



State of Utah

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Department of Natural Resources
Division of Forestry, Fire & State Lands

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House Bill 513 Mineral Rules Public Information Meeting

The Division of Forestry, Fire & State Lands (“FFSL”) and the Department of Environmental Quality’s Division of Water Quality (“DWQ”) will hold a **public meeting on December 18th at 6:00 pm** in the DNR Auditorium, Room 1040 at 1594 W North Temple St, Salt Lake City, UT 84116 and online. Online meeting will be on Google Meet Video Conference: <https://meet.google.com/ojr-gwmn-gfb> Telephone (backup): 662-608-3434 PIN: 732 807 838#. Note: this public meeting will be recorded.

This public meeting is for the proposed rulemaking for mineral extraction on Great Salt Lake, specifically Lithium extraction. The purpose of this public meeting is both to engage stakeholders and to gather informal comments on the proposed rules related to and required by House Bill (H.B.) 513, enacted during the 2023 General Session of the Utah Legislature. Although this is an informal public meeting outside of any upcoming formal comment period, FFSL and DWQ appreciate the public’s input and assistance in refining the proposed draft Rules. A second draft of the proposed rules will be posted to the website by December 15, 2023 at <https://ffsl.link/comments-hb513-rule>.

FFSL is the management authority for sovereign lands, Utah Code § 65A-10-1(1) and is entitled to receive royalties from mineral extraction on those lands. *See* Utah Code § 65A-6-4. H.B. 513, now codified, addresses mineral leases and royalty agreements for the extraction of Great Salt Lake elements and minerals, provides for royalties for certain elements and minerals, modifies FFSL’s management responsibilities for Great Salt Lake, establishes emergency management responsibilities and powers, and addresses force majeure. Utah Code § 65A-6-4(6)(a) directs FFSL to make rules to establish a royalty rate and calculation methodology for any nominated Great Salt Lake element or mineral. FFSL is required to make such rules in a way which provides for a full and fair return to the state, among other things. Further, the Legislature directed FFSL to make rules to establish the procedures the agency shall follow when it takes an action under Emergency Trigger conditions, as described in Utah Code § 65A-10-204.

FFSL will receive informal public comments until December 31, 2023 at 5:00 pm. Comments must be made using the following link to be considered: <https://ffsl.link/comments-hb513-rule>.



Page 2

December 13, 2023

Subject: House Bill 513 Mineral Rules Public Information Meeting

For questions about FFSL or its agency functions, please contact Katie Ricks (801.589.0773 or katiericks@utah.gov).

DWQ

As part of the application for new operations, Utah Code § 65A-6-4(6)(b)(iii) requires the review and approval of the Department of Environmental Quality (“DEQ”) to ensure that the operations will not negatively impact the biota or chemistry of GSL. This unique aspect of the Code requires DEQ to develop specific rule language, since existing Clean Water Act authority does not adequately address the specific nature of potential negative impacts to the biota and chemistry of GSL, the industry sector applying for mineral leases and royalties, or the wider considerations of the legislation (e.g. water depletion, mitigation, project footprint, etc.) Therefore, to address the requirements of the self-certification and approval process, the Division of Water Quality has drafted rules (R317-16. Great Salt Lake Mineral Extraction Facility Operator Certification Approval.) which outline the required information and review process for operators applying for mineral leases on GSL. The Water Quality Board has approved this informal rulemaking process and will be engaging with stakeholders to refine and strengthen the draft rules. Once a final draft is developed, DWQ will return to the Board for formal approval to engage in rulemaking, upon which there will be additional opportunity for the public to provide formal comments.

For information regarding DWQ’s rulemaking go to:

<https://deq.utah.gov/water-quality/water-quality-laws-and-rules-proposed-rule-changes>

Sincerely,

Jamie Barnes

Director, Division of Forestry, Fire and State Lands

