



# DEPARTMENT OF CONSERVATION

*Managing California's Working Lands*

## OFFICE OF MINE RECLAMATION

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### **California Abandoned Mine Lands (AML) Forum** Wednesday, February 17, 2010, 10:00 AM to 12:30 PM

#### Meeting Location

California State Lands Commission  
 100 Howe Avenue, Suite 100 South, 2<sup>nd</sup> Floor Conference Room  
 Sacramento, CA 95825

*The AML Forum provides a venue for discussion and coordination on water quality, safety and environmental hazard issues that agencies and other groups face with AML remediation projects in California. For information and prior meeting minutes and agendas, please visit: [www.conservation.ca.gov/omr/abandoned\\_mine Lands/Pages/amlu\\_forum.aspx](http://www.conservation.ca.gov/omr/abandoned_mine Lands/Pages/amlu_forum.aspx).*

### **MEETING SUMMARY**

#### **1. Welcome, Introductions, & Announcements (Start: 10:00)**

Cy Oggins, AMLU Manager, opened the meeting, welcomed Forum attendees, and introduced himself as the meeting facilitator (following Governor's Executive Order S-09-09 [June 2009], the DOC disencumbered its facilitation contract). Those present then introduced themselves (name & agency/organization).

#### **2. Review Previous AML Forum Meeting Minutes/Today's Agenda**

Cy asked if anyone had changes to the agenda or last meeting's minutes (emailed before the meeting). No changes were noted. Proposed changes to the minutes can be made by emailing Sarah Reeves, AMLU, at [Sarah.Reeves@conservation.ca.gov](mailto:Sarah.Reeves@conservation.ca.gov).

#### **3. Legislation/Stimulus Project Update**

Cy provided a handout and an update on the status of federal bills/laws related to abandoned mines and an update on stimulus funding for abandoned mine projects in California. Federal bill information can be found at <http://thomas.loc.gov> by typing in the bill number. Mining/AML-related bills include those related to 1872 Mining Law Reform and "Good Samaritan" cleanup of abandoned mines.

<b>House Bills</b>	<b>Senate Bills</b>
<ul style="list-style-type: none"> <li>• <a href="#">H.R. 699 (Hardrock Mining and Reclamation Act of 2009)</a></li> <li>• <a href="#">H.R.3201 (Locatable Mineral Royalty and Reclamation Act of 2009)</a></li> <li>• <a href="#">H.R.3203 (Cleanup of Inactive and Abandoned Mines Act)</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">S.140 (Abandoned Mine Reclamation Act of 2009).</a></li> <li>• <a href="#">S. 796 (Hardrock Mining and Reclamation Act of 2009).</a></li> <li>• <a href="#">S.1570 (Elimination of Double Subsidies for the Hardrock Mining Industry Act of 2009)</a></li> <li>• <a href="#">S.1777 (Good Samaritan Cleanup of Abandoned Hardrock Mines Act of 2009)</a></li> </ul>

Cy also noted that the Water Resources Development Act (WRDA) of 2010 could include revisions to the U.S. Army Corps of Engineers Restoration of Abandoned Mine Sites (RAMS) Program. The Draft Legislative Language proposed by a RAMS Program stakeholder group below is similar to what the Senate passed in 2007 but did not become law when the house version of WRDA was passed into law.

SEC. 2036, S 1248 PCS, REMEDIATION OF ABANDONED MINE SITES.

Section 560 of WRDA 1999 (33 U.S.C. 2336; 113 Stat. 354-355) is amended-

(1) by striking subsection (f);

(2) by redesignating subsections (a) through (e) as subsections (b) through (f), respectively;

(3) by inserting before subsection (b) (as redesignated by paragraph [2]) the following:

"(a) DEFINITION OF NON-FEDERAL INTEREST.-In this section, the term 'non-federal interest' includes, with the consent of the affected local government, nonprofit entities, notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b).";

(4) in subsection (b) (as redesignated by paragraph [2])-

(A) by inserting ", and remedial construction" before "assistance"; and

(B) by inserting ", including, with the consent of the affected local government, nonprofit entities," after "non-Federal interests";

(5) in paragraph (3) of subsection (c) (as redesignated by paragraph [2])-

(A) by inserting "physical hazards and/or remedial" after "adverse"; and

(B) by striking "drainage from";

(6) in subsection (d) (as redesignated by paragraph [2]), by striking "50" and inserting "25";

(7) in subsection (f) (as designated by paragraph [2]), by striking "Sacramento District" and inserting "USACE Program Management"; and

(8) by adding at the end the following:

"(g) OPERATION AND MAINTENANCE.-The non-federal share of the costs of operation and maintenance for a project carried out under this section shall be 100 percent."

"(h) NO EFFECT ON LIABILITY.-The provision of assistance under this section shall not relieve from liability any person that would otherwise be liable under federal or state law for damages, response costs, natural resource damages, restitution, equitable relief, or any other relief."

"(i) AUTHORIZATION OF APPROPRIATIONS.-There is authorized to be appropriated to carry out this section for each fiscal year \$7,000,000, to remain available until expended."

#### 4. Remediation at Iron Mountain Mine

John Spitzley, project manager for CH2M Hill, described activities occurring at the Iron Mountain Mine, including activities such as recent dredging at Keswick Reservoir, the mine workings, high density sludge treatment, remote water quality monitoring, etc. The USEPA declared the mine a Superfund site in 1983 and federal cleanup started in 1987. The dredging and water treatment work along the Spring Creek Arm of Keswick Reservoir was funded in part by~ \$21 million in federal

economic stimulus money announced in April 2009. For more information, contact John at CH2MHill.

## 5. Recreational Trails and Abandoned Mines in the Gold Country

Carrie Monohan, Ph.D., Science Director at The Sierra Fund, made a presentation to Forum members entitled *Sierra Nevada Dust Exposure Assessment: Assessing Exposure to Toxins from Mine Waste or Naturally Occurring Hazardous Materials through Recreational Activities*. The presentation covered the preliminary results of a recent recreational trail survey conducted by The Sierra Fund in the vicinity of abandoned mine lands in the Tahoe National Forest, including areas near Downieville (Sierra County), Nevada City (Nevada County), and Foresthill (Placer County). The study had two goals:

- Learn who is recreating in high risk areas, how often, and the types and amounts of toxins they may be exposed to.
- Conduct a Pilot Study to assess exposure of recreational users including OHV Riders, Mountain Bikers and Horseback Riders to mine waste and naturally occurring hazardous substances through dust inhalation.

For more information on this study, contact Carrie at The Sierra Fund.

## 6. AML Fatalities & “Near Misses”: 2000-09 &

### 7. Vandalism at AML Sites

With a reminder to “**Stay Out, Stay Alive!**,” Cy Oggins introduced these two topics by providing a handout, map, and PowerPoint summary related to the 45 reported fatalities and “near misses” (accidents that could have resulted in a fatality but did not) that have occurred on California abandoned mine lands in the past decade. The presentation included a brief introduction to the issue of vandalism at AML sites, which may have contributed to a recent fatality at a mine in Kern County.

Greg Pelka, with the State Lands Commission (SLC), then provided a case study of vandalism at an abandoned mine. Upon survey by the federal government in 1961, the State acquired a parcel in San Bernardino County, north of the rural community of Landers. The parcel contains the abandoned Los Padres Gold Mine, which was leased to Lawrence Livermore Laboratory and used to house seismometers. When the lease was quitclaimed, a stout steel door was welded in a concrete and steel portal. SLC staff has monitored the site since 2003, and in May 2008, staff discovered that vandals had broken through the 1' thick rebar reinforced concrete portal wall but had not violated a secondary steel door. A rebar and concrete repair was made, and after the abandoned mine was again vandalized, a second repair was made in October 2008. In December 2009, a local resident reported that the mine had once again been vandalized and full entry made through both doors. Visitation became frequent and a more permanent solution was sought.

Vandalism at AML sites can adversely impact human life, biological and cultural resources, and funding that could otherwise be spent on remediating additional

sites, Copies of the handouts and Cy's and Greg's presentations are posted on the AML Forum website.

#### 8. Other Items / New Business.

No announcements or new business.

#### 9. Summary of Action Items from Meeting and Future Meeting and Agenda Ideas.

No action Items were identified.

#### TENTATIVE 2010 MEETING DATES (USUALLY 3<sup>RD</sup> WEDNESDAYS)

- ~~May 19, 2010~~ Tentatively postponed to June 9
- August 18, 2010
- November 17, 2010

Previously suggested agenda items are listed below. Please send any proposed agenda items to Sarah Reeves at [Sarah.Reeves@conservation.ca.gov](mailto:Sarah.Reeves@conservation.ca.gov).

- **Speaker Confirmed.** Department of Fish and Game's request for early input from the AML community on plans for surveillance for and response to White-Nose Syndrome (WNS), which are in early development.

Some background information: WNS is named for the white fungus evident on the muzzles and wings of affected hibernating bats, which are dying in record numbers in the northeastern United States. This affliction, first documented in eastern New York in the winter of 2006-07, is spreading westward. Researchers associate WNS with a newly identified fungus (*Geomyces* sp.) that thrives in the cold and humid conditions characteristic of the caves and mines used by bats. The fungus could be responsible for the bat deaths, or it could be secondary to the cause.

- Combie Reservoir mercury issues.
- Fort Irwin Land Expansion Project AML physical hazard closures (211 abandoned mines).
- Sulfur Bank Mercury Mine remediation.

**ADJOURN (12:30)**