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**MINEWATCH**

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## **PRESS RELEASE**

### **Mining Company Demands Nevada County Approve Vested Rights Supervisors Stand Firm and Reject Claim**

Nevada City, CA -- In a tense two-day public hearing that at times seemed deeply adversarial, the Nevada County Board of Supervisors unanimously rejected a mining company's claim to "Vested Rights" at a long-shuttered gold mine. Rise Grass Valley is a subsidiary of Rise Gold Corp., a mining company headquartered in Canada. The only major asset of the company is the Idaho-Maryland Mine – a mine that was closed over 60 years ago.

The hearing was a highly unusual detour from the standard Use Permit process. Rise began the application process to reopen the mine in 2019. Last May, Nevada County's Planning Commission unanimously recommended that County Supervisors reject both the Use Permit and the Final Environmental Impact Report. With chances for approval looking dim, Rise responded by submitting a petition for vested rights that – if confirmed – would allow them to reopen the mine without a Use Permit.

"Demanding vested rights so late in the approval process is an act of desperation," said CEA Foundation President Ralph Silberstein. "The notion that Rise could retain a legal right to resume mining that was abandoned over sixty years ago is absurd."

A vested right is a right to continue a business use that existed at the time a zoning regulation changed. However, vested rights are not permanent. The County first started requiring Use Permits in 1954 when the Idaho-Maryland Mine was in production. However, the mine shut down in 1956, sold off its assets, and the tunnels were allowed to flood. The key question discussed in the hearing was whether mining was abandoned in the following 67 years.

On day two of the hearing, Supervisors unanimously adopted the recommendations in the County's Staff Report, which concluded that "1) Mining operations were abandoned at the Subject Property commencing as early as 1956;" and "2) Neither the Petitioner nor any other party has a vested right to mine at the Subject Property."

The hearing unfolded with a standing-room-only crowd. Over 500 people were in attendance on the first day. While the comments were limited to the Vested Rights issue, the public's opposition to the Idaho-Maryland Mine project was visible, with the Board Chambers full of residents donning "No Mine" stickers. Approximately 30 speakers commented on Rise Gold's historical and legal claims.

Before and during the meeting, Rise made it clear they intended to sue the County if the decision didn't go their way.

While Supervisors asked probing questions relating to the company's claims, it became apparent that Rise Gold's legal and historical arguments for Vested Rights didn't convince them. The unanimous vote to reject the claim marked a significant setback in Rise Gold's proposal to re-open the long-shuttered mine.

"The mine doesn't have a vested right because it abandoned the mining activity. The current zoning and regulatory process applies, in my opinion," stated Supervisor Hardy Bullock. "Our community has grown and changed in how we view the environment in which we live, what we hope to provide future generations, and how our ordinances and laws support that vision."

In their deliberations, Supervisors voiced their disappointment with Rise Gold's adversarial approach and noted that Rise only objected to the Use Permit process after the Planning Commission's negative recommendation.

Chairman of the Board, Supervisor Ed Scofield, explained this "doesn't mean that Rise Gold can't mine. It means that they have to get a Use Permit. And yes, that Use Permit is going to be very difficult because of what mining represents and, again, the location of where it is in its proximity to the City of Grass Valley."

In the three-plus years since Rise first applied to re-open the mine, environmental and economic impact reports and studies were released and reviewed. Community organizations and businesses opposed the plan, citing the destructive environmental and public health impacts to the community. Two key concerns were the possible impacts and risks to residents' wells and the violation of the County's General Plan by opening a mine in a residential neighborhood. In May 2023, the Nevada County Planning Commission unanimously recommended that the Board of Supervisors reject the Use Permit and the Final Environmental Impact Report.

According to the County timeline, staff will now resume processing Rise's application to open the Idaho-Maryland Mine and schedule a public hearing before the Board of Supervisors early in 2024 for the final vote on the Environmental Impact Report and Use Permit.

A vocal opponent of the mine, reflecting on the hearing, remarked: "I'm glad the County saw through Rise Gold's farce. The vast majority of this community is against this mine. We're all looking forward to the day when Supervisors say "NO, and that's final!"

For more information about the potential re-opening of the Idaho-Maryland Mine, visit [www.MineWatchNC.org](http://www.MineWatchNC.org).

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*Community Environmental Advocates Foundation (CEA Foundation) performs research, education, and advocacy to promote responsible land use and environmental protection policies in Nevada County. [www.cea-nc.org](http://www.cea-nc.org). CEA Foundation is the leader of MineWatch, a campaign that brings together a coalition of nonprofit organizations, residents, and businesses opposed to the mine. [www.MineWatchNC.org](http://www.MineWatchNC.org).*