(3)(A) The Secretary shall adjust the fees required by this subsection to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor every 5 years after the date of enactment of this Act, or more frequently if the Secretary determines an adjustment to be reasonable.

(B) The Secretary shall provide claimants notice of any adjustment made under this paragraph not later than July 1 of any year in which the adjustment is made.

(C) A fee adjustment under this paragraph shall begin to apply the calendar year following the calendar year in which it is made.

(4) Monies received under this subsection shall be deposited in the Locatable Minerals Fund established by this Act.

(b) LOCATION.—

(1) Notwithstanding any provision of law, for every unpatented mining claim, mill or tunnel site located after the date of enactment of this Act and before September 30, 1998, the locator shall, at the time the location notice is recorded with the Bureau of Land Management, pay to the Secretary a location fee, in addition to the fee required by subsection (a) of $50 per claim.

(2) Moneys received under this subsection that are not otherwise allocated for the administration of the mining laws by the Department of the Interior shall be deposited in the Locatable Minerals Fund established by this Act.

(c) CO-OWNERSHIP.—The co-ownership provisions of the Mining Law of 1872 (30 U.S.C. 28 et seq.) will remain in effect except that the annual claim maintenance fee, where applicable, shall replace applicable assessment requirements and expenditures.

(d) FAILURE TO PAY.—Failure to pay the claim maintenance fee as required by subsection (a) shall conclusively constitute a forfeiture of the unpatented mining claim, mill or tunnel site by the claimant and the claim shall be deemed null and void by operation of law.

(e) OTHER REQUIREMENTS.—

(1) Nothing in this section shall change or modify the requirements of section 314(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(b)), or the requirements of section 314(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(c)) related to filings required by section 314(b), which remain in effect.

(2) Section 2324 of the Revised Statutes of the United States (30 U.S.C. 28) is amended by inserting ''or section 103(a) of the Hardrock Mining and Reclamation Act of 2007'' after ''Act of 1993,''.

SEC. 104. EFFECT OF PAYMENTS FOR USE AND OCCUPANCY OF CLAIMS.

Timely payment of the claim maintenance fee required by section 103 of this Act or any related law relating to the use of Federal land, asserts the claimant's authority to use and occupy the Federal land concerned for prospecting and exploration, consistent with the requirements of this Act and other applicable law.

TITLE II—PROTECTION OF SPECIAL PLACES

SEC. 201. LANDS OPEN TO LOCATION.

(a) LANDS OPEN TO LOCATION.—Except as provided in subsection (b), mining claims may be located under the general mining laws only on such lands and interests as were open to the location of mining claims under the general mining laws immediately before the enactment of this Act.

(b) LANDS NOT OPEN TO LOCATION.—Notwithstanding any other provision of law and subject to valid existing rights, each of the following shall not be open to the location of mining claims under the general mining laws on or after the date of enactment of this Act:

(1) Wilderness study areas.

(2) Areas of critical environmental concern.

(3) Areas designated for inclusion in the National Wild and Scenic Rivers System pursuant to the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), areas designated for potential addition to such system pursuant to section 5(a) of that Act (16 U.S.C. 1276(a)), and areas determined to be eligible for inclusion in such system pursuant to section 5(d) of such Act (16 U.S.C. 1276(d)).

(4) Any area identified in the set of inventoried roadless areas maps contained in the Forest Service Roadless Area Conservation Final Environmental Impact Statement, Volume 2, dated November 2000.

(c) EXISTING AUTHORITY NOT AFFECTED.—Nothing in this Act limits the authority granted the Secretary in section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714) to withdraw public lands.

SEC. 202. WITHDRAWAL PETITIONS BY STATES, POLITICAL SUBDIVISIONS, AND INDIAN TRIBES.

(a) IN GENERAL.—Any State or political subdivision of a State or an Indian tribe may submit a petition to the Secretary for the withdrawal of a specific tract of Federal land from the operation of the general mining laws, in order to protect specific values identified in the petition that are important to the State or political subdivision or Indian tribe. Such values may include the value of a watershed to supply drinking water, wildlife habitat value, cultural or historic resources, or value for scenic vistas important to the local economy, and other similar values. In the case of an Indian tribe, the petition may also identify religious or cultural values that are important to the Indian tribe. The petition shall contain the information required by section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714).

(b) CONSIDERATION OF PETITION.—The Secretary—

(1) shall solicit public comment on the petition;

(2) shall make a final decision on the petition within 180 days after receiving it; and

(3) shall grant the petition unless the Secretary makes and publishes in the Federal Register specific findings why a decision to grant the petition would be against the national interest.

TITLE III—ENVIRONMENTAL CONSIDERATIONS OF MINERAL EXPLORATION AND DEVELOPMENT

SEC. 301. GENERAL STANDARD FOR HARDROCK MINING ON FEDERAL LAND.

Notwithstanding section 302(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)), the first section of the Act of June 4, 1897 (chapter 2; 30 Stat. 36 16 U.S.C. 478), and the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.), and in accordance with this title and applicable law, unless expressly stated otherwise in this Act, the Secretary—

(1) shall ensure that mineral activities on any Federal land that is subject to a mining claim, millsite claim, or tunnel site claim is carefully controlled to prevent undue degradation of public lands and resources; and

(2) shall not grant permission to engage in mineral activities if the Secretary, after considering the evidence, makes and publishes in the Federal Register a determination that undue degradation would result from such activities.

SEC. 302. PERMITS.

(a) PERMITS REQUIRED.—No person may engage in mineral activities on Federal land that may cause a disturbance of surface resources, including but not limited to land, air, ground water and surface water, and fish and wildlife, unless—

(1) the claim was properly located under the general mining laws and maintained in compliance with such laws and this Act; and

(2) a permit was issued to such person under this title authorizing such activities.

(b) NEGLIGIBLE DISTURBANCE.—Notwithstanding subsection (a)(2), a permit under this title shall not be required for mineral activities that are a casual use of the Federal land.

(c) COORDINATION WITH NEPA PROCESS.—To the extent practicable, the Secretary and the Secretary of Agriculture shall conduct the permit processes under this Act in coordination with the timing and other requirements under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

SEC. 303. EXPLORATION PERMIT.

(a) AUTHORIZED EXPLORATION ACTIVITY.—Any claim holder may apply for an exploration permit for any mining claim authorizing the claim holder to remove a reasonable amount of the locatable minerals from the claim for analysis, study and testing. Such permit shall not authorize the claim holder to remove any mineral for sale nor to conduct any activities other than those required for exploration for locatable minerals and reclamation.

(b) PERMIT APPLICATION REQUIREMENTS.—An application for an exploration permit under this section shall be submitted in a manner satisfactory to the Secretary or, for National Forest System lands, the Secretary of Agriculture, and shall contain an exploration plan, a reclamation plan for the proposed exploration, and such documentation as necessary to ensure compliance with applicable Federal and State environmental laws and regulations.

(c) RECLAMATION PLAN REQUIREMENTS.—The reclamation plan required to be included in a permit application under subsection (b) shall include such provisions as may be jointly prescribed by the Secretary and the Secretary of Agriculture.

(d) PERMIT ISSUANCE OR DENIAL.—The Secretary, or for National Forest System lands, the Secretary of Agriculture, shall issue an exploration permit pursuant to an application under this section unless such Secretary makes any of the following determinations:

(1) The permit application, the exploration plan and reclamation plan are not complete and accurate.

(2) The applicant has not demonstrated that proposed reclamation can be accomplished.

(3) The proposed exploration activities and condition of the land after the completion of exploration activities and final reclamation would not conform with the land use plan applicable to the area subject to mineral activities.

(4) The area subject to the proposed permit is included within an area not open to location under section 201.

(5) The applicant has not demonstrated that the exploration plan and reclamation plan will be in compliance with the requirements of this Act and all other applicable Federal requirements, and any State requirements agreed to by the Secretary of the Interior (or Secretary of Agriculture, as appropriate).

(6) The applicant has not demonstrated that the requirements of section 306 (relating to financial assurance) will be met.

(7) The applicant is eligible to receive a permit under section 305.

(e) TERM OF PERMIT.—An exploration permit shall be for a stated term. The term shall be no greater than that necessary to accomplish the proposed exploration, and in no case for more than 10 years.

(f) PERMIT MODIFICATION.—During the term of an exploration permit the permit holder may submit an application to modify the permit. To approve a proposed modification to the permit, the Secretary concerned shall make the same determinations as are required in the case of an original permit, except that the Secretary and the Secretary of Agriculture may specify by joint rule the extent to which requirements for initial exploration permits under this section shall apply to applications to modify an exploration permit based on whether such modifications are deemed significant or minor.

(g) TRANSFER, ASSIGNMENT, OR SALE OF RIGHTS.—(1) No transfer, assignment, or sale of rights granted by a permit issued under this section shall be made without the prior written approval of the Secretary or for National Forest System lands, the Secretary of Agriculture.