



***Bureau of Land Management
Director's Protest Resolution Report***

**Yerington Anaconda Mine Site
Conveyance Project
Environmental Assessment and
Proposed Resource Management
Plan Amendment**

July 15, 2025

Introduction

The Bureau of Land Management (BLM) Carson City District released the environmental assessment for the Yerington Anaconda Mine Site Conveyance Project and Proposed Resource Management Plan Amendment (Yerington Anaconda PRMPA/EA) on May 5, 2025. The Yerington Anaconda PRMPA/EA considers a land use plan amendment resulting from an application submitted to the BLM for an implementation-level action. As such, the Yerington Anaconda EA includes analysis and discussion of both implementation-level decisions and a land use planning decision. Only the land use planning decision under consideration, to allocate a 60-acre tract as suitable for disposal, is subject to protest. The BLM Director received six properly filed, unique protest letter submissions during the subsequent 30-day protest period, which ended on June 6, 2025. At the time the BLM issues a decision to authorize implementation-level action of the proposed actions analyzed in the Yerington Anaconda PRMPA/EA, any party to a case adversely affected by that implementation decision may appeal such decision to the Interior Board of Land Appeals.

The planning regulations at 43 Code of Federal Regulations (CFR) 1610.5-2 outline the requirements for filing a valid protest. The BLM evaluated all protest letters to determine which protest letters were complete and timely, and which persons have standing to protest. All six letters were timely and all protesting parties had standing to protest. Four of those protest letters contained a valid protest issue. The BLM documents the responses to the valid protest issues in this protest resolution report. The protest decision is recorded in writing along with the reasons for the decision in this protest resolution report.

The Assistant Director addressed the protests and issued a Protest Resolution Report to protesting parties and posted this report on the BLM's website. The decision was sent to the protesting parties by certified mail, return receipt requested. Consistent with the BLM Delegation of Authority Manual (MS-1203 Delegation of Authority), resolution of protests is delegated to the BLM Assistant Director for Resources and Planning, whose decision on the protest is the final decision of the U.S. Department of the Interior (43 CFR 1610.5-2(b)).

The report is divided into sections, each with a topic heading, excerpts from individual protest letters, a summary statement of the issues or concerns raised by the protesting parties, and the BLM's response to the protests.

Protesting Party Index

Letter Number	Protestor	Organization	Determination
PP-NV-YA-EA-25-01	Judith Harker	Citizens to Protect Smith Valley NV, Inc.	Remanded in Part; Dismissed in Part – Comments Only
PP-NV-YA-EA-25-02	Leslie Sonne	–	Dismissed – Comments Only
PP-NV-YA-EA-25-03	John Hadder	Great Basin Resource Watch	Remanded in Part; Dismissed in Part – Comments Only
PP-NV-YA-EA-25-04	Joshua Dini, Sr.	Prayer Horse, Inc.	Remanded in Part; Dismissed in Part – Comments Only
PP-NV-YA-EA-25-05	Johanna Emm	Taboosi Dikudu No'Obatu Numma Cooperative	Remanded in Part; Dismissed in Part – Comments Only
PP-NV-YA-EA-25-06	Jane Grossman	–	Dismissed – Comments Only

FLPMA: Land Disposal Criteria

Citizens to Protect Smith Valley NV, Inc.

Issue Excerpt Text: “The proposed change to the CRMP was not supported with any justification....”

Great Basin Resource Watch

Issue Excerpt Text: “And as noted above, FLPMA requires a land sale meet specific criteria, which does not exist here. The PEA, at 2, states the following: “The conveyance of these lands would assist ARC in facilitating the remediation of health and safety hazards located on the ACMS.” That is not a qualifying purpose under FLPMA.”

Prayer Horse, Inc.

Issue Excerpt Text: “And as noted above, FLPMA requires a land sale meet specific criteria, which does not exist here. The PEA, at 2, states the following: “The conveyance of these lands would assist ARC in facilitating the remediation of health and safety hazards located on the ACMS.” That is not a qualifying purpose under FLPMA.”

Taboosi Dikudu No’Obatu Numma Cooperative

Issue Excerpt Text: “And as noted above, FLPMA requires a land sale meet specific criteria, which does not exist here. The PEA, at 2, states the following: “The conveyance of these lands would assist ARC in facilitating the remediation of health and safety hazards located on the ACMS.” That is not a qualifying purpose under FLPMA.”

Summary of Protest Issue Statements:

The BLM has violated the Federal Land Policy and Management Act (FLPMA) by failing to justify the 60-acre tract as appropriate for disposal against the criteria required at Section 203(a).

BLM Response:

Section 203(a) of FLPMA allows for the disposal of public lands by sale where it is determined as a result of land use planning that: (1) the tract is difficult of uneconomic to manage as part of the public lands, and is not suitable for management by another Federal department or agency; (2) the tract was acquired for a specific purpose and is no longer required for that or any other Federal purpose; or (3) the tract’s disposal will serve important public objectives, including but not limited to, expansion of communities and economic development, which cannot be achieved prudently or feasibly on land other than public land and which outweigh other public objectives and values, including, but not limited to, recreation and scenic values, which would be served by maintaining such tract in Federal ownership.

While the PRMPA/EA does discuss in detail the planning decision to allocate the 60-acre tract as suitable for disposal, it does not clearly demonstrate that the BLM conducted the review of the 60-acre tract against the required disposal criteria at Section 203(a) of FLPMA to support the determination that this tract meets the criteria and is appropriate to amend the 2001 Carson City Field Office Consolidated RMP to allocate the tract as suitable for disposal.

As described above, the Yerington Anaconda PRMPA/EA does not demonstrate that the BLM considered or evaluated the FLPMA 203(a) disposal criteria in identifying the 60-acre tract as suitable for disposal. As such, this protest issue is remanded back to the Nevada State Director for consideration, clarification, further planning, or other appropriate action to resolve this protest issue.