

ASSEMBLY BILL NO. 313—ASSEMBLYWOMAN PETERS

MARCH 16, 2023

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to mining reclamation. (BDR 46-590)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to mining; revising provisions relating to the reclamation of exploration projects and mining operations; revising requirements relating to a plan for reclamation; requiring certain state agencies to prepare reports relating to certain impacts of pit lakes and mining; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires a person who applies for a permit for a mining operation to file a plan for reclamation with the Division of Environmental Protection of the State Department of Conservation and Natural Resources. (NRS 519A.210)

Section 4 of this bill requires that if an open pit will be excavated below the premining water table, a plan for reclamation must, with certain exceptions, provide for the backfilling of the open pit to a level where no pit lake will form and no seasonal or permanent wetland will exist. **Section 2** of this bill defines “pit lake.” **Section 4** also provides that an operator may apply to the Division for an exception from this requirement.

Section 6 of this bill makes a conforming change to indicate the proper placement of **section 2** in the Nevada Revised Statutes.

Sections 14 and 15 of this bill make conforming changes to indicate that certain provisions governing violations and penalties relating to a plan for reclamation are applicable to the provisions of **sections 2 and 4**.

Under existing law, a person who submits an application to engage in an exploration project or mining operation must agree to assume responsibility for the reclamation of any surface area or land, respectively, damaged as a result of the exploration project or mining operation. (NRS 519A.190, 519A.210) **Sections 9 and 10** of this bill require such a person to also agree to assume responsibility for the reclamation of any surface water and groundwater affected as a result of the exploration project or mining operation. **Section 12** of this bill requires a plan for



22 reclamation to provide for the reclamation and restoration of affected surface water
23 and groundwater.

24 **Section 7** of this bill revises the definition of the term “affected” to include
25 surface water and groundwater that is or will be used or disturbed by mining.
26 **Section 8** of this bill revises the definition of the term “reclamation” to include
27 actions performed during or after an exploration project or mining operation
28 relating to surface water and groundwater.

29 Existing law requires the Division to develop a checklist to be completed by
30 applicants for a permit to engage in a mining operation, which must include certain
31 information relating to the plan for reclamation. (NRS 519A.220) **Section 11** of this
32 bill requires the information relating to the plan for reclamation on the checklist to
33 include: (1) the proposed subsequent use of any pit lake after the mining operation
34 is completed; and (2) the monitoring and restoration of affected surface water and
35 groundwater that will be performed by the operator.

36 Existing law authorizes an operator of a mining operation to request that the
37 Division grant an exception from reclamation requirements for open pits and rock
38 faces which may not be feasible to reclaim. (NRS 519A.230) **Section 12** provides
39 that an operator may request an exception for open pits and rock faces only if no pit
40 lake is anticipated to result from the mining operation.

41 Existing law requires each operator of a mining operation or exploration project
42 to submit an annual report to the Administrator of the Division relating to the status
43 and production of all mining operations and exploration projects in which the
44 operator has engaged and identifying each acre of land affected and land reclaimed
45 by that mining operation or exploration project through the preceding calendar
46 year. (NRS 519A.260) **Section 13** of this bill requires an operator to map each such
47 acre and include in the map all disturbances by such mining operations and
48 exploration projects to: (1) the water balance; and (2) the quality and quantity of the
49 surface water and groundwater.

50 Consistent with the changes of **sections 2-13** of this bill pertaining to
51 reclamation of surface water and groundwater, **section 5** of this bill makes a
52 conforming change to revise the legislative declaration to provide that proper
53 reclamation is necessary to prevent undesirable land, surface water and
54 groundwater conditions.

55 **Section 16** of this bill requires, on or before August 1, 2025, a written report to
56 be submitted to the Joint Interim Standing Committee on Natural Resources by: (1)
57 the Division of Minerals of the Commission on Mineral Resources in coordination
58 with the Division of Environmental Protection regarding certain impacts of pit
59 lakes; and (2) the Department of Wildlife regarding the impacts of mining on
60 wildlife and habitats in this State.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 519A of NRS is hereby amended by
2 adding thereto the provisions set forth as sections 2 and 4 of this act.

3 **Sec. 2.** *“Pit lake” means a body of water that has resulted*
4 *from an open pit from a mining operation or exploration project*
5 *that has penetrated the water table of the area in which the pit is*
6 *located.*

7 **Sec. 3.** (Deleted by amendment.)



1 **Sec. 4. 1.** *In addition to the requirements of NRS*
2 *519A.230, if an open pit will be excavated below the premining*
3 *water table, a plan for reclamation must, except as otherwise*
4 *provided in subsection 2, provide for the backfilling of the open pit*
5 *to a level where no pit lake will form and no seasonal or*
6 *permanent wetland will exist.*

7 **2.** *An operator of a mining operation may apply to the*
8 *Division for an exception to the requirement of subsection 1. In*
9 *submitting an application for an exception, the operator must*
10 *demonstrate:*

11 *(a) For an application for a permit to engage in a mining*
12 *operation submitted on or after January 1, 2025, by clear and*
13 *convincing evidence that backfilling the open pit is technically not*
14 *possible without indefinite long-term management to avoid*
15 *groundwater degradation; or*

16 *(b) By a preponderance of the evidence, that backfilling the*
17 *open pit would result in undue hardship on the operator because*
18 *the plan for the mining operation would be unprofitable.*

19 **3.** *In considering an application for an exemption pursuant*
20 *to subsection 2, the Division:*

21 *(a) Shall hold at least one public hearing on the application;*
22 *and*

23 *(b) May contract with an independent consultant to assist in*
24 *reviewing the application for an exception submitted pursuant to*
25 *subsection 2.*

26 **Sec. 5.** NRS 519A.010 is hereby amended to read as follows:

27 519A.010 1. The Legislature hereby finds that:

28 (a) The extraction of minerals by mining is a basic and essential
29 activity making an important contribution to the economy of the
30 State of Nevada;

31 (b) Proper reclamation of mined land, areas of exploration and
32 former areas of mining or exploration is necessary to prevent
33 undesirable land, ~~land~~ surface water *and groundwater* conditions
34 detrimental to the ecology and to the general health, welfare, safety
35 and property rights of the residents of this state; and

36 (c) The success of reclamation efforts in this state is dependent
37 upon cooperation among state and federal agencies.

38 **2.** The Legislature hereby directs that all agencies and political
39 subdivisions of the State of Nevada which are involved in or whose
40 work is related to the administration or enforcement of the
41 provisions of this chapter shall cooperate fully with all other state
42 and federal agencies in any related matter.

43 **Sec. 6.** NRS 519A.020 is hereby amended to read as follows:

44 519A.020 As used in this chapter, unless the context otherwise
45 requires, the words and terms defined in NRS 519A.030 to



1 519A.130, inclusive, *and section 2 of this act* have the meanings
2 ascribed to them in those sections.

3 **Sec. 7.** NRS 519A.040 is hereby amended to read as follows:

4 519A.040 "Affected" means that the surface of the land ,
5 *surface water or groundwater* is or will be disturbed by mining, or
6 that the land *or water* will be used:

7 1. As an evaporation or settling pond, leach dump, placer area
8 or tailings pond or dump; or

9 2. In conjunction with any structure, facility, equipment,
10 machine, tool, material or property incident to mining.

11 **Sec. 8.** NRS 519A.100 is hereby amended to read as follows:

12 519A.100 "Reclamation" means actions performed during or
13 after an exploration project or mining operation to shape, stabilize,
14 revegetate or otherwise treat the land , *surface water and*
15 *groundwater* in order to return it to a safe, stable condition
16 consistent with the establishment of a productive postmining use of
17 the land , *surface water and groundwater* and the abandonment of a
18 facility in a manner which ensures the public safety, as well as the
19 encouragement of techniques which minimize the adverse visual
20 effects.

21 **Sec. 9.** NRS 519A.190 is hereby amended to read as follows:

22 519A.190 1. A person who desires to engage in an
23 exploration project must:

24 (a) File with the Division, upon a form approved by it, an
25 application for a permit. The application must include:

26 (1) The name and address of the applicant and, if the
27 applicant is a corporation or other business entity:

28 (I) The name and address of each person who has a
29 controlling interest in the corporation or business entity; and

30 (II) The name and address of the registered agent of the
31 corporation or business entity for service of process;

32 (2) An exploration map or sketch in sufficient detail to
33 enable the Division to locate the area to be explored and
34 to determine whether significant environmental problems are likely
35 to result;

36 (3) The kinds of prospecting and excavation techniques that
37 will be used in the exploration project;

38 (4) An affidavit stating whether or not the applicant and, if
39 applicable, each person who has a controlling interest in the
40 corporation or business entity is in good standing with all agencies
41 of other states and federal agencies in relation to the reclamation of
42 exploration projects outside of this State; and

43 (5) Any other information required by the regulations
44 adopted by the Commission pursuant to NRS 519A.160.



1 (b) Pay to the Division the application fee established in the
2 regulations adopted by the Commission pursuant to NRS 519A.160.

3 (c) Agree in writing to assume responsibility for the reclamation
4 of any surface area ~~[damaged]~~, *surface water and groundwater*
5 *affected* as a result of the exploration project.

6 (d) File with the Division a bond or other surety in a form
7 approved by the Administrator and in an amount required by the
8 regulations adopted by the Commission pursuant to NRS 519A.160.

9 2. Except as otherwise provided in subsections 3 and 4, the
10 Division shall not issue a permit to engage in an exploration project
11 pursuant to this section to an applicant if:

12 (a) The applicant has defaulted on any obligation relating to
13 reclamation pursuant to this chapter, including, without limitation,
14 by forfeiting a surety or failing to pay the full costs of reclamation
15 or any penalty assessed pursuant to NRS 519A.280;

16 (b) For an applicant who is a corporation or other business
17 entity, any person who has a controlling interest in the corporation
18 or business entity has or previously had a controlling interest in
19 another corporation or business entity that defaulted on any
20 obligation relating to reclamation pursuant to this chapter, including,
21 without limitation, by forfeiting a surety or failing to pay the full
22 costs of reclamation or any penalty assessed pursuant to NRS
23 519A.280; or

24 (c) The applicant or, if the applicant is a corporation or other
25 business entity, a person who has a controlling interest in the
26 corporation or business entity is not in good standing with an
27 agency of another state or a federal agency in relation to the
28 reclamation of an exploration project outside of this State.

29 3. The Division may issue a permit to engage in an exploration
30 project pursuant to this section to an applicant described in
31 paragraph (a) or (b) of subsection 2 if the applicant:

32 (a) Pays to the Division the full amount of the defaulted
33 obligation described in paragraph (a) or (b) of subsection 2, as
34 applicable, or provides evidence of satisfaction of that defaulted
35 obligation; and

36 (b) Demonstrates to the Division that any conditions which led
37 to the default have been remedied and that such conditions no longer
38 exist.

39 4. The Division may issue a permit to engage in an exploration
40 project pursuant to this section to an applicant described in
41 paragraph (c) of subsection 2 if the applicant demonstrates to the
42 Division that the applicant or person who has a controlling interest
43 in the corporation or business entity has remedied all issues related
44 to the reclamation of the exploration project outside of this State and
45 becomes in good standing with all agencies of the other state and



1 federal agencies in relation to the reclamation of the exploration
2 project.

3 5. As used in this section, "person who has a controlling
4 interest" means:

5 (a) The president, secretary, treasurer or equivalent thereof of
6 the corporation or business entity;

7 (b) A partner, director or trustee of the corporation or business
8 entity; or

9 (c) A person who, directly or indirectly, possesses the power to
10 direct the management or determine the policy of the corporation or
11 business entity resulting from, without limitation, his or her
12 ownership of voting stock in the corporation or business entity, a
13 contract or any other circumstance.

14 ↪ The term does not include a person designated to act as a proxy,
15 including, without limitation, an agent, bank, broker, nominee or
16 custodian, for one or more persons who own voting stock unless the
17 proxy otherwise has the power to direct the management or
18 determine the policy of the corporation or business entity.

19 **Sec. 10.** NRS 519A.210 is hereby amended to read as follows:

20 519A.210 1. A person who desires to engage in a mining
21 operation must:

22 (a) File with the Division, upon a form approved by it, an
23 application for a permit for each location at which the person will
24 conduct operations. The application must include:

25 (1) The name and address of the applicant and, if the
26 applicant is a corporation or other business entity:

27 (I) The name and address of each person who has a
28 controlling interest in the corporation or business entity; and

29 (II) The name and address of the registered agent of the
30 corporation or business entity for service of process;

31 (2) A completed checklist developed by the Division
32 pursuant to NRS 519A.220;

33 (3) An affidavit stating whether or not the applicant and, if
34 applicable, each person who has a controlling interest in the
35 corporation or business entity is in good standing with all agencies
36 of other states and federal agencies in relation to the reclamation of
37 mining operations outside of this State; and

38 (4) Any other information required by the regulations
39 adopted by the Commission pursuant to NRS 519A.160.

40 (b) Pay to the Division the application fee established in the
41 regulations adopted by the Commission pursuant to NRS 519A.160.

42 (c) Agree in writing to assume responsibility for the reclamation
43 of any land **[damaged]**, *surface water and groundwater affected* as
44 a result of the mining operation.



1 (d) File with the Division a bond or other surety in a form and
2 amount required by the regulations adopted by the Commission
3 pursuant to NRS 519A.160.

4 (e) File with the Division of Minerals of the Commission on
5 Mineral Resources a copy of the plan for reclamation which is filed
6 with the application pursuant to paragraph (a), on the same day the
7 application is filed with the Division.

8 2. Except as otherwise provided in subsections 3 and 4, the
9 Division shall not issue a permit to engage in a mining operation
10 pursuant to this section to an applicant if:

11 (a) The applicant has defaulted on any obligation relating to
12 reclamation pursuant to this chapter, including, without limitation,
13 by forfeiting a surety or failing to pay the full costs of reclamation
14 or any penalty assessed pursuant to NRS 519A.280;

15 (b) For an applicant who is a corporation or other business
16 entity, any person who has a controlling interest in the corporation
17 or business entity has or previously had a controlling interest in
18 another corporation or business entity that defaulted on any
19 obligation relating to reclamation pursuant to this chapter, including,
20 without limitation, by forfeiting a surety or failing to pay the full
21 costs of reclamation or any penalty assessed pursuant to NRS
22 519A.280; or

23 (c) The applicant or, if the applicant is a corporation or other
24 business entity, a person who has a controlling interest in the
25 corporation or business entity is not in good standing with an
26 agency of another state or a federal agency in relation to the
27 reclamation of a mining operation outside of this State.

28 3. The Division may issue a permit to engage in a mining
29 operation pursuant to this section to an applicant described in
30 paragraph (a) or (b) of subsection 2 if the applicant:

31 (a) Pays to the Division the full amount of the defaulted
32 obligation described in paragraph (a) or (b) of subsection 2, as
33 applicable, or provides evidence of satisfaction of that defaulted
34 obligation; and

35 (b) Demonstrates to the Division that any conditions which led
36 to the default have been remedied and that such conditions no longer
37 exist.

38 4. The Division may issue a permit to engage in a mining
39 operation pursuant to this section to an applicant described in
40 paragraph (c) of subsection 2 if the applicant demonstrates to the
41 Division that the applicant or person who has a controlling interest
42 in the corporation or business entity has remedied all issues related
43 to the reclamation of the mining operation outside of this State and
44 becomes in good standing with all agencies of the other state and



1 federal agencies in relation to the reclamation of the mining
2 operation.

3 5. As used in this section, "person who has a controlling
4 interest" means:

5 (a) The president, secretary, treasurer or equivalent thereof of
6 the corporation or business entity;

7 (b) A partner, director or trustee of the corporation or business
8 entity; or

9 (c) A person who, directly or indirectly, possesses the power to
10 direct the management or determine the policy of the corporation or
11 business entity resulting from, without limitation, his or her
12 ownership of voting stock in the corporation or business entity, a
13 contract or any other circumstance.

14 ↪ The term does not include a person designated to act as a proxy,
15 including, without limitation, an agent, bank, broker, nominee or
16 custodian, for one or more persons who own voting stock unless the
17 proxy otherwise has the power to direct the management or
18 determine the policy of the corporation or business entity.

19 **Sec. 11.** NRS 519A.220 is hereby amended to read as follows:

20 519A.220 The Division shall develop a checklist to be
21 completed by applicants for a permit to engage in a mining
22 operation. The information requested by the checklist must include:

23 1. Information relating to the plan for reclamation, including:

24 (a) The proposed subsequent use of the land *and, if applicable,*
25 *pit lake,* after the mining operation is completed;

26 (b) The proposed schedule of reclamation that will be followed;

27 (c) The proposed topography of the land after the mining
28 operation is completed;

29 (d) The treatment of slopes created or affected by the mining
30 operation;

31 (e) The proposed use of impoundments;

32 (f) The kinds of access roads to be built and the manner of
33 reclamation of road sites;

34 (g) The methods of drainage that will be used during the mining
35 operation and reclamation;

36 (h) The revegetation of the land;

37 (i) The monitoring and maintenance of the reclaimed land that
38 will be performed by the operator;

39 (j) *The monitoring and restoration of affected surface water*
40 *and groundwater that will be performed by the operator;*

41 (k) The reclamation that will be necessary as a result of instream
42 mining;

43 ~~(k)~~ (l) The effect that reclamation will have on future mining
44 in that area; and

45 ~~(h)~~ (m) The effect of the reclamation on public safety.



1 2. Information relating to the mining operation and maps of the
2 area which is required by the regulations adopted by the
3 Commission pursuant to NRS 519A.160.

4 3. Other information as requested by the Administrator which
5 the Administrator determines is pertinent to the reclamation
6 activities of the mining operation.

7 **Sec. 12.** NRS 519A.230 is hereby amended to read as follows:
8 519A.230 1. A plan for reclamation must provide:

9 (a) That reclamation activities, particularly those relating to the
10 control of erosion, must be conducted simultaneously with the
11 mining operation to the extent practicable, and otherwise must be
12 initiated promptly upon the completion or abandonment of the
13 mining operation in any area that will not be subject to further
14 disturbance. Reclamation activities must be completed within the
15 time set by the regulations adopted by the Commission pursuant to
16 NRS 519A.160.

17 (b) For vegetative cover if appropriate to the future use of the
18 land.

19 (c) For the reclamation of all land disturbed by the exploration
20 project or mining operation to a stability comparable to that of
21 adjacent areas.

22 *(d) For the reclamation and restoration of affected surface*
23 *water and groundwater.*

24 2. ~~The~~ *If an operator does not anticipate a pit lake will be*
25 *created, the* operator may request the Division to grant an exception
26 for open pits and rock faces which may not be feasible to reclaim. If
27 an exception is granted, other than for a pit lake for which public
28 access is provided in a plan for reclamation pursuant to subsection
29 3, the Division shall require the operator to take sufficient measures
30 to ensure public safety.

31 3. Except as otherwise provided in this subsection, for a pit
32 lake that will have a predicted filled surface area of more than 200
33 acres, a plan for reclamation must provide, in consultation with the
34 operator and each landowner, including any federal land manager,
35 and, if feasible, for at least one point of public nonmotorized access
36 to the water level of the pit lake when the pit in which the pit lake is
37 located reaches at least 90 percent of its predicted maximum
38 capacity. This subsection:

39 (a) Must not be construed to impede the ability of any
40 landowner, including any federal land manager, of any premises on
41 which a pit lake is located to determine the final and ultimate use of
42 those premises;

43 (b) Does not require any landowner, including any federal land
44 manager, who is consulted pursuant to this subsection to agree to
45 allow access to any pit lake; and



1 (c) Does not alter any contract or agreement entered into before
2 October 1, 2013, between an operator and a landowner, including
3 any federal land manager.

4 4. A protected person with respect to any premises for which
5 public access to a pit lake is provided in a plan for reclamation
6 pursuant to subsection 3 owes no duty to keep the premises,
7 including, without limitation, the access area and the pit lake and its
8 surroundings, safe for entry or use by any other person for
9 participation in any activity, or to give a warning of any hazardous
10 condition, activity or use of the premises to any person entering the
11 premises.

12 5. If a protected person gives permission to another person to
13 access or engage in any activity with respect to any premises
14 specified in subsection 4, the protected person does not thereby
15 extend any assurance that the premises are safe for that activity or
16 any other purpose or assume responsibility for or incur any liability
17 for any injury to any person or property caused by any act of a
18 person to whom the permission is granted. The provisions of this
19 subsection do not confer any liability upon a protected person for
20 any injury to any other person or property, whether actual or
21 implied, or create a duty of care or ground of liability for any injury
22 to any person or property.

23 6. Except in the case of an emergency, an operator shall not
24 depart from an approved plan for reclamation without prior written
25 approval from the Division.

26 7. Reclamation activities must be economically and
27 technologically practicable in achieving a safe and stable condition
28 suitable for the use of the land.

29 8. As used in this section ~~§~~:

30 ~~—(a) “Pit lake” means a body of water that has resulted, after the~~
31 ~~completion of an exploration project or mining operation, from an~~
32 ~~open pit that has penetrated the water table of the area in which the~~
33 ~~pit is located.~~

34 ~~—(b) “Protected”, “protected person” means any past or present:~~

35 ~~{(1)}~~ (a) Owner of any estate or interest in any premises for
36 which public access to a pit lake is provided in a plan for
37 reclamation pursuant to subsection 3;

38 ~~{(2)}~~ (b) Operator of all or any part of the premises,
39 including, without limitation, any entity that has conducted or is
40 conducting a mining operation or any reclamation activity with
41 respect to the premises;

42 ~~{(3)}~~ (c) Lessee or occupant of all or any part of the
43 premises; or

44 ~~{(4)}~~ (d) Contractor, subcontractor, employee or agent of any
45 such owner, operator, lessee or occupant.



1 **Sec. 13.** NRS 519A.260 is hereby amended to read as follows:
2 519A.260 1. Each operator shall, on or before April 15 of
3 each year ~~[-, submit]~~:

4 (a) *Submit* to the Administrator a report relating to the status
5 and production of all mining operations and exploration projects in
6 which the operator has engaged and identifying ~~[each]~~ *and mapping*
7 *for such mining operations and exploration projects through the*
8 *preceding calendar year*:

9 (1) *Each* acre of land affected and land reclaimed ~~[by that~~
10 ~~mining operation or exploration project through the preceding~~
11 ~~calendar year.]~~;

12 (2) *All disturbances to the prevailing water balance*; and
13 ~~[shall pay]~~

14 (3) *All disturbances to the quality and quantity of the*
15 *surface water and groundwater*; and

16 (b) *Pay* to the Division a fee of:

17 ~~[(a)]~~ (1) One dollar and fifty cents for each acre of public land
18 administered by a federal agency; and

19 ~~[(b)]~~ (2) Five dollars and fifty cents for each acre of privately
20 owned land,

21 ↪ which has been disturbed by mining operations or exploration
22 projects engaged in by the operator and not reclaimed.

23 2. All money received by the State Treasurer pursuant to
24 *subparagraph (1) of* paragraph ~~[(a)]~~ (b) of subsection 1 together
25 with three-elevenths of all money received by the State Treasurer
26 pursuant to *subparagraph (2) of* paragraph (b) of subsection 1, up to
27 a maximum of \$100,000 annually, must be distributed directly to the
28 Bureau of Mines and Geology of the State of Nevada to be used to
29 carry out the provisions of NRS 514.060. Any money in excess of
30 the maximum and the balance collected pursuant to *subparagraph*
31 *(2) of* paragraph (b) of subsection 1 must be credited to the
32 appropriate account for the Division and used to administer the
33 provisions of this chapter.

34 **Sec. 14.** NRS 519A.270 is hereby amended to read as follows:

35 519A.270 If the Division has reason to believe that any
36 provision of NRS 519A.010 to 519A.280, inclusive, *and sections 2*
37 *and 4 of this act*, a plan for reclamation, any condition placed on a
38 plan for reclamation or any regulation adopted by the Commission
39 pursuant to NRS 519A.160, has been violated, the Division shall
40 serve a notice of noncompliance upon the holder of the permit. The
41 notice must:

42 1. Be served personally or by registered mail addressed to the
43 holder of the permit at his or her address as shown on the records of
44 the Division;

45 2. Specify each violation; and



1 3. Set a date and time for a hearing and inform the person that
2 the person's permit may be suspended or revoked and the person's
3 bond or other surety forfeited upon completion of the hearing or if
4 the person fails to attend the hearing.

5 **Sec. 15.** NRS 519A.280 is hereby amended to read as follows:

6 519A.280 1. Except as otherwise provided in NRS 445C.010
7 to 445C.120, inclusive, a person who violates any provision of NRS
8 519A.010 to 519A.280, inclusive, *and sections 2 and 4 of this act*
9 or any regulation adopted by the Commission pursuant to NRS
10 519A.160, is guilty of a misdemeanor and, in addition to any
11 criminal penalty, is subject to a civil penalty imposed by the
12 Division at a hearing for which notice has been given, in an amount
13 determined pursuant to the schedule adopted by the Commission
14 pursuant to NRS 519A.160.

15 2. Any money received by the Division pursuant to subsection
16 1 must be deposited with the State Treasurer for credit to the
17 appropriate account of the Division. All interest earned on the
18 money credited pursuant to this section must be credited to
19 the account to which the money was credited.

20 3. In addition to any other remedy provided by this chapter, the
21 Division may compel compliance with any provision of NRS
22 519A.010 to 519A.280, inclusive, *and sections 2 and 4 of this act*
23 or of any regulation adopted or permit or order issued pursuant to
24 those sections, by injunction or other appropriate remedy. The
25 Division may institute and maintain in the name of the State of
26 Nevada any such enforcement proceedings.

27 **Sec. 16.** On or before August 1, 2025:

28 1. The Division of Minerals of the Commission on Mineral
29 Resources and the Division of Environmental Protection of the State
30 Department of Conservation and Natural Resources shall coordinate
31 to prepare and submit a written report to the Director of the
32 Legislative Counsel Bureau for transmittal to the Joint Interim
33 Standing Committee on Natural Resources, which must include,
34 without limitation, an analysis of the impact of pit lakes on:

35 (a) Water in this State, including, without limitation, evaporative
36 losses, surface water and groundwater and hydrologic impacts;

37 (b) Current and future land use and water use in this State; and

38 (c) In consultation with the Department of Wildlife, wildlife.

39 2. The Department of Wildlife shall prepare and submit an
40 analysis of the impacts of mining on terrestrial and aquatic wildlife
41 and habitat in this State and any recommendations relating thereto,
42 to the Director of the Legislative Counsel Bureau for transmittal to
43 the Joint Interim Standing Committee on Natural Resources.

