

**Attachment 3**  
*Summary of Recommendations to Improve Mining on Public Lands*

Legend: ○ not started yet      ◐ initial discussions      ● implementation underway

Report Pg #	Recommendation	Legislative	Regulatory	Federal/Agency Policies
<b>Access to and Use of Federal Lands</b>				
99	Amend the 1872 General Mining Law to permanently end patenting of Federal lands	○		
99	Congress should develop a leasing system to provide access to hardrock minerals on public lands	○		
100	Once a leasing system is established, prepare a programmatic Environmental Impact Statement to incorporate mining into land use planning processes	○		
100	Conduct one or more pilot projects exploring innovating ways to integrate mining into land use planning processes			○
101	Amend Interior and USFS regulations and policy to provide for consistent implementation of the Mining Law and access to minerals		○	
101	Provide the BLM and USFS with authority to debar an operator based on past poor performance	○		
102	Create a new administrative withdrawal process that allows for conditional development	○		
102	Reemphasize the importance of mineral potential reports in land use planning decisions			○
103	Ancillary uses and mill sites	○		
<b>Fair Return and Diligent Development</b>				
104	Place a royalty on commercial production from mines on Federal lands	○		
104	Congress should increase claim maintenance fees	○		
105	Create a BLM system whereby claim maintenance fees escalate if no exploration or production occurs on a claim after a certain period of time	○		
105	Congress should create a reclamation fee to generate additional revenue for abandoned hardrock mine remediation	○		
105	Designate uses for additional revenue generated from the above recommendations	○		

Biden-Harris Administration’s Interagency Working Group on Mining Laws, Regulations, and Permitting (2023), *Final Report: Recommendations to Improve Mining on Public Lands*, found at <https://www.doi.gov/sites/doi.gov/files/mriwg-report-final-508.pdf>.

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106	Create a Revenue Sharing Program to Help States and Local Governments Address the Impacts that Result from Hardrock Mineral Development on Federal Lands	○		
106	Reform the Small Miner Waiver (SMW) program	○		
<b>Permitting Process</b>				
107	Update and adopt the BLM-NV permitting process model as standard operating procedure nationwide.			●
107	Require BLM and USFS to share baseline reports with EPA, other applicable Federal cooperating agencies, and Tribal Governments when implementing recommendation 1 above.			●
108	Develop and publicly share and track project schedules.			○
108	Develop consistent policy and regulations regarding application information requirements.		○	◐
109	Require pre-application meetings		○	
110	Include USACE and EPA in pre-application meetings.			●
110	Prioritize plans that maximize best environmental and social practices.	○	○	○
112	Incentivize or require social impact and community benefit planning documents.		○	○
112	Require the development of a Climate Change Adaptation Plan		○	
113	Improve the use of cooperating agencies			◐
113	Provide more specific procedures for engaging with communities with EJ concerns during and outside of the plan approval and NEPA process			◐
114	Develop more robust policies for stakeholder engagement			◐
114	Maintain a forum for interagency federal mine permitting experts			◐
115	Promote a Circular Economy			◐
<b>Increasing Transparency</b>				

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116	Create a mining and mine permitting presentation guide to improve public understanding of mining and the mine approval process			○
117	Develop a user-friendly website that enables the public to easily see and identify all proposed, operating, reclaimed, and unreclaimed mineral exploration and production operations in a given area			○
117	Amend Interior and USFS regulations to expand notice level (and exploration and mine plan) review time and notification requirements		○	◐
118	Make compliance performance records available to the public			○
<b>Tribal Engagement and Consultation</b>				
119	Enact legislation to require meaningful, robust, and early consultation between the Federal government and Tribal governments	○		
120	Improve Agency Consultation Procedures and Training			◐
120	Provide adequate resources for Tribal consultation	○		
120	Issue new policy guidance on NHPA implementation			○
121	Provide additional protections for Tribal cultural sites, sacred sites, and resources	○	○	
122	Develop a system for automatic Tribal notification when notices or plans are proposed in an area of Tribal interest			◐
122	Require exploration plans instead of notices when operations would impact Tribal resources or treaty rights, listed species, etc.		○	
122	Incorporate Indigenous Knowledge (IK) during the environmental and permitting review for an exploration plan, mine plan of operations or associated permit			◐
123	Invite Tribes to participate as cooperating agencies in the NEPA process			◐
123	Include Tribes in pre-application meetings, and allow Tribes to review baseline			●

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	information in updating and expanding the BLM Nevada permitting process			
123	Include Tribes in the determination of appropriate financial assurance levels and post-mining land use		○	
124	Provide funding to Tribal Governments to allow them to more effectively engage in reviews of mining proposals and shared monitoring of operating mines	○		◐
125	Encourage additional Federal and private sector support for Tribally-led assistance organizations	○		◐
<b>Operational Standards</b>				
126	Require adherence to the Global Industry Standard on Tailings Management (GISTM)		○	
126	Improve the standard of care and provide consistency in Interior and USFS regulations		○	
127	Improve enforcement resources, authorities, and tools	○		
<b>Mine Closure / End of Life</b>				
128	Enact Good Samaritan protections	○		
129	Encourage remining and reprocessing of previously disturbed sites	○		◐
130	Prohibit mine operations that would result in the need for perpetual water treatment	○		
131	Strengthen review of mines left in extended non-operating status		○	○
131	Enact reforms to financial assurances laws	○		
132	Review agency reclamation assumptions for unforeseen costs as part of bonding estimate			○
133	Strengthen requirements for financial assurance instruments		○	
134	Revise MOUs for governing bonding roles and responsibilities and bond release reviews		○	○
134	Develop a Reclamation Handbook			○
<b>Government &amp; Private Sector Capacity</b>				
135	Provide adequate resource support for Federal permitting agencies and historic preservation offices	○		
135	Build out the Federal database of mineral data and reporting requirements	○	○	○
138	Increase Federal investments in new technologies for data collection	○		○

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138	Increase Federal support and investment in research	○		
139	Create a grant program for mining schools	○		
140	Provide the USFS and FWS with full cost recovery authority	○	○	