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# LAND REBORN:

A History of Administration and Visitor Use  
in  
Glacier Bay National Park And Preserve



by  
**Theodore Catton**

NATIONAL PARK SERVICE  
WATER RESOURCES DIVISION  
FORT COLLINS, COLORADO  
RESOURCE ROOM PROPERTY



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A HISTORY OF ADMINISTRATION AND VISITOR USE  
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by Theodore Catton

NATIONAL PARK SERVICE  
WATER RESOURCES DIVISION  
FORT COLLINS, COLORADO  
RESOURCE ROOM PROPERTY

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Cover photo: In July 1966, an NPS employee was photographed with an elderly Hoonah fisherman in front of the recently-opened Glacier Bay Lodge.

Robert Howe Collection, photo GB 263.

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In the two years since that meeting I have been helped by many other people. Former Regional Historian William E. Brown and former Superintendent Michael Tollefson took time to share their perspectives with me at an early stage in the project. Former Superintendent Robert E. Howe, Superintendent Marvin Jensen, Chief Naturalist Bruce Paige, Management Assistant Kevin Apgar, former Park Biologist Gregory P. Streveler, former Resource Specialist Gary M. Vequist, Hoonah Mayor Al Dick, and Tribal Elder Amy Marvin and her daughter Mary Rudolph all granted me interviews. Marv, Bruce, and Kevin also provided helpful comments on the draft report. I received assistance from many librarians and archivists, and special thanks are due to Doris Howe at the national park, Bruce Parham at the National Archives in Anchorage, and Richard Boyden at the National Archives in San Bruno, California. I thank Professor Richard White for reading somewhat different versions of the four chapters involving NPS relations with the Tlingits. I thank Connie Westcott for producing the maps. In the NPS Alaska Regional Office, Regional Historian Sandra Faulkner, Frank Norris, and Tim Cochrane critically reviewed the report, as did Chief Historian Edwin C. Bearss and Bureau Historian Barry Mackintosh. To all of these NPS reviewers I owe thanks for kindly steering me away from many misstatements while commendably allowing me wide latitude to express my own opinions. In addition, Frank undertook the sizable task of collecting photographs and formatting the final document for printing. Lewis Sharman, Mary Beth Moss, Bob Howe, and Chuck Janda helped Frank with the photo collection. Finally, I thank my wife Kristi for cheerfully covering the home front during three invigorating trips to Alaska, and my sons Wally, Ben, and Eli for letting their dad hog the computer.

Theodore Catton  
Seattle, Washington  
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## ACRONYMS USED IN THE TEXT AND FOOTNOTES

ADF&G	Alaska Department of Fish and Game
AFCA	Alaska Fisherman's Cooperative Association
AHL	Alaska Historical Library (Juneau)
ANB	Alaska Native Brotherhood
ANCSA	Alaska Native Claim Settlement Act of 1971
ANILCA	Alaska National Interest Lands Conservation Act of 1980
ARO	Alaska Regional Office (of the National Park Service)
BIA	Bureau of Indian Affairs
CAA	Civil Aeronautics Administration
CACFA	Citizens Advisory Commission on Federal Areas
DENA	Denali National Park and Preserve
EIS	Environmental Impact Statement
GLBA	Glacier Bay National Park and Preserve
GMP	General Management Plan
MAB	Man and the Biosphere
MMPA	Marine Mammal Protection Act of 1972
MS	Manuscript Series
NA	National Archives (Washington)
NAAR	National Archives--Alaska Region (Anchorage)

NAPSR	National Archives--Pacific Sierra Region (San Bruno)
NMFS	National Marine Fisheries Service
RG 22	Record Group 22 (Records of the Fish and Wildlife Service)
RG 75	Record Group 75 (Records of the Bureau of Indian Affairs)
RG 79	Record Group 79 (Records of the National Park Service)
RG 95	Record Group 95 (Records of the Forest Service)
RG 126	Record Group 126 (Records of the Office of the Territories)
SEACC	Southeast Alaska Conservation Council
SITK	Sitka National Historic Park
UAF	University of Alaska--Fairbanks
UNESCO	United Nations Educational, Scientific and Cultural Organization
USGS	U.S. Geological Survey
UW	University of Washington
WASO	Washington Office of the National Park Service

## INTRODUCTION

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Glacier Bay National Park and Preserve is a cultural creation. The American people invented the national park idea to preserve large pieces of nature, but nature itself is a culturally defined concept imbued with different meanings by different peoples. John Muir, one of the first Americans to explore Glacier Bay, held a view of nature that contrasted both with the views of his Tlingit Indian guides and the thinking of his white contemporaries who came to southeast Alaska seeking gold and sea otter pelts. Ecologist William S. Cooper, whose appreciation of nature propelled the movement to establish Glacier Bay National Monument, focused upon the relationship of plant communities to glacier recession; but citizens of the territory of Alaska who opposed the national monument conceived of nature as a storehouse of minerals, timber, and arable soil to be used and cultivated.

Concepts of nature not only vary among people and cultures, they have changed significantly over time. Today's Tlingits of the village of Hoonah, whose ancestors claimed Glacier Bay as their hunting and fishing grounds, view their relationship to the area differently from their forebears, not only as a result of their dispossession of the land, but because they have integrated their subsistence lifeways into a culture that is oriented around commercial fishing. The cruise ship passengers of today marvel at the sight of tidewater glaciers calving icebergs into the bay just as excursionists on steamships did in the 1880s and 1890s. But wilderness now appears to them more threatened than threatening, and they are likely to embrace certain environmental values, such as the preservation of endangered species or clean air, that were unknown in the nineteenth century. Modern recreationists in Glacier Bay--boaters, kayakers, and backpackers--may define nature according to their success in achieving solitude. This is a culturally determined quality that was either irrelevant to or taken for granted by earlier generations of recreationists.

Scientists too regard nature in Glacier Bay through a remarkably different lens today than they did a century, or even half a century, ago. The development of commercial fishing, mining, logging, tourism, and accompanying population growth in southeast Alaska have drastically altered the context of Glacier Bay. As humans reshape the land and marine environments on the national park's boundaries, the enclosed area becomes less a sample of a wider natural environment than a kind of giant petri dish where ecological change can be observed in relatively pristine conditions. The national park boundaries succeed in controlling the experiment for some kinds of scientific inquiry better than others. Insofar as one purpose of the national park is to preserve a natural environment for scientific research, concerned scientists increasingly align

themselves with the preservation movement. In an earlier era, when the national monument boundaries were little more than lines on a map or when they did not yet exist, scientists had very different reasons for studying glaciers and ecology in Glacier Bay. Most important, it was accessible.

Since all these groups of people--Hoonah Tlingits, non-Native resident Alaskans, mass tourists, recreationists, and scientists--hold changing concepts of nature, it is not surprising that the National Park Service (NPS) reinterprets the purpose of Glacier Bay National Park and Preserve and reorients its management goals from time to time also. In essence, the administrative history of Glacier Bay National Park and Preserve consists of the agency's continual renegotiation of the park's cultural meaning with all of these different groups of people.

Every unit in the national park system presents unique challenges for management, and Glacier Bay National Park and Preserve has presented them in abundance. First was the question of Indian land title. Outside Alaska, nearly all units of the national park system were created from lands in which aboriginal human activities were previously terminated. The United States subdued Indian tribes, coerced them into ceding most of their lands, and established Indian reservations with what remained. The ceded lands became public domain for a period before they became national parks. In this way, Indians were severed both legally and ecologically from their past relationship to national park lands.<sup>1</sup> In Alaska, the United States did not pursue this rather paradoxical pattern of recognizing Indians' aboriginal title as it took their land; instead, it offered Alaska Natives free homesteads, schooling, and land title to their permanent winter village sites. As a result, the Park Service acquired an area to which an aboriginal people, the Hoonah Tlingits, had never relinquished their hunting and fishing claims. This was an anomalous and ambiguous situation for which there was no institutional management framework. The Hoonah Tlingits did not receive financial restitution for the land until the Tlingit-Haida Claim Settlement Act of 1969.

The Hoonah Tlingits' relationship to Glacier Bay remains unclear. Today, many Hoonah Tlingits feel they have been wronged again. Although the Alaska National Interest Lands Conservation Act (ANILCA), enacted in 1980, provides for subsistence use in all new national park areas created in Alaska under that law, the Park Service

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<sup>1</sup>Canyon de Chelly and Navajo national monuments in Arizona were two significant exceptions in the matter of land title. Indians have claimed treaty hunting rights in several national parks, including Mount Rainier, Glacier, Grand Canyon, and Olympic, but in no instance outside Alaska was hunting by Indians in a national park area given sanction by the NPS. Indian-NPS relations in the continental United States are the subject of a work in progress by Michael F. Turek and Robert H. Keller, Jr.

maintains that ANILCA's subsistence provisions do not apply to Glacier Bay National Park and Preserve. Many Hoonah Tlingits argue otherwise.

Another constellation of management issues revolves around the area's extraordinarily rich natural resources. These can be grouped into three categories. First, the mountain ranges are highly mineralized; indeed, it is claimed that the largest known deposit of nickel in the United States lies beneath the Brady Icefield. Second, the Gustavus forelands, consisting of a large glacial outwash plain near the entrance to Glacier Bay, is the largest plain in all of southeast Alaska. This made it attractive both to homesteaders and the U.S. Army, which constructed an airfield there in World War II. Third, the fisheries within national park waters in Glacier Bay, Dundas Bay, Cross Sound, and on the outer coast have attracted commercial fishermen in increasing numbers as pressure on southeast Alaska's fisheries grows.

These resource issues all have long histories; another set of management concerns is of recent origin and stems from the Park Service's very success in making Glacier Bay National Park and Preserve an attractive place for the vacationing public. People in the Park Service commonly observe that the agency's dual mandate--to provide facilities for visitor use and to protect the resource for future generations--becomes increasingly tricky as the nation's growing population places a greater and greater load on the national park system's fragile areas. Problems relating to excessive visitor use are relatively recent in Glacier Bay National Park and Preserve. Indeed, from 1925 until about 1965, NPS officials had the frustrating task of managing an area essentially for future generations, as very few tourists came to the national monument. Visitation grew from virtually nil to tens of thousands in the crucial period 1965-1975; it reached 100,000 annually in the late 1970s and continued to grow. Increased visitation has affected the park's wildlife, notably the seasonal population of endangered humpback whale. The park's terrestrial wildlife is unusually sensitive because backcountry users and wildlife both concentrate their activity along the beach perimeter of Glacier Bay. Increased visitation also threatens one of the park's most valued qualities, solitude.

This administrative history is organized chronologically in three parts. Each part examines how the Park Service and various contending groups constructed an overall conception of the park's purpose that guided management decisions. In the first period, from John Muir's visit in 1879 through the mid-1930s, Glacier Bay National Monument's thrilling glacier scenery and interest to science became its defining features. Steamship excursions to the Muir Glacier in the 1880s and 1890s laid the foundation for a later tourist industry. The steamships also brought a parade of geologists, whose cumulative

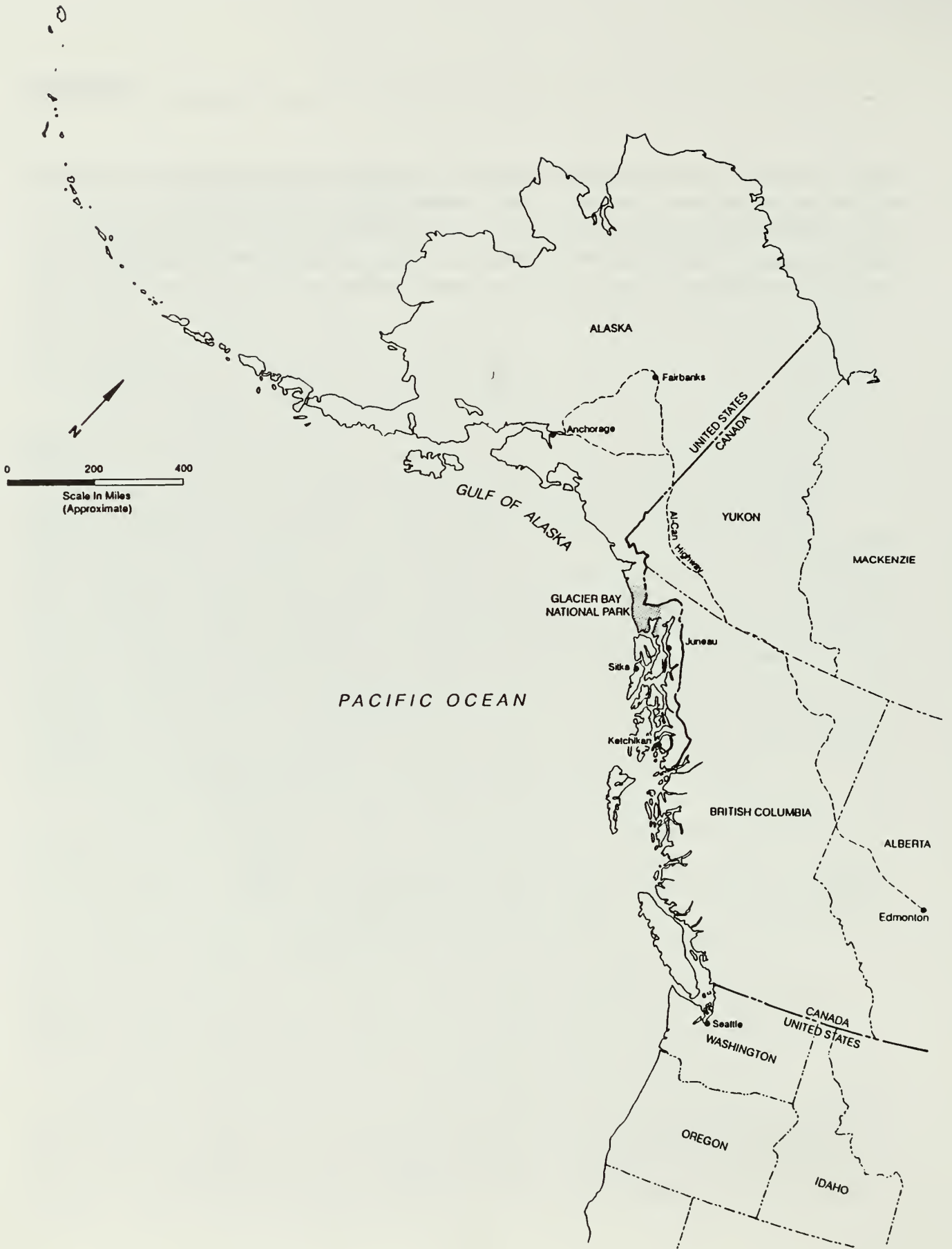
studies over a span of twenty years documented the recession of the glaciers and established a scientific tradition in Glacier Bay. This period culminated in the campaign by the Ecological Society of America to preserve Glacier Bay's scenic and scientific values. By the time the national monument was established in 1925, the early period of tourism had ended and the only visitors to the area were scientists and Native seal hunters. This unconventional pattern of use seemed to justify the Park Service's virtual non-management of the area through the 1930s. It was in this context that Glacier Bay National Monument was reopened to mining despite opposition by conservation groups.

A new conception of Glacier Bay National Monument developed in the 1930s in response to an extensive study of wildlife in the national park system. According to new NPS policy, national parks were to preserve natural ecological relationships between predators and prey, mainly through protection of habitat. NPS officials applied the policy to Glacier Bay in connection with the public's demand for protection of the Alaskan brown bear. The result was an approximate doubling of the size of Glacier Bay National Monument in 1939 to include adequate habitat for brown bear and other large fauna. With few tourists visiting Glacier Bay in this period, the Park Service stance was mainly protective. Hoonah Tlingits and white homesteaders in the Gustavus forelands area resisted the new regime; Hoonah Tlingits negotiated for special privileges to continue seal hunting, while Gustavus residents succeeded in getting the Gustavus forelands excluded from the monument in 1954. Park Service objectives also had to be modified to accommodate military installations built in the Gustavus area during World War II and the anomalous position of mining interests within the monument.

The Park Service and other groups reformulated the purpose of Glacier Bay National Monument again in the 1960s. The most apparent change was a shift in management concerns from the terrestrial to the marine environment. Tourists began visiting in significant numbers after 1965, most of them exploring the national monument by private or charter boat. After 1969, most of Glacier Bay's visitors came by cruise ship. Marine mammals commanded their attention. Moreover, advances in marine biology made it possible for the Park Service to extend its policy of ecosystem management to the marine environment. As a result, the Park Service ended seal hunting by Natives, promulgated regulations on vessel traffic to protect the endangered humpback whales, and began to phase out commercial fishing in park waters.

But a renewed emphasis on ecosystem management and a shift in focus to marine resources do not explain the full range of management issues that developed in the past twenty-five years. The prevailing concept in this period was wilderness preservation. The concept of wilderness raised the whole problem of defining nature to a new level of abstraction. With some park visitors seeking primitiveness, solitude, and silence, and

other park visitors requiring comfortable access to the park's main attractions by cruise ship or other motor vessel, the best solution seemed to be to partition the nature preserve into "wilderness" and "non-wilderness." The difficult questions of where this boundary should be drawn and what should be allowed to take place on either side of it have influenced virtually every management issue over the past two and a half decades.



**Glacier Bay National Park and Preserve in Regional Perspective**



**PART ONE**

**SCIENCE AND MONUMENTALISM, 1879-1938**



## CHAPTER I

### INDIGENOUS PEOPLE

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In the fall of 1879, John Muir canoed up southeast Alaska's Inside Passage from Fort Wrangell to Glacier Bay, accompanied by the Rev. S. Hall Young and three Tlingit guides. On this first of four visits to Glacier Bay, Muir spent several days exploring the large fjord's various inlets and tributary glaciers, deeply inspired by the treeless, glacier-polished terrain. A keen observer of glaciated landforms, Muir instantly recognized that this watery basin rimmed by high mountain ranges and devoid of mature forest was the scene of a phenomenally rapid and sustained glacial recession. The constant crack and rumble of ice breaking off of the unstable glacier fronts further impressed him with the area's extraordinary dynamism. Muir, like many others who followed him, found in Glacier Bay a unique setting for contemplating how the land might have looked as it emerged from the Ice Ages.

The scientific interest and scenic splendor of Glacier Bay would define most visitors' responses for generations after Muir first brought Glacier Bay to the attention of the American public. These two features--the land's scientific and scenic values--would be enshrined in the presidential proclamation that established Glacier Bay National Monument and entrusted its administration to the NPS in 1925, nearly half a century after its discovery by Muir. The NPS in turn sought to enhance visitor appreciation of the area's scientific and scenic values by developing interpretive programs, attractive visitor accommodations, and alternative means of access to points of interest.

Few Americans today would argue with the basic worthiness of this dedication of the land. During the past generation, as environmental awareness has burgeoned, the farsightedness of early preservationists in working to set aside certain pieces of nature for the enjoyment of future generations has become more and more manifest. Increasingly, we appreciate the labors of these individuals whose ideas, now so much a part of the mainstream, were novel in their own day. But if environmental awareness has changed our perceptions, so too has our appreciation of cultural diversity. Amidst a growing sensitivity in American society to diverse cultural viewpoints, we now recognize more keenly than in the past that the scientific and scenic values vested in Glacier Bay National Park and Preserve were culturally defined and quite alien to the area's indigenous people, the Tlingits of southeast Alaska.

## Foundations of a Dialogue

John Muir's relations with his Tlingit guides in 1879 was in fact the beginning of a dialogue about wilderness and the relationship of humankind to nature in Glacier Bay that continues to the present day. Although Muir and the Indians shared a basic reverence for nature, their ideas of nature were quite different. To Muir, nature was the embodiment of the divine spirit, intrinsically harmonious, and a source of inspiration. Humankind appeared to Muir to be hell-bent on disrupting nature's harmonies. Human beings could escape this role only by entering the natural landscape as observers, conscientiously leaving all natural processes alone. In Glacier Bay, cresting the wind-whipped waves in his dugout Tlingit canoe that fall of 1879, Muir looked upon the surrounding mountains as reflections of a divine perfection, infinitely enhanced by the very absence of humanity. "After witnessing the unveiling of the majestic peaks and glaciers and their baptism in the down-pouring sunbeams," he wrote, "it seems inconceivable that nature could have anything finer to show us."<sup>1</sup> This was a land reborn from the ice, pristine, free of the footprint of "Lord Man."

Muir admired his Indian companions' nature religion; on a later trip to Glacier Bay he would write in his journal, "To the Indian mind all nature was instinct with deity. A spirit was embodied in every mountain, stream, and waterfall."<sup>2</sup> But here the similarity of their thinking ended. The Tlingits did not separate humankind from the natural world; indeed, they drew their cultural identity from their connection with the land. Glacier Bay was "the Hoonah breadbasket," or "the main place of the Hoonah people."<sup>3</sup> The Tlingits' relationship to the environment was rooted in a seasonal pattern of resource extraction for their subsistence needs, and interpreted through oral traditions describing their ancestors' long association with particular places and totem animals.

The Tlingits formed a curious impression of Muir, the Americans' first emissary in this particular cultural exchange. At Muir's insistence, and despite the lateness of the

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<sup>1</sup>John Muir, Travels in Alaska (Boston, 1915), p.152. Muir juxtaposed this natural beauty with the dirtiness of Alaska towns in his journal. Fort Wrangell was "squalid" and "boggy." Sitka had "a rusty, decaying look...cannon lying in the streets sinking like boulders in mud; dirty Indians loafing about; everybody of any character away at the mines or out a-fishing." Linnie Marsh Wolfe, ed., John of the Mountains: The Unpublished Journals of John Muir (Boston, 1938), pp.257, 259. See also Michael P. Cohen, The Pathless Way: John Muir and American Wilderness (Madison, Wisconsin, 1984), pp.182-190.

<sup>2</sup>Wolfe, ed., John of the Mountains, p.315.

<sup>3</sup>Walter R. Goldschmidt and Theodore H. Haas, "Possessory Rights of the Natives of Southeastern Alaska," unpublished file report at Sitka National Historic Park (SITK), 1946, Section D, p.4.

season, they were taking the naturalist and the Presbyterian minister to the place they called Sitadaka, so barren and desolate that they had to pause near the entrance to stock the canoe with firewood. Wherever the party beached the canoe and set up camp, Muir stuffed his knapsack with notebook and woollens and went scrambling up the glacier-scoured slopes. Returning to camp with eyes aglow, he seemed in a fever of excitement to reach each new, wild vista. He was undaunted by rain and sleet, seizing every moment to explore the higher domain. The Tlingits, trying to place Muir's behavior within their frame of reference, wondered if he were communicating with evil spirits that resided in the mountains. When the minister, S. Hall Young tried to explain that Muir was seeking knowledge, one of the Tlingits grumbled, as Muir remembered it, "Muir must be a witch to seek knowledge in such a place as this and in such miserable weather."<sup>4</sup>

Muir, for his part, was impressed by the Natives' generosity, hardiness, and prowess with a canoe, but superstitions appeared to be their bane. They displayed an exaggerated fear of natural phenomena which seemed to make them as much the intruders, the exotics, in nature as he. Indeed, in writing his lyrical account of the trip for a San Francisco newspaper soon afterwards, Muir tended to picture the Natives in opposition to the natural world around them: huddled together in a circle of firelight, crowded inside a smoky hut at a seal hunting camp, fleeing the breaking icebergs in their cedar canoes. This contrasted with Muir's solitary wanderings on the bare slopes high above camp where, symbolically at least, he was closer than they to God and nature.<sup>5</sup>

Considering that the Tlingits of the nearby village of Hoonah would eventually lose their best hunting and fishing grounds to the NPS, it is ironic that this people had such an intimate encounter with America's premier preservationist, and that Muir had as his guide the most esteemed seal hunter of Hoonah, a man he called Sitka Charley. Certainly neither party put much effort into understanding the nature thought of the other, and their communications were often crude. Young later recalled how the famous naturalist conveyed to the Tlingits his sensibility about killing wild animals. Whenever the party saw a deer grazing along the shoreline or a flock of ducks overhead, and his guides tried to draw a bead on them, Muir would "take pleasure in rocking the canoe." The Natives, Young wrote, reacted to this behavior with "some annoyance and a great

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<sup>4</sup>Muir, Travels in Alaska, pp.146, 150; S. Hall Young, Alaska Days with John Muir (New York, 1915), p.99.

<sup>5</sup>Muir, Travels in Alaska, pp.142, 146, 263. On Tlingit superstitions, Wolfe, ed., John of the Mountains, pp.272-273.

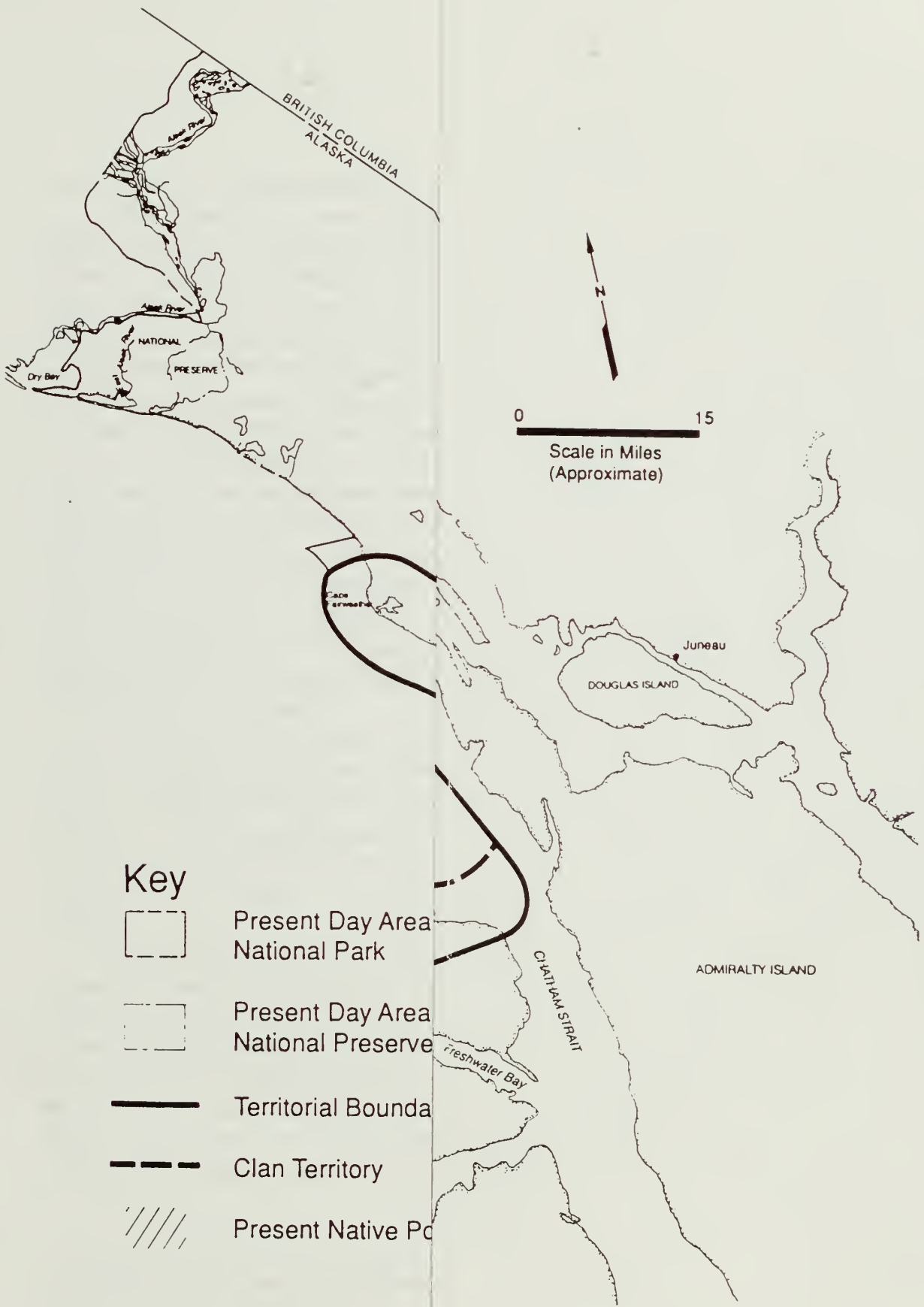
deal of astonishment.”<sup>6</sup>

A century after Muir, communication between preservationists and Tlingits is still fraught with difficulty. The main point of contention has always been the concept of wilderness, which lies at the heart of preservationist thinking and sticks in the craw of the people who call the area their homeland. The people of Hoonah, though practically disregarded by preservationists until the 1940s, were nevertheless an important part of the area's ecology from the time of Muir's first visit until at least the mid-twentieth century. Since then, their role in the ecology of Glacier Bay has diminished as they have been discouraged or prevented from pursuing subsistence activities within the national monument. Increasingly, however, these Tlingits have sought to retain or recover certain hunting and fishing rights in the area. The fundamental challenge for the Hoonah Tlingits has been in gaining recognition of their historical connection with Glacier Bay and their different cultural outlook on the land.

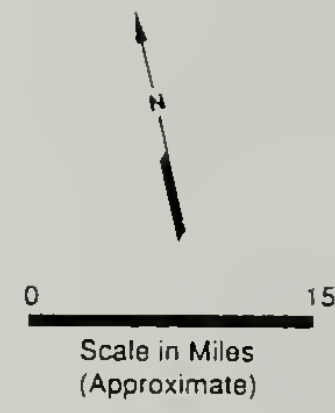
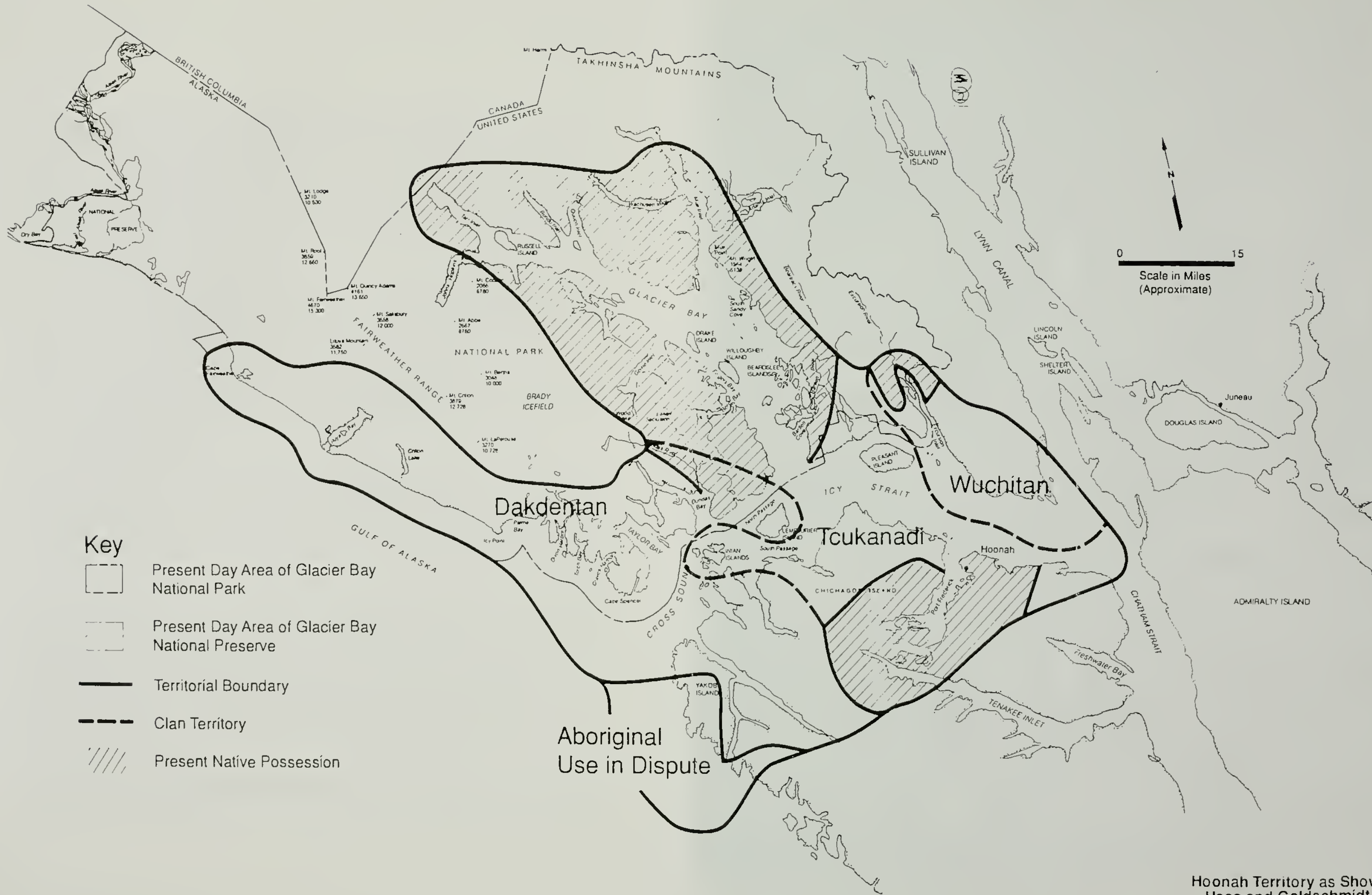
From the Park Service's standpoint, the dialogue has been complicated by the need to determine which Tlingit organizations legitimately represent the Tlingits' interests in Glacier Bay. While few NPS officials ever disputed that a certain group of Tlingits had strong historical ties to Glacier Bay, the problem of defining that group was exceedingly difficult. Whatever official contact the NPS had with the indigenous people of the area had to take into account three different levels of Tlingit political organization. First, there were the "tribal" divisions long recognized by federal officials and missionaries, which corresponded to the Tlingits' thirteen principal winter villages (including Hoonah) and their respective hunting and fishing territories. Second, the Alaska Native Brotherhood and its offspring, the Tlingit-Haida Central Council, represented the whole Tlingit people and the village of Hydaburg in the Tlingit and Haida land claim suit against the United States. Third, the aboriginal clan divisions with their respective hunting and fishing rights probably constituted the most important form of political structure from the Indians' point of view, but only came to impress NPS and other federal officials as the aboriginal rights of Alaska Natives became an important issue after the 1930s. For the most part, the NPS found the "tribal" or village level of Tlingit organization the most appropriate to deal with (although the tribal designation was gradually dropped after the 1930s, so as not to confuse these entities with the

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<sup>6</sup>Young, *Alaska Days with John Muir*, p.171.



Hoonah Territory as Shown by Haas and Goldschmidt, 1946



- Key**
- Present Day Area of Glacier Bay National Park
  - Present Day Area of Glacier Bay National Preserve
  - Territorial Boundary
  - Clan Territory
  - Present Native Possession

Hoonah Territory as Shown by Haas and Goldschmidt, 1946



"Tlingit and Haida Tribes" named in the Tlingit and Haida Jurisdictional Act of 1935).<sup>7</sup>

This followed the pattern established by other federal agencies in southeast Alaska. As the United States gradually increased its administrative control over Alaska Natives in the late nineteenth century, the Americans found the permanent winter villages of the Tlingit Indians to be the most accessible social unit among the Tlingit and Haida peoples. Each Indian village in southeast Alaska possessed a certain territory recognized by all the other village groups. The Tlingit word for these groups is kwaan; the Americans referred to them as tribes, while recognizing that the many Tlingit tribes composed a single large culture group.

The political significance of the village group, or kwaan, increased in relation to the growth of American administration. The Americans established missions, schools, and hospitals in the Tlingit villages, and eventually encouraged the Tlingits to elect village councils according to the American pattern of town government. Hoonah had its own mission and school in the 1880s, and elected a village council in 1917. After Congress extended the Indian Reorganization Act (IRA) to Alaska in 1936, many Native villages, including Hoonah, formed so-called "IRA governments" in order to qualify for credit programs and undertake business dealings. Hoonah's IRA government was headed by an elected mayor.

NPS officials had no direct contact with the people of Hoonah before 1939. Beginning in that year, they dealt with the Hoonah Tlingits through either the mayor's office or the village school teacher, who was an employee of the Alaska Native Service and a white. NPS regulations subsequently granted certain privileges in the national monument to the Natives of Hoonah. This legal definition of the indigenous group by race and place of residence continued until the Hoonah Tlingits' privileges were revoked in 1974.

Yet the village group, or kwaan, was never the autonomous political unit that the system of Indian administration in southeast Alaska implied it to be. The Tlingits divide themselves into two moieties, one associated with the raven and the other with the wolf (or the eagle in the north). Each moiety in turn embraces a large number of clans. The clan is the strongest social unit among the Tlingit people, each clan having its own distinct legends, totem animal, hunting and fishing grounds, and level of prestige in the Tlingits' caste system. The larger clans are spread between two or more kwaans, and each kwaan comprises two or more clans of opposite moieties. The hunting and fishing

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<sup>7</sup>Charles W. Smythe, "Tlingit and Haida Tribal Status: A Report of the Central Council of the Tlingit and Haida Indian Tribes of Alaska," February 1989, p.9, National Park Service Alaska Regional Office, (ARO), copy provided to author by Tim Cochrane.

territory of each clan, therefore, forms only a portion of the kwaan territory, and in the case of the larger clans, extends into other kwaan territories. Clans are subdivided into clan houses, which traditionally shared a large, multi-family house in the village in winter and moved from camp to camp more or less as a unit during the spring, summer, and fall.<sup>8</sup>

Traditional Tlingit marriages involve partners from clans of opposite moieties. In the past, these exogamous marriages functioned to create ties of kinship between clans within a kwaan. A female ordinarily joined the house group of her male marriage partner, but the couple's offspring took the mother's clan name. A Tlingit marriage also bestowed rights on the female partner's brothers to use the hunting and fishing places owned by the male partner's clan house. In this way, clan territories saw about equal use between actual clan members and the wives, children, and brothers-in-law of male clan members, all of whom belonged to another clan.<sup>9</sup>

The Hoonah kwaan includes several clans. John R. Swanton listed six clans, three of each moiety, in 1904. Frederica De Laguna named nine clans.<sup>10</sup> Theodore H. Haas and Walter R. Goldschmidt, investigating Tlingit possessory rights for the Bureau of Indian Affairs in 1946, produced the first detailed map of the Hoonah kwaan territory and subdivided the area into just three clan territories of the Tcukanadi, Dakdentan, and Wuchitan clans (Map 2).<sup>11</sup>

In recent years, NPS officials have discussed Native issues with Tlingit individuals representing every level of Tlingit social and political organization from the clan to the village traditional council to the Hoonah mayor's office to the Tlingit-Haida regional corporation. An incident in 1979 revealed how perplexing it can be to determine who has authority to speak for the area's indigenous people. George Dalton, Sr., a Hoonah Tlingit elder, planned to present the story of his people's ancestral association with

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<sup>8</sup>The Tlingit and Haida Indians v. The United States, Court of Claims (1959), p.367; John R. Swanton, "Social Condition, Beliefs, and Linguistic Relationship of the Tlingit Indians," in Annual Report of Bureau of Ethnology (Washington, 1908), p.398; Julia Averkieva, "The Tlingit Indians," in North American Indians in Historical Perspective (New York, 1971), p.326.

<sup>9</sup>The Tlingit and Haida Indians of Alaska v. The United States, Court of Claims, 1959, p.367.

<sup>10</sup>Swanton, "Social Condition, Beliefs, and Linguistic Relationship of the Tlingit Indians," in Annual Report of Bureau of Ethnology, 1905, p.399; Frederica De Laguna, "Tlingit" in Handbook of North American Indians, vol. 7 (Washington, 1990), p.227.

<sup>11</sup>Walter R. Goldschmidt and Theodore H. Haas, "Possessory Rights of the Natives of Southeastern Alaska," unpublished file report at SITK, 1946, Section D.

Glacier Bay as a gift to the national monument. Dalton wanted the NPS to have the story in the archives and for interpretive use. Several Tlingits were involved in the preparation of the gift, first making a tape recording of Dalton's oral edition of the story, then transcribing the tape, then translating the transcription from Tlingit into English. Superintendent John F. Chapman invited a number of local dignitaries to attend a ceremony at Bartlett Cove where Dalton would present the gift. Shortly before the planned event, Andrew Johnni, another Hoonah Tlingit, sought legal assistance through Sealaska Corporation to prevent the conveyance of the Glacier Bay story. As the superintendent investigated the background of this dispute, he learned that the story was allegedly the property of the Tcukanadi clan and could not be expropriated by the Kagwantan clan to which Dalton belonged. Johnni, a Tcukanadi, informed Superintendent Chapman that it was tribal law that no person could tell the legends of another clan as long as people from that clan were still living, and his clan was prepared to take legal action if the NPS tried to go forward with the ceremony. Consequently, Chapman called it off.<sup>12</sup> Although the two clans had been associated in the village of Hoonah for more than two hundred years, their legends and respective territories remained distinct.

### Aboriginal Use and Occupation of Glacier Bay

Aboriginal use and occupation of Glacier Bay has been documented by a variety of sources, including ethnographic accounts, interviews with Hoonah Natives made in 1946 in connection with legal claims, archeological surveys conducted primarily in the 1960s, and correlations between the oral traditions of area Tlingits and the geological and climatological record. Together, these sources indicate that ancestors of the Tlingits had winter village sites in what is now Glacier Bay prior to the last cycle of glacial advance and retreat, and that Hoonah Tlingits used most of the area now enclosed in Glacier Bay National Park and Preserve during the past century and a half or more. In addition, Natives of Yakutat used the narrow coastal shelf area in what is now the national park from Dry Bay to Lituya Bay.

Although archeological sites often provide the strongest evidence of aboriginal use

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<sup>12</sup>John F. Chapman to Regional Director, June 29, 1979, GLBA, administrative files, file A14. The ethnologist John R. Swanton recorded what appears to be a Kagwantan version of this legend in Wrangell in 1904. See Swanton's "Tlingit Myths and Texts," in Smithsonian Institution, Bureau of Ethnology, Bulletin 39 (Washington, 1909), pp.337-338.

areas, they are rare around Glacier Bay. Not only did the recent glaciation erase all but the last two hundred years of cultural remains around Glacier Bay, but the rebound of the land as the great weight of ice melted off has raised the ancient shorelines well into the treeline, making it very difficult to locate prehistoric camps that were once situated on the water's edge. Nevertheless, a survey of the Glacier Bay region by archeologist Robert E. Ackerman during three field seasons in the 1960s did uncover one prehistoric site at Ground Hog Bay near Point Couverdon on the north shore of Icy Strait. This site indicated human occupation of the area 9,000 years ago by an earlier culture. Nearby, at a place called Grouse Fort, Ackerman found evidence dating from 500 to 900 years ago that revealed the development of a material culture more like that of the Tlingits of the historic period.<sup>13</sup>

The Glacier Bay story of the Tcukanadi clan recalls a time when the basin held a glacier and freshwater lake at one end, from which a large river flowed to the sea. Geologists have found evidence of such a lake in what is now the East Arm of Glacier Bay, while ecologists have discerned from relic tree stumps the prior existence of a lowland spruce and hemlock forest.<sup>14</sup> The clan legend tells of an ancestral village in this valley where the Tcukanadi, together with three other clans, enjoyed an abundance of all kinds of salmon. Their occupation of this place came to a swift end when a teenage girl of the village, weary of her confinement during menstruation, whistled through some charmed fish bones to beckon the glacier's spirit. Once set in motion, the glacier was unstoppable. The people held a council and decided they must abandon their village while the girl, Kaasteen, would remain as a sacrifice. According to Amy Marvin's rendering of the story, they waited till the end to depart, sitting in their canoes while water flooded the village and the house containing Kaasteen "slid downward...to the bottom of the sea before their eyes." At that moment the clan chief sang a song with the refrain "pity my house" and "pity my land." The four clans separated, and while three established villages at points along Icy Strait, the fourth clan, the Tcukanadi, went to the

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<sup>13</sup>Robert E. Ackerman, The Archeology of the Glacier Bay Region, Southeastern Alaska (Pullman, Washington, 1968), pp.85-86.

<sup>14</sup>Robert F. Schroeder and Matthew Kookesh, "Subsistence Harvest and Use of Fish and Wildlife Resources and the Effects of Forest Management in Hoonah, Alaska," Technical Paper No. 142 (Juneau, 1990), p.22-25; William S. Cooper, "The Recent Ecological History of Glacier Bay, Alaska: II. The Present Vegetation Cycle," Ecology, vol.4, no.3 (July 1923): pp.223-224.

present site of Hoonah.<sup>15</sup> The Glacier Bay story, handed down from generation to generation by oral tradition, makes no pretense of dating these events. It seems that the Tcukanadi possess a cultural memory of a distant time before the Little Ice Age, several centuries ago.

It is now estimated by geologists and plant ecologists that this recent glaciation reached its maximum extent in the eighteenth century, completely filling the bay and giving the channel to the south its name of Icy Strait. The first explorer to chart this shoreline was Captain George Vancouver, who recorded in 1794 a slight indentation "terminated by a solid, compact mountain of ice, rising perpendicularly from the water's edge." By the time of John Muir's exploration in 1879, the ice mass had receded about fifty miles up the bay, exposing a terrain largely denuded of vegetation and land mammals but rich in marine resources. Hair seal congregated near the face of the glacier, feeding on the abundant shrimp that grew in the upwelling meltwater emanating from the glacier's terminus and finding sanctuary from killer whales on the icebergs. Sea birds nested on the islands of the bay, while the tides washed edible sea weeds onto the gravelly beaches. In the lower part of the bay where approximately one hundred years had passed since the ice had melted, new vegetative growth included berry bushes and other edible plants. The vegetation provided ground cover and forage for new populations of marmot, mountain goat, and deer. Freshwater streams supported new salmon stocks. Hoonah Natives would later recall that their parents and grandparents regarded Glacier Bay as "a kind of storehouse for the people of Hoonah." Hoonah families built numerous smokehouses for seasonal use and stayed at these locations for several weeks at a time.<sup>16</sup> By the end of the nineteenth century there is evidence from several ethnographic sources that Glacier Bay was the recognized hunting and gathering territory of the Tcukanadi clan of Hoonah. Other clans of the Hoonah kwaan claimed neighboring areas around Excursion Inlet, Dundas and Taylor Bays, and the outer coast--all in what would eventually become the national park.

The Tlingits were a trading people; the island and mainland kwaans had access to different resources, and their large canoes made possible trading expeditions over long distances. Moreover, the coastal environment generally provided such an abundance of

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<sup>15</sup>George A. Hall, "The Stories of Glacier Bay Collected at Hoonah, Alaska," unpublished file report at SITK, July 1960, n.p.; Nora Marks Dauenhauer and Richard Dauenhauer, eds., Haa Shuka, Our Ancestors: Tlingit Oral Narratives (Seattle, 1987), pp.245-261 and 261-293; quotation on p.285.

<sup>16</sup>Statements by Albert Jackson, George Carteete, Frank O. Williams, Albert Greenewald, Mrs. Lonnie Houston, Mrs. Oscar Williams, and Mrs. Eliza Lawrence, typescript in Alaska Historical Library (AHL), Curry-Weissbrodt Papers, MS 43, roll 20. Quotation by Mrs. Houston.

resources, particularly salmon, that the Tlingits could build up stores of food each year and pass the dark, wet winters in their snug houses. Thus they were sedentary gatherers, with a relatively high population density, some specialization of labor, and a rich material culture. The wealthier Tlingits owned slaves.<sup>17</sup>

When stores ran low in early spring, a Tlingit family group would pack the canoe and venture out of the village, beginning with a seal hunting expedition of several weeks' duration. By April, the group could be gathering green plants and edible roots or the potatoes they had planted on some sunny hillside the previous year.<sup>18</sup> In May they might go on a trading expedition, followed in June by berry-picking and gathering birds' eggs. In late June and July, during the first salmon run, the men fished and hunted seal while the women dried the meat and seal skins and rendered the seal oil. August was devoted to more food storage and in September they followed the second salmon run. Late fall was the time for hunting and trapping. Finally, as winter approached, they returned to the village for a season of potlatches, trading expeditions, crafts, and repairing of fishing gear.<sup>19</sup>

The Tlingits' view of nature was essentially animistic. All physical objects--glaciers, mountains, heavenly bodies--had spirits. Human beings made their way in the world by treating these spirits respectfully, either communicating with the spirits directly or through their shamans. Animals had a prominent place in this spirit world; they possessed souls essentially like those of human beings in that their souls inhabited the body and could be reincarnated after death. In her magisterial work on the Yakutat Tlingits, the ethnologist Frederica De Laguna writes:

The world of animals, to an even greater extent than that of plants and the rest of personified nature, was part of man's moral world. Through the relationship between sib and totem, many species were also drawn into the human social order and were, in a sense, members of the sibs that claimed them as "friends." Particular species also played distinctive roles because of their importance in shamanism, in foretelling the future, or because they

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<sup>17</sup>Julia Averkieva, "The Tlingit Indians," in North American Indians in Historical Perspective (New York, 1971), p.319.

<sup>18</sup>C.E.S. Wood, "Among the Thlinkits in Alaska," The Century Magazine, vol.24 (1882): pp.328-329.

<sup>19</sup>The Tlingit and Haida Indians of Alaska v. The United States, Court of Claims (1959), p.372.

were supposed to possess some other special character or power.<sup>20</sup>

It was in their relationship to animals, particularly the animals they hunted, that Tlingits most clearly demonstrated a religious or devotional view toward nature.

Ethnohistorians have tried to reconstruct how various Indian groups' religious beliefs affected their exploitation of natural resources. The problem is a difficult one. There is always a disparity between what human beings preach and what they practice. Moreover, the earliest ethnographic records come from fur traders and missionaries whose presence among the Indians betokened a time of change, if not upheaval, in aboriginal societies. By the time John Muir recorded his impressions of his Native companions in 1879, the Tlingits had been in contact with Russian, British, and American traders for more than three generations; they had been ravaged by several epidemics, notably a smallpox epidemic of 1835-39; and they had been introduced to Christianity, first by the Russian Orthodox Church, then by American Presbyterians. The most important consequence of European contact was the dependent relationship that Tlingits gradually developed toward the fur companies as they became conditioned to modern manufactures. To earn the cash with which to purchase European and American manufactures, Tlingits hunted sea otter, hair seal, deer, and other animals for the commercial value of their furs and hides.

These economic pressures notwithstanding, the Tlingits' moral relationship to the natural world predisposed them to patterns of resource use that twentieth-century whites and Natives would label conservationist. The term could be misleading. Tlingits tried to use all parts of the animals they killed and to kill only what they could consume. This practice was not due to concern about the supply of game and the public welfare, but because they sought to earn the animals' favor in order to bring themselves luck and future hunting success. Tlingits imposed rules against visiting certain seal or sea otter hunting grounds during the spring pupping season. Whites might construe this as a conservation measure to ensure a new crop of pelts for subsequent harvest, but the Tlingits were actually motivated by concern that the herds would easily scare at this time of year and permanently leave the area.<sup>21</sup>

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<sup>20</sup>Frederica de Laguna, Under Mount Saint Elias: The History and Culture of the Yakutat Tlingit (Washington, 1972), p.824.

<sup>21</sup>Tlingit attitudes are discussed in De Laguna, Under Mount Saint Elias, pp.374 and 824; an example of a conservationist interpretation is Captain L.A. Beardslee's description of Hoonah seal and sea otter hunting in Senate, Reports of Captain L.A. Beardslee, U.S. Navy, Relative to Affairs in Alaska, and the Operations of the U.S.S. Jamestown under his command, while in the waters of that territory, 47th Cong. 1st sess., 1882, Senate

While some whites were impressed by Alaska Natives' restraint in hunting, other whites reported numerous instances of what they judged to be wanton slaughter of game by Natives. The Tlingits, like any other people, were able to adapt their religious beliefs as the situation demanded, and the hide and fur market introduced economic incentives for hunting animals in larger numbers. At the turn of the century, as deer hides fetched from ten to twenty cents apiece in southeast Alaska, large numbers were slaughtered for their hides alone. In 1895, a customs official reported three Indians in southeast Alaska who shot 175 deer along the shoreline from their canoes in only two days.<sup>22</sup> In 1904, a field agent for the New York Zoological Society reported how Native and white hunters cruised among the islands in small boats either hunting the deer with jack-lights or running them into the water with dogs where they were shot while swimming. The field agent found the bodies of deer "piled up on the wharves like cord-wood."<sup>23</sup>

In terms of commercial value, the sea otter overshadowed all other resources in southeast Alaska in the nineteenth century. Tlingits readily competed with Aleut hunters in obtaining the furs and selling them to Russian, British, and American buyers. After Russia sold Alaska to the United States in 1867, American schooners were known to cruise the Inside Passage laden with rifles, cloth, liquor, and other manufactures to exchange for sea otter pelts at the various Tlingit villages. Tlingits also went to Sitka by canoe to trade with the Americans. In 1880, the ranking American officer in Sitka commented that the Hoonah Natives had killed 127 sea otter in a single expedition to the outer coast that spring. With the pelts selling for \$50 to \$200 each, Captain L.A. Beardslee thought the 600 to 800 people of the Hoonah tribe would be "kept very comfortable from this resource alone."<sup>24</sup>

Like Native hunting of big game, the extermination of sea otter throughout most of the animal's range in Alaska in the nineteenth century flew in the face of the Tlingits' "conservationist" practices. It was a dubious legacy, a classic case of overexploitation,

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Ex. Doc. No. 71, pp.174-175. Morgan Sherwood analyzes Native hunting in Big Game in Alaska: A History of Wildlife and People, (New Haven, 1981), pp.103-116.

<sup>22</sup>U.S. Department of the Treasury, Seal and Salmon Fisheries and General Resources of Alaska, vol.2 (Washington, 1898), p.441.

<sup>23</sup>J. Alden Loring, "Notes on the Destruction of Animal Life in Alaska," New York Zoological Society Sixth Annual Report (New York, 1902), p.142.

<sup>24</sup>Senate, Reports of Captain L.A. Beardslee, U.S. Navy, Relative to Affairs in Alaska, and the Operations of the U.S.S. Jamestown under his command, while in the waters of that territory, 47th Cong. 1st sess., 1882, Senate Ex. Doc. No. 71, p.185.





Hunya [Hoonah] Sealer's Camp, Glacier Bay, 1899.

John Burroughs, John Muir, and George Bird Grinnell, Narrative, Glaciers, Natives, Harriman Alaska Series, Volume I (Washington, Smithsonian Institution, 1910), 164.



The Native fishing village of Hoonah as it appeared c. 1898-1907. View is to southeast; Port Frederick is on the right. Most of the buildings in the photo burned in 1946.

Case and Draper, in University of Washington Collection, photo NA 2475.



Hunya [Hoonah] Seal Hunters, Glacier Bay, 1899.

John Burroughs, John Muir, and George Bird Grinnell, Narrative, Glaciers, Natives, Harriman Alaska Series, Volume I (Washington, Smithsonian Institution, 1910), 141.

what historian Calvin Martin termed, in his study of Indians and the fur trade in eastern Canada, "a monumental case of improvidence." Martin assumes that the fur-trading Indian had some knowledge of wildlife population dynamics, that the Indian "was simply too skilled a hunter to overlook the ultimate consequences of wildlife overkill."<sup>25</sup> If this were true, it was indeed a paradox.

The Tlingits had other explanations for abundance and scarcity of animals, however, based on how hunters treated the hunted animals and how obliging the hunted animals were in return. There is no reason to assume that Tlingit hunters anticipated the extirpation of the sea otter. While white fur traders could apprise themselves of annual harvest records maintained by the U.S. Bureau of Fisheries, and more importantly, could comprehend sea otter hunting in a wider context of fur trading on the frontier, Tlingits operated under different cultural assumptions. These ideas persisted up to the waning years of the sea otter trade, as was evident in a speech by Chief Koogh-see of Hoonah to the governor of Alaska on December 14, 1898. "We make our living by trapping and fishing and hunting, and white men take all these places away from us; they constantly interfere with us," Koogh-see told the governor.

Now not very far from where I live is Lituya Bay, where our people, our ancestors, used to go hunting for sea otters and hair seals. Now that place is taken away from us. Great many schooners going there. White people are there now. These white men, when they make camp, they make lots of smoke. That scares animals, sea otters especially. That ground is very good for sea otter hunting. We went up there, 20 or 30 canoes and hunted around all summer and did not get any. The smoke scares the animals away. And when we talk to those white men they say the country does not belong to us, belongs to Washington. We have nothing to do with that ground. All our people believe that Alaska is our country.<sup>26</sup>

In Koogh-see's mind, whites were occupying the land and driving away the sea otter through ignorance or lack of respect. Wood smoke, not overhunting, was the cause of

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<sup>25</sup>Calvin Martin, Keepers of the Game: Indian-Animal Relationships and the Fur Trade (Berkeley, 1978), p. 3.

<sup>26</sup>Ted C. Hinckley, "The Canoe Rocks--We Do Not Know What Will Become of Us," Western Historical Quarterly, vol. 1, no. 3 (July 1970): pp. 275-276.

the animal's disappearance.

Even if individual hunters might have suspected what was really happening to the sea otter population, their culture had no acceptable means of social control to limit each hunter's take of the sea otter. There was, for example, a custom in regard to salmon streams, in which the leader of a clan house could forbid fishing for a time in order to ensure that a certain number of salmon went upstream to spawn.<sup>27</sup> The only social control in regard to sea otter grounds, however, was the recognition of clan territories, and there is evidence that even this social control was breaking down in the face of market demand.<sup>28</sup> Within the clan, there was no authority for restricting the hunt. It is precisely such restriction of the individual by the group that forms the basis of conservation. As Garrett Hardin observed in his well-known essay, the only way to avoid "the tragedy of the commons"--the abuse of a common resource--is by "mutual coercion, mutually agreed upon."<sup>29</sup>

After the sea otter, the hair seal was the most valuable marine mammal to the Tlingits at the end of the nineteenth century. Natives sold seal oil in Sitka for twenty-five cents per gallon and made mocassins from the hides for sale in the new tourist trade. The meat and oil from the seal accounted for a large part of the Tlingits' subsistence, especially in Hoonah, where the Natives were renowned for their stealth in the seal hunt. Hoonah Tlingits sometimes camouflaged their canoes with white sheets draped over the gunwales. Frank O. Williams hunted hair seal every place in Glacier Bay where the animal was found. Interviewed in 1946, he recalled how the hunters would lie in their small sailing boats amidst the pan ice when the ice unpacked in the spring. Albert Greenewald, whose father was German and mother was Hoonah Tlingit, remembered hunting hair seal in Geikie, Tarr, and Muir Inlets and north of the Beardslee Islands. In Muir Inlet there was a pupping ground where the hunters went ashore and killed the seals by clubbing.<sup>30</sup>

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<sup>27</sup>De Laguna, Under Mount Saint Elias, p.384.

<sup>28</sup>In 1880, for example, Hoonah Tlingits asked for the Americans' help in preventing "English Indians" (provisioned by the British at Fort Simpson) from invading their sea otter grounds. Otherwise, they warned, war might result between the two Indian groups. Senate, Reports of Captain L.A. Beardslee, U.S. Navy, Relative to Affairs in Alaska, and the Operations of the U.S.S. Jamestown under his command, while in the waters of that territory, 47th Cong. 1st sess., 1882, Senate Ex. Doc. No. 71, p.57.

<sup>29</sup>Quoted in T. H. Watkins, "The Perils of Expedience," Wilderness, vol.54, no.191 (January 1990): p.47.

<sup>30</sup>Frank O. Williams statement and Albert Greenewald statement, AHL, Curry-Weissbrodt Papers, MS 43, roll 20.

Ethnologist George B. Grinnell described the seal hunters he observed in Yakutat Bay in 1899. The men hunted in pairs in small, light canoes. The man in the bow was armed with a gun or spear. After approaching as close to a seal as they could without alerting it, the hunters waited patiently until it dived into the water, then paddled toward the spot and waited for it to surface. If the seal surfaced within range and the aim was good, both men would paddle furiously to reach the animal before its lungs filled with water and it sank.<sup>31</sup>

Grinnell reported that while the men hunted, the women skinned, butchered, and cooked the seal. First they removed the skin and pinkish-white blubber from the carcass. Then spreading the hide hair-side down on a board, the women stripped the blubber, rolling it into one large piece. They cut the blubber into strips and slowly rendered it into oil in a large cooking pot. They stretched the hide over a wooden drying frame, and dried the ribs, flippers, intestines, and other parts of the seal carcass over a fire. The Tlingits consumed every part of the seal, including the brain. Grinnell wrote that the seal hunting ground at Yakutat Bay was shiny with grease and littered with the bleached bones of previous seasons' kills, and he counted some 500 seal carcasses from the present hunt.

Lieutenant C.E.S. Wood joined a Native seal hunt in Taylor Bay in April 1877. These hunters used a spear with a detachable barbed head. They fastened the head to the shaft by a plaited line made from sinew, and tied a marking buoy to the end of the line. With this adaptation, the hunters lost fewer seals to sinking. These hunters had camps scattered along both shores of the bay, one or two families to a camp.<sup>32</sup>

Muir also provides a glimpse of a group of about fifteen seal hunters whom he visited in 1879. It was in late October, and the hunters were laying in a winter supply of meat and skins. As it was cold and wet, these Natives invited Muir, Young, and their four Tlingit guides to join them around their fire, and the six guests crowded in amongst the oily boxes and bundles. "The circle of black eyes peering at us through a fog of reek and smoke made a novel picture," wrote Muir afterwards.<sup>33</sup>

The Native seal hunting camps became something of a tourist attraction in the 1890s as steamers cruised up the Inside Passage as far as Glacier Bay. Tourists were intrigued by the sight of the white canvas tents half-covered with seal skins on drying

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<sup>31</sup>John Burroughs et al., Alaska: The Harriman Expedition, 1899 (New York, 1986), pp.158-165.

<sup>32</sup>C.E.S. Wood, "Among the Thlinkits in Alaska," p.332.

<sup>33</sup>Muir, Travels in Alaska, pp.142-143.

racks, the smoke of cooking fires rising from the ceiling vents. The camps could be hives of activity, the women processing the meat and skins, the old men tending the pots full of blubber, the small children playing games. One white woman described her visit to a Hoonah tent where she learned of the Tlingits' fondness for boiled seal flippers. "We peered into the family kettle and saw the black flippers waving in the simmering waters like human hands," she wrote. "It looked like cannibalism, but the old man who was superintending the stew said, 'Seal! Seal all same as hog.'"<sup>34</sup>

It was salmon, however, that were the mainstay of the Tlingits' subsistence economy. Traditionally the Tlingits fished for salmon near the stream mouths during the spawning runs in early and late summer. Most fish were caught by traps placed in the stream, weirs built across the stream, gaff hooks, or spears. Each clan house owned a salmon stream, and the head of the house group usually owned a smokehouse in which the salmon were dried during inclement weather. Men caught the fish while women prepared the fish for smoking or drying. There were numerous smokehouses in lower Glacier Bay, Dundas Bay, and Excursion Inlet where the house groups made their summer camps or sheltered on their seal hunting expeditions.

Beginning with the construction of the first two canneries in southeast Alaska in 1878, commercial salmon fishing began to exert a growing influence upon Tlingit culture and land use patterns. Cannery operators initially acknowledged Tlingit clan ownership of the various streams by paying the headman of the clan for their use. In the early days the canneries procured salmon the easiest way possible, by throwing a few logs across a nearby spawning stream and blocking the salmon run. As the salmon gathered beneath the barricade it was a simple job to dip them out into a scow and transport them to the cannery, although the result could be the extinction of that particular salmon stock. By 1889, when thirty-seven canneries were operating in southeast Alaska and the total salmon pack had grown to 700,000 cases, the destructiveness of this method became so apparent that Congress passed a law making it illegal to build any obstructions in any of the rivers of Alaska for the purpose of impeding the run of salmon to their spawning grounds.<sup>35</sup>

This law, the first conservation act in Alaska, ignored Tlingit claims to the various streams and effectively outlawed the use of weirs. Henceforward, canneries had to get

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<sup>34</sup>Eliza R. Scidmore, "Bartlett Bay and the Hooniahs," photocopy of article circa 1900, Glacier Bay National Park and Preserve, library collection, p.128.

<sup>35</sup>Richard A. Cooley, Politics of Conservation: The Decline of the Alaska Salmon (New York, 1963), pp.72-73.

their supply of salmon from open water fishing. This involved modern technology: seine and gill netter fishing boats or large fish traps. In the 1890s, Tlingits still fished the streams according to their traditional methods and sold salmon to the canneries directly from their canoes, thus blending their subsistence fishing with some minimal involvement in the commercial fishery. The quantity of salmon they harvested commercially by traditional methods was negligible compared to what the fishing boats brought in, however.

Around the turn of the century Tlingits began working alongside Chinese and Filipinos in the canneries and with white Californians, Oregonians, and Washingtonians on fishing boats. These activities gradually supplanted their traditional pattern of going to their fish camps and berrying grounds for the summer.<sup>36</sup> They built their own fishing boats, and the salmon packing companies sold the Native fishermen outboard motors and nets on credit on the condition that a fisherman would make yearly payments to the company from his earnings for that year's catch.<sup>37</sup> By World War I, most adult male Tlingits worked each summer on commercial fishing boats, while a substantial number of Tlingit women and children worked each summer in the canneries. A government study estimated the total Tlingit income from the commercial fishing industry in 1913 at \$225,000, or about \$50 per capita. This was 91.5 percent of their total income. Conservative estimates of their income from other sources were: labor, \$10,000; furs, \$7,000; basketry, \$4,000; a total of \$21,000, or 8.5 percent of their total income.<sup>38</sup>

Hoonah Tlingits worked in the canneries at Excursion Inlet, Dundas Bay, and Hoonah and seined for salmon in Icy Strait and Cross Sound. Relatively little commercial fishing took place in Glacier Bay. The more time they put into commercial fishing, the less time they had for traditional hunting and gathering in Glacier Bay. Although no hard data exist on levels of resource use for this period, the amount of time that Natives spent in Glacier Bay certainly declined in the first three decades of the twentieth century, particularly during the summer season. Nevertheless, many Hoonah Tlingits continued to use their clan hunting and fishing grounds in Glacier Bay, to

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<sup>36</sup>Senate, Conditions and Needs of the Natives of Alaska, by Lieutenant G.T. Emmons, 58th Cong., 3rd sess., 1905, Senate Doc. No. 106, p.13.

<sup>37</sup>Economic and technological changes in Tlingit commercial fishing from the early twentieth century to the 1930s are described in Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States. Hearings before a Subcommittee of the Committee on Indian Affairs. Part 36: Alaska, 74th Cong., 2nd sess., 1939, p.19739.

<sup>38</sup>W.T. Lopp, "Native Labor in the Alaska Fisheries," Pacific Fisherman, vol.12, no.11 (November 1914): p.16.

maintain their smokehouses, to run their traplines, to gather gull eggs, seaweed, and berries, and here and there to cultivate a vegetable garden.

### Acculturation and Subsistence

The process of acculturation acted upon Tlingit subsistence use patterns in a multitude of ways. The adoption of European-style clothing reduced the Tlingits' need for hides and furs. A taste for bread, canned fruit, and vegetables altered the Tlingits' demand for large quantities of meat and seal oil. The market economy and Christianity introduced the Tlingits to a radically different way of thinking about plants and animals. Schools, hospitals, and jobs drew the Tlingits to the larger villages, while new technology--particularly firearms and outboard motors--shortened the time they spent away from the village procuring winter supplies of food. A trend toward single family households may have subtly changed the way food harvests were divided up among the clan.

At the time of Muir's first visit to Hoonah in 1879, there were from four to six winter villages belonging to the Hoonah kwaan, of which Hoonah was the largest with a winter population of 600 to 800 people. The village then consisted of thirteen large clan houses built along the shore. In 1880 a trader built a store in Hoonah and the following year the Presbyterian Board of Home Missions established a school there. Soon almost all the Hoonah Tlingits passed their winters in the village of Hoonah.<sup>39</sup>

By the 1880s most Tlingits wore European-style clothes, hunted with guns, and used a variety of iron and steel tools. Many grew vegetable gardens. Some Tlingits found work in the mines or made jewelry, moccasins, and other handicrafts for the new trade in curios for tourists. The Tlingits' dietary mainstays were salmon, halibut, seal oil, and venison, but they now cooked with iron pots and often supplemented these native foods with garden vegetables and store-bought flour.<sup>40</sup>

Many Tlingits, especially the younger ones, converted to Christianity during the 1880s and 90s despite the Presbyterian mission's denigration of much of traditional Tlingit culture. During the 1890s and early 1900s many Tlingits joined the Russian Orthodox Church instead because of its more tolerant attitude toward native customs, but in the village of Hoonah the Presbyterian church remained dominant. The Hoonah

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<sup>39</sup>Aurel Krause, *The Tlingit Indians*, trans. Erna Gunther (Seattle, 1956), p.69.

<sup>40</sup>Philip Drucker, *Native Brotherhoods: Modern Inter-tribal Organizations on the Northwest Coast* (Washington, 1958), pp.9-11.



chief Koogh-see alluded to Christian influence on his people's environmental thinking when he addressed the Alaska governor in 1898.

In all this country long time ago before we ever saw white men, our fathers and grandfathers told us we owned it. In those days we had our own customs. We believed and done things our way in those days, but lately missionaries come here and commenced to tell us different. They tell us that everything that is on this earth, wood, water and everything else, is created by God. The trees grow for the purpose that we can make use of them and make houses of. And different animals were created by God for purpose of giving us clothing and food. Now deers is made for purpose to eat, bears and other animals also....<sup>41</sup>

These words by Koogh-see suggest a tension between Christian teachings and the Tlingit belief system, as if Koogh-see was acknowledging that Native ideas had to be unlearned. This may have been for the governor's benefit. Later in his speech Koogh-see seemed to be asking for his people to be left alone. Most Tlingits who accepted Christianity did not relinquish their traditional beliefs and did not dwell upon contradictions between the two belief systems. If the speech is ambiguous on this point, however, it makes another point very clear: the Presbyterian church introduced the Natives of Hoonah to the Christian view of nature as something for man to subdue and use for his own benefit. Nature was a collection of objects, unsacred.

Beginning in the 1880s, most Hoonah Tlingits were eager for their children to attend school and get an education. The Presbyterian mission ran the school in Hoonah until the early twentieth century, when the U.S. Bureau of Education took it over. Some Hoonah children boarded at the Sheldon Jackson Indian School in Sitka. The school curriculum emphasized vocational training, with girls being taught how to sew and bake bread and boys being instructed in carpentry. Schools affected the Tlingits' subsistence use patterns in at least two ways: by acculturating the young, and by limiting the amount of time that parents of school-age children could spend away from the village.

Hoonah was one of the last Tlingit villages to see the old clan houses replaced by single-family dwellings. As late as World War I most Hoonah Tlingits still lived in large clan houses. These plank buildings stood in a line along the beach, a clan crest adorning each entrance, with four to eight families living in each one. At the same time, the

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<sup>41</sup>Hinckley, "The Canoe Rocks--We Do Not Know What Will Become of Us," p.274.

village had its own moving picture theater.<sup>42</sup>

The school teacher, missionaries, and local administrators interpreted the trend toward single-family households as encouraging signs of "Americanization." In a similar vein, the school teacher reported in 1917 that the Hoonah Tlingits had voted 150 to 7 in favor of establishing a village council, and that the new government was strongly progressive, having managed to discourage all tribal dances, potlatches, and excessive beer drinking the previous winter. Moreover, the people had required all newly elected councilmen who were married by Native rites to be remarried by a minister before they could take their offices.<sup>43</sup>

In summary, the Hoonah Tlingits found many elements of their culture under assault in the late nineteenth and early twentieth centuries, and the decline of their subsistence hunting and gathering must be placed within this broad context. Acculturation took many forms--from exploitation of new opportunities such as the fur trade offered, to assimilation of American ideas and cultural practices such as the missionaries introduced, to outright renunciation of certain Tlingit ideas and cultural practices that the white society had stigmatized. The effects of acculturation on subsistence were relatively indirect, resulting from a shift in economic priorities and a trend toward fixedness in the community. The fact that Native rituals associated with hunting and fishing and food preparation largely escaped direct attack by the dominant culture in the same way that Native living arrangements, religion, and social relations came under assault may have reinforced the cultural meaning of those activities for the Tlingits at the same time that the Tlingits became less occupied with them. Certainly Alaska Natives in recent times have strongly asserted as much; whether the Hoonah Tlingits responded in this way to the acculturative process in the early twentieth century must remain conjectural.<sup>44</sup>

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<sup>42</sup>Annual Report of Southeastern District by Charles W. Hawkesworth, [1917], NA, RG 75, Alaska Division, General Correspondence, box 102, file Southeastern District Reports.

<sup>43</sup>Annual Report of the United States Public School at Hoonah, Alaska by C.F. Richardson, June 15, 1917, NA, RG 75, Alaska Division, General Correspondence, box 87, file Hoonah.

<sup>44</sup>A parallel case study of the connection between subsistence and cultural identity is Adrian Tanner, Bringing Home Animals: Religious Ideology and Mode of Production of the Mistassini Cree Hunters (New York, 1979).

## The Hoonah Tlingits and the Creation of the National Monument

In 1925, the federal government established Glacier Bay National Monument without regard to the biological or legal implications of Native use of the area. The Natives' role in the ecology of Glacier Bay should have been of vital interest. The scientists who were most familiar with Glacier Bay knew that Natives exploited the resources there. Yet no one addressed the ecological consequences of prohibiting or countenancing Native hunting and fishing in the area once it became a national monument. The preservationist position taken by the American Association for the Advancement of Science was characteristic. Noting the "undisturbed" condition of the coastal forest and regenerative plant growth around Glacier Bay, the AAAS declared that the highest purpose for this land was that it be "permanently preserved in an absolutely natural condition."<sup>45</sup> One would infer from the AAAS's resolution and numerous other statements by conservation groups that Natives came and went in Glacier Bay without leaving the slightest impression on the environment.

The reasons for this oversight are fairly obvious. The preservation movement in the United States had little previous experience in dealing with this problem because by the time the movement gathered momentum in the 1890s, few Indians in the United States were hunting and gathering any longer in the rugged and scenic areas coveted by the preservation movement. There were a few exceptions--Grand Canyon and Glacier national parks, for example--but most lands in the United States that were set aside as national parks had long since been ceded to the federal government by the indigenous Indian peoples. Whatever lordly role Indians once played in the ecology of these areas they had long since abdicated when they moved onto reservations. The areas that preservationists revered as pristine wilderness were in most cases "widowed land"--missing their human constituent.<sup>46</sup> Early preservationists equated places of national park quality with tracts of uninhabited, "undisturbed" wilderness, thereby severing

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<sup>45</sup>Burton E. Livingston to Governor of Alaska, February 7, 1925, National Archives--Alaska Region (NAAR), National Archives Microfilm Publication M-939, General Correspondence of the Alaskan Territorial Governor, 1909-1958, roll 124, file 42.

<sup>46</sup>Historian Francis Jennings uses this term in The Invasion of America: Indians, Colonialism, and the Cant of Conquest (1975) to describe seventeenth century New England, where he estimates a full century elapsed before the human population (indigens and colonists combined) recovered from the number lost to disease when Indians first came in contact with Europeans. While national parklands became "widowed" by a very different historical process, involving not so much death by disease as removal by military force and economic necessity, there was no difference from an ecological standpoint.

primitive man from their conception of nature, or at best, consigning him to a "benign" sort of influence.<sup>47</sup>

Federal officials were similarly remiss in ignoring the Natives' aboriginal title to the land. Although the principle of Indians' aboriginal title was well established in American law, its application to Alaska was less clear. Both the treaty of cession between Russia and the United States in 1867 and the Organic Act of 1884 protected the possessory rights of Alaska Natives, yet the federal government had avoided treaty-making and the establishment of Indian reservations in the territory. Tongass National Forest was created in 1907 without prior cession of Tlingit aboriginal title, and the proclamation establishing Glacier Bay National Monument in 1925 followed the same pattern. The only official acknowledgement of Native rights in the area was a reference in a General Land Office report to "numerous Indian allotments."<sup>48</sup>

This oversight is likewise explicable given the complexion of federal Indian policy in the 1920s. Three decades after the Dawes Severalty Act, allotment of land to individual Indians remained the centerpiece of the federal government's longstanding effort to detribalize Indians and assimilate them into American society. A number of Tlingits were assigned allotments in the vicinity of their house group's salmon streams and smokehouses, the expectation being that they would clear the land and farm it. While Tlingits were still being allotted land in southeast Alaska in the 1920s, commercial fishing was increasingly viewed as a more promising route of assimilation than farming for the village-dwelling Alaska Natives. In 1926, Congress provided for the survey and platting of Eskimo and Indian villages in Alaska and the issuance of deeds to Alaska Natives for individual house lots within surveyed town sites.<sup>49</sup> The hope was that the Native villages would thrive and the Natives' dependence on hunting and gathering for subsistence would recede as they became assimilated.

Many Tlingits in the 1920s entertained rather similar hopes. They too wanted their villages to thrive and their people to gain an equal footing in the larger society. They found an effective voice in the Alaska Native Brotherhood, a Tlingit fraternal

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<sup>47</sup>See for example Robert Marshall, "Ecology and the Indians," *Ecology*, vol.18, no.1 (January 1937): pp.159-161. Marshall contends that aboriginal peoples lived "in balance with nature" and had a "benign" effect due to their small population.

<sup>48</sup>Confidential report summary of George A. Parks, Assistant Supervisor of Surveys and Public Lands, August 7, 1924, quoted in John M. Kauffmann, "Glacier Bay National Monument Alaska: A History of Its Boundaries," June 1954, unpublished file report at GLBA, library collection, p.8.

<sup>49</sup>Act of May 25, 1926.

organization and leadership council with local camps established in most Tlingit villages, including Hoonah, by the 1920s. The ANB held annual meetings and elections, formed committees, passed resolutions, and printed a newspaper, The Alaska Fisherman. The ANB's political agenda was strongly assimilationist in the 1920s, with particular emphasis on equal education and voting rights. It is unclear when the ANB first became interested in Tlingits' aboriginal rights, but it was probably some years after the establishment of Glacier Bay National Monument. It appears that the Tlingits made no organized political protest against the national monument in 1924 or 1925.<sup>50</sup>

It is difficult to surmise how individual Hoonah Tlingits responded to the creation of the national monument. Were they aware of it? Many white residents of Juneau, miffed by the Park Service's nondevelopment of the monument, would later claim that years passed before they even learned of its existence. Glacier Bay was of course closer and more important to Hoonah than Juneau, but many adult Tlingits had limited command of English and conceivably remained ignorant of the monument for some time. If they were aware, did NPS jurisdiction mean anything to them? Again, there is reason to doubt it. The land surrounding their village belonged to the Tongass National Forest, yet Forest Service jurisdiction was of no practical significance to them in the 1920s. They may have assumed that Park Service jurisdiction would be equally benign. If they did understand the purpose of the monument, did they empathize? This would seem most unlikely. Hoonah Tlingits had by now seen a welter of white attitudes toward nature, from tourists' squeamishness in their seal hunting camps to fur traders' avarice for sea otter pelts, from Muir's search for knowledge to prospectors' search for gold. It would not be surprising if they regarded the national park idea, even at that early date, a little cynically. American civilization had much to offer them, but in their connection to the land Tlingits would hold fast to what was familiar.

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<sup>50</sup>Records of the ANB are preserved in two collections, the William L. Paul Papers at the University of Washington and the Curry-Weissbrodt Papers at the Alaska Historical Library, but the writer found nothing in those collections dated earlier than the 1930s. The Alaska Fisherman covers the activities of the ANB from 1924 to 1932. The ANB's interest in Tlingit aboriginal rights bore fruit in 1935 when Congress authorized the Tlingit and Haida Indians to bring suit against the U.S. in the Court of Claims.



## CHAPTER II

### SIGHTSEERS AND SCIENTISTS

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From the day John Muir introduced Glacier Bay to the American people through his popular writings until the day President Calvin Coolidge proclaimed it a national monument some forty-five years later, Glacier Bay's scenic and scientific values were closely intertwined. Fittingly, Muir was drawn to Glacier Bay on both accounts. He responded to the landscape both with a kind of pietistic and irrepressible delight, and with the close attention to detail of a scientist. After Muir, the relationship of sightseers and scientists in Glacier Bay was more or less symbiotic. Sightseers paid handsomely for the pleasure of a cruise up Alaska's Inside Passage and an opportunity to see the spectacular Muir Glacier. Scientists, in turn, took advantage of these sightseeing excursions to get themselves and their scientific instruments up close to this glacier, which became in the 1880s and 1890s the most accessible, large, tidewater glacier in North America. Eventually, in the early 1920s, it was scientists who took the initiative to protect Glacier Bay's scenic and scientific values for future generations, and it was sightseers who would largely benefit.

#### John Muir in Glacier Bay

John Muir's role in the history of Glacier Bay was primarily that of explorer and publicist.<sup>1</sup> At the time of his first visit in 1879, Muir had acquired some renown as a naturalist, specialist in glacial geology, and nature writer of the first rank. Although it

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<sup>1</sup>Muir and Young were not the first Americans to visit Glacier Bay. In 1868, the U.S. Revenue Steamer Wayanda under the command of John W. White navigated Icy Strait and Glacier Bay with the guidance of a Russian pilot, Cadin. Chief engineer J.A. Doyle recounted the crew's harrowing experience in Glacier Bay thirty-five years later for the Alaska Boundary Tribunal: "While in Glacier Bay the ship at one time got aground and was for a time in considerable danger from large masses of ice which were floating by. Before the tide arose to release us from our predicament a number of Indian canoes came in sight, and to illustrate to the natives the fact that the ship could still take good care of herself, although temporarily unable to move, a number of shells were fired from the 24-pounder howitzers at the floating icebergs. The bursting of the shells appeared to frighten the people in the canoes, and certainly greatly impressed two native chiefs whom we had taken on board for passage to Sitka." See Senate, Proceedings of the Alaskan Boundary Tribunal, vol. 2, 58th Cong., 2d sess., 1904, Senate Doc. No. 162, pp.474-475. In 1877, Lieutenant C.E.S. Wood, on leave from his ship at Sitka, went goat hunting in the Saint Elias Mountains, crossed into the Glacier Bay basin, and hired some Native seal hunters to transport him back to Sitka by canoe. See Wood, "Among the Thlinkits in Alaska," pp.323-339.

was his campaign for the establishment of Yosemite National Park in the late 1880s that propelled him to the forefront of the preservation movement, Muir was already something of a campaigner, and his primary audience was that small sector of the American public who might be enlisted in the cause of wilderness preservation.

Muir was forty-one years old when he journeyed north to Glacier Bay. His first two trips there in 1879 and 1880 punctuated an important juncture in his life. Shortly before setting out, he was engaged to Louie Wanda of Martinez, California. He married her upon his return, and less than a year later, snatched a second trip to Glacier Bay before the birth of their first child on March 25, 1881. These were the years of Muir's belated domestication, when somewhat to his surprise he was becoming a "proper cultivated plant."<sup>2</sup>

But Muir's purpose in going to Alaska was not simply to vent feelings of ambivalence about the impending changes in his life. It was to learn, indirectly, about his own beloved Sierra Nevada. Muir believed that scientific knowledge enriched one's spiritual communion with nature, yet, almost paradoxically, such knowledge was gained through very personal, sensate experience rather than deductive reasoning and specialization. "Descriptive writing amounts to little more than Hurrah, here's something! Come!" Muir protested. "Nature's tables are spread and fires burning. You must go warm yourselves and eat."<sup>3</sup> In Alaska, Muir wanted to see, touch, and assail living glaciers, whose imperceptible motion he was convinced sculpted and furrowed the earth into spectacular landforms like those of his own Yosemite Valley.

Muir's experiences in Glacier Bay were quintessentially what the National Park Service would aim to provide visitors many years later. The land was at once a kind of school, offering up the most vivid lessons in glacial geology, and a kind of temple, touching Muir in less tangible ways. It also tested him physically, giving him at least two exciting brushes with disaster. What set Muir's experiences apart from the thousands of people who would come later was his unexcelled ability to put them into writing. Muir sent an account of his adventures in installments to the San Francisco Bulletin even before he got back to California. Muir further described Glacier Bay and southeast Alaska in public lectures and magazine articles. Eventually these writings were collected and refined in a book, Travels in Alaska, published in 1915, the last year of his life.

It was one and a half hours north of a tidewater glacier later named the Geikie

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<sup>2</sup>Stephen Fox, The American Conservation Movement: John Muir and His Legacy (Madison, Wisconsin, 1981), pp.64-70.

<sup>3</sup>Ibid, pp.80-81.



(now retreated back into the low mountains above Geikie Inlet) that Muir found the first indelible signs of glacial action. "While camp was being made, I strolled along the shore to examine the rocks and the fossil timber that abounds here," Muir wrote in his naturalist vein. "All the rocks are freshly glaciated, even below the sea-level, nor have the waves as yet worn off the surface polish, much less the heavy scratches and grooves and lines of glacial contour."<sup>4</sup>

Farther up the bay Muir made more close inspections--particularly of the rocky hummock now known as Russell Island that was then just emerging from the glacier's grip--but increasingly his gaze was riveted on the mountains. At their second camp, after a solitary climb in wind and rain, Muir beheld his first expansive view of Glacier Bay--"a solitude of ice and snow and newborn rocks, dim, dreary, mysterious." Here his anticipation mounted as the wild weather teased him with ever greater views, and the school was transformed into the temple. "I held the ground I had so dearly won for an hour or two, sheltering myself from the blast as best I could, while with benumbed fingers I sketched what I could see of the landscape, and wrote a few lines in my notebook. Then, breasting the snow again, crossing the shifting avalanche slopes and torrents, I reached camp about dark, wet and weary and glad."<sup>5</sup> Finally, two days later, while camped at the very head of the bay, the clouds parted and the men witnessed the mountains' "baptism in the down-pouring sunbeams." And in the morning, watching the pink sunlight slowly wash down the snowy mountainsides, Muir found what he had come for. "Beneath the frosty shadows of the fiord," Muir wrote, "we stood hushed and awe-stricken, gazing at the holy vision; and had we see the heavens opened and God made manifest, our attention could not have been more tremendously strained."<sup>6</sup> Young later described the moment: "Suddenly I heard Muir catch his breath with a fervent ejaculation. 'God Almighty!' he said." In the days that followed, Young wrote, Muir came back to this scene again and again. "Muir would break out, after a long silence of blissful memory, with exclamations: 'We saw it! We saw it! He sent us His most glorious exhibition. Praise God, from whom all blessings flow!'"<sup>7</sup>

Muir returned to southeast Alaska the next summer, again picking up Young and three new Tlingit guides in Fort Wrangell. This time they brought Young's mongrel dog,

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<sup>4</sup>Muir, Travels in Alaska, p.144.

<sup>5</sup>Ibid, p.145.

<sup>6</sup>Muir, Travels in Alaska, p.152.

<sup>7</sup>Young, Alaska Days with John Muir, pp.108, 112.

Stickeen. They found Hoonah deserted, the whole village out fishing and hunting. But more confident of their way now, they continued on into Glacier Bay as far as Muir Inlet. "In a few minutes after we landed," Muir wrote, "a huge berg sprung aloft with awful commotion, and the frightened Indians incontinently fled down the fiord, plying their canoes with admirable energy in the tossing waves until a safe harbor was reached around the south end of the moraine." Muir insisted on camping alone at a closer vantage point, "where I could watch the bergs as they were discharged and get night views of the brow of the glacier and its sheer jagged face all the way across from side to side of the channel." They spent a few days there and then headed out of the bay.<sup>8</sup>

Before heading south again, however, they inspected Taylor Bay and the Brady Glacier. It was on this glacier that Muir had a close brush with disaster which gave him the material for his most popular book, Stickeen. The story is about Muir and the dog and their adventurous day on the glacier. In the story's climax, Muir finds his return route cut off on three sides by crevasses, and weather and darkness closing in too quickly to retrace his steps. A perilously thin snowbridge offers the only way across--the most "plain and stern and merciless" alternative Muir ever encountered on his glacier walks, he later said.<sup>9</sup> Muir crosses first, but Stickeen hesitates. Then their eyes meet in a riveting moment of trans-species communication. Stickeen comprehends and comes bravely across. Stickeen was Muir's personal testament of his abiding respect for animals.

Muir's articles and lectures on Glacier Bay probably attracted more interest among tourists than among scientists as steamships began offering excursions up the Inside Passage in the early 1880s. As historian Ted C. Hinckley stated, Muir's "half-booster, half-scholarly articles and talks on Alaska carried the attractions of an Inside Passage vacation into tens of thousands of homes."<sup>10</sup> Muir would return to Glacier Bay twice more in 1890 and 1899, making modest contributions to a growing body of scientific data on the movement of the glaciers. In the meantime, the largest glacier in the bay would be named in his honor and would become the most renowned glacier in North America.

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<sup>8</sup>Muir, Travels in Alaska, p.263.

<sup>9</sup>Fox, The American Conservation Movement: John Muir and His Legacy, p.69.

<sup>10</sup>Ted C. Hinckley, "The Inside Passage: A Popular Gilded Age Tour," Pacific Northwest Quarterly, vol.44 (1965): pp.67-74.

## Marketing the Muir Glacier

The enthusiasm for Alaska's glaciers in the 1880s and 1890s is a striking example of what historian Alfred Runte has termed "monumentalism" in the development of the national park idea. As Americans explored and toured the West in the nineteenth century, Runte contends, they felt a compulsion to compare their country's natural splendors with Europe's famous landscapes and architectural works. They likened rock formations in the Southwest to ancient ruins, the Rocky Mountains to the Swiss Alps, and time-hewn canyons to Europe's cultural antiquities. They touted unique natural features like Yellowstone's geysers and California's giant sequoias as evidence that America made up in scenery what it lacked in monuments. Runte argues that monumentalism influenced how Americans appreciated nature in the nineteenth century. The latent nationalism in this kind of nature appreciation encouraged the creation of national parks.<sup>11</sup>

Glacier Bay's tourists described the scenery in monumental terms. John Muir boasted that all the glaciers of Switzerland could not equal the immense volume of ice that had so recently occupied Glacier Bay. One tourist compared the Muir Glacier to "a great castle whose towers and turrets had fallen to ruin," another to "the workshops and laboratories of the elder gods." The favorite metaphor for the Muir Glacier was "a frozen Niagara." The naturalist John Burroughs wrote of the Muir Glacier: "We realized that here is indeed a new kind of Niagara....Probably few more strange and impressive spectacles than this glacier affords can be found on the continent."<sup>12</sup> The comparison is significant given the fact that preservationists in the nineteenth century pointed to the ugly commercialization of Niagara Falls as a notorious example of what could befall the nation's scenic treasures if they were not protected.<sup>13</sup>

Tourist accounts invariably described the thunderous calving of icebergs into the bay as the most memorable spectacle of all. In the 1880s and 1890s, the Muir Glacier presented an ice wall nearly 300 feet high above the water line and two to three miles across. It was undoubtedly more active then than any tidewater glacier in Glacier Bay today. C. Hart Merriam recorded the scene in his diary on June 9, 1899:

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<sup>11</sup>Alfred Runte, National Parks: the American Experience 2d rev. ed. (Lincoln, Nebraska, 1987).

<sup>12</sup>Ella Higginson, Alaska: The Great Country (New York, 1908), p.219; Maturin M. Ballou, The New Eldorado: Summer Journey to Alaska (Boston, 1891), p.276; John Burroughs et al., Alaska: The Harriman Expedition, 1899 (New York, 1986), pp.36, 42.

<sup>13</sup>Runte, National Parks: The American Experience, pp.5-9.

We arrived a little before 5 p.m., just in time to see the birth of one of the largest icebergs that ever came off from Muir Glacier. The terrible event began by the fall of ordinary ice masses, weighing perhaps a few thousand tons, which in some way disturbed the equilibrium of other and vastly larger masses until it seemed as if a great part of the face of the glacier was sinking into the sea. The huge blocks of ice, 200 ft in height above the water and no one knows how thick below, at first slid & sank gradually, then faster & faster until they shot down with a thundering roar & disappeared under the water, to reappear and rise half their height & disappear again, & then dance and roll & finally shoot out into the current to move steadily down the bay. The wave caused by the first great plunge of the iceberg was one of the most impressive things I ever saw.<sup>14</sup>

The man most responsible for bringing tourists to Glacier Bay in the late nineteenth century was Captain James Carroll. Engaged in the growing commerce of lumber, fish, mining equipment, gold ore, and smuggled liquor between Pacific Northwest ports and southeast Alaska, Captain Carroll sought to add excursionists to the list. He hit upon the idea of marketing sightseeing trips to the huge glacier described by John Muir in Glacier Bay. He obtained a tracing of Captain L.A. Beardslee's chart of Glacier Bay (who had taken the first steamship, Favorite, into the lower part of the bay in 1880), and received advice from Muir that a good route lay up the eastern shore north of the Beardslee Islands that would take him to one of the largest glaciers in the bay. Carroll took passengers there on the steamship Idaho in July 1883, landing a party of tourists on the west shore of the inlet, which, together with the glacier, he named for John Muir. In 1884 he tried taking the sidewheel steamer Ancon to Muir Inlet, but its paddlewheels were "badly smashed" by floating ice. Undaunted, he brought more excursionists in subsequent years, and built a small dock in Muir Inlet and a boardwalk over the moraine to the glacier's surface. Later, Carroll navigated the West Arm, taking the steamship Queen into Queen and Rendu inlets. Carroll demonstrated that large passenger vessels could maneuver in the confining fiords.<sup>15</sup>

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<sup>14</sup>C. Hart Merriam, "1899 Alaska Expedition Journal," June 9, 1899, original in Library of Congress, C. Hart Merriam Papers, box 7, Volume 1, p.48.

<sup>15</sup>Eliza R. Scidmore, "The Discovery of Glacier Bay, Alaska," National Geographic Magazine vol.7 (1896), p.143; Hinckley, "The Inside Passage: A Popular Gilded Age Tour," pp.69-70; Black, "History of Glacier Bay National Monument" pp.24, 28; William O. Field, "Glacier Bay Scientists, 1879-1982," typescript at AHL, William

By 1890, the Pacific Coast Steamship Company had three vessels, George W. Elder, City of Topeka, and Queen, sailing fortnightly from Tacoma and Portland to southeast Alaska during the excursion season of May through September. The package tour included a night in Victoria, followed by twelve days on board the steamer. The highlight of the trip was Glacier Bay where the excursionist came "face to face with Muir Glacier."<sup>16</sup> By the end of the decade, the Alaska Steamship Company's Spokane, Dolphin, and Olympian were also visiting the bay.

The regular steamship service from Northwest ports to Glacier Bay provided unique opportunities for scientific field studies. During the 1880s and 1890s, the steamships brought no less than five prominent scientists in the field of glacial geology. Israel C. Russell devoted a chapter of his book Glaciers of North America (1897) to the Muir Glacier, as did George F. Wright in The Ice Age in North America (1889). Numerous articles featuring the Muir Glacier appeared in National Geographic Magazine and other journals. Just as the tourist traffic to Glacier Bay facilitated scientific research, so too these writings added to the Muir Glacier's renown and attracted more tourists.

### Beginnings of a Scientific Tradition

The early glacier studies were still more important in establishing a scientific tradition in Glacier Bay. Each study contributed to a history of the rapidly changing landscape. This record steadily increased the value of Glacier Bay to future science. Forty years after Captain Carroll took the first steamship into Muir Inlet, Professor William S. Cooper would write that Glacier Bay offered a unique setting for ecological study, due to the rapidity with which plants were recolonizing vast areas laid bare by retreating glaciers, coupled with the "known history of glacier behavior" which made it possible to date various zones of plant growth.<sup>17</sup> Thus Glacier Bay's scientific values

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O. Field Collection, MS 4, box 19/3. Hinckley writes: "Of all the seamen engaged in the Panhandle tourist traffic, Captain Carroll was undoubtedly the most notorious. His reputation for dodging liquor smuggling indictments matched his renown for skirting reefs and shoals. Once when it appeared that the United States might abandon Alaska, he grandiloquently tried to buy the territory."

<sup>16</sup>Ballou, The New Eldorado, p.xiv.

<sup>17</sup>William S. Cooper, "The Recent Ecological History of Glacier Bay, Alaska, III. Permanent Quadrats at Glacier Bay: an Initial Report Upon a Long Period Study," Ecology, vol.4, no.4 (October 1923): p.355.

derived from natural and historical conditions; early scientists did not simply find Glacier Bay to be a valuable place for field study, but made it one. Pioneering studies in the 1880s and 1890s laid the foundation for a vital scientific tradition in Glacier Bay.

Glacial geology was still a young field of science (the term glaciology came into use in 1889). Originating out of an early nineteenth century interest in glaciated landforms, primarily in Great Britain and northern Europe, the new field raised the prospect of a past Ice Age when glaciers had been far more extensive than today. This notion gained general acceptance after the appearance of Louis Agassiz's Etudes sur les Glaciers (1840) and Systeme Glaciaire (1847). The key to the Ice Age theory was Agassiz's demonstration that glaciers move downhill, and will advance or retreat when there is a disequilibrium of ice accumulation at the high end and wasting at the low end. In the second half of the nineteenth century, glacial geologists focused on the problem of glacier movement, debating whether glaciers could slide or flow, and developing special instruments for measuring glacier movement.<sup>18</sup> The earliest field studies of the Muir Glacier followed in this vein, attempting to measure rate of motion by triangulating on stakes placed in a line on the glacier surface.

In the last quarter of the nineteenth century, glacial geologists progressively widened their field of study from the Alps to other parts of the world. Glacial geologists searched on both sides of the Atlantic for Ice Age "horizons," or depositional formations marking the southern margins of successive continental glaciations. They also carried their studies to the far north, particularly Alaska, after discovering that glaciers in high latitudes advanced and retreated more rapidly than glaciers in mid-latitudes. The expanding scope of glacier studies was made possible in part by the development of transcontinental railroads and transoceanic steamships that brought far-flung glaciated areas within reach of most professional geologists.

One such geologist was Professor George Frederick Wright of Oberlin College Theological Seminary, whose interest in glaciers was heightened by the perceived conflict between "the evidence of man's occupancy of the continent during the great ice age...[and] the chronology of the human race supposed to be given in the sacred scriptures."<sup>19</sup> The study of glaciers in the nineteenth century was in fact tinged by a bit of the controversy surrounding Charles Darwin's theory of evolution and the origins of man, a problem that Wright addressed directly in his Studies in Science and Religion (1882). In the course of field research for his study of the Ice Age in North America,

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<sup>18</sup>Bruce Hevly, Professor, University of Washington, telephone communication with author, May 7, 1992.

<sup>19</sup>George Frederick Wright, The Ice Age in North America (New York, 1902), p.xxx.



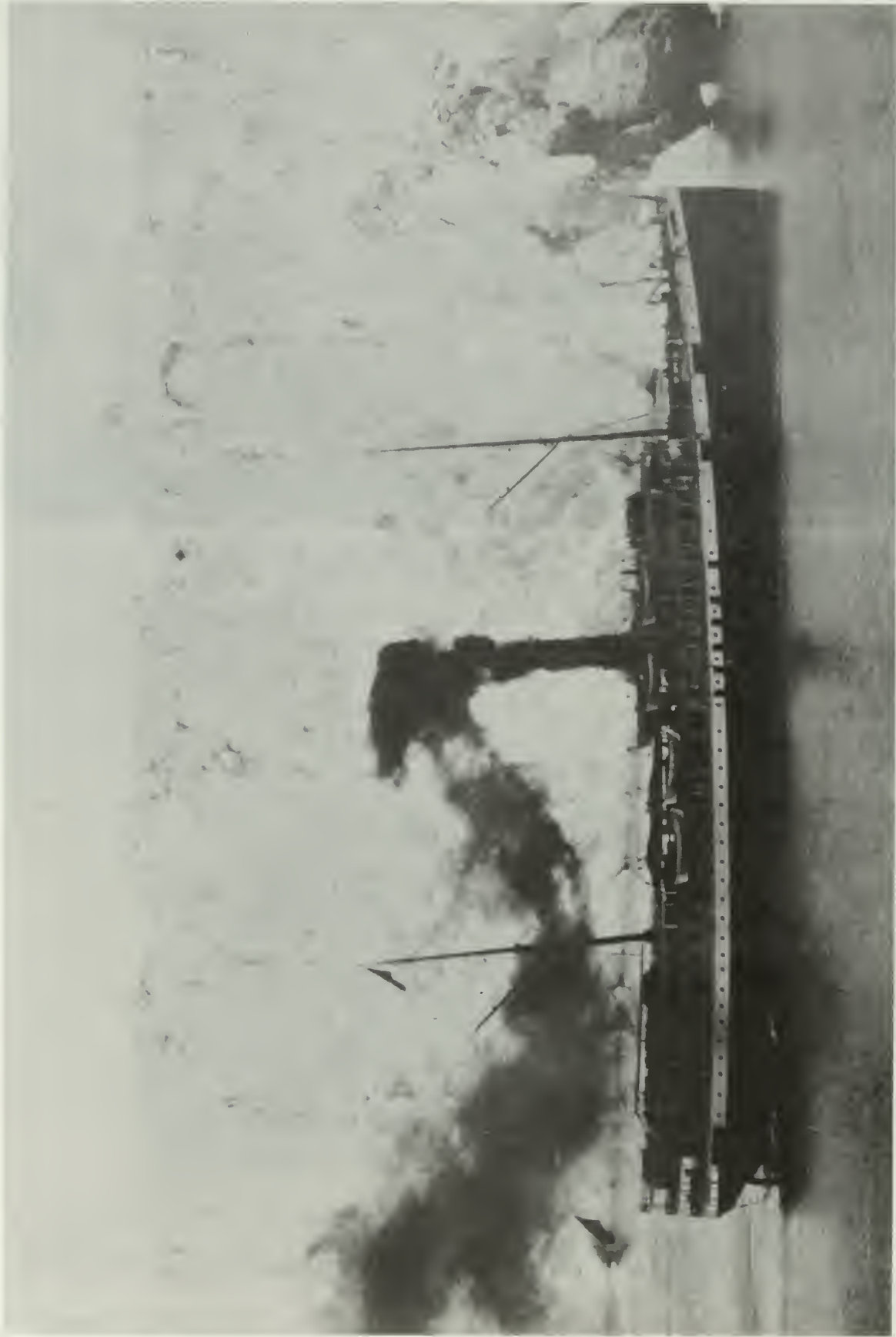
Russell Island (at that time glacier-bound) and the Fairweather Range, drawn by J. A. Fraser in 1879 from a sketch by John Muir.

Century Magazine, June 1895.



John Muir's Glacier Bay cabin, 1890. Left to right are John Muir, H. P. Cushing, C. A. Adams, H. McBride, Harry F. Reid, and R. L. Casement (on roof). Reid and Cushing were faculty members at the Case School of Applied Sciences in Cleveland; the others, save Muir, were their students.

J. F. Morse photo, from Dave Bohn, Glacier Bay; the Land and the Silence, 67.



Steamer Queen at Muir Glacier, c. 1890.

Frank La Roche photo, in Dave Bohn, Glacier Bay; the Land and the Silence, 69.





Glaciologist William O. Field, Jr. first visited Glacier Bay in 1926. He returned at intermittent intervals for decades afterwards. This 1966 photo was taken at Muir Inlet in conjunction with the Glacier Bay Lodge dedication.

Dave Bohn photo, in Glacier Bay; the Land and the Silence, 108.



Dave Bohn (left), in the midst of writing Glacier Bay, the Land and the Silence, spoke to 82-year-old ecologist William S. Cooper in June 1966, fifty years after Dr. Cooper's first observations at Glacier Bay.

Wright spent a month observing Muir Glacier. In 1886, he became the first professional scientist to engage in field work in Glacier Bay, debarking on the east side of Muir Inlet with two companions, two hired Indians, some parcels of scientific equipment, and food for a month. Although they spent half the days listening to the drumbeat of rain on their canvas tents, they worked the other two weeks in brilliant sunshine, with an unobstructed view up Muir Glacier. Initial efforts to measure the rate of motion of the glacier failed because the glacier surface was melting so quickly all their stakes soon toppled over. In the latter two weeks Wright made triangulations on eight jutting ice pinnacles, from which he estimated that the glacier moved seventy feet per day in the center and ten feet on each flank, while the terminus, due to calving of icebergs, held steady. Calculating on the basis of a front wall 5000' wide by 1,000' high (mostly below sea level), Wright estimated that the Muir Glacier discharged 200,000,000 cubic feet of ice into the bay during that August.<sup>20</sup>

Wright's description of the Muir Glacier in The Ice Age in North America (1890) impressed Professor Harry Fielding Reid of the Case School of Applied Sciences in Cleveland. In 1890, Reid sailed on George W. Elder for Glacier Bay, accompanied by his colleague H.P. Cushing and four students, H. McBride, R.L. Casement, J.F. Morse, and C.A. Adams. Arriving at Muir Inlet July 1, 1890, they were surprised to find John Muir already there, having arrived a few weeks earlier on Queen. Muir was recording the glacier's movement in a log. The Reid party set up tents nearby and called the place Camp Muir. Some weeks later Captain Carroll brought Muir some pre-cut lumber for a cabin, which Muir built with the help of the Reid party. During rainy spells that August, Muir took his meals with the Reid party and they used Muir's cabin with its fireplace for passing time out of the weather.<sup>21</sup>

The Reid party measured the glacier's rate of flow with stakes and came up with an estimate about one-fifth that of Wright's. Reid believed the discrepancy could only be explained by an error in one set of data or the other, or by a remarkable change from 1886 to 1890. Reid corresponded with Captain Carroll about the amount of ice in Muir Inlet during these years and satisfied himself that "some undiscovered source of error [had] crept into Professor Wright's observations."<sup>22</sup> The Reid party also made a map of the area.

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<sup>20</sup>Wright, The Ice Age in North America, pp.36-37, 48-51.

<sup>21</sup>Dave Bohn, Glacier Bay: The Land and the Silence (San Francisco, 1967), p.66.

<sup>22</sup>Bohn, The Land and the Silence, p.71.

Reid returned with two assistants in 1892, occupied Muir's cabin for two months, and then accompanied Carroll on his exploratory trip with Queen into the West Arm. Reid explored the area around Rendu Inlet for three days, carefully surveying, mapping, and photographing numerous glaciers for the first time. He described the results from these two expeditions in the U.S. Geological Survey's Sixteenth Annual Report (1896).

The most famous scientific expedition to Glacier Bay was the Harriman Alaska Expedition. Sponsored entirely by the railroad magnate E.H. Harriman, the expedition included Harriman, his wife and children, 25 scientists, three artists, two photographers, and 65 crew. Harriman brought together some extraordinary talent: naturalists John Muir and John Burroughs; C. Hart Merriam, chief of the U.S. Biological Survey; William Dall and Grove Karl Gilbert of the U.S. Geological Survey; George Bird Grinnell, editor of Forest and Stream; and Edward S. Curtis, who was then a young studio photographer in Seattle and would soon be renowned for his portraits of Native Americans. Harriman chartered George W. Elder and had it specially furnished with a lecture hall and library. The ship left Seattle on May 30, 1899, for a two-month cruise of Alaska's waters, its coal bunkers filled and its hold stocked with eleven steers, a brace of horses, numbers of sheep, chickens, and turkeys, and a milch cow. Historian Roderick Nash called it "the most grandiose of all the cruises to Alaska....The Harriman Alaska Expedition marked a high point of nineteenth-century enthusiasm for the American wilderness."<sup>23</sup>

George W. Elder anchored in Glacier Bay for five days while the expedition members broke into small parties and set off on different pursuits. The botanists, zoologists, and ornithologists spent most of their time around Bartlett Cove and Point Gustavus while the geologists, including Muir, Burroughs, Dall, and Gilbert, explored the upper bay. Gilbert presented the geologists' findings in the third volume of the Harriman Alaska Expedition's publications, issued in 1904. Gilbert's brilliant discourse on glacial dynamics, accompanied by Henry Gannett's maps and Curtis's and Merriam's photographs, made this the best volume and most significant contribution to science that the expedition produced.<sup>24</sup> It also marked an expansion of scientific interest in Glacier Bay from glacier motion to glacier recession and the accompanying spread of plant and animal life into newly deglaciated areas. Muir, Wright, and Reid had all remarked upon the phenomenal retreat of the glaciers; now the accumulation of scientific observation

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<sup>23</sup>Burroughs et al., Alaska: The Harriman Expedition, 1899, pp.17-18; Roderick Nash, Wilderness and the American Mind (New Haven, 1982), p.282.

<sup>24</sup>William E. Goetzmann and Kay Sloan, Looking Far North: The Harriman Expedition to Alaska, 1899 (Princeton, New Jersey, 1982), pp.205-206.

over a twenty-year span made it possible to study the process.

### Consequences of the Earthquake of 1899

A series of powerful earthquakes, centered around Yakutat Bay, shook the southern coast of Alaska in September 1899. Although no one was in Glacier Bay to witness them, the jolts apparently weakened Muir Glacier and caused massive calving of icebergs in the days following. Later that month, fishing boats could not reach a salmon saltery at Bartlett Cove for two weeks because the lower bay became so dense with icebergs. When the first steamship Spokane arrived the following summer, the captain encountered such a dense ice pack that he turned back in the area of the Marble Islands, thirteen miles from the Muir Glacier terminus. In subsequent attempts, two captains reached within five miles of the glacier, but hardly close enough to satisfy their passengers.<sup>25</sup>

Consequently, the Alaska Steamship Company began landing tourists on the Davidson Glacier on its ships' runs up Lynn Canal to Haines and Skagway, or offering excursions to Taku Glacier south of Juneau. It promoted Taku Glacier in its pamphlets, even though the reputation of Muir Glacier persisted. A writer for Alaska-Yukon Magazine described how the earthquake had changed the face of Muir Glacier so that it now looked "dead." He then continued, "While Taku Glacier was the better looking of the two, people who had made the long trip from the East were apt to feel that the trip was not quite complete so long as they could see Muir Glacier only from a distance." Nine years after the earthquake, the captain of Dolphin approached within a half mile of Muir Glacier, lowered some boats, and put two dozen tourists ashore, where the appreciative party erected a sign and posed for photographs on the glacier. Despite this stunt, the Alaska Steamship Company never resumed regularly scheduled excursions to Muir Glacier, and the smaller Taku Glacier remained Alaska's most marketed tidewater glacier for the next forty years.<sup>26</sup>

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<sup>25</sup>Bohn, The Land and the Silence, pp.78-79.

<sup>26</sup>Higginson, Alaska: The Great Country, p.219; "Muir Glacier," Alaska-Yukon Magazine, vol.5, no.5 (August 1908), p.362-363; Alaska Steamship Company, "A Trip to Wonderful Alaska," Pamphlet at University of Washington Suzzulo Library Special Collections, 1905, n.p.; Lloyd W. McDowell, Alaska Glaciers and Ice Fields (Seattle, 1906); William Watson Woollen, The Inside Passage to Alaska 1792-1920 (Cleveland, 1924), p.207.

While the earthquake in some respects heightened scientific interest in Muir Glacier, it also showed scientists' dependence on the steamship companies. Without steamship service, they could not get into the bay and had to snatch what information they could from unconventional sources. In 1903, National Geographic Magazine published a letter and sketch map of Muir Glacier provided by C.L. Andrews of Skagway, with a note appended by the geologist G.K. Gilbert. Andrews's map showed the glacier's front had receded two and a half miles from its location in 1899, with an impenetrable ice pack extending out to Garforth Island. Gilbert and Andrews concurred that the earthquake was a "likely cause" of the drastic change in the glacier's appearance.<sup>27</sup> In 1907, Thomas Riggs, Jr., organized the American survey crew for the International Boundary Commission, whose extensive mapping revealed not only the positions of the glaciers, but the general lowering of their surfaces too, revealed by the appearance of "nunataks," or rock outcroppings surrounded by ice.<sup>28</sup>

The major study of Alaskan glaciers undertaken in this period actually passed up Glacier Bay in favor of the glaciers around Yakutat Bay and Prince William Sound. Ralph Tarr and Lawrence Martin received grants from the National Geographic Society for three seasons of field work in 1909-1911. Tarr and Martin were especially interested in the phenomenon of rapid glacial advance, or "surging," that had occurred in several glaciers and appeared to correlate with the earthquake of 1899. It had been suggested that the earthquake had broken up certain glaciers in some way that caused them to surge. Tarr and Martin proposed an alternative theory of "avalanche advance." The earthquake had shaken loose massive accumulations of snow on the mountain flanks which avalanched onto the glaciers' supply zones. The avalanche advance theory posited that the weight from this bombardment of snow, far greater than occurred from abnormally high precipitation, caused some glaciers to surge.<sup>29</sup>

Years later, Maynard M. Miller challenged the avalanche advance theory by showing that incidents of surging did not correlate significantly with the earthquake of

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<sup>27</sup>C.L. Andrews, 'Muir Glacier,' National Geographic Magazine, vol.14, no.12 (1903), pp.441-445.

<sup>28</sup>William O. Field, 'Glacier Recession in Muir Inlet, Glacier Bay, Alaska,' The Geographical Review, vol.37, no.3 (1947), pp.373-374. The most definitive statement of the earthquake's effect was by Fremont Morse, 'The Recession of the Glaciers of Glacier Bay, Alaska,' National Geographic Magazine, vol.18, no.1 (January 1908), pp.76-78: "The primary cause of the changes which have taken place can without doubt be traced to the great Yakutat earthquake of September, 1899....The glaciers seem to have been completely shattered by the shock." Morse was a member of the boundary survey.

<sup>29</sup>Ralph Stockman Tarr and Lawrence Martin, Alaskan Glacier Studies (Washington, 1914), p.vii, 173-180.

1899 after all.<sup>30</sup> But Miller said nothing of the supposed connection between the earthquake and the recession of Muir Glacier. Whether or not the spectacular glacial surges and retreats at the turn of the century resulted from the earthquake of 1899, they started a debate between those who believed large-scale, climatic changes caused glacial advances and retreats and those who saw peculiar, local factors as determining.

### A Second Phase of Scientific Studies

The floating ice unloosed from Muir Glacier by the 1899 earthquake deflected scientific field work away from Glacier Bay for about a decade and a half. Then two scientists, one an ecologist and the other a glaciologist, each began a life-long association with the place that firmly re-established its scientific tradition. These men were Professor William S. Cooper of the University of Minnesota and William O. Field, Jr., of the American Geographical Society. Both Cooper and Field would be influential in defining the purpose of Glacier Bay National Monument.

Cooper traced his love of nature to one boyhood summer spent with his father in the Blue Ridge and Adirondack mountains. During his years as an undergraduate at Alma College in Michigan, he combined a deepening interest in ecology with mountain climbing in the Colorado Rockies and a kind of nature writing that a friend called "strongly reminiscent of that of John Muir." Torn between these different callings, Cooper dabbled in graduate studies at Johns Hopkins University, drifted from botany courses into an elementary geology course taught by the glaciologist Harry Fielding Reid, and transferred to the University of Chicago by way of another mountain climbing trip to Colorado. Twice that year, first while climbing in the Rockies and several months later in Chicago, Cooper suffered from heart troubles. Deciding that the strenuous life was not to be his, he set his course on science.<sup>31</sup>

At the University of Chicago, Cooper studied under Professor Henry Chandler Cowles, whose seminal work on "successional development" in plant communities in the Lake Michigan sand dunes had helped establish the new school of "dynamic" ecology. Together with University of Nebraska ecologist Frederic Clements, whose grassland

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<sup>30</sup>Maynard M. Miller, "The Role of Diastrophism in the Regimen of Glaciers in the St. Elias District, Alaska," *Journal of Glaciology*, vol.3, no.24 (October 1958): pp.292-297.

<sup>31</sup>Donald B. Lawrence, "Memorial to William Skinner Cooper 1884-1978," GLBA, administrative files, file N1433b.

studies proceeded independently yet parallel to his own work, Cowles introduced the concept of successional stages of plant communities leading to a "climax community," or steady state. Cowles discovered a vivid example of this principle on the shifting Lake Michigan dunes, where "a pattern of ecological development in space...paralleled the development of vegetation in time." A person could walk inland from the lake shore and observe, in order, water-tolerant plant communities on the beach, increasing varieties of grasses clinging precariously to the dunes, and finally the edge of the mature oak forest, a climax community, on the far side.<sup>32</sup> Walking his graduate students in their minds' eyes through these dunes, Cowles planted a seed that would eventually germinate in Cooper's study of plant succession in Glacier Bay.

After graduating from the University of Chicago, Cooper traveled to the Canadian Rockies and Alaska with his old climbing companion John V. Hubbard. This trip started him on a search, he later said, "for a situation where vegetational change and development were proceeding so rapidly that they could be studied with fair completeness in the span of a lifetime."<sup>33</sup> Returning to Minnesota, Cooper heard about Glacier Bay from Lawrence Martin. He also read John Muir's Travels in Alaska, published that year. On his second trip to Alaska with Hubbard two years later, Cooper hired a Juneau boat pilot, Captain Thomas P. Smith, and went to have a look. It was 1916; Cooper was thirty-two years old, beginning his second year on the faculty of the University of Minnesota.

Cooper later described his first expedition to Glacier Bay as "exceedingly modest." He and Hubbard used so much of their limited funds getting there that they had only ten days to explore. They managed to crowd a lot of work into the long summer days, however, "because of the rapidity of travel by water, the accessibility of many of the important localities, and the ease with which great stretches of mountainous shores [could] be surveyed." They visited and photographed every inlet and glacier except Johns Hopkins, gathering important data for the area's glaciology. For his own purposes, Cooper established nine permanent one-meter quadrats in three sites of varying distance from the glaciers. His intention was to resurvey the quadrats at five-year intervals in

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<sup>32</sup>Donald Worster, Nature's Economy: The Roots of Ecology (San Francisco, 1977), p.207. Emphasis is Worster's.

<sup>33</sup>William S. Cooper, "The Recent Ecological History of Glacier Bay, Alaska: I. The Interglacial Forests of Glacier Bay," Ecology, vol.4, no.2 (April 1923): p.94.



order to make a close study of changing soil and plant composition.<sup>34</sup> Explaining the scientific importance of Glacier Bay in Ecology, Cooper wrote:

Since 1879 the changes in position of the various ice fronts have several times been accurately mapped, and the geology and especially the recent glacial history have been well worked out. We thus have a continually expanding territory, quite fresh, exposed to plant invasion, and upon it we find the successive developmental stages displayed in definite logical order, from pioneers to climax. Moreover, because of the careful work of the geologists, we may lay our finger, so to speak, upon certain points where the length of exposure since the ice covering disappeared (subaerial age) is accurately known. Finally, invasion and development are sufficiently rapid so that noticeable changes take place within a period of five years.<sup>35</sup>

Cooper delivered a paper to the Ecological Society of America after his second trip to Glacier Bay in 1922. From this proceeding sprang the idea of preserving Glacier Bay in some kind of public reserve. Cooper headed the committee that brought this idea to fruition with the establishment of Glacier Bay National Monument in 1925 (see Chapter Three).

The national monument provided a great, outdoor laboratory not only for ecologists but for glaciologists in the tradition of Reid and Gilbert. During the next half-century, the central figure in glacier studies in the national monument was William O. Field, Jr. Field started his long association with Glacier Bay in 1926 at the age of twenty-two, the summer he graduated from Harvard University. With two classmates, he went to Alaska and chartered the motor vessel Eurus, skippered by Paul Kegel of Juneau, for a two-month trip to Glacier and Lituya bays. The trip was inspired by Field's reading of Reid, Gilbert, Martin, and Tarr, and the idea that "a party of youthful amateurs with no formal training in the science of glaciology" could make a contribution by photographing the glaciers from the same vantage points as appeared in these reports. The three young men poked into nearly every inlet of the bay, climbed up to the Brady Icefield, and rowed a skiff the last ten miles up Muir Inlet, zigzagging through the ice

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<sup>34</sup>William S. Cooper, "Remarks at Dedication of Lodge at Bartlett Cove, Glacier Bay, Alaska," June 4, 1966, GLBA, administrative files, file N1433b; Cooper, "The Recent Ecological History of Glacier Bay, Alaska: I. The Interglacial Forests of Glacier Bay," Ecology, vol.4, no.2 (April 1923): p.94.

<sup>35</sup>Cooper, "The Recent Ecological History of Glacier Bay, Alaska: I. The Interglacial Forests of Glacier Bay," pp.93-94.

pack in rain and heavy mist. "In retrospect," Field would later write, "it seems incredible that more features...were not photographed. Mostly it was inexperience on our part in not appreciating what would be of interest in the future, but also partly due to the weather, which for most of the time was stormy and in other ways very unsatisfactory for photography." After that, he always made liberal use of his camera.<sup>36</sup>

Like Cooper, Field intended to return to Glacier Bay in approximately five-year intervals to document the changes. He received strong encouragement in this endeavor from Reid and Martin. He made field trips to Alaska in 1931 and 1935, the latter with Cooper. In 1940, he joined the staff of the American Geographical Society, served in World War II for three years with the photographic branch of the U.S. Army Signal Corps, and returned to become head of the Society's Department of Exploration and Field Research in 1947. Over the next twenty years, Field became a major force in glaciology. He continued his field trips to Glacier Bay and other parts of Alaska, amassing a collection of photographic data that eventually filled four volumes. Even more importantly, he coordinated and integrated multidisciplinary research projects and oversaw the development of a world data center for glaciology.<sup>37</sup>

If a single theme runs through Field's work on Glacier Bay, it is his hope that a fuller understanding of the complex pattern of glacial advances and retreats might eventually yield important insights into long-term climatic change. Field repeatedly cautioned that the study of glacier behavior in the Glacier Bay area was "still in a preliminary stage."<sup>38</sup> Most of what was known had to do with the terminal parts of the glaciers. The real key, Field argued, would be found above the snowline in the accumulation areas.

Cooper and Field both committed themselves to long-term studies in Glacier Bay even in the face of significant logistical problems. Their work formed a bridge from the pioneering studies by Muir, Wright, Reid, and Gilbert to the modern period of scientific research which began in the 1960s under the auspices of an established National Park Service presence. Without their efforts, it is not at all certain whether Glacier Bay would have been dedicated to the advancement of science.

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<sup>36</sup>William O. Field, "Visit to Glacier Bay, 1926," typescript at GLBA, administrative files, file N3031, June 1982.

<sup>37</sup>J. Thomas Ritter to Area Director, October 4, 1976, and clipping from News Bulletin of the Glaciological Society, December 1966, GLBA, administrative files, file N3031.

<sup>38</sup>William O. Field, Jr., "Observations of Glacier Variations in Glacier Bay, Southeastern Alaska, 1958 and 1961," (preliminary report), photostat at GLBA, library collection, June 1964, p.1.

## CHAPTER III

### PRESERVING A LABORATORY AND A LANDSCAPE

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In December 1922, Dr. William S. Cooper, assistant professor of botany at the University of Minnesota, presented the early fruit of his long-term Glacier Bay study to his colleagues at the annual meeting of the Ecological Society of America in Boston. In the discussion following his talk, the idea developed that Glacier Bay ought to be preserved as a reservation of some sort and that a committee ought to be formed to consider a course of action. Cooper would later insist with characteristic modesty that the proposal to form that committee came from Barrington Moore, a consulting forester and former president of the Ecological Society, and that "Barrington Moore is thus to be credited with initiation of the project which attained success three years later."<sup>1</sup> But more importantly, the Ecological Society appointed Cooper to chair the committee, and asked him to report the committee's recommendation at the Society's next annual meeting. With this appointment, Cooper commenced his role as founder and patron of Glacier Bay National Monument.

Cooper admirably personified what historian Stephen Fox has described as the "radical amateur" in the American conservation movement. Radical amateurs dedicated time, money, and emotional fervor to their cause as an adjunct to their professional careers. They held themselves aloof from government agencies or salaried positions in conservation organizations. Fox calls them radical because they exuded independence and integrity. "Unhampered by bureaucratic inertia or a political need to balance constituencies and defend old policies, they served as the movement's conscience." Working in tandem with professional conservationists, the radical amateurs provided "flexibility, vision, innovation, honesty, and zeal...in the tradition of John Muir." It is Fox's contention that radical amateurs were "the driving force in conservation history."<sup>2</sup>

This overstates the case. Cooper's vision of a nature preserve at Glacier Bay, like most conservation measures originating with the radical amateur tradition, would be blunted by opposition groups and only partially fulfilled. Conservation measures usually involved multiple federal agencies, whose professional staff provided the time and

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<sup>1</sup>William S. Cooper, "Remarks at Dedication of Lodge at Bartlett Cove, Glacier Bay, Alaska," June 4, 1966, typescript at GLBA, administrative files, file N1433b.

<sup>2</sup>Fox, The American Conservation Movement: John Muir and His Legacy, p.333.

expertise to shape and implement the radical amateurs' proposals. Often, as was the case with the establishment of Glacier Bay National Monument, a conservation measure entailed negotiation and compromise between sister agencies in the Department of the Interior, whose officials were used to serving particular constituencies and economic interests. In this process the radical amateurs were peripheral, the professional bureaucrats central to decision-making.

The Park Service was less than a decade old and still a small agency when the Ecological Society of America made its proposal. The NPS did not have the field staff in southeast Alaska nor the control of local information that either the General Land Office or the U.S. Geological Survey possessed. For information it relied on other agencies and the radical amateurs. The small size of the Park Service put its officials at a distinct disadvantage in negotiations with other federal officials over the boundaries of the new national monument and the disposition of the mineral resources therein.

### The Campaign for a National Monument

The Ecological Society's committee on Glacier Bay comprised Cooper, Moore, Robert F. Griggs, and Charles C. Adams. It was Griggs's idea to campaign for the establishment of a national monument rather than a national park, as the former could be created by presidential proclamation while the latter required an act of Congress. "In the first case," Griggs wrote, "it is necessary only to convince one man of the advisability of the action, while in the second six hundred, more or less, must be converted to the idea." Griggs noted that Congress could later redesignate the area a national park.<sup>3</sup>

This was a tactical choice. The committee did not enter into the contemporary debate over what really distinguished the two. Superintendent of National Parks Robert B. Marshall had said in 1917 that the main difference between a national monument and a national park was that the former was merely protected from encroachment by private interests, while the latter was in process of development by roads, trails, and hotels for the vacationing public. Others, including Horace Albright, the second director of the Park Service, thought that national monuments and national parks were "practically

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<sup>3</sup>William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., p.4. Griggs had recently assisted in the establishment of Katmai National Monument. Griggs originally thought Katmai should be a national park, but was persuaded by the Park Service's Horace Albright that a monument was easier to implement.

identical."<sup>4</sup> Still another view emphasized the reference in the Antiquities Act to the president's prerogative to establish national monuments for the protection of historic and prehistoric features and "other objects of scientific interest." Although Glacier Bay's scientific interest would figure prominently in the Ecological Society's proposal, the committee did not fix on national monument designation for this reason. The committee members seemed to have in mind that there was no significant difference between a national park and a national monument other than status, and Congress could later upgrade a national monument to national-park status.

Another tactical decision, and one which demonstrated that the committee was more pragmatic than radical, was the solicitation given to mining interests in the area. Cooper asked for opinions from geologists Harry Fielding Reid, Lawrence Martin, J.B. Mertie, Jr., all of whom had personal knowledge of Glacier Bay, and Alfred H. Brooks, who had traveled widely in Alaska and was chief Alaskan geologist of the U.S. Geological Survey. Of the four, Brooks was probably most concerned about Glacier Bay's mineral potential, but he did not yet raise any strong objections. Cooper characterized their responses as "all more or less favorable." When Cooper recommended approximate boundaries for the monument, he offered two alternatives: a minimum area encompassing the entire Glacier Bay drainage including the Gustavus forelands, or if politically feasible, everything from the outer coast to Lynn Canal. He noted that the Treadwell Mining Company was prospecting around Lituya Bay on the outer coast, "which might produce difficulties."<sup>5</sup>

The Ecological Society adopted this same moderate approach after hearing the committee's report at the next annual meeting in Cincinnati. The society passed a resolution urging the establishment of a national monument "for permanent scientific research and education, and for the use and enjoyment of the people." The society based its argument on five principal criteria: the unique and awe-inspiring spectacle of tidewater glaciers, the accessibility of those glaciers to ordinary travel, the scientific interest associated with glacier recession and ecological change, the magnificence of the coastal forest and its relationship to ecological studies in the Glacier Bay drainage, and the uselessness of the area for Alaska's economic development. The last point was key: preservation would not impair economic growth. The society sent copies to President Calvin Coolidge, the secretary of the interior, the director of the National Park Service,

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<sup>4</sup>John Ise, Our National Park Policy: A Critical History (Baltimore, 1961), pp.154-155.

<sup>5</sup>William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., p.5

the secretary of the Smithsonian Institution, and the governor of Alaska.<sup>6</sup>

Perhaps the Ecological Society's pragmatic, businesslike approach was realistic, given the importance of mining in Alaska's economy. (Congress, which created Mount McKinley National Park in 1917, allowed prospecting and mining within its boundaries.) The society's negative argument that the land was useless for any other purpose merely echoed the rhetoric of congressional debate on most national park bills. This was a political pattern that historian Alfred Runte has dubbed the "worthless lands" justification for creating national parks.<sup>7</sup> Nevertheless, the weakness of this approach for Glacier Bay National Monument soon became manifest, for it invited opponents of the monument to make geologic surveys of the highly mineralized shoreline areas of the bay which were likely to contain valuable ore. Mining companies were reluctant to undertake such an effort for themselves, but they had a powerful ally in the federal government, the U.S. Geological Survey. There was some irony in this, since both the Geological Survey and the Park Service were under the Department of the Interior. But it was hardly the first time that the Park Service found itself at cross purposes with a sister agency.

Mineral development was central to the federal government's plan for making the territory of Alaska worth the cost of administration. Following the chaotic years of the Klondike gold rush, mineral development proceeded more cautiously, with considerable help from the federal government. Alfred H. Brooks of the U.S. Geological Survey had been supervising a staff of field geologists and topographers in Alaska since 1898. In 1923 he had ten parties engaged in mineral investigations and surveys throughout the territory. "The need of geologic surveying as a basis for industrial development," he wrote in that year, "is so generally recognized that it requires no argument. It is especially important in new lands, however, to furnish the scientific facts on which to assure an orderly industrial development, and to avoid the hit or miss policy which has been so often disastrously employed."<sup>8</sup>

Hard-rock mining of gold ore accounted for most of Alaska's mineral production through 1924. By far the largest producer in the territory was the Alaska Juneau Gold Mining Company, whose workings honeycombed Mount Juneau within walking distance of the territorial capital. Other companies operated mines on Chichagof and Admiralty

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<sup>6</sup>Ibid, pp.7-8.

<sup>7</sup>Runte, National Parks: The American Experience, passim.

<sup>8</sup>U.S. Department of the Interior, Geological Survey, Mineral Resources of Alaska, Bulletin 773, by A.H. Brooks et al. (Washington, 1925), pp.63-65.

islands, and in the mining districts around Sitka and Ketchikan. In the immediate vicinity of Glacier Bay prospectors had already staked claims on Lemesurier Island in Icy Strait, and Francis Island in the bay itself. Placer mining in the early 1920s still accounted for a considerable part of Alaska's mineral production, too. A small community of placer miners worked the beach sands on the coast north and south of Lituya Bay from 1915 to 1917. Each heavy storm brought a fresh inundation of gold-bearing sand, which had to be recovered quickly before the tides sucked it out to sea.<sup>9</sup>

When Alfred Brooks heard from Cooper about the Ecological Society's resolution, he wrote back: "I do not think it is possible or advisable to establish a park in Alaska from which the prospectors are shut out."<sup>10</sup> Brooks sent his man in southeast Alaska, A.F. Buddington, to examine Glacier Bay. Buddington talked to prospectors on Lemesurier and Francis islands, and, on the basis of their information and a few assays of some quartz veins, he reported molybdenum, silver, and gold in the area.<sup>11</sup>

While the U.S. Geological Society positioned itself to lead opposition to the national monument, the Ecological Society enlisted strong support from conservation organizations. The society had a ready vehicle for this effort in its Committee on Preservation of Natural Conditions, which maintained a list of scores of conservation groups spread throughout the nation. The society obtained a most important endorsement for its proposal from the Council on National Parks, Forests, and Wild Life at the council's meeting in New York on March 4, 1924. The council comprised representatives from twenty-eight large organizations and often came to the defense of national parks by organizing letter-writing campaigns and by lobbying congressmen. Eventually the Ecological Society received letters from more than eighty groups reporting that they had conveyed their support for a national monument to the

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<sup>9</sup>U.S. Department of the Interior, Geological Survey, Mineral Industry of Alaska in 1924 and Administrative Report, Bulletin 783-A, by Philip S. Smith (Washington, 1926), pp.4-12; U.S. Department of the Interior, Geological Survey, Mineral Investigations in Southeastern Alaska, Bulletin 783-B, by A.F. Buddington (Washington, 1926), pp.55-56; U.S. Department of the Interior, Geological Survey, Notes on the Geography and Geology of Lituya Bay, Alaska, Bulletin 836-B, by J.B. Mertie, Jr., pp.117-135.

<sup>10</sup>Quoted in W.C. Mendenhall to John W. Troy, May 16, 1935, NAAR, M-939, roll 276.

<sup>11</sup>U.S. Department of the Interior, Geological Survey, Mineral Investigations in Southeastern Alaska, Bulletin 783-B, by A.F. Buddington (Washington, 1926), pp.55-56.

Department of the Interior.<sup>12</sup>

With rumblings of dissent coming from the U.S. Geological Survey, however, Secretary of the Interior Hubert Work informed Cooper that he would not recommend proclamation of a national monument to President Coolidge until the area had been surveyed by an official of the Interior Department. Such a study would assess the necessity for a national monument and recommend boundaries. (Secretary Work did not inform Cooper that the study would be performed by a man with an eye for mining prospects, though Cooper probably guessed as much.) In the meantime, Work asked the President to sign an executive order making a temporary withdrawal of the area from land entry pending the Department's study. The withdrawn area essentially conformed to the larger boundaries proposed by Cooper. It extended from the outer coast all the way to the west shore of Lynn Canal.<sup>13</sup>

The withdrawal, announced on April 1, 1924, brought loud protests from the citizens of southeast Alaska. Chambers of commerce in Juneau, Haines, and other communities sent letters to the Coolidge administration denouncing the proposed national monument and pointing out the agricultural and mineral potential of the lands. Homesteaders in the Gustavus forelands area wrote: "Your petitioners have located their homesteads and toiled for years in anticipation that settlers would gradually enter and develop this great scope of rich farming country." The withdrawal, they declared, "would blight all such hopes."<sup>14</sup> The editor of the Alaska Daily Empire branded the withdrawal "a monstrous crime against development and advancement." The editor ridiculed the concept of protecting glaciers that "none could disturb if he wanted," and holding good timber and agricultural lands for "the study of plant and insect life." He ended by railing against the "conservation faddists" who were behind the government action.<sup>15</sup>

Cooper wrote a long reply to this editorial. His letter is significant not for its

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<sup>12</sup>"Glacier Bay, Alaska, Temporarily Withdrawn from Entry," Ecology, vol.5, no.2 (April 1924), p.223; "Council on National Parks, Forests, and Wild Life," Ecology, vol.5, no.2 (April 1924): p.185; William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., p.9.

<sup>13</sup>William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., pp.10-11.

<sup>14</sup>John M. Kauffmann, "Glacier Bay National Monument Alaska: A History of its Boundaries," typescript at ARO, administrative files, file H14, 1954, p.5.

<sup>15</sup>Alaska Daily Empire (Juneau), April 28, 1924.



intended effect on Alaskan opinion so much as for its expression of Cooper's vision for Glacier Bay National Monument. Cooper emphasized two points from the Ecological Society's resolution--glaciers and the mature forest. Of the latter, he wrote:

The time is not far distant when, due to destruction, and proper use as well, our forests will have lost their primeval significance. We have no desire to lock up permanently the forest resources of the country, but only to reserve a few small areas so that our children may enjoy the beauties of nature untouched by men. It may be argued that the forest reserves accomplish this end, but the purpose of the forester is to conserve the timber supply, allowing cutting under proper safeguards, and this will inevitably involve serious disturbances of natural conditions.

Cooper then linked the importance of glaciers and forest together:

The Glacier Bay region is uniquely fitted for the purpose of such a reservation because it presents great variety in its forest covering; mature areas, bodies of youthful trees that have become established since the retreat of the ice, and great stretches, now bare, that will become forested in the course of the next century. Such an undisturbed forest makes an essential part of the setting of the chief features, the glaciers. The glaciers themselves can hardly be harmed, but the forests can very easily be ruined.

Cooper also argued for the national monument on the basis of economics, suggesting that future tourism in Glacier Bay would bring money into Juneau's economy. "Hotels on the shores of lower Glacier Bay, motor boats carrying visitors to its many points of interest. Why not? Is this fantastic?"<sup>16</sup>

About this time Cooper began to entertain doubts about the size of the temporary withdrawal. In his letter to Alaskans he maintained that the area had been "purposely and rightly, made large, in order that no essential feature should be omitted." But in June he wrote to the Department of the Interior that the east slope of the Chilkat Range along Lynn Canal, the Gustavus forelands, and the Lituya Bay area should all be

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<sup>16</sup>William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., pp.14-15.

excluded if it would otherwise "cause injustice to the settlers."<sup>17</sup> By then, Cooper apparently knew who the Interior Department had selected to survey the area, and the choice did not augur well for the national monument.

The man that Secretary Work sent to Glacier Bay was George A. Parks. Shortly to be appointed Alaska's next territorial governor, Parks had been in the territory since 1907 working for the General Land Office. He began his career as a field agent surveying coal claims, and had recently been appointed assistant supervisor of surveys for Alaska. Knowledgeable about Alaskans' attitudes toward land and the federal government, Parks knew how to recognize potential mineral and agricultural areas when he saw them.<sup>18</sup>

Parks canvassed homesteaders, fox farmers, miners, and foresters about the natural resources contained in the area. His report, submitted in August 1924, consisted largely of an inventory of the area's economic potential according to the most liberal estimates. The boundaries of the temporary withdrawal embraced about one-tenth of the land area of southeast Alaska and practically all of the public domain in that region outside of the Tongass National Forest. Some four billion board feet of marketable timber stood along the 600 miles of shoreline. There were numerous islands within Glacier Bay which were suitable for raising foxes for the fur market; some were already developed. The area contained several patented homesteads, mining claims, canneries, fish traps, and Native allotments. The Gustavus forelands contained the only large area of agricultural lands in southeast Alaska, estimated roughly at 90,000 acres. The federal government had already surveyed about a quarter of that and was actively "extending wagon roads through this land to aid in its development." The creation of a national monument would be tantamount to confiscation of these inholdings, Parks argued, because they would be rendered valueless if the communities could not grow and obtain schools, transportation links, and mail delivery.

Parks spoke for prevailing Alaskan opinion when he concluded that the area did not merit preservation as a national monument in any case because human activity could not deface glaciers. Such was the limitation of monumentalism as a basis for preservation. The Ecological Society's slightly more subtle assertion of biological values failed to make much impression. Parks concluded that the "glaciers and other objects of interest," if they must be preserved in a national monument, could be segregated from the areas that were "potentially very valuable for future development." He proposed a

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<sup>17</sup>Ibid, pp.13-16.

<sup>18</sup>Alaska Daily Empire (Juneau), February 16, 1925.

boundary that enclosed the East and West Arms of Glacier Bay and the surrounding drainage, but omitted all of Glacier Bay from Geikie Inlet and Mount Wright to Icy Strait, as well as the far slopes of the flanking Fairweather and Chilkat ranges.<sup>19</sup>

After Parks submitted his report, it was clear to Cooper that the Coolidge administration's final decision on the national monument was near at hand and probably depended on another concerted effort by conservation organizations to tip it in favor of preservation. The Ecological Society's Committee on Preservation of Natural Conditions launched a second letter campaign, which brought the biggest flood of support for a new national monument or park that Park Service officials had ever seen. This support was vital in buttressing Park Service representatives as they met with their counterparts from the much more powerful Forest Service and Geological Survey. Using Parks's restricted boundaries as a basis for negotiation, the agencies worked it out in closed conferences with Alaska Territorial Delegate Dan Sutherland during December 1924.<sup>20</sup>

The Geological Survey posed the greatest challenge, opposing any reservation that would prohibit mining. Sutherland offered to introduce a national-park bill in Congress specifically authorizing mining, as in Mount McKinley National Park. Chief Forester William B. Greeley proposed the creation of a national monument or recreation area under Forest Service jurisdiction. The Park Service stood firm against all of these proposals. Cooper and his three fellow committee members perceived a stalemate, and went to Assistant Secretary Edward C. Finney on January 2, 1925 "in a state of complete discouragement." To their surprise and relief, Finney intimated that Secretary Work would recommend to the President the establishment of a national monument with mining prohibited. Immediately after this conference, Finney informed the Park Service of the coming proclamation.<sup>21</sup>

Cooper made one last appeal for the preservation of some mature forest within the national monument. On January 8, he wrote to the Department of the Interior that the Ecological Society was "exceedingly desirous" that the national monument include an area south of Mount Wright "for the preservation of certain features of great scientific interest, and for the provision of a suitable site for future administrative headquarters."

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<sup>19</sup>John M. Kauffmann, "Glacier Bay National Monument Alaska: A History of its Boundaries," typescript at ARO, administrative files, file H14, 1954, p.8.

<sup>20</sup>William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., p.17. No minutes of these meetings survive in the Park Service's early files on Glacier Bay National Monument held in the National Archives.

<sup>21</sup>Ibid, pp.17-18.

This letter succeeded; President Coolidge's proclamation of Glacier Bay National Monument on February 26, 1925 described a boundary that followed Parks' recommendation, with the addition of the Beartrack Creek drainage and all the shoreline area between.<sup>22</sup>

The President's proclamation offered substantially the same purposes for the national monument as were expressed in the Ecological Society's resolution. The scenic values and accessibility of Glacier Bay were combined in the first clause; the second clause alluded to successional stages of forest covering; the third clause noted its scientific importance for glaciology and ecology; and the fourth clause, added by the Department of the Interior, cited the area's "historic interest having been visited by explorers and scientists since the early voyages of Vancouver in 1794, who have left valuable records of such visits and explorations."<sup>23</sup> Possibly this last clause was intended to underscore Glacier Bay's scientific tradition, but more likely the phrase "historic interest" was chosen to stake the President's proclamation more squarely within the bounds of the Antiquities Act.

Cooper and others who had worked hard in the campaign could take pride in their accomplishment. The boundaries, though disappointingly constricted, were perhaps the best that could be achieved on behalf of science and monumentalism. Monumentalism emphasized the gargantuan physical features of Glacier Bay to the detriment of biological diversity. The needs of science were somewhat more inclusive, but science then did not command the respect in American society that it holds today. It was unusual that scientific values were noted by the proclamation at all. The establishment of Glacier Bay National Monument in 1925 was fundamentally a compromise between preservationists and developers.

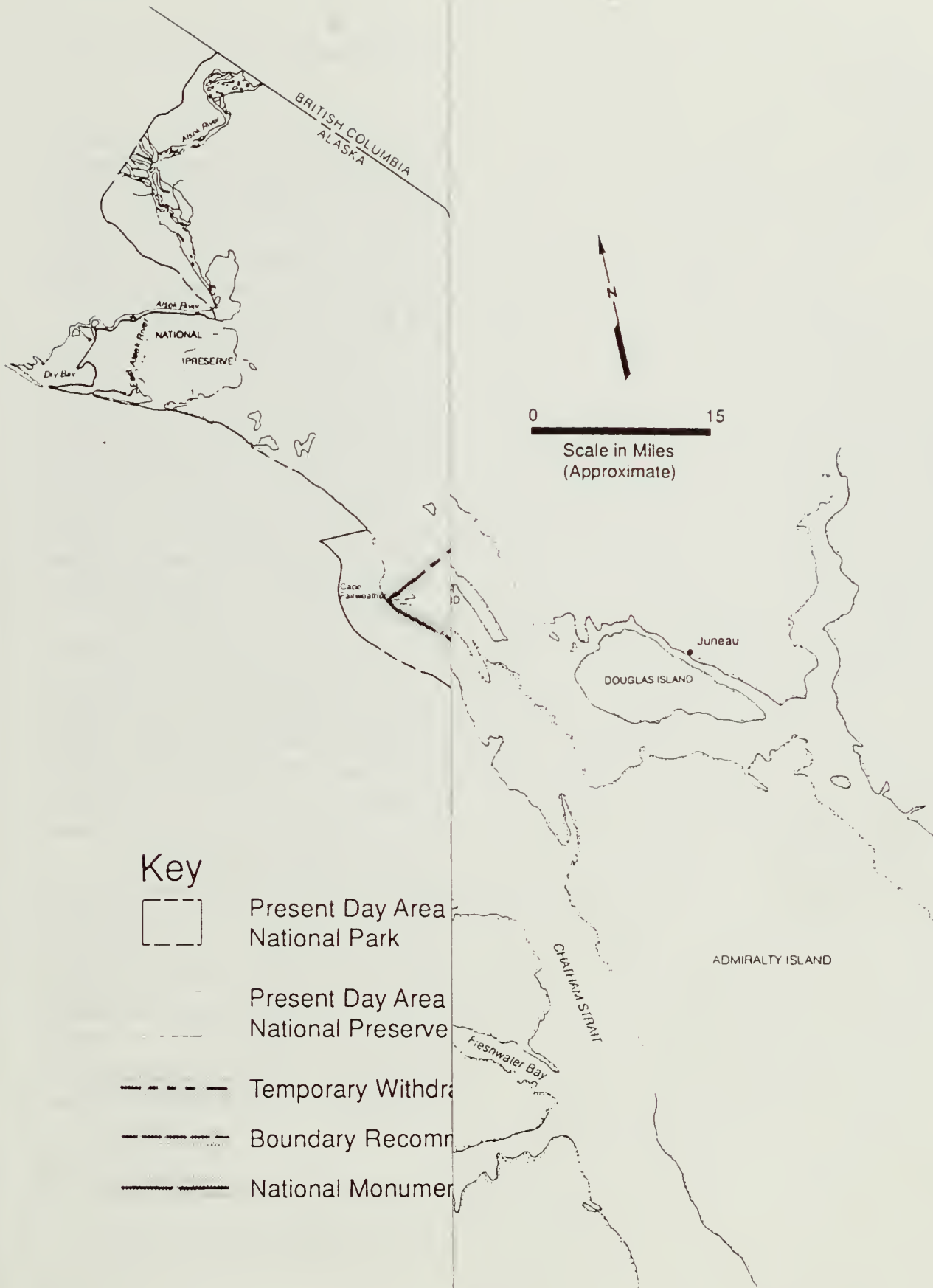
### A Refinement of Conservation

If George Parks had intended to screen every last economic enterprise from the national monument in his survey of 1924, the General Land Office soon heard that he had missed one. Possibly the lone enterprise sprouted inside the proposed monument shortly after Parks conducted his field survey, for Joe and Muz Ibach, residents of

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<sup>22</sup>John M. Kauffmann, "Glacier Bay National Monument Alaska: A History of its Boundaries," typescript at ARO, administrative files, file H14, 1954, pp.10-11.

<sup>23</sup>See appendix for full text.







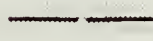
BRITISH COLUMBIA  
ALASKA



0 15

Scale in Miles  
(Approximate)

Key

-  Present Day Area National Park
-  Present Day Area National Preserve
-  Temporary Withdrawal
-  Boundary Recommendation
-  National Monument



Lemesurier Island in Icy Strait, went prospecting for gold some time during the early summer of that year in Reid Inlet. About 2,000 feet above the Reid Glacier terminus Joe struck a gold-bearing vein. Farther up the valley at 1,000 feet elevation he struck another.<sup>24</sup> The Ibachs staked their claims and registered them later that summer, uninformed by the clerks in the Land Office that the area had been temporarily withdrawn from entry by President Coolidge's executive order of April 1, 1924.

After Glacier Bay National Monument was established, the Ibachs learned that they could not work their claims. "If I moved a stone or stuck a pick in the ground, they said I'd be defacing the park and it would constitute a trespass," Joe Ibach later complained. At the same time, the mining law required them to do \$100 assessment work every year to maintain their claims. The Ibachs wrote Alaska's territorial delegate, the Department of the Interior, and other agencies, but they could not get their title assured. Finally the Ibachs bought a small, gasoline-powered portable stamp mill, built a shack for it on Lemesurier Island, and began bringing ore out of Reid Inlet by the sackful. "Muz and I steal off up there when we can and bootleg the ore out, like a couple of burglars. Our own ore! Imagine it!" Joe told his friend Rex Beach.<sup>25</sup>

Rex Beach was a popular writer of Alaskan adventure stories who lived in Florida. Joe Ibach had met Beach thirty years earlier on a bear hunt in southern Alaska. According to Beach, the friendship lapsed until one day in 1935 Beach received an invitation from the Alaskan prospector to come renew their acquaintance, publicize the Ibachs' story, and get the national monument opened to mining. In view of Beach's subsequent lobbying efforts and financial investment in Joe Ibach's claims, however, it seems likely that Beach was grubstaking Joe all along. Curiously, no one ever questioned Beach's motivation for diving precipitously into the politics of conservation.

Beach left his Florida home in 1935, traveled to Juneau, and chartered a seaplane to Lemesurier Island. Talking with Joe and Muz, Beach hit upon the idea of putting Glacier Bay National Monument at the tip of a much bigger scheme to ameliorate the Great Depression. "My idea was to set the thing up as a relief project," Beach wrote, "aimed primarily at young men, and offer a sort of government grubstake to able-bodied industrious young fellows who wished to become miners." Elaborating on his plan to Alaska Governor John W. Troy a short time later, Beach suggested that U.S. Army pilots could photomap Alaska as part of their flight training, the Geological Survey could then analyze the aerial photos, and the government could direct prospectors to the most likely

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<sup>24</sup>Bohn, The Land and the Silence, p.87.

<sup>25</sup>Rex Beach, Personal Exposures (New York, 1940), p.241.

gold-bearing streams. For an economy burdened by overproduction in both the manufacturing and agricultural sectors, Beach argued that gold was the ideal commodity to get things moving again. Glacier Bay, because of its marine access, would be the most advantageous place to begin the relief effort.<sup>26</sup>

Beach tried to stir interest among merchants, mining companies, and newspapers in Juneau, and, after returning to Florida, peddled his idea to Cosmopolitan. There was a gold rush in Alaska waiting to happen, Beach argued in the popular magazine, and all it needed was a helping hand from the government. After Beach's story came out, Alaska Delegate Tony Dimond introduced a bill in Congress to open the monument to mining. Assistant Secretary of the Treasury L.W. Robert invited Beach to discuss the plan in his office with Dimond and Philip Smith, Alaska chief of the U.S. Geological Survey. Smith stated that his agency would indeed be able to make effective use of aerial photographs.

Beach thought these men were jumping on his bandwagon; more accurately, they saw Beach's article in Cosmopolitan as a hook for reversing the decision of eleven years earlier on mining in Glacier Bay National Monument. Smith probably had a personal recollection of that contest; his predecessor, Alfred Brooks, had died suddenly at the end of 1924 as the matter of the monument was coming to a head, and Smith had succeeded to his post a month after the proclamation. Smith was undoubtedly aware of recent correspondence between Alaska Governor Troy and the Geological Survey about his agency's official position on the subject of mining in Glacier Bay. The Geological Survey had a strong interest in opening the national monument to prospectors.<sup>27</sup> As for Delegate Tony Dimond, he had no desire to see thousands of unemployed men from the states flocking to Alaska at government expense, but if that kind of imagery could get votes in Congress, then he was not opposed to it.

Three days after Dimond introduced his bill, Park Service director Arno Cammerer wrote to Dr. William S. Cooper for his opinion on the impact mining would have on the purposes of the national monument. The ecologist replied emphatically that large-scale mining activity, which was what the proponents of the bill envisioned, "would work havoc upon the biological features of the region." The miners would cut whatever young growth of trees they could find and kill the scarce game that was coming into the area. If Glacier Bay indeed contained rich mineral deposits, and stamp mills were shipped in for milling the ore, the resulting development "would utterly defeat a large

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<sup>26</sup>Beach, Personal Exposures, pp.244-245.

<sup>27</sup>W.C. Mendenhall to John W. Troy, May 16, 1935, NAAR, M-939, roll 276.



part of the purpose for which the Monument was created."<sup>28</sup>

Arno Cammerer exchanged letters with Beach in mid-January 1936 after Secretary Harold Ickes gave the novelist a particularly cold reception in his office at the Department of the Interior. Apparently Ickes was the first official to call Beach's plan what it was: a smokescreen for a raid on protected public lands. But opposition by the Park Service and Ickes did not prevent Beach from getting a hearing from President Franklin D. Roosevelt at the White House on January 15. Evidently some people in the Roosevelt administration were friendly to his scheme. Beach found the President amenable to his plan. Roosevelt seemed to be familiar with the magazine article, and pronounced the plan worthy of study.<sup>29</sup>

The few fleeting occasions when Roosevelt gave his attention to this problem were decisive, and yet the President's position in support of the bill left opponents of the measure like Cooper groping for ways to understand him. Cooper suggested that Roosevelt was carried away by the thought of another large outdoor relief project; after all, he had more than a million young men working in the woods under his own brainchild, the Civilian Conservation Corps. After his meeting, the President jotted a note to Secretary Ickes: "Rex Beach says that if we open Glacier Bay National Monument for prospectors thousands of unemployed will immediately go there on grub stakes."<sup>30</sup> Clearly he saw this bill as an emergency economic measure, but it was more of a search for the old frontier safety valve than another attempt to combine conservation with social engineering. The solitary, hardscrabble business of prospecting hardly matched the nurturing social environment that the Civilian Conservation Corps sought to provide, and it seems doubtful that Roosevelt reacted to Beach's plan in this vein.

It is more likely that Roosevelt simply agreed with Rex Beach that a scenic landscape composed mainly of water, ice, and rock would not be harmed very much by a mine adit here or a sluice box there. Roosevelt commented further to Ickes on January 15 that the monument was "wholly unfit for habitation," and he could not see how mineral development could seriously impair the scenery. As for the threat to wildlife

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<sup>28</sup>William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., p.26.

<sup>29</sup>Beach, *Personal Exposures*, pp.246-249.

<sup>30</sup>E.B. Nixon, ed., *Franklin D. Roosevelt and Conservation, 1911-1945* (New York, 1957), Volume 1, p.472.

from so many prospectors, the Park Service could prohibit firearms in the area.<sup>31</sup> Roosevelt's argument seemed to counter Cooper's main points so closely that he must have been apprised of them, either by Cammerer or more indirectly by Beach.

In February, the chairman of the House Committee on Public Lands referred Dimond's bill to the Department of the Interior for a report. Informed by Cammerer that the administration's position on the bill was vacillating, Cooper realized that the Ecological Society of America had to mobilize a defense of the monument. He reactivated the committee on Glacier Bay, went to New York and Washington for meetings with conservationists and NPS officials, and started another letter-writing campaign.<sup>32</sup> The Ecological Society endorsed the Park Service's recommendation that no bill should be passed pending a mineral survey of Glacier Bay by the Geological Survey in the coming summer.<sup>33</sup>

The response by conservation organizations and concerned citizens surpassed the support given to the earlier campaign in 1924. More than 150 letters were sent to the White House, the Department of the Interior, and members of the House and Senate committees on Public Lands.<sup>34</sup> As a result, Secretary Ickes reported negatively on the Dimond bill and it died in committee. The most important criticism of the bill, which Roosevelt cited to Dimond in a letter drafted by the Department of the Interior, was the bad precedent it would set for other lands in the national park system.<sup>35</sup>

Roosevelt, however, raised the issue again on May 4. Prompted by a letter from Beach, he wrote to Ickes:

I must say I am inclined to agree with Rex Beach in regard to actual mining prospecting on your glaciers in Alaska. It seems to me a refinement of conservation to prevent mining on a glacier. Any scars on the face of nature would be infinitesimal in comparison with the magnitude

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<sup>31</sup>Ibid.

<sup>32</sup>William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., p.27.

<sup>33</sup>William S. Cooper to Washington Mountaineers, February 29, 1936, UW, Irving M. Clark Papers, MS 273-2, box 2, file 21.

<sup>34</sup>William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., pp.28-29.

<sup>35</sup>Nixon, ed., Franklin D. Roosevelt and Conservation, 1911-1945, Volume 1, p.480.



Joe and Muz Ibach, in front of their Lemesurier Island cabin, 1954.

Photo by Bruce Black (NPS), in Bohn, Glacier Bay; the Land and the Silence, 96.



Joe Ibach located a gold-bearing vein near Reid Glacier in 1924; he worked the claim, on an intermittent basis, through the 1940s. His cabin is shown at the right in this 1964 photograph.

Dave Bohn photo, in Glacier Bay; the Land and the Silence, 88.



Abraham L. Parker's shack at the LeRoy Mine, September 1966. The site was on Ptarmigan Creek, between Reid Inlet and Lamplugh Glacier; activity took place there from 1938 until 1945.

Robert Howe Collection, photo GB 487.



Stanley (Buck) Harbeson's homestead cabin, Dundas Bay, July 1967. Harbeson erected his cabin during the 1930s and died there in 1964.

Robert Howe Collection, photo GB 702.



The Yakobi at Reid Inlet, 1940. This ship, skippered by Tom Smith of Juneau, was used for the Harvard-Dartmouth Alaskan Expedition, a mountaineering and scientific effort that explored both Glacier Bay and the outer Fairweather Coast beginning in 1932.

Bradford Washburn photo, in Bohn, Glacier Bay; the Land and the Silence, 85.



During the mid-1950s, Kenwood Youmans (left) and Joe Ibach paused for a photograph at Ibach's homestead on Lemesurier Island. Youmans served as a park ranger (later a maintenance man) for more than 20 years, while Ibach was a miner who had lived in and around the monument since the 1920s. The photo was probably taken by NPS biologist Victor Cahalane.

and grandeur of the National Monument, and, in any event, nature would obliterate mining scars up there in half a generation. To wait until the Bureau makes a complete geological study and report may mean waiting until everybody now alive is dead. The Bureau has no money or plans for such a survey anyway. Let us cut red tape and get the thing started.<sup>36</sup>

Ickes had to swallow hard. Someone in the Department of the Interior--it is not clear who--planted the fiction with Robert Sterling Yard of the Wilderness Society that the President instructed Ickes "to make no protest against this bill," as if the Administration was yielding to the will of Congress.<sup>37</sup> In fact, under Roosevelt's goading, the Department of the Interior redrafted Dimond's earlier version and called upon Senator Lewis Schwellenbach of Washington to sponsor it. Dimond was notified about the President's position so that he could reintroduce his bill in the House.

Dimond and Schwellenbach both introduced their bills on June 16, the first day of a harried week of legislative action sandwiched between the Republican and Democratic Party national conventions. Senator Key Pittman of Nevada, a staunch Roosevelt loyalist, arranged a hearing for the Senate bill before the Committee on Public Lands the next day, June 17. Armed with a favorable report by the secretary of the interior and a unanimous recommendation by the committee, Pittman told the full Senate on June 18 that the bill was an "emergency matter" that required prompt action or an entire year would be lost. He misrepresented the size of the national monument as a modest fifty square miles and said that efforts had been made for the past ten years to open it to mining. He reported that the barren terrain did not support much wildlife and could not be "defaced or denuded by human agencies."<sup>38</sup> Without further discussion, the Senate sent its version to the House. The House substituted the Senate bill and passed it on June 19, and the Senate passed it on June 20. Roosevelt signed it into law on June 22.

In redrafting the bill, the Department of the Interior added an important safeguard: mining operations in the monument would be regulated by the department in such manner as to protect surface areas from undue damage. The department's special mining regulations for Glacier Bay National Monument, formulated that summer,

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<sup>36</sup>Nixon, ed., Franklin D. Roosevelt and Conservation, 1911-1945, Volume 1, p.518.

<sup>37</sup>"Glacier Bay National Monument," undated notes at UW, Irving M. Clark Papers, MS 273-2, box 2, file 26. Cooper records the same misinformation in "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., p.29.

<sup>38</sup>U.S. Congress, Congressional Record, 68th Cong., 2d sess., 1936, vol. 80, pp.9863-9864.

restricted timber-cutting to the area of the claim, banned firearms, and prohibited road construction without permission by the Park Service. The law proved to be ambiguous on one issue, however, which would arise many years later. It was unclear whether Congress intended the act to assure mining claimants the right to mill ore on the surface if on-site milling was the only economically viable method of extracting the ore.<sup>39</sup>

Conservationists were outraged by the Act of June 22, 1936, believing that it had been pushed through Congress surreptitiously. Cooper organized a committee of eight representatives of leading conservation organizations to consider possible countermeasures. The committee published a blistering account of the episode in the National Parks Bulletin. But the committee soon recognized its powerlessness to get the law repealed, and turned instead to "making the best of an unfortunate situation."<sup>40</sup>

The Saturday Evening Post ran a stinging editorial under the heading "Why Have Any Principles?" The writer bemoaned the precedent of allowing mining within a national monument.

If an area is sufficiently unique from the scenic, aesthetic, historical or scientific viewpoint to make it a national park, it is of more value for that purpose than for any other. If an area is properly chosen for national park use, then that is its highest possible use, and not some other. It is difficult to understand this invasion of national park principles and standards....Let us be consistent about these matters. If areas are more important for mining, lumbering, grazing and agriculture, then let us keep them for that use. But there is something childish in setting aside these superb reservations as national parks for all time, and then letting down the standards.<sup>41</sup>

After Roosevelt signed the bill into law, the Geological Survey sent a man to Glacier Bay. This was hardly the photomapping and analysis that Beach had first proposed, nor even the \$10,000 survey that the Park Service had requested before the national monument was opened to prospecting. But the Survey's J.C. Reed did identify

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<sup>39</sup>For a verbose, 59-page discussion of this problem, see Associate Solicitor, Parks and Recreation to Director, National Park Service, no date, NAAR, RG 79, 79-88-0017, box 23/23.

<sup>40</sup>William S. Cooper, "A Contribution to the History of the Glacier Bay National Monument," typescript at GLBA, library collection, n.d., p.30.

<sup>41</sup>Quoted in Bohn, The Land and the Silence, p.100.



eight localities where prospectors should begin their efforts. Ironically, only three of the eight areas were close to glaciers, two were in timbered areas, and one was on North Marble Island where seabirds nested. Three promising localities lay outside the national monument boundary.<sup>42</sup>

No gold rush ensued, and no one could claim after a few years passed that the Act of June 22, 1936 produced any measurable improvement in the economy of Alaska or the nation. The act failed, therefore, in its primary objective of emergency relief. On the other hand, conservationists' worst fears proved unfounded; the act was not precedent-setting for opening national parks to mining.

Ironically, most prospecting in the late 1930s and early 1940s was done by local residents like Joe Ibach, as they scratched out a living by farming, fishing, trapping, or raising foxes. The largest operation in this period was the Tlingit-owned Wolf Creek Mining Company's works at Sandy Cove. About twenty Hoonah Tlingits worked on the property in the mid-1930s, and when the company suspended work a few years later it had 103 feet of tunnel, a bunkhouse, warehouse, cable train, compressor house, and blacksmith house within sight of the water.<sup>43</sup>

Perhaps the greatest irony--or enigma--was the role played by novelist Rex Beach. As soon as the bill was enacted, Beach sent two discreetly worded cables to Joe Ibach, fearful that his messages would set off a gold stampede if they fell into the wrong hands; after all his effort, he did not want to lose out to a bunch of claim jumpers. Ibach went up to Reid Inlet and staked a total of forty-two claims for Beach and himself, ten on the east side of the inlet and thirty-two on the west.<sup>44</sup> The claims showed little promise after two years of work, and an NPS official recorded in 1938 that Rex Beach was "no longer interested in developing the claims." But a neighbor of the Ibachs stated that Joe took 30 tons of ore from Reid Inlet in 1939 and got \$1,800 worth of gold concentrates from his stamp mill on Lemesurier Island. By 1940, Joe Ibach, Tom Smith of Juneau, and two other men had dug a 30-foot hole and built a cable tram nearly one mile long

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<sup>42</sup>"Mineral Deposits of the Glacier Bay Region, Alaska," February 9, 1937, Memorandum for the Press at NAAR, RG 79, 79-91-0001, box 3/9.

<sup>43</sup>Charles H. Flory to Irving M. Clark, July 1, 1937, UW, Irving M. Clark Papers, MS 273-2, box 2, file 21; John D. Coffman and Joseph S. Dixon, "Report on Glacier Bay National Park (Proposed), Alaska," December 20, 1938, NAAR, RG 79, 79-91-0001, box 3/9, p.5. Hereafter cited as Coffman and Dixon report. The original officers of the company were William L. Paul, a prominent Tlingit attorney in Juneau (president), and Frank St. Clair, Ed Metjay, and James Austin, all of Hoonah.

<sup>44</sup>Earl A. Trager, "Glacier Bay Expedition 1939," typescript at National Archives--Pacific Sierra Region (NAPSR), RG 79, Western Region, Central Classified Files, box 292, p.69.

down to the beach for loading ore on a scow. The ore was smelted in Tacoma, Washington.<sup>45</sup> Rex Beach, in his book Personal Exposures, published that same year, stated that he never saw a dime from his investments in Glacier Bay. Such candor from a gold miner makes one wonder.

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<sup>45</sup>Frank T. Been field notes, July 30 and August 3, 1940, copy at DENA, William E. Brown historical files.

**PART TWO**  
**HABITAT PROTECTION, 1939-1965**



## CHAPTER IV

### ALASKA BROWN BEARS AND THE EXTENSION OF THE MONUMENT

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Glacier Bay National Monument began to be imbued with new cultural meanings almost as soon as it was created. As viewing of animal life, particularly big game, moved toward the center of many Americans' ideal of nature appreciation in the 1920s, people attached increasing significance to Glacier Bay National Monument as a wildlife sanctuary, a place where birds and mammals could thrive in their natural setting undisturbed by human activities. This natural setting, in the parlance of the new science of ecology, was called habitat. Park Service wildlife biologists determined in the 1930s that the most effective way to preserve park wildlife was to protect habitat. Thus national parks and monuments assumed prominence in the American people's growing demand for wildlife sanctuaries. It was primarily for the purpose of providing a sanctuary for the Alaska brown bear that President Roosevelt extended the boundaries of Glacier Bay National Monument to the outer coast and Icy Strait in 1939. Protection of habitat formed a new context for the administration of Glacier Bay National Monument.

#### Public Concern for the Alaska Brown Bear

In the 1930s, the Alaska brown bear became what modern environmentalists would call a "flagship species," a symbol and a cause that rallied public support while raising broader issues of public policy. As conservationists drew sharp comparisons between the threat to this animal and the near extinction of the buffalo in the nineteenth-century American West, the fate of the Alaska brown bear came to symbolize the question of whether modern Americans could live in harmony with nature or were bound to repeat in Alaska the mistakes of their frontier past.

At issue was a revision of the Alaska game law that critics claimed would lead to a campaign of extermination against the brown bear. Congress had established a game law for the district of Alaska in 1908, but it was widely abused. In 1925, Congress had revamped the game law and created a regulatory Alaska Game Commission, with a view to winning local acceptance of the law and making it enforceable. One section of the law that continued to chafe Alaskans, however, was the closed summer season on brown bears. After much deliberation, the Alaska Game Commission loosened the law's

regulations in 1930 to eliminate the closed season for Alaska residents except in designated reserves. Within the reserves, residents were limited to two bears in season. The Alaska Game Commission further loosened the regulations by stipulating that residents could kill bears anywhere at any time of year if they deemed them a threat to life or property. This "loophole" appeared to the law's critics as a license for slaughter; to its defenders it was merely taking into account human nature.

Conservationists pursued two strategies in rallying opposition to this revision of the Alaska game law. First, they represented Alaskans as gun-happy frontiersmen who, given the opportunity, would kill bears indiscriminately and drive them to extinction. The most effective spokesman for this point of view was renowned nature writer Stewart Edward White, who predicted that the new regulations, if allowed to stand, would mean "our unique brown bear of Alaska is doomed to as complete extinction as the California grizzly." White entered the fray with an article in the April 12, 1930, issue of the Saturday Evening Post, urging his readers to demand from their senators and representatives better protection of the Alaska brown bear. This line of attack naturally provoked many Alaskans, who insisted they had as much stake as anyone in preserving the brown bear, since the animal lured so many wealthy sportsmen to Alaska. Yet there was some truth to White's characterization of Alaskans. A southeast Alaskan newspaper editor was reflecting widespread sentiment when he wrote, "The only answer to this damnfool law is to kill everyone of the darned grizzly pests that stick their hides within gunshot distance."<sup>1</sup>

The second strategy employed by conservationists was to argue that bears were victims of humans' misconceptions. They were not dangerous animals if treated with respect, and they did not stand in the way of progress. More than that, they were wonderful creatures whose extermination would be the nation's loss. These were the central ideas in a book on Alaska's grizzlies by John M. Holzworth which came out in the fall of 1930. Holzworth had spent three summers in Alaska stalking bears with a movie camera, and he filled his book with still photographs and descriptions of bear behavior. A New York lawyer and sportsman, Holzworth hoped his experience would inspire kindred spirits to convert to wildlife photography. "It affords a much greater thrill," he wrote, "and one is soon weaned away from the rifle, with beneficial results both to the hunter and to what remains of the fast dwindling big game animals of the wilderness."<sup>2</sup>

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<sup>1</sup>Alaska Fisherman, vol.5, no.9 (1928) quotes the Petersburg Alaskan.

<sup>2</sup>John M. Holzworth, The Wild Grizzlies of Alaska (New York, 1930), p.xii.

Holzworth had spent the better part of his time in Alaska on Admiralty Island, a rugged land mass about 100 miles long and twenty miles across, located about forty miles southeast of Glacier Bay. The island supported a large population of brown bear; indeed they easily outnumbered the Natives, who called the island Kootznahoo, or Bear Fort. Admiralty Island was already known by mammalogists from the work of C. Hart Merriam, who claimed that no less than five species of grizzly and brown bear inhabited the island. (Merriam's taxonomy included hundreds of species of bears altogether.) Holzworth accepted Merriam's classification, and estimated the island population at around 3,000, or approximately half of the world's total stock for these five species. Holzworth formed a committee for protection of Alaska's grizzlies, and secured resolutions and endorsements from the New York Zoological Society and the American Society of Mammalogists recommending that Admiralty Island be preserved as a wildlife sanctuary or national park.<sup>3</sup> Several editors of outdoor magazines gave their active support. A.N. Pack publicized his two "hunting" trips with camera to Admiralty Island and kept the issue before the readership of Nature Magazine. Harry McGuire, editor of Outdoor Life, aimed a fusilade of caustic articles against the Alaska Game Commission.<sup>4</sup>

Alaska game managers received scores of letters in support of a bear sanctuary, mostly from people who had never been to Alaska and probably did not expect ever to go there. Newspaper editors all over the United States chimed in.<sup>5</sup> The U.S. Senate formed a special committee on conservation of wildlife resources and its chairman, Senator Frederic C. Walcott, went to Alaska in the summer of 1931 to investigate continuing reports of brown bear slaughter. In December Walcott told the Eighteenth American Game Conference in New York that the bear population was definitely declining "in several of its most important habitats." That same month, Holzworth gave a

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<sup>3</sup>Holzworth, The Wild Grizzlies of Alaska, p.250; Senate, Committee on Conservation of Wildlife Resources, Hearing Before the Special Committee on Conservation of Wild Life Resources United States Senate on the Protection and Preservation of the Brown and Grizzly Bears of Alaska, 73rd Cong., 2d sess., January 18, 1932, pp.5, 18-19.

<sup>4</sup>"Considerably Pro Bear," The Commonweal, vol.12 (June 18, 1930), p.177; A.N. Pack, "Sanctuaries for Brown Bears," Nature Magazine, vol.19, no.1 (January 1932), p.9; A.N. Pack, "Alaskan Bears," Nature Magazine, vol.20, no.12 (December 1932), p.257; A.N. Pack, "The Bears of Admiralty," Nature Magazine, vol.23, no.1 (January 1934), p.23; A.N. Pack, "Admiralty's Bears," Nature Magazine, vol.26, no.8 (August 1935), pp.111-112.

<sup>5</sup>Sherwood, Big Game in Alaska, p.55.

series of radio talks over the NBC network.<sup>6</sup> Obviously, the Alaska brown bear had become something more than a trophy animal.

The reasons for this uproar were complex. Public sentiment about wildlife was changing under the influence of ecological and humane ideas. Such basic ecological concepts as the food chain and the niche were gaining currency, giving greater substance to old assumptions about the "balance of nature" and "web of life."<sup>7</sup> Clearly Alaskan brown bears were high on the food chain and occupied an important niche in wild Alaska. Nature writers like Stewart Edward White invoked these ideas when pointing out the foolishness of killing bears because they competed with fishermen for declining salmon harvests. Bears had been consuming salmon for millenia, and it was human, not bear, activity that must be changed.

In another vein, humane ideals espoused by new organizations like the Society for the Prevention of Cruelty to Animals and the American Humane Association encouraged a more sentimental view of wildlife. One writer asserted that brown bears were "among the most attractive and entertaining of extant beasts," and a senator eloquently stated the humane point of view in a special hearing on the Alaska brown bear when he declared, "I think it bespeaks the dawn of a new day when the tourists and wild life can live together...for the benefit of human beings who can use them without abusing them."<sup>8</sup>

Public confidence in the government's game managers was low. For some years animal ecologists in universities had been attacking the efficacy of government wildlife programs, especially the Biological Survey's use of poisons for predator control. Even government biologists were questioning their own methods. According to the old thinking, game populations could be increased for the benefit of sportsmen when predators like the wolf, coyote, and cougar were eradicated. The new thinking, based upon ecological principles, cast predators in a different light. If predators were exterminated, the prey species would become too numerous for the land to support. Then there would be mass starvation and the population would fall below what it had been when the predators were around. Precisely this scenario had occurred on the

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<sup>6</sup>Senate, Committee on Conservation of Wildlife Resources, Hearing Before the Special Committee on Conservation of Wild Life Resources United States Senate on the Protection and Preservation of the Brown and Grizzly Bears of Alaska, 73rd Cong., 2d sess., January 18, 1932, p.5.

<sup>7</sup>Worster, Nature's Economy, pp.294-99.

<sup>8</sup>Thomas R. Dunlap, Saving America's Wildlife (Princeton, 1988), pp.84, 92-93; "Considerably Pro Bear," The Commonweal, June 18, 1930, p.177; Senate, Committee on Conservation of Wildlife, Hearing Before the Special Committee on Conservation of Wild Life Resources United States Senate on the Protection and Preservation of the Brown and Grizzly Bears of Alaska, 73rd Cong., 2d sess., January 18, 1932, pp.40-41.



Kaibab Plateau near the Grand Canyon, and the appalling condition of the Kaibab deer a few years after all mountain lion were eliminated came to symbolize for these wildlife biologists the danger of tampering with ecological relationships.

The reversal in thinking about predator control was so new in 1930 that conservationists suspected the responsible agencies of double-talk whenever officials claimed to support preservation of Alaska brown bear. Some conservationists accused the Forest Service of secretly slaughtering brown bears on Admiralty Island so that the Crown Zellerbach Company would launch a major pulpwood operation there. For evidence, they cited a seemingly duplicitous letter from the Tongass National Forest's forest examiner, Jay P. Williams, in which he warned that it would be poor public relations to espouse extermination of the brown bear, while at the same time he offered two methods for accomplishing it--hunting them above timberline in early spring, and using poison bait when they congregated for the salmon runs. Foresters insisted that the letter was quoted out of context. The chief forester in Alaska co-authored a bear management plan for Admiralty Island that purported to show how bears and a pulping industry could coexist. One forester testified before the Senate committee on wildlife resources that displaced bear could move back into second-growth forest in the wake of timber operations. "I think it will be entirely possible and proper to cut this timber and at the same time raise bear in the woods."<sup>9</sup>

Conservationists also attacked the Alaska Game Commission with charges of indifference, even collusion. Outdoor magazines reported persistent rumors of unsporting slaughter. It was said that hunters were shooting bear from yachts. The Alaska Game Commission offered records showing that reported bear kills for all of Alaska ranged between 123 and 145 per year--certainly not enough to threaten the bear population; but it was the unreported kills that were causing alarm.

Indeed, a lack of information made it impossible either to prove or disprove the allegations of slaughter. Game managers in Alaska were probably correct when they claimed that the Alaska brown bear population was stable or even rebounding, thanks to the closed season operating since 1925. They simply lacked credibility to get that message out. When they touted the 47,033 square miles already set aside as brown bear reserves, some conservationists called them "game farmers" and insinuated that they only

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<sup>9</sup>A.N. Pack, "Alaskan Bears," Nature Magazine, vol.20 (December 1932), p.257; U.S. Department of Agriculture, Forest Service, A Plan for the Management of Brown Bear in Relation to other Resources on Admiralty Island, Alaska, Miscellaneous Paper 195, by B.F. Heintzleman and H.W. Terhune, (Washington, 1934); Senate, Committee on Conservation of Wild Life Resources, Hearing Before the Special Committee on Conservation of Wild Life Resources United States Senate on the Protection and Preservation of the Brown and Grizzly Bears of Alaska, 73rd Cong., 2d sess., January 18, 1932, pp.38-39, 52, 62.

wanted to grow animals for sportsmen to shoot. "A Nature sanctuary," one conservationist wrote, "should be an area where Nature, not certain elements of it only, but all Nature, is sacred from interference."<sup>10</sup>

Alaska's embattled game managers approached the Park Service with a proposal to extend the boundary of Glacier Bay National Monument and make it the bear sanctuary that the public demanded. The area surrounding the national monument--essentially the area described by Cooper and deleted from the national monument on the recommendation of George Parks--had been added to the Tongass National Forest by executive order in 1924 and 1925. The Alaska Game Commission had designated most of this northern extension of the Tongass as the Glacier Bay bear reserve in 1925. As early as 1927, the chief of the Biological Survey proposed that the reserve be added to the national monument. Initially the Forest Service balked at this. Assistant Regional Forester B.F. Heintzleman and other foresters envisioned future marketing of the large coastal spruce and hemlock forest around Lituya Bay. Now that conservationists were agitating for a sanctuary or national park on Admiralty Island, however, the Forest Service changed its attitude. It could forfeit this northern extension of the Tongass in order to safeguard the pulpwood interests on Admiralty Island.<sup>11</sup>

### The Park Service Gets Involved

Amidst the growing clamor for bear protection, the Park Service initially maintained a dignified silence. It was the Alaska Game Commission, the Biological Survey, and the Forest Service that were taking heat, and Park Service officials were content to let those agencies strenuously remind the American public that bears were fully protected in Mount McKinley, Katmai, and Glacier Bay.

Probably another reason that the Park Service did not immediately get involved was that the agency was wrestling with its own philosophy of wildlife management. As late as the 1920s, national park managers did not manage wildlife any differently than wildlife managers of other public lands did, where predators were treated as varmints--shot, trapped, or poisoned. The ruling logic was that predator control increased

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<sup>10</sup>R.W. Westwood, "What is a Sanctuary?" Nature Magazine, vol.24, no.9 (September 1934), p.101.

<sup>11</sup>Lawrence W. Rakestraw, A History of the United States Forest Service in Alaska (Anchorage, 1981), pp.89-90, 113-114. Also see the report by B.F. Heintzleman (February 17, 1932) in John M. Kauffmann, "Glacier Bay National Monument Alaska: A History of its Boundaries," typescript at ARO, administrative files, file H14, 1954, pp.17-18.



Carl Swanson was a fox farmer who relocated his operations from Beardslee Island to Strawberry Island in 1929. They remained active at the site until 1938. This 1965 photo shows his Strawberry Island cabin, which has since collapsed.



Senator Ernest Gruening, Huntington S. Gruening (one of the senator's sons), and W. Howard Johnson, USFS (regional forester for Alaska) are seen enroute to the Glacier Bay Lodge dedication, June 3, 1966.

populations of deer, elk, and other big game that tourists liked to observe in the parks and sportsmen liked to hunt outside the parks; therefore the interests of the Park Service and the Biological Survey coincided. This began to change under the influence of a survey of wildlife in the national parks initiated and funded by a young, independently wealthy park naturalist named George M. Wright. Wright hired two friends to assist him: Joseph S. Dixon, an assistant professor of biology who, like himself, had been trained by the ecologist Joseph Grinnell at Berkeley, and Ben H. Thompson, a recent Stanford graduate whom Wright met in Yosemite. The three men launched the project in 1929. After two years, the preliminary results of the park wildlife surveys so impressed director Horace Albright that he instituted a series of reforms, beginning with the announcement of a new NPS predator policy in the May 1931 issue of the Journal of Mammalogy. Albright expanded the agency's research arm, giving greater scope and financial support to the wildlife biologists. In May 1932, Wright, Thompson, and Dixon completed their ground-breaking study of wildlife ecology, Fauna of the National Parks of the United States.<sup>12</sup>

This study, together with four more studies in the fauna series, laid the foundation for a profound reorientation of wildlife policy in the 1930s. The central goal of the new policy was to restore natural faunal relationships within the national parks and monuments. As the science of ecology developed, Wright, Dixon, Thompson, and others refined this important goal of NPS policy to embrace the restoration of a particular kind of natural system: the North American environment as it looked before the advent of American civilization.

In Fauna of the National Parks the authors baldly stated, "A park is an artificial unit, not an independent biological unit with natural boundaries....The boundaries, as drawn, frequently fail to include terrain which is vital to the park animals during some part of their annual cycles." Boundaries--and limited space--appeared to be the biggest challenges to the realization of their goals. The authors continued:

At present, not one park is large enough to provide year-round sanctuary for adequate populations of all resident species. Not one is so fortunate--and probably none can ever be unless it is an island--as to have boundaries that are a guarantee against the invasion of external influences. To all this

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<sup>12</sup>Thomas R. Dunlap, "Wildlife, Science, and the National Parks, 1920-1940," Pacific Historical Review, vol.59, no.2 (May, 1990): pp.188-198; Alston Chase, Playing God in Yellowstone: The Destruction of America's First National Park (New York, 1986), pp.233-36; Senate, Status of Wildlife in the United States, 76th Cong., 3rd sess., 1940, Senate Report No. 1203, p.362.

the practical-minded will immediately retort that an area with artificial boundaries can never be a true biological entity, and obviously this is correct. But it is equally true that many parks' faunas could become self-sustaining and independent if areas and boundaries were fixed with careful consideration of their needs. Already many parks are being improved in this regard, and there is a vast amount more that can be done.<sup>13</sup>

It is easy to imagine Joseph Dixon's excitement, a few months after completing this work, when he drew the assignment to investigate brown bear habitat and recommend boundary revisions for Glacier Bay National Monument. It was an outstanding opportunity to put some of these principles into practice.

Accompanied by the chief of the Biological Survey and Assistant Regional Forester B.F. Heintzleman, Dixon overflowed Admiralty Island and the outer coast by seaplane, and returned to Glacier Bay via the Forest Service boat Forester for a four-day inspection of brown bear habitat. The trip began on a clear September day, "one in a hundred, for this area at this summer season," Dixon wrote in his journal.<sup>14</sup>

Landing the boat and following bear sign into the alder thickets and spruce forest, the men explored Beartrack Cove, Bartlett Cove, Berg Bay, Dundas Bay, Point Carolus, and Excursion Inlet. Actual brown bear sightings were limited to one pair ambling across a grassy meadow in Beartrack Cove, but everywhere they found signs, including well-worn paths and beds in alder thickets around Berg Bay, and enormous tracks.

Dixon gauged the brown bear habitat and terrain both from the standpoint of the wildlife viewer and the bear population. At Beartrack Cove he found an ideal location that the Park Service could develop for brown bear observation:

At this point there is a unique opportunity to present Alaska brown bears under wholly natural conditions. There is a salmon stream and a stretch of open beach and a meadow where the bears wander about, with a strip of timber leading up to it so that one may approach to within 100 yards of the animals without being detected. In most instances, bears are found in brushy areas at the mouths of salmon streams where it is difficult for the

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<sup>13</sup>U.S. Department of the Interior, National Park Service, Fauna of the National Parks of the United States, by George M. Wright, Joseph S. Dixon, and Ben H. Thompson (Washington, 1933), pp.19, 37.

<sup>14</sup>Dunlap, "Wildlife, Science, and the National Parks," p.193-94; Joseph S. Dixon Field Notes, September 6-10, 1932, Copy at GLBA, library collection.

public to get near them.<sup>15</sup>

The confined drainage around the cove was too small to support a large brown bear population, so it would be necessary to include adjoining drainages within the national monument. He wrote in his journal: "Alaska Brown Bears should have a good salmon stream in their refuge and the river at the head of Excursion Inlet and Bartlett River are both good." These salmon streams lay on the other side of a low divide, about 1,800 feet high. Alaska brown bears in other localities were known to cross divides of that elevation. Coupling the accessible viewing area at Beartrack Cove with good food sources on the Bartlett River and Excursion Inlet, Dixon made the inclusion of the Excursion River drainage the main focus of his recommendations. Dixon knew there would be a fight, because Heintzleman made it clear that the Forest Service valued the timber on the steep slopes around Excursion Inlet.<sup>16</sup>

Consistent with his purpose of designing a viable bear sanctuary, Dixon gave little attention to the outer coast. That region had outstanding scenic and recreational possibilities, but biologically it was separated from Glacier Bay by the Fairweather Range and the Brady Icefield. Based on what he saw from the air, Dixon thought the outer coast environment had fewer brown bear; the LaPerouse Glacier, which plowed into the surf about twenty miles south of Lituya Bay, cut off a migration route from the north so that any bear population between it and Cape Spencer would be a refugium. The area would also be remote and hard to administer from Glacier Bay.<sup>17</sup>

Finally, Dixon did not see much point in staking a Park Service claim to Admiralty Island. He was probably encouraged in this view by Heintzleman, if not his superiors in Washington as well. He was content with one pass over the northern end of the island, and on this basis judged that it was not "of national park caliber."<sup>18</sup>

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<sup>15</sup>Joseph S. Dixon report (September 29, 1932) extracted in John M. Kauffmann, "Glacier Bay National Monument Alaska: A History of its Boundaries," ARO, administrative files, file H14, p.19.

<sup>16</sup>Joseph S. Dixon Field Notes, September 6, 1932, copy at GLBA, library collection; John D. Coffman and Joseph S. Dixon, "Report on Glacier Bay National Park (Proposed), Alaska," December 20, 1938, NAAR, RG 79, 79-91-0001, box 3/9, file GLBA administrative history, p.2C.

<sup>17</sup>Joseph S. Dixon field notes, September 6, 1932, copy at GLBA, library collection.

<sup>18</sup>Joseph S. Dixon field notes, September 6, 1932, copy at GLBA, library collection. Dixon's report (September 29, 1932) is reproduced in John M. Kauffmann, "Glacier Bay National Monument Alaska: A History of its Boundaries," ARO, administrative files, file H14, p.19.

All the momentum seemed to be in favor of the national monument's extension: both Governor Parks and the Biological Survey responded favorably to Dixon's report, the Forest Service had already indicated its support, and public calls for bear sanctuaries continued unabated. That it did not happen soon thereafter probably related to the general climate of uncertainty in Washington as Franklin Roosevelt and the Democratic Party swept to victory in the fall election amidst a deepening economic depression. The Forest Service's long-standing goal of establishing a pulpwood industry in southeast Alaska, with half the operation centered on Admiralty Island, appeared more doubtful than ever. The Crown Zellerbach Company had purchased an option to cut 1.6 billion cubic feet of timber in 1927, but the paper market had collapsed before Crown Zellerbach ever built the promised pulp mills. Since then, the Forest Service had been criticized for the giveaway price it had tagged on the Admiralty Island timber. When the Roosevelt administration took office in March, one of the first items of housecleaning in the Department of Agriculture was the cancellation of the government's timber sale to Crown Zellerbach. There were predictions that the new Congress would consider a national-park bill for Admiralty Island. Since the Forest Service's support for the extension of Glacier Bay National Monument hinged on heading off demands for a national park on Admiralty Island, this reversal stymied any agreement between the two agencies.<sup>19</sup>

Bureaucratic inertia stalled the issue for the next half-decade. Wildlife advocates brought the matter to President Roosevelt's attention in 1934. Roosevelt sent a note to Secretary Ickes, "If these bears come under your jurisdiction, will you please have the matter checked up? It seems to me that this kind of slaughter ought to be stopped." Ickes replied that his department had enlarged Katmai and planned a similar proclamation for Glacier Bay National Monument "purposely to give additional protection to brown bears."<sup>20</sup> Six months later Ickes sought the Department of Agriculture's consent to the extension; Agriculture sat on it for three months and finally recommended that action be postponed.<sup>21</sup>

In April 1937, a New York congresswoman again brought the matter of a national park on Admiralty Island to the President's attention, and Roosevelt directed the two

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<sup>19</sup>Rakestraw, A History of the United States Forest Service in Alaska, pp.110-12; Nixon, ed., Franklin D. Roosevelt and Conservation Vol.2, pp.295, 302-03; U.S. Congress, Congressional Record, vol.75, p.12654; A.N. Pack, "Alaskan Bears," Nature Magazine, vol.20, no.12 (December 1932): p.257.

<sup>20</sup>E.B. Nixon, ed., Franklin D. Roosevelt and Conservation, Vol.1, p.289, 295-96.

<sup>21</sup>E.B. Nixon, ed., Franklin D. Roosevelt and Conservation, Vol.2, p.46.



departments to get together on it. Agriculture now insisted on postponing a decision until the Alaska Territorial Board, created by an act of Congress the previous month, could be established. This body (soon renamed the Alaska Planning Council) comprised four private citizens of the territory and five federal bureaucrats and was patently in favor of developing a pulp industry on the Tongass National Forest. Serving on the council was regional forester Heintzleman, who offered to cooperate with the Park Service in planning an extension of Glacier Bay National Monument in the hope that such action would finally put to rest demands for a national park on Admiralty Island. To work with Heintzleman on this new proposal, the Park Service selected its own chief of forestry, John D. Coffman.<sup>22</sup>

### **Tourism, Timber, and Brown Bears, Too**

As the proposal to extend Glacier Bay National Monument gathered momentum again in 1938, two concerns relating to Alaska's economic future began to eclipse the issue of preserving bear habitat. Heintzleman and the Alaska Planning Council wanted assurances that the enlargement of the monument would enhance southeastern Alaska's prospects for attracting both tourists and pulp mill companies. Their goal was to gain national park status for Glacier Bay. Park status presumably would bring congressional appropriations for visitor services and on-site park administration. Also it would make Admiralty Island secure for timber harvesting.<sup>23</sup>

The Alaska Planning Council made it known that its support of the proposal rested on "definite assurance" that the new area would be administered and developed as a park. Specifically, the Park Service would need to provide visitor accommodations and some means of seeing the area, such as a tour boat. Heintzleman indicated that the Forest Service had plans to develop recreational facilities in the area if the Park Service was not interested.<sup>24</sup>

Dr. Ernest Gruening, then director of the Department of Territories and Island Possessions and soon to be appointed governor of Alaska, also spoke out for tourist

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<sup>22</sup>A.E. Demaray to Harold Ickes, September 8, 1938, NAPSR, RG 79, Western Region, Central Classified Files, box 294, file 602.

<sup>23</sup>J.D. Coffman to Director, September 14, 1938, NAPSR, RG 79, Western Region, Central Classified Files, box 294, file 602.

<sup>24</sup>Ibid.

development of Glacier Bay. Gruening visited Glacier Bay for the first time in September 1938. Enthusiastic about the spectacular mountain scenery from the Fairweather Range up the coast to Mount Saint Elias and inland to the Wrangell Mountains, Gruening suggested that the whole vast complex could be included within the monument. Park administration and visitor facilities might be temporarily developed in the languishing Kennecott Copper Company's works on the Copper River. Heintzleman's comment to Coffman on this scheme was that the Park Service could not develop two new areas at once, and if it wanted the Wrangell-Saint Elias region, Juneau businessmen would try to kill the Glacier Bay extension.<sup>25</sup>

Coffman and Heintzleman visited Glacier Bay together in July 1938. They were able to agree on most of the proposed new boundaries, with two exceptions. Heintzleman reiterated what he had told Dixon six years earlier, that he wanted the eastern side of Excursion Inlet retained in the Tongass National Forest for its valuable timber. He also expressed ambivalence about including the struggling settlement near Gustavus Point. The General Land Office had surveyed the latter area, as it considered the land potentially suitable for agriculture. A handful of homesteaders resided there, but the future of their community seemed doubtful.<sup>26</sup>

Even if Heintzleman did not change Coffman's mind about these two areas, he did succeed in reaching an understanding that the NPS would drop its support of a national park on Admiralty Island in return for his agency's cooperation. Coffman observed that the extension of Glacier Bay National Monument would accomplish two objectives at once: it would satisfy demand for a brown bear sanctuary and relieve the uncertainty of development for Admiralty Island. Joseph Dixon was even more explicit about this agreement when he warned against giving up the east side of Excursion Inlet:

I also wish to point out that a mutual agreement was made, and still holds as far as I am concerned, that in view of the concentration of the Park Service's efforts to secure adequate protection and sanctuary for the Alaskan brown bears in the Glacier Bay area rather than on Admiralty Island, it was understood and agreed that the Forest Service would give

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<sup>25</sup>Ibid. Gruening's involvement in the proposed Wrangell-Saint Elias national park can be traced in correspondence contained in M-939, roll 276.

<sup>26</sup>John D. Coffman and Joseph S. Dixon, "Report on Glacier Bay National Park (Proposed), Alaska," December 20, 1938, NAAR, RG 79, 79-91-0001, box 3/9, file GLBA administrative history, p.1.

favorable consideration for all such needs in the Glacier Bay area.<sup>27</sup>

Coffman affirmed the linkage once more when he reported that the extension of the monument made it unnecessary to establish "any national park or national monument on Admiralty Island."<sup>28</sup>

Coffman and Dixon co-authored the Park Service's proposal, and the Wild Life Division's ecological guidelines shaped the final product. The aim of the proposed extension was to make the monument "into a biotic unit representative of the flora and fauna from the bare glaciers to the mature forests of the seacoast, and with the special purpose in mind of preserving the Alaska bears." The authors listed Alaska brown bear, three species of grizzly, black bear, and some of the rare blue, or glacier, bear as inhabiting the area. Regarding the latter, Coffman and Dixon stated:

The area here reported upon is considered by hunters to be as good for blue bear as any in Alaska. This species is limited to the glaciated coasts of Alaska and is eagerly sought for by hunters and museum collectors. This fact, together with its scarcity and the relative lack of scientific knowledge concerning it, emphasizes its need for protection.

The authors noted other mammal life: mink, marten, ermine, otter, lynx, red fox, wolverine, wolf, coyote, mountain goat, and Sitka deer. All of these were trapped or hunted and would need protection. The coyote and deer were both recent colonists. Whales, porpoises, and hair seal could be commonly observed in Glacier Bay and nearby waters.<sup>29</sup>

The strong ecological orientation of the authors was evident too in their forceful recommendation to include the surveyed lands near Point Gustavus. The small amount of farming and stockraising there created competition and conflict between humans and bears. Coffman and Dixon seemed to think these few residents would soon sell their holdings to the Park Service if the surrounding unpatented lands were included in the monument; otherwise, the community and the amount of human-bear conflict might

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<sup>27</sup>J.D. Coffman to Director, September 14, 1938, and Joseph S. Dixon to Regional Director, April 6, 1939, NAPSR, RG 79, Western Region, Central Classified Files, box 294, file 602.

<sup>28</sup>John D. Coffman and Joseph S. Dixon, "Report on Glacier Bay National Park (Proposed), Alaska," December 20, 1938, NAAR, RG 79, 79-91-0001, box 3/9, file GLBA administrative history, p.ii.

<sup>29</sup>Ibid, p.9.

grow.<sup>30</sup>

To make wildlife visible to the public, Coffman and Dixon envisioned that the Park Service would build a number of docks so that visitors could land at selected observation points for "viewing the bears when they are attracted to the salmon streams by the salmon run or for observing and studying other wildlife, vegetation, and glaciers." They reiterated Heintzleman's point that the Forest Service planned to develop the lower bay this way if the Park Service did not.<sup>31</sup>

Coffman's superiors in the Park Service responded timidly to his national park proposal. It was national park status, not the boundary extension, that made them pause. The problem, as Associate Director A.E. Demaray saw it, was that a park bill would have to address the special mining law of 1936, whose provisions applied to the new areas as well as the original monument. This would arouse vociferous opposition from conservation organizations. Demaray suggested to Secretary Ickes that the Park Service and Interior Department could "avoid criticism" if the boundaries were quietly extended by presidential proclamation instead.<sup>32</sup>

The Park Service subsequently prepared a proclamation for the President's signature, together with a letter of recommendation of the proclamation duly signed by acting secretaries of the Interior and Agriculture departments. The proclamation cited glaciers and other geologic features of scientific interest and made no mention of the controversial Alaska brown bear. With a stroke of his pen, on April 18, 1939, Roosevelt made Glacier Bay National Monument the largest unit in the national park system. The new boundaries conformed exactly to the boundaries proposed by Coffman and Dixon.

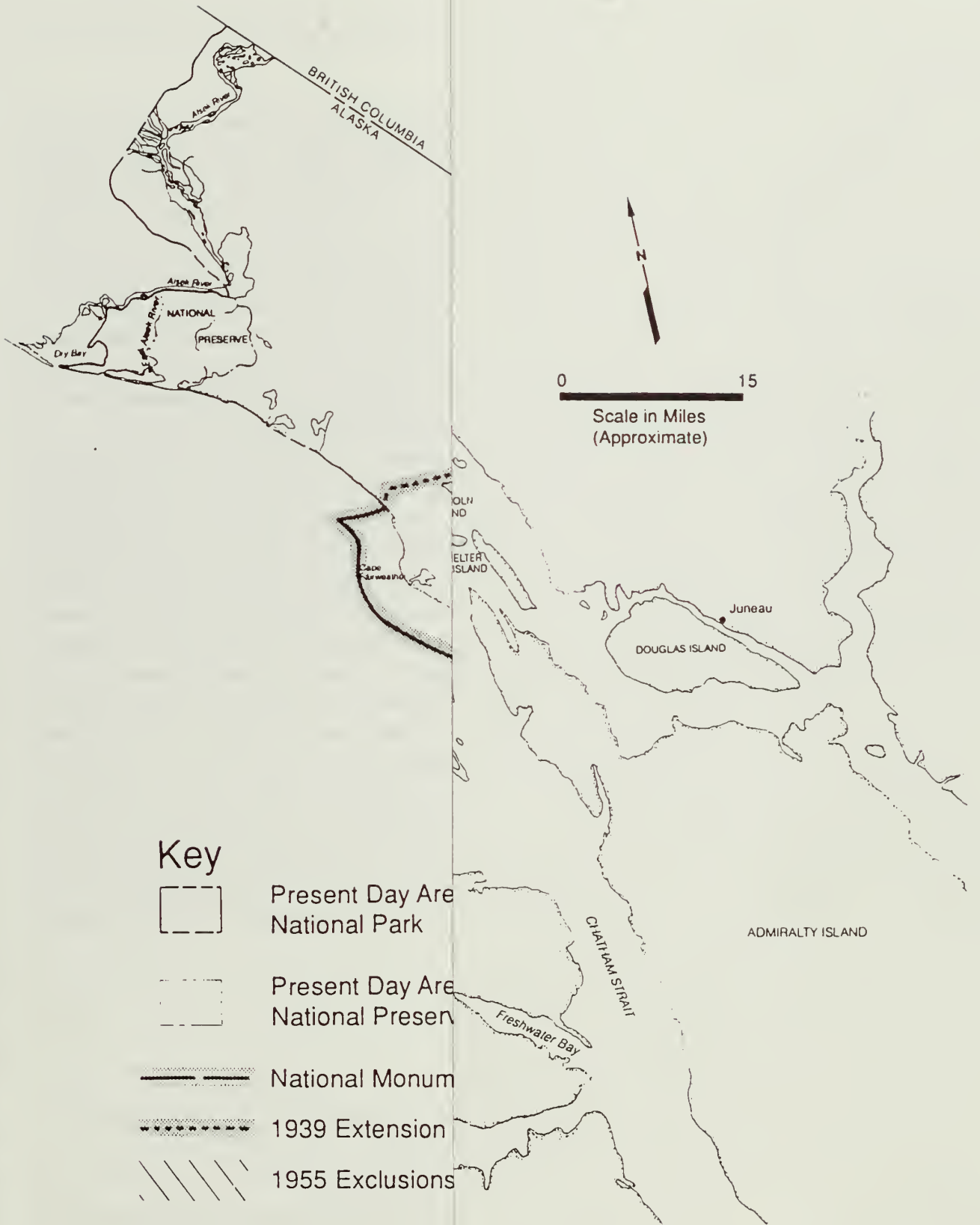
Curiously, Roosevelt and Secretary Ickes took another look at national park or monument status for Admiralty Island while these documents were in preparation. In mid-January they discussed with each other the future of Admiralty Island and Glacier Bay, and a few days later Ickes wrote to the President that the two areas could be combined administratively in one national park, with headquarters at Juneau. Less than a week before Roosevelt signed the proclamation extending Glacier Bay National Monument, he received a letter from Alaska Delegate Anthony Dimond, nervous about fresh reports that Admiralty Island was to be made a bear sanctuary. Roosevelt's reply shaded the truth. "It is my understanding that the Departments of Interior and

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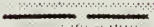


<sup>30</sup>Ibid, p.2B.

<sup>31</sup>Ibid, p.16.

<sup>32</sup>A.E. Demaray to Harold Ickes, December 27, 1938, NA, RG 126, 9-1-93, box 505, file 9-1-93.



**Key**

-  Present Day Area National Park
-  Present Day Area National Preserve
-  National Monument
-  1939 Extension
-  1955 Exclusions



Agriculture are considering the possibilities of Admiralty Island, along with other areas in Alaska, for addition to the national park and monument system. However, no recommendations have reached me." This letter, drafted by Interior for the President's signature, came to the White House together with a note from Ickes, informing Roosevelt that Interior would have a form for proclaiming Admiralty Island a national monument ready for his consideration in a few days.<sup>33</sup>

Ickes circulated a draft of the proclamation to the bureaus within Interior. The Park Service was embarrassed by the proposal. Commissioner of Indian Affairs John Collier did not even receive a copy, despite the fact that Admiralty Island was home to several hundred Tlingits. Ickes later apologized to Collier for his oversight.<sup>34</sup>

Although this draft proclamation apparently never went beyond Interior, Ickes' eleventh-hour deliberations over Admiralty Island nevertheless revealed his disingenuousness and penchant for bureaucratic infighting. The Forest Service had been led to think that it had an understanding; instead it faced more uncertainty. The settlers around Point Gustavus found their marginal homesteads subsumed in the monument with no indication from the federal government that their right to farm would be respected or that their land and improvements would be purchased by the Park Service. Members of the Alaska Planning Council might also complain of being hornswoggled; the extension of the monument was not accompanied by national park status, and Park Service plans to develop tourist facilities in Glacier Bay were soon set aside. Finally, there were the Tlingits whose hunting and fishing rights in Glacier Bay and Admiralty Island were virtually ignored throughout the entire process. Now those rights had to be considered. The extension of the monument boundaries in 1939 secured for the Park Service a wonderful area, what Joseph Dixon called "the greatest combination of examples of glacial history, plant and animal ecology and struggle for existence to be found in one place anywhere in Alaska."<sup>35</sup> But the enlarged domain left the Park Service with much fence-mending to do.

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<sup>33</sup>Nixon, ed., Franklin D. Roosevelt and Conservation, Vol.2, pp.317, 328.

<sup>34</sup>Rakestraw, A History of the U.S. Forest Service in Alaska, p.116.

<sup>35</sup>This statement is quoted on the cover of John M. Kauffmann, "Glacier Bay National Monument Alaska: A History of its Boundaries," ARO, administrative files, file H14.





## CHAPTER V

### WORLD WAR II DEVELOPMENTS

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For the Gustavus homesteaders who spun their radio dials each night in search of the latest news of world events, the aggressions of Nazi Germany and Imperial Japan must have seemed far, far away from the enormous stillness that lay at their doorsteps. They had no inkling that U.S. Army defense projects would bring the Second World War to this very place in 1942: that huge B-29 bombers would be roaring in over Pleasant Island and bumping down a new airfield runway only a short distance from their residences, or that loggers would be sizing up nearby stands of Sitka spruce as prospective piling for a huge army storage facility in Excursion Inlet. Nor could they have foreseen the outcome of these developments: a commercial airport located within the national monument and administered by the Civil Aeronautics Administration, and plans swirling about for federally subsidized CAA, tourist, and passenger-layover facilities to be built in Gustavus.

World War II had a profound effect on Alaska, and the activity in the southeast corner of Glacier Bay National Monument formed a microcosm of it. The defense build-up involved not only airfields and storage depots, but army training bases, radio range stations, the Alaska Highway, and other highways. Defense projects brought thousands of construction workers and military personnel to Alaska. The new roads and airfields radically altered the territory's transportation infrastructure.<sup>1</sup>

Mobilization for war put increased pressure on NPS administrators to protect park lands from economic exploitation. Behind every legitimate request for an emergency war need marched a legion of would-be expropriators. Mining, timber, and grazing interests all sought to capitalize on the war spirit and get access to resources in the name of the war effort. The Park Service tried to be vigilant to such threats while avoiding charges that the agency was not making enough sacrifices.<sup>2</sup> In Glacier Bay National Monument, officials tried to be especially sensitive to threats to brown bear habitat.

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<sup>1</sup>A succinct account of World War II in Alaska is Claus-M. Naske and Herman E. Slotnick, Alaska: A History of the 49th State (Norman, 1987), pp.121-31.

<sup>2</sup>Ise, Our National Park Policy, p.449; Stephen R. Tripp to Regional Directors, June 15, 1942, NAPS, RG 79, Western Region, Central Classified Files, box 83, file 201; O.A. Tomlinson to Walter A. Starr, April 27, 1943, NAPS, RG 79, Western Region, Central Classified Files, box 84, file 201, Part VI.

After the war, Alaskans renewed their bid for statehood and redoubled their efforts to develop a sound economic base for Alaska's growing population. The Park Service responded conservatively to these developments. Initial planning documents for Glacier Bay National Monument contemplated the development of administrative and visitor facilities in anticipation of a postwar increase in tourism, but these plans did not inspire strong support from top agency officials and failed to shake loose the necessary appropriations from a tight-fisted Congress in the late 1940s. Not until the Park Service conducted an Alaska Recreation Survey in the early 1950s did it begin to develop a comprehensive view of the Park Service's role in Alaska's future.<sup>3</sup>

### Planning and Improvisation in Wartime

Local residents and NPS officials alike thought that the 1939 boundary extension would mark a new beginning in the administration of Glacier Bay National Monument and provide an impetus for developing the area for tourists. But as World War II loomed larger during 1940-41, the Park Service had to accept sharp budget cuts, and such hopes were soon quashed. Planning efforts in this period, which culminated in the first master plan for Glacier Bay National Monument in 1942, were marked by two contradictory impulses. One was a desire to get something started, if only to blunt charges that the boundary change had been a land grab. The other was to plan more ambitiously for a time in the future when peace and prosperity returned.

Park Service officials who visited Glacier Bay agreed on one thing: this was primarily a marine area, and boats would be vital for both visitor use and administration. When John D. Coffman investigated the area in 1938, he visualized visitor accommodations at some location on the bay, perhaps floating, "such as a seagoing passenger boat retired from active service," and docks erected at various strategic points around the shoreline for viewing wildlife and glaciers. Patrol boats for the superintendent and rangers would also be needed.<sup>4</sup> One year after Coffman's visit,

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<sup>3</sup>U.S. Department of the Interior, National Park Service, "Do Things Right the First Time": The National Park Service and the Alaska National Interest Lands Conservation Act of 1980, by G. Frank Willis, (Washington, 1985), pp.29-30.

<sup>4</sup>John M. Coffman and Joseph S. Dixon, "Report on Glacier Bay National Park (Proposed) Alaska," December 20, 1938, NAAR, RG 79, 79-91-0001, box 3/9, file Administrative History. The proposal to moor a retired passenger ship in Glacier Bay for tourist accommodations probably originated with Ernest Gruening, then director of the Division of Territories and Island Possessions. Gruening explored the idea further in

Frank T. Been, superintendent of Mount McKinley National Park, and Earl Trager, the Park Service's chief naturalist, cruised all over the monument aboard the Forest Service boat Ranger. It was apparent to them that the bay formed a natural marine highway into the heart of the monument. Visitors, they imagined, would arrive at some central location in the lower bay by cruise ship, and from there go on day excursions up the West and East Arms. Boat travel would present visitors with intimate views of whales, hair seals, and seabirds, and take them close to the spectacular tidewater glaciers.<sup>5</sup>

A patrol boat was the first item requested for Glacier Bay National Monument by Director Cammerer. The director asked for a \$25,000 appropriation for a boat at the end of 1939, deferring budget estimates for the construction of administrative buildings or shelter cabins until later. "Between you and me," Cammerer wrote to Governor Gruening, "I have little hope for getting funds" for the boat.<sup>6</sup> In fact, the Park Service did not procure a boat for the monument until 1946, relying instead on private charter boats or other agencies' boats for making occasional patrols of the bay.<sup>7</sup> With neither a boat nor a budget, NPS administration of the area remained minimal through the war years, consisting of annual inspection trips by Frank T. Been in 1939-42 and occasional patrols by the custodian of Sitka National Monument, Ben C. Miller, after 1943.

During Been's second trip to Glacier Bay in July and August 1940, the Mount McKinley National Park superintendent refined his ideas about how the monument ought to be developed. He talked with Governor Gruening and Regional Forester Heintzleman in Juneau, who confirmed his feeling that the Park Service had a moral obligation to establish tourist accommodations in the monument as soon as possible. Gruening admonished the Service to forget about Admiralty Island and concentrate on

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the last quarter of 1938, but none of the ships under consideration were deemed adequate. The cost of these ships varied from \$10,000 to \$40,000 with refurbishing to run as high as \$65,000. The ships were selected primarily for the number of staterooms, and might have accommodated from 142 to 254 guests. William G. McAdoo to Harold L. Ickes, October 5, 1938, Ernest Gruening to J.R. Ummel, November 7, 1938, J.R. Ummel to Ernest Gruening, November 30, 1938, and Gordon to Ernest M. Gruening, December 6, 1938, NA, RG 126, 9-1-93, box 505.

<sup>5</sup>Earl A. Trager, "Glacier Bay Expedition 1939," NAPS, RG 79, Region IV Central Classified Files, box 292, pp.3-6.

<sup>6</sup>Arno B. Cammerer to Ernest Gruening, November 7, 1939, SITK, Box labelled Stored Materials, Sitka Visitor Center, Legislative History, Sitka National Monument.

<sup>7</sup>Ben C. Miller to O.A. Tomlinson, September 27, 1946, NAPS, RG 79, Western Region, Central Classified Files, box 292, file 207.

areas it already controlled, like Glacier Bay. Heintzleman told Been that the Park Service's inaction had made things hot for him in Juneau, since he had publicly supported the transfer of Tongass National Forest lands to the monument with the understanding that development would promptly follow. Been thought the Park Service could divert funds from Mount McKinley National Park to begin development in Glacier Bay National Monument. He also mused in his journal that the latter area had "more of the genuinely unusual to offer than Mt. McKinley National Park," and would better meet the expectations of most Alaska visitors. Becoming more and more enthusiastic as he proceeded up the bay, Been wrote:

It is unfortunate, indeed, that Glacier Bay was not developed as it would have served more completely as an Alaskan representative of the National Park Service than does McKinley. The prestige and recognition of the service would thereby have been heightened in Alaska as well as among the tourists who visit Alaska.

He thought the tourist should have two or more days to see the glaciers rather than the fleeting views that most received of the Taku or Columbia Glaciers.<sup>8</sup>

Back at Mount McKinley, Been made a budget estimate for "protection and preliminary administration" of Glacier Bay National Monument for the 1942 fiscal year:

Superintendent . . . . .	\$ 2,600
Ranger . . . . .	1,680
Power boat . . . . .	25,000
Radio . . . . .	1,000
Boat operation, supplies, and materials . . . . .	<u>2,750</u>
Total . . . . .	\$33,030

Before submitting it, however, he added a postscript. The ranger position should really be \$2,000, because the high cost of living in Alaska demanded it and further, "a man assigned to Glacier Bay as ranger must be more than ordinarily equipped physically and in experience."<sup>9</sup>

Been had taken ample field notes and photographs while in Glacier Bay, and the

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<sup>8</sup>Frank T. Been field notes, July 22, August 2, 5, and 10, 1940, DENA, William E. Brown historical files.

<sup>9</sup>Frank T. Been to O.A. Tomlinson, August 28, 1940, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 302.

monument's first development plan developed in his mind during the long winter months at Mount McKinley. Been's concept was to establish the park's core area as far up the bay as practicable. Sandy Cove, located on the east side of the bay approximately twenty miles north of Point Gustavus, seemed the ideal place for headquarters and a tourist development. Backed by a dark fringe of spruce and hemlock forest and affording a magnificent view across the broad bay to the Fairweather Range, Been thought it was the prettiest place in the monument. Moreover, excursion boats leaving from the cove could make a round trip to most of the tidewater glaciers in one day.

Been's plan for buildings and structures at Sandy Cove looked well beyond the immediate needs of a resident ranger and superintendent. He described a rustic administration building, museum, residences, ranger club (a seven-room log cabin for unmarried rangers), visitor lodge, and cabins. The latter should accommodate eighty or more people. A dock "for use by large steamers to land passengers and freight" was essential. In addition there would be a floating dock for small boats.<sup>10</sup>

This plan passed from desktop to desktop in Washington, D.C. during the early summer of 1941. The national parks were posting record numbers of visitors that year as people sensed the coming war, but in spite of higher revenues from park entrance fees, the Park Service's piece of the budget pie had already begun to shrink. As President Roosevelt proclaimed the United States to be the "arsenal of democracy," and as Congress pumped millions of dollars into burgeoning defense industries through hundreds of War Department contracts, Park Service director Newton B. Drury braced his agency for deep budget cuts. Congress started trimming the NPS budget early in 1941, then chopped it decisively after Pearl Harbor and the declarations of war on Germany and Japan. Park visitation fell precipitously from 21 million in 1941 to 6 million in 1942, further reducing revenues. No one expected development of new areas to happen in this context.<sup>11</sup>

Instead, the Park Service emphasized planning for the expected boom in tourism

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<sup>10</sup>Frank T. Been, "Preliminary Plan of Sandy Cove Development Area," [1941], NAPS, RG 79, Western Region, Central Classified Files, box 294, file 600.1. Been did not specify between South and North Sandy Coves, although later plans indicated that South Sandy Cove was the chosen site.

<sup>11</sup>Ise, *Our National Park Policy*, pp.447-52. Cutbacks in the Civilian Conservation Corps also changed the picture, as Been had hoped to establish a CCC camp at Sandy Cove to build the facilities. This site had an advantage over the CCC camp at Mount McKinley National Park in that it could be an all-season camp. Been thought a 200-man camp could accomplish the work in two years. But the high cost of transport to Alaska and program cutbacks forestalled it. Frank T. Been to Ernest Gruening, December 2, 1940 and Newton B. Drury to Ernest Gruening, January 16, 1941, NAAR, M-939, roll 276, file 40-10.

after the war. Been was requested to produce a master plan for Glacier Bay National Monument "even if preliminary."<sup>12</sup> In fact, the Park Service completed master plans for all 166 units of the national park system by the end of 1942. These were submitted to the National Resources Planning Board as the basis for a six-year advance plan and construction program.

Been's master plan for Glacier Bay National Monument pulled together ideas from his expedition with chief naturalist Trager in 1939, his return trips in 1940 and 1941, and his earlier development plan for Sandy Cove. The master plan assumed that Glacier Bay National Monument would remain essentially roadless, accessible only by boat or seaplane, and it suggested that this was not only a practical necessity, but desirable. Visitors would be able to tour all marine areas, and the Park Service would construct numerous dolphins, providing safe moorages for the mixed traffic of private, charter, rental, and government boats. The master plan's discussion of dolphins revealed the extent to which Been envisioned Glacier Bay National Monument as a place for pleasure boats:

Placing dolphins is an important aid to use of the monument by private boats and by official craft because the timbers serve as a secure place for fastening a boat and also give assurance to the boatman that there is adequate water. The latter is particularly important because the high tides and frequently gradually shifting shoreline is puzzling to a person unfamiliar with the waters. The dolphins are a safety measure also as they are more certain than an anchor--particularly during a blow.

Dolphins should be placed generously about the monument as they will serve to encourage wide use of the area. These should be located at Lituya Bay, Icy Point near hot springs, Dixon Harbor, Taylor Bay, Dundas Bay, Excursion Inlet, Bartlett Cove, Beardslee Islands, Strawberry Island, Berg Bay, Willoughby Island, Geikie Inlet, Hugh Miller Inlet, Reid Inlet, John Hopkins Fjord, Tarr Inlet, Russell Island, Render [sic] Inlet, Queen Inlet, Tidal Inlet, Muir Inlet, Adams Inlet, Sandy Cove, and Bear Track Cove.

It was probably not a coincidence that Been's idea resonated with Governor Gruening's

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<sup>12</sup>Hillory A. Tolson to acting regional director, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 600.

conception of Glacier Bay National Monument as a "boat area."<sup>13</sup>

The master plan chastised the Park Service for delaying the development of tourist accommodations, noting that there were "ideal opportunities for comparison of the progressive work of the Forest Service and the dilatory action by the National Park Service." It cautioned that there were residents within the monument--at Gustavus, Dundas Bay, and on some of the islands--whose prejudice against the Park Service would probably linger for the foreseeable future.

The heart of the master plan was its proposal to make Sandy Cove the hub of administration and visitor circulation. Been elaborated on his earlier plan for Sandy Cove, adding information to substantiate his view that most visitors would enter the monument by cruise ship. There were a number of Canadian cruise ship lines that plied Alaska's Inside Passage, carrying some 50,000 passengers past the entrance to Glacier Bay each year, the plan stated. It was eight hours by steamer from Juneau to the mouth of Glacier Bay and another two to Sandy Cove. Once lodging was established in the monument, the Park Service could expect that some cruise ship companies would add Glacier Bay to their itineraries. The growing amount of attention focused on Alaska would probably bring more companies into the cruise ship industry after the war.

With the advantage of hindsight, one could argue that the master plan of 1942 missed the mark. Cruise ship companies did not become a significant factor in Glacier Bay for more than twenty years after World War II; and Bartlett Cove, not Sandy Cove, quickly emerged as the favored site for headquarters and tourist accommodations. Of course, the master plan's prediction that cruise ships would soon bring thousands of visitors into the monument was based on the assumption that a tourist hotel must be built first; without the hotel at Sandy Cove, one could say, all bets were off. The question, then, is why the Park Service nixed the plan to develop that site.

Although the Sandy Cove development plan still had adherents as late as the 1970s, most NPS planners agreed by then that it was neither feasible nor even desirable--the main object in the 1970s was to keep such development on the periphery of the monument and preserve a wilderness core. This way of thinking was not prevalent in the 1940s.<sup>14</sup> The Park Service's selection of Bartlett Cove for headquarters and tourist

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<sup>13</sup>Gruening discussed the development of Glacier Bay National Monument with O.A. Tomlinson in October 1943. O.A. Tomlinson to Irving Clark, November 3, 1943, UW, Irving Clark Papers, MS 273 2, box 2, file 21.

<sup>14</sup>But it was not unheard of either. Wilderness advocate Irving Clark wrote to wildlife biologist Olaus Murie about the Sandy Cove plan in 1949, and noted that he would confer with representatives of the Wilderness Society, Sierra Club, and National Parks Association about it. Clark to Murie, July 20, 1949, UW, Irving M. Clark Papers, MS 273-2, box 2, file 21.

accommodations--four miles from the Gustavus Airport and much closer to the entrance to Glacier Bay--had little to do with considerations of wilderness preservation. Rather, the choice of Bartlett Cove rode piggyback on decisions by the U.S. Army to construct two military installations in the monument, one on Excursion Inlet and the other near Point Gustavus. Together, these projects called for a temporary withdrawal of land in the southeast corner of the monument. When this land was returned to the monument in 1945, the newly built airfield near Gustavus would prove decisive in the Park Service's postwar planning efforts.

### A White Elephant in Excursion Inlet

The war came to Glacier Bay National Monument on August 12, 1942, when a logging crew began sawing down trees on the shore of Excursion Inlet. The timber was to be used for piling in the construction of a huge Army shipping base. Army engineers chose the site from several they investigated along Icy Strait, influenced in part by B.F. Heintzleman's statement that the shoreline was bordered by one of the finest forests for piling in southeast Alaska. This was the area that the regional forester had contested with Coffman and Dixon back in 1938.<sup>15</sup>

Superintendent Frank T. Been of Mount McKinley National Park first learned about the project from Tongass National Forest officials while he was visiting Juneau. He queried two contractors about the project but learned little from them except that the Army estimated 20,000 to 30,000 pilings were needed and the land might require transfer to the War Department. Been learned the next day from one Colonel Nichols, who had charge of Army Transport Supply in southeast Alaska, that the Excursion Inlet base was to be a very large and important project. Later, an Army major in Anchorage disclosed to Been that the project would run about \$15,000,000.<sup>16</sup>

Been visited Excursion Inlet about two weeks after the cutting began. He found a small logging crew falling trees at the north end of the inlet about a mile from tidewater and well within the monument boundary. The foreman said that the level area extended five miles up the Excursion River and would yield perhaps 10,000 piling; the trees would

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<sup>15</sup>Frank T. Been to O.A. Tomlinson, September 8, 1942, NAPS, RG 79, Central Classified Files, General Records, box 90, file Glacier Bay National Monument.

<sup>16</sup>Frank T. Been to O.A. Tomlinson, September 8, 1942, NAPS, RG 79, Central Classified Files, General Records, box 90, file Glacier Bay National Monument.



be hauled to the water by tractors and rafted to the construction site. The foreman and the park superintendent saw the trees in strikingly different ways, the former noting that the trees over piling size should be cut for the local sawmills, and remarking upon "the fine logging opportunity" near Gustavus for additional piling; the latter feeling that the removal of this virgin stand, in which the "tall clean boles reached toward the sky in impressive array [was] a sacrilege for any purpose."<sup>17</sup> Been swallowed his misgivings, however, and Regional Director Tomlinson, reporting this information to the director, concluded, "Apparently military necessity is so urgent that there is nothing further we can do than have Superintendent Been try to prevent unnecessary damage."<sup>18</sup>

Lieutenant General John Dewitt, head of the Western Defense Command with headquarters in San Francisco, had ordered construction of the shipping base on July 31, 1942, as part of the Army's logistical preparation for land and air operations in the Aleutian Islands. The Army contracted with the Guy F. Atkinson Company of San Francisco for construction of the facility, which eventually cost \$17,300,000. Intended as a transfer point between barge traffic on the Inside Passage and seagoing convoys across the Gulf of Alaska, it consisted of long wharves, warehouses, cold storage buildings, and tent platforms. At one time the Army contemplated connecting the facility by road with the Alaska Highway. Before it was operational, however, the campaign in the Aleutians was over; Japanese forces on the distant islands of Kiska and Attu were defeated. The only use it ever saw was non-military; a number of Hoonah Tlingit families occupied the vacant buildings through the winter of 1944-45 after a fire swept through their village, and some weeks after VE-Day several dozen German POWs were shipped to the site and put to work dismantling the buildings. In March 1945, after two and a half years of secrecy, Army officials unveiled this "white elephant" to reporters.<sup>19</sup>

Until then the Army left Park Service officials mostly in the dark as well. Regional Director Tomlinson did not know whether the Army would try to retain the facility in the continental defense system after the war. Regardless, he and Director

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<sup>17</sup>Ibid.

<sup>18</sup>O.A. Tomlinson to Newton B. Drury, September 9, 1942, NAPS, RG 79, Central Classified Files, General Records, box 90, file Glacier Bay National Monument.

<sup>19</sup>San Francisco News, March 7, 1945; Bruce W. Black, "History of Glacier Bay National Monument," typescript at GLBA, library collection, p.93; O.A. Tomlinson to Newton B. Drury, April 15, 1943, NAPS, RG 79, Central Classified Files, General Records, box 90, file Glacier Bay National Monument; Ben C. Miller to O.A. Tomlinson, November 3, 1944, NAPS, RG 79, Western Region Central Classified Files, box 292, file Glacier Bay and Sitka.

Drury concurred that the land should be withdrawn from the monument and transferred to the War Department to protect the monument's integrity. In 1943, the Department of the Interior negotiated the terms of the land transfer with the Department of War, eventually obtaining Secretary of War Henry L. Stimson's consent to a memorandum of agreement that the interior secretary could terminate the public land order at any time subject to the approval of the President. The agreement also stated that upon termination of the public land order all buildings and structures erected by the War Department would be transferred to Interior or removed, at the option of the interior secretary, and the sites restored as much as possible to their condition prior to the war.<sup>20</sup>

Park Service efforts to contain the damage were partially successful. Joseph S. Dixon expressed concern that brown bears would be shot by loggers, and urged that timber cutting be restricted as much as possible to protect habitat. When the contractor applied to the superintendent for permission to cut timber around Bartlett Cove, Been sent a map to the Army with a red line penciled along the Salmon River a few miles east of Bartlett Cove, requesting that the proposed military reservation be limited to the area east of the river and explaining that the Park Service desired to preserve Bartlett Cove from defacement. Colonel E.D. Post returned the map with his own blue penciled line describing a larger area including Bartlett Cove, but he allowed that the additional land would be held in reserve.<sup>21</sup> Fortunately the need for more piling never arose and the timber around Bartlett Cove was spared. Been also requested the logging crew in Excursion Inlet to leave a screen of timber along the water's edge. This was done, and fifteen years later a Park Service report stated: "The logged over area appears as a very noticeable scar from the air, but can hardly be detected from the water surface."<sup>22</sup>

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<sup>20</sup>Abe Fortas to Harold L. Ickes, June 5, 1943 and Henry L. Stimson to Harold L. Ickes, August 19, 1943, NAPSR, RG 79, Central Classified Files, General Records, box 90, file Glacier Bay National Monument. The description of the land transfer was not published in the Federal Register until 1946 (see Appendix A).

<sup>21</sup>Joseph S. Dixon to O.A. Tomlinson, October 22, 1942; Frank T. Been to S.B. Buckner, Jr., October 10, 1942 and E.D. Post to Frank T. Been, October 17, 1942, NAPSR, RG 79, Central Classified Files, General Records, box 90, file Glacier Bay National Monument.

<sup>22</sup>Bruce W. Black, "History of Glacier Bay National Monument," typescript at GLBA, library collection, p.93.

## Airfield to Airport

In October 1942, the Army disclosed to the Park Service that it intended to build an airfield and radio range near Point Gustavus. The site was the largest plain in southeast Alaska, with good landing approaches over low-lying Pleasant Island and Icy Passage and a local weather pattern that veteran flyers called "a hole in the fog" on Alaska's coast. The Army did not get the airfield completed in time for use in the Aleutian campaign, except as a refueling stop for aircraft returning from Adak Island to Seattle after the bombing of Attu and Kiska had ended.<sup>23</sup> But it did become one of only four airfields in Alaska where the new B-29 bombers could land and take off.<sup>24</sup>

As the Army withdrew most of its forces from Alaska after the Aleutian campaign, it turned over military airfields like the one on Point Gustavus to the Civil Aeronautics Administration. Although the CAA completed the Gustavus airfield with War Department funds, it did so with an eye to the civilian air navigation pattern that it thought would likely develop after the war. The airfield comprised two paved and lighted runways, 5,000 and 7,500 feet long, capable of serving the largest commercial aircraft then existent. The radio range station provided communications with Juneau. The CAA surveyed Falls Creek, near Gustavus, for a potential hydroelectric development to replace the airfield's several diesel-powered electricity generators.<sup>25</sup>

It seemed in 1945 like the Gustavus airfield was destined to play a key role in Alaska's new era of commercial air travel. The war had left a string of military airfields around the North Pacific Ocean that now appeared as stepping stones to the Orient for the limited range, propeller-driven airplanes of the era. In the mountainous, often cloud-veiled terrain of southeast Alaska, the Gustavus airfield presented a safer approach than the Juneau airfield forty-five miles to the east, and it was on a more direct route up the coast, with a good weather flight path the length of Glacier Bay. In the months after V-J Day, Pan American Airways, Northwest Airlines, and two smaller companies applied to the CAA for use of the airfield, and Pan Am even announced plans to fly its "super planes" into the Gustavus airfield and provide a shuttle service

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<sup>23</sup>Jessica Bird, "The Land of the Glaciers," Alaska Sportsman (December 1946), p.35.

<sup>24</sup>Newton B. Drury to C.I. Stanton, June 28, 1943, NAPSR, RG 79, Central Classified Files, General Records, box 90, file Glacier Bay National Monument; Ben C. Miller to O.A. Tomlinson, November 3, 1944, NAPSR, RG 79, Western Region, Central Classified Files, box 292, file Glacier Bay and Sitka.

<sup>25</sup>Henry A. Wallace to Harold L. Ickes, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 302.

between Gustavus and Juneau. A 1945 planning study for the monument commented that the airfield's future was assured. Newton B. Drury called it "a first-class airfield" and a "key" in Alaska's air navigation pattern in his annual report for 1948.<sup>26</sup>

Park Service officials were enthusiastic about the Gustavus airfield even though they opposed airport construction in national parks generally. Outside of Alaska, the Park Service took a strong stand against airports in national parks in the years following World War II. Park Service officials had misgivings about the advent of the airplane tourist, especially when they visualized him in a private airplane similar to the automobile tourist. Airplane noise was their chief concern, but they also wondered whether airplanes would not whisk tourists through the parks at such a speed that they would no longer pay entrance fees, patronize park concessions, or appreciate the scenery fully. Faced with a growing demand to clear landing strips in parks and monuments, the Park Service director announced a wait-and-see policy in 1944, which he reiterated in two news releases and his annual report at the end of 1946. With strong support from the secretary of the interior and the National Parks Association, Drury lobbied for an amendment to the Federal Airport Act of 1946, which would authorize federal grants for new airport construction near national parks, not only in them. This law was amended to the Park Service's liking in 1950.<sup>27</sup> But the general policy notwithstanding, NPS officials hardly concealed their delight over the new possibilities presented by the Gustavus airfield. It was a welcome answer to the problem of public access to Glacier Bay, since the monument was a full day by boat from Juneau and inaccessible by automobile.

The question arose whether the land around the airfield should be withdrawn from the monument in order to avoid setting a precedent. A joint memorandum dated March 15, 1945, effectively restored the military reservation to the monument and conveyed the Army's special use permit for the airfield, together with some Army buildings, to the CAA. "In line with Service policy," acting regional director Herbert Maier observed, "it may not be considered desirable to have a major commercial airport within the area. If this proves to be the case, we believe the land on which the airport is

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<sup>26</sup>Alfred C. Kuehl, "Planning Study for Glacier Bay National Monument - Alaska," [1945], NAPSR, RG 79, Western Region, Central Classified Files, box 292, file Planning Study; Annual Report of the Director National Park Service to the Secretary of the Interior (Washington, 1948), p.323.

<sup>27</sup>Ise, Our National Park Policy, p.486; Annual Report of the Director of the National Park Service (Washington, 1944), p.219; U.S. Department of the Interior, National Park Service, Annual Report of the Director of the National Park Service (Washington, 1946), p.328; C. Girard Davidson, "Let's Build Airports for the National Parks," Flying, vol.45 (July 1949): pp.75-76.

located might well be withdrawn from the Monument in time."<sup>28</sup>

But the Park Service decided against the land withdrawal because it found that its own development plans meshed nicely with those of the CAA. The relationship was sealed by an exchange of letters between Secretary of Commerce Henry A. Wallace and Secretary Ickes. Wallace explained the critical need for an overnight hotel near the Gustavus airfield:

Inasmuch as the Army never occupied the airport in strength, there is an absolute lack of housing at Gustavus, other than those structures which accommodate our station personnel. With the establishment of additional scheduled operations by the airlines, there will be an increasing number of occasions when, due to weather, there will be one, or several, aircraft forced to remain at Gustavus overnight, and, under present conditions, passengers must remain in the plane or double up with our employees. The Civil Aeronautics Administration has been unwilling to request appropriations for construction and operation of hotel facilities at our fields. We believe this function should be accomplished by private enterprise, or, in locations such as Gustavus, by your Department. Thus, the immediate construction of a hotel is necessary, both to complete this field, constructed at a cost of \$3,200,000, and to serve the demands of people who wish to go to Alaska to enjoy the beauties of the National Monuments and Parks.<sup>29</sup>

Ickes answered Wallace, "I agree with the suggestion...that hotel facilities at Gustavus, Alaska, should be planned to serve the needs of the Gustavus airfield and Glacier Bay National Monument." He then proposed that the NPS and the CAA combine their planning efforts.<sup>30</sup>

A planning document prepared by the Park Service's landscape architect A.C. Kuehl and sent to Washington, D.C., in early January 1946 served as the basis for

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<sup>28</sup>Herbert Maier to Newton B. Drury, March 30, 1945, NAPSR, RG 79, Western Region, Central Classified Files, box 91, file 201.

<sup>29</sup>Henry A. Wallace to Harold L. Ickes, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 302.

<sup>30</sup>Harold L. Ickes to Henry A. Wallace, January 17, 1946, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 302.

discussion between CAA and NPS officials when they met in Associate Director A.E. Demaray's office at the end of that month. Kuehl had been working on a new plan of development for Glacier Bay National Monument for several months; as early as June 1945 he had sketched a map of the Gustavus area with hotel and steamer dock located at Bartlett Cove and a road linking them to the airfield. His idea was to locate headquarters and a main lodge at Bartlett Cove, and a secondary administrative area and small lodge at Sandy Cove. CAA officials agreed easily to the location of the hotel at Bartlett Cove. They indicated that airline passengers who were weathered in would be little inconvenienced by the eight-mile distance to Bartlett Cove, particularly since those passengers bound for Juneau, Sitka, and other southeast Alaska locations via flying boat "no doubt would take off in Bartlett Cove." They persuaded NPS officials to increase the main lodge capacity from 100 to 150, and in other ways boosted the total budget estimate from approximately \$1,500,000 to \$2,000,000.<sup>31</sup> Four days later Demaray took this request to the Bureau of the Budget, accompanied by Governor Gruening and three representatives of the CAA. Demaray reported on this hearing to Ickes:

The major development, which is essential in connection with the operation of the airport at Gustavus, and recommended by Secretary Wallace of the Department of Commerce, appeared to have the sympathetic consideration of the Budget Committee. A minor tourist development for summer operation proposed at Sandy Cove and estimated to cost \$381,500 did not receive quite such a sympathetic hearing, and the Budget officers asked whether this development might be postponed for a year or two.<sup>32</sup>

Consequently, the Park Service trimmed its budget estimate to \$1,250,000, retaining the 150-capacity hotel in Bartlett Cove and eliminating the Sandy Cove development entirely, and resubmitted it. Though approved by the President, it was struck by a subcommittee of the House Appropriations Committee.<sup>33</sup>

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<sup>31</sup>T.C. Vint to Newton B. Drury, February 18, 1946, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 302.

<sup>32</sup>A.E. Demaray to Harold L. Ickes, February 4, 1946, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 302.

<sup>33</sup>Hugh M. Miller to Director, Division of Budget and Administrative Management, March 4, 1946, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 302; Newton B. Drury to T. P. Wright, June 3, 1946, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 600.

In his annual report for 1946, Newton B. Drury pointedly extolled the Gustavus airport and elaborated upon the need for lodging to accommodate tourists and airline passengers. This of course contradicted the Park Service's policy against locating airports in parks, which Drury stated boldly elsewhere in the same annual report. To conservationists who carefully perused such documents, Drury's comments on the Gustavus airport were a red flag. The president of the National Parks Association, William P. Wharton, wrote to the secretary of the interior arguing that the monument boundary must be revised to exclude the airfield. Secretary Julius A. Krug's reply, prepared by Park Service staff, was unequivocal in explaining that the Gustavus airfield justified a "deviation from policy."<sup>34</sup>

There was another reason that the Park Service decided against eliminating the Gustavus airfield site from the monument: it was thought to be important brown bear habitat. This had been a major consideration in J.D. Coffman's recommendation to include the Gustavus forelands in the first place. Park Service biologist Victor H. Cahalane reminded the National Parks Association of this fact in a sharp letter after he had helped prepare a response to Wharton for the interior secretary. To let go of the Gustavus area, Cahalane explained, would wreck the Park Service's ability to limit growth of the so-called agricultural community there. As cattle grazing inevitably increased, the Park Service would probably lose the entire brown bear population east of Glacier Bay. "I consider it much more important to keep control of the entire Gustavus area," he wrote, "and thus save the animal life, than to excise the airport from the Monument."<sup>35</sup>

Ironically, the biologist's prediction about the future of this community, although exaggerated, proved to be more accurate than Park Service planners' guesses about the future of the airport. The airport never became the transfer point for southeast Alaska that CAA and Park Service officials anticipated it would. At the end of the decade its principal use was for emergency landings. With no regular air service to Gustavus, visitation to Glacier Bay National Monument remained low--around five hundred people annually. But for a few years during and after World War II, the Gustavus airfield assumed a major influence on development plans as planners looked ahead to an expected boom in Alaska tourism.

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<sup>34</sup>J.A. Krug to William P. Wharton, February 8, 1947, NAPS, RG 79, Western Region, Central Classified Files, box 20, file 020, Part I.

<sup>35</sup>Victor H. Cahalane to Devereux Butcher, January 24, 1947, NAPS, RG 79, Western Region, Central Classified Files, box 295, file 700.01.





## CHAPTER VI

### DISPOSSESSING THE NATIVES

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After World War II, the question of Native hunting and trapping rights momentarily came to the fore of management concerns in Glacier Bay National Monument. There were at least two precipitating events that heightened interest in the status of Hoonah Tlingits in the monument. One was the arrest of three Natives of Hoonah by wardens of the Fish and Wildlife Service for hunting and trapping in the monument during the winter of 1945-46. Another was a statement by Frank Sinclair to the Bureau of Indian Affairs (BIA) superintendent in Juneau on September 20, 1946, to the effect that he and his family were being dispossessed of their property rights in Glacier Bay.<sup>1</sup> These events led to a conference in Washington, D.C., in December 1946 between BIA and NPS officials. In the negotiations between the two agencies, the BIA's position on behalf of the Tlingits was buttressed by the statements of several Hoonah Tlingits on their use and occupation of Glacier Bay which had been recorded a few months earlier in the summer of 1946 by the BIA's chief counsel, Theodore H. Haas, and anthropologist, Walter R. Goldschmidt. The investigation by Haas and Goldschmidt was made in connection with a larger conflict that was brewing over Tlingit possessory rights throughout southeast Alaska, but their work in the village of Hoonah bore directly on the problem of Glacier Bay. Out of this Washington meeting came an agreement that the Hoonah Tlingits had special privileges in the monument to hunt hair seal and gather gulls eggs and berries.<sup>2</sup> Far from settling the issue, the Park Service came to regard this agreement as the point of departure for their long and troubled relationship with the people of Hoonah.<sup>3</sup>

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<sup>1</sup>Both incidents are cited in Fred R. Greslin to Walter V. Woehlke, September 20, 1946, NA, RG 79, Central Classified Files, box 2228, file 208.06.

<sup>2</sup>Walter V. Woehlke (BIA) to Director (NPS), December 18, 1946, NAPSR, RG 79, Western Region Central Classified Files, box 293, file 208 describes the meetings; Jackson E. Price to Newton B. Drury and Hillory Tolson, February 6, 1947, NA, RG 79, Central Classified Files, box 2229, file 610 Indian Lands--Glacier Bay discusses the import of the report by Haas and Goldschmidt on Tlingit possessory rights.

<sup>3</sup>In the first Park Service report on this issue, "Special Report on the Hunting Rights of the Hoonah Natives in Glacier Bay National Monument," by Lowell Sumner, August 5, 1947, (p.3) the author cites an agreement of May 14, 1946 (?) and the subsequent meeting of December 10-11, 1946 as the "background" to the controversy. This foreshortened perspective was reproduced uncritically in Bruce W. Black's administrative history of the monument (1957, p.85) and again in "A Special Report Containing Information Required for Legislation to

This was a complex issue with murky origins. Although it can be seen in retrospect that Native rights and NPS goals were set in opposition from the day the monument was created in 1925--and for that matter, that the conflict was implicit in Muir's first contact with the Tlingits in 1879--it appears that NPS officials did not concern themselves with this issue until the boundary extension of 1939. Even after World War II, a counsel to the Park Service could write, "The National Park Service has been but little concerned in the past with Alaskan native claims to land, fishing, and hunting rights and, consequently, has virtually no information in the matter."<sup>4</sup>

It is even less clear when Tlingits became concerned about their rights or privileges in the monument. The earliest known documentation of such concern is a 1937 letter from a BIA official to the school teacher in Hoonah which states: "While in Hoonah some time ago, a number of natives took up with me the question of hunting and carrying fire arms within the boundaries of Glacier Bay National Monument." The official went on to cite a General Land Office circular that described the monument as a wildlife sanctuary and specifically prohibited "firearms, traps, seines, and nets" in the monument without permission of the custodian. Since there was no custodian assigned to the monument, this official concluded, neither the killing of wildlife nor the carrying of firearms within the monument could be permitted.<sup>5</sup> Whether or not this communication, dated May 10, 1937, had anything to do with a request by some 155 petitioners to hunt hair seal in the monument, sent by the Hoonah postmaster to Juneau in the summer of 1937, cannot be confirmed.<sup>6</sup>

The significance of these two communications is that both failed to initiate a dialogue between the NPS and the Tlingits despite the two groups' opposing interests. Indeed, the first inquiry never got beyond the BIA, while the second was sent from the territorial delegate to the Bureau of Fisheries and was never forwarded to the Park Service. Hoonah Tlingits might have been baffled or disappointed, or they might have chosen to ignore the problem. Since the NPS made virtually no law enforcement effort in the area before 1939, it is not surprising that Tlingits focused on other threats to their

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Redesignate Glacier Bay as a National Park," September 30, 1964, p.8.

<sup>4</sup>Jackson E. Price to Newton B. Drury and Hillory Tolson, February 6, 1947, NA, RG 79, Central Classified Files, box 2229, file 610 Indian Lands--Glacier Bay.

<sup>5</sup>George C. Penny to W.H. Cordle, May 10, 1937, NAAR, RG 75, Alaska Reindeer Service, box 64, file Hunting, Fishing, and Fur Farming 1936-37.

<sup>6</sup>Anthony J. Dimond to Frank T. Bell, August 25, 1937, and Charles E. Jackson to Anthony J. Dimond, August 27, 1937, NA, RG 22, General Classified Files, box 285, file 532.

hunting and fishing grounds; the Park Service's theoretical commitment to wildlife protection in Glacier Bay meant far less to Tlingits than the very real encroachments on their resource base by commercial fish traps and white trappers and hunters. Throughout the 1930s the Tlingits were deeply involved in Native rights and conservation, but their main battle was with the Bureau of Fisheries and the laws pertaining to the salmon fishery. Even as the clash between Hoonah Tlingit practices and NPS intentions became manifest in 1939-40, neither party showed much interest in confronting the other for the duration of World War II. NPS intentions remained somewhat ambiguous to the Tlingits; moreover, many Hoonah Tlingits enjoyed higher earnings during the war years and were only thrown back on their customary subsistence resources in the monument with the local economic downturn in 1946.<sup>7</sup>

This complex management issue not only had obscure origins, it defied easy definition or classification as well. Even today, after all the attention given to the relationship between Alaska Natives and national parklands over the past twenty-five years, policy analysts are still frequently torn between legal, anthropological, and ecological approaches to specific subsistence use issues. Fifty years ago there was no framework and practically no precedent upon which NPS officials could draw. Initially director Arno B. Cammerer attempted to define the problem of Native trapping and hunting narrowly as a wildlife policy issue. "It is our intention," he wrote to Been on December 1, 1939, "to permit the Indians to continue to take hair seals and to collect gull eggs and berries as they have done in the past, until a definite wildlife policy can be determined."<sup>8</sup> Neither the Tlingits nor the BIA were willing to see Native rights in the area dismissed so lightly, however. The Tlingits succeeded for a time in their effort to protect their interests in Glacier Bay by negotiating certain "privileges" within the monument. That these were "privileges" rather than "rights," however, showed the precariousness of the Tlingits' position.

The first subsection of this chapter will provide background on the Tlingits' changing patterns of use in the area that would be included in the monument in 1939.

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<sup>7</sup>Hoonah Tlingits did press for clarification of their privileges in Glacier Bay from time to time after 1939 (without result) but a strong indication that this was not a priority is the fact that the Hoonah local camp No.12 of the Alaska Native Brotherhood raised the issue one time between 1939 and the end of World War II. Resolution No.16, passed by the ANB on November 13, 1940, called for Park Service recognition of Hoonah Tlingit hunting and fishing rights in Glacier Bay. See the minutes of the 27th Annual Convention of the Alaska Native Brotherhood and the Alaska Native Sisterhood in UW, William L. Paul Papers, MS 2076-2, roll 1.

<sup>8</sup>Arno B. Cammerer to Superintendent, December 1, 1939, NA, RG 79, Central Classified Files, box 2228, file 208.06 Part I. Emphasis added.

The second subsection takes a broader regional focus to examine the developing legal context of Tlingit possessory rights in Glacier Bay, and relates this to why the Tlingits' position in Glacier Bay became eroded from 1939 to 1946 and then partially restored by the agreement of December 1946. Finally, the third subsection examines the difficulties that followed that agreement from 1947 through 1952. (The Park Service relationship with the Hoonah Tlingits after this date is picked up again in Chapter X.)

### The Mixed Economy of the Tlingits

Today the term "mixed economy" is applied to Alaska villages where people make a living both by harvesting wild foods and by earning cash. In a mixed economy some cash earnings are devoted to the harvesting of fish and game--to buy ammunition, gas, and skiffs, for example. Sharing of harvested resources (without assigning a cash value to them) is also an important feature of this kind of economy. Thus, a growth in cash earnings by a given community or household does not necessarily indicate a commensurate decline in the "subsistence" sector of that community or household economy.<sup>9</sup> It does indicate increased involvement of the community or household in the larger regional economy. As difficult as it is to quantify the subsistence sector of the Tlingits' mixed economy, much has been learned in the past decade by interviewing hundreds of randomly selected heads of households in many southeast Alaska villages. The purpose of these studies is to assist resource managers in the conservation of fish and game and the prioritization of subsistence over non-subsistence harvesters.<sup>10</sup>

In the 1930s and 40s, officials of the BIA and Bureau of Fisheries made similar though less sophisticated appraisals of Tlingit subsistence harvests and cash earnings. Less concerned with the sustainability of wild food harvests than they were with raising the living standards of the Indians, these studies nonetheless reveal that the basic notion of a mixed economy pertained as much in the 1930s and 40s as it does today. While few of the statistics are broken down by village, and in some cases are merely conjectural, they do give a sense of what the Tlingits' mixed economy was like in this period.

In the 1930s, by far the greatest portion of the Tlingits' cash earnings came from

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<sup>9</sup>Jack Kruse and Rosylnd Frazier, "Report to the Community of Hoonah, Tongass Resource Use Cooperative Survey," p.9, September 20, 1988, ARO, copy provided to author by Tim Cochrane.

<sup>10</sup>For example, see Robert F. Schroeder and Matthew Kookesh, Subsistence Harvest and Use of Fish and Wildlife Resources and the Effects of Forest Management in Hoonah, Alaska, Technical Paper No. 142 of the Alaska Department of Fish & Game (Juneau, 1990).

seasonal employment as fishermen and cannery workers. In the "Juneau District" (roughly the northern half of the southeast Alaska panhandle) in 1935, fifteen canneries paid a total of \$149,319.55 to Tlingit seiners (fishermen) and \$46,787.09 to Tlingit cannery workers. Among a total Native population in the district of 2,444, some 862 worked on seiners and 795 worked in canneries.<sup>11</sup> This meant average seasonal earnings of \$172.41 for the seiner and \$61.38 for the cannery worker, or combined earnings of \$233.79 for a household where the husband worked on a fishing boat and the wife in a cannery, as was often the case. Figures for 1936 were higher: average earnings of \$440.74 for Native gill netters, \$250 to \$400 for seiners, and \$64.30 for cannery workers.<sup>12</sup> These earnings were sometimes augmented by payments for furs, crafts, and hair seal bounties. From the perspective of the village economy, however, these sources of income were small; over a twelve-month span in 1939-40, for example, Hoonah Tlingits earned \$2,955 from seal bounties, or approximately \$20-30 per household.<sup>13</sup>

A 1938 census of Hoonah provides another glimpse of the Hoonah Tlingits' mixed economy in this period. This census reported a total population of 832, of whom 734 were Tlingit, 92 white, two Japanese, two Filipino, one Chinese, and one Mexican. The standard BIA census form for Alaska Natives at the time contained blanks for type and size of dwelling, whether the dwelling was owned or rented and its value, value of household equipment, value of furniture, value of personal effects, value of boats, nets, livestock, dogs, foxes, other property, and total worth of the household. Most residents lived in small frame houses; a few still lived in clan houses. A majority of Tlingits owned boats, and the boats were generally their most valuable asset. One individual who was representative of the poorer class rented a house, owned \$10 worth of furniture, \$90 in personal effects, and no boat, for a total household worth of \$100. This man was middle-aged with four dependent children. An individual who fairly reflected the wealthier class of Hoonah Tlingits as recorded by this census owned a \$2,500 boat, a \$1,000 net, an \$800 house and personal effects valued at \$1,000. The average total worth

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<sup>11</sup>Conditions of Natives in the Juneau District 1935, NAAR, RG 22, Juneau Fisheries Research Data Files 1904--1960, box 26, file Native Reports all Districts 1935.

<sup>12</sup>Condition of Natives in the Juneau District 1936, NAAR, RG 22, Juneau Fisheries Research Data Files 1904--1960, box 26, file Native Reports all Districts 1936.

<sup>13</sup>Hair Seals Killed in and near Glacier Bay National Monument from March 1939 to July 1940, NA, RG 79, Central Classified Files, box 2228, file 208.06.

of most Tlingit households in the census was on the order of \$2,000.<sup>14</sup>

The cash earnings and material wealth of the Tlingits increased significantly during World War II. According to BIA estimates, Hoonah Tlingits had an average household income of \$1,085.35 during 1940-45.<sup>15</sup> In November 1945, the average household earnings of the Natives of southeastern Alaska stood at \$1,400; the figure given for Hoonah was \$1,387. The Tlingits made economic gains during World War II thanks in part to wartime labor shortages and higher wages, and in part to federal loans with which many Tlingit men bought their own commercial fishing boats. As big a gains as these were, however, they were offset by inflation and high costs of merchandise in Alaska and the fact that many of the seemingly most prosperous Tlingits owed large mortgages on their boats. Their income was still far below the average household income in the United States of \$2,406.63. BIA officials accurately predicted, moreover, that the Natives' earnings would drop the following year as decommissioned servicemen and laid-off war industry workers went back to work in the commercial fishing industry.<sup>16</sup>

The subsistence sector of the Tlingits' mixed economy was more difficult to quantify. Much of what each house group produced the members used or consumed themselves, while much of it they bartered or shared within the community. Some products they bartered outside the community. Furs, arts and crafts, moccasins, and other such native products they generally exchanged for cash. None of this "income" was taxed, and most of it never had a monetary value attached to it. For purposes of determining each community's needs, the BIA had a standard printed form with which its field agents were supposed to track this "hidden" economy, assigning various items of food and native products an equivalent market value. These sources of "income" were then added to the total wage earnings and welfare payments that together comprised the cash sector of the economy. A comparison of the BIA's figures for the two years 1943 and 1945 shows how variable the Hoonah Tlingits' mixed economy was (Table 1).

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<sup>14</sup>Hoonah Census--October 1, 1938, NAAR, RG 75, Juneau Area Office, Tribal Census Rolls, box 182.

<sup>15</sup>Don C. Foster to Francis A. Staten, May 2, 1946, NAAR, RG 75, Juneau Area Office, General Subject Correspondence, box 86, file 917 Annual Statistical Report Hoonah.

<sup>16</sup>Commissioner of Indian Affairs to Secretary of the Interior, November 1, 1945, NA, RG 75, Alaska Agency, box 117, file 34246-45-931.

TABLE 1. TOTAL INCOME OF HOONAH TLINGITS, 1943 AND 1945<sup>17</sup>

<u>Source</u>	<u>1943</u>	<u>1945</u>
Native food products	\$21,800	\$8,000
Furs and hides	--	9,000
Moccasins, arts & crafts	2,000	1,000
Wages	31,720	76,400
Welfare	<u>9,300</u>	<u>6,250</u>
Total income	\$64,820	\$100,650

Moreover, a more detailed comparison of the native food products tallied by the BIA in Hoonah for the two years 1943 and 1945 suggests how intractable this "hidden" economy was too (Table 2).

TABLE 2. FOOD HARVESTED BY HOONAH TLINGITS, 1943 AND 1945<sup>18</sup>

<u>Native food</u>	<u>1943</u>	<u>1945</u>
Game animals	22,000 lbs.	30,000 lbs.
Seal meat	30,000 lbs.	5,000 lbs.
Gull eggs	800 doz.	
Berries & greens	30,000 lbs.	5,000 lbs.
Seal oil	1,000 gal.	
Fish	60,000 lbs.*	12,000 lbs.
Other		5,000 lbs.

\*includes 40,000 lbs. sold and 20,000 lbs. for home use.

The omissions and wide variations in these two statistical reports may reflect that a certain amount of guesswork was involved in their compilation. Nevertheless, they provide a sense of the relative importance of different native foods in the subsistence

<sup>17</sup>Annual Statistical Report 1943, 1945, NAAR, RG 75, Juneau Area Office, General Subject Correspondence, box 86, file 917 Annual Statistical Report Hoonah.

<sup>18</sup>Ibid.

economy. The population of Hoonah for 1943 and 1945 was given as 555 and 525 respectively, indicating a per capita consumption of native foods of 184 pounds in 1943 and 109 pounds in 1945.<sup>19</sup>

Another BIA official made a sample household survey of stored winter food supplies in Hoonah in 1941. He listed a total winter supply of 9,366 pounds of preserved food (Table 3).

TABLE 3. STORED FOOD IN HOONAH, 1941

<u>Food</u>	<u>Quantity</u>	<u>Method</u>
Salmon	3,435 lbs.	smoked
	300 lbs.	canned
	650 lbs.	salted
Deer	1,448 lbs.	canned
	600 lbs.	dried
	150 lbs.	salted
	25 lbs.	grease
Berries & greens	2,508 lbs.	canned
Seaweed	250 lbs.	dried

With 61 people "dependent on this supply" (presumably the number who lived in the sampled households), this indicated a winter supply of approximately 153.5 pounds of native food per capita for the village.<sup>20</sup>

These stored native foods represented both a household and community resource. Viola Garfield, an anthropologist who worked on the Tlingit-Haida land claim suit, wrote of these winter stores in 1944: "Nearly every Indian family I have worked with had at least some dried salmon, and many had, in addition, seaweed, eulachen, and berries which they had gathered and processed themselves or bought from other natives for

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<sup>19</sup>By comparison, a 1985 survey of the Hoonah subsistence economy found a per capita consumption of native foods of 245 pounds. The discontinuity probably says more about the difficulty of making these assessments than it does about actual change. See Robert F. Schroeder and Matthew Kookesh, Subsistence Harvest and Use of Fish and Wildlife Resources and the Effects of Forest Management in Hoonah, Alaska, Technical Paper No. 142 of the Alaska Department of Fish & Game (Juneau, 1990), p.94.

<sup>20</sup>Survey of Native Food--Summer of 1941, by L.E. Robinson, October 10, 1941, NAAR, RG 75, Alaska Reindeer Service, box 61, file 917 Agricultural, Hunting, and Fishing Statistics.



winter use."<sup>21</sup>

Theodore H. Haas and Walter R. Goldschmidt, surveying Tlingit and Haida villages in the summer of 1946 to determine their possessory rights, found a mixed economy "compounded of aboriginal land uses and modern industrial practices." They noted that both of these economic sectors were based on exploiting the same natural resources. In terms of food storage and consumption, Haas and Goldschmidt reported that the Tlingits prepared some food "according to the fashion of their forefathers," and preserved other food by modern means in cans and preserving jars.<sup>22</sup>

Haas and Goldschmidt interviewed several Hoonah Tlingits about the locations where they and their parents or aunts and uncles had harvested these resources in the past. Their report, "Possessory Rights of the Natives of Southeastern Alaska," stands as the best evidence available of the Hoonah Tlingits' historical use of Glacier Bay. Their informants described seal hunting practically throughout Glacier Bay and as far north on the outer coast as Lituya Bay, goat and marmot hunting in the upper reaches of Glacier Bay, gull egg collecting on the islands in Glacier Bay, berry picking around the lower sections of Glacier Bay and Excursion Inlet, trapping around Dundas Bay, and catching and smoking salmon at various locations in the monument.<sup>23</sup>

The Hoonah Tlingits' statements are corroborated in part by records on the issuance of trapping permits maintained by the Alaska Game Commission and by records of bounty payments to seal hunters kept by the Territorial Treasury Office. Three months after the extension of the monument on April 18, 1939, the Alaska Game Commission furnished the BIA with a list of 22 trappers from Hoonah whose applications during the trapping season of 1937-38 had indicated trapping locations within or adjacent to the new monument boundary.<sup>24</sup> In 1940, the Territorial Treasury Office prepared a list of bounty recipients whose reported kills were made in or near the monument. The number of seals killed between March 23, 1939 and August 22, 1940 in

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<sup>21</sup>"Salmon Fishing," by Viola Garfield, p.1, UW, Viola Garfield Papers, MS 2027-72, box 1, file 15.

<sup>22</sup>U.S. Department of the Interior, Bureau of Indian Affairs, Possessory Rights of the Natives of Southeastern Alaska, by Theodore H. Haas and Walter R. Goldschmidt (Washington, 1946), p.25.

<sup>23</sup>The report summarizes information recorded in oral interviews and ethnographical sources. Transcripts of the oral interviews are in AHL, Curry-Weissbrodt Papers, MS-43, roll 20.

<sup>24</sup>Homer W. Jewell to Claude M. Hirst, July 15, 1939, NAAR, RG 75, Alaska Reindeer Service, box 64, file Hunting, Fishing, and Fur Farming.

this area came to 1,463.<sup>25</sup> That the government kept records of trapper applications and bounty payments reflected the fact that these activities were not really "hidden" in the same sense that harvesting seaweed, berries, and gull eggs were unconnected to the cash economy. Trapping and seal hunting constituted grey areas in the Tlingits' mixed economy that involved cash incentives but were nonetheless quite marginal to the cash economy of southeast Alaska.

The question would arise, did Hoonah Tlingits hunt seals in Glacier Bay only for the bounty? How many seals were shot and scalped and their bodies left to rot, and what did that mean? When Been and Trager asked this question in 1939, they looked at the bounty in proportion to the total cash value of each seal. They learned from seal hunters in Hoonah that the average income from each seal came to \$7.50--\$3.00 for the bounty, \$2.00 for the hide, and \$2.50 for approximately five gallons of oil rendered from the blubber. Been was told subsequently, however, that a seal yielded about \$7.00 worth of oil, and that eight pairs of moccasins could be made from a seal hide. It stood to reason that once the investment was made in killing a seal for the bounty, the hunter would be reluctant to take only its scalp and waste the rest of the animal. Nevertheless, this was seen to happen. One white resident of Dundas Bay informed Been, "Last fall a Native killed nine seals in one day up at the head of Idaho Inlet where I was trolling. He scalped all nine for the bounty, threw eight overboard and ate the liver of one."<sup>26</sup>

The problem can be approached in another way by comparing the numbers of seal kills reported to the Territorial Treasury Office with the amount of seal meat and seal oil consumed by the community. The Territorial Legislature had put a \$2 bounty on hair seal in 1931, raising it to \$3 after March 3, 1939. Total seal kills recorded by the Territorial Treasury Office are shown in Table 4.

Bounties were only paid in the First and Second Judicial Districts, or roughly along the southern coast of Alaska from Kodiak Island to Dixon Entrance. Most of the bounties were paid in the First Judicial District (southeast Alaska) for seals taken in the vicinity of Icy and Chatham straits. About 85 percent of bounty payments were made to Natives.<sup>27</sup> The size of these harvests and the reported concentration of kills in the vicinity of Icy Strait suggest that Natives took thousands of seals in Glacier Bay--possibly

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<sup>25</sup>Number and Location--Hair Seals Killed in and near Glacier Bay National Monument from March 1939 to July 1940, NA, RG 79, Central Classified Files, box 2228, file 208.06.

<sup>26</sup>Trager, "Glacier Bay Expedition, 1939," p.86; Been field notes, July 25, 1940, DENA, William E. Brown historical files; Horace Ibach to Frank T. Been, January 9, 1940, NA, RG 79, Central Classified Files, box 2228, file 208.06.

<sup>27</sup>Amounts Expended for Bounty on Hair Seals, NAAR, RG 75, Juneau Area Office General Subject Correspondence, box 42, file 923.2 Hair Seals No.1.

TABLE 4. SEAL KILLS AND BOUNTY PAYMENTS, 1931-1945

<u>Biennium</u>	<u>Number of Seals</u>	<u>Amount</u>	<u>Bounty Each</u>
1931-1932	9,981	\$19,962.00	\$2.00
1933-1934	17,496	34,993.75	2.00
1935-1936	19,749	37,499.50	2.00
1937-1938	25,000	50,000.00	2.00
1939-1940	19,000	60,000.00	3.00
1941-1942	25,015	75,031.00	3.00
1943-1944	11,702	35,106.00	3.00
1945	5,666	17,004.00	3.00

a thousand or more each year. A seal hunter from Hoonah told superintendent Been in July 1940 that many kills reported from Icy Strait actually came from Glacier Bay.<sup>28</sup>

These harvest figures certainly had to exceed what the Natives consumed. One seal yields about 65 pounds of meat. Based on the surveys of Hoonah made in 1943 and 1945, the amounts of seal meat consumed in those years represented something like 462 seals in 1943 and 77 seals in 1945. While these estimates could be quite low, they are given some credibility by the fact that the downward trend from 1943 to 1945 correlates with the drop in bounties paid by the Territorial Treasury Office in 1944-45.

Three preliminary conclusions about Native seal hunting seem to be in order. First, nowhere near all seals killed and collected upon were consumed--many, perhaps most, were taken only for the bounty. Second, the amount of seal hunting done only for the bounty declined as opportunities in the salmon packing industry improved; bounty hunting was not the preferred occupation. Third, the amount of seal meat consumed by the community fluctuated with the amount of seal hunting taking place, even though seal hunters were frequently motivated primarily by a need for cash from the bounty. What this suggests is that there was no distinct class of Native bounty hunters whose exploits were unconnected to the subsistence sector of the Hoonah economy; rather, Native seal hunters appear to have harvested the whole animal sometimes and taken only the scalp at other times.

Seal hunting and trapping were not the only pursuits in which the Tlingits'

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<sup>28</sup>Frank T. Been field notes, July 25 and 30, 1940, DENA, William E. Brown historical files.

traditional subsistence activities became intertwined with the cash sector of their economy. Cannery jobs often determined where Tlingit women and children made their summer camps, and these encampments in turn became centers of native food gathering activity. From 1935 to 1946, several dozen Hoonah Tlingits lived intermittently in Excursion Inlet, where they caught salmon, hunted mountain goats, harvested edible plants, and secured jobs in the cannery located there.<sup>29</sup> Beginning in 1935, the Astoria & Puget Sound Canning Company in Excursion Inlet paid more than 100 Hoonah Tlingit men more than \$100 apiece to make dock and building repairs prior to the fishing season and to dismantle the machinery and winterize the buildings when the season ended. On February 24, 1938, the Astoria & Puget Sound Canning Company wrote an illuminating letter to Spencer Shotter, a Hoonah fisherman:

For the past few years there have been more natives coming to the cannery each season until we have far more men around the camp than we can work. The union regulations also make it entirely prohibitive to use natives in trap work. We therefore wish to advise you that we will be unable to give you any work at our cannery this spring. We are also not giving out any credit until fishing season and then only to men who have made arrangements to fish on one of the boats that will be seining for us.<sup>30</sup>

As cannery work and commercial fishing were woven more and more into the fabric of their lives, Tlingits came to view their labor struggles with cannery owners in much the same way that they viewed the encroachments of fish traps on their fishing grounds. Whether it was jobs or fish, they wanted to protect their territories from encroachment by outsiders. Most Tlingits opposed fish traps because they believed that

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<sup>29</sup>Evidence that Hoonah Tlingits engaged in these subsistence activities at the head of Excursion Inlet comes from the statements taken by Haas and Goldschmidt in 1946. Haas and Goldschmidt listed this area as one of five where Hoonah Tlingit resource gathering had been consistent enough to provide the basis for a claim of "possessory rights" to the area.

<sup>30</sup>This letter is quoted in a telegram, Hirst to Zimmerman, April 22, 1938, NAAR, RG 75, Alaska Reindeer Service, box 64, file Hunting, Fishing, and Fur Farming; pre- and post-season employment is also described in Conditions of Natives in the Juneau District 1935, NAAR, RG 22, Juneau Alaska Fisheries Research Data Files 1904-1960, box 26, file Native Reports All Districts 1935.

they themselves--not the trap owners--should be catching and selling those fish.<sup>31</sup> When the canneries in southeast Alaska started contracting for Chinese laborers in San Francisco, they sought to protect their cannery jobs for the same reason. The Tlingits' political leadership in the Alaska Native Brotherhood tried to insist that the canneries should employ Native women only "in the occupations of sliming, table working and machine filing"--jobs which paralleled the Tlingit women's traditional work of cleaning and smoking salmon for winter storage, but were now performed in a new setting.<sup>32</sup>

Fish traps and imported workers were the most overt threats to the Tlingits' resource base, but the Tlingits' desire to protect their territory gave rise to all-Native fishermen's cooperatives and labor unions, too. During the 1930s a number of labor unions sputtered to life in southeast Alaska and the Alaska Native Brotherhood strongly supported their efforts. But when the Congress of Industrial Organizations (CIO) tried to organize cannery workers on a region-wide basis in southeast Alaska in the late 1930s, Tlingit leaders perceived this as a threat to the Alaska Native Brotherhood. The ANB responded to these unwanted overtures from the CIO by transforming its own local camps into independent bargaining agencies, and for a few years these "plant units" enjoyed considerable success in negotiating wage levels and fish prices with the packing companies. In 1940, the National Labor Relations Board ruled that these ANB-affiliated labor unions discriminated against non-Natives, since the ANB's membership was open to Natives only. The plant units thereupon affiliated themselves with the Alaska Fishermen's Cooperative Association, a non-profit organization founded by fifty Tlingits from Hoonah, Haines, Juneau, and Sitka.<sup>33</sup> The Alaska Native Brotherhood's role in labor organization was emblematic of the way the Tlingits' mixed economy produced a changed cultural outlook--their identity as indigenous hunters and gatherers coalesced with their identity as industrial workers.

A key element in the Hoonah Tlingits' position with regard to hunting and trapping in Glacier Bay was that they themselves did not view their mixed economy as a

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<sup>31</sup>Some Tlingits argued against fish traps on conservationist grounds, convinced that they were reducing the salmon run from year to year and inexorably ruining the industry. This argument dovetailed the other. But there was not unanimity: some Tlingits who worked in canneries did not want fish traps abolished because they feared it would hurt the canneries and eliminate jobs. U.S. Congress, House, Committee on Interior and Insular Affairs, Survey of Conditions of the Indians in the United States, Hearings, Part 36, Alaska, 79th Cong., 2nd sess., 1939, p.19753.

<sup>32</sup>Ibid, p.19917.

<sup>33</sup>William Paul, Jr. to Charles A. Wheeler, July 13, 1942, AHL, Curry-Weissbrodt Papers, MS-43, roll 5. This roll also contains the AFCA by-laws, charter, and a sample marketing agreement.

juxtaposition of old and new elements, but rather as a synthesis of the two. In the natural setting of Glacier Bay, when whites observed Tlingits hunting with rifles and taking only the scalp of the seal for the bounty, they saw a corruption of aboriginal Indian culture, a grafting of the artificial onto the natural in the Indians' relationship to his environment. Hoonah Tlingits had no such conception of their seal hunting. The Native hunter who was observed eating one seal liver and throwing eight other seals overboard was in all likelihood performing a ritual sign of respect to the nine seals that he had killed. The hunter might feel better when he took the animal's meat and hide as well as its scalp, but he did not feel ashamed or degraded when he chose to hunt seals for the cash.

### Tlingit Possessory Rights

The Tlingit hunter's relationship to wild animals in the monument represented one problem for the Park Service; the Tlingits' relationship to the land posed another. Numerous Tlingits of Hoonah owned hunting, trapping, and fishing grounds in the area of the monument according to Tlingit tribal custom. Some of these people had smokehouses and trapper cabins which they occupied during the salmon runs or when they were running their traplines. A few had taken Native allotments. (These allotments were often separated from the owners' seasonal use areas; the allotting agents sometimes missed the intended site when they entered the legal description in the General Land Office record books.) Besides these specific property rights, most Hoonah Tlingits felt a spiritual or cultural connection to Glacier Bay drawn from their clan legends and origin myths.

In addition, all Tlingits held tribal "aboriginal rights" in Glacier Bay. Aboriginal rights were a well-established principle of federal Indian law in the United States. Recognized tribes held aboriginal title to the territory and resources that the tribe had used aboriginally until such time as the federal government extinguished this "Indian title" either by treaty or conquest. The United States government had created both Glacier Bay National Monument and the much larger Tongass National Forest without first extinguishing Indian title. In 1929, the Alaska Native Brotherhood voted to pursue tribal land claims against the federal government, and in 1935 the ANB achieved an initial success when Congress passed a jurisdictional act authorizing the "Tlingit and

Haida Tribes" to bring suit against the United States in the U.S. Court of Claims.<sup>34</sup>

As this legal case slowly took definition in the 1930s and 1940s, it was influenced by current developments in the government's policy toward Alaska Natives, namely the creation of Indian reservations for certain groups of Indians in southeast and interior Alaska. While most white Alaskans and many Natives regarded the creation of Indian reservations in Alaska as a throwback to a discredited Indian policy of the nineteenth century, the reformist head of the BIA, John Collier (1933-1945) and Secretary of the Interior Harold Ickes (1933-1946) saw Indian reservations as the most effective way to protect Alaska Native groups from further encroachment upon their resource bases. Authority for creating Indian reservations came from the Alaska Reorganization Act (1936), and required a majority vote of approval by each Indian group.

As a result of this movement to create Indian reservations, the federal government came to recognize two levels of tribal political organization in southeast Alaska: a Tlingit-Haida Central Council representing all Indians in southeast Alaska for purposes of the land claim suit, and smaller tribal divisions corresponding to the Tlingit villages or kwaans insofar as an Indian group's approval or rejection of a reservation was concerned.<sup>35</sup>

Both the Tlingit-Haida land claim suit and the federal government's new reservation policy were inchoate when President Roosevelt extended the boundary of Glacier Bay National Monument by proclamation on April 18, 1939. Although the Park Service was apprised that "various individuals or families among the Indians" claimed ownership of certain areas in the monument addition, it did not consider the claims to be tribal in the present political context. Arthur E. Demaray, a longtime associate director of the NPS, blithely suggested to Commissioner of Indian Affairs John Collier two weeks after the proclamation that all Natives displaced by the boundary extension could be compensated by "reasonable adjustments" of resource use areas claimed by other Natives elsewhere.<sup>35</sup>

The BIA was caught unawares by the President's proclamation. "Obviously, this

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<sup>34</sup>Charles W. Smythe, "Tlingit and Haida Tribal Status: A Report of the Central Council of the Tlingit and Haida Indian Tribes of Alaska," February 1989, p.6, ARO, copy provided to the author by Tim Cochrane.

<sup>35</sup>U.S. Congress, House, 89th Cong., 1st sess., Committee on Interior and Insular Affairs, Subcommittee on Indian Affairs, Tlingit and Haida Indians of Alaska, 1965, p.2; Robert E. Price, The Great Father in Alaska: The Case of the Tlingit and Haida Salmon Fishery (Douglas, Alaska, 1990), p.106.

<sup>35</sup>A.E. Demaray to John Collier, May 2, 1939, NAPS, RG 79, Western Region, Central Classified Files, box 294, file 602.

Office should have been consulted before the Department approved the extension of these boundaries," Assistant Commissioner William Zimmerman, Jr. wrote to the BIA superintendent in Juneau. He continued:

Now that the extension has been made, what should we do? Can trapping areas be set aside elsewhere for these Indians? How important to their livelihood are the trapping privileges of which they will otherwise be deprived? I shall appreciate a full report.

Although I am annoyed that this Office was not consulted before the damage was done, I have no desire to make trouble for the Park Service in the administration of this area, unless the fishing and hunting privileges are vital to the particular Indians affected.<sup>36</sup>

Some time toward mid-October--the date is not clear--NPS and BIA officials held a conference in Zimmerman's office and agreed on some preliminary arrangements. The Indians were to be permitted continuance of "normal use" of the wildlife in the monument, with normal use being defined as the use they had made of wildlife resources in the area during recent years. This information was conveyed to coordinating Superintendent Frank T. Been at Mount McKinley, who informed the Hoonah school teacher, Wendell Cordle, of it by radiogram on October 31. Four weeks later, on November 27, Cordle sent a radiogram to his superior in Juneau asking for a clarification--Been's radiogram had authorized hunting but was silent about trapping. In Juneau the BIA's Charles W. Hawkesworth consulted with the Alaska Game Commission and advised Cordle by radiogram on November 28 that trapping was permissible too. Hawkesworth at the same time requested a reaction from Been. Been communicated directly with Washington, soliciting a letter from director Arno B. Cammerer on December 1 that sought to clarify the arrangement. According to Cammerer, he and Zimmerman had not intended to extend the Natives' privileges to trapping, for they were assuming that "the principal use by the natives has consisted in the taking of hair seals and the collecting of gull eggs."<sup>37</sup>

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<sup>36</sup>William Zimmerman, Jr. to Claude M. Hirst, July 7, 1939, NAAR, RG 75, Alaska Reindeer Service, box 64, file Hunting, Fishing, and Fur Farming.

<sup>37</sup>All these communications are referenced in two letters, Charles W. Hawkesworth to Frank T. Been, November 29, 1939, NAAR, RG 75, Alaska Reindeer Service, box 64, file Hunting, Fishing, and Fur Farming; and Arno B. Cammerer to Frank T. Been, December 1, 1939, NA, RG 79, Central Classified Files, box 2228, file 208.06. The latter also references a radiogram of October 19, approved by acting assistant secretary Finch,



It is evident from these communications that both the BIA and the NPS continued to view the problem as something that concerned "various individuals or families among the Indians" rather than a tribal claim. Even when superintendent Been visited Hoonah in August 1939, he consulted the white school teacher and a few Tlingit seal hunters but held no meeting with Hoonah Tlingit representatives or the village at large. In the director's communication to Been, Cammerer noted that Zimmerman thought some compensation would be "desired for the Indians if they are deprived of any of their former privileges." He also directed Been to inform Cordle that the Park Service had "no intention of making any sudden change in the uses which the Indians have been accustomed to make of the monument area." But the arrangements were temporary "until a definite wildlife policy can be determined upon the basis of a field study and a substitute source of income can be provided for them."<sup>38</sup>

Between the fall of 1939 when top BIA and NPS officials agreed on preliminary arrangements for Native hunting in the monument, and the end of 1946 when the two agencies once again got together on this issue, important developments took place with regard to Tlingit and Haida aboriginal rights in southeast Alaska which altered the context for Hoonah Tlingit claims in Glacier Bay. These developments were set in motion by a Supreme Court decision in 1941, United States v. Santa Fe Pacific Railroad Company, which redefined Indian aboriginal rights. The court decided that 1) aboriginal occupancy established rights of possession, 2) possessory rights need not be based on treaty or statute, and 3) extinguishment of possessory rights might not be inferred from general legislation or from administrative action.<sup>39</sup> On the basis of this decision, Solicitor Nathan R. Margold of the Department of the Interior issued an opinion on February 13, 1942, which held that Alaska Native possessory rights extended to submerged lands, that these possessory rights had never been extinguished by the United States, and that regulations permitting control of such areas by non-Natives were unauthorized and illegal.<sup>40</sup>

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which followed the meeting in Zimmerman's office.

<sup>38</sup>Arno B. Cammerer to Frank T. Been, December 1, 1939, NA, RG 79, Central Classified Files, box 2228, file 208.06.

<sup>39</sup>William Zimmerman, Jr. to William E. Warne, July 21, 1947, NAAR, RG 95, Regional Forester Juneau, Historical Records 1915-1962, box 2, file Alaska Native Reservations.

<sup>40</sup>U.S. Department of the Interior, Opinions of the Solicitor of the Department of the Interior Relating to Indian Affairs 1917-1974, vol. 1 (Washington, n.d.), p.1096.

The first change in policy to result from the solicitor's opinion was a revision of fishing regulations for the territory promulgated on March 13, 1942, prohibiting the establishment of any new fish traps where Natives had possessory rights, and allowing Natives to petition for a hearing where non-Native fishermen had occupied their aboriginal fishing grounds.<sup>41</sup> The Tlingits and Haidas of Klawock, Kake, and Hydaburg petitioned for hearings in the summer of 1944. As the combined claims of these three villages amounted to 3,329,000 acres and posed a threat not only to non-Native fishermen but to hopes for a pulpwood industry on the Tongass as well, the case generated wide concern in Alaska as a harbinger of the disposition of other Native claims.<sup>42</sup> The public's interest had already been primed by the establishment of a large Indian reservation north of the Arctic Circle in 1943 and the disclosure in 1944 of proposals for some 28 smaller reservations that would total 6,581,048 acres.<sup>43</sup> "The fate of Alaska hangs in the balance," wrote the editor of The Alaska Fishing News. "It must now be apparent to everyone that Secretary Ickes is planning one of the biggest land grabs ever attempted by a bureau chief."<sup>44</sup>

Judge Richard H. Hanna presided over the hearings in Klawock, Kake, and Hydaburg on September 15-20, 1944. He ruled in favor of the Tlingit villages, but sharply reduced their total claim to 275,000 acres. On June 10, 1946, the Department of the Interior invited more petitions from Native villages by promulgating "Rules of Procedure for Hearings upon Possessory Claims to Lands and Waters Used and Occupied by Natives of Alaska." At the same time, anticipating more claims, the Department commissioned Haas and Goldschmidt to make a study of the possessory rights of Tlingit groups in southeast Alaska.<sup>45</sup>

The Tlingits of Hoonah never petitioned for a hearing nor did they indicate much support for a reservation. At the time, however, there was still a significant amount of

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<sup>41</sup>Hearings on Claims of Natives of the Towns of Hydaburg, Klawock, and Kake, Alaska, Pursuant to the Provisions of Section 201.21b of the Regulations for Protection of Commercial Fisheries of Alaska, 1944, UW, Viola Garfield Papers, MS 2027-72-25, box 5, file 16.

<sup>42</sup>Price, The Great Father in Alaska, p.111.

<sup>43</sup>William Zimmerman, Jr. to William E. Warne, July 21, 1947, NAAR, RG 95, Regional Forester Juneau, Historical Records 1915-1962, box 2, file Alaska Native Reservations.

<sup>44</sup>Kyle Crichton, "Storm Over Alaska," Collier's, vol.115 (March 31, 1945): p.75.

<sup>45</sup>William Zimmerman, Jr. to William E. Warne, July 21, 1947, NAAR, RG 95, Regional Forester Juneau, Historical Records 1915-1962, box 2, file Alaska Native Reservations.

momentum in Washington toward the establishment of Indian reservations in Alaska. Haas apprised NPS officials in December 1946 of what he and Goldschmidt had determined to be the possessory rights of the Hoonah Tlingits, and a copy of their report was put in the Park Service director's hands two months later. Chief Counsel Jackson E. Price advised Director Newton B. Drury that the Natives' possessory rights appeared to be a matter of "primary importance," and that the Park Service needed to stay abreast of "future deliberations by the Department...to the end that our interests will not be overlooked."<sup>46</sup>

Haas and Goldschmidt described three areas in the monument where the Tlingits could claim possessory rights. These were:

1. The lands at the head of Excursion Inlet, and along the streams at its head for a distance of five miles.
2. The shores of Glacier Bay from the north to the head, subject to the restrictions on its use in accordance with the regulations of the National Park Service.
3. The east portion of Dundas Bay and the land area between Glacier Bay and Dundas Bay.

Taylor Bay and the outer coast from Cape Spencer to Cape Fairweather fell within the aboriginal territory of the Hoonah Tlingits, but were not included among the lands still in use.<sup>47</sup>

One finding by Haas and Goldschmidt that might have surprised any NPS official familiar with the informal agreement reached in 1939 was the fact that many Hoonah Tlingits felt they had been forced out of the monument. The authors reported how several of their informants referred to Glacier Bay as "the Hoonah breadbasket" or "the main place for the Hoonah people," and went on to relate how they had been run out of the area in recent years. "Their summary expulsion remains a matter of concern and disappointment to the natives," the authors wrote.<sup>48</sup>

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<sup>46</sup>Jackson E. Price to Newton B. Drury and Hillory Tolson, February 6, 1947, NA, RG 79, Central Classified Files, box 2229, file 610 Indian Lands--Glacier Bay.

<sup>47</sup>U.S. Department of the Interior, National Park Service, Possessory Rights of the Natives of Southeast Alaska, by Walter R. Goldschmidt and Theodore H. Haas (Washington, 1946), section D, p.16.

<sup>48</sup>Ibid, Section D, p.4.

It seems unlikely that any arrests of Tlingits were made by NPS officials in these years, for certainly any such incidents would have been reported by Been or the custodian at Sitka, Ben C. Miller. Rather, it was white residents in the area who took the extension of the monument in 1939 as their cue to wreck Tlingit property and drive the Natives away with gunshots. The Tlingits invariably associated these actions with the Park Service. For example, two old Natives lived on Drake Island in Glacier Bay where the Dakdentan clan had a fort and palisade. A resident fox farmer ran the old couple off the island and tore down these structures. When the Tlingits protested, he told them the government had given him permission.<sup>49</sup>

This may not have been far from the truth. There is no record of NPS officials telling white residents that Natives were no longer permitted to hunt, fish, or reside in the monument, but neither is there any evidence that they tried to protect the Natives' property or privileges. Indeed, Cammerer told Been to give the Natives' privileges "as little publicity as possible."<sup>50</sup> Meanwhile, the words and deeds of local whites clearly show that they intended to run the Natives out of the monument, and it appears that they were never disabused of that idea in their contacts with the Park Service.<sup>51</sup> A game warden whom the NPS deputized in 1944-45 to patrol the monument remarked that one of these residents, a trapper in Dundas Bay named Buck Harbeson, had "instilled a healthy respect for the law in many would-be poachers in his vicinity, and has acquired a reputation among the Indians of the Icy Straits area, that is legend."<sup>52</sup> In

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<sup>49</sup>Ibid, Section D, pp.5-7.

<sup>50</sup>Arno B. Cammerer to Frank T. Been, December 1, 1939, NA, RG 79, Central Classified Files, box 2228, file 208.06.

<sup>51</sup>Been became fully acquainted with local white attitudes toward Natives during his reconnaissance of the monument with Earl A. Trager in the summer of 1939. Horace Ibach, a resident of Dundas Bay, applied to Been later that year for a ranger appointment. Been's reply is not preserved, but it prompted a second letter from Ibach in which he expounded at length on his view that Native hunting and fishing rights discriminated against white Alaskans. See Earl A. Trager, "Glacier Bay Expedition 1939," NAPS, RG 79, Western Region, Central Classified Files, box 292, p.83-84; and Horace Ibach to Frank T. Been, January 9, 1940, NA, RG 79, Central Classified Files, box 2228, file 208.06.

<sup>52</sup>M.L. McSpadden to O.A. Tomlinson, February 19, 1945, NAPS, RG 79, Western Region, Central Classified Files, box 292, file Glacier Bay and Sitka. Ironically, Harbeson does not seem to have been too law abiding himself. He told Been and Trager in 1939 that he had trapped in the area for several years, yet his name does not appear on a list of trapping permit applicants in the Icy Strait area for 1937-38. Moreover, on Been's return visit in 1940, Harbeson avoided him and Been found evidence at his cabin that he had been poaching bears. Frank T. Been field notes, July 28, 1940, DENA, William E. Brown historical files.

1948, the NPS custodian in Sitka, Grant Pearson, was even more blunt when he reported that Harbeson had sent several parties of Natives "on their way at the point of a gun. If that is true, he is undoubtedly an asset to that area."<sup>53</sup>

The NPS had begun looking for a way to rescind its agreement with the BIA within a year of the extension of the monument.<sup>54</sup> In a meeting in early April 1940 between the Park Service, the Biological Survey, and the Alaska Game Commission, the latter's executive officer Frank Dufresne had questioned whether the privileges accorded the Hoonah Tlingits were legal. Dufresne had alleged that Tlingits sometimes took eider duck eggs in violation of the Migratory Bird Treaty Act, and he had noted that the allowance of seal hunting in the monument by Natives would breed resentment among whites.<sup>55</sup> This latter consideration especially concerned field agents of the Biological Survey (reorganized as the Fish and Wildlife Service in 1944), and when the Park Service arranged for Fish and Wildlife Service (FWS) wardens to patrol the waters of the monument in October 1944, they responded with zeal.<sup>56</sup> Clay Scudder, the head of the FWS office in Juneau, advised two Hoonah Tlingits that if any man was caught in Glacier Bay with traps on his boat, even if hunting hair seals, the traps could be confiscated and the owner fined. Moreover, traps that were stored in the Natives' cabins within the monument would be confiscated.<sup>57</sup> FWS wardens made "three or four" arrests of Hoonah Tlingits for "hunting and trapping in the Glacier Bay area" during the winter of 1945-46, which left many Hoonah Tlingits confused as to what they could or could not do in the monument.<sup>58</sup>

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<sup>53</sup>Grant Pearson to Regional Director, September 16, 1948, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 208.

<sup>54</sup>C.P. Russell to Director, April 9, 1940, NA, RG 79, Central Classified Files, box 2228, file 208.06.

<sup>55</sup>Memorandum for the Director, April 9, 1940, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 208.

<sup>56</sup>Don C. Foster to William Zimmerman, Jr., January 30, 1946, NAAR, RG 75, Juneau Area Office, General Subject Correspondence, box 37, file 920 Hunting, Fishing, and Fur Farming.

<sup>57</sup>Don C. Foster to Secretary Ickes, January 29, 1946, NAAR, RG 75, Juneau Area Office, General Subject Correspondence, box 37, file 920 Hunting, Fishing, and Fur Farming.

<sup>58</sup>Fred R. Greslin to Commissioner of Indian Affairs, September 20, 1946, NA, RG 79, Central Classified Files, box 2228, file 208.06. Two arrests, one involving three Natives of Hoonah on March 29, 1946 and the other a Native of Yakutat on January 28, 1946, are described in Jack O'Connor to O.A. Tomlinson, March 17, 1948, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 208.

Hoonah Tlingits were dismayed as well by the marked increase in wolves and coyotes and resulting decrease in deer and mountain goats in the southern portion of the monument. Natives and whites alike attributed these changes to the national park policy of predator protection. As erroneous as that was (wolves and coyotes were then increasing all over Alaska), it contributed to the Hoonah Tlingits' sense of displacement from Glacier Bay. "It is hard for us people to understand why we should obey the law as the coyotes and wolves got no law and kill everything," Frank Sinclair said. "If Glacier Bay National Monument had not been established and the Hoonah people stopped from hunting in that area, we would have killed off all of the wolves and coyotes and would have still been able to go there and get wild goats this year."<sup>59</sup> Willie Ross stated, "There used to be a lot of ground hogs and porcupines, red fox in this area and throughout the monument. Since it was established, they have been killed out [sic] by the wolves and coyotes which the people are not allowed to kill on the monument grounds, but outside that area they are paid a bounty for killing them." Similar statements were made by Albert Greenewald, Mrs. Lonnie Houston, Mrs. Oscar Williams, and Mrs. Eliza Lawrence.<sup>60</sup>

Hoonah Tlingits wanted a reaffirmation and clarification of their rights in the monument. Could they hunt deer and goats, or seals only? Could they smoke salmon and pick berries? Were their cabins, smokehouses, and stowed traps safe? Were they to be deprived of their trapping grounds in the monument? BIA superintendent Don C. Foster relayed these concerns to Secretary Ickes on January 29, 1946, with an additional query that seemed to indicate that the issue of trapping had never been resolved between the NPS and the BIA after all: were the Natives' traplines, he wondered, protected under the proclamation of April 18, 1939, which had extended the area of the monument "subject to valid existing rights"?<sup>61</sup>

As the 1946 fishing season unfolded, the people of Hoonah seemed to be experiencing scarcity and privation on every hand. First the H.M. Parks Company closed its clam cannery in May when the Pure Food and Drug Administration found toxicity in the clams. The cannery had paid the people of Hoonah approximately \$67,000 in cash since the first of the year. Then the fishing season developed into the worst in twenty years, the Icy Strait Packing Company in Hoonah producing a little more than half the

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<sup>59</sup>Frank Sinclair statement, September 20, 1946, NA, RG 79, Central Classified Files, box 2228, file 208.06.

<sup>60</sup>AHL, Curry-Weissbrodt Papers, MS 43, roll 20.

<sup>61</sup>Don C. Foster to Secretary Ickes, January 29, 1946, NAAR, RG 75, Juneau Area Office, General Subject Correspondence, box 37, file 920 Hunting, Fishing, and Fur Farming.

number of cases as the previous year. Many Hoonah fishermen could not make the annual payments on their fishing boats. The shortfall was made worse by the fact that most Hoonah families had lost their homes in a large fire at the end of 1944, and were now two years later preparing to make down payments on new government-built houses. It was noted that the seal population had risen during the past two years as seal hunting had fallen off, offering one source of cash with which the Natives could make up some of the shortfall left by the dismal salmon harvest.<sup>62</sup>

Haas raised the subject of Hoonah Tlingits and Glacier Bay in a meeting on Alaska problems held in Washington on November 21, 1946. This led to a meeting between BIA and NPS officials on December 10-11 in which a memorandum of agreement was drafted and later endorsed by both agencies on December 18, 1946. Neither the agreement nor the minutes of the meeting were found in NPS files, but the gist of the agreement was contained in a letter from the BIA's Walter V. Woehlke to Director Drury on December 16, 1946.<sup>63</sup> "After considering the needs of the Natives in relation to the existing regulations and the problems of law enforcement, the following recommendations were advanced for your consideration," Woehlke wrote.

1. That the carrying of firearms for human protection be allowed under permit within the Monument during the berry-picking seasons, the procedure for the issuance of firearms to be worked out.
2. That the Natives be permitted to hunt hair seals from the shore within a distance of not to exceed 100 feet from the water line.
3. That these modifications of the Park Service regulations shall continue in effect until 1950 at which time the Park Service and the Indian Service will

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<sup>62</sup>Don C. Foster to William A. Brophy, October 29, 1946, NA, RG 75, Alaska Agency, box 117, file 34246-45-931; Fred R. Greslin to Commissioner of Indian Affairs, September 20, 1946, NA, RG 79, Central Classified Files, box 2228, file 208.06; Ralph H. Imler, "A Progress Report on Sea Lions and Hair Seals in Alaska," enclosed with William A. Brophy to William Zimmerman, Jr., January 5, 1946, NAAR, RG 75, Juneau Area Office, General Subject Correspondence, box 42, file 923.2 Seals Hair No.1.

<sup>63</sup>NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 208. Assistant director Hillory Tolson summarized the agreement for Ruth M. Bronson of the National Congress of American Indians as follows: "For many years, the natives have been permitted to hunt hair seals while in the waters of the national monument, and from vantage points on land within 100 feet of the water. Permission was also granted on January 7, 1947, for the natives to carry rifles having a bore not smaller than .30 caliber for the purpose of self-protection while engaged in picking berries within appropriate localities in the Monument." Letter dated March 14, 1947, same file as above.

review the Glacier Bay Monument conditions to determine whether the facts warrant a continuation of the practices or their modification.

NPS officials later maintained that Hoonah's economic straits after World War II weighed more heavily than the community's possessory rights in the decision to authorize Native seal hunting in the monument. This questionable interpretation of the agreement of December 18, 1946, placed an implied burden of proof on the Hoonah Tlingits to demonstrate continuing economic need each time the agreement came due for reconsideration. Yet the Park Service also acknowledged that the Tlingits had some sort of moral claim to the area based on historical use and cultural ties.<sup>64</sup> Thus NPS officials would struggle with this issue over and over, working back through the tangle of legal, cultural, and economic factors that had formed the basis of the agreement in the first place. And to these, after 1947, could be added biological factors, too. Were the populations of seals, sea birds, and other fauna at risk?

### The Ecology of Seal Hunting

It had been the Park Service's desire to approach the problem of Native hunting in the monument from a biological standpoint. To do so was to frame the problem according to the Park Service's terms, to apply standards that were relative to the NPS mandate of wildlife protection, to balance the legal and anthropological expertise of the BIA with the biological expertise of the NPS's own Wildlife Division. Tentative plans were made for biologist Victor H. Cahalane to visit Glacier Bay during the summer of 1940, but the trip did not materialize. Budget constraints during World War II subsequently prevented the Park Service from fielding a biologist in Glacier Bay until the summer of 1945.<sup>65</sup>

Landscape architect A.C. Kuehl and biologist Lowell Sumner, both on the staff of the NPS regional office in San Francisco, made brief reconnaissances of Glacier Bay in 1945 and 1946. Neither was present at the meeting between the NPS and the BIA on December 10-11, 1946 in Washington, where Cahalane spoke for the NPS biologists. But

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<sup>64</sup>For example, Bruce W. Black, "A History of Glacier Bay National Monument, Alaska," 1957, typescript at GLBA, library collection, pp.84-87.

<sup>65</sup>C.P. Russell to Director, April 9, 1940, NA, RG 79, Central Classified Files, box 293, file 208.06; Dorr G. Yeager to O.A. Tomlinson, February 6, 1947, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 208.



when Drury requested the regional office to devise appropriate regulations, they expressed qualms. With regional naturalist Dorr G. Yeager they reviewed a reel of movie footage that Kuehl had shot of the seal herds, and persuaded regional director O.A. Tomlinson that the allowance of firearms in the monument would endanger the seal population as well as the monument's populations of mountain goat and bear. Tomlinson then wrote to Drury:

While we admittedly are not familiar with what pressure may have been exerted to bring this action about, we are frank to say that we believe the subject is worthy of further consideration. It is probably too late to rescind the decision without embarrassment, but we believe a thorough investigation of the situation should be made before the agreement is extended beyond 1950.<sup>66</sup>

Meanwhile, Tomlinson assigned Lowell Sumner the duty of formulating precise regulations and recommendations to cover the hunting privileges of Hoonah Tlingits in Glacier Bay National Monument.

Sumner's cursory investigation and subsequent report of August 5, 1947 reflected the NPS's strong predisposition to ban Native hunting in the monument. Sumner's few days in Glacier Bay in late June allowed only a brief appraisal of the effects of Native hunting and egg collecting on the animal populations in the monument, much less a reliable assessment of population sizes and trends of the various species that most concerned the NPS. The biologist probed into the inlets of the upper bay in search of hair seals, scanned the slopes of Mount Wright for mountain goats, and landed on North Marble Island to inspect bird colonies. His contacts with Hoonah seal hunters were minimal. His report contained a scant seven pages of text. Nevertheless, it was a strongly-worded condemnation of the present policy of allowing the people of Hoonah certain privileges in the monument. Tomlinson gave Sumner's report his full support. In a cover letter to Drury he wrote, "We have considered this question carefully and have completed a study of the biological problems involved." Kuehl jotted on the file copy, "Excellent report."<sup>67</sup>

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<sup>66</sup>O.A. Tomlinson to Newton B. Drury, February 3, 1947, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 208. Sumner gives the date of Drury's letter to Tomlinson as January 7, 1947, but the letter was not obtained.

<sup>67</sup>O.A. Tomlinson to Newton B. Drury, August 13, 1947, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 208.

But the report was flawed in many respects. As a biological study, it reached conclusions about animal population trends based on ludicrously inadequate field data. "The National Park Service inspection party of 1947 made a special effort to count the seal population of Glacier Bay," Sumner wrote, "but only a dozen were found, as compared with the scores observed at close range the preceding year. The animals were much wilder and more secretive than previously." Not only did Sumner draw hasty conclusions from this "count," but he implied that changes in the seals' observed behavior from one year to the next demonstrated increased hunting pressure. Sumner made similarly cavalier judgments when he inspected glaucous-winged gull rookeries on North Marble Island. "Great crowds of gulls stood at empty nests," he wrote afterwards, "displaying the listlessness that characteristically settles upon a bird colony a few days after it has been robbed." Again, noting that he had observed not one mountain goat where goats had been conspicuous in past years, he wrote: "it is likely that some seal-hunting natives, knowing themselves to be completely unsupervised, are in the habit of adding the mountain goats of Mt. Wright, which borders Muir Inlet, to their meat supply."<sup>68</sup> This judgment seems particularly egregious in view of the fact that wolf predation was known to have increased in the area, a point that Sumner did not consider.<sup>69</sup>

Sumner's nine-day field study of the ecological consequences of Native hunting in Glacier Bay might have been contrasted to the NPS's excellent two-year field study of the wolf in Mount McKinley National Park by Adolph Murie in 1939-41. In that study, Murie sought to situate the effects of wolf predation on Dall sheep within a complex web of other predator-prey relationships and historical and environmental factors influencing the park's fauna.<sup>70</sup> The marked contrast between these two investigations, which was

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<sup>68</sup>Lowell Sumner, "Special Report on the Hunting Rights of the Hoonah Natives in Glacier Bay National Monument," August 5, 1947, NA, RG 79, Central Classified Files, box 2228, file 208.06, pp.1, 10, 8.

<sup>69</sup>Frank Sinclair's statement on wolves is of interest: "The coyotes and wolves have killed all of the foxes and are killing the mountain goats. There are very few mountain goats left. In two cases during the last few years we have seen wolves and coyotes kill twelve mountain goats at one time and two mountain goats at another time. The wolves spot the mountain goats on the ridge and wait for them to come up the ridge and push them over the steep cliffs from the side, and then go down below to feed on their carcasses." September 20, 1946, NA, RG 79, Central Classified Files, box 2228, file 208.06 part 1. Investigation into this relationship in a later period resulted in James L. Fox and Gregory P. Streveler, "Wolf Predation on Mountain Goats in Southeastern Alaska," *Journal of Mammalogy*, vol.67, no.1 (February 1986): pp.192-195.

<sup>70</sup>U.S. Department of the Interior, National Park Service, *The Wolves of Mount McKinley*, Fauna Series No.5, by Adolph Murie (Washington, 1944).

completely overlooked at the time, shows the bias with which NPS officials approached Native hunting--even from a supposedly objective biological perspective. The comparison also suggests that the inadequacy of the Glacier Bay study cannot be attributed solely to budgetary constraints.

Sumner did not limit himself to biological assessments, but reserved his strongest opinions for the section of his report on "Aboriginal Hunting Territory and Customs of the Natives." Sumner reached two conclusions, both of which showed a callous, prejudiced attitude. In the first place, the Indians' aboriginal claims to the present seal hunting grounds in Tarr, Johns Hopkins, and Muir inlets were fallacious, Sumner argued, because these areas had been glacier-covered and inaccessible "to the remote ancestors of the Hoonah Indians."<sup>71</sup> Sumner recognized, of course, that seals congregated on icebergs at the fronts of glaciers, and that seal hunting grounds of one hundred or two hundred years ago in Glacier Bay now consisted of open water far from the glacier fronts, and were therefore now devoid of seals. Nevertheless he argued that the NPS could legitimately prohibit seal hunting in the critical habitat areas at the upper end of the bay, since these areas were definitely not the same geographic areas where Natives had hunted seals in earlier times. This was indeed a cynical exercise of logic, yet Tomlinson found the argument persuasive and Drury took it under advisement when Sumner explained it to them at a regional office staff meeting in July.<sup>72</sup> Sumner did not address the fact, if he was even aware of it, that Haas and Goldschmidt had indicated that Hoonah possessory rights ought to extend the full length of Glacier Bay.

Sumner's second, equally flawed conclusion about aboriginal rights in the monument was that the valid exercise of these rights depended on the continued use of aboriginal hunting technology. "In aboriginal times, native hunters traveled slowly and with effort in giant war canoes hollowed from spruce tree logs. They hunted with bows and flint or bone-tipped arrows," Sumner wrote. "Today the native hunters travel swiftly and easily over long distances in modern gasoline or diesel-powered fishing boats, and shoot the seals with high-powered rifles." Sumner ignored the historical continuity that underlay Tlingit cultural change. Few Tlingits would have agreed with Sumner's point

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<sup>71</sup>Lowell Sumner, "Special Report on the Hunting Rights of the Hoonah Natives in Glacier Bay National Monument," August 5, 1947, NA, RG 79, Central Classified Files, box 2228, file 208.06, p.7.

<sup>72</sup>Region Four Staff Meeting Minutes, July 8, 1947, NAPS, RG 79, Western Region, Central Classified Files, box 7, file 1-1-46--1-1-48 part 8. The proposed closures were taken up with the FWS in Washington but were not implemented. Hillory A. Tolson to Regional Director, January 30, 1948, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 208.

that they had "forsaken their ancestral way of life."<sup>73</sup>

Sumner also questioned the importance of Glacier Bay seal hunting in the Hoonah economy. "The natives today," he wrote, "depend neither upon seals nor berries for their living. Fishing and trapping are their principal sources of revenue and these activities are carried on with the same modern equipment, and on the same commercial basis, as is done by the whites." This was a legitimate concern inasmuch as Natives and the BIA had argued the case for special hunting rights partly in light of short-term economic hardships in 1946. Sumner failed to acknowledge that this was not a biological but a sociological issue, however, in which the focus shifted from animal populations to the Hoonah economy. He was quick to jump to conclusions, mistakenly assuming, for example, that the Natives' use of glass fruit jars indicated that they no longer preserved wild berries in seal oil.<sup>74</sup>

Sumner's report was influential. In Washington, NPS officials consulted the FWS and the Alaska Section of the Division of Territories and Island Possessions on a way to rescind the agreement. The following January, Assistant Director Hillory A. Tolson informed Tomlinson that the NPS would recommend this action to the secretary of the interior on two grounds. "We would cite the depletion of hair seals as observed by National Park Service employees during the summer of 1947 and we would also point out that the natives have been observed in the act of infringing on the privileges which have been extended to them in the Monument." One of these infractions was the arrest of three Hoonah Tlingits for possession of traps back in March 1946; the other was Sumner's reported identification of a non-regulation .22 caliber rifle in the hands of a Native on June 25, 1947, as the latter boarded his boat in North Sandy Cove and sped away.<sup>75</sup> Drury finally laid the matter before Secretary of the Interior Julius Krug on May 5, 1948.<sup>76</sup>

Meanwhile, the people of Hoonah made NPS regulations in Glacier Bay the main subject of discussion with Assistant Secretary William E. Warne when he visited Hoonah

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<sup>73</sup>Ibid.

<sup>74</sup>Ibid.

<sup>75</sup>Hillory A. Tolson to Regional Director, January 30, 1948, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 208. To ensure that rifles were carried on shore for the express purpose of seal hunting and protection against bears only Drury made 30.06 rifles the minimum gauge permitted on January 7, 1947.

<sup>76</sup>Newton B. Drury to the Secretary, May 5, 1948, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 208.

on a tour of southeast Alaska Native villages, coincidentally on May 5 also. Mayor Harry Douglas recounted for Warne the evolution of NPS strictures and Native privileges in the monument. It is unclear whether Douglas misunderstood the record or Warne garbled what the mayor had said in his notes of the meeting, but in either event the impression was given that the people of Hoonah were as confused, frustrated, and displeased by the current situation as anyone. Warne and another assistant secretary reiterated the Department's support of Hoonah privileges in Glacier Bay by letters of July 26 and August 26, 1948. Meanwhile, Secretary Krug requested the NPS, the BIA, and the FWS to meet with the people of Hoonah and reach a new understanding. Although a subsequent meeting took place in Hoonah in September, most of the village population was absent and the NPS's representative, Custodian Grant H. Pearson, stated simply that "the Hoonah meeting was not a success."<sup>77</sup>

By now fully two years had elapsed since the memorandum of agreement between the BIA and the NPS of December 18, 1946, and Drury decided on a different tack, looking to acquire more information with which to evaluate the situation when it came up for reconsideration in 1950. After highlighting the need for wildlife protection and law enforcement in Glacier Bay National Monument in his annual report for 1949, Drury suggested to Tomlinson that a wildlife investigation of the monument was "long overdue," and asked whether wildlife biologist Adolph Murie could be assigned to it. Tomlinson answered that Murie could not afford to take time away from his ongoing wolf study in Mount McKinley National Park until perhaps the following summer, but a seasonal ranger could provide valuable information in the interim. Consequently, the western region scrounged \$8,000 with which to reassign one seasonal ranger from Yosemite to Glacier Bay for the summer of 1950.<sup>78</sup> Ranger Duane Jacobs's sojourn in Bartlett Cove that summer represented the first on-site administration of Glacier Bay National Monument. With this assignment, the NPS's approach to Native hunting changed from biological investigation to law enforcement.

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<sup>77</sup>William E. Warne to Commissioner of Indian Affairs, Director of the Division of Territories and Island Possessions, Director of the Fish and Wildlife Service, and Director of the National Park Service, June 11, 1948, William E. Warne to Harry Douglas, July 26, 1948, Hillory A. Tolson to O.A. Tomlinson, August 5, 1948, and Grant H. Pearson to O.A. Tomlinson, September 16, 1948, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 208; Assistant Secretary to Richard Dalton, May 25, 1954, GLBA, administrative files, file N1619.

<sup>78</sup>U.S. Department of the Interior, National Park Service, Annual Report of the Director of the National Park Service to the Secretary of the Interior (Washington, 1949), p.319; O.A. Tomlinson to Newton B. Drury, April 12, 1950, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 201.

Ranger Jacobs' report at the end of the season presented much evidence of poaching. With the assistance of FWS warden Lynn Crosby and an FWS boat, Jacobs spent approximately half his working days patrolling monument waters and investigating trapper cabins around Excursion Inlet and Dundas Bay, where deer heads, goat feet, and other scattered refuse showed that the cabins had been recently occupied for hunting and trapping. On one occasion while patrolling Dundas Bay, Jacobs and Crosby heard rifle shots and tried to intercept eight Natives in an outboard as they returned to their fishing boat from the shore. The Natives reached the boat first and as Jacobs and Crosby pulled alongside one of the Natives stood intimidatingly on top of the pilot house. Jacobs spied a seal hide and a gun before they had been fully stowed, but he was too uncertain of his authority to try to board the boat without a search warrant.<sup>79</sup>

Jacobs consulted the office of the Federal Bureau of Investigation in Juneau regarding jurisdiction for Natives charged with a felony and the likelihood of obtaining convictions for Natives charged with a misdemeanor. "It was generally agreed that violators should be prosecuted in Juneau if possible," Jacobs reported, "in order to keep them away from the native officials in Hoonah, where our chances of securing convictions and penalties would be greatly lessened." To protect the monument adequately, Jacobs concluded, the NPS would either need a float plane or a small force of rangers working in pairs and equipped with fast boats, and the rangers would need authority to board boats without search warrants, because it was generally necessary to seize items for evidence in order to prosecute game law violators.<sup>80</sup>

The purpose of Jacobs's assignment to Glacier Bay National Monument in 1950 was to establish a Park Service presence in the monument and gather information on Native use of the area for the anticipated discussions with BIA officials at the end of the year.<sup>81</sup> As it turned out, the level of protection that Jacobs described in his report would not be attained for practically another decade, while the ranger cabin which Jacobs established in Bartlett Cove would be occupied only intermittently for a few years in the mid-1950s. Meanwhile, no meeting with BIA officials took place, and the

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<sup>79</sup>Duane Jacobs, "Report of Special Assignment at Glacier Bay National Monument 1950 Season," NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 201. FWS wardens had authority to search boats for game law violations in Alaskan waters without a warrant, but Jacobs was not sure that park rangers had this authority.

<sup>80</sup>Ibid, pp.8-9.

<sup>81</sup>Lowell Sumner to O.A. Tomlinson, October 13, 1950, NAPSR, RG 79, Western Region, Central Classified Files, box 292, file 207.

memorandum of agreement simply lapsed. The legality of Native hunting in the monument was ambiguous after November 1, 1950.

Hoonah Tlingits were outraged when they first learned of this situation in the summer of 1951. Ranger Oscar T. Dick, who transferred from Mount Rainier to Sitka and the monument's first permanent ranger position in the spring of that year, made six patrols of monument waters on the NPS boat, M/V Nunatak, between June and October. Dick issued warnings to two Hoonah crab fishermen who were using seal carcasses for bait. In the second incident Dick told the man, Ed Metjay, that it was now illegal for Hoonah Tlingits to take seals within the monument. Metjay reportedly responded, "You pay me, I no shoot." When Dick went to Hoonah for supplies a few days later he found "the entire town up in arms." People told him that they thought "the permit allowed them to hunt for all time." Dick's supervisor, Ben C. Miller of Sitka National Monument, figured that the Hoonahs were "aware of the expiration date of the permit," and that this assertion was "one of the many alibis" they would use when caught. Ranger Dick appeared to be confused and tongue-tied himself at the end of the season; he recommended "that the aboriginal rights of the Hoonah Indians be reviewed and the findings made public as a means of conveyance for the enforcement of the rule and regulations pertaining to them [sic]."<sup>82</sup>

The BIA was no help to the Hoonah Tlingits at this time. The administration was in the process of recanting its earlier position on Native claims and reservations in Alaska, with Secretary of the Interior Oscar Chapman telling Congress that he opposed a policy that would "divide up Alaska into a lot of tight little empires, where only the people of one village are allowed to fish and hunt."<sup>83</sup> The BIA even endorsed a bill in 1949 that would have revoked the Alaska Game Law's special provisions for Natives.<sup>84</sup> It seems that no one in the BIA considered the problem of Hoonah hunting rights in Glacier Bay again until 1954.

The extent of Native use of Glacier Bay--and the importance of Glacier Bay resources to Hoonah's "hidden" economy--are practically impossible to infer from the

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<sup>82</sup>Oscar T. Dick to Ben C. Miller, October 30, 1951, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 201; Ben C. Miller to Regional Director, October 2, 1951, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 208.

<sup>83</sup>Claus-M. Naske, "Ernest Gruening and Alaska Native Claims," Pacific Northwest Quarterly, vol.82, no.4 (October 1991), p.147.

<sup>84</sup>L.D. Arnold to William Zimmerman, Jr., April 8, 1949, NA, RG 75, Alaska Agency, box 114, file 40088-42-930.

scant historical record during this period. Ranger Dick reported no violations in 1952, and Custodian Ben C. Miller's master plan of that year did not even broach the subject, which suggests that NPS officials assumed Native use was minimal and fading. Yet the issue obviously would not have resurfaced in 1954 had there not been considerable agitation for it by the people of Hoonah.<sup>85</sup>

On February 19, 1954, Regional Director Lawrence C. Merriam instructed Superintendent Henry G. Schmidt to confer with the BIA's Juneau Area Office. Schmidt met with Charles H. Jones of the BIA and Daniel H. Ralston of the FWS, and the three agreed that "some method of control in the taking of hair seal in Glacier Bay is necessary and compatible [sic] with the over-all enforcement picture in Southeastern Alaska." Schmidt and Jones continued the discussion with Mayor Harry Douglas in Hoonah, where all agreed that the "continued use" of resources in Glacier Bay by Natives of Hoonah was a "fair and logical solution to the problem, under present conditions." Schmidt and Jones then drafted recommendations for the director of the NPS and the commissioner of Indian affairs. The agreement essentially followed the agreement of December 18, 1946, except that seal hunters had to obtain permits on an individual basis, and the permits, as well as the agreement, would expire at the end of 1955, subject to review and renewal.<sup>86</sup> This agreement was renewed without any changes in 1956, 1958, and 1960. In June 1960, Superintendent L.J. Mitchell informed the city clerk of Hoonah that her services for issuing seal hunting permits were no longer required, since the Park Service could now issue the permits from its permanent ranger station at Bartlett Cove.<sup>87</sup> How the Hoonah Tlingits eventually lost their privileges in Glacier Bay will be treated in Chapter X.

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<sup>85</sup>Bruce W. Black describes the Hoonah Tlingit "attitude" based on his personal experience as a ranger-naturalist in Glacier Bay in the mid-1950s in "A History of Glacier Bay, Alaska," p.84-87. Black's main point is that the Natives' attachment to Glacier Bay was more "sentimental" than economic. Black also states that the Hoonah Tlingits' privileges in the monument were "brought up for review in the fall of 1953."

<sup>86</sup>Superintendent to Regional Director, March 1, 1954, GLBA, administrative files, file N1619.

<sup>87</sup>Henry G. Schmidt to Regional Director, March 1, 1954, and L.J. Mitchell to Mrs. Williams, June 10, 1960, GLBA, administrative files, file N1619 Harbor Seal Subsistence Hunting Records.



## CHAPTER VII

### PRIVATE INTERESTS AND A SECOND BOUNDARY ADJUSTMENT

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The biological conception of Glacier Bay National Monument as an ecological unit ebbed during the 1950s. The Park Service's commitment to habitat protection, which had been so central to the extension of the monument in 1939, began to weaken as early as 1940, when the NPS Wild Life Division was abolished and most of its scientists transferred to the Biological Survey. Repeated recommendations in the late 1940s and early 1950s to make a thorough wildlife survey in the monument were ignored. Victor H. Cahalane, who stayed with the Park Service as chief naturalist after the Wild Life Division's demise, made a brief survey of fauna and flora in 1954 in response to pressure from private interests to delete the Gustavus area from the monument. This was the last official study by a trained biologist in Glacier Bay National Monument for more than a decade. The year after his study Cahalane resigned in protest of Mission 66 plans that contemplated \$1 billion of expenditures on roads and visitors' facilities for the national park system, but not one cent for biological research.<sup>1</sup>

Meanwhile, Park Service officials hoped to obtain appropriations for visitor accommodations and other needed improvements in Glacier Bay, Mount McKinley, Katmai, and Sitka so that these national park areas would attract some of the increasing volume of Alaska tourism which was expected to follow the opening of the Alaskan Highway. Governor Gruening and other Alaskans had been looking to the Park Service for leadership in this direction for some time. As tourism became big business in the United States, and the Department of the Interior moved toward a closer partnership with big business after World War II, the Park Service began to identify with Alaskans' vision of a thriving tourist trade in the not too distant future, with the Alaskan national parks and monuments playing an important role in it.<sup>2</sup>

But despite these trends, the administration of Glacier Bay National Monument

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<sup>1</sup>On Cahalane and the Wild Life Division, see Chase, Playing God in Yellowstone, pp.239-240.

<sup>2</sup>On the political context at the national level, see Clayton Koppes, "Environmental Policy and American Liberalism: The Department of the Interior, 1933-1953," Environmental Review, vol.7 (Spring 1983): pp.17-41. On the Alaskan context, see G. Frank Williss, "Do it Right the First Time": The National Park Service and the Alaska National Interest Lands Conservation Act of 1980, special report prepared for the National Park Service, Department of the Interior (Washington, 1985) pp.29-33.

remained essentially protective in the 1950s. The Park Service posted a ranger in the monument in 1950, mainly to suppress poaching, and as the small administrative presence grew, a skeletal staff at Bartlett Cove continued to devote most of its resources to patrol. Protective efforts extended to the acquisition of private inholdings, including two Native allotments at Bartlett Cove. Even though NPS planners showed more and more deference to local property holders and commercial interests in this decade, so little funding was available that most of what they proposed remained at the planning level.

### Administrative Development

For twelve years Glacier Bay National Monument was administered by the NPS director, with nominal assistance from Mount McKinley National Park's first two superintendents, Harry Karstens and Harry J. Liek. In 1937, following the division of the national park system into four administrative regions, administration of the monument was transferred to the Region Four director in San Francisco, with increased assistance from "coordinating superintendents" located at Mount McKinley (1937-1951) and Sitka (1951-1953).<sup>3</sup>

Frank T. Been, appointed superintendent of Mount McKinley National Park in April 1939, became the first NPS official in the field to visit the monument when he and chief naturalist Earl Trager travelled there in 1939. As stated earlier, Been's administrative responsibilities included reconnaissance of the monument and initial contacts with local residents, preparation of the first master plan and administrative budget proposals, and negotiating with military commanders during World War II. Much of this work Been conducted from Mount McKinley National Park, 400 miles by air from Glacier Bay. Been's administration of Glacier Bay National Monument ended when he joined the armed services in 1943.

The regional office in San Francisco administered the monument directly from 1943 until 1953.<sup>4</sup> In August 1944, the Fish and Wildlife Service (newly created from the old Biological Survey and transferred from the Department of Agriculture to the Department of the Interior) made an agreement with the Park Service to assist in the

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<sup>3</sup>Bruce W. Black, "A History of Glacier Bay National Monument, Alaska," 1957, typescript at GLBA, library collection, p.79.

<sup>4</sup>Joan M. Antonson and William S. Hanable, Administrative History of Sitka National Historic Park, a special report prepared for the National Park Service, Department of the Interior (Anchorage, 1987), p.90.

enforcement of NPS hunting and fishing regulations within the monument. The custodian of Sitka National Monument, Ben C. Miller, was appointed a deputy wildlife agent and the Fish And Wildlife Service's wildlife agent in Juneau, M.L. MacSpadden, was appointed a deputy park ranger. The two men made occasional patrols of the monument together, either by chartered seaplane or by FWS patrol boat.<sup>5</sup>

After World War II, regional office personnel assumed some of the planning and administrative tasks that Been had managed earlier. Landscape architect A.C. Kuehl spent several weeks in Juneau in the summer of 1945 collecting information for a budget and development plan for the monument. In 1946, an NPS crew surveyed proposed development sites. Kuehl and Lowell Sumner, the biologist, inspected the monument with Ben Miller in 1945, 1946, 1947, and 1949. In the winter of 1949-50, the regional office accomplished two important land transactions: it negotiated a \$900 settlement for Albert Jackson's 136-acre Native allotment at Bartlett Cove, and it reserved from mineral entry certain areas of the monument proposed as administrative sites.<sup>6</sup>

From mid-1947 to mid-1949, Grant H. Pearson served as custodian of Sitka National Monument and made occasional boat patrols into Glacier Bay. Pearson, a long-time ranger at Mount McKinley National Park and acting superintendent after Been joined the Army, was credited with raising morale at Mount McKinley and obtaining the confidence of various federal and territorial entities and officials, including Governor Gruening. One NPS official said Pearson understood "Alaska, Alaskans, and Alaska ways."<sup>7</sup> Learning of Been's return, he requested a transfer and was assigned to Sitka National Monument. In his autobiography, *My Life of High Adventure*, Pearson described his adjustment to southeast Alaska: "I was no townsman....Not until I stood in the prow of the launch threading its way into iceberg-studded Glacier Bay, and saw the Monument's mountains rearing up ten to fifteen thousand feet, did I begin to feel at home in this new domain." But one senses from his autobiography that this was a mere interlude until the superintendency of Mount McKinley became available. "My main patrol job, besides keeping an eye out for poachers, was to give out fishing advice,

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<sup>5</sup>M.L. MacSpadden to O.A. Tomlinson, February 19, 1945, and Ben C. Miller to O.A. Tomlinson, November 3, 1944, NAPSR, RG 79, Western Region, Central Classified Files, box 292, file Glacier Bay and Sitka.

<sup>6</sup>Hillary A. Tolson to O.A. Tomlinson, June 2, 1950, NAPSR, RG 79, Western Region, Central Classified Files, box 294, file 610; Assistant regional director to acting superintendent, Sitka, April 30, 1953, NAAR, RG 79, 79-90-0001, box 5/11, file L3023 Mining (1).

<sup>7</sup>Marlow Glenn to Newton B. Drury, September 11, 1946, NA, RG 79, Central Classified Files, box 1404, file 201-206.

navigation maps, and warn of danger from drifting flotillas of icebergs. Cruising around on my aquatic inspection trips, I studied those bergs by the hour." One notable legacy of Pearson's tenure in southeast Alaska was the Park Service's procurement of a 50-foot cruiser-type boat in 1947, which the U.S. Coast Guard declared as war surplus. Christened the M/V Nunatak, the boat was stationed in Sitka and allowed NPS officials to patrol the monument with greater flexibility. In January 1949, Pearson received the much anticipated letter from Washington, D.C. "Back home to Mt. McKinley!"<sup>8</sup>

Ben Miller moved into Pearson's position upon Pearson's departure in 1949. The following spring, the regional office made plans to establish the first on-site administration of the monument at Bartlett Cove. Kuehl described how this could be done on a budget allocation of \$9,800:

The limitation of funds does not permit a permanent staff, therefore I suggest that we assign personnel on a seasonal basis from July 15 to November 15, and from May 1, 1951 for the remainder of the fiscal year. In view of the fact that this is our first attempt to staff the area, I am inclined to believe that we should assign a top flight man as ranger in charge. For this position, I strongly recommend Duane D. Jacobs, Assistant Chief Ranger, Yosemite....In connection with his assignment, he should carry on public relations such as boarding all Canadian steamers entering the area; he must patrol the area, and should assist with the establishment of shore base quarters.<sup>9</sup>

Ranger Jacobs' first administrative task was to move a 16-by- 20-foot frame building, left by the Army on Pleasant Island, by tractor and barge to Bartlett Cove. He secured the help of two Gustavus residents, Albert and Glenn Parker. The operation took five days, most of it in a driving rain storm. Jacobs situated the building on Lagoon Island instead of the mainland, even though a survey crew had already brushed and flagged the route of the future road between Gustavus and Bartlett Cove. Perhaps he preferred the island for the psychological comfort that it afforded in such a huge expanse of bear country. He completed this original Park Service building by adding a porch, raising the roof pitch, and installing some extra bracing to withstand winter snows, all

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<sup>8</sup>Grant H. Pearson with Philip Newell, My Life of High Adventure (Englewood Cliffs, New Jersey, 1962), pp.203, 210-211.

<sup>9</sup>A.C. Kuehl to O.A. Tomlinson, April 6, 1950, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 600.

with lumber salvaged from the old cannery at Bartlett Cove. Finally, "a flag pole was cut, painted, and erected in front of the cabin."<sup>10</sup>

Apparently Jacobs did not attempt to board the Canadian steamers that regularly visited Glacier Bay that summer. Nor could the ships debark any passengers. As early as 1942, NPS officials had remarked on the need to revise U.S. Customs regulations that forbade Canadian steamers that plied the Inside Passage from landing passengers in Alaskan ports. These regulations were aimed at protecting American steamship companies, but since the latter had shown little interest in running passenger ships the regulations seemed capricious to Alaskans. This issue was highlighted again in a master plan of 1952, and yet again in 1957, evidently without result. Nevertheless, Canadian sightseeing ships cruised up Glacier Bay as far as Muir Inlet, weather permitting, beginning in the summer of 1950.<sup>11</sup>

Jacobs and the FWS warden assigned to the area, Lynn Crosby, spent about half the season on patrol, with the aim of "securing information and trying to obtain an overall picture of the poaching problem." At the end of the season, Jacobs strongly recommended that the Park Service revoke the Hoonah Tlingits' privileges in the monument. He also indicated "a possible trouble spot" in Excursion Inlet, where a couple named Allman were rehabilitating the old Army depot into a hunting lodge. (It is not clear what property right the Allmans had obtained, but their Tongass Lodge was still attracting visitors in 1957.) To patrol the monument adequately, Jacobs believed, the Park Service needed "a small force of rangers, well equipped and extremely mobile, who may be in Excursion Inlet one day and Lituya Bay the next."<sup>12</sup>

But that level of law enforcement activity lay far in the future. The distances between Bartlett Cove, Sitka, and Juneau were formidable enough for boat travel, even without the added mileage to Excursion Inlet, Dundas Bay, and other areas in the monument. On rough seas, it could take four days to get from Sitka to Glacier Bay. In five months beginning May 1, 1951, Ben Miller and his new chief ranger, Oscar T. Dick (who took the monument's first permanent position), spent nearly half their time traveling between Sitka, Juneau, and Bartlett Cove or making boat repairs at one of the two towns. It was not a very satisfactory arrangement. Miller could always find

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<sup>10</sup>Duane Jacobs, "Report of Special Assignment at Glacier Bay National Monument 1950 Season," October 5, 1950, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 201.

<sup>11</sup>Ibid.

<sup>12</sup>Ibid; Bruce W. Black, "History of Glacier Bay National Monument," 1957, typescript at GLBA, library collection, p.93.

paperwork to do when the boat was hauled out for maintenance, but Dick was itching to spend more time in his assigned area.<sup>13</sup>

Miller completed a new master plan for Glacier Bay National Monument in 1952. The plan called for nine full-time and three seasonal positions in the administration's protective division alone. These rangers would be required to operate patrol boats and at least one would be a trained airplane pilot. A ranger pilot would be a novel (and expensive) position in the Park Service, but the plan argued that the size of the monument made one or two pilots and float planes more effective than a large staff of rangers on the ground. Forest Service officials were reaching the same conclusion in this era, replacing stationary fire lookouts with air patrols. While rangers in Glacier Bay National Monument would be more concerned about poaching and visitor safety than forest fires, which were rare in the damp climate of southeast Alaska, monument visitors' boats would be relatively easy to spot from the air. It would be forty years, however, before the first ranger pilot was assigned to the area.

The 1952 Master Plan definitely located monument headquarters at Bartlett Cove, "because of its close proximity to the Gustavus Airfield." Construction of a 4.2-mile road from Bartlett Cove to the terminus of the CAA service road was slated to begin that year. The Bartlett Cove area would include administrative buildings, employee housing, a large dock for ocean-going vessels, gasoline and oil storage tanks, floats for boats and planes, and a hotel. The plan also described a "primary seasonal base" in Sandy Cove, consisting of a small lodge, ranger housing, and other appurtenances.<sup>14</sup>

In the 1952 Master Plan can be seen the basic outlines of the park's present-day infrastructure. It largely superseded earlier plans prepared by Been (1942) and Kuehl (1945), and formed the basis for updated and revised editions of the master plan in 1957, 1960 and 1964. This series of master plans would guide the development of the physical plant at Bartlett Cove during the late 1950s and early 1960s.

### The Gustavus Community

In 1955, President Dwight Eisenhower excluded from Glacier Bay National

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<sup>13</sup>Oscar T. Dick to Ben C. Miller, October 30, 1951, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 201.

<sup>14</sup>Ben C. Miller, "Master Plan Development Outline Glacier Bay National Monument," GLBA, administrative files, file D18.

Monument most of the Gustavus forelands area, ostensibly to "rid it of nonconforming uses and make additional land available for agriculture."<sup>15</sup> But this action was not simply a corrective for the government's inclusion of the small settlement within the monument in 1939. Rather, it was illustrative of a broad change in environmental policy in this period, as the Truman and Eisenhower administrations sought to roll back conservationists' restrictions on the free market and the rights of property.<sup>16</sup>

A hallmark of the New Deal approach to conservation was its holistic view of natural resources and society. Harold Ickes, Henry Wallace, and other prominent New Dealers favored comprehensive planning that would integrate the needs of society with a wise stewardship of the environment. The Tennessee Valley Authority, the National Resources Planning Board, the Soil Conservation Service, and the Resettlement Administration were just a few of the many New Deal programs that blended social engineering and conservation. The New Dealers' analysis of nature and society began with the public welfare, not with the rights of property; long-term social goals had to take precedence over short-term private interests.<sup>17</sup>

Thus, when NPS officials considered how to deal with the handful of homesteaders near Point Gustavus in 1938-39, they began with the premise that the area would not sustain an agriculture-based community indefinitely, and that the public demand for a brown bear sanctuary outweighed the stubborn hopes of a few dozen settlers. They predicted that the community would wither and vanish in a matter of years. Ironically, it was the promise of the Park Service's own development plans for the monument, together with the windfall of the Gustavus airport, that kept the Gustavus residents from quitting their hardscrabble existence, realizing that tourism would eventually raise their property values and create opportunities to make an easier living. This situation naturally bred resentment on both sides, laying the foundation for a lingering community relations problem between the Park Service and Gustavus.<sup>18</sup>

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<sup>15</sup>Secretary of the Interior to the President, no date (covering brief), NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

<sup>16</sup>Koppes, "Environmental Policy and American Liberalism," p.17-41.

<sup>17</sup>Ibid, p.19.

<sup>18</sup>Park Service officials often maintained that the airfield gave the Gustavus community a new lease on life, and that the homesteaders were staying put mainly for the speculative value of their land holdings. Even an impartial "agricultural reconnaissance" of the area by three government scientists in 1954 reached the same conclusion. "Recent Alaskan homesteading history shows that less than one in four homesteaders has any intention of farming. Present promotion of industrialization for Southeastern Alaska increases the speculative

Gustavus residents liked to point out that their settlement antedated the national monument by several years. The first settler was Ernest O. Swanson, who arrived some time before World War I, cleared some land, raised a few vegetables, and left several years later.<sup>19</sup> He was followed by the Abraham Lincoln Parker family, who came in 1917 and stayed. Soon a number of other families had filed homestead claims on the small plain beyond Point Gustavus, and several of these residents wrote letters of protest to George Parks when he made his survey of the proposed monument in 1924. By then the community had a small network of roads and bridges and was given the name Gustavus by the U.S. Postal Service. The Alaska Road Commission built a large dock on the tideflats in 1929, and a federal relief project added a long berm-and-trestle approach to it four years later. A Forest Service report gave the population as 29 in 1935.<sup>20</sup>

Gustavus was not the only place in what would become Glacier Bay National Monument to attract settlers in the 1920s and 30s. Joe and Muz Ibach built a cabin on Icy Point around 1920 and trapped fox, marten, and other furbearers along the outer coast, before building a homestead on Lemesurier Island.<sup>21</sup> Doc Silvers and his wife began prospecting in the Dundas Bay area around 1929, grubstaked by a Juneau woman named Anita Gornick. By 1939, Silvers had built three different homes in Dundas Bay on three separate tracts. He and his wife shared the bay with three other white residents: Stanley Harbeson, who came in 1933 to work on Silvers's claims and soon turned to trapping, and Horace Ibach and his wife, who lived at the old cannery site.<sup>22</sup>

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interest in any strategically located area." Hugh A. Johnson, Neil E. Michaelson, and George A. Woodruff, "Agricultural Reconnaissance Report Gustavus Area, Alaska," typescript at GLBA, library collection, October 1, 1954, p.10.

<sup>19</sup>Swanson lived in Elfin Cove and gave his story to Victor H. Cahalane in 1954. Cahalane recorded his years of residence near Point Gustavus as 1907-1915. Park Naturalist Bruce W. Black gave the dates as 1913-1918, but some of his dates for other pioneers in the area do not jibe with other sources either.

<sup>20</sup>Frank T. Been to O.A. Tomlinson, May 20, 1948, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 600; population cited in Earl A. Trager, "Glacier Bay Expedition 1939," NAPSR, RG 79, Western Region, Central Classified Files, box 292, appendix, p.1.

<sup>21</sup>Bruce W. Black, "History of Glacier Bay National Monument," 1957, typescript at GLBA, library collection, p.99.

<sup>22</sup>John D. Coffman and Joseph S. Dixon, "Report on Glacier Bay National Park (Proposed) Alaska," NAAR, RG 79, 79-91-0001, box 3/9, file Administrative History; Earl A. Trager, "Glacier Bay Expedition 1939," NAPSR, RG 79, Western Region, Central Classified Files, box 292, pp.78-82.



There were fox farmers on Strawberry Island, the Beardslee Islands, and Willoughby Island, the latter occupied since the mid-1920s. And far away on Cenotaph Island in Lituya Bay, Jim Huscroft established himself in 1917 and stayed for twenty-two years.

When Mount McKinley National Park superintendent Frank T. Been and chief naturalist Earl Trager inspected the national monument in 1939, they focused a large part of their interest on these inhabitants. Clearly, their persistence in the area would detract from the purpose of the monument as a nature preserve, and was therefore undesirable. Whether or not they stayed, however, depended on how they made their livelihoods. Trappers like Huscroft and Harbeson had little choice but to leave, since trapping in the monument was illegal. Similarly, the fox farmers would shortly have to depart. But the homesteaders' intentions were more problematic, and most of them owned some acreage around their homes.

Trager was struck by the futility of the homesteaders' efforts at farming. In his report, the chief naturalist described how the homesteaders had hung on to their land through a series of failed enterprises: growing vegetables for the Juneau market, milling lumber and raising beef cattle for the canneries, trapping, raising corn, rye, and hay, prospecting for gold up the bay. Albert Parker, the son of A.L. Parker, who had the best looking farm of anyone in Gustavus, told Trager that they had once had 162 cattle grazing on the forelands but currently had about 50 head. It took two years for a grazed pasture to recover. Parker claimed that wolves and coyotes had killed a lot of their calves until they had built an eight-foot-high trapwire fence around the edge of the forest. Trager and Been walked several miles from homestead to homestead, around the margins of weedy fields, and along the road berm that ran out to the dock, and found nearly the entire area submerged in ankle-deep water. It was Trager's hope and expectation that these residents would soon pull out in discouragement.<sup>23</sup>

Been seemed to regard the Gustavus residents somewhat more sympathetically than Trager did. Visiting the settlement again in 1940, he learned that the Chase family supplemented their small farm income by trolling for salmon and operating a garage in Juneau, and that the Parkers had recently sent five tons of gold ore from their claims up the bay to a smelter in Washington. Sam Buoy stopped Been at the dock and told him he hoped to retain his farm because he had been there eight years and had put away some money working at a cannery each summer. Buoy allowed that some of his

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<sup>23</sup>Earl A. Trager, "Glacier Bay Expedition 1939," NAPS, RG 79, Western Region, Central Classified Files, box 292, pp.8-16.

neighbors wanted to sell and were hoping the government would buy them out.<sup>24</sup>

The Park Service nudged certain residents to leave the monument voluntarily, and pulled wires to get others evicted. Doc Silvers received a letter from Assistant Secretary of the Interior Oscar Chapman politely informing him of the NPS ban against trapping. John Johnson, who ran a fox farm on Willoughby Island, received a one-year special use permit to give him time to liquidate his assets. The Pacific American Fisheries Company was asked to evict Horace Ibach and his wife from its Dundas Bay cannery and to donate the site to the Park Service.<sup>25</sup> But there was no money for acquiring the patented lands around Point Gustavus and no one in the Park Service suggested it.

A few oldtimers would bitterly relate years later how Been told them that they would be unable to make final proof on their homesteads and must cease operations, and that those who owned their land would be forced out of business. The men who listened to these allegations, finding nothing to substantiate them in the written record, doubted their veracity.<sup>26</sup> But others had noted Been's "lack of finesse" in dealing with people, and he certainly created misunderstanding about the Hoonah Tlingits' privileges in the monument.<sup>27</sup> It seems plausible, therefore, that Been did convey to these people the idea that the Park Service intended to have their land.

Whether some Gustavus residents mistrusted Been or simply wanted a scapegoat for their economic woes, they lashed out at the Park Service in 1941. They claimed that the extension of the monument was their ruination: the surveyed lands surrounding the community were now closed to homestead entry and grazing, their school had closed, and the dock was falling apart (the Alaska Road Commission having decided that it was now the Park Service's responsibility to maintain it). The Chicago Tribune described the community's tribulations under the headline, "Alaska Pioneers Blast Ickes for Park Land Grab." Governor Gruening and Alaska delegate Tony Dimond proposed that the

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<sup>24</sup>Frank T. Been field notes, July 29, 1940, DENA, William E. Brown historical files.

<sup>25</sup>A.J. Wirtz to Anthony J. Dimond, September 9, 1940, NAPS, RG 79, Western Region, Central Classified Files, box 294, file 610; O.A. Tomlinson to Superintendent Preston, September 23, 1942, NAPS, RG 79, Western Region, Central Classified Files, box 294, file 610.

<sup>26</sup>Hugh A. Johnson, Neil E. Michaelson, and George A. Woodruff, "Agricultural Reconnaissance Report Gustavus Area, Alaska," typescript at GLBA, library collection, October 1, 1954, p.1.

<sup>27</sup>Marlow Glenn to Newton B. Drury, September 11, 1946, NA, RG 79, Central Classified Files, box 1404, file 201-206.



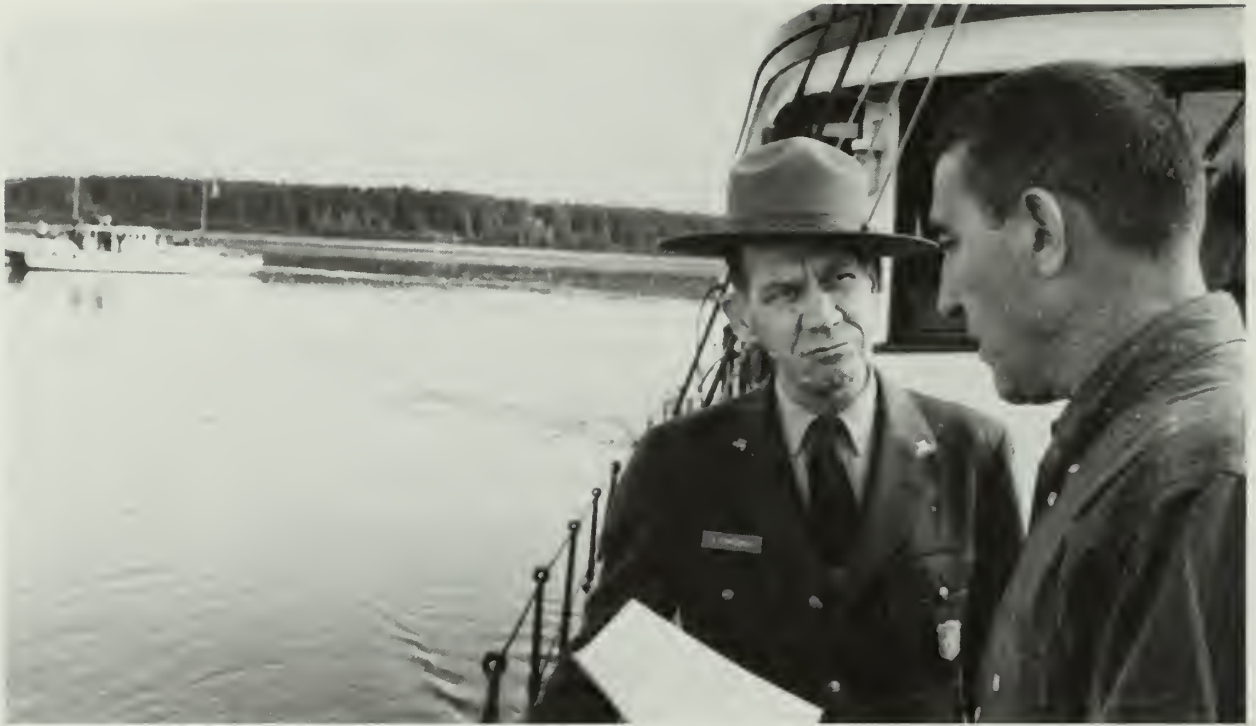
View of the Nunatak as seen from the cabin on the island west of NPS headquarters. This boat served the NPS from 1947 to 1955, when it was replaced by the Nunatak II.

GLBA Collection.



The Nunatak II, which served the agency from 1955 to 1968, is shown with a smaller boat at Indian Point, in Auke Bay (near Juneau), November 1966.

Robert Howe Collection, photo GB 519.



Glacier Bay Superintendent Leone Mitchell (left) and Interior Secretary Stewart Udall, on the Nunatak II in Glacier Bay National Monument, July 31, 1965.

Ted Swem Collection.



The Nunatak III, which has served the park since 1968, is seen in this March 1974 photo.

GLBA Collection, photo X-175.



Aerial photo of NPS headquarters complex, looking south, during the mid-1970s. Shown (left to right) are lumber shed, maintenance shop (with attached marine railway), headquarters, and boat dock. The string of trailers served as seasonal quarters for NPS rangers and interpreters.



Aerial photo taken over Bartlett Cove shows NPS headquarters area (top left), Glacier Bay Lodge (center, behind trees) and Outer Dock (right). Laurel Devaney, then a seasonal interpreter, took this September 1984 photo.

Gustavus area should be excluded from the monument.<sup>28</sup>

The Park Service responded that the Gustavus forelands were integral to the area's natural boundaries, and that these settlers' economic difficulties resulted not from Park Service pressure, but because the land was overgrazed and too wet to raise hay, and the local market for beef was shrinking as canneries closed down.<sup>29</sup> The Department of the Interior's tough stand, based as it was on the view that the farms in this locality should properly revert to a wilderness condition, was emblematic of New Deal conservation policy. Before this dialogue proceeded any further, however, it was interrupted by the temporary transfer of the area to the War Department, which left the Gustavus residents free to graze their cattle wherever they pleased.

After the war, Gustavus residents renewed their fight with the Park Service. In 1946, 33 residents petitioned Alaska delegate E.L. Bartlett and the Department of the Interior to open the area to settlement again. Bartlett forwarded the petition with his endorsement to Secretary of the Interior Julius A. Krug. Asked to investigate it, the Park Service found that the likely result would be a commercial subdivision. The Gustavus airport had considerably altered the picture, causing land speculation and a nearly complete turnover of the town's population since 1939.<sup>30</sup> If the community were allowed to grow, there would be more demand for grazing, more pressure on the brown bears, more "submarginal development." To get by, Gustavus residents would increasingly rely on "commercial exploitation based on the development of Glacier Bay National Monument and Gustavus Airport."<sup>31</sup>

It was at this time that some conservationists began to insist that the airport should be deleted from the monument, as noted earlier. While this demand emanated from a different source and perspective than that of the Gustavus residents, the Park

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<sup>28</sup>Ernest Gruening to Rupert Emerson February 8, 1941, NAAR, M-939, Roll 276; A.E. Demaray to Director, Division of Territories and Island Possessions, May 13, 1941, NAPS, RG 79, Western Region, Central Classified Files, box 294, file 610.

<sup>29</sup>Newton B. Drury to Ernest Gruening, April 10, 1942, NAPS, RG 79, Western Region, Central Classified Files, box 294, file 610.

<sup>30</sup>E.L. Bartlett to Julius A. Krug, July 3, 1946, and Julius A. Krug to Matthew J. Connelly, December 24, 1946, NAPS, RG 79, Western Region, Central Classified Files, box 294, files 602 and 610. The petition is undated but presumably was sent close to the July 3, 1946 date of Bartlett's letter. A comparison of Trager's list of residents in 1939 and the list of petitioners in 1946 suggests that Bert and Jennie Parker, Bert's brother Charles, and the Chase family were the only residents who persisted.

<sup>31</sup>Matthew J. Connelly to E.L. Bartlett, no date, NAPS, RG 79, Western Region, Central Classified Files, box 294, file 610.

Service's response to it was based on the same principle--that the biological wholeness of the monument must be maintained. Cahalane stated the agency's position most forcefully:

I feel strongly that the entire southeastern portion of the Monument, between Glacier Bay and Excursion Inlet, north of Icy Strait, is a unit which is vital to the long-time administration and protection of the Monument. This is especially true of its important faunal features. If we permit the "farming" community at Gustavus to expand, with cattle grazing sure to be a feature, we will find it impossible to keep any carnivorous mammals in the Monument east of Glacier Bay. I consider it much more important to keep control of the entire Gustavus area, and thus save the animal life, than to excise the airport from the Monument.<sup>32</sup>

This was a clear expression of New Deal conservation--using federal control in the public interest to prevent rampant, environmentally unsound, economic growth. However, by 1948 New Deal conservation was on the wane. Development interests were increasingly gaining a more receptive hearing. The deepening Cold War and big defense spending generally strengthened the hand of those who sought freer access to natural resources, and nowhere was this truer than in Alaska. Governor Gruening was a master at linking Alaska's strategic location near the Soviet Union with its need for rapid development of an economic base. "Alaska's growth and development are...of great national concern," he wrote in 1953. He welcomed the construction of southeast Alaska's first pulp mill at Ketchikan in 1953--twenty-five years after the industry was first proposed. He called for a "thorough overhauling" of Alaska's land laws in such manner as "to promote settlement....Nowhere else under the flag do national forests blanket a whole economic area or include and circumscribe a state's principal urban centers."<sup>33</sup>

The Gustavus area came up for debate again in 1954, when Charles Parker, the oldest son of A.L. Parker and now himself approaching old age, began another letter-writing campaign. Parker demonstrated that his Cold War rhetoric could match anyone's:

It is time every red-blooded Alaskan and American write his Delegate and

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<sup>32</sup>Victor H. Cahalane to Devereux Butcher, January 24, 1947, NAPS, RG 79, Western Region, Central Classified Files, box 295, file 700.01.

<sup>33</sup>Ernest Gruening, "Alaska: Progress and Problems," The Scientific Monthly, (July 1953): pp.3-12.



Congressman and insist that pressure be put on and the release of Gustavus Land from the Glacier Bay National Monument be secured at once. Then we can settle this section with veteran fighting men, and come what may, we will be able to produce thousands of tons of food for our people and military force.<sup>34</sup>

One of Parker's letters, addressed to a U.S. senator, eventually found its way into the hands of the NPS director, Conrad L. Wirth, with a request from Assistant Secretary Orne Lewis for a report.

Wirth briefly reviewed for Lewis the history of the boundary: the desire to protect brown bear habitat, the consideration given to Admiralty Island, the extension of Glacier Bay National Monument instead, the expectation that the area would be developed and made a national park, the conclusion that the land around Gustavus was too marginal to sustain an agricultural settlement. "It seemed to us, therefore, that the wisest course in the long run would be to acquire the privately-owned lands in the vicinity of Gustavus and include them in the Monument. Unfortunately, we have not been able to make much headway on the land acquisition." Wirth suggested that this fact, and the airport development, now made a boundary adjustment advisable. He urged that the department contract with a university to make a soil study and recommend new boundaries accordingly.<sup>35</sup>

In July 1954, two men from the Alaska Agricultural Experiment Station and one from the Soil Conservation Service made a study of the Gustavus area. Their soil survey showed that the ground was poor and rocky. The tilled acreage at the time of their survey amounted to one 5-acre field of mixed grain and three small gardens. Hay lands were untended, weedy, and showed poor growth. Most residents lived on government salaries or pensions, not farm produce. "The land-use history of the Gustavus area," they concluded, "probably would have been little different under the Park Service, the Forest Service, or under unrestricted public domain. The economic conditions of the past twenty to thirty years in Southeastern Alaska are not to be ignored." Provided that new markets developed with the newly opened cut-off road connecting the Alaskan Highway with Haines, perhaps six new homesteads could successfully raise crops in addition to the fourteen already patented if the land were returned to the public domain. But the

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<sup>34</sup>From the Daily Alaska Empire, December 18, 1954, and reproduced in Black, "History of Glacier Bay National Monument," op.cit. p.76.

<sup>35</sup>Conrad L. Wirth to Orne Lewis, March 8, 1954, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

survey team warned that non-farmers would likely acquire the land for speculation; in recent years, only one in four Alaska homesteaders had shown any intention of farming.<sup>36</sup>

The report essentially confirmed what Coffman, Trager, and Been had found in 1938 and 1939. Nevertheless, the authors recommended that the area be returned to the public domain. Their reason: it had "no particular association with the original reasons presented for establishment and maintenance of Glacier Bay National Monument." The area was "not necessary to the purposes of the Monument." They offered this conclusion despite the fact that everything these men knew about brown bear use of the area they had learned from the local residents.<sup>37</sup>

Wirth sent his top biologist, Victor H. Cahalane, to investigate the problem from another perspective. Cahalane had a scant ten days to survey the monument's wildlife habitat and assess the relationship of the Gustavus area to the whole. He observed that forty years of human habitation around Point Gustavus had altered the local ecology, probably benefiting some animal species while driving out others. This could be "corrected, in part, if the private lands were acquired by the Government." Cahalane stressed that most of the monument's vast acreage was virtually devoid of animals, and that the monument's function as a brown bear sanctuary was mainly confined to the coastal strip and the lowland areas south of Adams and Charpentier Inlets. From this standpoint, "proposals to eliminate vegetated areas...from the sanctuary should arouse serious concern."<sup>38</sup>

Wirth was under strong pressure from the Department of the Interior to accede to the boundary change. He did not wait for Cahalane's report before writing a memorandum, dated September 21, 1954, which stated that the Park Service would raise no more objections to it. As for the possibility that speculators would claim homesteads, Wirth wrote to the interior secretary, "we understand that the Department wishes to open the lands to settlement as soon as they are released from Monument status."<sup>39</sup>

On March 31, 1955, President Dwight D. Eisenhower signed a proclamation

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<sup>36</sup>Hugh A. Johnson, Neil E. Michaelson, and George A. Woodruff, "Agricultural Reconnaissance Report Gustavus Area, Alaska," typescript at GLBA, library collection, October 1, 1954, pp.8-10.

<sup>37</sup>Ibid, p.10.

<sup>38</sup>Victor H. Cahalane, "A Boundary Study of Glacier Bay National Monument," typescript at GLBA, library collection, December 20, 1954, pp.17-23.

<sup>39</sup>Conrad L. Wirth to Secretary of the Interior, January 11, 1955, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

returning the Gustavus area, amounting to approximately 14,741 acres of land and 4,193 acres of water, to the public domain.<sup>40</sup>

The Gustavus exclusion only partially alleviated bad feelings between local residents and the Park Service. Shortly after the proclamation, Superintendent Schmidt was asked if NPS personnel residences would be better located in Gustavus than Bartlett Cove. Schmidt replied in the negative, offering several practical reasons in favor of Bartlett Cove and then adding a few comments about Gustavus:

There is not at present any facilities at Gustavus that would make for better living or better morale than can be provided by the proposed installation at Bartlett Cove. There is a problem of daily living in close proximity with "homesteaders" who are not too happy about any government regulation, and who do not hesitate to carry on a "cold war" with any people connected with the government. This situation will not improve with advent of additional homesteading.

Changes in personnel at the C.A.A. establishment have been frequent. The C.A.A. have found it next to impossible to keep families with children at Gustavus for any length of time, and have not had families with school age children stay on the job for more than one year. Although efforts have been made to encourage employees with school age children to remain at Gustavus, they have not been successfull [sic] enough to provide for the minimum attendance required for provision of school facilities by the Territory of Alaska.<sup>41</sup>

Although the land exclusion reduced the amount of federal control over the local community, Gustavus residents would continue to feel unduly restricted by their proximity to the monument, particularly after several other southeast Alaska communities became linked by a state car ferry system in the 1960s. Community relations would continue to be a ticklish problem of Glacier Bay National Monument administration in the years ahead.

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<sup>40</sup>See appendix A for the full text of the proclamation.

<sup>41</sup>Henry G. Schimdt to Lawrence C. Merriam, June 21, 1955, NAPS, RG 79, Central Classified Files, box 4, file D18-1.

## A Boundary Correction in Excursion Inlet

When Wirth first raised the subject of a boundary adjustment with the new governor of Alaska at the beginning of 1954, the governor "strongly recommended it," and lumped an area of prime pulpwood timber in Excursion Inlet into the discussion for good measure. The new governor was B.F. Heintzleman, former head of the Forest Service in Alaska, and he remembered how the Park Service's John Coffman had contested that timber with him back in 1938. Heintzleman claimed there had been a misunderstanding about the boundary.<sup>42</sup>

Wirth informed his regional director, Lawrence C. Merriam, about Heintzleman's claim, and Merriam's staff dug through the old files. It seemed that Coffman's and Dixon's report in 1938, which Heintzleman had seen, had argued emphatically that the Excursion River was one of the principal salmon spawning streams in the area, making the head of Excursion Inlet and the river's watershed important brown bear habitat. Furthermore, Coffman and Dixon had recommended that the old cannery should be included within the monument for an administrative site. A boundary map dated April 18, 1939 showed the old cannery site within the monument, as desired. But a small-scale U.S. Geological Survey map of 1951 showed the cannery outside the monument, with the boundary following a different spur from the divide down to Excursion Inlet. A close reading of the presidential proclamation of 1939 showed that there were indeed two possible interpretations of the boundary description.

Merriam recommended that the Park Service agree to the boundary shown on the USGS map, and stand willing to discuss minor adjustments to it should Heintzleman want. He suggested that Superintendent Schmidt be requested to seek information "judiciously and informally" from Forest Service officials regarding their plans for timber harvesting in the area.<sup>43</sup>

Cahalane recommended against the deletion in Excursion Inlet, as it was important wildlife habitat and a good example of coastal forest. "The commercial

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<sup>42</sup>Conrad L. Wirth to Orne Lewis, March 8, 1954, NAAR, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

<sup>43</sup>Lawrence C. Merriam to Conrad L. Wirth, April 27, 1954, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

lumber value [was] too small and too fleeting to justify destruction."<sup>44</sup>

Wirth decided that the boundary revision in Excursion Inlet was justified because the boundary had been "incorrectly described" in the proclamation of April 18, 1939. The area covered about 10,184 acres. This area was returned to the Tongass National Forest by the President's proclamation of March 31, 1955.<sup>45</sup>

### Development of a Physical Plant

In 1956, Director Wirth announced Mission 66--a ten-year program of planning, rehabilitation, and development for all units in the national park system. The program was dramatically timed to reach completion on the fiftieth anniversary of the founding of the NPS. By effectively publicizing the needs of the national parks, Wirth obtained strong support for the program from both the Eisenhower Administration and Congress. While Glacier Bay National Monument and the three other Alaska areas remained relatively remote for vacationers in this period, they nevertheless received an infusion of money for development.

The driving force behind Mission 66 was the need to accommodate a burgeoning public use of national parks nationwide. Visits to parks had risen from 17 million in 1940 to 33 million in 1950, and would pass 72 million in 1960.<sup>46</sup> Mission 66 planning for each park or monument, therefore, was keyed to careful projections of visitor use in the future. Most Alaska planners believed that visitation to Alaska areas, while starting at a low level in the mid-1950s, would increase at an even faster rate than park visitation in the rest of the nation. The Mission 66 prospectus for Glacier Bay National Monument predicted that visitation would reach 10,000 to 15,000 by 1966, a three- to five-fold increase in ten years. "The Mission 66 program proposes developments and management practices designed to provide optimum use and enjoyment of the area in ways consistent with the preservation of its resources, and the convenience and safety of visitors," the prospectus stated. Like earlier planning documents for the monument, the Mission 66 prospectus envisioned a virtually roadless area where travel would be

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<sup>44</sup>Victor H. Cahalane, "A Boundary Study of Glacier Bay National Monument," typescript at GLBA, library collection, December 20, 1954, p.23.

<sup>45</sup>See appendix A.

<sup>46</sup>The figures for 1950 and 1960 are from Barry Mackintosh, The National Parks: Shaping the System (Washington, 1991), p.62; the figure for 1940 is rounded from that cited in Ise, Our National Park Policy, p.429.

primarily by boat. The monument was "essentially an undeveloped area," requiring "a minimum of developments."<sup>47</sup>

But even a small physical plant required a much greater outlay of money than the monument had heretofore received, and Mission 66 provided Glacier Bay National Monument for the first time with significant funds for development. Indeed, during the first four years of the program Glacier Bay received \$1,823,000 in Mission 66 funds, topping the amount expended for Mount McKinley and exceeding the combined amount expended for Katmai and Sitka.<sup>48</sup>

Prior to the commencement of this construction program the patrol cabin on Lagoon Island in Bartlett Cove was the only fixture of NPS administration in the area. Park ranger Bruce W. Black occupied this cabin with his wife and three children for short periods during the mid-1950s, but otherwise it saw little use.<sup>49</sup> In 1955 the Park Service replaced M/V Nunatak with a larger, 65-foot motor vessel, Nunatak II, which was based in Bartlett Cove and served as a combination patrol boat and ranger station.<sup>50</sup>

Beginning in 1957, construction began on a pier, dock, and seaplane float, a water and sewer system, and two residences.<sup>51</sup> This was followed shortly by a larger dock, repair shop, power plant, small administration building, and more employee residences. A permanent ranger station opened for business in 1960.<sup>52</sup> By 1965, the monument was equipped with two outboard patrol boats in addition to Nunatak II, a 5-ton snowplow, a

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<sup>47</sup>"Mission 66 Prospectus, Sitka and Glacier Bay National Monuments," April 20, 1956, and "Summary of Mission 66 Objectives and Program for Glacier Bay National Monument," same date, NAPSRS, RG 79, Western Region, box 19819, file A98--Mission 66.

<sup>48</sup>G. Frank Williss, "Do It Right the First Time": The National Park Service and the Alaska National Interest Lands Conservation Act of 1980, a special report prepared for the National Park Service, Department of the Interior (Washington, 1985), p.31.

<sup>49</sup>Barbara Black, "Living in Glacier Bay," National Parks Magazine (July-September 1957): pp.107-111.

<sup>50</sup>Black, "A History of Glacier Bay National Monument, Alaska," op. cit., p.80.

<sup>51</sup>Ibid, pp.91-92.

<sup>52</sup>L.J. Mitchell to Mrs. Williams, June 10, 1960, GLBA, administrative files, file N1619 Harbor Seal Subsistence Hunting records.

half-ton pickup, a station wagon, a bulldozer, and a backhoe.<sup>53</sup>

While construction of facilities at Bartlett Cove proceeded, the Park Service established a strictly administrative site fifteen miles north of Juneau at a place called Indian Point. The development of the Indian Point site resulted from the decisions of two succeeding superintendents, Henry G. Schmidt and Leone J. Mitchell. Schmidt, appointed superintendent of both Glacier Bay and Sitka national monuments in 1953, decided to move the superintendent's headquarters from Sitka to Juneau in 1957. Although this move was resisted by the mayor of Sitka, Schmidt justified it on the grounds that the new location was closer to Glacier Bay, and would allow better access to the governor of the territory and other federal agencies.<sup>54</sup> It was a timely move, for Mission 66 developments in the next few years would go far toward making Glacier Bay National Monument much the more important of the two monuments from an administrative standpoint. Schmidt established an NPS office in the federal building in downtown Juneau. But he left it to superintendent Mitchell, who took his place in 1958, to develop a permanent administrative site at Indian Point.

This site consists of sixteen acres of upland where Indian Point juts into Auke Bay. Auke Bay opens into Stephens Passage and lies directly on the water route between Juneau and Bartlett Cove. A road along the edge of the mainland connects Auke Bay to Juneau, fifteen miles to the south. Mitchell selected this site primarily in order to cut down travel time for Nunatak II during resupply operations. It was also cheaper to build a superintendent's residence and other employee housing at Indian Point than to purchase or rent space in Juneau. Moreover, Auke Bay was itself the site of a Forest Service ranger station and a Fish and Wildlife Service research installation.<sup>55</sup> The concentration of these federal agency facilities at Auke Bay has proven useful.

For many years Indian Point served as the superintendent's headquarters while the staff at Bartlett Cove was under the direct supervision of a resident chief ranger. Sitka National Monument received its own superintendent in 1969 and was redesignated a national historic park three years later. The superintendent of Glacier Bay National

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<sup>53</sup>"Master Plan for Glacier Bay National Monument Mission 66 Edition," (March 1964), Chapter 3, p.14, GLBA, administrative files, file D18.

<sup>54</sup>Henry G. Schmidt to Conrad Wirth, January 2, 1957, NAPS, RG 79, Western Region, box 19819, file A98--Mission 66.

<sup>55</sup>E.T. Scoyen to Conrad Wirth, June 29, 1958, Federal Archives and Records Center--Suitland, RG 79, Accession 70A6476, box 3, file Sitka National Monument.

Monument, meanwhile, made Bartlett Cove his summer headquarters and moved back to Indian Point during the off-season.

Although the superintendent's residence was eventually relocated permanently to Bartlett Cove in 1978, Indian Point acquired another function, as home port for the NPS vessel. In 1962, Mitchell decided that it would be more efficient to base M/V Nunatak II at Indian Point rather than Bartlett Cove, as this vessel came to be used less for patrol and more for resupply and logistical support of science in the monument. Consequently the Park Service obtained a lease on 4.7 acres of tideland in Auke Bay on which it constructed a dock.<sup>56</sup> In 1968, M/V Nunatak II was replaced by M/V Nunatak III.<sup>57</sup> Indian Point continues to serve the monument as a permanent moorage for M/V Nunatak III; in 1990 the dock facility was equipped with a crane, new dock flotation, and improved electrical wiring.<sup>58</sup>

Mission 66 established the basic facilities for administering the monument. With the completion of the long-awaited visitor lodge in 1966, campground, Bartlett Cove nature trail, and concomitant increases in visitor use and staffing, the monument entered a new phase of administration. These important developments in Glacier Bay National Monument coincided with broad changes in the national park system and the wilderness preservation movement.

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<sup>56</sup>L.J. Mitchell to Walter Kirkness, October 31, 1962, and Kirk W. Stanley to L.J. Mitchell, January 14, 1963, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay N.M.).

<sup>57</sup>Superintendent's Annual Report for 1983, ARO, administrative files, file A2621.

<sup>58</sup>Superintendent's Annual Report for 1990, GLBA, administrative files, file A2621.



**PART THREE**

**WILDERNESS PRESERVATION, 1966-1992**



## CHAPTER VIII

### FOUNDING THE MODERN PARK

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On June 4, 1966, a small crowd assembled in the lobby of Glacier Bay Lodge for its opening dedication. The piney smell of the lodge's new furnishings mingled with the fragrance of spring growth on the tall spruce trees standing sentinel just beyond the balcony. On hand for the ceremony were Superintendent Robert E. Howe, former Superintendent Leone Mitchell, Senator Gruening, Glacier Bay mountaineer and historian Dave Bohn, and the featured guest, Dr. William S. Cooper, now in his eighty-first year. The monument's founding father held his audience rapt as he recalled his first visit to Glacier Bay exactly fifty years earlier. Cooper explained that for him the occasion was not only a celebration of the completion of Mission 66 for the monument and a commemoration of the fiftieth anniversary of the founding of the NPS, but also "the celebration of a personal anniversary" as well. This was Cooper's sixth visit to Glacier Bay, and he respectfully asked to be invited back "every ten years" even if the invitation had to come "by spiritual messenger."<sup>1</sup>

The dedication of the lodge was a fitting occasion for looking forward as well as back. The lodge, although small, finally put the monument on the map as far as the tourist industry was concerned. Henceforth visitor use of the monument would climb steadily, assisted by the return of cruise ships after 1969, and stimulated indirectly by the new southeast Alaska car ferry system bringing tourists from Prince Rupert and Victoria, British Columbia. By the 1980s, Glacier Bay would be the fourth most visited tourist attraction in Alaska.<sup>2</sup>

Increasing visitation brought numerous management problems in its wake; indeed, for the first time in the monument's history, administrators dealt often with that staple of park management--conflicts between visitor use and preservation. To cite a few, administrators would try to preserve air quality from cruise ship stack emissions, protect

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<sup>1</sup>William S. Cooper, "Remarks at Dedication of Lodge at Bartlett Cove, Glacier Bay, Alaska," June 4, 1966, GLBA, administrative files, file N1433b; Robert E. Howe interview with author, tape recording, April 4, 1992, Rasmuson Library, University of Alaska Fairbanks.

<sup>2</sup>A 1986 survey found that Glacier Bay ranked third among "vacation/pleasure" visitors and fourth among all visitors surveyed. Patricia Garcia Gonzalez, Darryll R. Johnson, and Gary Vequist, "Social Science Perspectives on Visitor Use and Management of Glacier Bay National Park and Preserve," National Park Service, Cooperative Park Studies Unit, University of Washington (Seattle, 1990), Section 2, p.2.

humpback whales from excessive boat traffic, keep backcountry users away from brown bears, prevent overcrowding of backcountry sites from spoiling either the visitors' experience or the fragile vegetation, and avoid letting Bartlett Cove acquire the look of a boat marina or fishing camp. Many of these problems involved marine resources, and were therefore uncharacteristic of the national park system or even unique to Glacier Bay National Monument.

But 1966 marked a turning point in the administrative history of the monument for reasons that were national as well as local. The environmental movement of the 1960s and 70s was reshaping Americans' perceptions of ecology, wilderness, and humans' place in nature. This was fundamentally an urban, middle-class movement, with environmental concerns ranging from urban sprawl to nuclear fallout, DDT, endangered species, and wilderness preservation. Tying it all together was a renewed sense that our technological civilization could not isolate itself from ecological change, but had to confront it directly. Nature was far more fragile than previously thought. The Sierra Club's director, Michael McCloskey, said that aesthetic and ecological values animated the environmental movement, and wilderness preservation lay near the heart of it.<sup>3</sup>

There was debate about what qualities made "wilderness." For some it was primarily a matter of inaccessibility, an area where only the hardiest and most determined people could get. For others it was primitiveness, or the absence of human influences. For still others it was solitude, or the absence of other humans. In Park Service idiom, wilderness was the backcountry--the country beyond the roads and development. Congress gave wilderness areas a legal definition in the Wilderness Act of 1964. Wilderness was "where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain." The act founded a national wilderness preservation system made up of well-defined units called "wilderness areas" that cut across the jurisdictional lines of the various federal land management agencies.

From the outset the Park Service regarded the wilderness system as a distraction from its own mission of preserving examples of nature in the national park system, and moved reluctantly to designate wilderness areas within national parks and monuments as required by the act.<sup>4</sup> On the other hand, the wilderness preservation movement was no

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<sup>3</sup>Michael McCloskey, "Wilderness Movement at the Crossroads, 1945-1970," Pacific Historical Review: vol.41 (1972), p.347.

<sup>4</sup>Director Hartzog told a gathering of wilderness enthusiasts in 1969 that the Park Service welcomed the added strength in wilderness protection provided by the Wilderness Act. However, wilderness advocates found the Park Service's land classification scheme to be overly detailed and rigorous, with the result that the agency's wilderness recommendations to Congress were slow and disappointingly narrow. Compare George B. Hartzog,

doubt a spur to the agency's serious introspection during the 1960s. President John F. Kennedy's secretary of the interior, Stewart Udall, whose book The Quiet Crisis (1964) considered environmental degradation to be the most serious threat to humankind, also demanded it. Udall initiated three influential studies that reoriented NPS policy in light of the new values embraced by the environmental movement.

The first of these studies produced the Leopold Report (1963), which reinvigorated the biological approach to management developed by the Wild Life Division in the 1930s. As a primary goal, it recommended that "biotic associations within each park be maintained, or where necessary re-created, as nearly as possible in the condition that prevailed when the area was first visited by the white man." Park managers could, if given adequate support for ecological research, strive to obtain "a reasonable illusion of primitive America."<sup>5</sup> The second report, by the Robbins committee (1963), aided the first by pointing out the low status of research in the Park Service. The third study, conceived in 1961 as a "socioecological analysis" of internal threats to the national park system posed by too much use and development, yielded an extended meditation by F.F. Darling and N.D. Eichhorn in Man and Nature in the National Parks (1967). Even more than the Leopold Report, this book sought to imbue NPS policy with a higher regard for wilderness preservation.

Darling and Eichhorn lamented that Mission 66 had tended to make the Park Service use visitor statistics as "valuable weapons in getting larger appropriations." Funds secured this way inevitably went to development that would encourage more visitation. Despite Mission 66's achievement, it had done "comparatively little for the plants and animals." The authors warned also of the danger that the Leopold Committee's desire to see parks and monuments managed as "vignettes of primitive America" would be misconstrued to mean that natural ecological changes should be resisted and the parks maintained as "static museum exhibits." Instead, the authors wanted "the wilderness character of the parks...preserved by permitting natural processes to continue." In finding that elusive balance between visitor use and preservation, park managers must allow their emphasis to depend on the park; they had to recognize that there were wilderness parks and parks for recreation. In the end, the authors suggested, much depended on the park manager's intuitive grasp of the NPS mission:

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Jr., "The Wilderness Act and the National Parks and Monuments," in Maxine E. McCloskey and James P. Gilligan, eds., Wilderness and the Quality of Life (San Francisco: Sierra Club, 1969), pp.13-24 and Michael McCloskey, "Wilderness Movement at the Crossroads, 1945-1970," pp.347-358.

<sup>5</sup>A. Starker Leopold et al., "Wildlife Management in the National Parks," Audubon Magazine, vol.65, no.3 (May-June 1963): p.168.

The national park idea in its highest expression is an aspect of true religion, and to have it beset by expediency in our time of need is grievous. All now realize that the national parks cannot be wholly a wilderness system in a modern world, but the national parks of the roads, the museums, visitor centers, campsites, and scenic outlooks are in effect a staging point to the wilderness. When we are tempted to turn away, sickened at misuse and apparent non-participation by some types of visitors, let us remember the responsibility of our deep convictions of the true significance of national parks as part of our faith.<sup>6</sup>

Secretary Udall formally approved the recommendations of the Leopold Report on May 2, 1963. The Park Service's interpretation of the requirements of the Wilderness Act, and a land classification scheme developed around the concept of a staging area or "threshold" on the periphery of wilderness, were codified in a 1970 handbook on NPS administrative policies.<sup>7</sup> These policy changes, together with Glacier Bay National Monument's coming of age as a significant tourist attraction, formed a new context for the monument's administration, which may be characterized most aptly as a primary concern with wilderness preservation.

### A Growing Staff

Robert E. Howe started as superintendent of Glacier Bay National Monument in April 1966 and served until he retired in 1975. His staff had exceptionally high morale. One Howe appointee remains on the park staff today, while two other staff members under Howe now live in Gustavus; these men hold the former superintendent in high esteem. Since his retirement, Howe has made his summer home in Gustavus and is active in the Friends of Glacier Bay. Howe's influence upon the development of Glacier Bay National Monument was exceeded by few other individuals.

A native of Minnesota, Howe graduated from the University of Minnesota with a degree in wildlife management in 1942. After a stint in the Navy during World War II,

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<sup>6</sup>F.F. Darling and N.D. Eichhorn, Man and Nature in the National Parks (Washington, 1967), pp.10-11, 18-19, 27-28, 54, 63, 70.

<sup>7</sup>Department of the Interior, Administrative Policies for Natural Areas of the National Park System (Washington, 1970) pp.13-14, 23, 32.

Howe briefly attended graduate school on the GI bill, lived for a time in a cabin on an island in the lake country of northern Minnesota, and took his first job with the NPS at Natchez Trace, Mississippi. He worked as a ranger for more than ten years in Acadia National Park, Blue Ridge Parkway, and Yellowstone National Park before becoming Yellowstone's park biologist in 1960. He served in that capacity for six years, supervising among other projects a contentious elk reduction program.

Howe was selected for the superintendent position in Glacier Bay National Monument from a large pool of applicants, perhaps because of his training and perspective as a wildlife biologist. The monument still lacked the intensive biological survey that had been recommended periodically over the past two decades. Moreover, the issue of Native seal hunting had arisen again in recent years and Howe, having worked on the elk reduction program in Yellowstone, was no stranger to controversy. But Howe says he recalls no definite reason having been offered as to why he got the job.<sup>8</sup>

Well before this appointment, Howe had decided that his career objective was to be the superintendent of "a large wilderness park." He had in mind a unit of the national park system with a big area and a relatively low profile. When he was superintendent, Howe did not push the idea of national park status for Glacier Bay, for the name change would only draw more attention and force additional development. Howe wanted to keep the concession small and preserve the area as a wilderness park.<sup>9</sup>

Howe put together a staff with a strong grounding in biology. He started with chief ranger Charles V. Janda, with whom he had worked in Yellowstone. During his first year he hired Gregory P. Streveler, a young Wisconsin man with an advanced degree in biology and one year's experience with the Fish and Wildlife Service in Alaska, telling Streveler that he could make him a ranger until the day that he got a park biologist position funded.<sup>10</sup> In 1968, Howe hired the monument's first park naturalist, Bruce Paige, a young naturalist with a degree in wildlife management who was doing a stint with National Capital Parks in Washington and had written the superintendent earlier that he thought Glacier Bay National Monument was his first choice of a place to work,

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<sup>8</sup>Howe, interview.

<sup>9</sup>Ibid.

<sup>10</sup>Gregory P. Streveler interview with author, tape recording, April 8, 1992, Rasmuson Library, University of Alaska Fairbanks.

as it was like "what parks used to be."<sup>11</sup> Howe wanted personnel trained in biology in part because he initiated an inventory of the monument's biological resources. He, Janda, and Streveler started the study, and Paige participated in it later. Streveler and Paige produced a 72-page treatise, The Natural History of Glacier Bay National Monument, Alaska, in 1971.<sup>12</sup>

The superintendent offered whatever logistical and financial support he could for scientific research in Glacier Bay. Simply making M/V Nunatak II available for transportation and quarters could stretch a university research team's soft money much further, and Howe regarded this as a key function of the Park Service's mandate in Glacier Bay. The Institute of Polar Studies at Ohio State University took the lead in sponsoring research in Glacier Bay during the early 1960s, and it expanded its work under Howe's administration. Howe and his staff often joined these parties in the field or aboard M/V Nunatak II.<sup>13</sup>

Howe believed a superintendent needed to spend as much time as possible in the field; it was easy to get mired in paperwork. Howe soon made his summer headquarters at Bartlett Cove rather than Juneau, and frequently accompanied his rangers into the backcountry. Once he and his wife and son joined a family of tourists on their private boat trip up the bay. "Few Glacier Bay visitors will be lucky enough to have Superintendent Howe for a guide," Norma Spring wrote afterwards, "but our trip laid the groundwork for extended recreational use of this highly fascinating part of the United States. Howe is determined to give visitors a choice in experiences at Glacier Bay but at the same time he is dedicated to keeping its pristine personality."<sup>14</sup>

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<sup>11</sup>Bruce Paige interview with author, tape recording, April 9, 1992, Rasmuson Library, University of Alaska Fairbanks.

<sup>12</sup>Gregory P. Streveler and Bruce Paige, The Natural History of Glacier Bay National Monument, Alaska, report prepared for Glacier Bay National Monument, National Park Service, Department of the Interior (1971).

<sup>13</sup>Howe, interview; William O. Field, Jr., "Glacier Bay Scientists 1879-1982," Typescript at AHL, William O. Field Papers, MS 4, box 19, file 3.

<sup>14</sup>Norma Spring, "A Return to the Ice Age," Today's Health (July 1968): pp.21-25.



## Access and Visitation

NPS officials had only a general idea how many people visited Glacier Bay each year during the 1940s and 50s, and their estimates did not differentiate tourists from Native subsistence users, commercial fishermen, or local residents. These numbers climbed from a few hundred annually around the end of World War II to a few thousand by the late 1950s. Monument staff tried to inflate the numbers whatever way they could. In 1958, Superintendent Mitchell asked the director for permission to show visitors arriving by automobile on the Gustavus-Bartlett Cove road as airplane visitors, when most of them undoubtedly were Gustavus residents, probably commuting to their boats tied up at the new NPS dock.<sup>15</sup> In 1959, monument staff were required to keep visitation statistics according to a standardized formula which essentially wrote off the commercial fishermen and other boaters who did not dock at Bartlett Cove. This lowered the count to 1,340 from 5,130 the previous year.<sup>16</sup>

An actual tourist had to be resourceful to visit Glacier Bay in the 1940s and 50s. Despite the opening of the Alaska Highway to the public and the advent of airline passenger service to Alaska after World War II, the monument remained inaccessible by road or public transportation. To get to the monument by air, one could charter a flight to the Gustavus airfield or a seaplane to Bartlett Cove at the exorbitant cost, in 1961, of \$45 per hour. Charter boats usually cost considerably more, because with no boat fuel available on the 300-mile round-trip from Juneau only large craft could make the trip. One tourist in 1946 found an inexpensive berth on Captain Tom Smith's Leota as he was making his monthly mail and freight delivery to some miners in the upper end of Glacier Bay, but this, of course, was exceptional.<sup>17</sup>

In 1963, the state of Alaska started a car ferry service on the Inside Passage from Seattle to Skagway and Haines, Alaska, where motorists could pick up the new road connecting with the Alaska Highway at Haines Junction. Some 16,000 passengers disembarked at Juneau during the ferries' first year of service, a volume of traffic that the state's Department of Economic Development and Planning claimed it had not expected to see until the fourth year. Mitchell received numerous letters from people

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<sup>15</sup>L.J. Mitchell to Conrad L. Wirth, August 11, 1958, SITK, historical files, file A2615 Reports (Monthly) 1959-64.

<sup>16</sup>Ernest Gruening to L.J. Mitchell, May 29, 1963, GLBA, administrative files, file D18 Legislative history.

<sup>17</sup>"The Bergs and Ice Cliffs of Glacier Bay," Sunset vol. 126, no.6 (June 1961): p.63; Jessica Bird, "The Land of the Glaciers," Alaska Sportsman (December 1946): pp.14-15.

inquiring how they could get to Glacier Bay National Monument, and the general publicity given to southeast Alaska caused a significant increase in visitation by yachters in 1964-65. Mitchell reported that two "midwestern boats" visited the bay in August 1964, having been trailered to the West Coast and then put on the ferry to southeast Alaska.<sup>18</sup>

Mitchell stressed the need for visitor accommodations to allow boaters and airplane visitors a longer stay in the monument. He strongly favored using federal funds to construct a lodge and gas station for boaters at Bartlett Cove, and communicated these needs to Secretary Udall, NPS director George B. Hartzog, Jr., and Ernest Gruening, who now represented the state of Alaska in the U.S. Senate.

Gruening repeatedly took the Senate floor in 1962-64 to remind his colleagues of the need for visitor accommodations in Glacier Bay National Monument, which were promised according to Mission 66 plans for the area. Gruening put into the Congressional Record letters from Mitchell, passenger statistics for Alaska's new "marine highway," and even the entire budget of the U.S. Forest Service in order to make his point that Alaska was not receiving a fair share of Mission 66 funds. "It is tragic," Gruening told the Senate on one occasion, "that some of the most spectacular scenery in North America, administered by the Park Service, is able to offer so little in the way of accommodations to the tourist. This is a state of affairs contrary to the rationale of the federal park system."<sup>19</sup> On another occasion Gruening quoted Secretary Udall: "This is one situation where accommodations will have to be constructed by the Federal government and leased to a concessionaire. The season is so short that it is practically impossible to expect a private concessionaire to build these facilities."<sup>20</sup>

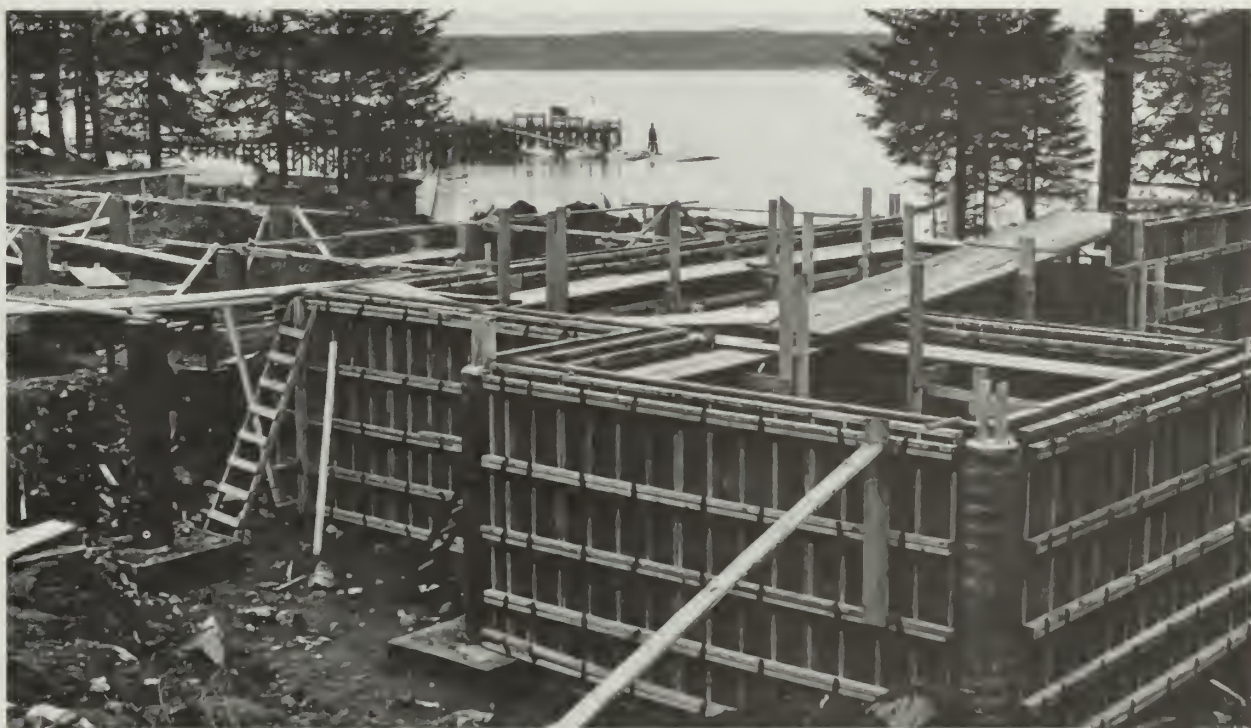
Congress appropriated nearly \$1,000,000 for visitor accommodations in 1964 and construction began in 1965. That summer a large party of VIPs, including Udall, Hartzog, and the entire Advisory Board on National Parks, visited Glacier Bay. One member of the party, Assistant Secretary Stanley A. Cain, a former zoology professor and co-author of the Leopold Report, predicted that the bay would soon be served by the Alaska state ferry system--if not by car ferries then by smaller "feeder boats." He thought, too, that lodging at Bartlett Cove would eventually have to be expanded beyond

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<sup>18</sup>L.J. Mitchell to George B. Hartzog, Jr., August 10, 1964, SITK, historical files, file A2615 Reports (Monthly) 1959-64.

<sup>19</sup>Ernest Gruening to L.J. Mitchell, March 22, 1962, GLBA, administrative files, file D18 Legislative history.

<sup>20</sup>Ibid.



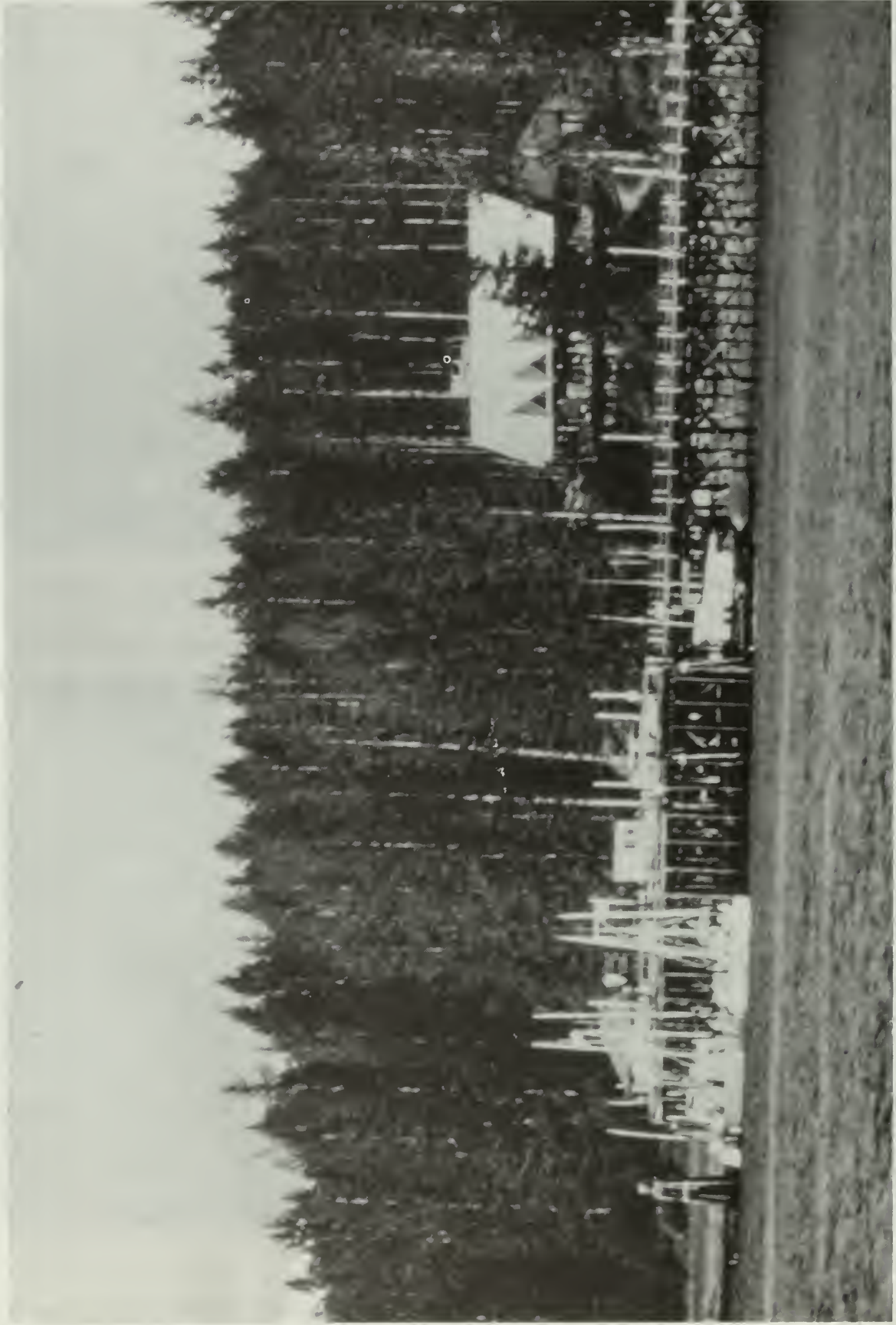
Glacier Bay Lodge under construction, looking west to Outer Dock, August 15, 1965.

John M. Morse photo, GLBA Collection E-1670-2.



Glacier Bay Lodge, May 1966, just prior to its opening.

Robert Howe Collection, photo GB 94.



Glacier Bay Lodge and Outer Dock, looking east, June 1971.



Naturalists are seen exiting from the Princess Patricia, a Canadian Pacific cruise ship, in this June 1971 photo.

Robert Howe Collection.



In this July 1976 photograph, an NPS patrol boat is seen alongside the cruise ship Prinsendam. Glacier Bay naturalists began a cruise ship interpretation program in 1970; by 1975, the monument hosted more than 15,000 cruise ship visitors.

Bruce Paige photograph in GLBA Collection, photo X-80-1.



The Seacrest at Plateau Glacier, Wachusett Inlet, July 1966. The Seacrest was the concessioner's first daily tourboat; it operated between the lodge and the glaciers from 1966 through the late 1970s.

Robert Howe Collection, photo GB 280.



In this 1976 photo, taken at Gustavus Airport, monument visitors are being given an orientation by seasonal interpreter Clifford Estabrook. Photo by NPS Interpreter Tom Bean.

GLBA Collection, photo X-141.



Bruce Paige, shown at an August 1979 public meeting, served as the park's chief naturalist from 1968 until his retirement in 1994. Photo by seasonal interpreter Richard Steele.

GLBA Collection, photo X-101-5.



NPS Superintendent Robert Howe at Ripple Cove, January 27, 1967. Howe served as the monument's superintendent from July 1969 until May 1975.

GLBA Collection.



the 50-guest maximum that was planned initially.<sup>21</sup>

### The Glacier Bay Concession

In national parks, the demand for lodging and other amenities and the costs of offering such services vary widely. In some localities the NPS has had to constrain investment capital, while in others it has had to give it encouragement or even provide services itself. By the 1960s, the national parks provided visitor accommodations under a variety of schemes: 1) by private construction, ownership, and operation of hotels and other facilities; 2) by government ownership and private operation; 3) by government ownership and operation; or 4) by government ownership and non-profit or cooperative operation.<sup>22</sup> The Glacier Bay concession followed the second pattern.

Congress mandated stricter controls and uniformity of national park concessions in the National Park Concessions Act of October 9, 1965. Under the law, concessioners would contract with the NPS to offer prescribed services to the public at rates set by the NPS. In this controlled marketplace, concessioners worried less about business competition than they did about their contractual rights and obligations. With the law assuring them of a "reasonable opportunity" for making a profit "commensurate with the capital invested," the Park Service too often seemed to them like the arbiter of their profit margins.<sup>23</sup>

The Glacier Bay concession posed some special problems. It had long been evident that to get a lodge built in Bartlett Cove, the government could not wait for private capital to do it. What the monument needed was a businessman who would operate a federally-financed lodge and gradually assume the government's operational subsidies. This would be a long-term proposition in which private capital would initially play a small role. Despite the financial uncertainties, however, the Park Service wanted to make the area more accessible to tourists, and southeast Alaskans were equally desirous to see the monument begin to have the effect on Alaskan tourism that they had long been promised. Senator Gruening worked hard to get the necessary appropriation.

Superintendent Mitchell found a man named Frank Kearns to operate the

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<sup>21</sup>Stanley A. Cain, "Trip Report...July 30-August 10, 1965," NAAR, RG 79, 79-88-0017, box 23/23.

<sup>22</sup>Ise, Our National Park Policy, p.606.

<sup>23</sup>Public Law 249, 89th Congress, 1st sess., October 9, 1965.

concession. A native of west Texas, Kearns had come to Alaska in 1963 to serve as the governor's head of industrial planning. He held a doctorate in resource development and had worked for several years in forestry. When Superintendent Mitchell contacted him about the Park Service's planned development in Glacier Bay, Kearns turned it over in his mind and decided that he wanted to try it himself. It was an opportunity to combine a love of outdoors and a love of people. Having grown up in the Dust Bowl, Kearns liked to tell people, he understood financial risk.<sup>24</sup>

In 1966, Kearns formed Glacier Bay Lodge, Inc., and entered a contract with the NPS for a 25-year concession right. He was president and general manager of the company, and he and his wife and children were majority shareholders. The contract called for Glacier Bay Lodge, Inc., to make payments on the 20 units completed, and to invest later in the construction of 35 additional units. In its opening year the lodge had a 24% occupancy rate and lost \$35,000, but by 1968 the occupancy rate was 84% and the company was turning a profit. In 1969, the lodge was filled to capacity much of the season and about 1,000 potential guests were turned away. Kearns wanted to move ahead with the expansion to 55 units but the Park Service nixed his plan. Kearns's proposal for the expansion involved a first mortgage loan from a private bank and a secondary loan from the Small Business Administration, and the Park Service refused to allow a private bank "first position" ahead of the Small Business Administration on the mortgaged property.<sup>25</sup>

The Park Service's caution was warranted, because two years later Kearns put together a different plan, went forward with the construction of the 35 additional units at a cost of \$450,000, and at the end of the 1972 season Glacier Bay Lodge, Inc. was facing a serious cash flow problem. Kearns then tried to sell his company to the Tlingit and Haida Central Council, which was looking for investments for the \$7.5 million it had won in the U.S. Court of Claims. Kearns wanted \$1,750,000. The government still owned most of the lodge, while the company's main investment was in the 35 new units and boats. The company's greatest asset, Kearns said, was its contract with the government. "What we really have to sell is an earning situation covered by a contract for the next 19 years with preference rights for the time thereafter."<sup>26</sup>

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<sup>24</sup>Anchorage Times, July 11, 1978.

<sup>25</sup>Frank W. Kearns to Walter J. Hickel, July 23, 1969, ARO, concessions management files, file C3823 Glacier Bay Lodge, Inc.

<sup>26</sup>Frank W. Kearns to Clarence Jackson, November 3, 1972, ARO, concession management files, file C3823 Concessions and Permits GLBA.

Part of Kearns's financial difficulties stemmed from his speculative land purchases in the Gustavus area. In 1969, when the lodge was filled to capacity, Kearns founded Northern Ventures, Inc. and plowed most of his excess capital into 635 acres in the Gustavus area, envisioning a second, larger resort outside the monument. Ostensibly this scheme meshed with the Park Service's master plan for the monument, which suggested that the overflow demand for lodging could be met by private developers in the Gustavus area. But there was no assurance that Northern Ventures, Inc. would offer the kind of lodging that would complement the rather high-priced accommodations at Glacier Bay Lodge. Kearns's plan was to acquire approximately 2,500 acres and develop a sportsman's lodge, commercial boys' camp, condominiums, or even a "Corporate Playground for oil companies." Kearns wanted \$1,000,000 for his land company when he put his concession up for sale in 1972. "Ownership of this land, together with ownership of Glacier Bay Lodge," Kearns maintained, "unquestionably carries with it a predominant role in determining the future of the Gustavus area."<sup>27</sup>

The possibility of the concession's sale to the Tlingits and Haidas stirred interest in a meeting in Denver of Kearns, Tlingit and Haida representatives, BIA officials, and three prominent Indians with experience in Indian industrial development.<sup>28</sup> The next thing that NPS officials learned, however, was that these negotiations had ended and the company had been reorganized. Apparently, Kearns persuaded some of the company's Denver-based shareholders to dig deeper into their own pockets. These shareholders, now owning a majority interest, made Kearns chairman of the board and elected Orion C. Shockley of Georgetown, Colorado president.<sup>29</sup>

The company's financial problems continued. During the 1974 season, lodge guests complained of skimpy, unappetizing meals and poor room service. Overworked, underfed lodge employees nearly went on strike, according to Superintendent Howe. Shockley persuaded the Park Service to buy the company's investment in the additional 35 units, in return for some promised improvements in the lodge's employee housing.<sup>30</sup>

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<sup>27</sup>Frank W. Kearns to Clarence Jackson, November 3, 1972, ARO, concession management files, file C3823 Concessions and Permits GLBA.

<sup>28</sup>Ross L. Miller to Clarence Jackson, November 3, 1972, ARO, concession management files, file C3823 Concessions and Permits GLBA.

<sup>29</sup>Orion C. Shockley to John A. Rutter, March 5, 1973, ARO, concession management files, file GLBA 1972-73.

<sup>30</sup>Robert E. Howe to State Director, Alaska, January 20, 1975, and Amendment no.2, Concession Contract no.9900C20008, ARO, administrative files, file C3823.

Glacier Bay Lodge, Inc. also tried to get state ferry service to Gustavus, causing a brief squabble between Gustavus residents and the Park Service. A number of NPS employees who resided in Gustavus petitioned against this proposal, fearful that car ferry service would inundate the area with car and tent campers; they favored walk-on ferry service only. A group called Gustavus Residents for the Ferry then formed and charged the petitioners with ferrying personal items to and from Juneau on the NPS boat Nunatak III. This elicited a letter from Senator Ted Stevens to the NPS director, and disavowals by the Park Service either that Nunatak III was being used inappropriately or that the petition against ferry service represented an official position. The state of Alaska proposed docking ferries at Bartlett Cove, where restrictions against debarkation of cars would be a Park Service decision. To this the Park Service replied that it had no desire to be the "dog in the manger." Regional Director John A. Rutter said he had "no problem with foot traffic from a ferry," but the character of Bartlett Cove would be degraded by automobile traffic. Returning to the original source of this ferry service proposal, Rutter said he had "little sympathy" for the concession owners. "They have a tremendous product to market. They just haven't done very well with it."<sup>31</sup>

The company's fortunes finally began to improve in the late 1970s under the influence of a new board of directors, corporate officers, and new professional manager. Robert Giersdorf, a Seattle businessman and former Alaska Airlines official, soon emerged as the new man in charge. Giersdorf was a major promoter of southeast Alaska's resurgent tourist industry; his company, Alaska Tours and Marketing Services, Inc., had been the lodge's booking agent since 1973. Giersdorf had close ties to all the cruise ship companies operating in southeast Alaska. Eventually Giersdorf would become owner of Glacier Bay Lodge, Inc. as well as a second park concession, Glacier Bay Yacht Tours, Inc.

### Proposed Roads to Sandy Cove and Adams Inlet

Although NPS officials agreed that the monument should remain essentially roadless, others outside the NPS wanted to make the scenery accessible to the

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<sup>31</sup>Emily L. Jennings to John A. Rutter, April 15, 1975, Eldon R. Wilson to John A. Rutter, April 25, 1975, and Ted Stevens to Gary Everhardt, May 5, 1975, NAAR, RG 79, 79-88-0005, box 19/22, file A3615 Complaints GLBA; John A. Rutter to Associate Director, Park System Management, January 8, 1974, ARO, concession management files, file GLBA-1974. In 1974 and 1975, the Alaska state ferry Le Conte poked into Bartlett Cove and ran up to Muir Inlet on its regular run from Juneau to Hoonah to Angoon. It is unclear whether this sightseeing side trip had any relationship to these proposals.

automobile tourist. Their road proposals usually were an extension of new road development beyond the boundaries of the monument. Although these road proposals never got off the drawing board, their significance lies in the fact that NPS planners had to be mindful of regional influences upon the unfolding pattern of visitor use in the monument.

The first significant road development in the region was the Army's rapid wartime construction of the Haines cutoff from Haines, at the northern tip of the Inside Passage, north to the Alaska Highway. The Army considered extending this road southward down Lynn Canal and over the Chilkat Range to Excursion Inlet, but the plan never got very far. Once this rudimentary need of national defense was met, southeast Alaskans had to wait another decade and a half before a pulp industry, Alaska statehood, and a state-supported ferry system made further road development worthwhile.

Ernest Gruening was the most persistent advocate of road development in Glacier Bay National Monument. He told the Senate in 1962 that with Alaska state ferries soon to be bringing approximately 300 cars each day--mostly belonging to tourists--from Seattle and Prince Rupert, British Columbia, to southeast Alaska, there was a need for ferry service to Gustavus and a road into the monument past the main development at Bartlett Cove to a secondary staging area at Sandy Cove.<sup>32</sup> This went beyond the Park Service's master plan concept of a small development at Sandy Cove accessed only by water. Superintendent Howe's 1967 revision of the master plan gave only tepid support for a "sightseeing and backcountry base farther up the bay than Bartlett Cove," and in the years leading to the preparation of the monument's wilderness proposal, Howe decided to drop the Sandy Cove development entirely. But Gruening held to the idea of automobile access farther into the monument. He would phone Howe on the spur of the moment and suggest a quick boat trip to Sandy Cove. Arriving at Sandy Cove, Howe recalls, they would cut the boat's engine and drift for awhile, and soon the Senator would reach into his black coat, pull out a half pint of vodka, have a toast with the superintendent, look around a little more, and then order the boat back to Bartlett Cove. That was Gruening's friendly way of keeping the Sandy Cove development plan alive.<sup>33</sup>

For several years people talked of building a road from Lynn Canal over Endicott Gap to Adams Inlet or, alternatively, to Gustavus. Proposed by Gruening as early as 1961, the Lynn Canal-Adams Inlet road was discussed in public hearings held in Juneau, Haines, and Skagway in 1975 during consideration of a new road down the west side of

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<sup>32</sup>Ernest Gruening to L.J. Mitchell, March 22, 1962, GLBA, administrative files, file D18 Legislative history.

<sup>33</sup>Howe, interview.

Lynn Canal from Haines to a point where a short ferry crossing would connect with the northern terminus of Juneau's Glacier Highway. The Park Service went on record against the road, suggesting that ferry service the length of Lynn Canal had much less environmental impact. A road over Endicott Gap, wrote one NPS official, "would severely scar the terrain in an area of the Monument which is proposed for wilderness designation."<sup>34</sup> The pressure on the Park Service to consider road development abated quickly when it became evident that public support was lacking even for a road down Lynn Canal.

### Visitor Circulation and Interpretation

Cruise ship passengers account for about four-fifths of all visitors to Glacier Bay National Park and Preserve today. Most of these passengers spend one to two days in the park sailing from the entrance of the bay up the West Arm as far as Johns Hopkins or Tarr Inlets--virtually traversing the park--yet they never set foot on land. All of these park visitors are exposed to the park's interpretive program, as park naturalists board the ships near Bartlett Cove and accompany them up the bay and back. This has been the primary visitor use pattern in Glacier Bay since 1969.

A number of Canadian cruise ships plied the waters of Glacier Bay during the 1950s, but this traffic all but ceased by the 1960s. Cabin cruisers and fishing boats were the largest vessels in the area for several years. As late as 1967, an interpretive planner predicted that most visitors to Glacier Bay in the future would arrive by air.<sup>35</sup> It took the monument's staff by surprise, therefore, when the cruise ship Mariposa entered the bay in the fall of 1969, her old Alaska pilot gamely taking her up to the snout of the Grand Pacific Glacier.<sup>36</sup>

Superintendent Howe saw the cruise ship as an opportunity, a way of making the scenery available to thousands of visitors with minimal impact on the resources. (Even with hindsight, Howe still feels the same way. Twenty kayakers making consecutive

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<sup>34</sup>Ernest Gruening to Conrad L. Wirth, October 27, 1961, Federal Record Center--Suitland, RG 79, Accession 69A4025, box 12, file Mount McKinley; Glenn D. Gallison to Warren E. Wild, November 6, 1975, GLBA, administrative files, file L3027 Lynn Canal Transportation Corridor.

<sup>35</sup>Marc Sagan to Chief, Environmental Planning and Design, December 23, 1967, GLBA, administrative files, file D18 Master Plan.

<sup>36</sup>Paige, interview.

camps around the bay, in his opinion, have more impact than a cruise ship covering the same distance with several hundred passengers aboard.)<sup>37</sup> Howe's park naturalist, Bruce Paige, was enthusiastic too. By putting naturalists on board the cruise ship, the monument's interpretive programs could be taken to the points of interest. The cruise ship was potentially a kind of floating visitor center. It could obviate the need for a large visitor center at Bartlett Cove. Moreover, the cruise ship served as a form of mass transit; it was energy efficient.<sup>38</sup>

As innovative as this was, it reflected the prevailing trend in the Park Service's mission to educate park visitors--namely, to encourage visitors to learn through direct experience, rather than simply to impart knowledge to them about the park. The aim of interpretation was "not instruction, but provocation."<sup>39</sup> Ideally, the cruise ship's passage through the monument would be like a giant guided nature walk. Paige, Janda, and other staff members who devised an interpretive program in 1970 would have agreed with the reference book on NPS policy published that year, which maintained that "interpretation of natural features is more effective in an outdoor, onsite setting."<sup>40</sup>

Skeptics wondered how effective a naturalist could be on a cruise ship when he or she would have to compete with a dance band, casino, and cocktail lounge for an audience. This was a new generation of vessel designed exclusively for the vacationer whose idea of a cruise put considerable emphasis on fine foods and entertainment. There was some sentiment that viewing Glacier Bay from a cruise ship was too commercialized, that the passenger remained too distant from the forested shoreline and too far above the water to commune with nature, even that the ship violated the wilderness. In 1966, Dave Bohn had suggested in The Land and the Silence that Glacier Bay ceased to be wilderness the day the first steamer chugged past Point Carolus. Although he was referring to Favorite in 1880, his words acquired new meaning after the appearance of Mariposa in 1969:

Those who understand wilderness know of the transition, which is irreversible. Most future visitors to the bay of ice mountains would come by steamer, some of them hardy enough to scramble a few feet over the

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<sup>37</sup>Howe, interview.

<sup>38</sup>Paige, interview.

<sup>39</sup>Ise, Our National Park Policy, p.201.

<sup>40</sup>Department of the Interior, Administrative Policies, p.47.

moraine, touch the edge of the glacier and hurry back to the ship for sumptuous dining....Although Glacier Bay would be seen by more and more people, the observers--with notable exceptions--would know less and less about the land and the silence.<sup>41</sup>

But it was precisely the reverse of this thought--visitors to Glacier Bay could appreciate more and more of the area by having their attention drawn to points of interest or their curiosity piqued by exciting insights from NPS interpreters--that motivated the monument's interpretive planners to devise a program uniquely tailored to the cruise-ship passenger.

The staff wished to put naturalists on board every cruise ship entering the bay, preferably in pairs, where they provided everything from children's programs to commentary over the public-address system. Each naturalist came equipped with a foot locker, or "sea chest," containing instructional materials, relief maps, a film, and a light-weight easel for displaying an aerial photograph of the bay, on which the naturalist plotted the ship's position. One of the most challenging aspects of the program was the boarding operation, which required a skilled boat operator to ferry the naturalists out to the cruise ship as she approached Sitakaday Narrows. Keeping the boat alongside the ship as she cruised along at five knots while the naturalists got their footing on the Jacob's ladder proved difficult under any conditions, but became especially tricky in rain or heavy seas. In addition, the 100-pound sea chest had to be hauled up a rope ladder into a side hatch of the cruise ship.<sup>42</sup>

The attractions of Glacier Bay--and the monument's free interpretive service--caught on quickly in the cruise ship industry. After Mariposa visited Glacier Bay in the fall of 1969, the Park Service notified all the cruise ship companies operating in southeast Alaska that the monument would provide interpretive services the next season if they wanted to add Glacier Bay to their itineraries. More than a score of cruise ships entered the bay the next year, and all took NPS naturalists aboard.<sup>43</sup> More than 15,000 tourists visited the monument on cruise ships that year, and the number nearly tripled by 1975.

Howe thought cruise ships a boon for his overall objective of managing a

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<sup>41</sup>Bohn, The Land and the Silence, p.52.

<sup>42</sup>Department of the Interior, National Park Service, Final Interpretive Prospectus: Glacier Bay National Monument, Alaska, (September 1975), pp.18-20.

<sup>43</sup>Paige, interview.



wilderness park. With the coming of cruise ships, a definite visitor circulation pattern developed in Glacier Bay National Monument. As anticipated, Glacier Bay proper formed a kind of marine highway along which most of the visitors traveled. But the cruise ships simplified the visitor circulation pattern even further, for there was no more need for a major visitor center on land, nor a secondary development at South Sandy Cove, nor the liberal sprinkling of dolphins proposed back in 1942 for self-guided boat tours. Both Howe's master plan and wilderness proposal, completed in the early 1970s but never approved, conceived of a visitor circulation pattern based on a wilderness core and periphery model. The monument consisted of three use zones: the Glacier Bay Zone, Mountain Zone, and Coastal Zone. Virtually all development (except backcountry shelters and floating patrol cabins) was confined to the Bartlett Cove/Gustavus use "node" located at the periphery of the Glacier Bay Zone, while the vast waterway of Glacier Bay constituted a "threshold" into the wilderness. Aside from a few backpacking and mountain-climbing routes, Howe foresaw no development of the Mountain Zone, which began more or less at the water's edge, or beyond the commonly used beach campsites. Finally, the Coastal Zone saw the least amount of use and would remain undeveloped.

Howe was probably correct in thinking that the cruise ship preserved the monument from another more damaging pattern of visitor use. In view of the pressures on the Park Service to build one or more roads into the monument, and the agency's own estimates of future visitor use reaching into the hundreds of thousands by the early 1970s, it is no wonder that the first cruise ship was greeted with much favor in 1969.<sup>44</sup> By the late 1970s, cruise ship traffic would reach large enough proportions to create serious aesthetic and environmental problems of its own, causing some people to wonder if the first cruise ship had not been a kind of Trojan horse. But as the Park Service worked through other problems of resource protection in the 1960s and 70s--Hoonah Tlingit seal hunting, a proposed major mining development, wilderness designation--the cruise ship appeared to have neatly solved the problem of ensuring sustainable visitor use.

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<sup>44</sup>One estimate for visitor use of both Glacier Bay and Sitka National Monuments gave projected yearly increases from 20,500 in 1961 to 300,000 in 1972. The undated list is enclosed with a Mission 66 Prospectus in NAPSR, RG 79, Western Region, box 19819, file A98--Mission 66.



## CHAPTER IX

### MINING, WILDERNESS, AND NATIONAL PARK STATUS

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As important as visitor use planning loomed in the conception of a wilderness park, it received much less attention than another form of use, mining. The controversy over mining in Glacier Bay National Monument, dormant since the 1930s, revived in the 1960s by conservation groups who saw the riddance of this environmental threat as a necessary item of housecleaning before making the monument a national park, as well as a fair price for Alaskans to pay in exchange for the development moneys and tourism revenues that would accompany national park status.

For its part, the Park Service chose to combine the two issues of mining and national park status with a third issue: designation of wilderness within the area as required under the Wilderness Act of 1964. The future of mining in Glacier Bay National Monument became the focal point in a public debate over how much of the monument--or park--should be protected under the Wilderness Act. The principal forum for this debate was the wilderness proposal and public review process mandated by Congress in the Wilderness Act, which allowed the Department of the Interior ten years, or until the end of 1974, to submit wilderness recommendations.

#### A New Phase of Mining

The "emergency" bill that opened Glacier Bay National Monument to mining and prospecting in 1936 resulted in little mining activity until more than twenty years later. Although prospectors made a number of claims around a known molybdenum deposit in Muir Inlet in 1941, and the USGS conducted a mineral survey of the area for national defense in 1942, and the Parker family, Joe Ibach, and other locals worked their claims from time to time, the bill's most significant effect upon the land in the 1940s and 50s was the rather pointless scratching and grubbing that mineral claimants had to do in the name of "assessment" work in order to keep their claims valid.<sup>1</sup>

The potential for environmental damage on a much larger scale increased almost

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<sup>1</sup>Robert S. Sanford to Frank T. Been, June 18, 1942, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 208; Newton B. Drury to Harold L. Ickes, December 18, 1942, NAPS, RG 79, Western Region, Central Classified Files, box 73, file Jessup File.

overnight in 1958 with the discovery of a huge copper-nickel deposit lying beneath the Brady Icefield. The discoverers, a crew of fifteen mineral explorers employed by the Fremont Mining Company, were working the seaward slope of the Fairweather Range from their sea-going cabin cruiser, helicopter, and base camp at Crillon Lake. They found a mineralized rock outcropping, or "nunatak," protruding out of the huge, white expanse of the Brady Icefield, a little more than a thousand feet above sea level. The following summer, Fremont put a much larger crew in the field and began making extensive test drills through 300 to 400 feet of ice and into the bedrock underneath the glacier. Meanwhile, another crew employed by Newmont Exploration Ltd. buzzed over the icefield in helicopters leased from an oil exploration company, alighting here and there around the glacier rim to do some surface sampling. Analysis of the many core samples confirmed the existence of a large mineral deposit underlying the Brady Icefield. By 1963, the mining companies had filed twenty claims and invested \$800,000 in mineral exploration.<sup>2</sup>

At the same time, an increase in prospecting was causing the monument staff "grave concern." A jump in gold and silver prices attracted dozens of new companies into the field. During the summer of 1964, there were no fewer than five companies prospecting in the monument: two in Muir Inlet, one using a drill rig near Lake Seclusion, one using helicopters without a permit, and one that made a mess of an area on Lituya Bay.<sup>3</sup> In a report titled "Information Required for Legislation to Redesignate Glacier Bay as a National Park," Mitchell included photographs of the degradation caused by this last operation--of "slashed forests, heavy equipment abandoned to rust, and supplies left to rot." It was typical, Mitchell said, of fly-by-night corporations that came and went so fast, "even we cannot keep track with all our efforts." His staff

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<sup>2</sup>William S. Cooper to National Park Service, March 4, 1959, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 Glacier Bay National Monument; L.J. Mitchell to Irving M. Clark, September 4, 1959, UW, Irving M. Clark Papers, MS 273-2, box 2, file 23; L.J. Mitchell to Regional Director, February 19, 1963, GLBA, administrative files, file D18 Legislative History. In April 1964, John P. McKee of Newmont Mining Company and eleven co-owners received one patent for all twenty claims. The claims covered 399.448 acres but did not include any surface rights. See "A Special Report Containing Information Required for Legislation to Redesignate Glacier Bay as a National Park," September 30, 1964, p.2, NAAR, RG 79, 79-91-0001, box 3/9, file GLBA Administrative history 1938 to 1970.

<sup>3</sup>Superintendent to Director, August 10, 1964 and September 9, 1964, SITK, historical files, file Monthly Narrative Report Sitka National Monument.

referred to it as the "legalized rape of Glacier Bay."<sup>4</sup>

A third concern for NPS officials was the potential that outside capital would develop one of the older mining operations in the monument on a large scale if gold and silver prices should further increase. Bert Parker claimed that his Ptarmigan Creek mine produced \$250,000 between 1960 and 1964--not enough to attract investors at current gold prices, but enough to worry the superintendent.<sup>5</sup>

### Calls for a Park Bill

In the years following Alaska statehood the proposal to make Glacier Bay a national park seemed to spring from many sources at once. Dr. Cooper wrote to the acting director of the Park Service on the eve of Alaska statehood, suggesting the time was propitious and Alaska's new senator Ernest Gruening would likely sponsor a bill.<sup>6</sup> Ted Stevens, a future senator from Alaska and presently a legislative counsel in the Interior Department, urged much the same thing to the Park Service director, who forwarded his proposal to the interior secretary.<sup>7</sup> Superintendent Mitchell was the key player, according to Dave Bohn, having decided soon after his arrival in 1958 that the area should have been made a national park long before. Mitchell once told Bohn he "did not want to see the Monument go another thirty-five years as it had," and in a letter to Irving M. Clark of the Seattle Mountaineers, Mitchell allowed that there was a "good

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<sup>4</sup>"A Special Report Containing Information Required for Legislation to Redesignate Glacier Bay as a National Park," September 30, 1964, p.8, NAAR, RG 79, 79-91-0001, box 3/9, file GLBA Administrative history 1938 to 1970.

<sup>5</sup>Superintendent to Director, September 9, 1994, SITK, historical files, file Monthly Narrative Report Sitka National Monument. For an overview of the mineral content, production values, and ownership histories of numerous claims in Glacier Bay National Monument, see Donald Eberlein, "Mineral Resources Summary, Glacier Bay National Monument" (USGS, 1965), typescript at NAAR, RG 79, 79-88-0017, box 23/23, file Mining Glacier Bay National Monument.

<sup>6</sup>William S. Cooper to E.T. Scoyen, no date, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

<sup>7</sup>Conrad L. Wirth to Secretary of the Interior, December 12, 1958, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

possibility" of a park bill in the near future.<sup>8</sup> On the other hand, when Mitchell asked Regional Director Lawrence Merriam how he should respond to inquiries about park legislation from tourist industry boosters in Juneau, he was told to provide information but not to push it, and Merriam later praised Mitchell's "adroit" handling of the matter. The Juneau Chamber of Commerce enlisted conditional support for a park bill from both Senator Gruening and Representative Ralph J. Rivers, but the chamber changed its own position after encountering opposition from mining and commercial fishing interests who feared possible restrictions on their use of the area. The Advisory Board on National Parks endorsed the idea in principle but indicated that mining and seal hunting would have to be eliminated. Gruening was the most consistent supporter of the park idea and the most powerfully placed, but he too equivocated when mining interests appeared to be threatened.<sup>9</sup>

The mining issue soon brought the Park Service and Alaska's congressional delegation to an impasse. Park Service officials maintained that national park status "should bring with it a cessation of prospecting and mining, subject to valid existing rights."<sup>10</sup> Congressman Rivers, with Senator Gruening's concurrence, wanted "special provisions that mining and certain other uses which are allowed under monument status be carried over."<sup>11</sup> Anticipating a fight, Secretary Udall in 1964 requested that the Park Service prepare legislative proposals with accompanying reports on adverse uses in three national monuments that allowed mining but were otherwise deserving of national park status: Glacier Bay, Death Valley, and Organ Pipe Cactus.<sup>12</sup>

The Park Service's new director, George B. Hartzog, Jr., mapped out his agency's course around this impasse in a meeting with his top advisors on September 24, 1964.

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<sup>8</sup>Bohn, The Land and the Silence, p.106; L.J. Mitchell to Irving M. Clark, UW, Irving M. Clark Papers, MS 273-2, box 2, file 23.

<sup>9</sup>L.J. Mitchell to Lawrence Merriam, February 19, 1963, and Lawrence Merriam to Conrad L. Wirth, March 6, 1963, GLBA, administrative files, file D18 Legislative History; Ralph J. Rivers to Conrad L. Wirth, March 5, 1963, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument); Trip Report by Stanley A. Cain, NAAR, RG 79, 79-88-0017, box 23/23, file A16 Advisory Board Trip to Glacier Bay--August 1965.

<sup>10</sup>Lawrence C. Merriam to Director, March 6, 1963, GLBA, administrative files, file D18 Legislative History.

<sup>11</sup>Ralph J. Rivers to Conrad L. Wirth, March 5, 1963, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

<sup>12</sup>E.V. Buschman to Chief, Division of Legislation and Regulations, September 29, 1965, NAAR, RG 79, 79-88-0017, box 23/23, file Mining Glacier Bay National Monument.

Hartzog determined that any legislation to upgrade the three monuments should treat the mining issue within the context of the wilderness review process, as prescribed by the Wilderness Act of September 3, 1964. Under this act, the mining laws would no longer apply to all designated wilderness areas after December 31, 1983, but mining and prospecting would be permitted to continue in the interim. Hartzog thought the upgrading acts might prescribe earlier cutoff dates, while mineral patents that were issued after Congress passed these acts would convey title only to the subsurface minerals. There would be other limitations embodied in the legislation as well.<sup>13</sup>

Superintendent Mitchell and his staff were in "complete accord" with this approach. He suggested that the Glacier Bay bill give the secretary of the interior the prerogative to require all prospecting parties to register their intentions, and to waive the requirement of annual assessment work, which tended to cause a lot of "senseless slashing." Mitchell also recommended that one of his staff should be on hand when committee hearings began.<sup>14</sup>

In October 1965, more than a year after Hartzog's decision, regional director Edward A. Hummel sent a list of nine recommendations to the director to incorporate into a park bill. The first was to "combine park status and wilderness designation legislation in one bill." Hummel's next five points involved mining provisions along the lines of the Wilderness Act and Mitchell's recommendations. His seventh point involved a minor deletion of land and water in the Gustavus area. The last two recommendations were to authorize commercial fishing in the park's marine areas and eliminate seal hunting.<sup>15</sup>

Under Hartzog's plan, Alaskans would have an opportunity to respond to these provisions when they appeared in conjunction with the agency's wilderness proposal, three or four years hence. But other participants in the process, particularly the boosters, wanted action sooner. At a press conference in Juneau on August 1, 1965, a reporter asked Secretary Udall how Glacier Bay National Monument could be made a park. Udall explained that it required an act of Congress, but said nothing of Hartzog's plan to combine it with the Department's wilderness proposal. The main concession

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<sup>13</sup>Jackson E. Price to Lawrence C. Merriam, September 29, 1964, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

<sup>14</sup>L.J. Mitchell to Regional Director, March 24, 1965, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

<sup>15</sup>Edward A. Hummel to George B. Hartzog, Jr., October 20, 1965, NAAR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

Alaskans would have to make, Udall said, was the elimination of mining in the park. He hastened to add that this would happen only after the Park Service had completed a mineral survey.<sup>16</sup>

This was news to Park Service officials, who duly arranged a meeting with the USGS on September 21, 1965 to discuss the need for a reliable mineral survey. At first the USGS indicated it would target the study for the 1968 fiscal year. The Park Service, still thinking in terms of coordinating a park bill with a bill to designate wilderness, prepared to reprogram its wilderness review of Glacier Bay National Monument to coincide with the USGS study. Instead, the USGS study went forward the next summer. It seems likely that Senator Gruening used his influence to get this mineral study done much sooner, for a copy of the report arrived on his desk early in 1967. It was followed a few weeks later by a draft of a park bill prepared by the Park Service at Gruening's request.<sup>17</sup>

This bill was not to the senator's liking, for it repealed the Act of June 22, 1936 and authorized the secretary of the interior to acquire any lands or interests within the park by exchange or purchase. The only concession to mining interests was a provision that gave holders of valid existing claims two years to obtain mineral patents. The bill also authorized commercial fishing.

In April 1967, Udall met with Alaska's senators Gruening and E.L. Bartlett. The secretary pointed out that the USGS report listed only fifteen mineral sites of potential economic importance. Gruening said he had had considerable correspondence with Newmont Exploration Ltd., and felt that there were significant values beneath the Brady Icefield. Why not draw a line down the Brady Glacier and exclude from the proposed park all the lands to the west of it? Udall said he wanted to talk to Alaska's governor and representative, get their views, and "try to keep this out of a political fight between the Congressmen." An interior official who attended the meeting informed Hartzog's Alaska hand, Assistant Director Theodor Swem,

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<sup>16</sup>Press Conference, August 1, 1965, transcript at NAAR, RG 79, 79-91-0001, box 3/9, file GLBA Administrative History 1938-1970.

<sup>17</sup>E.V. Buschman to Chief, Division of Legislation and Regulations, NAAR, RG 79, 79-88-0017, box 23/23, file Mining Glacier Bay National Monument; Item, "Study Reveals Glacier Bay Monument has Metal Deposits," no date, NAAR, RG 79, 79-90-0001, box 5/11, file L3023 Mining (2). "Senator Gruening was advised this week that a study of the mineral resources of Glacier Bay National Monument, made in 1966 at the request of the National Park Service, has been released by the Geological Survey as an aid in planning future development of the area." The draft park bill was enclosed with Lewis A. Siples to Ernest Gruening, February 14, 1967, NAAR, RG 79, 79-91-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay Natinal Monument).



It would appear that Senator Gruening is not going to push for a park unless some provision can be made for mining. As he said, he was aware they could not get a park bill through the House with mining. He is interested in protecting the mining interests and we may have a job cut out to make this area a park, unless the mining interests indicate they are willing to sell out.<sup>18</sup>

This was the last time a Glacier Bay national park bill was seriously discussed. By now, the mining industry was coming under sweeping attack for its dismal environmental record, from the strip mining of coal beds in Appalachia to the pollution of air and water by smelters and mine waste. Regarding surface mining on federal lands, President Lyndon B. Johnson announced that the government "must put its own house in order," and Secretary Udall followed the President's lead by promulgating new regulations on July 17, 1967. With all the publicity given to the mining industry's effects on the environment, any concession to mining interests in a national park bill became unthinkable, and the Alaskan congressional delegation's only option, if they wanted to protect those interests, was to maintain the status quo.<sup>19</sup>

As hopes for a park bill died, Park Service officials returned to their plan of achieving the same objective in conjunction with their forthcoming wilderness proposal, confident that it would be approved by Congress. Some even contemplated a bill that would address mining in all the national park areas where it was authorized. Writing the Alaska field office in 1970, Superintendent Howe's call for legislation revealed the prevailing sense that the NPS had captured the moral high ground:

We feel strongly that the course to follow in coping with adverse uses such as mining in Glacier Bay National Monument, is to eliminate the adverse use. We would recommend that legislation be drawn up to terminate or phase out mining in Glacier Bay National Monument. We feel that such action could not be more timely considering the mounting interest and concern by the public in their environment. Local mining interests have been quite curious as to what the future of mining will be in Glacier Bay, and we feel that the past talk of eliminating mining in the monument has

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<sup>18</sup>Forrest Benson to Ted Swem, April 26, 1967, NAAR, RG 79, 79-88-0017, box 23/23, file Mining Glacier Bay National Monument.

<sup>19</sup>Press Release, July 17, 1967, NAAR, RG 79, 79-90-0001, box 5/11, file L3023 Mining (2).

caused them to be hesitant on expanding activity here. We should try to confirm their fears that mining and prospecting are to be stopped in Glacier Bay National Monument.

Conservation groups in Alaska, as well as elsewhere, will stand behind the National Park Service, or they will initiate action if they are encouraged. Several thousand influential persons have been impressed with the magnificence of Glacier Bay National Monument since Glacier Bay Lodge opened in 1966 and the tour boat operation began. These park visitors form a strong basic group in sympathy with our objectives and we are sure that they will support such action. The mining interests will undoubtedly balk and fight any restrictions suggested, regardless of whether it is in the form of more stringent regulations or legislation terminating mining in Glacier Bay National Monument.<sup>20</sup>

Howe and others were encouraged in these views by the growing strength and organization of the wilderness preservation movement, which even gained a foothold in Alaska as the 1960s ended. Asked by the newly formed Alaska Wilderness Council what would be the most opportune time to push for repeal of the 1936 mining law, Howe's staff advised: when the wilderness proposal gets submitted to Congress.<sup>21</sup>

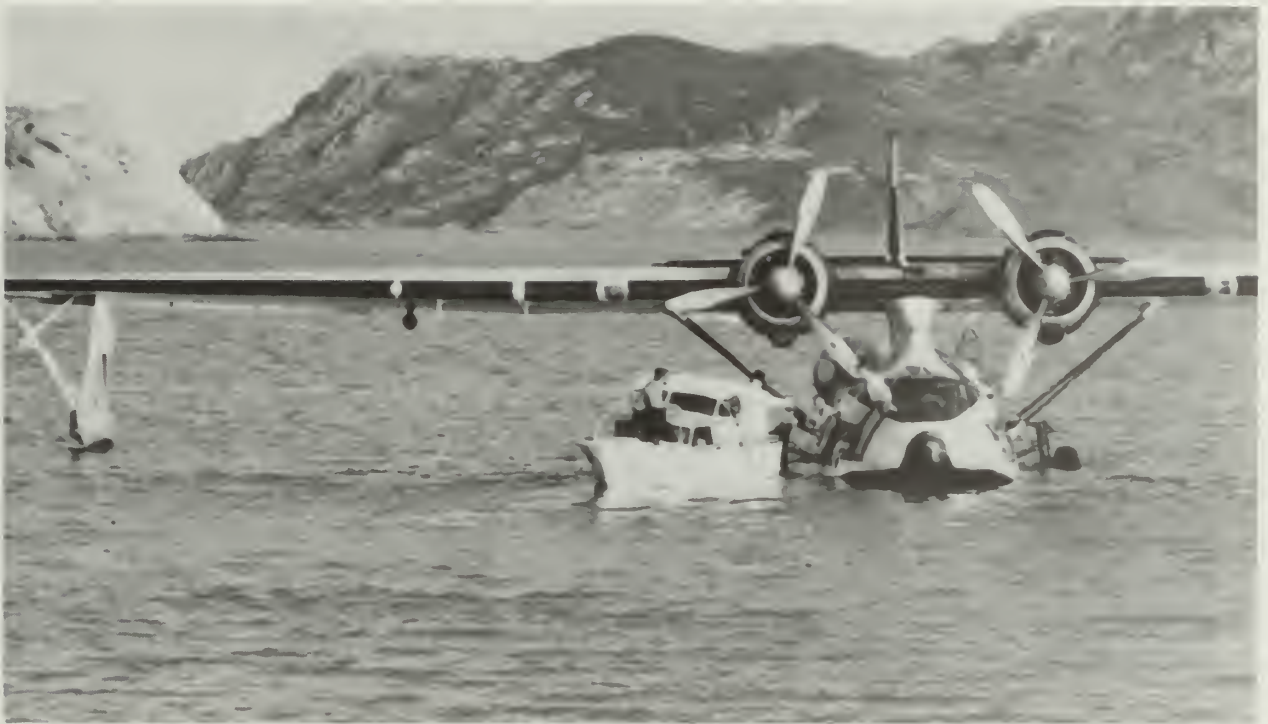
### The 1971 Wilderness Proposal

Shortly after park planner James S. Rouse transferred to the new Pacific Northwest regional office in Seattle in 1970, he was assigned supervision of the Glacier Bay National Monument wilderness proposal. Rouse's team completed the document in 1971 and prepared to conduct public hearings on the proposal in Juneau and Anchorage that fall. Almost at the last minute, Rouse was reminded that the National Environmental Policy Act (NEPA) required an environmental impact statement to accompany the proposal. Until that point, Rouse's team had not considered the

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<sup>20</sup>Robert E. Howe to Richard Stenmark, June 29, 1970, NAAR, RG 79, 79-90-0001, box 5/11, file L3023 Mining (2).

<sup>21</sup>Donald K. Freedman to Edgar Wayburn, April 10, 1969, UW, Brock Evans Papers, MS 1776, box 1, file Glacier Bay National Monument.



Transfer between NPS boat and amphibious plane, Glacier Bay National Monument, during Advisory Board trip to Alaska, July 31, 1965.

Ted Swem Collection.



George Hartzog (NPS Director, center) and Melvin Grosvenor (National Geographic Society chief and member of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, right), taken during the 1965 advisory board field trip.

Ted Swem Collection.



Drill site on east side of Muir Inlet (Nunatak II in background), August 1966. During the mid-1960s several prospecting companies, taking advantage of the 1936 bill which opened the monument to mining, set up exploratory operations in scattered monument locations.

Robert Howe Collection, photo GB 400.



NPS officials (left to right) Alfred Kuehl (landscape architect), Robert Luntney (planner), Merrill Mattes (historian, in front) and Bailey O. Breedlove (landscape architect), on board the Nunatak II, August 1967.

Robert Howe Collection, photo GB 828.

potential economic effects of wilderness designation, and they addressed these in a hastily prepared two-page EIS. With a thin proposal numbering just seven pages of text and this fig leaf of an EIS, the Park Service entered the public hearings process.<sup>22</sup>

The timing of these public hearings in November 1971 could not have been worse for the Park Service. That month, Alaskans were following local press coverage of the House and Senate floor debates on the Alaska Native Claims Settlement Act, which promised to be the most important Alaska lands legislation since statehood. An amendment introduced in the Senate version of the bill, which would become Section 17 (d) (2) of the act, directed the secretary of the interior to withdraw up to 80,000,000 acres for study and possible inclusion in the various federal land management systems, including the national park system. Much of this land, it was understood, would also be included in the nation's wilderness preservation system. Complaints of a massive federal "lock up" of the state's natural resources--a staple of Alaskan politics--reached a new crescendo just as the Park Service made public its proposal to designate more than 2,000,000 acres in Glacier Bay National Monument (and a larger area in Katmai National Monument) as wilderness.

Regional Director John A. Rutter reported that the wilderness proposal got a somewhat less scorching reception at the hearings than it did in the press. At the Juneau hearing on November 20, the Sierra Club's Alaska representative, Jack Hession, commended the wilderness proposal, saying that the monument's unique roadless character should be preserved and Congress should eventually appropriate funds to buy out the mining interests. "The debate here today," Hession said, "takes place amidst a growing national awareness that reform of the mining and mineral leasing laws is overdue."<sup>23</sup> At the Anchorage hearing, a spokesman for the Alaska Miners Association argued that the Park Service plan contradicted the secretary of the interior, who had recently called on the mining industry to triple production in thirty years. An Alaska Airlines representative called for further study, and an editor of the Anchorage Daily Times slammed the Park Service proposal for its superficiality, saying it "read like a chapter out of a tourist promotion handbook." Governor William A. Egan harangued the Park Service in an hour-long speech, calling the proposal and the EIS "legally insufficient...and meager," and saying that the EIS represented a "double standard for

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<sup>22</sup>James A. Rouse to Regional Director, March 6, 1978, GLBA, administrative files, file D18 Master Plan; Anchorage Daily News, November 21, 1971.

<sup>23</sup>Testimony of Jack Hession, November 20, 1971, transcript at UW, Brock Evans Papers, box 1, file Glacier Bay National Monument.

environmental impact statements."<sup>24</sup>

The most significant information that came out of the hearings was Newmont Exploration Ltd.'s disclosure of its plan to bore a three-mile tunnel under the Brady Icefield. It proposed to open the mine at a point about 1,000 feet above sea level. There would be a mill at the site of the mine adit, and a road down the Dixon River valley to Dixon Harbor. At Dixon Harbor there would be a wharf and townsite for several hundred workers (Map 5). Newmont enumerated thirty-five sections that encompassed these planned facilities and requested that they be omitted from the wilderness area.<sup>25</sup>

It was clear that the magnitude of this planned operation posed a major environmental threat: a three-mile adit would yield an enormous quantity of waste rock, to say nothing of how the road would inhibit the movement of animals along the narrow coastal corridor, nor how minewater and smelter smoke laden with copper sulphides would contaminate the environment. But the mining law of 1936 placed the Park Service in an ambiguous position for responding to it. Superintendent Howe convinced the Pacific Northwest regional office that Newmont's plans were a "major concern," and the regional office provided funds and support for a two-year "baseline" study of the natural resources on land and in the water that would be impacted by such a development.<sup>26</sup> But for the time being, the Park Service was coy about its legal authority to restrict the planned operation. It was left to environmental groups like the Sierra Club to threaten Newmont with a legal challenge and probable court injunction if the company should try to proceed.<sup>27</sup>

Gradually, the Park Service adopted the position that the scope of operations Newmont proposed was illegal. The first indication of this stance came with the release of its wilderness recommendation for Glacier Bay in May 1972, six months after the wilderness proposal hearings. The Park Service recommended that the entire Dixon Harbor area be included in a wilderness area, and it made the recommendation with the understanding that wilderness designation by Congress would be accompanied by the

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<sup>24</sup>Anchorage Daily Times, November 17 and 19, 1971; Anchorage Daily News, November 21, 1971; John A. Rutter to Director, December 3, 1971, NAAR, RG 79, 79-88-0005, box 9/22, file L48-GLBA-KATM Wilderness-General.

<sup>25</sup>Glenn C. Reed to B.T. Gale, June 14, 1974, NAAR, RG 79, 79-88-0017, box 23/23, file Mining GLBA.

<sup>26</sup>Robert E. Howe to Robert D. Luntley, August 26, 1974, NAAR, RG 79, 79-88-0005, box 7/22, file L3023 GLBA.

<sup>27</sup>Jack Hession to Brock Evans, April 18, 1972, UW, Brock Evans Papers, box 2, file Alaska Representative.

repeal of the 1936 mining act. Two months later, in July 1972, Regional Director Rutter requested a solicitor's opinion as to whether Newmont's mineral patent entailed the right to use surface areas for a millsite and shipping and housing facilities. Mineral patents did entail that right under standard mining law, but Park Service officials noted that the act of 1936 applied to "mineral deposits...exclusive of the land containing them." The law provided further that the secretary of the interior could regulate use of the surface land "as may be required for all purposes reasonably incident to the mining or removal of the minerals." How much was reasonable?

The solicitor's opinion suggested that the Park Service could prohibit mill operations, road construction, and waste disposal in the monument if it allowed alternatives such as access by helicopter and waste disposal in an adjacent area. But the solicitor's opinion was equivocal and failed to reflect upon some of the peculiar logistical problems of the Newmont claims, such as the mineral deposit being overlaid by 400 feet of moving ice. Park Service officials were told that the legal questions involved would almost certainly have to be litigated.<sup>28</sup>

Some sixteen months after the wilderness proposal hearings, James S. Rouse's planning team completed a revised draft EIS to accompany the wilderness recommendation. This document left no doubt about the Park Service's position, as it asserted that the mining law of 1936 did not convey to mineral claimants the right to construct mills on the surface. In describing the no-action alternative (designating no wilderness in the monument), the draft EIS stated that mining development "would degrade one of the most scenically grand and ecologically significant areas in the world."<sup>29</sup> The Park Service released the draft EIS for public comment on March 22, 1973.

In the next six months, the draft EIS received mounting criticism not only from mining interests and the state of Alaska but from other bureaus in the Department of the Interior as well. One criticism, first sounded by Newmont Exploration Ltd. and soon echoed by others, was that the draft EIS distorted the findings of the USGS mineral survey of 1966 to say that the area did not contain significant mineral values. Newmont asserted that the nickel deposit represented the "largest known reserve of nickel in the United States." The USGS stated that its study had been "misused," and "the fact that

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<sup>28</sup>Glenn C. Reed to B.T. Gale, March 21, 1974, and Associate Solicitor to Director, National Park Service, no date, NAAR, RG 79, 79-88-0017, box 23/23, file Mining Glacier Bay National Monument.

<sup>29</sup>Richard C. Curry to James A. Haley, April 22, 1976, NAAR, RG 79, 79-88-0005, box 7/22, file L3023 Land Use Mining.

deposits were discovered during the limited USGS investigation indicates that further potential exists."<sup>30</sup> As more criticisms came back, one exasperated Park Service official wrote:

Most of the critiques handed me for review are patently the result of a coordinated effort by the State of Alaska, the Geological Survey, the State Department of Natural Resources, and C.C. Hawley, until recently an employee of the U.S. Geological Survey. I suspect that the orchestration was provided by L. Ouilette, head of the Federal-State Land Use Planning Group in Anchorage.

This official predicted that the named agencies would not be appeased until a larger mineral study was done. He thought the Park Service would be "going to the mat" with the USGS.<sup>31</sup>

In March 1974, the Interior Department took two steps which demonstrated the Nixon administration's commitment to keeping Glacier Bay National Monument open to mining, regardless of the Park Service's recommendation. On March 22, the Interior Department requested a second opinion on the mining law of 1936 from the Office of the Solicitor. Then on March 31, Secretary of the Interior Rogers C.B. Morton met with the USGS and John C. Whitaker, the White House aide on natural resources, and ordered a new USGS study of the proposed Glacier Bay National Monument wilderness areas. The solicitor's opinion, dated May 16, stated unequivocally that the law of 1936 did not cover milling of ore. This opinion never got into Park Service files, nor was the Park Service informed of the USGS study until August 6, 1974, when geologist David Brew and his team appeared at Bartlett Cove in their USGS charter boat.<sup>32</sup>

Both the Nixon and Ford administrations maintained that the Brady Glacier copper-nickel deposit must remain accessible to the mining industry for reasons of

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<sup>30</sup>Richard D. Elliot to John A. Rutter, May 23, 1973, and Director, USGS to John A. Rutter, May 25, 1973, NAAR, RG 79, 79-90-0001, box 5/11, file L7617 Revised Draft EIS GLBA Wilderness.

<sup>31</sup>Glenn Reed to G.D. Gallison, July 12, 1973, NAAR, RG 79, 79-90-0001, box 5/11, file L7617 Revised Draft EIS GLBA Wilderness.

<sup>32</sup>James S. Rouse to Regional Director, August 13, 1975, NAAR, RG 79, 79-88-0005, box 9/22, file L48 Wilderness Areas GLBA; Deputy Assistant Secretary of Energy and Minerals to Office of the Solicitor, March 22, 1974, and Assistant Solicitor to Assistant Secretary, May 16, 1974, reproduced in Senate, Committee on Interior and Insular Affairs, Hearing Before the Committee on Interior and Insular Affairs...on S.2371, 94th Cong., 1st sess., 1975, p.101-104.



national security. According to administration officials, United States consumption of imported nickel was already three times the amount produced from domestic sources, and the nation's known domestic supply would be exhausted in fifteen years.<sup>33</sup> Skeptics pointed out that most of the United States' foreign supply came from Canada, and most of the world's supply came from the western hemisphere; these were not sources that were likely to be cut off. It seemed that the national security argument was a wedge for keeping the door open to the mining industry.

The irony that two USGS mineral surveys had now sprung from the wilderness review process, thereby encouraging mineral discoveries where wilderness enthusiasts least wanted to see them made, did not escape the environmentalists who had learned by now that environmental impact statements could be used by federal agencies to achieve almost the opposite of what the National Environmental Policy Act had intended them to do. More often than not there was more money available to research economic costs and benefits than to study environmental consequences. It seemed to some environmentalists that the USGS study of mineral values in Glacier Bay National Monument epitomized the cynical use of environmental law. "One of the greatest absurdities is the current mineral survey being conducted within Glacier Bay National Monument while it remains open to mineral location," remarked Charles M. Clusen of the Sierra Club. "If any potential mineral values are found, mineral development will not only have been accelerated by the survey without any controls, but private interests will be able to claim virtually for free any minerals found at the public's expense." Representative John F. Sieberling likewise observed, "There is nothing to stop prospectors from following the Survey along and staking claims on the choicest lands. And before Congress could even consider wilderness designation for the area, the wilderness qualities could be destroyed forever."<sup>34</sup>

By now it was clear that the Nixon and Ford administrations would not complete all the wilderness recommendations required under the Wilderness Act by December 31, 1974. On June 4, 1974, Secretary Morton recommended to President Richard Nixon that the wilderness recommendation for Glacier Bay National Monument be deferred. On July 13, 1974, President Nixon transmitted to Congress the following recommendation: "Until we have the benefit of additional mineral survey data on the area...we will be unable to balance its wilderness values and mineral resources. For this reason we

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<sup>33</sup>Senate, Committee on Interior and Insular Affairs, Hearing Before the Committee on Interior and Insular Affairs...on S.2371, 94th Cong., 1st sess., 1975, p.56.

<sup>34</sup>Ibid, p.53, 320.

recommend that the Congress defer action on this proposal until such a survey is completed."<sup>35</sup>

In the Pacific Northwest regional office, James A. Rouse's planning team still forged ahead on a wilderness proposal for Glacier Bay National Monument, but finally requested permission in the summer of 1975 to shelve the project and await results from the mineral survey.<sup>36</sup>

### The Mining in the Parks Act of 1976

On September 18, 1975, Senator Lee Metcalf of Montana introduced a bill to prohibit location of mineral claims in six units of the national park system where it was presently legal. The six areas were Glacier Bay, Death Valley, and Organ Pipe Cactus national monuments, Mount McKinley and Crater Lake national parks, and Coronado National Memorial. The bill repealed the special mining law for each area such as the Act of June 22, 1936, for Glacier Bay National Monument, called on the secretary of the interior to determine the validity of all unpatented claims, and imposed a four-year moratorium on any surface disturbance of claims while Congress had the opportunity to consider their purchase.<sup>37</sup> Representative Sieberling introduced a similar bill in the House.

The official Park Service line, which was known by the monument staff even before it was enunciated at the Senate and House committee hearings in early October, was that Glacier Bay National Monument should be excluded from the bill. Nevertheless, public concern about the Newmont mining development was running high enough that monument staff and Alaska conservationists were cautiously optimistic that the legislation would result not only in repeal of the 1936 act but in an eventual buyout of the Newmont claims. Jim Kowalsky, Alaska representative for Friends of the Earth,

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<sup>35</sup>James S. Rouse to Regional Director, August 13, 1975, NAAR, RG 79, 79-88-0005, box 9/22, file L48 Wilderness Areas GLBA; Richard C. Curry to James A. Haley, April 22, 1976, NAAR, RG 79, 79-88-0005, box 7/22, file L3023 Land Use Mining; "Statement of Nathaniel P. Reed, Assistant Secretary of the Interior for Fish and Wildlife and Parks, Before the Subcommittee on National Parks and Recreation, House Committee on Interior and Insular Affairs, Concerning H.R. 9799, A Bill to Prohibit Certain Incompatible Activities Within Any Area of the National Park System, and for Other Purposes," photocopy in "Information Leading up to the Passage of S-2371," GLBA, library collection, p.6.

<sup>36</sup>James A. Rouse to Regional Director, August 21, 1975, GLBA, administrative files, file D18 Master Plan.

<sup>37</sup>U.S. Congress, Congressional Record, September 18, 1975, p.S16181.

wrote biologist Gregory Streveler a note before packing his bag for Washington: "Send me arguments in favor of this measure as regards Glacier Bay, especially when some senators light into me and demand to know how the hell I could ask to lock up the nickel when the nation needs it so, etc. etc." Ranger Charles V. Janda answered Kowalsky's letter with this revealing caveat:

What follows is best kept as evaluations from an "informed source" for the reasons of the communications gap between Washington and Glacier Bay. While we are not at odds with policies and tactics of our people back East, we are victims of the old "left hand...right hand" adage and I obviously wish to remain clear of any politics which may antagonize the mining fraternity and/or conflict with Washington strategy.<sup>38</sup>

Constrained by the administration's position that the monument should remain open to mining because it contained "critical minerals which are in short supply," Park Service officials could do no more than supply information, without giving any sort of endorsement of the environmentalists' testimony.<sup>39</sup>

Opponents mounted a strong effort to cut Glacier Bay National Monument out of the bill. Senator Ted Stevens argued that the debate over mining in Alaska parks ought to wait until Congress considered comprehensive Alaska land legislation, after the administration completed the land withdrawals required by Section 17 (d) (2) of the Alaska Native Claim Settlement Act.<sup>40</sup> The Joint Federal-State Land Use Planning Commission took a different tack, recommending (as Gruening had earlier) that the west slope of the Fairweather Range be deleted from the monument. By the time the bill went to the whole Senate for a vote in February 1976, Senator Stevens, the commission, and the Ford administration had joined forces in urging an amendment that would retain the west slope area in the monument but leave it open to mining. Stevens pushed the amendment through the committee by a vote of 22 to 19, but in the full Senate it was

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<sup>38</sup>Jim Kowalsky to Greg Streveler, September 26, 1975, and Charles V. Janda to Jim Kowalsky, no date, Photocopies in "Information Leading up to the Passage of S-2371," GLBA, library collection.

<sup>39</sup>Quotation is from "Statement of Nathaniel P. Reed, Assistant Secretary of the Interior for Fish and Wildlife and Parks, Before the Subcommittee on National Parks and Recreation, House Committee on Interior and Insular Affairs, Concerning H.R. 9799, A Bill to Prohibit Certain Incompatible Activities Within Any Area of the National Park System, and for Other Purposes," photocopy in "Information Leading up to the Passage of S-2371," GLBA, library collection, p.6.

<sup>40</sup>Anchorage Sunday Times, September 28, 1975.

defeated 33 to 53. Stevens did succeed in exempting Glacier Bay National Monument from the four-year moratorium on surface development.<sup>41</sup>

When the Senate bill came before the House in September, the contest involved two further amendments affecting Glacier Bay National Monument. The first was an amendment introduced by Congressman Don Young, nearly identical to that of Senator Stevens, which the House rejected by a two-to-one margin. The second was a reinstatement of the four-year moratorium on surface development in Glacier Bay National Monument. Environmental groups lobbied hard on this issue, countering potent assertions by the administration that the Dixon Harbor development could create as many as 800 jobs for up to twenty-five years. Up to ten lobbyists worked the halls of the House of Representatives in a coordinated effort to visit all 435 members' offices before the vote. The lobbyists included former superintendent Howe, who was now retired and able to speak freely on the issue. As the best informed lobbyist, he was directed to the offices of the undecideds, toting maps and photographs which he spread before each of the congressmen or their aides. The bill passed by a vote of 352 to 9.<sup>42</sup>

The law required the Department of the Interior to determine the validity of each unpatented mining claim in Glacier Bay and Death Valley National Monuments, estimate the market value of each valid claim, and recommend to Congress which, if any, claims should be bought with public funds. These tasks devolved upon the NPS, with practically no assistance from the USGS, Bureau of Land Management, or Bureau of Mines, agencies with much more experience in determining the validity of mining claims. The Park Service's report on Glacier Bay National Monument, submitted four months late in January 1979, invalidated all unpatented claims in the monument and estimated the cost of purchasing the twenty-two patented claims (twenty in the Newmont group plus the Parker family's Leroy No.1 and No.2) at \$100,000. The report stressed the logistical problems that would be involved in mining and milling the Newmont claims, including the erosion that would result from the 13-mile access road, mine portal, and tailings disposal, the flooding that would likely develop in a mining operation underneath a glacier and in such a wet climate, and the problem of disposing of nearly six million tons of waste per year. The report estimated that the community at Dixon Harbor to support such an operation would number 4,000 people. The environmental impacts

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<sup>41</sup>U.S. Congress, Congressional Record, vol. 122, p.2257; Anchorage Times, February 4, 1976, Anchorage Daily News, February 16, 1976.

<sup>42</sup>Southeast Alaska Empire (Juneau), March 11, 1976; Anchorage Daily News, September 15, 1976; Robert E. Howe interview.

would be profound; the cost of administering the area under these conditions would be an estimated \$200,000 per year.<sup>43</sup> Interior officials later acknowledged that the overriding consideration in framing various options was cost rather than environmental impact, as both Congress and the Carter administration were pushing hard in 1979-80 to balance the budget. The Interior Department drafted a bill to enact the NPS recommendations for Glacier Bay and Death Valley, but it was never introduced in Congress.<sup>44</sup>

In 1981, Congress asked the General Accounting Office (GAO) to review the Department's handling of the Mining in the Parks Act. Predictably, given the change of administrations that year, the GAO issued a report in December assailing Interior's performance, suggesting among other things that the Department had given inadequate consideration to the "mineral supply and economic ramifications" of its recommendations. Concerning the Brady Icefield nickel-copper deposit, "no analyses were submitted to Congress regarding other commodities known to exist in other areas." In sum, the GAO report recommended that 1) Congress should not legislate on the basis of the 1979 recommendations by the Park Service, 2) the secretary of the interior should notify Congress that it no longer supported the Park Service's 1979 recommendations, and 3) all mineral management functions of the Park Service should be transferred to other agencies.<sup>45</sup> The Reagan administration allowed the matter to rest, never submitting to Congress new recommendations for the buyout of mining interests in Glacier Bay or Death Valley.

In the long run, the Mining in the Parks Act was only a partial victory for environmentalists: the mining claim above Dixon Harbor remains in private hands, and development awaits only a growth in demand and a legal decision over milling rights before it goes forward. If it ever happens, says a former park biologist, "They will turn the bay inside out."<sup>46</sup>

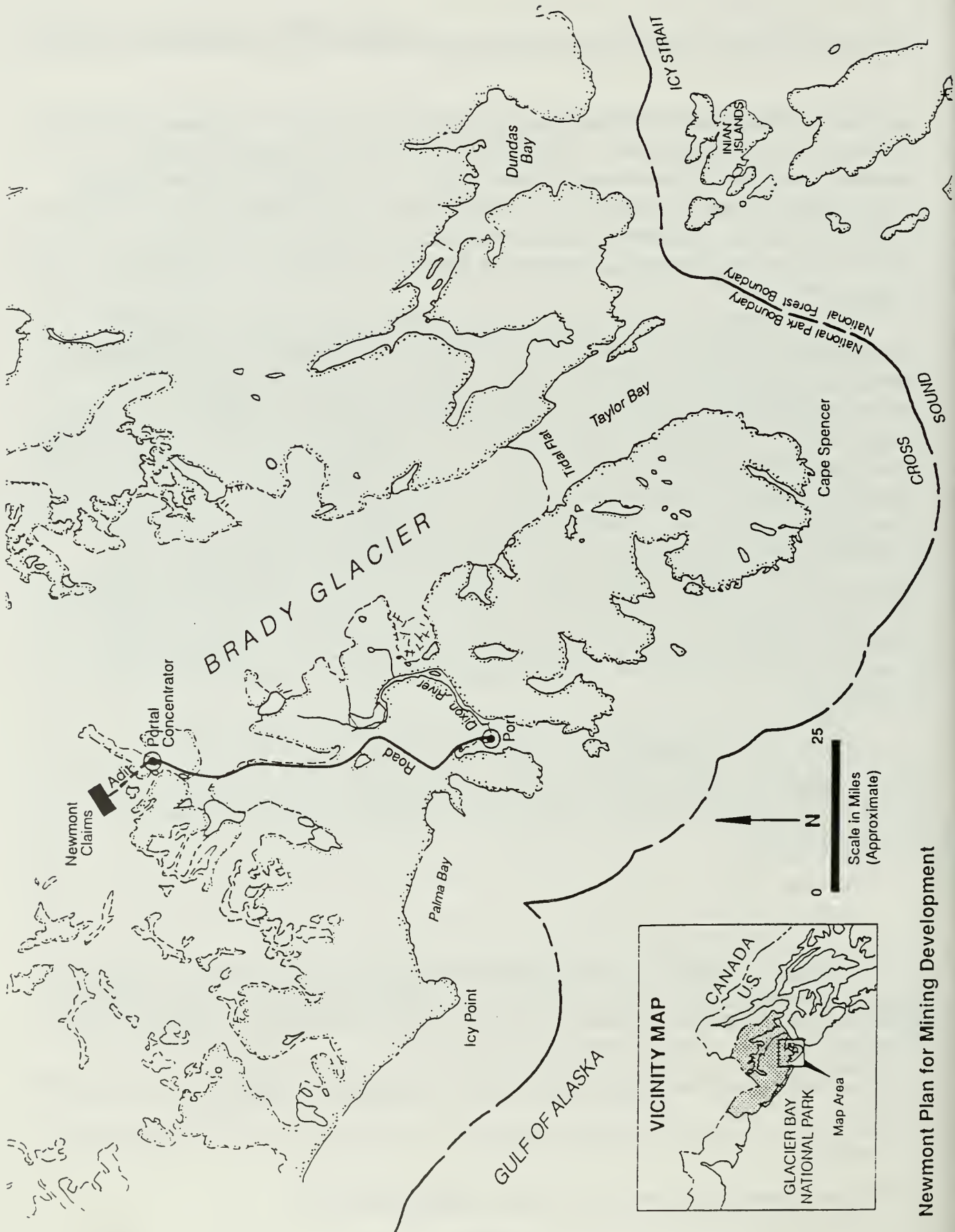
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<sup>43</sup>U.S. Department of the Interior, Environmental Consequences of Mineral Extraction: Glacier Bay National Monument and Mount McKinley National Park. Discussion of the Alternatives for Acquisition of Mining Claims and/or Boundary Modifications to Reduce Possible Acquisition Costs: Glacier Bay National Monument. Report to the Congress, January 1979, p.5, 14-15, 24.

<sup>44</sup>General Accounting Office, Mining on National Park Service Lands: What is at Stake? (Washington, 1981), p.5-8.

<sup>45</sup>Ibid, p.41-46.

<sup>46</sup>Gregory P. Strevler interview with author, tape recording, April 8, 1992.



Newmont Claims

Partial Concentrator

BRADY GLACIER

Road

Dixon River

Icy Point

Palma Bay

GULF OF ALASKA

Dundas Bay

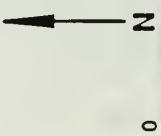
Taylor Bay

Cape Spencer

ICY STRAIT

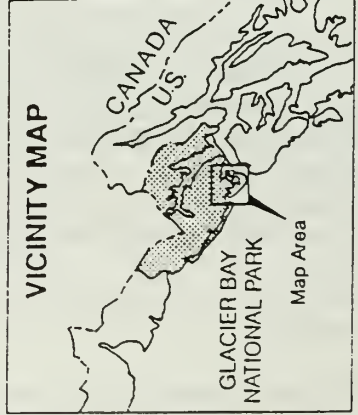
National Forest Boundary

CORCORAN SOUND



0 25

Scale in Miles (Approximate)



Newmont Plan for Mining Development

## CHAPTER X

### AN END TO NATIVE SEAL HUNTING

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In early March of 1964, Chief Ranger David B. Butts and an assistant ranger set out on the first patrol of the new year "up bay." They headed north in the ranger staff's single patrol boat, a modest 17-foot outboarder that tended to limit these routine patrols to fair weather conditions and a maximum range of about thirty miles from Bartlett Cove. On this occasion they headed for the entrance to Muir Inlet, curious to see what remained of a camp on Garforth Island that had been occupied by two Native hunters from May through October of the previous year.<sup>1</sup>

Approaching the edge of the pan ice near the entrance to Muir Inlet, the rangers watched as numerous hair seals crashed off the ice into the water at the sound of their engine. Still nearly a mile away, the seals looked like so many black dots on the white pan ice. Butts had never before observed such wariness on the part of the seals and assumed it was because the animals had been hunted from a boat the previous year. When the two men drew closer to the shoreline, they caught the stench of partially decomposed carcasses wafting on the chill breeze. Going ashore, they inspected the refuse left by the past season's hunt: backbones and rib cages picked clean by shorebirds, rotting entrails twisted and scattered by the tides, skinned seals lying pink and dull-eyed on the rocks. Butts stood amidst this animal wreckage and looked grimly into the camera as his partner snapped off pictures of the devastation. According to a photo caption, the scene prevailed for a stretch of beach nearly two miles long.<sup>2</sup>

Butts and others on the staff at Bartlett Cove reacted to the large seal hunt of 1963--some 243 seals killed and reported by the two Native hunters--with dismay. Many felt a visceral response to the slaughter that was probably akin to the feelings that coursed through John Muir when, back in 1879, the famous naturalist rocked the Tlingit canoe and spoiled the aim of his Native companions as they tried to shoot deer along the shoreline. Killing animals in such a place was sacrilege. "This type of shooting has no

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<sup>1</sup>Superintendent to Director, November 5, 1963 and David B. Butts to Superintendent, March 27, 1964, SITK, superintendent's monthly reports.

<sup>2</sup>David B. Butts to Superintendent, March 27, 1964, SITK, superintendent's monthly reports; "A Special Report Containing Information Required for Legislation to Redesignate Glacier Bay as a National Park," September 1964, NAAR, RG 79, 79-91-0001, box 3/9, file GLBA Admin. history 1938-1970.

place in a National Monument," Butts declared.<sup>3</sup> "The stench from decomposed carcasses is somehow not fitting for this fine wilderness," wrote another of the staff.<sup>4</sup> "Somehow" was the key word here. Instinctively, they knew this was wrong.

Ordinarily such expressions of outrage were sufficient to bring the desired results in a national park; NPS staffers would respond with like-mindedness and act to prevent the killing from recurring. The principle of protection of all wildlife in national parks was firmly established, the law was unambiguous, and the public almost universally supported it. NPS staff members at Bartlett Cove faced a more complex situation in Glacier Bay National Monument. Seal hunters from the local Native village of Hoonah enjoyed privileges in the monument based on aboriginal rights. This peculiar circumstance did not shake the NPS staffer's conviction that the kind of hunting which occurred around Garforth Island in 1963 should be stopped, but it did require an unusually thoughtful and painstaking presentation to explain why.

The legal basis for the Natives' hunting privileges was beginning to stretch back so many years that its origins were becoming obscure to the people who staffed the monument in the 1960s. The existing agreement had been drafted in 1954 by superintendent Schmidt and Charles H. Jones of the BIA. This agreement, which allowed Natives of Hoonah to gather berries, hunt seals, and carry weapons ashore for their protection against bear attacks, was a revision of an agreement between the NPS and the BIA of December 18, 1946. This was in turn based on an understanding between the NPS and the BIA obtained some time in the fall of 1939.<sup>5</sup> No one on the staff in the 1960s had been in the monument when even the last of these agreements was made, nor did the files at Bartlett Cove hold documentation on any except the most recent agreement in 1954. Even the superintendent's knowledge of its origins was sketchy--Howe would erroneously place Schmidt's agreement in the World War II era, for example.<sup>6</sup>

The subsequent history of this authorization may be briefly summarized. The NPS and the BIA reevaluated and renewed the agreement in 1956, 1958, 1960, and 1962, with only two modifications: after 1956 the seal pupping grounds in Wachusett and

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<sup>3</sup>Chief Ranger to Superintendent, June 22, 1964, GLBA, administrative files, file N1619.

<sup>4</sup>"A Special Report Containing Information Required for Legislation to Redesignate Glacier Bay as a National Park," September 1964, NAAR, RG 79, 79-91-0001, box 3/9, file GLBA Admin. history 1938-1970.

<sup>5</sup>See Chapter VI for this background.

<sup>6</sup>Robert E. Howe to District Director, October 6, 1969, GLBA, administrative files, file N1619.



Johns Hopkins inlets were closed to hunting, and a restriction against firearms of less than .30 gauge was relaxed so that Natives could use their preferred .22 caliber Hornet rifles.<sup>7</sup> Issuance of permits by rangers at Bartlett Cove (rather than by the city clerk in Hoonah) was initiated unilaterally by the superintendent on June 10, 1960.<sup>8</sup> The NPS took steps to discontinue the provision for Native hunting in 1964, but suspended this action under pressure from the BIA on March 29, 1965.<sup>9</sup> The NPS made a second attempt to rescind the agreement in 1966 but failed again.<sup>10</sup> The NPS finally terminated the agreement on April 4, 1974.<sup>11</sup> Inquiries by people of Hoonah and reminders by the NPS that hunting was no longer permitted were exchanged in 1976 and 1978.<sup>12</sup>

### Biological and Aesthetic Objections

The primary objection to Native seal hunting by the Park Service was the threat hunters posed to the Glacier Bay seal population. That this concern lay at the root of the conflict is clear from the stream of memoranda sent by Ranger Butts to the superintendent in Juneau under such dire headings as "Ever Increasing Threat to Hair Seal," all of which led to the Park Service's initial effort to terminate the Natives' privilege during the winter of 1964-65.

The local ecology of the hair seal was not well known in the early 1960s. The monument staff observed numerous seals in the lower bay in the winter and early spring, and recorded large congregations of seals near the glacier fronts in late spring and summer. It was thought that the seals migrated up bay in the spring in order to feed on crustaceans and pup on the icebergs, returning to the lower bay in the summer to resume

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<sup>7</sup>Secretary of the Interior to Robert Grant, June 15, 1956, GLBA, administrative files, file N1619.

<sup>8</sup>L.J. Mitchell to City Clerk, June 10, 1960, GLBA, administrative files, file N1619.

<sup>9</sup>Howard W. Baker to Commissioner of Indian Affairs, March 29, 1965, GLBA, administrative files, file N1619.

<sup>10</sup>The correspondence on this effort in 1965-66 is voluminous and is contained in GLBA, administrative files, file N1619.

<sup>11</sup>Robert E. Howe to State Director, October 26, 1972, GLBA, administrative files, file N1619.

<sup>12</sup>Same file.

their main diet of finfish. The NPS had not yet made a reliable census, but it was safe to say that the seal was the most abundant large mammal in the monument and an important part of the marine ecology.<sup>13</sup>

After the big hunt of 1963, Ranger Butts became concerned about numbers. Not knowing how many seals were in the monument, he was understandably wary that the population might be overhunted or even exterminated. In May 1964, a Native from Haines stopped at Bartlett Cove and informed Butts that a friend in Juneau had recently taken 300 seals without permit from Glacier Bay. Butts had already issued twenty permits to residents of Hoonah since the start of the year--including to the two hunters who had slaughtered more than 200 seals in Muir Inlet the year before. He guessed the total number of seals in Glacier Bay might be 800 to 1,000. "There are no bag limits, no closed season, and no closed area to protect this population," Butts wrote the superintendent. "Under present agreement this entire herd could be wiped out if the natives so desire."<sup>14</sup>

Numbers assumed even greater significance after the Park Service tried unsuccessfully to get the secretary of the interior to review the situation in the winter of 1964-65. The Washington office instructed superintendent Mitchell to compile statistics on the numbers of permits issued, kills reported, bounties paid, and various other indices of hunting pressure on the seal population. Ranger Charles V. Janda, who had transferred to Glacier Bay from Yellowstone National Park in May 1964, found these numbers disturbingly difficult to come by. For example, the permit system required hunters to report kills within thirty days to the chief ranger, but the level of compliance was very low. Janda conceded, "there is absolutely nothing in our files which indicates any attempts on our part to enforce the regulation or at least remind the hunters of their responsibility." Determining the amount of hunting pressure on the population was a matter of guesswork. Janda estimated that the total kill in Glacier Bay for the first half of 1965 had already reached 1,200. This was more than four times the reported kill of 291, and exceeded Butts' total population estimate by 200 to 400 animals. Janda arrived at this estimate by extrapolating from state bounty records held in Juneau, which showed significant increases of seal harvests in 1963, 1964, and the first quarter of 1965. But the bounty records did not indicate where the seals had been taken.<sup>15</sup>

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<sup>13</sup>Superintendent to Director, August 13, 1962 and June 6, 1963, SITK, Monthly Narrative Reports.

<sup>14</sup>David B. Butts to Superintendent, March 27, 1964 and June 3, 1964, GLBA, administrative files, file N1619.

<sup>15</sup>Charles V. Janda to L.J. Mitchell, June 18, 1965, GLBA, administrative files, file N1619.

Meanwhile, on the basis of further rough counts of the hair seals, Janda raised the earlier population estimate more than eight-fold to 7,000 or 8,000.<sup>16</sup> Strictly in terms of a biological assessment, the higher population estimate significantly altered the picture of seal hunting. It now seemed doubtful that the annual harvest exceeded the number of surviving pups each year. Present hunting pressure, one staff report stated, was not "sufficiently intense to cause a noticeable change in the seal population."<sup>17</sup>

Fortunately from the Park Service's standpoint, the higher population estimate not only put the seal out of danger of extermination but also elevated its status as the most abundant large mammal in the monument and a significant tourist attraction. Both Janda and Howe, who had taken the superintendent's reins in the middle of this controversy in April 1966, were cognizant of the dismal impression that seal hunting made on tourists. That summer, the long awaited park concession opened, and a tour boat began providing day trips up the bay. The shooting of seals made the animals boat shy. "Passengers on the Park cruise boat express great interest and pleasure at seeing these animals," a 1966 report on seal hunting stated. "They are visibly shaken when they learn that the Hoonah are allowed to kill them within the Monument boundaries."<sup>18</sup>

Butts had raised similar objections in 1964. The presence of hunters had made the seals "much more wary of approaching boats." As the seals now spooked off the ice whenever a boat came within earshot of them, it deprived "the bona fide visitor of the opportunity to observe the seal under natural conditions." Of course, such "natural conditions" were a contrivance of modern society, for Natives had been hunting seals in Glacier Bay or its vicinity since time immemorial. Butts missed the irony. "Everywhere in the state," he continued, "the seal is shot at and withdraws from the approaching boats and people. Glacier Bay should be the one place where it is protected as a member of the ecological community and enjoyed in its natural state."<sup>19</sup>

The ranger's comments went to the nub of the Park Service's traditional concept of nature. In this view, nature was the interaction of all living things in the absence of human influences. To preserve nature, national parks had to insulate these delicate ecological relationships from human disturbance. Though human beings were present in national parks as visitors, theoretically their influence was benign; they did not introduce

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<sup>16</sup>Seal Hunting--Glacier Bay, [1966], GLBA, administrative files, file N1619.

<sup>17</sup>Ibid.

<sup>18</sup>Ibid.

<sup>19</sup>David B. Butts to Superintendent, March 27, 1964, GLBA, administrative files, file N1619.

anything into or take anything out of the food chain; their use of the area was non-consumptive. In the case of Glacier Bay National Monument, Butts, Janda, and Howe all desired that visitors be able to observe the wondrous return of life to this recently glaciated landscape, without engaging in any activities that would disturb the natural process of ecological change. In their view, hunting was by definition a consumptive use and therefore an unnatural intrusion upon this environment.

When the effects of hunting on the seal population proved too difficult to quantify, Howe and Janda shifted their attention to the effects of hunting on wildlife viewing. "Although it is unlikely that the limited seal hunting in Glacier Bay National Monument has any effect on the overall population," they wrote, "we are greatly concerned as to the effect the hunting has on the park visitors opportunity to see seal. The harassment and killing of these animals has made it impossible to get close to them on the ice flows." Like Butts, they wanted tamer animals. Both having served for several years in Yellowstone National Park prior to their assignments in Glacier Bay, Howe and Janda believed that Glacier Bay had the potential to join Yellowstone as one of the nation's great wildlife parks. "The great wildlife viewing opportunities in the well known wildlife parks in the System are the results of protection from hunting and where necessary, closely supervised control problems," they noted, thus acknowledging that national parks in fact change animal behavior insofar as animals lose their natural fear of human beings.<sup>20</sup> Yet, inadvertently perhaps, they turned the tables on the hunter. They equated tame animals with natural conditions and hunters with unnatural conditions. This may have been a minor point to NPS officials concerned with preserving nature for the enjoyment of the American people, but it was a bitter irony for the area's indigenous people. In effect, it created the illusion that Native hunters were newcomers to Glacier Bay.<sup>21</sup>

Biological and aesthetic considerations formed the basis of NPS objections to hunting in Glacier Bay National Monument. NPS officials were concerned both for the health of the seal population as a fully functioning part of the ecosystem, and for the seal's accessibility as an appealing and potentially conspicuous part of the natural scene. But NPS officials were unable to convince the secretary of the interior on either of these grounds that Native hunting seriously impaired the monument's values. Rather, they had

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<sup>20</sup>Seal Hunting--Glacier Bay, [1966], GLBA, administrative files, file N1619.

<sup>21</sup>The effects of hunting vs. wildlife viewing on brown bear behavior in Katmai National Park and its implications for defining what is natural are discussed in Ted Birkedal, "Ancient Hunters in the Alaskan Wilderness: Human Predators and Their Role and Effect on Wildlife Populations and the Implications for Resource Management," paper presented at Seventh George Wright Society Meeting, 1992.

to resort to a third objection--that the modern hunter was himself undeserving of the special privileges in the monument that the government had earlier attached to his village.

This resulted in much bitterness. The NPS was made to demonstrate that seal hunting in the monument no longer bore any relationship to subsistence needs, that Hoonah's claim of aboriginal rights in Glacier Bay was a mere pretext for commercial hide hunting. These alleged hide hunters, entering the bay in large boats, sometimes killing 200 seals on a single trip, were trying to "outdo the whites in their resource-rape" according to former park biologist Gregory P. Streveler.<sup>22</sup> The Natives, for their part, found the actions by the NPS in the 1960s consistent with the acts of intimidation and vandalism that had forced a number of their people to abandon property in the monument in the 1940s.<sup>23</sup> As William Johnson, a clan chief, expressed his people's feelings about this period many years later, "The government just told us to get out of there."<sup>24</sup>

### Seal Hunting and Cultural Change

From the outset there was a fundamental difference of opinion as to whether the Hoonah Tlingits' privileges were transitional or permanent. The Park Service's 1957 master plan for the monument commented that the privileges would be "reduced and eliminated within a reasonable period of time."<sup>25</sup> Superintendent Howe repeatedly alleged that the hunting privilege had long outlived its original intent, which in his view was to help the Hoonah community through a short period of economic adjustment at the end of World War II.<sup>26</sup> Hoonah Tlingits, on the other hand, viewed the negotiated

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<sup>22</sup>Streveler, interview.

<sup>23</sup>Many Hoonah Natives believe that there was an NPS policy in the 1960s and early 70s of burning the camps and smokehouses used by Natives in the monument. Schroeder and Kookesh, "Subsistence Harvest and Use of Fish and Wildlife Resources and the Effects of Forest Management in Hoonah, Alaska," p.218.

<sup>24</sup>Seattle Times, May 27, 1989.

<sup>25</sup>Master Plan Development Outline, Glacier Bay National Monument, Alaska, [1957], GLBA, administrative files, file D18.

<sup>26</sup>For example, Robert E. Howe to District Director, October 6, 1969, GLBA, administrative files, file N1619.

terms of their continued use of the area as being "for all time."<sup>27</sup> Their interest in the area involved not only food resources but origin myths and ancestral graveyards too.

There was also a profound difference of opinion as to the amount of use that Natives made of Glacier Bay in the 1950s and 1960s. NPS officials assumed that the use was very light and of negligible importance to Hoonah's economy.<sup>28</sup> They based this assessment mainly on the trifling number of seal hunters who requested permits at Bartlett Cove each year in the 1960s.<sup>29</sup> When approximately ten percent of the Hoonah population petitioned against the Park Service's threatened termination of the agreement in 1964, NPS officials construed this as the full extent of Hoonah interest in the area.<sup>30</sup> But according to a 1986 survey of Hoonah households by the ADF&G, respondents estimated that fifty-five percent of their households' annual subsistence take had come from the monument area when they had had access to it. Based on its survey data, the ADF&G calculated that nearly seventy percent of "active users" in the Hoonah community made subsistence use of upper Glacier Bay at least once in 1950, while just under forty percent did so in 1965. The ADF&G study indicated even higher

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<sup>27</sup>Oscar T. Dick to Ben C. Miller, October 30, 1951, NAPS, RG 79, Western Region, Central Classified Files, box 293, file 201.

<sup>28</sup>Black, "A History of Glacier Bay, Alaska," op.cit., p.84.

<sup>29</sup>In 1954, the first year that individual permits were required, 64 permits were issued. The record of permits issued for 1959-1968 was as follows:

1959	2
1960	18
1961	5
1962	8
1963	8
1964	21
1965	36
1966	26
1967	9
1968	6

One might reasonably suspect that the spikes in 1954 and 1960 reflect a higher rate of compliance with the permit system in the two years where changes in the permit system were introduced, and that the numbers reflect a low rate of compliance overall, i.e. considerable use of the monument was undetected. But the NPS took these numbers as an accurate representation of Hoonah Tlingit use of the monument, and inferred from the decline in permits between 1954 and 1959 that Hoonah Tlingit use of the area was waning due to social and economic change.

<sup>30</sup>"Hair Seal Hunting by Indians of Hoonah, Alaska in Glacier Bay National Monument," GLBA, administrative files, file N1619, p.2. .

percentages, with the same downward trend, for lower Glacier Bay and Dundas Bay.<sup>31</sup> There is a huge disparity in these numbers--in the perceptions of Natives and NPS personnel over the extent of past Native use of the resources--that will probably never be reconciled.

The differences in perception extended to the nature of seal hunting itself. When an upturn in the hide market in 1963-65 led a handful of Hoonah Natives to start taking a hundred or more seals apiece each season, NPS officials assumed that these were a new class of Native seal hunter because they were oriented to the market rather than the village subsistence economy. The NPS perceived a discontinuity between this kind of seal hunting and the aboriginal seal hunting practices of the hunter's forebears. This discontinuity, NPS officials alleged, ought to disqualify the market hunter from hunting in the monument. They saw the market hunter as a sort of fallen Indian. Chief Ranger Butts wrote, "If they [the seals] were used for domestic purposes such as hide for clothing and meat for food I might feel differently."<sup>32</sup> Ranger Janda, filling out an incident report on Hoonah Native Kenneth Schoonover for taking 210 hair seal from the monument out of season in February 1969, entered Schoonover's race as "Caucasian--Claims Thlingit Lineage."<sup>33</sup> To Superintendent Howe, the hide hunters who came into the bay in large fishing boats with skiffs in tow "were not real Indians."<sup>34</sup> These NPS officials overlooked the fact that Natives had been market hunting as well as subsistence hunting for generations.

That no credible distinction between subsistence and market hunters really existed is shown by the fact that the first two Native hunters to exploit the higher prices paid for hides in 1963 were George Dalton and James Austin, two longtime hunters whom the NPS would later describe as the only remaining true subsistence hunters still using

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<sup>31</sup>Schroeder and Kookesh, "Subsistence Harvest and Use of Fish and Wildlife Resources and the Effects of Forest Management in Hoonah, Alaska," p.220-221, 226, 257. The household survey questionnaire devoted the last of 11 pages to questions involving Glacier Bay National Park, and ended with the question: "When you (family/household) had access to the Glacier Bay National Park area, what proportion of your total subsistence harvest came from that area in an average year? \_\_\_%" (Emphasis in original.)

<sup>32</sup>David B. Butts to Superintendent, March 27, 1964, GLBA, administrative files, file N1619.

<sup>33</sup>Individual Offense Report, February 12, 1969, GLBA, administrative files, file N1619. Kenneth Schoonover's name appears on the land claim census roll for Hoonah in AHL, Curry-Weissbrodt Papers, MS 43, roll 17.

<sup>34</sup>Howe, interview.

monument waters.<sup>35</sup> These two hunters acquired permits at Bartlett Cove on May 3, 1963, and proceeded up the bay to Garforth Island, near the entrance of Muir Inlet. They killed more than 200 seals that season before taking out their camp in November. According to a writer for Alaska Sportsman who invited the two seal hunters aboard his cruiser one day, Austin and Dalton were saving some of the hair seal hides to make moccasins and selling others to a fur dealer. They distributed seal oil to friends and kin in Hoonah and sold some of the carcasses to crab fishermen for crab bait.<sup>36</sup> By the end of the season they had also collected \$729 in bounty payments.<sup>37</sup>

Dalton and Austin harvested these seals in the usual manner. They hunted the seals from a skiff, shooting them in the back of the head in such a way that their jaws stayed shut; otherwise a shot seal had a tendency to open its mouth, inhale a lot of water, and sink before the hunter could get to it. They skinned the seals on the beach, leaving what carcasses they could not use to rot. When Butts found the putrifying remains of their work in the following spring he was appalled by the waste, the gore, and the stench. He was even more dismayed when another seal hunter, Jimmy Martin, told him that he had shot 161 seals, and had lost 40 percent to sinking. To Martin, it was a test of the hunter's efficiency and skill to secure as large a percentage of his kills as possible; to Butts, it was a travesty to kill so many animals without being able to retrieve them all. "This type of shooting has no place in a National Monument," Butts wrote the superintendent.<sup>38</sup>

Just as the purpose and intensity of seal hunting disturbed NPS officials, so did the technology that was now at the seal hunter's disposal. In early April 1964, a converted 110-foot sub-chaser came into Bartlett Cove to wait out a storm. The white crew was seal hunting and inquired about the monument boundaries along the outer coast. The next day, after the sub-chaser had left, four Hoonah Tlingits docked in

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<sup>35</sup>Charles V. Janda to Superintendent, October 3, 1969 and Robert E. Howe to Regional Director, January 26, 1970, GLBA, administrative files, file N1619.

<sup>36</sup>Jack Calvin, "Two Seal Hunters," Alaska Sportsman (May 1964): p.30.

<sup>37</sup>Hair Seal Bounties Paid to Persons Claiming Residence in Hoonah, Alaska--Calendar Year 1963, GLBA, administrative files, file N1619.

<sup>38</sup>Superintendent to Director, August 5, 1963, SITK, Monthly Narrative Reports; David B. Butts to Superintendent, June 22, 1964, GLBA, administrative files, file N1619; photographic documentation of the carcasses were included in "A Special Report Containing Information Required for Legislation to Redesignate Glacier Bay as a National Park," September 30, 1964, NAAR, RG 79, 79-91-0001, box 3/9, file GLBA administrative history 1938-1970.



Bartlett Cove to obtain permits. Asked what they knew about the sub-chaser, they said that the crew had been trying to hire "sharpshooters" in Hoonah. While it was unclear whether the crew's intent was to gain access to Glacier Bay seals, Butts thought the NPS had no legal recourse to stop such a plan. "So long as they are natives and have a permit they can operate under any subsidy they can work up," he wrote superintendent Mitchell. "One boat such as this 110 foot one could keep a sizeable crew of hunters in the Monument and really slaughter the seal."<sup>39</sup> Two years later in 1966 Superintendent Howe again raised this spectre of a "mother ship" employing Hoonah Tlingits with hunting permits. "Why no one has taken advantage of this loophole is surprising to all of us," he wrote.<sup>40</sup>

Some time later--no record of the incident is contained in the park's files--some Hoonah Tlingits entered Glacier Bay on Willie Marks's fishing boat New Annie with more than a dozen skiffs in tow. This was not quite the factory ship that the monument staff feared, but the enterprise struck the superintendent as morally wrong and illegal. NPS rangers intercepted the boat, boarded it, and confiscated the Natives' rifles for evidence. The incident became something of a symbol for both points of view: a symbol of Native avarice to the NPS, a symbol of NPS belligerence to the Natives. Hoonah Tlingits were outraged but also cowed by the incident. Most of them would not concede that the mission of New Annie was an aberration from subsistence seal hunting.<sup>41</sup>

Throughout this period, the Park Service showed that it was little better informed about the cultural meaning of seal hunting to Hoonah Tlingits than biologist Lowell Sumner had been in 1947. Like Sumner, NPS officials in the 1960s operated on the idea that increased material wealth and cash income by Tlingits was equatable with decreased need for native foods and animal hides, as if there were a reciprocal relationship between the two. The familiar idea was advanced anew in 1964: "The natives involved are no longer dependent on these animals for food and clothing. They are employed in

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<sup>39</sup>David B. Butts to Superintendent, April 7, 1964, GLBA, administrative files, file N1619.

<sup>40</sup>Robert E. Howe to Assistant Director of Operations, July 11, 1966, GLBA, administrative files, file N1619.

<sup>41</sup>Robert G. Bosworth, "Tlingit Subsistence in Glacier Bay, Alaska: Adapting to Change in Landscape and Bureaucracy," p.14, typescript at GLBA, library collection; Schroeder and Kookesh, "Subsistence Harvest and Use of Fish and Wildlife Resources and the Effects of Forest Management in Hoonah, Alaska," p.218; Robert E. Howe interview; Albert Dick interview; Amy Marvin and Mary Randolph interview. None of these sources could establish a firm date. Bosworth places the incident in the early 1970s, Schroeder and Kookesh in 1966 or 1967. Nor is it clear on what grounds the NPS confiscated the Natives' guns.

industry and are commercial fishermen with the most modern boats and gear."<sup>42</sup> Again, Howe reiterated this idea in subsequent memoranda when he reported a decline in the number of permits issued after 1966: "Our people at Bartlett Cove cannot offer a concrete explanation [for the decline] except that it is generally recognized that the Hoonah natives do not rely on the seal as a principal source of food and clothing. In fact, there is only one family who consistently hunts in Glacier Bay."<sup>43</sup> There was a predilection by the monument staff to see all that was modern in Hoonah and to interpret subsistence use as a vanishing way of life.

But this was misleading. A 1970 study of employment opportunities for Tlingit and Haida Natives found that while 56 percent of the male labor force was employed in the commercial fishing industry, less than one in ten of these men were year-round commercial fishermen; and while 43 percent of the female labor force was employed in the canneries, this work was all seasonal. Only one in four men and women in the labor force held year-round jobs of any kind. One in three men and a somewhat higher proportion of women in the labor force were unemployed at least six months of the year. As for the Natives' "modern boats and gear" to which the NPS alluded, this probably referred to some 130 seiners (about one vessel per six Tlingit and Haida families) that had been purchased on credit from the IRA's revolving loan fund during the late 1930s and early 1940s. Few fishermen had completely paid off their mortgages on these boats and the boats themselves were badly deteriorated. The 1970 study recommended to the Tlingit-Haida Central Council that the cost of refinancing most of these vessels was unjustified given their poor condition.<sup>44</sup>

This kind of information was not readily available in 1965, when the NPS asked the BIA for economic data on the Hoonah community. Yet NPS officials contented themselves with glib assurances by the BIA that Hoonah was better off than ninety percent of other Alaska Native villages. Rather than conduct a hearing in Hoonah on this issue, as the Natives requested, NPS staffers went to Juneau and assembled data on bounty payments and market prices for seal skins to prove their point that modern seal

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<sup>42</sup>"A Special Report Containing Information Required for Legislation to Redesignate Glacier Bay as a National Park," September 30, 1964, p.11, NAAR, RG 79, 79-91-0001, box 3/9, file GLBA administrative history 1938-1970.

<sup>43</sup>Robert E. Howe to District Director, October 6, 1969, GLBA, administrative files, file N1619.

<sup>44</sup>Wolf and Company, "A Development Planning Program for the Central Council of the Tlingit and Haida Indians of Alaska," AHL, Curry-Weissbrodt Papers, MS 43, roll 18.

hunting was now disembodied from traditional Native subsistence use.<sup>45</sup>

Their investigation disclosed that seal skins were selling for \$10 to \$12 apiece on average, compared to prices of \$1 to \$4 only three or four years earlier. The market price had not been that high for ten to twenty years.<sup>46</sup> The NPS presented these figures as evidence that the seal hunters were making large profits; as Butts told Superintendent Mitchell, "This is big business."<sup>47</sup> Butts was correct in that the market was now international, with Canadian buyers accounting for most of the local purchases and a large proportion of the skins from southeast Alaska eventually being shipped to Europe to be turned into high-fashion wearing apparel. But he exaggerated its importance to the Hoonah economy. The cash value of seal skins in this period was only about double what the value of the \$3 bounty had been in the 1940s; and total harvest levels in Alaska in the 1960s were below what they had been in the 1930s and 1940s when bounty payments had been the most significant cash incentive. Meanwhile the State of Alaska had held the bounty at \$3 and ended it altogether in 1967. Unless seal hunting was conducted from a factory ship equipped with compressed air skinning devices, hunting seals for their skins was about as marginal to the cash economy of southeast Alaska as hunting them for the bounty had been during the 1940s. Its very marginality ensured that some, though not all, of the seals taken in Glacier Bay were consumed as meat and oil in the subsistence economy.<sup>48</sup>

The inability to argue their case against hunting convincingly on biological grounds led NPS officials back to approximately the same set of economic and cultural

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<sup>45</sup>The Natives' request for a hearing in Hoonah is noted in Commissioner of Indian Affairs to Director, January 12, 1965, GLBA, administrative files, file N1619. Acting director Howard W. Baker informed the commissioner that the NPS was temporarily suspending action to terminate seal hunting and would resume issuance of permits (March 29, 1965, same file), but I found no evidence of a hearing.

<sup>46</sup>Hair Seal Hunting by Indians of Hoonah, Alaska in Glacier Bay National Monument, GLBA, administrative files, file N1619.

<sup>47</sup>David B. Butts to Superintendent, June 3, 1964, GLBA, administrative files, file N1619.

<sup>48</sup>Two Natives of Hoonah whom I interviewed offered conflicting opinions on the subject of Native hunting and waste. Mayor Al Dick said that elders normally accompany groups on subsistence fishing and gathering expeditions and guard against overharvesting the resource, but since hunting is unsupervised in this manner wasteful practices by younger Natives are known to occur. Mary Rudolph, on the other hand, insisted that no waste occurs--that when young people take more than they and their families can consume they give meat to the elders or to others. Reports to the contrary, she said, come from outsiders who do not understand this. The photographic documentation from 1964 seems to provide irrefutable evidence, however, that many seals were killed by Natives merely for their skins.

questions that were posed twenty years earlier. And once again, the NPS found it impossible to make a convincing case for terminating the Hoonah Tlingits' privileges in Glacier Bay on the basis of cultural change. The effort to do so produced rancor more than anything else. After two years of investigations and three reports on the subject, the NPS remained stymied at the end of 1966.

### From Aboriginal Rights to Subsistence

As is so often the case in national park administration, the Park Service's difficulties with this issue were compounded by the fact that it was not strictly local, but involved a wider geographic area and various other government entities. Although the Hoonah Tlingits' privileges in Glacier Bay had been framed as a local agreement, the legal foundation for these privileges was the Tlingit-Haida land claim suit, and more broadly, federal policy toward Alaska Natives. The final settlement of that suit in 1968, together with a major reassessment of federal policy in the Alaska Native Land Claim Settlement Act of 1971, had profound implications for the Hoonah Tlingits' legal position in Glacier Bay. Two other acts of Congress, the Alaska Statehood Act of 1958 and the Marine Mammal Protection Act of 1972, also had repercussions in Glacier Bay.

Each time the Park Service sought to terminate the Hoonah Tlingits' privileges in Glacier Bay, it involved a number of political entities directly or indirectly, from the Tlingit-Haida Central Council and the BIA to the state of Alaska and the Alaska Department of Fish & Game (ADF&G). Somewhat apart from the problem of Native privileges in the monument was the dispute between the NPS and the state of Alaska over ownership of Glacier Bay. The dispute arose out of the Alaska Statehood Act of 1958, which conferred all navigable waters and submerged lands of the public domain to the state of Alaska. The state claimed that the two presidential proclamations of 1925 and 1939 which established Glacier Bay National Monument covered the land area only, leaving the bays and coastal waters in the public domain; thus they now belonged to the state of Alaska. The NPS held otherwise. The jurisdictional dispute simmered along, neither the state nor the Park Service wanting to take the matter to court, yet each party being leery of any action by the other that would prejudice its case. Tacitly, the NPS allowed the ADF&G to regulate the small-scale commercial fishery in Glacier Bay. It also assumed that Native seal hunters would respect the ADF&G's closed season on seal hunting while operating under NPS permits in the monument. For its part, the ADF&G informed Hoonah Natives that they did not need permits to hunt seals in Glacier Bay

below the tide line, because the state controlled the waters.<sup>49</sup>

This legal muddle posed a problem for enforcement of seal hunting restrictions: NPS officials were unsure of their authority to board vessels or make arrests on the open water. The U.S. commissioner in Juneau informed Howe that he would not hear any federal cases where jurisdiction was in dispute between the federal agency and the state.<sup>50</sup> While this situation was troubling in itself, NPS officials did not want a confrontation with Native seal hunters to force the issue of jurisdiction. If taking a hard line toward Native seal hunting resulted in an arrest or two, followed by the filing of charges in federal district court, then the unwanted legal contest with the state over jurisdiction would likely ensue.

The jurisdictional dispute may have been an important factor in muffling the issue of Native seal hunting after 1966, although evidence of this is only circumstantial. Late in that year, NPS Director Hartzog tried without success to interest state officials in "concurrent jurisdiction" of Glacier Bay.<sup>51</sup> Some time later--the communication was undated--NPS officials in Washington instructed Superintendent Howe by telephone that the seal hunting agreement would be continued, with the thought that it would "die a natural death when the few old timers still participating could no longer hunt."<sup>52</sup> In other words, the NPS no longer wanted to have this issue out with either the BIA or the Hoonah Tlingits themselves. Ostensibly the change of tack was in response to a drop in the hide market and an easing of pressure on the seal population. There was little further communication out of the monument on this subject until 1970.

But another political consideration may have weighed in this decision as well. The growing Alaska Native rights movement, together with the U.S. Court of Claim's decisions in Tlingit and Haida Indians of Alaska v. United States (1959, 1968), may have persuaded NPS officials to wait and see how these developments affected the Hoonah Tlingits' position in Glacier Bay--as well as indigenous people's rights in other Alaska national parklands--before moving too aggressively against them. Howe alluded to these political considerations in 1969 when he recalled his unrecorded telephone

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<sup>49</sup>Individual Offense Report CR 1-69, GLBA, administrative files, file N1619.

<sup>50</sup>Robert E. Howe to Regional Director, November 9, 1966, GLBA, administrative files, file N1619.

<sup>51</sup>Raymond O. Mulvany to Director, December 2, 1966, GLBA, administrative files, file N1619.

<sup>52</sup>Robert E. Howe to District Director, October 6, 1969, GLBA, administrative files, file N1619. Howe references undated, unrecorded telephone communications with the Washington office based on his memorandum of July 11, 1966.

communications with the Washington office in which he had been told to let the seal hunting problem subside.<sup>53</sup>

The Alaska Native rights movement developed in reaction to state land selections and state wildlife laws that encroached on Native subsistence resources in the early 1960s. The Alaska Statehood Act had entitled Alaska to select 100,000,000 acres of land from the public domain for state ownership--a far greater proportion of the total public domain than any other new state had ever received, the idea being that a viable government of this far northern state would need a hefty income from oil and mineral leases in order to compensate for the state's scant population and miniscule agricultural and manufacturing base. The statehood act noted that Native title to this land would have to be settled at a later time. As the patenting of state lands went forward, Eskimos, Aleuts, and Athapaskan Indians formed several Native regional associations in the early and mid-1960s, and these came together with the southeast region's Tlingit-Haida Central Council to form the Alaska Federation of Natives in 1966. With the notable exception of the Tlingits and Haidas, who had organized the Alaska Native Brotherhood in 1912, all of these Native groups were organizing politically on a regional basis for the first time in their history. Nevertheless, the fledgling Alaska Native rights movement was already sharply focused on land.<sup>54</sup>

With these developments in the background, the NPS could no longer afford to address Hoonah Tlingit privileges within a strictly local context. In effect, the problem of Native seal hunting was swept out of Glacier Bay on a tide of legal and political maneuverings that turned not on seals but on state land selections, Native land claims, and nearly a billion dollars' worth of North Slope oil leases. In the summer of 1966 the BIA began its first halting efforts toward drafting a comprehensive solution to the aboriginal land claims of all Alaska Natives, and in the fall of that year Secretary Udall issued a controversial land order that prohibited further patenting of state lands (as allowed under the statehood act) until Native claims were settled.<sup>55</sup>

With so much attention focused on the North Slope and, after the spring of 1968, the oil strikes at Prudhoe Bay, the southeast Alaska region and the Tlingit and Haida

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<sup>53</sup>Robert E. Howe to District Director, October 6, 1969, GLBA, administrative files, file N1619.

<sup>54</sup>John Borbridge, Jr., "Native Organization and Land Rights as Vehicle for Change," in Change in Alaska: People, Petroleum, and Politics (College, Alaska, 1970), p.197; Alexander M. Ervin, "The Emergence of Native Alaskan Political Capacity, 1959-1971," The Musk Ox, vol.19, no.2 (1976): p.8.

<sup>55</sup>Anchorage Daily News, March 21, 1969; Mary Clay Berry, The Alaska Pipeline: The Politics of Oil and Native Land Claims (Bloomington, Indiana, 1975), p.49.

Indians would have played a relatively minor part in the process of settling Native land claims except for the long history of Tlingit and Haida claims. Now the case of Tlingit and Haida Indians of Alaska v. United States was seen as precedent-setting.

The U.S. Court of Claims had handed down a preliminary judgment in the case on October 7, 1959. The court had ruled in favor of the Indians, finding that their aboriginal title was valid and that they were entitled to recover for the uncompensated taking of their land and property. This included some 16,000,000 acres which had been set apart as Tongass National Forest by presidential proclamations on August 20, 1902, September 10, 1907, and February 16, 1909, and some 2,297,598 acres embraced by the original 1925 boundaries of Glacier Bay National Monument. (The addition to the monument in 1939 was immaterial to this case since it amounted to a transfer of land from Tongass National Forest which had already been taken.) The amount of the settlement was to be established by a subsequent proceeding.<sup>56</sup>

On January 19, 1968, the U.S. Court of Claims concluded its second and final proceeding in this case with a judgment for the plaintiffs of \$7,546,053.80. This was a pyrrhic victory for the Tlingits and Haidas. Their attorneys had sought an \$80,000,000 settlement; the trial commissioner had calculated the fair market value of the total land claim, including fishing grounds, at \$15,934,368.80; but the judges ruled that no awards in respect to fishing grounds should be made, and consequently arrived at the figure of \$7,546,053.80. Especially significant was the court's finding that aboriginal title did not extend to submerged lands or fisheries.<sup>57</sup>

The decision in Tlingit and Haida Indians v. United States, coming in the midst of the Alaska Native rights movement, provided an important impetus toward a legislative settlement of Native land claims throughout the rest of Alaska, not least because the judgment of the court convinced Native leaders that an act of Congress would be preferable to another judicial settlement based on monetary compensation alone.<sup>58</sup>

The Alaska Native Claim Settlement Act (ANCSA) was enacted on December 18, 1971. The act extinguished all aboriginal title to lands and submerged lands and all aboriginal hunting and fishing rights. It granted the Natives \$925,500,000 for compensation, apportioned between twelve regional corporations and more than 200 village corporations created under the act. All Natives born on or before the date of the

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<sup>56</sup>177 F. Supp. 452.

<sup>57</sup>389 F.2d 778.

<sup>58</sup>Thomas R. Berger, Village Journey: The Report of the Alaska Native Review Commission (New York, 1985), p.23.

act became shareholders in their respective village and regional corporations. These corporations were to oversee Native land selections amounting to 40,000,000 acres, development of these lands, and other capital investment. ANCSA provided for the same corporate structure in the southeast region of Alaska, but granted one fourth as much land to each of the ten Tlingit and Haida villages, including Hoonah, as other Native villages were entitled to, and declared that the funds appropriated to pay the judgment of the U.S. Court of Claims in Tlingit and Haida Indians of Alaska v. United States were in lieu of additional lands. The principal intent of this complicated legislation was to provide a vehicle with which Alaska Natives could find their own way into the corporate economy.<sup>59</sup>

At the same time, ANCSA laid the foundation for modern legal protections of Native subsistence use in Alaska. At an early stage in the development of this legislation, namely in the Federal Field Committee's preparation of its report, Alaska Natives and the Land (1968), it became apparent that Alaska Natives were dependent on far more land for their subsistence needs than Congress would be willing to allow them to retain. The Federal Field Committee estimated that Alaska Natives required a minimum of 60 million acres to support their subsistence take. Not only was this acreage unacceptably high as a share of the total land area, but the regional corporations that ANCSA established were expected to select Native lands on the basis of development potential rather than subsistence resources, and often the two did not coincide. Therefore, lawmakers recognized that the extinguishment of aboriginal title would have to be accompanied by legal protections of the Natives' continued subsistence use of the public lands.<sup>60</sup>

The Senate version of the Alaska Native Land Claims bill provided for this protection, but the House version did not. When the two houses of Congress went to conference on this bill in December 1971, the conference committee decided to exclude direct language on subsistence protection from the bill, despite two last-minute appeals by the Alaska Federation of Natives.<sup>61</sup> There was hesitation over how such protection

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<sup>59</sup>85 Stat. 688.

<sup>60</sup>"A Fair Settlement of the Alaska Native Land Claims; the Key Elements," by Wyman Bautzer et al., attorneys for Alaska Federation of Natives, March 11, 1971, UW, Lloyd Meeds Papers, MS 2900-77-023, box 33, file Alaska Native Claims.

<sup>61</sup>Don Wright (AFN) to Lloyd Meeds, November 16, 1971, and Don Wright to Congressman Edmondson, [December, 1971], UW, Lloyd Meeds Papers, MS 2900-77-023, box 33, file Alaska Native Claims.



would be implemented by the law--under a permit system or a land classification system.<sup>62</sup> However, the conference report on the bill stated that the committee "expects both the Secretary and the State to take any action necessary to protect the subsistence needs of the Natives."<sup>63</sup>

In 1972, Superintendent Howe began once more to press his superiors for an end to the Natives' seal hunting privilege, maintaining that the U.S. Court of Claim's judgment in 1968 had now compensated the Tlingits for any aboriginal rights they had once enjoyed in Glacier Bay.<sup>64</sup> The NPS informed the people of Hoonah that it had a Department solicitor's opinion which stated that the court's decision in 1959 had terminated any such rights.<sup>65</sup> The NPS did not acknowledge that this solicitor's opinion was now nine years old. Dated December 15, 1965, it had been written prior to the court's second decision and ANCSA and was probably of doubtful worth. At least two significant problems remained unaddressed by this nine-year-old solicitor's opinion. First, did the court's subsequent restriction of its judgment to land areas still affect the Hoonah Tlingits' privileges in Glacier Bay? Second, did the court ruling affect hunting rights, and if so, was it superseded by ANCSA and the intent of Congress to protect Native subsistence?<sup>66</sup>

Because ANCSA did not specifically address subsistence, the outlines of the new policy were not well understood in the early 1970s. Important questions such as who qualified as a subsistence user and how the federal government would implement some kind of prioritization of subsistence over other forms of resource consumption remained to be worked out. Perhaps the key question with regard to Glacier Bay was this: did subsistence protection assure subsistence users access to all public lands of which they had made traditional use? The House and Senate conference committee had framed the

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<sup>62</sup>Memo to Members, House-Senate Conference on Alaska Native Claims from Bill Van Ness, Chief Counsel, Senate Interior and Insular Affairs Committee, December 6, 1971, UW, Lloyd Meeds Papers, MS 2900-77-023, box 33, file Alaska Native Claims.

<sup>63</sup>House, Alaska Native Claims Settlement Act Conference Report, 92nd Cong., 1st sess., 1971, Report No. 92-746, p.37.

<sup>64</sup>Superintendent to Regional Director, February 29, 1972, GLBA, administrative files, file N1619.

<sup>65</sup>Charles V. Janda to Mayor Frank See, April 2, 1974, GLBA, administrative files, file N1619.

<sup>66</sup>See the appended Note Regarding the 1965 Solicitor's Opinion (no page number) in Robert G. Bosworth, "Tlingit Subsistence in Glacier Bay, Alaska: Adapting to Change in Landscape and Bureaucracy," April 1987, GLBA, library collection.

subsistence issue for purposes of debate in this way: "Should Native people's historic use of public lands for subsistence purposes--hunting, fishing, trapping, berry-picking--be protected under the Act, and if so: (1) By a permit system (2) By a land classification system."<sup>67</sup> The conference committee provided no definitive answer to this question.

Less than six months after passing ANCSA, Congress considered subsistence protection for Alaska Natives in terms of another bill, what would become the Marine Mammal Protection Act of 1972. While the bill placed a moratorium on the hunting of marine mammals, it allowed Alaska Natives to continue to harvest marine mammals for subsistence and limited commercial use. Dozens of Alaska Natives testified before congressional hearings in Nome and Bethel, Alaska, on May 11-13, 1972, about the importance of seal, walrus, and whale hunting to their village economies and culture. Robert Willard, a Tlingit Indian representing the Alaska Commission on Human Rights, testified that the sole income for 10,000 Natives derived from the manufacture of arts and craft items, mainly from sea mammals and byproducts.<sup>68</sup> George Miller, president of Cook Inlet Regional Association, stated that the harvesting of ocean mammals "for subsistence and commercial purposes...is so interwoven into the fabric of traditional Native life that it cannot be altered or terminated without seriously jeopardizing the culture of our people."<sup>69</sup> Conservation groups including Friends of the Earth, the Sierra Club, and the Alaska Conservation Society supported the bill's provision for Alaska Native subsistence, though they urged careful limits on the size of the arts and crafts commerce.<sup>70</sup>

The enactment of the Marine Mammal Protection Act (MMPA) on October 21, 1972, made four significant refinements to the vague subsistence protections that Congress had mandated in the course of settling the Alaska Native land claim. First, there was a notable shift in emphasis from the economic to the cultural significance of subsistence. In the context of ANCSA, most discussion of subsistence protections had had an economic bent; lawmakers as well as Native leaders had treated subsistence as a safety net or stop gap while the Native village and regional corporations developed the

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<sup>67</sup>Memo to Members, House-Senate Conference on Alaska Native Claims from Bill Van Ness, Chief Counsel, Senate Interior and Insular Affairs Committee, December 6, 1971, UW, Lloyd Meeds Papers, MS 2900-77-023, box 33, file Alaska Native Claims.

<sup>68</sup>U.S. Congress, Congressional Record, vol. 118, p.17613.

<sup>69</sup>Ibid, vol. 118, p.25261.

<sup>70</sup>Senate, Committee on Commerce, Subcommittee on Oceans and Atmosphere, Ocean Mammal Protection, Hearings part 2, 92nd Cong., 2d sess., May 11-13, 1972, *passim*.

necessary job base to bring their people fully into the cash economy. While the language in the MMPA was neutral on this point, the congressional hearings and debate on this bill clearly laid a new stress on cultural preservation. Second, Congress decided to broaden the Natives' subsistence protections in the MMPA to include limited commercial use of harvested marine mammals--both in the form of authentic handicrafts and clothing which could be sold in interstate commerce, and as food which could be sold in Native villages and towns in Alaska or for Native consumption. Third, Congress decided to overlook the protests of some white Alaskans that these subsistence protections were racially discriminatory; in the MMPA Congress unequivocally restricted the allowance of marine mammal harvests to "any Indian, Aleut, or Eskimo who dwells on the coast of the North Pacific Ocean or the Arctic Ocean." Fourth, Congress insisted that marine mammal harvests must not be "accomplished in a wasteful manner."<sup>71</sup>

To NPS officials who wanted to end Native hunting in Glacier Bay National Monument, the MMPA suggested a need to make haste in declaring that seal hunting was no longer legal. If the two decisions in Tlingit and Haida Indians v. United States had strengthened the Park Service's case for terminating the privilege, ANCSA's effect was rather ambiguous and the MMPA could potentially work against it. Five days after Congress enacted the MMPA, Superintendent Howe wrote to the NPS state director:

It is long past June 20 [the beginning of open season], when we would have liked an answer. We truly believe that seal hunting in Glacier Bay is neither legal nor longer necessary. In fact, considering the new national legislation it might be illegal anywhere when "hide hunting" is the end result. If it is ever to be stopped we should probably start the effort about November 8 [the end of open season].<sup>72</sup>

Howe finally got the answer he had long been looking for when the director of the Alaska field office told him by telephone on November 14 to arrange a meeting with the people of Hoonah and inform them that their privileges in the monument were terminated.<sup>73</sup>

If a meeting to explain this to the people of Hoonah ever occurred, it is not a part

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<sup>71</sup>86 Stat. 1031.

<sup>72</sup>Superintendent to State Director, October 26, 1972, GLBA, administrative files, file N1619.

<sup>73</sup>Bob Howe to Files, November 14, 1972, GLBA, administrative files, file N1619.

of the official record. Indeed, the record shows that after 1966 the NPS successfully suppressed this issue and eventually settled it quietly and unilaterally. Whereas the record in the 1940s comprised interagency communications and meetings with the people of Hoonah, it dwindled to telephone conversations between NPS officials and memoranda to the files in the 1970s. Whereas the mayor of Hoonah's inquiries in the 1940s had been answered by the secretary of the interior, now they were answered by the chief ranger or the superintendent. Chief Ranger Janda informed Mayor Frank See on April 4, 1974, that as of that date all people entering the park were equally subject to the Code of Federal Regulation's prohibition against killing of wildlife in national parks. In this letter Janda also noted a telephone conversation with See the previous January in which Janda had informed the mayor that all hunting privileges were terminated. In addition, Janda stated that there had been only one request for a permit over the past two years. Thus, it was not clear exactly when the Hoonah Tlingits had lost their privileges in Glacier Bay. In recent years, the Hoonah Tlingits have expressed anger that the NPS did not put the rulemaking against Native hunting in writing or run it through the normal public review process for regulatory changes. The record would seem to justify their anger.

There is some irony in the fact that the Marine Mammal Protection Act of 1972 forced the Park Service's hand. By affirming the new federal policy of subsistence protections in Alaska, the MMPA might have provided the kind of settled legal definition of the Hoonah Tlingits' relationship to Glacier Bay that had long been sought by both the NPS and the Hoonah Tlingits. The NPS might have invoked the law on the one hand to answer criticisms that Native hunting had no place in the national park system, and on the other hand to prevent Native hunters from defiling the shores of Glacier Bay by taking seals only for their skins. The law practically eliminated the market for seal hides. It removed the alleged threat that Native hunters could legally exterminate the monument's seals while in the service of a factory ship. Moreover, the MMPA provided a way around the problem of jurisdiction in Glacier Bay, because it took marine mammal management away from Alaska (and other states) and assigned it to a new federal agency, the Marine Mammal Commission. NPS management of seal hunting in Glacier Bay would no longer represent a pocket of federal law enforcement in an otherwise state-managed activity.

However, this perspective on the MMPA was not within the frame of reference of most NPS officials in 1972. Hunting in national park areas, no matter in what form, was anathema to the Park Service. It was only in the course of eight years of land use planning in the 1970s, leading up to the passage of the Alaska National Interest Lands Conservation Act of 1980, that the Park Service adopted a new stance toward subsistence

hunting. By then the Park Service would maintain that in Alaska, the nation's "last frontier," subsistence could be compatible with wilderness preservation and the national park idea.



## CHAPTER XI

### THE LIMITS OF ECOSYSTEM MANAGEMENT

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The Leopold Committee's report to Secretary Udall in 1963 defined the nexus between the Park Service's preservationist mission and ecological research. If the Park Service were to succeed in its attempt to preserve, or more often recreate, representations of primitive nature in national parks and monuments, it had to have a solid understanding of the ecological relationships at work in each area. This required a knowledge of the variety of plant and animal species found there; an understanding of the food chain, or trophic levels, that bound a particular ecological community; an awareness of the physical boundaries of the community, or ecosystem; and most difficult of all, a grasp of ecological change over time. Only then could park managers effectively prevent or compensate for human disturbance of the area's natural ecology. The Leopold Report provided park managers with a fairly coherent goal, but it was clear from the day that Secretary Udall made it Park Service policy that actually achieving effective ecosystem management would be "vastly more difficult."<sup>1</sup>

Glacier Bay National Monument provided enormous promise for ecosystem management. Its promise lay in its great size and the fact that the political boundaries of the monument conformed fairly well to natural boundaries, ensuring Park Service control of nearly all the land area involved in the terrestrial ecosystem. As Coffman and Dixon had pointed out in the 1930s, the monument really encompassed two terrestrial ecosystems with the Fairweather Range and Brady Icefield forming an impassable barrier in between. The interior ecosystem around Glacier Bay was defined by mountain ranges on the west, north, and east, and Icy Strait on the south. The Gustavus area formed one gap in the Park Service's jurisdiction over this ecosystem, and the valley to the east of Adams Inlet leading to Endicott Gap, which was the only significant migration corridor into the area, made another. An outer coast ecosystem included the beaches and forested foothills from Cape Spencer to the monument boundary at Sea Otter Creek and was almost as insular an ecosystem as that around Glacier Bay; terrestrial fauna could only enter or leave the area via the continuation of this narrow coastal strip to the north. (A large addition to the monument on the north, which included the Alsek River

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<sup>1</sup>Neil J. Reid, "Ecosystem Management in the National Parks," in Transactions of the Thirty-Third North American Wildlife and Natural Resources Conference, March 11-13, 1968, p.162; Douglas B. Houston, "Ecosystems of National Parks," Science (May 14, 1971): pp.648-651.

corridor through the coastal ranges, would bring a third, very different ecosystem into the picture after 1978.)

Apart from the agricultural development around Gustavus and a small amount of hunting and trapping, American civilization had scarcely affected the ecology of the monument's terrestrial ecosystems. Their pristine quality offered an unparalleled opportunity to establish a "before" picture, "against which future change, including human disturbance, [could] be measured," wrote biologist Gregory Strevler and naturalist Bruce Paige.<sup>2</sup> Additional advantages were the Park Service's strong mandate to manage the area for scientific research, the studies by Cooper which provided historical information on some forty years of plant succession in Glacier Bay, the subsequent ecological studies by other scientists outside the Park Service, and a pattern of visitor use that entailed minimal impacts on terrestrial resources.

But the monument posed equally formidable problems for ecosystem management. Chief among these was the marine environment of Glacier Bay. As Howe's master plan of 1974 stated, "since physical and biotic constituents of the monument's salt waters mingle freely with those of adjacent areas, the boundary appears to be virtually without meaning from the standpoint of marine ecology."<sup>3</sup> Glacier Bay had populations of harbor seal, harbor porpoise, humpback, minke, and killer whale, and various seabirds that migrated in and out of the monument with the changing seasons. There was a much smaller fund of knowledge about marine ecology for Park Service biologists to work with, and the cost of scientific research in the marine environment was higher than in most terrestrial settings.<sup>4</sup> Moreover, there was a strong belief that human consumptive uses of this marine environment--modern Native seal hunting and commercial fishing--had influenced its evolution, but to understand how much would require some very sophisticated scientific investigation.

### Preservation and Ecological Change

As Darling and Eichhorn pointed out in Man and Nature in the National Parks

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<sup>2</sup>Strevler and Paige, The Natural History of Glacier Bay National Monument, p.2.

<sup>3</sup>Master Plan Glacier Bay National Monument, Alaska, September 1974, p.12, GLBA, administrative files, file D18 Master Plan.

<sup>4</sup>Carleton Ray, "Inshore Marine Conservation," in First World Conference on National Parks, edited by Alexander B. Adams (Washington, 1962): pp.78-87.



(1967), there was a danger that ecosystem management would set the Park Service in opposition to the very processes of ecological succession that it wanted to preserve. Central to the concept of ecosystems was the theory that ecological change was uneven, tending to diminish to a point of near equilibrium when a biological community attained a "climax" condition. If the goal of park management was to recreate such a stable, climax community, then misinformed or overly aggressive management could suppress some of the instability and ecological change that was inherent in any ecosystem. The attempt, through biological management, to make parks and monuments into "vignettes of primitive America," Darling and Eichhorn warned, would badly misfire if "the change and progression which are basic to natural conditions [were] checked and the parks maintained as static museum exhibits."<sup>5</sup>

The recently glaciated basin around Glacier Bay held a biological community in the process of becoming. At the time of its earliest sighting by a white man--the benchmark suggested by the Leopold Committee for defining a pristine state of nature--it was covered by ice. During the entire period of European and American expansion in North America, Glacier Bay was undergoing its own invasion of colonizing plant and animal species. There was no meaningful climax community to restore; indeed, scientific interest in the ecological succession taking place in Glacier Bay was one of the reasons for the monument's existence. "Clearly," wrote Streveler and Paige, "the biotic flux that contributes so importantly to the essence of the Monument should not be disturbed." They proposed a variation on the directive contained in the Leopold Report, redefining the goal of biological management in Glacier Bay National Monument to be: "that the natural processes and systems operative during the period of discovery by white man be allowed (and, perhaps, in some cases, helped) to continue as if civilized man did not exist."<sup>6</sup>

Protecting from human interference an ecosystem in disequilibrium was at least as delicate as preserving (or, again, recreating) a natural ecosystem in equilibrium. In the latter case, known climax community associations normally provided some ballast for ecosystem management.<sup>7</sup> Wildlife managers could measure their success by the health

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<sup>5</sup>Darling and Eichhorn, Man and Nature in the National Parks, p.54.

<sup>6</sup>Streveler and Paige, The Natural History of Glacier Bay National Monument, p.2.

<sup>7</sup>"Our proposed use of the term 'ecosystem' follows pretty much the original definition of the term by [A.G.] Tansley and is applied to the climatic, edaphic, and fire climax associations together with their environments." Reid, "Ecosystem Management in the National Parks," p.163.

of plant and animal populations in the biological community. They could usually discover which species were exotics and needed to be suppressed, and which species were missing and needed to be reintroduced. In Glacier Bay, where the process of ecological succession involved constant displacement of certain species by others, biologists had no comparable experience for helping them to determine if an animal population's increase or decline was natural or a result of human interference. Was the influx of coyotes in the 1920s and 1930s related to cattle grazing and homesteading around Gustavus, which tended to drive out wolves and brown bear, or was it because Sitka deer had recently penetrated the area? Was a potential salmon stream devoid of salmon because it had been fished out, or because it had never been colonized?<sup>8</sup>

Howe, Streveler, and other personnel recognized that problems such as these would become increasingly numerous and difficult to solve as time went on; therefore, the Park Service needed baseline data with which to operate in the future.<sup>9</sup> The monument's staff conducted wildlife surveys around Point Carolus, Dundas Bay, Lituya Bay, and the outer coast while on extended ranger patrols aboard M/V Nunatak III in 1968-69. It also censused seal herds and gathered data on vegetation in the upper portions of Glacier Bay by aerial infrared photography whenever available funds permitted an overflight. The Park Service accumulated some valuable data simply by having more personnel in the area to report unusual sightings, such as the tracks of a cow moose and two calves in South Sandy Cove in February 1967. "This is the first confirmed report of moose along the east shore of Glacier Bay. It is now reasonable to assume that at least a small population is established in this general area, most probably in the drainages of the Beartrack and Bartlett Rivers," the annual wildlife report stated.<sup>10</sup>

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<sup>8</sup>On possible correlations in the numbers of coyote, wolf, and Sitka deer, see John W. Fisher, "Annual Wildlife Report," 1962, GLBA, administrative files, file N2621 Annual Wildlife Report.

<sup>9</sup>"The need for a general study of mammal distribution and population is becoming increasingly important. It is not that Glacier Bay species require management but rather that future studies must be based on such information. These basic investigations should be conducted while the Monument is still relatively free of human interference. Also, with Glacier Bay's rapidly changing environment, the comparison of present conditions with those which might be uncovered in future studies would be of incalculable value." Annual Wildlife Report, 1967, GLBA, administrative files, file N2621 Annual Wildlife Report.

<sup>10</sup>Bruce B. Paige to Robert E. Howe, October 25, 1968, and Gregory P. Streveler to Robert E. Howe, February 2, 1969, GLBA, administrative files, file N1400 General Wildlife Surveys; Richard G. Prasil to Charles V. Janda, June 13, 1967, GLBA, administrative files, file N1619 Harbor Seal Subsistence Hunting Records;

Even with more staff, the Park Service could only acquire a sketchy understanding of some facets of this biological community. So little was known about the blue, or glacier, bear, for example, that it could scarcely be considered managed. The glacier bear, which closely resembled the black bear but was smaller, longer necked, with a squatter skull and less differentiated teeth, was thought to occur along the coast from Lituya Bay to Yakutat Bay. Sportsmen had long prized this animal for its rarity and distinctive "blue" coat, but there was no scientific literature on it. The Alaska Department of Fish & Game (ADF&G) abandoned a study of the glacier bear after failing to locate any individuals. It was speculated that the glacier bear was a "relict form, surviving from the latest glaciation of the Pleistocene," whose differences from the common black bear reflected evolutionary changes that had occurred during centuries of isolation on the coast. "After deglaciation," went the hypothesis, "typical black bears moved in once more from areas beyond the ice cover, to compete with the more specialized glacier bear." The author of this memorandum concluded, "If this sequence did indeed occur, it is possible that the glacier bear may be a dying race, slowly destined to disappear from the scene due to competition from the typical black, and perhaps the brown bear."<sup>11</sup> Unfortunately, the Park Service lacked the resources to investigate this animal.

Nor could the Park Service afford a census of the Alaska brown bear, despite worries that the population was in decline. In the early 1960s, the Forest Service attempted to census southeast Alaska brown bear populations by aerial beach counts in the spring, but this was found unsatisfactory as bears would run for forest cover at the sound of an approaching airplane. The ADF&G then experimented with aerial counts of bear tracks in the snow on Admiralty Island as the bears came out of hibernation.<sup>12</sup> NPS officials worried that new development around Gustavus and Bartlett Cove placed more pressure on the brown bears' habitat, and that commercial fishing might have decimated certain salmon stocks and reduced the bears' food supply.<sup>13</sup> On the other

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Annual Wildlife Report, 1967, GLBA, administrative files, file N2621 Annual Wildlife Report.

<sup>11</sup>Anonymous memorandum titled "Glacier Bear," no date, NAAR, RG 79, 79-83-F0007, Box 47/51, Folder LSD Glacier Bay Addition Wildlife Resources.

<sup>12</sup>Albert W. Erickson, "The Brown-Grizzly Bear in Alaska: Its Ecology and Management," report prepared for Alaska Department of Fish and Game (Juneau, 1965), pp.9-10.

<sup>13</sup>John W. Fisher, "Annual Wildlife Report Glacier Bay National Monument," February 1962, GLBA, administrative files, Folder N2621 Annual Wildlife Report. Fisher wrote, "The most distressing population fluctuation during the monument's history has been the decrease in numbers of the brown bear - and its relation

hand, these threats had to be weighed against a more basic question as to whether reforestation following the recession of glaciers was encroaching on the open, sparsely vegetated habitat that brown bears prefer, to the disadvantage of that species. Here again, the difficulty of preserving nature from human-caused disturbances in an area that was so profoundly characterized by ecological change was manifest.

In order to help the brown bear, the Park Service initiated stream surveys in the early 1960s with a view toward inventorying trout and salmon populations and creating more spawning areas. "The maintenance of streams as fish spawning areas is important not only to fish but to animals and birds dependent upon spawning fish for food," Howe's 1967 revision of the master plan stated. "Therefore, temporary log jams blocking these streams should be removed to assure a natural balance of these biotic communities."<sup>14</sup> This paralleled a program of "habitat improvement" by the ADF&G, which included the building of fishways around obstructions, removal of logjams, enhancement of spawning grounds, and stocking of lakes. While the Park Service did allow the ADF&G to promulgate and enforce commercial fishing regulations within the monument, it would not permit state fish wardens to tamper with the salmon streams; this work was conducted by NPS seasonal rangers.<sup>15</sup>

Howe decided that the NPS should take advantage of another ADF&G program: the transplanting of sea otter from Amchitka Island in the Aleutians to points eastward on the long coastline around the Gulf of Alaska. The ADF&G wanted to revive Alaska's old fur trade in sea otter pelts; Howe wanted to restore this native species to the ecosystem on the monument's outer coast.

Biologists believed there were few, if any, sea otter in southeast Alaska when the ADF&G attempted its first transplant in the region in 1965. Historical accounts indicated that sea otter hunters had virtually wiped out the once abundant populations of sea otter from Yakutat Bay to Sitka by 1900. It was well-known that the local extinction of the sea otter from its native habitat along the outer coast had significantly altered the ecology, starting with the extinction of kelp "forests." Sea otter and kelp forests tend to

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to the decimation of the salmon population." Biologist Victor H. Cahalane had earlier stressed the impact of development in the Gustavus area on brown bear habitat.

<sup>14</sup>Master Plan Brief for Glacier Bay National Monument, 1967, GLBA, administrative files, Folder D18 Master Plan.

<sup>15</sup>Robert E. Howe to State Director, Alaska Office, December 26, 1973, NAAR, RG 79, 79-90-0001, box 5/11, file L7617 Revised Draft EIS, Glacier Bay National Monument Wilderness. Verne Metcalfe, "Wildlife and Multiple Use," *American Forests*, vol.71, no.11 (November 1965): pp.30-31, 42-43 also discusses the ADF&G program.

occur together, partly because sea otter use kelp beds for shelter while foraging and sleeping, partly because they feed heavily upon sea urchins which graze upon kelp. When the sea otter were eliminated from the ecosystem, sea urchins proliferated and devoured the kelp forests, creating a very different environment.<sup>16</sup>

Howe knew that if sea otter were reintroduced successfully on the outer coast they would have a significant impact on the existing fauna, particularly sea urchins. They occupied a limited aquatic environment between the beach and thirty fathoms depth, and within this zone they were ravenous eaters. But after discussions with Streveler, biologist Richard G. Prasil in the Alaska Field Office, and a marine mammal biologist with the ADF&G, Howe was confident it was the correct decision. To the regional director in San Francisco he wrote, "if the sea otter in Glacier Bay became so numerous that they were taxing the habitat, the State would be glad to have a good source of transplant material."<sup>17</sup>

Successful transplants had thus far eluded the ADF&G. Studies had shown that sea otters had strong affinities for particular areas, and a given population did not easily expand its range even when it had overutilized its food resources. Moreover, those sea otters that were captured, crated, flown to new locations, and placed in holding pens before their release had suffered a high mortality rate from stress. Nevertheless, there was strong economic incentive to make it work. The governor's office announced in 1967 that 1,000 Alaskan sea otter pelts would be sold on the Seattle fur exchange the following January, and were expected to fetch between \$1,800 and \$2,700 apiece.<sup>18</sup>

NPS and ADF&G representatives signed a memorandum of understanding on April 29, 1968, in which the ADF&G agreed to deliver 30 to 50 sea otters to Gustavus Airport, the NPS agreed to build holding pens, and they mutually agreed that if the numbers of sea otter exceeded the carrying capacity of the habitat, the excess would be available as a source of stock for transplants to other locations. On July 30, 1968, fifty-five sea otters arrived in Gustavus aboard an Alaska Airlines C-130 Hercules. After sorting the animals by sex, ADF&G and NPS personnel loaded eight males and seventeen females into three seaplanes and flew them to Dicks Arm, at the southwest corner of the monument. The other thirty were subsequently flown to two locations

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<sup>16</sup>Karl W. Kenyon, The Sea Otter in the Eastern Pacific Ocean, North American Fauna Series no.68, Fish and Wildlife Service, Department of the Interior (Washington, 1969).

<sup>17</sup>Robert E. Howe to Regional Director, April 4, 1968, GLBA, administrative files, file N1619f Sea Otter; Gregory P. Streveler interview with author, tape recording, April 8, 1992.

<sup>18</sup>Anchorage Daily News, July 7, 1967.

outside the monument. A seasonal ranger stayed at Dicks Arm after the animals' release and reported that they appeared to be in excellent condition. After vigorously grooming themselves for two hours, the sea otters made their way to some kelp beds around Cape Spencer. The following day the ranger counted only three to five animals around Cape Spencer from his observation point on a nearby promontory, and only one the day after that. Four years later, as no more sightings had been made, the Park Service concluded that these animals had left the monument.<sup>19</sup>

The NPS cooperated with the ADF&G on another transplant attempt in 1979. These animals too, were thought to have left the monument, only to reenter it and establish themselves around Cape Spencer three years later. More than fifty individuals were sighted in 1984, and a team of researchers studying the subtidal zone in Torch Bay reported that several hundred sea otters recolonized that site in 1986-87. The presence of the sea otters caused rapid ecological change, with kelp beds dominating Torch Bay by 1988. While it continued to monitor the sea otters' effect on this marine subtidal area, the Park Service counted the reintroduction of this species as a success, for it had once been the "only mammal species of historic record...not found within the park," and its reintroduction made the inventory complete.<sup>20</sup>

### The Alsek and Endicott Additions

In 1971, Congress passed Alaska's most important land legislation since statehood: the Alaska Native Claim Settlement Act. Section 17 (d) (2) of this act directed the secretary of the interior to withdraw up to 80,000,000 acres for study and possible inclusion in the various federal land management systems, including the national park system. The debate over the so-called D-2 lands would culminate nine years later in Alaska's third important land bill, the Alaska National Interest Lands Conservation Act (ANILCA), which created several new national parks and monuments, expanded Glacier Bay's boundaries, and redesignated Glacier Bay as a national park and preserve.

Theoretically, the process of determining which Alaska lands would be managed

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<sup>19</sup>Memorandum of Understanding, April 29, 1968, and Gregory P. Streveler to files, August 4, 1968, GLBA, administrative files, file N1619f Sea Otter; Streveler, interview.

<sup>20</sup>James A. Estes, David O. Duggins and Galen B. Rathbun, "The Ecology of Extinctions in Kelp Forest Communities," *Conservation Biology*, vol. 3, no.3 (September 1989), p.254; Michael J. Tollefson to George R. Snyder, March 31, 1987, GLBA, administrative files, Folder N1619f Sea Otters; Superintendent's Annual Reports, 1983 and 1984, ARO, administrative files, file A2621 Reports Annual.

by which agencies was to be governed by ecosystem management planning on an unprecedented scale. But in practice, Alaska lands became political currency to be traded back and forth on a kind of D-2 futures market as congressional committees, developers, conservationists, and the Interior Department honed this large and complicated land bill.<sup>21</sup> The Park Service's Task Force on D-2 lands considered two additions to Glacier Bay National Monument; they got one and lost the other.

The smaller of the two areas was the eastern approach to Endicott Gap, a low point on the divide between Glacier Bay and Lynn Canal, which biologists now recognized as an important corridor for wildlife migrating into the basin. The ecological significance of Endicott Gap was first noted in a study by the Institute of Polar Studies in 1966, which suggested that the dramatic recession of the Adams Glacier over the past three decades had exposed the lowlands around the head of Adams Inlet to "invasion from large refugia from Lynn Canal through Endicott Valley."<sup>22</sup> In the early 1970s the Park Service gathered more evidence that it was an important migration route: deer mice were found on both sides of the gap but nowhere else in the Glacier Bay basin, and a pack of thirteen wolves was sighted once at the mouth of the Endicott River on Lynn Canal and again four weeks later in Adams Inlet.<sup>23</sup> It was believed that this corridor had developed in the 1930s, after Dr. Cooper had recommended boundaries for the monument. In a sense, the ecosystem of 1925 had sprung a leak.

The NPS Task Force proposed an addition of 102,320 acres to cover the Endicott Valley from the gap to the mouth of the Endicott River, and all the surrounding drainage. This addition, together with cooperative agreements with wildlife managers of the adjoining Tongass National Forest, would promote the natural ecological development of the Glacier Bay basin, protecting it from hunting pressure and logging threats just outside the boundary.<sup>24</sup> The Endicott addition was included in H.R. 39, the House's original version of the Alaska lands bill, but it was cut out of the final bill. Some Park Service officials argued against the Endicott addition on the grounds that it

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<sup>21</sup>John S. Dryzek, *Conflict and Choice in Resource Management: The Case of Alaska* (Boulder, Colorado: Westview Press, 1983), p.3.

<sup>22</sup>R.P. Goldthwait, et al., "Soil Development and Ecological Succession in a Deglaciated Area of Muir Inlet, Southeast Alaska," p.152, Report No.20, Institute of Polar Studies, August 1966.

<sup>23</sup>Anonymous memorandum titled "Endicott Addition," no date, NAAR, RG 79, 79-83-F0007, box 47/51, file LSD Glacier Bay Additions Wildlife Resources.

<sup>24</sup>Anonymous memorandum titled "Glacier Bay National Monument Additions (Per HR 39)," July 11, 1977, NAAR, RG 79, 79-83-F0007, box 47/51, file LSD-Glacier Bay Addition Briefing Statement.

was an unnatural addition on the other side of a divide; their favored alternative came to pass as Congress made the area minus the river mouth a wilderness area within the Tongass National Forest.<sup>25</sup>

The second, larger area (more than half a million acres) was the Alsek addition north of Mount Fairweather. It had long been recognized that the existing boundary, which followed a major spur off Mount Fairweather and then Sea Otter Creek down to the ocean, was arbitrary from an ecological standpoint. In fact, it divided into two nearly equal parts the narrow coastal area running from Cross Sound all the way to Yakutat Bay. Backed by the massive ramparts of the Saint Elias Range and its southern extension the Fairweather Range, this was a virtual biological island, connected to the interior by just one major corridor--the Alsek River valley. Moose, bear, wolves, and other fauna were known to have migrated along the Alsek River from the interior to the coast. Birds used the valley as a flyway. One NPS wildlife report indicated that "very recently at least five species (beaver, moose, coyote, lynx, and snowshoe hare) have made their way through the pass and at least two of these are expanding their populations north and south along the coast."<sup>26</sup>

In terms of ecosystem management, it made sense to include the entire coastal strip to Yakutat Bay, linking Glacier Bay National Monument with the proposed Wrangell-Saint Elias National Park (as well as Canada's Kluane National Park across the international boundary). At least two economic considerations prevented it, however. Both Yakutat Bay and Dry Bay, at the mouth of the Alsek, were important areas to the commercial fishing industry, and oil companies were exploring for offshore oil near the coastal village of Yakutat. So this area would remain under the Forest Service's multiple use management.

The Park Service proposed the Alsek River valley as a suitable northern boundary instead. For most of its length the river cuts a deep canyon through the high coastal mountain ranges and forms a natural boundary; as it reaches the coastal plain, however, the biological rationale for continuing the park boundary along the river's course becomes less compelling. Most of the debate over the Alsek addition therefore focused on approximately 50,000 acres around the mouth of the Alsek River, Dry Bay, and the coastal plain to the south of it. Two principal alternatives emerged: either to include

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<sup>25</sup>Anonymous memorandum titled "Alternatives," no date, NAAR, RG 79, 79-83-F0007, box 47/51, file Alternatives/LSD-Glacier Bay Addition.

<sup>26</sup>Anonymous memorandum titled "Wildlife," no date, NAAR, RG 79, 79-83-F0007, box 47/51, file LSD Glacier Bay Addition Wildlife Resources.



the coastal plain from the Grand Plateau Glacier north to Dry Bay, or to delete this area from the Alsek addition.

In 1976, Superintendent Howe and biologist Streveler indicated to the Park Service's planning team that the complications arising from inclusion of this area would marginally outweigh the benefits. The disadvantages were that it would bring Park Service jurisdiction uncomfortably close to the heavily impacted area around Dry Bay, and from a biological standpoint a boundary cutting across the coastal plain at Dry Bay would be no less arbitrary than a boundary along the Grand Plateau Glacier. The advantages were that the coastal plain contained some important wildlife habitat and served as a migration pathway for biota between the Dry Bay area and the coastal strip to the south, and the Deception Hills, which flanked the Grand Plateau Glacier to the north and having escaped the most recent glaciation, contained some of the oldest forest in southeast Alaska. On balance, Howe and Streveler recommended that the park boundary run along the Grand Pacific Glacier from Alsek Lake to the coast, leaving a buffer between the monument and Dry Bay to be cooperatively managed by the NPS and the Forest Service.<sup>27</sup>

As the mark-up of the Alaska lands bill got underway, recreational values weighed as heavily as ecological factors in locating the precise boundary. Not only was the corridor biologically significant, but the Alsek and its tributary in Canada, the Tatshenshini, had "exciting potential" for recreational use. In 1977, when the Park Service first formulated its proposals for the Alsek and Endicott additions in detail, river guides were marketing float trips on the Tatshenshini-Alsek for the first time. This would be "a superb wilderness river adventure," the Park Service planning team wrote.<sup>28</sup>

The proposed Alsek addition survived in the Interior Department's version of the Alaska lands bill, and President Jimmy Carter added it to the monument by proclamation on December 1, 1978, pending passage of a revised Alaska lands bill by the next Congress. The boundary took in the Alsek River valley from the international line to Alsek Lake, and then followed along the base of the Deception Hills to the coast. This brought the boundary closer to the Dry Bay area than Howe and Streveler had

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<sup>27</sup>R.E. Howe and G.P. Streveler, "Recommendations on the D-2 Tract Between Dry Bay and Glacier Bay N.M.," University of Alaska Fairbanks (UAF), Alaska Conservation Society Papers, box 31, file Glacier Bay N.I.L.

<sup>28</sup>Anonymous memorandum titled "Glacier Bay National Monument Additions (Per HR 39)," July 11, 1977, NAAR, RG 79, 79-83-F0007, box 47/51, file LSD-Glacier Bay Addition Briefing Statement.

suggested, but still excluded the flats around Dry Bay.<sup>29</sup>

ANILCA adjusted this boundary once more. In the two-year interim between Carter's unilateral action on the D-2 lands and Congress's final passage of the Alaska lands bill (ANILCA) in December 1980, Tongass National Forest officials demonstrated little interest in cooperating with the Park Service in managing land use by commercial fishermen in the Dry Bay area. Thus the boundary was extended north from the Deception Hills to Dry Bay, bringing both the Dry Bay fish camps and the take-out point for Alek River float trips within Park Service jurisdiction. In acknowledgement of the commercial fishery, ANILCA designated this area a national preserve, while it upgraded the rest of Glacier Bay National Monument to national park status. Contrary to the historical pattern of tug-of-war between the Park Service and the Forest Service, this was a parcel of land that Forest Service officials were only too willing to let go.

### Managing Glacier Bay's Marine Ecology

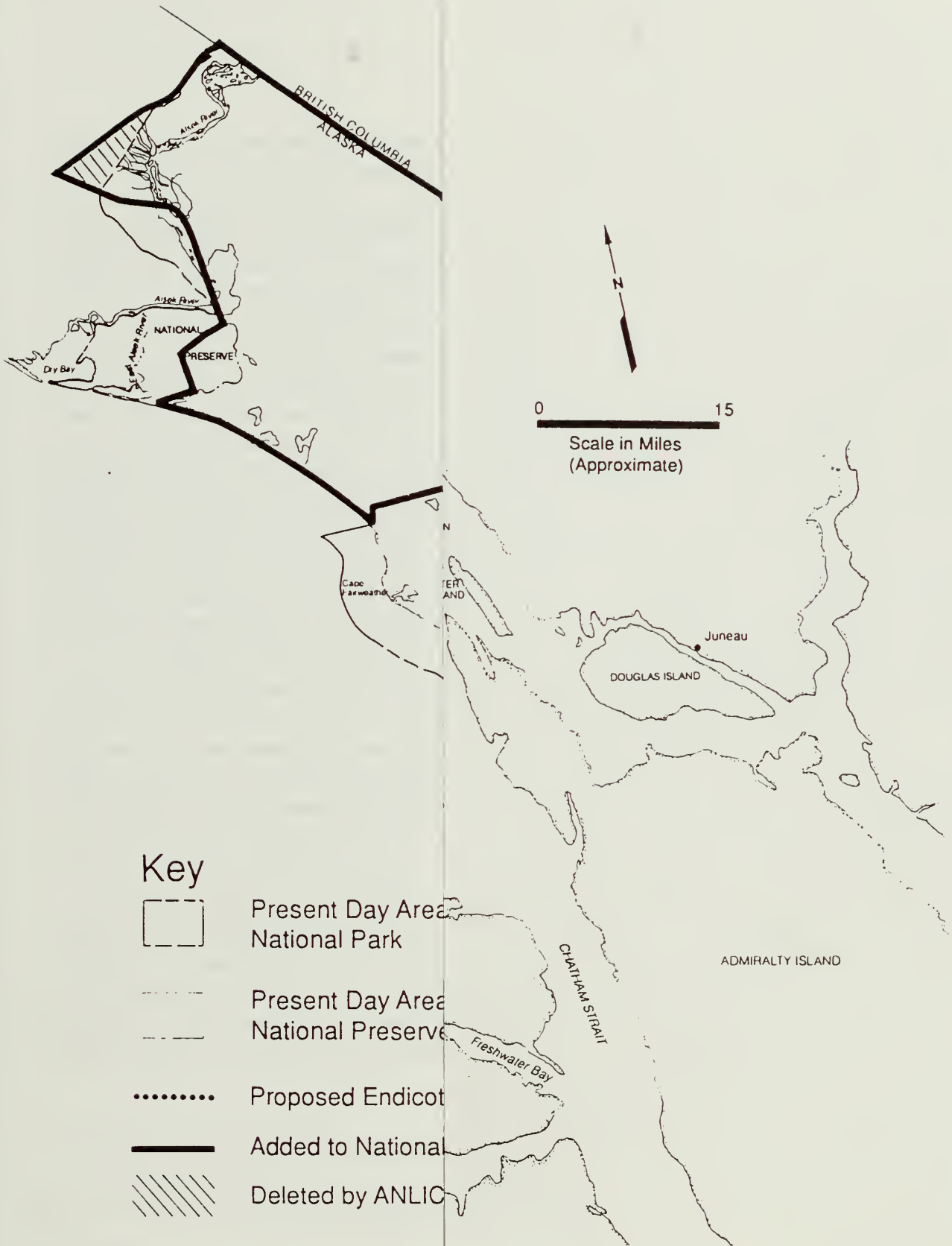
A superintendent once described Glacier Bay as "a perfect design for a national park area." The large majority of visitors, milling about their ships as they cruised up the bay, enjoyed comfortable, economical, unintrusive access to the monument's main attractions. As these passengers witnessed the remarkable changes along the shoreline from mature forest to sparsely vegetated slopes to tidewater glaciers, they gained an appreciation of "the principal story of the formation of the park."<sup>30</sup> From the standpoint of managing people, passage of visitors in and out of the monument by water was presumed to have numerous advantages over automobile traffic: the waterway required no construction, maintenance, litter control, or service stations; there were fewer accidents or emergencies; visitors mostly came and went by a form of mass transit; and all those who did, experienced the monument from a moving, railed platform that prevented conflicts between people and wildlife.

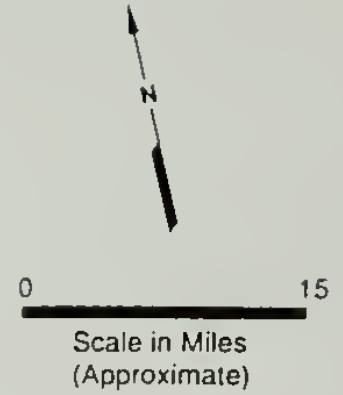
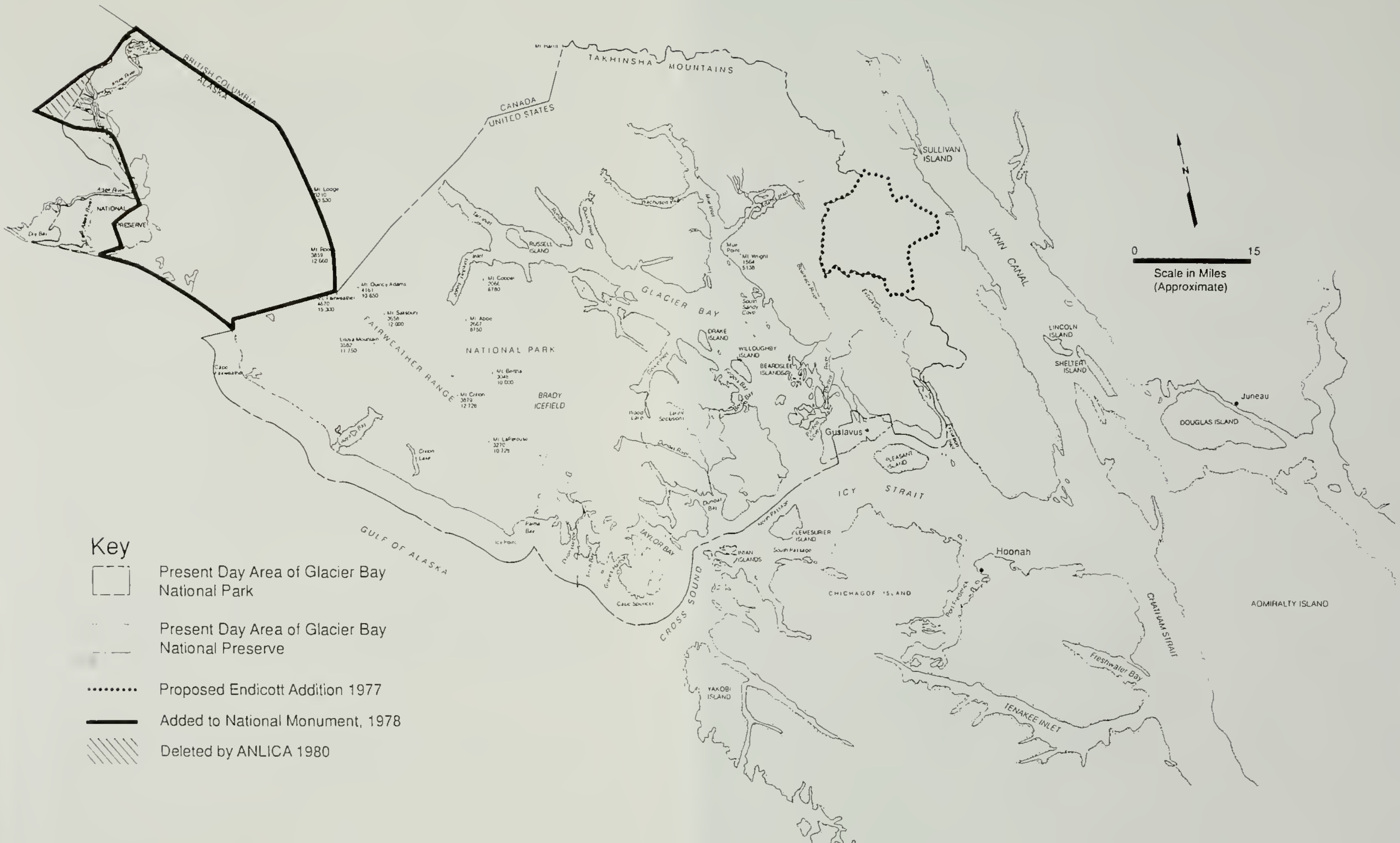
At first, this marine highway seemed to have great advantages from the standpoint of ecosystem management too. Compared to fishing trollers or seal hunters in outboard skiffs, sightseeing vessel traffic seemed to be nonconsumptive and nondisruptive. Despite an enormous increase in the number of humans entering the area, most of the new load came from visitors who were not entering into the food chain; they did not "divert or

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<sup>29</sup>See appendix A for proclamation.

<sup>30</sup>Southeast Alaska Empire, May 5, 1978.





Key

-  Present Day Area of Glacier Bay National Park
-  Present Day Area of Glacier Bay National Preserve
-  Proposed Endicott Addition 1977
-  Added to National Monument, 1978
-  Deleted by ANLICA 1980

supply significant amounts of materials and energy to or from the park ecosystem," as one biologist described the relationship of visitors to national park ecosystems generally.<sup>31</sup> What soon became apparent, however, was the fact that animals, particularly hair seals and humpback whales, were affected by the noise from increased boat traffic. Ironically, it was the sightseeing boats, with their erratic speeds, courses, and tendency to pursue these animals, that appeared to cause the most havoc.

Once they had identified these problems, Park Service officials applied the analytical tools of ecosystem management to find solutions. The problem was that Glacier Bay was not really an ecosystem. Its populations of hair seal, humpback whales, and even some fishes and other lower animals migrated in and out of the bay with the seasons. When looking at a specific migratory population, such as Glacier Bay's humpback whales, Park Service officials had to resist a tendency to look for stability where there was none. At the same time, they had to be certain that fluctuating numbers did not reflect despoliation of this part of the population's customary range. Trying to protect the health of Glacier Bay, not to mention the monument's other bays, when there was such an "extensive interchange of biotic elements and even [of] the water masses themselves," was a challenge.<sup>32</sup>

As early as 1971, before the effects of boat traffic had become pronounced, Streveler and Paige articulated the basic dilemma that the NPS faced in managing the monument's marine resources. Either the Park Service could minimize disturbance of marine resources while the resources were inside NPS jurisdiction, in keeping with standard NPS management objectives; or it could cooperate with other agencies in developing comprehensive treatment of mobile populations, generally along the lines of sustained yield management.<sup>33</sup> This may have been the most realistic statement of the problem that NPS officials made.

In 1979, Lynne Zeitlin Hale and R. Gerald Wright completed a report for the Park Service titled "The Glacier Bay Marine Ecosystem." Adapting ecologist Howard T. Odum's pragmatic definition of an ecosystem, Hale and Wright considered Glacier Bay as a system comprising "a set of regularly interacting and interdependent components forming a unified whole." In contrast to earlier statements by Howe and Streveler that the monument boundary was virtually meaningless from the standpoint of marine

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<sup>31</sup>Houston, "Ecosystems of National Parks," p.649.

<sup>32</sup>Streveler and Paige, The Natural History of Glacier Bay National Monument, p.3.

<sup>33</sup>Ibid.

ecology, Hale and Wright sounded a more positive note:

Because this system is geographically well defined, it is theoretically possible to assess quantitatively the influences of surrounding lands and waters as exchanges (inputs and outputs to the system) across the geographic boundary. This makes Glacier Bay a near ideal subject for a modelling study.<sup>34</sup>

Hale and Wright described how the massive input of meltwater into Glacier Bay, not unlike other Alaska fjords, created peculiar conditions for sea life. Water temperature, clarity, and salinity were lowest in summer, when the freshwater runoff from the glaciers was at its peak, but nearly matched conditions in Icy Strait in winter, when runoff became negligible. These conditions varied spatially as well as seasonally, and affected the strength of tidal currents in and out of the bay. In the authors' model, tidal currents were one of the principal exchanges across the geographic boundary, bringing plankton and nutrient-rich water into the system, while glacial meltwater and streams brought sediment and organic material into the upper and lower parts of the bay respectively. These variables, added to the longer time span for post-glacial successional development the further one got from the receding glaciers, produced a gradient from a relatively simple to more complex ecosystem as one moved down the bay.<sup>35</sup>

The implications of this conceptual model for resource management were significant. Hale and Wright provided a rudimentary framework by which the Park Service could measure human influences upon the marine ecology of Glacier Bay and take remedial action. The ecosystem model implied that the Park Service's mandate to administer Glacier Bay National Monument as a natural area applied equally strongly to the marine environment as it did to the land surface. If the Park Service were willing to accept these implications, it had to confront the problem of commercial fishing in Glacier Bay, which was obviously extracting something from the ecosystem. It also had to explore the possibility that visitor access via the monument's "marine highway" might have to be restricted. Further, it had to increase significantly its operating budget for marine ecological research. None of these measures was taken. In his master plan of 1974, Howe ignored commercial fishing while holding to his view of unrestricted marine

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<sup>34</sup>Lynne Zeitlin Hale and R. Gerald Wright, Glacier Bay Marine Ecosystem: A Conceptual Ecological Model, special report prepared for the National Park Service, 1979, p.5.

<sup>35</sup>Ibid, p.3.

access. The Park Service made a minimal commitment to research in the 1970s, the regional office providing Streveler with an operating budget of approximately \$30,000 per year. The inadequacy of the Park Service's research effort in Glacier Bay attracted little notice through most of the 1970s, but it was suddenly laid bare at the end of the decade when public concern and controversy erupted over the monument's population of humpback whales, which it appeared had been driven from the bay by a rising volume of boat traffic.<sup>36</sup>

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<sup>36</sup>In Alaska as a whole, the National Park Service increased spending on research dramatically from \$20,000 in 1972 to \$602,000 in 1976, but most of this went to the planning effort for proposed parklands in the D-2 areas. Among the existing park units, concerns about the new visitor load on Mount McKinley National Park's megafauna precipitated by the opening of the Fairbanks-Anchorage highway in October 1971 absorbed most available research funds. In Glacier Bay National Monument, marine mammal research focused on the harbor seal rather than the humpback whales. John G. Dennis, "National Park Service's Research in Alaska--1972-76," Arctic Bulletin (1977): pp.273-287.





## CHAPTER XII

### PROTECTING THE HUMPBACK WHALES

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Saving the whales was one of the popular causes of the new environmentalism of the 1960s and 1970s. Not only did this animal's immense size, grace, and mysteriousness excite the public imagination, but the calamitous effects of international whaling on whale populations awakened people to the human species' devastation of the world's oceans. Television documentaries, picture books, and other widely disseminated fruits of the fast-growing science of marine biology made the great whale a very sympathetic animal and a symbol of imperiled nature.

Humpback whales received a large play in the growing amount of travel literature on Glacier Bay and southeast Alaska. With their spectacular habit of bursting into the air in a half- or full-bodied "breach," and their unusual pattern of lifting their flukes out of the water before each dive, these animals made superb photographic subjects in the Glacier Bay setting. For thousands of visitors to Glacier Bay each year, humpback whale sightings ranked as the high point of their experience, and for thousands of others who read wistfully of Glacier Bay in travel magazines or promotional brochures, the humpback whales made a particularly alluring picture.

Public concern about the humpback whale altered the meaning of Glacier Bay National Park and Preserve in the 1980s, much as public concern about the Alaska brown bear had reshaped the monument forty years earlier. It focused public attention on the marine area of the park and ultimately broadened the conception of the park's wilderness character to include marine waters. As soon as marine vessel traffic increased to a point where it jeopardized the whales, vessel management became a central problem of park administration. Vessel management, in turn, highlighted other needs of this marine area, including designation of wilderness waters, a general management plan for the park, and reconsideration of the Park Service's longstanding policy of toleration toward commercial fishing in Glacier Bay. By then, a writer for the popular magazine Alaska could state approvingly that the Park Service's myriad boat regulations, most of them still tied to whale protection, were all "part of the effort to keep Glacier Bay a wilderness park while accommodating an increasing number of visitors."<sup>1</sup>

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<sup>1</sup>Scott Foster, "Land of the American Fjords," Alaska, vol.54, no.1 (January 1988): p.38.

## Cruise Ships Reconsidered

Personnel at Bartlett Cove and others who were familiar with Glacier Bay perceived as early as 1975 that the seasonal migration of humpback whales to Glacier Bay was declining.<sup>2</sup> This was a serious concern. Humpback whales had been observed in Glacier Bay since the nineteenth century. The number of humpback whales in the North Pacific Ocean had declined from an estimated 15,000 in 1905 to perhaps 1,000 in 1966, when the International Whaling Commission declared a moratorium on harvesting. The humpback whale was listed as an endangered species in 1969.

The Marine Mammal Protection Act of 1972 recognized the aesthetic value of marine mammals, including the humpback whale, and required federal agencies to manage marine mammals with the primary objective being "to maintain the health and stability of the marine ecosystem." If the carrying capacity of the habitat allowed, "it should be the goal to obtain an optimum sustainable population." The act prohibited the taking of any marine mammals, and defined the term "take" as "to harass, hunt, capture, or kill" --which made the effects of sightseeing boats on whale behavior a legal as well as moral issue for NPS officials. Although the population of humpback whales summering in Glacier Bay was never large, the bay was thought to be an important feeding area for the North Pacific herd of humpback whales, and further, they were a well-publicized tourist attraction. A briefing statement prepared for the Park Service's Washington office explained that the humpback whales represented "a significant and unique quality in Glacier Bay, the only unit in the National Park System in which they occur."<sup>3</sup>

Although the Park Service's files contained numerous references to humpback whale sightings over the years, no census of the animal had ever been taken. Indeed, the information on humpback whales in all of southeast Alaska was very scant. Streveler showed keen interest, therefore, when amateur cetologist Charles Jurasz contacted him at Bartlett Cove in 1975 and shared his insights from nearly ten years of whale-watching in southeast Alaska. A Juneau high school biology teacher, Jurasz had logged thousands of hours observing and photographing humpback whales with his family aboard their 50-foot, wooden vessel Ginjur, which he had specially equipped with a navy exhaust silencer and rubber housing around the shaft and propeller. Since 1973, Jurasz had been

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<sup>2</sup>William Scott Home, "Glacier Bay Icy Home to Whales," National Parks and Conservation Magazine, vol.49, no.5 (May 1975): p.12.

<sup>3</sup>Russell E. Dickinson to Associate Director, Management and Operations, January 13, 1978, GLBA, administrative files, file N1621o Humpback Whale Regulations.

structuring his family's whale-watching around the compilation of data that would illuminate how whales responded to vessels. The data consisted of photoidentification of more than two dozen individuals based on the unique white markings on their flukes (an innovation that was soon adopted by other scientists), with accompanying "breath logs" that recorded intervals in each whale's breathing and its location relative to an encounter with a vessel. It was Jurasz's belief that vessel traffic disrupted whales' feeding behavior. Jurasz proposed a more detailed Glacier Bay whale study to test his hypothesis.<sup>4</sup>

Streveler saw in Jurasz's proposal an opportunity to gain valuable data for NPS management with a modest outlay of funds. He got the amateur cetologist together with regional biologist Don Field, and was pleased when Field agreed to match whatever research funds Streveler wanted to use from his own operating budget to support Jurasz's work. Streveler felt that Field had gotten "an impressive display of Jurasz's intensity, intelligence, and love of Glacier Bay." In 1976, the Park Service contracted with Jurasz's new company, Sea Search, Ltd. to research the feeding habits of Glacier Bay's humpback whales.<sup>5</sup>

In the middle of 1977, Streveler received an initial written report from Charles and Virginia Jurasz, which he found "very marginal." But he excused this effort on the grounds that the Juraszes had decided "to emphasize extension of their perceptions at this point in their research," rather than organize their data. Jurasz showed an uncanny ability to predict whale behavior. He was now theorizing that whales established territories around where they fed, and displayed an escalating scale of behaviors to warn away competitors--from vocalization to the full-bodied breach out of the water that gave spectators such a thrill. In his view, humpback whales reacted to vessels in much the same way that they responded to other whales--as potential competitors in their feeding areas. He called these observed behaviors "whale-vessel interactions." The danger, Jurasz believed, was that vessels were disrupting the humpback whales' feeding; the whales were exercising themselves to warn away sightseeing vessels from their feeding areas, only to attract them instead. Streveler extended the contract and report deadline for another year, directing the Juraszes to focus now on whale-vessel interactions. "I remain convinced that the Jurasz' [sic] are the most knowledgeable people on S.E. Alaska humpback whales," Streveler wrote. "Given our great need to understand whale ecology

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<sup>4</sup>Delphine Haley, "A Floating Family Follows the Whales," *Defenders: Magazine of Defenders of Wildlife* vol.53, no.2 (April 1978): pp.86-87; Charles and Virginia Jurasz, "Humpback Whales in Southeastern Alaska," in *Alaska Whales and Whaling* (Anchorage, 1978), p.127.

<sup>5</sup>Charles M. Jurasz to National Park Service, March 17, 1980, and Gregory P. Streveler to Files, August 11, 1975, GLBA, administrative files, file N1621e Humpback Whale Sea Search Proposal and Contract.

and behavior in relation to Monument visitation, it seems justifiable to yield to the Jurasz' honestly held, if somewhat unusual, approach to their contract and to science."<sup>6</sup>

Jurasz found that what he called "whale-vessel interactions" were increasing even faster than the year-to-year increase in the number of cruises. Whereas the latter grew from 113 in 1975 to 123 in 1976 to 142 in 1977, whale-vessel interactions jumped by 56 percent in 1976 and a further 61 percent in 1977. In July 1978, Jurasz told Streveler that vessel traffic had become so heavy it was masking the underwater sounds made by whales. On July 16, he recorded the highest number of whale-vessel interactions he had ever witnessed in a single day, and radioed to Streveler that he thought the whales would likely abandon the bay within twenty-four hours. On July 17 and 18 rangers assisted the Juraszes in censusing the whales, and were able to find only three from a previous population of nineteen. Later, the Juraszes found that several of these individuals had moved to Frederick Sound.<sup>7</sup>

Streveler was deeply concerned that increased boat traffic might have driven out the humpback whales for good. Not only was Streveler disturbed by the grim prospect that the national monument--of all places--might become unlivable for this endangered species, but Jurasz had suggested that Glacier Bay might be critical habitat, perhaps being the preferred feeding area for females with calves among the southeast Alaska population. In the summer of 1978 Streveler requested the Juraszes' acoustical data, thinking that it might be useful for developing some enforceable regulation to keep boats a certain distance from whales that were feeding in the bay. When the Juraszes' raw data proved to be unmanageable, Streveler contracted with Sea Search to produce a monitoring and ranger instruction program for the Park Service over the winter of 1978-79. Meanwhile, Streveler pushed Jurasz for a draft report to assist him in making management recommendations for the 1979 tourist season.<sup>8</sup>

The report was a disappointment; in fact, it promptly became an embarrassment to the Park Service and a weapon for the cruise ship industry in challenging the agency's efforts to regulate vessel traffic in Glacier Bay. Having had no previous experience in

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<sup>6</sup>Gregory P. Streveler to Files, July 2, 1977, GLBA, administrative files, file N1621e Humpback Whale Sea Search Proposal and Contract.

<sup>7</sup>Charles and Virginia Jurasz and Greg Streveler, "Whale Management Report," p.5, NAAR, RG 79, 79-88-0017, box 7/23, file Whale Report 1979, 1978; Charles M. Jurasz to National Park Service, March 17, 1980, GLBA, administrative files, file N1621e Humpback Whale Sea Search Proposal and Contract; Frederick C. Dean, "Glacier Bay Humpback Whale Update," Alaska Conservation Review, vol.20 (Summer-Fall 1979), p.6.

<sup>8</sup>Charles M. Jurasz to National Park Service, March 17, 1980, GLBA, administrative files, file N1621e Humpback Whale Sea Search Proposal and Contract.

the preparation of a scientific report, the Juraszes were simply unable to perform a sound statistical analysis of their complex and voluminous data, much less effectively express their findings in writing. The draft final report (June 1979) was 159 pages of rambling discourse punctuated by faulty statistical tables; after revisions (November 1980) it grew to 206 pages plus a 66-page supplement. A National Marine Fisheries Service (NMFS) reviewer commented, "From any point of view, this is not a very adequate product," and a biologist with the Marine Mammal Commission (MMC) stated, "The report as it stands now would most likely not withstand close scientific scrutiny or critical review."<sup>9</sup> After much wrangling with Jurasz over ownership of data and payment for services, the NPS finally cancelled its contract with Sea Search, Ltd., in 1981. While the data were eventually subjected to analysis by Dr. Frederick Dean of the Cooperative Park Studies Unit in Fairbanks, the results (completed in 1982) were inconclusive and largely superseded by three separate scientific studies of the humpback whale's feeding habits, its behavior, and the underwater acoustical properties of Glacier Bay, all funded by vastly bigger sums than were available in the 1970s. Substantively, all of this subsequent research would neither prove nor disprove Jurasz's central findings and its results would be inconclusive for management.

With hindsight, people in the Park Service would hold different opinions about the study by Jurasz. Some would argue that the NPS got itself out on a limb with an unqualified expert and a flawed contract, or worse, erred with bad science; others would insist that Jurasz's work did what it needed to do by shaking down a shower of money for more professional research. They would agree, at least, that the Jurasz study had grown out of a research environment that was woefully short of funds.<sup>10</sup>

### A Loss of Credibility

From Park Service personnel to concessioners, journalists, Alaska politicians, and environmentalists, many people thought the Park Service lost control of the Glacier Bay humpback whale problem in 1979-80. One environmentalist newsletter summed up the widespread perception with the headline, "Park Service Is In Over Its Head In Glacier

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<sup>9</sup>Regional Chief Scientist to Associate Regional Director, no date, GLBA, administrative files, file N1621f Humpback Whale Sea Search Correspondence and Review.

<sup>10</sup>John G. Dennis, Washington Office of the National Park Service, Wildlife Division, personal communication with author, March 17, 1992.

Bay."<sup>11</sup> Reflecting their diverse points of view, people offered many explanations for the agency's credibility gap in the early 1980s: an institutional insensitivity by the Park Service to marine environmental problems, a flawed basis for action in the Jurasz research, failed leadership by the superintendent, too rapid growth in the amount of visitor use, unbridled influence of the park concessioner and the cruise ship lobby, and the inevitable backlash from enactment of ANILCA, which greatly enlarged the Park Service's presence in Alaska. Certainly there was some truth in all of these assertions.

By the late 1970s, there were several signs of strain from increasing visitor use. Visitation grew by 66 percent in four years, from 58,280 in 1976 to 96,151 in 1980. While cruise ship passengers accounted for most of the increase, there were more lodge visitors, small boat users, and commercial fishermen in the monument, too.<sup>12</sup> Superintendent J. Thomas Ritter told the Juneau Chamber of Commerce at the beginning of the 1978 tourist season that growing visitor use was his "prime concern." There was a need for new accommodations in addition to Glacier Bay Lodge, but first the Park Service had to expand the water supply at Bartlett Cove. More public docks were in demand, and the Park Service had to improve its boater safety program. Increasing backcountry use was wearing out certain campsites. Cruise ships were polluting the air with their funnel emissions, and possibly troubling the humpback whale population.<sup>13</sup>

The Park Service convened the first annual meeting with representatives of the cruise ship industry at the regional office in Seattle in April 1977. Among the items on the agenda were "precautions" (not regulations) that the cruise ship companies must accept in order to comply with the Marine Mammal Protection Act and avoid harassment of marine mammals. The discussion revolved around whales, porpoises, seals, avoidance of seal pupping areas, noise pollution caused by steamship whistles, garbage disposal, and stack emissions. Jurasz's preliminary findings caused the cruise ship companies some concern, especially when some of his material appeared in a television documentary that aired in 1977, but Park Service officials stressed that Jurasz's study was not yet complete. A briefing statement on the whale issue prepared for the Washington office stated, "We strongly recommend that the final report and findings

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<sup>11</sup>Center News, February 22, 1980.

<sup>12</sup>Darryll R. Johnson, et al., Social Science Perspectives on Visitor Use and Management of Glacier Bay National Park and Preserve, a special report prepared for the National Park Service, Department of the Interior, 1990, Section 3, p.2.

<sup>13</sup>Southeast Alaska Empire, May 5, 1978.

from the researcher be awaited before drawing conclusions or attempting remedial action."<sup>14</sup>

It was in this clouded context, with vessel traffic strongly implicated in the sudden departure of the humpback whales from Glacier Bay in July 1978, that Superintendent Ritter and Regional Director John Rutter made a dubious decision. They agreed in principle to the introduction of an overnight tour boat by the concessioner as a means of accommodating the overflow demand for lodging. Their decision was reaffirmed, with "no hint of controversy," in a meeting in Seattle on January 16, 1979.<sup>15</sup> Not only was the boat's effect on the whales in doubt, but the boat's design, and hence its effect on visitors' experience, was left up to the concessioner. Robert Giersdorf, the principal owner of Glacier Bay Lodge, Inc., unveiled his new vessel the following March, to the dismay of many on the Glacier Bay staff and other concerned citizens who had heard nothing about it beforehand. Able to sleep 64 passengers in 32 staterooms, equipped with a bar and live music, the 120-foot Glacier Bay Explorer amounted to a backcountry resort, "a sort of floating addition to the famed lodge," reported the Seattle Times. Unlike the cruise ships, Glacier Bay Explorer would disembark passengers at points in the proposed wilderness area and would anchor for the night far up the bay in Reid Inlet. Although there was concern that overnight passengers would strain the capacity of dining and laundry facilities in Bartlett Cove and trample the delicate vegetation wherever they were put ashore up the bay, the Park Service had not required an environmental impact statement. Moreover, when Glacier Bay Explorer made her first appearance in Glacier Bay in June 1979, it became evident that the vessel was significantly louder than the two day-tour concession boats.<sup>16</sup>

Opponents of Glacier Bay Explorer did not know who to hold accountable for it, nor who they could trust to remedy the situation. Ritter transferred to Voyageurs National Park in January 1979. Donald D. Chase was appointed acting superintendent until the arrival of a new superintendent. As for John Rutter and the regional office in Seattle, their involvement with Alaska parks diminished as the Alaska field office became a full-fledged regional office in 1980, with John E. Cook directing. Cook had

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<sup>14</sup>Superintendent's annual report for 1977, NAAR, RG 79, 79-88-0005, box 19/22, file A2621; Briefing statement on Humpback Whales of Glacier Bay, January 13, 1978, GLBA, administrative files, file N1621o.

<sup>15</sup>Temple A. Reynolds to Superintendent, January 29, 1979, NAAR, RG 79, 79-88-0017, box 7/23, file GLBA Glacier Bay Lodge.

<sup>16</sup>Bob Howe to John Chapman, April 9, 1979, NAAR, RG 79, 79-88-0005, box 19/22, file A3615 Complaints GLBA; Seattle Times, March 11, 1979; Bruce Paige interview.

such a large task in setting up several new park administrations under ANILCA that he could ill afford to review the decision on the Glacier Bay Explorer.

Cook, formerly director of the Southwest Region, selected John F. Chapman, superintendent of the small Capulin Volcano National Monument in New Mexico, to fill the position at Glacier Bay. A journalist by background, Chapman wrote voluminously and generally treated his time in the field as recreation. He did not inspire confidence in his staff, particularly in the old hands who had been around since Howe's tenure. He was no boatman, and the personnel he brought with him from the Southwest were mockingly called "the desert rats" by more seasoned members of the staff.<sup>17</sup>

Almost from the day he arrived, Chapman was caught between the advice of his staff, who wanted tough protective measures to cope with increasing visitor use, and the advice of Cook and others who urged a "get along" policy while Alaskans adjusted to the new land management regime promulgated by ANILCA. In May 1979, Chapman announced that the Park Service would require all vessel operators to limit their speed to 10 knots and a steady RPM while in designated "whale waters" in Glacier Bay, and to approach no closer than 1/4 mile from any whale. But at this late date the NPS would not control the total number of vessels entering the bay, as this might involve turning ships away whose passengers had planned and paid to see Glacier Bay. These restrictions were in fact the mildest of five management options outlined by Streveler.<sup>18</sup>

Chapman soon faced a crisis when the humpback whales arrived in southeast Alaska waters only to shun Glacier Bay itself. According to Jurasz, the whales normally entered the bay during two "influxes," which coincided with extreme high tides and strong tidal currents. (This idea was later discredited.) Few whales appeared during the anticipated first influx in June, and by mid-July the anticipated second influx was proving an even greater disappointment. Chapman consulted both the regional and Washington offices about a possible ten-day emergency closure of the bay while the humpbacks established "residence." On their advice he inquired with Dr. George Harry of the National Marine Fisheries Service about the need for a consultation under Section 7 of the Endangered Species Act.<sup>19</sup>

Immediately following this telephone call, on July 16, 1979, Chapman held a

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<sup>17</sup>Streveler, interview; Howe, interview.

<sup>18</sup>Southeast Alaska Empire, May 22, 1979; Charles and Virginia Jurasz and Greg Streveler, "Whale Management Report," January 1979, NAAR, RG 79, 79-88-0017, box 7/23, file Whale Report 1979, 1978.

<sup>19</sup>Superintendent to Dr. George Harry, July 17, 1979, GLBA, administrative files, file N1621i Humpback Whale Acoustical Studies BBN.



conference call with John Cook, Doug Warnock, Bob Peterson, and Jim Larson in Anchorage and Boyd Evison, Roland Wauer, and John Dennis in Washington, D.C. They discussed the political and economic consequences of an immediate emergency closure or a threatened closure the following year, and the risks of taking no action. Warnock posed the question: what if the NPS took action and still no humpback whales appeared in the bay? Larson wondered: if the whales went away, how hard would it be to get them back? Wauer thought the NPS would be negligent not to do something. They discussed the legal procedures for voluntary or forced compliance with vessel restrictions. What if cruise ship companies refused to comply? What credibility would the NPS have in its jurisdictional dispute over Glacier Bay with the state of Alaska if it didn't assert its jurisdiction now? At the end of the conference call Cook directed Chapman to seek voluntary changes in the cruise ship paths for the time being and to formalize his request with Dr. Harry for a Section 7 consultation. Clearly uneasy with the situation he now faced, Chapman scribbled at the bottom of his notes, "No data on feeding, Bay carrying capacity, other biological considerations. Can't eliminate other possible explanations. Data no good."<sup>20</sup>

On the morning of July 18, 1979, rangers reported that the few whales in Glacier Bay had evidently departed, as they had exactly one year earlier to the day. Chapman telephoned the Marine Mammal Commission's office in Juneau, which promptly dispatched its biologist in Sitka, Andrew R. Gifford, to the scene. Arriving at headquarters in Bartlett Cove just after noon, Gifford was "immediately engulfed in a very serious and intense meeting." There were remarks that the unusually loud Glacier Bay Explorer had produced strong reactions from certain whales, and there were estimates that nine out of ten whales observed in the Bartlett Cove area that summer had had some form of conflict with a vessel.<sup>21</sup>

With the humpback whales now absent from the bay, the controversy continued to escalate. The acerbic environmental group Greenpeace Alaska informed Chapman by letter that it was prepared to alert all Greenpeace offices, demand closure of the bay, and attempt to get a restraining order against the cruise ship companies. The Alaska Visitors Association warned that an "arbitrary closure of the monument" without further study would seriously harm Alaska tourism. The president of Princess Cruises conveyed a similar sentiment, and looking ahead to the 1980 season he said that his company had already produced half a million brochures featuring Glacier Bay, and if the monument

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<sup>20</sup>Handwritten notes (seven pages), July 16, 1979, ARO, copy provided to the author by Gary M. Vequist.

<sup>21</sup>Andrew R. Gifford to Harry Rietze, July 27, 1979, GLBA, administrative files, file N1621o.

were closed for two ten-day periods "there would be a tremendous softness in sales for those sailings." The most withering attack came from Robert Giersdorf, who publicly accused the Park Service of manipulating media coverage to the detriment of the cruise ship industry with unfounded and inflammatory words like "abandonment," "failure," and "alarming departure." Giersdorf had consulted other whale biologists who believed fluctuations in the abundance of feed could explain the whales' movements. He rebuked Chapman for undermining the "cooperative spirit and dialogue" between the Park Service and the cruise ship industry that Superintendent Ritter had nurtured.<sup>22</sup>

Yet another blow to the Park Service's credibility was struck when a group of Gustavus residents, led by retired former superintendent Howe, formed Friends of Glacier Bay. They were prompted by fears that corporate interests were "beginning to dictate the future of the Monument."<sup>23</sup> An unstated but widely shared view was that both former superintendent Ritter and Chapman, in contrast with Howe, regarded their post at Glacier Bay as a mere stepping stone and did not have the long-term interests of the place at heart. At its first meeting that summer, Friends of Glacier Bay passed a resolution exhorting the Park Service to place tougher restrictions on vessel traffic. The group quickly attracted members from as far away as Fairbanks and Anchorage.

In September, a management review of Glacier Bay National Monument found a rift between the seasonal and permanent staff, with seasonal rangers and naturalists (many of whom had worked in Glacier Bay for several summer seasons) taking the position that higher echelon Park Service officials were selling out the Park Service mission in order to advance their careers.<sup>24</sup>

That winter, as Chapman approached the task of drafting whale management regulations that would be sufficient, enforceable, and reasonably satisfactory to everyone concerned, he found himself working from a very narrow base of support.

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<sup>22</sup>Will Anderson to John Chapman, July 25, 1979, Dean Ehrich to John Chapman, July 30, 1979, Stanley B. McDonald to John Chapman, August 17, 1979, and Robert Giersdorf to John Chapman, August 22, 1979, NAAR, RG 79, 79-88-0017, box 12/23, file N1621 GLBA 1979.

<sup>23</sup>Press release, September 20, 1979, NAAR, RG 79, 79-88-0017, box 12/23, file N1621 Whales GLBA 1979.

<sup>24</sup>Paul A. Larson to Associate Regional Director, September 11, 1979, NAAR, RG 79, 79-88-0005, box 12/22, file A2623 Trip Reports GLBA.

## Managing an Endangered Species

As soon as Chapman floated the idea of closing Glacier Bay to vessels during certain critical phases of the summer whale migration, it was clear that the cruise ship industry stood to lose millions of dollars in the effort to stabilize the monument's humpback whale population. And since Glacier Bay was the featured destination on most southeast Alaska cruises, the industry contended that its closure would have a ripple effect, lowering tourism revenues for communities like Sitka and Ketchikan.<sup>25</sup> Giersdorf and other tourist industry executives insisted that they had as much interest in preserving the whales as the Park Service did, but they disputed whether whale-vessel interactions were really a problem. The whales' search for food might be the real cause of their movement out of the bay.

Tourist industry executives suggested, in effect, that the problem of whale management should be resolved by science, and proper scientific method involved testing alternative hypotheses before drawing any conclusions. The Park Service would be irresponsible, therefore, to close monument waters without first making a bigger research effort. By August 1979, the tourist industry was familiar with Jurasz's work. In fact, the southeast Alaska tourist industry had been financing its own research on Glacier Bay's whales since 1978 by employing a marine biologist who had formerly worked with Jurasz in Glacier Bay. William S. Lawton, a fisheries science graduate student and part-time researcher at the NMFS's laboratory in Seattle, told a Seattle Times reporter in October 1979 that the industry had hired him to provide it with "unprejudiced, objective data" on vessels' effects upon whales in Glacier Bay, and he accused the Park Service of jumping to conclusions with Jurasz's research.<sup>26</sup> Lawton no doubt advised Giersdorf on the question of whale food.

But the NPS position was that it could not wait for irrefutable scientific findings to take precautions involving an endangered species. Wildlife managers very often had to base decisions on an imperfect knowledge of the resource, and in the case of an

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<sup>25</sup>Another possibility was that closure of Glacier Bay would increase tourism revenues, since cruise ships would have to substitute other southeast Alaska ports of call where passengers could spend money. But this argument was not advanced at the time.

<sup>26</sup>Seattle Times, October 21, 1979.

endangered species, it was especially important to err on the side of the resource.<sup>27</sup>

Complicating the dialogue further was the fact that the NPS, the MMC, and the NMFS had different responsibilities in managing an endangered species. All three agencies were required by the Marine Mammal Protection Act (1972) and the Endangered Species Act (1973) to manage the humpback whales for a maximum sustainable population consistent with the maintenance of a healthy ecosystem. But the National Parks Act (1916) narrowed the Park Service's focus to the area of the monument, with the express purpose "to conserve the scenery and the natural and historic objects and the wildlife therein." NMFS and MMC officials thought in terms of the southeast Alaska humpback whale stock and the larger ecosystem; Park Service officials were chiefly concerned about the Glacier Bay population and ecosystem.<sup>28</sup>

With so many conflicting interests and so much money at stake, it would be impossible for science to render an impartial verdict. This became clear in the meetings between tourist industry representatives, Park Service officials, and marine biologists of the NMFS and MMC which occurred in August and October 1979 in Seattle, and the following March in Anchorage. The representatives of the tourist industry insisted on a broader scope of research by professional scientists. In particular, they wanted a whale prey study to test their alternative explanation of whale behavior. NPS officials resisted the idea of a whale prey study, recognizing that it would be extremely difficult, probably inconclusive, and a drain on research funds available for extending the work begun by Jurasz on whale-vessel interactions. NMFS and MMC biologists sided with the tourist industry on the need for a prey study, partly, at least, because the marine biology research establishment was heavily oriented toward commercial fisheries, and they found the work done by Jurasz off-putting for its unconventionality as well as its amateurishness.<sup>29</sup> Indeed, the Jurasz report came under increasing attack by marine biologists and the tourist industry, until it was impossible to separate criticisms of its scientific merits from objections to its conclusions for management. Park Service

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<sup>27</sup>John F. Chapman to Area Director, September 26, 1979, GLBA, administrative files, file N1621o Humpback Whale Regulations; Associate Director to Area Director and Regional Director, December 5, 1979, GLBA, administrative files, file N1621i Humpback Whale Acoustical Studies BBN.

<sup>28</sup>Ira J. Hutchinson to Stanley B. McDonald, NAAR, RG 79, 79-88-0017, box 12/23, file N1621 Whales GLBA 1979.

<sup>29</sup>The most detailed discussion of a research strategy occurred in October and is recorded in "Humpback Whales in Glacier Bay National Monument, Alaska," Report on an Interagency Review Meeting Seattle, Washington on 12-13 October, 1979, sponsored by the Marine Mammal Commission, NAAR, RG 79, 79-88-0017, box 12/23, file N1621 Whales GLBA 1979.

officials mixed politics with science, too, as they came to the Jurasz report's defense:

The letter [from Westours Inc. to Secretary of the Interior James Watt] generally suggests that the Jurasz data is questionable. This is a backhanded way of casting suspicion upon our basic premise that humpback decline in Glacier Bay is at least partially due to increased boat traffic in Glacier Bay. It is important that we defend the Jurasz data because it is the basis for our changes in Glacier Bay regulations. It is good data, although they do not possess the statistical analysis required, and it is not all encompassing. The Service is fully aware of these shortcomings, and has taken necessary action to correct these problems.<sup>30</sup>

The research plan that finally developed from these meetings involved three major studies to be undertaken concurrently, plus statistical analysis of the Jurasz data. The NPS allocated \$275,000 for the research in fiscal year 1981, and \$350,000 the following year, a ten-fold increase over money spent on whale research in Glacier Bay National Monument to date. Contracts were awarded through the National Marine Mammal Laboratory of the NMFS. These contracts were completed in 1983, although significant whale research would continue in the park for several more years. The three studies examined biotic activity and prey species abundance in the Glacier Bay ecosystem, acoustical properties of Glacier Bay and its ambient sound production levels, and whale behavioral responses to vessel traffic.<sup>31</sup>

While this research got under way, the Park Service developed temporary whale management regulations based on a biological opinion supplied by the NMFS in December 1979. The opinion emphasized that too little was known about the humpback whales to make sound conclusions; nevertheless, it gave strong support to the Park Service's inferences about whale-vessel interactions. Continued increase in the amount of vessel traffic in Glacier Bay, the opinion stated, might jeopardize the whole population of humpback whales in southeast Alaska. Dislocations of this whale stock, in turn, could decrease the likelihood of population recovery of the North Pacific herd.

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<sup>30</sup>Chief, Division of Natural Resources (WASO) to Associate Director, May 14, 1981, Washington Office of the National Park Service (WASO), wildlife division files.

<sup>31</sup>Russell E. Dickinson to Director, Fish and Wildlife Service, July 8, 1982, WASO, wildlife division files.

Therefore, it recommended that the NPS limit vessel entries to 1976 levels.<sup>32</sup>

Chapman's interim whale management plan introduced a permit system so that the NPS could limit vessel entries both by day and cumulatively over the season. For cruise ships, the limits were two per day and a total of 89 during June, July, and August, to take effect in 1981. For small vessels, the quotas were set at 230 tour, 226 charter, and 339 private boats during the whale season, with a limit of three tour vessels per day, to take effect in 1980. The plan continued the restrictions on movement in designated whale waters and prohibited commercial fishing for herring and capelin--two known prey species of the humpback whale. Released on March 5, 1980, for public comment, the plan elicited no fewer than 142 responses. Environmental groups generally responded favorably. Defenders of Wildlife and the National Wildlife Federation both responded that the plan did not go far enough: limits on entries needed to be more stringent, particularly during the influx periods. Friends of Glacier Bay recommended among other things placing commercial fishing boats under permit, too. Greenpeace wanted better enforcement of vessel movement restrictions. The sharpest criticism developed over the fact that the Park Service did not count trips by the concession boats toward the ceiling on tour boat entries, ostensibly because they were already included in the concessioner's contract.<sup>33</sup> Giersdorf, Jack Musiel of Westours, and others in the tourist industry did not object strenuously to the regulations through most of 1980 as the quotas did not yet apply to cruise ships. For the time being, they declined to contribute financially to the whale research program.<sup>34</sup>

Then two events occurred in the winter of 1980-81 which changed environmental politics in Alaska like nothing since statehood. President Carter signed ANILCA into law in the waning days of his administration, and President-elect Ronald Reagan confirmed environmentalists' fears by nominating one of the most pro-development interior secretaries of the century, James Watt. With enactment of ANILCA, the spotlight of environmental policymaking in Alaska swung from the legislative to the

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<sup>32</sup>Terry L. Leitzell to John Chapman, December 3, 1979, GLBA, administrative files, file N162li Humpback Whale Acoustical Studies BBN.

<sup>33</sup>H. Clifton Eames, Jr. to John Chapman, April 7 and November 13, 1980, and Sherrard Coleman to John Chapman, July 8, 1980, NAAR, RG 79, 79-88-0017, box 12/23, file W42 GLBA Whale Regs. Small Vessels Public Comments; Friends of Glacier Bay Whale Management Recommendations, December 1980, GLB1A, administrative files, file A16 Friends of Glacier Bay.

<sup>34</sup>Musiel told Chapman that members of the industry discussed a collective strategy, including research funding, in March 1980. John F. Chapman to Area Director, May 20, 1980, GLBA, administrative files, file N162ln Humpback Whales tourist industry input.

executive branch of government, and everyone knew that the incoming Republican administration was hardly friendly toward the new law. It did not take long to see how Watt would proceed. "Under the guise of implementing the law," Senator Paul Tsongas would declare in June 1982, "the secretary is, in fact, undoing the law. Through calculated use of the budget, selective enforcement of some provisions of the law but no enforcement of others, and by suspect interpretation of statutory provisions--the Alaska National Interest Lands Conservation Act is being transformed into the Alaska National Interest Lands Development Act."<sup>35</sup>

Three months after Reagan took office, Jack Musiel appealed to Secretary Watt: "I am sure you are aware by now that the restrictions on vessel traffic in Glacier Bay National Park are having a severe adverse economic impact on the Alaska Travel Industry. We are in dire need of immediate relief." This missive followed a letter from Alaska's congressional delegation to Watt which alleged that the NPS was "using humpback whales as a smokescreen for limiting access" to the park. The senators and congressman reminded the secretary that ANILCA's Section 1307 guaranteed access. The administration was limited in how much it could do by the Endangered Species Act and the NMFS biological opinion, but Assistant Secretary G. Ray Arnett indicated that its goal was to complete the research program "as fast as possible" while pursuing "other possible causes" for the whales' behavior, and once "definitive answers" were found, it would issue new regulations.<sup>36</sup>

Park Service and NMFS officials felt pressured from various quarters to speed the research effort in the summer of 1982. The Park Service dropped its earlier objections to the construction of a whale observation platform for the 1982 season and to the use of radio transmitters for tracking whale movements. Radio tagging caused considerable excitement among park staff and Greenpeace observers, who felt that the tagging procedure, in which a transmitter was shot about twelve inches into the whale's back muscle behind its blowhole, might drive the whales off.<sup>37</sup> The NMFS assigned a biologist to Glacier Bay to coordinate the three studies and get them on a fast track for

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<sup>35</sup>Quoted in T.H. Watkins, "The Perils of Expedience," *Wilderness*, vol.54, no.191, (Winter 1990): p.30.

<sup>36</sup>H.J. Musiel to James Watt, April 27, 1981, and Ted Stevens, Frank Murkowski and Don Young to James Watt, March 26, 1981, and G. Ray Arnett to Ted Stevens, July 9, 1981, GLBA, administrative files, file N1621u Humpback Whales tourist industry input.

<sup>37</sup>Juneau Empire, September 2, 1982.

completion by early 1983.<sup>38</sup> Senator Frank Murkowski raised expectations for the 1983 season by his unilateral announcement that "the National Park Service is prepared to increase the number of cruise ship entries into Glacier Bay from 89 to 180 per summer if the research supports the level of activity."<sup>39</sup> In February 1983, the Park Service requested the NMFS for a second consultation under Section 7 of the Endangered Species Act.

The most overt action by the administration came in March 1983 with the ouster of Regional Director John E. Cook and Superintendent Chapman. Critics charged that the administration had sacked these two men in order to send a message to all NPS officials in Alaska.<sup>40</sup> Watt handpicked Cook's successor, Olympic National Park Superintendent Roger Contor. Contor, recognizing that he was walking into a political minefield, told a reporter for the Anchorage Daily News soon after his appointment that Alaskans were polarized over public land issues and it was the Park Service's goal to "stay somewhere in the middle."<sup>41</sup>

Contor appointed Michael Tollefson to fill the vacancy at Glacier Bay. Tollefson was skilled at getting along with different interest groups. He also possessed valuable Alaska experience, as a ranger at Kenai Fjords National Park and chief of operations at Lake Clark National Park and Preserve. To his staff as well as to the growing cadre of former park employees who were settled in Gustavus, Tollefson exuded competence and professionalism but also a kind of aloofness. These people, wary after Chapman's unceremonious departure, sensed that Tollefson was aligned more closely with the NPS bureaucracy than with the local interests of the park.<sup>42</sup>

Tollefson moved quickly to create permanent whale water regulations on the basis of the three scientific studies after they reached completion in the spring of 1983. The acoustical study, made by Bolt Beranek and Newman, Inc., of Cambridge, Massachusetts, showed that the rocky floor in certain portions of Glacier Bay did accentuate engine noise, while ambient noise levels in the bay were not significantly different than in Frederick Sound. The whale prey study, conducted by the National Marine Mammal

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<sup>38</sup>John Chapman to Michael Tillman, September 21, 1982, ARO, administrative files, file N22 Research Programs--Humpback Whales GLBA; Juneau Empire, March 17, 1983.

<sup>39</sup>Anchorage Times, December 21, 1982.

<sup>40</sup>Michael Frome, Regreening the National Parks, (Tucson, 1992), pp.109-110.

<sup>41</sup>Anchorage Daily News, March 19, 1983.

<sup>42</sup>Streveler, interview.



Laboratory in Seattle, measured abundance of plankton, krill, capelin, herring, and other prey species in Glacier Bay, Frederick Sound, and Stephens Passage, and compared distribution patterns between 1981 and 1982. The results showed considerable variability of abundance between locations and years. The whale behavior study, done by C. Scott Baker and Louis M. Herman of the University of Hawaii, was hampered by the small number of resident whales in Glacier Bay during the two field seasons, but its findings corroborated Jurasz's basic observation that there was a correlation between whales' "aerial" behavior (breaching, tail slapping, etc.) and their proximity to vessels. Baker and Herman rejected Jurasz's hierarchy of stress behavior, however, suggesting that whales' reactions to vessels were dependent on complex variables such as an individual's age and sex, mother/calf pairing, feed availability, and physical characteristics at the site of the encounter. Finally, Dr. Frederick Dean's analysis of the breath logs compiled by Jurasz indicated that breath rates were affected by vessel traffic, with cruise ship and high-speed cabin cruisers having the most pronounced effect on blow-interval patterns.<sup>43</sup>

Predictably, it was possible to draw different practical conclusions from these results, and the need for more data, particularly concerning whale behavior, was evident. The NMFS issued its second biological opinion on June 22, 1983, still holding to its earlier position that uncontrolled increases in vessel traffic in Glacier Bay would jeopardize the southeast Alaska humpback whale stock. However, the NMFS now suggested that a twenty percent increase in vessel entries would be prudent as long as the Glacier Bay whale population did not fall below the 1982 level. After a minimum of two years of monitoring the effects of such an increase, a further increase might be proposed.<sup>44</sup>

When the whale regulations finally appeared in the Federal Register the following April, they did not attract as much comment as had Chapman's temporary regulations in 1980. The regulations extended the buffer around whales from 1/4- to 1/2-mile, prohibited sudden changes of speed in designated whale waters, and changed the permit system to track visitor use days, allowing the Park Service more control over the volume of boats in the park at any given time. The regulations also authorized the superintendent to increase the ceilings on vessel permits by up to twenty percent if the

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<sup>43</sup>Report of a meeting to review research concerning humpback whales in Glacier Bay and nearby waters in southeastern Alaska, May 19-20, 1983, GLBA, administrative files, file N1621j Humpback Whale Research Review Meetings.

<sup>44</sup>William G. Gordon to Roger Contor, June 22, 1983, ARO, concessions management files, file GLBA Whale Protection/Regulations.

whale population increased.

Tollefson's management of the humpback whale issue elicited markedly different responses from the two environmental groups most involved with the park, Friends of Glacier Bay and Greenpeace Alaska (which changed its name to Alaska Wildlife Alliance in 1983). While Friends of Glacier Bay adopted a more supportive stance toward park administration, Alaska Wildlife Alliance became progressively more critical. This was not surprising. The evolving membership of Friends of Glacier Bay included a large contingent of local fishermen as well as former and current Park Service employees living in Gustavus, together with environmentalists from around the state. The group increasingly viewed its role as that of consensus builder and promoter of enlightened local environmental management. Alaska Wildlife Alliance's membership was mainly urban, and it saw its role as oppositional, as the uncompromising advocate of the environment. Its strategy was confrontational. As an organization that survived on door-to-door membership drives, it depended on media attention and controversy for sustenance. Its parent organization, Greenpeace U.S.A., had made its name challenging the establishment on such hot-button issues as atmospheric nuclear tests and seal and whale harvesting.

Friends of Glacier Bay commended the Park Service for the new regulations. "They give whales the benefit of any major doubt," Howe wrote to Tollefson, "yet they are couched in somewhat generalized language that permits the NPS a reasonable amount of management flexibility." Friends of Glacier Bay did raise two specific concerns. First, small vessels should be allowed to anchor in Bartlett Cove while awaiting availability of a permit, thereby facilitating visitor access to park headquarters, which was "critical." (Howe had raised the same point with Chapman in 1980.) Second, the regulation against pot-fishing for shrimp seemed unduly hard on local fishermen. Friends of Glacier Bay intended to ask the scientists whether this small-scale fishery really had a measurable impact on whale feed. "Whether or not commercial fishing is considered an appropriate Park activity," Howe advised, "whale regulations should not be used as a vehicle for limiting it unless whales benefit from the limits. Shooting square with fishermen on this matter will earn the NPS good will that is sorely needed in addressing much thornier management conflicts--such as the issue of wilderness waters."<sup>45</sup>

The Alaska Wildlife Alliance focused on two main objectives: to census the Glacier Bay whale population from year to year, and to monitor how effectively the Park

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<sup>45</sup>Robert E. Howe to Michael Tollefson, May 17, 1984, GLBA, administrative files, file N1621r Humpback Whale Public Comment 1984 Regulations.

Service enforced vessel restrictions. The group fielded a small number of shore-based volunteers in the park for a few weeks every year from 1980 through 1984. These people contributed their whale sightings to the censusing effort and goaded the NPS toward stricter enforcement with both written and radio-transmitted reports of boater violations. Both efforts served the group's self-interest as well as the whales: the census provided a simple, objective index with which the media and the public could continue to track the situation after all the sound and fury over closing the bay and vessel entry quotas had subsided, and monitoring the Park Service's enforcement of the regulations fit the group's confrontational strategy. But these efforts were also based on very real fears that the whale regulations, and thus the whales, might otherwise fall victim to the Reagan administration's pattern of selective non-enforcement of environmental laws and regulations.

The Alaska Wildlife Alliance found Regional Director Roger Contor and Superintendent Tollefson noticeably less receptive than their predecessors Cook and Chapman had been. In July 1983, Alaska Wildlife Alliance Director Wayne Hall discussed his group's past volunteer program in Glacier Bay with Contor and afterwards submitted a proposal that would greatly expand the program in 1984 with a \$23,514 grant from the Park Service for supplies, radio equipment, and transportation costs. He was disappointed, however, when the Park Service did not even acknowledge the proposal despite several follow-up letters. Nevertheless, Hall and seven other volunteers spent fourteen days of the whale season of 1984 camped at various posts around the lower and middle bay. In September, Hall sent a strong letter to Contor in which he alleged, "The National Park Service commitment to the protection of humpback whales appears to be in a very serious state of decline." In five seasons of "direct observations in Glacier Bay," the past season had been the "worst." They had observed boaters speeding, violating the 1/2-mile buffer around whales, even pursuing whales, while ranger patrols were inadequate. Even when a ranger apprehended a violator, they alleged, the ranger was discouraged from issuing a citation. Park management had also ignored their request to extend designated whale waters north of Sitakaday Narrows, despite their observations of whales in the area. "For the first time in our involvement in Glacier Bay," Hall wrote, "we felt that our whale observations were not believed by NPS staff." Indeed, Hall and his associates had quit reporting their whale sightings before the end of their stay, concluding that the rangers gave more credence to whale reports by the skippers of Glacier Bay Explorer and Thunder Bay.<sup>46</sup>

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<sup>46</sup>Wayne Hall to Roger Contor, September 11, 1983 and September 4, 1984, GLBA, administrative files, file N1621t Humpback Whale Environmental Group Input.

Hall and his associates were probably correct in their perception of a more relaxed atmosphere. The park staff generally viewed the new whale management plan as a sign that the crisis had passed, that the Park Service had found a manageable way for whales and park visitors to coexist in Glacier Bay. Park personnel liked to assume that boaters were responsive to the need for whale protection and would readily change their behavior if given a warning. One seasonal ranger who served on whale patrol in the summer of 1983 told an interviewer for Alaska Magazine, "Glacier Bay isn't a cops and robbers park so a good deal of my job is best described as public relations. In parks in the Lower 48, I'd be busy handing out citations but here the whales keep me busier than the park visitors."<sup>47</sup> As the park returned to normalcy under Tollefson's superintendency, Alaska Wildlife Alliance volunteers simply wore out their welcome among park rangers with their shrill calls over the air waves for whale patrol.

The complexion of the whale management problem improved with each year's new findings from the ongoing research of biologist C. Scott Baker. In 1985, Baker estimated the total population of humpback whales in southeast Alaska at 326--considerably more than the most commonly cited estimate in 1978 of 60. Baker suggested that local movement of whales, such as between Glacier Bay and Frederick Sound, might reflect "complex foraging strategies to exploit seasonal changes in the distribution and abundance of prey species." Glacier Bay appeared to be an important foraging area in early summer. In 1986, Baker attempted to give a picture of the whole North Pacific herd. Photoidentification revealed that the same humpbacks that summered in southeast Alaska wintered in the Hawaiian Islands. He estimated that the winter breeding stock was four to six times larger than the southeast Alaska population in summer. It appeared that the stock in the Hawaiian Islands dispersed into smaller groups for summer feeding, and these groups showed strong site fidelity, often returning to the same bays and channels in southeast Alaska year after year.<sup>48</sup>

The most important study for whale management was an NPS report by Baker and resource specialist Gary M. Vequist in 1987, "Humpback Whales in Glacier Bay,

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<sup>47</sup>Mike Modrrzynski, "Back-country Ranger," Alaska Magazine (February 1984): p.74.

<sup>48</sup>C. Scott Baker et al., "Population Characteristics and Migration of Summer and Late-Season Humpback Whales (Megaptera Novaeangliae) in Southeastern Alaska," Marine Mammal Science (October 1985), pp.304-323; C. Scott Baker et al., "Migratory Movement and Population Structure of Humpback Whales (Megaptera Novoaangliae) in the Central and Eastern North Pacific," Marine Ecology Progress Series, 1986, Volume 31, No.2: pp.105-119.

Alaska: A long-term history of habitat use." Baker and Vequist determined that whale movement patterns within southeast Alaska were so complex that the summer resident population in Glacier Bay was bound to show considerable variation. The relatively stable population levels during the 1970s now appeared to be atypical, and the sudden departure of the whales in 1978 was probably a normal foraging strategy. The population in Glacier Bay might fluctuate, but the total stock in southeast Alaska appeared to be stable or increasing. As for monitoring the population with a view toward raising the number of vessel entry permits as recommended in the NMFS's second biological opinion, Baker and Vequist suggested that treating Icy Strait and Glacier Bay as one contiguous habitat would reflect more accurately the health of the whale population. The whales in these combined areas constituted about ten percent of the total southeast Alaska stock.<sup>49</sup>

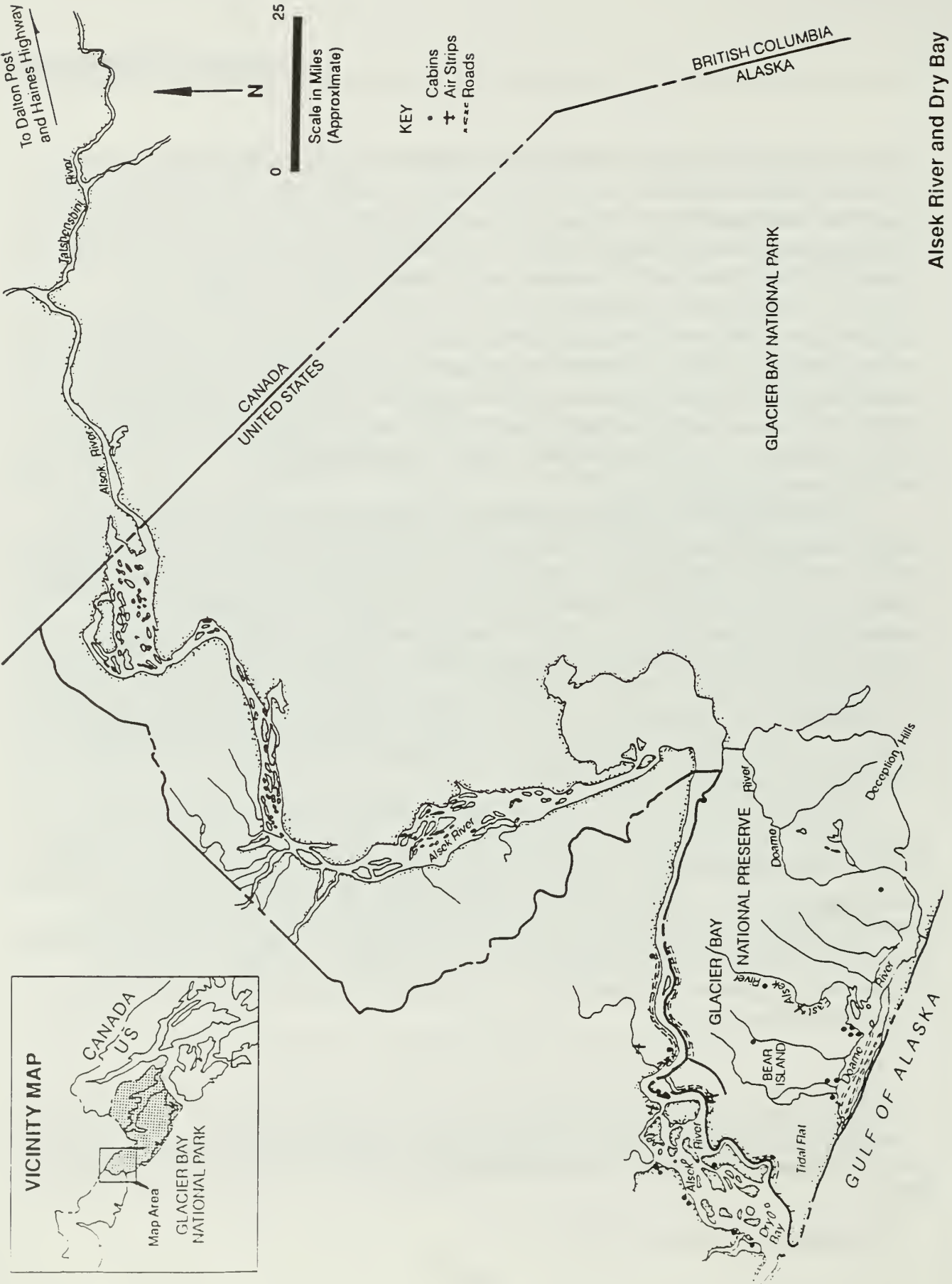
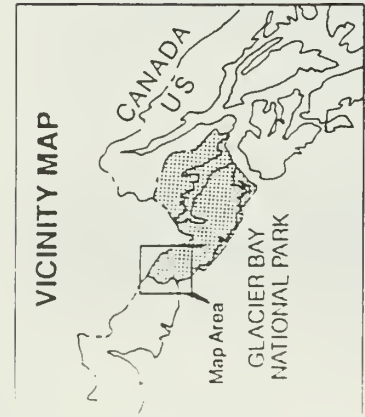
The Park Service increased the number of vessel entry permits twice under the whale management plan of 1984. Following a whale count of twenty-six in the bay in 1984, Tollefson raised the vessel entry permits by 14.6 percent in all categories for 1985. When the whale count fell to thirteen the next year, Tollefson maintained that the decline was thought to be due to the cold summer weather and a smaller amount of whale feed in the park, not increased vessel traffic. The whale count reached thirty-two in 1986 and thirty-three in 1987. A further increase in vessel entry permits was adopted for all categories for 1988, completing the 20 percent increase over 1976 vessel entries allowed by the 1984 whale regulations. This brought the total number of cruise ship entry permits during whale season to 107.

Twelve years after the Park Service began funding research on the humpback whales, no one could depict with certainty the overall effects of vessel traffic on whale habitat. Asked about this by a reporter when the NPS announced its second increase in vessel entry permits, Vequist answered with measured words, hewing to what was definitely known: "Many whales respond to close proximity of vessels by decreasing blow intervals, increasing dive times, and moving away from the vessel path."<sup>50</sup> What the long term consequences of vessel traffic in Glacier Bay would be for humpback whales remained an open question.

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<sup>49</sup>C. Scott Baker and Gary M. Vequist, "Humpback Whales in Glacier Bay, Alaska: A long-term history of habitat use," October 9, 1987, p.2, 10, ARO, concession management files, file GLBA Cruise Ship Task Force--1989.

<sup>50</sup>Anchorage Times, November 9, 1987.



Alsek River and Dry Bay

## CHAPTER XIII

### CREATING A WILDERNESS PARK

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Nearly thirty years have passed since NPS administrators first began using the term "wilderness park" to describe Glacier Bay National Monument. In that time, the idea of a wilderness park has evolved, both in a generic sense and as it has applied to Glacier Bay. The wilderness park idea took root when growing public concern about massive environmental change was etched in national park policy by the Leopold Report of 1963. It acquired more specific form when public support for wilderness preservation crystallized in the Wilderness Act of 1964. NPS officials applied the concept to Glacier Bay National Monument in the mid-1960s as the growth of a regional tourist industry pointed to increasing visitor use of the monument. In the 1970s, this Glacier Bay wilderness park idea withstood various challenges--from proposals to build roads into the monument's interior, to legislative amendments that would have lopped off portions of the monument for mining development, to attempts to open Glacier Bay to uncontrolled increases in vessel traffic. That none of these things eventuated owed less to strongly reasoned arguments about what a wilderness park was than it did to steadfast ideas of what a wilderness park was not. By the 1980s, park administrators were reaching more and more for positive criteria with which to define a wilderness park.

Their answers tended to cluster around two sets of criteria, one humanistic or "anthropocentric," the other scientific or "biocentric." To define a wilderness park in anthropocentric terms was to analyze visitor perceptions of a "quality wilderness experience." The goal was to translate intangible wilderness values like solitude and wildness into objective terms that could assist park administrators in preserving wilderness. How much did a cruise ship puffing past the entrance of a fjord detract from a backcountry user's wilderness experience? How did this compare to the sight of an overused campsite, or the need to share a campsite with another party? Did encounters with large backcountry parties detract from a backcountry user's wilderness experience more than encounters with small parties? And more broadly, did the wilderness experience fulfill or fall short of a visitor's expectations? Similar questions were asked of the cruise ship and tour boat passenger. Park administrators looked to sociologists to objectify visitors' wilderness experiences. To this end, sociologists conducted four visitor questionnaire surveys in Glacier Bay National Park and Preserve between 1978 and 1989.

To define a wilderness park in biocentric terms, meanwhile, was to analyze human impacts upon a relatively pristine environment. Like ecosystem management in the

1960s and 1970s, the biocentric approach to wilderness management relied on biological research. And like ecosystem management, the purpose of the biocentric approach to wilderness management was to create a more authentic wilderness. But the biocentric approach, starting with the cultural and moral construct of "wilderness" rather than the ideologically neutral concept of an ecosystem, tended to find fewer mitigating circumstances for human impacts.

Although the whale management regulations adopted in the 1980s limited the number of most types of vessels permitted in the park during June, July, and August, park administrators recognized that this gave them a rather flimsy handle on total annual visitation. The whale regulations allowed for incremental increases and set no final limit, while the park's general management plan placed no ceiling on annual visitation either. In order to preserve the park's wilderness character for future generations, most park officials agreed, ultimately the NPS would have to cap visitor use at some undetermined level. The search for those future limits--the park's recreational carrying capacity--underlay much of the Park Service's efforts in management planning for vessel, backcountry, and Alsek River use in the 1980s and early 1990s.

### Alsek River Float Trips

In August 1971, a daredevil river runner hired a bush pilot to fly him and his kayak up the wild Alsek River. Flying low up the canyon so that he could preview the trip, the kayaker noted sand bars in the river roughly every five miles where he could take refuge from bears and await rescue if the river proved too much for him. He told the pilot if he were found dead to bury his remains in the canyon and take positive proof back to his wife. With that request, Walt Blackadar set out on a six-day trip down some of the "worst foamy rapids a kayaker can imagine."<sup>1</sup>

The kayaker's story in Sports Illustrated, together with one other river runner's account in Alaska Magazine, prompted the Alaska Conservation Society in 1973 to urge inclusion of the Alsek River corridor in the D-2 withdrawals then under consideration.<sup>2</sup> Wilderness river trips were fast gaining popularity in the United States. Commercial

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<sup>1</sup>Walt Blackadar, "Caught up in a Hell of White Water," Sports Illustrated, vol.37, no.7 (August 14, 1972): pp.43-50.

<sup>2</sup>Ernest W. Mueller to John R. McGuire, April 25, 1973, GLBA, administrative files, file D18 Alsek River Management Plan.



outfitters built a multi-million dollar industry taking tourists on guided raft trips in this decade. Recreational use of the Colorado River increased exponentially during the late 1960s and early 1970s, forcing NPS officials in Grand Canyon National Park to freeze the number of river rafters at 1972 levels while a comprehensive research program was undertaken.<sup>3</sup> As for the Alsek, seven commercial river guides were advertising float trips by 1977, one year before President Carter proclaimed the Alsek addition to the monument. Looking at the growth of Colorado River use as a precedent, experts expected a rapid expansion of privately organized trips on the Alsek to follow.<sup>4</sup>

To float the Alsek, most river runners put in on the tributary Tatshenshini River at Dalton Post, Yukon Territory. The "Tat" is a spectacular white water river in its own right. It normally takes eight to twelve days to run the 135 miles to the take-out point at Dry Bay, with all but the last three days spent in the Yukon and British Columbia. In its lower section through the park the Alsek widens out, enters and exits iceberg-studded Alsek Lake, and meanders for another twenty miles across a low-lying coastal plain, with the preserve on the left hand and the Tongass National Forest on the right. The usual take out point is by a dirt landing strip near the entrance to Dry Bay.

ANILCA provided that a purpose of the Alsek addition was "to protect a segment of the Alsek River, fish and wildlife habitats and migration routes." The legislative history of ANILCA provided two additional directives:

The National Park Service must take such steps as are necessary to insure that overuse of the river does not occur. A quality wilderness river experience should be protected.

The Secretary is encouraged to seek cooperative agreements with Canada which serve to protect the entire watershed of the Alsek River, and provide for cooperative visitor use of the river and its environs.<sup>5</sup>

With these strong directives, the Park Service made the Alsek River its first priority in establishing wilderness use limits for Glacier Bay National Park and Preserve.

The effort began even before Congress enacted ANILCA, when an NPS official

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<sup>3</sup>Roderick Nash, Wilderness and the American Mind, 3rd rev. ed. (New Haven, 1982), pp.333-337.

<sup>4</sup>Douglas G. Warnock to LeRoy K. Johnson, September 3, 1980, ARO, administrative files, file C3823.

<sup>5</sup>Department of the Interior, National Park Service, Alsek River Visitor Use Management Plan, (Washington, 1989), p.3.

announced at a Western River Guides conference in early 1979 that the Park Service would begin issuing permits for the Alsek as a first step toward limiting use. Permits would only be issued to companies who had guided trips prior to December 1978. Pending the development of an interim management plan for the river, the Park Service issued letters of agreement instead of park concession permits for 1979 and 1980.<sup>6</sup>

NPS officials initiated two meetings with the Canadian management agencies that held jurisdiction over the Tatshenshini River (one for the segment in British Columbia, another for the segment in the Yukon). These meetings produced agreement in principle that the Tatshenshini-Alsek River should be treated as a system, but at this time the Canadians would do little in the way of regulating recreational use. They allowed the Park Service to take the lead in developing a management plan.<sup>7</sup>

The interim river management plan, which the Park Service drafted and pushed through the public review process between 1979 and 1982, proposed a fifty-fifty split between American- and Canadian-permitted trips, and a further fifty-fifty split between commercial and private parties. This four-way allotment of permits was farsighted, since no Canadian guide services and few private parties of either nationality were yet involved. The plan set the total number of trips for United States-based river guides at seventeen, to be divided among seven companies. (Twice as many companies applied for permits in 1979, but preference was given to the companies that had run float trips on the Tatshenshini-Alsek between 1976 and 1978. Without the plan, there can be no doubt that the amount of commercial trips would have quickly exceeded seventeen.) The commercial trips were to be spread over seven two-week periods, with no more than one take-out scheduled per day. The plan also set a limit of twenty-five people per party and gave detailed instructions for minimizing impacts at campsites.<sup>8</sup>

The interim plan called for a research plan "directed towards defining the ecological and sociological carrying capacities" of the Alsek River. Ecological (biocentric) research mainly consisted of yearly documentation of defoliation, soil compaction, and other human impacts around commonly used campsites, using the so-called code-a-site system. Of particular concern was the effect large groups might have on the delicate *Dryas* mat that was common in the area. As for sociological

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<sup>6</sup>Douglas G. Warnock to Leroy K. Johnson, September 3, 1980, ARO, administrative files, file C3823.

<sup>7</sup>Howard R. Wagner to Ted Stevens, November 3, 1980, GLBA, administrative files, file D18 Alsek River Management Plan.

<sup>8</sup>"Interim River Management Plan: Alsek-Tatshenshini, Glacier Bay National Monument," NAAR, RG 79, 79-88-0017, box 7/23, file Glacier Bay General.

(anthropocentric) research, sociologist Darryll R. Johnson of the Cooperative Park Studies Unit at the University of Washington initiated a river user survey in 1982 to acquire baseline data for Alsek River management. Matthew S. Carroll conducted the chief survey effort in 1984, floating the river in June and administering questionnaires to 336 river users at the take-out point between June 25 and August 30. The study by Johnson and Carroll provided data on the characteristics of parties and river users as a whole, from such objective facts as age, sex, place of origin, and income level, to their perceptions of wilderness, crowding, regulation, and development.<sup>9</sup> The data assisted Park Service officials in refining the Alsek River management plan in 1988. More importantly, perhaps, Park Service administrators expected to compare the "baseline" data to another data set at some later time to evaluate potential changes in the quality of the wilderness experience. For the time being, officials were fairly confident that the 68-trip limit was within the natural and recreational carrying capacity of the wilderness.

Superintendent Marvin Jensen noted the importance of working with Canadian officials to manage the river system, but said the Canadians were years behind in developing wilderness management strategies. At least until British Columbia's change in government in the 1992 election, the province showed little interest in protecting the Tatshenshini. This was nowhere more evident than in Jensen's early meetings with provincial officials. "When we meet and talk about our agenda for protecting wilderness values," Jensen said, "we are met with blank stares--'What the hell is wilderness?'"<sup>10</sup> That American and Canadian officials speak almost a different language of wilderness management underscores just how culturally determined Americans' wilderness values are.

### **Backcountry Use and Bear Management**

Backcountry users are more influential in Glacier Bay National Park and Preserve than their numbers might suggest. The number of backcountry users rose in the 1970s and 1980s from a few hundred to approximately a thousand per year--a mere one-half to one percent of the total visitation. But backcountry users tend to stay in the park much longer than other park visitors, so that when visitation is expressed as visitor-days their percentage of the total increases substantially. More importantly, their interests are

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<sup>9</sup>Johnson, et al., Social Science Perspectives on Visitor Use and Management of Glacier Bay National Park.

<sup>10</sup>Marvin Jensen interview with author, tape recording, April 9, 1992.

represented by national organizations like the Sierra Club and the Wilderness Society, so that in negotiations over such public policy issues as wilderness designation, this national park constituency is almost as well represented as the tourist industry or commercial fishermen.

Backcountry users also present greater challenges for management than their numbers first suggest. Not only do backcountry users go into the wilderness with greater expectations of finding solitude, observing wildlife, and otherwise enjoying an untrammled environment, but they themselves have a greater per-capita impact on wilderness values, in both biocentric and anthropocentric terms, than do mass tourists in Glacier Bay, most of whom never set foot on land. The Park Service's best shot at minimizing backcountry users' impacts is through orientations--educating them to the special environmental concerns of park management before they go into the backcountry. But the NPS has less contact with this group than with any other type of park visitor.

Because of the immense size and geographical configuration of the park, the Park Service has developed three or four different approaches for managing the backcountry. Most backcountry use--and most of the Park Service's effort--has been focused on Glacier Bay itself. The NPS tries to contact as many of these backcountry users as possible, either at park headquarters or on the tour boats that drop them in the backcountry. Backcountry use along the Alsek River corridor, by contrast, is so remote from Bartlett Cove that the NPS has relied chiefly on the river management plan and the permit system to reach these park visitors. Backcountry use in the preserve, meanwhile, consists mainly of sport hunting. And finally, the minimal amount of backcountry use on the outer coast is virtually unmanaged.

The predominant backcountry use around Glacier Bay changed in the 1970s from backpacking to sea kayaking. The first sea kayakers in Glacier Bay paddled all the way from Juneau, creating a small sensation among the staff when they appeared at the dock in Bartlett Cove.<sup>11</sup> Soon there were sea kayaking guides and outfitters, similar to the river guides on the Alsek-Tatshenshini. A variant of this outfitter service was to provide all the kayaks, tents, and camping gear, together with transportation by float plane to one of the inlets near the head of the bay, from which the party set out on a self-guided tour of the backcountry.<sup>12</sup> Still another option appeared when residents in Gustavus set up a kayak rental concession.

Sea kayaking has concentrated backcountry use along the shore of Glacier Bay.

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<sup>11</sup>Malcolm Moore, "Ocean Kayaking in Glacier Bay," *Appalachia*, no.163 (December 15, 1976): pp.37-45.

<sup>12</sup>*Seattle Times*, March 20, 1983.

This is an area rich in plant and animal life where bears, moose, shorebirds, and even mountain goats commonly come to forage. It is also an area of expansive vistas. Consequently sea kayaking has tended to enhance the backcountry user's wilderness experience while also increasing his or her potential for disrupting wildlife and spoiling the solitude of other backcountry users.

Solitude has been a particularly challenging wilderness value for the Park Service to protect in Glacier Bay. The desolate features of the park tend to heighten the visitor's expectation of solitude. One kayaker recalled how his party "wasn't prepared for the starkness, the isolation....The natural stimuli are so subtle it takes a while to notice anything but the emptiness."<sup>13</sup> Another kayaker described her keen disappointment after a first night of solitude in Muir Inlet when she returned from a day trip to find "eight tents sprouted just down the beach" from her campsite.<sup>14</sup> For Dave Bohn, author of Glacier Bay: The Land and the Silence, solitude was the area's defining quality. Unfortunately, the very physical features of this environment that create a feeling of solitude--long vistas, open water, barren slopes rising out of the bay--also tend to accentuate the engine noise of boats and planes and the sight of other backcountry users with their brightly colored kayaks, tents, and rain parkas standing out against the stark landscape.

The imperative of protecting this wilderness value is one of the strongest arguments for closing wilderness waters to all motorized vessels. The NPS has directed the cruise ship and tour boat operators to avoid use of certain inlets in order to protect the inlets' wilderness character for backcountry users. Among these areas, the Park Service has tried to spread out backcountry use somewhat by offering a choice of drop-off sites. But it has had to balance this approach with other needs, such as habitat restoration around heavily used campsites and area closures for wildlife protection.

To protect this wilderness value the Park Service turned to sociologists, visitor questionnaires, and the concept of recreational or social carrying capacity, just as it had for the Alsek River Management Plan. Sociologist Darryll Johnson conducted two backcountry user surveys in 1978 and 1984.<sup>15</sup> One important result was the Park

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<sup>13</sup>Brad Matsen, "Floating Lunch on Alaska's Glacier Bay," Alaskafest (July 1979): p.29.

<sup>14</sup>Juneau Empire, July 10, 1991.

<sup>15</sup>Darryll R. Johnson, A Statistical Summary of Selected Data from the 1978 Backcountry User Survey, Glacier Bay National Monument (Seattle, 1979), passim; Darryll R. Johnson, Patricia Gonzalez and Gary M. Vequist, Social Science Perspectives on Visitor Use and Management of Glacier Bay National Park (Seattle, 1990).

Service's decision to limit group size to twelve members. The surveys indicated that backcountry users felt significantly more crowded by encountering large parties than they did by encountering small parties. Large parties provided a less satisfactory wilderness experience for the members themselves, too. Large parties also tended to make more noise and cause more damage at their campsites. For these reasons the NPS has resisted requests by the main Glacier Bay outfitter, Alaska Discovery, Inc., to raise the limit from twelve to twenty-five to conform with what Alsek River guides are allowed.<sup>16</sup>

Next to protecting the backcountry user's ability to find solitude in Glacier Bay, the most difficult challenge of backcountry management has been with bears. Bears are a particularly sensitive wilderness resource because they are prone to lose their wildness when they are exposed to increasing numbers of humans. Unless precautionary measures are taken, they lose their fear of humans and respond to them as sources of food. Superintendent Chapman had just this eventuality in mind when he wrote about the Alsek River: "We are especially concerned about maintaining the wild character of the associated animal populations. Once bear problems start, the whole character of the experience will be degraded."<sup>17</sup>

Until recently, bear management in Glacier Bay National Park and Preserve was less a backcountry problem than a problem with so-called "garbage bears" around Bartlett Cove. In 1977, there were an estimated twenty-five black bears living in the Bartlett Cove-Gustavus area which had become habituated to feeding on garbage and garden vegetables. That winter the Park Service closed the open-pit garbage dump, enclosed a new one with an electrified chain link fence, bear-proofed all the garbage cans around the residences and lodge, and built a food cache for campground campers. These measures succeeded in sharply reducing the number of bear incidents around Bartlett Cove.<sup>18</sup>

The park's bear problem was not confined to garbage bears, however. In 1981, a black bear killed and ate a kayaker at Sandy Cove--many miles from the Bartlett Cove-Gustavus area. The bear was killed and its stomach contents examined to verify that it

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<sup>16</sup>Kevin Aggar to files, [1984], GLBA, administrative files, file D18 Alsek River Management (Public Involvement 1984-present). The second backcountry user survey in 1984 marked the first time that a unit of the national park system acquired data that could be used to deduce changes in visitor attitudes toward wilderness over time.

<sup>17</sup>John F. Chapman to Marty Behr, April 7, 1980, ARO, administrative files, file C3823.

<sup>18</sup>Bear Management Plan, [1978], ARO, administrative files, file N1615 Management of Natural Resources; Superintendent's Annual Report, 1978, NAAR, RG 79, 79-88-0005, box 19/22, file A2621.

had eaten the human. The Park Service closed the Sandy Cove area to backcountry use for the remainder of the season. Several other bear incidents were reported, some involving property damage.<sup>19</sup>

Over the next three years, park researchers studied black bear movements and population densities in the Sandy Cove and Beartrack Cove areas, learning that black bears gathered along the shoreline in spring and early summer, where they grazed on sedges and barnacles and other food in the intertidal zone. The Park Service closed certain beaches to camping in May and June, with fewer bear incidents resulting.<sup>20</sup>

In 1988, even as the bear problem at Sandy Cove was brought under control by closing it again, the number of bear incidents in the rest of the park came to nineteen. Six involved black bears around Bartlett Cove, and the other thirteen were in the upper bay. After three incidents were reported in Tarr Inlet, the area was closed from June 24 to July 25.<sup>21</sup> That summer the Park Service initiated a study of brown bear habitat, movements, and population densities in the West Arm similar to the black bear study for Sandy Cove.<sup>22</sup>

In recent years the superintendent has tried to stem the growing number of bear incidents by supplying more information to park visitors and introducing bear-proof food canisters for use on an experimental loan basis. (The cylindrical containers with locking lids are used for food storage in camps where there are no trees for hanging food out of a bear's reach.) Superintendent Marvin Jensen's approach to bear management is biocentric: to change bear behavior by changing human behavior first or, in his words, to make visitors "more directly responsible for prevention of unfavorable human-bear encounters."<sup>23</sup> It is likely that the park will introduce mandatory registration for backcountry use so that rangers have an opportunity to orient visitors to clean camping

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<sup>19</sup>Superintendent's Annual Report, 1981, GLBA, administrative files, file A2621 Reports Annual.

<sup>20</sup>Gary Vequist, "Management of Beach Camping to Reduce Human/Bear Conflict," file report, March 30, 1987, GLBA, administrative files, file Bear Management Glacier Bay.

<sup>21</sup>Superintendent's Annual Report, 1988, GLBA, administrative files, file A2621 Reports Annual. The closure was repeated and lengthened to two months in 1991.

<sup>22</sup>Janet Warburton, "A Background Survey of the Distribution, Movements, and Habitat of the Brown Bear (*Ursus arctos*) in the West Arm of Glacier Bay National Park and Preserve," file report, GLBA, administrative files, file N1427c Brown Bears.

<sup>23</sup>Superintendent's Annual Report, 1989, GLBA, administrative files, file A2621 Reports Annual.

practices and the use of bear-proof canisters.<sup>24</sup>

Meanwhile, the park has a different kind of bear problem on the outer coast, where park administrators suspect that poachers are after some of the largest specimens of brown bear left in Alaska. Prior to 1992, the Park Service lacked the resources to give this remote area much more than an occasional ranger patrol. This appeared to be changing in 1992, as the park acquired an airplane, a park ranger obtained a pilot's license, and the superintendent planned for the ranger-pilot to divide his time between Glacier Bay and the Dry Bay-Lituya Bay area of the outer coast. Superintendent Jensen hoped that, with the arrest of one or two poachers, the Park Service could awaken people's interest in the problem and get more support.<sup>25</sup>

Backcountry use in Glacier Bay National Preserve consists mainly of sport hunting. When the preserve was created in 1980, NPS officials had even less idea how to manage this activity than they did the Dry Bay commercial fishery. As with the fishery (see chapter fourteen), the Park Service's management options were closely circumscribed by ANILCA, which ensured commercial operators continued access and gave the state of Alaska control of fish and game management. The NPS had little more to do than manage public access to an existing cabin on the East River, and this task it soon turned back to the Forest Service.<sup>26</sup>

Historically, sport hunters were attracted to this area--and the rest of the long coastal plain that stretches north to Yakutat Bay, known as the Yakutat Forelands--primarily because it provides habitat for the largest moose population in southeast Alaska. One study estimated that at least 6,500 sportsmen and subsistence hunters harvested more than 3,200 moose between 1959 and 1975, when the Alaska Department of Fish and Game closed the area to moose hunting because of low moose counts. The Yakutat Forelands were also "world renowned" because they contained the largest concentration of glacier bear found anywhere.<sup>27</sup> A 1973 study suggested that recreational use of the Dry Bay area would increase gradually, with moose hunting continuing to draw the most people, followed by bear and waterfowl hunting and sport

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<sup>24</sup>Juneau Empire, July 10, 1991.

<sup>25</sup>Marvin Jensen interview with author, tape recording, April 9, 1992, Rasmuson Library, University of Alaska Fairbanks.

<sup>26</sup>John F. Chapman to Jack Blackwell, March 4, 1983, GLBA, administrative files, file A44 Memoranda of Agreement USFS.

<sup>27</sup>Alaska Department of Fish and Game, "Critical Habitat Proposal--1975," NAAR, RG 79, 79-83-F0007, box 47/51, file LSD Glacier Bay Addition.



fishing.<sup>28</sup>

The Park Service issued special use permits to two commercial hunting guides in the early 1980s. One, A. Israelson, was well-established in the area, having specialized in moose and bear hunting along the Alsek since the early 1970s.<sup>29</sup> The second, J. Latham, had received a permit from the Alaska State Game Board in April 1980, when the state was refusing to recognize NPS jurisdiction over the 1978 monument addition. Part of the area described in Latham's permit was subsequently designated as preserve by ANILCA.

A statement for management in 1982 indicated that the trend of sport hunting use in the preserve would likely remain stable for the near future, while some form of cooperative management with the state would be needed to maintain quality of habitat, fish and wildlife populations, and wilderness experiences.<sup>30</sup> The park's General Management Plan did not elaborate on this plan except to suggest consideration of having hunting guides operate as NPS concessioners. With no further recreational use planning having been done for this area, the NPS has been somewhat compromised when challenged by organizations such as the Alaska Land Use Council or the City of Yakutat to enter into cooperative planning for the whole Yakutat Forelands. So far, NPS officials have rejected these overtures, apparently confident that without additional hunting guide services, backcountry use in the preserve will stay within acceptable limits.

### Glacier Bay Science a Century After Muir

A landmark event in the history of Glacier Bay science took place in September 1983, when more than 130 scientists, social scientists, and resource managers gathered at Bartlett Cove for the First Glacier Bay Science Symposium. Suggested by glaciologist William O. Field, co-sponsored by the park and Friends of Glacier Bay, and dedicated to the memory of the park's founding father William S. Cooper (1884-1978), the symposium was both a celebration of one hundred years of science at Glacier Bay and a reckoning

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<sup>28</sup>Wildlife Report for Proposed Dry Bay Management Area, NAAR, RG 79, 79-83-F0007, box 47/51, file LSD Glacier Bay Addition.

<sup>29</sup>Wildlife Report for Proposed Dry Bay Management Area, [1973], NAAR, RG 79, 79-83F-0007, box 47/51, file LSD Glacier Bay addition recreation uses.

<sup>30</sup>Statement for Management, Glacier Bay National Park and Preserve, Alaska, GLBA, administrative files, file D18.

of Glacier Bay science in the future.

Four separate panels discussed a wide range of topics in geology and climatology, terrestrial ecosystems, marine and aquatic ecosystems, and resource management. The symposium put the cumulative effect of scientific studies in Glacier Bay in context and provided a welcome opportunity for interdisciplinary exchanges. The proceedings demonstrated that Glacier Bay was practically unexcelled as a place for the study of primary ecological succession following glacial recession, and in addition, boasted coastal rainforest for comparative studies of secondary ecological succession, pristine freshwater lakes for the study of aquatic ecosystems, and perhaps the most closely studied population of humpback whales anywhere.

The mood of the proceedings was at once ebullient and marked by sober reflection about the proper relationship of science to the park. With so much discussion about protecting the park's wilderness waters and establishing the park's carrying capacity, it was not surprising that Glacier Bay scientists should direct such questions toward themselves as: Was scientific use of the park entirely compatible with the purposes of the park? How much scientific research could the park sustain without losing its wilderness character? What could they, as scientists, social scientists, and resource managers, contribute to this exceedingly complicated problem of carrying capacity? In managing Glacier Bay National Park and Preserve, the NPS had one of the strongest mandates for scientific research of any unit in the national park system. Yet scientists' needs still had to be weighed against the interests of wilderness enthusiasts and other park users.

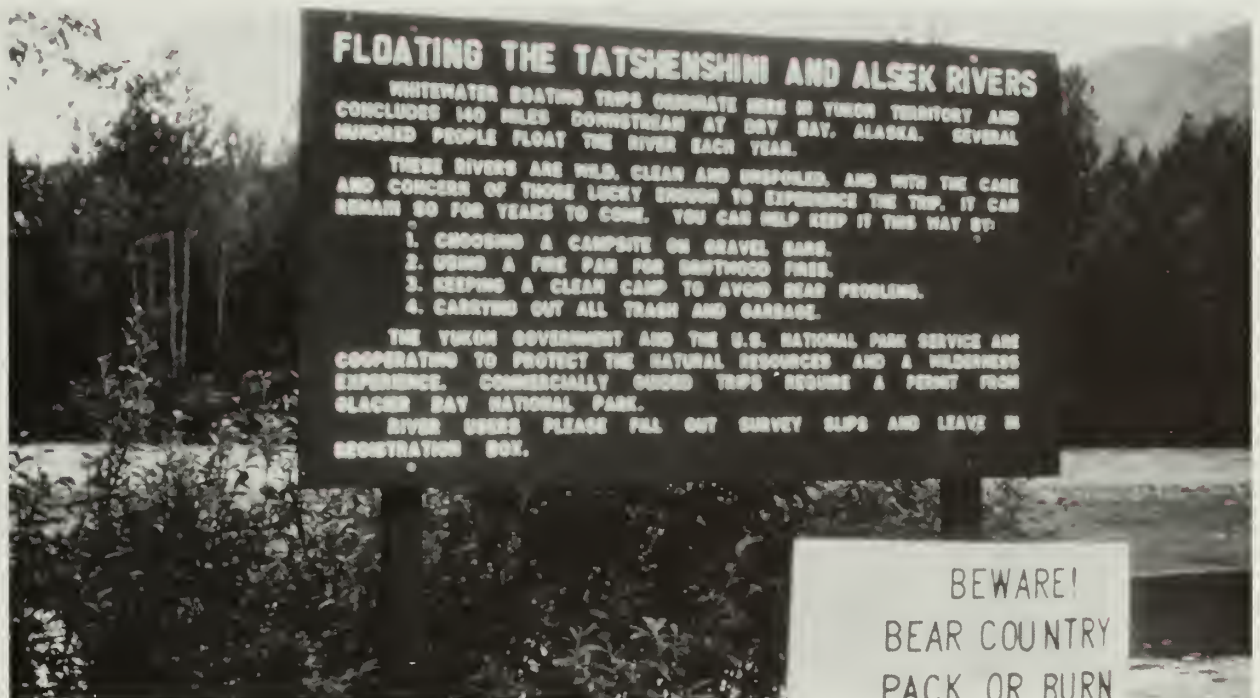
With research requests increasing, it had become necessary to establish guidelines about proper research methods to avoid undue impacts on the environment. "Impacts must be carefully weighed against the knowledge to be gained," resource specialist Gary Vequist cautioned. Vequist suggested the following criteria:

1. Research should be conducted in a manner that was not highly visible to other park visitors.
2. Research should be coordinated with other ongoing research efforts.
3. Research should address topics for which the park was uniquely suited as a study area.
4. Research would be favored if it was useful for the management of park



Goose Cove Ranger Station, June 1971. Goose Cove is an offshoot of Muir Inlet east of Sealers Island.

Robert Howe Collection.



Floating the Tatshenshini and Alsek rivers began in the 1970s. By 1985, when this photo was taken, hundreds of people made the trip annually. Photo by Ted Handwerk, seasonal ranger at Dry Bay.

GLBA Collection, photo X-355-3.



Mike Tollefson, shown here in a June 1986 shot with his wife Judy, served as Glacier Bay's superintendent from 1983 through 1987. Photo taken by NPS seasonal interpreter Rosemarie Salazar.

Salazar Collection.



Marvin Jensen (center) served as Glacier Bay's superintendent from 1988 through 1994. Shown with Jensen in this September 1994 photo, taken aboard the Serac, are regional office employees Ruth Poff (standing), Teri Hudgins, and Tom Ferranti.

Marvin Jensen Collection.

resources.<sup>31</sup>

While some scientists at the symposium voiced concern that their needs would be inordinately hindered by such proposals as that to close Muir Inlet to motorized access, a consensus emerged that the interests of science in Glacier Bay were aligned with conservative wilderness management. Some scientists went so far as to consider it incumbent upon themselves to contribute something to wilderness preservation through their research.

Immediately after the symposium, park officials and several scientists gave their support to a proposal by the Friends of Glacier Bay for the establishment of a Science Advisory Board. This had been advocated by the Friends for some time. The board's functions were to review research proposals, evaluate research needs, and identify and prioritize areas of research within the park. The Friends of Glacier Bay took the lead in organizing the board, which initially comprised seven members.<sup>32</sup> Five years after its inception, the Science Board reduced its membership from seven to three, representing the physical, biological, and social sciences, with the park superintendent and the president of Friends of Glacier Bay participating as ex-officio, non-voting members. It urged improved communications between the NPS and the board, and suggested that all research proposals, including those by the NPS, be sent to the board for review and comment. It recommended further that all project investigators submit annual reports to the board to help it coordinate concurrent research projects.<sup>33</sup>

In 1988, the Glacier Bay Science Board and Friends of Glacier Bay organized the Second Glacier Bay Science Symposium. The second symposium was more wide-ranging than the first, and included an overview of ongoing research on the ecology of the brown bears of Admiralty Island and other Admiralty Island studies. The participants agreed that a third symposium, scheduled for 1993, should be broadened further to include regional and ethnocultural topics.

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<sup>31</sup>Gary Vequist, "Scientific Use of Glacier Bay," in A Century After Muir: The Scientific Adventure, Proceedings of the First Glacier Bay Science Symposium, September 23-26, 1983 (Atlanta, Georgia: Department of the Interior, National Park Service, Science Publications Office, 1984), p.52.

<sup>32</sup>Friends of Glacier Bay newsletter, November 3, 1983, GLBA, administrative files, file A18 Friends of Glacier Bay.

<sup>33</sup>A.M. Milner and J.D. Wood, Jr., eds., Proceedings of the Second Glacier Bay Science Symposium, September 19-22, 1988, Glacier Bay Lodge, Alaska (Atlanta, Georgia: Department of the Interior, National Park Service, Science Publications Office), p.165.

## Biosphere Reserve

Ever since the national park idea spread to other nations, and particularly since the formation of the United Nations after World War II, there has been an international dimension to the NPS mission. Secretary of the Interior Stewart Udall, in a keynote address to the First World Conference on National Parks held in Seattle in 1962, likened national parks to "nature islands for the world" in a latter-day Great Flood. The Old Testament's Noah, he reminded his international audience, had constructed an ark large enough to provide protection and survival for all animal species. "Today the threatened flood has a different guise, but its threat is just as real. If we, too, move in time to take protective action, the conservation leaders of this generation may well become the Noahs of the 20th century."<sup>34</sup> In the thirty years since the First World Conference on National Parks, the international scope of the Park Service mission has increasingly emphasized the preservation of global biodiversity. The development of economic incentives mainly in the form of the tourist industry is one major component of this international effort, particularly among developing nations. The coordination of scientific research in order to maximize limited resources is another. It is this latter effort that has given Glacier Bay National Park and Preserve a measure of international significance in the past decade.

In 1986, the United Nations Educational, Scientific and Cultural Organization (UNESCO) established the Glacier Bay-Admiralty Island Biosphere Reserve as part of its International Man and the Biosphere (MAB) program. Founded in 1970, MAB's overall objectives are first, to develop the basis within the natural and social sciences for the rational use and conservation of the biosphere; and second, to improve the relationships between man and the biosphere. MAB emphasizes the need for interdisciplinary studies and coordination of diverse national and international research, conservation, and training programs. One of MAB's fourteen projects, Project 8, concerns the International Network of Biosphere Reserves.

Project 8 developed in response to international concern over the accelerating rate of extinctions of plant and animal species which was occurring principally through the loss of whole ecosystems. Project 8 has three main objectives:

1. Establish an international network of representative protected ecosystems

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<sup>34</sup>Stewart L. Udall, "Nature Islands for the World," in First World Conference on National Parks, ed. Alexander B. Adams (Washington, D.C., 1963), p.7.

for the conservation of biological diversity (gene "pools").

2. Conduct basic ecosystem research to understand their structure and function.
3. Increase public awareness and support for such conservation activities through education.

Thus the biosphere reserve program lays more stress on research than most other conservation programs. In particular, it emphasizes research on an ecosystem level. This calls for a high degree of coordination and continuity between research projects. The program is intended to facilitate research that will make a contribution both to "the theoretical and practical aspects of conservation and natural resources management."<sup>35</sup> The establishment of the Glacier Bay-Admiralty Island Biosphere Reserve has had an energizing effect on Glacier Bay science. The UNESCO designation assists scientists in obtaining research grants, and it has lent further significance to the Glacier Bay Science Board and helped solidify its partnership role in the management of science in the park.

Six years after enactment of ANILCA, the Park Service began to redefine its mission in Alaska in terms of protecting biodiversity as well as wilderness in the fragile far north. Alaska national parklands not only preserved portions of one of the last great wilderness regions of the world; the Alaskan parks also could be a kind of barometer for measuring such things as the effects of global warming and ocean pollution on the earth's biosphere. Once again the scales were tilting toward a biocentric approach to resource management. The idea was not quite new: Robert Weeden had made this plea for Alaskan wilderness in Alaska: Promises to Keep (1978), as had William E. Brown in This Last Treasure: Alaska National Parklands (1982). Only now, however, did the NPS begin to provide funding for the kind of scientific research program that this mission required.

The problem was that staffing increases in the region in the years following enactment of ANILCA, while impressive, had not been adequate to deal with the huge land area that was added to the system, coupled with the complicated resource management problems that had sprung from subsistence, sport hunting, motorized access,

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<sup>35</sup>Robert Stottlemyer, "Managing a Biosphere Reserve: Incurred Responsibilities," in Proceedings of the Second Glacier Bay Science Symposium, September 12-22, 1988, Glacier Bay Lodge, Alaska (Atlanta, Georgia: Department of the Interior, National Park Service, Science Publications Office, 1989), p.156-160, UNESCO quoted on p.157.

and other peculiar features of the Alaska region. Low visitation to Alaska national parks meant relatively small budgets. The Alaska region administered 23 units covering 55 million acres, or 69 percent of the total area in the national park system--with a mere 3 percent of the agency's annual budget in 1986. Whereas Yellowstone had about one scientist per 148,000 acres, and Olympic and Glacier National Parks each had about one scientist per 100,000 acres, the Alaska region had one resource management specialist per 4,000,000 acres and only three research biologists for the entire region.<sup>36</sup>

In 1987, the Alaska region launched a comprehensive science initiative to lay a sound foundation for informed management of Alaska's national parklands "to a degree unparalleled in NPS history." Over the next ten years, the science initiative would bring budget and staffing levels for ecological research in the Alaska region up to par with the other nine regions in the national park system. Given the relatively small visitation to Alaska parks, this would entail a far greater proportion of funds and positions devoted to natural and cultural resource management in Alaska than in any other region.<sup>37</sup>

Relative to the Glacier Bay-Admiralty Island Biosphere Reserve, the NPS science initiative promised to aid materially in Project 8's overarching goal of ecosystem-level research. The program proposal cited the effects of commercial fishing and crabbing on the Glacier Bay marine environment as a primary concern in that park, together with protection of humpback whales, including changes in prey abundance and the effects of boats upon whales. In 1989-90, Glacier Bay National Park received its first complement of new staff scientists under the plan with the hiring of research scientist Jim Taggart and resource management specialist Mark Schroeder.<sup>38</sup>

Speaking at the Second Glacier Bay Science Symposium in 1988, Dr. Robert Stottlemeyer of Michigan Technological University said that the most important responsibility that the NPS has incurred by MAB's designation of the Glacier Bay-Admiralty Island Biosphere Reserve is to support Project 8's commitment to long-term, ecological research (LTER) and long-term ecosystem-level monitoring (LTEM). "At present," said Stottlemeyer, "the NPS considerably underestimates the magnitude and complexity of issues challenging the integrity of the natural resources within the National

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<sup>36</sup>A Proposal for a Comprehensive Science Program in the Alaska Region, December 1987, ARO, administrative files, file A6019.

<sup>37</sup>Ibid.

<sup>38</sup>A Proposal for a Comprehensive Science Program in the Alaska Region, December 1987, ARO, administrative files, file A6019; Superintendent's Annual Reports, 1989, 1990, GLBA, administrative files, file A2621.



Park System. It must quickly engage in a formal long-term ecological monitoring and research program with priority placed on the biosphere reserves."<sup>39</sup> As the NPS takes on this challenge in the new century, the LTER/LTEM program in Glacier Bay National Park and Preserve will be an important indicator of its success.

### World Heritage Site

In January 1990, a Canadian mineral development company, Geddes Resources Ltd., presented the Canadian government with a five-volume project proposal to develop a giant, open-pit copper mine on its Windy Craggy claim near the mouth of the Tatshenshini River in British Columbia. The project would require seventy miles of new road construction through pristine, de facto wilderness and critical wildlife habitat, including an important bald eagle range. Large ore trucks would leave the mine every fifteen to twenty minutes, seven days a week, year round. Of particular importance to Glacier Bay National Park and Preserve was Geddes's proposal to dispose of waste rock from the open pit on the Tatshenshini Glacier and to dump tailings into a manmade lake. Both of these actions would potentially leach sulphuric acid into the Tatshenshini River, with potentially lethal effects for plants and fishes.<sup>40</sup>

The Windy Craggy project alternately looked like an inevitability and an impossibility. The original proposal met with an outpouring of public concern and opposition from environmental groups, and was rejected by the Canadian government in July 1990, mainly because of its inadequate provisions for mine drainage. But Geddes already had a large investment in it and revised the plan for mine waste disposal in an addendum submitted at the end of 1990. With supporters describing the Windy Craggy project as a potential multi-billion dollar industry, it seemed likely to go forward.

Then in December 1990, the International Union for Conservation of Nature and Natural Resources (IUCN), prompted by this mining threat, passed a resolution recommending that the governments of the United States and Canada consider nominating Glacier Bay National Park and Preserve and the bordering area in British Columbia for inclusion in the existing St.Elias-Wrangell-Kluane National Park World

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<sup>39</sup>Stottlemyer, "Managing a Biosphere Reserve: Incurred Responsibilities," p.159.

<sup>40</sup>Boyd Evison to James M. Ridenour, October 22, 1990, ARO, administrative files, file L3023 Mining and Minerals GLBA; "Canadian Mine Poses Threat to Glacier Bay," *National Parks* (September/October 1990), pp.12-13; Kevin Apgar interview with author, tape recording, April 8, 1992, Rasmuson Library, University of Alaska Fairbanks.

Heritage Site. The Department of the Interior moved quickly to prepare a world heritage nomination, and NPS director James M. Ridenour urged the Canadian Parks Service to do the same. Ridenour reminded his Canadian counterpart that the United States and Canada had been the first member nations to submit a binational nomination, resulting in the joint recognition of Wrangell-St. Elias National Park and Preserve and Kluane National Park as a world heritage site.<sup>41</sup>

The Department of the Interior submitted the United States nomination of Glacier Bay to the IUCN on September 25, 1991. The nomination noted environmental threats to the area posed by the patented mineral claims on the Brady Icefield, ten native allotment claims inside the park, the existence of commercial fishing in Glacier Bay, and the proposed Windy Craggy mine--"the foremost external threat...[which] could irreversibly alter water quality in the Tatshenshini/Alsek river system, disrupt riparian ecosystems, and impact fisheries, migratory bird populations, and recreational values in the United States and Canada." This language was subsequently softened in a substitute paragraph sent to the IUCN five weeks later.<sup>42</sup> Meanwhile, the New Democratic Party won a surprising victory in British Columbia's parliamentary election in 1991. Interpreting its victory as a mandate for stronger environmental protections, the new government was looking for a way to nix the Windy Craggy project and promised to give full consideration to comments during the environmental assessment and review process.

The Park Service was designated the lead agency within the U.S. Department of the Interior for consolidating agency comments on the project. Park staff took several groups of VIPs down the Tatshenshini-Alsek River. Regional Director Boyd Evison stressed to director Ridenour that the Windy Craggy project "is of major importance to the Alaska Region," and named a staffer in the Washington office whom he wanted to represent the Alaska Region of the Park Service at meetings with the Canadian government.<sup>43</sup>

In the spring of 1992, resolutions were introduced in the House and Senate which called on the State Department to negotiate with Canada for the protection of the Tatshenshini-Alsek watershed. The resolution, combined with the pending world

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<sup>41</sup>James Ridenour to Aimee Lefebvre-Anglin, August 13, 1991, GLBA, copy provided to the author by Bruce Paige.

<sup>42</sup>Knut Knudson, Jr. to Bernd von Droste, September 25, 1991 and October 31, 1991, with enclosures, GLBA, copies provided to the author by Bruce Paige.

<sup>43</sup>Boyd Evison to James M. Ridenour, October 22, 1990, ARO, administrative files, Folder L3023 Mining and Minerals GLBA; Apgar, interview.

heritage site nomination, was effective in focusing international attention on the mining proposal.<sup>44</sup>

In July 1992, the IUCN's Jim Thorsell made a field visit to Glacier Bay and recommended to the IUCN that Glacier Bay be added to the World Heritage List as part of the existing Wrangell-St.Elias-Kluane site. Thorsell's report recommended that the IUCN urge the Canadian and United States governments to nominate the Haines Triangle and the Yakutat forelands respectively as further additions. These additions would make the area the world's third largest terrestrial protected area. The size of this world heritage site was expected to provide an impetus for bioregional or ecosystem management of the entire property.<sup>45</sup>

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<sup>44</sup>Anchorage Daily News, April 3, 1992.

<sup>45</sup>World Heritage Nomination - IUCN Technical Evaluation, p.147-150, GLBA, copy provided to the author by Bruce Paige. In 1993, the government of British Columbia proclaimed the so-called Haines Triangle area between Kluane National Park and Glacier Bay National Park and Preserve a provincial park.



## CHAPTER XIV

### COMMERCIAL FISHING

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In recent years the problem of commercial fishing has loomed over other management issues in Glacier Bay National Park and Preserve. It has been the foremost concern of Superintendent Marvin Jensen almost since his coming to the park early in 1988. Superintendent Tollefson twice referred to it as an "underlying" or "unresolved" issue in the mid-1980s. In one sense, this issue is rooted in the wilderness protections set out in ANILCA and the temporary humpback whale regulations promulgated in that same year (1980). In another sense, it was an incipient problem from the time the monument was created.

More than most administrative issues in the history of this park, NPS management of commercial fishing has been buffeted and pushed along by new laws, legal disputes, and regulations which addressed the issue only peripherally or on a Service-wide basis and were not necessarily sensitive to local conditions. It has been the task of superintendents Chapman, Tollefson, and especially Jensen to mediate between this legal and regulatory framework on the one hand and local interests on the other.

#### Historical Development of the Commercial Fishery

The commercial fishery in Glacier Bay was old but never very big. The Bartlett Bay Packing Company built the only cannery in Glacier Bay in Bartlett Cove in 1890, reportedly packed 4,300 cases, and suspended operations a year later when icebergs clogged the cove. A cannery in Dundas Bay, built in 1900, changed hands three times and closed in 1931. Two canneries were located in Excursion Inlet; one closed in 1935 and the other burned in 1948.<sup>1</sup> Two fish traps were located in monument waters in Icy Strait off Point Dundas and Point Gustavus, a crab fishery developed in Dundas and Glacier bays in the 1940s, and commercial fishing for halibut began probably about the same time, while the earliest report of shrimp fishing in Glacier Bay was in 1952.<sup>2</sup> All four types of fishing--salmon, halibut, crab, and shrimp--remained at low levels in Glacier

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<sup>1</sup>Alaska Department of Fisheries and Alaska Fisheries Board, Annual Report, 1949, p.33.

<sup>2</sup>Oscar T. Dick to Ben C. Miller, November 28, 1952, NAPSR, RG 79, Western Region, Central Classified Files, box 292, file 207.

and Dundas bays into the 1970s, although king and Dungeness crab could be overharvested by as few as three or four boats operating in the monument in a given year.<sup>3</sup>

Harvesting of crab and halibut in Glacier Bay intensified in the early 1980s. Most of the people who fished in Glacier Bay appeared to be local residents--a large percentage of them newcomers to the region--who lived in Gustavus, Hoonah, Elfin Cove, Pelican, and other nearby communities. Many of them would later insist, in workshops and at public hearings conducted by the Park Service, that they fished in Glacier Bay because they enjoyed the setting, not because the harvests were particularly good. But some fishermen undoubtedly came from farther away, looking for new fishing grounds as a result of growing pressure on the whole southeast Alaska fishery. They had to cope with a shorter and shorter halibut fishing season, which the International Halibut Commission had had to reduce from 128 days in 1975 to just five days in 1982. On opening day in 1982 some fifty halibut longliners could be seen in Glacier Bay, and the following year an estimated one hundred vessels pulled approximately 300,000 to 400,000 pounds of halibut from bay waters. Meanwhile, a record number of crab pot fishermen entered the bay in search of Dungeness and tanner crab, mostly during the intervening winter.<sup>4</sup>

While the Glacier Bay fishery remained relatively small with the exception of the short, intense halibut season, salmon trolling on the outer coast within the three-mile limit was a big, long-established industry. In the mid-1960s, during one trip to the outer coast aboard Nunatak, NPS officials counted fifty fishing boats in Lituya Bay, and estimated that 175 to 185 vessels were fishing in monument waters between Cape Spencer and Sea Otter Creek.<sup>5</sup> While its harvest estimates were admittedly sketchy, the ADF&G claimed that the total value of all fisheries in the park between 1986 and 1989 amounted to more than \$14,000,000, most of which came from the outer coast.<sup>6</sup>

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<sup>3</sup>Annual Fishery Resources Report, 1965, GLBA, administrative files, file N2621d Annual Aquatic Resources Reports.

<sup>4</sup>Annual Aquatic Resources Report 1983, January 12, 1983, GLBA, administrative files, file N2621d; James R. Mackovjak, "Commercial Halibut Fishery at Glacier Bay National Park and Preserve," in Proceedings of the First Glacier Bay Science Symposium, Glacier Bay National Park and Preserve, September 23-26, 1983, (Atlanta, Georgia: Department of the Interior, National Park Service, Science Publications Office, 1984), p.53.

<sup>5</sup>Annual Fishery Resources Report, 1965, GLBA, administrative files, file N2621d Annual Aquatic Resources Report.

<sup>6</sup>Alaska Fisherman's Journal, June 1991, p.31.

## Evolution of an NPS Fisheries Policy

The Park Service was slow to develop a fisheries policy. The longstanding policy of wildlife protection did not extend to fishes, which were traditionally viewed as a resource for sport fishermen more than an integral component of the natural ecosystem. Indeed, in many parks the NPS stocked backcountry lakes and streams with exotic species, and gave little consideration to the agency's goal of preserving natural conditions as it applied to aquatic environments. How to manage the national park system's few saltwater areas received even less attention than that given to freshwater habitats.<sup>7</sup>

The earliest discussion of a fisheries policy for Glacier Bay National Monument was probably the recommendation by Victor H. Cahalane, chief of the Wild Life Division, in February 1941, to amend Park Service regulations so as to allow commercial trolling for salmon in Glacier Bay according to a new rulemaking by the Fish and Wildlife Service. NPS policy toward commercial fishing in saltwater areas, Cahalane thought, was to allow it "when such fishing does not endanger sport fishing."<sup>8</sup> The special regulation for Glacier Bay was adopted March 26, 1941. A month later, Director Newton B. Drury acknowledged receipt of the FWS's new general regulations for Alaska fisheries and noted that "all waters of Glacier Bay National Monument navigable to small boats are open to commercial fishing."<sup>9</sup> This included the crab fishery that started in 1942.<sup>10</sup>

NPS officials occasionally expressed qualms about commercial fishing in the monument, particularly the taking of king crabs--"the big crabs are worth more as a spectacle for visitors as they hurry over the shallow bottom when you paddle through the coves late in the afternoons and at twilight," one official urged--but the predominant view was that it would continue indefinitely. Secretary of the Interior Udall assured a Juneau

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<sup>7</sup>"Director Conrad L. Wirth Announces New Fishery Policy for National Parks," American Forests (August 1954): p.40; Ise, Our National Park Policy, p.602.

<sup>8</sup>Victor H. Cahalane to A.E. Demaray, February 4, 1941, NA, RG 79, Central Classified Files, box 2228, file 208-06.

<sup>9</sup>Newton B. Drury to Director, Fish and Wildlife Service, April 29, 1941, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 208.

<sup>10</sup>The king crab industry in Alaska began as a consequence of World War II, which eliminated imports of crabmeat from Japan. "Quest for Crab," Business Week, June 19, 1943, p.68.

audience in 1965, "There is no reason why you can't have commercial fishing going on," and in various proposals for a park bill at that time special provisions were included to allow fishing.<sup>11</sup>

In 1978, the Department of the Interior commissioned an ad hoc task force of fisheries management and research specialists of the NPS and the FWS to review and evaluate the fisheries policies of the NPS. The task force's central finding, as set out in its report to the secretary on April 4, 1979, was that NPS fisheries policy should be revised in order to protect the "natural functioning of aquatic ecosystems." Specifically, the task force viewed commercial fishing as a non-conforming use of resources in national parks and monuments, and recommended phasing out commercial fishing throughout the national park system except where this activity had historical or cultural significance.<sup>12</sup> On February 25, 1980, the NPS published in the Federal Register a notice of availability of the task force's report and a request for comments.

A few months later, in the early summer of 1980, Superintendent Chapman brought this prospective change of NPS policy toward commercial fishing in Glacier Bay to the attention of local fishermen. The timing of this initiative was unfortunate, given the anxieties then surrounding the humpback whale situation and the polarization of views that the NPS was reacting to developments either too precipitously or too late. Lacking the skill of his predecessors in picking his battles, Chapman chose the occasion of an address to the Tlingit-Haida Sealaska Corporation to drop this bombshell. The corporation's vice president, Robert Loescher, pursued the matter with Chapman afterwards. Chapman's reply to Loescher was evasive:

The main point which has been surfacing in the recent past is not a desire to close out anything, but the realization that with the rapid increase in visitor use of the area there must be an application of policies and planning processes which did not have to be put into effect when use was very light.<sup>13</sup>

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<sup>11</sup>Lowell Sumner to Regional Director, no date, NAPSR, RG 79, Western Region, Central Classified Files, box 293, file 208; Press Conference, August 1, 1965, Transcript in NAAR, RG 79, 79-91-0001, box 3/9, file GLBA Administrative History 1938-1970; Edward A. Hummel to Director, October 20, 1965, NAPSR, RG 79, 79-90-0001, box 5/11, file Boundary Adjustments L1417 (Glacier Bay National Monument).

<sup>12</sup>U.S. Fish and Wildlife Service Task Force on Fish Resources of the National Park Service to Assistant Secretary for Fish and Wildlife and Parks, April 4, 1979, GLBA, copy provided to the author by Bruce Paige.

<sup>13</sup>Robert W. Loescher to John Chapman, June 23, 1980 and John F. Chapman to Robert W. Loescher, July 8, 1980, ARO, administrative files, file A3815.



Loescher later claimed that he put the question to Secretary of the Interior Cecil D. Andrus at a signing ceremony for ANILCA in December 1980: would any national park areas in Alaska be closed to commercial fishing? The secretary replied, before a gathering of some three hundred people, that nothing would be closed.<sup>14</sup>

Alaska fishermen were not the only group that objected to a phase-out of commercial fishing; it was clear that the proposed system-wide policy change would be a complex and contentious one to implement. Moreover, during that winter of 1980-81 the incoming Reagan administration was making it known that it interpreted the election of 1980 as a mandate for opening national interest lands to more, not less, economic exploitation. NPS director Russell E. Dickenson decided that the problem required further study, this time by an in-Service task force which would aim for "the widest possible airing of views" by state fish and game commissions, commercial fisheries interests, and other concerned groups and individuals.<sup>15</sup>

If Dickenson's intent was to facilitate a more consensus-based approach to this issue, local developments in Glacier Bay hindered such a course. This was because the commercial fishing interests interpreted the temporary regulations for whale protection, which the NPS published in the Federal Register on December 29, 1980, and which included a ban on commercial fishing of four species of fish in Glacier Bay (notably shrimp) that were considered to be whale prey, as a shot across the bow in the forthcoming effort to close the bay to all forms of commercial fishing. Congressman Don Young inquired why there had been no economic analysis preceding the rulemaking and objected to the Park Service's unsubstantiated assertion in the Federal Register that trawling "is a fishing method that disrupts feed beds."<sup>16</sup> To this, Regional Director John Cook replied that the NPS had "deliberately tried to avoid addressing the commercial fishing issue at this time through the Whales and the Endangered Species Act." Only two shrimp fishermen would be directly affected by the regulation. The ban on trawling, Cook argued, would if anything work to the advantage of halibut and crab fishermen who used long lines and crab pots to catch these bottom-dwelling species.<sup>17</sup>

While the whale regulations caused some friction between the NPS and local fishermen, NPS efforts to prohibit commercial fishing in wilderness waters caused the

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<sup>14</sup>Alaska Fisherman's Journal, volume 6, no.6 (June 1983), p.16.

<sup>15</sup>Russell E. Dickenson to Don Young, February 9, 1981, GLBA, active files, file N1625 1981 correspondence.

<sup>16</sup>Don Young to John Cook, January 12, 1981, GLBA, active files, file N1625 1981 correspondence.

<sup>17</sup>John E. Cook to Don Young, January 28, 1981, GLBA, active files, file N1625 1981 correspondence.

most uproar. ANILCA placed four areas of Glacier Bay plus the upper end of Dundas Bay within the boundaries of the new Glacier Bay Wilderness Area. The commercial fishing interests contended that the allowances contained in ANILCA for motorized access and traditional uses in wilderness covered fishing vessels; the NPS held that the law's provisions applied only to recreational uses. In a controversial opinion issued on May 5, 1982, Interior Department Solicitor J. Roy Spradley, Jr., interpreted ANILCA to mean that pleasure boats could enter wilderness waters but fishing vessels could not. Spradley based this on the prohibition of non-recreational commercial uses of wilderness contained in the Wilderness Act of 1964.<sup>18</sup>

The intended closure of wilderness waters to commercial fishing boats soon embroiled the NPS in a controversy with the state of Alaska over the longstanding dispute concerning jurisdiction of the marine areas in the park. In 1982-83, solicitors for the Department of the Interior and the Alaska Attorney General's Office dueled with one another over this issue. Spradley's opinion of May 5, 1982, implied that the United States owned title to the submerged lands in the park and that the NPS had authority to regulate commercial fishing in the park's waters; an opinion issued by the state on October 18, 1982, held that ownership of the submerged lands had transferred to the state under the Alaska Statehood Act; then another Interior Department solicitor's opinion on November 29, 1982, refuted this claim; and still another opinion prepared by the state attorney's office on May 11, 1983, set out the state's "options."<sup>19</sup>

ANILCA required the NPS to generate general management plans (GMPs) for all units of the national park system in Alaska. Like the wilderness recommendations required by the Wilderness Act of 1964, the GMP would go through a public hearing and review process before being submitted to Congress. NPS officials welcomed this process as an effective means of staking out the agency's position on a range of management issues. As a part of this process, the NPS developed regulations that would close wilderness waters in Glacier Bay National Park to all forms of commercial fishing and prohibit trawling throughout Glacier Bay. The proposed rulemaking was published in the Federal Register on April 6, 1983, and presented with a draft of the GMP at a public

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<sup>18</sup>Don Young to James G. Watt, January 25, 1982, and Associate Solicitor, Conservation and Wildlife to Director, National Park Service, May 5, 1982, NAAR, RG 79, 79-91-0001, box 7/9, file GLBA Commercial Activities; National Park Service.

<sup>19</sup>Associate Solicitor (Parks and Recreation) to Regional Director, November 29, 1982, GLBA, active files, file jurisdiction; Joseph W. Geldhof to John Katz, May 11, 1983, GLBA, copy provided to the author by Bruce Paige.

hearing in Juneau two weeks later.<sup>20</sup>

Fishermen attending the meeting in Juneau expressed anger and dismay. In regard to commercial fishing in wilderness waters, the Park Service had a good legal argument backed by a solicitor's opinion, but it struck the fishermen as unjust. They interpreted the proposed rulemaking, like the temporary whale regulations of December 29, 1980, as a devious effort by the NPS to thin the amount of vessel traffic in the bay. They pointed out the irony that the regulations permitted pleasure craft to infiltrate the wilderness during the busiest months of the year, yet prevented fishing vessels from entering these areas in the dead of winter. They accepted neither that fishes were a park resource nor that commercial fishing clashed with the purposes of the Wilderness Act. As local residents, they thought the Park Service was being discriminatory to ban their vessels from wilderness waters when wealthy sport fishermen could go into those same areas aboard chartered cabin cruisers.<sup>21</sup>

NPS officials in the Washington office, meanwhile, quietly dumped the proposed regulation. The decision may have been influenced by Congressman Young, who had objected earlier to the ban on trawlers included in the temporary whale regulations and who now introduced a bill that would allow commercial fishing in wilderness waters in Glacier Bay National Park. "Young's action is part of a larger game plan for Alaska," a writer for National Parks commented. "People close to the problem say that 'virtually every Alaska issue is a piece of trading stock,' part of a strategy for chipping away at the protections afforded by ANILCA."<sup>22</sup> Although Young's bill never went before the full Congress for a vote, it was an effective ploy. This was not the last time that Alaska's congressman and senators used the threat of legislation in order to change NPS policy. In any case, no explanation for the administration's decision to forego the proposed rulemaking was ever offered to the park staff. As the park's GMP finally emerged from this process, it stated that the NPS would allow commercial fishing in wilderness waters to continue pending the promulgation of regulations. As for trawling, the GMP blandly

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<sup>20</sup>Superintendent's Annual Report, 1983, ARO, administrative files, file A2621; Federal Register, vol.48, no.67, April 6, 1983, p.14978-14982. The proposed regulation also prohibited airplane and snowmobile access to beaches on the outer coast and seaplane access to several lakes within the wilderness area.

<sup>21</sup>Alaska Fisherman's Journal, volume 6, no.6 (June 1983), p.16.

<sup>22</sup>"Stirring Up Trouble at Glacier Bay," National Parks (May/June 1983), p.38; "Glacier Bay fishing bill introduced," Alaska Fisherman's Journal, vol.6 (March 1983), p.15.

observed that there was "a potential for developing interests in trawling and other forms of bottom fishing." Conspicuously absent from the GMP was the statement contained in the proposed regulation that "trawling is a fishing method which disrupts feed beds and changes the contour of the bottom of the bay, thus causing serious resource damage to the park."<sup>23</sup>

During the winter of 1983-84, NPS officials negotiated with representatives of the state government, the park concessionaire, commercial fishermen, and environmentalists in devising a new agreement on wilderness waters. The chief elements of the plan were: 1) to phase out all motorized vessels in wilderness waters, and 2) to eliminate the Beardslee Islands, Hugh Miller Inlet, and the northern arms of Dundas Bay from the wilderness area while including Muir and Wachusett inlets. Alaska's congressional delegation indicated it would introduce a bill if all parties in the negotiations agreed to the plan. Friends of Glacier Bay played a lead role in bringing the Southeast Alaska Conservation Council on board; both groups' memberships comprised a significant number of fishermen whose ties to environmentalists had been forged in battles over timber, not fisheries, and who now threatened to bolt the negotiations. SEACC finally endorsed the plan, but Robert Giersdorf of Glacier Bay Lodge, Inc. dropped out of the process early in 1984.<sup>24</sup>

If these negotiations failed to produce a consensus and a special bill, they nevertheless formed the basis for the Park Service's wilderness recommendation, which ANILCA required the President to submit to Congress for each unit of the national park system in Alaska. The recommendation was included in a final draft of the GMP and sent to the regional office, which forwarded the document to the Washington office for final approval. As soon as the GMP was approved in September 1985, park planners turned to drafting an environmental impact statement on the wilderness recommendation. Due to inadequate funding support, this was not ready for public review until 1988.<sup>25</sup>

The wilderness review process defined the debate over commercial fishing in terms of which bays and inlets commercial fishing would be disallowed in. In considering

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<sup>23</sup>Department of the Interior, National Park Service, Glacier Bay National Park and Preserve, Glacier Bay National Park and Preserve, Alaska: General Management Plan (1984), p.53; Federal Register, vol.48, no.67 (April 6, 1983): p.14980.

<sup>24</sup>Friends of Glacier Bay update, March 1984, GLBA, administrative files, file A18 Friends of Glacier Bay.

<sup>25</sup>William P. Horn to William Penn Mott, Jr., September 30, 1986, GLBA, administrative files, file D18 Environmental Impact Statement; Apgar, interview.



An NPS employee speaks with an elderly, nearly blind Hoonah fisherman in front of the recently-opened Glacier Bay Lodge in this July 1966 photo.

Robert Howe Collection, photo GB 263.



Commercial fishing has long been a controversial aspect of Glacier Bay management. This photo, taken in June 1985, shows a beach-anchored set net at Dry Bay.

Ted Handwerk photo, GLBA Collection, photo X-468.



Fish processing operation at Dry Bay, July 1979.

Don Chase photo, GLBA Collection, photo X-474.

various alternative configurations of wilderness and nonwilderness waters, commercial fishermen were concerned less with total acreages, which were relatively small compared to the rest of the park's marine area, than they were with the value of the different bays and inlets as fisheries. There was a lot of money at stake. The Beardslee Islands and Dundas Bay were good crabbing areas, and Hugh Miller Inlet was a choice area for catching halibut. In a sample year, an estimated \$132,000 in Dungeness crab, \$55,000 in halibut, and \$35,000 in salmon came from wilderness waters. This represented more than a fourth of the total Dungeness crab harvest in the park, and smaller portions of the total halibut and salmon catches.<sup>26</sup> Moreover, many fishermen regarded the debate over fishing in wilderness waters as a test of their resolve not to be closed out of the park altogether.

Ironically, the close attention given to wilderness waters in Glacier Bay diverted attention away from the ongoing review of commercial fishing in all areas of the national park system (and hence all of Glacier Bay). After the joint NPS-FWS task force had made its report in March 1979, and NPS director Dickenson had ordered an in-Service follow-up study in 1980, the deliberation over commercial fishing was soon folded into a larger process of regulatory review that the NPS had undertaken in response to the Redwood National Park Act of 1978. That act amended the National Parks Act of 1916 in part as follows:

The authorization of activities shall be construed and the protection, management, and administration of [NPS areas] shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress.<sup>27</sup>

New system-wide regulations that the NPS promulgated on June 30, 1983, in response to the Redwood National Park Act, prohibited commercial fishing "except where specifically authorized by Federal statutory law."<sup>28</sup> NPS officials in Alaska subsequently maintained that they had failed to comment on this regulation because an earlier draft of the

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<sup>26</sup>Department of the Interior, National Park Service, Draft Environmental Impact Statement Wilderness Recommendation, Glacier Bay National Park and Preserve, Alaska (1988), p.85.

<sup>27</sup>92 Stat. 166.

<sup>28</sup>48 FR 30252 (June 30, 1983).

regulations had referred to commercial fishing in freshwater--not saltwater, too, as the regulation in its final form implied. Consequently the regulation went through the normal public response period without ever reaching a public forum in the one state where it most mattered.<sup>29</sup>

The park staff had first learned of this new regulation as it proceeded to draft permanent whale regulations in the summer of 1983. The NPS had no desire at this time to attempt to implement the new regulation in Glacier Bay; as Department solicitor Roy Spradley Jr., noted, "Extension of that prohibition to GBNP would be extremely controversial and could generate litigation." In Spradley's opinion, the regulation did not in fact apply to Glacier Bay. He pointed to the regulation's preamble which stated that the activity was not allowed "unless authorized by Federal statutory law or regulation." Spradley went on to interpret the temporary whale regulations for Glacier Bay of December 29, 1980 as just such an authorization. "Although those provisions do not expressly authorize commercial fishing," concluded Spradley, "they indicate that NPS sanctions that activity."<sup>30</sup> If this solicitor's opinion somewhat strained credulity, it was nevertheless exactly what the NPS needed to keep the humpback whale issue discrete from the fishery issue as it whisked the permanent whale regulations through the public review process in 1983-84. Spradley's opinion also formed the basis for proceeding with wilderness recommendations that assumed that commercial fishing would continue in non-wilderness waters inside the park.

In time, however, NPS officials grew more and more skeptical about the legality of commercial fishing in Glacier Bay under the Redwood National Park Act of 1978 and the Service-wide regulations of 1983 that addressed the act. To reverse course--to assert that the reasoning in the Spradley opinion was flawed, that the NPS had never authorized commercial fishing in Glacier Bay, and that the NPS was constrained by the Redwood National Park Act to phase it out--would incur definite political costs. It would contradict the park's GMP, which stated that a commercial fishery existed and would be allowed to continue in the park. And it would undermine the wilderness recommendations (now complete and awaiting an environmental impact statement) inasmuch as the value of each inlet to commercial fishing interests had weighed heavily in determining how the wilderness boundaries should be redrawn.

If Superintendent Tollefson had doubts about the park's position, he did not

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<sup>29</sup>Jensen, interview.

<sup>30</sup>Roy Spradley, Jr. to Deputy Under Secretary, August 12, 1983, GLBA, active files, file N1625 1983 correspondence. Emphasis in original.



advertise them. He did emphasize--consistent with the GMP--that commercial fishing in wilderness waters continued to be an unresolved issue.<sup>31</sup> Chief Ranger David Spirtes thought that commercial fishing in the park was unauthorized and illegal, however. Spirtes brought the vexing 1983 regulation to Superintendent Marvin Jensen's attention a few months after Jensen's arrival. Jensen was incredulous when he read the regulation, thinking that the NPS policy to phase out commercial fishing in all areas where it was not authorized by law was clear on its face.<sup>32</sup> This view has since been supported by an informal memorandum prepared by Interior Department Solicitor Ruth Ann Story in August 1989.<sup>33</sup>

### Toward a Prohibition of Commercial Fishing

What was behind the Park Service's change of position in the mid to late 1980s? A change of superintendents in the winter of 1987-88 gave this change clear definition, but other forces were at work too. There was a growing sense that the commercial fishery was out of control, that it had grown too big, that what had once added perhaps a touch of local color to the scene had become an eyesore. Although the whale regulations placed a limit of twenty-five vessels in Glacier Bay on any day between June 1 and August 31, entry limitations on fishing vessels had not been enforced. On opening day of the halibut season, it was not uncommon to see 100 fishing vessels streaming into the bay. Each vessel trailed fishing lines, marking buoys, and occasional releases of garbage or fish carcasses behind it.<sup>34</sup> The burble of a fishing boat's engine might be the only noise to break the stillness in an inlet where backcountry users might be seeking solitude.

There was also the clear mandate to manage the park for its scientific values, strengthened further by the area's designation in 1986 as a Biosphere Reserve. The effects of commercial fishing on the marine ecology of Glacier Bay were inadequately documented. Neither the ADF&G nor the NPS had demonstrated that existing harvest

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<sup>31</sup>Semiannual Report to Congress, 1985 and 1986, GLBA, administrative files, file A2619.

<sup>32</sup>Jensen, interview.

<sup>33</sup>Summary of GLBA Fishing Management Alternatives, January 12, 1990, GLBA, active files, file N1625 1990 briefing statements.

<sup>34</sup>Executive Summary--Commercial Fishing, no date, GLBA, active files, file N1625 1990 briefing statements.

pressure was causing no long-term alterations to natural conditions in the park. Indeed, as far back as 1979 the NPS-FWS task force had presumed just the opposite--that this consumptive use of natural resources contradicted the NPS's mission to preserve natural conditions. In addition, park managers expressed concern about the effects of so many motorized vessels around sensitive habitat areas such as seal pupping grounds and sea bird nesting colonies.<sup>35</sup>

Perhaps the most important reason--although hardest to document--is that the Reagan administration's systematic effort to emasculate ANILCA's environmental protections through underfunding left the NPS with insufficient means, manpower, and political will to deal effectively with more than one contentious issue at a time in Glacier Bay.<sup>36</sup> Moreover, with Alaska's congressional delegation openly hostile to the NPS, park superintendents and other NPS officials who transferred to the Alaska region quickly learned that they faced closer congressional scrutiny there than in any other region of the nation.<sup>37</sup> With so much effort and political capital expended on humpback whale protection, NPS officials had to approach the commercial fishing issue gingerly. They could not afford to antagonize the cruise ship industry and the fishermen's lobby both at once. Superintendent Chapman failed to adapt to these circumstances and embroiled himself in one controversy after another until he was finally ousted. Superintendent Tollefson was more adept at marshaling his resources to attain limited goals, but in doing so he left the commercial fishing issue unaddressed. In 1988, when Superintendent Jensen weighed the Park Service's options on this issue and finally decided upon a reversal of Tollefson's policy, he had that latitude thanks in part to the legacy of Tollefson's smooth touch with the various political entities that impinged on park administration.

Marvin Jensen, a native Utahan, began his career in resource management with the BLM, overseeing land use permits on the Colorado Plateau for stockraising, archeological digs, western movie sets, and, increasingly, recreational uses. Through his specialization in whitewater river trip management in the early 1970s, Jensen eventually saw his way into the Park Service with an assignment in Grand Canyon National Park, managing whitewater rafting on the Colorado River. From 1981 to 1987 he served as management assistant at Sequoia National Park, then applied for the superintendent

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<sup>35</sup>Ibid.

<sup>36</sup>T.H. Watkins, "The Perils of Expedience," *Wilderness* vol.54, no.191 (Winter 1990), p.52-53.

<sup>37</sup>Jensen, interview.

position at three Alaska parks and was appointed to Kenai Fjords. When Michael Tollefson moved to the regional office in Seattle three months later, Regional Director Boyd Evison tapped Jensen for the job at Glacier Bay.

Jensen wrestled with the commercial fishing issue during the first half of 1988, while the NPS completed the wilderness recommendation EIS and presented it for a public hearing in July. After perusing the many responses that came in afterward--several expressing frustration and bafflement--Jensen carefully articulated a new direction on this issue in a letter to the regional director:

The proposals forwarded to Congress must consider the long term of wilderness and therefore be carefully developed. One of the primary reasons that the existing wilderness recommendation proposes deletions is the presence of commercial fishing in the Bay in designated wilderness waters and in waters that are proposed for such designation. As you are acutely aware and as we have discussed, commercial fishing is prohibited in all of the waters of the Park even though the NPS has to date chosen to not enforce the prohibition. I believe that we must operate on the premise that the long term direction of this agency will be to ultimately eliminate commercial fishing, and therefore, the recommendations we make for wilderness should not be compromised by commercial fishing. In the short term, I believe we should find a reasonable way to allow those who are currently commercially fishing the waters of Glacier Bay be allowed to continue, but for only for a definite specified period of time and that no new fishing or fishermen should be allowed to start.<sup>38</sup>

In this statement, Jensen laid out three guiding principles for his subsequent management of the commercial fishing issue: 1) forthright acknowledgement that the existing policy contained unacceptable legal inconsistencies, 2) a search for a comprehensive solution--the eventual elimination of commercial fishing from the park, and 3) a preference for a phased termination.

Regarding the wilderness recommendations, Jensen urged no less than nine modifications to the favored alternative. This was tantamount to a rejection of all four alternatives including the "no action" alternative and an admission that the process had been disrupted by the Park Service's change of position on commercial fishing. While it

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<sup>38</sup>Marvin Jensen to Boyd Evison, November 8, 1988, GLBA, administrative files, file D18 Environmental Impact Statement.

was regrettable from the NPS point of view that this would likely delay the wilderness designation, Jensen and his superiors all found this preferable to making a flawed recommendation. Jensen's comments were reproduced almost verbatim in the wilderness recommendations for Glacier Bay that Director William Penn Mott, Jr. submitted to the assistant secretary of fish and wildlife and parks on December 20, 1988.<sup>39</sup> Four years later, these wilderness recommendations had not yet been acted upon.

With the muddled wilderness recommendation now behind him, Jensen thought it was time to "get into the commercial fishing issue on a parkwide basis." Initially, Jensen had in mind at least three separate initiatives--to terminate commercial fishing in wilderness waters as soon as possible, to phase it out slowly in the non-wilderness portion of Glacier Bay so as to lessen the economic hardship for local fishermen, and to consider still another management approach for the three-mile-wide strip of ocean off the outer coast and those portions of Cross Sound and Icy Strait that were within the park boundaries.<sup>40</sup>

By mid-1989, however, Jensen was thinking in terms of eliminating commercial fishing from all park waters. Two factors appear to have influenced him. First, he received numerous indications during the first half of 1989 that the NPS would face endless political difficulties if it tried to develop and implement a fine-grained management approach to the various kinds, localities, and levels of harvesting in the park. The Natives of Hoonah actively began to pursue subsistence fishing rights in the park, an important development that will be discussed at length in the next chapter. Local non-Native fishermen--residents of Gustavus, Hoonah, Elfin Cove, and Pelican for the most part--demonstrated considerable savvy in presenting their use of Glacier Bay as traditional and environmentally benign.<sup>41</sup> Longtime Gustavus resident Gregory P. Streveler, who returned to the Glacier Bay staff for one year in 1989, laid out his thoughts for the superintendent on "small-scale" and "local/traditional" commercial fishing uses that could be maintained far enough below the maximum sustainable yield as to have no appreciable effect on the ecosystem. Streveler referred to the "moral right that some groups have to consideration in management of this place." He presented a

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<sup>39</sup>William Penn Mott, Jr. to Assistant Secretary of Fish and Wildlife and Parks, December 20, 1988, GLBA, administrative files, file D18 Environmental Impact Statement.

<sup>40</sup>Marvin Jensen to Boyd Evison, November 8, 1988, GLBA, administrative files, file D18 Environmental Impact Statement.

<sup>41</sup>See for example Rosemary Enderle (Chairman, Citizens of Elfin Cove) to Boyd Evison, March 23, 1990, GLBA, active files, file N1625 1990 correspondence.

hierarchy of species and hydrographic characteristics that could be taken into account in developing more or less self-imposed limits on the fishery.<sup>42</sup> The problem with this approach for management was that if any regulations could be devised (it was not clear whether the NPS or the ADF&G would be responsible for this) they would be so riddled with exceptions, qualifications, and assumptions as to invite confusion, hassles, abuses, and litigation.

The second factor that seems to have influenced the superintendent's thinking was his assessment of Glacier Bay National Park's stature as "potentially...the premier marine sanctuary and natural laboratory in the nation, where fisheries managers could find relatively undisturbed conditions for comparison with disturbed ecosystems." An executive summary on the commercial fishing issue dated July 12, 1989, stated, "Glacier Bay National Park is world renowned for its wilderness character and the opportunity for scientific study of ecosystem processes....[The outer coast] areas are as important as Glacier Bay for marine sanctuary, scientific investigation, and a wilderness setting."<sup>43</sup> Thus Jensen rejected the idea of treating the park waters located outside Glacier Bay any differently from the bay itself.

Early in 1990, a park employee alerted Gustavus and Hoonah residents to the Park Service's changing position toward commercial fishing in the park, and these citizens contacted the governor's Citizens Advisory Commission on Federal Areas (CACFA) with a request to investigate what the NPS was planning to do. CACFA officials asked superintendent Jensen to address the subject at one of their regular meetings. In March, CACFA co-sponsored meetings with the NPS where the NPS would explain the situation and answer questions for citizens of Juneau, Gustavus, Hoonah, Pelican, and Yakutat. At these meetings, Jensen and regional director Evison explained the Park Service's plan to issue regulations that would commit the park to a research program on the environmental effects of commercial fishing in park waters before the NPS would prohibit commercial fishing in the park.<sup>44</sup>

The NPS made public a proposed ruling on commercial fishing in Glacier Bay National Park on July 1, 1990. The regulation would prohibit commercial fishing in designated wilderness waters. It would allow commercial fishing in the non-wilderness waters of the park until December 31, 1997. The purpose of this seven-year interim was

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<sup>42</sup>Gregory P. Streveler, "Thoughts on Consumptive Use of Glacier Bay NP," March 8, 1989, GLBA, active files, file N1625 1989 correspondence.

<sup>43</sup>Briefing statement, July 12, 1989, GLBA, active files, file N1625 Correspondence 1989.

<sup>44</sup>Superintendent's Annual Report, 1990, GLBA, administrative files, file A2621.

to allow commercial fishermen adequate time "to amortize their equipment and/or adjust their operations to areas outside of park boundaries" and, further, to give NPS scientists time to study the effects of commercial fishing on the ecosystem. "In the event that data from such studies assuredly indicate that certain levels and/or types of commercial fish can compatibly coexist with conserving park resources in an unimpaired state," the announcement in the Federal Register read, "then the NPS may consider regulatory adjustments to allow for closely monitored commercial fisheries to continue at prescribed levels beyond the presently proposed interim allowance period." This ruling was promulgated on May 1, 1991.<sup>45</sup> Recent developments in this unfolding situation are discussed in the conclusion.

### The Dry Bay Fishery

One hundred air miles northwest of Gustavus and bordering the Tongass National Forest lies the 55,000-acre Glacier Bay National Preserve, established by ANILCA in 1980. Consisting mostly of forested plain and coastal beach, with the Deception Hills rising on its southern and eastern edges where it borders the national park, the preserve was included in Glacier Bay National Park and Preserve principally to allow the Park Service jurisdiction over the lower section of the Alsek River, whose meandering course from Alsek Lake to the Dry Bay estuary on the Gulf of Alaska forms the boundary between the preserve and Tongass National Forest. Congress decided to designate the area a preserve in order to allow a continuation of sport hunting there. In addition, ANILCA authorized the continuation of commercial fishing in the area. These activities were deemed vital to the economic well-being of Yakutat, a predominantly Native village located on the Gulf of Alaska, as well as to the several dozen white fishermen who lived in the area three to four months each summer.

Commercial fishing in the preserve was concentrated on the East River, with a smaller amount on the Dry Bay estuary and on the Alsek River. Most fishermen used set nets, which they would anchor to the river bank alongside a back eddy where the swirling current served the dual purpose of luring salmon and holding the net part way out in the channel. When a number of salmon were hooked in the net by their gills, the fishermen came along in their boats to pick them off one by one. There was a local fish buyer and processing plant at Dry Bay. Fishermen commonly transported the day's catch to the plant in a trailer hitched to an all-terrain vehicle, driving over some of the thirty

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<sup>45</sup>Federal Register, vol.56, no.150 (August 5, 1991): p.37262-37265.

to forty miles of dirt tracks in the preserve.<sup>46</sup>

Native and white fishermen formed two separate communities in the preserve. The Natives commuted by boat or charter plane from their homes in Yakutat, generally leaving their families in the village to minimize travel costs and going to the Dry Bay area for the few days of fishing per week allowed by state fishing regulations. The whites came mostly from Seattle and lived at Dry Bay for three or four months each summer, often accompanied by their families. The Native community mostly lived in tents, while the whites lived either in permanent cabins or portable, plywood shelters. The white fishermen tended to bring more supplies and equipment and require more living space since they were farther from home.<sup>47</sup>

After passage of ANILCA, the state of Alaska maintained control over the fishery by issuing a limited number of commercial fishing permits and establishing seasons and days of the week when gillnets could be set, while the Park Service assumed what had formerly been the Forest Service's responsibility to regulate land use in the preserve by issuing permits for cabins and campsites. In 1981-82, the Park Service and the Alaska Department of Fish and Game's subsistence division made a joint study of all the resource uses in the area, including commercial fishing, subsistence fishing, hunting, gathering, and sport hunting, all of which would continue under ANILCA. For its part, the Park Service contracted with New York anthropologist George Gmelch, who spent the summer of 1981 living among the residents of Dry Bay.<sup>48</sup>

Even as superintendent John Chapman was getting this project under way, the commercial fishery was rapidly expanding, contrary to the purposes of ANILCA. On a four-day inspection of the preserve in 1981, Chapman ascertained that at least one cabin had been built during the past year, while the number of temporary camps had mushroomed from approximately twenty to sixty since Congress had designated the preserve. ANILCA's Section 205 required the secretary of the interior not to interfere with access or accommodations connected with authorized commercial fisheries such as the one at Dry Bay, except in the case of "significant expansion." Chapman determined that the best way to address what constituted "significant expansion" was through the

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<sup>46</sup>George Gmelch, "Resource Use in Glacier Bay National Preserve," file report, GLBA, library collection, 1982, p.59; Terry Johnson, "Yakutat Setnetters Value Their Lifestyle," National Fisherman (January 1988): pp.5-8.

<sup>47</sup>George Gmelch, "Caught in the Middle," Natural History vol. vol.99, no.9 (September 1990), pp.32-37.

<sup>48</sup>Kathryn Routsy Cohen to Ken Schoenberg, August 20, 1982, GLBA, administrative files, file A4415 Cooperative Agreements--General.

general management plan and public hearing process.<sup>49</sup> Consequently, the Park Service established that any growth beyond twenty-five percent of 1979 levels was "significant" and therefore disallowed. Its index for land use would be the number of "fish camps" (cabins and outbuildings) permitted, these being the most visible "footprint" upon the land.<sup>50</sup>

Competition intensified for the limited number of fish camp permits. After holding public meetings in Yakutat and at Dry Bay to determine the most equitable way to handle the competition, especially between Natives and whites, the Park Service held lotteries in 1985 and 1986 for three special-use permits to construct new fish camps. This completed the allowable expansion under the GMP.<sup>51</sup>

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<sup>49</sup>John Chapman to Dan Huff, September 20, 1981, GLBA, administrative files, file D18 General Management Plan File I.

<sup>50</sup>Department of the Interior, National Park Service, Glacier Bay National Park and Preserve, General Management Plan, Glacier Bay National Park and Preserve (1984), pp.71-72.

<sup>51</sup>Robert Peterson to Ted Stevens, September 10, 1985, ARO, administrative files, file L30 ANILCA Commercial Fishing; Semiannual Report to Congress, 1986, GLBA, administrative files, file A2619 Reports--Semiannual. The Park Service also considered a proposal in 1983 to build a second fish processing plant at Dry Bay, drafted an environmental assessment, and decided against it a year later.



## CHAPTER XV

### SUBSISTENCE FISHING

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With commercial fishermen claiming moral rights in the park and Alaska politicians endeavoring to entrench the fishing industry in park waters, it was only a matter of time until people pointed out the strange state of affairs that existed when the NPS tolerated the extraction of millions of dollars of fish for commercial use yet prohibited subsistence harvests of those same resources by the Natives of Hoonah.

Beginning in the winter of 1988-89, when the State of Alaska Board of Fisheries issued subsistence and personal-use permits to Native residents of Hoonah for marine areas within the park, the debate over the Glacier Bay fishery became more tangled, divisive, and emotionally charged than before. NPS officials were hesitant to enforce the park's ban on subsistence use, or to rule out the possibility that such use could be compatible with the park's purposes; yet they remained adamant that the law as it stood did not allow subsistence. Conservation groups were split over the issue, the Wilderness Society and the Sierra Club taking a strong position against subsistence and the Southeast Alaska Conservation Council vigorously supporting it.

By diverting attention to the longstanding jurisdictional dispute between the state of Alaska and the NPS over ownership of the marine areas of the park, the subsistence issue threw a monkey wrench in the Park Service's drive to eliminate commercial fishing in the park. When the subsistence issue was injected into the debate in the spring of 1989, many people suspected that the state was using it to reopen the question of jurisdiction--that the state of Alaska and commercial fishing interests were playing politics with the Tlingits as the Tlingits began sparring once more with the NPS.<sup>1</sup> Certainly in the short term the subsistence issue worked to the commercial fishermen's advantage and energized local non-Native fishing communities to seek legal protections for a "traditional" commercial fishery in Glacier Bay. However, this does not deny the fact that the Natives were working quite wittingly for their own interests in this process.

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<sup>1</sup>Watkins, "The Perils of Expedience," p.54; Bart Koehler to Marvin Jensen, June 28, 1989, GLBA, administrative files, file A18 Southeast Alaska Conservation Council.

### Subsistence, ANILCA, and Glacier Bay

Park Service officials maintained, with justifiable assurance, that ANILCA does not allow subsistence use in Glacier Bay National Park. (It does allow it in all preserves established under the act, including Glacier Bay National Preserve.) Proponents of subsistence use in the park argued their case in a number of ways. They questioned NPS jurisdiction over Glacier Bay, alleged that the legislative history of ANILCA shows that Congress intended to allow subsistence uses in the park, and contended that the evolution of subsistence policy since ANILCA points to a need for statutory or regulatory reform. In light of the recent debate, a brief history of the subsistence provisions in ANILCA is relevant to Glacier Bay National Park, even though the law now excludes that use from the park.

The idea that Native subsistence required federal protection sprang, as we have seen, from the Alaska Native Claim Settlement Act of 1971 (ANCSA). Congress recognized that the 40,000,000 acres that ANCSA apportioned to Alaska Natives would not be sufficient to provide for the subsistence needs of some 50,000 people (a considerable majority of the total Native population) who harvested wild foods for their livelihood. Congress expected the secretary of the interior and the state of Alaska to ensure Natives' continued use of the public lands, including most, if not all, of the D-2 lands. At the same time, Alaska's prodigious population growth placed increasing pressure on the state's wildlife populations and habitat. Most of the human population growth stemmed from the oil boom and non-Native immigration into the urban centers; however, an exceedingly high birth rate in village Alaska was producing rapid population growth in the rural areas, too. Thus federal subsistence protection was not only a matter of establishing some form of privileged access to public lands for subsistence users, but also a problem of protecting subsistence resources from overharvest--both by urban-based sport hunters and by rural-based subsistence users themselves.

The Joint Federal-State Land Use Planning Commission, a ten-member body created by ANCSA to make preliminary recommendations on the enormous land withdrawals made under Section 17 (d) (2) of the act, was the first group to examine this problem directly. In the course of numerous hearings held in Native villages in 1972-73, the commission learned first-hand that subsistence ranged across a broad spectrum of activities from direct use of the resource by the family of the provider to some commercial activities and the taking of resources as a part of the individual's cultural heritage. Moved by the "often eloquent testimony" of the Natives, the commission reported to Congress in 1974 that subsistence was "deeper than physical need. The

Native particularly feels these activities are integral to his culture."<sup>2</sup>

Natives made another important contribution to the emerging legal provisions for subsistence with A Report on Subsistence and the Conservation of the Yupik Lifestyle (1975), produced by Yupiktak Bista, a non-profit organization of the Yupik Eskimos of the Kuskokwim-Yukon delta region. According to the report, the mistake of past federal policy was to equate subsistence with welfare and poverty--concepts that were alien to the indigenous people. Alaska Natives were faced with three alternatives. They could attempt to return to their old ways (not really possible or desirable), they could move steadily away from their culture until they had completely adopted Western culture (possible, perhaps, but no more desirable), or they could find a balance between the two worlds. The report blistered the federal government for consistently formulating policies based solely on the second alternative--on the assumption that Natives were on the path to complete assimilation. "Does it have to be one or the other?" Yupiktak Bista demanded. "Does one way of life have to die, so that another can live?"<sup>3</sup>

As this dialogue continued through the 1970s, it became apparent to Natives and conservationists alike that land-use planning in Alaska required some different models, drawn in some cases from other regions of the world. Alaska Natives looked increasingly to Canadian and Scandinavian land-use patterns, where arctic and subarctic indigenous peoples maintained more or less local social and economic patterns that revolved around fur trapping, fishing, or reindeer herding. These patterns co-existed with the modern capitalist order in a form of "economic dualism." The cultural integrity of such societies could be protected, it was argued, by carefully calibrating the central government's social and economic development programs to serve these mixed economies.<sup>4</sup> The establishment of local and regional subsistence boards--of a locally implemented program for regulating the subsistence sector of rural Alaska's mixed economy--was based on concepts imported from the international arena.

Similarly, conservationists looked to precedents in Africa, South America, and Australasia as they fashioned new ways of accommodating national parks and indigenous

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<sup>2</sup>Congress, House Committee on Interior and Insular Affairs, Land Planning and Policy in Alaska Recommendations Concerning National Interest Lands, report prepared by the Joint Federal State Land Use Planning Commission for Alaska, 93rd Cong., 2d sess., 1974, Committee Print, p.12.

<sup>3</sup>Yupiktak Bista, A Report on Subsistence and the Conservation of the Yupik Life-style (Yupiktak Bista, 1974), p.6.

<sup>4</sup>Ottar Brox, "'Conservation' and 'Destruction' of Traditional Culture," in Circumpolar Problems: Habitat, Economy, and Social Relations in the Arctic, edited by Gosta Berg (Oxford, 1973), p.41.

peoples. An important influence on the development of a subsistence policy during the 1970s, according to Celia Hunter, an Alaskan wilderness advocate and member of the Joint Federal-State Land Use Planning Commission, was the writings of Raymond F. Dasmann.<sup>5</sup> A senior ecologist on the faculty of the International Union for Conservation of Nature and Natural Resources in Switzerland, Dasmann strongly favored the view that global environmental problems demanded local problem solving. He postulated that human societies can be divided into two categories, with some societies in transition from one category to the other. These two categories he called "ecosystem people" and "biosphere people."<sup>6</sup> The former embraces all of the members of indigenous traditional cultures, while the latter includes everyone who is tied in with the global technological civilization. Ecosystem people live within one or perhaps two or three closely related ecosystems. They have to live simply within the carrying capacity of their own ecosystem, or face the consequences of drawing down their own limited resources. Biosphere people have access to the resources of the entire biosphere. Biosphere people can exploit the resources of one ecosystem to the point of causing great devastation--something that would be impossible or unthinkable for people who were dependent upon that particular ecosystem. Conversely, biosphere people can afford to create national parks in which, according to the traditional model, nature is set apart from human consumptive uses. In most of the world today, Dasmann observed, areas that biosphere people see as potential national parklands are the very lands still inhabited by ecosystem people. Dasmann cited examples--in Africa and South America--where biosphere people had created national parks and forceably removed the ecosystem people, at great cost to the people affected.

It was Dasmann's view that this must not continue. "National parks must not serve as a means for displacing the members of traditional societies who have always cared for the land and its biota," he wrote. "Nor can national parks survive as islands surrounded by hostile people who have lost the land that was once their home. Parks cannot survive in a natural state if they are surrounded by lands that are degraded or devastated by failure to obey the simplest ecological rules." Dasmann suggested that the proper direction for new national parks was toward what he called a "future primitive"--toward the creation of natural landscapes that include human societies which are

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<sup>5</sup>Fairbanks Daily News Miner, August 9, 1990.

<sup>6</sup>Raymond Dasmann, "Toward a Dynamic Balance of Man and Nature," The Ecologist, vol.6, no.1 (January 1976): p.3.

permanent, sustainable, and embody nature conservation as a matter of course.<sup>7</sup>

Putting these ideas into practice required much trial and error. It had to be acknowledged at the outset that "ecosystem people" in Alaska were already linked to global technological society at least to some degree. However the subsistence way of life was defined, it would not, strictly speaking, be contained within one or two ecosystems. The "future primitive," as the term suggested, would be some kind of blending of the traditional and the modern. Still, what did "permanent" mean in light of ongoing cultural change? How would new technologies be assimilated? What did "sustainable" mean in light of human population growth? Would increased harvests or expanded use areas be allowable? How would "ecosystem people" and "biosphere people" be defined under the law?

Within the Department of the Interior, NPS personnel took the lead in developing legislation and policy. Of all the conservation agencies, the NPS was most experienced in interpreting Native American culture and, as the Wilderness Society's Michael McCloskey noted, the proposed Alaskan parks afforded an opportunity for the NPS to "weave it into the fabric of a number of units."<sup>8</sup> Between 1975 and about 1978, two NPS officials assigned to the Alaska Task Force, Robert Belous and T. Stell Newman, developed a series of position papers covering these issues.<sup>9</sup> In addition, anthropologists Richard K. Nelson and Kathleen H. Mautner and NPS ranger Ray Bane made a detailed analysis of subsistence use in the proposed Gates of the Arctic National Park, while the NPS made a number of smaller studies of subsistence use on other proposed parklands.<sup>10</sup> Through this work the NPS was in a position to shape the subsistence provisions in the Carter administration's version of the Alaska Lands Bill in 1977.

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<sup>7</sup>Raymond F. Dasmann, "National Parks, Nature Conservation, and 'Future Primitive,'" The Ecologist, vol.6, no.5 (June 1976): pp.164-167, quotation on p.166.

<sup>8</sup>U.S. Congress, Senate, Committee on Energy and Natural Resources, Hearings on Alaska Natural Resource Issues, 95th Cong. 1st sess., June 17 and 20, 1977, p.137.

<sup>9</sup>T.Stell Newman, "Subsistence Policy Issues," November 18, 1975, Robert Belous and T. Stell Newman, "Draft Policy Guidelines: Subsistence Uses of New National Park Service Areas in Alaska," April 12, 1977, "Policy Guidelines for Subsistence Use of Natural Resources on Proposed National Wildlife Refuges and National Parks in Alaska," July 5, 1977, and "Title VII--Subsistence," December 7, 1977, NAAR, RG 79, 79-88-0005, box 8/22, file L3035 subsistence.

<sup>10</sup>Richard K. Nelson, Kathleen H. Mautner, and G. Ray Bane, Tracks in the Wildland: A Portrayal of Koyukon and Nunamiut Subsistence, University of Alaska Fairbanks Press, 1982; "Summary of Original Research on Subsistence Issue," anonymous memorandum, no date, NAAR, RG 79, 79-88-0005, box 8/22, file S86 subsistence (general correspondence) L3035.

Research on subsistence was conducted by other groups, too, including Friends of the Earth, the Alaska Department of Fish & Game, the Arctic Slope Regional Association, and most importantly, the House and Senate subcommittees which conducted hearings in Alaska in April and August 1977 respectively. While the Interior Department and Congress focused on national legislation, the state of Alaska enacted its own subsistence law in 1978. Absent the threat of a federal subsistence law, Alaskans probably would not have passed a subsistence law; as it was, state lawmakers had an important role in influencing the subsistence provisions of ANILCA. Believing that state regulation of subsistence would be preferable to a federal law that white Alaskans resented, Alaska Natives lobbied strenuously for this state legislation.

In broad outline, the main difference that emerged between the Carter administration and Congress over subsistence was whether it was to be predominantly Native with an emphasis on culture and ethnic heritage, or non-racial and defined more loosely in terms of an Alaskan lifestyle. Congress began with the assumption that it would be predominantly Native, and moved steadily toward the administration's position. This also coincided with the state of Alaska's position, which successfully redefined the subsistence user chiefly in terms of rural residency rather than ethnic origin. In the long run, the most important link between federal Indian policy and ANILCA's subsistence provisions was the elaborate system of local and regional subsistence boards and an overall Subsistence Resources Council that the act endorsed. The boards were to advise state fish and game managers on who was eligible and what level of harvests the resources could sustain. The purpose of the boards was not only to tap the local peoples' wealth of knowledge of natural resources, but also to provide a layer of insulation for the "ecosystem people" from the intrusiveness of the regulatory state.<sup>11</sup>

Congress did not completely purge the Alaska Lands bill of ethnic distinctions, however. In Section 801 of ANILCA, Congress declared that

the continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Natives and non-Natives, on the public lands and by Alaska Natives on Native lands is essential to Native physical, economic, traditional, and cultural existence and to non-Native physical, economic,

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<sup>11</sup>"Title VII--Subsistence," (anonymous memorandum), December 7, 1977, NAAR, RG 79, 79-88-0005, box 8/22, file L3035 subsistence; Mark Trautwein, "Alaska Lands Bill Nears House Floor," March 29, 1978, Lloyd Meeds Papers, UW, MS 2900-7, box 8, file Alaska lands.

traditional, and social existence.<sup>12</sup>

By distinguishing between Native cultural existence and non-Native social existence, Congress kept Native subsistence on a distinct basis. The precise legal significance of this has been debated. It appears to indicate, at a minimum, affirmation of the commitment to Native subsistence contained in ANCSA. Whether the wording implies a trust responsibility, as some have contended, is doubtful. When a Native of Togiak, Alaska suggested, during a House subcommittee hearing, that Congress indeed had such a responsibility, Congressman Lloyd Meeds (who was an expert on ANCSA) squelched the idea:

I must in all candor tell you there is no fiduciary relationship or trust responsibility on the part of the Federal or State Government to preserve your subsistence way of life. It's not a fiduciary relationship. It may be a policy. Indeed it is. The policy is written right into ANCSA.<sup>13</sup>

Recently, Sealaska Corporation has asserted that ANILCA's subsistence provisions imply special Native privileges. The corporation's attorneys have alleged that ANILCA does not prohibit subsistence fishing in Glacier Bay National Park, even though it does not expressly authorize it either.<sup>14</sup>

While in recent years Hoonah Tlingits have become keenly interested in recovering access to Glacier Bay for subsistence uses, they were not outspoken on the issue during the D-2 process in the 1970s. Pete Azure, president of the Sitka Community Council, spoke for the people of Hoonah when he told a House subcommittee hearing in Sitka on July 5, 1977: "We ask the subsistence privileges for the people of Hoonah and

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<sup>12</sup>94 Stat. 2422.

<sup>13</sup>U.S. Congress, House, Committee on Interior and Insular Affairs, Subcommittee on General Oversight and Alaska Lands, Hearings on Inclusion of Alaska Lands Part 13, 95th Cong, 1st sess., August 9, 1977, p.45.

<sup>14</sup>Edward K. Thomas to Ted Stevens, September 1, 1988, GLBA, active files, file subsistence. See also the interpretation of ANILCA in Birch, Horton, Bittner & Cherot to James M. Ridenour, May 22, 1991, GLBA, active files, file commercial fishing/subsistence. According to the report of the Alaska Native Review Commission (1985), ANILCA's reference to cultural existence marked a departure from the assimilationist thrust of ANCSA and a return to the federal tradition of protecting Native subsistence rights. But stronger legislation is required "if subsistence is to remain a permanent feature of Native life and culture." Berger, Village Journey p.64.

Glacier Bay which were recently revoked, be restored and guaranteed."<sup>15</sup> This statement appears to have been the only direct mention of subsistence use of Glacier Bay National Monument during the hearings. For the Tlingits generally, the looming issue in the D-2 process was not Glacier Bay but the Tongass National Forest: how much would be designated as wilderness, where would the lines be drawn, and how would it affect the Tlingits' job base and subsistence?

Tlingits and conservationists agreed on the need to slow timber cutting on the Tongass National Forest; subsistence protection and wilderness values coincided better in this land management context than they did in the marine environment of Glacier Bay. The partnership was strained, however. Tlingit-Haida Central Council president John Borbridge, Jr. accused the Department of Agriculture of balancing wilderness acreages and timber jobs on the basis of anticipated timber cutting on Native-owned lands. ANCSA, Borbridge said, had not mandated that Sealaska Corporation use its lands for timber harvests, nor had it expected Native corporations to create replacement jobs for jobs that were lost to wilderness preservation. In effect, Borbridge argued, the Department of Agriculture was trying to concentrate logging activity in southeast Alaska on the Native-owned lands around the Native villages--the very lands that Tlingits used most heavily for subsistence.<sup>16</sup>

It was this conflict--between timber harvesting on the one hand and conservation of fish and wildlife habitat on the other--that prompted the ADF&G to undertake six community subsistence use studies in southeast Alaska in the mid-1980s, ending with a study of Hoonah. The study of Hoonah encompassed subsistence uses on Chichagof and Yakobi islands and the Chilkat Peninsula, mostly in Tongass National Forest, as well as subsistence uses of the mainland north of Icy Strait in Glacier Bay National Park and all the waters in between. The study involved survey interviews with 70 of Hoonah's 280 households in May and June 1986.<sup>17</sup> Later that year, the local subsistence board in Hoonah proposed that the State of Alaska Board of Fisheries issue subsistence use

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<sup>15</sup>U.S. Congress, House, Committee on Interior and Insular Affairs, Subcommittee on General Oversight and Alaska Lands, Hearings on Inclusion of Alaska Lands Part 8, 95th Cong., 1st sess., July 5, 1977, p.44.

<sup>16</sup>John Borbridge, Jr. to Secretary of Agriculture, March 13, 1978, UW, Lloyd Meeds Papers, MS 2900-7, box 8, file Alaska lands.

<sup>17</sup>Schroeder and Kookesh, Subsistence Harvest and Use of Fish and Wildlife Resources and the Effects of Forest Management in Hoonah, Alaska, p.14.



permits for Glacier Bay.<sup>18</sup> Whether the local subsistence board was encouraged to take this action by state officials is unclear. In any case, it was apparent that the recent interest in reopening Glacier Bay to subsistence uses was a direct result of growing pressures on the Hoonah Tlingits' subsistence resource base--from logging, commercial fishermen, and human population growth combined. This situation did not bode well for re-establishing human consumptive uses in the park on a strictly sustainable "future primitive" basis, and NPS officials were understandably wary.

### A Renewed Interest in Glacier Bay

In 1987, the NPS joined the village of Hoonah, Sealaska Heritage Foundation, and Glacier Bay Lodge, Inc. in sponsoring the carving of two traditional Tlingit sea otter canoes as a bicentennial celebration of the U.S. Constitution. Skilled artisans carved the first canoe that summer at Bartlett Cove, and the second canoe the following summer in Hoonah, both projects providing "living history" demonstrations over a span of weeks at their respective locations. The canoes were formally dedicated amid traditional singing, dancing, and speeches by village elders. One canoe went on permanent display near the dock at Bartlett Cove, the other at Hoonah High School.<sup>19</sup>

The canoe project demonstrated increasing sensitivity by the NPS to the local Tlingit heritage. What influence, if any, the canoe project had in fostering a renewed interest in subsistence use of Glacier Bay among the people of Hoonah is unclear, although the canoe project did happen to be sandwiched between two proposals by the local subsistence board--the first unsuccessful and the second successful--for the State of Alaska Board of Fisheries to open Glacier Bay to local subsistence use.

Superintendent Tollefson was prepared to oppose Native subsistence use of Glacier Bay when it was first proposed to the State of Alaska Board of Fisheries in 1986. The proposal raised two legal problems: ANILCA (Sections 203 and 816a) does not authorize subsistence harvests of fish, wildlife, and plant resources in Glacier Bay National Park, and the proposal's reference to "state waters" in Glacier Bay contradicted the federal government's claim of ownership. Title to the submerged lands and the supervening water column had remained in the United States after the enactment of the

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<sup>18</sup>Resource Manager to Superintendent, November 3, 1986, GLBA, active files, file N1625 1986 correspondence.

<sup>19</sup>Superintendent's Narrative Annual Report 1987 and 1988, ARO, administrative files, file A2621.

Submerged Lands Act of 1953, which generally ceded ownership of such lands to the states. NPS officials insisted that this title had not passed to the state of Alaska under the Alaska Statehood Act of 1958, as state officials claimed.<sup>20</sup> As it turned out, the Board of Fisheries did not approve the local subsistence board's proposal when it came up for review in January 1987.

Members of the Hoonah Indian Association and the Huna Totem Corporation raised the issue again with reference to the Park Service's environmental impact statement on its wilderness recommendations in September 1988. The EIS made no mention of impacts of wilderness on subsistence use, even though the ban on motorized vessels in wilderness waters would inhibit subsistence use of those waters as well as the land areas surrounding them. Tlingits wanted the NPS to include maps and harvest data in the EIS to reflect existing subsistence use--information that was readily available from the ADF&G's study. Further, they wanted the NPS to consult with clan members in Hoonah about the cultural significance of Glacier Bay to their people, as was required under the American Indian Religious Freedom Act and the Indian Self-Determination and Education Assistance Act. They argued that ANILCA's commitment to Native "cultural existence" (Section 801) reinforced this imperative.<sup>21</sup>

On October 27, the village of Hoonah hosted a public meeting on the EIS. Forty-seven residents of Hoonah attended, as well as chief ranger David Spirtes from the park, Clarence Summers from the regional office's subsistence division, Greg Streveler representing Friends of Glacier Bay, and Southeast Alaska Conservation Council (SEACC) attorney Steve Kallick. Following a potluck featuring native foods, more than twenty Tlingits commented on the EIS, subsistence, and their feelings about the national park generally. Spirtes and Summers responded by explaining that the EIS was narrowly focused on the wilderness recommendation. Afterwards, Spirtes suggested some possible actions to Superintendent Jensen, such as recognizing the Hoonah Tlingits' historical ties to Glacier Bay, exempting them from the vessel permit system under the whale regulations--since they were insulted by the requirement of asking permission to enter Glacier Bay--and allowing them to gill net sockeye. Spirtes opposed making any concession on egg collecting or hunting in the park.<sup>22</sup>

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<sup>20</sup>Resource Manager to Superintendent, November 3, 1986, GLBA, active files, file N1625 1986 correspondence.

<sup>21</sup>Edward K. Thomas to Ted Stevens, September 1, 1988, GLBA, active files, file subsistence. (Facsimile dated September 7, 1988.)

<sup>22</sup>David Spirtes to Marv Jensen, no date, GLBA, active files, file subsistence.

Meanwhile, Acting Regional Director Richard J. Stenmark responded to the Tlingits' demands in a letter to Senator Ted Stevens--five months after receiving a fax of a September 1 letter from the Tlingit-Haida Central Council to Stevens. "There appears to be a belief that all of the Tlingit interests in Glacier Bay should have been addressed in the wilderness EIS and considered and resolved in any wilderness recommendation," Stenmark wrote. "Clearly, the Tlingits are asserting their interests in opening Glacier Bay National Park to subsistence uses." Stenmark reviewed the relevant sections of ANILCA that indicate subsistence use in Glacier Bay National Park is not authorized. Since the Park Service did not recognize subsistence as a legal use of the park, he informed the senator, it saw no reason to include subsistence data in the EIS.<sup>23</sup>

In March 1989, a month after Stenmark had explained the Park Service's firm position against subsistence use of Glacier Bay, the State of Alaska Board of Fisheries determined that the people of Hoonah were entitled to catch salmon in Glacier Bay National Park according to their "customary and traditional use." It also authorized "personal use" fishing in all of southeast Alaska including Glacier Bay. Later, ADF&G commissioner Don W. Collinsworth began issuing subsistence permits to Hoonah residents for Glacier Bay and Excursion Inlet.<sup>24</sup>

Personal-use fishing allows any Alaska resident to take shellfish, finfish, herring, and bottomfish for personal use only--that is, not for barter or sale. It differs from sport fishing in the methods used; for example, gill nets and beach seine nets are typically used for harvesting finfish. It differs from subsistence fishing in that it is open to non-rural Alaskans. Normally, the ADF&G collected escapement data and verified that there was a substantial surplus of fish before authorizing a personal-use fishery; however, in the case of Glacier Bay the ADF&G did not possess this data. As park personnel noted, several streams in the park were only now being colonized by salmonids, and personal-use fishing at these sites "could significantly delay or alter the natural stream development process." Moreover, the fish populations in Glacier Bay were not augmented by hatchery and aqua culture programs as they were in other parts of southeast Alaska. The introduction of non-native stocks was contrary to NPS policy. All of this indicated that personal-use fishing was an inappropriate use of the national park.<sup>25</sup>

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<sup>23</sup>Richard J. Stenmark to Ted Stevens, February 2, 1989, GLBA, active files, file subsistence.

<sup>24</sup>Clarence Summers to Lou Waller, no date, GLBA, active files, file subsistence; Marvin Jensen to Don W. Collinsworth, May 22, 1989, GLBA, active files, file N1625 1989 correspondence.

<sup>25</sup>Chief, Resource Management to Superintendent, April 4, 1989, GLBA, active files, file subsistence.

As for subsistence fishing, the debate moved quickly from arcane interpretations of ANILCA to the court of public opinion. In late May, Superintendent Jensen requested ADF&G commissioner Collinsworth to cease issuing permits and reiterated the Park Service's position that subsistence use of the park was not authorized under ANILCA.<sup>26</sup> Collinsworth replied that he did not have "discretion" to countermand the earlier decision by the Board of Fisheries; instead, the ADF&G would include a statement with each permit that the NPS "has stated they will issue citations to persons found fishing with subsistence permits within this area."<sup>27</sup> Jensen denied that he had said anything about citing violators; but be that as it were, the situation was quickly escalating toward a test of wills between the NPS on the one hand and the ADF&G and the Tlingits on the other.<sup>28</sup> The ADF&G issued subsistence fishing permits to about 80 families in Hoonah on June 16, and NPS personnel responded by posting boating regulations at various points in the village. Wanda Culp, a member of the Huna Traditional Tribal Council, called the notices an intimidation tactic.<sup>29</sup> SEACC protested that the state and federal governments were dragging "innocent bystanders" into a "turf war."

We think it is terrible to force anyone to sail for Glacier Bay without knowing whether exercise of a traditional right will cost them their fishing gear, their boats, or even their freedom. The situation may disturb officials in their comfortable Anchorage offices, but consider for a moment the impact on men and women of Hoonah who must risk so much to practice the traditions of their culture.<sup>30</sup>

The pro-development Anchorage Times editorialized on the Park Service's "stubbornness" and "impenetrable" decisions in defense of its "fiefdom." The newspaper

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<sup>26</sup>Marvin Jensen to Don W. Collinsworth, May 22, 1989, GLBA, active files, file N1625 1989 correspondence.

<sup>27</sup>Don W. Collinsworth to Richard J. Stenmark, June 16, 1989, GLBA, active files, file N1625 1989 correspondence.

<sup>28</sup>Anchorage Daily News, June 26, 1989. A note from John Quinley to Marvin Jensen attached to this newsclipping references Jensen's position. This is in GLBA, active files, file subsistence.

<sup>29</sup>Anchorage Times, July 26, 1989.

<sup>30</sup>Bart Koehler and Steven E. Kallick to Marvin Jensen, June 28, 1989, GLBA, administrative files, file A18 Southeast Alaska Conservation Council.

alleged that the issue was about aesthetics, not fish: "The Park Service people, in their infallible judgment, have decided that Indians on fish boats don't look good on the beautiful waters of Glacier Bay....They despoil the wilderness." It was the editor's judgment that park visitors liked to take home pictures showing local residents at work on their fishing boats. "We're betting on the Indians in this battle," the Times editor wrote.<sup>31</sup>

By mid-July, the Tlingits were planning a ritual Glacier Bay trip. Organizers cut smokehouse wood, made beach seines, and circulated a sign-up sheet; at least 100 people, including elders and children prepared to go. The expedition was to be ferried to Glacier Bay on all ten of Hoonah's seine boats. This "flotilla" would make an all-day round trip from Hoonah to Berg Bay where dancing and songs and a ceremony for the dead were to be followed by berry-picking and fishing for salmon with gaff hooks and seine nets at the mouths of certain salmon streams.<sup>32</sup>

On July 19, Regional Director Boyd Evison telephoned Jensen with a report that the Tlingits were planning a "demonstration" at Glacier Bay the next day. He did not know if this meant carrying placards at Bartlett Cove or coming into the park to fish. Jensen called the ADF&G's Rob Bosworth, who told him a meeting was planned in Hoonah that day to organize a trip using the village's fishing fleet. Bosworth also said that the ADF&G had just announced the opening of a new seining area in southeast waters, and that the boat captains in Hoonah had likely changed their plans to take advantage of the opening. Jensen then called Eli Hanlon of Hoonah, who confirmed that the village's fishing fleet would be heading instead for the new seine opening at Hawk Bay, leaving the subsistence users high and dry. Whether the ADF&G and Hoonah's boat captains had turned away from their imminent confrontation with the Park Service intentionally no one would say, but as a result of this last-minute action the expedition to Glacier Bay was postponed and eventually scrapped.<sup>33</sup>

Afterwards, Jensen and others on the park staff held meetings in Hoonah and talked to some Tlingits individually in an effort to restore good will. In those meetings, Jensen acknowledged the Tlingits' close historical ties to Glacier Bay and encouraged them to visit the park and participate in activities allowed under existing law. Jensen also explained the purposes of Glacier Bay National Park in relation to natural resource

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<sup>31</sup>Anchorage Times, June 30, 1989.

<sup>32</sup>Anchorage Times, July 19, 1989.

<sup>33</sup>Marvin Jensen to files, July 19, 1989, GLBA, active files, file N1625 1989 correspondence.

management.<sup>34</sup>

On November 2, 1989, Sealaska Corporation sponsored a conference on subsistence at the ANB Hall in Juneau. Representatives from the Park Service, Fish and Wildlife Service, Forest Service, BIA, BLM, ADF&G, Tlingit-Haida Tribal Council, and shareholders of the southeast Alaska Native village and regional corporations attended. Glacier Bay subsistence topped a list of eight items that participants were asked to come prepared to discuss. Many Tlingits displayed a more militant attitude toward subsistence than they had in the past. The conference resulted in a number of resolutions, including resolutions to establish a subsistence legal defense fund and a southeast subsistence commission to lobby for Tlingit and Haida subsistence rights, and a resolution demanding that ANILCA's Title VIII on subsistence be amended to make it specifically for Natives.<sup>35</sup>

As NPS and ADF&G officials looked for a way to avoid another confrontation over subsistence in Glacier Bay in the coming summer, there was growing speculation about a federal takeover of fish and game management on all federal lands in Alaska. In December 1989, the state Supreme Court decided that the rural resident preference in the state's subsistence law was unconstitutional, but stayed its ruling to allow the state legislature time to enact a new law. However, lawmakers were unable to reach agreement before the session ended on May 8, 1990.<sup>36</sup> No one could foresee when or if the federal takeover would occur, and what it would entail.

That winter and spring, representatives from the NPS, FWS, USFS, BIA, BLM, Army, Air Force, and the state of Alaska worked on an interim federal fish and wildlife management plan that would go into effect on July 1 in the event of a federal takeover. The plan included a specific ban on subsistence use of Glacier Bay National Park. As this plan neared completion in May, Jensen wrote to Collinsworth requesting that the ADF&G refrain from issuing subsistence permits for Glacier Bay that June, as it had the previous June. Collinsworth refused.<sup>37</sup>

Relations between the park and the ADF&G soon deteriorated, as they had one year earlier. After a meeting between Jensen and Collinsworth and their staffs on June

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<sup>34</sup>Marvin Jensen to Robert W. Loescher, October 27, 1989, GLBA, active files, file N1625 1989 correspondence.

<sup>35</sup>Clarence Summers to Lou Waller, November 8, 1989, GLBA, active files, file N1625 1989 correspondence.

<sup>36</sup>Juneau Empire, June 6, 1990.

<sup>37</sup>Marvin Jensen to Don W. Collinsworth, May 7, 1990, GLBA, active files, file N1625 1990 correspondence.

18, the two officials gave widely differing accounts of what had been agreed upon.<sup>38</sup> This did not help the Park Service's efforts to mollify would-be subsistence users. Once again, newspapers focused on whether the NPS would make arrests; the NPS maintained that it would be "lenient in its enforcement" of the new regulation prohibiting subsistence.<sup>39</sup> (There was only one incident during the summer: park rangers apprehended a party of Hoonah Tlingits fishing with a gill net at the mouth of a stream in Berg Bay, the hold of their fishing boat filled with salmon. The Natives claimed that they were fishing for personal use and the rangers issued no citation. But NPS officials worried that subsistence users such as these were capable of fishing out a stream in short order.<sup>40</sup>)

The Tlingits now looked for an act of Congress, an amendment to ANILCA covering Glacier Bay National Park, as their best chance to recover subsistence use of the area for the people of Hoonah. The Tlingit-Haida Central Council passed a resolution in favor of such a bill on April 21, 1990.<sup>41</sup> By mid-summer, it was clear that the state of Alaska and the ADF&G did not have the will to sue for state jurisdiction of Glacier Bay, leaving little choice but to lobby for a new law.

The Tlingits were assisted by SEACC, which saw a need and opportunity to protect both subsistence and limited commercial fishing in Glacier Bay at the same time.<sup>42</sup> Friends of Glacier Bay gingerly supported SEACC's position. The Sierra Club and the Wilderness Society vigorously opposed legislation, or concessions in policy to subsistence or commercial fishing. The latter organization's Alaska regional director Allen E. Smith was "deeply troubled" by SEACC's apostasy. "These issues were specifically addressed and decided in ANILCA and cannot now be finessed by some regulatory maneuver or thinly veiled attempt to reinterpret and rewrite history," Smith wrote to SEACC's director. "If your intent is to change the law, you are starting down a very risky path that can threaten the integrity of ANILCA itself and all National Parks,

departure from principles

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<sup>38</sup>Boyd Evison to Don Collinsworth, May 7, 1990, GLBA, active files, file N1625 1990 correspondence.

<sup>39</sup>Juneau Empire, June 6, 1990.

<sup>40</sup>Marvin Jensen interview with author, tape recording, April 9, 1992.

<sup>41</sup>Edward K. Thomas to Donald E. Young, April 26, 1990 (and Resolution 90/91-47, GLBA, active files.

<sup>42</sup>Bart Koehler to Ted Stevens, Frank Murkowski, Don Young, and Steve Cowper, May 29, 1990, GLBA, active files.

not just those in Alaska."<sup>43</sup>

SEACC organized a citizens' caucus on January 19-20, 1991 in Hoonah. Jensen represented the NPS. Streveler represented Friends of Glacier Bay. There were representatives for Sealaska and Allied Fishermen of Southeast Alaska but none from the Sierra Club or the Wilderness Society, which had refused SEACC's invitation. Surprisingly, no representatives from the governor's office or the Alaska delegation's offices attended either. About 150 people attended the caucus altogether. Emotions ran high; on the first day, several Natives made a very lengthy presentation on the issue of sovereignty for Natives in Alaska (which Jensen characterized as a filibuster) and almost split the caucus in two, with non-Native fishermen and conservationists threatening to walk out and reconvene elsewhere. SEACC leaders finally recovered the podium and went on with the program. On the second day of the caucus, SEACC summarized common positions expressed the previous day and broke up the gathering into work groups to discuss subsistence, commercial fishing, and wilderness designation.<sup>44</sup>

The caucus may have marked the high-water mark for the consensus approach long advocated by SEACC. SEACC's goal was to build a consensus among commercial fishermen, Native subsistence users, and conservationists which would then put pressure on the Alaska delegation to seek a legislative solution in Congress. But the boycott of the caucus by the Wilderness Society and the Sierra Club damaged SEACC's credibility. Friends of Glacier Bay supported SEACC in principle, but allowed that it would probably not endorse the specific proposals relating to wilderness that eventually came out of the caucus. The effort at building consensus was further undermined by a lawsuit against the park instigated the previous August by the Alaska Wildlife Alliance. The Anchorage-based group had little patience for negotiations; it sought action by the courts to curtail commercial fishing and subsistence use in Glacier Bay and to limit cruise ship entries. (The poorly-conceived lawsuit alleged that the Park Service had transgressed directives contained in the 1979 and 1983 biological opinions and had failed to make an environmental assessment of increased vessel traffic, thereby violating the Endangered Species Act and the National Environmental Protection Act; it missed the most important point, that the allowance of commercial fishing violated the Redwood National

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<sup>43</sup>Marvin Jensen to Files, September 10, 1990, GLBA, administrative files, Folder A18 Friends of Glacier Bay; Alaska Task Force annual meeting, July 21, 1990, and Allen E. Smith to Bart Koehler, December 21, 1990, GLBA, active files.

<sup>44</sup>Superintendent to Regional Director, March 15, 1991, GLBA, administrative files, file A18 Southeast Alaska Conservation Council.



Park Act of 1978.<sup>45</sup>) Alaska Wildlife Alliance v. Jensen et al. was an irritant to the Park Service; it was worse for SEACC and the Tlingits. Friends of Glacier Bay adamantly opposed the lawsuit. "What the suit seems to do to us is raise the stakes and put us at each other's throats at a time when we're close to finding that middle ground," said Streveler.<sup>46</sup> A coalition of southeast Alaska fishing concerns moved quickly to intervene in the lawsuit to protect the interests of fishermen, fish processors, and the local communities. A spokeswoman for Allied Fishermen of Southeast Alaska claimed that without the park fisheries, some fishing villages would be "devastated." Residents of Pelican estimated that forty percent of the fish processed in their village came from Glacier Bay National Park. Hoonah, Gustavus, and Elfin Cove would also be much affected.<sup>47</sup>

The caucus made it clear that the Tlingits still faced an uphill battle in regaining subsistence privileges in Glacier Bay. Once more, the subsistence issue was subsumed by the park's other problems relating to overuse. The lawsuit by the Alaska Wildlife Alliance diverted attention away from consensus-building and back to the strategy of confrontation. Mounting pressures on the park from various sources--fishermen, the cruise ship industry, the Natives, and conservationists--pointed to a three-way race between litigation, legislation, and regulation in settling these rival claims to the park's use or protection.

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<sup>45</sup>Litigation Report, Alaska Wildlife Alliance v. Jensen, et. al., no date, ARO, administrative files, Folder L-30 ANILCA Commercial Fishing (GLBA); Marvin Jensen interview with author, tape recording, April 9, 1992.

<sup>46</sup>Anchorage Times, October 11, 1990.

<sup>47</sup>Alaska Fisherman's Journal, June 1991.



## CONCLUSION

### CONVERGING ISSUES, DIVERGING SOLUTIONS

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The major trend in the recent administrative history of Glacier Bay National Park and Preserve has been the convergence of several important management issues in such a way that they cannot easily be resolved separately. Some six management issues--wilderness designation, humpback whale protection, cruise-ship concession management, commercial fishing, subsistence, and wilderness access for scientific research--all await redefinition. At the same time, it is not clear who will resolve all these issues--whether it will be by Department regulation, legislation, or litigation. As dissatisfaction with the status quo increases, those who favor greater access to the park are gravitating toward a legislative solution, while the more militant conservation groups are looking for a judicial decision.

The preferred solution from the Park Service's standpoint is to devise new regulations. It is only through the regulatory process that the Park Service can play the lead role in shaping the park's future. It is the Park Service's hope to devise regulations that will not only protect the park's values, but encourage conflicting interest groups to soften their opposition to park policy. The fishing regulations proposed in the summer of 1991 formed one-half of the Park Service's regulatory solution; a Vessel Management Plan, if adopted, will form the other.

The need for a vessel management plan became apparent in the early 1980s, but like the commercial fishing issue it could not be addressed advantageously when the NPS was so involved with protecting the humpback whales. Consequently, vessel entry permit quotas were established indirectly through the whale regulations. As such, they were linked to the Marine Mammal Protection Act, the Endangered Species Act, and the two biological opinions on Glacier Bay's humpback whale population prepared for the NPS by the NMFS in 1979 and 1983. As the numbers of whales in the bay increased in the mid to late 1980s, it became increasingly difficult to justify vessel limits on the basis of whale protection.<sup>1</sup>

In 1988, the Park Service raised the quotas by seven percent on all classes of sightseeing vessels during whale season. Combined with the thirteen percent increase allowed in 1985, this completed the twenty percent increase suggested by the 1983 NMFS

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<sup>1</sup>Gary Vequist interview with author, tape recording, December 16, 1992, Rasmuson Library, University of Alaska Fairbanks.

biological opinion and raised the levels back up to what they had been in 1979. The new levels set the total number of sightseeing vessel entry permits available from June 1 to August 31 at 1,061. The total for cruise ships in whale season was raised to 107.<sup>2</sup>

While the numbers increased, competition between the major cruise lines decreased. In 1980, there were seven companies competing for entry permits with no company taking more than a twenty-five percent share. A series of corporate mergers reduced that number to four by the end of the decade, with just two lines controlling ninety percent of the entry permits. When the Park Service announced a seven percent increase in cruise ship vessel permits, it raised the question of how the new permits would be allocated. During the early 1980s the Park Service was constrained from introducing more competition by a regional office interpretation of Section 1307(a) of ANILCA, which gave the right of first refusal for all concession contracts and permits in Alaska parks to historical (pre-ANILCA) operators. In 1989, a Department solicitor's opinion rejected this interpretation, prompting NPS director William Penn Mott, Jr. to create a task force on the cruise ship permit system at Glacier Bay National Park. The task force convened at the park in June 1989.<sup>3</sup>

The task force recommended that Glacier Bay cruises be brought under limited concession permits, with sale and transfer of the permits allowed, provided that no fewer than four companies bid for the permits. The NPS would award new or unused permits on a competitive basis, favoring more rather than fewer cruise ship companies.<sup>4</sup> By gradually bringing cruise ship companies under these kinds of controls, the NPS would be able to insist on better smoke stack emission controls, engine noise levels, vessel routing, and other measures to protect the environment.<sup>5</sup>

The Alaska delegation, meanwhile, was chiefly concerned with setting higher quotas for cruise ship and other vessel entries. When Jensen increased the quotas in 1988, Senator Frank Murkowski expressed dissatisfaction that the NPS was not going further. Increasing whale numbers in the bay, Murkowski argued, did not justify the park's continuing reliance on the 1983 biological opinion. Addressing his letter directly

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<sup>2</sup>James Ridenour to Frank Murkowski, November 22, 1989, ARO, administrative files, file A38.

<sup>3</sup>Frank Murkowski, Ted Stevens, and Don Young to Manuel Lujan, Jr., May 22, 1989, and Acting regional director to Director, July 27, 1989, ARO, concession management files, file GLBA Cruise Ships.

<sup>4</sup>Briefing statement on cruise ship management policy, no date, ARO, concession management files.

<sup>5</sup>Cruise Ship Task Force to Director, July 27, 1989, ARO, Concessions Management files, file GLBA Cruise Ship Task Force--1989.

to the park superintendent (an unusual and heavy-handed procedure), Murkowski pointedly observed that the "NPS appears to be following its own agenda for limiting use, rather than one based on danger to the whales."<sup>6</sup>

Jensen duly asked the National Marine Fisheries Service (NMFS) for a new biological opinion in light of increasing whale numbers in the bay. Since the original biological opinion in 1979, Republican administration of the Endangered Species Act had promoted a trend toward fewer Section 7 consultations, and the NMFS was now reluctant to review its earlier decisions on this issue formally.<sup>7</sup> Instead, the NMFS's Alaska region director, Steven Pennoyer, wrote Jensen a brief letter October 5, 1989, recommending "no change"--that is, endorsing the new quota of 107 cruise ships during whale season and recommending against a further increase. Pennoyer stated: "The NMFS continues to believe that if the amount of vessel traffic were allowed to increase without limit, or if existing regulations were removed, the associated disturbance could jeopardize the continued use of Glacier Bay by the humpback whale stock in Southeast Alaska."<sup>8</sup> On its face, Pennoyer's comments seemed to buttress the park's position. But equally significant was the subtext of Pennoyer's letter: by declining to conduct a new formal Section 7 consultation with staff scientists of the NMFS, Pennoyer was indicating that the responsibility for limiting cruise ship entries now rested with the Park Service. A subsequent effort by NPS regional director Boyd Evison to extract a fresh biological opinion from the NMFS was foiled as well.<sup>9</sup>

Jensen now directed his staff to develop a comprehensive vessel management plan that would address several problems in one planning process. These included vessel entry limits, motorized vessel access to wilderness waters, and speed limits and other vessel restrictions in designated whale waters.<sup>10</sup> NPS planners from the regional office and the park held workshops, with one workshop in April 1991 sponsored by the Southeast Alaska Tourism Council involving seventeen participants, and a follow-up workshop in July drawing fifty. The workbook for the latter event offered six wide-

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<sup>6</sup>Frank Murkowski to Marvin Jensen, December 8, 1988, ARO, copy provided to author by Gary Vequist.

<sup>7</sup>Gary Vequist interview with author, tape recording, December 16, 1992.

<sup>8</sup>Steven Pennoyer to Marvin Jensen, October 5, 1989, ARO, copy provided to author by Gary Vequist.

<sup>9</sup>Steven Pennoyer to Boyd Evison, May 4, 1990, ARO, copy provided to author by Gary Vequist. See also Pennoyer's comment on NPS accountability in Steven Pennoyer to Barbara Haggerty, September 6, 1991, GLBA, administrative files, D18 Vessel Management Plan.

<sup>10</sup>Tamra Faris to Files, August 14, 1991, GLBA, administrative files, D18 Vessel Management Plan.

ranging alternatives. The NPS proposed two alternatives that included a limit on cruise ship entries of 184 (the number most often tossed around by tourist industry lobbyists, calculated on the basis of two entries per day during the 92-day whale season from June 1 to August 31), and one with a cruise ship quota as low as 30. The former represented a 72 percent increase over the existing level, the latter an equivalent 72 percent decrease. This was supposed to frame the current level of 107 cruise ships as the moderate alternative. Another purpose of offering such a wide range of alternatives was to shake out all points of view on the issues held by tourist industry representatives, conservationists, fishermen, and other interested parties.<sup>11</sup>

While the NPS developed a Vessel Management Plan, Alaska's Senators Ted Stevens and Frank Murkowski and Representative Don Young repeatedly threatened to push legislation that would mandate higher vessel quotas. These two parallel efforts were not completely separate from one another; the Alaska congressmen were known to make personal calls to the office of NPS director James Ridenour, while Ridenour was summoned to congressional subcommittee hearings from time to time to testify on Glacier Bay. But the process was far from cooperative either.<sup>12</sup>

During 1991-92, the contest intensified, the lawmakers and the bureaucrats each trying to steal a march on the other. In July 1991, Senator Murkowski and Representative Don Young introduced a bill in their respective houses of Congress that would authorize commercial fishing and subsistence use in Glacier Bay National Park and raise the cruise ship vessel entry quota to 184. In September and October, the NPS held a series of hearings in eight Alaskan communities and Seattle on its proposed fishing regulations. The following May, the Glacier Bay bill came before the respective Senate and House subcommittees. Ridenour came under intense pressure to make policy concessions on everything from fishing nets to vessel limits. Clearing the subcommittees by voice votes in June, the bill advanced to committee.<sup>13</sup> The following month, Jensen released a draft Vessel Management Plan. Already nearly six months behind schedule, the plan went out without adequate internal review. Containing many opinions that were not backed by data, the draft proved an embarrassment to senior NPS officials who had been actively opposing the Young and Murkowski bills.<sup>14</sup> However, in

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<sup>11</sup>Glacier Bay National Park and Preserve Vessel Management Plan Workbook II, November 1991.

<sup>12</sup>Marvin Jensen interview with author, tape recording, April 9, 1992.

<sup>13</sup>Juneau Empire, June 19, 1992.

<sup>14</sup>Jack Morehead to James Ridenour, August 14, 1992, ARO, copy provided to the author by Gary Vequist.

early October 1992, the Glacier Bay bill collapsed as negotiations between Murkowski and his Senate opponent Paul Wellstone of Minnesota became deadlocked in the final days before Congress adjourned.<sup>15</sup>

The park staff hardly had time to savor the defeat of the Murkowski bill before it faced a new controversy: on October 6, rangers cited a Native for killing a hair seal in park waters. Greg Brown, a 37-year-old deckhand from Hoonah, was observed heaving a dead seal from a skiff into a seine boat. The rangers seized Brown's rifle and the dead seal and wrote him a citation. He was ordered to appear before a federal magistrate in Juneau where he would face up to a \$500 fine.<sup>16</sup>

Word of Brown's arrest sparked strong feelings in Hoonah. Brown claimed that he wanted the seal for a "payback party," a kind of potlatch, that his uncle (the captain of the fishing vessel) was having in honor of his recently deceased son. With that in mind, Brown and another crew member had taken the skiff to Garforth Island where they shot the seal. The Huna Traditional Tribal Council quickly came to Brown's defense, sending a letter and resolution to Senators Stevens and Murkowski and Representative Young. "We are made criminals for our food," the letter charged, protesting that the government was ignoring Hoonah's culture and its historical ties to Glacier Bay.<sup>17</sup>

The incident raised afresh all the old questions about seal hunting: its cultural and economic significance to the Hoonah people, its extent in the park, its biological and aesthetic implications. Even the most basic questions, it seemed, would be open to dispute. According to Brown, one of the rangers who made the arrest commented to him, "Nobody's hunted up there for years," to which Brown replied, "I guess I'm the first to get caught."<sup>18</sup> With Murkowski and Young likely to reintroduce their park legislation the next year, it was unclear which way the seal hunting incident would cut in the Tlingits' bid to regain subsistence rights in the park.

All the controversial initiatives of recent years--fishing regulations, subsistence permits, the Murkowski bill, the Vessel Management Plan, the lawsuit brought by the Alaska Wildlife Alliance--are emblematic of the classic paradox that lies at the heart of the Park Service's mission. This paradox is, of course, the dual directive to provide for

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<sup>15</sup>Ketchikan Daily News, October 8, 1992.

<sup>16</sup>Juneau Empire, October 22, 1992.

<sup>17</sup>Anchorage Daily News, October 22, 1992.

<sup>18</sup>*Ibid.*

the enjoyment of the park by the present generation in such manner as to leave it unimpaired for the enjoyment of future generations. How much use can the park sustain without being impaired? How much use is too much?

For decades the question hardly required asking, except in specialized contexts such as with regard to mining in the 1930s or agricultural development around Gustavus in the 1950s. It was not until the late 1970s that total park visitation--or the cumulative environmental impacts caused by cruise ships, pleasure boats, fishing vessels, and backcountry users--reached levels that were problematic. Glacier Bay then joined the ranks of so many other wilderness havens in the United States in being "loved to death." Between the mid-1970s and the early 1980s park visitation doubled; between the early 1980s and the present it doubled again. In gross terms, park visitation has been increasing by 10,000 annually for the past twenty years. In 1992, more than 216,000 people visited Glacier Bay. The Vessel Management Plan would effectively cap this off; the Murkowski bill would allow the upward trend to continue. As long as the proposed legislation has any chance of passage, this basic policy difference has not been definitely resolved.

If the recent managers of Glacier Bay National Park and Preserve have dealt with what is essentially the classic dilemma of national park management--of trying to achieve a balance between protection and use--they have also been beset by a set of more specific management dilemmas that are unique to this area, at least in their interplay with one another. Three management dilemmas were salient over the past quarter century or more. Two of these related to the park's Alaskan context, the third to its marine character.

Contention vs. compromise. The fact that the political contest over park visitation and access in Glacier Bay National Park and Preserve recently boiled over from the administrative into the legislative and judicial arenas points to the first major dilemma facing park managers: how much should they yield in the incessant disputes between the NPS and the state of Alaska? Alaska's senators and representative extracted enormous concessions from Congress during the D-2 process, and since ANILCA's passage in 1980 the delegation has turned to the administrative arena to win further concessions, involving itself deeply in the management of Alaskan national parks. For park managers, yielding too much risks compromising the integrity of the park and the national park system, while giving too little sometimes results in legislative initiatives that are inimical to existing park purposes.

Alaska is the only state that comprises a whole region of the national park system. It contains fifteen units of the system. National parklands account for a larger percentage of the total land area in Alaska than they do in any other state. Yet Alaska's



population is small. As a result, park policies impact Alaskans' lifestyles and jobs and the state government's revenues to a greater extent than they do anywhere else in the nation. Alaska's senators and representative are more sensitive to NPS policies in their state than their fellow congressmen are toward national park management in other states. Alaska's senators and representative sit on all the congressional committees that have oversight of the NPS. They communicate directly with the NPS director, regional director, and superintendent of the park.

Since Alaska statehood, and especially since ANILCA, Alaska's congressional delegation has been an important influence on the administrative history of Glacier Bay National Park and Preserve. The relationship has not been entirely adversarial--for example, Senator Stevens was instrumental in obtaining large appropriations for research on humpback whales in Glacier Bay in the early 1980s. Overall, however, park managers have operated in a more contentious political environment in Alaska than elsewhere in the United States. This is not likely to change in the near future. If good park management, like politics, is the art of the possible, then park managers must continue to work for greater acceptance of NPS goals by Alaskans and their political representatives if they are to achieve lasting protection of park values.

"Soft" park vs. "hard" park. The second dilemma is as much philosophical as it is political. It stems principally from ANILCA, though its roots may be found in the early history of the monument. It goes to the heart of what the park is about. The issue is whether the NPS is to define the relationship of humankind and nature in Glacier Bay according to traditional NPS standards or according to the somewhat different standards developed in ANILCA. That law made certain distinctions between Alaska's existing, or "old" parks, and the "new" ones created in 1980. Traditionalists in the NPS now refer unofficially to "hard" parks and "soft" parks, in the hope that these categories will remain distinct. To Alaskans, the distinction between the old and new parks in their state is less apparent.

The differences between "hard" parks and "soft" parks go deeper than the labels suggest. They do not merely reflect the difference between standing on principles or capitulating to political expedience. Rather, they reflect two views of wilderness and society, the first a traditionalist view derived from NPS experience outside of Alaska, the second an innovative--some would say localist--view of wilderness and society based on conditions in Alaska. Both ideas of wilderness have influenced management decisions in Glacier Bay National Park and Preserve in the past. But the convergence of management issues in recent years is creating a need to articulate clearly between the two and to make a choice. With respect to commercial fishing and subsistence use in the park, these two ideas of wilderness have become incompatible.

The traditionalist view of the wilderness park is of a nature preserve in which anthropogenic impacts on the environment are minimized, if not eliminated. The highest goal of park administration in this view is to create a land management zone in which nature runs its course undisturbed by human agency. Traditionalists acknowledge that the goal is unattainable in a pure sense, both because parks are never inviolate from anthropogenic environmental changes outside their boundaries, and because authorized uses of parks for tourism are not without environmental consequences. However, the traditionalist believes that national parks (especially "hard" parks) come close enough to that ideal to possess outstanding scientific and aesthetic values. Indeed, some argue that Alaska's relatively "pristine" ecosystems make them uniquely suitable for the monitoring of global environmental degradation and it is incumbent on the NPS to keep them that way.

The "localist" conception of the Alaskan wilderness park is of a natural and cultural landscape in which the sparse human inhabitants live in dynamic balance with nature. In this view, the wilderness park is part of a larger land management scheme in Alaska established under ANILCA which seeks to preserve a unique American lifestyle as well as the natural environment. Indeed, this view of Alaskan wilderness argues that the human inhabitants are an integral part of nature, and to remove them from the ecological community is to create something artificial. This Alaskan wilderness idea tries to combine an individualist and primitivist frontier ethic with a modern land ethic. The romantic essence of this idea is expressed by the heading in the recent NPS brochure on Alaska's national parklands, which reads: "Our Lasting Frontier." Advocates of a localist kind of wilderness preservation must confront the fact that as long as Alaska's rural population continues to grow, a dynamic balance of humankind and nature will continue to elude us. Still, they argue that the effort to achieve that balance is the most important contribution that Alaskans can make to the environmental health of the world.

These two conceptions of Alaska's wilderness parks lead to different conclusions about the proper future course for Glacier Bay National Park and Preserve. From the traditionalist perspective, screening out human consumptive uses of the park should be a management priority. The traditionalist holds that consumptive uses are by definition disturbances of the natural environment. Commercial fishing is altering the biotic composition of the marine ecosystem and needs to be phased out, particularly since Glacier Bay National Park is one of the few protected areas in the world that includes offshore saltwater habitat within its jurisdiction. Subsistence use of the park needs to be resisted, as this, too, would alter the park's biota. The park's designation as a Biosphere Reserve and World Heritage Site, according to the traditionalist's way of thinking, should reinforce the Park Service's commitment to managing the park along these lines.

The localist view of the wilderness park characterizes commercial fishing in Glacier Bay as small-scale, traditional, and a feature of the Alaskan wilderness lifestyle that ANILCA was designed to preserve. Rather than phase it out, they would like to see the NPS participate with other agencies and local citizens groups in ensuring that the fishery remains small. They do not want commercial fishing in the park to cause any resource depletion, but they maintain that harvest levels can conceivably remain low enough to have no significant effect. Subsistence use is central to the localist concept of Alaskan wilderness, and advocates view its absence in Glacier Bay as an anomaly and an injustice to the people of Hoonah that ought to be corrected.

Interestingly, the traditionalist and localist perspectives are not really at odds over the problem of total park visitation. Neither perspective seems to have any advantages over the other in resolving the problem of limiting use to some reasonable amount that equitably serves both the present and future generations of the American public. In addressing this problem, park managers have been pulled in two directions by a third dilemma, which is less of a philosophical nature than it is a function of evolving methods of wilderness management.

Biological vs. recreational carrying capacity. Over the years park managers have cited numerous reasons for limiting visitor use of Glacier Bay. All of these reasons relate to the protection of park values. But park values are difficult to define and often are contested by the visiting public, with its diverse demographic and socio-economic characteristics. There is, for example, the effect of fishing vessels in Glacier Bay. From an aesthetic standpoint, park managers generally assume that the sight of a fishing vessel elicits a feeling of crowding in the typical park visitor and erodes a key park value of solitude, of freedom from the hubbub of workaday life. Local fishermen mostly feel that they are a part of the wilderness setting and do not detract from the typical visitor's enjoyment. From an ecological standpoint, park managers suspect that the fishing fleet's total take of fish alters the food web in Glacier Bay and impairs one of the park's scientific values. Local fishermen (and many fisheries biologists) challenge this assumption. What this example demonstrates is that impacts on the park are difficult to evaluate and tend to break down into two categories for purposes of analysis, one dependent on visitor tastes and perceptions (or anthropocentric criteria) and the other dependent on human-caused, "anthropogenic" environmental changes (or biocentric criteria). The dilemma for park managers has been in apportioning their limited resources between these two very different approaches to environmental protection.

The effort to protect the humpback whale population by restricting vessel entries, speeds, and movements in designated "whale waters" was an outstanding example of biocentric resource management. Everything in the whale regulations was aimed at

minimizing anthropogenic disturbances to the whales' habitat. Legally, the regulations were well-grounded in the Endangered Species Act and the NMFS's biological opinions, as well as the National Parks Act's directive "to conserve...the wild life" in each national park. But there were problems. When this management issue was viewed as a strictly scientific problem of determining how vessel traffic affects whales in Glacier Bay, there were too many variables, too few whales, and too few years for researchers to reach any definite conclusions. As a result, the NPS had to base its vessel restrictions on the somewhat arbitrary index of the numbers of whales that came into the bay each summer. When the numbers of whales increased in the mid- to late 1980s, park managers were obliged to raise vessel entry quotas, too. Belatedly, park managers then had to acknowledge that the vessel restrictions incidentally protected a great many other park values, too.

The NPS survey of Alsek River rafters in 1984, meanwhile, was an outstanding example of anthropocentric wilderness management. Questionnaires were designed to measure "crowding" by quantifying user experiences, expectations, and preferences as to the number of encounters they had with other parties on the river. River users were also asked to rate the significance of a whole range of problems from litter and airplane overflights to insects and a lack of wildlife to photograph. The purpose of the study was to inform park managers about the effects of the current level of use upon the users, rather than upon the environment. The study's premise was that people's perceptions were as valid as biological impacts in providing a basis for limiting use. The study was aimed at establishing the Alsek River's recreational carrying capacity--the amount of use the river could sustain without resulting in degradation of the visitor's enjoyment. Good management could actually increase recreational carrying capacity by spacing users apart from each other, limiting group size, designating camp sites in secluded places, and employing other such strategies.

Anthropocentric wilderness management had problems, too, however. The park visitors being surveyed did not necessarily perceive that their own use of the area was having an impact. By making present-day visitor's perceptions the standard for valuation, this study barely considered that the effects of present-day levels of use might impair those same values for future cohorts of river rafters. If the supposed recreational carrying capacity of the river were to exceed its natural human carrying capacity, then the actual levels of use would result in degradation of the natural environment over the long term. In that event, the supposed recreational carrying capacity would have been

misleading because it would not have been sustainable over time.<sup>19</sup> To ensure against this eventuality, the NPS had to monitor human-caused environmental changes around heavily-used campsites and all along the river so as to determine the river's natural human carrying capacity as well as its recreational carrying capacity.

In most natural settings where recreational carrying capacity has been studied by the NPS, research has shown that wilderness users have a higher psychological and social tolerance for the effects of crowding than the natural environment has for human use. The marine configuration of the Glacier Bay wilderness is a rare instance where increasing use might exceed the recreational carrying capacity before it reaches the natural human carrying capacity. The immense volume of run-off into the bay, coupled with enormous tidal variations, tends to flush the system of most pollutants and debris. Cruise ships affect whale behavior and air quality, but their impact on the natural environment is otherwise minimal. Beach camp sites are not particularly vulnerable to trampling, and are cleansed by wave action during storms. At the same time, the sparsely vegetated terrain and areas of open water make all park visitors highly visible and mobile, two factors that readily produce a feeling of crowding. Consequently, park managers have had to give greater weight to anthropocentric considerations in Glacier Bay than they have in most national park areas. The trend appears to be toward more use of social science perspectives in the management of the park.

In coming years, the critical test of biocentric resource management will be to assess what is happening to the park's marine environment. With greater sophistication and breadth than ever before, the NPS will attempt to differentiate between the natural and anthropogenic environmental change occurring in Glacier Bay, between the effects of commercial fishing and the natural course of post-glacial succession. Recent evidence that the sea otter is making a dramatic comeback, while encouraging in its own right, complicates this task. The sea otters' return will likely bring back kelp forests and an array of other environmental changes. Sea otters feed on king crab, one of the species that is commercially fished in Glacier Bay. The sea otter's long absence from the ecosystem and its subsequent return underscores the fact that human interaction with this natural environment has a long history.

The growing emphasis on research in the park suggests that crucial changes are afoot in the administration and use of Glacier Bay. It is likely that the coming years will bring new changes in the basic meaning of the park as profound as were the changes in

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<sup>19</sup>William R. Catton, Jr., "Social and Behavioral Aspects of the Carrying Capacity of Natural Environments," in Behavior and the Natural Environment, edited by Irwin Altman and Joachim F. Wohlwill, vol.6 of Human Behavior and Environment: Advances in Theory and Research (New York, 1983), p.269-303.

the 1930s and the 1960s. Beyond monumentalism, habitat protection, and wilderness preservation, Glacier Bay National Park and Preserve awaits a new conception.

## APPENDIX A

### LEGISLATION AND PROCLAMATIONS

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Executive Order, May 2, 1918

Executive Order, August 16, 1918

Executive Order, April 1, 1924

Proclamation, February 26, 1925

Act of June 22, 1936

Proclamation, April 18, 1939

Public Land Order, September 30, 1943

Public Land Order, December 9, 1949

Proclamation, March 31, 1955

Public Land Order, August 25, 1959

Act of September 28, 1976

Proclamation, December 1, 1978

## Executive Order

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Under authority of the Act of Congress approved June 25, 1910 (36 Stat., 847), as amended by the Act of August 24, 1912 (37 Stat., 497), it is hereby ordered that the tract of land in Alaska extending ten miles back from the tide line around Lituya Bay, containing approximately 312 square miles, be, and the same is hereby, temporarily withdrawn from settlement, location, sale or entry, except as provided by said Acts, for the purpose of supplying timber for use in the construction of aeroplanes for the United States.

WOODROW WILSON

THE WHITE HOUSE,  
2 May, 1918.

[No. 2854.]



## Executive Order.

Under authority of the Act of Congress approved June 25, 1910 (36 Stat., 347), as amended by the Act of August 24, 1912 (37 Stat., 497), it is hereby ordered that, with a view of enlarging the withdrawal made by executive order of May 2, 1918 (2854), the tract of land in Alaska lying south of the parallel of 58 degrees 50 minutes north latitude and west of the meridian of 137 degrees 40 minutes west longitude, and bounded on the west by the waters of the Gulf of Alaska, be, and the same is hereby, temporarily withdrawn from settlement, location, sale or entry, except as provided by said act, for the purpose of supplying timber for use in the construction of aeroplanes for the United States.

**WOODROW WILSON**

THE WHITE HOUSE,

*16 August, 1918.*

[No. 2938.]

## Executive Order

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### ALASKA

It is hereby ordered, under authority of the act of Congress approved June 25, 1910 (36 Stat., 847), as amended by the act of August 24, 1912 (37 Stat., 497), that the public lands lying within the hereinafter described boundaries be, and they are hereby, temporarily withdrawn pending determination as to the advisability of including the same in a national monument, subject to the conditions of said acts and to all prior claims lawfully initiated and maintained:

Beginning at the western extremity of Cape Fairweather on the west coast of Alaska, thence in a northeasterly direction to the summit of Mt. Fairweather on the international boundary between Canada and the United States, thence following such boundary easterly, northeasterly and easterly to Monument No. 157 of the survey of such boundary by the International Boundary Commission approved June 9, 1923; thence east following the latitude of said monument to an intersection with the right bank of Chilkat Inlet; thence southerly along the right banks of said inlet and Lynn Canal to Icy Strait; thence westerly along the north shores of Icy Strait and Cross Sound to the Pacific Ocean; thence in a general northwesterly direction along the shore of the Pacific Ocean to Cape Fairweather, the place of beginning, containing approximately 2,560,000 acres.

CALVIN COOLIDGE

THE WHITE HOUSE,

*April 1, 1924.*

[No. 3983.]

By the President of the United States of America

## A Proclamation

WHEREAS, There are around Glacier Bay on the southeast coast of Alaska a number of tidewater glaciers of the first rank in a magnificent setting of lofty peaks, and more accessible to ordinary travel than other similar regions of Alaska,

And, Whereas, The region is said by the Ecological Society of America to contain a great variety of forest covering consisting of mature areas, bodies of youthful trees which have become established since the retreat of the ice which should be preserved in absolutely natural condition, and great stretches now bare that will become forested in the course of the next century,

And Whereas, This area presents a unique opportunity for the scientific study of glacial behavior and of resulting movements and development of flora and fauna and of certain valuable relics of ancient interglacial forests,

And Whereas, The area is also of historic interest having been visited by explorers and scientists since the early voyages of Vancouver in 1794, who have left valuable records of such visits and explorations,

Now, Therefore, I, CALVIN COOLIDGE, President of the United States of America, by virtue of the power and authority in me vested by section two of the act of Congress entitled: "An Act for the preservation of American Antiquities", approved June 8, 1906 (34 Stat., 225), do proclaim that there is hereby reserved from all forms of appropriation under the public land laws, subject to all prior valid claims, and set apart as the Glacier Bay National Monument, the tract of land lying within the following described boundaries, to wit:

Beginning at the most southerly point of North Marble Island in approximate latitude  $58^{\circ} 40'$  north and approximate longitude  $130^{\circ} 4'$  west as shown on Coast and Geodetic Survey chart No. 3596; thence southeasterly to the most westerly point of the largest island at the entrance of Bear Track Cove in approximate latitude  $58^{\circ} 34'$  north and approximate longitude  $135^{\circ} 56'$  west; thence following the mean high water of the southerly shore to the most easterly point of said island; thence east on a parallel of latitude to the crest of the divide between the waters of Bear Track Cove and Bartlett Cove; thence northeasterly along this divide to the summit of the divide between the waters of Excursion Inlet and Glacier Bay; thence northerly along this divide to the crest of the divide between the waters of Glacier Bay and Lynn Canal; thence northerly and westerly along this divide to the International Boundary line between Alaska and British Columbia; thence southwesterly along the International Boundary line to the summit of Mt. Fairweather; thence southeasterly to the summit of Mt. Lituya; thence easterly and southerly along the divide between the waters of the Pacific Ocean and the waters of Glacier Bay and Icy Strait to the summit of Mt. La Perouse; thence easterly across Brady Glacier to the summit of the mountain marked 4480 on Coast and Geodetic Survey chart No. 8206 in approximate latitude  $58^{\circ} 33'$  north and approximate longitude  $136^{\circ} 38'$  west; thence northeasterly to the summit of the mountain marked 4036 on said chart in approximate latitude  $58^{\circ} 34'$  north and approximate longitude  $136^{\circ} 33'$  west; thence northeasterly to the most southerly point on the north shore of Galien Inlet; thence northeasterly following the mean high water of this shore to the most easterly point of land at the entrance of Galien Inlet; thence southeasterly to the place beginning, containing approximately 20 square miles.

Warning is hereby given to all unauthorized persons not to appropriate or injure any natural feature of this monument or to occupy, exploit, settle or locate upon any of the lands reserved by this proclamation.

And I do also proclaim that my order No. 3983 of April 1, 1924, withdrawing the public lands within the hereinafter described limits pending determination of the area therein which should be set apart for national monument purposes, is hereby revoked:

Beginning at the western extremity of Capo Fairweather on the west coast of Alaska; thence in a northeasterly direction to the summit of Mt. Fairweather on the international boundary between Canada and the United States, thence following such boundary easterly, northeasterly and easterly to Monument No. 157 of the survey of such boundary by the International Boundary Commission approved June 9, 1923; thence east following the latitude of said monument to an intersection with the right bank of Chilkat Inlet; thence southerly along the right banks of said inlet and Lynn Canal to Icy Strait; thence westerly along the north shores of Icy Strait and Cross Sound to the Pacific Ocean; thence in a general northwesterly direction along the shore of the Pacific Ocean to Capo Fairweather, the place of beginning containing approximately 2,560,000 acres.

And I do further proclaim and make known that pursuant to Public Resolution No. 29 of February 14, 1920 (41 Stat., 434), as amended by Resolutions Nos. 36 and 79, approved January 21 and December 28, 1922, respectively (42 Stat., 358, 1067), it is hereby ordered that the public lands in that portion of the area last above described not included in said Glacier Bay National Monument by this proclamation, subject to valid rights and the provisions of existing withdrawals, shall be opened only to entry under the applicable homestead laws by qualified ex-service men of the war with Germany, under the terms and conditions of said resolutions and the regulations issued thereunder, for a period of ninety-one days beginning with the sixty-third day from and after the date hereof, and thereafter to appropriation under any public land law applicable thereto. Subsequent to the date hereof and prior to the date of restoration to general disposition as provided herein, no rights may be acquired to the lands so restored by settlement in advance of entry, or otherwise except strictly in accordance herewith.

The Director of the National Park Service, under the direction of the Secretary of the Interior shall have the supervision, management, and control of the Glacier Bay National Monument, as provided in the act of Congress entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat., 535), as amended June 2, 1920 (41 Stat., 732).

*In Witness Whereof*, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 26th day of February in the year of our Lord one thousand nine hundred and twenty-five, and of the Independence of the United States of America the one hundred and forty-ninth.

CALVIN COOLIDGE

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

[No. 1733]

**An Act To permit mining within the Glacier Bay National Monument, approved June 22, 1936 (49 Stat. 1817)**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That in the area within the Glacier Bay National Monument in Alaska, or as it may hereafter be extended, all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior.

Glacier Bay  
National  
Monument,  
Alaska.

Permission for  
mining within,  
granted.

Use of  
surface land.

PROCLAMATION 2330

EXCLUDING CERTAIN LANDS FROM THE  
TONGASS NATIONAL FOREST AND ADDING  
THEM AND OTHER LANDS TO THE GLACIER  
BAY NATIONAL MONUMENT—ALASKA

WHEREAS it appears that certain public lands, part of which are within the Tongass National Forest, adjacent to the Glacier Bay National Monument, in Alaska, have situated thereon glaciers and geologic features of scientific interest; and

WHEREAS a portion of the aforesaid public lands contiguous to the said monument are necessary for the proper care, management, and protection of the objects of scientific interest situated on the lands included within the said monument; and

WHEREAS it appears that it would be in the public interest to reserve all of the aforesaid public lands as a part of the said monument;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the act of June 4, 1897, 30 Stat. 11, 34, 36 (U. S. C., title 16, sec. 473), and the act of June 8, 1906, c. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that all of the following-described lands which lie within the Tongass National Forest, in Alaska, are excluded therefrom, and that, subject to valid existing rights, all the following-described lands in Alaska are hereby added to and made a part of the said Glacier Bay National Monument:

Beginning at the summit of Mount Fairweather, on the International Boundary line between Alaska and British Columbia;

thence southeasterly along present southern boundary of Glacier Bay National Monument to the point of the divide between the waters of Glacier Bay and Lynn Canal where said divide is forked by the headwaters of Excursion Inlet; thence easterly and southeasterly along the divide between the waters of Excursion Inlet and Lynn Canal to a point in approximate latitude 58°27' N., longitude 135°18' W., where said divide meets a subsidiary divide between streams flowing into Excursion Inlet; thence westerly and northwesterly along said subsidiary divide to the east shore of Excursion Inlet; thence due west to the center of the principal channel of Excursion Inlet; thence southerly along the center of the principal channel of Excursion Inlet to its junction with the Icy Passage; thence westerly and southwesterly along the center of Icy Passage, North Passage, North Indian Pass, and Cross Sound to the Pacific Ocean; thence northwesterly following the general contour of the coast at a distance of 3 nautical miles therefrom to a point due west of the mouth of Seaotter Creek; thence due east to the north bank of Seaotter Creek and easterly along the north bank of Seaotter Creek to its headwaters; thence in a straight line to the summit of Mount Fairweather, the place of beginning. Containing approximately 904,960 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916, 39 Stat. 535 (U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 18<sup>th</sup> day of April in the year [SEAL] of our Lord nineteen hundred and thirty-nine, and of the Independence of the United States of America the one hundred and sixty-third.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF THE  
WAR DEPARTMENT FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9537 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for military purposes:

TRACT No. 1

Beginning at a point, latitude 58°40'00" N., longitude 135°40'00" W.

From the initial point by lines and bounds,

East, 4.75 miles, along the parallel of latitude to an intersection with the boundary between the Tongass National Forest and the Glacier Bay National Monument described in Proclamation No. 2330, April 18, 1939 (53 Stat. 2534);

Southeasterly, 18.5 miles, along said boundary to latitude 58°27'00" N., longitude approximately 135°18' W.;

S. 20°30' E., 8.25 miles, to the headwaters of a stream, latitude 58°20'18" N., longitude 135°13'30" W.;

Southeasterly, 0.25 miles, downstream along the right bank of said stream to its mouth, from which the northwesterly end of Anasley Island bears S. 20° E., 0.75 miles;

Northwesterly, 80 miles, along the shores of Icy Strait, Excursion Inlet, Icy Passage, Glacier Bay and Bartlett Cove at ordinary high tide, to the mouth of Bartlett River;

Northeasterly, 11 miles, upstream along the left bank of Bartlett River at ordinary high water to latitude 58°37' N., longitude approximately 135°41'30" W.;

East, 1 mile, to meridian of longitude 135°40'00" W.;

North, 3.46 miles, along the meridian to the point of beginning.

The area described, including both public and non-public lands, aggregates 219,600 acres.

TRACT No. 2

Pleasant Island, containing approximately 11,600 acres. Located on the north side of Icy Strait between the mouth of Glacier Bay and the mouth of Excursion Inlet. Latitude 58°21'25" N., longitude 135°38'46" W.

TRACT No. 3

Four small islands known as Porpoise Islands, containing approximately 120 acres. Located on the north side of Icy Strait near the mouth of Excursion Inlet, latitude 58°20'00" N., longitude 135°27'54" W.

TRACT No. 4

All that part of Point Adolphus, Chicago Island, on the south side of Icy Strait, lying north of latitude 58°15'00" N., containing approximately 4,550 acres.

This order shall be subject to the withdrawal for lighthouse purposes made by Executive Order No. 3406 of February 13, 1921, Area No. 158, so far as such order affects the land in Tract No. 4.

This order shall take precedence over but not modify (1) the Proclamation of June 25, 1910 (44 Stat. 2578) changing the boundaries of the Tongass National

Forest so as to include and exclude certain lands, and (2) Proclamation No. 2330 of April 18, 1939 (53 Stat. 2534), adding certain lands to the Glacier Bay National Monument, so far as such Proclamations affect any of the lands herein described.

In connection with the use by the War Department of the lands within the Glacier Bay National Monument, wherever possible the natural features of the Monument, including forests, wildlife, and objects of geological or historical nature, shall remain unimpaired.

Upon the termination of the use of the Glacier Bay National Monument area by the War Department, all buildings and other structures except those of a strictly military technical character, erected thereon by the War Department, shall be transferred to the Department of the Interior, or shall be removed by the War Department and the sites restored as nearly as possible to their condition at the time of the issuance of this order, at the option of the Secretary of the Interior. Structures of a strictly military technical nature, the disposition of which is not otherwise provided for, shall be removed by the War Department at the expiration of the need for the same, and the sites shall be restored as nearly as possible to their condition at the time of the issuance of this order.

The use of the Glacier Bay National Monument lands may be terminated at any time in the discretion of the Secretary of the Interior, subject to the approval of the President of the United States.

The jurisdiction granted by this order over the remaining public lands within the above-described areas shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over such lands shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. Such lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

Subject to limitations imposed by reason of actual military necessity, native groups and individual natives may continue to utilize the lands described in this order for hunting, trapping, fishing, and other activities upon which their livelihood depends.

This order is confidential and shall not be filed in the Division of the Federal Register, or be published in the FEDERAL REGISTER, or be given other publicity until publication thereof has been expressly authorized by or at the direction of the Secretary of War.

NOTE: Confidential status released by letter of the Secretary of War dated June 27, 1946.

ABE FORTAS,

Acting Secretary of the Interior

SEPTEMBER 30, 1943.

[F. R. Doc. 46-13346; Filed, July 31, 1946;  
4.08 p. ni.]

[Public Land Order 621]

ALASKA

RESERVING CERTAIN PUBLIC LANDS WITHIN  
THE GLACIER BAY NATIONAL MONUMENT  
FOR DEVELOPMENT AS ADMINISTRATIVE  
SITES AND FOR PUBLIC USE

By virtue of the authority vested in the President and pursuant to Executive Order No. 8337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, all public lands within the following-described areas in the Glacier Bay National Monument, in Alaska, are hereby withdrawn from all forms of appropriation under the mining laws and reserved for development by the National Park Service, Department of the Interior, as administrative sites and for the use of persons visiting the said monument.

BARTLETT COVE

COPPER RIVER MERIDIAN

T. 39 S., R. 68 E.,

Sec. 19, lots 1 to 8, inclusive, E $\frac{1}{2}$ SE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

Sec. 20, lots 1 to 6, inclusive, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Sec. 22, lots 1 to 6, inclusive, N $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Sec. 30, lots 1 to 6, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

Sec. 31, lots 1 to 4, inclusive E $\frac{1}{2}$ SE $\frac{1}{4}$ ; also

A tract of unsurveyed land covering all or parts of secs. 21, 28, 29, 32, and 33, T. 39 S., R. 68 E., described as:

Beginning at the NE corner of sec. 4, T. 40 S., R. 68 E., thence by metes and bounds:

North, 2 $\frac{1}{2}$  miles;

West,  $\frac{1}{4}$  mile approximately to shore line of Bartlett River;

Southwesterly, 8 miles approximately along shore line of Bartlett River and Cove to the M. C. on the east boundary of sec. 31, T. 39 S., R. 68 E.;

South,  $\frac{1}{2}$  mile to Township line between Tps. 39 and 40 S.;

East, 2 miles to point of beginning.

The areas described aggregate 1,250.51 acres of surveyed lands and approximately 2,000 acres of unsurveyed lands.

DUNDAS BAY

All lands lying between latitude 58°21' N., and latitude 58°23' N., and longitude 136°28' W., and the east shore on the South Arm of Dundas Bay.

The area described contains approximately 1,300 acres.

SANDY COVE

Beginning at the mouth of Wolf Creek at the head of a small cove on the east shore of Glacier Bay, in latitude 58°42'25" N., longitude 135°57'25" W., thence by metes and bounds:

Southerly, 1 mile along the shore of unnamed cove, at ordinary high tide;

East,  $\frac{1}{4}$  mile;

Northerly, 3 $\frac{1}{4}$  miles, approximately,  $\frac{1}{4}$  mile east of and parallel to the shore line of the unnamed cove and Wolf Creek to latitude 58°44' N.;

West, 2 $\frac{1}{4}$  miles to the shore of North Cove;

Southerly, along shore line of North Cove and Sandy Cove at ordinary high tide to southerly point of peninsula;

Northeasterly, along shore line of unnamed cove to point of beginning, and

Including the two (2) large islands and adjacent small islands immediately off shore of the above area.

The areas described aggregate approximately 2,700 acres.

DEER BAY

All lands within  $\frac{1}{2}$  mile of the shore of Berg Bay at ordinary high tide, and including all islands within the Bay. Latitude 59°32' N., longitude 139°10' W.

The areas described aggregate approximately 4,200 acres.

HUGH MILLER INLET

All land within  $\frac{1}{2}$  mile of the shore on the southeast end of Gilbert Island and the two adjacent islands, between Hugh Miller Inlet and Glacier Bay. Latitude 58°47' N., longitude 136°30' W.

The areas described aggregate approximately 1,800 acres.

OSCAR L. CHAPMAN,  
Secretary of the Interior.

DECEMBER 9, 1949.

[P. R. Dec. 49-10008; Filed, Dec. 14, 1949;  
8:47 a. m.]



## PROCLAMATION 3089

### EXCLUDING CERTAIN LANDS FROM THE GLACIER BAY NATIONAL MONUMENT AND ADDING A PORTION THEREOF TO THE TONGASS NATIONAL FOREST—ALASKA

WHEREAS certain lands comprising a portion of the hereinafter-described Gustavus Area of the Glacier Bay National Monument in Alaska, established by Proclamation No. 1733 of February 26, 1925 (43 Stat. 1988), and enlarged by Proclamation No. 2330<sup>1</sup> of April 18, 1939 (53 Stat. 2534), are now being used as an airfield for national-defense purposes and are no longer suitable for national-monument purposes; and

WHEREAS the other lands within the Gustavus Area, including several homesteads which were patented prior to the enlargement of the monument by the proclamation of April 18, 1939, are suitable for a limited type of agricultural use and are no longer necessary for the proper care and management of the objects of scientific interest on the lands within the monument; and

WHEREAS the lands comprising the hereinafter-described Excursion Inlet Area of the monument were erroneously excluded from the Tongass National Forest and included in the monument by the proclamation of April 18, 1939, and such lands are suitable for national-forest purposes; and

WHEREAS it appears that it would be in the public interest to exclude the said lands comprising the Gustavus Area and the Excursion Inlet Area from the Glacier Bay National Monument, and to restore the lands within the Excursion Inlet Area to the Tongass National Forest:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, c. 3080, 34 Stat. 225 (16 U. S. C. 431), section 24 of the act of March 3, 1891, 26 Stat. 1103 (16 U. S. C. 471), and section 1 of the act of June 4, 1897, 30 Stat. 34, 36 (16 U. S. C. 473), do proclaim (1) that all of the following-described lands in the Territory of Alaska are hereby excluded from the Glacier Bay National Monument and (2) that, subject to all valid existing rights, those lands designated and described as the Excursion Inlet Area are hereby added to and made a part of the Tongass National Forest and shall be subject to all laws, rules, and regulations applicable to that forest:

#### GUSTAVUS AREA

##### COPPER RIVER MERIDIAN

T. 40 S., R. 58 E.,  
secs. 1 to 3 and 9 to 12, inclusive;  
fractional secs. 13 and 14;  
secs. 15 and 16;  
fractional secs. 21 to 23, inclusive.  
T. 40 S., R. 59 E.,  
fractional sec. 3;  
secs. 4 to 8, inclusive;  
fractional secs. 9, 10, and 10 to 18, inclusive.

Also, a parcel of unsurveyed land described as follows: Beginning at the north-west corner of sec. 1, T. 40 S., R. 58 E., C. R. M.; thence

North 7,920 feet;  
East 2,640 feet;  
South 45° 00' East to the northeast corner of sec. 6, T. 40 S., R. 59 E., C. R. M.;  
West, along the northern boundary of sec. 6, T. 40 S., R. 59 E., and sec. 1, T. 40 S., R. 58 E., C. R. M., to the point of beginning.

Also, all water and islands lying directly south and offshore between the above-described lands and the center of Icy Passage.

The areas described, including both public and nonpublic lands, aggregate approximately 14,741 acres of land and 4,193 acres of water.

#### EXCURSION INLET AREA

A tract of unsurveyed land described as follows: Beginning at a point on the center line of the principal channel of Excursion Inlet from which Corner No. 1 M. C. of United States Survey No. 668 bears due east; thence

Northerly along the center of the principal channel of Excursion Inlet to a point in approximate latitude 58°30' N., longitude 135° 30' W.;

East to the east shore of Excursion Inlet;

Northeasterly, southeasterly, and easterly, along a subsidiary divide between two streams flowing into Excursion Inlet, to the divide between the waters of Excursion Inlet and Lynn Canal in approximate latitude 58°29'30" N., longitude 135°20' W.;

Southerly along said divide to a point in approximate latitude 58°27' N., longitude 135°18' W.;

Westerly along a subsidiary divide between two streams flowing into Excursion Inlet to the east shore of said Inlet;

West to the center of the principal channel of Excursion Inlet;

Northerly along the center of the principal channel of Excursion Inlet to the point of beginning.

The area described, including both public and nonpublic lands, aggregates approximately 10,184 acres.

The lands in the above-described Gustavus Area shall not be subject to application, location, settlement, entry, or other forms of appropriation under the public land laws until further order of an authorized officer of the Department of the Interior.

The said Proclamation No. 2330 of April 18, 1939, is amended accordingly.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 31st day of March in the year of our Lord nineteen hundred and [SEAL] fifty-five, and of the Independence of the United States of America the one hundred and seventy-ninth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,  
Secretary of State.

[Public Land Order 1062]

[Junfeu 011400]

### ALASKA

#### Reserving Lands for Use of National Park Service as Headquarters Site for Administration of the Sitka and Glacier Bay National Monuments; Partially Revoking Public Land Order No. 842 of June 19, 1952

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10356 of May 24, 1963, it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws and disposals of materials under the act of July 31, 1947 (61 Stat. 631; 30 U.S.C. 601-604), as amended, and reserved for use of the National Park Service, Department of the Interior, as a headquarters site for the combined administration of the Sitka and Glacier Bay National Monuments:

##### DESIGN POINT—AUK BAY AREA

Beginning at Meander Corner No. 2, H.R.S. 130 (U.S. Survey 1870), thence:

N. 23°06' E., 606.8 feet to Meander Corner No. 1, H.R.S. 130 (U.S. Survey 1870), thence

N. 78°57' E., 606.8 feet;

South, 1177.8 feet;

S. 62°46' W., 606.8 feet to a point on the mean high water line of Auk Bay; thence along mean high water line;

N. 1°22' W., 606.8 feet;

N. 41°54' W., 606.8 feet to the point of beginning.

The tract described contains 16.71 acres.

2. Public Land Order No. 842 of June 19, 1952, which withdrew lands for classification is hereby revoked so far as it affects the lands described in paragraph 1 hereof.

3. This order shall not be construed to affect or to impair any rights or privileges the natives of the area may have to the use and enjoyment of their established campsites on the south shore of Herring Cove in their customary manner.

ROGER ERNST,

Assistant Secretary of the Interior.

AUGUST 25, 1959.

[P.R. Doc. 59-7704; Filed, Aug. 28, 1959;  
8 49 a.m.]

PUBLIC LAW 94-429 [S. 2371]; Sept. 28, 1976

## NATIONAL PARK SYSTEM—MINING ACTIVITY

*For Legislative History of Act, see p. 2487*

An Act to provide for the regulation of mining activity within, and to repeal the application of mining laws to, areas of the National Park System, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress finds and declares that—

(a) the level of technology of mineral exploration and development has changed radically in recent years and continued application of the mining laws of the United States to those areas of the National Park System to which it applies, conflicts with the purposes for which they were established; and

(b) all mining operations in areas of the National Park System should be conducted so as to prevent or minimize damage to the environment and other resource values, and, in certain areas of the National Park System, surface disturbance from mineral development should be temporarily halted while Congress determines whether or not to acquire any valid mineral rights which may exist in such areas.

SEC. 2. In order to preserve for the benefit of present and future generations the pristine beauty of areas of the National Park System, and to further the purposes of the Act of August 25, 1911, as amended (16 U.S.C. 1) and the individual organic Acts for the various areas of the National Park System, all activities resulting from the exercise of valid existing mineral rights on patented or unpatented mining claims within any area of the National Park System shall be subject to such regulations prescribed by the Secretary of the Interior as he deems necessary or desirable for the preservation and management of those areas.

SEC. 3. Subject to valid existing rights, the following Acts are amended or repealed as indicated in order to close these areas to entry and location under the Mining Law of 1872:

(a) the first proviso of section 3 of the Act of May 21, 1902 (32 Stat. 203; 16 U.S.C. 123), relating to Crater Lake National Park, is amended by deleting the words "and to the location of mining claims and the working of same";

(b) section 4 of the Act of February 26, 1917 (39 Stat. 938; 16 U.S.C. 350), relating to Mount McKinley National Park, is hereby repealed;

(c) section 2 of the Act of January 26, 1931 (46 Stat. 1043; 16 U.S.C. 350a), relating to Mount McKinley National Park, is hereby repealed;

(d) the Act of June 13, 1933 (48 Stat. 139; 16 U.S.C. 447), relating to Death Valley National Monument, is hereby repealed;

(e) the Act of June 22, 1936 (49 Stat. 1817), relating to Glacier Bay National Monument, is hereby repealed;

(f) section 3 of the Act of August 18, 1941 (55 Stat. 631; 16 U.S.C. 450y-2), relating to Coronado National Memorial is amended by replacing the semicolon in subsection (a) with a period and deleting the prefix "(a)", the word "and" immediately preceding subsection (b), and by repealing subsection (b); and

(g) Title I of Act of October 27, 1941 (55 Stat. 745; 16 U.S.C. 450z), relating to Organ Pipe Cactus National Monument, is hereby repealed.

SEC. 4. For a period of four years after the date of enactment of this Act, holders of valid mineral rights located within the boundaries of Death Valley National Monument, Mount McKinley National Park, and Organ Pipe Cactus National Monument shall not disturb for purposes of mineral exploration or development the surface of any lands which had not been significantly disturbed for purposes of mineral extraction prior to February 29, 1970: *Provided*, That if the Secretary finds that enlargement of the existing excavation of an individual mining operation is necessary in order to make feasible continued production therefrom at an annual rate not to exceed the average annual production level of said operation for the three calendar years 1973, 1974, and 1975, the surface of lands contiguous to the existing excavation may be disturbed to the minimum extent necessary to effect such enlargement, subject to such regulations as may be issued by the Secretary under section 2 of this Act. For purposes of this section, each separate mining excavation shall be treated as an individual mining operation.

SEC. 5. The requirements for annual expenditures on mining claims imposed by Revised Statute 2324 (30 U.S.C. 28) shall not apply to any claim subject to section 4 of this Act during the time such claim is subject to such section.

SEC. 6. Within two years after the date of enactment of this Act, the Secretary of the Interior shall determine the validity of any unpatented mining claims within Glacier Bay National Monument, Death Valley and Organ Pipe Cactus National Monuments and Mount McKinley National Park and submit to the Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands. The Secretary shall also study and within two years submit to Congress his recommendations for modifications or adjustments to the existing boundaries of the Death Valley National Monument and the Glacier Bay National Monument to exclude significant mineral deposits and to decrease possible acquisition costs.

SEC. 7. Within four years after the date of enactment of this Act, the Secretary of the Interior shall determine the validity of any unpatented mining claims within Crater Lake National Park, Coronado National Memorial, and Glacier Bay National Monument, and submit to the Congress recommendations as to whether any valid or patented claims should be acquired by the United States.

SEC. 8. All mining claims under the Mining Law of 1872, as amended and supplemented (30 U.S.C. chapters 2, 12A, and 16 and sections 161 and 162) which lie within the boundaries of units of the National Park System shall be recorded with the Secretary of the Interior within one year after the effective date of this Act. Any mining claim not so recorded shall be conclusively presumed to be abandoned and shall be void. Such recordation will not render valid any claim which was not valid on the effective date of this Act, or which becomes invalid thereafter. Within thirty days following the date of enactment of this Act, the Secretary shall publish notice of the requirement for such recordation in the Federal Register. He shall also publish similar notices in newspapers of general circulation in the areas adjacent to those units of the National Park System listed in section 3 of this Act.

SEC. 9. (a) Whenever the Secretary of the Interior finds on his own motion or upon being notified in writing by an appropriate scientific,

historical, or archeological authority, that a district, site, building, structure, or object which has been found to be nationally significant in illustrating natural history or the history of the United States and which has been designated as a natural or historical landmark may be irreparably lost or destroyed in whole or in part by any surface mining activity, including exploration for or removal or production of minerals or materials, he shall notify the person conducting such activity and submit a report thereon, including the basis for his finding that such activity may cause irreparable loss or destruction of a national landmark, to the Advisory Council on Historic Preservation, with a request for advice of the Council as to alternative measures that may be taken by the United States to mitigate or abate such activity.

(b) The Council shall within two years from the effective date of this section submit to the Congress a report on the actual or potential effects of surface mining activities on natural and historical landmarks and shall include with its report its recommendations for such legislation as may be necessary and appropriate to protect natural and historical landmarks from activities, including surface mining activities, which may have an adverse impact on such landmarks.

SEC. 10. If any provision of this Act is declared to be invalid, such declaration shall not affect the validity of any other provision hereof.

SEC. 11. The holder of any patented or unpatented mining claim subject to this Act who believes he has suffered a loss by operation of this Act, or by orders or regulations issued pursuant thereto, may bring an action in a United States district court to recover just compensation, which shall be awarded if the court finds that such loss constitutes a taking of property compensable under the Constitution. The court shall expedite its consideration of any claim brought pursuant to this section.

SEC. 12. Nothing in this Act shall be construed to limit the authority of the Secretary to acquire lands and interests in lands within the boundaries of any unit of the National Park System. The Secretary is to give prompt and careful consideration to any offer made by the owner of any valid right or other property within the areas named in section 6 of this Act to sell such right or other property, if such owner notifies the Secretary that the continued ownership of such right or property is causing, or would result in, undue hardship.

#### SUNSHINE IN GOVERNMENT

SEC. 13. (a) Each officer or employee of the Secretary of the Interior who—

(1) performs any function or duty under this Act, or any Acts amended by this Act concerning the regulation of mining within the National Park System; and

(2) has any known financial interest (A) in any person subject to such Acts, or (B) in any person who holds a mining claim within the boundaries of units of the National Park System; shall, beginning on February 1, 1977, annually file with the Secretary a written statement concerning all such interests held by such officer or employee during the preceding calendar year. Such statement shall be available to the public.

(b) The Secretary shall—

(1) act within ninety days after the date of enactment of this Act—

(A) to define the term "known financial interest" for purposes of subsection (a) of this section; and

(B) to establish the methods by which the requirement to file written statements specified in subsection (a) of this section will be monitored and enforced, including appropriate provisions for the filing by such officers and employees of such statements and the review by the Secretary of such statements; and

(2) report to the Congress on June 1 of each calendar year with respect to such disclosures and the actions taken in regard thereto during the preceding calendar year.

(c) In the rules prescribed in subsection (b) of this section, the Secretary may identify specific positions within such agency which are of a nonregulatory or nonpolicymaking nature and provide that officers or employees occupying such positions shall be exempt from the requirements of this section.

(d) Any officer or employee who is subject to, and knowingly violates, this section or any regulation issued thereunder, shall be fined not more than \$2,500 or imprisoned not more than one year, or both.

Approved September 28, 1976.

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LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1428 (Comm. on Interior and Insular Affairs).  
SENATE REPORT No. 94-567 (Comm. on Interior and Insular Affairs).  
CONGRESSIONAL RECORD, Vol. 122 (1976):

Feb. 3, 4, considered and passed Senate.

Sept. 14, considered and passed House, amended.

Sept. 17, Senate concurred in House amendments.

[3195-01-M]

Proclamation 4618

December 1, 1978

## Enlarging the Glacier Bay National Monument

*By the President of the United States of America***A Proclamation**

Glacier Bay National Monument was created by Presidential Proclamation in 1925 and was enlarged in 1939 and again in 1955. It protects the great tidewater glaciers and a dramatic range of plant communities. The enlargement accomplished by this Proclamation furthers the protection of the array of geological and ecological interests in the area.

This addition includes the northwesterly side of Mount Fairweather, the highest peak in this part of Alaska, and the Grand Plateau Glacier, both significant to students of glaciology.

The Alsek River corridor provides the only pass through the coastal mountain range for 120 miles. This is the route by which large mammals first entered this isolated area and is used by a significant percentage of the Alaska bald eagle population en route to the Klukwan area where they winter.

The addition also protects two botanically significant areas. In the hills flanking Grand Plateau Glacier live the oldest plant communities in southeast Alaska which survive because the area escaped both glaciation and inundation. Also important to the study of ecological succession are the mature aquatic vegetative communities of the pre-neoglacial lakes in the Deception Hills area.

The land withdrawn and reserved by this Proclamation for the protection of the geological, biological, and other phenomena enumerated above supports now, as it has in the past, a unique subsistence culture of the local residents. The continued existence of this culture, which depends on subsistence hunting, and its availability for study, enhances the historic and scientific values of the natural objects protected herein because of the ongoing interaction of the subsistence culture with those objects. Accordingly, the opportunity for local residents to engage in subsistence hunting is a value to be protected and will continue under the administration of the area added to the Glacier Bay National Monument by this Proclamation.

Section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, by the authority vested in me by Section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), do proclaim that there are hereby set apart and reserved for inclusion in the Glacier Bay National Monument all lands, including submerged lands, and waters owned or controlled by the United States within the boundaries of the area depicted as the Enlargement of Glacier Bay National Monument on the map numbered GLBA-90,005 attached to and forming a part of this Proclamation. The area reserved consists of approximately 550,000 acres, and is necessary to ensure the proper

care and management of the objects the monument was established to preserve and those added by this Proclamation. Lands, including submerged lands, and waters within these boundaries not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States.

All lands, including submerged lands, and all waters within the boundaries of this addition are hereby appropriated and withdrawn from entry, location, selection, sale or other disposition, other than exchange. There is also reserved all water necessary to the proper care and management of those objects protected by this monument and for the proper administration of the monument in accordance with applicable laws.

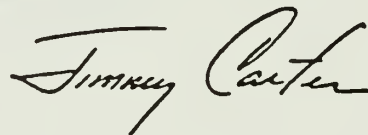
The establishment of this addition is subject to valid existing rights, including, but not limited to, valid selections under the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601 *et seq.*), and under or confirmed in the Alaska Statehood Act (48 U.S.C. Note preceding Section 21).

Nothing in this Proclamation shall be deemed to revoke any existing withdrawal, reservation or appropriation, including any withdrawal under Section 17(d)(1) of the Alaska Native Claims Settlement Act, (43 U.S.C. 1616(d)(1)); however, the national monument shall be the dominant reservation. Furthermore, nothing in this Proclamation is intended to modify or revoke the terms of the Memorandum of Understanding dated September 1, 1972, entered into between the State of Alaska and the United States as part of the negotiated settlement of *Alaska v. Morton*, Civil No. A-48-72 (D. Alaska, Complaint filed April 10, 1972).

The Secretary of the Interior shall promulgate such regulations as are appropriate, including regulation of the opportunity to engage in a subsistence lifestyle by local residents. The Secretary may close this addition, or any portion thereof, to subsistence uses of a particular fish, wildlife or plant population if necessary for reasons of public safety, administration, or to ensure the natural stability or continued viability of such population.

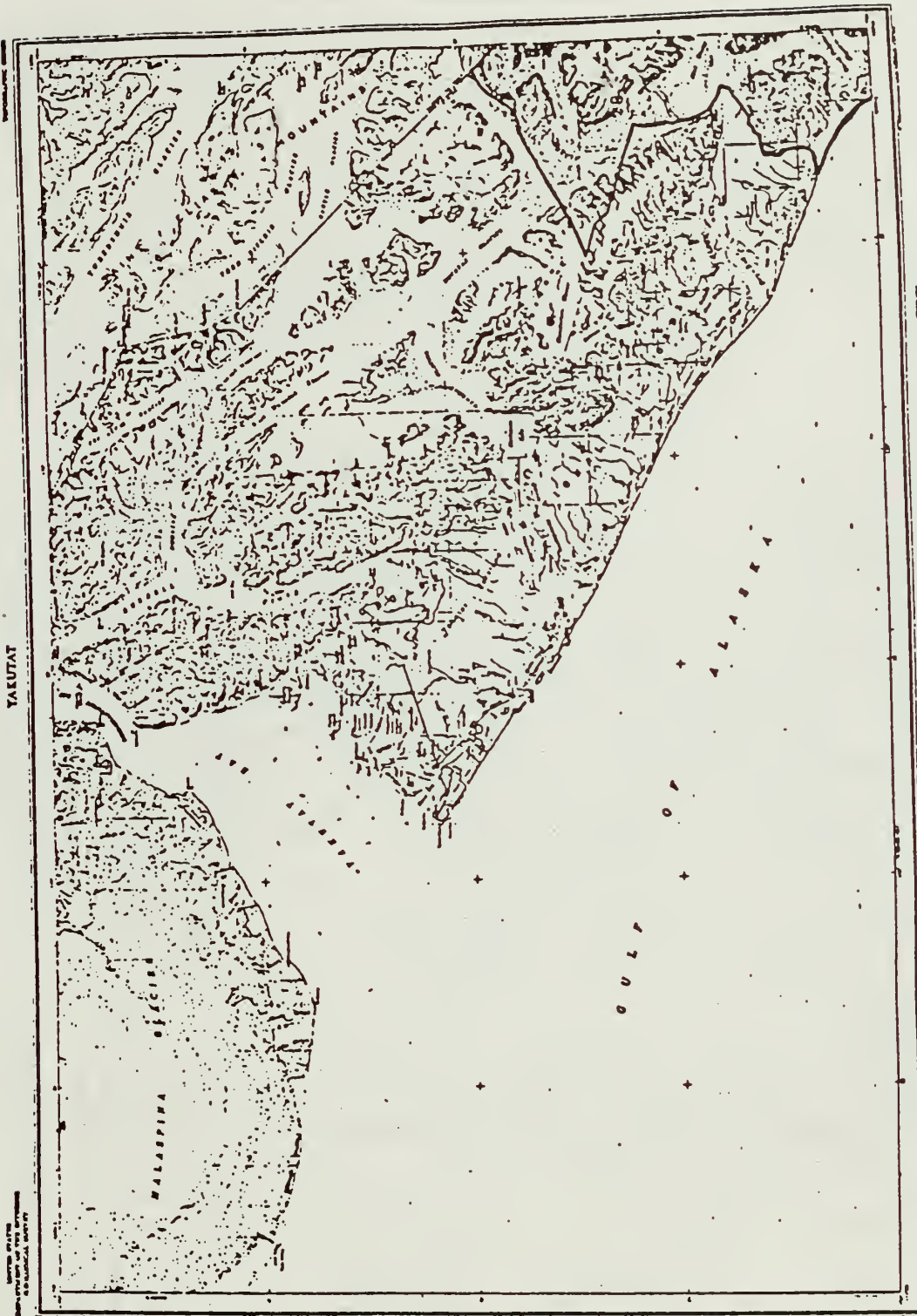
Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of December, in the year of our Lord nineteen hundred and seventy-eight, and of the Independence of the United States of America the two hundred and third.





[3195-01-C]



YAKUTAT, ALASKA - Contour  
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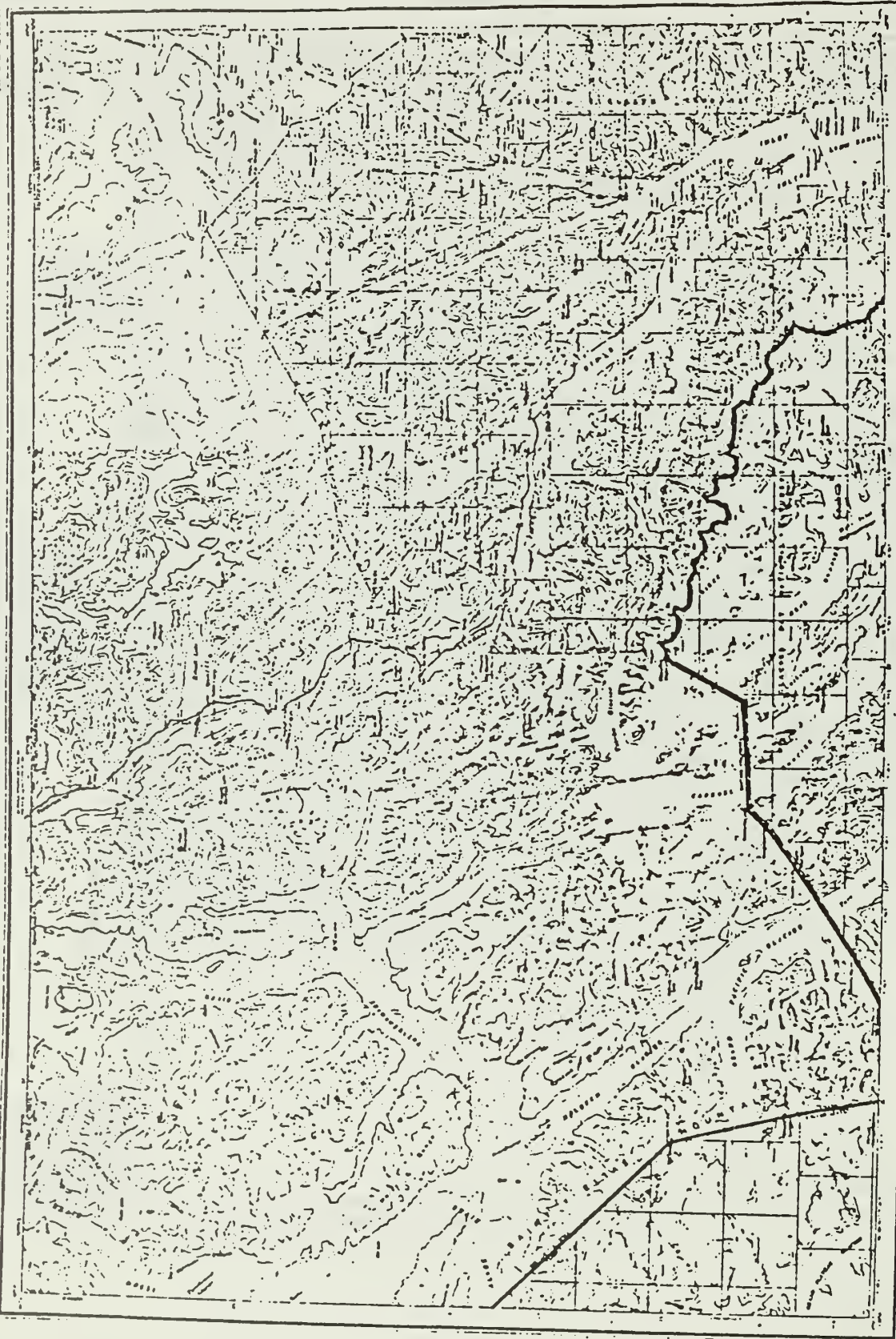


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METRIC SCALE

SKAGWAY

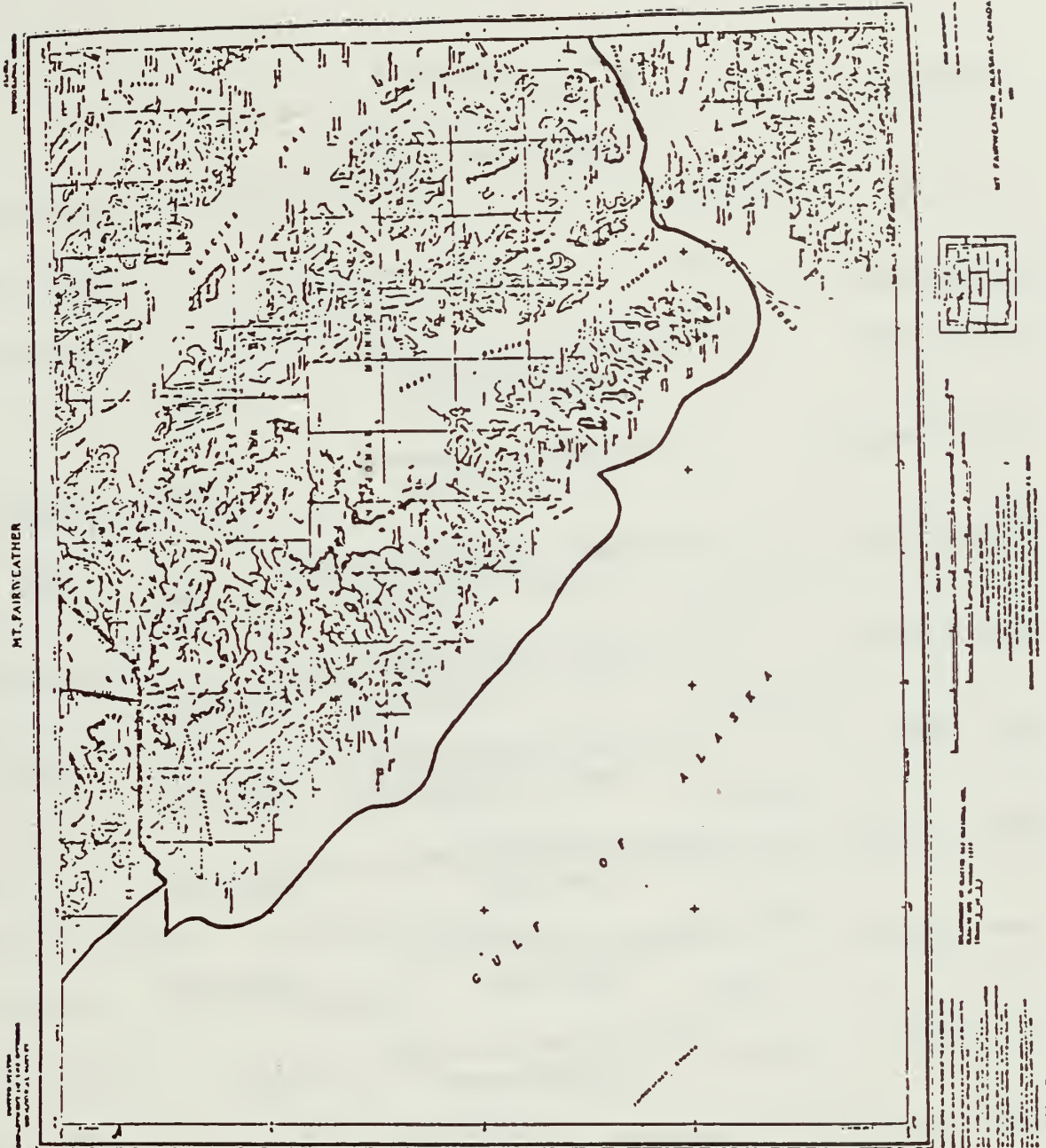
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



Scale of map  
 1 inch = 1 mile  
 1 centimeter = 1000 meters

Legend  
 Solid line: Boundary of the Skagway National Monument  
 Dashed line: Boundary of the Skagway National Monument  
 Dotted line: Boundary of the Skagway National Monument  
 Dash-dot line: Boundary of the Skagway National Monument  
 Long-dashed line: Boundary of the Skagway National Monument

SKAGWAY, ALASKA, CANADA



[FR Doc. 78-33993 Filed 12-1-78; 3:00 pm]  
 FEDERAL REGISTER, VOL. 43, NO. 234—TUESDAY, DECEMBER 5, 1978

**APPENDIX B**  
**AREA MANAGERS**

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Superintendents:

Frank T. Been	Coordinating Superintendent (Mount McKinley)	1939-1943
Grant H. Pearson	Coordinating Superintendent (Mount McKinley)	1943-1947
Frank T. Been	Coordinating Superintendent (Mount McKinley)	1947-1949
Grant H. Pearson	Coordinating Superintendent (Mount McKinley)	1949-1951
Ben C. Miller	Coordinating Superintendent (Sitka and Glacier Bay)	1951-1953
Henry G. Schmidt	Superintendent (Sitka and Glacier Bay)	1953-1958
Leone J. Mitchell	Superintendent (Sitka and Glacier Bay)	1958-1966
W. F. Locke	Acting Superintendent (Sitka and Glacier Bay)	1966
Robert E. Howe	Superintendent (Glacier Bay and Sitka)	1966-1975
Charles V. Janda	Acting Superintendent	1975-1976
J. Thomas Ritter	Superintendent	1976-1978
Donald D. Chase	Acting Superintendent	1978-1979
John F. Chapman	Superintendent	1979-1983
Joseph Alston	Acting Superintendent	1983

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Michael Tollefson	Superintendent	1983-1987
Gary M. Vequist	Acting Superintendent	1987
Marvin O. Jensen	Superintendent	1988-

Chief Rangers:

Ben C. Miller	Custodian (Sitka and Glacier Bay)	1944-1947
Grant H. Pearson	Custodian (Sitka and Glacier Bay)	1947-1949
Ben C. Miller	Custodian (Sitka and Glacier Bay)	1949-1950
Oscar T. Dick	Supervisory Park Ranger	1951-1953
Kenwood A. Youmans	Supervisory Park Ranger	1954-1955
Parker Dragoo	Chief Ranger	1958
Francis H. Jacot	Chief Ranger	1959-1960
John W. Fisher	Supervisory Park Ranger	1961-1963
David B. Butts	Chief Ranger	1963-1967
Theodore Sullivan	Chief Ranger	1967
Charles V. Janda	Chief Ranger/Chief of Interpretation and Resource Management	1967-1978
Donald C. Chase	Chief of Operations	1978-1985

*Area Managers*

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Jerry Case	Supervisory Park Ranger	1987
David Spirtes	Chief Ranger	1987-1989
Michael Sharp	Acting Chief Ranger	1989
Randy King	Chief Ranger	1990-

Captains of the Nunatak:

Leon Vincent		1955-1960
Wendell Schneider		1960-1962
James C. Sanders, Jr.		1962-1980
Ira Gene Chaffin		1981-1983

Park Naturalists:

Bruce B. Paige	Chief Naturalist	1975-
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Park Biologists:

Gregory Streveler	Research Biologist	1971-1980
Spencer J. Taggart	Research Fishery Biologist	1990-

Resource Management Specialists:

Gary M. Vequist	Chief, Resource Management	1981-1988
Mark Schroeder	Chief, Resource Management	1989-

Concessions Management Specialists:

Kevin Apgar		1983-1990
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Management Assistants:

Kevin Apgar		1990-
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## APPENDIX C

### VISITATION STATISTICS

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#### Total Visitation

Year	Total Visitors	Year	Total Visitors
1969	6,300	1981	86,850
1970	20,325	1982	92,331
1971	17,986	1983	96,376
1972	18,352	1984	112,320
1973	24,666	1985	136,605
1974	47,888	1986	146,967
1975	52,556	1987	135,261
1976	58,280	1988	151,700
1977	89,552	1989	153,998
1978	82,496	1990	191,581
1979	92,534	1991	206,476
1980	96,151	1992	216,829

#### Cruise Ship Passengers

Year	Number	Percentage of Total	Year	Number	Percentage of Total
1969	1,636	26	1981	69,615	80
1970	16,676	82	1982	74,808	81
1971	14,802	82	1983	72,541	75
1972	13,320	73	1984	89,880	80
1973	18,481	75	1985	112,783	83
1974	41,531	87	1986	113,110	77
1975	42,479	81	1987	107,241	79
1976	46,488	80	1988	121,299	80
1977	74,870	84	1989	127,132	83
1978	64,022	78	1990	154,501	81
1979	70,895	77	1991	161,736	78
1980	81,115	84	1992	167,814	77



Overnight Backcountry Users

Year	Total Number	Year	Total Number
1969	105	1981	803
1970	85	1982	1,276
1971	118	1983	930
1972	186	1984	993
1973	296	1985	1,148
1974	452	1986	1,172
1975	400	1987	1,425
1976	510	1988	932
1977	561	1989	1,755
1978	600	1990	1,683
1979	576	1991	2,167
1980	651	1992	2,423

## APPENDIX D

### LIST OF MANAGEMENT PLANS

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- 1941 Preliminary Plan of Sandy Cove Development Area (Frank T. Been)
- 1942 Master Plan for Glacier Bay National Monument (Frank T. Been)
- 1945 Planning Study for Glacier Bay National Monument--Alaska (Alfred C. Kuehl)
- 1952 Master Plan Development Outline, Glacier Bay National Monument (Ben C. Miller)
- 1956 Summary of Mission 66 Objectives and Programs for Glacier Bay National Monument
- 1957 Master Plan Development Outline, Glacier Bay National Monument, Alaska (Henry G. Schmidt)
- 1960 Master Plan for the Preservation and Use of Glacier Bay National Monument Mission 66 Edition (Leone J. Mitchell) Revised 1962, 1964, 1967
- 1971 Draft Master Plan Glacier Bay National Monument
- 1972 Glacier Bay National Monument Alaska, Wilderness Recommendation
- 1974 Master Plan Glacier Bay National Monument
- 1974 Glacier Bay National Monument, Backcountry Use & Operation Plan
- 1976 Final Interpretive Prospectus, Glacier Bay National Monument, Alaska
- 1978 Bear Management Plan
- 1978 Statement for Management, Glacier Bay National Monument (J. Thomas Ritter)
- 1979 Whale Management Plan (Charles and Virginia Jurasz and Gregory P. Streveler)
- 1979 Scope of Collections Statement (William E. Brown)
- 1981 Statement for Management
- 1982 Alsek River Interim Management Plan (John F. Chapman)

- 1984 **General Management Plan, Glacier Bay National Park and Preserve, Alaska**
- 1988 **Draft Land Protection Plan, Glacier Bay National Park and Preserve, Alaska**
- 1989 **Alsek River Visitor Use Management Plan**
- 1992 **Vessel Management Plan**

## APPENDIX E

### 50 KEY RESEARCH STUDIES AND POLICY DOCUMENTS

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#### National Monument Boundaries and Inholdings

- 1924 Resolution of Ecological Society of America in support of Glacier Bay National Monument
- 1938 Report on Glacier Bay National Park (Proposed), Alaska (John D. Coffman and Joseph S. Dixon)
- 1939 Glacier Bay Expedition 1939 (Earl A. Trager)
- 1954 Agricultural Reconnaissance Report Gustavus Area, Alaska (Hugh A. Johnson, Neil E. Michaelson, and George A. Woodruff)
- 1954 A Boundary Study of Glacier Bay National Monument (Victor H. Cahalane)

#### Mining

- 1964 Special Report Containing Information Required for Legislation to Redesignate Glacier Bay as a National Park (Leone J. Mitchell)
- 1965 Mineral Resources Summary, Glacier Bay National Monument (Donald Eberlein, USGS)
- n.d. Associate Solicitor, Parks and Recreation to Director, National Park Service (interpretation of Act of June 22, 1936 with reference to milling)
- 1978 Mineral Resources of Glacier Bay National Monument, Alaska (David Brew et al., USGS)
- 1979 Environmental Consequences of Mineral Extraction: Glacier Bay National Monument and Mount McKinley National Park
- 1981 Mining on National Park Service Lands: What is at Stake (General Accounting Office)

#### Indigenous Peoples

- 1946 Possessory Rights of the Natives of Southeast Alaska (Walter R. Goldschmidt and Theodore H. Haas)

- 1947 Special Report on the Hunting Rights of the Hoonah Natives in Glacier Bay National Monument (Lowell Sumner)
- 1959 Tlingit and Haida Indians of Alaska v. United States (Court of Claims)
- 1964 Special Report Containing Information Required for Legislation to Redesignate Glacier Bay as a National Park (Leone J. Mitchell)
- 1966 Hair Seal Hunting by Indians of Hoonah, Alaska in Glacier Bay National Monument (national monument staff)
- 1966 Seal Hunting--Glacier Bay (Memorandum of Superintendent to Assistant Director, July 11)
- 1968 The Archeology of the Glacier Bay Region, Southeastern Alaska (R. E. Ackerman)
- 1982 Resource Use in Glacier Bay National Preserve (George Gmelch)

Science and Ecosystem Management

- 1966 Soil Development and Ecological Succession in a Deglaciaded Area of Muir Inlet, Southeastern Alaska (R. P. Goldthwait, et al.)
- 1971 The Natural History of Glacier Bay National Monument (Gregory P. Streveler and Bruce B. Paige)
- 1975 Dixon Harbor Biological Survey: Final Report on the Summer Phase of 1975 Research (Gregory P. Streveler and Ian A. Worley)
- 1978 On the Climate and Air Pollution Potential in Glacier Bay National Monument, Alaska (Carl Benson, Gerd Wendler, and Rod March)
- 1979 Distribution, Population Ecology and Impact Susceptibility of the Harbor Seal in Glacier Bay, Alaska (Gregory P. Streveler)
- 1979 Glacier Bay Marine Ecosystem: A Conceptual Ecological Model (Lynne Zeitlin Hale and R. Gerald Wright)

- 1984 Proceedings of the First Glacier Bay Science Symposium, Glacier Bay National Park and Preserve, September 23-26, 1983 (James D. Wood, Jr., Maria Gladziszewski, Ian A. Worley, and Gary Vequist, editors)
- 1987 Management of Beach Camping to Reduce Human/Bear Conflicts (Gary M. Vequist)
- 1989 Proceedings of the Second Glacier Bay Science Symposium, Glacier Bay National Park and Preserve, September 19-22, 1988 (A.M. Milner and James D. Wood, Jr.)
- 1991 World Heritage Nomination, Glacier Bay National Park and Preserve

#### Humpback Whale Management

- 1979 Whale Management Report (Charles and Virginia Jurasz and Gregory P. Streveler)
- 1979 Humpback Whales in Glacier Bay National Monument, Alaska: Report on the Interagency Review Meeting, Seattle, Washington, on 12-13 October, 1979 (Marine Mammal Commission)
- 1979 Letter, Jerry T. Leitzell to John F. Chapman, December 3 (first biological opinion)
- 1983 Report of a meeting to review research concerning humpback whales in Glacier Bay and nearby waters in southeastern Alaska, May 19-20
- 1983 Letter, William G. Gordon to Roger Contor, June 22 (second biological opinion)
- 1983 Humpback Whales in Glacier Bay: 1983 Season (C. Scott Baker)
- 1987 Humpback Whales in Glacier Bay, Alaska: A long-term history of habitat use (Gary M. Vequist and C. Scott Baker)

#### Recreational Carrying Capacity and Cruise Ship Management

- 1979 A Statistical Summary of Selected Data from the 1978 Backcountry Users Survey, Glacier Bay National Monument (Darryll R. Johnson)

- 1979 Descriptive Overview of Backcountry Users, Glacier Bay National Monument (Darryll R. Johnson)
- 1982 An Analysis of Cruiseship Passenger Activity Patterns and Evaluation of Tourism Opportunities in Southeast Alaska (B.A. Koth, D. Field, and R.N. Clark)
- 1982 Cruiseship Travelers to Alaska: Implications for Onboard Interpretation (B.A. Koth, R.N. Clark, D. Field)
- 1985 Analysis of Tatshenshine-Elsek Data Concerning Differences in Response to Management Items (M.S. Carroll and D.R. Johnson)
- 1985 Tatshenshine-Elsek River Recreation Survey: Summary of Results (M.S. Carroll and D.R. Johnson)
- 1989 Cruiseship Task Force Report
- 1990 Social Science Perspectives on Visitor Use and Management of Glacier Bay National Park (Darryll Johnson, Patricia Gonzalez and Gary M. Vequist)

#### Commercial Fishing

- 1979 U.S. Fish and Wildlife Service Task Force on Fish Resources of the National Park Service to Assistant Secretary for Fish and Wildlife and Parks, April 4
- 1980 Glacier Bay National Monument (NMFS report on Ad Hoc Task Force recommendation to phase out commercial fishing)
- 1982 Associate Solicitor (Parks and Recreation) to Regional Director, November 29
- 1983 Roy Spradley, Jr. to Deputy Under Secretary, August 12
- 1988 Marvin Jensen to Boyd Evison, November 8 (letter accompanying wilderness recommendations)
- 1990 Summary of GLBA Fishing Management Alternatives
- 1991 Environmental Assessment: Regulations Regarding Fisheries in Glacier Bay National Park





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William E. Brown Historical Files.

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Park Library.

San Bruno, California. Federal Archives and Records Center -- Sierra Pacific Branch.  
Record Group 79, Records of the National Park Service.

Sitka National Historic Site, Sitka, Alaska.  
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Suitland, Maryland. Federal Records Center -- Suitland Branch.  
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