



STEVE SISOLAK
Governor

STATE OF NEVADA
COMMISSION ON MINERAL RESOURCES
DIVISION OF MINERALS

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MICHAEL VISHER
Administrator

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COMMISSION ON MINERAL RESOURCES

Grant Sawyer Building
Building and Ground's Conference Room
555 E. Washington Avenue, Suite 1100
Las Vegas, NV 89101

Join us from a PC, Mac, iPad, iPhone, or Android Device: Please click this URL to join,
<https://us02web.zoom.us/j/9712825638?pwd=YkZPbHJIdUQ0cUo3bldzb2k3aS9UUT09>

Meeting ID: 971 282 5638

Passcode: NDOM

Wednesday November 30, 2022

1:00 P.M.

AGENDA

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

FOR POSSIBLE ACTION

II. MINUTES

A. Approval of the October 24, 2022, meeting minutes

FOR POSSIBLE ACTION

III. NEW BUSINESS

A. Federal Mining Law Reform, Hardrock AML, and Good Sam Legislation
An update will be provided on the status of federal mining law and mine permitting reform, Good Samaritan legislation, and the new federal hardrock Abandoned Mine Lands ("AML") program administered by the Office of Environmental Policy and Compliance (OEPC) with a discussion on potential funding and impacts to Nevada's AML programs. Rob Ghiglieri

FOR POSSIBLE ACTION

B. 2022 AML Program Update

An update will be provided on the AML Program year-to-date, including work performed by summer interns, staff, and contractors and near-term plans. **FOR DISCUSSION ONLY**

Sean Derby

IV. OLD BUSINESS

A. Update on “Stay Out, Stay Alive” Digital Marketing Campaign

FOR DISCUSSION ONLY

The recently completed AML public safety videos will be shown and an update provided on the goals and status of the social media and marketing campaign including costs to-date.

Sean Derby

B. Review and Status of Commission-Approved Contracts

FOR DISCUSSION ONLY

A review of the expiration dates, deliverables received, and timing of fiscal financial impacts of contracts previously approved by the Commission will be provided.

Rob Ghiglieri

V. COMMISSION BUSINESS

A. Review of staff monthly activity reports.

FOR DISCUSSION ONLY

B. Correspondence to the Commission

FOR DISCUSSION ONLY

C. Set date for next Commission meeting.

FOR DISCUSSION ONLY

COMMENTS BY THE GENERAL PUBLIC

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ACTION WILL NOT BE TAKEN

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 Jessie Dumas at (775) 684-7043 or by email at jdumas@minerals.nv.gov

On the morning of December 1st, the Commission will visit the Pahrump Valley Museum, located at 401 East Basin Avenue, Pahrump, NV 89408. A tour of the museum will begin at approximately 9:00 am. At approximately 9:45 am the Commission will travel 20 miles north, visit the historic Johnnie Mine site and agency staff will present plans for addressing the numerous abandoned mine features. Members of the public may attend but must provide their own transportation. Advanced notification is required. Please call Jessie Dumas at (775) 684-7043.

II. MINUTES



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Monday, October 24, 2022

1:00 P.M.

Held at the Nevada Division of Minerals Conference Room, 400 W. King St. #106, Carson City, NV and via Zoom

MINUTES

| Commissioners | Staff | Public |
|-----------------------------|--------------------|--------|
| Josh Nordquist via Zoom | Mike Visher | |
| Mary Korpi via Zoom | Rob Ghiglieri | |
| Art Henderson via Zoom | Jessie Dumas | |
| Bob Felder via Zoom | Sean Derby | |
| Nigel Bain via Zoom | | |
| Randy Griffin via Zoom | Anthony Walsh, DAG | |
| Stephanie Hallinan via Zoom | | |

CALL TO ORDER

1:00 PM

ROLL CALL

All commissioners present

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

There were no comments. No public in the room or online.

AGENDA

A. **Approval of the Agenda**

Motion to approve by: Mary Korpi

Seconded by: Randy Griffin

Unanimously approved

II. **MINUTES**

A. **Approval of the August 10, 2022, quarterly meeting minutes**

Motion to approve the August 10, 2022, minutes made by: Mary Korpi

Seconded by: Stephanie Hallinan

Unanimously approved

III. **NEW BUSINESS**

A. Proposal to Develop New Contract for Biological Surveys

Rob Ghiglieri reviewed a proposal to develop a new contract for biological surveys at abandoned mine features proposed for closure (see attached proposal).

Art Henderson: I think this is the responsibility of NDOW and if they want us to do the surveys for them, they should pay us to do them.

Rob Ghiglieri: NDOW isn't tasked with AML; we just had a good deal where they were able to do it due to having the biologists that want to study bats. They are not required to perform the work since it's not under any of their statutes.

Art Henderson: I still stand by my position.

Josh Nordquist: To put into context, are you saying that before, we would pay NDOW \$200- \$300 per hazard per year? At \$24,500 a year with 50 hazards that is about \$400 a hazard?

Rob Ghiglieri: We expect a potential increase of about 80 hazards a year getting close to that \$300 figure.

Art Henderson: Clarify what Josh asked, were we paying those \$300 a year?

Rob Ghiglieri: No, they were funded through BLM agreements or through deals with Forest Service. Which personnel in those positions have retired as well. Built in current agreements, Forest Service, Park Service, and BLM, they would be able to charge wildlife surveys we needed to their existing agreements.

Josh Nordquist: Just for clarity, we're billing a charge back if we hired a contractor?

Rob Ghiglieri: Yes. If we were to hire Christopher Newport University was if they were awarded a contract, for example, if they did \$24,000 a year worth of surveys, \$14,000 dollars on BLM and \$10,000 on Forest Service. We would then be able to go back to the existing agreements and perform a reimbursement to those agencies to get that money back.

Art Henderson: That's 100% guaranteed that they will pay us back?

Rob Ghiglieri: As long as, it doesn't exceed the agreement already in place. Which with the BLM is at \$200,000 a year. Right now, it's \$140,000 for Forest Service for closures, potential surveys and cultural surveys. We've already charged BLM for cultural surveys on BLM lands.

Josh Nordquist: These amounts not already allocated or obligated for other reimbursements.

Rob Ghiglieri: It's for the BLM if they're meeting the goals outlined in the agreement which includes everything. Forest Service has it built out specifically for wildlife surveys.

Josh Nordquist: They will cover these amounts?

Rob Ghiglieri: Yes. With the potential upcoming Section 40704 funding, it will also be eligible for wildlife surveys, cultural surveys and any NEPA work. The problem is that is we don't know how much funding there will be and when it is coming.

Art Henderson: If there is a problem with the surveys, who has liability?

Rob Ghiglieri: The appropriate federal land manager or private property owner.

Art Henderson: If we contract this out and a couple years later there's a problem with these surveys or what we have done, is the liability with those who reimburse us or with us?

Rob Ghiglieri: To clarify, you're saying we go in for our surveys and a few years later, someone says that wasn't valid and we closed a major feature off that had a habitat. Yes, that would be up to the land manager who signed off on the surveys. Surveys would be performed by our contractor provided to the district office who provides signature that they agree with surveys.

Stephanie Hallinan: This is all in regard to NEPA action?

Rob Ghiglieri: Yes.

Stephanie Hallinan: The agreements that you mentioned that NDOM is a part of what is the timeline of reimbursement, within the same fiscal year or years later?

Rob Ghiglieri: There is no timeline built into it. It's before the contract or agreement expires. Both are 5-year agreements, which are fairly new. 4 years left on BLM, and 4 -5 years on the Forest Service. As long as we are requesting reimbursing before end of contract, we should be able to get the money back.

Josh Nordquist: To restate, currently NDOW is contracting out to do the surveys, are they using same contractor and potential vendors listed?

Rob Ghiglieri: Yes, they are using Christopher Newport University, Rich Sherwin. The book for mitigating abandoned mines for bats was written by Dr. Sherwin. Western EcoSystems Technology is a company that I wasn't aware of, and they do have significant amount of bat research. Wildlife Resource Consultants is a small group out of California that has done a lot of surveys in Nevada for mining clients.

Randy Griffin: Just for my curiosity, have we ever had abandoned not close because of these surveys?

Rob Ghiglieri: Yes, we have recently, it was due to a bear habitat. There were signs that bears were using it as a den for a number of years. We did not close it and will continued with a barricade. Still secured by our standards but not permanently closed. If there is wildlife habitat, we will build a wildlife enclosure. Wildlife habitat dictates the type of enclosure.

Nigel Bain: Question for Stephanie Hallinan: you've done permitting and had discussions about the different liability with BLM or Forest Service, do you agree with Rob of who's liable if we close an area and someone later states that the closure went forward with invalid data. Do you agree with the liability?

Stephanie Hallinan: Yes, the land manager is, as an operator on public lands. Agency do gives authorization to proceed, through NEPA they include and agree to studies and allow NDOM to proceed with the closure, land manager ultimately will have to come up with explanations.

Nigel Bain: Thank you, appreciate your explanation.

Rob Ghiglieri: Recently on a project, the BLM contracted Bat Conservation International to perform wildlife surveys, BCI provided BLM the data, there were questions in specific areas. They had to work with BCI as well as our contractor to agree before signing. If they don't agree that's when they say we have to change it or re-survey it.

Josh Nordquist: One more question, instead of NDOW contract these groups, we would potentially contract them directly, NDOW is involved to approve the scope?

Rob Ghiglieri: NDOW will still continue with their BLM agreement; the main focus for this is to have the flexibility to work on non-BLM lands. The key person who has been doing it for the last 15 years is retiring from NDOW.

Josh Nordquist: At the heart of this is to be able to perform survey work on other than BLM lands?

Rob Ghiglieri: Yes, other than BLM, Forest Service and Park Service.

Stephanie Hallinan: Who would be an example of private?

Rob Ghiglieri: Private it could be a county or a private landowner who agrees or disagree with surveys and suggestions.

Nigel Bain: Litigation, the discussion points on how much jeopardy we can create on closing a site where there's a bunch of land holders and the future use obscured. I think we want to careful, what we do don't want us in fear of litigation.

Josh Nordquist: Valid point, we expect to be fully reimbursed for the federal lands.

Rob Ghiglieri: I did not want to exclude the private land surveys to build flexibility. Private land could be brought to the front provided there is some Section 40704 funding. All work under that will be paid for by that money when it comes our way.

Josh Nordquist: Contract will be constructed for the job not annual. As needed.

Rob Ghiglieri: Yes, the contract will be on an as needed basis.

Approval requires a motion

Motion to approve by: Randy Griffin

Seconded by: Nigel Bain

Josh Nordquist: Any discussion?

Art Henderson: To receive my vote, I'd like to add an amendment that this will be a net \$0 to NDOM with funds spent to 3rd parties are reimbursed. I would like us to be fully reimbursed for our work.

Rob Ghiglieri: Able to amend.

Josh Nordquist: Motion to amend previous motions to add statement of funds spent under contract will be reimbursed by existing or future agreements.

Motion to approve amendment by: Art Henderson

Seconded by: Nigel Bain

Unanimously approved

IV. Digital Market Campaign

Sean Derby shared progress of Digital Market Campaign (see attachment).

Josh Nordquist: Are you still on budget?

Sean Derby: Yes, we did everything within the confines of field work. Talked about the idea of edit being ready for television locally after election season. Dustin, our Field Specialist, has a contact at local Fox and NBC. Found out it is affordable to run on television when formatted correctly.

Art Henderson: Don't these television stations run public service for less or free?

Sean Derby: Yes, at a discount.

Rob Ghiglieri: After election under \$100-\$200 on prime time showing. During election cycle it is up to \$2,000 for 30 seconds. Wouldn't run for a long time but looking for a PSA option for free.

Sean Derby: The longer cut will live on landing page on NDOM website under the AML program. Additionally adding to YouTube page. Shorter films will appear on social media site and ad buys to channel to those people to our webpage. Draft videos were played.

Randy Griffin: Very good, it's great.

Stephanie Hallinan: I liked it. As someone working in the mining industry, that video should resonate with a lot of people.

Sean Derby: Art, do you think we are stepping over a line with the peeing on the fence thing?

Art Henderson: I think so, personally. all types of people children or children of that age cross that line.

Randy Griffin: I have to go along with Art, maybe we can cut that part out.

Art Henderson: There's going to be all types of people watching that. Children of that age, it crossed the line a little bit.

Mike Visser: Remember the demographic that we are looking at are exactly these kinds of guys going out there egging each other on to go inside abandoned mines. We're not targeting school kids.

Art Henderson: Schools kids might see it.

Art Henderson: I think there's a lot of people who do not want to have kids see that one-minute spot on TV. When are you going to air these?

Rob Ghiglieri: The long version is designed only for YouTube and online like the websites Sean was talking about. That would not be on the 30 sec ads buy, that one would be different to exclude that one.

Sean Derby: The rest of these are 15 second ads that will appear on social media and apps developing a profile.

Rob Ghiglieri: If you search, "Where to explore abandoned mines" on YouTube, the ads are automatically applied to what your search history was.

Videos were played.

Josh Nordquist: What Mike stated, the target of these ads are people are putting themselves in danger. The highest audience numbers are not on the news they are on YouTube.

Videos played.

Josh Nordquist: Question for Rob or Mike, these types of ads, do they have to go through another level with the State?

Mike Visher: No

Videos played.

Sean Derby: Tagline is, these signs mean don't be stupid.

Bob Felder: The lead in on the one with no hitchhiking and the one with radiation, I didn't get.

Sean Derby: Idea is that these will be viewed as a visual hook. Showing more interest once visiting the page or watching on YouTube, then they get the full explanation. Found it Difficult to get smaller ads to really tell the story, so we give a shot of the bad decision the character made. It's followed up by a click and look for more information.

Bob Felder: The one with the radioactivity sign, what did he take a bite out of?

Sean Derby: An apple, the production company pitched us these ideas. All of our shoot site had to be close together, so we ended up with apple stand near a radiated site. All within about a square mile from the Johnnie Mine in Pahrump.

Art Henderson: What's the age group you're targeting?

Sean Derby: 16 – 24-year-old Caucasian and Hispanic males.

Art Henderson: I guess that's why I don't get it.

Rob Ghiglieri: I showed this to people at the National Association of Abandoned Mines, they had 32 States and Tribes as well as the Washington DC BLM and USFS leads, the stated they wanted to share this, they're who they want to target. Those 16–30-year-olds, they may not know what an abandoned mine is, they only see what's on YouTube other going in exploring and how cool it is.

Sean Derby: The language and framing didn't make send to us immediately either, but the feedback we've received has been good, production company presented in a way that easy for us to take next step. A lot of confidence that this will really capture the attention from that demographic.

Stephanie Hallinan: After the 30 second and the longer one said NDOM, the 15 second bites, do they also say NDOM.

Sean Derby: There is editing going on right now, I don't think there is not enough time to feature that, instead, you'll be able to click on the ad to go direct to our page.

Mike Visher: They're already being directed to us.

Sean Derby: Viewing will direct them to the next step.

Nigel Bain: I was one of the least supportive of these at the start, but I think you've done a good job. It will work positive for us. People worried about the urination part, on prime time, you're going to get someone who is offended, I'd leave it out. A lot of good stuff there as well. Hear the advice, you'll have this in prime time after the election, you'll still get a reaction from other administrators. Asking what NDOM is up to getting on primetime with videos. Get more than the targeted audience. I would advocate you to hear Art's advice.

Sean Derby: Their edit for TV spot has not begun final edit. We have other scenes, there's a lot of good content we plan on using.

Josh Nordquist: Was for review today, was there any action that we are proposing today?

Mike Visser: It was possible just in case there was something you wanted to direct staff to do, left to maintain flexibility for the Commission.

Josh Nordquist: Commissioners, can you give us some good feedback? See any action necessary at this time?

Art Henderson: You could show speeding and other things, I know everybody in that age group will laugh really hard. There will also be people not in that age group that will be vocal. Other won't like it in a different age group. Conservative people will make comments.

Stephanie Hallinan: It's funny, but I think Art is correct.

Josh Nordquist: Good feedback.

Mike Visser: Thank you Commissioners, when you approved this ad campaign, one of the requirements was for you to see before it went live. We don't have the opportunity to do any re-shoots, but we have a lot of videos that can be incorporated. We will continue to tinker to get message on point for the public safety message.

Josh Nordquist: good feedback, any other show and tell points? More content coming?

Mike Visser: You'll see the finals at the next meeting, you'll see the Johnnie Mine on the tour. Site not too far from Vegas and is being explored by the public regardless of property owner's intents. Public agency hard closure fund will be used. They'll be one of the first to officially take advantage of that. It was a challenging site to use, one needed to be close to Vegas for logistics, two, it couldn't be so close that someone could figure out where it was filmed. They did a good job protecting the location. Everything was done in two days.

Art Henderson: Any videos of the behind-the-scenes Want to see the small army.

Mike Visser: We do have a photo of the entire crew.

Sean Derby: (Described photo) Key players, lights sound, stunts, and effects guy. Nye county let us film the gas scene, NDOT was supportive and got us a temporary occupancy permit to shoot scenes.

Rob Ghiglieri: This was an actual real crew.

Josh Nordquist: Look forward to you sharing more at the next meeting.

COMMENTS BY THE GENERAL PUBLIC

There were no public comments.

Next CMR Meeting:

Next meeting November 30 at 1pm in Las Vegas at the Grant Sawyer Building on the first floor. Then tour Jonnie Mine next morning, December 1st. Anticipated return to Las Vegas around 2:30pm. Zoom capability for those who can't attend in person.

ADJOURNMENT

2:10 P.M.

III. NEW BUSINESS

III. A. Hard Rock AML Update

The background of the slide is a photograph of a desert landscape. In the foreground, there are large, dark, jagged rock formations. In the middle ground, a modern building with a dark, flat roof and a curved metal railing is visible. The building appears to be a viewing platform or a part of a park. In the background, there are rolling hills and mountains under a clear blue sky.

Federal Mining Law Reform & AML Program Update

Commission on Mineral Resources

Quarterly Meeting

November 30, 2022

Las Vegas Nevada

Rob Ghiglieri

Deputy Administrator

Nevada Division of Minerals

Outline

- Federal Mining Law Reform
- AML Good Samaritan Legislation
- Federal Hardrock AML Program Update
- Impacts to Nevada's AML programs

Federal Mining Law Reform

Biden-Harris Mining Reform “Principles”

- A comprehensive set of strong standards for operation and reclamation of mines
 - A level regulatory playing field across the country
 - Financial assurances for compliance and completion of all reclamation obligations by mining operations (apparently revisiting the issues addressed by EPA under section 108(b) of CERCLA just a few years ago)
 - Dam safety regulation for tailings impoundments
 - Providing good, safe jobs in the mining industry that pay well
 - Increasing availability of critical minerals/decreasing reliance on foreign sources
 - Recovery of critical minerals from unconventional sources such as mine wastes, mine influenced waters and coal ash, without exacerbating environmental impacts from these sources
- Recycling and reuse of critical minerals
 - Increased royalties and revenue stream from mineral production
 - A fully funded hardrock AML program
 - Legal protection for Good Samaritans who voluntarily undertake AML work
 - Comprehensive federal land use planning
 - Timely permitting decisions without compromising environmental protections
 - A “whole of government” interagency, multi-governmental approach to permitting actions
 - Protecting “special places” that should be off-limits to mining
 - Community input and tribal consultation
 - Use of best available science
 - Restore lost mining expertise in federal agencies

Interagency Working Group on Mining Law Reform

- Interior Department Established
- Multiple working groups, comprised of all Federal agencies
- NDOM, NDEP, and the Governor's Office jointly provided comments
- Little to no state involvement in development of the working groups
- IMCC was not consulted until recently
 - Provided comments similar to Nevada
 - Requesting State involvement

Interagency Working Group on Mining Law Reform

- The IWG's subgroups are:
 - Mining Operations
 - Access to Resources
 - Fiscal Issues
 - Tribal and Community Engagement
 - Permitting Procedures
 - International Best Practices & Standards
-
- A report with recommendations to Congress by Due November 15 2022, is delayed, no expected release yet

Mining Related/Reform Bills

- H.R 8981 - Rep Westerman (R – AR)
- S. 4815 – Sen Capito (R – WV)
- Energy Independence and Security Act of 2022 - Sen. Manchin (D – WV)
- H. R. 7580 – Rep. Grijalva (D - AZ)
- S. 4083 – Sen. Heinrich (D – NM)
- Waters of the United States (WOTUS) rulings

AML Good Samaritan Legislation



AML Good Samaritan Bill S.3571

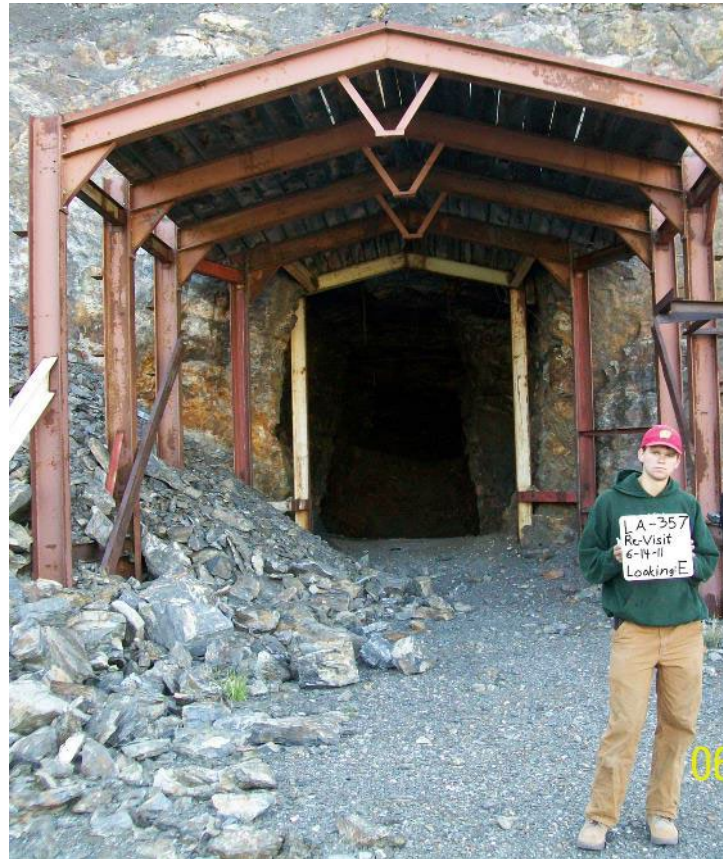
- S.3571 Introduced in Senate by Heinrich of NM on February 3rd, 2022
- Championed by Trout Unlimited
- Cosponsored by 18 Senators, 9 Republicans and 9 Democrats including Cortez-Masto and Rosen
- Read twice in Senate and introduced and read in the Senate Environment and Public Works Committee
- Nothing in the House yet
 - Representative Lee's office expressed interest
- IMCC and NDOM believe that it's the best Good Sam bill in the last few decades
- NDOM and NDEP submitted a support letter
- 15 Pilot Projects nationwide to be selected by EPA
- Clean Water Act and Civil Suits

Federal Hardrock AML Program Update

Federal Hardrock AML Overview

- Section 40704 of IIJA creates a new Federal AML Hardrock Program.
 - Authorized \$3.5B for 10 years
 - No funding was appropriated
- Topics to be covered:
 - Hardrock AML history and problem
 - OEPC
 - DOI/USGS/USDA/IMCC MOU
 - Eligibility and requirements
 - NDOM's role
 - Database/Inventory
 - Potential Funding Formula
 - Funding Mechanism
 - Priority

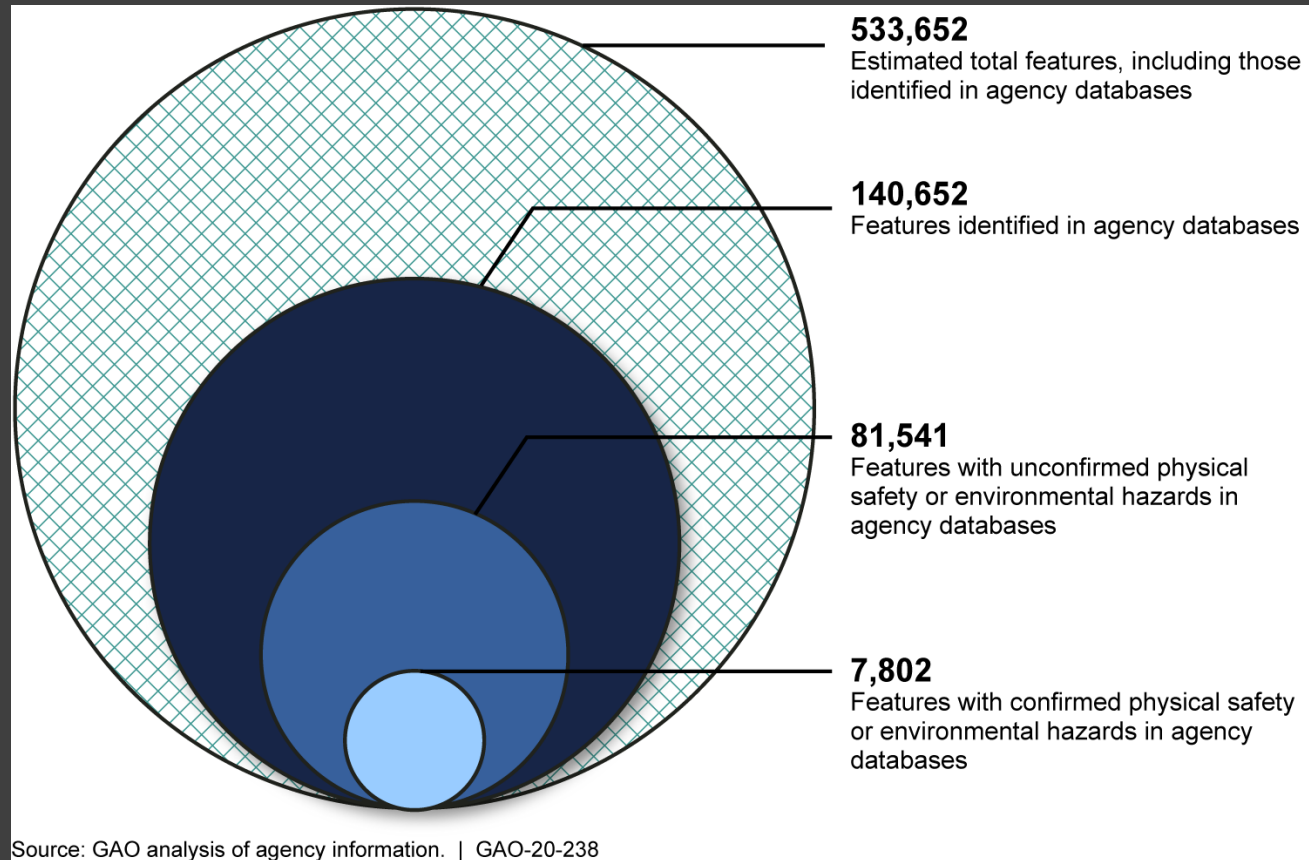
History of Federal AML Hardrock Programs



- Unlike Coal AML, there is no federal Hardrock AML program
- Need definition of “abandoned”
- Multiple attempts made in the past
 - All include some sort of fee based on industry
- Historically a small budget
 - Vast majority of funding spent on EPA Superfund sites
- Clean Water Act
- Responsible parties
- GAO
 - Three recent reports created on Hardrock AML
 - One in 2020 and two in 2021

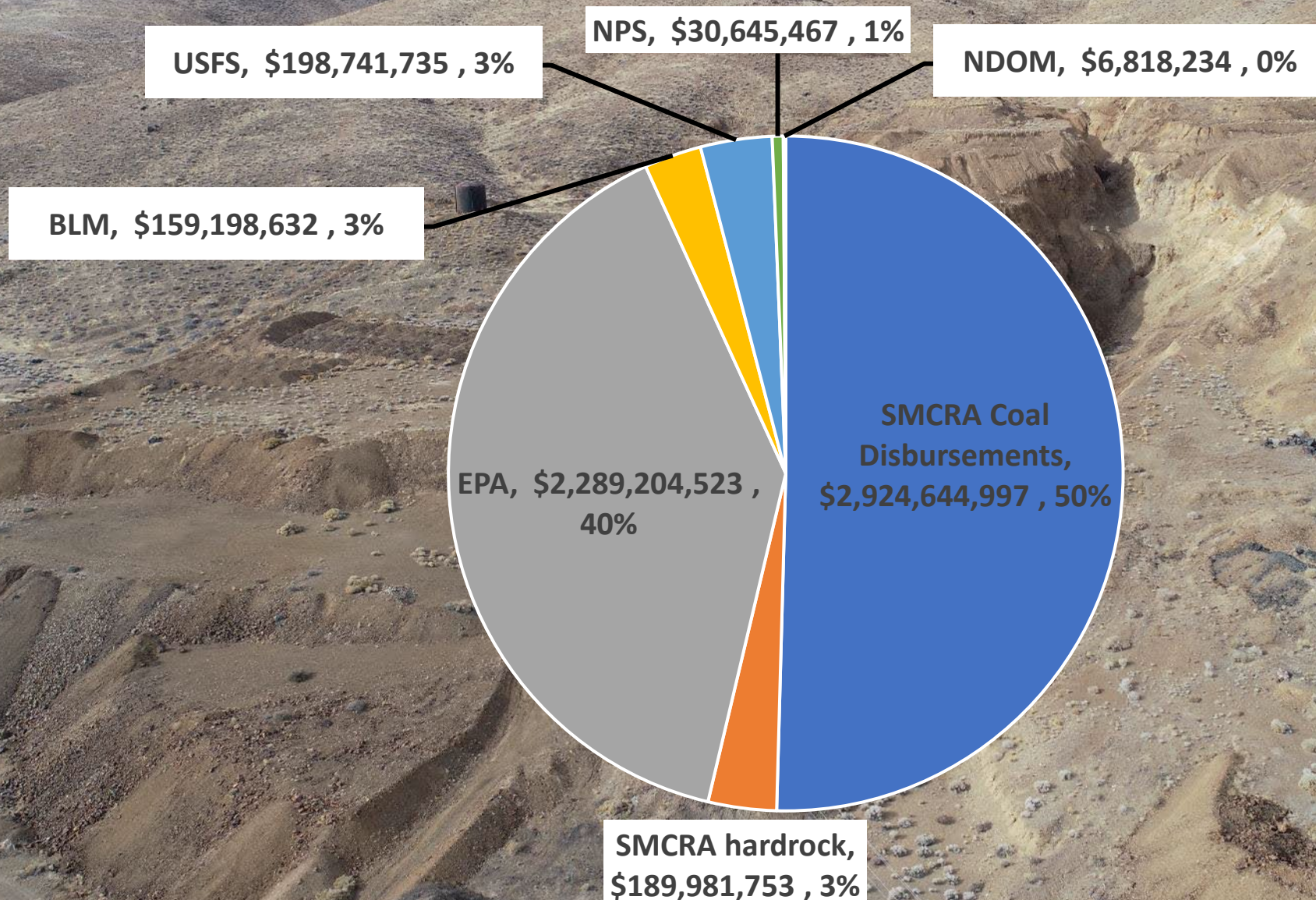
Abandoned Hardrock Mines Report

GAO-20-238



- Agencies spent about \$300 million annually from fiscal years 2008 through 2017 to address abandoned hardrock mines, vast majority by EPA
- Agencies in 13 states estimated spending a total of about \$117 million of non-federal funds from fiscal years 2008 through 2017 to address abandoned hardrock mines
- In 2000, an EPA report estimated at least \$35 billion needed for hardrock AML
- Federal and state agencies and stakeholders cited availability of resources and legal liability concerns as factors that limit efforts to address abandoned hardrock mines
 - Need for Good Sam bill

AML Funding 2008-2017



Sources: GAO Report GAO-20-238; OSMRE Grant Website; NDOM 2018 AML Report

OEPC, NAAML, IMCC, USDA & USGS

- Office of Environmental Policy and Compliance
- National Association of Abandoned Mine Lands Program
- Interstate Mining Compact Commission
- United States Department of Agriculture
- United States Geological Survey





OEPC

- “To serve as a trusted source of Departmental leadership and guidance to ensure sustainable utilization and conservation of natural, cultural, and historical resources for current and future generations.”
- Charged under the BIL to create the AML hardrock Program
 - 90 days from passing of law to creation of program to have a program outline
 - ~February 14th 2022
 - Started conversations with future partners before the BIL was signed
 - Was given very little direction from BIL language
 - Been extremely receptive of NAAML, IMCC’s, and other Federal Programs comments and suggestions

DRAFT Hardrock AML Program MOU

Led by OEPC

- Establishes framework for agency cooperation on hardrock AML program under IIJA sec. 40704
- DOI/USGS/USDA/EPA/IMCC are potential contributors
- Seeks to create “culture of collaboration and partnership”
- Establishes inter-agency “Federal Program Technical Working Group”
- Establishes separate State Grant Program
- Establishes separate Tribal Grant Program
- Includes list of “points of contact”
- Includes “general” section for how MOU will operate legally

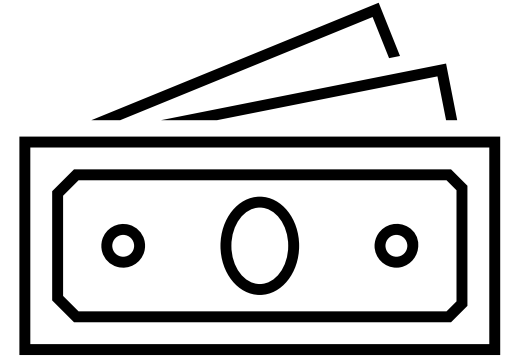
NDOM's Role

Rob Ghiglieri is the NAAML P Hardrock Committee Chair

- Appointed in Feb 2022
- Providing State perspective
- Various meetings with IMCC, OEPC, USGS, NAAML P on near monthly basis
- Worked with nearly 20 states and IMCC to develop a proposed National AML Hardrock database and provided to OEPC
- Member of the new USGS Hardrock AML database review group

Funding of BIL 40704

- Funding is going to be on an annual basis under the Federal budget
- FY22 was \$5M
- FY23 request is \$65M with ~\$30M going to the states
 - They expect the funding to continue at the approved rate into the future
 - Potentially planning of long-term funding coming from an industry fee
 - Funding Formula
 - Grants
 - Expected grant application timeframe 6 months after passage of budget
 - Federal Agreements



Eligibility and Requirements of BIL 40704

- Everything “non-coal”
- Definition of “Abandoned”
- State eligibility
- Federal programs
- MOU
- EJ and Justice 40
- Prevailing wages
- CERCLA
- NEPA
- Overhead
- EPA looking at using the funding as well

National AML Database

Purpose of Database

Roles

- OEPC
- NAAMLPL
- IMCC
- USGS
- Other Federal AML Programs

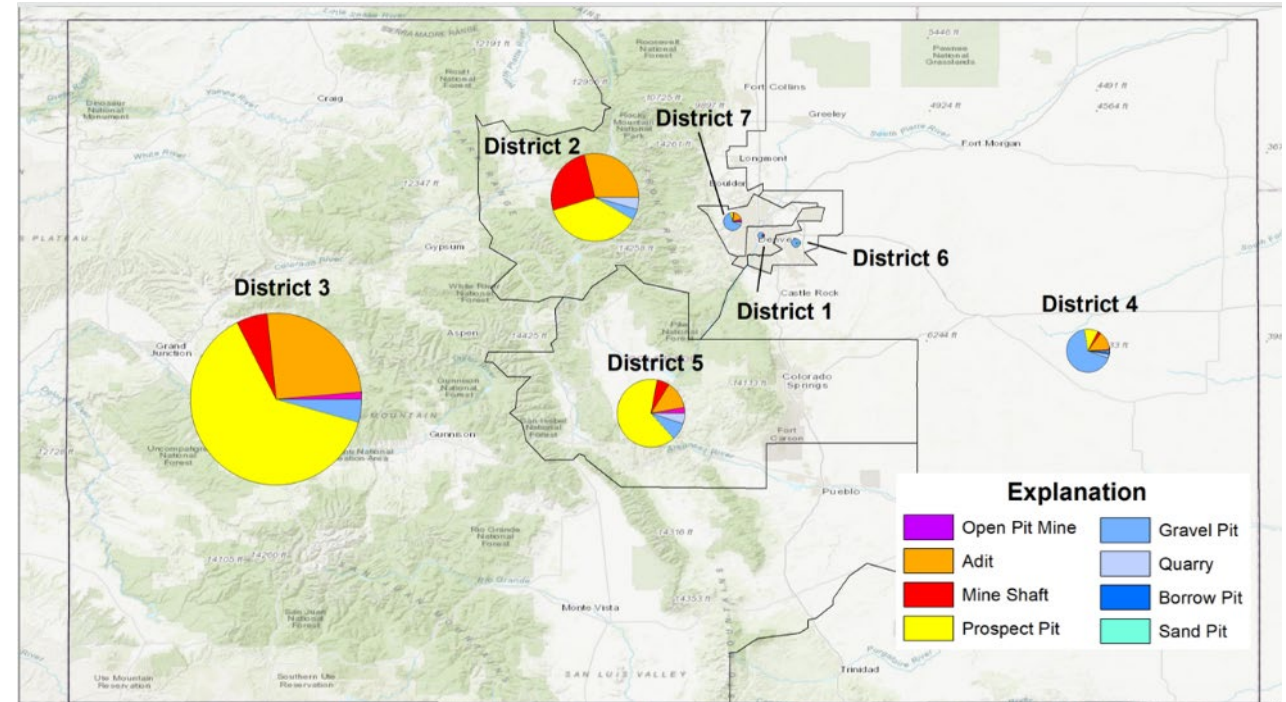
NAAMLPL/IMCC Inventory committee

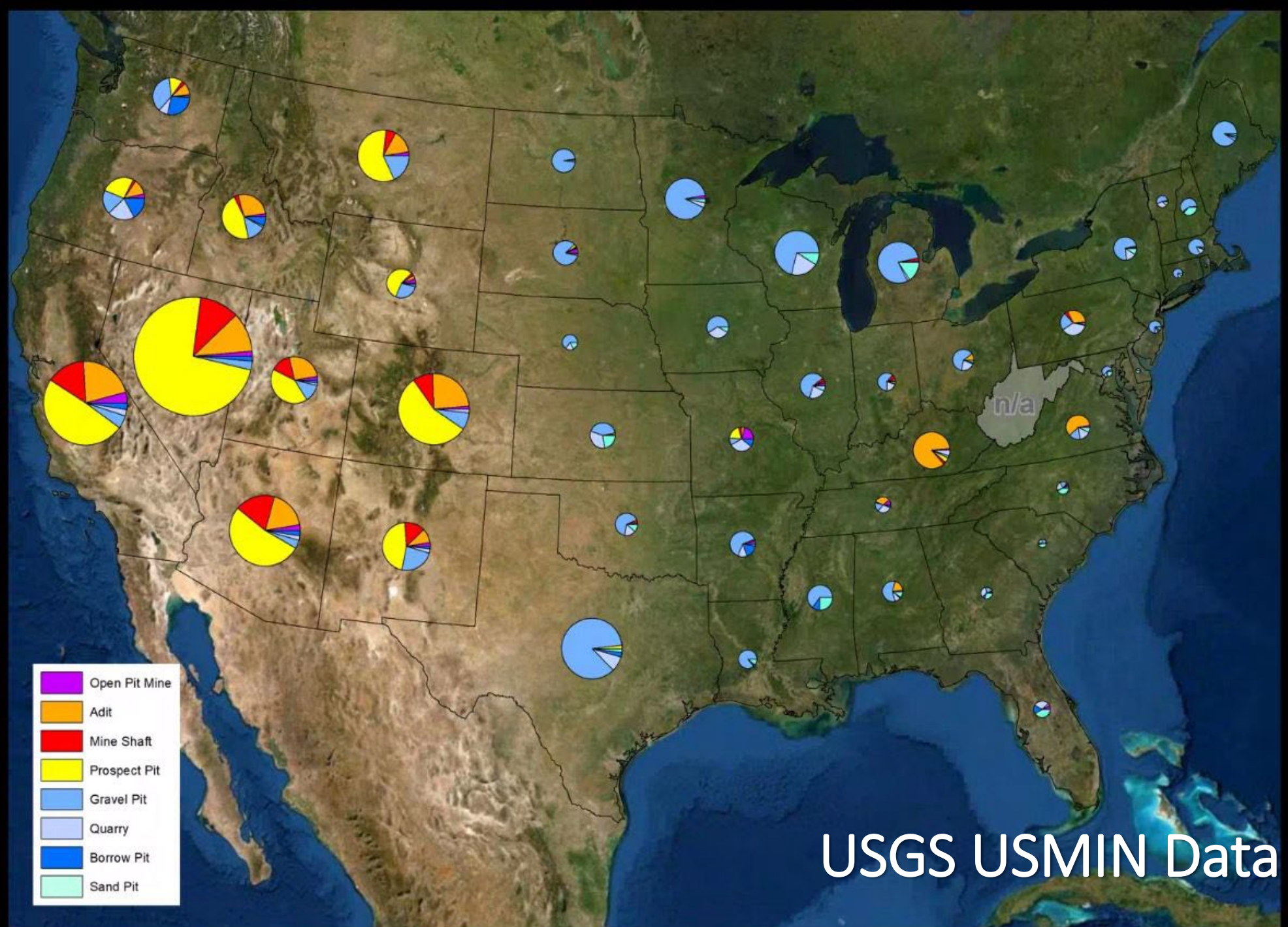
USGS delegation

- USGS development team
- USMIN Dataset

Challenges

- All non-coal
- Multiple databases
- Lack of inventory
- Cost





Impacts to Nevada's AML Programs

Program Staffing History

Over the past 10 years, there has been 7 positions associated with AML program

- AML Chief
- 2 Field Specialist in CC
- 1 Field Specialist in LV
- Southern NV Program Manager
- Admin Assistant LV
- Deputy Administrator

Actual FTE focus at any given time on AML is 2-5

Additional AML Resources

- Interns
- EPS
 - 3 current contracts
 - General AML
 - Southern NV Revisits
 - Bat Gates (NDOW led)
- Broadbent
- McGinley
- New Wildlife RFP
- USACE RAMS

Work Completed

Total Hazards Discovered

- 24,574

Number of Hazards Currently Secured

- 20,654

Number of Hazards backfilled/sealed/PUF

- 4,900

Number of BCCs

- 1,377

Number of Non-Hazards

- 126,886

Nevada's Annual Average Since 2012 Inventory

- Hazards
 - 753
- Non-Hazards
 - 7,976
- Safeguarded
 - 1,027
- Backfilled/Sealed/PUF
 - 316
- BCC
 - 118

Program Revenue History

- Program average annual revenue
=\$863,543

Dedicated Revenue to the AML Program for the Calendar Years 2010 Through 2021

| Year | Assistance Agreements | Mining Claim Fees | Disturbance Fees | Total |
|-------------|-----------------------|-------------------|------------------|-------------|
| 2021 | \$222,157 | \$1,105,252 | \$102,460 | \$1,429,869 |
| 2020 | \$19,127 | \$779,292 | \$86,860 | \$885,239 |
| 2020 | \$258,087 | \$792,940 | \$29,026 | \$1,080,053 |
| 2018 | \$359,910 | \$837,688 | \$36,630 | \$1,234,228 |
| 2017 | \$137,198 | \$802,372 | \$84,640 | \$1,024,210 |
| 2016 | \$110,448 | \$725,257 | \$5,280 | \$840,985 |
| 2015 | \$60,000 | \$432,242 | \$64,300 | \$556,542 |
| 2014 | \$84,008 | \$466,835 | \$164,740 | \$715,583 |
| 2013 | \$69,031 | \$494,967 | \$228,220 | \$792,218 |
| 2012 | \$31,670 | \$561,930 | \$9,800 | \$603,400 |
| 2011 | \$0 | \$481,584 | \$139,360 | \$620,944 |
| 2010 | \$75,000 | \$463,236 | \$41,008 | \$579,244 |

Current IJA Funding Estimate

- \$65 Million annual appropriations in President's budget
 - Requested by OEPC
- ~\$30 Million to the State
- Current draft formula would send \$5-7 million to NV
- Split between NDOM and NDEP
- Potentially adding >300% in funding each year
 - Once established, expected to remain into foreseeable future
- Probable increase in additional Federal funding through existing Assistance and Cost Share Agreements with partner agencies

Potential Program Needs

- Increased workload
- Need to Increase Staff
 - Project Manager(s)
 - Grant/Contract Manager
 - Field Staff
 - GIS / Database Manager
- New Contracts
 - Increased funding amount
 - Follow Federal funding Requirements
 - Potential “all in one” contractors
- NDOM/NDEP MOU
- Reprioritization of work
- State Plan

Questions?



JAMES R. LAWRENCE
Acting Director

STEVE SISOLAK
Governor



DOMINIQUE ETCHEGOYHEN
Deputy Directors

Division of Environmental Protection
Division of Water Resources
Division of Forestry
Division of State Parks
Division of State Lands
Division of Natural Heritage

Division of Outdoor Recreation
State Historic Preservation Office
Conservation Districts Program
Sagebrush Ecosystem Program
Off-Highway Vehicles Program
Conserve Nevada Program

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Nevada Department of Conservation and Natural Resources

August 30, 2022

Steven Feldgus, Ph.D.
Deputy Assistant Secretary, Land and Minerals Management
Bureau of Land Management
Division of Solid Minerals
1849 C Street NW, Room 5645
Washington, DC 20240

RE: Docket No. DOI-2022-0003
Request for Information to Inform Interagency Working Group on Mining
Regulations, Laws and Permitting
Submitted to Docket and miningreform@ios.doi.gov

Dear Dr. Feldgus:

The State of Nevada appreciates the opportunity to respond to the Request for Information (RFI) from the Department of the Interior (DOI) with its unique perspective and experience as DOI develops a more well-defined charter for the Interagency Working Group (IWG) on Mining Regulations, Laws, and Permitting.

Since Nevada's inception, mining has been an integral industry in the State's economy. For more than a century, the State of Nevada has developed, modified, and implemented regulations to provide for strong environmental protections, stakeholder engagement, and opportunities to foster a successful Nevada mineral industry. As the federal government, primarily through DOI, looks to reform current mining laws, including the 1872 Mining Law, it is imperative that there be thoughtful coordination with states, Tribal Nations, local governments, and stakeholders to prevent significant negative impacts on the mining sector in Nevada, which would result in large employment decreases and roadblocks to a robust domestic critical materials supply chain.

This letter provides input from the State of Nevada on the following areas for DOI's consideration: providing Nevada's unique perspective amongst states related to hardrock mining on federal lands; encouraging DOI to complete an updated assessment

of the adequacy of existing federal mine program implementation prior to evaluating changes to policy, regulations, or governing law; and recommending the IWG integrate input from hardrock mine states, such as Nevada, into its deliberations. Additionally, this letter provides a review of the “Biden-Harris Administration Fundamental Principles for Domestic Mining Reform” for consideration, as these principles are expected to help inform the work of the IWG.

Nevada’s unique perspective on regulation of hardrock mining on federal lands

As noted above, Nevada is a state with a robust hardrock mining industry and modern protective environmental regulatory requirements. Nevada is strongly positioned to provide substantive input on the review of mining regulations, laws, and permitting. Compared to other states, Nevada also has the largest number of hardrock mining operations authorized to produce minerals on federal lands¹.

For added context, there are currently over 100 active mines in the state employing 14,956 Nevadans – 13,810 of which are in rural counties. Over the last ten years, the mining industry grew 5.8 percent in the rural regions, and 6.4 percent in the State as a whole. This compares to a 30.7 percent decline in the United States. Mining is also Nevada’s highest paying sector, with annual average earnings per worker of \$122,855. For rural Nevada, that figure bumps up slightly to \$123,961. Mining is Nevada’s most successful industry and is the critical foundation of Nevada’s rural economy.

Nevada’s regulation of mining has evolved for more than a century, with modern environmental regulations first enacted into law in 1989. These regulations have resulted in ongoing improvements to financial assurance oversight, mitigation of mine impacts to water, timely electronic public access to technical documents, more stringent design criteria for mine components, standardization of reclamation cost estimate inputs and methodology, significant reductions in mercury emissions, more detailed upfront closure planning, and addressing pre-regulation abandoned mine lands amongst many other improvements.

The protection of Nevada’s water quality at hardrock mines has increased markedly for modern (constructed post-1990) mine components compared to historic mine components and continued improvements from mine components constructed since 2000 compared to those constructed in the 1990s. Nevada’s regulatory program has been very effective at preventing degradation of public lands and waters of the state, and at mitigating those limited and decreasing number of incidents where water quality has been impacted.

Moreover, the Nevada Division of Environmental Protection’s (NDEP) program has the agility to review feedback on program effectiveness and address issues and concerns in a timely manner. At the same time, Nevada’s hardrock mine industry has continued to grow and innovate while operating in a manner increasingly protective of air and water quality.

¹ United States Government Accountability Office, July 2021, Federal Land Management, Key Differences and Stakeholder Views of the Federal Systems Used to Manage Hardrock Mining, Figure 1.

These improvements to Nevada's environmental regulation of hardrock mining have been accomplished while sustaining the critical economic contribution of mining to Nevada's economy, which is even more pronounced in Nevada's rural counties. Evaluation of any potential changes to mining capital investment resulting from changes in federal requirements need to be carefully assessed on a localized basis, as mining remains critical to Nevada's rural economy and Nevadans.

Prior to determining change is necessary, DOI needs to complete a transparent, publicly vetted assessment of the adequacy of current mine regulation

In response to the directives and recommendations contained in Executive Order 14017, DOI announced the establishment of the IWG. DOI states in the RFI that the IWG will convene meetings, hear from invited speakers at roundtables, and receive public input to assess adequacy of existing laws, regulations, and permitting, and then proceed to determine whether changes are necessary. It is not appropriate or sufficient for the IWG or DOI to assess adequacy based solely on IWG meetings, roundtables, and public input. At a minimum, the IWG needs to complete or contract with a set of independent experts to complete and publish a written assessment of adequacy for public review and comment. Only after the public has an opportunity to review and comment on that written assessment, and after DOI reviews and responds to public comment, should the IWG decide on whether changes are necessary.

At the direction of Congress, a comprehensive independent assessment of the adequacy of environmental regulation of hardrock mining to prevent undue or unnecessary degradation of federal lands was completed by the National Research Council in 1999². Prior to determining the adequacy of existing requirements or making new recommendations, the State encourages the DOI and IWG to review the conclusions and recommendations of that study and assess the federal government's progress in addressing those recommendations. DOI should also perform an updated assessment of the current adequacy of environmental protection on federal lands.

According to the RFI, DOI has apparently decided to create the IWG based in part on a September 16, 2021 rulemaking petition ("Petition"). It is incumbent on DOI to independently verify the information and conclusions presented in the Petition to the extent DOI relies on them to assess the adequacy of existing laws, regulations, and permitting processes and determine whether changes are necessary.

With respect to environmental regulation in Nevada, NDEP has found that a number of premises and conclusions in the Petition lack support and warrant correction, specifically in the section entitled "New Hardrock Mining Rules Need to Prevent Unnecessary or Undue Degradation." The Petition ignores existing regulation in Nevada that prevents unnecessary or undue degradation from hardrock mines. As it pertains to Nevada, the Petition conflates degradation from legacy mines and mine components that existed prior to modern mining regulation with mine components constructed and regulated today. The Petition cites incomplete and outdated summaries of hardrock mine water quality impacts to conclude the modern mining regulation is not effective at

² National Research Council, 1999, Hardrock Mining on Federal Lands.

preventing degradation and requiring mines to meet water quality standards. This is not the case for mining in Nevada.

At DOI's request, or in working with the appropriate IWG or independent entity assessing adequacy of mine regulation, Nevada is prepared to provide additional information on the demonstrated effectiveness of modern mine regulation in protecting Nevada's waters and how past incidents of mining water quality impacts have been or are being fully addressed.

Involve Hardrock Mining States

Effective day-to-day environmental regulation of hardrock mining on public lands requires open collaboration and communication between states and the federal government. Nevada agencies, including NDEP, work constructively with both the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) under an updated Memorandum of Understanding for regulation of hardrock mining in Nevada³.

The process for consideration of major policy reforms to environmental regulation of mining should afford hardrock mining states full consideration and opportunity for input. At the same time, states have limited resources to engage in open ended discussion of potential policy reforms when we are not clear on the demonstrated need for change. To help states prioritize and make the most effective and efficient use of our perspective and experience, we again encourage DOI to produce an assessment of existing program adequacy for the states to review.

Biden-Harris Administration Fundamental Principles for Domestic Mining Reform Review

To the extent the IWG is expected to explore the Administration's Principles for Domestic Mining Reform that were released in February 2022, the State requests the following be taken into consideration.

Strong Responsible Mining Standards (#1)

As noted above, state and federal regulations have a role to play in ensuring responsible mining operations. Current exploration and mining operators are required to comply with numerous federal and state laws and regulations ensuring their activities, from exploration and mining through reclamation and post-closure, are protective of the environment. For instance, in addition to Nevada's modern protective environmental regulatory requirements, federal regulations under 43 CFR 3809 (BLM) and 36 CFR 228A (USFS) define permissible impacts at each stage. Regardless, financial assurance must be adjudicated prior to any surface disturbance. The financial assurance amount must include administrative overhead and the cost for an agency to perform the work at prevailing wage rates, so that if any reclamation obligation remains there is no cost to taxpayers. These regulations are well understood by current operators and allow for expedited early-stage exploration while maintaining rigorous and updated reclamation metrics as projects advance. Innovative tools, such as Nevada's

³ Memorandum of Understanding for Mining and Mineral Related Activities within the State of Nevada, NDEP, USFS, and BLM, 2019.

Standardized Reclamation Cost Estimator (SRCE), provide consistency (for operators) and certainty (for regulators) that adequate financial assurance will be maintained.

The mining industry requires significant capital investment, and the international investment community is increasingly looking for companies to be both responsible stewards of the land and community partners. Whether through Environmental and Social Governance (ESG) ratings or adoption of, and compliance with, international operational standards (e.g., IRMA, IOS, ICMM), mining companies are seeking this recognition and actively promoting their compliance. Competition for investment funds will benefit those striving for sustainability.

Sustainable Domestic Supply of Critical Minerals (#2)

The United States is not lacking in critical mineral occurrences and resources. However, U.S. minerals are not yet price competitive with foreign extracted and processed materials, including those from China. Mining costs are a mix of related costs: labor, energy, milling/refining, regulatory compliance, materials, and royalties and/or taxes. The Chinese government has prioritized the production of critical minerals at the expense of fair labor practices and the environment and taken hold of the global market. This Administration is rightfully making more responsibly mined domestic critical materials a priority. However, in this pursuit, the federal government must make room for domestic minerals to be price competitive. Otherwise, the U.S. will encounter significant price increases for all products which contain or require the use of critical minerals.

Efforts to secure a domestic critical minerals supply will require time and significant investments in technology and education. For instance, identification of resources through exploration is an iterative and time-intensive process fraught with many more failures than successes. It can take upwards of 8 to 10 years of exploration to quantify an economic reserve. Deploying technological advances in remote sensing, geophysics, and drilling could shorten this timeframe. Investments in mine processing research and development by bringing back the U.S. Bureau of Mines would also help spur needed innovation in mining, processing, and reclamation improving productivity with fewer environmental impacts.

Prioritizing Recycling (#3)

Nevada is at the forefront of recycling with three different battery metal recycling companies already located in the state. While recycling is key to sustainability, there is still growing demand that hinges on responsibly mined domestic sources to provide the primary feedstock for domestic processing, processing that is currently nearly absent in the U.S.

Fair Hardrock Mining Royalty (#4)

A royalty on hardrock mineral production on federal lands could be beneficial to addressing legacy environmental issues, but only if it does not create a disincentive for continued and new domestic mining. Mines are reliant on an asset (the commodity) which is not altogether fixed and known; rather it must be extensively studied and

explored, to gain an understanding as to its distribution and concentration. Years, or even decades, of exploration may transpire before a base understanding of the resource can be used to analyze its economics. First and foremost, in determining the viability of an operation is the commodity price forecast. Typically, a resource is modeled at a variety of prices to ascertain its sensitivity to expected fluctuations. Only when confidence from those who will be making the investments is sufficiently high will a project move forward into its most capital-intensive stage of development. The decision to proceed requires a long-term (8+ years), sustainable operation and even then, the internal rate of return is typically only 15-25%.

Many expenditures to a mining operation are well-established, based on past experience and jurisdiction, these include permitting, equipment, personnel, energy, consumables, and the various taxes. While rarely static they usually fall within a narrow range amounting to a small multiple of the rate of inflation. However, any drastic increase in cost, or reduction in commodity price, will reduce one or more of the following: resource size, mining rate, employment, mine-life, profitability of the operation. A royalty based solely on the value of a commodity sold, without consideration of the profitability of the operation and costs associated with its production does not promote a sustainable economic model for the mineral industry in the U.S. Without a corresponding increase in commodity price, a mine may have great difficulty absorbing an increased financial burden. Such a transformative change to the Mining Law sends a clear message to the industry; mining and mineral industry investment should look elsewhere. This message is in direct contrast to the administration's desire to "secure a sustainable domestic supply of critical minerals" and create good paying jobs.

The unintended consequences to a royalty on gross proceeds will be an immediate and long-term reduction in exploration, the advancement of new mines, investment, mining employment, and an increased reliance on foreign-mined minerals. A royalty based in net proceeds is the only viable methodology if the country truly desires to "secure a sustainable domestic supply of critical minerals".

When a commodity's price increases significantly, then net proceeds royalty revenue of those operations will also increase. With sights set on gross proceeds instead, such a royalty appears intended to target high-priced commodities, such as gold, but fails to consider the inherent costs of production, the profitability, or the fact that the sales price is not determined by the operator. As stated above, the proposed gross proceeds royalty results in a significant increase in the cost of doing business on an industry that has no ability to change the price of their product to reflect those changes in costs.

A production royalty based on net proceeds, as is implemented in Nevada, would better account for the many variables within the minerals industry, from commodity (whether gold, copper, barite, lithium, cobalt, or zinc), to processing, labor, fuel, and transportation costs.

Funding for a Federal Hardrock Mine Reclamation Program (#5)

With more hardrock abandoned mine land features than any other state, Nevada fully supports the establishment of a durable program to remediate legacy abandoned hardrock sites and mines. In Nevada, the abandoned mine lands (AML) physical safety program, administered by the Nevada Division of Minerals, is funded in part by a \$4 filing fee paid to the county recorder at the time of each federal mining claim filing. For State Fiscal Year 2021, this fee generated \$964,620. The Division receives additional funding from a one-time fee of \$20 per acre of proposed new surface disturbance on public land approved as part of a mining or exploration plan or amended plan. For the same period, this fee generated \$102,180. Together these funds were used for the inventory, fencing, and closure of AML features on federal and non-federal lands. In this manner, both mine operators and mineral explorers on federal land are contributing to address legacy public safety issues. A similar funding mechanism, along with revenue derived from a net royalty, could be considered for a federal hardrock mine reclamation program. The BLM Public Land Statistics for Federal Fiscal Year 2021 lists 444,435 mining claims at year end and the receipt of \$100,820,256 from mining claim and annual holding fees. Combined federal funding for nationwide AML and HazMat program expenditures in 2021 totaled \$38,500,000.

Legal protection for Good Samaritans working to remediate legacy AML features is also crucial to the success of any federal hardrock mine reclamation program. The lack of this protection ended an effective AML backfill program in Nevada. Partnering with the Nevada Mining Association (NvMA), the Nevada Division of Minerals worked with the BLM to identify a suitable cluster of historic AML features which could be permanently closed by filling them with adjacent waste rock. Members of NvMA donated the heavy equipment, transportation of the equipment, and the equipment operator and operating fuel. A BLM archaeologist supervised the entire process ensuring cultural features were not impacted. From 1999 to 2007, 363 features were backfilled. A change in NvMA leadership in 2007 resulted in a reassessment of potential liability and the termination of the backfill program.

Comprehensive Planning (#6) and Protecting Special Places (#8)

As co-stewards of our natural resources and public lands, the State agrees with the need for thoughtful land use planning and coordination among federal, state, local, and Tribal governments, and stakeholders. Additionally, the Federal Land Policy Management Act (FLPMA) of 1976 is in place to ensure exploration and mining is governed by comprehensive land-use assessment and planning.

As stated by then BLM Director Neil Kornze,

"FLPMA defines our mission as one of multiple use and sustained yield. This means thoughtful development in the right places to drive economic opportunities for local communities. It also means protecting natural, cultural, and historical resources that are simply too special to develop. And above all, it means working with a changing nation to make decisions that are balanced and forward looking."

Section 102 (a) (12) reasserts the U.S. mineral policy,

"...the public lands be managed in a manner which recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands including implementation of the Mining and Minerals Policy Act of 1970 (84 Stat. 1876, 30 U.S.C. 21a) as it pertains to the public lands;"

Section 103 (c) introduces the important concept of multiple use,

The term "multiple use" means the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.

Containing additional establishing definitions such as, areas of critical environmental concern (ACEC), public involvement, right-of-way, sustained yield, and withdrawal, FLPMA already requires that mining be managed to ensure appropriate and sustainable use of public resources while also providing a public process for the protection of special places crucial for at-risk species, habitat, cultural, and wilderness. Unfortunately, the federal land mineral withdrawal process has, at times, curbed the multiuse nature of our public lands and limited the potential for mineral development

Similar to FLPMA for the BLM, the U.S. Forest Service (USFS) relies on the 1897 Organic Act and the 1976 National Forest Management Act to minimize adverse environmental impacts from mining on national forest surface resources. The National Environmental Policy Act (NEPA) serves to integrate BLM and USFS decisions on mining proposals with other environmental concerns and results in identification and evaluation of alternatives through a public scoping process.

Mining on public land requires compliance with hardrock mining regulations under either 43 CFR 3809 (BLM) or 36 CFR 228A (USFS), in addition to other federal regulations found in the Clean Water Act, Clean Air Act, Endangered Species Act, NEPA, and all other applicable state and federal laws. Regulatory compliance by the modern mining industry, while contributing to uncertainty in project permitting and time to production, is the reason environmentally responsible mining currently exists in the U.S.

Permitting Certainty (#7)

Consistency is needed in the permitting process among federal land managers, including the BLM and USFS. Mining is inherently site-specific, requiring the evaluation of mining proposals to be site-specific as well, as envisioned in the NEPA process. However, with authority delegation reserved for the BLM Field Office Manager and the USFS District Ranger, the permitting process has the potential to be individualized resulting in process inconsistencies, which can translate to uncertainty. Increased use of consolidated subject matter experts at BLM State Offices or National Forest level as part of dedicated mining Environmental Assessment or Environmental Impact Statement teams would increase evaluation consistency and accountability and decrease permitting times.

Align USFS permitting requirements with those of the BLM, by creating a small exploration project authorization path similar to the BLM's 5 acre or less notice of proposed activity. The current plan of operations process discourages initial exploration on USFS-managed lands. The use of a Project Permitting Dashboard would greatly increase transparency in the process and incorporating document accessibility (e.g., SharePoint) would increase constructive commenting capabilities. The current process encourages non-constructive comments, which contribute noise to what should be a technical discussion on the potential impacts and solutions to prevent or mitigate them. The regulator's use of teams of internal specialists or contracted third-party facilitators to ensure open, robust, and valid commenting would be beneficial to keep the process on track. Once completed and a Record of Decision is issued, there should be a time limit allotted for the entire appeal process.

Community Input and Tribal Consultation (#9)

Non-discretionary actions should not preclude public notification. The BLM's current 15-day Notice process is crucial for initial exploration to determine presence of the commodity of interest. The process is efficient while still requiring adequate bonding is in place to complete all reclamation obligations and limits surface disturbance to no more than 5 acres. However, the increased amount of all activity on public lands coupled with insufficient staffing requires reconsideration of the time requirement. A change to 30 days for Notice evaluation would allow more thorough review of the proposed activity without significantly delaying the start of exploration activities.

Additionally, the BLM's National NEPA Register website (<https://eplanning.blm.gov/eplanning-ui/home>) should be modified to include authorized Notice projects so that interested parties can monitor activity in regions of concern to them. This should include notifications of activities within a user-defined geographic region. The ability to register and provide comments on a project through this portal would provide feedback to the BLM, and proponents, regarding issues to consider as part of any subsequent activity involving NEPA. This indirect communication may help document community concerns and hasten development of solutions early in the process, should the proponent wish to proceed with development.

Utilize Best Available Science (#10)

Determination of best available science requires an open dialogue with subject matter experts and time - time for review, assessment, and application. The ability to incorporate and view complex datasets in an interactive web-based mapping format transformed the way agencies can provide data to each other and the interested public. For example, the Nevada Division of Minerals uses an open data site (<https://data-ndom.opendata.arcgis.com/>) to provide a wide variety of data to the minerals industry and the general public. The challenge is finding, accessing, and vetting this data. Currently, several clearinghouses exist for storage and retrieval of GIS data, but few require registration and restrictions on use of the data. For the protection of habitat, cultural artifacts, and public safety, some data is not intended for public release. Data sharing agreements, with restrictions on distribution/sharing, between various subject matter experts, Tribal Nations, and agencies might facilitate sharing of the data resulting in the ability for authorized authorities to see the best available science and make better informed decisions.

Civil Service Expertise in Mining (#11)

To reinvigorate the US mining industry, the U.S. should consider reinstituting the US Bureau of Mines (USBM). Formed in 1910, the USBM was crucial to the development of many technological innovations relating to extraction and processing of minerals, mine remediation and reclamation, as well as mine worker safety. Upon its dissolution in 1996, the U.S. surrendered its research and development efforts to a handful of mining schools, industry, and foreign countries. Reinstating the USBM would send a signal not just to the mining industry, but all downstream users of raw materials, that the US is sincere in its efforts to onshore production of the key materials and components needed to support a clean economy and combat the climate crisis.

Additionally, students must be incentivized to pursue careers in mining and materials science degrees. Securing a successful job pipeline, in part, by changing the federal hiring process to fast-track the filling of current federal vacancies would help improve prospects for those interested in mining careers. The current 12-month timeframe to fill a position in our federal agencies, like the BLM, is not workable. With more dedicated funding for these critical resource positions and development of regional resource centers staffed with specialists, who can be called on to assist in technical evaluations, reviews, and field inspections, would provide needed structure for an industry the US is working to grow in order to meet increased demand.

The State appreciates DOI's thoughtful review of the IWG comments it has received and encourages DOI and the IWG to consider the Western Governors' Association Policy Resolution 2022-08 National Minerals Policy⁴ and Policy Resolution 2021-09 Cleaning Up Abandoned Hardrock Mines in the West⁵ as both contain background information and policy statements relevant to hardrock mine regulations, laws, and permitting. Additionally, the State recommends the IWG also consider the 1999

⁴ See <https://westgov.org/resolutions/article/policy-resolution-2022-08-national-minerals-policy>

⁵ See <https://westgov.org/resolutions/article/wga-policy-resolution-2021-09-cleaning-up-abandoned-hardrock-mines-in-the-west>

National Resources Council publication titled, "*Hardrock Mining on Federal Lands*". The conclusions and recommendations included in the report are still relevant today. This, along with increasing the availability of resources to ensure legacy impacts are fully addressed and contemporary impacts are minimized and mitigated to protect the environment and the public, are essential to a successful domestic mining industry that is capable of providing the raw materials needed for the stability and security of the country.

The State of Nevada appreciates this opportunity to provide input to the IWG and please reach out to me directly at lawrence@dcnr.nv.gov to discuss any of our comments further.

Sincerely,



Jim Lawrence
Acting Director
Nevada Department of Conservation and Natural Resources
901 S. Stewart St. Suite 1003
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(o) 775-684-2726

cc: Greg Lovato, Administrator, Nevada Division of Environmental Protection
Mike Visher, Administrator, Nevada Division of Minerals
Michael Brown, Director, Nevada Governor's Office of Economic Development
Rob Kuczynski, Chief, Bureau of Mining Regulation and Reclamation, Nevada
Division of Environmental Protection
Jon Raby, NV State Director, Bureau of Land Management

(3) by striking “8 cents” and inserting “6.4 cents”.

(b) DURATION.—Section 402(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(b)) is amended by striking “September 30, 2021” and inserting “September 30, 2034”.

SEC. 40703. AMOUNTS DISTRIBUTED FROM ABANDONED MINE RECLAMATION FUND.

Section 401(f)(2) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231(f)(2)) is amended—

(1) in subparagraph (A)—

(A) in the subparagraph heading, by striking “2022” and inserting “2035”; and

(B) in the matter preceding clause (i), by striking “2022” and inserting “2035”; and

(2) in subparagraph (B)—

(A) in the subparagraph heading, by striking “2023” and inserting “2036”; and

(B) by striking “2023” and inserting “2036”; and

(C) by striking “2022” and inserting “2035”.

SEC. 40704. ABANDONED HARDROCK MINE RECLAMATION.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary of the Interior (referred to in this section as the “Secretary”) shall establish a program to inventory, assess, decommission, reclaim, respond to hazardous substance releases on, and remediate abandoned hardrock mine land based on conditions including need, public health and safety, potential environmental harm, and other land use priorities.

(b) AWARD OF GRANTS.—Subject to the availability of funds, the Secretary shall provide grants on a competitive or formula basis to States and Indian Tribes that have jurisdiction over abandoned hardrock mine land to reclaim that land.

(c) ELIGIBILITY.—Amounts made available under this section may only be used for Federal, State, Tribal, local, and private land that has been affected by past hardrock mining activities, and water resources that traverse or are contiguous to such land, including any of the following:

(1) Land and water resources that were—

(A) used for, or affected by, hardrock mining activities; and

(B) abandoned or left in an inadequate reclamation status before the date of enactment of this Act.

(2) Land for which the Secretary makes a determination that there is no continuing reclamation responsibility of a claim holder, liable party, operator, or other person that abandoned the site prior to completion of required reclamation under Federal or State law.

(d) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Amounts made available to carry out this section shall be used to inventory, assess, decommission, reclaim, respond to hazardous substance releases on, and remediate abandoned hardrock mine land based on the priorities described in subsection (a).

(2) EXCLUSION.—Amounts made available to carry out this section may not be used to fulfill obligations under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) agreed to in

Inventory.
Assessment.
Grants.
30 USC 1245.

Determination.

a legal settlement or imposed by a court, whether for payment of funds or for work to be performed.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$3,000,000,000, to remain available until expended, of which—

(A) 50 percent shall be for grants to States and Indian Tribes under subsection (b) for eligible activities described in subsection (d)(1); and

(B) 50 percent shall be for available to the Secretary for eligible activities described in subsection (d)(1) on Federal land.

(2) TRANSFER.—The Secretary may transfer amounts made available to the Secretary under paragraph (1)(B) to the Secretary of Agriculture for activities described in subsection (a) on National Forest System land.

TITLE VIII—NATURAL RESOURCES-RELATED INFRASTRUCTURE, WILDFIRE MANAGEMENT, AND ECOSYSTEM RESTORATION

SEC. 40801. FOREST SERVICE LEGACY ROAD AND TRAIL REMEDIATION PROGRAM.

(a) ESTABLISHMENT.—Public Law 88–657 (16 U.S.C. 532 et seq.) (commonly known as the “Forest Roads and Trails Act”) is amended by adding at the end the following:

16 USC 538a.

“SEC. 8. FOREST SERVICE LEGACY ROAD AND TRAIL REMEDIATION PROGRAM.

“(a) ESTABLISHMENT.—The Secretary shall establish the Forest Service Legacy Road and Trail Remediation Program (referred to in this section as the ‘Program’).

“(b) ACTIVITIES.—In carrying out the Program, the Secretary shall, taking into account foreseeable changes in weather and hydrology—

“(1) restore passages for fish and other aquatic species by—

“(A) improving, repairing, or replacing culverts and other infrastructure; and

“(B) removing barriers, as the Secretary determines appropriate, from the passages;

“(2) decommission unauthorized user-created roads and trails that are not a National Forest System road or a National Forest System trail, if the applicable unit of the National Forest System has published—

“(A) a Motor Vehicle Use Map and the road is not identified as a National Forest System road on that Motor Vehicle Use Map; or

“(B) a map depicting the authorized trails in the applicable unit of the National Forest System and the trail is not identified as a National Forest System trail on that map;



DIVISION OF ENVIRONMENTAL PROTECTION
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STEVE SISOLAK
Governor



STATE OF NEVADA



DIVISION OF MINERALS
400 W. KING ST. SUITE 106
CARSON CITY, NEVADA 89703
(775) 684-7040

September 22, 2022

The Honorable Susie Lee
United States House of Representatives
365 Cannon House Office Building
Washington, D.C. 20515

The Honorable Mark Amodei
United States House of Representatives
104 Cannon House Office Building
Washington, D.C. 20515

The Honorable Steven Horsford
United States House of Representatives
562 Cannon House Office Building
Washington, D.C. 20515

The Honorable Dina Titus
United States House of Representatives
2464 Rayburn House Office Building
Washington, D.C. 20515

RE: Support for Senate Bill S.3571 *Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2022* and recommendation for matching Bill from the House of Representatives.

Dear Representative Lee, Representative Amodei, Representative Horsford, and Representative Titus:

The State of Nevada, Division of Environmental Protection (NDEP) and Division of Minerals (NDOM) applauds and supports the introduction of Senate Bill S.3571 the Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2022. The attached letter of support to the United States Senate Committee of Environment and Public Works (EPW) from NDEP and NDOM demonstrates the importance of Senate Bill S.3571 and how it can have a positive impact on the health and safety of Nevada's residents, wildlife, and environmental quality.

As stated in the Senate EPW letter, modern hardrock mining is fundamental to the domestic supply of critical minerals and plays a vital role in the economy especially in rural regions across

Nevada. While today's mining is highly regulated and fully bonded, historic mining was largely unregulated and often left behind physically and environmentally hazardous sites. There are an estimated 300,000 historic mining-related features dotting the Nevada landscape alone. Starting in the 1980s, Federal and State regulations were enacted requiring new mines on federal land to be bonded to assure their complete reclamation, but remediation of legacy hardrock AML hazards never received the necessary funding and support.

In 1977, the Surface Mining Control and Reclamation Act (SMCRA) was passed imposing a fee on coal mining to fund coal AML programs. States such as Colorado, Montana, and Utah are allowed to use some of their SMCRA funding on hardrock AML. Because Nevada has never had coal production, our AML programs have never received SMCRA funds and thus operate at a significantly smaller scale and budget, despite having the largest number of hardrock AML hazards in the United States. The latest release of the US Geological Survey USMIN dataset shows that nearly 20% of the Nation's historic mining features are concentrated in Nevada.

Multiple Good Samaritan bills have been introduced over the past 20+ years, but they have all failed to provide the necessary Good Samaritan protection allowing for remediation of AML hazards. The lack of this certain protection contributed to cessation of a very effective AML backfill program in Nevada. The program consisted of NDOM partnering with the Nevada Mining Association (NvMA), and Bureau of Land Management (BLM). NDOM worked with the BLM to identify a suitable cluster of historic AML hazards which could be permanently closed by filling them with adjacent waste rock using a bulldozer or excavator. Members of NvMA donated the heavy equipment, transportation of the equipment, and the equipment operator. Fuel was provided by NvMA. The BLM provided the necessary surveys for National Environmental Policy Act clearance, and a BLM archaeologist supervised the entire process ensuring cultural features were not impacted. From 1999 to 2007, 363 features were backfilled. A change in NvMA leadership in 2007 resulted in a reassessment of potential liability and the termination of the backfill program.

Senator Henrich's office worked with Environmental Non-Governmental Organizations (ENGOS) such as Trout Unlimited (TU), Earthworks, and various other partners to come up with the lowest environmental risk for a Good Samaritan AML Hardrock bill ever crafted. It is a pilot bill that will have every project reviewed in detail by the Environmental Protection Agency (EPA) and if the project is located on Federal Lands, the appropriate land manager will also permit the project. Each project will be carefully evaluated to confirm all required permitting is completed, that there is no responsible party or responsible owner, and that the projects are not the subject of planned or ongoing response actions under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The Bill does not expressly authorize new mining, but if re-processing of existing AML materials occurs, any proceeds from that processing will be available to defray costs of remediation or go back a newly established Good Samaritan Remediation Fund to support AML remediation. The approach this Bill takes will allow volunteers, counties, Tribes, and state agencies to start to reduce pollution at a scale yielding watershed-level benefits, making water quality better, not worse.

Although it is difficult to estimate the total cost of AML remediation in Nevada without having a completed inventory, the current funding of Section 40704 of the Infrastructure Investment and Jobs Act will only scratch the surface of the needs for Nevada. As stated above, conversations and even actions about various Hardrock AML Good Samaritan projects have occurred for decades in Nevada resulting in strong interest and support from industry and ENGOs. Without the necessary liability protection for these potential Good Samaritans, little to no work will be completed and these legacy hazards will continue to degrade the environment and pose risks to the public. The passage of a functional Good Samaritan Bill, like S.3571, will not only provide environmental and physical safety benefits, but also create jobs in rural and often disadvantaged communities.

The purpose of this Bill is to provide opportunities for ENGOs, State Agencies, Tribes, Communities, and Industry to cooperatively engage their expertise, knowledge, and funding to improve the environmental quality of streams and lands that are impacted by AML having no responsible party. Legal protection for Good Samaritans working to remediate legacy AML features is crucial to the success of any federal hardrock mine reclamation program. We encourage and would applaud your support to become a sponsor of a Good Samaritan Bill in the United States House of Representatives to match S.3571 and protect Good Samaritans that are willing to improve the environment for all to benefit.

Sincerely,



Greg Lovato
Administrator
Nevada Division of Environmental Protection
Department of Conservation and Natural Resources



Michael Visher
Administrator
Nevada Division of Minerals
Commission on Mineral Resources

Appendix A: History of Nevada AML programs

Appendix B: Types of Potential Nevada Good Samaritan Projects

Attachment: September 22, 2022 NDEP/NDOM Senate EPW Letter

Appendix A:

History of Nevada AML programs

The State of Nevada currently operates two Abandoned Mine Lands (AML) programs managed by separate agencies. NDOM manages the physical safety AML program while the NDEP manages the environmental AML program. Both NDEP and NDOM have their own program goals and priorities, but the overarching objective of remediating AML hazards is the same and often coordinate and work together on projects.

Nevada Division of Minerals

NDOM's AML program was created by the Nevada Legislature in 1987 in response to incidents, both fatal and nonfatal, that had occurred at abandoned mines. The legislature placed the program within the Division and mandated two primary functions, enacted by Nevada Revised Statute (NRS) Chapter 513.

- 1) Establish a program to discover dangerous conditions that result from mining practices that took place at a mine that is no longer operating; identify the owner or other person responsible for the condition, if feasible; and apply a hazard ranking.
- 2) Develop a public awareness campaign to educate the public about dangerous conditions that exist as a result of historic mining activities.

In 1989, the Nevada Legislature expanded the program to include the responsibility of securing hazardous conditions on open public lands where no claimant or property owner could be identified. These are referred to as "orphan" abandoned mine hazards. The legislature also provided an opportunity for companies, individuals, and civic groups to voluntarily assist the program in the construction of a fence or other safeguard around a dangerous condition at an abandoned mine opening under a designated Good Samaritan law but does provide any protection for Good Samaritan to remediate an AML hazard. (NRS 41.0331)

NDOM's AML program is funded by three sources:

- 1) A \$4 fee collected by county recorders and remitted to the Division for every unpatented mining claim filed or retained on Federal lands.
- 2) A one-time fee of \$20 per acre for every acre of permitted disturbance associated with new or amended mining or exploration plans of operation on public lands.
- 3) Assistance agreements in place with multiple partnering organizations including the Bureau of Land Management (BLM), the United States Forest Service (USFS), National Park Service (NPS), United States Army Corps of Engineers (USACE) which provide financial assistance to enhance and accelerate both field investigation activities and work performed by staff, contractors, and volunteers to secure hazards.

Since 2010, the average annual dedicated revenue for the AML program has been \$863,000.

Nevada Division of Environmental Protection

The NDEP AML program is focused on mitigating potential human health and ecological concerns associated with contamination from legacy metal mining operations (inactive or abandoned mine lands) occurring primarily prior to September 1, 1989. AML sites operated

generally from the 1860's through the late-20th century on both public and private lands within the State of Nevada. AML sites may include mills, mill tailings, acid mine drainage, waste rock dumps, heap leach pads, pit lakes, chemical hazards, and associated structures and roads. Nevada Administrative Code NAC 445A and Nevada Revised Statutes (NRS) 445A and 459 provide NDEP the authority to oversee assessment and corrective action on AML sites. Mining operations active since September 1, 1989 generally fall under the purview and regulations of the Bureau of Mining Regulation and Reclamation.

Some AML sites exist on public and/or privately-owned lands with an identified owner/operator. On private land, the AML Program works with responsible parties or owners/operators to resolve contamination problems and minimize human health risks and environmental hazards. For private land with no viable owner/operator, or with a lack of funding or bonding necessary to complete a restoration deemed necessary, the vast majority of cases, the AML Program gains access to and assesses the site, determines a remedy, seeks and obtains funding to complete the work, completes the necessary reclamation work, and monitors, and in some cases maintains, the remedy to determine if the land has been restored to a stable or safe condition. On public lands, the AML Program coordinates with the BLM and/or USFS or other public land managers to restore lands damaged or threatened by historic mining operations.

Appendix B:

Types of Potential Nevada Good Samaritan Projects

There are significant number of potential projects in Nevada that could benefit from a Good Samaritan legislation. These include:

Water quality Good Sam projects

- Removal of tailings from streams
- Treatment of tailings receiving meteoric water runoff
- Acid Mine Drainage (AMD) treatment
- Capping of tailings/leach piles
- Management of drain down/discharge fluids
- Stormwater controls

Other Environmental Good Sam projects

- Tailings with low PH or heavy metal loading removal/impoundments
- Mercury cleanup near the Carson River Superfund Site
- Mill/smelter site removals
- Mercury retort removals
- Residential area remediation

Physical Safety Good Sam projects

- Highwall removal/recontouring
- Physical hazard closures
- Removal of mining equipment and facilities



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STEVE SISOLAK
Governor



STATE OF NEVADA



DIVISION OF MINERALS
400 W. KING ST. SUITE 106
CARSON CITY, NEVADA 89703
(775) 684-7040

September 22, 2022

The Honorable Thomas R. Carper
Chairman
U.S. Senate Committee on Environment and Public Works
United States Senate
410 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Shelley Moore Capito
Ranking Member
U.S. Senate Committee on Environment and Public Works
United States Senate
456 Dirksen Senate Office Building
Washington, D.C. 20510

RE: Support for Senate Bill S.3571 *Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2022*

Dear Chairman Carper and Ranking Member Capito:

The State of Nevada, Division of Environmental Protection (NDEP) and Division of Minerals (NDOM) applaud and support the introduction of Senate Bill S.3571 the Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2022. Modern hardrock mining is fundamental to the domestic supply of critical minerals and plays a vital role in the economy of many rural regions across the Nation. Today's mining is highly regulated and well-bonded, while historic mining was unregulated and often left behind physically and environmentally hazardous sites. These legacy Abandoned Mine Lands (AML) hazards are found across the nation but hardrock AML hazards are particularly numerous in the western states, with an estimated 300,000 historic mining-related features dotting Nevada's landscape alone. Starting in the 1980s, Federal and State regulations were enacted requiring new mines on federal land to be bonded to assure their complete reclamation, but remediation of hardrock AML hazards never received the necessary funding and support.

Hardrock AML reclamation is imperative to the health of Nevada communities, wildlife, and environmental quality. Inherent lack of funding and concerns about liability protections have always hindered the cleanup of hardrock AML. Multiple Good Samaritan bills have been introduced over the past 20+ years, but they have all failed to provide the necessary Good Samaritan protection allowing for remediation of AML hazards. The additional complication of mixed land and mineral ownership and roles of multiple regulatory authorities have only added to the potential Good Samaritan AML problem.

Section 40704 of the Infrastructure Investment and Jobs Act (IIJA), authorizes a new, comprehensive AML program to address Hardrock AML. It was conceived as a \$3 billion, ten-year program implemented through states, tribes, and the federal government. An appropriation to fund this program was left out of the IIJA. Congress appropriated \$5 million in the Fiscal Year 2022 federal budget under the Energy Communities Revitalization Program (ECRP). The House included \$45 million while the Senate included \$20 million under ECRP for Fiscal Year 2023. While either funding amount is a welcome increase over what was provided in Fiscal Year 2022, neither sum will allow much progress. Without a significant funding increase or the guarantee of funding for more than one fiscal year at a time, the new program makes it difficult for AML programs to increase their work on the ground. By providing the liability protections for Good Samaritan projects, state agencies will be able to leverage IIJA 40704 funding to accomplish more remediation projects with Good Samaritan partners.

Senate Bill S.3571 is a timely and comprehensive proposal that meets the challenging requirements faced by would-be AML Good Samaritans. The Bill offers a realistic and practical solution aimed at achieving AML remediation through voluntary cleanups while providing liability protection on a pilot project basis. These projects will require an entity to first qualify as a Good Samaritan and have no past or present responsibility or ownership associated with the AML hazards being remediated. Eligible sites must have no identifiable owner or operator who is financially capable of carrying out the needed remediation. The legislation would authorize the Environmental Protection Agency to lead the permit application process and determine which entities are eligible for Good Samaritan status. These projects will complement the limited federal and state resources and demonstrate the benefits and expertise that Good Samaritans bring to the table.

AML projects including Good Samaritan projects will not only provide environmental and physical safety benefits, but also create jobs in rural and often disadvantaged communities. With the enormous hardrock AML task at hand, it would be prudent to provide liability protection for Good Samaritans that are willing to improve the environment for all to benefit.

Sincerely,



Greg Lovato
Administrator

Nevada Division of Environmental Protection
Department of Conservation and Natural Resources



Michael Visher
Administrator
Nevada Division of Minerals
Commission on Mineral Resources

III. B. 2022 AML Program Update

A scenic landscape photograph of a mountain valley. In the foreground, a large, gnarled tree with green foliage stands on a rocky, grassy slope. The middle ground shows a wide, flat valley floor with patches of green and brown, surrounded by rolling hills and mountains in the distance. The sky is blue with some clouds. The text "2022 AML UPDATE" is overlaid in large white letters across the center of the image.

2022 AML UPDATE

CMR LAS VEGAS
NOVEMBER 30, 2022

TOPICS

SAFEGUARDING

HARD CLOSURES

CONTRACTS

INTERNS

SAFEGUARDING

INVENTORY :
ANNUAL – 527
TOTAL – 24,572

SECURINGS :
ANNUAL – 632
TOTAL – 20,157

REVISITS :
ANNUAL – 1,437
TOTAL – 8,000+

NONHAZARDS :
ANNUAL – 5,000+
TOTAL – 125,000+

HARD CLOSURE PROJECTS

Project Areas

- VC Grand Prix
Storey and Lyon Counties
24 Sites
- Pine Nuts
Douglas, Carson City, and
Lyon Counties
67 Sites
- Statewide Vandalized
Sites
68 Sites
- Buckingham Mine
Lander County
38 Sites



COMING PROJECTS

USFS

Aurora II
Jarbidge
Boulder Hill
Red Rock
Risue Canyon
Treasure Hill
Grantsville
Gate Repairs

State

Berlin

BLM

Olinghouse
Twin Buttes
Friedburg
Egan Canyon
Ely II
Eureka
Bellhellen

CONTRACTS

The background of the slide is a photograph of a desert landscape. In the foreground, there is a wooden trestle bridge or structure made of logs and beams, situated on a rocky, sloping hillside. The terrain is covered with sparse desert vegetation, including small shrubs and grasses. In the distance, there are rolling hills and mountains under a clear blue sky. The left side of the slide has a dark blue vertical overlay with a faint, textured pattern.

GEOLOGICAL – ARCHEAEOLOGICAL

McGinley – Bob Thomas

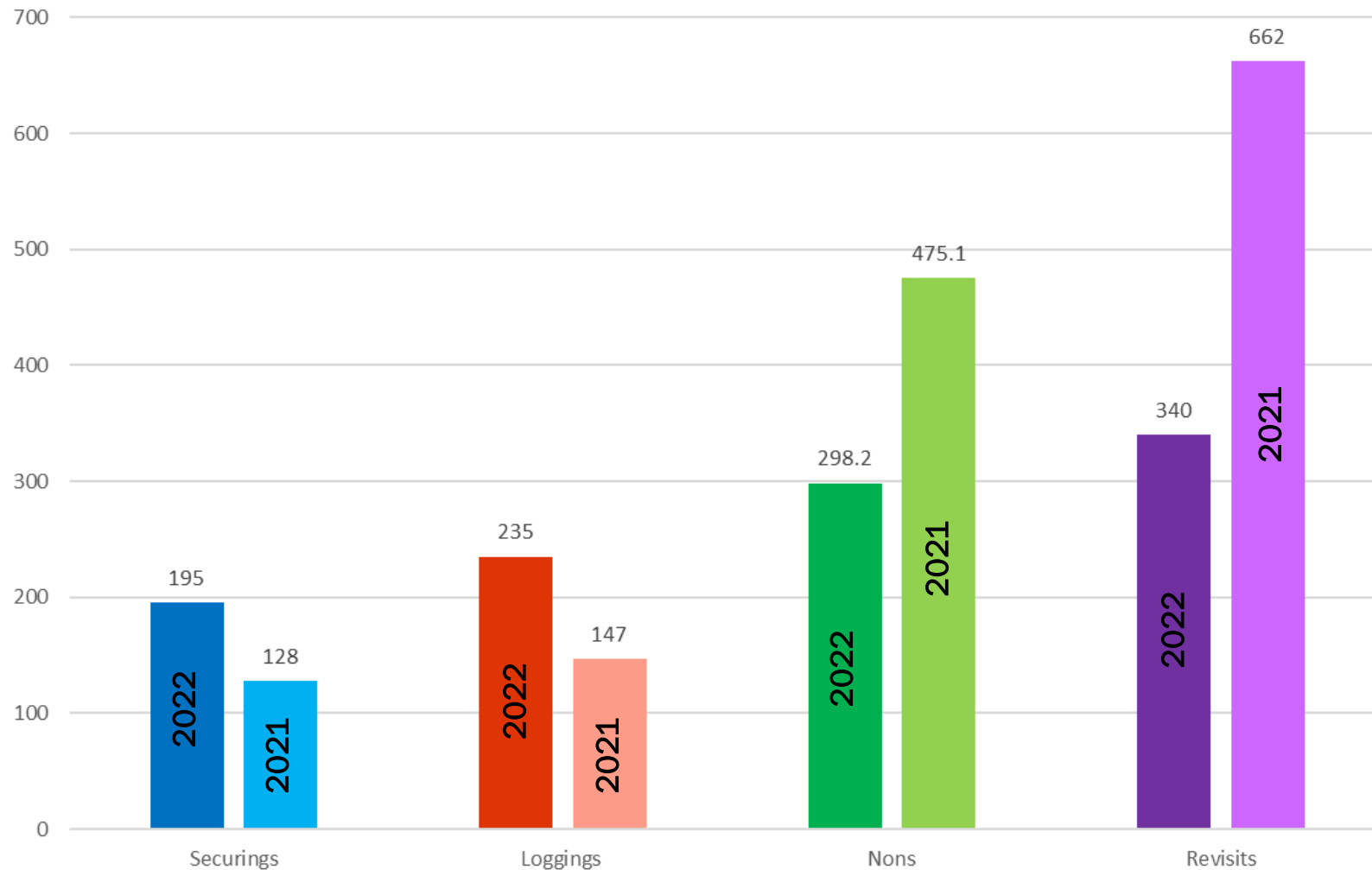
~ Geological Site Characterization and Assay Results

Broadbent – Alain Pollock

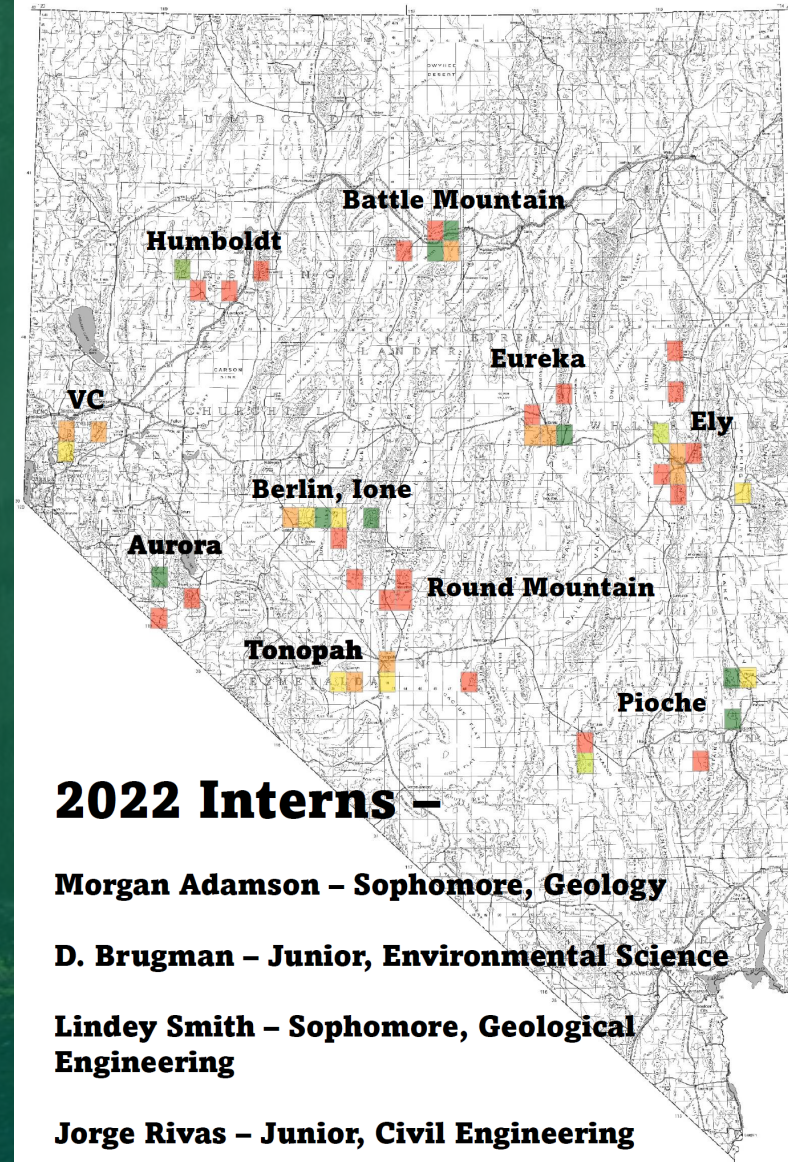
~ NEPA Compliant Archeological Surveys at all hard closure project sites

INTERNS

Intern Performance 2022 VS 2021



2022 Summer Field Season



2022 Interns –

Morgan Adamson – Sophomore, Geology

D. Brugman – Junior, Environmental Science

Lindsey Smith – Sophomore, Geological Engineering

Jorge Rivas – Junior, Civil Engineering

Ab Clayson – Sophomore, Mine Engineering

Warren Austin – Sophomore, Mine Engineering



THANK YOU!

Sean Derby

Phone

775-721-0282

Email

sderby@mineralis.nv.gov

IV. OLD BUSINESS

IV. A. “Stay Out, Stay Alive” Digital Marketing Campaign Update

STAY OUT STAY ALIVE DIGITAL MARKETING CAMPAIGN UPDATE

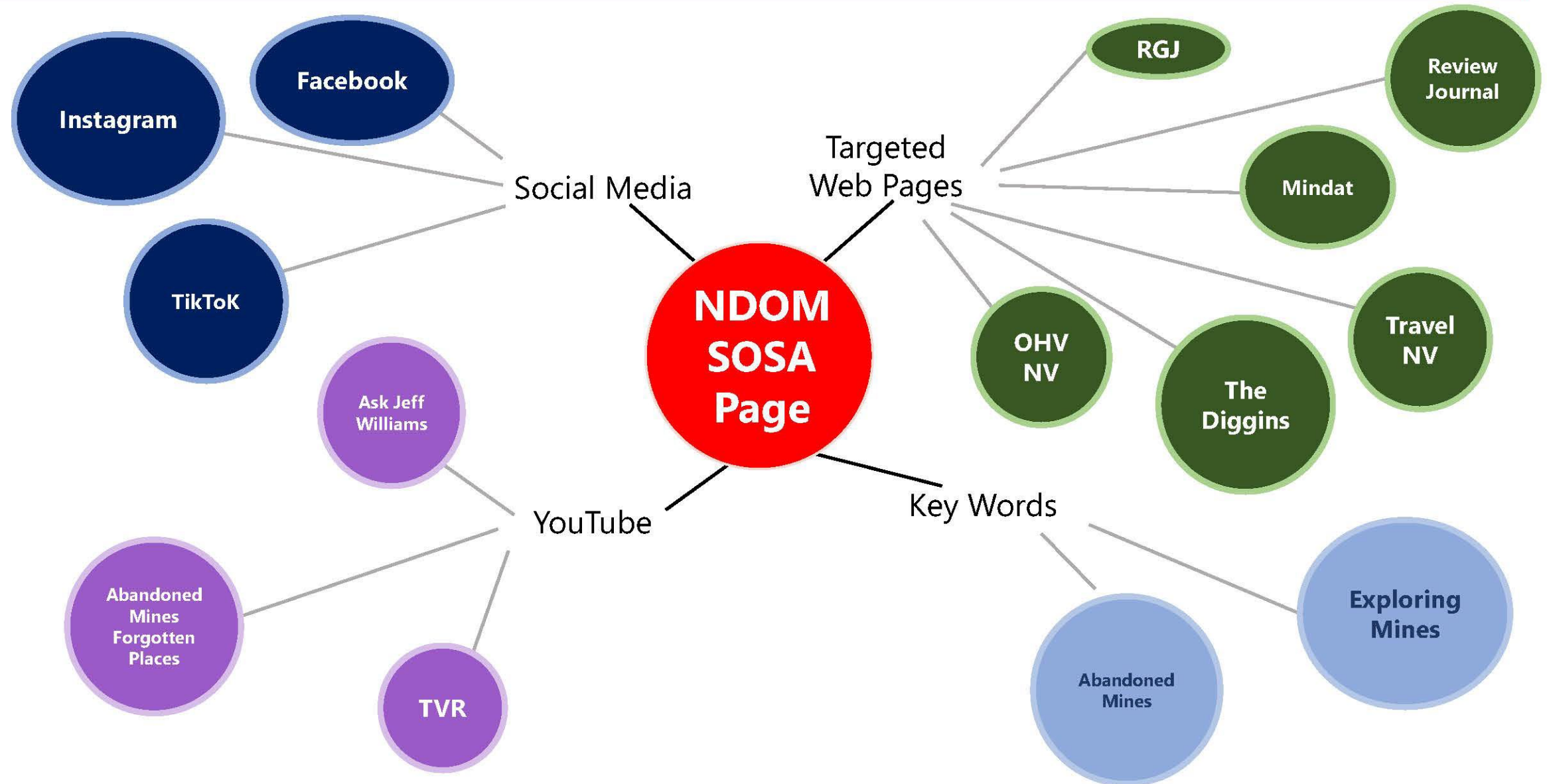
A photograph of a desert landscape. In the foreground, a gravel path leads towards a wooden structure that appears to be a mine or a small building, partially collapsed. The structure is made of dark wood and has a steep, rocky hillside to its left. In the background, there are more hills and a clear blue sky. The text "STAY OUT STAY ALIVE DIGITAL MARKETING CAMPAIGN UPDATE" is overlaid in large, yellow, serif capital letters across the top half of the image.

COMMISSION ON MINERAL RESOURCES
November 30, 2022

Balance Sheet

| Scope of Work Section | ITEM | Cost (\$) | |
|--------------------------|-------------------------|-----------|-----------|
| | | Expended | Remaining |
| # | ~ | | |
| 1 | Film Concept | 0.00 | |
| 2 | Script Casting Location | 9350.00 | |
| 3 | Shooting | 42051.15 | |
| 3.a | Production Expense | 4598.85 | |
| 4 | Editing | 14000.00 | |
| 5 | Ad Buy and Launch | 50000.00 | |
| | | 120000.00 | 0.00 |
| Total \$ | | | 120000.00 |

SOSA DIGITAL MARKETING ENGAGEMENT - EXAMPLE



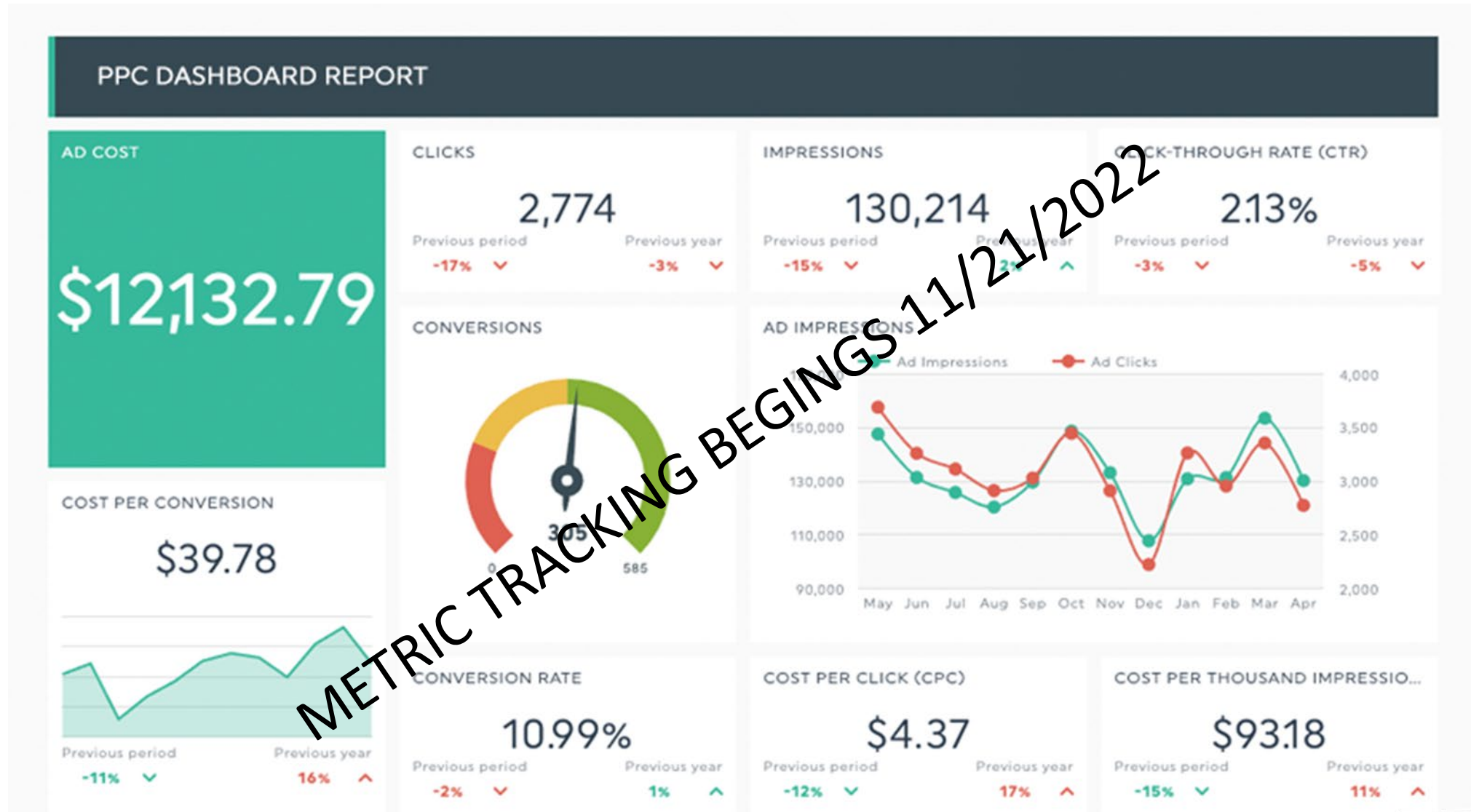
Key Performance Indicators

1. Impressions – Number of times our content is displayed
2. Reach – Number of people who see our content
3. Engagement – Number of interactions (Shares, Likes, Comments)
4. DNA – Age and demographics of viewer
5. Clicks – Number of clicks on our content

Key Performance Indicators

1. Conversion & Conversion Rates – How often the audience visits our website as a result of watching the video and the ratio of how many initial views result in a homepage visit
2. Completion Rate – How often people view the content beginning to end
3. Cost Per 1000 Impression's
4. Cost Per Click

Initial Results





THANK YOU!

Sean Derby

Phone

775-721-0282

Email

sderby@minerarls.nv.gov

IV. B. Review and Status of **Commission Approved Contracts**



CMR Approved Contracts Update

Commission on Mineral Resources

Quarterly Meeting

November 30, 2022

Las Vegas Nevada

Rob Ghiglieri

Deputy Administrator

Nevada Division of Minerals



AML Contracts

AML Inventory and Closure Contract

- Environmental Protection Services (EPS)
 - 8-year contract
 - Feb 2018 – Feb 2026
 - \$4.8 Million
 - ~\$1.9 million remaining
 - No option to renew

AML Southern Nevada Revisit Contract

- Environmental Protection Services (EPS)
 - 2.5-year contract
 - Feb 2021 – June 2023
 - \$150,000
 - \$61,000 remaining
 - Option to renew



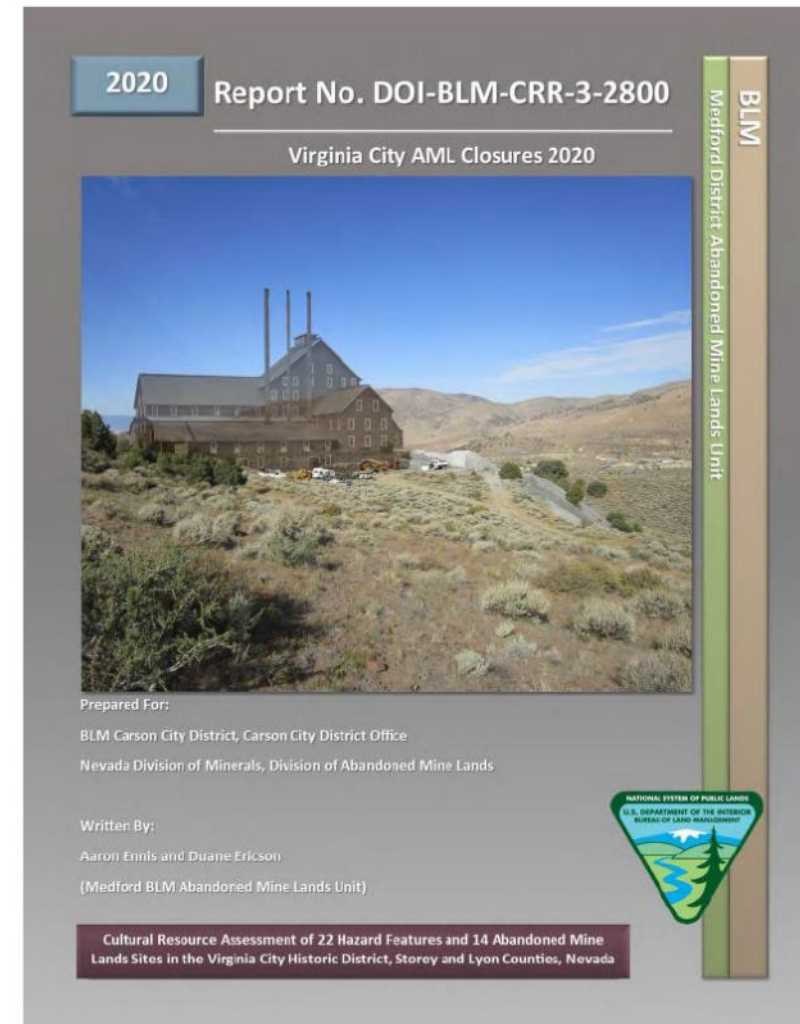
AML Contracts Continued

AML Bat Gate Contract (Non-CMR)

- Environmental Protection Services (EPS)
 - 4-year contract
 - Oct 2019 – September 2023
 - \$500,000
 - \$45,000 remaining

AML Cultural Survey Contract

- Broadbent and Associates
 - 4-year contract
 - March 2021 – March 2025
 - \$400,000
 - \$233,000 remaining
 - No option to renew



AML Contracts Continued

AML Helicopter Survey

- Nevada Division of Forestry
 - 4-year contract
 - Oct 2019 – June 2024
 - \$80,000
 - \$75,000 remaining
 - Option to renew

AML Geological Analysis

- McGinley and Associates
 - 2-year contract
 - July 2021 – June 2023
 - \$150,000
 - \$96,000 remaining
 - Option to renew



AML Contracts Continued

AML Billboards

- YESCO
 - 2-year contract
 - May 2022 – June 2024
 - \$24,000
 - \$14,000 remaining
 - Option to Renew

AML Digital Marketing Campaign

- Territory6
 - 1.5-year contract
 - Sept 2022 – March 2024
 - \$125,490
 - \$25,000 remaining
 - Option to Renew



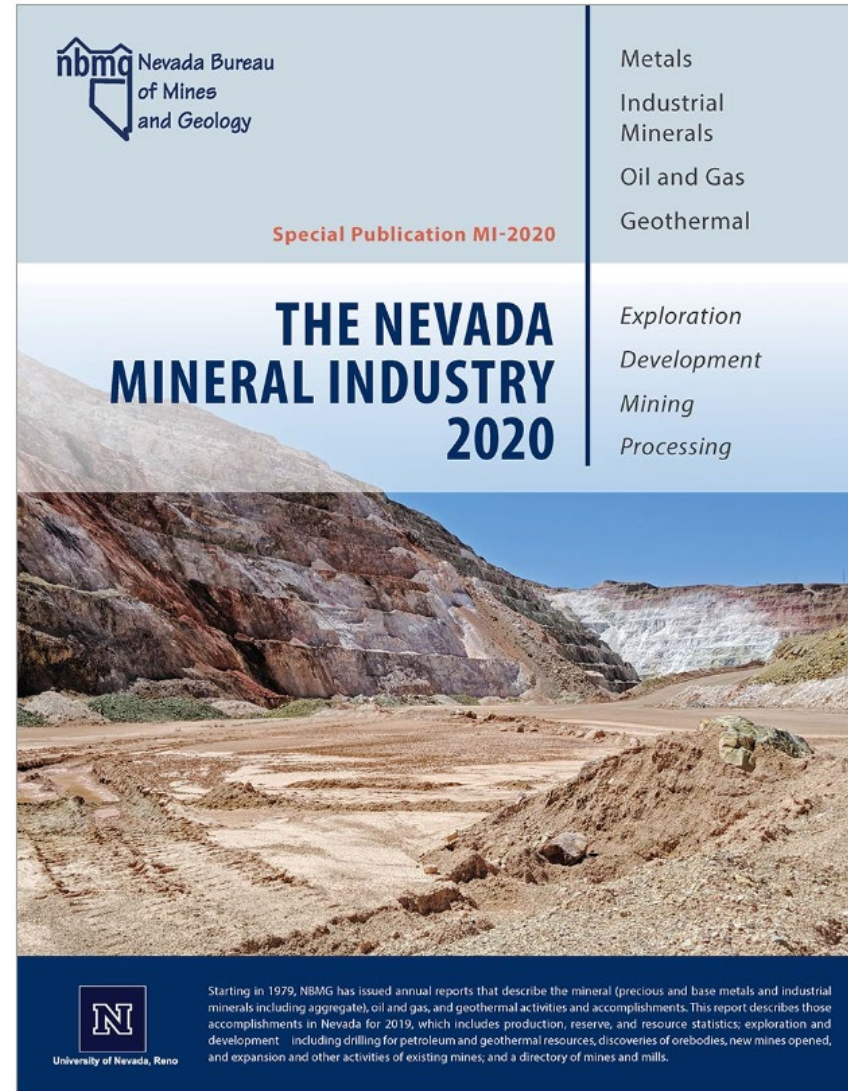
NBMG Contracts

Sample Curation, MI Report,
Exploration Survey, Lithium Report

- 2-year contract
 - Oct 2021 – June 2023
 - \$80,000
 - \$75,000 remaining
 - Option to Renew

Railroad Valley Project

- 1.5-year contract
 - Dec 2021 – June 2023
 - \$80,000
 - \$75,000 remaining



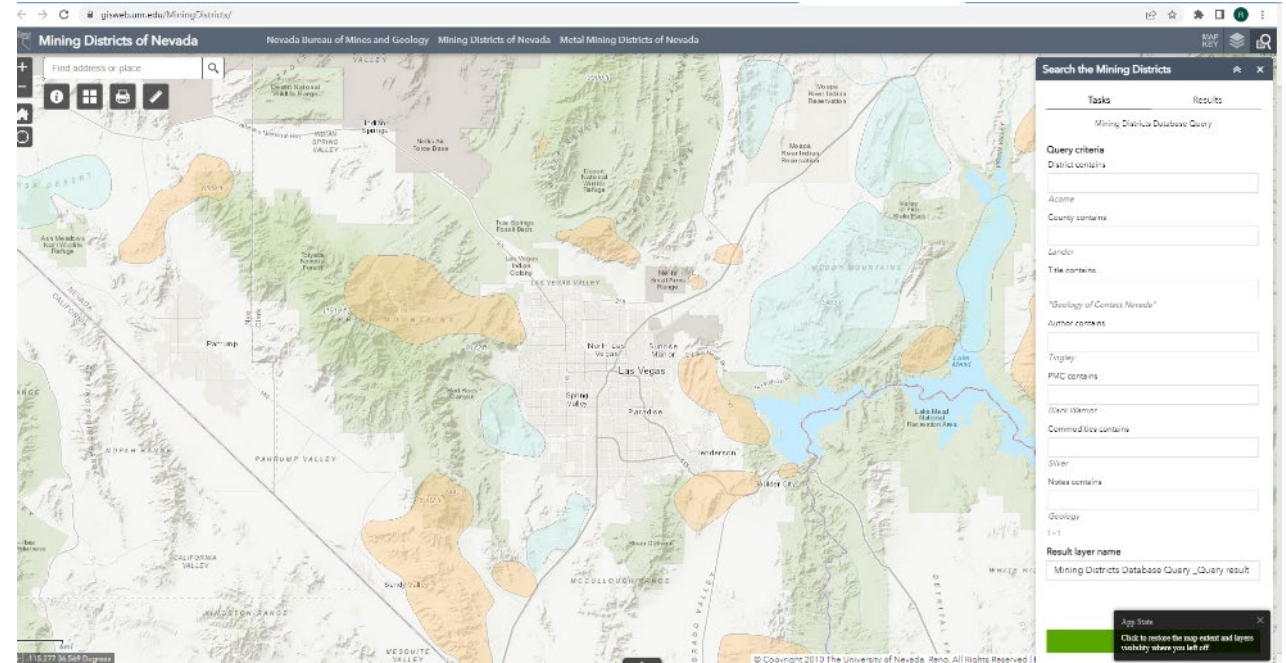
NBMG Contracts Continued

Mining District Files

- 4-year contract
 - Sept 2022 – Oct 2026
 - \$38,232
 - \$38,232 remaining
 - Option to Renew

Soda Lake Geothermal Project

- 1.5-year contract
 - TBD – June 2024
 - \$44,000
 - Not executed



Other Contracts

Las Vegas Natural History Museum and Reno Discovery Museum

- 2 separate contracts
 - LV finished March 2021 for \$49,500
 - Discovery Museum Finished June 2022 for \$49,500

Mackay / Great Basin College Lab Equipment

- 1.5-year contract
 - TBD – Dec 2023
 - \$146,000
 - Not executed
 - Pending December 8 IFC
 - Pending December 13 BOE



Other Funding/Expenditure Items

- AML Wildlife Survey
- RAMS
- NvMA / NDOM Earth Science Workshop



Remaining Contract Authority by Type

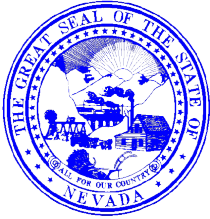
| | Name | Vendor | End Date | Remaining \$ | FY 23 | FY 24 | FY 25 |
|-------|-------------------------------------|-----------------------|------------|--------------|------------|--------------|------------|
| AML | Abandoned Mine Lands | EPS | 2/5/2026 | \$ 1,940,216 | \$ 650,000 | \$ 800,000 | \$ 800,000 |
| | AML Revisits | EPS | 6/30/2023 | \$ 61,119 | \$ 61,119 | \$ - | \$ - |
| | AML Heli Survey | NDF | 6/30/2024 | \$ 75,000 | \$ 15,000 | \$ 30,000 | \$ - |
| | AML Cultural Survey | Broadbent | 3/9/2025 | \$ 233,000 | \$ 100,000 | \$ 100,000 | \$ 33,000 |
| | AML Geo Analysis | McGinley & Associates | 6/30/2023 | \$ 96,514 | \$ 50,000 | \$ 46,514 | \$ - |
| | AML Billboards | YESCO | 6/30/2024 | \$ 21,250 | \$ 10,000 | \$ 12,000 | \$ - |
| | AML Digital Campaign | Territory6 | 3/31/2024 | \$ 25,000 | \$ 25,000 | \$ - | \$ - |
| | AML Wildlife Survey | TBD | 12/13/2026 | \$ 98,000 | \$ 24,500 | \$ 24,500 | \$ 24,500 |
| | Totals | | | \$ 2,550,099 | \$ 935,619 | \$ 1,013,014 | \$ 857,500 |
| | | | | | | | |
| NBMG | Railroad Valley | UNR/NBMG | 6/30/2023 | \$ 37,800 | \$ 37,800 | \$ - | \$ - |
| | Mining District Files | UNR/NBMG | 10/11/2026 | \$ 38,232 | \$ 18,262 | \$ 19,970 | \$ - |
| | Industry Reports and Lithium Report | UNR/NBMG | 6/30/2023 | \$ 135,000 | \$ 97,200 | \$ 37,800 | \$ - |
| | Soda Lake Geothermal Study | UNR/NBMG | 10/11/2025 | \$ 44,000 | | \$ 44,000 | \$ - |
| | Totals | | | \$ 255,032 | \$ 153,262 | \$ 101,770 | \$ - |
| | | | | | | | |
| Other | NDOM-GBC Lab Equip. | UNR/Mackay | 12/13/2024 | \$ 146,000 | \$ 146,000 | \$ - | \$ - |
| | NvMA Earth Science Workshops | Various | 6/30/2026 | \$ 39,900 | \$ 9,900 | \$ 15,000 | \$ 15,000 |
| | Totals | | | \$ 185,900 | \$ 155,900 | \$ 15,000 | \$ 15,000 |

Questions



V. COMMISSION BUSINESS

V. A. Review of Staff Monthly Activity Reports



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/>



STEVE SISOLAK
Governor

Las Vegas Office: 375 E. Warm Springs Rd. #205, Las Vegas, NV 89119
Phone: (702) 486-4343; Fax: (702) 486-4345

MICHAEL VISHER
Administrator

August 2022

MONTHLY ACTIVITY REPORTS

Administrator (Mike Visher):

1. Attended virtually the August 22nd meeting of the Joint Interim Standing Committee on Natural Resources, during which a work session was held on a bill draft request (BDR) for the 2023 Legislative Session. Recommended by Chairman Watts, it would require that during the 2023–2024 Interim, the committee study state agencies that regulate natural resources. This interim study would include, without limitation, the examination of the mission, scope, and composition of the Board of Wildlife Commissioners; the State Environmental Commission, DCNR; and the Commission on Mineral Resources. The item passed unanimously.
2. With Lucia, had virtual meeting with BLM and presented our draft analysis for evaluation tool of mineral potential of lands removed, or proposed for removal, from mineral entry. Also presented an updated “Claims to Mines” pyramid and some additional statistics which will be helpful for them as they work through the statewide RMP process.
3. Worked with Cort to fulfill a substantial public records request on behalf of Albemarle.
4. Worked with Rob and Valerie to finalize and submit the agency’s FY24/25 budget request.
5. Meetings attended: quarterly CMR meeting, IMCC on IJA guidance for states, IMCC on Mining Law reform, NvMA Hard Hat Chats, Geothermal Rising conference, DOI Interagency Working Group on Mining Law Reform, BLM Greenlink West EIS, BLM UT-NV Cross-Tie EA, BOE, and IFC.

Deputy Administrator (Rob Ghiglieri):

1. Bond pool activity in August consisted of one notice-level release and one replacement/reduction. Late notices for were sent to three participants for non-payment of premiums.
2. Drafted two support letters for the Senate Bill S.3571 the Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2022. One letter is addressed to U.S. Senate Committee on Environment and Public Works, and the second letter is addressed to Nevada delegates to the House of Representatives. Both letters show support for the bill, and the letter to Nevada’s representatives encourages a matching bill in the House.
3. Continued to work with Valerie on FY24/25 Budget planning and reviewed the budget with Josh Nordquist for final certification.
4. Continued to work with IMCC and a subset of NAAML P members on development of the new National AML Hardrock program with the Office of Environmental Policy and Compliance (OEPC).
5. Proposed the NDOM AML database long-term changes to the US Army Corps of Engineers Restoration of Abandoned Mine Sites (RAMS) database contract managers in August. The RAMS program has indicated agreement and have requested contractor TerraSpectra Geomatics to develop a path forward.
6. Attended the quarterly CMR meeting and attended the San Emidio geothermal plant tour.
7. Finished the Top Energy online training for the Environmental Stewardship course. The in-person portion will take place the first week of September in Pittsburgh, PA.
8. Demonstrated the SOSA AML database to the Arizona AML program. They are looking into mimicking what NDOM has developed, and additional meetings are planned for the following months.
9. Attended the Disclosure Compliance Training provided by the Office of the State Treasurer.

10. Worked with NDOM staff and Alex Walden of NvMA to help refine the workshop schedules. An Education Committee meeting took place and plans for the 2023 workshop are underway.
11. Bond pool activity in August consisted of one notice-level release and one replacement/reduction. Late notices for were sent to three participants for non-payment of premiums.
12. End-of-August financial summary of bond pool:

| Reclamation Bond Pool Status Report | | Current to: 9/1/2022 | | | | | | |
|---|-------------------|----------------------|------------------------|---------------|------------------------------|--------------|---------------|--------------|
| Plan-level Bonds -Company | Project | Entry Date | Bond Amount | % of Pool | Comments | Deposit | Premiums Paid | % Bond Whole |
| Allegiant Gold | Eastside | 11/19/2021 | \$163,064.00 | 8.37% | | \$84,036.27 | \$13,619.18 | 59.9% |
| Custom Details | Bovie-Lew | 11/17/2006 | \$14,643.00 | 0.75% | | \$7,328.32 | \$18,784.75 | 178.3% |
| New Gold Nevada (NV Rae) | Black Rock Canyon | 4/15/2005 | \$66,673.00 | 3.42% | | \$33,715.62 | \$172,709.22 | 309.6% |
| SNL Sand LLC | Money Pit | 5/21/2004 | \$430,088.00 | 22.07% | | \$233,171.91 | \$299,637.36 | 123.9% |
| Western Mine Dev. | Victorine Mine | 5/24/2000 | \$45,875.39 | 2.35% | terminated | \$0.00 | \$0.00 | |
| Western Mine Dev. | Kingston Mill | 5/24/2000 | \$100,450.00 | 5.16% | terminated | \$0.00 | \$0.00 | |
| TNT Venture | Big Canyon | 1/27/2010 | \$78,161.00 | 4.01% | | \$39,615.03 | \$51,711.30 | 116.8% |
| Dun Glen Mining | Dun Glen | 8/11/2014 | \$439,240.00 | 22.54% | | \$238,536.99 | \$211,685.01 | 102.5% |
| Statewide Notice-Level | Various | various | \$610,196.00 | 31.32% | 47 Notice-level bonds | | | |
| Total Bond Amount | | | \$1,948,390.39 | | | | | |
| Cash in Pool's Account (From BSR - 9/1/2022) | | | \$3,030,602.19 | | | | | |
| Unfunded Amount | | | -\$1,082,211.80 | | | | | |
| Percent funded | | | 155.5% | | | | | |

Chief, Abandoned Mine Lands Program (Sean Derby):

1. EPS began repair work on 68 hard closure sites found to be vandalized during wildlife surveys in 2021. EPS also completed safeguarding work on a second round of safeguarding and inventory work in the Gillis Range of Mineral County. Totals for the Gillis Range were: 177 hazards logged, 67 hazards secured, 1,700 non-hazards identified, and 435 revisits.
2. The AML summer internship program wrapped up the season with field work in White Pine and Nye counties. Intern totals for the summer were: 235 hazards logged, 195 hazards secured, 2,920 non hazards identified, and 340 revisits.
3. AML staff held a follow-up meeting with USFS and proposed a total of eight new hard-closure projects at locations in Elko, Nye, Mineral, Douglas, and White Pine counties.
4. The AML cultural contractor, Broadbent, completed archeological reporting to district level BLM for three upcoming hard closure projects in White Pine, Pershing, and Lander counties.
5. AML staff worked with digital marketing production contractor, Territory 6, on scripts, shoot locations, and site permits for the upcoming content photo and film shoot in Clark County.
6. AML geological contractor, Bob Thomas, completed a draft geological characterization report for the Olinghouse District in Washoe County, including assay results for 69 samples from 58 locations.
7. AML staff worked with BLM staff to complete land status research for two upcoming hard-closure projects in Lander and Washoe County.
8. AML staff met with and advised the Arizona State Mine Inspector's office on the creation of a statewide AML database.
9. End-of-August AML stats:

| | SITES INVENTORIED | SITES SECURED | % Secured |
|--------------|-------------------|---------------|-----------|
| Since 1987 | 24,372 | 20,157 | 83% |
| 2022 To Date | 328 | 526 | 160% |

GIS/ Field Specialist (Lucia Patterson):

1. Finished QA/QC on NDOW revisit data.
2. Completed online HTML-CSS training along with further JavaScript training.
3. Processed intern field data.
4. Completed draft of 2021 Major Mines publication.
5. Answered many questions regarding mining claims and mineral rights over the phone and via email.
6. Edited geological report from Bob Thomas on Olinghouse hard closure project.

7. Updated all production charts for Nevada and published to our open data site.
8. Updated field maps application for OGG so pictures could be taken as attachments instead of on a separate camera or separately on the device.
9. Participated in NvMA education committee meetings to plan next year's workshops.
10. Generated a new web experience so viewers can interact with Nevada mine production data.

AML/Fluid Minerals Field Specialist (Dustin Holcomb):

1. Supervised the summer interns on their last week of field work in the Round Mountain area and their last week in the office.
2. Conducted summer intern exit interviews.
3. Input four sets AML secured hazard information to SOSA database and mailed acknowledgment letters for the hazards secured.
4. Continued hard-closure project delineation and scope refinement.
5. Inventoried and documented condition of field equipment and technical hardware.
6. Developed the agency's Language Access Plan and helped define a scope for inclusion in the FY24/25 budget.
7. Met with the heads of the USFS AML program for Nevada and Eastern California to discuss potential hard closure programs.
8. Categorized hazard closure method based on cultural recommendations from Broadbent pertaining to the Pine Nut hard-closure project.
9. Participated in meeting with commercial production company Territory 6 and help finalize the script and filming plan.
10. Attended the Geothermal Rising Conference in Reno, staffing the booth, engaging with industry professionals regarding the permitting process, and attending the informational technical sessions.

AML/Public Outreach – Southern Nevada Programs Manager (Garrett Wake):

1. Attended and exhibited at the 2022 Rural Planning Conference of the Nevada Chapter of the American Planning Association in Elko. Represented NDOM as part of a keynote panel of mining industry professionals.
2. Supervised the AML summer intern crew over three days in August near Ely.
3. Toured the Sterling Exploration Project near Beatty and the Ruby Hill Mine and processing facilities.
4. Completed the four-day "Foundations I" session of the Nevada Certified Public Manager course.
5. Inspected state-owned storage space in central Las Vegas that is available to our agency. The Las Vegas office will be moving our storage unit from commercial space to this location in late September.
6. Certified 11 NDEP employees in First Aid/CPR and AED over two days of instruction.
7. Visited the historic Johnnie Mine in Nye County with Sean Derby. This location will be used as a filming location to create new SOSA marketing media.
8. Researched newer model year trucks for the replacement of two AML vehicles this fiscal year. Created a spreadsheet detailing the relevant specifications of each make, model and trim. Contacted dealerships with statewide contracts to verify availability and pricing. Met with AML staff to discuss options.
9. Obtained quotes for fencing modifications to the Las Vegas office storage yard and sent them to Leasing Services for review. The modifications are required to store a UTV and trailer.
10. Created a form and instructions for public agencies in Nevada to request AML hard closure funding from the Division of Minerals.
11. Participated in an NvMA Education Committee meeting, NDOM teachers workshop meeting, 2022 AML summer intern review, NDOM safety committee meeting, two RAMS contract meetings with TerraSpectra, and a McCaw School of Mines board meeting.

AML/Public Outreach and Education – Southern Nevada Field Specialist (Vacant):

Fluid Minerals Program Manager (Cortney Luxford):

1. One geothermal permit and no oil permits were issued in August. The Crescent Valley 53A(64)-3 Observation well was permitted in Eureka County.
2. Two geothermal sundries and one oil sundry were reviewed in August.
3. Eleven notices for a DMRE boreholes were received and approved in August, one from Belmont Nevada (Kibby Basin), four from Intor Resources (Lida Valley) and six from Dome Rock Resources (Lida Valley).

4. Inspected wells in Soda Lake, McGinness Hills and Tungsten Mountain geothermal fields, 56 wells were inspected in total. Will Boyer with NDWR accompanied me for the McGinness Hills and Tungsten Mountain inspections.
5. Attended the Geothermal Rising Conference in Reno, 4-day event from August 28th-31st and attended technical sessions and represented the state with industry representatives.
6. The BLM had a Geothermal Lease Sale on August 30th. 79 parcels were put up for auction, 66 received bids for 192,912 acres. The high bid per parcel was \$111.00 per acre and a total revenue of \$3,374,892.00 was received by the BLM.
7. Had third discussion with NDWR to facilitate creating an internal and external MOU between NDOM and NDWR.
8. Coordinated with BLM state and field offices to monitor drilling operations, review permit applications and sundries for fluid minerals.

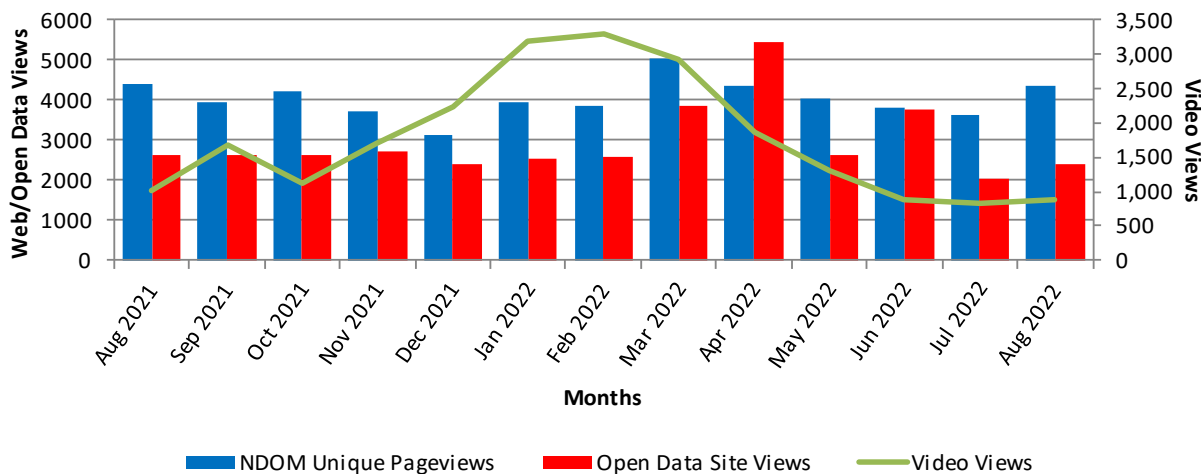
| FY 2023 Well Inspections | Total Wells | Wells Needed for FY23 | Wells Inspected | % of Total Needed | Wells Remaining |
|---------------------------|-------------|-----------------------|-----------------|-------------------|-----------------|
| Geothermal (19 Locations) | 468 | | 77 | | |
| Oil (23 Locations) | 122 | | 0 | | |
| Totals | 590 | 197 | 77 | 39% | 120 |

Website Activity:

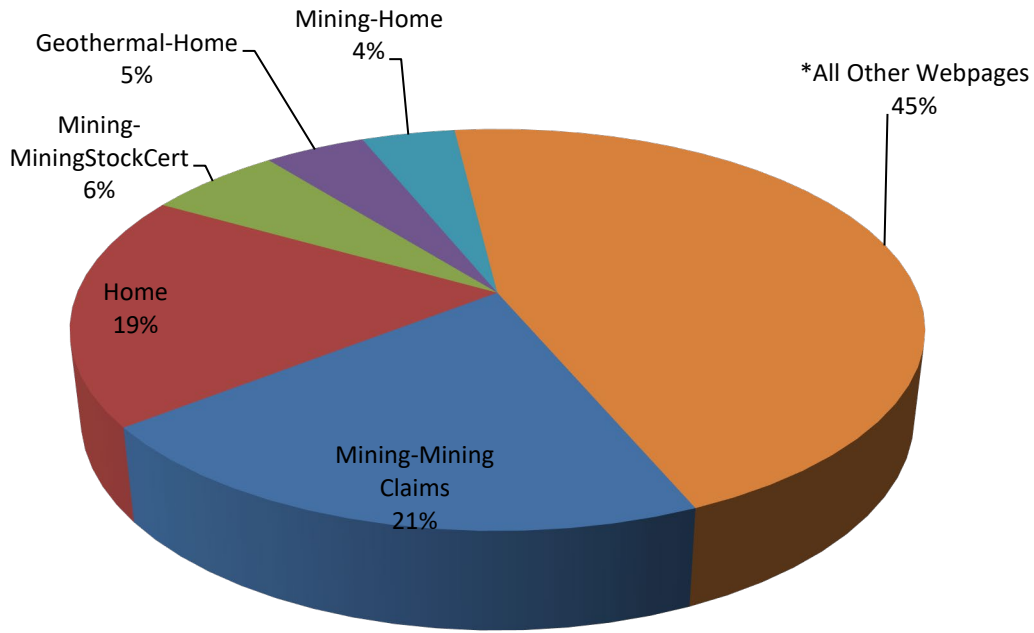
| Period | Website Pageviews | Website Unique Pageviews | Website Top 5 Pageviews | Open Data Site Views | Video Views |
|-------------------|-------------------|--------------------------|--|----------------------|-------------|
| Aug 2022 | 5,998 | 4,361 | Mining-Mining Claims, Home, Mining-MiningStockCert, Geothermal-Home, and Mining-Home | 2,408 | 876 |
| Aug 2021-Aug 2022 | 70,947 | 52,396 | | 38,155 | 22,893 |

NDOM Web/Open Data/Video Sites 13 Month Rolling Chart

(Sept/Oct 2021 and Apr 2022 corrected Video Views)



NDOM Website - Top 5 Unique Page Views for August 2022



*All Other Webpages - Site pages including Home Pages, Current Information, About Us, Commission, Programs, News, FAQs, and Contact Us pages.

Top Visitors

| | | |
|----------|---------|---|
| Aug-2022 | Country | United States, Canada, India, Russia, and (unknown) |
| | State | Nevada, California, Texas, Virginia, and (unknown) |
| | City | (unknown), Reno, Las Vegas, Los Angeles, and Washington |

| <u>Video Views in August 2022</u> | <u>Top 5 Video Views</u> | <u>Dist Learn Trkr # of Classes</u> | <u>No. NV 45%</u> | <u>So. NV 55%</u> |
|-----------------------------------|---|-------------------------------------|-------------------|-------------------|
| 876 | 1) Mining in Nevada - 18:22 mins; 2) The Basics of Mineral Identification; 3) Ore Deposits an Overview; 4) A General Overview... Earth and Nevada Geological History; 5) SOSA 2021 Full | 35 | 16 | 19 |



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DIVISION OF MINERALS
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STEVE SISOLAK
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MICHAEL VISHER
Administrator

MONTHLY ACTIVITY REPORTS

July 2022

Administrator – Mike Visher

1. Met virtually with Amy Stephenson, the new director for the Governor's Finance Office (GFO) and provided an overview of agency programs and activities.
2. Worked with Lucia on updating the "Claims to Mines Pyramid" and a process for quantifying mineral potential in lands withdrawn from mineral entry and average dollar values of claims and mines.
3. Chaired the Excellence in Mining Reclamation award committee meeting to review two submissions for the 2022. One was unanimously chosen for an award to be presented at the NvMA Annual Conference in September.
4. Continued working with Rob and Valerie on the 2024/24 budget for submission to GFO by September 1.
5. Provided a phone interview to a reporter with Bloomberg regarding lithium exploration activity in Nevada and current and proposed extraction and processing methods.
6. Attended the grand opening of Lithium Americas' Technical Center in Reno.
7. Meetings attended: DOI Interagency Work Group on Mining Law Reform, NREL Geothermal Developer Forum, BLM Greenlink West, BLM UT-NV Cross-Tie EA, BOE, CMR, Mackay Executive Advisory Board, NvMA, DHS and Idaho National Lab on Nevada Mining and Related Security Issues, BLM Fluid Minerals permitting updates, and Governor's Cabinet.

Deputy Administrator – Rob Ghiglieri

1. Bond pool activity in July consisted of two notice-level releases.
2. Continued to work with IMCC and a working group of NAAMLMP members on development of the new National AML Hardrock program and database with the Office of Environmental Policy and Compliance (OEPC). We received the first draft of the proposed database from the USGS. I worked with IMCC and held meetings with NAAMLMP state members to review and provide comments back to the USGS and OEPC. I accepted an offer by the USGS to be a team member and contributor for the development and implementation of the database and will work with the USGS and BLM AML database manager (Carl T. Seaberg) for its development.
3. Worked with Division AML staff and contractor TerraSpectra Geomatics to outline the future planning of the NDOM AML SOSA database. Over the past eight years since SOSA was initially planned and implemented, ESRI software opportunities have drastically changed for improved interactions, modifications, and user experiences. Staff will propose the long-term changes to the US Army Corps of Engineers Restoration of Abandoned Mine Sites (RAMS) database contract managers in August.
4. Received approval from IFC for the AML Digital Marketing Campaign work program. The Territory6 contract will be considered for approval by BOE in September.
5. Valerie, Mike, and I met with the Nevada State Purchasing Office to transition agency purchasing to the Nevada E-Pro platform. It has better tracking options, pricing for all state agencies, and is Purchasing's preferred option.
6. Held a meeting with NDEP AML Program staff to discuss the two AML program databases and potential opportunities to better share data.
7. Held a meeting with USFS Region 5 (CA) and Region 4 (Intermountain) on AML planning, cost share agreements, and potential new partnerships.

8. Continued to work with Valerie on FY24/25 Budget planning.
9. End-of-July financial summary of bond pool:

| Reclamation Bond Pool Status Report | | | Current to: | 8/1/2022 | | | | |
|--|-------------------|------------|-----------------|-----------|-----------------------|--------------|---------------|--------------|
| Plan-level Bonds -Company | Project | Entry Date | Bond Amount | % of Pool | Comments | Deposit | Premiums Paid | % Bond Whole |
| Allegiant Gold | Eastside | 11/19/2021 | \$163,064.00 | 8.28% | | \$84,036.27 | \$13,619.18 | 59.9% |
| Custom Details | Bovie-Lew | 11/17/2006 | \$14,643.00 | 0.74% | | \$7,328.32 | \$18,784.75 | 178.3% |
| New Gold Nevada (NV Rae) | Black Rock Canyon | 4/15/2005 | \$66,673.00 | 3.39% | | \$33,715.62 | \$172,709.22 | 309.6% |
| SNL Sand LLC | Money Pit | 5/21/2004 | \$430,088.00 | 21.85% | | \$233,171.91 | \$299,637.36 | 123.9% |
| Western Mine Dev. | Victorine Mine | 5/24/2000 | \$45,875.39 | 2.33% | terminated | \$0.00 | \$0.00 | |
| Western Mine Dev. | Kingston Mill | 5/24/2000 | \$100,450.00 | 5.10% | terminated | \$0.00 | \$0.00 | |
| TNT Venture | Big Canyon | 1/27/2010 | \$78,161.00 | 3.97% | | \$39,615.03 | \$51,711.30 | 116.8% |
| Dun Glen Mining | Dun Glen | 8/11/2014 | \$439,240.00 | 22.32% | | \$238,536.99 | \$211,685.01 | 102.5% |
| Statewide Notice-Level | Various | various | \$630,109.00 | 32.01% | 48 Notice-level bonds | | | |
| Total Bond Amount | | | \$1,968,303.39 | | | | | |
| Cash in Pool's Account (From BSR - 8/1/2022) | | | \$3,035,176.37 | | | | | |
| Unfunded Amount | | | -\$1,066,872.98 | | | | | |
| Percent funded | | | 154.2% | | | | | |

Chief, Abandoned Mine Lands Program – Sean Derby

1. Contractor Environmental Protection Services began work on the Pine Nuts Hard Closure project including 70 hazards in Carson City, Douglas, and Lyon counties.
2. EPS also began on a second round of safeguarding and inventory work in the Gillis Range in Mineral County. Over 150 suspected hazards will be surveyed in this area.
3. AML staff and interns conducted field work in Lander, Pershing, and White Pine in July. Interns focused heavily on building inventory in priority areas, but also completed ground truthing for future hard closure projects and also attended a mine tour of the Cove McCoy mine hosted by I80 Gold Corp. AML staff supported inventory efforts with drone flights in Lander and White Pine counties. Interns
4. AML staff met with USFS personnel and reviewed sites for hard closure projects at three locations in Douglas and Mineral counties with additional projects to be presented in August.
5. The AML cultural contractor Broadbent & Associates began archeological survey work for three upcoming hard closure projects in Lander, Pershing, and White Pine counties.
6. AML staff fulfilled public data requests for project areas in Pershing and Washoe counties.
7. Utilizing NDF pilots and helicopter, AML staff performed aerial AML surveys in Churchill, Humboldt, Pershing, and Washoe counties at over 4,000 site locations and identified 54 potential new hazard sites.
8. AML hazard status as of end of July:

| | Sites Inventoried | Sites Secured | % Secured |
|--------------|-------------------|---------------|-----------|
| Since 1987 | 24,236 | 20,051 | 83% |
| 2022 To Date | 192 | 420 | 219% |

GIS/ Field Specialist – Lucia Patterson

1. Updated AML photos on server.
2. Processed EPS and intern field data.
3. Helped troubleshoot some SOSA database issues.
4. Answered many questions regarding mining claims and mineral rights over the phone and via email.
5. Virtually attended the ESRI annual users conference.
6. Updated the “Claims to Mines” pyramid and compiled data for land withdrawal potential release analysis and generated a series of 132 maps for areas within existing mineral withdrawals.
7. Created a dashboard for claims where data can be sorted by county.
8. Updated all county employment charts, excluding Eureka and Lander since the data is not available.
9. Generated a “How to” document for land research, specifically mineral rights.
10. Updated mining claims on the open data site.
11. Updated OGG production data on the open data site.
12. Compiled data for land withdrawal potential release analysis and generated a series of 132 maps for areas within existing mineral withdrawals.

AML/Fluid Minerals Field Specialist – Dustin Holcomb

1. Supervised the summer interns on their work in the Berlin Ichthyosaur State Park field area. Concentrating on inventorying the State Park AML features for a future hard-closure project.
2. Coordinated the mid-summer restocking and resupply of the AML shed and trucks.
3. Outfitted the 2020 Ram 2500 work truck with the proper towing equipment, ensuring that the UTV trailer can be towed safely and efficiently.
4. Compiled data to delineate a hard rock closure project in the Beatty area.
5. Conducted geothermal well inspections at Patua, near Fernley. 21 wells inspected with no outstanding issues.
6. Performed an aerial helicopter reconnaissance survey of potential AML features in Humboldt and Pershing counties.
7. Visited the Olinghouse hardrock AML closure area to rectify the condition of the final sites for the project.
8. Attended a meeting between with NDEP discussing the potential for merging AML servers between agencies.
9. Met with US Forest Service officials and NDOW to coordinate over hardrock closures.
10. Attend the Office for New First Annual Diversity and Inclusion Liaison meeting as the agency's representative.
11. Drafted a Non-English Language Access Plan, as required by Nevada Senate Bill 318.

Southern Nevada Programs Manager – Garrett Wake

1. Supervised AML intern crew over two field weeks near Battle Mountain and Ely between July and August. Participated in a tour of the I-80 Gold McCoy/Cove underground exploration project.
2. Travelled to Logandale to revisit a group of hazards in preparation for a possible hard closure project in Clark County. Encountered access issues and reached out to the BLM Southern Nevada District Office for land-access assistance.
3. Visited the Johnnie Mine property near Pahrump in Nye County to identify potential AML sites for use in the filming and creation of "Stay Out, Stay Alive" media content. Logged 27 new hazards and revisited ten others.
4. Managed the "All About Mining – Mining for a Steam Education" virtual workshop. The course concluded with 30 K-12 teachers receiving professional development credit.
5. Conducted one school presentation at a youth summer camp on the use of minerals in society and the dangers of abandoned mines; 27 students and teachers in attendance.
6. Pre-recorded two video presentations for use at the August Commission on Mineral Resources meeting.
7. Contacted several local storage facilities to find a new location to store our rock and mineral supplies.
8. Worked with Debbie Selig on quality control of priority revisit data submitted by NDOM's AML contractor.
9. Participated in a McCaw School of Mines board meeting and an NDOM-TerraSpectra AML SOSA path-forward meeting.

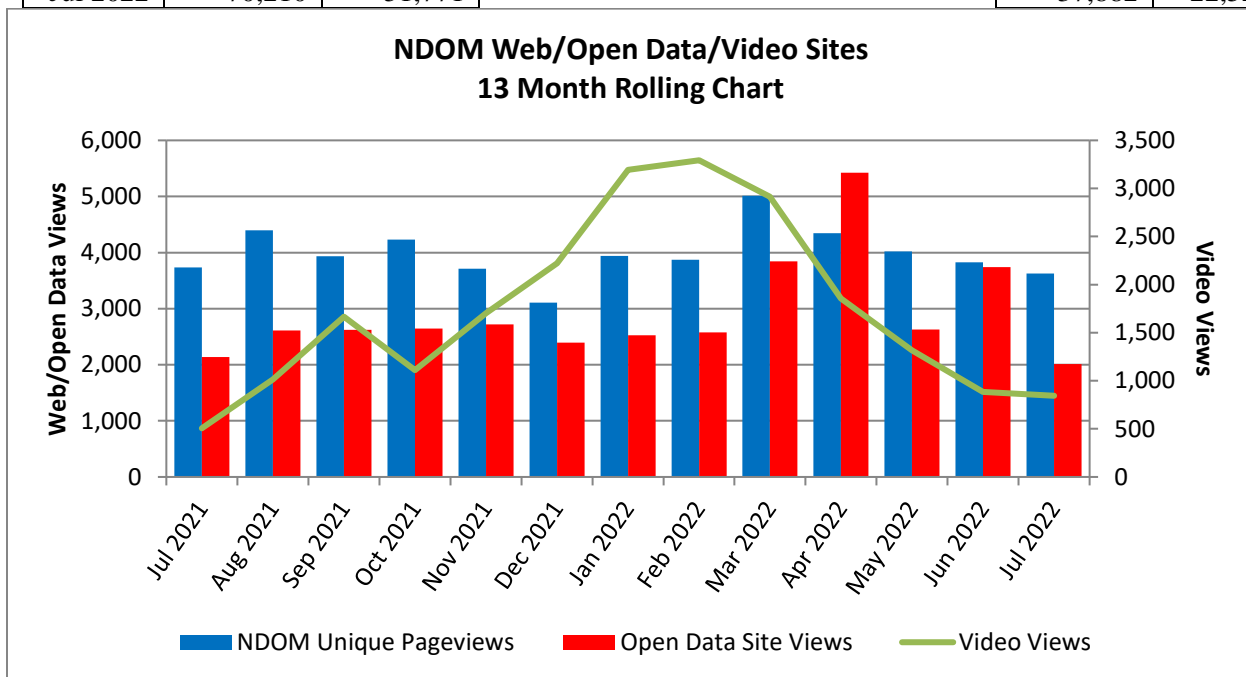
Fluid Minerals Program Manager – Cortney Luxford

1. Two geothermal permits and one oil permit were issued in July. The Fish Lake 81B(63-13)-13 and the 81A(26-7)-13 industrial production wells were approved in Esmeralda County on a BLM lease. The Great Basin Operating, LLC North Diamond Valley 1-27 was approved on a BLM lease in Elko County.
2. Four geothermal sundries and one oil sundry were processed in July.
3. The Ormat San Emidio 17A-21 Industrial Production well was drilled and completed in Washoe County. Cyrq/Fervo completed stimulation of the BM 34A(24-23)-22 injection well and continued drilling the BM 34(31-23)-22 production well in the Blue Mountain geothermal field in Humboldt County.
4. Three notices for DMRE boreholes were received and approved in July, the Neolith Energy CV-11, CV-12, and the CV-13 all in Clayton Valley, Esmeralda County. No DMRE exploration wells were approved in July. 3PL Operating drilled and completed the LI 10-28 DMRE exploration well in Railroad Valley.
5. Communicated with Western Oil concerning the re-entry of the Scott Federal 35-1 in White Pine County.
6. Went to the Cyrq/Fervo Blue Mountain 34A(24-23)-22 injection well location to witness completion workover.
7. Worked with Will Boyer of NDWR to investigate production vs injection totals of various geothermal fields and checked for data entry issues.
8. Had second discussion with NDWR to facilitate creating an internal and external MOU with NDOM.
9. Coordinated with BLM state and field offices to monitor drilling operations, review permit applications and sundries for fluid minerals.

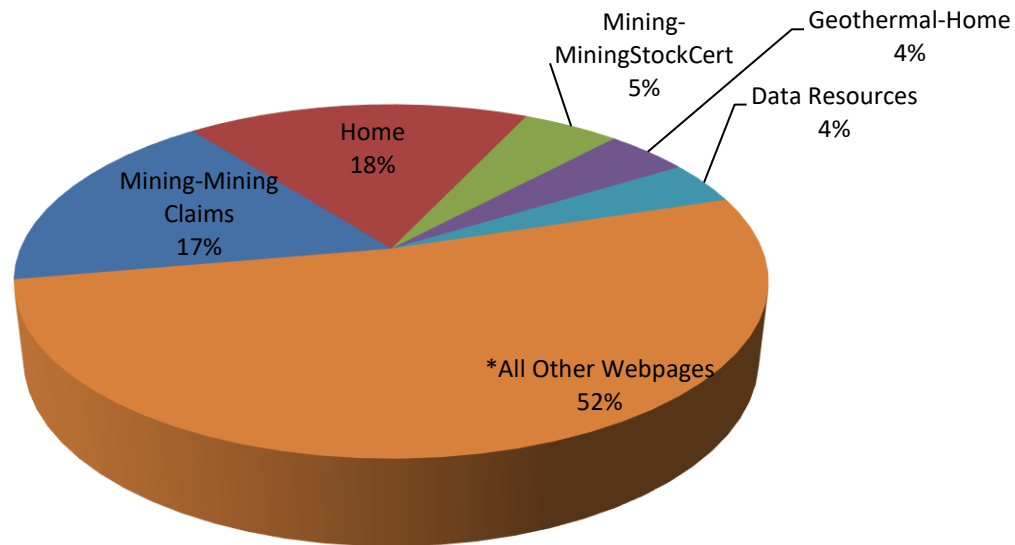
| FY 2023 Well Inspections | Total Wells | Wells Needed for FY23 | Wells Inspected | % of Total Needed | Wells Remaining |
|---------------------------|-------------|-----------------------|-----------------|-------------------|-----------------|
| Geothermal (19 Locations) | 467 | | 21 | | |
| Oil (23 Locations) | 122 | | 0 | | |
| Totals | 589 | 196 | 21 | 11% | 175 |

Website Activity

| Period | Website Pageviews | Website Unique Pageviews | Website Top 5 Pageviews | Open Data Site Views | Video Views |
|-------------------|-------------------|--------------------------|---|----------------------|-------------|
| Jul 2022 | 4,870 | 3,629 | Mining-Mining Claims, Home, Mining-MiningStockCert, Geothermal-Home, and Data Resources | 2,014 | 843 |
| Jul 2021-Jul 2022 | 70,210 | 51,771 | | 37,882 | 22,523 |



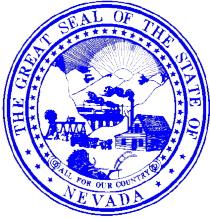
NDOM Website - Top 5 Unique Page Views for July 2022



*All Other Webpages - Site pages including Home Pages, Current Information, About Us, Commission, Programs, News, FAQs, and Contact Us pages.

Top Visitors

| | | | | | |
|---|--|--|---|---------------------------------------|---------------------------------------|
| Jul-2022 | Country | United States, Canada, (unknown), Chine, and South Korea | | | |
| | State | Nevada, California, Texas, (unknown), and New York | | | |
| | City | (unknown), Reno, Las Vegas, Los Angeles, and New York | | | |
| <u>Video Views</u> <u>in</u> <u>July 2022</u> | <u>Top 5 Video Views</u> | | <u>Dist</u> <u>Learn</u> <u>Trkr #</u> <u>of</u> <u>Classes</u> | <u>No.</u> <u>NV</u> <u>45%</u> | <u>So.</u> <u>NV</u> <u>55%</u> |
| 843 | 1) Mining In Nevada 18:22 Mins.; 2) The Basics Of Mineral Identification; 3) Ore Deposits An Overview; 4) Weathering & Erosion Part 1; 5) SOSA 2021 Full | | 34 | 15 | 19 |



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DIVISION OF MINERALS
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STEVE SISOLAK
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MICHAEL VISHER
Administrator

October 2022
MONTHLY ACTIVITY REPORTS

Administrator (Mike Visher):

1. Provided documentation and references to IOGCC regarding oil well cellar design and construction requirements.
2. Worked with Rob to draft a joint letter with NDEP on Good Sam legislation to be sent to Nevada's delegation in the House.
3. Met with Kristen Averyt, our new Governor's Office liaison, and provided her with an overview of the Commission and Division.
4. Coordinated with the Governor's office regarding the Governor's position on five resolutions considered at the IOGCC Annual Conference.
5. Attended two technical presentations at UNR on the Thacker Pass lithium deposit.
6. Coordinated with the Treasurer's Office regarding the State's approval of federal audit relief for operators of marginal oil and gas wells.
7. Answered questions from a reporter for The Nevada Independent on lithium exploration and production in Clayton Valley.
8. Meetings attended: CMR special meeting, NREL Geothermal Regulatory Stakeholder Working Group, NvMA Public Policy Committee, Nevada Mineral Exploration Coalition, Nevada Joint Military Affairs Committee, Interstate Oil and Gas Compact Commission annual conference, Smart from the Start, DOI/BLM and Governor's Office on Avi Kwa Ame national monument proposal, BLM UT-NV Cross-Tie EA and Greenlink West EIS, and Mackay Executive Advisory Board.

Deputy Administrator (Rob Ghiglieri):

1. Bond pool activity in October was limited to an inquiry for a new plan-level bond and completion of the quarterly reconciliation report indicating zero variance.
2. Attended the National Association of Abandoned Mine Lands Program (NAAML) annual conference in Grand Junction, CO. I chaired the annual hardrock committee meeting and updated the delegates of the greater membership on the current federal hardrock AML developments.
3. Performed an AML education and outreach event reaching nearly 300 K-8 students.
4. Worked with Valerie on five work programs for Fiscal Year 2023. The work programs included, Special Projects, revenue for the USFS cost share agreement and BLM grant, AML support, and Las Vegas operating expenses.
5. Attended and presented at the CMR Special hearing on October 24th.
6. Continued to meet monthly with OEPC, USGS, and IMCC to review and discuss new national hardrock AML program and its database design.
7. Submitted a Scope of Work for NDOM's AML database long-term changes under financial support from the US Army Corps of Engineers Restoration of Abandoned Mine Sites (RAMS) program. The RAMS program has indicated that they agree with our path forward and have requested this scope of work to be used for the new contract proposals.
8. Attended the Nevada Mineral Exploration Coalition annual business meeting in Reno.
9. Submitted an RFP to identify a vendor to perform wildlife survey work at AML hazards designated for permanent closure. The opening will be in late November with a potential contract award date in January.

Nigel Bain; *Large-Scale Mining*
Robert Felder; *Exploration and Development*
Randy Griffin; *Small-Scale Mining and Prospecting*

Commission on Mineral Resources
Josh Nordquist, *Chairman; Geothermal Resources*

Stephanie Hallinan; *Large-Scale Mining*
Art Henderson; *Oil and Gas*
Mary Korpi; *Public at Large*

10. Reviewed and provided feedback to Territory 6 for the new SOSA AML video digital marketing campaign.

11. End-of-October financial summary of bond pool:

| Reclamation Bond Pool Status Report | | Current to: 11/1/2022 | | | | | | |
|---|-------------------|-----------------------|-----------------|-----------|-----------------------|--------------|---------------|--------------|
| Plan-level Bonds -Company | Project | Entry Date | Bond Amount | % of Pool | Comments | Deposit | Premiums Paid | % Bond Whole |
| Allegiant Gold | Eastside | 11/19/2021 | \$163,064.00 | 8.32% | | \$84,036.27 | \$17,547.79 | 62.3% |
| Custom Details | Bovie-Lew | 11/17/2006 | \$14,643.00 | 0.75% | | \$7,328.32 | \$19,078.63 | 180.3% |
| New Gold Nevada (NV Rae) | Black Rock Canyon | 4/15/2005 | \$66,673.00 | 3.40% | | \$33,715.62 | \$173,042.59 | 310.1% |
| SNL Sand LLC | Money Pit | 5/21/2004 | \$430,088.00 | 21.95% | | \$233,171.91 | \$301,787.80 | 124.4% |
| Western Mine Dev. | Victorine Mine | 5/24/2000 | \$45,875.39 | 2.34% | terminated | \$0.00 | \$0.00 | |
| Western Mine Dev. | Kingston Mill | 5/24/2000 | \$100,450.00 | 5.13% | terminated | \$0.00 | \$0.00 | |
| TNT Venture | Big Canyon | 1/27/2010 | \$78,161.00 | 3.99% | | \$39,615.03 | \$52,492.92 | 117.8% |
| Dun Glen Mining | Dun Glen | 8/11/2014 | \$439,240.00 | 22.42% | | \$238,536.99 | \$213,881.21 | 103.0% |
| Statewide Notice-Level | Various | various | \$621,043.00 | 31.70% | 48 Notice-level bonds | | | |
| Total Bond Amount | | | \$1,959,237.39 | | | | | |
| Cash in Pool's Account (From BSR - 11/1/2022) | | | \$3,048,392.32 | | | | | |
| Unfunded Amount | | | -\$1,089,154.93 | | | | | |
| Percent funded | | | 155.6% | | | | | |

Chief, Abandoned Mine Lands Program (Sean Derby):

1. EPS began a hard closure project near Battle Mountain at the historical Buckingham mine site and completed 20 of 38 securings during October.
2. EPS continues safeguarding and inventory work south of Eureka including existing hazards needing securing in Nye and White Pine, and counties.
3. The AML geological assessment contractor, Bob Thomas, completed site surveys and submitted samples to American Assay contributing to a geological site characterization of the historic Buckingham mine site in Lander County.
4. AML staff worked with production contractor, Territory 6, to complete SOSA PSA content including one 1:07-minute long ad for release on YouTube and hosted on a newly developed AML landing page, six 15-second-long ads to be featuring on targeted websites, social media websites, and apps, and one 30-second-long ad to be featured on local NBC, FOX, and Nevada Sports Network channels in the Reno television market.
5. AML staff provided hazard site closure recommendations and historic documentation toward a final site closure plan for the Johnnie Mine in Nye County.
6. AML staff worked with Motus Media to develop a digital marketing strategy necessary for effective distribution of the SOSA PSA content.
7. AML staff compiled and mailed closure records completing the biannual first and second round notification to claimants with liability related to AML.
8. AML staff attended the UNR STEM career fair to recruit students for the 2023 summer field season.
9. AML staff gave a talk on the dangers of abandoned mines and hosted a booth at the Northern Nevada Off-Road Summit.
10. AML staff continues to receive feedback and give recommendations for claimants with outstanding unsecured hazards statewide.
11. AML staff received feedback from Elko BLM on newly identified AML hazards near Tuscarora.
12. AML statistics as of end-of-October:

| | SITES INVENTORIED | SITES SECURED | % SECURED |
|--------------|-------------------|---------------|-----------|
| Since 1987 | 24,572 | 20,268 | 82% |
| 2022 To Date | 527 | 637 | 121% |

GIS/ Field Specialist (Lucia Patterson):

1. Finished QA/QC on NDOW revisit data.
2. Uploaded AML photos to the server.
3. Worked on the final edits for the annual Major Mines publication and submitted it for printing.
4. Updated mining claims, inferred lithium brine claims, notices, and plans on the open data site.
5. Helped Valerie fix some reports in the financial database.
6. Prepared and gave a presentation at the Nevada Mineral Exploration Coalition annual meeting.

7. Worked on a new version of the mining activity book and met with some teachers regarding potential content.
8. Worked with EPS to pull data from a back-up due to a data synchronization issue.
9. Attended a career fair at the Smith Valley High School.
10. Provided five presentations at the Bethlehem Lutheran Elementary School in Carson City.
11. Put together an AML display for and attended the Carson City “Boonanza” with Valerie.
12. Helped the Washoe County Sheriff’s office with an investigation at an abandoned mine feature.
13. Updated fluid mineral program data on the open data site.
14. Updated the C.H.I.M.E.S. web application with all Plan and Notice data for the western US.

AML/Fluid Minerals Field Specialist (Dustin Holcomb):

1. Field calls and emails from claimants regarding securing hazards, including entering data into SOSA and compiling and tracking responses per mailout.
2. Responded to two public data requests, supplying AML feature locations within a project boundary
3. Attended the NMEC annual business meeting.
4. Assist with review and edits to the “Stay Out, Stay Alive” PSA commercial.
5. Inventory, clean, and organize the rock samples in the storage shed.
6. Reviewed three geothermal permit applications with Cortney.
7. Attended NAAMLPLP conference in Grand Junction, CO.
8. Assist Washoe County Sheriff’s Department in a potential crime scene investigation in the Olinghouse District.
9. Promote the AML summer internship at the Fall Semester 2022 Career and Internship Fair, at UNR.
10. Help setup the “Boonanza” Display, in Carson City, for their Halloween festival.

AML/Public Outreach – Southern Nevada Programs Manager (Garrett Wake):

1. Conducted four 5th grade mineral identification, mineral use in society and AML presentations at Grant Bowler ES, Logandale; approximately 120 students and teachers in attendance.
2. Conducted one 4th grade career, minerals use and AML presentation at Eva Simmons ES, Las Vegas; approximately 120 students and teachers in attendance.
3. Scouted access to the Logandale HRC project area with a newly hired NDOW employee.
4. Investigated previously unvisited NV points on federally managed land around the Johnnie Mine patents, Nye County.
5. Continued to facilitate the Mining for a Steam Education: All About Mining asynchronous virtual course. Currently, 30 Nevada teachers are enrolled to learn more about modern mining and earn professional-development credit.
6. Prepared and exported the 2021 statewide Cultural Resource Avoidance Certification (CRAC) maps to be used for our required annual reporting.
7. Filed PDAC-related tax-reimbursement forms with the Canadian Revenue Authority.
8. Attended the National Association of Abandoned Mine Lands Programs conference in Grand Junction, Colorado. Attended technical sessions and networked with AML collaborators from across the country.
9. Completed the four-day “Operations I” session of the Nevada Certified Public Manager’s course.
10. Participated in an NDOM quarterly staff meeting, RAMS monthly progress meeting with TerraSpectra, NVMA Education Committee Meeting, and a McCaw School of Mines quarterly board meeting.

AML/Public Outreach and Education – Southern Nevada Field Specialist (Vacant):

Fluid Minerals Program Manager (Cortney Luxford):

1. Four geothermal permits and no oil permits were issued in October. The Forty Mile Desert project area permit was approved in Churchill County. The Ormat Lone Mountain 14-37 RD1 observation well was approved on BLM land in Esmeralda County. The Ormat Colado 14-27 and 21(31)-27 observation wells were approved on a private lease in Pershing County.
2. Fourteen geothermal sundries and five oil sundries were processed in October.
3. One DMRE borehole notice was received and approved. The Scotch Creek 1 was approved in Clayton Valley in Esmeralda County. No DMRE exploration wells were permitted in October.
4. Witnessed surface casing cement job at Great Basin Operating’s North Diamond Valley oil well in Elko County.
5. Inspected 12 geothermal wells in the Rye Patch field and the Florida Canyon mine area.
6. Attended virtual Nevada Joint Military Affairs Committee meeting.

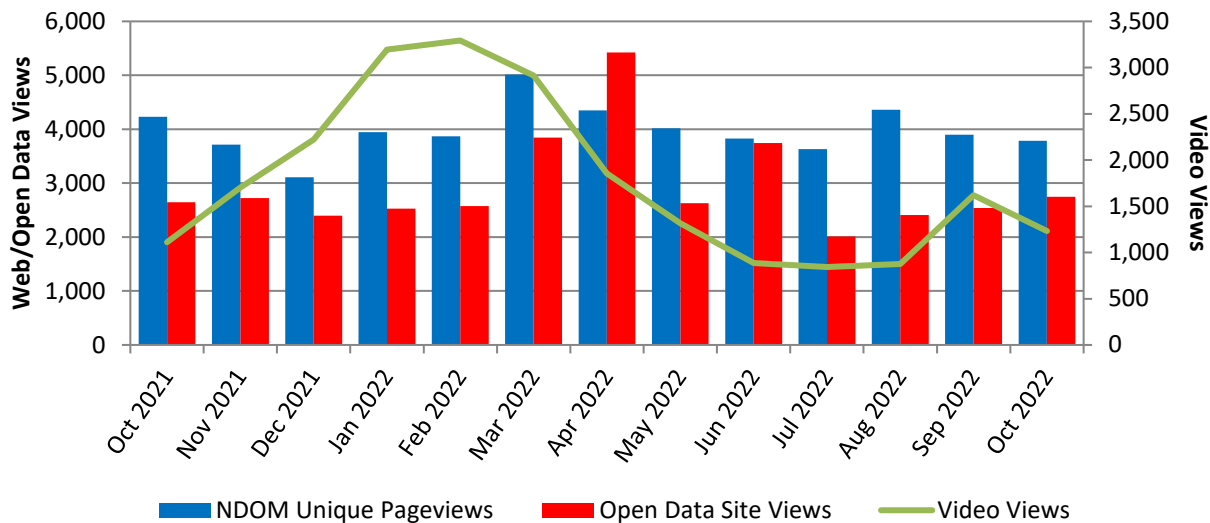
7. Trained Dustin on the Division's geothermal permit application review process.
8. Had discussion with Eavor Technology's representative about permitting wells in Nevada.
9. Coordinated with BLM state and field offices to monitor drilling operations, review permit applications and sundries for fluid minerals.
10. Well inspection status as of the end of October:

| FY 2023 Well Inspections | Total Wells | Wells Needed for FY23 | Wells Inspected | % of Total Needed | Wells Remaining |
|---------------------------|-------------|-----------------------|-----------------|-------------------|-----------------|
| Geothermal (20 Locations) | 468 | | 126 | | |
| Oil (23 Locations) | 122 | | 17 | | |
| Totals | 590 | 197 | 143 | 73% | 54 |

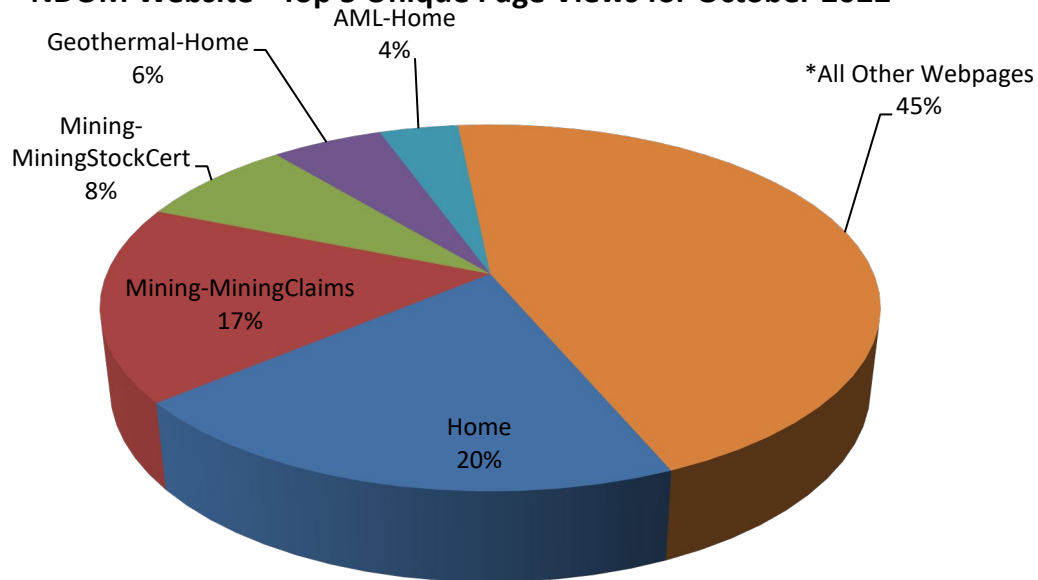
Website Activity:

| Period | Website Pageviews | Website Unique Pageviews | NDOM Website Top 5 Pageviews | Open Data Site Views | Video Views |
|---------------------|-------------------|--------------------------|--|----------------------|-------------|
| Oct 2022 | 5,191 | 3,787 | Home, MiningClaims, MiningStockCert, Geothermal-Home, and AML-Home | 2,747 | 1,233 |
| Oct 2021 - Oct 2022 | 70,247 | 51,747 | | 38,210 | 23,066 |

**NDOM Web/Open Data/Video Sites
13 Month Rolling Chart**



NDOM Website - Top 5 Unique Page Views for October 2022

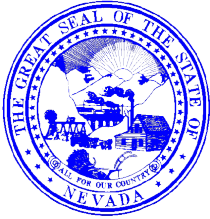


*All Other Webpages - Site pages including Home Pages, Current Information, About Us, Commission, Programs, News, FAQs, and Contact Us pages.

Website Top Visitors

| | | |
|----------|---------|---|
| Oct-2022 | Country | United States, Canada, India, Netherlands, and Russia |
| | State | Nevada, California, Virginia, Texas, and Washington |
| | City | (unknown), Reno, Las Vegas, Washington, and Los Angeles |

| <u>Video Views in October 2022</u> | <u>Top 5 Video Views</u> | <u>Dist Learn Trkr # of Classes</u> | <u>No. NV 45%</u> | <u>So. NV 55%</u> |
|--|---|---|---------------------------|---------------------------|
| 1,233 | 1) The Basics of Mineral Identification; 2) Mining in Nevada - 18:22 mins.; 3) Ore Deposits an Overview; 4) Weathering & Erosion Part 1; 5) A General Overview... Earth and Nevada Geological History | 49 | 22 | 27 |



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/>



STEVE SISOLAK
Governor

Las Vegas Office: 375 E. Warm Springs Rd. #205, Las Vegas, NV 89119
Phone: (702) 486-4343; Fax: (702) 486-4345

MICHAEL VISHER
Administrator

September 2022
MONTHLY ACTIVITY REPORTS

Administrator (Mike Visher):

1. Provided an agency update to the Mining Oversight and Accountability Commission.
2. Researched claims, notices, plans, and critical mineral occurrences within boundary of the proposed 445,000-acre Avi Kwa Ame (Ah-VEE kwa-ah-may) National Monument in advance of an October stakeholder meeting convened by the Governor's office and DOI. The bill (H.R. 6751) sponsored by Representative Titus would expand the existing Piute-Eldorado ACEC in southwestern Clark County and place 516 mining claims at risk, including 347 by two companies with REE exploration projects near the California border.
3. Answered questions on mineral rights and made BLM-requested updates to agency's informational flyer on annual BLM and county mining claim filing requirements.
4. Worked with Rob and NDEP on joint letter to Congress supportive of Good Sam bill (S. 3571).
5. Interviewed Jessie Dumas for AAIV position. She accepted the offer and began working for us on September 12th.
6. Meetings attended: NREL Geothermal Regulatory Stakeholder Working Group, DOI Geothermal Interagency Collaboration Task Force, State Environmental Commission, IMCC on Mining Law reform, SPE webinar on Methane Emission Investigations at oil well sites, Smart from the Start, DOI and Western Governors Association on Mining Law Reform, BLM UT-NV Cross-Tie EA, and BOE.

Deputy Administrator (Rob Ghiglieri):

1. Bond pool activity in September consisted of one new notice-level bond and one reduction.
2. Working with NDEP, we finalized and sent two joint support letters for the Senate Bill S.3571 the Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2022. One letter was addressed to the U.S. Senate Committee on Environment and Public Works (EPW), and the second letter was addressed to Nevada's House of Representatives. A hearing for S.3571 was heard by the EPW Committee on September 29, 2022.
3. Worked with Valerie on five work programs for Fiscal Year 2023. The work programs included, Special Projects, revenue GLs for the USFS cost share agreement and BLM grant, AML Enhancements, and Las Vegas office expenses.
4. Worked with Garrett and Sean on the evaluation and procurement process for the two AML truck replacements in FY23.
5. Provided my edits and comments to the USGS on the new National Hardrock AML database design. Additional review and modifications will take place in October.
6. Started the Scope of Work for NDOM's AML database long-term changes for the US Army Corps of Engineers Restoration of Abandoned Mine Sites (RAMS) program. The RAMS program has indicated that they agree with our path forward and have requested this scope of work to be used for the new contract proposals. The scope of work will be completed and submitted in October.
7. Attended the Top Energy training for the Environmental Stewardship course in Pittsburgh, PA. I now have completed all three trainings for Top Energy program.
8. Evaluated EPA Brownfields grant opportunities for NDOM's AML program. A meeting with the EPA will occur in early October.

Nigel Bain; *Large-Scale Mining*
Robert Felder; *Exploration and Development*
Randy Griffin; *Small-Scale Mining and Prospecting*

Commission on Mineral Resources
Josh Nordquist, *Chairman; Geothermal Resources*

Stephanie Hallinan; *Large-Scale Mining*
Art Henderson; *Oil and Gas*
Mary Korpi; *Public at Large*

9. End-of-September financial summary of bond pool:

| Reclamation Bond Pool Status Report | | | Current to: | 9/29/2022 | | | | |
|--|-------------------|----------------|------------------------|---------------|------------------------------|--------------|---------------|--------------|
| Plan-level Bonds -Company | Project | Entry Date | Bond Amount | % of Pool | Comments | Deposit | Premiums Paid | % Bond Whole |
| Allegiant Gold | Eastside | 11/19/2021 | \$163,064.00 | 8.32% | | \$84,036.27 | \$17,547.79 | 62.3% |
| Custom Details | Bovie-Lew | 11/17/2006 | \$14,643.00 | 0.75% | | \$7,328.32 | \$18,784.75 | 178.3% |
| New Gold Nevada (NV Rae) | Black Rock Canyon | 4/15/2005 | \$66,673.00 | 3.40% | | \$33,715.62 | \$172,709.22 | 309.6% |
| SNL Sand LLC | Money Pit | 5/21/2004 | \$430,088.00 | 21.95% | | \$233,171.91 | \$301,787.80 | 124.4% |
| Western Mine Dev. | Victorine Mine | 5/24/2000 | \$45,875.39 | 2.34% | terminated | \$0.00 | \$0.00 | |
| Western Mine Dev. | Kingston Mill | 5/24/2000 | \$100,450.00 | 5.13% | terminated | \$0.00 | \$0.00 | |
| TNT Venture | Big Canyon | 1/27/2010 | \$78,161.00 | 3.99% | | \$39,615.03 | \$51,711.30 | 116.8% |
| Dun Glen Mining | Dun Glen | 8/11/2014 | \$439,240.00 | 22.42% | | \$238,536.99 | \$213,881.21 | 103.0% |
| Statewide Notice-Level | Various | various | \$621,043.00 | 31.70% | 48 Notice-level bonds | | | |
| Total Bond Amount | | | \$1,959,237.39 | | | | | |
| Cash in Pool's Account (From BSR - 9/29/2022) | | | \$3,014,390.80 | | | | | |
| Unfunded Amount | | | -\$1,055,153.41 | | | | | |
| Percent funded | | | 153.9% | | | | | |

Chief, Abandoned Mine Lands Program (Sean Derby):

1. EPS completed repair work on 68 hard closure sites found to be vandalized during wildlife surveys in 2021. Additionally, EPS completed an emergency closure and demolition using an emergency CX issued by BLM Las Vegas resulting from a structure fire near a known AML hazard in Searchlight.
2. EPS began safeguarding and inventory work south of Eureka including existing hazards needing securing in Eureka, White Pine, and Nye counties.
3. AML staff evaluated new field vehicles for purchase.
4. AML staff began site surveys resulting from newly proposed statewide hard closure projects meetings with USFS.
5. The AML cultural contractor, Broadbent, began archeological survey work for two upcoming hard closure projects in Clark County.
6. AML staff worked with production contractor, Territory 6, to complete filming contributing to the "Stay Out Stay Alive" digital marketing campaign.
7. AML staff met with Pahrump Historical Society to discuss funding and scope of work of NDOM new county hard closure funding program.
8. AML staff received CX request approvals from the BLM for three upcoming hard closure projects in Lander, Pershing, and Washoe counties.
9. AML staff compiled and mailed closure records completing the biannual first and second round notification to claimants.
10. End-of-September AML stats:

| | SITES INVENTORIED | SITES SECURED | % Secured |
|--------------|-------------------|---------------|-----------|
| Since 1987 | 24,375 | 20,157 | 83% |
| 2022 To Date | 330 | 526 | 159% |

GIS/ Field Specialist (Lucia Patterson):

1. Finished QA/QC on NDOW revisit data.
2. Uploaded AML photos to the server.
3. Worked on edits for the annual Major Mines publication and submitted it to NBMG for review and final printing preparations.
4. Updated mining claims and inferred lithium claims on the open data site.
5. Provided a video interview to the Nevada Independent on the process for researching and locating mining claims.
6. Created geodatabase of NDOM AML hazards with slope, aspect, and elevation for Jason Williams at NDOW.
7. Analyzed some data from the BLM in preparation for analysis of the important Sage-Grouse habitat areas with respect to minerals.
8. Created a presentation for the October NMEC annual meeting.

9. Designed a new web application called “Lands With, or Having the Potential for, Mineral Entry Conflicts”, which allows the user to analyze impacts or potential impacts to mineral entry from existing or proposed land withdrawals in Nevada.
10. Compiled wind and solar ROW data for publication and use in the aforementioned web application.
11. Updated the County Claims dashboard.
12. Created posters for NMEC annual meeting.
13. Answered phone calls and emails on mining claims, mineral rights, and mineral locations.

AML/Fluid Minerals Field Specialist (Dustin Holcomb):

1. Assess the field truck conditions after the completion of the summer intern program and schedule necessary repairs.
2. Inventory and restock supplies and materials needed for field work.
3. Participate in the NDOM AML monthly progress meeting.
4. Attend the TerraSpectra SOSA database meeting.
5. Inspected 37 geothermal wells with Cortney in the Salt Wells/ Carson Lake area in Churchill County.
6. Delineate and survey 30 sites at the Red Rock Mine for hard rock closure project, in Esmeralda County.
7. Assist in the filming of the SOSA video at the Johnnie Mine, near Pahrump.
8. Reviewed the permit process for DMRE exploration wells with Cortney Luxford.
9. Attend the call between NDOM and the BLM to coordinate drilling permits and sundries for the fluid mineral programs.
10. Help prepare and send out first and second mail-out to claim owners with unsecured hazards.
11. Field calls and emails from 10 claim owners, representing 24 hazards.
12. Volunteered to teach a new course on hydraulic fracturing at next year’s Earth Science Teachers workshops.

Southern Nevada Programs Manager (Garrett Wake):

1. Responded to a call from the Clark County Fire Department regarding a structure fire associated with a nearby abandoned mine. The fire consumed most of the building but left it standing representing a significant public-safety risk due to its proximity to the US-95. Coordinated with BLM and NDOT to determine land status and submitted an emergency CX request to the BLM in order to demolish the remains of the structure. Worked with EPS to demolish the structure and clean the site within three days of the initial call.
2. Created the 2022 Nevada Excellence in Mine Reclamation award flyer.
3. Moved the Southern Nevada office’s storage shed from commercial to State-owned space.
4. Updated the Mining for a STEAM Education virtual course and conducted the initial “live-sync” virtual session; 30 K-12 educators enrolled in the Fall 2022 course.
5. Participated in a career fair at Foothill High School; interacted with approximately 40 students and their families.
6. Researched new-model vehicles suitable for AML work in preparation for the replacement of two of NDOM’s older model AML trucks. Created a spreadsheet comparing key criteria and costs. Worked with vehicle vendors to assess vehicle availability and cost, and to add models to existing statewide contracts.
7. Completed the four-day “Foundations II” session of the Nevada Certified Public Manager’s course.
8. Visited the Johnnie Mine with Sean to pre-plan filming locations for the upcoming SOSA campaign video shoot.
9. Responded to claimants inquiring about the Division’s AML letter notification mailout.
10. Assisted with preparation for and execution of the McCaw School of Mines Annual Gala.
11. Participated in an NvMA Education Committee meeting, NDOM safety committee meeting, RAMS monthly progress meeting with TerraSpectra, and a DMRE-introduction meeting with Cortney.

Southern Nevada Education and Outreach Specialist (Vacant)

Fluid Minerals Program Manager (Cortney Luxford):

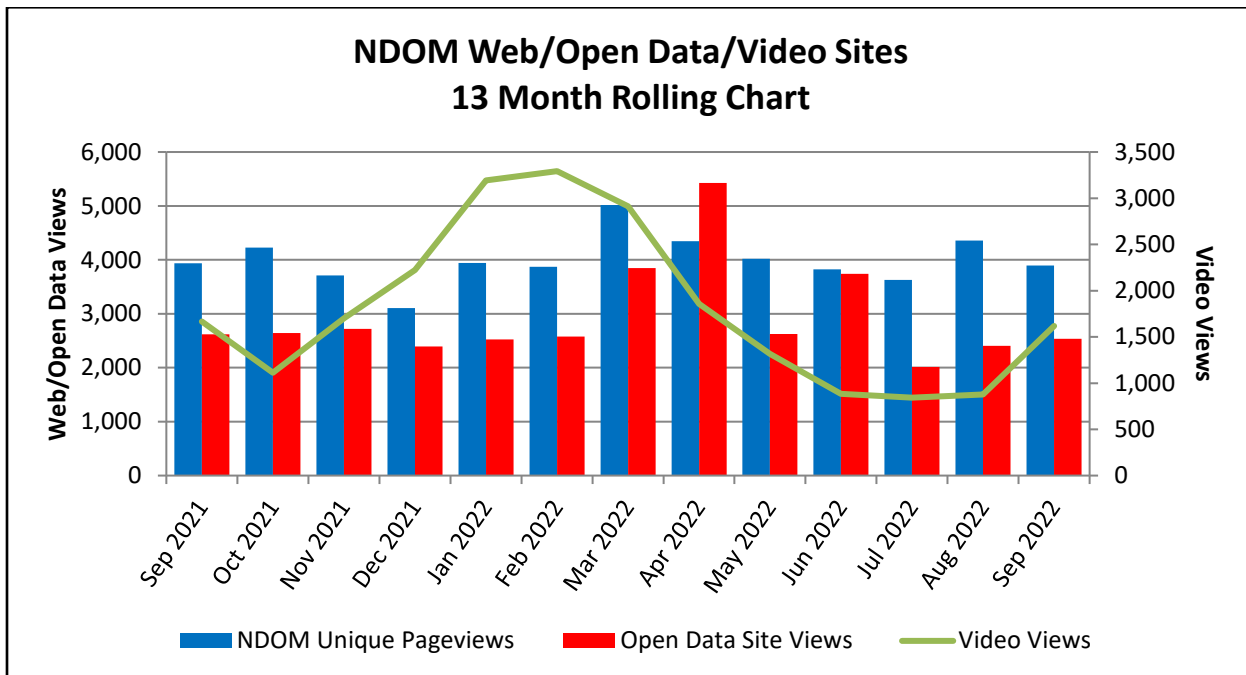
1. Four geothermal permits and no oil permits were issued in September. The Ormat Lone Mountain 36-31, 55-4, 74-31 and the 83(18-30)36 thermal gradient well permits were approved in Esmeralda County on BLM land.
2. Nine geothermal sundries and two oil sundries were reviewed in September.
3. No DMRE borehole notices or well permits were approved in September.
4. Inspected 37 geothermal wells with Dustin in the Salt Wells/ Carson Lake area of Churchill County.

5. Inspected 17 oil wells in the Blackburn, Three Bar, North Willow Creek, Tomera Ranch fields, and Western Oil's wildcat well in Newark Valley.
6. Communicated with Wesco-Kirkwood regarding the abandonment procedures of the North Willow Creek 1-27 and 6-27. Inspected operations on two occasions. Both wellbores were plugged. The surface locations need to have equipment removed and site restoration completed.
7. Went to Crescent Valley for drilling operations inspection of Ormat's core drilling.
8. Went to Pittsburgh, PA for the final Top Energy training course.
9. Went through permit review process for DMRE exploration wells with Dustin and Garrett.
10. Coordinated with BLM state and field offices to monitor drilling operations, review permit applications and sundries for fluid minerals.
11. End-of-September well inspections:

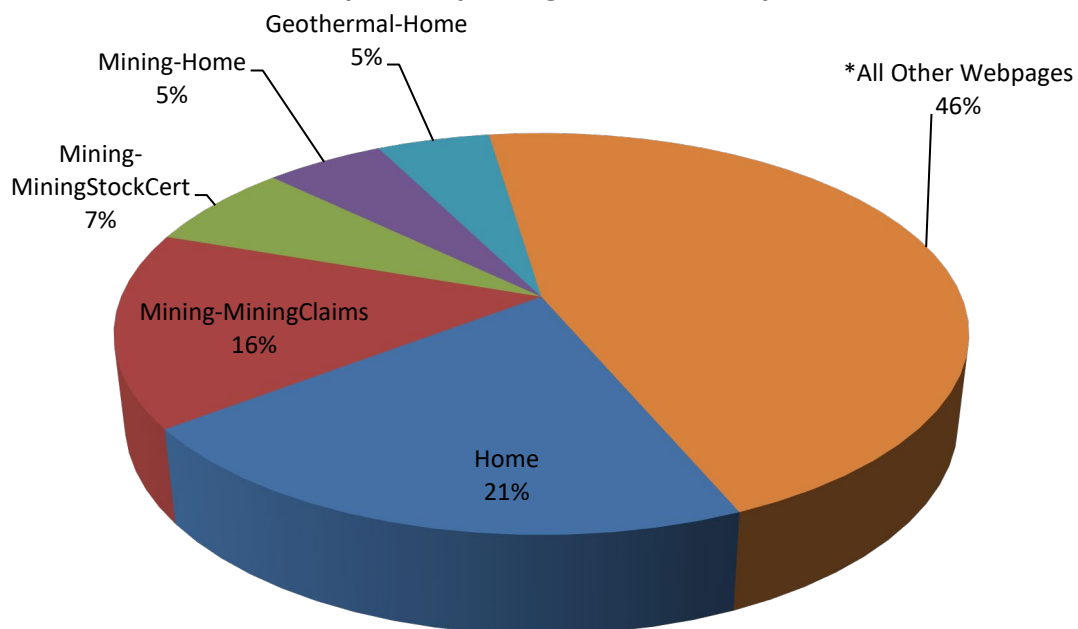
| FY 2023 Well Inspections | Total Wells | Wells Needed for FY23 | Wells Inspected | % of Total Needed | Wells Remaining |
|---------------------------|-------------|-----------------------|-----------------|-------------------|-----------------|
| Geothermal (19 Locations) | 468 | | 114 | | |
| Oil (23 Locations) | 122 | | 17 | | |
| Totals | 590 | 197 | 131 | 66% | 66 |

Website Activity:

| Period | Website Pageviews | Website Unique Pageviews | Website Top 5 Pageviews | Open Data Site Views | Video Views |
|-------------------|-------------------|--------------------------|--|----------------------|-------------|
| Sep 2022 | 5,528 | 3,898 | Home, Mining-Mining Claims, Mining-MiningStockCert, Mining-Home, and Geothermal-Home | 2,539 | 1,619 |
| Sep 2021-Sep 2022 | 70,427 | 51,897 | | 38,083 | 23,499 |



NDOM Website - Top 5 Unique Page Views for September 2022

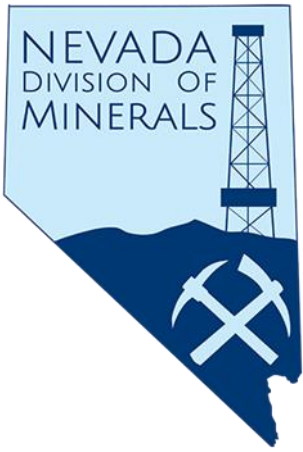


*All Other Webpages - Site pages including Home Pages, Current Information, About Us, Commission, Programs, News, FAQs, and Contact Us pages.

Top Visitors

| | | |
|----------|---------|---|
| Sep-2022 | Country | United States, Canada, Netherlands, Russia, and Mexico |
| | State | Nevada, California, Virginia, Washington, and Colorado |
| | City | (unknown), Reno, Las Vegas, Washington, and Los Angeles |

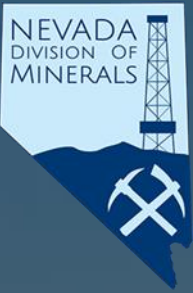
| <u>Video Views in September 2022</u> | <u>Top 5 Video Views</u> | <u>Dist Learn Trkr # of Classes</u> | <u>No. NV 45%</u> | <u>So. NV 55%</u> |
|--|--|---|---------------------------|---------------------------|
| 1,619 | 1) The Basics of Mineral Identification; 2) Mining in Nevada - 18:22 mins; 3) Ore Deposits an Overview; 4) A General Overview... Earth and Nevada Geological History; 5) Weathering & Erosion Part 1 | 65 | 29 | 36 |



AML Mailout Review

The last three years of mailout data
2020-2022



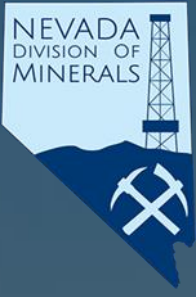


CHAPTER 513 - COMMISSION ON MINERAL RESOURCES

- The Nevada Division of Minerals (Division) will continue to implement a notification process that will take place semi-annually during or near the months of October and April.
- Once an owner has been notified by the Division and has not responded in any form within six months of the original notification, the Division will send a formal notification to the owner; as well as, a notification of incompliance to the county.

NRS 513.094

2. The Administrator shall, within the limits of the money provided by this fee, establish a program to discover dangerous conditions that result from mining practices which took place at a mine that is no longer operating, identify if feasible the owner or other person responsible for the condition, and rank the conditions found in descending order of danger. The Administrator shall annually during the month of January, or more often if the danger discovered warrants, inform each board of county commissioners concerning the dangerous conditions found in the respective counties, including their degree of danger relative to one another and to those conditions found in the State as a whole. In addition, the Administrator shall work to educate the public to recognize and avoid those hazards resulting from mining practices which took place at a mine that is no longer operating.

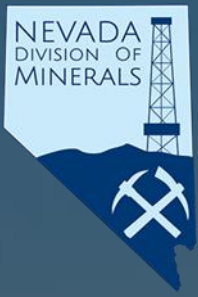


Claim Holders Contacted

Annual Mailout to Claim Holders

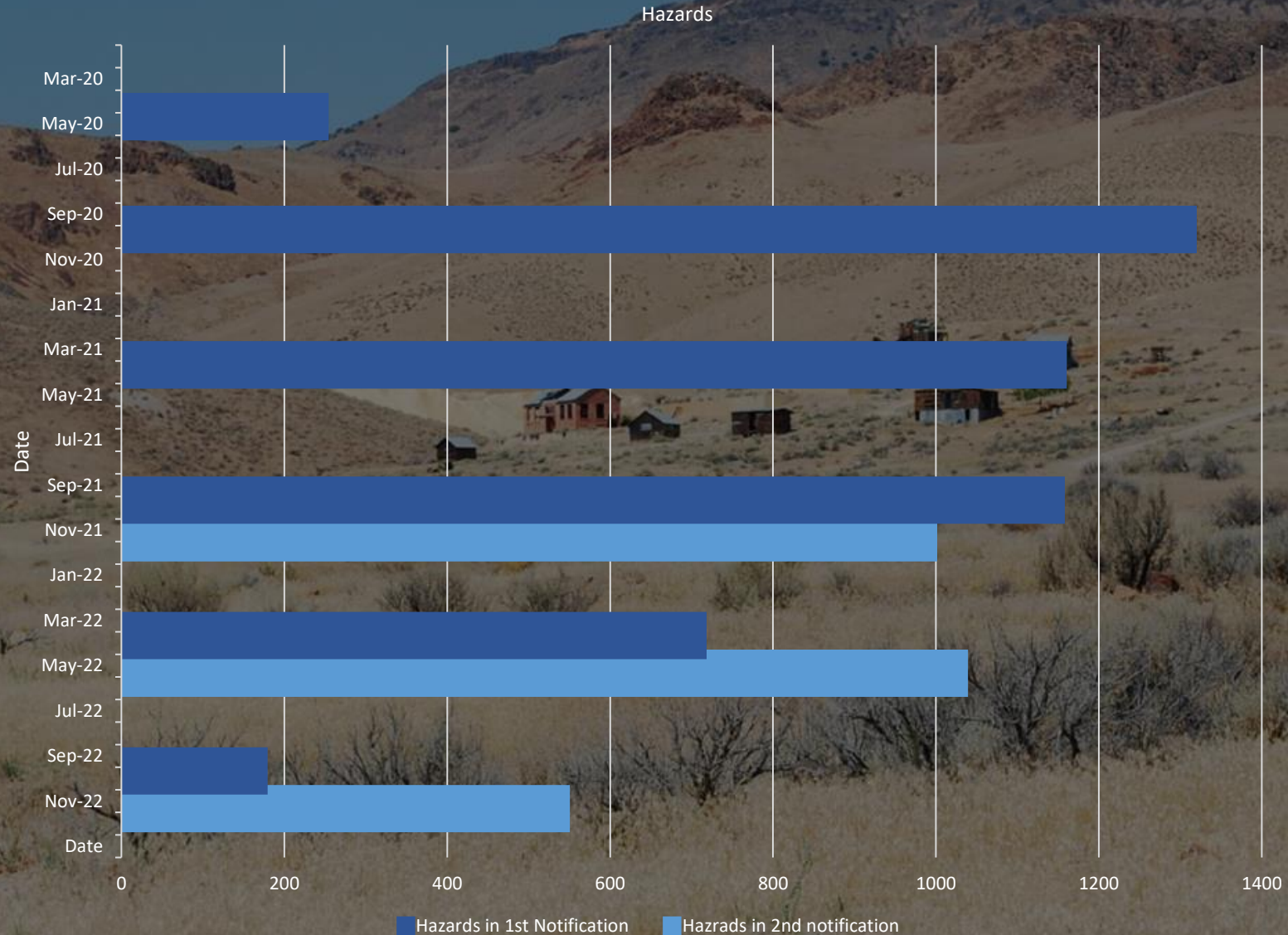
- 1st & 2nd Mailout
- Research
- SOSA
- Return Addresses
- Price of Gold

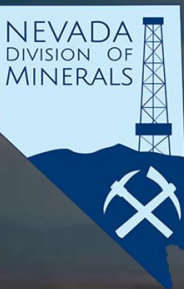
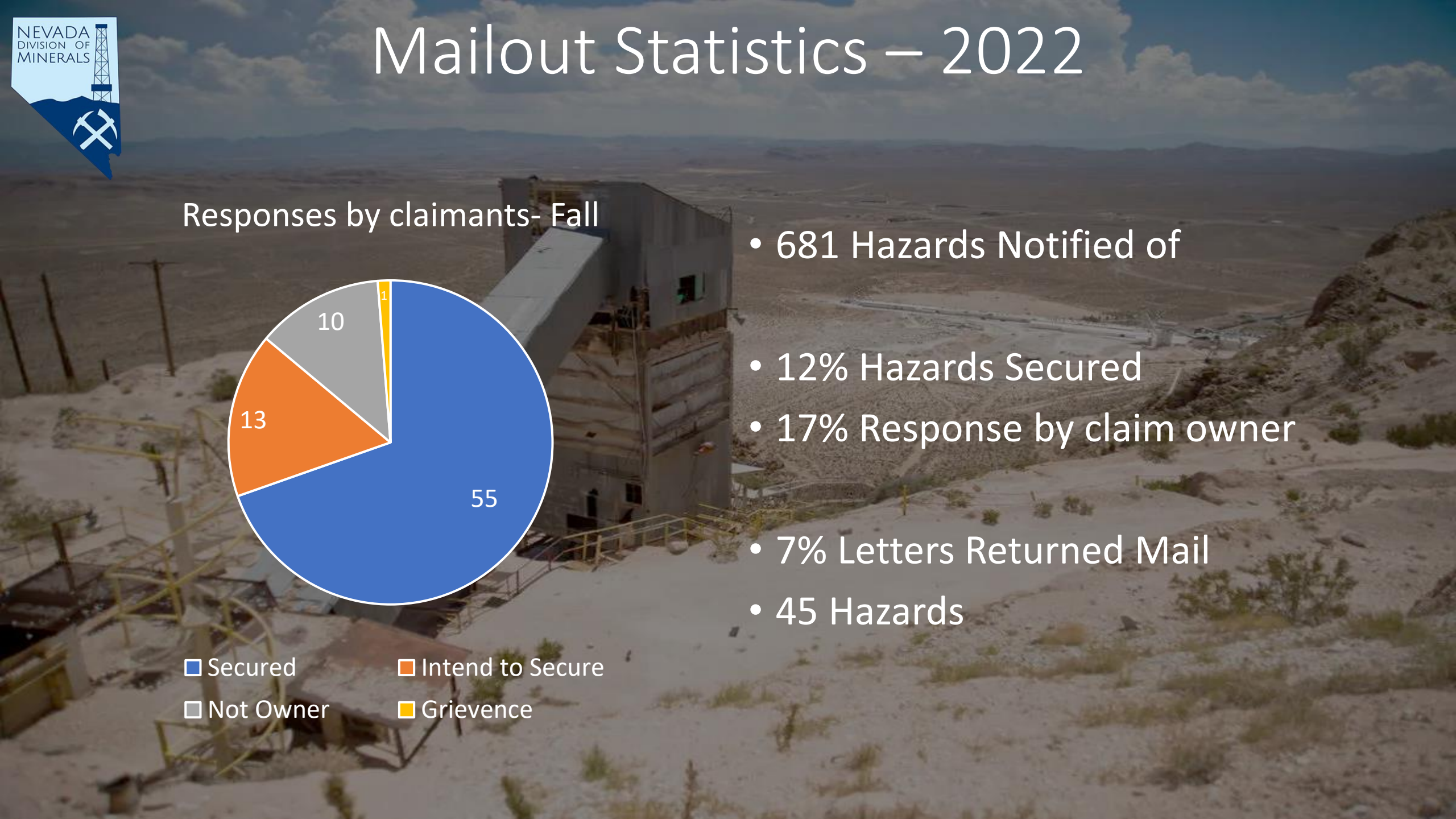




Unsecured Hazards

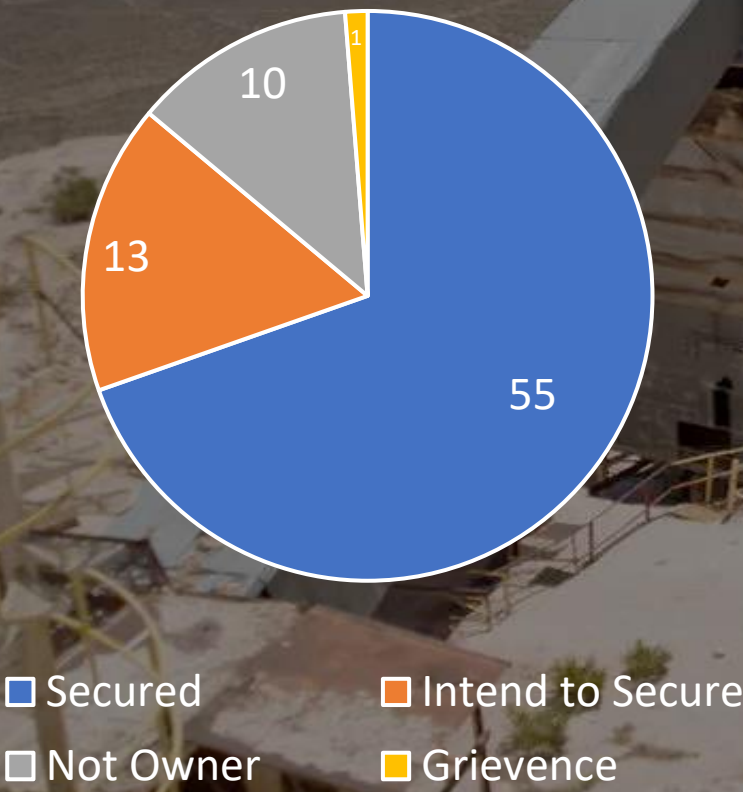
- Inventory Methods
- SOSA
- Metrics
- User Preference
- Database
- Fall 2022



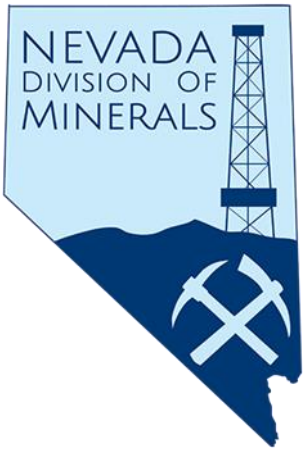


Mailout Statistics – 2022

Responses by claimants- Fall



- 681 Hazards Notified of
- 12% Hazards Secured
- 17% Response by claim owner
- 7% Letters Returned Mail
- 45 Hazards



AML Mailout Review

Questions?

- Things to be done moving forward?
- Continue to refine the tracking
- Ever evolving mailout practices
- <https://amlsosa.nv.gov/SOSA/>

V. B. Correspondence to the Commission

Mike, Rob, Josh, and CMR Committee Members, 8/17/2022

I am writing to thank you for your financial support for the Mining Center of Excellence, specifically for laboratory equipment that is crucial to the 'hands-on' education for the next generation of mining students. I truly can't thank you enough and looking forward to inviting you all for a tour as soon as possible.

Many Thanks, Annie