

2000

Dr. Derrick Leedy 1-19-00
PO Box 1164
Nome, AK 99762
Phone 443-2800
Fax 443-4771
E-Mail leedy@nook.net

Letter to the Nome Common Council

This letter is an updated version of the letter I sent to the Nome Common Council on October 7, 1999.

The letter clearly voices my concerns about the lack of protection of Anvil Creek as a creek and as a viable fish habitat. My second concern is that the City needs to protect our aquifer that supplies Nome's water called Moonlight Springs.

Mining is totally responsible for the contamination of Anvil Creek. Anvil Creek flows into the Snake River and the Snake River empties at Nome into Norton Sound. The contamination is carried into both the Snake River and Norton Sound.

Two mining operations, APP and Betty and August Krutzsch, are now within our watershed and have been in violation of their State of Alaska Fish and Game Habitat permit in the spring of 1998 and 1999. The most recent violation has been in the fall of 1999.

The average "natural" turbidity of Anvil creek is less than 5 NTU's. Under current DEC regulations the turbidity should not exceed 10 NTU's or 5 NTU's above "natural" conditions.

Anvil Creek has been ruined. I have attempted through Drew Grant of DEC to have it placed on the State contaminated Waterbody list. To date it has not been placed on the list. Anvil creek can be returned to its original state with the proper reclamation. Only then once again it can contribute and enhance are local fish population.

On September 22, 1999 I was with my family playing ball on Glacier Creek Road around Anvil Creek just below Bonanza Hill. As I was returning home that evening I noticed that Specimen Gulch Creek that comes out of the Krutzsch mine was very clear. I was very pleased to see clean water as the Krutzsch mine had been heavily sanctioned by Ryan Hull of DNR for extremely poor and sloppy mining practices in 1997 and 1998. This lead to massive contamination of Anvil Creek in 1998. In retrospect the problem goes back for a number of years but the first data of contamination was collected by myself and ADFG in 1998. Springtime levels of over 1000 NTU's were common in Anvil Creek and Specimen Gulch Creek.

As I continued South to Nome I stopped at APP mining most Northern pit. I was absolutely horrified that the pit was full of water that was coming from an aquifer located on Anvil Mountain. The water appeared to be deep. I observed that there was no obvious source of water entering the pit. There was an 8 inch hose pumping at an estimated rate of 500,000 thousand gallons per day to the wash plant located less than a quarter of a mile to the South. Again as I headed South within a quarter of a mile I noted a huge flow of water going through the culvert and I estimated the flow to be the same, 500,000 gallons per day. The total amount of water was going West down the hillside and entering Anvil Creek. The water was extremely turbid. Based on my past experiences I estimated it to be around 900 NTU's. I was sickened again that Anvil Creek was being contaminated not

only in the Spring but now in the Fall! I then headed toward Nome but stopped at Anvil Creek as it goes under the Teller highway at the shooting range. The water was murky. I collected a sample midstream and middepth at 4pm or 16:00 hours. I had it tested by the City of Nome the following morning the results were 58.6 NTU's. Remember this is a few miles from the culvert! I notified Mr. Joran Freeman from Norton Sound Health Corporation and our City Manager Mike Yanez of the contamination the following day. Mr. Freeman took some pictures and they were given to Mayor Handleland. The pictures were also sent to DNR. Mr. Yanez was very concerned and he said to me he would speak to the landowner who leases the land to APP. The owner of the land is NovaGold Resources, Inc. I was informed that Mayor Handleland and Randy Romenesko drove to the APP mine and observed the flow of water through the culvert.

I took another measurement at Anvil Creek Shooting Range at 8:30 PM on September 30, 1999. It measured 4.48 NTU's. This measurement reflected "natural conditions"

Next at 9pm I recorded Moonlight Springs. It was 0.25 NTU's. This is an acceptable reading for turbidity.

The next day October 1, 1999 I received a urgent phone call from Mr. Joran Freeman who works in the Office of Environmental Health at Norton Sound Health Corp. He was working with our City Engineer, Randy Romenesko on doing site evaluations for Nome's future wind generation project. As they headed down the Teller highway they observed that Anvil Creek at the shooting range was very murky. When they returned to Nome that afternoon Mr. Freeman informed me of the contamination of Anvil Creek. We did an investigation. We sampled Anvil Creek at the shooting range at 2pm. It was now at 90 NTU's! Just the day before it measured only 4.48 NTU's. Needless to say we wanted to find the source of the contamination.

We went up the Glacier Creek road and passed APP mining. They were now recycling their water and the water from their operation was not the source of the contamination. We continued North and observed Specimen Gulch Creek coming directly out of the Krutzsch mine. It was extremely muddy. A measurement was taken at 2:30 PM. It was 910 NTU's!

The following additional tests were done on a certified NTU instrument by the City of Nome.

October 1, 1999	9:05 pm	Shooting Range	14.90 NTU
October 2, 1999	4:32pm	Shooting Range	6.82 NTU
October 1, 1999	9:24pm	Specimen Gulch	358.00 NTU

In October 2, 1999 I was roadblocked near Specimen Gulch by Mr. Phil Saint George. Because of his aggressive behavior and fear for my personal safety I did not obtain a water sample.

My personal observation was that Specimen Gulch Creek had cleared some and it was now just cloudy.

I returned the next day and did some more tests.

October 3, 1999	9:30 am	Shooting Range	4.12 NTU
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October 3, 1999 10:00 am Specimen Gulch 23.60 NTU

On October 3, 1999 at 10 am I observed no mining activity at the Krutzsch mine located on Specimen Gulch Creek.

Conclusions

Both mines were in violation of their 1999 Alaska Fish Habitat Permits.

The turbidity readings correlate very well at the shooting range and at the mines that clearly support that when muddy water was either observed or observed and measured the downstream measurements were greatly increased. When mine contamination was not observed or measured the Anvil Creek turbidity at the shooting range returned to natural conditions.

I strongly recommend based on this evidence and the evidence gathered by myself and Alaska Department of Fish and Game in 1998 and by EPA and DNR in 1999 that the parties involved should be found in violation of their permits. Anvil Creek has been dirty for a number of years before the testing began. Future permits should be denied.

Derrick Leedy

cc. Alaska State Troopers

Alaska Department of Fish and Game

NOME REGION, NTU + PH OF CREEKS
 MAY/JUNE 1998

CINDY GOOSEY - EPA
 6-9-98
 FROM DEE LEEDY
 POLICE NOME 94702
 FAX 4434991 HOME 443-2800

MINING TURBIDITY DISCHARGE LOG
 EPA# 271-6561
 3424 FAX

TESTING IN 1998

SAMPLE LOCATION	DATE/TIME COLLECTED	DATE/TIME TESTED	TEST RESULTS		SAMPLED		TESTED	
			NTU	PH	BY	BY		
Anvil Creek Bridge	5-28-98-1750	5-29-98-1635	>1000.0		Robert Russell	Robert Russell	Robert Russell	Robert Russell
UPPER Snake River Bridge	5-28-98-1850	5-29-98-1640	52.0		Robert Russell	Robert Russell	Robert Russell	Robert Russell
Dexter Creek Beam Road	5-26-98-1915	5-29-98-1650	822.0		Robert Russell	Robert Russell	Robert Russell	Robert Russell
Anvil Creek	6-3-98-2142	6-3-98-2250	>1000.0		Robert Russell	Robert Russell	Robert Russell	Robert Russell
Anvil Creek Walsh Drainage	6-4-98-1950	6-4-98-2020	702.0		Robert Russell	Robert Russell	Robert Russell	Robert Russell
Anvil Creek Krutzsch	6-4-98-1955	6-4-98-2025	>1000.0		Robert Russell	Robert Russell	Robert Russell	Robert Russell
DEXTER CREEK BEAM ROAD	6-4-98-1851	6-4-98-2030	>1000.0		Robert Russell	Robert Russell	Robert Russell	Robert Russell
Basin Creek AT Road	6-4-98-1922	6-5-98-0925	3.0		Leedy	Leedy	Robert Russell	Robert Russell
NOME RIVER 25 mile	6-4-98-1945	6-5-98-0930	3.0		Leedy	Leedy	Robert Russell	Robert Russell
Crater creek Beam Rd.	6-4-98-2017	6-5-98-0935	10.0		Leedy	Leedy	Robert Russell	Robert Russell
ANVIL creek hni Egreend	6-1-98-2128	6-2-98-0905	>1000 NTU		Leedy pH=7.74	Robert Russell	Robert Russell	Robert Russell
ANVIL CR Lami-Soyas GREEN	6-1-98-2130	6-2-98-0905	>1000 NTU		Leedy pH=7.72	Robert Russell	Robert Russell	Robert Russell
ANVIL CR Lami (WEST OF TRINA)	6-2-98 ^{AM} 20:30	6-2-98-08730	PENDING VOC		Leedy	North Test Labs INC	North Test Labs INC	North Test Labs INC
SHARER - N. OF BEARIE UPPER	6-2-98 20:16	6-3-98 0730	12.0 NTU		Leedy	Robert Russell	Robert Russell	Robert Russell
SHARER CR - S. OF TESTA WAY	6-2-98 21:03	6-3-98 0817	2.0 NTU		Leedy	Robert Russell	Robert Russell	Robert Russell
ANVIL CR - Lami UPPER	6-3-98 21:00	6-3-98 0830	>1000 NTU		Leedy	Robert Russell	Robert Russell	Robert Russell
ANVIL CR - BRIDGE - CURET	5-28-98 17:50	5-29-98 1750	>1000 NTU		Leedy	Robert Russell	Robert Russell	Robert Russell
DEXTER CR - 2 BRIDGE	5-28-98 16:50	5-29 1650	822 NTU		Leedy	Robert Russell	Robert Russell	Robert Russell
SHARER 2 BRIDGE	5-28 1758	5-29-98 16:50	52 NTU		Leedy	Robert Russell	Robert Russell	Robert Russell
SHARER CR - 1 BRIDGE	6-8-98 2230	6-9-98 18:15	19 NTU pH 7.68		Leedy	Robert Russell	Robert Russell	Robert Russell
CEMPLE D #1 (#2)	6-8-98 2235	6-9-98 12:16	215 NTU pH 7.10		Leedy	Robert Russell	Robert Russell	Robert Russell
DEXTER CR - 2ND BRIDGE OF ROAD	6-7-98 1735	6-8-98 1000	>1000 NTU		Leedy	Robert Russell	Robert Russell	Robert Russell

DILUTED 80%
 NTU = 1676

ANVIL SAMPLES 50 YRS APART WITNESSED BY M.M. - PHOTOGRAPHED COLLECTION
 BY CINDY GOOSEY TO NORTH TEST LABS
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Derrick Leedy
Po Box 1164
Nome, AK 99762

1-18-00

To the City Council of Nome Alaska,

To date we have just been lucky to have good water. Just look at Anchorage with the MTBE in their drinking water from gasoline additives and other cities across the nation with contaminated drinking water. We are in the minority of communities that still have good water! We have natural heavy metals in our water. It wouldn't take a whole lot of change to increase are current arsenic levels to toxic levels. Arsenic is many times more dangerous than lead. When I did my heavy metal analysis of Moonlight Springs the arsenic levels were below the detectable limit. Now they are detectable as noted by NJUS. What has changed? Doesn't this fact set an alarm bell off? It does to me. It is a known fact that mining ponds concentrate heavy metals. I am very suspicious this is what happened. The Moonlight Springs aquifer is in a very delicate balance. We need to do everything we can to keep that balance. Nome's Chapter 20 provides stringent requirements for the City to issue a Watershed permit. The first permit was issued in 1985.

From 1985-90 13 Watershed Developments Permits were issued. One additional permit was issued by the Nome City Council in 1999 to NovaGold Resources, Inc. of Dartmouth, Nova Scotia.

Jim Munter-Former Principal Hydrogeologist for Bristol Environmental and Engineering Services Corporation in a letter to Mr. Randy Romenesko dated October 26, 1999 said, it is Inconclusive the effect the mining activity in and around Anvil Mountain may have on Moonlight Springs. Mr. Munter said the same thing to the City Council twice both in public meetings.

Again, the City law states there must be conclusive evidence that activity in the watershed will not impact Moonlight Springs and the burden of proof of this evidence falls on the applicant. Why does the City Administration seem so convinced to protect the mining interests and not the interests of the community? I take personal offense to people digging only a few feet from the side of my cup and adding condiments to my coffee that I did not ask for.

"Nome has extraterritorial powers to protect the municipal water source even if the watershed is outside the City Limits." This was the opinion of Ivan Windom, City of Nome, personal communication to Nome Common Council (January, 1983) re. City Attorney opinion on annexation issues.

Under State Law The Municipal Powers and Duties Sect. 29.35.020 Extraterritorial jurisdiction (b) " A municipality may adopt an ordinance to exercise a power authorized by this subsection and may enforce the ordinance outside it boundaries. (1) "protect its water supply and watershed". The City of Hoonah Alaska protected their watershed under this State Law!

This is why the City of Nome can protect our water supply because it is state law, and this is why the 1983 Chapter 20 ordinance is valid. It is the City Councils responsibility and duty to protect Nome Municipal water supply. EPA, DEC, DNR and ADFG will not protect the aquifer. Hopefully Alaska Department of Fish and Game can protect Anvil Creek from future contamination and DEC still may put it on their contaminated waterbody list to provide protection and a plan to restore Anvil Creek to its original state . Strict enforcement of the Fish and Game Habitat permits is needed and will probably happen in the near future. I am sick every year, after year, after year Anvil Creek runs "brown" each spring. The mud runs in the creek each spring just as the salmon are coming out of the creekbed. It also ran "Brown" this fall because of poor and illegal mining practices till APP and Betty and August Krutzsch were caught by myself and City Officials. Their claims of 100% recycle of the wash water is an absolute lie. I guess the more mud that they could get rid of this Fall would mean that Anvil Creek would be cleaner in the Spring. The other reason is that APP had to much water to deal with and had to dump the excess into Anvil Creek when it hit an aquifer. Remember all their mining water this season came from Anvil Mountain unlike other years when it came from Anvil Creek.

I would like to have the City Council take action during the January 24 City Council meeting. A first step is to let the potential applicants know a Watershed Development Permit is needed for the year 2000 and it has to be reviewed for 30 days before a decision can be made by the City Council.

If the aquifer that holds in our water is breached you won't be able to fix the leak. The risks are too great for all of us in the City of Nome vs. the small profits of 2 small mining operations in Our Watershed.

Finally, I would like to request a copy of the permit application for a placer testing project in lower Anvil Creek valley reviewed by Mr. Munter on September 28, 1999 when he met with NJUS personnel.

I have asked many people in Nome what they think of what has happened to Anvil Creek and Anvil Mountain. They hate it. Please ask your fellow Nomites what they think.

Sincerely,

Derrick Leedy

