

STATE BOARD OF LAND COMMISSIONERS

August 19, 2025

Resource Protection and Assistance Bureau Biannual Report

The Resource Protection and Assistance (RPA) Bureau houses the non-endowment regulatory functions within the Division of Minerals, Navigable Waterways, and Oil and Gas.

Navigable Waterways Program

The Navigable Waterways Program administers encroachment permits, submerged lands leases, easements, and disclaimers of interest. The Navigable Waterways Program is self-supported through a dedicated account.

INSTRUMENT ACTIVITY - Instruments issued FY17 through FY25:

Table 1: Navigable Waterways Historical Instrument Numbers									
Instrument Type	2017	2018	2019	2020	2021	2022	2023	2024	2025
Encroachment Permits Issued	289	338	412	383	542	425	384	297	430
Active Submerged Land Leases	192	180	172	179	176	153	196	194	181
New Submerged Land Leases	8	36	48	24	17	6	39	14	5
Active Riverbed Mineral Leases	2	2	2	3	1	1	1	1	1
New Riverbed Mineral Leases	0	0	0	0	0	0	0	0	0
Active Exploration Locations	3	4	2	3	5	2	2	0	0
New Exploration Locations	1	2	4	0	0	1	0	0	0
New Submerged Land Easements	6	2	3	2	3	6	4	12	4
New Disclaimers of Interest	1	3	0	1	2	2	5	10	10

PAST 6-MONTH HIGHLIGHTS

- **Negotiated Rulemaking.** IDL finished negotiated rulemaking for IDAPA 20.03.04. IDL held eight public meetings in total and generated 42 written comments on the draft rule. IDL incorporated minor changes to the rule based on comments and eliminated 1,369 words from the existing rule.
- **Administrative Hearings.** Between January 1, 2025, and June 30, 2025, IDL ordered two public hearings and one contested case hearing on encroachment permit applications. One public hearing application was withdrawn, and no hearing was held. The other public hearing resulted in approval of the application. For the contested case application, the objector withdrew their objection, and the application was approved by IDL.

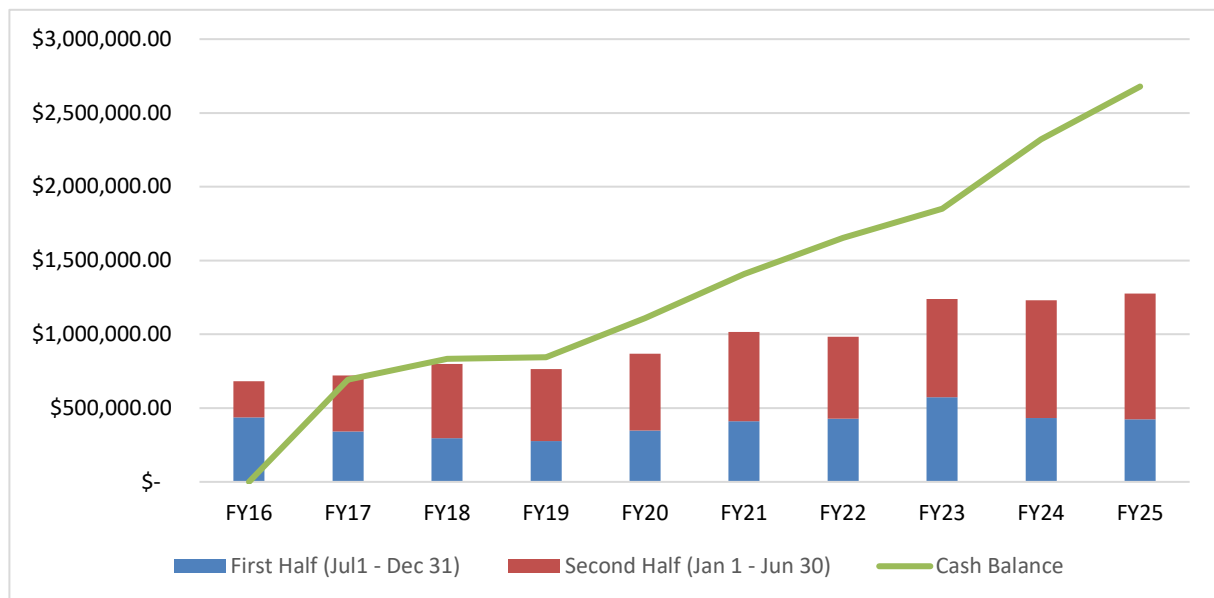
NEXT 6 MONTHS

- **Proposed Rulemaking.** IDL will publish a proposed rule for IDAPA 20.03.04 in the Idaho Administrative Bulletin on September 3, 2025. This will initiate a 21-day comment period. The pending rule is scheduled to go before the Land Board in October 2025.

FINANCIAL UPDATE

- IDL generated \$1,275,680 from navigable waterways in FY25. The dedicated fund for this program exceeded \$2.6 million as shown in Figure 1.

Figure 1: Navigable Waterways Program Revenue and Cash Balance



Regulatory Minerals Program

The Regulatory Minerals Program administers surface mining reclamation plans, dredge and placer permits and abandoned mine land projects. The Regulatory Minerals Program is supported through a mix of general and dedicated fund sources.

PAST 6-MONTH HIGHLIGHTS

- **Negotiated Rulemaking** IDL completed negotiated rulemaking for IDAPA 20.03.02. IDL held eleven public meetings that generated 66 written comments on the draft rule. IDL incorporated minor changes to the rule based on comments, decreased the word count by 394 words, and eliminated 63 restrictive words.

- **Large Metallic Mine Review**

- Perpetua Resources– IDL completed review of the Reclamation Plan and Cyanidation Facility Permanent Closure Plan applications in April 2025. Both applications were approved with conditions. One outstanding condition is IDL approval of the construction phase reclamation bond amount. The initial three-year construction phase is the only phase approved at this time. No mining or milling will be performed, and no cyanide product is permitted onsite in any form during the construction phase. Constructing startup is scheduled for Q3 2025.
- Centerra Gold - Thompson Creek Molybdenum Mine, Custer County: IDL approved the revised Phase 8 Reclamation Plan in December 2024. Thompson Creek is currently performing pit dewatering in advance of mining; pre-stripping activities to expose the Phase 8 orebody; mine fleet overhaul; and mill refurbishing. Mine and mill startup is anticipated for Q2 2026.
- Integra Resources - DeLamar Mine, Owyhee County: NEPA permitting continues for this mine. Issuance of the Final Environmental Impact Statement (FEIS) and Record of Decision is anticipated in 2027. A Mine Plan of Operations was issued on July 21, 2025. Comments on this submittal will be issued upon completion of a Memorandum of Understanding with BLM.
- Liberty Gold - Black Pine Mine, Cassia County: Liberty enters the preliminary stages of mine planning and is proactive in coordinating with state and federal agencies. A Memo of Understanding (MOU) was recently signed by IDL, along with cooperators USFS, BLM, IDEQ, and OEMR The Mine Plan of Operations is expected in Q4 2025.

- **Phosphate Mine Review**

- Caldwell Canyon Mine, P4/Bayer Corp. Caribou County: Ore production from the Caldwell Canyon Mine is on hold while Bayer prepares a revised FEIS reflecting additional sage grouse habitat analysis. Bayer anticipates startup in 2028.
- North Rassmussen Mine, Itafos, Caribou County: Mining on Endowment land is complete and follow-on reclamation is in the monitoring phase on the mine panel that was mined and reclaimed. IDL has completed negotiation with Itafos for subsequent reclamation efforts.

In September 2024, IDL and Itafos staff performed a site inspection of the Endowment land parcel to observe the status of reclaimed ground. As a result of the inspection, Itafos and IDL negotiated a supplemental reclamation bond for future work in the amount of \$1,127,806. IDL received the Surety note in January 2025.

LOOKING FORWARD

- **Proposed Rulemaking.** The proposed rule will be published in the Idaho Administrative Bulletin on October 1st. A public hearing will be conducted on October 7th to capture written and verbal comments. The pending rule will go before the Land Board on November 18th 2025 and then forwarded to the Office of Administrative Rules Coordinator in January 7th 2026 for consideration by the 2026 Legislature.
- IDL will continue to coordinate with Integra for the DeLamar Mine and Liberty Gold on the Black Pine Mine as these properties continue through the NEPA process. Anticipated tasks include review of draft Mine Plan of Operations and selected resource reports included in the Draft Environmental Impact Statement. Formal IDL engagement will commence upon receipt of Reclamation Plans and Cyanidation Facility Permanent Closure Plans from the two proposed mines.

TOTAL PERMITS AND BONDING

IDL currently administers 1,579 mine sites covered by reclamation plans and 28 covered by dredge and placer permits. The mines are presented in Table 2 by category, and Table 3 illustrates historical plan numbers.

Table 2: Current Mine Permit Categories			
Sand and Gravel Mines (IDAPA 20.03.02.069)	Hardrock, Phosphate & Complex Industrial (IDAPA 20.03.02.070)	Cyanidation Mines (IDAPA 20.03.02.071)	Dredge and Placer Permits (IDAPA 20.03.01)
1548	31	1	28

Table 3: Regulatory Minerals Historical Instrument Numbers										
Instrument Type	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Mined Land Reclamation										
New Reclamation Plans	36	24	18	28	17	10	10	29	33	31
Retirements	36	15	22	9	13	7	14	20	43	35
Total Reclamation Plans	1,530	1,542	1,540	1,561	1,580	1,574	1,545	1,571	1,571	1579
Dredge and Placer										
New/Amended Permits	3	3	1	2	0	1	2	0	0	0
Retirements	-	2	0	1	0	0	0	3	1	1
Total Permits	25	26	27	28	28	29	31	28	27	28

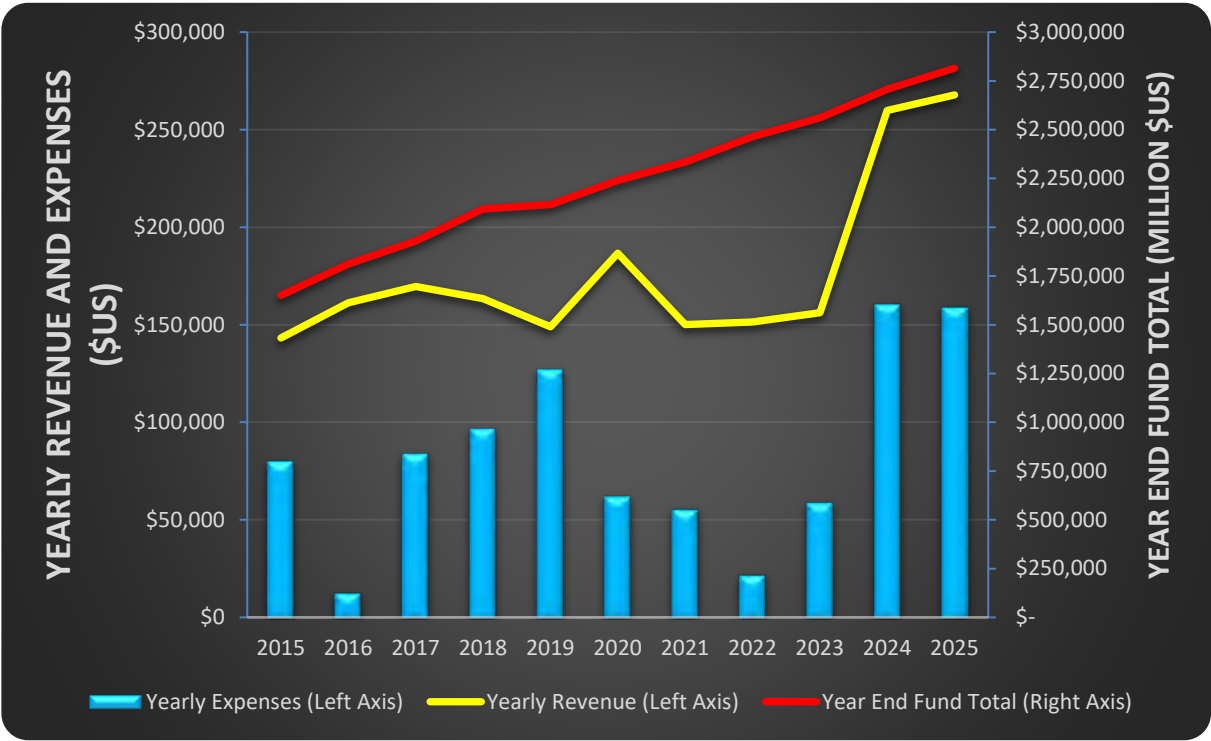
Mine operators are eligible to provide bonding through traditional methods or the Bond Assurance Fund (BAF). Tables 4 and 5 list the acres and bond amounts currently in place for different types of mining operations. Created in 2006, the BAF provides a reclamation bonding option for small operators on private and state lands. Table 6 has details from the FY25 BAF billing. Figure 2 illustrates the revenue, expenditure, and balance for this fund.

Table 4: Bonding for Sand and Gravel, Simple Industrial Minerals, and Placer Permits								
	Reclamation Plans (IDAPA 20.03.02.069)				Dredge and Placer Permits (IDAPA 20.03.01)			
	Plans	Permitted Acres	Total Bond	Bond/Acre	Permits	Affected Acres	Total Bond	Bond/Acre
Traditional Bond ¹	338	45,701	\$21 Million	\$460	28	1213	\$232K	\$191
Bond Assurance Fund	612	27,472	n/a	n/a	5	166	n/a	n/a
¹ Surety Bond, Letter of Credit, Certificate of Deposit, or Cash								

Table 5: Bonding for Hardrock, Phosphate & Complex Industrial Minerals				
	Reclamation Plans (IDAPA 20.03.02.070)			
	Permits	Permitted Acres	Total Bond	Bond/Acre
Traditional Bond ¹	31	22,029	\$224 Million	\$10,168
¹ Surety Bond, Letter of Credit, Certificate of Deposit, or Cash				

Table 6: Bond Assurance Fund Billing (FY25)			
Disturbance (ACRES)	Annual Fee Schedule (\$)	Total Permits Distribution	Total Annual Fees Due (\$)
2 acres or less	\$100	149	\$14,900
> 2 acres ≤ 5 acres	\$200	150	\$30,400
> 5 acres ≤ 10 acres	\$250	140	\$35,000
> 10 acres ≤ 15 acres	\$300	56	\$16,800
> 15 acres ≤ 20 acres	\$350	41	\$14,350
> 20 acres ≤ 25 acres	\$400	28	\$11,200
> 25 acres ≤ 30 acres	\$450	23	\$10,350
> 30 acres ≤ 35 acres	\$500	6	\$3,000
> 35 acres ≤ 40 acres	\$550	18	\$9,900
40 Acres	\$600	1	\$600
TOTAL		612	\$146,500

Figure 2: Bond Assurance Fund - Revenue, Expenditure, and Fund Balance; Aug 2025



ABANDONED MINE LANDS

The abandoned mine lands (AML) program is funded by receiving 50% of Idaho's Mine License Tax, a 1% net tax of Idaho's mining industry (excluding sand and gravel as described in Idaho Code § 47-1205). IDL's share of income for FY25 was \$10,977.34. Table 7 lists the projects worked on in FY25. Figure 3 illustrates the revenue, expenditure, and balance for this fund.

Table 7: Abandoned Mine Lands Projects FY25	
Project Name	Project Description
Triumph Mine	Ground- and surface water sampling, ground water modeling, mine water infiltration bed design
Idaho Geological Survey	AML information compilation and digitization.

Figure 3: AML Fund - Revenue, Expenditure, and Fund Balance; Aug 2025

