

Photo by Nancy McGuire

OOPS — Aerial view of interpretive walkway at the Last Train to Nowhere jumped the tracks after last fall's storms.

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Water expert: Natural barriers protect Moonlight Springs

By Sandra L. Medearis

Whether the proposed mining activity at Rock Creek involves Nome's water supply has Nome Common Council members' attention. Monday evening, a water expert retained by the city said the source at Moonlight Springs would be safe.

City leaders have been looking at proposed revisions to an ordinance

on use and tighter permits for activity in the Moonlight Springs area, using past studies, including one by Bristol Engineering of Anchorage done in 2004. Bristol Engineering also provided permitting research for Alaska Gold. Additionally, the City sought a third-party opinion from certified hydrologist Jim Munter of Anchorage on whether

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Corps says no need for an EIS for Rock Creek

By Diana Haecker

A request by the City of Nome and Nome citizens for an environmental impact statement to further study the cumulative effects Alaska Gold Company's Rock Creek mine may have on humans and the environment came too late, said United States Army Corps of Engineer North Section team leader Don Rice last week.

The request by the City of Nome

came August 15, the same day as the USACE issued its finding of no significant impact through an environmental assessment. The EA found that the Rock Creek and Big Hurrah mine and mill will not have a significant impact on the environment.

"Having reviewed the information provided by the applicant, all interested parties and the assess-

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Photo submitted by Sharon Keeney

RUN MIKEY RUN! — (front) Mikey Wongitillin of Nome runs like the wind as he comes off of the tundra trail followed closely by Point Hope, Kotzebue and Kiana runners during the Region 1 North cross-country run in Unalakleet last weekend. (See story page 17.)

Council approves final city budgets

By Ted Meyer

At the September 25th City Council meeting, final approval was given to five ordinances that amend the City of Nome budgets for fiscal year 2006. Final amendments were made to City budgets that include the General Fund (\$8,056,922), Capital Projects Fund (\$586,888), Special Revenue Fund (\$633,125), Port of Nome Fund (\$1,610,680), and Construction Capital Projects (3,985,712).

In other business, the Council gave final approval to an ordinance that amends the Nome Code of Ordinances to allow for the disposal of rights of reverter and reversionary interests in residential real property by City Council resolution, and without public bid. This ordinance was prompted by a request from resident Rita Anderson in an August Council meeting to release the City's right of reverter and reversionary interest on her property. The City's right of reverter refers to parcels of property deeded by the

City of Nome in the early 1980s. There were clauses in the sale that ensured the deeded property was developed for residential purposes only. The owners of these residential properties have had difficulty obtaining financing on the properties because of the City's interest. In a related action, the Council followed through and passed the resolution disposing of its right of reverter and reversionary interest to Rita Anderson and co-owner Rudy Krizak, Jr.

In new business, the Council passed a first reading of an ordinance that amends the Nome Code of Ordinances to delete the sales tax schedule and reference thereto. The schedule is obsolete as it is based on the previous four percent sales tax of the City. According to City Manager Randy Romenesko's written explanation, there is little indication that the schedule is actually used to calculate sales tax throughout the community. The schedule is being replaced with new language

that states that the seller shall apply the applicable sales tax percentage to the selling price and then add the amount of the sales tax to the selling price.

A first reading of an ordinance was passed that amends a chapter of the Nome Code of Ordinances regarding delinquent property taxes. The ordinance will change the penalty rate to a set rate of eight percent for all delinquencies, and will further clarify the process for accrual of penalty and interest. The current penalty rate for delinquencies is eight percent before October 15 and 10 percent after. The current problem for the City is keeping track of late payments charged at both penalty rates and the disagreements from property owners that may arise in the process.

A first reading of an ordinance was passed that amends a chapter of the Nome Code of Ordinances pertaining to the issuance of chauffeur's

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Photo submitted by Betsy Brennan

WE START THEM YOUNG! — John and Sarah Wade and buddy Dolly pose with their ducks after a successful hunt at Safety Sound last Friday evening.

•EIS

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ment of environmental impacts contained in part II of this document, I find this permit action will not have a significant impact on the quality of the human environment,” wrote USACE, regulatory branch, Rock Creek project manager Jim Wolfe in the EA. The Corps determined that the project will not adversely affect essential fish habitat and other federally managed fishery resources.

The USACE’s involvement in the Rock Creek mine is to regulate dredge or fill material discharge into waters of the United States, often referred to Section 404 Clean Water Act.

The USACE is also supposed to consider the cumulative effects of the project.

After Nomeites packed Nome City Council chambers during a regular City Council meeting on August 14, voicing concerns about the proposed Rock Creek mine, the City Council directed City Manager Randy Romenesko to write to the USACE to request an EIS.

The request came after the public comment period on the project ended August 6.

Citizens also requested that an EIS be done during governor Frank Murkowski’s visit to Nome for a ribbon cutting ceremony of the new Glacier Creek Road on July 26. The \$8 million road was build under the “Roads to Resources” program to access the mine.

“I am concerned that we didn’t have a picture of the whole project and only learned about it piece-meal,” said Jana Varrati. Varrati is a Nomeite concerned about the mine proposal. “An EIS would have helped to give us an in-depth overview of issues so we could make informed comments,” she said.

Varrati explained that she, like so many others, didn’t know about the extent of the mine and mill complex until the public hearing.

North region USACE team leader Don Rice visited Nome last week and gave an interview with *The Nome Nugget* outlining the public participation and the USACE’s implementation of the National Environmental Policy Act.

“We based our decision on comments received at the public hearing that was held up here in Nome,” said Rice. “I was under the impression that the large majority of the people there were in support of the project.”

Despite 15 letters of concern to DNR and DEC, after the Glacier Creek Road protest and a letter by the EPA requesting an EIS, the USACE didn’t see any red flags raised and issued the FONSI and the 404 permit.

“We decided that this project did not require an EIS because the state has certified the project under the 401 permit. The Environmental Protection Agency has oversight over this, and if they didn’t like it,

they could’ve stepped in and stopped the project right then and there,” said Rice.

Rice continued to say that it is also the state’s mandate to look at water issues. “We get comments from the state agencies, and if they don’t raise red flags with us, unless there is an immense community outpour opposing the project, we’re gonna sign off on it as a project that doesn’t need an EIS,” he said.

While the state departments of Natural Resources and Environmental Conservation and the Federal agency, US Fish and Wildlife Service did not have any concerns, the Environmental Protection Agency commented with the suggestion to prepare an EIS.

Deborah Blank with the EPA wrote in a public comment letter, “We believe that permitting a project of this size and potential impacts could be considered to constitute a major federal action and suggest that an Environmental Impact Statement might be the most appropriate tool to assess the direct and cumulative impacts of a project of this magnitude.”

Rice said that the letter did not quote specific statutes. “If the EPA had major concerns, they would have sent us a 3(a) letter,” explained Rice. An 3(a) letter, he said, immediately raises a red flag. “The EPA did not recommend a denial of the project,” said Rice. “They have oversight on the Clean Water Act, but we did not get a denial.”

Rice said, “They didn’t show any evidence to merit an EIS.”

EPA has a veto right, but according to Deborah Blank, this is only done when a project effects a fishery or habitat of national importance. “Still we think there should have been an EIS done,” says Blank.

The National Environmental Policy Act Section specifies that if there is public controversy about a project, public review of the FONSI should be made available for public review if the proposal is controversial. Rice said that the USACE did not see any evidence that the project was controversial. “In this case, there was not a controversial issue about water. The DEC and the large mine task force issued their 401 certification, so there was no public concern over water quality in this case,” Rice said.

NEPA regulations also call for public availability of the findings of no significant impact and EAs. Rice explained that the Environmental Assessment is not published on the USACE’s website, but available to the public. “All you have to do if you want any kind of document from federal and state agencies is to request in writing and we send it to you,” Rice said. For more information go to www.poa.usace.army.mil/rig (See related story on page 8.)

•Council

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replied no, he wasn’t aware of any.

The Council also passed a motion to approve the request of \$1,500 from the Nome Senior Squadron Civil Air Patrol. The CAP is currently in the process of obtaining a charter for the Nome Squadron. Funds are needed to help pay for startup costs.

During the Citizen’s Request and Grievance Period, Jim Munter, a groundwater geologist hired by the City, gave a presentation on the results of his study on potential impacts of the Rock Creek Mine on the City’s water source at Moonlight Wells. (See related article regarding Munter’s conclusions).

Nome Utility Manager John Handeland reported that he and Utility Board Chairwoman Berda Wilson traveled to Washington D.C. last week to lobby for more power plant funding. He also reported that funding from the Alaska Department of Environmental Conservation was received this week to pay for this summer’s water and sewer project.

Handeland stated the power out-

age that occurred last Sunday was supposed to last for only 15 minutes. During the work, however, utility workers found wiring and corrosion problems that needed attention.

Councilman Jerald Brown asked Handeland if there was sufficient power plant capacity to accommodate the Rock Creek Mine. Handeland replied yes, but they may have to add another generator in the future.

City Manager Randy Romenesko reported that final inspection of the Port Project has taken place and the project is now officially complete.


Romenesko mentioned that the Youth Forum held last week regarding youth issues was well received by the community. He stated that folks brought a wealth of information to the town meeting.

There will be a Planning Commission meeting at City Hall on Monday, October 2 at 6 p.m. that will focus on the new zoning code ordinance. Romenesko encouraged community members to attend. The zoning code refers to the regulated use of land within city limits.


Old St. Joseph Hall has been reserved on October 4 by Chris Rowe for a discussion of the Rock Creek Mine Project. The guest speaker will be Dave Chambers from the Center for Science in Public Participation who has worked extensively on mining issues.

Mayor Denise Michels reported she communicated with the Department of Energy regarding the Nome electrical power analysis study. Funding is now available to study power and space heat strategies for Nome and other communities. Michels is also working with the Alaska Municipal League on energy policy.

Mayor Michels ended the meeting by acknowledging the 2006 Rotary Citizen of the Year Award, which was given to both Jim Dory and Carol Gales. In the award, Dory and Gales were recognized for organizing the Nome Folk Festival for the last six years, their continued involvement in other community musical events, and for their contributions to the Nome Arts Council.



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