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1-1-2021

## Mining Claim File: john\_cummings-j\_s\_cummings.pdf

Maine Mining Bureau

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February 9, 1989

Ms. Theresa K. Secord, Staff Geologist  
Department of Natural Resources  
Penobscot Nation  
6 River Road, Indian Island  
Old Town, ME 04468

Dear Theresa:

A long time ago in a telephone dialogue I promised to document my comments on the occurrence of VMS deposits in the drainage of Alder Stream tributary to the North Branch, Dead River, Franklin County Maine. I will make reference herein variously to Alder Stream drainage basin (ASD), Alder Stream Township (AST) and Seven Ponds Township (SPT). Distinctions that are critical to the case. All my information was compiled when I was with the U.S. Geological Survey doing research on mineral deposits in central western Maine.

In preparation, I have drawn from my published material, project records and the "Cummings File." The latter is comprised of 11 key letters and voluminous phone notes. I will bypass most of the central issues in the Cummings File which produced a confrontation between Mr. Cummings and the USGS, and zero-in on only the VMS occurrences in the ASD which I refer to as the Boil Mountain occurrence (BMT) in SPT and the Alder Stream Farm (ASF) occurrence in AST. You and I seem to have been swept-up in a tour-de-force of confusion in which the identity of the two VMS occurrences were not differentiated. I should point out that my image of the ASF is synthesized from a combination of what you and Gary Nowlan have contributed and the Cummings File. If we can assume that it does, indeed, exist then it must be separated by a distance of at least 6 miles from the BMT.

I remain offended by the allegations about me made by Mr. Cummings in his letters to Dr. Canney (11/19/87 and 12/28/87) and Dr. Nowlan (12/12/87). Apparently Mr. Cummings had no knowledge of the BMT and I had none of the ASF prior to the Cummings File. I regret that Mr. Cummings did not extend me the simple courtesy of a communication - - I could have saved him from the pangs of anxiety related to the mineralization in ASD.

I will begin with an assumption that Mr. Cummings managed a drilling project somewhere near the farm site shown on the Kennebago Lake 15' quadrangle. You may well have details such as as timing, scope and results that I lack. In his letter to Dr. Canney (11/19/87), Mr. Cummings states that he was the "first" to core-drill in AST for "base metals". I believe this to be accurate. There was, however, a drilling project in 1961 conducted by the Ruberoid Corporation that has related implications . The results of this work are no longer proprietary and are in successor company archives to the best of my knowledge. I was once offered the core and logs - so it must be real!

Mr. Cummings requested that the USGS transfer to him all my information on AST

mineralization. I have no AST information, but I do have SPT information in the ASD. My files contain no release, however, and I consider the details to be company proprietary information in a township that I think is now owned by Boise-Cascade. It's possible that data from this project is available now. Mr. Cummings' request was specifically related to AST not ASD -- a legality he should keep in mind. I cannot help him if he was unaware of the BMT.

The principal thrust of our 'phone dialog was the geologic setting of a comprehensive core drilling project underwritten by Houston Metals International (HMI). I made several site visits in the early 70's as a guest of HMI. The details of HMI's drilling were confidential. The project geologists cooperated with me, however, in the transfer of stratigraphic-structural-petrological information obtained from the drilling and their detailed mapping that was relevant to my research on coupled ophiolite-mélange-flysch carapace successions. I was allowed to selectively sample non-mineralized core for lithotectonic purposes.

HMI geologists on the site never made reference to Mr. Cummings, nor did I ever see him there. So far as I know the drilling target was defined by a combination of a favorable VMS environment of deposition established by my research and the application of exploration technology by HMI. My project funding for work in the region was unfortunately terminated in 1970 by the USGS before the HMI project began. I managed to return on leave to work with Gary Boone at my own expense in subsequent years, and finally I was able to get some partial support from the USGS for reconnaissance and field-checking between 1975 and 1985.

The BMT VMS occurs within an olistostromal unit of the Cambrian Jim Pond Formation representing a forearc environment of deposition. Bimodal volcanics, especially a rhyolitic vent facies associated with cherty exhalative components (parts of the Boil Mountain ophiolitic complex) drew attention to the area. I'm convinced now that the volcanics and laminated chert are part of a large raft (or rafts) incorporated into mélange. The burning question in exploration here is the degree of dismemberment of the descending mineralized raft as it slid into the trench. The distinction between the Jim Pond "f" (part of the olistostromal unit) and the Hurricane Mountain mélange becomes academic. It's possible that the ASF is in similar rocks, thus genetic colinearity is suggested. The projection of the rock belt containing the BMT into AST has obvious consequences for the purposes of exploration and resource analysis.

There are probably some details I have not touched upon and I've attached a map that may help you with some of them. Let me know what else you need. Dr. Mary Dowse has joined me as Assistant State Geologist. Together, we hope to be able to keep up with the workload of my office.

Sincerely,

Eugene L. Boudette  
NH State Geologist

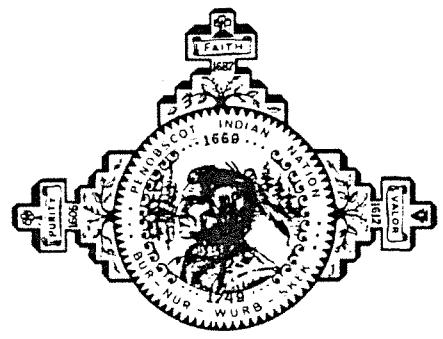
ELB/njs  
Attachments

cc: Director, USGS/Reston  
J.S. Cummings, Inc. G  
R.H. Moench, USFS (Ret.)/Denver

G.A. Nowlan, USGS/Denver  
W. A. Anderson, Maine Geological Survey ✓  
F.C. Canney, Canneco Exploration Co.

MES

PENOBSCOT NATION  
DEPARTMENT OF  
NATURAL RESOURCES



6 RIVER ROAD  
INDIAN ISLAND  
OLD TOWN, ME 04468  
TEL: 207/827/7776

March 2, 1990

Mr. Eugene L. Boudette  
Department of Environmental Services  
James 117  
University of New Hampshire  
Durham, NH 02824

Dear Mr. Boudette:

This letter is intended as a response to your request (2/22/90) for: 1) an explanation of an incident which occurred during a geologic field trip in Alder Stream Township last fall and 2) information regarding the Penobscot Nation's permitting procedure for non-tribal member research/work in Penobscot Indian Territory.

I had heard of the October encounter with a tribal member in Alder Stream Township through Chris Mattson, BHP-Utah International, Inc. As of January 31, 1990 our tribal census showed 1,954 Penobscot members. Obviously the Penobscot Nation administration, its staff and the other 1,953 tribal members cannot apologize for or explain the actions of one tribal member. I know of this person and do not believe that she is currently employed by Penobscot Nation. She does reside in a camp on a lot (her own, not tribal property) within Indian Territory along Route 27 on the Chain Lakes Massif.

I have enclosed an index map of tribal lands and a copy of the Penobscot Nation's Licenses and Permits section. As you can see from No. 8, not even "the normal conduct of geologic research and field conference" by non-tribal members is allowed on Indian Territory without a formal permit.

The procedure for obtaining an access and research/work permit is: 1) write to the Chairman of the Land Committee clearly outlining the type of research to be conducted and time frame, 2) Land Committee Chairman will then bring the matter to a committee meeting for review, 3) if the Land Committee approves of the proposed activity, this body will recommend that the request move to the Governor and Council for their review, 4) At this time, the party seeking a permit and/or Penobscot Nation staff members knowledgeable in the particular field of research may be asked to attend the Council meeting to provide more details on the request. 5) The request must be approved by 7 of the 12 Council members and will be signed by the Governor, if approved.

Eugene L. Boudette  
March 2, 1990  
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Our experience in the recent past has been to provide research permits, free of charge, to organizations such as the University of Maine, Orono (archaeological survey) and the Maine Geological Survey (sand and gravel aquifer mapping).

You should be aware that the Penobscot Nation very carefully scrutinizes every request to ensure that the interests of the Penobscot Nation's tribal membership are protected. In the 1980's, "the normal conduct of geologic research and field conference" which took place on our lands without Penobscot Nation permission or knowledge lead to the selection of the Bottle Lake Complex by the Department of Energy, as one of 12 potential sites for a high level nuclear waste repository. More recently, of course, we became painfully aware of the fact that such geologic mapping could lead to a moratorium on development on one of our ponds, which had excellent camplot potential for tribal members.

Sincerely,



Theresa Secord Hoffman  
Staff Geologist

TSH:mn

cc: James G. Sappier, Governor  
Priscilla Attean, Representative  
John S. Banks, DNR Director  
Greg Sample, Attorney



Non-compliance with the applicable land and land use laws and regulations of the Penobscot Nation at any time during the life of any lease shall render the lease null and void. This section shall be restricted to the Ice Arena financing and Olamon Industries. Future businesses requiring treatment as prescribed under this Section shall be considered separately for addition to this Section of the Penobscot Nation Land Laws.

I. Licenses and Permits

Except for emergency situations, upon review and recommendation of the Land Committee by majority vote, the Governor may authorize a permit or license to be issued to any person or entity for land use and work related activities within the boundaries of the Penobscot Reservation for such term and under such conditions as the Land Committee may determine and provided that such authorization is approved by seven (7) affirmative votes of the Council.

All such permits and licenses are subject to the following conditions:

(1) No work permit which allows for the harvesting of trees, timber or grass, for the exploration for or the mining of minerals, for agricultural purposes or for water related activities shall have effect for more than one year.

(2) Holders of permits shall abide by the land-use laws and regulations of the Penobscot Nation.

(3) Non-compliance with the land and land-use laws and regulations of the Penobscot Nation shall render the permit null and void.

(4) Entry onto Penobscot Nation Lands for land-use or work-related activities without an effective permit shall constitute trespass subject to removal and any appropriate civil or criminal penalties.

(5) Such fees or payments may be charged as the Governor and Council upon recommendation of the Land Committee may consider just and necessary. No such fee or charge may be refunded if a permit is voided for non-compliance with Tribal Law.

(6) No permit or license granted under this Section may be transferred to another person or entity without the consent of the Governor and Council.

*Land and Residency Laws of Penobscot Nation  
As enacted by the General Meeting of 6/27/88*

(7) Upon final approval of its Annual Operating Plan by the Tribal Council the Department of Natural Resources is authorized to issue all necessary permits and enter into logging contracts under such conditions and regulations as may be required by the Council, provided however that all applicable conditions listed in this section are complied with.

(8) No research of any type may be conducted in or on Penobscot Territory without the express written consent of the Penobscot Governor and Council and where applicable, a right of way as required by federal law. Any person or entity violating this section shall be deemed guilty of trespass as specified in Section 2 (I)(4).

### 3. TRUST LANDS

#### A. Area Included

Penobscot Nation Trust lands include all those lands purchased since October 10, 1980 and conveyed to the United States of America in Trust for the Penobscot Nation.

#### B. Surveys

Surveys of Penobscot Nation Trust Lands as made by the Bureau of Land Management of the United States Department of the Interior shall be deemed authentic in all matters to which they relate.

#### C. Assignments

Upon recommendation of the Land Committee to the Governor and Council, Penobscot Nation Trust Lands may be assigned to any member of the Penobscot Nation under the same conditions as Penobscot Reservation Land described in Section 2, Subsections A-F inclusive, of this Subchapter.

#### D. Leases of Trust Land to Penobscot Nation Members

The Land Committee, with the approval of the Governor and by seven (7) affirmative votes of the Tribal Council may lease non-assigned Trust Lands to members only for any reasonable period of time; setting such fees or other conditions as may be necessary. All such Leases must be recorded with the Department of Trust Responsibilities and the Registry of Deeds of the County in which the real property is located before they shall be effective. No lease shall be transferrable without the consent of the Governor and Council. Should any Lessee abandon, relinquish or otherwise lose membership in the Penobscot Nation any lands leased by such Lessee shall immediately be forfeited to the Nation and the lease be terminated.



# *J. S. Cummings, Inc.*

GEOLOGICAL & MINERAL CONSULTING

68 MONTGOMERY ST.  
BANGOR, MAINE 04401  
207 947-6996

February 20, 1989

Director, USGS  
Reston, Virginia

Dear Sir:

This letter comments on correspondence from E. L. Boudette to T. K. Secord dated 2/9/89, on which correspondence, the Director, USGS/Reston, was the first 'copied'. The Boudette correspondence follows from letters which I wrote to G. A. Nowlan and F. C. Canney during the period 11/19/87 to 12/28/87, such bearing on: Nowlan, Canney et al, 1987, JGX, v 29, p 129 - 150.

I will attempt to deal with this matter with itemized points, but before beginning I must comment on Boudette's notation in paragraph 3 that he is offended by allegations in my letters to F.C. Canney and G.A. Nowlan. I stand-by my prior statements, but further I am appalled that because I have attempted to determine the basis for published information by present and former USGS personnel, I am being attacked.

It has taken more than one year for those involved in this matter to acknowledge that a mistake was made. Why could not Nowlan, Canney, or Boudette or others have written to me one year ago and stated that the notation of massive sulphide (Alder Stream, Maine) in the paper in question, was in error? I hesitate to suggest that my shoddy treatment in seeking answers to taxpayer funded matters resulted from my well founded criticism of some USGS activities, in particular the clear failure (Canney, Slack) to reference 'Cummings' with respect to discussion of the Ledge Ridge Deposit. As those authors did not reference any sources which use the term "The Ledge Ridge Deposit", it appears that such represents a violation of 1978 copyright law, which protects unpublished material from the time such was created.

Item:

(1) In my letter of 11/19/87 to F. C. Canney, among other things I noted a reference to massive sulphide in Alder Stream, Maine, noting that no quantitative parameters were given, and further noting that the reference was given as 'personal communication'. I find the notation of 'personal communication', within

a leading scientific journal, to be a most unscientific manner of documenting data, unless information is provided in an appendix. In cases of 'personal communication references', it should not be incumbent upon the 'reader' to seek out the source of the data, but rather it would be expected that the data would be promptly furnished by the author(s) to the requesting reader. The authors of the article indicated that their source (Boudette) would furnish verifying data for the massive sulphide in Alder Stream (letter from G. Nowlan USGS, 1/7/88). There was no mention in three letters from the authors, during the period 11/27/87 to 1/7/88, that the referenced massive sulphide was not in Alder Stream Twp, but more than one year later, the source (Boudette) notes that the referenced massive sulphide is not located in Alder Stream.

(2) The matter of 'massive sulphide' in Alder Stream was and is of great concern to me, not only because I initiated core drilling for metals in Alder Stream in 1971 (Cummings, 1988, p 273), but also because during the period when the above matter arose in 1987, I was acting as a consultant in metal matters to the PENOBSCOT NATION, the landowners of Alder Stream Twp. The referenced 'massive sulphides' in Alder Stream also became of concern to the PENOBSCOT geology department when I was unable to describe such a site. As a result, a PENOBSCOT geologist attempted to resolve the matter by communicating directly with Boudette. In his reply to T. K. Secord, PENOBSCOT staff geologist, Boudette implies that somehow I am looking for credit for what he refers to as the Boil Mt VMS in Seven Ponds Twp, and castigates me for raising the issue. The issue which I raised (i.e. with respect to Boudette) was: verification for a 'personal communication reference by Boudette to massive sulphide in Alder Stream, Maine, within a paper authored by present and former USGS personnel and wherein the 'personal communication' reference (Boudette) was a former USGS staffer. Apparently the original paper was in error, as now it is maintained that the referenced massive sulphide was actually in Seven Ponds Twp.

(3) In the 4th paragraph of his letter of 2/9/89, Boudette implies that reference to my being the first to core-drill base metals in Alder Stream is not the full story, as he notes that work by Rubberoid (1961) "has related implications". I would like to know what Boudette means by that statement. Certainly most geologists would assume that Boudette is suggesting that in some manner the Rubberoid work in Alder Stream triggered my efforts.

*J. S. Cummings, Inc.*

JSC - 2/20/89

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Rubberoid drilled for 'asbestos' and their limited drilling did not have any implications with respect to Cu-Zn occurrences, except possibly by those with hindsight.

(4) In the second paragraph on Page 4, Boudette noted that the HIM work in Seven Ponds was "in the early 70's". It may be possible that HIM made such a discovery in the "early 1970's", but my information indicates that such occurred in the early 1980's. In any case the year of discovery is important, as I have chronicled pre-1980 metal discoveries in that region (Cummings, 1988, p. 9), and if the Seven Ponds discovery was pre-1980, than I have inadvertently omitted such. Boudette seems intent on arguing that I had nothing to do with the Seven Ponds discovery (i.e. p 2, 3rd para, "HIM geologists never made reference to Mr. Cummings, nor did I ever see him there". My controversey with Boudette (i.e. Nowlan-Canney paper) was limited to Alder Stream, and it is apparent he protests too much on my being an unknown factor. Perhaps this is related to the fact that some of my other complaints in letters to Nowlan-Canney involved a lack of recognition for my pioneering massive sulphide discoveries in that belt, and the fact that the HIM supervising geologist (Fournier) was well aware of those discoveries (Ledge Ridge, Cummings, p. 234; Border Deposit, Cummings, p. 256; Alder Stream, Cummings, p. 271, Rump Pond, Cummings, p. 238.

(5) Scientific papers and proprietary data - Although it is apparent from comments by Boudette (letter to T. K. Secord, 2/9/89) that I was not in error in being unaware of 'massive sulphide' in Alder Stream (the site which Boudette refers to as Alder Stream Farm, is a stringer-disseminated type occurrence), serious problems are evident when authors of scientific papers cite supporting sources but the sources refuse to divulge verifying data because of proprietary factors. Such is analgous to a medical researcher announcing a discovery for cancer, but refusing to divulge any verifying information. If geological researchers wish to receive credit for their hypotheses, then all source data should be available to those who wish to examine the hypothesis. If they do not wish to divulge their sources, then they should not publish. Although Boudette has noted in his letter of 2/9/89 that the referenced Alder Stream massive sulphide is actually in Seven

*J. S. Cummings, Inc.*

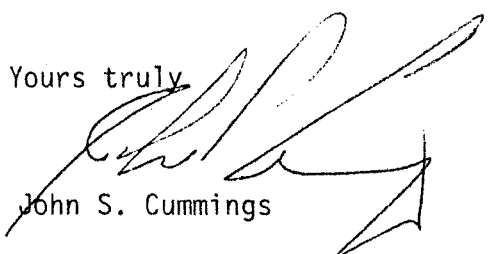
JSC - 2/20/89

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Ponds, no specific data bearing on: mineralogy, chemical composition, mass, nor dimensions of the massive sulphide were noted. Thus the occurrence cannot be categorized nor quantitatively evaluated.

Reference cited: Cummings, J. S. (1988) Geochemical detection of volcanogenic massive sulphides in humid-temperate terrain; JSC Inc., Bangor ME, 298p.

Yours truly,

  
John S. Cummings

T. K. Secord  
W. A. Anderson  
E. L. Boudette