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# The Humboldt Sun

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Winnemucca, Nev.

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## Groundbreaking ceremony —



MICHAEL MICHAELSEN • Special to the Sun

A groundbreaking ceremony for the new patient wing and remodel at Humboldt General Hospital was held on April 16. Left to right, Winnemucca Mayor Di An Putnam addresses the crowd as EMS Education Coordinator Ken Whittaker, HGH board Trustee Mel Hummel and CEO/Administrator Jim Parrish look on. **For more on the event, see Page 20.**



MICHAEL MICHAELSEN • Special to the Sun

Winnemucca city officials have been trying to find a solution to the congestion at Haskell and Bridge streets for years. Nothing can be done without NDOT's approval because the state owns the right of way. NDOT suggested a roundabout be constructed at the intersection, but no funding has materialized to start the project.

## Effort stalls to fix intersection at Haskell and Bridge streets

**NDOT says no funds for roundabout in foreseeable future**

By Steve Lyon

The Humboldt Sun

WINNEMUCCA — City officials say they are back to where they were five years ago in trying to find a solution to ease traffic congestion at the intersection at Haskell and Bridge streets.

The comments came last week in response to a letter to the city

from Kevin Lee, the district engineer for the Nevada Department of Transportation, which said there is no prospect of funding the proposed roundabout any time soon.

Lee said there are other high priority safety areas that the department is currently working on within the state using federal safety funds, and “unfortunately, it appears that funding for a roundabout at Bridge and Haskell Street cannot be guaranteed any time in the near future.”

Instead of getting a roundabout — **See INTERSECTION, Page Two** —

## Dolan files landfill appeal briefs

**State hearing will be in Carson City**

By Rudy Herndon

The Humboldt Sun

WINNEMUCCA — The Nevada State Environmental Commission has lots of reading to do between now and May 21, when a three-member panel will review appeals of the proposed Jungo Landfill's operating permit.

Local attorney Bob Dolan recently filed 886 pages of opening briefs that challenge the Nevada Bureau of Waste Management's Feb. 29 decision to issue a Class I permit for the controversial project.

Dolan, who is appealing the permit on behalf of the Clean Desert Foundation and Robert Hannum, argues that officials repeatedly failed to consider potential threats to public health, wildlife and the environment.

For its part, the bureau has said that if a facility is designed, built and operated in accordance with state law, then it adequately protects public health and the environment.

The same rules dictate that the state must approve an applicant's

request, once regulators decide a project meets those criteria.

In this case, Nevada officials believe the Jungo Landfill project exceeds many of the state's requirements. But in specific instances where it didn't, regulators said they changed the previous design to provide for stronger environmental and public health protections.

It goes without saying that the appellants clearly disagree with the state's findings.

Dolan argues that Hannum, for one, will be affected because he owns a 40-acre parcel within two to three miles of the proposed landfill site.

According to the brief, Hannum has already begun to develop the Jungo Road property with the intention of living there or using it in the near and distant future.

But the state's decision jeopardizes his plans, the brief says, since his lone source of water is the same aquifer that runs underneath the proposed landfill site.

“He will be directly threatened and damaged by the issuance of the permit and operation of the landfill by permittee, and will suffer direct ‘injury in fact,’” the brief says.

— **See APPEAL, Page Two** —

## Denim Day raises awareness of sexual assault

**Outrage over Italian rape case inspired movement**

By Steve Lyon

The Humboldt Sun

WINNEMUCCA — Wednesday is Denim Day, a day when a fashion statement becomes a social statement across the nation and world, and organizers urge people to wear jeans to show support and concern for the victims of sexual assault.

There's a story about how denim came to symbolize a day devoted to rape awareness.

The day honors a woman, 18, who was forcibly raped by her 45-year-old driving instructor in 1992. The woman and her family pressed charges. The perpetrator was convicted of rape and sentenced to jail. But the sentence was appealed and made it to the Italian Supreme Court. Days later, the rape conviction was dismissed because the chief judge decided that “because the victim wore very, very tight jeans, she had to help him remove them, and by removing the jeans it was no longer rape but consensual sex.”

The verdict outraged the world — **See AWARENESS, Page 12** —



STEVE LYON • The Humboldt Sun

Wednesday is Denim Day in Winnemucca and across the nation. The day is devoted to raising awareness of sexual assault and rape. Local organizers have placed denim jeans around town with empowering messages of support and concern for victims.



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Spot Metal Prices  
New York Mercantile Exchange  
closing metals prices

	April 18
Gold	\$1,642.00
Silver	\$31.63
	April 19
Gold	\$1,642.60
Silver	\$31.80
	April 20
Gold	\$1,642.40
Silver	\$31.70

# County may revisit proposed land transfer

By Rudy Herndon

The Humboldt Sun

WINNEMUCCA — As a rule, county commissioners rarely bat their eyes when they're asked to support land transfers that could increase the amount of private property in the area.

"We feel private ownership has the potential to increase property taxes — both real and personal taxes — that go to support the county's general fund, and obviously, it's good for business," Commissioner Tom Fransway told the Humboldt Sun.

However, the board might reevaluate its April 2 decision in support of one such request, after

the county heard from residents who learned about it after the fact.

"The people who had concerns weren't aware of it, and they asked us to reconsider," Fransway said April 19.

Specifically, a number of permittees and other residents in the area want the board to revoke its letter backing the proposed sale of 1,120 acres off a remote stretch of Highway 140.

"They're concerned about the water table out there, and the potential loss of (Animal Unit Months) as a result of the sale," he said.

The letter hasn't been delivered yet, so Fransway said there's still a chance that the board could

review it.

Members of the public had an opportunity to comment on the proposal during the commission's first meeting in April. But aside from the applicant and his representative, no one did.

A majority of commissioners went on to approve the letter of support, with minimal discussion from the audience. (Dan Cassinelli abstained from voting on the matter.)

One person did speak at length, though.

AMEX consultant Terry Reed told the board that applicants Stacy and Steve Egger want to expand their agricultural operations onto nearby land.

The Eggers currently grow high-quality alfalfa hay and cubes on over 4,800 acres of irrigated property. They're interested in acquiring seven adjacent 160-acre parcels that are covered with salt desert shrubs, a little sagebrush and lots of invasive cheatgrass.

The U.S. Bureau of Land Management (BLM) has already identified the lands in question for disposal, subject to a thorough environmental review that could take two years or more to complete.

If the sale goes through, the Eggers estimate the addition could eventually boost their agricultural production by about 20 percent, while providing new opportunities for employment.

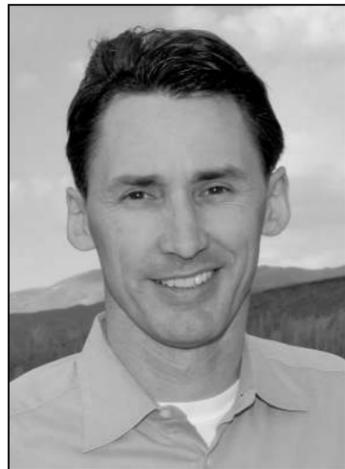
## INSIDE



### SPORTS

The Lowry High School varsity softball team swept a home series from Spring Creek last weekend to clinch the top seed in the league.

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### COMMUNITY NEWS

Sixth Judicial District Judge Michael Montero will moderate the latest Law Day Live event this Thursday from Lowry High School.

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## INTERSECTION

(Cont. from Page One)

to ease traffic flow at the intersection, city officials said they feel like they are getting the runaround from NDOT.

"I think we need a new direction," Mayor Di An Putnam said, adding that might mean taking the city's concern to the governor or other state officials.

In his letter to the city, Lee outlined a few options the city could pursue.

He said the city could do nothing and see if safety funds become available to build a roundabout in the future.

The city could also request NDOT assistance in discussions over possible relinquishment of the state Route 294 portion of Haskell Street to the city. But members of the city council said there are issues surrounding the city assuming responsibility of Haskell Street because of the potential costs to maintain it.

Lee said Friday that he knows the city want a timeline on improving the intersection, but that's not

really possible right now given the uncertainty of getting federal safety dollars for the roundabout project.

"There are a lot of unknowns right now when it comes to funding," he said.

He said he did not want to recommend one way or the other what the city's next move should be.

When Haskell Street was reconstructed five years ago, at a cost to the city, county and RTC of about \$1 million, the project included installing conduits for a traffic light at the busy intersection.

NDOT officials in Carson City said the preferred solution for the traffic issues and overall safety was a roundabout. NDOT was to research finding federal safety money for the extra \$1.5 million a roundabout would cost. The funds that now appear nowhere in sight would pay almost the entire cost of the project.

Lee said even if the money became available tomorrow, the roundabout, which is still in the

preliminary stage of planning, is still 1.5 to two years away. The project is not ready to go out to bid.

City Manager Steve West said the city has offered to pay for a traffic signal, at an estimated cost of \$350,000 to \$400,000, if NDOT will use the agency's in-house staff to do the design and engineering.

"We think it's a good deal for NDOT," West said.

Lee said the city could install a traffic signal under a permit from NDOT, if the city wanted to foot the bill for the entire project from design to construction. He said NDOT could turn around a permit in 30 to 45 days.

Based on comments that he's heard from Carson City, Lee said NDOT officials would "not get in the way if that's what they (city officials) want."

The intersection didn't meet the criteria based on vehicle counts to warrant a traffic signal until last year, Lee said. City officials have argued that the intersection becomes so congested at certain times of the day that drivers,

including trucks, avoid it by taking side streets and Winnemucca Boulevard, which has skewed traffic counts.

West said residents have asked why the city doesn't create a four-way stop at the intersection to deal with the traffic flow issues.

West said that would be a problem if traffic backs up on the railroad tracks on Bridge Street. A traffic signal would coordinate with the railroad crossing on Bridge and prevent cars from backing up onto the tracks.

Regardless of what the city decides to do, Lee said NDOT and the city need to work together to find a solution. The city cannot build in NDOT's right of way without the agency's permission and NDOT can't encroach on the city's right of way, either.

"We just need to work this out and go forward," he said.

The city council plans to put the issue of what to do next about the Bridge and Haskell street intersection on a future agenda for discussion and possible action.

## APPEAL

(Cont. from Page One)

It notes that the uppermost portions of the Desert Valley aquifer are just 59 feet underneath the surface, while the bottom of the proposed landfill would extend roughly 34 feet below ground:

"So instead of the required 100 foot distance between the 'uppermost aquifer' and the base of the landfill, there is not more than 25 feet distance!"

However, that distance could well be reduced during the proposed landfill's projected lifespan by another nine to 10 feet, based on past variation of the aquifer's levels, the brief says.

Under that scenario, the landfill would be compromised not just from above and the sides, but from below, as well.

That's a concern, because the appellants believe that the aquifer is not a closed-basin system. They say there's a probability that about 10 million acre feet of water could potentially be contaminated by a toxic brew of landfill leachate.

"In light of staff's posture, what staff could have said is that we are prepared to gamble a bit on the safety of public health and the environment by granting a waiver from Nevada rules and allow out of state waste (to) be deposited in our high desert because, well — permittee promises to do a good job," the Hannum brief says.

The Nevada Division of Environmental Protection (NDEP)

maintains that the project site is not located on a floodplain, and says that precipitation may collect temporarily in shallow depressions until it evaporates or seeps into the soils.

But landfill opponents say the site is prone to "ponding" or flooding.

Dolan presented the state's environmental commission with pictorial evidence of flooding in southern Desert Valley, and says that documentation of fairy shrimp nearby is another sign that ponding, flooding and brief bursts of heavy precipitation are possible.

"This often results in substantial amounts of surface water not only being closer than 1000 feet to the landfill site, but on top of it," the Hannum brief says.

Silty soils on the valley floor are another concern, since landfill opponents believe the material is ill-suited to support millions of tons of waste on top of it. Nor are the soils suitable for use as berms or trenches that could divert surface water away from the site, they say.

If any surface water breaches the silty material and makes uncontrolled contact with a landfill cell or module, it's easy to see how a washout is likely, the Hannum brief says, leading to an environmental catastrophe.

While the appellants believe that the soil is inadequate, they note

that under the operating permit, the developer would not be required to strengthen the landfill with clay or bentonite material.

They say that the proposed landfill liners are also susceptible to stress cracks and similar damage caused by common household chemicals and food waste, including cider, lard, margarine and vanilla extract.

They go on to cite a 1988 report from the U.S. Environmental Protection Agency which found that even the best liner and leachate collection system will ultimately fail due to natural deterioration over time.

"As the general observer has said, this is not a matter of 'if' this is a matter of 'when,'" the Hannum brief notes.

"It is naïve (not to) plan for and understand that said plastic will rip, tear or be misapplied allowing for undetectable amounts of leachate to escape and poison the aquifer."

The appellants believe that efforts to locate or repair any damages with heavy equipment would result in even more damage to the liner.

Ultimately, they say that the state's groundwater monitoring program is insufficient, and argue that 30 years of post-closure monitoring isn't good enough.

State regulators have expressed confidence in Recology's proposed landfill design, and empha-

size that various safeguards comply with Nevada's environmental policies.

They note that they will review the landfill design and its performance after 10 and 25 years of operations, and say that if any deficiencies are discovered, they can require modifications to existing procedures.

They're ultimately confident that a comprehensive groundwater monitoring program, along with other protective measures, would address any issues that might arise during the project's estimated 95-year lifespan.

However, they note that they can always extend the post-closure period in the event that future problems emerged. They also point out that the property owner would be held responsible for any costs to remediate the site during active operations, as well as the post-closure period.

To read the latest briefs, go to: [http://sec.nv.gov/main/jungo\\_landfill.htm](http://sec.nv.gov/main/jungo_landfill.htm).

The environmental commission's hearing on the briefs, along with a third appeal from Paradise Ranchos resident Richard Cook, is set for Monday, May 21 at 901 S. Stewart St. in Carson City. The hearing is scheduled to start at 9:30 a.m. in the Tahoe Room on the second floor of the Richard H. Bryan State Office Building; it will continue on Tuesday, May 22, if necessary.