

STATE OF NEVADA COMMISSION ON MINERAL RESOURCES **DIVISION OF MINERALS**

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MINERAL MICHAEL VISH Administrator

NEVADA

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COMMISSION ON MINERAL RESOURCES

Nevada Division of Minerals 400 W. King St. #106 Carson City, NV 89703

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Friday, June 23, 2023

<u>AGENDA</u>

CALL TO ORDER

The agenda for this meeting of the Commission on Mineral Resources has been properly posted for this date and time in accordance with NRS requirement.

ROLL CALL

PLEDGE OF ALLEGIANCE

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. Public comments may be limited to 5 minutes for each person. **ACTION WILL NOT BE TAKEN**

I. **AGENDA**

A. Approval of the Agenda

II. **MINUTES**

A. Approval of the May 4, 2023 minutes.

III. **COMMISSION BUSINESS**

A. Discussion of the process for the recruitment and appointment of a new Administrator. Possible actions include but are not limited to: modification and approval of recruitment document, establishment of timelines related to recruitment, designation of an individual or subcommittee to evaluate applicants and schedule interviews.

COMMENTS BY THE GENERAL PUBLIC

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11:00 A.M.

FOR POSSIBLE ACTION

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Page 2 of 2

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.

ADJOURNMENT

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 Rebecca Tims at (775) 684-7043 or by email at <u>rtims@minerals.nv.gov</u>.

II.A. MINUTES



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MINUTES



Thursday May 4, 2023

10:30 A.M.

INITAG TES		
Commissioners	Staff	Public
Josh Nordquist	Mike Visher via Zoom	Dana Bennett
Mary Korpi (joined at 11:51)	Rob Ghiglieri	
Art Henderson	Rebecca Tims	
Bob Felder	Anthony Walsh, DAG	
Nigel Bain	Lucia Patterson	
Randy Griffin via Zoom	Jim Faulds	
Stephanie Hallinan	Eli Mlawsky	

CALL TO ORDER

10:32 AM

ROLL CALL

All Commissioners were present except Mary Korpi. Quorum noted.

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

There were no public comments.

- I. AGENDA
- A. <u>Approval of the Agenda -Josh Nordquist requested a revision to the agenda to hear item IV.A. immediately</u> <u>after item III.D.</u>

Motion to approve changes made by: No motion required to approve the change.

Unanimously approved.

II. MINUTES

A. Approval of the April 17, 2023, meeting minutes

Motion to approve the April 17, 2023, minutes made by: Nigel Bain

Seconded by: Bob Felder

Unanimously approved.

III. NEW BUSINESS

A. Introduction of New Staff

Administrator Visher introduced new staff member Rebecca Tims. Rebecca provided a brief introduction about herself.

B. <u>NBMG Online Geothermal Web Application Demonstration</u>

Eli Mlawsky (NBMG) provided a live demonstration of the new NBMG geothermal web application. Josh Nordquist: Do you get the visitor metrics? Eli Mlawsky: Yes Josh Nordquist: Any questions? Nigel Bain: Is there a population of views? Eli Mlawsky: Yes, it gets about 200 hits per month. The number is steadily growing. Stephanie Hallinan: Does this include DWR data? Eli Mlawsky: Yes

C. <u>Review and Status of CMR-Approved NBMG Projects</u>

Jim Faulds (NBMG) provided an update regarding the status of CMR-approved NBMG projects. Arthur Henderson: What is being done about the 8% indirect cost rate? Rob, are you working on that? Robert Ghiglieri: We looked at that and the only thing we could find was the all-agency memo that gives the University authorization to charge up to 8%. I spoke with other states such as Arizona, New Mexico, Utah, and Wyoming. They all pay indirect costs as well. Wyoming pays almost 40%. The best way to approach changes would be to do it on a contract-by-contract basis.

Arthur Henderson: Says up to 8%, it doesn't say 8%?

Robert Ghiglieri: They are allowed to charge up to 8%

Arthur Henderson: I still disagree with that. So, I have talked to some people that report to Brian, I haven't talked to Brian Sandoval yet, but I am going to talk to him. I don't think we should pay for that. **Arthur Henderson**: I'd like to revisit the projects. The Railroad Valley report is late. This is a report on history, that one doesn't have any impact on the division. But the lithium report was supposed to be ready before the legislative session.

Robert Ghiglieri: Yes: the previous legislative session.

Arthur Henderson: Also, the Mineral Industry reports. Didn't we want that finished by December before AEMA?

Robert Ghiglieri: Yes

Arthur Henderson: So those two delays have caused some issues with the Division. Is that correct to say that?

Robert Ghiglieri: It's limited our ability to the get the lithium report for the legislature with the many talks of mining at the moment as well as the MI report getting the information out to the general industry as well.

Page 3 of 9

Arthur Henderson: It's important for us to know that. Sorry for the delays but they do have impacts. It's a serious consequence. And then of course this 8%, I've already talked about it and I'm not in favor of any additional funding until that's settled. Those are my viewpoints today.

Jim Faulds: The delays in the MI report were associated due to details I cannot discuss due to personnel issues.

Arthur Henderson: Yeah, I know, Things happen everywhere. But when you count on something you count on them. It's just important to know we counted on it, and it doesn't matter what the excuse is. Jim Faulds: I'll say this though, I am being proactive on that. There are some aspects that I could see coming about a year ago, and that's why we are interviewing now for a new position. If I hadn't been proactive on that, we would have had a whole other year.

Arthur Henderson: I know it's not easy, I know there's excuses, but it is impactful. There are impacts to the Division. Basically because of the MI report and the Lithium report. I see from the agenda this is for possible action, right Josh?

Josh Nordquist: There are a couple requests from Jim. One is the no cost extension through June of 2024 for the lithium report and a no cost extension to December of 2023 Railroad Valley report. Arthur Henderson: For me, I don't want to approve of any projects until the current ones are completed.

Robert Ghiglieri: Contract needs to be finalized for the FY24 projects.

Josh Nordquist: I also see in the budget there the Soda Lake report, this project for FY23-24, that wasn't mentioned in this list.

Jim Faulds: It's FY24 so yeah, we haven't started that.

Josh Nordquist: We still need to finalize the contract on that one as well.

Jim Faulds: All the others are completed. The only thing not completed in the FY22-23 agreement is that lithium report.

Robert Ghiglieri: Railroad Valley is a separate contract.

Arthur Henderson: If we say no, we don't extend, the report goes away, and we lose our money? Jim Faulds: The lithium report would go away.

Arthur Henderson: And the Railroad Valley would go away too?

Jim Faulds: Correct

Arthur Henderson: What does that mean to our budget?

Robert Ghiglieri: Yeah, so what we would do is a work program to push the money forward that was obligated for FY2023 into FY2024.

Josh Nordquist: It's reflected in the forecast in your packet.

Jim Faulds: Railroad Valley project has a lot of momentum. It's just a matter of being careful with what's actually published.

Mike Visher: A lot of data that they're utilizing is historic and not in a digital format. The historical nature of the data requires a lot of QA/QC which is being done. Until someone with a trained eye reviewed it, you couldn't see that there were issues. It took time and a lot of back and forth with Jerry and Don to go through the data. There were some wells that were misassigned and that took quite a bit of time and that wasn't just an hour or two, it was weeks to try to figure that stuff out. Lucia, Val, and I have been working a lot with that. There is now information that is accurate and will be beneficial to understanding Railroad Valley but also the historic production in that valley and the geology. So, we will

Page 4 of 9

have a really good product. Don and Jerry are very pragmatic and pay close attention to the data which is really nice.

Bob Felder: On a different topic, I've heard from a number of exploration geologists that there is no convenient access to the topo maps. I think this is a project the Bureau should consider what it would take to restore access for online topo maps. What kind of project what it would to restore that access? **Lucia Patterson**: I have heard from several people that the products the entities are looking for are not there. USGS does provide some maps.

Bob Felder: Is there a project to support that for the exploration community that could get support? **Eli Mlawsky**: It's tricky with UNR IT to back up other institutions' products. The data would need to be backed up on servers. We might run into issues trying to direct things available elsewhere.

Lucia Patterson: If I remember correctly from a conversation with Rachel Micander, I do believe the problem was that the server for Keck was dated and trying to get that migrated over, there have been some roadblocks. But Rachel definitely knows the answer because I got that from her, but it's been a few years.

Bob Felder: There is significant interest in this functionality being restored.

Arthur Henderson: Can we separate these two proposals in 22/23? Do all have to be addressed as one motion?

Josh Nordquist: We can address them as we see fit as one motion or two motions or action on one or multiple.

Anthony Walsh: 24/25 projects might not fit in to the category of approved already. I would be more comfortable with that on another agenda item next meeting essentially. The 2022/2023 projects that have already been approved we can vote on those however you want but I think the future projects have been slotted into this agenda item might need to be discussed at a later meeting.

Josh Nordquist: Mineral Industry reports, where are they in our budget?

Robert Ghiglieri: In category 9.

Josh Nordquist: Are they included in the base; I don't see a separate item in my report?

Robert Ghiglieri: So, it is included in the base contract that 97.2K approved per year. One year for the MI report, each year is sample curation and the last two years one being lithium and the other being the exploration survey. Every other year would be the exploration survey and one special project would be the lithium project.

Mike Visher: If I can speak to the FY24/25 proposal I agree with Anthony that it is a little premature. The other part is the budget is still being considered in the legislature. While we have included a place holder for the \$194,000 as the biennial contract that is being considered at the legislature right now and until the session is closed, we don't know where that will land out. I think it would be more appropriate to address the existing contracts on this agenda item.

Arthur Henderson: Rob, the 2024 budget ends in June?

Robert Ghiglieri: 2023 ends in June, FY 2024 starts July 1.

Arthur Henderson: The no cost extension ends in June 2024?

Robert Ghiglieri: So that would be the end of FY 2024.

Arthur Henderson: The one for the Railroad Valley is December 2023?

Robert Ghiglieri: It would still be in FY 2024.

Page 5 of 9

Arthur Henderson: So, that's my comment, why are we going to limit Railroad Valley to December 2023 when we could just say June of 2024. Those guys are working hard. Let's just say June of 2024 instead of December 2023. It doesn't affect the budget at all?

Robert Ghiglieri: No, it does not.

Arthur Henderson: And you're ok with that?

Jim Faulds: We're ok with that, but we only have so many people to do work internally, so we stagger and schedule them in a way.

Arthur Henderson: This is just an administrative detail to say because I don't want you to come back in December and say I need one more month. We can just cover it now and manage it.

Jim Faulds: Yeah, we can manage that.

Robert Ghiglieri: By Making the extensions to June of 2024 it still gives authority to pay at any point between July 1 of 2023 and June 30 of 2024.

Nigel Bain: There's an impact to the lithium side. The litigation that could potentially be going on. Would that report change people's outlook on the approval of that project?

Jim Faulds: I'll just say again, apologies for those delays, I never thought the folks that agreed to do the project would bail. So, excuses right, but there are impacts. I'll just say the lithium report is very unfortunate. I agree, it's not out there now but the sooner we get that out there we'll be ahead of the game. But if this report is available for the next legislative session and not too beyond that, that will be a positive. That one in particular, is very difficult to manage and I would say that we learned our lesson and that's why we want to regroup and make these special projects more internal.

Arthur Henderson: I'm still not completely comfortable because you had some delays. Some experts in certain areas may not have been on your staff. We may need outside experts. It's a case by case, so I don't think we should put that into any kind of motion today.

Jim Faulds: In the future if we do external projects, we have to be very careful.

Stephanie Hallinan: Mentioned original outline for the lithium report project and the scope of the project was set up by Lisa (USGS) and there are some new objectives. What's the variability between those different scopes so the project can stay on target?

Jim Faulds: I don't think there's too much variability. I would say more focused, there would still be some significant discussion of Clayton Valley. I would say the general outline would be very similar but again rather than five pages on Clayton Valley and two on McDermitt it's five on McDermitt and two on Clayton Valley. That's very hypothetical.

Stephanie Hallinan: Individual scopes would be lined out?

Jim Faulds: I received agreement from Carolina (NBMG) to be the lead a couple weeks ago.

Stephanie Hallinan: I recommend going down that road might help repeating your scope and the management of that.

Jim Faulds: The necessary time they are saying yes, this whole process has taken a little bit longer. Everyone in this group has been very thoughtful.

Josh Nordquist: I suggest we focus on the extension requests for 2022/23 projects.

Arthur Henderson: I'd like to make a motion that we approve a no cost extension to put us through June 2024 for the Lithium report and the Railroad Valley report.

Stephanie Hallinan: seconded the motion.

Motion approved unanimously.

Page 6 of 9

Josh Nordquist: I suggested to Jim we plan on coming back to the 2024 and 2025 requests at a later meeting. I think my note too is that there is some additional work in FY 2024 approved and we still have some work to get through and with this next year I think we need to see some performance improvements.

Jim Faulds: It's been quite a year. We lost directors and we are lucky to be where we are now. Bob Felder: Art brings up a good point, and I am sure a hard one for you, in principle I agree to not pay any overhead to the University. I am not sure how realistic that is but, in the meantime, is there anything you can do to say to the public about pushback for future funding?

Jim Faulds: I did that from the get-go, and I went as high as I could and was told no, this is nonnegotiable.

Arthur Henderson: This is kind of what we talked about last time, he's an employee, so they're not going to listen to him. What they say to him is different than what they say to us.

Jim Faulds: I think Rob and Mike might remember from a few years ago, I ran it up the ladder and to the extent that I could, but it was not negotiable from my side.

Arthur Henderson: We need to do something; I think in the last meeting we made more of a formal request that we propose some things, and we need to clarify. I'll have a meeting with Brian Sandoval. We will see what he thinks about that. It's hard for me to understand that when you're being given money and it's something you count on every year and for them to decide they get part of it with only a memorandum. Until we get a definitive answer that comes from the Governor or Brian Sandoval giving an explanation of why it's necessary, I'm going to stay opposed to it until we get something clearer. Jim Faulds: I think when the conversation occurs then it might be important to emphasize that the assistance that we receive is essential to the State and many of our stakeholders in the State and essentially helps us keep the doors open for this fundamental facility.

Arthur Henderson: Email things to me that you would like me to reiterate to him. This 8% is crazy.

15-minute pause for lunch

D. Update of NBMG Equipment Matching Funds Request to the Commission

Jim provided a presentation on NBMG matching funds request (attached). The previously approved match was reduced from \$61,679 to \$31,000.

No questions or comments.

E. NBMG Special Project for Consideration in FY 2024/2025 Biennium

Jim Faulds provided a presentation (attached) for a special project for consideration for the 2024/2025 Fiscal Year

Arthur Henderson: Shouldn't this work be something that is done already?

Jim Faulds: If I had state funding we would. 1/3 of our staff is paid by external grants. State funding level is 50% of what it was in 2008.

Arthur Henderson: That's a problem for another person. Why did they do that to you? I don't know. The second comment is that I don't want to approve any projects until the old projects are finished. The third one is that the budget is still not approved.

Josh Nordquist: We will table this proposal for a subsequent meeting.

F. <u>Legislative Updates</u>

Administrator Visher provided a presentation on Legislative Updates (attached).

Stephanie Hallinan: Please refresh our memory on AB 313. What are the costs and impacts to the mines themselves?

Mike Visher: The Assembly Ways and Means Committee needs to look at how the bill would impact the State and counties, not necessarily the stakeholders. NACO is addressing that concern as well. There's some poor language in there that makes it seems like NDEP will have to determine whether the mining plan is economic or not and nobody was happy with that. I don't see a resolution on this bill that will satisfy enough folks to vote on it to take it to the next level, but we don't know because it's been declared Exempt.

Robert Ghiglieri: So, the two bills that Mike just referenced for the mining claims are actually HR1 under section 3. On the senate side, language was put out by Cortez-Masto and that is SB 1281 The Mining Regulatory Clarity Act of 2023.

Stephanie Hallinan: Did the wildlife commission have comments on SB 88?

Robert Ghiglieri: At the hearing in Senate Natural Resources, it was still pretty undefined, so it was hard to make comments on it. They're all very aware of what is the intent of the bill.

G. <u>Request for Support for the Nevada Earth Science Teacher's Workshop</u>

Deputy Administrator Ghiglieri presented a request for financial support for the teacher's workshop (attached).

Bob Felder: The decision was to support the teachers' travel completely. We raised as much money as we think we are going to need?

Robert Ghiglieri: Yes, so we have \$20,000 set aside. We felt that to encourage more turnaround, reimbursement will be provided for the teacher's travel expenses. There were 20 registered teachers as of last night. We are hoping to reach the 100 mark.

Bob Felder: Southern Nevada teachers might need an additional night, is it possible to reimburse them for the additional night?

Robert Ghiglieri: Yes, we are looking into this.

Bob Felder: Is it possible to charter a bus for the S. Nevada teachers?

Robert Ghiglieri: This will be brought up at the next meeting.

Bob Felder: Have you brought it to other companies for financial support?

Robert Ghiglieri: When I brought it up to Dana (NvMA), she felt that since the mining association members are already paying them, they should be the ones to pay for it. So, they are the ones that paid for the rest of the funding.

Dana Bennett: We felt that this made sense to build this into the Mining Association's budget for this year and \$15,000.00 was put in from the Mining Association. The rest came from GSN and Cyanco. If this turns out to be an effective way to get Southern Nevada teachers going, they can definitely build it in to future budgets.

Motion to approve the request for the Nevada Earth Science Teacher's Workshop, made by: Bob Felder

Seconded by: Mary Korpi

Page 8 of 9

Unanimously approved.

H. Review of the 2023 NDOM AML Summer Intern Program

Deputy Administrator Ghiglieri provided a presentation (attached) reviewing the 2023 summer AML intern program.

There were no questions or comments.

I. <u>2022 Annual Status and Mineral Production Overview</u>

Lucia Patterson provided a presentation (attached) on the 2022 Annual Status and Mineral Production. There were no questions or comments.

J. Nevada Mining and Land Withdrawal History Experience

Lucia Patterson presented a live demonstration of the new "Nevada Mining and Land Withdrawal History Experience" web application.

Nigel Bain: Did you include the sources for all your information?

Lucia Patterson: Yes, those are located here at the bottom, with hyperlinks.

Stephanie Hallinan: This is absolutely great information, Lucia. I am definitely going to be sharing this because you've summarized so many of the things we deal with on public lands.

Art Henderson: I think we need to recommend to Mike that you keep your job.

Mary Korpi: This is absolutely amazing work with potential for so many areas of evaluation of past and future impacts.

IV. OLD BUSINESS

A. Update on Fiscal Years 2023-2025 Budget and Forecast

Rob provided a presentation (attached) on the FY 2023-2025 budget.

Arthur Henderson: Before we ask that you break that 8% out, I would like the 8% broken out.

Robert Ghiglieri: I reached out to Valerie Kneefel during this meeting for clarification. I want to point out that the memo states, that indirect cost rates may be less than those stated above but cannot be more.

V. Commission Business

Monthly Staff Reports:

No questions or comments.

Next Commission meeting date:

Josh Nordquist: Second week in August, week of the 14th?

Bob Felder: Can we do the week before?

Josh Nordquist: Thursday, August 10th. Location to be determined.

COMMENTS BY THE GENERAL PUBLIC

Arthur Henderson: Mike helped me resurrect some old reports on thorium, these were given to the new administration here in Nevada. Suggests that we revisit these.

Page 9 of 9

Mike Visher: Tony, thanks for being our DAG, we wish you well in your next role.

Anthony Walsh: Today is my last meeting with the CMR/NDOM. I've accepted a new position with the Nevada Bureau of Consumer Protection.

ADJOURNMENT

2:31 pm

III.A. COMMISSION BUSINESS



STEVE SISOLAK Governor STATE OF NEVADA COMMISSION ON MINERAL RESOURCES DIVISION OF MINERALS

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RICHARD PERRY Administrator

Unclassified Job Announcement

February 7, 2020

ADMINISTRATOR-NEVADA DIVISION OF MINERALS Location: Carson City, NV

THE NEVADA DIVISION OF MINERALS: The Nevada Division of Minerals, a part of the Commission on Mineral Resources, is responsible for permitting oil, gas, geothermal and dissolved mineral exploration wells and compliance to permits for operation of these wells, the public safety abandoned mine lands (AML) program, collecting and disseminating information on exploration, mineral production and other related topics, and providing educational resources to K-12, civic and trade organizations on the importance of mineral production to the State. The Division has offices in Carson City and Las Vegas. The Commission on Mineral Resources is a seven-member public body appointed by the Governor.

THE POSITION: The successful applicant will serve as the chief administrative officer of the Division of Minerals with responsibility for the programs of the Division. The Administrator serves as secretary to the Commission on Mineral Resources and coordinates the quarterly meetings of the Commission. The Commission is an executive branch non-cabinet agency and the Administrator reports monthly to a member of the Governor's staff. Other duties include preparing a biennial budget, fiscal and human resource management, providing testimony to the Legislature on mineral-related matters, providing liaison between other State and Federal agencies, serving as the Governor's official representative to the Interstate Oil and Gas Compact Commission if appointed, and serving as a statutory member of the State Environmental Commission.

EDUCATION AND EXPERIENCE: Must be a graduate of an accredited college or university and have substantial experience as an administrator or at least 5 years' experience in the exploration for or the production or conservation of minerals. The ideal candidate will have a degree in economic geology, geological engineering, mining or metallurgical engineering with Nevada mineral industry experience relevant to the responsibilities of the position.

COMPENSATION AND BENEFITS: Up to \$118,153 annually on the employee/employer paid retirement option. A retirement plan paid entirely by the employer is available at a reduced salary of \$103,078. The position receives state retirement and health insurance benefits. Information regarding retirement plan options and retirement benefits is available at <u>www.nvpers.org</u>. A description of the current health benefits available to all employees of the State of Nevada is available at

https://pebp.state.nv.us/wpcontent/uploads/2019/05/PY2020-PEBP-Benefit-Guide_51519_FINAL-1.pdf

APPLICATION PROCESS: Interested candidates are requested to submit a cover letter and detailed resume that includes a description of employment history to include name and addresses of employers, scope of responsibility and three professional references electronically to:

Sherrie Nuckolls, Administrative Assistant IV/HR Coordinator Nevada Division of Minerals <u>snuckolls@minerals.nv.gov</u> 775-684-7043

In the subject line please reference: Last name/Administrator

All materials must be submitted by the close of business on March 6, 2020. All submitted information will remain confidential unless the candidate becomes a finalist for the position and the candidate authorizes the release of his or her information. Finalists will be interviewed by the Commission on Mineral Resources at a date to be determined. The person selected as the new Administrator will assume responsibilities on April 2, 2020, or at a mutually agreeable date. A pre-employment drug test is a condition on employment. Overnight in-state and out-of-state travel are required.

Equal Employment Opportunity/Affirmative Action

The State of Nevada is committed to Equal Employment Opportunity/Affirmative Action in recruitment of its employees and does not discriminate on the basis of race, color, national origin, religion or belief, age, disability, sex, sexual orientation, gender identity or expression, pregnancy, domestic partnership, genetic information (GINA), or compensation and/or wages.