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February 14, 2024

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Clerk of the Board  
Board of Supervisors  
Nevada County  
950 Maidu Avenue, Suite 200  
Nevada City, CA 95959

Re: Idaho-Maryland Mine CUP Hearing

Dear Ms. Elliott and Board of Supervisors:

As you know, we represent Rise Grass Valley, Inc. ("RISE") in connection with its application submitted to Nevada County ("County") to reopen the Idaho-Maryland gold mine ("IMM"), and the related hearing scheduled on February 15th and 16th to deliberate and vote on whether to approve the IMM Project. Rise hereby requests that Supervisor Heidi Hall recuse herself from the Board of Supervisors hearing on the IMM Project. Rise's concern is that Supervisor Hall cannot objectively participate in the Conditional Use Permit ("CUP") hearing, since she has demonstrated animus against reopening the Idaho-Maryland Mine.

Supervisor Hall has been deeply involved in organizing anti-mining groups. In 2008, Supervisor Hall was a founding director of the anti-mining group Citizens Looking at Impact of Mining in Grass Valley (CLAIM-GV)<sup>1</sup>, which was formed for the specific purpose of opposing the re-opening of IMM. In November of 2008, less than two weeks before Supervisor Hall signed the CLAIM-GV Articles of Incorporation as Director, an article was published in the Union Newspaper, titled: "New Group Targets Impacts of Potential Reopening of Gold Mine."<sup>2</sup> In the article, CLAIM-GV President, Ralph Silberstein stated, "We do not believe that the Idaho-Maryland Mine Project (mine and/or ceramics plant and/or aggregate plant) is a good fit for our community."<sup>3</sup> The same article mentioned Supervisor Hall as a CLAIM-GV Board member.<sup>4</sup> Another article critical of the IMM Project – published by the same Union Newspaper on November 20, 2009 – described a slogan contest for CLAIM-GV.<sup>5</sup> According to the article, titled: "New Slogans for CLAIM," several possible slogans were voted on during a local potluck.<sup>6</sup>

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<sup>1</sup> See Claim-GV's 2008 Secretary of State Articles of Incorporation. (Attached hereto as Exhibit 1).

<sup>2</sup> Moller, *New Group Targets Impacts of Potential Reopening of Gold Mine*, Union Newspaper (Nov. 2, 2008). (Attached hereto as Exhibit 2).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> CLAIM-GV Board of Directors, *New Slogans for CLAIM*, Union Newspaper (Nov. 20, 2009). (Attached hereto as Exhibit 3).

<sup>6</sup> *Id.*

Those slogans included the following: "Green, not gold."; "Got Cyanide."; "Extraction is no longer attraction."; "Celebrate our Past, don't relive it."<sup>7</sup> During the meeting, attendees were also provided with information on how to obtain one of the group's "...classic bumper stickers[:]'GV – No Mine, No Shaft." At the time of this meeting, Supervisor Hall remained on the CLAIM-GV Board of Directors.

On January 6, 2009, at a hearing in front of the City of Grass Valley Planning Commission, Supervisor Hall disparaged the previous operator of the IMM site, Emgold, and its proposed reopening of the IMM. She stated, "A big entity, often foreign-owned like Emgold, comes into a rural city or a county and proposes to run a dirty industrial business such as coal, copper or gold mining."<sup>8</sup> She stated further, "Be clear that these corporations count on one thing, our ignorance. They count on rural areas to be unsophisticated, uninformed and easily bought by the promise of jobs."<sup>9</sup>

The entity Claim-GV was formally dissolved in 2017 and was folded into the Community Environmental Advocates ("CEA"), which describes itself as "a conceptual unification of three local advocacy groups: Rural Quality Coalition (RQC), Citizens Looking At Impacts of Mining (CLAIM-GV), and Citizens Advocating Responsible Development (CARD)."<sup>10</sup> The CEA is currently opposing attempts to restart operations at IMM and has submitted documents to the County opposing the Petition.

Taken in sum, Supervisor Hall's past anti-mining advocacy efforts and public statements demonstrate a strong bias against mining operations in the County in general, and efforts to reopen IMM in particular. Supervisor Hall's actions demonstrate, at the very minimum, that she has an unacceptable probability of actual bias against RISE's application and the reopening of IMM. Accordingly, we urge Supervisor Hall recuse herself from RISE's CUP hearing proceedings. Failure to do so would be a violation of RISE's right to due process.

Sincerely,



Christopher L. Powell  
Senior Counsel

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<sup>7</sup> *Id.*

<sup>8</sup> City of Grass Valley Planning Commission, *Planning Commission Hearing*, (Jan. 6, 2009).

<sup>9</sup> *Id.*

<sup>10</sup> Community Environmental Advocates Foundation, *About Us*, available at: <https://cea-nc.org/about-us/> [as of Nov. 30, 2023.]