

# Kentucky Watershed Academy Mining Partners: KY Division of Abandoned Mine Lands

To protect the public from health and safety problems caused by  
mining that occurred prior to 1982.

Lucas Graham

Samantha Johnson



# KY AML Background

- Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) established the national Abandoned Mine Land (AML) reclamation program under the Office of Surface Mining Reclamation and Enforcement (OSMRE), U.S. Department of the Interior.
- Kentucky received conditional program approval from OSMRE on May 18, 1982.
- What is an AML Site?
  - AML (Abandoned Mine Lands) consists of areas affected by coal mining that ceased operation prior to May 18, 1982, on which no person or entity has any continuing reclamation responsibility under federal or state law. [AML Development guide 2016]

## KENTUCKY ENERGY AND ENVIRONMENT CABINET ABANDONED MINE LAND (AML) HOMEOWNER AND DEVELOPMENT GUIDE



### **GET THE FACTS BEFORE YOU ACT**

*A guide for residents, landowners, developers, and state and local officials to inform them of potential problems of living and developing on abandoned mine land sites in Kentucky*

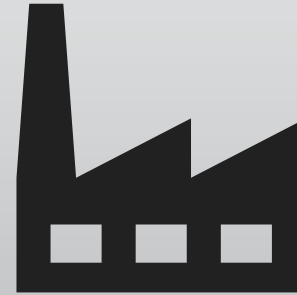
Kentucky Division of Abandoned Mine Lands  
300 Sower Blvd.  
Frankfort, KY 40601  
(502)564-2141

## History of Service



For more than 3 decades the Kentucky Division of Abandoned Mine Lands has been mitigating mine hazards threatening citizens and their homes across the coalfields.

## AML is 100% federally funded



Coal operators pay a tonnage extraction fee to the federal government which goes into the AML Trust Fund. A portion of that funding is distributed, annually, to states and Tribes.

# AML Efforts



## Investigation

Researching and documenting reported hazards across the coalfields

Inventoried in AMLIS



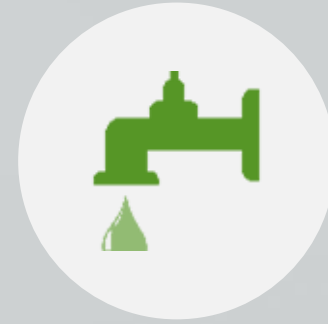
## Reclamation

Abatement of mining related hazards



## Bond Forfeiture

Reclamation of defunct permits



## Waterlines & AMD

Treatment of impacted waterways and collaborative efforts to provide drinking water to communities



## Pilot Grants

Management of Economic Development grants for Eastern Coalfield communities

# Investigations



All sites are investigated for eligibility by both field office and Frankfort Staff



Many tools are used to determine eligibility including but not limited to:

Historical and current imagery and mine maps for the problem area

Water quality testing and comparison

Drone imagery

Photos and videos to document physical connections



Investigator: Lucas Graham      Date: 4/10/2019  
 Site Location:  
 LB #:

**Preliminary Site**

Eligibility	Likely/ Highly Likely
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has transferred to b

Permit Number	SFI
8670454*1	
8670462*1	186
8670513*1	



# What is an AML Project?


- Examples of hazards that can be found on abandoned mine sites are landslides, water-filled pits, open mine portals, highwalls and dilapidated equipment and buildings.
- Higher priorities are assigned to problems that most directly impact public health and safety
- DAML does not receive enough funding to address all of the AML-eligible problems needing reclamation in Kentucky



## Other projects

- Acid Mine Drainage:
  - Must have an AML nexus and within the watershed of a Bond Forfeiture
  - This money is set aside for these projects specifically and used by the Division to abate AMD
- Bond Forfeiture:
  - The Division reclaims the land of active coal companies upon forfeiture with the bond money they contributed during the permit process
- Waterlines:
  - The Division sets aside a portion of the AML grant to supply potable waters to prior to 1982 coal mining areas





## Notes on our Projects

- AML is a cradle to grave organization
  - AML funds, designs, and hires the contractors for our projects
  - Stakeholder input is taken into consideration for all of our projects
- AMD projects sometime require large amount of land and that space is not always available
- AML seeks creative passive treatment solutions for AMD sites
- AML DOES NOT receive enough funds to handle all eligible projects
- Projects are submitted to our oversight agency (OSM) for approval before any work can be done



# Community and Economic Development Grants

AML Pilot Projects

# Pilot Program Details

- Born as a proof of concept for the RECLAIM act
- Focused on Community Development and Economic Growth
- Requires an **AML Nexus**
- Administered by KY AML
- First grant year 2016
- Kentucky awards:
  - 2016 – 30 Million
  - 2017 – 25 Million
  - 2018 – 25 Million
  - 2019 – 25 Million
  - 2020 – 25 Million
- Each year grant year AML has received no less than 40 applications for the Pilot program
- The average annual total request has been 140 million dollars
- Applications are processed by AML, then winners are selected by the panel headed by the Cabinet Secretary
- Selected Applications must go through a **Vetting Process** with **OSMRE**
- Join in an **MOA** with the Cabinet
- Have a **NEPA** study conducted on the site
- Received **ATP** from OSMRE

130 Million dollars in grant funds

# Important Terms

**AML Nexus** – A required characteristic of AML relatedness for applications to be deemed eligible for selection.

- Unreclaimed Priority 1, 2, or 3 sites listed in eAMLIS.

[www.osmre.gov/programs/AMLIS.SHTM](http://www.osmre.gov/programs/AMLIS.SHTM)

- Previously reclaimed AML lands and polluted waters.
- Land adjacent to unreclaimed or previously reclaimed AML lands and polluted waters as justified by the State, Tribe, and/or the communities impacted by historic coal production.
- Currently permitted Title V mine sites are not eligible to receive AML Pilot funds.

**OSMRE** – Office for Surface Mining Reclamation and Enforcement

- Housed within the United States Department of the Interior
- Established in 1977
- The federal oversight agency for AML and for the Pilot Program grants.
- Lexington Field Office is the first line of review for KY AML Pilot grants
- Approves Vetting and Issues ATP for all grants

**Vetting** – A conceptual review of a Pilot Project proposal.

- Conducted by OSMRE
- The first step in the process of approval of a selected application
- May require several rounds of questioning from OSMRE staff in the Lexington Field Office, the Pittsburg Regional Office, or Washington D.C.
- OSMRE questions are conveyed to KY AML staff and then on to the potential grantee

# Important Terms

**MOA**– Memorandum of Agreement established as a part of the grant process

- Between the Cabinet for Energy and Environment and the Grantee
- Delineates the terms of the project
- Establishes the timeframe for expenditures
- Signals the beginning of the design phase of a vetted grant.

**NEPA** – National Environmental Policy Act signed into law in 1970.

- Establishes a basic framework for environmental protection in the United States
- Ensures that federal agencies consider environmental concerns equally with technical, social and economic concerns, and
- Enhances public participation in government planning and decision making
- Required for the expenditure of Pilot Funds

**ATP** – Authorization To Proceed

- The final hurdle to surpass prior to actual implementation or construction of a Pilot Grant
- Issued by OSMRE
- Similar to vetting only more detailed
- May require several rounds of questioning from OSMRE staff in the Lexington Field Office, the Pittsburg Regional Office, or Washington D.C.
- OSMRE questions are conveyed to KY AML staff and then on to the potential grantee for clarification

# Additional Information on the AML Website

Kentucky Energy and Environment Cabinet

Facebook Twitter YouTube About Open Records Contact

Environmental Protection **Natural Resources** Energy Nature Preserves Newsroom Administrative Hearings Calendar

Conservation Forestry Mining Oil & Gas

## ABANDONED MINE LANDS

Home / [Natural Resources](#) / [Mining](#) / [Abandoned Mine Lands](#)

The Division of Abandoned Mine Lands (AML) works throughout the state's coal fields to protect the public from health and safety problems caused by mining that occurred prior to 1982.

Examples of hazards that can be found on abandoned mine sites are landslides, water-filled pits, open mine portals and dilapidated equipment and buildings. The division restores these degraded sites to a safe and environmentally stable condition through a process known as reclamation.

The division also administers a bond forfeiture reclamation program. Before coal companies begin mining at a site, they must post a reclamation bond. A company's bond may be forfeited to the Commonwealth if the company fails to mine and reclaim a site to the standards specified in its mining permit. The forfeited funds are used by the state to reclaim the site for which the bond was posted.

AML also administers a water supply replacement program. The division extends waterlines into areas where drinking water has been contaminated by past mining.

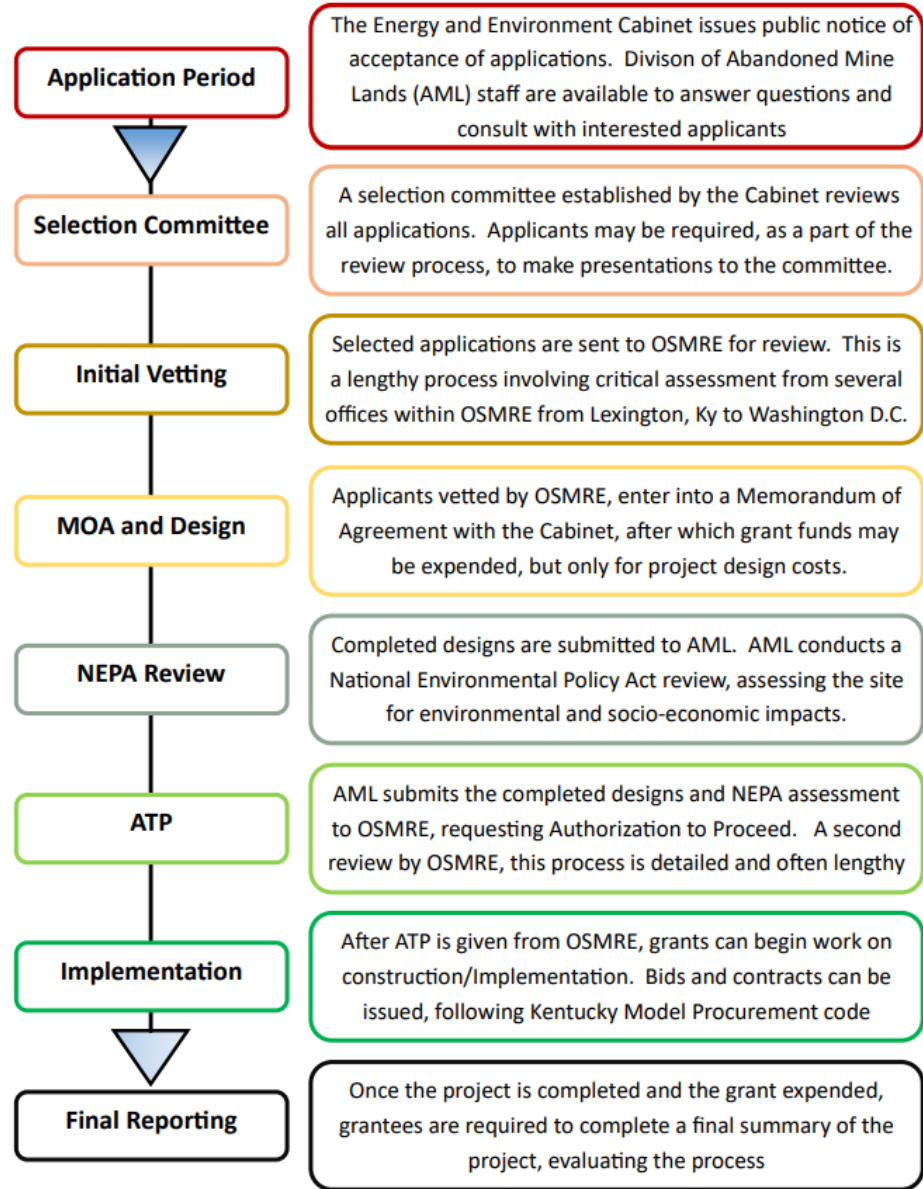
The division's AML program is 100 percent funded by the federal government. The federal government gets its funding for AML programs by collecting a fee on every ton of coal produced by mining operations nationwide. The division has a central office in Frankfort and field offices in Prestonsburg, London, Madisonville and Hazard.

[2020 AML Pilot Program](#)

**The 2020 AML Pilot Program will accept applications from June 1st thru August 1st.**  
For more information or questions, please contact [Justin Adams](#) or [James Cable](#)  
or by mail at: KY Division of Abandoned Mine Lands, 300 Sower Blvd., Frankfort, KY 40601.

- [About Abandoned Mine Lands](#)
- [Regional Offices](#)
- [Kentucky's 2020 AML Pilot Program](#)
- [Standard Details & Specifications](#)
- [Development Guide](#)  
Get the Facts Before You Act!
- [Additional Resources](#)
- [News and Events](#)
- [Projects](#)
- [NAAML](#)
- [Finance & Administration Cabinet](#)  
Doing business with the Commonwealth.
- [Stay Out-Stay Alive](#)  
Abandoned Mines are Dangerous!

## AML Pilot Grant Process



\*See "Important Terms" document for information on other abbreviations and terminology.



Kentucky Division of Abandoned Mine Lands  
Economic and Community Development Pilot Program  
2020 Application

**Application Instructions:**

- Be sure to read all notes and instructions on this application form.
- Complete and submit this form electronically. Hand written copies will NOT be accepted.
- Complete all areas of the form. Incomplete applications will NOT be accepted.
- If a question does not apply to your application, complete with "N/A". Do NOT leave any section blank.
- See attached, or a similar response, is not acceptable and will be considered incomplete.
- Submissions will be accepted beginning June 1, 2020 until August 1, 2020.
- Applications must be submitted in PDF format via email to Justin Adams ([justin.adams@ky.gov](mailto:justin.adams@ky.gov)), Bill Overman ([bill.overman@ky.gov](mailto:bill.overman@ky.gov)) and Bob Scott ([bobf.scott@ky.gov](mailto:bobf.scott@ky.gov)).
- Application submissions, including supporting documents, may NOT exceed 8 MB in total size.
- Emails must include the following title in the subject line of any email: "2020 AML Pilot Application – Project name", where project name is the title of the project found in the General Information section of this application.
- Attachments are allowable, but only as noted in this application. Attachments may be in any format, but may NOT exceed the file size limit.
- Sections allowing supporting documents include: Impact Service Region, Project Description, Project Benefits, and AML Nexus.
- Label and title any supporting documents with the name of the application and section to which they relate. For example: *Coal Site Development Grant Proposal - Marketing Plan*
- Applications must be accompanied by at least one geographic map of the site location. This map must be in an image file format (JPG, GIF, TIF, or PNG). The map must clearly mark the site location and include any other necessary descriptive information.
- Any questions about the application process, or requests for assistance in completion of the form, should be referred to Justin Adams ([justin.adams@ky.gov](mailto:justin.adams@ky.gov)) and Jim Cable ([james.cable@ky.gov](mailto:james.cable@ky.gov)).
- This application, and all material related to the project, are subject to applicable Open Record Laws.

**Grant Notes:**

- The Office of Surface Mining Reclamation and Enforcement (OSMRE) AML Pilot Guidance Document, available online, should be reviewed prior to application completion and submission.
- A "Nexus," or connection to historic mining (concluded prior to May 18, 1982), is required for grant eligibility.
- Matching funds are not required, but are considered.
- The Division will be accepting all submissions for consideration. The following characteristics are encouraged.
  - Significant Job growth within the region
  - Encouraging significant tourism development, Adventure tourism, Retraining displaced coal miners, water, sewer or gas infrastructure to industrial areas
  - Sustainable projects that will be self-sufficient after funds are no longer available;
  - Innovative and practical projects in the range of 1 to 5 million dollars. There is no minimum or maximum grant request amount. This is only a suggested range.
  - While not mandatory, AML prefers applications be in ten thousand dollar increments.



Kentucky Division of Abandoned Mine Lands  
Economic and Community Development Pilot Program  
2020 Application

**General Information:**

Project Title	
Total Funding Requested	
Location County	
Location Address	
GPS Coordinates (° ' ")	

**Applicant Information:**

Name	
Agency	
Agency Definition (government, non-profit, for profit, etc)	
Telephone	
Email Address	
Mailing Address	

**Project Management:** The entity receiving funds and coordinating activities, if different than Applicant.

Agency	
Contact Person	
Telephone	
Email Address	
Mailing Address	

**Impact/Service Area:** *Additional documents may be included to support the details of any job creation projections.*

Counties Served	
Area Development District	
Anticipated partnering entities (Local Governments, Organizations, Private Business, etc.)	
Jobs Created	
Clients Served	



# General Types of Pilot Projects

- Infrastructure – Supply lines to areas for spurring development
- Education – A focus on retraining those impacted by the economic downturn
- Tourism – Micro and Macro Scale Applications
- Industrial – Job growth or retention





# Appalachian Wildlife Center (Re-Branded as Boone's Ridge)

- \$12.5 Million
- Bell County
- Estimated \$32 million dollar total investment
- Create a wildlife viewing area with elk as the primary attraction, a state of the art visitor and learning center
- Located on a 12,000-acre tract of land

# eKentucky Advanced Manufacturing Institute

- \$2.5 million
- Johnson County
- Computer Numeric Controlled (CNC) skills training program
- Adult and Youth Classes

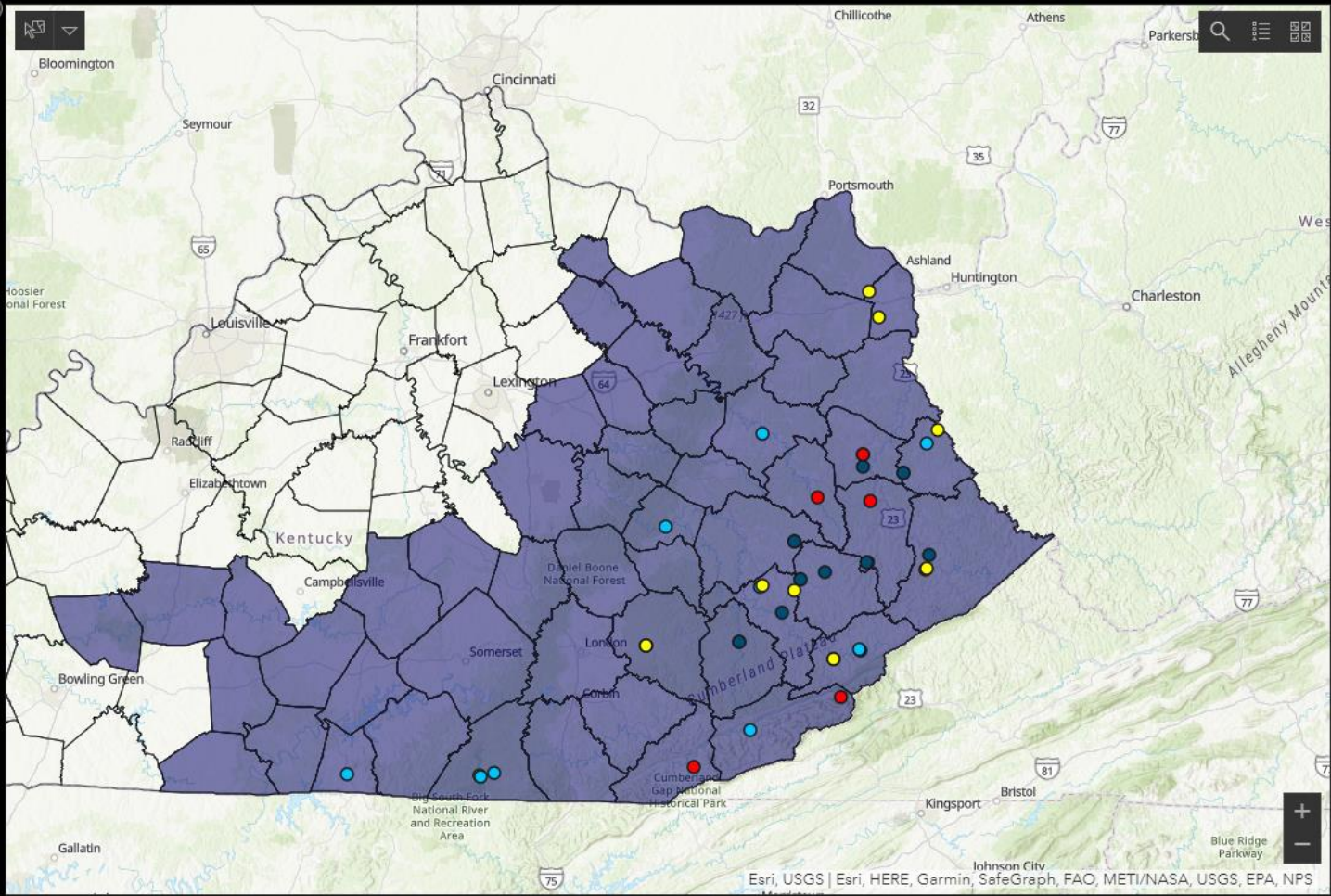




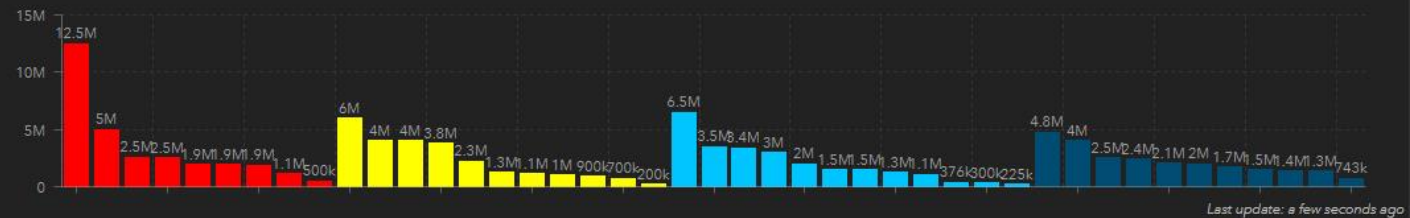
# Martin Water System Controls and Modifications

- \$2.25 million
- Martin County
- Raw Water Intake Modifications
- Upgraded Water Treatment Plant
- Replacement of Degraded Water Lines

## 2016 AML Awarded Grants



All AML Pilot Projects



## Number of Pilot Projects

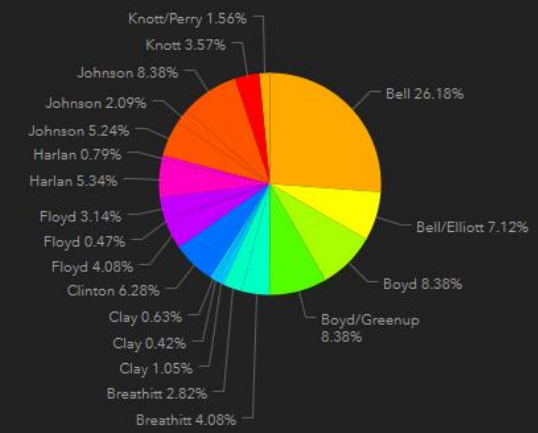
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### IMPORTANT DISCLAIMER

Being in an Appalachian County DOES NOT show an AML Nexus. All applications must prove an AML Nexus with their application.

### Funds Awarded per County



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Funds Per County	2016	2017	2018	2019
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# Questions?

- Pilot Project Help:
  - Justin Adams ([justin.adams@ky.gov](mailto:justin.adams@ky.gov))
  - James Cable ([james.cable@ky.gov](mailto:james.cable@ky.gov))
- Eligibility and General Questions
  - Lucas Graham ([lucas.graham@ky.gov](mailto:lucas.graham@ky.gov))
  - Samantha Johnson ([SamanthaM.Johnson@ky.gov](mailto:SamanthaM.Johnson@ky.gov))

## Helpful Links

- <https://www.osmre.gov/programs/amlis.shtm>
- <https://eec.ky.gov/Natural-Resources/Mining/Abandoned-Mine-Lands/Pages/default.aspx>
- <http://minemaps.ky.gov/>
- <https://kygeoportal.ky.gov/geoportal/catalog/main/home.page>
- <http://smis.ky.gov/smis.web/>