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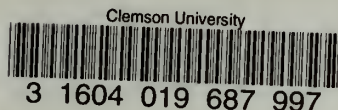
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# **GUADALUPE MOUNTAINS NATIONAL PARK:**



## **AN ADMINISTRATIVE HISTORY**

**by Judith K. Fabry**



**Southwest Cultural Resources Center  
Professional Papers No. 19**

Division of History  
Southwest Cultural Resources Center  
Southwest Region  
National Park Service  
Department of the Interior

As the nation's principal conservation agency, the Department of the Interior has basic responsibilities to protect and conserve our land and water, energy and minerals, fish and wildlife, parks and recreation areas, and to ensure the wise use of all these resources. The Department also has major responsibility for American Indian reservation communities and for the people who live in island territories under U. S. administration.


**GUADALUPE MOUNTAINS  
NATIONAL PARK:  
AN ADMINISTRATIVE HISTORY**

by Judith K. Fabry

**Southwest Cultural Resources Center  
Professional Papers No. 19**

Santa Fe, New Mexico

December 1988



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## ACKNOWLEDGEMENTS

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Judith K. Fabry



## EXECUTIVE SUMMARY

Guadalupe Mountains National Park, authorized by an act of Congress in 1966 and established in 1972, comprises 76,293 acres of mountain and desert land in West Texas. Congress established the park for its scientific and scenic values. The escarpments and canyons of the high country provide dramatic displays of geological sequences. McKittrick Canyon, which contains a perennial stream and unusual biotic associations, and the Bowl, which contains a relict forest, are the focal points of the park's biological values. The park also contains archeological resources and historic resources related to westward emigration and early ranching operations. Of the area within the boundaries of the park, 46,850 acres are Congressionally designated wilderness.

The park is located on the Texas-New Mexico border, 110 miles east of El Paso, Texas, and 55 miles southwest of Carlsbad, New Mexico. U. S. Highway 62/180, which passes through the southern end of Guadalupe Mountains National Park, is the primary route by which visitors reach the park. The area in which the park is located is undeveloped and sparsely populated; the land is used predominantly for cattle and sheep ranching. However, the entrance to Carlsbad Caverns National Park is only 35 miles northeast of Guadalupe Mountains on Highway 62/180 and at one point the boundaries of the two parks are only five miles apart. The few tourist facilities between El Paso and Whites City, New Mexico, consist primarily of small cafe-gas stations.

Nomadic peoples utilized the resources of the mountains and desert lands of the park for at least 10,000 years before Europeans arrived in the area, but there were no permanent settlements until the late-nineteenth century, when settlers moved in and began cattle and sheep ranching. Later, in the 1920s, Wallace Pratt bought the first of several parcels of land he would acquire in McKittrick Canyon. He built a summer home and a later a permanent residence on the property. In the early 1960s he donated 5,600 acres of his property in McKittrick Canyon to the federal government to be used for a park.

J. C. Hunter also purchased land in McKittrick Canyon in the 1920s and thereafter managed the canyon property as a wildlife preserve. It was part of his 72,000-acre Guadalupe Mountain Ranch, on which he raised sheep, goats, and cattle. In 1969, three years after Congress authorized the establishment of a national park in the southern Guadalupe Mountains, the federal government purchased the Guadalupe Mountain Ranch from Hunter's son, J. C., Jr. Between 1966 and 1972 the government also purchased a number of smaller parcels of land that had been included within the park boundaries and acquired through donation the mineral rights to the park lands.

Planning for the park began in 1961, shortly after the Park Service began managing Pratt's donation in McKittrick Canyon as part of Carlsbad Caverns National Park. By 1979, master planning and most of the planning for development of the new Guadalupe Mountains National Park were complete. Wilderness designation for much of the park limited its uses primarily to hiking, backpacking, horseback riding, and scientific research. Developments planned to enhance those

uses included a professionally planned trail system, two developed campgrounds, and a number of primitive campgrounds. Two visitor contact stations, a main visitor center and operations headquarters, housing for park personnel, and a maintenance facility rounded out the developments planned for the park.

Construction of the park facilities began in 1977 and, except for the visitor center and operational headquarters, was mostly complete by late in 1982. After numerous design changes to reduce the cost of the combination visitor center and operational headquarters, in 1987 Congress approved funding for construction. Ground breaking took place in May 1988.

From its establishment in 1972 until late in 1987, Guadalupe Mountains National Park was administered jointly with Carlsbad Caverns from a headquarters in Carlsbad, New Mexico. From 1973 until 1987 an Area Manager lived at the park and oversaw day-to-day operations. Since October 1987, Guadalupe Mountains has had its own resident Superintendent and management of the two parks has been separated except for shared administrative services.

During the first fifteen years after establishment of the park, resource management focused on research to identify and evaluate the natural and cultural resources of the park. Under the mandates of wilderness management, park personnel worked to return the park lands to their natural state and to protect the flora and fauna found there. Significant cultural resources were either stabilized and preserved or adapted for use as administrative facilities.

By 1988, with construction of the visitor center and operational headquarters underway, development was nearly complete. Similarly, much necessary research to establish baselines for resource management had been accomplished. Fifteen years after its establishment, the park had assumed the form and substance of maturity.



## TABLE OF CONTENTS

	<u>Page</u>
ACKNOWLEDGEMENTS . . . . .	iii
EXECUTIVE SUMMARY . . . . .	v
TABLE OF CONTENTS . . . . .	vii
LIST OF FIGURES . . . . .	xiii
I. INTRODUCTION . . . . .	1
Location, Access, and Public Facilities . . . . .	1
Physical Description . . . . .	1
Previous Uses of the Park Lands . . . . .	11
Administration of the Park. . . . .	12
II. THE MOVEMENTS TO ESTABLISH A PARK . . . . .	15
The Forces at Work . . . . .	15
Judge J.C. Hunter and Early Park Plans . . . . .	17
The El Paso Boosters and the Texas Legislature . . . . .	19
The Proposed Extension of Carlsbad Caverns. . . . .	19
The National Park Service and the Grisham-Hunter Ranch . . . . .	21
The 1938 Revival . . . . .	23
The 1940s and 1950s. . . . .	26
The Early Park Movements in Retrospect. . . . .	27
III. THE CONTRIBUTIONS OF WALLACE PRATT AND J.C. HUNTER, JR. . . . .	29
The Role of Wallace Pratt . . . . .	29
National Park Service Interest in the Guadalupe Mountain Ranch . . . . .	34
J.C. Hunter, Jr., and Glenn Biggs . . . . .	37
IV. LEGISLATIVE HISTORY . . . . .	43
Joe Pool and H.R. 3100 . . . . .	43
Hunter, Pratt, and the Congressmen . . . . .	43
The Committee of Five . . . . .	44
Political One-Upmanship . . . . .	45
Gaining Support for the Park . . . . .	46
The Congressional Hearings, 1965 . . . . .	49
The Kelly Report . . . . .	51
The House Hearings, 1966 . . . . .	52
The Senate Hearings, 1966 . . . . .	52

	<u>Page</u>
The Texas Legislature . . . . .	55
Appropriations Legislation . . . . .	56
Establishment of Guadalupe Mountains National Park . . . . .	57
The McKittrick Canyon Access Road . . . . .	57
Wilderness Designation and Development Ceiling Increase . . . . .	58
Legislation in 1987 . . . . .	60
A Perspective on the Legislative History . . . . .	60
 V. MINERAL RIGHTS AND LAND ACQUISITION . . . . .	 63
Donation of Mineral Rights. . . . .	63
Acquisition of the J.C. Hunter, Jr., Land . . . . .	65
Acquisition of Smaller Tracts within the Park Boundaries . . . . .	68
The Hammack Exclusion and Easement . . . . .	70
Acquisition of the Glover Property . . . . .	72
The Shivers Mining Claims . . . . .	76
The McKittrick Canyon Right-of-Way Exchange. . . . .	79
West Side Access Road Right-of-Way . . . . .	80
Acquisition of the Texas Highway Department Maintenance Area . . . . .	81
Excess Land Acquired Outside the Park Boundaries . . . . .	82
 VI. PLANNING FOR THE PARK--THE 1970S . . . . .	 83
Planning in the National Park System. . . . .	83
Master Planning Process. . . . .	84
Master Plan . . . . .	87
Pine Springs Development Concept Plan and the Tramway Study . . . . .	91
Other Plans for Development . . . . .	97
Environmental Assessment for McKittrick Canyon . . . . .	97
Upper Dog Canyon Development Concept Plan and Environmental Assessment . . . . .	97
Statement for Management . . . . .	100
Interpretive Plan. . . . .	101
Resource Management Plans . . . . .	103
Cave Management . . . . .	104
Backcountry Management Plan. . . . .	104
Natural Resources Management Plan . . . . .	106
Trail Planning . . . . .	107
The Contribution of Donald Dayton . . . . .	108

	<u>Page</u>
VII. PLANNING IN THE 1980S . . . . .	111
Economic Feasibility/Market Study . . . . .	111
Master Plan Supplement. . . . .	111
West Side Boundary Study . . . . .	114
Resources Management Planning-1980s . . . . .	114
Cave Management Plan . . . . .	117
Backcountry Management Plan. . . . .	117
Cultural Resources Management Program . . . . .	119
Fire Management Plan . . . . .	120
Resources Management Plan Revisions, 1987 . . . . .	121
Statement for Management . . . . .	122
VIII. DEVELOPMENT OF THE PARK . . . . .	125
Residential Area for Park Personnel . . . . .	125
McKittrick Canyon . . . . .	129
Dog Canyon . . . . .	131
Backcountry . . . . .	141
Trail Construction . . . . .	141
Pine Springs Campground . . . . .	143
Administrative Facilities . . . . .	144
Fencing . . . . .	144
Williams Ranch Access Road . . . . .	146
Information and Operational Headquarters . . . . .	146
IX. NATURAL RESOURCE ISSUES . . . . .	153
Water Resources . . . . .	153
Fire Management. . . . .	155
Backcountry Use. . . . .	157
Mountain Lions . . . . .	158
Reintroduction of Native Species . . . . .	161
Trespass Grazing. . . . .	162
Pesticide Control. . . . .	162
Endangered Species . . . . .	163
Oil and Gas Development . . . . .	164
Collecting of Plant Material by Native Americans . . . . .	165
X. CULTURAL RESOURCE ISSUES . . . . .	167
Preservation of Historic Structures and the Emigrant Trail. . . . .	169
The Pinery . . . . .	169
The Emigrant Trail to California and the Butterfield Stage Route . . . . .	172
Williams Ranch . . . . .	175
Pratt Stone Cabin . . . . .	178

	<u>Page</u>
Adaptive Use of Historic Resources . . . . .	180
Frijole Ranch Facilities . . . . .	180
Ship on the Desert . . . . .	184
Managing the Historic Resources . . . . .	187
Archeological Issues . . . . .	187
The Glover Site . . . . .	190
 XI. SPECIAL EVENTS AND PUBLIC RELATION . . . . .	 197
Events Sponsored by the National Park Service	
Dedication Ceremony--September 30, 1972	197
Opening of Facilities in Dog Canyon--	
May 22, 1982 . . . . .	198
Tenth Anniversary Celebration--	
November 6, 1982 . . . . .	201
Color Weekends . . . . .	202
Other Special Events. . . . .	203
Bicentennial Flag Ceremony--July 28, 1975 . . . . .	203
Climb of Guadalupe Peak by Members of	
POINT--July 12-17, 1982 . . . . .	204
 XII. IN RETROSPECT . . . . .	 207
 BIBLIOGRAPHIC ESSAY. . . . .	 209

## APPENDICES

## APPENDIX A: Legislation

Public Law 89-667, Establishment of Guadalupe Mountains National Park

Public Law 94-174, Land Exchange, McKittrick Canyon

Public Law 95-625, National Parks and Recreation Act of 1978 (Title I and Title IV)

## APPENDIX B: Personnel

Superintendents

Donald A. Dayton

William W. Dunmire

Richard B. Smith

List of Permanent Personnel (Tentative)

## APPENDIX C: Cooperative Agreements

Memorandum of Understanding between the National Park Service and The Texas Parks and Wildlife Department (1987)

Agreement between National Park Service, United States Department of the Interior, and the Carlsbad Caverns Natural History Association (1978)

Memorandum of Understanding between the United States Department of the Interior, National Park Service, Carlsbad Caverns National Park and Guadalupe Mountains National Park; the Bureau of Land Management, Roswell District Office, Carlsbad Resource Area Headquarters; and the United States Department of Agriculture, Forest Service, Lincoln National Forest, Concerning the Management and Suppression of Wildfires Along Common Boundaries (1988)

Cooperative Agreement between the National Park Service, Department of the Interior, and the Department of Highways and Public Transportation, State of Texas (1980)

Interagency Agreement (Memorandum of Understanding) between the National Park Service, U.S. Department of the Interior, Carlsbad Caverns and Guadalupe Mountains National Parks, and the Lincoln National Forest, Forest Service, U.S. Department of Agriculture (for management of North McKittrick Canyon) (1988)

Memorandum of Understanding between Guadalupe Mountains National Park and Culberson County Hospital District for Operation and Maintenance of an Ambulance Service (1987)

## APPENDIX D: Collecting and Research Permits

Collecting Permit Procedures

Appendix A: Research/Collecting Permit Certification Request Form

Appendix B: Criteria Checklist for Collecting Permit Applicants



## LIST OF FIGURES

Page

### I. INTRODUCTION

Figure 1. Vicinity of Guadalupe Mountains National Park . . . . .	2
Figure 2. Map of Guadalupe Mountains National Park. . . . .	3
Figure 3. El Capitan . . . . .	5
Figure 4. View from Guadalupe Peak . . . . .	6
Figure 5. View down Guadalupe Canyon. . . . .	7
Figure 6. View of the Bowl . . . . .	8
Figure 7. Scene in McKittrick Canyon . . . . .	9
Figure 8. Williams Ranch . . . . .	10

### III. THE CONTRIBUTIONS OF WALLACE PRATT AND J.C. HUNTER, JR.

Figure 9. Wallace Pratt. . . . .	30
Figure 10. Park Service survey party. . . . .	35
Figure 11. Guadalupe Mountain Ranch sales brochure . . . . .	40

### IV. LEGISLATIVE HISTORY

Figure 12. Key figures in the legislative process . . . . .	48
---	----

### V. MINERAL RIGHTS AND LAND ACQUISITION

Figure 13. Map of mineral rights ownership. . . . .	64
Figure 14. Map of land ownership . . . . .	67

### VI. PLANNING FOR THE PARK--THE 1970S

Figure 15. Wilderness recommendation . . . . .	88
Figure 16. General development of park . . . . .	90
Figure 17. Route of proposed tramway . . . . .	93
Figure 18. Developments approved for the Pine Springs area . . . . .	96
Figure 19. Conditions existing at Dog Canyon development site in mid-1970s . . . . .	99

### VII. PLANNING IN THE 1980S

Figure 20. Existing boundaries and non-park sections, as of 1980. . . . .	113
Figure 21. Boundary expansion proposed for west side of park . . . . .	115

### VIII. DEVELOPMENT OF THE PARK

Figure 22. Temporary housing at Signal Peak . . . . .	126
Figure 23. Duplex apartments at Pine Springs residential area . . . . .	130
Figure 24. Temporary contact station at McKittrick Canyon . . . . .	132
Figure 25. Permanent visitor contact station at McKittrick Canyon . . . . .	133

Figure 26. Temporary ranger housing at Dog Canyon . . . . . 137  
 Figure 27. Permanent ranger residence at Dog Canyon. . . . . 139  
 Figure 28. Visitor contact station at Dog Canyon . . . . . 140  
 Figure 29. Temporary facilities near Frijole. . . . . 147  
 Figure 30. Artist's rendering of visitor center  
 and operational headquarters. . . . . 150

X. CULTURAL RESOURCE ISSUES

Figure 31. North wall of Pinery stage station . . . . . 171  
 Figure 32. Pilot memorial on Guadalupe Peak . . . . . 173  
 Figure 33. James Adolphus Williams at Williams ranch house . . . . . 176  
 Figure 34. Williams ranch house . . . . . 177  
 Figure 35. Wallace Pratt's stone cabin . . . . . 179  
 Figure 36. Walter and Bertha Glover at Frijole ranch house . . . . . 181  
 Figure 37. Frijole ranch house, 1980 . . . . . 182  
 Figure 38. The Ship on the Desert . . . . . 185  
 Figure 39. Ship during construction . . . . . 186

XI. SPECIAL EVENTS AND PUBLIC RELATIONS

Figure 40. Distinguished guests at dedication ceremony for Guadalupe  
 Mountains National Park . . . . . 199  
 Figure 41. Mary and J.C. Hunter, Jr. . . . . 200  
 Figure 42. Bicentennial flag ceremony on Guadalupe Peak . . . . . 203  
 Figure 43. Wheelchair climb of Guadalupe Peak . . . . . 205

APPENDIX B: Personnel

Superintendents  
 Donald Dayton . . . . . 224  
 William Dunmire. . . . . 226  
 Richard Smith . . . . . 228



## CHAPTER I

### INTRODUCTION

Guadalupe Mountains National Park, authorized by an act of Congress in 1966 and established in 1972, comprises 76,293 acres of mountain and desert land in West Texas. Congress established the park for its scientific and scenic values. The park consists primarily of the highest and southernmost portion of the Guadalupe Mountains, a range that extends northeasterly into New Mexico. The escarpments and canyons of the high country provide dramatic displays of geological sequences and contain relict and unusual plant communities. Of the area within the park's boundaries, 46,850 acres are Congressionally designated wilderness. This designation precluded extensive development within the park and has limited the uses of much of the park to hiking, horseback riding, backpacking, and approved scientific research.

#### Location, Access, and Public Facilities

Guadalupe Mountains National Park is located on the Texas- New Mexico Border, 110 miles east of El Paso, Texas, and 55 miles southwest of Carlsbad, New Mexico (see Figure 1). Part of the northern boundary adjoins the Lincoln National Forest and lands controlled by the Bureau of Land Management. Other mountain ranges lie within or in proximity to the park: the Brokeoff Mountains to the north, the Delaware Mountains, Patterson Hills, and Sierra Diablo Mountains to the south (see Figure 2). U.S. Highway 62/180 passes through the southern end of the park and is the primary route by which visitors reach the park. State Road 137 in New Mexico provides access to the northern part of the park.

The park is located in an undeveloped and sparsely populated area where the land is used predominantly for cattle and sheep ranching. However, another national park--Carlsbad Caverns--is only 35 miles away on Highway 62/180 and at one point the boundaries of the two parks are only five miles apart. The tourist facilities that have been developed along the highway between El Paso and Carlsbad consist primarily of small cafe-gas stations. Dell City, Texas, a farming and ranching community with a population of about 400, is the town nearest to the park, but it has only limited services for tourists. A larger development of tourist facilities is located at Whites City, New Mexico, approximately 35 miles northeast of the park. Van Horn, Texas, 60 miles south of the park, also has tourist facilities. Guadalupe Mountains National Park provides the only campground between Whites City and Hueco Tanks, a state park on the eastern outskirts of El Paso.

#### Physical Description

Included within the boundaries of the park are the sheer cliffs and peaks more than 8,000 feet high that make up the V-shaped southernmost extension of the Guadalupe Mountains. The mountain range is an uplifted segment of the Capitan reef, a limestone barrier reef that formed some 280 million years ago from algae in

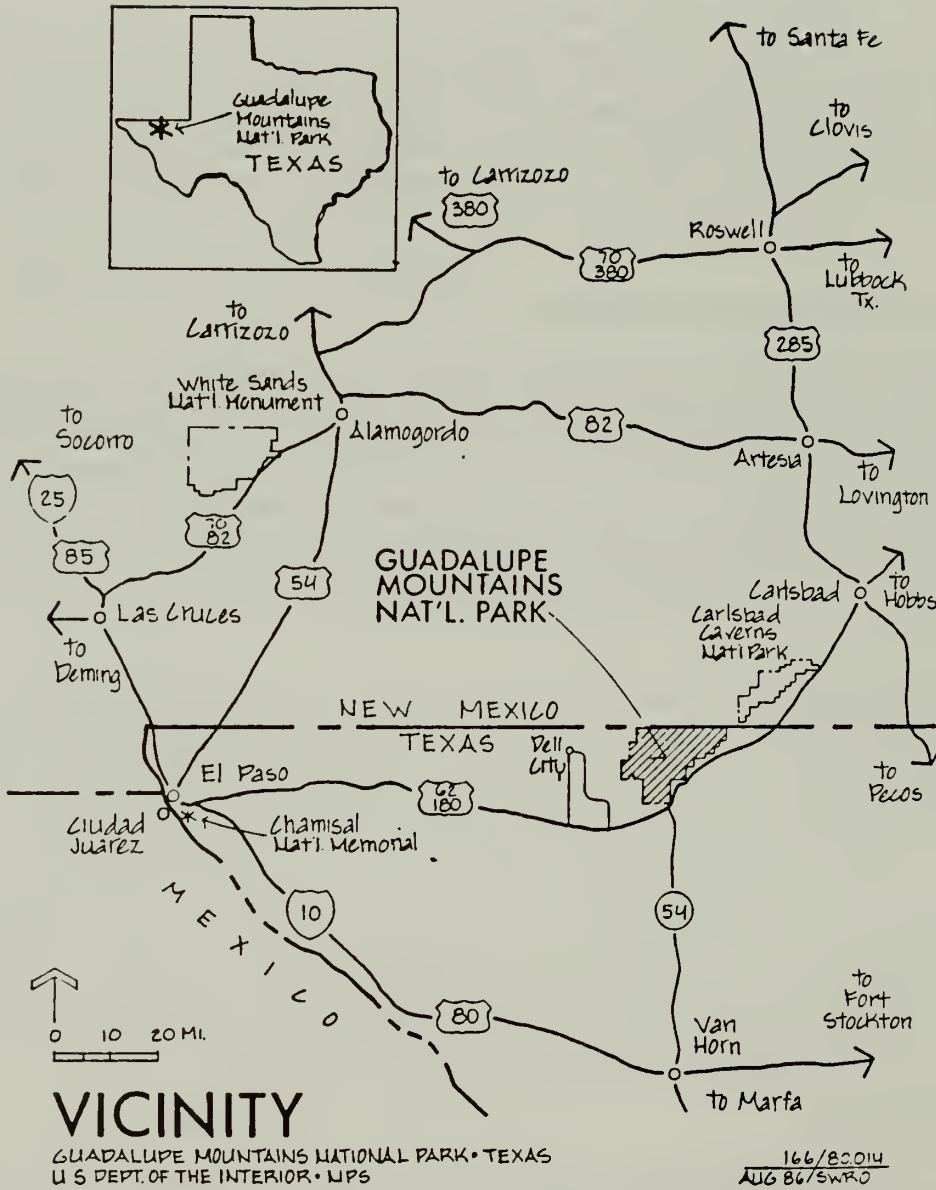


Figure 1. Vicinity of Guadalupe Mountains National Park

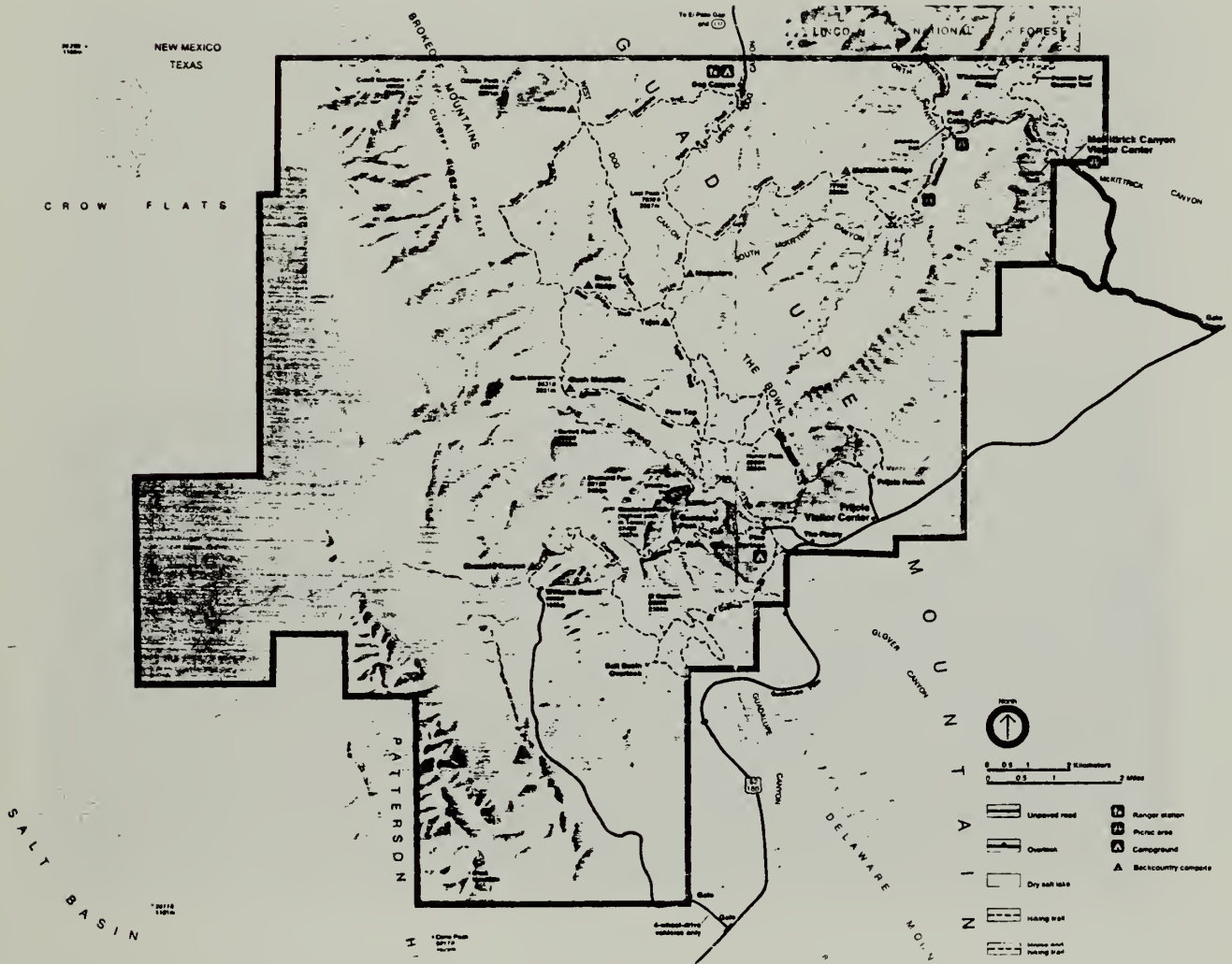


Figure 2. Map of Guadalupe Mountains National Park

a shallow inland sea. The geological information revealed in the sheer escarpments and deeply incised canyons of the Guadalupe have made this exposed portion of the Capitan reef one of the world's best-known and most-studied fossil reefs.

The precipitous cliffs of El Capitan punctuate the southern tip of the Guadalupe and jut above the desert floor like the prow of a great ship (see Figure 3). In 1858, a traveler, seeing El Capitan for the first time, wrote: "It seemed as if nature had saved all her ruggedness to pile up in this colossal form. . . ." <sup>1</sup> Visible for many miles from both east and west, the peak has served as a landmark for travelers for unnumbered centuries. Northeast of El Capitan are the four highest peaks in Texas: Guadalupe Peak at 8,749 feet, Bush Mountain at 8,631 feet, Shumard Peak at 8,615 feet, and Bartlett Peak at 8,513 feet. The top of the escarpment offers unparalleled views of the Delaware basin to the east and the salt basin to the west (see Figures 4 and 5). Hidden between the escarpments that form the V-shaped terminus of the Guadalupe range are two other manifestations of the scientific and scenic values preserved in the park: the relict forest in the Bowl and the aquatic habitat of McKittrick Canyon (see Figures 6 and 7). The unique and fragile variations of plant life in these areas create a museum-like atmosphere, vestiges of a time when the climate of this land was less arid.

The park also includes desert lowlands. The western side of the park encompasses a portion of the salt basin lying between the Guadalupe and the next range of mountains to the west, the Cornudas. These lowlands contain flora and fauna typical of the Chihuahuan desert of which they are a part. They also exhibit the ecological changes caused by overgrazing of domestic livestock. Williams Ranch, one of the park's cultural resources, located at the base of the mountains on the west side of the park, gives visitors a sense of the isolation of a rancher's life. The ranch site also provides a dramatic point from which to view the steep scarp of the western side of the Capitan reef (see Figure 8). On the eastern side, the park does not extend far beyond the base of the mountains. The park lands there are characterized by deep and mostly waterless canyons that lead to the high country.

Although the variations in elevation in the park may produce extremes of temperatures, the climate of the park is generally mild. During the summer the pine forests of the high country offer a cool respite from the intense heat of the desert lowlands. In winter, the lower elevations and west side of the park remain comfortably warm even when snow blankets the mountains. Strong winds in late winter and spring and severe electrical storms accompanied by torrential rains during the summer pose some natural hazards for hikers.

The scarcity of water determines the patterns of life in the park lands. Although an extensive variety of animals, from large ungulates to the smallest mammals, make their homes in the park, the water available from small springs scattered throughout the park dictates their numbers and ranges. Similarly, the locations of these water sources became the camping places of nomadic peoples and the settlements of early

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<sup>1</sup>Waterman L. Ormsby, The Butterfield Overland Mail, ed. Lyle H. Wright and Josephine M. Bynum (San Marino, California: The Huntington Library, 1942), 73-74.



**Figure 3. El Capitan, as seen from the southeast. Visible for many miles from both east and west, the peak has served as a landmark for travelers for unnumbered centuries. (NPS Photo)**



**Figure 4.** View from Guadalupe Peak, overlooking El Capitan. At 8, 749 feet, Guadalupe Peak is the highest point in Texas. A five-mile-long trail makes it possible for park visitors to reach the summit of Guadalupe Peak. (NPS Photo)



**Figure 5. The view down Guadalupe Canyon toward Guadalupe Pass from a high point on the Guadalupe escarpment. (NPS Photo)**



**Figure 6. View of the Bowl from a high point on the Guadalupe escarpment. The Bowl contains a relict forest that is one of the park's primary natural resources. (NPS Photo)**





**Figure 7.** Scene in McKittrick Canyon. McKittrick Canyon contains an oddity in arid West Texas--a perennial stream. The stream is a vestige of a time when the climate of the area was less dry and may be considered a museum of unusual aquatic and biotic associations. (NPS Photo)



**Figure 8. Williams Ranch (left center), one of the park's cultural resources, in its isolation at the foot of the western escarpment and El Capitan. The west side of the park is a favored place for winter and spring visitors for it remains comfortably warm even when the mountains are blanketed with snow.**

ranchers. McKittrick Canyon contains the only perennial stream in the park. The rarity of perennial streams in this arid region has made McKittrick Canyon more than just "the most beautiful spot in Texas," as its former owner called it; the canyon is a showplace for biotic associations otherwise unknown in western Texas and southern New Mexico.<sup>2</sup>

### Previous Uses of the Park Lands

Although there is no evidence of permanent settlement in the park lands until the late nineteenth century, archeological evidence suggests that nomadic people, whose existence was based on hunting and gathering, utilized the natural resources of the mountains and desert lands for at least ten thousand years before Europeans arrived in the area. In historic times the Guadalupe Mountains served as a last refuge for the Mescalero Apaches as the westward movement of the nation's frontier encroached upon their hunting grounds and way of life.<sup>3</sup>

In the late 1840s, after Mexico had ceded the lands of the Southwest to the United States, the federal government began identifying routes for westbound emigrants. In 1849, Capt. Randolph B. Marcy of the U.S. Army camped on the salt flats west of the park lands and wrote of the Guadalupe Mountains: "The peak of Guadalupe and the general outline of the chain can be seen from here, and it appears to be impossible to pass through it with wagons anywhere north of our route; and as the defile is near the peak, which can be seen for many miles around, it is a good landmark."<sup>4</sup> The route became well known; in 1858 the Butterfield Overland Mail established a stagestop called the Pinery at the top of Guadalupe Pass. A year later, however, the stage line abandoned the facility and began using a more southerly route through the Davis Mountains. The protection offered by U.S. Army troops stationed at Fort Davis and better availability of firewood, water, and grass made the southern route more advantageous. Emigrants, soldiers, freighters, and drovers, however, continued to camp at the Pinery site well into the 1880s.<sup>5</sup>

In the 1870s, after the Apaches had been subdued and gathered onto reservations, settlers moved into the region and took up farming and ranching. In the early 1920s, Wallace Pratt and some friends purchased more than 5,000 acres in McKittrick Canyon. Pratt soon became sole owner of the property and managed the canyon as a nature preserve and place for scientific study. Thirty years later he donated a

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<sup>2</sup>Wallace Pratt to The Editor, San Angelo (Texas) Standard Times, February 8, 1967, in file C45.3B, #10-Guadalupe, 1966-1970, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>3</sup>For more information about the prehistoric uses of the Guadalupe Mountains by humans see Paul R. Katz, "An Inventory and Assessment of Archeological Sites in the High Country of Guadalupe Mountains National Park, Texas," Archaeological Survey Report no. 36 (San Antonio, Texas: University of Texas, Center for Anthropological Research, 1978) and James E. Bradford, "Upper Dog Canyon Archeology: Guadalupe Mountains National Park," (Santa Fe: National Park Service, Southwest Cultural Resources Center, 1980).

<sup>4</sup>Grant Foreman, Marcy and the Gold Seekers: The Journal of Capt. R.B. Marcy, with an Account of the Gold Rush Over the Southern Route (Norman, Oklahoma: University of Oklahoma Press, 1939), 351.

<sup>5</sup>For a description of the Pinery stagestop and the route of the Butterfield Mail through the park lands see Roscoe P. Conkling and Margaret B. Conkling, The Butterfield Overland Mail, 1857-1869, Vol. 1 (Glendale, California: The Arthur H. Clark Co., 1947), 389-396.

portion of his ranch in McKittrick Canyon to the federal government to be used as a park.

At the same time that Pratt and his friends bought the land in McKittrick Canyon, J. C. Hunter and two associates also were acquiring land in the southern Guadalupe Mountains. Hunter, like Pratt, bought out his friends, eventually acquiring some 72,000 acres, which he managed as a hunting preserve and cattle, sheep, and goat ranch. In 1969, three years after Congressional authorization to establish a park in the southern Guadalupe Mountains, the federal government purchased Hunter's ranch. The Pratt donation and the Hunter purchase made up the bulk of the lands that became Guadalupe Mountains National Park.

### Administration of the Park

After Pratt donated McKittrick Canyon to the federal government and until 1972, when Guadalupe Mountains National Park was officially established, the park lands were administered as a detached unit of Carlsbad Caverns National Park. In 1972 the Park Service initiated joint administration of the two national parks. From a central office in Carlsbad, New Mexico, a Superintendent and a full range of support staff managed both parks. Beginning in 1973, an Area Manager who lived at the park oversaw the day-to-day operations at Guadalupe Mountains. John Chapman served in that position from 1973 to 1975. Bruce Fladmark took over the duties of Area Manager in 1976 and served until 1980, when Ralph Harris arrived. Harris was the last permanent Area Manager for the park. In June 1987 Harris transferred out and Park Service management decided that the time was right to appoint a full-time Superintendent for Guadalupe Mountains. In October 1987 Karen Wade accepted the position.<sup>6</sup>

Joint administration of the two parks was beneficial to Guadalupe Mountains in the early years. At that time, Carlsbad Caverns National Park was nearly fifty years old and had the staff and funding of a well-established park. In the first few years of Guadalupe's operation, the park had only a few full-time employees; in times of need they could draw on the skilled employees and equipment available at Carlsbad Caverns. Similarly, the Carlsbad Caverns Natural History Association, an organization established to aid the park through publication and sale of informational material, assisted the interpretive effort at Guadalupe Mountains. Profits from the Association's book sales at the park were used to purchase interpretive equipment that otherwise would have been unavailable.<sup>7</sup>

By 1987 Guadalupe Mountains had matured. Most major developments planned for the park were complete or were scheduled for construction. The park had its own full-time interpretive, maintenance, and ranger staffs. Visitation to the park had

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<sup>6</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1972. 1; Superintendent's Annual Report, Guadalupe Mountains National Park, 1973. 1; Superintendent's Annual Report, Guadalupe Mountains National Park, 1975. 1; Superintendent's Annual Report, Guadalupe Mountains National Park, 1976. 2; Superintendent's Annual Report, Guadalupe Mountains National Park, 1980. 2; Superintendent's Annual Report, Guadalupe Mountains National Park, 1987. 2-3.

<sup>7</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1972. numerous references; Donald Dayton, interview with author, May 20, 1987.

increased steadily from 50,000 in 1975 to more than 160,000 in 1986, an indication that the park had developed its own image and clientele. Managers agreed that the time had come to separate the management of the two parks. In the interest of cost efficiency, however, some personnel management, budgeting, and property and procurement functions continued to be performed by the Carlsbad Caverns National Park Administrative Division Office in Carlsbad.<sup>8</sup>

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<sup>8</sup>Statement for Management, Guadalupe Mountains National Park, January 1988, 18; John Cook, interview with author, May 20, 1987; Bobby L. Crisman, personal communication to author, June 1988.



## CHAPTER II

### THE MOVEMENTS TO ESTABLISH A PARK

#### The Forces at Work

During a period of fifty years a number of social, political, and economic factors combined to bring about the establishment of Guadalupe Mountains National Park. Three of those factors might be singled out as crucial. One was philosophical: the belief in the necessity for parks in American society. The other two factors were economic: rapid development and population growth in West Texas and southern New Mexico, and the increasing use of the automobile, which provided a means to escape the pressures that development and increasing population created.

Parks were an accepted part of American life by the 1920s. Congressional authorization of the National Park Service in 1916 reflected public interest in material and spiritual conservation. This philosophy was based in the belief that scenic grandeur, experienced in a relatively primitive state, could revitalize people who lived daily with the forces of industrialization and urbanization. Since the country had a non-renewable supply of scenic resources, people believed they should be conserved and managed for use by present and future generations.<sup>1</sup>

Although the entire Southwest was less than thirty years past its frontier stage, the area was growing up. People living in small and scattered agricultural and ranching communities in New Mexico and Texas watched towns like Las Cruces, Roswell, Artesia, Carlsbad, and El Paso grow to be prosperous centers of economy and culture.

"Boosterism," a popular term of the early twentieth century, described the efforts made by individuals and organizations to advertise the potentials of a locale for economic development and personal contentment. Boosters wanted to put their towns "on the map." Chambers of commerce, the institutions of boosterism, seemed to grow spontaneously once a town achieved a population of several thousand.

El Paso, Texas, a city by local standards, was geographically isolated from other centers of population in Texas. The El Paso Chamber of Commerce looked east, therefore, to the rapidly developing oil fields of the Permian basin as a market for goods and services and to the newly established Carlsbad Cave National Monument in southeastern New Mexico as a source of expanding tourism.

Boosters of Carlsbad, New Mexico, were equally aware of the economic potential of their area. After Carlsbad Cave was designated a National Monument in 1923, tourism became the most frequently mentioned topic in the local newspaper. In addition to the spectacular cave, the boosters of Carlsbad pointed to the rugged beauty and archeological artifacts to be found in the canyons of the nearby Guadalupe Mountains; the beautiful and healthful waters of Sitting Bull Falls and

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<sup>1</sup>Ronald A. Foresta. America's National Parks and Their Keepers. (Washington, D.C.: Resources for the Future, 1984, pp. 9-13.

Carlsbad Spring; and the tamer diversions the city offered, such as swimming and golf.<sup>2</sup>

The automobile provided the means for many people to make excursions to relatively distant points on their own time schedules. Without access to the diversions afforded by major metropolitan areas, and living in a climate that provided long seasons for enjoyment of the outdoors, residents of West Texas and southern New Mexico often spent vacation times camping and exploring archeological ruins or geological formations. The guano cave near Carlsbad, where Jim White was the resident foreman and guide, was a popular recreation destination for people from the area even before it became a national monument. Because they were proud of their scenic resources, local people also wanted the rest of the country to appreciate them.

As automobile use expanded, people became more aware of the limitations of the old wagon roads. Local good roads committees grew up with the chambers of commerce. Those committees, magnified to state and federal proportions, served as the lobbying forces to promote the establishment of a national highway system. Although people began to think it would be a good idea to establish a park in the scenic Guadalupe Mountains located between Carlsbad and El Paso, a park could develop only after roads opened the remote area. On the other hand, tax dollars would not be spent on improving or building a road unless the road led somewhere. In West Texas and southern New Mexico, automobiles, roads, and parks were inextricably linked.

Motorcades were a phenomenon of the 1920s, expressive of the country's newfound mobility, the spirit of boosterism, and goodwill toward neighboring communities. Organized by chambers of commerce, these events involved from several dozen to hundreds of vehicles traveling together, usually for a few days, but sometimes for weeks at a time. The motorcade was met with enthusiasm wherever it stopped because it occasioned an opportunity to show off each locality's particular attractions to an appreciative audience. During the social activities there was always time to discuss ways to strengthen ties between towns. Good roads were usually the principal topic.

In the 1920s no direct route existed between El Paso and Carlsbad. Instead, travelers from El Paso went to Alamogordo, then through the Sacramento Mountains to Artesia, then south to Carlsbad, a scenic but indirect route. In 1927, after a motorcade of El Pasoans through the "El Paso trade territory," the Carlsbad newspaper reported that there was much interest in building a highway to link El Paso and Carlsbad. To get such a project underway, one wealthy businessman from El Paso had put up \$5,000 and challenged twenty others to match the amount.<sup>3</sup>

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<sup>2</sup>Carlsbad Current-Argus, March 1, 1927.

<sup>3</sup>Ibid., March 11, 1927.



### Judge J. C. Hunter and Early Park Plans

The occasion of the motorcade in 1927 was not the first time West Texans had considered the advantages of a road to connect El Paso and Carlsbad. In 1925, McKittrick Canyon, located partly in Texas and partly in New Mexico, in the southern Guadalupe Mountains, had attracted the attention of some Texans who wanted to create a state park there. The park plan was part of a larger effort to get a road built between Carlsbad and El Paso.

J. C. Hunter was a prime mover in the group boosting the park and highway. In 1924 he had visited the inaccessible but spectacular canyon for the first time. Hunter was from Van Horn, Texas, a ranching community approximately halfway between Carlsbad and El Paso, and 65 miles south of the southern end of the Guadalupe range. As judge for Culberson County, Hunter was an influential and respected man in West Texas. He also was an oilman with a substantial income. After seeing McKittrick Canyon, Hunter began working with others who were also interested in establishing a park there.<sup>4</sup>

In the spring of 1925, a group of about 100 persons, including the highway commissioners of both Texas and New Mexico, Governor Pat Neff of Texas, and members of the newly created Texas State Parks Board visited Carlsbad Cave and McKittrick Canyon. Considerable enthusiasm existed for the park project. After the highway commissioners agreed to build the road, Hunter purchased a section of land in the canyon, intending to donate it as part of the 6,000 to 8,000 acres that the group had pledged to help create a Texas state park. Hunter also secured a promise from the State Banking Department, which owned some of the land at the mouth of the canyon, that the land would not be sold.<sup>5</sup>

In September 1925, National Geographic carried a long article about the new discoveries their explorers were making at Carlsbad Caverns. Willis T. Lee, leader of the exploration group and author of the article, apparently had been impressed by the dynamism and positive action of the Texas state park group. A portion of the article described a new Texas state park in the southern Guadalupe Mountains that had been established as a result of the Society's activities at Carlsbad Cave. Photographs of El Capitan and a canyon scene accompanied the article.<sup>6</sup>

In spite of initial enthusiasm, the idea of a park in McKittrick Canyon did not go beyond Hunter's initial one-section purchase. The State Banking Department reneged on its promise and sold the land at the mouth of the canyon. Disappointed, Hunter gave up the idea of a park, but continued to acquire land in the southern Guadalupe Mountains. Around 1928 he sold all of the land he had acquired to a corporation he had formed with M. McAlpine and Thomas and Matt Grisham. The corporation, headquartered in Abilene, Texas, engaged in oil and gas exploration.

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<sup>4</sup>Roger W. Toll report to A. B. Cammerer, Director, National Park Service, February 21, 1934, p. 25, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>5</sup>Ibid.

<sup>6</sup>National Geographic, 48(September 1925): 301, 316-17.

By 1934 the Grisham-Hunter Corporation had acquired ownership or control of 43,200 acres between the New Mexico-Texas boundary and El Capitan.<sup>7</sup>

Early in 1928, Stephen T. Mather, Director of the National Park Service, visited New Mexico and expressed his belief that either the Frijole Canyon area near Santa Fe (later to become Bandelier National Monument) or Carlsbad Cave could be considered logical locations for a national park. The Carlsbad Chamber of Commerce immediately went to work lobbying for the cave and suggested that sections of the Guadalupe Mountains, including Guadalupe Peak and El Capitan, should also be a part of the park.<sup>8</sup>

Although Judge Hunter had given up the idea of a park in McKittrick Canyon, his Grisham-Hunter Corporation remained a strong supporter of tourism in West Texas and southern New Mexico and an advocate for the El Paso to Carlsbad highway. As an expression of that support, in August 1928 the corporation hosted a 24-hour picnic in McKittrick Canyon, attended by some 500 persons, including members of the West Texas Chamber of Commerce, the governors of Texas and New Mexico, Texas Highway Commissioner R.S. Sterling, and a contingent of the Army from Ft. Bliss, which took care of the housekeeping details for the large party. Among the speakers at the festivities, Highway Commissioner Sterling spoke about the park potentials of the Guadalupes, calling it the "recreation center of Texas." He recommended that the state acquire the land in McKittrick Canyon for a park and asserted that then there would be no problem with building a road to it.<sup>9</sup>

Not long after the big picnic in McKittrick Canyon, J. Stokely Ligon, a biologist for the U.S. Biological Survey who had recently spent two years doing a wildlife survey of the Guadalupes for the State of New Mexico, expressed his ideas about providing public access to the Guadalupes. He envisioned a scenic loop drive touching El Paso on the west, El Capitan at the south, Roswell on the east, and White Sands National Monument on the north. Ligon suggested that many organizations and government agencies would have to cooperate to advertise the loop route and to help visitors understand its features. He emphasized, however, that while roads should be built to the canyons in the Guadalupes, the canyons themselves should only be accessible by foot or horseback. Ligon said, "The great trouble with us is that an ease-loving people want to sit in their cars and reach the few spots of natural wild life and then the wild life vanishes."<sup>10</sup>

Although the proposed park in McKittrick Canyon failed to materialize, two highways connecting El Paso and Carlsbad were completed by 1931. The first, the "short line" (later to become U.S. 62) was in use by the summer of 1929.<sup>11</sup> The other

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<sup>7</sup>Roger W. Toll report to A.B. Cammerer, Director, National Park Service, February 21, 1934, p. 25, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>8</sup>Carlsbad Current-Argus, March 16, 1928.

<sup>9</sup>*Ibid.*, August 10, 1928.

<sup>10</sup>*Ibid.*, September 18, 1928.

<sup>11</sup>*Ibid.*, February 1, 1929.

highway, U.S. 80, which linked El Paso with Van Horn, was completed in the summer of 1931.<sup>12</sup> Completion of these highways would enhance the credibility of later efforts to establish a park in the southern Guadalupe Mountains of Texas.

### The El Paso Boosters and the Texas Legislature

During 1931 and 1932, the Guadalupe Mountain Park Association functioned as a branch of the El Paso Chamber of Commerce. E. H. Simons, manager of the El Paso Chamber of Commerce, served as secretary for the Association. An avid booster who stood by the idea of a park in the Guadalupe Mountains for a number of years, Simons approached the chairman of the Texas highway commission about the possibility of establishing a park in the southern Guadalupe Mountains. He proposed acquiring part of the ranch belonging to the Grisham-Hunter Corporation with funds raised by a county bond issue. The chairman agreed that if El Paso County would donate the park site to the State of Texas, the highway commission would build roads to scenic points within the park to a total cost of \$500,000. Simons then secured an option to purchase the 33,000-acre proposed park site for a total of \$200,000. Undoubtedly aware of the unreliability of funds available at the state level for park management and maintenance, Simons envisioned that after the state had developed the park it would donate it to the national park system.<sup>13</sup>

Although Texas had set up a state parks board in the mid- 1920s, by 1930 it still did not have a state park system. Early in 1931, anticipating the access to the Guadalupe Mountains afforded by the new highways, the Texas legislature considered a bill that would have provided \$300,000 to acquire land for a park in the Guadalupe Mountains. The Davis Mountain Park was proposed in the same bill. In March, the Texas State Parks Board made movies of the proposed park areas to use for publicity purposes. Once again, however, enthusiasm did not carry the issue; the proposed park bill died from lack of support.<sup>14</sup>

### The Proposed Extension of Carlsbad Caverns

Concurrent with the Texas legislative efforts, the National Park Service investigated the possibility of extending the boundaries of Carlsbad Cave National Monument, which at that time encompassed only one square mile. On May 14, 1930, Congress gave the area national park status and authorized the extension of the boundaries. A total of 192 square miles of land surrounding the monument had previously been withdrawn by Executive Orders in 1924, 1928, and 1930. The withdrawn lands were all in New Mexico and extended west to the Lincoln National

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<sup>12</sup>El Paso Times. July 22, 1931.

<sup>13</sup>Roger W. Toll report to Director, National Park Service. January 20, 1932. p. 7. in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters. Carlsbad, New Mexico.

<sup>14</sup>Ibid., February 27, 1931 and March 4, 1931.

Forest boundary.<sup>15</sup> The proximity of these lands to the scenic splendors of Guadalupe Peak, El Capitan, and McKittrick Canyon raised the issue of extending the Carlsbad Caverns boundaries even farther.

As a part of the preliminary survey of wildlife in the national parks undertaken in 1931, Ben Thompson and George Wright, of the University of California, visited Carlsbad Caverns and the lands of the proposed extension. The researchers expressed views that diverged slightly from the traditional "monumental" attitudes toward national parks. Although they noted the relatively minor economic usefulness of the lands and recognized the scenic and recreational values of the Guadalupe Mountains, they found the unique wildlife resources of the Guadalupe Mountains to be equally important. They noted that the Guadalupe Mountains were then or previously had been home to four native species which were not represented in other national parks: the Merriam turkey, the Texas bighorn, the collared peccary, and the Mearns quail. Thompson and Wright suggested that the peccary, which had been extirpated from the park, could be reintroduced. A remnant population still existed in the desert lands east of the Pecos River. Wright also noted the possibility that Texas would make the southernmost tip of the Guadalupe Mountains a state park and might donate it to the national park system if the boundaries of Carlsbad Caverns were extended.<sup>16</sup>

In September 1931, without visiting the area, F. A. Kittredge, Chief Engineer of the San Francisco Field Headquarters, gave the Director a more traditional assessment of the lands of the proposed boundary expansion. He saw no advantage in extending the boundaries of Carlsbad Caverns. To him, the cave was the only attraction there, not the distant vistas or archeological features.<sup>17</sup>

During the 1930s, years of rapid expansion of the national park system, Roger Toll, Superintendent of Yellowstone National Park, spent his off-season time touring proposed park areas for the Park Service. As Superintendent of the nation's premier park, Toll was a powerful person in the Park Service and his opinions carried much weight. In November 1931, Toll visited Carlsbad and West Texas; he spent four days surveying the proposed extension to Carlsbad Caverns. Toll suggested that the withdrawn lands would be valuable for park purposes only if some 55 square miles of the southeastern part of the Lincoln National Forest were also added. The land in the Lincoln National Forest contained the best scenic canyons and most of the known archeological features of the area. However, Toll believed the archeological features were not "sufficiently remarkable" to justify extension of the park.<sup>18</sup> Two experts supported his assessment of the archeological resources: Jesse Nusbaum, director of the Laboratory of Anthropology in Santa Fe, and well-known archeologist

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<sup>15</sup>Roger W. Toll, report to Director, National Park Service, January 11, 1932, p. 1, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>16</sup>George M. Wright, Joseph S. Dixon, Ben H. Thompson, Fauna of the National Parks of the United States: A Preliminary Survey of Faunal Relations in National Parks, Contribution of Wildlife Survey, Fauna Series No. 1, May 1932, Washington, D.C., 1933, 89-90; Roger W. Toll, report to Director, National Park Service, January 11, 1932, p. 59, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>17</sup>Ibid., 71.

<sup>18</sup>Ibid., 44.

H. P. Mera.<sup>19</sup> Ultimately, Toll recommended adding only 43 square miles around Carlsbad Caverns.<sup>20</sup>

Toll made another report to the Director of the Park Service after his trip to New Mexico and Texas. The second report concerned two park proposals that had been submitted to the Park Service. One, the Guadalupe Mountain National Park, Texas, proposed principally for its mountain scenery, had been suggested by Harold J. Brodie of Winnipeg, Canada. Brodie's proposal focused on the scenic qualities of El Capitan and Guadalupe Peak area. The other proposal, McKittrick Canyon National Monument, Texas, had been proposed by Vance Prather, secretary of the Kentucky State Park Commission. Prather had been impressed with the quantity of game in the canyon. After describing the proposals to the Director, Toll suggested that the two proposals should be combined because they involved the same general area.<sup>21</sup>

Although these proposals fell outside the proposed boundary extension for Carlsbad Caverns, Toll had investigated the lands during his November trip. He met with Simons of the Guadalupe Mountain Park Association and learned about the Grisham-Hunter Corporation's land holdings and of the existing option to purchase the land for \$200,000. Referring to his report on the lands that had been withdrawn around Carlsbad Caverns, Toll suggested to Director Horace M. Albright that since the Texas land adjoined the southern boundary of the Lincoln National Forest it might become valuable if the land in the Lincoln National Forest were also added to Carlsbad Caverns. He concluded, though, that since the land in Texas was entirely in private ownership there was no need for action by the Park Service at that time.<sup>22</sup>

Local stockmen disagreed with the assessment that had been made by the Park Service regarding the economic importance of the withdrawn lands around Carlsbad Cavern. In 1933, Arno Cammerer, who had replaced Albright as Director of the Park Service, notified Toll of the opposition expressed by this group to the westward expansion of Carlsbad Caverns and told him that plans for the boundary extension had been dropped. As a result of this change, he instructed Toll that the proposed park land in Texas be considered entirely on its own merits, separate and apart from Carlsbad Caverns.<sup>23</sup>

### The National Park Service and the Grisham-Hunter Ranch

In January 1934 Toll returned to Texas and toured the proposed park land with J. C. Hunter. Hunter indicated his interest in creating a park and offered the Grisham-Hunter Corporation's 43,200 acres to the federal government for \$237,600,

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<sup>19</sup>Ibid., 47-50a.

<sup>20</sup>Ibid., 2.

<sup>21</sup>Roger W. Toll report to Director, National Park Service, January 20, 1932, p. 1, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>22</sup>Ibid., pp. 2-3.

<sup>23</sup>Roger W. Toll report to A.B. Cammerer, Director, National Park Service, February 21, 1934, p. 15, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

which was the corporation's cost for acquiring the land. Hunter also indicated that the corporation was not interested in holding the land indefinitely and that if the Park Service did not buy the land, it would be disposed of in some other way. He suggested that summer-home sites might be sold to wealthy people, while land unsuited to that type of development could be held in joint ownership by the residents as a private game preserve.<sup>24</sup>

The Grisham-Hunter corporation did not own all of the land that was proposed for the Guadalupe Mountain park. Toll learned that "Guadalupe Point" [El Capitan] was owned by J.C. Williams and 200 acres at Frijole Post Office were owned by J.T. Smith, who valued his land and improvements at \$10,000. Wallace Pratt owned the land at the mouth of McKittrick Canyon and was not interested in selling it. Toll had been advised, by sources he did not reveal, that Pratt had no interest in the park idea and preferred to see the land used for private summer homes.<sup>25</sup>

In the 1930s the federal government was not in the business of purchasing private property for park lands. National parks created from private lands had been purchased by philanthropists who then donated them to the national park system. Toll seemed to be undisturbed by the fact that all of the lands of the proposed Texas park were in private ownership and that one of the owners was known to be uninterested in selling. Indeed, when he made his recommendation, he even ignored Cammerer's directive that the Texas park would have to stand on its own. He suggested that while the Texas land was not suitable as a separate national park, he did believe it would be a valuable addition to Carlsbad Caverns, even if it had to be administered as a detached unit of that park.<sup>26</sup>

Toll was the first of many to suggest a road connecting the Guadalupe ridge with Carlsbad Caverns. Believing that the road would provide a scenic and shorter alternative to U.S. 62 for visitors to Carlsbad Cavern, he envisioned a road taking off from U.S. 62, west of El Capitan, skirting the west face of the mountains, reaching the crest, and then continuing to the Caverns. To support this suggestion, Toll depended upon Simons' agreement with the Texas highway commission to build \$500,000 worth of roads if the park became a reality.<sup>27</sup>

The Director received more input about the proposed extension to Carlsbad Caverns in April 1934. George Wright and Ben Thompson visited the area that month, this time as part of a survey of wildlife management in the parks. Wright wrote the report of their findings. He recommended adding the southern Guadalupe to Carlsbad Caverns National Park, but cautioned that the eastern boundary of the extension should lie close to the foot of the mountains so it would not encroach on land used for livestock grazing. He added that McKittrick Canyon was the most scenic of the canyons on the eastern face of the Guadalupe, providing opportunity for development of hiking and camping features as well as possibilities for an

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<sup>24</sup>Ibid., pp. 25-26.

<sup>25</sup>Ibid., p. 13.

<sup>26</sup>Ibid., cover letter.

<sup>27</sup>Ibid. p. 28.

"unusual wildlife preserve." Finally, Wright recommended that the elk herd introduced into McKittrick Canyon be "either greatly reduced or extirpated entirely, if this area becomes a national park." Wright viewed the Canadian elk (cervus canadensis canadensis), which Hunter transplanted to replace the extinct Arizona Wapiti (cervus merriami), as an exotic species that inhabited the slopes of the canyon nearest the stream bed, and destroyed "native and extremely picturesque vegetation."<sup>28</sup>

Cammerer accepted the advice of Toll and Wright. In September 1934 he proposed to Secretary of the Interior Harold L. Ickes that the area of the Guadalupe Mountains in Texas and about 30 square miles of the Lincoln National Forest in New Mexico be added to Carlsbad Caverns as a detached area. He also suggested that a 1,000-foot-wide parkway connect the two areas.<sup>29</sup>

In spite of the flurry of reports and reconnaissance trips, the annual reports of the Secretary of the Interior indicate the seriousness of the interest of the Department of the Interior in the Guadalupe Mountains park. Each year the report listed areas that were being considered as additions to other parks or as separate parks. The Texas area received no mention in any of the annual reports from 1934 to 1945.<sup>30</sup>

### The 1938 Revival

For three years the Guadalupe park proposal received little attention. Then, in April 1938, at the request of Director Cammerer, Herbert Maier, Acting Regional Director of Region III in Santa Fe, and a team of four resource specialists investigated the entire Guadalupe range, to its southern extremity in Texas. Maier and the survey team concluded that except for the southern extremity of the range, the mountains provided little in the way of scenic or wildlife values. They recommended against extending the boundaries of Carlsbad Caverns to include the mountainous area.<sup>31</sup>

Shortly after 1934, Judge Hunter had acquired sole title to the Guadalupe Mountain lands formerly owned by the Grisham-Hunter Corporation. During the period of corporate ownership, and subsequently during Hunter's individual ownership, the ranch was managed with an eye to conservation. Although the land was open to deer hunting (by invitation) each fall, much of the land remained undisturbed throughout the rest of the year. McKittrick Canyon was protected from grazing and hunting. Hunter continued to believe the canyon land should be a park.

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<sup>28</sup>George M. Wright and Ben Thompson, Fauna of the National Parks of the United States: Wildlife Management in the National Parks. Contribution of Wildlife Division, Fauna Series No. 2, July 1934. Washington, D.C., 1935, p. 103.

<sup>29</sup>"Proposed Guadalupe National Park in Texas," p. 1. in file 1950-59 Land File--CACA. in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>30</sup>Annual Report of the Secretary of the Interior for Fiscal Year Ended June 30, 1934 through June 30, 1945, (Washington, D.C.: U.S. Government Printing Office).

<sup>31</sup>Herbert Maier, Outline of Investigations and Conclusions, 1938, p. 2. in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

During 1938 Hunter proposed to donate a 1,000-acre site in McKittrick Canyon to the State of Texas. He included several stipulations with his offer. Access to the park was a prime consideration. Hunter asked (1) that the state build an 8-mile access road to the canyon, and (2) that development must begin immediately, preferably through the use of Civilian Conservation Corps personnel. E.H. Simons convinced the members of the State Parks Board to tour the proposed park site on October 5 and 6, 1938. He invited Herbert Maier to accompany the group.<sup>32</sup>

Maintaining the enthusiasm of earlier boosters and recognizing the potential economic and civic advantages of the project, the writers for the El Paso Times covered the tour with considerable optimism even though no official decisions had been made. A week later, the Sunday edition of the paper contained a full page of photographs taken during the McKittrick tour. Three weeks after the McKittrick photo essay, the Times ran another full page of photographs of the white sand dunes, which were located on the west side of the Texas Guadalupe.<sup>33</sup>

D. D. Obert, Assistant Landscape Architect for the Park Service, prepared a report for the Texas State Parks Board about the proposed Hunter donation in McKittrick Canyon. Obert considered the landscape value of the Guadalupe "unexcelled in Texas and. . . superb scenery anywhere." He also attributed the beauty of the area to private ownership that had precluded public exploitation. In addition to scenery, the report covered forestry and wildlife, which Obert considered equally important. Obert's conclusions brought new issues about park development to light. Some sound surprisingly modern. He suggested that if the canyon were to be accepted for state park purposes, four points needed careful consideration: location, size, accessibility, and type of development. He suggested that an open area near the mouth of the canyon would be needed to provide service facilities for the park. Obert believed that the 1,000 acres proposed for the park were not sufficient, that at least 2,500 to 3,000 acres were necessary for proper development of the canyon resources. He emphasized that 150 acres of the additional acreage should be at the canyon mouth. He believed that because the canyon was isolated from centers of population, its primary users would be tourists and vacationers, not picnickers. Given those users, Obert suggested that the park should offer enough diversions to occupy people for at least two weeks, not half a day. After evaluating the proposed land donation, Obert advised against establishing a park in the canyon. He recommended leaving the area in private ownership rather than mar it with overdevelopment.<sup>34</sup>

Obert's recommendations apparently were not made public and enthusiasm for the project mounted. In early November 1938, Texas highway commission officials visited McKittrick. They expressed their desire to cooperate to get the road issue worked out. The El Paso Times continued its support for the park. On November 4 an article and an editorial discussed the fact that Hunter's entire ranch was for sale. The newspaper reported that E.H. Simons had negotiated a deal to purchase

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<sup>32</sup>El Paso Times, October 5, 1938.

<sup>33</sup>Ibid., October 7, 1938; October 16, 1938; November 6, 1938.

<sup>34</sup>D.D. Obert, Narrative Report on McKittrick Canyon, Culberson County, Texas for the Texas State Parks Board, pp. 8-11, typescript in Folder C45.4A, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.



the 44,000 acres for \$6 per acre, providing the land was used as a state park and the purchase was not made with funds appropriated by the legislature. During negotiations, Hunter had suggested that a purchase could be accomplished by long-term notes, to be paid through user fees obtained from the park. Two weeks later, Texas Governor-elect W. Lee "Pass the Biscuits Pappy" O'Daniel toured McKittrick with Hunter and Simons and pledged to do everything he could to establish a park there.<sup>35</sup>

By August 1939 Texas still had taken no positive moves to acquire either the McKittrick donation or the entire ranch. At that time Acting Regional Director Herbert Maier responded to another request to assess the appropriateness of extending the boundaries of Carlsbad Caverns to include portions of the Guadalupe Mountains in Texas and New Mexico. As a result of changes to the boundaries of Carlsbad Caverns National Park, which had been accomplished by Presidential Proclamation in February 1939, Maier reversed the stand he had taken in 1938. The new park boundary lay immediately adjacent to the most desirable park land in the Guadalupe Mountains. Maier agreed with technicians from the regional office who recommended extending the present boundaries to the southernmost point of the Guadalupe Mountains. He also emphasized the wildlife values present in the lands of the proposed expansion since he believed the lands surrounding Carlsbad Caverns contained little in the way of wildlife.<sup>36</sup>

A year later, the Park Service was still debating the extension to Carlsbad Caverns. Planning Coordinator Wendell Little of the Washington office of the Park Service wrote to Director Newton Drury, describing his trip to Carlsbad and the Guadalupe Mountains in July 1940. Little recognized the scenic value of El Capitan and Guadalupe Peak, but also knew the problems involved in the Park Service acquiring privately owned land. He presented a suggestion proffered by Ben Thompson: that profits from the operation of Carlsbad Caverns could be used to purchase the private land in Texas. Since that idea required Congressional approval to become reality, Little recommended that legislation to extend the boundaries to El Capitan be drafted and submitted to the Interior Department for consideration.<sup>37</sup>

Within the Park Service during the 1930s, ideas of what constituted a park and how park lands should be acquired were changing. Two new parks authorized in the mid-1920s, Shenandoah and Great Smoky, could be considered transitional. While these parks contained scenic mountains and fit the visual standards of the great parks in the West, they also contained the ecological qualities of later-twentieth century parks. Also, both of these parks required private philanthropy to be purchased. The Everglades National Park, established in 1934, established a

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<sup>35</sup>El Paso Times, November 3, 1938; November 4, 1938; November 15, 1938.

<sup>36</sup>H. Maier to Director, NPS, August 18, 1939, in Report of Wendell Little to Director, August 1, 1940, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>37</sup>Memorandum to Director, August 1, 1940, in Report of Wendell Little to Director, August 1, 1940, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

precedent for parks created purely for conservation purposes. Cape Hatteras National Seashore (1937) confirmed that precedent.<sup>38</sup>

Both issues--park values and acquisition by purchase--were involved in the Park Service considerations of the Guadalupe Mountain lands. None of the people who assessed the proposed Texas park lands denied the scenic value of the mountainous area at the southernmost tip of the Guadalupe Mountains. Most were doubtful, however, that the scenic quality of the rest of the Guadalupe range bordering on Carlsbad Caverns was of monumental value. Interests in ecological values prompted the biologists to recommend establishment of the Texas park for the rare and endemic plant and animal species they found in the proposed park lands. Finally, the preservation ethic of one evaluator caused him to suggest that McKittrick Canyon be left in private hands rather than ruin it with development. Most of the evaluators seemed to assume that the State of Texas would take the lead in establishing the park, then would turn it over to the national system. While Texas had done little to give credence to this position, it provided a comfortable starting point from which administrators could deal with boosters like Simon. More realistic points of view, such as Little's suggestion that legislation be drafted to permit spending excess funds from Carlsbad Caverns to acquire the land in Texas, apparently fell on deaf ears. No one considered purchase of the park lands by Congressional appropriation. That approach would not be used for another twenty years.

### The 1940s and 1950s

In spite of the depressed state of the national economy, the 1930s had been a time of expansion and improvement for the parks; the work performed by the Civilian Conservation Corps had been particularly beneficial. The optimism of the park officials who investigated the Guadalupe extension to Carlsbad Caverns was part of that wave of expansion and improvement. The 1940s, however, brought a new Director to the Park Service and new attitudes toward the national park system.

Economies enforced by World War II and the conservative leadership of Director Newton Drury caused the Park Service to languish during the 1940s. Drury came to the Park Service from a successful career in park work in California. He was known for his skill in obtaining public support for preservation of the California redwoods and private financial support for the establishment of park lands. However, during his years as Director of the Park Service, his unaggressive style of management generated criticism from those who believed in a stronger preservation ethic than Drury exhibited. He called for minimal development of the visitor facilities of the parks; restraint seemed to be his guiding principle.<sup>39</sup>

In 1945, Ben Thompson, who was then Chief, Branch of Lands, for the Park Service in Washington, expressed the subsidence of enthusiasm for expansion when

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<sup>38</sup>Alfred Runte, National Parks: The American Experience, (Lincoln, Nebraska and London: University of Nebraska Press, 1979), 136-37.

<sup>39</sup>Foresta, America's National Parks and Their Keepers, 43-52; Susan R. Schrepfer, "Newton B. Drury (1890-1978)," in Encyclopedia of American Forest and Conservation History, ed. Richard C. Davis, Vol. 1 (New York: Macmillan Publishing Company, 1983), 136.

he once again addressed the subject of extension of the boundaries of Carlsbad Caverns. He wrote to Regional Director Minor Tillotson in Santa Fe and told him that he foresaw no major boundary changes for the park. He asked Tillotson to encourage the State of Texas to acquire McKittrick Canyon and the Guadalupe Peak section of the Guadalupe Mountains. Thompson intimated that the Park Service would probably be receptive if the state offered to donate the park lands at some later date.<sup>40</sup>

When Conrad Wirth took over as Director of the Park Service in 1951, the entire park system needed renovation. MISSION 66, a program undertaken in the mid-1950s to improve all park access and facilities by 1966, proved to be a high point in development of the national parks. However, the emphasis of MISSION 66 was on upgrading existing parks rather than adding new ones to the system. Throughout the late 1950s and early 1960s, therefore, there was little interest within the Park Service for creating a new park in Texas.

### The Early Park Movements

From 1925 to 1945 a relatively sustained effort existed to establish a park in the Guadalupe Mountains of Texas. The effort, however, was highly fragmented. Little substantive exchange took place between interested citizens and park agencies. Boosters were interested in expanding tourism because their communities would experience economic benefits. The spiritual and psychological appeal of the mountains and canyons of the Guadalupe so enthralled them that they gave little thought to the problems involved in administering a large park. Acquisition of the land was the boosters' primary concern.

On the other side, national and state park agencies worried about where they would find the money to acquire, develop, and maintain park lands. The Texas legislature was hesitant to make any move, partly because of lack of funds and partly because every legislator was promoting his district's pet park.<sup>41</sup>

Park Service personnel worked to justify either the creation of a separate Texas national park or an extension to Carlsbad Caverns. Neither plan fit neatly into the financial and ideological frameworks of the Park Service. By some analyses the scenic value of the Texas park was limited. By other analyses, acquisition of the land was the problem since purchase by the federal government was a method yet untried. In addition to those problems, a wide range of viewpoints existed within the Park Service regarding the character and purposes of park lands. The emerging awareness of conservation of unique biota was apparent in the assessments of Wright, Thompson, and Toll. Similarly, Obert recognized the fragility of McKittrick Canyon, but he went further than his associates and addressed development needs and compared them with the resource. He did not consider economic gain or recreational

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<sup>40</sup>Ben Thompson to Regional Director, June 4, 1945, in file GUMO Basic Data--Administrative History, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>41</sup>E.H. Simons to Roger Toll, December 22, 1931, in Roger W. Toll report to Director, National Park Service, January 20, 1932, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

values to be appropriate trade-offs for destruction of the canyon. A generation later, environmentalists concerned with the development of Guadalupe Mountains National Park would express beliefs similar to Obert's.

## CHAPTER III

### THE CONTRIBUTIONS OF WALLACE PRATT AND J. C. HUNTER, JR.

#### The Role of Wallace Pratt

Wallace Pratt, the man Roger Toll had described in 1934 as being uninterested in a park in the Guadalupe Mountains, ultimately became the man who brought the decades of hopes for a park to reality. Pratt was a geologist--the first employed by Humble Oil Company. He was one of the new generation of scientists who used their knowledge of the origins of oil and micropaleontology to rationalize oil exploration. A slight and gentle-mannered man, Pratt once called himself a "never prepossessing 115-pound Kansas Yankee." He loved nature, but especially he loved rocks. In later years, when an interviewer questioned Pratt about the origin of the name of McKittrick Canyon, he confessed that because he was "more interested in rocks than men" he merely accepted oral tradition that attributed the name to an Army officer, Felix McKittrick. Until his death in 1981, Pratt spoke and wrote tirelessly and eloquently of the geological history revealed in the canyons and escarpments of the southern Guadalupe, always seeking to imbue some of his love of natural history in his listeners and readers (see Figure 9).<sup>1</sup>

In 1921, Pratt was in the area of Pecos, Texas, investigating oil leases for Humble Oil. One enterprising real estate agent captured Pratt's attention by offering to show him "the most beautiful spot in Texas." After driving the dusty and rough 100-mile round trip from Carlsbad to see McKittrick Canyon, Pratt had to agree with the agent's appraisal of the land. He was fascinated not only by the primitive beauty of the green and watered canyon, but with the geological history exposed in the canyon walls. Pratt knew he could not purchase the property himself, so he shared his find with friends Rupert Ricker and Floyd Dodson. Later in 1921 the three entered into a partnership agreement to purchase eleven sections in McKittrick Canyon that were part of the McComb Ranch.<sup>2</sup>

The partners were surprised in 1925 when J. C. Hunter purchased a section of land adjacent to the western boundary of the McComb Ranch. The surprising aspect of the news was that the section contained much of the land in South McKittrick Canyon that Pratt and his friends thought they owned. Ambiguous surveys caused the confusion. Years later, as he recalled the chagrin of the partners at this turn of events, Pratt pointed out that Hunter had been building up his holdings in the Guadalupe Mountains for some time prior to his purchase of the section in McKittrick Canyon. While Pratt and his friends depended on McCombs' oral description of the boundaries of the property they purchased, Hunter was better

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<sup>1</sup>American Association of Petroleum Geologists Bulletin 66(September 1982): 1415; interview with Wallace E. Pratt by William C. Griggs, Texas Tech University, December 29, 1973 (hereafter Pratt interview), transcription, p. 25, in file History File--GUMO, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>2</sup>Pratt interview, 4-5.



**Figure 9. Wallace Pratt in 1964, speaking to members of the Roswell Geological Society who were on a field trip in McKittrick Canyon. A professional geologist, Pratt loved to tell the geological history revealed in the walls of McKittrick Canyon. He donated his land in McKittrick Canyon to the federal government to be used as a park. (NPS Photo)**

informed. He was familiar with the surveys in the land office, and he knew that the State still held title to the section in McKittrick. Pratt believed that when Hunter learned of the purchase of the canyon land by Pratt and his friends and became aware of the scenic value of the canyon, he "simply beat [them] to it."<sup>3</sup>

Financial reverses in 1929 caused Pratt's partners, Ricker and Dodson, to offer their shares of the property to Pratt. In 1930, with a loan from friend and financier Robert A. Welch, Pratt acquired full title to the partners' portion of the canyon land. During the winter of 1930-31 Pratt commissioned Houston architect John Staub to design a home for his family, to be built at the junction of North and South McKittrick Canyons.<sup>4</sup>

Staub designed a house that would fit the wilderness setting of McKittrick Canyon. The Stone Cabin, as it came to be known, was built entirely of native stone and comprised four rooms: two bedrooms, each with its own bath, a kitchen and a living area. The stone came from a quarry on the McComb ranch. Four men--a civil engineer, a carpenter, a stone mason, and a laborer-- accomplished all phases of construction, including the stone quarrying. Until 1945 this cabin served as the summer home for the Pratt family.<sup>5</sup>

Pratt's scientific approach to oil exploration served him well and allowed him to retire a wealthy man. He rose quickly in Humble Oil, becoming a member of the board of directors and then a vice president. From 1937 until his retirement he lived in New York City and served on the board of directors of Standard Oil of New Jersey, Humble's parent company. By the time he moved to New York, Pratt was thinking of retirement and establishing a permanent residence at the Manzanital Ranch, the name he had given to his property in McKittrick Canyon. He had intended to use the Stone Cabin as a retirement home, but a flood, which trapped the family in the canyon for several days, caused him to rethink his plans. Subsequently, New York architect Newton Bevin designed the home that was built outside the canyon, on a promontory at the base of the mountain. In 1941, Ed Birdsall of Carlsbad, the man Pratt hired as his general contractor, began construction of the house. Work was interrupted, however, by World War II and was not completed until 1945.<sup>6</sup>

The Ship on the Desert, the name the Pratts gave to their retirement home, was a long, single-story, rectangular structure. Centered over the main floor was a much smaller second-story "deck" room. Transverse walls of native rock, tied together by

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<sup>3</sup>Ibid., 26-27.

<sup>4</sup>Vance Phenix, *History of Pratt Lodge*, 1981, typescript in V.F. 578, V.F. Box 15, in library, Guadalupe Mountains National Park (hereafter Phenix) and Wallace Pratt to Donald Dayton, dated June 13, 1974, in file Wallace Pratt--Interviews and Letters, Guadalupe Mountains NP-- Historical Data, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>5</sup>Ibid.

<sup>6</sup>National Register of Historic Places Inventory--Nomination Form: Pratt, Wallace Residence. p. 2; Wallace Pratt to Donald Dayton, dated June 13, 1974, in file Wallace Pratt-- Interviews and Letters, Guadalupe Mountains NP-- Historical Data, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

steel beams, formed six rooms on the main floor and the deck room. Other walls were glass or formed by steel studs with stucco and plaster finish on steel lath. The only wood utilized in the entire structure was in the outriggers for the roof overhang.<sup>7</sup>

Wallace and Iris Pratt spent fifteen years in their desert home. They enjoyed the telephone-less isolation of the Ship until the late 1950s when health considerations forced them to make plans to move closer to medical facilities. Though the Pratts had been isolated, the years of their canyon life had not been lonely. During the years that they owned the Manzanital Ranch they often shared their beautiful canyon lands with friends and with scientists who wanted to study the geologic formations and wildlife there. The years and his experiences convinced Pratt of the canyon's appropriateness for a park. However, he also recognized the need for professional management of a fragile resource.

In February 1958, after the idea of a park in McKittrick Canyon had laid dormant for some twenty years, Pratt approached Taylor Hoskins, Superintendent of Carlsbad Caverns, with his offer to donate 7,000 acres in the canyon to the National Park Service. He valued the property and improvements at more than \$200,000.<sup>8</sup> In April 1958 a team from the Park Service inspected Pratt's property. Eight months later, on December 19, 1958, Pratt received notification of acceptance of his donation.<sup>9</sup>

The area the Park Service agreed to accept included 5,632 acres, which were deeded to the federal government in three parts. All of the Pratt land was acquired under Section 2 of the Antiquities Act of June 8, 1906 (16 USC, Sec. 431). The first donation of 4,942 acres was accepted December 30, 1959. The second donation, a one-third interest Wallace and Iris Pratt held in 690 acres, was accepted on December 28, 1960. The deed to the other two-thirds interest in the 690 acres, which belonged to the Pratt children, sons Houston and Fletcher, and daughter Nancy Jane Tucker, was accepted January 2, 1961.<sup>10</sup>

The property was accepted subject to the oil, gas, and mineral rights of the State of Texas and a lease held by Humble Oil Company on Section 14, Block 65, Township 1 South.<sup>11</sup> The Pratts also reserved their rental and royalty rights to Section 14 for the term of the lease as well as the rentals and royalties that might accrue from oil

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<sup>7</sup>Ibid.

<sup>8</sup>Wallace Pratt to Superintendent, Carlsbad Caverns, March 20, 1958, in file Wallace Pratt--Interviews and Letters, Guadalupe Mountains National Park--Historical Data, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>9</sup>Background of Wallace Pratt Land Donation, compiled by Peter Sanchez, typescript, in file Wallace Pratt--Interviews and Letters, Guadalupe Mountains National Park--Historical Data, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>10</sup>Ibid.; Director, NPS, to Wallace Pratt, June 19, 1961, in Background Book #4, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>11</sup>In Texas, mineral rights to any sections designated as Public School Lands (PSL) belong to the State. If PSL land is purchased, the purchaser may act as the agent for the State and enter into oil, gas, or mineral extraction contracts. Bonuses, royalties, or rents accruing from those leases are shared on a 50-50 basis by the landowner and the State of Texas. PSL mineral rights can only be waived by an act of the Texas legislature.



and gas leases on Section 11, Block 65, Township 1 South, for twenty years following execution of the deed.<sup>12</sup>

In later years, when some people criticized J.C. Hunter, Jr., for making a profit on the sale of his land, Pratt came to his defense. He pointed out that the Pratt family had also benefitted financially from their donation. Although they had donated their property to the federal government, the members of the family had been allowed to deduct the full commercial value of the property from their income taxes.<sup>13</sup>

Pratt's interest in providing the country with a park did not end with his land donation. He immediately began a personal campaign to increase the size of the McKittrick Canyon park. In February 1961, Pratt wrote a purposely provocative letter to Frank Tolbert of the Dallas Morning News to ask for his help. Tolbert, the author of a column popular among Texas nature-lovers, "Tolbert's Texas," had recently devoted one of his articles to McKittrick Canyon. Pratt asked Tolbert's support in seeking "some public-spirited and loyal Texan with sufficient means (or a group of such Texans) to buy . . . the remaining critical area not included in our recent gift, and present it . . . to the National Park Service."<sup>14</sup> The "critical area" to which Pratt referred was an additional 6,000 acres of mountain upland owned by J. C. Hunter, Jr., adjacent to the land Pratt had donated. If that land could be acquired, Pratt, like Roger Toll before him, envisioned the construction of a mountain highway to connect the salt flats west of the Guadalupe Mountains with Carlsbad Caverns.<sup>15</sup>

Pratt was not content with provoking only Tolbert; he also sent a copy of the letter to J.C. Hunter, Jr. Hunter replied quickly and applauded Pratt's letter to Tolbert. He emphasized the fact that a "wealthy benefactor" was of "prime importance" and continued to say that he believed more than 6,000 acres would be required to prevent commercial development so close to the scenic lands. Hunter also pointed out that he could not afford to sell only the scenic portion of his Guadalupe Mountains property, for much of the value of the entire ranch was tied up in the "aesthetic attraction of McKittrick Canyon." Hunter advised Pratt that on January 10, 1961, Leslie Arnberger, Chief, National Park System Planning, from the southwest regional office of the Park Service, had visited his office and made arrangements for regional staff members to survey his Guadalupe Mountain Ranch the week of May 15-20. Hunter invited Pratt to join the investigating party. Hunter responded positively to Pratt's suggestion of a parkway but he had his own ideas about the route it should follow. He preferred to see the road along the ridge-top come off the mountain

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<sup>12</sup>Deed from Wallace E. Pratt and Iris Colderhead Pratt to United States (4,942 acres), dated December 14, 1959 and Deed from Wallace Pratt and Iris Colderhead Pratt to the United States (690 acres), dated January 2, 1961, in Background Book #4, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>13</sup>Pratt interview, 27.

<sup>14</sup>Wallace Pratt to Frank Tolbert, February 27, 1961, in file Wallace Pratt--Interviews and Letters, Guadalupe Mountains National Park--Historical Data, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>15</sup>Ibid.

along the slope of Pine Canyon and return to the U.S. highway in the vicinity of Frijole, which he believed offered a better location for development of park services.<sup>16</sup>

A week later, Pratt accepted Hunter's invitation to join the investigating party and responded positively to his other comments. He sent a copy of his letter to Oscar Carlson, who had become Superintendent at Carlsbad Caverns. Pratt hoped to convey to the Park Service Hunter's interest in selling his ranch for the purpose of establishing a park.<sup>17</sup>

Wallace Pratt continued to participate in the movement to establish a separate national park in the Guadalupe Mountains of Texas. He solicited among the circle of personal and professional acquaintances he had established during his career in the oil industry for the much-desired wealthy benefactor who would purchase Hunter's land. Pratt also testified as both interested person and expert geologist during the congressional hearings preceding the creation of Guadalupe Mountains National Park.

After the park was finally established, the Park Service continued to seek Pratt's advice about resource uses and interpretation. Recognizing his valuable knowledge of the geologic history revealed in the mountains and canyons of the southern Guadalupe, the park managers arranged to have Pratt tell on tape the story that he loved so much, about the formation of the Capitan Reef and the Permian Basin. Pratt died in 1981, but visitors to McKittrick Canyon can still hear his voice, telling the story the canyon reveals.

#### National Park Service Interest in the Guadalupe Mountain Ranch

In May 1961, the team from the Southwest Regional Office of the Park Service, accompanied by J.C. Hunter, Jr., and Wallace Pratt, surveyed Hunter's Guadalupe Mountain Ranch (see Figure 10). A report to the Regional Director, issued in March 1962, summarized the investigation of the area. The group was favorably impressed with most parts of the ranch as potential park property, particularly the mountain uplands that included El Capitan and Guadalupe Peak. Echoing the long-time philosophy of the Park Service that parkland should be of little economic value,<sup>18</sup> the report emphasized the meagerness of economic resources on the ranch. Ground water received a "valuable" assessment, while the potential values of building stone, road material, salt, oil, and gas were minimized. The only economic utilization of the 110-section ranch was for Angora goat production.<sup>19</sup>

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<sup>16</sup>J.C. Hunter to Wallace Pratt, March 3, 1961, in file GUMO Basic Data--Administrative History, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>17</sup>Wallace Pratt to J.C. Hunter, March 5, 1961, in file GUMO Basic Data--Administrative History, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>18</sup>Alfred Runte, National Parks: The American Experience (Lincoln, Nebraska and London: University of Nebraska Press, 1979), 49, 188-89.

<sup>19</sup>"Guadalupe Mountains of Texas: An Area Investigation Report," (National Park Service, Southwest Region, Santa Fe, March 1962, revised September 1962), 7-8.



**Figure 10.** In 1961 a team from the Southwest Regional Office of the Park Service surveyed the Guadalupe Mountain Ranch to determine its appropriateness for a national park and were favorably impressed with what they saw. Pictured above, left to right, are T. J. Allen, Regional Director; G. W. Miller, Assistant Regional Director; Noel Kincaid, foreman of the ranch; J. C. Hunter, Jr., owner of the ranch; L. P. Arnberger and Paul Wykert, Regional Office staff members. (NPS Photo)

The report pointed out Hunter's conservation-minded management and the fact that wildlife resources had increased under his ownership. The team viewed the introduction of elk (1929), Merriam turkeys (1954), and the planting of bluegill and rout in McKittrick Creek as positive aspects of management by the Hunter family. Although Hunter had allowed the north and west sectors of the ranch to be badly overgrazed by the goats, drift fences separated this area from the scenic uplands of the mountain range.<sup>20</sup>

The report also included geological, biological, archeological, and historical assessments of Hunter's ranch. The geological report emphasized the uniqueness of the Capitan reef, pointing out the "remarkable display of deep-water basin deposits, of reef and reef talus, and of shallow-water shelf sediments, all formed at the same time but differing because of differences in the environments in which they originated." The botanical report emphasized the range of botanical features found within the boundaries of the ranch. The team observed ecological variations from Chihuahuan desert to Canadian zones. Native animal life included small and large mammals, birds, amphibians, and reptiles. Archeological resources, largely cave sites, included evidence of long-term occupancy beginning 6,000 years ago and continuing through the time of the Mescalero Apaches. Historic resources included remnants of the Butterfield Trail stage station.<sup>21</sup>

The survey team found the climax-type vegetation existing in the ridge area worthy of protection from overuse and fire. They also suggested that the varied terrain offered the opportunity for roadless sections as well as areas developed for heavy public use. One possible form of development suggested was a ridge road, similar to the ones envisioned by Toll, Pratt, and Hunter. The accessibility of the property seemed problematical, and the team recommended access from the east via U.S. 62-180. The team concluded that the scenic and scientific values of the Guadalupe Mountains, particularly in South McKittrick Canyon, were worthy of serious consideration as park lands and would "round out" the land donated by Pratt.<sup>22</sup>

The introduction to the study revealed the attitude toward acquisition of the Hunter land that would prevail for nearly a decade: that Hunter had little choice but to wait for the government to buy his land. The investigators believed Hunter had few potential buyers for his land and that there was ample time for the Park Service to consider acquisition.<sup>23</sup>

In July 1962, A. Clark Stratton, Acting Director of the Park Service, made the results of the investigation of Hunter's ranch known to Interior Secretary Stewart L. Udall. Stratton pointed out that the area recommended for park status involved only 27,000 of nearly 72,000 acres that Hunter wished to sell for \$1,500,000. Stratton also anticipated that in this situation Udall might suggest that Hunter exchange the

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<sup>20</sup>Ibid.

<sup>21</sup>Ibid., 12-22.

<sup>22</sup>Ibid., 28.

<sup>23</sup>Ibid., 2.

acreage for which the Park Service did not wish to pay for other land in the public domain. In this regard, Stratton reminded Udall that Texas contained no public domain, thereby making it necessary for Hunter to exchange for land in some other state if the idea of an exchange were pursued. Stratton concluded by noting that the acreage deemed undesirable by the Park Service was generally unattractive and unproductive, that the U.S. Forest Service had already indicated its lack of interest in the property, and that it would be difficult to sell apart from the rest of the ranch.<sup>24</sup>

Udall recognized the limitations of the situation and the need to purchase all of Hunter's property, not just the scenic parts. In response to Stratton's report, he began soliciting benefactors who might purchase Hunter's property and donate it to the federal government. On the recommendation of Hunter's agent, Glenn Biggs, Udall contacted the heads of three philanthropic organizations located in Texas: the Braniff Foundation, the Robert Welch Foundation, and the Amon Carter Foundation. Although records do not contain the responses to Udall's solicitations, none of the foundations was involved in subsequent negotiations for the park lands.<sup>25</sup>

#### J. C. Hunter, Jr., and Glenn Biggs

After his death in 1945, Judge Hunter's property had passed to his wife and son, J.C., Jr. The Hunters had continued to buy land in the Guadalupe and to manage it conservatively. By 1961 the Guadalupe Mountain Ranch had reached a total of some 72,000 acres.

J.C. Hunter, Jr., like his father, was a well-respected civic leader. During the early 1970s he was mayor of Abilene, Texas, for six years. Besides being involved in the family oil business, he served on the boards of Hardin-Simmons University, the Baptist Foundation of Texas, the Independent Petroleum Association, Citizens National Bank of Abilene, and the West Texas Utility Company. Similarly, like his father, he was outgoing and generous and enjoyed sharing the Guadalupe Mountain Ranch with friends and associates. However, after the visit by the Park Service reconnaissance team in May 1961, Hunter began seriously considering the sale of the ranch. In September 1961, without knowing the outcome of the Park Service study, Hunter put the ranch on the market and hired Glenn Biggs, a partner in the Abilene, Texas, brokerage firm of Millerman and Millerman, to represent his property.<sup>26</sup>

Glenn Biggs played an important role in the creation of Guadalupe Mountains National Park. Biggs was an ambitious young man; after graduating in 1956 from Baylor University he had been the assistant manager of the Abilene Chamber of Commerce for three years before going into the real estate business. The untiring

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<sup>24</sup>Acting Director, National Park Service to Secretary of the Interior, July 11, 1962, in Box 5, V.F. 45, in library, Guadalupe Mountains National Park.

<sup>25</sup>Ben Thompson, Assistant Director to Regional Director, Southwest Region, October 11, 1962 in Box 5, V.F. 45, in library, Guadalupe Mountains National Park.

<sup>26</sup>Biggs to Olin Ashley, July 8, 1963, in file C45.3A #3, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

effort he exerted from 1961 to 1965 in Hunter's behalf must not be overlooked. Although Biggs stood to make a substantial commission on the sale of the property (5 percent of \$1,500,000), he was also strongly committed to the idea of a park. Biggs was a latter-day "booster." Some people considered him over-zealous because his good intentions often led him into territory other than his own.<sup>27</sup> In spite of criticism, however, he continued to struggle through the legislative red tape that was necessary to create Guadalupe Mountains National Park.

Biggs donated his papers from the Guadalupe Mountain park years, 1961-65, to the archives of Texas Tech University in Lubbock, Texas. The thousands of pages there testify to reams of letters Biggs wrote and answered, thousands of miles he traveled, and uncounted days and nights he spent pursuing park status for the Hunter ranch.

Soon after Biggs took on the sale of Hunter's ranch, he published an attractive colored sales brochure filled with photographs of the ranch and containing quotations from naturalists, government officials, and other writers about the beauty of the property (see Figure 11). The brochure, however, was only a tickler. Serious prospects also received a hefty notebook full of information about the ranch. Biggs utilized the network of real estate brokers of which he was a part to search for a client of substantial means who would be interested in the type of property the ranch represented.

Between October 1961 and January 1963 Biggs negotiated with several persons who appeared seriously interested in the Hunter property. However, none of them made Hunter an offer. In June 1962, when Hunter learned about the favorable report the Park Service team had made about the ranch, he indicated his willingness to sell the land to the federal government.<sup>28</sup>

The stage was set for the legislative process to begin. The Pratts and the Hunters, people whose lives testified to their belief in the revitalizing qualities of mountains, canyons, and nature left to its own devices, stepped down. They recognized the unique value of their lands and they trusted the federal government to preserve that value. The final decisions about how their land would be preserved and developed fell into the hands of businessmen, politicians, and environmentalists. The interests of all of these sectors would be expressed at various times and in various ways in the ensuing decade and the balance of power would shift from the hands of the developers to the hands of the environmentalists. Guadalupe Mountains National Park was created at a time when the values of Americans were broadening. Material

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<sup>27</sup>Within a few weeks after introducing H.R. 3100 (February 1963) Joe Pool wrote to Biggs to ask him to "let future press comment about the proposed park stem from this office." Pool noted that he had begun receiving clippings from around Texas and many of them quoted Biggs and stressed the commercial side of the venture, an aspect Pool wanted to play down. (File C45.3A #1, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.)

In 1964 Pool wrote to Hunter, asking that Biggs restrict his contacts in Washington. He suggested that Biggs annoyed some busy Congressmen with his persistence. Hunter responded to Pool's charges, however, by writing that Biggs only attended meetings or conferences to which he had been invited during the trip in question. (File C45.3B #5, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.)

<sup>28</sup>J.C. Hunter to McMahon, July 5, 1962, in Background Book #4, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Biggs to Olin Ashley, July 8, 1963, in file C45.3A #3, Glenn Biggs Collection, Southwest

gain continued to be important to most people, but they were beginning to realize the nation could be bankrupted, physically and spiritually, by unrestricted exploitation and depletion of natural resources. Guadalupe Mountains National Park would be a preserve of wilderness resources, a product of the democratic system, established to enhance both the material and the spiritual interests of the nation.

(Facing pages)

**Figure 11. Guadalupe Mountain Ranch Sales Brochure**

**The sales brochure distributed by Glenn Biggs to advertise the sale of J. C. Hunter, Jr.'s, Guadalupe Mountain Ranch emphasized the wildlife and scenic resources of the ranch and gave secondary importance to its economic value as a working sheep ranch. Biggs and Hunter knew that the property was more likely to be purchased by a wealthy person interested in a private hunting or nature preserve than by a working rancher. (From the Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas)**



# GUADALUPE MOUNTAIN RANCH



## FOR SALE

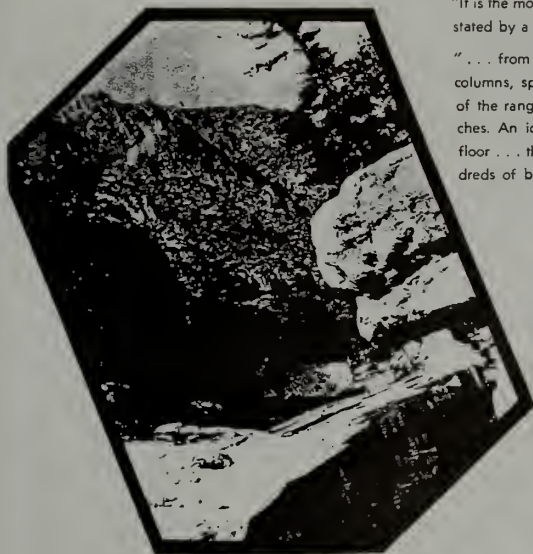
- ★ One of Southwest's Fabulous Ranches
- ★ Located in Magnificent Splendor of the Guadalupe
- ★ Over 70,000 Acres, Abundant Water

## Profile of

## GUADALUPE MOUNTAIN RANCH

"It is the most fabulous property in the United States remaining in private ownership," as stated by a well known naturalist.

"... from a distance the Guadalupe seem barren but magnificent-looking, with great columns, spires and buttresses of limestone ... There is much timber on the high ridges of the range ... McKittrick [Canyon] is still pretty much as it was in the days of the Apaches. An icy stream, fed by many springs, races for about five miles down the canyon floor ... the stream is well stocked with speckled trout [rainbow trout], and there are hundreds of big mule deer." Frank X. Tolbert, INFORMAL HISTORY OF TEXAS.



Scenery in McKittrick Canyon is unparalleled. . . . In autumn colors, they present nature in an extravaganza of color." Bernhardt Riske, TEXAS PARADE.

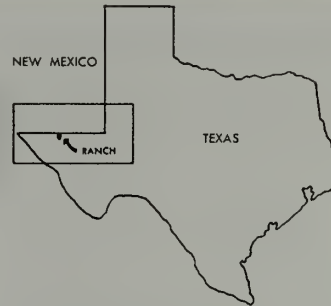
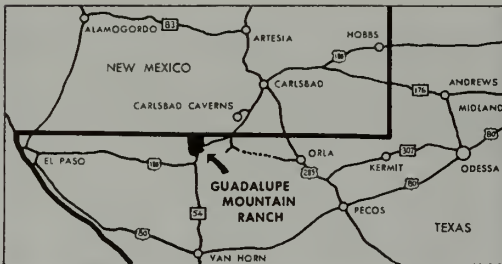
"... scenic beauty found only in some areas of Colorado." Curtis Carpenter, TEXAS GAME AND FISH.



"... the nearest thing to gold being taken from the Big Hunter [Guadalupe Mountain Ranch] is not in the legends of the hidden mine... but in the goats from which a fair profit is being taken year after year." Monk Lofton, SOUTHWESTERN CROP AND STOCK.

AERIAL PHOTO OF RANCH COURTESY OF HUMBLE OIL & REFINING COMPANY

PHOTO OF ELK TAKEN ON RANCH COURTESY OF TEXAS GAME & FISH COMMISSION.



*Table Of Facts*

**LOCATION:** 100 miles east of El Paso, 55 miles SW of Carlsbad, N. M. on Federal Highway 180. Landing strips nearby.

**WATER:** Abundant springs, numerous wells and surface tanks, extensive pipelines. Subsurface water available for irrigating several hundred acres of suitable land. Electricity from REA.

**PROPERTY:** 108 1/2 sections, approximately 71,790 acres deeded land. 90 miles net wire fence, adequate corrals and ranch buildings, picturesque headquarters at Frijole, modest lodge in McKittrick Canyon.

**TERRAIN:** 3700 to 8750 elevation—foothills to rugged mountains.

**VEGETATION:** Many good grasses, abundant browse, fine stands of timber.

**OIL & GAS:** 23,000 acres now under oil & gas leases. Substantial portion of oil & gas mineral rights included in sale.

**HUNTING & FISHING:** Numerous black tail deer and Rocky Mountain Elk. Rainbow trout in McKittrick Canyon.

**CARRYING CAPACITY:** 2,000 animal units.

**TAXES:** \$2,700.00 per year.

Inspection arranged by your broker through MILLERMAN & MILLERMAN, Abilene, Texas—ORchard 4-1323.

OFFERING IS SUBJECT TO PRIOR SALE CHANGE OR WITHDRAWAL WITHOUT NOTICE.

Price \$1,500,000.00

## CHAPTER IV

### LEGISLATIVE HISTORY

#### Joe Pool and H. R. 3100

A freshman Congressman-at-Large from Texas, Joe Pool, took the next step toward the creation of Guadalupe Mountains National Park. Though a newly elected congressman, Pool previously had served three terms in the Texas legislature. He resided in Dallas but had family ties to Carlsbad, New Mexico, and was no stranger to West Texas. During his campaign in West Texas, he became interested in the Guadalupe Mountains. Conversations with many people in the area convinced him that the southern part of the Guadalupe Mountains should be preserved as a national park. In January 1963, without consulting Hunter, Biggs, the Park Service, or the Interior Department, Pool introduced H.R. 3100. The bill called for the Secretary of the Interior to study the Guadalupe Mountain Ranch to determine its appropriateness as a national park. Pool was as surprised to learn that just such a study had been completed nearly two years earlier as the affected individuals and agencies were to learn of Pool's interest in sponsoring a park bill. Secretary Udall commended Pool's plan and agreed to have the area investigation report of 1962 updated.<sup>1</sup>

#### Hunter, Pratt, and the Congressmen

Although Hunter was pleased by the interest that Pool's bill generated in his property, he faced the probability of purchase by the federal government realistically. He wrote to Wallace Pratt soon after Pool's announcement to thank Pratt for the geological report he had prepared for the Guadalupe Mountain Ranch and to express his feelings about the park project. He anticipated that Congressional approval of the park would take a long time, particularly if an appropriation bill was involved. He also acknowledged that purchase of his property by a benefactor, who would donate the property to the federal government, would undoubtedly speed approval by Congress. Hunter intimated to Pratt, however, that he could not hold his property off the market until Congress authorized the park.<sup>2</sup>

Pratt sympathized with Hunter's position and advised him to accept any reasonable offer he received.<sup>3</sup> He also passed on some information to Hunter regarding a gas test in a well east of Carlsbad. He interpreted the test results to mean that certain

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<sup>1</sup>Biggs to Olin Ashley, July 8, 1963, in file C45.3A #3, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>2</sup>J.C. Hunter to Wallace Pratt, February 18, 1963, in file C45.3A #1, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>3</sup>Wallace Pratt to J.C. Hunter, February 28, 1963, in file C45.3A #1, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

areas of the Guadalupe Mountain Ranch might contain gas-producing formations. He ended his letter to Hunter emphatically: "Retain part of your mineral rights!"<sup>4</sup>

During the spring and summer of 1963 Biggs and Hunter stepped up their efforts to gain support for the park idea. At least once a month they entertained members of chambers of commerce from western and central Texas and southern New Mexico, newspaper people, travel writers, and Texas and New Mexico politicians at the ranch. Visits lasted two days and involved trail rides into the back country as well as short hikes into the more accessible areas. Hunter provided food, horses, and other necessary accommodations for his guests.<sup>5</sup>

In early August 1963, Ed Foreman, Congressman from Odessa, added his support to the park movement. He and Pool both agreed that private acquisition of the ranch with the intent to donate it to the federal government was more desirable than depending on an appropriation from Congress. Foreman approached national organizations while Pool negotiated with local groups.<sup>6</sup>

At the same time that Foreman and Pool joined forces, Glenn Biggs's diplomatic skills came into play. He met with Ralph Yarborough, the senior Senator from Texas, who apparently was miffed because the legislative efforts were proceeding without his input. Biggs reminded Yarborough of Pool's failure to notify anyone involved before he introduced the legislation. Biggs also pointed out that when he had been in Washington in March he had tried unsuccessfully to meet with Yarborough to discuss the legislation. Since that time Biggs had also tried to keep Yarborough up to date on local support by sending news clippings and copies of resolutions for his file.<sup>7</sup> The meeting with Yarborough was only one of many such situations that Biggs handled to keep the park project going and to garner support from as many individuals as possible.

### The Committee of Five

John Ben Shepperd was another pivotal person in the campaign to establish Guadalupe Mountains National Park. Sheppard formerly had served as Secretary of State and Attorney General of the State of Texas; in 1963 he was president of the Texas State Historical Survey Committee. In September 1963 he notified the county chairmen of the Survey Committee in the Permian and Trans-Pecos areas of his support for the creation of the park in the Guadalupe. He asked the county

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<sup>4</sup>Wallace Pratt to J.C. Hunter, March 11, 1963, in file C45.3A #1, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>5</sup>References throughout file C45.3A #3, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>6</sup>Abilene (Texas) Reporter-News, August 3, 1963.

<sup>7</sup>Biggs to Richard Yarborough, August 28, 1963, in file C45.3A #3, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

committees to consider drawing up resolutions in support of the park.<sup>8</sup> Shepperd also participated in the U. S. Highway 180 Association, a group organized to promote cooperation among the cities along U.S. 180 in West Texas and southern New Mexico. J.C. Hunter, Jr. and Glenn Biggs appeared before the association and asked them to lend their support and guidance to the movement to establish the park in the Guadalupe. From among the people present at that meeting, five emerged who spearheaded the support group which came to be called the Committee of Five: John Ben Shepperd; Tom Brown, from Artesia, New Mexico, who was National Democratic Committeeman for the State of New Mexico; Adair Gossett, the mayor of Carlsbad; Louis Whitlock, director of the Carlsbad Chamber of Commerce; and Glenn Biggs.<sup>9</sup>

### Political One-Upmanship

Secretary Udall planned to release the updated version of the Guadalupe Mountain Ranch area investigation at the meeting of the Advisory Board on National Parks, to be held at Big Bend National Park on November 3, 1963. The Advisory Board was a group of private citizens that advised the Secretary of the Interior regarding national parks and monuments. Among the board members in 1963 were a university president emeritus, a naturalist-writer, a museum director, a labor union president, the owner of a major carpet manufacturing company, the president of the National Geographic Society, and the chairman of the National Conference of State Parks. Prior to their meeting in Big Bend, the Advisory Board had spent two weeks touring national parks. The Guadalupe Mountain Ranch was the last item on their itinerary before the meeting at Big Bend.<sup>10</sup>

On November 1, 1963, Hunter accompanied the Advisory Board, headed by Harold P. Fabian, as well as Park Service Director Conrad Wirth and Associate Director George Hartzog, on a tour of McKittrick Canyon and the foothills of the Guadalupe. An old friend of the park, Ben Thompson, who by then had become an Assistant Director of the Park Service, was among the visitors to the ranch. The officials were particularly impressed by what they saw during their tour, perhaps because their visit coincided with the height of the fall colors.<sup>11</sup>

At this point Senator Yarborough took his turn at political one-upmanship. On November 7, without official notification about the Advisory Board's recommendation, the Senator introduced S. 2296 to create Guadalupe Mountains National Park. That same day Yarborough inserted in the Congressional Record five articles about the Guadalupe Mountains and fourteen resolutions favoring the park that had been submitted by organizations and agencies from Texas and New Mexico. Two weeks later Yarborough announced that the Advisory Board had

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<sup>8</sup>J.B. Shepperd to County Chairmen, September 5, 1963, in file C45.4A, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>9</sup>Bobby L. Crisman, interview with author, April 13, 1987; Louis Whitlock, telephone interview with author, January 24, 1988.

<sup>10</sup>Abilene (Texas) Reporter-News, November 1, 1963; Carlsbad Current-Argus, November 1, 1963.

<sup>11</sup>Ibid.

formally recommended that the Guadalupe Mountain Peak area be made a national park. The same day, Pool announced that he would introduce a bill recommending a 77,959-acre park. Still smarting from Yarborough's early start, Pool called his bill the "official Interior Department measure resulting from its formal study." He introduced his bill, H.R. 9312, on December 2.<sup>12</sup> On December 4 Yarborough amended his bill to delineate the boundaries of the proposed park. After Yarborough added the metes and bounds description of the park to his bill, the two park bills were virtually identical.

### Gaining Support for the Park

During the early months of 1964 Glenn Biggs began gathering evidence of support for the park project. He contacted Dan Ponder, a prominent El Paso businessman, asking him to solicit statements of support from Texas Governor John Connally and New Mexico Governor Jack Campbell.<sup>13</sup> Secretary Udall also wrote to Connally because he wanted to be certain that national park status did not conflict with any plans the State of Texas had for the Guadalupe Peak area.<sup>14</sup> Connally's response to Udall cleared the way for a national park. He advised that Texas was not in a position to undertake such a large-scale project.<sup>15</sup>

Governor Campbell's letter to Ponder was terse but useful. He stated simply that he knew of no opposition to the park among the residents of New Mexico, and in fact, he had received quite a bit of correspondence in favor of the park.<sup>16</sup>

Congressional hearings about the proposed park were scheduled for April 1964, and the Texas support group worked quickly to ready the witnesses who would testify. At the last moment, the hearings were cancelled because of prolonged debate in the civil rights hearings that were taking place. Although Glenn Biggs activated his network of influential people to seek Yarborough's help in getting the hearings rescheduled, the 88th Congress took no action on the Guadalupe park proposal.<sup>17</sup>

In 1964, Thomas Morris, Congressman from New Mexico, chaired the House Subcommittee on National Parks. In July of that year, he visited McKittrick Canyon with a number of Carlsbad civic leaders. Morris, however, was slower than the Texas

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<sup>12</sup>Carlsbad Current-Argus, November 8, 1963, December 12, 1963; Abilene Reporter-News, November 22, 1963; Ralph W. Yarborough, The Guadalupe Mountains: A Congressional Record Bibliography, 1971, typescript, p. 1-2, in Guadalupe Mountains National Park Library.

<sup>13</sup>Glenn Biggs to Dan Ponder, December 10, 1963; Dan Ponder to John Connally, December 20, 1963, in file C45.3A #4, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>14</sup>Stewart Udall to John Connally, December 27, 1963, in file C45.3B #5, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>15</sup>John Connally to Stewart Udall, January 17, 1964, in file C45.3B #5, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>16</sup>Jack Campbell to Dan Ponder, February 10, 1964, in file C45.3B #5, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>17</sup>Glenn Biggs to various Chamber of Commerce Presidents, C45.3B #6, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

Congressional delegation to throw his support to the park project. After his visit he told reporters that the Department of the Interior had not issued an official report on the proposed park, something his committee needed in order to consider the proposal. He also expressed concern about acquiring the mineral rights to Hunter's property: they belonged primarily to the State of Texas, not to Hunter. Morris also pointed out to news people that national park status would close the land to hunting, fishing, grazing, timber cutting, or mineral prospecting.<sup>18</sup>

Biggs was concerned with Morris's attitude toward the project and worked with his connections in New Mexico to gain the firm support of Morris. After Morris visited the canyon, Biggs also wrote to Joe Pool and expressed his hope that the Texas delegation would not pick up the suggestion made by Morris that to preserve the uses precluded by park status the ranch should become a national recreation area rather than a national park.<sup>19</sup>

During the spring and summer of 1964, support for the park increased. Many articles about the proposed park appeared in publications all over Texas. More organizations adopted resolutions in favor of the project. Pool and Yarborough both inserted representative samples of this material into the Congressional Record.<sup>20</sup>

On December 13, 1964, Secretary Udall expressed strong support for the park proposal after he visited McKittrick Canyon and other parts of Hunter's ranch. A number of officials from the Interior Department, staff members from Carlsbad Caverns, and newspaper people accompanied Udall on the ground and aerial tour. Afterward, Udall revived an old idea and talked about building a parkway between Carlsbad Caverns and the new park. He reported that once the bill was through Congress and the park was established, a superintendent would be named and an appropriation would be acquired. Estimating that the park would be available for public use within four years from establishment, Udall expected all facilities could be completed within seven to ten years.<sup>21</sup>

At the opening of the 89th Congress, in January 1965, both Yarborough and Pool reintroduced their bills, which contained identical provisions but were worded slightly differently. In a show of support for the proposal, Congressman Richard White of El Paso also introduced a bill identical to Pool's. Although the reason for the action is not clear, Pool's bill was dropped and White's bill, H.R. 698, persisted. The House committee may have preferred to retain the bill proposed by the Congressman who represented the district in which the park was located.

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<sup>18</sup>Carlsbad Current-Argus, July 16, 1964.

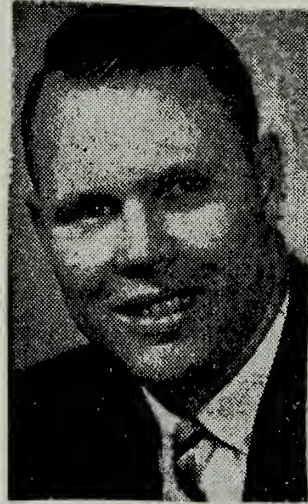
<sup>19</sup>Glenn Biggs to Joe Pool, July 16, 1964, Folder C45.3B #6, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>20</sup>Ralph Yarborough, A Congressional Record Bibliography, 3-5.

<sup>21</sup>Carlsbad Current-Argus, December 13, 1964.



J.C. Hunter, Jr.,  
owner of the Guadalupe  
Mountain Ranch.



Glenn Biggs,  
Real Estate Broker who  
represented Hunter.



Congressman Joe Pool  
who proposed legislation  
to investigate the  
possibility of establishing  
a park in the southern  
Guadalupe Mountains.



Senator Ralph Yarborough,  
who initiated park legislation  
in the Senate and was  
instrumental in obtaining  
funds to purchase Hunter's  
ranch.

**Figure 12. Key figures in the legislative process to authorize Guadalupe Mountains National Park.**



The Congressional Hearings, 1965

Anticipating the scheduling of the Congressional committee hearings, supporters of the Texas park once again began preparing testimony and recruiting witnesses. They asked Hunter to prepare justifications for the price of his property and the profit he would make. They also asked him to explain the commission Biggs would receive. Hunter outlined the answers to those questions in a letter to Jim Bowmer, an attorney in Temple, Texas, who was a park supporter. He justified the \$20.84 per acre offering price on the basis of the commercial, speculative, and recreational values of the ranch lands. He believed that the appraisers for the federal government and the appraisers he employed would have no problem agreeing on a fair market value for the ranch. As for justifying the profit he would receive, Hunter believed that the best route would be to calculate how much he might have received on the money if he had invested it in something other than the ranch. He agreed with those who were anticipating the questions of the committeemen regarding Biggs's commission: it was a matter to be dealt with head-on and matter-of-factly. Biggs would receive five percent of the sales price of the ranch for the services he had rendered to Hunter.<sup>22</sup>

By June 1965 the hearings still had not been scheduled. On June 9, a group of politically powerful Texans and New Mexicans met in El Paso to make plans to get the hearing process moving. After the meeting, Tom Diamond, chairman of the El Paso County Democratic Party, wrote letters to all of his connections in Washington, D.C. Apparently his promptings worked. The hearing before the House Subcommittee was set for July 20; the Senate Subcommittee hearing would be July 21. Biggs then began the feverish work of soliciting more witnesses, making travel and room arrangements for those who agreed to go, and briefing the witnesses on protocol and points of emphasis.<sup>23</sup>

Stanley Cain, Assistant Secretary of the Interior, prepared reports on the proposed park for each of the committees. The reports made some recommendations for changes to the bills, primarily in the area of mineral rights acquisition. Cain made it clear that the Department wanted "unconditional authority to acquire the mineral estate in order that it may prevent any mineral development that would conflict with the public enjoyment of the park." He also pointed out that the speculative nature of the existing oil and gas leases on the Hunter property might make it desirable to wait until speculation decreased to acquire the mineral rights.<sup>24</sup> Cain also suggested eliminating survey ambiguities by replacing the metes and bounds description of the bill with a map on which the boundaries had been drawn. The map he proposed added 240 acres to protect the area at Pine Springs, which contained the ruins of the Butterfield stagestop, and two sections on the western boundary of the park, which would be acquired by exchange. Finally, Cain's report deleted the section of the bill

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<sup>22</sup>J.C. Hunter to Jim Bowmer, March 10, 1965, in file C45.3B #8, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>23</sup>References throughout file C45.3B #9. Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>24</sup>Stanley Cain to Wayne Aspinall, July 14, 1965, Background Book #4, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

that called for the construction of an access road from Highway 62/180 to the park boundary. If such a road were needed, the Department believed it should be constructed by the State of Texas under the federal-aid highway system.<sup>25</sup>

More than fifteen persons from Texas went to Washington to support the Guadalupe Mountains National Park bill in the committee hearings. Among those attending were Ben Barnes, speaker of the Texas House of Representatives; Jim Bowmer, attorney and close friend of Supreme Court Associate Justice William O. Douglas; C.W. Brown, Texas Democratic committeeman; E.W. Cook, county judge of Winkler County; Mrs. L. E. Dudley, representative for the Texas Federation of Women's Clubs and a member of the State Historic Survey Committee; Beeman Fisher, president of Texas Electric Service Company and president of the Permian Basin Chamber of Commerce; Henry Hutson, mayor of Carlsbad; Dr. Rupert N. Richardson, president emeritus of Hardin-Simmons University; John Ben Shepperd, president of the State Historic Survey Committee; and Glenn Biggs.<sup>26</sup>

On July 20 the Subcommittee on National Parks and Recreation of the House Committee on Interior and Insular Affairs conducted the first of its hearings. Most of the discussion focused on the value of the mineral rights to the proposed park lands. Although Interior Secretary Udall spoke in strong support of the park proposal, he apparently was unaware of the report prepared by Assistant Secretary Cain. Udall admitted that he did not know about the State of Texas's mineral rights to more than 45,000 acres of Hunter's land until the day of the hearing. He suggested that park proponents and Interior officials should meet to resolve the issue.<sup>27</sup>

Wallace Pratt spoke to the House Subcommittee regarding the value of the minerals on Hunter's land. He argued logically that J. C. Hunter, a prominent oilman, would never have considered selling his ranch if he believed valuable oil reserves existed there. Pratt also cited the negative results of test wells drilled in the area. His professional opinion was that there was little chance finding oil or other valuable minerals on the property.<sup>28</sup> No record exists to show why Pratt altered the position he had taken two years earlier when he encouraged Hunter to retain part of his mineral rights. Perhaps, after recognizing the major stumbling block acquisition of mineral rights posed to establishment of the park, he decided the park should not be traded off for the slim chance that valuable oil or gas reserves existed beneath the park lands.

Other witnesses spoke in opposition to the relinquishment of mineral rights. H. H. Markley and Tom Sealy, representing Texaco, Inc., holder of the mineral rights to more than 25,000 acres of Hunter's land, presented the other side of the mineral question to the House subcommittee. They pointed to the incomplete exploration of

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<sup>25</sup>Stanley Cain to Henry Jackson, July 14, 1965, Background Book #4.

<sup>26</sup>Abilene (Texas) Reporter-News, July 18, 1965.

<sup>27</sup>El Paso Times, July 21, 1965.

<sup>28</sup>*Ibid.*; Wallace Pratt to J.C. Hunter, Jr., March 11, 1963, in file C45.3A #1, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

oil resources in the proposed park area and the proximity of the area to major oil and gas reserves. They also brought up the highly charged issue of school children being denied their rightful share of the leases, royalties, and bonuses that might be derived from oil production on the sections designated as public school lands. Congressman Richard White, the sponsor of the park bill, showed his divided allegiance during the hearing. Although he favored the park, he did not support the State of Texas relinquishing its mineral rights. He brought up Padre Island, Mount McKinley, and the Florida Everglades as exceptions to the policy of no mineral development in national parks. Committee Chairman Wayne Aspinall argued that those exceptions were made under different conditions. White was optimistic, however, that a compromise could be reached that would satisfy the Interior Department as well as his Texas constituents.<sup>29</sup> The House hearing closed at the end of testimony on July 20, to be reopened in February 1966, after committee members inspected the park site.

The Senate Subcommittee hearing on July 21 was abbreviated. Conflicts on the committee's agenda made it impossible to do more than accept prepared statements from the Texas witnesses who had traveled to Washington that week. Although the postponement might merely have been accidental, in view of the questions raised during the hearing on the previous day, the postponement may also have been an indication of the unwillingness of the senators to listen to any more poorly prepared testimony.

### The Kelly Report

After the close of the July hearings, Secretary Udall, no doubt embarrassed by his incomplete understanding of the Guadalupe park proposal, asked John Kelly, former Assistant Secretary of the Interior from Roswell, New Mexico, to compile a report on the mineral potential of the Guadalupe Mountains. Although Kelly apparently reported orally to Udall,<sup>30</sup> his written report did not appear until late in March 1966, after the House Subcommittee hearings were closed. Kelly based his report on other available reports, well logs, and on consultation with officials of the Geological Survey, the Park Service, the State of Texas, and other organizations concerned with the area. Some observers expected Kelly's report to neatly resolve the mineral rights issue. The report, however, contained little information that had not been stated in other area surveys. Kelly briefly described the geology of the area and considered the potentials for development of oil and gas, ground water, saline minerals, construction materials, lime, and copper. He concluded that, other than water and construction materials, there were no valuable mineral deposits in the proposed park lands.<sup>31</sup>

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<sup>29</sup>Ibid.

<sup>30</sup>El Paso Times, March 2, 1966.

<sup>31</sup>Memorandum from John M. Kelly to the Director, March 22, 1966, pp. 1-4, in Background Book #4, in Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

### The House Hearings, 1966

The House Subcommittee hearings reconvened on March 10, 1966, without Kelly's report. Again, the questions focused on the mineral rights issue. The dilemma of Congressmen Pool and White, created by their support of a park that required the State of Texas to make what appeared to some to be a considerable financial sacrifice, increased when Jerry Sadler, commissioner of the Texas General Land Office, stated during the hearing that Texas did not want the park if it meant giving up the State's mineral rights to the park lands. Sadler proposed the Guadalupe Mountains be designated a recreation area rather than a national park. Pool, unwilling to make any real commitment, supported Sadler's recommendation, but said if Texas would donate the mineral rights, he would also be agreeable to national park status for the area.<sup>32</sup>

Tom Sealy again represented the interests of Texaco at the hearing. Texaco offered to relinquish its mineral exploration rights to six sections at the mouth of McKittrick Canyon and on Guadalupe Peak until such time as policy changed to allow mineral development within national park boundaries.<sup>33</sup>

As a result of the lengthy hearing and consultation process, the park bill that finally reached the floor of the House late in May 1966 carried several important amendments: (1) A scenic easement would be sought for the sections belonging to Ed Hammack on the west side of the park. (2) The park could be established only after the State of Texas donated its mineral rights and all other mineral rights had been acquired through purchase or donation. Purchase options or contracts for surface rights would be contingent upon appropriations until resolution of the mineral rights question. (3) Former holders of mineral rights would be permitted to regain those rights at cost plus five percent interest per year if the federal government abandoned the park within 20 years. (4) In the first five years, park acquisition and development costs would be limited to \$12,162,000. (5) The clause calling for construction of an access road outside the park boundaries would be deleted.<sup>34</sup>

On June 20, 1966, after brief discussion regarding the reversionary mineral rights of the State of Texas and the size of the appropriation requested, H.R. 698 passed the House floor.<sup>35</sup> The following day the bill was read in the Senate and referred to the Committee on Interior and Insular Affairs.

### The Senate Hearings, 1966

In April 1966, anticipating the resumption of the Senate Subcommittee hearings, Alan Bible, who was Chairman of the Subcommittee, and Frank Moss and Len B.

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<sup>32</sup>El Paso Times, March 11, 1966.

<sup>33</sup>Ibid.

<sup>34</sup>House Committee on Interior and Insular Affairs, Guadalupe Mountains National Park, Texas: Report to Accompany H.R. 698, 89th Cong., 2d sess., 1966, H. Rept.1566, 1, 2, 5.

<sup>35</sup>June 20, 1966, Congressional Record, 89th Cong., 2d sess., 13027-31.

Jordan, members of the committee, visited the proposed park site, accompanied by Carlsbad Caverns Superintendent Paul Webb, Hunter, Biggs, and several other interested persons. During the tour, the party observed well-drilling taking place at the mouth of McKittrick Canyon, exploration that was permissible under the terms of the agreement of the Pratt land donation.<sup>36</sup> All of the senators were favorably impressed with the proposed park. Senator Bible spoke optimistically to reporters about the park bill's passage, but he also recognized the problem of acquiring the mineral rights.<sup>37</sup>

After a year's delay, the Senate Subcommittee hearings reopened on August 9, 1966. In spite of having had plenty of time to prepare testimony and with knowledge of the questions posed by the House Subcommittee, the expert witnesses of the day became a source of irritation to Chairman Bible. While Bible had been impressed with the proposed park lands, he still expected sound answers to the questions posed by the committee members. Stanley Cain, Assistant Secretary of the Interior, who one year earlier had signed off on the report on the proposed park, represented the Interior Department. When he was unable to respond satisfactorily to Bible's queries, Cain reported that his appearance at the hearing was a last-minute decision, because of the death of Carlsbad Caverns Superintendent Paul Webb, who had been scheduled to testify. Bible's concern, which Cain could not address, was the \$1,500,000 that the Interior Department had earmarked for land acquisition for the park. Cain said that \$165,000 of the amount was for improvements. He divided that amount into two parts: \$24,000 for six buildings and \$141,000 for "improved farm units." Under continued questioning by Bible, Cain admitted he did not know what constituted the improved units, nor had he ever been closer to the proposed park than Carlsbad and Big Bend. At that point Bible's patience ended:

We are not qualifying you as a witness on Carlsbad or Big Bend but we would like to have a qualified witness on Guadalupe, a man who has been over the grounds and knows it. We are not expert on the committee but I think each of us has seen it.<sup>38</sup>

Max Edwards, assistant to Udall, stepped into the fray and attempted to clarify the points Cain stumbled over. Somewhat pacified, Bible's focus then shifted to the cost of acquiring Texaco's mineral rights. He expressed concern that the \$1,500,000 did not include any amount for acquisition of mineral rights. Edwards guessed that the cost for Texaco's rights would not exceed \$75,000 for 25,000 acres, but he admitted that the Interior Department had made no formal estimate of the amount. Senator Clinton P. Anderson of New Mexico, another committee member, reminded Cain and Edwards of the Department's gross underestimation of land acquisition

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<sup>36</sup>El Paso Times, April 14, 1966. The negative results of this stratigraphic test would later be added to the growing accumulation of evidence against the probability of finding extensive oil or gas reserves within the park boundaries.

<sup>37</sup>San Angelo Standard-Times, April 14, 1966.

<sup>38</sup>Senate Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, Guadalupe Mountains National Park Hearings on S. 295 and H.R. 698, July 21, 1965 and August 9, 1966, 89th Cong., 1st and 2d sess., 1965 and 1966, 69-70.

costs at Point Reyes, Cape Cod, and Padre Island. He expressed the hope that such errors would not be repeated at Guadalupe.<sup>39</sup>

Anderson returned to questioning Cain about farm units. Questioned directly about Hunter's land, Cain could not answer questions about wells, whether the land was under cultivation, what type of livestock was run on the property (he incorrectly assumed it was cattle), the reasoning behind the rangeland appraisals, how long Hunter had owned the land, or his cost for acquisition.<sup>40</sup>

The senators excused Cain from further questioning. However, they expressed again their desire to talk with someone who could explain why mineral rights could be bought for \$3 per acre (Edwards's estimate) when Hunter's rangeland had been appraised at an average of \$20 per acre.<sup>41</sup>

Texaco representatives James Pipkin and Joseph Markley were resigned to the fact that Texaco would be forced to relinquish mineral rights to the Hunter lands, either through donation or sale. They argued, however, to retain reversionary rights to the minerals in the event that government policy or park status changed. They felt the 20-year time limit imposed on reversionary rights by the House bill was unrealistic in view of the slow development of West Texas. The Texaco men also addressed the question of the value of the company's mineral rights. Markley explained the geology of the region, previous testing, and untested potential for oil and gas development. Although he suggested Edwards's estimate of \$3 per acre for mineral rights was far too low, neither Pipkin nor Markley were able to suggest a more reasonable figure.<sup>42</sup>

After questioning the Texaco representatives, the senators agreed that there was little harm in adding Texaco's request for reversionary interests in the mineral rights to the bill. Senator Bible said, "It is so unusual to find anything governmental once created that is ever put out of business, and I would think that would probably be true of Guadalupe Mountains National Park, that once created, it is going to be there forever and a day. So I don't know that your condition would be too burdensome on the Government . . . ."<sup>43</sup>

On October 7, 1966, the Senate approved H. R. 698. Several amendments were added to resolve the problems confronted during the hearings: (1) All mineral rights, not just those belonging to the State of Texas, were required to be donated. (2) Reversionary rights of those donors would be respected for an unlimited period of time. (3) Land acquisition costs would be limited to \$1,800,000.<sup>44</sup>

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<sup>39</sup>Ibid., 71.

<sup>40</sup>Ibid., 72-76.

<sup>41</sup>Ibid., 76.

<sup>42</sup>Ibid., 78-87.

<sup>43</sup>Ibid., 88.

<sup>44</sup>Senate Committee on Interior and Insular Affairs, Guadalupe Mountains National Park, Texas: Report to Accompany H.R. 698, 89th Cong. 2d sess., 1966, H. Rept. 1682, 3, 5-6.

The House approved the Senate's changes on October 10 and on October 15, 1966, President Lyndon B. Johnson signed the bill to authorize Guadalupe Mountains National Park (see Appendix A). In summary, the bill provided that: (1) Land would be acquired as described on the map drawn by the Department of the Interior. The sections belonging to Ed and Ona Hammack would be omitted upon receipt of a scenic easement from them. (2) Acquisition of the land could be accomplished by purchase, donation, or exchange, with 4,667 acres specifically designated for exchange. (3) Contracts for purchase would be contingent upon availability of appropriated funds. Establishment of the park would occur after notification by publication in the Federal Register that title to all land had been vested in the United States and all mineral rights had been donated. (4) Mineral rights would be reconveyed to donors if the land were abandoned by the Park Service, if a national emergency required development of the mineral resources, or if mineral development outside the park boundaries drained the reserves beneath the park. (5) Funds designated for the administration of McKittrick Canyon would be transferred to Guadalupe Mountains National Park after the park was established. (6) Cost limitations would be \$1,800,000 for land acquisition and \$10,400,000 for development of the park.

### The Texas Legislature

Soon after the opening of the Texas legislature in January 1967, Joe Christie, senator from El Paso, and Gene Hendryx, representative from Alpine, introduced companion bills providing for the conveyance of the State's mineral rights to 45,000 acres of J.C. Hunter's land to the federal government.<sup>45</sup> In the committee hearings that followed, Texas land commissioner Jerry Sadler maintained the position he had taken in the Congressional hearings: Texas should retain its mineral rights. Instead of a national park on the Hunter lands, Sadler advocated the creation of a state park supported by mineral leases on the park lands. The West Texas Geological Society sent the House committee a statement expressing the opposite viewpoint. The group believed that "the value of the Guadalupe Mountain area as a national park will be far greater to the people of Texas than the worth of its minerals."<sup>46</sup>

In late February, Texaco made a move to delay passage of the mineral rights bill. The company began drilling a well on its leased land within the proposed park boundaries, at the mouth of Pine Springs Canyon. Tom Sealy, representative of Texaco, appeared before the House to ask that their final vote be postponed for 60 days, until the well reached a level of 7,000 feet. Ostensibly, Texaco wanted to prove to the legislators that the State's mineral rights were worth more than the \$5 per acre that the bill proposed to pay to the school fund for relinquishment of the rights. In actuality, a 60-day delay would have effectively killed the bill, postponing the decision until the legislature's next session in 1969.<sup>47</sup>

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<sup>45</sup>El Paso Times, January 24, 1967.

<sup>46</sup>Ibid., February 10, 1967.

<sup>47</sup>San Angelo Standard-Times, February 23, 1967. Texaco found no oil or gas, but the drilling logs from this well later proved valuable when hydrologists were selecting the location for the water well that would support park development in the Pine Springs area.

Texaco's ploy was unsuccessful; the House confirmed the Senate-passed mineral rights relinquishment bill by a vote of 132 to 10 on February 23, 1967.<sup>48</sup> Governor John Connally signed the bill on March 6 and formal conveyance of the deed took place on November 16, 1967.<sup>49</sup>

### Appropriations Legislation

The legislative struggles to establish Guadalupe Mountains National Park did not end with the relinquishment of the mineral rights belonging to the State of Texas. By the end of 1967 Texaco also had donated its mineral rights, clearing the way for purchase of Hunter's land. But one stumbling block remained: funding of the \$1,800,000 for land acquisition. While Guadalupe Mountains National Park was still a question in the Congressional subcommittees, the Interior Department had secured a three-year purchase option (to expire December 31, 1968) on 58,878 acres of Hunter's land. In 1967, after authorization of the park, \$354,000 was appropriated for Guadalupe Mountains, of which \$280,000 was earmarked for land acquisition. The Interior Department used that amount to secure some of the smaller tracts within the park boundaries. Hoping to complete land acquisition in 1968, the Interior Department requested an additional \$1,446,000. Of that amount, \$1,200,000 was needed to exercise the option on Hunter's land.

Representative Julia Butler Hansen of Washington chaired the House Appropriations Subcommittee. When George B. Hartzog, Jr., Director of the Park Service, appeared before the committee, Hansen voiced her objection to such a large amount of money going to one landowner: "If you think I am going to throw away money to make someone a millionaire, you are wrong." She asked Hartzog whether anyone else was apt to buy Hunter's land immediately. Hartzog admitted he knew of no immediate prospects, but he added that because there was water on the land, it was particularly valuable. He suggested that Hunter could probably sell the land for more than the \$1,200,000 price guaranteed by the government's purchase option and estimated that the cost would increase ten to twenty percent if the option were not exercised. When Hansen asked Hartzog to prioritize the Department's appropriation requests, however, he placed land acquisition for Guadalupe Mountains third behind development monies for Indiana Dunes National Lakeshore and Assateague National Seashore.<sup>50</sup>

In 1968, expenses of the Vietnam conflict and inflation compelled Congress to seek a \$6,000,000,000 budget cut. In response to that demand, Hansen's Appropriations Subcommittee refused to approve the \$30,000,000 that the Interior Department had requested for park acquisition funds; \$1,200,000 for Guadalupe Mountains was part of that package. The Senate, however, still had not acted on the appropriations bill. Senator Yarborough appealed to members of the Senate Appropriations Subcommittee

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<sup>48</sup>El Paso Times, February 24, 1967.

<sup>49</sup>Superintendent, Carlsbad Caverns to Regional Director, SWRO, May 5, 1967 and December 5, 1967 in V.F. 128, Box 7, Guadalupe Mountains National Park Library.

<sup>50</sup>Dallas Morning News, April 22, 1968; Abilene (Texas) Reporter-News, April 25, 1968.



and persuaded them to approve \$200,000 for land acquisition for Guadalupe Mountains. Although the appropriation was small, Yarborough hoped it would be enough to secure a purchase contract on Hunter's land. The House agreed to the appropriation in a conference report.<sup>51</sup>

Yarborough was not content, however, with the token appropriation. After studying a 1968 amendment to the Land and Water Conservation Act that gave the Interior Department power to use its general funds for authorized park lands, Yarborough approached Secretary Udall with his plan. He proposed to use \$1,020,000 of Department funds to complete the purchase of land for Guadalupe Mountains. With Udall's approval, the plan did not require further action by the full Congress, only review and approval by the appropriation committees of both houses of Congress. Congressman Richard White worked with the House committee while Yarborough worked with the Senate committee.<sup>52</sup> In January, President Lyndon Johnson recommended the expenditure to Congress in his budget message. Congress approved final funding in September 1969.<sup>53</sup>

#### Establishment of Guadalupe Mountains National Park

After the federal government acquired all of the land within the authorized boundaries of the new park, and after the mineral rights had been donated, a notice, prepared by the Park Service and dated September 30, 1972, appeared in the Federal Register on October 6, 1972, announcing the establishment of Guadalupe Mountains National Park. The September 30 date was chosen to coincide with the park's dedication ceremony.<sup>54</sup>

#### The McKittrick Canyon Access Road

In January 1975, Congressman Richard White introduced H. R. 1747, amending Section 2 of the 1966 Act that created Guadalupe Mountains National Park. The amendment provided for an exchange of land so that an access road to McKittrick Canyon could be built on Park Service land. When White defended the amendment before the House in December 1975, he pointed out that visitors had to use a privately owned ranch road to reach McKittrick Canyon. The owner of the road, Mrs. Fletcher Pratt, whose late husband was the son of Wallace Pratt, had limited public access to four cars on weekdays and 10 cars per day on weekends. White explained that visitors had to use the private road because engineers had determined that the land the Park Service originally intended to be used for the access road was too rough and was subject to flash floods. Mrs. Pratt had agreed to exchange her property for the right-of-way originally donated by the Pratt family. White

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<sup>51</sup>San Angelo Standard-Times, June 20, 1968 and June 21, 1968; El Paso Times, July 12, 1968.

<sup>52</sup>El Paso Times, November 3, 1968.

<sup>53</sup>*Ibid.*, January 16, 1969 and September 23, 1969.

<sup>54</sup>Federal Register, 37(October 6, 1972): 21193.

informed the House members that the cost for the transaction was estimated to be \$3,750.<sup>55</sup>

In June 1975 the Senate had passed S. 313, an identical bill to White's H. R. 1747. After hearing White's testimony, the House passed H.R. 1747, suspended the rules requiring committee consideration of S. 313, amended the Senate bill by using the wording of the House bill, and passed the Senate bill. The Senate concurred on the amendment on December 17, 1975.<sup>56</sup> The bill became Public Law 94-174 on December 23, 1975.

### Wilderness Designation and Development Ceiling Increase

The Wilderness Act of 1964 required the Secretary of the Interior to review roadless areas of 5,000 acres or more within national parks and recommend whether such lands should be added to the National Wilderness Preservation System. In 1970, as the master planning process for Guadalupe Mountains began, the designation of wilderness areas within the park became a hotly debated issue.

By the time of the Master Plan hearings in November 1971, most of the battle was over. The real debate had begun on March 17, 1970, when a large group of interested persons met with the Park Service to voice their opinions about the park's proposed master plan and wilderness proposal. The wilderness proponents hoped that the park would not be developed in any way. Joseph Leach, regional chairman of the Sierra Club from El Paso, spoke for his organization, asking that the park be left entirely unchanged, with no roads to provide access for campers and trailers. Leach saw no harm, however, in the tramway which the Park Service proposed to build through Pine Springs Canyon.<sup>57</sup>

Clare Cranston of the U. S. Geological Services expressed a more development-oriented viewpoint, suggesting keeping people out of Guadalupe Mountains would be "discrimination of the worst kind . . . against the bulk of our population." He asked a Sierra Club representative, "Do you mean that 10 years from now I will not be allowed to visit the park just because I would be physically unable to walk in?" Milo Conrad of the New Mexico Mountain Club responded, "Go in while you're young."<sup>58</sup>

R. W. Lee, an El Paso newspaper editor, attended the meeting. Viewing the heated arguments objectively, he told his readers that the overriding concern of everyone present was that the park should not be developed to such a point that preservation of its wilderness state, which they all seemed to value, would become impossible.<sup>59</sup>

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<sup>55</sup>December 1, 1975, Congressional Record, 94th Cong., 1st sess., 37883.

<sup>56</sup>*Ibid.*, 37884.

<sup>57</sup>Carlsbad Current-Argus, March 18, 1970.

<sup>58</sup>*Ibid.*

<sup>59</sup>El Paso Herald Post, March 18, 1970.

In May the Carlsbad Chamber of Commerce sent a letter to the master planning team for Guadalupe Mountains, expressing its belief that the majority of the travelling public would be barred from the park if it became a designated wilderness. The Chamber preferred to see development similar to that at Carlsbad Caverns.<sup>60</sup>

The stand of the Chamber drew a spate of letters to the editor of the Carlsbad newspaper in support of the wilderness designation. Also during this time, the National Speleological Society prepared its own proposal for the designation of 156,000 acres of wilderness in portions of Guadalupe Mountains and Carlsbad Caverns, and Lincoln National Forest, and submitted it to the National Park Service, the Forest Service, and the Bureau of Land Management.<sup>61</sup>

The Carlsbad Current-Argus provided a forum for opinions about the park throughout the next year. The newspaper did a commendable job of presenting both sides of the issue and printing in-depth articles about the park and the planning process. The educational campaign carried out by the Current-Argus no doubt contributed to the spirit of compromise that led the Carlsbad Chamber of Commerce to reverse its earlier opinion and announce in October 1971 its support for the Master Plan and Wilderness Proposal as developed by the Park Service. The membership of Superintendent Donald Dayton in the Chamber of Commerce and his active efforts to establish good relations with that organization and other civic groups also aided in obtaining the final support of the Chamber.<sup>62</sup>

Thus, the November 1971 hearings were not as heated as they might have been. Most speakers approved the Master Plan generally although they took exception to specific parts of it. Most attention was directed to the Pine Springs Canyon Tramway Proposal, not the Wilderness Proposal.<sup>63</sup>

In October 1972, President Richard M. Nixon submitted to Congress the Wilderness Proposal for Guadalupe Mountains National Park. The proposal recommended 46,850 acres of the 77,500-acre park be designated as wilderness and managed accordingly.<sup>64</sup> Six years later, as a part Title IV of the National Parks and Recreation Act of 1978 (Public Law 95-625), the Guadalupe Mountains Wilderness became official (see Appendix A).

Another section of the National Parks and Recreation Act of 1978 also affected Guadalupe Mountains. During the first five years after official establishment of the park, \$7,462,000 of the park's \$10,362,000 development ceiling had been spent, but little permanent development had taken place. While visitor facilities had been built, a visitor center, headquarters complex, employee housing, and roads and trails

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<sup>60</sup>Carlsbad Current-Argus, May 15, 1970.

<sup>61</sup>Ibid., May 21, 1970; June 9, 1970; July 22, 1970; July 31, 1970.

<sup>62</sup>Ibid., October 13, 1971; Bobby L. Crisman, letter to author, April 1988.

<sup>63</sup>Ibid., November 19, 1971 and November 22, 1971.

<sup>64</sup>El Paso Times, October 17, 1972.

remained to be constructed. Most of the available funds had been spent on planning, setting up temporary administrative and public-use facilities, exploring for water sources, developing temporary water sources for the facilities, and stabilizing historic structures and ruins. The Interior Department requested the development ceiling be raised to \$24,715,000. Guadalupe Mountains, however, was unique among the twenty-nine areas of the Park Service that were seeking increases in their development ceilings. The ceilings for the twenty-eight other areas were based on needs through 1981 only. The ceiling for Guadalupe Mountains covered the estimated cost of all future development.<sup>65</sup> On November 10, 1978, Title I of the National Parks and Recreation Act raised the development ceiling for the park to \$24,715,000 (see Appendix A).

### Legislation in 1987

In 1987 a Congressional "add-on" to the annual omnibus appropriation bill for the National Park Service included \$3,650,000 for construction of the visitor center and operational headquarters facility for Guadalupe Mountains National Park. Texas Congressman Ron Coleman, who had succeeded Richard White as the Representative from the 16th District, sponsored the add-on legislation. In 1987 Coleman also indicated his willingness to sponsor legislation to add about 10,000 acres to the park. The boundary expansion would incorporate into the park the most significant portion of the red and white sand dunes immediately west of the park boundary.<sup>66</sup>

### A Perspective on the Legislative History

When considering the legislative history of other parks, the supporters of Guadalupe Mountains National Park did not encounter unusual obstacles. Congress had wrestled with the issue of the value of such resources as minerals or timber many times in the past, such as when they authorized Isle Royale National Park, the Everglades National Park, Olympic National Park, and Cape Hatteras National Seashore and Recreation Area. During the 1940s and 1950s, formal establishment of Cape Hatteras and the Everglades were stalled for as long as twenty years while state governments negotiated the values of mineral rights and surface rights so that they could purchase the designated parklands and donate them to the national park system. By the 1960s, when Guadalupe Mountains was authorized, Congress had established the precedent of appropriating money to acquire privately held lands for park use. Considering that acquisition of the surface rights to Guadalupe Mountains National Park depended on the whims of Congressional appropriations committees

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<sup>65</sup>Senate Subcommittee on Parks and Recreation of the Committee on Energy and Natural Resources, Hearing on S. 2976, 95th Cong., 2d sess., 1978, 25.

<sup>66</sup>Richard Smith, interview with author, April 14, 1987; Bobby L. Crisman, interview with author, April 14, 1987 and letter to author, April 1988.

at a time when the nation faced other strong financial commitments, the acquisition process took a relatively short period of time.<sup>67</sup>

Like all other parks, Guadalupe Mountains National Park, was created and developed by political action. The establishment of Guadalupe Mountains National Park required the sustained efforts of many politically adept and powerful people. Without the combined work of Pool, Foreman, Yarborough, and White, the park would not have been authorized. Private citizens used their political influence to get the Congressional hearings scheduled. Later, after authorization of the park, Yarborough's push for a different way to finance land acquisition, combined with White's support in the House, undoubtedly shortened the time required for that phase of park development. Finally, in 1987, the aggressive work of Ron Coleman brought about funding for the park's visitor center and operations headquarters, a project that had been financially stymied for a decade.

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<sup>67</sup>John Ise's book, Our National Park Policy: A Critical History (Baltimore: Resources for the Future, Inc. by the Johns Hopkins Press, 1961), provides a good, though dated, perspective on the legislative processes required to establish and administer the national parks. Most parks, like Guadalupe Mountains, required little Congressional attention after authorization. Others, such as the Everglades, have been beset by problems requiring Congressional intervention.



## CHAPTER V

### MINERAL RIGHTS AND LAND ACQUISITION

#### Donation of Mineral Rights

During the debates over the Guadalupe Mountains park bill, Congressional committee members worried about the problems inherent in acquiring surface rights to the park lands before the mineral rights. The cost of land acquisition was a fairly firm figure, assuming the purchase took place within a few years. The cost of the mineral rights was an unknown. What if the value of the mineral rights increased unexpectedly? What if the cost to acquire the mineral rights was more than the surface rights? To circumvent these possibilities, the park bill had required that all mineral rights be donated.

More than two years before Congress authorized the park, officials of the Park Service began investigating the ownership of the mineral rights to the Hunter ranch. Their search revealed that J. C. Hunter, Jr., owned the rights to only 1,192.50 acres, the Texas Company (Texaco, Inc.) owned the rights to 25,296.83 acres, and the State of Texas owned the rights to 45,489.55 acres.<sup>1</sup> Hunter agreed to donate his mineral interests. By conveying his surface interests in the 45,489.55 acres to which the State owned the mineral rights, Hunter relinquished his right to act as agent for the State for oil and gas leasing. Under the terms of his agreement with the federal government, however, he retained the right to receive all royalties or rentals payable to him under leases which were in effect at the time of the sale.

In February 1964, Donald E. Lee, Chief of Land and Water Rights for the Park Service, visited Texas to investigate mineral rights for the proposed park. He learned that Texaco's mineral rights consisted of alternating sections in the upper two-thirds of the proposed park. The State of Texas owned the rights to the intervening sections. Most of the State's mineral rights in those sections were not leased. The remainder of the ranch land, in the southern portion of the proposed park, had been leased by Hunter in 1959, 1960, and 1961 (see Figure 13). All leases ran for 10 years and could continue in effect after that time if oil and/or gas were being produced in paying quantities.<sup>2</sup> Lee estimated the cost to buy out the existing leases and investments to be approximately \$450,000. Rather than incur that expense, he recommended that existing leases be allowed to run out if the owners agreed to donate their mineral rights.<sup>3</sup>

Although Lee's estimate of the value of the mineral rights was substantial, others believed it should be even more. As discussed in Chapter IV, during the

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<sup>1</sup>Chief, Division of Land and Water Rights to Director. April 6, 1964, p. 4, in Background Book #4, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>2</sup>Ibid., 5.

<sup>3</sup>Ibid., 6.

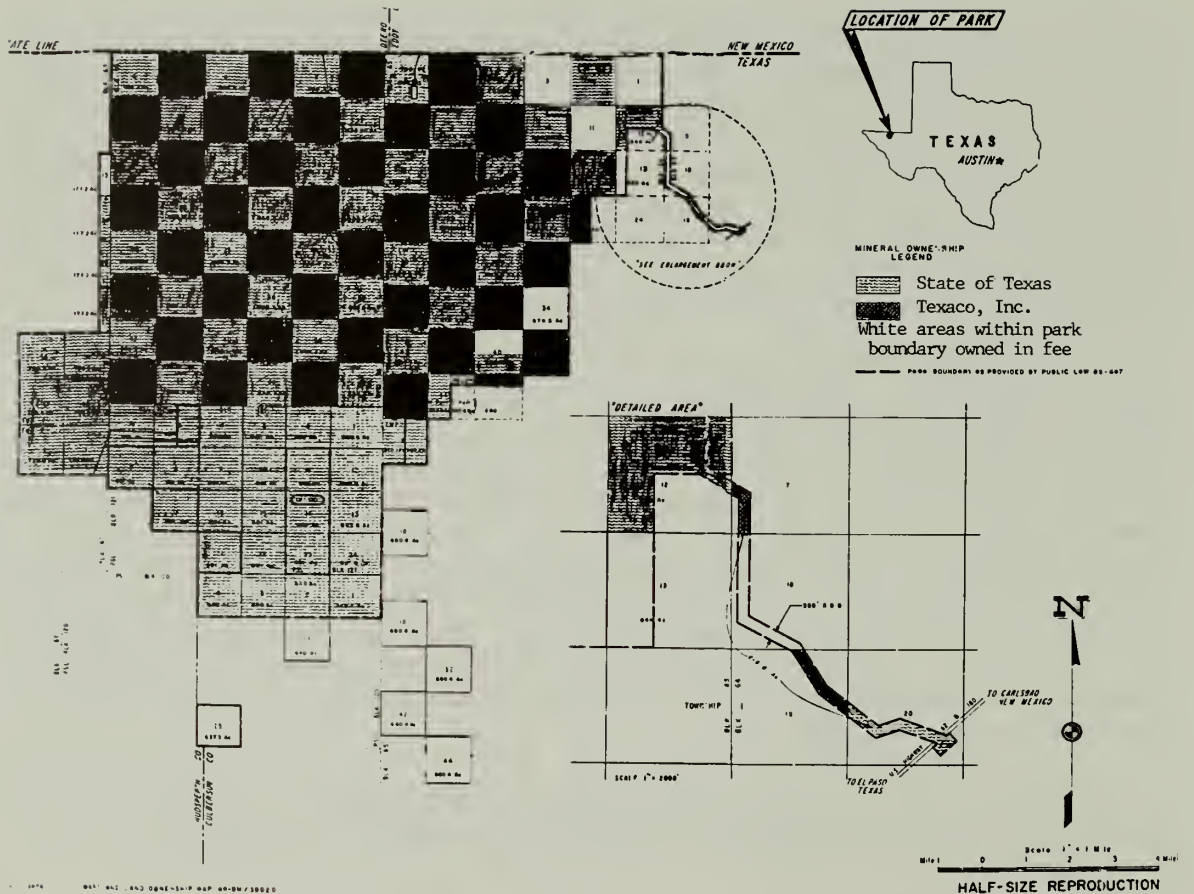


Figure 13. Mineral rights ownership within Guadalupe Mountains National Park boundaries. The ownership of mineral rights on Hunter's land by the State of Texas and Texaco created a checkerboard pattern. On only a few sections of the designated park lands did the owner of the surface rights also own the mineral rights. Legislation authorizing the establishment of a park mandated that all mineral rights be donated rather than purchased.



Congressional hearings Texaco officials took exception to Lee's appraisal, saying it was too low, but they also were unable to provide a more realistic figure. Similarly, the Texas land commissioner argued that relinquishment of the State's mineral rights would deprive the school fund of important real and potential income. The crux of the problem was the speculative nature of the oil and gas industry, making objective evaluation of unexplored resources difficult.

The amendment to the park bill that granted previous owners preferential rights to repurchase their mineral rights if oil and gas production was ever permitted within the park gave Texaco officials and the Texas legislators the security they desired to make donation of their mineral rights feasible. Both Texaco and the State of Texas conveyed their mineral rights to the federal government within a year after the park was authorized. In March 1967, Texas Governor Connally signed the bill approved by the Texas legislature that donated the State's mineral rights on the Hunter ranch. The legislature reimbursed the school fund \$5 per acre (approximately \$230,000) for the loss of income-producing rights.<sup>4</sup> In a formal ceremony on November 16, 1967, Connally gave the hand-lettered quitclaim deed to Interior Secretary Stewart Udall. On November 2, 1967, Texaco division manager Joe Markley transferred the company's subsurface rights to the federal government.<sup>5</sup>

#### Acquisition of the J. C. Hunter, Jr., Land

Once Texaco and the State of Texas had donated their mineral rights to the Government, acquisition of surface rights began. According to the Offer to Sell Real Property executed by J. C. and Mary Hunter on August 26, 1966, the federal government had an 18-month option, expiring February 26, 1968, to buy Hunter's 71,978 acres for \$1,500,000. Hunter hoped to complete the sale by June 30, 1968, and was reluctant to hold his price any longer than that.<sup>6</sup>

The first Congressional appropriation for land acquisition for Guadalupe Mountains National Park was only \$280,000, considerably less than Hunter's sale price. In October 1967, Thomas Kornelis, Chief of Land and Water Rights for the San Francisco Service Center, began negotiating with Hunter about buying his land in two or three parcels. Hoping to make the best possible use of the \$280,000 appropriation, Kornelis and Howard Cameron, a Park Service Realty Specialist, proposed using the appropriation to purchase Hunter's tracts of land outside the park boundary, tracts that had been authorized by the park bill to be used as exchange property. These tracts would then be offered to the landowners who held smaller pieces of property within the park boundary. Assuming everyone was willing to accept an exchange, the federal government then would have only one landowner, J. C. Hunter, Jr. to tie to a firm price.<sup>7</sup>

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<sup>4</sup>San Angelo Standard-Times, July 19, 1967.

<sup>5</sup>Ibid., November 2, 1967.

<sup>6</sup>Trip report by Thomas Kornelis and J. H. Cameron, October 24-26, 1967, in file L1425, GUMO, General, Part I, in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>7</sup>Howard Cameron to Tom Kornelis, 13 October 1967, in file L1425, GUMO, General, Part I, in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

Hunter realized nothing could be done to avert the piecemeal sale of his property, but he sought to protect his interests in some way. Refusing to sell any but the least desirable portions of his property first--the western and southernmost sections--he also asked that no negotiations be made with the smaller landowners until the government actually owned the lands that would be exchanged.<sup>8</sup> Hunter's requests were met. In February 1968, Hunter deeded 14,007.6 acres of his property to the federal government for \$280,000. Except for two sections on the northern boundary of the park, which were adjacent to the Pratt donation, the land was all on the west side of the Guadalupes.

Appropriations for the fiscal year of 1969 were even less than before. The House Appropriations Committee vetoed any funding whatsoever, but Senator Yarborough managed to convince the Senate committee to appropriate \$205,000, an amount with which the House eventually concurred. Kornelis again approached Hunter and once again Hunter refused to sell any land but sections on the west side, south of the previous tract. However, he agreed to sign a contract for the purchase of the remainder of the property contingent upon the availability of funds in 1970. In May 1969, for \$205,000, Hunter conveyed to the federal government an additional 9,773.25 acres of the ranch. At the time of this transaction, Hunter gave immediate possession of the tract to the Park Service, but he reserved a six-month period of possession after the sale of the remaining tract in order to allow his long-time foreman and ranch resident, Noel Kincaid, to move his ranching business.<sup>9</sup>

A special appropriation from the general fund of the Interior Department made possible the acquisition of the third tract of Hunter's land. Hunter deeded the final 48,290.55 acres of his ranch to the government on November 20, 1969, for \$1,015,000. The sections of land outside the park boundary to be used for exchange with other landowners were a part of this transaction. On December 10, 1969, in a letter to Neal Guse, Superintendent of Carlsbad Caverns, Hunter acknowledged receipt of the final payment for his property and waived his six-month right of possession, stating that Kincaid was no longer in his employ.<sup>10</sup> The government acquired the Guadalupe Mountain Ranch, 72,071.40 acres comprising more than 90 percent of Guadalupe Mountains National Park, for a total of \$1,500,000. Figure 14 summarizes the Hunter acquisitions and shows the other individual tracts in the park.

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<sup>8</sup>Trip report by Thomas Kornelis and J.H. Cameron, October 24-26, 1967, in file L1425, GUMO, General, Part I, in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>9</sup>Exchange Officer to Chief, Office of Land and Water Rights, SSC, undated, p. 1, in file L1425, GUMO, General, Part I, in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>10</sup>J.C. Hunter to Neal Guse, Superintendent, Carlsbad Caverns, December 10, 1969, in file L1425, GUMO, General, Part I, in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

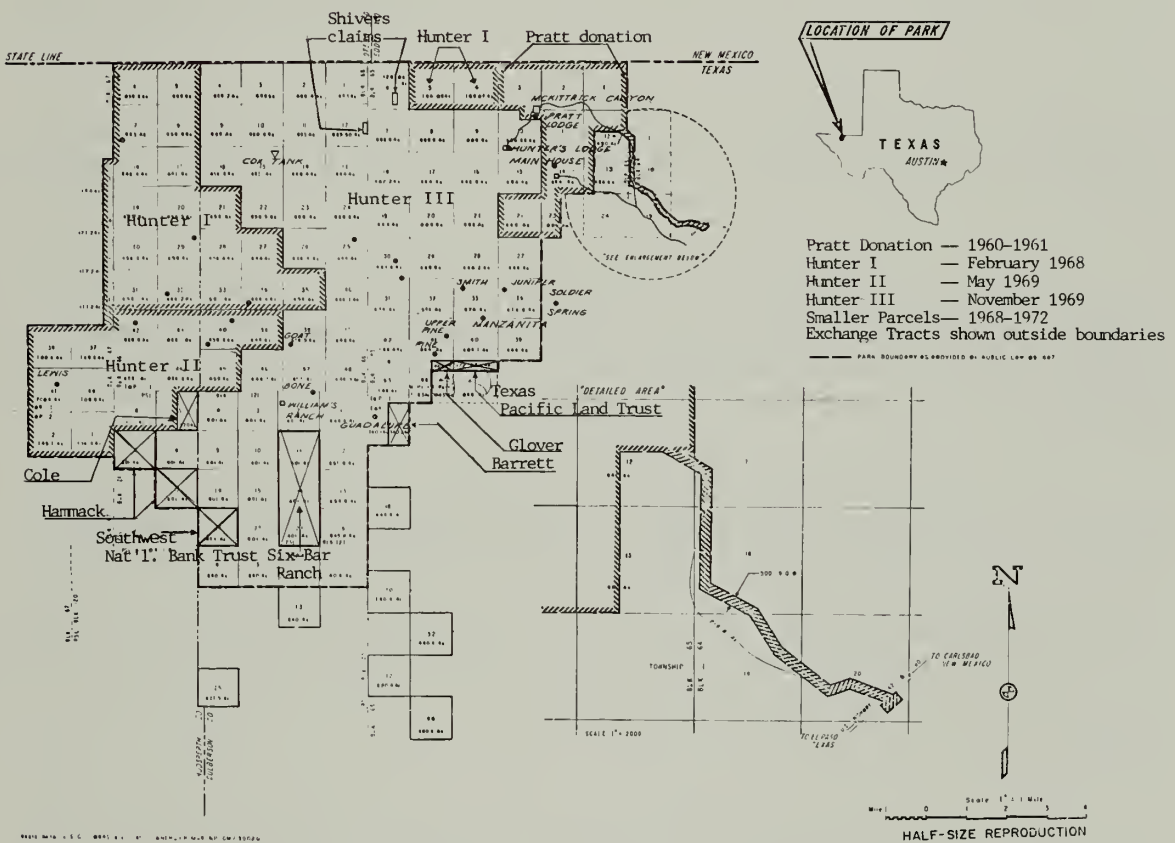


Figure 14. Land ownership within the boundaries of Guadalupe Mountains National Park. When the first Congressional appropriations for land acquisition were small, J.C. Hunter, Jr., protected his interests by selling the least desirable portions of his property first. The map shows the sequence of purchases from Hunter as well as the parcels belonging to other landowners with whom the Park Service had to negotiate.

### Acquisition of Smaller Tracts within the Park Boundaries

After the Hunter acquisition was complete, eight landowners held a total of 4,574 acres within the park boundaries. The hopes of Kornelis and Cameron for a quick and easy exchange for equal amounts of land outside the park boundaries were not fulfilled. Although three landowners were offered a land exchange, only one accepted.

As early as January 1964, the Park Service had begun inquiring about the small landowners involved in the proposed park. In response to a request from Robert Barrel of the Southwest Regional Office, Glenn Biggs outlined the situation with six of the landowners, using information provided by Noel Kincaid:

1. The Ed Hammack property, Sections 7 and 17, Public School Land (PSL) Block 121, contained three wells, the only water source for Hammack's ranching operation. Biggs recommended that these sections not be included in the proposed park.
2. The F. G. Barrett property, the east half of Section 6, Block 65, Township 1, Culberson County was leased to Walter Glover. It contained a water source that provided water to other sections leased or owned by Glover.
3. The Walter Glover property, approximately 86 acres, located in the northeast corner of Section 44, Block 65, Township 1, Culberson County contained two wells, which provided water for domestic as well as livestock use. The property also contained parts of the Butterfield stage station, which once stood at Pine Springs; the Glovers' residence; and a combination country store and cafe that they had operated since 1928.
4. The Southwest National Bank Trust of El Paso owned Section 21, Block 121, PSL, Culberson County. Biggs suggested a trade might be made for land in either of two nearby sections that were adjacent to other property owned by the Trust.
5. The Six-Bar Ranch owned Sections 11, 14, and 23 in PSL Block 121. A contract existed between J. C. Hunter, Jr., and the Six-Bar Ranch stating that at the conclusion of existing oil and gas leases, the Six Bar would exchange its sections for Sections 32, 42, and 44, Block 65, Township 2, Culberson County, which Hunter owned.
6. Biggs reported that one other half-section remained in private hands, the east half of Section 5, PSL Block 121. He said J. F. Walcott and Misses Pearl and Joe Cole owned the land. Because the tract was unfenced and Hunter had used a large portion of it for many years, Biggs expected a trade would be acceptable.<sup>11</sup>

In May 1964, Norman B. Herkenham, Regional Chief of National Park Systems Studies, visited some of the landowners Biggs had identified. In a memorandum written after his visit, Herkenham stated: "For the record, although it hardly requires

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<sup>11</sup>Glenn Biggs to Robert Barrel, January 21, 1964, file C45.4A, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

emphasis, this visit was much overdue, and there has been considerable time for misapprehension and suspicion to breed in the minds of the people concerned."<sup>12</sup>

Herkenham found the land situation to be as Biggs had represented it. He was so impressed with the adamancy of the Hammacks' and the Glovers' refusals to sell their property that he recommended those sections be deleted from the park proposal. He felt the landowners' response stemmed partly from a general attitude that "if it helps Hunter in any way, we are against it," but he also felt that contacts made by Biggs and Kincaid with the Hammacks and Glovers had exacerbated the situation. In his trip report Herkenham wrote, "The principal hostility of the local people seems to be directed chiefly toward Mr. Glenn Biggs. . . . Mr. Biggs has made himself extremely unpopular through his aggressive dealings and attempts to option the property of the smaller landowners, both in the past and now, in connection with the park proposal." Herkenham doubted whether Hunter was aware of all of the actions of his representatives.<sup>13</sup>

Herkenham did not meet with F. G. Barrett, but the Glovers told him that Barrett's attitude would be similar to theirs. Herkenham realized that the Glovers probably had more interest in Barrett's land than Barrett did, since they leased the property. Because the scenic value of Barrett's half-section was important, Herkenham was reluctant to suggest that it be excluded from the park.<sup>14</sup>

Joseph F. Irwin of the Southwest National Bank Trust in El Paso represented the individuals who owned Section 21, PSL Block 121. He told Herkenham that the investors were already aware of the effect of the proposed park on their property. Irwin indicated that he knew of no overt resistance to including the section of land in the park, but the owners clearly expected any transfer of property to be financially advantageous to them. He thought an exchange might be possible.<sup>15</sup>

Herkenham did not contact representatives of either the Walcott/Cole or the Six-Bar Ranch interests during his visit. He reported, however, that he expected no problem with the acquisition of either tract. The agreement between Hunter and the Six-Bar Ranch would accomplish what the Park Service needed, and Herkenham believed an exchange with the Walcott/Cole interest would be "no serious problem."<sup>16</sup>

In 1970, when officials of the Park Service began full negotiations with the small landowners, the exchanges that had been anticipated were, in most cases, refused. The Federal Government was forced to purchase the Cole tract (\$6,404), the Southwest National Bank Trust tract (\$12,000), and the Barrett tract (\$10,206). The

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<sup>12</sup>Regional Chief to Assistant Regional Director, Cooperative Activities, May 22, 1964, V.F. 45, Box 5, Guadalupe Mountains National Park Library.

<sup>13</sup>Ibid.; Regional Director to Director, May 27, 1964, in Background Book #4, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>14</sup>Regional Director to Director, May 27, 1964, p. 3, in Background Book #4, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>15</sup>Ibid., 2.

<sup>16</sup>Ibid., 3-4.

exchange with the Six-Bar Ranch took place as planned, but the federal government paid an additional \$5,400 to the Six-Bar to equalize land values. A quarter-section tract (Section 45, Block 65, Township 1, Culberson County) belonging to the Texas Pacific Land Trust, which neither Biggs nor Herkenham had mentioned, was exchanged for three-eighths of Section 30, Township 2, Block 65, Culberson County, but the Texas Pacific Land Trust retained a 60-foot right-of-way easement across their original section.<sup>17</sup>

### The Hammack Exclusion and Easement

Early in 1964, Ona and Ed Hammack learned from Biggs and Kincaid that two sections of their ranch had been included in the proposed park. Biggs and Kincaid agreed that the land had no scenic value and was essential to the Hammack's ranching operation because it contained their primary water source. Acting on the advice of Biggs, the Hammacks wrote to Senator Yarborough to ask that their land be excluded from the park. They said that depriving them of the use of Section 17 would destroy their ranching operation.<sup>18</sup>

After hearing from the Hammacks, Yarborough expressed to the Park Service his concern for his constituents. Herkenham met with the Hammacks during his trip to Texas in May 1964 and discussed possible alternatives with them, including acquisition by the Federal Government that left water rights and life tenancy with them, or exchange for sections outside the park. Since neither possibility appealed to the Hammacks, Herkenham and Daniel Beard, Regional Director of the Southwest Region, concurred in recommending to Park Service Director George Hartzog, Jr., that Sections 7 and 17 be excluded from the park proposal.<sup>19</sup>

In June 1964, the Acting Assistant Director of the Park Service, C. Gordon Fredine, wrote to Senator Yarborough, reiterating the field assessments that found the Hammack property not essential to the development of the park and assuring Yarborough that the Hammack's property would not be acquired without their permission. Fredine hoped that this promise would remove the Hammack's objections to the park.<sup>20</sup>

Nearly two years later, in spite of recommendations and promises, the question of how the Hammack land would be handled was still not settled. In February 1966

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<sup>17</sup>Chief, Acquisition Section to Chief, Office of Land Acquisition and Water Resources, Western Service Center, February 4, 1970, in file L1425, GUMO. General, Part II, Land Resources Office, Southwest Regional Office, Santa Fe. New Mexico: Exchange Deed dated November 12, 1970, between the Six Bar Ranch, Inc. and the United States of America, in file "Deed Covering Exchange with Six-Bar Ranch, Inc. on Tract 01-113 + (000003)-GMNP"; Special Warranty Deed No. 6604 in file "Deed to Tract 01-111 + (000001) (Texas Pacific Land Trust) (exchange with Meyers)", both files kept in safe at Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>18</sup>Mr. and Mrs. Ed Hammack to Ralph Yarborough, April 6, 1964, file C45.35 #5, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>19</sup>Regional Director to Director, May 27, 1964, in Background Book #4, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>20</sup>C. Gordon Fredine, Acting Assistant Director to Ralph Yarborough, June 16, 1964, file C45.3B #6, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

Senator Yarborough discussed the situation with Park Service Director Hartzog. In a letter to confirm the points made during their conversation, Hartzog listed the sequence of acquisition procedures which would be utilized for the park lands, including the Hammacks': (1) purchase based on fair market values; (2) less than fee interest, such as a scenic easement, if such an interest met the needs of the park; (3) purchase with reserved use and occupancy by the owner for a specified period; and (4) acquisition by right of eminent domain. Hartzog emphasized that condemnation would only be used as a last resort.<sup>21</sup>

Both the House and the Senate subcommittees amended the park legislation to allow for omission of the Hammack sections from the park. Instead of the federal government having a fee interest in the Hammack's land, the legislation allowed a scenic easement, committing the Hammacks and successive owners to obtaining Park Service approval for any construction on Sections 7 and 17.<sup>22</sup>

Late in November 1967, after the major mineral rights donations were complete, the Park Service began final negotiations with the Hammacks to acquire the scenic easement that park legislation allowed. On June 14, 1968, for the sum of one dollar, the Hammacks conveyed a perpetual scenic easement, following the language of the legislation, to the federal government. The final clause of the easement granted the Secretary of the Interior or his representative the authority to allow deviations from the covenant as long as the deviations did not interfere with the purposes of the easement.<sup>23</sup>

The Hammacks accepted the easement for a number of years, but in 1976 they asked for a concession to allow construction on one of the sections. The Park Service approved their plans. In 1978, aware of the fact that Ed Hammack had a terminal illness and that both of the Hammacks were concerned that the easement clouded the title to their property, Donald Dayton, the Superintendent of Carlsbad Caverns and Guadalupe Mountains, asked the Regional Director to consider removing the easement restrictions entirely. Dayton recommended the removal for two reasons: 1) the easement had been unnecessary in the first place, and 2) it would be a good public relations move.<sup>24</sup> However, when the Solicitor General determined that legislation would be necessary to remove the restrictions, the subject was dropped.<sup>25</sup> Ona Hammack died on May 31, 1984, and Ed Hammack died March 26, 1985. Since the deaths of the Hammacks, the heirs have expressed no concern about the easement restrictions.<sup>26</sup>

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<sup>21</sup>George Hartzog to Ralph Yarborough, February 16, 1966, in Background Book #4, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>22</sup>Public Law 89-667, 80 Stat. 920, signed October 15, 1966.

<sup>23</sup>Scenic Easement, in file "Scenic Easement Deed on Tract 01-116 (Hammack) GMNP" kept in safe at Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>24</sup>Superintendent, Carlsbad Caverns and Guadalupe Mountains National Parks to Regional Director, Southwest Regional Office, May 30, 1978, p. 6, in file L1425, General. #3, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>25</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1979, 15.

<sup>26</sup>Bobby L. Crisman, telephone conversation with author, May 29, 1987.

### Acquisition of the Glover Property

In July 1964, when Glenn Biggs reported the ownership of the small tracts of land within the proposed park to Robert Barrel, he mentioned water sources on the Glover property that made it particularly valuable to the owners. He also revealed that the Glovers had previously deeded a small portion of their property, a one-half-acre tract containing remnants of the old Butterfield stage station, to American Airlines. The airline company had planned to restore the stage station but when costs made the plans unfeasible, the property reverted to the Glovers. Biggs speculated that the Glovers might be convinced to make a similar agreement with the Park Service.<sup>27</sup>

The same day that he wrote to Barrel, Biggs also wrote to Noel Kincaid to thank him for helping provide the information for Barrel. Biggs told Kincaid that Barrel had indicated to him in a phone conversation that the Park Service did not find the Glover tract particularly significant. If the Glovers were willing to sell a small piece containing the Butterfield stage station, the Park Service would be interested in acquiring that portion of their property. Biggs ended his letter by saying, "I will be eternally grateful for all the help and kindness extended to me by you and I will assure you that I will do everything possible to see that you are not embarrassed over the acquisition of any of the aforementioned property."<sup>28</sup>

Noel Kincaid was a forthright man and a long-time friend and neighbor of the Glovers. In March 1964 he took matters into his own hands and told the elderly couple of the proposed park and how it affected their property. Then he notified officials at the Southwest Regional Office of what he had done and of the reaction of the Glovers. He said the Glovers had no previous knowledge of the proposed park and were extremely upset by the news that their property was included within the boundaries. Asking for more information to share with the Glovers, Kincaid learned that Barrel's earlier opinion about the Glover property no longer held true. Inclusion of the Glover property in the park proposal had become important for two reasons: to provide access to Pine Spring Canyon from Highway 62/180 and allow preservation of the Butterfield stage station ruins. Regional officials apparently had no reservations about allowing Kincaid to intercede with the Glovers on the part of the Park Service. They asked him to reassure the elderly couple that they would be treated fairly when the time came to acquire their land.<sup>29</sup>

Records are not clear about whether Glenn Biggs knew of Kincaid's visit to the Glovers. However, when Biggs stopped to see the couple a short time later, he was not well received. Finding that Biggs had brought them an option to sign, the Glovers literally ran him off their property. In a letter to the Glovers dated March 16, 1964, Biggs told them he would leave for Washington, D. C., the following day to talk with congressmen about deleting their property from the park proposal. He

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<sup>27</sup>Glenn Biggs to Robert L. Barrel, January 21, 1964, in file C45.4A, Land Ownership, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>28</sup>Glenn Biggs to Noel Kincaid, January 21, 1964, file C45.4A, Land Ownership, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>29</sup>Paul Wykert to Robert Barrel, March 5, 1964; Leslie Arnberger to Noel Kincaid, March 12, 1964; V.F. 45, Box 5, Guadalupe Mountains National Park Library.



said, "This was what I wanted to discuss with you while visiting with you last week, but I never had a chance to finish. You won't believe this, but I had nothing to do with the Park Service including your [land] in the designated area. As a matter of fact, and it is on record, I tried to get them to not include any other property except that of J. C. Hunter, Jr."<sup>30</sup>

After his trip to Washington, Biggs again wrote to the Glovers. He had talked with Senator Yarborough and Representative Pool and reported both were sympathetic. Biggs tried to explain the position of the Federal Government regarding the Glover's property, saying a 50- to 99-year option to purchase their land would probably be sought. He also acknowledged the fact that the Glovers probably would not be interested in selling for as long as thirty years. Biggs advised the Glovers that the government would approach them "merely on the basis of finding out your interest--not on the basis of forcing you off your property."<sup>31</sup>

Soon after Kincaid and Biggs talked with the Glovers, a delegation of interested persons from West Texas and southeastern New Mexico met in Carlsbad to discuss testimony to be delivered at the upcoming Senate subcommittee hearings on the Guadalupe Mountains park bill. As a result of the March 24th meeting, Carlsbad Mayor Hampton Martin and New Mexico Governor Jack M. Campbell decided to speak against the acquisition of the Glover property during the hearings. They believed the cafe operated by the Glovers had become an institution in West Texas and that the Glovers should be permitted to retain their property.<sup>32</sup>

After his visit with the Glovers in May 1964, the report Norman Herkenham filed was not optimistic. He found them "openly hostile to the park proposal and to any suggestion of including any part of their property within it. . . . [T]here was absolutely no opportunity for compromise" as far as the Glovers were concerned. Herkenham determined that the only critical acquisition would be the small tract of the Glover's land containing the ruins of the Pinery Stage Station. He suggested that although the Glovers' attitude might soften, the only way to eliminate their opposition to the park was to delete their property from the proposed park boundaries.<sup>33</sup> Regional Director Daniel B. Beard passed Herkenham's recommendations on to Director Hartzog and suggested that the park bill be revised to say that the Glover property would be acquired only with concurrence of the owners.<sup>34</sup>

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<sup>30</sup>Regional Chief, National Park Systems Studies to Assistant Regional Director, Cooperative Activities, May 22, 1964, V.F. 45, Box 5, Guadalupe Mountains National Park Library; Glenn Biggs to Mr. and Mrs. Walter Glover, March 16, 1964, file C45.3B #5, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>31</sup>Glenn Biggs to Mr. and Mrs. Walter Glover, April 1, 1964, file C45.3B #5, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>32</sup>Superintendent, Carlsbad Caverns to Regional Director, March 27, 1964, in V.F. 45, Box 5, Guadalupe Mountains National Park Library; Louis Whitlock, telephone interview with author, January 24, 1988.

<sup>33</sup>Regional Director to Director, May 27, 1964, in Background Book #4, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>34</sup>Ibid., 3.

The recommendations of Park Service personnel regarding the Glover property brought about no bill revisions. The Glover tract remained a part of the park. In 1966, shortly after passage of the park legislation, Howard Cameron, Realty Specialist for the Park Service, wrote a memorandum to the files, describing the Glovers as very much opposed to the park, according to people in the area. He had spoken with Duane Juvrud, the Hammacks' attorney and a friend of the Glovers. Juvrud advised extreme caution when dealing with the Glovers. Having had no personal contact with the Glovers and even unaware of whether Glover was married, Cameron recommended trying to purchase the property with a life estate for Glover.<sup>35</sup>

Two years later, in December 1969, J. E. Williamson, a negotiator from the Office of Land Acquisition and Water Resources of the Western Service Center, visited the Glovers. He hoped to obtain their permission for an appraisal of their property. In his notes, he bluntly assessed the Glover property and situation:

This is a problem tract. Owners are old and very hostile to the park. Mr. Glover is 91, Mrs. is 77. They have lived on or near the tract for 55 years. . . . The improvements consist of several old unused tourist cabins and an old building along the hwy. which is used as living quarters, service station and a very dirty little lunch stand. From what I could see the improvements are of little value.

. . . [T]he purpose of my visit was to obtain permission for an appraisal. . . . I made several attempts to communicate with Mrs. Glover and go over the map with her. I failed. She would take-off on a verbal barrage against the park, about how I was trying to steal their land and that our appraisal would be just another trick by another crook. . . . She would talk only on their refusal to have anything to do with the park. She would not listen.<sup>36</sup>

Williamson also met with Bertha Glover's brother, T. C. Miller, a retired Park Service ranger who lived in Carlsbad. Miller was not surprised at the Glovers' response and told Williamson he doubted that there was an answer to the problem. He recommended waiting until both Glovers died, since he did not think the Park Service would condemn the property. Williamson advised Miller not to believe that condemnation would not be utilized. Miller agreed to try to reason with the Glovers.<sup>37</sup>

A month later Williamson met with the Glovers again. This time Mrs. Glover said they would not sell their property for less than a million dollars, but asked Williamson what the federal government would offer. He responded that until an appraisal had been made, he could not make an offer. Mrs. Glover again refused to allow an appraiser to look at the property. Williamson added a parenthetical note

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<sup>35</sup>Howard Cameron to File, January 15, 1968, in file Civil No. P-70-CA-29, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>36</sup>J.E. Williamson, Negotiator's Progress Record, December 12, 1969, in file Civil No. P-70-CA-29, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>37</sup>Ibid., 3.

to his report, saying he thought an earlier estimated appraisal of \$50,000 to \$75,000 was too high.<sup>38</sup>

As a means of acquiring the Glover property, the new Regional Director of the Southwest Region, Frank Kowski, opposed condemnation. He suggested to Edward Hummel, Assistant Director of Park Management for the Park Service, an arrangement with the Glovers that would permit stabilization and preservation of the stage stop ruins. Hummel responded negatively to this idea, saying that federal funds could not be expended for historic preservation if the property were not under the jurisdiction of the federal government. Alternatively, Hummel suggested offering the Glovers a life estate in the property. However, if that offer was refused, he recommended filing a complaint reserving a life estate, believing such action would reduce "the sting of condemnation."<sup>39</sup> Carl O. Walker, Acting Director of the Park Service, instructed the land office of the Western Service Center to try negotiating with the Glovers one more time. If that effort failed, he recommended filing a complaint action.<sup>40</sup>

In April 1970, J.E. Williamson met with the Glovers again. To his relief, the Glovers had arranged for an attorney, Hudson Smart, of Abilene, Texas, to represent their interests. At Smart's suggestion, he and Williamson talked alone. Williamson offered \$35,000 plus a life estate for the Glovers which allowed them the non-transferrable right to continue their business as long as they wished or lived. Because Smart was not familiar with local land values he preferred to wait to respond to the offer until the property had been appraised, telling Williamson he had made arrangements for an appraisal before he left Abilene.<sup>41</sup>

It is unclear whether Smart refused the offer of the government to the Glovers or if he simply failed to produce an appraisal. In any event, in June 1970 the government initiated condemnation proceedings against the Glovers. The Glovers submitted two appraisals in September 1970, one for \$69,300 and the other for \$115,000. In March and June 1971, two government appraisers evaluated the property at \$35,000 and \$30,024.<sup>42</sup>

The condemnation judgment, filed March 10, 1972, gave the Glovers \$55,000 for their land. The presence of water wells on the land justified the increase over the government appraisals. The judgment also gave the Glovers the right to use and occupy the property as it was then improved until the death of the last surviving

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<sup>38</sup>J.E. Williamson, Negotiator's Progress Record, January 10, 1970, in file Civil No. P-70-CA-29, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>39</sup>Assistant Director to Regional Director, Southwest Regional Office, March 3, 1970, in file Civil No. P-70-CA-29, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>40</sup>Acting Director to Chief, Office of Land and Water Rights, Western Service Center, March 24, 1970, in file Civil No. P-70-CA-29, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>41</sup>J.E. Williamson, Negotiator's Progress Report, April 14, 1970, in file Civil No. P-70-CA-29, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>42</sup>Robert H. Alsover, Chief, Appraisal Section to Anthony C. Liotta, Chief, Land Acquisition Section, September 21, 1971, GUMO Tract Files, Appraisals, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

spouse.<sup>43</sup> The Glover property was the last piece of land to be acquired before official establishment of the park.

### The Shivers Mining Claims

In November 1964, Bill Orr, a member of the regional staff for National Parks Systems Studies, asked Biggs and Hunter for information about mining claims in Sections 6 and 12, Block 66, Township 1, Culberson County, parts of the proposed park. Hunter informed Orr that former Texas Governor Allan Shivers owned in fee (surface and minerals) "The Valley Mining Claim," a 20.66-acre tract in Section 6. Hunter himself owned the surface rights to the remaining 725.82 acres in Section 6 and the State of Texas owned the mineral rights. In Section 12, Shivers owned 20.66 acres in fee, the "Hard Scrabble #1." He also owned all valuable mineral rights but oil, natural gas, coal, and lignite under three other 20.66-acre tracts in Section 12, the "Shary #1," the "Leon Brown," and the "Mary O'Brien" mining claims. Hunter owned all surface rights to Section 12, and the State of Texas owned all mineral rights to the entire section except for Shivers's claims.<sup>44</sup>

In his letter to Orr, Hunter summarized the unsuccessful core drilling done by the Eagle-Picher Company on one of the Shivers claims in 1962. He suggested that the willingness of the Eagle-Picher owners to relinquish their lease reflected the nominal value of Shivers's claims.<sup>45</sup>

When Kornelis and Cameron made their visit to Texas in October 1967, they approached Shivers's business manager, Blaine Holcomb, about the donation of the mineral rights. Holcomb was not receptive to their request and suggested that the tracts be excluded from the park.<sup>46</sup> Four months later, Glenn Biggs, a personal friend of Shivers, contacted Holcomb independently about the mineral donation. Holcomb said that Shivers would donate his claims if their appraised values totaled between \$40,000 and \$50,000. He wanted Biggs to find an engineering firm to conduct the appraisal. Biggs contacted Cameron to pass on the information and to inquire about who might make the appraisal. Cameron was unable, however, to suggest an engineering firm.<sup>47</sup>

Cameron waited six weeks. In April 1968 he called Holcomb again. Holcomb advised him that Biggs was handling the appraisal of the claims and suggested Cameron contact Biggs to learn the results of the appraisal. He said he thought John

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<sup>43</sup>Judgment on Stipulation #13,081, United States District Court, Western District of Texas, Pecos Division, Civil No. P-70-CA-29, Tract No. 01-112, file L1425-Glover, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico; Bobby L. Crisman, note to author, May 1988.

<sup>44</sup>J.C. Hunter, Jr. to Bill Orr, November 13, 1964, file C45.3B #8, Glenn Biggs Collection, Southwest Collection, Texas Tech University, Lubbock, Texas.

<sup>45</sup>Ibid.

<sup>46</sup>Thomas Kornelis and J.H. Cameron, trip report for October 24-26, 1967, file L1425, GUMO, General, Part I, in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>47</sup>Howard Cameron to File, February 29, 1968, in file L1425- Shivers, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

Kelly of Roswell (the same man who earlier had done the mineral report for Secretary Udall) was the mining consultant doing the work. Holcomb also informed Cameron that if the completed appraisal amounted to about \$50,000 he would ask the Internal Revenue Service for a ruling about the Shivers donation.<sup>48</sup>

In November 1969, when the Hunter land acquisition was nearly complete, J.E. Williamson, the negotiator who was also working with the Glovers, contacted Biggs to determine the situation with Shivers. Biggs said he had exhausted his contacts and had been unable to find an appraiser. Recommending that he and Williamson visit Shivers in person, Biggs arranged a meeting in early December.<sup>49</sup>

Although other matters prevented Biggs from keeping the appointment, Williamson met with Shivers. At first Shivers professed no knowledge of the mining claims, but he later recalled the mining operation and began reminiscing. He claimed the mine had produced in the past and would again, given the right economic climate. When Williamson explained the provisions of the act that authorized the park, and asked whether Shivers would donate his mineral claims, Shivers responded negatively. Shivers ended the conversation by suggesting that Williamson arrange a meeting with Holcomb in a week or two. He promised to discuss the donation with his business manager before that time.<sup>50</sup>

A few weeks later, on December 18, 1969, A. W. Gray, Assistant Chief of Land Acquisition and Water Resources for the Western Service Center, visited Shivers in an effort to secure the mining claims. This time Shivers said he wanted a \$25,000 valuation for the claims. He expected the Park Service to produce an appraisal for that amount and he also wanted the Park Service to get the Internal Revenue Service to agree to the deduction. In his trip report, Gray speculated about the tax benefits to Shivers of a sale rather than a donation, noting that a capital gain would be taxed at half the amount of a donation. Therefore, purchase of Shivers's claims would allow a lower appraisal.<sup>51</sup>

In July 1970, negotiator Williamson met with Holcomb again. He reviewed the previous meetings and explained that the establishment of the park was being blocked by the outstanding interests of Shivers. Holcomb "bristled" at the suggestion and maintained that it was the federal government that was holding up the park by not providing the \$25,000 appraisal. Williamson explained once again that government appraisers could not arrive at that figure.<sup>52</sup>

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<sup>48</sup>Howard Cameron to File, April 3, 1968, in File L1425-Shivers, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>49</sup>J.E. Williamson, Negotiator's Progress Record, December 8, 1968, in file L1425-Shivers, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>50</sup>*Ibid.*

<sup>51</sup>A.W. Gray, trip report, December 18, 1969, in file L1425, GUMO, General, Part II, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>52</sup>J.E. Williamson, Negotiator's Progress Report, 24 July 1970, in file L1425-Shivers, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

After more discussion, Williamson succeeded in interesting Holcomb in the idea of a cash purchase of the two fee tracts, made with the understanding that the three mining claims would be donated. He said the federal government was prepared to offer \$1,000 for each of the two fee tracts, 100 percent more than the appraised values. Holcomb refused to consider \$1,000 per tract and suggested \$5,000 as a more reasonable figure. Williamson expressed his view that \$5,000 was out of line and far beyond the Department's authorization. Holcomb then telephoned Shivers in New York City and asked Williamson to leave the room while they talked. The result of the conversation was that Shivers was unwilling to accept \$2,000, but was agreeable to \$10,000. Williamson left an offer to sell form for Holcomb and Shivers to fill out with the sale price of their choice. Holcomb assured Williamson that it made no difference to Shivers whether the offer was accepted or not.<sup>53</sup>

When John Ritchie, Chief of Land Acquisition for the Western Service Center, received Williamson's report, he solicited the help and advice of Director Hartzog, stating that the \$10,000 offer could not be supported by appraisals, but it was considerably lower than the earlier \$25,000 offer. Ritchie felt his only alternative was to make a lower counter-offer.<sup>54</sup>

Frank Kowski, Regional Director of the Southwest Region, also intervened. He contacted Edward A. Hummel in the Washington office and suggested that Congressman White or Senator Yarborough might be able to talk with Shivers and overcome the impasse. He ended his letter by suggesting that some other means than raising the appraisal needed to be found to give Shivers his desired tax deduction.<sup>55</sup>

A week later, John Ritchie wrote a memorandum to the file, stating: "I am accepting the option on the properties owned by ex-Governor Allan Shivers within Guadalupe National Park, Texas. While I do not believe the acceptance can be justified on the basis of value there are other factors involved which justify such action." He said that he acted under the direction of Philip O. Stewart, Chief of the Land Acquisition Division of the Park Service.<sup>56</sup> On November 2, 1970, Allan Shivers signed one deed donating his three mineral interests within Guadalupe Mountains National Park and another deed conveying his two fee interests to the federal government for \$10,000.<sup>57</sup>

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<sup>53</sup>Ibid.

<sup>54</sup>Chief, Office of Land Acquisition and Water Resources, Western Service Center, to Director, July 28, 1970, in file L1425-Shivers, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>55</sup>Director, Southwest Region, to Assistant Director Edward A. Hummel, Washington Office, August 5, 1970, in file L1425-Shivers, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>56</sup>Chief, Office of Land Acquisition and Water Resources, Western Service Center, to File, August 17, 1970, in file L1425-Shivers, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>57</sup>Chief, Office of Land Acquisition and Water Resources, Western Service Center to Director, National Park Service, Attn: Chief, Division of Land Acquisition, November 2, 1970, in file L1425-Shivers, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

The McKittrick Canyon Right-of-Way Exchange

Even before the official establishment of Guadalupe Mountains National Park on September 30, 1972, park personnel realized the existing access road to McKittrick Canyon presented a serious problem. When Wallace Pratt donated his land in McKittrick Canyon, he gave the government a choice of access routes. The route was chosen from a map, rather than from a survey of the terrain. The chosen right-of-way proved to be located in a canyon drainage where road construction would be extremely expensive. Instead of using this right-of-way, visitors to McKittrick Canyon used an existing ranch road, belonging to Wallace Pratt's daughter-in-law, Alice Pratt. In April 1973, the Carlsbad Chamber of Commerce indicated their displeasure to the Park Service when they learned that Alice Pratt had put a daily limit on the number of cars using her road: four on weekdays, ten on weekend days. Although Park Service officials already had begun negotiating for a land exchange with Alice Pratt, Congressional legislation authorizing the exchange would require considerable time.<sup>58</sup>

Three years passed before negotiations with Alice Pratt, Creighton L. Edwards, and Nancy Jane Tucker, the joint owners of the approximately 80 acres in question, were complete and legislation authorizing the exchange was passed. Donald Dayton, Superintendent of Carlsbad Caverns and Guadalupe Mountains National Parks during this period, recalled that negotiations with Alice Pratt required extreme delicacy. The land exchange brought back hard feelings that had existed among the Pratt children at the time of their father's land donation. They felt they had already given enough. Wallace Pratt refused to intercede in the proceedings because he had deeded the property containing the desirable right-of-way to his daughter-in-law and no longer had control over the matter.<sup>59</sup>

In spite of her concerns about family feelings, Alice Pratt's primary concern was that Al Parker, the man who leased the ranch, was satisfied with the road and the exchange agreement. Before Pratt agreed to the Park Service proposal, surveyors for the government marked the route of the road so that she could see it on the land.<sup>60</sup> One of the first concessions required was construction of cattle underpasses to allow Parker's cattle access to grazing and water.<sup>61</sup> When the subject of transfer of mineral rights came up, Pratt was adamant that Nancy Jane Tucker not be required to relinquish her 2/9 mineral interest in the property. In a telephone conversation with Brewster Lindner, Chief of Land Acquisition in the Southwest Regional Office, Pratt said that "the mere mention of Nancy Jane Tucker's name" made her want "to drop the whole proposal." She feared that even though Lindner had assured her that

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<sup>58</sup>Donald Dayton, interview with author, May 13, 1987; Superintendent, Carlsbad Caverns and Guadalupe Mountains to Director, Southwest Region, April 30, 1973, in file L1425-Edwards/Pratt I, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>59</sup>Ibid.

<sup>60</sup>Donald Dayton to Mrs. Fletcher Pratt, December 1973, in file L1425-Edwards Pratt I, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>61</sup>Assistant Chief, Division of Land Acquisition, Southwest Region to Chief, Division of Land Acquisition, Southwest Region, April 10, 1973, in file L1425-Edwards Pratt I, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

Tucker's interest would not be required, someone later would demand that the interest be extinguished and then another "horrible" family feud would erupt. Within two weeks the regional office provided an Administration Certificate guaranteeing Tucker would not be approached for at least five years from the date of the property exchange.<sup>62</sup>

As negotiations continued, park personnel tried different ways to limit the number of cars crossing the Parker ranch. Initially, visitors obtained keys to the gate of the ranch road from the Frijole contact station and returned them on an honor system. Although this method limited access to McKittrick Canyon, it still did not guarantee that visitors would stay on the road and would not disturb Parker's land or cattle. In June 1973, in an effort to allow more persons to visit the canyon each day, a shuttle-van service was instituted. A ranger drove the 15-passenger van that departed hourly from the McKittrick Canyon turn-off on Highway 62/180 and returned on the half-hour. While this method created more traffic on the ranch road, it provided better visitor control on the private property.<sup>63</sup>

Alice Pratt recognized the care with which the Park Service personnel handled the exchange of the McKittrick Canyon right-of-way. Her letter of March 1976, transmitting the signed deed to Lindner said, "I hope that the end of these dealings will not be the end of our contact as it has been a pleasure to deal with representatives of the government with such kindness and consideration as yours." However, Al Parker had to contend with the Park Service and the public for two more years. The first phase of construction on the road to McKittrick Canyon was not finished until the summer of 1978. In May 1980, negotiators completed the exchange of mineral rights for the right-of-way.<sup>64</sup>

#### West Side Access Road Right-of-Way

Part of one section of the land acquired from Hunter outside of the park boundaries had been designated as an access route from Highway 62/180 to the west side of the park. Rather than retain the entire section when only a road right-of-way was needed, the government traded all but a 200-foot-wide strip through the section, plus half of another of the sections outside the park boundary, to the State of Texas for the same amount of land in Brewster County, Texas, to be used by Big Bend National Park. The exchange was completed on November 4, 1974.<sup>65</sup>

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<sup>62</sup>Brewster Lindner to File, March 8, 1974; Acting Regional Director Theodore R. Thompson to Mrs. Fletcher Pratt, March 21, 1974, in file L1425-Edwards Pratt I, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>63</sup>Donald Dayton, interview with author, May 13, 1987; Odessa American, June 24, 1973.

<sup>64</sup>Alice E. Pratt to Brewster Lindner, March 2, 1976, in file L1425-Edwards Pratt II, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico; Superintendent's Annual Report, Guadalupe Mountains National Park, 1980, 1.

<sup>65</sup>Deed to Right-of-Way and Scenic 'Easement Across' Section 30 for West Side Access Road--S.E. Corner--GUMO Exchange D-18, Tract 01-124, Deed files, kept in safe at Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.



A scenic easement, 1,320 feet wide (660 feet on either side of the right-of-way), accompanying the right-of-way gave the Park Service the authority to approve or disapprove the construction of buildings within the area of the easement, to prohibit the removal of timber or shrubs within the area of the easement without written approval, to prohibit the placement of any offensive or unsightly material upon the easement land, and to prohibit signs or billboards except those no larger than 18 by 24 inches, advertising the sale of property or produce.<sup>66</sup>

### Acquisition of the Texas Highway Department Maintenance Area

At the time Guadalupe Mountains National Park was authorized, the Texas highway department had a one-acre maintenance facility on the north side of Highway 62/180, across from the Glover cafe at Pine Springs, in an area of scenic value to the park. The highway department was unwilling to abandon the camp, claiming it was necessary for winter road maintenance. To facilitate removal of the maintenance facility, the Park Service agreed to provide the highway department with access right-of-way and water to a new site for their facility near the mountain pass. In 1982 the Park Service and the Texas Highway Department signed a cooperative agreement to allow the exchange of the maintenance camp property for a road easement through park property to a new highway department facility, to be constructed on the south side of the highway, just outside the park boundary. Under the terms of the agreement, the old maintenance camp site would be cleared of all buildings and structures within a "reasonable length of time" after the new facility was built. Deeds would be exchanged when the old site became surplus to the needs of the State.<sup>67</sup> The agreement also provided that the Park Service would provide water, on a cost basis, to the new maintenance camp.

The highway department occupied its new camp in March 1984 and completed clearing the old site in April 1986. As of January 1988, however, the State of Texas had not conveyed the old 0.99-acre camp site to the government. A complication in completing the exchange was the reserved right-of-way belonging to the Texas and Pacific Land Trust that overlapped the location of the road to the new highway camp. Although primarily a technical flaw and not a real problem, the existence of this prior right-of-way was overlooked when the cooperative agreement was prepared and signed.<sup>68</sup>

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<sup>66</sup>Ibid.

<sup>67</sup>Donald Dayton, note to author, August 1988: Cooperative Agreement between the National Park Service, United States Department of the Interior and the Department of Highways and Public Transportation, State of Texas, in file A-44, Cooperative Agreements, State of Texas, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>68</sup>Ibid.; William Dunmire to Joe M. Battle, February 22, 1985, in file A-44, Cooperative Agreements, State of Texas, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; April 1986 Log, Guadalupe Mountains National Park, 2, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Bobby L. Crisman, note to author, May 1988.

### Excess Land Acquired Outside the Park Boundaries

In 1988, two and one-half sections remained of the land outside the park boundaries that was acquired for exchange purposes. Section 18, Township 2 South, Block 65, Culberson County, was used as a temporary residential area for park employees until 1982, when permanent housing was completed. Although the Park Service considered disposing of this section in 1978, Superintendent Dayton recommended it be retained for its valuable water source and to help preserve scenic views in Guadalupe Pass.<sup>69</sup>

When the federal government acquired Hunter's land, El Paso Natural Gas Company had a 99-year lease, terminating in 2046, on approximately 80 acres of Section 25, Block 120, PSL, Culberson County. The leased site contained company-owned residences. The remaining acreage in this half-section, however, was unencumbered.

In 1988, the third excess section, Section 13, Block 120, PSL, Culberson County had not been developed and was situated immediately south of the southern boundary of the park and north of Highway 62/180.

In most cases, acquisition of the mineral and surface rights to the park lands took place with little public controversy. After the concessions made during the Congressional hearings regarding reversionary mineral rights, the State of Texas and Texaco donated their mineral rights with little hesitation. While the government was not able to exchange as much land as had been anticipated, the small landowners, with the exception of the Hammacks and the Glovers, did not object to selling or exchanging their property. In the case of the Hammack tract, the park legislation provided for a scenic easement, which made fee acquisition unnecessary. The Glover property, however, had to be acquired through condemnation. Negotiations with the Glovers marked the beginning of a sensitive park issue that was still a management concern in 1988.

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<sup>69</sup>Superintendent, Carlsbad Caverns and Guadalupe Mountains to Regional Director, Southwest Region, May 30, 1978, in file L1425, General, #3, Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

## CHAPTER VI

### PLANNING FOR THE PARK--THE 1970S

#### Planning in the National Park System

Decisions affecting the national parks are not made quickly. To ensure that each park is preserved, used, and developed in accordance with its specific purposes, planning takes place systematically, following agency guidelines. The most general planning document is the park's Statement for Management. The Statement for Management, prepared by the superintendent and staff of the park, describes the park's purpose, its current management and use. It identifies influences that affect the park, reports the status of research projects, and identifies major issues and management objectives. The Statement for Management does not suggest ways to handle issues or to meet objectives. Ideally, this document is updated every two years.

According to the National Parks and Recreation Act of 1978, each park should have and regularly revise a General Management Plan, the next higher level of planning above the Statement for Management. The General Management Plan replaced the Master Plan, the planning document that was in use when Guadalupe Mountains National Park was authorized. Both the Master Plan and the General Management Plan set forth the plan for management of the park and for its use by the public. The primary difference is that in the draft stage the General Management Plan provides several alternatives and sets out the environmental impact of each alternative. Alternatives are compared and evaluated before adoption of one for the General Management Plan. The Master Plan required preparation of an Environmental Impact Statement, setting forth the environmental impacts of the plan to resources of the park and describing mitigating measures and unavoidable adverse effects. The Master Plan and the accompanying Environmental Impact Statement were subject to review by the public and other government agencies before acceptance.

Development Concept Plans are the most specific level of planning and are created to implement the strategies suggested in the General Management Plan or Master Plan. They also require Environmental Impact Assessments. Drafts of Development Concept Plans are circulated for review by the public and by other government agencies. Other planning documents at the same level as Development Concept Plans that have affected Guadalupe Mountains National Park include a Wilderness Recommendation, an Interpretive Prospectus, and Resource Management Plans, as well as studies undertaken to find solutions to specific questions.

The process of planning for Guadalupe Mountains National Park began in 1961, after the Pratt family donated their land in McKittrick Canyon. At first, park managers treated McKittrick Canyon as a detached unit of Carlsbad Caverns, but after Congressional authorization of Guadalupe Mountains National Park, the parks were managed as separate entities that shared common regional interests. Although all major planning documents were in place by 1978, the planning process was

ongoing. During the 1980s park managers drafted new versions of a number of planning documents.

A discussion of planning for Guadalupe Mountains National Park cannot be organized neatly either by chronology or by topic because much of the early work was interrelated and accomplished concurrently. Therefore, the first section of this chapter discusses development of the Master Plan and documents related to it: the Wilderness Proposal, the Development Concept Plan for Pine Springs, and the tramway study. Subsequent sections are arranged in topical order.

### Master Planning Process

In 1961, Oscar Carlson, Superintendent of Carlsbad Caverns, assumed the responsibility for administering McKittrick Canyon and drafted a development plan for the area. He proposed using the Ship on the Desert as a visitor center and headquarters, and establishing a campground at the mouth of the canyon. He envisioned a circular trail system in the canyon as well as two short nature trails near the visitor center. Carlson estimated that seven full-time personnel would be required to staff the McKittrick branch of Carlsbad Caverns and suggested that ten residences would be needed. He emphasized the importance of obtaining J.C. Hunter's property in McKittrick Canyon to eliminate automobile traffic in the canyon.<sup>1</sup>

Three members of the planning staff at the Southwest Regional Office reviewed Carlson's plan. While two of them found his plan too ambitious, the third thought the road in the canyon should be improved as far as the Pratt's stone cabin, saying visitors would object to walking over a road that was obviously used by vehicles going to Hunter's property. Ultimately, all three reviewers recommended moving slowly and waiting to see whether more land would be acquired.<sup>2</sup>

Carlson's plan never went beyond the proposal stage. By 1965 negotiations to acquire Hunter's ranch were well advanced and legislation to establish Guadalupe Mountains National Park was being considered. A Master Plan brief, compiled in October 1965, outlined the basic form that all subsequent planning for the park would follow: Guadalupe Mountains National Park would be managed as a natural park with emphasis on its unique geological and biological features. Historical and archeological features would be of secondary importance.<sup>3</sup>

The Master Plan brief also identified the park's major problem: how to provide visitor access to the small and ecologically fragile areas of McKittrick Canyon and the Bowl. A mechanical lift was proposed as the means of transport to the Bowl, while tours in an open-sided vehicle, guided by a concessioner, were suggested as a

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<sup>1</sup>Superintendent, Carlsbad Caverns to Regional Chief of Operational Plans and Requirements, April 26, 1963, Box 5, V.F. 45, Guadalupe Mountains National Park Library.

<sup>2</sup>Ibid.

<sup>3</sup>Master Plan Brief for Proposed Guadalupe Mountains National Park, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

way to handle visitation in McKittrick Canyon. Hiking and horseback trails would provide access to other parts of the park. The ranch complex at Frijole Spring would contain the visitor center, a lodge, and a major campground. A facility providing meals, sleeping quarters, hiker supplies, and a horse corral would be located on Pine Ridge, at the top of the mechanical lift. Before further planning took place, surveys of plant and animal life within the park were needed, as well as an assessment of the possibility of getting water to facilities on the ridge. The writers of the brief expected that Guadalupe Mountains National Park would be a self-sufficient organization and would not utilize the existing facilities and staff of Carlsbad Caverns.<sup>4</sup>

President Lyndon Johnson signed the bill authorizing Guadalupe Mountains National Park in 1966, but the lengthy land acquisition process lay ahead. In the meantime, planning continued. In June 1969 work began on a Master Plan study for Carlsbad Caverns and Guadalupe Mountains. Members of the House committee investigating the establishment of a park in the Guadalupe Mountains had been concerned that McKittrick Canyon extended into land managed by the U.S. Forest Service. They had recommended that the Park Service and the Forest Service work together to manage the area. For that reason, managers from both agencies tried to work out a Regional Master Plan.<sup>5</sup>

By late 1969, the working version of the joint Master Plan included a road through the Lincoln National Forest from Carlsbad Caverns to Dog Canyon, where a road through Guadalupe Mountains National Park would connect with Pine Springs. Soon after this draft had been prepared, and, for reasons that the records do not make clear, the master planning team abandoned the idea of a regional or joint Master Plan for Carlsbad Caverns and Guadalupe Mountains.

Early the following spring the team completed drafts of separate Master Plans for the parks. The primary concern of the planners for the Guadalupe Mountains National Park area was to achieve the proper balance between preservation and use. In the draft completed in 1970, a tramway, rather than the previously proposed road, provided access to the high country. The planning team decided that McKittrick Canyon would be devoted primarily to scientific research with visitor use limited to that which would not have a significantly adverse effect on the ecology of the canyon.<sup>6</sup>

Outside forces, including changing cultural values, affected planning for Guadalupe Mountains National Park. During the late 1950s and early 1960s visitation to state and national parks increased rapidly. While MISSION 66, the decade-long (1956-66) effort by the Park Service to upgrade and develop existing facilities, seemed to provide what visitors to the parks needed, it was not in step with beliefs of the new breed of conservationists. Conservationists traditionally had

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<sup>4</sup>Ibid.

<sup>5</sup>Donald Dayton, interview with author, May 20, 1987.

<sup>6</sup>Superintendent, Carlsbad Caverns to Files, November 26, 1969, in Master Plan Brief for Proposed Guadalupe Mountains National Park, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

been among the chief supporters of the Park Service. However, the environmentalists, who were the conservationists of the 1960s and 1970s, assumed a new role in park planning. Instead of providing consultative and usually supportive guidance, they became a force in active opposition to any park development that took place at the expense of nature.<sup>7</sup>

Within the Park Service, planning for Guadalupe Mountains began in the wake of the spirit of development that typified MISSION 66. George Hartzog, Jr., Director of the Park Service, and the officials who worked under him believed roads could have a negative impact on park lands. Therefore, they wanted planners to develop alternative methods of in-park transportation. Hartzog and his staff directed that the Master Plan for Guadalupe Mountains would include a tramway to make the beauties of the high country accessible to the largest number of visitors with the least impact on the park's resources. However, the Wilderness Act of 1964, and the environmentalists who supported the values embodied in the act, created major stumbling blocks for the tramway concept.

According to the Wilderness Act, any roadless areas of more than 5,000 acres within a national park must be considered for wilderness designation. Guadalupe Mountains National Park contained two such areas, one of which comprised 62,300 acres, a major portion of the park. A Congressionally designated wilderness is an undeveloped area of federal land of primeval character, without significant human developments or habitation and is protected and managed to maintain that character. Wilderness designation precluded developed campgrounds and paved trails. In the case of Guadalupe Mountains, it also meant that water resources could not be developed in the high country, thereby limiting how long campers and hikers might stay. Similarly, wilderness areas may not contain roads nor permit motorized vehicle use, except in rare emergencies. Rescues and fire-fighting must be accomplished on foot or horseback or by helicopter, limiting aid to stranded or injured visitors. Environmentalists sought this type of designation for much of Guadalupe Mountains National Park, believing that wilderness should be preserved intact for future generations. Wilderness designation for Guadalupe Mountains National Park meant that only visitors willing to enter the wilderness on its own terms would have the privilege of seeing much of the land that embodied the values of the park.

The battles for wilderness designation for the park and for the Master Plan were fought in the public arena, as law required. The tramway to the top of the escarpment that the Park Service proposed to build became the issue on which planning hinged, since its presence or absence ultimately determined the character of the park. Opinions expressed at the hearings in 1971 have been discussed earlier in this paper.<sup>8</sup> As a result of those hearings and as a compromise between development and wilderness protection, park planners adopted an alternative tramway plan proposed by a group called Americans Backing Better Park Development. The original plan set forth by the Park Service had proposed a tramway from near Frijole to a point on the east escarpment between Pine Top Mountain (later renamed

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<sup>7</sup>Ronald A. Foresta, America's National Parks and their Keepers (Washington, D.C.: Resources for the Future, Inc., 1984), 59-67.

<sup>8</sup>See pages 91-93.

Hunter Mountain) and McKittrick Canyon. This plan provided easy access from the upper terminus to the Bowl, the summit of Pine Top, and an overlook above McKittrick Canyon. The alternative plan shifted the proposed tramway to Pine Springs Canyon with a terminal below Guadalupe Peak, thus removing heavy visitor traffic from a fragile area while still providing a spectacular view.

Environmental concern expressed during the public hearings also changed the planners' Wilderness Proposal. Relocating the tramway freed an additional 3,000 acres to be added to the wilderness proposal. Another 5,000 acres, primarily on the west side of the park, and including areas that had previously been excluded as "management" areas for fire control and rescue provisions also were added. As a result of input by the public and other government agencies during the review of the Wilderness Proposal and its accompanying Environmental Impact Statement, the proposed wilderness area in the park was increased from 39,000 acres to 46,850 acres (see Figure 15). The Environmental Impact Statement Figure 15. The areas recommended for wilderness designation. Cross-hatched areas were added after public input during the review process. Statement was approved in August 1973. Wilderness designation for the proposed 46,850 acres came in 1978 under Title IV of the National Parks and Recreation Act.<sup>9</sup>

In September 1972, when the park was established, master planning still was incomplete. However, by early 1973, Donald Dayton, Superintendent of Carlsbad Caverns and Guadalupe Mountains, and personnel at the Denver Service Center were satisfied with the Master Plan they had developed for the park, which was based on the revised Wilderness Proposal. Three years later the Master Plan and its Environmental Impact Statement received official approval. In 1988, the Master Plan that was approved in 1976 remained as the primary planning document for Guadalupe Mountains. Although by that time many aspects of the plan were outdated, funding constraints had prevented park managers from replacing the Master Plan with a General Management Plan, as required by the National Parks and Recreation Act of 1978.

### Master Plan

Figure 16 shows the major components of the plan that was approved in 1976 for development of the park. The primary visitor center for the park, located at Pine Springs, would provide parking, food service, restrooms, interpretation, and orientation. Pine Springs also would be the lower terminus for the tramway to Guadalupe Peak. The upper terminus, just below the summit, would have a shelter, orientation devices, and a staffed contact station. From Guadalupe Peak visitors would have spectacular views of the high country, the salt flats, and the desert. During the ride to the summit, visitors would learn of

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<sup>9</sup>Wilderness Recommendation, Guadalupe Mountains National Park, Texas, (U.S. Department of the Interior, National Park Service, August 1972).

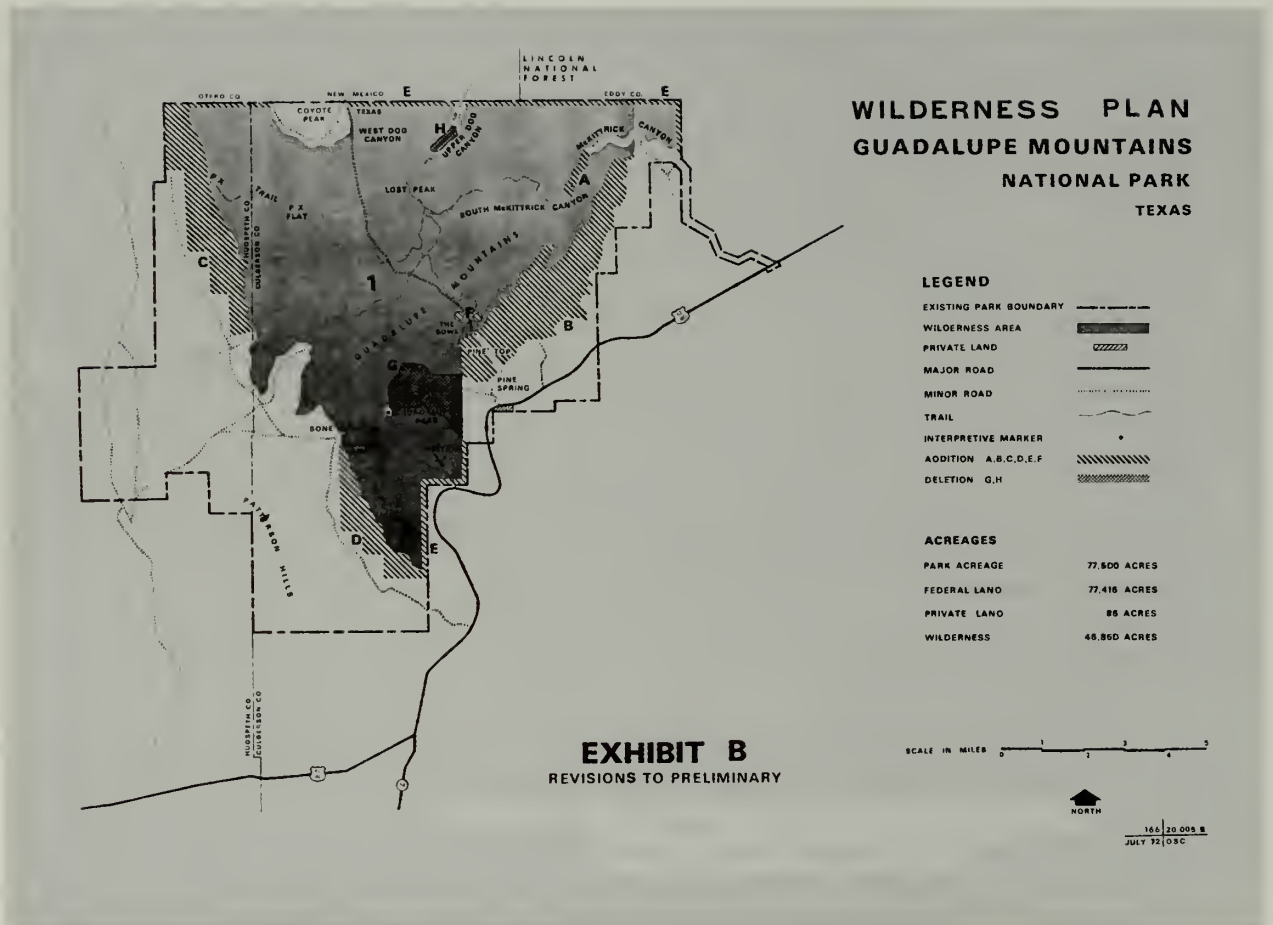


Figure 15. The areas recommended for wilderness designation. Cross-hatched areas were added after public input during the review process.



the geological significance of the fossil reef and the various biological life zones represented in the park. From Guadalupe Peak, visitors who wished to do so could enter the wilderness area.<sup>10</sup>

The west side of the park would be developed for low-density use. Cooperation with the Texas highway department would be necessary to provide an access road to this part of the park. Visitor access would be controlled, entrance fees collected, and information services provided from an entrance station on the west side. A park road, traversing part of the length of the west side of the park, would connect on the western boundary with a county road leading to Dell City. Near this junction, a primitive campground and parking area would be located. A spur road would lead from the park road to Williams Ranch.<sup>11</sup>

Access to the parking area at the mouth of McKittrick Canyon would be by road and private automobile. Guided foot trips into the canyon, lasting approximately three hours, would interpret geology and the riparian and aquatic communities. An interpretive center would provide information about the canyon for visitors who do not take the tour.<sup>12</sup>

The high country would be reserved for wilderness-type experiences. Hikers would have access to the high country from three main trailheads: the main trail, originating near Frijole and leading up Pine Springs Canyon; a secondary trail originating in the northwest corner of the park; and, another secondary trail beginning in Dog Canyon, with a primitive campground at the trailhead. The trail system would connect with a ridge trail following the McKittrick Canyon divide. Development of the Dog Canyon trail and campground would depend upon the county providing an access road to the area.<sup>13</sup>

The planners recognized the need for camping facilities for park visitors. While providing for a temporary campground at Pine Springs Canyon, the planners expected that private enterprise would develop permanent campgrounds near the park. The plan provided, however, that if such developments did not occur within five years after approval of the Master Plan, the Park Service would construct campgrounds within the park.<sup>14</sup>

The Master Plan proposed various forms of management for the resources of the park. Geologic features would be preserved by prohibiting destructive or obstructive development. Flora and fauna would be actively protected by neutralizing the influence of humans. Water for human use would be obtained only where its

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<sup>10</sup>Master Plan, Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, October 6, 1976), 17-21.

<sup>11</sup>Ibid., 21.

<sup>12</sup>Ibid., 22.

<sup>13</sup>Ibid.

<sup>14</sup>Ibid., 25-26.

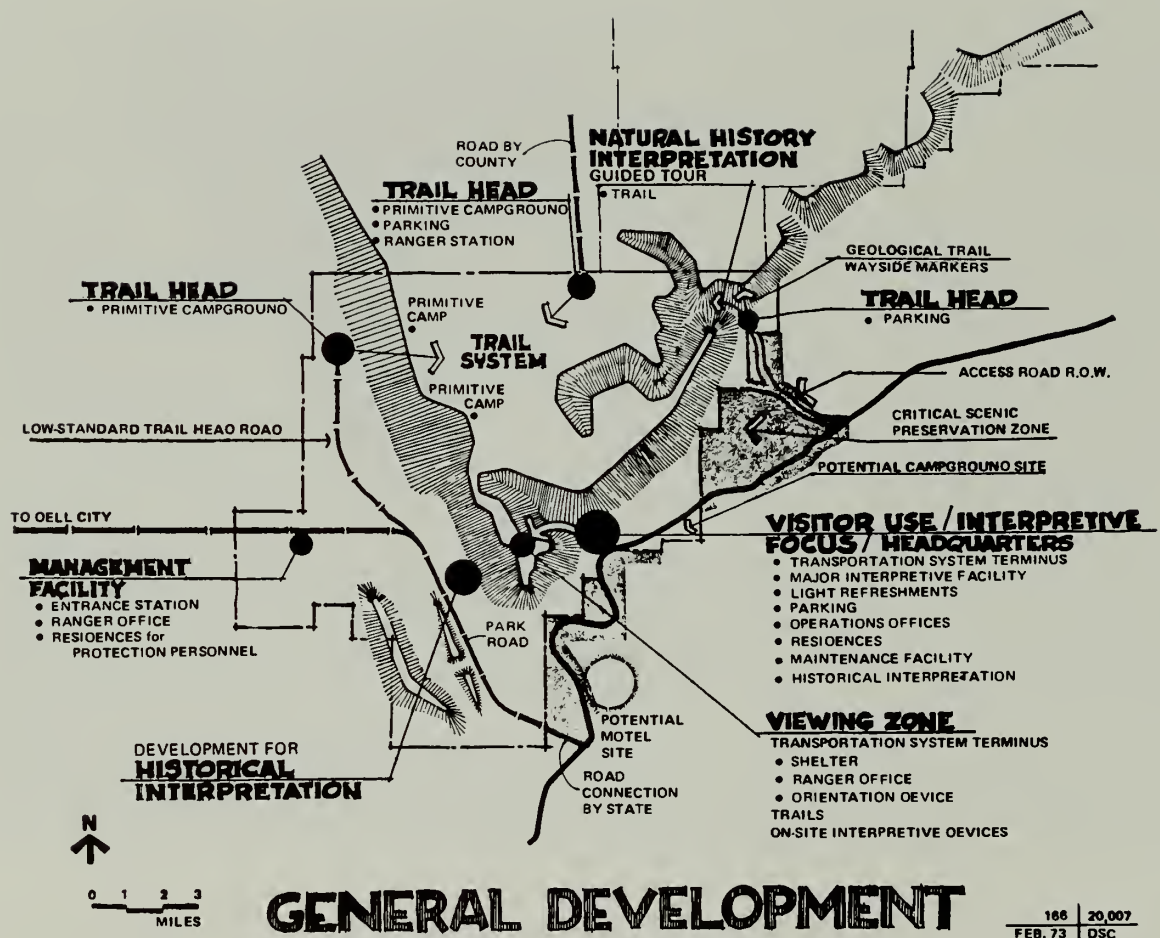


Figure 16. The general plan for development of Guadalupe Mountains National Park, as set forth in the Master Plan approved in 1976.

extraction would not be detrimental to the park. Visitation to McKittrick Canyon would be controlled and horse use prohibited in the lower canyon. Use of the Bowl would be concentrated on the edge of the relict forest, which would be interpreted for visitors as a "museum object" and for scientists as a "laboratory" for approved research. In the primitive areas, day use would predominate; overnight horse trips would be prohibited. The trail system would be designed to avoid fragile areas. Historic resources already identified, including Williams Ranch, Frijole Ranch, and the Pinery Stage Station would be preserved; other historic and archeological sites would be preserved until fully evaluated. The plan also classified the park lands into five categories to aid management decisions: developed areas, buffer areas, research (delicate) areas, primitive land, and historic and cultural sites.<sup>15</sup>

The Master Plan set forth the administrative facilities necessary for the operation of the park. It provided for residences and maintenance facilities at Pine Springs; a contact station, maintenance facility, and residence on the west side; and a ranger station at Dog Canyon. To provide access to McKittrick Canyon, an exchange of right-of-way would be required.<sup>16</sup>

Finally, the Master Plan outlined management objectives for visitor use and resource management. The planners desired that all visitors be able to see the park from the high country as well as from below and that the modes of access to these points be within the physical and financial capabilities of the majority of visitors. Interpretation would focus on geology, the unique ecosystems found in the park, and the historic resources. Development in fragile areas would not take place until research was completed showing there would be no adverse effects on the natural resources located there. The water needs of native plants and animals would be met before human uses were developed. Fire would be utilized as a management tool.<sup>17</sup>

#### Pine Springs Development Concept Plan and the Tramway Study

In 1973, planning began for the Pine Springs area. The area to be considered included Guadalupe Peak, El Capitan, the meadow below Guadalupe Peak, Pine Springs Canyon, the ranch house and associated buildings at Frijole Spring, the ruins of the Pinery, the temporary ranger and information station, a primitive campground, the trailhead for hiking and horse trails into the high country, several historic and prehistoric archeological sites, a number of springs, the Glover property, and the maintenance and residence areas for the Texas highway department.

Planning for Pine Springs took place simultaneously with the development of the Master Plan and a study of the proposed tramway. The tramway study, completed in 1974, recommended utilization of a mechanical system called Skytram (a registered trade name). Skytram was composed of individually powered cars that moved along a fixed cable. Each car had a capacity of 22 persons and would be driven by an

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<sup>15</sup>Ibid., 26-30.

<sup>16</sup>Ibid., 28-29.

<sup>17</sup>Ibid., 37-39.

operator. The lower terminus of the tram would be a part of the main visitor center at Pine Springs, where visitors would be introduced to the park's resources. The proposed route of Skytram closely followed the walls of Pine Springs Canyon, running north from the visitor center at Pine Springs, then west to a landing in a meadow at an elevation of 8,150 feet. From the meadow, a separate shuttle would carry passengers to the ledge about 500 feet below Guadalupe Peak, at an elevation of 8,675 feet. From there, the peak would be accessible by a foot trail (see Figure 17). Planners estimated that five Skytram cars could deliver 110 persons to the meadow each hour; the shuttle car could deliver 110 persons to the upper terminus each hour. Water would be delivered to the meadow area in specially designed tanks carried by the cars. Sewage would be removed from the meadow landing in a similar manner. Electrical power available at Pine Springs was sufficient to power Skytram and power for facilities at the meadow landing would be generated by solar units. The estimated price for Skytram was \$5,400,000.<sup>18</sup>

By early 1975, changing attitudes and concern with reducing park costs caused the Department of the Interior to place an unofficial hold on the tramway project. As a result, park Superintendent Donald Dayton faced a thorny problem. In January, Dayton met with Texas Congressman Richard White, the park's chief advocate in Washington. White was interested in developing a park that could be enjoyed by many of his constituents. In 1975 he had two objectives for the park: one, that legislation for the right-of-way exchange for the McKittrick Canyon access road be pushed through the next session of Congress, and two, that the tramway be constructed. Dayton did not tell White of the unofficial hold on the tramway project, but he indicated the opposition of the Sierra Club to the idea. White told Dayton that he would not support wilderness designation for the park until the tramway was constructed. He refused to support the wilderness plan because he believed the public had been cheated when plans for a ridge road between Guadalupe Mountains and Carlsbad Caverns were abandoned. White argued that he had worked to get the park authorized for the public to enjoy. He asserted that others, who had not been involved in the initial park effort, now were trying to dictate how the park would be used.<sup>19</sup>

Dayton knew that support for wilderness designation by the district's Congressman was essential to its adoption. The planners for the park were caught between the powerful forces of Congressional support and the environmental lobby. In March 1975, Dayton spoke at the National Park Service Regional Advisory Committee meeting in Carlsbad. He told the group, "The tram is controversial; we expect to get considerable opposition. But we feel we don't have much choice if the public wants to see it."<sup>20</sup>

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<sup>18</sup>Tramway Study, Pine Springs Canyon, Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, undated), 1-6.

<sup>19</sup>Superintendent, Carlsbad Caverns and Guadalupe Mountains to Regional Director, Southwest Region. January 7, 1975, file W3815-Proposed Legislation, closed December 1977, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>20</sup>Carlsbad Current-Argus, March 3, 1975.

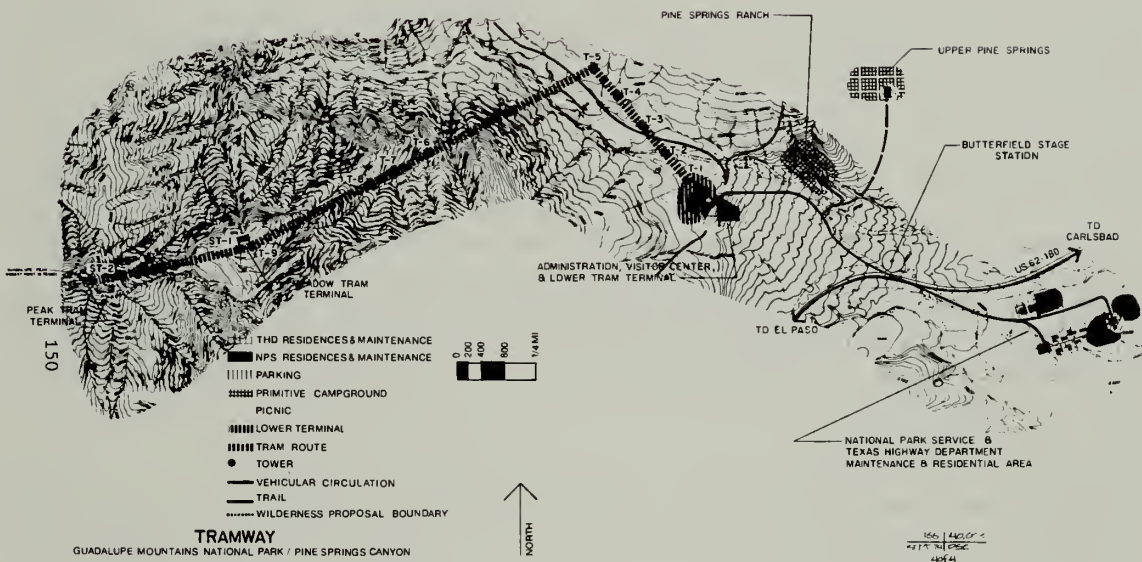


Figure 17. The proposed tramway between Pine Springs and Guadalupe Peak (from Guadalupe Mountains National Park Tramway study, undated)

In the summer of 1975 the Park Service adopted an innovative approach to put the question of the development at Pine Springs to the public: a survey of opinions of visitors to Guadalupe Mountains and Carlsbad Caverns. Visitors answered a questionnaire offering six alternatives to future development at Pine Springs. The alternatives included a choice of maintenance of existing temporary facilities and five other choices, all of which involved development of a visitor center, maintenance shop, and employee residences, but offered different forms of transportation into the interior of the park: (1) an aerial tramway, (2) phased development with eventual construction of a tramway, (3) a helicopter shuttle, (4) a shuttle-bus road, (5) horse and foot trails. Exhibits and relief models helped visitors understand and evaluate the alternatives. Park planners hoped that the public opinion survey would provide input from park users, a group not usually represented at public meetings and workshops. Between July 18 and August 17 approximately 7,200 visitors responded to the questionnaire.<sup>21</sup>

At a public meeting held in Carlsbad in November 1975 to discuss the Pine Springs development, park officials revealed the results of the visitor survey: 2,321 visitors chose the alternative offering only foot and horse trail access to the high country; 2,165 chose the tramway alternative; 1,069 chose the shuttle bus alternative; lesser numbers of visitors selected the other three alternatives, with the phased development and helicopter alternatives receiving the least support. At the Carlsbad meeting, 26 speakers were in favor of the tramway while 11 were opposed.<sup>22</sup>

The following day Park Service officials held another public meeting in El Paso. The majority of the 86 persons who attended were not in favor of the tramway.<sup>23</sup>

Apparently, expressions of public opinion at the park and in his district swayed the support of Congressman White for the wilderness designation. In January 1976, while touring his district, he told a group assembled in Van Horn that while he opposed designation of the entire Guadalupe Mountains park as wilderness, he did think delicate ecological parts of the park should be protected, while leaving other areas open to the public. He made no remarks for or against the tramway.<sup>24</sup>

In September 1975 park managers completed the Environmental Assessment for the Pine Springs Development Concept Plan and a year later the plan was approved by the Southwest Regional Office (see Figure 18). The plan for visitor development provided for the possibility of a tramway but did not focus on it, using terminology such as "if and when a tramway . . . is constructed."<sup>25</sup>

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<sup>21</sup>National Park Courier, September 1975, 3.

<sup>22</sup>Carlsbad Current-Argus, November 6, 1975.

<sup>23</sup>Ibid., November 13, 1975.

<sup>24</sup>El Paso Times, January 6, 1976.

<sup>25</sup>Final Development Concept Plan, Pine Springs, Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, October 1976), 9.

According to the Pine Springs Development Concept Plan, the visitor center complex at Pine Springs would cover some five acres. Developments included the visitor center, which would comprise approximately 9,100 square feet, a possible food and sales concession, visitor parking, the temporary primitive campground, a future walk-in campground, and a possible future tramway terminal. The Pinery stage station would be accessible by a trail from the visitor center and would be interpreted. Another trail, simulating the route of the Butterfield stage, would lead from the visitor center to the vicinity of the Frijole ranch house. The springs, military encampment, and Indian sites near the visitor center also would be interpreted.<sup>26</sup>

The Frijole ranch house and outbuildings, the nearby springs, and the old schoolhouse would be interpreted as a typical early ranch development. The horse concession would be located between the Frijole site and Highway 62/180. All horse trails would originate there. The meadow, reached by hiking trail, would have a shelter and vault toilets. Horseback and foot trails would lead to Guadalupe Peak. The plan provided for a future drive-in campground of 15 acres if private enterprise did not construct one in the vicinity of Pine Springs.<sup>27</sup>

Development for management in the Pine Springs area included separate maintenance and residence areas for the park service and the highway department on the south side of Highway 62/180. In 1987, Donald Dayton recalled the problems involved in choosing sites for both the visitor center complex and the maintenance and residence buildings. Because park boundaries had been dictated by property ownership lines rather than by the lay of the land, only a small buffer zone existed between the valuable visual resources of the park and its boundaries. The small amount of land available between the park boundary and the escarpment in the vicinity of Pine Springs severely limited the locations available for development. Environmentalists, concerned with maintaining the impact of an unobstructed view of El Capitan and Guadalupe Peak from the highway, lobbied for locating the residence and maintenance areas south of the highway.<sup>28</sup>

The Development Concept Plan also provided for utilities. Water for the entire Pine Springs area would be supplied from a newly drilled well, which was completed in March 1976. Above-ground electrical lines to the Frijole ranch house would be maintained to preserve historical accuracy, but all other electrical and telephone service lines would be underground. A sewage treatment plant would be located east of the Park Service residential area. The total estimated cost for buildings and utilities for Pine Springs was \$5,110,000. Planners estimated an additional \$2,510,000 as the cost for roads and trails.<sup>29</sup>

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<sup>26</sup>Final Development Concept Plan, Pine Springs, 5-10.

<sup>27</sup>Ibid., 11-16.

<sup>28</sup>Donald Dayton, interview with author, May 20, 1987.

<sup>29</sup>Final Development Concept Plan, Pine Springs, 18-21.

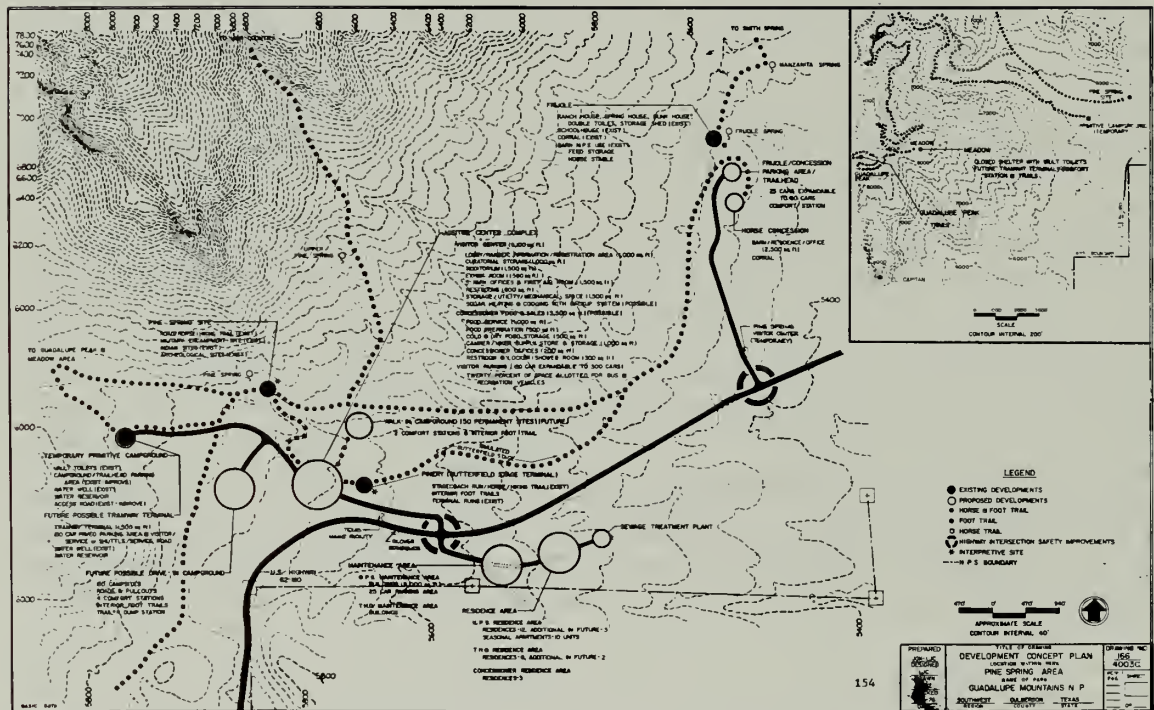


Figure 18. Developments approved in 1975 for the Pine Springs area.



The Regional Director approved the Master Plan for Guadalupe Mountains a month after approving the Pine Springs Development Concept Plan. An errata sheet attached to the plan stated that the decision on the tramway had been deferred because of "grave concern on the part of many interested persons, uncertainties of visitor use and demand in the immediate future, much more pressing needs for other facilities, and the current national economic situation."<sup>30</sup> That cryptic sentence summarized all of the opposition to the tramway: the concern of the environmentalists with preserving pristine wilderness, the change of attitudes within the Park Service and the Department of the Interior about what experiences the nation's parks should provide, and Congressional concern with reducing expenditures in the parks.

### Other Plans for Development

#### Environmental Assessment for McKittrick Canyon

In 1975, the government acquired the right-of-way for a new access road to McKittrick Canyon. Construction of a new road, which would make the canyon much more accessible to visitors, made the need for visitor facilities in the canyon more imperative. The Master Plan provided for the road, as well as a parking area, and information and ranger station with a shaded waiting area. During 1976, staff at the Denver Service Center completed the Environmental Assessment of the buildings and utilities for McKittrick Canyon. The Environmental Assessment was necessary to determine how the comfort station and utilities could be developed. Under existing conditions, an aerial power line served the Pratt cabin, but there was no comfort station, water, or telephone available for visitors. Besides no action, three alternatives were proposed for the utilities for the ranger station and comfort station. All of the alternatives included electrical and telephone systems; two also included sewage treatment and water systems, the primary difference between the two being the type of sewage treatment provided.<sup>31</sup> The Environmental Assessment merely described the alternatives and made no recommendation about which should be adopted. Planners subsequently adopted the alternative that utilized a septic tank and leach field.

#### Upper Dog Canyon Development Concept Plan and Environmental Assessment

After 1975, the only way visitors could reach Dog Canyon was by using the trail system from other parts of the park. Automobile access to Dog Canyon, in the northern part of Guadalupe Mountains National Park, had been closed by landowners who refused to allow park visitors to travel across their property. Negotiations between the landowners and numerous government agencies were prolonged until

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<sup>30</sup>Master Plan, errata sheet.

<sup>31</sup>Environmental Assessment, Buildings and Utilities, McKittrick Canyon (U.S. Department of the Interior, National Park Service, Denver Service Center, October 1976).

1977 when Eddy County acquired the necessary right-of-way and agreed to cooperate with the State of New Mexico to build a road to the park boundary. Planning for development near the northern boundary of the park progressed rapidly after road access to the canyon had been assured. While the Master Plan had provided for a ranger residence, contact station, primitive campground, and corral for park stock in Upper Dog Canyon, development of the area hinged upon the location of a dependable source of water for the residential area and for Park Service livestock.

Before the federal government acquired the land from J.C. Hunter, Jr., the Laurie Kincaid family had lived at the Upper Dog Canyon site, in a house built a number of years earlier by Fred Cox. In 1976, the park ranger lived in the old house. Existing structures that dated from the 1930s included the house and a stockshed; more recent structures included two fiberglass water tanks and a metal storage shed (see Figure 19). Other facilities present in 1976 included a horse corral, a fenced pasture, a fire circle, a pit toilet associated with the temporary camping area, a weather station, and two earthen tanks that had been used for stock water storage prior to establishment of the park. Several midden sites, one deemed eligible for nomination to the National Register, were associated with the development area. The area also contained a one-mile nature trail and trailheads leading up Dog Canyon to Lost Peak and Pitchfork Canyon. Water for the ranger residence was obtained from Upper Dog Canyon Spring, which flowed weakly at 0.3 gallons per minute. A septic tank provided waste treatment for the residence. Electric power and telephone service, with frequent interruptions, were supplied from El Paso Gap, via Dell City.<sup>32</sup>

The Environmental Assessment for development of Upper Dog Canyon, completed in April 1978, expanded on the scheme that had been set forth in the Master Plan. The Environmental Assessment offered three alternatives besides no action. All three provided for the demolition of existing structures and replacement with residential and barn/storage units meeting park service standards. In each of the alternatives the residential area contained a three-bedroom residence with garage for the park ranger. The ranger's residence was combined with the contact station. The residential area also included two two-bedroom apartments for seasonal employees, with a garage for each residence. In each of the alternatives, the barn and corral complex was located at the south end of the developed area, in the vicinity of the existing stockshed. To provide water to the residences and for emergency visitor use, each alternative called for drilling a deep well and, if the flow justified development, construction of a 20,000-gallon storage tank, and purification and distribution systems. If the drilling effort failed to produce a sufficient supply of water, the existing water source, Upper Dog Canyon Spring, would be renovated and augmented with roof catchment and surface runoff collection. If necessary, supplemental water would be trucked to the area.<sup>33</sup>

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<sup>32</sup>Environmental Assessment, Development Concept Plan, Upper Dog Canyon, Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, April 1978), 2-3.

<sup>33</sup>Ibid., 18-27.

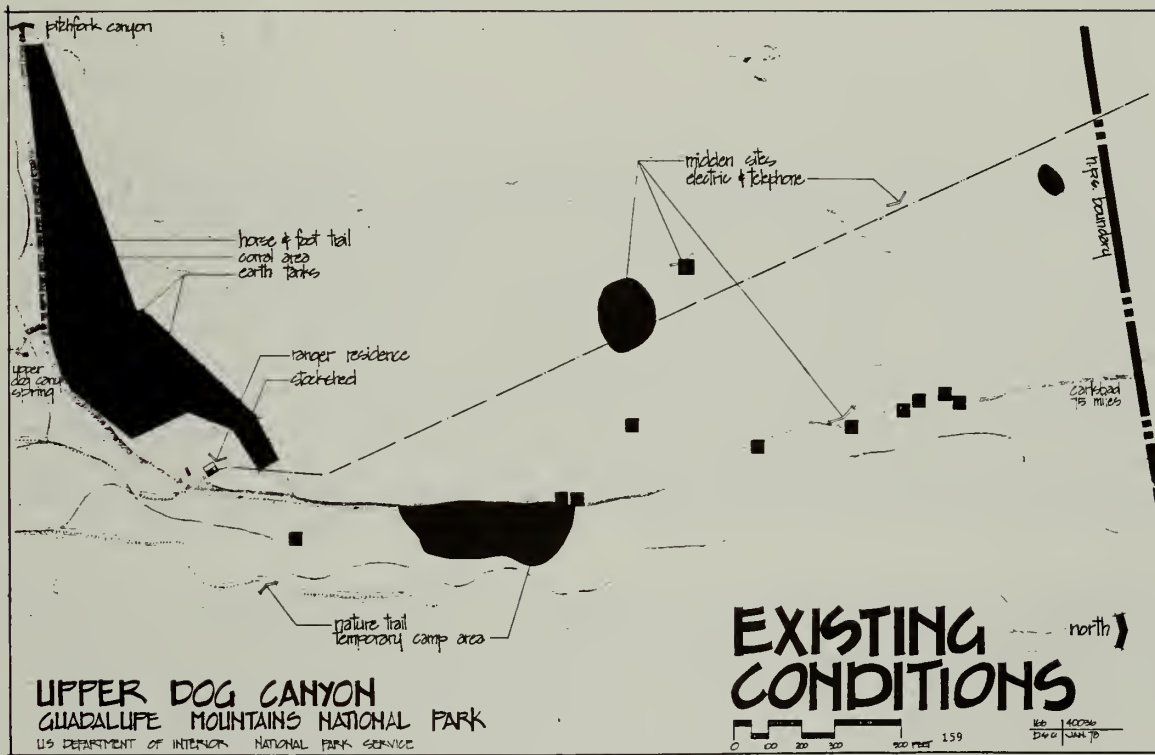


Figure 19. Conditions existing in the mid-1970s at the Dog Canyon development site.

Each of the three alternatives involved 9.5 acres of land and varied only in the locations of the residential and campground areas.<sup>34</sup> One alternative placed the campground just inside the park boundary on the east side of the entrance road. The residential area was also on the east side of the road, between the campground and the barn area. A second alternative was similar to the first, but placed the campground on the west side of the road and nearer to the residential area. The third alternative placed the residential area west of the road, nearer the park boundary, with the campground on the site of the existing camping area. Each alternative had impacts on visitor use and experience, management, aesthetics, and the archeological resources present at the site. The estimated cost for the first and second alternatives was \$613,000. The cost for the third alternative was \$10,000 more because of an additional structure needed to cross the drainage channel to the residential area.<sup>35</sup> The Environmental Assessment did not recommend any particular alternative but merely pointed out the advantages and disadvantages of each. Park managers ultimately selected the third alternative.

### Statement for Management

In 1970, Neal Guse, Superintendent of Carlsbad Caverns, wrote the first Statement for Management for Guadalupe Mountains National Park. Guse defined the primary purpose of the park to be the preservation of geologic, scenic, and other natural values. Visitor use would be directed primarily to educational and inspirational experiences, while outdoor recreation values would be subordinate. Guse recognized the fragility of the Bowl and McKittrick Canyon. However, he also noted the importance of the view from Pine Top Mountain, a view that would enable visitors to understand the relationship of the park to its setting and, therefore, should be available to all. Development of the highly visible areas around Frijole and Pine Springs would need much care. Guse suggested that because the park contained no pre-existing tourist facilities planners had an unusual opportunity to develop facilities that would be most in line with the wilderness values of the park.<sup>35</sup>

Donald Dayton, the first Superintendent after establishment of the park, updated the Statement for Management during 1976, providing more information about the current situation in the park. Changes since the 1970 statement included the pending designation of 46,850 acres of the park as wilderness; acquisition of the right-of-way and scenic easements for an access road on the west side of the park; condemnation of the Glover property and Bertha Glover's continuing right to life-occupancy; the recommendation of areas in North McKittrick, South McKittrick, and Devil's Den canyons as research natural areas; and the adoption of a memorandum of understanding between the Park Service and the Texas Parks and Wildlife Department requiring cooperation between the two agencies in wildlife management.<sup>36</sup>

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<sup>34</sup>Ibid., 29-35.

<sup>35</sup>Statement for Management and Planning, Guadalupe Mountains National Park. prepared by Neal G. Guse, Superintendent, March 2, 1970, Box 5, Guadalupe Mountains National Park Library.

<sup>36</sup>Statement for Management, Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, January 1976), 5-10.

Dayton's Statement for Management noted influences that had an impact on the park. Among the influences outside the park, he included hunting and predator control, especially control of mountain lions. Influences within the park included steady increases in visitation, with backcountry use being up 31 percent in 1975. Heavy backcountry use dictated the need for trail planning, with special consideration given to flash flooding during the summer, extreme wind conditions, and water sources.<sup>37</sup>

Dayton expanded the management objectives for the park. In addition to preserving the resources of the park and providing an educational and interesting experience for the visitor, he wanted to encourage continued research and to provide for development and maintenance of facilities. He also saw the need to promote harmonious interaction with neighboring landowners, federal and state agencies, and regional community organizations.<sup>38</sup>

### Interpretive Plan

During 1976 a team of persons from the park and the Harpers Ferry Center developed the Interpretive Plan for the park that received Regional approval in February 1977. The plan identified the four themes to be interpreted--geological, biological, historical, and scenic--and the significant features of the park upon which interpretation would focus--the forest in the Bowl, McKittrick Canyon, El Capitan, and the Guadalupe escarpment. Development of the themes would be provided through interpretation at the visitor center, and with on-site programs, including self-guided tours of McKittrick Canyon, Williams Ranch, the Frijole Historic Site, and the Pinery Stage Station. With abandonment of the tramway proposal, planners estimated that 80 to 90 percent of the visitors to Guadalupe Mountains would never see the "island in the sky," the metaphor commonly applied to the Bowl area. As a result, the planning team recognized the heavy burden of interpretation that media presentations would have to bear.<sup>39</sup>

The Interpretive Plan described the interpretive center to be built at Pine Springs. The entrance area of the center would be a "visual gift" to the visitor, providing strong visual impressions of the parts of the park that most visitors would not see. Inside, the lobby area would provide a place for contact with park personnel and exhibits for orientation and information. Publication sales, restrooms, and a topographic relief map of the park would also be available in the lobby. In a separate audio-visual and auditorium area the primary media event of the center would take place, a 10- to 12-minute film designed to create the mood of the park and to present an impressionistic view of the ecological relationships found there. The exhibit room would contain exhibits relating to the geological, biological, and historical themes of the park, all of which would be unified by an emphasis on the importance of water to the park lands and to the people who had used them.

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<sup>37</sup>Ibid., 13-14.

<sup>38</sup>Ibid., 14-15.

<sup>39</sup>Interpretive Plan, Guadalupe Mountains National Park, February 4, 1977, in V.F.47, Guadalupe Mountains National Park Library, 6-25.

Another separate area would be devoted to the backcountry registration and information center, where visitors could learn of the physical and logistical requirements of backcountry travel. Special publications related to the backcountry experience also would be sold in this area. From the interpretive center, visitors would be encouraged to walk to the Pinery along the trail, self-guided by a folder and wayside signs.<sup>40</sup>

The staffed contact station at McKittrick Canyon was also part of the interpretive plan. Exhibits and personnel there would provide information, orientation, and protection for the area. A sheltered, open-air space associated with the contact station would have six to eight wayside exhibits highlighting the unique biological and geological components of the canyon. A three-minute videotape would emphasize the fragile nature of the ecosystem of the canyon, while the ranger, through personal contact, would make apparent the ecological reasoning behind the rules to be observed while in the canyon. A single folder would explain the nature trail and geology trail which would originate at the contact station. A more detailed self-guide to a day-hike in the canyon would also be available. Trail markers keyed to the folder would mark points of special interest.<sup>41</sup>

Less formal interpretation would take place at the Frijole ranch site and Dog Canyon. At the Frijole site, a footpath marked with wayside units would lead to Manzanita and Smith springs. Interpretation would correlate settlement patterns with the water resources. The Dog Canyon ranger station would provide personal contact and orientation exhibits. A self-guided interpretive trail near the station would identify flora and natural features.<sup>42</sup>

Guadalupe Peak and the meadow below it would provide opportunities for the visitor to see the surrounding Chihuahuan desert and to identify distant landforms. All interpretive items would be located in the meadow shelter area, including a topographic orientation display panel as well as panels relating to the history of the park, geology, and flora and fauna.<sup>43</sup>

From the Pine Canyon primitive campground, a self-guided "discovery" trail with an accompanying publication would allow visitors to identify the sites of a military encampment, prehistoric middens, and the remains of an early dugout. Campground activities would include a self-guided nature walk, a campfire circle, and an outdoor amphitheater with a screen for evening audio-visual presentations.<sup>44</sup>

Along the road planned to traverse the west side of the park, wayside exhibits would mark points of interest. A roadside pull-off that provided an unobstructed view of Williams Ranch would contain an exhibit interpreting the transition in

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<sup>40</sup>Ibid., 25-35.

<sup>41</sup>Ibid., 36-38.

<sup>42</sup>Ibid., 38-39.

<sup>43</sup>Ibid., 39.

<sup>44</sup>Ibid., 41-41a.

settlement patterns, from dugout to frame house construction. A wayside exhibit at another pull-off area would identify and locate the salt flats west of the park and interpret their historical significance for the region. Secondary wayside pull-offs would provide interpretation of the skyline of the western escarpment, a Butterfield stage crossing, the red sand dunes, the gypsum sand dunes, and the grave of Jose Maria Polanco.<sup>45</sup>

The Interpretive Plan also provided the Collection Management Statement for the park. Included in the Statement were policies for collection and storage of biological and geological specimens, collection and loan of archeological objects, collection of historical objects needed to furnish the ranch houses, collection of art and photographs relating to the interpretive themes of the park, and the storage and evaluation of "cultural debris" found in the park.<sup>46</sup>

The plan identified several new publications that were needed to aid in interpretation. One was a natural history handbook serving both Guadalupe Mountains and Carlsbad Caverns. A backcountry hiker's guide also would serve both parks. The third publication needed immediately was the self-guide folder for McKittrick Canyon. Self-guide folders for Dog Canyon, Pine Springs, and the Pinery were already available. The plan also set out research priorities related to interpretation, including a determination of the scope of collections for the archeological resources of the park, increased information about the native Indian cultures found in the park, and more detailed research to establish the contribution and significance of the historic resources of the park.<sup>47</sup>

### Resource Management Plans

Throughout the 1970s a number of plans for resource management were initiated. Most were very general, providing little more than recognition of the variety of natural and cultural resources of the park, the imperative need for research to document and evaluate those resources, and reiteration of the commitment of management to preserve and maintain the existing situation until research could be completed. However, these plans provided a baseline for the extensive refinements that would take place in the next decade as well as management guidelines for the interim.

In 1973, under a contract with the Park Service, researchers from Texas Tech University began an ambitious program to collect basic resource data. The contract, which was in effect for some eight years, called for a multi-disciplinary approach to data collection, covering botanical, geological, historical, climatic, wildlife, and water resources.

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<sup>45</sup>Ibid., 40-41.

<sup>46</sup>Ibid., 42-45.

<sup>47</sup>Ibid., 46-49.

### Cave Management

The first official Resource Management Plan for the park related to cave management, reflecting the close relationship of Guadalupe Mountains to Carlsbad Caverns. The plan, adopted in 1972 and written to cover both Carlsbad Caverns and Guadalupe Mountains, set forth a method for identifying, describing, and classifying new caves, and noted that this system would also be utilized by the Forest Service for caves within the Lincoln National Forest and on adjoining lands under the jurisdiction of the Bureau of Land Management. Caves would be classified in two ways, one for hazard level and the other for significance of formations within the cave. On the ground, caves would be identified with a brass cap set at the cave entrance, giving the cave number and the name of the federal agency responsible for the cave. Cave locations would not be disclosed to the public except at the discretion of the park superintendent. Although management intended full cooperation with caving groups and researchers, no one could enter caves without prior written permission from the superintendent.<sup>48</sup>

### Backcountry Management Plan

Guidelines for management and visitor use of the backcountry were among the most pressing administrative needs during the early years of operation of Guadalupe Mountains National Park. Late in 1973, some five years before the park obtained official wilderness designation, the first Backcountry Management Plan was approved. The primary objective of the plan was to provide maximum visitor enjoyment, but with three limitations, the first of which was most important: (1) activities that would not incur irreparable damage to the resource, (2) activities appropriate to a Park Service natural area, and (3) considerations of sociological factors associated with numbers of people using the backcountry.<sup>49</sup>

During the second year of operation, visitation at the park increased 44 percent and backcountry use increased 82 percent. According to observations by park personnel, most visitors entered the park from the Frijole and Pine Springs areas and use was concentrated in the southern half of the park. Because hikers had to carry their own water, most trips into the backcountry did not exceed two days. Sixty miles of trails existed in the high country and McKittrick Canyon, all of which had been established as ranch roads and stock trails. Except for the trails up the escarpment, which were rocky, narrow, of steep gradient, and subject to erosion, most trails were located in stable areas. Although 80 percent of the trails were open to horseback riders, few visitors used horses. The existing trails circumvented the 150 identified archeological sites in the high country, and since none of the sites was spectacular or contained formal structures, no active protection of them appeared to be necessary. A number of historic resources also existed in the backcountry, including portions of the Butterfield stage route, Williams Ranch, Marcus Cabin, and

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<sup>48</sup>Cave Management. Natural Resources Management Plan for Guadalupe Mountains National Park. January 1975, pages unnumbered.

<sup>49</sup>Backcountry Management Plan, Natural Resources Management Plan for Guadalupe Mountains National Park, January 1975, pages unnumbered.



some old mine tunnels. Planners recognized that treasure-hunting might create a management problem in the backcountry.<sup>50</sup>

The Backcountry Management Plan outlined research needs. Planners gave first priority to determining the carrying capacity of the backcountry. Data obtained from ongoing research conducted by Texas Tech in the areas of biology, mammology, archeology, and aquatic life would be utilized, and a range-analysis survey was proposed. Transects would be established along trails and read regularly to observe the impact of visitor use on vegetation and erosion. Patrols would be instructed to observe and report on the accumulation of litter, sanitation conditions at campsites, the occurrence of illegal fire rings, and the impact of horse use in the backcountry. Records would be maintained of trail usage by day-hikers, overnight use, transect and patrol observations. Questionnaires and personal contact with local organizations would be utilized to solicit public opinion about facilities and visitor experiences.<sup>51</sup>

The management plan addressed five areas where improvement was needed in order to effectively handle or increase carrying capacity of the backcountry: trails, campsites, horse use, water guzzlers, and a patrol cabin. Staffing and funding increases would be needed so that a trail maintenance program could be begun. Three new campsites would be designated. Future identification of alternate campsites would allow the establishment of a rest-rotation system for campsites. Non-intrusive sanitation systems for backcountry use also would be investigated. During 1973 two changes had been made to accommodate horseback visits to the backcountry: a corral was established on the west side of the park to allow a trip longer than one day for visitors on horseback, and under the provisions of a special-use permit, a local rancher offered one-day trail rides to visitors. The plan suggested exploring the potential of water guzzlers (a mechanical system involving catchment and controlled release of water) as a water source for the backcountry. While a log cabin in the Bowl, predating establishment of the park, served as a patrol cabin and fire cache, planners recognized the need for a new site and cabin that could be serviced by park livestock, probably along the main trans-park trail.<sup>52</sup>

Another concern expressed in the Backcountry Management Plan was for the removal of human-made intrusions from the backcountry. An inventory of such structures was underway and priorities for their removal would be established.<sup>53</sup>

In the interest of improved public relations, the management plan proposed to use the media and printed handouts to inform the public of policy or backcountry problems. Additionally, public appearances by park staff at meetings of local organizations would provide better public understanding of the park's backcountry

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<sup>50</sup>Ibid.

<sup>51</sup>Ibid.

<sup>52</sup>Ibid.

<sup>53</sup>Ibid.

policies. Finally, the management plan listed funding and personnel necessary to carry out the programs outlined in the plan.<sup>54</sup>

### Natural Resources Management Plan

In January 1975, a Natural Resources Management Plan, incorporating the earlier Cave and Backcountry Management Plans and a new Fire Management Plan, was approved. Management objectives for visitor use were the same as those presented in the Statement for Management written in 1970, generally, that all visitors should have convenient access to the top of the escarpment, the Bowl, and McKittick Canyon; that the geologic, biologic, and historic resources of the park would be interpreted; and that park resources would be available to students and researchers.

Resource management objectives were also similar to those outlined in the early Statement for Management: designation of research natural areas in North and South McKittrick Canyons and the Bowl, protection of moisture-loving plants found within the park, cooperation with the Forest Service to manage North McKittrick Canyon, use of fire as a management tool in the Bowl area, protection of the open landscape from visual intrusions and destruction of vegetation, restoration of wildlife habitat, including reintroduction of the desert bighorn and Montezuma quail, and protection and evaluation of archeological and historical resources. The plan also repeated the land classifications set forth in the Master Plan.<sup>55</sup>

The Natural Resources Management Plan also enumerated actions necessary to meet management objectives. Several of the actions would continue existing research programs: monitoring the quantity and quality of the water sources in the park, maintaining and reading elk and deer transects, conducting big game browse surveys, and monitoring the forests for insects and disease. However, much new research also was needed, including inventories of vascular and non-vascular plants, fauna, micro-organisms, significant geological features and processes, soils, and hydrologic features. At the time of the publication of this plan, the tramway was still a possibility; therefore, another research priority was a climatological study of the entire park, but especially to learn of wind velocities in the canyon where the tramway would be located. Planners identified another much-needed management tool, a soils map, and proposed that one could be created after completion of the soils inventory and analysis. Fire management also was a major concern; the plan proposed research to determine the extent to which the forests of the Guadalupe Mountains depended upon fire to retain their natural state. Studies to determine the impact of large ungulates and other fauna on the environment also were needed. The planners realized, however, that accumulation of data was not enough; the data must be available to management in a usable form. Therefore, they recommended the use of a computerized data management system.<sup>56</sup>

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<sup>54</sup>Ibid.

<sup>55</sup>Natural Resources Management Plan for Guadalupe Mountains National Park, January 1975 (pages unnumbered).

<sup>56</sup>Ibid.

Guidelines for fire management also were important to management of the park's resources. The Fire Management Policy established in 1975 revised the previous policy to suppress all fires. The new plan proposed to allow all naturally-occurring fires in the low desert country to run their course within the limits of designated burning units. However, within the designated burning units full control would be exercised over fires occurring near park boundaries and near the boundaries of the reef formation. All human-caused fires would be suppressed. The plan proposed to initiate research to investigate the potential effect of natural wildfire on the interior mountain and canyon country, specifically on the relict plant communities. After completion of the research, the designation of other areas as natural burning units would be considered. Until research was completed, however, comprehensive control would be exercised. Continuous observation would take place to detect fires and to monitor the progress of fires within natural burning units. Data would be maintained on all fires, including cause, weather, size, vegetation, and burning behavior and follow-up investigations would be conducted to determine the recovery rates of vegetation and the effects of fire on undesirable vegetation types.<sup>57</sup>

Although the Natural Resources Management Plan apparently was intended to be a comprehensive document that included recognition of the need to manage the cultural resources of the park, the plans for management of historic and archeological resources were cursory. The Archeological Management Plan referred to "An Inventory and Interpretation of Prehistoric Resources in Guadalupe Mountains National Park, Texas," by Susanna R. and Paul R. Katz, published in December 1974 under a Park Service contract, but identified it as "a documentation of archeological values, not a management plan." Similarly, the Historical Management Plan consisted of a reference to "A Survey of Historical Structures of Guadalupe Mountains National Park, Texas," by Texas Tech University, College of Agricultural Science, Department of Park Administration and Horticulture, published in September 1973 under a National Park Service contract, also a "documentation of values."<sup>58</sup>

### Trail Planning

The trail system at Guadalupe Mountains National Park was one of only a few in the park system completely designed and built by professionals.<sup>59</sup> Beginning in 1977, two consultants planned the permanent trail system for the park. Jack Dollan, a Wilderness Manager on loan to the Park Service from his Forest Service position in the Bob Marshall Wilderness in Montana, began the project. He spent weeks hiking the backcountry, determining how trails could be located or relocated to make the least impact on the land and provide a safe but exciting route for hikers. Originally, park planners intended that Robert Steinholtz, Landscape Architect with the Denver Service Center of the Park Service, would take over the trail planning when Dollan returned to his regular position. However, in 1978 Dollan transferred

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<sup>57</sup>Fire Management Plan, Natural Resources Management Plan for Guadalupe Mountains National Park, January 1975 (pages unnumbered).

<sup>58</sup>Archeological Management Plan, Historical Management Plan, Natural Resources Management Plan for Guadalupe Mountains National Park, January 1975 (pages unnumbered).

<sup>59</sup>Donald Dayton, interview with author, May 20, 1987.

to the Denver Service Center and he and Steinholtz worked together to finish planning the trails for the park. Phil Koepp, who became Chief Ranger of the park in 1981, worked with the two men during the latter phases of construction of the trails. In 1987 he recalled how the viewpoints of the two men were complementary; while Steinholtz was an engineer, Dollan enjoyed the thrill of exploring wilderness areas.<sup>60</sup> The trails they designed reflected those interests. Roger Reisch, Park Ranger at Guadalupe Mountains since 1964, also remembered Dollan's work: he designed trails to keep hikers in suspense until they reached their destination, hiding magnificent views until the last breath-taking moment. Reisch also noted that Dollan and Steinholtz tried not to exceed a 10 to 11 percent grade on any trail.<sup>61</sup> By 1979 more than 80 miles of trail construction and reconstruction had been planned. The work was planned to be completed in four phases.

### The Contribution of Donald Dayton

Donald Dayton played an important role in the administrative history of Guadalupe Mountains National Park. As Superintendent of Carlsbad Caverns and Guadalupe Mountains from 1971 to 1981, he guided the parks through the difficult processes of master planning and wilderness evaluation. Dayton entered the Park Service in 1955; by 1964 he had become a park superintendent. His career had matured during the development-oriented time of MISSION 66. By the early 1970s, however, the precepts that had guided park managers during the 1950s and 1960s were eroding. As Dayton directed the planning process for Guadalupe Mountains, not only did he have to deal with public protest against Park Service plans, but he also had to adjust to new attitudes brought about by the change of administration in Washington. Further, Dayton had to achieve a workable balance between the opposing points of view of the park's principal advocate in Congress and the environmental lobby. Finally, Dayton faced the frustrations of a bureaucrat: the master planning process itself was in a state of flux. Legislation passed two years after the Master Plan for Guadalupe Mountains was finally approved made it obsolete.

In addition to planning for development, Dayton guided the formulation of the basic plans for wilderness backcountry use and resource management for the new park. While these skeletal plans recognized the need for research in many areas, they provided the premises on which all future planning would be based.

Dayton's work required patience, flexibility, and an enduring belief in the democratic process. Unlike a corporate manager, he could not make planning decisions based on his past professional experience. Instead, he and other Park Service officials had to seek public consensus about uses of the park, then plan for those uses within the parameters established by the Department of the Interior and Congress.

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<sup>60</sup>Phil Koepp, interview with author, June 3, 1987.

<sup>61</sup>Roger Reisch, interview with author, July 21, 1987.

At the close of the 1970s, major development planning and the environmental reviews associated with the plans had been completed. Visitor facilities, housing for personnel, and the trail system were under construction. Park managers, with input from the public and other government agencies, had decided what kind of park Guadalupe Mountains would be. In his book, Mountains Without Handrails, Joseph Sax discussed the abandonment of the tramway at Guadalupe Mountains. His attitude represented the attitude of the environmentalists who had helped to defeat the tramway proposal. Sax said, "Peering at a wilderness from a tramway station. . . is not a wilderness experience; the sense of wilderness is not achieved by standing at its threshold, but by engaging it from within. Not everyone will seize the chance to experience wilderness, even in the modest dose that Guadalupe Park represents. The opportunity can and should be offered as a choice, to be accepted or rejected; but it should not be falsified or domesticated."<sup>62</sup> Environmental and financial concerns had determined that Guadalupe Mountains would be a wilderness park. It would appeal primarily to hikers, backpackers, and researchers who were willing to accept the land on its own terms.

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<sup>62</sup>Joseph L. Sax, Mountains Without Handrails: Reflections on the National Parks (Ann Arbor: The University of Michigan Press, 1980), 63.



## CHAPTER VII

### PLANNING IN THE 1980S

Planning continued in the 1980s. Park managers considered adding more land to the park, but in most cases, the plans that management adopted were revisions or more detailed versions of earlier plans rather than being totally new concepts. With planning for development nearly complete, planning for preservation of the natural and cultural resources of the park became the highest priority. Ralph Harris, the Area Manager of the park from 1981 to 1987, suggested that prior to 1984, when the first full-blown resource management plan was approved, management decisions often had to be made as individual problems occurred. Running a park that was in a reaction mode rather than an action mode made the job of the area manager hectic and frustrating.<sup>1</sup>

#### Economic Feasibility/Market Study

The Concessions Management Branch of the Professional Support Division at the Denver Service Center studied the feasibility of establishing a horse concession, a camper/hiker store, and a food service at Guadalupe Mountains National Park. A random sample survey of visitors, taken between January and August 1980, provided some input to the study, as well as comparison with similar concessions at Big Bend National Park. None of the surveys developed for the study showed that concessions would be economically viable at that time.<sup>2</sup>

#### Master Plan Supplement

In 1980 park planners initiated a study to investigate the possibilities of revising the boundaries of the park and to provide a Development Concept Plan for the west side of the park. In the House Committee Report accompanying P.L. 95-625, the law that gave wilderness designation to 46,850 acres in Guadalupe Mountains National Park, committee members asked that the park's west side land be re-evaluated for wilderness designation after development plans were complete. Therefore, in compliance with the House request, the Master Plan supplement also made recommendations regarding increasing the amount of land in the park that was designated as wilderness.

Planners considered three locations for boundary revisions. One, on the west side of the park, involved acquiring approximately 9,500 acres of red quartzite and white gypsum sand dunes immediately adjacent to the park's western boundary. The second location included several areas along U.S. Highway 62/180 that had been designated

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<sup>1</sup>Ralph Harris, interview with author, June 4, 1987.

<sup>2</sup>Economic Feasibility/Market Study, Guadalupe Mountains National Park (U.S. Department of the Interior, National Park Service, Denver Service Center, Professional Support Division, Branch of Concessions Management, undated).

as part of a "critical scenic preservation zone" in the Master Plan approved in 1976. Since the plan did not provide any means of retaining the scenic qualities of the zone, the study undertaken in 1980 addressed whether any boundary expansion was needed in those areas and, if expansion were necessary, what type of ownership or control would be most appropriate. The third part of the boundary study included the disposition of two sections on the west side controlled by a scenic easement<sup>3</sup> It also included consideration of two and one-half sections of land outside of the park boundary that had been acquired for trade purposes at the time of the purchase of J.C. Hunter, Jr.'s, property but had not been used and were still owned by the federal government. Figure 20 shows the conditions existing in 1980 and the areas affected by the proposed boundary revisions.<sup>4</sup>

Besides no action, the Environmental Assessment for the Master Plan supplement provided four alternatives for development on the west side of the park. The alternatives proposed varying levels of resource protection, facility development, wilderness designation, and different locations for the access road and facilities. The Environmental Assessment and Master Plan supplement were available for public comment from December 1980 to February 1981. During this period, park officials received 72 letters and a petition related to the plan. Three persons attended a public meeting about the plan held in Carlsbad on January 14, 1981. A similar meeting, held the next day at a location near the park, drew about 85 persons. Local citizens who expressed opinions generally were opposed to any form of land acquisition, either in fee or easement, unless the landowner was willing. However, many local people were in favor of an improved road connecting Dell City with the west side of the park. Park visitors and representatives of conservation organizations favored the alternative that proposed acquisition of the entire sand dune area in fee, as well as acquisition in fee of an area near Guadalupe Pass and a scenic easement near McKittrick Canyon. This alternative did not include a road between Dell City and the west side of the park and proposed the addition of 33,200 acres to wilderness designation.<sup>5</sup>

Congressman Richard White supported the suggested boundary revisions and the development of visitor and administrative facilities on the west side of the park; however, in a conversation with Donald Dayton in August 1980, he indicated strong opposition to additional wilderness. Reminding Dayton that he had gone along with what to him seemed to be more than adequate wilderness in the original legislation, he was unwilling to support an addition, especially in the vicinity of Pine Canyon. Although he realized the tramway was a "dead issue," he believed that the focal point of visitor interest should not be under the restrictions of wilderness designation. He

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<sup>3</sup>The Hammack family owns the sections controlled by scenic 3 easement. For a discussion of this situation see pages 109- 112.

<sup>4</sup>Environmental Assessment for the Master Plan Supplement, Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, Denver Service Center, November 1980), 1.

<sup>5</sup>West Side Boundary Study, Guadalupe Mountains National Park (National Park Service, Southwest Regional Office, April 1987), 13.



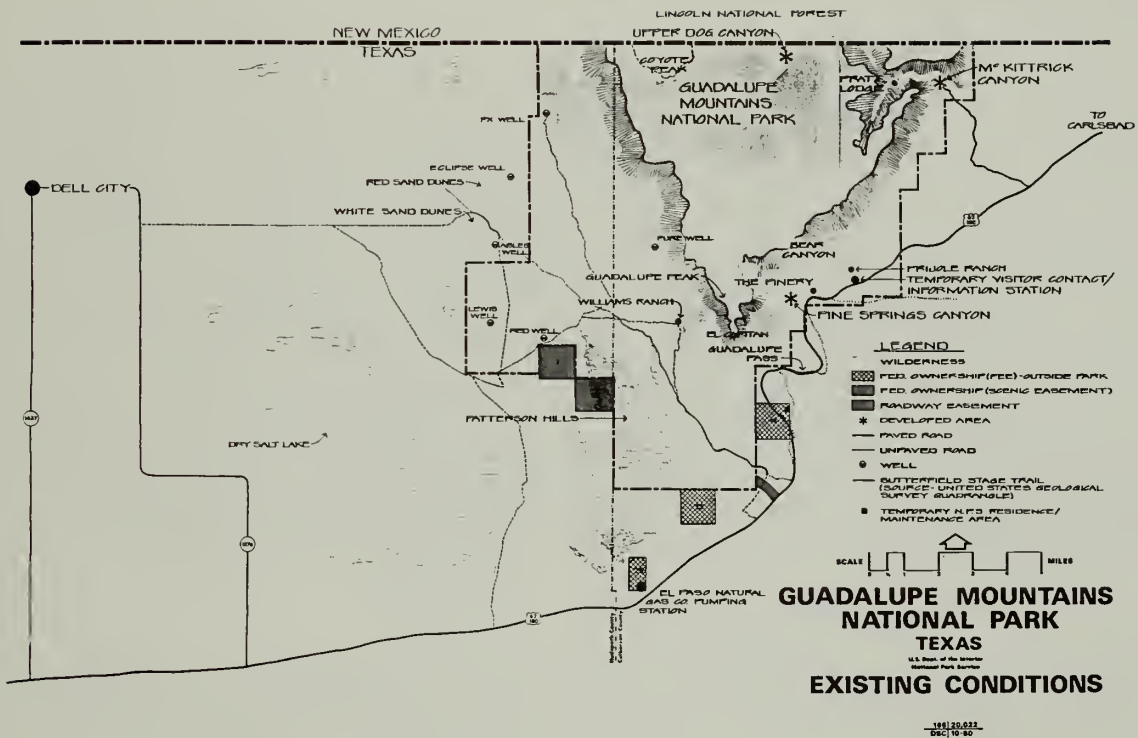


Figure 20. Existing boundaries and non-park sections as of 1980.

also indicated his unwillingness to cooperate with environmental groups that "keep coming back for more" every time Congress approved wilderness legislation.<sup>6</sup>

### West Side Boundary Study

In August 1981, because of changing policies and funding constraints, Interior Secretary James Watt indefinitely postponed the proposed park expansion. In 1985, however, the possibility of acquiring the red and white sand dunes was revived. The landowner who controlled the major portion of the sand dunes area contacted the Department of the Interior and offered to exchange his lands in the dune area for federal lands in another area or state. A new study was undertaken to update the work done in 1980.

The area under consideration comprised 10,123 acres, somewhat more than proposed in the Master Plan supplement because it included the grasslands lying between the sand dunes and the access road. The area recommended as an addition to Guadalupe Mountains National Park included all of the red and white sand dunes, which have been identified as Texas Natural Landmarks (see Figure 21). Within the sand dune area were many unusual plant associations and rare species, one of which, scale broom (Lepidospartum burgessii), was eligible for federal endangered species status. The sand dunes also contained numerous archeological sites. The study pointed out that the west side of the park provided a good area for winter visitors. Temperatures were more moderate than in the Guadalupe Pass and high country areas, and in the spring, blooming wildflowers and less severe winds made the desert area especially appealing. A private landowner had donated the right-of-way for a road to be built by Hudspeth County connecting Dell City with the park boundary, south of the main dune field. The county consulted with park managers and officials from the regional office before selecting the route for the road.<sup>7</sup>

### Resources Management Planning--1980s

During the 1980s park planners also refined and expanded the Resources Management Plan. The plan written in 1982 and approved in 1984 outlined a five-year program of actions; in 1987 the five-year plan was updated and new priorities were established. The plan written in 1982 included extensive refinements in planning for management of natural resources, as well as revised cave and backcountry plans and a Cultural Resources Management Plan. Management objectives set forth in the new plans remained virtually unchanged from those expressed in the Statement for Management written in 1976.

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<sup>6</sup>Superintendent, Carlsbad Caverns and Guadalupe Mountains to Regional Director, Southwest Region. September 2, 1980, in file D18, History Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>7</sup>West Side Boundary Study, 2-9.

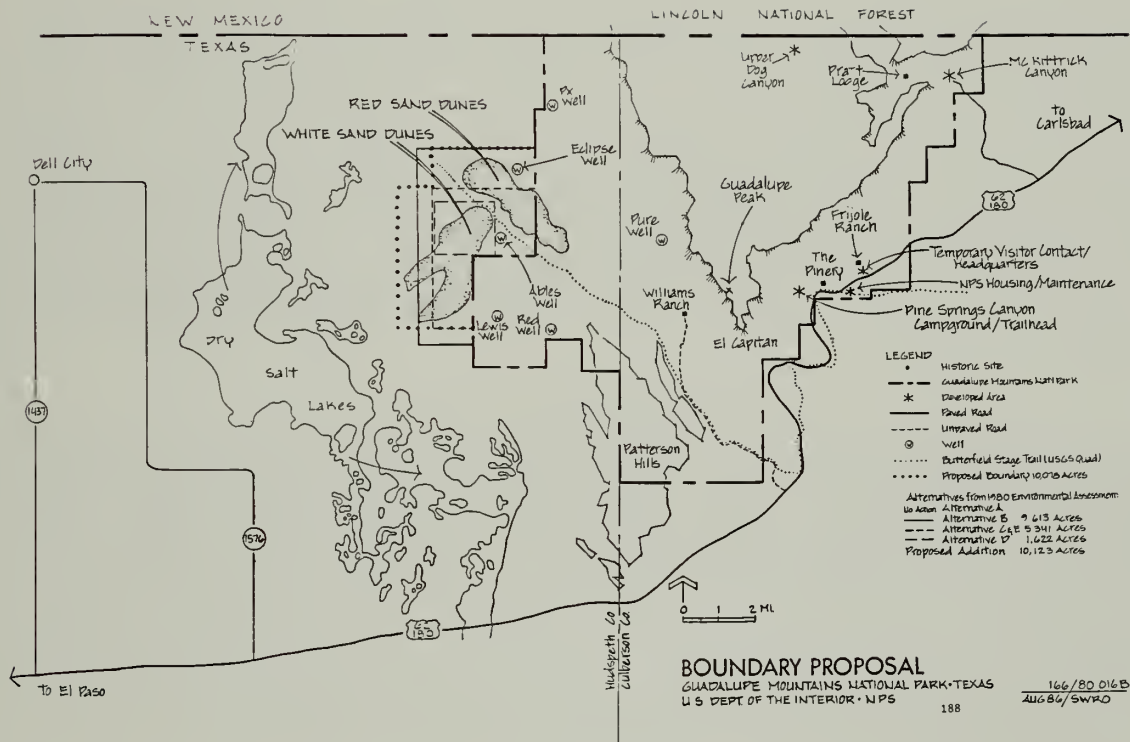


Figure 21. Boundary expansion proposed for west side of park in 1987.

Development of new monitoring programs received much emphasis in the plan of 1982. The plan recommended programs associated with fire management, backcountry use, cave protection and use, the preservation of McKittrick Canyon, utilization of vegetation by ungulates, and oil and gas development. Other programs included monitoring the surface water resources of the park, and monitoring threatened and endangered species found in the park, particularly the peregrine falcon. The encroachment of Barbary sheep on park lands and trespass grazing by livestock from nearby ranches were two other problems needing documentation. Along with documentation and monitoring of resources, the management plan reiterated the continuing need for an information retrieval system to make the accumulated research data useful.<sup>8</sup>

The Natural Resources Management Plan reflected new concerns for wildlife in the park and included plans for reintroducing two native species, the desert bighorn sheep and the Montezuma quail. Control of non-native species, particularly Rocky Mountain elk and Barbary sheep, was identified as a management objective. The plan also addressed the park's mountain lion population, an issue that required extensive attention from management during the 1980s. In conjunction with monitoring the mountain lion population, resource managers recommended monitoring the mule deer population; both populations had increased with park protection and were interdependent. The plan also reflected the continuing concern of management with the water resources of the park. Water resources limited the ungulate population of the park and were affected by visitor use, park development, and external influences.<sup>9</sup>

Park planners recognized that designation as a national park and federally protected wilderness did not erect an impermeable barrier around Guadalupe Mountains National Park. In fact, those designations laid a heavy burden on park managers to be constantly alert to obvious and insidious outside influences that might harm the resources they were mandated to protect. By 1982, managers were more aware of the extent of external influences on the park than they had been a decade earlier. Oil and gas development in the area, ranching and hunting activities, regional pesticide use, and industrial activity in El Paso, Texas, and Juarez, Mexico, all affected the resources of the park. Similarly, park planners were more aware of the need for cooperative efforts with other governmental agencies to manage such resources as the peregrine falcon, mule deer, and mountain lions; to cooperate in the reduction of Barbary sheep; to control harmful forest insects and diseases; to reintroduce native species; and to assure that oil and gas development did not adversely affect designated wilderness areas.<sup>10</sup>

The planning document listed priorities for management of the park's natural resources. The first five priorities, in order of importance, were to conduct studies of predator populations, to begin an affirmative management effort to improve communications with the neighbors of the park regarding predator populations, to

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<sup>8</sup>Resources Management Plan and Environmental Assessment for Guadalupe Mountains National Park, March 1984, 4.

<sup>9</sup>Ibid., 4-5.

<sup>10</sup>Ibid.

rewrite the Backcountry Management Plan, to institute monitoring programs in the backcountry, and to revise the Fire Management Plan.<sup>11</sup>

#### Cave Management Plan

The Cave Management Plan, rewritten in 1981 and incorporated into the larger Resources Management Plan, contained objectives similar to the Cave Management Plan written a decade earlier: protection and perpetuation of the caves in the park, provision of recreational and educational experiences for visitors, provision of opportunities for scientific research, classification of caves into management categories, and the establishment of regulations and guidelines to ensure visitor safety and preservation of the resource. However, the new plan contained a major policy change: two wild caves in Guadalupe Mountains National Park would be opened, on a permit basis, to the public. An administrative system for reviewing permit applications would be established to ensure that visitors had the knowledge and experience necessary to handle the hazards and conditions of the cave they wished to visit. Another provision of the plan included monitoring of caves to document resource conditions under varying levels of use. In addition, park staff would receive more information about caving techniques, safety, first aid, speleology, and search and rescue. The public would be given more information about access routes, hazards, and permit requirements. New interpretive programs would be aimed at increasing public appreciation of caves.<sup>12</sup>

#### Backcountry Management Plan

By early in 1984 the much-needed revision of the backcountry management plan was in place. Because the first backcountry plan was written before the park acquired wilderness designation, policies relating to preservation of wilderness values were non-existent. The management objectives and policies of the new plan first addressed the needs of the wilderness resources, then the needs of visitors to the wilderness. Among the objectives outlined were restoring conditions conducive to the perpetuation of natural processes and native animal and plant life, particularly rare and endangered species. Land surfaces disturbed by humans would be returned to their natural appearances, but significant cultural values would be retained.<sup>13</sup>

Wilderness policies outlined in the plan were based on the premise that visitors must accept the risks of wilderness travel and the absence of modern conveniences. To protect the resource, campsites would be designated. At most, campgrounds would include a site marker, tent sites, and a pit toilet. Trail width would be limited to that required for single-file travel by foot or by horse. Research and data-gathering would be permitted as long as they did not modify the physical or biological processes and resources. Motorized or mechanical equipment would be used in the backcountry only in emergency situations. To protect the fragile water sources

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<sup>11</sup>Ibid., Resources Planning Sheet for Natural Resources, 1.

<sup>12</sup>Ibid., 19-20.

<sup>13</sup>Backcountry Management Plan and Environmental Assessment for Guadalupe Mountains National Park (U.S. Department of the Interior, National Park Service, January 1984), 7.

within the park, camping near springs and streams and wading and bathing in the streams would be prohibited.<sup>14</sup>

Plans for management of McKittrick Canyon included discontinuation of use of the Stone Cabin as a ranger residence. Power and water lines to the cabin would be removed but the restroom facilities for visitors would be retained. In the future, the cabin would serve as a cache for emergency equipment and as an administrative site. Although camping was not permitted in the part of McKittrick Canyon managed by the Park Service, camping permits for that part of North McKittrick Canyon lying within the Lincoln National Forest would be available at the McKittrick Canyon contact station.<sup>15</sup>

By 1984 the first three phases of trail construction in the park had been finished. As outlined in the backcountry management plan, Phase IV provided for rerouting and deleting some existing trails that were either unmaintainable or redundant; a total of 29.7 miles was affected. At the conclusion of Phase IV the park would have 66 miles of trails, a net decrease of 18 miles from the total in 1984. Forty-two miles of trails would be available for use with riding- and pack-livestock. Parties with livestock would be limited to 15 animals and to day-use only. Visitors using livestock would obtain a special permit from the park headquarters before entering the park. The Bowl would be closed to all livestock.<sup>16</sup>

Under the new Backcountry Management Plan, visitors needed permits to use campsites. The permits were free and issued on a first-come, first-served basis. At each campground, tent sites had been designated and planners intended that eventually all tent sites would be "hardened." No more than four persons, occupying one large or two small tents, would be permitted to camp at a tent site and for no longer than two consecutive nights at the same campground. Two backcountry campgrounds had pit toilets, installed on an experimental basis. In addition to the designated campsites, the management plan also established an "open" camping zone. Length of stay in the open zone also was limited to two consecutive nights and regulations required that the tent site be moved after the first night. Most campgrounds were approximately a half-day hike from backcountry entrance points. Open fires would not be allowed anywhere in the backcountry. Visitors would be expected to pack out all trash and would be advised of the regulations regarding disposal of human wastes before entering the backcountry.<sup>17</sup>

The management plan provided for some administrative facilities in the backcountry. A small patrol cabin near Pine Top had replaced the log cabin in the Bowl, which formerly had been used for administrative purposes. Caches of fire tools and water would be located strategically throughout the park. The radio repeater facility on Bush Mountain, consisting of an antenna and small shed would

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<sup>14</sup>Ibid., 7-8, 31.

<sup>15</sup>Ibid., 18-19.

<sup>16</sup>Ibid., 19-20, 31.

<sup>17</sup>Ibid., 21-24, 26, 35.

be retained. In the future a small helipad might be constructed to facilitate maintenance of the antenna.<sup>18</sup>

Wildlife management in the park favored the entire ecosystem rather than individual species. While no artificial facilities would be maintained for the benefit of specific wildlife types, the plan provided for affirmative management of two elements in the ecosystem: habitat for endangered species would be protected and enhanced and exotic species would be controlled. By 1984 three species known or believed to be endangered had been found in the park: the peregrine falcon (Falco peregrinus anatum), Sneed's pincushion cactus (Coryphantha sneedii var. sneedii), and McKittrick pennyroyal (Hedeoma apiculatum).<sup>19</sup>

The planners also were concerned with the cultural resources that existed in the backcountry. In spite of the mandate that wilderness areas be free of substantial evidence of the presence of humans, other laws required that significant cultural resources existing on federal lands be preserved. Planners determined, therefore, that some of the human-made structures existing in the wilderness areas should be left as "discovery" sites, representative of the historic period of ranching, and allowed to molder away naturally. Generally, these structures included remnants of the intricate water system that had been established during the ranching era to maintain livestock and the elk population in areas where surface water did not occur. Among these structures were tanks and pipelines in Bear Canyon, the Bowl, and at Williams Ranch. Also, cabins near Lost Peak, in the Bowl, and at Cox Tank would be retained. Many other metal tanks and pipelines, fences, stock pens, and small buildings would be removed and earthen tanks breached.<sup>20</sup>

Signage in the backcountry was not standardized, was weathered, and sometimes inaccurate. The management plan proposed to replace all existing signs with anodized aluminum plates with standardized lettering, mounted on metal posts. Registers, topographic maps, and a place for posting weather conditions would be established at each trailhead. The number of interpretive signs in the backcountry would be minimal; instead, interpretation would be provided at the entrances to the wilderness area.<sup>21</sup>

#### Cultural Resources Management Program

The Cultural Resources Management Plan also was a major addition to the Resources Management Plan approved in 1984. By that time, surveys of the archeological resources of most of the park were complete. The archeological surveys conducted in 1970, 1973, and 1976 identified seven periods of cultural history in the park, beginning around 8,000 B.C., but archeologists found no permanent prehistoric settlements. Researchers found archeological sites associated with every road and

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<sup>18</sup>Ibid., 25.

<sup>19</sup>Ibid., 27.

<sup>20</sup>Ibid., 29-30.

<sup>21</sup>Ibid., 34.

trail in the park, as well as in less-accessible locations. Twenty-nine of the 299 archeological sites that had been identified during the surveys were considered eligible for nomination to the National Register of Historic Places. Artifacts most commonly found in the park included projectile points, stone tools, and pottery sherds. Although the surveys established a baseline for management of the archeological resources of the park, planners noted that site excavations were still needed.<sup>22</sup>

The inventory of historic resources of the park also had been completed and actions to protect the most significant structures had either been completed or were in process. The Pratt Stone Cabin and the Pinery Stage Station already had been accepted for listing in the National Register of Historic Places, but park managers still awaited decisions about listings of the Pratt "Ship on the Desert" Residence and the Emigrant Trail. A listing of classified structures within the park included those associated with the resources eligible for listing in the National Register as well as those associated with the Williams Ranch. Researchers classified other historic structures in the park as "discovery" sites that would be allowed to molder away naturally.<sup>23</sup>

The management plan contained a priority listing of projects related to the cultural resources of the park. The first five priorities were: compilation of cultural resource data, establishment of a professionally curated museum collection, archeological reassessments of high impact areas, preparation of Historic Structure Reports for the classified structures, and preparation of Historic Structure Preservation Guides for the classified structures.<sup>24</sup>

### Fire Management Plan

Approval came in 1985 for the park's first comprehensive plan for fire management. Until approval of this plan all fires occurring in the park had been suppressed. Under the provisions of the management plan, naturally occurring fires would be allowed to burn without suppression unless they threatened park facilities, visitor safety, major resources, or park boundaries. Human-caused fires occurring during the natural fire season also would be permitted to burn within the above conditions. The plan proposed to continue research concerning prescribed burning as a management tool.<sup>25</sup>

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<sup>22</sup>Ibid., 66-67.

<sup>23</sup>Ibid.

<sup>24</sup>Ibid., 94.

<sup>25</sup>Phil Koepp, interview with author, June 3, 1987.



## Resources Management Plan Revisions, 1987

During 1987 park managers revised the Resources Management Plan. Priorities for management of cultural resources remained unchanged from those established in 1984. However, while some of the natural resource issues that were important in 1984 continued to be top priority items in 1987, some new issues dominated the list. In order of importance, the priorities established in 1987 were: fencing of the park boundary; implementing a prescribed burning program; funding of and equipment support for a new resource management position; implementing the earlier recommendations for backcountry management, such as hardening of campsites, removal of fences, and establishment of monitoring transects; and monitoring of predator populations in both Guadalupe Mountains and Carlsbad Caverns.<sup>26</sup>

Except for new priorities, the Resources Management Plan recommended in 1987 was little changed from the version written five years earlier. The list of endangered species found in the park contained a new addition: a hedgehog cactus found at lower elevations on the west side of the park, Echinocereus lloydii. A new emphasis of the plan was the need to construct or replace fences around the 63.25-mile boundary of the park. Only 18.25 miles of existing fence were adequate, 22.75 miles were unfenced, 8.0 miles of existing fence was in bad repair, and 14.5 miles of the boundary was fenced by old drift fences, which were not on park property. Trespass grazing by cattle and horses was a continuing problem between the Big Canyon and Bell Canyon drainages below the eastern escarpment as well as in the Guadalupe Canyon area, where boundary fencing in the area of Middle and Lower Guadalupe Springs was either nonexistent or in poor repair.<sup>27</sup>

Another new natural resource project recommended in the revised plan was monitoring and eradicating exotic plants growing within the park. While only a few plants of salt cedar (Tamarisk sp.) were found in the park, it was identified as an exotic species to be eradicated before it became well established. Salt cedar threatened the water resources of the park; plants growing near springs or in low places would dry up water sources with low flow rates.<sup>28</sup>

By 1987, completion of an extensive study of the mountain lion population in Guadalupe Mountains and Carlsbad Caverns National Parks allowed resource managers to revise some of the natural resource priorities established in 1982. In 1986 resource managers completed a plan for management of the mountain lion population in the two parks. The plan was based on the results of a three-year study, begun in 1982, to document the number, range, and feeding habits of mountain lions in the parks. The study included monitoring of a number of radio-collared lions to determine movement and dispersal of the animals, and scat analysis to determine food habits. The plan proposed four actions: (1) maintenance of existing protection of mountain lions within the two parks, (2) continuation of monitoring of mountain lion populations, (3) establishment of a program to monitor

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<sup>26</sup>Resources Management Plan and Environmental Assessment for Guadalupe Mountains National Park, recommended February 1987, 1-4.

<sup>27</sup>Ibid., 37, 50.

<sup>28</sup>Ibid., 64-65.

deer and elk populations, and (4) development of an inter-agency mountain lion task force.<sup>29</sup>

While the mountain lion issue was under better control, park planners recognized a new wildlife concern. Between July 1985 and June 1986, four black bears had been killed immediately outside the northern boundaries of the park, apparently the victims of the ongoing predator control program supervised by the New Mexico Department of Game and Fish. In January 1987, the Texas Park and Wildlife Department placed the black bear on its state list of endangered and threatened species. Concerned that the black bear issue could become as sensitive as the mountain lion issue, park planners recommended the initiation of a monitoring program for the bears so that park officials could make well-informed responses to expressions of public concern. The planners also suggested positive action on the part of the park service that might foster better inter-agency cooperation in management of the bear population.<sup>30</sup>

### Statement for Management

During 1987 planners at the park and at the Southwest Regional Office worked on a new Statement for Management, the first revision since 1976-78. The draft document available in June 1987 listed a number of changes in legislative and administrative requirements, including: (1) recognition of continued government ownership of the parcels of land outside the park boundaries; (2) designation in 1978 of 46,850 acres of park land as wilderness and re-evaluation of remaining park lands for wilderness designation in 1980; (3) recognition of the need to preserve natural research areas in unmodified states because of the rare, endangered, or endemic species existing there; (4) recognition of the existence of several special use permits, allowing park land to be used for utility and right-of-way easements; and (5) establishment of concurrent law enforcement jurisdiction with the State of Texas.<sup>31</sup>

The Statement for Management also provided the names of 25 plants and animals found within the park that were listed or were under review for listing as endangered or threatened species. Among cultural resources, the Emigrant Trail was added to the previous list of historic resources deemed eligible for nomination to the National Register.<sup>32</sup>

The Statement for Management provided an analysis of visitor use, noting that the number of visitors to the park increased "dramatically" until 1981, after which a slower upward trend began. Planners suggested that the only limitation to greater visitor use was the lack of an adequate visitor center at the park. The inadequacy

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<sup>29</sup>Mountain Lion Management Plan and Environmental Assessment, Carlsbad Caverns National Park. New Mexico and Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, undated), 9-10.

<sup>30</sup>Resources Management Plan recommended February 1987, 68-69.

<sup>31</sup>First Draft, Statement for Management, Guadalupe Mountains National Park, prepared by Guadalupe Mountains National Park and Division of Planning and Design, Southwest Regional Office, National Park Service, Santa Fe, New Mexico, 8-11.

<sup>32</sup>Ibid., 12-13.

of the visitor center and the campground at Pine Springs reappeared again in the Statement for Management when resource issues were outlined. Other resource management issues identified were: (1) accumulation of data on plant and animal populations and air quality, development of floodplain studies, and consolidation of geological data; (2) the use of prescribed fire as a management tool; (3) construction of a boundary fence to exclude trespass grazing and exotic species; (4) determination of carrying capacity for the backcountry; (5) the possible addition to the park of the sand dune areas on the west side; (6) the need for increased funding to reevaluate, maintain, and preserve cultural resources; and (7) the need to finish trail construction, which was only about 50 percent complete.<sup>33</sup>

The draft Statement for Management also outlined issues related to administration and maintenance. Offices and administrative work space were inadequate, no facilities were available for visitor protection functions, an additional residence was needed at Dog Canyon, and the Pine Springs Cafe was being operated outside normal contract and permit procedures.<sup>34</sup>

Although management objectives were not exactly the same as those presented in 1976, they represented the same issues and concerns. However, a new management objective appeared in the draft statement. Planners recognized the need to provide handicapped accessibility to visitor facilities. Also, the Statement for Management emphasized that important aspects of the park's resources, especially the less-accessible high country and canyons, must be communicated to visitors who would not experience those resources personally.<sup>35</sup>

During the 1980s park managers and planners refined and enlarged planning documents related to the management of the resources of the park. The great body of research completed in the late-1970s and early-1980s helped park planners establish priorities for resource management. In the five years from 1982 to 1987 park managers made considerable progress in meeting priorities established for natural resource management. However, cultural resources received much less attention. During the five-year period, no cultural resource priorities were removed or changed. Although in 1987 renewed efforts were underway to expand the boundary of the park on the west side, the dominant concern of park planners was that a new interpretive center and administrative facility be constructed at the park. While visitation had increased, the requirements of wilderness travel made the resources of the park unavailable to many visitors. Media presentations of the less-accessible resources would enhance the understanding and enjoyment of visitors, but the existing temporary facilities could not accommodate any increased levels of interpretation.

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<sup>33</sup>Ibid., 15-29.

<sup>34</sup>Ibid., 29-31.

<sup>35</sup>Ibid., 34.



## CHAPTER VIII

### DEVELOPMENT OF THE PARK

Development of the park proceeded by steps, with temporary facilities serving until permanent ones were planned, funded, and constructed. For the first decade of park operation, personnel utilized existing or temporary facilities for employee housing and maintenance activities at Signal Peak and Dog Canyon. They also made do with temporary facilities for visitor contact at Frijole, McKittrick Canyon, and Dog Canyon; with temporary campgrounds; and with the existing trails, boundary fence, and roads to McKittrick Canyon and Dog Canyon until permanent improvements were made.

#### Residential Area for Park Personnel

From 1962 through 1963, Ranger Peter Sanchez lived at the Ship on the Desert; Roger Reisch also lived there after he took over Sanchez's position in 1964. In 1966, after Congress authorized the park, Noel Kincaid, foreman for J. C. Hunter, Jr., continued to live at the ranch house at Frijole and kept an eye on that area of the yet-to-be established park. However, after the Kincaids moved from Frijole in 1969, Reisch believed he could supervise the entire park better from Frijole than from the isolation of the Ship on the Desert location, so he asked to move to the old ranch house, even though he knew the house was well below the housing standards of the Park Service. In 1972, when John Chapman became the Chief of Operations for Guadalupe Mountains, he and his family moved into the Ship on the Desert. The Ship served as housing for area managers until completion of the permanent residential area in 1982. Reisch lived at Frijole until he became ranger for the Dog Canyon district in 1980.<sup>1</sup>

In 1972, in addition to Chapman, several other full-time employees were assigned to the park and needed housing nearby. The site of the Signal Peak Service Station, on one of the non-park sections of land acquired from J. C. Hunter, Jr., had electrical service and water could be piped to the area from Guadalupe Spring. Management selected this site, several miles west of the Pine Springs area, at the foot of Guadalupe Pass, for the temporary housing area. Three double-wide trailers and one single-wide trailer, all used, served as housing. During the next two years, the water and sewage systems at the site were upgraded. In 1976 contractors completed a new well; in 1977 it was connected to the water system, permitting abandonment of the unreliable line to Guadalupe Spring. As the staff of the park grew, management found more used trailers to add to the housing area (see Figure 22). The maintenance shops also were located at Signal Peak. By 1980, the Park Service had made a considerable investment in the site at Signal Peak. Management believed

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<sup>1</sup>Roger Reisch, interview with author, July 21, 1987.



**Figure 22. From 1973 to 1982, park personnel lived in this temporary housing area west of the park, below Signal Peak. As the staff grew, management added more used trailers. The maintenance shops for the park also were located in this area. (NPS Photo)**

that although the site was outside the park boundaries, the well-developed water system at Signal Peak was a valuable asset which could be of future use to the park.<sup>2</sup>

The Master Plan approved in 1976 placed the permanent residential area near Pine Springs, south of U.S. Highway 62/180. During the master planning process, environmental groups opposed placing the housing and maintenance facilities on the north side of the highway where natural screening was available but the major resource was closer. They agreed to the location on the south side of the highway in spite of the fact that less natural screening was available there. Planners provided for screening of the residential area by earth berms and vegetation irrigated by sewage grey water.<sup>3</sup>

Even before approval of the Master Plan, however, park planners began seeking an adequate water source for all of the development anticipated for the Pine Springs area. In 1973, a well drilled north of the Frijole ranch house, near the mouth of Smith Canyon, failed the pump test. In 1974, Garland Moore, Hydrologist for the Southwest Region, selected a new well site at the mouth of Pine Canyon, near a former Texaco well site. Moore expected drilling to go to 5,000 feet. However, the drillers hit water at 2,673 feet and completed the well in 1976.<sup>4</sup>

After approval of the Master Plan, design work for the residential area progressed rapidly. The architects, a joint venture involving Pacheco and Graham of Albuquerque and Fred Buxton Associates of Houston, met with Park Service representatives in the fall of 1977 to establish design guidelines and concepts. They also met with the residents of the Signal Peak housing area to survey the desires and needs of the people who would live in the new residences.<sup>5</sup>

In December 1979, the initial phase of construction began. McCormick Construction Company, Inc. of El Paso won the contract for construction of roads and utilities in the Pine Springs area; the bid was \$1,383,292. The contract included construction of an entrance road, picnic parking area, and restrooms in the campground area north of Highway 62/180, as well as the roads, utility system, water diversion and distribution facilities, and sewage collection and disposal facilities in the residential area south of the highway. Early in 1980, Kent Nicholl of Ramah, New Mexico, bidding \$236,000, received the contract for construction of the sewage treatment plant. Nicholl completed the treatment plant in July 1980, but McCormick did not complete the roads and utilities contract until July 1981, considerably behind schedule.<sup>6</sup>

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<sup>2</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1972, 1973, 1974, 1975, 1976, 1977, 1982, 1983; Briefing Statement, Guadalupe Mountains National Park, revised January 1980, in V.F. 15, Guadalupe Mountains National Park Library.

<sup>3</sup>Donald Dayton, note to author, August 1988.

<sup>4</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1973, 1974, 1975, 1976.

<sup>5</sup>Notes from meetings held September 7, 1977, by Christopher Larson of Pacheco and Graham, in V.F. 634, Box 5, Guadalupe Mountains National Park Library.

<sup>6</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1977, 1978, 1979, 1980, 1981; National Park Service News Release, Carlsbad Caverns and Guadalupe Mountains National Parks, December 18, 1979, from news release file, Operations Headquarters, Guadalupe Mountains National Park.

Federal law required all government agencies to negotiate a certain percentage of construction contracts through the U.S. Small Business Administration under the Minority Business Program. In government jargon these were called "8(a) contracts," referring to that section of the legislation that the contracts fulfilled. Under 8(a) contracts, the Small Business Administration was the contractor; a sub-contractor, the minority business, did the work. By early 1980 Superintendent Donald Dayton was frustrated by the 8(a) process. In a briefing document outlining the major issues affecting the park, he addressed the contracting problem: "Excessive delays in negotiating, and unreasonable cost estimates . . ., are causing large losses to the park in what it can expect to obtain from available funds, due to inflationary increases during the long delays. SBA has had letter contracts on three major park projects for 15 months and the projects are still not negotiated."<sup>7</sup>

In October 1980, Park Service officials announced the completion of negotiations with the Small Business Administration for the contract for construction of the housing and maintenance facilities at Pine Springs. The Small Business Administration designated El Paso Builders as the sub-contractor. Included in the contract, which amounted to \$1,842,861, were ten three-bedroom and two two-bedroom family units for permanent employees, two two-bedroom apartments, two studio apartments, and three duplex apartments comprising six one-bedroom units. The contract also included a building for maintenance shops and offices. Because construction estimates submitted by the Small Business Administration were much higher than planners anticipated, Park Service negotiators were forced to cut costs for the project. They elected to eliminate the multi-purpose community building planned for the residential area as well as two buildings in the maintenance area, a parking garage for maintenance and ranger vehicles and a storage building for flammable materials. Cost-cutting also forced managers to eliminate the screening measures planned for the residential area.<sup>8</sup>

In February 1981 construction began on the housing and maintenance areas, with completion scheduled for October 1981. In his annual report for that year, William Dunmire, who replaced Dayton as Superintendent in February 1981, noted cryptically that there had been a number of problems associated with the project, problems he hoped would soon be resolved. Jay Bright, a planner from the Denver Service Center who managed the project, spoke less guardedly about some of the problems when he wrote to the Regional Director late in June 1981. He reported that three of the modular residences had been placed and a fourth was on the road. The positions of driveways made maneuvering the truck trailers difficult; Bright predicted continuing damage to road shoulders until all units had been placed. He also noted that the swamp coolers for the installed units had no water supply pipes, but he admitted that

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<sup>7</sup>Briefing Statement, Guadalupe Mountains National Park, revised January 1980, in V.F. 15. Guadalupe Mountains National Park Library.

<sup>8</sup>Ralph Harris, interview with author, June 4, 1987; National Park Service News Release, Carlsbad Caverns and Guadalupe Mountains National Parks, October 14, 1980, new release file, Operations Headquarters, Guadalupe Mountains National Park; Donald Dayton, note to author, August 1988.



the plans had been vague on this matter and suggested that the contractor might justifiably submit a claim for increased costs.<sup>9</sup>

In March 1982 the builders re-roofed all of the new housing because of the inadequacy of the original roofing. This was the last major problem prior to final inspections and approval of both the housing and maintenance areas, which took place early in April 1982. Figure 23 shows part of the residential area, the duplex apartments for seasonal employees. After moving employees to new residences and offices, management sold as surplus all but three of the mobile homes which had been in use at Signal Peak, retaining two 12x60-foot trailers to reuse at Dog Canyon and the third, a double-wide, to serve as the community center for the new residential area. Later in 1982, O&A Contractors of El Paso constructed the paint storage building that had been eliminated from the 8(a) contract for the maintenance area; the cost was \$16,997. In 1983, park personnel created a garage for the park's new fire engine from a prefabricated metal building obtained from Salt Flat.<sup>10</sup>

Another type of recycling took place in 1986. In February park personnel planted twenty-eight maple and five madrone trees in the housing area and the campground at Pine Springs. The plants came from a nursery in El Paso and were grown from seeds collected more than ten years earlier from trees in McKittrick Canyon.<sup>11</sup>

### McKittrick Canyon

Prior to 1978, the only entrance to McKittrick Canyon was through a private ranch road. The road was closed by a locked gate, and visitors checked out a key through park headquarters at Frijole. Because the owner of the ranch limited the number of vehicles traveling the road each day, park managers instituted an alternative system, transporting visitors to and from the mouth of the canyon by Park Service van on a scheduled basis. The only facilities available to visitors to the canyon were restrooms and picnic tables. After the federal government acquired the right-of-way for a permanent access road, development of the area began.<sup>12</sup>

As at Pine Springs, development in McKittrick Canyon also began with a search for water. In 1976, drillers completed a 71-foot well that pump-tested at 10 gallons per minute, an adequate supply for the planned visitor contact station. Early in 1977, Borsberry Construction of El Paso began the first phase of construction of the new access road to the canyon. During that year the Texas highway department

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<sup>9</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1981; John W. Bright, Assistant Manager, SE/SW Team, Denver Service Center to Regional Director, Southwest Region, June 23, 1981 in file D30-Roads and Trails (closed 12/83), Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>10</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1982, 1983; Park Log, Guadalupe Mountains National Park, March 1982.

<sup>11</sup>Park Log, Guadalupe Mountains National Park, February 1986.

<sup>12</sup>See Chapter IV: Mineral Rights and Land Acquisition, McKittrick Canyon Right-of-Way Exchange.



**Figure 23.** View of the duplex apartments, which are part of the permanent residential area built near Pine Springs, south of Highway 62/180. The residential area includes ten three-bedroom and two two-bedroom family units, two two-bedroom apartments, two studio apartments, and three duplex apartments. (NPS Photo)

completed the intersection of the park access road and Highway 62/180. In July 1978, Armstrong and Armstrong of Roswell completed the second phase of the road construction. The total cost for road construction was \$922,900, with an additional \$78,000 for guard rails. To handle the anticipated increase in visitors to McKittrick Canyon, park managers moved a small camping-type trailer to the mouth of the canyon to serve as a contact station (see Figure 24).<sup>13</sup>

In 1979 officials of the Park Service negotiated an 8(a) contract for the construction of the contact station at McKittrick Canyon. The Small Business Administration designated Designs by Oliver of El Paso as the sub-contractor; the amount of the contract was \$383,630. Construction began in February 1980 and was scheduled for completion by December 4. In July, already frustrated by delays, the plumbing contractor walked off the job. By the end of the year construction was still incomplete. In his annual report a year later, Dunmire's comments relating to the construction project in McKittrick Canyon were less cryptic than those relating to construction at the residential area. Noting that the scheduled completion date was more than a year past, he reported that the project had been turned over to the bonding company. The most serious problem was the roof, which, because of improper installation, was deteriorating under wind vibration. Inspectors also found rock debris in the water lines, as well as other lesser problems. Six months later negotiations by the Park Service with the bonding company and Designs by Oliver remained deadlocked. Finally, in October the bonding company took over the project and brought in another contractor, who began repairs to the building and roof. The contractor finished in time for the contact station to open on November 6, 1982, the date of the park's 10th anniversary celebration. The new contact station, designed to be operated with or without a staff person, included office and information space, restrooms, a patio area with exhibits, and an automatic audio-visual program with recorded narration by Wallace Pratt (see Figure 25).<sup>14</sup>

Approximately ten days after the opening ceremonies, management closed the McKittrick contact station because of problems with the water system. Consultants from the Denver Service Center came to the park to decide how to repair the system. The water system remained out of operation until May 1983, when it finally was repaired and judged safe for use.<sup>15</sup>

### Dog Canyon

From the time of the establishment of the park, road access to Upper Dog Canyon was a problem for park managers and for the rangers assigned to duty at the Dog Canyon station. Although Dog Canyon is only some 15 miles north of Pine Springs, by road the distance from Pine Springs to Dog Canyon is approximately 120 miles. In 1972, persons traveling by vehicle to Dog Canyon followed New Mexico State Road 137 to El Paso Gap, then took Eddy County Road 414 to the Hughes Ranch,

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<sup>13</sup>Superintendent's Annual Report. Guadalupe Mountains National Park, 1977, 1978, 1979.

<sup>14</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1980, 1981, 1982; Park Log, Guadalupe Mountains National Park, June 1982, October 1982.

<sup>15</sup>Park Log, Guadalupe Mountains National Park, November 1982, May 1983.



**Figure 24.** In 1978, after completion of the new access road to McKittrick Canyon, park managers moved a camping trailer to the Canyon to be used as a visitor contact station until a permanent facility was constructed. (NPS Photo)



**Figure 25. The permanent visitor contact station in McKittrick Canyon, completed late in 1982. Numerous problems plagued construction of this facility and delayed its completion by nearly two years. The contact station includes office and information space, restrooms, a patio area with exhibits, and an automatic audio-visual program with recorded narration by Wallace E. Pratt, donor of much of the land in McKittrick Canyon. (NPS Photo)**

about one and one-half miles north of the park boundary. Until 1975, the Hughes permitted vehicles to travel the one and one-half miles to the park on a ranch road, the condition of which often required a four-wheel-drive vehicle to negotiate. In 1975, because increased traffic to the park infringed upon the Hughes's privacy and the safety of their livestock, they closed the ranch road to all but park personnel.

Historically, another road, generally parallel to but about half a mile east of the one through the Hughes ranch, provided access to Dog Canyon. This road, across the Magby ranch, was the route the Kincaids first used when they lived at Dog Canyon. Apparently established in the early part of the century, the road was maintained by the county on an irregular basis. In 1964, Laurie Kincaid, with the oral consent of the elderly Lee Magby, who lived on the family ranch, convinced the Eddy County commissioners to improve the county road to the state line. The road crew completed upgrading the road to the Magby ranch house. When they were about half the distance from the house to the state line, one of Magby's sons, who had obtained power of attorney for his father, obstructed any further improvement of the road. The Magbys refused to allow the Kincaids to use the road any longer, so the Kincaids resorted to traveling across the Hughes ranch instead.<sup>16</sup>

While it was necessary to obtain passage of federal legislation to acquire the right-of-way for an access road to McKittrick Canyon, Park Service officials believed the situation surrounding access to Dog Canyon was quite different and could be resolved without the federal government acquiring more land. As early as 1972 officials of the Park Service began negotiating with Eddy County and with the Hughes and Magbys for an access road to the park. Although county officials indicated a willingness to construct a high-standard road to the state line, the estimated cost to acquire the right-of-way, to meet the demands of the ranchers regarding fencing and underpasses, and to construct the road was approximately \$100,000, an amount the county officials considered excessive.<sup>17</sup>

In 1973 Park Service officials sought the cooperation of the State of New Mexico to resolve the problem of public access to the northern part of the park. At that time, David King, planning officer for the state, said he would try to obtain state assistance to fence the five and one-half miles of road north of the park boundary. His efforts, however, were unsuccessful and in 1974 state officials indicated they could do nothing more to remedy the situation until Eddy County acquired right-of-way for a road.<sup>18</sup>

Negotiations in 1975 accomplished nothing. Hughes demanded a financial consideration in addition to fencing and underpasses, and Magby increased his price for the right-of-way. At this point Hughes closed the road across his ranch to all but Park Service vehicles. In 1976 Superintendent Dayton sought the help and advice of

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<sup>16</sup>Notes from interview with Laurie Kincaid, 6/28/78, by Bobby L. Crisman and Roger Reisch, in file L3027-Dog Canyon Road (closed 12/78), Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>17</sup>Negotiations Regarding Dog Canyon Road Access, in file Dog Canyon History, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>18</sup>Ibid.; Carlsbad Current-Argus, April 20, 1973.

the field solicitor, Gayle Manges, in reaching a solution to the problem of a road to Dog Canyon. He asked Manges to investigate reopening the Magby road, based on historical evidence that the road was a public road, or, alternatively, reopening the Hughes road, based on the fact that it became a public road after 1964. Soon after receiving Dayton's request, Manges asked the U.S. Attorney General for the District of New Mexico to initiate action to reopen the road through the Magby ranch. No immediate action resulted, but in February 1977 Dayton consulted with Mike McCormick, the district attorney in Carlsbad, and obtained help that ultimately resolved the situation.<sup>19</sup>

For reasons that are not clear, but which may have been related to the adverse publicity generated by the condemnation proceedings undertaken by the government to acquire the Glover property for the park, Eddy County commissioners resisted the idea of bringing suit against the Magbys and Hughes. However, when Tom Rutledge, assistant to McCormick, approached the commissioners and recommended pressing suit to reopen both roads, they agreed to negotiate again with the two families.

As a result of the negotiations, Rutledge and attorney Harvey Fort, who represented Hughes and Magby, achieved a compromise acceptable to county officials, the ranchers, and park officials. Each rancher received \$12,000 for a right-of-way three miles long and 60 feet wide, which ran along the fence line separating the two ranches. The county agreed to install sheep fence on both sides of the right-of-way, to install a cattle guard at the beginning of the new road, and to build two underpasses large enough for a horse and rider to pass through. The road would follow the fence line to the southwest corner of the Magby property, then veer southwest to the state line. The agreement included abandonment of the existing road to the Magby house and the construction, by Magby, of a new road to connect with the county-maintained road. The ranchers retained the mineral rights to the right-of-way.<sup>20</sup>

Although the legal problems had been resolved, construction did not begin immediately. Costs for construction of the road were to be shared equally by the state and the county. Since the state eventually would be responsible for maintaining the road, it had to meet their design standards. Problems related to design delayed construction for more than 18 months. At one point, in an effort to eliminate costly elevated crossings at washes, the county went back to the ranchers to seek a different route for the right-of-way. After meeting stout refusals to renegotiate, state highway officials agreed to allow several low-water crossings in the road. By that time, late 1978, park managers wanted to begin drilling a well at Dog Canyon, but no road existed over which a drilling rig could be moved. Dayton devised a creative solution

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<sup>19</sup>Superintendent, Carlsbad Caverns and Guadalupe Mountains to Field Solicitor, Gayle Manges, through Regional Director, Southwest Region, July 9, 1976 in file Dog Canyon History. Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Gayle E. Manges to Victor R. Ortega, August 25, 1976, in L1425- General #3, Part III, July 1, 1971- , Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico; Donald A. Dayton to Mike McCormick, February 17, 1977 in file Dog Canyon History, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>20</sup>Carlsbad Current-Argus, July 26, 1977, September 7, 1977; Donald A. Dayton to James B. Grant, November 10, 1977 in file L1425-General #3, Part III, July 1, 1971- , Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

to the problem. He engaged a U.S. Army Reserve engineering unit scheduled for a training session to use their equipment to bulldoze a one-lane route, 10 feet wide, over the county's right-of-way. The county agreed to provide a grader and crew to "finish" the primitive road, which would be used by administrative and contractor vehicles. Eighteen months later, in May 1980, the county completed construction of the permanent access road. Further improvement of the road to Dog Canyon occurred in 1984 and in 1986. In 1987 the state accepted transfer of the Eddy County portion of the road and redesignated the route as part of New Mexico State Road 137. Only four miles of the road, between the western boundary of the Lincoln National Forest and El Paso Gap, New Mexico, remained unpaved.<sup>21</sup>

In 1979, day laborers, using rented equipment, built the road from the park boundary to the ranger station in Dog Canyon. At the same time, park personnel built the permanent campground at Dog Canyon, which was ready for use when the county road opened. The campground, built on the same site as the temporary campground, contained chemical toilets, five parking spaces for recreational vehicles, and 15 walk-in tent sites equipped with tables, charcoal fire grills, and trash receptacles. Until 1982, campers arriving at the park by vehicle had to bring their own water, but the ranger provided water for backpackers hiking into the campground from Pine Springs or McKittrick Canyon. In 1982 contractors built a modern comfort station and brought water lines to the campground. In 1985 the graveled parking area for recreational vehicles was extended 60 feet, and in 1986 park personnel installed a sink and light behind the comfort station for the convenience of campers.<sup>22</sup>

While working to find a resolution to the problem of access to Dog Canyon, park managers also began searching for a water source for a permanent ranger station and residence in Upper Dog Canyon. The rangers who lived in the old Kincaid house (see Figure 26) from 1971 to 1975 hauled water for domestic use from a well 15 miles away. Drilling efforts in 1973, 1974, and 1975 all failed to produce a good well. In 1975 workers cleaned out the spring above the ranch house to provide a temporary on-site water source for the ranger. The next year a mile-long pipeline was laid between the spring and the house and two water storage tanks were installed. In 1977, a chlorinator and cover for the spring were added to the water system.<sup>23</sup>

Management refused, however, to give up the idea of a well. The spring system was less than satisfactory for the development of a residential area meeting Park Service standards provided only emergency water for visitors. In 1978 Congress

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<sup>21</sup>Superintendent, Carlsbad Caverns and Guadalupe Mountains to Regional Director, Southwest Region, August 23, 1978 in file L3207-Dog Canyon Road (closed 12/78), Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; National Park Service News Release, Carlsbad Caverns and Guadalupe Mountains National Parks, May 22, 1980, news release file, Operations Headquarters, Guadalupe Mountains National Park.

<sup>22</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1979, 1985; National Park Service News Release, Carlsbad Caverns and Guadalupe Mountains National Parks, May 22, 1980, news release file, Operations Headquarters, Guadalupe Mountains National Park; Park Log, Guadalupe Mountains National Park, March 1986.

<sup>23</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1973, 1974, 1975, 1976, 1977.





**Figure 26.** An existing ranch house and a trailer moved to the site by the Park Service served as ranger housing at Dog Canyon during the first decade of park operation. (NPS Photo)

funded the construction of the new facilities for Dog Canyon, and Garland Moore, the hydrologist who successfully located the well at Pine Springs, took on the job of trying one more time to locate a well site at Dog Canyon. Roger Reisch, remembering Moore's work in the park, recalled that "he got us water everywhere he looked!" In 1979 park managers awarded a contract for \$129,546 to Perry Brothers Drilling Company of Flagstaff, Arizona, and Dell City, Texas, to drill the well at Dog Canyon. By the end of 1980, after innumerable problems, creating delays that extended the work over more than a year, and increasing the cost of the project by \$30,000, a well, drilled to 3,000 feet, pumped water of acceptable quality at a rate of 12 gallons per minute. Late in 1981 the pumphouse was constructed and plumbing work was completed. A 10,000-gallon reconditioned water storage tank, another salvage item from the former FAA station at Salt Flat, was the reservoir for the new water system. In 1985 park personnel removed the spring box and returned Upper Dog Canyon Spring to its natural state.<sup>24</sup>

The contract for construction at Dog Canyon was one of three tied up in negotiations with the Small Business Administration during 1979 and 1980. In October 1980 the Small Business Administration designated J. T. Construction Company from El Paso to receive the \$334,213 contract. The contract included construction of the ranger station, residence, barn, corral, comfort station, and utilities at Dog Canyon.<sup>25</sup>

The Environmental Assessment for the Dog Canyon Development Concept Plan offered four alternative arrangements for the campground and residential area. Management adopted the alternative in which the ranger's residence and a separate contact station were nearest the entrance to the park, west of the entrance road (see Figures 27 and 28). The barn and corrals for Park Service livestock and the corrals for visitors' horses were farther south on the entrance road, near the trailhead on the west side of the road. Existing stock sheds and corrals were removed and an earthen stock tank was filled and graded to match the natural contour of the land. A ribbon-cutting for the new facilities and a barbecue to celebrate their opening took place in May 1982.<sup>26</sup>

Funding granted in 1978 only allowed for construction of one house. After 1979 a trailer, moved from Signal Peak, served as a patrol bunkhouse and quarters for seasonal workers; in 1983 two additional mobile homes were moved from Signal Peak to Dog Canyon to be used as housing for seasonal rangers and workers. Located near the old ranch house, the mobile homes were out of sight of the campground and trailhead but were still located in a flood plain. In 1983 a new sewage disposal system was added to serve the ranch house and the two mobile homes. One of the mobile homes was later relocated out of the flood plain and near the new ranger residence. Managers disposed of the other mobile home, which was no longer safe for use. In 1987, park managers agreed that besides the visitor center at Pine

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<sup>24</sup>Roger Reisch, July 21, 1987; Superintendent's Annual Report, Guadalupe Mountains National Park, 1979, 1980, 1981.

<sup>25</sup>Park Log, Guadalupe Mountains National Park, October 1980.

<sup>26</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1981, 1982, 1983, 1984.



**Figure 27.** The new residence for the Dog Canyon ranger, completed in 1982. Planners located the house near the park entrance, on the west side of the road, a short distance from the campground area. (NPS Photo)



**Figure 28.** The visitor contact station at Dog Canyon, completed in 1982. The contact station is near the ranger residence, which is visible at far right in the photograph. The contact station is across the entrance road from the campground. (NPS Photo)

Springs, an additional residence at Dog Canyon was the only planned residential facility that the park still needed.<sup>27</sup>

## Backcountry

### Trail Construction

The unobtrusive backcountry trails in Guadalupe Mountains National Park belie the amount of money and work-hours expended by the Park Service to plan and build those simple paths. By 1987, the Park Service had spent more than 1.6 million dollars to complete the first three phases of trail construction at Guadalupe Mountains. Phase IV was estimated to cost an additional \$500,000.

In mid-1979 Jack Dollan and Robert Steinholtz, park planners from the Denver Service Center, finished construction plans for the first three phases of trail construction and established the priorities for the trail projects.

Phase I: Construction and reconstruction of Pine Canyon, Bear Canyon, and Foothills trails.

Phase II: Construction of Guadalupe Peak, El Capitan, and McKittrick Canyon trails.

Phase III: Construction and reconstruction of Marcus Cabin, Lost Peak, Williams Ranch, McKittrick (interpretive and geology), McKittrick Ridge, and Mescalero Ridge trails; hardening of McKittrick, Mescalero, and Upper Tejas campsites.<sup>28</sup>

Throughout the trail construction program, management faced a continuing problem of finding qualified contractors to perform the work. Because of the limited demand for their services, only a few professional trail-building companies existed. The requirement to utilize 8(a) contractors for the first phase of trail construction compounded the problem. Although the Pine Canyon, Bear Canyon, and Foothills trails were the planners' first priorities, negotiations with the Small Business Administration delayed the beginning of those projects for nearly a year.<sup>29</sup>

While negotiations with the Small Business Administration continued, Dayton worried that the Denver Service Center would pull Dollan and Steinholtz off the Guadalupe project just as construction was scheduled to begin. His letter of August 1979 to the Regional Director emphasized the critical nature of the supervisory role the two planners ultimately played during trail construction. ". . . [I]t is essential that close supervision of these projects be provided for the complete period of time that contractors are on the site. Because of the delicate ecological conditions at

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<sup>27</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1979, 1983; Richard Smith, interview with author, April 14, 1987; Bobby L. Crisman, interview with author, April 14, 1987.

<sup>28</sup>Outdoor Recreation Planner, DSC, TSE/SW to Superintendent, CACA-GUMO, September 5, 1980 in file D30-Roads and Trails, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>29</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1979.

Guadalupe, irreparable damage to the resources could be done by the contractors if they do not have daily inspection by experienced trail project supervisors. . . . With the lack of trail experience of the 8(a) contractor, DSC personnel will probably have to act as on-the-job supervisors." Apparently, the Regional Director agreed with the Superintendent's assessment of the situation. In 1987 Dayton recalled the close supervision Dollan and Steinholtz provided and the care that contractors were required to take so they did not damage land and vegetation along the trails.<sup>30</sup>

Although contract negotiations stymied Phase I construction, work began on the second phase of trail construction. Between October 1979 and January 1980, Trio Construction, a professional trail-building organization from Priest River, Idaho, constructed the Guadalupe Peak Trail. The McKittrick Canyon Trail, built by D.D.W. Construction of San Antonio, Texas, was completed in March 1980; in May 1980 Raymond E. Walker, of Alamogordo, New Mexico, completed construction of the El Capitan Trail. The total cost for Phase II projects was \$659,000.<sup>31</sup>

From March to June 1980 another professional trail-building company, High Trails, from Wilbur, Washington, constructed the geology and interpretive trails in McKittrick Canyon. High Trails and Trio Construction proved to be the best contractors employed on the trail construction projects. Elmo Warren, owner of High Trails, was a partner with Ralph Larson in Trio Construction before forming his own company. In August 1980, when the sub-contractor designated by the Small Business Administration, ITL Company of Denver, Colorado, finally began work on the trails in Phase I, Warren served as their consultant. Phase I was completed early in November 1980 at a cost of \$445,000. While ITL finished Phase I, Warren began work on the contract for the Williams Ranch Trail, completing the project in February 1981.<sup>32</sup>

During the winter of 1981-82, Melvin C. Adams, of Cloudcroft, New Mexico, worked to construct and reconstruct the trails from Dog Canyon to Lost Peak and Marcus Cabin. From June to September 1982, Wilderness Construction Company, from San Manuel, Arizona, built the trails around the Pine Springs and Frijole areas and renovated the visitors' horse corral there. The bid submitted by Wilderness Construction Company began an unusual trend that continued throughout the remainder of Phase III construction. Their bid, \$24,999, was about half as much as the highest bid, and much less than half of the engineering estimate of \$62,917. In late 1982, the amount of the contract awarded to Trio Construction for the final portion of Phase III was \$58,575, again less than half of the highest bid. The bottom had dropped out of the trail-building business and contractors were willing to work for a much smaller margin of profit than only a year earlier. In 1987, Ralph Harris,

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<sup>30</sup>Superintendent, Carlsbad Caverns and Guadalupe Mountains to Regional Director, Southwest Region, August 31, 1979 in file D30-Roads and Trails, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Donald Dayton, interview with author, May 20, 1987.

<sup>31</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1979, 1980.

<sup>32</sup>Ralph Harris, June 4, 1987; Superintendent's Annual Report, Guadalupe Mountains National Park, 1980.

Area Manager of Guadalupe Mountains, reported that trail-building costs had dropped even lower since 1983, to perhaps as little as one-third of the cost in 1980.<sup>33</sup>

The work completed by Trio Construction in May 1983, included constructing trails on McKittrick Ridge and Mescalero Ridge and hardening three backcountry campgrounds: McKittrick, Mescalero, and Upper Tejas. The actual cost for completion of the work was about \$3,000 more than the bid price. Completion of Phase III brought the total of constructed and re-constructed trails to some 52 miles, making the trail density in the park about one mile for every 950 acres.<sup>34</sup>

In 1984 Pete Domenici, senior Senator from New Mexico, unsuccessfully sought funding of the \$500,000 needed to complete Phase IV of the trail-building program. By 1986, the trail-building program at Guadalupe Mountains National Park was fiftieth among priorities in the Region, and four hundredth Servicewide. The fourth phase included rehabilitation of 34 backcountry campsites, installation of two pit toilets, and construction of some 28 miles of connecting trails to complete the trail system.<sup>35</sup>

### Pine Springs Campground

The Pine Springs campground opened in 1972, when the park was established. It was intended to be a temporary facility, serving only until private enterprise developed a campground near the park. However, the expected privately owned campground did not materialize. In 1974 park personnel installed charcoal cooking grates at the campsites and a vault toilet. The number of campers staying at the campground increased rapidly, from 4,506 in 1972 to nearly 17,000 in 1979. In 1980 the location of the campground was moved a short distance to allow construction of the water reservoir and utility lines for the Pine Springs development, and construction of the permanent restrooms and parking area for the campground.<sup>36</sup>

In July 1981 park managers opened the new facilities at the Pine Springs campground: 19 tent sites and paved parking space for 20 recreational vehicles. The campground had a restroom, but no utility hook-ups. While grills had been removed because of continuing concern about fire danger and environmental concern about the use of native fuels, campers were permitted to use containerized fuel for camp stoves. An error in the design of the sewage disposal system for the campground created problems that were not resolved until 1983. Before the reconstructed sewer

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<sup>33</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1982, 1983; Superintendent, Carlsbad Caverns and Guadalupe Mountains to Regional Director, Southwest Region, June 7, 1982 in file D30-Roads and Trails, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Ralph Harris, June 4, 1987.

<sup>34</sup>Trail Construction Summary, compiled 6/21/83, from Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Outdoor Recreation Planner, DSC/TSE-SW to Superintendent, Guadalupe Mountains National Park, September 22, 1982 in file D30-Roads and Trails (closed 12/83), Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>35</sup>1986 FY Construction Funding Needed, in file History of Development of Guadalupe Mountains National Park, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>36</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980.

and water systems were activated in March 1984, park personnel extended the water lines to four locations in the campground, building pedestals with a spigot and a fountain for the convenience of campers. During 1983 park personnel built a 6x6-foot kiosk for visitor registration and fee collection and constructed new benches for the campfire circle, creating seating for 75 persons. In 1984 camping space was increased to 24 tent sites and two group sites were added, each of which would accommodate 10 to 20 persons. The campground fee of \$4 per vehicle per night was first enforced from March to November 1984. Managers later changed the fee collection period to May 15 through September 15 and after April 1987 began collecting fees throughout the year. In 1988 campground fees increased to \$5 per vehicle per night or \$10 for groups.<sup>37</sup>

### Administrative Facilities

While wilderness designation precluded development in the backcountry, two administrative facilities were maintained there: a patrol cabin and an antenna and radio repeater. When the park opened, a log cabin in the Bowl served as patrol headquarters and equipment cache. In 1974 park personnel erected a prefabricated cabin west of the Bowl, permitting abandonment of the log cabin. In 1975, a radio repeater, solar batteries, and antenna were installed on Bush Mountain; in 1981 new equipment upgraded the installation. In 1985, after storm damage, the antenna was replaced.<sup>38</sup>

### Fencing

As late as 1987, fifteen years after the establishment of Guadalupe Mountains National Park, park managers regularly dealt with the problems of trespass grazing, illegal trapping of predators and poaching of other wildlife in the park, caused by the non-existence or inadequacy of fencing on the park's perimeter. Until 1982, any fences that protected the park were remnants of the ranching era; some were as much as 50 years old, some were simply drift fences, either outside of or well inside the park boundary, that served the purpose of diverting livestock from the area. According to federal law, landowners were required to prevent livestock from trespassing on park land. In the interest of maintaining good relations with local landowners, managers of Guadalupe Mountains chose to deal with trespass problems unofficially, looking forward to the day when the park would be enclosed by a proper fence, constructed by the Park Service. When rangers found livestock in the park, they herded the animals back across the boundary and notified the owners of the problem. Trespass grazing by exotic wildlife, such as Barbary sheep, was a less-easily controlled problem.<sup>39</sup>

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<sup>37</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1981, 1982, 1983, 1984; Bobby L. Crisman, personal communication to author, May 1988.

<sup>38</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1974, 1975, 1981, 1985.

<sup>39</sup>William Dunmire to A.O. Anderson, July 23, 1982, in file D46-Other Structures, GUMO (closed 12/84), Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.



In 1982 the park received its first funding allotment for boundary fencing work. Because a new landowner had recently begun running cattle on several sections adjacent to the west boundary of the park, the most pressing need for fencing was on the west side. In a ten-week program, under the auspices of the Youth Conservation Corps, Area Manager Ralph Harris employed nine youths from the Dell City area. The workers removed old sections of fence, some of which were as much as a half-mile inside the boundary, and put up new sections along the surveyed boundary line. The following year workers from the Youth Conservation Corps took down much of the old fencing in the backcountry and replaced some of the existing fence on the southeast side of the park, near Choza Spring, another area of frequent trespass.<sup>40</sup>

In 1984, based on "environmental and 'political'" concerns, members of the park staff agreed that the next areas to be fenced should be the boundary areas near Guadalupe Springs and Dog Canyon. At Guadalupe Springs, trespass grazing was a frequent problem. Around Dog Canyon, the ill-defined boundary made it easy for hunters in "hot pursuit" of mountain lions to enter park lands. During the spring and summer of 1984 a newly hired fence crew of three men erected one and one-half miles of fence near Guadalupe Springs and two miles of fence along the northern boundary of the park. The projects also served an experimental purpose, allowing management to learn how many miles of fence a three-person crew could construct in rough terrain. During a helicopter training session for the park, fencing materials were sling-loaded and placed at strategic locations along the fence line at Dog Canyon. The total cost of the summer project was \$30,000.<sup>41</sup>

Closure of the area around Guadalupe Springs to trespass grazing caused some controversy with the leaseholder on the adjoining land, whose stock had used the water source. The leaseholder, J. C. Estes, appealed to the landowner, Mary Hinson, who in turn contacted her lawyer, Duane Juvrud, and staff persons from the Roswell office of New Mexico Congressman Joe Skeen. After a meeting with all concerned, the Park Service agreed to help Estes haul water for several months until he could sell his livestock at a reasonable price.<sup>42</sup>

In 1985, the Park Service awarded park neighbor Milton (Marion) Hughes a fencing contract in the amount of \$24,816. He constructed four miles of fence along the northern boundary of the park, west of Dog Canyon. In 1987, resource managers estimated that only 21 of 69 miles of the boundary had adequate fencing and completion of the boundary fence was the park's first resource priority.<sup>43</sup>

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<sup>40</sup>Ibid.; Superintendent's Annual Report, Guadalupe Mountains National Park, 1982, 1983.

<sup>41</sup>Resource Management Specialist to Superintendent. April 3, 1984 in file D46-Other Structures, GUMO (closed 12/84), Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>42</sup>Notes on Meeting Held August 30, 1984, National Park Service Headquarters, Carlsbad, New Mexico on Hinson/Estes Water Issue, Guadalupe Mountains National Park, in file L54, main files, Southwest Regional Office, Santa Fe, New Mexico.

<sup>43</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1985; Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, recommended February 1987, 1.

### Williams Ranch Access Road

Until 1985, park personnel and visitors traveled the initial three and one-half miles of the 10-mile distance from Highway 62/180 to Williams Ranch over private property. While the access situation was similar to the situation at Dog Canyon, that is, traffic to the park could be obstructed by the landowner, the government owned an unimproved right-of-way nearby on which a road to the park boundary could be constructed.<sup>44</sup> However, given the low level of traffic to Williams Ranch, and the willingness of the private landowner to allow traffic to use an already established ranch road, management did not feel an immediate need to build a road on the legal right-of-way.

Although only high-clearance or four-wheel-drive vehicles could use the ranch road under normal conditions, during the rainy season portions of the road often washed out where it crossed several natural drainages and became impassable for vehicles of any sort. On those occasions, the park manager was forced to close the road to visitor use and to expend money and work-hours to reopen the road. In 1985 park personnel engineered and built a new road within the legal right-of-way. The new road met the old road inside the park boundary, 2.6 miles from Highway 62/180, and shortened the route to Williams Ranch by nearly a mile.<sup>45</sup>

Since the road was intended to be for four-wheel-drive vehicles, the methods used for construction were simple. A road grader scraped vegetation from and levelled a 10-foot wide path, following the centerline established by survey. Between Highway 62/180 and the park boundary the new route crossed only one major drainage. In that area the five-foot high banks were excavated to provide more gradual access to the streambed. The road crossed the wash in an area where natural dams would catch and hold gravel above the road crossing. Two other areas along the route with steeper slopes required cutting and filling to a depth of several feet. The abandoned section of road within the park was blocked with boulders and a gate. Total cost for the new road was less than \$5,000. Although washouts continued to occur periodically along portions of the road, they were less frequent than before.<sup>46</sup>

### Information and Operational Headquarters

In 1987 the information center and operational headquarters for Guadalupe Mountains National Park still occupied temporary facilities (see Figure 29). In 1976, preliminary planning for the combined visitor center and operational headquarters was complete, and, during that year Congress considered a request for \$3,089,000 to complete planning and construction of the facility. In the House Appropriations Subcommittee meeting in 1976, committee members recognized the need for a visitor

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<sup>44</sup>See Chapter IV: Mineral Rights and Land Acquisition, West Side Access Road Right-of-Way.

<sup>45</sup>Environmental Assessment for Rerouting of the Initial 2.6 Miles of the Williams Ranch Road, Guadalupe Mountains National Park (undated); Ralph Harris, June 4, 1987.

<sup>46</sup>Ibid.; Bobby L. Crisman, note to author, August 1988.



**Figure 29. Temporary facilities. near Frijole: visitor contact station (left) and operational headquarters (right). The visitor contact station, a new double-wide trailer, was installed in July 1979, permitting separation of visitor services and operational headquarters. Previously, the house on right, in combination with a used trailer, had served both functions. In 1983 park personnel added a second small movable house to the operational headquarters, removed the old trailer, and remodeled the newly-created building to better fit administrative needs. (NPS Photo)**

center and personnel housing at Guadalupe, but they also expressed strong opinions against the tramway concept in the Master Plan for the park. Ultimately, however, circumstances beyond the control of park managers caused the Appropriations Subcommittee members to delete funding for the visitor center for Guadalupe Mountains along with funding for eleven other visitor centers Servicewide. The deletions took place after controversy erupted concerning high cost overruns on the National Visitor Center in Washington, D.C.<sup>47</sup>

During 1977 the Department of the Interior again requested \$3,089,000 for the visitor center at Guadalupe Mountains. Again, Congress deferred funding. A supplemental appropriations bill requesting only planning funds also was deferred. In the latter part of 1977 planners reduced the size of the proposed facility from 9,100 square feet to 8,600 square feet. In 1978 Congress deferred a request for \$2,580,000, the revised cost estimate for the building. Subsequently, planners made more changes in the design of the visitor center and reduced the cost estimates by another \$700,000. Although in 1979 the Southwest Region listed construction of the visitor center for Guadalupe Mountains as its first priority, the Department of the Interior requested no funds for the construction of the visitor center in its appropriation for 1980. The approved appropriation did, however, include \$298,000 for planning and design work for the facility.<sup>48</sup>

The construction design completed by the Denver Service Center in March 1981 contained some surprises. The new estimated cost for construction was \$4,658,000, some two million dollars more than preliminary estimates. Even more surprising to the personnel at the park, however, was the design of the building. They thought the high-profile, triangular, sleekly modern building the architects had created was inappropriate for the wilderness character of the park. By June, Jay Bright, Assistant Manager of the planning team at the Denver Service Center, notified the Regional Director that he would hold a "design-in" with staff members from the park, Harpers Ferry Center, and the regional office in order to revise the plans at minimal cost.<sup>49</sup>

In the Park Service, the decision to redesign any facility usually added considerable time to the length of the project and often delayed its completion for years. That was the choice park managers made in 1981 when they rejected the costly triangular design for the visitor center. Between the time of the "design-in" in December 1981 and October 1985, the staff of the park reviewed five designs. In January 1986 the Regional Director approved the design concept that had been accepted by all other reviewers: a building of 7,613 square feet, constructed of stone and wood in a style characteristic of West Texas architecture, with parking for 50

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<sup>47</sup>House Subcommittee of the Committee on Appropriations. Hearings, Ninety-Fourth Congress, Second Session, 1976, 24, 29, 53; Donald Dayton, note to author, August 1988.

<sup>48</sup>Guadalupe Mountains National Park, Pine Springs Operational Headquarters/Visitor Center, in file History of the Development of Guadalupe Mountains National Park, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>49</sup>*Ibid.*: Ralph Harris, June 4, 1987; Assistant Manager, Southeast/Southwest Team, DSC to Regional Director, Southwest Region, June 23, 1981 in file D30-Roads and Trails (closed 12/83), Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

cars, 10 recreational vehicles, and 3 buses. The estimated cost for the building and visitor parking was \$2,572,000.<sup>50</sup>

Although by mid-1987 plans for the visitor center and operations headquarters had been revised again, increasing the size of the building by approximately 3,000 square feet, in December 1987 Congress appropriated \$3,650,000 for construction of the building. Park managers scheduled the ground breaking for the new facility for May 21, 1988 (see Figure 30).<sup>51</sup>

During an interview in 1987, John Cook, Regional Director of the Southwest Region, reflected on the problems encountered in designing and funding the facility for Guadalupe Mountains. He admitted the design had been a major problem since 1981, but attributed the funding problems to timing, politics, and personalities. Congressman Richard White had been unsuccessful in his attempts to convince the appropriations subcommittee of the park's need for a visitor facility. However, the current Congressman for the district, Ronald Coleman, served on the appropriations subcommittee and apparently had the ear of Chairman Sidney Yates, who had been chairman since the first request for funding for the visitor center. In 1986, working in what Cook called a "forthright way," Coleman succeeded in obtaining the \$250,000 needed to complete construction drawings for the visitor center. Early in 1987 Coleman correctly predicted that construction funding would be approved for 1988 if the construction drawings were ready by October 1987. Area Manager Ralph Harris acknowledged the advantages of Coleman's advocacy for the park, but recalled that Coleman did not come into office with a strong personal interest in the park, such as White had. Superintendent Rick Smith and Harris waged an active campaign to cultivate Coleman's interest in the park by keeping him posted on activities and developments taking place there.<sup>52</sup>

While hopes and plans for permanent facilities materialized and disappeared with discouraging regularity during the park's first fifteen years, the staff patiently developed their temporary facilities to maximize efficiency and create an acceptable public image. In 1972, management moved one of the houses from the former FAA station at Salt Flat to a location on the road to the Frijole Spring ranch house, just off Highway 62/180 near Pine Springs. The house served as both information center and operational headquarters for the park until 1978, when a used trailer, installed next to the house, became the office of the area manager. A second trailer, installed near the Frijole ranch house, was the headquarters for the building and utilities foreman until 1982, when maintenance facilities were completed. Although these additions took some of the pressure of administrative personnel off the little house, it still was undesirable as a contact station for a national park.<sup>53</sup>

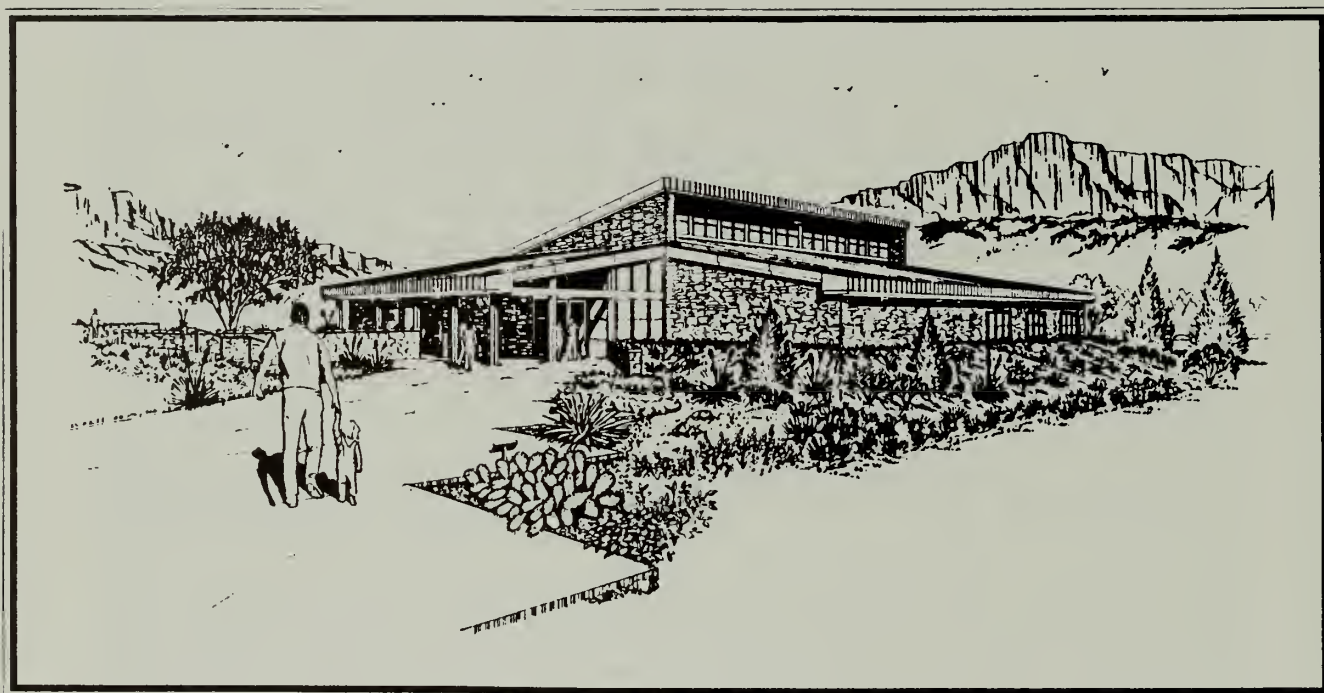
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<sup>50</sup>Ralph Harris, June 4, 1987; Guadalupe Mountains National Park. Pine Springs Operational Headquarters/Visitor Center in file History of Development of Guadalupe Mountains National Park. Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>51</sup>Acting Associate Regional Director, Planning and Cultural Resources, Southwest Regional Office to Manager, Denver Service Center, Attn: Assistant Manager, Central Team, April 28, 1987 in file D18-1986-88, main files, Southwest Regional Office, Santa Fe, New Mexico; El Paso Times, December 19, 1987.

<sup>52</sup>John Cook, interview with author, May 20, 1987; Ralph Harris, June 4, 1987.

<sup>53</sup>Superintendent's Annual Report. Guadalupe Mountains National Park, 1977, 1978.



**Figure 30. Artist's rendering of visitor center and operations headquarters which was under construction in 1988, the culmination of more than a decade of planning. (Courtesy of NPS)**

In July 1979, a new double-wide trailer, installed across the road from the headquarters, became the visitor contact station, information center, and reference library for the park. In the new facility, the interpretive staff for the park had room to present an audio-visual program to a small audience and provide a few exhibits for visitors. The new facility also allowed for a sales area for interpretive literature, as well as drinking water, restrooms, and a "rest space," out of the weather.<sup>54</sup>

Once Harris realized that a permanent operational headquarters for the park was years away, he set about making the temporary facility as efficient as possible. In 1983 another movable house from Salt Flat was joined to the existing headquarters building, replacing two trailers. Harris supervised the remodelling of the two buildings, creating offices for the area manager, the chief ranger, and the chief of interpretation and visitor services, as well as space for clerical staff, a workroom, kitchen, and restroom. At the same time, adaptive restoration at the Frijole ranch house made work and office space available there for the district ranger and resource manager. Another house, moved from Salt Flat in 1983, was relocated in the maintenance area to provide much-needed curatorial and storage space for the park's museum collection.<sup>55</sup>

Donald Dayton, William Dunmire, and Ralph Harris shared the headaches of design, contracting, and construction during the period of active development at Guadalupe Mountains National Park, which stretched from 1979 through late 1982. The shifting national economic situation made funding for all park projects more difficult to obtain. Only facilities deemed absolutely necessary or unquestionable, such as housing for employees, utilities, small contact stations, and maintenance facilities were funded. After funding was obtained, prompt construction of the facilities was hindered by the 8(a) contracting process. Most of the construction at Guadalupe Mountains took place at a time when little other construction was going on in the Southwest Region. The bulk of the region's 8(a) contracting obligations fell to Guadalupe Mountains, thereby complicating the normal contracting process.<sup>56</sup> While inexperienced or under qualified contractors contributed to construction delays, other delays resulted from failures or inadequacies in designs. Then, intra-agency disagreements about the design of the visitor center and operations headquarters added at least five years to development of the park's most visible facility. In spite of the delays, however, actual construction of most of the planned facilities took place in a relatively short five-year time period, from 1977 to late 1982. With construction of the visitor center and operations headquarters underway in 1988, the only development projects remaining to be completed were the boundary fence, Phase IV of the trail system, an additional residence at Dog Canyon, a community center for the Pine Springs residential area, and a garage for the maintenance area.

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<sup>54</sup>The Temporary Frijole Contact Station (Double-Wide Trailer) Interior and Exterior Design Objectives in file D3415- Buildings, GUMO (closed 12/79), Guadalupe Mountains National Park Headquarters. Carlsbad, New Mexico.

<sup>55</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1983; Ralph Harris, June 4, 1987.

<sup>56</sup>Ralph Harris, June 4, 1987; William Dunmire, tape recorded responses to author's questions, February 1988.





## CHAPTER IX

### NATURAL RESOURCE ISSUES

The Resource Management Plans developed for the park reflect the breadth and depth of issues and problems to be considered in the management of a park established to preserve natural values. During the first fifteen years of the operation of Guadalupe Mountains National Park the list of issues relating to natural resources grew and grew as more research was completed and resource managers obtained a better understanding of the ecology of the park. The discussion that follows focuses on issues that have received particular attention since the establishment of the park. Although the issues are approached individually, they are interrelated and management of one resource affects the management of many others.

#### Water Resources

Previous chapters on planning and development revealed the importance of water to Guadalupe Mountains National Park. Water to support extensive development never was immediately available, nor was it easy to locate, as experiences at Pine Springs and Dog Canyon showed. However, for centuries before the creation of a national park on the land, humans utilized the natural water sources found there. During the 1970s, researchers identified nine permanent springs on the park lands and 28 wells in or near the park. Archeological investigations in the park revealed the presence of temporary camps made by prehistoric peoples near the springs. As Americans moved westward, El Capitan served as a landmark for both a passage through the mountains and a source of water for desert travelers. Later, ranchers settled near the natural springs. As their operations grew, they sank shallow wells, installed windmills and stock tanks, and developed networks of pipelines to carry water to unwatered areas where their livestock grazed. For less pragmatic reasons, Wallace Pratt sank a well in McKittrick Canyon, to provide water for the stone cabin that served as his sanctuary.<sup>1</sup>

As described in Chapter VIII, the Park Service developed new wells to provide water for the park facilities. A well at Signal Peak provided water for the temporary residential area. The well at Pine Springs provided water for the residential and maintenance areas, the campground, the temporary visitor center and operations headquarters, and the Frijole ranch complex. New wells also were drilled for the developments in Dog Canyon and McKittrick Canyon.

While developing new water sources, park managers also continued use of several wells that existed at the time of acquisition of the park. In 1978, Red Well and PX Well, on the west side of the park, were cleaned out to provide water for wildlife and emergency water for hikers and park personnel. Red Well operated with a submersible pump, the PX Well by a windmill. A utility-purpose well existed at Salt

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<sup>1</sup>Water Resources Management Profile, approved October 1984, appended to Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, approved March 1984, D-19.

Flat, on one of the sections detached from the park. In 1987, the wells at the Pratt Cabin and the Ship on the Desert continued to function.<sup>2</sup>

In accordance with the wilderness values of the park, one of the early goals of the park's resource managers was restoration of the natural conditions of the springs within the park. By 1987, except for a concrete retaining wall remaining at Manzanita Spring, all springs had been restored, as nearly as possible, to their natural conditions. In 1975, after removing an impoundment device and pipelines, work began to channel visitor use and protect the delicate plants associated with Smith Spring, located a short distance from the Frijole ranch site on a trail that received a considerable amount of traffic. Park personnel installed a flagstone walk, curbing, and wooden guardrail to prevent visitors from walking above the spring and polluting the water. At Upper Dog Canyon and Upper Guadalupe Springs, spring boxes were removed. Until 1986, Frijole Spring, which had been developed during the ranching era, provided water to the Frijole site. In 1986 connection of the ranch house complex to the Pine Springs water system permitted abandonment of use of Frijole Spring.<sup>3</sup>

Resource managers recognized that while restoration of the natural condition of the springs in the park was necessary to return the land to its natural state, the wildlife of the park might be adversely affected by the change. They speculated that removal of the system of pipelines and tanks built by ranchers might have a negative influence on the populations of deer and elk in the park, and, continuing the domino effect, might affect the numbers and activities of predators. The number of elk in the park had been declining steadily, however, for more than thirty years. In 1984 wildlife managers estimated that perhaps only 70 or 80 elk remained in the park, relatives of the herd of elk established by J.C. Hunter. During the 1950s the herd size was estimated to be 300; by 1978 it had been reduced to 125. Although other factors also contributed, wildlife managers suggested that water supply probably was the most important factor limiting the size of the elk herd.<sup>4</sup>

Besides the natural springs and seeps supporting the flora and fauna of the park, there is also one perennial stream in the park, McKittrick Creek. The mere existence of the stream in an arid region is significant. In addition, the aquatic fauna associated with the stream are typical of more northerly streams, lending support to the theory that McKittrick represents an isolated relict of a montane climate. Because of the fragility of the surface water resources and their exposure to contamination from increased human use of the parklands, resource managers sought a way to preserve the quality and quantity of water flowing in the park. To that end, in 1979, researchers from Texas Tech designed a water sampling scheme and established sampling locations at five places in McKittrick Canyon and at five major

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<sup>2</sup>Ibid., D-21; Superintendent's Annual Report, Guadalupe Mountains National Park, 1978.

<sup>3</sup>Water Resources Management Profile, D-20; Ralph Harris, interview with author April 14, 1987; Vidal Davila, letter to author, September 16, 1987; Superintendent's Annual Report, Guadalupe Mountains National Park, 1975, 1976, 1985.

<sup>4</sup>Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, recommended February 1987, 28-29.

springs--Smith, Manzanita, Choza, Frijole, and Upper Pine--thus initiating long-term monitoring of certain parameters of water quality.<sup>5</sup>

### Fire Management

The Park Service recognizes the role of natural fire in maintaining ecological balances. Total suppression of fire allows unnatural fuel loads to accumulate, creating the potential for very hot, destructive fires. However, allowing all fires occurring in a park to burn is inconsistent with Park Service policies, in violation of state regulations, and would threaten human safety, as well as park structures, cultural and natural resources. Therefore, agency guidelines require parks to develop plans to manage naturally occurring and human-caused fires, and to establish fire prescriptions that would allow park managers to use fire as a tool to reduce unnatural fuel loads.

The first Fire Management Plan for the park, approved in 1975, designated a natural burning unit on the west side of the park, in the low desert land. The policy for the remainder of the park was full suppression of all fires, whether naturally-occurring or caused by humans. Although interim policy statements appeared in 1979 and 1982, full suppression remained in effect for the park until 1985, when a new Fire Management Plan was approved. The plan allowed natural fires to burn without suppression unless they threatened human safety, developed areas, cultural or natural resources, or neighboring lands. It also provided for the use of prescribed fire to reduce fuel loads, to restore native biotic communities, to manage fuel near developed areas, to restore habitat for endangered species, and to conduct fire research. The Backcountry Management Plan for the park outlined policy concerning use of fire in the campgrounds. To protect vegetation and reduce the chance of human-caused wildfires, only containerized fuels were permitted in the backcountry and Pine Springs campgrounds. Charcoal or wood fires, for which visitors provided their own fuel, were permitted in the Dog Canyon campground.<sup>6</sup>

In 1973, Gary Ahlstrand, a Park Service research ecologist stationed at a Cooperative Park Studies Unit at Texas Tech University, began a study of the ecology of fire in the southern Guadalupe Mountains. His research, which continued into the early 1980s, provided the basis for the management plan adopted in 1985. Some of the methods Ahlstrand employed included identifying former burn zones and establishing monitoring transects there to document the recovery rates of various plants; using dendrochronology to document occurrences of major fires in the park and to detect climatic changes; interviewing long-time residents of the area to learn of the effects of livestock, climate, and fire on the vegetative associations in

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<sup>5</sup>Ibid., 21-27.

<sup>6</sup>Ibid., 11; Backcountry Management Plan and Environmental Assessment for Guadalupe Mountains National Park, January 1984 (U.S. Department of the Interior, National Park Caverns and Guadalupe Mountains National Parks, May 23, 1983, in news release file, Operations Headquarters, Guadalupe Mountains National Park.

the park; and using photographs and written sources to identify changes in vegetation.<sup>7</sup>

Tree-ring evidence from the Bowl area revealed that from 1696 to 1966 major fires occurred on an average of every 17 years. However, since 1910, no major fires had occurred in the parklands, because of heavy grazing by livestock that reduced the fine fuel load. When the park was created and grazing effects were removed, grasses and white pine grew up in the lower and middle stories of the forest. By 1987 resource managers considered the fuel load in the forest in the Bowl to be unnaturally high. Chief Ranger Phil Koepp estimated the deadfall in that area to be about 12 tons per acre. While the potential for a catastrophic fire existed, Koepp did not believe one would occur unless winds were unusually high. He suggested that enough of the natural vegetative mosaic of the land existed to effectively stop a wildfire before it destroyed a large portion of the park. The resident expert on fire prescriptions, Koepp expected the first prescriptive experiments in the high country to be extremely cautious and low-key, probably on a shrubby south-facing slope adjacent to a snow-covered north-facing slope, and started by a match, not a helicopter.<sup>8</sup>

Park managers also targeted other areas of the park for fire research. During 1976 and 1979 park personnel attempted prescribed burns on the desert lands of the west side of the park, to determine the effects of fire on the shrubby plants there, particularly Larrea tridentata, or creosote bush. Testimony from long-time residents and written accounts from the nineteenth century indicated that until the 1930s the decertified land between the western escarpment and the salt basin had been good grazing land. Researchers postulated that fire would reduce the shrubby plants that had replaced the grasses and permit the grasses to return. However, they found that the shrubby growth would not sustain a burn.<sup>9</sup>

Besides the obvious reasons for attempting prescribed burns only after cautious research and observation, park managers had another reason to approach prescribed burns with care: they had to deal with public opinion about fire. The years of public education carried out under the aegis of Smokey the Bear were not without effect. In the latter-1980s the problem for park managers was to provide public information about how fire could be employed positively to manage parklands. Superintendent Richard Smith spoke of this problem and his intention to make the public fully aware of any prescribed burn project before it began. Koepp also worried about the effect of public opinion on prescribed burning Servicewide; he knew that one disastrous mistake could terminate a potentially beneficial program.<sup>10</sup>

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<sup>7</sup>Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, recommended February 1987, 10.

<sup>8</sup>Phil Koepp, interview with author, June 3, 1987.

<sup>9</sup>Superintendent's Annual Reports, Guadalupe Mountains National Park, 1976, 1979.

<sup>10</sup>Richard Smith, interview with author, April 14, 1987; Phil Koepp, June 3, 1987.

### Backcountry Use

At Guadalupe Mountains National Park, the term backcountry refers to virtually all of the park, the primary exceptions being the developed areas around Pine Springs and the Frijole ranch site. In accordance with wilderness designation and existing management plans, the uses of the backcountry were limited to hiking, backpacking, horseback riding, and research conducted by approved individuals, organizations, or institutions. The primary concern of resource managers has been channeling visitor use and mitigating the effects of that use on the natural resources of the park. The hierarchy of personnel established to manage the backcountry included the area manager; a chief ranger; two district rangers, one for the Frijole district, and one for the Dog Canyon district; and one resource management specialist. In 1987 the staff of the Frijole district included two other permanent rangers and both districts added seasonal help during spring and summer. A two-person roads-and-trails crew, also augmented with seasonal employees, performed maintenance on the trails in the park.<sup>11</sup>

Until 1978 visitors used trails that were vestiges of the ranching era and existed when the park was established. However, by 1984, the managers of Guadalupe Mountains could boast of having one of the few professionally designed and constructed trail systems in the Park Service (see Chapters VI and VIII). In 1987, only the final phase of trail-building remained unfinished, the phase that would connect the already established primary routes, delete unmaintainable or unnecessary trails, and complete hardening of the backcountry campsites.

The planners designed the trails to have the least possible impact on the natural resources of the park while providing interesting and challenging hikes for backcountry visitors. Though well-planned and well-built, the new trails required regular maintenance to keep them in optimal condition. As early as 1981, Jack Dollan, one of the trail planners, voiced his concern that management was not allocating enough money for trail maintenance. He emphasized that in the first five years after construction trails required extra maintenance until they became hardened. He suggested that five percent of the capital investment was an adequate amount to budget annually for trail maintenance. In 1981, the park budget contained \$15,000 for trail maintenance; five percent of the capital investment would have been approximately \$75,000. Heavy rains and flash floods also played havoc with the trails and the maintenance budget. The damage incurred during a deluge in 1984 required emergency funding of \$17,000 to repair the backcountry trails.<sup>12</sup>

In April 1983, a group of Sierra Club members from Houston, Texas, and their families worked for a week, providing extra labor for trail maintenance. This was

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<sup>11</sup>Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, approved March 1984, 15-16.

<sup>12</sup>Outdoor Recreation Planner, Denver Service Center, TSE/SW to Superintendent, Guadalupe Mountains National Park, February 25, 1981, in file D30-Roads and Trails. Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Superintendent's Annual Report, Guadalupe Mountains National Park, 1985.

only one example among many of the benefits of voluntarism to Guadalupe Mountains National Park in a time of decreased funding to the national parks.<sup>13</sup>

In addition to trails, the backcountry contained designated campgrounds to channel visitor impact on the natural resources of the park. Park policy limited the number of persons camping at any campground. In 1972 park personnel marked and signed seven campgrounds. Additional campgrounds established in 1974, 1981, and 1982 brought the total to ten. Pine Top Campground always received the heaviest use, followed by McKittrick Ridge Campground. Since the establishment of the park, park managers have used monitoring systems to keep track of campground and trail usage. The checkout system used for backpackers from 1972 to 1974 required only minor revision to conform to the agency-wide backcountry permit system adopted in 1975. Beginning in 1976, trail registers located at the major trailheads provided a way to measure trail use. Erosion transects, read on a regular basis, provided one other means of measuring the impact of visitor use on the backcountry.<sup>14</sup>

### Mountain Lions

As discussed in Chapter VII, the most controversial natural resource issue with which the managers of Guadalupe Mountains have dealt is the mountain lion population of the park. William Dunmire, who was Superintendent of Carlsbad Caverns and Guadalupe Mountains during the height of public controversy about the lions, believed that although records show the problem started first on ranches near Dog Canyon, it really belonged more to Carlsbad Caverns than to Guadalupe Mountains. In any case, management decisions necessarily affected both parks.<sup>15</sup> Although mountain lions inhabited the park, they were not confined to it; rather, they ranged widely from both parks through the Lincoln National Forest, southward into the Delaware Mountains, and northward into the Brokeoff and Sacramento Mountains. More importantly, the ranges of the mountain lions also extended to private lands. The primary point of controversy was the loss of livestock to lions by ranchers adjacent to the public lands. The ranchers believed the mountain lion population had increased since the park was established. They also asserted that the park provided a refuge from which the lions made forays against their livestock.

Title 36 of the Code of Federal Regulations outlined the responsibilities of national parks for preserving natural resources and protecting wildlife. The regulation made it illegal to possess, destroy, or disturb wildlife, and prohibited hunting and trapping within a national park unless mandated by federal law. Therefore, federal law required the managers of Guadalupe Mountains to protect mountain lions. However, adjacent to the park, in New Mexico, mountains lions on

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<sup>13</sup>National Park Service News Release, Carlsbad Caverns and Guadalupe Mountains National Parks, March 29, 1983, in news release file, Operations Headquarters, Guadalupe Mountains National Park.

<sup>14</sup>Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, approved March 1984, 12; Superintendent's Annual Reports, Guadalupe Mountains National Park, 1972, 1974, 1975, 1976, 1981.

<sup>15</sup>William Dunmire, tape recorded responses to author's questions, February 1988.

private, state, Forest Service, and Bureau of Land Management lands were managed by the New Mexico Department of Game and Fish as a game species.<sup>16</sup>

From 1973 to 1979, ranchers whose land bordered the northern side of the park complained increasingly about losses of sheep to mountain lions. By 1977, park managers received correspondence from members of Congress about the problem. In 1978 rangers found evidence of trapping of mountain lions within the park, west of Dog Canyon. The following year they found boundary fences had been manipulated to direct predators into traps near the boundary, but outside the park. Rumors also began to circulate that the Park Service was bringing mountain lions from other locations and releasing them in the park. In September 1979, in an effort to find a mutually agreeable solution to the problem, local and regional Park Service representatives, including the Field Solicitor, met with neighboring rancher Milton (Marion) Hughes and his lawyer, and a representative of the U.S. Fish and Wildlife Service. The Park Service agreed to allow a professional trapper, recommended by the Fish and Wildlife Service, to trap and relocate problem lions. During 1980 and 1981 several relocations took place, but the ranchers north of the park continued to lose sheep.<sup>17</sup>

Early in 1982 local sheep ranchers requested that when trappers from the New Mexico Department of Game and Fish were in hot pursuit of a specific problem lion they be permitted to enter parklands to capture it. The Department of the Interior granted permission for this program, which included destroying any animals that could not conveniently be relocated. Before this proposal could be instituted, however, the Park Service had to go through the standard process of developing a management plan and assessing the environmental impact of the proposal. As a result, the plan came to the attention of the national news media. Individuals and groups from around the country filed letters of protest; in the Federal District Court of New Mexico the Sierra Club and the Defenders of Wildlife filed a suit seeking an injunction against the plan. Early in 1983 the State of New Mexico withdrew its request to enter the parklands and the conservation groups apparently withdrew their suit.<sup>18</sup>

When resource managers began work on the Mountain Lion Management Plan, they realized how little biological data they had upon which to base management assessments and strategies. Subsequently, in 1982, the Park Service initiated a three-year research project to collect data relating to the mountain lion population of Carlsbad Caverns and Guadalupe Mountains, including population densities, population characteristics, home ranges and movements, and food habits. Harvey and Stanley Associates of Alviso, California, contracted to do the work; Thomas Smith was the principal investigator.<sup>19</sup>

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<sup>16</sup>Mountain Lion Management Plan and Environmental Assessment, Carlsbad Caverns National Park, New Mexico and Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, undated) 3, B-2.

<sup>17</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1973, 1975, 1977, 1978, 1979, 1980, 1981.

<sup>18</sup>Mountain Lion Management Plan, 3-4.

<sup>19</sup>Ibid., 4; Superintendent's Annual Report, Guadalupe Mountains National Park, 1982.

The investigators estimated that over the three years of the study, the maximum mountain lion population density within the 400-square-mile study area was approximately 24 adults, 12 juveniles, and 22 kittens. To determine home range and movement the researchers radio-collared and monitored 22 lions. Radio-monitoring revealed the extent of the animals' ranges: the average home range of adult males was 80 square miles; of adult females, the average range was 23 square miles. Monitoring also revealed how far individual cats traveled within a day, distances that varied according to sex and age, and in what direction the animals moved. The investigators found north-south movements most common, movement that often brought lions in contact with the neighboring sheep ranches. The study also revealed that when a lion was destroyed or left the area, a new lion moved into the vacated range. Scat analysis revealed food habits of the mountain lions. Mule deer remains occurred in 82 percent of the scats analyzed, followed by porcupine (15 percent), rabbit (7 percent), and domestic sheep (6 percent). Rodent, cattle, and goat remains occurred in less than five percent of the scats.<sup>20</sup>

Chapter VII contains a discussion of the Mountain Lion Management Plan approved in 1986 and developed from data obtained in the study. The plan provided for continued protection and monitoring of the mountain lions, and "preclude[d] the NPS from engaging in any program involving the destruction of mountain lions within the parks as part of livestock depredation control efforts implemented on lands adjoining the park."<sup>21</sup> The plan also proposed to monitor deer and elk populations in the park, since a marked decrease in those populations could cause an increase in livestock depredations. Additionally, the plan proposed the development of an inter-agency task force for mountain lion management. The task force proposal was dropped, however, because of negative responses received from the Forest Service and the New Mexico Department of Game and Fish. Representatives of both agencies expressed the opinion that a framework for cooperation already existed and a new organization was superfluous.<sup>22</sup>

While the mountain lion issue received little press during the mid-1980s, it was far from dead. In February 1985, more than a year before the adoption of the Park Service's lion management plan, the New Mexico Department of Game and Fish instituted a new program for control of mountain lions. The program, scheduled to run until March 1987, allowed destruction of a maximum of 14 lions each year in areas where ranchers were experiencing unusual losses of livestock. In order to qualify for the program, ranchers had to provide evidence of four or more mountain lion kills on their ranch between January 1983 and January 1985.<sup>23</sup>

In April 1987 the ranchers in Dog Canyon, organized as the Dog Canyon Wool Growers, petitioned the Game and Fish Department to increase the control operation

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<sup>20</sup>Mountain Lion Management Plan, 5-8.

<sup>21</sup>Decision Document and Finding of No Significant Impact for the Mountain Lion Management Plan and Environmental Assessment, Carlsbad Caverns National Park, New Mexico and Guadalupe Mountains National Park, Texas.

<sup>22</sup>National Park Service News Release, Carlsbad Caverns and Guadalupe Mountains National Parks, August 14, 1987, in news release file, Operations Headquarters, Guadalupe Mountains National Park.

<sup>23</sup>El Paso Times, February 1, 1985.



to include Forest Service land as well as private ranch land. While Park Superintendent Smith realized at that time the continuing volatility of the mountain lion issue, he believed that the availability of hard data compiled from the monitoring programs puts park managers in a better position to respond to criticism of the park's policy.<sup>24</sup>

### Reintroduction of Native Species

Park Service policy encourages the reintroduction of native species into parks when adequate habitat exists to support them, when they do not pose a threat to the safety of visitors, and when the species disappeared because of a human-induced change in the ecosystem. At Guadalupe Mountains, one native species, the Montezuma quail, was successfully reintroduced. Last known to be in the parklands in the 1960s, the species probably was extirpated by loss of cover caused by heavy grazing by livestock. In 1983 the Park Service approved the reintroduction program. The first 24 birds, transported from Arizona under an approved state permit, were released in Dog Canyon in December 1984. Over the next six months the trappers from Arizona brought 36 more birds to Dog Canyon. After release of the first batch, subsequent batches spent several weeks in an acclimatization pen to reduce the effects of stress created by capture and transportation. When the birds appeared to be healthy and adjusted, the ranger caring for them just left the door to the pen open. Phil Koepp recalled the reintroduction with some amusement. Wildlife specialists agreed that the environment in Upper Dog Canyon was as nearly perfect for Montezuma quail as could be provided. Apparently the quail were less than appreciative--they headed for the Hughes ranch! However, the loss was only temporary. In October 1986 a reliable sighting reported a covey of 20 Montezuma quail, including a number of chicks, on the road near the Dog Canyon campground.<sup>25</sup>

For a number of years park managers also have considered reintroduction of the desert bighorn sheep. The last reliable sighting of this species in the parklands was in 1938, when 15 to 19 sheep were reported in and around McKittrick Canyon. Historically, desert bighorns also utilized Dog Canyon. In 1979 and 1980, reliable sightings of desert bighorns were reported on the western rim of the Guadalupe Mountains in New Mexico, some 25 to 40 miles north of the park. Wildlife specialists did not know whether those sheep were a remnant of the original population, or whether they migrated from a group released in 1973 in the Sierra Diablo Mountains, south of the Guadalupe.<sup>26</sup>

Several obstacles prevented reintroducing the desert bighorn as easily as the Montezuma quail. The west side of the park and the McKittrick drainage provided suitable habitat, but the amount and distribution of water limited the potential range

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<sup>24</sup>Ibid., April 12, 1987; Rick Smith, April 14, 1987.

<sup>25</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1983, 1984, 1985; Park Log, Guadalupe Mountains National Park, October 1986; Phil Koepp, June 3, 1987.

<sup>26</sup>Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, recommended February 1987, 45.

for the animals and would force them to compete with mule deer, elk, exotic Barbary sheep, feral goats, and domestic sheep and cattle. Contact with domestic stock also would expose the bighorns to fatal diseases and parasites. Another contingency, a proposed trail from the top of the escarpment to the lowlands on the west side, would alter the habitat enough so that the Park Service could not directly reintroduce the sheep into the park. In 1987 resource managers chose to wait and see, but to cooperate with efforts by state game departments to re-establish the desert bighorn on nearby non-park lands and to seek their cooperation in reintroducing the animals into the park.<sup>27</sup>

### Trespass Grazing

Trespass grazing has been a problem in the park because of the impact it has on vegetation and water sources, and because it created unnatural competition for the wildlife in the park. Trespass grazers included domestic livestock such as cattle, horses, and sheep, and exotic animals such as Barbary sheep. They entered the park easily because most of the boundary was unfenced. As discussed in Chapter VIII, portions of the boundary most susceptible to trespass grazing have been fenced in recent years, and in 1987, completion of the boundary fence was the number one priority for natural resource management for the park.

In the interest of maintaining friendly relations with neighboring ranchers, domestic livestock found in the park simply were herded off the parklands. However, Park Service and park policies provided for more stringent measures to be taken with exotics. Until 1987, the only exotic animal species threatening the park was the Barbary sheep, or aoudad. Barbary sheep moved into the vicinity from the north, relatives of escapees from a ranch in the Hondo Valley, some 90 miles away. After the escape, around 1950, the animals slowly dispersed southward, reaching the southern Guadalupe Mountains in the late 1970s. Agency policy provided for control or eradication of exotic species that threaten ecological communities and native species. The diets of Barbary sheep overlap with those of mule deer and also would compete with desert bighorn sheep, if they were reintroduced in the park. At Guadalupe Mountains, a management program for Barbary sheep, adopted in 1979, called for direct reduction of the species, through shooting by qualified park personnel. The New Mexico Department of Game and Fish agreed to cooperate with the plan for direct reduction.<sup>28</sup>

### Pesticide Control

At Guadalupe Mountains, pesticide control was an issue of concern to resource managers because of the effect of DDT on the peregrine falcons that nest in the park. Because the American peregrine falcon (Falco peregrinus anatum) was recognized as an endangered species, park managers were not alone in their concern.

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<sup>27</sup>Ibid., 46.

<sup>28</sup>Ibid., 47-49; Environmental Assessment and Finding of No Significant Impact for Barbary Sheep Management Program, Carlsbad Caverns and Guadalupe Mountains National Parks.

Scientists attributed the decline of the species since the 1950s to increased use of organochlorine pesticides, especially DDT. The falcons feed on insectivorous birds and bats, which may be contaminated with high levels of pesticides. DDE, the chemical resulting from the digestive breakdown of DDT, affects the reproductive system of the falcon, causing weak eggshells that break during incubation. Although the U.S. banned DDT in 1972, farmers in Central and South America, areas where the falcons winter, continued to use the pesticide.<sup>29</sup>

Between 1975 and 1978, falcons nesting in the Peregrine Palace eyrie, above McKittrick Canyon, produced fourteen young. This was one of the most productive eyries recorded in the United States. However, the pair that returned in 1979 produced no offspring, and in 1980 and 1981 only a lone male was observed in the canyon. A pair returned to the canyon eyrie each year from 1983 to 1986, and in 1986 fledged one young bird. In 1987 the pair fledged four offspring.<sup>30</sup>

In 1977 the park cooperated with the Chihuahuan Desert Research Institute and the Texas Department of Parks and Wildlife in a study of peregrine falcons. Analysis of eggshells collected from falcon nests in the area showed them to be 18 percent thinner than was considered normal prior to 1947. Lipids from the egg showed 1,000 ppm of DDE. Eggshells collected in 1984, however, were not unduly thin.<sup>31</sup>

The Endangered Species Act mandated federal agencies to manage their lands affirmatively to preserve or to allow the recovery of endangered species. In 1987, resource managers of Guadalupe Mountains proposed studies to ascertain levels and sources of DDT contamination in local prey species, asserting that failure to address the problem of pesticide contamination could make attempts to manage the peregrine futile.<sup>32</sup>

### Endangered Species

Besides the peregrine falcon, resource managers have identified two other endangered species in the park: Sneed's pincushion cactus (*Coryphantha sneedii* var. *sneedii*), which grows on limestone ledges at lower elevations; and Lloyd's hedgehog cactus (*Echinocereus lloydii*), which grows only at low elevations on the west side of the park. A threatened species, McKittrick penny royal (*Hedeoma apiculatum*), which grows on limestone ledges at higher elevations, has also been found in the park. Field surveys have been made to identify the distribution of these plants within the park and newly found locations are recorded as they are reported. The Fish and Wildlife Service provided recovery plans for each of these species and park

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<sup>29</sup>Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, recommended February 1987, 40.

<sup>30</sup>Ibid; Vidal Davila, letter to author, September 16, 1987.

<sup>31</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1977, 1984.

<sup>32</sup>Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, recommended February 1987, 43.

managers have been working to implement the recommendations. Before any construction took place in the park, particularly trail construction, resource managers made certain that these species would not be affected, either directly or indirectly, by human-caused disturbances. A monitoring program for known populations also has been established.<sup>33</sup>

### Oil and Gas Development

Before Guadalupe Mountains National Park was created, Congress and the Department of the Interior haggled with the owners of the park's mineral rights about their value and potential. Lying at the edge of the Permian Basin, the possibility existed that the Guadalupe Mountains contained untapped oil and gas reserves. Ultimately, the owners of the mineral rights donated them to the federal government, but the legislation that was passed contained reversionary clauses protecting the interests of the former owners (see Chapter IV). Since national park policy prohibits exploration for or development of mineral resources within a park, managers at Guadalupe Mountains are not concerned about oil and gas development within the park per se. They are concerned, however, about development of those resources taking place on nearby lands that might affect the wilderness values and water resources of the park, as well as the mineral resources that may lie beneath it.

Park managers must work through established channels to protect the resources of the park. Most nearby oil and gas leases are on either Bureau of Land Management or Forest Service lands. Both agencies must comply with the Environmental Protection Act before allowing exploration and development to occur. They must prepare an Environmental Impact Statement or an Environmental Assessment describing the proposed development and its possible impacts and confer with other governmental agencies that may be affected by the proposal, as well as submit the document to public review. During the conference and review process the Park Service has the opportunity to express opinions about the proposal and to suggest potential impacts the development might have on parklands. The proposing agency must then respond to criticisms or alternative proposals. Two such exchanges have taken place during the 1980s.

In 1980 the U.S. Forest Service proposed to permit drilling of oil and gas wells on Wilderness Ridge, Forest Service land adjoining North McKittrick Canyon. To facilitate the proposal the Forest Service removed the area from its Guadalupe Escarpment Wilderness Study Area. As a result of Congressional debate about the study area, the Forest Service agreed to retain wilderness study status for Wilderness Ridge until 1986. Until then, existing roads could be used for oil and gas exploration, but no new ones could be built. Approximately 200 acres of the Wilderness Study Area contained existing oil and gas leases scheduled to expire in 1987. Sixteen other leases, which would cover most of the Wilderness Study Area, were pending. In October 1986 the Forest Service completed the environmental assessment for the Wilderness Study Area. The agency recommended non-wilderness

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<sup>33</sup>Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park. recommended February 1987, 37-38.

status for the area, but indicated its intent to protect the wilderness values until Congress made a decision. In 1986, when oil prices began to drop, drilling activity in the area decreased. Managers of Guadalupe Mountains continued to monitor the situation on Wilderness Ridge and review proposals submitted for oil and gas development.<sup>34</sup>

During 1984 the Bureau of Land Management presented a proposal for a pipeline project to park managers. The proposed route for the pipeline was adjacent to the southeastern corner of the park. Resource managers believed that construction activity would leave a scar on the landscape near the park approximately four miles long and would be obvious to persons traveling on Highway 62/180 or to persons using the roadside park in Guadalupe Pass. They asked that the pipeline be rerouted south and east of the highway. Bureau of Land Management officials agreed with the assessment of the Park Service and realigned the pipeline to avoid the Guadalupe Pass area.<sup>35</sup>

### Collecting of Plant Material by Native Americans

The Guadalupe Mountains were traditional hunting and gathering grounds for the Mescalero Apaches well into the twentieth century. In 1987, members of the tribe continued to live on the Mescalero reservation northwest of the park in New Mexico. During the early years of operation of the park, rangers observed Mescaleros within the park boundaries gathering sotol fruit, which they used for religious ceremonies. Roger Reisch also recalled that on two occasions in the early 1970s some members of the tribe performed religious ceremonies at Pine Springs and Guadalupe Spring. Since that time, however, park managers and rangers have not been aware of anyone from the Mescalero tribe entering the park except to use Park Service facilities. The unwritten policy of park managers has been to permit in-park gathering of plant material by the Mescaleros if it is to be used for religious purposes.<sup>36</sup>

The primary theme of management of the natural resources of Guadalupe Mountains National Park has been the restoration of the land to its natural state. Managers have sought to do that by mitigating the impact of human use in the backcountry, by restoring water sources to their natural state, by reintroducing native species, by protecting endangered species, and by adopting policies that would protect the predator population of the park. During the first fifteen years of natural resource management, research was the keynote. Managers worked to establish baselines from which changes could be measured.

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<sup>34</sup>Resources Management Plan and Environmental Assessment, Guadalupe Mountains National Park, recommended February 1987, 59; Superintendent's Annual Report, Guadalupe Mountains National Park, 1980.

<sup>35</sup>Final Environmental Impact Report, Environmental Impact Statement, Proposed Celeron/All American and Getty Pipeline Projects, California State Lands Commission and Bureau of Land Management, Department of the Interior, January 1985, in file Oil Pipelines, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>36</sup>Roger Reisch, interview with author, July 21, 1987; Ralph Harris, interview with author, April 14, 1987; Bobby L. Crisman, interview with author, April 14, 1987; Richard Smith, interview with author, April 14, 1987.

While each was Superintendent, William Dunmire and Richard Smith faced public controversy over natural resource issues. Dunmire's educational and professional background in wildlife management undoubtedly influenced the approach he took to the mountain lion problem. He recognized the need for solid data on which to base management decisions and advocated an in-depth study of the lion population of Carlsbad Caverns and Guadalupe Mountains. Smith displayed a similar attitude toward the issues of mountain lions, protection of black bears (see Chapter VII), and prescriptive burning, advocating research and planned educational programs to head off potential public controversy. Both men recognized that managing a wilderness in the midst of civilization required knowledge based on scientific research and an ongoing program of public education to establish and maintain good relations with the park's neighbors.

## CHAPTER X

### CULTURAL RESOURCE ISSUES

Cultural resources comprise remnants and evidence of human activity in the natural environment. Substantial federal concern with management of cultural resources on public land began with the Antiquities Act of 1906, was strengthened by the Historic Sites Act of 1935, and culminated in the National Historic Preservation Act of 1966, which established the present National Register of Historic Places. Section 106 of the latter piece of legislation provided complicated review procedures to ensure that federal agencies gave proper consideration to cultural resources. In addition, Executive Order 11593, issued in 1971 and incorporated into the National Historic Preservation Act in 1980, required federal agencies to inventory cultural resources on the public lands they managed to determine which were eligible for listing in the National Register. Finally, the Archaeological Resources Protection Act of 1979 provided more specific guidelines for the protection of archeological resources on federally managed lands. These mandates all apply to Guadalupe Mountains National Park. Therefore, from fragmentary evidence of prehistoric use down to the Wallace Pratt residence that was built in the 1940s, park managers have been mandated to identify, evaluate, and, as appropriate, protect, and preserve the cultural resources found within the park boundaries.

While the array of responsibilities generated by the natural resources of the park has grown bewilderingly large since the establishment of the park, the demands of cultural resource management have remained relatively unchanged. During the first fifteen years of the park's operation, resource managers have identified and evaluated the historic structures and trails within the park and have determined the type of care each would receive. They have identified and evaluated prehistoric sites and have determined what means of preservation would be undertaken. They have also approved and supervised modifications made to adapt some historic structures for administrative use by park personnel and researchers.

When the park was established, many historic structures relating to nineteenth and twentieth century ranching operations existed within the boundaries of the park. In 1973, a survey of historic sites, conducted under contract by a team headed by William Griggs of Texas Tech University, established a baseline from which management decisions could be made. The report of the survey included photographs, scale drawings, and geographic locations for each of 47 sites. The team rated the structures for intrinsic and exemplary values and recommended treatment for them.<sup>1</sup>

Historians in the Regional Office used the information from the Texas Tech survey to classify the less obviously significant historic structures and sites in the park. When determining the historical significance of these sites, however, the

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<sup>1</sup>College of Agricultural Sciences, Department of Park Administration and Horticulture. "A Survey of Historical Structures, Guadalupe Mountains National Park, Texas" (Texas Tech University, Lubbock, Texas, 1973), cover letter, James W. Kitchen to Bill Brown, September 27, 1973. (hereafter "A Survey of Historical Structures, Guadalupe Mountains National Park, Texas") in library, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

regional staff apparently had some difficulty interpreting the assessments of the Texas Tech survey team. The survey report recommended preservation or restoration for interpretation for a number of the historic sites. In 1973 Park Superintendent Donald Dayton notified the Regional Director that he felt Regional personnel had "inadvertently made" a "false assumption" about the meaning of the term "historic" in the Texas Tech survey report. He was concerned because the historians in the Regional Office had recommended preservation for the entire complex of buildings at the Glover site. Dayton stated that he believed the survey team had used the term "historic" to distinguish modern structures from prehistoric structures, and had not used the term in the sense that it was used to determine eligibility for the National Register. While the Texas Tech survey recommended that seven of the sixteen structures in the Glover complex be preserved, Dayton pointed out that many of the structures the survey team recommended for preservation or restoration were simply "best examples of" certain types of structures to be found within the park boundaries" and did not "have even 'Regional' significance as historic structures."<sup>2</sup>

Dayton apparently convinced Theodore Thompson, the Acting Regional Director, of the false assumption of Regional historians. Thompson responded to Dayton early in 1974 and provided a new list of classifications for all of the structures in the Texas Tech survey. Thirteen of the buildings on the Glover property that were under 50 years old had been determined to be of no historical or architectural value and had been delegated to the authority of the Park Superintendent for disposition. The Glover ranch house and cafe, both more than 50 years old, had been classified as having no historical or architectural value but required authority from the Associate Director of Professional Services in the Washington office for disposition. Seven structures or sites were classified as having obvious or possible historical value, regardless of age, and required interim preservation and protection until further research was completed to determine National Register eligibility. Finally, 18 structures, primarily small cabins, dugouts, and structures related to historic water systems in the high country, were determined to have no potential for listing in the National Register, but they were of enough interest to "warrant strong recommendation that they be left undisturbed except by justifiable action."<sup>3</sup>

Regional historians concluded that only one of the seven sites classified as needing more research was eligible for nomination to the National Register: the Wallace Pratt residence. The other sites were treated in varying ways. In 1975, the Houser house, dugout, and sheep-shearing pens near the Pine Springs campground were evaluated and determined to be insignificant historically, clearing the way for removal of the badly deteriorated structures in the following year. Historians determined that

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<sup>2</sup>Superintendent, Carlsbad Caverns and Guadalupe Mountains to Regional Director, December 7, 1973 in file H30-Historic Sites and Structures Management and Preservation-Guadalupe Mountains National Park, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico.

<sup>3</sup>Acting Regional Director, Southwest Region to Superintendent, Carlsbad Caverns and Guadalupe Mountains, January 11, 1974, in file H30 Historic Sites and Structures Management and Preservation-Guadalupe Mountains National Park, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico.



backcountry structures should be treated as discovery sites and allowed to molder naturally unless they posed a hazard to human safety.<sup>4</sup>

The Statement for Management that was approved in 1976 established four "historic zones" in the park. According to the statement, resources in these zones had been listed or had been determined to be eligible for listing in the National Register. The resources in these zones did not include any of those identified in the Texas Tech survey. The zones included: an area near Pine Springs that contained two sites, the ruins of the Pinery, which was a stage-stop on the Butterfield Overland Mail route, and an early cavalry encampment; an area surrounding the Williams ranch house; an area around the Frijole ranch house; and the area around the Pratt's stone cabin in McKittrick Canyon. Management planned that development in the historic zones would be minimal.<sup>5</sup> Since 1976 one additional historic resource has been identified and, while not part of a designated historic zone within the park, has claimed particular attention from resource managers: the Emigrant Trail. The trail coincides in many places with the route traveled by the wagons of the Butterfield Overland Mail.

While prehistoric resources also required the attention of management, they were less easily identified. Site surveys conducted in the early 1970s comprised the baseline for management of these resources, but trained personnel from the park, the Southwest Regional Office, and the Texas Historical Commission conducted additional surveys before each construction project was initiated in the park to ensure that important prehistoric cultural resources were not destroyed.

In this chapter four major issues relating to cultural resources will be considered: preservation of historic structures and the Emigrant Trail, adaptive use of historic structures, archeological issues, and finally, problems relating to the Glover property as a cultural resource.

## Preservation of Historic Structures and the Emigrant Trail

### The Pinery

The ruins of the Pinery, a fort-like stone structure built in 1858 to serve as a stage station for the Butterfield Overland Mail, demanded the immediate attention of cultural resource managers when the park was established. In 1972 David G. Battle, Historical Architect for the Southwest Region, visited the park to determine which historic resources might be eligible for nomination to the National Register.

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<sup>4</sup>Final Environmental Statement, Proposed Master Plan, Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, April, 1976), 43-44; Superintendent's Annual Report, Guadalupe Mountains National Park, 1975, 4; James W. Kitchen to Bill Brown, September 27, 1973 in "A Survey of Historic Structures, Guadalupe Mountains National Park, Texas; Survey Historian, Division of History, Southwest Region to Associate Regional Director, Planning and Cultural Resources, SWR, April 14, 1983, in file H30 Historic Sites and Structures Management and Preservation-Guadalupe Mountains National Park, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico.

<sup>5</sup>Statement for Management, Guadalupe Mountains National Park, Texas (U.S. Department of the Interior, National Park Service, January 1976), 3-4.

Although little remained of the Pinery's 30-inch thick and 11-foot high walls built of limestone slabs (see Figure 31), there was little doubt that the site was significant enough to be listed in the National Register.<sup>6</sup>

Between September 1858 and August 1859, the Pinery was a meal and mule stop for the "Celerity" wagons that carried mail and passengers between St. Louis and San Francisco. It was built like a fort, with interior rooms attached lean-to style to the thick exterior walls. The station comprised a wagon-repair shop and smithy, a kitchen, and a corral for livestock. After the first year of operation of the mail service, Butterfield managers determined that a route passing by Fort Stockton and Fort Davis offered more protection from Indians and better access to water, so the Pinery was abandoned. The station, however, continued to serve as a stopping off place for west-bound emigrants, soldiers, drovers, and freighters as late as 1885.<sup>7</sup>

In 1972, only the north wall of the original structure remained and Battle worried about the deterioration that was taking place. He estimated that a substantial portion of the west end of the wall had collapsed since the Park Service had acquired the property and noted that about half of the remaining wall listed at a 10-degree angle.<sup>8</sup> In 1973 the Park Service took emergency measures to stabilize the wall and Battle completed a Historic Structure Report for the Pinery. In 1974 Park Service specialists began realigning and re-mortaring the wall. Archeologists tested the site to validate drawings and dimensions of the buildings that Battle had reported in the Historic Structure Report. Stabilization of the wall was completed in 1975. The Pinery was nominated to the National Register in 1973 and was accepted for listing.<sup>9</sup>

The Pinery is the most accessible of all the historic resources at Guadalupe Mountains, being visible from Highway 62/180 and on the road to the Pine Springs Campground. The site had attracted attention, however, even before being acquired by the Park Service. During the early 1950s, J.C. Hunter, Jr., and the Glovers deeded the Pinery site and a small parcel of adjacent land to American Airlines. Officials at the airline desired to restore the stage station as a memorial to the carriers of the mail who had passed by Guadalupe Peak. During the 1930s American Airlines had received the first government contract for air mail service between St. Louis and San Francisco, just as the Butterfield Overland Mail Company had received the first government contract for overland mail service between the two cities. Plans for restoration advanced to the point of requesting bids, but high costs

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<sup>6</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1972, 2-3.

<sup>7</sup>Dava McGahee Davy, The Pinery Station (Carlsbad Natural History Association, undated); David G. Battle, "Guadalupe Mountains National Park: The Pinery, Historic Structure Report" (U.S. Department of the Interior, National Park Service, Southwest Regional Office, Division of History, February 1973), 4-5.

<sup>8</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1972, 2-3; Battle, "The Pinery," 6.

<sup>9</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1973, 4; Superintendent's Annual Report, Guadalupe Mountains National Park, 1974, 5; Superintendent's Annual Report, Guadalupe Mountains National Park, 1975, 4; Jane E. Scott, "Guadalupe Mountains National Park, Overview of Historical Research: Annotated Bibliography and Recommendations for Future Studies" (U.S. Department of the Interior, National Park Service, Division of History, Southwest Cultural Resources Center, Santa Fe, New Mexico, October 1978), 13.



**Figure 31.** A view of remnants of the north wall of the Pinery stage station, a historic resource of Guadalupe Mountains National Park that has been listed in the National Register. The station was a stop on the route of the Butterfield Overland Mail and was used from September 1858 to August 1859. In 1975, Park Service specialists finished realigning and remortaring the remains of the wall to prevent further deterioration. (NPS Photo)

forced the company to abandon the idea of restoration and to return the land to the former owners. The officials at the airline were undaunted, however, and refused to give up the idea of a memorial. At the Pinery on September 29, 1958, officials and veteran pilots of American Airlines dedicated a granite monument that had been placed to call attention to another monument, a six-foot high stainless steel trylon placed on Guadalupe Peak (see Figure 32). Both monuments were inscribed to commemorate the centennial of the transcontinental overland mail and "the airmen who, like the stage drivers before them, challenged the elements through this pass with the pioneer spirit and courage which resulted in a vast system of airline transport known as American Airlines." The plaques on each of the three sides of the marker on Guadalupe Peak also called attention to the three-way partnership of Federal government, private enterprise, and rugged individuals that advanced westward expansion.<sup>10</sup>

The memorial on Guadalupe Peak has caught the attention of park visitors who wonder about the appropriateness of such a monument in a national park. In 1975 Superintendent Dayton responded to a visitor who wrote to him with such a complaint. Dayton suggested that although the Park Service probably would not have permitted installation of such a marker if the park had been in existence, he felt that the marker should not be removed or relocated. He admitted that if the history and purpose behind the marker were better explained to visitors, it might be more acceptable to hikers and climbers who visited the peak. The next month Acting Regional Director Monte E. Fitch corresponded with Dayton to affirm the stand Dayton had taken about the marker.<sup>11</sup>

### The Emigrant Trail to California and the Butterfield Stage Route

Another historic resource of the park closely associated in time with the Pinery is the road traveled by California-bound emigrants and later the Butterfield stages. Although park managers were aware of the existence of remnants of the road within the park, it received little attention as a cultural resource until 1977 when Regional personnel determined that a National Register nomination should be prepared. Since the best-preserved portions of the road are on the west side of the park, it was that area that was selected for nomination. The nomination was submitted late in 1977 but was rejected because of "substantive and technical questions." The staff at the National Register wanted more than a representative sample of the trail. They preferred to see the nomination include all vestiges of the trail that met the

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<sup>10</sup>V. H. Brown to J. C. Hunter, Jr., May 19, 1955; V. H. Brown to J. C. Hunter, Jr., June 29, 1958 in file C45.4A--Guadalupe: The Pinery, 1952-1964 and undated, in Glenn Biggs Collection, The Southwest Collection, Texas Tech University, Lubbock, Texas; Fort Worth Star-Telegram, September 30, 1958; Bobby L. Crisman, personal communication to author, June, 1988.

<sup>11</sup>Donald Dayton to Dr. F. T. Darvill, January 22, 1975; Acting Regional Director, Southwest Region, Monte E. Fitch to Superintendent, Carlsbad Caverns and Guadalupe Mountains, February 25, 1975 in file Guadalupe Peak Pilot Memorial, Bobby L. Crisman personal file, Guadalupe Mountain National Park Headquarters, Carlsbad, New Mexico.



**Figure 32. The pilot memorial erected in 1958 by American Airlines at the summit of Guadalupe Peak. The six-foot high stainless steel trylon, erected before the authorization of Guadalupe Mountains National Park, commemorates the carriers of transcontinental overland and air mail. (NPS Photo)**

qualification of historic integrity.<sup>12</sup> The revisions required for the nomination of the Emigrant Trail were not simple to make. Regional personnel took another look at the traces of the road in 1980 and then let the matter drop for several years.<sup>13</sup>

In 1985, Betsy Swanson, who had a track record of writing successful National Register nominations, received a contract to complete the nomination of the Emigrant Trail. After a year of work, Swanson still had many questions about the nomination, such as whether natural landmarks should be included in the nomination, how wide the corridor should be, whether portions of the trail that could not be verified because of time and funding constraints should be included in the nomination, how the concept of integrity should be applied to trails, and how much examination of trail remains outside the park should be accomplished to assist with research on the in-park remains. Diane Jung, Survey Historian for the Southwest Region, visited the park late in September 1986, hoping to iron out the problems. After on-site research and discussions with National Register staff members, Jung and Swanson determined that natural landmarks, such as springs and El Capitan, should be included in the nomination. They agreed to a 500-foot wide corridor on either side of the nominated traces of the trail. Trail traces that could not be verified on the ground would not be included in the nomination. Trail traces would be considered of sufficient integrity for nomination where evidence on the ground agreed with documentary evidence. Swanson and Jung decided that the nomination should take the form of a historic district with discontinuous boundaries.<sup>14</sup>

Six months later, James "Jake" Ivey, Historian and Historical Archeologist from the Regional Office, visited the park to examine Swanson's claim that there was integrity to the section of the historic district near the Pinery. However, due to the amount of disturbance caused by ranching use, he was unable to recognize any traces of the stage road or the Emigrant Trail and concluded that the majority of the stage road probably was under the present highway. As a result, he could not justify including any area around the Pinery ruins as part of the discontinuous historic district for the Emigrant Trail. Ivey agreed, however, that the trail was clearly visible in the west-side historic districts Swanson designated for nomination.<sup>15</sup> By the end of 1987 no further work had been done on the nomination.

The proposed addition to the west side of the park being considered in 1987 included more traces of the Emigrant Trail. If this area were added to the park, the additional traces of the trail would also have to be considered for nomination to the National Register. During the study of the proposed boundary expansion, the Texas Deputy State Historic Preservation Officer expressed concern that

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<sup>12</sup>Survey Historian, Division of History, SWR to Associate Regional Director, Planning and Cultural Resources, SWR, November 7, 1986, in file H30 Historic Sites and Structures Management and Preservation-Guadalupe Mountains National Park, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico; Melody Webb, personal communication to author, June 1988.

<sup>13</sup>Ibid.; Superintendent's Annual Report, 1980, 4.

<sup>14</sup>Ibid.

<sup>15</sup>Historian, Division of History, SWR to Associate Regional Director, Planning and Cultural Resources, SWR, April 4, 1987 in file H30-Historic Sites and Structures Management and Preservation-Guadalupe Mountains National Park, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico.

archeological data for the proposed acquisition was sketchy and needed to be enlarged before sound cultural resource management plans for the area could be developed. In another action related to the boundary expansion, Regional Office staff consulted with officials from neighboring Hudspeth County who were planning to construct a road from Dell City to the western park boundary. The route originally proposed by the county coincided with the route of the Butterfield Trail. After consultation, the county agreed to relocate the route of the new road so that the historic trail could be preserved.<sup>16</sup>

### Williams Ranch

The Williams ranch house, located on the west side of the park near the mouth of Bone Canyon, may be the least visited of the park's historic resources. During most of the year the eight-mile-long road from Highway 62/180 is suitable only for 4-wheel-drive vehicles; the remainder of the time a high-clearance pick-up truck is required. The road is blocked at the highway by a locked gate for which visitors may check out a key from the park's information center.

The frame house with steeply gabled roof (see Figures 33 and 34), reminiscent of houses more often found in the Midwest than in the rural areas of West Texas, was built soon after 1900 with lumber hauled by mule train from Van Horn, Texas. It served as headquarters for a longhorn cattle ranching operation for more than a decade. Ownership changed in 1915 and the new owner raised cattle, sheep, and goats and farmed a limited amount of land until his death in 1942. Historically, the house is significant as a remnant of the ranching operations that provided a livelihood for the settlers of West Texas. In addition, the house is an architectural anomaly in the area, an attribute which adds to its significance.<sup>17</sup>

David Battle visited Williams Ranch in 1972 to determine whether the house was eligible for nomination to the National Register. While the house was the only intact structure at the site when the Park Service acquired the property, ruins of a barn and water storage tank remained as evidence of other structures that once stood at the ranch headquarters. Battle was as concerned about the deteriorating state of the ranch house as he was about the state of the Pinery wall. Because he had determined informally that the structure was eligible for nomination to the National Register it required protection. The frame structure was still in sound condition, but the stone foundation appeared to be in danger of "imminent" collapse, a circumstance, he believed, that could destroy the entire resource. Battle recommended repair of the

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<sup>16</sup>West Side Boundary Study, Guadalupe Mountains National Park, (U.S. Department of Interior, National Park Service, Southwest Regional Office, April 1987, 7; LaVerne Herrington to John E. Cook, September 29, 1986 in file H4217-GMNP- Section 106, History Office, Southwest Regional Office, Santa Fe, New Mexico; LaVerne Herrington to John Cook, January 7, 1987 in file D18-1986-88-GUMO, Main Files, Southwest Regional Office, Santa Fe, New Mexico; Superintendent's Annual Report, Guadalupe Mountains National Park, 1987, 10.

<sup>17</sup>The Williams Ranch House folder (U.S. Department of the Interior, National Park Service); First draft for interpretive material about Williams Ranch, in file K1817 closed 12/78, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; taped interview with Thomas Williams, July 1983, Tape A.T.52, Cat.6, History, in Guadalupe Mountains National Park audio tape file (tape is marked "Hammack interview": Melody Webb, personal communication to author, June 1988.



**Figure 33.** James Adolphus "Dolph" Williams and unidentified girls in front of the Williams ranch house, date unknown. The Williams ranch house on the west side of Guadalupe Mountains National Park is the most isolated of the park's historical resources. Constructed around the turn of the twentieth century, the house stands as a reminder of the ranching operations that provided a livelihood for residents of the area in the late-nineteenth and early-twentieth centuries. Lumber for the structure had to be hauled by mule train from Van Horn, Texas. (NPS Photo)





**Figure 34. Another view of the Williams ranch house. Its architectural design makes it an anomaly on the West Texas landscape. (NPS Photo)**

foundation and other deteriorated structural elements and placement of temporary closures over windows, doors, chimneys, and other openings that might admit animals or humans.<sup>18</sup>

Park personnel followed Battle's recommendations. In 1973 they replaced the roof of the ranch house and stabilized its foundation. By 1977 the house had been treated with a wood preservative and the stone foundation rebuilt. Photographs of the water system were made to provide documentation for future reference. After those measures were complete, conservation specialists from the Regional Office considered the building to be stabilized and in a holding condition. They recommended bimonthly inspections of the exterior and annual inspections of the interior. In 1984 park personnel followed preservation recommendations, treating the exterior surfaces with wood preservative every fifth year after 1979. As of 1988, the Regional staff had not formally determined whether the ranch house was eligible for listing in the National Register, so a nomination had not been prepared nor had a formal management plan for the structure been written.<sup>19</sup>

### Pratt Stone Cabin

The stone cabin that was formerly the summer home of the Wallace Pratt family stands on the flood plain at the junction of North and South McKittrick Canyons. As described in Chapter III, Pratt had the cabin built in 1930 to serve as a summer home for his family (see Figure 35). Two other structures complete the cabin complex: a building that contains a two-car garage and caretaker's quarters, and a pumphouse. Stone fences border the property on the south and west.<sup>20</sup> Soon after Battle's visit to the park in 1972, Regional staff prepared and submitted a National Register nomination for the cabin complex, which was subsequently accepted. The structures are significant for their unique architecture as well as for Wallace Pratt's stature in the nation as scientist, businessman, and conservationist.<sup>21</sup>

Although seasonal rangers were stationed at the Stone Cabin during the 1970s, and some researchers also used it during this period, the cabin has been little used for administrative purposes since that time. It has never been open to the public. For the comfort of personnel using the cabin, the Park Service installed electric heating. Later, contractors and park personnel restored the roofs of the house, garage, and pumphouse in stages from 1976 to 1984. They replaced roof supports, rafters, and decking and waterproofed the roofs. Vance Phenix, the architect who supervised the construction of the cabin, visited the site in 1981 and viewed the roof repairs with

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<sup>18</sup>Environmental Impact Appraisal, signed by Donald A. Dayton 6/23/72, in file L-Lands and REc Planning-GUMO, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico; Final Environmental Statement, Proposed Master Plan, 1976, 41.

<sup>19</sup>Exhibit Specialist, Division of Conservation, Southwest Cultural Resources Center to Superintendent, Carlsbad Caverns, May 5, 1977, in file Williams Ranch, Bobby L. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Melody Webb, personal communication to author, June 1988.

<sup>20</sup>Final Environmental Statement, Proposed Master Plan, 41; Wallace Pratt to Donald Dayton, June 13, 1974, in file Wallace Pratt Interviews and Letters, B. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>21</sup>Final Environmental Statement, Proposed Master Plan, 41.



**Figure 35. Wallace Pratt's stone cabin in McKittrick Canyon. Pratt had the cabin built in 1930 to use as a summer home for his family. It was built from local stone quarried on a nearby ranch. The Pratts intended to use the cabin as a retirement home but changed their minds after being trapped one time in the canyon during a flash flood. The cabin and its outbuildings are listed in the National Register. (NPS Photo)**

some interest. He had been skeptical about whether the roofs, constructed of natural stone shingles about one-half inch thick and mortared in place, would prove to be substantial. While the major roof restoration necessary by the late-1970s may have validated Phenix's initial skepticism about the permanence of the mortar bonds, it also may have been the result of less-than-regular maintenance after the Pratts moved to the Ship on the Desert.<sup>22</sup>

The only other preservation problem at the Stone Cabin occurred early in 1985 when the park's Facility Manager discovered an infestation of wood-boring ants in the cabin. Regional personnel recommended applying "Tie-Die PT 230" and "Perma-Dust PT240" insecticides. The applications were effective in controlling the ants, but park personnel continued to monitor the situation.<sup>23</sup>

### Adaptive Use of Historic Resources

Resources managers have overseen the modifications needed to adapt two of the historic resources of the park--the ranch complex at Frijole Spring and the Ship on the Desert--for use by Park Service personnel and researchers who are working at the park. While resource managers made certain that the historical integrity of building exteriors was maintained, modifications to the interiors have made the Frijole buildings and the former Pratt residence into functional administrative facilities.

#### Frijole Ranch Facilities

In 1876, near Frijole Spring, the Rader brothers built the front portion of the present ranch house using native stone as their construction material. The Raders were the earliest cattle ranchers in this area of the southern Guadalupe. In 1906 the Smith family took over the ranch, becoming successful truck farmers as well as cattle ranchers. The Smiths made numerous additions to the ranch house. In 1910 they added dormers and a gabled roof covered with shake shingles. Then, around 1925 they built three rooms onto the rear of the house and added some new outbuildings--a bunkhouse, double toilet, pumphouse, and a wall-- all built of rubble stone masonry (see Figures 36 and 37). During the same time period the Smiths also constructed a frame spring-house and schoolhouse. While the Smiths lived at Frijole

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<sup>22</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1975, 4; Superintendent's Annual Report, Guadalupe Mountains National Park, 1976, 5; Superintendent's Annual Report, Guadalupe Mountains National Park, 1977, 4; Superintendent's Annual Report, Guadalupe Mountains National Park, 1980, 4; Superintendent's Annual Report, Guadalupe Mountains National Park, 1981, 6; Superintendent's Annual Report, Guadalupe Mountains National Park, 1983, 5; Superintendent's Annual Report, Guadalupe Mountains National Park, 1984, 6; "History of Pratt Lodge" by Vance Phenix, 1981, typescript, V.F. 578 in V.F. Box 15, Guadalupe Mountains National Park Library.

<sup>23</sup>Dave Kangas, Guadalupe Mountains to Jerry Hoddenback, Southwest Region, March 5, 1985 in file H30 Historic Sites and Structures Management and Preservation-Guadalupe Mountains National Park, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico.



**Figure 36. Walter and Bertha Glover at the Frijole Ranch House, c. 1909. The Glovers were neighbors of the Smiths, who owned the ranch at that time. The ranch served as the local post office and rural community center. (NPS Photo)**



**Figure 37. Frijole Ranch House, 1980. Listed in the National Register for its significance as a remnant of the early ranching economy in the Guadalupe, the Park Service has adapted the historic structure for administrative use. (NPS Photo)**

their home served as a community center and also as the local post office.<sup>24</sup> At the time that the federal government acquired the property, the Frijole ranch was the headquarters for J.C. Hunter, Jr.'s, Guadalupe Mountains Ranch. The historical significance of the Frijole ranch complex lies in its representation of early ranching in the Guadalupe as well as its significance to the community that grew up near Guadalupe Pass. In 1972, when Dave Battle assessed the Frijole structures, he determined they were eligible for listing in the National Register. Regional historians prepared and submitted the nomination late in 1977, which was subsequently accepted for listing.<sup>25</sup>

Park managers immediately recognized the interpretive value of the Frijole ranch and spoke of it in those terms in the early planning documents. All plans focused, however, on interpretations of the complex as a whole, to be viewed from outside, rather than restoring the interior of the buildings for any kind of interpretation. These plans, which persisted to 1987, may have reflected the long-term shortage of administrative facilities at Guadalupe Mountains that made it almost imperative to adapt the Frijole buildings for administrative use. However, adaptive use also was in line with the principles of cultural resource management, which encourage use of secondary structures to ensure their preservation. Park Ranger Roger Reisch lived at the Frijole ranch house from 1969 until 1980; his good nature and dedication to the park permitted him to accept without complaint a less-than-modern building that had also begun to deteriorate.<sup>26</sup> During the latter-1970s park personnel made some repairs and changes, primarily cosmetic, to the Frijole buildings. The ranch house was painted, the chimney was repaired and stabilized, and a new shake roof and shutters were added. The barn and springhouse were treated with wood preservative, and the springhouse was replastered.<sup>27</sup>

Between 1983 and 1985, personnel from the Regional Office and the park, assisted by contractors, completed major rehabilitation and renovation of the ranch house, barn, and other outbuildings, added a new septic system, and connected the water system for the Frijole complex to the Pine Springs well. In the ranch house, workers installed new support timbers beneath the floors, insulated the interior walls, reconstructed the dormers, installed storm sashes, replaced the electrical wiring,

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<sup>24</sup>National Register of Historic Places Inventory--Nomination Form, "Guadalupe Ranch," prepared by Dwight Pitcaithley, NPS Historian, August 1977; "The Frijole Ranch Complex" typescript by David Madden, September 1980, in Guadalupe Mountains National Park Library.

<sup>25</sup>"Guadalupe Ranch" National Register Nomination Form; Superintendent's Annual Report, Guadalupe Mountains National Park, 1978, 7; Statement for Management, Guadalupe Mountains National Park (U.S. Department of Interior, National Park Service, Southwest Regional Office, Division of Planning and Design, Santa Fe, New Mexico, January 1987), 15.

<sup>26</sup>See Statement for Management, 1976, 4; Natural Resources Management Plan for Guadalupe Mountains National Park, January 1975, pages unnumbered; Master Plan, Guadalupe Mountains National Park, Texas (U.S. Department of Interior, National Park Service, October 6, 1976), 15; Final Development Concept Plan, Pine Springs, Guadalupe Mountains National Park, Texas (U.S. Department of Interior, National Park Service, Denver Service Center, September 20, 1976), 10; Guadalupe Mountains National Park Interpretive Plan, approved February 4, 1977, 23, 38; Roger Reisch, interview with author, July 21, 1987.

<sup>27</sup>Master Plan, Guadalupe Mountains National Park, 44; Superintendent's Annual Report, Guadalupe Mountains National Park, 1976, 5; Superintendent's Annual Report, Guadalupe Mountains National Park, 1977, 4.

rebuilt and remortared portions of the chimney, and stabilized and remortared the foundation and the southeast exterior wall. The barn renovation included removing and replacing rotten siding, repairing doors, installing a plywood floor in the hay storage area, rodent-proofing the tack room, improving outside drainage, and installing new wiring. The double outhouse received a new and stronger roof structure and new roofing material; the wooden floor was strengthened and covered with tile flooring; interior finishes were restored or replaced with tile; and doors, toilet, shower, and lavatory fixtures were replaced. Workers replaced the roof and roof structure on the bunkhouse, replaced doors, reglazed windows, and repaired sashes. The springhouse also received roof work. A temporary drainage system installed around the schoolhouse allowed the wooden siding to dry out after years of contact with the earth. All utilities were placed underground and old lines were removed, but the posts and poles were left in place. In October 1983 the Frijole Ranger Division took over the ranch house as its headquarters and work space.<sup>28</sup>

### Ship on the Desert

Regional historians believed that the importance of Wallace Pratt, combined with the style of architecture of the Ship on the Desert, qualified the structure for listing in the National Register. Architects conceived the building in International style and designed the former residence of Wallace and Iris Pratt to resemble an oil tanker. Begun in 1941 and completed in 1945, after wartime interruptions, the six-room house is basically a single story with a deck room on the second story (see Figure 38). The main floor contains six massive transverse walls built of native stone with structural steel providing the framework for the building (see Figure 39). A two-car garage and guest quarters form an ell on the northwest end of the house. The Ship was nominated to the National Register in 1978. The Keeper of the National Register returned the nomination in 1979, reminding the Regional staff of the Park Service that a structure must be 50 years old to be listed in the National Register. The Pratt residence would not be eligible until 1995. In 1985 Peter Maxon of the Texas Historical Commission spoke with Bill Bushong at the National Register office, inquiring whether there might be some flexibility about the Ship nomination. Maxon received a negative response. Subsequently, White Associates, a Lubbock architectural firm, prepared a new nomination, to be retained by the Regional Office until the appropriate time for submission. At the same time, White Associates developed a cyclical maintenance plan for the Pratt residence, designed to keep the structure historically accurate and structurally sound pending listing in the National Register.<sup>29</sup>

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<sup>28</sup>Survey Historian, Division of History, Southwest Region to Associate Regional Director, Planning and Cultural Resources, SWR, April 14, 1983 in file H30 Historic Sites and Structures Management and Preservation-Guadalupe Mountains National Park, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico; Historical Architect, Southeast/Southwest Team, DSC to Assistant Manager, Southeast/Southwest Team, DSC, undated trip report, June 10-11, 1983 in file D46-Other Structures GUMO, closed 12/84, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Survey Historian, Division of History, Southwest Region to Associate Regional Director, Planning and Cultural Resources, SWR, June 15, 1983, in file H30 Historic Sites and Structures Management and Preservation- Guadalupe Mountains National Park, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico; Superintendent's Annual Report, Guadalupe Mountains National Park, 1983, 5; Superintendent's Annual Report, Guadalupe Mountains National Park, 1985, 8, 11.

<sup>29</sup>Peter Flagg Maxon to John Poston White, October 29, 1985, in file Pratt Residence-"Ship", B. Crisman personal files, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; National Register of Historic Places Inventory-- Nomination form, "Pratt, Wallace Residence" prepared by John P. White, Architect, November 1985, in file H30 Historic Sites and Structures Management and Preservation-Guadalupe Mountains





**Figure 38. The Wallace Pratt residence, the Ship on the Desert. Constructed during the early 1940s, architects designed the house to look like an oil tanker, symbolic of Pratt's career as a petroleum geologist. The structure will not be of sufficient age to list in the National Register until 1995. Although it serves as housing for park and research personnel, care has been taken to preserve the architectural integrity of the residence so that it may be listed in the Register. (NPS Photo)**



**Figure 39. The Ship on the Desert during construction. The structural steel framework of the building and massive walls of natural rock are apparent. (NPS Photo)**

The Ship has seen nearly as much administrative use as the Frijole ranch house. It served as a residence for Peter Sanchez from 1962 to 1963, for Roger Reisch from 1964 to 1969, then was the residence for Area Managers John Chapman, Bruce Fladmark, and Ralph Harris. After Harris moved out, renovations began. Since the house is some distance off the road to McKittrick Canyon and is unlikely to serve any interpretive purpose for the park in the foreseeable future, park managers planned to use the Ship as living quarters and work space for groups that were doing research at the park. In 1983 contractors installed 89 thermal windows. The next year a new pump and well equipment improved the water system. In 1985 the kitchen was remodeled: workers repainted cabinets and covered red tile walls and exposed wooden shelves with plastic laminate. In 1986 contractors reroofed the entire structure and supplied information about periodic maintenance necessary to validate the ten-year guarantee. While park managers originally intended to replace the flagstone deck that once covered the roof as a part of the re-roofing project, costs prohibited the restoration.<sup>30</sup>

Barry Sulam, Regional Historical Architect, noted at the end of the roofing project that preparation of a Historic Structure Report would enhance the chances of listing the Ship in the National Register. He also outlined a number of tasks that remained to be completed to preserve the "more significant original features" of the Ship. They included: replacement of the flagstone pavers on the roof deck, replacement of green glass and plexiglass panels with thermal glass, repair and replacement of exterior doors and hardware, waterproofing of interior masonry walls, rehabilitation of wooden slat blinds, restoration of interior color schemes and wall coverings, and replacement or repair of lighting fixtures and door and window hardware.<sup>31</sup>

### Managing the Historic Resources

The greatest handicap for resource managers as they made decisions relating to the park's historic resources was that a Historic Structure Report had been prepared for only one structure: the Pinery. Similarly, there were no Historic Structure Preservation Guides for the classified structures. Without these two documents, resource managers do not have the baseline information from which management decisions can be made. Management recognized the need for these documents and made them high-priority items in resource management plans in both 1984 and 1987, but as of 1987 lack of funding had prevented their accomplishment.

### Archeological Issues

Humans have utilized the lands that make up Guadalupe Mountains National Park for at least 10,000 years. In prehistoric times, nomadic people hunted game and gathered plant foods available at both low and higher elevations. Until modern

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<sup>30</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1983, 7; Superintendent's Annual Report, Guadalupe Mountains National Park, 1984, 8; Superintendent's Annual Report, Guadalupe Mountains National Park, 1985, 10; Park Log, Guadalupe Mountains National Park, September 1986, 2.

<sup>31</sup>Chief, Division of Conservation, SWR to Superintendent, Carlsbad Caverns/Guadalupe Mountains, September 12, 1986 in file H30 Historic Sites and Structures Management and Preservation-Guadalupe Mountains National Park, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico.

ranchers utilized water from drilled wells and the larger springs of the area to irrigate crops, the southern Guadalupe had no permanent settlements or sedentary farmers. However, the archeological evidence of human use of the Guadalupe is rich.<sup>32</sup>

Caves or rockshelters, middens, and open campsites were the most common types of sites found in the southern Guadalupe and many are found in association with roads and trails. Park programs to aid in the protection of wide-spread archeological resources included non-disclosure of site locations, public education about the value and vulnerability of the resources, controlled access to caves, and ranger patrols. Fortunately, most of the archeological sites in the park were not discernible to the untrained observer and, therefore, were not apt to be wantonly damaged or pilfered.<sup>33</sup>

Archeologists began investigating the southern Guadalupe in the 1930s, but park-related surveys did not begin until 1970. In that year Harry J. Shafer of the University of Texas headed a preliminary survey conducted by the Texas Archeological Society. The volunteers visited 150 sites, 139 of which were previously unrecorded. The next year the Society conducted a field school in the vicinity of Pine Spring. Students excavated a terrace southwest of the barn and corral associated with the Houser house. In addition to this excavation, the field school also confirmed an area on the north side of the drainageway from Pine Spring as the site of an army bivouac area. In May 1973 Rex Gerald of the El Paso Centennial Museum made a professional field survey of the Pine Springs campground area and the route of the proposed tramway. The following summer Paul and Susanna Katz of Texas Tech conducted a six-week field school excavation in the Pine Spring campground area, continuing earlier efforts to analyze a site that would be negatively affected by visitor use and park development.<sup>34</sup>

In 1976 the Katzes completed the necessary field work to produce a complete inventory and assessment of archeological sites in the high country of the park, work they performed under a contract with the Park Service. They assessed a total of 85 sites, including previously recorded sites as well as ones identified during their survey. The report, published in 1978, listed 16 sites that the Katzes believed to be eligible for nomination to the National Register. The Katzes also developed specific criteria by which archeological sites could be evaluated to determine eligibility for listing, criteria that the legislative mandates did not make clear. The sites they believed to be eligible for listing were primarily ones that contained multiple middens, but also included three lithic scatters, two single middens, and one cave with a midden. As of 1987, researchers had recorded a total of 299 archeological sites in the park. Although they had recommended that 29 of the sites appeared to

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<sup>32</sup>James E. Bradford, "Upper Dog Canyon Archeology, Guadalupe Mountains National Park" (U.S. Department of Interior, National Park Service, Southwest Cultural Resources Center, Santa Fe, 1980), 2-14; Final Environmental Statement, Development Concept Plan, Pine Springs, 43-44.

<sup>33</sup>Final Environmental Statement, Master Plan, 48-49; Resources Management Plan and Environmental Statement for Guadalupe Mountains National Park, recommended February 1987, 77.

<sup>34</sup>Final Environmental Statement, Master Plan, 51; Final Environmental Statement, Development Concept Plan, Pine Springs, 44-45; Carlsbad Current-Argus, August 11, 1974.

be eligible for listing in the National Register, by 1988 Regional historians had made no formal determinations of eligibility of any of the sites.<sup>35</sup>

Since the survey by the Katzes, most archeological resource management has taken the form of clearance surveys prior to prescribed burns or construction. In 1978 the Regional Office sent an archeologist to examine prescribed burn plots as park managers worked to develop a plan for fire management. The next year, prior to construction of the new access road into Dog Canyon, Regional Archeologists Bruce Anderson and Jim Bradford surveyed the area and found one midden mound in the path of the proposed road. They excavated and salvaged the mound and in 1980 published their findings in a report titled "Upper Dog Canyon Archeology." In that document Bradford outlined the precautions that were necessary during construction to protect other cultural resources near the roadway. He also expressed his concern that one of the archeological features of Dog Canyon had recently been damaged, either as a result of road construction or maintenance. He asked park managers to include archeological consultation in development projects as early as possible. Bradford returned to Dog Canyon in 1985 to assess the impact of a proposed expansion of the parking lot. His survey revealed that a midden mound would be directly affected, necessitating changes in the plans for expansion. During that visit Bradford also began to train the park's Resources Management Specialist to conduct small-scale archeological assessments in emergency situations that might occur in the day-to-day operation of the park.<sup>36</sup>

From 1979 to 1982, as development of the trail system took place, archeologists visited the park several times to give clearances before construction began. In some cases planners had to realign trails to avoid unrecognized archeological sites or to avoid creating erosion patterns that would affect archeological sites.<sup>37</sup>

The impact of natural forces such as the freeze-thaw cycle, wind, wildfire, soil erosion, burrowing animals, and grazing ungulates may be as harmful to archeological resources as the impacts of humans. Among the archeological resources, park managers have recognized the particular fragility of rock art. Although sites containing rock art comprise only four percent of the identified sites in the park,

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<sup>35</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1976, 6; Paul R. Katz, "An Inventory and Assessment of Archaeological Sites in the High Country of Guadalupe Mountains National Park, Texas," Archeological Survey Report, No. 36 (Center for Archaeological Research, University of Texas at San Antonio, 1978, typescript) 64; Resources Management Plan, 1987, 4; Ron Ice, personal communication to author, June 27, 1988.

<sup>36</sup>Superintendent, Carlsbad Caverns and Guadalupe Mountains to Regional Director, Southwest Region, December 8, 1978 in file H2215-(1970-79)-GUMO, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico; James E. Bradford, "Upper Dog Canyon Archeology. Guadalupe Mountains National Park" (U.S. Department of Interior, National Park Service, Southwest Cultural Resources Center, Santa Fe, 1980), 45-46; Archeologist, Division of Anthropology, Southwest Region to Associate Regional Director, Planning and Cultural Resources, Southwest Region, April 12, 1985 in file H2215 (85-)-GUMO, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico.

<sup>37</sup>Chief, Division of Anthropology, Southwest Region to Superintendent, Carlsbad Caverns/Guadalupe Mountains, June 4, 1980 in file H2215-(80-84)-GUMO, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico; Superintendent, Carlsbad Caverns & Guadalupe Mountains to Chief, Division of Anthropology, Southwest Region, March 25, 1981 in file H2215-(80-84)-GUMO, Southwest Cultural Resource Center, Southwest Regional Office, Santa Fe, New Mexico; Research Archeologist, Division of Anthropology, SWR to Regional Archeologist, Southwest Region, January 29, 1982 in file H2215-80-84)-GUMO in History Office, Southwest Regional Office, Santa Fe, New Mexico.

they typify the problems associated with managing archeological resources. Mere protection from intentional or unintentional human damage does not mean the resource will be preserved. Rock art, and all archeological resources, become part of the fabric of the land and are affected by the same natural phenomena that affect natural resources. As of 1987, the lack of in-depth research relating to the park's archeological resources had prevented park managers from developing long-term management plans for these cultural resources.<sup>38</sup>

### The Glover Site

Chapter V describes the problems associated with the acquisition of the Glover property for inclusion in the park. In 1972, after condemnation proceedings, the Glovers accepted a cash settlement of \$55,000 and received the right to live on their property and operate their business until the death of the last surviving spouse. Walter Glover died in 1973 at the age of 94; Bertha Glover died in August 1982 at the age of 89.<sup>39</sup> During the decade in which Bertha Glover continued to operate the Pine Springs Cafe, she and the park personnel at Guadalupe Mountains maintained a friendly, if distant, relationship.

A month after Bertha Glover's death, Area Manager Ralph Harris met with Mary Glover Hinson, the Glover's only daughter, who had been living with her mother. They discussed how much time Hinson needed to close the business and vacate the buildings. Hinson asked to wait at least until the end of the tax year. On September 14, 1982, after personnel in the Regional Land Resources Office determined that December 31, 1982, would be a "fair and reasonable" date for vacating the property, Superintendent William Dunmire sent a letter to Hinson notifying her of the year-end deadline. A few days later, William Bramhall, Chief, Division of Land Resources, wrote to Hinson and informed her of her eligibility for reimbursement for costs of moving. In mid-October, anticipating the imminent possession of the buildings on the Glover tract, Regional Director Robert Kerr wrote to the Associate Director of Cultural Resources Management in the Washington office of the Park Service, requesting authority to dispose of the structures in the Glover complex that were more than 50 years old.<sup>40</sup>

The response of the Associate Director to Kerr's request was undoubtedly postponed by the unexpected turn of events that occurred two weeks later. On October 26 a national newspaper carried the story of Mary Hinson and announced that Texas Senator Lloyd Bentsen had sent a written request to Superintendent Dunmire asking for an extension of time for Hinson to vacate the cafe. Earlier in

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<sup>38</sup>Resources Management Plan, 1987, 77, 81.

<sup>39</sup>Information Background, Pine Springs Store/Cafe, Guadalupe Mountains National Park, revised 9/87 in V. Davila personal files, Guadalupe Mountains National Park.

<sup>40</sup>Area Manager to Superintendent, November 17, 1982 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico; W. E. Bramhall to Mrs. Mary Hinson, September 21, 1982, in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico; Regional Director, Southwest Region to Associate Director, Cultural Resources Management, WASO, October 12, 1982 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

October, the El Paso Times had carried a story about Hinson's pending dislocation, but it apparently drew little attention. The story in US News, however, definitely attracted attention. Early in November the story received television coverage on NBC and ABC. The coverage was not favorable to the Park Service.<sup>41</sup>

On November 2, Dunmire responded to the letter he had received from Bentsen. He acknowledged that the Park Service would be amenable to allowing Hinson more time to vacate, but that she would be required to pay rent on the buildings during the extended time period. He also addressed the planned removal of the buildings on the Glover tract. Saying that he still believed that it was in the highest public interest to remove the buildings to enhance the scenic integrity of the highway corridor, Dunmire told Bentsen that he had asked Park Service architects for another evaluation of the Pine Springs structures.<sup>42</sup>

At the same time, staff members from the offices of Secretary of the Interior James Watt and Congressman Richard White also became involved in the question of extending Hinson's occupancy of the Pine Springs buildings. Associate Director for Operations, Stanley T. Albright, from the Washington office of the Park Service responded briefly and factually to the query from the Interior Department, advising the staff member of the means of acquisition of the Glover property, the reservation attached to it, and the termination of the reservation with the death of Bertha Glover. He described the buildings on the property and emphasized the fact that the newspaper had distorted the situation by referring to Hinson's dislocation as an eviction.<sup>43</sup>

Dunmire responded to Congressman White's inquiry, which had been prompted by a communication from Duane Juvrud, Mary Hinson's attorney. White apparently was concerned with the water rights that were attached to the land the Glovers sold to the United States. Dunmire assured White that the water rights and the severance of those rights from the Glover's remaining 3,700 acres were included in the property for which the Glovers received compensation. He also indicated that Hinson should not assume that there would be excess water available from the sources on the former Glover property to divert to her ranch land adjacent to the park. Addressing another of White's queries, regarding the feasibility of Hinson continuing to operate a facility such as her parents had operated, Dunmire told White that a market study conducted in 1981 indicated a concession would not be economically feasible. He also pointed out the high cost of rehabilitating the Pine Springs store building to meet standards of safety and structural soundness.<sup>44</sup>

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<sup>41</sup>USA Today, October 26, 1982; El Paso Times, December 23, 1982; William Dunmire, tape recorded responses to author's questions, February 1988.

<sup>42</sup>William Dunmire to Honorable Lloyd Bentsen, November 2, 1982 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>43</sup>Associate Director, National Park Service To Special Assistant to the Assistant Secretary for Fish and Wildlife and Parks, November 10, 1982, in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>44</sup>William Dunmire to Ms. Mary Hinson, November 20, 1982; William Dunmire to Honorable Lloyd Bentsen, December 1, 1982 both letters in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

On November 30 Dunmire confirmed in writing the conversation he had with Mary Hinson the previous day. He had agreed to her request for a six-month extension of occupancy, setting June 30, 1983, as the date by which she would vacate the property. Dunmire also confirmed granting Hinson access to the Park Service water source at Pine Springs for residential, non-commercial use on her property adjacent to the park boundary. Hinson would be responsible for the cost of the line and hookup. A charge for water would be made, based either on cost or comparable rates in the City of Carlsbad, New Mexico, when Hinson had relocated her residence to this property. The following day Dunmire notified Senator Bentsen of the agreement.<sup>45</sup>

In spite of the apparent finality of the agreement between Dunmire and Hinson, due to the public and Congressional support Mary Hinson was able to gain, she still occupied the Pine Springs Cafe beyond the June 1983 extension. In the spring of 1983, hoping to "cool the issue" and believing that the decision was not harmful to the park, Superintendent Dunmire acquiesced to Hinson's request to continue to occupy the Pine Springs buildings for another year. He renewed her right to occupancy again in June 1984 and June 1985.<sup>46</sup> During these years Hinson paid \$50 per month for rent and charges for water used in the store. In 1984, when construction of the park boundary fence cut off the water supply for livestock on land which Hinson had leased to J.C. Estes, park managers worked out an agreement with her to continue to provide water for a specified time until Estes could get a fair price for his cattle. That same year Dunmire also confirmed Hinson's right to use a Park Service access road to reach her property. Park Service personnel graded a short spur road from the paved road to the boundary line between the park and Hinson's property and installed a gate in the boundary fence to facilitate access to her property.<sup>47</sup>

Late in 1983 a staff member of the Regional History Division reassessed the historical significance of the buildings in the Glover complex. In a report entitled "Evaluation and Alternative Management Strategies: Pine Springs Camp (Glover Property) Guadalupe Mountains National Park, Texas," Laura Souilliere documented the Glover property from its establishment in the early twentieth century to its contemporary status. The Texas Historical Commission reviewed the report and determined the Glover property to be eligible for listing in the National Register under Criteria A, C, and D: it represented "an historic type frequently seen in desert regions of the Western United States," had made a "substantial contribution to the development of isolated desert population," and the oral history Mary Hinson could provide, "together with documentation from the property, [could] yield information

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<sup>45</sup>William Dunmire to Honorable Richard C. White, November 24, 1982 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>46</sup>William Dunmire, taped responses to author's questions, February 1988.

<sup>47</sup>Briefing statement, Mary Hinson/J.C. Estes Water Issue, undated, in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico; William Dunmire to Ms. Mary Hinson, September 17, 1984 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.



important to the understanding of lifeways of early 20th Century families in this region of Texas. . . ."<sup>48</sup>

In January 1984, Melody Webb, Regional Chief of the Division of History, notified Dunmire of the decision of the State Historic Preservation Officer regarding the Pine Springs buildings. In anticipation of Hinson's vacating the cafe in June 1984, Webb advised Dunmire to add \$7,000 to funds programmed for the demolition of the Pine Springs buildings to ensure that adverse effects would be mitigated through additional oral history, photography, and a full inventory of the contents of the buildings.<sup>49</sup> Webb's plans to document the buildings did not materialize, however, because of Hinson's continued occupancy.

Richard Smith succeeded Dunmire as Superintendent of Guadalupe Mountains on March 30, 1986. Smith attacked the thorny problem of the Glover property with the vigor of a new man on the job. Within a month he had reviewed the "voluminous" files relating to the property and had summarized their contents and implications for the Regional Director. He recommended that Hinson's use and occupancy permit not be renewed for another year and suggested that the Texas Congressional delegation and Hinson be notified immediately of that intention. He closed his memorandum by saying:

I am well aware that we risk considerable public controversy if we decide to pursue this course of action. . . . I am convinced, however, that we should not continue to issue the 1-year use and occupancy agreements to Mrs. Hinson. The Congress has specifically prohibited the NPS from permitting activities in derogation of park values. . . . I am sure we are sanctioning a use that we have no legal authority to permit. To close out the use and occupancy at the expiration of the current permit would be the proper course of action for the preservation and protection of park values.<sup>50</sup>

Early in June 1986, Donald Dayton, who was then the Acting Regional Director, notified the Associate Director for Park Operations in Washington of the "potentially sensitive political issue" of the decision not to extend Hinson's special permit. He noted that Hinson would be given four months past the June 30 expiration date to vacate the Pine Springs buildings, that Congressional offices would be notified of the decision via letters dated June 20, and that Hinson would be notified on June 26. He reviewed the unfavorable news coverage that occurred in 1982 and warned that public controversy was again possible.<sup>51</sup>

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<sup>48</sup>LaVerne Herrington to Robert Kerr, 12/14/83, in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>49</sup>Chief, Division of History, Southwest Region to Superintendent, Carlsbad Caverns/Guadalupe Mountains, January 18, 1984 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>50</sup>Superintendent Carlsbad Caverns and Guadalupe Mountains to Regional Director, Southwest Region, April 24, 1986 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>51</sup>Acting Regional Director to Associate Director, Park Operations, WASO, June 6, 1986 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

The promised letters to the Congressional delegation recalled the original controversy, told of the annual renewals of the special use permit, and described the only legal way in which the Pine Springs Cafe could continue to operate: as an official concession that met public health and liability insurance standards and for which a fair market rent was paid. Smith's letter also described the proposed four-month extension of time to permit Hinson to vacate the buildings and the compensation for moving expenses for which she was eligible. Copies of the letter went to Senator Bentsen, Senator Phil Gramm, and Congressman Ronald Coleman.<sup>52</sup>

Smith's letter to Hinson established November 1 as the final date for vacating. He pointed out that he had no legal authority to continue the special use permit and offered no alternatives to her. Finally, he reiterated her eligibility for reimbursement for moving expenses.<sup>53</sup> A month later Smith responded to a request from Hinson and sent copies of the letters in which Dunmire had committed the Park Service to providing water and access to her property adjacent to the park. He reassured her that the Park Service intended to honor these commitments.<sup>54</sup>

In September park managers released the news that funds to complete documentation of the history of the buildings on the Glover tract would be available in 1987. The news story was released September 19 and appeared in the Carlsbad Current-Argus on September 22. It contained the announcement that Mary Hinson's special use permit had not been renewed. In spite of what appeared to be orderly progress toward the park's final possession of the Glover buildings, Hinson was not ready to give up. Less than a week after Smith issued his news release about the Glover tract, Secretary of the Interior Donald Paul Hodel overturned the Regional decision to not renew Hinson's special permit. According to the story that appeared in the Washington Post on September 25, Hodel had learned of Hinson's problem from Bentsen and had decided to permit Hinson's occupancy for five more years.<sup>55</sup>

Smith accepted defeat with grace. In March 1986 he complied with arrangements made after Hodel's decision and sent the Congressional delegation copies of the "Letter of Authorization," which had been approved by the Department of the Interior, to permit Hinson's continued use of the cafe until January 1, 1992. The authorization stipulated that no capital improvements could be made to the building and that repairs affecting the historical integrity of the cafe were to be coordinated with the Texas Historical Commission. (In his cover letter Smith reported that the Texas State Historic Preservation Officer had already been consulted about a roof repair for the cafe.) The authorization also required Hinson to meet applicable state health and safety codes and to assume liability for damages to third parties which were incurred in the cafe. Hinson would continue to pay a nominal rental fee for the building. After obtaining the new agreement, Hinson spent little time at the Pine

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<sup>52</sup>Richard Smith to Honorable Lloyd M. Bentsen, Jr., June 20, 1986 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>53</sup>Richard Smith to Ms. Mary Hinson, June 26, 1986 in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>54</sup>Richard Smith to Ms. Mary Hinson, July 22, 1986, in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico.

<sup>55</sup>Carlsbad Current-Argus, September 22, 1986; Washington Post, September 25, 1986.

Springs property. She lived in El Paso and the spouse of one of the employees of the highway department operated the store for her.<sup>56</sup>

When the Texas State Historic Preservation Officer declared the Glover buildings eligible for listing in the National Register, park managers were mandated to preserve the buildings, at least until they had been thoroughly documented. The agreement reached with Hinson in 1987, which involved the State Historic Preservation Office in decisions about repairs to be made to the cafe, gave the park managers somewhat more leverage in assuring that the integrity of the buildings would be retained until they could be fully recorded. However, since the Park Service did not intend to retain the buildings, repairs to the cafe or any of the other buildings in the complex would force expenditures which would not have been incurred if the Park Service had obtained possession of the buildings in November 1986. In any event, the cordial but distant relations between Hinson and the Park Service made management of the cultural resources at the Glover site difficult.

By 1987 three superintendents had dealt with the problems associated with the Glover property. Donald Dayton's goals had been to gain the confidence of Walter and Bertha Glover and establish a good relationship with them. In an interview in 1987, Dayton concluded that he and other park personnel had succeeded in those objectives. Ralph Harris, who became Area Manager after Dayton left the Superintendency, concurred with Dayton's assessment. The next Superintendent, William Dunmire, faced a more difficult task--dislocating Mary Hinson from the property. He did not succeed. Looking back at the events related to the Glover property that took place during his Superintendency, Dunmire recalled that it was a "painful situation. We took some big knocks." He also believed, in retrospect, that the lease extension did not hurt the park and "the whole deal wasn't worth the negative publicity [it generated]." His hindsight suggested that the negative publicity might have been circumvented by a better public relations plan. The next Superintendent, Richard Smith, tried a better public relations plan. He warned the Congressional delegation of his plans to gain possession of the Glover property and even had the support of the Carlsbad Chamber of Commerce and staff members of the Current-Argus in his effort. But he was defeated by larger politics, the kind with which no Park Superintendent or Regional Director could argue. The role of the new Superintendent, Karen Wade, will undoubtedly be similar to Dayton's, to wait patiently until 1992, following the mandate to care for the buildings on the property and trying to maintain good relations with Mary Hinson.

Management of the park's cultural resources placed decision-makers in the unenviable position of having to identify and evaluate the resources, then wait for considerable periods of time until funding became available for the additional research that was needed to rationalize the management process. By 1987 most classified historic structures had been stabilized and could be held for a number of years without further serious deterioration. In addition, two of the park's historic resources had been successfully adapted for reuse. Managers did well with their small budgets. In 1987 the prehistoric resources also were in holding patterns, but

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<sup>56</sup>Richard Smith to Honorable Lloyd Bentsen, March 13, 1987; Richard Smith to Ms. Mary Hinson, March 16, 1987 both in GUMO Tract Files, 01-112/Glover, Bertha/GUMO in Land Resources Office, Southwest Regional Office, Santa Fe, New Mexico; Bobby L. Crisman, personal communication to author, June 1988.

more precariously so, because they were less easily monitored than the historic structures. After fifteen years of operation, resource managers had fulfilled the requirements of the law as well as funding had allowed, but it appeared that much more time might pass before they acquired more sophisticated management tools.

## CHAPTER XI

### SPECIAL EVENTS AND PUBLIC RELATIONS

Since the establishment of the park in 1972, Guadalupe Mountains has been the scene of a number of special events. The dedication ceremony and celebration in September 1972, the opening of the new facilities at Dog Canyon in May 1982, and the tenth anniversary celebration and opening of the contact station in McKittrick Canyon in November 1982 were single-day events, sponsored by the Park Service with the assistance of civic organizations from nearby communities. Each year the park also had a spontaneous special event--the magnificent colors of autumn--which attracted many visitors. On two occasions the park was the staging ground for events that were not planned by the Park Service but captured widespread public attention: a flag ceremony on Guadalupe Peak in recognition of the U.S. bicentennial anniversary and a climb of Guadalupe Peak by small group of paraplegics who made the trip in wheelchairs. All of these events served to increase public awareness of and interest in the park. As such they are an important aspect of the administrative history of the park.

#### Events Sponsored by the Park Service

##### Dedication Ceremony--September 30, 1972

The year in which the park was established was also the centennial anniversary of the establishment of Yellowstone National Park, the nation's first park. For that reason, the Washington office of the Park Service participated more actively than usual in events taking place in the parks. During the centennial year, to bring the anniversary observance to as many parks as possible, national-level staff members and other significant people related to the government took part in such functions as the Guadalupe Mountains dedication. Julie Nixon Eisenhower, daughter of President Richard Nixon, and Nathaniel P. Reed, Assistant Secretary of the Interior for Fish and Wildlife and Parks, participated in the festivities at Guadalupe Mountains and were the principal speakers at the dedication ceremony (see Figure 40).<sup>1</sup>

Although the drawn-out legislative struggle to establish the park had generated much public interest, particularly in West Texas and southeastern New Mexico, park managers were unwilling to rely on that interest to bring people to the dedication ceremony. To assure a good turn-out, they launched a major publicity campaign in advance of the date. The El Paso, Dell City, Van Horn, and Carlsbad chambers of

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<sup>1</sup>Van Horn (TX) Advocate, September 23, 1982.

commerce and the Carlsbad Caverns Natural History Association cooperated in the publicity effort and helped to make the day-long occasion a success.<sup>2</sup>

The dedication ceremony, attended by some 2,400 people, took place near the temporary office and information station at Frijole, a location that in 1972 had no other facilities that would attract visitors. That so many people were willing to travel the considerable distance to the park to attend the ceremony attests to the effectiveness of the publicity campaign as well as the high level of local interest in the park. The ceremony included all of the pomp necessary to properly initiate a new facility: a U.S. Army color guard from Fort Bliss, Texas, to present and retire the colors; the Van Horn, Texas, high school band to provide music; local clergy to lead the invocation and benediction; and Park Service Associate Director Stanley W. Hulett (see Figure 40) to serve as master of ceremonies. The speaker's platform was filled with people who had been instrumental in the establishment of the park: J. C. Hunter, Jr., and his wife, Mary (see Figure 41), former owners of the largest portion of the park lands; former Senator Ralph Yarborough and Congressman Richard White (see Figure 40), who had initiated the legislation to establish the park; and John Ben Sheppard, who had been chairman of the Citizens Committee for Guadalupe Mountains National Park. While the infirmities of age prevented Wallace Pratt from attending this occasion of which he had long dreamed, his seminal contribution to the establishment of the park did not go unrecognized. After speeches by Reed and Eisenhower, a welcome by Superintendent Donald Dayton, and remarks by White, Theodore Thompson, Associate Director of the Southwest Region, unveiled a special plaque honoring the Pratt family.<sup>3</sup>

After the dedication ceremony, Cavern Supply, concessioner at Carlsbad Caverns, prepared and served a free barbecue lunch for all who had attended. Park managers invited the public to tour McKittrick Canyon in the afternoon.<sup>4</sup>

#### Opening of the Facilities in Dog Canyon--May 22, 1982

In 1982, the beginning of the season of summer visitation coincided with completion of the ranger and visitor facilities in Dog Canyon and of the access road to the area. Hoping to generate more interest in the Dog Canyon area, which previously had received far less traffic than the southern areas of the park, management again initiated a heavy promotional campaign to encourage attendance at the ribbon-cutting ceremony and barbecue on May 22. For several weeks before the date of the occasion local newspapers carried announcements of the dedication

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<sup>2</sup>News release, Carlsbad Caverns and Guadalupe Mountains National Parks, September 26, 1972, in file GUMO Basic Data--Administrative History, Bobby L. Crisman personal file, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>3</sup>Van Horn (TX) Advocate, September 23, 1982; news release, Carlsbad Caverns and Guadalupe Mountains National Parks, September 26, 1972, in file GUMO Basic Data--Administrative History, Bobby L. Crisman personal file, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; Superintendent's Annual Report, Guadalupe Mountains National Park, 1972, 1.

<sup>4</sup>Van Horn (TX) Advocate, September 23, 1982; news release, Carlsbad Caverns and Guadalupe Mountains National Parks, September 26, 1972, in file GUMO Basic Data--Administrative History, B. Crisman personal file, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.



**Figure 40. Distinguished guests at the dedication of Guadalupe Mountains National Park, September 30, 1972: (L-R) Donald Dayton, Stanley Hulett, Richard White, Julie Nixon Eisenhower, Ralph Yarborough, Nathaniel Reed. (NPS Photo)**



**Figure 41. Mary and J. C. Hunter, Jr., (right) at the dedication of Guadalupe Mountains National Park. The Hunters' 70,000-acre ranch was the largest parcel the federal government purchased to establish the park in the southern Guadalupe. (NPS Photo)**



and maps showing how to reach Upper Dog Canyon. Park managers invited newspaper, television, and radio people from Carlsbad, El Paso, Roswell, and Albuquerque to attend. They also sent individual invitations to people in Dell City and Carlsbad whom they considered to be special friends of the park.<sup>5</sup>

An estimated 300 people traveled the newly improved road to Dog Canyon on May 22. Much less formal than the park's dedication ceremony, a simple ribbon-cutting initiated the Dog Canyon facilities. William Dunmire, Superintendent of Carlsbad Caverns and Guadalupe Mountains, served as master of ceremonies. Donald Dayton, who by 1982 was Deputy Regional Director for the Southwest Region, gave the principal remarks. The mayors of Carlsbad and Dell City and the presidents of the chambers of commerce of both towns joined Dunmire and Dayton in the ceremony. After the ribbon-cutting the Eddy County Mountain and Desert Res-Q Squad prepared and served a Dutch-treat barbecue lunch. The public was invited to tour the campground, contact station, residential, and barn areas during the afternoon.<sup>6</sup>

#### Tenth Anniversary Celebration--November 6, 1982

Later in 1982 the McKittrick Canyon contact station was completed in time to be the focus for the tenth anniversary celebration of the park. Instead of taking place on September 30, the occasion was scheduled for November to coincide with the height of fall colors. The chambers of commerce of Dell City, Van Horn, Sierra Blanca, and Carlsbad exhibited their continuing interest in the park by their promotion of and involvement in the event. The Carlsbad Caverns Natural History Association provided all of the printing services associated with promotion.<sup>7</sup>

Approximately 1,300 people attended the Dutch-treat barbecue prepared and served throughout the day by the Dell City Chamber of Commerce. During the day-long event, park rangers led guided tours into McKittrick Canyon, and trails were open at all times for public use.<sup>8</sup>

The formal program to observe the park's anniversary and to dedicate the McKittrick Canyon contact station recalled the dedication ceremony of 1972. An address by Congressman Richard White, highlighting colorful persons and events related to the park, was the focal point of the program. An Army color guard from

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<sup>5</sup>All of the local newspapers carried stories about the anniversary celebration: Carlsbad Current-Argus, May 9, 1982; Van Horn (TX) Advocate, May 13, 1982; Hudspeth County (TX) Herald-Dell Valley Review, May 14, 1982; Eddy County (NM) Times, May 14, 1982; William Dunmire to various media representatives in Texas and New Mexico, May 4, 1982, in file Dog Canyon Dedication, Bobby L. Crisman personal file, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico; William Dunmire, individual letters to Mary Lynch, Perry Denton, Mrs. (Jack) Lee Black, and George Crump, in file Dog Canyon Dedication, Bobby L. Crisman personal file, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>6</sup>Carlsbad Current-Argus, May 9, 1982; Van Horn (TX) Advocate, May 13, 1982; Hudspeth County (TX) Herald-Dell Valley Review, May 14, 1982; Eddy County (NM) Times, May 14, 1982; Superintendent's Annual Report, Guadalupe Mountains National Park, 1982, 3.

<sup>7</sup>News release, Carlsbad Caverns and Guadalupe Mountains National Parks, September 18 and 29, 1982, in News Release File, Guadalupe Mountains National Park.

<sup>8</sup>*Ibid.*; Superintendent's Annual Report, Guadalupe Mountains National Park, 1982, 3.

Fort Bliss presented and retired the colors, a resident of Van Horn sang the national anthem, and local clergymen gave the invocation and benediction. Superintendent William Dunmire was the master of ceremonies. Honored guests on the speaker's platform were Congressman Ronald Coleman, former Senator Ralph Yarborough, Judge Doyle Ziler of Hudspeth County, Judge John Conoly of Culberson County, and Deputy Regional Director Donald Dayton. Regional Director Robert Kerr presided at the ribbon-cutting to officially open the visitor contact station.<sup>9</sup>

### Color Weekends

The "first annual fall color cavalcade" took place in October 1971; 135 people participated in three guided tours of McKittrick Canyon.<sup>10</sup> Each year thereafter park managers watched the development of fall colors and announced the weekends when they anticipated color-viewing would be at its peak. The number of visitors to the canyon during the two or three designated weekends gradually increased to approximately 700 in 1976, jumped to 1,450 in 1978, and nearly doubled again to reach 2,800 in 1979. Although fall visitation fell off in 1981 and 1982, by 1983 it had returned to the peak level of 1979.<sup>11</sup>

By 1986 visitors coming to see the fall colors in McKittrick Canyon had increased to such a point that management decided to institute a new policy for the color weekends in 1987: during those weekends McKittrick Canyon would be administered under an "incident command system" where the gate at the highway would be closed when a certain number of people had entered the canyon. A publicity campaign describing the new policy began early in October 1987. Managers advised the public to visit the park on weekdays if possible, then outlined the procedures for the late-October, early-November weekends. After the 110-car parking lot at the mouth of the canyon was full, additional vehicles would be permitted to enter the canyon only as other vehicles left and parking spaces became available. The news stories suggested alternative locations within the park for color-viewing; they also encouraged large groups, such as bus tours, to make reservations to visit the canyon. The publicity campaign was a valuable effort; park managers received strong public support for the limited access program initiated during the color weekends of 1987.<sup>12</sup>

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<sup>9</sup>Ibid.

<sup>10</sup>Carlsbad Current-Argus, October 27, 1971.

<sup>11</sup>Superintendent's Annual Report, Guadalupe Mountains National Park, 1972, 4; Superintendent's Annual Report, Guadalupe Mountains National Park, 1973, 7; Superintendent's Annual Report, Guadalupe Mountains National Park, 1974, 8; Superintendent's Annual Report, Guadalupe Mountains National Park, 1976, 8; Superintendent's Annual Report, Guadalupe Mountains National Park, 1978, 14; Superintendent's Annual Report, Guadalupe Mountains National Park, 1979, 16; Superintendent's Annual Report, Guadalupe Mountains National Park, 1980, 7; Superintendent's Annual Report, Guadalupe Mountains National Park, 1981, 10; Superintendent's Annual Report, Guadalupe Mountains National Park, 1983, 6.

<sup>12</sup>Robert Valen, Chief, Interpretation and Visitor Services, Guadalupe Mountains National Park, interview with author, June 4, 1987; Superintendent's Annual Report, Guadalupe Mountains National Park, 1986, 1; News release, Carlsbad Caverns and Guadalupe Mountains National Parks, October 2, 1987, in news release file, Guadalupe Mountains National Park; Superintendent's Annual Report, Guadalupe Mountains National Park, 1987, 6.

Other Special Events

## Bicentennial Flag Ceremony--July 28, 1975

As part of the Texas celebration of the bicentennial anniversary of the United States, eight Boy Scouts and two scoutmasters from Troop No. 3 of Abilene, Texas, climbed Guadalupe Peak to fly the flags of the United States, Texas, and the Bicentennial. The Boy Scout group assembled at the Pine Springs campground on July 27, 1975, where they were welcomed by members of the Carlsbad Chamber of Commerce. A photographer and staff member from the Abilene television station, a photographer from the Abilene Reporter-News, an administrator from the West Texas Chamber of Commerce, and a Guadalupe Mountains Park Technician, Robert King, volunteered to climb with the Boy Scouts.<sup>13</sup>



**Figure 42. Members of Boy Scout Troop No. 3, Chisholm Trail Council, Abilene, Texas, in Bicentennial flag ceremony atop Guadalupe Peak, July 28, 1972. (NPS Photo)**

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<sup>13</sup>Superintendent to Area Manager GUMO, June 10, 1975; typescript of schedule for climb; News release, Carlsbad Caverns and Guadalupe Mountains National Park, July 24, 1975, all in file GUMO Basic Data--Administrative History, Bobby L. Crisman personal file, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

In 1975 the trail to the peak had not been improved. It covered a 3,500-foot rise in elevation in three and one-half miles. (The improved trail, completed in 1980, reduced the steep gradient by increasing the length of the trail to five miles.) The group made it to the top, however, and flew six flags: three flags of the United States from the Capitol in Washington, furnished by Senators John Tower and Lloyd Bentsen and Congressman Richard White; three Texas State flags from the State Capitol in Austin; and the official Bicentennial flag (see Figure 42). The filmed ceremony appeared on KTXS, a television station in Abilene.<sup>14</sup>

#### Climb of Guadalupe Peak by Members of POINT--July 12-17, 1982

In July 1982 Guadalupe Peak was the site of another noteworthy climb. A group of six paraplegics, members of a Dallas-based organization known as POINT (Paraplegics on Independent Nature Trails), set out to climb Guadalupe Peak in wheelchairs. Jack Grimm, a noted oilman from Abilene, developed the idea of the climb only a week before it happened. He conceived it in connection with a fund drive for the West Texas Rehabilitation Center in Abilene. Park managers, who were aware of the potential dangers of the climb, and the advance scout for the group, who examined the trail, expressed concern for the safety of the climbers. Park personnel foresaw a number of special difficulties for the climbers, including the need to carry enough water for a five-day trip and the fact that there were no suitable places along the trail where they could camp overnight. In addition, the regular occurrence of severe electrical storms in the high country during July, and the 15- to 30-percent grades the climbers would encounter prompted park personnel to suggest an easier route to a different destination. The men refused, however, and remained dedicated to the challenge of climbing the highest mountain in Texas.<sup>15</sup>

Illness reduced the originally planned group of six men to five: Michael Powers, Robert Leyes, Donny Rodgers, Joe Moss, and Dave Kiley. By the third day of the climb Powers and Leyes had to turn back because of physical difficulties. The two "grounded" climbers stayed in radio contact with the three who continued, offering them moral support until the last day of the climb, when the trail took the climbers behind a ridge that blocked radio reception. Although the men asked that they be left on their own, park personnel checked in with them regularly to obtain information for progress reports being carried by the news media. Park Ranger Jon Jarvis also stayed with the climbers the last two nights and accompanied them the last mile to the summit. During the last few hundred yards the men had to leave their wheelchairs and push or drag them as they crawled to the summit. The three men reached the top on the evening of July 16 (see Figure 43).<sup>16</sup>

Public recognition of the accomplishment of the climbers came on July 17. The men spent the night of July 16 on the peak and were lifted off the following morning by three U.S. Army helicopters from Fort Bliss. For safety reasons, the

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<sup>14</sup>Ibid.

<sup>15</sup>Bob Crisman, "Paraplegics Make History Conquering Guadalupe Mountains' Highest Peak," typescript in file Wheelchair Climb of Guadalupe Peak by POINT, 7/12-17/82, Bobby L. Crisman personal file, Guadalupe Mountains National Park Headquarters, Carlsbad, New Mexico.

<sup>16</sup>Ibid.



**Figure 43. (L-R) Donny Rodgers (behind monument), Joe Moss, and Dave Kiley on Guadalupe Peak after a five-day climb in wheelchairs, July 12-16, 1982. (NPS Photo)**

climbers did not try to make the descent in their wheelchairs. Later that day the climbers were the honored guests at a press conference and public reception at the Civic Center in Carlsbad. The nation-wide attention the men had attracted became apparent. During the press conference the men received telephone congratulations from President Ronald Reagan and New Mexico Governor Bruce King. Texas Governor William Clements sent a telegram with his congratulations.<sup>17</sup>

The special events that have taken place at Guadalupe Mountains show some of the ways in which management has worked or cooperated with others to increase public awareness of the park. The Park Service-sponsored events also provide evidence of the good relationships that have existed between the park and the neighboring communities and the park and the media. The Carlsbad Chamber of Commerce was involved in the movement to establish a park in the Guadalupe as early as the 1920s; its continuing support was particularly creditable since the park is in Texas, not New Mexico. In the years since the park was established, the Dell City and Van Horn chambers of commerce also have had strong relationships with the park. Cooperation with these organizations undoubtedly has been enhanced by membership of park personnel in the groups. Similarly, the park has had a particularly good relationship with the Carlsbad Current-Argus. The even-handed treatment by the newspaper of park controversies has permitted its readers to understand both sides of issues and has made clear the legal constraints under which park managers must operate.

The work of Bobby Crisman in the area of public relations also cannot be overlooked. Crisman has been involved with the administration of the park since its establishment and has served as Acting Superintendent during the interim periods when new Superintendents were being selected. His participation in local civic organizations as well as the public activities associated with both Guadalupe Mountains and Carlsbad Caverns, plus his longevity in an agency in which personnel may change as often as the seasons, have made him a valuable liaison between park and community. Crisman's production of hundreds of news releases, coordination of special events, and long-time participation in civic affairs have been invaluable in establishing the positive public image of Guadalupe Mountains.

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<sup>17</sup>Ibid.

## CHAPTER XII

### IN RETROSPECT

In May 1980, Roger Reisch, who began working at Guadalupe Mountains in 1964, addressed a training session for the park's seasonal employees. Speaking from personal observation, he succinctly summarized the workings and history of the park: "Nothing goes very fast."

Historical research has confirmed Reisch's observations. People first began advocating a park in the southern Guadalupe Mountains in 1925. More than forty years later, in 1966, Congress finally authorized such a park. The park could not be established, however, until mineral rights to the land had been donated and the surface rights purchased. Those processes took another six years, ending in the establishment of the park in 1972. The land acquired for the park had virtually no existing facilities that were appropriate for visitor or administrative use, but suitable facilities could not be constructed until detailed plans had been completed and approved. Six more years, which were filled with controversy, passed before the plans were complete. Compared with the time required to establish and plan the park, development of most of the planned facilities took place in a relatively short three-year period, from early in 1980 through 1982. However, the main visitor center for the park was not among the facilities built during that period. Funding limitations for the visitor center necessitated design changes and delayed construction of that facility until 1988.

Why did everything take so long? During an interview in 1987, John Cook, Regional Director of the Southwest Region, suggested that personalities, timing, and national politics had been the most decisive factors affecting development of the park, particularly the visitor center. With slight modifications, Cook's factors also may be applied to the longer view of Guadalupe Mountains National Park and used to explain why it took so long to reach the point of development achieved by 1988.

In the 1920s and 1930s the dynamic personalities needed to press the park issue were present, but state and national politics were wrong. The enthusiastic support of men like J. C. Hunter and E. H. Simons fell on deaf ears in the Texas legislature. Within the Park Service, Ben Thompson and Roger Toll, advocates of a park in the southern Guadalupe, knew that the land for all other national parks had been taken from the public domain or had been donated by the states or private philanthropists. They realized Congress was unlikely to appropriate money to purchase private land to create a national park. The inability or unwillingness of the State of Texas to purchase the land severely limited the chances for establishment of a park.

World War II, followed by post-war efforts to rehabilitate the existing system of national parks, prohibited serious consideration of establishing a new park in the Guadalupe Mountains during the 1940s and 1950s. At the end of the 1950s, however, personalities once again entered the picture. Wallace Pratt's donation of his land in McKittrick Canyon and his subsequent advocacy of acquisition of J. C. Hunter, Jr.'s, land rekindled interest in establishing a major park. In 1961, when Congress

approved the Cape Cod National Seashore, it established the precedent of appropriating money to purchase land for a park and removed one of the earlier barriers to a park in the Guadalupe. The aggressive work of Texas Representatives Joe Pool and Richard White and Senator Ralph Yarborough combined with large-scale local interest in the park project to bring about Congressional authorization of the park.

Politics, economics, and personalities affected the time required for acquisition of the surface and mineral rights to the park lands. Politics and economics determined that the mineral rights should be donated as well as the timing and amount of funds that were appropriated for land acquisition. Personalities--the owners of surface and mineral rights who did not wish to give up their property--further delayed the acquisition process.

After establishment of the park, national politics and timing became especially important. The park was established at a time when national values were shifting. Plans that would have been accepted easily a decade earlier met with strong opposition and had to be revised, lengthening the planning process for the park. Finally, in the period when development began to occur, the park did not have the strong support it needed in Congress to get its projects funded. Park managers soon realized this problem and sought to cultivate the support of Representative Ronald Coleman, who was the political personality ultimately responsible for obtaining funding for the visitor center.

During the time from 1925 to 1988, ideas of what the park should offer to the public changed dramatically. Advocates of a parkway between Pine Springs and Carlsbad Caverns, which would have permitted visitors to enjoy the spectacular views afforded by the escarpment from the comfort of their automobiles, gave way to the advocates of wilderness preservation. Instead of a parkway, park planners designed footpaths and horse trails. Hikers willing to carry their own water and provisions replaced tramway riders as the target clientele for the park.

Although the level of development achieved by 1988 had come slowly and park personnel had made do with makeshift and temporary facilities for over a decade, by 1988 the park had reached a point that could be called mature. It had assumed the form and substance that planners had intended and had become a park of which Wallace Pratt and the Hunters undoubtedly would have approved.



## BIBLIOGRAPHIC ESSAY

### Background

Several books are available that give good overviews of the history and philosophy of the National Park Service. The National Park Service, by William C. Everhart (New York, Washington, London: Praeger Publishers, Inc., 1972); National Parks: The American Experience, by Alfred Runte (Lincoln, Nebraska, and London: University of Nebraska Press, 1979); Mountains Without Handrails: Reflections on the National Parks by Joseph L. Sax (Ann Arbor: The University of Michigan Press, 1980); and America's National Parks and Their Keepers, by Ronald A. Foresta (Washington, D.C.: Resources for the Future, Inc., 1984) are complementary and provide varying points of view.

Other books to consider include Parks, Politics and the People, by Conrad L. Wirth (Norman, Oklahoma: University of Oklahoma Press, 1980), which contains many of Wirth's reminiscences, but is particularly valuable for its description of MISSION 66.

Another book that gives an overview of park policies and problems prior to 1960 is John Ise's Out National Park Policy: A Critical History (Baltimore: the Johns Hopkins Press for Resources for the Future, Inc., 1961). Ise also provides good descriptions of the Directors of the Park Service, their points of view, and experiences that influenced the leadership they gave the agency. An older publication by the Park Service, A Study of the Park and Recreation Problem of the United States (Washington, D.C.: U.S. Government Printing Office, 1941), provides a perspective for the situation with national and state parks at the end of the 1930s and shows how weakly developed the park program was in Texas.

The beautifully illustrated book by Alan Tennant and Michael Allender, The Guadalupe Mountains of Texas (University of Texas Press, 1980) describes the area of the park and some of its natural resources. Patricia Patterson's book, Queen, New Mexico: A Historical Perspective on the Settlement in the Guadalupe Mountains, 1865-1975 (Roswell, New Mexico: Hall-Poorbaugh Press, Inc., 1985), while less than scholarly, does contribute to understanding of the early settlements near the park.

### Early Park Movements, J. C. Hunter, and Wallace Pratt

The Carlsbad and El Paso newspapers from the 1920s and 1930s contained many references to proposed parks and extensions to Carlsbad Caverns. Combined with the material from the Park Service which Bobby Crisman has assembled in Background Book #4, it was possible to piece together the history of the early movements to establish a park in the southern Guadalupe and the roles played by J. C. Hunter and Wallace Pratt.

### Legislative History and Acquisition of Land and Mineral Rights

The Glenn Biggs Collection in the Southwest Collection of Texas Tech University at Lubbock, Texas, provided information about the legislative history of the park and about early negotiations with landowners that was not available elsewhere. The

correspondence in the collection also helped to understand J. C. Hunter, Jr.'s position as owner of the Guadalupe Mountains Ranch. For information about acquisition of surface and mineral rights, however, the Land Resources Office at the Southwest Regional Office had the most complete files. Also, the files in the Land Resources Office relating to the Glover property were voluminous and up-to-date.

#### Planning, Development, and Resource Issues

The park's Master Plan, Wilderness Proposal, the Pine Springs Development Concept Plan, and the environmental reviews prepared for all three of those documents, contain not only the plans and analyses of environmental impacts, but also letters and comments received during the review process. In addition to documenting the planning process, the planning documents for the park provide a good historical perspective for the changes in attitude that took place regarding the kind of recreational experience Guadalupe Mountains should provide for visitors. Resource Management Plans, which were updated every five years, documented the refinements that took place in understanding the park's natural and cultural resources.

The files maintained by Bobby Crisman were an invaluable source of information. They contained news clippings as well as Park Service documents. His complete set of park logs and annual reports formed the backbone of the latter chapters of this work.

**APPENDIX A: Legislation**

## GUADALUPE MOUNTAINS NATIONAL PARK, TEXAS

PUBLIC LAW 89-667; 80 STAT. 920

[H. R. 698]

An Act to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

In order to preserve in public ownership an area in the State of Texas possessing outstanding geological values together with scenic and other natural values of great significance, the Secretary of the Interior shall establish the Guadalupe Mountains National Park, consisting of the land and interests in land within the area shown on the drawing entitled "Proposed Guadalupe Mountains National Park, Texas", numbered SA-GM-7100C and dated February 1965, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

Notwithstanding the foregoing, however, the Secretary shall omit from the park sections 7 and 17, P.S.L. Block 121, in Hudspeth County, and revise the boundaries of the park accordingly if the owner of said sections agrees, on behalf of himself, his heirs and assigns that there will not be erected thereon any structure which, in the judgment of the Secretary, adversely affects the public use and enjoyment of the park.

Sec. 2. (a) Within the boundaries of the Guadalupe Mountains National Park, the Secretary of the Interior may acquire land or interests therein by donation, purchase with donated or appropriated funds, exchange, or in such other manner as he deems to be in the public interest. Any property or interest therein, owned by the State of Texas, or any political subdivision thereof, may be acquired only with the concurrence of such owner.

(b) In order to facilitate the acquisition of privately owned lands in the park by exchange and avoid the payment of severance costs, the Secretary of the Interior may acquire approximately 4,667 acres of land or interests in land which lie adjacent to or in the vicinity of the park. Land so acquired outside the park boundary may be exchanged by the Secretary on an equal-value basis, subject to such terms, conditions, and reservations as he may deem necessary, for privately owned land located within the park. The Secretary may

## Oct. 15                    GUADALUPE MOUNTAINS PARK                    P.L. 89-667

accept cash from or pay cash to the grantor in such exchange in order to equalize the values of the properties exchanged.

Sec. 3. (a) When title to all privately owned land within the boundary of the park, subject to such outstanding interests, rights, and easements as the Secretary determines are not objectionable, with the exception of approximately 4,574 acres which are planned to be acquired by exchange, is vested in the United States and after the State of Texas has donated or agreed to donate to the United States whatever rights and interests in minerals underlying the lands within the boundaries of the park it may have and other owners of such rights and interests have donated or agreed to donate the same to the United States, notice thereof and notice of the establishment of the Guadalupe Mountains National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the boundaries of the park. The Secretary is authorized, pending establishment of the park, to negotiate and acquire options for the purchase of lands and interests in land within the boundaries of the park. He is further authorized to execute contracts for the purchase of such lands and interests, but the liability of the United States under any such contract shall be contingent on the availability of appropriated or donated funds to fulfill the same.

(b) In the event said lands or any part thereof cease to be used for national park purposes, the persons (including the State of Texas) who donated to the United States rights and interests in minerals in the lands within the park shall be given notice, in accordance with regulations to be prescribed by the Secretary, of their preferential right to a reconveyance, without consideration, of the respective rights and interests in minerals which they donated to the United States. Such notice shall be in a form reasonably calculated to give actual notice to those entitled to such preferential right, and shall provide for a period of not less than one hundred and eighty days within which to exercise such preferential right. The preferential right to such reconveyance shall inure to the benefit of the successors, heirs, devisees, or assigns of such persons having such preferential right to a reconveyance, and such successors, heirs, devisees, or assigns shall be given the notice provided for in this subsection.

(c) Such rights and interests in minerals, including all minerals of whatever nature, in and underlying the lands within the boundaries of the park and which are acquired by the United States under the provisions of this Act are hereby withdrawn from leasing and are hereby excluded from the application of the present or future provisions of the Mineral Leasing Act for Acquired Lands (Aug. 7, 1947, c. 513, 61 Stat. 913) or other Act in lieu thereof having the same purpose, and the same are hereby also excluded from the provisions of all present and future laws affecting the sale of surplus property or of said mineral interests acquired pursuant to this Act by the United States or any department or agency thereof, except that, if such person having such preferential right to a reconveyance fails or refuses to exercise such preferential right to a reconveyance as

P.L. 89-667 LAWS OF 89TH CONG.—2ND SESS. Oct. 15

provided in subparagraph (b) next above, then this subsection (c) shall not be applicable to the rights and interests in such minerals in the identical lands of such person so failing or refusing to exercise such preferential right to a reconveyance from and after the one hundred and eighty-day period referred to in subparagraph (b) next above.

(d) If at any time in the future an Act of Congress provides that the national welfare or an emergency requires the development and production of the minerals underlying the lands within the boundaries of the national park, or any portion thereof, and such Act of Congress, notwithstanding the provisions of subsection (c) of this section or any other Act, authorizes the Secretary to lease said land for the purpose of drilling, mining, developing, and producing said minerals, the Secretary shall give the persons (including the State of Texas) who donated such minerals to the United States notice of their preferential right to lease, without consideration, all or any part of the respective rights and interests in minerals which they donated to the United States, subject to such terms and conditions as the Secretary may prescribe. Such preferential right shall inure to the benefit of the successors or assigns, and of the heirs or devisees of such persons having such preferential right in the premises. The persons entitled to a preferential right under this subsection shall be given the same notice thereof as persons entitled to preferential rights under subsection (b) of this section. If such person having such preferential right fails or refuses to exercise such right within the time specified in the above notice, the Secretary may thereafter lease the minerals involved to any other person under such terms and conditions as he may prescribe.

(e) If at any time oil, gas, or other minerals should be discovered and produced in commercial quantities from lands outside of the boundaries of the park, thereby causing drainage of oil, gas, or other minerals from lands within the boundaries of the park, and if the Secretary participates in a communitization agreement or takes other action to protect the rights of the United States, the proceeds, if any, derived from such agreement or action shall inure to the benefit of the donors of the oil, gas, or other minerals, or their successors, heirs, devisees, or assigns.

Sec. 4. The Guadalupe Mountains National Park shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented.

Sec. 5. Any funds available for the purpose of administering the five thousand six hundred and thirty-two acres of lands previously donated to the United States in Culberson County, Texas, shall upon establishment of the Guadalupe Mountains National Park pursuant to this Act be available to the Secretary for purposes of such park.

Sec. 6. There are hereby authorized to be appropriated such sums, but not more than \$1,800,000 in all, as may be necessary for the acquisition of lands and interest in lands, and not more than \$10,362,000, as may be necessary for the development of the Guadalupe Mountains National Park.

Approved October 15, 1966.

PUBLIC LAW 94-174 [S. 313]; Dec. 23, 1975

**GUADALUPE MOUNTAINS NATIONAL PARK—  
LAND EXCHANGE, ETC.**

An Act to authorize an exchange of lands for an entrance road at Guadalupe Mountains National Park, Texas, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That subsection (b) of section 2 of the Act approved October 15, 1966 (80 Stat. 920), providing for the establishment of the Guadalupe Mountains National Park in the State of Texas, is amended by adding the following after the third sentence: "In order to provide for an adequate entrance road into the McKittrick Canyon area of the park, the Secretary may accept title to and interests in lands comprising a right-of-way for a road or roads outside of the boundary of the park from United States Highway numbered 62 and 180 to the park boundary, and in exchange therefor he may convey title to and interests in lands comprising a right-of-way from said highway to the boundary which have been donated to the United States. The Secretary may accept cash from or pay cash to the grantor in such exchange in order to equalize the values of the properties exchanged. Lands and interests in lands comprising the right-of-way acquired pursuant to this subsection shall be administered as part of the park."

Guadalupe  
Mountains  
National Park,  
Tex.  
Lands exchange,  
16 USC 283a.

Approved December 23, 1975.

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**LEGISLATIVE HISTORY:**

HOUSE REPORT No. 94-683 accompanying H. R. 1747 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 94-164 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 121 (1975):

June 4, considered and passed Senate.

Dec. 1, considered and passed House, amended, in lieu of H. R. 1747.

Dec. 17, Senate concurred in House amendment.

PUBLIC LAW 95-625—NOV. 10, 1978

92 STAT. 3467

Public Law 95-625  
95th Congress

An Act

To authorize additional appropriations for the acquisition of lands and interests  
in lands within the Sawtooth National Recreation Area in Idaho.

Nov. 10, 1978  
[S. 791]

*Be it enacted by the Senate and House of Representatives of the  
United States of America in Congress assembled,*

National Parks  
and Recreation  
Act of 1978.

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act may be cited as the "National Parks and Recreation Act of 1978". 16 USC 1 note.

TABLE OF CONTENTS

- Sec. 1. Short title and table of contents.  
Sec. 2. Definition.  
Sec. 3. Authorization of appropriations.

TITLE I—DEVELOPMENT CEILING INCREASES

- Sec. 101. Specific increases.
- Agate Fossil Beds National Monument.
  - Andersonville National Historic Site.
  - Andrew Johnson National Historic Site.
  - Biscayne National Monument.
  - Capitol Reef National Park.
  - Carl Sandburg Home National Historic Site.
  - Cowpens National Battlefield Site.
  - De Soto National Memorial.
  - Fort Bowie National Historic Site.
  - Frederick Douglass Home, District of Columbia.
  - Grant Kohrs Ranch National Historic Site.
  - Gundalupe Mountains National Park.
  - Gulf Islands National Seashore.
  - Harper's Ferry National Historical Park.
  - Hubbell Trading Post National Historic Site.
  - Indiana Dunes National Lakeshore.
  - John Muir National Historic Site.
  - Lands in Prince Georges and Charles Counties, Maryland.
  - Longfellow National Historic Site.
  - Pecos National Monument.
  - Perry's Victory and International Peace Memorial.
  - San Juan Island National Historical Park.
  - Sitka National Historical Park.
  - Statue of Liberty National Monument.
  - Thaddeus Kosciuszko Home National Historic Site.
  - Tuskegee Institute National Historic Site.
  - Whiskeytown-Shasta-Trinity National Recreation Area.
  - William Howard Taft National Historic Site.
  - Wilson's Creek National Battlefield.

TITLE II—ACQUISITION CEILING INCREASES

- Sec. 201. Acquisition ceilings.
- Big Cypress National Preserve.
  - Buffalo National River.
  - Cumberland Island National Seashore.
- Sec. 202. Sawtooth National Recreation Area.



92 STAT. 3470

PUBLIC LAW 95-625—NOV. 10, 1978

## TABLE OF CONTENTS—Continued

## TITLE VII—WILD AND SCENIC RIVERS ACT AMENDMENTS—Continued

## Subtitle D—Amendments to Public Law 90-542

- Sec. 761. Technical amendments.  
 Sec. 762. Federal lands ; cooperative agreements.  
 Sec. 763. Miscellaneous technical amendments.  
 Sec. 764. Lease of Federal lands.

TITLE VIII—RECOGNITION OF THE HONORABLE  
WILLIAM M. KETCHUM

- Sec. 801. Recognition of the Honorable William M. Ketchum.

## TITLE IX—JEAN LAFITTE NATIONAL HISTORICAL PARK

TITLE X—URBAN PARK AND RECREATION RECOVERY  
PROGRAM

## TITLE XI—NEW RIVER GORGE NATIONAL RIVER

## TITLE XII—FORT SCOTT NATIONAL HISTORIC SITE

## TITLE XIII—REPORT AND BOUNDARY REVISION

- Sec. 1301. Beaverhead or Gallatin National Forests.  
 Sec. 1302. Hampton National Historic Site.

## DEFINITION

SEC. 2. As used in this Act, except as otherwise specifically provided, the term "Secretary" means the Secretary of the Interior.

## AUTHORIZATION OF APPROPRIATIONS

## Effective date.

SEC. 3. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1978. Notwithstanding any other provision of this Act, authority to enter into contracts, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

## TITLE I—DEVELOPMENT CEILING INCREASES

## SPECIFIC INCREASES

Appropriation  
authorizations.

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

## 16 USC 431 note.

(1) Agate Fossil Beds National Monument, Nebraska: Section 4 of the Act of June 5, 1965 (79 Stat. 123), is amended by changing "\$1,842,000" to "\$2,012,000".

(2) Andersonville National Historic Site, Georgia: Section 4 of the Act of October 16, 1970 (84 Stat. 989), is amended by changing "\$1,605,000" to "\$2,205,000 for development.", and by deleting "(March 1969 prices), for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuation in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein."

(3) Andrew Johnson National Historic Site, Tennessee: Section 3 of the Act of December 11, 1963 (77 Stat. 350) is amended by changing "\$266,000" to "\$286,000".

## 16 USC 450qq-4

(4) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat. 1188), is amended by changing "\$2,900,000" to "\$6,565,000".



## PUBLIC LAW 95-625—NOV. 10, 1978

92 STAT. 3471

(5) Capitol Reef National Park, Utah: Section 7 of the Act of December 18, 1971 (85 Stat. 739), is amended by changing "\$1,052,700 (April 1970 prices)" to "\$1,373,000 for development.", and by deleting "for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein."

16 USC 273f.

(6) Carl Sandburg Home National Historic Site, North Carolina: Section 3 of the Act of October 17, 1968 (82 Stat. 1154), is amended by changing "\$952,000" to "\$1,662,000".

(7) Cowpens National Battlefield Site, South Carolina: Section 402 of the Act of April 11, 1972 (86 Stat. 120), is amended by changing "\$3,108,000" to "\$5,108,000".

(8) De Soto National Memorial, Florida: Section 3 of the Act of March 11, 1948 (62 Stat. 78), as amended, is further amended changing "\$3,108,000" to "\$5,108,000".

16 USC 450dd note.

(9) Fort Bowie National Historic Site, Arizona: Section 4 of the Act of August 30, 1964 (78 Stat. 681), is amended by deleting "\$550,000 to carry out the purposes of this Act." and inserting in lieu thereof: "\$85,000 for land acquisition and \$1,043,000 for development".

(10) Frederick Douglass Home, District of Columbia: Section 4 of the Act of September 5, 1962 (76 Stat. 435), is amended by changing "\$413,000" to "\$1,350,000".

(11) Grant Kohrs Ranch National Historic Site, Montana: Section 4 of the Act of August 25, 1972 (86 Stat. 632), is amended to read as follows: "Sec. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$752,000 for land acquisition and not to exceed \$2,075,000 for development."; the additional sums herein authorized for land acquisition may be used to acquire the fee simple title to lands over which the United States has acquired easements or other less than fee interests.

(12) Guadalupe Mountains National Park, Texas: Section 6 of the Act of October 15, 1966 (80 Stat. 920), is amended by changing "\$10,362,000" to "\$24,715,000", and by adding the following new sentence at the end of the section: "No funds appropriated for development pursuant to this Act may be expended for improvements incompatible with wilderness management within the corridor of the park leading to the summit of Guadalupe Peak."

16 USC 283e.

(13) Gulf Islands National Seashore, Florida-Mississippi: Section 11 of the Act of January 8, 1971 (84 Stat. 1967), is amended by changing "\$17,774,000" to "\$24,224,000", and by deleting the phrase "(June 1970 prices) for development, plus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.", and inserting in lieu thereof "for development".

16 USC 4592b-10.

(14) Harper's Ferry National Historical Park, Maryland-West Virginia: Section 4 of the Act of June 30, 1944 (58 Stat. 645), is amended further by changing "\$8,690,000" to "\$12,385,000".

16 USC 450bb note.

(15) Hubbell Trading Post National Historic Site, Arizona: Section 3 of the Act of August 28, 1965 (79 Stat. 581), is amended by changing "\$952,000" to "\$977,000".

16 USC 461 note.

PUBLIC LAW 95-625—NOV. 10, 1978

92 STAT. 3489

shore and, in addition, the waters surrounding said area to distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay and, in addition, mainland terminal and headquarters sites, not to exceed a total of twelve acres, on the Patchogue River within Suffolk County, New York, all as delineated on a map identified as 'Fire Island National Seashore', numbered OGP-0004, dated May 1978. The Secretary shall publish said map in the Federal Register, and it may also be examined in the offices of the Department of the Interior."

Map, publication in Federal Register.

(b) Section 2 of such Act is amended by adding the following new subsection at the end thereof:

Undeveloped tracts and property  
16 USC 459e-4.

"(g) The authority of the Secretary to condemn undeveloped tracts within the Dune District as depicted on map entitled 'Fire Island National Seashore' numbered OGP-0004 dated May, 1978, is suspended so long as the owner or owners of the undeveloped property therein maintain the property in its natural state. Undeveloped property within the Dune District that is acquired by the Secretary shall remain in its natural state."

(c) Section 7(b) of such Act is amended by striking the phrase "Brookhaven town park at", and inserting in lieu thereof: "Ocean Ridge portion of".

16 USC 459e-6.

(d) Section 10 of such Act is amended by striking "\$18,000,000", and inserting in lieu thereof "\$23,000,000".

16 USC 459e-9.

CUMBERLAND ISLAND NATIONAL SEASHORE

SEC. 323. Section 1 of the Act of October 23, 1972 (86 Stat. 1066), is amended by changing the phrase "numbered CUIS-40,000B, and dated June 1971", to read "numbered CUIS 40,000D, and dated January 1978,".

16 USC 459.

TITLE IV—WILDERNESS

DESIGNATION OF AREAS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act:

Administration  
16 USC 1132  
note.  
16 USC 1131  
note.



(1) Buffalo National River, Arkansas, wilderness comprising approximately ten thousand five hundred and twenty-nine acres and potential wilderness additions comprising approximately twenty-five thousand four hundred and seventy-one acres depicted on a map entitled "Wilderness Plan, Buffalo National River, Arkansas", numbered 173-20,036-B and dated March 1975, to be known as the Buffalo National River Wilderness.

(2) Carlsbad Caverns National Park, New Mexico, wilderness comprising approximately thirty-three thousand one hundred and twenty-five acres and potential wilderness additions comprising approximately three hundred and twenty acres, depicted on a map entitled "Wilderness Plan, Carlsbad Caverns National Park, New Mexico," numbered 130-20,003-B and dated January 1978, to be known as the Carlsbad Caverns Wilderness. By January 1, 1980, the Secretary shall review the remainder of the park and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or unsuitability of any additional areas within the park for preservation as wilder-

Report to President.

92 STAT. 3490

PUBLIC LAW 95-625—NOV. 10, 1978

16 USC 1131  
note.

ness, and any designation of such areas as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

(3) Everglades National Park, Florida, wilderness comprising approximately one million two hundred and ninety-six thousand five hundred acres and potential wilderness additions comprising approximately eighty-one thousand nine hundred acres, depicted on a map entitled "Wilderness Plan, Everglades National Park, Florida", numbered 160-20,011 and dated June 1971, to be known as the Everglades Wilderness.

(4) Guadalupe Mountains National Park, Texas, wilderness comprising approximately forty-six thousand eight hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Guadalupe Mountains National Park, Texas", numbered 166-20,006-B and dated July 1972, to be known as the Guadalupe Mountains Wilderness.

(5) Gulf Islands National Seashore, Florida, and Mississippi, wilderness comprising approximately one thousand eight hundred acres and potential wilderness additions comprising approximately two thousand eight hundred acres, depicted on a map entitled "Wilderness Plan, Gulf Islands National Seashore, Mississippi, Florida", numbered 635-20,018-A and dated March 1977, to be known as the Gulf Islands Wilderness.

(6) Hawaii Volcanoes National Park, Hawaii, wilderness comprising approximately one hundred and twenty-three thousand one hundred acres and potential wilderness additions comprising approximately seven thousand eight hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Hawaii Volcanoes National Park, Hawaii", numbered 124-20,020 and dated April 1974, to be known as the Hawaii Volcanoes Wilderness.

(7) Organ Pipe Cactus National Monument, Arizona, wilderness comprising approximately three hundred and twelve thousand six hundred acres and potential wilderness additions comprising approximately one thousand two hundred and forty acres, depicted on a map entitled "Wilderness Plan, Organ Pipe Cactus National Monument, Arizona", numbered 157-20,001-B and dated October 1978, to be known as the Organ Pipe Cactus Wilderness.

(8) Theodore Roosevelt National Memorial Park, North Dakota, wilderness comprising approximately twenty-nine thousand nine hundred and twenty acres, depicted on maps entitled "Theodore Roosevelt National Memorial Park, North Dakota" (North Unit and South Unit) numbered 387-20,007-E and dated January 1978, to be known as the Theodore Roosevelt Wilderness.

## MAP AND DESCRIPTION

Public  
availability.Filing with  
congressional  
committees.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

## PUBLIC LAW 95-625—NOV. 10, 1978

92 STAT. 3491

## CESSATION OF CERTAIN USES

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

Designation  
notice.  
publication in  
Federal Register.  
16 USC 1131  
note.  
Management.

## ADMINISTRATION

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

## SAVINGS PROVISIONS

SEC. 405. Nothing in this title shall be construed to diminish the authority of the Coast Guard, pursuant to sections 2 and 81 of title 14, United States Code, and title 1 of the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1221), or the Federal Aviation Administration to use the areas designated wilderness by this Act within the Everglades National Park, Florida; and the Gulf Islands National Seashore, Florida and Mississippi, for navigational and maritime safety purposes.

TITLE V—ESTABLISHMENT OF NEW AREAS AND  
ADDITIONS TO NATIONAL TRAILS SYSTEM

## Subtitle A—Parks, Seashores, Etc.

## GUAM NATIONAL SEASHORE

SEC. 501. (a) The Secretary through the Director of the National Park Service, shall revise and update the National Park Service study of the Guam National Seashore and, after consultation with the Secretary of the Department of Defense and the Governor of Guam, shall transmit the revised study within two years to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives including his recommendations and a series of options for congressional consideration each of which—

Study revision,  
transmittal to  
congressional  
committees.

(1) will encompass the area from Ajayan Bay to Nimitz Beach including Cocos and Anac Islands and extending inland as far as the Fena Valley Reservoir and Mount Sasalagnan, and

(2) if implemented, will afford protection to the natural and historic resources of the area as well as providing visitor access and interpretive services.

(b) The Secretary, and the Secretary of the Department of Defense, shall take such actions as they may deem appropriate within their existing authorities to protect the resource values of the submerged lands within the area of the study referred to in subsection (a) of this section.

Submerged lands  
resource values,  
protection.



**APPENDIX B: Personnel**

**SUPERINTENDENTS**

**Donald Dayton, Superintendent of Guadalupe Mountains National Park, 1972-1981.  
(NPS Photo)**



Donald Dayton

Donald Dayton became Superintendent of Carlsbad Caverns in December 1970. In 1972, he also became Superintendent of the newly established Guadalupe Mountains National Park. Previously, Dayton had worked for the Department of Agriculture as a parasitologist for a year after receiving a bachelor's degree in wildlife management from Ohio State University. He entered the Park Service in 1955, as a ranger at Devil's Tower National Monument, Wyoming. During the next decade he also served at Glacier National Park, Montana, and Sequoia and King's Canyon National Parks in California. Dayton's first superintendency was at White Sands National Monument, New Mexico. From there he was promoted in 1967 to the superintendency of Petrified National Forest Park in Arizona.

Dayton's primary achievements during his superintendency of Guadalupe Mountains were in the realm of planning. From 1970 to 1981 he guided the park's planning process and was involved in the initial phases of construction of the planned facilities. He also helped to develop the park's first Resource Management Plans. During this time he faced several major public issues: the controversy over wilderness designation for the park, the proposed tramway, and the developing problem with mountain lion depredation on ranch lands adjacent to the parks. While Dayton could resolve none of the controversies by himself, as the most visible local representative of the Park Service he successfully articulated the agency's point of view to the public and gradually gained their support.

In 1981 Dayton transferred as Superintendent to become Deputy Regional Director of the Southwest Region.



**William W. Dunmire, Superintendent of Guadalupe Mountains National Park, 1981-1985 (NPS Photo)**

William W. Dunmire

Bill Dunmire arrived at the Carlsbad headquarters in January 1981 to fill the position left vacant by the departure of Donald Dayton. His educational and professional backgrounds prepared him well to superintend a wilderness park. He received both his bachelor's and master's degrees from the University of California at Berkeley in the area of wildlife management and ecology. His career with the Park Service began in 1957 when he became an Intake Trainee at Yosemite National Park, California. Subsequently, he held positions as Park Naturalist at Hawaii Volcanoes National Park; Chief Park Naturalist at Badlands National Mounument, South Dakota; Chief of Interpretation and Resource Management at Isle Royale National Park, Michigan; and Chief Park Naturalist at Yellowstone National Park, Wyoming. From 1972 to 1973 Dunmire was Interpretive Coordinator at the Denver Service Center. He then transferred to the Park Service's office in Washington, D.C., as Chief of the Division of Interpretation. In 1977 he became Superintendent of Coulee Dam National Recreation Area, Washington.

Dunmire was Superintendent of Guadalupe Mountains and Carlsbad Caverns from January 1981 to October 1985. During that time he coordinated most of the construction that took place at the park, guided revisions and refinements of the park's Resource Management Plans, and was embroiled in two public controversies: the mountains lion problem and the effort to gain possession of the Glover tract after the death of Bertha Glover in 1982. While Dunmire's background in wildlife management provided a sound basis from which to make decisions about the mountain lion issue, nothing had prepared him for the emotional fireworks and national attention that accompanied the Park Service's attempt to dislocate Mary Hinson from the Glover property.

Dunmire retired in October 1985, after 30 years of employment with the federal government.



**Richard B. Smith, Superintendent of Guadalupe Mountains National Park, 1986-1987.  
(NPS Photo)**

**Richard B. Smith**

Richard "Rick" Smith assumed the superintendency of Guadalupe Mountains and Carlsbad Caverns in March 1986. His career with the Park Service began in 1959, as a Seasonal Ranger at Yellowstone National Park, Wyoming. His first permanent assignment as a Ranger came in 1971, in Yosemite National Park, California. Smith remained there until 1976, when he transferred to the Albright Training Center at Grand Canyon, as a Training Specialist. From 1978 to 1980 he was a Legislative Affairs Specialist in the Park Service's Washington, D.C., office. Smith returned to the parks in 1980 when he became the Assistant Superintendent of Everglades National Park, Florida. He remained there through 1983. In 1984 he became Associate Director for Park Operations for the Mid-Atlantic Region.

Smith accepted the superintendency of Guadalupe Mountains and Carlsbad Caverns knowing that he would make the necessary preparations to separate the management of the two parks. In addition to that task, Smith worked with Congressman Ron Coleman to obtain funding for the park's visitor center and operational headquarters. He also revived the proposed border expansion for Guadalupe Mountains that had been tabled in 1981. He obtained Regional backing for the plan and gained the support of Congressman Coleman for the proposal. Smith tried to resolve the situation with Mary Hinson but yielded to the wishes of the Secretary of the Interior, who permitted her to continue to occupy the Glover tract until 1992. By 1986, however, local support for Hinson's position was weakening and Smith was not the focus of as much negative publicity as Dunmire had been four years earlier.

In October 1987, management of Carlsbad Caverns and Guadalupe Mountains was separated and Smith turned the superintendency of Guadalupe Mountains over to Karen P. Wade.

## LIST OF PERMANENT PERSONNEL (Tentative)

SUPERINTENDENT

Neal Guse ?-1970  
 Donald Dayton 1970-1981  
 William Dunmire 1981-1985  
 Richard Smith 1986-87  
 Karen Wade 1987-

CHIEF RANGER

Phil Koepp 1981-1988  
 Jan Wobben Horst 1988-

PARK RANGER

Peter Sanchez 1962-1963  
 Roger Reisch 1964-  
 Cordell Roy ?-1978  
 Oscar Rodrigues 1978-1981  
 John Jarvis 1982  
 Rudy Carrasco 1982-1984  
 Todd Brindle 1982-1986  
 Douglas Raeburn 1982-1984  
 Olav Olsen 1984-  
 Jim Carson 1984-1988  
 Cindy Purcell 1986-

PARK TECHNICIAN

Robert Turner 1972-?  
 Robert King 1972-1976  
 Norman Stephan 1974-1976  
 Mary Jane Tate 1973-?  
 Harry Steed 1976-?  
 Cathy Rudy 1984-1986  
 Nedra Parker

AREA MANAGER

John Chapman 1973-1975  
 Bruce Fladmark 1976-1980  
 Ralph Harris 1980-1987

CHIEF, INTERPRETATION

William Laitner 1981-1984  
 Bob Valen 1984-

RANGER-INTERPRETATION

Dava Davy 1976-1978  
 Caroline Wilson 1978-?  
 Diane Allen 1981-1984  
 John Lujan 1984-1987  
 Karen Haner 1986-1987  
 Linda Brindle 1986

CHIEF, MAINTENANCE DIV./  
FACILITY MANAGER

Lloyd Gurley ?  
 Herschel Fowler 1979-80  
 Jim Gallaher 1980  
 Doyle Townsend 1981-1982  
 David Kangas 1982-  
 Bruce Reed

SUPERINTENDENT'S SECRETARY

Edith Scott ?-1987  
 Di Shute 1987-1988  
 Barbara Lujan 1988-

RESOURCES MANAGEMENT  
SPECIALIST

Vidal Davila 1985-

MAINTENANCE FOREMAN

Francis Schneider 1973  
Lloyd Gurley 1975-  
Harold Anderson 1978-1979

ROADS AND TRAILS FOREMAN

Bill Nichols 1978-?  
Ed Uptain 1981-1983  
Lee Baiza 1984 -

BUILDING AND UTILITIES FOREMAN

Larry Rogers 1978-1979  
Harold Anderson 1979-1987

ELECTRICAL WORKER

Johnny M. Sanders 1973-1988

AUTOMOTIVE MECHANIC

Dan Muntean 1985-1988

PARK AIDE

Karen Parker 1971  
Sharon Reece  
Alan Cox  
Kim Clegg

CLERK-TYPIST

Carole Bryant 1980-1984  
Donna Hendricks 1984-1988  
Donna Valen 1988

MAINTENANCE WORKER

Rito Perez 1971-?  
Alan Cox ?-1978  
Don Cory  
Glen Bodin  
Arch Chaney  
Diane Blackard  
Lidia Salcido

MOTOR VEHICLE OPERATOR

Mark Hanson 1978  
Arch Chaney 1986

ENGINEERING EQUIPMENT  
OPERATOR, R&T

Antonio Armijo 1974-  
Gerald Lange 1974-  
Eliseo Riojas 1975

LABORER

Catarion Rivas 1974





**APPENDIX C: Cooperative Agreements**

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE NATIONAL PARK SERVICE  
and  
TEXAS PARKS AND WILDLIFE DEPARTMENT

This Memorandum of Understanding is between the National Park Service represented by the Regional Director and hereinafter referred to as the Service and the Texas Parks and Wildlife Department represented by the Director and hereinafter referred to as the Department.

WHEREAS, the Department has the responsibility under the laws and constitution of the State of Texas for the management, propagation, and protection of resident species of fish and wildlife found within the borders of the State, and is responsible for the benefit of the people of the State of Texas, and

WHEREAS, the Service is responsible under various acts, laws and treaties of the United States to administer and manage the lands, waters, natural and historic resources contained within the boundaries of National Park Service administered areas within the State of Texas, and

WHEREAS, the Department and the Service recognize the necessity for ecologically sound regional planning to perpetuate, and restore where opportunity presents, the diversity and abundance of fish and wildlife resources within the State of Texas, and desire to conduct joint and cooperative endeavors which will focus the skills and abilities of the Department and Service toward resolving mutual fish and wildlife problems, achieving maximum public benefits from the fish and wildlife resources, and

ensuring that the respective objectives and responsibilities of the Department and Service are fulfilled.

NOW THEREFORE:

A. The Service agrees:

1. To consult with the Department prior to initiating any fish or wildlife research project or implementing any plan, program, or regulation that may affect distribution, numbers, species, or public use of fish and wildlife found within or adjacent to areas administered by the Service.
2. Consistent with the respective official Service policies and objectives for natural and historic areas, the Service will practice those forms of management that will benefit fish and wildlife.
3. To provide the Department with copies of all vital reports and correspondence directly related to this agreement.
4. To cooperate with the Department in the joint enforcement of applicable game and/or fish and boating laws on lands and waters administered by the Service.
5. To provide the Department with copies of general wildlife studies, surveys, and reports of mutual interest.
6. To consult with Department biologists on studies, research, or management of endangered species.

B. The Department agrees:

1. To consult with the Service before establishing hunting and fishing seasons and regulations or implementing management programs that may affect the fish or wildlife resources of the areas administered by the Service.
2. To provide necessary authorization or permits to the Service for management or restoration of wildlife populations in Service areas.

C. The Department and the Service mutually agree:

1. To establish a Technical Study Committee or Committee as needed, composed of biologists, wildlife managers and other professionals of both agencies to jointly study regional fish and wildlife problems and develop recommendations for long-range and annual fish and wildlife programs.
2. To meet jointly at least once annually to consider recommendations of the Technical Study Committee and other subjects of mutual interest.
3. To encourage the joint publication of press releases and interchange between parties of all pertinent agency policy and objectives, statutes, rules and regulations and other information as required for the wise use and perpetuation of regional fish and wildlife resources.

4. To enter into working arrangements as occasion demands for the use of lands, buildings, and other facilities owned and operated by either party hereto, for special projects.
5. To enter into supplemental agreements to this Memorandum of Understanding as necessary to carry out joint programs in the individual units administered by the Service.
6. That nothing in this Memorandum of Understanding shall be construed as obligating either party hereto to the expenditure of funds or for the future payment of money in excess of appropriations authorized by law.
7. That nothing contained herein shall be construed as limiting in any way the responsibility and authority as defined by law, of the Director, National Park Service, and the Director of the Texas Parks and Wildlife Department, in connection with the administration and protection of lands and resources under their respective administration.
8. That no member of, or Delegate to Congress, or Resident United States Commissioner, shall be admitted to any share or part of the Memorandum of Understanding or to any benefit to arise therefrom, unless it is made with a corporation for its general benefit.

9. That this Memorandum of Understanding shall become effective when signed by the parties hereto and shall continue in force for a period of 5 years from its effective date. It may be terminated by either party upon 60 days notice in writing. Amendments to this Memorandum of Understanding may be proposed by either party and shall become effective upon written approval by both parties.

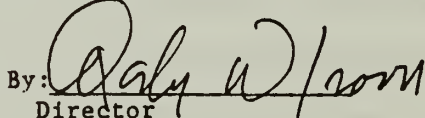
IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the date last signed below.

NATIONAL PARK SERVICE

By:   
Regional Director

Date: 3/13/87

TEXAS PARKS AND WILDLIFE DEPARTMENT

By:   
Director

Date: 4-6-87

AGREEMENT BETWEEN  
 NATIONAL PARK SERVICE  
 UNITED STATES DEPARTMENT OF THE INTERIOR  
 AND THE

Carlsbad Caverns Natural History ASSOCIATION\*

This Memorandum of Agreement is between the National Park Service (hereinafter referred to as the "Service"), an agency of the United States Department of the Interior, acting in this behalf through the Director, National Park Service, or his designee, and the Carlsbad Caverns Natural History Association (hereinafter referred to as "Association"), acting through the Chairman of its Board of Directors or the Board's designee.

WITNESSETH:

WHEREAS, it is the purpose of the Service to preserve, interpret, and manage the National Park System for the benefit, education, and enjoyment of the people of the United States, as provided for in the Act of August 25, 1916 (16 U.S.C. Sec. 1, et seq.); and

WHEREAS, the Service desires to provide facilities and cooperating services for the sale of materials of interpretive and educational value and for the presentation of specified programs relating to the interpretive themes of areas of the National Park System; and

WHEREAS, the Association has the education, historical, scientific, and nonprofit purposes of assisting historical, scientific, educational, and interpretive activities of the Service;

NOW, THEREFORE, pursuant to authority contained in the Acts of August 25, 1916 (16 U.S.C. Sec. 1-3), August 7, 1946 (16 U.S.C. Sec. 17j-2), August 21, 1935 (16 U.S.C. Sec. 461-468e), June 5, 1920 (16 U.S.C. Sec. 6), August 8, 1953 (16 U.S.C. Sec. 1b5), August 18, 1970 (16 U.S.C. Sec. 1a-2(g)), and other laws supplemental thereto and amendatory thereof, and in consideration of the mutual benefits which will accrue to the Service and the Association, the parties agree as follows:

1. AUTHORIZATION

The Service authorizes the Association to provide, and the Association agrees to provide, the hereinafter described interpretive and educational services to the visiting public for a period of five years commencing on

\* The following agreement is non-negotiable except where indicated.

the day following the ratification of this Agreement by the Service. This Agreement will automatically renew for another five year period on October 1 of the last year, unless reasonable notice of cancellation is given by either party before the date of renewal. While the Service reserves the right to terminate the Agreement, or any part thereof, at any time upon reasonable notice without the necessity of any legal process, the Service will hold a meeting with the Association prior to the termination setting forth the reasons for termination.

## 2. ASSOCIATION RESPONSIBILITIES

The Association may use facilities within the Park for the sale of educational and interpretive items for the benefit of the visiting public.

### A. Sales Items

(1) The Association may sell only interpretive and educational items, such as publications, maps, visual aids, handicrafts, and other objects directly related to the interpretive and educational themes of the Park and Park System. This does not prohibit granting of a concession permit to an Association authorizing the sale of other items.

(2) The Association shall not sell original artifacts, such as potsherds or battlefield relics, to which the Antiquities Act of June 8, 1906 (16 U.S.C. Sec. 431-433) or 43 C.F.R., Part 3, would apply if discovered on public lands, notwithstanding whether such objects were in fact discovered on lands owned or controlled by the United States.

(3) The Association is not by this Agreement granted the right to sell items, the sale of which would infringe on applicable contract rights of a concessioner.

(4) The Association shall maintain a high standard of quality in all items produced or sold.

(5) The Association shall not sell any item which has not been approved by the park superintendent or an appropriate Service person, as designated by the Director. The Association shall allow publications to be reviewed by the Service on editorial and design quality.

(6) The Association shall sell items at fair market value provided that such prices shall be approved in advance by the park superintendent or an appropriate Service person, as designated by the Director.



(7) The Association shall display the sales items in good taste and in keeping with the general design and decor of the Park.

**B. Facilities**

(1) The Association may redesign and renovate existing sales facilities as necessary, including renovation of display structures, furnishings, equipment, signing, display lighting, and lighting in the immediate area of the facility, provided that all plans therefore are approved in advance by the Service.

(2) The Association shall keep the sales facilities clean and presentable throughout the workday.

(3) The Association shall exercise reasonable care to prevent damage to any Government property used by it during its operation and shall, insofar as possible, protect all such property.

(4) \*

**C. Records and Accounting**

(1) The Association shall conduct its fiscal operations in accordance with accepted business practices, utilizing purchase orders, receipts, invoices, and inventory records.

(2) The Association shall comply with the Standard Accounting System for cooperating associations, which is attached as Exhibit A.

(3) The Association shall submit to the Director, through the Superintendent and the Regional Director, annually within 90 days following the end of each fiscal year a complete financial report. The report shall be accompanied by a written summary of Association activities for the year.

(4) The Director, or his designee, may review the records of the Association during the term of this Agreement.

**D. Personnel**

(1) The Association shall provide such personnel as are reasonably necessary to operate the sales facilities as indicated by the level of gross sales. These personnel may include, as necessary, a central business office staff, local facility managers, and sales

\* Paragraph (4) has been designated to handle any special or unique problems. This point is negotiable.

clerks. Otherwise, Service personnel may offer sales items to the public as an incidental supplement to their interpretive duties.

(2) The Association shall designate an Association member or employee who is authorized to act as liaison with the Service.

(3) All Association employees involved in visitor contact shall be oriented in the park's visitor service programs and shall be certified by the park superintendent before assuming such responsibilities.

(4) An evident and distinct separation shall be maintained between the activities of the Association and those of the Service. All steps shall be taken to avoid even an appearance that the Service directs the management or decision-making process of the Association.

(5) Association personnel are not Government employees and are not authorized to undertake any Governmental function or activity on behalf of the Service beyond routine visitor information services and participation in museums and living history or like programs. Association employees shall not engage in activities which would reasonably lead the visiting public to conclude that they are Government employees. No Association employee shall wear a Service or other Government uniform. All Association employees shall wear some easily observable and readily identifiable indicia of Association affiliation while in the Park on Association business.

#### E. Approvals

(1) Hours of operation, rates and prices, standards of service, and merchandise to be sold shall be subject to the approval of the Director.

(2) The Association may at any time make a written request for such necessary approvals. Failure to disapprove within thirty days of receipt of such written request shall be deemed to constitute Service approval. This subparagraph does not apply to the approval required by subparagraph 2B(1).

#### F. Interpretive Activities

(1) Interpretive activities engaged in by the Association must meet Service standards and be approved by the Park Superintendent.

(2) Interpretive activities conducted by the Association will be directed by the Park Superintendent or through the executive secretary, when a Service employee, provided, however, the Association personnel shall only be available for the purposes of the interpretive activity.

### 3. SERVICE RESPONSIBILITIES

The Service agrees to allow the Association to use those facilities within the Park which are designated in Exhibit B for the sale of educational and interpretive items for the benefit of the visiting public.

#### A. Sales Items

The Service shall cooperate with the Association in the planning and design of merchandise appropriate for sale by the Association at the facilities provided therefore by the Service.

#### B. Facilities

(1) The Service shall provide the Association with such sales and other facilities as are identified in Exhibit B, and such other facilities as may hereafter deemed necessary or desirable by the Service, provided that the Service reserves the right to relocate or withdraw any such facilities in order to meet needs of the Service upon reasonable notice. The Service shall have emergency access to all facilities, which shall also be subject to the right of the Service to make such surveys and inspections as the Service deems necessary.

(2) The Service reserves the right to design and construct any new facilities, and shall allow the Association to review and comment on any plans therefore.

(3) The Service shall provide the Association with incidental utility services at each assigned facility, including water, electricity, heat, air conditioning (if available in the building), to the extent these utilities are required for the operation of the building for Governmental purposes. All other utilities will be provided the Association on a reimbursable basis.

(4) The Service shall provide all general maintenance and repair services for the Government-owned buildings.

(5) The Service shall designate an employee who shall act as liaison with the Association.

### 4. SUPPLEMENTAL AGREEMENTS

The Service and the Association further agree that, by supplemental agreement, the Association may offer additional educational and interpretive services which support the mission of the Park. This includes

assisting, planning, and conducting the presentation of interpretive and educational programs, involving as needed, but not limited to, employment of interpreters, purchasing of supplies, and sale of program products.

## 5. INDEMNIFICATION AND INSURANCE

A. The Association shall indemnify, save and hold harmless and defend the United States against all fines, claims, damages, losses, judgments, and expenses arising out of or from any omission or activity of the Association in connection with activities under this Agreement.

\*B. The Association shall procure public and employee liability insurance with a minimum limitation of \$100,000 for any number of claims from any one incident, with respect to the activities of the Association and its employees. The United States of America shall be named as an additional insured on all such policies. All such policies shall specify that the insurer shall have no right of subrogation against the United States for payment of any premiums or deductibles thereunder, and such insurance policies shall be assumed by, credited to the account of, and undertaken at the Association's sole risk.

## 6. ASSOCIATION ORGANIZATION

A. The Association's Articles of Incorporation and By-Laws shall comply with requirements of the State in which the Association is incorporated. Non-profit status must be maintained in accordance with Federal and State laws and the Association will make available for inspection at the request of the Service documents demonstrating non-profit status. This contract will automatically terminate if non-profit status is lost.

B. Non-Service representation on the Board of Directors must be a majority. Service employees shall not represent the Association in any matter between the Association and the Service. When acting as an Officer or Association Board Member, a Service employee shall not participate in any Association decision concerning the relationship of the Association to the Service, including, but not limited to, executing or negotiating contracts, signing checks or hiring or firing Association employees.

C. The role of the Executive Secretary, or, in the case of an amalgamation, the equivalent position, when a Service employee, is to

\* This paragraph is non-negotiable except the "minimum limitation" of insurance. Acceptable coverage is left to the discretion of the Association. A \$100,000 minimum is advised even for the smaller Associations.

represent the interests of the National Park Service and to provide cooperative assistance to the Association. His or her scope of Association responsibility shall be limited to providing assistance in overseeing the day-to-day, routine business of the Association, and serving as liaison between the Service and the Association.

D. The Association treasurer shall not be a Service employee.

## 7. ASSIGNMENT

No transfer or assignment of this Agreement or of any part thereof or interest therein, directly or indirectly, voluntary or involuntary, shall be made unless such transfer or assignment is first approved by the Director or his authorized representative in writing.

## 8. APPROPRIATIONS

Nothing herein contained shall be construed as binding the Service to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purposes of this Agreement for the fiscal year, or to involve the Service in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocation.

## 9. MISCELLANEOUS

A. The rights and benefits conferred by this Agreement shall be subject to the laws of the United States governing the National Park Service and to the rules and regulations promulgated thereunder, whether now in force or hereafter enacted or provided; and the mention of specific restrictions, conditions, and stipulations herein shall not be construed as in any way impairing the general powers of supervision, regulation and control by the Service.

B. No member of, or delegate to, Congress, or Resident Commissioner, shall be admitted to any share or part of this Agreement or to any benefit that may arise therefrom, but this restriction shall not be construed to extend to this Agreement if made with a corporation or company for its general benefit.

C. The Association agrees that all its activities shall be conducted in accordance with all applicable laws and regulations, both State and Federal. Specifically, the Association shall comply with the requirements of (a) Executive Order No. 11246 of September 24, 1963, (b) Title V., Section 503 of the Rehabilitation Act of September 25, 1973 (P.L. 93-112), which requires Government Contractors and Sub-contractors to take affirmative action to employ and to advance in

employment qualified handicapped individuals, and (c) with regulations heretofore or hereafter promulgated, relating to nondiscrimination in employment and in providing facilities and service to the public, as set forth in Exhibit B attached hereto and made a part thereof.

D. In all cases where rights or privileges are granted herein in general or indefinite terms, the extent of the use of such rights or privileges by the Association shall be determined by further written agreement.

This Agreement is effective between the Association and the Service with regard to the following specified national park sites, which are collectively referred to throughout this Agreement as the "Park," to wit:

- (1) Carlsbad Caverns National Park
- (2) Guadalupe Mountains National Park
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

etc.

IN WITNESS WHEREOF, the Association has caused this Agreement to be executed this 30th day of January 1978.

Carlsbad Caverns National Park  
Cooperating Association

By: [Signature]  
Chairman, Board of Directors

IN WITNESS WHEREOF, the Service has caused this Agreement to be ratified this 3<sup>d</sup> day of March, 1978.

National Park Service

By: [Signature]

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
CARLSBAD CAVERNS NATIONAL PARK  
AND  
GUADALUPE MOUNTAINS NATIONAL PARK  
THE  
BUREAU OF LAND MANAGEMENT  
ROSWELL DISTRICT OFFICE  
CARLSBAD RESOURCE AREA HEADQUARTERS  
AND THE  
UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
LINCOLN NATIONAL FOREST  
CONCERNING THE MANAGEMENT AND SUPPRESSION  
OF WILDFIRES ALONG COMMON BOUNDARIES

Fire loss in the forests and on the rangelands of the Nation continues to be a matter of great concern to the American public, the State of New Mexico, and to the land management agencies in the Department of the Interior and the Department of Agriculture. Many of the land areas under the jurisdiction of these agencies are so located geographically that fire on lands in one jurisdiction may burn onto the lands of an adjoining jurisdiction. The Memorandum of Understanding (MOU) is entered into in order to provide a framework for cooperation in the management and suppression of wildfires along the common boundaries of the participating agencies.

This type of agreement is provided for in the 1986 Joint Powers Agreement between the State of New Mexico and the Federal Agencies of the Departments of Interior and Agriculture. It is also provided for in the Interagency Agreement that exists between the Departments of Interior and Agriculture in the Federal government.

The intent of these broad agreements is that local agreements may be entered into which provide for the sharing of resources, the utilization of the closest resource, and the use of suppression tactics which are the most cost effective and which most protect the resources to be managed, regardless of ownership. This Memorandum of Understanding is intended to be that type of local agreement.

A general basis for cooperation between the agencies of the Departments of the Interior and Agriculture on all aspects of wildfire management is provided by the 1983 Interagency Agreement between the BLM, BIA, NPS, USF&WS, and the USFS (83-SIE-001).

This MOU is entered into by the National Park Service, U.S. Department of the Interior, under the authority of 16 U.S.C. Sec. 1b; the Bureau of Land Management, U.S. Department of the Interior, under the authority of 43 U.S.C. Sec. 1701; and the U.S. Forest Service, under the authority of the Forest Service Cooperative Agreement Act of 1975 (16 U.S.C. 565 a1-3). These three Federal agencies will hereafter be referred to as the "agencies".

While the individual agencies will conduct fire management operations in keeping with their respective policies, they are also aware that there can be considerable benefits in cost effectiveness and safety if natural features are used to assist in the containment and/or control of wildfires. These natural features frequently transcend administrative boundaries dividing the agencies.

These agencies also recognize that the existing fire suppression mandates regulating individual agencies provide for management actions which will allow fires to burn or move into areas where safety, logistical, and resource management considerations warrant the fires can be better managed and/or contained. These agencies recognize that the above conditions may require that fires be allowed to burn across administrative boundary lines.



Further, it is recognized by all agencies that a better utilization of Federal funds can be accomplished through a cooperative effort of fire management, including prescribed fire. It is therefore considered beneficial for the three agencies to develop a cooperative effort in administering their fire programs.

NOW THEREFORE, in view of the above considerations, the three agencies agree as follows:

1. Nothing herein shall be construed to obligate any agency to expend or incur obligations for further payment of money in excess of amounts appropriated and allotted for administration of their respective areas.
2. The agencies will continue existing fire management cooperative efforts including the use of equipment caches, training opportunities, and the staffing of an inter-agency fire crew.
3. The agency upon whose land the fire originated will observe routine fire communication procedures and will begin communication with the adjoining agency as soon as the possibility of the fire crossing mutual boundaries becomes evident.
4. Each agency will respect the management ethics of its neighbor and will take reasonable action to prevent a fire from crossing mutual boundaries if the fire is deemed unacceptable by the receiving agency.
5. An agency which allows a fire to burn into its land will accept the responsibility of managing the suppression effort for that portion of the fire within its administrative boundaries.
6. The costs of extinguishing a fire, regardless of agency boundaries, will be borne by each agency according to its own involvement.
7. The agencies will meet annually at a mutually agreed upon date to review the operation effectiveness of this document and make any needed revisions.
8. Each party to the agreement does hereby expressly waive all claims against the other from compensation for any loss, damage, personal injury, or deaths occurring as a result of the performance of this MOU.

This MOU will become effective upon approval by all parties and will extend for a period of five years thereafter. The MOU may be amended, revised, or terminated in writing at any time by joint agreement of the supervisors, or their representatives, of the agencies after 30 days written notice.

IN WITNESS THEREOF, the agencies hereto have executed this Memorandum of Understanding as of the last date written below:

U.S. Department of the Interior  
National Park Service

Approved by: Bobby L. Casma  
Superintendent, Carlsbad Caverns National Park

Date 6/14/88

Approved by: Karen Wade  
Superintendent, Guadalupe Mountains National Park

Date 6/15/88

Bureau of Land Management

Approved by: Francis R. Cherry  
District Manager, Roswell District

Date 7/25/88

U.S. Department of Agriculture  
Forest Service

Approved by: Sam Abbott  
Forest Supervisor, Lincoln National Forest

Date 8/5/85

COOPERATIVE AGREEMENT  
BETWEEN THE  
NATIONAL PARK SERVICE  
UNITED STATES DEPARTMENT OF THE INTERIOR  
AND THE  
DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION  
STATE OF TEXAS

This Cooperative Agreement is entered into under the authority of the Act of August 25, 1916, as amended, 16 U.S.C. § 1, et. seq., the Act of October 15, 1966, 16 U.S.C. § 283, and the Act of July 15, 1968, 16 U.S.C. § 460L-22, by and between the United States, hereinafter referred to as the Service, and the State of Texas, acting through the Department of Highways and Public Transportation, hereinafter referred to as the Highway Department.

The purposes and mutual benefits of this agreement are as follows:

1. To facilitate relocation and replacement of the obsolete Texas Highway Department maintenance camp facility at Pine Springs, Texas, presently on the north edge of U. S. Highway 62-180 and in a scenic area within Guadalupe Mountains National Park, to a new site south of U. S. Highway 62-180 outside the park boundary and near the Service's maintenance and residential facilities.
2. To provide a suitable access route to the new Highway Department camp location for the use and purpose of serving the new camp as long as the camp facility is needed and is located in this area.
3. To help assure that maintenance work, including emergency storm response action on the portion of U. S. Highway 62-180 through and adjacent to Guadalupe Pass, including the portion of this primary road which passes through the park, is carried out to the benefit of park visitors and other travelers using this road.

4. To help assure that health and sanitary conditions and the appearance of both Service and Highway Department facilities in the area are compatible and meet acceptable standards..

This agreement will become effective upon signature by both parties and will continue in effect for as long as the new Highway Department camp facility occupies the new camp location immediately outside the park boundary and there is no other suitable and/or mutually agreeable access route to the new camp site. The agreement will not be terminated by either party without at least 60 days advance notice and without mutual agreement on an alternate access route and/or utility services to the new camp, unless the Highway Department and Service should mutually decide to close or move both its facilities, residential area, or camp to another location in the future, in which case they would be free to do so and the agreement would terminate without obligation. At present, it is agreed that the access route described in the following sections of this document is the only feasible route to the new maintenance camp facility.

THEREFORE, in order to accomplish the desired objectives and purposes of this agreement, the parties hereto in consideration of the considerations, benefits, promises, and covenants contained herein mutually agree as follows:

THE SERVICE AGREES:

1. To grant the Highway Department an easement for access along a route from U.S. Highway 62-180 to the new camp location described in the attached Exhibit "A," pages 1 and 2, labeled "Joint Use" and "Exclusive Use by the State of Texas." This easement will be granted contemporaneously with the granting by the State of Texas of a quitclaim deed for that property described in Exhibit "B" hereto. Until this exchange can take place, the Service will issue a Special Use Permit for the easement to the Highway Department. A drawing of this route, Exhibit "A," page 3, is also attached.

2. To allow the Highway Department to connect with the Service's maintenance area service road being built on a portion of this easement and to construct a paved extension in a southeasterly direction along the easement to the park boundary, a distance of approximately 20 feet, using State funds.

## Appendix C: Cooperative Agreements

3. To construct and maintain the Service's portion of the road with a 6-inch bituminous surface to the point of connection to accommodate heavy equipment using the road.

## THE HIGHWAY DEPARTMENT AGREES:

1. To construct and maintain the service road extension described under No. 2 above, using State funds.

2. After the new Highway Department maintenance camp facility is built and occupied, the Highway Department agrees to remove all buildings and structures from the old camp location and to clear the site, at State expense, leaving as much natural vegetation as possible. It is agreed that this will be done within a reasonable length of time as funds and Highway Department work schedules permit.

3. That at such time as the present site becomes surplus to the State's needs, the Highway Department will recommend that the Governor of Texas execute a proper instrument conveying title to the .94 acre of land at the old camp location, as described in the attached Exhibit "B," pages 1 and 2, labeled "Tract No. 01-122," to the National Park Service in exchange for the easement for an access route to the new camp. The Texas Highway Department agrees that it will make no financial claims against the Service for relocation expenses.

4. To continue to provide maintenance work and emergency storm response service on the portion of U.S. Highway 62-180 which crosses through Guadalupe Mountains National Park, as the Highway Department has done in the past from the old camp location.

5. To cooperate in having residents and workers at the Highway Department camp adhere to park rules and regulations, including those relating to speed limits on the park road.

6. To use the access route to the Highway Department camp only for the purpose of using, operating, servicing, or maintaining the camp and not as a through road or route to other locations not related or associated with the camp.

FURTHERMORE, in order to accomplish the purposes and objectives of this agreement,

THE SERVICE AND HIGHWAY DEPARTMENT MUTUALLY AGREE TO THE FOLLOWING:

1. The Highway Department will be allowed to tap into the park's Pine Springs water and sewer systems at the nearest feasible locations. The nearest 6-inch water main is located just inside the park boundary along the south fence of the Service's maintenance compound, and the nearest sewer lift station is approximately 375 feet inside the boundary.
2. The cost of tapping into Service lines and extending water and sewer service from the park-owned lines at the point of connection southward to the Highway Department camp will be paid by the Highway Department.
3. The Highway Department will provide a master water meter on the main water line to the camp either at the point of connection or at some other suitable location between the point of connection and the park boundary to measure water used by the camp.
4. A monthly charge will be made for water and sewer service provided to the camp. Rates will be based on the principle of comparability, as with park concessions, and will be the same as in the nearest community of Carlsbad, New Mexico. After the first year, rates may be adjusted and based on actual costs for operation of the park water and sewer systems, with charges pro-rated according to the amount of water used by both parties. Copies of current rate schedules for the city of Carlsbad, New Mexico, are attached, as Exhibit "C," pages 1 and 2.
5. Water supplied by the Service to the Highway Department will be for residential or domestic use only and not for highway construction or road project work. Water for actual highway maintenance and construction work will continue to be the responsibility of the Highway Department and will have to come from other sources.

6. The Service will continue to supply water for residential or domestic use at the camp as long as the Service occupies its Pine Springs residential and maintenance facilities and for as long as the well, which is the source of the park system, continues to produce a sufficient quantity to meet the needs of both parties. If an unexpected or unanticipated failure or decline in well water production should occur and conservation measures undertaken by both parties should not prove adequate to bring water supply and demand use into balance, the Service would be relieved of its responsibility to furnish water to the Highway Department camp.

7. If the size of the Highway Department camp should be increased in the future, after initial construction, to the point where the park's Pine Springs sewage treatment facility would not be able to handle the added load, the Highway Department would be responsible for either providing its own sewage treatment facility for the camp expansion or for paying costs to expand the park sewage treatment facilities to handle the added load from the Highway Department camp. If both park and Highway Department camp facilities should be expanded and add to the load, needed sewage treatment plant expansion costs would be pro-rated proportionately.

8. That no member of, or delegate to, Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit to arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.


9. That parties to this agreement will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

10. Nothing in this agreement shall commit either party to obligate funds in excess of those appropriated for the fiscal year in which the obligation is to be incurred.

A map, showing the park water and sewer lines in the area and the planned points of connection, is attached as Exhibit "D."

IN WITNESS WHEREOF, the National Park Service and the State Department of Highways and Public Transportation cause this Cooperative Agreement to be executed as of the date last signed below.

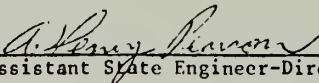
NATIONAL PARK SERVICE  
DEPARTMENT OF THE INTERIOR

By:   
Regional Director  
Southwest Region

Date: 8/6/80

THE STATE OF TEXAS

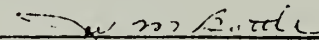
Certified as being executed for the purpose and effect of activating and/or carrying out the orders, established policies, or work programs heretofore approved and authorized by the State Highway and Public Transportation Commission:

By:  9-29-80  
Assistant State Engineer-Director

Executed and approved for State Highway and Public Transportation Commission, under authority of Commission Minute No. 77446

APPROVAL RECOMMENDED

  
RIGHT-OF-WAY ENGINEER

  
DISTRICT ENGINEER

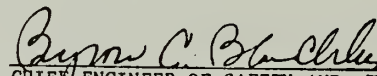
  
CHIEF ENGINEER OF SAFETY AND  
MAINTENANCE OPERATIONS



EXHIBIT "A" page 1

## "JOINT USE"

All that certain twenty two (22) foot strip of land, being a portion of a National Park Service (NPS) Entrance Road, and a National Park Service (NPS) Access Road to a Maintenance Camp, lying in Sections 44 and 45, Block 65, Township 1, Texas and Pacific Railway Co. Survey, Guadalupe Mountains National Park, Culberson County, Texas, said strip of land being eleven (11) feet on either side of the following described centerline:

Beginning at a point on the southerly right-of-way (R/W) line of U. S. Highway 62-180, said point being South  $4^{\circ}29'59''$  East - 60.00 feet from U. S. Highway 62-180 Station 977 + 82, said point also being Station 0 + 60 on the centerline of National Park Service (NPS) Entrance Road (Line "A"); thence South  $4^{\circ}29'59''$  East, along said centerline, 3.00 feet to the beginning of a tangent curve to the left; thence along said curve, having a radius of 268.87 feet, central angle of  $71^{\circ}54'12''$ , an arc distance of 337.42 feet (chord bearing South  $31^{\circ}27'07''$  East 315.71 feet), to the beginning of compound tangent curve to the left; thence along said curve, having a radius of 875.17 feet, central angle of  $17^{\circ}17'22''$ , an arc distance of 264.09 feet (chord bearing South  $76^{\circ}02'48''$  East 263.09 feet), to a point, said point being Station 6 + 64.51 on the centerline of Entrance Road (Line "A"), said point also being Station 0 + 00 on the centerline of National Park Service (NPS) Maintenance Road (Line "B"); thence South  $2^{\circ}35'50''$  West along said centerline of Maintenance Road (Line "B") 292.39 feet to a point, Station 2 + 92.39, said point being the beginning of the entrance to the National Park Service Maintenance Camp Parking Area, and being the terminus of the joint use area.

*J. E. ...*

EXHIBIT "A" page 2

"EXCLUSIVE USE BY THE STATE OF TEXAS"

All that certain fifty (50) foot strip of land, being a continuation from the terminus of a National Park Service Maintenance Road to the South Boundary of Guadalupe Mountains National Park, lying and being in Sections 44 and 45, Block 65, Township 1, Texas and Pacific Railway Co. Survey, Guadalupe Mountains National Park, Culberson County, Texas, said strip of land being twenty five (25) feet on either side of the following described centerline:

Beginning at a point in the centerline of a National Park Service Maintenance Road (Station 2 + 92.39), said point bearing South 2°35'50" West 292.39 feet from the intersection of the centerlines of aforesaid Maintenance Road (Station 0 + 00) and a National Park Service Entrance Road (Station 6 + 64.51); thence from said Point of Beginning on a tangent curve to the left having a radius of 90.00 feet, a central angle of 44°42'00", an arc distance of 70.21 feet (chord bearing South 19°48'26" East) 68.63 feet to a point on the south boundary line of Guadalupe Mountains National Park, the terminus of the above described centerline; from said terminus point National Park Service Monument "C" bears North 88°59'33.8" East 554.62 feet, NPS Monument "C" having Texas Central Zone coordinates North 836,680.171, East 610,892.568.

Excepting that portion thereof used for access to a National Park Service Maintenance Camp parking lot

RECEIVED JUL 29 1988

INTERAGENCY AGREEMENT  
(Memorandum of Understanding)

between the

GUADALUPE MOUNTAINS NATIONAL PARK  
NATIONAL PARK SERVICE  
U.S. DEPARTMENT OF THE INTERIOR

and the

LINCOLN NATIONAL FOREST  
FOREST SERVICE  
U.S. DEPARTMENT OF AGRICULTURE

OFFICE	BY	DATE	INITIALS	DATE

The purpose of this interagency agreement is to provide joint cooperation in the management of North McKittrick Canyon.

This agreement in no way waives existing laws, regulations, or policies, nor does it obligate money.

This interagency agreement is entered into by the National Park Service, U.S. Department of the Interior, hereafter referred to as the Park Service, under the authority of 16 U.S.C. 1 (1976) and by the U.S. Forest Service, U.S. Department of Agriculture, hereinafter referred to as the Forest Service, under the authority of the Organic Act of June 4, 1897 (7 U.S.C. 2201).

The area referred to in this document is defined as that portion of North McKittrick Canyon within the boundaries of the Guadalupe Mountains National Park as shown on USGS topographic map titled "Guadalupe Peak Quadrangle", and that portion of North McKittrick on USGS topographic map titled "El Paso Gap Quadrangle". It includes the main canyon and its tributaries from the canyon bottom to the hydrographic divide.

The Park Service has jurisdiction over the lower portion of the North McKittrick Canyon drainage in the Guadalupe Mountains National Park. The Forest Service has jurisdiction over the upper reaches of the canyon, including approximately one-half mile of exceptionally attractive perennial water near the Forest boundary on the Guadalupe District of the Lincoln National Forest. The canyon contains geographically unique floral and faunal species as well as significant archeological sites which may be irreparably damaged by inappropriate use.

NOW THEREFORE, in view of the above conditions, the agencies hereto agree as follows:

- A. It is mutually agreed between the two agencies that:
  - 1. The Forest Service and Park Service will enter into a two (2) year cooperative research study effort to assess the following for their respective areas:
    - a. Resources
      - (1) archeological findings
      - (2) threatened and endangered species
      - (3) current natural resource status

## b. Visitation

## (1) use and impact

2. These findings will be continually exchanged between agencies (cooperatively develop as possible) and upon completion of the cooperative research effort, a North McKittrick Canyon Agreement will be mutually developed and implemented.
  3. The agencies will conduct an annual (July) management meeting at a mutually agreed upon date to review the operational efficiency of this document and make any necessary revisions.
  4. Nothing herein shall be construed to obligate either agency to expend or incur obligations for future payment for money in excess of amounts appropriated and allotted for administration of the area.
  5. Agency plans for future development of North McKittrick Canyon will be reviewed by the other agency prior to a final decision.
  6. Both agencies will inform the visitor of the regulations governing the use of both the National Park and the National Forest portions of North McKittrick Canyon through personal contacts.
  7. No member of, or delegate to, Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit to arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.
  8. Agencies to this agreement will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin.
  9. Each agency may issue camping permits for administrative studies or research on their respective lands.
- B. The Park Service will establish the following management direction over the National Park portion of North McKittrick Canyon:
1. Restrict to day use only.
  2. Prohibit campfires.
  3. Require visitors to pack out their own litter.
  4. Prohibit swimming and bathing in the park section of McKittrick Canyon.
  5. Prohibit the taking or destruction of floral, faunal, archeological, geological and historical items without a permit.
  6. Prohibit hunting and possession of firearms which are not unloaded or cased.

9. Manage caves in the canyon in accordance with the Cave Management Plan for Guadalupe Mountains National Park.
10. Discourage use of North McKittrick Canyon by:
  - a. Removal of North McKittrick signing at Pratt Cabin.
  - b. Direct visitation to other areas within the Park through visitor contacts.
  - c. Remove trail by elimination of trail markings and discontinued trail maintenance.

C. The Forest Service will establish the following management direction on the National Forest portion of North McKittrick Canyon:

1. Eliminate and remove existing campfire rings and debris along trails in North and Middle McKittrick Canyons within the Forest Service boundary.
2. Permit day use only from the Forest boundary to a point one-half mile up canyon.
3. Permit no campfires from the Forest boundary to a point one-half mile up canyon.
4. Require visitors to pack out their own litter.
5. Prohibit the taking or destruction of floral, faunal (except legal hunting), archeological, geological and historical items without a permit.
6. Permit no range development.

This interagency agreement will become effective upon approval by both agencies. The agreement may be amended in writing at any time by joint agreement of the Superintendent of the Guadalupe Mountains National Park and the Supervisor of the Lincoln National Forest. This agreement may be terminated by the Superintendent of Guadalupe Mountains National Park or by the Forest Supervisor of Lincoln National Forest, or their designated representative, after sixty (60) days written notice.

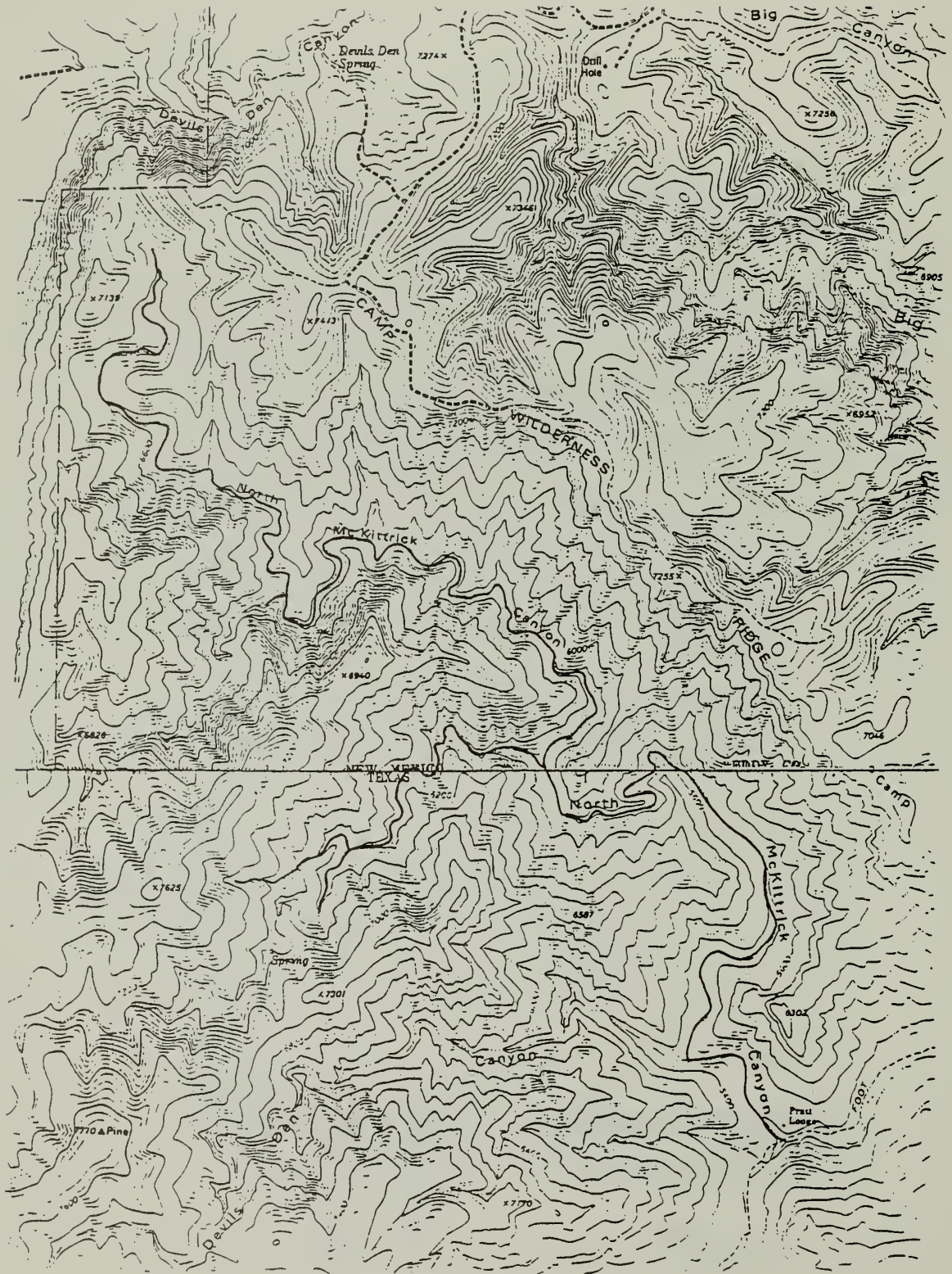
In Witness Whereof, the agencies hereto have executed this agreement as of the last date written below:

Karen Wade  
 Superintendent,  
 Guadalupe Mountains National Park  
 National Park Service

6/27/88  
 (Date)

James Abbott  
 Supervisor,  
 Lincoln National Forest  
 U.S. Forest Service

6/27/88  
 (Date)





## Culberson County Hospital District

P.O. Box 609  
Van Horn, Texas 79855  
915 283-2760

R. Edwin Norris

ADMINISTRATOR

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
GUADALUPE MOUNTAINS NATIONAL PARK AND CULBERSON COUNTY HOSPITAL DISTRICT  
FOR  
OPERATION AND MAINTENANCE OF AN AMBULANCE SERVICE

This Memorandum made and executed this 1st day of January, 1987, by and between the Culberson County Hospital District, (hereinafter referred to as Hospital) and the Guadalupe Mountains National Park (hereinafter referred to as Park).

WITNESSETH

WHEREAS, Hospital possesses an ambulance made available to it under a grant by the State of Texas for emergency medical services; and

WHEREAS, Hospital desires to make the aforesaid ambulance available for service to residents of, and visitors to, the remote and isolated sections of northern Culberson County; and

WHEREAS, Park has the trained personnel to operate the aforesaid ambulance and the facilities to properly service the aforesaid ambulance; and

WHEREAS, under the Act of August 8, 1953 (67 Stat. 495) the National Park Service is authorized to provide emergency rescue, firefighting and other cooperative assistance to nearby law enforcement and fire prevention agencies;

NOW THEREFORE, in consideration of mutual covenants, terms and conditions herein contained, it is hereby agreed by and between parties hereto as follows:

1. Hospital shall provide to Park an ambulance which meets the standards of 25 TAC 157.61 - 157.73.
2. Park, shall, during the duration of this agreement, provide ambulance services for service to any person needing said service and requesting same. In providing said service, Park shall provide said service in a manner consistent with all applicable state laws and regulations.
3. Park agrees to provide qualified drivers and medical attendants trained in emergency medical services and so certified under all applicable laws and standards of the State of Texas. Said medical attendants and drivers shall be provided as necessary or required.



## Culberson County Hospital District

P.O. Box 609  
Van Horn, Texas 79855  
915 283-2760

R. Edwin Norris

ADMINISTRATOR

4. Hospital hereby agrees to establish, bill and collect standard ambulance rates for services provided by the aforesaid ambulance service, except that Park personnel and their immediate families shall not be billed by Hospital for services rendered to them.

5. Hospital shall retain fifteen percent (15%) of the gross of collections for payment of administrative costs; the remainder of the collections shall be placed in a fund for the replacement and maintenance of the ambulance.

6. Park and Hospital will keep and maintain such records and on such forms as necessary for a period of three (3) years after services are performed. Copies of these records shall be provided to either party upon request.

7. Park shall maintain and keep in good repair the aforesaid ambulance by performing those duties and obligations which by customary usage and language are defined as preventive maintenance. Hospital will be responsible for the cost of any major repair work which may be necessary to keep the aforesaid ambulance operational.

8. Park shall initially equip the aforesaid ambulance with park-owned ambulance equipment and supplies on hand. Park and Hospital, jointly, shall thereafter share in equipping and stocking said ambulance to meet standards required by law. Park shall be responsible for routinely keeping said ambulance stocked with necessary supplies and first aid equipment required for adequate service and operation. Notwithstanding the foregoing, either party may provide equipment and/or supplies as they are available.

9. This Memorandum of Understanding is to take effect on January 1, 1987, and is to continue in force for the term of three (3) years, subject to the right of either party to terminate this agreement on one hundred twenty (120) days written notice by registered mail, or personal delivery of written notice, to the other party. This Memorandum will be reviewed by both parties prior to expiration and amended as appropriate.

10. It is understood by the parties that this Memorandum of Understanding is conditioned upon the availability of either party of funds appropriated to comply with the terms of said agreement. Should necessary funding become unavailable, each party agrees to notify the other, as appropriate, of such fact by written notice by registered mail, or personal delivery of said written notice. Such notice shall immediately operate to terminate the agreement without the necessity of further notice, or compliance with the terms of paragraph nine (9) of this contract.





### Culberson County Hospital District

P.O. Box 609  
Van Horn, Texas 79855  
915 283-2760

R. Edwin Norris

ADMINISTRATOR

11. This instrument contains the entire agreement between the parties, and no statement, promises, or inducements made by either party or agent of either party that is not contained in this written document shall be valid or binding; and this Memorandum may not be enlarged, modified, or altered except in writing signed by the parties and endorsed hereon.

12. Neither members of, nor delegates to, Congress or Resident Commissioners shall be admitted to any share or part of this permit or device, either directly or indirectly, any perculiary benefit to arise therefrom; provided however, that nothing herein contained shall be construed to extend to any incorporated company, if the agreement be for the benefit of such corporation.

13. During the performance of this agreement, the participants agree to abide by the terms of Executive Order 11246 on non-discrimination and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or origin.

Culberson County Hospital District

by *R. Edwin Norris* Date 12-15-86  
Administrator

Guadalupe Mountains National Park

by *Ralph Harris* Date 3/30/87  
Superintendent



**APPENDIX D: Collecting and Research Permits**



## United States Department of the Interior

NATIONAL PARK SERVICE  
 GUADALUPE MOUNTAINS NATIONAL PARK  
 HC 60, BOX 400  
 SALT FLAT, TEXAS 79847-9400



March 17, 1988

A90(GUMO)  
 Resource Management and Visitor Protection - 1  
 Contact: Resource Management Specialist  
 Interim (3/88)

### STANDARD OPERATING PROCEDURES

#### Collecting Permit Procedures

Collecting Permit Guidelines and Regulations  
 Guadalupe Mountains National Park  
 Life Forms - Rocks - Minerals  
 Archaeological and Paleontological Remains  
 Code of Federal Regulations: Title 36, Paragraph 2.5

- I. STANDARDS AND PREREQUISITES FOR ISSUANCE OF COLLECTING PERMITS.
  - A. Collecting Permits are issued only to official representatives of:
    1. Reputable scientific or educational institutions
    2. State or Federal agencies
  - ... for the purpose of:
    1. research intended for the advancement of scientific knowledge of park resources, features, processes and life forms.
    2. documentation of research or management activities
    3. baseline inventories
    4. monitoring
    5. avoiding unnecessary duplication in future efforts
    6. impact analysis
    7. interpretive and/or resource management programs
    8. museum displays
    9. facilitating acquisition of final reports
    10. group study
    11. providing a vehicle for imposition of other management constraints on the conduct of activities
  - B. In park areas where enabling legislation does not expressly prohibit the collecting of plants, fish, wildlife, rocks, minerals, and archaeological/paleontological remains, permits may be issued when, at his/her discretion, the Superintendent determines:
    1. collections will not result in derogation of values

- purposes, and resources for which the park was established;
2. collections have potential for conserving and perpetuating a species and/or those values, purposes and resources;
  3. collection will not result in damage to other natural or cultural resources nor adversely affect environmental or scenic values;
  4. specimens are not available outside of the park area;
  5. all applicable Federal and State permits have been acquired;
  6. collection is necessary to stated scientific or resource management goals of the institution or agency;
  7. intended use of specimens and final disposal is in accordance with applicable law and Federal administrative policies;
  8. the application is accompanied/supported by an acceptable, written proposal, scope of work or other document describing the purpose and extent of anticipated collections;
  9. the application is supported by an approved resource management plan, interpretive plan, General Management Plan, or other written authorization from the Superintendent;
  10. permits for collection of specimens for group study or museum display purposes meet a further test of being crucial to the institution's goals.

C. Special Collection Permit Conditions:

1. Findings/Results - A minimum of two copies of reports or publications resulting from research specimen collection permits shall be filed with the Superintendent within one year of project completion.
2. Data/Field Notes - Researchers will be required to provide appropriate collection data (including University or Agency accession and catalog numbers) to facilitate the cataloging of specimens (researchers may also be required to complete all or portions of the NPS National Catalog cards). If the researcher is required to complete the National Catalog Cards (with catalog numbers), the cards and appropriate instructions will be provided by the park's curator. Field notes or copies thereof may be required of each researcher. The requirement level (e.g. for all or portions of the field notes) will be determined on a case-by-case basis.
3. Museum Labels - Specimens placed in displays or collections will bear official National Park Service museum labels bearing a Guadalupe Mountains National Park accession/catalog number (accession/catalog number will be assigned to each collector by the park curator prior to initiation of collecting). If NPS museum labels are not

available at the start of the collection period, the NPS will provide labels during the project or require the use of some other type of labels which must be approved by the curator.

4. Repositories - The park will generally approve the disposition of specimens to appropriate repositories. All specimens, however, remain the property of the park and will be placed in the repository "on loan" from the park. The park will require, on a case-by-case basis that all, some or none of the specimens be returned to the park.
5. Curatorial Supplies - Curatorial supplies must be supplied by the researcher. Specimens which are to be returned to the park for inclusion in park collections must be prepared in accordance with NPS standards (e.g. relative to containers and methods of preservation). In some cases, if the preparation of specimens for park collection is significantly different than that used by the researcher, and imposition of park standards would constitute a burden on the researcher, the park may furnish curatorial supplies for the specimens which are to be returned to the park.
6. Public Information - Specimens and any data derived from consumed specimens, will be made available to the public.
7. Additional Stipulations - Any additional conditions as stipulated by the Superintendent to ensure protection of other resources and values and to insure proper management of the park...may be attached to or associated with a collecting permit.

SCOPE: The following statements are beneficial to and should be understood by all collecting permit applicants.

Title 36 of the Code of Federal Regulations, Section 2.5, specifies that the enabling legislation for a park or monument determines whether or not scientific collections may be permitted in that area and the conditions under which a permit may be obtained. Since the Presidential Proclamations and Acts of Congress establishing Guadalupe Mountains National Park neither authorize nor prohibit the taking or manipulation of any life forms, rocks, minerals, or archaeological/paleontological remains,... collection for scientific, management and interpretive purposes may be allowed if the Superintendent, in a written, case-by-case determination, finds such collection is consistent with the constraints noted above. All collections and/or manipulations of any life form, rocks, minerals and/or archaeological or paleontological remains must have a collecting permit and will be governed by the provisions of that collecting

permit.

\*\*\*\*\* Violation of the terms and conditions of a park permit issued in accordance with Federal regulations is prohibited and will result in suspension or revocation of a permit.

D. Endangered Species - Any permit to collect an endangered or threatened species:

1. must be in accordance with the Endangered Species Act and approved Recovery Plan for the species;
2. cannot be issued when specimens are available outside the park;
3. must be for the express purpose of and crucial to enhancing protection/management of the species;
4. must be approved by the Regional Director of the Region in which the park is located.
5. will be legal only if used in conjunction with an equally valid U.S. Fish and Wildlife permit issued by the Regional U.S. Fish and Wildlife Service office for the particular species involved.

E. Protocol for Issuance of Collecting Permits.: The following protocol will be observed for issuing collecting permits in Guadalupe Mountains National Park:

1. All applications for collection of life forms, rocks, minerals, and/or archaeological/paleontological remains and the like will first receive an independent review by the Resource Management Specialist.
2. The Resource Management Specialist will prepare a written evaluation form for the Superintendent, recommending approval or denial of the application.
3. All Collecting Permits must be signed by the Superintendent or his/her designee for approval.
4. Copies of all approved Collecting Permits (or applications thereof) will be retained in general files. Copies of Collecting Permits which will result in additions to the park's collections will be provided to the park's curator for inclusion in the accession files.

  
Karen P. Wade

## Appendix A

## RESEARCH/COLLECTING PERMIT CERTIFICATION REQUEST FORM

1. Name(s), address(es), telephone #(s), of investigator(s):
  
2. Affiliation of investigator(s):  
Institution:  
Address:  
Telephone # (include area code):
3. Title of proposed study, research, or project:
4. Source of funding:
5. Starting date:
6. Length of study or research (include period (s) you will be in the park as well as approximate date of study or research conclusion):
  
7. Explain why it is necessary to conduct your research and/or collecting within the park rather than in an area outside park boundaries:
  
8. What will your research accomplish for Guadalupe Mountains National Park?



9. Describe or explain in detail your purpose, objectives, and the extent and /or scope of your study or research (as an alternative, attach an ADEQUATE proposal and any other supporting document (s) if available).

10. If you intend to collect any specimens, provide detailed information pertaining to the items below:

a. exact type of specimens:

b. number or amount of specimens:

c. collecting methods/techniques:

d. preparation/preservation methods/techniques:

e. disposition of specimens:

11. An Annual Investigator's Report is required and due Dec. 31 of each year of your study/research project. Your signature on this questionnaire signifies that you agree to provide this official report.
12. Are you willing to provide at least two copies of all reports or publications resulting from your research to the Superintendent of Guadalupe Mountains National Park?:
13. Please enclose a professional resume of all investigators involved with research, study or project.
14. Please identify any assistance you will require from park staff.
15. Signature of investigator:

Signature

Title

Date

## Appendix B

## CRITERIA CHECKLIST FOR COLLECTING PERMIT APPLICANTS

NOTE: Correct answers are underlined. If, after review and consideration of any application, an answer is opposite of that indicated as correct, permit should be denied or application re-evaluated.

- |  |            |           |
|--|------------|-----------|
| 1. Permittee is member in good standing of reputable scientific/educational institution, or state/federal agency? (36 CFR 2.5b)                            | <u>YES</u> | NO        |
| 2. Collecting necessary to stated scientific/resource management goals of requesting institution/agency?   | <u>YES</u> | NO        |
| 3. Permit in question is to be issued for the express purpose of one or more of the following:   |            |           |
| a. research intended for the advancement of scientific knowledge of park resources, features, processes and/or lifeforms;                                  | <u>YES</u> | NO        |
| b. documentation of research or management activities;   | <u>YES</u> | NO        |
| c. baseline inventories;   | <u>YES</u> | NO        |
| d. monitoring;   | <u>YES</u> | NO        |
| e. impact analysis;  | <u>YES</u> | NO        |
| f. interpretive and/or resource management programs  | <u>YES</u> | NO        |
| g. avoiding unnecessary duplication in future efforts;   | <u>YES</u> | NO        |
| h. museum displays;  | <u>YES</u> | NO        |
| i. facilitating acquisition of final reports;  | <u>YES</u> | NO        |
| j. group study;  | <u>YES</u> | NO        |
| k. providing a vehicle for imposition of other management constraints on the conduct of activities.  | <u>YES</u> | NO        |
| 4. Collecting will result in derogation of values, purposes, and resources for which the park was established? (36 CFR 2.5e)                               | YES        | <u>NO</u> |
| 5. Collecting/manipulation has <u>real</u> potential for <u>con-serving</u> and <u>perpetuating</u> a species and/or those values, purposes and resources. | <u>YES</u> | NO        |
| 6. Collecting will result in adverse impacts upon environmental or scenic values of the park?  | YES        | <u>NO</u> |
| 7. Collecting will result in damage to other park resources? (36 CFR 2.5b)   | YES        | <u>NO</u> |
| 8. Collecting will benefit science or improve management and protection of park resources? (36 CFR 2.5d)   | <u>YES</u> | NO        |
| 9. Will research needlessly duplicate previous studies?  | YES        | <u>NO</u> |

10. Application is accompanied and supported by an approved/acceptable, written proposal, scope of work, resource management plan, interpretive plan, General Management Plan, or other document describing the purpose and extent of anticipated collections (or application has been authorized and/or approved in writing by the Superintendent). (36 CFR 2.5e) YES NO
11. Intended use of specimen(s) and final disposition is in accordance with applicable law and policy. Applicant understands that all specimens remain the property of the park and will be placed in an approved repository - "on loan only" - from Guadalupe Mountains National Park. YES NO
12. Is researcher willing to provide copies of collection data, field notes or information pertaining to current progress of research at any time upon official request? YES NO
13. Is researcher willing to complete National Catalog Cards and register catalog numbers in the National Park Service Catalog System? (36 CFR 2.5 (1)) YES NO
14. Permit applicant agrees that specimens placed in displays or collections will bear official National Park Service museum labels bearing Guadalupe Mountains National Park accession numbers. YES NO
15. Permit applicant understands that curatorial supplies must be provided by the researcher and that specimens which are to be returned to the park for inclusion in park collections must be prepared in accordance with National Park Service standards (e.g. relative to containers and methods of preservation "etc."). YES NO
16. A minimum of (2) copies of reports and publications resulting from specimen collection, in whole or part, will be provided to the park within one year of project completion? (36 CFR 2.5g (2). Applicant agrees to provide an Annual Investigator's Report for each year of the proposed study/research project. YES NO
17. Specimens and data derived from consumed specimens will be available to the public.? (36 CFR 2.5 (2)) YES NO
18. If the requested specimen is a threatened or endangered species, the following must be addressed:
- a. Is applicant's request approved by the Regional Director of the region in which the park is located? YES NO

- b. Have all applicable federal/state permits been acquired? (36 CFR 2.5 b) YES NO
- c. Is the express purpose of collecting crucial to and will it enhance protection and management of the species? YES NO
- d. Is the proposed collecting or manipulation of the species in accordance with the Endangered Species Act and approved Recovery Plan for the species involved? YES NO
- e. Are specimens available outside of Guadalupe Mountains National Park? YES NO
19. Applicant agrees to exercise discretion and collect out of view of general public. YES NO
20. Applicant understands that violation of the terms and conditions of any park permit issued in accordance with Federal regulations is prohibited, will result in suspension or revocation of that permit and rejection of any future applications? YES NO
21. Applicant understands that he/she must consult with the Superintendent, Resource Management Specialist or Chief Ranger before beginning research/collecting in the park. YES NO

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Date \_\_\_\_\_

By: \_\_\_\_\_  
Resource Management Specialist



**PUBLISHED REPORTS  
OF THE  
SOUTHWEST CULTURAL RESOURCES CENTER**

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4. Edwin C. Bearss. Historic Structures Report: Texas White House. Division of Conservation, 1986.
5. Barbara Holmes. Historic Resource Study of the Barataria Unit of Jean Lafitte National Historical Park. Division of History, 1986.
6. Steven M. Burke and Marlys Bush Thurber. Southwest Region Headquarters Building, Santa Fe, New Mexico: A Historic Structure Report. Division of Conservation, 1985.
7. Toni Carrell. Submerged Cultural Resources Site Report: NOQUEBAY, Apostle Islands National Lakeshore. Submerged Cultural Resources Unit, 1985.
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9. J. Richard Ambler. Archeological Assessment: Navajo National Monument. Division of Anthropology, 1985.
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11. James E. Ivey, Marlys Bush Thurber, James T. Escobedo, Jr., Tom Ireland. The Missions of San Antonio: A Historic Structures Report and Administrative History. Divisions of Conservation and History, 1987.
12. Roger E. Coleman. The Arkansas Post Story. Division of History, 1987.
13. Toni Carrell, James E. Bradford, W. L. Rusho. Submerged Cultural Resources Site Report: Charles H. Spencer Mining Operation and Paddle Wheel Steamboat, Glen Canyon National Recreation Area. Submerged Cultural Resources Unit, 1987.
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15. James E. Ivey. In the Midst of a Loneliness: The Architectural History of the Salinas Missions. Salinas Pueblo Missions National Monument Historic Structure Report. Division of History, 1988.
16. Richard W. Sellars and Melody Webb. An Interview with Robert M. Utley on The History of Historic Preservation in the National Park Service--1947-1980. Santa Fe, 1988.
17. Laura S. Harrison and Beverley Spears, Historic Structures Report. Chinle Trading Post, Thunderbird Ranch and Custodian's Residence. Division of History, 1988
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19. Judith K. Fabry. Guadalupe Mountains National Park: An Administrative History. Division of History, 1988.
20. Peter J. McKenna and Scott E. Travis. Archeological Investigations at Thunderbird Lodge. Division of Anthropology, 1989.
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22. C. Patrick Labadie. Pictured Rocks National Lakeshore. Submerged Cultural Resources Unit, 1989.
23. Daniel J. Lenihan. USS Arizona Memorial and Pearl Harbor National Historic Landmark. Submerged Cultural Resources, Unit, 1989.
24. Robert H. and Florence P. Liser. Aztec Ruins National Monument: Administrative History of An Archeological Preserve, 1990.

25. Jill-Karen Yakubik. Archeological Investigations of Six Spanish Colonial Period Sites: Barataria Unit, Jean Lafitte National Historical Park and Preserve. Division of Anthropology, 1989.
26. Herschel A. Franks and Jill-Karen Ykubik. Archaeological Survey on 65 Acres of Land Adjacent to Bayou des Familles: Barataria Unit, Jean Lafitte National Historical Park and Preserve. Division of Anthropology, 1989.
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