

GEOLOGIC RESOURCES DIVISION
NATIONAL NATURAL RESOURCES PROGRAM CENTER
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GENERAL

Federal Judge Upholds NPS Non-Federal Oil and Gas Regulations - The NPS scores a victory! On June 22, 1995, a Federal District Court Judge in Texas upheld the NPS's authority to regulate non-Federal oil and gas development at Padre Island National Seashore. The favorable ruling has important implications beyond NPS mining regulations. It also further validates the Service's ability to protect park resources from adverse activities on private property. The case, Dunn McCampbell Royalty Interest Inc., et al. v. National Park Service, C-94-105 (S.D. Tex., Corpus Christi Division, June 22, 1995), was initially filed in March of 1994 by the owners of private oil and gas underlying Padre Island National Seashore. The owners sued the Federal Government claiming that the NPS had no authority to apply regulations found at 36 CFR Part 9, Subpart B ["9B regulations"] to oil and gas operations at the park. They also alleged that if the court found that the NPS did have the authority to regulate private oil and gas development then the Service's use of that authority constituted a "takings" of their private property rights. The owners pegged the value of their property rights at \$750 million. In its ruling the Court found that "Congress not only authorized the Secretary [of the Interior] to promulgate regulations for the purpose of preserving and protecting National Parks, but also directed the Parks be managed to achieve that purpose unless otherwise directed and specifically ordered by Congress." Accordingly, the Court found "no evidence the 9B [r]egulations were promulgated in the absence of statutory authority." Because the District Court lacked jurisdiction to deliberate on the takings claim, the Judge transferred that claim to the Court of Federal Claims. The owners will likely appeal the Judge's ruling with respect to the general authority question, and pursue the takings claim in the other court. Given the strength of the Government's case, we expect to win again on appeal and demonstrate that the Service's exercise of its authority under the 9B regulations has been "reasonable" therefore no takings has occurred. The success of this case is due, not only to the skilled legal representation from the Justice Department, but also to the outstanding professional support from park and field staff. (Kassman, Shaver, McCoy, Woods, Heise, O'Dell)

OMB Rejects Revisions to NPS Regulations Governing Non-Federal Oil and Gas Development in Parks - In May, the Office of Management and Budget (OMB) sent the NPS back to the drawing board on regulatory revisions to 36 CFR Part 9, Subpart B governing non-Federal oil and gas development in parks. The main concern was that the approach taken in the revisions relied too heavily on a "command and control" approach to resource protection. "Command and control" translates into telling industry with specificity how to meet a given requirement versus allowing industry the flexibility to meet a given level of protection in how it sees fit. Under the existing regulations, the NPS requires operators to lay out their oil and gas development plans in detail. By knowing the details, NPS staff can evaluate how a given development scenario will impact park resources and require operators to make modifications in their plans for park protection reasons. OMB urged the NPS to consider lessening the information required of operators. We will take the suggestion under advisement and will look for ways to streamline our regulatory proposal without compromising its park protection objectives. The draft revisions were prepared in the mid-1980's by a work group of park and field staff along with staff from the Division. Currently, 580 non-Federal oil and gas operations exist in 13 parks. Because of exemptions contained in the existing regulations, 65% (379) of the operations do not have to comply with NPS regulatory requirements. The NPS was hoping to eliminate the exemptions through the proposed revisions. With the changed tenor of the Congress and current anti-regulatory climate, our prospects for success even with a greatly curtailed proposal is dim at best. However, because of the importance of rectifying some key limitations in the existing regulations we will try once again to secure the needed Executive Branch support for revising the 9B regulations. (McCoy, O'Dell, Shaver)

Briefing Statements Emphasize the Importance of NPS Mining Regulations in Protecting Parks - As part of a Departmentwide effort to examine the efficacy and efficiency of existing regulations, Dennis Burnett in the WASO Ranger Activities Division asked the Division to prepare brief statements regarding the Service's mining regulations. Title 36 of the Code of Federal Regulations contains 3 sections devoted to mining. Parts 9A and 9B govern private mineral development on mining claims located under the 1872 Mining Law and non-Federal oil and gas, respectively. Part 9D deals with a Federal mineral assessment program wholly limited to Alaska and Federal agencies within the Department of the Interior. In the write-ups, the Division highlighted the important role the regulations play in enabling park managers to protect park resources. At this time, neither state regulatory programs nor available private sector incentives are sufficient to provide the level of resource protection needed to safeguard parks. (McCoy)

Comments Sought on Draft Guidance re: Estimating and Managing Reclamation Bonds - Prepared by Division staff, NPS Procedures for the Estimation and Administration of Reclamation Bonds for Mineral Operations is now available in draft form for your review and

comment. The document contains guidance on 1) accepted standard methods for estimating the costs of reclamation and setting bond amounts, and (2) techniques for evaluating and handling bond instruments. Once finalized, the document should ensure that all present and future reclamation bonds for mineral development in parks are set commensurate with the cost to reclaim disturbed lands in the event an operator defaults on his/her reclamation obligations. The Division also hopes the document will promote consistency within the NPS and with other Interior bureaus.

As background, the Service's mining regulations at 36 CFR Parts 9A and 9B require, among other things, that operators post adequate reclamation bonds before undertaking approved mineral development activities in parks. The reclamation bond serves as an operator's written and financial guarantee to the NPS that reclamation will occur on the disturbed site even if the operator personally fails to perform the requisite reclamation. In the event that an operator does not complete reclamation, the NPS may then collect (or "attach") the bond to perform the necessary work. Thus it is imperative that bond amounts be set equal to the full cost of reclamation, else park budgets could be at risk for making up the short fall. Because large sums of money can be involved, bond amounts must be technically defensible.

Comments on the draft document are due September 29, 1995. If you have not but would like to receive a copy of the draft guidance, contact David Steensen at (303) 969-2014. (Steensen)

BLM Sends Instruction Memorandum to State Directors on How to Implement Annual Fee Requirements in Parks - The Instruction Memorandum dated June 22, 1995, seeks to eliminate any misapplication of the Bureau's annual maintenance fee regulations in parks. Since 1993, holders of mining claims located under the 1872 Mining Law have had to pay an annual \$100 fee per claim instead of performing \$100 of annual assessment work else forfeit their claims. A few exceptions exist, the most notable one for small miners. As defined by Congress, a small miner is one who holds a total of 10 or fewer claims on the public lands. If eligible, such claimants may perform the annual assessment work in lieu of paying the annual fee. Because of a limitation in the Service's regulations at 36 CFR Part 9, Subpart A that control activities on mining claims in parks, claimants cannot undertake surface disturbing activities solely for the purpose of fulfilling the annual assessment work requirement. As a result, claimants seeking to obtain a small miner waiver must submit a plan of operations to the NPS for approval that encompasses bona fide mining activities, such as a further delineation of the mineral deposit. If such claimants cannot undertake needed activities within set timeframes to fulfill the fee regulatory requirements, they may be eligible to receive extensions from the Bureau. The Instruction Memorandum addresses these and other circumstances resulting from the interface of the BLM and NPS regulations. Division staff assisted Bureau staff in preparing the guidance. If

you are faced with dealing with issues related to annual fee requirements, please give us a call. (McCoy, Covington)

Division Distributes Updated Guide to Mining Claimants - On May 30, the Division sent an updated Guide to National Park Service Regulations Governing Mining Claims to parks and field offices with mining claims under their jurisdiction. The Guide is designed to help claimants understand the requirements of the Service's regulations at 36 CFR Part 9, Subpart A. The NPS distributed the original Guide in 1988. Because of enactment of the \$100 annual maintenance fee requirement, language in the original document was obsolete. If you did not receive a copy of the guide and would like to or need additional copies, please call the Division. (McCoy, Covington)

Forest Service Proposes to Integrate Ecosystem Planning in Its Land Use Regulations - On April 13, 1995, the U.S. Forest Service published a proposed rule "to guide land and resource management planning for the 191-million acre National Forest System . . . revise and streamline the existing planning rule, describe[] the agency's framework for National Forest System resource decision-making; incorporate[] principles of ecosystem management into resource planning; and establish[] requirements for implementation, monitoring, evaluation, amendment, and revision of forest plans" (see 60 FR 18886). Overall, the proposed rule is a step forward in advancing ecosystem planning at the Federal level. Unfortunately, because the Forest Service remains tied to existing political boundaries, its effort so far falls short of being a genuine break from traditional methods of land use planning. Briefly, under the proposed rule the scope of Forest management plans would still be limited to only Forest System lands. The Forest Service's reluctance to break this specific practice, belies all other proposed sections designed to incorporate the "ecosystem" concept. The Division hopes that the Forest Service will recognize this limitation and devise an innovative planning paradigm for the final rule that encompasses relevant Federal, State, and private lands. (Kassman, McCoy, Woods)

NPS Highlights Abandoned Mineral Land Problems To EPA Staff - At the request of the Department, Division staff gave EPA staff a tour of select abandoned mineral land (AML) sites in Colorado. Sites visited included the Eugenia mine in Rocky Mountain National Park and a series of AML sites in Jamestown on National Forest lands. The tour was part of ongoing negotiations between the Federal land management agencies and EPA over a draft general permit for storm water discharge from AML sites under 402 of the Clean Water Act. The tour focused on sites exhibiting water quality problems due to historic mining activity, water sampling techniques, and the inventory methods used by Federal land management agencies. The tour was attended by EPA Washington D.C. and Region VIII staff and a USGS geochemist.

For over a year, the Geologic Resources Division has participated on an interagency, interdepartmental task force to work with the

EPA to bring the land management agencies (NPS, BLM, USFS, USFWS, and BOR) into compliance with the storm water provisions of the Clean Water Act in regard to AML sites. Over 1 million such sites are estimated to exist on federally managed lands. Initially, EPA planned on having the Federal land management agencies obtain a permit for each mine site. Because of the enormous administrative burden this would have placed on the agencies without a commensurate environmental benefit, the Federal land management agencies convinced the EPA that a risk-based, watershed approach to permitting was considerably more efficient, and closer to President Clinton's plan for ecosystem and watershed management. Presently, the draft permit features: 1) the issuance of one permit per agency per state, 2) the identification of impaired watersheds from historic mining by state, 3) the development of a watershed plan for assessment and clean-up of an impaired watershed, and 4) the elimination from the permitting process of all exploratory sites. A final draft permit is expected to be available for review by the end of July. If interested in obtaining a copy, please contact Vera Smith at 303 969-2011. (Smith)

OSM Nearing Completion of Draft EIS on "Valid Existing Rights" to Mine Coal - The Office of Surface Mining (OSM) solicited comments from the NPS on an in-progress draft of the EIS evaluating the implications of alternative definitions of "valid existing rights" to mine coal under the Surface Mining Control and Reclamation Act of 1977. This definition is important to parks because 522(e) of the Act prohibits surface coal mining in and near parks subject to valid existing rights. In its comments, the Division once again underscored the need for OSM to adequately address the implications of alternative definitions on protecting parks from adjacent coal development. The Division acknowledged the difficulty in compiling definitive data on the acres of park land likely to be affected by alternative definitions but still urged OSM to provide the public with a better approximation than currently contained in the draft document. Based on information provided by many parks located in coal bearing areas of the United States and the WASO Lands Division, 27 park units, which includes National Wild and Scenic Rivers administered by the NPS, could be affected by the rulemaking. OSM hopes to release the draft EIS to the public and publish the proposed rule in the Federal Register by mid-September. (Moss, McCoy, Geniac)

Future Coordination Meetings with Bureau of Mines on the AML Cooperative Program in Doubt - Dave Shaver and Bob Higgins met with Bill Schmidt and Ray Aufmuth of the Bureau of Mines on June 22, 1995 in Washington, D.C. to discuss the progress being made under a Memorandum of Understanding (MOU) with the Bureau regarding abandoned mine lands. The NPS entered into the MOU with the Bureau in 1993 to taking advantage of Bureau expertise and funding to address abandoned mine land problems in parks. Prior to the meeting, nine cooperative projects were underway. However, due to changing priorities and available funding, 3 out of the 9 projects were discontinued. The Bureau did agree to undertake a radiological survey of the Orphan Mine at Grand Canyon National

Park. Funding was the key topic of the meeting. The bottom line is we anticipate little or no new monies to be available in the future. Also a rather somber discussion on the future of the Bureau of Mines occurred. It is quite possible that the Bureau will cease to exist after 1996 or be at such a reduced capacity that the cooperative projects underway by both agencies will be discontinued. For further details on the status of any of the ongoing projects, please contact Bob Higgins at 303 969-2018. (Higgins, Shaver)

Gold Institute Receptive to Funding AML Reclamation - Bob Higgins met with representatives of the Gold Institute in Washington, D.C. on June 22, 1995 to see if the Institute would be interested in an industry funded initiative to reclaim abandoned mines in parks. Bob's pitch was positively received. If the Institute decides that such an initiative is within its interest, a variety of projects might be eligible and the dedicated funding might be substantial. The Gold Institute did indicate that it would likely want to restrict its involvement to funding the mitigation of abandoned gold mines. Even so, there are well over 100 of such sites in park units throughout the system. If the Gold Institute does decide to fund reclamation projects in parks, we will likely contact staff in eligible parks for more details on potential AML projects. (Higgins)

Division Staff Provides Radiation Training for Utah BLM - The Utah BLM State Office has recruited 3 teams of college students this summer to undertake inventories of abandoned mines in uranium mining districts throughout the state. To ensure their safety and the integrity of data they will be collecting, BLM requested that John Burghardt give a half-day presentation on basic principles of ionizing radiation, proper instrumentation and techniques to characterize radiological sites, personal protection measures and equipment, and management alternatives for radiologically elevated sites. Members from the Utah Division of Oil, Gas, and Mining Abandoned Mine Program also attended the session. John used a draft of his paper on the subject which is currently under technical review by the U.S. Bureau of Mines, the U.S. Environmental Protection Agency, the U.S. Department of Energy, and the Mine Safety and Health Administration. The paper will be finalized this fall and made available upon request. (Burghardt)

USGS Puts Out a Call for Volunteers in Parks - Through its retirees newsletter, the U.S. Geological Survey will soon be informing past employees of the numerous volunteer opportunities in the national parks. Many USGS geologists have just retired or will be in the next few months, spurred by an impending Reduction-in-Force that is expected to affect several hundred people before the end of FY 95. Some recently retired geologists have years of experience working in and around parks, and many can offer specific expertise that could contribute to park interpretation and resource management programs. This appeal will also soon be extended to former staff from the USGS Water Resources and National Mapping Divisions. Parks interested in geological "VIPs" are encouraged to contact

potential candidates directly. For more information, please call
Lindsay McClelland at 202 208-4958. (McClelland)

Jinx Fox Joins the Staff on a Four Month Detail From the BLM - The Division is very pleased to have Jinx on board to help address Servicewide mineral issues in Washington, D.C. She has a solid reputation as a technical mineral expert and an individual who looks at issues from a broad perspective. A number of Division staff have worked with Jinx on Departmental initiatives, especially reform of the 1872 Mining Law. Her first task will be to update the Interagency Agreement (IA) between the BLM and the NPS that allows the NPS to undertake validity examinations of unpatented mining claims in parks. The current IA was signed in 1990 and is due to expire on October 10, 1995. Given the large number of unpatented mining claims that have been added to the National Park System with the passage of the California Desert Protection Act, it is important that the NPS retain a central role in evaluating the validity of claims in parks. (McCoy)

Julia Fulwyler Joins Staff Under the NPS Summer Program - The Division is very fortunate to have Julia on staff for the summer. Julia is an attorney with very impressive credentials. She holds a BA from Dartmouth College and a JD from Boalt Law School which is part of the University of California at Berkeley. Her legal experience encompasses working for a private law firm, an environmental litigation group and the Supreme Court of Idaho. She is a member of the State of Idaho Bar. Julia will be assisting the Division address a variety of regulatory and policy questions related to minerals management in the parks. (McCoy)

CENTRAL FIELD OFFICE

National Guard Partnership with the NPS Produces Tangible Results - Over the past year, the Geologic Division has encouraged parks with unfulfilled reclamation needs to contact local National Guard Engineering Units to determine if they would be interested in performing reclamation work in parks during their annual training. The Guard holds annual training exercises usually for a two week period during which its engineers operate heavy equipment. The Guard routinely trains either at their base or performs "domestic action projects." Park reclamation projects requiring the use of heavy equipment to reshape, stabilize, and selectively handle cover material, etc., fall within the definition of domestic action projects. By matching the Guard's training objectives with outstanding park reclamation projects, parks can address important, but unfunded, natural resource management needs.

An excellent example of such cooperation now exists at Sleeping Bear Dunes National Lakeshore, Michigan. Working with the Michigan National Guard, the 3rd Platoon of the 1436th Engineering Company, the Sleeping Bear completed much needed work at two abandoned sand and gravel pits. The park's goals included: (1) reshaping the pits to blend them with the surrounding topography, and (2) placing the

material most suitable for vegetation establishment on the surface of the reshaped area. Sleeping Bear paid for fuel, seed, and mulch with a National Parks Foundation grant of \$5000. Park staff will apply the seed and mulch to the site this fall. Division staff assisted the park by providing reclamation design services and heavy equipment supervision to ensure that the work met the park's goals. The Guard moved over 4,000 cubic yards of materials and very nicely completed the heavy equipment phase in just five days.

The Geologic Resources Division is now working with additional parks to set up similar partnerships. For example, on-site meetings have been held with the Wyoming Guard for work in Yellowstone National Park and several parks in New Mexico have identified potential work for the Guard. If the possibility of a Guard partnership at your unit interests you, please contact David Steensen at (303) 969-2014. Finally, to appreciate a park perspective on these projects, you may wish to contact Chief Ranger Steve Yancho of Sleeping Bear Dunes at (616) 326-5134. (Steensen, Smith, Wood)

INTERMOUNTAIN FIELD OFFICE

Lead Agencies Solicit Comments on Alternatives Section of New World Project EIS - Division staff commented on Appendix A re: Development of Alternatives of the draft EIS on the proposed New World mine outside Yellowstone National Park. The underground mine for gold silver and copper is proposed by Crown Butte Mining Incorporated. If permitted, the mine would operate approximately 2.5 miles from the park's northeast boundary. The United States Forest Service and the Montana Department of State Lands are the lead agencies responsible for preparing the draft EIS and issuing the majority of the permits for the proposed mine. Division comments zeroed in on the document's failure to fully analyze the alternative addressing off-site storage of mine tailings. As proposed, a massive tailings impoundment of acid generating material could threaten the greater Yellowstone ecosystem if it failed. The Division also highlighted the need to broaden the very narrowly defined project purpose of mining gold to include the opportunity to clean-up past contamination in the area due to mining. Division staff will participate in a New World work group session in mid-July to further contribute to legal, planning and engineering issues associated with draft EIS alternatives. (Moss)

Mining Company Receives State Approval to Drill North of Great Sand Dunes National Monument - Lexam Gold, having encountered crude oil in its exploration borehole program last year, received approval from the State of Colorado to drill two wells located on private land about 6 miles north of the Monument. Originally planned to spud (i.e., begin drilling) June 15, Lexam has encountered resistance from Saguache County, apparently over permits and aquifer protection. The Division contacted Superintendent Bill Wellman and provided him with some basic information on NPS and BLM regulations and possible environmental impacts from such operations. At this time, no park specific impacts are anticipated

given the distance from the park boundary. However, if the drilling operation proves profitable and additional drilling occurs in the direction of the park, including on outstanding oil and gas rights in the park, the protection of park resources will likely become a concern. In the meantime, the park has been in touch with the operator and the Division has contacted the Colorado Oil and Gas Commission to let these parties know of our concerns. (Heise)

Proposed Seismic Line May Shake'em Up at Hovenweep National Monument - Several months ago a seismic company contacted Art Hutchinson, superintendent at Hovenweep National Monument in Utah and Colorado, to find out what permits the company needed from the NPS to conduct seismic operations across the park. After consulting with Division staff, Art informed the company that seismic operations to characterize Federal minerals were not permitted in parks. The company has since applied to the Moab District BLM for a permit to run seismic lines directly up to the park's boundaries. Art is rightfully concerned about the impact shothole dynamite charges will have on the spectacularly fragile park ruins. The Division is working with the park to learn what levels of vibrations can prove damaging to historical and cultural resources. Linda Dansby in the Southwest System Support Office provided the park with the name of a vibration specialist who has worked for the NPS in the past. The Division contacted the International Association of Geophysical Contractors and the Bureau of Mines for information on blasting impacts on structures. On an encouraging note, the Moab BLM has expressed great interest in working with the park on this issue. (Heise)

PACIFIC WEST FIELD OFFICE

Assistance Provided in Responding to a Series of Letters from Mining Claimant in the California Desert Parks - Division staff drafted responses to a series of letters sent to Mojave National Preserve, Joshua Tree National Park and Death Valley National Park from a mining claimant seeking to take advantage of an exemption under the Bureau of Land Management's \$100 annual maintenance fee regulations (see above entries under BLM Instruction Memorandum and Guide to Mining Claimants). The claimant's persistence in trying to find a way to be relieved from paying the \$100 annual maintenance fee identified the need to provide guidance on the interface between the BLM fee regulations and the Service's regulations at 36 CFR Part 9, Subpart A governing mining claims. (McCoy, Covington)

Validity Exam Priorities Established for the California Desert Parks - At a June 6 meeting, park and Division staff set priorities for performing validity examinations on mining claims at Mojave National Preserve, Death Valley National Park, and Joshua Tree National Park. They also clarified the need to perform such exams on unpatented mining claims in parks. Mineral examinations serve as the most thorough way of determining whether or not a claimant possesses a legal property right interest in an unpatented mining claim. Under the California Desert Protection Act, Congress

explicitly requires the NPS to perform such exams before approving a plan of operations to develop a mining claim. In all other parks, the Service requires validity exams as a matter of policy under the 36 CFR 9A regulations. (McCoy, Covington, Burghardt)

Company Proposes Open Pit Limestone Mine at Mojave National
Preserve - The Division reviewed and provided park staff with comments on a large open pit mine proposed by Pluess-Stauffer Incorporated in a relatively undisturbed area of the park. As proposed, the mine would encompass the development of four separate open pits simultaneously over a period of more than 100 years. The Division recommended that the plan be returned to the company for additional information and analysis. (McCoy, Ziegenbein, Covington)

Purported Mineral Owners at Olympic National Park Submit
Exploration Proposal - For nearly two years, the alleged owners of reserved minerals and their representatives have threatened to conduct every conceivable type of mining operation on Shi Shi Beach in Olympic National Park in Washington, one of the top ten wilderness beaches in the United States. In January 1995, the alleged owners changed their tack and expressed interest in selling the mineral reservation to the United States. At the end of May, the owners submitted an exploration plan to sample the beach in an attempt to controvert the NPS position that the value of the mineral reservation is nominal at best. The Division, along with park and field office personnel, drafted a response to the owners' most recent proposal. Essentially, the response letter addresses the plan's various content deficiencies and recommends that the owners scale back their exploration plan to follow common industry practices for sampling beach placers. (Kassman, Cloues, Shaver, Covington, Woods, Moss)

SOUTHEAST FIELD OFFICE

Minerals Management Planning Begins at Padre Island National
Seashore - Division staff traveled to Padre Island National Seashore in Texas to participate in a "kick off" meeting to prepare a Minerals Management Plan (MMP) at the park. An Environmental Impact Statement (EIS) will be integrated in the planning document. The recent lawsuit filed by private mineral owners, Dunn McCampbell Royalty Interest Inc., et al. v. National Park Service (see first page of Monthly Report), sparked renewed interest in the planning project. The planning document will establish management objectives for non-Federal oil and gas development in the park based on resource sensitivity, applicable laws and regulations, and visitor use. It will prescribe specific technology-based operating standards to ensure continued resource protection. At the conclusion of the meeting the following objectives had been achieved: the project team leader, Donna O'Leary (formally the Technical Publications Specialist--WASO Natural Resources) had a baseline understanding of oil and gas operation issues; participants reached agreement on the conceptual content of the MMP and EIS; planning team members and respective roles were identified; a review of baseline information and impact-related

research occurred; and research needs were confirmed. Park staff provided an excellent tour of the oil and gas operation sites. The project will "officially" start in September. (Woods)

Parks in Texas Make Progress on Abandoned Mine Closures - Division staff and Linda Dansby of the Southwest System Support Office traveled to Texas to inspect the 18 completed mine closures at Big Bend National Park. They also collected information for an environmental assessment on closure of ten openings at Guadalupe Mountains National Park. Both projects are being financed under contract by the Texas Railroad Commission under a cooperative agreement with the NPS. At Big Bend, a bat gate was installed on an unnamed adit near Rio Grand Village. Ten shafts and 7 adits were closed at the Mariscal Mine National Historic Site using bat-friendly closures where appropriate and reinforced steel grating elsewhere. With 7 levels extending to a depth of 426 feet, the main workings at Mariscal provide critical and diverse bat habitat which was largely cut off by previous closures that used chain-link fence. The Railroad Commission is poised to do similar work at the Texas-Calumet Mine in Guadalupe Mountains pending completion of compliance work and an environmental assessment sometime this Fall. (Burghardt)

Contaminated Sites at Padre Island National Seashore Continue to Present a Challenge - Clean-up of soil and subsurface water contamination at two prior non-Federal oil and gas development sites at Padre Island National Seashore in Texas pose significant resource management challenges. Questionable data interpretation and remediation plans from operators and a lack of clear NPS standards and responsibilities have combined to make plan review and response a difficult and piecemeal process at best. The Southwest System Support Office has requested that the park serve as the lead office in assuring the development of acceptable remediation plans. In the meantime, the Water Resources Division and Geologic Resources Division will review and comment on the plans while working on a set of interim guidelines. Ultimately all involved hope to develop a protocol usable at other parks for addressing contamination issues attributable to mineral development activities. (Heise, Woods)

PROFESSIONAL DEVELOPMENT

Training Received in Bat Conservation - Abandoned mines have become critical to the survival of numerous bat species because bat habitat is seriously threatened by increased urban development, deforestation, and exploitation of caves. This, in part, led to establishing an NPS cooperative agreement with Bat Conservation International, Inc. (BCI) in January of this year, and accounts for the Division's interest in bat-friendly mine closures. BCI provided a partial scholarship for John Burghardt to attend a 5-day training session on bat conservation in Portal, Arizona. John was chosen due to his national role in abandoned mine closures and volunteer efforts with Colorado Division of Wildlife in bat conservation. Dr. Merlin Tuttle, founder and president of BCI, and

his staff taught the course. The session included a rigorous schedule of lectures and field work. In the field, course participants trapped bats (14 of Arizona's 18 known species were caught) to practice species identification, reproductive status, and to track roosting habitat with radio transmitters and receivers. The information gleaned from the course will be invaluable to John in promoting bat awareness and appreciation, and in evaluating potential habitat as it applies to abandoned mines as well as caves in the Division's newly-broadened range of responsibilities. (Burghardt)