



MINING CLAIM BAN

BLM open house for proposed mining claim ban draws crowd



5 HOURS AGO • [HEATHER KENNISON](#)
HKENNISON@ELKODAILY.COM

ELKO — Federal agencies drew a crowd of concerned citizens to their open house-style meeting Wednesday to discuss a proposed 20-year ban on mineral entry in nearly 2.8 million acres of Nevada.

Gene Seidlitz, acting deputy state director of minerals management with the Bureau of Land Management, said the agency is in the process of gathering data and public

comments regarding its proposal, which would ban new mining claims in “sagebrush focal areas.”

Those areas have already been segregated for up to two years to allow the BLM to study data on how mineral exploration fragments that habitat, he said.

“The segregation is kind of the first step of the proposed withdrawal,” Seidlitz said.

The focal areas cover a portion of northern Elko County and are considered by the BLM “the best of the best in terms of (sage grouse) habitat,” he said. Data has shown that mineral exploration fragments that habitat.

“The fragmentation of these habitats from mining and from other programs is why in these areas of what we’re considering the ‘best of the best’ ... we wouldn’t want any future fragmentation,” Seidlitz said.

Mining activities are not the No. 1 threat to the habitat, he said. The Land Use Plan Amendment also addresses fire suppression, livestock grazing and vegetation management projects. These include landscape-based projects, prescribed grazing, and mowing and spraying of invasive species.

“A federal analysis shows that activities such as ranching, mining, and oil and gas exploration affect only 7 percent of the bird’s ecosystem,” according to the National Mining Association.

While there are mining claims in these areas, most active mines are outside of the focal areas, Seidlitz said.

Steve Boies, who owns a ranch off of U.S. Highway 93 south of Jackpot, attended the public meeting in hopes of understanding how it would affect the value of his land.

“As a landowner and a rancher up there with mineral rights, we could lose all the value in our mineral rights,” he said.

The ranch has been leasing its mineral rights to National Oilwell Varco, which has been mining barite there for more than 20 years, Boies said.

“With a swipe of a pen, they could take a huge value of our holdings,” he said.

The Nevada Mining Association states there are 3,762 active claims within the mineral withdrawal area.

Seidlitz explained that the proposed withdrawal, if approved, would honor all existing claims. Anyone owning a mining claim prior to Sept. 24, when the segregation took effect, could come to the BLM and submit for drilling or mining proposals.

“The authorization could take a little longer than normal,” Seidlitz said.

Scott Richey, acting district ranger and geologist for the local district of the U.S. Forest Service, said “valid and existing rights” must be established before an area can be mined. These can be obtained on existing claims during the two-year segregation period.

“It’s a very high hurdle,” he said. “It’s not an easy thing to meet.”

To obtain valid and existing rights, the owner of a claim must prove there are mineable deposits that can be mined at a profit, Richey said.

Maps of the potentially affected area are available at the local BLM office, Seidlitz said. They do not identify the number of sage grouse projected to be in the area.

“There are leks within the focal areas,” Seidlitz said. “... The habitat’s there, the leks are there, and if there are leks, normally there are birds.”

The comment period on the environmental impact statement ends Jan. 15.

“We want to make sure that when we do comment, we’re expressing our comments correctly,” said Paul Bottari, who attended the open house on behalf of the Elko County Association of Realtors to ask questions of BLM and U.S. Forest Service representatives.

Bottari was concerned about restrictions under the guise of protecting a species that didn’t warrant an endangered listing. He believed the segregation and possible withdrawal of lands from mining claims was unnecessary.

“Mining is such an economic benefit to this county and the state of Nevada,” he said.

Furthermore, Bottari believed that not enough is being done to control sage grouse predators.

Among those who attended Wednesday were Elko County Commissioner Demar Dahl and Barrick Gold Corp. and Newmont Mining Corp. employees.

Thad Ballard, president of the Elko County School District Board of Trustees, said the district is trying to determine potential impacts to its funding from net proceeds of minerals if the withdrawal were approved.

Seidlitz said the BLM would consider the economic impact of the proposal. If everything goes as scheduled, the Secretary of the Interior is expected to make a decision on the withdrawal by summer 2017. The withdrawal proposal also affects neighboring western states.

Associate State BLM Director Marci Todd said written comments were being collected at the public meeting, which took place at the Elko Convention Center.

“We definitely want to hear from people that have an interest in the area,” she said.