

National Mining Association

Board of Directors Meeting | April 2024

MEETING SPONSORS









WELCOME NEW MEMBERS











HiTech Minerals, Inc. International Belt Sales











AGENDA



01.

Safety Share

02.

Executive Committee Report

03.

Association Report:

Mining's Foundation in a Changing World

04.

Upcoming Meetings

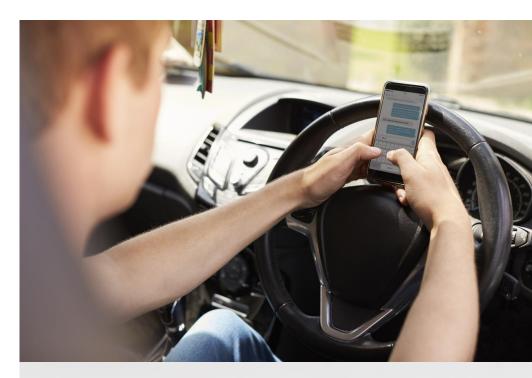
SAFETY SHARE

DISTRACTED DRIVING SAFETY

Distracted driving is extremely dangerous and continues to be a cause of driving related injuries and deaths. There are nearly 43,000 deaths in auto accidents per year. Injury prevention begins with education and knowing the root causes of distracted driving.

The CDC has identified three main causes of distracted driving:

- Manual distractions that cause you to remove your hand from the wheel (using a cell phone, eating or reaching for something in the car).
- Visual distractions that cause you to take your eyes away from the road (using a GPS, looking at billboard, rubbernecking an accident or looking at other cars in your periphery).
- Cognitive distractions that take your mind off driving (singing, talking or daydreaming).





EXECUTIVE COMMITTEE REPORT



ASSOCIATION REPORT

MINING'S FOUNDATION IN A CHANGING WORLD



ADVANCING OUR PRIORITIES

COAL LEASING MORATORIUM

SEC NATURAL ASSET COMPANIES

U.S. – CHILE TAX TREATY

GOOD SAMARITAN LEGISLATION



OVERTURNED



WITHDRAWN



ENACTED



BICAMERAL BIPARTISAN
BILLS





PRESIDENTIAL APPROVAL RATING

Job approval in March of each president's fourth year in office:



George W. Bush



Barack Obama



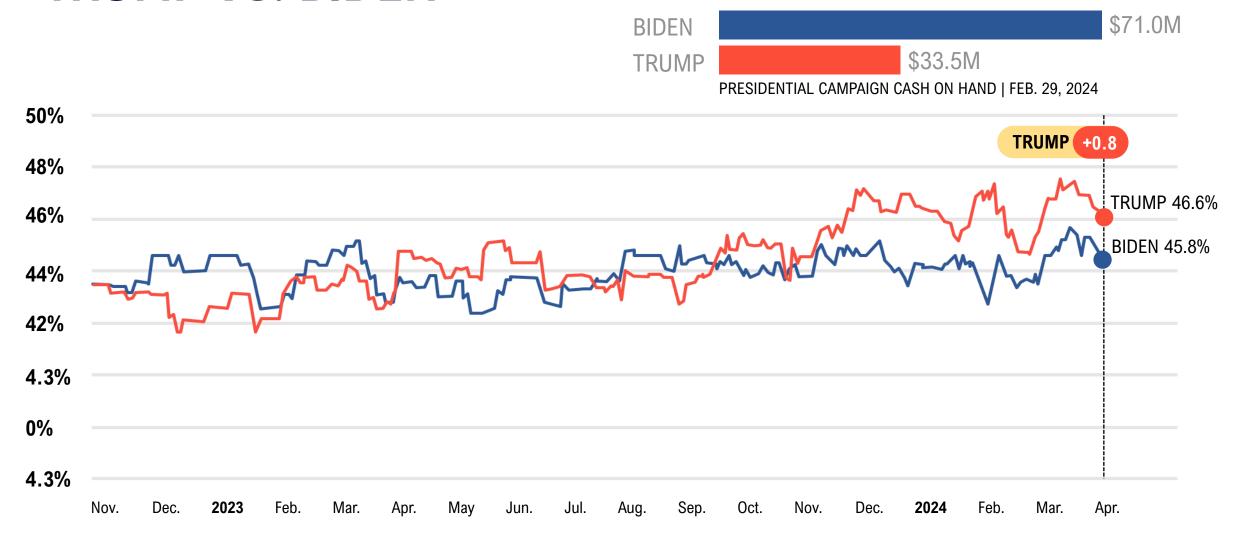
Donald Trump

49.0% 47.6% 46.3% 40.3%



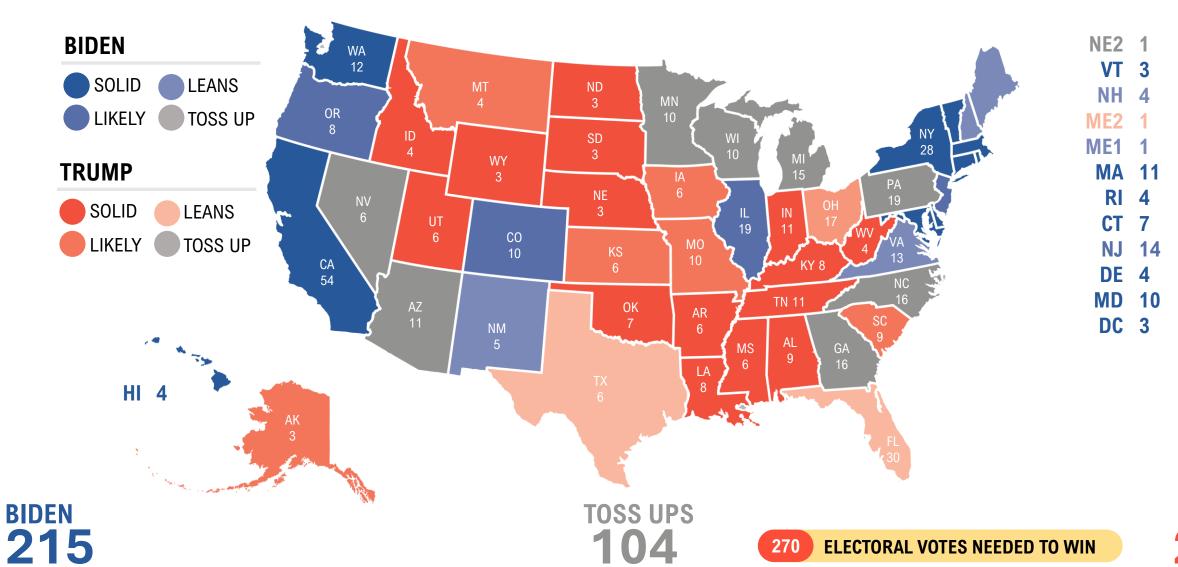
Joe Biden

TRUMP VS. BIDEN



Source: RealClear Politics

ELECTORAL MAP



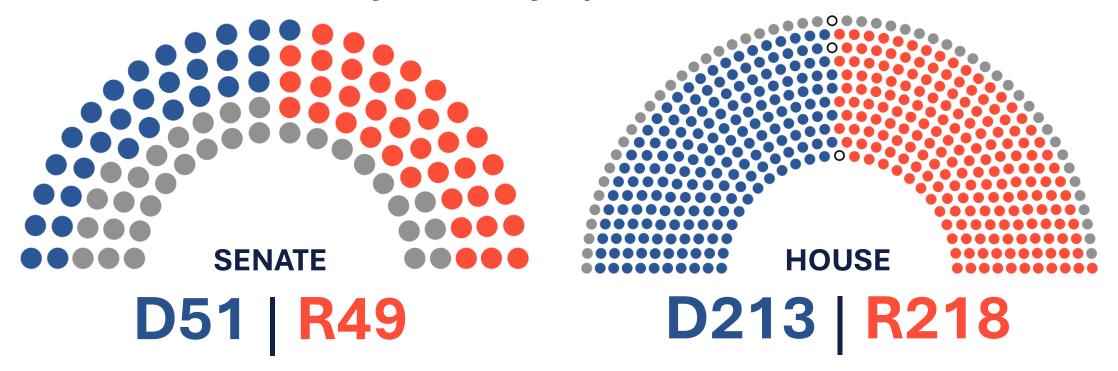
TRUMP **219**

139 52 24 104 88 38 93



ELECTION 2024: RETIREMENTS

Historic retirements and key races may flip control of both chambers



Energy and Natural Resources Committee



WHIP Sen. John Barrasso (R-Mont.), Ranking Member

Energy & Commerce

Rep. Cathy McMorris Rodgers (R-Wash.), Chair

Rep. Frank Pallone (D-N.J.), Ranking Member

ELECTION 2024: SENATE

Republican targets: W.Va., Mont., Ohio, Ariz., Nev., Mich., Pa., Md.

Democratic target: Texas

TOP TARGETS



Sen. Tester (D-Mont.)



Sen. Brown (D-Ohio)



Sen. Sinema (I-Ariz.)



Sen. Stabenow (D-Mich.)



Sen. Rosen (D-Nev.)



Sen. Casey (D-Pa.)

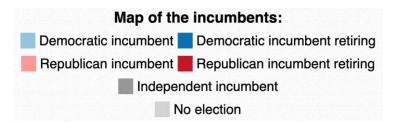


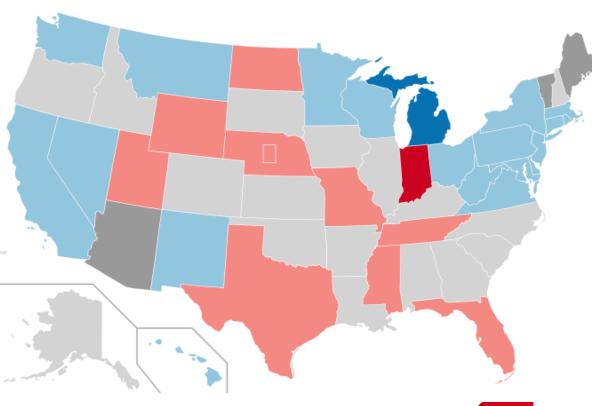
WILD CARD



Sen. Manchin (D-W.Va.) Sen. Cruz (D-Texas)

Sen. Cardin (D-Md.)





ELECTION 2024: HOUSE

REPUBLICAN LIKELY TO FLIP Ala.-2 (open) N.Y.-22 Williams

10 REPUBLICAN TOSS UP SEATS Ariz.-01 Schweikert N.J.-07 Kean Jr.
Ariz.-06 Ciscomani N.Y.-04 D'Esposito
Calif.-13 Duarte N.Y.-17 Lawler
Calif.-22 Valadao N.Y.-19 Molinaro

Calif.-27 Garcia Ore.-05 Chavez-DeRemer

Republicans +1.3

Republicans

44.9%

Democrats

43.6%

DEMOCRATS
LIKELY TO
FLIP

Ga.-7 (open) McBath N.C.-6 (open) Manning N.C.-13 (open) Nickel N.C.-14 (open) Jackson 10
DEMOCRAT
TOSS UP
SEATS

N.M.-02 Vasquez Ohio-13 Sykes Pa.-07 Wild Pa.-08 Cartwright Wash.-03 Perez

Colo.-08 Caraveo
Maine-02 Golden
Mich.-07 Open (Slotkin)
Mich.-08 Open (Kildee)
N.C.-01 Davis

Ohio-09 Kaptur



ELECTION 2024: BIDEN WIN







U.S. House







Split Control of Congress

- Conflicting legislative priorities between Republican majority and Democratic majority
- Continued Republican oversight and investigations of the Biden administration
- Senate special focus on judicial confirmations

White House



U.S. Senate











Republican Congress - Biden White House

- Congress will pass an agenda to differentiate itself from the administration's agenda
- Focus on policy and appropriations riders, reconciliation and Congressional Review Act actions to counter administration's regulatory agenda
- Administration will be forced to substantially focus more on regulatory agenda and veto strategy

White House

U.S. Senate

U.S. House













Return to Democrat Control

- New partisan reconciliation legislation and efforts to end the filibuster
- Renewed legislative threats to mining
- Emboldened regulatory agenda

ELECTION 2024: TRUMP WIN

White House

U.S. Senate

U.S. House













Split Control of Congress

- Conflicting legislative priorities between Republican majority and Democratic majority
- Democratic oversight and investigations of the Trump administration
- Senate blocks most Trump nominees

White House

U.S. Senate

U.S. House













Republican Sweep

- Congress will pass a Republican reconciliation bill to extend/make permanent many of the Trump tax cuts
- New focus on trimming the deficit
- Administration will be focused on rolling-back Biden era policies and regulations

White House

U.S. Senate

U.S. House













Democratic Congress

- New partisan reconciliation legislation and appropriations riders to force administration's hand
- **Efforts to impeach President Trump**
- Administration will be focused on rolling-back Biden era policies and regulations

WHAT TO EXPECT: SECOND TERMS

IMPACT ON THE MINING INDUSTRY

BIDEN ADMINISTRATION

Continued regulatory onslaught:

- Efforts to create a new mineral royalty regime
- Slow walk/ban on new coal leasing
- Expand and defend regulatory policies

Expanded federal funding:

- Department of Energy loan and subsidy programs preserved or expanded
- Inflation Reduction Act (IRA) tax provisions maintained
- Increased "friendshoring" of minerals

Expanded push to decarbonize U.S. economy

TRUMP ADMINISTRATION

- Roll-back of Biden-era regulations; reinstate
 Trump-era reforms
- Repeal IRA tax and subsidy provision to pay for Trump tax cuts
- Prioritize energy and mineral development and leasing on public lands
- Revisit mineral trade agreements
- Impose additional tariffs on imported goods, especially those from China

POLITICAL ACTION COMMITTEES (PACs)



\$56,843

\$281,009

\$859,558

MINEPAC and COALPAC raised

\$142,486

Contributed

85%

to Republican allies

Contributed

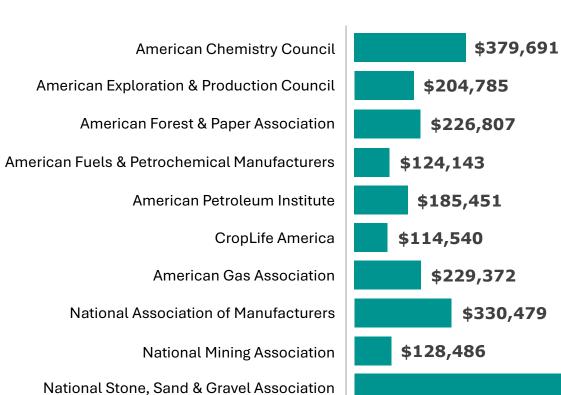
15%

to Democrat allies

NMA PACs + NMA member companies contributed \$236,298 to

32

Bipartisan congressional mining allies

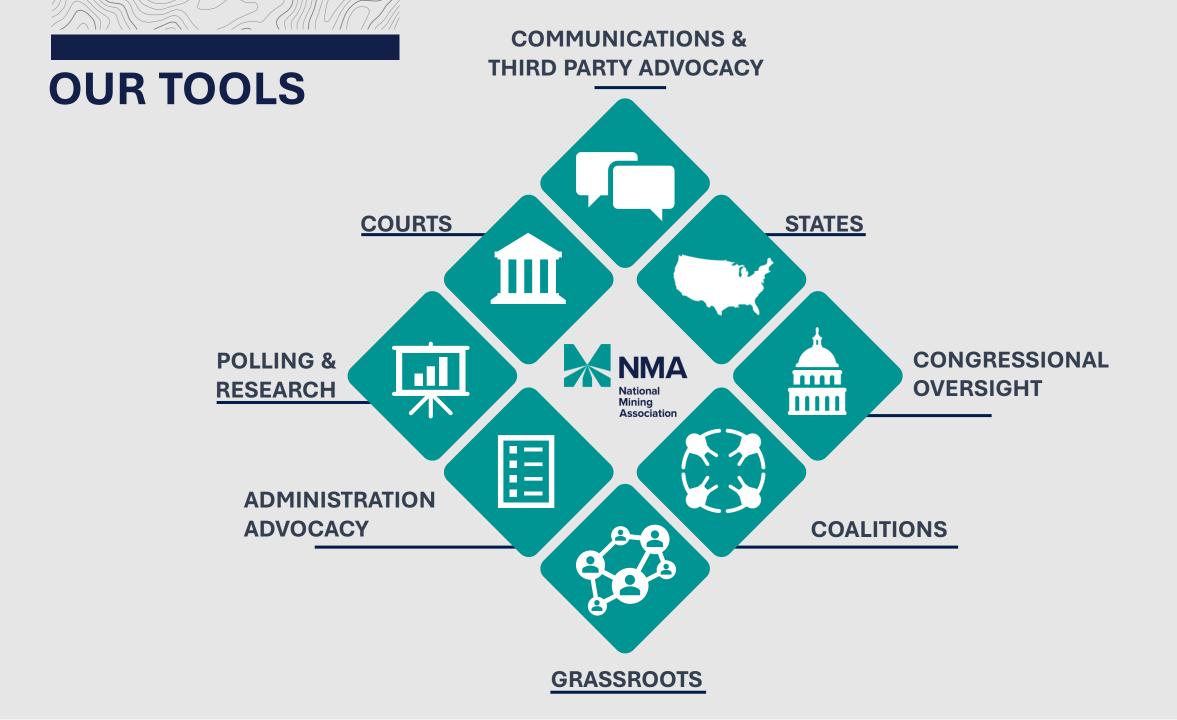


The Fertilizer Institute

U.S. Chamber of Commerce

A CHANGING WORLD: NMA IN ACTION





OUR WORK

2023 KPIs



395 op-eds, 4% increase year-over-year



202 administration contacts



6,659 congressional contacts



94
president & CEO op-eds, across
25 states and D.C.



46% increase in total NMA followers on LinkedIn



84 congressional & administration letters and testimony



8.9 MILLION

Americans reached through our editorial program



236

hearings, markups and forums tracked



13%

increase in total NMA followers on Twitter/X



2,382

posts across social media platforms



111

fundraisers attended



458

state contacts



68 blog posts



64

comments filed



31

legal filings



560,000+ followers



15

videos reaching 5.3 million viewers



590

memos to members



21

active third-party voices



37

new members recruited

REGULATORY ACTIVITY INAUGURATION DAY TO APRIL 2024

	FINAL RULES	FINAL RULE COSTS	PAPERWORK HOURS		
BIDEN 2021	810	478.3B	288.6M		
TRUMP 2017	934	29.8B	66.8M		
OBAMA2 2009	1185	295.2B	200.6M		

Source: American Action Forum

REGULATORY TIMELINE

Species and

Habitat

Designating Critical

Particulate Matter Reconsideration Water Quality Standards to Protect Tribal Reserved Rights New Source Review: Project Emissions Accounting Ten-Day Notices* Appendix C Procedures Resource Conservation and Recovery Act (RCRA) rules for per-and polyfluoroalkyl substances (PFAS) Toxic Substances Control Act (TSCA) Fees Permits for Incidental Take of Eagles and Eagle Nests Minerals Cost Recovery* Black Lung Benefits Act: Authorization of Self Protection Water Quality Standards to Prover Plan 2.0 Steam Electric Effluent Limitations Guidelines Baseline Water Quality Standards for Indian Reservations Clean Power Plan 2.0 Steam Electric Effluent Limitations Guidelines Baseline Water Quality Standards for Indian Reservations Coal Ash: Implementation of Closure (Part B) Proposed Liability Act Designation of Procedures Reconsideration National Environmental Policy Act (NEPA) Guidance on Greenhouse Gas Emissions and Climate Change (notice) Silica Proposed Rule Final Rule	Jan 24	Feb 24	Mar 24	Apr 24	May 24 Jun	24 July 24 Aug 2	4 Sept 24	Oct 24 Nov 24 Dec 24
Nationwide Permit 12* and Threatened Regulations	and Landscape	Quality Standards for Particulate Matter Reconsideration Supplemental Actions: Ozone Transport Rule New Source Review: Project Emissions Accounting Ten-Day Notices* Appendix C Procedures Resource Conservation and Recovery Act (RCRA) rules for per-and polyfluoroalkyl substances (PFAS) Toxic Substances Control Act (TSCA) Fees Permits for Incidental Take of Eagles and Eagle Nests Minerals Cost Recovery* Black Lung Benefits Act: Authorization of Self Insurance*	Groundwater Protection Water Quality Standards to Protect Tribal Reserved Rights Risk Management Program Proposed Designation of Perfluorooctanoic Acid and PFAS Comprehensive Environmental Response, Compensation and Liability Act Designation Sage Grouse Climate Change Disclosure Endangered Species Act (ESA) Section 4 Regulations for Listing Endangered	Standards Clean Power Plan 2 Steam Electric Efflutimitations Guideline Baseline Water Quastandards for India Reservations Coal Ash Legacy Impoundments CWA Hazardous Surfacility Response Plant Procedures Recons National Environmental Esa Reevaluation of Section 4(d)	uent ines iality an ubstance Plans ion sideration ental Policy nce on emissions Cr	Reporting Requirements EPA Phase 2 Revisions igratory Bird Permits espirable rystalline	Tiered Data Reporting P F	Grassland Climate Resilience Coal Ash: Implementation of Closure (Part B) roposed Rule inal Rule

ESA Interagency Cooperation



NMA IN ACTION: LITIGATION



D.C. Circuit/Supreme Court: Ozone Transport Rule

D.C. Circuit: Particulate Matter National Ambient Air Quality Standards

D.C. Circuit: Earthworks Mining Law & Millsite Case

Ninth Circuit: Coal Moratorium Victory

District Courts: Waters of the U.S.

Amicus "Friend of the Court" Briefs:

- Supreme Court: Clean Water Act Permit Shield
- Sixth Circuit: Clean Air Act Exceptional Events
- Eight Circuit: Trade Agreements & Extraterritorial Lawsuits
- Ninth Circuit: Land Exchange
- Ninth Circuit: Validity Determinations



PLANNING IN PROGRESS:

Clean Power Plan 2.0

Bureau of Land Management Conservation and Landscape Health Rule



UNDER CONSIDERATION:

Office of Workers' Compensation Programs Self-Insurance

Mine Safety and Health Administration Silica Rule

Amicus Opportunities:

- Mercury Air Toxics Standards
- Effluent Limitation Guidelines



EPA COAL PLANT STRATEGY

MARCH

Finalized

Particulate Matter
National Ambient
Air Quality Standards

APRIL

Targeted for Final Rules

Clean Power Plan 2.0

Mercury Air Toxics
Standards

Effluent Limitation Guidelines

Coal Ash Legacy Impoundments

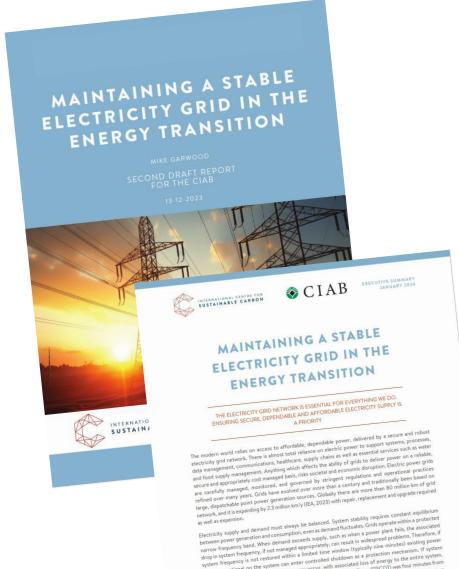
MAY-SEPTEMBER

Regional Haze State Plan Reviews Ongoing

Ozone Transport Rule – 2025 Ozone Season Requirements

"If some of these facilities decide that it's not worth investing in [control technologies] and you get an expedited retirement, that's the best tool for reducing greenhouse gas emissions."





The Washington Post

Amid explosive demand, America is running out of power

Al and the boom in clean-tech manufacturing are pushing America's power grid to the brink. Utilities can't keep up.

POLITICOPRO

PJM watchdog warns 58,000 megawatts of power generation may shut by 2030

FERC grills EPA over power plant carbon rule

Joseph Goffman, who leads the Office of Air and Radiation, said EPA is open to changes in the rule for grid reliability.



BY: MIRANDA WILLSON | 11/10/2023 07:08 AM EST





OVERSIGHT

- Federal Energy Regulatory
 Commission (FERC)
 technical conference
- Guaranteeing Reliable
 Infrastructure Development
 (GRID) Act introduction &
 committee passage
- House Oversight committee investigation
- Senate oversight letters

COMMUNICATIONS

- Media outreach
- Digital campaigns
- Advocacy communications

RELIABILITY COMMUNICATIONS

FOX NEWS

Federal appeals court kills Obama-era moratorium on coal leasing

"This is a victory for American-mined energy and we are pleased with the court's recognition of the need to dismiss this irreparably flawed ruling."

- Rich Nolan

POLITICOPRO

EPA delay of climate rule for gas-fired power plants splits greens

"The fact that the administration is bowing to pressure from the oil and gas industry does nothing for Americans who want an all of the above energy strategy that includes coal to safeguard the reliability and affordability of our electricity grid."

- Rich Nolan

m politics

Supreme Court signals skepticism over Biden 'good neighbor' smog plan

The "good neighbor" plan would be "massively harmful to industry and consumers," said Tawny Bridgeford, general counsel for the National Mining Association, which opposes the regulations. "We're hopeful that the Supreme Court will recognize the unlawful overreach represented in this rule."

Bloomberg Law

EPA Tightens Air Quality Limits for Particulate Matter Pollution

"The EPA's decision to significantly lower the current standards will have wide ranging negative implications well beyond the mining industry -- impeding permitting for factories, energy and infrastructure projects."

- Rich Nolan

A message from the National Mining Association

Why it's getting harder to keep the lights on in the U.S.



The EPA is working to close well-operating power plants — namely the fuel-secure coal fleet — at the exact time electricity grids are being pushed to the limits to meet growing energy demands.

<u>Learn how</u> the National Mining Association is advocating for sensible energy policies.



EPA Picks Winners and Losers in Energy Markets



Americans Support All of the Above Energy Policy and

Urge Caution Around the Energy Transition

A message from the National Mining Association

Power demand is surging while electricity reliability is declining



Our energy policy needs a reality check. Electricity demand is surging, yet the EPA is charging ahead with plans to close coal plants before there is anything available to replace the stable power they provide.

<u>Learn how</u> the National Mining Association is advocating for sensible energy policies.



of-above energy strategy that includes coal and are concerned that the rush to transition to renewable energy is going to sacrifice our ability to keep the lights on.

EPA knows it's mandating the impossible

EPA is supposed to build rules around proven and achievable systems of emissions reduction available at a reasonable cost, but in reality the technology mandates in the Clean Power Plan 2.0 are unworkable.





STATE OF PERMITTING REFORM



Sen. Joe **Manchin** (D-W. Va.)



Sen. John Barrasso (R-Wyo.)

POLITICO PRO

Manchin renews push for permitting deal

After toying with a run for president, the Energy and Natural Resources chair said Tuesday he intends to dive into permitting overhaul efforts.



BY: KELSEY BRUGGER | 02/28/2024 08:36 AM EST

Capito, Barrasso Unveil Comprehensive Permitting and Environmental Review Reform

May 4, 2023

Both bills from top EPW and ENR Committee Republicans would streamline process for infras transportation, and energy projects, lower prices for consumers, and make it easier to build in

WASHINGTON, D.C. – Today, U.S. Senators Shelley Moore Capito (R-W.Va.), Ranking Memb Senate Environment and Public Works (EPW) Committee, and John Barrasso (R-Wyo.), Rank Member of the Senate Energy and Natural Resources (ENR) Committee, introduced two pie legislation to substantively reform the nation's broken permitting and environmental review processes, which are currently delaying key energy, infrastructure, and transportation proj

Ranking Member Capito's bill, the Revitalizing the Economy by Simplifying Timelines and Assur Regulatory Transparency (RESTART) Act, covers key reforms in EPW's jurisdiction, including pr to streamline the agency review process with enforceable timelines, implement time limits prevent endless legal challenges, and modernize current laws while maintaining environments



COALITIONS

- Unions
- Zero Energy **Transportation Association**



COMMUNICATIONS

- Media outreach
- Third party op-eds
- Advertising

DEMOCRATIC NEWS

Manchin Moves Ball Forward on Permitting Reform

Washington, DC - Today, U.S. Senator Joe Manchin (D-WV), Chairman of the Senate Energy and Natural Resources Committee, introduced the Building American Energy Security Act of 2023, the text of the National Defense Authorization Act (NDAA) amendment that was supported by 47 Senators (40 Democrats and 7 Republicans) in a tied floor vote in December 2022. This legislation will serve as a starting point for upcoming conversations in the Senate around reforming energy permitting to ensure American energy security and independence. Read the text of the Building American Energy Security Act of 2023 here. Read a summary of the Building American Energy Security Act of 2023 here.

approved, putting us years behind allies like Canada, Australia, and more recently the EU, who each have policies designed to complete permitting in three years or less. It is clear that without comprehensive permitting reform we will never ensure lasting American energy security and independence and will delay progress on environmental goals. I am introducing the Building American Energy Security Act today to restart the conversation in the Senate about accelerating our permitting process as the Senate Energy and Natural Resources Committee continues to discuss, consider, and act on advancing this critical topic. There is overwhelming bipartisan recognition that our current permitting processes aren't working, and equally bipartisan support for addressing it through comprehensive perm



INTERAGENCY WORKING GROUP

RECOMMENDATIONS TO IMPROVE MINING ON PUBLIC LANDS

65 Recommendations Divided into Three Categories:

- Policy changes: 2024 Focus
- Rulemaking: Election year politics preclude consideration
- Congressional action: Current dynamics preclude serious consideration
- No funding requests included in the President's FY 2025 budget

1st Policy Focus: Tribal Consultation

- 13 directly relevant IWG recommendations
- New policy guidance on National Historic Preservation Act implementation
- Incorporation of indigenous knowledge in permitting
- NMA/IWG March 29 meeting (postponed)

Anticipated 2nd Policy Focus: Standards Demonstrating Responsible Mining

- Some IWG members still pushing for single standard: Initiative for Responsible Mining Assurance
- Additional work is required to determine whether adherence to a single voluntary standard can be adequate and appropriate for U.S. government purposes



- Appropriations language to prohibit certain recommendations
- Education on adverse impacts
- Inserted into relevant hearings



- Engagement on implementation of policy recommendations
- Meetings on Tribal consultation & standards



Media outreach



ROSEMONT RISK: NMA ACTION

Rosemont Legislative Solution

- Restores status quo
- Recognizes right to mine encompasses right to use lands for purposes ancillary to mining

Ancillary Use Litigation

 NMA involved in series of cases to maintain right to use lands for purposes ancillary to mining

 Decision from D.C. Circuit in Earthworks' challenge to limit use of millsites expected soon



OVERSIGHT

- Crafted legislative language
- Passed House twice
- Hearing in House and Senate
- Stand alone passed House committee



COMMUNICATIONS

- Media
- Third-party op-eds



MINERALS COMMUNICATIONS

E&ENEWS PM

USGS report shows China's continued grip on minerals

The U.S. remains reliant on China for many minerals — like graphite — crucial to the energy transition.

"Despite a great deal of rhetoric around supply chain security, China continues to be our top source of the minerals needed by our economy and these numbers show very little movement to get us back on competitive and secure footing."

- Rich Nolan

INSIDEEPA.COM

"This bipartisan legislation unites the mining industry, environmental organizations and local communities behind commonsense solutions to tackle the cleanup of legacy mine sites. With its passage, we can finally utilize our equipment, collective skills and experience to clean up these sites without the threat of additional legal liability."

- Rich Nolan, Inside EPA, Jan. 18, 2024

POLITICO

Rich Nolan, president and CEO of the National Mining Association, said in a statement that the report exposes a "gaping hole in our economic and national security" that the Biden administration isn't moving quickly enough to correct with its mining policies.



IRS Is Holding U.S. Mineral Security Hostage Rich Nolan February 28, 2024



Dwindling U.S. Stockpiles of Minerals for Military Use Should Be a Cause for Concern

By Jim Constantopoulos February 27, 2024

Embracing Uranium's New Dawn:

A Strategic Imperative for

America

Author: Rich Nolan



Our near-complete reliance on imported uranium has long been a glaring strategic vulnerability — exposing us to geopolitical risks and seriously undermining our national and energy security. It doesn't have to be this way.

reno gazette journal

Clean energy needs as much copper as past 121 years combined. We need to meet the demand
Thomas Madison Jr.
March 5, 2024

EREDAILY

Committee sets markup of contentious mining bill

Republicans are pushing for fast action on the legislation after a hearing last week.



BY: HANNAH NORTHEY | 07/05/2024 07:04 AM EST



The Heave Natural Resources Committee will lake by logislation this week from Rep. Mark Amodes (R-Nev.) to protect the mining industry from relitigation. | J. Scott Applewhite/Al?

E&E DAILY | The House Natural Resources Committee is slated to mark up a bipartisan mining bill Tuesday that's pitting the Biden administration and environmental groups against the mining sector and its proponents.

The committee will take up an amended version of H.R. 2925, the "Mining Regulatory Clarity Act of 2023," from Reps. Mark Amodei (R-Nev.) and Mary Peltola (D-Alaska), which would allow companies to do things like store waste, construct buildings or process materials on lands that don't contain economically valuable minerals.



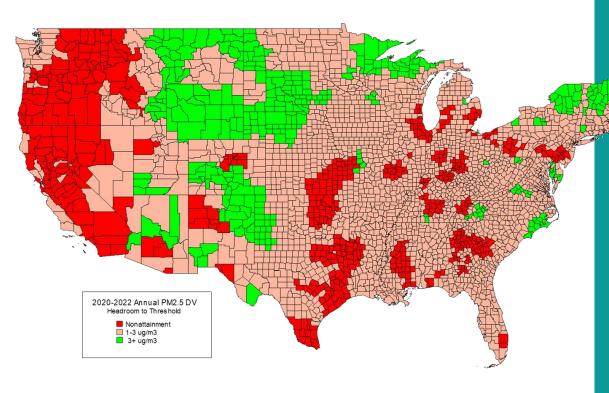
Rep. Pete Stauber (R-Minn.), chair of the Energy and Mineral Resources
Subcommittee, plans to introduce an amendment in the nature of a substitute
that would make technical corrections and clarify that the underlying
legislation doesn't affect wilderness or national park lands.

Kelsey Emmer, a spokesperson for Stauber, said Democrats and the Biden administration during recent hearings made claims about the bill that were not valid, prompting Stauber to draft the amendment.



- EPA finalized rule March 6
- 25 percent reduction in the annual primary standard
- Permitting roadblocks, costly controls, emissions mitigation requirements
- NMA filed lawsuit in the D.C. Circuit challenging this rule with seven industry associations

Industry's Analysis of Immediate Impact PM_{2.5} NAAQS at 9 µg/m³





OVERSIGHT

- Standalone legislation
- Congressional Review Act resolutions
- Appropriations rider
- Oversight letters and hearings



COALITIONS

 NMA co-leads industry coalition with 22 partners



STATES

 Ky. and W. Va. coleading 22 states in challenging the rule



SEC CLIMATE DISCLOSURE

FINAL RULE MANDATES SCALED-BACK DISCLOSURES

On March 6, 2024, the Security and Exchange Commission (SEC) voted 3-2 to adopt the final rule

- Eliminates Scope 3 greenhouse gas (GHG) emissions disclosures
- Scope 1 and 2 GHG emissions disclosures for large accelerated filers and certain accelerated filers on a phased-in basis, *if material*, smaller reporting companies exempted
- Eliminates line-item analysis but maintains the need to analyze financials (e.g., capitalized costs, expenditures expensed, charges, losses) against "severe weather events" and "natural conditions"

"We are not a climate regulator. We are not a climate-risk regulator. We are agnostic as to how companies manage their climate risk. We have a role to play to help bring consistency, comparability [and] decision-usefulness to that which is already happening."

- SEC Chair Gary Gensler



OVERSIGHT

- Congressional Review Act resolutions
- Oversight letters and hearings
- Standalone legislation
- Appropriations rider



STATES

- 25 states filed in four circuits
- States leading:
 - Ohio
 - W.Va.
 - Ga.
 - lowa
 - La.



WATERS OF THE UNITED STATES

CHANGING RULES CAUSE PERMITTING UNCERTAINTY

- Supreme Court narrowed jurisdiction in Sackett v. EPA
- EPA and Army Corps responded with new, overly broad rule
- Implementation uncertainty leading to permitting roadblocks, delays and increased costs
- NMA filed lawsuits in the federal district courts in Texas (18 association allies) and N.D. (13 association allies)

Operative Definition of "Waters of the United States"





OVERSIGHT

- Oversight letters and hearings
- Appropriations riders
- Permitting legislation
- Freedom of Information Act requests



COALITIONS

Waters Advocacy
 Coalition advances op-ed campaign and pushes for implementation clarity



STATES

- N.D. lawsuit involving 24state coalition led by W.Va., N.D., Ga. and lowa
- Texas lawsuit involves
 Texas and Idaho



LAND ACCESS: CONTINUING THREATS

Bureau of Land Management (BLM) Rule on Conservation and **Landscape Health**

(Conservation on par with multiple use on all 245 million acres of BLM managed lands)

- **Forest Service Conservation Initiatives** (Conservation prioritized on 193 acres of National Forest Lands)
- 30x30/America the Beautiful (Goal to conserve 30 percent of U.S. lands and waters by 2030)

Expanded Use of Fish & Wildlife Service Conservation Areas

(Recent example: 5.7 million acres in Mont.)

Resource Management Plan Restrictions (Recent example: 3 million acres in Wyo.)

- **National Monument Designations** (More than 1.5 million acres since inauguration)
- Mineral Withdrawals (Minn., Nev., N.M.)





OVERSIGHT

- Extensive oversight
- Stand-alone legislation in opposition
- Appropriations language
- Planned Congressional **Review Act resolutions**





STATES & COALITIONS

- Coordination with allied states and industries on comments and advocacy
- Planned coordination if litigation occurs



NEW SAGE GROUSE MANAGEMENT PLANS

MORE LAND USE UNCERTAINTY AHEAD

- Amends 77 land use plans on 121 million acres in 10 Western states
- Worst case alternative: withdraws 69 million acres of federal land from mining coal, phosphate, mineral leasing and location and entry under the Mining Law
- Bureau of Land Management's preferred alternative: least restrictive but may still come with a 2.6-million-acre withdrawal
- Final Environmental Impact Statement and Record of Decision expected in fall 2024



OVERSIGHT

- Appropriations language
- Education on emerging threats
- Anticipated oversight hearings and letters



STATES

 Coordinating with Western states on comment strategy



Implementation Concerns Remain Unchanged

- Failure to fully adopt hierarchy of controls
- Short timeframe for implementation
- Failure to use a risk-based approach
- Refusal to accept personal protective equipment for compliance purposes
- Failure to provide an error factor
- Use of eight-hour shift sampling does not capture miners' true exposure

Next Steps

- Evaluate impact of final rule
- Determine tools necessary, including evaluating litigation, to push for a workable rule

Cost Implications

- \$650 B-reader lung x-ray interpretation
- \$ thousands-millions impact of ventilation plan changes



OVERSIGHT

- Appropriations language
- Congressional letters on implementation



COALITIONS

- Engagement with industry allies on advocacy
- Potential litigation coordination





House Ways and Means Committee Approved the Tax Relief for American Families and Workers Act of 2024

- The bill temporarily restores several tax provisions important to the mining and equipment manufacturing industry
- **Extends 100 percent bonus depreciation** generally for qualified business property placed in service after December 31, 2022, and before January 1, 2026

Joint Tax Score \$3 billion over 10 years

 The bill restores the EBITDA calculation for tax years beginning after December 31, 2023, and before January 1, 2026

Joint Tax Score \$18.8 billion over 10 years

The bill restores immediate expensing for research costs paid or incurred through December 31, 2025

Joint Tax Score \$8.5 billion over 10 years



COALITIONS

Partnered with the National Association of Manufacturers and other business groups on tax cut coalition effort







AG Morrisey W.Va.



AG Marshall Ala.



AG Knudsen Mont.



AG Reyes Utah



AG Coleman Ky.



WV Attorney General Patrick Morrisey to Co-Lead lawsuit against EPA



Attorney General Knudsen Files Lawsuit Against Biden EPA Rule



Kentucky sues the EPA over strengthened particle pollution standards







MINING'S FOUNDATION



WORKFORCE



MINING WORKFORCE DEVELOPMENT WORKING GROUP

First meeting: April 3, 2024

Next meeting: May 8, 2024

WORKING GROUP PILLARS

- Policy initiatives
- Industry collaboration
- Educational programs
- Communications efforts

MINING'S FOUNDATION: UNIONS

PRIMARY FOCUS IN 2024: LEVERAGING SYNERGIES

- Reliable and affordable energy
- Need for permitting reform

BEYOND LETTERS OF SUPPORT, OUTREACH TO UNION MEMBERS ON NMA PRIORITIES

- Briefings
- Radio interviews that reached millions of listeners



February 13, 2024

Filed Electronically: www.regulations.gov RIN / Docket ID: 1545-BQ85 / IRS-2023-0063

The Honorable Janet Yellen U.S. Department of the Treasury 1500 Pennsylvania Ave NW Washington, D.C. 20220

RE: United Steelworkers comments to Department of Treasury on Section 45X Advanced Manufacturing Production Credit (IRS-2023-0063). Dear Secretary Yellen:

I write to you on behalf of the United Steelworkers (USW) union, the largest industrial union in North America. Our members include workers across mining and manufacturing in the U.S. and Canada. Manufacturing unions have been key to building the middle class, and our members are eager to be a part of sustainable and secure domestic supply chains for clean technologies for years to come. We are eagerly working with our industry partners to ensure that the implementation of the provisions of the Inflation Reduction Act make funding easily understood and accessible. Our union appreciates the opportunity to provide comments to the Department of the Treasury (Treasury) and the Internal Revenue Service (IRS) on this notice of proposed rulemaking for the 45X Advanced Manufacturing Production

Clear guidance on "integrated, incorporated, or assembled"

In past correspondence to Treasury on this credit, USW urged the Department to seek alignment with the Made in America office on methodology to develop clear and transparent origin requirements under 45X. This must be the case for manufacturing solar, wind, battery components, and also for mineral processing and recycling to ensure that only substantial transformation occurring in North America will be considered acceptable for claiming the credit. This is critically important for this new tax credit to achieve the goals set out by Congress – to locate this manufacturing



November 28, 2023

Mr. Eric Beightel Executive Director Federal Permitting Improvement Steering Council 1800 M Street, NW Suite 6006 Washington, D.C. 20036

Attention: RIN 3121-AA04

RE: Comments on Revising the Scope of the Mining Sector of Projects That Are Eligible for Coverage under Title 41 of the Fixing America's Surface Submitted electronically via https://www.regulations.gov

Dear Mr. Beightel:

The National Infrastructure Alliance opposes the Federal Permitting Improvement Steering Council's proposal limiting the coverage of Title 41 of the Fixing America's Surface Transportation Act to apply solely to critical mineral mining projects. The Council should support all mining infrastructure projects.

al Infrastructure Alliance (NIA) is a coalition of North America's struction unions - the International Association of Bridge, Structural, and Reinforcing Iron Workers Union, the International Union of ingineers, the Laborers' International Union of North America, and the erhood of Carpenters and Joiners of America – representing over 1.7 working men and women in the United States and Canada, NIA d North America's transportation, energy, and water infrastructure, and at's abundant natural resources play a vital role in virtually all aspects

unanimously voted to include mining as a covered sector under Title ixing America's Surface Transportation Act (FAST-41) back in January ote clearly recognized that mining projects involve the complex processes that the Act was designated to facilitate, By designating all FAST-41 sector in the 2020 vote, the Council chose not to pick winners among potentially qualified mining projects. The addition of mining as sector provides a pathway to reduce permitting inefficiencies while

suilding America's Infrastructure 1125 17th Street, MW • Washington, DC 20036 • Tel/Fix 202-778-2617





NMA TRIBAL ENGAGEMENT TOOLKIT

HEIGHTENED SCRUTINY IMPACTING PERMIT TIMEFRAMES

Department of the Interior top priority

- Interagency Working Group Tribal engagement recommendations
- Shifting onus onto project proponents

Tool to help members navigate process

- Sample step-by-step process to develop engagement strategy
- How to identify tribes, territories and off-reservation rights
- Legal issues and historical context to understand current legal regimes and current positions of Native Nations

Steps in process

- Working group review complete favorable comments
- Peer review ongoing
- Next step: Review by select Tribal representatives
- Final step: NMA member company review



MINING'S FOUNDATION: CORESAFETY

REFRESH IN FINAL STAGES

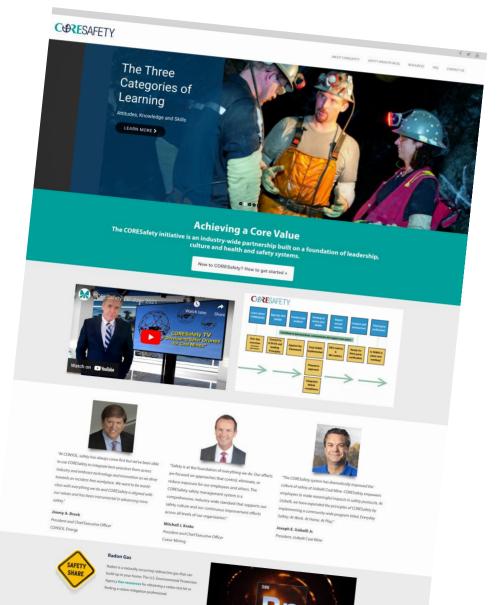
CORESafety® Refresh to be Completed by 3rd Quarter 2024

Leveraging expertise of CORESafety Advisory Group to make more user-friendly and grow participation:

- Condensing handbook modules from 20 to 10
- Enhancing mental health and substance abuse content
- Updating website to match new content and NMA rebrand
- Converting workbook to online
- Adding Spanish version

Parallel Effort Ongoing to Grow Reputation of CORESafety by Benchmarking Against other Safety and Health Management Systems

- Includes gap analysis and governance recommendations
- Next step obtaining international recognition and acceptance







MINING'S FOUNDATION: MINEXPO® INTERNATIONAL

- ▶ 168 days until MINExpo INTERNATIONAL® 2024!
- 109 days until MINExpo® takes over the parking lots
- New look for 2024
- More than 800,000 sq ft sold
- More than 1500 exhibitors
- Exhibit space still available less than 5%
- Introducing the MINExpo 2024 Speaker Series







Mike Rowe
Writer, narrator, producer, recording artist,
Emmy-award winning TV host, New York Times
best selling author and CEO of The
mikeroweWORKS Foundation



Danica Patrick
Former professional racecar driver



Kevin O'Leary

Top business speaker, respected investor, author, venture capitalist, and judge of ABC's Shark Tank and CNBC's Money Court reality show



Jon Dorenbos

Magician, motivational and keynote
speaker, former NFL player

MINING'S FOUNDATION: NMA TV



MINING'S FOUNDATION: NMA GROWTH

DECEMBER 2020

DECEMBER 2023

237 members



289 members

45 producer members 62 producer members





13 resource developer members 35 resource developer members

179 manufacturers & services members



192 manufacturers & services members

ASSOCIATION REPORT

MINING'S FOUNDATION IN A CHANGING WORLD



UPCOMING MEETINGS



Fall 2024

National Mining Association Board of Directors & Annual Members Meeting

Las Vegas Convention Center | Las Vegas, Nev. September 23, 2024

Spring 2025

National Mining Association Board of Directors Meeting

Sea Island, Ga. April 13-15, 2025