

12-15-2020, updated 01-13-2021

Compilation of history of South Fork Tonsina Creek mining issue and watershed protection from Seward Citizen Advisory Board Minutes. Please excuse formatting.

By Carol Griswold

January 7, 2014 CAB meeting

State Park Citizen Advisory Boards were encouraged to work together to support the parks. The boards can lobby the Legislature, determine priorities, pass resolutions supporting projects, such as the Tonsina Creek bridge, and help with budget needs. Board members were also encouraged to meet and greet legislators when they are visiting, and invite them to attend meetings.

Mark Luttrell listed his goals: fill the ranger position, explore addition of Box Canyon and Fourth of July Beach to the State Parks, establish the carrying capacity of each unit, create a Resurrection Bay Marine Trail. He noted the existence of an apparently abandoned mining camp at the headwaters of the south fork of Tonsina Creek that should be investigated, expressing concerns about the two fuel tanks and general trash. Mark supported a interpretive sign project for Caines Head, documenting its history and suggested several local experts for more information. He would like to invite Cliff Sisson to speak.

Carol Griswold expressed an interest in expanding the park boundaries to include what people believe is park, such as at Tonsina, and to create new park units such as Fourth of July Beach.

John Eavis expressed an interest in park expansion, especially in areas around existing park units, such as Bear Glacier. He noted the ADNR is soliciting comments about the classification of Kenai Peninsula Borough land around Bear Glacier now. He would like to establish a policy about use of the state-owned waters near park units so that conflicts such as the barge in Thumb Cove can be avoided. Should the park boundaries in the water adequate or should they be expanded to protect the park resources? Terry Rude confirmed that the waters belong to the State.

February 11, 2014

Jack Blackwell explained the Interagency Land Management Assignment (ILMA). The Commissioner of DNR can assign up to 640 acres of DNR-Division of Mining, Land, & Water (general state land) to the DNR-Division of Parks & Outdoor Recreation to manage. The Caines Caines Head State Recreation Area was a Legislatively Designated Area (LDA).

There was some discussion on the Tonsina Point area mining claims. Cliff Larson is the contact for the DNR-Mining, Land, & Water regarding mining claims and is interested in hearing from anyone with questions. His contact number is (907) 269-8508.

March 6, 2014 CAB meeting

XI. **Board member comments:** Carol Griswold shared that she had visited the abandoned mining cabin up the Tonsina Creek drainage and expressed concern with the affects it is having

on the watershed. Jack Ransom agreed and discussed a few options for mitigating the hazardous materials.

September 2, 2014 CAB meeting

Ranger Jack Ransom transferred to Seward in July

Tonsina Creek Watershed Update:

Members discussed the two abandoned mining claims in the Tonsina Creek drainage, upstream from the state park. Members are concerned that there may be hazardous materials on site. The claims have not been mined in years and there is agreement that the sites should be cleaned up.

November 18, 2014 CAB meeting

**III. Tonsina Creek abandoned mining camp update:** Mark Luttrell/ Harold Faust

- Mark Luttrell and Harold Faust provided an update on the clean up efforts to remove all abandoned equipment/ garbage from an abandoned mining camp located approximately 2 miles up the N. Fork of Tonsina Creek. The Division of Mining, Land, and Water is currently working on the issue and advised that the next step is the legal process.
- Jack Ransom suggested the possibility of utilizing assistance from the Department of Environmental Conservation. Also possible training exercise for Alaska Air Guard.
- Harold Faust identified another abandoned mining camp at 700' elevation upstream from the S. Fork of Tonsina Creek. He provided photographs and "SPOT" coordinates of the location.
- Harold Faust also noted that he had identified Alaska State Park garbage between the N. Fork Tonsina Bridge and a smaller foot bridge heading south.
- Jack Blackwell stated that the mining claims noted are located outside of State Park lands and that Parks would offer assistance with the cooperation of MLW.

**Motion:**

Carol Griswold motioned that the board draft a letter of support through email for MLW to clean up the abandoned mining camp(s) and to forward the letter to all appropriate people. Wynn Menafee was suggested as the person to contact, and also cc State Senator Micciche and State Representative Chenault. Board approved unanimously.

December 9, 2014 CAB minutes

**IV. Old Business**

Mine Cleanup Report: Mark L gave a recap of the abandoned mining sites with photos. Holly Chalup at MLW has been very responsive and is very interested in getting it cleaned up. The mine is now officially abandoned and the process for clean up must first be vetted by the legal department. Jack R offered to call Steve Russell to see if DEC would be interested; they might if there was substantial fuel on site. Mark L reiterated that there is not much fuel left in the drums, but he did not explore the contents of the lower site structure under the collapsed blue tarps. Carol sent contact information to MLW for the Alaska National Guard Joint Operations Center and the USCG Command Center, Sector Anchorage. Jack R again offered State Parks assistance if needed. John said to keep pressure on MLW until it is cleaned up.

January 13, 2016 worksession

IV. Old Business

Mining Camp removal update: DEC is still working on it

February 10, 2015 CAB meeting

II B. Committee Report

1. Lands and Property

Carol G sent out a PDF with proposed boundary expansions that the committee would like to see the State Parks acquire. **Thumb Cove**: one DNR parcel has a KPB tax lien from Seward Yacht Club. Jack R will bring up the issue with the permitting officer in Soldotna. **Tonsina**: the KPB maps differ from DNR maps but the main priority would be to secure the watershed of Tonsina Creek. **4<sup>th</sup> of July Beach**: less than a square mile.

Committee picked Thumb Cove, Tonsina, and 4<sup>th</sup> of July because they seem imminently threatened by development

Kenai Peninsula Borough Area Plan (1990) would provide information on some of these sites.

Discussion occurred on acquiring lands administratively through DNR vs. legislatively. Funding and public support may be of issue legislatively vs. logistical ease if done through the Division.

John Evas brought up the continued discussion of the Bear Glacier lands to be added to CHSRA. Mark L noted Box Canyon for consideration.

Process moving forward- gather firm description on parcels and justification for acquisition of parcels, discuss proposals with specific legislators to get their thoughts, solicit public support possibly through a special meeting or by public outreach for comments on the parcels. Identify socio-economic benefits to local economies from land acquisitions. Identify the best mechanism to protect the parcels if State Parks are not willing to acquire them.

Jack R said that land acquisitions will have to be pursued by the CAB as the department's position is that it does not want to take on new land due to staffing and ability to effectively manage those lands. He says land acquisitions are still valid and possible especially if they have been identified by the KPB Area Plan. He suggested looking into possible EVOS funding through the EVOS Council.

Mark L pointed out that 2 of 3 parcels identified by the CAB would likely not require additional staff. Carol G asked about different designations and if pursuing different designations would be easier and more beneficial. J Ransom will look into it. (Kasilof is most recent example.)

#### IV Old Business

##### B. Mining camp update

Jack R spoke to DEC. Their concern was the fuel and not propane bottles. They did not have any additional funding or advice/ ideas.

Jack R will continue to follow up with MLW with where they are in the legal process and potential clean up

Discussion of using Seward Helicopter Tours to assist if they have any "training time" or "dead heads" in which they could sling some loads out if they were bundled and ready. Additional discussion on funding from the Community Foundation. Andy B will make inquiries.

#### March 10, 2015 CAB meeting

##### IV Old Business

##### C. Mining Camp update

Andy determined that Pollux Aviation charges \$865/hour for helicopter. One of Pollux's helicopters is contracted to Godwin Dogsled and they set the hourly rate. Mark D discussed Hobbs hours (in the air) versus total project hours and mentioned that we might be able to use the helicopter from Adventure 60. Discussion of logistical efficiency. Terry mentioned that ASLC also uses a helicopter occasionally.

Carol wondered if miner Goreson had posted a bond. He hasn't and wasn't required to.

#### November 10, 2015 CAB meeting

##### B. Committee Reports:

##### 1. Lands and Property

- Carol reported she has reached out to people recreating for their thoughts on expanding park lands to include Tonsina Creek waterfall and Fourth of July beach and received positive responses. Carol will discuss Fourth of July beach with Cliff Larson and the possibility of DNR creating a Special Use Area there.

#### December 8, 2015 CAB meeting

##### B. Committee Reports:

##### 1. Lands and Property

Carol contacted Cliff Larson, permitting officer of the Division of Mining Land and Water re: Fourth of July Creek area as a Special Use Area. This is not possible at this time due to budget constraints.

Jack Blackwell said the addition of the Tonsina Point watershed area to CHSRA is possible through the ILMA process.

#### February 9, 2016

##### B. Committee Reports

##### 1. Lands and Property

Carol recently checked the abandoned lower mining camp at the headwaters of Tonsina Creek. There is still interest to clean up the sites to protect the water, best done by helicopter with super sacks, but funding is an issue.

April 12, 2015

(private use cabin at Tonsina has been renewed for the next 5 years and it is in compliance)

October 11, 2016 CAB minutes

#### **IV. Old Business**

1. Tonsina abandoned mine cleanup update: DMLW staff did a near-site visit on 9-20-16, as close as the high water allowed, and are working with Jack R to follow protocols to proceed with the removal. Options were discussed including: burn remaining fuel and burnables on site, presort materials, and preload super sacks to make helicopter transport to airport and final disposal more efficient and cost-effective. Potential sources of super sacks were suggested and need to be pursued.

March 14, 2017 CAB meeting minutes

III. Reports Andy posted a trespass notice issued by the State Division of Mining Land and Water at the abandoned mining camp in upper Tonsina Creek. Nathaniel informed us that the permit holder of record, Edmund Goresen, died 8 months ago. That information will be passed to MLW. Nathaniel reported that during a visit last fall, he noticed that usable placer mining equipment such as the suction dredges and other semi- valuables had been removed from the camp. He also found an "Action Packer" tote upstream several hundred feet that contained mining equipment. This led to speculation that someone has begun placer mining recreationally, and concern that the possible miner may file to use the existing abandoned camp. Both Nick and Nathaniel confirmed high use of the creek bed trail to the waterfall by hikers and skiers.

#### **V. New Business**

1. Select 2017 goals to focus on: We quickly reviewed the top four items on our goal list and determined that we are actively addressing them:

- Work with Alaska State Parks, Lowell Point Council, and Kenai Peninsula Borough to extend and/or manage parking around the LPSRS
- Work with State Parks staff to improve website re: Seward State Parks
- Promote Seward State Parks through Eagle Watch and publicity in the media
- Work with DMLW to remove abandoned Tonsina mine hazardous waste and trash

April 11, 2017

#### **3. Reports Committee Reports:**

- i) Lands and Property (Carol, Mark): Hollie Chalup at DNR responded to a letter about the Tonsina gold mine re: a potential permanent mineral closing order and general bonding concerns. She will share any new information on these issues. The mining site is currently posted and closed.

November 14, 2017 CAB Advisory Board meeting  
Committee Reports:

Land and Property (Mark): Division of Mining Land and Water (DMLW) letter to Holly Challup has been unanswered re: cleanup of abandoned mining camps, bonding for miners, and elimination of future mining permits in the Tonsina Watershed

Jack B advised Mark mail another letter, cc Clark Cox, Regional Manager of DMLW, with photos. Nick noted there is a red line around the area on the DMLW maps. Jack B also recommended checking the Kenai Area Plan recommendations regarding mining in the area.

December 12, 2017 CAB Meeting

B. Committee Reports: (non-Board members can join Committees)

1. Lands and Property (Carol, Mark L) DMLW response (Mark)

Mark has received no response to his letters. Perhaps volunteers such as the USCG crew and others could be invited to help haul out discarded mine stuff when the water is low. Jack is willing to help.

January 9, 2018

Griswold mentioned that one of CAB goals is to get the entire Tonsina watershed into Parks management. Luttrell has sent letters to DMLW asking for advice with no response. Tyler suggested more frequent communication but not go over the head of Clarke Cox.

B. Committee Reports

1. Lands and Property (Carol, Mark L) DMLW response (Mark): Still no response regarding mining in Tonsina Watershed.

February 13, 2018

Reports: Land and Property:

Mark has had no response to his many letters to the Division of Mining, Land, and Water regarding abandoned mining sites clean up, higher bonds, and mining closure within the Tonsina watershed. He was encouraged to keep trying and document his efforts.

Discussion of how State Parks and volunteers could clean up the abandoned Tonsina mining sites in the fall.

March 13, 2018

Mark received a follow-up letter from DMLW regarding the mining issue in the upper Tonsina Creek watershed. He will email it to the board. Nick researched mining claims and noted that area is still open for filing new claims. Discussion ensued on possible additional negative impacts to anadromous stream from mining methods allowed on general state land vs those allowed in state parks. Nathaniel noted presence of recreational mining Action-Packer and portable sluice by waterfall in fall of 2017. Carol proposed that Board pursue information on

the mechanism to transfer general state land to state parks to protect stream and reduce management. Nick moved, Paul seconded, unanimous. Mark and Carol will work on this.

October 9, 2018

h. Abandoned mining camp cleanup Oct 1-3 went smoothly with help from 1 Homer ranger and two from Kenai River District. Fuel drums, propane tanks, other hazmat, tarps, and sharp, rusty everything were hauled out and taken to landfill. Plan to remove the remaining equipment and trash next fall. Board very appreciative of this effort!

1. Land and Property (Mark and Carol): Very pleased with mining camp cleanup. Suggest whoever hikes out to site, take documentary photos.

January 9, 2019

A. Board Comments: Cliff shared hard copies of photos of the upper Tonsina Creek abandoned mining camp. Helicopter company in town may help remove debris. Can't access area by ATV or snowmachine. Mike will follow up in the spring.

December 11, 2019

B. Committee Reports 1. Tonsina Mining Issue (Cliff): Cliff visited on November 18 and took photos. He moved gas cans and other items away from rising Tonsina Creek water. No Argo seen. There's a new 2 beach site 200 yards farther south with abandoned property in the Park above the ordinary mean tide. He feels that the miner is in clear violation of the claim permit with gas cans and trash all over the place. He found the permit on-line and contacted Cliff Larson at DMLW who referred him to Holly Chalup, but no response received

February 19, 2020

A. Staff Report and Report/Update from Jack Ransom: Tonsina mining issue: ADFG Brian the current gold miners do not have a permit to cross catalogued anadromous Tonsina Creek by Argo ATV. This year the salmon swam all the way to the head of the creek; fish eggs and fry are likely present even where stream appears dry. Tess reported she skied along South Fork to the mine site on January 25. She found gas cans and noted their tarped and bungied gear remained by the waterfall, also a large tree had been cut. Cliff was there earlier on January 15 and saw no tracks. He suspects that they are still bringing in supplies. The fuel and oil containers will be bear bait in the spring.

Board concurred that State Parks has a stake in this as the miners use and cross state park property to access mining sites; their trash, poorly managed supplies and equipment, unpermitted stream crossings, and potential pollution of Tonsina South Fork adversely affect the habitat and Park. State Parks was heavily involved with removal of abandoned mining equipment and trash from previous mining operation, and manages the 200-yard corridor along beach. Bob Barnwell noted the disparity of the economic impact of the thousands of visitors vs one miner. Gold mining is a huge conflict with visitors; might there be leverage with politicians to shut down mining in the Tonsina watershed? The Board offered to draft a letter of support/concern if recommended.

Mark asked about administration requesting an ILMA for the Tonsina watershed which would add a 644-acre corridor. Jack Blackwell said previously that DNR doesn't like to stack ILMAs but

it does happen. He and Interagency Land Manager Cliff Larson support this idea. State Parks Director Ricky Gease would make that decision. Benefits would include additional recreational opportunities such as hiking/ski trails; possible connection to the Harding Ice Field which opens up recreational access to adjacent Kenai Fjords National Park; local oversight with consistent management by State Park rules and regulations; reduced State Park and volunteer effort on constant major cleanups; reduced enforcement and monitoring efforts; increased habitat protection; meet visitor expectations. Jack Ransom will ask Jack Blackwell to contact Ricky Gease about the ILMA. The Board expressed keen interest in this process.

September 10, 2019

#### 4. NEW recreational mining in Tonsina watershed.

- Tent on beach and 8-wheel vehicle gone as of a month ago. Miners were camped below mean high water.
- The miners are crossing Parks and DNR ILMA onto DNR property to the west where they actually use their equipment.
- Ransom intended to get to Goresen abandoned mining camp this summer to clean up.
- New miners complained about Goresen trash.
- Discussion about the stipulations within a five year permit.
- Charbonneau explained that miners can't restrict access, but public can't mess with the miner's equipment.
- Recreational experience is degraded by miner's trash.
- Ransom said that the trail through vegetation is legal.
- Ransom said that he can't do much as a ranger, it's a legitimate claim approved by the state.
- Luttrell suggested we should photo document conditions.
- Discussion of the lack of communication between DNR DMLW and Parks regarding issuance of mining permit.
- Despite Board's stated goal to get the abandoned mine cleanup, DMLW issued this new permit without Ransom's knowledge. On August 16, Griswold (as member of Board) sent a letter to DNR Hollie Chalup with concerns about the mine. No response yet. Ransom suggested sending the letter to DNR Cliff Larsen. Luttrell moved, Griswold seconded motion to revise Griswold's letter and send it after review at October 16 meeting. Board voted to instruct Chairman Jordan to send the letter.
- Luttrell wondered if it was legal to take miner's trash. Not a good idea since the definition of trash is subjective.
- Ransom said it's easy to take an ATV to Goresen abandoned camp. Last year, before the new miners (Luck/Woodside), there were large propane tanks suggesting another party using the area.

October 21, 2020

1. Tonsina Mining Issue: Cliff will contact ADFG re: permit for stream crossing. Lots of Chum and Pinks in Tonsina Creek this summer and Dollys were all the way up to the waterfall by the mine site. Jack reported the mining camp at the beach was again a mess with the Argo parked there, the tent, beer cans. Mining site also a mess with even more stuff accumulating and stashed under tarps.

November 18, 2020

Committee Reports: Tonsina Mining Issue: ADFG biologist Brian Blossom has not yet responded to Cliff's inquiry about a permit to the miner to cross the anadromous South Fork Tonsina Creek. Mark reported horrible trash on the beach where the Argo and camping gear was left. He was appalled that miner can trash this area and that it is unenforced by the state of Alaska. Persistent trash and toxins are being added to Tonsina Creek, and it flows into the state park. Cliff noted the claim does include the waterfall and there is a dredge in the pool by the fall. The miner is in violation of the Allowed General Uses. Bob noted what a beautiful wild area it is; last spring he followed wolf tracks in the snow. Nick expressed frustration that state parks had worked so hard to clean it up and now there's so much more, with the potential for gas cans to pollute stream. Mining is not a good use for this public land. Jack Blackwell suggested identifying the issues and impacts on park visitors. Board is on the right track to communicate with DNR through Samantha Carroll, Regional Manager of MLW and ADFG. He will talk to ADFG Brian Blossom.

December 12, 2020

#### B. Committee Reports

Tonsina Mining Issue: Carol noted that mining and watershed conflicts have been an issue since CAB's first meeting, documented with a 9-page summary and photos. She would like to move forward with a more formal request to halt the current permit holder and any future permits. We would then be able to pursue acquiring the area for the park. Cliff emailed photos to Samantha Carroll at DNR about mining claim mess. She responded and forwarded Cliffs' email to Stephen Buckley. Cliff invited them to tonight's meeting. (It was at this moment in the teleconference we realized David Charron of DMLW was on the call.) Cliff also went to Cathedral Fall earlier in the week and everything seems to be the same, meaning bad, and is currently covered in snow. Brian Blossom of ADFG responded via email to Cliff stating that there is no permit allowing the miner to cross the anadromous stream with his ATV.

#### VI. New Business

1. Formal request to expand CHSRA to include Tonsina watershed and proposed addition in Kenai Area Plan (including proposed kelp farm waters): Mark hoped the miner's permit would not be renewed next year: there is no ADFG permit, many violations of the General Allowed Uses include permanent occupancy, buildings, litter, solid waste, equipment, and trash; and that part of the Tonsina watershed should be included. Since layering ILMAs is not favored and the Legislative action is only for up to 640 acres (one square mile), could we cherry-pick the low elevation drainage to protect it?

Paul suggested we all apply for mining permits and tie it all up until it is protected. At this point, David Charron was given the floor to speak to the mining issue. See attached notes.

Here's a quote from Cook Inlet Keeper re: Pebble Mine that applies:

And that means extinguishing all mining claims in the region, and installing permanent safeguards that protect wild Alaska salmon habitat for generations to come.