

2020 Amendment to BAO Restoration Plan

BUTTE NATURAL RESOURCE DAMAGE RESTORATION COUNCIL MEETING

OCTOBER 1, 2020

Meeting Overview

- ▶ This meeting will be recorded.
- ▶ Please do not use your video.
- ▶ To make a comment raise your hand or politely interject when comments are asked for and wait to be recognized before continuing.
- ▶ All participants shall announce their full name before speaking.

Meeting Agenda

Butte Area One Restoration Plan 2020 Amendment

6:00 – 6:10 Introductions

- ▶ Meeting Logistics–NRDP
- ▶ Meeting Overview – Elizabeth Erickson, BNRC Chair

6:10 – 6:50 BAO Restoration Plan 2020 Amendment —
ACTION ITEM

- ▶ Summary of Amendment, NRDP Staff
- ▶ BNRC Council Questions and Discussion, BNRC Chair
- ▶ BNRC Motion/Second, Discussion of Motion, BNRC Chair
- ▶ Public Input/Comment on Motion
- ▶ BNRC Recommendation on Proposed 2020 Amendment

6:50 – 7:00 Additional Public Comments, Next Meeting

7:00 Adjourn

Background

- ▶ **BAO Restoration Plan 2012**
- ▶ **July 2014 Amendment re: small projects**
- ▶ **BAO Parrot Amendment 2016**
- ▶ **2019 BAO Amendment**
- ▶ **BPSOU Consent Decree (September 16, 2020).**
 - **Specifies remedial work obligations by BP-AR, which provides more clarity for future remediation and restoration opportunities.**
 - **Establishes \$20.5 million BPSOU Account.**
 - **After Blacktail and confluence work there may be leftovers.**
- ▶ **The 2020 BAO amendment directs where these possible remainders would go.**

2020 Amendment Revisions

- A. Technical and administrative revisions;
- B. Revisions to the allocation of future Streamside Tailings Operable Unit (SSTOU) Remediation Excess Funds;
- C. Revision to the allocation of future reimbursements to BAO Restoration Fund; and
- D. Small projects category and allocation of remaining funds.

Technical and Administrative Revisions (A)

- ▶ **Attachment A to Proposed 2020 Amendment.**
- ▶ **Incorporates additional information about groundwater injury, proposed 2020 amendment and minor corrections.**
- ▶ **No change to direction of BAO Restoration Plan.**

Revisions to allocation of SSTOU Remediation Excess (B)

2019 Amendment

- ▶ **\$2.5 million to priority stream restoration in Upper Silver Bow, Blacktail, Basin Creek and tributaries**
- ▶ **Prioritized actions—fish passage, entrainment, water quality and quantity, riparian vegetation enhancement—that are consistent with BAO Plan and in coordination with remediation of Silver Bow Creek corridor.**

2020 Amendment as proposed

- ▶ **\$0.5 million to Upper Silver Bow Creek Corridor for NRDP to investigate opportunities to integrate restoration funds with remediation**
- ▶ **\$2 million remains in stream restoration to be spent consistent with 2019 amendment**

Allocations of SSTOU Remainder

BAO Categories	2019 Amendment SSTOU Remediation Excess (\$2.5 million)	2020 Amendment SSTOU Remediation Excess (\$2.5 million)
Upper SBC Corridor		\$0.5M
Waste Area Improvements / Revegetation		
Stream Restoration	\$2.5M	\$2.0M
Recreation		
Small Projects		

Proposed Allocation of Future Reimbursements (C)

- ▶ **35% to Upper Silver Bow Creek Corridor to be spent per BAO Restoration Plan.**
 - Integrated waste removal at Diggings East, North Side Tailings, and Butte Reduction Works to protect Silver Bow Creek.
- ▶ **5% to Waste Area Improvements.**
 - Conceptual Restoration Plan soil amendment placement and seeding (100 acres).
- ▶ **40% to Stream Restoration. Funds to be spent per the 2019 BAO Amendment discussion of the SSTOU Remediation Excess.**
- ▶ **20% to Recreation to be spent per the BAO Restoration Plan.**

Reimbursement Summary

	2019 Amendment		Proposed 2020 Amendment	
BAO Categories	Reimbursement (%)	SSTOU Remediation Excess (\$2.5 million)	Reimbursement (%)	SSTOU Remediation Excess (\$2.5 million)
Upper SBC Corridor	0%		35%	\$0.5M
Waste Area Improvements / Revegetation	43%		5%	
Stream Restoration	57%	\$2.5M	40%	\$2.0M
Recreation	0%		20%	
Small Projects	0%		0%	

Small Projects Category (D)

Allocation of remaining funds:

- ▶ **\$100,000 Moulton Reservoir Recreational Planning**
- ▶ **\$100,000 Bonanza Dump BMX Park Planning**
- ▶ **\$50,000 Recreation Category**
 - **Butte Trail system Planning**
- ▶ **\$193,000 Stream Restoration Category**

Funding Allocation Overall Summary

BAO Plan Categories	Original Allocation	2019 Amendment	Proposed 2020 Amendment
Restoration of the Upper Silver Bow Creek Corridor	\$10,000,000	\$0	\$500,000 (plus 35% from remainders)
Mine Waste Area Restoration/Revegetation	\$6,000,000	\$3,144,559	\$3,144,559 (plus 5%)
Stream Restoration	\$4,000,000	\$3,500,000	\$3,193,305 (plus 40%)
Municipal Water System Improvements	\$10,000,000	\$0	\$0
Storm Water	\$0	\$0	\$0
Recreation	\$1,000,000	\$1,000,000	\$1,050,000 (plus 20%)
Small/Miscellaneous Projects	\$1,000,000	\$443,305	\$200,000
Total	\$32,000,000	\$8,087,864	\$8,087,864

Next Steps (Estimated Dates)

