

COMMITTEE REPORT

SENATE

FURTHER:

1/22/65

Date _____

Mr. President

The Committee on FINANCE considered SSJR 3

requesting that the State of Alaska pursue a land exchange with the U.S. Department of Interior to exclude the Barren 250 Township from Douglas National Park and Preserve.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SSR 3 (Res)
- new title
- ~~same title~~ and recommends Do Pass
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
(FN)
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman

Chairman recommendation

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSJR 3 (Res)
Title: Dunkle Mine Land Exchange

FISCAL DETAIL

Agency Affected: Natural Resources
Program Category Affected: NRMEC

Sponsor: Fahrenkamp
Requestor: _____
Date of Request: _____

BRU, Program or Subprogram(s) Affected: _____
Land and Water

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

No direct fiscal impact

Prepared By: Ned Farquhar
Division: Commissioner's Office

Phone: 465-2400
Date: January 23, 1985

Approved by Commissioner: Wm D Arnold
Agency: Natural Resources

Date: January 23, 1985

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

7/1/84

Offered: 1/22/85
Referred: Finance

Original sponsors: Fahrenkamp, Faiks
and Coghill

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE JOINT RESOLUTION NO. 3 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Requesting that the State of Alaska
6 pursue a land exchange with the U.S.
7 Department of the Interior to exclude
8 the Dunkle Mine Township Area from
9 Denali National Park and Preserve.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 WHEREAS the boundaries of Denali National Park and Preserve were
12 expanded by the passage of the Alaska National Interest Lands Conservation
13 Act in 1980 to include the historic Dunkle Mine Township Area; and

14 WHEREAS the Dunkle Mine Township Area contains good quality coal
15 deposits, at least four high-grade gold/silver vein deposits, placer gold
16 deposits, and large low grade copper/precious metal deposits; and

17 WHEREAS the proximity of the Dunkle Township Area to the Alaska Rail-
18 road and the Parks Highway enhances the favorability of the area's mining
19 potential; and

20 WHEREAS claimholders had established rights to the minerals in the
21 area before the time the park was expanded to include the claims; and

22 WHEREAS in recognition of the fact that the Dunkle Township Area has
23 known mineral potential, Section 202(3)(b) of ANILCA mandated that a study
24 of the relationship of mineral resources and mining activity to the other
25 resources of the area be done by the Alaska Land Use Council in cooperation
26 with the Secretary of Interior; and

27 WHEREAS the potential for mineral development of the Dunkle Township
28 Area will be lost if the area stays within the park, as park status will
29 not allow new mining claims and may invalidate many of the present claims;

1 and

2 WHEREAS one of the alternatives offered in the 1983 Draft Environ-
3 mental Impact Statement of the Dunkle Mine Study was to remove mineralized
4 areas and mining activity from the park boundaries and place them under the
5 jurisdiction of the State of Alaska; and

6 WHEREAS there is no conclusive evidence that deletion of the Dunkle
7 Township Area from the park would result in a lack of protection for the
8 caribou herd, as any adverse effects that may occur from increased mining
9 activity could be mitigated under the direction of the state; and

10 WHEREAS there is state owned land contiguous to Denali National Park
11 and Preserve with scenic and wildlife values equal to the Dunkle Township
12 Area; and

13 WHEREAS Section 1302(h) of ANILCA clearly authorizes exchanges in
14 conservation units; and

15 WHEREAS public testimony solicited during the study process was in
16 strong support of an exchange; and

17 WHEREAS the Department of Interior has indicated that it regards a
18 land exchange as one of the better solutions for the problems identified in
19 the Dunkle Mine Study, and initial discussions have occurred between the
20 State Department of Natural Resources, the National Park Service, and the
21 Office of the Assistant Secretary for Fish, Wildlife and Parks indicating a
22 willingness by all parties to negotiate and exchange;

23 BE IT RESOLVED by the Alaska State Legislature that the State of
24 Alaska and the Department of Interior take whatever action is necessary to
25 exclude the Dunkle Township Area from the Denali National Park and Preserve
26 through a land exchange that would allow the National Park Service to
27 acquire lands of equal value with high scenic and wildlife habitat values
28 and allow the state the opportunity to develop the mineralized lands in the
29 Dunkle Township Area; and be it

1 FURTHER RESOLVED that the land exchange be as simple and uncomplicated
2 as possible, preferably for lands of equal value to the Dunkle Township
3 Area and adjacent to the Denali National Park and Preserve.

4 COPIES of this resolution shall be sent to the Honorable William
5 Clark, Secretary of the U.S. Department of Interior; the Honorable Bill
6 Sheffield, Governor; the Honorable Ted Stevens and the Honorable Frank
7 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,
8 members of the Alaska delegation in Congress.

Analysis

Senate Joint Resolution 3

Senate Joint Resolution 3 requests that the State of Alaska pursue a land exchange with the United States Department of Interior to exclude the Dunkle Mine Township from the Denali National Park because of township's mineral potential.

The Dunkle Mine area was added to Denali Park by passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. Originally it was thought that doing so would provide protective habitat for Denali caribou herd.

Preliminary information from a study to be completed February 1 indicates that the area does not contain critical habitat for the herd or that increased mining activity would have an adverse effect on the herd.

This resolution is non-binding but passage would encourage the Alaska Land Use Council to reconsider an earlier decision and possibly recommend this land exchange. Their next meeting is scheduled for February 14.

A map of the area is found on the following page which illustrates the location of the Dunkle Township as well as those areas under consideration for exchange.

The Senate Resources Committee adopted a committee substitute which made a few minor changes to this Resolution. On page 1 of the original, they deleted lines 27 - 29 and lines 1 and 2 on page 2. This is one of the resolves that is not totally correct until a study by the National Park Service is completed.

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

POUCH M
JUNEAU, ALASKA 99811
PHONE:

December 26, 1984

G. Ray Arnett
Assistant Secretary for Fish, Wildlife and Parks
Office of the Secretary
U.S. Department of the Interior
Washington, D.C. 20240

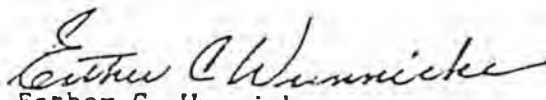
Dear Assistant Secretary Arnett:

Your correspondence of November 13, 1984 indicated the National Park Service (NPS) will soon initiate formal discussions with the State of Alaska regarding possible NPS acquisition/exchange of the so-called "Wolf Townships," adjacent to Denali National Park and Preserve. You further note that the Secretary of Interior has the authority to acquire land contiguous to National Park Service units under Section 1302(i)(1-2) of ANILCA through donation or exchange.

I wish to emphasize that the state has absolutely no intention at this time of donating land to NPS. However, the state is willing to entertain exchange negotiations pursuant to Section 1302(h) of ANILCA that may result in NPS acquisition of this state land. I expect, of course, that the NPS will correspondingly nominate land of commensurate interest to the state as a prerequisite to any exchange negotiations.

As you suggested, I now look forward to hearing from Roger Contor on this matter.

Sincerely,


Esther C. Wunnicke
Commissioner

cc: Ric Davidge, DOI
Roger Contor, NPS
Vern Wiggins, ALUC
Bob Grogan, OMB
Bill Horn, DOI
Tom Hawkins, DLWM



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEPARTMENT OF
NATURAL RESOURCES

NOV 27 1984

COMMISSIONER'S
OFFICE

November 13, 1984

The Honorable Esther Wunnicke
Commissioner
Department of Natural Resources
Pouch M
Juneau, AK 99811

Commissioner Wunnicke,

With the passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980, Congress expanded Denali National Park for the purpose of including significant scenic and wildlife resources integral to the park. Congress also identified certain State-owned lands, adjacent to Denali National Park and Preserve not included by the Act and directed that these lands be considered for addition to the park at a later date. These lands include three townships owned by the State of Alaska presently managed by your department and surrounded on three sides by the park. The three townships are generally known as the "Stampede" or "Wolf" townships west of Healy. These lands contain nationally important habitat for sheep, caribou, and wolves integral to the park.

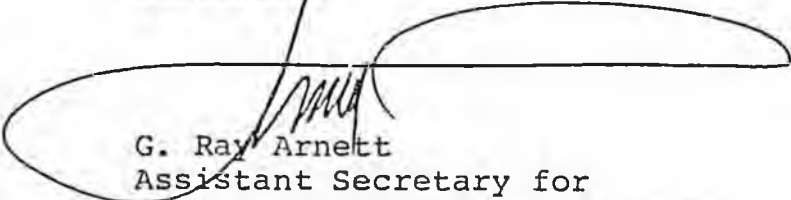
The Secretary of the Interior, under Section 1302(i)(1-2) of ANILCA has the authority to acquire lands that are contiguous to National Park Service units established or expanded by ANILCA by exchange or donation from the State of Alaska. Any such lands acquired pursuant to this section would become part of Denali National Park and Preserve.

My staff in Alaska have advised me that the acquisition of these three townships from the State of Alaska is in the best interest of Denali National Park. Recent resource studies in the area clearly indicate that resident park wildlife migrate across and use these lands. The Superintendent of the park, the Regional Director of the NPS and my Assistant in Alaska believe the acquisition of these lands particularly important in providing park protection of wolf denning areas that are integral to the maintenance of park wildlife in their natural diversity.

Initial staff discussions have occurred between our respective offices and the National Park Service indicating a willingness by all parties to negotiate an exchange that would facilitate our acquisition of these lands. With the completion of the Kantishna Hills/Dunkel Mine Study by the Alaska Land Use Council along with the Council's Land Use Advisors Committee recommendations relative to this possible acquisition, I believe it timely we pursue this opportunity.

I have, therefore, requested that the National Park Service initiate formal discussions through a letter of intent between the State of Alaska and the National Park Service in Alaska for the purpose of outlining the specifics of this acquisition/exchange and establishing a schedule for completing this acquisition. My office in Alaska is available to you if necessary. Please keep me advised.

Sincerely,



G. Ray Arnett
Assistant Secretary for
Fish and Wildlife and Parks

Attachment

cc: Ric Davidge
Roger Contor
Vern Wiggins
Bill Horn

TO SANDORA / Dunkle file RECEIVED

NOV 14 1984

Alaska Land Use
Council Advisors Committee
P.O. Box 100120
Anchorage, Alaska 99510-0120

Citizens Advisory Commission
on Federal Areas Alaska Land Use Council
515 Seventh Avenue, Suite 31 Anchorage, AK
Fairbanks, Alaska 99701

November 12, 1984

Governor Bill Sheffield
State Cochairman
Alaska Land Use Council
Pouch A
Juneau, Alaska 99811

Mr. Vernon Wiggins
Federal Cochairman
Alaska Land Use Council
P.O. Box 100120
Anchorage, Alaska 99510-0120

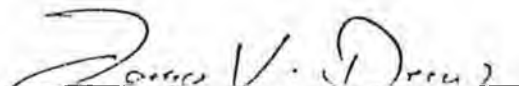
Gentlemen:


The following Motion concerning the Dunkle Mine area in Denali National Park, Alaska, was PASSED UNANIMOUSLY at the joint meeting of the Alaska Land Use Council Advisors Committee and the Citizens Advisory Commission on Federal Areas on October 30, 1984:

MOTION: THE LAND USE ADVISORS COMMITTEE AND THE CITIZENS ADVISORY COMMISSION ON FEDERAL AREAS, JOINTLY ASSEMBLED THIS 30TH DAY OF OCTOBER, 1984, RECOMMEND TO THE ALASKA LAND USE COUNCIL THAT IT RESCIND ITS PRIOR ACTION REGARDING THE DUNKLE MINE AREA AND, THAT UPON THIS RESCISSION, THAT IT URGE THE STATE OF ALASKA AND THE DEPARTMENT OF INTERIOR TO IMMEDIATELY TAKE SUCH ACTION AS IS NECESSARY TO EXCLUDE THE DUNKLE MINE AREA FROM THE DENALI NATIONAL PARK THROUGH A LAND EXCHANGE, AND THAT COPIES OF THIS RESOLUTION BE CIRCULATED TO THE FOLLOWING:

The Honorable Ted Stevens, Senator
The Honorable Frank Murkowski, Senator
The Honorable Don Young, Congressman
The Honorable William Clark, Secretary of Interior
Mr. William Horn, Deputy Undersecretary, DOI
Mr. Ray Arnett, Assistant Secretary, FWP
Mr. Russ Dickenson, Director, NPS
Mr. Roger Contor, Regional Director, NPS

Sincerely,


James V. Drew, Chairman
Alaska Land Use Council
Advisors Committee


Phil Holdsworth, Chairman
Citizens Advisory Commission
on Federal Areas

Alaska State Legislature

Ecklip

BETTY F. FAHRENKAMP, Chairman
ROBERT H. ZIEGLER, SR., Vice Chairman
DICK ELIASON
PAUL FISCHER
VIC FISCHER
BOB MULCAHY
ARLISS STURGULEWSKI



POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate

Committee on Resources

May 19, 1984

Governor Bill Sheffield, State Co-chairman
Vernon R. Wiggins, Federal Co-chairman
Alaska Land Use Council
P.O. Box 100120
Anchorage, AK 99510

Dear Governor Sheffield and Mr. Wiggins:

A major item on the agenda for the May 23rd meeting of the Alaska Land Use Council will be the consideration of the recommended options for the Kantishna Hills and Dunkle Mine study areas in Denali National Park. The Interior delegation of the Alaska State Legislature is very concerned about the recommendations which have been made by the study group.

The study group's recommendations for a minerals leasing system in the Kantishna Hills area and the maintenance of the "status quo" for the Dunkle township are not realistic alternatives and we do not consider them an acceptable response to the mandate of Sections 202(3)(b) and (c) of ANILCA. The following alternative recommendations are presented for consideration by the Council:

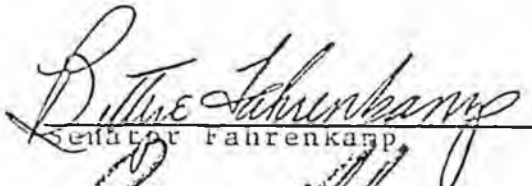
- 1) Kantishna Hills: Because the National Park Service does not currently have a mechanism in place designed to accommodate a mineral leasing program within the national park system, the delegation would recommend that management of mining claims and mining activity continue under the current system. Federal regulations under 36 CFR, Part 9, as well as existing State regulations and standards, are more than adequate to manage mineral activity in this area. Institution of a minerals leasing system would simply add another, unnecessary, layer of regulation and constraint. In addition, acquisition of any claims should be only on a willing seller/willing buyer basis and not through condemnation.

Governor Bill Welfield
Vernon R. Wiggins
May 19, 1984
Page 2

2) Dunkle Mines area: the best alternative for the Dunkle Township would be a land exchange which would remove it from the park. There has been no conclusive evidence presented during the study process that the Dunkle Township contains critical habitat for the Denali caribou herd. While realizing that the herd is a major attraction within the park, it is felt that, if necessary, any adverse effects from mining activity can be mitigated under the direction of State agencies. The Alaska Department of Natural Resources has indicated that it would consider exchanging the Dunkle area for the "Wolf Townships" located to the north of the park entrance. This would add an area of proven critical wolf habitat to the park.

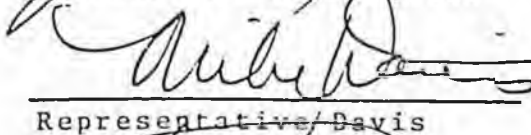
We strongly urge the Alaska Land Use Council to consider these proposed alternatives for the Kantishna Hills/Dunkle Mine Study areas. These alternatives can provide for both the protection of park resources and the continuation of mineral activity in these two valuable areas. Thank you for your consideration of these proposals.

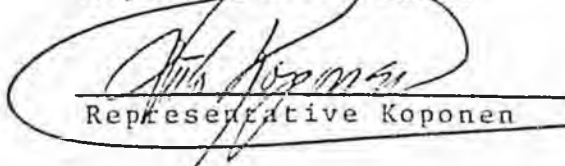
Sincerely,

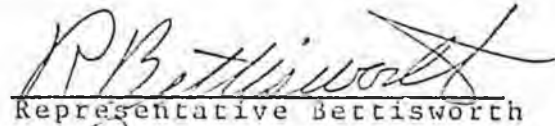

Senator Fahrenkamp

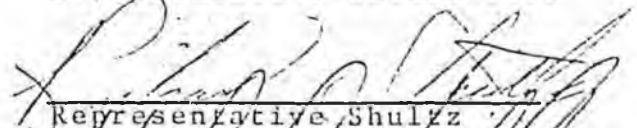

Senator Moss

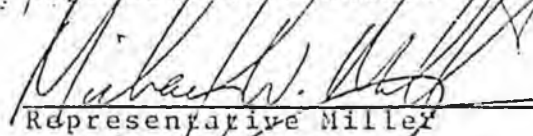

Representative Ringstad

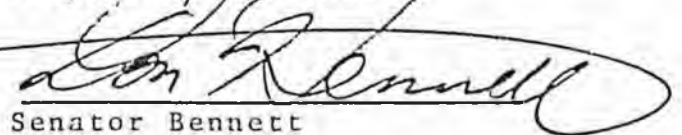

Representative Davis


Representative Koponen


Representative Bettisworth


Representative Shulz


Representative Miller


Senator Bennett

SENATOR
ARLISS STURGULEWSKI

2957 SHELDON JACKSON
ANCHORAGE, ALASKA 99508
SENATE DISTRICT F, SEAT A

Alaska State Legislature



While in Juneau
POUCH V
JUNEAU, ALASKA 99811
(907) 465-3818

Senate

MEMORANDUM

January 17, 1985

TO: Senate Resources Committee Members

FROM: Senate Resources Committee Staff *MSK*

RE: SJR 3 Requesting that the State of Alaska pursue a land exchange with the U.S. Department of the Interior to exclude the Dunkle Mine Township from Denali National Park and Preserve.

SJR 3 Background

SJR 3 is a resolution introduced by Senator Fahrenkamp which urges the State of Alaska and the U.S. Department of Interior to pursue a land exchange to exclude the Dunkle Mine Township from Denali National Park and Preserve. A brief history of this issue follows.

The Dunkle Township is a highly mineralized township located on the southeastern border of the Denali National Park-Preserve. It was first proposed for inclusion in the park boundary in a 1974 environmental impact statement on the park. Dunkle Township was actually included within the park-preserve boundary by the passage of ANILCA in 1980. Section 202(3)(b) of that act authorized a study on the Dunkle Township to evaluate its resources and its inclusion within the boundaries of the park-preserve. The preliminary studies were completed in 1984 and urged that the status quo be maintained, leaving Dunkle Township within the park-preserve boundaries. More studies are ongoing and are due February 1, 1985.

On May 11, 1984, the Alaska Land Use Council Advisors Committee met and by a 10-1 vote, urged the Alaska Land Use Council to recommend the exclusion of Dunkle Township from the park preserve by means of a land exchange. On May 23, 1984, the Alaska Land Use Council met and considered this issue. The council voted to endorse the preliminary report's status quo recommendation and maintain Dunkle Township within the park-preserve.

On October 30, 1984, the Alaska Land Use Council Advisor's Committee and the Citizens Advisory Commission on Federal Areas met jointly. At this meeting, the two groups unanimously passed a resolution urging the Alaska Land Use Council to rescind its prior action and recommend that the state and the Department of the Interior take the necessary action to exclude the Dunkle Mine area from Denali Park-Preserve by means of a land exchange. This would be permitted under section 1302(h) of ANILCA.

In 1978, it was thought that this area might be critical caribou calving grounds. Comments from the National Park Service and the Department of

Fish and Game indicate that this area is not used for calving. The Department of Fish and Game has adopted a neutral position on this exchange.

The Alaska Land Use Council is meeting on February 14th. The sponsors of this resolution feel it is important that it be approved in time for the Council's consideration. This land exchange is endorsed by the Department of the Interior, the National Park Service, the Alaska Department of Natural Resources, the Fairbanks Chamber of Commerce, the Matanuska Susitna Borough, the Alaska Miners Association, the Resource Development Council, the Office of Minerals Development in the Alaska Department of Commerce, and the federal co-chairman of the Alaska Lands Use Council. The Alaska Center for the Environment, the Sierra Club, the Trustees for Alaska and the Northern Center for the Environment have all been contacted regarding this exchange. While it is expected some of these groups may offer written or oral testimony at this meeting, no objections have been offered so far.

Included in this packet are several maps which show the Dunkle area; an excerpt from an E.I.S. which discusses the Dunkle mineral potential; a description of land exchange procedures from the Department of Natural Resources; an exchange of three letters between G. Ray Arnett, Assistant Secretary for Fish and Wildlife and Parks, United States Department of Interior and Esther Wunnicke, Commissioner of the Department of Natural Resources which indicate the Department of Interior's interest in acquiring the Wolf townships; a copy of the resolution passed by the Alaska Land Use Council Advisor's Committee and the Citizens Advisory Commission of Federal Areas; a copy of Subsection H, Section 1302 of ANILCA; and a copy of a May 1984 letter to Governor Sheffield and Vernon R. Wiggins, federal co-chairman of the Alaska Lands Use Council by the members of the Interior Delegation urging support for this land exchange,



OFFICE OF THE
ASSISTANT SECRETARY

UNITED STATES
DEPARTMENT OF THE INTERIOR
WASHINGTON

DEPARTMENT OF
NATURAL RESOURCES

JAN 15 1984

COMMISSIONER'S OFFICE
JUNEAU

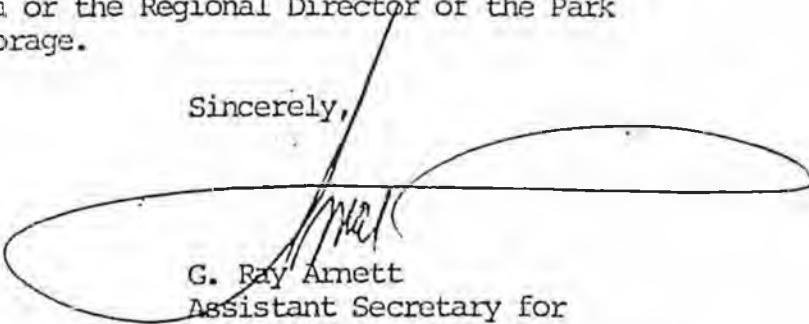
Ms. Esther C. Wunnicke
Commissioner
Department of Natural Resources
Pouch M
Juneau, Alaska 99801

Dear Ms. Wunnicke:

Your letter of December 26, 1984, regarding our acquisition of State lands adjacent to Denali National Park is appreciated. We are most interested in acquiring this important wildlife habitat for the park. We accept your offer to negotiate an exchange and would appreciate your letting us know what lands the State may be interested in acquiring in the area.

If you have any further concerns, please contact my office in Alaska or the Regional Director of the Park Service in Anchorage.

Sincerely,



G. Ray Amett
Assistant Secretary for
Fish and Wildlife and Parks

January 10, 1985

(2) property developed for noncommercial recreational uses, together with any structures accessory thereto which were so used on or before January 1, 1979, to the extent that entry onto such property was legal and proper.

In determining when and to what extent a property is to be considered an "improved property", the Secretary shall take into consideration the manner of use of such buildings and lands prior to January 1, 1979, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed before such date.

(g) CONSIDERATION OF HARDSHIP.—The Secretary shall give prompt and careful consideration to any offer made by the owner of any property within a conservation system unit to sell such property, if such owner notifies the Secretary that the continued ownership is causing, or would result in, undue hardship.

(h) EXCHANGE AUTHORITY.—Notwithstanding any other provision of law, in acquiring lands for the purposes of this Act, the Secretary is authorized to exchange lands (including lands within conservation system units and within the National Forest System) or interests therein (including Native selection rights) with the corporations organized by the Native groups, Village Corporations, Regional Corporations, and the Urban Corporations, and other municipalities and corporations or individuals, the State (acting free of the restrictions of section 6(i) of the Alaska Statehood Act), or any Federal agency. Exchanges shall be on the basis of equal value, and either party to the exchange may pay or accept cash in order to equalize the value of the property exchanged, except that if the parties agree to an exchange and the Secretary determines it is in the public interest, such exchanges may be made for other than equal value.

USE OF CABINS AND OTHER SITES OF OCCUPANCY ON CONSERVATION SYSTEM UNITS

SEC. 1303. (a) IMPROVED PROPERTY ON NATIONAL PARK SYSTEM LANDS.—

(1) On lands not owned by the claimant within the boundaries of any unit of the National Park system created or enlarged by this Act, cabins or other structures existing prior to December 31, 1973, may be occupied and used by the claimant to these structures pursuant to a renewable, nontransferable permit. Such use and occupancy shall be for terms of five years each, provided that the claimant of the structure by application:

- (A) Reasonably demonstrates by affidavit, bill of sale or other documentation, proof of possessory interest or right of occupancy in the cabin or structure;
- (B) Submits a sketch or photograph of the cabin or structure and a map showing its geographic location;
- (C) Agrees to vacate the cabin and to remove all personal property from the cabin or structure upon expiration of the permit; and
- (D) Acknowledges in the permit that the applicant has no interest in the real property on which the cabin or structure is located.

(2) On lands not owned by the claimant, within the boundaries of any unit of the National Park System created or enlarged by this Act, cabins or other structures, the occupancy or use of which commenced between December 31, 1973, and December 1, 1978, may be used and occupied by the claimant of such structure pursuant to a nontransferable, nonrenewable permit. Such use and occupancy shall be for a maximum term of one year, provided, however, that the claimant, by application:

- (A) Reasonably demonstrates by affidavit, bill of sale, or other documentation proof of possessory interest or right of occupancy in the cabin or structure;
- (B) Submits a sketch or photograph of the cabin or structure and a map showing its geographic location;
- (C) Agrees to vacate the cabin or structure and to remove all personal property from it upon expiration of the permit; and
- (D) Acknowledges in the permit that the applicant has no legal interest in the real property on which the cabin or structure is located.

The Secretary may, on a case by case basis, subject to reasonable regulations, extend such permit term beyond one year for such reasons as the Secretary deems equitable and just.

(3) Cabins or other structures not under permit as specified herein shall be used only for official government business; provided, however, that during emergencies involving the safety of human life or where designated for public use by the Secretary, these cabins may be used by the general public,

(4) The Secretary may issue a permit under such conditions as he may prescribe for the temporary use, occupancy, construction and maintenance of new

cabins or other structures if he determines that the use is necessary to reasonably accommodate subsistence uses or is otherwise authorized by law.

(b) IMPROVED PROPERTY ON OTHER UNITS OR AREAS ESTABLISHED OR EXISTING UNDER THIS ACT.—

The following conditions shall apply regarding the construction, use and occupancy of cabins and related structures on Federal lands within conservation system units or areas not provided for in section 1303(a).

(1) The construction of new cabins is prohibited except as may be allowed pursuant to a nontransferable, five-year special use permit issued by the Secretary. Such special use permit shall only be issued upon a determination that the proposed use, construction, and maintenance of a cabin is compatible with the purposes for which the unit or area was established and that the use of the cabin is either directly related to the administration of the unit or area or necessary to provide for a continuation of an ongoing activity or use not otherwise allowed within the unit or area where the permit applicant has no reasonable alternative site for constructing a cabin. No special use permit shall be issued to authorize the construction of a cabin for private recreational use.

(2) Traditional and customary uses of existing cabins and related structures on Federal lands within a unit or area may be allowed to continue in accordance with a nontransferable, renewable five-year special use permit issued by the Secretary. Such special use permit shall be issued only upon a determination that the traditional and customary uses are compatible with the purposes for which the unit or area was established. No special use permits shall be issued to authorize the use of an existing cabin constructed for private recreational use.

(3) No special use permit shall be issued under subsections (b) (1) or (2) of this section to the permit applicant:

(A) In the case of existing cabins or structures, reasonably demonstrated by affidavit, bill of sale or other documentation, proof of possessory interest or right of occupancy in the cabin or structure;

(B) Submits a sketch or photograph of the existing or proposed cabin or structure and a map showing its geographic location.

(C) Agrees to vacate the cabin or structure and remove, within a reasonable time period established by the Secretary, all personal property from it and to execute a nonrenewal or revocation of the permit; and

(D) Acknowledges in the permit application that the applicant has no interest in the real property on which the cabin or structure is located or will be constructed.

(4) The United States shall retain ownership of all new cabins and related structures on Federal lands within a unit or area specified in this subsection, and no proprietary rights or privileges shall be conveyed through the issuance of the special use permit authorized by paragraphs (1) or (2) of this subsection. Cabins or other structures not under permit shall be used only for official Government business; provided, however, that during emergencies involving the safety of human life or where designated for public use by the unit or area manager, such cabins may be used by the general public.

(c) PERMITS TO BE RENEWED FOR LIFE OF CLAIMANT AND IMMEDIATE FAMILY.—

(1) Whenever issuance of a nontransferable renewable five-year special use permit is authorized by section 1303 (a) and (b), said permit shall be renewed every five years until the death of the last immediate family member of the claimant residing in the cabin or structure, or unless the Secretary has revoked the special use permit in accordance with the criteria established in this section.

(2) Notwithstanding any other provision of this section, the Secretary, after notice and hearing, may revoke a permit provided for in this section if he determines, on the basis of substantial evidence in the administrative record as a whole, that the use under the permit is causing or may cause significant detriment to the principal purposes for which the unit was established.

(d) EXISTING CABIN LEASES OR PERMITS.—Nothing in this Act shall preclude the renewal or continuation of valid leases or permits in effect at the time of passage of this Act for cabins, homesites, or similar structures on Federal lands. Unless the Secretary, or in the case of national forest lands, the Secretary of Agriculture, issues specific findings, following notice and an opportunity for the leaseholder or permittee to respond, that renewal or continuation of such valid permit or lease constitutes a direct threat to or a significant impairment to the values for which the unit was established, he shall renew such valid leases or permits upon their expiration in accordance with the provisions of the original lease or permit subject to such reasonable regulations as he may prescribe in keeping with the management objectives.

SEC. 1302 ANILCA

backups

DUNKLE AREA

At least four high-grade gold-silver vein deposits occur in the study area along the Chulitna structural zone (figure 6). Others as yet undiscovered probably exist along the zone or on associated structures. The vein deposits are narrow and strike lengths are unknown. This type of target is probably not attractive to major companies, but mining may be profitable on a small-scale for small companies or individuals.

The shear zones in which the high-grade veins are located may contain lower-grade precious metal mineralization across sufficient width to permit bulk-mining. Such deposits would be of considerably more interest to larger companies.

The Golden Zone Mine is a gold deposit associated with a breccia pipe located several miles west of the study area. The mine has produced in the past, and is currently being further evaluated. The deposit has a potential for several million tons of low to moderate grade gold ore. Geology, structure, and mineralogy associated with the igneous complex in the Dunkle Mine study area present an environment favorable for the occurrence of similar deposits. This interpretation is supported by geochemical and geophysical evidence (figures 7 and 8).

Associated with this igneous complex, several potential targets have been identified for copper/molybdenum or copper/precious metal porphyry-type deposits. These targets have not been adequately tested. Should an economic deposit be developed a mine scenario of plus or minus 100 million tons of low grade ore may be expected.

Good quality coal has been mined from the Dunkle Mine. Movable reserves in the range of 100,000 to 350,000 tons are drill indicated. Additional reserves may be identified with further drilling in the Costello-Colorado-Camp Creek basin in the magnitude of several million tons. Small scale mining by open cut development may be feasible.

The presence of auriferous gravels in several streams was confirmed. Small-scale mining may be feasible in some locations but physical conditions would probably prohibit any major placer mining development.

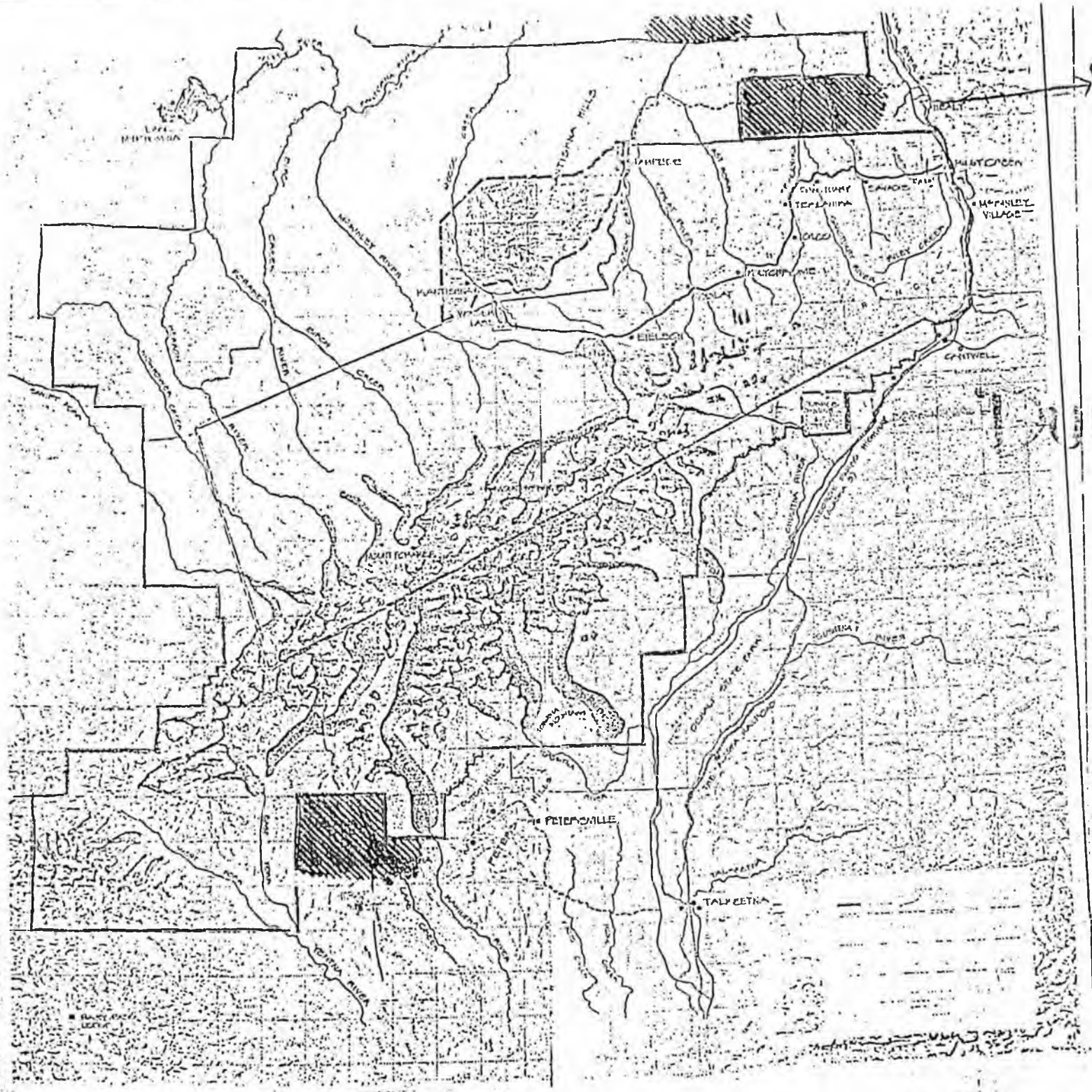
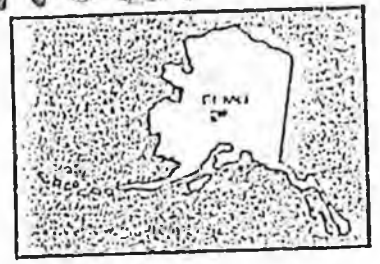
Some evidence exists for antimony and tin mineralization. The potential for these minerals has not been adequately determined.

The Dunkle Mine study area is a highly metalliferous, geologically complex environment (figure 9). If the land status were not restrictive, mining companies would consider the area an attractive exploration target. The proximity of the Dunkle area to the railroad and the Parks Highway further enhances the favorability of the areas mining potential.

FROM KANTISHNA HILLS/
DUNKLE MINE E.T.S.

Early

WOLF



Dunkle

- DENALI NATIONAL PARK AND PRESERVE BOUNDARY
- - - DENALI WILDERNESS BOUNDARY
- AIRPORT
- GLACIER
- STUDY AREA
- ▨ VARIAS FOR IZES CUL EXCHANGE



Exchange Areas
 Kantishna Hills and
 Dunkle Mine Study Areas
 Denali National Park and Preserve



Introduced: 1/14/85
Referred: Resources
and Finance

BY FAHRENKAMP, FAIKS
AND COGHILL

1 IN THE SENATE

2 SENATE JOINT RESOLUTION NO. 3

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Requesting that the State of Alaska
6 pursue a land exchange with the U.S.
7 Department of the Interior to exclude
8 the Dunkle Mine Township from Denali
9 National Park and Preserve.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 WHEREAS the boundaries of Denali National Park and Preserve were
12 expanded by the passage of the Alaska National Interest Lands Conservation
13 Act in 1980 to include the historic Dunkle Mine Township; and

14 WHEREAS the Dunkle Mine Township contains good quality coal deposits,
15 at least four high-grade gold/silver vein deposits, placer gold deposits,
16 and large low grade copper/precious metal deposits; and

17 WHEREAS the proximity of the Dunkle Township to the Alaska Railroad
18 and the Parks Highway enhances the favorability of the area's mining poten-
19 tial; and

20 WHEREAS claimholders had established rights to the minerals in the
21 area before the time the park was expanded to include the claims; and

22 WHEREAS in recognition of the fact that the Dunkle Township has known
23 mineral potential, Section 202(3)(b) of ANILCA mandated that a study of the
24 relationship of mineral resources and mining activity to the other resourc-
25 es of the area be done by the Alaska Land Use Council in cooperation with
26 the Secretary of Interior; and

27 WHEREAS a primary reason for including the Dunkle Township in the park
28 was protection of habitat for the Denali caribou herd and there has been no
29 conclusive evidence presented during the study process that the area

1 contains critical habitat for the herd or that increased mining activity
2 will necessarily have a significant adverse effect on the herd; and

3 WHEREAS the potential for mineral development of the Dunkle Township
4 will be lost if the area stays within the park, as park status will not
5 allow new mining claims and may invalidate many of the present claims; and

6 WHEREAS one of the alternatives offered in the 1983 Draft Environ-
7 mental Impact Statement of the Dunkle Mine Study was to remove mineralized
8 areas and mining activity from the park boundaries and place them under the
9 jurisdiction of the State of Alaska; and

10 WHEREAS there is no conclusive evidence that deletion of the Dunkle
11 Township from the park would result in a lack of protection for the caribou
12 herd, as any adverse effects that may occur from increased mining activity
13 could be mitigated under the direction of the state; and

14 WHEREAS there is state owned land contiguous to Denali National Park
15 and Preserve with scenic and wildlife values equal to the Dunkle Township;
16 and

17 WHEREAS Section 1302(h) of ANILCA clearly authorizes exchanges in
18 conservation units; and

19 WHEREAS public testimony solicited during the study process was in
20 strong support of an exchange; and

21 WHEREAS the Department of Interior has indicated that it regards a
22 land exchange as one of the better solutions for the problems identified in
23 the Dunkle Mine Study, and initial discussions have occurred between the
24 State Department of Natural Resources, the National Park Service, and the
25 Office of the Assistant Secretary for Fish, Wildlife and Parks indicating a
26 willingness by all parties to negotiate and exchange;

27 BE IT RESOLVED by the Alaska State Legislature that the State of
28 Alaska and the Department of Interior take whatever action is necessary to
29 exclude the Dunkle Township from the Denali National Park and Preserve

1 through a land exchange that would allow the National Park Service to
2 acquire a nonmineralized township with high scenic and wildlife habitat
3 values and allow the state the opportunity to develop the mineralized lands
4 in the Dunkle Township; and be it

5 FURTHER RESOLVED that the land exchange be as simple and uncomplicated
6 as possible, preferably for lands of equal value to the Dunkle Township and
7 adjacent to the Denali National Park and Preserve.

8 COPIES of this resolution shall be sent to the Honorable William
9 Clark, Secretary of the U.S. Department of Interior; the Honorable Bill
10 Sheffield, Governor; the Honorable Ted Stevens and the Honorable Frank
11 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,
12 members of the Alaska delegation in Congress.

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

1/14/85

Date 1/21/85

Mr. President

The Committee on RESOURCES considered SJR 3

requesting that the State of Alaska pursue a land exchange with the U.S. Department of Interior to exclude the Dunkle Mine Township from Denali National Park and Preserve.

and (a majority of the committee) (~~the committee~~) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with ^{replaced w} ~~or adopt~~ CS for SJR 3 (Res)
- new title
- same title and recommends Do PASS
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

[Handwritten signatures]

MEMBERS HAVING
OTHER RECOMMENDATIONS

[Handwritten signature]
Chairman
Do Pass
Chairman recommendation