



Photo by Peggy Fagerstrom

BRAVE— Nomeites and Nome Midnight Sun festivity visitors took the plunge into the icy Bering Sea last Saturday during the annual Rotary Club sponsored Polar Bear Swim on East Beach. (See story inside.)

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Photo by Diana Haecker

SHAKE IT— Salsa Borealis lead singer Antonio Diaz, left, and dance instructor Heather Haugland, middle, taught a crowd of 70 kids how to dance the salsa during last Friday's Salsa Borealis Kids workshop. (See story inside.)

Rock Creek appeal goes to court

By Diana Haecker

Plaintiffs challenging the validity of the wetlands permit issued by the Army Corps of Engineers for Alaska Gold Company's Rock Creek mine last week filed an appeal with the U.S. Court of Appeals for the Ninth Circuit as their lawsuit was dismissed by a court ruling on June 8.

The Bering Strait Citizens for Responsible Resource Development and individual plaintiffs Jana Varrati and Sue Steinacher filed a notice of appeal as a reaction to U.S. District Court Judge Ralph Beistline's decision to dismiss the civil lawsuit brought against the Corps over the issuance of a wetlands permit for AGC's first hard rock, open pit mine near Nome.

The plaintiffs maintain that the Corps did not follow National Environmental Protection Act procedures when permitting the 404 wetlands permit for the mine.

After a hearing on the motion for a temporary restraining order and preliminary injunction, US District Court Judge Beistline ordered not only that the motion was denied, but dismissed the case altogether. Beistline had to write an amended ruling as he wrote in his original ruling that the Corps' Environmental Assessment had been publicly reviewed, when in fact it wasn't. Beistline's amended ruling from June 15 now offers the base for the appeal.

The plaintiff's lawyer, Vicki Clark with the Anchorage based law

firm Trustees for Alaska filed an emergency motion for a stay pending the appeal and a motion to expedite briefings and arguments as construction at the mine site is ongoing and wetlands continue to be filled.

According to the court documents, the Corps is not willing to agree to an expedited schedule.

Alaska Gold Company has intervened in the lawsuit and is a co-defendant and co-appellee.

A three-judge panel will decide within 21 days on the emergency motion for stay. Another three-judge panel will then take a look at the merit of the appeal.

Earlier in June, the Corps and the Environmental Protection Agency issued a joint guidance for their

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Mum's the word

By Sandra L. Medearis

The Nome Common Council met in regular session June 25 to vote final passage essentially without discussion of the 2008 spending plan totaling \$22.9 million over the general fund, capital projects, special revenue, port and construction budgets. The general fund budget relies on property tax at 11 mills, for the fourth year, and takes \$1.25 million from the City's savings account. City Manager Randy Romenesko briefly explained each part of the budget and the Council voted on it piece by piece.

Councilwoman Mary Knodel noted that the Nome Visitor Center was budgeted for about \$200,000 and asked that NVC staff do a self study to see how it could redirect operations to draw more people into Nome.

The meeting lasted an hour and then went into executive session to discuss negotiations on a loan the federal National Oceanic and Atmospheric Administration wants the City to repay on building the causeway at Port of Nome, project costs anticipated mineral develop-

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Power panel grabs for cheap state loan

Sandra L. Medearis

The utility board brought the hammer down and solved its power plant funding crisis for now, voting unanimously to apply for a couple of low cost loans totaling \$4.5 million from the state Department of Conservation connected to the new water plant portion of the complex. If Nome Joint Utility System has to pay off the loans it is taking to cover the gap while NJUS waits for other state and federal funding to arrive, the \$600,000 in interest will cost NJUS ratepayers a half a cent a kilowatt if it were to run along for

its 20-year term, according to number crunching by the utilities' manager, John K. Handeland. At no interest for the first year and 1.5 percent after that, the loan compares favorably against extending a line of credit possibly at 6.5 percent interest rate at the bank. Currently the drinking water program carries a rate of 2.5 percent, but that is to be reduced to 1.5 percent in August, Handeland said.

The utility, faced with funding delays and concurrent burgeoning materials costs, has more bills lag-

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Photo by Nancy McGuire

DON'T MESS WITH HIM— Phil Schobert was one of the bad guys in the annual Midnight Sun festivity ritual of robbing the local bank. (See Midnight Sun story inside.)

•Appeal

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field offices to ensure America's wetlands and other water bodies are protected under the Clean Water Act. "The guidance supports a strong regulatory program that ensures no net loss of wetlands, which is one of three key elements to the Bush Administration wetlands policy," reads the joint press release. However, this policy is interpreted differently in Alaska. An EPA spokesperson in Washington D.C. told *The Nome Nugget* that guidance is just that — a guidance and not legally binding. The emphasis is on net loss — meaning that a cost-benefit analysis may determine

that mitigation efforts are worth the destruction of wetlands as Alaska is considered different from the Lower 48 because most of the state could be classified as wetlands.

On June 5, the EPA delivered their first national estuary condition report — ranking the conditions of 28 estuaries in the lower 48. The study concludes that "habitat loss and alteration is listed as an environmental concern for all 28 National Estuary Program estuaries, and the individual NEPs have worked hard to monitor, conserve, protect and restore important habitats (e.g. wetlands) in their study areas."

•Council

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ment that did not materialize. NOAA has offered a settlement on the millions of dollars outstanding.

The Council, after discussing the pros and cons of attaching a covenant to the properties that require payment in lieu of taxes if purchaser is a nonprofit entity, approved the sale of seven City-owned residential lots. Councilmen Stan Andersen and Jerald Brown opposed attaching covenants to the properties, while Councilman Randy Pomeranz thought covenants would protect the City in the future on tax issues. Anderson questioned the wisdom of adding unpaid property taxes of \$9,000 to an assessed value of \$15,200 for a lot at 407 Steadman, saying it would kill any appetite for the lot. Romenesko agreed that although the City gained some of the lots through foreclosure, there had been costs attached, for example, shack removal.

Without discussion the Council accepted a license agreement for a fire department training area from Alaska Gold Co. Alaska Gold will allow the City to use 2.23 acres of mining company land on Center Creek Road for \$1 a year renewable through 2012. NVFD has used the land with AGC permission since 1995. Hazardous substances may not be used or stored on the property.

Without discussion or any citizen offering comment, the Council approved the renewal of a permit for Cornell Companies to operate a correctional center, Seaside

Community Residential Center, in downtown Nome for three years effective April 13. Neither the Council nor public had questions for Davin Anderson, Seaside facility director.

The Council approved Mayor Michels' appointment of Jeff Darling to a vacancy on Nome Planning Commission.

Danger at the docks

The Council did discuss an alert from Harbormaster Joy Baker and Romenesko about the danger of having unsupervised children use the small boat harbor docks for fishing and as a playground where cranes and vessels are operating. A couple of children have had to be rescued from the deep cold water by fishers or dredgers, Romenesko said. There are life rings throughout the harbor and the City will put up signs making the docks off-limit. Nome Police will conduct extra patrols in the dock area.

Loose enforcement on small motorcycles and motor-driven dirt bikes is over. Such must have a headlight, taillight, stoplight, turn signals and brakes to drive on public streets. Drivers of vehicles not compliant and unlicensed minors driving unregistered "street legal" motorcycles on city streets will get tickets.

"Long days and lack of parental supervision is causing some problems with certain youth in the community," Romenesko said.

Councilwoman Mary Bourdon was on vacation.

Drivers injured in vehicle accidents

By Diana Haecker

Two unrelated vehicle accidents sent a man and a woman to the hospital last Sunday. At 7:45 p.m. Alaska State Troopers received a report that Vern Johnson, 45, of Minnesota flipped a four-wheeler near mile 1.6 while traveling south on Dexter Pass Road. Trooper Aileen Witrosky said that Johnson was taken to Norton Sound

Regional Hospital for treatment of injuries. Witrosky said that the 45-year-old AMI employee had hit something, which caused the Honda 4-wheeler to overturn. Johnson was not wearing a helmet. Troopers are still investigating if alcohol was a factor in the accident.

Earlier that day, another AMI employee, Dixie King, 53, of

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Around the Sound



Engagement Announcement

Adrienne Deanna Lockwood and Brett Anthony Michels, formerly of Nome and Anchorage, now living in Palmer, are pleased to announce their official engagement. Parents of the bride are Patty Lockwood (in loving memoriam) and Eric Osborne of Nome. Step-father of the bride is Vaughn Munn of Nome. Parents of the groom are Carolyn and Ryan Crowder of Wasilla and Terry Michels of Nome. The wedding will take place on Saturday, July 7, at four o'clock in the afternoon. An outdoor reception will immediately follow the nuptials. Pastor Andy Arnold of Good Shepherd Lutheran

Church of Wasilla will officiate at the ceremony which will be held lakeside at the Crowder residence on Little Cottonwood Lake, Wasilla.

New Arrivals

Melly Gladys Kingeekuk and Nathaniel Allen Aanya O'Connor of Savoonga announce the birth of their daughter Tonya Lee Ann O'Connor born June 3, at 7:24 p.m. She weighed 7 pounds, 10 ounces and was 19 1/2" in length. Her proud sister is Mariah, 6. Maternal grandparents are Myron and Martha Kingeekuk of Savoonga. Paternal grandparents are Robby and Kim O'Connor of Nome.

Bertha E. Barr and Martin J. Komok of Brevig Mission announce the birth of their daughter Stephany Jasper Elise Komok, born June 10, at 1:45 p.m. She weighed 7 pounds, 5 ounces and was 19" in length. Siblings are Shaylene R. Barr Komok, 4, and John J.O. Komok, 20 months of Brevig Mission; and Grace S. S. Tocktoo, 3 of Shishmaref. Maternal grandparents are Rita Kakoona of Shishmaref, and Arthur K. Barr of Brevig

Mission. Paternal grandparents are Richard K. Komok and step-grandmother Daisy Ann Komok of Brevig Mission, and Joann Kaningok of Gambell.

Ione Oittillian and Stanley Rookok, of Savoonga announce the birth of their daughter Kathleen Joleen May Rookok born June 13, at 12:54 a.m. at the Alaska Native Medical Center in Anchorage. She weighed 5 pounds, 15 ounces, and was 17" in length. Her brother is Aidan Jade Rookok.

Web Site

Residents of Shishmaref, an Inupiat Eskimo village whose island home is being eaten away by the sea, are turning to the Internet for help in making a multimillion dollar move to the mainland of Northwestern Alaska. "Shishmaref We Are Worth Saving!" is the message on <http://www.shishmarefrelocation.com>, the newly established web site of the Shishmaref Erosion and Relocation Coalition. "To not act represents the annihilation of our community by dissemination."

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