

Chapter Fourteen: Mining and Kantishna-Area Management

As noted in Chapters 1 and 2, mining was an established reality in the hills immediately north of the Alaska Range before the first park proposals were offered to the U.S. Congress. On June 4, 1903, Judge James Wickersham located some encouraging gold prospects along Chitsia Creek at the north end of the Kantishna Hills, and the announcement of his find back in Fairbanks soon brought prospectors into the area.¹ Joe Dalton's 1904 discovery along Crooked Creek, along with Jack Horn and Joe Quigley's finds along Glacier Creek early the following year brought nearly a thousand hopeful gold seekers to the area in the summer of 1905, and several instant towns sprang up at river confluences in the Kantishna Hills and along the major access routes. Prospectors soon learned that the area's wealth was indisputable but limited; some claims along Eureka and Glacier creeks produced small fortunes, but elsewhere the mood was pessimistic. In the wake of the 1906 season, the Kantishna District was all but deserted, with all but fifty or so of its former inhabitants off to more promising venues.²

Charles Sheldon, who arrived in the gamelands north of Mount McKinley in July 1906, was well aware of the area's mining activity. With him was mail carrier Harry Karstens, who had prospected in the Kantishna area in 1905 and returned in early 1906. During his visit, Sheldon talked to local miners, passed by their cabins, and witnessed the mining landscape.³ And during his return visit, between August 1907 and June 1908, he became fast friends with Joe Quigley and Fannie McKenzie, two prospectors who lived together on Glacier Creek.⁴

Between 1908 and the outbreak of World War I, the Kantishna area was home to a small, scattered number of miners who were isolated not only from the outside world but even, to a large extent, from each other. Glen Creek, during this period, offered the only cluster of cabins large enough to be called a "town," while other miners were located on Glacier, Eureka, Moose, and other nearby creeks.⁵ During this period other areas to the south and west were scouted out for minerals; Wesley Dunkle, for example, showed an interest in the area surrounding Slippery Creek in 1915 (although no claims were filed), and along Stampede Creek, "an open cut, excavated in 1916, disclosed a large body of nearby pure stibnite [antimony ore], at least 12 feet thick."⁶

Mining and the Mount McKinley Park Bill

In the fall of 1915, Charles Sheldon began to campaign for a national park that, among other purposes, would protect the Dall sheep and other megafauna from Fairbanks-area market hunters (see Chapter 2). Since 1909, Alaska had been represented in Congress by Delegate (and former Fairbanks judge) James Wickersham. Sheldon, by good fortune, had met Wickersham a number of times over the years at Boone and Crockett Club dinners. Owing to his 1903 attempt to climb Mount McKinley, Wickersham was familiar with the Kantishna country, and perhaps because he discovered gold in that area, he had a particular sensitivity for the welfare of the area's prospectors and miners. Pragmatic as he was, however, he (like Sheldon) was awestruck by the area's beauty, and he was convinced that a large, forested area between Wonder Lake and the McKinley River should be "withdrawn from disposal and preserved for the use of those who shall come after us..."⁷

Sheldon, wisely, decided early in the Boone and Crockett Club campaign to see Wickersham and ask for his thoughts on the matter, because he knew that any bill passing Congress would need Wickersham's blessing. By December 1915 they had met, and Sheldon told Stephen Mather (from the U.S. Interior Department) that the area "should be created under provisions which will protect local interests in mining." More specifically, any park bill would need to contain provisions protecting both existing and future mining claims.⁸

As a result, the initial Congressional bills introduced in April 1916 (H.R. 14775 and S. 5716) contained four elements favorable to mining interests. First, Section 2 of these bills stated that those who had existing claims, locations, or entries—whether for minerals or "any other purpose whatsoever"—would be able to have "full use and enjoyment of his land." Second, Section 4 stated "that the mineral-land laws of the United States are hereby extended to the lands included within the park." Third, Section 6 stated—even though the park was "established as a game refuge"—that "prospectors and miners engaged in prospecting or mining in said park may take and kill therein so much game or birds as may be needed for their actual necessities when short of food..." And finally, despite the ameliorating language in Section 4, the park boundaries were drawn so as to eliminate the

Placer mining on Moose Creek, 1982.
DENA 5, Denali National Park and
Preserve Museum Collection



Glacier City, shown above in 1922, was one of the settlements born during the gold rush to the Kantishna District in 1905. Located at the confluence of Glacier Creek and the Bearpaw River, it served as a supply point and overwintering location for prospectors long after other towns were abandoned. L.M. Prindle Collection, #531, U.S. Geological Survey

Kantishna Hills, which was the only known area where mining claims had been located up to that time. During the early months of 1916, the exact location of these boundaries had been debated by Sheldon, Thomas Riggs, and other authorities (see Map 2 in Volume 1), but they remained unchanged during Congress's consideration of the park bill.⁹

As Chapter 2 has noted, that portion of Section 6 regarding the need for prospectors and miners to kill game and birds was debated in the full House on February 19, 1917, and Rep. William Stafford of Wisconsin recommended that the hunting privileges "should be under such regulations as the Secretary of the Interior may prescribe." But Rep. Stafford's amendment, which may have been sponsored by conservationists, was defeated, and the final bill did not include it. The language in Section 4 was also debated that day. Rep. Franklin W. Mondell of Wyoming argued on the House floor that "the mineral laws of the United States, some of them, do not apply to any part of Alaska." As a result, he urged that Section 4 be replaced with the following verbiage: "Nothing in this Act shall in any way modify

or affect the mineral land laws now applicable to the lands in said park." The bill, otherwise unchanged except for minor wordsmithing, was sent on to President Wilson, who signed it into law on February 26.¹⁰

Mount McKinley National Park, the first national park to be established after the passage of the National Park Service's so-called "Organic Act" in August 1916, differed significantly from previous park bills. The first park bill (Yellowstone in 1872) had not prohibited hunting, nor had the 1899 Mount Rainier National Park bill, but later bills—in May 1894 and June 1916, respectively—stopped the practice.¹¹ Other early reservations, such as Yosemite and General Grant (Sequoia) national park, never allowed hunting because of U.S. Army rules.¹² The Organic Act of 1916 omitted any specific mention of the subject (only that "the fundamental purpose of the said parks ... is to conserve the ... wild life therein"), but the May 1918 "Lane Letter" that "provided an outline of the administrative policy to which the new Service will adhere" expressly stated that "hunting will not be permitted in any national park."¹³ As described in Chapter 4, Harry Karstens and

On his way to the foothills of the Alaska Range in 1906, Charles Sheldon travelled through the newly-established gold rush settlement of "Eureka." Situated at the confluence of Eureka and Moose Creeks (seen in the foreground, looking south), this town would later be called Kantishna, the most enduring of the Kantishna gold rush settlements. Charles Sheldon, *The Wilderness of Denali*



other park officials did their best to abide by the provision that sanctioned hunting for local prospectors and miners "as may be needed for their actual necessities when short of food." These officials soon discovered, however, that this policy was difficult if not impossible to enforce in the field. By 1923 the National Parks Committee (an outside group headed by George Bird Grinnell) had passed a resolution asking the NPS direc-

tor to prohibit Kantishna-area mining company employees from killing game in the park "for community service." Congress, however, made no move to banish the practice until January 1928. Alaska Delegate Dan Sutherland admitted, at the time, that "there is no prospecting at the present time in the park area." Four months later, President Hoover signed the game-hunting prohibition into law (see Chapter 4).

Eureka Creek, right, was the location of Joe Dalton and Joe Stiles' most important gold discovery in the Kantishna District. This creek turned out to be the major producer for those early miners, who used hand placer mining techniques. L.M. Prindle Collection, #526, U.S. Geological Survey





Joe Quigley's Red Top Mine was a lode claim located above Friday Creek. The Quigley cabin is seen on the far left, and Fannie Quigley's famous garden is visible below the cabin. John Brooks Collection, 68-32-324, University of Alaska Fairbanks Archive

The other significant difference between the Mount McKinley bill and other park bill was its sanction of mining activity. In the bills that created Yellowstone National Park, Yosemite National Park, and the predecessor to today's Sequoia National Park, Congress included a provision for the preservation of all "mineral deposits."¹⁴ The bill establishing Mount Rainier National Park (in 1899) expressly sanctioned the practice, and although a follow-up bill in 1908 prevented the filing of new claims, the presence of existing claims meant that at least some mining-company lands remained within the park until 1984.¹⁵ When a bill to establish Crater Lake National Park was introduced in late 1901, House members favorable to mining interests convinced the sponsor to sanction mining, even though no mining had taken place within the proposed park's boundaries. The bill became law in May 1902. Similarly, the 1906 bill establishing Mesa Verde National Park did not prohibit mining or mineral exploration.¹⁶ The 1916 Organic Act made it clear that the parks' primary purpose was "to conserve the scenery and the natural and historic objects ... therein" and to "leave them unimpaired for the enjoyment of future generations," and the 1918 "Lane Letter" stated that "the commercial use of these reservations" except in specified circumstances "will not be permitted under any circumstances." In the years that followed, NPS officials made it clear that mining was one of a number of developments that were considered inappropriate in parks.¹⁷ Even so, three additional park units over the years entered the system with a specific allowance for mining: Grand Canyon National Park (1919), Olympic National Park (1938), and Coronado International Memorial (1941). At three other park units—Glacier Bay National Monument (1925), Death Valley National Monument (1933), and Organ Pipe Cactus National Monument (1937)—rights to mineral entry were reinstated after the units

had been established; Glacier Bay, for example, sanctioned mineral entry as the result of a Congressional act that became law on June 22, 1936.¹⁸

Park Mining, 1917-1941

Beginning in the closing days of World War I, mining in the Kantishna area began a resurgence. Joe Quigley leased out his Little Annie Claim on Quigley Ridge, and shortly afterward he began his own work on the Red Top Claim above Moose Creek. Ed Brooker and Mace Farrar worked the Alpha Claim on Eldorado Creek, and two hydraulic outfits—Kantishna Hydraulic Mining Company and the Mount McKinley Gold Placer Company—worked the gravels of Moose Creek and Caribou Creek, respectively. Most of these operations were active by the summer of 1920; those going to and from Kantishna, during this period, typically arrived from the north or northeast and spent little time in the newly-established park.¹⁹

The Kantishna Hydraulic Company's operations reached well south of its claims, which were located near the Moose Creek-Eureka Creek confluence. In order to create a consistent source of water for the five "giants," or monitors, the company constructed a 2½-mile-long ditch that spanned the distance between Wonder Lake and its claims. This ditch, six feet wide and two feet deep, began at a dam located at the northern end of Wonder Lake. The operation was active in 1922, but it was abandoned soon afterward because of low gold returns. The dam and ditch, including the lake, was several miles north of the park, but in 1932 portions of the company's now-abandoned improvements became parklands because of a Congressional bill that expanded the park's boundaries.²⁰

As noted in Chapter 3, Congress decided to provide funding for the new park in March 1921.

In 1921, Joe and Fannie Quigley were the first to stake lode claims on Copper Mountain, renamed Mt. Eielson in 1930. By 1922 a small camp (seen above) had been established here, with as many as 50 claims staked over the next few years. B94-22-188, Anchorage Museum of History & Art



Shortly afterward, NPS officials hired the first park employee (Harry Karstens), and by June of that year the superintendent was at work in the park. That summer also witnessed some of the first prospecting activity in the park, and by September Karstens wrote to his superiors that “extensive prospecting” had taken place. Between the Thorofare River and the upper slopes of Copper Mountain, Karstens noted that “there is a wonderful lead there and twenty or thirty claims have been staked.” He also noted discoveries “on the upper reaches of the Main Toklat River” and the “headwaters of the Sushana River.” As late as the spring of 1923, Copper Mountain had “quite a number of prospectors and miners ... most of them going in by way of the Kantishna District.”²¹

The 1921 Copper Mountain discoveries, not surprisingly, brought others into the park, many of whom fanned out into areas that had not previously been prospected. In the late fall of 1921, prospectors were seen along the Savage and Sanctuary rivers as well as at Copper Mountain and the Toklat, and the following June, Karstens stated that “numerous prospectors have gone into the park this month, destination unknown.” In April 1923, “quite a number of prospectors” were going to Igloo Creek, and others headed to Slippery Creek at the southwestern end of the park. That summer, there was a stampede into the Toklat Region, but it turned out to be a “false alarm.” By the spring of 1924, the initial prospecting period had apparently run its course, particularly at the park’s eastern end; Karstens spoke with a number of prospectors, who “all agree that there are no mineral deposits east of the Stony,” and that fall Karstens noted that few prospectors had been seen in that area “in very near a year.”²²

Some, however, were reaping rewards from what they had discovered. Perhaps the most substantial operation was being run by Owen M. “Red” Grant, a “bona fide prospector” working at Copper Mountain. Others with Copper Mountain interests included Ed Jern, Wesley Dunkle, and John Anderson; Dunkle, as noted above, had shown an earlier interest in Slippery Creek, while Anderson and his wife (see Chapter 4) ran a homestead at the north end of Wonder Lake.²³ By 1923, Bill Shannon had filed a claim at Slippery Creek; the following year, Neil McCall was hard at work on his Sushana River claim.²⁴

Park officials, during this period, paid particular attention to whether park regulations regarding timber cutting and hunting were being followed. They soon discovered that some prospectors were not cooperative. Karstens noted that a man named Armstrong, who prospected along Savage and Sanctuary rivers, “seems to ignore any authority over the park.”²⁵ Jack Donnelly, who had prospecting camps along the Savage and Toklat rivers, was spotted twice in 1923 with active hunting camps in the park. (As noted in Chapter 4, Karstens warned him after the first incident but cited him after the second; a February 1924 trial was held in Healy but—despite the “clear case” against Donnelly—a local jury exonerated him.)²⁶ And rules against timber cutting were widely violated. In the fall of 1922, Karstens complained that “very nearly every party traveling through [the park] cuts down good trees to make new camps with.” The practice continued into the mid-1920s, when park officials finally stopped it by contacting individual miners and posting public notices in conspicuous areas near where violations had taken place.²⁷

One log structure, the Grant cabin, was built at the Copper Mountain mining camp. The trail through the park passed by this cabin, and most travelers stopped to visit O.M. "Red" Grant, who was known for his hospitality. Edmunds Collection, B91-23-25, Anchorage Museum of History & Art



By the winter of 1925-26, Karstens recognized that a select few in the mining community (which included both Kantishna miners and those working in the park) were "bona fide prospectors" who "abide by all the park rules and regulations" and whose "sympathy is with the Park Service in the preservation of the wild animal life." He ruefully added, however, that "it is only wished that the other prospectors in and around this park were of the same calibre."²⁸ As noted above and in Chapter 4, Karstens at this time was in the midst of a long battle over hunting by prospectors, one that would not be settled until park hunting was banned in 1928.

To learn more about the park's mining activity, Karstens in early 1926 planned to ask "all miners going into the park to record their entry and also advise this office of the location of their claims." It is not known whether he and the other park staff established such a registration system; given the fact that many miners during this period accessed their claims via the northern river systems, gathering such data would have been difficult without a sustained information-collection effort from park rangers. Karstens passed on to his superiors the need for such a system.²⁹

The idea lay fallow for the next several years, but shortly after the hunting ban was enacted, Congress moved to limit mining in the park by prohibiting the filing of any new mining claims and by ensuring that existing claims were used for mining-related purposes. On April 18, 1929 Gerald P. Nye (R-N.D.), who chaired the Senate Committee on Public Lands and Surveys, submitted a bill—probably at the behest of NPS Director Horace M. Albright—that promised to modify operations at seven different national

parks, including Mount McKinley. Section 2 of S. 196, as originally submitted, noted

That hereafter the location of mining claims under the mineral land laws of the United States is prohibited [at the park]; *provided, however*, that this provision shall not affect existing rights heretofore acquired in good faith under the mineral land laws of the United States to any mining location or locations in said Mount McKinley National Park.

Nye held a hearing on the bill in April 1930. Before he did so, however, he solicited Albright's views, and during the intervening period the NPS director backed off from some of the bill's original provisions. Albright, in a March 1930 letter to Interior Secretary Ray Lyman Wilbur, noted that the "desirability of taking this action with reference to the whole of this park" had been "carefully considered by this service and discussed with officials of the Geological Survey." But he now felt that "until more opportunity has been had to exploit the mineral possibilities on the west side of the park, the objects of this provision might be satisfactorily accomplished ... by simply prohibiting the location of mining claims on the east side. The use of mining locations for purposes other than to extract the minerals, however, is undesirable and should not be permitted anywhere in the park." He recommended, therefore, that the above section be modified to prohibit future mining claims only in areas east of Stony Creek and its southward extension, and he recommended that the "good faith" clause in the original bill be replaced by one stating that "mineral

Individual miners pursuing their dreams along many of the creeks in the Kantishna Mining District included Louie Fink, shown above at his cabin in 1919 on Little Moose Creek, on the east side of the Kantishna Hills. These prospectors and miners were far from supply points and by necessity had to be able to build cabins, hunt for their meat, and maintain dog teams for transportation. Stephen Foster Collection, 69-92-270, University of Alaska Fairbanks Archives



locations in the park shall entitle the locator only to the minerals in the land and no surface rights, except such as are reasonably necessary to extract the same, may be acquired by virtue of such location.”

The Senate’s discussion that day led to further changes, and by the time the Committee reported on its work, it decided to recommend that the park establish a registration system rather than an outright prohibition on new mining claims. Section 2 now read as follows:

that hereafter the Secretary of the Interior shall have authority to prescribe regulations for the surface use of any mineral land locations already made or that may hereafter be made within the [park] boundaries ... and he may require registration of all prospectors and miners who enter the park: provided, That no resident of the United States who is qualified under the mining laws of the United States applicable to Alaska shall be denied entrance to the park for the purpose of prospecting or mining.

Given the Senate committee’s changes, no further action took place on Section 2 of S. 196. It passed the Senate on May 7, 1930; it was reported out of the House the following January 21, and President Hoover signed the so-called Surface Use Act on January 26, 1931.³⁰ By the time the bill became law, however, mining activity in the park had ebbed. Perhaps because NPS officials were not particularly worried about the effects of mining activity, they made no immediate moves to implement the registration system called for in the statute.

During the late 1920s and early 1930s, little mining or prospecting took place in Mount McKinley National Park. The Copper Mountain, Slippery Creek, Sushana River and other former activity sites were generally quiet, and the Kantishna area just outside of the park boundary was far less active than it had been during the years immediately after World War I. As historian Bill Brown has noted, “By early depression days the population of the Kantishna district and surrounding mining areas had dwindled to less than 20 souls. In 1930 only two miners wintered over at Eureka. ... This was a far cry from the distant days of stampede—a cabin or two with smoke in the pipe, the rest falling and smothered with alders.” A minor amount of work, outside the park, was also taking place during this period on Crooked Creek, on the east flank of the Kantishna Hills a few miles west of the Toklat River.³¹

One of the few minerals to be extracted in the park during this period was coal. By 1931, NPS rangers had become aware of a coal seam located just east of the Toklat River’s East Fork. Until this time, NPS rangers had relied on wood to heat their cabins along both the park road and the northern boundary. Many of their cabins west of the Teklanika River drainage, however, did not have an adequate nearby wood supply, and as a result, rangers were forced to haul wood for a considerable distance. To ease the problem, NPS rangers—probably working in concert with better-equipped ARC personnel—mined “several loads of coal” during the summer of 1931. They then hauled the coal over the newly-constructed road to one of the Toklat River ranger cabins, after which it was to be distributed to several NPS cabins along the park’s northern boundary line. Two years later, the Alaska Road

The East Fork coal mine was located less than a mile up the small creek drainage toward Sable Pass from the Alaska Road Commission's East Fork cabin. This mine had a section of narrow gauge railroad track and a tipping car for transporting the coal. Ickes Collection, B75-175-306, Anchorage Museum of History & Art



Commission showed an interest in the seam as well, and that August, several additional loads were mined and “hailed to some of the cabins where wood is not available.”³² Activity at the site eventually included a short railroad track and coal car; production continued at least until 1934. Three years later, the mine was reactivated and 45 tons of coal was extracted there. The park concessioner, the Mount McKinley Tourist and Transportation Company, probably did so to heat its Camp Denali buildings, located at Mile 66 on the park road.³³ After the 1939 season, park officials learned that coal mining there (and elsewhere in the park) was prohibited. Despite that news, however, NPS rangers in September 1940 hauled coal (perhaps a previously-mined deposit) from the East Fork mine to the newly-constructed Wonder Lake Ranger Station. No known mining has taken place at the site since then.³⁴

Kantishna Mining and the NPS, 1937-1945

As noted in Volume 1, the park road that was begun in 1923 was completed to Wonder Lake in 1936, to the northern park boundary in 1937, and to its terminus in Kantishna in 1938. In anticipation of the road's completion, and in response to higher gold prices, the Kantishna district (in the words of historian Ann Kain)

moved into a boom period. Several mills were constructed to process the ores from lode mines, and placer mining moved into a new phase with the introduction of new equipment. As

a result, over the next few years, the Kantishna District produced more gold, both lode and placer, than at any earlier time.³⁵

The first to take advantage of the area's easier access was General A. D. McRae of Vancouver, B.C. In the summer of 1933—several years before the road's completion—he took an option on Joe and Fannie Quigley's Red Top and Little Annie properties. That September, the concessioner hauled 50 tons of freight to the end of the road (which was Mile 70 at that time), beyond which the ARC agreed to use caterpillars to complete the haul. A two-man crew drilled a 1,000-foot tunnel at the Little Annie Mine, only to discover that the ore samples were too low-grade to be profitable. Soon afterward, the option was dropped.³⁶ The January 1934 near-doubling of the price of gold (from \$20.67 to \$35 per ounce) brought new investors into the Kantishna area, and in 1935 the Quigleys leased the Banjo gold claim to Ernest Fransen and Clifton Hawkins, two longtime Fairbanks-area “hard rock men.” These men, together with Fairbanks businessman A. Hjalmar Nordale, formed the Red Top Mining Company; they purchased several more of the Quigley properties. Their operations, together with those of the Caribou Mines (a dry-land dredging operation on Caribou Creek) brought forth the “Golden Years of Kantishna Mining,” which lasted from 1937 to 1942.³⁷

The increased value of gold encouraged mineral development throughout Alaska. Within the na-

The Banjo Mill, pictured here in 1939, was located on the east end of Quigley Ridge on the Banjo claim, and was the first attempt to mill lode gold locally in the Kantishna District. The six-level mill was built in 1937-38 and was operated by the Red Top Mining Company from 1939 to 1942. Alaska Road Commission Collection, 61-18-121, Alaska State Library



tional park, however, the only new development site was at Slippery Creek, which was some 25 miles southwest of Kantishna. As noted above, Bill Shannon had established claims in the area in 1923, but major development work awaited the arrival of Wesley Dunkle. The man known as “Alaska’s Flying Miner” took an option on the property in 1936 and, with help from the Anaconda Company, sent a crew out in the early spring of 1937. The mine attracted considerable attention until poor metallurgical tests forced Dunkle, late in 1937, to write the project off as a bad investment.³⁸

The renewed interest in gold mining during the late 1930s had a second impact on the park because it brought increased traffic to the

park road. The park’s leaders were doubtless aware that the road had been built to access the Kantishna mines as well as to areas of pre-eminent scenic vistas and wildlife habitat. At first, park leaders saw few conflicts regarding the dual purpose of the park road (only that “trucks of the Kantishna mines ... were pulled out of ditches several times” one summer).³⁹

Just two years after the road was completed, NPS officials broached the idea of charging fees for commercial vehicle traffic on the park road. Previous regulations had made no requirements for either motor vehicle permits or motor vehicle fees, but in April 1940, the agency’s General Rules and Regulations (Section 2.40) were amended to read “Where required, no motor

The Carrington Company’s introduction of large-scale, mechanized mining technology in 1939 brought an end to small-scale mining methods on Caribou Creek. The dryland dredge, shown above in 1939, was operated until 1942. Alaska Road Commission Collection, 61-18-138, Alaska State Library





Park managers and Alaska Road Commission personnel were well acquainted with the Kantishna District's residents, as evidenced by this 1931 photo taken at the Quigley cabin on Friday Creek. Pictured from left to right are Joe Quigley, Betty Edmunds (wife of ARC foreman Chris Edmunds), Fannie Quigley and park superintendent Harry Liek. DENA 3831, Denali National Park and Preserve Museum Collection

vehicle may be operated in the parks or monuments without a permit. ... Permits are issued upon payment of the required fee.⁴⁰ After Washington officials apprised him of the new rule, Superintendent Been railed against it; he stated that "As privately owned passenger vehicles are used so seldom and the trucking now done by the Kantishna mine operators is not a problem, it appears desirable to refrain from requiring permits. ... The bus trips of the park operator function quite closely to a schedule and present no serious problem to date." Been asked NPS Director Arno Cammerer to include Mount McKinley as an exception to the general regulation.⁴¹

Washington officials, in response, mulled over the idea for almost a year. In March 1941, the agency issued new regulations, and although Section 2.40 was left largely intact, they made no move to require either permits or fees for all vehicles on the park road. But the same regulation package had a newly-reworded portion (Section 2.37) that dealt with commercial trucks. It stated that the use of any park road "by commercial

trucks, when such trucking is in no way connected with the operation of the park or monument, is prohibited, except that in special cases trucking permits may be issued at the discretion of the Director, for which a special fee will be charged."⁴² Given the fact that commercial truck traffic over the Mount McKinley park road, by this time, was an accomplished fact, NPS officials had little choice but to grant permits to Kantishna mining companies and to charge a fee for the companies' use of the park road. Park employees, in June 1941, reacted to Washington's ruling by recommending an annual \$5 fee for 1½-ton trucks and a \$10 fee for 2½- and 3-ton trucks. But the two Kantishna-area mining companies (Red Top Mining Co. and Carrington Company/Caribou Mines) fought the proposed fee and, citing low profits, aired their grievance to Alaska Delegate Anthony Dimond. This action effectively postponed an agency decision on the matter, but by March 1942, the NPS had overcome those objections. Been, in his monthly report, noted that "special permits were issued to two gold mining companies to use the park highway for truck freighting of mine supplies and equipment.

Johnny Busia posed for this photograph at his Neversweat lode claim on Eldorado Creek. Denali National Park and Preserve Museum Collection



This is the first time that a fee has been charged for commercial use of the road.⁴³

The onset of World War II—had a varied impact on the mining industry, both in the park vicinity and elsewhere in Alaska. The War Production Board's issuance of Limitation Order L-208 on October 8, 1942 forced the closure of most nonessential gold mines in the United States, including those at Kantishna. But the war also brought about a relaxation on regulations (in place since the passage of the 1872 mining law) that required miners to perform \$100 worth of annual assessment work on their claims.⁴⁴ The war also created a renewed demand for many minerals because of their strategic value, and by September 1942 park authorities were announcing that “the park highway may become an artery for [the] flow of strategic metals.” Ernest Maurer, from Fairbanks, began production that fall on an antimony mine along Slate Creek (at the southwestern end of the Kantishna Hills) and hauled ore over the park road in both 1943 and 1944.⁴⁵ Earl Pilgrim, at Stampede Mine in the Toklat River drainage (see below), ran a much larger antimony mine but did not use the park road, and Owen M. Grant optioned his Copper Mountain lead-zinc property—“the only mine in the park in which assessment is kept up,” as of September 1942—to a Canadian company that inspected the site's ore body but ultimately decided to not develop it.⁴⁶

In the midst of the new whirlwind of economic activity, several small, long-time prospectors soldiered on at claims that had been worked for

a generation or more. Joe Dalton, who had been prospecting in the area since 1904, continued to reside along Moose Creek; Fannie Quigley lived nearby, as she had since 1906; and Croatian-born “Little Johnny” Busia, who moved to the Kantishna in 1918, continued to trap and prospect from his Moose Creek cabin. Given the easier accessibility that the park road provided, groups of tourists and even dignitaries occasionally dropped in on the aging residents.⁴⁷ Park rangers did, too; Grant Pearson, who had met Quigley shortly after his park tenure began in 1926, told a host of stories about her, and he used a trail built in the early 1920s—and still used today—that wound north from the Kantishna Ranger Station (McKinley Bar cabin) toward the Kantishna district. Pearson was also fond of Busia, whom he interviewed in 1943. Pearson and other park staff were saddened indeed to hear about Dalton's death in April 1944 and Quigley's four months later; thereafter, park personnel dubbed Busia the “mayor” of Kantishna and did what they could to assist him.⁴⁸

Mining in Kantishna and the Park, 1945-1975

After World War II, some commercial mining took place on the park's margins; the largest lode mine in the area was the Stampede Mine (see next section), but in addition, Frank Bunnell operated the Neversweat lead-silver prospect near the confluence of Eldorado and Reinhart creeks. Bunnell worked the prospect, which had previously been Johnny Busia's, off and on between the late 1950s and the late 1960s, but it produced only a marginal amount of ore.⁴⁹

Harold Herning, a former park ranger, began developing his Mt. Eielson mining claims in 1954 by hauling a pre-built log cabin to the former Copper Mountain mining camp site. Part of his road can be seen above the Thorofare River bar and to the right of the prominent drainage on Mt. Eielson. DENA 16-17, Denali National Park and Preserve Museum Collection



More numerous were gold placer operations, which cropped up in various Kantishna Hills locations during this thirty-year period. Johnny Busia, for example, ran a “shovel-in” operation along Moose Creek during the late 1940s.⁵⁰ The largest commercial venture during this period was the Caribou Mines. This 14-man operation was run by the Carrington Company of Seattle and operated on Caribou Creek from 1946 to 1949; its equipment was then used by the Glacier Creek Mining Company, which operated during the 1949 season. Other operations were smaller,

with crews of six or less. They included the Hosler Mines, on Moose and Eureka creeks, run by Elmer and D. G. Hosler between 1948 and 1952; Dewey Burnette and Martha (Margaret) Hunter, who operated on Crooked Creek between 1947 and 1956; Paul Omlin, who had a one-man operation on Little Moose Creek in 1955 and 1956; Arley Taylor and Associates, who operated on Eureka Creek beginning in 1959 and perhaps as late as 1966; the Stuver Brothers, who operated on Moose Creek during the 1961 season; George Blackman and A. H. Dyer, who operated on



Harold Herning's cabin on Mt. Eielson, pictured here in the 1960s, was built next to the remains of the former Grant cabin at the Copper Mountain mining camp. Cultural Resource Files, Denali National Park and Preserve



Johnny Busia, seen above in 1947, used hand placer mining methods. He lived in Kantishna from 1918 until his death there in 1957. Oscar Dick Collection, Denali National Park and Preserve Museum Collection

Friday Creek between 1961 and 1963; the Glen Creek Development Company, which was active on Glen Creek during the 1960s.⁵¹ Most of these were mechanized operations in which a dragline or bulldozer (perhaps both) were used to gather and process the gold ore.

During this thirty-year period, the only known commercial mining that took place in the park consisted of a small amount of building-stone extraction during the early-to-mid 1950s and a small amount of antimony mining during the mid-1970s.⁵² A few others tried to develop their property, but without commercial success. Perhaps the most visible mining operation was that of Harold Herning, who, according to a July 1954 NPS report, “improved the old road from the highway to the Thorofare River gravel flats and ... hauled in logs with which to erect a cabin.” Herning, who had filed on a series of claims in June, built the cabin and an adjacent wall tent later that summer; he accessed his cabin and nearby claims with a “truck and halftrack.” Members of his family returned to the site for more than twenty years. Portions of his access route are still visible today, and his cabin has long been an object of interest to those who have enjoyed the view from Eielson Visitor Center, just two miles to the north.⁵³

Most miners during this period (those with claims either in the park or in the Kantishna area) had a number of interactions with the NPS; they often met park staff while driving out the park road, and paperwork was needed to gain road access or to obtain a prospector’s permit. Existing records indicate that the NPS, following Congress’s lead (see above), did not charge commercial mining companies for their use of the road between 1943 and 1949, inclusive. In 1950, the agency assessed two mining companies a \$20 annual fee.⁵⁴ But by 1952 (and perhaps by 1951) the fee had apparently been waived, and the NPS did not assess road-use fees to miners in later years.⁵⁵ The miner with the most extensive NPS contacts during this period was Johnny Busia, who seldom if ever used the park road. By the late 1940s, the lone sourdough was a well-known figure, both locally and throughout Alaska, and NPS staff stayed in contact with him by radio throughout the year via periodic weather and wildlife reports.⁵⁶ Busia died on August 20, 1957, just two weeks after the Denali Highway made Kantishna easily accessible to the motoring public.⁵⁷

In 1931, it may be recalled, Congress had given the Interior Secretary (and, by extension, park officials) the “authority to prescribe regulations

for the surface use of any mineral land locations already made or that may hereafter be made” in the park and also the authority to “require registration of all prospectors and miners who enter the park.” Because of a lack of mining activity, no moves were made during the 1930s to establish park-specific mineral regulations. This near-total absence of mining activity continued during the postwar years. As noted in the sections below, there were three major proposed or existing mining developments that consumed NPS officials’ attention during the postwar period. Given those developments, the NPS—consistent with overall agency goals—did what it could to prevent a resurgence of mining exploration and development. It first moved to establish an area where the mining laws would not be applied, and then expanded the number and size of these areas, as needed.

The first proposed large-scale mining development emerged shortly after World War II. In August 1947 (see below), NPS officials became aware of the potential economic value of a large limestone deposit just east of Little Windy Creek, near the southeastern corner of the park, and in October 1948, development interests staked five claims in that area. Hoping to protect the surrounding area, the NPS withdrew approximately 6,200 acres of surrounding land in December 1948, and in order to prevent speculative mining development, the Interior Secretary implemented park mining regulations in February 1949 that required registration, an annual prospector’s permit, and other provisions. In February 1951 the withdrawn area was increased to approximately 119,000 acres; seven years later, in June 1958, the withdrawal was revoked. The regulations that were implemented in February 1949 remained in effect until 1976, when Congressional passage of the Mining in the Parks Act eliminated future mineral entry in the park.⁵⁸

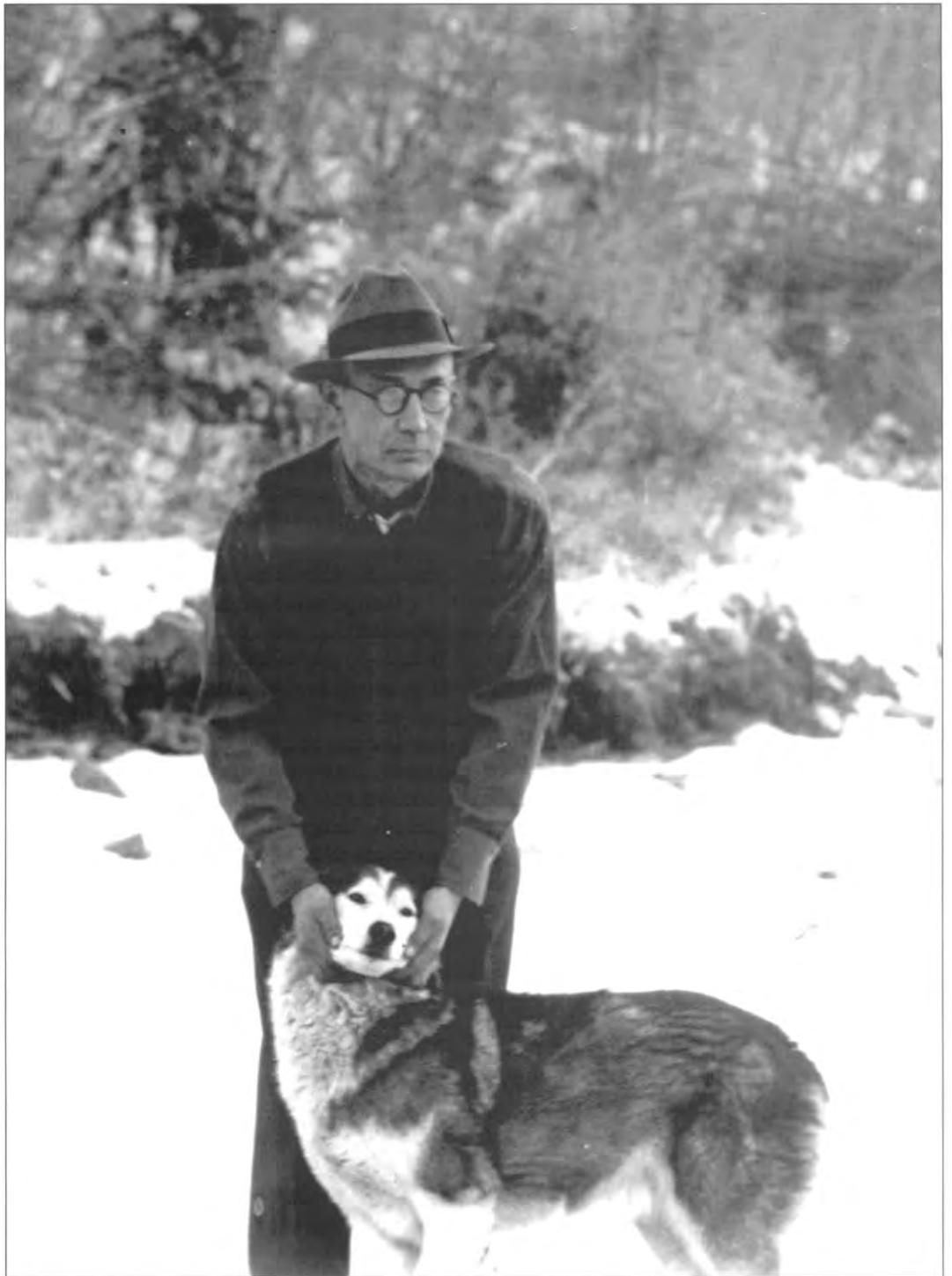
In 1952, a corporation’s attempts to extract building stone from the park (see below) brought forth two proposals to withdraw a cumulative total of approximately 81,050 acres of land along the park road. Those proposals, which called for large amounts of land to be withdrawn in the hotel-headquarters and Wonder Lake areas but a narrower corridor between those areas, were advanced in August and September 1952 but never implemented. But by May 1957, the near-completion of the Denali Highway had brought forth a revival of interest in the park by prospectors and miners. Superintendent Duane Jacobs, at first, denied permits to several individuals, but to ensure greater protection, he requested the issuance of a public land order that would preclude mining and prospecting within 1.5 miles

of the park road. (At that time, he apparently was unaware of the 1952 proposals.) He was soon assured, however, to learn that a “request for withdrawal of lands adjacent to the park road ... is in effect” even though his request had not yet been processed. Shortly afterward, on June 4, the Interior Department inserted a proposal in the *Federal Register* to withdraw the same road-corridor parcels that had been attempted five years earlier.⁵⁹ Almost a year later, in early May 1958, the Department announced that it would finalize the withdrawal. On June 28, 1958, the Interior Secretary’s office issued a public land order stating that 81,050 acres along the park road corridor was being reserved for “administrative sites and the protection and preservation of scenic and recreational areas,” and to accomplish those purposes the acreage was “withdrawn from all forms of appropriation under the public-land laws, including the mining laws.”⁶⁰

Earl Pilgrim and the Stampede Mine

Sometime before World War I (see above), prospectors located a promising body of stibnite (antimony ore) along Stampede Creek, a tributary of the Clearwater Fork near its confluence with the Toklat River. Except for excavating an open cut, however, no one tried to develop the property commercially for more than twenty years.⁶¹ In 1936, however, longtime Alaska resident Earl R. Pilgrim obtained the claims and transferred them to Morris P. Kirk and Son, Inc., a National Lead Company subsidiary. Pilgrim himself signed on as the company’s on-site manager. Given the larger company’s muscle, it constructed a ball mill in 1939. Before long the mine was the largest antimony producer in Alaska and second largest in the country. By the spring of 1941, when high costs forced the mine’s closure, more than 2,500 tons of ore and concentrates had made their way to the Alaska Railroad and to more distant processing facilities. At first, the company had used a Caterpillar tractor and double-ender sleds to haul its ores out during the late winter months; from the mine, goods went eastward to the Lignite railroad stop over a sinuous route that was similar to the “lower route” that Alaska Road Commission personnel had surveyed during the early 1920s (see Chapter 3).⁶² By the summer of 1941, however, Pilgrim had added another transportation option by blading out an airstrip 2½ miles downstream from the mine, at the Stampede Creek–Clearwater Fork confluence.⁶³ Neither of these transportation methods trespassed on Park Service property, so perhaps as a result, park officials knew little during this period about the nature and scope of Pilgrim’s activities.

In the spring of 1942, Pilgrim bought the mine and mill complex and, given a spike in antimony



Earl Pilgrim and his beloved dog, Kobuk, are pictured here in the late 1930s at the Stampede Mine. Pilgrim was a mining engineer who played an active role in the Stampede Creek antimony claims from the 1930s through the 1970s. Sarah Isto Collection

prices, he immediately set to work reopening the mine. Perhaps using his years of experience as a mining engineer, Pilgrim was able to persuade both the U.S. Bureau of Mines and the U.S. Geological Survey to send technical crews out to the property that year. These crews doubtless helped steer Pilgrim toward promising new ore bodies.⁶⁴

Recognizing the prevailing high transportation costs, the war emergency, and the need to expeditiously get this strategic ore to market, Pilgrim petitioned the ARC for authorization to build a

“tractor-trailer wagon and truck road” from the mine to where the park road bridged the Toklat River. Pilgrim offered two routes: a 26½-mile option that lay entirely within the Clearwater Fork and Toklat River beds, and a 20½-mile option that included a three-mile cross-country segment spanning the low divide between these two drainages. Park superintendent Frank Been, upon receiving the request, rejected the shorter route because it would “require construction overland on park lands,” but he cautiously supported the 26½-mile proposal. He recognized that “the wide gravel beds of Alaskan glacier

Transportation of antimony ore from the remote Stampede Mine to market was a major difficulty. This late 1930s or early 1940s photograph shows tractor trains pulling wanigans and largely empty sleds. The tractor trains are presumably headed back to Stampede from the Alaska Railroad at Lignite, where ore was unloaded for shipment. Sarah Isto Collection

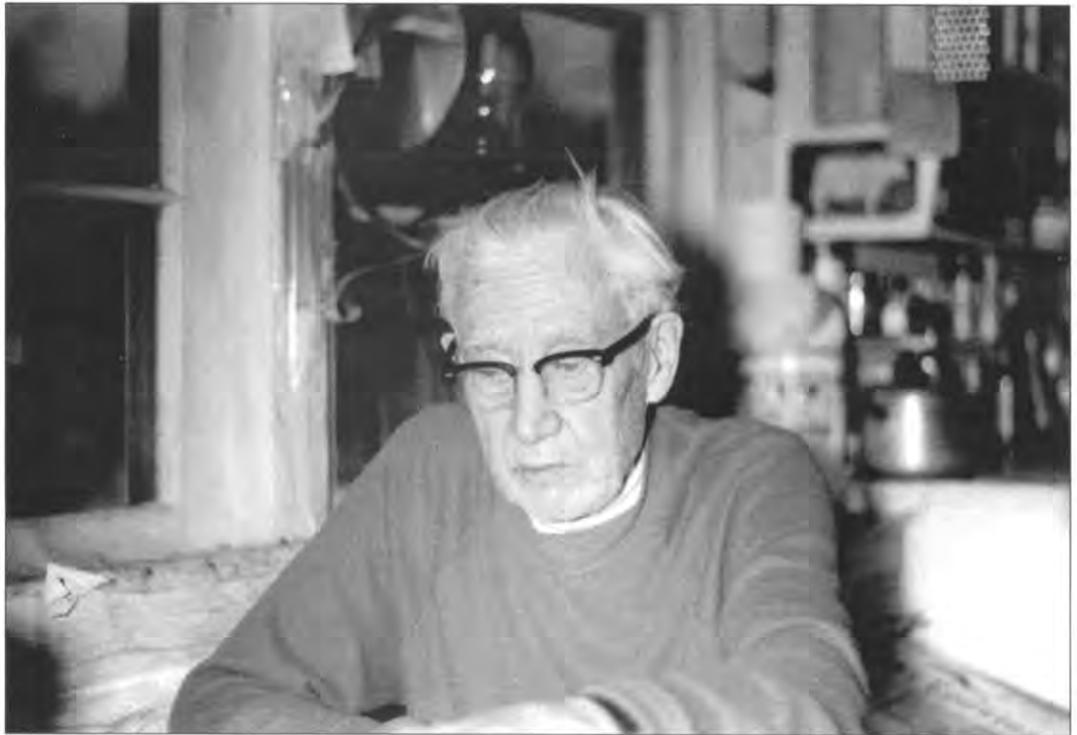


streams are commonly used for trucking and tractor hauling,” and more specific to Pilgrim’s letter, he stated that “the meandering nature of the Toklat River will erase the road from the gravel stream bed within a year or two after hauling ceases.” Inasmuch as Pilgrim had purportedly opened the mine “solely as war production work,” Been was willing to authorize the road, but “only for the war emergency.” Been’s recommendation was quickly seconded by NPS Director Newton Drury.⁶⁵ Pilgrim, however, did not follow through on the proposed road, and he abandoned the idea in 1944.

In 1946, Pilgrim optioned the property to other investors, and in May 1948 the mine’s new managers requested permission from the NPS to construct an “ore trucking road” connecting the mine with the park road. This request called for the shorter road option, in which several miles of right-of-way strayed away from riverbeds. NPS officials at the Washington level were initially favorable to the idea. But because the operators were purportedly “involved in shady financing,” Superintendent Been was less enthusiastic about it and recommended that the Bureau of Mines decide whether the ore body could be profitably

This early 1970s photograph shows the Stampede Mine’s lower camp. The buildings, left to right, are the garage/shop, the “covered warehouse”, cache, house and office, and the greenhouse with a weather station in front of it. Not shown are the bunkhouse and mess house at the upper camp, and the warehouse, dynamite shed and assay office slightly downstream. Sarah Isto Collection





Earl Pilgrim is pictured here in his Stampede Mine home and office cabin in 1976, at the age of 84. Linda S. Barb Collection

developed. This road request eventually reached the Alaska Road Commission; it was not acted upon because the ARC, given its meager budget, was unable to carry out the work.⁶⁶

In 1954, Pilgrim revived his interest in the mine after obtaining a Defense Minerals Exploration Agency contract, and as part that effort he renewed the proposal—first advanced in 1942 and renewed in the late 1940s—to build a 20½-mile road from the mine to the Toklat River bridge. In mid-July, NPS officials flew over the proposed route, and shortly afterward they discussed the road project with Pilgrim. Superintendent Grant Pearson, who by this time had worked with Pilgrim for years, saw advantages to the road; as historian Bill Brown noted, the road would not mar scenery near the park road, and it would give the park vehicular access to the park's Lower Toklat Patrol Cabin, which would considerably ease supplying this and other boundary cabins. Pearson's support proved crucial, and within a month Washington officials had also approved the route. But the following year, park officials decided to be more cautious, and the special use permit that Pilgrim signed in early 1955 granted authorization to use the longer (26½-mile) route that remained within the park's riverbeds. The ARC, again, was unable to fund the necessary road improvements, and the project lapsed.⁶⁷

Pilgrim again produced ore at the mine in 1956 and 1957. In 1956, he made two ore shipments out to the railroad, both via tractor train over the route that he had pioneered in the 1930s.⁶⁸

Perhaps because of the toil and expense of those trips, he made a renewed attempt in late 1957 to obtain a connecting road along the Toklat River corridor. Since receiving his previous approval, however, the park had undergone significant changes: Superintendent Pearson had retired and been replaced by Duane Jacobs, the park (and the entire agency) had proposed and approved its Mission 66 plans, the Denali Highway had been completed and brought thousands of new visitors to the park, and conservationists had caught wind of the road project and openly disapproved of it. Given those changes, a park official informed Pilgrim that the proposed road was no longer compatible with park values. Pilgrim met with Jacobs the following spring and stressed the NPS's hypocrisy in opposing a road that had been granted three previous times. Jacobs, in response, openly worried that the approval of a temporary, ad hoc road would soon mushroom into the need for an improved, permanent road. He relayed his concerns to his superiors in San Francisco and Washington, who showed no inclination to disagree with the superintendent's decision or rationale.⁶⁹

Lacking the Toklat option, Pilgrim now tried to interest officials with the new State of Alaska in improving the old route that connected the mine with the Alaska Railroad stop at Lignite. (See Chapter 9.) Seizing on the provisions of the Pioneer Access Road Act of 1959 and its 1960 amendments, Pilgrim contacted state Department of Natural Resources officials in May 1960. His request eventually reached Division of Highways officials, who supported the project not

After World War II there was high demand for cement in the territory of Alaska. To assist with mineral evaluation, the Bureau of Mines investigated limestone claims along the Alaska Railroad corridor in an area just west of the Windy railroad stop. This July 1950 photograph shows one of the drilling sites. DENA 16-6, Denali National Park and Preserve Museum Collection



only on its own merits but because it portended possible future routes to Kantishna and even McGrath. That November, Yutan Construction Co. of Fairbanks submitted a low bid of \$250,000 to build a road between Lignite and Stampede, and the work was declared to be complete in October 1961.⁷⁰ The route was laid out so poorly that the only round trip by a four-wheel-drive vehicle was one accomplished by the project inspector. Despite the mine's continuing access problems, however, Pilgrim continued to produce antimony ore during this period, in 1964-65 and again in 1969-70.⁷¹

Plans to Mine Limestone Along Windy Creek

A second area of mining-related concern during this period pertained to the potential development of limestone claims in the southeastern corner of Mount McKinley National Park. Since the early 1930s, geologists had known that the Cantwell area had contained limestone deposits; what remained unknown, however, was "whether or not the larger or better deposits [of those all along the Alaska Railroad corridor] were in the Park."⁷² To find out more, members of the U.S. Army did some investigating in 1946 in the area immediately west of the Windy section camp. That interest, in turn, brought a U.S. Geological Survey field party to the area the following summer. An NPS ranger spotted the USGS crew along Windy Creek on August 3, and five days later its leader, Edward Cobb, briefed Superintendent Frank Been on the matter.⁷³

Been soon learned that the crew's presence portended major changes for the park. In the

wake of World War II, the demand for cement was far higher than it had been in previous years, and in response to that demand, territorial leaders did what they could to push for the establishment of a cement plant along the Railbelt. The U.S. Geological Survey's field party was a technical response to those plans, the purpose of which was to search for economic deposits of limestone, clay and coal within fifty miles of the Alaska Railroad. At the August 8 meeting, Been was surprised to learn that the park's limestone deposits were of special interest because no other limestone deposits had yet been identified in the railroad belt; and because promising clay deposits had already been located in the Healy-Suntrana area, Cobb told Been that "a cement plant might be feasible near Healy or Cantwell." Soon afterward, Cobb's superior confirmed his agency's interest in the park; he noted that "the studies apparently are now focused close to the railroad just inside the southern Park boundary. The area being investigated is small, a few square miles at most, and the studies include geologic appraisal of the deposits as well as the topographic mapping on a large scale of the vicinity of the better deposits."⁷⁴

The USGS investigations set in motion a series of events that involved NPS, Interior Department, and territorial officials as well as the U.S. Congress for the next several years. Historian Claus-M. Naske has provided an excellent overview of this proposal, which readers seeking a detailed account are invited to read.⁷⁵ As it pertained to NPS interests, however, the primary question was whether limestone-development advocates



The purpose of the Bureau of Mines investigation was to determine the economic viability of limestone deposits near the railroad. DENA 16-8, Denali National Park and Preserve Museum Collection

would be able to gain access to the park; and if so, how the NPS would respond.

By late August of 1948, two different companies had told the Interior Department of their interest in building a cement plant in Alaska. One of those companies, the Northern Empire Development Company of Anchorage, asked the department for permission to obtain the park's limestone deposits. The company's president, Arthur E. Beaudin, told Interior Secretary Julius "Cap" Krug that he had investigated several possible limestone deposits, but the park offered both limestone and clay deposits that were "associated in a sufficiently reasonable manner to encourage the hazards of a business venture." Interior Department officials, by this time, knew that project developers hoped to establish a cement plant adjacent to the railroad in the vicinity of the limestone deposits. They were also well aware that agencies within the department differed on the wisdom of further development; the NPS, given the choice, wanted "to protect the area from commercial use," but the Alaska Railroad, the Geological Survey, the Bureau of Mines and the newly-established Alaska Field Committee all advocated resource development. Assistant Interior Secretary William Warne,

trying to steer a middle course, was concerned about possible encroachments on the park, and inquired about "limestone areas outside the park which might be comparably abundant and advantageously located." He also learned—based on the January 1931 law noted above—"of the Secretary's authority to prescribe regulations for mining even though mining is permitted."⁷⁶

To resolve the issue, a meeting was held on September 5 between Assistant Interior Secretary C. Girard Davidson and representatives of the NPS, Alaska Railroad, and Bureau of Mines. As a result of that meeting, Davidson learned that no comparable limestone areas existed within the railbelt; perhaps as a result, he authorized the Bureau of Mines to drill "two horizontal cores at the base of the limestone ridge" which was located "several miles inside the park."⁷⁷ NPS Director Newton Drury also telegraphed his approval of the drilling plan, and by mid-September a Bureau of Mines crew had begun its work at the site. On October 9, in the midst of those efforts, three Beaudin employees flew to the area and staked five twenty-acre limestone claims within the park boundaries. These claims were located "near the left limit of Windy Creek about one mile north and near mile 324 on The Alaska Railroad."⁷⁸

Interior Department officials, in response to the claims, took a hard protectionist line. Secretary Julius Krug noted that “it is my firm policy to prohibit any and all commercial mining operations within the Park boundaries unless overwhelming evidence can be presented to indicate that the proper development of Alaska would require mining the [park] resources. No evidence has been presented to this end...”⁷⁹ To further protect the area, they made two additional moves. The first was to take steps to implement the mining regulations that had been authorized back in January 1931, and the second was to withdraw a large area surrounding the five claims from further mining activity.

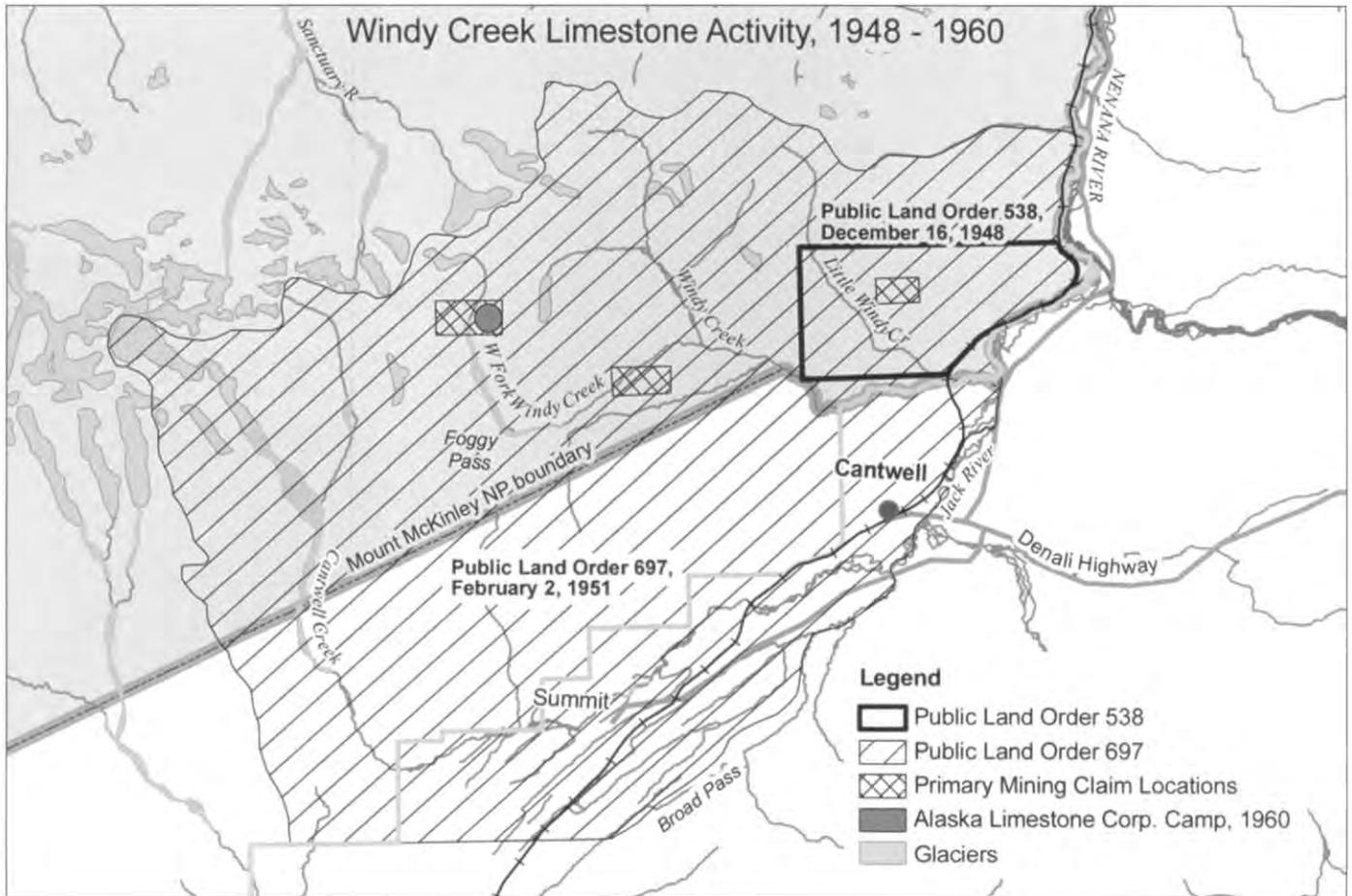
The move to establish mining regulations in the park, noted as an option during a mid-August meeting (see above), began in earnest during discussions of a subcommittee of the Alaska Field Committee, the purpose of which was “to examine the law relating to mining in the park.” The group, in its October 8, 1948 report, reiterated that the Interior Secretary, if desired, “could issue special regulations governing [prospecting] activities in the Park but as yet has not done so.” When the Committee discussed the proposed development at its October 8 meeting, it expressed “considerable concern ... over the possibility that claims may be staked on the deposit by unscrupulous persons, thereby permitting them to maintain a monopoly control over any future cement industry in Alaska.”⁸⁰

Ten days after the committee met, Assistant Interior Secretary William Warne recommended that the NPS “draft an appropriate Secretarial order” that would 1) reaffirm the applicability of the mining laws within the park, but 2) provide the authority to require registration for all prospectors who enter the park and to prescribe mining-related regulations. The committee’s director, Kenneth Kadow, wrote Warne soon afterward; he summarized the committee’s recent discussion on the matter and recommended “that the regulations should do everything in their power to facilitate practical development.” A regional NPS official, however, worried that “many strategically located mineral deposits within the park will be filed upon, proved up on, and go to patent for purposes other than mining.” He therefore recommended that language contained in the 1936 Congressional act (which had opened Glacier Bay National Monument to mining) be applied to Mount McKinley National Park. On November 26, NPS Director Drury forwarded language for the proposed regulation to Secretary Krug.⁸¹ Two weeks later, however, Supt. Been weighed in and strongly supported an annual registration requirement for prospectors

and miners. Based on these and other comments, NPS personnel revised the regulations language, which Drury forwarded to Krug in early February 1949. Krug accepted the revised regulations on February 19, and they became effective on March 3. The final regulation, which became a park-specific special regulation within the *Code of Federal Regulations*, had three parts. First, it required that all prospectors register before entering the park. Second, it demanded that all prospectors fill out a specific, seven-part registration form that needed to be renewed each year. Third, it established regulations governing how prospectors could use, and gain access to, their mining claims.⁸²

The idea for a withdrawal area began at an Alaska Field Committee meeting in early October 1948. The committee considered Governor Ernest Gruening’s motion to support an authorization measure for a cement plant in the park⁸³, and soon afterward it voted favorably on that measure. NPS officials, recognizing the groundswell of both public and private support for the plant and the apparent lack of other economically-viable plant locations, reacted in two ways. First, they proposed that the acreage surrounding the mining claims, and the proposed plant site, “might be withdrawn as a Public Use Site, to protect the interests of the government in the venture.”⁸⁴ In addition, they tentatively decided to excise the limestone area from the park. Assistance Secretary Warne, recognizing the necessity of this two-pronged approach, asked the Bureau of Land Management to prepare a public land order that would “withdraw certain lands within the Mount McKinley National Park in aid of proposed legislation to provide for the proper development and disposition of limestone deposits in the area.” By mid-November, the proposed order, which called for 6,200 acres to be withdrawn “from all forms of appropriation, including the mining laws,” had been forwarded to Interior Secretary Krug and other federal officials. (See Map 7.) The BLM Director approved the proposed order on December 10, and it was implemented eight days later.⁸⁵

In the meantime, momentum continued to build for a measure to authorize the plant’s construction. Based on Gruening’s measure at the October 1948 Alaska Field Committee meeting, there was a general recognition that Alaska Delegate E. L. “Bob” Bartlett would be introducing authorization legislation in Congress. And although some in the NPS may have had misgivings about the plant, agency officials made no moves to impede it. In mid-September, Secretary Krug had written that “the existing [park] boundaries [in Alaska] were established without adequate



Map 7. Windy Creek Limestone Activity, 1948-1960

consideration of Park needs and I would not be willing to assume that they are reasonable or proper." The NPS's Hillory Tolson, in response, allowed that "in this the Secretary is undoubtedly right, and ... if it is at all possible, a boundary study should be made of our Alaska areas next summer, with particular emphasis on Mount McKinley and Katmai."⁸⁶ Supt. Been, upon receiving Tolson's memo, noted that "assuming that quarrying and cement manufacturing do develop near Windy Creek, the need for changing the boundary may have to be faced" and offered specific suggestions for a realigned boundary. And Director Drury, upon receiving Arthur Beaudin's request for "certain lands ... to permit the establishment and operation of a cement manufacturing plant," came to the same conclusion. In a memo to Warne, Drury noted that

I propose to proceed on the basis that this Service, after detailed boundary study to be undertaken with the advice of the Bureau of Mines, will recommend that a boundary revision be made to exclude the prospective limestone mining and cement activity from the park if the Department wishes to assist the proposal after it is finally found feasible, as it now seems likely to be.⁸⁷

In mid-December 1948, "the Secretariat, interested bureau heads and others" met and "concluded that the limestone-cement plant proposal ... would go ahead." Participants decided that the NPS "would draft legislation for revision of the park boundary to exclude the requisite limestone lands, such lands to go to the Alaska Railroad." A month later, Supt. Been stated that "there appears no urgency for precipitating a boundary revision" in the near future, and the agency's regional director, O. A. Tomlinson, noted "that we foresee a real danger in any elimination of park lands." The agency ultimately decided that a boundary revision was not a near-term priority.⁸⁸

In June 1949, Delegate Bartlett followed up on Gruening's move from October 1948 and introduced a bill in Congress that would enable the U.S. president to direct the construction of a cement plant in the territory and lease it on "such terms as he may deem proper." A House subcommittee held a hearing on the bill a month later, and Secretary Krug endorsed it; Krug, citing the fact that cement prices were four times as high in Fairbanks as they were in Seattle, supported federal financing and construction of such a plant in the public interest. Subcommittee members, however, were openly concerned about the lack of private capital for such a venture, and as result,

U.S. Interior Department personnel constructed a "tote road" to reach the limestone assessment site. Part of this road was located inside park boundaries. DENA 16-5, Denali National Park and Preserve Museum Collection



Bartlett was informed that his bill was being held over for a year.⁸⁹

In late 1949, a new player entered the fray: Permanente Cement Company, a subsidiary of Kaiser Industries, Inc. Recognizing the huge and continuing postwar demand for cement, the company announced its intention to build a bulk cement storage facility in Anchorage, which it would supply from one or more west coast ports via Victory ships. Despite a number of bureaucratic hurdles, Permanente officials persisted in their quest, and on July 14, 1950, it opened its Anchorage facility. Cement prices in Anchorage promptly declined by 25 percent.⁹⁰

Despite that welcome news, some federal officials continued to believe that the issue of a publicly supported Alaska-based cement plant merited further study. The Air Force, for example, concluded a May 1950 study by "strongly" recommending that the Interior Department investigate "the feasibility of producing cement economically in Alaska," and that September—two months after the storage facility opened—a Stateside consultant noted that territorial security and self-development would take place "only when Alaska obtains its own cement plant, based on local raw materials." Given those viewpoints, Bartlett reintroduced his bill in late May 1950. But by this time, the Bureau of Reclamation had completed a study which concluded that the cement plant was not economically feasible. James P. Davis, the director of the Division of Territories and Island Possessions, urged that Bartlett's bill should not be supported "unless and until present pros-

pects of cheap cement fail." Perhaps as a result, the bill did not pass.⁹¹

During the summer of 1950, U.S. Geological Survey crews—who were in the midst of a planned five-year park geological study—spent the summer investigating a broad area between Windy Station and Foggy Pass; as part of their work, which included the construction of a "tote road to the face of the limestone cliff and across a portion thereof," they drilled limestone core samples along Windy Creek.⁹² The resulting cores "revealed the presence of deposits of limestone and shale that may be useful as the source of raw materials for cement manufacture."⁹³ Shortly after the completion of the field season, Acting USGS Director Thomas B. Nolan met about the matter with NPS and BLM officials. Worried about an influx of speculative claims in an area that had not already been withdrawn, the government leaders concluded that "immediate withdrawal appears to be the only solution." In late November, the USGS and NPS directors issued a joint statement declaring their interest in withdrawing a large area "until such time as it is determined whether or not the Department or the Government wishes to take steps directed toward the establishment of a cement manufacturing plant." (The proposed withdrawal area was approximately 119,000 acres, some 66,000 of which were located within the park; see Map 7.) The joint proposal would revoke the previous (December 1948) public land order but withdraw the larger area "from all forms of appropriation under the public land laws ... and reserved ... for use in connection with the national defense." It was forwarded on to Interior Secretary Chap-

By September 1963, when this photo was taken, the 7-year-old landing strip on the West Fork of Windy Creek (which was adjacent to a potential limestone development area) had suffered considerable erosion. DENA 16-33, Denali National Park and Preserve Museum Collection



man, who signed the order on February 2, 1951. The order was implemented six days later.⁹⁴

Shortly after the withdrawal took effect, the Interior Department issued yet another contract⁹⁵ to consultant Ivan Bloch, which was intended to assess the size of the Interior's present and future cement market. He asked his colleague, K. E. Hamblen, to determine the operating and capital costs for 250-ton-per-day cement plant in the Cantwell-Windy area. The reports, submitted in July 1951, concluded that cement produced at such a plant would cost anywhere from six to nine times as much as the Permanent cement available in Anchorage. Hamblen concluded that a cement plant was still necessary. But government officials—those with both the Truman and Eisenhower administrations—showed no further interest in a subsidy, and the project appeared dead.⁹⁶

Due to the language contained in the February 1951 public land order, interest in the park's limestone died away until the summer of 1956, when Park Service officials caught wind of furtive mining-related activity along Windy Creek. NPS officials received a report that a prospector had taken a "crawler tractor" into the West Fork of Windy Creek, so on July 23, a three-man party flew over the area and discovered "a short, narrow landing strip, some exploration digging, and staking," along with a damaged airplane and a

small tractor. A follow-up call to the U.S. Commissioner in Nenana revealed that Fairbanks resident Mark Ringstad had recently filed a claim in the area. Although the claim was legally staked according to BLM mining regulations, NPS officials were concerned because Ringstad had failed to register with park authorities according to the regulations that had been implemented in early 1949. They were also concerned because constructing an airstrip in the park violated NPS regulations. Two years later, Supt. Jacobs contacted Ringstad and suggested that he fill out the required registration form; the claimant showed no interest in doing so, however, and he made no immediate move to develop the site.⁹⁷

Two years later, Interior Secretary Fred A. Seaton signed a public land order that revoked the 119,000-acre withdrawal that had been implemented over the southeastern end of the park in February 1951. Perhaps, by the spring of 1958, the recent lack of interest in developing the area's limestone deposits may have moved federal officials to undo the seven-year-old withdrawal. But the more immediate reason for revoking the withdrawal was the July 1956 passage of the Alaska Mental Health Enabling Act.⁹⁸ Section 201 of that act allowed the territory to select a million acres of "vacant, unappropriated, and unreserved" federal land. Inasmuch as approximately 53,000 acres within the withdrawal were outside the park boundary—and thus

In 1963, remains of the abandoned limestone claim on the West Fork of Windy Creek included this small frame building, bulldozer cuts, oil barrels, an eroding landing strip, and a "cat trail" connecting the claim to the railroad. DENA 16-37, Denali National Park and Preserve Museum Collection



potentially eligible for selection—the Interior Department agreed in late May 1958 to revoke the withdrawal. A clause within the revocation, however, applied to the park as well; it stated that on November 25, 1958 (which was 180 days after the public land order was approved), that the entire 119,000-acre area in the former withdrawal would be “open to location under the United States mining laws.” In response to the order, several parties showed a new or renewed interest in the area’s limestone possibilities; that same day, the Alaska Limestone Corporation “restaked its limestone lode mining claims located in the Foggy Pass Area,” and soon afterward, two parties announced their intention to erect a cabin on their claim. But judging by a September 1959 NPS site visit, neither party built a cabin that year.⁹⁹

In early 1960, the Alaska Limestone Corporation representatives staked several additional claims on “Upper Windy Creek” and obtained the required prospector’s permit. Company official O. E. Loring, Jr. also requested permission to land aircraft on the property; when told that such an activity was illegal, he declared his intention to appeal that decision to a “higher authority.”¹⁰⁰ In mid-June, a ranger on patrol was surprised to discover that “an airstrip some 1000 feet in length had been constructed on a gravel bar near the head of the canyon.” Soon afterward, Loring “readily admitted that he had constructed it on advice from his legal counsel.” An Interior Department attorney, Rita Singer, stated that “it is my opinion that the company would have

a right to put in its own airstrip since it is very likely that there are no roads making the area accessible otherwise.”¹⁰¹ Soon afterward, the Alaska Limestone Corporation sold its claims to a California corporation called Alaska Portland Cement, Ltd., and that October the new company announced that it was “now at work on ... feasibility studies” for a cement production plant, the site of which would be “somewhere in the Railbelt section.” Those plans did not pan out, however, and the company’s plans were quietly shelved – at least for the time being.¹⁰²

Three years later, in July 1963, Alaska Portland Cement executives announced a new cement-plant proposal. Citing a recently-completed market analysis that showed continuing high demand for cement, the company revealed plans to build a 500,000-barrel-per-year cement plant along the Jack River near Cantwell. Limestone to supply the plant would come from a quarry located at the company’s claims on the West Fork of Windy Creek, near Foggy Pass; the quarry and plant would be connected by an industrial road. Officials announced that construction on the plant would begin the following spring and would be completed in 1965.¹⁰³ The State of Alaska strongly supported the proposal and offered the company a tax break; conservationists, however, felt that the planned project was “highly objectionable” because quarrying operations would be taking place within the national park.¹⁰⁴ The proposal remained a major discussion topic, both in Alaska newspapers and among NPS officials, for months afterward. But

plant construction, promised for the spring of 1964, did not take place, and in late June, the company announced that the Cantwell area was no longer being considered as a cement-plant location.¹⁰⁵

After that time, no serious proposals arose to either develop the park's limestone deposits or construct a nearby cement plant, and by 1975, the West Fork claim area was marked by a series of bulldozer cuts, oil barrels, an old sledge, a 10' x 14' frame building, piles of nearby refuse, an eroding airstrip, and a "cat trail" connecting the claim to the railroad.¹⁰⁶ The area was closed to mining in 1976 (see below), and since then further deterioration has set in.

Attempts to Mine Building Stone in the Park

On August 2, 1952, S. Robert Corey from the Great Northern Stone Corporation, based in Anchorage, staked a standard 1,320-foot x 660-foot mining claim on a bench just south of Hines Creek just upstream from the Riley Creek confluence, about one-half mile south of the park hotel. (The northern edge of this claim was part of the old Morino homestead, which the NPS had acquired in October 1947; the remainder was NPS land that had never been in private hands.) Approached by park superintendent Grant Pearson, Corey and a co-worker willingly filled out the paperwork to obtain a prospector's permit. Soon afterward, they started in to work, and by day's end they had obtained about 150 pounds of building-stone samples. As Pearson noted, "they said the stone was ideal for fireplace facing and rock veneer work and there was a market for this type of rock."¹⁰⁷

Pearson, hoping to prevent an expansion of this or similar mining activities, first asked regional

officials, "Can this company mine this stone? If not, what steps should we take to prevent it?" Before he got an answer, however, the claimants returned and began their "mining operations." Via a telephone call, therefore, Pearson was advised "to stop operations on Morino property since this area was purchased for the expansion of public use facilities for the park," although he was also advised "to allow continuation of mining operations on remainder of claim pending further advice" from Washington. Pearson, in response, visited the site but was unable to find any of the old Morino homestead's corner posts; indeed, he was unsure that there was any overlap between the old homestead and the stone company's claim. He was therefore powerless, in the short term, to halt the company's excavations.¹⁰⁸

At this point, NPS Director Conrad Wirth swung into action. Citing a recently-issued regulation that authorized Interior Department agencies to "withdraw or reserve lands of the public domain ... for public purposes," he urged agency officials—as a way to prevent the staking of additional claims—to visit the BLM's Alaska office "for withdrawal of all land covered by [the] mining claim from all forms of disposal under public land laws, including mining and mineral leasing laws. ... Meanwhile, you should also communicate with Alaska regional administrator for BLM to ascertain whether basis exists for declaring portion of claim located on public [i.e., non-Morino] land to be invalid."¹⁰⁹

Officials in the NPS's regional office responded to the first part of Wirth's telegram by sending a proposal, on August 20, to the Fairbanks BLM office to withdraw approximately 10,900 acres of land at the east end of the park, noting that the



This rock outcrop, which is just upstream from the confluence of Hines Creek (seen here) and Riley Creek, was the location of a claim to mine building stone in 1952. DENA 16-25, Denali National Park and Preserve Museum Collection

lands were “essential ... as an administrative site and for public use.” This irregularly-shaped area began three miles southeast of the park hotel and extended to Mile 5 of the park road, two miles west of park headquarters. Along that corridor, the withdrawal reached from one to three miles out from the park road.¹¹⁰

Meanwhile, agency staff was well aware that the proposed withdrawal had no effect on the stone company’s existing claim, but they were reasonably sure that lands within the old Morino tract were not subject to entry under the mining laws. So they did their best to answer the other half of Wirth’s telegram; that is, to ascertain the legality of the portion of the company’s mining claim that was located south of the Morino tract. To that end, the regional director peppered the park staff with questions about the corporation and its activities at the park, and in response, he learned that excavations had taken place on a 200-foot x 50-foot portion of the claim and that only one flatcar of stone had been removed thus far. As to the purpose for the stone excavation, park officials—admitting it was hearsay—learned that the stone company had contracted with the Alaska Railroad to supply materials for a commemorative stone monument, near the Anchorage depot, upon which would be placed “Old No. 1,” which was “presumably” the railroad’s original steam engine. Park officials could find little other information that could shed light on the propriety of the corporation’s activities.¹¹¹

Corporation officials, confident that no bureaucratic roadblocks stood in their way, visited with park staff on September 9. Given the fact that an unimproved road reached to within a few hundred feet of where stone removal was to take place, they informed agency representatives that beginning on September 10, they planned to extend that road to the proposed excavation site. But on September 11, NPS officials made a startling discovery: that all land on the stone company’s claim located south of the Morino tract was encompassed by either Executive Order 3617 or Executive Order 3800, which President Harding signed in January 1922 and March 1923, respectively (see Chapter 3). Both of those executive orders had withdrawn land “for use in connection with the administration of the Mount McKinley National Park,” and both included a clause that withdrew the land “from settlement, location, sale, or entry.” The orders made no specific mention of mineral entry; the Congressional acts that authorized the orders, however, stated that while metalliferous mining was sanctioned, non-metalliferous mining (such as building stone) was not.¹¹² Given that discovery, NPS officials ordered a halt to all

mining operations and also decided to deny the company’s road-construction permit. Company officials obediently stopped their excavation work. Regarding road improvements, however, the damage had already been done.¹¹³

Canvassing about for alternative sites for their building stone, company officials visited the park headquarters on September 12 and obtained a new prospector’s permit, this one for the Sable Pass area. Frank Hirst, on the park staff, immediately sent word of the new development to regional officials in San Francisco. Park superintendent Grant Pearson, at the time, was working at the regional office and noted that several other persons had also been investigating the park for building stone. NPS officials, recognizing that any company obtaining a legitimate building-stone claim along the park road might use it for purposes other than the railroad’s locomotive-monument contract, moved on September 16 to protect the entire road corridor from potential mineral incursions. More specifically, officials proposed a 70,150-acre withdrawal that covered all of the park road that had not been subject to the August 20 withdrawal proposal. The new proposal, if implemented, would withdraw all land within one-half mile of the park road. The area covered by the proposed withdrawal would broaden to one mile from the road in the vicinity of the park’s various campgrounds, and at the west end of the park road, the proposal called for a 3.8-mile by 5.5-mile rectangle to be withdrawn that would include Wonder Lake and surrounding territory.¹¹⁴

During the winter of 1952-53, the NPS and stone-corporation officials carried on a spirited correspondence about the legality of the Hines Creek claim. Despite the apparent finality of the NPS’s September 11 decision, the company’s attorney in October 1952 argued that the claim was valid and that “client will continue to retain possession of the claim and its use.” Again, the following April, attorneys sought clarification.¹¹⁵ NPS officials, for their part, hoped that the Fairbanks BLM office could help; that agency, however, took no action in the matter because it did “not notify claimants of the invalidity of their mining claims until a field investigation has been made and adverse proceedings initiated to declare the claims null and void.”¹¹⁶

Both park and regional officials sought Washington’s assistance for a legal means to invalidate the company’s claim, and they also vented their frustration at the lack of action regarding the two road-corridor withdrawal proposals that had been advanced in August and September 1952.¹¹⁷ The NPS, however, was stymied

on both counts. Regarding the existing claim, NPS Director Wirth could only state that the agency “should withhold immediate action” on the matter “pending further developments.” A regional official, in turn, told Supt. Pearson that “you should inform Mr. Arnell [the company attorney] that the National Park Service still considers the Great Northern Stone Corporation mining claim filed by Mr. Corey to be invalid but that pending further instructions from our Washington Office you will not interfere with work on the claim.” And regarding the two withdrawals, the issuance of a public land order implementing those withdrawals demanded the Interior Secretary’s approval, something that had not been granted by either outgoing secretary Oscar Chapman or incoming secretary Douglas McKay. The secretaries’ lack of action in the matter may have been caused by a solicitor’s opinion as it pertained to Death Valley National Monument, another park unit where mining was permitted. That opinion, expressed in 1942, noted that “No attempt to reserve [certain] lands ... from the operation of the mining laws, short of their elimination from the national monument, could be effective since it would conflict with the express congressional mandate in the statute.”¹⁰⁸ On that basis, it appeared that nothing short of congressional action would prohibit the broad application of the mining laws in Mount McKinley National Park.

Given the NPS’s failure to prevent further activity on the stone company’s mining claim, and the Interior Department’s failure to issue a withdrawal over the road corridor, the park

remained open to those interested in searching for, and developing, sites where economically-viable quantities of building stone were located. During the summer of both 1953 and 1954, for example, Corey continued to extract building stone from his Hines Creek claim (he removed at least three railroad cars of stone during this period). To gain additional materials, he created a new company—the Wonder Lake Building Stone Company—and filed on a new site at the north end of Wonder Lake in August 1953. By June 1955 the company was “now hauling rock from the Wonder Lake claim.”¹⁰⁹

The law, however, caught up with Corey that same month. U.S. Attorney Theodore F. (Ted) Stevens, in Fairbanks, filed a temporary restraining order against Corey and other company representatives, and soon afterward two deputy U.S. marshals and a federal treasury agent arrived at the park and served Corey with the order. Corey immediately stopped his operations. The company apparently filed an appeal against the court, asserting that it was now seeking antimony (in order to sidestep the prohibition against nonmetalliferous materials), but in mid-March 1957 the company’s attorney gave up the fight, stating “that they would agree to have judgment entered against them” and “a permanent injunction issued against any further claim or work.” A month later, a Fairbanks judge ordered stone company representatives “not to reenter Mount McKinley National Park for the purpose of making nonmetalliferous locations and mining claims in order to remove sandstone or other nonmetalliferous substances.”¹²⁰



The Wonder Lake Building Stone Company had an active claim in this area at the north end of Wonder Lake from August 1953 to March 1957, when an injunction prohibited any further work. DENA 16-16, Denali National Park and Preserve Museum Collection



It is believed that Earl Dunkle and his mining partners cut timber north of the park boundary and constructed this three-room log cabin on Slippery Creek in 1937. It provided housing for the people working at the lode mine just south of the cabin. DENA 16-2, Denali National Park and Preserve Museum Collection

By the time the judge made his decision against the Great Northern Stone Corporation, the long-anticipated Denali Highway was nearly complete. As noted above, the ongoing road construction had brought forth a revival of interest in the park by prospectors and miners. To ensure greater protection of the road corridor, Superintendent Duane Jacobs requested the issuance of a public land order that would preclude mining and prospecting within 1.5 miles of the park road. With no remaining legal hurdles in the way, the Interior Department soon afterward issued a proposal to withdraw the same two road-corridor parcels that had first been proposed almost five years earlier.¹²¹ In late June 1958, the proposal was implemented when the Interior Secretary's office issued a public land order reserving 81,050 acres along the park road corridor for "administrative sites and the protection and preservation of scenic and recreational areas." To accomplish those purposes the acreage was "withdrawn from all forms of appropriation under the public-land laws, including the mining laws."¹²²

Congress Moves to Eliminate Mineral Entry in the Park

Between the 1950s and the mid-1960s, prospecting and mining in Mount McKinley National Park were fairly insignificant activities. The number of new mining claims during this period fluctuated wildly; in 1958, for example, 111 claims were recorded (primarily in the Windy Creek area), but in many other years no claims were recorded. Similarly the number of annual assessment reports filed for claims in the park during the early- and mid-1960s typically ranged from 15 to 30, although during the 1950s many years passed in which no assessment reports were

filed. Throughout this period, no claims were patented and the only minerals shipped from the park were occasional extractions, by a stone company, along the park road corridor. (In addition, park-road construction and maintenance crews also conducted gravel extraction.) NPS officials, however, became increasingly uneasy about the legality of park mining, and they were particularly concerned about the visual impacts of mining on the viewscape in the Eielson Visitor Center area.¹²³

In the late 1960s, high prices for mercury caused local miner Arley Taylor to re-stake Wes Dunkle's old mine along Slippery Creek. Then, in early September 1969, Taylor and another miner, Dan Ashbrook, "walked a pair of cats [Caterpillar tractors] towing sledges" from the Wonder Lake area to the mine via the Muddy River and overland to upper Slippery Creek. The pair's action was illegal, inasmuch as the NPS had asked Taylor to proceed westward along the park's northern boundary to the Slippery Creek drainage before heading south to the mine. Because they failed to follow the agency's recommendations, the 25-mile-long strip of "disturbed tundra vegetation and soil" provoked considerable ire, both among park staff and the small but dedicated number of conservationists concerned about park-area issues. That ire increased in 1970, when crews made a second "cat train" trip to the mine, cleared off the old airstrip, and engaged in illegal timber cutting. Activists recognized that the development of the Mount McKinley Mercury Mining, Inc. claims—which were "actively being explored" in 1970 for their antimony potential but were not yet being commercially developed—brought ecological

The small log shop and abandoned mercury mine shaft at the Slippery Creek claim, photographed above in 1965, were on the east side of "Mineral Mountain." This area was active during the 1920s and 1930s. Later mineral interest was focused on the west side of the mountain. Wayne Merry Collection, Denali National Park and Preserve Museum Collection



destruction and visual scarring to one of the most remote parts of the park. The peak south of the camp soon became known, informally, as Mineral Mountain.¹²⁴

Recognizing that several prospectors had "disregarded the regulations, have not registered, and have independently entered the park creating scars and leaving refuse behind," agency staff prepared a document examining prospecting and mining issues both at Mount McKinley and Glacier Bay. That document stated that 310 mining claims had been filed at Mount McKinley National Park between 1917 and 1970; most of these were "the same mineral locations, top filed over and over again, after abandonment by the previous claimant." Only 93 claims were considered presently valid: 44 in the Slippery Creek area, 35 in the area north of Mount Eielson, and 14 along Windy Creek. These claims were held by just two companies and four individuals. The agency declared that mining in the park, and in other park units as well, was "socially uneconomic, however profitable it may be for individual operators." In order to halt future mining-related abuses, a necessary first step would be to stop new prospecting and mining, and that "to prevent actual development would require timely purchase of the rights by the government."¹²⁵

Given the national growth of the environmental movement during the 1960s—a movement that often spotlighted Alaska issues—some voices began to recognize that the problem at Slippery Creek was symptomatic of a broad problem that needed to be addressed at the legislative level. In

June 1970, the Public Land Law Review Commission published the landmark study *One Third of the Nation's Land*. That document recommended, on a general level, that "all nonconforming uses in national parks ... should be prohibited by statute;" more specifically, however, it recommended that provisions for mining in Mount McKinley National Park should be repealed.¹²⁶ Early the following year, the Fairbanks Group of the Sierra Club's Alaska Chapter made a similar decision; it prepared a formal proposal and sounded out the views of Alaska's congressional delegation on the subject. The legislators offered little support, however, so the idea languished for the time being. Conservationists who contacted NPS officials about the park's mining laws were assured that the agency was "opposed to mining and prospecting in the natural areas of the National Park System and trust that Congressional action to eliminate this incompatible use will be forthcoming in the future." Presently, however, "mining and prospecting are still practiced in some areas," and individuals still had the right to file mineral claims.¹²⁷

In December 1971, Congress passed the Alaska Native Claims Settlement Act, and as noted in Chapter 8, the inclusion of Section 17(d)(2) in that act set off a mad scramble among government land-management agencies over the fate of previously-undesigned federal lands. The NPS and other agencies hurriedly organized teams that fanned out over lands that were being considered for new conservation units, and before long these teams began to assemble various master plans and environmental statements for the proposed units. These teams, among other

The two Caterpillar tractors that were driven from Wonder Lake to Slippery Creek mine in 1969 are pictured here at the Slippery Creek cabin in 2007. This equipment was utilized for production at the antimony mine at least through the 1975 season. NPS Photo



issues, needed to make decisions about mining in these areas. But as it pertained to Mount McKinley, that option was already decided early in the process; in March 1972, Assistant Interior Secretary Nathaniel Reed recommended that the existing park, along with Glacier Bay National Monument, should be withdrawn from the operation of the mining laws. The Alaska Planning Group, which was tasked to write various environmental documents pertaining to an expansion of Mount McKinley National Park, reiterated Reed's statement in the park's December 1973 master plan. It declared that "proposed legislation would close the entire enlarged park to mining" although "existing valid claims, carefully monitored and in accordance with regulations, will be permitted until each claim has been acquired or abandoned." The APG's *Final Environmental Statement*, released in October 1974, arrived at the same conclusion.¹²⁸

Congress, during this period, had not yet moved toward a legislative solution to the Alaska lands issue. Although Sen. Barry Goldwater and Rep. Morris Udall introduced bills (in July 1973) calling for the cessation of new mining entry throughout the National Park System, no action took place on either bill during the 94th Congress.¹²⁹ Instead, Congress focused on regulating the country's strip mines, an interest that resulted in the December 1974 passage of the Surface Mining Control and Reclamation Act, which did not become law because of President Ford's pocket veto. Congress passed a similar bill in May 1975, which Ford also vetoed; legislators tried to override the veto but were unable to do so.¹³⁰ Throughout this period, mining issues at Mount McKinley National Park remained active; in 1975, Interior Department officials stated

that at Slippery Creek, mining operations were commercially viable and were producing "approximately 100 tons of antimony ore per year, at a gross value of \$60,000." (A 1976 report by the park's resource management specialist lent corroboration to that claim, noting that the company had flown out bags of stibnite ore in both 1974 and 1975.) Rep. Don Young (R-Alaska), however, disputed these figures at a House subcommittee hearing, maintaining that "there is no mining now in McKinley Park."¹³¹

During the summer of 1975, however, new concerns arose when Congress learned about mining proposals within two different national park units. That September, worried that "there will soon be widespread strip mining in the Death Valley National Monument" and that "Glacier Bay National Monument in Alaska is also threatened by imminent mining," Rep. John Seiberling (D-Ohio) introduced a bill to "prohibit any mining in any areas of the National Park System." Two weeks later, Sen. Lee Metcalf (D-Mont.) introduced a similar bill; it was more protective than its House counterpart, however, because it proposed to ban all mining, for a three-year period, within the six NPS units that still sanctioned mining. Both bills called for the elimination of Section 4 in the 1917 bill that established Mount McKinley National Park; that section stated that "Nothing in this act shall in any way modify or affect the mineral land laws now applicable to the lands in the said park." And, as a housekeeping measure, the bills also called for the elimination of Section 2 of the Surface Use Act of January 26, 1931, which gave the Interior Secretary the authority to regulate mining activity within the park. The champions of these bills recognized that at Mount McKinley

and three other park units, there was “no present likelihood of mining, as there are no known economically recoverable mineral deposits.” These four units were included, however, to prevent the possibility of developments that were then looming at Death Valley and Glacier Bay national monuments.¹³²

Rep. Seiberling’s bill was considered in a National Parks and Recreation Subcommittee hearing on October 6. Assistant Secretary Reed, in attendance at the hearing, noted that “currently the only production ... from the park consists of approximately 100 tons of antimony ore per year” despite there being approximately 300 unpatented claims and mill sites in the park. The park’s only working mine, located on one of fifteen Slippery Creek claims, was small in scale, grossing only about \$60,000 per year.¹³³

Just one day later, Sen. Metcalf held an Interior and Insular Affairs Committee hearing on the bill. Many who attended offered their full support for the bill, but Sen. Ted Stevens (R-Alaska) had mixed views. As he later noted to a constituent, he felt that the park “should be withdrawn from further mining entry.” But he was opposed to Section 3 of the bill (which proposed a three-year park mining ban) because it “would constitute a taking of private property rights.” He felt that “the matter of prohibiting and/or acquiring the valid existing claims in McKinley Park be left for resolution when Congress considers the D-2 proposals to expand the boundaries of the Park.” Both Stevens and Sen. Gravel (D-Alaska) asked Metcalf to exclude Alaska areas entirely so that Alaska-specific provisions would be considered during the upcoming D-2 battle. Metcalf, however, showed little inclination to do so, and the bill that passed the Interior Committee in

December—and the full Senate the following February—banned future mineral entry at both Mount McKinley and Glacier Bay.¹³⁴ But the bill then got bogged down in the House over how to proceed with Death Valley’s talc and borax operations, and it did not clear the House Interior and Insular Affairs Committee until August 1976. The bill passed the House on September 14, the Senate agreed to the House’s amendments on September 17, and President Ford signed the bill on September 28.¹³⁵

The new legislation, called the Mining in the Parks Act of 1976, stopped all new mineral entry into Mount McKinley National Park and in the other five NPS units noted above, and it also imposed a four-year moratorium on further surface disturbance at Mount McKinley and two of the above-named parks. And at Mount McKinley and three other park units, the act called on the Interior Secretary, by September 1978, to submit a study of the validity of the parks’ mining claims. Based on that decision, the study would then recommend whether the government planned to buy them back.¹³⁶

Valid mining claims, however, were a fixture in a total of eighteen NPS units, so to manage mining claims within these units, the Mining in the Parks Act subjected all activities resulting from the exercise of valid existing mineral rights to regulations prescribed by the Secretary of the Interior. Claimants, moreover, had to record existing claims with the Interior Secretary within a year: that is, by September 28, 1977. If they did not do so, their right to those claims would be forfeited.¹³⁷ The act also addressed the concerns of Senator Stevens and others, in two ways. First, it stated that anyone who held patented or unpatented mining claims, and felt



Eureka (later renamed Kantishna), shown here in 1919, continued to be a settlement of scattered cabins, a central mining camp for the creeks nearby. Stephen Foster Collection, 69-92-594, University of Alaska Fairbanks Archive



In the early 1920s the Kantishna Hydraulic Mining Company spent two years building a dam at the outlet of Wonder Lake (outside park boundaries until 1932), and two and one-half miles of ditch to carry water to their hydraulic operation on Moose Creek, near the mouth of Eureka Creek. The remains of that water diversion system are visible today along the hillside above Moose Creek. Bradford Washburn, #5998, Denali National Park and Preserve Museum Collection

that they had suffered a loss because of the act's provisions, could institute a lawsuit "to recover just compensation." The act also recognized that people who held claims in park units subject to the four-year moratorium (such as Mount McKinley) might have a difficult time selling them; given that fact, the act tried to ease the way to sell those claims if continued private ownership resulted in undue hardship.¹³⁸

Key to the act's implementation was the issuance of follow-up regulations. To that end, the Interior Department hurriedly prepared interim regulations that went into effect on November 11, just six weeks after the act's passage. Comprehensive regulations were published in January 1977.¹³⁹ As NPS Director Gary Everhardt noted when the second set of regulations was issued, "the new regulations enforce a much stricter approach to environmental conservation and reclamation on the park of mining companies operating in the National Park System." In order to control miners' access and land surface use and disturbance, the regulations focused on the issu-

ance of permits that would be granted only after a mining plan of operations had been approved. Miners who hoped to have their plans of operations considered for approval, moreover, had to submit them to the NPS by May 26, 1977.¹⁴⁰

Meanwhile, the Interior Department—following procedures laid out in regulations that were issued in the wake of the Mining in the Parks Act—proceeded to inventory the park's mineral resources. It did so on two levels. First, the Bureau of Mines tendered a contract to mining consultant Chuck Hawley on mining prospects throughout the park; that report was written during the winter of 1976–77 and identified a number of promising ore-bearing areas, particularly in the park's remote southwestern corner.¹⁴¹ On a more specific level, those with mining interests in the park responded to the September 1977 deadline by filing for 74 claims. Congress, in accordance with Section 6 of the act, also set a September 1978 deadline for the agency to complete validity determinations for those claims. If the NPS field investigators felt that any claims

The first large-scale hydraulic operation on Moose Creek was conducted by the Kantishna Hydraulic Mining Company. This photo, looking upstream, was taken on July 10, 1922. Steel pipe brought water from the ditch to the hydraulic mining site (in foreground, on far side of Moose Creek). P.S. Smith, 1404, U.S. Geological Survey



were economically unjustified, they would ask the BLM to issue a complaint contesting the claim.¹⁴²

NPS geologists, as a result, examined each of the outstanding mining claims during the 1978 field season. They then completed a study, issued in early October 1978, which concluded that, in their opinion, all 74 claims in the park were invalid. (In the technical language of mining regulation, the investigators concluded that “there are not presently disclosed within the boundaries of the mining claims minerals of a variety subject to the mining laws, sufficient in quantity, quality, and value to constitute a discovery.”) As a result, the NPS made no plans to either buy out the existing claimants or alter boundaries to conform to active mining areas. Instead, the Bureau of Land Management moved to contest each claim. It filed complaints against the various claim holders in the spring of 1979.¹⁴³

The Interior Department, anticipating that most if not all of the claimants would dispute the validity determinations, announced that it would hold hearings on the claims in 1979.¹⁴⁴ Those who chose to dispute their claims included Arley Taylor and Wayne Copley, who had 12 claims at Slippery Creek and Birch Creek; the Mount McKinley Mercury Mining Company, with 11 claims at Slippery Creek; Harold Herning, whose family had 13 claims at Copper Mountain; and the Alaska Limestone Corporation, which had 14 claims along Windy Creek.¹⁴⁵ These disputes were adjudicated by the Interior Department’s Office of Hearings and Appeals.

Taylor, Copley, and the Mount McKinley Mercury Mining Company argued their case before

administrative law judge E. Kendall Clarke in May 1980, and again in December 1980. In January 1981, an Interior Department solicitor wrote a post-hearing brief which concluded that “because there is not sufficient mineralization [at the claims] to warrant a prudent man to further invest his time and effort and money with the prospect of a valuable mine ... the contestees have failed to prove ... that any of the contested claims are valid.” Clarke apparently agreed with that rationale and, on December 15, 1981, he declared that all 23 claims were null and void. Taylor and Copley’s attorneys appealed the decision, but given no follow-up evidence to justify the appeal, the appeal was dismissed on April 28, 1982.¹⁴⁶

The case against the 13 Herning claims took a similar course. In September 1977, Herning’s attorney submitted the proper paperwork in response to the Mining in the Parks Act. The following year, however, a NPS geologist and an NPS mining engineer made several visits, and based on their investigations, the BLM, acting on the NPS’s behalf, filed an April 1979 complaint that there were “not minerals ... sufficient in quantity, quality and value to constitute a discovery.” Discussions, at first, hinged upon whether Herning had filed the appropriate paperwork in satisfaction of Federal Land Policy and Management Act provisions, and based on the results of a Fairbanks hearing, administrative law judge E. Kendall Clarke, in March 1980, declared the claims null and void. But Herning’s attorney appealed the case, and in June 1982 a new hearing, also in Fairbanks, attempted to resolve whether the claims held sufficient minerals to constitute a discovery. On June 9, 1983, administrative law judge L. K. Luoma concluded that “the

After the Hering mining claims were declared invalid, Harold Hering's cabin has remained at the site, serving to remind us of the historic mining activities that took place from 1921 through the 1970s on Mt. Eielson. The cabin exhibits the effects of weathering from the time it was built in 1954 to 2003, when this photo was taken. NPS Photo



evidence presented by [Hering] falls far short of overcoming [the government's] case," and he declared all 13 claims invalid. Hering did not appeal, and the case was closed.¹⁴⁷

The Alaska Limestone Corporation (ALC), with its Windy Creek interests, held out longer than the others. Company representatives claimed that the limestone deposits on their 280-acre claims were worth \$100 million and that their site improvements (including an airstrip, roads, a cabin, etc.) were worth about \$1 million. Convinced that their claims were still marketable, they claimed that the BLM report, which concluded otherwise, was a "hatchet job." Declaring that the Mining in the Parks Act (with its four-year moratorium on substantial new mining exploration and development) prevented the company from "making entry upon its property," ALC attorneys filed two lawsuits in U.S. District Court in the matter, both of which were dismissed by Judge James Fitzgerald. Corporation attorneys, undaunted, then pursued their claims before administrative law judge E. Kendall Clarke, who heard their case in May 1980. In 1981, he declared the claims null and void; company officials appealed the decision, only to have the judge rule again in the government's favor in late August 1982. ALC officials and their attorney, Edgar Paul Boyko, then appealed the decision to the U.S. District Court, but in April 1985, Judge Fitzgerald again ruled against the company. The ALC then appealed Fitzgerald's ruling, but in September 1986 its appeal was denied.¹⁴⁸

Deliberations Over Mining in the New Park Units

As noted in Chapter 8, the nine-year period between 1971 and 1980 was dominated by the process—advanced first by executive agencies, and later by Congress—that resulted in a substantial expansion of Mount McKinley National Park's boundaries and the establishment of Denali National Park and Preserve. The fate of the so-called "national interest lands" was fought throughout the State of Alaska. In the areas surrounding Mount McKinley National Park, however, efforts to expand the boundaries had begun much earlier (see Chapter 7): a 1968 master plan study had proposed the inclusion of most of the Kantishna Hills as well as the Dunkle Mine area, although the 1970 proposal that Interior Secretary Walter Hickel had approved ignored both areas. President Nixon's December 1971 signing of the Alaska Native Claims Settlement Act brought on a flurry of new park proposals, and all of those advanced by the NPS or the Alaska Planning Group (APG) included both the Kantishna Hills and Dunkle Mine within its boundaries.

Major questions remained, however, regarding how mining would be managed in the areas proposed for the park expansion. As noted above, APG officials concluded in December 1973, and again in October 1974, that any new areas included in the park would be closed to new mineral entry and development.¹⁴⁹ Other entities gave different recommendations, however. By July 1973, the Joint Federal-State



By 1937, when the Alaska Road Commission took this photograph, the park road had neared Kantishna, providing the long-awaited road access from the mining district to the Alaska Railroad. The historic Kantishna Roadhouse is the two-story structure centered in the photo. Alaska Road Commission Collection, 61-18-102, Alaska State Library

Land Use Planning Commission had concluded that all of the proposed additions south of the existing park should be open to new mining; north of the park, mining should be sanctioned in the Kantishna Hills and adjacent areas to the north and east but prohibited to the west. Mining advocates, predictably, argued that the various APG proposals would needlessly lock up Alaska's mineral wealth. One state legislator, Rep. "Red" Swanson of Nenana, was so irked at the APG proposals that he introduced a bill calling for a Kantishna State Recreation Area, which "recogniz[ed] the value to the people of the state of the existing mineral industry in the area," and Alaska mining industry representatives prepared a statewide "Alaska Resource Preservation" bill that proposed only small additions to the National Park System.¹⁵⁰

As noted in Chapter 8, conservationists, developers, and a host of other interests wrestled with the Alaska lands question in Congress between 1977 and 1980. Rep. Morris Udall's initial bill, introduced in January 1977, stated that all of the new or expanded NPS units would be "withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the mineral leasing laws."

Almost six months later, however, Sen. Ted Stevens (R-Alaska) introduced a more development-friendly "consensus bill" that called for a relatively small amount of parkland (where new mining would be prohibited), but a much larger acreage would be allotted to "Federal Cooperative Lands" which would be administered by the newly-created Alaska Land Classification Commission and would "be open to all uses authorized under the public land laws except disposal."¹⁵¹ In August 1977, NPS Director William Whalen recommended the continuation of all valid existing rights for miners, but he opposed any new mineral exploration, location, and leasing. A month later, Interior Secretary Cecil Andrus, in a similar vein, noted that "national parks, monuments and wild rivers established by this legislation will be withdrawn from all mineral exploration, entry, or leasing, subject to valid existing rights."¹⁵²

As Udall's bill wound its way through the committee process and onto the House floor, new features were added. By the time the bill passed the House, in mid-May 1978, it had several mining-related features. First, it stated that "all public lands within the boundaries of any conservation system unit in Alaska are withdrawn



By the time this photograph was taken in 1956, only a handful of permanent residents lived in the Kantishna area. Abandoned cabins were often “recycled” for new construction or firewood in this area where timber was hard to get. The two-story Kantishna Roadhouse, center, and the Busia cabin, left, are still standing in 2008. Charlie Ott Photo, Denali National Park and Preserve Museum Collection

from all forms of entry or appropriation under the mining laws of the United States.” Second, it stated that the Interior Department would “continue mineral assessment programs ... in order to expand the data base with respect to the mineral potential of all public lands in Alaska.” And finally, the procedures for the assessment program had to be transmitted to Congress by October 1981.¹⁵³ The Senate Energy and Natural Resources Committee, using the House bill as a template, produced an October 1978 committee report that, to some extent, duplicated the House’s efforts as they pertained to mining regulation. The Senate’s bill, however, was more strict in that it prohibited core-sampling and other on-the-ground mineral assessment procedures. In addition, senators—particularly Senator Stevens—recognized the special qualities of both the Kantishna Hills and Dunkle Mine areas by asking the Alaska Land Use Council (which would have been created by this bill) to collaborate with the Interior Department on a study of these areas that would evaluate the area’s resources and “may include recommendations with respect to such resources as the Council may determine.”¹⁵⁴ Both the Senate committee bill and the House bill died, however, because the 95th Congress adjourned without passing an Alaska lands bill.

In January 1979, the new Congress made a renewed attempt to pass a comprehensive lands bill. Once again, Rep. Udall introduced a conservation-oriented bill, which in its mining provisions was similar to the May 1978 House bill but omitted the three-year deadline for the mining program’s assessment procedures to be announced. This language stayed largely unchanged in the bill that the full House passed in May 1979. The Senate, however, responded by re-introducing the same bill that had emerged from the Energy Committee the previous October.¹⁵⁵ Discussions by the full Senate did not begin until mid-July 1980. What emerged from those discussions was a bill that the Senate passed in mid-August and, for reasons discussed in Chapter 8, was signed into law by President Carter on December 2.¹⁵⁶

The so-called Alaska National Interest Lands Conservation Act contained several mining-related provisions, most of which pertained to all new or expanded NPS areas. Section 206, for example, stated that “[s]ubject to existing rights ..., the Federal lands within units of the National Park System established or expanded by or pursuant to this Act are hereby withdrawn from ... location, entry, and patent under the United States mining laws [and] disposition



This aerial overview of Kantishna and Moose Creek, with Eldorado Creek on the left and Eureka Creek on the right, shows the large-scale placer mining on patented claims along Moose Creek in 1983. NPS Photo

under the mineral leasing laws.” Section 1010(b) guaranteed “adequate and feasible access” to those with “privately owned land, including subsurface rights of such owners underlying public lands, or a valid mining claim...”. Section 1010(a) stated that for all public lands in Alaska, the Interior Secretary would conduct a mineral assessment program “in order to expand the data base with respect to the mineral potential of such lands.” This program provided for aerial reconnaissance over all public lands; core samples and test drilling would also be conducted on most public lands, but not within the areas added to the National Park System. Finally, Section 1011 called on executive agencies, once each year, to share their newly-discovered mining assessment information with Congress.¹⁵⁷

The single ANILCA provision unique to newly-expanded portions of Denali National Park was Section 202(3)(b). This section stated that the Alaska Land Use Council would collaborate with the Interior Secretary on “a study of the Kantishna Hills and Dunkle Mine areas of the park” and to issue a report to Congress by December 1983. The study would describe and evaluate a broad range of area resources; in addition, “the Council, in consultation with the Secretary,” would “compile information relating to the mineral potential of the areas encompassed within the study, the estimated cost of acquiring mining properties, and the environmental consequences of further development.” Congress, knowing full well that both the Kantishna Hills and Dunkle Mine areas had a long, complex mining history along with an active cluster of current mining opera-

tions, wanted to ensure that the government would be well-informed about the broad range of area resources before it made further land use decisions.¹⁵⁸

Managing the Park’s Mineral Resources, 1978-1985

As noted above, Congress passed the Mining in the Parks Act in September 1976. In the wake of that law, the NPS issued implementing regulations in late January 1977, and the federal Bureau of Land Management completed a report in early October 1978 that ruled on the validity of the park’s various mining claims. The completion of that report meant that the NPS was one step closer to simplifying its management over the park’s mineral resources.

In December 1978, however, President Carter—disappointed that Congress had failed to pass comprehensive Alaska lands legislation—issued seventeen proclamations that established national monuments on approximately 56 million acres of Alaska land. Thirteen national monuments were entrusted to the National Park Service, and one of these was Denali National Monument, a 3,890,000-acre unit that extended north, west, and south of Mount McKinley National Park. Within the newly-designated area was a number of mineral extraction areas, including the Dunkle Mine area (along the West Fork of the Chulitna River), the Tokositna Area (in the Tokositna River drainage), and the Kantishna Hills. The proclamation noted that all lands within the monument were “hereby appropriated and withdrawn from entry, location, sale, or other disposition under the public land



This 1920s photo shows the Quigleys' Red Top Mine and their cabin on the hillside to the right of Friday Creek. Quigley Ridge is on the right. Quigley Collection 80-46-247, University of Alaska Fairbanks Archive

laws, other than exchange," although holders of mineral patents and claims retained their rights to those properties.¹⁵⁹

When Carter signed the Denali National Monument proclamation, most of the land in the new monument was public land that was being administered by the Bureau of Land Management. On October 21, 1976—less than a month after the passage of the Mining in the Parks Act—Congress had also passed the Federal Land Policy and Management Act (FLPMA), which redefined the BLM's mission. Section 314 of that act had mandated that the owners of mining claims on BLM land conform to requirements that were roughly similar to those that had been mandated by the Mining in the Parks Act. Specifically, Section 314 stated that owners of unpatented lode or placer mining claims—within a three-year timeframe—had to 1) file either a “notice of intention to hold

the mining claim” or an affidavit of assessment work at the local BLM office, 2) give a copy of the appropriate paperwork to “the office of the Bureau designated by the Secretary” (thus to the park superintendent if the claim was located in an NPS unit), and 3) provide the designated official with “a description of the location of the mining claim or mill or tunnel site sufficient to locate the claimed lands on the ground.”¹⁶⁰ Given the language in Section 314, owners of mining claims in the newly-designated monument had until October 21, 1979 to register and describe their claims. The Alaska mining industry, concerned over how the new monuments would affect the recording process, relayed their concerns to BLM and NPS officials. Together, they clarified that the primary location for mining claim registration for areas in Denali National Monument (and millions of additional acres subject to Carter's proclamation) would be at the offices of the BLM, not the NPS.¹⁶¹

NPS officials in Alaska recognized that the Mining in the Parks Act, which pertained at the time only to the “old park,” contained a clause (Section 4) that prevented the expansion of existing mining operations in the park for a four-year period. Because of that clause, and because of the NPS’s negative validity determinations, mining in the “old park” came to a virtual standstill after the 1976 season, and any arguments over various claimants’ mining plans of operations became part of a larger argument over the validity of those claims.

But for many of the mining claims in the newly-designated Denali National Monument, there was a proven record of recent mining activity. As noted above, mining had taken place in the Kantishna Hills off and on since 1903, and during the 1970s, mines in this area had produced commercial quantities of silver, antimony, and gold. (In 1975 alone, according to one report, “approximately nine placer mining operations involving about 30 men yielded at least 1,000 ounces of gold from Caribou, Glacier, Yellow, Eureka, Eldorado, Spruce, and Glen creeks.” Another report, issued the same year, stated that “six operations were underway” in the Kantishna area, “three using dozers and ground sluices, three using front-end loaders and elevated washing-screening plants.”)¹⁶² In other parts of the newly-designated monument, mining was a less important issue; in the Dunkle Mine area, for example, no active mining had taken place since 1954, and in the Ruth Glacier-Tokositna area, development had never proceeded beyond exploratory activity.¹⁶³

According to the mining regulations that were issued after the Mining in the Parks Act, owners of mining claims within the monument’s boundaries were required to complete, and gain approval of, a mining plan of operations before they could begin work on their claims in 1979. In areas outside of Alaska, the issuance of these mining plans was typically preceded by a field examination conducted by an NPS mining engineer. But given Alaska’s short field season and the huge number of mining claims that had just been absorbed into the new NPS units, NPS officials in early 1979 issued a notice stating that mining claim owners—rather than waiting for a formal validity examination—should file a Supplemental Claim Information Statement as part of their mining plan of operations.¹⁶⁴ As a result, owners of various Kantishna-area mining claims submitted mining plans of operations prior to the 1979 field season; the Alaska Miners Association, in most instances, assisted miners with this task. And except in a few instances where claimants could not prove a legal right to specific claims, NPS officials told claimants that their claims were “considered eligible for continued operations” and that “you are hereby authorized to continue your mining activities on a temporary basis ... in accordance with the details and procedure of your proposed plan of operations.” Claimants were warned, however, that the agency’s expedited approval “should in no way be construed as a final determination of validity.”¹⁶⁵

The NPS, recognizing that mineralization existed in many areas within the newly-established



During 1982 and 1983, large-scale placer mining was conducted on the Discovery claim on Friday Creek, just upstream from the creek’s park road crossing. In this 1983 photo, the Red Top Mine is at the center of the photo. NPS Photo, WAGS Collection

In 1984, this claim on upper Friday Creek was being mined with large equipment. Claire Roberts Photo, NPS, WAGS Collection



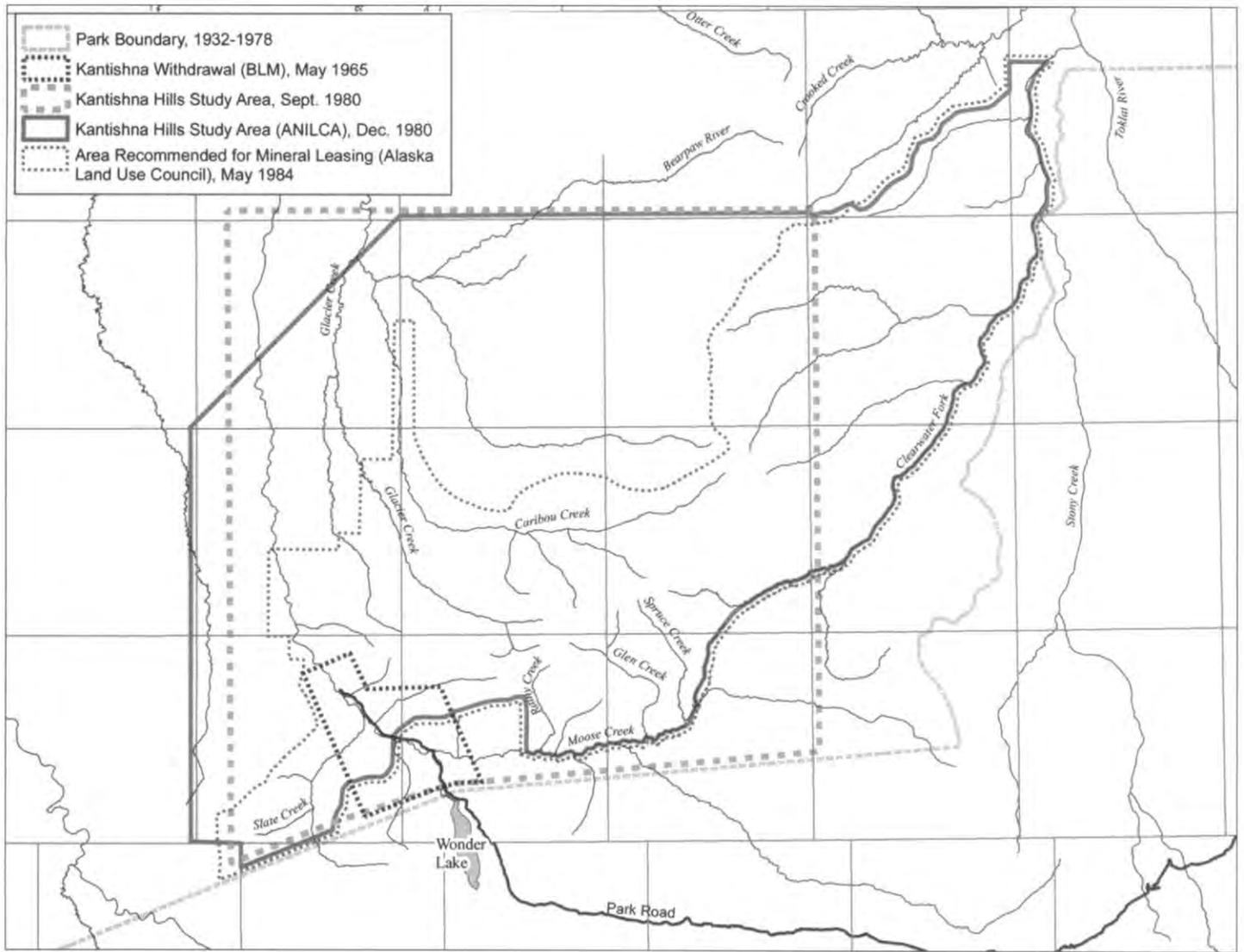
monument, dispatched several employees from the Denver Service Center's Special Studies Unit to learn more about the ongoing mining operations plus the major natural and cultural resources in the surrounding area. One DSC staffer, Wayne Hamilton, remained in the area from July through September 1979. He concluded, in a season-ending report, that "the validity of claims associated with many of the ongoing operations is probably assured based on an informal assessment," but "some of the claims being worked on a very small scale may be invalid." He conceded that "any National Park Service efforts to independently examine any one of these claims for validity would be an expensive and time consuming affair," a process made even more problematic "if the cooperation of the miners were not forthcoming." He recommended a long-term, expanded NPS monitoring and management role.¹⁶⁶ At this time, the agency had little interest in land acquisition; as Director William Whalen noted, the agency's goal was "to purchase private inholdings in the new national monuments on a willing seller-willing buyer basis. It is not anticipated that an active land acquisition program will be developed there, especially in the first few years."¹⁶⁷

Based on Hamilton's data, DSC staff returned in the spring of 1980 and established an ad hoc, 180,000-acre Kantishna Hills Study Area (see Map 8), where most of the recent mining activity had taken place. A team under the direction of Alex Carter began to compile information for a report "intended to assist the NPS ... in adequately assessing the effects of existing and

future mining activities on [area] resources ... and to expedite the processing of proposed mining plans." The agency hoped that the material would provide enough data for "adequately evaluating the majority of proposed plans and preparing the necessary environmental analyses and reviews."¹⁶⁸

The investigators soon learned that the area offered a wide variety of minerals. Deposits of lead, silver, zinc, antimony, and gold were found in several areas, while mercury and tungsten occurred in single deposits. Based on BLM data supplied after the FLPMA-mandated October 1979 deadline, the area contained 163 recorded placer claims (none of them patented) and 128 recorded lode claims (34 of them patented); together, these 291 claims covered 6,580 acres. More than two-thirds of those claims, however, were not being actively worked. DSC staff, during their 1980 investigations, noted that just 69 placer claims were being mined by 12 operators and that only 8 lode claims were being mined by 3 operators.¹⁶⁹ The agency's September 1980 report provided information about each potentially valid claim as well as additional details on active mining operations; also included was a brief history of area mining, information about the environmental impacts of mining activities in each drainage area, and suggested mining mitigation methods.¹⁷⁰

By the time DSC had issued its 1980 Kantishna report, both houses of Congress had passed an Alaska lands bill, and in December 1980 President Carter signed ANILCA into law. ANILCA,



Map 8. Kantishna Hills Administrative Actions, 1965-1984

as noted above, called for a special Kantishna Hills study. That study would be distinct from the DSC effort in four ways: 1) it would include the Dunkle Mine area (west of Cantwell) as well as the Kantishna Hills, 2) it called for a collaboration between the Interior Department and the Alaska Land Use Council,¹⁷¹ 3) the study would examine a broad range of area resources, not just mining, and 4) it would “compile information relating to the mineral potential” of the two areas as well as “the estimated cost of acquiring mining properties.”¹⁷² In order to respond to its new mining-related tasks, Congress provided a \$650,000 funding allotment during the 1981 fiscal year; that allowance, which would be spent throughout Alaska, was a greater amount than had been allotted to any of the newly-established parks.¹⁷³

Soon after ANILCA’s passage, NPS staff began to re-examine the work they had undertaken at Kantishna in 1980. Inasmuch as Congress had established a new Kantishna Hills/Dunkle Mine Study Area with specifically-delineated

boundaries, the Kantishna portion of the study area was expanded from approximately 180,000 acres to 194,968 acres; added to that was the Dunkle Mine area, which comprised most of a single township (22,841 acres).¹⁷⁴ The NPS study team, hoping to be all-inclusive, reached out and included all areas in Denali National Park and Preserve that contained recorded mining claims; this not only included the West Fork area (which was in and near the Dunkle township) but also the Tokositna area (which had two small claim groups near the terminus of Tokositna and Ruth glaciers).¹⁷⁵

The team released its findings in a September 1981 report. It stated that the Kantishna Hills had a total of 150 recorded placer claims (18 fewer than the year before, although 51 other placer claims were under adjudication); in addition, this area now had 126 recorded lode claims, 2 fewer than in 1980.¹⁷⁶ (See Map 9.) In the Dunkle Mine area, there were 18 placer claims and another 187 lode claims, and in the Tokositna area, 8 lode claims were located west of the Tokositna

This 1984 photo, looking downstream, shows placer mining on upper Friday Creek. The Kragness camp of 1982-83 on the Discovery claim, once located downstream from the active mining area, is now gone. Claire Roberts Photo, NPS, WAGS Collection



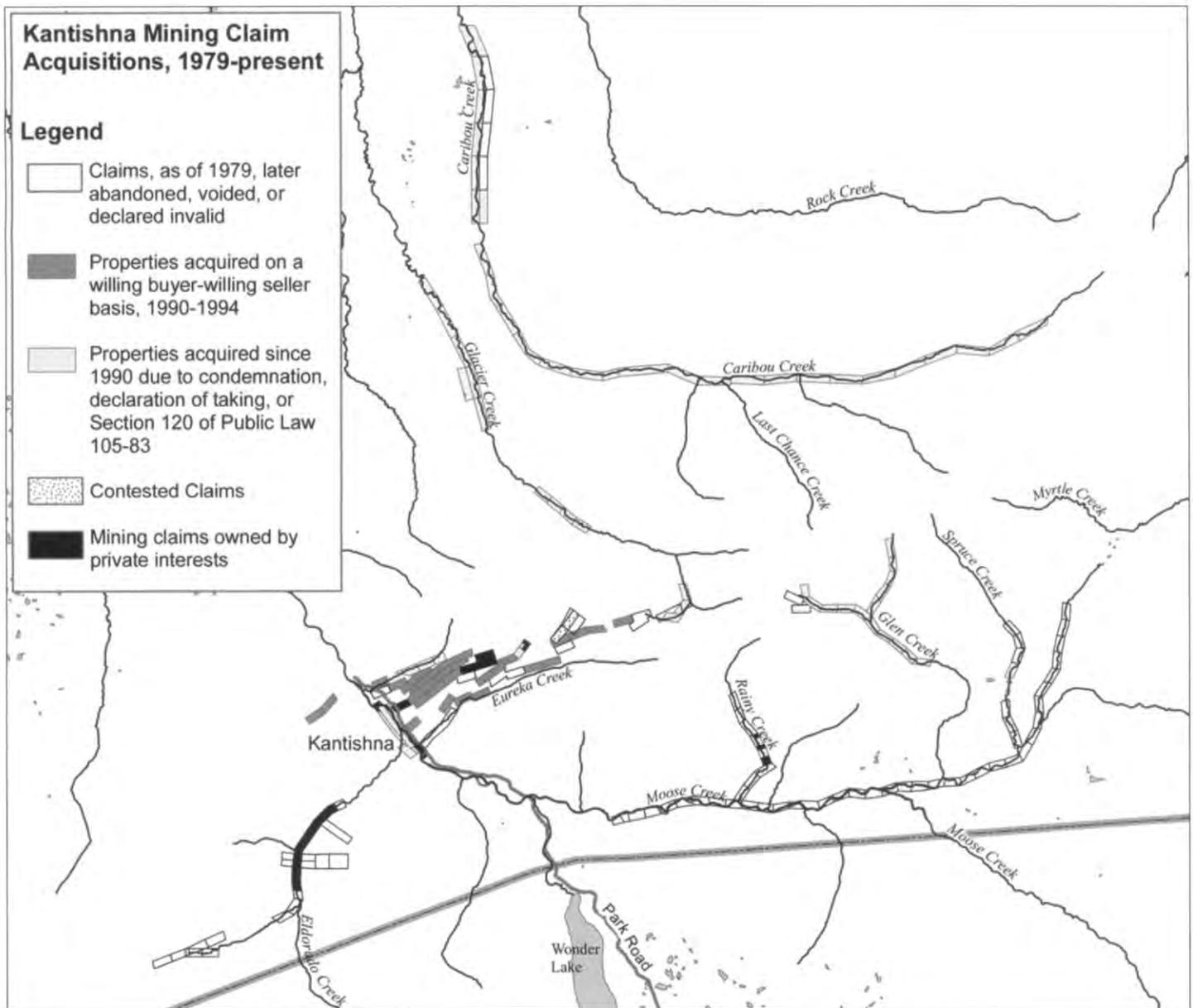
Glacier terminus and 3 placer claims just south of the Ruth Glacier terminus.¹⁷⁷ Again, however, there were relatively few active mining operations. In the Kantishna Hills, as noted above, less than one-third of placer claims and less than one-tenth of lode claims were active.¹⁷⁸ In mineralized areas south of the park, these percentages were even lower: although quite a few claims showed some evidence of minor exploration and survey work, investigators also noted that “there are currently no major mining operations in these areas of the park, and no major mining activity is anticipated in the future. ... little, if any, extraction has occurred.”¹⁷⁹ The report also described the environmental impacts of mining in areas both north and south of the Old Park and discussed a variety of mitigating measures.¹⁸⁰

Soon afterward, the Alaska Land Use Council and the U.S. Interior Department began preparing the reports that ANILCA had mandated. Section 202(3)(b) had called for a wide-ranging environmental report evaluating “the resources of the area, including ... fish and wildlife, public recreation opportunities, wilderness potential, historic resources, and minerals,” all with a December 1983 timetable. Given that direction, the so-called Kantishna Hills/Dunkle Mine Study Group (which was composed of 17 employees from four federal and three state agencies) immediately set to work. It asked two NPS biologists to inventory Kantishna Hills’ fish populations and the effects of mining on those populations; it also asked a third NPS biologist to make a similar study on Kantishna Hills’ wildlife. These studies were completed in 1983

and 1984, respectively.¹⁸¹ Funds available to outside investigators, however, were not available until later. Finally, in May 1983, the Department contracted with Salisbury and Dietz, Inc. on a comprehensive study of the mineral potential in both the Kantishna Hills and Dunkle Mine areas. This study included geologic mapping, geochemical and geophysical surveys, placer studies, and the collection and analysis of 2000 core samples retrieved from 22 Kantishna Hills drill holes. The company issued a report of its findings in the spring of 1984.¹⁸²

While biologists and contractors were at work on specialized studies, the study group went to work on a draft environmental impact statement (EIS), the purpose of which was to gather a wide range of scientific data and present various mining-related policy alternatives. In order to meet Congress’s deadline, the document was released in late May 1983. It described the environment of the two study areas, outlined six widely-varying policy alternatives, and analyzed the impact of each alternative on the areas’ environment. Because much of the biological and mining-related data was still being compiled (see above), the draft EIS refrained from suggesting a preferred alternative. The document did, however, provide a structure for upcoming reports.¹⁸³

After the report was issued, the public was given until late July 27, 1983 (later extended to August 27) to comment on the report’s findings. In mid-July, public meetings were held in four Alaska localities, which were attended by a total of more than 200 people. At the Anchor-



Map 9. Kantishna Mining Claim Acquisitions, 1979 to Present

age meeting, the majority of the 70 attendees expressed a preference for having the NPS purchase all of the existing mining claims, but at the other three meetings (at Fairbanks, Healy, and Kantishna), most participants took an opposite tack, stating a preference for having both study areas removed from the park. The study team also asked for written comments. In response, 96 such comments were received, most of which strongly favored the mining-claim-acquisition alternative.¹⁸⁴

During the winter of 1983-84, the Kantishna Hills/Dunkle Mine Study Group was hard at work on completing its various reports. The results of that work bore fruit in two separate studies: a series of policy recommendations that the Alaska Land Use Council issued in May 1984 (just one month after Salisbury and Dietz issued its report), and the final EIS, which was issued seven months later.

The Kantishna Hills/Dunkle Mine Study Group, which reported its recommendations to the Alaska Land Use Council on May 3, 1984, suggested different directions for the two mineralized areas. Regarding the Dunkle Mine area, the study group recognized that three of the seven agencies recommended Alternative 1, which “would allow mining-related activities to continue on existing valid unpatented placer and lode claims.” The Council also recommended that option, although with the caveat that available data on the area’s mineral resources and its use by the Denali caribou herd “were only marginally sufficient to make the decisions required by ANILCA”.¹⁸⁵ Regarding the more contentious Kantishna Hills area, three of the seven agencies again recommended Alternative 1, the “maintain status quo” alternative. The group, however, apparently bent to the wishes of the Alaska Department of Natural Resources, which had recommended that the Interior Department implement



Located on upper Caribou Creek, the remains of a wooden tool shed and a wooden freight wagon (pictured above in 1984) represent historic mining activities including transportation, habitation, maintenance, mining, and mineral processing during the Carrington Company's operations from 1939 to 1948. Claire Roberts Photo, NPS, WAGS Collection

a mineral leasing program beginning during fiscal year 1989. The idea seemed out-of-the-ordinary because it was not described in any of the six alternatives in the draft EIS; in addition, the implementation of a leasing program would require new Congressional legislation. The report noted, however, that “many agency concerns were alleviated by the conditions written into the proposed leasing program, which require that water quality standards and other standards would be attained prior to implementation of the program.”¹⁸⁶ Three weeks later, the Alaska Land Use Council met to consider the study group's recommendations. Recognizing that “it was the obligation of the Council ... to make a recommendation to Congress,” but also noting that “the ultimate action is that of Congress,” the Council voted to concur with the study group's report and recommendations.¹⁸⁷

As soon as the study group's recommendations became known, voices rose up in protest. Federal co-chair Vernon R. Wiggins—the lone Council member who did not concur with the study group's recommendations—wrote a lengthy, impassioned letter denouncing the action, and soon afterward, nine Interior legislators signed a joint letter stating that the proposed action was unworkable. NPS Regional Director Roger Contor, whose agency had advocated a continuation

of the status quo as it pertained to Kantishna Hills mining, carefully noted that the leasing plan was “an acceptable middle ground” worked out by diverse interests. He did not say, however, that he would work to implement the Council's plan. Instead, that decision would depend on the results of the park's general management plan (a draft of which was then being prepared) and on any Congressional action that might be forthcoming. Contor's superiors in the Interior Department, William Horn and G. Ray Arnett, agreed with Wiggins; despite their position as Reagan administration appointees, they objected to the Council's recommendation and instead concluded that “after weighing both mineral and park values, we believe ... that mining [should] be phased out in this area.”¹⁸⁸

The final EIS was completed in December 1984. It was much larger than the May 1983 draft, in part because it incorporated data that had been gathered after the draft report had been completed. The recommendations in this document reflected those that had been published in the May 1984 Alaska Land Use Council report. Consistent with the stance taken by Contor and other NPS officials, however, the agency never issued a record of decision for the document; and the NPS, during its 1985-86 park general management planning process, consistently

In the center of this 1987 aerial view of upper Caribou Creek is the tool shed and wagon (seen in the previous photo) dating from the 1939-1948 mining operations, beyond which is the Hayhurst and Kragness operation dating from 1984-1985. This latter operation, during its brief heyday, processed the largest amount of gravel in the Kantishna District. Mining & Minerals Survey, DENA Cultural Site Files



noted that although “mining on valid existing claims” was “authorized in the park subject to applicable laws and regulations,” the agency “would oppose a significant increase in mining operations,” primarily because of traffic and access-route concerns. Congress, for its part, never responded to the Council’s recommendations by attempting to institute a Kantishna Hills leasing program.¹⁸⁹

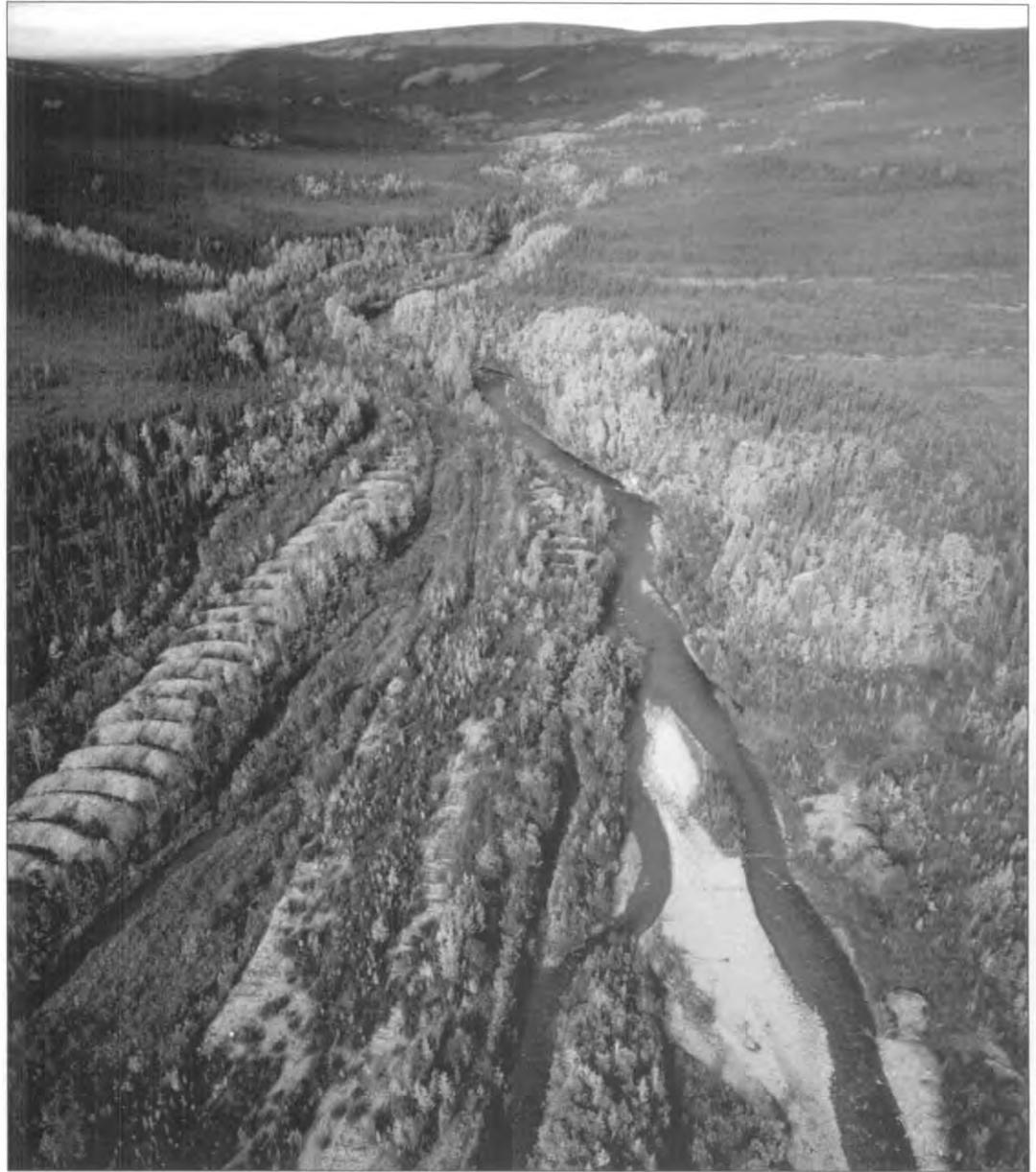
The 1985 District Court Injunction and its Impacts

As noted above, the 1976 Mining in the Parks Act stated that in order to operate within the various park units, the owners of patented and unpatented mining claims had to obtain mining plans of operations each year. Regarding mining claims in the Old Park, NPS mining engineers conducted field examinations in 1978 and concluded that none of the 74 claims existing claims passed the validity examinations. This conclusion, in turn, started a process of administrative and legal actions that, by the end of 1986, had resulted in declaring all of these claims null and void.

For mining claims located outside of the Old Park, however, the process was different. As noted above, the hundreds of claims that became part of Denali National Monument in December 1978 were a subset of a much larger number of claims that came under NPS jurisdiction throughout Alaska. These claims, in toto, were so numerous that the incremental approach that the agency had previously taken would take decades to complete. To expedite matters, therefore, the agency authorized temporary approvals for most of those who had submitted complete mining

plans of operation (although it also stated that these approvals “should in no way be construed as a final determination of validity”). Given the cost and complexity of undertaking these final determinations, and the limited budget for validity examinations, the agency in most instances annually renewed these “temporary” mining plans of operations. During and after this period, the Kantishna Hills was the center of mining-related activity, to the exclusion of all other areas in Denali National Park and Preserve.

Given the fact that the most miners, by the early 1980s, were renewing previously-approved operating plans, and given the additional fact that renewal applications were less time-intensive operations than initial applications, most miners willingly (if begrudgingly) followed the necessary bureaucratic steps.¹⁹⁰ (NPS employee Bill Tanner noted that “most of the miners have been very good about submitting plans and talking to us.”) But Jim Fuksa, the owner of the Palmer-based Red Tape Mining Company, however, refused on principle to fill out any forms; he told a ranger that he “didn’t have to do any paper work because his paper work was the constitution.” In early July 1982, moreover, he and an associate illegally bulldozed a 2½-mile-long, 10-foot-wide road to his four Yellow Pup placer claims, located along a Glacier Creek tributary. Confronted on the matter by NPS officials, Fuksa and his colleagues initially chose to continue their mining operations, but on August 2 they finally submitted a mining plan of operations. To stop further damage to area resources, District Court Judge James Fitzgerald—acting on the NPS’s behalf—issued an August 9 temporary restraining order



Claims on Caribou Creek were first staked during the summer of 1905, and the entire length of the creek was subsequently staked for either placer or lode claims. From 1905 to the mining injunction of 1985, a succession of mining techniques was used, each one obliterating some of the physical remains of earlier mining operations. Remains of various mining operations (including the tailings piles seen on left) are shown in this 2007 photo. NPS Photo

against further road construction work, and four days later, the miners agreed to the judge's order. On August 21, Fuksa and his partners agreed to stop any additional mining-related activities until the NPS approved their mining plan of operations. The agency's acting regional director approved that plan just three days later, after which mining resumed.¹⁹¹

The NPS's mining-related regulatory system continued, with few changes, into the mid-1980s. In 1983, for example, NPS officials tentatively approved at least 19 mining plans of operation covering 37 claims, and in 1984 they similarly approved 16 mining plans of operation covering 46 claims.¹⁹² Furthermore, the agency—following access guidelines set forth in Section 1110(b) of ANILCA—granted the Kantishna Mining Company a permit to construct a 1½-mile access route between the park road and the company's Caribou Creek claims. (Company officials con-

structed this road, now known as Skyline Drive, in 1983.)¹⁹³

During this period, from 1979 to the mid-1980s, the agency's primary area of concern dealt with reclamation. The miners' various plans of operation promised specified reclamation activities, but agency field observers noted, all too often, that reclamation was implemented either poorly or not at all.¹⁹⁴ So to ensure a closer broader compliance, the NPS in the spring of 1985 initiated a bonding program, effective immediately, with a minimum bond of \$200. Agency officials told claimants and operators that "reclamation progress will be monitored throughout and after the mining season and will be approved or rejected, thus releasing a portion, all or none of the bond obligation."¹⁹⁵

Then, in July 1985, an Anchorage judge dropped a bombshell that effectively forced the closure of mining in Alaska's NPS units. On July 22, Dis-



Shown above is a part of the 2½-mile-long road, illegally bulldozed in 1982, which connected the Yellow Pup placer claims (in the Glacier Creek drainage) to the park road. NPS Photo

trict Court Judge James A. von der Heydt issued a preliminary injunction in a suit that had been filed on May 8 by three Alaska-based environmental groups. During June 21 oral arguments, the plaintiffs had alleged that the NPS had a mandatory duty (based on agency regulations is-

sued in response to the 1976 Mining in the Parks Act) to review the environmental impacts of each mining operation it approved, but in seven years the agency had “not once prepared an environmental assessment.” The judge, siding with the plaintiffs, noted that mining in Alaska’s park



Access from the park road at Kantishna to Glacier and Caribou Creeks was over low country northwest of the Kantishna Hills. Mining equipment and vehicles were used to get through the boggy ground and a maze of trails developed, especially in the early 1980s, as seen in this 1983 photo. NPS Photo

Following access guidelines set forth in ANILCA, the NPS permitted the construction of a 12½ mile access route between the park road and mining claims on Caribou Creek. This 1983 view shows Skyline Drive construction (dark cut on right side of photo) in progress in the upper headwaters of Glacier Creek. John Dalle-Molle Photo, Resource Management Slide File, NPS



units was causing “major adverse effects on fish habitat, water quality and scenic values” and was producing “wastewater discharges that grossly exceed water quality standards.” Given those conditions, he ordered all park mining to be shut down “until such time as adequate environmental studies have been prepared and proper access permits issued.”

An NPS spokesperson, upon hearing the decision, defended the agency’s course of action. She stated that in all lands that had been under jurisdiction only since 1978, the agency had “attempted to phase in regulations so as not to place an unreasonable burden on the miners who had been working in this area.” “Every year since 1980,” she noted, “the park service has tightened up enforcement of the mining regulations, requiring more detailed plans of operations and increased compliance with state and federal regulations,” but if the NPS had “enforced the law to the letter in 1980 it would have effectively closed down every mining operation.”¹⁰⁶

Von der Heydt’s injunction applied to approximately 40 mining operations in seven Alaska park units and gave operators 45 days—until September 4—to cease all mining operations. NPS officials told them that after that date, only reclamation work would be permitted. As for miners’ long-term prospects, officials promised to contact them “within 60 days with information on the Court’s order and its effect on the 1986 mining season.” And at two parks, the judge imposed an additional hurdle; because most mining activity (and most environmental

degradation) had taken place at the Wrangell-St. Elias and Yukon-Charley Rivers park units, the judge disallowed future mining in those park units “until adequate environmental impact statements have been prepared that study the cumulative environmental effects of mining in those parks.”¹⁰⁷ Five months later, after further prodding from environmental groups, von der Heydt added Denali to that list. Shortly after the Denali ruling, a Sierra Club Legal Defense Fund attorney explained that “the Park Service cannot intelligently decide [on individual mining operations] until they get a look at the whole picture. ... for example ... there might be a need for fewer roads and access routes into mining claims once the park service looks at the entire area, instead of considering individual mines.” But an Alaska Miners Association representative, stung by the ruling, stated that its practical impact would be to put hundreds of miners—owners of inactive claims as well as active miners—out of work in 1986 and perhaps longer than that.¹⁰⁸

Most miners—feeling that they had little choice in the matter—finished up their work that season and reconciled themselves to waiting things out until the bureaucratic process had run its course. Not everyone gave up so easily, however. In July 1985, the Gold King claimants (brothers Eric and Paul Weiler) decided to continue mining even though the NPS had suspended their mining plan of operations. The agency, perhaps to countermand the notion that it was lax in its rules enforcement, cited one of the brothers (Eric Weiler) for mining without an approved mining plan of operations. After a September 18 court trial,

District Court Magistrate John D. Roberts ruled that Weiler was guilty.¹⁹⁹ Another miner who did not give up was Sam Koppenberg, who applied for a mining plan of operations in 1986 for his Caribou Creek claims and came close to getting it approved. Technical difficulties intervened, however, and the agency was unable to approve any Kantishna-area mining plans of operations for the remainder of the 1980s.²⁰⁰

In response to the judge's mandate, NPS Director William Mott, in late 1985 approved the establishment of a new Minerals Management Division in the Alaska Regional Office in Anchorage. Soon afterward Floyd Sharrock was selected as the division chief, and several new employees were hired to staff the division. In order to complete the Denali study, the park in 1986 hired an environmental specialist and a geologist.²⁰¹ That spring, it began work on an EIS on the cumulative impacts of mining in the Kantishna area, and in pursuit of that goal, a large field camp was operated out of a base camp at the Stampede Mine airstrip. For the following two years, Moose Creek Camp was located near the Friday Creek confluence, just southeast of the Kantishna Airstrip. Out of those camps worked a wide variety of geologists, biologists, archeologists, and other specialists; they, in turn, worked with park headquarters staff and with other agency staff based in Anchorage and Denver.²⁰²

In the midst of gathering data for this study, and for similar studies for the Wrangell-St. Elias and Yukon-Charley park units, the planning process took shape. In September 1986, three scoping meetings were held around the state; officials at these meetings informed the public about what the agency was undertaking and asked the public which issues the EIS should address. Later, in March 1988, the NPS sponsored two more scoping meetings, where the public was asked to help define the range of alternatives.²⁰³

The NPS completed its draft EIS and made it available to the public in mid-April 1989. It offered four alternatives: a no-action alternative, two similar alternatives in which new mining plans of operations would be evaluated against a series of identified "target" resources, and a fourth alternative which called for the agency to develop a mining claim acquisition plan so that the agency could acquire all patented and valid unpatented mining claims in the park and preserve. The agency, in the draft EIS for all three park units, stated that its proposed action called for the preparation of resource protection goals for riparian wildlife, fish, grizzly bear, black bear, moose, caribou, and wolf. Given those goals,

mining plans of operation could be denied if any of those goals could not be met because of the potential effects of a proposed mining operation. And in cases where the agency was unable to approve a mining plan of operations, it stated that it would pursue acquisition of the claims by purchase, exchange, or donation.²⁰⁴

In mid-May, the agency held public hearings on the draft EIS in Anchorage and Fairbanks. The deadline for public comments, originally set for mid-June, was extended until August 14 due to public requests in the matter.²⁰⁵ The NPS received a total of 17 oral and 54 written comments. Of those, not one comment called for the adoption of the agency's proposed draft alternative; instead, a solid majority (41 of the 71) organizational and individual comments urged the NPS to adopt a new alternative that called for the NPS to acquire all patented and valid unpatented mining claims. Given those responses, Regional Director Boyd Evison chose the acquisition route as the agency's preferred alternative, not only for Denali but for the Wrangell-St. Elias and Yukon-Charley Rivers park units as well. These plans, dated April 1990, were made available to the public in early June. On August 21, Evison signed a record of decision that implemented the document's recommendations.²⁰⁶

The NPS's stance, of fully supporting the acquisition of all valid mining claims in the Kantishna area, was a startling about-face to the position it had taken just six years earlier. During the late 1970s and early 1980s, neither the agency's overall management policies nor the regulations that were issued after ANILCA's passage called for the acquisition of mining claims in the new or expanded Alaska park units, except on a willing seller-willing buyer basis. As noted above, the first inkling of the agency's attitude toward mining claim acquisition appeared in 1983-84 during its participation in the Alaska Land Use Council's preparation of the Kantishna Hills/Dunkle Mine study report. The NPS's draft EIS, released in May 1983, stated that the acquisition of the 34 patented claims and 194 unpatented claims in the two study areas would cost between \$3 million and \$6 million. It also stated that the acquisition of all mining claims would be one of six policy alternatives. Neither the NPS nor the council, however, chose a preferred alternative at that time.²⁰⁷ During the ensuing year, a consulting firm compiled an acquisition cost study for the two study areas; this firm determined that acquiring these claims would be considerably higher than the NPS had estimated: \$86.5 million to acquire the patented claims and another \$70.7 million for the unpatented claims, for a total acquisition cost of \$157.2



Joe Quigley was one of the first prospectors to stake lode claims in the Kantishna District. Shown above is his Red Top Mine in 1923 when about 102 tons of silver-lead ore (foreground) was mined and stacked, ready to be transported to the Alaska Railroad. Brooks Collection, 68-32-486, University of Alaska Fairbanks Archive

million. Perhaps based on the considerable costs involved, the NPS (represented by its regional director, Roger Contor) recommended that the full council choose the “maintain status quo” option, which called for claim acquisition to “occur only on a willing seller – willing buyer or donation basis except in cases where it could be determined that mining would significantly and adversely affect park lands.” For reasons stated above, the council voted to choose the “maintain status quo” option for the Dunkle Mine area, but for the Kantishna Hills, it voted to implement a mineral leasing plan.²⁰⁸

Regional Director Roger Contor, in the wake of the council’s vote, noted on the one hand that the council’s recommendation was an “acceptable middle ground,” but he also stated that the agency’s long-term recommendation would be made in the park’s general management plan, which was then being compiled. Consistent with his earlier recommendation, he opined that the agency’s plan “probably will seek to allow only current mining to continue, as well as the purchase of existing claims when they become available.”²⁰⁹ NPS Director Russ Dickenson, upon hearing the council’s Kantishna Hills recommendation, stated that he hoped to see the NPS gradually phase out mining and possibly buy out some claims. “Where compensation is required, fine,” he said.²¹⁰ And in a surprise move, two high officials in the Reagan administration’s Interior Department agreed with Dickenson; G. Ray Arnett and William Horn stated that “it is in

the public interest as well as sound park management and resource protection that mining be phased out in this area.”²¹¹

During the 1985-86 process that resulted in the park’s general management plan, the agency took a more protective stance than Contor had predicted in June 1984. The plan stated that “patented and unpatented claims may continue to operate, subject to federal mineral management regulations.” The agency, however, would “use existing authorities to minimize the adverse effects of ongoing mining activities. Validity determinations for unpatented claims will be completed as quickly as possible to determine status. Wherever new mining activity might introduce development into a previously undisturbed area, the National Park Service will acquire the mineral properties in fee title, through donation, exchange, or purchase.” The agency’s newly aggressive stance was due, in part, to worries that patented, Kantishna-area mining claims might be used for new visitor facilities. So “to avoid this potential for adverse effects,” the plan called for the agency to “seek to acquire, through purchase, donation, or exchange, the surface estates to [all] mining properties to preclude large-scale recreational development.” The accompanying land protection plan called for the purchase of the surface estate of 41 patented lode claims; the outright purchase of 2 other patented lode claims (located along the west side of Moose Creek); and the purchase of 65 unpatented Kantishna-area claims, from three



A 35-ton-per-day flotation mill was constructed on the Red Top mine site in 1973. This was used to process 120 tons of silver ore from a nearby claim. The operation was discontinued after one season. Bryan Swift Photo, NPS, WAGS Collection

different owners, pending the results of validity examinations.²¹²

Evidence of the agency's use of "existing authorities to minimize the adverse effects of ongoing mining activities" (see above) was not long in coming. NPS mining personnel took a renewed look at the language of the Bureau of Land Management's May 1965 withdrawal. They soon found that although the Interior Board of Land Appeals had already adjudicated the legality of those claims filed before May 1965, no determinations had yet been made of the 28 claims from within the withdrawal boundaries that had been made after that date. In response, the NPS's regional director asked the BLM to adjudicate those claims. The BLM did so, and in April 1987 it issued a decision in the matter. Just one of those claims was fully legitimate; another six were partially null and void, and the remaining 21 claims were fully null and void. The BLM's investigation was a considerable help to the NPS's ongoing efforts to ascertain the ownership patterns of Kantishna-area claims.²¹³

During the late 1980s, the NPS's stance became even more protective during the process that resulted in the EIS pertaining to the cumulative impacts of Kantishna-area mining. In the summer of 1987, agency geologists began conducting validity examinations on placer and lode claims throughout the Kantishna area, and in 1988, "work went forward on amending the Land Protection Plan" (which was incorporated into the mining EIS) "so that it would be possible to eventually purchase all patented and unpatented

claims in Kantishna."²¹⁴ The draft EIS which was issued in the spring of 1989 (see above) stopped short of recommending a land-acquisition option. Instead, its recommended alternative stated that mining plans of operation would be issued only if that mining operation did not prevent the attainment of a broad series of resource protection goals. And if a mining operation could not avoid causing "unacceptable damage," the agency "would pursue acquisition of the mining claims by purchase, exchange, or donation."²¹⁵ By the end of 1989, however, the NPS—either in response to public opinion or because the system it had proposed in the draft EIS was deemed unwieldy—had changed its position; it now intended "to acquire the patented lands and unpatented mining claims in Kantishna through fee purchase." That position was reflected in the final EIS, which was completed and distributed in the spring of 1990.²¹⁶

During the period between the issuance of the mining injunction and the completion of the mining EIS, private interests continued to be active in the Kantishna area. As noted in previous chapters, Camp Denali had opened its doors to guests in June 1952, and in late 1975 Wally and Jerri Cole acquired it. Gary Crabb, who owned the McKinley Village complex, opened a second area hostelry, the North Face Lodge, in 1973. But during the 1980s, proprietors Roberta Wilson and Dan Ashbrook gradually improved the property adjacent to the old (1919) Kantishna Roadhouse, and by the late 1980s the site offered a dining room, bar, lounge, and library along with modern cedar cabins. In 1987,

In 1991 the NPS purchased the Red Top claim and most of the mill was removed. An initial site clean-up, including hazardous materials assessment and barrel removal, was conducted in 1993. Visitor accessibility combined with unsafe high walls, habitat degradation, impaired water quality and visually offensive views combined to place this abandoned mine site as one of the park's top priorities for restoration activities. Kenneth F. Karle Collection



Camp Denali's owners purchased the North Face Lodge, and two years later, Gary and Danae Kroll opened the Denali Mountain Lodge, a 24-cabin complex located along Moose Creek near the Kantishna Airstrip.²¹⁷

Among miners, however, operations largely stopped. The NPS, otherwise occupied with compiling the mining-related EIS, allowed miners continued access to their mining claims.

They issued documents that allowed them to remove their equipment, and from at least one miner, they obtained a contract for gravel extraction. But some miners, upset at both the judge and the Park Service, chafed at their enforced idleness. During the summer of 1987, for example, NPS field crews "had to endure various forms of harassment from the locals," and the owners of one claim carved out an unauthorized road and worked on their claim until cited by



Heavy equipment was used in 1999 for the Red Top mine restoration project, including installation of an adit drain and drainage treatment tank, and recontouring of the mine and mill area. The tall trees just beyond the former Red Top mine site, as seen in this 2007 photo, indicate the former cabin location of Fannie and Joe Quigley. NPS Photo

a ranger.²¹⁸ But the overall mood was quiet, as noted in an April 1990 *Alaska Magazine* article:

Mining in Denali National Park remains indefinitely suspended until the park service completes its studies and presents its findings in federal court. ... Not surprisingly, most of Kantishna's miners chose not to wait around. Many relocated or retired, but some less fortunate gold seekers were driven to bankruptcy. ... [According to one Kantishna-area resident,] "Out of 13 [mining] operations, 11 went bankrupt."²¹⁹

Developing and Implementing a Buyout Plan

As noted above, the agency's preferred alternative for the mining EIS called for the NPS to develop an acquisition plan to acquire all patented and valid unpatented mining claims in the park unit. The agency, at that time, estimated that the current gross value of the park's patented and unpatented mining claims was between \$16.5 million and \$21.5 million, although it also recognized that the total acquisition costs would exceed those figures due to various administrative costs. (Miners, however, countered that the claims were worth \$150 million or more.)²²⁰ Anticipating the need for buyout funds, the Alaska Congressional delegation assisted the process. They requested a list of all Kantishna area inholdings and an areawide management plan. The NPS, in response, completed a *Kantishna Resource Management Plan* and submitted it to Congress in early July 1990, and by late July the Senate had approved \$6 million for land acquisition purposes. Shortly after the NPS signed the record of decision, the House of Representatives chipped in with a like amount, to be withdrawn from the Land and Water Conservation Fund for the acquisition of Kantishna mining claims from willing sellers. By the end of the year the agency was on the verge of spending some \$3 million from that allotment, and officials estimated that to complete the buyout process, \$6 million would be needed annually for the next five years.²²¹ In 1991, park officials completed their "first major purchase of prioritized real estate," a 329-acre tract of patented mining properties on Quigley Ridge from Leo Mark Anthony.²²²

Meanwhile, miners did their best to actively operate their claims. The August 1990 decision that approved the eventual mining-claim buyout also stated that "until such time as funds are available for acquisition, the NPS will process mining plans of operations, amendments or modifications to existing mining plans..."²²³ A month later, NPS attorneys filed a motion to

dissolve the five-year-old mining injunction, and although environmental groups opposed that motion, the district court approved the motion and on January 2, 1991 the injunction was lifted. Meanwhile, environmental groups appealed the district court's decision to the Ninth Circuit Court of Appeals, but in April 1992 the appeals court affirmed the lower court's decision and allowed both the resumption of mining activity (according to stipulations laid out in the recently-completed EIS) and the implementation of the EIS's provisions.²²⁴ Soon afterward, operators submitted six mining plans of operations to the NPS, and by the end of 1991 two had been found "potentially approvable."²²⁵ Those two operators, however, showed little interest in working under the NPS's proposed arrangement. As a result, no Kantishna miners started up during this period; no commercial mining, in fact, has taken place anywhere in Denali National Park and Preserve since the end of the 1985 season.²²⁶

As noted in Chapter 9, claimholder Dan Ashbrook brought considerable consternation to NPS officials during the summer of 1990 when he and his fiancée, Valerie Mundt, opened a recreational vehicle campground with "pioneer cabins" (wall tents) on one of his Moose Creek claims. Ashbrook had begun working at Kantishna as a tenant miner in 1959 and had acquired his first claims in the early 1960s; as noted above, he had first come to the attention of NPS officials in late 1969, when he helped haul a "cat train" from Wonder Lake to the Slippery Creek claims over an unauthorized route. In need of income, and because the 1985 court injunction prevented him from mining his Moose Creek claims, he and Mundt operated the campground throughout the 1990 summer season as a new way to generate revenues. In July of that year, he denied that his campground venture was intended to spur Congress and the NPS to purchase his claim. But two months later, Ashbrook—recognizing that both economics and politics was preventing him from profiting from the campground, and also recognizing that Congress was finalizing a buyout plan—indicated a willingness to sell some or all of his claims.²²⁷

Beginning in 1991, a host of new would-be miners appeared on the scene as a result of actions taken by the State of Alaska. Perhaps spurred on by the states' rights rhetoric of Governor Wally Hickel, who had been elected in 1990, state water officials in 1991 asserted that Moose Creek (the primary Kantishna-area waterway) was navigable. And because the Alaska Statehood Act noted that the state government had control of navigable rivers up to the high-water line, Division of Mining officials concluded that they were

Eureka Creek, originally staked in 1905, had intermittent placer mining occurring at its mouth and along the entire length of the creek until 1985. This photograph shows the park road crossing at Eureka Creek and mining activities shortly before the 1985 mining injunction, including a recent bench cut on the right. NPS Photo



authorized to issue mining permits for operations taking place in the Moose Creek riverbed. The Division therefore issued its first mining permit, to a Slana resident, in September 1991, and by the following spring, permits had also been issued to two Fairbanks residents. National Park Service officials, however, disputed the state's authority to issue these permits. It asserted that Moose Creek was not navigable and was therefore under federal control. Park officials, recognizing that local miners lacked a Corps of Engineers permit, stated that they would stop anyone who planned to haul mining equipment down the park road; according to acting superintendent Linda Toms, "I denied that access and will continue to deny it." None of these permittees, as a result, mined along Moose Creek that summer. Hickel administration officials later withdrew their claims to ownership of the creek, after which they issued a mineral closing order for state lands throughout the park unit.²²⁸

Throughout the first half of the 1990s, the NPS continued its program of buying Kantishna-area mining claims on a willing-buyer, willing-seller basis. The program, however, proved less than successful after 1991, primarily because there were relatively few claims owned by willing sellers that were not clouded by bankruptcy or title problems. Another sticking point was the widely varying perceptions of what the various claims were worth; a Bureau of Mines contractor, for example, determined that one group of 13 unpatented claims was worth \$18.6 million, but an NPS appraiser concluded that the same properties were worth just \$172,000, which was less than

one percent of the contractor's estimate. Given these problems, some of the \$12 million that the NPS had received was paid out to mining claimants. But according to one conservation group, much of the remainder was spent on "background work," and the purchasing process got bogged down. Despite those difficulties, the NPS by the spring of 1995 had purchased approximately 500 acres in the Kantishna area, which included 24 patented claims and one unpatented claim.²²⁹ At that time, the agency estimated that it was still interested in purchasing about 14 patented claims (of about 280 acres) and 4,300 acres of unpatented claims.²³⁰

Both the NPS and Congress recognized that the sluggish process needed to be streamlined. In October 1994, the so-called Denali Task Force (see Chapter 9) reiterated the need to acquire "development rights and/or property" at Kantishna, but it also urged the NPS to "expedite the purchase of mining claims and patented land, including implementation of new acquisition methods."²³¹ Pressure to improve the system also came from Sen. Frank Murkowski (R-Alaska), who introduced the Denali Mining Claims Act of 1994 on October 7. Murkowski, based on the results of a November 1993 public hearing, stated that "Government regulations and procedures" were preventing further mining at Kantishna. Recognizing that new mining was unlikely, however, his bill provided a three-step process to streamline claims purchase, one that "would provide a balanced approach to determining mineral and land values within a reasonable time frame." Given the impending adjournment of

Eighty years of mining disturbances to Eureka Creek were so extensive that the potential for ecosystem recovery through natural processes was significantly hindered. Consequently, restoration of Eureka Creek was placed at the top of park priorities. Included in this project was removal of abandoned mining camp equipment, as seen in this 1999 photograph taken at the mouth of Eureka Creek. Kenneth F. Karle Collection



the 103rd Congress, Murkowski knew that his bill had scant chances for passage. He submitted it, however, “to give interested parties an opportunity to comment on it” and because it could be re-introduced at any later date should administrative avenues fail.²³²

In response to Murkowski’s bill, Assistant Interior Secretary George Frampton, together with NPS Regional Director Robert Barbee, assembled the Denali Mining Claim Acquisition Task Group, which was comprised of four agency staff, all located outside of Alaska. The group spent a week in mid-March 1995 meeting with Alaska agency staff, property owners, and mining-industry representatives, seeking ways to accelerate the acquisition of Kantishna-area mining claims. Goaded by the senator, who vowed that he would reintroduce his bill if necessary, the task group produced a June 1995 report that offered six separate recommendations. (The report declared that “there likely is not a single approach to acquisition that will be successful in all cases. Thus, it is recommended that several approaches be developed and implemented.”)²³³ But because no immediate follow-up action took place, some miners made a renewed attempt to mine their properties. In 1996, for example, miners submitted eight mining plans of operations. NPS officials, in response, stated that all were “deficient at some level,” although one operating plan came close to being implemented. In 1997, the agency reported that it had purchased about 1,500 acres of Kantishna claims since the buyout program had begun; in addition, it had received two offers to sell (39 acres total), while another 44 acres

were being processed for purchase.²³⁴ During the 1995-97 period, the agency also compiled and completed its *Front Country Development Concept Plan*; the recommendations in both the draft and final plans called for the NPS “to acquire development rights and/or property to retain the existing character and approximate level of use at Kantishna” and to “implement administrative changes to expedite acquisition of Kantishna mining claims.”²³⁵

During stream channel and floodplain restoration work on lower Eureka Creek, shown above in 1999, about 500 feet of the creek received bank stabilization treatment, involving installation of rows of coconut-fiber biologs. These logs were staked and anchored at channel edges along the outside of the newly created stream bends. Kenneth F. Karle Collection



Reclamation activities were completed on lower Eureka Creek in September 1999. The mouth of Eureka Creek is seen here from the park road in 2007. Kenneth F. Karle Collection



In mid-1997, Congress moved to get the acquisitions program moving again. In early July 1997, Rep. Ralph Regula (R-Ohio) introduced the 1998 Interior Department Appropriations Act. Just two weeks later, this bill passed the House, and during this time, the bill had no Denali-specific provisions. While it was being considered by the Senate Appropriations Committee, however, Sen. Ted Stevens inserted a provision pertaining to the Kantishna buyout. This provision, which was in large part consistent with the recommendations of the 1995 acquisitions task force, stated that owners of either patented claims or valid unpatented claims could voluntarily agree to sell their claims to the U.S. government via an expedited process. Stevens's provision stated that for those who took part in this process, the U.S. government would assume ownership of all patented and unpatented claims. The government agreed to "pay just compensation" to all claim owners, payment of which "shall be in the amount of a negotiated settlement of the value of such property or the valuation of such property awarded by judgment." The provision, moreover, provided a specified, legally-proven avenue by which the government would determine "just compensation."²³⁶ As David Whitney from the *Anchorage Daily News* phrased it, the provision

will create a process by which title to more than 3,000 acres of claims in the Kantishna Mining District could be transferred in a matter of weeks to the National Park Service. Claimants

will then head into federal court to seek compensation for the "legislative taking" of their property rights. Although the system is voluntary, the expectation is that most claim owners will opt for the speedier resolution of the Park Service's cumbersome administrative process for buying them out of the park.

The provision was well received by all parties. Interior Department and NPS staff praised the effort, a Sierra Club representative thanked Senator Stevens for "working in behalf of both the claimants and the public interest," and an attorney for one of the claimants stated that "this is about as good a resolution to this problem as one could come up with."²³⁷

After its approval by the Appropriations Committee, the Interior Department funding bill was brought before the Senate, which passed it on September 18. A month later the bill emerged from a Senate-House conference, and President Clinton signed it into law on November 14. Stevens's provision, during this period, underwent several minor changes, but the core of his proposed program, known as Section 120, remained in the final bill. Its language called for Kantishna-area claimholders to indicate their interest in the program by February 12, 1998. For participating claimholders, title to the claims would transfer to the federal government on that date. According to an NPS report,

There would then be an opportunity to reach negotiated settlements for payment for the claims taken, with either party being allowed to sue in the U.S. District Court in Alaska to determine the property's value. If suit is filed, the estimated compensation would promptly be deposited with the Court for the owner's availability, with the final amount established by negotiated settlement or court award.²³⁸

By the February 12 deadline, the owners of five of the seven large blocks of unpatented mining claims had consented to the legislative takings process. All told, these blocks comprised approximately 1,749 acres. Several holders of small-acreage claim groups joined the process as well, for a total of approximately 1,885 acres. By July 1999, more than two-thirds of this acreage had been acquired. (The remaining acreage was being held up due to the need for bankruptcy-court approval or because of unclear title.) Four other claim holders, who together held approximately 1,220 acres of claims, did not participate in the legislative takings process.²³⁹

Since that time, the agency has continued to work with various Kantishna-area claimholders, those who did not take part in the legislative takings process as well as those who did. Given the agency's overall goal of obtaining as much Kantishna-area acreage as possible, it has largely succeeded in that effort. As of mid-2007, less than one-half square mile of land formerly held by Kantishna-area mining claimants was held by private parties. Non-NPS mining interests included eleven parcels, totaling 113.73 acres, of patented lands, and one unpatented placer mining claim group (all or part of six claims) totaling 118.22 acres.²⁴⁰

Stampede Mine: Earl Pilgrim, the University of Alaska, and the U.S. Army

As noted above, Earl Pilgrim acquired a major antimony mine along Stampede Creek during the mid-1930s, and for a few years before the U.S. entered World War II, Stampede Mine was the territory's largest antimony producer. Transportation between the mine and the railroad, however, was slow and expensive, so Pilgrim made numerous attempts to obtain road access. Between 1942 and 1957, he tried at least four times to convince NPS officials to have a road built from the airstrip over to the Toklat River corridor and up to the park road. All of these attempts failed. In 1960, he was successful in convincing the new State of Alaska to fund the construction of a pioneer road between Lignite (on the Alaska Railroad) and his mine. But the route was laid

out so poorly that commercial traffic never traveled over the road corridor.

Pilgrim's mine produced antimony ore in 1964 and again in 1969-70. After that, however, the mine closed due to a drop in antimony values and rising labor costs. And as a 1977 report noted, Pilgrim "remained at the mine where he lived practically alone, occupying himself with small tasks.... This charming gentleman, aged 85, used his free time to become a friend of the country wildlife." The report further stated that except for the "not entirely installed" Humphrey spiral, the mill equipment was an estimated 40 years old. But "nevertheless, in spite of its aspect, the plant seems in good enough condition to be reopened after some transformations and repairs."²⁴¹

Pilgrim hoped, in 1977, "to receive some financial aid to reopen the mine." But in December 1978, less than a month after the mine became part of Denali National Monument, the former University of Alaska mining professor sold his interests in the mine and mill to Stampede Mine, Ltd., which was headed by Edwin K. Dole (who was an heir to the Dole pineapple fortune). The new owners tried but failed to reactivate the operation. As historian William Brown notes, this may have been because Pilgrim

was a genius at improvisation. One who knew him figured that he could fashion a moving part from a chunk of rock, if necessary. Machines, circuits, piping, and tools were interlocked with the personality of the man at the



Earl Pilgrim, age 87, was photographed outside his cabin at the Stampede Mine in the fall of 1979. Linda S. Barb Collection

Stampede Mine site. [After he sold out,] the new company sent in its by-the-book engineers; they simply could not make the place run. Without Earl Pilgrim's personal coaxing, all of these ingenious hookups and fabrications refused to mesh into the system that he had made.

In December 1979, therefore, the new firm donated its real estate interests to the NPS and its buildings, facilities, and mineral rights to the University of Alaska. Under the term of the donation, the NPS and the university promised to cooperatively use the site as a mining study area, where more efficient and environmentally sound mining methods might be investigated.²⁴² Although the university's School of Mineral Industries played a key role in acquiring the site, it probably held only one summer field camp there, perhaps because university officials had a poor understanding of NPS laws and regulations. In 1984, the five-year-old agreement lapsed.²⁴³

In March 1987, the two parties signed a new Memorandum of Understanding (MOU) outlining their various roles and responsibilities, and soon afterward, the NPS invited the U.S. Army's Explosive Ordnance Disposal Unit (from Fort Richardson) to the mine in order to remove a major explosives dump that had long been stored at the mill. The NPS and the Army, however, poorly communicated the specific procedures to be followed. On April 30 the Army officials, apparently miscalculating the size and capabilities of the accumulated explosives,

ignited a major explosion that severely damaged the mill. The blast demolished the nearby assay building and shed, and it seriously impacted a bunkhouse that was 250 feet away from the detonation site.²⁴⁴

The aftermath of the explosion was an uncomfortable time for both the NPS and the Army. Blasting officer Mike Shields, who has written the most comprehensive analysis of the event, stated that there was "a rapidly growing political fire, with lots of finger-pointing: the NPS said the Army screwed up; the Army said the NPS misinformed them all along the line; the press said the NPS purposely destroyed the place ... because they 'hate miners and mining'; UAF said the NPS purposely destroyed the place to prevent mining classes being held there; [and] letters to editors said the NPS ... should have known those Army kids are too young to know anything about explosives." Later, a more detailed investigation took place that was geared toward ensuring that such an accident would never be repeated. It ushered in a successful series of procedures that NPS and other agency specialists have employed at abandoned mining sites throughout the state.²⁴⁵

In early 1989, the NPS re-examined the site and suggested four preservation alternatives; it eventually opted for site cleanup, stabilization, and preservation planning. Later that year, agency staff conducted a site cleanup and emergency stabilization work, and three years later an NPS restoration specialist conducted a condition assessment of the mill building. The university,



The Stampede Mine ball mill, pictured above in 1983, was constructed in 1939. NPS Photo

This view of the Stampede Mine mill and lower camp was taken on May 19, 1987, shortly after the April 30 explosion that demolished the mill and the nearby assay building, and seriously impacted other structures at the site. Resource Management Slide File, NPS



during this period, based a geology field camp out of tents located at the mine's airstrip, but the Bureau of Land Management in 1990 declared UAF's unpatented mining claims in the area (seven lode claims and two placer claims) abandoned and void because it failed to file the necessary paperwork.²⁴⁶ The second NPS-university MOU expired in 1992 and was not renewed.

In February 1994, Pete Rutledge from the University of Alaska contacted NPS officials about two matters: agency requirements for conducting field programs at the Stampede Mine area and, alternatively, requirements for the NPS purchasing the university's mineral rights at the site. The agency responded to one of Rutledge's areas of interest by hiring an appraiser, who visited the university's 70.63-acre parcel during the summer of 1994.²⁴⁷

University mining-department officials, apparently angry that the NPS was not showing an interest in allowing continued use of the mine area, then sought help from U.S. Senator Frank Murkowski, who in July 1994 inserted a key paragraph into the Senate's 1995 Interior Department appropriations bill. That amendment called for the NPS to "enter into negotiations regarding a memorandum of understanding for the continued use of the Stampede Creek Mine property...". In addition, it provided \$250,000 to "undertake an assessment of damage and provide [Congress, by May 1, 1995] cost estimates for the reconstruction of those facilities and equipment which were damaged or destroyed as a result of the [1987] incident...". Finally, the paragraph

called on the NPS to work with UAF "to winterize equipment and materials" that had been "exposed to the environment as a result of the April 30, 1987 incident." Murkowski's insertion was successfully incorporated into the appropriation bill that passed the Senate. Similar language, however, was not included in the House version of that bill, and Murkowski's provision did not survive the House-Senate conference and was thus not signed into law.²⁴⁸

Despite the failure of Murkowski's amendment, the NPS sent staff to the site during the summer of 1995 to develop information necessary to work cooperatively with the university to further its educational goals. But Murkowski, who was the chairman of the Energy and Natural Resources in the newly Republican-dominated Senate, made a renewed attempt to insert the previous year's amendment. His amendment, in August 1995, was successfully incorporated into the Senate's 1996 Interior Department appropriation bill. That amendment, however, suffered the same fate as before; the House bill had no similar language, and the amendment was dropped during House-Senate conference negotiations.²⁴⁹

Two years later, Murkowski tried yet again to work out a deal that would assist UAF with its interests in the Stampede Mine site, and this time it worked – although in a far different way than he had envisioned in 1994 and 1995. In mid-September 1997, he inserted an amendment into the Interior Department's 1998 appropriations bill that paved the way for the NPS to purchase



What remains of the Stampede Mine mill structure is shown here in 2003, looking down on the ruins and Stampede Creek below the mill. NPS Photo

the university's interests in the Stampede Mine site. That amendment, which was approved on an 81-14 vote, also called on both the U.S. Army and the NPS to assist the university in establishing a new field school at the Golden Zone Mine. (This long-abandoned mine, which was 5 miles southwest of the old Dunkle Mine, was just outside of Denali National Park.) The Senate passed this bill on September 18, and with slight modifications it survived the conference committee and reached the desk of President Clinton, who signed the bill into law on November 14. Shortly thereafter, the NPS—following the law's provisions—began negotiating with UAF's School of Mineral Engineering on an equitable purchase price, and on September 22, 1998, the NPS bought the university's limited mineral interest in its 70.65-acre parcel. Since that time, field crews have hauled away university-owned improvements, rehabilitated various mine buildings, and surveyed the area for hazardous materials.²⁵⁰

Kantishna-area Reclamation Activities

The park-specific mining regulations that the NPS authorized in the early 1930s, and implemented in the late 1940s, made no provisions for site reclamation. But the Mining in the Parks Act, which became law in September 1976, stated in its opening paragraphs that "all mining areas of the National Park System should be conducted so as to prevent or minimize damage to the environment and other resource values." Based on that concept, the accompanying regulations

(issued in interim form in November 1976 and in final form in January 1977) demanded that all active mining operators conform to specific reclamation requirements. The goal of mining reclamation was to provide

for the safe movement of native wildlife, the reestablishment of native vegetative communities, the normal flow of surface and reasonable flow of subsurface waters, the return of the area to a condition which does not jeopardize visitor safety or public use of the unit, and return of the area to a condition equivalent to its pristine beauty.

Reclamation was to be in accordance with methods set out in the approved mining plan of operations, and was expected to be completed within six months after the operator finished his work. In addition to reclaiming land that they were currently working, operators who held previously-issued special use permits were also expected to honor the terms of those permits as they related to reclamation requirements.²⁵¹

As noted above, the passage of the Mining in the Parks Act imposed a four-year moratorium on the disturbance of new lands for mineral exploration and development. In the "old park," one mining operation (at Slippery Creek) had operated commercially in 1974 and 1975, but in all likelihood it had been abandoned by Septem-



Reclamation of the Slippery Creek mine site focused on the Mineral Mountain mining road and cleanup of abandoned equipment and debris. NPS Photo

ber 1976, when President Ford signed the act into law. Two years later, NPS mining investigators declared the various “old park” claims invalid. By this time—and certainly by the 1980s, when various judges declared the claims null and void—the former mining operators were no longer in a position to conduct reclamation activities. The task of reclamation, therefore, fell to the NPS.

When the Kantishna area became part of Denali National Monument in 1978, most of the existing operators responded by filling out the requisite mining plans of operation and continued mining much as they had before (see above). Each of those plans had a specific reclamation component. NPS staff who investigated these operations, however, often noted that reclamation activities had been undertaken either poorly or not at all. Given the fact that the approval of new mining plans of operation was dependent upon how well existing rules were followed, operators during the early- to mid-1980s paid increasing attention to reclamation.²⁵²

After Judge von der Heydt’s decision and the mining shutdown that followed, NPS staff recognized that the agency had the sole responsibility to clean up the various mining properties under

federal ownership. In 1987, therefore, park resource managers made their first steps in that direction when they did extensive restoration of the mine road and airstrip at Slippery Creek; they also removed a number of abandoned barrels at the former limestone claims along the West Fork of Windy Creek. That same year, park staff also completed Kantishna Hills studies related to revegetation, vegetation mapping, and sensitive plants.²⁵³ More large-scale reclamation work began in 1989 with the first year of the Glen Creek Riparian Ecosystem Recovery Study, a multi-year effort involving the reclamation, regrading, reseeding, and aquatic monitoring of a creek that had been subjected to years of excavation activities.²⁵⁴

During the same period in which the first reclamation activities were taking place, the agency was writing the so-called “mining EIS” which evaluated the cumulative effects of mining at three Alaska NPS units (see above). The draft EIS, dated February 1989, offered several alternatives. But “under each alternative,” it noted, “the National Park Service would pursue a program for reclamation of unreclaimed, abandoned, and acquired mined lands owned in fee by the United States and located within the unit’s boundaries.” The final EIS, released in April

1990, also recommended the implementation of a reclamation program.²⁵⁵ The record of decision, signed in August 1990, provided specifics about the program:

Subject to the availability of funds, the NPS will pursue a reclamation program on disturbed mineral properties acquired by the United States, as well as on unreclaimed, abandoned, void, donated mining claims. Reclamation activities undertaken by the NPS will be guided by the same standards as applied to mining plans of operations. Reclamation site plans and environmental clearance documentation will be prepared prior to initiation of these activities. Where appropriate, the NPS will consider using any authority it may have to require the responsible party to do or assist with the necessary reclamation.²⁵⁶

As noted above, the district court lifted its 5½-year-old mining injunction in January 1991, and in April 1992 an appeals court opinion reaffirmed the district court's action. During this period, personnel in the regional office's Resource Assessment Branch wrote a draft reclamation plan for the area. And as the first applied element in that plan, the branch organized the Kantishna Debris Removal Project during the summer of 1993, which removed debris from seven former mining sites. That same summer, the branch organized a cleanup of drums, batteries, and hazardous fluids from those sites.²⁵⁷

Little reclamation work took place at Kantishna during the mid-1990s, but more recently the pace of cleanup has increased. In 1997, the NPS began a multi-year reclamation project on Slate Creek, and a year later, preliminary work began on Eureka Creek.²⁵⁸ In 2001, agency personnel completed a new cleanup plan. In 2002 and 2006, portions of Caribou Creek were restored, and from 2003 to 2005, park staff cleaned up portions of Glen Creek that had not been reclaimed prior to 1992. Years of work remain, however; as noted in a 2003 report, there were still approximately 1,500 acres of barren gravel tailings in riparian zones from placer and gold mines that had yet to be reclaimed.²⁵⁹

The Spruce 4 Controversy

Almost ten miles east of the Kantishna townsite, Spruce Creek is a five-mile-long tributary of upper Moose Creek. The creek witnessed historical (pre-World War II) activity, as evidenced by the ruins of a historic cabin. By the time the drainage was absorbed into Denali National Park, Northwest Explorations, Inc. owned eight unpatented mining claims (Spruce #1-#8), some of which were actively mined with bulldozers and front-end loaders. By 1981, the patenting process was well underway for two of those claims (Spruce #4 and Spruce #5), and by 1986 both claims had been patented.²⁶⁰

As noted above, the NPS in 1990 went on record as backing a policy of acquiring all patented and valid unpatented mining claims. The agency's front country development concept plan, implemented in February 1997, reiterated that



The bulldozer that was brought to Slippery Creek by the mine operators in 1969 was used during reclamation of the mine road on Mineral Mountain in 1987. The Slippery Creek cabin can be seen at the base of the mountain. Brad Ebel Collection



The Glen Creek drainage, first prospected during the 1905-06 gold rush, had mining activity on it until 1985. The photographer, Stephen Foster, described the scene in the above photo as "ground sluicing on Glen Creek" in 1919. Stephen Foster Collection, 69-92-596, University of Alaska Fairbanks Archive

policy, and during the early to mid-1990s the NPS purchased hundreds of acres of Kantishna Hills mining claims. The intent of that policy was to minimize mining-related environmental degradation and to limit Kantishna-area tourism development to existing facilities.

In June 1997, a private land transaction took place that had the potential to undermine the agency's goals. Jeff Barney and Eugene Desjarlais, partners in a Fairbanks hotel-development company, purchased the patented, 20-acre Spruce 4 parcel from Northwest Explorations, Inc. for an estimated \$500,000. Shortly thereafter, Barney announced his intent to construct a resort and cabin facilities on the parcel. And in conjunction with that development, he planned to improve a little-used mining route (one that crossed Moose Creek numerous times) and lengthen a nearby airstrip.²⁶¹

Environmentalists were outraged at the announced plans, for several reasons. First, both the 20-acre Spruce 4 parcel and portions of the planned road were located in de facto wilderness.²⁶² Second, the proposed new tourism development would bring new tourists over a park road which was operating at the maximum limits that had been set forth in the 1986 general management plan. And third, the partners' bid to improve the existing road, while apparently legal according to Section 1110(b) of ANILCA, ran contrary to Congressional language which demanded that "the natural and other values

of such lands" would not be threatened by new or improved access roads. Environmentalists, as a result, hoped to stop the project; as Chip Dennerlein of the National Parks and Conservation Association noted, "This parcel should be acquired as part of the park and not be developed. As a first step, we want to see NPS make every attempt to buy the property from the new owner."²⁶³

The Park Service had little control over the owners' activities on their 20-acre parcel. The owners did, however, need the agency's consent to construct the proposed road improvements. Barney submitted a road-access application in January 1998, and two months later, the NPS responded that it would write an environmental impact statement to evaluate that application. The release of a draft EIS, originally promised in October 1998, was repeatedly delayed, and not until August 1999 was the document released to the public.²⁶⁴

A dramatic rise in the price of gold in 1972 led to a resurgence in placer mining throughout the Kantishna District. Glen Creek was intensively worked with mechanized equipment from 1973 to 1983. Shown above are the abandoned tailings piles and disturbed stream channel of lower Glen Creek. Kenneth F. Karle Collection



This 2005 view of lower Glen Creek shows the stream and floodplain restored to a near-natural configuration. Patches of willow and alder were planted on the floodplain. The return to natural conditions is enhanced by these restoration efforts. Kenneth F. Karle Collection



The draft EIS specified five alternatives. The no-action alternative called for the applicants to sell their property to the NPS; an air-access-only alternative envisioned the construction of a new, 2,500-foot airstrip, which would be near the 20-acre parcel and linked to it by a short spur road; and three surface-access alternatives called for roads along either Moose Creek, Skyline Drive, or the North Bench of Moose Creek. The NPS, at the same time, announced that it would hold five public meetings on the plan: four would be in Alaska in August, and a fifth in Washington, DC in mid-September, not long before the October 6 conclusion of the public comment period.²⁶⁵

When the agency released the draft EIS, it stated that it “has not selected a preferred alternative because it has not yet identified one.” The public, however, tilted strongly against new road construction; as planner Bud Rice noted, the NPS received more than 400 comments even before the draft EIS was released, more than 95 percent of which were against the various surface-access alternatives.²⁶⁶

Toward the end of the comment period, park superintendent Steve Martin flew to Washington, D.C., where he was scheduled to appear before the House and Senate appropriations committees, the latter headed by Sen. Ted Stevens. But that move, which was intended to explore the idea of providing sufficient funds to buy the Spruce 4 parcel, was chastised by the other two members of the Alaska Congressional delegation.

Both Don Young and Frank Murkowski, respectively, headed the House and Senate Energy and Natural Resources committees, and both were in favor of allowing the partners to construct the proposed, 30-cabin McKinley View Lodge.²⁶⁷

During the fall of 1999, the agency proceeded to prepare the final EIS on Spruce Creek access. The document was originally scheduled to be completed by November, but in March 2000 the NPS asked for a delay (until late May) due to “extensive agency and public comment on the draft EIS and the need to conduct an economic feasibility study of the access alternatives.” Soon afterward, Superintendent Martin returned to Washington for further negotiations, and in meetings with Jeff Barney and Sen. Murkowski, they worked out a mutually-agreeable purchase price, which was reportedly “about twice the appraised value.”²⁶⁸ Given that turn of events, the applicants requested that the NPS not release the final EIS while they considered the NPS’s offer to purchase the property. A month later the agency did complete its final EIS (which recommended that the owners “sell all or most of the property to the NPS”). But given the applicants’ request, the final EIS remained as an internal review draft and was not published or distributed.²⁶⁹

Senator Murkowski, one of the members of the three-man team that had worked out the agreement during the spring of 2000, recognized that Congress retained the right to review all government purchases that were above the appraised

value. And because either he or the partners had second thoughts about that agreement, Murkowski opted to prevent the NPS from going ahead with the purchase.²⁷⁰ The senator held up any further actions on the matter for more than 18 months. But in early December 2001, Congress finally authorized the NPS to purchase the property. Early the following February, agency officials reported that “purchase of the 20-acre Spruce #4 patented claim will soon close,” and by the end of the month the transaction was complete.²⁷¹ It called for the partners to sell 18 of the 20 acres to the federal government; the remainder allowed both Barney and Desjarlais to retain one-acre parcels for the cabins that they had recently constructed, with the caveat that they would be only for their “private, personal use.”²⁷²

During the negotiations that led to the land sale, the partners “requested access over existing mining access trails and use of the existing Glen Creek airstrip.” NPS officials recognized that what was being requested was largely a continuation of existing use patterns; the results of that request, therefore, did not constitute an action with potentially significant impacts. As a result, the agency announced that it was terminating its EIS; instead, it planned to issue an environmental assessment. The agency therefore issued an environmental assessment related to the Spruce Creek access question in April 2002. Given the agreement between the partners and NPS, the NPS’s proposed alternative called for an access route that was largely similar to what the partners had proposed in early 1998; it was identical, in fact, except that two-thirds of a mile of new road would be built near Spruce Creek in order to avoid in-stream travel. The partners would be allowed to use the existing Glen Creek airstrip. Use of the 9.7-mile Moose Creek-Spruce Creek route would be allowed as well; the number of these trips, however, “would be limited to protect fish habitat and recreational uses in the area.”²⁷³ The release of the document, announced May 15, started a 30-day public comment period, after which the agency implemented the document’s recommendations.²⁷⁴

Notes - Chapter 14

- ¹ Tom Walker, *Kantishna: Musers, Miners, Mountaineers* (Missoula, Pictorial Histories, 2005), 9, 11.
- ² *Ibid.*, 27-32; Jane G. Haigh, *Searching for Fannie Quigley: A Wilderness Life in the Shadow of Mount McKinley* (Athens, Ohio, Swallow Press, 2007), 53-55, 58.
- ³ Walker, *Kantishna*, 49-50, 55-58; Brown, *Denali: Symbol of the Alaskan Wild*, 81; Sheldon, *The Wilderness of Denali* (New York, Charles Scribner's, 1930), 6-8, 87-90.
- ⁴ Brown, *Denali*, 86; Haigh, *Searching for Fannie Quigley*, 61-62, 72-75; Walker, *Kantishna*, 86-87. Sheldon—and many others as well—spoke of “Fannie Quigley” in 1907 if not earlier, but Joe and Fannie did not marry until February 2, 1918.
- ⁵ Walker, *Kantishna*, 83, 86, 94, 99-100, 102-03; Brown, *Denali*, 68, 74.
- ⁶ Charles Caldwell Hawley, *Wesley Earl Dunkle: Alaska's Flying Miner* (Boulder, University Press of Colorado, 2003), 146; Stephen R. Capps, “Geology and Mineral Resources of the Region Traversed by the Alaska Railroad,” in *Mineral Resources of Alaska: Report on Progress of Investigations in 1922*, USGS Bulletin 755 (Washington, GPO, 1924), 144; Stephen R. Capps, *The Kantishna Region, Alaska*, USGS Bulletin 687 (Washington, GPO, 1919), 113.
- ⁷ Gail E. H. Evans, *From Myth to Reality: Travel Experiences and Landscape Perceptions in the Shadow of Mount McKinley, Alaska, 1876-1938*, unpublished M.A. Thesis, U.C. Santa Barbara, February 1987, 76-77.
- ⁸ Sheldon to Mather, December 15, 1915, in John M. Kauffmann, *Mount McKinley National Park, Alaska; A History of its Establishment and Revision of its Boundaries* (Washington, D.C., NPS, July 1954), 7-8.
- ⁹ 64th Congress, 1st Session; H.R. 14775 (April 18, 1916) and S. 5716 (April 22, 1916); Kauffmann, *Mount McKinley National Park*, 8-10.
- ¹⁰ *Congressional Record* 64 (February 19, 1917), 3628, 3630; 64th Congress, Public Law 353 (February 26, 1917); Brown, *Denali*, 91-92.
- ¹¹ Lary M. Dilsaver, ed., *America's National Park System: the Critical Documents* (Lanham, Md., Rowman and Littlefield, 1994), 9, 28-29, 36; Richard Sellars, *Preserving Nature in the National Parks; a History* (New Haven, Yale, 1997), 25; Theodore Catton, *Wonderland: An Administrative History of Mount Rainier National Park* (Seattle, NPS, May 1996), 698-99, 701.
- ¹² Frank Norris, *Alaska Subsistence; a National Park Service Management History* (Anchorage, NPS, 2002), 18; NPS, “The Pioneer Yosemite History Center” (pamphlet), at <http://www.nps.gov/yose/planyourvisit/upload/pyhc.pdf>
- ¹³ Dilsaver, ed., *America's National Park System*, 46, 50.
- ¹⁴ Dilsaver, ed., *America's National Park System*, 28; 51st Congress, Chapter 1263 (California Forest Reservation Act, October 1, 1890, sections 2 and 3 (*U.S. Statutes at Large* 26 [1890], 650); Lary Dilsaver and William C. Tweed, *Challenge of the Big Trees: A Resource History of Sequoia and Kings Canyon National Parks* (Three Rivers, Calif., Sequoia Natural History Association, 1990), chapter 4; Sellars, *Preserving Nature in the National Parks*, 10.
- ¹⁵ Catton, *Wonderland*, 143-54, 207-08, 699-700; Sellars, *Preserving Nature in the National Parks*, 23.
- ¹⁶ Harlan D. Unrau and Stephen R. Mark, *Crater Lake: Administrative History* (Seattle, NPS, 1991), Chapter 4; 71st Congress, Public Law 574, January 26, 1931 (*U.S. Statutes at Large* 46 [1931], 1043).
- ¹⁷ Dilsaver, ed., *America's National Park System*, 46, 48; Sellars, *Preserving Nature in the National Parks*, 60.
- ¹⁸ NPS, “Parkland Protection Hailed as Park Mining Laws Repealed” (News Release), October 8, 1976, in “K3415 Press Releases – Department, 1976-77” folder, Box 1, Collection 00495, DENA Archives; D. E. Lee to [Joseph E.] Taylor, November 14, 1939, in File 609-01 (Mining Claims), MOMC, CCF, RG 79, NARA SB; Public Law No. 574, 1043; U.S. Dept. of the Interior, *Environmental Consequences of Mineral Extraction: Glacier Bay National Monument and Mount McKinley National Park and Discussion of Alternatives for Acquisition of Mining Claims and/or Boundary Modifications to Reduce Possible Acquisition Costs, Glacier Bay National Monument, Report to the Congress of the United States Prepared in Partial Compliance with Public Law 94-429*, January 1979, 1; Theodore Catton, *Land Reborn: A History of Administration and Visitor Use in Glacier Bay National Park and Preserve* (Anchorage, NPS, 1995), 63-64.
- ¹⁹ Ann Bischoff Kain, *Cultural Resource Management, Denali National Park and Preserve, Alaska* (unpublished M.A. thesis, Antioch University, March 2001), 108-11; SMR, August 1921, 2; July 1924, 5; Walker, *Kantishna*, 107; Brown, *Denali*, 109-10.
- ²⁰ Thomas K. Bundtzen, “A History of Mining in the Kantishna Hills,” *Alaska Journal* 8 (Spring 1978), 156. Harry Karstens, in a January 10, 1922 letter to Arno Cammerer (located in DENA Archives) stated that the “Mount McKinley Mining Co.” had a “proposed ditch from McKinley River in the Park to the Kantishna District.”
- ²¹ SMR, September 1921, 5; April 1923, 5; Capps, “Geology and Mineral Resources of the Region Traversed by the Alaska Railroad,” 143-44; Walker, *Kantishna*, 203.
- ²² SMR, April 1923, 5; September 1923, 2, 5; May 1924, 5; October 1924, 8.
- ²³ SMR, April 1923, 3; September 1923, 5; December 1924, 8; Hawley, *Wesley Earl Dunkle*, 88-90.

- ²⁴ SMR, April 1923, 5; September 1923, 5; December 1924, 8.
- ²⁵ SMR, January 1922, 3, 4; February 1922, 3; December 1922, 3; February 1923, 6.
- ²⁶ SMR, April 1922, 2, 3, 7; February 1923, 6; September 1923, 2.
- ²⁷ SMR, October 1922, 6; January 1926, 3; February 1926, 1, 5.
- ²⁸ SMR, March 1926, 1.
- ²⁹ SMR, January 1926, 3.
- ³⁰ 71st Congress, *U.S. Senate Report 545* (April 21, 1930); *Congressional Record* 72 (May 7, 1930), 8522; 71st Congress, Public Law No. 574; *U.S. Statutes at Large* 46 (1931), p. 1043-44. The term "Surface Use Act" was noted years later; see Herbert Maier to Director NPS, November 22, 1948, in File 609-01 ("Mining Claims"), MOMC, CCF, RG 79, NARA SB.
- ³¹ Kain, *Cultural Resource Management*, 109, 112; Brown, *Denali*, 110; SMR, August 1933, 5.
- ³² SMR, October 1931, 2; August 1933, 2, 4.
- ³³ Jane Bryant email, November 24, 2003; Jane Bryant interview, August 2, 2007; SMR, July 1934, 6; September 1937, 5.
- ³⁴ In October 1939, an official with the Red Top Mining Company (above Eureka Creek), noting that there were "frequent outcroppings of coal along the north side of the park," requested permission "to prospect for coal in the park." But a month later, the NPS's chief attorney (in Washington) stated that because of provisions in the Mineral Leasing Act, enacted on February 25, 1920 (66th Congress, Public Law No. 146, noted in *U.S. Statutes at Large* 41 [1920], 437-38, Secs. 1-2), "coal mining in the park is not permissible under existing federal law." George A. Moskey to Supt. MOMC, November 8, 1939, in File 609-01 (Mining Claims), MOMC, CCF, RG 79, NARA SB. Also see SMR, September 1940, 2.
- ³⁵ Kain, *Cultural Resource Management*, 113; SMR, March 1934, 3; September 1937, 2.
- ³⁶ SMR, September 1933, 4; October 1933, 1; *Anchorage Daily Times*, October 9, 1933, 4; Haigh, *Searching for Fannie Quigley*, 141-42.
- ³⁷ Kain, *Cultural Resource Management*, 113-14; Brown, *Denali*, 110-11; Haigh, *Searching for Fannie Quigley*, 143-45.
- ³⁸ SMR, April 1937, 4; August 1937, 3; Hawley, *Wesley Earl Dunkle*, 88, 125-28, 145-46. A May 24, 1971 report by the NPS's Alaska Group, entitled *Prospecting and Mining at Mount McKinley National Park and Glacier Bay National Monument* (p. 3) noted that "In the 1930s [presumably in 1937] a tractor was driven up the Slippery Creek drainage leaving a trail that can still be located in part." Remnants from the period included a log cabin, an airstrip, a road up to the two adits, and scattered refuse.
- ³⁹ SMR, September 1939, 6.
- ⁴⁰ *Federal Register* 1 (June 27, 1936), 677; *Federal Register* 5 (April 29, 1940), 1654.
- ⁴¹ Been to the Director, May 17, 1940, in Folder 208 (Rules and Regulations), MOMC, Entry 7, RG 79, NARA CP.
- ⁴² *Federal Register* 6 (March 26, 1941), 1631-32.
- ⁴³ Hillory A. Tolson to Supt. MOMC, May 5, 1941; Glenn Carrington to Been, June 1, 1941; D.R. Gustafson to Anthony Dimond, June 1, 1941; Been to Director NPS, June 4, 1941, all in Folder 208 (Rules and Regulations), noted above; SMR, March 1942, 2. The level of fees levied to these operators is not known, but based on similar correspondence from 1950, it was probably \$20 per year or less.
- ⁴⁴ Ann Kain, "Going for the Gold in Kantishna," *Alaska Park Science*, December 2006, 41. Congress waived the assessment requirements in 1943 and did not reinstate them until 1950. Public Law 78-47, noted in *U.S. Statutes at Large* 57 (May 3, 1943), 74; Public Law 81-107, noted in *U.S. Statutes at Large* 63 (June 17, 1949), 200-01; SMR, March 1950, 4.
- ⁴⁵ Kain, *Cultural Resource Management*, 114-15; SMR, June 1942, 2; September 1942, 2; March 1943, 1; July 1943, 1-2; October 1943, 1; May 1944, 1; July 1944, 1.
- ⁴⁶ SMR, March 1941, 4; September 1942, 2; March 1943, 1; July 1943, 1-2; August 1944, 1; September 1945, 1.
- ⁴⁷ *Fairbanks Daily News-Miner*, September 2, 1941, 8; Haigh, *Searching for Fannie Quigley*, 148-52; SMR, August 1945, 1; Pearson, *My Life of High Adventure*, 49-52. Longtime park employee John Rumohr, who knew Busia over a number of years, pronounced his name BOO-see-a, while Bill Brown (*Denali, Symbol of the Alaskan Wild*, 113) states that boo-SHAY was correct.
- ⁴⁸ Pearson, *My Life of High Adventure*, 53-61; SMR, September 1943, 2; April 1944, 2; August 1944, 3; April 1947, 2; Brown, *Denali*, 113-15; Harry Karstens to Arno Cammerer, January 10, 1922, in DENA Archives.
- ⁴⁹ Roife Buzzell, *Overview of Mining in the Kantishna District, 1903-1968*, unpub. mss., January 9, 1989, Logan Hovis (NPS) files, p. 21; Alaska Department of Natural Resources, *Report of the Division of Mines and Minerals for the Year*, various annual issues, 1959 to 1969.
- ⁵⁰ Kain, *Cultural Resource Management*, 115; SMR, 1957, 3. Busia lived in a cabin along Moose Creek and trapped in the area; he was one of the few year-round residents during the postwar period.
- ⁵¹ Kain, *Cultural Resource Management*, 115-16; SMR, May 1950, 3; SMR, August 1966, 4; Territory of Alaska, *Report of the Commissioner of Mines to the Governor*, various biennial issues, 1946 through 1958; Alaska Dept. of Natural Resources, *Report of the Division of Mines and Minerals for the Year*, 1959 to 1969; Buzzell,

Overview of Mining, 18-20. Thomas Bundtzen, in his "A History of Mining in the Kantishna Hills," p. 157, notes that Crooked Creek mining continued until 1965. As noted in Chapter 7, the Glen Creek Development Company built a 1,300-foot airstrip near its workings and also lengthened the Kantishna airstrip to 1,750 feet.

⁵² SMR, May 1949, 2; November 1949, 2; May 1950, 3; August 1950, 4; *Anchorage Daily Times*, December 12, 1975, 3; NPS, "New Mining Regulations Adopted by Park Service" (DOI News Release), January 26, 1977, in "K3415 Press Releases – Departmental, 1976-77" file, Box 1, Collection 00495, DENA Archives.

⁵³ SMR, July 1954, 4; NPS Alaska Group, *Prospecting and Mining*, 3; Bureau of Land Management, "Grant" Mining Claim File (FF034273), NARA Anchorage. Jane Bryant (June 22, 2007 interview) noted that Herring's "old road" forked south from today's park road one-quarter mile east of Eielson Visitor Center. An Alaska Road Commission vehicle had first used the route in September 1932 to access the Park Service's Copper Mountain relief cabin, which had been built in 1928. See Photo 88-12-219, Edmunds Collection, AMHA.

⁵⁴ SMR, June 1950, 3; Grant Pearson to Supt., Mount Rainier NP, July 11, 1950, in Folder 901 (Permits), MOMC, CCF, RG 79, NARA SB.

⁵⁵ See Supt. MOMC to RD/R4, April 8, 1952, in "Special Use Permits" file, Folder 99, Series 1, DARC, DENA Archives. The cessation of road-use fees, in all probability, was a response to two agency-wide "delegations of authority" orders that shifted authority for fee assessment from the Interior Secretary to the NPS Director (in June 1951) and then to regional and park officials (in May 1952). Park superintendents, beginning in 1940, had complained that levying fees was unnecessary because Kantishna miners, who were few in number, caused few resource-related problems along the park road. It is likely, therefore, that Supt. Pearson took advantage of the flexibility provided by these orders to eliminate the road use fees. *Federal Register* 16 (June 19, 1951), 5847, Sec. 24; *Federal Register* 17 (May 23, 1952), 4721, Sec. 20.

⁵⁶ SMR, October 1947, 3; March 1948, 4; March 1951, 4; September 1953, 1; January 1955, 3; April 1955, 4; February 1956, 2; September 1956, 3.

⁵⁷ SMR, August 1957, 3.

⁵⁸ Although the park's mining regulations were considered "unnecessary" after September 1976, they remained on the books until December 1980. See *Federal Register* 45 (May 22, 1980), 34759; *Federal Register* 45 (November 25, 1980), 78119-20.

⁵⁹ SMR, May 1957, 4; June 1957, 4; *Federal Register* 22 (June 4, 1957), 3896.

⁶⁰ *Fairbanks Daily News-Miner*, May 12, 1958, 3; Public Land Order 1667, noted in *Federal Register* 23 (June 28, 1958), 4811.

⁶¹ As Donald H. White notes in *Antimony Deposits of the Stampede Creek Area, Kantishna District, Alaska*, USGS Bulletin 936-N (Washington, GPO, 1942), p. 332, "The date of the discovery of the deposit is not known. The first active mining was done in 1915, in response to the very high prices prevailing for antimony at that time. About 150 tons of ore was mined, probably in 1915, but no shipments were made."

⁶² Brown, *Denali*, 192; Pilgrim to Ike P. Taylor, November 27, 1942, in File 610 ("Private Lands"), MOMC, CCF, RG 79, NARA SB; Bundtzen, "A History of Mining in the Kantishna Hills," 159. In early 1937, the ARC provided materials for the construction of three bridges along the Stampede-Lignite route to allow summer ore hauls. The bridges soon caved in, however.

⁶³ Earl Pilgrim to Morris P. Kirk, June 10, 1937, and Kirk to Pilgrim, June 23, 1937, both in Box 6, Folder 15, Box 6, Accession 318 (Earl Pilgrim papers), DENA Archives; G. O. Kempton to Earl Pilgrim, May 12, 1952, in "Stampede Airport" folder, FAA Airports Division historical files, Anchorage; Brown, *A History*, 207; White, *Antimony Deposits of the Stampede Creek Area*, 332-34; Bundtzen, "A History of Mining in the Kantishna Hills," 159.

⁶⁴ Brown, *Denali*, 192.

⁶⁵ Supt. MOMC to Director, December 10, 1942; Newton Drury to RD/R4, January 6, 1943; both in File 610 ("Private Lands"), noted above; SMR, December 1942, 2; Brown, *Denali*, 193.

⁶⁶ Brown, *Denali*, 193; SMR, April 1947, 3; May 1947, 3; January 1948, 2; May 1948, 2; September 1948, 2; William E. Warne to Mr. Sherman, June 18, 1948, in "Special Use Permits" file, Box 99, Series 1, DARC, DENA Archives.

⁶⁷ Brown, *Denali*, 193; SMR, July 1954, 1; SMR, March 1955, 1, 3.

⁶⁸ Territory of Alaska, *Report of the Commissioner of Mines to the Governor*, 1956 issue, pp. 48, 92.

⁶⁹ Brown, *Denali*, 193-94; SMR, April 1958, 2.

⁷⁰ *Fairbanks Daily News-Miner*, March 24, 1961, 3; May 27, 1961, 3; June 20, 1961, 1; August 19, 1963, 4; Eugene Therriault, "A Road to Stampede," unpub. mss., 8-13, Item 869, DENA RML.

⁷¹ Brown, *Denali*, 194; Bill Brown to author, email, November 21, 2005; Natural Resource Consultants, "Stampede Mine-Alaska, Report of Visit," August 1977, in Logan Hovis, comp., "Stampede Mine and Mill Process Notes," unpub. mss., Hovis files. In 1988, Celia Hunter stated that Pilgrim "used up the entire pioneer access road appropriation for one year" to construct this route (see Chapter 9).

⁷² William E. Wrather (Director, USGS) to O.A. Tomlinson, September 10, 1947, in File 609.01 ("Mining – Part I"), MOMC, CCF, RG 79, NARA SB. According to the *Anchorage Daily News*, November 12, 1948, p. 4, "In 1931,

G. A. Waring of the Geological Survey sampled the limestone outcroppings along the bony ridge near Little Windy Creek, between Cantwell and Windy.”

⁷³ Frank T. Been to RD/R4, in File 609.01 (“Mining – Part I”), MOMC, CCF, RG 79, NARA SB.

⁷⁴ *Ibid.*; William E. Wrather (Director, USGS) to O.A. Tomlinson, September 10, 1947, in File 609.01, see above. The study, by Gerald A. Waring, was published as *Nonmetalliferous Deposits in the Alaska Railroad Belt*, Circular 18 (Washington, GPO, 1947), 10 pp.

⁷⁵ Claus-M. Naske, “Alaska in the Mix,” *Alaska History* 16 (Spring-Fall 2001), 17-33.

⁷⁶ Been to RD/R4, August 16, 1948, and Arthur E. Beaudin to J.A. Krug, August 25, 1948; both in File 609.01 (“Mining – Part I”), MOMC, CCF, RG 79, NARA SB; SMR, May 1948, 4; July 1948, 1; August 1948, 1, 3.

⁷⁷ Alfred C. Kuehl to RD/R4, August 14, 1948, and Been to RD/R4, September 7, 1948; both in File 609.01, see above; *Anchorage Daily Times*, September 7, 1948, 1. As noted in *Jessen’s Weekly*, October 29, 1948, p. 2, the Bureau was later authorized to drill “six holes, two inches in diameter and five hundred feet long.”

⁷⁸ Drury to Been, telegram, September 7, 1948, Been to RD/R4, October 14, 1948, Kuehl to RD/R4, October 14, 1948, and Been to RD/R4, October 29, 1948, all in File 609-01, see above; *Anchorage Daily Times*, September 8, 1948, 2; *Anchorage Daily Times*, September 10, 1948, 2. Supt. Been, along with H. H. Hilscher of Fairbanks, felt that there were procedural errors with how the claims were filed, and Been kept other NPS officials apprised of these technicalities. But because the claims were never developed, these purported errors remained unresolved. Naske, “Alaska in the Mix,” 20.

⁷⁹ Krug to Robert Day, September 15, 1948, in File 609-01, see above.

⁸⁰ John C. Reed, etc. to Chairman, Alaska Field Committee, October 8, 1948, and Kuehl to RD/R4, October 14, 1948; both in File 609-01, see above.

⁸¹ Warne to Director NPS, October 18, 1948, in File 208.43 (“Mining”), MOMC, Entry 7, RG 79, NARA CP; Kadow to Warne, November 12, 1948, Herbert Maier to Director NPS, November 22, 1948, and Drury to Secretary Krug, November 26, 1948; all in File 609-01, see above. The Glacier Bay act was Public Law 74-750, which became law on June 22, 1936; see *U.S. Statutes at Large* 49 (1936), p. 1817.

⁸² Been to RD/R4, December 10, 1948; Maier to Director NPS, December 22, 1948; Drury to Secretary Krug, February 7, 1949; all in File 208.43 (“Mining”), see above; *Federal Register* 14 (March 3, 1949), 955-57.

⁸³ As noted in the *Anchorage Daily News*, November 12, 1948, p. 4, plans at this time called for the cement plant to be built in the park just east of the railroad at mile 323. Also see Been to Director NPS, September 7, 1948, and Kuehl to RD/R4, October 14, 1948, both in File 609-01, see above.

⁸⁴ Kuehl to RD/R4, October 14, 1948, in File 609-01, see above.

⁸⁵ Marion Clawson (Director, BLM) to Secretary Krug, December 10, 1948; Public Land Order 538, in *Federal Register* 13 (December 18, 1948), 7866.

⁸⁶ Krug to Robert Day, September 15, 1948, and Tolson to RD/R4, September 22, 1948; both in File 609.01, see above.

⁸⁷ Been to RD/R4, October 29, 1948; Drury to Warne, November 26, 1948; both in File 602 (“Boundaries – General”), MOMC, CCF, RG 79, NARA SB.

⁸⁸ Drury to RD/R4, December 23, 1948; Been to RD/R4, January 12, 1949; Tomlinson to Director NPS, January 25, 1949; Charles Richey to Hillory Tolson, May 18, 1949; all in File 609-01, see above.

⁸⁹ Naske, “Alaska in the Mix,” 21-22.

⁹⁰ *Ibid.*, 23.

⁹¹ *Ibid.*, 23-25, 28; William Warne to Secretary Oscar Chapman, January 19, 1950, in File 609-01, MOMC, Entry 7, RG 79, NARA CP.

⁹² SMR, July 1950, 5, 6; August 1950, 2, 3; September 1950, 5; October 1950, 3.

⁹³ John E. Doerr to Director NPS, November 9, 1948, in File 609-01, MOMC, Entry 7, RG 79, NARA CP. The year’s findings were published in an open-file report by Robert M. Moxham, Walter S. West, and Arthur E. Nelson entitled *Cement Raw Materials Available to the Windy Creek Area, Alaska* (USGS, 1951). Much of this data was later incorporated into Robert M. Moxham, Richard A. Eckhart, and Edward H. Cobb, *Geology and Cement Raw Materials of the Windy Creek Area, Alaska* (USGS Bulletin 1039-D), 1959.

⁹⁴ Acting Director, BLM to Files, November 9, 1950; Thomas B. Nolan and Newton B. Drury to Director, Bureau of Land Management, November 29, 1950; both in File 609-01, MOMC, Entry 7, RG 79, NARA CP; Public Land Order 697, in *Federal Register* 16 (February 8, 1951), 1184, 1203.

⁹⁵ Naske notes, perhaps with tongue in cheek (“Alaska in the Mix,” p. 17) that “the story of the United States effort to make concrete in Alaska proves once again that on the Last Frontier federal economic development programs never die, they just require more funding.”

⁹⁶ *Ibid.*, 28-31.

⁹⁷ SMR, July 1956, 1, 3; Duane D. Jacobs to Mark B. Ringstad, November 20, 1958, in File L3023 (“Land Use – Mining, 1953-60”), in Box 9, Accession 9NNS 79 90 005, NARA SB. NPS regulations, in place since March 1947 (see Chapter 13), limited aircraft landings in the park to the McKinley Park airstrip and the surface of Wonder Lake.

- ⁹⁸ This act was Public Law 84-830, noted in *U.S. Statutes at Large* 70 (1956), pp. 709-14.
- ⁹⁹ Jacobs to Ringstad, November 20, 1958; Charles E. Tulin to Jacobs, December 6, 1958; Jacobs to Tulin, December 17, 1958; all in File L3023, Box 9, see above; SMR, September 1959, 5; Public Law 84-830, Sec. 202(a) and Sec. 202(b); Public Land Order 1646, in *Federal Register* 23 (June 4, 1958), 3853; "Alaska Limestone Corporation (1948-1986)" folder, in Box 35, Denali Administrative Records Collection (DARC), DENA Archives. Why the Alaska Limestone Corporation attorney, in his December 6, 1958 letter, referred to "restaked" claims is borne out by an April 1, 1979 *Anchorage Daily Times* article (p. F-1) stating that "in 1957, [the firm] filed 14 claims on the west bank of Windy Creek about 14 miles southwest of Cantwell."
- ¹⁰⁰ Samuel A. King to RD/R4, April 21, 1960; King to RD/R4, October 20, 1960; both in File L3023, see above.
- ¹⁰¹ King to RD/R4, June 23, 1960; Tulin to King, July 1, 1960; Singer to RD/R4, July 5, 1960; King to RD/R4, July 6, 1960; John B. Wosky to Supt. MOMC, July 11, 1960; all in File L3023, see above.
- ¹⁰² *Anchorage Daily Times*, October 11, 1960, 1; Samuel A. King to RD/R4, October 20, 1960; King to RD/R4, November 10, 1960; Rita Singer to RD/R4, November 23, 1960; all in File L3023, see above.
- ¹⁰³ *Fairbanks Daily News-Miner*, July 31, 1963, 1; SMR, August 1963, 2; SMR, September 1963, 5; *Anchorage Daily Times*, October 5, 1963, 2; *Anchorage Daily Times*, October 18, 1963, 1.
- ¹⁰⁴ Henry Roloff to Anthony Wayne Smith, August 30, 1963; Smith to Alaska Department of Economic Development and Planning, August 19, 1963; both in File 882 (1959-66), Series 41, RG 01, Alaska State Archives.
- ¹⁰⁵ *Fairbanks Daily News-Miner*, issues of November 14, 1963, 4; December 27, 1963, 4; and June 25, 1964, 1. Also see SMR, January 1964, 3; SMR, June 1964, 5; SMR, July 1964, 7; SMR, August 1964, 5.
- ¹⁰⁶ NPS, Alaska Group, *Prospecting and Mining*, 3; Steve Buskirk to Chief Ranger, MOMC, July 11, 1975, in Catalog 9169, DENA Archives.
- ¹⁰⁷ Pearson to RD/R4, August 4, 1952, in File 609.01 ("Mining Claims"), MOMC, CCF, RG 79, NARA SB.
- ¹⁰⁸ Pearson to RD/R4, August 4, 1952; Lawrence C. Merriam to Director NPS, telegram, August 14, 1952; George L. Collins to Pearson, August 15, 1952; Pearson to RD/R4, August 15, 1952; all in File 609.01, see above.
- ¹⁰⁹ *Federal Register* 17 (May 28, 1952), 4831, 4833; *Federal Register* 17 (August 13, 1952), 7368-69; Wirth to RD/R4, telegram, August 18, 1952, in File 616 ("McKinley Land Withdrawals"), MOMC, CCF, RG 79, NARA SB.
- ¹¹⁰ Lawrence C. Merriam to Manager, Fairbanks Land Office, BLM, August 20, 1952, in File 616 ("Land Withdrawals and Restorations"), MOMC, CCF, RG 79, NARA SB. Merriam, in his letter to the BLM, made no mention of the mining threat; instead, he stated that it was "essential that said lands be reserved for [NPS] development. ... [T]he area described above is the minimum required for the proper development of this important administrative site and public use area near the main entrance to the park."
- ¹¹¹ Frank T. Hirst to RD/R4, September 10, 1952, in File 609.01, noted above. By September 12, the "hearsay" had been proven true; see Hirst to RD/R4, September 12, same file.
- ¹¹² B. F. Manbey to Great Northern Stone Corporation, September 11, 1952, in File 609.01, noted above.
- ¹¹³ As Acting Superintendent Frank Hirst noted, "The road now exists. While it is not a road in the literal sense, but is merely the removal of brush to allow passage of a truck, it is still regrettable." Hirst to RD/R4, September 12, 1952; B. F. Manbey to Supt. MOMC, September 11, 1952; Manbey to Supt. MOMC, telegram, September 11, 1952; all in File 609.01, see above.
- ¹¹⁴ Frank T. Hirst to RD/R4, September 12, 1952; Lawrence C. Merriam to Manager, Fairbanks Land Office, September 16, 1952; Merriam to Director NPS, September 16, 1952; all in File 616, noted above. Again, as a month earlier, agency officials told the BLM that the withdrawal was needed "for administrative and public use development and for the protection of the scenic highway" (which, indeed, was true) in order to conform to language in regulations that had been implemented on May 28, 1952 and August 13, 1952 (see above).
- ¹¹⁵ Hirst to RD/R4, October 6, 1952; Lawrence C. Merriam to Director NPS, October 14, 1952; E. L. Arnell to Grant Pearson, April 3, 1953; all in File 609.01, see above.
- ¹¹⁶ Conrad Wirth to RD/R4, April 1, 1953, in File L2423 ("Encroachments-Mining") in Box 9, Accession 9NNS 79 90 005, NARA SB.
- ¹¹⁷ Grant Pearson to RD/R4, February 16, 1953; Herbert Maier to Director NPS, February 19, 1953; Pearson to RD/R4, April 6, 1953; all in File 616, noted above.
- ¹¹⁸ Herbert Maier to Supt. MOMC, April 22, 1953, in File 609.01, see above; Maier to Director NPS, February 19, 1953, in File 616, see above; Wirth to RD/R4, April 1, 1953, in File L2423, see above.
- ¹¹⁹ SMR, July 1953, 3; SMR, July 1954, 4; SMR, June 1955, 5; "Great Northern Stone Corporation (1935-1957)" folder, Box 35, DARC, DENA Archives.
- ¹²⁰ SMR, June 1955, 5; SMR, April 1957, 4; "Great Northern Stone Corporation" folder, Box 35, see above.
- ¹²¹ SMR, May 1957, 4; June 1957, 4; *Federal Register* 22 (June 4, 1957), 3896.
- ¹²² *Fairbanks Daily News-Miner*, May 12, 1958, 3; Public Land Order 1667, noted in *Federal Register* 23 (June 28, 1958), 4811.

- ¹²³ NPS, Alaska Group, *Prospecting and Mining*, 12, NPS TIC Report 184/D-255; Samuel A. King to RD/R4, November 29, 1961, in "Public Lands: Withdrawals and Restorations, 1949-1966" file, Box 32, DARC.
- ¹²⁴ Celia Hunter to Robert Weeden, n.d. (Spring 1970?); Hunter to Weeden, Stewart Brandborg, and Ed Wayburn, n.d. (Spring 1970?); both in Box 17, Northern Alaska Environmental Center Collection, Alaska and Polar Regions Archives, UAF; James H. Anderson to Sen. Ted Stevens, March 6, 1971, in File NR 1-2 (1971), Series 88, RG 01, ASA; NPS, Alaska Group, *Prospecting and Mining*, 2, 12-13. Taylor, in March 1970, was cited for destruction of natural features related to his crew's tree cutting; a year later, he pled guilty to the charge and was given a six-month suspended sentence. That August, he was also cited for following an unauthorized vehicle route during his 1970 trip to the mine; that charge, however, was later dropped. See "McKinley Mercury Mining, Inc. (1965-1987)" folder, Box 36, DARC, DENA Archives.
- ¹²⁵ NPS, Alaska Group, *Prospecting and Mining*, 1-2, 9-10, 12.
- ¹²⁶ Public Land Law Review Commission, *One Third of the Nation's Land: A Report to the President and to the Congress* (Washington, GPO, 1970), 205.
- ¹²⁷ Gordon Wright to Rep. Nick Begich, May 18, 1971; Wright to Sen. Mike Gravel, May 18, 1971; both in File NR 1-2 (1971), Series 88, RG 01, ASA; Stanley T. Albright to Deborah Vogt, November 22, 1972, in Box 17, Northern Alaska Environmental Center, Inc. Collection, UAF.
- ¹²⁸ Frank Williss, "Do Things Right the First Time:" *The National Park Service and the Alaska National Interest Lands Conservation Act of 1980*, revised edition (Anchorage, NPS, 2005), 51-52; Alaska Planning Group, *Master Plan, Mount McKinley National Park, Alaska, with Proposed Additions* (Washington?, NPS, December 1973), 48; APG, *Final Environmental Statement, Proposed Mt. McKinley National Park Additions, Alaska* (Washington?, NPS, October 1974), 5, 129-30; Director, NPS to Assistant Secretary for Fish and Wildlife and Parks, May 14, 1975, in "Miscellaneous" File, Box 1, Collection 00495, DENA Archives.
- ¹²⁹ S. 2273 in *Congressional Record* 119 (July 27, 1973), 26358; H.R. 9733 in *Congressional Record* 119 (July 31, 1973), 27072.
- ¹³⁰ Donald W. Carson and James W. Johnson, *Mo: the Life and Times of Morris K. Udall* (Tucson, Univ. of Arizona Press, 2001), 184-85; S. 425, in *Congressional Record* 120 (December 20, 1974), 41996-97; H.R. 25, in *Congressional Record* 121 (May 20, 1975 and June 10, 1975), 15421, 18008.
- ¹³¹ *Anchorage Daily Times*, October 6, 1975, 2; *Anchorage Daily News*, October 7, 1975, 1; *Anchorage Daily Times*, December 12, 1975, 3; Steve Buskirk field report in "McKinley Mercury Mining, Inc. (1965-1987)" folder, in Box 36, DARC, DENA Archives. Joe Van Horn, in an October 15, 2007 email, notes that the mine was also active in 1976, according to work affidavits in the park's resources files.
- ¹³² H.R. 9540, in *Congressional Record* 121 (September 10, 1975), 28335; S. 2371, in *Congressional Record* 121 (September 18, 1975), 29200-01; *Anchorage Daily Times*, October 20, 1975, 15. In addition to Death Valley, Glacier Bay, and Mount McKinley, the bill also called for the phaseout of new mining in Crater Lake National Park, Organ Pipe National Monument, and Coronado National Memorial. As noted earlier in this chapter, Olympic and Grand Canyon national parks had once sanctioned mining as well. The Olympic park bill, however, called for a five-year phaseout of all new mineral locations in that portion of the park where it was sanctioned. By 1969, active mining had stopped at both Grand Canyon and Olympic. Public Law 75-778 (Olympic National Park Act), in *United States Statutes at Large* 52 (June 29, 1938), 1241; Michael F. Anderson, *Polishing the Jewel: An Administrative History of Grand Canyon National Park* (Grand Canyon Association, Monograph #11, 2000), 40.
- ¹³³ *Anchorage Daily Times*, October 6, 1975, 2; *Anchorage Daily Times*, October 7, 1975, 1; *Anchorage Daily Times*, December 12, 1975, 3. As noted in an NPS press release ("New Mining Regulations Adopted by Park Service," January 26, 1977, in "K3415 Press Releases – Departmental, 1976-77" file, Box 1, Collection 00495, DENA Archives), the Mount McKinley antimony mine was one of just four that had been active within NPS units since 1973.
- ¹³⁴ *Anchorage Daily News*, October 8, 1975, 2; *Anchorage Daily Times*, October 8, 1975, 23; Stevens to Sandy Kogl, Denali Citizens Council, November 24, 1975, in "K4223 Publications – DCC Newsletter" file, Box 1, Collection 00495, DENA Archives; *Anchorage Daily Times*, December 12, 1975, 1; *Congressional Record* 121 (September 18, 1975), 29200-01; *Congressional Record* 122 (February 4, 1976), 2264.
- ¹³⁵ *Anchorage Daily Times*, issues of February 25, 1976, 20; April 2, 1976, 19; June 2, 1976, 1; and September 3, 1976, 8; NPS, "Parkland Protection Hailed as Park Mining Laws Repealed" (press release), October 8, 1976, in "K3415 Press Releases – Departmental, 1976-77" file, Box 1, Collection 00495, DENA Archives.
- ¹³⁶ Sections 3, 4, and 6 of Public Law 94-429, as noted in *United States Statutes at Large* 90 (September 28, 1976), 1342-45.
- ¹³⁷ Section 8 of Public Law 94-429. As called for in this section, the NPS issued a public notice of the one-year requirement in the October 20, 1976 *Federal Register*, page 46357.
- ¹³⁸ S. 2371 Summary, September 14, 1976, in <http://thomas.loc.gov>; NPS, "Parkland Protection Hailed," see above; Public Law 94-429.
- ¹³⁹ *Federal Register* 41 (November 11, 1976), 49862-66; *Federal Register* 42 (January 26, 1977), 4835-41.

- ¹⁴⁰ NPS, "New Mining Regulations," see above.
- ¹⁴¹ *Anchorage Daily Times*, January 12, 1977, 42.
- ¹⁴² USDI, *Environmental Consequences of Mineral Extraction: Glacier Bay National Monument and Mount McKinley National Park and Discussion of Alternatives for Acquisition of Mining Claims and/or Boundary Modification to Reduce Possible Acquisition Costs*, Glacier Bay National Monument, Report to the Congress of the United States Prepared in Partial Compliance with Public Law 94-429, January 1979, 113.
- ¹⁴³ USDI, *Environmental Consequences of Mineral Extraction*, 2, 113; BLM, "Complaint (Contest of Mining Claims)," April 16, 1979, in "McKinley Mercury Mining, Inc. (1965-1987)" folder, Box 36, DARC, DENA Archives.
- ¹⁴⁴ USDI, *Environmental Consequences of Mineral Extraction*, 113.
- ¹⁴⁵ NPS, *Environmental Overview and Analysis of Mining Effects*, DENA (Denver, the author, September 1981), 164.
- ¹⁴⁶ "McKinley Mercury Mining, Inc. (1965-1987)" folder, Box 36, DARC, DENA Archives.
- ¹⁴⁷ Barry Donnellan to Daniel Kuehn, September 25, 1977, in "Grant" mining claim file (AKFF 034273), NARA ANC; various documents in *USA v. Harold Hering, Norman R. Hering, and Robert Gish*, in Hering Contest Record (AKFF 047031), NARA SP, courtesy of BLM Anchorage; *Fairbanks Daily News-Miner*, March 11, 1980, 6.
- ¹⁴⁸ *Anchorage Daily Times*, April 1, 1979, F-1; *Anchorage Daily Times*, May 9, 1980, A-1; NPS, *Environmental Overview and Analysis*, DENA, 164; "Alaska Limestone Corporation (1948-1987)" folder, in Box 35, DARC, DENA Archives.
- ¹⁴⁹ Alaska Planning Group, *Master Plan, Mount McKinley National Park* (December 1973), 48; APG, *Final Environmental Statement, Proposed Mt. McKinley National Park Additions* (October 1974), 5, 130. The APG, in its December 1973 draft EISs, recommended that all of the proposed Alaska parklands except one (Yukon-Charley National Rivers) not be opened to new mineral locations and development. Williss, "Do Things Right the First Time," 68.
- ¹⁵⁰ Joint Federal-State Land Use Planning Commission for Alaska, *Land Planning and Policy in Alaska; Volume I, National Interest Lands, Part I* (Anchorage, the Commission, July 1973), III-13-1 to III-13-4; Williss, "Do Things Right the First Time," 60, 87; H.B. 489, in *Alaska House Bill History*, 1975, 227.
- ¹⁵¹ Williss, "Do Things Right the First Time," 88-89; Alaska Department of Fish and Game, Public Law 96-487, *Alaska National Interest Lands Conservation Act, Legislative History*, Fall 1981; vol. I, pp. 22-23, and vol. III, pp. 11-12 and 36-37. Stevens's bill called for approximately 12 million acres of new national parklands and 56 million acres in cooperative lands; at Mount McKinley, the bill called for 1,130,000 acres of parkland and 1,960,000 acres of cooperative lands.
- ¹⁵² Williss, "Do Things Right the First Time," 93, 97; Cecil D. Andrus's statement in U.S. House of Representatives, "Hearings Before the Subcommittee on General Oversight and Alaska Lands," Serial No. 95-16, Part XVI, September 15, 1977 (Washington, GPO, 1977), 110-15.
- ¹⁵³ ADF&G, *Public Law 96-487, ANILCA Legislative History*; vol. II, pp. 201 and 206-08.
- ¹⁵⁴ Williss, "Do Things Right the First Time," 97-100; ADF&G, *Public Law 96-487, ANILCA Legislative History*; vol. XXXIII, pp. 565-66, 608, 701, and 804-05, 937-38. Sen. Stevens, who had advocated that the Kantishna area be considered as a national recreation area (NRA) rather than part of the park addition, made a statement just after the committee report was issued. He noted that "including the Kantishna area in the expanded Park was a particularly significant error. This historic mining district which still supports a year round community and active gold mines should not be added to the Park. The inholding problems will be enormous and Park designation could spell the end of a way of life for the people of the area. Fortunately, there is a chance for correcting this problem when the special study authorized for this area is completed. However, interim designation as an NRA would make considerably more sense."
- ¹⁵⁵ ADF&G, *Public Law 96-487, ANILCA Legislative History*; vol. III, pp. 808-11; vol. VII, pp. 157-61, 466-67, 469, 608-10.
- ¹⁵⁶ Williss, "Do Things Right the First Time," 107-12.
- ¹⁵⁷ *Public Law 96-487*, as noted in *U.S. Statutes at Large* 94 (1980), pp. 2384, 2456-57, and 2465.
- ¹⁵⁸ *Public Law 96-487*, as noted in *U.S. Statutes at Large* 94 (1980), p. 2383.
- ¹⁵⁹ Proclamation 4616, December 1, 1978, in *Federal Register* 43 (December 5, 1978), 57035-41.
- ¹⁶⁰ *Public Law 94-579* (October 21, 1976), Sec. 314, in *U.S. Statutes at Large* 90 (1976), 2769-70.
- ¹⁶¹ *Federal Register* 44 (April 5, 1978), 20426-27.
- ¹⁶² NPS, *Environmental Overview and Analysis of Mining, Kantishna Hills, Denali National Monument, Alaska* (Denver, the author, September 1980), 8; Russell Chadwick, *Gross Mineral Appraisal of MOMC, KATM, and Proposed LACL*, September 30, 1975, 11, in BLM File FF-047031.
- ¹⁶³ *Anchorage Daily News*, July 12, 1983, A-22; NPS, *Environmental Overview and Analysis of Mining Effects*, DENA (September 1981), 73, 80, 163.
- ¹⁶⁴ *Federal Register* 44 (February 27, 1979), 11068-69.

- ¹⁶⁵ NPS, *Environmental Overview and Analysis, Kantishna Hills*, 2; *Federal Register* 44 (February 27, 1979), 11068. Also see Douglas Warnock to Sam Koppenberg, May 1, 1981, in "Moose/Taybo" folder, and materials in various mining plans of operation folders (1979-1982), Boxes 34 and 35, DARC, DENA Archives. Notices for 16 mining plans of operation are shown in volume 44 (1979) of the *Federal Register*: June 8, pp. 33162-63; July 2, p. 38681; September 20, p. 54558, and October 15, p. 59297.
- ¹⁶⁶ Larry A. May (Chief, Environmental Investigations Unit, DSC) to Manager, Denver Service Center, "Report on Mining and Mineral-Related Activity...", December 5, 1979, in Box 33, DARC, DENA Archives; Alex Carter interview, September 5, 2007.
- ¹⁶⁷ Whalen to Sen. Ted Stevens, April 20, 1979, in "Public Lands: Lands Acquisition (1950-1990)" file Box 32, DARC, DENA Archives.
- ¹⁶⁸ NPS, *Environmental Overview and Analysis, Kantishna Hills*, 1, 3-4; SAR, 1980, 4.
- ¹⁶⁹ NPS, *Environmental Overview and Analysis, Kantishna Hills*, 13, 16, 106-14. Ironically, NPS's September 1981 report (*Environmental Overview and Analysis of Mining Effects, DENA*, p. 11) stated that during the 1980 season there had been 12 active placer operations on 62 claims, plus 4 active lode operations on 10 claims.
- ¹⁷⁰ NPS, *Environmental Overview and Analysis, Kantishna Hills*, 16-47.
- ¹⁷¹ The Alaska Land Use Council, established by Section 1201 of ANILCA, was composed of federal, state, and Native representatives; its purpose was to conduct studies, advise the Interior Secretary, and make recommendations in a variety of policy areas. The Kantishna Hills/Dunkle Mine study was the only specific study noted in ANILCA.
- ¹⁷² NPS, *Environmental Overview and Analysis of Mining Effects, DENA* (Denver, the author, September 1981), 9, 162-63.
- ¹⁷³ Williss, "Do Things Right the First Time," 148.
- ¹⁷⁴ NPS, *Final Environmental Impact Statement for the Kantishna Hills/Dunkle Mine Study Report, DENA* (Anchorage, the author, December 1984), 12-13.
- ¹⁷⁵ NPS, *Environmental Overview and Analysis, DENA*, 9. The U.S. Senate, in a November 1979 committee report (*Report 96-413*, pp. 167-68) stated that the eight lode claims located on the ridge between the Tokositna and Kanikula glaciers were "all located on the very edge of the boundary and are part of watershed that flow outside of the park." Senators, apparently aware that the claim had a small airstrip that could serve as a base of operation for guided hunting parties, recommended in their report that the NPS examine the desirability of making a minor boundary adjustment to exclude those lands from the park. No evidence suggests that these claims were economically viable for their mineral potential.
- ¹⁷⁶ NPS, *Environmental Overview and Analysis, DENA*, 161. Details of the adjudication of 30 Kantishna Hills placer claims were laid out on pp. 138-51 of that document.
- ¹⁷⁷ *Ibid.*, 162-63, plus NPS maps 20008 and 20009, both dated August 1981.
- ¹⁷⁸ According to the *Anchorage Daily News*, July 12, 1983, there were "15 to 20 active placer mines in the Kantishna Hills area."
- ¹⁷⁹ NPS, *Environmental Overview and Analysis, DENA*, 1, 73, 162-63. As noted above, no commercial mining had taken place in the southern portion of the New Park since 1954.
- ¹⁸⁰ *Ibid.*, 14-87.
- ¹⁸¹ Scott Meyer and Ross Kavanagh, "Fish Resources and the Effects of Mining Activities in the Kantishna Hills, Denali National Park, 1982," June 1983; Kenneth Kertel, "Wildlife and the Effects of Mining in the Kantishna Hills, DENA," NPS Research/Resources Management Report AR-2, 1984.
- ¹⁸² *Anchorage Daily Times*, November 22, 1982, C-2; December 18, 1982, B-5; May 28, 1983, B-9; *Anchorage Daily News*, May 28, 1983, B-5; Salisbury and Dietz, Inc., "1983 Mineral Resource Studies in the Kantishna Hills and Dunkle Mine Areas, DENA" (three volumes), April 1984.
- ¹⁸³ *Federal Register* 48 (March 1, 1983), 8599-8600; NPS, *Denali National Park and Preserve, Draft Environmental Impact Statement, Kantishna Hills/Dunkle Mine Study, Alaska* (Anchorage, the author, May 1983), *passim*.
- ¹⁸⁴ *Anchorage Daily Times*, July 7, 1983, C-4; July 11, 1983, B-5; July 12, 1983, B-1; *Anchorage Daily News*, July 12, 1983, A-22; NPS, *Final Environmental Impact Statement for the Kantishna Hills/Dunkle Mine Study Report* (December 1984), 285-92; Alaska Land Use Council, *Kantishna Hills/Dunkle Mine Study Report* (May 1984), 13.
- ¹⁸⁵ Alaska Land Use Council, *Kantishna Hills/Dunkle Mine Study Report*, 11, 17-18; NPS, *Final EIS, Kantishna Hills/Dunkle Mine* (December 1984), 585.
- ¹⁸⁶ Alaska Land Use Council, *Kantishna Hills/Dunkle Mine Study Report*, 11-13, 15-17; NPS, *Final EIS, Kantishna Hills/Dunkle Mine* (December 1984), 584.
- ¹⁸⁷ NPS, *Final EIS, Kantishna Hills/Dunkle Mine*, December 1984, 604.
- ¹⁸⁸ *Ibid.*, 584-89, 599-604; *Anchorage Daily Times*, May 23, 1984, B-6; May 24, 1984, C-1; June 3, 1984, A-1; June 4, 1984, B-1; June 14, 1984, A-1.

- ¹⁸⁹ NPS, *Final EIS, Kantishna Hills/Dunkle Mine*, December 1984, ix, xiii, 19-26, 67-70; *Federal Register* 50 (March 22, 1985), 11595; NPS, *Draft General Management Plan, DENA*, March 1985, 33; NPS, *Final General Management Plan, DENA*, October 1986, 58.
- ¹⁹⁰ *Federal Register* 45 (December 3, 1980), 80192-93; *Federal Register* 47 (August 19, 1982), 36297-98; materials in various mining plans of operation folders (1979-1982), Boxes 34 and 35, DARC, DENA Archives.
- ¹⁹¹ *Anchorage Daily Times*, August 10, 1982, B-3; *Anchorage Daily News*, August 10, 1982, A-1; *Anchorage Daily News*, August 14, 1982, B-1; various correspondence, "Jim Fuksa, et al. (1982)" folder, Box 36, DARC, DENA Archives.
- ¹⁹² *Federal Register* 48 (March 25, 1983), 12599-12600; *Federal Register* 49 (March 30, 1984), 12768-69; *Federal Register* 49 (April 27, 1984), 18191-92; *Federal Register* 49 (June 25, 1984), 25907; *Federal Register* 50 (May 1, 1985), 18580; *Federal Register* 50 (May 15, 1985), 20298.
- ¹⁹³ T. K. Hinderman, *Plan of Operations, Kantishna Mining Company, Howtay Association Claims 11 through 24, Caribou Creek, DENA*, May 1986, 1; Joe Van Horn interview, August 3, 2007; Steve Carwile interview, November 8, 2007.
- ¹⁹⁴ "Claims, Plans of Operation (1983-1984)" folder, Box 35, DARC, DENA Archives;
- ¹⁹⁵ Michael V. Finley to "Dear Claimant and/or Operator," June 4, 1985, in Catalog 9169, DENA Archives.
- ¹⁹⁶ *Anchorage Daily Times*, July 24, 1985, A-1, A-7; *Anchorage Daily News*, July 24, 1985, A-1, A-12; *Environmental Law Reporter* 15 (1985), 21048; *Federal Reporter*, 2nd Series, vol. 803 (1986), 466.
- ¹⁹⁷ *Northern Alaska Environmental Center, et al. v. Donald P. Hodel, et al.* (85-009 Civ.), "Preliminary injunction," July 22, 1985; William C. Welch to T.J. Koppenberg, August 5, 1985, in Catalog 9169, DENA Archives.
- ¹⁹⁸ *Anchorage Daily News*, December 10, 1985, C-10.
- ¹⁹⁹ SAR, 1985, 2; various entries, "Eric Weiler (1984-1985)" folder, Box 36, DARC, DENA Archives.
- ²⁰⁰ T. K. Hinderman, *Plan of Operations, Kantishna Mining Company, Howtay Association Claims 11 through 24, Caribou Creek, DENA*, May 1986, 1; *Federal Register* 51 (November 4, 1986), 40084; Steve Carwile interview, July 23, 2007.
- ²⁰¹ SAR, 1986, 2; Alex Carter interview, September 5, 2007. Initial park staff members included Phil Brease (formerly of the BLM's Glennallen office) and Tom Ford (a former Death Valley NM mining specialist).
- ²⁰² *Federal Register* 51 (May 7, 1986), 16903; NPS, *Draft Environmental Impact Statement, Mining in Denali National Park and Preserve, Alaska* (Anchorage, the author, February 1989), 4, 383-85; Bryan Swift to Supt. DENA, December 21, 1987, in Catalog 9169, DENA Archives.
- ²⁰³ NPS, *Draft EIS, Mining in DENA* (February 1989), 4.
- ²⁰⁴ *Ibid.*, vi, 15-17; NPS, *Briefing Report, Draft EISs, Cumulative Impacts of Mining: DENA, WRST, YUCH, Alaska* (March 1989), 15-16, Entry 784, DENA RML; *Federal Register* 54 (April 13, 1989), 14871.
- ²⁰⁵ *Federal Register* 54 (May 4, 1989), 19249; *Federal Register* 54 (June 15, 1989), 25506; NPS, *Final Environmental Impact Statement, Volume 1, Mining in Denali National Park and Preserve* (Anchorage, the author, April 1990), vii-viii.
- ²⁰⁶ NPS, *Final EIS, Mining in DENA, Volume 1* (April 1990), v, 22, 167-71; *Federal Register* 55 (May 30, 1990), 21949-50; *Federal Register* 55 (June 8, 1990), 23477; *Federal Register* 55 (July 2, 1990), 27308; NPS, *Record of Decision, Final EIS, Cumulative Impacts of Mining, DENA*, August 21, 1990, in DENA Library; Alex Carter interview, September 5, 2007.
- ²⁰⁷ NPS, *Draft EIS, Kantishna Hills/Dunkle Mine Study*, Alaska (May 1983), viii-xi.
- ²⁰⁸ Alaska Land Use Council, *Kantishna Hills/Dunkle Mine Study Report* (May 1984), 11-17, VII-1.
- ²⁰⁹ *Anchorage Daily Times*, June 3, 1984, A-10; June 4, 1984, B-1.
- ²¹⁰ *Anchorage Daily Times*, July 14, 1984, B-2.
- ²¹¹ *Anchorage Daily Times*, June 4, 1984, B-1; NPS, *Final EIS, Kantishna Hills/Dunkle Mine Study Report, DENA*, December 1984, 609-10.
- ²¹² NPS, *Draft General Management Plan, DENA* (March 1985), 33-34, 41-43, 63; NPS, *General Management Plan, DENA* (October 1986), 59-60, 79-81, 98, 203-06.
- ²¹³ Phil Brease, email to author, November 20, 2007.
- ²¹⁴ SAR, 1988, 2; Phil Brease review comments, October 4, 2007. The validity-examination process lasted until 1991, perhaps longer; see SAR, 1991, 11.
- ²¹⁵ NPS, *Draft EIS, Mining in DENA* (February 1989), 16.
- ²¹⁶ SAR, 1989, Addendum, 2; NPS, *Final EIS, Mining in DENA* (April 1990), 16.
- ²¹⁷ Bill Sherwonit, "No Going Back," *Alaska Magazine* 56 (April 1990), 68-71; *Anchorage Daily News*, August 13, 1989, F-10.
- ²¹⁸ SAR, 1987, 2, 6; Sherwonit, "No Going Back," 67-68; *Anchorage Daily News*, December 25, 1990, A-1, A-12; Bryan Swift to Supt. DENA, December 21, 1987, in Catalog 9169, DENA Archives.
- ²¹⁹ Bill Sherwonit, "No Going Back," *Alaska* 56 (April 1990), 30-31. Tom Bundtzen, a State of Alaska geologist, agrees with Sherwonit that most gave up the fight. But Paul and Eric Weiler, twin brothers with

placer claims on Glen Creek, "decided to stay and fight" (according to one reporter) "beginning a course of civil disobedience they believe the founding fathers would have been proud of." *Anchorage Daily News*, December 25, 1990, A-12.

²²⁰ NPS, *Record of Decision, Final Environmental Impact Statement, Cumulative Effects of Mining, DENA*, August 21, 1990, pp. 3-4; *Anchorage Daily News*, July 6, 1990, C-4. The NPS's acquisition prices had been generated by appraiser Norman Lee in a November 1988 report; see NPS, *Draft EIS, Mining in DENA* (February 1989), 263-71.

²²¹ NPS, *Kantishna Resource Management Plan*, DENA, July 5, 1990, in Carwile files; *New York Times*, July 30, 1990, 9; SAR, 1990, 1.

²²² SAR, 1991, 8. As noted in the *Anchorage Daily News* (August 13, 1989, F-10), the NPS was particularly interested in the Quigley Ridge property. The site offered a high potential for tourism development, the proliferation of which the agency hoped to avoid.

²²³ NPS, *Record of Decision, Final EIS, Cumulative Effects of Mining, DENA*, August 21, 1990, p. 4.

²²⁴ *Federal Reporter*, 2nd Series, vol. 961 (1992), p. 886; Chris Bockmon email, July 25, 2007.

²²⁵ SAR, 1991, 11; *Federal Register* 56 (July 18, 1991), 33040.

²²⁶ Steve Carwile interview, July 23, 2007.

²²⁷ Sherwonit, "No Going Back," 31; *Anchorage Daily News*, July 6, 1990, C-4; *New York Times*, July 30, 1990, 9; "RV Park Planned Within Denali," *National Parks* 64 (September/October 1990), 9.

²²⁸ SAR, 1990, 2; SAR, 1991, 11; SAR, 1993, 2; *Anchorage Daily News*, June 6, 1992, A-1, A-16; June 13, 1992, B-1, B-3; Steve Carwile interview, November 8, 2007.

²²⁹ "NPS Team Examines Denali Mining Claims," *National Parks* 69 (May/June 1995), 18-19.

²³⁰ *Ibid.*; *Anchorage Daily News*, July 26, 1997, B-3.

²³¹ Denali Task Force, *Denali Task Force Report; Findings and Recommendations for the National Park Service Advisory Board*, October 25, 1994, 6.

²³² *Anchorage Daily News*, November 13, 1993, E-9; Frank Murkowski, "Statements on Introduced Bills and Joint Resolutions" for S. 2542, October 7, 1994, in www.thomas.gov; *Congressional Record* 140 (October 7, 1994), 28991.

²³³ "NPS Team Examines Denali Mining Claims," 18-19; Chuck Gilbert interview, July 24, 2007; Denali – Mining Acquisition Task Group to Assistant Secretary for Fish and Wildlife and Parks, "Task Group Report," June 1, 1995, in "Kantishna Legislative Takings, Sec. 12, P.L. 105-83" file, park general files, Lands Division, AKRO.

²³⁴ SAR, 1996, 11; SAR, 1997, 1, 5; *Anchorage Daily News*, July 26, 1997, B-3; *Federal Register* 60 (June 28, 1995), 33428; *Federal Register* 62 (February 24, 1997), 8264; *Federal Register* 62 (July 14, 1997), 37592.

²³⁵ NPS, *Draft Development Concept Plan, Environmental Impact Statement, Entrance Area and Road Corridor*, June 1996, 61, 64, 66; NPS, *Final Development Concept Plan [and] Abbreviated Final Environmental Impact Statement, Entrance Area and Road Corridor*, December 1996, 25, 31.

²³⁶ H.R. 2107, Section 121, as reported in the Senate, July 22, 1997, in www.thomas.gov; Chuck Gilbert interview, July 24, 2007. Purchase prices under this bill would be determined by a judge or jury, and buyout funds would come from a "permanent judgment appropriation" administered by the Department of Justice.

²³⁷ *Anchorage Daily News*, July 26, 1997, B-1, B-3.

²³⁸ Public Law 105-83, (November 14, 1997), Sec. 120, *U.S. Statutes at Large* 111 (1997), 1564-66; SAR, 1997, 1-2; *Anchorage Daily News*, November 15, 1997, D-1.

²³⁹ NPS, *Denali National Park and Preserve Briefing Presentation: Legislative Taking of Mining Claims*, July 1999, in AKRO Lands Division files; "Alaska Delegation: Many Alaskans Take Advantage of Option to Sell Mining Claims in Denali National Park" (press release), February 13, 1998, in "Kantishna Legislative Takings, Sec. 12, P.L. 105-83" file, park general files, AKRO Lands Division.

²⁴⁰ NPS, *Briefing Statement, Mining Claim Acquisitions, DENA*, April 9, 2007, in AKRO Lands Division files; Chuck Gilbert interview, July 19, 2007; Steve Carwile email, July 19, 2007.

²⁴¹ Natural Resource Consultants, *Stampede Mine – Alaska, Report of Visit*, August 1977, 3, 12.

²⁴² SAR, 1980, 4; William E. Brown, *Denali, Symbol of the Alaskan Wild*, 194-95; University of Alaska news release, February 8, 1980, in "11-101, 105-110 Stampede Mine, Ltd." folder, AKRO Lands Division files.

²⁴³ Chris Lambert, *Stampede Mine – Alaska, Potential Benefits as Part of the School of Mineral Industry, University of Alaska, Fairbanks*, October 22, 1979; Mark W. Osgood to Ross Kavanagh, June 14, 1984; both in "DENA/Stampede: OL Background Materials" folder, Logan Hovis Collection; Steve Carwile interview, July 23, 2007. Dennis Fradley, with the "Voice of the Times" (*Anchorage Daily News*, November 13, 1993, E-9), stated that Professor Scott Huang from UAF's School of Mineral Engineering "intended to use the mine for research and education, but the Park Service blocked it by limiting access to foot or by air, by prohibiting the improvement of a trail leading to the site and by requiring an expensive, detailed plan of mining operations – just to use the mine for classroom use."

²⁴⁴ Brown, *Denali, Symbol of the Alaskan Wild*, 195; Bill Tanner and Bill Brown, *Investigation Report, Stampede Mine, DENA*, ca. May 1987, in "DENA/Stampede: Current Issues, 1993-94" folder, Logan Hovis Collection;

Shannon and Wilson, *Draft Site Inspection, Stampede Mine, DENA* (Fairbanks, the author, March 1995), 4; Mike Shields, "Stampede Mine, 1987, A Brief History of a Failed Explosives Disposal Operation," unpublished manuscript, ca. 1995, Steve Carwile files.

²⁴⁵ Mike Shields, *Stampede Mine, 1987, A Brief History of a Failed Explosives Disposal Operation*, 1995, in Logan Hovis Collection, AKRO; Mike Shields, email to the author, August 2, 2007. Shields served as the agency's regional blasting officer from 1991 through 1996, but his NPS blasting experience began in 1960. His report concluded that "the basic cause of this fiasco was ignorance, and its near cousin, assumed expertise. The NPS people obviously didn't know anything about explosives, and in the face of assumed expertise never seriously questioned it. The [Army], trained to destroy bombs and shells, obviously knew little about [the on-site explosives] and nothing about blast physics.... Neither party ever thought to consult anyone outside their immediate realm, or considered postponing the operation once it started. Together they let assumptions, erroneous information, and the press of time once on the site lead them into disaster."

²⁴⁶ Ted Birkedal (ARO-RCR) to ARD, Resource Services, January 5, 1994; Steve Peterson to Supt. DENA, December 8, 1992, both in "DENA/Stampede: Current Issues, 1993-94" folder, Logan Hovis Collection; U.S. Interior Department, Office of Hearings and Appeals, "Order," IBLA 90-276, June 19, 1990; Steve Carwile interview, July 23, 2007.

²⁴⁷ Charles M. Gilbert to Pete Rutledge, February 11, 1994; Gilbert to Richard H. Follett, June 15, 1994; both in "DENA/Stampede: Current Issues, 1993-94" folder, Logan Hovis Collection; Chuck Gilbert interview, July 24, 2007. The university's holdings consisted of 5 patented claims: 2 placer claims and 3 lode claims.

²⁴⁸ H.R. 4602, Engrossed Amendment as Agreed to by Senate, July 26, 1994; H.R. 4602, Public Print, July 26, 1994, both in www.thomas.gov; *Congressional Record* 140 (July 26, 1994), 17993-94; *Anchorage Daily News*, July 29, 1994, B-4; *Fairbanks Daily News-Miner*, July 31, 1994, B-3; Chuck Gilbert interview, July 24, 2007. The Alaska Land Use Council, in 1988, had first broached the idea of NPS restitution for the damage caused by the April 1987 explosion. The council's resolution was apparently approved by university officials and had been forwarded to the Alaska Congressional Delegation at that time. Curtis McVee to Donald D. O'Dowd, November 22, 1988, in "11-101, 105-110 Stampede Mine, Ltd." folder, AKRO Lands Division files.

²⁴⁹ SAR, 1995, 7, 8; H.R. 1977, Engrossed Amendment as Agreed to by Senate, August 9, 1995; H.R. 1977, Public Print, August 10, 1995, both in www.thomas.gov; *Congressional Record* 141 (August 9, 1995), 22854-55, 22858, 22869.

²⁵⁰ H.R. 2107, Engrossed Amendment as Agreed to by Senate, September 18, 1997; H.R. 2107, Public Print, September 19, 1997; Public Law 105-83, Sec. 136, November 14, 1997, all in www.thomas.gov; NPS, *Briefing Presentation: Legislative Taking of Mining Claims, DENA*, July 1999, 3; *Congressional Record* 143 (September 18, 1997), 19445-48; Steve Carwile interview, July 24, 2007.

²⁵¹ *Federal Register* 42 (January 26, 1977), 4840.

²⁵² Materials in various mining plans of operation folders (1979-1982), Boxes 34 and 35, DARC, DENA Archives.

²⁵³ SAR, 1987, 1, 3; Joe Van Horn, interview with the author, August 2, 2007.

²⁵⁴ SAR, 1989, 3; SAR, 1991, 10-11.

²⁵⁵ NPS, *Draft EIS, Cumulative Impacts of Mining*, vii, 14-22; *Final EIS, Cumulative Impacts of Mining, Volume 1*, vii, 22.

²⁵⁶ NPS, *Record of Decision, Final EIS, Cumulative Impacts of Mining*, 5.

²⁵⁷ Kevin Meyer, "Kantishna Debris Removal 1993, End of the Season Report," in NPS, *Kantishna Cleanup 93: Equipment and Debris Cleanup, Drum and Battery Removal on Abandoned and Acquired Mining Properties, DENA* (Anchorage, the author, ca. 1993), 1-4.

²⁵⁸ SAR, 1997, 4; 1998, 3.

²⁵⁹ SAR, 2002, 1; 2003, 32; 2004, 15; 2005; 2006, 21; NPS, "Disturbed Lands Restoration Program," *DENA Resource Stewardship Strategy*, June 11, 1997 (draft), 106-07, 128; NPS, *Briefing Presentation: Reclamation of Disturbed Areas in DENA*, July 1999, in DENA Public Affairs files; Steve Carwile interview, November 8, 2007.

²⁶⁰ NPS, *Environmental Overview and Analysis of Mining Effects, DENA*, September 1981, 153; NPS, *Final EIS, Kantishna Hills/Dunkle Mine Study Report*, December 1984, 143, 145; NPS, "Mining Claims in the Kantishna Hills Study Area" (Drawing 40141A), in NPS, *Draft EIS, Cumulative Impacts of Mining, DENA*, February 1989, map pocket.

²⁶¹ Joy Chamberlin, "Development Threatens the Heart of Denali," *National Parks* 71 (September/October 1997), 19-20; Steve Carwile interview, July 25, 2007; *Anchorage Daily News*, October 2, 1999, E-1.

²⁶² Environmental groups felt that the Spruce 4 area was suitable for wilderness, even though Congress had not designated it as wilderness and the NPS, in its 1988 wilderness study, had not recommended the area as a candidate for inclusion in the National Wilderness Preservation System.

²⁶³ Chamberlin, "Development," 19-20; Chip Dennerlein, "Regional Report - Alaska," *National Parks* 72 (May/June 1998), 16; Katurah Mackay, "Lodge Threatens Park Wilderness," *National Parks* 72 (November/December 1998), 15-16; SAR, 1998, 2.

- ²⁶⁴ *Federal Register* 63 (March 19, 1998), 13427-28; *Federal Register* 63 (October 6, 1998), 53694; *Federal Register* 64 (February 8, 1999), 6115; *Federal Register* 64 (August 2, 1999), 41944-45.
- ²⁶⁵ NPS, *Draft Environmental Impact Statement, Spruce Creek Access, DENA*, June 1999, iii; *Federal Register* 64 (August 2, 1999), 41944-45; *Anchorage Daily News*, September 15, 1999, A-1.
- ²⁶⁶ *Anchorage Daily News*, September 15, 1999, A-1.
- ²⁶⁷ *Anchorage Daily News*, September 15, 1999, A-1; *Anchorage Daily News*, October 2, 1999, E-1; *Anchorage Daily News*, November 20, 1999, E-11; NPS, *Draft EIS, Spruce Creek Access, Summary – 2*.
- ²⁶⁸ *Federal Register* 65 (March 7, 2000), 12028; Elizabeth G. Daerr, "Regional Report, Alaska," *National Parks* 75 (March/April 2001), 20.
- ²⁶⁹ NPS, *Final Environmental Impact Statement, Spruce Creek Access, DENA*, June 2000, Summary – 2; *Federal Register* 67 (June 6, 2002), 39037.
- ²⁷⁰ Daerr, "Regional Report – Alaska," 20; Steve Martin to Jeff Barney, March 1, 2001, in Carwile files.
- ²⁷¹ "Progress in Kantishna Mining Claim Acquisitions," *AK2Day*, February 4, 2002; Ryan Dougherty, "Regional Report," *National Parks* 76 (April-May 2002), 19.
- ²⁷² *Federal Register* 67 (June 6, 2002), 39037; *Anchorage Daily News*, June 16, 2002, B-1.
- ²⁷³ NPS, *Environmental Assessment, Spruce Creek Access, DENA*, April 2002), iii. 2-1, 2-5.
- ²⁷⁴ "Environmental Assessment for Access to Inholding on Spruce Creek in DENA" (DENA News Release), May 15, 2002, in DENA Public Affairs files; *Federal Register* 67 (June 6, 2002), 39037-38.