NATIONAL ASSOCIATION OF STATE LAND RECLAMATIONISTS

http://www.crc.siu.edu/naslr.htm

Summer 2011

PRESIDENT'S MESSAGE

Joe Hager
West Virginia Department of Environmental Protection

Who is NASLR??

During the past year, while serving as this organization's President, I have received several inquiries about NASLR, its origin, and history; I became been an active NASLR member in 2005 and had some of the same questions prompting me to turn to Dean Spindler of Illinois for answers. Dean, along with Anna Caswell, our Secretary-Treasurer, provided information about our association that you may find interesting.

The National Association of State Land Reclamationists is comprised of thirty-eight mineral producing states from across the country. NASLR's Mission is to:

- Advocate the use of research, innovative technology, and professional discourse to foster reclamation of land and water.
- Recognize that economically beneficial mining and sound reclamation need not be exclusive of each other.
- Promote a mutually beneficial relationship between state regulatory officials and the mining industry.
- Promote lasting partnerships between state land reclamationists, private mining interests, and others to advance the state of the art.
- Recognize that geographic and political differences between states can dictate the state's reclamation program and therefore does not compare programs.
- Encourage exchange of information and expertise to improve reclamation.

In 1972, NASLR held its first organizational meeting in Marion, Illinois. The following year, fourteen states met in Atlanta, Georgia where the group's constitution was developed following the format used by the National Association of State Foresters. Mr. Sanford Darby from Georgia was NASLR's first President; among the other officers elected during that conference was Ted Schwinden who later became Governor of Montana.

During the last thirty-nine years, twenty-one of the thirty-eight member states have served as host to the Annual Conference. West Virginia is hosting the conference for the fifth time this September; Illinois has served as host on four occasions while Florida has greeted member states three times in the past.

NASLR is a very cost effective tool for enhancing state programs that promote the exchange of information about innovative processes that enhance environmental stewardship. During these difficult economic times, the NASLR group is a very inexpensive option for states to consider when identifying which conferences merit spending funds for participant attendance. The involvement of mid-level managers and technical personnel readily avails information dissemination through an organization in an effective manner.

The legacy of the past forty years of this organization's existence demonstrates an established niche for continued education and training through the annual conference, newsletters, and other interaction.

There is still time to register for the upcoming conference at The Glade Springs Resort near Daniels, West Virginia. This year's conference will feature speakers from several states and agencies in an effort to have an event that is applicable to all aspects of mining. States that are facing restrictive budgets may want to contact the NASLR Executive Committee to inquire about delegate scholarships to this year's conference.

As the 39th President of NASLR, I want to thank everyone who continues to participate in and support the premise that this association is founded on.

39th ANNUAL CONFERENCE OF THE NATIONAL ASSOCIATION OF STATE LAND RECLAMATIONISTS

Protecting Tomorrow's Waterways through Responsible Land Reclamation Today

September 25-28, 2011
Glade Springs Resort near Daniels, West Virginia

NASLR welcomes each of you in the public and private sector who share a commitment to the responsible recovery of our natural resources in a manner that promotes cost effective and efficient environmental stewardship.

The association provides government employees, higher education students and staff, corporate sponsors, and companies involved in land reclamation with the opportunity to attend a storied professional development conference where Continuing Education Units are awarded to attending individuals.

SPONSORSHIPS

Corporate sponsorships are available in three categories:

Gold sponsorships are priced at $750. Included in this sponsorship is a one year NASLR corporate membership; Premier furnished exhibit location for three days; Priority corporate sponsor seating at the conference; and one full registration.

Silver sponsorships are priced at $500. Included in this sponsorship is a one year NASLR corporate membership; Furnished exhibit for three days.

Bronze sponsorships are priced at $250. This sponsorship provides a furnished exhibit location for three days.

Additional information regarding sponsorships will be provided as requested.

REGISTRATION

The conference registration fee is $150 per person which includes the conference presentations, a day-long field trip, conference break refreshments, a bag lunch for the field trip and dinner at the awards banquet.

The registration fee for spouses or significant others is $100. A spouse's tour will be conducted on Monday, September 26, 2011. The spouse's tour will include visits to the Beckley Exhibition Coal Mine, The Scenic New River Gorge, Tamarack (The Best of West Virginia), Daniels Vineyard and more.

The registration form can be found at the end of this newsletter or may be accessed via the NASLR web page. Late registration for the conference will be accepted on site with an additional $25.00 late registration fee.

WEST VIRGINIA TOURISM INFORMATION

For more information from the WV Department of Commerce click here. Please see the special offerings from one of our meeting sponsors *Adventures on the Gorge* in the flyer at the end of this newsletter.

GETTING THERE

Travel directions to Glade Springs:

From I-64 West:
Take exit 125 (Beaver, Airport Road Exit)
Turn left onto Airport Road Route 307 West
Go 1.7 miles to intersection, turn left onto Rt. 19 South
Go 2 miles, The Resort at Glade Springs is on the left

From I-77 North:
Take exit 28 (Ghent)
At the end of the exit ramp turn right, bringing you to Route 19. Turn left onto Route 19, North
Go 10 miles, The Resort at Glade Springs is on the right

From I-77 South to I-64 East:
Take exit 125A (Beaver Exit) onto Route 307 West
Go 2 miles to intersection, turn left onto Route 19 South
Go 2.8 miles, The Resort at Glade Springs is on the left

From Yeager Airport in Charleston, West Virginia:
Follow directions for I-77 South to I-64 East

From Beckley Airport:
Coming out of the airport is Route 307 West
Go 3 miles to intersection, turn left onto Route 19 South
Go 2.8 miles, The Resort at Glade Springs is on the left

Here is the link to Charleston, WV's Yeager Airport
http://www.yeagerairport.com/

LODGING

Reservations at The Glade Springs Resort may be made by contacting "The Glade Springs Resort" near Beckley, West Virginia at 866-562-8054. Below is a link to the Glade Springs Resort http://www.gladesprings.com/

The next newsletter will feature articles from Illinois, Kansas, Ontario, Oregon, and South Carolina. Deadline for copy to be received at the Coal Research Center is October 1, 2011.

Conference Schedule

Sunday – September 25, 2011

3:00 - 5:00 Conference Registration
5:00 - 9:00 NASLR "Meet and Greet" Hospitality

Monday - September 26, 2011

8:00 - 9:00 Breakfast & Opening Remarks

9:00 - 9:45 Michael W. Smith, Pennsylvania DEP
Mining Impacts on the West Branch of the Susquehanna River 1984 – 2009, The USGS Benchmark Study Revisited

9:45 - 10:30 Robert Baker, Ph.D, OSU
Preliminary Evaluation of Remining and Reclamation in the Duck Creek Watershed

10:30 - 10:45 Break

10:45 - 11:30 Tom Galya, Ph.D., US OSM
Attempted Restoration of Dewatered Spruce Laurel Fork Caused by Underground Coal Mining Operations, Boone County, West Virginia

11:30 - 12:15 Randy Kelley, WV DNR
Reintroduction of the Wild Turkey in Southern West Virginia

12:15 - 1:30 Lunch (provided)

1:30 - 2:15 Dawn Lemke, Alabama A&M
Invasion of Non-native Plants at Reclaimed Surface Mines: A Case Study in the Shale Hills Region of Alabama

2:15 - 3:00 Angela Greene, NRCS
Principles of Geo-Morphic Stream Design

3:00 - 3:15 Break

3:15 - 4:00 Christy Mower, CONSOL Energy, Inc.
A Joint Development Initiative for Economic Growth, Mining, and Mitigation using a Watershed Restoration Approach

5:00 - 9:00 NASLR Hospitality

Tuesday – September 27, 2011

8:30 - 9:00 Breakfast & Opening Remarks

9:00 - 9:45 Chris White, Appalachian Streams Restoration, *Implementation of Mitigation*

9:45 - 10:30 Jeff Skousen, Ph.D. WVU
Switchgrass Potential on Reclaimed Surface Mines for Biofuel Production in West Virginia

10:30 - 10:45 Break

10:45 - 11:30 Victor Davis, US OSM

11:30 - 12:15 TBA

12:15 - 1:30 Lunch (Cookout Luncheon)

1:30 - 3:30 NASLR Business Meeting

6:00 - 7:00 NASLR Banquet Reception

7:00 - 9:30 NASLR Awards Banquet

9:30 - 11:00 NASLR Hospitality

Wednesday – September 28, 2011

7:00 - 8:15 Full Buffet Breakfast
8:30 - 4:30 Field Trip (box lunch included)
4:30 Adjourn

For more information on the 2011 NASLR Conference contact

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STATE NEWS/REPORTS

TENNESSEE

Bruce Ragon
Tennessee Dept. of Environment and Conservation

In 2008, Tennessee's NASLR newsletter article dealt with attempts to amend *The Tennessee Water Quality Control Act of 1977* and/or *The Tennessee Mineral Surface Mining Law of 1972* to address problems being encountered with rock harvesting operations. To recap, rock harvesting is the gathering of rock, through various methods, that is primarily used for decorative purposes. The main obstacle to amending the laws previously revolved around the definition of "mineral". Existing operations that were exempt from the mining law were concerned that the definitions proposed at that time would require them to obtain mining permits.

In the most recent legislative session, a bill was passed that amends the water quality act to include specific requirements for rock harvesting. As has been previously discussed, Tennessee's mining law is very outdated and excludes the predominant mining operations in the state (limestone, sand and gravel). However, these (and all other mining operations) are covered by the National Pollutant Discharge Elimination System (NPDES) program under either the industrial stormwater sector or individual permits. Given the previous problems with amending the mining law and the more universal coverage of the NPDES permits, amending the water quality act was the preferred choice.

The new law (TN Code Annotated §69-3-143 – 69-3-147) does not affect the type of permit needed, but requires additional information. It also defines "mineral" (for the purposes of rock harvesting only) as: "…dimension stone, flagstone, landscaping stone, drystack stone, façade, and marble,…". New information and requirements not previously associated with these types of permits include: (1) Proof of the operator's right to mine on the affected area; (2) proof of liability insurance; (3) proof of registration with the TN Dept. of Revenue; and, (4) a reclamation (as opposed to merely stabilization) plan. The new section also provides for the issuance of a stop work order and, in extreme cases, the confiscation of the equipment used in an operation.

Much of the conflict over rock harvesting activities in the past has arisen from areas where the surface and mineral rights have been severed. Surface owners often object to mineral owners asserting their right to remove mineral resources because of the associated disruption of their use of the land's surface. This law does not provide for adjudicating those disputes (that responsibility remains with courts of competent jurisdiction) but does require that, in instances where the rights are severed, the mineral owner notify the surface owner of the intent to mine at least 30 days prior to beginning such activities.

Meetings with rock harvesting operators are currently underway to discuss implementation of the new requirements and to create a manual outlining Best Management Practices that can be utilized to achieve compliance. The law is not retroactive, but as existing permits are renewed they will be required to meet the new standards. Both the department and the industry feel that this law will go a long way toward resolving the problems that exist at this time.

TYPICAL ROCK HARVESTING OPERATIONS IN TN

STONE SALES YARD

CRAB ORCHARD DECORATIVE STONE

FLORIDA

Lou Neuman
Florida Department of Environmental Protection

We are so fortunate to work in a field that is tied to the world's and nation's history. Mining and minerals have played an important role in the development of our civilization. Historians have named large periods of time after natural resources. We have the Stone Age and Bronze Age to name a few. The natural resources of the earth have provided us with shelter as simple as caves to huge castles. Stones have been placed to mark the burial sites of loved ones, ranging from a simple grave to the pyramids. Church buildings and altars used in our spiritual worship have been made from extracted resources. Stones have been placed to serve as a simple property boundary to a wall so large it can be seen from outer space.

An argument can easily be made that the development of our nation can be tied to minerals and their extraction. Spain and other European nations sent explorers across the ocean in hopes of finding wealth. The gold and natural resources they brought back, along with the idea of a better life, led to other people coming to the New World. It was a person who worked with silver that warned the colonist during the American Revolutionary War period that the British are coming. The extraction of phosphate used for fertilization helped make America become the food basket. The extraction of coal from states like Pennsylvania helped fuel our nation's growth. The discovery of gold in California and Alaska led to multitudes of people coming to these areas and expanding our nation. The extraction of resources to form steel for construction and manufacturing increased our productivity. We use limestone and sand in the making of building products for our homes and roads. There is even a bumper sticker that is printed as "If it's not grown, it is mined".

As you go to various places this summer, notice all the wonderful things that have been built using extracted resources. You should take pleasure in knowing that extraction still occurs, but in a much environmentally safer method in America. Your inspections and concerns about water, air, land, and wildlife during the extraction and reclamation process help make the United States of America a safer place for this generation and those to come.

39th Annual NASLR Conference

September 25th – 28th, 2011

Glade Springs, Daniels, WV

Protecting Tomorrow's Waterways
Through Responsible Land Reclamation Today

Name: _____ Name Tag (if different): _____

Title: _____

State / Organization / Dept.: _____

Address: _____ City: _____ State: _____

Zip Code: _____ Phone: _____

E-mail: _____

Registration Fees: Please indicate number of persons that will participate in each activity to assist in planning.

Number Fee

_____@ $150.00 NASLR Conference Registration

_____@ $100.00 Spouse / Guest Registration Name: _____

will _____ Attend Banquet _____ Field Trip _____ Spouse's Tour

_____ Preferred Shirt Size

Sponsorship

_____ Gold @ &750.00 _____Silver @ $500.00_____Bronze @ $250.00

Total Fees $_____ Make checks payable to NASLR and mail to:

NASLR
C/O Coal Research Center
405 West Grand, mc4623
Carbondale, IL 62901-4623
E-mail: aharring@siu.edu

ADVENTURES ON THE GORGE™

NEW RIVER GORGE, WEST VIRGINIA

Just for attendees of the *NASLR Convention*

Adventures On The Gorge offers world-class whitewater rafting, canopy tours, and ziplines along with many other outdoor adventures! Our spectacular basecamp is located right on the rim of the **New River Gorge** and just outside of Fayetteville, W.Va., named one of the coolest small towns in the country. With **top-notch facilities** and a wide range of **lodging** options from camping to deluxe vacation rentals, and three restaurants to choose from, we're here to make your stay one to remember!

15% Off All In-House Activities

For additional information please contact **888.406.0925** or receive an online quote by visiting our website, **www.onthegorge.com.**

Your promotional code is **NASLR1115. Valid September 21 - October 2.**

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