Nevada Lithium Corporation sees the ancient caldera in northwest Humboldt County as a rich source of profits from a proposed open pit lithium mine. Ranchers, sportsmen and conservation groups see the water, beauty and wildlife values of the Montana Mountains into which the Thacker Pass Lithium Mine footprint may intrude.

Jobs and an economic boost to their region are what many locals hope will materialize from this mine, including some from the Fort McDermitt Paiute/Shoshone Tribe and citizens in nearby McDermitt and Orovada.

On the other hand, the Bureau of Land Management (BLM) land on which the mine will be built is public land; it belongs to all Americans. At the February BLM Scoping Meeting in Orovada, an attendee stated “I'm a 30-year resident of Humboldt County, [and am] adamantly against it. The area is a national park or monument without being named one.”

Jobs, Lithium and the Economy

Can compromises be reached which honor disparate viewpoints about this consequential project? At the Democratic presidential debate in Las Vegas in February, moderator John Ralston said “The tension here is between people wanting renewable energy and people who want conservation of public lands.”

Lithium is being promoted as an essential element in combating climate change. Right now, lithium-ion batteries are essential for electric cars and other electronic products including cell phones.

Vancouver Canada based Lithium Americas is the parent company to Nevada Lithium. Ganfeng China, a giant in lithium mining, contributed $40 million in cash to the development of Thacker Pass; two Chinese nationals sit on the Board of Directors. The company continues to explore finance options for Thacker Pass’ construction, including the possibility of a joint venture partner.

The company said it planned to hire 113 people at an average wage of $37.84/hr, with an expected $103 million spent on equipment and up to 1000 temporary construction workers to build the production facilities.

In Winnemucca, the county seat, political representatives are generally all-in for the mine and the jobs and tax base that come with it. As reported in the Nevada Indy, 9/16/20, Nevada Lithium will receive a total of $8.6 million in tax abatements from the state. Per its application, Nevada Lithium expects to bring in more than $65.8 million in new local and state tax revenue.

Continued on page 4
Forty years ago, the authors of the National Environmental Policy Act (NEPA) responded to a groundswell of public concern about air and water pollution and destruction of ecosystems by development and industry. The act was signed in 1970 with the intent “to establish, by congressional action, a national policy to guide federal activities which are involved with or related to the management of the environment or which have an impact on the quality of the environment.”

GBRW believes that it is past time for Nevada to consider a state-based law mandating in-state environmental justice and quality reviews. We need to instill in our state agencies the same environmental ethic that drove the crafting of NEPA decades ago, and ensure that environmental justice is front and center in decision-making. Too often people who are disproportionately affected by government actions are not included or marginalized in the decision making process. GBRW sees this consistently in decisions involving mining projects where only those who have political pull or enough money to finance independent analysis of mining proposals and legal fees can have any influence on a mine plan.

NEPA only applies to federal actions, so all other state and local actions receive no similar comprehensive environmental review. Our lives are greatly affected by local governmental actions and often result in disproportionate effects on certain populations. The Nevada permitting process is not a highly inclusive public process nor does it evaluate cumulative impacts. For example, Comstock Mining Inc’s (CMI) operation in Lyon County, Nevada has never had a NEPA-style environmental review, largely because it’s not on public land. This is despite the clear community impacts of CMI’s operations. The residents would have benefited greatly from a NEPA-style review. Under NEPA, CMI would have had to submit a Plan of Operations, including projections of future actions, which CMI has kept shrouded to avoid undermining its public relations campaign.

The 2021 Nevada Legislature will be seeing the start of the development of an in-state review process for environmental justice and quality—stay tuned.

Welcome Chelsey Hand!

We welcome Chelsey Hand as our new Outreach and Program Coordinator. She comes from an environmental studies and sociology background where she developed a passion for environmental justice and working towards structural change on the relationship level. Her culminating research at Gonzaga University included an examination of environmental violence related to nuclear testing on Indigenous lands.

Chelsey first came to us as a summer mining justice intern with the Progressive Leadership Alliance of Nevada (PLAN) when it was clear that she enjoyed a focus on environmental justice work. In addition to PLAN, Chelsey also did advocacy on the Domestic Violence Resource Center’s crisis line and dedicated time to environmental nonprofits such as 350 Spokane, Washington Trails Association, and Spokane Lands Council. She has experience in environmental education with non-profits and with the Nevada Department of Wildlife as an Americorps wildlife educator. She is familiar with public water systems and contamination issues in Nevada through an internship with the Bureau of Safe Drinking Water.

“Chelsey has been a joyous and needed addition to the GBRW team with a strong sense of justice and environmental protection. Her sensitivity to the effects to frontline communities from mining/extraction is well aligned with the GBRW mission.”

~John Hadder
During the 2021 Nevada legislative session Assemblywoman Sarah Peters will be introducing a joint resolution to begin work on the proposed Nevada Environmental Justice and Quality Act (NEJQA). The resolution will call for a legislative committee to be formed to produce a legislative study determining how Nevada should proceed in developing an environmental review process. The concept of NEJQA was inspired by the National Environmental Policy Act (NEPA) passed 50 years ago, a cornerstone of environmental policy in the U.S.

At the time there was a growing understanding that an acceptance of ecology and promotion of an environmental ethic within public policy was needed at the federal level. Lynton Keith Caldwell, professor of Public and Environmental Affairs at Indiana University and a prominent participant in the development of NEPA, observed that prior to NEPA, decisions were often at cross-purposes and uncoordinated, with no “well-defined and generally accepted doctrine governing man’s behavior toward his biophysical environment....” The incorporation of ecological principles into the actions of the government was the philosophical goal, but it has yet to be fully realized.

The COVID-19 pandemic and economic collapse that came with it are crises layered on pre-existing dysfunction. Nevada has long drained our schools and healthcare of the necessary funding while giving away billions to corporations through sweetheart deals.

- A 2016 report from the Education Law Center gave Nevada an “F” grade, finding that, in addition to overall low funding, low-income students receive just 71 cents for each dollar provided to wealthier students.
- The Common Fund’s 2020 scorecard on health care ranked Nevada 49 out of all US States in terms of access, costs, quality, and equity.

According to the Frazier Institute, which analyzes mining regions favorability for investment, Nevada ranked third most favorable in the world in 2019. Out of the $7.7 billion the industry made in 2019, $5.4 billion went untaxed in the form of deductions. About $120 million is paid by the industry as a whole as a 5% tax on net proceeds, divided roughly evenly between the counties and the state. The U.S. Government Accountability Office reports that no other western state has only a net proceeds tax without additional extractive taxes or inclusion of the additional value that can be taxed after processing.

This was the baseline going into the pandemic. It’s no surprise that schools and hospitals struggle since the state is used like a resource colony by international extractive corporations. Nevada’s budget crisis from the pandemic resulted in $1.2 billion in state budget cuts. These cuts mostly came at the expense of education and healthcare. Now that the state can no longer rely on tax revenue from tourism, many are looking to one of the few industries that has flourished - mining. When the economy tanks, gold thrives.

Towards a Nevada Environmental Justice and Quality Act

By John Hadder

During the 2021 Nevada legislative session Assemblywoman Sarah Peters will be introducing a joint resolution to begin work on the proposed Nevada Environmental Justice and Quality Act (NEJQA). The resolution will call for a legislative committee to be formed to produce a legislative study determining how Nevada should proceed in developing an environmental review process. The concept of NEJQA was inspired by the National Environmental Policy Act (NEPA) passed 50 years ago, a cornerstone of environmental policy in the U.S.

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STATE LEVEL EFFORT:
GBRW formed a working group two years ago to work towards legislation requiring a state level review process that explicitly addresses the need for equity and justice in environmental decision making. Even NEPA fails to fully address environmental justice. For this reason the proposed NEJQA specifically contains environmental justice as a guiding principle.

The drafting of the legislative study will be an open public process and will seek input from all Nevadans. The composition of the legislative committee will reflect the diversity of communities in Nevada. The study will provide a guidepost to craft bills in upcoming legislative sessions incorporating the environmental justice and quality review process in significant state, county and local governmental actions within Nevada.

The NEJQA working group and partners need to build a strong case for a future Nevada Environmental Justice and Quality Act. We will need support from all corners of the state. Please join us in this ambitious and necessary campaign to pass an Nevada Environmental Justice and Quality Act as we build grassroots advocacy for it. Contact John Hadder at John@gbrw.org with preliminary ideas on what should be contained in the Act, and whether you wish to be part of the working group.
Mining and Wildlife in the Montana Mountains

The proposed mine sits on the edge of the Montana Mountains, which support one of the highest density sage-grouse populations in Nevada, important to preserve because sage-grouse populations everywhere are threatened. Sage-grouse are known to use the proposed mine site, and the project would disturb more than 5,000 acres of priority grouse habitat. Habitat loss and noise from the mine could lead to sage-grouse extirpation here.

Lithium Nevada still holds mining claims in the Montana Mountains, which was brought up at the February BLM meeting in Orovada. When questioned about this, the company representative expressed concerns that another company would take those claims if they let go of them and that the Montana Mountains would potentially be even less protected from extraction.

Groundwater will be used for processing the lithium at the mine site, though in smaller amounts than at other mines, as well as sulfuric acid, a highly toxic substance which has contaminated water bodies throughout the world when mining accidents occur, including in Nevada in 2019 where fish kill occurred.

Nevada is betting on its potential for lithium mining; exploration is turning up multiple sites where it could be extracted. The federal government considers it critical to America’s security, and lithium is on the extensive list of strategic minerals within Executive Order 13817, signed by President Trump. Nevada Lithium advertised that they aimed to be carbon neutral, though no metrics appear to measure this goal. However, carbon neutral does not mean environmentally benign.

Can Mining be a Good Neighbor to Hosting Communities?

The company has said that their original plans included mining into the Montana Mountains but they have altered these plans due to “hearing the community loud and clear.” The speaker indicated this change of plans was part of the company’s desire to be a good neighbor. Indeed, a Good Neighbor Agreement is in the works between Humboldt County, the mining company and hopefully other stakeholders.

Efforts towards being a good neighbor include funding sagebrush restoration research, and partially sponsoring a job training program for the community.

Lithium Nevada claimed transparency was a key component of their community engagement plan. But feelings about the company’s lack of transparency rose to the top of concerns from multiple community members present at the February meeting. Folks doubt that expansion into the Montanas is truly out of the picture.

GBRW is a public interest nonprofit whose mission is to support communities in protecting their land, air and water. It’s our job to ask if this potential mine can leave behind a sustainable, resilient landscape and community. What should be the bottom line in considering a development at the scale and consequences of this project?

The obvious answer from a conservation standpoint is no development at all next to a biotically rich area like the Montana Mountains. Lithium can be mined elsewhere; however some place has to absorb the impact. Substitute minerals for batteries etc. will be found eventually, but significant effort is needed to reuse and recycle battery materials currently.

Local communities need jobs that the mine can provide. Historically and currently, virtually no other occupation except ranching provides the communities an economic base.

But, mines, almost always create an undesirable, boom and bust economy. A 46 year active life is projected for the mine. We question if it is worth destroying critical habitat for profits that will flow out of the country. This is where a Good Neighbor agreement could help.

GBRW’s Position, and Actions Ahead

GBRW will continue to demand stringent federal and state permitting processes and accountability by agencies and the company. Our analysis indicates that the mine as proposed will require hundreds of years of active management after active mining to control water pollution. NGO participation, including ours, could be a powerful tool to promote trust between the community and Nevada Lithium, and stronger environmental protections. A successful plan here could move the entire industry towards more responsible mining.

The Final Environmental Impact Statement was released December 4 2020, with state permits coming out in 2021. Please stay alert to opportunities to comment on this proposal.

*“A “Good Neighbor Agreement”, per a report by the University of Colorado Law School: “Community groups …occasionally enter into negotiated agreements to alleviate negative environmental and public health impacts associated with polluting industries like mining. These Good Neighbor Agreements (GNAs) typically commit a company to mitigate offending practices in exchange for the community group’s commitment to stop legal and public relations challenges to business operations.”
Right now in Nevada, places are being altered, often under the radar of most residents, through accelerated mining development. There are a slew of effects from these projects. One the most striking is mining’s increasing control over rural water in a state where water resources are limited. It is changing landscapes, moving control of the resource away from rural communities and Tribes, and making lasting impacts on ecosystems far beyond the physical mines’ operation boundary. The processes that allow this increasing water inequity to occur are often distant from public consciousness and hidden within the complexity of water rights, western water law, and the technicalities of the mining industry’s use of the state’s precious water.

Great Basin Resource Watch has crafted a webinar series to bring this situation closer to public awareness. Through a partnership with undergrad researchers at University of Nevada, Reno, we have accessed valuable data and conducted analysis that details the subtle yet dramatic effects of mining on water in Nevada.

Community awareness and input are necessary for the mining reforms that can restore water equity for rural residents within our state, and align water policy in Nevada to be respective of its inherent value.

To learn more about these injustices at the intersection of mining and water, to become an advocate, and to join in making these much needed reforms, please register for our Mining and Water Inequity webinar series. We will hold multiple sessions of the webinar.

To register and find a date that works best for you, please email chelsey@gbrw.org.
In February, Atlantic Richfield (ARCO) released “The Final Remedial Investigation Report” for groundwater under and heading north from the abandoned Anaconda copper mine near Yerington. The report is a milestone in the years-long process to remediate damage from the mine; the groundwater is contaminated by uranium and sulfates above safe drinking levels, and other toxics.

Nevada Department of Environmental Protection (NDEP) approved the report with suggested changes in April. GBRW is concerned that ARCO’s consultants found less than half the contamination than was previously indicated by the investigations of the U.S. Environmental Protection Agency in an extensive analyses while overseeing the remediation process.

Implications for future remediation actions are serious, including what the Human Health Risk Assessment to be released in mid-2021 will conclude about present and future risks to humans and wildlife with exposure to the groundwater. Yerington Paiute Tribal members living 4 miles north of the site will likely be exposed to the creeping groundwater as will their neighbors living even closer to the mine.

There is also the question of ethnohistorical artifacts found there. The mine sits on former Paiute territory. BLM archeologists found there was high potential for additional buried artifacts The site is eligible for National Historic Preservation.

GBRW is watching the progress of H.R.1813, the Lyon County Economic Development and Environmental Remediation Act currently before Congress. The bill would privatize more than 2000 acres of BLM managed land within the site, thus removing federal oversight of the property. This could shut out public on decisions, including those affecting future remaining at Anaconda.

GBRW’s legal actions continue to stall the proposed Mount Hope molybdenum mine project in Eureka County. There has been no activity at the site since we first filed in federal court in 2012. We are now challenging the Supplemental Environmental Impact Statement that was released in 2019. We expect to argue our case in federal district court in Reno in early 2021.

In the meantime, an exploration trade group, American Exploration and Mining Association (AEMA), has filed to intervene in the case on behalf of its 1,700 members, which GBRW legally opposed. In our view, Eureka Moly and its attorneys should be able to represent their position adequately without AEMA’s. The primary reason for their intervention comes from our case on the protection of Public Water Reserves, which exist at Mount Hope and all across the western United States. Public Water Reserves are federally protected waters for use by everyone, so a minimum spring flow and access to the springs must be maintained. AEMA specifically stated that the Mount Hope case could affect exploration and mining activities in other areas in the western United States where Public Water Reserves exist. AEMA’s interest in our case highlights the potential repercussions of our arguments about Public Water Reserves if the courts agree with us.

It is likely that the case will carry on throughout 2021 and into 2022. We do not anticipate any activities at Mount Hope while the litigation is active.

AEMA is a 1,700-member national trade association representing the entire mining life cycle, from prospecting and exploration to development and extraction to reclamation and closure.
ON the west side of Fish Creek Valley, south of Eureka in the Fishcreek Range, lies the Jubilee vanadium deposit. Vanadium has been long used to impart high tensile strength, hardness, and corrosion resistance to steel. Approximately 85% of all vanadium produced is used in iron alloys, including tool steels and high-speed steels. Recently, vanadium has been added to a list of metals to be used to usher in the new economy, based on renewable energy sources and associated with a new wave of technologies. Vanadium, like lithium, is on the list of federally recognized critical minerals and falls under present presidential executive orders to streamline permitting for critical minerals extraction. Therefore, we anticipate that permitting of the Gibellini mine project will move quickly through the federal permitting NEPA process; the initial scoping phase has already started. Draft Environmental Impact statement is expected in February.

Nevada Vanadium Company (NVV) is the second company in the past 10 years to attempt permitting the Gibellini mine. GBRW submitted scoping comments back in 2011, but that process never produced as EIS, most likely due to declining market prices for vanadium. NVV has been making a strong case for the need for vanadium to advance a new economy, which is the same rhetoric we have been hearing from the lithium mining companies. Similar to lithium, vanadium is presented as key to large-scale industrial battery systems, which could be used to store large quantities of energy from intermittent renewable energy technologies.

A significant departure from the 2011 proposal is the uranium processing as a secondary product. NVV is addressing the presence of significant amounts of uranium by proposing a separate processing circuit for uranium in the final form of “yellow cake.” Since it is a secondary circuit, the Nuclear Regulatory Commission will not be involved in the mine permitting; the uranium portion will also be handled through Nevada permitting. The presence of uranium adds complexity to the mine operation and permitting, especially since this is the first mine in Nevada to produce a uranium product since modern mining regulations were passed about 30 years ago.

The Gibellini mine would disturb a fairly undeveloped valley in Nevada, which is a rarity. Native American cultural values, ranching interests, and water use are of great concern. Fishcreek Valley enjoys dark and quiet nights, which will be lost if the mine goes forward.

GBRW will approach the review rigorously despite vanadium being listed as a critical mineral and its potential use for new technologies. We will be taking a thorough look at this mine's plans. Watch for future Action Alerts regarding requests for comments for both federal and state permits.

The Robinson mine just west of Ely sprawls over the adjacent mountain in the Egan Range. This mining district goes back to the late 1860’s where copper was the primary focus, and in the past 40 years, with gold extraction. The closure and reclamation of this mine will be challenging, since the mine operated for many years prior to modern environmental regulations from the late 1960’s and 1970’s.

The geology of the site is problematic with high potential for acid mine drainage and the need for intergenerational, active management to prevent water pollution. GBRW’s analysis foresees significant surface and likely groundwater contamination given the proposed mine and closure/reclamation plan. Furthermore, the technical reports that evaluate the geochemistry and mine consequences and reclamation were, in our view, written very poorly, which made it very difficult to sort out how current mine operator KGHM is planning to address closing the site.

There are many springs and drainages around the mine, which means long-term pollution may have dire consequences for the environment and nearby communities. Neither KGHM nor the state of Nevada nor the federal land managers have been willing to come clean on the potential for perpetual pollution. GBRW plans to focus on these issues as the mine expansion proposal moves forward.

The public must demand that BLM—in its process of preparing the Draft EIS and Nevada in its permitting the expansion—determine the likelihood of this mine requiring perpetual active management. The public has a right to know what to anticipate in the Robinson mine closure. The determination must be clear and transparent.

In recent years, the Robinson operation has increased the amount of groundwater pumping - dewatering (see Bristlcone December 2018). This has affected the Murry Springs on the east side of the mountain, which is the primary water supply for the town of Ely. The Draft EIS must address the restoration of Murry Springs and other affected springs and wells in the region.

Look for Action Alerts in the next six months regarding the next steps in federal permitting—Draft EIS—and state permitting deadlines for comments from supporters of clean water in the region.
Within ten acres of the Silver Peak Mountain Range in Esmeralda County, Nevada, is the sole home on this planet for an endemic flower species threatened by a proposed lithium-boron mine. Australian company Ioneer’s proposed Rhyolite Ridge Lithium-Boron Mine began disturbing Tiehm’s Buckwheat in 2019 when their exploration activities degraded portions of the highly-limited flower’s habitat. The original mine plans would have “encompassed [the species’] entire habitat” (Center for Biological Diversity). As a result, the flower has become the focus of various lawsuits, such as the Center for Biological Diversity’s (CBD) state petition and federal petition to protect it under the Endangered Species Act. Even greater attention turned to the flower in September 2020 when 40% of the species’ population was tragically destroyed by unknown persons or animals—heightening the already precarious situation.

As Patrick Donnelly of CBD stated after the destruction event, “I do keep it in perspective that this is just a little flower, but it’s the species. It’s part of our biodiversity. There’s an extinction crisis going on globally that threatens our existence on earth, and I’ll be God damned if the extinction crisis is going to come right to our doorstep with Tiehm’s buckwheat.”

Central to the threat to Tiehm’s Buckwheat is lithium’s role in developing technologies that would aid a transition away from fossil fuels to address climate change. The species highlights the ecological harm that can be done, even in mining that mining proponents claim is for the sake of our environment.

Tiehm’s Buckwheat stands at the intersection of mining and climate change, a glimpse of the delicate and complicated nature of a technology and energy system shift that requires extraction. It symbolizes the problems and tragedies created by prioritizing mining in this nation—when extraction is placed above the rights of people, other species, and ecosystems. In this way, the little endemic flower speaks loudly to the urgent need for mining reform and increased community care towards the sourcing of materials, particularly in the face of climate change. Entire species depend upon it.

**WHEN MINING MEANS EXTINCTION**

*By Chelsey Hand*

In September, Comstock Mining Incorporated (CMI) completed the deal to sell their Lucerne Pit property next to Silver City, Lyon County, to Tonogold Resources, along with mineral rights to some of their other holdings.

Comstock residents and others, including GBRW, have fought various aspects of CMI’s business ventures since 2003. CMI dug the Lucerne Pit immediately adjacent to Highway 342, which was closed for two miles in 2018 because of erosion; from the pit or other causes is controversial. Drilling, excavating and potential mining in the Lucerne Pit disturbs Silver City residents with noise, dust and light pollution. Since the sale of that property to Tonogold, more disruption is expected.

CMI announced plans in 2019 to engage as a partner in mercury remediation on old waste dumps. This activity is true to their announcement that they were realigning their business “…in a transformational strategy focused on … cash-generating, precious metal-based activities not limited to metals exploration, engineering, resource development… mineral production, metal processing and related ventures of environmentally friendly, and economically enhancing mining technologies.”

In fact, they ceased mining and processing gold and silver in 2016.

Next door in Storey County, the company is depending on their investments in properties designated as Opportunity Zones (OP) for profits, as they’ve invested in two OP’s, one of which formally agreed to acquire their non-mining assets.

“Opportunity Zones,” were a product of the 2017 federal tax reform law. They are meant for low-income communities to attract investment and spur economic growth. Areas must meet specific income requirements so that wealthy enclaves that don’t need extra government help don’t qualify. Storey County’s designation alone deviated from the financial eligibility criteria and was a result of Nevada Republicans intervention and lobbying by Storey County Commissioner, Republican donor, brothel owner and real estate investor, Lance Gilman, allowing investors to reap huge profits.

Comstock residents report that no oral arguments have been scheduled yet for their public records lawsuit. District Court will be hearing arguments soon on their due process claim vs. Lyon County/CMI’s motion for summary judgment.
In March of 2020, Nevada Gold Mines applied to the Nevada Division of Water Resources for water appropriations for the proposed Long Canyon mine expansion. Granting these applications would allow Nevada Gold Mines (NGM) to withdraw up to 43,000 gallons per minute of water from Goshute Valley on the eastern side of the North Pequop Mountains, west of West Wendover. The proposed expansion and dewatering of the pit and proposed underground operations would pump on average 45,000 acre-feet per year (over half the annual water use by the Truckee Meadows Water Authority) for 20 or more years, removing over 300 billion gallons of water from the deep aquifer.

GBRW spearheaded a coalition, including Center for Biological Diversity, Sierra Club, Wild Horse Education, Progressive Leadership Alliance of Nevada, and the Pequop Conservancy, to file a formal protest of the water applications. The Confederated Tribes of the Goshute Reservation in a concerted action also filed a protest of the same permits.

“The Johnson Springs and Big Springs complex is itself a sacred site of worship that is culturally connected to other significant and recognized cultural areas including the Swamp Cedars Area to the south in Spring Valley,” said Chairman Rupert Steele of the Confederated Tribes of the Goshute Reservation. “Protection of the cultural values and ongoing spiritual practices that depend on these springs and wetlands requires protection of the springs’ and wetlands’ water sources as well.”

This aggressive pumping campaign is designed to lower the water table around the mine site by at least 1000 feet and will quickly dry up the Johnson Springs Wetland Complex (JSWC), comprising 88 individual springs with combined total long-term average flow of 1,715 gallons per minute (2,770 acre-feet per year). This will cause significant harm to hundreds of wildlife species, including sage grouse, the endangered Relict Dace and numerous game species, such as mule deer, pronghorn and elk. The pumping will also draw water from four other nearby basins, including Independence Valley, home to the endangered Independence Valley Speckled Dace and the highly endangered and previously-thought extinct Independence Valley Tui Chub.

NGM proposes to pump water back to the location of the JSWC to mitigate the severe drawdown of the groundwater table and elimination of natural springflow. But, NGM’s scheme fails to take into consideration critical water quality issues relating to water that would be artificially pumped into the JSWC, including water chemistry, water temperature, turbidity, and other aspects of the water flow. It also does not protect the springs sources, which are critical to the cultural value of the springs. In addition, the mitigation would require active management for at least 150 years and probably longer, which cannot be guaranteed by NGM.

As of August, 2020, NGM has pulled back from its groundwater pumping plan and requested that the BLM pause the federal permitting process. In a call with GBRW and protesters, NGM stated that they are initiating more analysis and seeking a mine plan that will have a lesser effect on the nearby springs. Our protest action and the Goshute protest has significantly caused the mining giant NGM to stop and reevaluate.

We anticipate that NGM will reveal its revised dewatering plan in early 2021. Given the close proximity of the mine to the JSWC, it seems unlikely that the new plan could fully address the concerns raised by the coalition and the Tribe in our protest actions. We seek protection of the spring sources. Watch for action alerts on this in 2021.

GBRW is a 501(c)(3) nonprofit organization. Donations are tax deductible.
Larry Wahrenbrock (right) explaining Comstock mining and history to Region 9 EPA staff (center) and John Hadder, 2012.
Photo: Terry Dempsey

IN MEMORIAM

NORM HARRY
EARTH PROTECTOR,
WITH GRATITUDE

In September this year, the earth lost one of her strongest protectors, Norm Harry, Paiute tribal member, champion of Pyramid and Honey Lakes, accomplished negotiator with people from all walks of life, friend and mentor to hundreds of people in Nevada.

Wrote GBRW Board of Directors member Glenn Miller: “Norm was a tireless advocate for Native American values and protecting the environment. He was also a great personal friend, and a wonderful colleague. He left us far too soon, and he is missed.”

While chairman of the Pyramid Lake Paiute Tribe, Harry and many other parties consummated an agreement to allow more water flow into Pyramid Lake, through the Truckee River Operating Agreement. It went to the U.S. Supreme Court and stands as a singular accomplishment in Western water wars. It saved Pyramid Lake and its rare and endangered fish inhabitants, Lahonton Cutthroat Trout and the Cui-ui, from slow extinction, whose welfare are tied inextricably to the welfare of Paiute people who have dwelled around the lake since ancient times.

Norm’s accomplishments in mining reform are not as well known as his other work. From 1999 to 2009, Norm served on the Board of Directors of GBRW, part of the time as chairman. During that period he testified effectively in the U.S. Congress about the need for mining reform.

Said Bob Fulkerson of Progressive Leadership of Nevada: “Norm is the kind of leader that only comes once in a generation, if we are lucky. Norm not only got things done, but never called attention to himself. He based his work on traditional knowledge. He said to me that his work was based on what the spirit moved him to do.”

Besides being a gifted silversmith, Larry held many positions where his passions and civic engagement served his community, working for planning departments of both Douglas and Lyon Counties, and as Assistant Building Inspector for the Comstock Historic District. He was a member of the Silver City Volunteer Fire Department and served on the town board for many years. One of his favorite sayings was “Less judgment, more curiosity.” We join with citizens throughout northern Nevada in saying “Larry, thank you. We are glad to have known you.”

Stories by Susan Juetten
Nevada’s Connection to the Arctic Circle

By Chelsey Hand

In the Russian Arctic, people from the Ust’-Avam community have been feeling the effects of a May 2020 oil spill that ruined traditional fishing grounds. The tugunok fish holds high cultural value. However, community members are no longer able to catch tugunok because the oil spill massively polluted bodies of water where the fish have historically lived.

The mining company responsible for the oil spill, Norilsk Nickel, has been polluting Indigenous lands in the Arctic for decades. The company is also one of the world’s biggest producers of nickel, a material that has quickly been placed in high global demand due to its utility in electric vehicles and other renewable energy technologies.

Norilsk Nickel’s actions are an example of a much larger trend in dirty extraction of minerals viewed as necessary for a transition to clean energy, which often comes at the expense of people and ecosystems. As countries around the world strive to reduce emissions and begin to rely on new technologies to do so, remote, pristine places where extraction occurs become a part of the story.

A strong reaction from the Aborigen Forum Network, an organization of Indigenous leaders and activists, to this environmental disaster in the Russian Arctic has made clear our connection as Nevadans to their situation. The Network called upon Elon Musk, CEO of Tesla and profiteer of its major Gigafactory just outside Reno, to refuse nickel from Norilsk until the mining operator becomes accountable to the Indigenous communities in the Russian Arctic. When the Network received no response from Musk, they called upon people around the world to pressure him into answering their appeal. After this second campaign garnered wide public support across nations, Tesla agreed to discuss the issue with the Network.

The Network’s plea highlights our interconnectedness across continents. There has long been transnational connectivity when it comes to extraction by multinational mining companies, and pertinence of this connectivity is only growing as many places attempt to address the changing climate. As Dmitry Berezhkov of the Aborigen Forum Network articulates, “We don’t want the next industrial revolution of electric cars and clean energy developed for the price of Indigenous peoples’ rights and traditional lands.” This is a crucial global moment with a great deal at stake when it comes to mining, and much of how it plays out is reliant on our attention to it.

The situation with Norilsk Nickel highlights both the role and responsibility that Nevadans hold in how this transition away from fossil fuels occurs. The actions we take in Nevada and the pressure we put on companies here are linked to the well-being and livelihood of people in the Arctic Circle. As we transition away from fossil fuels to reduce the impacts of climate change, a vital part of securing justice for all lies in our awareness of this interconnectedness—to both communities on the other side of the world and those just a few Nevada mountain ranges away.
How to best capture some of the mining industries’ immense wealth to benefit Nevadans? Three proposals before the next legislative session are:

Assembly Joint Resolution 1 (AJR1) would have Nevada switch from a 5% tax on the net proceeds of minerals to a 7.75% tax on gross proceeds. The resulting revenue would be about $585 million. This resolution would require 25% of the revenue to go to education, economic development, and health care funding. Legislators would have to determine how much of this revenue is distributed to counties.

Assembly Joint Resolution 2 (AJR2) would maintain the net proceeds tax structure and raise the cap to a 12% tax on net proceeds, resulting in $276 million in revenue. Roughly half of this revenue would go to the state and the other half to counties. This proposal has been referred to as the government’s “olive branch” to the mining industry.

Senate Joint Resolution 1 (SJR1) is similar to AJR2 in that it would require mines to pay a 7.75% tax on gross proceeds and result in $585 million in revenue. Under this proposal, half of the tax revenue would be paid out in direct annual payments to Nevadans (similar to Alaska’s oil and gas dividend). These payments would amount to less than $100 per Nevadan per year.

None of these proposals is a fix-all solution. However, Nevadans have already spoken once and made clear that given the current economic collapse the mining industry can no longer make billions off the state’s finite resources at the expense of Nevadans. The economic devastation of the pandemic means painful decisions.

The burden cannot be carried by Nevada’s teachers, nurses, children, and those in need of health care.

Out of these three proposals, AJR1 goes the farthest by removing the billions of dollars Nevadans give away to the industry through deductions under net proceeds and requiring some of that revenue to go to kids and health. It’s the only proposal that directly addresses these issues and most maximizes revenue. Additional revenue could go a long way in investing in the long term economic sustainability of mining-impacted areas. More money could also support better analysis of mining projects, for instance by establishing a fund for third party review of the data submitted by contractors hired by the mines.

Nevada has a historic opportunity to modernize mine taxes. The pandemic devastated the state’s already underfunded safety nets. It is time we demand that the mining industry invest in the Nevadans on whom their profits depend.

Sources:


Healthcare: https://2020scorecard.commonwealthfund.org/state/nevada