

**Mayor**  
John K. Handeland  
**Manager**  
Glenn Steckman  
**Clerk**  
Dan Grimmer



**Nome Common Council**  
Scot Henderson  
Mark Johnson  
Maggie Miller  
Adam Martinson  
Cameron Piscoya  
M. Sigvanna Tapqaq

**NOME COMMON COUNCIL  
REGULAR MEETING AGENDA**  
MONDAY, AUGUST 12, 2024 at 7:00 PM  
RICHARD FOSTER ROOM IN THE RICHARD FOSTER BUILDING

102 Division St. ▪ P.O. Box 281 ▪ Nome, Alaska 99762 ▪ Phone (907) 443-6663 ▪ Fax (907) 443-5345

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ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [A.](#) July 22, 2024 Work and Regular Meeting Minutes,

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COMMUNICATIONS

- [A.](#) May 7, 2024 Nome Planning Commission Meeting Minutes,

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- [B.](#) July 17, 2024 letter from a Guest of the Westerdam,

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- [C.](#) July 19, 2024 letter from AT&T re: AT&T Data Incident,

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- [D.](#) July 31, 2024 Foreclosure list presented to the Superior Court at Nome (2NO-24-00149 CI)

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- [E.](#) July 31, 2024 Letters to DEC and DNR On Behalf of NCC and Response from DNR re: IPOP Permit Opposition,

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- [F.](#) August 5, 2024 AMCO Public Notice of Proposed Regulation Changes of the Marijuana Control Board,

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- [G.](#) August 16, 2024 communications from AMCO re: Marijuana Control Board regulations for Broadening Overlapping Premises and Plant Height,

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- [H.](#) July 31, 2024 Public Notice of Application for Permit from USACE,

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CITIZEN'S COMMENTS

UNFINISHED BUSINESS

NEW BUSINESS

- [A.](#) August 12, 2024 Memo to Nome Common Council re: 2024 Personal Property Fees and Interest,

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- [B.](#) August 12, 2024 Memo to Nome Common Council re: Dilapidated Structures Exemption,

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- [C.](#) August 12, 2024 Memo to Nome Common Council re: Late Filing for Senior Exemption,

**PAGE 48**

- [D.](#) R-24-08-01 A Resolution Appointing Dan Grimmer as Acting City Manager for August 17th Through August 20th 2024,

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UTILITY MANAGER'S REPORT

CITY MANAGER'S REPORT

- [A.](#) August 12, 2024 City Manager's Report,

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CITIZEN'S COMMENTS

COUNCIL MEMBER'S COMMENTS

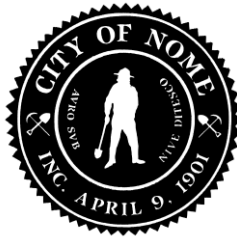
MAYOR'S COMMENTS AND REPORT

EXECUTIVE SESSION

- A. Matters in which the immediate knowledge would have an adverse effect upon the finances of the City and to discuss subjects that tend to prejudice the reputation and character of any persons,

ADJOURNMENT

**Mayor**  
John K. Handeland  
**Manager**  
Glenn Steckman  
**Clerk**  
Dan Grimmer



**Nome Common Council** Item A.  
Scot Henderson  
Mark Johnson  
Maggie Miller  
Adam Martinson  
Cameron Piscoya  
M. Sigvanna Tapqaq

**NOME COMMON COUNCIL**  
**WORK, REGULAR & EXECUTIVE MEETING AGENDA**  
MONDAY, JULY 22, 2024 at 5:30 PM/7:00 PM  
RICHARD FOSTER ROOM IN THE RICHARD FOSTER BUILDING

P.O. Box 281 . Nome, Alaska 99762 . Phone (907) 443-6663 . Fax (907) 443-5345

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**WORK SESSION Started at 05:38PM**

A. Landing Tax Memo,

**ROLL CALL at 07:05PM**

Members Present: C. Johnson, C. Martinson, C. Piscoya, C. Henderson, C. Miller (Excused), C. Tapqaq (Zoom)

Also Present: John K. Handeland, Mayor; Glenn Steckman, City Manager; Dan Grimmer, City Clerk; Nickie Crowe, Finance Director (Zoom);

In the Audience: Diana Haecker (Zoom and In Person) Larry Pederson, Marguerite LaRiviere, Flannery Ballard (Zoom)

**APPROVAL OF AGENDA**

A Motion to Approve the Agenda was made by C. Johnson and Seconded by C. Henderson.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C. Piscoya, C. Tapqaq

Nay:

The motion **CARRIED**.

**APPROVAL OF MINUTES**

A. 24-06-22 NCC Regular Meeting Minutes,

A Motion to Approve the Meeting Minutes was made by C. Johnson and Seconded by C. Henderson.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C. Piscoya

Nay:

The motion **CARRIED**.

**COMMUNICATIONS**

A. Child Advocacy Center Quyaana,

B. June 25, 2024 Letter to ADOT from Mayor John K. Handeland re: Cape Nome Hauling,

C. June 25, 2024 Letter from Brownfields Program re: Assessment Grant Opportunity,

Mayor Handeland spoke about a potential cleanup site that would qualify for the Brownfields Program requirements. Flannery Ballard was on Zoom and talked about how they would like Nome to be part of this process.

- D. July 3, 2024 Letter from Arctic Security Studies,
- E. June 28, 2024 Public Notice from Alaska Department of Environmental Conservation (ADEC) re: IPOP Public Hearing deadline,

Council Member Piscoya encouraged the council to request a Public Hearing even if one was already requested. He also encouraged the council to draft their own letter to show alignment with the positions of the Native Corporations that have protested this permit.

- F. July 18, 2024 Letter to the Office of the City Clerk from NSHC re: 2024 Property Tax Bills, Payment Under Protest,

### **CITIZEN'S COMMENTS**

No Comments

### **UNFINISHED BUSINESS**

No Unfinished Business

### **NEW BUSINESS**

- A. July 22, 2024 Memo to Common Council re: Late filings for Sr. Tax Exemption,

A Motion to Approve the Applications submitted for Senior Exemption as timely filed was made by C.Henderson and Seconded by C.Piscoya.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C.Piscoya, C.Tapqaq

Nay:

The motion **CARRIED**.

- B. July 11, 2024 Memo to Common Council re: Write off of 2024 Taxes on Personal Property Acct # 50651,

A Motion to Approve the Write off of 2024 taxes on Personal Property Acct #50651 was made by C.Henderson and Seconded by C.Martinson.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C.Piscoya, C.Tapqaq

Nay:

The motion **CARRIED**.

- B. July 18, 2024 Memo to the Nome Common Council re: Late Business Property Filing for Acct#50712 eTrac,

A Motion to Approve the late filing of an application for Business Property Acct #50712 was made by C.Henderson and Seconded by C.Martinson.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C.Piscoya, C.Tapqaq

Nay:

The motion **CARRIED**.

**UTILITY MANAGER'S REPORT**

Use of Floride suspended as there is a softener that is needed to apply it. Looking into what equipment is needed to apply that. Looking into potential for renewable energy projects. There have been discussions with the village of Solomon and NSHC about the 6<sup>th</sup> avenue project for a lift station. Working with DOT on Seppala project, Front Street and realigning Center Creek Road. An initial payment was made to the Battery Containment Storage System. The system will be barged here and available to install with the first barge. Harry Karumn moved from Public Works to Utilities. Peter Hobel was also hired in the power plant. Continued fire hydrant testing.

C.Henderson inquired about if there is a significant wage difference between public works and utilities. Mayor Handeland indicated that they are on scale with each other.

**CITY MANAGER'S REPORT**

- A. Domestic Violence Report,
- B. City of Nome Quarterly Reports,
- C. City Manager's Report,

This September is the anniversary of the great fire in Nome. Next February is the 100<sup>th</sup> Anniversary of the Serum Run. There will be Sled Dog Art displayed. The Foundation over the Seppala House is looking at making improvements to renovated the building out at the landfill. We have been rewarded 2.1 Million Dollars to make improvements to the seawall that was damaged during Hurricane Merbok. We'll be receiving 9 Million dollars to replace the port at Cape Nome. Not happy that one of the Public Works workers left to go to utilities. There has been a decrease in domestic violence. More reports forthcoming. We are working on the RFP for the potential Towing bid.

C.Henderson asked if there was an estimate of what the deficit would be. The current estimate is close to 1.7 Million. We should have a better idea in the next two months.

C.Piscoya asked if there could be an addition of what missing persons we currently have in our region.

**CITIZEN'S COMMENTS**

No Comments

**COUNCIL MEMBER'S COMMENTS**

C.Henderson- Quarterly reports are appreciated to keep council updated on what is going on in different departments within the City.

C.Piscoya-would like Public Hearing Request to be made along with the Statement.

C.Tapqaq- No Comment

C.Johnson-Asking for an Ordinance proposed to change the Senior Exemption Filings.

C.Martinson- No Comment

**MAYOR'S COMMENTS AND REPORT**

There was a DEC visit that Mayor Handeland and City Manager Steckmann attended with them. The old Gold Site is under review and monitoring. Mayor Handeland gave condolences to the families of those who have lost love ones. The Line crew will be helping put up the Sled Dog signs. Mayor had an opportunity to visit with Sandy Snodgrass who has been traveling around the state bringing awareness to Fentanyl. (One Pill Can Kill Campaign). There has

been talk about better access to NARCAN for those who are at risk for Opioid misuse. There is a Government Grant that would like to partner with the City of Nome in helping develop housing. There are stipulations upon its use as per the Grant Agreement. Overall the allocation of the money and use for housing is something we are interested in pursuing.

**EXECUTIVE SESSION**

- A. Meeting on Property and Personnel , the immediate knowlege of which would clearly have an effect upon the finances of the government unit,

**ADJOURNMENT**

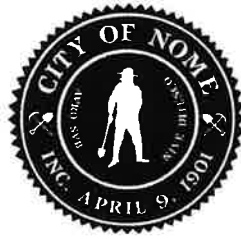
Adjourned at 09:05PM

**APPROVED and SIGNED** this 12<sup>th</sup> Day of August, 2024.

\_\_\_\_\_  
**JOHN K. HANDELAND**  
**Mayor**

\_\_\_\_\_  
**DAN GRIMMER**  
**City Clerk**

**Mayor**  
John K. Handeland  
**City Manager**  
Glenn Steckman  
**Deputy City Clerk**  
Jeremy Jacobson



**Nome Planning Commission**  
Kenneth Hughes III, Chair Item A.  
John Odden  
Gregory Smith  
Carol Piscoya  
Melissa Ford  
Adam Lust  
Rhonda West

**NOME PLANNING COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, MAY 07, 2024 at 7:00 PM  
COUNCIL CHAMBERS IN CITY HALL**

102 Division St. • P.O. Box 281 • Nome, Alaska 99762 • Phone (907) 443-6663 • Fax (907) 443-5345

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**ROLL CALL**

Members Present: Melissa Ford; Ken Hughes; Greg Smith; Adam Lust; Rhonda West  
Members Absent: John Odden (excused); Carol Piscoya (excused)  
Also Present: Jeremy Jacobson, Deputy City Clerk; Erin Reinders, City Planner;  
Cliff McHenry, City Building Inspector  
In the audience: Anna Lionas, Nome Nugget Newspaper

**APPROVAL OF AGENDA**

(00:00:27)

A motion was made by C. Smith and seconded by C. West to approve the agenda as presented.

At the roll call:

Aye: Hughes; Smith; Lust; West; Ford

Nay:

Abstain:

The motion **CARRIED**.

**APPROVAL OF MINUTES**

- A. April 2, 2024 Nome Planning Commission Regular Meeting Minutes,  
(0:01:07)

A motion was made by C. Smith and seconded by C. Ford to approve the April 2, 2024 Nome Planning Commission Regular Meeting minutes.

At the roll call:

Aye: Smith; Lust; West; Ford; Hughes

Nay:

Abstain:

The motion **CARRIED**.

**HISTORIC PRESERVATION COMMISSION ACTIVITIES**

- A. VERBAL,  
(0:01:59)  
No report given.

**COMMUNICATIONS**

- A. Public Notice of April 2, 2024 from ADEC re: Notice of Review of An APDES Proposed Final General Permit,

(00:02:18)

- Chair Hughes announced the public notice hearing period, directing comments beyond the Planning Commission be sent to the contact listed in the informational notice.

**CITIZENS' COMMENTS**

(0:03:27)

No comments were given.

**UNFINISHED BUSINESS****NEW BUSINESS**

- A. Variance Request for Lot 11A of Block 63, Set Back from Lot Line, **PUBLIC HEARING**,

(0:03:43)

For the purpose of holding a public hearing, the Nome Planning Commission recessed at 7:07 PM.

Public Hearing:

- Dawn DeCristo, State of Alaska Department of Transportation (SOA: DOT) Right of Way Agent II stated her name and title with the project, for the record.
- There were no other comments made during the public hearing.

The Nome Planning Commission came back into session at 7:09 PM.

A motion was made by C. Lust and seconded by C. Smith to approve the Variance as requested.

Discussion:

- Chair Hughes provided context for the State of Alaska DOT's road project upgrades to Nome's Seppala Drive.
- Building Inspector McHenry stated no issues with the Variance.
- Chair Hughes went through the variance requirements, finding each to be true, as required.

At the roll call:

Aye: Smith; Lust; West; Ford; Hughes

Nay:

Abstain:

The motion **CARRIED**.

**STAFF REPORTS**

- A. City Planner's Report,

(0:12:47)



- City Planner Reinders noted resident feedback from the Planning Commission's recent open house, suggesting the commission review the input before advancing, listing a few key points. A new timeline, taking into account new discussion points and conformance to notice guidelines, after discussion with legal, would be prepared for the next regular Planning Commission meeting.
- Chair Hughes suggested including residential zoning information, for the public's reference, at future community rezoning events.
- City Planner Reinders acknowledged Chair Hughes comments, adding finding the balance with information overload.
- Commissioner Lust shared resident feedback, interest in a further inclusive mixed usage downtown, the boundary with the proposed zoning, and excluding single-family housing was a noted concern, expressed to Commissioner Lust. His suggestion, further discuss dimensional requirements, permitted & conditional uses, boundaries.
- Chair Hughes acknowledged parking regulation would be an obstacle to consider, with new development.
- City Planner Reinders stated parking regulation would be researched.
- Commissioner Lust further described conversations with resident concerns with zero lot line development.
- Commissioner Ford added described concern received toward setbacks adjacent to property owners, less concern with ROW setbacks.
- City Planner Reinders described a mix use of style of residential housing usage, business downstairs, residential upstairs. She confirmed with the Planning Commissioners, the west side would be best left as it currently is outlined.

B. Building Inspector's Report,

(1:20:22)

- Commissioner Ford inquired into the nuisance structure on his agenda.
- Building Inspector McHenry described the nuisance-property as initially observed by Nome Police Department, which best practice, involves regular collaboration NPD. He noted the standards of property maintenance is sad at times coupled with the City lacking a property maintenance code for enforcement. Spring clean-up, dilapidated property-rehabilitation with tax benefit and application process, abatement, and property code enforcement was discussed.

C. Permits Summaries,

(1:21:00)

- The commissioners gave appreciation to the permit list provided. Permit information was considerably more than in recent meetings.
- Deputy City Clerk Jacobson noted the MyGov generated report was new, however still with some issues of it's own, record information corrections needed still.

**COMMISSIONERS' COMMENTS**

(2:22:18)

1. Commissioner Smith gave appreciation to the State of Alaska on the Seppala Drive Road Upgrades project, the downtown zoning discussion and project, and the commissioner training provided. He opined unfinished business may have been missing a few items on the agenda.
2. Commissioner Lust opined excitement to the rezoning plan, citizen feedback, and completion of the project.
3. Commissioner West disclosed to the Planning Commission that while the commission is a new experience, is one that she is following intently and thanked everyone for their time.
4. Commissioner Ford thanked staff for permit summaries, emphasizing importance to the vacant property registry.
5. Chair Hughes thanked City Planner Reinders for the assimilation of information, noting the training was a delightful addition and thanked everyone for the evening's meeting.

**SCHEDULE OF NEXT MEETING**

(2:28:32)

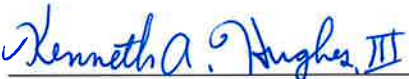
- A. The schedule of the next Nome Planning Commission will be Tuesday, June 4, 2024 at 7PM.

**ADJOURNMENT**

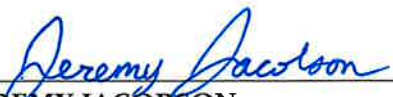
A motion was made by C. Smith and seconded by C. West to adjourn the meeting.

Hearing no objections, the Nome Planning Commission adjourned at 9:33 PM.

APPROVED and SIGNED this 4<sup>th</sup> day of June, 2024.

  
KENNETH HUGHES III  
Chairman

ATTEST:

  
JEREMY JACOBSON  
Deputy City Clerk

July 17, 2024

We visited your beautiful city on June 21, 2024, arriving on the Holland America Westerdam ship. We would like to thank the entire city of Nome for welcoming us with such wonderful hospitality. Everyone was so friendly and helpful. We enjoyed the Berry Festival and street barbeque chicken dinner and all of the baked goods residents made to sell for fund raisers. We especially want to thank city hall and the gentleman from Chicago (Cubs fan) for the pins and Nome memorabilia that we so proudly display at home. This was a four-week cruise that took us to many wonderful Alaska ports, but the one place everyone on the ship kept talking about was Nome. Yes, there is no place like Nome and your wonderful people!

*Dick & Gail A.  
Lacey, Washington*

*You are so very nice!*

*Dick & Gail A.  
Lacey, Washington*



**Account Information**  
Account Number Ending:  
6402

0193094 01 T454 P1 \*\*\*\*\*AUTO\*\*5-DIGIT 99559

CITY OF NOME POLICE  
PO BOX 281  
NOME AK 99762-0281



## AT&T Data Incident

July 19, 2024

**Hello,**

We're reaching out to let you know that some of your business' data was accessed without authorization. Although we have no current indication of any public release or illegal use of your business' data, we respect the privacy of your information and want to provide you with details about the event.

Multiple telephone numbers were impacted on this account.

### **What happened?**

We found out AT&T call and text records were accessed by cyber-criminals who have claimed responsibility for unlawful access to other companies in the past. At least one individual has since been arrested.

### **What information was involved?**

The investigation indicates the data included the phone numbers of your call and text interactions from May 1, 2022 to October 31, 2022. It also included counts of those calls/texts and total call durations for specific days or months.

**The compromised data does not include the content of calls or text messages nor personal information, such as AT&T customer name, business name, Social Security numbers, birth dates, or financial information. It also does not include some typical information you see in your usage details, such as the time stamp of calls or texts.**

### **What is AT&T doing?**

Protecting customer data is a top priority. We have confirmed the affected system has been secured. We invest in our network's security using a broad array of resources including people, capital, and innovative technology advancements. We are constantly evaluating and enhancing our security protections to address the evolving cybersecurity threat landscape.

### **What can you do?**

It is always advisable to be careful when taking calls from numbers that you do not recognize and stay alert to any fraud or theft attempts.



P.O. Box 281 • Nome, Alaska 99762

Item D.

phone 907.443.6663 fax 907.443.5349

**FORECLOSURE LIST FOR THE CITY OF NOME, ALASKA  
REAL PROPERTY TAXES DUE FOR THE YEARS 2018-2022**

Owner of Record	Tax Parcel ID	Legal Description	2018	2019	2020	2021	2022	Penalty & Interest as of July 30, 2024
APOK, MARTHA	001.121.31	Block 48, Lot 12Ptn, Nome Townsite	\$0.00	\$1,011.40	\$1,153.10	\$1,064.40	\$1,182.00	\$1,297.92
BENCHOFF, MIKE	190.1.066	Survey MS 1282, Lot=PTN, City Field Improvement	\$22.00	\$26.00	\$2,730.00	\$25.20	\$25.20	\$47.62
BERGSTROM, CARL	198.2.220	Survey MS 446, No.2 Laura Gulch Placer Claim, Section 19	\$0.00	\$0.00	\$404.30	\$373.20	\$373.20	\$349.08
BERROTERAN, JAMIE J.	001.022.12	Plat 81-07, Block 73A, Lot 12A	\$2,027.30	\$2,395.90	\$2,780.70	\$2,566.80	\$2,881.20	\$4,356.32
BRUNS, RANDY J. & MARY P.	001.171.17	Block 68, Lot 11, Nome Townsite	\$0.00	\$0.00	\$1,093.30	\$1,009.20	\$1,092.00	\$961.34
BURNETT, CHARLES R.	001.023.04	Plat 81-08, Block 74A, Lot4A, Nome Townsite	\$0.00	\$0.00	\$2,135.90	\$1,971.60	\$2,198.40	\$1,891.73
CARTER, COLBY	190.1.074	Survey MS 1282, Lot=PTN, City Field Improvement	\$0.00	\$13.00	\$13.00	\$12.00	\$12.00	\$17.20
HAGER, JOHN & TINA	198.2.181	Plat 85-07, Lot 4A, Survey MS 1112 Section 14	\$19.68	\$514.80	\$514.80	\$363.60	\$380.40	\$636.32
KJELSBURG, MAGNUS	198.2.085	(1/8 of CONSTANTINE & 3 BELOW MOONLIGHT, 1/3 METSON), Section 11	\$0.00	\$287.30	\$287.30	\$265.20	\$265.20	\$380.97
LAMBERT, CHARLES L.	198.2.022	Plat 2006-13, Lot 1, Big Two Bench Subdivision	\$0.00	\$0.00	\$1,582.10	\$1,460.40	\$1,460.40	\$1,365.76
LE COMPTE, LANE C. & CHRISTOPHER M.	198.2.315	MS 1382 - 3/4 INT. OF #3 ROCKER CREEK PLR,	\$0.00	\$0.00	\$75.78	\$439.20	\$439.20	\$238.96
EIDE, CLARISSA	001.301.21A	Block 61, Lot 9, parcel 2, Nome Townsite	\$0.00	\$0.00	\$31.20	\$28.80	\$28.80	\$26.91
MUKTOYUK, EDWARD	001.131.03	Block 33, Lot 16, Nome Townsite	\$0.00	\$1,085.65	\$2,921.10	\$2,696.40	\$3,039.60	\$2,727.34
OLSON VENTURES LLC	AIRPORT.04	Plat AKDOT, Block 30, Lot 5 & 6	\$4,789.40	\$4,994.60	\$5,189.60	\$4,651.20	\$4,497.60	\$9,287.26



P.O. Box 281 • Nome, Alaska 99762

Item D.

phone 907.443.6663 fax 907.443.5349

**FORECLOSURE LIST FOR THE CITY OF NOME, ALASKA  
REAL PROPERTY TAXES DUE FOR THE YEARS 2018-2022**

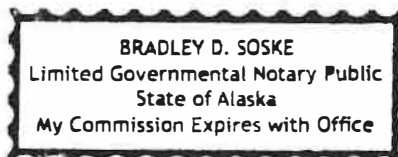
PM LAND TRUST	200.3.022	Plat 2003-24, Block L, Lot 3, Poorman's Paradise	\$27.50	\$32.50	\$32.50	\$30.00	\$30.00	\$58.52
SACKETT, WINDROW	001.242.23B	Block H, Lot 9, Anchor Liquor Store Parking Lot	\$0.00	\$0.00	\$897.00	\$828.00	\$642.00	\$733.86
SACKETT, WINDROW	001.242.23C	Block H, Lot 10, Anchor Liquor Store Parking Lot	\$0.00	\$0.00	\$99.56	\$414.00	\$0.00	\$119.10
SCHIMSCHAT, RICHARD H.	001.171.15B	Plat 2015-5, Block 67, Lot 21B, Nome Townsite	\$0.00	\$900.90	\$1,004.90	\$927.60	\$1,021.20	\$1,304.33
SIMPSON, PAMARA, VICTORIA & BRIAN	001.231.26	Plat 83-29, Block 65A, Lot 2A, Nome Townsite	\$0.00	\$0.00	\$43.56	\$1,536.00	\$1,752.00	\$864.61
TRIGG, BARBARA	001.291.40	Plat 83-28, Block 53, Lot 11A, Nome Townsite	\$827.20	\$977.60	\$1,101.10	\$1,016.40	\$1,116.00	\$1,879.01

This foreclosure list has been presented to the Superior Court at Nome with a petition for judgment and decree in *ITMO City of Nome Delinquent Real Property Taxes for 2018 through 2022*, 2NO-24-00149 CI.


In accordance with NCO 17.20.080(a), interest shall continue to accrue at the rate of eight percent per annum on the unpaid balance of delinquent taxes from the due date until paid in full. Up to the time of transfer to the City of Nome, a person may pay the taxes, together with the penalty, interest, and apportioned costs of the foreclosure action. A copy of this list is available for public inspection at the Office of the City Clerk, 102 Division Street, Nome, AK 99762.

I certify that I am the City Clerk of the City of Nome, Alaska and that the foregoing foreclosure list is true and correct to the best of my knowledge and belief.

  
Dan Grimmer  
City Clerk



SUBSCRIBED AND SWORN TO me before this 31<sup>st</sup> day of July 2024.

  
Notary Public in and for Alaska  
My Commission Expires: With Office

*"There's no place like Nome"*  
www.nomealaska.org

**Mayor**  
John K. Handeland  
**Manager**  
Glenn Steckman  
**Clerk**  
Dan Grimmer



**Nome City Council** Item E.  
Scott Henders  
Mark Johnson  
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Meghan Sigvanna Tapqaq

102 Division St. • P.O. Box 281  
Nome, Alaska 99762  
Phone (907) 443-6663  
Fax (907) 443-5345

July 31, 2024

Allan S. Nakanishi  
DEC, Division of Water  
555 Cordova St  
Anchorage, AK 99501

VIA E-MAIL: allan.nakanishi@alaska.gov

**RE: Permit #AK0062295**  
**Bonanza Channel Placer – IPOPOP LCC**

The Nome Common Council, by motion unanimously adopted, hereby joins with the Solomon tribe and other community entities, in registering the City's opposition to the proposed permit that would allow IPOPOP LLC to explore and mine in the Bonanza Channel east of Nome.

A joint letter (copy attached) signed by the Tribe and various entities, dated April 12, 2024, articulates compelling concerns as to why the proposed activity is not in the public interest. In fact, it would pose a significant threat to fish habitat and jeopardize valuable food sources. The pristine area is also of cultural and economic significance to Solomon, as well as to Nome, where visitors flock from around the world for a glimpse at migratory birds, and where regional residents conduct subsistence activities – including fishing, hunting and berry picking.

Local biologists have pointed out the fallacy in reasoning and blatant disregard of solid science. We believe the Army Corps of Engineers Alaska Region initial determination to deny the permit was correct, and are perplexed by the ACOE's about face, i.e. Pacific Division's overruling experts on the ground in Alaska.

The City requests the Department convene a public hearing in Nome or Solomon, and look forward to learning of the date and time when it has been scheduled. Thank you.

Sincerely,

**FOR THE NOME COMMON COUNCIL**

  
John K. Handeland  
Mayor



For Immediate Release

April 12, 2024

**Protecting a Fragile Ecosystem: A Unified Position to Protect the Safety Sound & Bonanza Channel Estuary near Nome, Alaska**

The Village of Solomon, Solomon Native Corporation, Kawerak, Inc., Bering Straits Native Corporation, Sitnasuak Native Corporation, and Norton Sound Economic Development Corporation join together in opposition to IPOP, LLC's proposed mining activity near the Bonanza Channel.

The proposed mining activity poses a significant threat to The Clean Waters Act protections for essential fish habitats, resulting in irreversible impacts on the local aquatic ecosystem and fisheries resources. The Bonanza Channel provides fish and wildlife with an estuary to produce young, provides shelter from predators, and is a source of food. There are approximately 10 Native Allotments and over 100 campsites all along the Bonanza Channel area due to its prime location for hunting, fishing, and gathering, helping to ensure food security.

The Bonanza Channel serves as a vital hub for both non-consumption use (i.e. birdwatching) and subsistence activities. It is an area rich with migratory birds, protected marine mammals, fish and land resources such as moose, bears, plants and berries.

The Southern Seward Peninsula is in the midst of a salmon crisis that has lasted nearly five years. The majority of salmon that enter the Bonanza Channel and Safety Sound Estuary come through the eastern most outlet just past the Bonanza Bridge. If IPOP is allowed to dredge and mine these waters, their operations will impact salmon migration, further exacerbating salmon declines. The Bonanza Channel and Safety Sound are listed in the Anadromous Body of Water Catalog and chum salmon are noted by the Alaska Department of Fish and Game to have spawning grounds in close proximity to the proposed dredging and mining operation. Further, Safety Sound has been documented as an important rearing and growth habitat for juvenile chum salmon as they migrate to the ocean.

The Army Corps of Engineers' Pacific Division's actions to overturn the Alaska Region's decision to deny IPOP's mining project fails to consider the opposition of local testimony and comments, is contrary to actions requested during Tribal Consultation with the Village of Solomon, and ignores the recommendations of the US Fish and Wildlife Service and NOAA. The listed Tribe, Tribal organizations and non-governmental organizations within the Bering Straits region request Congressional intervention on this issue and ask you to obtain an Engineer Inspector General Report on the process that led to the reversal of the USACE's thoroughly and publicly considered initial permit denial. Additionally, we request that USACE Headquarters overrule the Pacific Division's flawed reversal of the Alaska Division's original permit denial.

For the protection of the pristine environment and subsistence resources of the Bonanza Channel and Safety Sound Estuary, we urge your intervention.



For more information on NSEDC, Kawerak, Inc, BSNC, Village of Solomon, Solomon Native Corporation opposition to mining in the Bonanza Channel, contact either NSEDC COO's Tyler Rhodes at 907.443.2477 or [tyler@nsedc.com](mailto:tyler@nsedc.com) or Kawerak, Inc. Vice-President of Natural Resources Brandon Ahmasuk at 907.443.4265 or [bahmasuk@kawerak.org](mailto:bahmasuk@kawerak.org) or Village of Solomon President Kirsten Timbers at 907.443.4985 or [tc.sol@kawerak.org](mailto:tc.sol@kawerak.org) or BSNC Larry Pederson, Vice-President of Nome Operations at [LPederson@beringstraits.com](mailto:LPederson@beringstraits.com).



Village of Solomon

Kirsten Timbers, President



**KAWERAK, INC.**

Melanie Bahnke  
Melanie Bahnke (Apr 12, 2024 19:30 AKDT)

Melanie Bahnke, President



Janis Ivanoff, President & CEO

## SOLOMON NATIVE CORPORATION

Elizabeth Johnson, President



Cindy Massie  
Cindy Massie (Apr 22, 2024 09:15 AKDT)

Cindy Massie, President



Charles Fagerstrom, President/CEO

8/5/24, 4:41 PM

Mail - JHandeland@nomealaska.org

Item E.

Delivered: PERMIT #AK0062295, Bonanza Channel Placer - IPOPOP LLC

postmaster@stateofalaska.onmicrosoft.com

Mon 8/5/2024 4:40 PM

To:allan.nakanishi@alaska.gov <allan.nakanishi@alaska.gov>;

**Your message has been delivered to the following recipients:**

[allan.nakanishi@alaska.gov](mailto:allan.nakanishi@alaska.gov)

Subject: PERMIT #AK0062295, Bonanza Channel Placer - IPOPOP LLC

# RE: External Email APMA F20242875 Bonanza Channel Placer - IPO LLC

DNR, DMLW Mining Fairbanks (DNR sponsored) <dnr.fbx.mining@alaska.gov>

Wed 8/7/2024 10:02 AM

To: John Handeland <JHandeland@nomealaska.org>; DNR, DMLW Mining Fairbanks (DNR sponsored) <dnr.fbx.mining@alaska.gov>;

Hello John,

Thank you for the comments.  
I will forward the request for a public hearing to my supervisors.

~Charlene Bringhurst  
DNR/DMLW  
(907)458-6887  
[charlene.bringhurst@alaska.gov](mailto:charlene.bringhurst@alaska.gov)

**From:** John Handeland <JHandeland@nomealaska.org>  
**Sent:** Tuesday, August 6, 2024 4:53 PM  
**To:** DNR, DMLW Mining Fairbanks (DNR sponsored) <dnr.fbx.mining@alaska.gov>  
**Subject:** APMA F20242875 Bonanza Channel Placer - IPO LLC  
**Importance:** High

You don't often get email from [jhandeland@nomealaska.org](mailto:jhandeland@nomealaska.org). [Learn why this is important](#)

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find attached letter opposed to the APMA application by IPO LLC to mine in the Bonanza Channel east of Nome.

Thank you,

John K. Handeland

Mayor

CITY OF NOME

**Mayor**  
John K. Handeland  
**Manager**  
Glenn Steckman  
**Clerk**  
Dan Grimmer



**Nome City Council** Item E.  
Scott Henders  
Mark Johnson  
Adam Martinson  
Maggie Miller  
Cameron Piscoya  
Meghan Sigvanna Tapqaq

102 Division St. • P.O. Box 281  
Nome, Alaska 99762  
Phone (907) 443-6663  
Fax (907) 443-5345

July 31, 2024

Charlene Bringhurst  
DNR, Division of Mining  
Fairbanks, AK

VIA E-MAIL: [dnr.fbx.mining@alaska.gov](mailto:dnr.fbx.mining@alaska.gov)

**RE: APMA F20242875**  
**Bonanza Channel Placer – IPOPOP LCC**

The Nome Common Council, by motion unanimously adopted, hereby joins with the Solomon tribe and other community entities, in registering the City's opposition to the proposed permit that would allow IPOPOP LLC to explore and mine in the Bonanza Channel east of Nome.


A joint letter (copy attached) signed by the Tribe and various entities, dated April 12, 2024, articulates compelling concerns as to why the proposed activity is not in the public interest. In fact, it would pose a significant threat to fish habitat and jeopardize valuable food sources. The pristine area is also of cultural and economic significance to Solomon, as well as to Nome, where visitors flock from around the world for a glimpse at migratory birds, and where regional residents conduct subsistence activities – including fishing, hunting and berry picking.

Local biologists have pointed out the fallacy in reasoning and blatant disregard of solid science. We believe the Army Corps of Engineers Alaska Region initial determination to deny the permit was correct, and are perplexed by the ACOE's about face, i.e. Pacific Division's overruling experts on the ground in Alaska.

The City requests the Department convene a public hearing in Nome or Solomon, and look forward to learning of the date and time when it has been scheduled. Thank you.

Sincerely,

**FOR THE NOME COMMON COUNCIL**

  
John K. Handeland  
Mayor

For Immediate Release

April 12, 2024

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Liz Johnson

Elizabeth Johnson, President



Cindy Massie  
Cindy Massie (Apr 22, 2024 09:15 AKDT)

Cindy Massie, President



Charles Fagerstrom, President/CEO

8/6/24, 4:53 PM

Delivered: APMA F20242875 Bonanza Channel Placer - IPOPOP LLC - John Handeland

Delivered: APMA F20242875 Bonanza Channel Placer - IPOPOP LLC

Item E.

postmaster@stateofalaska.onmicrosoft.com

Tue 8/6/2024 4:53 PM

To: dnr.fbx.mining@alaska.gov <dnr.fbx.mining@alaska.gov>;

**Your message has been delivered to the following recipients:**

[dnr.fbx.mining@alaska.gov](mailto:dnr.fbx.mining@alaska.gov)

**Subject: APMA F20242875 Bonanza Channel Placer - IPOPOP LLC**

NOTICE OF PROPOSED CHANGES TO THE OPERATING PLAN REQUIREMENTS IN  
THE REGULATIONS OF THE MARIJUANA CONTROL BOARD

BRIEF DESCRIPTION

The Marijuana Control Board proposes to change regulations dealing with the operating plan requirements for marijuana applicants.

The Marijuana Control Board proposes to adopt regulation changes in Title 3, Chapter 306 of the Alaska Administrative Code, dealing with the operating plan requirements for marijuana applicants, including the following:

- (1) **Application for a new license.** 3 AAC 306.020(c) is proposed to be amended to remove the requirement to submit an operating plan and require an applicant to provide certifications that the regulatory requirements will be met upon licensure.
- (2) **Application transfer of a license to another person.** 3 AAC 306.045(e) is proposed to be amended to remove mention of operating plan.
- (3) **Application for transfer of a marijuana establishment license to another location.** 3 AAC 306.046(c)(3) is proposed to be amended to remove mention of operating plan.
- (4) **License conversion.** 3 AAC 306.047(c)(2) is proposed to be amended to remove operating plan requirement and replace it with requirement to submit certifications.
- (5) **Denial of license or endorsement application.** 3 AAC 306.080(a), 3 AAC 306.080(a)(5) and 3 AAC 306.080(g)(6) are proposed to be amended to remove mention of operating plan.
- (6) **Fees; refund.** 3 AAC 306.100(c) is proposed to be amended to remove operating plan change fee as a possible fee.
- (7) **Application for retail marijuana store.** 3 AAC 306.315(1)(B) is proposed to be repealed.
- (8) **Onsite consumption endorsement for retail marijuana stores.** 3 AAC 306.370(f)(1) and 3 AAC 306.370(g)(1) are proposed to be amended to remove operating plan requirements and replace them with certification requirements.
- (9) **Walk-up or drive through exterior window pick-up for retail marijuana stores.** 3 AAC 306.380(b) is proposed to be amended to remove operating plan requirements and require the applicant to provide information and depictions.



- (10) **Application for marijuana cultivation facility license.** 3 AAC 306.420(2) is proposed to be amended to remove operating plan requirements and require the applicant to provide information and descriptions.
- (11) **Application for marijuana product manufacturing facility license.** 3 AAC 306.520(1)(C) is proposed to be amended to remove operating plan requirements and require the applicant to provide information and descriptions.
- (12) **Approval of concentrates and marijuana products.** 3 AAC 306.525(b) is proposed to be amended to remove mention of operating plan.
- (13) **Application for marijuana testing facility license.** 3 AAC 306.615(b) is proposed to be amended to remove operating plan requirements and require the applicant to provide information and descriptions.
- (14) **Operations.** 3 AAC 306.703 is proposed to be repealed.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Alcohol and Marijuana Control Office at 550 W. 7<sup>th</sup> Avenue, Suite 1600, Anchorage, Alaska, 99501. Additionally, the Marijuana Control Board will accept comments by electronic mail at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the comment link. **The comments must be received not later than 4:30 p.m. on September 6, 2024.**

You may submit written questions relevant to the proposed action to Alcohol and Marijuana Control Office by email to [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or by mail to 550 W. 7<sup>th</sup> Avenue, Suite 1600, Anchorage, Alaska, 99501. The questions must be received at least 10 days before the end of the public comment period. The Alcohol and Marijuana Control Office will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and <https://www.commerce.alaska.gov/web/amco/>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kristina Serezhenkov at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or at 907-269-0359 not later than August 26, 2024 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulations is available on the Alaska Online Public Notice System and by contacting the Alcohol and Marijuana Control Office at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov).

After the public comment period ends, the Marijuana Control Board will either adopt the proposed regulations or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

**Statutory authority:** AS 17.38.010; AS 17.38.070; AS 17.38.121; AS 17.38.150; AS 17.38.190;

AS 17.38.200; AS 17.38.300; AS 17.38.900

**Statutes being implemented, interpreted, or made specific:** AS 17.38.070; AS 17.38.190; AS 17.38.200; AS 17.38.900

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

The Alcohol and Marijuana Control Office keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Marijuana Control Board notices of proposed regulation changes. To be added to or removed from the list, send a request to the Alcohol and Marijuana Control Office at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Individuals can also signup to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

Date: 8/5/2024



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Kristina Serezhenkov, Regulations Specialist 2

NOTICE OF PROPOSED CHANGES TO EDIBLES ONLY ONSITE CONSUMPTION  
ENDORSEMENT AREA IN THE REGULATIONS OF THE MARIJUANA CONTROL  
BOARD

BRIEF DESCRIPTION

The Marijuana Control Board proposes to change regulations dealing with removing the requirement for an edibles only onsite consumption area to be isolated and physically separated from the retail marijuana store.

The Marijuana Control Board proposes to adopt regulation changes in Title 3, Chapter 306 of the Alaska Administrative Code, dealing with refining the edibles only onsite consumption area by removing the requirement for an indoor edibles only onsite consumption area to be isolated and physically separated from other areas of the retail marijuana store.

- (1) 3 AAC 306.370(e)(1) is proposed to be amended so that only a marijuana consumption area that allows smoking is required to be isolated and separated by walls and secure door from other areas of the retail marijuana store.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Alcohol and Marijuana Control Office at 550 W. 7<sup>th</sup> Avenue, Suite 1600, Anchorage, Alaska, 99501. Additionally, the Marijuana Control Board will accept comments by electronic mail at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the comment link. **The comments must be received not later than 4:30 p.m. on September 6, 2024.**

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After the public comment period ends, the Marijuana Control Board will either adopt the proposed regulations or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

**Statutory authority:** AS 17.38.010, AS 17.38.070; AS 17.38.121; AS 17.38.150; AS 17.38.190; AS 17.38.200; AS 17.38.900; AS 18.35.301

**Statutes being implemented, interpreted, or made specific:** AS 17.38.070; AS 17.38.190; AS 18.35.301

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

The Alcohol and Marijuana Control Office keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Marijuana Control Board notices of proposed regulation changes. To be added to or removed from the list, send a request to the Alcohol and Marijuana Control Office at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

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Date: 8/5/2024



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Kristina Serezhenkov, Regulations Specialist 2

Nancy Dahlstrom  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
WWW.LTGOV.ALASKA.GOV




530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Sara Chambers, Department of Commerce, Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor 465.4081 

**DATE:** July 17, 2024

**RE:** Filed Permanent Regulations: Marijuana Control Board

Marijuana Control Board regulations re: Broadening Overlapping Premises (3 AAC 306.710(d))

---

Attorney General File: 2024200053

Regulation Filed: 7/17/2024

Effective Date: 8/16/2024

Print: 251, October 2024

cc with enclosures: Colleen Bailey, Department of Law  
Judy Herndon, LexisNexis  
Jane P. Sawyer, Regulations Specialist  
Kristina Serezhenkov, Regulations Specialist



THE STATE  
of ALASKA  
GOVERNOR MIKE DUNLEAVY

## Department of Law

CIVIL DIVISION

P.O. Box 110300  
Juneau, Alaska 99811  
Main: 907.465.3600  
Fax: 907.465.2520

July 15, 2024

The Honorable Nancy Dahlstrom  
Lieutenant Governor  
State of Alaska  
P.O. Box 110015  
Juneau, AK 99811-0015

Re: *3 AAC 306.710(d): Marijuana Control Board - Broadening Overlapping  
Premises*  
Our file: 2024200053

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Marijuana Control Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Marijuana Control Board after the close of the public comment period.

The regulations amend 3 AAC 306 to clarify requirements related to when a premises that is permitted to be used for a marijuana cultivation or product manufacturing operation may overlap with a restricted access area or differently permitted type of premises, when approved by the Marijuana Control Board to do so.

Both the May 10, 2024 public notice and June 27, 2024 order certifying the changes to regulations state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

The Honorable Nancy Dahlstrom  
File No. 2024200053

July 15, 2024  
Page 2 of 2

No technical corrections were necessary to conform the regulations in accordance with AS 44.62.060.

Sincerely,

TREG TAYLOR  
ATTORNEY GENERAL

By: Rebecca C. Polizzotto  
Rebecca C. Polizzotto  
Chief Assistant Attorney General  
Legislation, Regulations, and  
Legislative Research Section

Digitally signed by  
Rebecca C. Polizzotto  
Date: 2024.07.15  
12:37:04 -08'00'

RCP/bws

CC w/enclosure: Kristina Serezhenkov, Regulations Specialist  
Department of Commerce, Community and Economic Development

Kevin Higgins, Assistant Attorney General  
Department of Law

Brad Sharp, Assistant Attorney General  
Department of Law

APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF THE MARIJUANA CONTROL BOARD

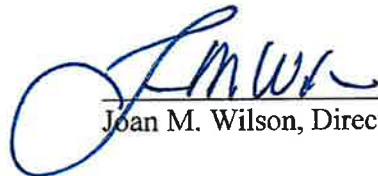
The attached three pages of regulations, dealing with broaden overlapping premises areas, is certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its June 26, 2024, meeting, under the authority of AS 17.38.121 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Marijuana Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 6/27/2024

  
Joan M. Wilson, Director

*April Simpson for*

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

July 17, 2024 at 9:30 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
for Lieutenant Governor Nancy Dahlstrom

Effective: August 16, 2024

Register: 25, October 2024



**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have  
signed and affixed the Seal of the State of  
Alaska, in Juneau, on May 15th, 2023.**



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM  
LIEUTENANT GOVERNOR**

Register 251, October 2024

COMMERCE, COMMUNITY, AND EC. DEV.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

3 AAC 306.305(c)(1) is amended to read:

(1) **except for overlapping premises approved by the board under 3 AAC 306.710(d)**, conduct **a** [ANY] marijuana cultivation operation **or marijuana product manufacturing operation** in a room separate from any other operation and the retail marijuana store [, AND SHALL CONDUCT ANY MARIJUANA PRODUCT MANUFACTURING OPERATION IN A ROOM SEPARATE FROM ANY OTHER OPERATION AND THE RETAIL MARIJUANA STORE]; if the rooms are connected and co-located **in an area that is not approved by the board as overlapping premises**, a secure door must separate the rooms from each other; a secure door must separate any room connected to and co-located with the retail marijuana store; and

(Eff. 2/21/2016, Register 217; em am 4/17/2020 – 8/14/2020, Register 234; am 11/24/2020, Register 236; am 12/10/2020, Register 236; am 12/10/2020, Register 236; am 8/13/2023, Register 247; am 1/5/2024, Register 249; am 8 / 10 / 2024, Register 251 )

<b>Authority:</b>	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

3 AAC 306.405(b)(1) is amended to read:

(1) **except for overlapping premises approved by the board under 3 AAC 306.710(d)**, conduct **a marijuana** [ANY] product manufacturing operation **or retail marijuana**

Register 251, October 2024

COMMERCE, COMMUNITY, AND EC. DEV.

**store operation** in a room separate from any other operation and the marijuana cultivation facility [, AND SHALL CONDUCT ANY RETAIL MARIJUANA STORE OPERATION IN A ROOM SEPARATE FROM ANY OTHER OPERATION AND THE MARIJUANA CULTIVATION FACILITY]; if the rooms are connected and co-located **in an area that is not approved by the board as overlapping premises**, a secure door must separate the rooms from each other; a secure door must separate any room connected to and co-located with the marijuana cultivation facility; and

(Eff. 2/21/2016, Register 217; am 10/20/2018, Register 228; am 12/10/2020, Register 236; am 12/31/2023, Register 248; am 1/5/2024, Register 249; am 8 / 16 / 2024, Register 251)

<b>Authority:</b>	AS 17.38.010	AS 17.38.150	AS 17.38.200
	AS 17.38.070	AS 17.38.190	AS 17.38.900
	AS 17.38.121		

3 AAC 306.505(b)(1) is amended to read:

(1) **except for overlapping premises approved by the board under 3 AAC 306.710(d)**, conduct a [ANY] marijuana cultivation operation **or retail marijuana store operation** in a room separate from any other operation and the marijuana product manufacturing facility [, AND SHALL CONDUCT ANY RETAIL MARIJUANA STORE OPERATION IN A ROOM SEPARATE FROM ANY OTHER OPERATION AND THE MARIJUANA PRODUCT MANUFACTURING FACILITY]; if the rooms are connected and co-located **in an area that is not approved by the board as overlapping premises**, a secure door must separate the rooms from each other; a secure door must separate any room connected to and co-located with the marijuana product manufacturing facility; and

Register 251, October 2024

COMMERCE, COMMUNITY, AND EC. DEV.

(Eff. 2/21/2016, Register 217; am 12/10/2020, Register 236; am 4/16/2023, Register 246; am 1/5/2024, Register 249; am 8 / 16 / 2024, Register 251)

**Authority:** AS 17.38.010      AS 17.38.150      AS 17.38.200  
                  AS 17.38.070      AS 17.38.190      AS 17.38.900  
                  AS 17.38.121

3 AAC 306.710(d) is amended to read:

(d) The board may approve two or more licenses for overlapping premises owned by the same person or same group of persons and within the same building to use in common as a restricted access area [FOR A MARIJUANA OR MARIJUANA PRODUCT STORAGE AREA] if

(Eff. 2/21/2016, Register 217; am 12/10/2020, Register 236; am 1/19/2022, Register 241; am 1/5/2024, Register 249; am 8 / 16 / 2024, Register 251)

**Authority:** AS 17.38.010      AS 17.38.150      AS 17.38.200  
                  AS 17.38.070      AS 17.38.190      AS 17.38.900  
                  AS 17.38.121

Nancy Dahlstrom  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
WWW.LTGOV.ALASKA.GOV




530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Sara Chambers, Department of Commerce, Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** July 17, 2024

**RE:** Filed Permanent Regulations: Marijuana Control Board  
  
Marijuana Control Board regulations re: Plant height (3 AAC 306.435(a))

---

Attorney General File:	2024200076
Regulation Filed:	7/17/2024
Effective Date:	8/16/2024
Print:	251, October 2024

cc with enclosures: Colleen Bailey, Department of Law  
Judy Herndon, LexisNexis  
Jane P. Sawyer, Regulations Specialist  
Kristina Serezhenkov, Regulations Specialist



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

P.O. Box 110300  
Juneau, Alaska 99811  
Main: 907.465.3600  
Fax: 907.465.2520

July 15, 2024

The Honorable Nancy Dahlstrom  
Lieutenant Governor  
State of Alaska  
P.O. Box 110015  
Juneau, AK 99811-0015

Re: 3 AAC 306.435(a): *Marijuana Control Board - Plant height*  
Our file: 2024200076

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulation of the Marijuana Control Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulation. The regulation was adopted by the Marijuana Control Board after the close of the public comment period.

The regulation amends 3 AAC 306.435 to update the height at which a marijuana plant is subject to marijuana plant tagging and tracking requirements.

Both the May 10, 2024 public notice and the June 27, 2024 order certifying changes to regulations state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

The Honorable Nancy Dahlstrom  
File No. 2024200076

July 15, 2024  
Page 2 of 2

No technical corrections were necessary to conform the regulations in accordance with AS 44.62.060.

Sincerely,

TREG TAYLOR  
ATTORNEY GENERAL

By: Rebecca C. Polizzotto  
Rebecca C. Polizzotto  
Chief Assistant Attorney General  
Legislation, Regulations, and  
Legislative Research Section

Digitally signed by  
Rebecca C. Polizzotto  
Date: 2024.07.15  
12:36:01 -08'00'

RCP/bws

CC w/enclosure: Kristina Serezhenkov, Regulations Specialist  
Department of Commerce, Community and Economic Development

Kevin Higgins, Assistant Attorney General  
Department of Law

Brad Sharp, Assistant Attorney General  
Department of Law

## APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF THE MARIJUANA CONTROL BOARD


The attached two pages of regulations, dealing with plant height for tagging, is certified to be a correct copy of the regulation changes that the Marijuana Control Board adopted at its June 26, 2024, meeting, under the authority of AS 17.38.121 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Marijuana Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 6/27/2024


  
Joan M. Wilson, Director

## FILING CERTIFICATION

*Stacy Simpson for*

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

July 17, 2024 at 9:51 a..m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
for Lieutenant Governor *Nancy Dahlstrom*

Effective: August 16, 2024.

Register: 251, October 2024



**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.**



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM  
LIEUTENANT GOVERNOR**

Register 251, October 2024

COMMERCE, COMMUNITY, AND EC. DEV.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

3 AAC 306.435(a) is amended to read:

(a) A marijuana cultivation facility shall

**(1)** use a marijuana inventory tracking system in compliance with 3 AAC 306.730 to ensure all marijuana propagated, grown, or cultivated on the marijuana cultivation facility's premises is identified and tracked from the time the marijuana is propagated through transfer to another licensed marijuana establishment, including when marijuana or marijuana product is

**(A)** relocated to **a** [THE] new licensed premises in the case of a transfer of a marijuana establishment license to another location approved by the board; [,] or

**(B) destroyed;** [DESTRUCTION. THE MARIJUANA CULTIVATION FACILITY SHALL]

**(2)** assign a tracking number to each

**(A)** plant over **18** [EIGHT] inches tall; and

**(B)** package of marijuana to be transferred to another facility; **a** [. A] package of marijuana may not exceed 10 pounds; [. THE MARIJUANA CULTIVATION FACILITY SHALL ALSO]

**(3)** assign a plant batch name or number to each batch of clones or cuttings; **a** [. A] batch may not consist of more than 50 clones or cuttings.

(Eff. 2/21/2016, Register 217; am 03/13/2020, Register 233; am 1/22/2023, Register 245; am 8 / 16 / 2024, Register 251)

Register 251, October 2024

COMMERCE, COMMUNITY, AND EC. DEV.

**Authority:** AS 17.38.010 AS 17.38.150 AS 17.38.200  
AS 17.38.070 AS 17.38.190 AS 17.38.900  
AS 17.28.121



US Army Corps  
of Engineers  
Alaska District

RECEIVED

AUG 03 2024

CITY OF NOME  
CLERKS DEPARTMENT

Regulatory Division (1145)  
CEPOA-RD  
Post Office Box 6898  
JBER, Alaska 99506-0898

# Public Notice of Application for Permit

**PUBLIC NOTICE DATE:** Jul 31, 2024

**EXPIRATION DATE:** Aug 15, 2024

**REFERENCE NUMBER:** POA-1985-00422

**WATERWAY:** Norton Sound

## \*\*\*PUBLIC NOTICE REVISION\*\*\*

On June 12, 2024, the Alaska District U.S. Army Corps of Engineers published a public notice for Department of the Army (DA) permit number POA-1985-00422, Norton Sound for a DA permit application from the City of Nome, to discharge 771,128 cubic yards of fill material into 12.3 acres of tidal waters to construct two (2) new pads which would create one final laydown pad structure in Norton Sound. Currently, the existing laydown pad for the quarry has 2.5 acres of operational surface area. All work would be performed in accordance with the enclosed plan (sheets 1-12), dated April 2024. The project site is located within Section 23, T. 12 S., R. 32 W.; centered at Latitude 64.4349° N., Longitude 165.0100° W., near Nome, Alaska.

The notice stated that the applicant's stated purpose is to increase the area needed to stage equipment and scales, sort, weigh, and stockpile rock materials for supplying projects with construction aggregate materials throughout the northwest region.

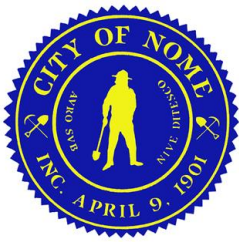
This information is correct but needs to be updated to supply interested parties with the most up to date information. The purpose should now read: The purpose is to increase the area needed to stage equipment and scales, sort, weigh, and stockpile rock materials for supplying projects with construction aggregate materials throughout the northwest region. Additionally, this proposed increase in laydown pad area may allow the quarry to operate for extended periods of time, dependent on demand. Currently, typical quarry operations are May 15 to October 15; the proposed project may allow future quarry operations to instead operate from April 15 to November 15.

All other information contained in the previous notice remains the same. Please bring this announcement to the attention of anyone you know who is or may be interested.

Please contact Tyler Marye at (907) 753-5778, toll free from within Alaska at (800) 478-2712, or by email at [Tyler.J.Marye@usace.army.mil](mailto:Tyler.J.Marye@usace.army.mil) if further information is desired concerning this notice.

District Engineer  
U.S. Army, Corps of Engineers





# Memo

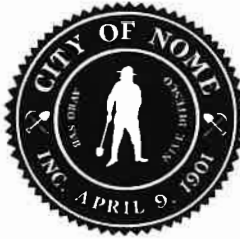
**Date:** August 12, 2024  
**From:** Dan Grimmer, City Clerk  
**To:** Nome Common Council  
**Re:** Dilapidated Structure Exemption

---


- Applicants Diana Haecker and Nils Hahn filed an application for a Dilapidated Structure Rehabilitation, Renovation and/or Replacement Exemption. These applicants hold all required permits. This application is for 222 w. Front Street.
- Applicant Nathan Nagaruk has filed an application for a Dilapidated Structure Rehabilitation, Renovation and/or Replacement Exemption. This applicant holds all required permits. This application is for 707 E. 3<sup>rd</sup> Ave.

The City Clerk and Building Inspector are required to review the applications and have found the property to meet written Criteria. These applications were brought to the City Manager who has approved. The City Clerk now presents these applications to the City Council to make a determination to approve these Exemptions. (NCO 17.20.020)

**Dan Grimmer**  
City Clerk



**Due Date: February 1, 2024**  
**SENIOR CITIZEN/DISABLED VETERAN**  
**PROPERTY TAX EXEMPTION**  
**APPLICATION**  
**AS 29.45.030 (e)-(i)**

Block:	Lot:		
1. Name of Municipality:		2. Property Tax ID:	3. Tax Year:
City of Nome		198.2.250	2024
4. Name of Applicant:		5. Birthdate:	6. SSN:
Betty Ann Hoogendorn		[REDACTED]	[REDACTED]
7. Name of Spouse:		8. Birthdate:	9. SSN:
N/A		[REDACTED]	[REDACTED]
10. Mailing Address:		11. Residential Address:	
P.O. Box 117 Nome, AK 99762		2005 Nome Teller Hwy	
12. Home Phone:		Cellular:	
[REDACTED]		[REDACTED]	
13. Please check one of the following:			
<input checked="" type="radio"/> I am applying as a Senior Citizen, age 65 or older, on or before January 1 of the tax year <input type="radio"/> I am applying as a widow or widower, age 60-64, of a previously qualified applicant <input type="radio"/> I am applying as a Disabled Veteran			
14. What type of dwelling do you live in?			
<input checked="" type="radio"/> Single Family <input type="radio"/> Duplex <input type="radio"/> Mobile Home <input type="radio"/> Other _____ <input type="radio"/> Condominium			
15. Is this your primary residence & permanent place of abode? Yes <input checked="" type="checkbox"/> No _____			
16. Is your home on land you own? Yes <input checked="" type="checkbox"/> No _____			
If NO, name of owner: _____			
17. Is any portion of this property used for commercial or rental purposes? Yes _____ No <input checked="" type="checkbox"/>			
If YES, Percentage: _____ %			
18. CERTIFICATION: I hereby certify that the answers given on this application are true and correct to the best of my knowledge. I understand that a willful misstatement is punishable by a fine or imprisonment under AS 11.56.210.			
 SIGNATURE OF APPLICANT		July 30, 24 DATE	

RECEIVED

JUL 30 2024

CITY OF NOME  
CLERKS DEPARTMENT



Box 117

Item C.

Nome, AK 99762  
July 30, '24

City of Nome  
Nome, AK

To whom it may concern  
Please accept my application for senior  
exemption on my home property:

2005 Nome Teller Hwy

Parcel 198.2.250

I have a copy of exemption form filled  
out at my brother's home in Wasilla where  
I spent some time this winter due to medical  
issues as I was admitted to the hosp. last  
in Oct-Nov '23 and have no access to the  
paper as of current. Spending the summer  
working on prop in Nome.

Thanks for your consideration

Betsy Ann Hargarden

Presented By:  
City Manager  
Action Taken:  
Yes \_\_\_\_  
No \_\_\_\_  
Abstain \_\_\_\_

**CITY OF NOME, ALASKA**

**RESOLUTION NO. R-24-08-01**

**A RESOLUTION DESIGNATING DANIEL GRIMMER  
AS ACTING CITY MANAGER  
FOR AUGUST 17<sup>TH</sup> THROUGH AUGUST 20<sup>TH</sup>, 2024**

**WHEREAS**, NCO 2.35.030 provides that “During the city manager’s absence or disability, the city council shall designate by resolution an official to act as city manager”; and,

**WHEREAS**, modern advancements in communications technology allow individuals to perform duties from locations other than a fixed office, so job responsibilities and functions can be performed from anywhere on the globe, but on occasion it is necessary, prudent and healthy for an employee to be able to “unplug” on occasion; and,

**WHEREAS**, Glenn Steckman, City Manager believes it prudent to have an Acting City Manager available in town during this period to be able to address any necessary matters promptly; and,

**WHEREAS**, the City Manager recommends Daniel Grimmer, be designated Acting City Manager with authority to perform powers and duties of manager during the period;

**NOW, THEREFORE, BE IT RESOLVED** that the Nome Common Council accepts the manager’s recommendation and appoints/designates Daniel Grimmer Acting City Manager for the period of August 17<sup>th</sup> through August 20<sup>th</sup> to perform delegated duties and assume the responsibilities as provided in NCO 2.35.020, elsewhere in the Code, and in Alaska Statutes – Title 29.

**APPROVED and SIGNED** this 12<sup>th</sup> Day of August, 2024

\_\_\_\_\_  
**JOHN K. HANDELAND,**  
**Mayor**

ATTEST:

\_\_\_\_\_  
**DAN GRIMMER,**  
**City Clerk**

TO: The Mayor and Common Council

FROM: Glenn Steckman

RE: City Manager Report

August 9, 2024

### **3D Printed Housing:**

The planned printing of the 3D house has been delayed to next summer. This will allow for additional testing by the Cold Weather Climate people and Penn State. On July 30, I attended a press conference in Fairbanks to demonstrate the process and a small building was constructed. This building will be the subject to numerous tests before the first house is built in Nome.

The home constructed in Nome will be 1200 sq. ft, three bedrooms and two baths. It will include a concrete floor and 3D printed walls with wood trusses and a metal roof. The interior walls will be sheet rock.

Attached to this report is a picture of the 3D printer and a picture of the then partially completed structure.

As an FYI, the press conference recognizing the unveiling of the printer was national news and noted the role of the City of Nome's participation. The President of UAF was present, the state Commissioner of Labor, representatives of HUD and officials from Penn State were also present.

### **Seppala House:**

Volunteers for the Seppala House are here in Nome this week to begin repairs to the building at the landfill. Amish carpenters from Maine are volunteering their time to repair the structure to allow it to be moved to a place to be determined. The reconditioned building will ideally be used to celebrate the history of dog sledding in Nome and Alaska and not a re-creation of Seppala's home.

### **City Hall HV system:**

It looks like city hall repairs will be completed by mid-September and no later than October 1. Repairs are being done seven days. These repairs include extensive rewiring for the HV controls and fire alarm. Unfortunately, the as-builts are incorrect. Because of this, there will be some additional expenses for change orders.

City Hall employees are looking forward to return home to their offices. DPW will try to paint the hallways before staff relocates back to the building.

**Nome History:**

This year will be 90<sup>th</sup> anniversary of the 1934 fire in Nome and this winter is the 100<sup>th</sup> anniversary of the serum run. I've asked Cheryl Thompson to find old records and pictures to recognize this anniversary and to display them in the museum and the visitor center.

**Fall Clean-up:**

The Fall Clean-up will take place starting September 16-20. There will be a U-Call and We-Haul from Monday thru Friday and the Mono-fil will be open additional hours from 11am – 7pm. The Landfill will be open on Monday, Wednesday and Saturday from 9am-3pm.

Vehicles from not only residential property but also commercial property will be eligible for removal by city staff.

**ATV Enforcement:**

The NPD will begin additional enforcement of ATV regulations. Please see attached flyer.

On a general note, NPD when stopping someone for a motor vehicle violation, the vehicle operators do not have valid driver licenses and/or no insurance.



Item A.



# ATV SAFETY RULES



## COMMON RULES AND REGULATIONS

**ALASKA HAS THE  
HIGHEST TRAUMATIC  
BRAIN INJURY (TBI)  
RATES IN THE NATION!!**

- Wear a helmet! Passengers **MUST** Wear a helmet per Nome City Ordinance.
- Abide by the Speed Limit Signs Posted! Max 25mph!
- Limit the number of passengers on your ATV per the manufacturer recommendations.
- Ensure headlights and taillights are in working order and use hand signals.
- Wear appropriate riding gear.
- Must have drivers license and if on STATE ROAD must have insurance and license plate.

