

RS 2477

TASK

FORCE

REPORT

**Senate Transportation Committee
RS 2477 Task Force
Report**

**Submitted By
Malcolm B. Roberts
and
Valerie Taliman Chavez**

January 17, 1986

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Malcolm B. Roberts & Associates

Consultants - Community and Government Relations

MEMORANDUM

TO: . Senator Jack Coghill, Chairman
Senate Transportation Committee

FROM: Malcolm Roberts/Valerie Taliman Chavez
RS 2477 Task Force

DATE: January 17, 1986

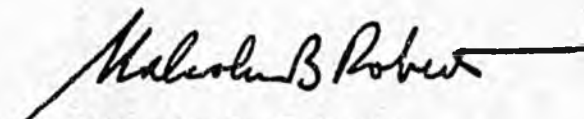
RE: Report on RS 2477 Contract
July 1 - December 31, 1985

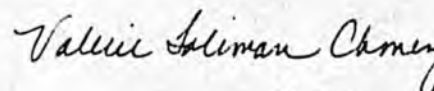
Enclosed herewith is our report on the 1985 RS 2477 contract. Xerox copies of the eight (8) National Park Service maps and trail descriptions are included in Section I of this report. The nine (9) U.S. Fish and Wildlife Service maps and trail descriptions can be found in Section II. Correspondence highlighting the development of this project is also included in appropriate sections, as is the draft State policy paper on this issue, press reports, and other germane materials.

We stand ready to provide an oral report on our work to you and members of the Transportation Committee(s) or any other forum you choose.

It has been a pleasure working on this issue, which promises to have great significance for our state.

With best regards,


Malcolm B. Roberts


Valerie Taliman Chavez

RS 2477 TASK FORCE 1985 REPORT

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RS 2477 TASK FORCE
1985 REPORT

For contract period July 1, 1985 to December 31, 1985

EXECUTIVE SUMMARY

Revised Statute 2477 was an Act passed by Congress in 1866 which provided for rights-of-way for "highways" over unreserved public lands. Under Alaska statutes, the definition of a highway is very broad and includes roads, streets, trails and walks.

The RS 2477 issue has received more attention in recent months as federal agencies prepare management plans which will govern the use of park and refuge lands created by the Alaska National Interest Lands Conservation Act (ANILCA). See Appendix for news articles.

When the Alaska National Interest Lands Conservation Act (ANILCA) was passed in 1980, it conveyed millions of acres of land into 16 national wildlife refuges and 13 national parks, which now fall under federal management.

ANILCA also required, within five years of its passage, the preparation of conservation and management plans for each national park and refuge established. In 1985, the National Park Service (NPS) was in the process of completing 13 general management plans; the U.S. Fish and Wildlife Service (FWS) has issued draft comprehensive conservation plans for 8 of its 16 plans. These plans will be presented to Congress in 1986 and 1987.

In his role as Chairman of the Senate Transportation Committee, Senator Jack Coghill saw a need to assure that Alaska's people will not be prevented from using the roads and trails that historically have connected communities throughout the state. Where these trails cross a park or refuge, the State-owned rights-of-way prevail and should not be curtailed by federal regulations restricting or prohibiting access. Some observers had expressed the fear that if State ownership is not recognized in federal planning documents prior to adoption by Congress, only an act of Congress could grant a right-of-way in the future, as was the case when NANA secured a right-of-way for Red Dog Mine this year.

On July 1, 1985, Senator Coghill formed a task force, comprised of Malcolm Roberts and Valerie Taliman Chavez, to ensure that the federal management plans adequately recognize these historic trails. Working with the Alaska Departments of Natural Resources and Transportation/Public Facilities, the task force prepared maps and a list of possible RS 2477 rights-of-way that the State wants included in these federal plans. By December 31, 1985, the task force identified 159 trails in 9 national parks and 85 trails in 11 national wildlife refuges. Maps and trail descriptions for national parks are detailed in Section I of this report. Maps and trails descriptions for national wildlife refuges are contained in Section II.

Trail information was derived from the 1974 Alaska Trails System Inventory, an atlas developed by former Commissioner of Highways Bruce Campbell to catalog the state's 1,400 known trails. The inventory was sent to the Bureau of Land Management (BLM) in 1974, before that agency had any authorization to deal with RS 2477's. However, the inventory was shelved by BLM and no formal response was made to acknowledge the State's ownership of these trails.

Only now has an inter-agency effort begun to respond to the rising interest in RS 2477. The Department of Interior (DOI) formed a RS 2477 Task Force in September, 1985, under the leadership of Ric Davidge of the U.S. Fish & Wildlife Service. The members include representatives of the Fish & Wildlife Service, National Park Service, Bureau of Land Management, U.S. Forest Service, Bureau of Indian Affairs, Alaska Federation of Natives, Alaska Native Land Managers Association, Alaska Department of Natural Resources, Alaska Department of Transportation/Public Facilities, the Office of Management & Budget/CSU Coordinator and the Senate Transportation Committee. Activities of this task force and a list of its membership are referred to in Section III, along with documentation of Interior Assistant Secretary Bill Horn's decision to include maps in the federal plans.

The State of Alaska has recently taken a positive posture by publishing draft policies and procedures governing RS 2477 trails. This well-written and well-researched document spells out the State's intent to deal with all the issues surrounding these trails in a fair manner. It includes the criteria used to determine a RS 2477, as well as issues relating to liability, maintenance and use. A copy is provided in Section IV. The deadline for public comments was January 6; a revised draft reflecting the input received will be published by March.

In the course of studying the RS 2477 question, the task force became aware of a significant issue that should be better understood by both state and federal officials. Section 103 (c) of ANILCA provides that only those lands that are "public lands" (not state) are subject to federal regulation. Pre-existing property rights of the State remain under state management. This includes R.S. 2477 roads and trails. (See page 102, memorandum by Ric Davidge and page 109, RS 2477 case law paper by Ted Bingham, Chief of Right-of-Way, Bureau of Land Management, Washington, D.C.)

This task force feels that it is essential for the State and its people to maintain their ownership rights to these trails. What's at stake is access for homesites, fishing, recreation, mineral development, forestry, agriculture and travel between villages, not only for the present, but for many generations in the future.

This task force would like to thank the following individuals and agencies for their input and assistance: Assistant Secretary Bill Horn, Vern Wiggins, Ric Davidge, U.S. Department of Interior; U.S. FWS Regional Director Robert Gilmore; BLM Regional Director Mike Penfold; NPS Regional Director(s) Roger Contor and Boyd Evison; Commissioner Esther Wunnicke, Tom Hawkins, and Gary Gustafson, Alaska Department of Natural Resources; Commissioner Richard Knapp and Mark Hickey, Alaska Department of Transportation/Public Facilities; Sally Gibert, CSU Coordinator, Office of Management and Budget; Janie Leask and Lawrence Kimball, Alaska Federation of Natives; Representative Adelheid Herrman, who chaired a special AFN RS 2477 workshop; Ruth Packard of Senator Tim Kelly's staff, and the able staff of the Anchorage Legislative Information Office.

SECTION I - NATIONAL PARK SERVICE

Senator John B. (Jack) Coghill
Alaska State Legislature

Douch V
Juneau, Alaska 99811
(907) 465-4745

Box 458
Kenai, Alaska 99701
(907) 652-5471

June 27, 1985

Mr. Roger Contor
Regional Director of Alaska Regional Office
National Park Service
2525 Gambell Street
Room 107
Anchorage, AK 99503

Dear Mr. Contor:

This letter is to inform you that I am in the process of preparing assertions on the RS 2477 rights-of-way that lie within and across the National Park Systems that your agency is studying at the present time. These systems include:

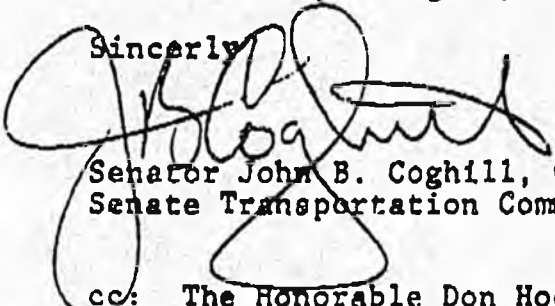
Cape Krusenstern National Monument
Kobuk Valley National Park
Noatak National Preserve
Bering Land Bridge National Preserve
Gates of the Arctic National Park and Preserve
Denali National Park and Preserve
Wrangell-St. Elias National Park and Preserve
Katmai National Park and Preserve
Aniakchak National Monument and Preserve

This action is pursuant to legislative action taken during the session in Senate Joint Resolution (SJR 10).

In the public interest, it is vital that all potential RS 2477 rights-of-way are included in these management plans. Specifically, I request that they be included on at least one of the maps in each plan.

As time is short, I would appreciate the cooperation of your staff in helping us prepare this information in a manner suitable to your agency.

Sincerely,



Senator John B. Coghill, Chairman
Senate Transportation Committee

cc: The Honorable Don Hodel, U.S. Secretary of the Interior
Michael Penfold, Alaska Regional Director, BLM

Alaska State Legislature

SENATOR
JOHN B. "JACK" COGHILL
Chairman


Senator Jim Falke—Vice Chairman
Senator Mitch Ahood
Senator Paul Fischer
Senator Joe Josephson



POUCH V
JUNEAU, ALASKA 99811
(907) 465-4921

Senate Committee on Transportation

TO: Roger Contor, Regional Director
Michael Finley, Associate Director of Operations
National Park Service

FROM: Senator Jack Coghill 

DATE: July 16, 1985

RE: Inclusion of the State of Alaska's R.S. 2477 assertions in the
N.P.S.'s General Management Plans.

My sincere thanks for the meeting with you and your staff. So that we have a memo for our file--my understanding of the outcome of that meeting was as follows.

1. It is in the public interest to include the State of Alaska's R.S. 2477 right-of-way assertions in both list and map format in the nine General Management Plans (GMPs) currently being finalized. We understand from you that Assistant Secretary Bill Horn concurs with this decision.
2. By the middle of next week, you will inform us of any changes in the rewritten boilerplate statement on R.S. 2477's that I drafted and delivered. These paragraphs, which introduce the issue to the public will be included in all nine plans.
3. By July 29, Malcolm Roberts and Valerie Chavez of my Task Force, working with Sally Gilbert of OMB, Mark Hickey of DOT/PF and Gary Gustafson of DNR, will prepare a list of all of the state's R.S. 2477 assertions that may influence land management in the CSU's. These lists will be delivered to Linda Nebel.
4. By August 18, we will prepare one map for each GMP that indicates the location of each R.S. 2477 assertion listed.
5. We will work with you to write a clear caveat for inclusion on each map so that they are not misinterpreted by the public.

6. In time for the Alaska Land Use Council on September 18 (if possible), and certainly in time for actual final printing of the plans, we will prepare the R.S. 2477 maps in a style and quality that matches the maps in the draft publications.

After our meeting, Malcolm, Valerie and I met with Linda and her staff. As several artists, including some in Denver, were involved in production of the draft plans, Linda agreed to obtain copies of the original base maps and the mylar overlays that delineate each park or preserve. With these in hand, we can then complete the assignment of adding the R.S. 2477's in the appropriate artistic style within the tight time frame.

If it is an issue, we will be responsible for the costs of duplicating this art work and for shipping it here via rapid carrier. Please let us know as soon as possible about this matter.

If any of the points of agreement have been stated incorrectly, please let me know in Juneau at 465-4921 and send me your corrections in writing.

cc: The Honorable Don Hodel, Secretary of the Interior
Commissioner Richard Knapp, Alaska Department of Transportation and Public Facilities
Commissioner Ester Wunnicke, Alaska Department of Natural Resources
Sally Gilbert, State CSU Coordinator

Alaska State Legislature

SENATOR
B. "JACK" COGHILL
Chairman

Senator Jan Feltz—Vice Chairman
Senator Mitch Abood
Senator Paul Fisher
Senator Joe Josephson



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Senate Committee on Transportation

TO: Roger Contor, Regional Director
National Park Service

FROM: Senator John B. Coghill, Chairman
Senate Committee on Transportation

Date: July 29, 1985

RE: R.S. 2477 Rights-of-way- in CSU's



As we agreed in our meeting of July, I am submitting the following list of R.S. 2477 rights-of-way which have been asserted by the State of Alaska for inclusion in nine of the General Management Plans. The list, compiled for each Conservation System Unit, provides for name of each R.S. 2477 trail with a general description of the trail's course.

The corresponding maps which detail the trails within each park system will be delivered to your office on August 18 as planned so that they may be published in the General Management Plans for each Conservation System Unit.

I appreciate your assistance in making this opportunity available for the general public to become aware of these historic rights-of-way. I will be following the progress of the GMP's after your departure from the National Park Service and I am looking forward to seeing the finished product.

Again, thanks for your help and best wishes for an enjoyable retirement.

cc: The Honorable Don Hodel, Secretary of the Interior
Ric Davidge, Assistant Secretary's Office
Linda Nebel, NPS Planning Chief

Alaska State Legislature

SENATOR
JOHN B. "JACK" COGHILL
Chairman

Senator Jan Faiks—Vice Chairman
Senator Mitch Abood
Senator Paul Fischer
Senator Joe Josephson



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Senate Committee on Transportation

TO: Bob Peterson, Acting Regional Director
National Park Service

FROM: Senator Jack Coghill, Chairman *Valerie Chmely for*

DATE: August 28, 1985

RE: R.S. 2477's Right-of-way in CSU's

To follow up on the list of trails I submitted on July 31, I have attached a revised list of R.S. 2477 rights-of-way which have been asserted by the State of Alaska for inclusion in the General Management Plans. The list, compiled for each Conservation System Unit, provides the name of each R.S. 2477 trail with a general description of the trail's course.

The corresponding maps which detail the trails within each park system accompany this list so that they also may be published in the General Management Plans.

I appreciate your assistance in assuring that our agreement with Roger Contor is carried out and I am looking forward to seeing the finished product.

cc: The Honorable Don Hodel, Secretary of the Interior
Bill Horn, Assistant Secretary of the Interior
Ric Davidge, Assistant Secretary's Office
Linda Nebel, NPS Planning Chief

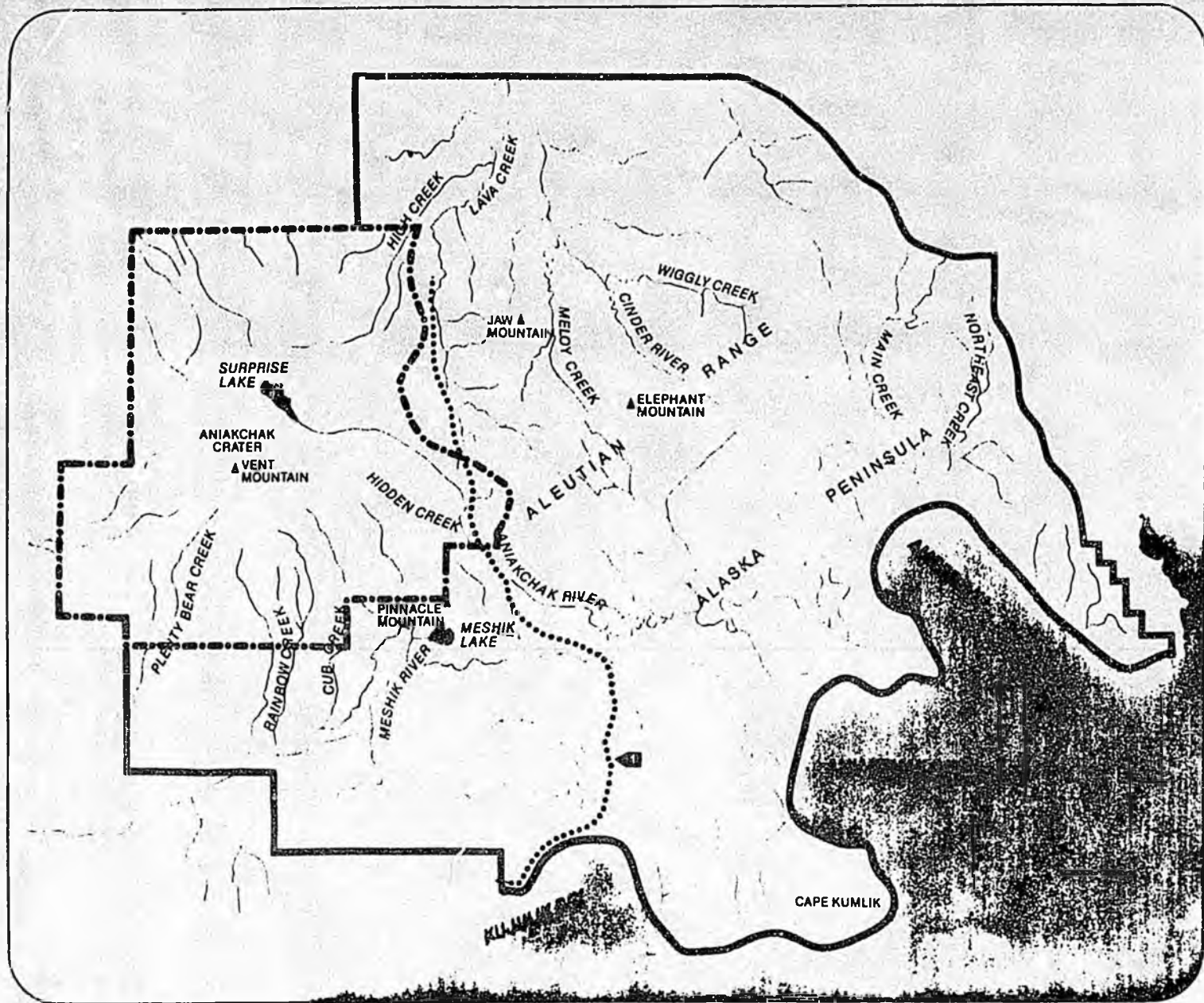
SUMMARY OF POSSIBLE RS 2477 RIGHTS-OF-WAY IN NATIONAL PARKS

<u>Alaska's National Parks</u>	<u># of trails</u>
1. Aniakchak National Monument & Preserve	1
2. Bering Land Bridge National Preserve	13
3. Cape Krusenstern National Monument	2
4. Denali National Park & Preserve	28
5. Gates of the Arctic National Park & Preserve	7
6. Glacier Bay National Park & Preserve*	
7. Katmai National Park & Preserve	3
8. Kenai Fjords National Park*	
9. Kobuk Valley National Park	1
10. Lake Clark National Park & Preserve*	
11. Noatak National Preserve	0
12. Wrangell-St. Elias National Park & Preserve	104
13. Yukon-Charley Rivers National Preserve*	
Total trails	159

* The General Management Plans (GMP's) for these parks were completed before this task force began work.

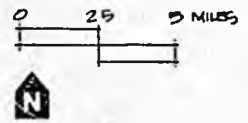
Trail information was derived from the 1974 Alaska Existing Trails Inventory, however, it is not a complete compilation of all possible RS 2477 rights-of-way in the state.

The GMP's were scheduled to be presented to Congress in December, 1985. This deadline was postponed by NPS on November 20, 1985 and the nine draft plans listed above were released for an additional 60-day comment period which ends on February 9, 1986. The plans will be revised to include additional comments and information, including possible RS 2477 rights-of-way, before being sent to Congress in late spring.



**POSSIBLE R.S. 2477
RIGHTS-OF-WAY**
ANIAKCHAK
National Monument
and Preserve

- — — MONUMENT BOUNDARY
- PRESERVE BOUNDARY
- POSSIBLE R.S. 2477 TRAIL
- ▲ R.S. 2477 TRAIL NO.
(This number corresponds to the Alaska Existing Trails System Source State of Alaska Department of Transportation/Public Facilities. Submitted April 1974)



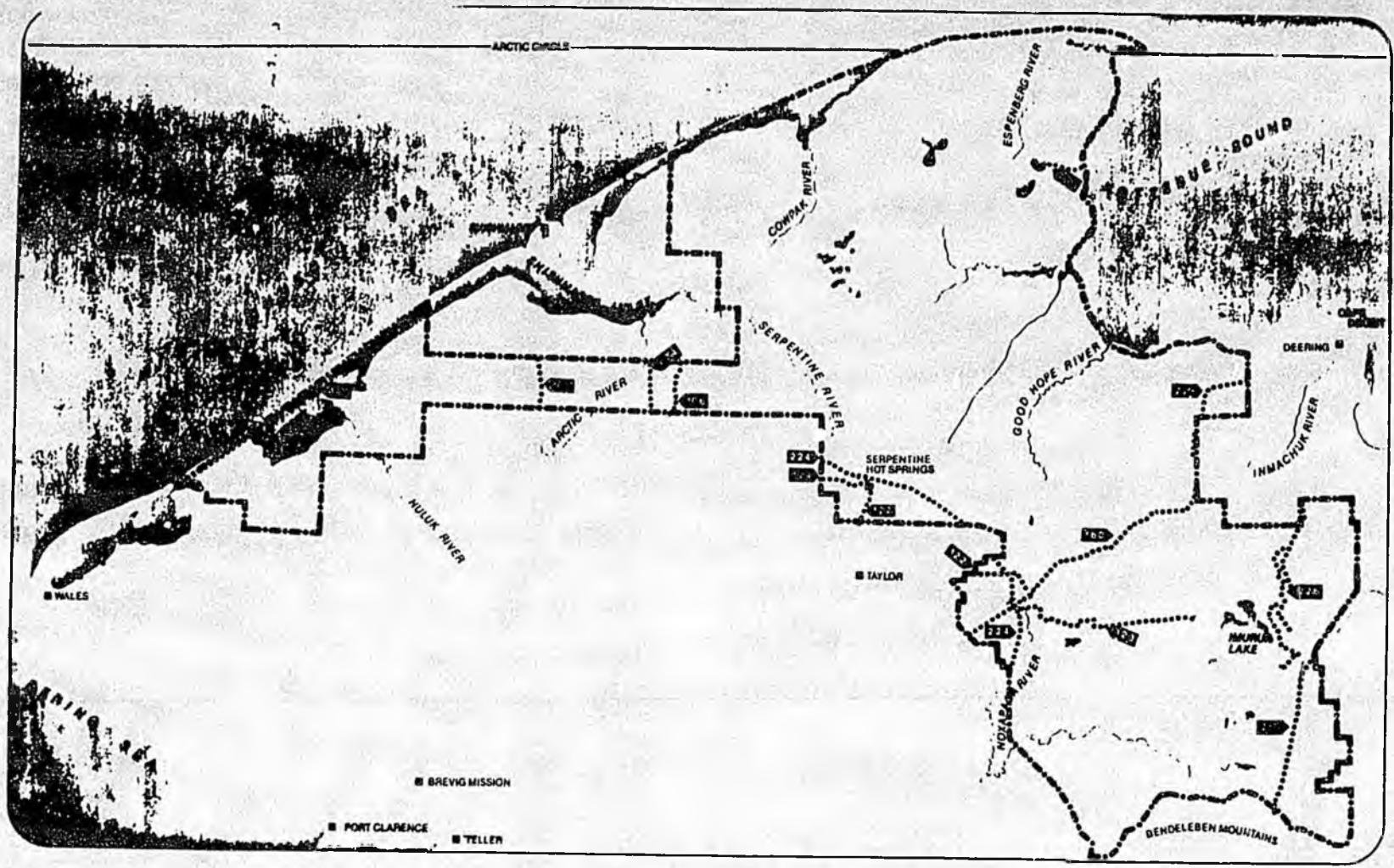
ANIACHAK NATIONAL MONUMENT

The following possible R.S. 2477 rights-of-way have been identified within the boundaries of Aniakchak National Monument according to the 1974 Alaska Trails System inventory. The trails are listed by quadrangle corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

Trail 1 Chignik Lagoon Trail NE (Kujulik Bay south of High Creek)

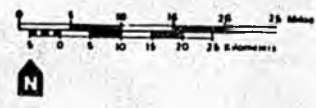
Identification - Quad 31, at Chignik Lagoon (Indian Village)

Description: The trail runs northeast along coast of Chignik Bay, crosses land to Kujulik Bay, runs along coast northeast to north fork, runs north via Lava Creek.



**POSSIBLE R.S. 2477
RIGHTS-OF-WAY
BERING LAND
BRIDGE
National Preserve**

- PRESERVE BOUNDARY
 - POSSIBLE R.S. 2477 TRAIL
 - R.S. 2477 TRAIL HQ
- (The number corresponds to the 2 mile Existing 30th System Route Maps of Alaska Department of Transportation/Public Facilities, Submitted April 1974)



BERING LAND BRIDGE NATIONAL PRESERVE

The following possible R.S. 2477 rights-of way have been identified within the boundaries of the Bering Land Bridge National Preserve, according to the Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

Trail 122 Kougarok River Winter Trail (east of Taylor)

Identification - Quad 110, T5N, R30W, KRM

Description: The trail is located in T5N, R29 & 29W, KRM, also eastern 2/3 of T5N, R30W, T4N, R28W, 29, 30W, T3N, R28, 29, 30W, T2N, R28, 29, & 30W, T1N, R28, 29, 30W.

Trail 123 Noxapaga River Trail (southeast area, near Imuruk Lake)

Identification - Quad 110, T1N, R27W

Description: Boulder Noxapaga River district; trail system located in T1N, R27W, T2N, R26, 27W, T3N, R26, 27W, T4N, R26, 27W, T5N, R25, 26W, KRM.

Trail 160 Dahl Creek/Candle Trail - 140 mile trail (near Immachuk R.)

Identification - Quad 110, Candle to Kougarok River

Description: The trail runs in a northeasterly direction from Dahl Creek to the Kougarok River, following the east slope of the divide to the head of Boulder where it crosses into Aurora Creek. It follows to the mouth of Aurora Creek, crosses the Norapaga and goes up Berry Creek, crossing the divide to the mouth of the right fork of Good Hope, then up Cottonwood to Divide Creek then up Divide Creek, crossing the divide and following ridge to the Immachuk River. Trail goes down the Immachuk to Arizona Creek, then easterly over the divide to Wade Creek, then crossing Wade Creek in an easterly direction to the Kugruk Flats toward the Kugruk River, then easterly over the divide to the mouth of Paterson, then down the Candle. It continues from Candle Creek Road to Candle, with spur running from Camp 19 up Candle Creek about 2 miles.

Trail 213 White Mountain/Kugruk Lagoon Trail (below Imuruk Lake)

Identification - Quad 110, White Mountain to Kugruk Lagoon

Description: The trail runs from 6 miles northwest of White Mountain on Trail 97 going up Fish River thence across Kugruk River over continental divide to Kugruk River then down same to Kugruk Lagoon.

Trail 223 Sullivan Lake (west of Deering)

Identification - Quad 110, Sullivan Lake

Description: The trail runs from Sullivan Lake on Kotzebue Sound southwest to top of ridge, then along top of hill to the head of Hannum Creek and Trail 160.

Trail 224 Kuzitrim/Shishmaref Inlet (above Noxapaga River)

Identification - Quad 110, Shishmaref

Description: The trail goes from the mouth of Kuzitrim River at Mary's Igloo upstream to Noxapaga River up the Noxapaga River to divide, thence following the divide west to Serpentine Hot Springs, Lone Butte Creek, Serpentine Creek, Snowshoe Creek, Eldorado Creek, Bonanza Creek and down to Arctic and then to Shishmaref Inlet following Arctic River.

Trail 226 Fink Creek (east corner of map)

Identification - Quad 110, Fink Creek

Description: The trail is a series of loops and off-shoots from Fink Creek up Pinnell River and along Fairhaven Ditch to Kettle Dome and Imuruk Lake area.

Trail 100 Nome/Shishmaref Coastal Winter Trail (west border of map)

Identification - Quad 111, Nome/Teller/Shishmaref

Description: The trail begins in Nome and follows coastline north across Penny River, Sinuk River around Cape Douglas cutting across peninsula south of Port Clarence, around Cape Riley to Teller. Trail proceeds northwest along coast on both sides of Brevig Lagoon across Lost River through Tin City, around Cape Prince of Wales, along coast past Lopp Lagoon, Ikpek Lagoon and Arctic Lagoon and Shishmaref Inlet to Shishmaref village.

Trail 105 Shishmaref/Teller (near Arctic River)

Identification - Quad 111, Teller Winter Trail

Description: The trail runs from the village of Shishmaref southwest across Shishmaref Inlet to Tin Creek to Kreuger Creek near Ear Mountain down Kreuger Creek to Arctic River upstream to Idaho Gulch, crossing to the north fork of the Nuluk River and down the Nuluk to junction of south fork. Proceeds down south fork crossing a divide to Arctic Creek downstream to Short Creek, thence to the Agiapuk River, crossing that river and following upstream on Dese Creek to headwaters of Bay Creek and south to Teller.

Trail 106 Shishmaref/Teller - east route winter trail (near Arctic River)

Identification - Quad 111, Shishmaref

Description: The trail runs from the village of Shishmaref east across inlet to the mouth of the Savagvich River upstream to Bonanza Creek to headwaters crossing over to Portage Creek then downstream to cross and follow upstream on the west Agiapuk River turning south near Trail 105 to Bay Creek near Teller.

Trail 124 Serpentine Hot Springs/Budd Creek (near Serpentine Hot Springs)

Identification - Quad 111, T3, 4, 5N, R29, 30, 31, 32 & 35W, KRM

Description: The trail starts from Serpentine Hot Springs and runs west across Mukluk Creek turning southwesterly to Bryan Creek following same past McKinley Creek across to south fork of Serpentine River dividing with one spur running south up Star Creek then across continental divide to tributary of Budd Creek. The other spur runs west to Quartz Creek and along same to its head and across continental divide to east Portage then south to mouth of Eldorado Creek at confluence of Budd Creek.

Trail 107 Killeak Lake/Otz Sound (near Kotzebue Sound)

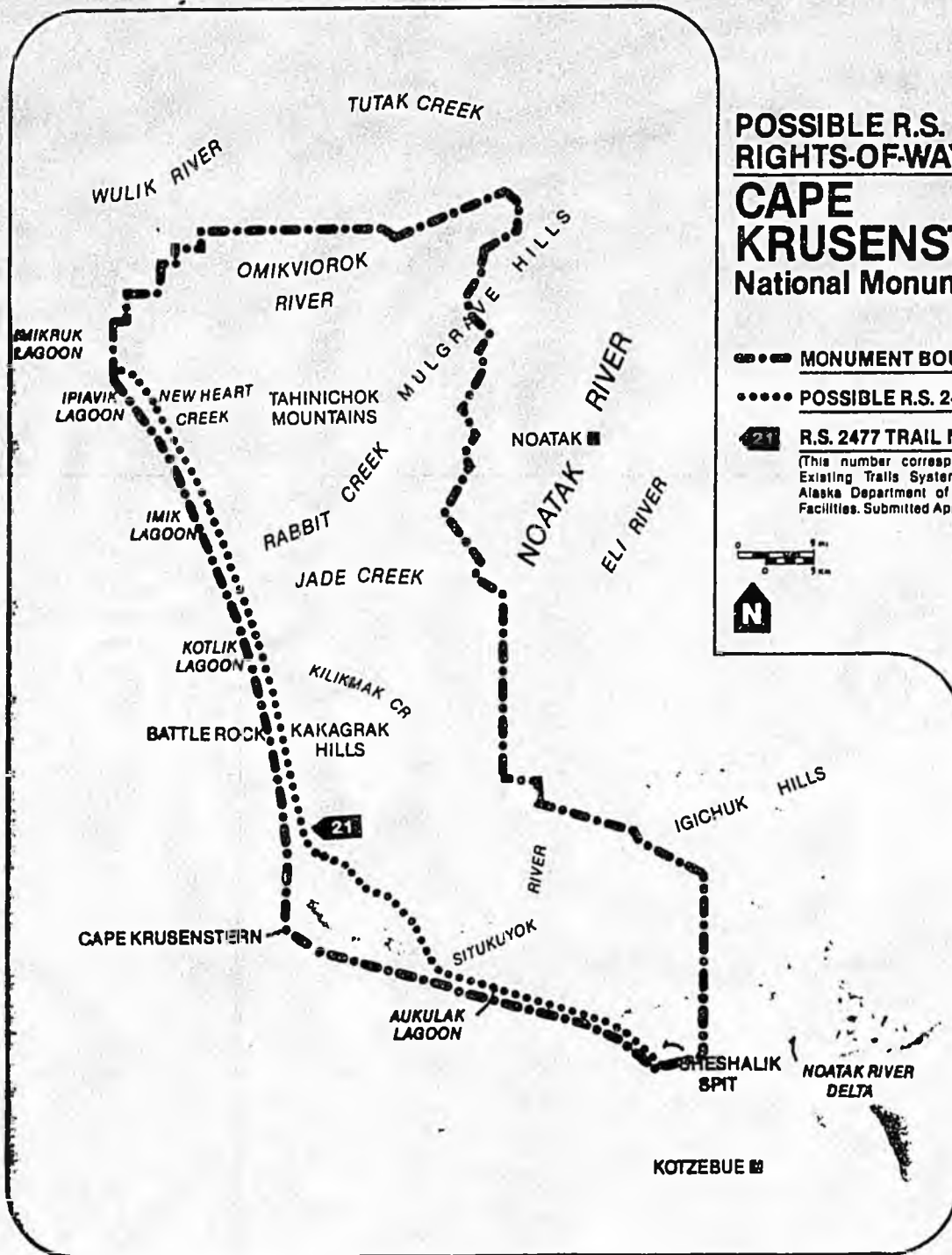
Identification - Quad 113, T11N, R24 & 25W KRM

Description: The trail runs in T11N, R24 & 25W KRM approximately 5 miles from North Killeak Lake to coast on Kotzebue Sound.

Trail 223 Kotzebue/Sullivan Lake (near Deering)

Identification - Quad 113, Sullivan Lake

Description: The trail runs from Sullivan Lake on Kotzebue Sound south to top of ridge, then along top of hill to head of Hannum Creek and Trail 160.



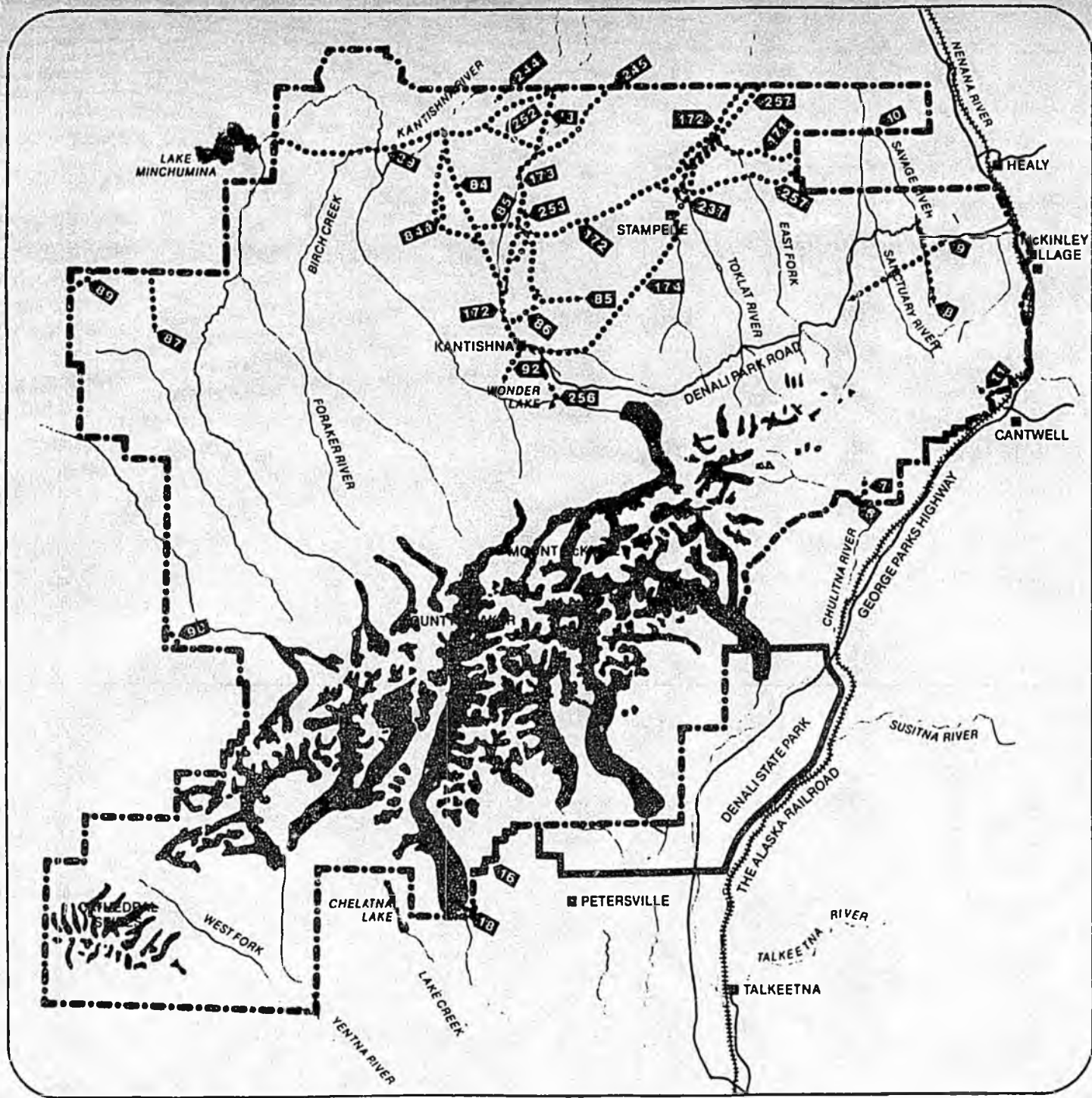
CAPE KRUSENSTERN NATIONAL MONUMENT

The following possible R.S. 2477 rights-of-way have been identified within the boundaries of the Cape Krusenstern National Monument, according to the Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.






Trail 21 Coastline Winter Trail (Sheshalik Spit to Imikruk Lagoon)

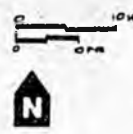
Identification - Quad 128, coastline winter trail

Description: Trail runs from the north end near mouth of Kurupuk Creek in T31N, R30W, KRM. Winter trail proceeds southeast along coast through Cape Seppings, Kivalina, Imikruk Lagoon, Imik Lagoon, Kilignak Inlet, Tasaychek Lagoon, to Krusenstern Lagoon. Passes Kasik Lagoon on east side through Talikoot returning to shoreline at mouth of Tukrok River, following coast to Sheshalik, T18N, R19W, across to Kotzebue. T17N, R18W, KRM.



**POSSIBLE R.S. 2477
RIGHTS-OF-WAY**
DENALI
National Park and Preserve

-  **PARK BOUNDARY**
-  **PRESERVE BOUNDARY**
-  **GLACIERS**
-  **POSSIBLE R.S. 2477 TRAIL**
-  **R.S. 2477 TRAIL NO.**
(This number corresponds to the Alaska Existing Trails System Source Site of Alaska Department of Transportation Public Facilities Submitted April 1974)



DENALI NATIONAL PARK AND PRESERVE

The following possible R.S. 2477 rights-of-way have been identified within the boundaries of the Denali National Park & Preserve, according to the Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

Trail 16 (no name) winter trail (southcentral end of map)

Identification - Quad 81, T29N, R10 & 9W

Description: The trail runs northwest through Dutch Hills to Bear Creek taking a turn here and running parallel to Dutch Creek almost as far as Stony Creek.

Trail 18 (no name) (southcentral end of map)

Identification - Quad 81, T26N, R12-8W

Description: The trail leaves townsite of Peters Creek via Black Creek following up to cross Spruce Creek, Fox Gulch, going by Sunset up to Granite Creek then going down through the landing strip at Treasure Creek, crossing lake, Sunflower & Camp Creeks, through Collinsville cross land to Clearwater Creek ending at Youngstown bend on the Yentna River.

Trail 90 (no name) (west border of map)

Identification - Quad 81, Telida southeast to Little Mt. Mine

Description: The trail runs from Telida southeast to Slow Fork, southeast along Slow Fork to Slow Fork Hills, thence east along north side of Slow Fork Hills, thence southerly along base of hills to approximately T20S, R27W, FM thence southeast over Giles Lake and to edge of map at T22S, R25W, FM.

Trail 6 Bull River Road (near George Parks Highway)

Identification - Quad 87, T20S, R10W, FM

Description: The trail runs from Colorado on the Alaska RR across Bull River and on the west fork of the Chulitna River to the Golden Zone Mine.

Trail 7 Dunkle Mine Road (near George Parks Highway)

Identification - Quad 87, T19S, R10W

Description: The trail runs from Bull River up to the Dunkle Mine a distance of about 3.5 miles.

Trail 8 Savage River Trail (above Sanctuary River, east part of map)

Identification - Quad 87, T14S, R9W, FM

Description: The trail runs from Savage River campground up the Savage River about 8 miles.

Trail 9 Igloo Mt. Ranger Station Trail (near McKinley Village)

Identification - Quad 87, T14S, R9W, FM

Description: The trail runs from McKinley Park Road to ranger cabin.

Trail 10 Lignite to Clearwater Fork (west of Nenana River)

Identification - Quad 87, T12S, R12W

Description: The trail runs from Lignite Station (mile 363 on RR) west across Middle, Chisana & Toklat Rivers up Crooked Creek and down Bearpaw River to Glacier City and from there up Moose Creek terminating at Kantishna P.O.

Trail 11 Windy Creek Trail (above Cantwell)

Identification - Quad 87, T17S, R7W

Description: The trail runs from Cantwell - one branch goes up Windy Creek to a cabin just outside Denali National Park boundary. The other branch goes downstream to the Alaska RR about 4 miles from Cantwell.

Trail 13 Diamond/Bearpaw (sled road) (north end of map)

Identification - Quad 88, T11S, R17W, FM

Description: The trail runs from Bearpaw up the Bearpaw River to Diamond.

Trail 84 Kantishna/Moose Creek Trail (below Kantishna River)

Identification - Quad 88, Kantishna River, T11S, R19W, FM

Description: The trail runs from Jct. with Kantishna Trail (Rex/Eureka Creek) at the Kantishna River T11S, R19W, FM, southeast to Jct. with Kantishna Trail at lower canyon on Moose Creek, T15S, R18W, FM.

Trail 84A (loop trail) (loop off 84)

Identification - Quad 88, T14S, R19W, FM

Description: The trail runs from jct. with Trail 84 near Kantishna River due south for approximately 9 miles then southeast to connect with #84 in T14S, R19W, FM (loop & spur also).

Trail 85 Jct. of Trail 84 - Glacier/Caribou Creek (below Stampede)

Identification - Quad 88, Glacier/Caribou Creek, T13S, R19W, FM

Description: The trail runs from Jct. with 84 in T13S, R19W, FM due east for six miles, thence south to Glacier, from Glacier south on the divide between Glacier Creek and Caribou Creek to the base of Glacier Peak, thence north to Caribou Creek, thence upstream on Caribou Creek to a cabin about two miles east of Crevice Creek; T15S, R16W, FM.

Trail 86 Kantishna/Glacier Creek (above Kantishna)

Identification - Quad 88, Kantishna Trail to Glacier Creek

Description: The trail runs from Jct. with Kantishna Trail near Canyon Creek northeast across Flat Creek to a cabin on Glacier Creek.

Trail 87 Fish Lake to Deep Creek (northwest corner of map)

Identification - Quad 88, T14S, R26W, FM

Description: The trail runs from a cabin on Fish Lake T16S, R26W, FM north to Deep Creek T14S, R26W, FM.

Trail 89 Toklat River/Lake Minchumina/Telida (northwest corner of map)

Identification - Quad 88, T26S, R24E, KRM

Description: The trail begins on Kantishna Trail in T10S, R15E, FM and runs northwest to Bearpaw thence southwest to Kantishna River jct. with Kantishna trail at Kantishna River westerly to village of Lake Minchumina, thence southwesterly via Thirty Eight Mile Lake to Highpower Creek, thence down Highpower Creek to north shore of Lower Telida Lake, to west of lake and thence south to Telida, westerly across north fork crossing the southwest corner of T24S, R26E, thence southwest to Berry Lake and continues to end of trail in T26E, KRM.

Trail 92 Kantishna/Slate Creek (above Wonder Lake)

Identification - Quad 88, Kantishna/Slate Creek, T16S, R18W, FM

Description: The trail runs from Kantishna southwest on Eldorado Creek and Slate Creek ending at a mine; T16S, R18W, FM.

Trail 171 Lignite/Kantishna Trail - 85 mile trail (northeast corner)

Identification - Quad 88, Part of Trail 87-10

Description: The trail runs from Lignite Station (mile 363 on RR) west across middle Chisana and Toklet River up Crooked Creek and down Bearpaw River to Glacier City; from there up Moose Creek terminating at Kantishna P.O.

Trail 172 Kantishna Trail (above Kantishna)

Identification - Quad 88, Kantishna Trail

Description: The trail runs from Rex westerly across Teklanika River and Toklat River thence southwesterly along Toklat River to Little Bear Creek then up Little Bear Creek to head; then south to Crooked Creek, then westerly up to Crooked Creek and over Kantishna Hills to Bearpaw Creek, then down Bearpaw Creek to Glacier; then south to Lower Canyon; then along Lower Canyon to Kantishna.

Trail 173 Diamond/Glacier Trail (northcentral part of map)

Identification - Quad 88, Diamond/Glacier

Description: The trail runs from Diamond up Moose Creek and down to Glacier.

Trail 174 - part of Kantishna Trail (below Stampede)

Identification - Quad 88, Mt. McKinley Nat'l Park Point/Kantishna

Description: The trail begins from the jct. of Trail 237 on the west side of the Toklat River southerly along the foothills of the Kantishna Hills and west of the Clearwater Creek to the jct. of Trail 92 near Kantishna, 33 miles.

Trail 237 Rex/Kantishna Trail (above Stampede)

Identification - Quad 88, T13S, R14W, FM

Description: The trail runs from Rex westerly paralleling Bearpaw Trail (Kantishna Trail) to Toklat River gradually curving south to the Toklat River thence up the Toklat to Jct. of Trails 171 and 257 in T13S, R14W, FM.

Trail 244 Roosevelt - Unnamed lake (north border of map)

Identification - Quad 88, T10S, R18W

Description: The trail runs from Kantishna River at a point almost due south of Bearpaw Mountain T10S, R18W, to an unnamed lake T11S, R18W, approximately 4 miles.

Trail 245 Cutoff on Kantishna Trail (north border of map)

Identification - Quad 88, T10S, R15W

Description: The trail runs from jct. 237 and 172 at the Toklat River thence southwest to about 6 miles past Nineteen Mile in T10S, R15W; then south to a point between Nineteen Mile and Bearpaw; thence southwesterly to Diamond.

Trail 252 Diamond (winter trail) (northcentral part of map)

Identification - Quad 88, T11S, R18W

Description: The trail runs from Diamond northwesterly to intersect with winter trail (89) in T11S, R18W.

Trail 253 Kantishna/Glacier/Diamond Loop (northcentral area)

Identification - Quad 88, T13 & 14S, R18N, FM

Description: The trail is a loop bypassing Glacier off of Trail 172 (Kantishna) to Trail 173 (Diamond/Glacier); T13 & 14S, R18N, FM.

Trail 256 McKinley River/Wonder Lake (near Wonder Lake)

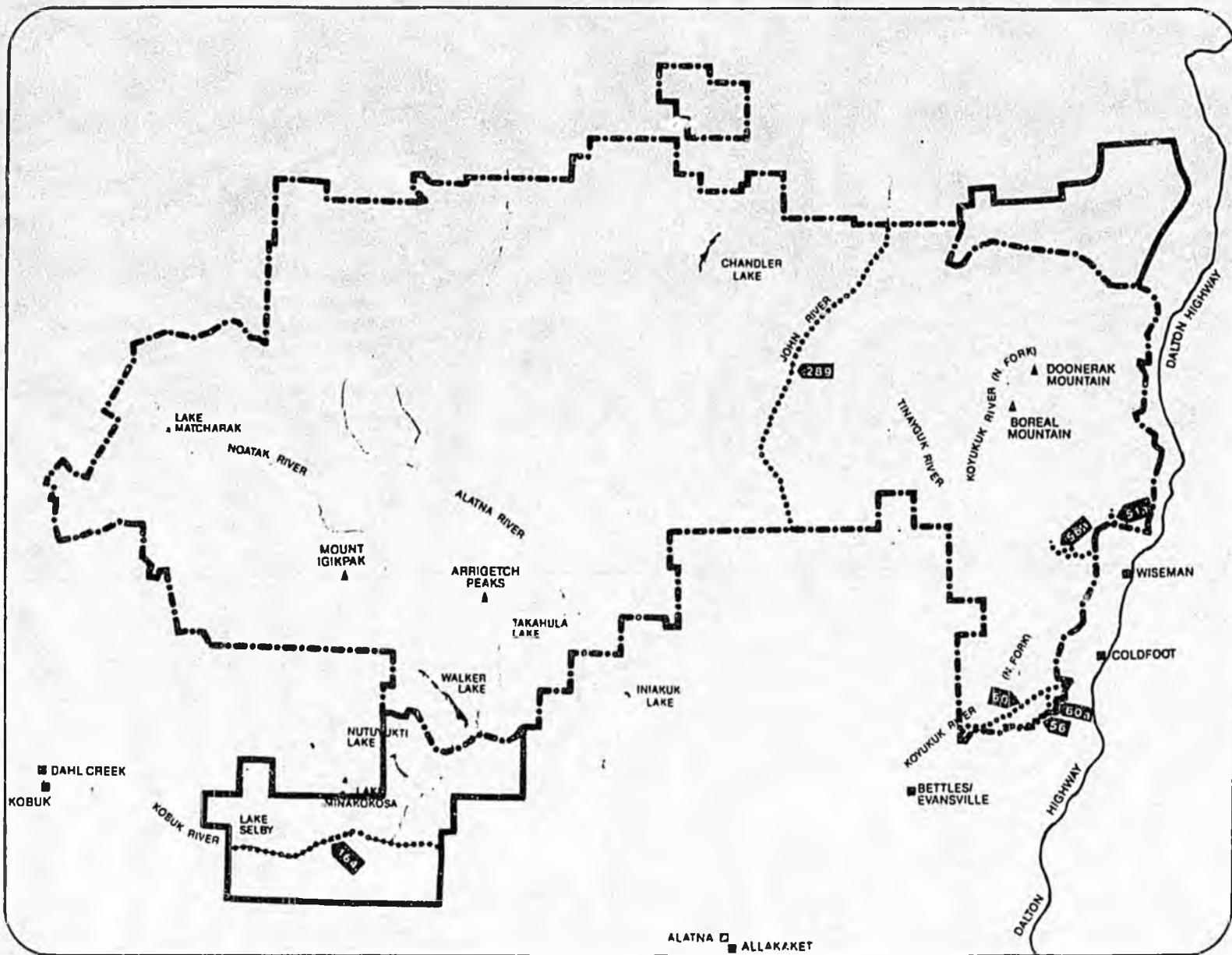
Identification - Quad 88, McKinley River/Wonder Lake

Description: The trail is a short independent trail between McKinley River and Wonder Lake beginning at McKinley River; thence north on a curve to the west to Wonder Lake.

Trail 257 10 mile branch from Trail 171 (northeast portion of map)

Identification - Quad 88, T13S, R14W, FM

Description: The trail begins on Trail 171 on the Toklat River at T13S, R14W; thence east 10 miles crossing the Wigand Creek; T12S, R13W.



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POSSIBLE R.S. 2477 RIGHTS-OF-WAY
GATES OF THE ARCTIC
 National Park and Preserve

- PARK BOUNDARY
- PRESERVE BOUNDARY
- POSSIBLE R.S. 2477 TRAIL
- 227 R.S. 2477 TRAIL NO.
(This number corresponds to the Alaska Existing Trails System. Source: State of Alaska Department of Transportation/Public Facilities. Submitted April 1974.)



GATES OF THE ARCTIC NATIONAL PARK AND PRESERVE

The following possible R.S. 2477 rights-of-way have been identified within the boundaries of the Gates of the Arctic National Park and Preserve, according to the Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

Trail 51A (from jct. of Trail 51 Wiseman/Chandalar River Trail) (east side of map, above Wiseman)

Identification - Quad 124, T30N, R5W, FM

Description: Trail 51A runs from Jct. with Trail 51 west of confluence of north fork of Koyukok River and Hammond River northerly on west bank of Hammond River to Canyon Creek T31N, R12W.

Trail 56 Ned's Lake/Smith Creek Dome Trail (near Dalton Highway)

Identification - Quad 124, T20N, R23W, FM

Description: The trail begins at Ned's Lake and Jct. with 63 in T20N, R23W, FM, thence east and north along the Koyukuk River to Bettles, thence continuing along the Koyukuk and the middle fork of the Koyukuk on the south side through Tramway Bar and Coldfoot and onto Wiseman, thence up the Wiseman Creek to Nolan Creek and Nolan, thence up Nolan Creek to Smith Creek Dome.

Trail 56A Nolan/Mascot Creek Trail (near Wiseman)

Identification - Quad 124, T13N, R13W, FM

Description: The trail runs from Nolan westerly through Glacier Pass to Clacier River thence crossing Glacier River northwesterly to Mascot Creek, T31N, R13W.

Trail 60 Bettles/Quartz Creek (near Koyukuk River)

Identification - Quad 124, Bettles

Description: The trail begins at Bettles, thence east to Bettles field, thence south of Birch Hill, crossing the Koyukuk River and traveling north of the middle fork of the Koyukuk River; thence along the fork past 12 Mile Mountain to the fork of Porcupine and Quartz Creek.

Trail 60A Spur connecting Trails 60 & 56 (near Dalton Highway)

Identification - Quad 124, Bettles

Description: The trail begins on Trail 60 at Mailbox Creek thence south to Tramway Bar.

Trail 164 Alatna/Shungnak/Kotzebue (southwest corner of map)

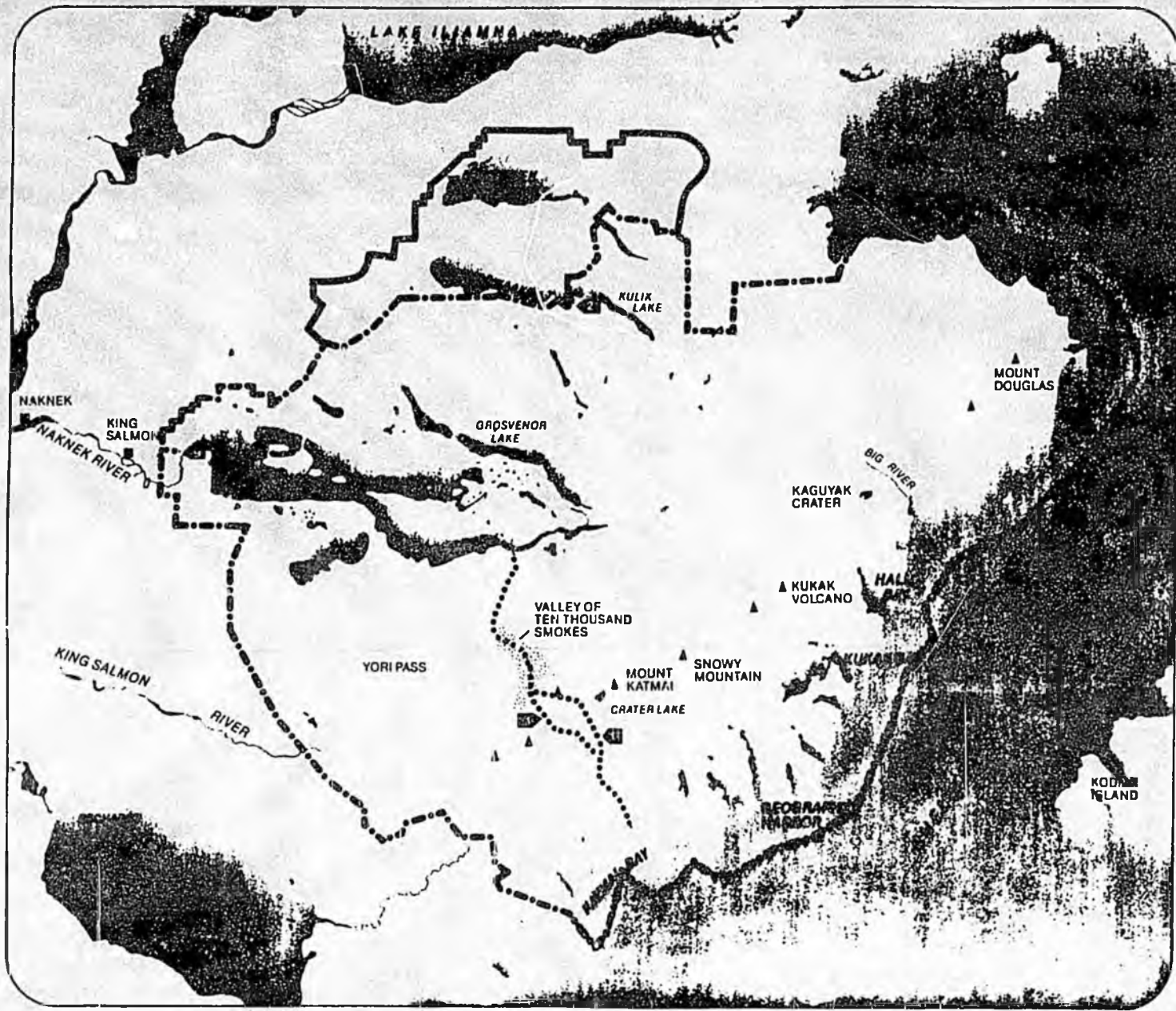
Identification: Quad 116, Hughes

Description: The trail extends up Alatna River to point east of Norutak Lake, then across to Lake, across Lake thence over to Kobuk River and up Kobuk River.

Trail 289 Hicel Highway (center of map)

Identification - Quad 124, Livengood - Sagwon

Description: The trail runs from Livengood northerly via Trails 49 to Bettles Field, 59A north to Ninemile Cabin, thence easterly around Ninemile Hills to Death Valley, thence 59 to Crevice Creek, thence northerly along John River to Anaktuvuk Pass, thence northerly along Anaktuvuk River to Schrar Bluff, thence northeasterly to the Itkillik River, thence easterly across the Kupuruk River to the Tookik River, thence northerly along Tookil for approximately 4 miles thence northeasterly and southeasterly around base of ridge, thence southerly on Sagavanirktok River to Sagwon.



**POSSIBLE R.S. 2477
RIGHTS-OF-WAY**
KATMAI
National Park and Preserve

- PARK BOUNDARY
- PRESERVE BOUNDARY
- POSSIBLE R.S. 2477 TRAIL
- 41 R.S. 2477 TRAIL NO.
(This number corresponds to the Alaska Existing Trails System. Source: State of Alaska Department of Transportation/Public Facilities Submitted April 1974)



KATMAI NATIONAL PARK AND PRESERVE

The following possible R.S. 2477 rights-of-way have been identified within the boundaries of Katmai National Park & Preserve according to the 1974 Alaska Trails System inventory. The trails are listed by quadrangle corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

Trail 1 Dillingham to Naknek Winter Trail (Katmai Bay to Iliuk Arm)

Identification - Quad 42, Mt. Katmai

Description: The trail runs from Dillingham via Portage Creek, through Nakeen to Naknek.

Trail 2 Naknek to Egegik (near Kulik Lake)

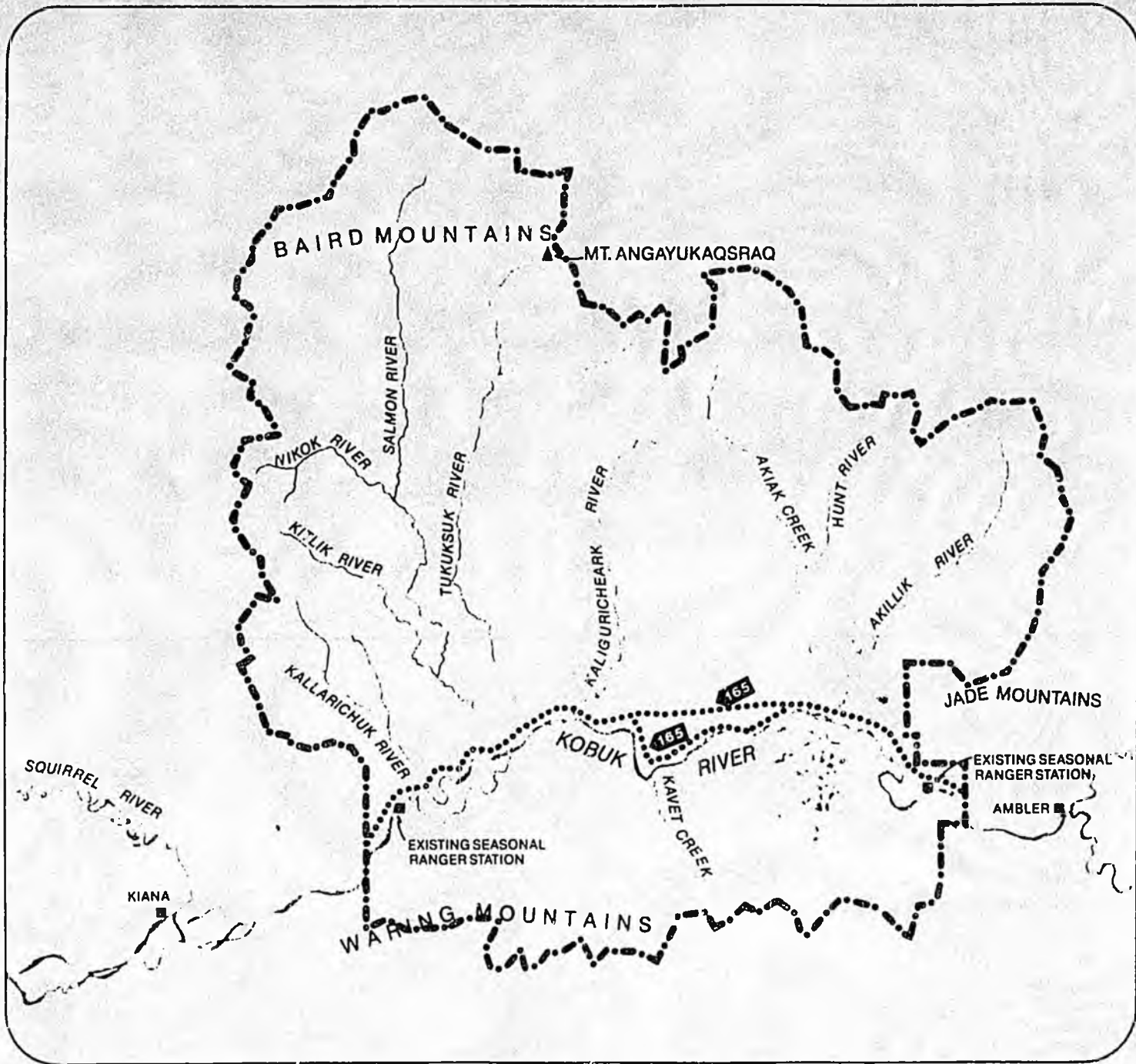
Identification - Quad 42, Mt. Katmai

Description: The trail runs from Naknek to Egegik.

Trail 9 (no name) (near Naknek Lake)

Identification - Quad 41, T17S, R44W

Description: The trail branches northeast from King Salmon Air Force Base to King Salmon Creek.



**POSSIBLE R.S. 2477
RIGHTS-OF-WAY**
KOBUK VALLEY
National Park

- PARK BOUNDARY**
- POSSIBLE R.S. 2477 TRAIL**
- 165 R.S. 2477 TRAIL NO.**
(This number corresponds to the Alaska Existing Trails System Source State of Alaska Department of Transportation/Public Facilities Submitted April 1974.)



KOBUK VALLEY NATIONAL PARK

The following possible R.S. 2477 rights-of-way have been identified within the boundaries of the Kobuk Valley National Park, according to the Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

Trail 165 Kotzebue/Shungnak Trail (200 mile trail) (southwest corner of map)

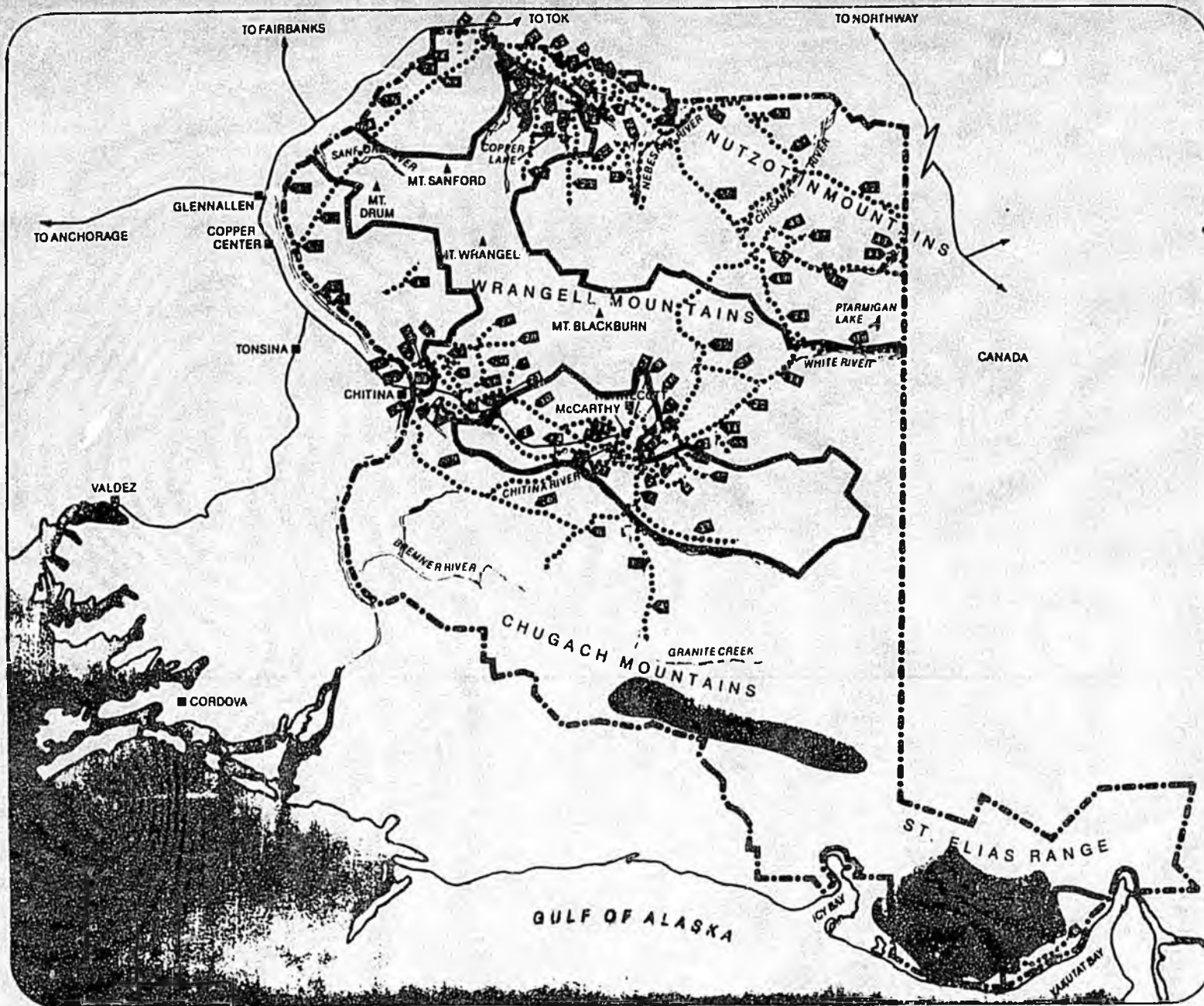
Identification - Quad 126, Ambler

Description: Winter trail extends from Kotzebue, across to mainland, up Kobuk River to Shungnak, ending in Trail System 95A.

Trail 165 Kotzebue/Shungnak Trail (200 mile trail) (same as above)

Identification - Quad 127, Baird Mountains

Description: Winter trail extends from Kotzebue, across to mainland, up Kobuk River to Shungnak, ending in Trail System 95A.



POSSIBLE R.S. 2477 RIGHTS-OF-WAY
WRANGELL-ST. ELIAS
National Park and Preserve

- PARK BOUNDARY
- PRESERVE BOUNDARY
- GLACIERS AND ICEFIELDS
- POSSIBLE R.S. 2477 TRAIL
- R.S. 2477 TRAIL NO.
(This number corresponds to the Alaska Existing Trails System Source State & Alaska Department of Transportation Public Facilities Survey April 1974)



WRANGELL - ST. ELIAS NATIONAL PARK AND PRESERVE

The following possible R.S. 2477 rights-of-way have been identified within the boundaries of Wrangell-St. Elias National Park & Preserve according to the 1974 Alaska Trails System inventory. The trails are listed by quadrangle corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

Trail 6 Malaspina Glacier Trail (above Yakutat Bay)

Identification - Quad 46, T24& 25S, R 30, 31, & 32E, CRM

Description: The trail runs from Grand Wash to Manby Stream.

Trail 4 Tana River Trail (above Chugach Mountains)

Identification - Quad 65, T10, 11, 12S, R15E, CRM

Description: The trail connects to 87-33 at north edge of map on east side of Tana River. Ends on east side of Tana River at Tana Glacier.

Trail 1 Nugget Creek Extension (west of McCarthy)

Identification - Quad 67, T4S, R7, 8E, CRM

Description: The trail starts on Strelna-Kuskawana Road in Sec 12, T4S, R7E, CRM and ends in Sec 35, T2S, R9E, CRM.

Trail 2 Copper River/Chitina/McCarthy Jeep Trail (southeast of Chitina)

Identification - Quad 67, T4S, R5E to T5S, R14E

Description: The trail runs from town of Chitina in T4S, R5E to town of McCarthy in T5S, R14E.

Trail 3 Dan Creek (southeast of McCarthy)

Identification - Quad 67, T6S, R15, 16E, CRM

Description: The trail begins at May Creek in Sec 15 T6S, R15E and ends at Dan Creek Camp in Sec 4, T6S, R16E.

Trail 4 Rex Creek Trail (southeast of McCarthy)

Identification - Quad 67, T6S, R15, 16E, T7S, R16E, CRM

Description: The trail begins at May Creek in Sec 15, T6S, R15E and ends at 3500' elevation in Sec 27, R6S, R16E up Rex Creek.

Trail 5 Baultoff Lake Road (southeast of McCarthy)

Identification - Quad 67, T6S, R14, 15E, CRM

Description: The trail begins in McCarthy, Sec 19, T5S, R14E and ends in May Creek Sec 15, T6S, R15E. Connects to Trail 67-7 in Sec 7, T6S, R15E.

Trail 6 McCarthy/May Creek Road (south of McCarthy)

Identification - Quad 67, T5S, R14E, CRM

Description: The trail begins in McCarthy, Sec 19, T5S, R14E and ends in May Creek Sec 15, T6S, R15E. Connects to another trail 67-7.

Trail 7 Jake's Bar Trail (south of McCarthy)

Identification - Quad 67, T6S, R14, 15E, T7S, R14E, CRM

Description: The trail begins on McCarthy-May Creek Road in Sec 7, T6S, R15E, and ends at Jake's Bar landing strip in Sec 34, T7S, R14E, another trail continues southwest.

Trail 8 (no name) (south of McCarthy)

Identification - Quad 67, T7S, R14E, T8S, R12, 13, 14S, T9S, R11, 12S, (trail to mine).

Description: The trail begins at Jake's Bar landing strip in Sec 34, T7S, R14E and ends at Bremner Mine in Sec 10, T10S, R11E.

Trail 9 McCarthy/Kennicott Road (north of McCarthy)

Identification - Quad 67, T4, 5S, R14E, CRM

Description: The trail begins in McCarthy Sec 16, T5S, R14E and ends in Kennicott Sec 33, T4S, R14E, mine road.

Trail 10 (no name) (east of McCarthy)

Identification - Quad 67, T6S, R16, 17E, CRM

Description: The trail begins in Dan Creek Camp Sec 4, T6S, R16E, CRM and ends in SW 1/4, Sec 1M, T6S, R17E near the headwaters of Copper Creek.

Trail 11 (no name) (east of McCarthy)

Identification - Quad 67, T5, 6S, R16E, CRM

Description: The trail begins in Dan Creek Camp, Sec 4, T6S, R16E and ends up valley in Sec 34, T5S, R16E.

Trail 12 (no name) (east of McCarthy)

Identification - Quad 67, T6S, R11E, CRM

Description: The trail begins on Trail 67-3 in NW 1/4 Sec 12 and ends by cabin on Nizina River on wedge, Sec 1.

Trail 13 (no name) (east of McCarthy)

Identification - Quad 67, T6S, R14, 15E, T5S, R15E, CRM

Description: The trail begins on Trail 67-6 in wedge Sec 1, T6S, R14E, and ends by creek in Sawmill Gulch in Sec 34, T5S, R15E.

Trail 14 (no name) (southwest of McCarthy)

Identification - Quad 67, T6S, R11, 12E, CRM

Description: The trail begins on old railroad grade near west end of Long Lake in Sec 5, T6S, R12E and ends in SE 1/4 Sec 12 T6S, R11E.

Trail 15 (no name) (east of McCarthy)

Identification - Quad 67, T5S, R17E, CRM

Description: The trail begins by Glacier Creek landing area in Sec 9 and ends by mines in Sec 16 and east side of Sec 28.

Trail 16 (no name) (southeast of Kennebecott)

Identification - Quad 67, T5S, R15, 15E, T4S, R14E, CRM

Description: The trail begins in McCarthy in Sec 16 T5S, R14E and ends at mine in Sec 14, T4S, R14E.

Trail 17 (no name) (east of McCarthy)

Identification - Quad 67, T5S, R15E, CRM

Description: The trail begins on Trail 67-16 in Sec 7 and ends at Nikolai Mine in Sec 2.

Trail 18 (no name) (west of McCarthy)

Identification - Quad 67, T5S, R13, 14, CRM

Description: Trail begins in McCarthy T5S, R14E and ends at cabins in northeast corner of Sec 24, T5S, R13E.

Trail 19 (no name) (west of McCarthy)

Identification - Quad 67, T5S, R13E, CRM

Description: Trail begins on Trail 67-2 in Sec 27 and ends at cabins in southwest corner of Sec 19.

Trail 20 Coat Trail (east of Kennecott)

Identification - Quad 67, T4S, R17, 18E, CRM

Description: The trail begins in Sec 13, T4S, R17E and ends on Skolai Creek in Sec 7, T3S, R19E.

Trail 21 (may be Skolai Creek Trail) (joins Trails 34 & 35)

Identification - Quad 67, T3S, R18, 19E, CRM

Description: Trail begins by landing area in Sec 5, T3S, R19E and ends at Tinplate Hill in Sec 24, T2S, R16E.

Trail 22 Mine Trail (Kennecott)

Identification - Quad 67, T4S, R14E, CRM

Description: Trail begins in Kennecott T4S, R14E and ends at mines in Sec 15, 22, and 23.

Trail 23 (no name) (east of Chitina)

Identification - Quad 67, T3S, R9E, CRM

Description: Trail begins by cabin on Kuskulena River in south 1/2 Sec 28 and ends by cabins up McDougal Creek near edge of Sec 34.

Trail 24 Geohenda Trail (See trail 84-49) (east of Chitina)

Identification - Quad 67, T1, 2N, R19, 20E, CRM

Description: Trail begins at landing area T1S, R20E and proceeds in a northwest direction ending in T2N, R19E. Trail between Chisana and headwaters of White River.

Trail 26 Hanagita Trail (See Trail 68-54) (south of Chitina River)

Identification - Quad 67, T7S, R8, 9, 10E, CRM

Description: Trail begins in Talar in Valdez Quad, McCarthy Quad - begins Hanagita River in T7S, R8E reported as far as Tana River 5 miles up from mouth.

Trail 27 Branch of Hanagita Trail (above Chitina River)

Identification - Quad 67, T7S, R9, 10E, T6S, R10 to 16E, CRM

Description: The trail begins on Hanagita Trail 67-26 near Hanagita Lake in T7S, R9E follows east bank of Nizina River in part to place called Nikolai house (may be near Dan Creek Camp T6S, R16E).

Trail 28 Kotsina Trail (See trail 68-8) (below Wrangell Mountains)

Identification - Quad 67, T1S, R8E, CRM

Description: Trail begins in Valdez Quad, follows Kotsina River and various branches to glaciers.

Trail 29 Part of Kotsina Trail (below Wrangell Mountains)

Identification - Quad 67, T3, 2S, R8E, CRM

Description: The trail begins on Trail 67-28 near Rock Creek; ties to Strelna Creek via Dixie Pass.

Trail 30 To Nikolai Mine (west of McCarthy)

Identification - Quad 67, T3S, R9E, CRM

Description: The trail begins or continues from Trail 67-11 in T3S, R9E, CRM and ends or continues on as Trail 67-19, 67-2, 67-16 and 67-17.

Trail 31 Old Trail to Nikolai Mine (near McCarthy)

Identification - Quad 67, McCarthy Quad

Description: Trail begins on 67-30 near Lakina River route via north side of Fireweed Mountain to Kennicott Glacier and down to present site of McCarthy.

Trail 32 (no name) (near McCarthy)

Identification - Quad 67, T5S, R15E, CRM

Description: Trail begins 6 miles up McCarthy River over low mountains to Nizina River.

Trail 33 Tana River Trail (See Trail 65-4) (above Chugach Mountains)

Identification - Quad 67, T8S, R14, 15E, CRM

Description: Trail begins on Chitina River, east of mouth of Tana River and continues beyond south edge of map on east side of Tana River, see 97-4.

Trail 34 Nizina/Chisana Trail (east of McCarthy)

Identification - Quad 67, T3N, R18E, CRM

Description: The trail begins in Nizina T6S, R16E through Dan Creek Camp and ends in Chisana.

Trail 35 Nizina/Chisana Trail (See Trail 67-21) (northeast of Kennecott)

Identification - Quad 67, McCarthy

Description: Trail leaves Dan Creek Camp, going up Nizina Glacier through Chisana Pass, down Chisana Glacier to Chisana.

Trail 37 Nizina/Chitina River Trail (above Chugach Mountains, inside Preserve boundary)

Identification - Quad 67, T6, 7S, R15E, T8S, R15, 16, 17, 18, E, CRM

Description: The trail runs from the Nizina River approximately T6S, R15E, CRM up Chitina River near Hawkins Glacier.

Trail 38 White River Trail (along White River)

Identification - Quad 67, White River

Description: The trail leaves Trail 67-34 near Solo Creek, going west down White River to the Canadian border.

Trail 1 Copper River Bluff Trail (northeast of Tonsina)

Identification - Quad 68, T1N, R2E, CRM

Description: Trail begins on Edgerton Highway mile 3.9 in Sec 6, T1S, R2E, CRM and ends 1/2 mile northwest in Sec 31, T1N, R2E.

Trail 3 Short Lake Trail (east of Chitina)

Identification - Quad 68, T4S, R7E, CRM

Description: Trail begins at mile 9.6 Chitina/McCarthy Road in Sec 1, T4S, R7E and ends 1/4 mile south on Short Lake in Sec 18.

Trail 4 Ghost Lake Trail (east of Chitina)

Identification - Quad 68, T4S, R7E, CRM

Description: Trail begins at mile 10.2 Chitina/McCarthy Road in Sec 17, T4S, R7E and ends on northwest end of Ghost Lake in Sec 17.

Trail 5 Strelna Lake Trail (east of Chitina)

Identification - Quad 68, T4S, R7E, CRM

Description: Trail begins at mile 9.7 Chitina/McCarthy Road in Sec 18, T4S, R7E and ends at southeast end Strelna Lake in Sec 18.

Trail 8 Kotsina Trail & Strelna Road (See Trail 67-28) (east of Chitina)

Identification - Quad 68, T4S, R7E, CRM

Description: Trail begins in Strelna in Sec 22, T4S, R7E; road ends. Trail begins in Sec 19, T3S, R7E trail ends at cabins in Sec 12, T2S, R7E.

Trail 9 (may be Elliot Creek Trail) (northeast of Chitina)

Identification - Quad 68, T4, 3, 2S, R7E, CRM

Description: Trail begins on Strelna/Kuskaluna Road in Sec 1, T4S, R7E and ends at cabins near Rainbow Creek Sec 34, T2S, R7E.

Trail 16 Liberty Creek Trail (north of Chitina)

Identification - Quad 68, T3S, R5E, CRM

Description: Trail begins approximately 10.4 miles north of Chitina, up north side of Liberty Creek 2 miles.

Trail 18 Chitina/McCarthy Jeep Trail (east of Chitina)

Identification - Quad 68, T4S, R5, CRM

Description: Trail begins in Chitina T4S, R5E ends on east map edge in Sec 32, T4S, R8E, connects to 87-2.

Trail 24 Old Railroad Bed (winter river route to Taral) (south of Chitina)

Identification - Quad 68, T4S, R5E, CRM

Description: Trail runs from Chitina south on west side of Copper river in Woods Canyon to Whiting Falls.

Trail 35 Copper River Bluff Trail (south of Copper Center)

Identification - Quad 68, R1N, R1E, CRM

Description: Trail runs 3.9 miles down Edgerton cut-off from Richardson Highway along west bluff of Copper River above Lower Tonsina toward Copper Center.

Trail 49 (no name) (west of Wrangell Mountains)

Identification - Quad 68, T1N, R4E, CRM

Description: Trail begins by lake in Sec 14, T1N, R4E and ends in sec 14, T2N, R5E.

Trail 59 Hanagita Trail (See Trail 54 & 67-26) (southeast of Chitina)

Identification - Quad 68, T4S, R6E, CRM

Description: Trail begins in Taral in T4S, R5E goes off east map edge south of Hanagita in T7S, R8E, see 67-26.

Trail 56 (no name) (east of Chitina)

Identification - Quad 68, T4S, R7E, CRM

Description: Trail begins on Trail 68-8 approximately Sec 1, T4S, R7E ends on east map edge near Strelna Creek.

Trail 57 (no name) (northeast of Chitina)

Identification - Quad 68, T2S, R6E, CRM

Description: Trail begins on Trail 86-8 near Sec 28, T2S, R6E ends on 86-9 near Sec 29, T2S, R7E.

Trail 58 (no name) (north of Chitina)

Identification - Quad 68, T3S, R5E, CRM

Description: Trail begins on Copper River between Horse Creek and Kuslina Creek in T3S, R5E, ends on 86-8 near Sec 11, T3S, R6E.

Trail 59 (no name) (north of Chitina)

Identification - Quad 68, T2S, R6E, CRM

Description: Trail begins on 86-58 in Sec 31; ends on 86-8 in Sec 28.

Trail 82 Tonsina River to Taval (north of Chitina)

Identification - Quad 68, Valdez

Description: Trail runs from north bank of Copper River opposite Tonsina River mouth to Taval on Copper river and several miles south.

Trail 83 Millard Trail (See Trail 83-69) (east of Copper Center)

Identification - Quad 68, T2N, R1E, CRM

Description: Trail begins on Copper River opposite Klutina River mouth, continues off north edge of map in T3N, R1E, by Klawasi Road.

Trail 84 Trail to Elliot Pack-dog Sled (near Chitina)

Identification - Quad 68, T2S, R6E, CRM

Description: Trails begins on RR near mouth of Chitina River, ends at Elliot Creek.

Trail 87 Nugget Creek Extension (east of Chitina)

Identification - Quad 68, T4S, R7E, CRM

Description: Trail starts on Strelna/Kuskalana Road in Sec 1, T4S, R7E; ends in Sec 35, T2S, R9E.

Trail 11 Valley Overlook Jeep Trail (north border of map)

Identification - Quad 83, T11N, R6E, CRM

Description: Trail begins at milepost 52. Tok Cutoff Sec 23, T11N, R6E, CRM and ends 1/2 mile south in Sec 26 T11N, R6E, CRM.

Trail 14 (no name) (north border of map)

Identification - Quad 83, T10N, R5E, CRM

Description: Trail begins off Glenn Highway (Tok Cutoff) at milepost 40.1, Sec 17, T10N, R5E, CRM and ends approximately 1/4 mile south at or near Copper River.

Trail 29 (no name) (north border of map)

Identification - Quad 83, T10N, R4E, CRM

Description: Trail begins on Glenn Highway in east 1/2 Sec 34 and ends on Glenn Highway in north edge of Sec 25.

Trail 35 (no name) (near Glennallen)

Identification - Quad 83, T5N, R1W, CRM

Description: Trail runs from mile 120.8 on Richardson Highway to the bluff of the Copper River 2 miles.

Trail 58 (no name) (above Sanford River)

Identification - Quad 83, T8N, R3E, CRM

Description: Trail runs north from Slana to Tok to highway at milepost 21.7 parallels highway from milepost 21.7 to 24.3 3/4 mile.

Trail 64 (no name) (above Sanford River)

Identification - Quad 83, T7N, R2E, CRM

Description: Trail runs south from milepost 15.1 to mouth of Tulso Creek 3/4 mile.

Trail 66 (no name) (north border of map)

Identification - Quad 83, T11N, R7E, CRM

Description: Trail runs south from milepost 57.9 past east end of Cobb Lakes to a homestead on south side of Cobb Lake 2 miles.

Trail 69 Millard Trail (also #68-83) (near north border of map)

Identification - Quad 83, T3N, R1E, CRM

Description: The trail begins at map edge in T3N, R1E, CRM and ends eventually at Slana River in Mentasta Pass; probably leaves this map on east edge in T11N, R7E.

Trail 1 (no name) (near Nabesna River)

Identification - Quad 84, T5N, R14E

Description: Trail begins at Nabesna, Sec 21, T7N, R13E, shows continuation to Orange Hill, Sec 21, T5N, R14E.

Trail 2 Tanada Lake Trail (above Copper Lake)

Identification - Quad 84, T7N, R11E, CRM

Description: Trail begins from Nabesna Road in Sec 21, runs 15 miles and connects with Goat Creek and Pass Creek Trail south of Tanada Lake.

Trail 3 Soda Creek Trail (above Nabesna River)

Identification - Quad 84, T9N, R13E

Description: Trail begins on Platinum Creek Trail in Sec 34; ends on Tatschunda Creek in Sec 3, approximately 8 miles plotted.

Trail 4 Chalk Creek Trail (near north border)

Identification - Quad 84, T9N, R12E

Description: Trail begins at mile 31.6 Nabesna Road and ends at Platinum Creek Trail in Sec 30.

Trail 5 Platinum Creek Trail (near north border)

Identification - Quad 84, T8N, R13E

Description: Trail ties to Chalk Creek in Sec 30, continuing down Tetlin River and into T14N, R14E.

Trail 6 Lost Creek Trail (near north border)

Identification - Quad 84, T9N, R12E

Description: Trail begins identical to Chalk Creek Trail mile 31.5 Nabesna Road and ends at 5000' elevation in Sec 26.

Trail 7 Trail Creek Trail (near north border)

Identification - Quad 84, T9N, R11E, CRM

Description: Trail begins at Mile 29, Nabesna Road in Sec 31, T9N, R12E, ends above 5000' elevation in Sec 24.

Trail 8 (no name) (near north border)

Identification - Quad 84, T9N, R11E, CRM

Description: Trail begins on Nabesna Road near west edge of Sec 30 and ends at east end of Jack Lake in Sec 36.

Trail 9 Jack Lake Road (near north border)

Identification - Quad 84, T9N, R11E, CRM

Description: Trail begins on Nabesna Road at mile 26.1 in Sec 22 and ends on north shore of Jack Lake in Sec 35.

Trail 10 (no name) (near north border)

Identification - Quad 84, T9N, R10E, CRM

Description: Trail begins on unnamed trail paralleling Nabesna Road in Sec 11 and ends near 4000' elevation in Sec 25.

Trail 11 (no name) (near north border)

Identification - Quad 84, T9N, R10E, CRM

Description: Trail begins on unnamed trail paralleling Nabesna Road in Sec 11 and ends near 4000' elevation in Sec 25.

Trail 12 Suslota Creek Trail (near north border of map)

Identification - Quad 84, T11N, R10E, CRM

Description: Trail begins on Nabesna Road, Sec 26 crosses unnamed trail approximately 1 mile northeast and ends about 3100' elevation in Sec 34. May be connecting trail to Suslota Pass.

Trail 13 (no name) (near north border of map)

Identification - Quad 84, T9N, R10-11E, CRM

Description: Trail parallels Nabesna Road approximately 1 mile north in Sec 15 and ends on Nabesna Road near Rock Creek in Sec 18.

Trail 14 Copper River Trail (near Copper Lake)

Identification - Quad 84, R9N, R9E, CRM

Description: Trail accesses from Nabesna Road, Sec 17 & 21. Begins in Batzulnetas Village Sec 29 and ends in Sec 10.

Trail 22 Pass Creek Trail (near Nabesna River)

Identification - Quad 84, T6N, R11, 12, 13E, T7N, T13E, CRM

Description: The trail begins at Nabesna, Sec 21, T7N, R13E, and connects to Goat Creek Trail, Sec 34, T7N, R11E.

Trail 23 Goat Creek Trail (west of Nabesna River)

Identification - Quad 84, T5, 6, 7N, R11E, CRM

Description: The trail begins at south end of Tanada Lake, T7N, R11E, connects to Pass Creek Trail, Sec 34, T7N, R11E and ends approximately 1 mile south of Grizzly Lake, Sec 22, T5N, R11E.

Trail 24 (no name) (north of Nabesna River)

Identification - Quad 84, T5-7N, R14E, CRM

Description: Trail begins on Nabesna Road Sec 4, ties to Reeve Field, Sec 18 and ends at Orange Hill in Sec 17.

Trail 28 Platinum Creek Trail (near north border)

Identification - Quad 84, T8N, R13, 14E, T9, 10N, R13E, CRM

Description: The trail is on the floor of Platinum Creek Valley, running from the mouth of Platinum Creek on Nabesna River, northwest up Platinum Creek to trail system near Lost Lake, then north up Platinum Creek to Pass to Tetlin River Valley approximately 20 miles.

Trail 29 Twin Lakes Trail (northeast of Copper Lake)

Identification - Quad 84, T9N, R11E, CRM

Description: Trail runs from the road through campground and south 1/4 mile to Lake.

Trail 30 Big Grayling Lake Trail (near north border of map)

Identification - Quad 84, T9N, R11-13E, CRM

Description: Trail runs north of Nabesna Road, west of Devil's Mountain Range, from area near crossing of Little Jack Creek due east toward Big Grayling Lake approximately 10 miles.

Trail 33 Suslota Lake Trail (see 84-34) (near north border)

Identification - Quad 84, T11-12, R10E, CRM

Description: Trail runs north from milepost 72.8 to south corner of Suslota Lake, then up Suslota Creek north to Suslositna Creek toward Mable Creek.

Trail 36 Suslotna Pass Trail (near north border)

Identification - Quad 84 T10-12N, R9E, CRM

Description: Trail runs north of milepost 76 Nabesna Road past east side of Suslota Lake up Suslositna Creek into Little Tok drainage 15-20 miles.

Trail 38 Tanada Creek Trail (near north border)

Identification - Quad 84, T9-10N, R9E, CRM

Description: Trail runs 1/2 mile east of first bridge over Caribou Creek southwest of milepost 75.1 across Tanada Creek to connect with the Copper River Trail 3 miles.

Trail 40 (no name) (near north border)

Identification - Quad 84, T9N, R10E, CRM

Description: Trail runs north and west of milepost 81.3 Nabesna Road toward ridge of Mentasta Mountains 4-5 miles.

Trail 43 (no name) (near east border of map)

Identification - Quad 84, T3N, R23-24E, CRM

Description: Trail runs from south edge map Sec 32 from Chisana via Trail 78-45 east edge map Sec 21 into Canada.

Trail 44 (no name) (near east border of map)

Identification - Quad 84, T3N, R24E, CRM

Description: Trail leaves Trail 78-43 in Sec 8 off east edge map in Sec into Canada.

Trail 45 (no name) (near east border)

Identification - Quad 84, T3N, R20, 21E, CRM

Description: The trail runs southeast of town of Bonanza and branches off along Beaver and Carl Creeks.

Trail 46 (no name) (below Chisana River)

Identification - Quad 84, T3N, R18E, T4N, R19#, CRM

Description: The trail begins in Chisina, Sec 1, T3N, R18E. One end on trail 78, A245, in Sec 4, T3N, R19E. Second end near Big Eldorado Creek in Sec 16, T4N, R19E.

Trail 47 (no name) (below Chisana River)

Identification - Quad 84, A2, T4N, R20E, CRM

Description: The trail begins on Trail 78-A2-JK in Sec 31 and ends in Sec 22.

Trail 48 (no name) (below Chisana River)

Identification - Quad 84, T4N, R19, 20E, CRM

Description: The trail begins on Trail 78 A2-47 in Sec 29, T4N, R20E and ends in Sec 15, T4N, R19E. Spur up Bonanza Creek in Sec 25, T4N, R19E.

Trail 49 Geohenda Trail (continues as 67-24) (below Chisana River)

Identification - Quad 84, T3N, R18, 19E, CRM

Description: The trail begins in Chisina, Sec 1, T3N, R18E, ends i Sec 18, T3N, R19E and by Bow Creek in Sec 26, T3N, R18E. May proceed south up Geohenda Creek Trail between Chisana and headwaters of White River.

Trail 50 (no name) (south of Nabesna River)

Identification - Quad 84, T3-7N, R18E, CRM

Description: Trail begins in Chisana, Sec 1 and ends on south side of Nabesna River in two places.

Trail 51 Chisana/Shushanna (above Nutzotin Mountains)

Identification - Quad 84, T4N, R18E, T7N, R20E, NW to T9N, R17E, SW to R8N, R15E, CRM

Description: The trail begins on Trail 78-A3-50 in Sec 5 and Sec 17 T4N, R18E and ends at northwest end of 78-A3-50 in Sec 32, T8N, R15E.

Trail 52 (no name) (above Nutzotin Mountains)

Identificaton - Quad 84, T5N, R22, 23E, T6N, R20, 21, 22E, CRM

Description: The trail runs on south side of Chisana River, opposite King City in Sec 8, T6N, R20E and ends in Sec 14, T5N, R23E and Sec 30, T5N, R24E.

Trail 53 (no name) (near north border)

Identification - Quad 84, T8N, R18E, CRM

Description: The trail begins on Trail 78, B2-51 in Sec 7 and 17. Plot ends in Sec 4 and 13.

Trail 62 (no name) (northeast of Copper Lake)

Identification - Quad 84, T7N, R11E, CRM

Description: The trail begins on west shore of Tanada Lake and runs in a NW direction toward Copper Lake approximately 2-3 miles.

Trail 63 Copper River to the Nabesna River (north of Copper Lake)

Identification - Quad 84, T9N, R9-10E, CRM

Description: Trail begins in Batzulnetas in T10N, R9E proceeds generally southerly for 10 miles then splits into 3 routes to Nabesna River, possibly 78-2, 78-22, 78-30, 78-28.

SECTION II - U.S. FISH & WILDLIFE SERVICE

Alaska State Legislature
Senate Transportation Committee



Sen. John B. (Jack) Coghill, Chairman
Sen. Paul Fischer, Vice-chairman
Sen. Mitch Alboord
Sen. Jan Finks
Sen. Joe Josephson

Douch V
Juneau, Alaska 99811

November 26, 1985

Mr. Robert Gilmore
Regional Director
U.S. Fish & Wildlife Service
1011 East Tudor Road
Anchorage, AK 99503

Dear Mr. Gilmore:

As Chairman of the Senate Transportation Committee, I want to thank you and your staff for the outstanding support we have received in our efforts to include maps and trail lists in the National Wildlife Refuge System plans. Valerie Chavez of my staff has been working with your planning team leaders, and she was impressed with the cooperation and assistance that they have contributed to our efforts.

I would like to take a few minutes to come by and visit with you the next time I am in Anchorage to discuss several key issues that are of importance to the people of Alaska. I will have my staff contact your office to arrange a firm date.

Again, my thanks for your help.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "John B. Coghill".

Senator John B. Coghill

JC/slg

Senator John B. (Jack) Coghill
Alaska State Legislature

Branch A
Juneau Alaska 99801
0071851111

Box 158
Sitka Alaska 99760
0071851111



January 13, 1985

Mr. Robert Gilmore
Regional Director
U.S. Fish & Wildlife Service
1011 East Tudor Road
Anchorage, AK 99503

Dear Mr. Gilmore:

I am pleased to submit nine (9) maps depicting routes of possible RS 2477 rights-of-way for inclusion in the Comprehensive Conservation Plans that are being prepared for Congress. Enclosed please find maps and trail descriptions for Arctic, Innoko, Kanuti, Nowitna, Selawik, Tetlin, Togiak, Yukon Delta and Yukon Flats National Wildlife Refuges. In two refuges, Kodiak and Koyukuk, no possible PS 2477 rights-of-way were found within refuge boundaries according to the Alaska Existing Trails Inventory.

On October 8, 1985, my staff submitted trail descriptions for Togiak National Wildlife Refuge to Pete Jerome, Team Leader for the Togiak plan. It is my understanding that these trails were incorporated in the draft plan by your graphics section in order to meet a pressing deadline. We are now providing the same map with additional graphics in the hopes that this version can be included in your revised draft.

Please note that the maps contain appropriate disclaimer language, as agreed to, which states, "The State of Alaska has identified these routes as possible rights-of-way under the grant authority of Revised Statute 2477 (RS 2477). Any questions regarding these routes should be directed to the refuge manager."

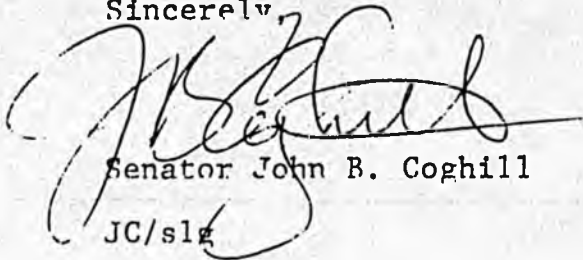
We have been working with your staff to complete as many maps as possible before the end of 1985 in order to meet deadlines for your draft plans. I would like to commend them, especially Leslie Kerr, on the assistance they have provided us.

Mr. Robert Gilmore
January 13, 1985
Page ?

Because a final decision on map size and styles for Alaska Maritime National Wildlife Refuge had not yet been made, my staff did not provide a map for that refuge. We hope to complete this map in early 1986, and we will submit it upon completion.

I want to thank you for your cooperation and assistance in this project, and I hope we will have a chance to meet in the near future.

Sincerely,

A large, stylized handwritten signature in dark ink, appearing to read "John B. Coghill". The signature is written over the typed name and extends upwards and to the left.

Senator John B. Coghill

JC/slg

Enclosures

SUMMARY OF POSSIBLE RS 2477 RIGHTS-OF-WAY IN NATIONAL
WILDLIFE REFUGES

<u>Alaska's National Wildlife Refuges</u>	<u># of trails</u>
1. Alaska Maritime National Wildlife Refuge**	
2. Alaska Peninsula National Wildlife Refuge*	
3. Arctic National Wildlife Refuge	11
4. Becharof National Wildlife Refuge*	
5. Innoko National Wildlife Refuge	12
6. Izembek National Wildlife Refuge*	
7. Kanuti National Wildlife Refuge	6
8. Kenai National Wildlife Refuge*	
9. Kodiak National Wildlife Refuge	0
10. Koyukuk National Wildlife Refuge	0
11. Nowitna National Wildlife Refuge	3
12. Selawik National Wildlife Refuge	3
13. Tetlin National Wildlife Refuge	3
14. Togiak National Wildlife Refuge	7
15. Yukon Delta National Wildlife Refuge	19
16. Yukon Flats National Wildlife Refuge	21
Total trails	85

*The Comprehensive Conservation Plans (CCP's) for these refuges were completed before this task force began work.

**Base maps for Alaska Maritime will be not available for reproduction until 1986.

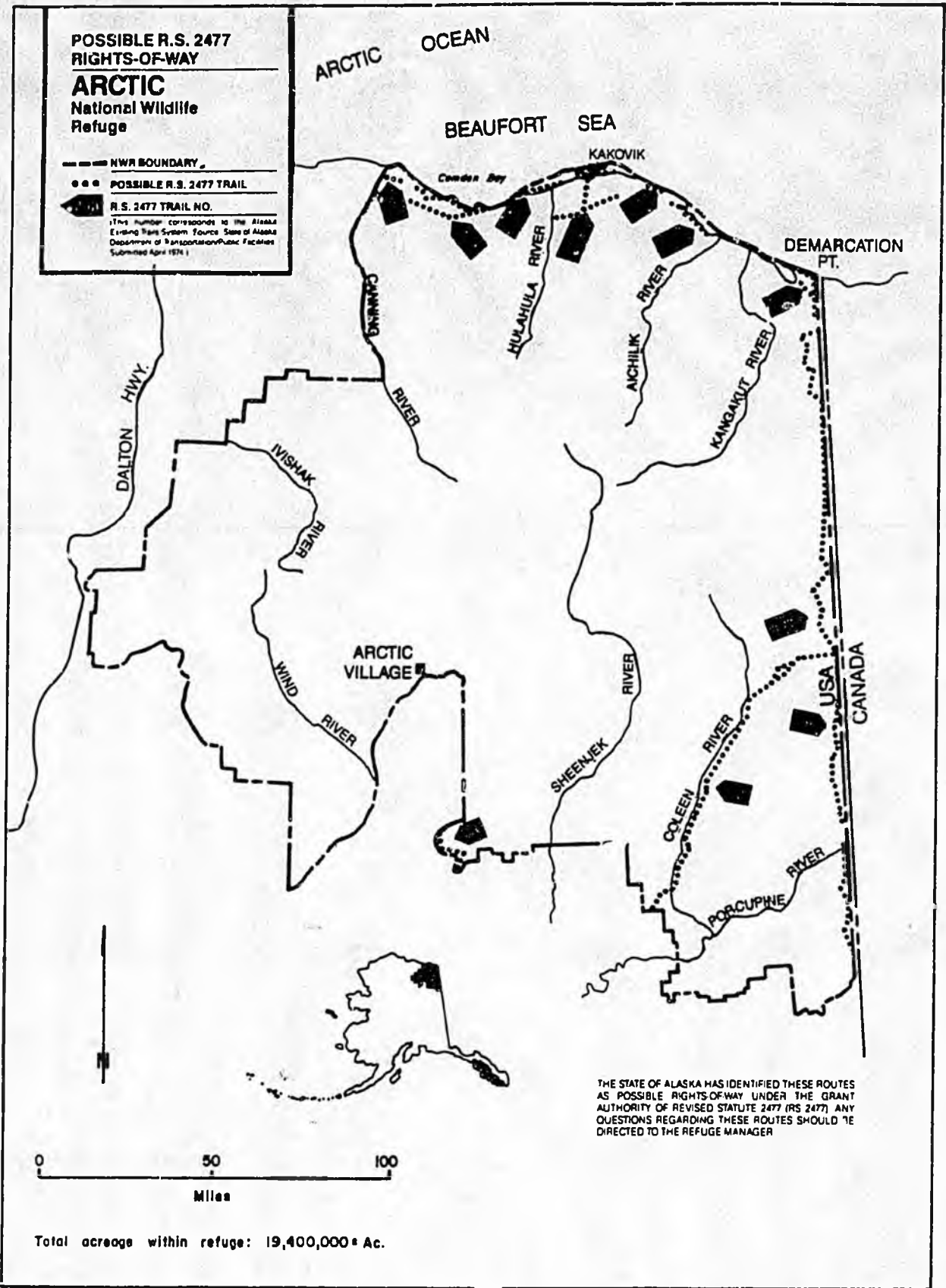
Trail information was derived from the 1974 Alaska Existing Trails Inventory, however, it is not a complete compilation of all possible RS 2477 rights-of-way in the state.

CCP's will be presented to Congress in 1986 and 1987.

**POSSIBLE R.S. 2477
RIGHTS-OF-WAY**

**ARCTIC
National Wildlife
Refuge**

- NWR BOUNDARY
 - POSSIBLE R.S. 2477 TRAIL
 - ▲ R.S. 2477 TRAIL NO.
- (This number corresponds to the Alaska
Eviding Trail System. Source: State of Alaska
Department of Transportation/Public Facilities
Submitted April 1974.)



THE STATE OF ALASKA HAS IDENTIFIED THESE ROUTES AS POSSIBLE RIGHTS-OF-WAY UNDER THE GRANT AUTHORITY OF REVISED STATUTE 2477 (RS 2477). ANY QUESTIONS REGARDING THESE ROUTES SHOULD BE DIRECTED TO THE REFUGE MANAGER.



Total acreage within refuge: 19,400,000 ± Ac.

ARCTIC NATIONAL WILDLIFE REFUGE
POSSIBLE RS 2477 RIGHTS-OF-WAY

The following possible RS 2477 rights-of-way have been identified within the boundaries of Arctic National Wildlife Refuge, according to the 1974 Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

QUAD 120 - Trail 196 Nation River to Rampart House (along U.S./Canada border)

Identification - Quad 120, Black River

Description: The trail runs from the Yukon River at mouth of Nation River up Nation over to boundary, thence back and forth across boundary up to Rampart House on Porcupine River.

QUAD 121 - Trail 32 (along east bank of Coleen River)

Identification - Northeast access through Chalkyitsik to Yukon border

Description: The trail crosses Yukon/Alaska border in T14S, R48E, UPM, follows Bilwaddy Creek west approximately 10 miles southwest on the east side of the Coleen River crossing to the southwest in T28N, R22E, FM from here southwest to crossing of the Porcupine River in T25N, R20E, FM thence southwest along Porcupine approximately 25 miles turning due south through Chalkyitsik to Ohtig Lake then southwest approximately 18 miles turning due south in T18N, R17E, FM proceeds due south to Yukon River at a point approximately 10 miles north of Circle south to Trail 202.

QUAD 121 - Trail 196 Nation River to Rampart House (along U.S./Canada border)

Identification - Quad 121, Black River

Description: The trail runs from the Yukon River at mouth of Nation River up Nation over to boundary, thence back and forth across boundary up to Rampart House on Porcupine River.

QUAD 121 - Trail 211 Rampart House to Beaufort Sea (along U.S. Canada border)

Identification - Quad 121, Coleen

Description: The trail runs from Rampart House, Canada on Porcupine River north criss-crossing boundary between Alaska and Canada to Beaufort Sea.

QUAD 122 - Trail 33 Christian/Willow House (on southcentral border of refuge)

Identification - Quad 122, Christian

Description: The trail runs from Christian down Christian River then up Otter Creek and up unnamed tributary of Otter Creek to its head then northerly along high ground to Willow House.

QUAD 136 - Trail 33 Christian/Willow House (same as above)

Identification - Quad 136, Arctic

Description: The trail runs from Christian down Christian River then up Otter Creek and up unnamed tributary of Otter Creek to its head then northerly along high ground to Willow House.

QUAD 138 - Trail 25A (near Demarcation Point)

Identification - Quad 138, Arctic

Description: The trail and parallel arlternates cross the Alaska Yukon border in T3N, R45E, UPM. Trail approximately 6 miles long west along coast and parallel to Demarcation Bay.

QUAD 138 - Trail 25B (along Beaufort Coast)

Identification - Quad 138, Arctic

Description: The trail begins at landing strip proceeds southeast approximately 2 miles to mouth of Kogotpak River; entirely in T6N, R39E, UPM.

QUAD 138 - Trail 25C (along Beaufort Coast)

Identification - Quad 138, Arctic

Description: The trail begins at southeast end of Poker Lagoon to approximately 5 miles southeast at cabins. Located in T8N, R38E, UPM, down to Bokok Bay.

QUAD 138 - Trail 25D (along Beaufort Coast)

Identification - Quad 138, Arctic

Description: The trail begins at Kaktovik landing strip and proceeds through the village along coast approximately 2 miles; also south from village on wes side of Kaktoviak Lagoon proceeding approximately 6 miles then west to bank of Hulahula River.

QUAD 138 - Trail 211 (along Beaufort Coast)

Identification - Quad 138, Arctic

Description: The trail runs from Rampart House, Canada on Porcupine River north criss-crossing boundary between Alaska and Canada to Beaufort Sea.

QUAD 139 - Trail 25F system (along Beaufort Coast)

Identification - Quad 138, Arctic

Description: The trails begin on east bank of the Tamayariak River (near Canning River) T8N, R26E, UPM and also southwest of Said Point thence southeast along the coast across Konganavik Point, southeast across Katakturok River around Simpson Cove ending on the west bank of Marsh Creek, 1/2 mile from shoreline at Camden Bay.

QUAD 151 - Trail 27E (southeast of Camden Bay)

Identification - Quad 151, Flaxman Island

Description: The trail begins on coast between Anderson Point and mouth of the Sadlerochit River T8N, R31E, UPM, proceeds east along coast approximately 10 miles, toward Hulahula River.

QUAD 151 - Trail 25F (south of Camden Bay)

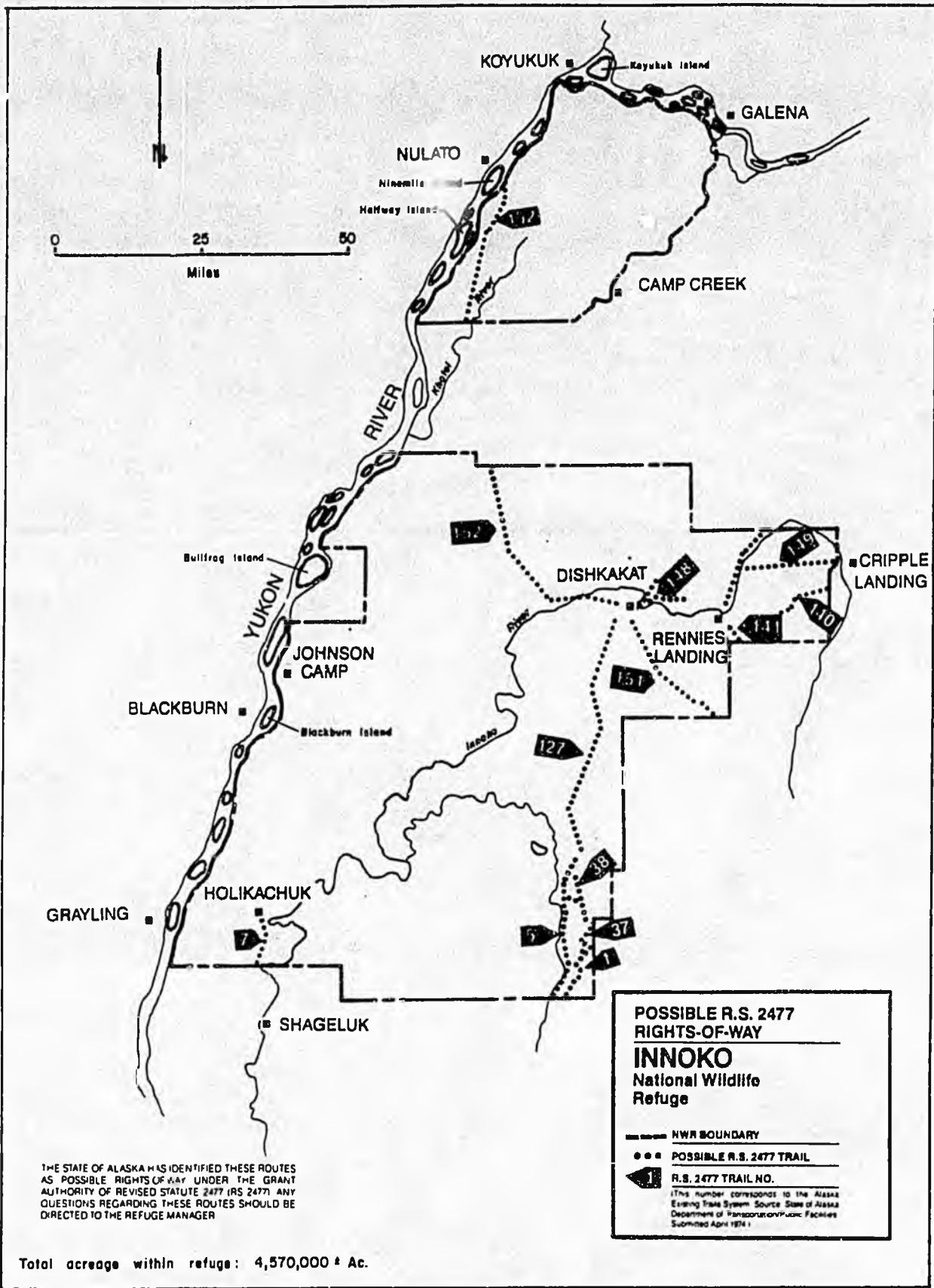
Identification - Quad 151, Flaxman Island

Description: The trail begins on east bank of the Tamayariak River T8N, R26E, UPM, and also 1 1/2 SW of Said Point thence southeast along the coast across Konganavik Point southeast on the west bank of Marsh Creek, 1/2 mile from shoreline at Camden Bay.

QUAD 151 - Trail 25G (southwest of Camden Bay)

Identification - Quad 151, Flaxman Island

Description: The trail begins at Bullen, T10N, R21E, UPM and proceeds along coast near Pt. Gordon, divides one leg along the coast through Thomson - the other approximately 3 miles inland, rejoins 2 miles east into T9N, R24E, thence 3 miles east across Staines River.



INNOKO NATIONAL WILDLIFE REFUGE
POSSIBLE RS 2477 RIGHTS-OF-WAY

The following possible RS 2477 rights-of-way have been identified within the boundaries of Innoko National Wildlife Refuge, according to the 1974 Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

QUAD 78 - Trail 7 Shageluk/Holikachuk Winter Trail (below Holikachuk)

Identification - Quad 78, Holy Cross

Description: Trail is located approximately at T33N, R54W, SM, winter trail from Shageluk to Holikachuk.

QUAD 79 - Trail 1 Hunter Trail (see also Trail 90-1) (in southeast corner of refuge)

Identification - Hunter Trail, Ophir to Iditarod

Description: Trail runs from Ophir to Iditarod, approximately 79 miles long, T34N, R41W, SM.

QUAD 79 - Trail 5 Iditarod/Dishkakat (see also Trail 90-5) (in southeast corner of refuge)

Identification - Trail is located approximately T34N, R46W, SM, runs from Iditarod to Dishkakat, joins Hunter Trail about 12 miles north of Iditarod.

QUAD 79 - Trail 37 (southeast corner of refuge, near border)

Identification - Quad 79, Iditarod

Description: The trail connects tractor trail and runs northeast direction, T32N, R45W, SM.

QUAD 79 - Trail 38 Tractor Trail (southeast corner)

Identification - Quad 79, Iditarod, tractor trail

Description: The trail begins at First Chance Creek and runs north to northwest and ends at Dikemen, T31,32,33N, R45,46W, SM.

QUAD 90 - Trail 127 Dishkakat to Dikeman (eastern side of refuge, near Innoko River)

Identification - Trail from Dishkakat to Dikeman

Description: The trail begins at Dishkakat, then runs southwest along the edge of the lowground to the east of Six Mile Lake and onto Dikeman.

QUAD 90 - Trail 140 (west of Cripple Landing)

Identification - Cripple Landing West

Description: The trail runs from Cripple Landing in T21S, R13E, KRM west southwest across Two Mile, Four Mile and Scandinaran Creeks to a point in highlands in T22S, R11E, KRM.

QUAD 90 - Trail 141 (near Rennies Landing)

Identification - Dishkakat/Lewis Landing Trail to Ophir/Cripple Landing Trail

Description: The trail runs from Rennie's Landing on Innoko River T22S, R9E, KRM, southeasterly to Four Mile Creek on Ophir/Cripple Trail (#147) in T25S, R12E, KRM with alternate routes at various points along trail.

QUAD 90 - Trail 148 Lewis Landing/Dishkakat Trail (108 mi.)

Identification - Branch from Route 17 to Dishkakat

Description: The trail runs from Sandstom Bluff on north side of Yukon River in T9S, R13E then south to Yukon River then continuing almost due south across divide down Camp Creek to Innoko River then along Innoko River to Dishkakat.

QUAD 90 - Trail 149 Cripple to Trail 148 (near Cripple Landing)

Identification - Cripple to Trail 148

Description: The trail runs from Cripple Landing northwesterly to meet Trail 148 on Innoko River in T18S, R12E, KRM.

QUAD 90 - Trail 151 Ophir to Dishkakat (south of Dishkakat)

Identification - Quad 90, Ophir

Description: The trail runs from Ophir up Innoko River to American Creek, then up American Creek crossing ridge to Hurst Creek, then down Hurst across Boob Creek and into Tolsti, then across Dishna River and over to Dishkakat.

QUAD 90 - Trail 152 Nulato/Dishkakat Trail - north of Dishkakat)

Identification - Nulato/Dishkakat Trail

Description: The trail runs from Nulato across the Yukon River, then along south bank of Yukon River to Center of T11S, R3E, KRM, then due south to west fork of Little Mud River, then along ridge between Little Mud River and Lonesome River to Innoko River, then along Innoko River easterly to Dishkakat.

QUAD 97 - Trail 152 Nulato/Dishkakat Trail (same as above)

Identification - Branch from Route 19 to Dishkakat

Description: The trail runs from Nulato across Yukon River then along south bank of Yukon River to center of T11S, R3E, KRM, then due south to west fork of Little Mud River, then along ridge between Little Mud River and Lonesome River to Innoko River, then along Innoko River, Ely to Dishkakat.

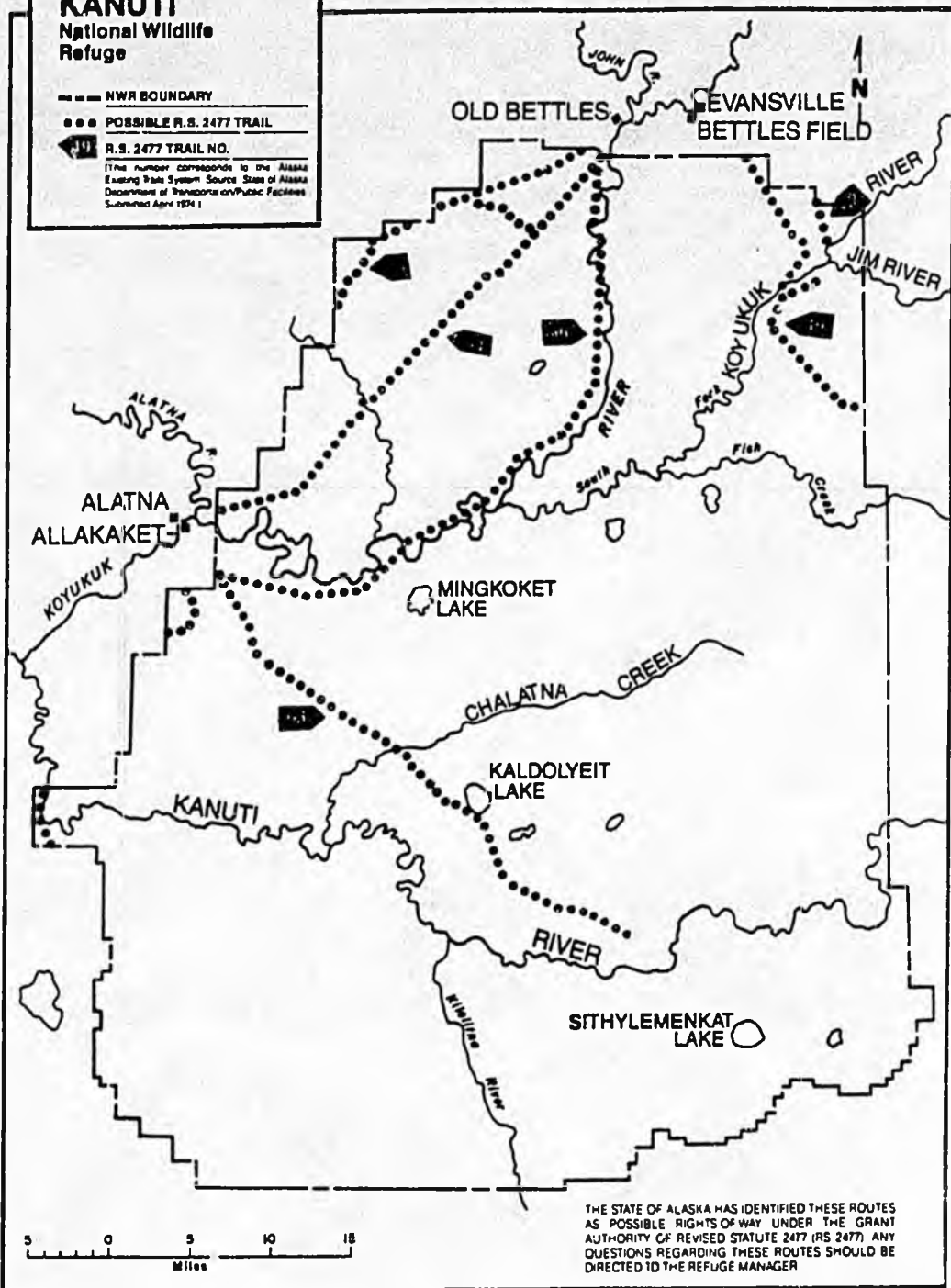
POSSIBLE R.S. 2477 RIGHTS-OF-WAY
KANUTI National Wildlife Refuge

--- NWR BOUNDARY

●●● POSSIBLE R.S. 2477 TRAIL

➡ R.S. 2477 TRAIL NO.

(Trail number corresponds to the Alaska Existing Trails System. Source: State of Alaska Department of Transportation/Public Facilities. Submitted April 1994.)



THE STATE OF ALASKA HAS IDENTIFIED THESE ROUTES AS POSSIBLE RIGHTS OF WAY UNDER THE GRANT AUTHORITY OF REVISED STATUTE 2477 (RS 2477). ANY QUESTIONS REGARDING THESE ROUTES SHOULD BE DIRECTED TO THE REFUGE MANAGER.

KANUTI NATIONAL WILDLIFE REFUGE
POSSIBLE RS 2477 RIGHTS-OF-WAY

The following possible RS 2477 rights-of-way have been identified within the boundaries of Kanuti National Wildlife Refuge, according to the 1974 Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

QUAD 117 - Trail 49 Winter Trail Bettles to Stevens Village
(near east border of map)

Identification - Winter trail from Bettles Field to Stevens Village

Description: The trail starts in Bettles, T24N, R18W, FM and runs southeasterly across the south fork of Koyukuk River, Bonanza Creek, Fish Creek, to mouth, crosses divide to Kanuti River, crosses divide to west fork of Dall River across to Coal Creek downstream to Dall River through Dall River Flats east to Stevens Village T14N, R7W, FM, through Horseshoe Lake southeast across Yukon River via Jackson Island to Jackson Lake easterly to Ross Creek, up Ross Creek to divide into Rogers Creek south to Ely to Gatlena Gap, south to Hess Creek, southerly up south fork of Hess Creek to Hess Creek Dam, joining the highway system north out of Livengood, T9N, R4W, FM.

QUAD 117 - Trail 54 Bettles to Allakaket (below Old Bettles)

Identification - Bettles to Allakaket Trail

Description: The trail begins in T24N, R18W, FM at Bettles and runs southwesterly across Thicket Creek to head of Peavy Creek, on southwesterly across Henshaw Creek to Allakaket in T20N, R24W, FM.

QUAD 117 - Trail 55 Fort Gibbon/Koyukuk Trail (240 miles)
(northwest corner of map)

Identification - Fort Gibbon/Koyukuk Trail #29 connects Fort Gibbon with Bettles in the Koyukuk Region

Description: The trail is notated in Alaska Road Commission annual reports as a 240 mile trail. It is the old mail trail from Fort Gibbon to Coldfoot Road. Distance of this trail formerly given as 100 miles, which included the trail only as far as Arctic City. Between Alatna and Bettles the trail has 3 variations.

QUAD 117 - Trail 56 (south of Old Bettles)

Identification - Trail from Ned's Lake in T20N, R23W, FM through Bettles and Coldfoot, onto Smith Creek Dome

Description: The trail begins at Ned's Lake and junction with 63, T20N, R23W, FM, thence east and north along the Koyukuk River to Bettles, thence continuing along the Koyukuk River and the middle fork of the Koyukuk on the south side through Tramway Bar and Coldfoot and onto Wiseman, thence up Wiseman Creek to Nolan Creek and Nolan, thence up Nolan Creek to Smith Creek Dome.

QUAD 117 - Trail 62 (northeast corner of map)

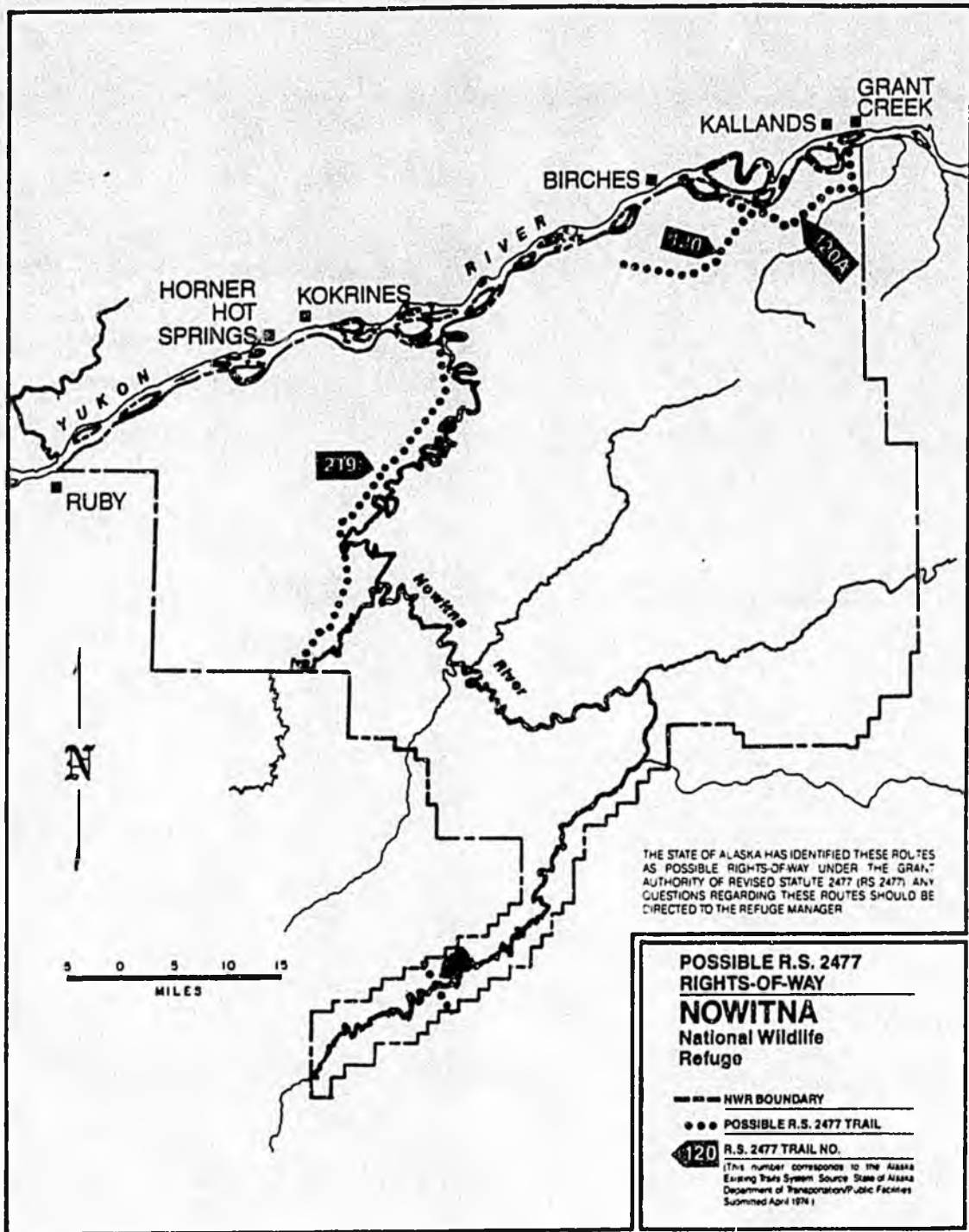
Identification - Bettles PO to south fork of Koyukuk River

Description: The trail runs from Bettles Post Office southeasterly to south fork of Koyukuk River, T23N, R17W.

QUAD 117 - Trail 63 (north of Kanuti River)

Identification - Winter trail from Allakaket southeast to a point 1 mile northwest of Taiholman Lake.

Description: The trail begins at Allakaket and travels southeast through Kadakina Lake to a mile northwest of Taiholman Lake.



NOWITNA NATIONAL WILDLIFE REFUGE
POSSIBLE RS 2477 RIGHTS-OF-WAY

The following possible RS 2477 rights-of-way have been identified within the boundaries of Nowitna National Wildlife Refuge, according to the 1974 Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

QUAD 98 - Trail 219 Telida Trail (west of Nowitna River)

Identification - Indian Winter Trail, Quads 98 & 89

Description: The trail runs from Telida northwest through Paradise Pass west to Browns Fork and northerly across Sulakna River and Norutna River up around Monsonites Hills and down Sulatna River to Norvitna River then down Norvitna River to Novokaket on Yukon River.

QUAD 106 - Trail 120 (south of Yukon River)

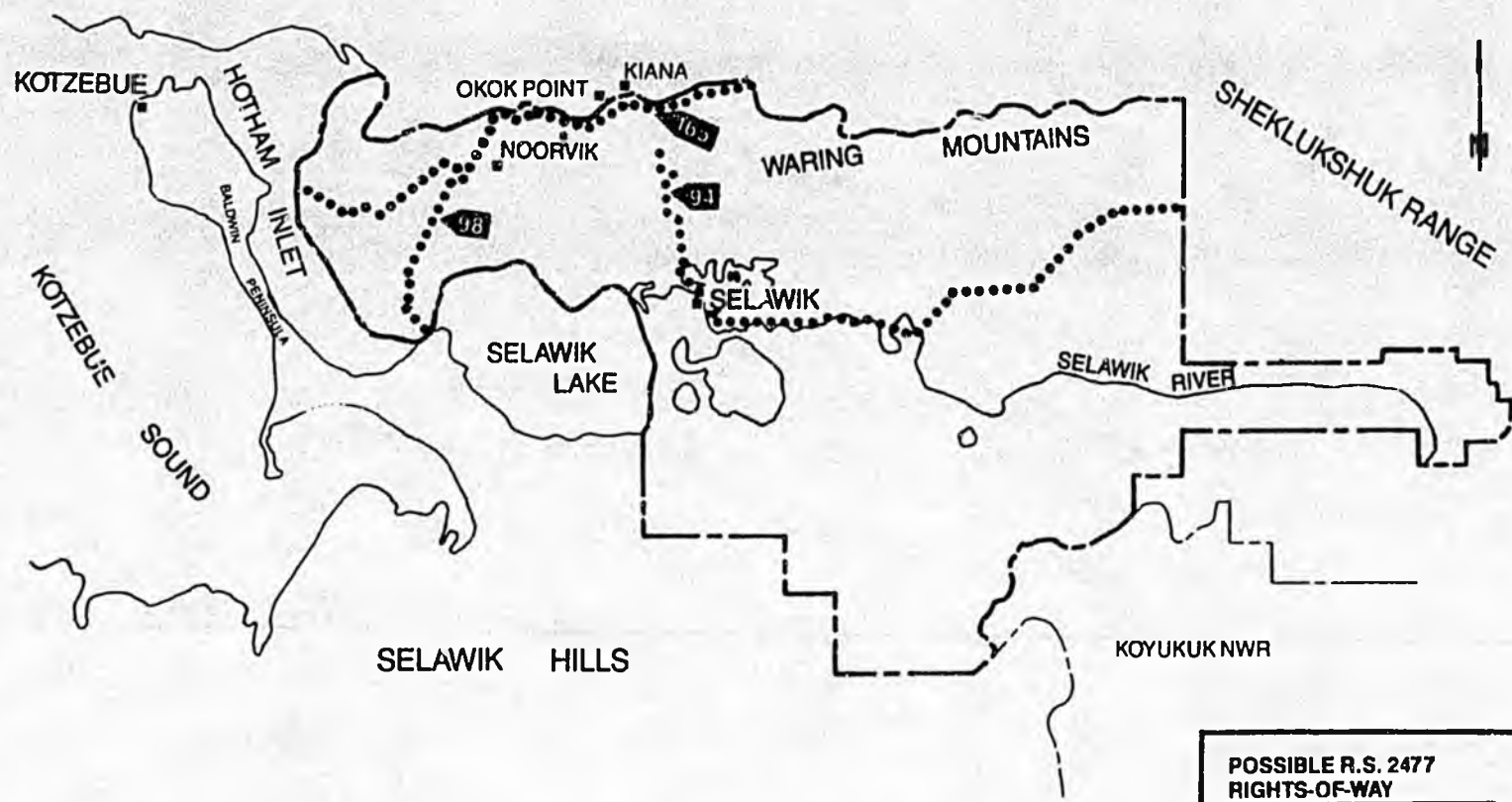
Identification - Trail from Klatsuta River to Yukon River

Description: The trail begins on the Klatsuta River south of birches, thence northeast to the Palisades, thence easterly and northerly to the Yukon River south of Grant Creek.

QUAD 107 - Trail 120A spur (same as above)

Identification - Trail from Klatsuta River to Yukon River

Description: The trail begins on the Klatsuta River south of birches, thence northeast to the Palisades, thence easterly and northerly to the Yukon River south of Grant Creek.



THE STATE OF ALASKA HAS IDENTIFIED THESE ROUTES AS POSSIBLE RIGHTS-OF-WAY UNDER THE GRANT AUTHORITY OF REVISED STATUTE 2477 (RS 2477). ANY QUESTIONS REGARDING THESE ROUTES SHOULD BE DIRECTED TO THE REFUGE MANAGER.



Total acreage within refuge: 3,220,000 ± Ac.



POSSIBLE R.S. 2477 RIGHTS-OF-WAY

SELAWIK
National Wildlife Refuge

--- NWR BOUNDARY

●●● POSSIBLE R.S. 2477 TRAIL

94 R.S. 2477 TRAIL NO.

(This number corresponds to the Alaska Existing Trails System. Source: State of Alaska Department of Transportation/Public Facilities. Submitted April 1974.)

SELAWIK NATIONAL WILDLIFE REFUGE
POSSIBLE RS 2477 RIGHTS-OF-WAY

The following possible RS 2477 rights-of-way have been identified within the boundaries of Selawik National Wildlife Refuge, according to the 1974 Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

QUAD 114 - Trail 94 Shungnak, Selawik, Kiana Trail (above Selawik)

Identification - Shungnak, Selawik, Kiana Trail

Description: The trail begins in Shungnak in T17N, R8E, KRM and runs westerly across and up Black River, south of Shaleruckik Mountain, to Kerchurak Creek to Kugarak River downstream to Selawik River to Selawik on Niglaktak Lake, T14N, R6W, KRM, thence northerly across Shogvik Lake and Oblaron Creek, across divide Howkley Hills down Portage Creek to Kobuk River.

QUAD 114 - Trail 98 Noorvik to Kiwalik Easterly Route (south of Noorvik)

Identification - Noorvik to Kiwalik Route

Description: The trail begins in T17N, R11W, KRM, and runs along Nazuruk Channel southerly to Attiunik Channel, across outlet of Selwaik Lake southeasterly and south across Baldwin Peninsula to Eschscholtz Bay, around bay crossing Buckland River, westerly around edge of bay to Elephant Point, southeasterly to Kiwalik on coast at mouth of Kiwalik River, T7N, R15W, KRM.

QUAD 114 - Trail 165 Kotzebue to Shungnak (200 mile trail) (from Okok Point through Kiana)

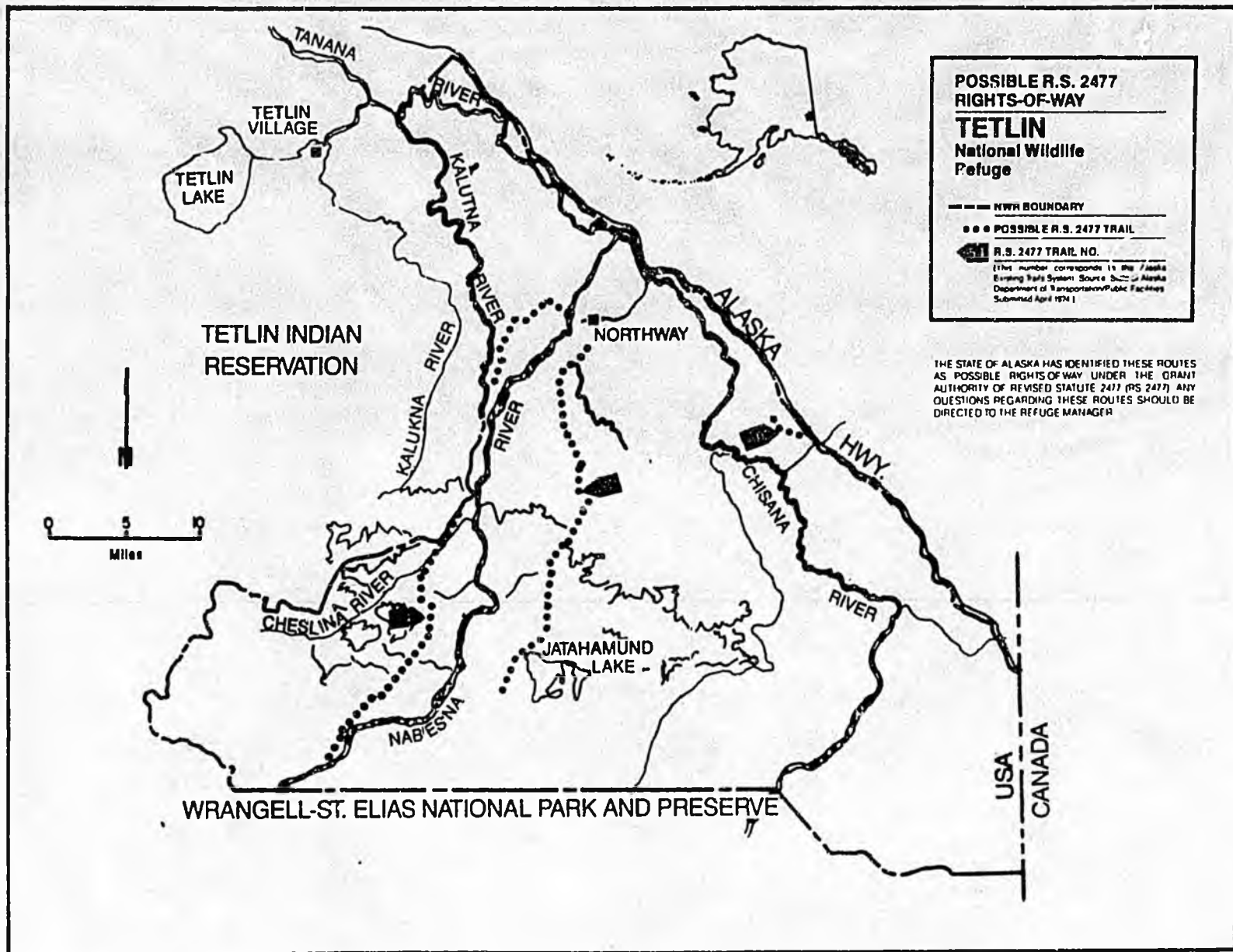
Identification - Kotzebue to Shungnak Trail

Description: Winter trail extending from Kotzebue across to mainland and up Kobuk River to Shungnak, ending in Trail System 95A.

QUAD 115 - Trail 94 Shungnak, Selawik, Kiana Trail (south of Kiana)

Identification - Shungnak, Selawik, Kiana Trail

Description: The trail begins in Shungnak in T17N, R8E, KRM and runs westerly across and up Black River, south of Shaleruckik Mountain, to Kerchurak Creek to Kugarak River downstream to Selawik River to Selawik on Niglaktak Lake, T14N, R6W, KRM, thence northerly across Shogvi' Lake and Oblaron Creek, across divide Howkley Hills down Portage Creek to Kobuk River.



TETLIN NATIONAL WILDLIFE REFUGE
POSSIBLE RS 2477 RIGHTS-OF-WAY

The following possible RS 2477 rights-of-way have been identified within the boundaries of Tetlin National Wildlife Refuge, according to the 1974 Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

QUAD 84 - Trail 54 (near Cheslina River)

Identification - Quad 84, Nabesna

Description: The trail begins in Sec 27, T9N, R15E and ends at Nabesna village in Sec 22, T14N, R18E.

QUAD 84 - Trail 57 (see center of map, south of Northway)

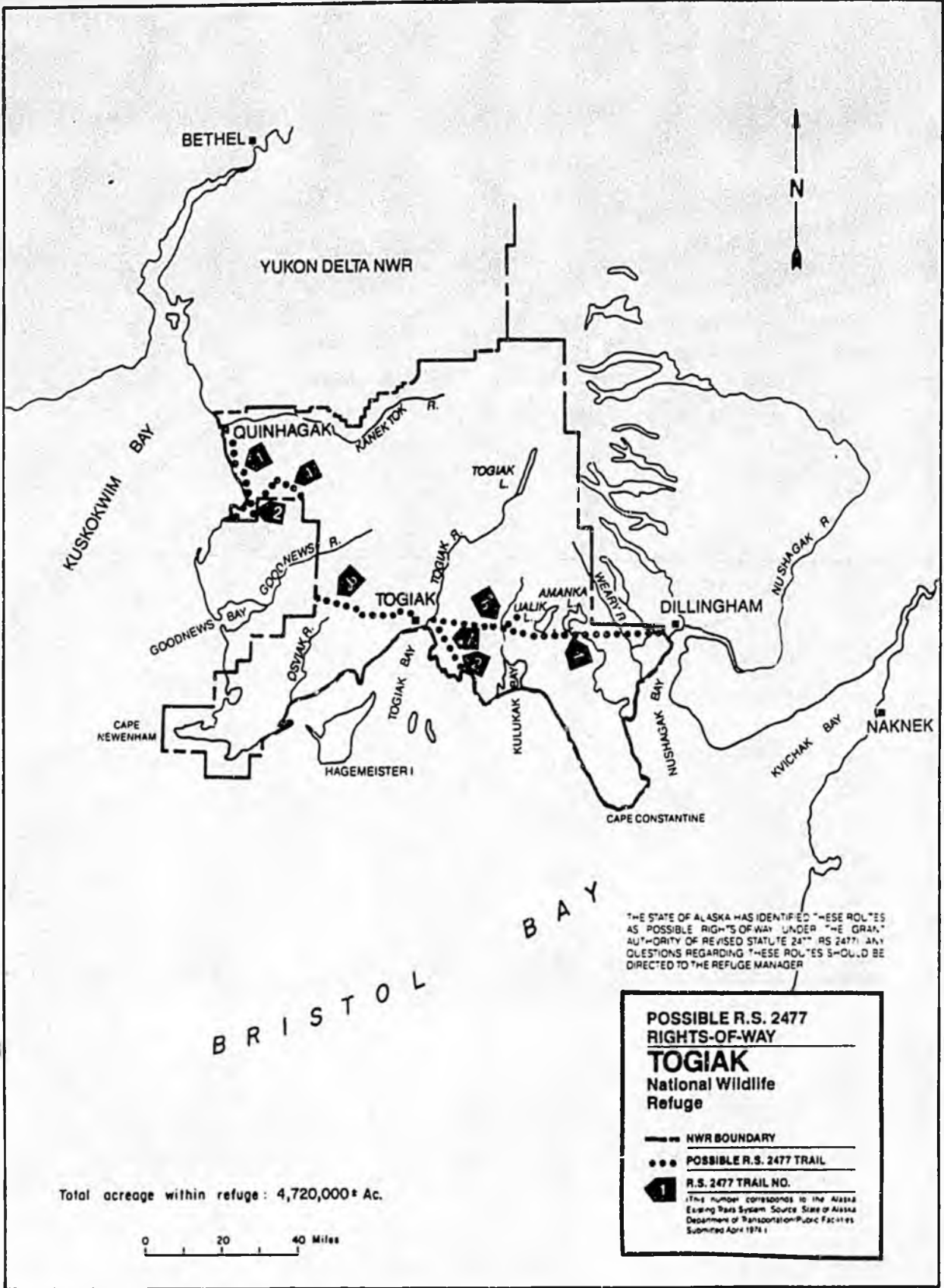
Identification - Quad 84, Nabesna

Description: The trail begins in Sec 30, T10N, R18E and ends in Northway, Sec 25, T14N, R18E (beside airport).

QUAD 84 - Trail 60 (near Alaska Highway)

Identification - Quad 84, Nabesna

Description: The trail begins on Alaska Highway in N 1/2 Sec 30, T13N, R21E and ends in campground on Deadman Lake in Sec 24, T13N, R20E.



TOGIAK NATIONAL WILDLIFE REFUGE
POSSIBLE RS 2477 RIGHTS-OF-WAY

The following possible RS 2477 rights-of-way have been identified within the boundaries of Togiak National Wildlife Refuge, according to the 1974 Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

QUAD 39 - Trail 2 Togiak to Ungalikthluk (east of Togiak Bay)

Identification - Quad 39, Hagemeister Island

Description: The trail is the winter trail between Togiak and Ungalikthluk. The trail continues in Quad 53 (Goodnews) as Trail 7.

QUAD 52 - Trail 1 Manokotak to Dillingham Winter Trail (west of Dillingham)

Identification - Quad 52, Dillingham

Description: The trail is the Manokotak to Dillingham Winter Trail. It continues as Trail 6 in Quad 53 (Goodnews).

QUAD 53 - Trail 1 Bethel to Goodnews Bay Winter Trail (below Quinhagak)

Identification - Quad 53, Goodnews

Description: The trail is the Bethel to Goodnews Bay Winter Trail which runs through Quinhagak to Goodnews. The trail continues as Trail 2 in Quad 54 (Kuskokwim Bay).

QUAD 53 - Trail 2 Jacksmith Bay/Goodnews Summer Trail (below Quinhagak)

Identification - Quad 53, Goodnews

Description: The trail runs from Jacksmith Bay via Twin Mountain to Goodnews Trail.

QUAD 53 - Trail 4 Goodnews to Arolik River Mining Area
(below Quinhagak)

Identification - Quad 53, Goodnews

Description: The trail runs from Goodnews to Barnum via Wagon Road and on to Arolik River Mining Area via summer and winter trails.

QUAD 53 - Trail 6 Goodnews/Togiak/Manokotak Winter Trail
(east/west of Togiak, marked twice)

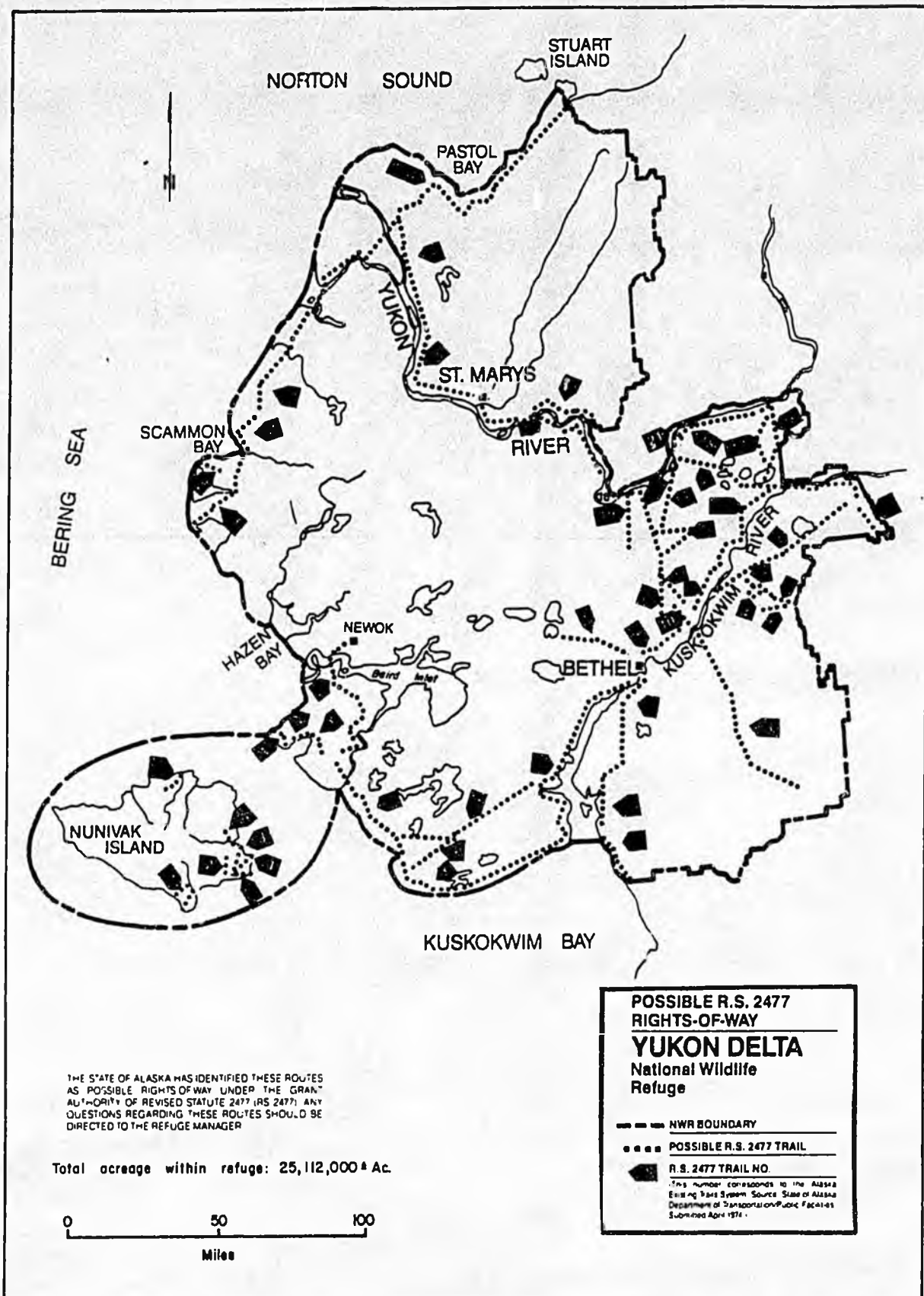
Identification - Quad 53, Goodnews

Description: The trail runs from Goodnews Bay via Togiak and Twin Hills to Dillingham with a spur to Manokotak. Trail continues as Trail 1 in Quad 52 (Dillingham).

QUAD 53 - Trail 7 Togiak to Ungalikthluk Winter Trail
(southeast of Togiak, lower part shown as Trail 2)

Identification - Quad 53, Goodnews

Description: The trail runs from Togiak to Ungalikthluk. It continues as Trail 2 in Quad 39 (Hagemeister Island).



YUKON DELTA NATIONAL WILDLIFE REFUGE
POSSIBLE RS 2477 RIGHTS-OF-WAY

The following possible RS 2477 rights-of-way have been identified within the boundaries of Yukon Delta National Wildlife Refuge, according to the 1974 Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

Note: Several of the 19 trail systems in this refuge continue through several quads, therefore they have been cross-referenced to other trail numbers of the same origin, as identified as in the trails inventory.

QUAD 54 - Trail 1 Nightmute/Bethel (see #58-3, 58-4)
(shoreline of Kuskokwim Bay)

Identification - Quad 54, Kuskokwim Bay

Description: The trail travels from Nightmute via Chefornek, Kipnuk, Kwigillingok, Kongiganak and Tuntutuliak to Bethel; winter trail.

QUAD 54 - Trail 2 Bethel/Goodnews Winter Trail (see #58-6, 53-1) (shoreline of Kuskokwim Bay)

Identification - Quad 54, Kuskokwim Bay

Description: The trail travels from Bethel to Goodnews Bay.

QUAD 55 - Trail 1 (south side of Nunivak Island)

Identification - Quad 55, Cape Mendenhall, T4,5S, R98W, SM

Description: The trail runs from Two Lakes, T5S, R98W, northeast to Duchikthluk Bay mouth then southwest to Marsh.

QUAD 55 - Trail 2 (south side of Nunivak Island)

Identification - Quad 55, Cape Mendenhall, T2,3S, R96W, SM

Description: The trail runs north-south direction between unnamed lakes and rivers.

QUAD 55 - Trail 3 (east side of Nunivak Island)

Identification - Quad 55, Cape Mendenhall, T3S, R96W, SM

Description: The trail runs north-south connecting unnamed lakes.

QUAD 55 - Trail 4 (southeast side of Nunivak Island)

Identification - Quad 55, Cape Mendenhall, T3S, R95,95W, SM

Description: The trail runs southwest to northeast connecting unnamed lakes in area.

QUAD 55 - Trail 5 (southeast side of Nunivak Island)

Identification - Quad 55, Cape Mendenhall, T3S, R96W, SM

Description: The trail runs east-west connecting unnamed lakes in area just north of Nakooytoolekmint site.

QUAD 57 - Trail 1 Tanunak to Toksook Bay (below Hazen Bay)

Identification - Quad 57, Nunivak Island, T6N, R89W, SM

Description: The trail runs from the village to Tanunak to the village of Toksook Bay, all season trail.

QUAD 57 - Trail 2 Toksook Bay to Nightmute (see #58-1) (below Hazen Bay)

Identification - Quad 57, Nunivak Island, T5N, R89W, SM

Description: The trail runs from Toksook Bay to Nightmute; summer and winter trail.

QUAD 57 - Trail 3 (north side of Nunivak Island)

Identification - Quad 57, Nunivak Island, T3N, R98,99W, SM

Description: The trail leads from landing area east by northeast to Shoal Bay.

QUAD 57 - Trail 4 (northeast side of Nunivak Island)

Identification - Quad 57, Nunivak Island, T1,2S, R95,96W, SM

Description: The trail begins at Ingrimut camp site T1S, R96W and runs south past Twin Mountains then southeast to Etolin Strait ending in T2S, R95W.

QUAD 58 - Trail 1 Toksook Bay to Nightmute (see #57-2) (southwest of Baird Inlet)

Identification - Quad 58, Baird Inlet, T5N, R89W, SM

Description: The trail runs from Toksook Bay to Nightmute; summer and winter trail.

QUAD 58 - Trail 2 Nightmute to Newtok (below Newtok)

Identification - Quad 58, Baird Inlet, T5N, R86,87W, SM

Description: The trail begins at Nightmute and runs generally in northeast to northwest direction to Newtok crossing the Ninglick River.

QUAD 58 - Trail 3 Nightmute to Bethel (see #54-1) (south of Baird Inlet)

Identification - Quad 58, Baird Inlet

Description: The trail travels from Nightmute via Chefornek, Kipnuk, Kwigillingok, Kongiganak and Tuntutuliak to Bethel; winter trail.

QUAD 58 - Trail 4 Chefornek to Tuntutuliak with spur (see 54-1) (above Kuskokwim Bay)

Identification - Quad 58, Baird Inlet

Description: The trail is a 75 mile section from Tuntutuliak to Kipnuk; from Chefornek to Tuntutuliak with a spur to Kipnuk; winter trail.

QUAD 58 - Trail 5 Kasigluk to Bethel (see# 59-2) (west of Bethel)

Identification - T9N, R74W, SM

Description: The trail runs from Kasigluk via Nunapitchuk to Bethel; winter trail.

QUAD 58 - Trail 6 Bethel/Goodnews Bay Winter Trail (see #54-2, 59-3 (south of Bethel)

Identification - Quad 58, Baird Inlet

Description: The trail runs from Bethel via Naparskak, Eek and Quinhagak to Goodnews Bay.

QUAD 59 - Trail 1 Tuntutuliak to Bethel (see #58-3) (continuation of Trail 3 south of Baird Inlet; shown as #3)

Identification - T7N, R71W, SM

Description: The trail runs from Johnson River - Kinak Trail 92 from Tuntutuliak to Bethel; winter trail.

QUAD 59 - Trail 2 Bethel to Kasigluk (see #58-5)
(continuation of Trail 5 west of Bethel; shown as #5)

Identification - Quad 59, Bethel

Description: The trail runs from Bethel to Kasigluk.

QUAD 59 - Trail 3 Bethel/Goodnews Bay Winter Trail(see 58-6)
(continuation of Trail 6 south of Bethel; shown as #6)

Identification - Quad 59, Bethel

Description: The trail runs from Bethel to Goodnews.

QUAD 59 - Trail 4 Bethel/Tuluksak (see #73-1) 44 miles
(north of Bethel)

Identification - Quad 59, Bethel

Description: The trail runs from Bethel to Tuluksak.

QUAD 59 - Trail 5 Tuluksak/Bear Creek (see #73-5) (Trail 5
nearest east border of map)

Identification - Quad 59, Bethel

Description: The trail runs 9 miles east of Tuluksak on the
Tuluksak River (at the NYAC storage building) easterly to
NYAC, 32 miles.

QUAD 59 - Trail 6 Upper Landing Bear Creek (see #73-6)
(Trail system east of Kuskokwim River)

Identification - Quad 59, Bethel

Description: The trail runs 13 miles east, southeast of
Tuluksak on the Tuluksak River, up Tuluksak River to join #5
in T10N, R62W, SM.

QUAD 59 - Trail 8 Akiak/Canyon Creek (45 miles) (southeast
of Kuskokwim River)

Identification - Quad 59, Bethel

Description: The trail runs from Akiak to Canyon Creek; 45
miles.

QUAD 59 - Trail 9 Akiakchak/Ohogamute (see #73-9) (north of
Bethel)

Identification - Quad 59, Bethel

Description: Trail runs from Akiakchak to Ohogamute.

QUAD 59 - Trail 10 Akiak/Russian Mission (see #73-8) 75 miles (north of Bethel)

Identification - Quad 59, Bethel

Description: The trail runs from Akiak on Kuskokwim River to Russian Mission on Yukon River (assumed route went from Phillips Bros. to Tundra George to approximate mileage.)

QUAD 73 - Trail 1 Bethel/Tuluksak (see #59-4) 44 miles (above Kuskokwim River)

Identification - Quad 73, Russian Mission

Description: The trail runs from Bethel to Tuluksak.

QUAD 73 - Trail 2 Aniak/Tuluksak (60 miles) (east of Kuskokwim River)

Identification - Quad 73, Russian Mission

Description: The trail runs from Aniak to Tuluksak.

QUAD 73 - Trail 3 Yukon/Kuskokwim/Portage (120 miles) (north of Kuskokwim River)

Identification - Quad 73, Russian Mission

Description: The trail runs from Aniak to Russian Mission (on Yukon).

QUAD 73 - Trail 5 Tuluksak/Bear Creek (see #59-5) (east of Kuskokwim River)

Identification - Quad 73, Russian Mission

Description: The trail runs 9 miles east of Tuluksak on the Tuluksak River (at the NYAC storage building) easterly to NYAC, 32 miles.

QUAD 73 - Trail 6 Upper Landing Bear Creek (see #59-6) (Trail system east of Kuskokwim River)

Identification - Quad 73, Russian Mission

Description: The trail runs 13 miles east, southeast of Tuluksak on the Tuluksak River, up Tuluksak River to join #5 in T10N, R62W, SM.

QUAD 73 - Trail 7 Marvel Creek (east border of map)

Identification - Quad 73, Russian Mission

Description: The trail departs #2 five miles south of Aniak southerly to Marvel Creek in T9N, R58W, SM; 60 miles.

QUAD 73 - Trail 8 Akiak/Russian Mission (75 miles - see #59-10) (northeast of Bethel)

Identification - Quad 73, Russian Mission

Description: The trail runs from Akiak on Kuskokwim River via Big Fritz, Phillips Bros, Tundra George to Russian Mission on Yukon River (assumed route went from Phillips Bros. to Tundra George to approximate mileage.)

QUAD 73 - Trail 9 Akiakchak/Ohogamute (see #59-9) (north of Bethel)

Identification - Quad 73, Russian Mission

Description: Trail runs from Akiakchak to Ohogamute.

QUAD 73 - Trail 10 Bennett's Cutoff (18 miles) (southeast of Yukon River)

Identification - Quad 73, Russian Mission

Description: The trail leaves #8 near Tundra George, runs northwest to Yukon River to Toklik, Ohogamut, Kakamut, etc.

QUAD 73 - Trail 11 Phillips Bros/Phillips/Tundra George (southeast of Yukon River)

Identification - Quad 73, Russian Mission

Description: The trail runs from Phillips Bros. via Phillips to Tundra George.

QUAD 73 - Trail 13 Tuluksak/Kalskaq (near Kuskokwim River)

Identification - Quad 73, Russian Mission

Description: The trail runs from Tuluksak to Kalskaq.

QUAD 73 - Trail 16 Holy Cross/Kalskag (56 miles - see #78-1)
(northeast corner of map)

Identification - Quad 73, Russian Mission

Description: The trail runs from Lower Kalskag on the Kuskokwim River, north via Paimiut on the Yukon River to Holy Cross.

QUAD 73 - Trail 17 Paimiut/Portage (alternate trail)
(northeast corner of map)

Identification - Quad 73, Russian Mission

Description: The trail is an alternate trail; both trails terminate on the Paimiut Portage Trail. The southern end is at the south shore of a large lake (unnamed).

QUAD 73 - Trail 18 Paimiut/Marshall (see #74-2) (northeast corner of map)

Identification - Quad 73, Russian Mission

Description: The trail runs west along the north bank of the Yukon River from Paimiut via Russian Mission. At Russian Mission the trail goes overland, westward to Marshall also on the Yukon River. The eastern terminus of this trail is at Paimiut where it joins the Holy Cross/Kalskag Trail.

QUAD 73 - Trail 19 Toklik South Trail (south of Yukon River)

Identification - Quad 73, Russian Mission

Description: Toklik on the north bank of the Yukon is the point of which the trail crosses the river and heads south for about 10 miles into low hilly country.

QUAD 74 - Trail 1 Yukon River Winter Trail (see 73-18, 77-2)
(winds along Yukon River)

Identification - Quad 74, Marshall

Description: The trail runs from Pilot Station to Kotlik via north bank of Yukon River with alternate routes in area of Pilot Station to Marshall.

QUAD 74 - Trail 2 Paimiut/Marshall (see #73-18) (north of Yukon River)

Identification - Quad 74, Marshall, T21N, R70W, SM

Description: Marshall on Poltes Slough is the western terminus of this trail. At Paimiut the trail joins the Holy Cross/Kalskag Trail.

QUAD 75 - Trail 1 Scammon Bay/Hooper Bay Winter Trail (south of Scammon Bay)

Identification - T17N, R90W, SM

Description: The trail runs from Scammon Bay southwest to Hooper Bay.

QUAD 75 - Trail 2 Scammon Bay/Hamilton/St. Michaels Winter Trail (see #76-1) (east of Scammon Bay)

Identification - Quad 75, Hooper Bay

Description: The trail runs from Scammon Bay via Black River crossing Alakanuk, Hamilton, Pastpolik to St. Michael and Stebbins.

QUAD 75 - Trail 3 (no name) (south of Scammon Bay)

Identification - Quad 75, Hooper Bay

Description: The trail runs from the mouth of Nilmut River northeast toward Towak Mountains.

QUAD 76 - Trail 1 Scammon Bay/Hamilton/St. Michael Winter Trail (see #75-2, 77-1) (north of Scammon Bay)

Identification - Quad 76, Black

Description: The trail runs from Scammon Bay via Black River crossing Alakanuk, Hamilton, Pastolik to St. Michael and Stebbins.

QUAD 77 - Trail 1 Scammon Bay /Hamilton/St. Michael Winter Trail (see #76-1, 92-154) (same as above - marked only once)

Identification - Quad 77, Kwiguk

Description: The trail runs from Scammon Bay via Black River crossing Alakanuk, Hamilton, Pastolik to St. Michael and Stebbins.

QUAD 77 - Trail 2 Yukon River Winter Trail (see #74-1)
(lower part shown as Trail 8)

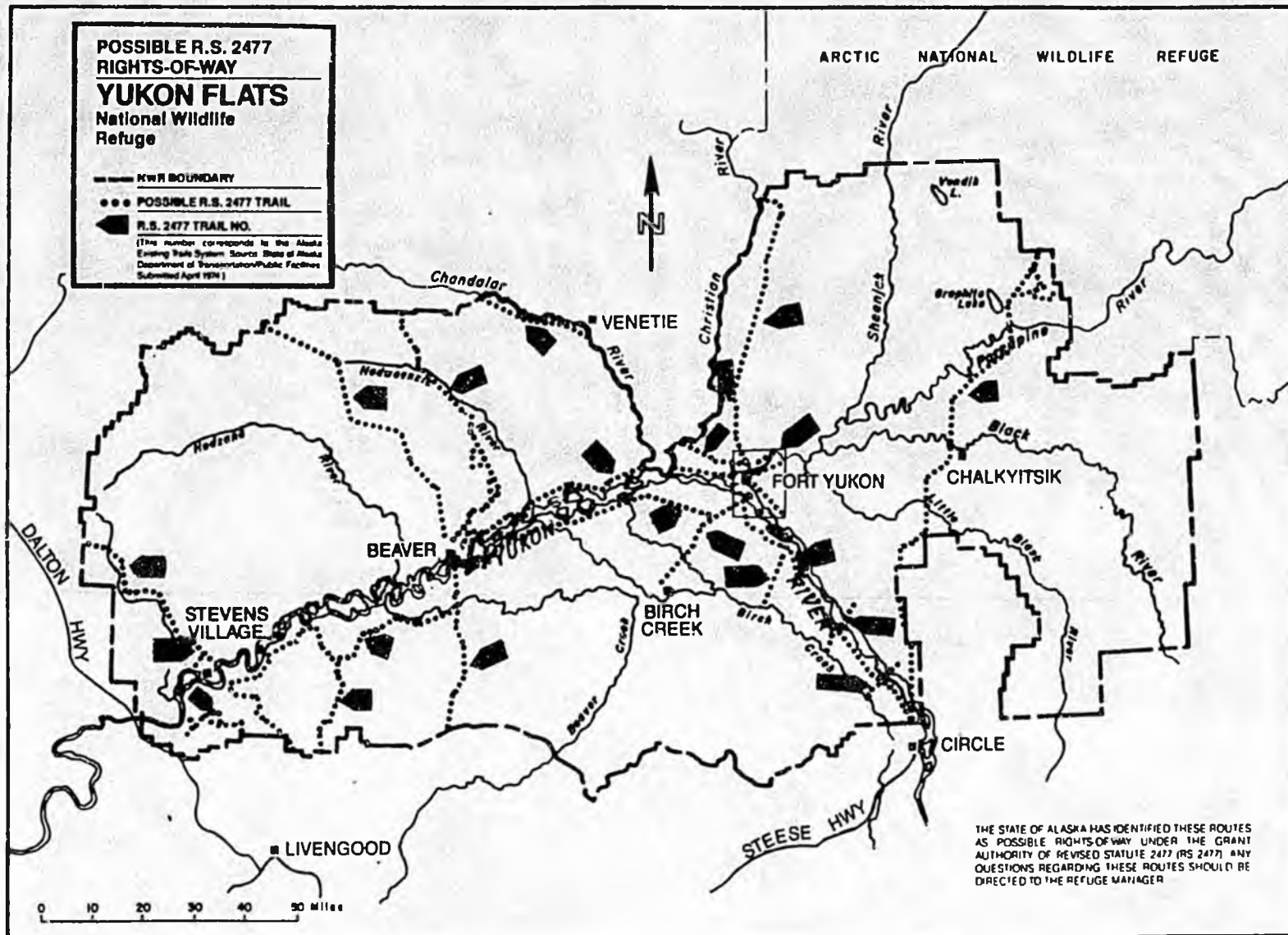
Identification - Quad 77, Kwiguk

Description: The trail runs from Hamilton via east bank and north bank of Yukon River to Pilot Station.

QUAD 92 - Trail 154 St. Michael/Kotlik (see #77-1) (west of Pastol Bay)

Identification - Quad 92, St. Michael, T28S, R26W, KRM

Description: The trail runs approximately 30 miles, traverses lake and inlets on Bering Sea coast or the sea ice itself. From St. Michaels it follows left bank of St. Michaels canal for 8 miles, then crosses the canal to mainland, thence in southwesterly direction of Pitmatalik Village, a distance of 27 miles, thence back to Pt. Romanof to beach 7 miles, thence to Coffee Point 12 miles, then by Pastolik to Kotlik 12 miles, thence southwest off the map.



YUKON FLATS NATIONAL WILDLIFE REFUGE
POSSIBLE RS 2477 RIGHTS-OF-WAY

The following possible RS 2477 rights-of-way have been identified within the boundaries of Yukon Flats National Wildlife Refuge, according to the 1974 Alaska Existing Trails System inventory. The trails are listed by quadrangles corresponding to the U.S.G.S. 1:250,000 scale map series for Alaska.

Note: Several of the 21 trail systems in this refuge continue through several quads, therefore some trail numbers appear twice (different quad).

QUAD 104 - Trail 202 Circle to Fort Yukon (below Fort Yukon)

Identification - Winter trail from Circle to Fort Yukon

Description: The winter trail extends from Circle at end of Steese Road, parallels Yukon River on its LL to within 16 miles of Fort Yukon from which point it follows the river ice.

QUAD 104 - Trail 202A Circle/Fort Yukon, Spur #4 (above Circle)

Identification - Quad 104, Circle

Description: The trail is noted as Spur #4 which runs from Twenty-two Mile Village thence southwest to a point on Birch Creek.

QUAD 105 - Trail 49 Winter Trail Bettles to Stevens Village (west border of map, near Dalton Highway)

Identification - Winter trail from Bettles Field to Stevens Village

Description: The trail starts in Bettles, T24N, R18W, FM and runs southeasterly across the south fork of Koyukuk River, Bonanza Creek, Fish Creek, to mouth, crosses divide to Kanuti River, crosses divide to west fork of Dall River across to Coal Creek downstream to Dall River through Dall River Flats east to Stevens Village T14N, R7W, FM, through Horseshoe Lake southeast across Yukon River via Jackson Island to Jackson Lake easterly to Ross Creek, up Ross Creek to divide into Rogers Creek south to Ely to Gatlena Gap, south to Hess Creek, southerly up south fork of Hess Creek to Hess Creek Dam, joining the highway system north out of Livengood, T9N, R4W, FM.

QUAD 105 - Trail 61 (connecting Trails 49 and 57) (southwest corner of map)

Identification - Trail connecting Trails 49 and 57

Description: The trail runs from the junction with Trail 49 in T11N, R4W, FM north to Ely over highlands, north through T12-14N, R3W, FM in Livengood and Beaver quads to Trail 57.

QUAD 105 - Trail 64 (Livengood to Hamlin) (below Stevens Village)

Identification - Trail from Livengood to Fort Hamlin

Description: The trail runs north over Livengood Dome across headwaters of Lost Creek over divide to head of McHugh Creek, down creek to Hess Creek, across Hess Creek over divide to Fish Creek, across it over divide to Rogers Creek northwesterly to Fort Hamlin T12N, R8W, FM with alternate routes between Livengood and Hess Creek.

QUAD 105 - Trail 205 Chatanika/Yukon Trail (100 miles) (south of beaver)

Identification - Fairbanks to the Chandler Mining Region

Description: In 1913 the Alaska Road Commission noted the trail was referred to as the Chatanika/Beaver Trail; was used in 1922 as winter trail between Chatanika at end of branch of government railroad and town of Beaver in Yukon (120 miles.) In 1927, notation made to extend trail from Old Snowshoe Roadhouse, 14 miles from Olnes on Olnes - Livengood Trail down Wickersham and Beaver Creeks to T10N, R1W, then north to Victoria Creek then down creek to Bull Creek, then up west fork of creek across mountains to a creek in T13N, R1E, then north to Twin Lakes and intersection of Trail 57, then north across Yukon River to Beaver.

QUAD 118 Trail 37 (northcentral of Yukon River)

Identification - Beaver quad, trail from Fort Yukon along the Yukon River to Beaver

Description: The trail begins at Fort Yukon, thence westerly along the north bank of the Yukon River to Beaver.

QUAD 118 Trail 38 (south of Yukon River)

Identification - Beaver, Fort Yukon quads, trail from the Spur 202D of the Circle/Fort Yukon Trail 20 to Beaver.

Description: The trail begins at a point on the Circle/Fort Yukon spur 202D, which is 12 miles southwest of Fort Yukon, thence westerly along the south bank of the Yukon River to Beaver.

QUAD 118 - Trail 43 Beaver to Horse Creek (south of Hadweenzic River)

Identification - Beaver to Horse Creek Trail

Description: The trail runs from Beaver northwesterly along the ridge between Hadweenzic Creek and Hodzana Creek to Trout Creek, along Trout Creek over the divide into Trail Creek along Trail Creek to west fork of Chandalar River, thence northerly to north fork of Chandalar River, along the north fork to Horse Creek.

QUAD 118 - Trail 49 Winter Trail Bettles to Stevens Village (near Dalton Highway, above Stevens Village)

Identification - Winter trail from Bettles Field to Stevens Village

Description: The trail starts in Bettles, T24N, R18W, FM and runs southeasterly across the south fork of Koyukuk River, Bonanza Creek, Fish Creek, to mouth, crosses divide to Kanuti River, crosses divide to west fork of Dall River across to Coal Creek downstream to Dall River through Dall River Flats east to Stevens Village T14N, R7W, FM, through Horseshoe Lake southeast across Yukon River via Jackson Island to Jackson Lake easterly to Ross Creek, up Ross Creek to divide into Rogers Creek south to Ely to Gatlena Gap, south to Hess Creek, southerly up south fork of Hess Creek to Hess Creek Dam, joining the highway system north out of Livengood, T9N, R4W, FM.

QUAD 118 - Trail 49A (near Stevens Village)

Identification - Trail 49A is spur from Trail 49 to landing area at Stevens Village

Description: The trail starts from point on Trail 49 about 1 mile south & 1 1/2 miles east of T14N, R7W, FM running westerly to Island Lake thence turning and running southeasterly to landing area northwest of Stevens Village.

QUAD 118 - Trail 57 (southwest of Beaver)

Identification - Trail from Ross Creek and Jackson Lake to Beaver

Description: The trail begins in T14N, R6W, FM and runs approximately 6 miles east of Stevens Village, south of Yukon River northeasterly to Rogers Creek and Jacobs Point easterly to New Lake, Tincan Lake, Beaverdam Lake, Twin Lakes northerly on Chatanika/Beaver Trail, T16N, R1E.

QUAD 118 - Trail 61 (southwest part of map)

Identification - Connecting Trails 49 and 57

Description: Trail runs from junction with Trail 49 in T11N, R4W, FM Livengood quad northeasterly over highlands, north through T12,13,14, R3W, FM in Livengood and Beaver quads to Trail 57.

QUAD 118 - Trail 205 Chatanika/Yukon Trail (south of Beaver)

Identification - Trail from Fairbanks to the Chandler Mining Region, 100 mile trail

Description: In 1913 the Alaska Road Commission noted the trail was referred to as the Chatanika/Beaver Trail; was used in 1922 as winter trail between Chatanika at end of branch of government railroad and town of Beaver in Yukon (120 miles.) In 1927, notation made to extend trail from Old Snowshoe Roadhouse, 14 miles from Olnes on Olnes - Livengood Trail down Wickersham and Beaver Creeks to T10N, R1W, then north to Victoria Creek then down creek to Bull Creek, then up west fork of creek across mountains to a creek in T13N, R1E, then north to Twin Lakes and intersection of Trail 57, then north across Yukon River to Beaver.

QUAD 118 - Trail 208 Yukon/Chandalar Sled Road (75 miles) (north of Beaver)

Identification - Connects Chandalar mining region with Yukon River and by a circuit route with Fairbanks

Description: The trail was referenced in the Alaska Road Commission 1913 annual report as Beaver/Chandalar Sled Road, 75 mile sled road connecting Beaver and Caro, from Beaver northeasterly past George Lake, Nine Mile Lake, Twelve Mile Lake, Fourteen Mile Lake to cabin in T20N, R3E, FM then northwest with 2 loops to 56 mile cabin in T25N, R1W, FM then northerly to 61 Mountain and Schilling Creek and junction with Trail 41 then northwesterly to Caro.

QUAD 119 - Trail 32 (above Chalkyitsik)

Identification - Northeast access through Chalkyitsik to Yukon Border

Description: The trail crosses Yukon/Alaska border in T14S, R48E, UPM, follows Bilwaddy Creek west approximately 10 miles southwest on the east side of the Coleen River crossing to the southwest in T28N, R22E, FM from here southwest to crossing of the Porcupine River in T25N, R20E, FM thence southwest along Porcupine approximately 25 miles turning due south through Chalkyitsik to Ohtig Lake then southwest approximately 18 miles turning due south in T18N, R17E, FM proceeds due south to Yukon River at a point approximately 10 miles north of Circle south to Trail 202.

QUAD 119 - Trail 34 Fort Yukon to Christian (north of Fort Yukon)

Identification - Fort Yukon to Christian

Description: The trail runs from Fort Yukon northwest to Alexander's Village, thence northeast via Joint Lake to a point approximately three miles east of Christian thence due east to Christian.

QUAD 119 - Trail 34A (north of Fort Yukon)

Identification - Alexander's Village to Veh-Tenjerlow Lakes

Description: The trail runs from Alexander's Village westerly across Christian River, thence west-northwest to Tsukon, thence northwest to Veh-Tenjerlow Lakes area T25N, R8E, FM.

QUAD 119 - Trail 34B (system around Fort Yukon)

Identification - Trail system of Trail 34 extending out from Fort Yukon in T23N, R12E, FM

Description: The trail runs from trail system 34 easterly from Fort Yukon in T23N, R12E, FM.

QUAD 119 - Trail 37 (northcentral, above Yukon River)

Identification - Trail from Fort Yukon along the Yukon River to Beaver

Description: The trail begins at Fort Yukon thence runs westerly along the north bank of the Yukon River to Beaver.

QUAD 119 - Trail 38 (south of Yukon River)

Identification - Trail from the Spur 202D of the Circle/Fort Yukon Trail 202 to Beaver

Description: The trail begins at a point on the Circle/Fort Yukon spur 202D which is 12 miles southwest of Fort Yukon, thence westerly along the south bank of the Yukon River to Beaver.

QUAD 119 - Trail 202 Circle to Fort Yukon (near Ft. Yukon)

Identification - Circle to Fort Yukon Trail

Description: The winter trail extends from Circle at end of Steese Road parallel Yukon River on its LL to within 16 miles of Fort Yukon from which it follows the river ice.

QUAD 119 - Trail 202A Circle to Fort Yukon Spur #4 (above Circle)

Identification - Trail from Twenty-two Mile Village to Birch Creek

Description: The trail begins at Twenty-two Mile Village, thence southwest to a point on Birch Creek.

QUAD 119 - Trail 202B Circle to Fort Yukon Spur #3 (above Circle)

Identification - Trail from halfway whirlpool to Birch Creek

Description: The trail begins at halfway whirlpool on the Yukon River, thence southeast to a point on Birch Creek.

QUAD 119 - Trail 202C Circle/Fort Yukon Spur#2(above Circle)

Identification - Trail running from Birch Creek in T16N, R12E, FM to a cabin south of the Circle/Fort Yukon Trail.

Description: The trail begins at a point on Birch Creek in T16N, R12E, FM thence northeast to a cabin just south of the Circle/Fort Yukon Trail #202.

QUAD 119 - Trail 202D (south of Fort Yukon)

Identification - Spur of Circle/Fort Yukon Trail traveling southwest to Birch Creek

Description: The trail begins at a point on the Fort Yukon - Circle Trail 3 miles southeast of Fort Yukon, thence southwest through Twelve Mile Lake to the town of Birch Creek.

QUAD 119 - Trail 212 (northwest of Fort Yukon)

Identification - Trail from Fort Yukon to cabins cutoff

Description: The trail runs from Fort Yukon northwest to cabins cutoff on Chandalar River in T21N, R8E, FM.

QUAD 120 - Trail 32 (north of Chalkyitsik)

Identification - Northeast access through Chalkyitsik to Yukon border

Description: The trail crosses Yukon/Alaska border in T14S, R48E, UPM, follows Bilwaddy Creek west approximately 10 miles southwest on the east side of the Coleen River crossing to the southwest in T28N, R22E, FM from here southwest to crossing of the Porcupine River in T25N, R20E, FM thence southwest along Porcupine approximately 25 miles turning due south through Chalkyitsik to Ohtig Lake then southwest approximately 18 miles turning due south in T18N, R17E, FM proceeds due south to Yukon River at a point approximately 10 miles north of Circle south to Trail 202.

QUAD 121 - Trail 32 (braided) (same as above)

Identification - Northeast access through Chalkyitsik to Yukon border

Description: The trail crosses Yukon/Alaska border in T14S, R48E, UPM, follows Bilwaddy Creek west approximately 10 miles southwest on the east side of the Coleen River crossing to the southwest in T28N, R22E, FM from here southwest to crossing of the Porcupine River in T25N, R20E, FM thence southwest along Porcupine approximately 25 miles turning due south through Chalkyitsik to Ohtig Lake then southwest approximately 18 miles turning due south in T18N, R17E, FM proceeds due south to Yukon River at a point approximately 10 miles north of Circle south to Trail 202.

QUAD 122 - Trail 34 Fort Yukon to Christian (above Ft. Yukon)

Identification - Fort Yukon to Christian

Description: The trail runs from Fort Yukon northwest to Alexander's Village, thence northeast via Joint Lake to a point approximately three miles east of Christian thence due east to Christian.

QUAD 122 - Trail 41 Coldfoot to Venetie (near Venetie)

Identification - Coldfoot to Venetie Trail

Description: The trail runs from Coldfoot easterly along Slate Creek to Boulder Creek thence southeasterly through Boatman Pass to west fork of Chandalar River, along the west fork to a crossing of the middle fork near Mary Lake then south of Mary Lake and Kobuk Lake to Caro, thence on the Beaver Caro Trail to Schilling Creek along the south bank of the Chandalar River to Chuttoh Bluffs and Venetie.

QUAD 123 - Trail 41 Coldfoot to Venetie (same as above)

Identification - Coldfoot to Venetie Trail

Description: The trail runs from Coldfoot easterly along Slate Creek to Boulder Creek thence southeasterly through Boatman Pass to west fork of Chandalar River, along the west fork to a crossing of the middle fork near Mary Lake then south of Mary Lake and Kobuk Lake to Caro, thence on the Beaver Caro Trail to Schilling Creek along the south bank of the Chandalar River to Chuttoh Bluffs and Venetie.

QUAD 123 - Trail 208 Yukon/Chandalar Sled Road (75 miles)
(along Hadweenzic River)

Identification - Connects Chandalar mining region with Yukon River and by a circuit route with Fairbanks

Description: The trail was referenced in the Alaska Road Commission 1913 annual report as Beaver/Chandalar Sled Road, 75 mile sled road connecting Beaver and Caro, from Beaver northeasterly past George Lake, Nine Mile Lake, Twelve Mile Lake, Fourteen Mile Lake to cabin in T20N, R3E, FM then northwest with 2 loops to 56 mile cabin in T25N, R1W, FM then northerly to 61 Mountain and Schilling Creek and junction with Trail 41 then northwesterly to Caro.

SECTION III - DEPARTMENT OF INTERIOR



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

October 23, 1985

Honorable John B. Coghill
Alaska State Senate
P.O. Box 268
Nenana, Alaska 99760

Dear Mr. Coghill:

As you know I recently visited Alaska and among other items of business I discussed the references to possible R.S. 2477 historic trails in the National Park Service general management plans with Regional Director Evison and Deputy Regional Director Peterson, as well as with the Citizens Advisory Commission on Federal Areas.

The National Park Service will include the R.S. 2477 identification maps supplied by the State of Alaska in the general management plans. Since these possible right-of-ways have, as yet, not been formally asserted or recognized, the National Park Service will include language on the maps to identify them as being included for informational purposes.

Recently, I requested Department of the Interior bureaus in Alaska, under the chairmanship of Ric Davidge, to work together as a task force in drafting guidelines for the receipt and processing of R.S. 2477 claim assertions in Alaska. This effort is in process now.

A copy of this letter will be forwarded to the Alaska Regional Directors; however, based on our August discussions in Anchorage, I am confident that those materials provided by the State will be included in the appropriate management plans.

Sincerely,

Assistant Secretary for
Fish and Wildlife and Parks



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

100 13 1985

Memorandum

To: Director, Fish and Wildlife Service
Director, National Park Service

From: Assistant Secretary for Fish and Wildlife and Parks

Subject: Identification and Assertion of Rights-of-Way by the State of Alaska or Other Claimants Under RS2477 Grant

As you know, the State of Alaska has begun a program of identifying possible rights-of-ways within the Alaska units of the National Park Service and the Fish and Wildlife Service. Since my last visit to Alaska I have given this program some thought and requested my Special Assistant in Alaska to chair a task force on the matter.

Of immediate concern is how we respond to the efforts of the State, or any other party, in receiving claim assertions or maps that identify possible rights-of-ways. While in Alaska I made the decision that it was in the public interest to include the maps provided by the Chairman of the Alaska State Senate Transportation Committee as an appendix in the Park Service General Management Plans. The inclusion of these maps in the GMP's provides the public general notice that the State believes there are potential pre-existing rights-of-ways in the park units. I am informed that normally the claim assertion process does not afford public notice and therefore have insisted that we include these maps in the plans.

It is important to recognize the difference between the "identification" of possible rights-of-ways and the formal assertion of a right-of-way claim under the RS2477 grant. The inclusion of these "identification maps" in no way establishes or recognizes a right-of-way or relinquishes rights-of-ways not identified. The map simply alerts the public and unit managers that these rights-of-ways may exist within the park or refuge under the RS2477 grant. I believe the inclusion of the maps in our plans to be in the public interest.

The State is also providing "identification" maps for each of the refuges in Alaska. It is my decision that each Comprehensive Conservation Plan for the refuges include these maps at the earliest practicable opportunity.

Although I recognize that some of the CCP's are finished and others are close to being completed, I ask you to include the maps in the proper

areas of the plans. It would be most effective to have these maps available in the DRAFT CCP's presented for public review. Each of the maps must be properly titled to assist plan reviewers in understanding that the maps only "identify" "possible" rights-of-ways within the refuge.

My staff in Alaska is in the process of providing, for our review, DRAFT guidelines on the receipt and processing of formal PS2477 claim assertions. The Bureau of Land Management in Alaska and in Washington, D.C. has been most helpful in this effort and we are building on their experience in this area. It is my intent to have you review the DRAFT Guideline for the receipt and processing of RS2477 claim assertions by the Fish and Wildlife Service and the National Park Service in Alaska soon.

At present neither agency has guidelines in this area although BLM does. Given the very complex legal and land management questions involved, guidelines applicable to NPS and FWS lands will be needed. It is also my intention to formally publish these guidelines in the Federal Register

Please advise if you have any specific concerns regarding our approach to this problem. The principal contact in my office for the RS2477 issue is Ric Davidge (907) 786-3435.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MEMORANDUM

NOV 7 1985

TO: RS 2477 Task Force

FROM: Ric Davidge, Chairman
Office of Assistant Secretary
Fish, Wildlife and Parks

Enclosed for your review and consideration are a host of materials regarding the issue we have been charged to address. Please carefully review these comments and provide back to me any questions or comments that you have. Please, I am not asking for official agency responses, only words-on-paper.

Following the panel at the AFN convention, which many of you attended (Thanks), a great deal of mis-information was left up in the air and has unfortunately fostered controversy that is not factually based. I have discussed my concerns with most of you and the senior agency officials of both Federal and State governments as well as AFN and have concluded that prior to issuing DRAFT RS 2477 Claim Asserting and Recognition Guidelines we must directly and publicly address some of the key fact/fiction questions now making the rumor circuit.

It is therefore my recommendation that during the second week of December, 1985 (Dec 8-14) we hold a one-day public workshop on RS 2477's - The Facts not Fictions. I have approached AFN and the Native Land Managers' Association as well as State and Federal agencies to seek co-sponsorship of the workshop. The response has been favorable. I have also requested that the top RS 2477 solicitors from the Washington DOI office participate in this workshop along with other experts from the ROW section of BLM in Washington, D.C.

In preparing for this workshop we need to decide the specific date, location, format and hand out materials.

I recommend the 11th of December (Wednesday) starting at 9 a.m. with a panel of experts presenting the FACTS. A break for lunch from 12:00-1:00, and the afternoon dedicated to question, answer and discussion.

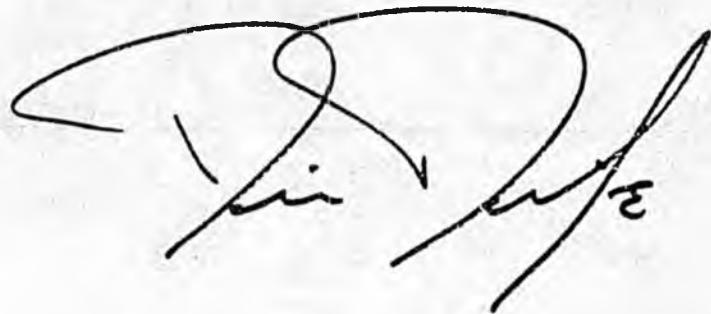
To prepare for the presentations and following discussions I recommend you assimilate all appropriate factual materials and organize them in a presentable form. In as much as BLM has been directly responsible for the RS 2477 program for many years I am asking that they facilitate the workshop and be the receivers/organizers of your handouts or information.

The development of a 3-ring binder on RS 2477 ROW's Facts, not Fictions that is organized along subject lines should assist in our efforts initially and allow up dating at a later time if necessary.

One of the most important components of this workshop and its' "papers" is the Question and Answer presentation following lunch. In order to assist all those participating, I am asking that each agency or participant prepare a Question and Answer handout that identifies, asks, and answers every reasonable question you may anticipate. If you identify questions for which you have no answers they should be placed on seperate pages and will serve as a basis for discussion.

I do not anticipate we will be able to identify, ask or answer all the questions that may arise, but at least we can put FACT forward and establish a solid basis for proceeding on the guidelines.

If you have any questions please call 786-3374 or 786-3435.

A handwritten signature in black ink, appearing to be "D. J. [unclear]", with a large flourish above the name and a small number "3" at the end of the signature.

RS 2477 Task Force Members

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United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

NOV 22 1985

TO: RS2477 Task Force
FROM: Ric Davidge, Chairman
SUBJECT: Federal Regulation/Permitting of Uses on RS2477 Rights-of-Ways

In a recent meeting with senior regional officials of the National Park Service (NPS), a question of that agency's authority to regulate, via permit, the activities and/or uses of RS2477 Rights-of-Way (ROW) was discussed. Although no agreements were reached at that point, I think it important to keep you advised of significant concerns or issues in this area as they develop.

Basically, the NPS is arguing that RS2477 ROW's fall under their (36 CFR 13.14) regulations (copy enclosed); NPS and their Solicitor cite a recent statement from Federal Judge Fitzgerald as the basis for this contention.

As you recall at our meeting, prior to my last trip to Washington, D.C., I took the position that ROW granted by RS2477 were subject to reasonable Federal regulation. After meetings with the ROW office of the Bureau of Land Management (clearly the experts in the RS2477 area) and with other Department of Interior officials, I was convinced, without qualification, that ROW's granted by RS2477 are State highways and are not subject to Federal regulation. This conclusion evolved from two points of law that were discussed with the Assistant Secretary.

1. The nature of the 1866 grant by Congress, via enactment of RS2477, was unqualified. The grants' acceptance (claim) must have occurred, in Alaska, before 1968 (Secretary Udalls' withdrawal). Both events predate the creation of the Conservation System Units in the Alaska National Interest Lands Conservation Act (ANILCA) in 1981. The ROW's granted and accepted, regardless of whether federal agencies have noted them on the status plats, are pre-existing property rights given/granted/conveyed to the Territory/State of Alaska.

It is my interpretation of 36 CFR 13.14 that it applies only to the use of off-road vehicles on lands owned by the NPS. To find otherwise would be to claim that a ROW or other interests in property owned by governments (other than NPS) or individuals/corporations are subject to NPS regulations and management. Even if the Park Service has the authority to require a permit for use of the RS2477 Right of Way - what would the permit require? The NPS has no authority, according to my researched analysis, to limit or otherwise constrain public uses of the ROW so long as those uses are consistent with the ROW grant purpose which was transportation and applicable state law. In addition if NPS interpretation were correct (and I do not believe it is), the passage of ANILCA (section 103(c)) in 1981 directly addresses that issue.

2. Section 103(c) of ANILCA states clearly that only those lands (or interests therein) that are "public lands" (owned by the NPS) are subject to Federal regulation. A ROW granted and claimed under RS2477 is a (less-than-fee) property right/easement that belongs to the State and not to the NPS, and therefore, is not subject to NPS regulation or management. Clearly, where appropriate, NPS continues to own the land, subject to the ROW granted by Congress for transportation purposes. NPS management and regulation of the land can in no way impede the Congressionally granted ROW, so long as its use is consistent with the purposes of the grant.

Let's explore Section 103(c) of ANILCA further in light of some questions raised on the definition of some terms within that section of ANILCA.

Section 103(c)

Only those lands within the boundaries of any conservation system unit which are public lands (as such term is defined in this Act) shall be deemed to be included as a portion of such unit. No lands conveyed to the State, to any Native Corporation, or to any private party shall be subject to the regulations applicable solely to public lands within such units. If the State, a Native Corporation, or other owner desires to convey any such lands, the Secretary may acquire such lands in accordance with applicable law (including this Act), and any such lands shall become part of the unit, and be administered accordingly.

Reference is made by Section 103(c) to the definition of the term "public lands." Section 102(3)(A) states:

(3) The term "public lands" means land situated in Alaska, which after the date of enactment of this Act, are Federal lands, except-

(A) land selections of the State of Alaska which have been tentatively approved or validly selected under the Alaska Statehood Act and lands which have been confirmed to, validly selected by, or granted to the Territory of Alaska or the State under any other provision of Federal law.

Following my review of these sections of ANILCA, it is clear to me that ROW's granted by RS2477 in 1866 and claimed by the State/Territory of Alaska by various acts are not subject to NPS management and/or regulation. I would appreciate your analysis of this interpretation and any comments you may wish to offer regarding any application of these concepts on your agencies' land management programs.

I have attached for your review a copy of the Judge's statement in which he presents his reasoning for granting the NPS a preliminary restraining order in the Vogler case. His granting the order has been appealed, I am informed, and the court may or may not agree with his stated reasoning.

According to some Federal officials who observed the Vogler case in court, the judge did not directly address the RS2477 issue but rather addressed the question of immediate harm and in "deference to administrative interpretation," granted the order.

Further, in my review of 36 CFR 13.14 (copy attached), I conclude that the application of the term "established roads and parking areas" addresses those roads and parking areas "established" by the NPS for specific uses and not private roads/State highways or ROW's granted by Congress prior to the creation of the park unit and prior to even the promulgation of 36 CFR 13.14.

I hope this discussion has stimulated some thinking regarding any implications to your agency or interest area. If so, it has served its purpose. Clearly, 36 CFR 13.14 applies only to the NPS but there are some general concepts/issues that come to mind in discussing this point and it is for that purpose that this memorandum has been provided. It has not been my intent to argue for or against a particular position but to academically explore the contention of NPS and its Solicitor on this important issue.

If you have any questions or comments, please forward them to me quickly.

Remember, the workshop is scheduled for the 11th of December and so far I have verbal agreements from the State (DNR/DOT) and the Alaska Federation of Natives, along with the Alaska Native Land Managers Association and appropriate Federal agencies to co-sponsor the workshop. I await your written questions and answers for consolidation and presentation PRIOR to our next meeting of the task force. I also need your FACT papers too.

Attachments

1 FOR THE MINING SECTION, IT PROBABLY ALSO AFFECTS THE TYPE OF
2 SHOWING OF TYPES OF HARM. THE TREMENDOUS LANGUAGE CONGRESS
3 USED DEALING WITH ACCESS FOR ECONOMIC OR OTHER PURPOSES
4 STRANGELY IS DEVOID OF ANY TYPE OF INDICATION OF WHAT INTERESTS
5 WERE TO PREVAIL OVER THESE INTERESTS. IT IS CLEARLY A UNIQUE
6 SITUATION. I THINK IT COULD PROBABLY GO TO THE TYPE OF RELIEF,
7 BECAUSE IF WE ARE STOPPED WITH THE INJUNCTION, THERE IS JUST
8 NO WAY THAT ONE COULD AVAIL HIMSELF OF THAT PRESUMPTION OR THAT
9 GRANT LANGUAGE.

10 THE COURT: I THINK YOU HAVE COVERED YOUR POSITION
11 VERY WELL, MR. STEMP.

12 MR. STEMP: THANK YOU, YOUR HONOR.

13 THE COURT: I AM GOING TO HAVE TO GRANT THE
14 PRELIMINARY INJUNCTION. I WILL STATE MY REASONS.

15 THERE IS NOT ANY QUESTION AT ALL ABOUT THE FACT THAT
16 MR. VOGLER OR ANY OTHER MINER WITH HOLDINGS IN A NATIONAL PARK
17 IS ENTITLED TO ACCESS, AND THAT IS ADEQUATE AND FEASIBLE
18 ACCESS AS DEFINED BY THE SECRETARY'S REGULATION IN PART D.
19 THAT IS BEYOND DISPUTE IN THIS CASE.

20 THE QUESTION HERE IS WHETHER OR NOT HIS REGULATION,
21 WHICH DEFINE AND WHICH ESTABLISH THE REQUIREMENTS FOR PERMITS,
22 ARE SUBJECT TO, AND I MUST GRANT DEFERENCE TO THE ADMINISTRA-
23 TIVE INTERPRETATION, AND SINCE THE SECRETARY IS CHARGED WITH
24 CARRYING OUT AT LEAST THIS PROVISION OF THE ACT, SO I HAVE
25 START OFF WITH THE RECOGNITION THAT CONSIDERABLE DEFERENCE IS

1 ~~AFFORDED OR MUST BE AFFORDED TO THE SECRETARY.~~ IN LOOKING
2 UP THE REGULATIONS, I MUST SAY THAT IT IS VERY DOUBTFUL AS TO
3 WHETHER OR NOT THE ROAD THAT HAS BEEN DESCRIBED TO ME, AND I
4 USE THAT TERM, WOULD FIT THE DEFINITION OF ~~AN ESTABLISHED ROAD~~
5 WITHIN THE REGULATIONS, AND THAT DOESN'T, OF COURSE, PRECLUDE
6 THAT THERE MAY NOT BE ACCESS OVER SEVERAL OTHER RIGHTWAYS,
7 ~~LESS THAN ESTABLISHED ROAD, BUT IF IT IS IT MUST BE BY~~
8 ~~PERMIT,~~ AND ~~THE PERMIT CARRIES WITH IT, A VERY IMPORTANT~~
9 ~~PURPOSE,~~ AND ~~THAT IS THAT EVEN THOUGH ACCESS MIGHT BE~~
10 ~~REQUIRED,~~ THE ~~PERMIT SHOULD BE USED TO MINIMIZE WHATEVER~~
11 ~~ENVIRONMENTAL INJURY MIGHT RESULT IN ORDER TO AFFORD~~
12 ~~REQUIRED ACCESS.~~

13 IT IS CLEAR HERE THAT THE VEHICLES WE ARE TALKING
14 ABOUT WERE OFF-THE-ROAD VEHICLES. THE REGULATIONS ARE QUITE
15 CLEAR THAT ~~THE SECRETARY IS AUTHORIZED TO ISSUE PERMITS FOR~~
16 ~~THE USE OF OFF-ROAD VEHICLES ON EXISTING OFF-ROAD VEHICLE~~
17 ~~TRAILS, LOCATED IN PUBLIC AREAS,~~ BUT HE HAS TO MAKE A FINDING
18 ~~IN THAT CASE,~~ AND ~~THE PERMIT SHOULD BE USED TO MINIMIZE WHATEVER~~
19 ~~ENVIRONMENTAL INJURY MIGHT RESULT IN ORDER TO AFFORD~~
20 ~~REQUIRED ACCESS.~~

21 I THINK IN THIS CASE THE SECRETARY WOULD HAVE TO,
22 ONCE THE PERMIT IS APPLIED FOR, CONSIDER ANY INJURY THAT MIGHT
23 OCCUR AND CONSIDER THAT IN CONJUNCTION WITH THE DEMONSTRATED
24 NEED, THAT ~~BALANCING THESE SUBJECT TO CONSIDERABLE DISCRETION ON~~
25 ~~THE SECRETARY'S PART,~~ BUT THERE IS NO DOUBT IN MY MIND THAT

PERIODICALS UNIT, PERSHING, CA 95768 - PHONE 925 438 1111

1 HE MAY REQUIRE THE PERMIT TO ACHIEVE THE PURPOSE OF THE ACT
2 AND MINIMIZE ANY INJURY THAT MIGHT RESULT FROM THE ACCESS, WHICH
3 I THINK IS STANDARD, AND CONCEDEDLY SO, UNDER HIS OWN REGULA-
4 TIONS.

5 SO I AM FINDING THAT NO PERMIT WAS APPLIED FOR, AND
6 THAT IT WAS NECESSARY THAT THE RESPONDENT APPLY FOR A PERMIT.
7 I'D FIND THAT, ALTHOUGH SERIOUS QUESTIONS ARE RAISED, THAT THE
8 GOVERNMENT SHOWS A STRONG LIKELIHOOD OF SUCCESS.

9 TURNING THEN TO THE QUESTION OF IRREPARABLE INJURY:
10 I HAVE TO SAY THAT THE PUBLIC INTEREST IS INVOLVED IN THIS CASE,
11 AND THERE'D BE SUBSTANTIAL INJURY TO THE PUBLIC INTEREST. A
12 PRELIMINARY INJUNCTION WILL ISSUE PRECLUDING THE RESPONDENT
13 AT THIS TIME FROM USING THE SO-CALLED WINTER TRAIL AS ACCESS
14 TO THE MINING CLAIMS WITHOUT SEEKING A PERMIT.

15 SECOND, A PRELIMINARY INJUNCTION SHALL PRECLUDE HIM
16 FROM THE MINING OPERATIONS ON UNPATENTED MINING CLAIMS ON
17 WOODCHOPPER CREEK.

18 I SHALL MAKE THIS MATTER IMMEDIATELY APPEALABLE
19 UPON THE ORIGINAL DOCUMENTS AND RECORDS.

20 I SHOULD ALSO LIKE TO, IMMEDIATELY UPON ADJOURNMENT,
21 SEE COUNSEL IN MY CHAMBERS. SEE ME IN MY CHAMBERS, COUNSEL.
22 WE SHALL DIRECT THE PREPARATION OF AN INJUNCTION, MAKE CERTAIN
23 ITS LIMITATIONS, AND I ALSO WANT TO DISCUSS WITH COUNSEL WHAT
24 SHOULD BE DONE, UNDER THE CIRCUMSTANCES, IN A VERY PRACTICAL
25 SENSE. GOOD AFTERNOON.

[WHEREUPON COURT ADJOURNED AT 3:49 P.M.]

§ 13.14

downed aircraft is otherwise impracticable or impossible.

(e) Salvaging, removing, possessing, or attempting to salvage, remove or possess any downed aircraft or component parts thereof is prohibited, except in accordance with a removal procedure established under paragraph (c) of this section. *Provided, however,* That the owner or an authorized representative thereof may remove valuable component parts from a downed aircraft at the time of rescue without a permit.

(f) The use of a helicopter in any park area, other than at designated landing areas (see Subpart C regulations for each park area) or pursuant to the terms and conditions of a permit issued by the Superintendent, is prohibited.

(46 FR 31854, June 17, 1981; 46 FR 35258, July 8, 1981)

§ 13.14 Off-road vehicles.

(a) The use of off-road vehicles in locations other than established roads and parking areas is prohibited, except on routes or in areas designated by the Superintendent or pursuant to a valid permit as prescribed in paragraph (c) of this section or in § 13.15 or § 13.16. Such designations shall be made in accordance with procedures in this section. Nothing in this section affects the use of off-road vehicles by local rural residents engaged in subsistence as authorized by § 13.46.

(b)(1) The Superintendent's determination of whether to designate a route or area for off-road vehicle use shall be governed by Executive Order 11644, as amended.

(2) Route or area designations shall be published in the "FEDERAL REGISTER."

(3) Notice of routes or areas on which off-road travel is permitted shall be in accordance with the provisions of § 13.30(f).

(4) The closure or restrictions on use of designated routes or areas to off-road vehicles use shall be in accordance with the provisions of § 13.30.

(c) The Superintendent is authorized to issue permits for the use of off-road vehicles on existing off-road vehicle trails located in park areas (other than areas designated as part of the

36 CFR Ch. I (7-1-85 Edition)

National Wilderness Preservation System) upon a finding that such off-road vehicle use would be compatible with park purposes and values. The Superintendent shall include in any permit such stipulations and conditions as are necessary for the protection of park purposes and values.

§ 13.15 Access to inholdings.

(a) *Purpose.* A permit for access to inholdings pursuant to this section is required only where adequate and feasible access is not affirmatively provided without a permit under §§ 13.10 through 13.14 of these regulations. Thus, it is the purpose of this section to ensure adequate and feasible access across a park area for any person who has a valid property or occupancy interest in lands within or effectively surrounded by a park area or other lands listed in section 1110(b) of ANILCA.

(b) *Application and Administration.*

(1) Applications for a permit designating methods and routes of access across park areas not affirmatively provided for in this part shall be submitted to the Superintendent having jurisdiction over the affected park area as specified under § 13.31.

(2) Except as provided in paragraph (c) of this section, the access permit application shall contain the name and address of the applicant, documentation of the relevant property or occupancy interest held by the applicant (including for 1872 Mining Law claimants a copy of the location notice and recordations required under the 1872 Mining Law and 43 U.S.C. 1744), a map or physical description of the relevant property or occupancy interest, a map or physical description of the desired route of access, a description of the desired method of access, and any other information necessary to determine the adequacy and feasibility of the route or method of access and its impact on the natural or other values of the park area.

(3) The Superintendent shall specify in a nontransferable permit, adequate and feasible routes and methods of access across park areas for any person who meets the criteria of paragraph (a) of this section. The Superin-

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United States Department of the Interior

WASHINGTON, D.C. 20240

OFFICE OF THE
ASSISTANT SECRETARY

Senator Jack Coghill
Chairman
Senate Transportation Committee

Dec 30, 1985

Dear Senator,

Enclosed is what I am calling the definitive analysis of the case law and administrative law review of RS2477. You will note that it was prepared by Ted Bingham, Chief, Division of Right-of-Way, BLM. He is regarded as the expert in this area and I think you will find his paper of significance.

As you know we are still in the formation stage of the RS2477 workshop. I understand you and both the House and Senate Committee may request a presentation by the panel of experts we will have at the workshop and that you want that presentation to be in Juneau. If you make the decision to request this please do so as soon as possible allowing us the greatest lead time possible.

Best wishes on the coming legislative session.

Ric Davidge
Chairman
RS 2477 Task Force

RS 2477

Section 8 of the Act of July 26, 1866, 14 Stat. 253, Revised Statutes 2477, 43 U.S.C. 932, repealed October 31, 1976, 90 Stat. 2793, (RS 2477), provided:

The right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted.

- It was an outright grant of right-of-way by the United States if and when accepted.

Determining whether an RS 2477 highway has been validly established is a question of federal law.

The common law doctrine of adverse possession does not operate against the federal government. United States v. California, 332 U.S. 19, 39-40 (1947); Texas v. Louisiana, 410 U.S. 702, 714 (1973), rehearing denied, 411 U.S. 988 (1973); Drew v. Valentine, 18 F. 712 (5th Cir. 1883). The necessary corollary of this rule is that in order for a state or individual to gain an interest in land owned by the United States, there must be compliance with a federal statute which grants such interests.

The operative rule of construction applicable to such statutes is that grants by the federal government "must be construed favorable to the government and ... nothing passes but what is conveyed in clear and explicit language -- inferences being resolved not against but for the government." Caldwell v. United States, 250 U.S. 14, 20 (1918); Wisconsin Central R.R. Co. v. United States, 164 U.S. 190, 202 (1896); Great Northern Ry. Co. v. United States, 315 U.S. 262, 272 (1942); Andrus v. Charlestone Stone Products Co., 436 U.S. 604, 617 (1978); cf. Leo Sheep v. United States, 440 U.S. 688 (1979). This doctrine applies to grants to states as well as grants to private parties. Dubuque v. Pacific Ry. Co., 64 U.S. 66, 88 (1859).

In United States v. Gates of the Mountains Lakeshore Homes, Inc., 732 F.2d 1411 (9th Cir. 1984), the appeals court held that RS 2477 does not provide for the construction of the grant according to the law of the state in which the land subject to the grant is situated; rather, its construction is a question of Federal law. Citing Humboldt County v. United States, 68 F.2d 1276, 1280 (9th Cir. 1982), the court noted that any doubt as to the scope of the grant under RS 2477 must be resolved in favor of the Government.

To determine whether a valid RS 2477 highway exists, the several elements of the offer provided by the terms of the statute must be met. First, are the lands public lands? Second, were the public lands reserved for a public use? Third, was there actual construction? Fourth, was what was constructed a highway?

I. PUBLIC LANDS

These are the original lands ceded to the central Government by the original 13 States plus additional lands obtained by the United States through purchase (Louisiana purchase of 1803, Alaska purchase of 1867), by treaty with other Governments (with Great Britain in 1783, 1817, and 1846), etc. Lands 're-acquired' by the United States from patentees (Acquired Lands) are not public lands unless specific legislation so provided. The lands must not have been segregated from operation of the 'public land laws.'

Such lands must not have been settled upon, claimed, entered, etc., pursuant to appropriate public land or mineral laws of the United States. For example:

Entered by settlement under Homestead, Trade & Manufacturing Site, or Native Allotment laws.

Location of a mining claim under the 1872 Mining Laws.

Selected by the State under Statehood Act or other appropriate law.

Such settlement, entry, location, or selection removes such lands from public lands status.

Such entered lands may return to public lands status upon abandonment, relinquishment, invalidation, etc. prior to obtaining title from the United States. The date of returning to public lands status will vary with the individual case circumstances and whether the official land records required notation (the 'Tract Book Notation' rule).

The terms "public lands" and "public domain" are used in United States statutes and decisions to designate lands subject to sale or disposal under the general laws of the United States. Northern Pacific Ry. Co. v. Hirzel, 1916, 161 P. 854, 29 Idaho 438.

The words "public lands," if nothing be said to the contrary, relate to lands subject to disposition under the public land laws, and not those set apart and used for some special public purpose. Stearns v. United States, Minn 1907, 152 F. 900, 82 C.C.A. 48. See also United States v. Williams, C.C. Nev. 1886, 30 F. 309, affirmed 11 S.Ct. 457, 138 U.S. 514, 34 L.Ed. 1026.

"Public lands" does not include tidelands. Borax Consolidated v. City of Los Angeles, 1935, 56 S.Ct. 23, 296 U.S. 10, 80 L.Ed. 9, rehearing denied, 56 S.Ct. 304, 296 U.S. 664, 80 L.Ed. 473.

When a valid entry has been made ... that portion of the public land covered by the entry is segregated from the public domain, ... and is not included in subsequent grants made by Congress. Atchison, etc., R. Co. v. Richter, 1815, 148 P. 478, 30 N.M. 278, L.R.A.1916F, 969.

II. NOT RESERVED FOR PUBLIC USES

RS 2477 only grants rights-of-way over public lands "not reserved for public uses."

Various actions may have been taken by the Congress, Administration, or managing agency which reserves the public lands for public uses:

Establishment of Indian Reserves, Wildlife Refuges, National Parks, National Forests, Military Reservations, and other areas not under the jurisdiction of the BLM are clearly not open to the construction of highways.

Segregation from settlement, location, disposal, etc., under the public land laws by Act of Congress or by Executive or Secretarial Order (including Public Land Orders (PLO)). The extent to which withdrawals of public lands constitute "reservations for public uses" is potential complicated -- see, e.g., Executive Order 6910 (54 I.D. 539) (1934); Wilderness Society v. Morton, 479 F.2d 842, 882, n.90 (D.C. Cir. 1973) -- however, the BLM's position is that most, if not all, reserved for public uses. Even if not reserved for public uses, such segregation may also remove the lands from the status of "public lands;" see I above.

A classification under such as the Small Tract Act (repealed), the Classification and Multiple Use Act (repealed), or the Recreation and Public Purposes Act reserves for public uses.

Such lands may revert to public lands, not reserved for public uses, status upon termination of the effecting Act, Order, or Classification; the specific time of return varying with the specific circumstances.

PLO 4582 of January 17, 1969, as amended, placed all public lands in Alaska in the status of public lands reserved for public uses. PLO 4582 was repealed by the Alaska Native Claims Settlement Act of December 18, 1971, (ANCSA) which also withdrew certain lands around named and unnamed towns and villages. A

series of PLOs ^{1/} withdrew lands in 1971 and 1972, in addition to those withdrawn by the ANCSA itself. RS 2477 was revoked by the Act of October 21, 1976, prior to any relative change in the withdrawal status of all of Alaska's public lands. Thus the offer by Congress of a right of way grant pursuant to RS 2477 effectively ceased to exist in Alaska on January 17, 1969 (a small window between December 18, 1971, and March 3, 1972, and some scattered areas not withdrawn by the 1971/72 series of PLOs were available for operation of RS 2477).

III. ACTUAL CONSTRUCTION

RS 2477 grants a right-of-way for the construction of highways. BLM believes that the plain meaning in RS 2477 is that there must have been actual building of a highway; without some actual construction the grant could not have been accepted.

"Construction" means the "[p]rocess or act of constructing; act of building; erection; act of devising and forming; fabrication; composition; also a thing constructed; a structure." Webster's New International Dictionary, second edition, 1941 (unabridged), p. 572.

Would an act of mapping a highway route and filing such in an appropriate office constitute construction? We think not. Construction contemplates some action such as grading, surfacing, flagging, or some other physical change or addition to the natural area as may be necessary for the customary or usual passage or use by horses, wagons, cars, tracked vehicles, or even foot traffic. A residence is not constructed simply by illustrating an architectural drawing and announcing intent to build the residence. It is constructed when the foundation is laid and the sides and roof erected.

Federal decisions (administrative and judicial) are not helpful in interpreting "construction" as most, if not all, involve roads actually constructed. For example, see Nick Dire, et al., IBLA 80-420 (June 8, 1981); Wilderness Society, supra; United States v. Dunn, C.A. Cal 1973, 478 F.2d 143.

"Construction" may possibly occur over time by the passage of vehicles, however, this may be insufficient for "construction" or may not have developed to the stage of being "constructed" while the servient estate was public lands not reserved for public uses. The BLM believes that a "road" originally created merely by the passage of vehicles could have become a highway within the meaning of RS 2477 if state or local government had subsequently improved and maintained it by taking measures which qualify as "construction," i.e., grading, paving, placing culverts, etc. ^{2/}

^{1/} PLO 5150 withdrew the Transportation Corridor (the Trans Alaska Pipeline), PLO 5156 withdrew the former Native Reserves, PLOs 5169 through 5181 withdrew most of the balance of Alaska for various purposes under the ANCSA.

^{2/} Such subsequent improvement must have occurred while the lands were still public lands not reserved for public purposes.

Roads that simply came into existence by the passage of individuals may also meet the test of "construction" by the action of the individuals. Without "construction" by state or local governments, however, such roads are not likely to qualify as highways.

IV. HIGHWAYS

A highway is a road freely open to everyone; a main road or thoroughfare; a public road; a thoroughfare from place to place, as where the context shows an intention to distinguish it from a private way intended primarily for the use of inhabitants of a particular locality; in its general sense, however, it is used to include any way, of whatever nature, which the law makes open to the use of all who pass. See, e.g., Webster's, *supra*, p. 1179; Harris v. Hanson, 75 F. Supp. 481 (D. Idaho 1948); Karb v. City of Bellingham, 377 P.2d 984 (Wash. 1963). Because a private road is not a highway, no right of way for a private road could have been established under RS 2477.

Where a road is constructed and/or maintained by an appropriate public body, this highway criteria is probably met. Where this is the case, the BLM need look no further.

Where a road comes into existence through passage of vehicles over time, including "construction" by non-public entities, the question becomes whether there is sufficient "public use" to clearly indicate an intent by the public to accept dedication as a highway.

Dedication is not an act or omission to assert a right; mere absence of objection is not sufficient *** Passive permission by a landowner is not in itself evidence of intent to dedicate. *** Intention must be clearly and unequivocally manifested by acts that are decisive in character. [Footnotes omitted.] Hamerly v. Denton, 359 P.2d 121 at 125 (Alaska 1961).

[T]he fact that at one time a road or trail may have been created by rolling the "big rocks out of the roadbed" does not establish any historical use. An entryman could have built the road one day and abandoned it the next. Mere existence of the road for 15 years does not necessarily establish any use of the road. Nick Dire, supra.

Desultory use of dead-end road or trail running into wild, unenclosed, and uncultivated country, does not create a public highway. Evidence of public use of road during periods that land was not subject of homesteaders' claims was insufficient to justify finding that public highway was created across homestead. Party claiming that road became public highway under RS 2477 by virtue of public use had burden of proving that highway was located over public lands and that character of use was such to constitute acceptance by public of the grant under RS 2477. Hamerly, supra.

In action to establish a public highway, evidence sustained judgment for defendant on ground there were no positive acts on part of public authority clearly manifesting an intention to accept trail as a public highway as required by RS 2477, and that use of the trail by public was merely casual and was insufficient to establish the highway. Kirk v. Schultz, 1941, 119 P.2d 266, 63 Idaho 278.

Protective provisions of RS 2477 recognizing roads constructed over public lands by private persons was not applicable where defendants, who were asserting an easement for a road across public lands, had not readied claimed road for use. U.S. v. Dunn, supra.

Even though it has been held that a road may be a public highway when it provides access to only one land owner, Leah v. Manhart, 102 Colo. 129, 77 P.2d 652 (1938), courts look closely at the type of use which a road receives. Nick Dire, supra.

In summary, BLM's position is that RS 2477 was an offer by Congress that could have been accepted upon actual construction by the State, local government, or by an authorized private individual, of a highway open to and used by the public during a period when the servient lands were public lands not reserved for public uses. Insofar as highways meet this criteria, BLM will not question their validity.

State Laws Construing RS 2477

State court decisions and state statutes are in conflict with each other on the issue of how a right of way under RS 2477 is perfected. Generally, the approach of the states appears to fall into three general categories. First, some (Kansas, South Dakota, and Alaska) have held that state statutes which purport to establish such rights-of-way along all section lines are sufficient to perfect the grant upon enactment of the state statute, even if no highway had either been constructed or created by use. Tholl v. Koles, 70 P. 881 (Kan. 1902); Pederson v. Canton Twp., 34 N.W. 2d 172 (S.D. 1948); Girves v. Kenai Peninsula Borough, 536 P.2d 1221 (Alas. 1975), contra Warren v. Chouteau County, 265 P. 676 (Mont. 1928). Second, states such as Colorado, Oregon, Wyoming, New Mexico, and Utah have held that RS 2477 rights-of-way can be perfected solely by public use, without any construction or maintenance. Nicolas v. Grassle, 267 P. 196 (Colo. 1928); Montgomery v. Somers, 90 P. 674 (Ore. 1907); Hatch Bros Co. v. Black, 165 P. 518 (Wyo. 1917); Wilson v. Williams, 87 P.2d 683 (N.M. 1939); Lindsay Land & Livestock Co. v. Churnos, 285 P. 346 (Utah 1930). Third, Arizona courts have held that rights-of-way can be established only by a formal resolution of local government, after the highway has been constructed. Perfection by mere use is not recognized. Tucson Consol. Copper Co. v. Reese, 100 P. 777 (Ariz. 1900).

The term "construction" must be construed as an essential element of the grant offered by Congress; otherwise, Congress' use of the term is meaningless and superfluous. The states could accept only that which was offered by Congress

and not more. From the BLM's point of view, the Arizona interpretation is the only correct one; the positions taken by the other states do not meet the express requirements of the statute. For example, the Kansas, South Dakota, and Alaska approach based on section lines does not even require that there be a highway or access route, much less that it be constructed. The approach taken by the other states that RS 2477 rights-of-way may be perfected by access ways created by use alone, without any construction, also fails to meet the plain requirement of RS 2477 that such highways be "constructed."

Thus, rights-of-way which states purport to accept but on which highways were not actually constructed while the lands were public lands not reserved for public uses do not meet the requirements of RS 2477 and therefore no perfected right-of-way grant exists.

Assertions, Validity, Acceptance

BLM's regulations at 43 CFR 2802.5(b) provide that an entity which has constructed highways under RS 2477 may file with BLM a map showing the location of such a public highway. Further:

The submission of such maps showing the location of RS 2477 highway(s) on public lands shall not be conclusive evidence as to their existence. Similarly, a failure to show the location ... shall not preclude a later finding as to their existence.

A claim of an RS 2477 right-of-way is like a miner's location of a claim under the Mining Law of 1872, for which no application is required either. Like a mining claim, however, a claim to a RS 2477 right-of-way does not necessarily mean that a valid right exists. The United States has often successfully challenged the validity of mining claims because of the failure of the claimant to establish rights under that law. See, e.g., Cameron v. United States, 252 U.S. 450 (1920); United States v. Coleman, 390 U.S. 599 (1968); Hickel v. Oil Shale Corp., 400 U.S. 48 (1970). The BLM has not previously determined the validity of claimed rights under RS 2477 because it has had no land or resource management reason to do so; i.e., conflicts generally did not arise between the existence of claimed rights-of-way under RS 2477 and the management of the public lands affected by such claims. If there is a resource management reason to do so, claimed rights-of-way may be reviewed to determine their validity under RS 2477.

Under Sections 201 and 202 of the Federal Land Policy and Management Act (43 U.S.C. 1711 & 1712) (FLPMA), the BLM is required to prepare and maintain inventories of public lands and prepare land use plans.

In concert with this, the BLM has encouraged states and local governments to assert those state and local government highways they believe are RS 2477 highways. Where such asserted highways appear to meet the criteria of construction on public lands not reserved for public uses, the BLM will note the records. This is similar to the "acceptance" and noting of a mining claim notice filed pursuant to Section 314 of FLPMA (43 U.S.C. 1744).

Where the asserted RS 2477 highway involves land which is (was) not public lands not reserved for public uses, or construction does not appear to have been involved, the BLM will not note the records and should inform the asserter that the BLM does not believe the assertion is valid. The BLM will not adjudicate the validity of such assertions unless there is a conflicting land or resource management concern that cannot be resolved without determining the validity of the RS 2477 assertion.

BLM Regulation of Public Highways

A valid RS 2477 right-of-way consists of a grant of right of way from the United States. The right-of-way is for public highway use and only highway uses (see Gates of the Mountains, supra.).

If BLM is the manager of the servient estate, it may challenge the holder of the RS 2477 right-of-way whenever the holder seeks to do something beyond the rights granted. Uses other than highways within or adjacent to the RS 2477 highway may not be made except under appropriate federal law and, where required by such law, with authorization from the BLM.

Appropriate uses within the RS 2477 right-of-way generally will not be a concern of the BLM nor will the BLM seek to regulate such uses either administratively or through judicial proceedings. However, should the BLM believe that a proposed use/action within a RS 2477 right-of-way would have an adverse impact on adjacent BLM managed lands or resources, BLM will take appropriate steps to protect such lands or resources.

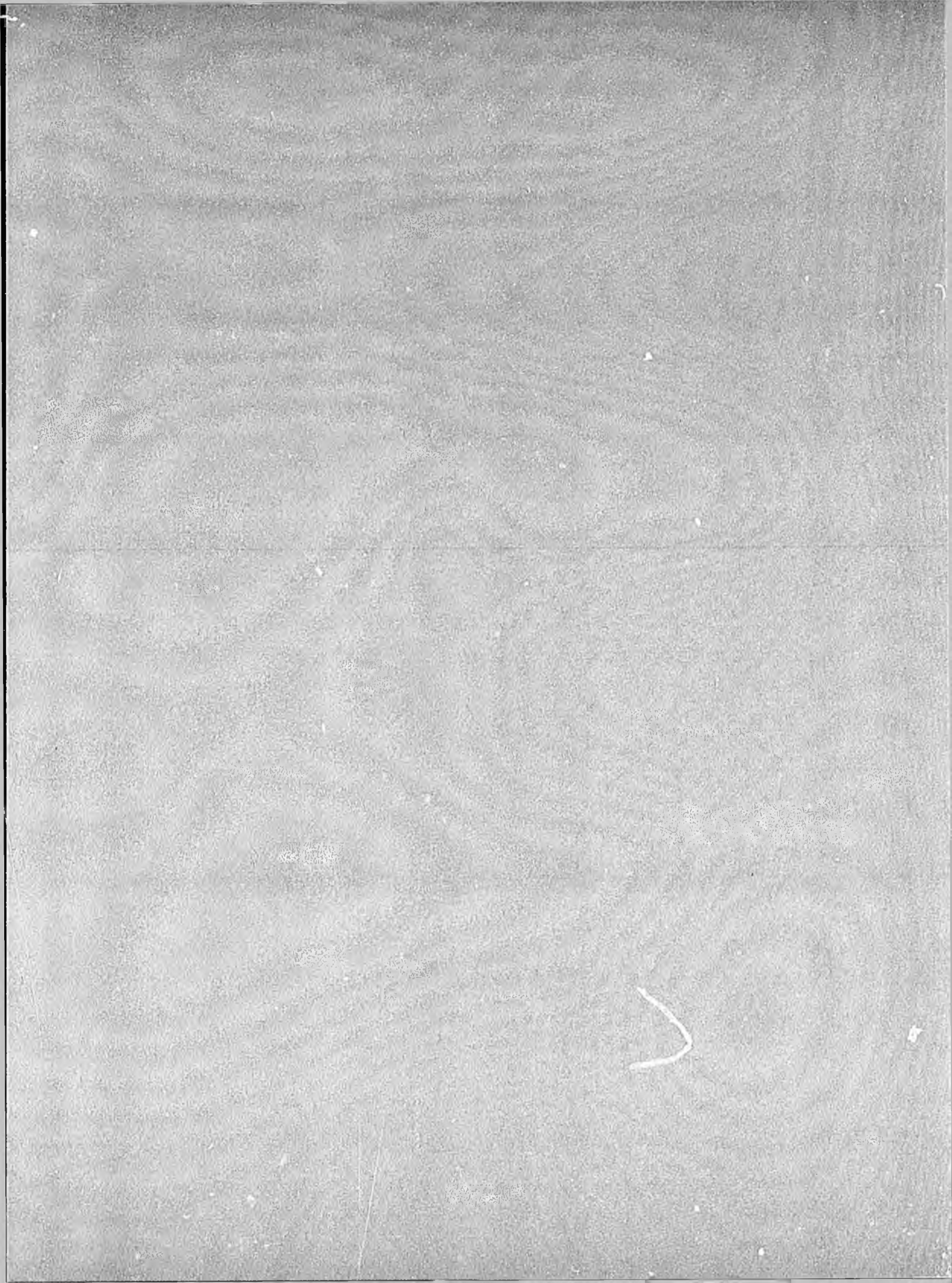
RS 2477 and Lands Conveyed from the United States

A RS 2477 right-of-way was a grant offered by the United States, was accepted by action of appropriate public officials, and required no approval by the administering federal agency. As such the existence of such a right-of-way is not included in the reservations or exceptions in the patent or other document conveying public lands to states, local governments, or private entities. The new owner takes the title to the land from the United States subject to any RS 2477 rights that may exist.

It is the responsibility of the entity claiming the RS 2477 right-of-way to protect its interest against the new owner, or, conversely, the responsibility of the new owner to protect his property against the assertions of others. The BLM has no role in any such disputes.

Prepared by: Theodore G. Bingham
Chief, Division of Rights-of-Way
Bureau of Land Management
Washington, D.C.

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SECTION IV - STATE OF ALASKA

Alaska State Legislature

SENATOR
JOHN B. "JACK" COGHILL
Chairman

POUCH 7
JUNEAU, ALASKA 99811
(907) 465-4921



Senator Jan Faiks—Vice Chairman
Senator Mitch Abood
Senator Paul Fischer
Senator Joe Josephson

Senate Committee on Transportation

TO: Commissioner Dick Knapp, DOT/PF
Commissioner Esther Wunnicke, DNR

FROM: Senator Jack Coghill, Chairman *Jack*

RE: R.S. 2477 Rights-of-Way

DATE: July 9, 1985

Thank you for the meeting yesterday on the R.S. 2477 issue. We were pleased to discover that, as in your words Commissioner Knapp, "We are all working for the same team," and that we share a common concern on behalf of the people of Alaska. We look forward to close cooperation during the ensuing weeks as we work together to meet a challenging deadline.

Our goal is to provide the National Park Service with the appropriate maps and documentation so that possible R.S. 2477 trails will be reflected in the draft General Management Plans that will be sent to Congress in December of this year.

I am grateful that you, Commissioner Knapp, have lent your full support and have set in motion the identification by your people of the R.S. 2477 rights-of-way that touch or cross the CSU's.

Likewise, the immediate response of your people, Commissioner Wunnicke, to help us locate the existing documentation and to help guide us in establishing priorities and how we should prepare this information is much appreciated.

I look forward to my task force meeting with Messrs. Hickey, Hawkins and Gustafsen on Friday morning, July 12th and joining us for our meeting with the National Park Service Area Director and his staff that afternoon. At that time, Mr. Contor has promised they will outline what they require in terms of receiving R.S. 2477 rights-of-way assertions.

Again, my thanks for your assistance. We look forward to accomplishing our mutual goals for Alaska's future.

cc: Mark Hickey
Gary Gustafson
Tom Hawkins
Malcolm Roberts
Valerie Chavez

BILL SHEFFIELD, GOVERNOR

November 6, 1985

Dear Reviewer:

Attached for your review and comment is a draft RS 2477 Rights-Of-Way (ROW) Policy and Procedures document cooperatively prepared by the Department of Natural Resources (DNR) and the Department of Transportation and Public Facilities (DOT/PF).

The purpose of this document is to provide comprehensive and uniform policy and procedures for addressing potential RS 2477 historical roads and trails in Alaska by the two state agencies primarily responsible for this issue. Included in this document is a brief discussion of the general background and history of RS 2477 roads and trails, followed by procedures for state decisions related to assertion, validation, disclaimer of interest, vacation and arrangements for ensuring adequate agency and public notice and review. The document also identifies the roles and responsibilities of DNR and DOT/PF during the process and outlines management responsibilities, legal considerations and other related issues.

In addition to review by the general public, we are submitting this document to numerous affected parties and interest groups for comment, including the Alaska Land Use Council, the Alaska Land Use Advisors Committee, the Alaska Miners Association, the Senate and House Transportation and Resources Committees, the Alaska Federation of Natives, the Alaska Native Land Managers Association, the Resource Development Council, the Citizens Advisory Commission on Federal Lands, and environmental groups. DNR and DOT/PF will sponsor informal meetings in Anchorage and Fairbanks to discuss this document. The Anchorage meeting is scheduled for 10:00 AM on Tuesday, December 3rd in the DNR Commissioner's Conference Room, 12th Floor, Frontier Building at 36th and C Streets. The Fairbanks meeting is scheduled for 10:00 AM, Wednesday, December 4th in the DOT/PF Conference Room, Suite D, 600 University Plaza.

The formal comment period will close on December 20, 1985. Thereafter, we expect to adopt policies and procedures and begin implementation. It may be necessary to follow this effort with formal regulations implementing portions of this proposal. If that proves necessary, every effort will be made to do so as expeditiously as possible.

DRAFT

NOVEMBER 6, 1985 DRAFT

ALASKA DEPARTMENT OF NATURAL RESOURCES
ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

RS 2477 RIGHTS-OF-WAY POLICY AND PROCEDURES

I. Policy

The State of Alaska, acting through the Department of Natural Resources (DNR) and Department of Transportation and Public Facilities (DOT/PF), recognizes a need to develop and implement coordinated statewide procedures that better define and establish state goals and responsibilities pertaining to the identification and establishment of historical roads and trails in Alaska under federal Revised Statute (RS) 2477.

Therefore, it is the policy of the state, as implemented by the procedures contained herein, to help promote public access opportunities, provide guidance to public and private officials with land resource and transportation management and planning decisions, ensure adequate public and agency participation in the state decision making process, respect private property rights and help resolve uncertainty over possible valid existing RS 2477 rights-of-way (ROW's) on public and private lands.

In April of 1974, the Alaska Department of Highways submitted the 1974 Existing Trail System Inventory to the Bureau of Land Management (BLM). This submission was a further documentation by the state of its intent to accept the grant for approximately 1400 possible RS 2477 ROW's statewide. However, this inventory was not intended to represent a comprehensive listing of all possible statewide RS 2477's. There may be other historical roads and trails in Alaska which qualify under the grant and which may eventually be identified and asserted by the state or another party.

On September 28, 1984, DNR, DOT/PF and the BLM entered into a Memorandum of Understanding (MOU) which specified how the federal land status plats would be noted to identify the approximate location of possible RS 2477 ROW's in the Northern Region of Alaska. The MOU outlined a process whereby BLM would plot each possible RS 2477 ROW on federal master title plats, if in accord with specific criteria included in the BLM Manual (2801.24.B.1, Rel. 2-152). However, on November 28, 1984, BLM issued an Instructional Memorandum (No. 85-72) which stated that BLM would note RS 2477 assertions on its official land records only if it

municipalities under AS 29.18 and to private individuals under various state land disposal and lease programs.

For purposes of state RS 2477 ROW decisions, DNR shall be responsible for those claims not part of the designated state or federal-aid highway system (including trails where state management is considered likely or where alternative third-party management has been arranged through mutual agreement) or claims proposed as additions to the system. All proposed RS 2477 ROW decisions by DNR shall be reviewed in advance by DOT/PF.

9. Department of Transportation and Public Facilities

DOT/PF has broad statutory responsibilities to plan, design, construct and maintain modes of transportation and transportation facilities pursuant to AS 19.05.010, 19.05.030, 19.010.010-040, 44.42.020, and 44.42.050. This includes the specific responsibility to protect and preserve the rights-of-way and land holdings for the state's existing transportation systems (includes federal-aid highways) and to plan for and acquire rights-of-way for future state transportation needs. In addition, DOT/PF is the designated state agency responsible for rep-

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ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

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I. Policy

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Therefore, it is the policy of the state, as implemented by the procedures contained herein, to help promote public access opportunities, provide guidance to public and private officials with land resource and transportation management and planning decisions, ensure adequate public and agency participation in the state decision making process, respect private property rights and help resolve uncertainty over possible valid existing RS 2477 rights-of-way (ROW's) on public and private lands.

II. Background

Revised Statute 2477 (43 U.S.C. 932) was a federal law in effect from 1866 to October 21, 1976. It provided that,

"The right-of-way for the construction of highways over public lands, not reserved for public uses, is hereby granted."

The Alaska Supreme Court held in Hamerly v. Denton, 359 P. 2d 121, 123 (1961) that before a RS 2477 ROW can be accepted as valid, there must be: a) proof that the route was located on unreserved public land; and b) either a positive act on the part of the appropriate public authorities (of the state or territory) clearly manifesting an intention to accept the grant, or public use for such period of time and under such conditions as to prove that the grant was accepted.

In Girves v. Kenai Peninsula Borough, 536 P. 2d 1221 (1975) the Alaska Supreme Court held that enactment of AS 19.10.010 by the territorial legislature was a positive act manifesting the legislature's intent to accept the federal grant of right-of-way for the construction and use of highways over unreserved public lands on section lines.

In April of 1974, the Alaska Department of Highways submitted the 1974 Existing Trail System Inventory to the Bureau of Land Management (BLM). This submission was a further documentation by the state of its intent to accept the grant for approximately 1400 possible RS 2477 ROW's statewide. However, this inventory was not intended to represent a comprehensive listing of all possible statewide RS 2477's. There may be other historical roads and trails in Alaska which qualify under the grant and which may eventually be identified and asserted by the state or another party.

On September 28, 1984, DNR, DOT/PF and the BLM entered into a Memorandum of Understanding (MOU) which specified how the federal land status plats would be noted to identify the approximate location of possible RS 2477 ROW's in the Northern Region of Alaska. The MOU outlined a process whereby BLM would plot each possible RS 2477 ROW on federal master title plats, if in accord with specific criteria included in the BLM Manual (2801.24.8.1, Rel. 2-152). However, on November 28, 1984, BLM issued an Instructional Memorandum (No. 85-72) which stated that BLM would note RS 2477 assertions on its official land records only if it

administered the affected land. This decision significantly altered the original intent of the parties with respect to this MOU.

III. Responsibilities

DNR and DOT/PF each have specific statewide public access responsibilities, which include RS 2477 ROW's. However, DNR and DOT/PF recognize a need to more precisely articulate respective responsibilities for RS 2477 ROW identification, recognition and management.

A. Department of Natural Resources

DNR has broad public access responsibilities for state land and water pursuant to AS 38.04.050, 38.04.055, 38.05.035, 38.05.850 and 38.35.020. In addition, DNR is the designated state agency responsible for recommending public easement reservations to BLM in land conveyances to Native corporations, pursuant to Section 17(b) of ANCSA. DNR is also responsible for the reservation of public access easements on state land conveyed to boroughs and

municipalities under AS 29.18 and to private individuals under various state land disposal and lease programs.

For purposes of state RS 2477 ROW decisions, DNR shall be responsible for those claims not part of the designated state or federal-aid highway system (including trails where state management is considered likely or where alternative third-party management has been arranged through mutual agreement) or claims proposed as additions to the system. All proposed RS 2477 ROW decisions by DNR shall be reviewed in advance by DOT/PF.

B. Department of Transportation and Public Facilities

DOT/PF has broad statutory responsibilities to plan, design, construct and maintain modes of transportation and transportation facilities pursuant to AS 19.05.010, 19.05.030, 19.010.010-040, 44.42.020, and 44.42.050. This includes the specific responsibility to protect and preserve the rights-of-way and land holdings for the state's existing transportation systems (includes federal-aid highways) and to plan for and acquire rights-of-way for future state transportation needs. In addition, DOT/PF is the designated state agency responsible for rep-

representing state interests under the transportation and utility system application and approval process in Title XI of the Alaska National Interest Lands Conservation Act (ANILCA).

For purposes of state RS 2477 ROW decisions, DOT/PF shall be responsible for all existing and proposed state or federal-aid highway system ROW's and claims associated with future state transportation system needs, including realignment of existing state facilities. All proposed RS 2477 ROW decisions by DOT/PF shall be reviewed in advance by DNR.

C. Regional Offices

DNR and DOT/PF each maintain departmental regional offices located in Anchorage, Fairbanks and Juneau. Although the geographical responsibilities of these offices are not identical, they generally correspond to the Central/Southcentral, Northern and Southeast portions of the state.

For purposes of state RS 2477 ROW decisions, it is agreed by DNR and DOT/PF that their respective regional offices shall be responsible for receiving RS 2477 ROW claims and processing such claims in accord with the process specified in Section IV.

An RS 2477 ROW claim may be accepted by any DNR or DOT/PF regional office, which in accord with this section, will be responsible for processing a claim or forwarding such claim to the regional office having jurisdictional responsibility for the geographic area encompassing the potential RS 2477 ROW. If a claim should cross regional office jurisdictional boundaries, the regional office responsible for the area traversed by the majority of the route shall assume the lead role for purposes of subsequent state decisions.

Representatives from each DNR and DOT/PF regional office agree to meet as necessary with their counterparts to review all new RS 2477 ROW claims and clarify responsibilities for further processing in accord with this section and Section IV (below).

IV. Procedures

The State of Alaska, acting through DNR or DOT/PF, will use the following procedures to guide future state assertion, disclaimer of interest or vacation decisions relative to possible RS 2477

ROW's. The state may also decide to delay or postpone a final decision if it is determined that insufficient information or evidence exists to fully document what otherwise appears to be a valid claim. The procedure involves preliminary review, written state best interest finding, public notice, comment, and final decision. Nothing in this policy statement shall affect the right of private citizens or other parties from independently asserting ROW's under RS 2477. A decision by the state to undertake an RS 2477 claim review is contingent upon the availability of sufficient funds and resources.

The RS 2477 ROW assertion process is generally depicted on the flow chart attached as Figure 1 (page 9).

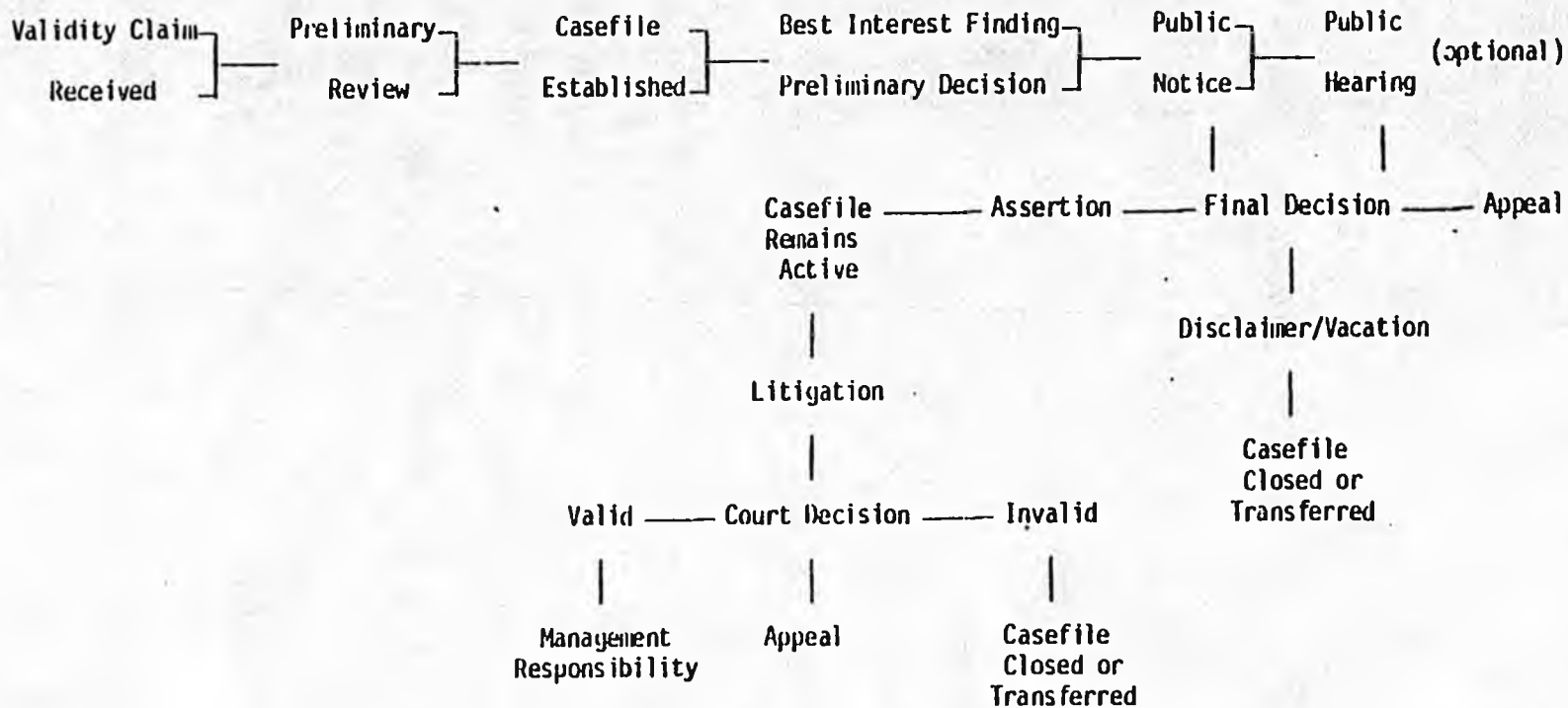
A. Preliminary Review

DNR and DOT/PF agree to comprehensively review and categorize the 1974 Existing Trail System Inventory and other available information regarding possible RS 2477 ROW's. The following steps will be used to perform this work:

FLOW CHART

STATE RS 2477 ROW ASSERTION PROCESS

(conducted by regional offices of DNR or DOT/PF)



1. Categorize all possible RS 2477 ROW's as "active" or "inactive" on the basis of historic purpose, evidence of prior public use, identification as section line easement, availability of documentation, land title conflicts, etc.
2. Assign responsibility to DNR or DOT/PF for potential RS 2477 ROW's included on the "active" list, in accord with Section III of this document.
3. Prioritize the "active" list for purposes of formal state assertion decisions, based upon documentation, public benefits and potential cost savings to the state.

A draft report will be issued and circulated by DNR and DOT/PF for public and agency review and comment. The report will then be finalized, and serve as the guide for subsequent DNR or DOT/PF actions pertaining to possible RS 2477 ROW's. DNR and DOT/PF agree to update this document as necessary, assuming the availability of sufficient funding and resources.

B. Assertions

The State of Alaska, acting through DNR or DOT/PF, may decide to formally assert the existence of RS 2477 ROW claims, using the results of the preliminary review process in Section IV.A. (above) as a guide. At least one of the following conditions must be present for the state to initiate a formal assertion review:

1. An RS 2477 ROW claim involves a portion of the designated state or federal-aid highway or trail system.
2. An RS 2477 ROW claim involves a portion of a right-of-way needed for future state transportation and access purposes, as identified in DNR's and DOT/PF's planning processes.
3. An RS 2477 ROW claim involves public access rights being curtailed or blocked by other parties.
4. A formal request has been made to pursue an RS 2477 assertion, or to vacate or disclaim an interest in a particular RS 2477 ROW claim.
5. An RS 2477 assertion is needed to preserve documentation of use and existence that might otherwise be lost.

6. An RS 2477 assertion enhances the state's legal position regarding RS 2477 ROW's.

Following a determination that one or more of the above conditions are present, and in accord with the responsibilities established in Section III (above), the DNR or DOT/PF regional office shall immediately establish a casefile for the claim. This casefile shall subsequently become the administrative record used by the state as the basis for any future decisions. The regional office, working in concert with the DNR and/or DOT/PF central offices, shall then proceed to gather all available information concerning the route and prepare a written best interest finding and preliminary decision which shall address the below referenced criteria.

1. Identification of the land involved and the periods of time when it was "unreserved public land". In addition, identification of any positive acts on the part of the appropriate public authorities clearly manifesting an intention to accept the grant, or evidence of public use for such time and conditions to prove that the grant was accepted.

2. Identification of any reasonable, practical and legal alternative access which may be available to serve the intended purpose of the RS 2477 ROW (i.e., Omnibus Act Roads, ANCSA Section 17(b) easements).
3. Suitability of the route (i.e., grade, location) for the existing or proposed road, trail or other highway use.
4. Whether an RS 2477 ROW assertion is necessary to establish or confirm state ownership of an existing or proposed state maintained highway or trail (including realignment or extension).
5. Identification of the public benefits of the potential RS 2477 ROW, including but not limited to preservation of transportation system options, enhanced public use access for economic or recreational purposes, cost savings through avoidance of condemnation, negotiated purchase, land exchange or other more costly acquisition method.
6. If the route will adversely affect the land management practices of the underlying and/or adjacent landowner, and

if so, what mitigating measures could be implemented to alleviate or eliminate any adverse impacts.

7. Identification of sufficient evidence to support a finding the the route qualifies as a valid RS 2477 ROW, such as the manner, type and frequency of public use, existence of the public records pertaining to the ROW, on-the-ground verification of the existence of the ROW and historical documentation (i.e., maps, newspaper/periodical references, Alaska Road Commission reports, treatises, etc.).

The best interest finding and preliminary decision shall then be referenced in a public notice to be issued by the regional office, consistent with the requirements of AS 38.05.945. This process entails distribution in newspapers of statewide circulation and notification of any parties known or likely to be affected by the action (including municipalities and ANCSA corporations). DNR and DOT/PF shall also compile and maintain a mailing list of interested parties which will receive notice of all RS 2477 ROW actions. The regional office also shall have the discretion to hold a public hearing on an action, if determined necessary. A written comment period of at least 30 days shall be

included in the process. Following completion of the public notice and written comment period, the regional office shall issue a final decision which may be subject to appeal. Affected parties including landowner(s) will be notified of the decision.

Once it is determined that an assertion is in the state's best interest, the route shall be identified as an RS 2477 ROW on state title plats. It is the position of the state that federal agencies should also note applicable federal title plats.

The final decision is an official state position regarding the validity of the RS 2477 ROW claim and constitutes a determination by the state that there is both sufficient evidence in the casefile to support an affirmative action on the claim by a court, and that the assertion is in the best interest of the state.

Unless otherwise included in the final decision, an assertion decision by the state does not constitute formal acceptance of management responsibility by the state or assumption of liability for the ROW over non-state land. The state contends that management responsibility over a potential RS 2477 ROW can only accrue

to the state following a validity determination by the court or if the state voluntarily accepts management authority and gives notice prior to such action. Specific state management responsibilities over valid RS 2477 ROW's are articulated in Section V.

C. Vacation/Disclaimer

In addition to a decision to assert an RS 2477 ROW, the assertion review process can result in a decision by the state to vacate or disclaim an interest in the ROW.

A decision to disclaim an interest/vacate an RS 2477 ROW claim is similarly a determination that the claim will not be supported by the state. This decision does not preclude the right of the state or the public to again assert the claim at a later date. However, an effort to reassert a previously disclaimed/vacated RS 2477 ROW claim must be based upon significant new evidence or information which might be anticipated to influence and alter the original decision.

A vacation is appropriate where the route has already been determined by the court to be a valid RS 2477 ROW. In the case of

either a vacation or disclaimer of interest, the state casefile will be closed or remain inactive, depending upon circumstances. The state may provide another party with a copy of the casefile if such party decides to independently pursue the claim.

D. Validation

Once a decision is made to formally assert that a given RS 2477 ROW is valid, DNR or DOT/PF may also take steps to validate this interest.

A decision by the state to assert ownership of an RS 2477 ROW is also a determination that the state will defend the assertion from adverse claims, if necessary, in court and may proceed to initiate quiet title action or seek declaratory judgement from the court. In some cases, agreements may also be reached with affected landowners to address unresolved questions (such as width of the ROW).

E. Public Requests

Individual citizens may also assert and seek validation of RS 2477 ROW's. Additionally, the public may petition the state to assert, disclaim, or vacate its interest in a particular ROW. Procedures will be established providing the public single points of contact at DNR regional offices for this purpose. DNR will be responsible for coordinating the state's response with DOT/PF. Filing and processing fees may be charged to assist delivery of a timely response. All requests of the state by the public will be processed in accordance with the procedures contained in this section.

V. Management

A. State

Under Alaska Statutes, DOT/PF has management authority for RS 2477 ROW's on non-state land if recognized and accepted by the state and held to be valid by the courts. Where such recognized, accepted and valid ROW's occur on state land, DOT/PF and the state agency having management authority over the state land, usually DNR, have concurrent management authority over the ROW.

In the case where another state agency (other than DNR or DOT/PF) has management authority over the ROW, efforts may be made by DNR and/or DOT/PF to assume management responsibility.

Consistent with the responsibilities outlined in Section III, DOT/PF agrees to accept management authority for all RS 2477 ROW's asserted by the state and held to be valid, which are part of the designated state or federal-aid highway system. For those portions of the RS 2477 ROW's on the designated state highway system that occur on state land, concurrent management authority with DNR will continue, with DOT/PF as the lead agency. For all other RS 2477 ROW interests that have been held to be valid, DOT/PF agrees to transfer management responsibility to DNR. If a valid RS 2477 ROW is subsequently made part of the state or federal-aid highway system, management responsibility will be transferred from DNR to DOT/PF, consistent with this section.

B. Local Government

In the case of a preliminary decision by DNR or DOT/PF to disclaim or vacate an RS 2477 ROW, local governmental entities can petition the responsible state agency (either DNR or DOT/PF) to reverse that decision, pursue validation (if appropriate), and transfer management responsibility to the local government entity if the following conditions are met:

1. The local governmental entity agrees to pay all of the state's costs to complete the assertion and validation process;
2. The local governmental entity agrees to hold the state harmless and accept all maintenance and legal liabilities associated with management of the RS 2477 ROW;
3. The local governmental entity furnishes reasonable proof of an ability to meet these management and legal responsibilities.

VI. General Provisions

A. Highway Definition

The reference in RS 2477 to "right-of-way for the construction of highways" did not mean the construction of something akin to a modern public street. In its proper historical context, the "highways" language was used generically to include any public way, such as a path, wagon road, pack trail, street, alley, and so forth. The United States Department of the Interior, Office of the Solicitor, concurs that state law controls what constitutes a highway within each state. DNR and DOT&PF accept this view and recognize AS 19.45.001(8) as the governing definition for the term "highway." AS 19.45.001 (8) defines "highway" to include a highway (whether included in primary or secondary systems), road, street, trail, walk, bridge, tunnel, drainage structure and other similar or related structure or facility, and right-of-way thereof.

B. Use

The state takes the position that once determined valid, an RS 2477 ROW may be used for any "highway" purpose as defined in Section VI.A. above. Such use may be limited, however, by the width of the ROW (see Section VI.C.) and be subject to specific management practices as applied by the state to the ROW.

C. Width

The width of an RS 2477 ROW depends on the way it was established. If established by statute or ordinance, or other formalized public agency dedication, then the language of such will control. For example, AS 19.10.010 was amended to specify 100 foot section line rights-of-way on land owned or acquired by the state. However, if the method for establishment of the RS 2477 ROW was by construction or use, width may be determined by the nature and extent of that construction or use, depending upon the date established.

Most RS 2477 ROW's fall into the public construction or use category. Accordingly, the width for each of these types of RS 2477 ROW's should be outlined by the state during the

assertion and validation process. The width is usually set as the distance from the farthest limit of backslope to the farthest limit of backslope on the opposite side. However, in the past, some courts have established the width for an RS 2477 ROW as that commonly established for highways designed for that particular mode of transportation (i.e., pedestrian trail, secondary road, etc.).

D. ANILCA Conservation System Units

Section 1109 of ANILCA specifically provides for the protection of valid existing rights. As valid existing rights may include RS 2477 ROW's, it is essential that these routes be identified and addressed through the federal Conservation System Unit (CSU) planning process.

In 1985, progress was made by the state to better coordinate RS 2477 efforts on a statewide basis with federal agencies, other affected landowners and the general public. State Senator Jack Coghill, his staff from the Senate Transportation Committee, and staff from the U.S. National Park Service, worked to ensure that possible RS 2477 roads and

trails will be noted and identified in the National Park Service General Management Plans. Similar efforts are also being taken, working with the U.S. Fish and Wildlife Service, to include similar material in future Fish and Wildlife Service Comprehensive Conservation Plans. The purpose of this effort is to heighten awareness on the part of land managing agencies, affected landowners and the public as to the existence of possible RS 2477 ROW's. This is not meant to imply that these roads and trails are necessarily available for public use prior to formal validation of the existence of the potential RS 2477 ROW's.

The following language was developed for inclusion in each federal CSU Plan:

RS 2477 (formally codified as 43 U.S.C. 932; enacted in 1866) provides that: "The right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted." The Act was repealed by P.L. 94-579 as of October 21, 1976, subject to valid existing claims.

The (name of CSU unit) is subject to valid existing rights, including rights-of-way established under RS 2477. The validity of these rights-of-way will be determined on a case by case basis. The following list identifies rights-of-way that the state contends may be valid under RS 2477:

(list of potential RS 2477 ROW's)

A map illustrating the above list is found on page _____. This list and map are not necessarily all inclusive. Private parties or the State of Alaska may identify and seek recognition of additional RS 2477 rights-of-way within the (CSU unit). Supporting material regarding those rights-of-way identified by the state may be obtained through the Alaska Department of Transportation and Public Facilities, or the Alaska Department of Natural Resources.

Identification of potential rights-of-way on the list and map does not establish the validity of these RS 2477 rights -of-way and does not necessarily provide the public the right to travel over them.

DNR and DOT/PF will continue to provide pertinent RS 2477 ROW information to appropriate federal agencies during the CSU plan review process. This information will include a list and description of those potential RS 2477 ROW's (as determined by the state) within the CSU plan area and a map generally depicting their location.

Any attempt by the state to assert or validate an RS 2477 ROW in a CSU will occur in accord with the procedures outlined in Section IV.

E. Legal Considerations

The policies and procedures in this document do not apply to any ROW held under Public Land Orders (PLO), the Omnibus Act

Quit Claim Deed, ROW grants under Title 23 of the United States Code, or ROW interests other than those under RS 2477.

If necessary to respond to a challenge of the state's interest in a possible RS 2477 ROW that has not yet been processed under the procedures under Section IV of this document, DNR and DOT/PF reserve the right to suspend those procedures and assert that a particular RS 2477 ROW is valid.

A map illustrating the above list is found on page _____. This list and map are not necessarily all inclusive. Private parties or the State of Alaska may identify and seek recognition of additional RS 2477 rights-of-way within the (CSU unit). Supporting material regarding those rights-of-way identified by the state may be obtained through the Alaska Department of Transportation and Public Facilities, or the Alaska Department of Natural Resources.

Identification of potential rights-of-way on the list and map does not establish the validity of these RS 2477 rights -of-way and does not necessarily provide the public the right to travel over them.

DNR and DOT/PF will continue to provide pertinent RS 2477 ROW information to appropriate federal agencies during the CSU plan review process. This information will include a list and description of those potential RS 2477 ROW's (as determined by the state) within the CSU plan area and a map generally depicting their location.

Any attempt by the state to assert or validate an RS 2477 ROW in a CSU will occur in accord with the procedures outlined in Section IV.

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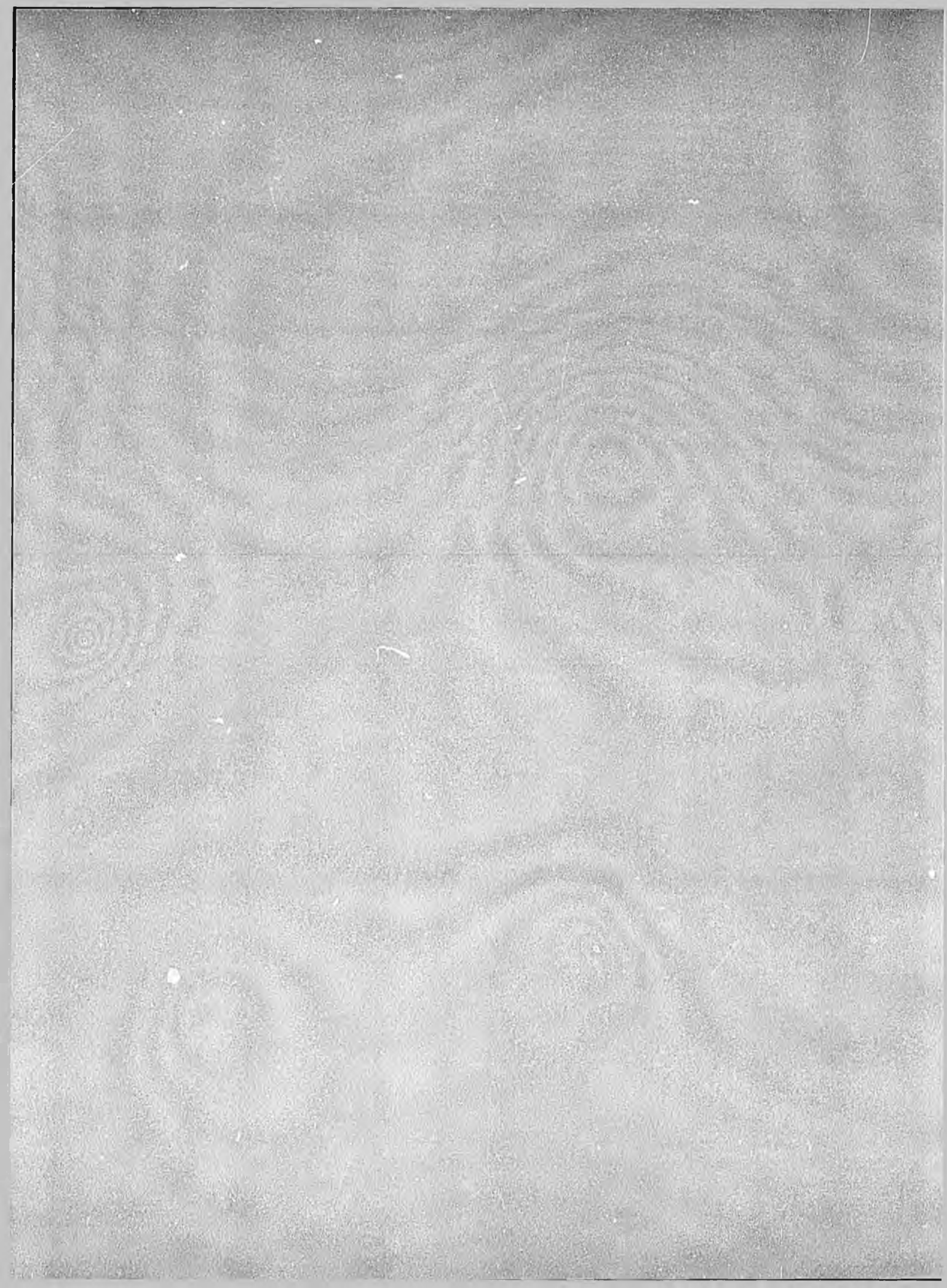
The aforementioned RS 2477 ROW policy and procedures become effective upon the signature of both parties and will remain in effect unless terminated by mutual agreement.

Esther C. Wunnicke, Commissioner
Department of Natural Resources

Date

Richard J. Knapp, Commissioner
Department of Transportation
and Public Facilities

Date



APPENDIX

State lays claim to some park lands

by Mary Scarpinato
Times Writer

The 10-year management plans for Alaska's national parks may be changed to include the state's claim to 87 historic roads and trails scattered across the parks, a U.S. Interior Department spokesman announced Thursday.

Current draft versions of the plans are now in the public comment stage and final versions are due before Congress on Dec. 2. Alaska's nine national parks cover nearly 50 million acres.

A task force to study issues related to these historic transportation corridors has been ordered by Assistant Interior Secretary Bill Horn, according to Ric Davidge, a special assistant to Horn.

That task force, which is to prepare its report within 30 days, will be composed of representatives of federal agencies here, the Alaska Federation of Natives and state Sen. Jack Coghill, R-Nenana, who chairs the senate Transportation Committee.

Coghill has been pushing for the inclusion of this transportation network in the park plans and addressed Thursday's breakfast meeting of the Resource Development Council for Alaska Inc., on the topic.

According to Coghill, many of these transportation rights-of-way were allowed to be established under federal legislation during Alaska's territorial years. They were established by miners and other developers when no

other access ways existed.

Coghill said an inventory of some 1,700 historic roads and trails was compiled by the state in the early 1970s. The state considers 87 of these corridors as potentially useful in the future.

It is not (the state's) intention to activate any of these trails (in the near future) but we need to assert them because we

may need them for resource development (at some later time)," Coghill said. "But we may not need them tomorrow."

Coghill added that if the state lays its claim for use of these corridors across federal lands it also might be required to assume any related liabilities. This is a matter the state is investigating, he said.

—The Anchorage Times 8/23/85

Alaska must pursue historic trails access

By SEN. JACK COGHILL

Alaska's surface transportation system, or lack of it, is one of the most unique things about our vast state.

Add to that the fact that current events are putting any future road/highway expansion in jeopardy.

To demonstrate one "uniqueness" in our Alaskan surface transportation, consider this: Alaska has more than 225 communities, towns, and cities. Only a few of those are connected by road or highway. But, just about every community is, or has been, connected with one another by trails.

In the other 49 states, it's difficult to find any city, town, village or hamlet that cannot be reached by road.

These early Alaska trails were historically used by dog teams, wagons, automobiles, and people who walked. Many are still in use. Many of these trails and early roads could be the location of roads or highways we will be forced to build in the future.

Presently, we are facing the possible loss of Alaska's historic trails. The issue is surfacing as federal agencies prepare management plans which will govern the use of park lands created by the Alaska National Interest Lands Conservation Act.

Alaska has 13 national parks, 16 national wildlife refuges, 25 wild and scenic rivers, four national forests and two conservation/recreation areas, that were created by ANILCA.

The responsibility for managing these vast areas lies with the National Park Service, U.S. Fish and Wildlife Service and the Bureau of Land Management. While I am generally in agreement with the idea that the parks and refuges need to be managed, I am always cautious when people in Washington start making decisions that affect us in Alaska (with

Guest Opinion

out appropriate public input). This is one of the reasons that the Senate Transportation Committee decided to focus attention on how these plans will affect Alaska's historic trails, otherwise known as RS 2477 trails.

The historic trails have been pegged as "RS 2477s" because the statute that established their existence is known as Revised Statute 2477, which was passed by an Act of Congress on July 26, 1866. The act provided for rights-of-way for "highways" over unreserved public lands. In Alaska, this established a network of public rights-of-way that were used for trade routes, homesteading, mining access and general transportation.

Along the western coast of Alaska, the 500-mile trail used by Eskimos from Kotzebue to Point Hope is classified as a RS 2477 trail. Many of the old mail trails in the Interior are probably RS 2477s that were used by dog teams—the Iditarod trail is a classic example.

In 1974, Commissioner of Highways Bruce Campbell compiled an inventory of 1,700 known historic trails. The state of Alaska asserted claim to these trails in April 1974 when documentation of the trails was delivered to the Bureau of Land Management.

Today, we use these trails for hunting, fishing, inter-village travel and for access to homesites, mineral development, forestry and agriculture. It is important for the state and its people to maintain ownership rights to these trails not only for the present but, more importantly, for the future. These trails preserve history.

may be needed in the future by our children and our grandchildren.

This issue was the focus of Senate hearings sponsored by Sen. Bettye Fahrenkamp last spring. We found that more emphasis was needed in the eyes of the public and in the federal planning processes to recognize Alaska's existing rights-of-way. As a result, the Senate Transportation Committee formed a task force to ensure that the federal management plans adequately recognize these historic trails. This task force has been working since July 1 to prepare maps and a list of approximately 100 trails that exist within the National Parks lands.

There are two important elements to the assertions that must be understood.

First, in no way does the list of trails prevent future assertions by the state or any citizen under the provisions of RS 2477.

Second, it is important to understand that when a RS 2477 right-of-way is asserted, it must go through a validation process before it may be utilized. We are in the process of formulating such a process.

The Senate Transportation Committee is "re-asserting" because no acknowledgement by the federal government has been made for the 1974 assertions of 1,700 trails and roads which had been identified and documented by the state of Alaska. Seems that the issue may have fallen through some crack somewhere on the Potomac.

We in Alaska have to identify and create the means for a workable planning process and a validation process. Our Transportation Committee will be re-asserting these 1,700 roads and trails the state has documented years ago. We will be asking for acknowledgement of those assertions.

We're in a serious time crunch. The land plans must be submitted to Congress soon with the first (the national parks) Dec

In the future, when we wish to activate one of these "assertions," we will go through a process of "validation." I anticipate a long, detailed procedure before we can use the road or trail as a public right-of-way. Long as it may be, it's got to be done. The alternative is a complete land lockup where only an Act of Congress could recognize our traditional historic roads and trails.

When Assistant Secretary of the Interior Bill Horn was in Alaska in mid-August, he indicated that a task force within the Department of Interior will be set up to issue a report on this issue within 30 days. The group will include representatives from affected landowners.

I personally have been meeting with various interested groups on 9/85 Fairbanks Daily News Miner

this issue to hear individual concerns relating to management, liability, weight restrictions, seasonal use, etc. I feel that we must include all the various interests in order to come up with good public policy.

The bottom line of my effort as chairman of the Senate Transportation Committee is to insure that these historic roads and trails are not forgotten. Our citizens have the right to know that these trails exist and on the basis of knowledge, all of us—environmentalists, developers, Natives, homesteaders, hikers, hunters and fishermen—can work together to determine how to provide for the needs of our people and our state.

Jack Coghill is a Republican state senator from Nenana. He is chairman of the Senate Transportation Committee.



Finding ways to protect our historic system of trails

By Sen. Jack Coghill

ALASKA'S SURFACE transportation system, or lack of it, is one of the most unique things about our vast state.

Add to that the fact that current events are putting any future road/highway expansion in jeopardy.

To demonstrate one "uniqueness" in our Alaskan surface transportation, consider this: Alaska has more than 225 communities. Only a few of those are connected by road or highway. But, just about every community is, or has been, connected with one another by trails.

In the other 49 states, it's difficult to find any city, town, village or hamlet that can not be reached by road.

These early Alaska trails historically were used by dog teams, wagons, automobiles, and people who walked. Many are still in use. Many of these trails and early roads could be the location of roads or highways we will be forced to build in the future.

Presently, we are facing the possible loss of Alaska's historic trails. The issue is surfacing as federal agencies prepare management plans which will govern the use of park lands created by the Alaska National Interests Lands Conservation Act (ANILCA).

Alaska has 13 national parks, 16 national wildlife refuges, 25 wild and scenic rivers, four national forests and two conservation/recreation areas, that were created by ANILCA.

THE RESPONSIBILITY for managing these vast areas lies with the National Park Service, U.S. Fish & Wildlife and the Bureau of Land Management. While I am generally in agreement with the idea that the parks and refuges need to be managed, I am always cautious when people in Washington start making decisions that affect people in Alaska (without appropriate public input). This is one of the reasons that the Senate Transportation Committee decided to focus attention on how these plans will affect Alaska's historic trails, otherwise known as R.S. 2477 trails.

The historic trails have been pegged as "R.S. 2477's" because the statute that established their existence is known as Revised Statute 2477, which was passed by an act of Congress on July 28, 1866. The act provided for rights-of-way for "highways" over unreserved public lands. In Alaska, this established a network of public rights-of-way that were used for trade routes, homesteading, mining access and general transportation.

Along the western coast of Alaska, the 500 mile trail used by Eskimos from Kotzebue to Point Hope is classified as a R.S. 2477 trail. Many of the old mail trails in the Interior are probably R.S. 2477's that were used by dog teams — the Iditarod trail is a classic example.

In 1974, the commissioner of highways, Bruce Campbell, compiled an inventory of 1,700 known historic trails. The state of Alaska asserted claim to these trails in April 1974 when documentation of the trails was delivered to the Bureau of Land Management.

TODAY, WE use these trails for hunting, fishing, inter-village travel and for access to homesites, mineral development, forestry and agriculture. It is important for the state and its people to maintain ownership rights to these trails not only for the present but, more importantly, for the future. These trails represent rights of way that may be needed in the future by our children and our

grandchildren.

This issue was the focus of Senate hearings sponsored by Sen. Bettye Fahrenkamp last spring. We found that more emphasis was needed in the eyes of the public and in the federal planning processes to recognize Alaska's existing rights of way. As a result, the Senate Transportation Committee formed a task force to ensure that the federal management plans adequately recognize these historic trails. This task force has been working since July 1 to prepare maps and a list of approximately 100 trails that exist within the national park lands.

There are two important elements to the assertions that must be understood.

First, in no way does the list of trails prevent future assertions by the state or any citizen under the provisions of R.S. 2477.

Second, it is important to understand that when a R.S. 2477 right of way is asserted, it must go through a validation process before it may be utilized. We are in the process of formulating such a process.

The Senate Transportation Committee is "re-asserting" because no acknowledgment by the federal government has been made for the 1974 assertions of 1,700 trails and roads which had been identified and documented by the state of Alaska. Seems that the issue may have fallen through some crack somewhere back on the Potomac.

We in Alaska have to identify and create the means for a workable planning process and a validation process. Our transportation committee will be re-asserting these 1,700 roads and trails the state has documented years ago. We will be asking for acknowledgment of those assertions.

We're in a serious time crunch. The land plan must be submitted to Congress soon with the first (the national parks) due Dec. 2.

In the future, when we wish to activate one of these "assertions," we will go through a process of "validation." I anticipate a long, detailed procedure before we can use the road or trail as a public right of way. Long as it may be, it's got to be done. The alternative is a complete land lockup where only an Act of Congress could recognize our traditional historic roads and trails.

WHEN ASSISTANT Secretary of the Interior Bill Horn was in Alaska in mid-August, he indicated that a task force within the Department of Interior will be set up to issue a report on this issue within 30 days. The group will include representatives from affected landowners.

I personally have been meeting with various interested groups on this issue to hear individual concerns relating to management, liability, weight restrictions, seasonal use, etc. I feel that we must include all the various interests in order to come up with good public policy.

The bottom line of my effort as Chairman of the Senate Transportation Committee is to insure that these historic roads and trails are not forgotten. Our citizens have the right to know that these trails exist and on the basis of knowledge, all of us... environmentalists, developers, natives, homesteaders, hikers, hunters and fishermen... can work together to determine how to provide for the needs of our people and our state.

Jack Coghill, a Republican from Nenana, is chairman of the Senate Transportation Committee.

Monday, October 7, 1985, The Anchorage Times

Alaska's historic roads, trails should not be forgotten

By JACK COGHILL

Alaska's surface transportation system, or lack of it, is one of the most unique things about our vast state. Consider this: Alaska has more than 225 communities, towns, and cities. Only a few of those are connected by road or highway. But just about every community is, or has been, connected with one another by trails.

These early Alaska trails were historically used by dog teams, wagons, automobiles, and people who walked. Many are still in use. Many of these trails and early roads could be the location of roads or highways we will be forced to build in the future.

Currently, we are facing the possible loss of Alaska's historic trails. The issue is surfacing as federal agencies prepare management plans which will govern the use of park lands created by the Alaska National Interest Lands Conservation Act (ANILCA).

Alaska has 13 national parks, 16 national wildlife refuges, 25 wild and scenic rivers, four national forests and two conservation/recreation areas that were created with ANILCA.

The responsibility for managing these vast areas lies with the National Park Service, U.S. Fish & Wildlife and the Bureau of Land Management. While I generally agree that the parks and refuges need to be managed, I am always cautious when people in Washington start making decisions that affect people in Alaska (without appropriate public input). This is one of the reasons that the Senate Transportation Committee decided to focus attention on how these plans will affect Alaska's historic trails, otherwise known as R.S. 2477 trails, for Revised Statute 2477,



which was passed by Congress on July 26, 1866. The Act provided for rights of way for "highways" over unreserved public lands. In Alaska, this established a network of public rights of way that were used for trade routes, mining access and general transportation.

Along the western coast of Alaska, the 500-mile trail used by Eskimos from Kotzebue to Point Hope is classified as a R.S. 2477 trail. Many of the old mail trails in the Interior are probably R.S. 2477's that were used by dog teams — the Iditarod Trail is a classic example.

In 1974, Commissioner of Highways Bruce Campbell compiled an inventory of 1,700 known historic trails. The state of Alaska asserted claim to these trails that year when documentation was delivered to the Bureau of Land Management.

Today, we use these trails for hunting, fishing, inter-village travel and for access to homesites, mineral development, forestry and agriculture. It is important for the state and its people to maintain ownership rights to these trails not only for the present but, more importantly, for the future. These trails represent rights of way that may be needed in the

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In no way does the list of trails prevent future assertions by the state or any citizen under the provisions of R.S. 2477. And it is important to understand that when a R.S. 2477 right of way is asserted, it must go through a validation process before it may be utilized. We are in the process of formulating such a process.

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Jack Coghill is an Alaska state senator from North Pole.

Legislative Digest

A Forecast and Review

Nov. 25 1985

Senate Transportation - Preserving Access Corridors

A special interim legislative work project will preserve the options to establish public access corridors across federally-managed national parks and wildlife refuges in Alaska.

Alaska trails and mining roads, many still being used, are being catalogued and included on federal National Park Service and Fish and Wildlife Service land management plans through the efforts of the Senate Transportation Committee. The committee took on the job of updating a 1974 Alaska trails inventory put together by former Highway Commissioner Bruce Campbell, and then working with the Interior Department to get trail rights-of-way noted in management plans now being prepared for parks and refuges in Alaska.

Campbell, in 1974, had located about 1700 historic trails and roads in his inventory. Not all of these will be submitted to Interior, but many rights-of-way still actively used can be preserved.

Committee staff were able to get maps and backup data to Interior in time to include the trail identification in nine of 13 National Park Service plans being finalized this year. These alone include

149 access routes. By end of this year, maps and data for trails to be included in 12 wildlife refuge plans scheduled to be done in 1986-7 will be submitted by the committee. The four park plans that were missed were completed in 1984, before the committee started its work. To retain some legal leverage in asserting rights-of-way in these areas, the committee will consider publishing the maps.

Most of the national park areas have just a handful of trails. One of them - Noatak - has none, while Wrangell-St. Elias, an area that was extensively used for mining, has over a hundred, including many still being used.

Including the trails in federal plans and maps doesn't establish a right-of-way but it does preserve the option for the state to assert a historic public use of a trail or road at some future time. If the old trails hadn't been included in federal management plans, Alaskans would have had to go to congress for legislation to get an access corridor across a park or refuge. Nana Regional Corporation had to do this recently for road access across Cape Krusenstern National Monument to the Red Dog mine location.

"Cleanup" Needed on Air Carrier Bill

Technical amendments to HB-133 passed last year (financial responsibility for truckers and air carriers) are needed to clean up problems, air carriers told the Senate Transportation Committee in November. Carriers' association spokesman suggested more 'teeth' in penalty provisions by increasing fines and upgrading violations to Class A misdemeanor for failure of air operators to carry insurance. Also, there are no penalties in the law for failure to actually get a state certification for all practical purposes.

priation and Department of Commerce has been administering it with existing staff on a 'time available' basis.

From the Back Room

Anchorage Mayor Tony Knowles is headed for a collision with some of the Anchorage delegation over highway-building: Sen. Jan Faiks says the municipality is building "parks with a road down the middle",

VIEWPOINT



RS-2477's IN ALASKA

Article - by Senator Jack Coghill

Alaska's surface transportation system is one of the unique characteristics of our State. Consider this: Alaska has more than 225 communities, towns, and cities. Only a few of those are connected by road or highway. But just about every community is, or has been, connected to one another by trails, many of which are possible RS 2477 rights-of-ways.

Revised Statute 2477 was an Act passed by Congress in 1866 which provided for rights-of-way for "highways" over unreserved public lands. Under Alaska statutes, the definition of a highway is very broad and includes roads, streets, trails and walks.

Alaska's historic trails were used by dog teams, wagons, motorized vehicles and people who walked. Many of these trails are still in use; some could be critical links to tie our people together in the future.

The RS 2477 issue has received more attention in recent months as Federal agencies prepare management plans which will govern the use of parks and refuge lands created by the Alaska National Interest Lands Conservation Act (ANILCA).

ANILCA conveyed millions of acres of Alaska's land into 13 national parks, 16 national wildlife refuges, 25 wild and scenic rivers, 4 national forests and 2 conservation/recreation areas. The responsibility for managing these vast areas lies with the National Park Service, U.S. Fish & Wildlife and the Bureau of Land Management.

This management responsibility, through the general management plans, must not exclude the rights of the people of Alaska to continue to use our historic trails. This is one of the reasons that the Senate Transportation Committee decided to call attention to how the general management plans will affect Alaska's historic trails. The Senate Resources Committee also held hearings on this issue last spring because they, too, saw a need for more public input in the Federal planning processes.

As a result, the Senate Transportation Committee formed a task force to ensure that the Federal management plans adequately recognize these historic trails. Working with the Alaska Departments of

Natural Resources and Transportation/Public Facilities, the task force prepared maps and a list of possible RS 2477 rights-of-way that the State wants included in these Federal plans.

Trail information was derived from the 1974 Alaska Trails System Inventory, an atlas developed by then-Commissioner of Highways Bruce Campbell to catalog the State's 1,400 known trails. The inventory was sent to the Bureau of Land Management in 1974, before that agency had any authorization to deal with RS 2477's. However, the inventory was shelved by BLM and no formal response was made to acknowledge the State's ownership of these trails.

Only now has an inter-agency effort begun to respond to the rising interest in RS 2477. The Department of Interior has formed an RS 2477 Task Force, under the leadership of Ric Davidge, of the U.S. Fish and Wildlife Service. The members include representatives of the Fish and Wildlife Service, National Park Service, Bureau of Land Management, U.S. Forest Service, Bureau of Indian Affairs, Alaska Federation of Natives, Alaska Native Land Managers Association, Alaska Department of Natural Resources, Alaska Department of Transportation/Public Facilities, and the Office of Management and Budget - CSU Coordinator.

The State of Alaska has recently taken a positive posture by publishing for public comment draft policies and procedures governing RS 2477 trails. This well-written and well researched document spells out the State's intent to deal with all the issues surrounding these trails in a fair manner. It includes the criteria used to determine a RS 2477, as well as issues relating to liability, maintenance and use. Copies can be obtained from the Department of Natural Resources or the Department of Transportation/Public Facilities.

This entire issue is vitally important because if the State had let these valid existing rights become forgotten, only the giant corporations or large government entities could afford to get the attention of the Federal government to respond to their access needs.

The road to Red Dog is a classic example. It was only through a combination of NANA Corporation and Cominco with the backing of the Governor and the support of the Congressional delegation that a right-of-way was granted by Congress. I don't believe that an individual or small corporation should have to mount an expensive lobbying campaign to secure a right-of-way, especially if there are already valid rights-of-way in existence.

It is essential that the State and its people maintain their ownership rights to these trails. What's at stake is access for homesites, fishing, recreation, mineral development, forestry, agriculture and travel between villages, not only for the present but for many generations in the future.