, discussion of national issues, and information sharing. 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.

Abstracts should be 300 words or less. Please e-mail your abstract to Justin Adams at justin.adams@ky.gov. 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.

Although not required, if you are interested in presenting, to facilitate scheduling we ask that you make early notification with your anticipated topic. 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 P business meeting. Presentations are anticipated to be 20 minutes with five minutes of questions.

The NAAML P looks forward to an informative and memorable conference.



Topics For Discussion

Reclamation / Safeguarding / Project Implementation: Revegetation/Reforestation Success, Partnerships in Reclamation, Abandoned Mines - Non Coal, Public Safety Measures on Abandoned Mine Sites, Mine Fire or Mine Subsidence Projects, Backfilling Blocked Shafts or Shafts with False Bottoms, Innovative/Unique Reclamation Techniques, Non Traditional Design Techniques, Techniques in Challenging Public Locations, Stream Restoration/Geofluvial Design, Physical safety hazard remediation techniques, Beneficial use of Waste Materials & CCB use at AML Sites, Dam Safety and Slope Stability, Post Reclamation/Safeguarding Inspections, Sediment and Erosion Control, Monitoring and Maintenance techniques and implementatio

Acid Mine Drainage: AMD Characterization, AML or AMD Case Studies, Resource Recovery from AMD

Technology: Geophysical Methods or Investigations, UAV usages in AML activities, Integration of GPS/GIS/LiDAR Technologies, Digital Collection of AML data, Inventory Technique, Technology innovations for AML problem analysis and project implementation

Environmental: Endangered Species Issues, Wildlife Habitat Enhancements, Wetland Mitigation

Economics / Policy: AML Program Policy Issues - AMLIS, OSM Oversight - TIPS/NTTP Training, Partnership Coordination - NEPA and/or Public Participation, Economic Development at AML Sites, Grayfields and/or Brownfields and AML, SMCRA renewal - Overall Public Relations

Cultural / Historical: Coal Mining Heritage/Historic Preservation, Archeological issues and preservation, Property Access Issues, Citizen Involvement in AML issues/projects, Mining History

Pilot Projects / Re-mining / AML Enhancement: AML Pilot Projects - Impacts, Coal Refuse Reprocessing, Good Samaritan legislation, AML Projects / Incidental Coal Extraction

For more information or for questions please contact: Justin Adams, Environmental Scientist Consultant, justin.adams@ky.gov

Kentucky Division of Abandoned Mine Lands, 606-487-1110

Country Music and Mountain Heritage - Pre-Conference Tour



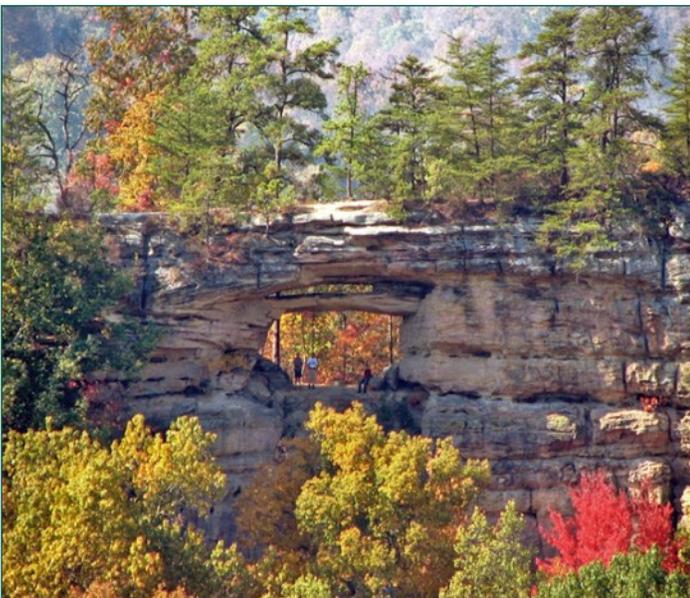
The Kentucky Division of Abandoned Mine Lands is excited to offer a pre-conference tour showcasing the rich tradition and culture of the Eastern Kentucky Coalfields. Focusing on the natural beauty of the region, cultural traditions and unique AML projects sites, the whirlwind tour will begin in Lexington on Friday September 22 and will include overnight stays in growing downtown Pikeville and then at the historic [Benham School House Inn](#).

Starting on Friday the tour will include: a guided trip and hiking at [Natural Bridge State Park](#), a visit to the [Country Music Highway Museum](#), a view from the [Pikeville Overlook](#), and several AML site visits all in the first day! Saturday events include: A look at one of the most dramatic AML sites in recent history in eastern Ky, a stop at the [Mountain Heritage Festival](#), a tour of the [Kentucky Mist Distillery](#), an underground mine tour at [Portal 31](#), a visit to the Coal mining museum, and a stay at the [Benham Inn](#). Finally, on Sunday participants will visit: the future site of the [Appalachian Wildlife Center](#), [Pine Mountain State Park](#), a nationally nominated AML site and a stop at the [Artisan's Center](#) in Berea Kentucky.



The pre-conference Tour is not included as part of the conference registration and costs \$200 per person, plus hotel reservations at [Hampton Inn Pikeville](#) (\$99/room) and the [Benham School House Inn](#) (\$99/room). This tour has a limited number of participants, so be sure to reserve early! We'll need at least 10 people to register before the tour can take place. Some meals are included, but dinner on Friday and lunch on Saturday are on your own. All stops are certain to be technically intriguing and culturally infused. Expect to be surprised and entertained by the natural beauty and proud traditions of the Bluegrass region.

If you are interested in taking the Pre-Conference Tour, please contact Justin Adams at justin.adams@ky.gov.



Tour 1 - Louisville MegaCavern



Churchill Downs

Known as the home of the Kentucky Derby and the Kentucky Oaks, Churchill Downs Racetrack conducts Thoroughbred horse racing in Louisville, Kentucky during three race meets in the Spring, September and the Fall. The racetrack occupies 147 acres, featuring a one-mile dirt, oval racetrack and a seven furlong turf race course. Thoroughbred racing, the Kentucky Derby, and the Kentucky Oaks have run continuously at Churchill Downs Racetrack since 1875, the longest continually running sporting event in America.



Louisville MegaCavern

The mine was founded by Ralph Rogers back in the 1930's. He was a great visionary who saw the need for highways in this country especially to the south. He was said to be able to look at a site and tell you just how much rock that he could get out of it. His business did very well; especially back during the Depression of the 1930's when the government put people back to work by supporting the construction of new roads and bridges.

The Louisville Mega Cavern is a 100 acre limestone cavern capable of shrugging off a 260-mph tornado and boasts a constant 58-degree temperature. The cavern under the Louisville Zoo has remained virtually dormant since the last load of limestone was mined nearly 20 years ago to build bridges and roads across the Midwest.

Louisville Slugger

Louisville Slugger Museum & Factory is all about celebrating the extraordinary role of Louisville Slugger in baseball's past, present and future. Baseball connects generations, we see it here every day. Since the sport is such a big part of American history and culture, even visitors who don't consider themselves big fans find something here that resonates with them. Maybe it's the fun stories and fascinating machinery in the factory, or the hands on exhibits, or one of our special exhibitions that broaden the interpretation of baseball. And, really, who doesn't love a free mini-bat?



Jeptha Creed Distillery

Joyce, the "mother half" of the dynamic mother-and-daughter duo behind Jeptha Creed, holds two degrees in Chemical Engineering from the University of Louisville Speed Scientific School and worked for fifteen years as a process engineer in an industrial-scale distillation facility. The unstoppable pair were so passionate about the vision for Jeptha Creed that Autumn, the "daughter half", even spent a school-year in Edinburgh, Scotland studying Brewing and Distilling at Heriot-Watt University.



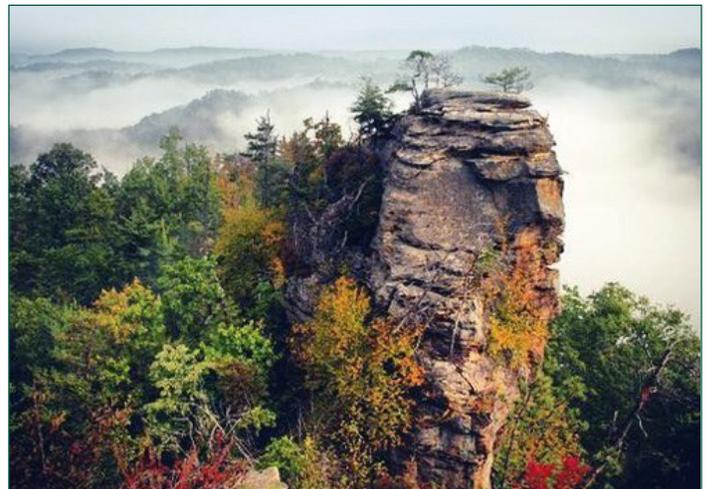
Tour 2 - Natural Bridges



The Red River Gorge and the Natural Bridge State Park are part of a scenic area that encompasses over 30,000 acres of canyons, high sandstone cliffs, rock shelters and over 100 natural rock arches. The rugged topography offers a diverse variety of plants, wildlife and archeological treasures.

The sandstone arch that is called **Natural Bridge** has stood for millennia. The arch is 78 feet long, 65 feet high, 12 feet thick and 20 feet wide. Some geologists believe that the stunning natural sandstone arch is at least a million years old. There are other natural archways in the area, but none have gained the prominence of Natural Bridge. Since 1889, visitors have made the trip to the eastern Kentucky mountains to see this amazing natural wonder.

In 1889 the Kentucky Union Railway established a rail line through the town of Slade to connect with some of the Commonwealth's most extensive timber resources. Railroad executives also sensed the potential for visitors to come to the area to witness the spectacular beauty of the land. The railroad acquired the land around Natural Bridge and began to build trails and campgrounds. The Louisville & Nashville Railroad later acquired the property and in 1926, donated the lands around Natural Bridge to the state park system, becoming one of the four original state parks.



The **Red River Gorge** is a unique, scenic natural area that attracts thousands of visitors each year. Spectacular rock features, including sandstone arches and towering cliffs, are just part of the attraction. Outdoor enthusiasts come to the gorge year-round to enjoy hiking, camping, canoeing, wildlife viewing and other recreation opportunities.

This tour will feature a day of beautiful scenery with stops at Sky Bridge and Natural Bridge. Mild to moderate walking/hiking can be expected and guests should wear comfortable shoes and suitable clothing. Guests will ride the Natural Bridge Sky Lift to the top of that majestic arch. In the afternoon, the tour will visit the Kentucky Processing AML enhancement site. This is a coal wash facility, located near the Kentucky River, that is actively processing and shipping coal from a 400 acre pre-law coal refuse dump.

Tour 3 - Limestone Legacy



Keeneland Racecourse

Keeneland is unique in that it is both a Thoroughbred racetrack and an auction company. Located in the heart of Kentucky's famed Bluegrass Region, it plays an important role in both Thoroughbred racing and breeding. Each April and October, the nation's best Thoroughbred owners, trainers, and jockeys converge here to compete for some of North America's richest purse money. As the world's leading Thoroughbred auction house, Keeneland has sold more champions and stakes winners than any other sales company. The guided tour will cover the landscaped grounds, the history and Keeneland's contribution to the Thoroughbred racing world. The tour ends with a trip to the oval track for an opportunity to watch race horses in training.



Woodford Reserve Distillery

Woodford Reserve Bourbon is an American brand of premium small batch Kentucky Straight Bourbon Whiskey produced by The Brown-Forman Corporation. Distilling on the site began in 1780; and the distillery building itself was erected in 1838, making it the oldest of the nine bourbon distilleries in current operation in Kentucky. The distillery is listed on the National Register of Historic Places and is designated a National Historic Landmark. In a contract agreement with Churchill Downs, Woodford Reserve has been declared the "official bourbon of the Kentucky Derby."

Darley at Jonabell Horse Farm

Darley at Jonabell Farm is owned by Sheikh Mohammed bin Rashid Al Maktoum, Vice President and Prime Minister of the United Arab Emirates (UAE) and Ruler of Dubai. Sheikh Mohammed bought his Kentucky property from John A. Bell in 2001 and added an American property to his global horse breeding and racing operation. They have horse facilities in six countries around the world, the UK, Ireland, France, Japan, Australia and the United States. They race under the name Godolphin, and their racing silks are royal blue. Stallions that stand stud at Darley at Jonabell Farm are: Alpha, Animal Kingdom, Bernardini, Elusive Quality, Emcee, Frosted, Girolamo, Hard Spun, Medaglia d'Oro, Midshipman, Nyquist, Street Boss and Street Sense.



Lexington Historic Distillery District

The Lexington Distillery District is located just west of the Lexington Center and Rupp Arena on Manchester Street. Here, you will find a new gathering place for locals and visitors alike. What was originally an old Bourbon Distillery District in the city's industrial birthplace, there is now a new development project that offers an ice cream lounge, a coffee bar, restaurants, new distilleries and breweries, art studios and shops. In the middle of these establishments there is a patio sitting area for socializing with friends while enjoying food and drink.



Tour 4 - Restoration Rides

Cane Run Watershed Restoration Project

Kentucky has more navigable miles of water than any other state, except Alaska. Thirteen major river basins, containing more than 90,000 miles of stream, make up Kentucky's beautiful waterways. The Cane Run Watershed is 28,000 acres, runs through Lexington's beautiful Horse Park and flows through the Royal Springs Aquifer which supplies drinking water for Georgetown, KY. We will take you through the Horse Park's portion of the restoration. To improve water quality while keeping the beautification standards of the Horse Park, the University of Kentucky and their partners developed a plan which included a bioretention pond, storm water diversions, riparian planting and stream restoration.



Buffalo Trace Distillery

As the oldest, continuously operating distillery, Buffalo Trace has made its mark in the bourbon world. Discover what makes Buffalo Trace the most award winning distillery in the world. The Buffalo Trace tour offers a unique look at the bourbon making process. Walk through the different stages of bourbon making, discover what makes a whiskey a bourbon, experience the century old aging warehouses and end each tour with a little taste. You will find that many have tried to make a long lasting, successful bourbon but there is a science behind the brilliance.



Toyota Motor Manufacturing

The largest vehicle manufacturing plant in North America is located in Georgetown, KY. With nearly 10 million vehicles rolling off the assembly line since it's first American-made Camry in 1988. In addition to the Camry, Toyota Kentucky manufactures the Camry Hybrid, Avalon, Avalon Hybrid, Venza and recently began production of the first U.S. assembled Lexus in 2015. This hour long tram-driven tour takes you into the innovative depths of manufacturing.



West Sixth Brewery

Located in a historic 100-year old bakery, locally known as the Bread Box, West Sixth Brewery has made its mark in the community. With a wide variety of beers, this craft microbrewery prides itself on giving back. West Sixth is one of three businesses that work together in this closed-looped process to minimize waste. The spent grains, a by-product of the brewing process, are used by FoodChain as a primary element in their fish feed. The waste produced by the 500 tilapia at FoodChain is then converted into plant food for the hydroponics farm that supplies fresh greens to Smithtown Seafood. Experience this hour-long guided tour with a beer in hand, walk through the brewing process, hear the pay-it-forward approach, get a glimpse at the aquaponics system and be inspired.

Tour 5 - Underground Blast

Darley at Jonabell Horse Farm

This farm is owned by Sheikh Mohammed bin Rashid Al Maktoum – Vice President and Prime Minister of the United Arab Emirates (UAE) and Ruler of Dubai. Tour this world class horse farm, and learn all about the racing and breeding at one of Lexington’s premier equine operations. The tour will start at the office for an introduction, move to the trophy room, then on to the stallion barn (where several horses will be brought out and you can have your photograph taken with a famous stallion), then the breeding shed. The tour should last an hour to an hour and a half and there shouldn’t be too much walking. Stallions that stand stud at Darley at Jonabell Farm are: Alpha, Animal Kingdom, Bernardini, Elusive Quality, Emcee, Frosted, Girolamo, Hard Spun, Medaglia d’Oro, Midshipman, Nyquist, Street Boss and Street Sense.



Wild Turkey Distillery

A tour of Wild Turkey Distillery will take you through the process of making bourbon from the selection of grains all the way through the final delicious product. This tour will provide a history of the Wild Turkey product and bourbon in general. Wild Turkey Bourbon is one of the bestselling premium bourbons in the world. Produced in Lawrenceburg, Kentucky by Master Distiller Jimmy Russell, Wild Turkey Bourbon is known by its signature 101 proof and its unique unmatched flavor. A tasting of Wild Turkey Products will be offered at the end of the tour. This tour will require visitors to climb and descend roughly three stories of stairs.



University of Kentucky Underground Blast Lab

This facility is located just 25 miles from the campus of the University of Kentucky in part of an active limestone quarry. Each year the University of Kentucky Explosives Research Team participates in numerous blast mitigation and explosive usage optimization studies. The blast mitigation studies include structures to resist underground methane and coal dust explosions for mining applications as well as resistance to open air blasts for commercial applications in close proximity to potential terrorist targets. The laboratory focuses on mining field studies, structural buildings blast mitigation studies, shock tube testing, numerical modeling and calculations, and a host of other related research topics. Our visit will last roughly three hours and almost all of the activity will take place underground. Closed toed shoes are required. Hard hats and self-rescuers will be provided and must be worn through the duration of this tour.



Tour 6 - Down Town Branch

Mary Todd Lincoln House

The Mary Todd Lincoln House, located on West Main Street in downtown Lexington, Kentucky was the family home of the future wife of the 16th President. In 1977, the childhood home opened to the public and became the first house museum in America to honor a First Lady. This two-story brick, late Georgian house with its stone water table and belt course was built in 1803-1806 as an inn by William Palmateer. See original Todd and Lincoln family pieces throughout the house.



Alltech Lexington Brewing and Distilling Co.

The Alltech Lexington Brewing & Distilling Co. is a unique stop on the Kentucky Bourbon Trail as being one of the few joint brewing and distilling operations in the world. The site is home to Town Branch Distillery and Alltech's Lexington Brewery; the oldest craft brewery in Lexington. Founder and President Dr. Pearse Lyons acquired the 200-year-old Lexington Brewing Company in 1999 and resurrected the Lexington brewing and distilling tradition that dates back to 1794. Enjoy touring the dual operations of the popular Town Branch Bourbon and the Kentucky Ale beer.



Dr. Coleman's Lexington History Walks

Jonathan Coleman, the Know-It-All of Lexington, takes you on a theatrical, guided walking tour of downtown Lexington. In his "Spirits! Scandals! Sordid Secrets!" tour of downtown, get the inside scoop about the "wicked city" including tales of duelists, gamblers, and ladies-of-ill-repute who once walked the streets. Along the way, take part in the Mural Challenge and Lexington Scavenger Hunt. The secrets of Lexington are yours to uncover!



Town Branch Trail Proposed Plan

The Town Branch Trail

Town Branch Trail is a proposed 'shared-use' greenway trail, for pedestrians and bicyclists, connecting downtown Lexington with its world-famous equine landscape through neighborhoods, parks, and historic sites as it follows the westward course of Town Branch Creek, along whose banks Lexington was founded in 1779. The trail is a significant component of Lexington's Greenway and Downtown Masterplans, Downtown Streetscape Plan, and Newtown Pike Extension, to transform urban areas along the creek into a landscape trail promoting recreation, commuting, environment, tourism, and economic development.

Town Branch Trail Inc., working with Lexington and the county government to raise funds, and with land donations, has three miles of trail in design and construction. Currently partnering with the Manchester Development Company to create miles of trail through Lexington's historic Bourbon Distillery District. They are also working with RJ Corman Railroad Group to pursue opportunities to build trails along rail lines that run through some of the prettiest land in the Bluegrass.

Summary of AML Funding Hearing - June 7

The Energy and Mineral Resources Subcommittee (of the House Natural Resources Committee) held an oversight hearing on Title IV AML funding issues Wednesday, June 7. The archived footage of the hearing, as well as hearing memo and each witnesses' written testimony can be viewed here: [Oversight Hearing on the OSMRE's Abandoned Mine Lands Program](#)

The hearing was intended to examine circumstances surrounding the AML Program, in particular with respect to funding issues, and to set-up discussions around the future of the AML program building toward reauthorization.

Chairman Gosar's opening statement noted that the AML program has changed significantly since the last reauthorization in 2006, and as we look toward reauthorization, it is important to clearly understand how it is working. He mentioned in particular a need to better understand the AML inventory.

Chairman Gosar and Ranking Member Lowenthal both discussed the role and importance of the AML program, with Mr. Lowenthal particularly focusing on the needs of distressed AML-impacted communities and the need to maintain the Program until the problem is solved.

Mr. Rice testified on behalf of IMCC, NAAML, and his state, and presented a full State perspective on workings and recent history of as the AML program, with a strong focus on the need for reauthorization.

Mr. Parfitt testified on behalf of the state of Wyoming, and focused on the operation of and current issues around certified AML programs. He discussed the need to proceed with a balanced approach in the reauthorization effort and discussed the operation of Wyoming's AML program, especially in the context of the OIG report on certified states.



(left to right)

Glenda Owens - OSMRE Acting Director,
Robert Rice - West Virginia Department of Environmental Protection
John Dawes - Foundation for Pennsylvania Watersheds
Todd Parfitt - Director, Wyoming Department of Environmental Quality
Hal Quinn - President and CEO of the National Mining Association

Glenda Owens, acting director of OSMRE, was the first to testify. She provided information on the purposes of OSMRE, how the AML program works, and provided statistics on AML fee collections, grant distributions, and reclamation accomplishments.

John Dawes of the Foundation for Pennsylvania Watersheds served as minority witness, and focused his statement on the work accomplished by the AML program and watershed groups in Pennsylvania, the value of the AML programs in general, and the need for reauthorization. Mr. Dawes presented several recommendations for the reauthorization, which largely align with IMCC/NAAML priorities.

Hal Quinn, President of the National Mining Association, anchored the witness panel. Mr. Quinn's statement revolved around the notion that not enough AML work has been accomplished through the AML fees paid by the Industry so far. He focused on so-called "diversions" of AML funding (seemingly including any spending other than on P1 and P2 projects.) and the alleged mismanagement of the AML Program by OSMRE, but also directly questioned the credibility of the State AML programs.

The Coal Industry's opposition to reauthorization, and their inclination to discredit the AML program to that end, is not necessarily a surprise -but their bold and off-based criticisms were an unfortunate turn. Fortunately, IMCC was well prepared to counteract these assertions and demonstrate the States' superior understanding of the program, particularly with respect to funding and accomplishments.

Following the witness statements, much of the hearing focused on supposed ambiguity around how AML grant funds are spent - the discussion was based around conflicting accounts between the National Mining Association and other witnesses on how much construction work is accomplished and the responsible administration of the AML program and stewardship of AML funding.

Mr. Rice was able to clearly explain the ways that inaccuracies in E-AMLIS misinform the picture of how much AML work is being accomplished. Mr. Rice's expert handling of the questions clearly established that AML grant funding is diligently tracked by OSMRE and the States, and that alleged issues of mismanagement in that regard relate only to how that

information is recorded and reported in E-AMLIS. Specifically, Mr. Rice made it clear that the figure of \$2.8 billion for construction of completed AML projects is a substantial under-estimation. Ms. Owens is providing a more accurate breakdown of AML grant spending.

Additional opportunity to help inform the Committee and to fully clarify the record will be forthcoming, and IMCC will ensure that more accurate information and necessary explanations are provided.

The hearing seemed to coalesce around the need to overhaul the AML inventory. Mr. Rice did a great job explaining that E-AMLIS is not meant as an accounting tool and is not suited to accurately portray AML accomplishments and spending. While IMCC/NAAMLPL generally suggest that additional reclamation work is more important than inventorying, it may become incumbent on IMCC/NAAMLPL to work with the Committee and OSMRE to achieve the improvements to reporting through E-AMLIS necessary to clear up ambiguity and

Robert Rice , WV DEP (left), Paul Gosar, R - AZ (right)



therefore to more clearly make the case to Congress for the good work the AML programs do and their excellent stewardship of their grant funding.

Overall, this hearing was a success from IMCC's perspective. Despite the somewhat surprisingly aggressive position taken by the Industry, IMCC was able to cut through the erroneous narrative Mr. Quinn sought to convey and show that the States should be the most trusted source of information as reauthorization discussions develop. Overall, the outlook for reauthorization is still promising, but this hearing drew the 'line in the sand', with the Coal industry on one side and the State AML programs, OSMRE, and Environmental/Citizen's advocacy groups on the other. It also confirmed our expectations that achieving reauthorization will not be an easy task - but affirmed that the States are more than capable of defending the value of the program.

Much appreciation is owed to the NAAMLPL Reauthorization Committee for the preparatory work over the last few years that enabled the States' success in this hearing, and especially to Eric Cavazza and Brian Bradley in Pennsylvania, who contributed to IMCC/NAAMLPL's written hearing statement. Appreciation most of all to Rob Rice, who answered the call to testify on short notice and in what turned out to be a contentious hearing - his excellent delivery of the IMCC/NAAMLPL testimony and poised, uncompromising handling of the Committee's questions are what carried this hearing for the States at the end of the day.

IMCC/NAAMLPL will be asked to respond in writing to further questions from the Committee, which we expect will focus in particular on suggestions to improve the AML inventory and overall efficiency in the AML programs.

Ryan Ellis
Interstate Mining Compact Commission
Legislative and Regulatory Affairs Specialist



RECLAIM 2.0 Act Hearing - April 5

On April 5 the Energy and Mineral Resources Subcommittee of the House Natural Resources Committee held a legislative hearing on H.R. 1731, the RECLAIM Act - Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More (RECLAIM). The bill was introduced by Representative Hal Rogers (R-KY) and was co-sponsored by Representatives Griffith (R-VA), Jenkins (R-WV), Thompson (R-PA), and Cartwright (D-PA).

H.R. 1731, the RECLAIM Act, is essentially a modified version of the 2015 Obama Administration "AMLER" proposal to accelerate \$1 billion from the AML Trust Fund for projects with enhanced economic benefits. That proposal was included as part of a wider set of strategies to improve economic conditions in Appalachia known as the "Power Plus Plan".

The basic idea of AMLER was adopted by Representative Rogers and introduced last year as H.R. 4456, but that bill did not pass before the close of the 114th Congress in December of 2016. Since then, Representative Rogers' staff has worked with relevant stakeholders, including IMCC and NAAMLPL, to further refine the concepts in the bill, which resulted in the introduction of H.R. 1731.

The Committee requested that IMCC and NAAMLPL provide 2 state witnesses for the hearing, Bob Scott of Kentucky and Autumn Coleman of Montana. Both witness did an excellent job representing the AML programs and portraying IMCC and NAAMLPL's comments on the bill.

There were two separate witness panels - the first was solely Rep. Rogers, and the second included Mr. Scott, Ms. Coleman, and Mr. Fritz Boettner of Downstream Strategies.

Subcommittee Chairman Gosar (R-AZ) began the hearing by discussing the purposes of the bill and noting improvements made as compared to the previous year's version, for example in limiting eligible uses of funding to actual AML construction on actual AML sites.

Ranking Member Lowenthal echoed Chairman Gosar's acknowledgement of the important environmental and economic development goals represented by the bill. Mr. Lowenthal expressed concern that the bill may stray too far from its economic goals, but noted the importance of the AML program and the need for reauthorization.

Representative Rogers' testimony focused on the distressed economic conditions in Kentucky and other states impacted by downturns in coal production. He outlined the purpose, structure, and intended impacts of the bill and thanked the stakeholders who contributed to its development.

Mr. Scott's statement focused on the status and future of the AML program. He discussed the accomplishments and multi-faceted contributions of the AML programs and the long-term outlook for AML funding. Mr. Scott noted IMCC's and NAAMLPL's concerns with the impact the bill would have on the future of the program (especially funding for high priority and emergency projects), and emphasized the need for reauthorization of AML fee collection authority in 2021.

Mr. Boettner's testimony focused on the economic benefits of AML projects and the dire economic circumstances of coalfield communities in Appalachia (a copy of his statement is attached). He expressed the Minority's concern that H.R. 1731 does not go far enough in requiring the AML programs to justify economic benefits of their highest priority AML sites (i.e. P1 & P2). Mr. Boettner acknowledged that environmental and economic needs and priorities vary greatly between states, but contended that the bill lacked adequate "incentive" for states and tribes to prioritize economic development.

Ms. Coleman's statement focused on the AML programs' role in aiding economic revitalization in distressed communities. She provided IMCC and NAAMLPL's recommendations on how to ensure H.R. 1731 achieves its goals and minimizes disruptions to overall progress with high priority AML work.



The question and answer portion of the hearing investigated a number of topics, some related directly to how the program under H.R. 1731 would operate and what impacts it might have, and some relating to the general operation and future of the AML programs. Topics discussed during this portion included:

- AML site classification and prioritization methods
- The dynamic nature of AML inventories
- Balancing economic and environmental needs
- How and what type of economic benefits stem from AML projects
- A recent DOI Inspector General Report on certified AML programs
- The value of AML work conducted by certified AML programs
- The potential impact of the bill on United Mine Workers Association (UMWA) pension plan funding
- The scope of AML work's contribution to the economy
- The bill's impact to the future of the AML program
- The need for reauthorization of the AML fee, experiences to date with AML economic revitalization projects
- The state of Wyoming's uniquely substantial contribution to the AML Fund
- The size and scope of current unfunded AML costs
- Inaccuracies portrayed by E-AMLIS regarding remaining AML costs and AML funding expended

From IMCC's and NAAML P's point of view, the hearing was an overall success. It provided an opportunity to provide the states' and tribes' input on the far-reaching potential impacts of H.R. 1731, as well as to open discussions with Congress on the imminent need for reauthorization of the AML fee, both of which were accomplished with aplomb by Mr. Scott and Ms. Coleman. Through their respective testimony as well responses during the panel discussion, the value of the AML programs was' clearly demonstrated and indelible connection between revitalizing economies in coal country and ensuring a future of the AML program was clearly drawn. Whether or how the Committee will modify the bill in mark-up is unclear at this time. For now, IMCC and NAAML P will continue to provide input to the Committee as requested - beginning with the specific follow-up information requested in the hearing.

Much appreciation is due to all those who contributed to this effort. It represents several years of hard work by the entire membership of IMCC and NAAML P. Special thanks to Autumn and Bob for answering the call of duty and helping to develop testimony, and also to Eric Cavazza and Brian Bradley for their particular contribution to developing the reauthorization-focused statement.

For anyone who would like to view the archived footage of the [RECLAIM Act Hearing](#).

Ryan Ellis
Interstate Mining Compact Commission
Legislative and Regulatory Affairs Specialist



FY 2018 Proposed Budget for OSMRE

Statement On Behalf of the National Association of Abandoned Mine Land Programs regarding the FY 2018 Proposed Budget for the Office of Surface Mining Reclamation and Enforcement before the House Interior, Environment and Related Agencies Subcommittee – June 1, 2017

My name is Justin Ireys and I serve as AML Program Manager within the Division of Mining, Land and Water within the Alaska 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. The 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, Title IV of SMCRA was amended in 2006 and 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 \$321.5 million (before sequestration) in FY 2018. OSMRE's proposed budget includes this amount, but also reduces grants for AML economic development pilot projects by \$90 million.

Over the past 35 years, the accomplishments of the states and tribes under the AML program have resulted in tens of thousands of acres of abandoned mine lands having been reclaimed, thousands of mine openings having been closed, many streams having been restored from the adverse impacts of acid mine drainage, hundreds of mine fires having been extinguished, thousands of homes, schools and businesses having been stabilized from the adverse impacts of mine subsidence and landslides, and safeguards for people, property and the environment having been put in place. Additionally, potable drinking water supplies have been re-established for tens of thousands of citizens in areas where groundwater and water wells have been contaminated or diminished by mining. Be assured that states and tribes are committed to addressing the unabated hazards at both coal and non-coal abandoned mines. We are united in achieving the goals and objectives as set forth by Congress when SMCRA was first enacted – including protecting public health and safety, enhancing the environment, providing employment, and adding to the economies of communities impacted by past coal and non-coal mining.

When passed in 1977, SMCRA set national regulatory and reclamation standards for coal mining. The Act also established a Reclamation Trust Fund to work towards eliminating the innumerable health, safety and environmental problems that existed throughout the Nation from mines that were abandoned prior to the Act. The Fund generates revenue through a fee on current coal production. This fee is collected by OSMRE and distributed to states and tribes that have federally approved regulatory and AML programs. The promise Congress made in 1977, and with every subsequent amendment to the Act, was that, at a minimum, half the money generated from fees collected by OSMRE on coal mined within the boundaries of a state or tribe, referred to as the "State Share", would be returned for the uses described in Title IV of the Act if the state or tribe assumed responsibility for regulating active coal mining operations pursuant to Title V of SMCRA. The 2006 Amendments clarified the scope of how the State Share funds can be used and reaffirmed the promise made by Congress in 1977.

If a state or tribe was successful in completing reclamation of abandoned coal mines and was able to "certify" under Section 411 of SMCRA, then the State Share funds could be used to address a myriad of other abandoned mine issues as authorized by SMCRA and as further defined under each state's or tribe's Abandoned Mine Reclamation Plan, each of which is approved by OSMRE. Like all abandoned mine reclamation, the work of certified states and tribes eliminates health and safety problems, cleans up the environment, and creates jobs in rural areas impacted by mining. In this regard, the certified states and tribes have been good stewards of the AML funds they receive, especially with regard to addressing dangerous non-coal mines.

Justin Ireys
AML Program Manager
Alaska Department of Natural Resources

For a copy of the complete statement, please contact [Justin Ireys](#)



Hearing on IMCC-Proposed Coal Good Samaritan Legislation

The House Natural Resources Committee held a hearing on a new approach to legislation for coal Good Samaritan protections and State NPDES relief - "The Community Reclamation Partnerships Act". The bill is currently in the form of a discussion draft, but has been preliminarily sponsored by Rep. Darin Lahood (R-IL).

IMCC worked closely with the Committee in developing this bill, which is based on a proposal developed by IMCC earlier this year with particular support from PADEP. It focuses on achieving enhanced AMD water treatment at coal AML projects conducted under SMCRA - and is intended as complimentary to IMCC's efforts to advocate for the larger, more difficult needs of hardrock Good Samaritan relief and a hardrock AML program. Hopefully this approach for coal AML will serve as a template for further efforts on the hardrock side.

Under this bill, State AML programs would be given the opportunity to develop/formalize an agreement with relevant water authorities outlining how the State will handle its water treatment work under Title IV visavis potential NPDES requirements - and with such an agreement in place, treatment systems in particular will be understood not to have to comply full with NPDES. This arrangement would most importantly result in clarity surrounding the States' obligations for water treatment under Title IV. It would also therefore - as the 2nd major component of the approach - allow the State to extend its own, now solidified, liability protection for these projects to eligible partners under an established process. With these modifications to SMCRA, the hope is that the State AML programs and AML partners will be able to proceed with their work unimpeded by unreasonable, unhelpful, prohibitive aspects of liability and NPDES requirements under the Clean Water Act.

This new approach has so far been very well received on both sides of the aisle. The hearing was very successful, particularly in that it was refreshingly cooperative. Aside from a few relatively minor needs for clarification, both the Majority and Minority expressed strong support for approach and intent to work together over the next few weeks to arrive at a bi-partisan bill to be supported by the Committee. The road for any bill is difficult, but the prospects here seem promising.

The Committee's press release re. the hearing can be found here: [Committee's press release](#)

The archived hearing footage, hearing memo, and full set of Witness testimony can be found here: [Hearing Video and Materials](#)

John Stefanko testified on behalf of Pennsylvania, IMCC, and NAAML - he did an excellent job describing the circumstances surrounding this issue and need for this relief, in particular in the context of the successful state level Good Samaritan program in Pennsylvania, on which the proposal is loosely based. The statement submitted by PA/IMCC/NAAML is attached, along with the discussion draft.

Other witnesses included Chris Wood, president of Trout Unlimited, and Thom Kay of Appalachian Voices, both of whom expressed their support for the bill with the caveat of certain clarifications being provided.

From IMCC's point of view, there are a few things that could be improved upon in the current draft to ensure it has its full potential effect, including the participation of innocent landowners, and the ability to grandfather protections for existing treatment systems, both by the State and hopefully by NGOs. IMCC will continue to work with the Committee and relevant stakeholders to refine the bill and to bring clarity to remaining questions.

Ryan Ellis

Interstate Mining Compact Commission
Legislative and Regulatory Affairs Specialist

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, 2017.

Email articles to **Bob Scott** (bobf.scott@ky.gov) or

mail articles to: **Bob Scott**, Director
Division of Abandoned Mine Lands
Department for Natural Resources
300 Sower Blvd.
Frankfort, KY 40601

For more information call **Bob Scott**, or **Ben Enzweiler** at 502-564-2141.