



Working with Communities to Protect Their Land Air and Water

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6/26/2013

Great Basin Resource Watch comments to Nevada Mining Oversight and Accountability Commission

Good morning Commissioners and thank you for taking time for public comment. Great Basin Resource Watch (GBRW) has presented information to this Commission on the issue of pit lakes in Nevada, and now the legislature with the Governor's signature has amended existing NRS on the reclamation of pit lakes that will be 200 acres or larger. GBRW requests that this Commission follow the process of implementation of this revised NRS.

GBRW will be watching this closely and there may be a need in the future to act to assure that the mining industry is held accountable on pit lake reclamation.

Turning to the matter of mining on the Comstock. We see the situation there as an example of where a general environmental review process, which Nevada does not have, is needed to connect potential impacts to air, water, land, economy, and so on. Comstock Mining Inc. has to date effectively navigated around the National Environmental Policy Act (NEPA) by avoiding federally controlled lands. The current right-of-way action will be the first time that NEPA will be engaged; however, BLM has stated that the environmental assessment will be very restricted in scope.

Other states have developed statutes that provide for an environmental review process, which can be performed on a local, often county level, where there is not a federally required environmental review. This environmental review process requires cumulative impacts analyses. Such analyses go beyond the state permitting process in requiring an analysis of how the current project impacts will add to other existing activities and projects in the "foreseeable future." In doing so the environmental analysis, which is now limited under the specific constraints of the permit regulations,

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Exhibit Susan Juettten

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would reach across the regulatory regime to tie together impacts to water, air, land, culture, economy, and so on.

We encourage this Commission to consider the need for the state of Nevada to develop such a process to act when NEPA does not apply. GBRW views this as a mining accountability issue and worthy of your attention. We request that at a future Commission meeting the need for environmental review for mining projects where there is no federal review process be discussed as an informational agenda item.

Thank you again for your time and serving on this Commission.

Sincerely,

A handwritten signature in black ink that reads "John Hadder". The signature is written in a cursive, flowing style with a large initial "J" and a prominent flourish at the end.

John Hadder, Director