***Frequently Asked Questions for Tribal Notification of Notices for Mineral Exploration***

**1. Why is my Tribe receiving this letter?**

The Bureau of Land Management (BLM) recognizes the importance of early and meaningful Tribal engagement, including for mineral exploration activities. This letter serves as an early notification that an operator is interested in conducting notice-level mineral exploration activities in an area in which you have previously expressed interest. Exploration is an early stage in the mining process, under which operators seek to determine whether a viable mineral resource is present and whether to submit a plan of operations for further exploration or mining activities. Commercial mineral production cannot occur until BLM approves a mining plan of operations.

**2.** **What does “notice-level” mean?**

Under BLM regulations, mineral exploration that will disturb 5 or fewer surface acres can occur as a notice-level operation (see 43 CFR 3809.21). Exploration generally includes activities like drilling and sampling. Activities disturbing more than 5 surface acres, or any commercial mining, require approval as a plan of operations (see 43 CFR 3809.11) and are subject to additional review under the National Environmental Policy Act.

When a notice is submitted to a local BLM Field Office, the BLM has ***15 calendar days*** to determine whether the proposed activities comply with notice-level requirements, and that the proposed activities will not cause unnecessary or undue degradation, which is defined and further described in BLM’s regulations at 43 CFR 3809.415 and 3809.420. Unless BLM notifies the operator of an issue, the operator can proceed with exploration once they have a bond in place.

**3. Does this letter mean mining is about to begin in the specified area?**

No. Exploration under a notice is an early stage in the mining process, and more extensive exploration or commercial mineral production cannot occur until BLM reviews and approves a mining plan of operations through a formal process that would include public comment and Tribal consultation. Historically, roughly ten percent of exploration notices lead to additional exploration, and one percent of exploration notices leads to commercial development. Expanded exploration greater than five acres and development both require a plan that must be reviewed by BLM under the National Environmental Policy Act, the National Historic Preservation Act, and all other applicable laws, regulations, and Executive Orders, including those related to Tribal consultation.

**4. Will the surface area disturbed by the exploration activities listed in the notice be reclaimed?**

Generally, yes. Before any surface disturbing exploration activities may proceed, the operator must post a financial guarantee (i.e., bond) that will ensure the site will be reclaimed when exploration activities are complete. In the event the exploration activities do lead to a subsequent mining plan of operations, then the bonding would increase to the appropriate level needed for the resulting mining operations, and reclamation would occur either concurrent with operations, or when operations cease, consistent with an approved plan. In general, BLM strives to return reclaimed lands to as close to their prior state as reasonably possible.

**5. What next steps can my Tribe take if I have questions or concerns about this exploration notice? Where can I get more information?**

To receive more information on these proposed notice-level operations, please contact your local BLM Field Office using the contact information in the provided letter.

You can find more information on BLM’s Minerals Program here: <https://www.blm.gov/programs/energy-and-minerals/mining-and-minerals>

You can also find information, including a map of submitted mining claims, notices, and plans of operation using BLM’s Mineral Lands and Realty System (MLRS) here:

<https://mlrs.blm.gov/s/>

In addition, you can use the following link to find specific information with tutorials for accessing information on notices and plans of operation regarding mineral activities on public lands:

<https://www.blm.gov/access-mining-notices-and-plans-operations>