

ALASKA LEGISLATURE COMMITTEE FILES 1905-1900 00/2

4392 STRA RS 2477 TASK FORCE REPORT

1071

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

Juneau  
Juneau Alaska 99801  
907/465-1111

Box 136  
Sitka Alaska 99760  
907/852-5171



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."

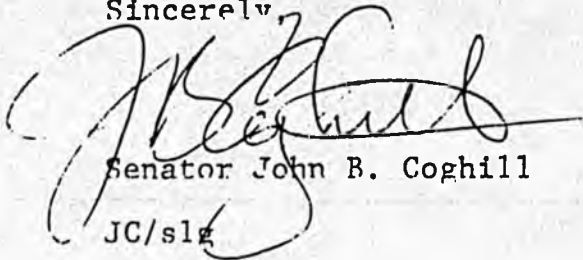
We have been working with your staff to complete as many maps as possible before the end of 1985 in order to meet deadlines for your draft plans. I would like to commend them, especially Leslie Kerr, on the assistance they have provided us.

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.

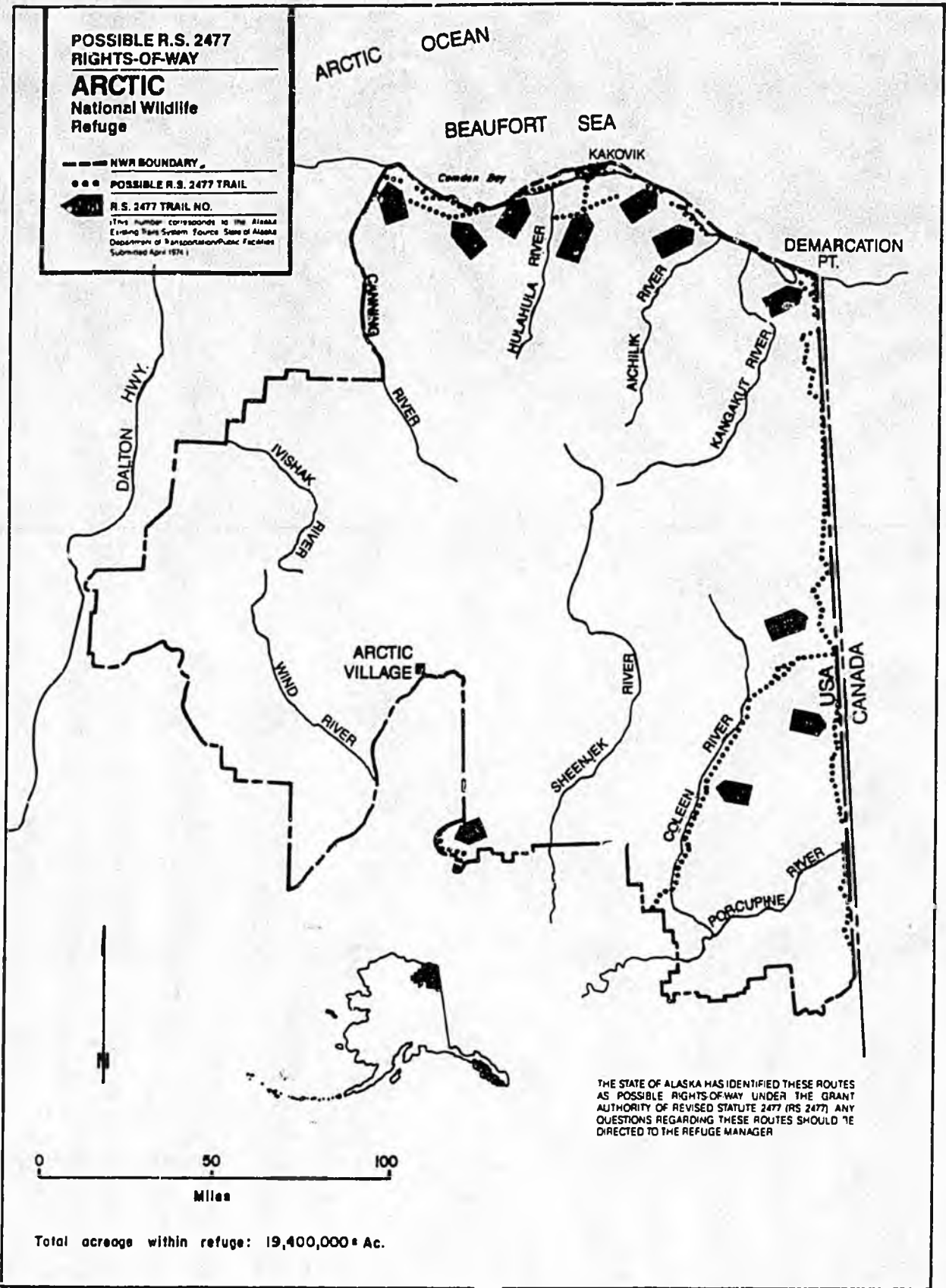
Trail information was derived from the 1974 Alaska Existing Trails Inventory, however, it is not a complete compilation of all possible RS 2477 rights-of-way in the state.

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  
Evidencing Trail System. Source: State of Alaska  
Department of Transportation/Public Facilities  
Submitted April 1974.)



0 50 100  
Miles

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

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.

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)

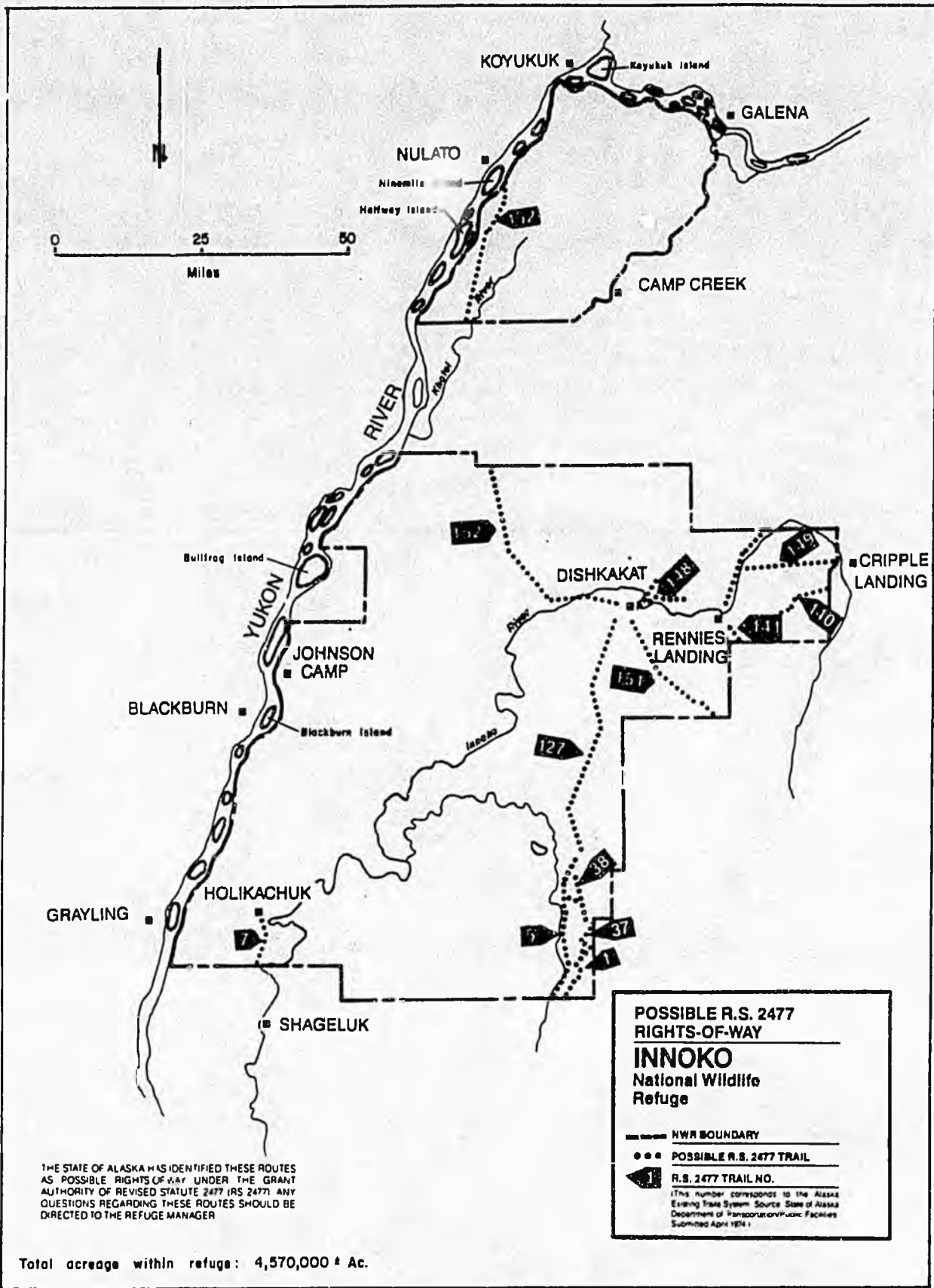
Identification - Quad 151, Flaxman Island

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**

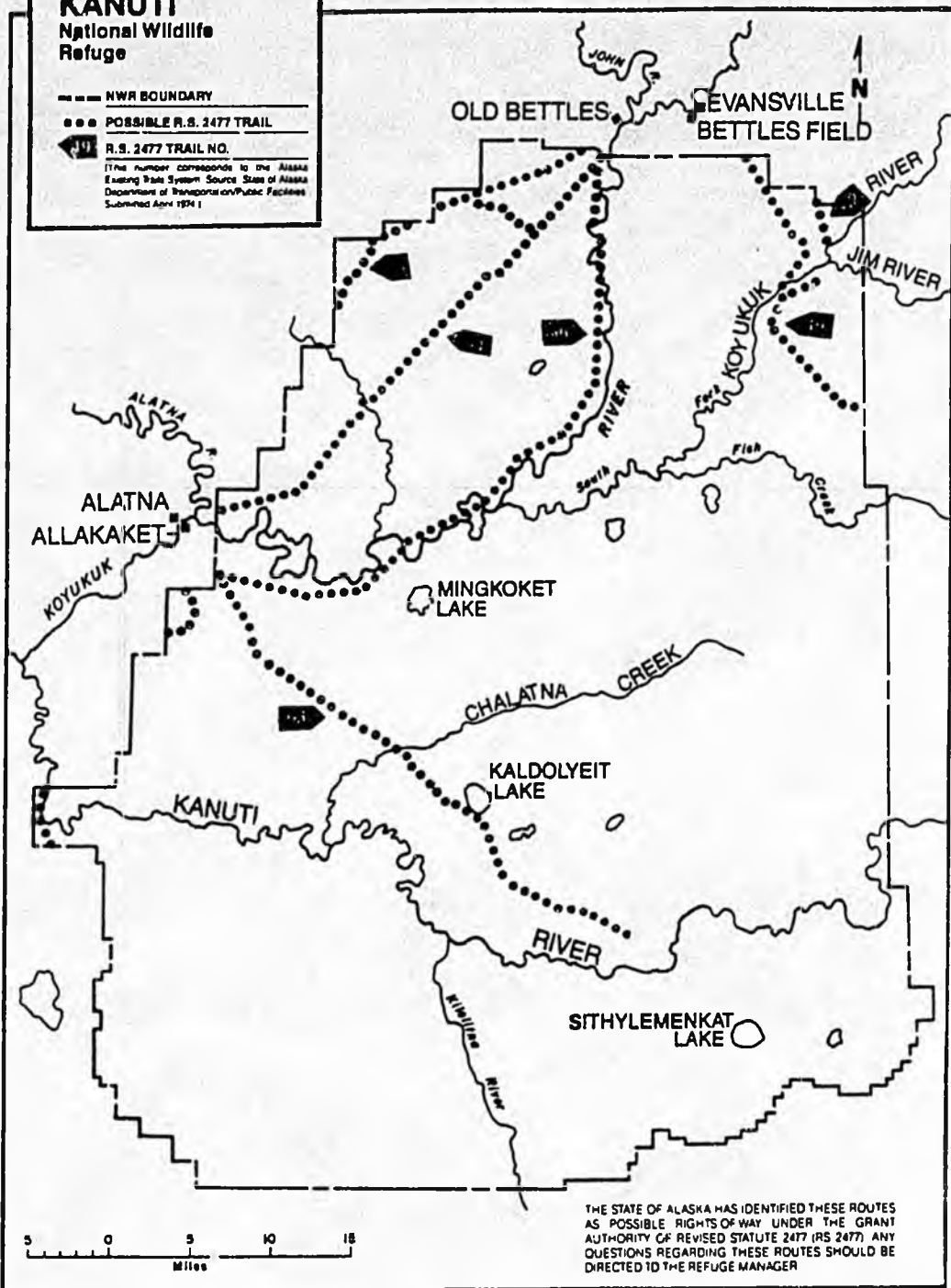
**KANUTI  
National Wildlife  
Refuge**

--- NWR BOUNDARY

●●● POSSIBLE R.S. 2477 TRAIL

➡ R.S. 2477 TRAIL NO.

(Trail number corresponds to the Alaska  
Easement 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.

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)

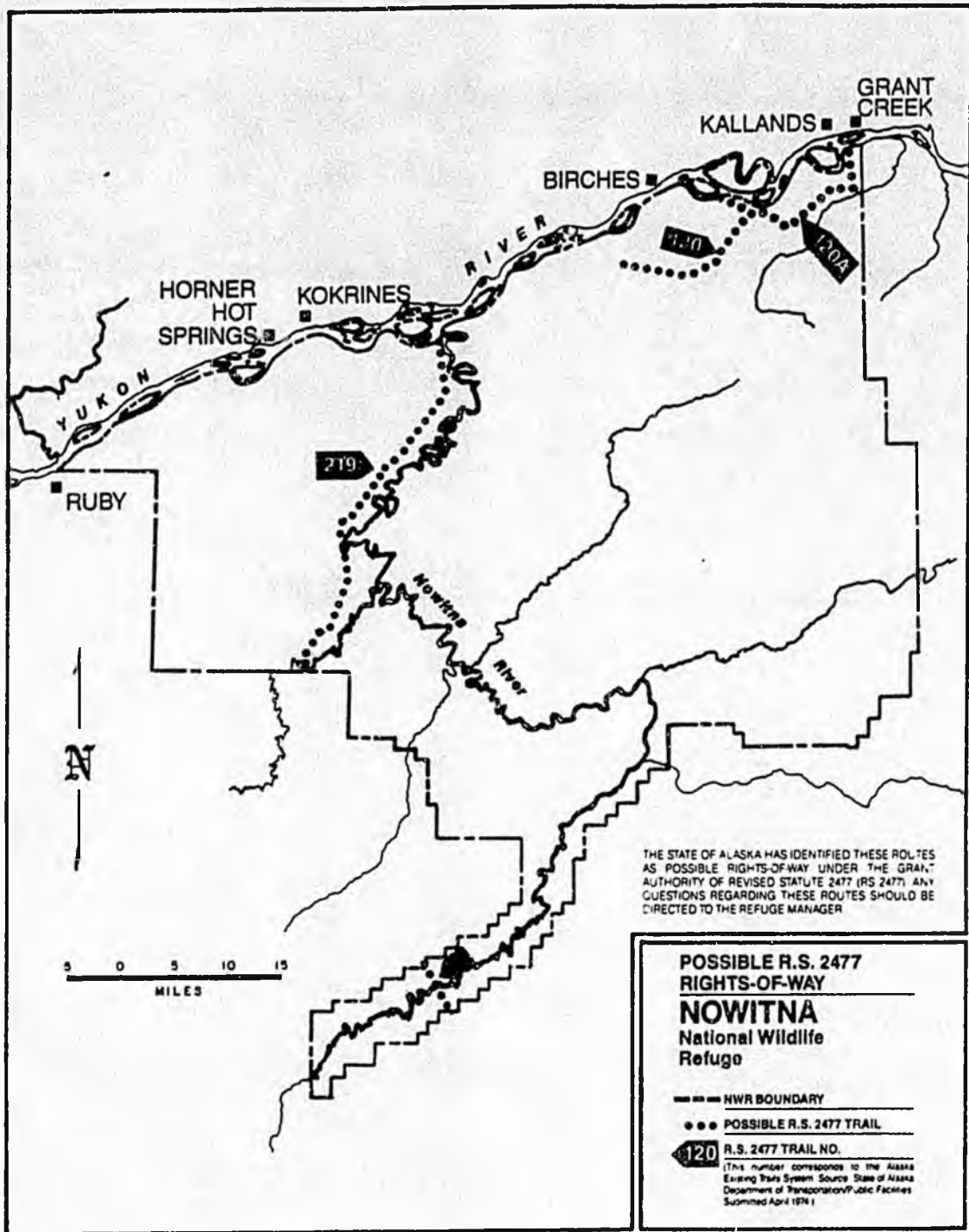
Identification - Bettles PO to south fork of Koyukuk River

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)

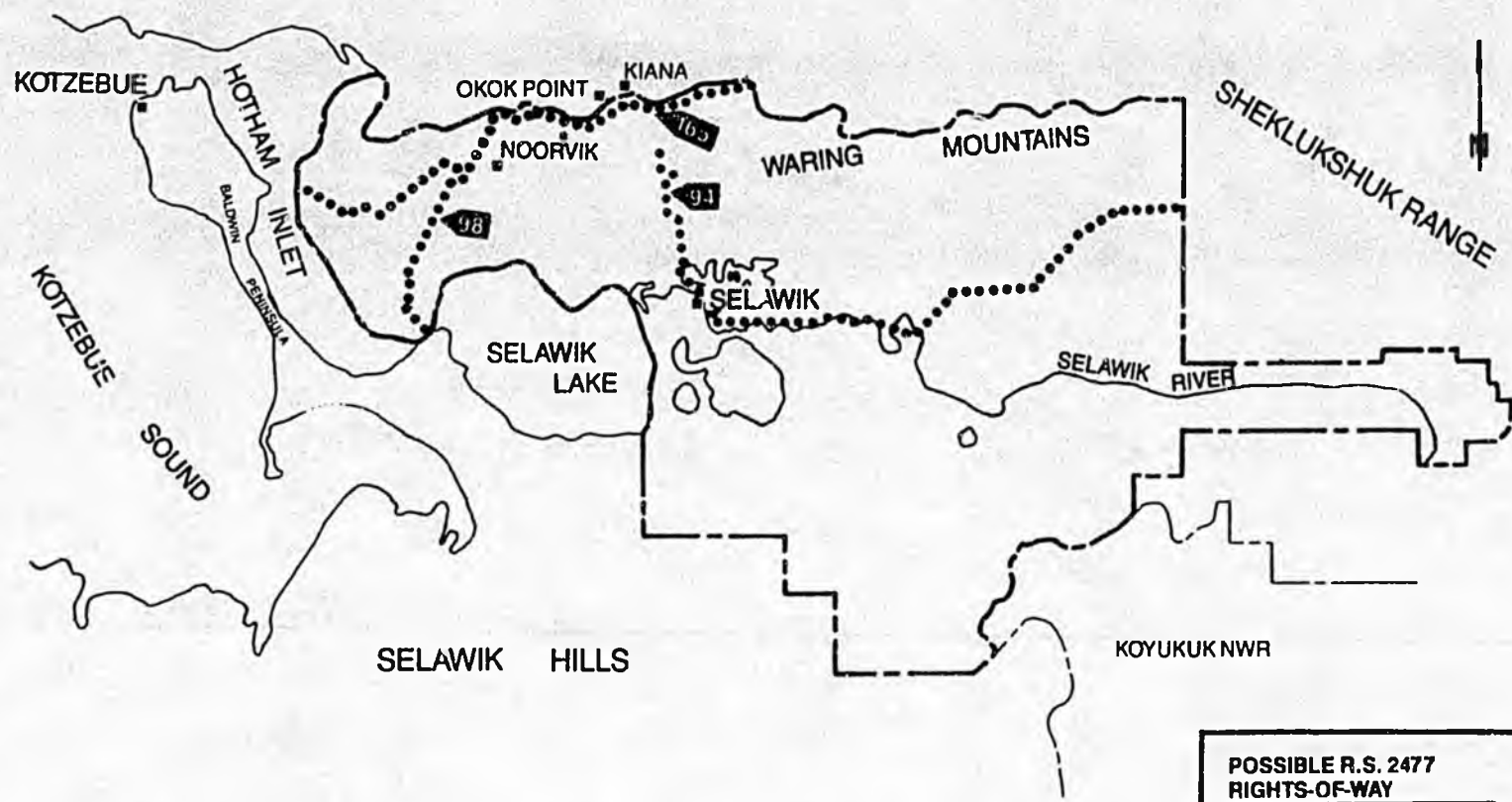
Identification - Trail from Klatsuta River to Yukon River

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)

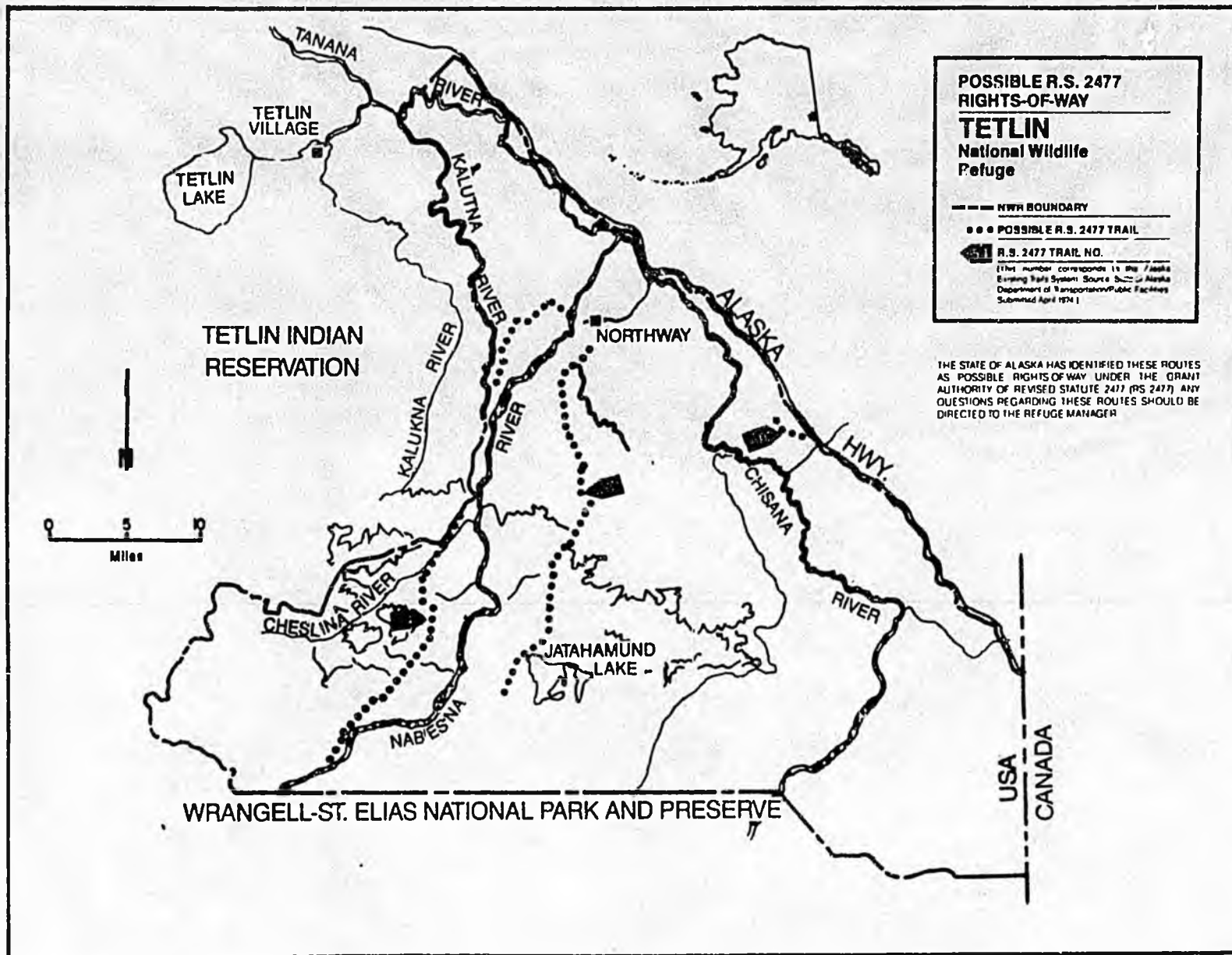
Identification - Kotzebue to Shungnak Trail

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)

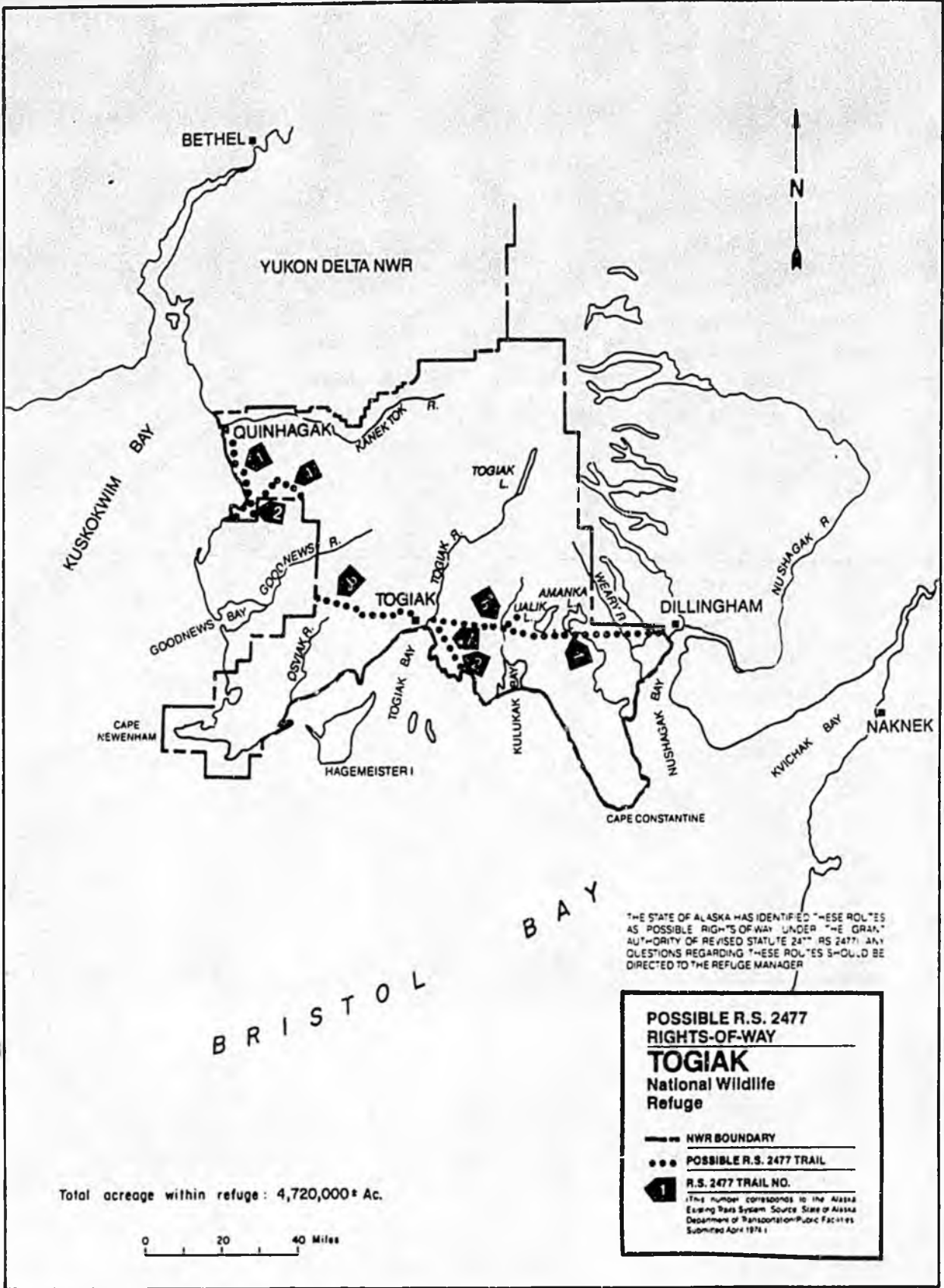
Identification - Quad 84, Nabesna

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)

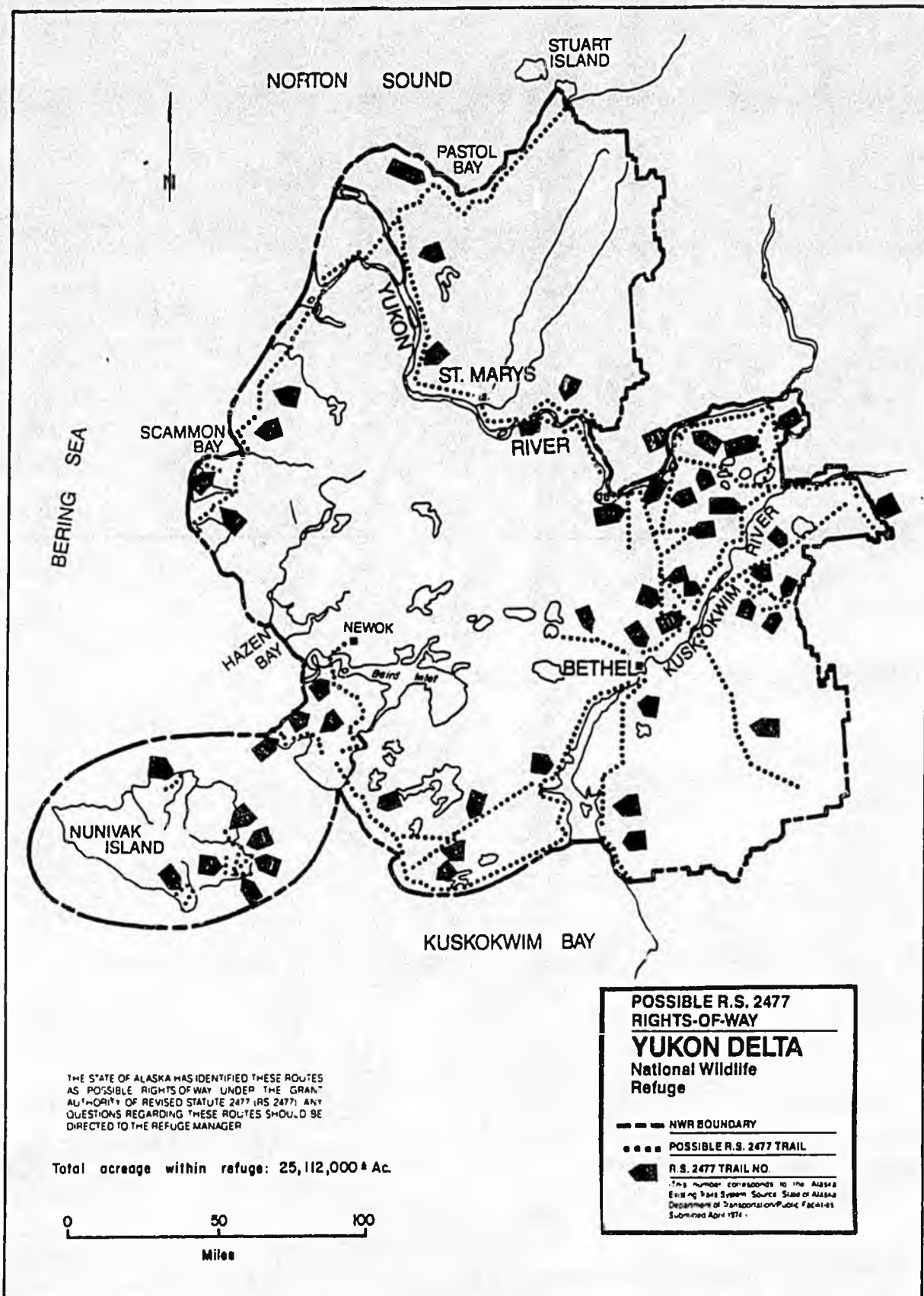
Identification - Quad 53, Goodnews

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-i) (below Hazen Bay)

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

Description: The trail runs from Toksook Bay to Nighmute; 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 Ingrimiut 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/Kalskag (near Kuskokwim River)

Identification - Quad 73, Russian Mission

Description: The trail runs from Tuluksak to Kalskag.

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)

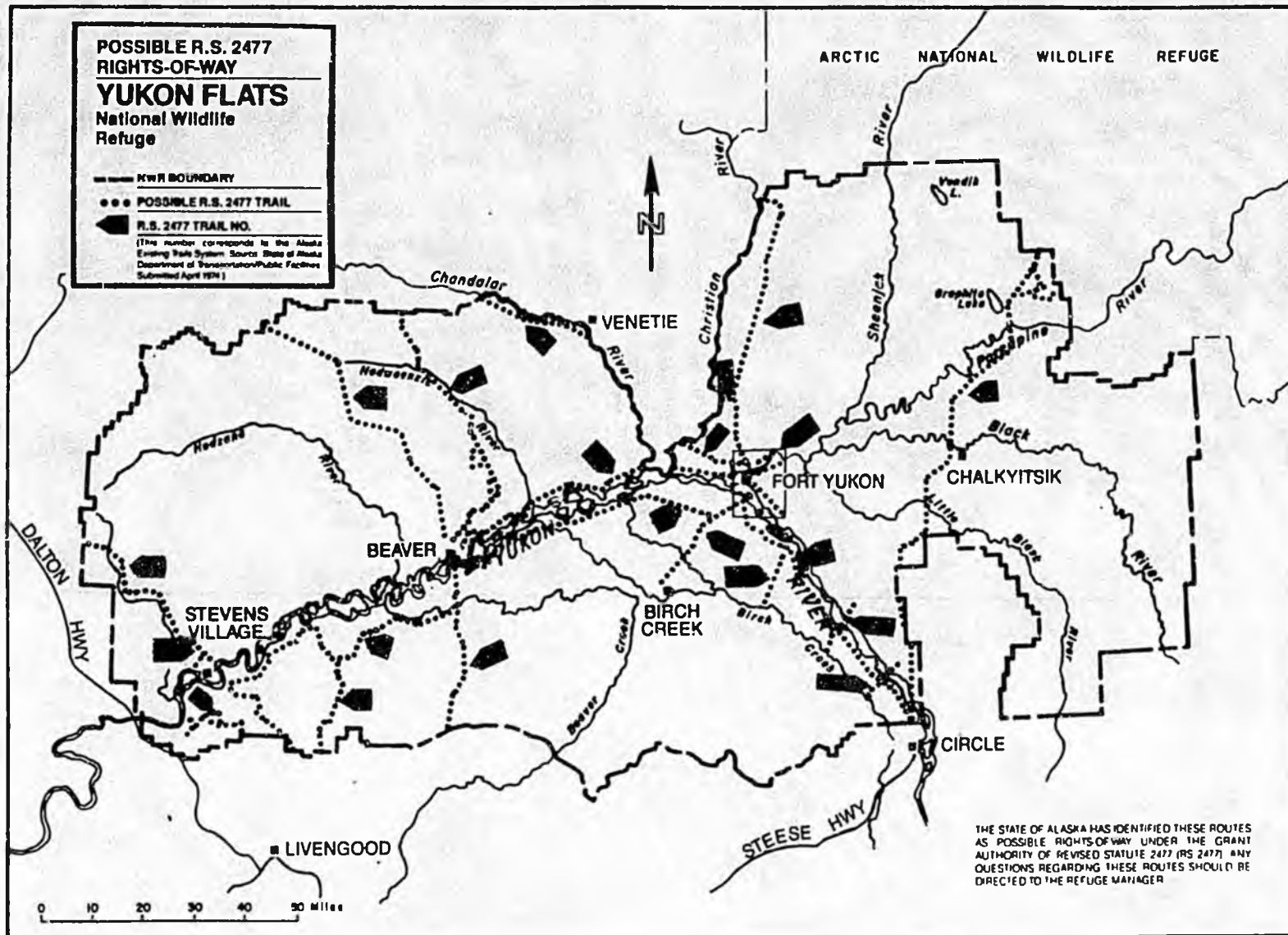
Identification - Quad 77, Kwiguk

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

10/13/1985

## 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.

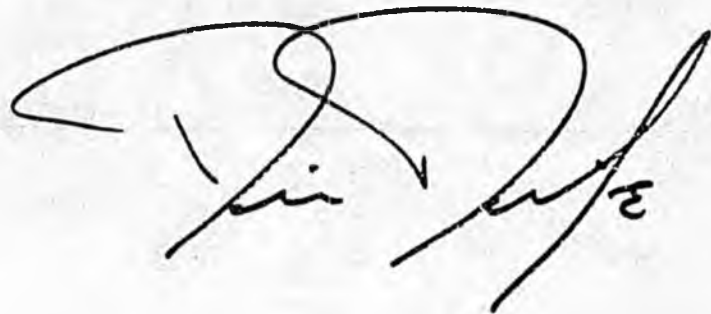
To prepare for the presentations and following discussions I recommend you assimilate all appropriate factual materials and organize them in a presentable form. In as much as BLM has been directly responsible for the RS 2477 program for many years I am asking that they facilitate the workshop and be 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 stylized flourish and a small number "3" at the end.

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 <sup>1/</sup> 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. <sup>2/</sup>

<sup>1/</sup> 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.

<sup>2/</sup> 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. Grasse, 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.

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