

MineWatch News: This Community Won! But It's Not Completely Done.

Feb 25, 2024

Dear MineWatchers,



[Watch the video!](#)

This entire community just did something incredible. The Final Hearing for the Idaho-Maryland Mine on February 15 & 16 was amazing! The Nevada County Board of **Supervisors voted unanimously 5-0** to deny the certification of the Final Environmental Impact Report (EIR) and deny the Rise Gold project, **fully rejecting Rise Gold's plan to re-open the Idaho-Maryland Mine!**

Please, if you haven't already done so, take a moment to thank our Supervisors by sending an email to bdofsupervisors@nevadacountyca.gov.

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An Exhausting But Rewarding Marathon



American Activist, Dorothy Height, once said “Without community service, we would not have a strong quality of life. It's important to the person who serves as well as the recipient. It's the way in which we ourselves grow and develop.”

And grow we did. Opposition to the mine has brought this community together like perhaps no other issue. Over the last almost 4 years, thousands of residents, hundreds of businesses, and dozens of activist groups have come together to voice their opposition to the mine. In the meantime, County planners and executive staff spent exhaustive hours working to process the application thoroughly and fairly.

Together – this community provided an example of how to participate in the process with a respectful presence and well researched analysis of the issues. Fortunately, our efforts were well rewarded. Our County's planning department and commissioners reviewed the risks and stood up for the people. Our Supervisors and their executive staff created an outcome that will protect our air, water, and quality of life in the future.

There really are **thousands of people to thank for this outcome**. Civil servants, researchers, writers, speakers, demonstrators, educators, organizers, project managers, typists, minstrels, and more. It took ALL of us to get to where we are today. You know who you are. Please pat yourself on the back. This was an **incredible community effort!**

Hearing Highlights



[Listen to Supervisors' Final Comments and Vote](#) (apx 35 min)

Hundreds of people of gathered at the Rood Center for the hearing – despite chilly, rainy weather – proudly displaying “no mine” stickers and signs. Almost 100 people provided passionate public comments against the mine. At the same time, the County's YouTube channel recorded over 1,500 views on the first day and 1,000 on the second.

In final comments, District 4 Supervisor Sue Hoek summed it up succinctly when she said, **“This one doesn't fit this spot anymore”**.

“I just don't see it,” said District 3 Supervisor Lisa Swarthout whose district includes the mine. “I don't see the promise of potentially 300 jobs to override people's quality of life”.

“It's clear that **this community wants to move forward to a cleaner economic future** and not go back to mining,” said District 1 Supervisor Heidi Hall.

“Brunswick Road is certainly not rural,” said District 2 Supervisor, Ed Scofield. “It's right on the outskirts, right adjacent to the city limits to Grass Valley... That means **that this operation will have the possible impact of 1,000s of people**, if not more, if something goes wrong.”

Hardy Bullock, Board Chair and District 5 Supervisor wrapped up the final comments. “The final EIR has adequately described – the key word ‘described’ – the potential significant and unavoidable impacts. But the project in my mind, **has not adequately removed or mitigated these environmental threats** which threaten our community, our way of life for cultural and economic prosperity here.”

Lisa Swarthout made the final motion that was unanimously approved: **“I make the motion that we deny the certification of the Environmental Impact Report and that we deny the Rise Gold project.”**

Rewatch your favorite parts by watching the YouTube recordings of the full hearing.

[BOS Hearing Feb 15 Part 1 - 4:33](#)

[BOS Hearing Feb 15 Part 2 - 5:11](#)

[BOS Hearing Feb 16 – 4:26](#)

It's Not Over Yet. Rise Gold's Threat to Sue the County is Real

This is a huge victory, but it's important to know that it's **not completely over yet**. Rise Gold has made it very clear they intend to sue the County. They still claim they have a vested right to mine, and that the County has violated their due process rights in the processing of the application.

Of note, they portray the end result of a successful legal challenge in completely unrealistic terms. R.L. Crabb captured the county's situation perfectly in [his recent cartoon published in the Union](#).



In their [February 20 press release](#), Rise stated that a “**successful outcome would result in the vested right to mine at the Idaho-Maryland and the project would not be subject to any of the County's General Plan or Zoning requirements. The County would not have any ability to restrict mining** due to domestic water wells impacts, traffic, aesthetics, vibrations, or noise which complies with county code requirements.”

These are completely invalid claims. Even if Rise won a vested rights claim, **most of the project would not be included under a vested rights determination, which would be based on the project as it existed in 1954.**

Not included:

- The construction of new facilities at the Brunswick site, a different location from the 1954 site.
 - Use Permits to operate the new facilities at the Brunswick site.
 - Dumping mine waste as Engineered Fill at the Brunswick site.
 - Construction and operation of the water treatment facility and discharging into South Fork Wolf Creek
 - Construction of a new access shaft at a new location.
 - Numerous Permits from agencies such as the air board and water board.
 - Environmental Impact Reports for all of the above
- ...and more.

In other words, basically almost all aspects of the project as currently proposed would still have to meet General Plan, Zoning, and Development code requirements.

The public part of this battle is done, but CEA Foundation and the 26 groups in the MineWatch Coalition will be watching the situation closely as things develop. We're ready to add our support in defending the County's decision, if or when a lawsuit is filed, as long as it takes.

Read more

[2/20 Rise Gold Prepares for Litigation Over Nevada County's Denial of Idaho-Maryland Mine Project | StreetInsider.com](#)

[2/6 - Rise Gold Announces Credit Facility Arrangement | JuniorMiningNetwork.com](#)

[2/13 Ralph Silberstein: Rise Gold's Constitutional takings prospects - Dead on Arrival | Community | theunion.com](#)

[2/9 - CEA Foundation Legal Analysis - Legal Considerations Surrounding Idaho-Maryland Mine Permitting Decisions](#)

In the News

Local News

[2/17 – TheUnion.com | 'This one doesn't fit this spot anymore': Supervisors deny proposed mine project 5-0](#)

[2/16 – TheUnion.com | BREAKING: Supervisors vote 5-0 against reopening Idaho Maryland](#)

[2/16 – YubaNet.com | Supervisors Deny Rise Grass Valley's Idaho Maryland Mine Project](#)

[2/16 – KNCO.com | Final Rejection Of Idaho Maryland From Supes](#)

Other Insightful Summaries

[2/20 CapRadio.org | Nevada County rejects controversial gold mining project](#)

[2/20 BNNBreaking.com | Nevada County Says No Amid Community Concerns](#)

TV News

ABC 10 News

[2/16 - Nevada County supervisors unanimously reject reopening historic gold mine](#)

[2/15 - Historic Nevada County gold mine to see final meetings before decision](#)

CBS News Sacramento

[2/16 - Nevada County denies bid to reopen historic mine after days of public comment](#)

[2/16 - Nevada County supervisors reject reopening Idaho Maryland Project](#)

[2/15 - Heated debate unfolds Thursday over proposed Idaho-Maryland Mine project](#)

FOX 40 News

[2/16 Nevada County officials reject Grass Valley mine reopening](#)

[2/15 - Dozens of community members speak out against proposal to revive mine](#)

[2/15 Nevada County supervisors to have final say on Idaho-Maryland mine project](#)

Opinion Pieces

[2/13 - Jeff Kane: At last - Final Idaho-Maryland Mine hearing February 15](#)

[2/17 - Julia Carroll: Use Rise Gold land to develop a business park |TheUnion.com](#)

[2/22 Virginia Moran: Rise Gold location could be a park with ice skating rink etc.](#)

Community Content

[Lunacy Podcast / Geoff Eido and Tony Lauria](#)

Quick Facts

Rise Gold and Nevada County have entered into a “tolling agreement”, which effectively gives Rise up to 90 days beyond the date of the Supervisors Final Hearing on February 15 and 16 to file a legal challenge on last December’s vested rights decision.

Legal tolling agreements are agreements between two parties to extend the statute of limitations. Under typical circumstances, Rise would have had 90 days to file a challenge after the Vested Rights Hearing on December 13, 2023. This was extended another 60 days to occur 90 days after the Board of Director's Final Public Hearing on the EIR and Use Permit. Rise now has until May 13, 2024 to file a vested rights legal challenge.