



*Working with Communities to Protect Their Land, Air, and Water*

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Lawsuit filing: <http://www.gbrw.org/gbrwftp/Mt-Hope/GBRW-MtHope-Complaint.pdf>

### **Citizen Groups File Lawsuit to Prevent the Immediate and Irreparable Impacts from the Mount Hope Molybdenum Mine**

Reno, Nevada. Great Basin Resource Watch (GBRW) and the Western Shoshone Defense Project filed today a lawsuit in federal district court in Reno challenging the decisions of the United States Department of the Interior and its Bureau of Land Management (DOI/BLM) to approve the Mount Hope Mine Project. The proposed mine is located in Eureka County, approximately 23 miles northwest of the town of Eureka, and has been controversial for almost a decade. In 2016, DOI/BLM's previous approval of the mine was ruled illegal by the federal court of appeals.

The Mine is proposed by Eureka Moly, LLC (EML), a subsidiary of General Moly, Inc. According to the company's website, General Moly, Inc. owns an 80% interest in the Mt. Hope Project. General Moly's "largest shareholder [is] AMER International Group ("AMER") of China." "POS-Minerals Corporation ("POS-M"), a wholly owned subsidiary of POSCO, the Korean steel company, owns the remaining 20% interest."

The proposed Mine would be one of the largest in the country, and would last over 75 years.

- 1.7 billion tons of waste rock would be produced by the end of the 32-year mine life and 1.0 billion tons of tailings will be produced by the end of the 44 years of ore processing. Waste rock would almost encircle the open pit at a total height ranging from 750 feet to 950 feet.
- **The open pit would be well over a mile wide and a half-mile deep, resulting in an excavation of approximately 2,300 feet below the existing water table.** The pit lake that is anticipated to form in the open pit is expected to fill slowly and eventually be over 1,100 feet deep. Water quality in the pit lake is predicted to exceed federal and state water quality standards for a number of pollutants.
- To keep the open pit dry during mining, and in order to process the minerals, the Mine would pump groundwater at a rate of up to 11,300 afy (acre-feet per year) equivalent to 3.68 billion gallons per year. With the predicted pumping to last roughly 43 years, this means that, in total, up to **158 billion gallons of water will be eliminated from the Mt. Hope area by the Project's dewatering.**
- The dewatering activities would lower (draw down) the water table on Mt. Hope approximately 2,250 feet, and up to 120 feet near the center of the pumping field over 5 miles away. Due to this dewatering, the agencies' Final EIS predicts that "significant water table drawdown in the aquifer would occur in an area measuring approximately 232 square miles around the Project Area."
- As a result of this dewatering, the DOI/BLM's Final EIS predicts that "22 springs two perennial stream segments (Roberts Creek and Henderson Creek) and portions of four intermittent and ephemeral stream drainages" would lose all or a significant portions of their flows.

- The Project, including the new powerlines and Right-of-Ways (“ROWs”) approved in the Record of Decision (ROD), would also significantly impact the Pony Express National Historic Trail, which was officially designated by Congress pursuant to the National Trails System Act. Portions of the Trail within the Project site have been determined to be eligible for listing on the National Register of Historic Sites.
- Other nationally-important cultural and historical sites will be either eliminated or significantly affected, including over 260 sites eligible for the National Register of Historic Places under the National Historic Preservation Act.

DOI/BLM’s actions reviewing and approving the Project were previously found to be arbitrary and capricious and in violation of numerous federal laws, including the National Environmental Policy Act (NEPA) and the Federal Land Policy and Management Act (FLPMA), by the Ninth Circuit Court of Appeals in GBRW/WSDP’s challenge to the previous Final EIS and ROD, issued in 2012. By court order DOI/BLM conducted further review of the mine project, and issued a Supplemental EIS. However, as GBRW/WSDP state in the lawsuit, DOI/BLM “not only fail to comply with federal law and the Court’s decision, but ignore critical new information that further exemplifies DOI/BLM’s continued failure to meet the strict requirements of federal public land, mining, and environmental law.”

According to the Complaint, “The Project will have immediate, irreparable, and permanent impacts to the local ranching and farming communities and families which have lived there since the 1860s and to the critical environmental, historical, cultural and wildlife resources that will be outright eliminated or significantly degraded by the Project. Project facilities and impacts will significantly degrade, if not eliminate altogether, important public land resources at and near the Project site including surface and ground waters, air quality, wildlife, recreation, and cultural/historical resources.”

Carolyn Bailey, a resident of Diamond Valley nearest to the proposed mine said, “The Bailey Family has been ranching and farming in Diamond Valley since 1863. Our ranch and farms are located close enough to the Mount Hope mine site to be adversely affected by mine caused impairment of air and water, increased truck traffic, and the very real damage to our environment from the massive pumping and resulting further drawdown of the groundwater. The costs will be irretrievable and irreparable and will be paid by our family and community.”

“The Western Shoshone that toured the Mount Hope site all agreed that the impacts to the water resources, loss of mature piñon/juniper forest, and destruction of cultural sites to too high of a price for this mine, “ said Larson Bill, Western Shoshone Defense Project. During the tour Western Shoshone Elder Pauline Estevez said as we passed a spring, “what is important is what is here now ... that spring is our ancestor, it is a cultural site.”

"Back in 2016, the Ninth Circuit Court of Appeals agreed with our challenge and rejected BLM’s previous approvals. Unfortunately, DOI/BLM are at it again, approving one of the largest mines in the country with no protections for the region’s water supplies, which the agencies admit will be lost forever. Mt. Hope and its environs will be obliterated if this project goes forward as planned, and given the inadequate environmental analysis and long-term impacts to the land, air, and water, would deliver a significant blow to the nearby ranching and farming communities,” said John Hadder, Director, Great Basin Resource Watch.

Like the previous lawsuit, GBRW/WSDP are represented by the Western Mining Action Project, a non-profit public interest law firm that specializes in hardrock mining issues in the West.