



STATE OF NEVADA  
 COMMISSION ON MINERAL RESOURCES  
**DIVISION OF MINERALS**  
 400 W. King Street, Suite 106  
 Carson City, Nevada 89703  
 (775) 684-7040 • Fax (775) 684-7052  
<http://minerals.nv.gov/>



**BRIAN SANDOVAL**  
 Governor

**Las Vegas Office:** 2030 E. Flamingo Rd. #220, Las Vegas, NV 89119  
 Phone: (702) 486-4343; Fax: (702) 486-4345

**RICHARD PERRY**  
 Administrator

**Notice of Public Hearing**

**Hearing Date: Thursday, May 19, 2016 9:00 A.M. – 11:00 A.M.**

Legislative Counsel Bureau, 401 South Carson Street, Carson City, NV 89701 Room #4100

Video Conference to:

Legislative Counsel Bureau-Grant Sawyer Building 555 E. Washington Ave. Las Vegas, NV Room #4412E

Attached with this notice is the Notice of Intent to Act upon a Regulation and the Agenda for the Public Hearing for the proposed amendment of Regulations for the Abandoned Mine Lands program contained in Chapter 513 of Nevada Administrative Code.

This notice is posted pursuant to the Nevada Administrative Procedure Act, NRS 233B.061, at the following places:

**LEGISLATIVE COUNSEL BUILDING- CARSON CITY**  
**LEGISLATIVE COUNSEL BUILDING-LAS VEGAS (GRANT SAWYER BLD)**  
**STATE LIBRARY AND ARCHIVES**  
**DIVISION OF MINERALS- CARSON CITY AND LAS VEGAS OFFICES**  
**CAPITAL BUILDING-CARSON CITY**  
**COUNTY LIBRARIES**  
**DIVISION OF MINERALS WEBSITE**  
**DEPARTMENT OF ADMINISTRATION PUBLIC NOTICE WEBSITE**

The public may contact Valerie Kneefel at (775) 684-7043 or Email [Vkneefel@minerals.nv.gov](mailto:Vkneefel@minerals.nv.gov) to request supporting material for the meeting described herein. The agenda and supporting material is available at [www.minerals.nv.us](http://www.minerals.nv.us)

**NOTICE TO PERSONS WITH DISABILITIES**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Division of Minerals, 400 W. King Street, suite 106, Carson City, NV 89703 or contact Valerie Kneefel at (775) 684-7043 or Email [Vkneefel@minerals.nv.gov](mailto:Vkneefel@minerals.nv.gov)

Dated this 15<sup>th</sup> day of April, 2016.

Richard Perry, Administrator  
 Division of Minerals



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**RICHARD PERRY**  
Administrator

**NOTICE OF PUBLIC HEARING FOR THE AMENDMENT OF REGULATIONS FOR THE  
ABANDONED MINE LAND PROGRAM CONTAINED IN NEVADA ADMINISTRATIVE  
CODE CHAPTER 513**

**Hearing Date: Thursday, May 19 2016**      9:00 A.M. – 11:00 A.M.

Legislative Counsel Bureau-401 South Carson Street, Carson City, NV 89701 Room #4100

Video Conference to:

Legislative Counsel Bureau-Grant Sawyer Building 555 E. Washington Ave. Las Vegas, NV Room #4412E

**AGENDA**

**COMMENTS BY THE GENERAL PUBLIC**

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. All public comments will be limited to 5 minutes for each person. **ACTION WILL NOT BE TAKEN**

**I. PUBLIC HEARING**

The Commission on Mineral Resources will consider written and oral comments and may adopt amendments to regulations in Chapter 513 of the Nevada Administrative Code pertaining to the Division of Minerals abandoned mine lands program.

**ACTION MAY BE TAKEN**

**COMMENTS BY THE GENERAL PUBLIC**

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## NOTICE OF INTENT TO ACT UPON A REGULATION

### THE NEVADA DIVISION OF MINERALS OF THE COMMISSION ON MINERAL RESOURCES

#### NOTICE OF PUBLIC HEARING FOR THE AMENDMENT OF REGULATIONS FOR THE ADMINISTRATION OF THE ABANDONED MINE LANDS PROGRAM,

For the purpose of receiving public comment from all interested persons, the Nevada Division of Minerals will hold a public hearing regarding the adoption, amendment or repeal of proposed Regulations for the administration of the abandoned mine lands program as set forth in Chapter 513 of the Nevada Administrative Code.

DATE: May 19, 2016  
TIME: 9:00 a.m. – 11:00 a.m.

PLACE: Nevada Legislative Building, Room 4100  
401 South Carson Street  
Carson City, Nevada

As provided in Nevada Revised Statute Chapters 233B, 513.063(5), the Commission on Mineral Resources and the Division of Minerals is proposing to amend the present regulations for the administration of the abandoned mine lands (AML) program (Nevada Administrative Code § 513.010 through § 513.390.

The following information is provided pursuant to the requirements of NRS 233B.0603:

- 1) The need for and the purpose of the proposed amendment of regulation is to update language to reflect current practices of the program, to clarify methods for securing of dangerous conditions, and to increase the fee on mining claim filings to adequately fund the AML program. The proposed regulation changes are permanent, and can be found on the Legislative Council Bureau web site at:  
<http://www.leg.state.nv.us/register/2015Register/R127-15RP1.pdf>  
The regulations are also available on the Division of Minerals web site at: <http://minerals.nv.gov/>  
Printed copies of the proposed regulations changes can be obtained by contacting the Nevada Division of Minerals by phone at: 775-684-7040 or by email at: [ndom@minerals.nv.gov](mailto:ndom@minerals.nv.gov)
- 2) The potential economic impact on those filing on mining claims involves an increase of \$1.50 per claim, to the statutory limit of \$10 per claim. The proposed fee increase is intended to cover the cost of administering the abandoned mine lands program at the Division of Minerals. The adverse effect is a higher cost to properly file on a mining claim, and the beneficial effect is a more robust and competent public safety program that is adequately funded. The short and long-term effects of the fee increase are not significant in the overall annual cost to maintain a claim and amount to a 0.9% increase. Based on 2016 assessment year mining claim filings, the increase in fee to claimants in Nevada would amount to approximately \$240,000. There is no economic impact to the general public. The immediate and long-term effect of the proposed regulations to the public is improved safety resulting from the

agency's continued field inventory and securing of dangerous conditions resulting from historic mining practices and ensuring that responsible parties are notified.

- 3) In order to determine the impacts on claimants resulting from the per claim fee increase, a list of active (2016 Assessment Year) claims and claimants in Nevada was downloaded on October 19, 2015 from the Bureau of Land Management's Legacy Rehost (LR2000) website. An analysis of the 163,542 active 2016 claims found that approximately 86 of the listed claimants are current mine operators, or their subsidiaries, which would see an average impact of \$1,240.24. The remaining 1,882 claimants are non-producers, that is exploration companies and individuals which could be considered small businesses. The average impact, resulting from the proposed fee increase, to these claimants would be \$73.67. Current claim fees paid to the BLM annually are \$155.00 per claim and those to NDOM, upon filing at the county, are \$8.50 per claim. The proposed \$1.50 per claim fee increase would then represent 0.9% of the current total fee per claim paid by claimants. Discussions on economic impacts were conducted with industry and individuals at workshops held on February 16 and 18 in Carson City/Las Vegas and Elko, respectively.
- 4) The estimated additional cost to the agency for enforcement of the proposed regulation is not significant.
- 5) The proposed regulation does not duplicate or overlap federal regulations on public lands administered by the U.S. Department of the Interior, Bureau of Land Management or the U.S. Department of Agriculture, Forest Service.
- 6) Federal law does not require the proposed regulation changes.
- 7) The proposed regulations are not more stringent than current federal law.
- 8) The proposed regulation does increase the fee for mining claim filings.

Interested persons wishing to comment on the proposed regulation may do so by appearing at the above-scheduled hearing or by submitting written comments to the Division of Minerals, 400 West King Street, Suite 106, Carson City, Nevada 89703 by 5:00 P.M. on or before May 18, 2016.

A copy of this notice and the proposed regulation can be reviewed at the Nevada State Library and Archives, 100 Stewart Street, Carson City, or the Division of Minerals Offices in Carson City (400 West King St., Suite 106, Carson City, NV 89703), and in Las Vegas (2030 E. Flamingo Rd., Suite 220 Las Vegas, NV 89119). The proposed regulation may also be reviewed on our web page at <http://minerals.nv.gov>. In all counties in which an office of the agency is not maintained, the proposed regulation may be reviewed and copied at the main public library, during business hours.

This notice and the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and may be viewed on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

As provided in NRS 233B.064 (2), the Division of Minerals, if requested to do so by an interested person, either before adoption of the regulation or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or will incorporate therein its reason for overruling the considerations against its adoption.