



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Law

Office of the Attorney General

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April 7, 2014

CERTIFIED MAIL NO. 7004 2510 0004 0091 2102

The Honorable Sally Jewell
Secretary of the Interior
1849 C Street NW
Washington D.C. 20240

CERTIFIED MAIL NO. 7004 2510 0004 0091 2119

The Honorable Jeh Johnson
Secretary of Homeland Security
Washington, D.C. 20528

Re: Notice of Intent to Sue Regarding Izembek National Wildlife Refuge R.S.
2477 Right-of-Way
Our File: JU2013200054

Dear Secretaries Jewell and Johnson:

Pursuant to 28 U.S.C. §2409a(m), this letter gives notice of intent to sue not less than 180 days before bringing a quiet title action on an R.S. 2477 right-of-way near Cold Bay, Alaska. The right-of-way traverses federal lands in the Izembek National Wildlife Refuge as well as land held by the United States Coast Guard. The State asserts a legal entitlement to use and possession of the right-of-way pursuant to Section 8 of Chapter 262 of the Act of July 26, 1866, 14 Stat. 253, 43 U.S.C. § 932 (1976)(repealed by the Federal Land Policy and Management Act, Pub. L. 94-579, Title VII, § 706(a), October 21, 1976), a/k/a R.S. 2477.

The route at issue extends from the community of King Cove to Cold Bay and is based on public use beginning in the 1920s. The approximate location of this historic right-of-way is highlighted in yellow on the enclosed Google Earth image. The length of the right-of-way is roughly 44 miles.

If you have any questions regarding this notice, please do not hesitate to contact me. The State of Alaska looks forward to working with the Departments of the Interior and Homeland Security in resolving this claim.

Sincerely,



Michael C. Geraghty
Attorney General

MCG:ZKS:rls

cc: Governor Sean Parnell
P.O. Box 110001
Juneau, Alaska 99811-0001

Senator Lisa Murkowski
709 Hart Senate Building
Washington, D.C. 20510

Senator Mark Begich
111 Russell Senate Office Building
Washington, D.C. 20510

Representative Don Young
2314 Rayburn House Office Building
Washington, D.C. 20515

Joe Balash, Commissioner
Department of Natural Resources
State of Alaska
550 West 7th Avenue, Suite 1400
Anchorage, Alaska 99501-3650

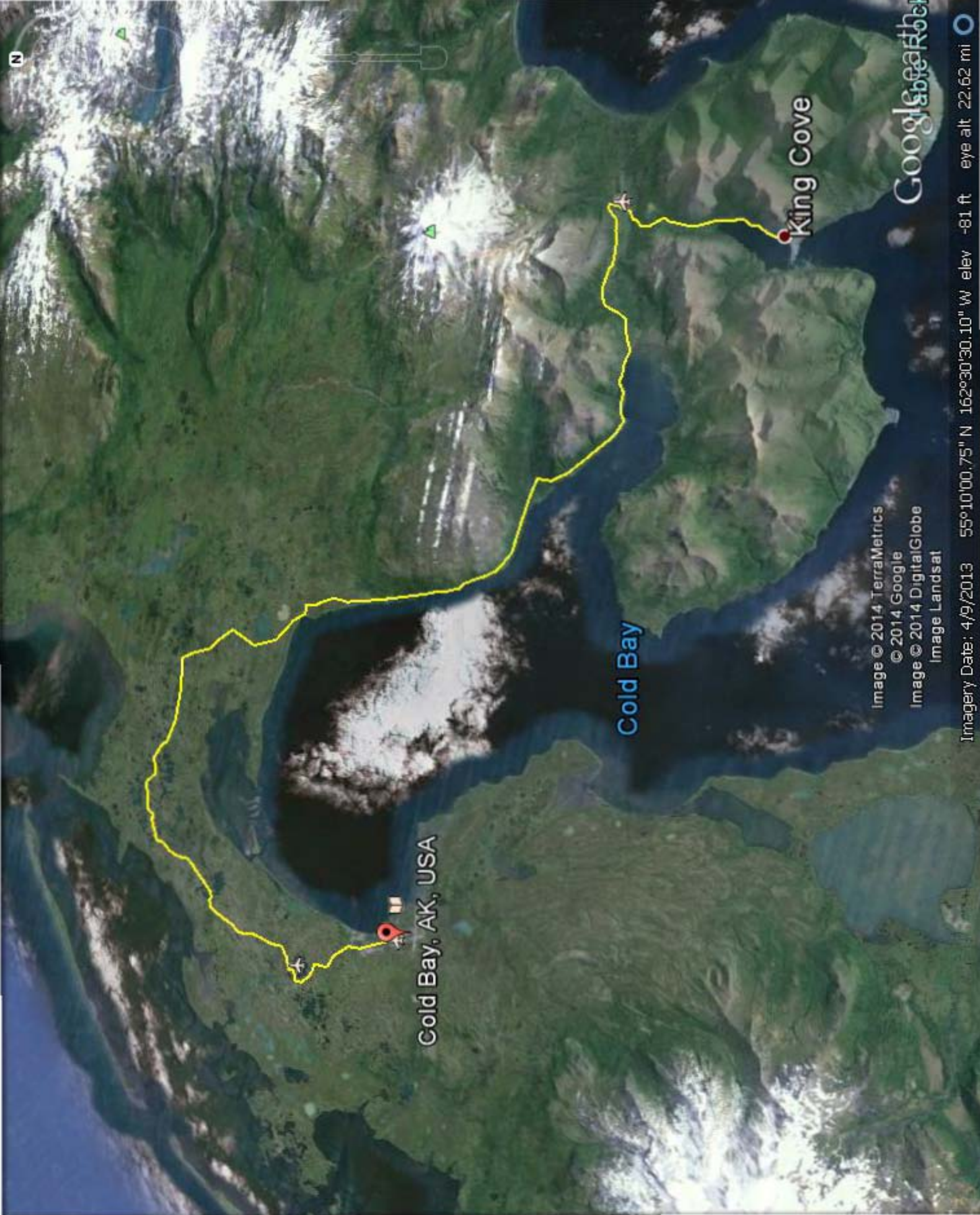
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Rear Admiral Thomas P. Ostebo
17th District Commander
17th Coast Guard District
P.O. Box 25517
Juneau, Alaska 99802-5517



Cold Bay, AK, USA

Cold Bay

King Cove

Image © 2014 TerraMetrics
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Image Landsat

Google Earth

Imagery Date: 4/9/2013 55°10'00.75" N 162°30'30.10" W elev -81 ft eye alt 22.62 mi