



DEPARTMENT OF CONSERVATION

OFFICE OF MINE RECLAMATION

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California Abandoned Mine Lands (AML) Forum

Wednesday, November 19, 2008

10:00 a.m. to 12:30 p.m.

Meeting Location

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

DRAFT MINUTES

1. Welcome, Introductions, & Announcements (start time: 10:05 a.m.)

Cy Oggins, Department of Conservation Abandoned Mine Lands Unit (AMLU) Manager, opened the meeting as Tracy Gidel, the meeting facilitator, was unable to attend at the last minute. Forum participants then introduced themselves.

Cy announced that he had recently attended the National Association of Abandoned Mine Land Programs (NAAML P) Annual Conference in Durango Colorado. (NAAML P is comprised of representatives from about 31 states and tribes that have AML Reclamation Programs, the majority of which are covered by the Surface Mining Control and Reclamation Act. NAAML P's goals are "to discuss and address common issues and problems, share new reclamation technologies, and speak as a unified voice on common issues." For information, see www.onenet.net/~naamlp/ and www.4toall.org/.) At this meeting, California and Nevada were approved to host the 2011 NAAML P Annual Conference, the first non-coal, hard rock AML Programs to host a Conference. Cy emphasized that it will be a great opportunity for Forum members and others to showcase California's issues and work related to abandoned mine lands.

2. Review Agenda and Previous Meeting Minutes

Cy asked Forum members for any proposed changes to the agenda or last meeting's minutes. No changes were proposed. Anyone who wishes to suggest corrections to meeting minutes can do so by email to Sarah Reeves or Hannah Walter, AMLU, at Sarah.Reeves@conservation.ca.gov or Hannah.Walter@conservation.ca.gov.

3. Mining's Toxic Legacy Public Education Strategies (Mike Thornton, Sierra Fund)

Mike Thornton introduced the Sierra Fund's program on mining impacts with a PowerPoint presentation entitled: "The Sierra Fund's Initiative to Address Mining Toxins in the Sierra Nevada." His stated goal was to share information on this Program and obtain feedback on how the Sierra Fund could improve its presentation. As a liaison for the Sierra Fund, Mike covers 22 counties in the Sierra, meeting with local public elected

officials, environmental health departments, watershed groups, and many other people and groups. For many people, this presentation, in association with the Sierra Fund report *Mining's Toxic Legacy: An Initiative to Address Mining Toxins in the Sierra Nevada* (see www.sierrafund.org/campaigns/mining), is a primer on the AML issue.

The presentation covered three areas of interest: cultural, health and environmental. Mike stated that educating the public on the less positive side effects of mining, in contrast to more popular "49^{er}" stories, is a key element of the Sierra Fund's outreach. He illustrated this by discussing how people are usually surprised and often shocked to hear that there are nearly 50,000 abandoned mines in the state and that approximately 13 million pounds of mercury were lost to State waterways and lands due to historic mining practices. The Sierra Fund's focus is on the contaminants mercury, arsenic, lead, and asbestos and the potential effects that these contaminants have on the public.

Mike's outreach is undertaken using historic photos, maps of the gold rush period, and information on the types of mining and methods used. His presentation showed different mining methods to provide a foundation from which to address the AML issue. The presentation also covered AML ownership (nearly 70% of AMLs are on public land and 30% on private land) and identified that development projects are frequently slowed by the discovery of former mining operations on or near private or public land. The presentation also included information on the amount of gold that was produced and how quickly access to easily recovered gold declined, which led to more complex and invasive methods. This information eventually led to a discussion of the 1884 "Sawyer decision" and its effect on mining. While this decision is often thought of as the first environmental decision, Mike presented it more as a decision based on property rights: how those individuals living downstream of mining activities were impacted by the actions of those living upstream. The Sierra Fund uses the concept of property rights to transition into a discussion on the national impact and mitigations associated with abandoned mine lands. The mining and harvesting of gold was allowed for the betterment of the nation, but the negative impacts were left to the State to handle.

The Sierra Fund draws on the work of many groups and organizations to emphasize the mining toxics issue. For example, they are drawing on the work of the State's Department of Conservation to show the extent of mining in the state, on reports from the news media showing the results of building at former mine sites, and on the work by California State Universities (CSU) for information on public health or the lack of it. The CSU Chico School of Nursing surveyed 13 rural health clinics and found that there were no environmental health evaluations, even though they were located in areas impacted by AML, and little to no guidance on the dangers and effects of mercury exposure or how people can protect themselves and their families.

The Sierra Fund Mining Toxics report identified that the mitigation measures needed to address AML problems require significant funding, certainly beyond the ability of the typical private landowner or small jurisdiction and generally beyond the capability of the State. The Sierra Fund is looking for funding sources to assist with some of these issues. Sierra Fund staff are going out and meeting with local public groups to provide a basic introduction to the AML program, to discuss possible solutions and to look for

ways to fund new research. The Sierra Fund also met with Senator Feinstein's State Director James Molinari, who indicated the Senator plans to prioritize abandoned mine lands issues during the next session of Congress.

As it relates to the Forum, Mike stated that one of the issues identified by the Sierra Fund is the perceived lack of coordination, communication, and cooperation between agencies involved with AML issues. The Sierra Fund is interested in developing a pilot program for AML cleanups and are looking at both the actual remediation and any "bottlenecks" that slow or stop remediation projects. With that, Mike ended his presentation. During a subsequent general discussion on the Sierra Fund's Program, the following comments were noted.

- It was noted that the Sierra Fund has a valuable role as it reaches many groups that the AML Forum doesn't.
- A suggestion was made that the presentation could include a couple of slides to highlight the number of AML sites in California. Dave Lawler, BLM, suggested using a slide of the AMLU's Topographically Occurring Mine Symbols (TOMS) to illustrate the number of sites. Both the AMLU and BLM will be glad to assist.
- Carrie Monahan, Friends of Deer Creek, noted that many school children, particularly in Nevada City, know where many abandoned mines are located. This led to a discussion on how outreach could be provided to schools on the hazards associated with abandoned mines. Some western states (e.g., Nevada and Utah) address AML issues in their fourth-grade curriculum.
- A suggestion was made that the presentation should provide more clarification on the issue of mercury contamination.
- Another suggestion was made that the Sierra Fund should consider looking at ways to broaden its contact with other groups involved in this issue (e.g., watershed groups or Trout Unlimited).

4. California Premier: Mine Safety and Health Administration (MSHA) Stay Out-Stay Alive Video Production *Dilemma of the Desert: Real Life Experience*

Dilemma of the Desert: Real Life Experience is the first DVD that the federal Mine Safety and Health Administration (MSHA) "Stay Out—Stay Alive" Program has filmed in California. The DVD includes interviews with Kern County firefighters who rescued a boy from an abandoned mine in 2007 and the family of a man who died in an abandoned mine accident in 2006. The video clips can also be viewed at www.msha.gov/streaming/sosa.asp.

As a lead-in to the DVD, Cy Oggins provided a short presentation highlighting fatalities, injuries, and rescues that have occurred in California on abandoned mine lands. Cy noted that the accident data his office has assembled cover only reported accidents (many abandoned mine accidents go unreported) and he requested information on any additional abandoned mine accidents. Cy also noted that his office has been contacted by the coordinator of MSHA's "Stay Out—Stay Alive" Program who plans to conduct "Stay Out—Stay Alive" outreach in California in 2009.

5. Website Demo and Continued Discussion on the Development of a Statewide Internet-Based AML Clearinghouse for AML resources (Cy Oggins, AMLU)

At previous Forum meetings, members have discussed a desire for a web-based “clearinghouse” for agency staff and the public to go to obtain California-specific information on AML. This information would be contained within the Clearing House or obtained via links provided to locations that would cover specific issues. A potential model for this proposed new website is the nationwide web portal recently launched by the Bureau of Land Management at www.abandonedmines.gov.

The AMLU, which may partner with the BLM to develop a California-specific web portal, is developing a survey of agencies and groups with interest in AML issues to determine what topics they would like to see included in the clearinghouse. Topics suggested to date include: information on AML projects and hazards, agency contacts, and access to a National Mine Lands Inventory (NMLI) Interactive Map and databases.

The group reviewed the BLM AML Portal and considered how the California Program could integrate the concepts into its Clearinghouse.

6. Other Items / New Business

- Rick Humphries of the State Water Resources Control Board and Victor Izzo of the Central Valley Regional Water Quality Control Board (Region 5) discussed the formation of an abandoned mine group within Region 5.
- Sierra Nevada Conservatory Proposition 84 grant opportunities will be posted on its website in early February.

7. Future Meeting and Agenda Ideas & Summary of Action Items from Meeting

Forum members concurred with the proposed “3rd Wednesday” quarterly dates for the 2009 Forum meetings, beginning with a meeting on February 18, 2009. Meeting topics proposed as future agenda items included the following:

- A presentation by tribal representatives
- An update by the Friends of Deer Creek on the results of their AML analyses.
- A presentation by the U.S. Forest Service or U.S. Environmental Protection Agency (USEPA) on a mercury remediation project at the Altoona Mine.
- A presentation on recent AML remediation work conducted by the USEPA, in partnership with State Parks and the AMLU, at Bodie State Historic Park.

ADJOURN: 12:05 p.m.

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 their AML remediation projects in California. For information and minutes and agendas from previous meetings, please visit: www.conservation.ca.gov/omr/abandoned_mine_lands/Pages/amlu_forum.aspx.