

• Opposition

continued from page 1

The resolution calls for a rigorous environmental review, independent scientific assessment and full incorporation of Indigenous knowledge and community concerns.

Teller entities called for a public meeting on Wednesday, Nov. 26, to gather public comments. A similar resolution to the Brevig document was passed by Teller governmental entities on Monday.

Asked for comment on the opposition from Teller and Brevig Mission, Graphite One's Senior Vice President Kevin Torpy said in an email to the Nugget, "We respect those positions and value their concerns. We will continue to work with all the communities in the region to assure we understand their concerns and do our best to resolve them. We truly appreciate the importance of the subsistence resources near the project and have already incorporated several suggestions from nearby residents into our design." He said since 2014, Graphite One has held approximately 75 meetings with local communities, tribal organizations, Alaska Native corporations, municipal governments and a Subsistence Advisory Committee. The feedback from those meetings that has been incorporated into the mine's design, he said. "We are not perfect, but we want to make sure everyone's remaining concerns are addressed in the environmental review of the project. Importantly, we want everyone to know that we are committed to designing, building, and operating a project that is environmentally sound, accounts for subsistence activities and is economically beneficial to the communities of the region," Torpy wrote.

The urgency of comments is spurred by a dual set of permit applications as Graphite One is in the process to get federal and state approval to build the mine, the mining complex and a 17.5 access road through the mountain range to connect the mine to Nome. Graphite One proposes year-round operations and hauling processed graphite material to the port of Nome for export.

In March President Donald Trump issued an executive order on immediate measures to increase American mineral production, to boost critical mineral production and to streamline permitting. Graphite One was included in a fast-tracked process called FAST-41 and a timeline on the permitting dashboard shows the objective to have the project fully permitted by late summer 2026.

A key component for the fast track is an interpretation of what constitutes the waters of the United States, and thereby the jurisdiction of the federal U.S. Army Corps of Engineers, which is the agency in charge of permitting fill being placed into waters and wetlands, under the Clean Water Act Section 404. According to the permit application by Graphite One, a total of 1.175 acres would have permanent impacts on "uplands

and non-jurisdictional" acreage. This would include the roughly 780 acres of wetlands below the mine pit that would be used for the processing facilities, the waste management facility and the water management facility.

The interpretation of what constitutes waters under federal jurisdiction has been narrowed down in the Sackett v. EPA Supreme Court ruling. A key criterion for adjacent wetlands is that they must have a "continuous surface connection" to a relatively permanent water body to be considered jurisdictional. For wetlands that are not immediately adjacent to a navigable water, a two-part test is applied: First, the wetland must be adjacent to a navigable or relatively permanent water. Second, the wetland must have a continuous surface connection to that water.

In an email, Graphite One consultant Simon Wigren with HDR wrote to the Army Corps that the FAST-41 timetable should assume that USACE will prepare an Environmental Assessment rather than an Environmental Impact Statement.

"The draft timetable initially provided assumes USACE would prepare an EIS based on an expected impact to greater than 600 acres of aquatic resources. However, this amount of impact is far greater than the acreage of impact to jurisdictional Waters of the United States (WOTUS) that will be requested in Graphite One's forthcoming permit application," he wrote. "As we discussed at our pre-application meeting on May 23, 2025, Graphite One intends to submit a Jurisdictional Determination Report (JDR) as part of their application package following the U.S. Supreme Court's Sackett v. Environmental Protection Agency ruling on the definition of WOTUS. Based on the findings of our JDR, Graphite One anticipates that the access road and mine site infrastructure would impact approximately 1.17 acres of WOTUS under USACE jurisdiction."

The Nome Nugget obtained the communication through a FOIA request.

Asked for comment, as Graphite One in its May 2025 public meeting in Nome said that the assumption is to prepare a full-blown Environmental Statement, Torpy said that at the time of the May 2025 meeting, Graphite One was expecting that the NEPA process to be completed under an Environmental Impact Statement. "However, after reviewing our project plan, the Army Corps of Engineers determined our project will not impact enough wetlands to necessitate an EIS. Because the Graphite Creek Project lies 100% on State lands, it is the placement of fill in waters of the US that triggers the federal NEPA process, via the USACE 404 permit application, and the subsequent EA-EIS determination. Given the very small wetlands footprint, the Corps made the initial decision to schedule the project as an

Environmental Assessment (EA) until such time as the entirety of the project impacts could be reviewed," Torpy wrote.

An Environmental Assessment does not allow for public comment periods. David Chambers, a mining expert with the Center for Science in Public Participation in Bozeman, MT submitted comments to the Army Corps objecting to exactly that point. As an example, he referenced the accelerated permitting of the ill-fated Rock Creek gold mine near Nome, which was permitted with only an Environmental Assessment. This accelerated permitting, he said, "contributed to major issues with the Rock Creek mine that eventually led to premature closure and abandonment of the entire project."

Specific to Graphite One's application, he said that the size of the project—a pit over a mile long and a quarter mile deep—and a 300-ft high waste facility as well as the 230 million tons of waste material "should require the analysis and discussion provided by a full Environmental Impact Statement." Chambers said in his comments that the information accessible to the public does "not provide the level of technical analysis and detail necessary to answer basic questions about whether the potential environmental risks from this project [...] have been examined in sufficient detail or whether the mitigations proposed are sufficient to abate these risks." Chambers particularly pointed to the lack of technical reports regarding the tailings facility design, water quality predictions, water management and reclamation. The only details are found in G1's Feasibility Study. However, some technical support documents were labeled "proprietary." "It is unprecedented for technical reports submitted in support of a project application, or for an environmental analysis, to be considered proprietary," said Chambers.

Chambers also noticed a change in waste disposal facility design from a filtered and thickened waste storage as described in the Feasibility Study to the USACE's public notice, which states that the facility would also include wet tailings. Changing the approach from filtered to wet tailings "raises a whole series of new concerns because wet tailings pose significantly more long-term risks than filtered tailings," he wrote.

Asked for clarification from Graphite One, Torpy explained that during the late stage of the feasibility study, "our tailings filtration test work identified a portion of the material contained a high amount of fine clays that can cause issues with filtration."

"That work is now done in sufficient detail that we are proceeding with the option for the permit because 1) it provides better overall geotechnical stability and 2) it reduces the project's power consumption."

continued on page 6



Photo by Jonathan Pascual

ENJOYING TELLER HOSPITALITY—Chinese pilots Ping Wang and Shenghao Luo made an unplanned stop in Teller, as they are tasked to fly an airplane from Harbin in China all the way to Chile.

Chinese aircraft makes unscheduled landing in Teller

By Diana Haecker

Teller had unexpected guests arriving in the evening of Wednesday, Nov. 19 as two Chinese pilots landed a turboprop airplane with Chinese markings at the Teller airstrip. Reached by phone, Pilots Ping Wang and Shenghao Luo gave an account of their trip. Wang said that they were hired to transfer the plane from Harbin in northern China to Chile.

After four stops en route since leaving China, they left Anadyr/Chukotka on Wednesday and planned to refuel their plane in Nome. A moderate snowstorm with limited visibility allowed Bering Air planes to land but after one failed attempt, the Chinese pilots opted to not try again. Flight tracker radar showed that the Harbin Y-12E plane proceeded east towards White Mountain before heading north to Teller. By that time, they were running low on fuel and their plane was icing up, Wang said. The U.S. flight service out of Anchorage diverted them to Teller.

He added that the longest distance the plane can fly on before needing to refuel is 1,500 kilometers. Wang said they managed to land in Teller as DOT contractors there were onsite to greet them, after 6:30 p.m. Wang said he was very grateful for the help received from Teller residents when

they assisted to the airplane on the airfield. The two pilots were taken to the school to overnight.

Wang said he was very grateful that they were fed dinner, lunch and breakfast and even had the luxury of a shower after their ordeal.

In order to proceed, they needed fuel, de-icing fluid and a 28DC ground power unit. They requested help from Bering Air to deliver these three items. According to officials at Bering Air, they "got squared away" on Saturday, departed Teller and arrived in Anchorage that night. There, Wang had told the Nugget, they would be going through Customs and Border Patrol.

Wang said he is from the Guangdong Province and Luo is from Shanghai. They were contracted to fly the plane from Harbin to Chile but were not told the reason for the transfer. Upon arrival in Chile, they will return to China via commercial airplane. He said they are working for a Shanghai flight service company.

As of press time neither the Anchorage office of the Customs and Border Patrol nor the FAA press office have responded to a Nugget request to comment on the process of emergency landings of foreign aircraft.

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