

NOTICE OF PROPOSAL TO IDENTIFY
THE CHITINA CEMETERY ROAD AS A
RS 2477 RIGHT OF WAY

The State of Alaska Department of Natural Resources will make a determination as to whether the Chitina Cemetery Road is a valid right of way under Revised Statute 2477 43 U.S.C. § 932 (commonly referred to as RS 2477 rights of way).

The department has considered the following as required by 11 AAC 51.055(b):

- (1) The Chitina Cemetery Road was delineated on the McCarthy Road Improvement Project, Cultural Resource Survey, September, 2003 by Rolfe Buzzell. The scale of the map is one inch to less than one mile as required by 11AAC 51.055(b)(1).
- (2) The road was constructed across Federally-owned vacant land when the land was not appropriated or reserved for public use. The land was patented May 3, 1916. The construction and use of the road started in 1910 and meets the requirement of 11 AAC 51.055(b)(2)
- (3) Evidence exists of the historic use of this road beginning September 1910 and the cemetery beginning February 15, 1911 which constitutes public acceptance of the right of way. The evidence is set forth in the History of the Chitina Cemetery Road by Kevin Sorensen. The evidence must meet the requirement of 11 AAC 51.055(b)(3)(A).

You may review the evidence at the address below, at the Chitina Alaska Post Office or at http://dnr.alaska.gov/mlw/hottopics/pdfs/chitina_cemetery_roadinfopacket.pdf.

Pursuant to 11 AAC 51.055(c)(1), the department will consider relevant evidence, contrary to or in support of the evidence identified above, that is offered during the public comment period that shall end March 26, 2010. After the public comment period ends, a decision to identify will be issued by the department which may be appealed under 11 AAC 02.

Submit commits to: Public Access Assertion Defense Unit
Department of Natural Resources
State of Alaska
550 West 7th Ave., Suite 1420
Anchorage, AK 99709-3844