



# DEPARTMENT OF CONSERVATION

## OFFICE OF MINE RECLAMATION

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### California Abandoned Mine Lands (AML) Forum Minutes Wednesday, February 19, 2009, 10:00 AM to 12:00 PM

ATTENDING
1. Andy Zdon, The Source Group, Inc.
2. Becky Wood, Teichert
3. Bob Bryson, National Park Service
4. Brad Shipley, U.S. Forest Service
5. Brian Silva, Conestoga – Rovers & Association
6. Charles Alpers, U.S. Geological Survey
7. Charles Du Mee, Accelerated Venture Partners
8. Crystal Spurr, State Lands Commission
9. Cy Oggins, Department of Conservation, Abandoned Mine Lands Unit
10. Daryl Sattelberg, Tetra Tech
11. Dave Bieber, Geocon Consultants Inc.
12. Dave Lawler, U.S. Bureau of Land Management
13. Dennis Sederquist, Youngdahl Consulting Group
14. Donna Miranda-Begay, Tubatulabals of Kern Valley
15. Doug Olver, Dolver Co. Inc.
16. Grant Eisen, Nevada County
17. Greg McIver, SGI
18. Greg Pelka, California State Lands Commission
19. Greg Reller, Burleson Consulting
20. Hannah Walter, Department of Conservation, Abandoned Mine Lands Unit
21. Jim Brake, GeoCon Consultants, Inc.
22. John Key, U.S. Bureau of Land Management
23. John Sciacca, URS Corp.
24. Kent Parrish, URS Corp.
25. Kevin Schmidt, Senator Dean Florez Office
26. Mac Hamel, International Specialty Products
27. Marina Brand, State Lands Commission
28. Mark Piros, Department of Toxic Substances Control
29. Marsha Davis, National Park Service ( <i>via conference line</i> )
30. Mike Thornton, Sierra Fund
31. Paul Damian, SCS Engineers
32. Peter Graves, U.S. Bureau of Land Management
33. Randy Adams, Department of Toxic Substances Control
34. Rick Weaver, U.S. Forest Service
35. Sarah Reeves, Department of Conservation, Abandoned Mine Lands Unit
36. Sherri Norris, California Indian Environmental Alliance
37. Syd Brown, State Parks ( <i>via conference line</i> )

38. Tracy Gidel, Meeting Facilitator
39. Victor Izzo, Regional Water Quality Control Board
40. Wes Bourgau, Placer Co. Environmental Health Dept.

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

Tracy Gidel started the meeting by introducing himself as the meeting facilitator and by welcoming Forum attendees. Tracy reminded participants to sign in to help update the Forum distribution list. Then those present were asked to introduce themselves (name and agency/organization).

**2. Review Agenda and Previous Meeting Minutes**

Tracy asked if everyone had received an agenda and if they had any suggested changes to either the agenda or the previous meeting minutes. No changes were noted. Anyone who wishes to suggest corrections to meeting minutes can do so by email to Sarah Reeves of the AMLU at: [Sarah.Reeves@conservation.ca.gov](mailto:Sarah.Reeves@conservation.ca.gov).

**3. Follow-up from Last Meeting: Update on Development of a California AML “Clearinghouse” Website**

Cy Oggins of the Department of Conservation’s Abandoned Mine Lands Unit (AMLU) provided an update on the status of the proposed web-based California AML Clearinghouse discussed in prior Forum meetings. A PowerPoint developed by SRA Consulting on behalf of the Bureau of Land Management (BLM) was viewed covering the development of BLM’s nationwide web portal addressing Abandoned Mine Land issues. The AMLU is looking at working in partnership with the BLM to adapt that portal for California; this effort is temporarily on hold due to budget issues. In the meantime, a completed version of the draft survey to gather more ideas on what to include in the Clearinghouse website may be rolled out in the near future.

**4. Legislative Update**

Cy discussed the recently passed [Public Law 111-5: American Recovery and Reinvestment Act of 2009](#) (ARRA) (H.R.1 / S.336) that was signed by the President on February 17, 2009. This \$790 billion economic stimulus act included funding for federal agencies for abandoned mine-related activities nationwide. It appears that ARRA AML funding will be allocated to the following three agencies as follows:

- BLM: \$125 million (M) for land and resource management (includes abandoned mine remediation) & \$180M for construction (includes remediation of abandoned mine sites).
- National Park Service: \$589M (includes abandoned mine cleanup).
- U.S. Forest Service: \$650M for construction (includes remediation of abandoned mine sites).

Other bills of interest include:

- S.140, Abandoned Mine Land Reclamation Act of 2009. Introduced by Senator Dianne Feinstein (D-CA) on January 6, 2009. A bill to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes.
- S.22, Omnibus Public Land Management Act of 2009. Introduced on January 6, 2009. A bill to designate new National Wilderness Preservation System components—including three in California: Eastern Sierra and Northern San Gabriel Wilderness; Riverside County Wilderness (190,000 acres, including parts of Joshua Tree National Park); Sequoia and Kings Canyon National Parks Wilderness (70,000 acres)—and to authorize Depts. of Interior and Agriculture to withdraw lands designated by this Act as a wilderness area from location, entry, and patent under Mining Laws.
- H.R.699, Hardrock Mining and Reclamation Act of 2009. Introduced on January 27, 2009. A bill to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes.

## **5. Update on Department of Toxic Substances Control (DTSC) AML Activities**

Randy Adams outlined the most recent activities of the DTSC related to abandoned mine issues. Within the last two months, DTSC has formed an Abandoned Mine Lands Initiative team, which draws on staff with more than a decade or more of experience regarding AML issues. The AML Initiative team is located in the Sacramento office but utilizes staff from other areas of the state. Objectives of the team include:

1. To develop relationships with AML stakeholders.
2. To establish funding through specific projects and agreements.
3. To develop staff with AML expertise.
4. To develop cost effective procedures for streamlining investigation and remediation processes.
5. To develop Green investigation and remediation processes.
6. To develop tools to assist local agencies.

The above objectives will be achieved through key demonstration projects that develop and refine techniques for addressing AML investigation and remediation. This will be accomplished through outreach and business development in coordination with DTSC project managers. There will be four categories in which DTSC will implement the team activities:

- (1) Brownfields Program
- (2) Voluntary Clean Projects
- (3) Green Technologies

#### (4) Outreach and Business Development.

The Green Technologies program includes the current bioavailability study. DTSC has received \$750 thousand for this project.

DTSC for the first time has received \$500,000 to address specific AML sites. Previously the Department would receive \$6-8 million to apply to "orphaned sites" (locations where there is no responsible party or the responsible party is not capable to conduct the necessary assessment and remediation activity). DTSC also has applied for two other grants for projects in Sierra County.

Randy pointed out that the U.S. Environmental Protection Agency Brownfields Grants program has a short window for application, opening in May and closing in October which does not allow much time for consideration and application. DTSC is available to assist agencies and will write letters of support for those wishing to apply for Brownfields Grants.

### 6. A Tribal Perspective and Abandoned Mines

Dr. Donna Miranda-Begay, Tribal Chairperson for the Tubatulabals of Kern Valley, gave a presentation on the tribal perspective of the abandoned mine land issue in California, entitled: Native Perspective "Outreach, Collaboration, and Consultation." The identification of the risks and necessary mitigations associated with abandoned mine lands are of interest to the tribes. This is a new area for them to address and in that vein Donna's presentation focused on how agencies and others involved in AML issues could and should communicate better with the tribes of California. Donna's presentation provided an outline of how initial contact can be made at the federal, state and tribal level as well as brief history on the background of how both the tribes and their lands were identified and the misunderstandings that can result.

The tribes include 108 federally recognized tribes and 50+ tribes seeking their federal recognition as well as non-federally recognized tribes. They all may be impacted to some extent by abandoned mine lands and need information about the problem. The tribes obtained their current land holdings through the Dawes Act of February 8, 1883 which resulted in over 1,000 allotments in California which for the most part are not mapped out. The principal governmental agency that works with the tribes is the Bureau of Indian Affairs (BIA). The mission of the BIA is to: "... *enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes, and Alaska Natives.*" However the BIA operates with limited resources and the primary assistance the Californian Tribes receive is from U.S. BIA – Housing and Roads, U.S. Indian Health Services, and local social service program. U.S. Indian Health Services provides basic support for septic tanks, water systems, and other environmental support such as water systems, clean-up, fencing, cattle guards, waste management programs, access to utilities, and road maintenance service.

In summary Donna recommended:

- Don't reinvent the wheel – network with DWR, Caltrans, Cal-EPA (Cynthia Gomez, Assist. Secretary – Environmental Justice, formerly from Caltrans)
- Get the Tribes on AML maps – overlays
- Develop Tribal Liaison Positions
- Promote Cabinet Level – CA Tribal Affairs Agency
- Emphasize policy, consultation, administration and direction in working with all California Tribes.

Donna's home office is located in Mt. Mesa CA. Her contact information is: Phone #: (916) 599-6860; email: [drbegay@aol.com](mailto:drbegay@aol.com).

## **7. 2008 Altoona Mercury Mine Removal Action**

Rick Weaver and Brad Shipley with the U.S. Forest Service (USFS) gave a presentation with 54 slides on the implemented remediation at the Altoona Mine in Trinity County. The presentation began with a description of the USFS CERCLA Program and a description and history of the site. The Altoona Mine is a historic mercury mine that has historically impacted water and fish in the East Fork of the Trinity River resulting in fish consumption guidelines due to mercury in Trinity Lake. It is a mixed ownership site, with a private party owning the mine, mill, and tailings dump, and public lands starting at the toe of the dump.

The mine site remediation was let by the U.S. Environmental Protection Agency, with USFS support. Remediation included the construction of an onsite repository for the burial of approximately 150,000 cubic yards of contaminated soil from along the creek and tailings from the site. The contaminated soils were placed in a lined containment with groundwater monitoring capability. Restoration of the site and drainage completed the on-the-ground work. The project was snowed out in late November after the final cover was placed, so additional erosion repair work and final site restoration will occur in Spring/Summer 2009. The presentation will be available online on the Forum web page.

## **9. Summary of Action Items from Meeting**

To see that the Tribes continue to be invited to future meetings and to increase communication and collaboration with them regarding the AML issues.

## **10. Future Meeting and Agenda Ideas**

The next meeting is tentatively scheduled for the **May 20, 2009**.

**ADJOURN:** 12:35 PM. (Following the meeting, many Forum members stayed for a screening of the Dirty Jobs "Abandoned Mine Plugger" segment that debuted on Discovery Channel on January 13, 2009, which showed the closure of an abandoned mine shaft in Auburn, CA, using polyurethane foam.)