

Residents Sue Comstock Mining Inc.

Associated Press

YERINGTON, Nev. (AP) — A group of residents is suing Lyon County commissioners and a mining company over a decision that it fears could pave the way for mining expansion close to Silver City, about 30 miles southeast of Reno.

The Comstock Residents Association, in its lawsuit filed Jan. 31 in district court, contends commissioners' Jan. 2 votes to approve master plan and zoning changes to allow Comstock Mining Inc. to pursue mining exploration were illegal.

The suit seeks an injunction to block the company's plans, claiming mining would adversely affect Silver City residents' rural quality of life by leading to noise, dust, traffic and diminished water quality, the Reno Gazette-Journal reported.

The complaint maintains Comstock Mining has sought to "purchase influence" in both Lyon and Storey counties as it pursued mining plans. It cites \$17,500 in campaign contributions from the company and its affiliates to the 2012 campaign of Commissioner Bob Hastings, who voted in support of Comstock Mining's land-use change requests.

"What we have asked for from the beginning of this decision process was a level playing field when it comes to land-use decisions," Silver City resident Gayle Sherman said. "But the Jan. 2 hearing was far from a level playing field. CMI purchased its favorable decision, and we are requesting that the decision be overturned."

Comstock Mining President and CEO Corrado De Gasperis declined to comment on the complaint's allegations but defended the commission's decision.

"I believe the county commissioners were incredibly diligent in understanding the possible zoning, existing and pre-existing property rights and potential positive impacts on the community and the county," De Gasperis told the Gazette-Journal. "It represents a meaningful step forward for the county, the community and our company."

County Manager Jeff Page declined to comment on the lawsuit.

"But I will tell you we anticipated litigation either way the vote went," Page told The Associated Press. "We've turned the case over to the district attorney's office to follow the legal process. We'll support the court and do whatever we need to get it through the court process."

The commission's votes, which affect 87 acres on the south end of Silver City, allow the company to move forward with exploration to determine the area's mining

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potential. Comstock Mining would have to apply for a special-use permit in order to begin open-pit mining. The company already operates an open-pit mine just to the north in Gold Hill in Storey County.

The company has brought back gold and silver mining to the Comstock Lode, a massive, underground pocket of silver and gold around Virginia City that produced one of the world's greatest bonanzas and led to Nevada's statehood in 1864.

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