



Superintendent Don Striker
Denali National Park and Preserve
PO Box 9
Denali Park Alaska, 99755

June 2, 2016

Dear Superintendent Striker,

On behalf of the board and members of the Denali Citizens Council (DCC), I am submitting these comments on the *Environmental Assessment (EA) for Eldorado Creek Mining Plan of Operations (MPO)*. Many of DCC's members are local citizens or seasonal employees in the Denali area. Our members want Kantishna to remain a rural, nature-centric destination for a diversity of visitors, including independent travelers and commercial guests.

One of Kantishna's unique aspects is the presence of a number of mining claims filed before the Alaska National Interest Lands Conservation Act (1980) expanded the national park to include the Kantishna district. At the time of ANILCA, some of these claims were being mined, and mining remained a permitted use on existing valid claims after ANILCA; however a set of stringent requirements for mining was put into place, and many of the miners chose to sell their claims either to the National Park Service or to other private entities.

DCC saw, early on, the potential threat from the incomplete buyout of mining claims in Kantishna. The area has, since ANILCA, experienced a period of extensive growth and development, an increasingly "built environment," and pressure from commercial tourism establishments for yet more activities. Most of the post-ANILCA tourism developments are on land once claimed by miners then sold to developers. New development of tourism, above existing levels, while not as potentially damaging to resources as the mining it replaced, is a current and future threat to DCC's vision for Kantishna.

The unpatented claims proposed for mining under this EA are among those which we had hoped that the National Park Service would have been able to purchase under a "willing seller" agreement. We are disappointed and disheartened to hear that recreational mining on unpatented claims along 1.5 miles (118 acres, 2 acres of potential streambed disturbance) of a productive fresh water stream in the Kantishna region may now be imminent.

We know that the National Park Service must allow a claimant to file a Mining Plan of Operations (MPO) on a claim pre-existing ANILCA, if NPS has been unable to purchase that claim. After examining the EA and the proposed MPO, however, we argue that it is not possible for the National Park Service to issue a *Finding of No Significant Impact* for this project. We support the No Mine alternative, and we urge the National Park Service to conduct a prompt, willing-seller buyout of these claims.

Our comments are given below. Some of them provide ways to improve the Plan of Operations, if the mine occurs. These suggestions for improvement, however, do not mean that we support the suction dredge mining of this stream.

1. **The NPS intent for Kantishna, expressed in the ROD for the *Cumulative Impacts of Mining EIS*, in 1990, was “acquisition of all patented and unpatented mining claims.”** It has been 26 years now, and the fact that NPS has not acquired all “willing seller” claims during that length of time constitutes a failure of vision within the National Park Service. We urge NPS to rework its arcane real estate rules and to be more flexible in recognizing the absolute value of obtaining the remaining claims.

2. **Issues that should not have been eliminated from further consideration**

Soundscape – we question whether the ‘ambient sounds of the creek’ are sufficient to cover all sounds potentially generated by this project. We would have preferred that the National Park Service provide a more detailed description of

- a. those activities that would produce a disturbance of natural sounds, including but not limited to the suction dredge, the excavator, generators and winches, and
- b. the 24 hour time frame during which those activities could occur.

3. **Issues (impact topics) subject to further consideration**

a. **Vegetation and Soils** (including streambed gravels, on 2 acres of streambed, approximately 1.5 miles in length).

- i. Streambed soils provide habitat for aquatic algae and invertebrates, which constitute feed for fish and some bird species. Significant disruption of these soils will lead to a reduction in the fertility of the stream and its function as habitat. The EA is unclear about how long it may take to recover pre-existing levels of soil integrity and stream fertility, once dredged, if ever. Eldorado Creek is regarded as still “in recovery” from prior mining activities.
- ii. Creation of the road will set back any reclamation and restoration of natural vegetation for the period of the mining activities.
- iii. Turbidity is dismissed as a problem but we think it is likely to be a problem for areas downstream from the dredging and cleanup operations; regular monitoring should be a part of the MPO.

b. **Wildlife Values** –

- i. Effects on grayling migration through the area of the claims are poorly understood and could be significant and long term. The reduction in the macroinvertebrate community (still recovering from significantly richer concentrations in past years, see Henderson, 2015) could permanently affect nutrients available to grayling and streamside birds. The EA, page 42, states that “high populations of macroinvertebrates on Upper Eldorado Creek insure that populations on the section of middle Eldorado Creek would reestablish

within one year after mining.” However, Henderson’s study indicates that levels of macroinvertebrates are still in significantly lower than levels in the 1980s.

- ii. Effects on grayling migration are not sufficiently mitigated by limiting the mining to June 1- September 15. Lingering effects from manipulating the topography of the stream and from changing the macroinvertebrate populations could affect the graylings’ perception of the route or willingness to use it even when mining is not active.
- iii. The removal of 100+ ft. of streambed during each mining period from availability as grayling habitat, even though the numbers of grayling in this part of the stream are low, is an unacceptable impact.
- iv. Effects on nesting birds during the period of mining are not explored by this EA, nor is a detailed mitigation plan discussed in the MPO.
- v. Effects of human-caused sound (see above) on wildlife activities within and near the creek bed have been dismissed, but after many years of active mining and use of the access road, these effects could become permanent.
- vi. Although only the streambed will be mined, the claimant could, according to this EA, deploy a metal detector on the entire area of the claims, up to 118 acres.

c. Cultural resources – The Comstock Cabin

- i. The proposal to use the Comstock Cabin as housing will create a conundrum for the NPS. Normally, when historic structures are restored or rehabbed, NPS staff does all the work. In this case, the claimant will be doing much of the “heavy lifting” in leveling and founding it, and perhaps with other restoration activities. Will NPS be overseeing this entire operation with its own personnel, to ensure consistency with historic preservation regulations? At what cost?
- ii. If the Comstock Cabin is restored, what effect will its presence in the backcountry have on park planning intent? Will it be safe enough for use by backpackers? Will regulations be established for such use?
- iii. Could the claimant actually patent these claims, after a showing of profit, thereby making it possible for the claimant to use the renovated Comstock Cabin as a recreation destination?

d. Visitor experience and Opportunity

- i. Although the EA has indicated that access improvements on the Eldorado road would enhance hiking opportunities, hasn’t NPS in the past been committed to revegetation and restoration of the natural streambed, and therefore doesn’t this road actually change planning intent for Eldorado Creek?
- ii. If the claimant can potentially patent these claims, wouldn’t that open up the area to a private tourism development? We understand that patenting is not

currently available at the federal level; however the program is simply unfunded, it has not been eliminated.

- iii. Has the claimant told NPS that it would be interested in providing interpretive programs at the site of the dredging operation? Would the claimant provide insurance in the event that tourists were injured at the site of the mining operation? Will the camp be closed to access by hikers?

4. Mining Plan Of Operations (MPO)

- i. **We note the absence of attachments showing maps, images and sketches of the camp at the Comstock Claim.** We could not find these attachments in the EA, MPO section. We were told that the organization of the camp was a matter of discussion and possible change, however without at least the map as proposed there is not much to base comments upon.
- ii. **Access**
 1. **Park road access** – we understand that up to 15 road passes are being requested every season. We understand that the “excavator” being described for the road project may be sitting on a private claim at Rainy Creek, and therefore would not require a road pass. However, will the moving of the excavator to the site require any special conditions? If the excavator is not at Rainy Creek but outside the park, what stipulations will be made for moving it into the park? Night passes? Nothing is stated in the EA.
 2. **Kantishna airstrip access** – The claimant has requested only to use a PA 18 Supercub for access. The final MPO should stipulate the number of flights per season. Will the concessioner that provides Kantishna air tours be informed of this use? If the claimant determines that it needs to fly supplies in using a larger airplane, are there stipulations?
 3. **Vehicle types**
 - a. **Deuce and a half Diesel Truck** – For what is this needed?
 4. **Dates of access** – The MPO requests June 1 – September 15. We think that, given variables with grayling migration, the start date should be subject to stream monitoring, and the end date should be September 5th.
- iii. **Use of Water**
 1. The MPO states that water used for dredging is discharged in the same place and time it is withdrawn. It is assumed there will be no turbidity problems with this water. **Turbidity of discharged water should be monitored** to ensure that turbidity levels lie within regulated parameters at selected distances downstream.
 2. The MPO does not discuss how gray water from the camp will be discharged in a way that will protect park resources.

3. The MPO does not indicate whether the Gold Cube processing system will have any gray water discharge, ever, and whether there will be any “tailings” or unusable concentrates produced by this system - and how any gray water or concentrates will be disposed to protect park resources. This information is necessary.

iv. **Plan of Operations**

1. It is unclear how the suction dredge will be moved upstream. It is said to float, however creation of adequate water depth for floatation may be arduous and will likely require use of some sort of equipment not specified in the MPO.
2. How the winch will be deployed is not discussed. Will it be on an ATV or other vehicle?
3. Storage of up to 500 gal of fuel – If on claimant property, will drip pans and other spill prevention technology be placed? What will be the effect on park resources? Are off-site fuel storage capabilities existent in Kantishna?
4. Buildings on camp property. The MPO describes 6 buildings or structures in addition to the Comstock Cabin to be erected at the site of the Camp. Since no sketch drawings are shown in the EA, we have little information on how the construction of this camp will be organized to protect park resources. If all structures are to be on “disturbed areas” only, what constitutes “disturbed,” for purposes of this document? Gravel tailings? Something else? Because photos of the areas are missing, we cannot judge. There is a “trust us” mentality with this MPO. Too much is left to the imagination.

v. **Monitoring**

1. We recommend a mobile sound station to be placed yearly in a location near the camp and/or mining activities
2. We recommend downstream water quality monitoring at two or three distances from active dredging.
3. If concentrates from Gold Cube activities and gray water from camp are to be discharged into the stream, we recommend notification of times and monitoring of water quality downstream.
4. Vehicle traffic – The number of trips per day using the Eldorado Creek road should be capped to avoid damage to resources. This should be monitored at intervals or with counters. It is especially important in rainy summers.
5. Where will vehicles used at the claim be stored? How will this be monitored?

vi. **Reclamation**

1. **Stream bed** – NPS should be employed by the claimant to assist with and monitor streambed restoration every season, as NPS has a great fund of scientific knowledge on the best methods.
2. **The mining camp** – Removal of trash, structures and equipment are a minimum standard for reclamation, since resources are impacted by the presence of ‘temporary’ structures for more than a season or two. If the camp cannot be placed on disturbed soils, the camp (or some parts of it) should be located elsewhere.
3. **Performance bond** – If reclamation is not performed in accordance with best practices, is the performance bond of \$5000 the only forfeiture, or will the claim be ensured to provide larger awards in case of damage to park resources.

- vii. **What will be the term of this MPO?** The operator states it would take decades to remove all potential gold using this method. An open-ended term for the project will increase its chances of producing unacceptable cumulative impacts.

Although the Eldorado Creek mining operation has been described as a limited operation, to be performed on a stream with lower levels of aquatic resources in an already-mined and roaded area, we note that this area is recovering from past usages, and the proposed use, limited as it is, could have long term effects on the resources of Eldorado Creek. In addition, we feel that permitting a mine in an area whose purpose was redirected in park planning after ANILCA, and where the intent was to buy the claims, is an unacceptable reversal of settled park policy.

We therefore request that NPS select the No Action Alternative and find a way to buy these claims.

Thank you for the opportunity to comment,

Nancy Bale, for DCC President Hannah Ragland

DCC Board

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