

## Opinion — Rights-based ordinance to protect Buckingham

Published 6:21 pm Wednesday, August 3, 2022

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On July 11, the Buckingham Board of Supervisors (BOS) voted to develop an ordinance to address gold mining to protect county residents from the harms that industrial gold mining would bring. People in Buckingham are asserting their rights to protect their health, safety and environment from toxic harm. This is clearly evidenced by the more than 800 signatures of residents supporting this petition stating:

“We, the people of Buckingham County, respectfully request the Board of Supervisors to authorize this: Ordinance Requiring an Assessment of the Compatibility of Metallic Mining With the Right to Freedom from Toxic Trespass.”

Corporations have the right to stop us from trespassing on their property. We have the right and responsibility to self-governance and to protect our bodies, air, water, and land from toxic trespass that the metallic mining industry would bring to the county. It’s up to us to claim that. In addition, metallic mining companies should “prove it first” by showing us that sometime, somewhere, at least one metallic mine did not cause harm to human and natural communities.

Prove It First law is modeled on former Wisconsin law and pending Minnesota law. During the 20 years in which this law was in effect, Wisconsin did not permit any copper-sulfide mines.

The Community Environmental Legal Defense Fund (CELDF), a pioneer in rights-based ordinance work throughout the United States, supported the development of this ordinance. CELDF worked with the Town of Halifax in 2008 in writing its rights-based ordinance to protect that community from possible uranium mining upstream in Pittsylvania County.

I therefore urge the BOS to schedule hearings on this measure and swiftly move for passage of this rights-based ordinance. I urge them to invest now in the health and safety of the county residents and environment and stand up to the corporate interests that would likely give the county another superfund site, like the closed Brewer Gold Mine in South Carolina.

It will be a significant demonstration of genuine concern for the people and environment of Buckingham County when the Board of Supervisors consider and then adopt this ordinance. The proposed rights-based ordinance is strong and protective. It doesn’t propose that we regulate gold mining in Buckingham County, but rather insists we protect the rights of the people and communities here. It’s not a new environmental law, but a civil rights law for all of us. And it empowers the people living here to exercise their right of self-governance and to decide what risks they are willing to take and which mining projects are just too risky.

To truly stop gold mining, let’s show up and speak up to urge the Board Of Supervisors to get this ordinance passed. Buckingham County residents: Come to let supervisors know that this is the kind of protection you want and need. The next supervisor meeting will have this topic on the agenda (Monday, Aug. 8. Please sign up to speak at 5:30-5:55 p.m.).

**Heidi Dhivya Berthoud** is a member of both the Virginia Community Rights Network (VACRN) and the Friends of Buckingham (FoB), who have partnered in this project. She can be reached at [heidi@vacommunityrights.org](mailto:heidi@vacommunityrights.org).



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